PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
February 25, 2021

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regular City Council meeting at the Marsac Municipal Building, City Council Chambers, 445 Marsac Avenue, Park City, Utah 84060 for the purposes and at the times as described below on Thursday, February 25, 2021.

NOTICE OF ELECTRONIC MEETING & HOW TO COMMENT VIRTUALLY:

On January 27, 2021, the Mayor issued a written determination that because of the public health emergency, conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may attend in person. For these reasons, this meeting will be an electronic meeting without an anchor location.

Council members will connect electronically. Public comments will be accepted virtually. To comment virtually, use eComment or raise your hand on Zoom. Written comments submitted before or during the meeting will be entered into the public record, but will not be read aloud. For more information on participating virtually and to listen live, please go to www.parkcity.org.

WORK SESSION

3:30 p.m. - Park City Arts and Culture District Follow Up Discussion – Finance Plan
Arts and Culture District Finance Plan Staff Report
Exhibit A: Finance Plan
Exhibit B: FY 2021 Sales Tax Update

REGULAR MEETING - 6:00 p.m.

I. ROLL CALL

II. APPOINTMENT

1. Appoint LGBTQ+ Task Force Council Liaison
   LGBTQ+ Council Liaison Staff Report

III. COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments

Staff Communications Reports

1. 2020 Golf Season

2020 Golf Season Staff Report

2. McPolin Farm COVID Update
McPolin Farm COVID Update Staff Report

3. Marsac 100 Petition and Property Status
100 Marsac Staff Report
Exhibit A: Marsac 100 Petition

4. Soils Repository and Gordo Property Update
Soils Repository and Gordo Property Update Staff Report
Exhibit A: Site Plan

IV. PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

V. CONSIDERATION OF MINUTES

Consideration to Approve the City Council Meeting Minutes from February 4, 2021
February 4, 2021 Minutes

VI. CONSENT AGENDA

1. Request to Authorize the City Manager to Execute a Contract for a Drinking Water Source Protection Plan Update and Continued Technical Support Related to Ground Water Sustainability, in a Form Approved by the City Attorney, with Loughlin Water Associates, LLC, in an Amount Not to Exceed $135,500
Drinking Water Source Protection Plan Staff Report
Exhibit A: Loughlin Water Associates Scope, Fee, and Rate Structure

2. Request to Authorize the City Manager to Execute an Addendum to the Professional Services Agreement, in a Form Approved by the City Attorney, with Lithos Engineering Inc., for the Spiro Mine Tunnel Reconstruction Project in an Amount Not to Exceed $100,000.00
Spiro Tunnel Design Services and Program Management Addendum 1 Staff Report
Exhibit A: Lithos Scope and Fee Schedule

3. Request to Grant an Easement for Construction and Maintenance of Wastewater Collection and Transportation Pipelines and Appurtenances, across City-Owned Property to Snyderville Basin Water Reclamation District (SBWRD)
SBWRD Agreement Staff Report
Exhibit A: Grant of Easement
Exhibit B: Location of Easement

4. Request to Grant Non-Exclusive Rights-of-Way, Easements and Environmental Deed Restrictions Associated with the Alice Claim Subdivision, Across Parcel PC-S-55-X to King Development Group, LLC, Questar Gas Company dba Dominion Energy Utah, and Rocky Mountain Power, in a Form Approved by the City Attorney

Alice Claim Easements Staff Report
Exhibit A: Access Easement to King Development Group, LLC
Exhibit B: Easement to Questar Gas Company
Exhibit C: Easement to Rocky Mountain Power
Exhibit D: Environmental Deed Restriction

5. Request to Authorize the City Manager to Execute the Professional Services Agreement with Optibus Inc., for Software Installation and Support to Facilitate Enhanced Transit Route Design and Driver Schedule Optimization, in an Amount Not to Exceed $61,000 Per Year, for Three Years, in a Form Approved by the City Attorney
Transit Route Design and Scheduling Software Staff Report

VII. OLD BUSINESS

1. 2021 Legislative Update

2. Consideration to Continue an Ordinance Amending Title 11, Building and Building Regulations, Chapter 16 Flood Damage, of the Municipal Code of Park City, Implementing New Mapping and Regulations for Flood Damage Prevention in the Areas of Special Flood Hazard
(A) Public Hearing (B) Continue to March 11, 2021
Flood Damage Ordinance Continuation Staff Report

3. Transportation Planning and Projects Update
Transportation Projects Update Staff Report
Exhibit A: Upcoming Capital Transportation Projects
Exhibit B: Planned Regional Transportation Projects
Exhibit C: Grant Project List

VIII. NEW BUSINESS

1. Consideration to Continue an Ordinance Amending Land Management Code Chapters 15-2.4 and 15-15 to Address Shared Driveways and Common Parking Structures within the Historic Residential Medium Density Zoning District
(A) Public Hearing (B) Continue to March 18, 2021
Shared Driveways Continuation Report

2. Consideration to Adopt Resolution 03-2021, a Resolution Authorizing the Resubmission of an Application for Designation as a Utah Enterprise Zone to the State of Utah Governor's Office of Economic Development
(A) Public Input (B) Action
Enterprise Zone Staff Report
Exhibit A: Enterprise Resolution
Exhibit B: Proposed Enterprise Zone New Map 2021

3. Consideration to Approve Ordinance 2021-08, an Ordinance Approving the Argent at Empire Pass Condominiums, First Amended, Located at 7677 Village Way, Park City, Utah
(A) Public Hearing (B) Action
7677 Village Way Condo Plat Amendment Staff Report
Exhibit A: Ordinance 2021-08
Exhibit B: Applicant's Project Description
Exhibit C: Current Recorded Plat
Exhibit D: Ordinance 2019-58
Exhibit E: Public Input

4. Consideration to Approve Ordinance 2021-09, an Ordinance Approving an Extension of the Lilac Hill East Subdivision Located at 729, 741, 747, 751, 755 Rossie Hill Drive, Park City, Utah
(A) Public Hearing (B) Action
Lilac Hill East Extension of Time Staff Report
Exhibit A: Ordinance 2021-09
Exhibit B: Applicant's Request for Extension
Exhibit C: Ordinance 2020-02

5. Consideration to Approve Ordinance No. 2021-10, An Ordinance Repealing Land Management Code Section 15-6-7, Master Planned Affordable Housing Development; Enacting Chapter 15-6.1, Affordable Master Planned Developments; and Amending Chapter 15-15, Defined Terms
(A) Public Hearing (B) Action
Affordable Master Planned Development Staff Report
Exhibit A: Ordinance No. 2021-10
Exhibit B: Background
Exhibit C: Public Input

6. Consideration to Approve Ordinance No. 2021-11, an Ordinance Approving the King's Crown Condominiums First Amended Condominium Plat Located in Park City, Summit County, Utah
(A) Public Hearing (B) Action
King's Crown Condominiums Plat Amendment Staff Report
Exhibit A: Ordinance 2021-11 with Attachments 1 and 2
Exhibit B: Background
Exhibit C: Recorded King's Crown Condominium Plat
Exhibit D: Letter Vacating and Rescinding Building D Approvals
Exhibit E: Applicant Statements
Exhibit F: January 10, 2018 King's Crown MPD-CUP Planning Commission Approval Letter
Exhibit G: Public Input
Exhibit H: Current BLDG D Placement AS-020

IX. ADJOURNMENT

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. 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

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

Agenda Item No:

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: David Everitt
Submitting Department: Executive
Item Type: Work Session
Agenda Section:

Subject:
3:30 p.m. - Park City Arts and Culture District Follow Up Discussion – Finance Plan

Suggested Action:

Attachments:
Arts and Culture District Finance Plan Staff Report

Exhibit A: Finance Plan

Exhibit B: FY 2021 Sales Tax Update

City Council Staff Report

Subject: **Park City Arts and Culture District Follow Up Discussion – Plan of Finance**
Author: **David Everitt**
Department: **Executive**
Date: **February 25, 2021**
Type of Item: **Work Session**

Recommendation

Review and discuss the proposed plan of finance and revised phasing options to construct the City's portion of the Park City Arts and Culture District.

Executive Summary

After several years of planning, analysis, public input, and stakeholder collaboration – culminating in a series of in-depth discussions with the City Council over the last three months – staff created a financial path to responsibly move forward with a plan of finance to fund the entire Arts and Culture District without jeopardizing currently programmed fiscal commitments. Staff also believes that the Arts and Culture District, with its central location in Park City, collaborative partnerships, and a focus on community gather and services for locals, significantly advances several Community Critical Priorities.

However, a project of this magnitude requires a deep level of policy and financial commitment from the City Council and community. The Council has demonstrated its desire to "move the needle" on social equity, affordable housing, and transportation solutions. The District will be the most immediate, tangible, and effective manifestation of the collection of those priorities. Yet there are clearly opportunity costs, like any investment of this sheer size.

Full buildout of the District is estimated to cost $88.4 million, including 50-70 affordable housing units, public gather plazas, and several community-focused arts and cultural spaces. The City spent several years working with a world-class team of architects that endeavored to create a vibrant and authentic District, and one that was equally appealing to locals and visitors alike. They also planned an interconnected District that addressed gaps in our community's existing transportation systems. It is supported by two local arts and cultural stakeholders and integrates community housing as a defining asset.

A variety of funding sources have been pledged, considered, and/or evaluated as a possible means to deliver a project of this size – the transient room tax (TRT), affordable housing, transportation, transit, and the Capital fund were identified early on

as potential sources to pay for construction costs. Staff has also introduced the Additional Resort Community Sales Tax (ARST).

Over time, and despite a firm commitment to the District's underlying goals and the opportunity it holds for Park City, construction costs soared, and COVID-19 shook confidence. This resulted in additional analysis, scrutiny, public input, and design amendment to reduce overall project costs. Council also sought further information on the type of housing being planned and whether that continued to meet their policy goals.

Given the work undertaken to date, along with the Council's desire to continue to contemplate alternative paths for moving forward, staff prepared additional options to phase the construction of the affordable housing element, either with or without studio co-op and artist retail spaces.

Long term, however, those elements are essential incubation and retail opportunities for emerging local artists and makers. In addition, extra cost savings may be realized by value-engineering certain aspects of the housing element in Building 1 and/or constructing office space instead of some residential units in Building 3. These alternatives and the value-engineering will be explained in further detail during the work session.

Staff is not seeking direction at Thursday's meeting and is still preparing detailed financial slides to accompany the presentation.

Overall Background

This is the City Council's sixth work session to discuss the Park City Arts and Culture District's future. Recent staff reports and presentations include:

- Scope revisions, phasing, and plan of finance - December 15, 2020 staff report and audio;
- Public input and general discussion - December 17, 2020 staff report and audio;
- Housing, transportation, and plan of finance - January 7, 2021 staff report, presentation, and audio;
- Transportation - January 21, 2021 staff report and audio; and
- Housing - February 4, 2021 staff report and audio

Additionally, the Council reviewed the City's overall financial position on December 10, 2020 (presentation and audio) and the potential for public-private partnerships to develop affordable housing on February 11, 2021 (staff report and audio).

The Council also received a staff report detailing the proposed plan of finance for the buildout of an initial phase on December 15. Subsequently, the Council directed staff to return with a full buildout finance plan at the next work session on January 7. Due to time constraints, staff was unable to provide that information with the Council until now. Since then, staff refined the plan of finance based on discussions held during the

intervening Council meetings, but the estimated costs for construction have not changed substantially.

Based on those conversations, staff will present a detailed plan of finance at the work session. Staff also developed revised phasing and scope scenarios noted above, in addition to the full buildout scenario.

Analysis

Plan of Finance

This plan of finance was created for the full buildout given cost estimates from December 2020. It requires multiple financial policy commitments from the Council:

- Expanding the future uses of the Additional Resort Sales Tax (ARST) to *include* the District – it currently encompasses Old Town Street Projects (OTIS), Main Street, and open space;
- A 20-year maturity schedule for District bonds, instead of the 15-year maturity previously preferred by the Council;
- Moving some capital projects traditionally funded from ARST (35%) cash to being funded by bond proceeds (65%) – note that this would *not* delay existing capital projects as already planned in the FY21 5 year CIP. Instead, it takes advantage of the City's favorable credit rating and extremely low-interest rates and schedules out those commitments within the borrowing schedule; and
- Binds the ARST and TRT until FY30, or for the next 9 years, given current revenue estimates, yet provides enough funding to fulfill the anticipated annual amount needed for ongoing capital funding needs and inflation.

Figure 1: Sources and Uses

Expenses by Category	Sources by Category	Amounts	Comments
Housing Construction and Housing-related Expenses	Affordable Housing Pipeline Proceeds	$25,576,029	STR 2019 ($22M) and remainder of housing pipeline funds ($3.5M)
	STR Series 2022 Bond	$9,000,000	New TRT and ARST STR Bond
	Senior Center Reallocation	$1,791,390	From LPA RDA ($1M) and remainder General Fund transfer
	Firehouse Sale	$1,000,000	Sale of Fire Station land
	Soils Repository Remainder	$1,745,093	Remainder of CIP money after construction/maintenance
	Housing Fee-in-Lieu	$840,317	Accrued Fee-in-Lieu
$39,280,594		**$39,952,829**	
Non-Housing Expenses	STR Series 2022 Bond	$33,000,000	New TRT and ARST STR Bond
	TRT-Related Capital Fund Balance	$5,637,621	Difference between realized revenues and debt service payments
	Assumed Sale of Land	$6,825,000	Expected sale of land to partners
$45,582,150		**$45,462,621**	
Transportation Expenses	Transportation Fund		
$2,795,240		**$3,000,000**	Capital projects within the Transit Fund
Walkability Expenses	2014(a) Walkability GO Bond Proceeds		
$747,158		**$750,000**	$5M in remaining bond proceeds
$88,405,142		**$89,165,450**	

Scope and Phasing

Based on the Council discussions, staff also prepared phasing scenarios that could sequence construction of the cultural facilities (Buildings 2-4) ahead of a future housing phase that maintains the integrity of the site design and attempts to minimize the potential for construction-related impacts. Given the hundreds of hours spent on our master-planning and District design concepts, we recommend preserving the integrity of the District's overall layout and built-in connectivity.

Additionally, Council discussed adding office space in lieu of some residential units in Building 3 and/or value-engineering the housing element (if included in the approved buildout). Staff is investigating the feasibility of combining a future housing element at the District with a request for proposals for the Homestake parcel, and possibly commencing construction for both projects, concurrently, using a public-private partnership. This was direction received from Council previously.

The Council may also choose to specify whether market-rate residential units are included or not in the housing portfolio. This change would generate more revenue for subsequent projects and decrease the City's overall financial contribution, resulting in fewer affordable units delivered, at least initially.

Scenario 1 fulfills the City's commitment to build an Arts and Culture District, addresses the critical need for affordable housing faster, locks in construction costs sooner, and takes full advantage of historically advantageous interest rates. The subsequent scenarios partially meet those goals while providing the Council with more flexibility regarding future affordable housing development and, perhaps, lowering the overall appetite for risk.

The scenarios are priced out in the following tables.

Scenario 1: Full and concurrent buildout

Pre-Construction & Design	$	4,597,466
Below Grade Parking/Plaza Deck	$	23,855,282
Transit, Walkability, Transportation	$	3,542,398
Building 01	$	25,113,564
Building 02 Including Mobility	$	6,457,042
Building 03	$	16,639,779
Building 04	$	8,199,611
Total Full Buildout	**$**	**88,405,142**
With housing VE and office space	$	83,967,630

Scenario 2: Parking, Site, Buildings 2, 3, 4 + defer Building 1 entirely

Pre-Construction & Design	$	4,597,466
Below Grade Parking/Plaza Deck	$	23,855,282
Transit, Walkability, Transportation	$	3,542,398
Building 02 Including Mobility	$	6,457,042
Building 03	$	16,639,779
Building 04	$	8,199,611
Total Full Buildout	**$**	**63,291,578**
With office space	$	61,147,857

Scenario 3 - Parking, Site, Buildings 2, 3, 4 + defer housing portion of Building 1

Pre-Construction & Design	$	4,597,466
Below Grade Parking/Plaza Deck	$	23,855,282
Transit, Walkability, Transportation	$	3,542,398
Building 1a	$	3,633,671
Building 02 Including Mobility	$	6,457,042
Building 03	$	16,639,779
Building 04	$	8,199,611
Total Full Buildout	**$**	**66,925,249**
With office space	$	64,781,529

Staff plans to walk Council through the overall detailed plan of finance, each scenario included above, and include a detailed PowerPoint presentation (Exhibit A). Scenarios 2 and 3, for example, would require a larger TRT/ARST revenue bond as a result of not having housing in the initial phase.

Staff is planning for a 2.5 hour work session and requests Council review the PowerPoint prior to the discussion.

Financing A&C – Scenario 1

Scenario 1

Expenses by Category	Sources by Category	Amounts	Comments
Housing Construction and Housing-related Expenses	Affordable Housing Pipeline Proceeds	$25,576,029	$22M from STR 2019, remainder for sale of assets and Woodside phase 1
	STR Series 2022 Bond	$9,000,000	New TRT and ARST STR Bond
	Senior Center Remainder	$1,791,390	From LPA RDA ($1M) and remainder General Fund transfer
	Firehouse Sale	$1,000,000	Sale of Fire Station land
	Soils Repository Remainder	$1,745,093	Remainder of CIP money after construction/maintenance
	Housing Fee-in-Lieu	$840,317	Accrued Fee-in-Lieu
$39,280,594		**$39,952,829**	
Non-Housing Expenses	STR Series 2022 Bond	$33,000,000	New Transient Room Tax (TRT) Bond
	TRT-Related Capital Fund Balance	$5,637,621	Difference between realized revenues and debt service payments
	Assumed Sale of Land	$6,825,000	Expected sale of land to partners
$45,582,150		**$45,462,621**	
Transportation & Walkability	Transportation Fund		
$3,542,398		**$3,750,000**	Transp Fund and Walkability Bond
$88,405,142		**$89,165,450**	

Financing A&C – Scenario 2

Scenario 2

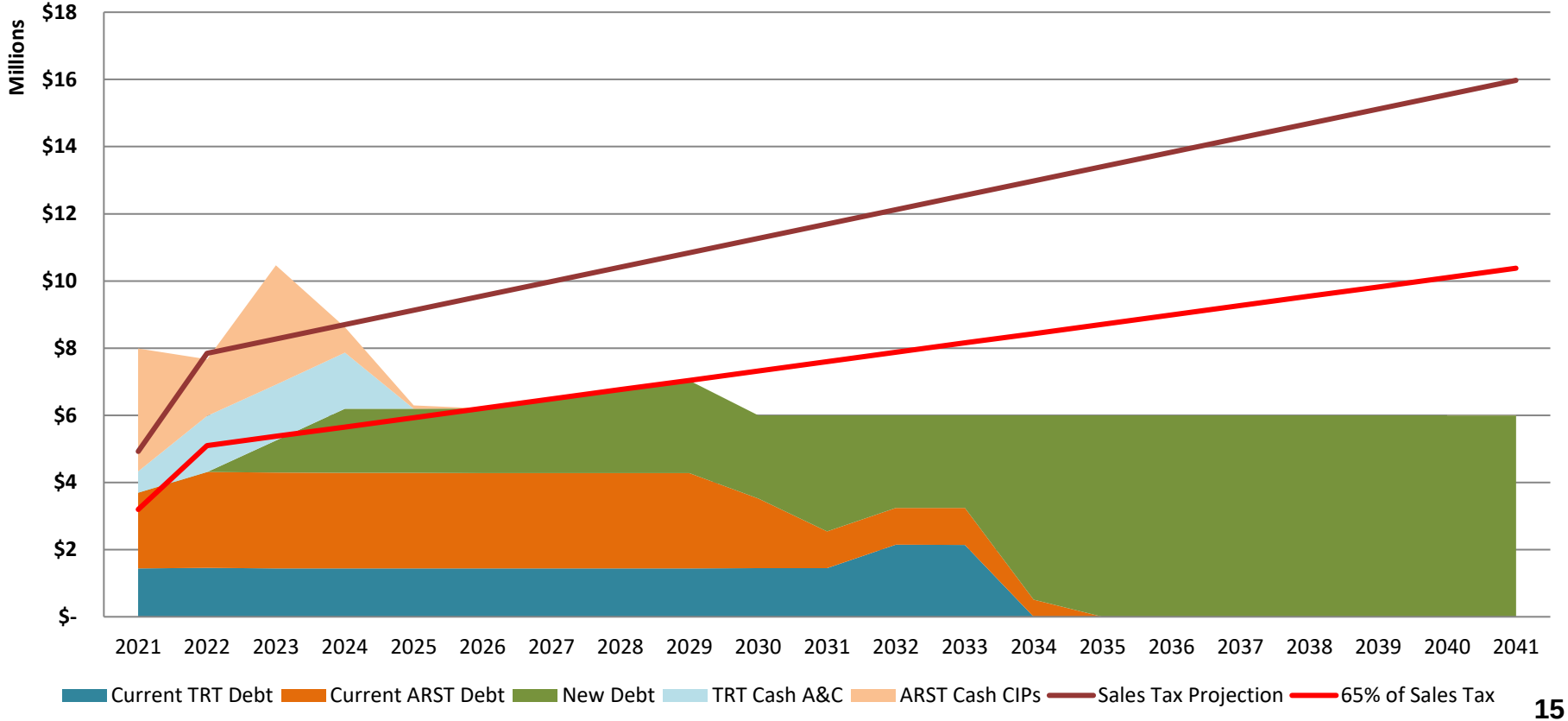
Expenses by Category	Sources by Category	Amounts	Comments
Parking, Site, Buildings 2,3,4 &RFP for Bldg 1	STR Series 2022 Bond	$45,000,000	New TRT and ARST STR Bond
	Assumed Sale of Land	$6,825,000	Expected sale of land to partners
	TRT-Related Capital Fund Balance	$5,637,621	Difference between realized revenues and debt service payments
	Firehouse Sale	$1,000,000	Sale of Fire Station land
	Soils Repository Remainder	$1,745,093	Remainder of CIP money after construction/maintenance
$59,749,180		**$60,207,714**	
Transportation & Walkability	Transportation Fund		
$3,542,398		**$3,750,000**	Transp Fund and Walkability Bond
$63,291,578		**$63,957,714**	

Financing A&C – Scenario 3

Scenario 3

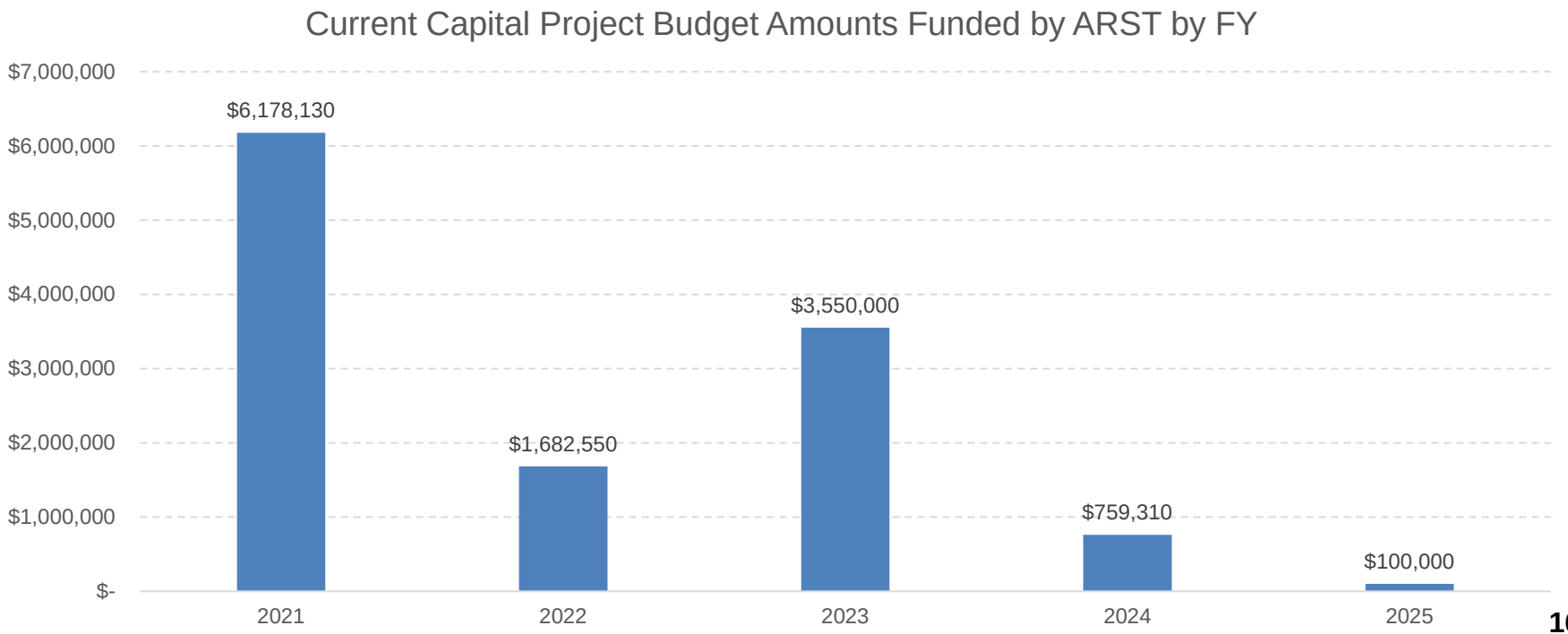
Expenses by Category	Sources by Category	Amounts	Comments
Parking, Site, Buildings 2,3,4 & RFP for Bldg 1	STR Series 2022 Bond	$45,000,000	New TRT and ARST STR Bond
	Assumed Sale of Land	$6,825,000	Expected sale of land to partners
	TRT-Related Capital Fund Balance	$5,637,621	Difference between realized revenues and debt service payments
	Firehouse Sale	$1,000,000	Sale of Fire Station land
	Soils Repository Remainder	$1,745,093	Remainder of CIP money after construction/maintenance
$59,749,180		**$60,207,714**	
Building 1a	STR Series 2022 Bond		
$3,633,671		**$3,750,000**	New TRT and ARST STR Bond
Transportation & Walkability	Transportation Fund		
$3,542,398		**$3,750,000**	Transp Fund and Walkability Bond
$66,925,249		**$67,707,714**	

ARST/TRT Projection v. Expenses

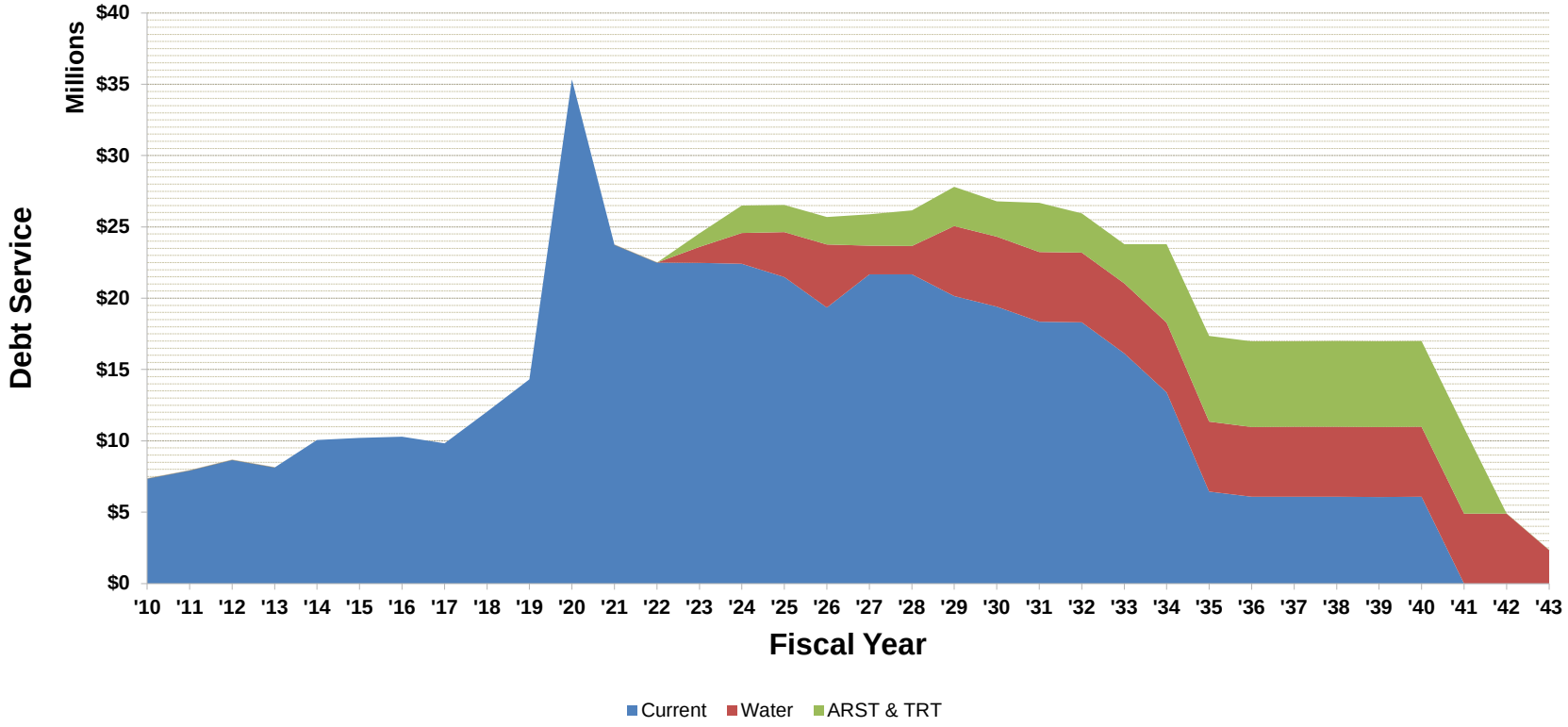


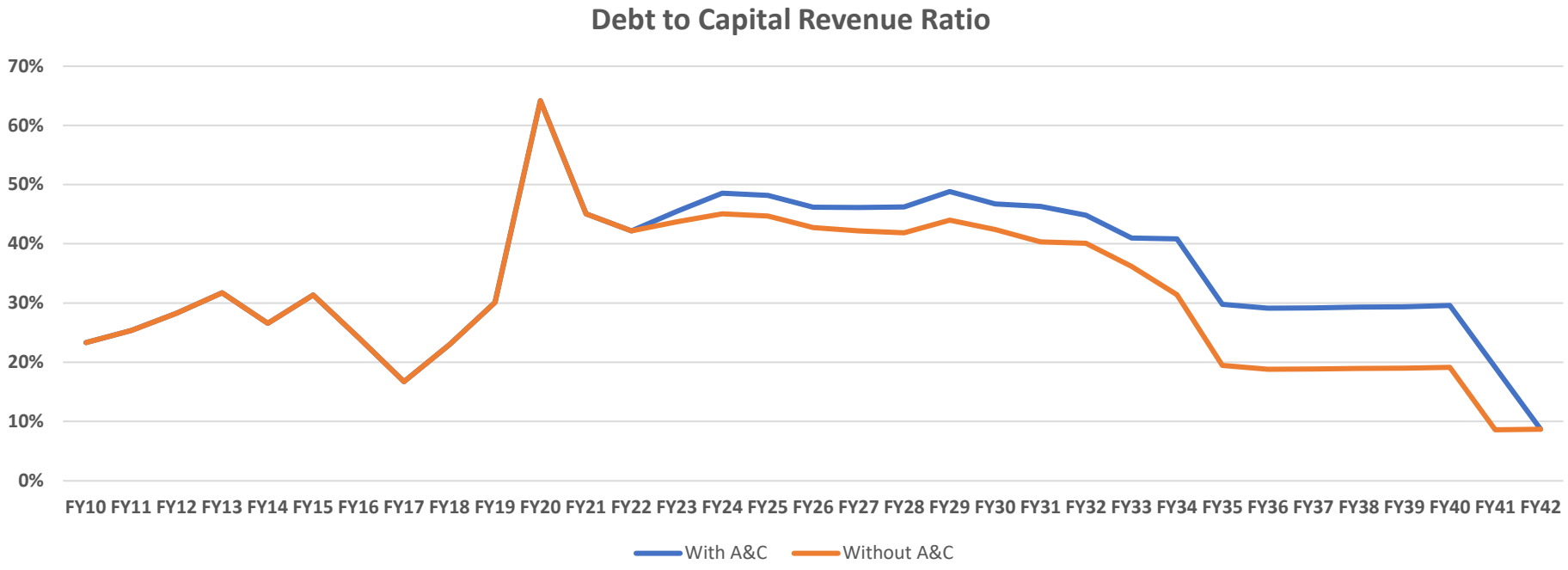
Current Capital Project Budgets Funded by ARST

Current ARST funded capital projects in the amount of $12.3M through 2025 would be funded by bond proceeds

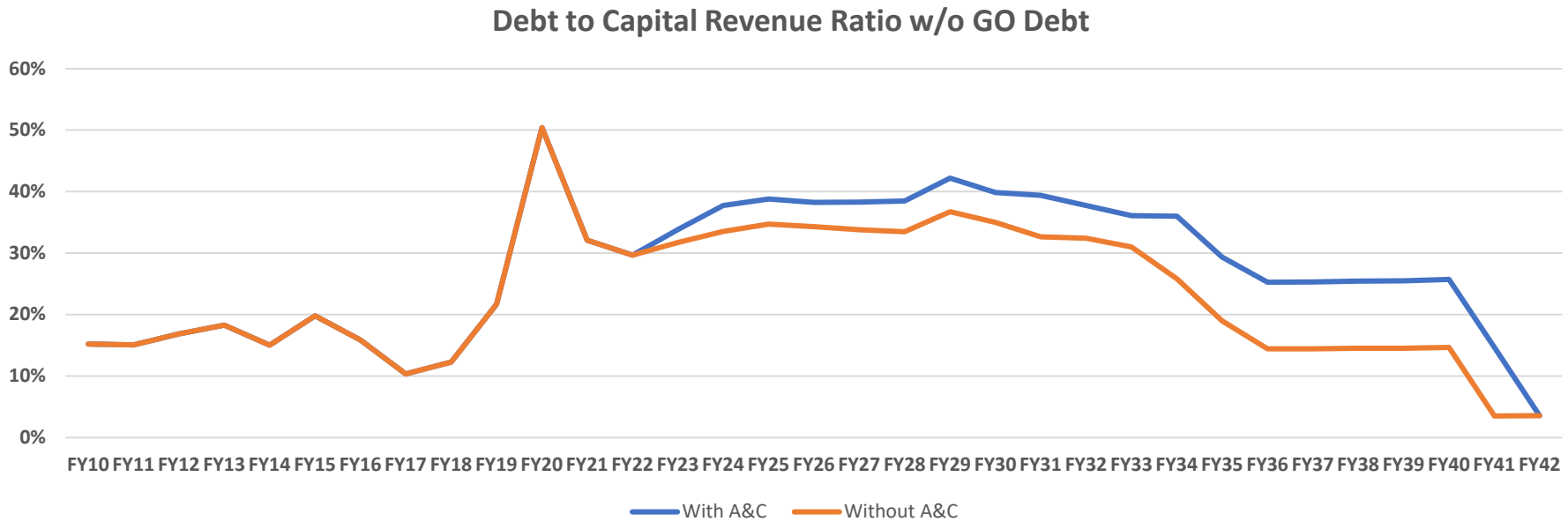


Long-Term Debt (Current & Potential Issuances)

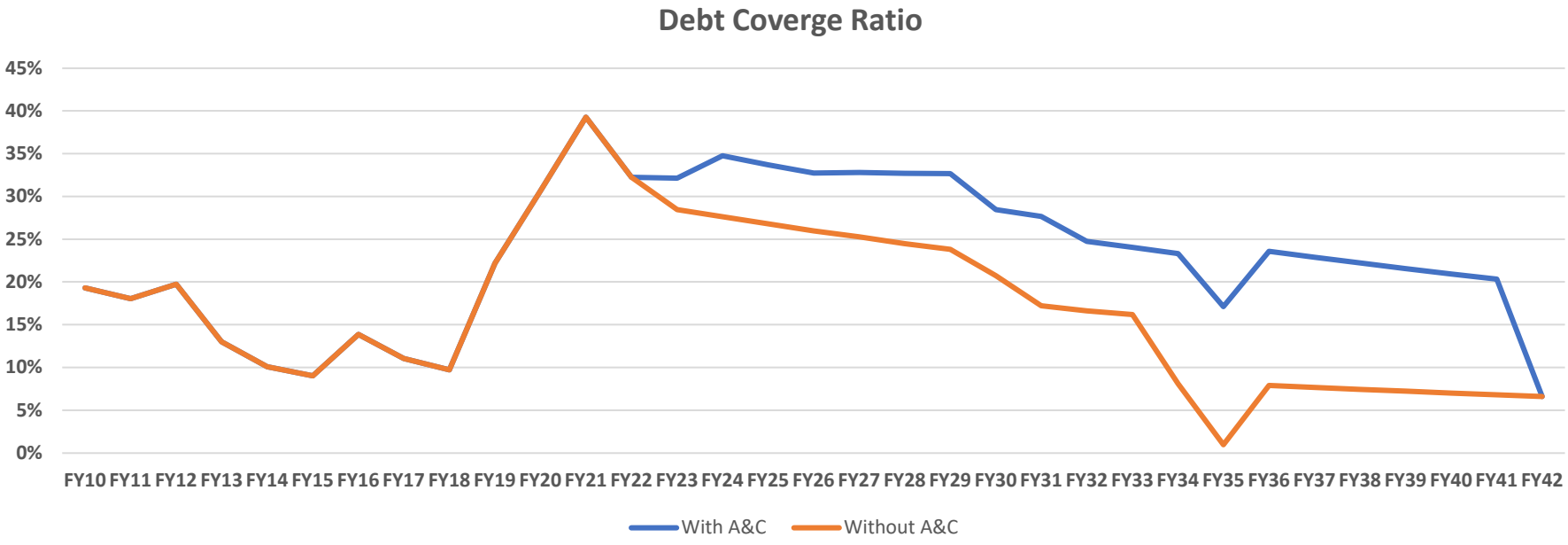




- City debt compared to capital (non-operating) revenue
- Includes all debt (GO, water revenue, and sales tax revenue bonds)



- City debt compared to capital (non-operating) revenue
- Includes all water revenue, and sales tax revenue bonds
- GO Bonds have their own guaranteed revenue source



- Sales tax revenue debt compared all sales taxes (excluding transit)
- 2x coverage (sales tax revenue to debt service) is considered sufficient

Financing with ARST & TRT

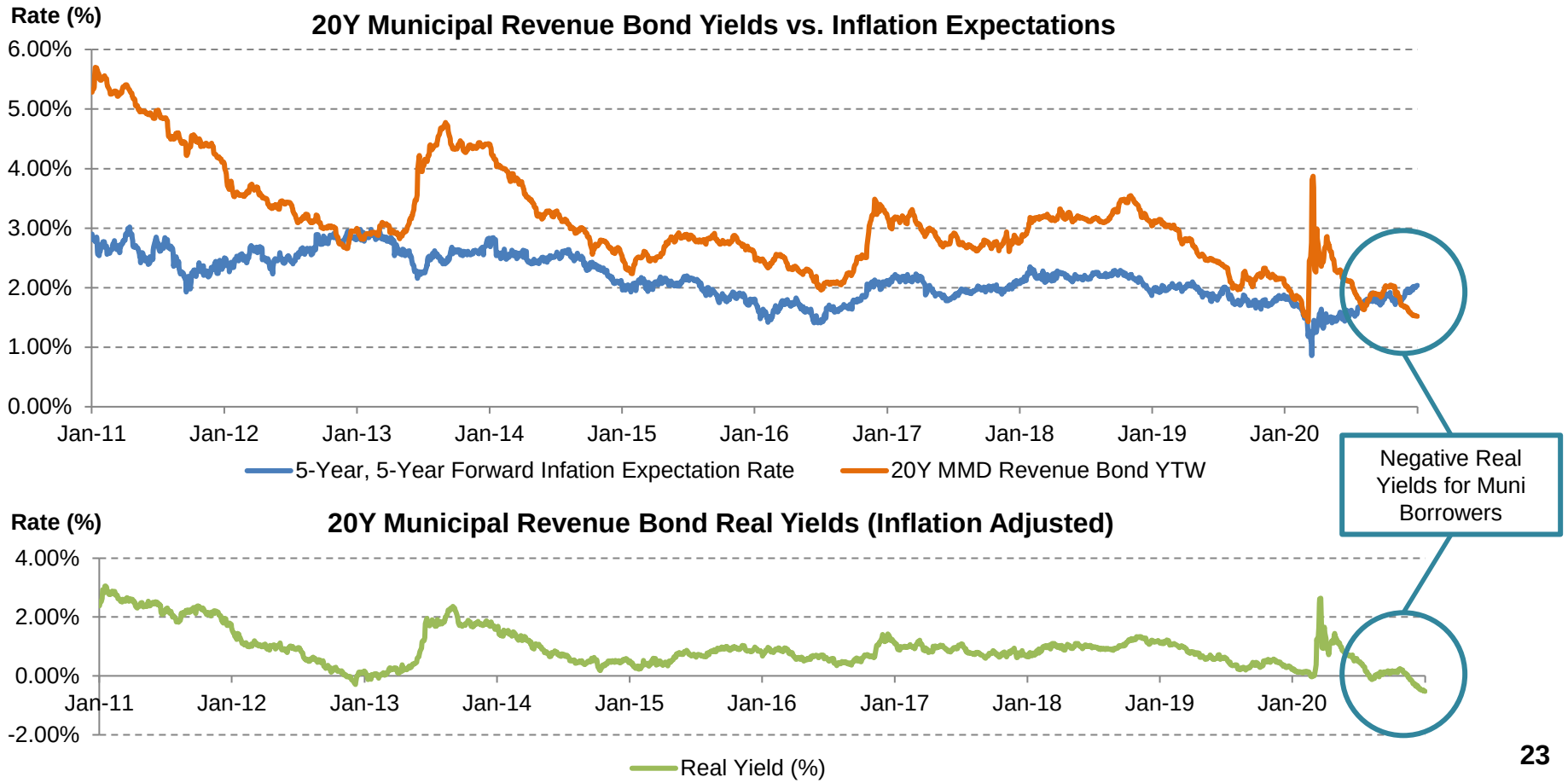
- Expanding use of ARST from OTIS (old town street projects), Main Street, and Open Space to A&C
- 20-year maturity
- No further bonding against ARST or TRT again until FY30
- Move some projects funded directly from ARST (35%) to bond proceeds (65%)

Financing with ARST & TRT

Series 2022 STR Bond

Expenses by Category	Scen 1	Scen 2	Scen 3
A&C Project	$42,000,000	$45,000,000	$48,750,000
Traditional Uses: Streets, Downtown, and Open Space Projects	$15,000,000	$15,000,000	$15,000,000
	$57,000,000	**$60,000,000**	**$63,750,000**

Market Environment



Source: Park City Municipal Corporation, St. Louis Federal Reserve, Bloomberg Barclays Indices. As of 1/4/2021.

FY21 – December Sales Tax Update
PARK CITY
1884

1

General Fund
PARK CITY
1884

2

Sales Tax Summary – General Fund

General Fund - Sales Tax Summary - Monthly				
Month	FY19 Actual	FY20 Actual	FY21 Budget (Adopted Oct. 2020)	FY21 Actual
July	$812,668	$890,546	$592,130	$767,523
August	$730,497	$839,320	$569,130	$777,490
September	$754,343	$912,173	$587,277	$991,597
October	$533,991	$715,887	$396,792	$735,086
November	$805,462	$820,365	$667,118	$1,219,290
December	$1,644,270	$1,877,541	$951,823	$1,715,443
January	$1,915,943	$2,167,578	$1,155,948	
February	$1,795,614	$1,936,051	$1,093,269	
March	$2,160,171	$1,318,256	$1,090,252	
April	$509,306	$1,417,008	$478,608	
May	$591,398	$397,554	$513,445	
June	$771,332	$645,204	$632,274	
Total	**$13,024,993**	**$13,937,483**	**$8,728,066**	

Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

3

Sales Tax Summary – General Fund

General Fund - Sales Tax Summary - $ Change				
Month	FY20 Actual vs. FY19 Actual	FY20 Actual vs. FY20 Budget	FY21 Actual vs. FY20 Actual	FY21 Actual vs. FY21 Budget (Adopted Oct. 2020)
July	$77,879	$52,194	($123,023)	$175,394
August	$108,823	($2,041)	($61,829)	$208,361
September	$157,830	($38,870)	$79,424	$404,320
October	$181,897	$40,169	$19,198	$338,294
November	$14,903	$44,454	$398,925	$552,173
December	$233,271	($222,037)	($162,098)	$763,620
January	$251,635	$73,377		
February	$140,438	($116,856)		
March	($841,914)	($1,051,782)		
April	$907,702	$472,678		
May	($193,844)	($214,231)		
June	($126,128)	($330,696)		
Total	**$912,491**	**($1,293,641)**	**$150,598**	**$2,442,161**

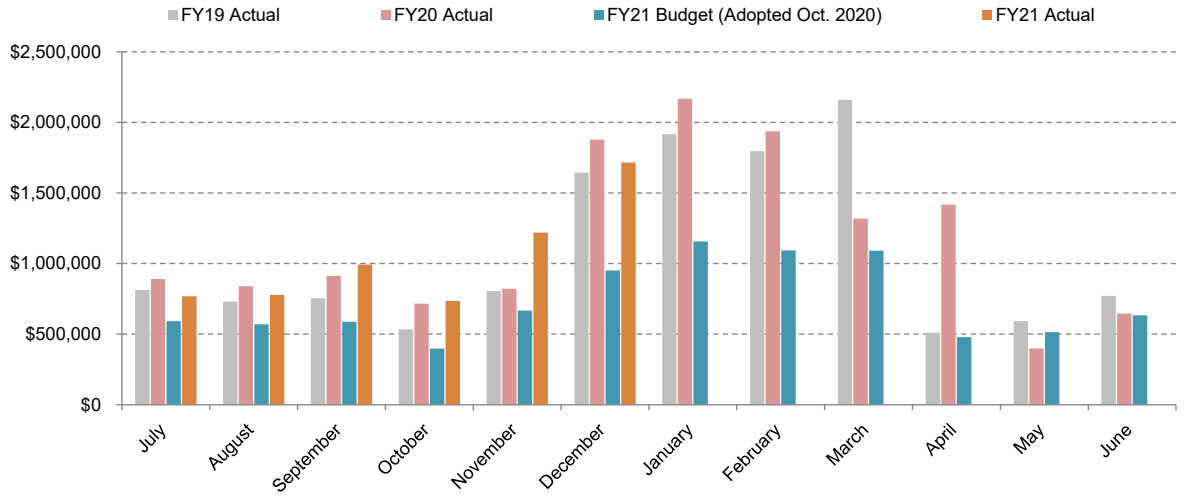
General Fund - Sales Tax Summary - % Change				
Month	FY20 Actual vs. FY19 Actual	FY20 Actual vs. FY20 Budget	FY21 Actual vs. FY20 Actual	FY21 Actual vs. FY21 Budget (Adopted Oct. 2020)
July	10%	6%	-14%	30%
August	15%	0%	-7%	37%
September	21%	-4%	9%	69%
October	34%	6%	3%	85%
November	2%	6%	49%	83%
December	14%	-11%	-9%	80%
January	13%	4%		
February	8%	-6%		
March	-39%	-44%		
April	178%	50%		
May	-33%	-35%		
June	-16%	-34%		
Total	**7%**	**-8%**		

Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

4

Sales Tax Summary – General Fund

General Fund
Historical Sales Tax Revenues & Budgets Over Time by Month

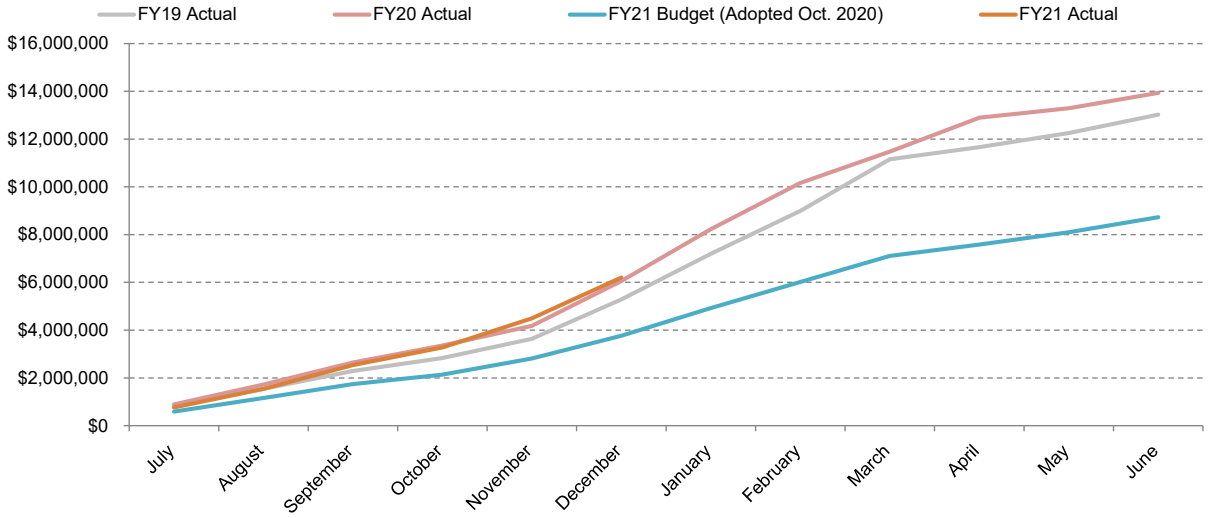


Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

5

Sales Tax Summary – General Fund

General Fund - FY21 Cumulative Annual Sales Tax Revenues
Through Different Lenses

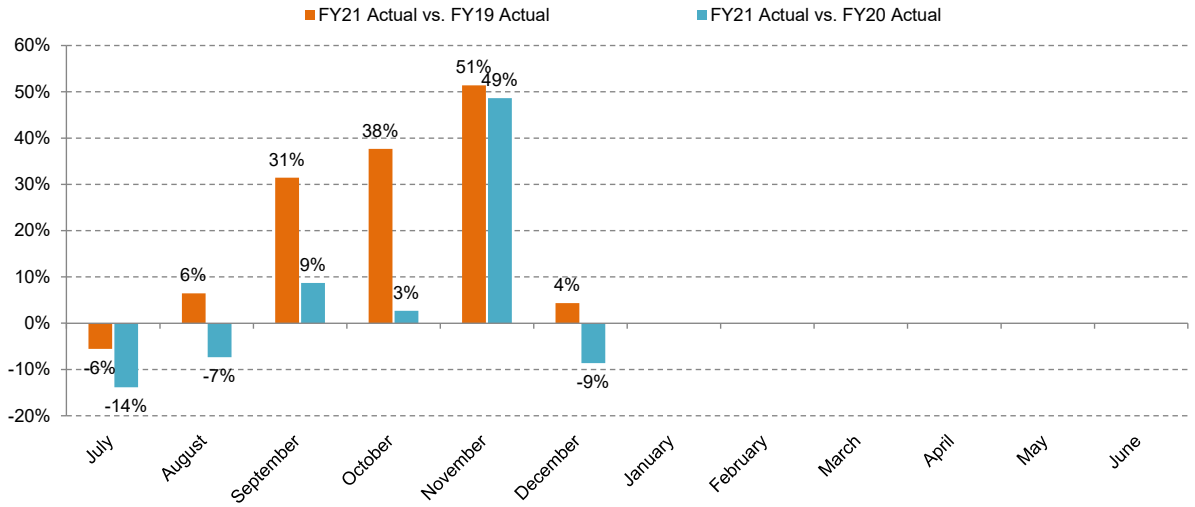


Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

6

Sales Tax Summary – General Fund

General Fund
FY21 Sales Tax % Change from Previous Fiscal Years

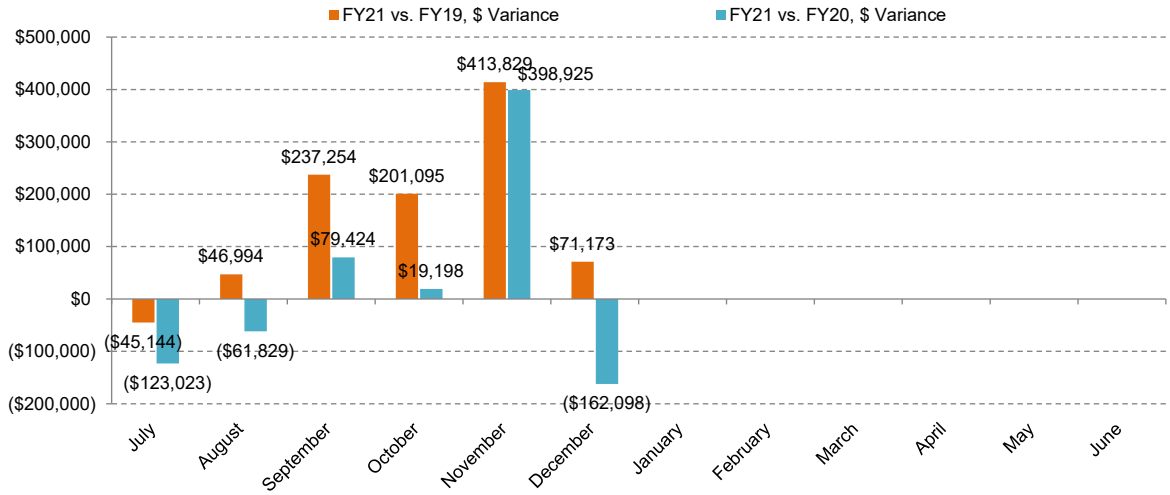


Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

7

Sales Tax Summary – General Fund

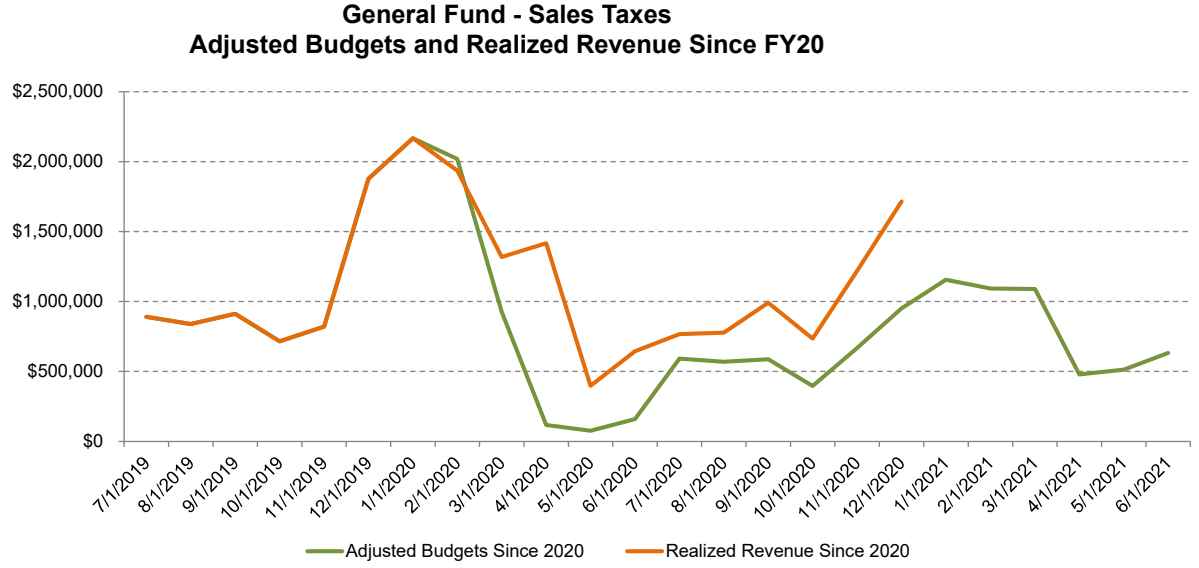
General Fund
$ Change from Previous Fiscal Years



Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

8

Sales Tax Summary – General Fund



Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

9

10

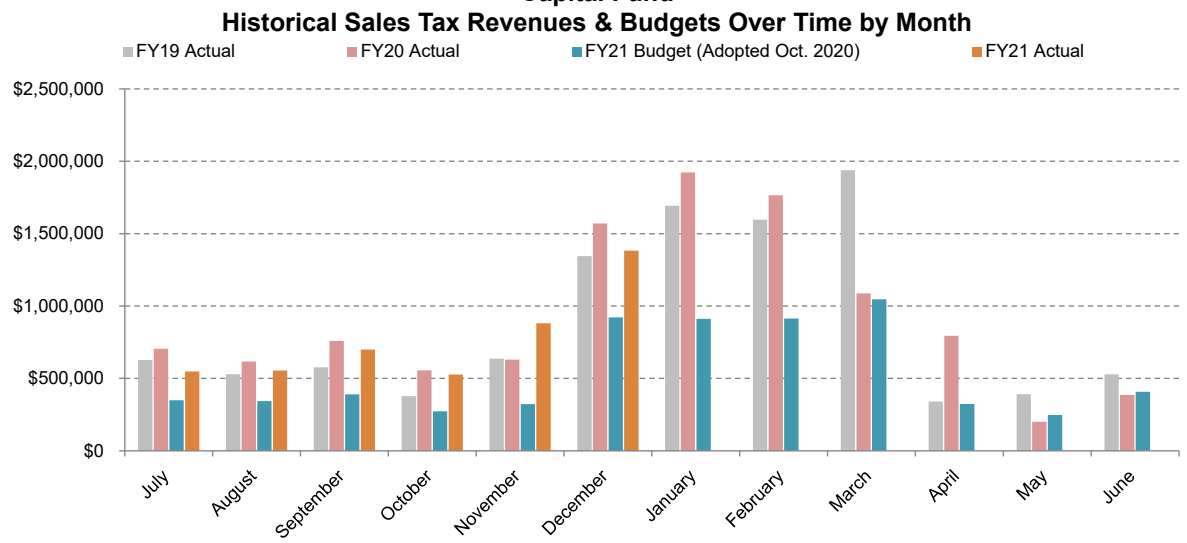
Sales Tax Summary – Capital Fund

Capital Fund - Sales Tax Summary - Monthly				
Month	FY19 Actual	FY20 Actual	FY21 Budget (Adopted Oct. 2020)	FY21 Actual
July	$627,203	$704,479	$349,121	$548,052
August	$529,229	$616,238	$343,560	$555,028
September	$577,009	$759,286	$390,073	$699,815
October	$378,251	$555,393	$273,572	$527,415
November	$635,932	$629,796	$323,013	$881,184
December	$1,344,356	$1,570,492	$921,876	$1,382,062
January	$1,693,495	$1,923,089	$911,358	
February	$1,596,315	$1,765,073	$913,518	
March	$1,938,349	$1,087,888	$1,046,362	
April	$340,118	$794,717	$323,282	
May	$390,732	$202,483	$248,089	
June	$528,340	$386,043	$407,603	
Total	**$10,579,328**	**$10,994,976**	**$6,451,427**	

Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

11

Sales Tax Summary – Capital Fund

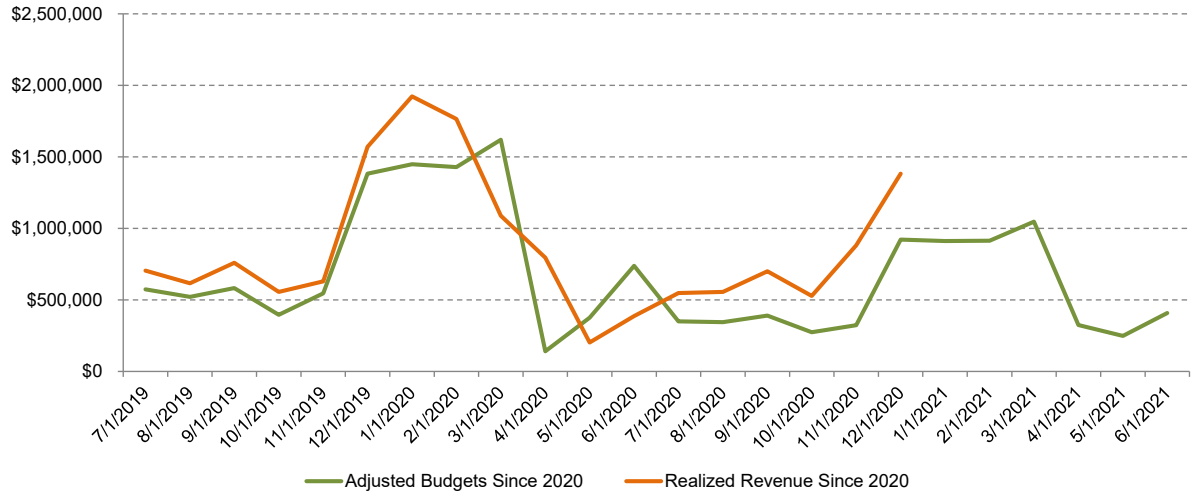


Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

12

Sales Tax Summary – Capital Fund

Capital Fund - Sales Taxes
Adjusted Budgets and Realized Revenue Since FY20



Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

13

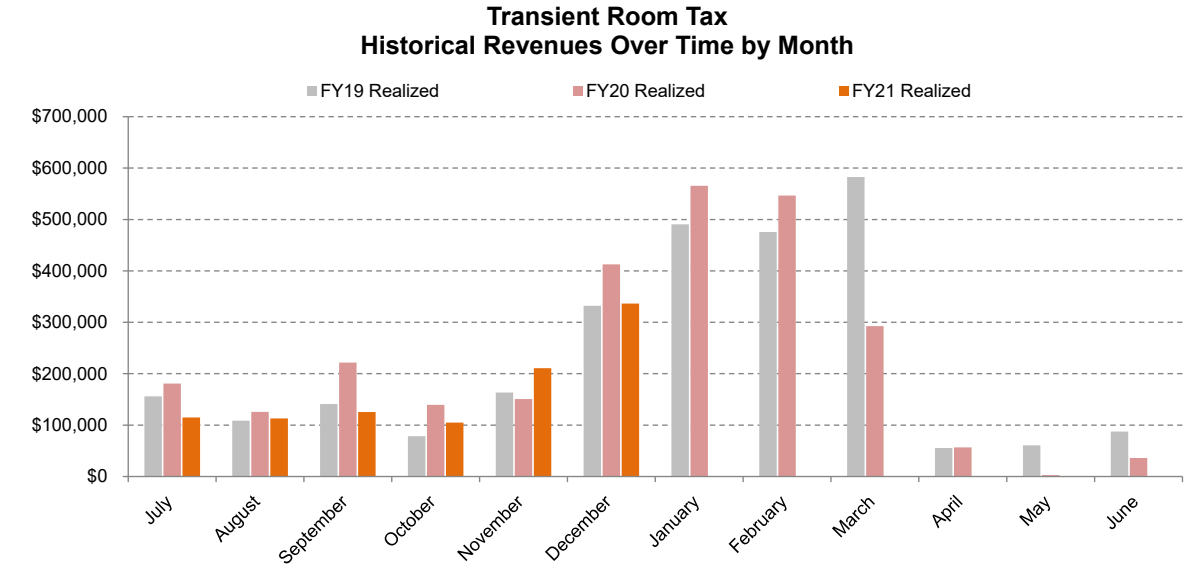
Sales Tax Summary – Transient Room Tax

Transient Room Tax							
Monthly	**FY19 Realized**	**FY20 Realized**	**FY21 Realized**	**FY21 vs. FY19, $ Variance**	**FY21 vs. FY20, $ Variance**	**FY21 vs. FY19, % Variance**	**FY21 vs. FY20, % Variance**
July	$155,919	$180,669	$114,918	($41,001)	($65,751)	-26%	-36%
August	$108,460	$125,677	$112,872	$4,412	($12,804)	4%	-10%
September	$140,971	$221,639	$125,348	($15,623)	($96,290)	-11%	-43%
October	$78,769	$139,424	$104,921	$26,153	($34,503)	33%	-25%
November	$163,248	$150,563	$210,795	$47,548	$60,232	29%	40%
December	$332,107	$412,832	$336,374	$4,267	($76,458)	1%	-19%
January	$490,668	$565,442					
February	$475,570	$546,738					
March	$582,847	$292,669					
April	$55,730	$57,016					
May	$60,892	$3,114					
June	$87,903	$36,423					
Total	**$2,733,084**	**$2,732,205**	**$1,005,230**	**$25,756**	**($225,574)**		

Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

14

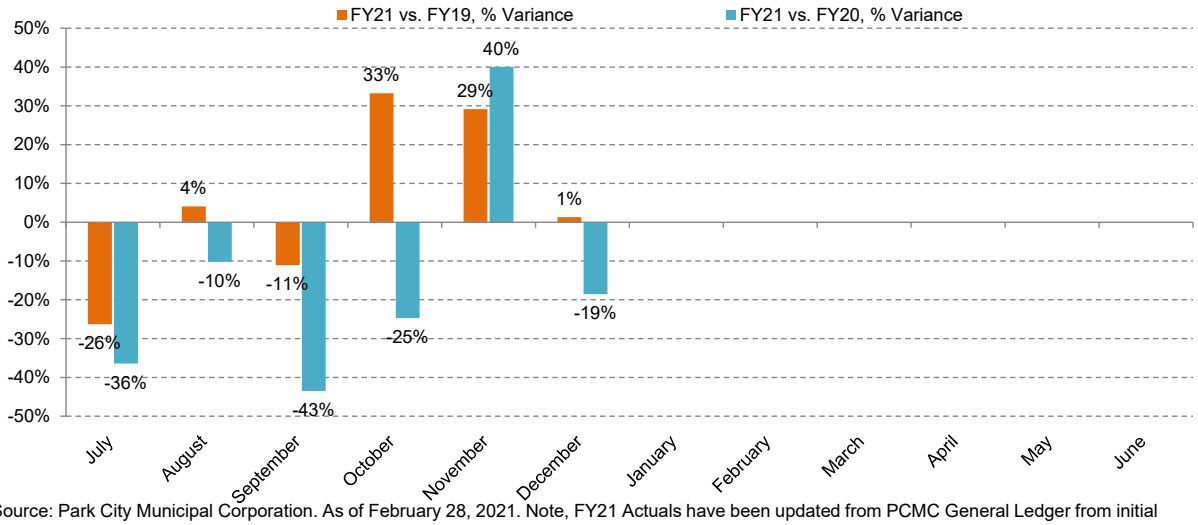
Sales Tax Summary – Transient Room Tax



Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

15

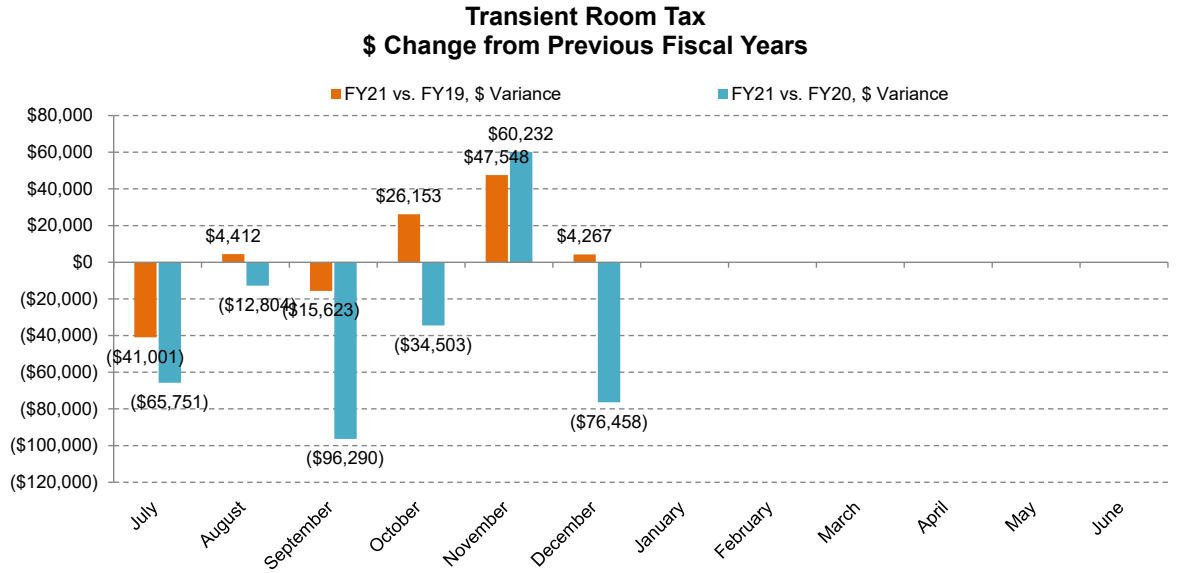
Sales Tax Summary – Transient Room Tax



Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

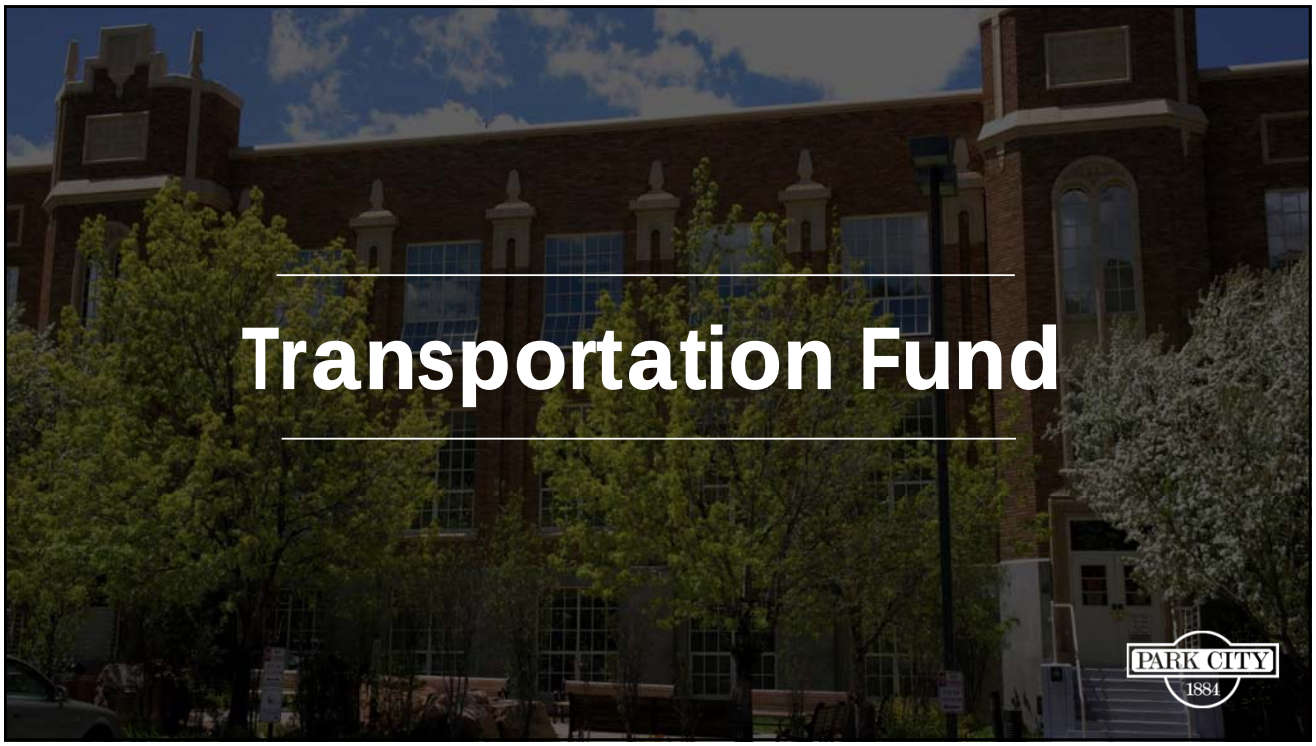
16

Sales Tax Summary – Transient Room Tax



Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

17



18

Sales Tax Summary – Transportation Fund

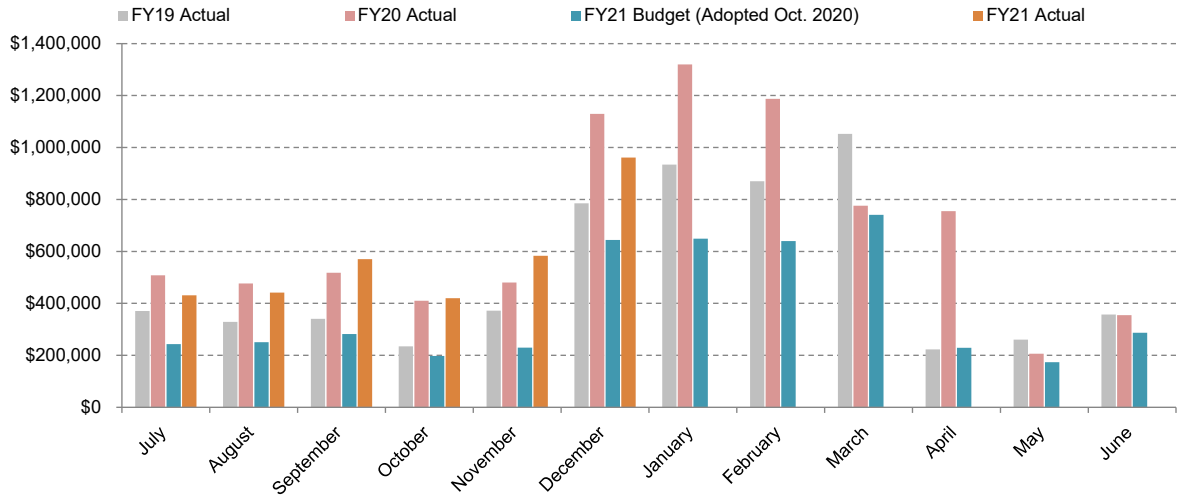
Transportation Fund - Sales Tax Summary - Monthly				
Month	FY19 Actual	FY20 Actual	FY21 Budget (Adopted Oct. 2020)	FY21 Actual
July	$370,330	$507,735	$243,153	$431,048
August	$328,650	$476,867	$250,505	$441,580
September	$340,448	$517,995	$282,223	$570,321
October	$234,717	$409,895	$197,601	$419,670
November	$372,095	$480,163	$229,840	$583,067
December	$785,302	$1,129,662	$644,181	$961,225
January	$933,912	$1,319,546	$648,768	
February	$869,901	$1,187,380	$639,892	
March	$1,052,427	$775,863	$741,053	
April	$222,826	$755,198	$229,233	
May	$260,629	$206,318	$173,692	
June	$357,095	$354,592	$286,553	
Total	**$6,128,331**	**$8,121,215**	**$4,566,695**	

Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

19

Sales Tax Summary – Transportation Fund

Transportation Fund
Historical Sales Tax Revenues & Budgets Over Time by Month

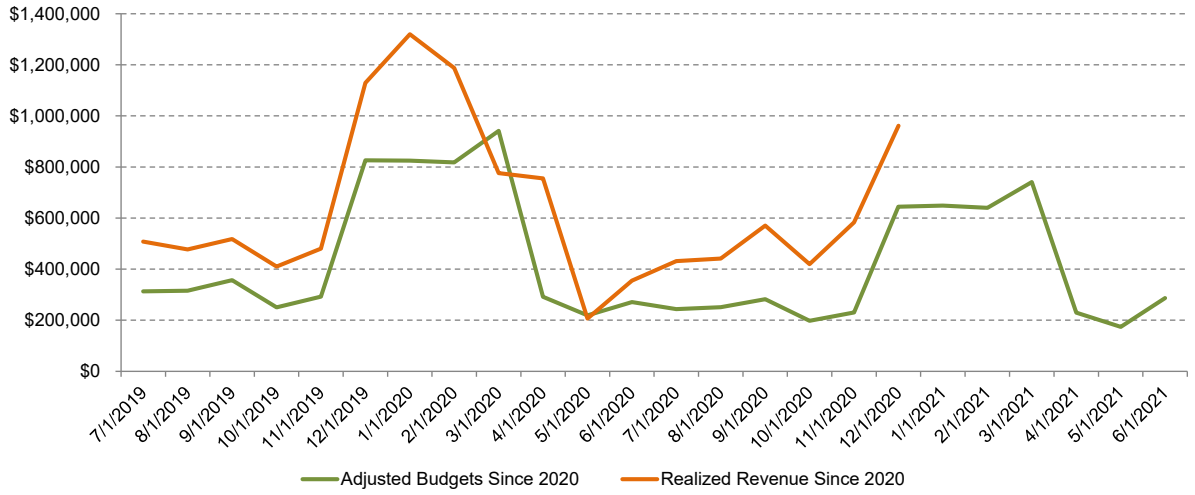


Source: Park City Municipal Corporation. As of February 28, 2021. Note, FY21 Actuals have been updated from PCMC General Ledger from initial distribution estimates.

20

Sales Tax Summary – Transportation Fund

Transportation Fund - Sales Taxes
Adjusted Budgets and Realized Revenue Since FY20



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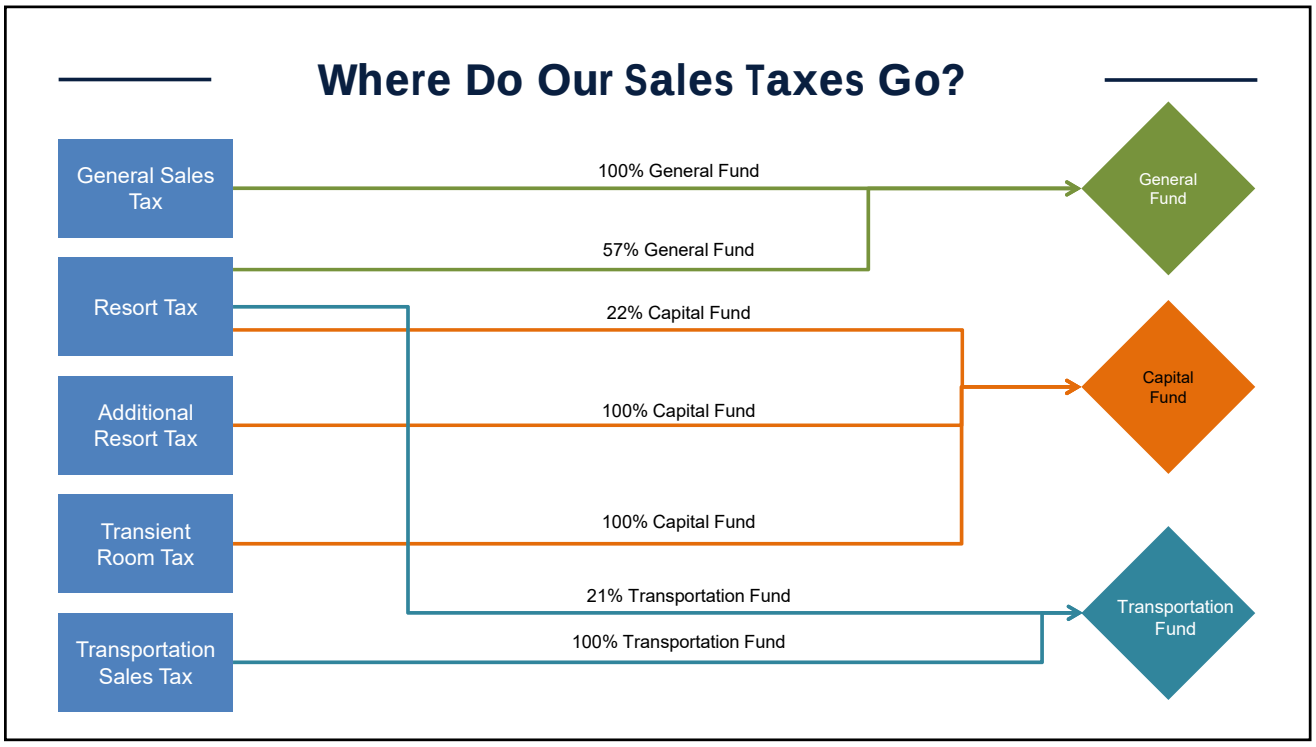
21

22


Where Do Our Sales Taxes Go?
General Sales Tax
Resort Tax
Additional Resort Tax
Transient Room Tax
Transportation Sales Tax
100% General Fund
57% General Fund
22% Capital Fund
100% Capital Fund
100% Capital Fund
21% Transportation Fund
100% Transportation Fund
General Fund
Capital Fund
Transportation Fund

23

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Lynn Ware Peek
Submitting Department: Community & Public Affairs
Item Type: Staff Report
Agenda Section:

Subject:
Appoint LGBTQ+ Task Force Council Liaison

Suggested Action:

Attachments:
LGBTQ+ Council Liaison Staff Report

City Council
Staff Report

Subject: **Council Liaison for LGBTQ+ Task Force**
Author: **Lynn Ware Peek, Jolene Weston, Leah Langan**
Department: **Community Engagement, Human Resources, Executive**
Date: **February 25, 2021**
Type of Item: **Administrative**

Summary Recommendation

Recommend a member of City Council to serve as a Council Liaison for both the internal and external LGBTQ+ Task Force. Normally, staff conducts a liaison appointment exercise at the annual retreat but year LGBTQ+ task force plans to meet as soon as possible.

Background

Park City Municipal formed an internal LGBTQ+ Task Force in December 2020 to focus on both internal practices and better support the overall LGBTQ+ community. Our internal focus includes job recruitment, hiring and retention, municipal code review, and engagement. Externally, we are working with local advocacy groups and stakeholders to provide support and find opportunities for greater collaboration.

At the February 4, 2021 City Council meeting, an external LGBTQ+ task force was announced and detailed in the Social Equity Quarterly Update.

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Vaughn Robinson
Submitting Department: Golf Course
Item Type: Staff Report
Agenda Section:

Subject:
2020 Golf Season

Suggested Action:

Attachments:
2020 Golf Season Staff Report

City Council
Staff Communications Report

Subject: Golf COVID 2020 year update
Author: Vaughn Robinson
Department: Golf Course
Date: 2/25/2021

2020 was an extremely complex year filled with difficult challenges, new opportunities, and many surprises. Just as the Park City Municipal Golf Course was getting ramped up to open for the season, COVID-19 shut down businesses across the country.

Initially, our biggest concern was opening due to the difficulty of ensuring a safe environment for employees and patrons. In late March, we began working with the Summit County Health Department and were approved to open on May 1st (about a two-week delay from when mother nature would have allowed us to open).

Below is a list of precautions initially taken to open the golf course:

- Doors to the Golf Shop propped open
- Tape line/physical indicator guiding patrons through the shop
- Limit of 4 customers at a time in the golf shop
- A physical barrier between customers and staff
- Masks and gloves are worn by staff
- Masks required to enter golf shop
- Cash accepted but credit card preferred method of payment
- Credit Card Machines and gloves disinfected after each transaction
- Touch surfaces disinfected regularly throughout the day
- Staff would show customers retail items-no regular shopping or trying on clothes
- No rental clubs
- Range mats distanced 6 feet and range balls disinfected regularly
- Golf cars limited to 1 rider per cart unless people lived under the same roof
- Golf cars disinfected after every use and then washed before the next use
- Golf cars staged 6 feet apart
- No scorecards or pencil placed on the golf car (staff gave out when checking in)
- Push Carts disinfected after each use
- Flagsticks to remain in the hole at all times
- Foam inserts were placed in the cup to keep the ball from falling in
- No ball washers on the golf course
- No rakes placed on the golf course
- Restrooms cleaned hourly by staff
- Signs placed on restrooms explaining still may be a high-risk area
- Lessons taught with social distancing (masks and hand sanitizer if within 6')
- No company tournaments or large gatherings

Retail Merchandise

- We usually decline to accept merchandise early due to limited space. Fortunately, several manufacturers were able to send materials ahead of schedule.
- Most retail partners were shut down due to Covid restrictions; as a result, we only received about 25% of our spring retail orders.
- Between hats, clubs, men's clothing, and ladies' clothing, sales were down ($24K). Golf ball sales and golf glove sales were up $31K, and overall Gross Retail Sales were up $8.5K from the previous season.

Food and Beverage

- We started the season with no beverage cart until June.
- The food and beverage cart was limited to credit card transactions only. Gross sales were down ($16,746) from $53,155 in 2019, to $36,409 in 2020, which is not bad all things considered.

Golf Rounds

- The mindset at the beginning of the season was just to get open and hope to minimize losses with Covid coming into play. By mid-May, it was apparent that Golf was booming.
- Throughout the summer, one of the most difficult things to do was get a Tee Time…at any golf course, not just ours.
- In the 2019 golf season, we had 28,384 eighteen-hole rounds.
- In the 2020 golf season, we had 40,409 eighteen-hole rounds.
- This is not only 12,000 more rounds than last year but dating back to 2002, the closest round count is still 8,000 rounds shy of this season.
- 18 Hole Resident rounds were up over 7,000 from last season, and our $10 twilight rounds went from 1,801 in 2019 to 3,891 in 2020.

Golf Cars

- Golf carts had the most impact and stress on the staff this season. With restrictions at first being one rider per cart, unless you live under the same roof, we were running out of golf carts by 10:30 am. This lasted until 4:00 pm before catching back up and having carts available for patrons.
- In previous years we may have run out of cars where people were waiting three to five times throughout the entire season. Time spent disinfecting cars became overwhelming.
- When the hiring freeze was lifted, additional staff was brought in to create a new position disinfecting golf cars from 9:00 am to 1:00 pm every day. We estimate the golf cars had 50% more use this summer than in previous years.
- In 2019, we had 21,947 golf car rentals for $255,000 in revenues.
- In 2020, we had 27,992 golf car rentals for $328,000 in revenues.

Staffing

- I can't stress enough what a great staff we have at the golf course. We started the season without four beverage cart attendants, two assistant golf pros, four starters,

and had only six of our normal staffing on maintenance along with two to three volunteers from Transit. In the maintenance department, assignments were prioritized to still give the best possible product to our guests.

- Daily tasks such as mowing greens, changing cups, and raking bunkers (mainly because we could not have rakes) used up six employees, making it difficult to accomplish other tasks needed. Maintenance was able to get back to full staff (12 employees) in July. Golf shop staff picked up extra shifts, and three employees even covered four all-day shifts as starters.
- Employees made personal sacrifices with no complaining, showing dedication to the golf course and its guests. The City responded by eliminating our hiring freeze, and additional staff was brought in to lighten the load.

Revenues

- Our hands were tied early on with opening the course late, having restrictions on golf car usage, no rental clubs, no driving range, and minimal retail sales opportunity.
- By the end of the season, however, we had by far the highest gross revenue season to date. (seasonal #'s not fiscal)
    - 2017 $1,621,361
    - 2018 $1,705,400
    - 2019 $1,583,147
    - 2020 $1,972,049
- Changes to our safety restrictions in June created the opportunity to rent clubs ($45,732), open the driving range ($46,058), and increase retail sales ($202,688).

Looking Ahead

- While the 2020 season was very successful, and we are tremendously proud of our employees and patrons for their dedication and supports, it was also very stressful for staff and took a big toll on our golf carts.
- We are very excited about the 2021 season and optimistic that we can maintain our high level of excellence and quality as one of Utah's premier golf courses.

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Minda Stockdale
Submitting Department: Executive
Item Type: Staff Report
Agenda Section:

Subject:
McPolin Farm COVID Update

Suggested Action:

Attachments:
McPolin Farm COVID Update Staff Report

City Council Staff Report

Subject: McPolin Farm Update
Author: Minda Stockdale, McPolin Farm Manager
Department: Executive
Date: February 25, 2021

The first six months of FY21 presented challenges to programming at McPolin Farm, which in addition to serving the community with trails and open space, allows up to twelve (12) one-day, City Council-sponsored, special public events per year. This past summer and through the first half of FY21, we have operated small events with program-specific COVID-19 protocols developed by McPolin Farm staff. These protocols ensured compliance with various health orders and enabled the Friends of the Farm to offer their usual programs for the community safely.

Community Program Update
COVID forced the *Your Barn Door's cancelation is Open* (YBDIO) event typically held in June. However, the Friends of the Farm hosted *Barn and Farmhouse Tours* through the summer and the *Scarecrow Festival* in September. All events promoted social distancing and offered PPE. While we missed hosting aspects of the Scarecrow Festival like face painting and pumpkin painting in the Shed, the Farm Trail felt busier than ever this fall, and scarecrows received many appreciative visitors.

The Friends of the Farm will offer a revised *Full Moon Snowshoe* on February 26 in the afternoon instead of the traditional indoor evening event. The beginning / intermediate *Sunshine Snowshoe* will follow the Full Moon Snowshoe route along the McPolin Farm Nature Trail and lunch provided by Grow Food Truck. Staff is coordinating with the recreation department to mirror their guidelines for outdoor activities and provide COVID-19 safety protocols set forth by the health department.

This summer, staff plans to continue offering annual educational community programs in compliance with current health guidelines. 2021 planned events include Sunshine Snowshoe, YBDIO in June, Tour Days in July, August, and September, and the Scarecrow Festival in September (6). We anticipate the community will continue to enjoy the outdoor trails, open space, and safe programming. Staff and the Friends of the Farm have adapted to the pandemic challenge with revised programming for community enjoyment and responsible access to the Farm.

Farm Maintenance and Upgrades
During Summer 2020, staff completed maintenance of the historic south-facing fence and exterior Barn siding and doors in collaboration with Park City's Historic Preservation Planner. Another highlight of the summer was honoring first responders of the pandemic by lighting the Farm blue. Staff achieved the blue lighting through temporary film placed over the Barn spotlights and blue lightbulbs installed in the Shed and Farmhouse exterior fixtures.

In collaboration with Environmental Sustainability, the Farm's exterior lighting system will receive energy-efficient upgrades in Spring 2021, replacing the existing lights with a timed LED system to align with the community's critical energy priority and comply with the recent Dark Skies Ordinance. Upgrades will replace the blue lighting anticipated in April or May.

This year has been a great reminder of how fortunate we are for peaceful, outdoor amenities such as this one. Thank you to the Planning and Parks Departments and Building Maintenance for their work on these projects and their ongoing care of the Farm. Special thanks to the Friends of the Farm and the City Council for their stewardship and ongoing support, which makes the McPolin Farm the tremendous community asset it is today.

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Michelle Downard
Submitting Department: Executive
Item Type: Work Session
Agenda Section:

Subject:
Marsac 100 Petition and Property Status

Suggested Action:
Affirm the previous Council intent to maintain Marsac 100 within the City's property inventory.

Attachments:
100 Marsac Staff Report

Exhibit A: Marsac 100 Petition

City Council Staff Communication Report

Subject: Marsac 100 Petition and Property Status
Author: Michelle Downard, Resident Advocate
Department: Executive
Date: February 25, 2021
Type of Item: Informational

In July 2020, the City received a petition seeking preservation of the City-owned property (Parcel PC-430-R-X), commonly referred to as Marsac 100. The parcel is approximately 2.25 acres and has been owned by the City for several years.

The City acquired this parcel after Council authorized an "Exchange Agreement for Real Property" on June 8, 2017. The Agreement conveyed the parcel to PCMC and in exchange, relieved Redus of the obligation to construct five (5) affordable housing units. Council expressed an interest in the possible future development of ten to twelve affordable housing units on this parcel, which would be within the City core and close to transit. (June 8, 2017- Minutes and Audio)

On May 16, 2019, Council approved a contract with Sparano & Mooney to investigate the possibility of developing the land to increase the community's supply of affordable housing. This process included community engagement, public meetings, online forums, and one-on-one interviews with local stakeholders (residents, developers, local non-profits, and state agencies). A list of options was developed and considered in the development of conceptual drawings.

On June 11, 2020, the Council discussed the strategy for sequencing City-funded affordable housing developments (Housing Pipeline), including three concept designs for Marsac 100. (June 11, 2020- Minutes) Council expressed concern with the site ingress and egress at Marsac 100, and the high building costs due to the grade of the land and location. Council ultimately decided to focus the City's affordable housing short term goals toward other locations and affirmed a desire to land bank the parcel.

Analysis

After receiving the "green space" petition, staff conducted a signature analysis. The petition included a total of 1,193 names and addresses. Of the 1,193 names and addresses, only forty-seven (47) were found to be Park City registered voters. While mailing addresses were not provided, eighty-one (81) individuals listed Park City as their place of residency.

In June 2020, the analysis and Council discussion regarding 100 Marsac included the three following scenarios:

- Develop- Because the projected costs are much higher than previous housing developments and the community raised concerns regarding soil remediation,

preservation of the historic wall, access, density and traffic, development was not pursued.

- Sell- The parcel was appraised for $3.14M in 2017. If sold, the sale funds could be placed into the affordable housing budget or other Council Priorities. However, if sold to the highest bidder, the likely outcome is its development.
- Retain- Real property is a valuable and limited commodity in Park City. Retaining an inventory is therefore, an insightful approach that has been used for decades by PCMC.

On September 17, 2020 (pg. 16), during Council Questions and Comments, Council discussed the petition, the possibility of making the property Open Space, and the lack of immediate development plans, which made Marsac 100 a low staff priority. While the high projected development costs, site concerns, and the reprioritization of work due to the COVID pandemic made Marsac 100 a low priority, it is important to acknowledge the petition and the neighborhood interest.

Staff is therefore returning to Council to provide the signature analysis noted above, affirm the previous Council intent to maintain Marsac 100 within the City's property inventory, and not pursue any action for the time being. Alternatively, Council may provide alternative direction or request a future work session.

Attachment A- Marsac 100 Petition

Attachment A- Marsac 100 Petition

	Name	City	State	Postal Code	Country
1	Jeff Edison				us
2	Tanya Brady	Hideout	UT	84036	us
3	Frank Watanabe	Park City	UT	84060	us
4	Bruce Forman	Los Angeles	CA	90025	us
5	Amy Philbrick	Park City	UT	84060	us
6	Sam Oh	Park City	UT	84060	us
7	william mckenna	Park City	UT	84060	us
8	Clive Bush	Park City	UT	84060	us
9	Joshua O'Brien	Park City	UT	84098	us
10	Michael Wang	Park City	UT	84098	us
11	Rhonda Sideris	Park City	UT	84060	us
12	Dennis L Peterson	Park City	UT	84060	us
13	Mark Bordas	Park City	UT	84060	us
14	Parilee Wang	Park City	UT	84098	us
15	John Poole	Park City	UT	84060	us
16	Marjorie Fischer	La Jolla	CA	92037	us
17	Linda Stabins	Park City	UT	84098	us
18	Matey Erdos	Park City	UT	84060	us
19	Craig Orr	Salt Lake City	UT	84109	us
20	Kathryn Deckert	Park City	UT	84060	us
21	Brian Smith	Park City	UT	84060	us
22	Paul Lukanowski	Park City	UT	84068	us
23	Wendy Clark	Park City	UT	84060	us
24	Mark Lanigan	Park City	UT	84098	us
25	Karyn McKenna	Park City	UT	84060	us
26	Jane Yang	Harrisburg	PA	17112	us
27	Ron Kirk	Park City	UT	84060	us
28	Marayah Bardmess	San Jose		95101	us
29	Sarah Lowe	Azusa	CA	91792	us
30	Rich sernyak	Park City	UT	84060	us
31	Dan Fischer	Park City	UT	84060	us
32	Kimmy Chang	Seattle		98122	us
33	Xiyeon Lee	Chicago		60018	us
34	David Robinson	Park City	UT	84060	us
35	Pamela Pyke	West Valley City	UT	84120	us
36	Timothy Branigan	Salt Lake City	UT	84117	us
37	Olivia Ziegler	Park City	UT	84060	us
38	Brythany Gonzalez	Sylmar		91342	us
39	JON INWOOD	Brooklyn	NY	11230	us
40	leslie tolan	sherman oaks	CA	91403	us
41	Tobin Smith	North Bethesda	MD	20852	us
42	eunice acuna	Chula Vista		91913	us
43	Courtenay Mize	Park City	UT	84098	us
44	Adam Kaluba	Burleson	TX	76028	us
45	Jay Bartlett	North Tonawanda		14120	us
46	Greg Wood	Park City	UT	84098	us

47	Denise Brown	Altamonte Springs	FL	80233	US	6/20/2020
48	Iris Sackey	Camden		8104	US	6/20/2020
49	Eva Tervala	Espoo			US	6/20/2020
SO	Beverly Frain	Park City	UT	84098	US	6/20/2020
S1	DONATA Dime!	Newport Beach		92660	US	6/20/2020
52	Derry Sandoval	Glendale		90280	US	6/20/2020
53	Jennalee Williams	Rogersville		37857	US	6/20/2020
54	Diana Galvan	Bakersfield		93307	US	6/20/2020
55	Kassie Northington	Scott City		63780	US	6/20/2020
56	Alden Philbrick	Park City	UT	84060	US	6/20/2020
57	Russell Frain	Park City	UT	84098	US	6/20/2020
58	Rick Shand	Park City	UT	84098	US	6/20/2020
59	Lior Zimmerman	Orlando		32810	US	6/20/2020
60	Abdulsalam khamis	Lagos			US	6/20/2020
61	Jade S.	Quakertown		18951	US	6/20/2020
62	Roberto Albarran	Park City	UT	84060	US	6/20/2020
63	Leslie Edison	Park City	UT	84060	US	6/20/2020
64	Clay Perfall	Park City	UT	22314	US	6/20/2020
65	James Brezovec	Park City	UT	84098	US	6/20/2020
66	DIVYESH RANA	Wylie		75098	US	6/20/2020
67	Ysabela Medina	Woodridge		60517	US	6/20/2020
68	Cassandra Szklarz	Minneapolis		55432	US	6/20/2020
69	Calvin Perfall	Park City	UT	84060	US	6/20/2020
70	George Antoniadis	Thessaloniki			US	6/20/2020
71	Sehr Siddiqui	West Lafayette		47906	US	6/20/2020
72	Peter Marth	Park City	UT	84060	US	6/20/2020
73	Kayla Rayne	Decatur		35601	US	6/20/2020
74	Noelle Strong	Park City	UT	84060	US	6/20/2020
75	Jacklyn Joya	Carlsbad		92008	US	6/20/2020
76	Lawrence White	Santa Monica		90401	US	6/20/2020
77	Priya Mishra	Houston		77084	US	6/20/2020
78	Joe Ferriter	Park City	UT	84098	US	6/20/2020
79	Annika Sernyak	Newcastle	DE	19720	US	6/20/2020
80	Kendall Cunningham	Pottstown		19465	US	6/21/2020
81	Lidia Gonzalez	Chino		91710	US	6/21/2020
82	Maeve Swab	Hopkinton		1748	US	6/21/2020
83	Nick Stugart	Houston	TX	77079	US	6/21/2020
84	Kailey Oascomb	Oakley	UT	84055	US	6/21/2020
85	Rhonda Ciak	West Jordan	UT	84084	US	6/21/2020
86	Jennifer Gurss	Park City	UT	84060	US	6/21/2020
87	Kimmie Washam	Brooklyn	NY	11233	US	6/21/2020
88	Lori Barrett	Oakley	UT	84055	US	6/21/2020
89	Elizabeth Blackwelder	Alpine	UT	84004	US	6/21/2020
90	John Ziegler	Park	UT	84060	US	6/21/2020
91	Maryanne Foy	Lafayette	CA	94549	US	6/21/2020
92	nyah williams	Mount Vernon		10550	US	6/21/2020
93	Robert Leveillee	Charlton		1507	US	6/21/2020

94	angel froyd	Las Vegas		89110	us	6/21/2020
95	Holly Dwyer	Sandy	UT	84092	us	6/21/2020
96	Nichol Boehme	Herriman	UT	84096	us	6/21/2020
97	Vania Cienfuegos	Charlotte		28277	us	6/21/2020
98	Shelby Powell	Ogden	UT	84403	us	6/21/2020
99	Mitchell Edison	Las Vegas	NV	89115	us	6/21/2020
100	Keven Bonilla	Philadelphia		19146	us	6/21/2020
101	Jamsine Garcia	Loxahatchee		33470	us	6/21/2020
102	Minami Abe	Honolulu		96816	us	6/21/2020
103	Zola McCarthy	Cleburne		76033	us	6/21/2020
104	GG	Ellicott City		21043	us	6/21/2020
105	Isabelle Quinn	Lake City		55041	us	6/21/2020
106	Noah Freeman	Little Rock		72201	us	6/21/2020
107	Jonashia G	Austin		77078	us	6/21/2020
108	Casey Edison	Salt Lake City		84105	us	6/21/2020
109	Michael cull	Whitehall		49461	us	6/21/2020
110	Pam Carroll	Park City	UT	84060	us	6/21/2020
111	Noelle Parlette	Chicago		60602	us	6/21/2020
112	Roxana Urdaneta	Houston		77084	us	6/21/2020
113	Brenda Bazan	Chicago		60632	us	6/21/2020
114	Thomas Cahalan	Park City	UT	84098	us	6/21/2020
115	Sarahi Manzur	Minneapolis		55445	us	6/21/2020
116	Tayo llori	Towaco		7082	us	6/21/2020
117	Marquissha Mcquarte	Kansas City		64134	us	6/21/2020
118	Angel Jordan	Burnsville		55337	us	6/21/2020
119	Kyra Parkhurst	Park City	UT	84060	us	6/21/2020
120	John Wells	Park City	UT	84098	us	6/21/2020
121	Ashley Govea	Santa Ana		92706	us	6/21/2020
122	John Stafsholt	Park City	UT	84060	us	6/21/2020
123	Zosia Maselko	Anchorage		99503	us	6/21/2020
124	Divya Mitchell	Wilmington		28409	us	6/21/2020
125	taeviltos .	Sound Beach		11789	us	6/21/2020
126	Skylar Jacobs	Morris		60450	us	6/21/2020
127	Nicole Lacroix	Chaska		55318	us	6/21/2020
128	Julian De La Rosa	Chicago		60617	us	6/21/2020
129	morgan hole	Park City	UT	84060	us	6/21/2020
130	Kokichi Ouma	Anaheim		92825	us	6/21/2020
131	Emily Greenwood	Silsbee		77655	us	6/21/2020
132	Brian Kim	Los Angeles		90025	us	6/21/2020
133	Jayden Piansay	Daly City		94015	us	6/21/2020
134	Elise Serena	Park City	UT	84098	us	6/21/2020
135	Chandra Eidson	Nipomo		93444	us	6/21/2020
136	Carol Bujnowski	Meherrin		23954	us	6/21/2020
137	amandita solis	Rio Grande City		78582	us	6/21/2020
138	nancy ruiz	Bullhead City		86442	us	6/22/2020
139	Tyonnie Saint-Vallier	Newark		7108	us	6/22/2020
140	Hanna Peterson	Houston		77079	us	6/22/2020

141	Kathryne Gonzalez	San Antonio		78073	us	6/22/2020
142	Max Loar	Somerset		15501	us	6/22/2020
143	Valeria Rodriguez	Buford		30519	us	6/22/2020
144	Bob Sandt	Midway	UT	84049	us	6/22/2020
145	Jonathan Webb	Sacramento		95814	us	6/22/2020
146	Randy Casper	Foothill Ranch	CA	92610	us	6/22/2020
147	Ahmad Alhankawi	Canoga Park		91303	us	6/22/2020
148	Gretchen Rubell	Park City	UT	84098	us	6/22/2020
149	Marcelina Herrera	La grange		78945	us	6/22/2020
150	Dax Massengill	Heber City	UT	84032	us	6/22/2020
151	Greg Foote	Kamas	UT	84036	us	6/22/2020
152	Madison Null	Mission Viejo		92691	us	6/22/2020
153	JaimeO	Morgan Hill		95037	us	6/22/2020
154	Jessica Baumert	Modesto		95353	us	6/22/2020
155	Tenaya-Fayth Gary	Oakland		94610	us	6/22/2020
156	rema chammout	Royal Oak		48073	us	6/22/2020
157	Jaz Margaret	Auburn		98092	us	6/22/2020
158	Alexis Mitchell	Sun Prairie		53599	us	6/22/2020
159	Robin Maloney	Tequesta	FL	33469	us	6/22/2020
160	Ryan Lynch	Orlando		32801	us	6/22/2020
161	Blake Robinson	Salt Lake City	UT	84123	us	6/22/2020
162	Michael Fuck 12	Mound		55364	us	6/22/2020
163	Ashlyn Zunker	Austin		78724	us	6/22/2020
164	GK	Laconia		3246	us	6/22/2020
165	Connor Coombs	Prosper		75078	us	6/22/2020
166	leanna castro	Fresno		93722	us	6/22/2020
167	Hal Browning	Dallas	TX	75201	us	6/22/2020
168	Adam Douglas	Colorado Springs		80907	us	6/22/2020
169	Sara Brennan	Park City	UT	84098	us	6/22/2020
170	cherry the rat	Joliet		60433	us	6/22/2020
171	jason crobarger	Park City	UT	84098	us	6/22/2020
172	Debra Schneckloth	Park City	UT	84060	us	6/22/2020
173	Maddie Taylor	Pittsburgh		15017	us	6/22/2020
174	Miriam Quintero	Garden Grove		92840	us	6/22/2020
175	Duff Stewart	575 Rossie Hill Dr. I	UT	84060	us	6/22/2020
176	Adelyn Lovejoy	Jefferson		30549	us	6/22/2020
177	Annabell Grba	Henderson		89012	us	6/22/2020
178	Rocio Matias	Cape May		8204	us	6/22/2020
179	Leah Murdock	Danielson		6239	us	6/22/2020
180	Taylor Simpson	Williamston		48895	us	6/22/2020
181	Cheryl Fox	Park City	UT	84060	us	6/22/2020
182	Ruth Gezelius	Park City	UT	84060	us	6/22/2020
183	Delilah Quintela	Fort Worth		76116	us	6/22/2020
184	Mack Donoghue	Park City	UT	84098	us	6/22/2020
185	Cianna Barboza	Honolulu		96818	us	6/22/2020
186	Shaffii Mugure	Omaha		68197	us	6/22/2020
187	Juliano Buniag	San Antonio		78209	us	6/22/2020

188	Chloe Clarke	Scotts Valley		95066	us	6/22/2020
189	Ben Miller	Park City	UT	84098	us	6/22/2020
190	Ezra Taylor	Ferndale		48220	us	6/22/2020
191	Emily Francis	Columbus		43228	us	6/22/2020
192	Jamie Thomas	**Park City**	UT	84060	us	6/22/2020
193	Lupita Nava	Chico		95926	us	6/22/2020
194	Ashleigh Thomas	Park City	UT	84060	us	6/22/2020
195	Riley Spear	Los Angeles	CA	90037	us	6/22/2020
196	Mikaela Schmiett	Salt Lake City	UT	84106	us	6/22/2020
197	Hana Hatch	Fontana	CA	92337	us	6/22/2020
198	Abby Walters	Salt Lake City	UT	84103	us	6/22/2020
199	Molly Petri	Durham	NC	27701	us	6/22/2020
200	A Floden	Caulfield North		3161	Australia	6/22/2020
201	Maura Hughes	Ogden		84404	us	6/22/2020
202	Katherine Schumann	Salt Lake City	UT	84103	us	6/22/2020
203	Dani Calhoon	Salt Lake City	UT	84109	us	6/22/2020
204	Nathan Thomas	Bozeman	MT	59715	us	6/22/2020
205	Sophia King	Salt Lake City	UT	84102	us	6/22/2020
206	Paula Drager	Catonsville		21228	us	6/22/2020
207	Kim Marks	San Anselmo	CA	94960	us	6/22/2020
208	Ellen Economu	Austin		78751	us	6/22/2020
209	Patrick kildow	West Jordan	UT	84084	us	6/22/2020
210	Leslie Sroczynski	Salt Lake City	UT	84109	us	6/22/2020
211	Anna Marks	San Francisco	CA	94117	us	6/22/2020
212	Tracy Watson			3229	Australia	6/22/2020
213	India Watson	Ashburton		3147	Australia	6/22/2020
214	Michael Phillips	Logan	UT	84321	us	6/22/2020
215	Bentley Fitzgerald	Geelong		3220	Australia	6/22/2020
216	Tyler Robinson	Salt Lake City	UT	84108	us	6/22/2020
217	Julianne Morris	Salt Lake City	UT	84104	us	6/22/2020
218	Rebekka Hall	Oakley	UT	84055	us	6/22/2020
219	DeDe Carlson	Boise	ID	83702	us	6/22/2020
220	Maddie Goldberg	Salt lake city		84092	us	6/22/2020
221	Abigail Villegas	Los Angeles		90039	us	6/22/2020
222	Lynn Orrvar	Greenwood		46143	us	6/22/2020
223	John Whiteley	Park City	UT	84060	us	6/23/2020
224	Katy Hymas	Salt Lake City	UT	84106	us	6/23/2020
225	Mohammad Redwan	Fresno		93722	us	6/23/2020
226	Cress Bohnn	Park City	UT	84060	us	6/23/2020
227	Jennifer Van Horn	Park City	UT	84098	us	6/23/2020
228	Kathleen Thomas	Park City	UT	84060	us	6/23/2020
229	Karen Cassidy	Park City	UT	84098	us	6/23/2020
230	Tracy Evans	Park City	UT	84060	us	6/23/2020
231	Jen Kelly	Park City	UT	84098	us	6/23/2020
232	Robert Winn	Kamas	UT	84036	us	6/23/2020
233	Mary Schindeler	Park City	UT	84098	us	6/23/2020
234	Kevin King	Salt Lake City	UT	84103	us	6/23/2020

235	Renee Gautieri	Park City	UT	84098	us	6/23/2020
236	Kristina King	Gig Harbor	WA	98332	us	6/23/2020
237	Heather Illingworth	Salt Lake City	UT	84103	us	6/23/2020
238	Betty Chin Bush	Park City	UT	84060	us	6/23/2020
239	Michael Land	Park City		84098	us	6/23/2020
240	Meagan H	Warwick		2886	us	6/23/2020
241	Gavin Daniel	Jackson		39206	us	6/23/2020
242	Dena Eytan	Park City	UT	84068	us	6/23/2020
243	Josh Reid	Henderson	NV	89052	us	6/23/2020
244	Celeste Devoll	Chico		95926	us	6/23/2020
245	Kelley Andersen	Seattle		98144	us	6/23/2020
246	David Cady	Corning		14830	us	6/23/2020
247	Brianna Brown	Hattiesburg		39402	us	6/23/2020
248	Theresa Bradley	Los Angeles		90026	us	6/23/2020
249	emma lynn	Weaverville		28787	us	6/23/2020
250	Nancy Winn	Kamas	UT	84036	us	6/23/2020
251	Kalista Legaspi	Victorville		92395	us	6/23/2020
252	Hannah Carpino	Minneapolis		55436	us	6/23/2020
253	Paul Ramos	Asheville		28805	us	6/23/2020
254	Erika Martinez	Phoenix		85018	us	6/23/2020
255	Ashley Barrera	Los Angeles		92683	us	6/23/2020
256	Lauren Snapp	Clarksville		37043	us	6/23/2020
257	Kylie Brown	Phoenix		85018	us	6/23/2020
258	Michael Wagner	Harleysville		19438	us	6/23/2020
259	Somiyah Stokes-Kuma	New York		10021	us	6/23/2020
260	Einma Johns	Grandville		49418	us	6/23/2020
261	Kathryn Moore	Dallas		75254	us	6/23/2020
262	Genesis Alcantara	Bronx		10460	us	6/23/2020
263	Renae Power	Park City	UT	84098	us	6/23/2020
264	Jake Painter	Fort Wayne		46808	us	6/23/2020
265	Jason Childers	Marion		28752	us	6/23/2020
266	Kathleen Burke	Park City	UT	84098	us	6/23/2020
267	timothy brennan	Salt Lake City	UT	84117	us	6/23/2020
268	Kenneth Lofton	Goldsboro		27530	us	6/23/2020
269	Heleena Sideris	Rush Valley	UT	84069	us	6/23/2020
270	Amber Mclane	Springfield		22153	us	6/23/2020
271	bransford briggs	Park City	UT	84060	us	6/23/2020
272	Leondra Knight	Jacksonville		32221	us	6/23/2020
273	Ola Onitilo	Wausau		54401	us	6/23/2020
274	Vivian Quintana	Madera		93636	us	6/23/2020
275	Anna Gurskaya	Atlanta		30328	us	6/23/2020
276	Jenna Nation	tampa		33605	us	6/23/2020
277	Ira Sison	Pearland		77584	us	6/23/2020
278	Mary Wintzer	Riverton	UT	84065	us	6/23/2020
279	Ryan Narwold	Fairfield		6824	us	6/23/2020
280	Chloe Hoel	Wisconsin		53911	us	6/23/2020
281	lucy gallegos	Katy		77449	us	6/23/2020

282	Sofia Zimmer	Charlotte		28270	us	6/23/2020
283	Nikki Morrissey			91351	us	6/23/2020
284	Hannah Rosenberger	Phoenixville		19460	us	6/23/2020
285	Hal Spears	Winter park	co	80482	us	6/23/2020
286	Safietou Gaye	Pflugerville		78660	us	6/23/2020
287	Sofia Vital	Ventura		93003	us	6/23/2020
288	Ava Moreno	Lewes		19958	us	6/23/2020
289	Jillbette Fletcher-Gore	Park City	UT	84060	us	6/23/2020
290	Kayla Volturo	Las Vegas		89138	us	6/23/2020
291	Mia Breaux	Las Vegas		89110	us	6/23/2020
292	Natalie Kim	Towson		21286	us	6/23/2020
293	Jenni Thompson	Salt Lake City	UT	84103	us	6/23/2020
294	Lisa Saturnino	Park City	UT	84098	us	6/23/2020
295	Lauren Plunkett	Secaucus		7094	us	6/23/2020
296	Noelia Lizarraga	Riverbank		95367	us	6/23/2020
297	Noelle Treadwell	Crown Point		46307	us	6/23/2020
298	Grace Workman	Mentor		44060	us	6/23/2020
299	Emma Linton	New Boston		3070	us	6/24/2020
300	Dannielle Summerlin	Rome		30165	us	6/24/2020
301	Menn Kenn				us	6/24/2020
302	Callie Bartkin	Apopka		32712	us	6/24/2020
303	David Ihrig	Grand Prairie		75050	us	6/24/2020
304	Aria O'Sullivan	Loganville		30052	us	6/24/2020
305	Piper Witzel	Lamar		81052	us	6/24/2020
306	Ashley Martinez	Freehold		7728	us	6/24/2020
307	Josue Contreras	San Diego		92115	us	6/24/2020
308	Daniela Yaiiez	San Fernando		91340	us	6/24/2020
309	Alexandria Perez				us	6/24/2020
310	brianna stickle	Humble		77346	us	6/24/2020
311	Po Zhao	Concord		94518	us	6/24/2020
312	Juliyanna Romeo	Tustin		92782	us	6/24/2020
313	Amira Nelson	Renton		98056	us	6/24/2020
314	Samantha Escudero				us	6/24/2020
315	StacyO	Corona		92882	us	6/24/2020
316	Sandra Simpson	Pine Lake		30072	us	6/24/2020
317	Roman Salcedo	Indianapolis		46237	us	6/24/2020
318	Angela Wang	Los Angeles		90004	us	6/24/2020
319	Lai'el Darbeau	Fort Smith		72916	us	6/24/2020
320	J***x S***r	Clinton	MS	39056	us	6/24/2020
321	Angela Marquez	Los Angeles		90001	us	6/24/2020
322	Victoria Witriwski	Matthews		28105	us	6/24/2020
323	David Rentschler	Walloon Lake	MI	49796	us	6/24/2020
324	Pharoah Palmer	Schofield		54476	us	6/24/2020
325	John Carroll	Cincinnati	OH	45242	us	6/24/2020
326	Stephen Botta	Manhattan		10034	us	6/24/2020
327	Stephanie Rossmeisl	Hooksett		3106	us	6/24/2020
328	Kimberly Klintworth	Park City	UT	84098	us	6/24/2020

329	Jonathan Coleman	Tinley Park		60477	US	6/24/2020
330	Cat Anderson	Columbia		21045	US	6/24/2020
331	Ava Belisle	Green Bay		54313	US	6/24/2020
332	Calla Pike	Winona		55987	US	6/24/2020
333	zoe maurer	Aurora		60506	US	6/24/2020
334	Larnonique Allen	Harker Heights		76548	US	6/24/2020
335	evie holzhall	Cleveland		44111	US	6/24/2020
336	Gabriella Batista	Philadelphia		19128	US	6/24/2020
337	Maysra Al				US	6/24/2020
338	CHARLES WITHAM	Heber City	UT	84032	US	6/24/2020
339	Ezmerelda Wilson				US	6/24/2020
340	Emily Unick	Harrison		7029	US	6/24/2020
341	Cate Heverin	Montvale		7645	US	6/24/2020
342	Betsaida Bocel	Los Angeles		90059	US	6/24/2020
343	Vaden Krauss	San Antonio		78213	US	6/24/2020
344	Rosa-Lynn Flaherty	Winchester		92596	US	6/24/2020
345	Daron Karajayan	Reseda		91335	US	6/24/2020
346	Benita A	Oklahoma City		73120	US	6/24/2020
347	tyler barton	Orem	UT	84059	US	6/24/2020
348	tristan lessard	Dallas		75238	US	6/24/2020
349	Mayleen Candelario	Vancleave		39565	US	6/24/2020
350	Angelina Bermudez	Orlando		32808	US	6/24/2020
351	Adilenne Garcia	Pico Rivera		90660	US	6/24/2020
352	Somer Wain	St. Louis		63108	US	6/24/2020
353	Olivia Bowen	San Jose		95124	US	6/24/2020
354	Trevor Lawrence	Monroe		71201	US	6/24/2020
355	Leona Lai	Cerritos		90703	US	6/24/2020
356	monica onate	Christiana		37037	US	6/24/2020
357	Kaylie M	Lakeland		33813	US	6/24/2020
358	Brianna Olson	Shallotte		28470	US	6/24/2020
359	Kim Payan	Carlsbad		88220	US	6/24/2020
360	Amanda Jenkins	Summit		7901	US	6/24/2020
361	Alexander Konnaris	Brooklyn		11209	US	6/24/2020
362	Madi C	Oak park		60302	US	6/24/2020
363	Breanne Crowley	Buzzards Bay		2532	US	6/24/2020
364	elle williams	Silver Spring		20901	US	6/24/2020
365	Delaney Paur	Savage		55378	US	6/24/2020
366	Hannah Nielson	Bountiful		84010	US	6/24/2020
367	Claire Reyes	Mira Loma		91752	US	6/24/2020
368	Alex Hewitt	Belmont		94002	US	6/24/2020
369	molly alien	Pico Rivera		90660	US	6/24/2020
370	Nevaeh Miramontes	Manteca		93637	US	6/24/2020
371	Nichaela McMorris	Mississauga		L4W3G3	US	6/24/2020
372	TKeyah Driskell	Suisun City		94585	US	6/24/2020
373	madelyn english	Puyallup		98375	US	6/25/2020
374	Samaya Young-Stewart				US	6/25/2020
375	Marlene Arias	New Haven		6511	US	6/25/2020

376 Ja'Darius Anderson	Richmond	77469	us	6/25/2020
377 Natalie SanQuintin	Lexington	29073	us	6/25/2020
378 Jen Carey	Manhattan		us	6/25/2020
379 Olivia Bradbury	Portland	4103	us	6/25/2020
380 Yvette Cabrales	Placentia	92870	us	6/25/2020
381 Estefania Meza	Reedley	93654	us	6/25/2020
382 L Canales	Los Angeles	90013	us	6/25/2020
383 Takhmina Ergeshova	Seattle	98146	us	6/25/2020
384 Alicia Olshanski	San Angelo	76904	us	6/25/2020
385 Kelly Arce	Hyattsville	20785	us	6/25/2020
386 Casanova Valentine	Trenton	8629	us	6/25/2020
387 Alec Balta	North Liberty	52317	us	6/25/2020
388 Arda John Ozdemir	Newark	7104	us	6/25/2020
389 Elsa Landeros	Hillsborough	27278	us	6/25/2020
390 Lauren Johnson	Summerville	29483	us	6/25/2020
391 Jasmine Martinez	Irvine	92612	us	6/25/2020
392 Brielle Bierman	Minneapolis	55408	us	6/25/2020
393 Nalani Erskine	Savannah	38372	us	6/25/2020
394 Matthew Brock	Phoenix	85042	us	6/25/2020
395 Lilly Everett	Spokane	99205	us	6/25/2020
396 Jaeleen Godoy	Kingsville	78363	us	6/25/2020
397 Amelia & Fin Josephsc	Salt Lake City	84138	us	6/25/2020
398 jaylyn a	Milpitas	95035	us	6/25/2020
399 dayanara ahumada	Downey	90242	us	6/25/2020
400 Tracey Thompson	Akron	44305	us	6/25/2020
401 Matthew engida	Philadelphia	19142	us	6/25/2020
402 Concerned American	Tampa	33813	us	6/25/2020
403 Jenna Maloy	Washington	15301	us	6/25/2020
404 Sam Sorcini	Houston	77081	us	6/25/2020
405 Kylie Mowery	Kansas City	66109	us	6/25/2020
406 Blake Scott	Tampa	33610	us	6/25/2020
407 Natalie Weicht	Sewickley	15143	us	6/25/2020
408 Hawa Bang	Voorhees	8043	us	6/25/2020
409 Austin Gonzalez	Edmond	73013	us	6/25/2020
410 Yocelyn Tamayo	Gibbon	68840	us	6/25/2020
411 Sophia Perezous	Reading	19608	us	6/25/2020
412 Melanie MUnson	Trabuco Canyon	92679	us	6/25/2020
413 Alecia Gibbs			us	6/25/2020
414 Julia Senffner	Chicago	60614	us	6/25/2020
415 Cidney Jefferson	Duluth	30096	us	6/25/2020
416 Ashleigh Leslie	Columbus	43212	us	6/25/2020
417 Rachel Camiglio	Shelton	6484	us	6/25/2020
418 Chrizelle Tungpalan	Walnut	91789	us	6/25/2020
419 Aidan Osterdyk	Fort Collins	80525	us	6/25/2020
420 Sofia Rico	Fresno	93648	us	6/25/2020
421 Alexis Smith	Levittown	19056	us	6/25/2020
422 Lindsay Lidge	Boulder	80304	us	6/25/2020

423	meagan fatcheric	Weedsport		13166	us	6/25/2020
424	Mike Brock	Southfield		48034	us	6/25/2020
425	John Franklin	Lufkin	TX	75904	us	6/25/2020
426	Russell Frizzell	Point Pleasant Beach		8742	us	6/25/2020
427	Morgan Sumner	Crossville		38572	us	6/25/2020
428	Ana Gudino	Edison		8817	us	6/25/2020
429	Skylar Pope	Ridgeland		29936	us	6/25/2020
430	Greg Gorman	Gonzales		70737	us	6/25/2020
431	Cynthia Avery	Carmel		46032	us	6/25/2020
432	ND	Los Altos		94041	us	6/25/2020
433	alicia vandervoort	Portland		97224	us	6/25/2020
434	eva anderson	Wahpeton		58075	us	6/25/2020
435	lseut Welker	Salt Lake City		84107	us	6/25/2020
436	Casey Fuelling	Brunswick		44212	us	6/25/2020
437	Sajni Patel	Brooklyn		11743	us	6/25/2020
438	Isaac Swinney	Manchester		37355	us	6/25/2020
439	Yasmin Alzein	Dearborn		48124	us	6/25/2020
440	Hailey Dockery	Olympia		98501	us	6/25/2020
441	India Agee	Killeen		76542	us	6/25/2020
442	zion ufema	Elkridge		21075	us	6/25/2020
443	Remi Middlebusher	Bartlesville		74006	us	6/25/2020
444	Susanna Dennis	Corneilius		28931	us	6/25/2020
445	Lucas Sun	Bangor		4401	us	6/25/2020
446	Vivien Nguyen	Elkridge		21075	us	6/25/2020
447	Valerie Esparza	Kansas City		64110	us	6/25/2020
448	kristin wiens			21784	us	6/25/2020
449	Neil Patel	Schaumburg		60194	us	6/25/2020
450	Kelsi McDevitt	Pottstown		19464	us	6/25/2020
451	Layla Jernberg	Garrett		46738	us	6/25/2020
452	Kimberly Boensch	Bowman		29018	us	6/25/2020
453	Jessica Resendiz-Bust,	Omaha		68107	us	6/25/2020
454	Alyssa T	Scranton		18505	us	6/25/2020
455	William Porter	Columbus		33569	us	6/25/2020
456	Antony Williams	Paso Robles		93446	us	6/25/2020
457	Melissa Rocha	Chino		91710	us	6/25/2020
458	kelsey oleary	Canton		44720	us	6/25/2020
459	edna rodriguez	Austin		78741	us	6/25/2020
460	Dustin Boudreau	Freedom		4941	us	6/25/2020
461	Jessica Chan				us	6/25/2020
462	Allison Alpizar	Basking Ridge		7920	us	6/25/2020
463	Julia Fee	Oakland		94610	us	6/25/2020
464	Linda Salih	Bellevue		98008	us	6/26/2020
465	Xitlaly Linan	Tucson		85711	us	6/26/2020
466	Jonathan McPhaul	Jamaica		11434	us	6/26/2020
467	Lila Denning	San Diego		92130	us	6/26/2020
468	lena apulello	st charles		60175	us	6/26/2020
469	hannah perez	Franklin		22109	us	6/26/2020

470 penelope kutilek	Stone Mountain	30083	us	6/26/2020
471 olivia duong	Stockton	95219	us	6/26/2020
472 Callie Carlsen	Minneapolis	55401	us	6/26/2020
473 Raina Eichhorn	Daly City	94014	us	6/26/2020
474 Tristen Budet	Las Vegas	89120	us	6/26/2020
475 Rachel Hong	Madison	53717	us	6/26/2020
476 Lesly Garcia	Manchester	37355	us	6/26/2020
477 solveig swan	Virginia Beach	23456	us	6/26/2020
478 niamh schroeder	Buffalo	14226	us	6/26/2020
479 John Smith	Plymouth	55446	us	6/26/2020
480 brooke hansen	Elk River	55330	us	6/26/2020
481 allie long	Columbus	47203	us	6/26/2020
482 Anastazia Hovind	Davison	48423	us	6/26/2020
483 EmmaChase•Petersor	lake St. Louis	63367	us	6/26/2020
484 Chelsea McIntosh	Martinsburg	25403	us	6/26/2020
485 Sherry Carty	Kennesaw	30144	us	6/26/2020
486 maddy kelly	Cincinnati	45219	us	6/26/2020
487 skylar robison	Independence	64055	us	6/26/2020
488 Katie DeSimon	Urmom		us	6/26/2020
489 julia connolly	Barrington	60010	us	6/26/2020
490 Kenya Lawson	Fredericksburg	22407	us	6/26/2020
491 morgan sealy	San Jose	95136	us	6/26/2020
492 Kaylen Gibson	Niles	49120	us	6/26/2020
493 Haillee Easter	Enid	73703	us	6/26/2020
494 Janya Perez	Cobb county	30343	us	6/26/2020
495 meg sand	lake Charles	70607	us	6/26/2020
496 Anonymous Anon	Euless	76039	us	6/26/2020
497 isabella khair	O Fallon	63368	us	6/26/2020
498 Morgan Fowler	Miami	33161	us	6/26/2020
499 Mae Townsend	Silverton	97381	us	6/26/2020
500 Jordan Reeves	Anchorage	99508	us	6/26/2020
501 Heyde Borjas	Elmendorf	78112	us	6/26/2020
502 Judith Torres	Lompoc	93436	us	6/26/2020
503 Kallee Winters	Springhill	37174	us	6/26/2020
504 Bill Jor	Cherry Hill	8002	us	6/26/2020
SOS eli booth	Fort Wayne	46825	us	6/26/2020
506 steffen merkle			us	6/26/2020
507 carmen nunez	Lakeland	33813	us	6/26/2020
508 aspen James	Little Rock	72202	us	6/26/2020
509 Riley Shanahan	Fort Lauderdale	33323	us	6/26/2020
510 Chip Skylark			us	6/26/2020
511 Ben Izmirli	Seattle	98115	us	6/26/2020
512 Jaclyn Thomas	Crockett	75835	us	6/26/2020
513 Gracee Hagman	Durham	27703	us	6/26/2020
514 Cassidy Hoffman	Sanford	27332	us	6/26/2020
515 Reghan Metrick	Atlanta	30345	us	6/26/2020
516 Ireland Augustson	Dallas	75208	us	6/26/2020

517	Rosemary Crecca	Port Townsend		98312	us	6/26/2020
518	nora d.			84064	us	6/26/2020
519	feng yu	Torrance		90505	us	6/26/2020
520	Melanie Q	Lorton		22079	us	6/26/2020
521	Laxeddy Jacob Jr. Mor	Los Angeles		90020	us	6/26/2020
522	Lizzie Lizzie	Lisle		60532	us	6/26/2020
523	Loopy Doodii	Lebanon	6hhh		us	6/26/2020
524	Erace Draw	Lewisville		75067	us	6/26/2020
525	Adam Petersen	Sebastopol		95472	us	6/26/2020
526	Sarah Martin	Midland Park		7928	us	6/26/2020
527	Lauren Wool	San Antonio		78254	us	6/26/2020
528	Emilin Casas	Van Nuys		91405	us	6/26/2020
529	Violet Chase	Pharr		78577	us	6/26/2020
530	bryan larios	Bell Gardens		90201	us	6/26/2020
531	Emma Gnav	Saint Paul		55128	us	6/26/2020
532	Kiley Griggs-Ellis	Cypress		77429	us	6/26/2020
533	Alejandro Montion	Los Angeles		90006	us	6/26/2020
534	Kenndel Ewing	Bronx		10452	us	6/26/2020
535	Olivia Marie	Fond Du Lac		54935	us	6/26/2020
536	sierra dark	Auburn		13021	us	6/26/2020
537	Brooklyn Oursler	Colorado Springs		80918	us	6/26/2020
538	Jessica Hernandez cru	Sacramento		95841	us	6/26/2020
539	gabriella lovett	New Bedford		2740	us	6/26/2020
540	Alisa Peralta	Phoenix		85004	us	6/26/2020
541	Shrek Ogre	Bessemer		35022	us	6/26/2020
542	Max Bailey	Chicago		60616	us	6/26/2020
543	Lindsay Paz	Aurora		60506	us	6/26/2020
544	Fer Salazar	North Myrtle Beach		29526	us	6/26/2020
545	grace mcdonald	San Francisco		94112	us	6/26/2020
546	Melody Fajardo	Anaheim		92805	us	6/26/2020
547	emma rivera	Wellington		33414	us	6/26/2020
548	Vagia Petrou	Athens			us	6/26/2020
549	Emily Meza	Salt Lake City		84107	us	6/26/2020
550	Priscilla Rosales	New Braunfels		78130	us	6/26/2020
551	danielle paredes	Torrance		90502	us	6/26/2020
552	Susan Holder	Lawrence		66049	us	6/26/2020
553	Jada Baguyo	Parrish		34219	us	6/26/2020
554	Robert Clausen	Burbank		91503	us	6/26/2020
555	ryan steevens	Saint Peters		63376	us	6/26/2020
556	Luciana Arce	Long Beach		90804	us	6/26/2020
557	Nakyla Barefield	Columbus		43206	us	6/26/2020
558	Tristan Hume	Memphis		38017	us	6/26/2020
559	Karla Romero	Albuquerque		87105	us	6/26/2020
560	Taytum Hudson	Goodyear		85338	us	6/26/2020
561	janelle ramirez	Junction City		66441	us	6/26/2020
562	Tya Woods	Jacksonville		62650	us	6/26/2020
563	Morelia Ochoa	Dallas		75211	us	6/26/2020

564	kevin beney	Milford		1757	us	6/26/2020
565	audrey nguyen	Huntington Beach		92647	us	6/26/2020
566	Aaron Abrantes	San Mateo		94401	us	6/26/2020
567	Cole Dowell	Nampa		83646	us	6/26/2020
568	Salom6n Woods	El paso		79924	us	6/26/2020
569	Emma Priebe	Scottsdale		85260	us	6/26/2020
570	Jordan Leikin	Alexandria		22312	us	6/26/2020
571	Jelani Lee	Irvington		7111	us	6/26/2020
572	Madeleine Carnell	Los Angeles		90015	us	6/26/2020
573	Jessica Christenson	Westminster		21791	us	6/26/2020
574	Sarah F	Morristown		7960	us	6/26/2020
575	Nicole Melendez				us	6/26/2020
576	nancy argueta	Owings Mills		21117	us	6/26/2020
577	Leilani Muniz	Harrisonburg		22802	us	6/26/2020
578	Ashlynn Victor	Irwin		15642	us	6/26/2020
579	Eden Rutherford	Chesapeake		23320	us	6/26/2020
580	Donald Fcking Trump	Elmira		14903	us	6/26/2020
581	Maren Webb	New York		10022	us	6/26/2020
582	ali r	Ocala		34472	us	6/26/2020
583	Christina Calzadillas	Manvel		77578	us	6/26/2020
584	Laine Stover	Given		25245	us	6/26/2020
585	Aminah Jenkins	Durham		27713	us	6/26/2020
586	Patricia Barber	Kissimmee		34758	us	6/26/2020
587	Cheyan Reinhardt	Fort Wayne		46835	us	6/26/2020
588	Miriam Calderon	Chicago	IL	60652	us	6/26/2020
589	Kobe Fuller	Avon Park		33825	us	6/26/2020
590	maya lopez	Corona		92882	us	6/26/2020
591	leah deschenes	Clermont		34711	us	6/26/2020
592	olivia kuhns	Fort Wayne		46805	us	6/26/2020
593	David Luis	Columbus		43230	us	6/26/2020
594	ashley pierre	Miami		33175	us	6/26/2020
595	Veronica Chy	San Jose		95122	us	6/26/2020
596	Maya Boma	Waldorf		20603	us	6/26/2020
597	e newm	Los Angeles		90011	us	6/26/2020
598	Elijah DonaldTrumplsJ	Sterling		1464	us	6/26/2020
599	Amya Ford	Las Vegas		89120	us	6/26/2020
600	Emberli McDade	Ringgold		30736	us	6/26/2020
601	Lacie Robbins	Spring Hill		34609	us	6/26/2020
602	Celeste Voss	Dayton		45420	us	6/26/2020
603	Scott Hudson	Eatontown		7724	us	6/26/2020
604	Kiera Hutton	Kansas City		64134	us	6/26/2020
605	Juan Sanchez	Pacoima		91331	us	6/26/2020
606	Danielle Wyatt	North Wilkesboro		28659	us	6/26/2020
607	Georgina Vasquez	Los Angeles		90029	us	6/26/2020
608	Haylee Emard	Marquette		49855	us	6/26/2020
609	Morgan Budinich	Bradenton		34212	us	6/26/2020
610	Amelia Lohrenz	Cheyenne		82009	us	6/26/2020

611	Itzel Vargas	Norwalk	90650	us	6/26/2020
612	Madeline Vaughn	Leander	78660	us	6/26/2020
613	shanley windish	minot	58701	us	6/26/2020
614	Khushi Patel	Saint Charles	60174	us	6/26/2020
615	reese dennett	Portland	97224	us	6/26/2020
616	Alexa Wilcox	Park City	84098	us	6/26/2020
617	Itzalli Martinez	Romeoville	60446	us	6/26/2020
618	Kristyn Bargas	Madill	73446	us	6/26/2020
619	Emily Moore	Oregon City	97045	us	6/26/2020
620	Andrea Hironymous	Colorado Springs	80909	us	6/26/2020
621	rylan lee	Clermont	34714	us	6/26/2020
622	Katie Mull	Canby	97013	us	6/26/2020
623	Parker Bradley	Stewartstown	17363	us	6/26/2020
624	Gavin Powell	Canton	57013	us	6/26/2020
625	Esmeralda Solano	South San Francisco	94080	us	6/26/2020
626	Fffff Bdehgdhd	No		us	6/26/2020
627	Elliot Klatt	Fenton	48430	us	6/26/2020
628	Chad Tompkins	Pottstown	19464	us	6/26/2020
629	Elizabeth Marquez	Hinesville	31313	us	6/26/2020
630	Kristy Keil	Greenwich	6830	us	6/26/2020
631	Mia Plancarte	Royal Oak	48073	us	6/26/2020
632	Anna Posh	Morgantown	19543	us	6/26/2020
633	Andrea Wheeler	Murphys	95247	us	6/26/2020
634	Lucretia Nelson	Birmingham	35210	us	6/26/2020
635	Sofia ltskovich	Eagan	55418	us	6/26/2020
636	Sam French	Alexandria	22310	us	6/26/2020
637	maison spence	Seattle	98168	us	6/26/2020
638	Mel Case	Minneapolis	55406	us	6/26/2020
639	Griffin King	Red Bank	7701	us	6/26/2020
640	NhiTran	San Diego	92115	us	6/26/2020
641	Kara Hidalgo	Pueblo	81008	us	6/26/2020
642	Haley Martin	Cincinnati	45255	us	6/26/2020
643	Renz Acosta	Anaheim	92801	us	6/26/2020
644	Alli Mahieu	Alpharetta	30022	us	6/26/2020
645	Giselle Lazaro	Salinas	93906	us	6/26/2020
646	Lorena Ishida	Winter Garden	34787	us	6/26/2020
647	Andrea Soriano	Houston	77022	us	6/26/2020
648	Asia Clanton	Bronx	10468	us	6/26/2020
649	Phoenix Bontjes	Isanti	55040	us	6/26/2020
650	avery garcia	Littleton	80122	us	6/26/2020
651	Kina Eager	Mobile	36693	us	6/26/2020
652	William Trindl	Milwaukee	53222	us	6/26/2020
653	riley russell	Toms River	8753	us	6/26/2020
654	Tihanna Hazley	Tumwater	98512	us	6/26/2020
655	Jackson Oliver	smithfield	27577	us	6/26/2020
656	Jacob Hafer	Houston	77088	us	6/26/2020
657	Shawn Cali	Taunton	2780	us	6/26/2020

658	Alyssa Nara	New	33445	US	6/26/2020
659	Logan Curran			US	6/26/2020
660	Kenny Hammers	Vancouver	98684	US	6/26/2020
661	Elaine Becker	Roanoke	24018	US	6/26/2020
662	jezaniah paz	Pacoima	91331	US	6/26/2020
663	Dorottie Joseph	Lawrence	1841	US	6/26/2020
664	Nicki Short	Vancouver	98682	US	6/26/2020
665	Anwyn H			US	6/26/2020
666	Michael kelley-coplin	Rimrock	86335	US	6/26/2020
667	Em Rose	Ocoee	34761	US	6/26/2020
668	Savannah Hofman	Baton Rouge	70817	US	6/26/2020
669	Ashley Wright	Mission Viejo	92691	US	6/27/2020
670	Julia Hearne	Chatham	7928	US	6/27/2020
671	Hattie Dianich	Carnation	98014	US	6/27/2020
672	Magda De	Katowice		Poland	6/27/2020
673	Paony Oman			US	6/27/2020
674	Leah Guerra	Easton	18045	US	6/27/2020
675	Eyram Noku	College Park	20740	US	6/27/2020
676	Daniel Mora	Houston	77002	US	6/27/2020
677	wei gao	Washington	20002	US	6/27/2020
678	Yesse Borges	Des Moines	50125	US	6/27/2020
679	Lyanna J	Miami	33179	US	6/27/2020
680	Student Student	Mason	48854	US	6/27/2020
681	Emma Zingler	Ortonville	48462	US	6/27/2020
682	Bald Kurapika	Pittsburgh	15226	US	6/27/2020
683	Ashly Cristobal	Los Angeles	90004	US	6/27/2020
684	Sarah Bernal	Philadelphia	19122	US	6/27/2020
685	Mary Griffith	Moore	73160	US	6/27/2020
686	Kathleen Taylor	Alexandria	22307	US	6/27/2020
687	Jackson Dille	Provo	84601	US	6/27/2020
688	Lisa Flores	Everett	98203	US	6/27/2020
689	Lilia Sanchez	Naples	34113	US	6/27/2020
690	Lizbeth Peral			US	6/27/2020
691	Andres Mayorga	Katy	77494	US	6/27/2020
692	Thailyse Magoon	Grand Rapids	49507	US	6/27/2020
693	Leslie Acosta	Pompano Beach	33073	US	6/27/2020
694	Brittany Eursey	Victorville	92392	US	6/27/2020
695	Victoria Viglione	Macomb	48315	US	6/27/2020
696	hanna m	Fort Worth	76103	US	6/27/2020
697	Ali Matzke	Ripon	54971	US	6/27/2020
698	Emma Scott	Tallahassee	94568	US	6/27/2020
699	Graziella Gulli	Oakland	94612	US	6/27/2020
700	Zasha Greening	Broomfield	80020	US	6/27/2020
701	Bianca Avellano	Muntinlupa City		Philippines	6/27/2020
702	Ren Guerrero	Brea	92821	US	6/27/2020
703	Tigerlily Maynard	San Diego	92103	US	6/27/2020
704	Papi Chulo	Black	36314	US	6/27/2020

705	Kaylee Castillo	Lawrence			1841	us	6/27/2020
706	Melissa Gonzalez	Perris			92571	us	6/27/2020
707	Ashley Powell	Port Saint Lucie			34952	us	6/27/2020
708	Isaac Quiroz	Homestead			33035	us	6/27/2020
709	Cole Pressnell	Surprise			85379	us	6/27/2020
710	kailee brushwood	Puyallup			98371	us	6/27/2020
711	Brett Badey	Eagle River			99577	us	6/27/2020
712	Charisse Mercado	San Fernando Pampanga				Philippines	6/27/2020
713	Jessi Goettig	Bend			97703	us	6/27/2020
714	Tyra Gresham	Silver Spring			20905	us	6/27/2020
715	Alaina Facemyer	Wilmingtion			19801	us	6/27/2020
716	Asia Grant	Acworth			30101	us	6/27/2020
717	Maria Pantoja	Irvine			92618	us	6/27/2020
718	Mark Norris	Phoenix	AZ		85018	us	6/27/2020
719	Dakota Borgfeldt	Santa Rosa			95409	us	6/27/2020
720	Mark Craddick	San Angelo			76901	us	6/27/2020
721	Tina Spinei	Brooklyn			11235	us	6/27/2020
722	Fiona Gibb	Richfield Springs			13439	us	6/27/2020
723	Russell Croker	Ilford		igl 2sq		UK	6/27/2020
724	Staci Mccutchen	Ocilla			31774	us	6/27/2020
725	Sharon Sears	Cambridge			2139	us	6/27/2020
726	Sarina Govindalah	Springfield			62704	us	6/27/2020
727	Alex Fitz	Buffalo			14205	us	6/27/2020
728	Cloe Brown	Salt Lake City			84101	us	6/27/2020
729	Genevieve Kaufman	Urbana			61802	us	6/27/2020
730	Layla Parada	Los Angeles			90022	us	6/27/2020
731	Talia Kamoo	Birmingham			48009	us	6/27/2020
732	iffy m	Mesquite			75181	us	6/27/2020
733	Kaileigh Page					us	6/27/2020
734	Allison Parra	Louisville			40215	us	6/27/2020
735	Alondra Villa	Chula Vista			91911	us	6/27/2020
736	Logan Woods	Annandale			55302	us	6/27/2020
737	Sierra Black	Phoenix			85053	us	6/27/2020
738	Nora Giarla	West Roxbury			2132	us	6/27/2020
739	Rucel Trocio	Davao City				Philippines	6/27/2020
740	Ximena Negrete	Edinburg			78542	us	6/27/2020
741	katie maga	Reno			89521	us	6/27/2020
742	erin hager	Stephens City			22655	us	6/27/2020
743	Ciara Henry	scotland			57059	us	6/27/2020
744	Caroline Morrison	Santa Clarita			91350	us	6/27/2020
745	Hana Robson					us	6/27/2020
746	Moriah Padgett	Fort Mill			29707	us	6/27/2020
747	Freddie Cottrill	New York			10019	us	6/27/2020
748	David Mathews	Huntington Beach			92648	us	6/27/2020
749	Alexis Osmun	Chattanooga			37421	us	6/27/2020
750	Misheel Pratt	Laguna hills			92653	us	6/27/2020
751	Timothy Mcclanahan	Los Angeles			90068	us	6/27/2020

752	David Miller	Picayune		39466	us	6/27/2020
753	Julia Manese	Oakland		94611	us	6/27/2020
754	Alyssa Dever	Stow		44224	us	6/27/2020
755	Thi Bateman	Metairie		70003	us	6/27/2020
756	Sydney Winkelmann	Imperial		63052	us	6/27/2020
757	Jayde Otero	Denton		76210	us	6/27/2020
758	Katelyn Lozhkin	Portland		97267	us	6/27/2020
759	Brendan Allen	Somerset		8873	us	6/27/2020
760	Catherine L'Helias	Stamford		6902	us	6/27/2020
761	Lorra Majani	Columbus		43227	us	6/27/2020
762	Alondra Pizano	West Grove		19390	us	6/27/2020
763	Ally S	Carmel		46033	us	6/27/2020
764	Sofia Naranjo	Temecula		92592	us	6/27/2020
765	Elijah Giles	Lewisville		75067	us	6/27/2020
766	Kaliya Miller	Charlotte		28217	us	6/27/2020
767	Ava Dalton	Kalamazoo		49008	us	6/27/2020
768	Jantona Khong	Olympia		98501	us	6/27/2020
769	rd	Lewiston		14092	us	6/27/2020
770	Matthew Morin	Austin		78705	us	6/27/2020
771	anne doran	SKELMERSDALE	wn86te		UK	6/27/2020
772	Maggie Johnson				us	6/27/2020
773	Elizabeth Croop	North Tonawanda		14120	us	6/27/2020
774	Haleigh Hyde	Preston		55965	us	6/27/2020
775	Allyson Ruiz Garcia	Tampa		33604	us	6/27/2020
776	Natalie Cantero	Woodbridge		22193	us	6/27/2020
777	chhs student	Pikeville		27863	us	6/27/2020
778	Khalius Woods	Eagle Butte		57625	us	6/27/2020
779	Casey Curce	Dekalb		60115	us	6/27/2020
780	James Schramm	Lima		45806	us	6/27/2020
781	Britney Gramlich	Phoenix		85001	us	6/27/2020
782	lorelei anello	Dayton		45449	us	6/27/2020
783	Jon Sanchez	Las Cruces		88011	us	6/27/2020
784	reily yaekle	Colorado Springs		80916	us	6/27/2020
785	Ju li ette Frediere	Fresno		93720	us	6/27/2020
786	Heven Haile	San Diego		92105	us	6/27/2020
787	BY	Dundalk		21222	us	6/27/2020
788	Annalise Desantiago	Richardson		75081	us	6/27/2020
789	Daniela Hernandez	Houston		77015	us	6/28/2020
790	Oliver Evans	Minneapolis		55135	us	6/28/2020
791	Emma Swacker	Ballwin		63011	us	6/28/2020
792	saheli desai	Hillsborough		8844	us	6/28/2020
793	Zarifa Latic	Cedar Rapids		52411	us	6/28/2020
794	Lacey Hamann	Chattanooga		37409	us	6/28/2020
795	Monique Smith	Houston		77006	us	6/28/2020
796	Nicole Hults	Albuquerque		87105	us	6/28/2020
797	Eva Iversen	Salt Lake City		84117	us	6/28/2020
798	Monica Aguirre	Houston		77039	us	6/28/2020

799	Nicole Dasilva	Mount Vernon		10550	us	6/28/2020
800	Kaylee Jones	Cleveland		37311	us	6/28/2020
801	Katherine Bryant	Atlanta		30331	us	6/28/2020
802	Simran Patel	Marietta		30062	us	6/28/2020
803	Carly Ackerman	Dumont		7628	us	6/28/2020
804	sherri hodges	Phoenix		85051	us	6/28/2020
805	Izzy Lauinger	Saint Cloud		56303	us	6/28/2020
806	Destin Smith	Los Angeles		90059	us	6/28/2020
807	Amelia Warren				us	6/28/2020
808	Geovanna Paoli	El Paso		79924	us	6/28/2020
809	MeghanaMeruga	Mason		45040	us	6/28/2020
810	Uma Balasubramaniar	Bridgewater		8807	us	6/28/2020
811	Jecina Dahal	Kathmandu			Nepal	6/28/2020
812	Adolph K.	Iowa City		52246	us	6/28/2020
813	Sarah Lopez	Lemoore		93245	us	6/28/2020
814	Deb Burton	Brainerd	MN	56401	us	6/28/2020
815	Safi Skidgel	Portland		97206	us	6/28/2020
816	Alice Henderson	Santa Ana		92704	us	6/28/2020
817	Skylar Simpson	Jacksonville		28540	us	6/28/2020
818	Anna Pridmore	Russellville		72801	us	6/28/2020
819	sidney themas	Otsego		5530	us	6/28/2020
820	Jessica Alfieri	Larchmont		10538	us	6/28/2020
821	Noelle Efantis	Silver Spring		20901	us	6/28/2020
822	Lejla Katica	Revere		2151	us	6/28/2020
823	Isabella Gaule	Lake Stevens		98258	us	6/28/2020
824	Angeluz Cristobal	Mesa		85212	us	6/28/2020
825	Melissa Heithaus	Mckinney		75070	us	6/28/2020
826	Reyna Saravia	Los Angeles		90018	us	6/28/2020
827	Tina God love	Meridian		83646	us	6/28/2020
828	Renan Aledavoudi	Alaska		95815	us	6/28/2020
829	Nathan Blythe	Anaheim		92805	us	6/28/2020
830	Zahra Porinsh	Carpinteria		93013	us	6/28/2020
831	Dylan Yo	Pocono Summit		18346	us	6/28/2020
832	Kalley Waldrop	Saint Augustine		32080	us	6/28/2020
833	Sophie hill	Columbus		47201	us	6/28/2020
834	EM	West Chester		19382	us	6/28/2020
835	Nina Nguyen				us	6/28/2020
836	Angelo Torres	Kissimmee		34743	us	6/28/2020
837	Alyzza Hicks	Hempstead		77445	us	6/28/2020
838	Uzzo Ruiz	Niles		60714	us	6/28/2020
839	EstherMoreno	Fullerton		92833	us	6/28/2020
840	Allison D	Porterville		93257	us	6/28/2020
841	asia bishop	Santa Rosa		95404	us	6/28/2020
842	Trineka Hall	Nassau			Bahamas	6/28/2020
843	Eileen Estrada	Lancaster		93535	us	6/28/2020
844	Arantxa Van Hyfte	Brugge			Belgium	6/28/2020
845	Jubilee Joy Alcantara	Manila			Philippines	6/28/2020

846	Marilee Reese	Nanticoke		18634	US	6/28/2020
847	Janice Miller	Cebu City			Philippines	6/28/2020
848	Carlin Corea	San Carlos		94070	US	6/28/2020
849	Jojo Borje	Santa Rosa		4026	Philippines	6/28/2020
850	Sylwia Wilk				Poland	6/28/2020
851	gayle suhich	st. thomas		801	U.S. Virgin	6/28/2020
852	Sheryl Bowleg	Nassau			Bahamas	6/28/2020
853	Julia Stall	Mckinney		75071	US	6/28/2020
854	Dell Fuller	Ogden	UT	84403	US	6/28/2020
855	Lara Amin	Horsens			Denmark	6/28/2020
856	Sheryce Dorsette	Nassau			Bahamas	6/28/2020
857	Sophie Mere	Newton Center		2459	US	6/28/2020
858	Itzel Ugarte	Chula Vista		91911	US	6/28/2020
859	Zeri Deemy	Prairie Village		66208	US	6/28/2020
860	Jabreana Peterson	Freeport		77541	US	6/28/2020
861	Sofia Castillo	Woodstock		30188	US	6/28/2020
862	Antonia Ingraham	Nassau			Bahamas	6/28/2020
863	victoria gilmore	Wake Forest		27587	US	6/28/2020
864	stephanie dixon	Naples		34116	US	6/28/2020
865	Le Roy Henes	Hamilton		45013	US	6/28/2020
866	Mariah Halusek	NEVERLAND		32118	US	6/28/2020
867	Ciara Troy	Manchester		6040	US	6/28/2020
868	Melina Washington	Fayetteville		28306	US	6/28/2020
869	David Swanson	Denver		80220	US	6/28/2020
870	Sara Reeves	Ireland			US	6/28/2020
871	Anika Roos	Dardenne prairie		63368	US	6/28/2020
872	Kada Carpenter	Nashville		37221	US	6/28/2020
873	Abby Knauber	Plano		75024	US	6/28/2020
874	jojo sneed	Carlisle		17013	US	6/28/2020
875	Cristina Ferreira e silv;	Brasilia			Brazil	6/28/2020
876	Ela Dhankhar	Gaithersburg		20878	US	6/28/2020
877	Lyla Clark	San Clemente		92673	US	6/28/2020
878	Lilly Crabtree	San Diego		92129	US	6/28/2020
879	kelsey i	Linden		7036	US	6/28/2020
880	Sydney Higginbotham	Round rock		78681	US	6/28/2020
881	Kimberly Watson				US	6/28/2020
882	Emma Mceuin	Bartlesville		74006	US	6/28/2020
883	Merlyn Gonzalez	Anaheim		92801	US	6/28/2020
884	Amanda Aiello	Pompano Beach		33065	US	6/28/2020
885	Latda Sanamixay	Rockford		61107	US	6/28/2020
886	Hunter Valdez	Honolulu		96822	US	6/28/2020
887	Jock Irvine	Houston		77065	US	6/28/2020
888	Sara Sanchez	Logan		84321	US	6/28/2020
889	George Galeas	South Gate		90280	US	6/28/2020
890	Mehak Dayal	Saint Louis		63114	US	6/28/2020
891	Heidi Gaertner	Louisiana		68854	US	6/28/2020
892	Timothy Duffy	North Smithfield		2896	US	6/28/2020

893	aidan carrillo	midland	2300	us	6/28/2020
894	Christiana Carter	Akron	44304	us	6/28/2020
895	Carolina Jimenez	Houston	77060	us	6/28/2020
896	Laura Peters	Macomb	48044	us	6/28/2020
897	Natalie Calderon	La Habra	90631	us	6/28/2020
898	Kelly Chen	Malden	2148	us	6/28/2020
899	Emily Morin	Woodlake	93286	us	6/28/2020
900	Iria Djamin	New York		us	6/28/2020
901	Adrianna Ball	Altura	55910	us	6/28/2020
902	Citlalli Trejo	Yuba City	95991	us	6/28/2020
903	Eden Amsalu	Lawrenceville	30044	us	6/28/2020
904	Lesly Quijada	San Jose	95112	us	6/28/2020
905	Lisa Ngo	Worcester	1609	us	6/28/2020
906	Nutsy Peter	Millsboro	19966	us	6/28/2020
907	skyw			us	6/28/2020
908	Lavella Ferguson	Nassau		Bahamas	6/28/2020
909	natonia hunte	Philadelphia	19142	us	6/28/2020
910	James Holten	Albuquerque	87121	us	6/28/2020
911	vanessa lozano	Mission Viejo	92692	us	6/28/2020
912	Hannah Hemiadan	Minneapolis	55443	us	6/28/2020
913	Aarush Bhol	Pennington	8534	us	6/28/2020
914	alexis rizzo	Philadelphia	19111	us	6/28/2020
915	Jaiden Brooks	Detroit	48205	us	6/28/2020
916	natalija dabic	Zagreb		Croatia	6/28/2020
917	Jessica Destafino	Montgomery	36116	us	6/28/2020
918	Kaylin Miller	Indianapolis	46201	us	6/28/2020
919	Hannah Brubaker	Ellicott City	21043	us	6/28/2020
920	Elana F	Valley Stream	11580	us	6/28/2020
921	Amanda Powers	Denver	80214	us	6/28/2020
922	mel long	Stroudsburg	18360	us	6/28/2020
923	catherine smith	Haddonfield	8033	us	6/28/2020
924	Kara Lucyk	Denver	80260	us	6/28/2020
925	Grace Pagano	Bethesda	20816	us	6/28/2020
926	Abby Scholz	Fort Wayne	46818	us	6/28/2020
927	Ellen Hamilton	Clover	29710	us	6/28/2020
928	Kiele Mae			us	6/29/2020
929	Katelynn Verlato	New Castle	16105	us	6/29/2020
930	Norm Wilmes	Yuba City	95991	us	6/29/2020
931	Justice Moore	Chester	23831	us	6/29/2020
932	Bella Christopherson	Norwood	2062	us	6/29/2020
933	Alexandra Dunstan	Campton	3223	us	6/29/2020
934	Lauren Kirkwood	Compton	90222	us	6/29/2020
935	Alexandra Mack	Lockport	14094	us	6/29/2020
936	Isaac Martin	Ashburn	20147	us	6/29/2020
937	amy trigueros	Stockton	95206	us	6/29/2020
938	elda cerrano		2000	us	6/29/2020
939	Nashelly Melo	Lilburn	30047	us	6/29/2020

940	john louladakis	Thessaloniki			Greece	6/29/2020
941	Mckenna Kimbrough	Pico Rivera	90660	US		6/29/2020
942	Nathan Lindley	Berkeley	94702	US		6/29/2020
943	Taylee Redl	Portland	97214	US		6/29/2020
944	oliver fried	Chandler	85286	US		6/29/2020
945	Aleya Rlaston	Alexandria	22304	US		6/29/2020
946	Leah Duff	Boise	83704	US		6/29/2020
947	Angel Landaverde	Houston	77055	US		6/29/2020
948	Emily A	Tucson	85704	US		6/29/2020
949	Miko Groves	Detroit	48227	US		6/29/2020
950	emily skeens	Lincolnton	28092	US		6/29/2020
951	Elene PIENAAR	Johannesburg			South Afric	6/29/2020
952	Kevin So	Manila			Philippines	6/29/2020
953	Grace Zaky	Miami	33176	US		6/29/2020
954	millie bonsiour	Struthers	44451	US		6/29/2020
955	Kylee Yanez	Williamsburg	23185	US		6/29/2020
956	xandra madayag				Philippines	6/29/2020
957	Roj R				US	6/29/2020
958	T Williams	Desoto	75115	US		6/29/2020
959	Ricki Guess	Riverside	92504	US		6/29/2020
960	Ashley Sanchez	Mission	78573	US		6/29/2020
961	katlyn agustin	orange county			US	6/29/2020
962	Lauralee Seal	crozet	22932	US		6/29/2020
963	Rachel French	Loves Park	61111	US		6/29/2020
964	Olivia Hall	Navarre	32566	US		6/29/2020
965	Audrey Churchill	Medford	97504	US		6/29/2020
966	Mercedes Russell	Hinesville	31313	US		6/29/2020
967	Hannah Rios	Anaheim	92801	US		6/29/2020
968	sienna e	Fort Wayne	46802	US		6/29/2020
969	Isaiah Cole	New Madison	45346	US		6/29/2020
970	Kayla Gonzalez	Le Mars	51031	US		6/29/2020
971	Oscar Enciso	Monterey Park	91755	US		6/29/2020
972	Elizabeth Dugger	Mount Pleasant	29466	US		6/29/2020
973	Abbie rieke	Minneapolis	55407	US		6/29/2020
974	Abigail Beyene	Springfield	22153	US		6/29/2020
975	Elijah Cherweznik	Oakland	94607	US		6/29/2020
976	Rohan Cho	Brooklyn	11221	US		6/29/2020
977	emma kaufman	Bellevue	44811	US		6/29/2020
978	Lindsey ward	atlanta	30338	US		6/29/2020
979	Mat Schexnayder	Crowley	70526	US		6/29/2020
980	caitlin callahan	Redondo Beach	90278	US		6/29/2020
981	Lily Hamm	Overland Park	66210	US		6/29/2020
982	Natalie Trahant	Denver	80219	US		6/29/2020
					US	6/29/2020
		Dallas	75214	US		6/29/2020
		Corunna	48429	US		6/29/2020
		Pearland	77584	US		6/29/2020

983 susana venta

984 Olivia Williams

985 Rogan Kennedy

986 alexia cencinl

987	Erica Gomez	Columbus		68601	us	6/29/2020
988	Dalia Shaman	Sterling Heights		48312	us	6/29/2020
989	Cat Marks	San Francisco	CA	94115	us	6/29/2020
990	kristen Farrell	Harrison		7029	us	6/29/2020
991	Sarah Barhold	Troy		**12180**	**us**	6/29/2020
992	Darko Dostanic	Zrenjanin			Serbia	**6/29/2020**
993	Kaylin Cato	Bridgeport		6607	us	6/29/2020
994	emily barrera	San Diego		92129	us	6/29/2020
995	Michelle Vega	Valley Stream		**11581**	us	6/29/2020
996	Nick Blommel	Saint Cloud		56301	us	6/29/2020
997	aileen mateos	morgan hill		95037	us	6/29/2020
998	Paulina Brumer	Ruda Slctska			Poland	6/29/2020
999	Alexis Ferro	Bellflower		90706	us	6/29/2020
1000	Carolyn Mazur	Sorrento		32776	us	6/29/2020
1001	Patti Kluever	Salt Lake City	UT	84117	us	6/29/2020
1002	Greg Clark	Park City	UT	84098	us	6/29/2020
1003	skip klintworth	Indio	CA	92201	us	6/29/2020
1004	Andy Gates	Vestal		13850	us	6/29/2020
1005	Irene Chen	New York		10005	us	6/29/2020
1006	Alicia Bollin	Park City	UT	84098	us	6/29/2020
1007	Darcy Stover	Oceanside		92056	us	6/29/2020
1008	Joseph Lipari	Medford		11763	us	6/29/2020
1009	Brynn Krause	Germantown		53022	us	6/29/2020
1010	Lindsay Clark	Park City	UT	84098	us	6/29/2020
1011	Mariella Paul	Union		7083	us	6/29/2020
1012	Travis Tomson				us	6/29/2020
1013	Swice.	Los Angeles		90032	us	6/29/2020
1014	Claire Bouffard	Maple Heights		44137	us	6/29/2020
1015	ashley arenas	Kent		98032	us	6/29/2020
1016	caroline cygan	Fenton		48430	us	**6/29/2020**
1017	serenity garcia	Rio Rancho		87144	US .	6/29/2020
1018	Kim Bulham	Honolulu		96818	us	6/29/2020
1019	ash curiel	Dubuque		52001	us	6/29/2020
1020	Stephanie Wilson	Livingston		7039	us	6/29/2020
1021	Ashley Pereyra	Clearwater		33764	us	6/29/2020
1022	lily murty	Indianapolis		47783	us	6/29/2020
1023	Danny Clark	Park City	UT	84098	us	6/29/2020
1024	Beatriz Davila	Rio Grande City		78582	us	6/29/2020
1025	ava stachowicz	Fountain Hill	**PA**	18020	us	6/29/2020
1026	Anita Price	Park Cuty	UT	84060	us	6/29/2020
1027	Weronika Lasocka	Lublin			Poland	6/29/2020
1028	Samantha Bailey	Shawnee		66203	us	6/29/2020
1029	Maggie Schwartz	Honolulu		96816	us	6/29/2020
1030	alex greiner	Lenexa		66220	us	6/29/2020
1031	Marlessa Hernandez	Los Angeles		90063	us	6/29/2020
1032	Annabelle Hypes	Hendersonville		37075	us	6/29/2020
1033	STEFANIA MASSETTI	Asti		14100	Italy	6/29/2020

1034	Aislyn Bouch	Signal Mountain		37377	us	6/29/2020
1035	Latanya Myers	New York		10118	us	6/29/2020
1036	Caroline Moses	Pittsburgh		15216	us	6/29/2020
1037	Paige Siddoway	Katy		77494	us	6/29/2020
1038	Natalie Rodriguez	Oak Lawn		60453	us	6/30/2020
1039	Luz Frias	Houston		77077	us	6/30/2020
1040	payden barker	Walton		30096	us	6/30/2020
1041	Kaila Cornejo	Honolulu		96826	us	6/30/2020
1042	Iris Soto	Chicago		60636	us	6/30/2020
1043	Ivanna Werner	Camarillo		93012	us	6/30/2020
1044	Weiner Schneider	Human villle		59374	us	6/30/2020
1045	Esal Shakil	Seattle		98188	us	6/30/2020
1046	Riley Windrow	coventry		2816	us	6/30/2020
1047	alyssa rojas	Kearny			us	6/30/2020
1048	Kierra jones	Dallas		75231	us	6/30/2020
1049	Paris Moore	Ashland		41102	us	6/30/2020
1050	Neve Erdman	Bend		97703	us	6/30/2020
1051	skye garza	San Antonio		78223	us	6/30/2020
1052	Alyssa Padilla	Aumsville		97325	us	6/30/2020
1053	lucie cherel	Minneapolis		55414	us	6/30/2020
1054	Lily Smith	Columbia		24056	us	6/30/2020
1055	Reagan Stanley	Ballwin		63021	us	6/30/2020
1056	Joshua Shearer	Madison		44057	us	6/30/2020
1057	taylor medavarapu	Lewiston		83501	us	6/30/2020
1058	Abby S	Olympia		98506	us	6/30/2020
1059	Lauren Altemare	Hilliard		43026	us	6/30/2020
1060	Jodi McDonald	Hollis Center		4042	us	6/30/2020
1061	Loretta Meadows	Nassau			Bahamas	6/30/2020
1062	clara lazaro	quezon city			Philippines	6/30/2020
1063	Miriam Pasca	Chicago		60612	us	6/30/2020
1064	Alana Richardson	Philadelphia		19144	us	6/30/2020
1065	Melissa Cai	Seattle		98105	us	6/30/2020
1066	Taren McDonald	Pickering	LIV		Canada	6/30/2020
1067	Afrika King	Kansas City		64106	us	6/30/2020
1068	Molly Cruz	Mcallen			us	6/30/2020
1069	Kristen Raath	Johannesburg			South Afric	6/30/2020
1070	Samantha Medrano	Dayton		89403	us	6/30/2020
1071	Eli Shoemaker	Grand Junction		81507	us	6/30/2020
1072	Aiden Murphy	Ellsworth		54011	us	6/30/2020
1073	Bea Porter	Kansas City		64111	us	6/30/2020
1074	Mekyla Vanzyl	Witbank			South Afric	6/30/2020
1075	Claire Wang	Anaheim		92801	us	6/30/2020
1076	Athena Murillo	Tempe		85282	us	6/30/2020
1077	Josh Sanchez	Endicott		13760	us	6/30/2020
1078	Bridget Martinez	Phoenix		85033	us	6/30/2020
1079	Darrah Lindgren	Federal Way		98003	us	6/30/2020
1080	Maya Brandy	Irvine		92617	us	6/30/2020

1081	Erin Chang	Chino Hills		91709	US	6/30/2020
1082	Lucille Voesterzoons	Aalst			Belgium	6/30/2020
1083	Shamel Renge	Cape Town			South Afric	6/30/2020
1084	anthi georgiadou				Greece	6/30/2020
1085	Lana Mrak				Slovenia	6/30/2020
1086	Mara Anthoniesse	Loosdrecht		1231	Netherlanc	6/30/2020
1087	Eva Hendriks	Dronryp		9035	Netherlanc	6/30/2020
1088	Florence Treboutte				France	6/30/2020
1089	steve maxwell	Salt Lake City	UT	84117	US	6/30/2020
1090	Latoya Major	Nassau			Bahamas	6/30/2020
1091	Theresa Farrell	Cape Town			South Afric	6/30/2020
1092	Roberto Meritoni	Asso		22033	Italy	6/30/2020
1093	Olenka Gurrola	Lynwood		90262	US	6/30/2020
1094	Nicole Nowotny	Hyattsville		20784	US	6/30/2020
1095	Naomi Rose	Deerfield		60015	US	6/30/2020
1096	Ruth Laurence	Montclair		7042	US	6/30/2020
1097	Jocabed Montesdeoc,	Indianapolis		46202	US	6/30/2020
1098	Liza Mar	Debrecen			Hungary	6/30/2020
1099	Amanda Pham	Dallas		75243	US	6/30/2020
1100	shania rhugbar	Elizabethton		37643	US	6/30/2020
1101	Aaron Alexander	Rancho Cucamonga		91730	US	6/30/2020
1102	Rachel Padaigas	Wolcott		6716	US	6/30/2020
1103	Nicole Garcia	New York		10118	US	6/30/2020
1104	Riane Tovoli	Renton		98055	US	6/30/2020
1105	Grey McGee	Brandenburg		40108	US	6/30/2020
1106	Danielle Gill	Jacksonville		32256	US	6/30/2020
1107	A Person	Cape May		8812	US	6/30/2020
1108	Thu Tun	Phoenix		85374	US	6/30/2020
1109	Shirley Butler Bordas	Park City	UT	84060	US	6/30/2020
1110	Jamen Meistrich	Ridgewood		7450	US	6/30/2020
1111	elizabeth jenkins	e. lansing		48823	US	6/30/2020
1112	Tunmise Olubajo	Chicago		60645	US	6/30/2020
1113	Nick Allen	Las Vegas		89129	US	6/30/2020
1114	kathryn henry	Huntington Beach		92646	US	6/30/2020
1115	Ben McCarthy				UK	6/30/2020
1116	Paige Whitley	Linwood		8221	US	6/30/2020
1117	Marit Rutjens				Netherland	6/30/2020
1118	liris Latva-Somppi	Helsinki			Finland	6/30/2020
1119	Victoria Lamptey	Hockessin		19707	US	6/30/2020
1120	Raquell Moreina	Spokane		99202	US	6/30/2020
1121	Julia Saffer-D'Anna	Winter Park		32789	US	7/1/2020
1122	Brooke Felton	Westborough		1581	US	7/1/2020
1123	kaleigh snow	odessa		64076	US	7/1/2020
1124	Hayley Mclaren	Wellington		6011	New Zealar	7/1/2020
1125	Nicole Grullon	Lancaster		17603	US	7/1/2020
1126	Alessia Martinoli	Hicksville		11801	US	7/1/2020
1127	Julianne T	Brighton		80602	US	7/1/2020

1128	Emalee C	Nuevo			92567	us	7/1/2020
1129	Joel Symons	Douglas,			99824	us	7/1/2020
1130	Muhammed Shaffi	Thrissur			680005	India	7/1/2020
1131	Diogo Richard	Dias D'avila				Brazil	7/1/2020
1132	Regan O'Sullivan	Lake Zurich			60047	us	7/1/2020
1133	Sherry Iris Olivares	Pasig City				Philippines	7/1/2020
1134	Olivia Berra	Wellington				New Zeala,	7/1/2020
1135	Maxine Bain	Nassau				Bahamas	7/1/2020
1136	rocio Ascencio	Temuco				Chile	7/1/2020
1137	Shubham Pathak	Pune			411001	India	7/1/2020
1138	Nicole Heng	Singapore				Singapore	7/1/2020
1139	Emily Rivard	Sudbury		P3A		Canada	7/1/2020
1140	Justin Kaufman	Fort Wayne			46805	us	7/1/2020
1141	Ryan Wesselingh	Derby		De22	2as	UK	7/1/2020
1142	izzy roe	Plymouth		PL6		UK	7/1/2020
1143	Talisha Koers	Beilen			9411	Netherland	7/1/2020
1144	Denica Kitanova	Bitola				Macedonia	7/1/2020
1145	Ryan Brunelle	San Jose			95125	us	7/1/2020
1146	EBen Ben	Wellington				NewZeala,	7/1/2020
1147	AnnKristin Antonsen	Vestby				Norway	7/1/2020
1148	Zoe Mannaert	Amsterdam			1000	Netherlanc	7/1/2020
1149	Paige Rood	Providence			84332	us	7/1/2020
1150	Electra Christakeas	Corfu				Greece	7/1/2020
1151	Prim Pingkarawat	Bangkok				Thailand	7/1/2020
1152	Andrija Stojanovic	Podgorica				Montenegr	7/1/2020
1153	Agustina Molinari	Montevideo				Uruguay	7/1/2020
1154	Moth Man	Cleveland			30528	us	7/1/2020
1155	Lucina Cruz Hernande	Oregon			97301	us	7/1/2020
1156	Jaslyn Gray	Jacksonville			32244	us	7/1/2020
1157	Maja Kasperek	Wroclaw				Poland	7/1/2020
1158	shayne medina	Spring			77379	us	7/1/2020
1159	Declan John	Boise			83703	us	7/1/2020
1160	Camilla Sifuentes	Virginia Beach			23462	us	7/1/2020
1161	Eve Cervantes	Payson			84651	us	7/1/2020
1162	Supraja Bheemaneni	Vijayawada			520010	India	7/1/2020
1163	Malisa Liu	Tunapuna				Trinidad &	7/1/2020
1164	Isabel Talavera	Malaga			29004	Spain	7/1/2020
1165	Wendy Little	Saskatoon		S7W		Canada	7/1/2020
1166	John Price	Kamas	UT		84036	us	7/1/2020
1167	Ilana Julliette	Wassenaar			2242	Netherlanc	7/1/2020
1168	Em Ma					us	7/2/2020
1169	Leslie Camacho	Outlook			98938	us	7/2/2020
1170	Barbara Teixeira	Charneca De Caparica		2820-001		Portugal	7/2/2020
1171	Mallory B	Arab			35016	us	7/2/2020
1172	Aydelin Rivera	Fontana			92336	us	7/2/2020
1173	Kayla Harmon	Baltimore			21239	us	7/2/2020
1174	ira g	Los Angeles			90015	us	7/2/2020

1175	Jazimin Rivetti	Grantsville			84088	US	7/2/2020
1176	Helen Prum	Austin			78734	US	7/2/2020
1177	**Ellie Sagebiel**	**Indianapolis**			**46220**	US	**7/2/2020**
1178	**Cooper Coons**	**Raymore**			**64083**	US	**7/2/2020**
1179	**Toby Smith**	**Nassau**			**1234**	**Bahamas**	**7/2/2020**
1180	**Sadie Abbott**	**Dallas**			**75208**	US	**7/2/2020**
1181	**Lia Dimopoulos**	**Montreal**		**H4M**		**Canada**	**7/2/2020**
1182	**Oona Saksman**	**Turku**				**Finland**	**7/2/2020**
1183	**Isac Boquin**	**San Diego**			**95141**	US	**7/3/2020**
1184	**Ani Kour**	**Larisa**				**Greece**	**7/4/2020**
1185	**Aileen Bo**	**Quezon City**				**Philippines**	**7/4/2020**
1186	**Anthony Whiting**	**Austin**	**TX**		**78613**	US	**7/7/2020**
1187	Kimberly Sanchez	Moreno Valley			92555	US	7/10/2020
1188	Cherilyn Megill	Park City	UT		84098	US	7/10/2020
1189	JG	Bellmore			11710	US	7/11/2020
1190	Christopher Beardsley	Middletown			19709	US	7/12/2020
1191	Colin D	Cathedral City			848433	US	7/12/2020
1192	**Fati Ba**					US	**7/12/2020**
1193	**Christopher Williams**	**Sanford**			**27330**	US	**7/13/2020**

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Matt Twombly
Submitting Department: Sustainability
Item Type: Staff Report
Agenda Section:

Subject:
Soils Repository and Gordo Property Update

Suggested Action:

Attachments:
Soils Repository and Gordo Property Update Staff Report

Exhibit A: Site Plan

City Council
Staff Communications Report

Subject: **Park City Soils Repository and "Gordo" Property Subdivision Project Update**
Author: **Matthew A. Twombly, Senior Project Manager**
Department: **Sustainability**
Date: **February 25, 2021**

On November 19, 2020, staff updated Council regarding the permitting and developing the Park City Soils Management Facility (Soils Repository) (link to meeting report). Since that meeting, City staff and the consultants (IGES) have been focusing on securing permits for the Soils Repository. Also, staff is preparing a request for proposal (RFP) package for the site planning, engineering, and subdivision plat of the properties (in addition to several PCMC-owned properties, there is a small remnant UDOT parcel). The anticipated public uses include the soils repository, Public Works/Utilities recycling and stormwater decanting facility, trailhead parking, and restroom. Additionally, PCMC is exploring use of a small portion of the property for Recycle Utah use to maintain an in-town facility.

Permit Status - IGES and staff submitted the State of Utah Department of Environmental Quality (UDEQ) Class 1 Landfill Permit Application for the Soil Repository on December 21, 2020. A permit number was assigned on January 26, 2021. After UDEQ reviews the application for completeness, a draft permit will be issued. There will then be a thirty (30) day public comment period where any comments will be addressed and changes incorporated to the permit. We anticipate final UDEQ permits in April 2021.

A Park City Building permit is required along with the UDEQ permit. The pre-application information submitted by staff and IGES to PCMC Planning, Building, and Engineering will address the timing of the excavation, grading, visual impacts, revegetation, and other concerns. Based on preliminary feedback, we don't forecast delays at this time. The final step to secure a building permit is submittal and approval of a construction mitigation plan to address construction activity impacts, such as dust and noise.

UDOT Land Acquisition - For several months staff has been in discussions with UDOT to acquire property adjacent to the SR-248 right-of-way. Based on preliminary discussions with UDOT, staff anticipates the acquisition of this property within our construction timeline outlined below. Without the purchase, it is infeasible for all desired uses to fit on the site. The UDOT parcel is also critical for cost efficient siting of utilities.

Subdivision Plat and PCMC Uses - In addition to the soils repository, there is an existing Public Works/Utilities and Stormwater Decanting Facility on-site, as well as a possible future trailhead parking and restroom facility. To make the site feasible for possible relocation of Recycle Utah, the Public Works/Utilities facility will need to relocate within

the site. Possible locations for the various proposed uses on the site are identified in Exhibit A. Final locations and lots will be determined through the subdivision, which will also identify the best locations of utilities and other public improvements for the site on the whole as well as the individual lots. Staff currently estimates that the cost for power, water, sewer, storm drain to the property will be approximately $500,000.

Recycle Utah - Currently, PCMC is considering relocating Recycle Utah to a future 1.5 acre lot as part of this subdivision. They currently operate on a 0.4 acre space on Munchkin Drive. Recycle Utah has recently brought on board their architect for the future facility design, and our staff was invited to attend one of their first meetings.

In this meeting, the working group focused on the needed lot size and building footprint, along with the site buildability (flat, regular shaped piece of land). The group also recognized that for Recycle Utah to relocate to the site, that their site needs would predicate the relocation of the existing Public Works/Utilities site.

Timeline - The soil repository will be constructed in two phases (or cells). The first Cell will include the 35,000 cubic yards of soils currently stockpiled on the existing Gordo site and the soils from the City's property known as the Arts & Culture District. Construction of Cell 1 is expected to be completed in July 2021 and approved to accept soils by August 1, 2021. Cell 1 will remain open anywhere from one to three (1-3) years, depending on the timing of the future development. Once the stockpiled soils are moved into Cell 1, we will begin the design of Cell 2. The future Cell 2 is anticipated to remain open to receive soils for ten plus (10+) years. Whereas the Building Permit addresses construction impacts, the UDEQ permit will address operating impacts, such as the dumping and placement of soils, inspection of soils for contaminants, construction debris, site security and dust. We anticipate bidding the liner in March and the earthwork in April of 2021.

Cost Estimate
The current cost estimate for Cell 1 is ~$1.7 million and is funded within the City's CIP Budget. The budget includes design and engineering fees, constructing the landfill, installing/monitoring groundwater wells, moving the existing soils stockpile, hauling soils, and capping and seeding. The budget for Cell 2 is ~$900,000, which does not include soil hauling. After the Arts & Culture District land is developed, individual projects will be responsible for their own hauling costs. There will also be up to 30 years of groundwater monitoring at ~$2,500/yr or ~$75,000. The total cost for the repository for Cell 1, Cell 2, and 30 years of monitoring is $2.675 Million. To haul the ~100,000 cubic yards of material to the next closest facility would cost ~$12 Million.

Site Development and Subdivision Estimated Schedule:

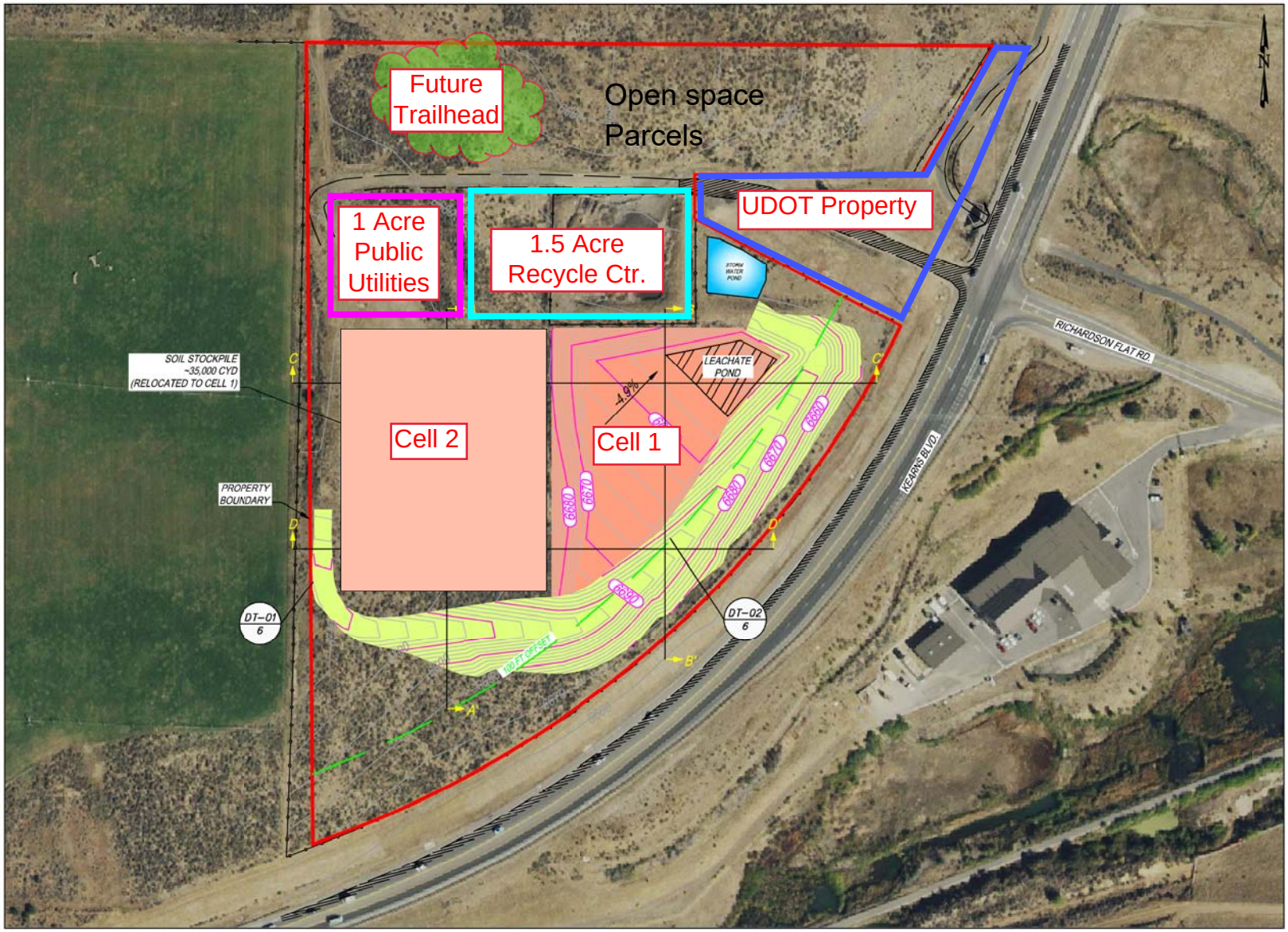
- RFP Issued: February 24, 2021
- Proposals Due: March 16, 2021
- City Council Award of Contract: April 1, 2021
- Agreement Executed: by April 12, 2021
- Project Scoping – Site Planning (3 weeks): May 7, 2021

• Preliminary Design/Engineering (3-4 weeks)	June 4. 2021
• Subdivision Plat (3-6 months)	Sept – Dec, 2021
• Engineering (30% Design (3-4 weeks))	June/July, 2021
• Engineering (60% Design (4-6 weeks))	August/Sept, 2021
• Engineering (90% Design (4-6 weeks))	October/November 2021
• Permitting and Bidding (6-8 weeks)	January/February 2022
• Council Award	March, 2022
• Utility Construction	April 15 – July 1, 2022

Once the professional services contract is in place the selected consultant will work with staff and representatives from Recycle Utah on the site planning for the proposed and future uses, including the soils repository, recycling center, Public Works/Utilities facility, and trailhead parking and restrooms. Staff and Recycle Utah representatives will also collaborate on the planning and design of the utilities, rights of way, easements, as well as determine the most appropriate layout of the lots based on zoning and Land Management requirements, access, circulation, deed restrictions, and other property issues.

Exhibits
Exhibit A: Site Plan

EXHIBIT A - SITE PLAN



PARK CITY 1884

Park City Municipal Corporation
445 Marsac Avenue
Park City, Utah
(435) 615-5000 (T)

CONSULTANTS

IGES

2702 South 1030 West, Suite 10
Salt Lake City, Utah 84119
(801)270-9400 (T)
(801)270-9401 (F)

CELL 1 EXCAVATION
34,000 CYD (CUT)
MAX DEPTH 16.8 FT

PERIMETER ROAD BERM
32,000 CYD (FILL)
MAX HEIGHT 19.8 FT

MARK	DATE	DESCRIPTION

ISSUE:

PROJECT NO.	030474-002
CAD DWG FILE:	03074\002\PERMIT SET.dwg
DRAWN BY:	JAH
DESIGNED BY:	BDM
CHECKED BY:	RH
COPYRIGHT:	IGES 2020

SHEET TITLE

PC SOIL MANAGEMENT FACILITY
LANDFILL DEVELOPMENT

3

Agenda Item No:

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Michelle Kellogg
Submitting Department: Executive
Item Type: Minutes
Agenda Section:

Subject:
Consideration to Approve the City Council Meeting Minutes from February 4, 2021

Suggested Action:

Attachments:
February 4, 2021 Minutes

PARK CITY COUNCIL MEETING MINUTES
445 MARSAC AVENUE
PARK CITY, SUMMIT COUNTY, UTAH 84060

February 4, 2021

The Council of Park City, Summit County, Utah, met in open meeting on February 4, 2021, at 2:30 p.m. The meeting was a remote, electronic meeting due to the declared public health emergency.

Mayor Beerman read the Determination of Substantial Health and Safety Risk.

WORK SESSION

FY2020 Library Annual Update Staff Report:
Adriane Juarez, Library Director, presented this item. Juarez indicated the library was operating in unusual times during COVID-19. Staff increased the number of available electronic materials and online programs, and offered curbside pickup for physical materials. Staff also uploaded YouTube videos for patrons to view. They had received positive feedback from the public. Juarez reviewed library statistics from FY 2020. The library used CARES Act funds to expand the WI-FI signal onto the patio outside the coffee shop, into the reading garden and throughout the interior of the building. The library also offered Local Authors Nights, a self-guided play area for children and several other programs.

Juarez stated library staff had received extensive training during the year. She also noted the meeting rooms and Santy Auditorium had received electronic enhancements. She thanked the Friends of the Library and the Library Board members for all their work and support.

Council Member Worel stated she had been helping seniors register to receive the COVID vaccine, and indicated many seniors used the library for email and other services. She felt the library was so important for the many patrons who utilized it.

Council Member Gerber stated she missed the library and was grateful for all that the library staff offered to the community. Juarez stated staff missed seeing the patrons and had heard about the different demographics that used the library computers. She noted there were laptops that could be checked out for those who needed them.

Council Member Henney stated the library was a community asset and asked how the library staff dealt with concerns during this pandemic. Juarez stated staff was putting out their services on social media to get the word out to residents. She felt benchmarks

should be set for re-opening the library. Council Member Worel stated the seniors were isolated and needed help as electronic communication became the norm. Council Member Henney stated there were gaps in the community and this was an example of what could be learned about those in need.

Juarez introduced Daniel Thurston, the new Spanish Services Librarian, and indicated he would help with the City's Spanish social equity goals. Thurston stated he was excited to get started in improving the library for the community. He indicated several Spanish programs offered by the library and hoped to implement them again when the library re-opened. He noted Spanish Story Time was on Facebook Live for now. Juarez asked Council to suggest people within the community that should meet and work with Thurston on Spanish programs. Council Member Doilney indicated he was at a Latinos in Action meeting and noted the library was one of the few places where that demographic felt comfortable.

Juarez indicated benchmarks had been set to re-open the library. She stated that when the County COVID transmission index was high, the library would only operate online and curbside. At a moderate transmission index, the library would open for limited indoor services. At a low transmission index, the library would allow people to use the meeting rooms with masks and sanitizing. Council Member Doilney asked Juarez to consider library access for the population that had been vaccinated. The Council expressed support for the proposed benchmarks.

Bill Humbert, Library Board member, stated Juarez and the library staff had been amazing in their response to the COVID pandemic. Jess Griffiths, Library Board Chair, stated he strongly supported the Spanish services and felt those services aligned with Council's priorities.

Park City Arts and Culture District – Follow Up Discussion: Housing:

David Everitt, Deputy City Manager, reviewed the City's affordable housing goals and noted the discussion today would focus on how the goals affected the City in broad terms. He displayed the current affordable housing inventory and noted the bulk was made up of two- or three-bedroom units. He also showed nine parcels of City-owned land that could house future affordable units. Council Member Henney asked about the Clark Ranch land, to which Everitt stated there was a 10-acre parcel set aside for City use. Council Member Henney related there were prior discussions to add affordable housing on top of Snow Creek Shopping Village and China Bridge parking structure, and thought these were things that could be included in housing discussions. Council Member Joyce added that housing could also be included on top of the Public Works building as well as the area above the Wasatch Brew Pub. Council Member Doilney suggested scheduling a special meeting to discuss housing in general, public/private partnerships, and housing options for City-owned land. Council Member Worel supported a special meeting. Council Member Joyce stated it was hard to separate

affordable housing from the Arts and Culture District since Council needed to see the best value for housing. The Council agreed to a special work session February 11th.

Everitt displayed a chart that allowed each Council member to prioritize aspects of affordable housing. Mayor Beerman suggested Council fill it out and send it to Everitt. Then Everitt could bring the results to the next meeting.

Council Member Gerber asked how the rental model figured into the cost of construction overall. Everitt stated there was a bank of cash to construct a housing project. The rent revenue from the project could then be used to make debt payments for future housing projects. Council Member Gerber asked if the rental model for the Arts and Culture District could be used as the model for the Homestake project. Everitt stated the Arts and Culture District housing couldn't be pushed to a later time or it would be much more expensive. He stated the plans were further along for housing in the Arts and Culture District than they were for Homestake. Time would be lost if Homestake housing was prioritized and then the housing at the District would be lost. Council Member Joyce suggested Building One could have creative spaces on the first and second levels and another building could be used for housing in the future. He indicated creative spaces were necessary in an arts and culture district, but housing was not required. He thought it could be possible to build all the Arts and Culture District essential spaces, then build Homestake housing, and then decide how to use the remaining Arts and Culture District parcels at a later date.

Council Member Worel stated there needed to be housing for visiting artists. Council Member Joyce noted the artist housing was not proposed for Phase One, so it could be considered later. Council Member Doilney asked if the City had to construct the artist studios or could the entire building be housing. He also felt units with exterior facing doors would be more cost efficient than hallways and commented that this was the spot in the City for additional height and density allowances. Council Member Worel indicated it was never the intention to have the Kimball Art Center and Sundance buildings in the middle of a big housing district.

Council Member Gerber thought some costs could be reduced. The parking garage and housing related expenses were necessary regardless of the housing. She asked Council Member Joyce if he would be favorable if the City could pay for the costs. Council Member Joyce stated the housing project portion of the district did not pencil. He indicated everything had an opportunity cost. He preferred building more units at a lower cost at Homestake. Mayor Beerman stated the land was not originally bought for housing, but the consensus was to incorporate the many community goals into the Arts and Culture District. He thought housing overall would enhance the district. Council Member Doilney favored having housing at the district and asked if the other buildings that focused on arts and culture could be built first. Everitt stated Building One was

prioritized because housing was a Council priority. He thought other uses could be incorporated in the building, such as culinary services, to keep the district activated.

Council Member Doilney favored exploring the construction of the other buildings. Mayor Beerman asked if it was important to have housing in the district. Council Member Henney stated it was not essential since housing would be at Homestake and was very costly at the district. The others felt it was important to have housing at the district. Council Member Worel asked if Council Member Henney would favor market rate housing in the district to help fund the project. Council Member Gerber felt affordable housing should be in the district since land was in short supply.

Everitt asserted the housing pipeline worked, even with the housing at the district. Mayor Beerman asked if Council favored commercial units at the district. The Council members were in favor. Mayor Beerman asked if Council favored having a mix, including market rate rentals. Council Member Worel thought many artists would live above their studios and was in favor of year-round rentals. There was discussion on future renters in the district.

Mayor Beerman asked if Homestake or the district should be prioritized. Council Member Joyce prioritized Phase One of the district, then Homestake, then district housing. Council Member Henney agreed. Council Member Doilney had no preference. Everitt stated to construct just the arts and culture part of the district would involve major redesign. He emphasized the quality of the current design brought a lot of value to the district. There would be a lag if the priority switched to Homestake and things would be pushed out further.

Council Member Worel asked if the resort housing would count as City affordable housing. Everitt stated it would count moving forward, but it wouldn’t markedly increase the count.

Council Member Joyce stated Phase One was proposed at $58 million with the housing and Phase Two had most of the arts and culture features so he wanted to look at both phases together. Everitt stated the Budget Department had a proposal to build the entire project at once without sacrificing other capital projects.

Council Member Doilney asked if Council Member Joyce would change his opinion on the opportunity cost if a private developer built the housing portion of the Arts and Culture District. Council Member Joyce indicated he was in favor of using a private developer if the City didn't have to give up its housing money.

Everitt reviewed the static, add-on, and premium costs for the affordable housing and indicated some of the costs such as soil removal and site expense would exist whether

or not there was housing. Mayor Beerman asked if the cost would be the same for Homestake, to which Everitt stated the static and add-on costs would be the same, and the parking would all be surface parking. Glidden stated the Homestake estimate presented at a previous meeting was based on numbers given a year ago. Council Member Joyce noted the net zero features added $100 per square foot. Mayor Beerman stated the residents of those units would see the benefit with reduced utility bills. Everitt stated without the premium features, the district studio cost would be $440,227.36 per unit. Mayor Beerman indicated construction materials had increased dramatically in the past couple years.

Everitt asked Council if the Housing assessment and plan were accurate or if they needed to be redefined. He asked if the proposed housing for the Arts and Culture District met those housing goals. Council Member Doilney liked the priority matrix. He thought the City should use private partners to make the district happen. Council Member Worel stated the district partners were looking to the City to move forward. She indicated it was not fair for the City to request funding from them when they didn't know what the district would look like. Council Member Gerber thought the City was holding up the process and when a decision was made the partners would join in. Mayor Beerman asked if the City was willing to move forward without the partners. Council Member Gerber indicated the nonprofits had not indicated they were reconsidering. Council Member Joyce stated the residents were told the district was being paid with Transient Room Tax (TRT) funding and that was not correct. He thought the project cost was too high. Mayor Beerman clarified the TRT would pay for the land purchase, the district programming, and the build-out of the plaza. The City didn't enter into the project expecting TRT to pay 100% of the cost. Council Member Joyce stated it was not a question of could the City afford it, but should the City afford it.

Council Member Doilney was not in favor of moving forward without commitment from the nonprofits. The City should not be an arts and culture leader without the arts and culture leaders in the community. He wanted to clear the land to show the community the City was moving forward. The Council favored clearing the site. Council Member Henney stated he wanted anchor tenants, but it didn't have to be Kimball and Sundance. Council Member Worel didn't want to pursue the conversation since both nonprofits had spent millions on designs for this project. Mayor Beerman stated the question was relevant because COVID happened and that changed a lot of plans. Council Member Gerber felt if the City began to move forward, it would be easier for the partners to move forward. It was indicated there were nonbinding letters of intent from Kimball Art Center and Sundance.

Council Members Gerber, Joyce, Doilney and Henney did not want to build until there were commitments from Sundance and Kimball. Mayor Beerman summarized there was some support of a market mix of housing. Half of Council wanted Homestake housing to be constructed first.

Council Member Joyce thought there should be a discussion on the Clark Ranch parcel since it seemed like a cost-efficient housing project that would be easy to execute. Council Member Doilney thought that could be discussed at the meeting next week. Council Member Worel asked Glidden if housing funds needed to be used in the City limits. Glidden affirmed and stated all the properties had some issues and they would be discussed next week.

Mayor Beerman asked if Council wanted to reprioritize the City's parcels. Council agreed to discuss this next week. Dias stated there had been a great deal of work done on affordable housing and with the City-owned parcels in the last four years.

REGULAR MEETING

I) ROLL CALL

Attendee Name	Status
Mayor Andy Beerman Council Member Max Doilney Council Member Becca Gerber Council Member Tim Henney Council Member Steve Joyce Council Member Nann Worel Matt Dias, City Manager Margaret Plane, Special Counsel Michelle Kellogg, City Recorder	Present via technology
None	Excused

II) COMMUNICATIONS AND DISCLOSURES FROM COUNCIL AND STAFF

Council Questions and Comments:

Council Member Henney stated the Fire District appreciated the City allowing them to train in the Bonanza Park buildings. On Tuesday, he and Council Member Gerber attended a Coffee with Council with Katie Wright and Anna Frachau with the Community Foundation. He also paid tribute to Kurt Damschroder, who was lost in an avalanche.

Council Member Gerber attended the Colorado Association of Ski Towns (CAST) meeting with Mayor Beerman and Matt Dias, and indicated there was a lot of focus on affordable housing. She realized from the discussions that housing was infrastructure, being as necessary as roads and utilities. She also thought the Vail economic impact numbers from their affordable housing were amazing and she hoped Park City residents understood that there was a good return on investment regarding affordable housing. She also noted the resort town of Whistler, Canada had 75% of their workforce residing

in town. She requested an update on the percentage of workforce that lived in town. She also noted in Coffee with Council that Katie Wright stated a third of nonprofits were doing better than normal, one third the same and one third worse.

Council Member Worel reviewed comments made by Summit County on the vaccine update and noted 1,000 doses would be delivered next week and would be for those ages 70 or older. Homebound residents would also receive the doses.

Council Member Doilney stated February was Black History Month and encouraged people to study history. He also contemplated the death of Kurt Damschroder and hoped the community would practice safety measures.

Council Member Joyce indicated the Health Department was doing presentations on vaccines and he encouraged the public to tune in to get accurate information. He was encouraged to see the COVID cases dropping. He indicated lodging reservations were down for the Sundance week and visitors were booking at the last minute.

Mayor Beerman stated he and Council Member Doilney met with Latinos in Action and listened as the group advocated for change. He indicated Park City employee Enrique Sanchez testified in Washington, D.C. on DACA and praised him and his efforts.

Staff Communications Reports:

1. December 2020 Monthly Budget Report:

2. Recreation Department Operational Update:

III) PUBLIC INPUT (ANY MATTER OF CITY BUSINESS NOT SCHEDULED ON THE AGENDA)

Mayor Beerman opened the meeting for anyone who wished to comment or submit comments to the Council on items not included on the agenda.

Mitchell Walski via Zoom stated he supported the City's LGBTQ+ social equity initiatives and he was pleased with the acceptance and support. He started a private Facebook group and received a good response. He indicated the City started an LGBTQ+ taskforce to help with pronouns and education. He thought the taskforce would help educate the community.

Cami via Zoom was glad to help with the LGBTQ+ taskforce. She helped the transgender education advocates in Salt Lake City over the past few years. She thought Park City was a great community and she looked forward to a July 4th march on Main Street.

Neal Krasnick via Zoom stated the Mayor and Council formed the direction of the City. They knew there was not as much snow as in past years. He didn't see Council doing anything to stop this. He thought Council was only interested in building hotels.

Carrie Sheinberg stated HB 302 in the Legislature opposed transgender girls playing in girls' sports. She didn't think passing this bill would help sports, but it would hurt transgender people.

Windsor Barnett indicated COVID vaccines would be available March 1st for those ages 65-69 and those 18 and over with underlying conditions. Council Member Worel stated there had to be severe underlying conditions. Council Member Joyce indicated there was a specific list of diseases that would qualify an individual. Mayor Beerman referred people to the Summit County Department of Health website.

Mayor Beerman closed the public input portion of the meeting.

IV) CONSIDERATION OF MINUTES

1. Consideration to Approve the City Council Meeting Minutes from January 21, 2021:

Council Member Gerber moved to approve the City Council meeting minutes from January 21, 2021. Council Member Worel seconded the motion.

RESULT: APPROVED
AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

V) CONSENT AGENDA

1. Request to Authorize the Mayor to Execute a Memorandum of Agreement (MOA), in a Form Approved by the City Attorney, to Continue Leasing Surplus Water to Weber Basin through Provisions in the Western Summit County Project Master Agreement:

2. Request to Authorize the City Manager to Execute a Contract for Water System American Water Infrastructure Act Resilience and Risk Assessment AND an Emergency Response Plan Update, in Forms Approved by the City Attorney, with Hazen and Sawyer, in an Amount Not to Exceed $109,360:

3. Request to Authorize the City Manager to Execute a Construction Agreement, in a Form Approved by the City Attorney, with Vancon Inc., for the Replace

Empire Raw Water Storage Tank Project in an Amount Not to Exceed $1,472,000.00:

4. Request to Authorize the City Manager to Execute the Second Addendum to the Design Professional Services Agreement, in a Form Approved by the City Attorney, with Bowen, Collins and Associates, Inc., for the 3Kings Water Treatment Plant Off-Site Improvements - Engineering Services, in an Amount Not to Exceed $160,500.00:

Council Member Henney moved to approve the Consent Agenda. Council Member Doilney seconded the motion.

RESULT: APPROVED
AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

VI) OLD BUSINESS

1. Social Equity Quarterly Update:
Lynn Ware Peek, Community Engagement Liaison, Leah Langan, LGBTQ+ liaison, Enrique Sanchez, Community Technical Specialist, and Jolene Weston, Organizational Development Manager, presented this item. Ware Peek stated the City started a Spanish Facebook page and it had great participation. She showed a video from Heidy Onofre, a PCMC intern. She was a Graphic Design student at the University of Utah and was helping develop the Spanish Facebook page to expand the participation group. Ware Peek stated there were over 200 current followers and the goal was to have 1,000 followers. Sanchez stated the Facebook page was a great resource to the Hispanic community. He hoped to make this a hub of information. Currently, staff was promoting stories from people who received the vaccine and how they felt about it.

Ware Peek also indicated an LGBTQ+ Task Force was created. She stated the only advocacy group in Park City was at the high school. Weston noted the City had a social equity internal task force, involving each department. This task force included interns that included Latinx and neurodiverse individuals. Langan explained her role was to be a safe resource for those in the City government. She was working on using correct pronouns in the City. Several Park City High School students gave a presentation on using appropriate pronouns.

Council Member Henney expressed his gratitude for the Gay Straight Alliance (GSA) at the high school. Council Member Doilney stated Latinos in Action (LIA) and GSA had educated him and he appreciated these groups. Council Members Joyce, Worel and Gerber also expressed their gratitude.

Ware Peek stated this was an example of collaborating with the community. She displayed an MEI scorecard and indicated she was dismayed with the poor results. Weston stated she talked with the MEI officials to get clarification. The MEI scorecard was from the Human Rights Council. For several years, the City had submitted applications to them although there wasn't a lot of direction given for submissions. From her conversation, the group stated the City wouldn't get credit in the Hate Crimes category since the City had zero hate crimes. The City also scored a zero for municipal health benefits because the benefits policy wasn't submitted in its entirety. She noted the City offered benefits to gay couples and covered transgender surgery. Ware Peek reviewed that City contractors had to comply with the City's non-discrimination laws. Weston stated because of the size of the community, Park City would never get a score of 100.

Ware Peek noted the organizations in the area that supported the LGBTQ+ community. Mayor Beerman indicated he first saw the City's ranking on the MEI scorecard in 2018 and he asked Ware Peek and Weston to help improve it. He didn't think the score reflected the City's efforts. He thanked the group for their work to improve conditions for the LGBTQ+ community. Ware Peek asked if Council still wanted staff to pursue the MEI scorecard. Council Member Henney felt if the City was implementing initiatives, it wasn't important if it didn't receive the appropriate ranking. Ware Peek stated the scorecard motivated the group to implement some of the initiatives. Council Member Henney stated there was value in doing the work. Council Member Doilney thought staff could set a personal goal for a certain score that the City could achieve and then aim for that score. Council Member Worel suggested looking for another tool that would better reflect the community's efforts.

Mayor Beerman opened the meeting for public input.

Troy Williams, Executive Director of Equality Utah, via Zoom thanked the City for all the work it was doing for the LGBTQ+ community. He praised the LGBTQ+ task force and gave a shout out to the GSA group for their leadership. He stated he could help with the MEI scorecard. He stated HB92 and HB302 were hurting the children in Utah. One bill would prevent children from getting science-based healthcare and the other would ban transgender girls from competing in high school and college sports. He asked for the City's support during the Legislative session.

Mary Christa Smith, Communities that Care Director, via Zoom expressed gratitude for the City being respectful of the LGBTQ+ population. She stated feeling accepted was key in preventing suicide. She also thanked Sanchez for his work in reaching the Latinx community.

Kris Campbell via Zoom stated small communities were not measured well in MEI scoring, but he appreciated the effort given to welcome the LGBTQ+ community.

Conversations were valuable in this community and he hoped conversations would help at the Legislature.

Taylor Delgado via Zoom applauded the efforts made in the internal taskforce. She was a wife and mother and was a transgender woman. The community accepted her for who she was. She thought seeing social progress also brought pushback from the vocal minority. She stated visibility was important. She hoped children would feel good about being who they were.

Joseph Urankar via Zoom supported the LGBTQ+ taskforce and hoped there would be more visibility in the community. He was glad the City shared his concerns. He helped establish a Wasatch Back Pride in 2019. The MEI index was not the end all for measures. He requested a taskforce made up of local LGBTQ+ individuals. Ware Peek indicated work was already being done with the internal taskforce and tonight was the rollout of the external taskforce. She hoped word would get out to those wanting to be involved in the taskforce. She stated there was a City website page with Langan's and Sanchez' contact information for those interested.

Jacob Dunford, Encircle CEO, via Zoom stated December 1st a campaign began to raise $300,000 for a LGBTQ+ community center in Heber and over $600,000k was raised. Encircle offered after school services, therapy, online and in-person support groups, and daily programs. Their motto was "No sides, only love." He noted in a recent survey given to Wasatch High students, 12% identified as LGBTQ+.

Windsor Barnett via Zoom challenged the taskforce to consider the term "hate crimes reported." Although there weren't any crimes reported, she hoped research could be done because she thought there might be hate crimes in the community. Mayor Beerman agreed research should be done.

Michelle Deininger via eComment: "Hello council, I respectfully request that council considers passing a resolution opposing HB302 -this is something that would ideally be done quickly as this bill is moving quickly through the legislative session. Thank you!"

Mayor Beerman closed the public input portion of the meeting.

Ware Peek stated Aspen, Colorado, had a MEI score of 61 so that could be a starting goal. Weston stated in a self-score, the City would have received a 63 out of a possible 72.

2. 2021 Legislative Update:

Matt Dias, City Manager, stated it was still early in the Legislative Session so there was not much to report. He noted it was difficult for cities and towns to be effective in meeting with legislators. He indicated staff was following an accessory dwelling unit bill.

There was a bill on billboards that was being followed because of its impact on Old Town. Another bill that concerned staff proposed to automatically approve a building permit that was not approved within 14 days of submission. Dias stated annexation bills were being watched because of the bill passed last year. He noted there were many marijuana bills, social equity bills, sustainability bills, and affordable housing bills. There was new legislation proposed that required cities to compensate developers for any affordable housing built.

Dias praised Enrique Sanchez for his presentation in Washington, D.C. He indicated Mike McComb also testified about the importance of setting up an Emergency Operation Center in every town.

VII) NEW BUSINESS

1. Consideration to Approve Ordinance No. 2021-06, an Ordinance Amending Footnote 2 of Land Management Code Section 15-2.1-2(B)(1) to Establish Nightly Rentals as a Conditional Use in the Lower Rossi Hill Sub-Neighborhood of the Historic Residential Low-Density Zoning District:

Rebecca Ward, Land Use Planner, presented this item and stated this amendment would correct a previous oversight in nightly rentals. She reviewed these rentals were prohibited in this area in 2015. In 2017, the Lower Rossie Hill area was rezoned and by default nightly rentals were prohibited. She stated the surrounding areas allowed nightly rentals. This amendment would make nightly rentals a conditional use.

Mayor Beerman opened the public hearing.

Frank Watanabe, developer, thanked the Planning Department for their help on this issue. He thought the conditions Planning proposed were reasonable.

Neal Krasnick asked if nightly rentals were for less than one month, to which Mayor Beerman affirmed. He stated the City couldn't handle people coming in every month. Park City needed to have a real community instead of a tourist trap.

Mayor Beerman closed the public hearing.

Council Member Worel thought that street was overparked and asked how the overflow parking would be enforced. Ward stated the Engineering Department had plans to work on the road this spring. The “No Parking” signs would be updated and additional restrictions put in place. There would also be a new page on the City website where formal complaints could be filed and addressed by staff. She also discussed the parking software that was being implemented, which would require nightly rental vehicles to display a hangtag on the rearview mirrors, providing plate information and nightly rental ownership information that would help with enforcement. With this zoning district,

parking would be limited to some extent. In many cases, nightly rental parking would be limited to onsite. Council Member Joyce noted that was a public road and vehicles were parking there legally.

Council Member Worel stated Council had many conversations on the impact of nightly rentals and this was an opportunity to keep the area as a no nightly rentals zone. Council Member Gerber asked if nightly rentals were approved as a CUP, would there be ramifications of not approving the CUP. Margaret Plane stated Council had the authority to change the ordinance that was passed in 2017. Council Member Joyce stated the surrounding area was approved with nightly rentals and this was a typo. It wouldn't be right to refuse to correct the oversight. Council Member Gerber thought there should be a process before changing the status. Council Member Worel requested a future conversation on nightly rentals and indicated Council heard from a resident on King Road regarding nightly rentals. Council Member Doilney favored a discussion as well, but thought this subzone approval should not be delayed. Council Member Henney agreed the error for the subzone should be corrected.

Council Member Joyce moved to approve Ordinance No. 2021-06, an ordinance amending Footnote 2 of Land Management Code Section 15-2.1-2(B)(1) to establish nightly rentals as a conditional use in the Lower Rossi Hill Sub-Neighborhood of the Historic Residential Low-Density Zoning District. Council Member Henney seconded the motion.

RESULT: APPROVED
AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

Council Member Worel requested a future discussion on nightly rentals. Council Member Joyce asked for a scope for the discussion. Council Member Worel stated the neighbors in Old Town were suffering because of nightly rentals. Council Member Joyce favored discussing more restrictions, but stated beyond that it could be illegal.

2. Consideration to Approve Ordinance 2021-07, an Ordinance Amending Title 11, Building and Building Regulations Code Section 11-6 Flood Damage Prevention for Establishing the Areas of Special Flood Hazard of the Municipal Code of Park City:

John Robertson, City Engineer, presented this item and requested to continue this item to the next meeting.

Mayor Beerman opened the public hearing. No comments were given. Mayor Beerman closed the public hearing.

Council Member Worel asked if residents were notified that their insurance premiums might increase. Robertson stated significant outreach was performed. Council Member Doilney stated there was a culvert under the road and that could be part of the problem. He wanted to discuss that further at the next meeting.

Council Member Joyce moved to continue Ordinance 2021-07, an ordinance amending Title 11, Building and Building Regulations Code Section 11-6 Flood Damage Prevention for establishing the areas of special flood hazard of the Municipal Code of Park City to February 25, 2021. Council Member Worel seconded the motion.

RESULT: CONTINUED TO FEBRUARY 25, 2021
AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

3. Consideration to Grant the Following Easements, in a Form Approved by the City Attorney, across City-Owned Property to the Snyderville Basin Water Reclamation District (SBWRD): 1) Two Access Easements for the Existing 'Silver Creek' Sewer Trunk Line Located near Highway 40 and Park City Heights; and 2) A Utility, Access, and Maintenance Easement for a New Sewer Line for the Lilac Hill East Subdivision, Located Near Deer Valley Drive and Rossi Hill Road:
Heinrich Deters, Trails and Open Space Manager, presented this item and stated SBWRD requested an access easement by Highway 40 and a utility easement for Lilac Hill East Subdivision. Staff did not see any issues with these requests.

Mayor Beerman opened the meeting for public input. No comments were given. Mayor Beerman closed the public input portion of the meeting.

Council Member Joyce moved to grant the following easements, in a form approved by the City Attorney, across City-owned property to the Snyderville Basin Water Reclamation District (SBWRD): 1) two access easements for the existing 'Silver Creek' sewer trunk line located near Highway 40 and Park City Heights; and 2) a utility, access, and maintenance easement for a new sewer line for the Lilac Hill East Subdivision, located near Deer Valley Drive and Rossi Hill Road. Council Member Doilney seconded the motion.

RESULT: APPROVED
AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

4. Consideration to Approve Emergency Contingency Funding in the Amount of $170,000 to Acquire Emergency Services to Mitigate Community Impacts of COVID-19:
Jed Briggs, Budget Manager, presented this item and stated the Emergency Contingency Fund was increased during the last budget cycle because of COVID-19. This request would use $170,000 to mitigate the effects of the pandemic, including

emergency housing support, vaccine distribution and rapid testing services, subsidies for mental health services, support for at-risk and student populations, additional food security distribution programs, and emergency housing support for rental assistance and eviction support programs.

Council Member Henney asked Council Members Joyce and Gerber, who were part of the group involved in the Emergency Contingency Fund, if the fund totaled $250,000 before this request. Council Member Joyce indicated there was also money for special service contracts that hadn't been spent. He thought it was important to begin the special services contracts process soon, but the group felt something quick was needed. They talked to several people and decided it was right to use this money to address some short-term COVID needs. Then they would start to look at what the Council wanted to see with the next round of special services contracts, whether the contracts would focus on COVID, social equity initiatives, or something else. Council Member Gerber stated $250,000 in the special services contracts fund was not distributed.

Dias stated there were dire needs in the community and the City could immediately deploy resources to help. Council Member Doilney clarified the group determined the agencies that needed the money to respond to the pandemic. Dias stated this allocation was for immediate needs and guidelines were in place on how it could be spent. The special services contracts could be discussed at a different time. Council Member Henney asked for clarification on funding this Emergency Contingency Fund. Briggs stated $500,000 was put in the Emergency Contingency Fund and $250,000 was immediately distributed. Council Member Henney asked if $80,000 would remain after this $170,000 funding. Briggs stated the $500,000 was for this fiscal year, but there was money left from last fiscal year, so after this distribution there would be $330,000 remaining in the fund.

Mayor Beerman asked about entities that might call because they were left out of the funding. Council Member Joyce explained those entities should call him and Council Member Gerber. They talked to a lot of people, schools, childcare, healthcare, etc. and they felt comfortable with the groups being helped. Council Member Henney asked what the process was for determining the groups in need. Council Member Joyce stated the nonprofits were the sole providers for the categories needed the most in the community.

Mayor Beerman opened the meeting for public input. No comments were given. Mayor Beerman closed the public input portion of the meeting.

Council Member Doilney moved to approve emergency contingency funding in the amount of $170,000 to acquire emergency services to mitigate community impacts of COVID-19. Council Member Worel seconded the motion.

RESULT: APPROVED
AYES: Council Members Doilney, Gerber, Henney, Joyce, and Worel

VIII) ADJOURNMENT

With no further business, the meeting was adjourned.

_____
Michelle Kellogg, City Recorder

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Michelle Dehaan
Submitting Department: Public Utilities
Item Type: Staff Report
Agenda Section:

Subject:
Request to Authorize the City Manager to Execute a Contract for a Drinking Water Source Protection Plan Update and Continued Technical Support Related to Ground Water Sustainability, in a Form Approved by the City Attorney, with Loughlin Water Associates, LLC, in an Amount Not to Exceed $135,500

Suggested Action:

Attachments:
Drinking Water Source Protection Plan Staff Report

Exhibit A: Loughlin Water Associates Scope, Fee, and Rate Structure

City Council Staff Report

Subject:	**Drinking Water Source Protection Plan Update Consultant Award**
Author:	**Michelle De Haan, Water Quality and Treatment Manager**
Department:	**Public Utilities**
Date:	**February 25, 2021**
Type of Item:	**Administrative**

Recommendation

Staff recommends City Council Authorize the City Manager to execute a contract for a Drinking Water Source Protection Plan Update and continued technical support related to ground water sustainability, in a form approved by the City Attorney, with Loughlin Water Associates, LLC, in an amount not to exceed $135,500.

Background

- Utah Division of Drinking Water requires public water systems to update their Drinking Water Source Protection (DWSP) Plans every six years, with Park City's next update due on December 31, 2021.
- The DWSP Plan is required for each groundwater source, including Middle School Well, Divide Well, Park Meadows Well, Thiriot Springs, Judge Tunnel, and Spiro Tunnel.
- New local Utah Geologic Study hydrogeology mapping has been published, requiring source protection zone maps to be updated. Source protection zones will be updated considering distances from sources and hydrogeological travel time that minimizes risks from Potential Contamination Sources (PCS).
- The PCS inventory and associated management plans will be updated to identify and prevent potential contamination of groundwater sources.
- Park City's existing DWSP Ordinance will be reviewed, and changes recommended that would better protect drinking water sources.
- Related watershed information will be reviewed related to Park City's sources, including Summit County's recently approved DWSP Ordinance, Salt Lake County DWSP Ordinance, JSSDs DWSP Plan, and Wasatch County's DWSP Ordinance.
- The consultant will review and update the City's existing Ground Source Heat Pump (GSHP) policy and provide a review of individual applications for GSHP for potential risks to groundwater quality.
- The consultant will review new development applications concerning potential risks to groundwater quality.
- Consistent with purchasing policies, staff advertised a request for statements of qualifications for General Services Water System and General Engineering, which includes a specific area of interest to assist with meeting DWSP requirements.

- Loughlin Water Associates was selected as the most qualified consultant after reviewing two consultants who expressed interest in the DWSP specific area of interest.
- Entering into a multi-year contract allows for consultant review of GSHP and development applications.
- This contract is structured as an as-needed time and material contract, and actual expenditures on the contracts will depend on the level of effort required.
- The initial award for the DWSP area of interest will be $135,500 for the first year of the contract through 12/31/2021. Additional funds may be required through the contract end date of 12/31/2025.

Funding

- This funding is out of the adopted water budget.

Exhibits

Exhibit A Scope and Fee and Rate Structure

Exhibit A

DRAFT - February 2, 2021

Park City Municipal Corporation
Attn: Michelle DeHaan
P.O Box 1480
Park City, UT 84060
michelle.dehaan@parkcity.org (e-mail)

Subject: **PROPOSAL**
Update Drinking Water Source Protection (DWSP) Plans of Park City Groundwater Sources of Drinking Water and Provide DWSP-Related Consulting Services
for Park City Municipal Corporation

Dear Michelle:

Loughlin Water Associates, LLC (Loughlin Water) is grateful for the opportunity to update the Drinking Water Source Protection (DWSP) Plans of their groundwater sources of drinking water and provide DWSP-related consulting services to Park City Municipal Corporation (Park City). We prepared our proposal in response to your request.

BACKGROUND

Park City is Utah Division of Drinking Water (DDW) Public Water System (PWS) #22011 manages and distributes drinking water from the: Judge and Spiro tunnels (the two tunnels); Park Meadows, Middle School, and Divide wells (the three wells); and Thiriot Spring (the spring). Park City also distributes drinking water from the (1) Ontario No. 2 Drain Tunnel (the Ontario Tunnel) from Jordanelle Special Service District (JSSD) and (2) Lost Canyon Pumping Station (Lost Canyon) from Mountain Regional Water Special Service District (Mountain Regional). The DDW regulates the Ontario Tunnel as both a groundwater and surface water source. The JSSD treats water from the Ontario Tunnel at their Keetley Water Treatment Plant (WTP). Lost Canyon is a surface water diversion supplied by Weber Basin. Park City treats water from Lost Canyon at their Quinn's WTP.

Park City lives, works, and plays over the groundwater sources of their drinking water. In recognition of the vulnerability to contamination of their drinking water sources and to comply with DDW requirements, Park City (1) prepared DWSP Plans and DWSP Plan updates for their groundwater sources and (2) created and implemented Chapter 13-1-28 of their Municipal Code (the Park City DWSP Ordinance). The DDW requires

Park City to update their DWSP Plans every 6 years with the current update due by December 31, 2021.

The JSSD submitted a DWSP Plan and subsequent updates for the Ontario Tunnel. Weber Basin likewise submitted equivalent documents for Lost Canyon.

A key element of each DWSP plan is the Delineation Report which maps (delineates) the recharge area for the drinking water source. A DWSP Plan also contains (1) an inventory and assessment of Potential Contamination Sources (PCSs), (2) management plans to prevent existing and possible future PCSs from contaminating the drinking water source, and (3) other required elements. A PCS is a facility and/or activity located in the recharge area which could contaminate the Drinking Water Source

The DDW requires PWSs to update their inventory and assessment of PCSs, management plans, and other parts of their DWSP plans, including the Delineation Report, every six years. Delineation Reports need to be updated if new hydrogeologic information is available that could change the delineation of the recharge areas. New hydrogeologic information, includes new geologic mapping, new wells, new pumping rates for existing wells, and the like.

The JSSD is responsible for updating the DWSP Plan, including the delineation, for the Ontario Tunnel; however, the existing delineation does not reflect new hydrogeologic information for the recharge area.

Park City permitted and drilled the Pacific Bridge, Keetley, and Aspen Springs wells (the three wells). Park City (1) used the Pacific Bridge Well as a source of drinking water in the past but does not plan to use this well in the future, (2) has never used the Keetley or Aspen Springs wells as a sources of drinking water, (3) is concerned that these three wells are potential sources of groundwater contamination, and (4) desires to plug and abandon the three wells.

OBJECTIVE AND APPROACH

Our overall objective is to provide hydrogeologic and water resource consulting services in support of maintaining the High Quality and Sustainable Water Supply for Park City.

Loughlin Water proposes the following multi-part approach to update the DWSP Plans and provide DWSP-related services to Park City:

- **Part 1 – Update the DWSP Plans for the Park City Sources**
- **Part 2 – Update the Delineation Report for the Ontario Tunnel**
- **Part 3 – Provide DWSP-Related Consulting Services**

PART 1 - UPDATE THE DWSP PLANS FOR THE PARK CITY SOURCES

The purpose of Part 1, is to update the DWSP Plans for the Judge and Spiro tunnels, the Park Meadows, Middle School, and Divide wells and Thiriot Spring (the Six Park City sources) in accordance with:

- Utah Administrative Code (UAC) R309-600, *Source Protection Drinking Water Source Protection for Ground-Water Sources* (also known as the DWSP Rule), dated November 6, 2017;
- Ground Water Source Protection User's Guide (the DWSP Users Guide), dated March 2013;
- Standard Report Format for *Updated* Groundwater Source Protection Plans, dated January 2007 (the Standard Report Format);
- The Park City DWSP Ordinance; and
- Our professional judgement and experience combined with our unique knowledge of the local hydrogeology and vulnerability to contamination.

Part 1 includes:

- **Task 1.1 – Revise the Delineation Reports**
- **Task 1.2 – Inventory PCSs and Assess Pollution Prevention Controls**
- **Task 1.3 – Recommend Management Plans for Existing Uncontrolled PCSs**
- **Task 1.4 – Recommend Management Program for Future PCSs**
- **Task 1.5 – Prepare other Sections of DWSP Plan Update**
- **Task 1.6 – Prepare Single Combined Updated DWSP Plan**
- **Task 1.7 – Provide Digital Files of DWSP Areas and PCS Locations**

Individual tasks are described below.

- **Task 1.1 – Revise the Delineation Reports.** We will revise the DWSP area delineations based on our review of new information, as available, for the (1) geology, hydrogeology, water quality, flows, and pumping rates of the sources, (2) construction of wells and Thiriot Spring, and (3) location/configuration of tunnels, portals, drifts, shafts, and other mining features. We will combine all the revised delineations into a single Delineation Report that includes all six of the Park City drinking water sources. The Delineation Report will reflect (1) recently-published geologic mapping of the recharge (DWSP) areas by the Utah Geological Survey (UGS), (2) reconstruction of Thiriot Spring, (3) reconstruction of portal at the Spiro Tunnel, and (4) other major changes to groundwater sources.

- **Task 1.2 – Inventory PCSs and Assess Pollution Prevention Controls.** Our inventory and assessment of pollution prevention controls will include PCSs and significant changes to PCSs that were identified in previous DWSP Plan updates and new PCSs that (1) were not present at the time of previous updates and/or (2) were located outside of previous delineations. As part of Task 1.2, we will inventory and assess ground source heat pump (GSHP) wells, other non-production wells, gray water systems, and other PCSs that may not be included in the latest Master List of Possible PCSs provided in the DWSP Users Guide.

We will identify and assess the adequacy of the pollution controls for each new and pre-existing PCS.

- **Task 1.3 – Recommend Management Programs for Existing Uncontrolled PCSs.** We will recommend a management program for each new and pre-existing uncontrolled PCS.

- **Task 1.4 – Recommend Management Program for Future PCSs.** Our recommended management program to manage future PCSs will include a table of approved, restricted, and prohibited land uses that can be used by Park City to assess new PCSs that may be proposed to move into a DWSP area. This table will include the PCS management program developed by Summit County. Note that the Salt Lake County DWSP Ordinance has a table of approved, restricted, and prohibited uses that can be used for the portion of the Spiro Tunnel DWSP area that extends into Big Cottonwood Canyon.

- **Task 1.5 – Prepare other Sections of DWSP Plan Update.** Our DWSP Plan update will also include the other sections required by the Standard Report Format, including the Implementation Schedule, Resource Evaluation, Recordkeeping Procedures, Contingency Plan, Public Notification, and Waivers.

- **Task 1.6 – Prepare Single Combined Updated DWSP Plan.** We will prepare a single, combined Updated DWSP Plan for all six Park City groundwater sources of drinking water.

- **Task 1.7 – Provide Digital Files of DWSP Areas and PCS Locations.** We will provide digital files for DWSP areas and PCS locations in a form that is compatible with the Park City Water GIS software.

We assume that Park City will provide:

- As-built diagrams for the (1) recently-reconstructed collection box for Thiriot Spring, (2) recently-reconstructed portal and drinking water diversion of the Spiro Tunnel, and (3) any other major changes to the collection structures of their groundwater sources of drinking water;

- Flow data, preferably monthly, for the two tunnels and the spring for the last 5 years;

- Information for the pumps currently installed in the three wells, including the make, model number, number of stages, horsepower, and depth of intake for the pumps;

- Digital files for the inventory and assessment of PCSs, including PCS locations, from the most recent DWSP Plan update;

- Access to their tunnels, spring, and wells; and

- Any other reports or information that might help us to update the DWSP Plans.

PART 2 – UPDATE THE DELINEATION REPORT FOR THE ONTARIO TUNNEL

Park City desires to protect the JSSD Ontario No. 2 Drain Tunnel (the Ontario Tunnel) from contamination because it provides 700 to more than 1000 acre feet of drinking water per year to Park City. The existing delineation of the DWSP (recharge) area the Ontario Tunnel needs to be updated to reflect new (1) geologic mapping of the recharge area by the UGS and (2) information on groundwater flow the recharge area. This new delineation will extend at least as far north as Highway 248 and may extend eastward into the Richardson Flats area.

We will update the delineation, but not the PCS inventory or other aspects of the DWSP area for the Ontario Tunnel. We assume that Park City will provide our updated delineation to the JSSD and that JSSD will update the DWSP plan to incorporate any changes to the recharge area.

PART 3 – PROVIDE DWSP-RELATED CONSULTING SERVICES

We will provide DWSP-related services which will include:

- **Task 3.1 – Update Park City Ground Source Heat Pump (GSHP) Policy**
- **Task 3.2 – Review Individual Development Projects and GSHP Applications**
- **Task 3.3 – Locate and Abandon Pacific Bridge, Keetley, and Aspen Springs Wells**
- **Task 3.4 – Review Park City DWSP Ordinance**
- **Task 3.5 – Provide Other DWSP-Related Consulting Services**

Task 3.1 – Update Park City Ground Source Heat Pump (GSHP) Policy. We will review and update, as necessary, the current Park City GSHP Policy. Our review and update will focus on measures that can both protect drinking water sources from contamination while allowing these energy-saving /carbon emission-reducing systems to be installed within Park City limits.

Task 3.2 - Review Individual Development Projects and GSHP Applications. On request by Park City and on a project-by-project basis, we will (1) review individual development project applications for potential risks to groundwater quality and compliance with Park City DWSP Plan and Ordinance, (2) provide recommended changes to the individual project applications, (3) review individual GSHP system applications for potential risks to groundwater quality and compliance with Park City GSHP Policy, and (4) provide recommended changes to individual GSHP applications. Specific individual development projects include the PEG, Arts and Culture, and Lower Deer Valley developments.

Task 3.3 – Locate and Abandon Pacific Bridge, Keetley, and Aspen Springs Wells. The purpose of this task is to plug and abandon the Pacific Bridge, Keetley, and Aspen Springs Wells (the three wells) in accordance with UAC R309-515-6(9) *Well Abandonment* and R655-4-14 *Abandonment of Wells*. We will (1) locate the three wells,

(2) prepare technical specifications, (3) prepare a bid package and solicit bids, (4) provide well site and construction management services, and (5) prepare a well abandonment report. We will prepare a bid package and assist in bidding but assumed that the water well contractor will be selected by and contracted to Park City.

Task 3.4 – Review Park City DWSP Ordinance. On request by Park City, we will review the Park City DWSP Ordinance with respect to the (1) current DDW rules and guidance and recently-approved Summit County DWSP Ordinance and (2) unique DWSP challenges of Park City. We will recommend any changes that we think would better protect the Park City groundwater sources of drinking water from contamination.

Task 3.5 – Provide Other DWSP-Related Consulting Services. On request by Park City and on a task-by-task basis, we will provide other DWSP-related consulting services.

TERMS AND CONDITIONS AND FEE

We will perform or scope of services in accordance with (1) the Service Provider/Professional Services Agreement (the Agreement) between Park City Municipal Corporation (Park City) and Loughlin Water Associates, LLC (Service Provider) dated August 2018 or newer, updated version of the Agreement and (2) our attached 2021 Fee Schedule.

Our estimated fee is as follows:

Review and Assess Groundwater-Related Concerns	**Estimated Fee**
Part 1 – Update the DWSP Plans for the Park City Sources	
Task 1.1 – Revise the Delineation Reports	$12,900
Task 1.2 – Inventory PCSs and Assess Pollution Prevention Controls	$9,900
Task 1.3 – Recommend Management Programs for Existing Uncontrolled PCSs	$7,900
Task 1.4 – Recommend Management Program for Future PCSs	$7,200
Task 1.5 – Prepare other Sections of DWSP Plan Update	$2,900
Task 1.6 – Prepare Single Combined Updated DWSP Plan	$7,900
Task 1.7 – Provide Digital Files of DWSP Areas and PCS Locations	$1,200
Part 1 Total	***$49,900***
***Part 2* – Update the Delineation Report for the Ontario Tunnel**	
Part 2 Total	**$5,900**
Part 3 – Provide Other DWSP-Related Consulting Services	
Task 3.1 – Update Park City Ground Source Heat Pump (GSHP) Policy	$4,900
Task 3.2 – Review Individual Development Projects and GSHP Applications	$50,000
Task 3.3 – Plug and Abandon Pacific Bridge, Keetley, and Aspen Springs Wells	$9,900
Task 3.4 – Review Park City DWSP Ordinance	$4,900
Task 3.5 – Provide Other DWSP-Related Consulting Services	$10,000
Part 3 Total	***$79,700***
Total of Parts 1, 2, and 3	**$135,500**

FEE SCHEDULE

LABOR BILLING RATES

Work performed on a time-and-expenses contract will be billed as follows, based on hourly rates:

Bill Loughlin, P.G., Principal Hydrogeologist: Manager: $190 per hour (field rate: $145 per hour)
Van King, P.G., Principal Hydrogeologist: $190 per hour (field rate: $145 per hour)
George Condrat, P.E., P.G., Senior Engineer: $180 per hour (field rate: $139 per hour)
Matt Lindon, P.E., Hydrological Engineer: $180 per hour (field rate: $139 per hour)
Neil Burk, P.G., Principal Hydrogeologist: $160 per hour (field rate: $135 per hour)
Ian Schofield, P.G., Senior Hydrogeologist: $160 per hour (field rate: $135 per hour)
John Brown, P.G., Senior Hydrogeologist: $160 per hour (field rate: $135 per hour)
Greg Gavin, G.I.T., Staff Hydrogeologist: $120 per hour (field rate: $105 per hour)
Assistant Hydrogeologist/Technical Support Specialist: $85/hour
Hydrogeologic Intern: $55/hour

Field rate is applicable for field activities (site reconnaissance, drilling observations, pumping test observations, water sampling, geologic mapping, etc.) that are of a minimum of eight (8) hours per day for a single project.

Hourly rates shown above are fully loaded, including fringe benefits, overhead and fee. Hours billed to projects will include reasonable time for local travel. No more than eight (8) hours of travel will be charged per day. Overtime hours will be billed at the above rates. Time spent as expert witness under a judicial process will be charged at two (2) times the above rate.

OTHER DIRECT COSTS

Other direct costs on contracts incurred on behalf of the client as its agent or consultant will be billed at cost plus fifteen (15) percent.

INVOICING AND PAYMENT

Invoices will be submitted no less than monthly and will include the charges incurred during the preceding accounting period. Payment is due within thirty (30) days of the invoice date. Payments made after 30 days incur a late payment fee of 1.5 percent per month.

TIME-AND-EXPENSE COST ESTIMATE AND SCHEDULE

Loughlin Water Associates, LLC will work on a best-efforts basis to accomplish client's objectives within the cost and schedule estimates provided in the proposal. These estimates are based on Loughlin Water Associates, LLC's best judgment of requirements known at the time the proposal is prepared, requirements which can be influenced by changes in the work scope, client schedule demands, and other unforeseen circumstances. If schedule or costs are expected to exceed the proposed estimates, Loughlin Water Associates, LLC will notify the client before incurring additional costs on the client's behalf.

In the situation where Loughlin Water Associates, LLC notifies the client in advance that the schedule or the costs are expected to exceed the proposed estimates, the client will have three options: 1) authorize additional funds so that Loughlin Water Associates, LLC can complete the work as currently defined; 2) redefine the scope of work to stay within the remaining funds; or 3) stop work at a specific expenditure level, with no further obligation or liability to either party except for payment for work performed.

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Griffin Lloyd
Submitting Department: Public Utilities
Item Type: Staff Report
Agenda Section:

Subject:
Request to Authorize the City Manager to Execute an Addendum to the Professional Services Agreement, in a Form Approved by the City Attorney, with Lithos Engineering Inc., for the Spiro Mine Tunnel Reconstruction Project in an Amount Not to Exceed $100,000.00

Suggested Action:

Attachments:
Spiro Tunnel Design Services and Program Management Addendum 1 Staff Report

Exhibit A: Lithos Scope and Fee Schedule

City Council Staff Report

Subject:	**Design Services and Program Management For Spiro Mine Tunnel Addendum No. 1 – Lithos Engineering**
Author:	**Griffin Lloyd, Public Utilities Engineer**
Department:	**Public Utilities**
Date:	**February 25, 2021**
Type of Item:	**Administrative**

Recommendation

Staff recommends Council authorize the City Manager to execute an addendum to the Professional Services Agreement, in a form approved by the City Attorney, with Lithos Engineering Inc., for the Spiro Mine Tunnel Reconstruction Project in an amount not to exceed $100,000.00

With the completion of the reconstruction of the first four hundred feet of the Spiro Mine Tunnel, additional areas that were previously recommended from an earlier assessment need further structural analysis and the development of a long-term tunnel maintenance program.

Background

- Condition assessment previously conducted by Golder for the Spiro Mine Tunnel reflected areas of the tunnel that needed structural reconstruction.
    - Golder Staff Report – August 3, 2017
- Staff evaluated areas outlined in the report and prioritized the first four hundred feet of the Spiro tunnel, as well as ventilation, to be critical in the mine continuing to deliver water to the Park City area, as well as downstream water right holders. Lithos Engineering was selected as the design engineer to provide structural design for the proposed construction.
    - Lithos Engineering Staff Report – May 16, 2019
- Harrison Western was selected to reconstruct the first 400 feet of the tunnel, including the installation of two new water lines and construction of the historic portal façade. The project was contracted for $4.5 million and is tracking $500K under budget.
    - Harrison Western Staff Report – June 11, 2020
- Further structural investigation is required to outline future CIP projects and develop a maintenance program. CIP projects will be prioritized based on criticality and will include preliminary cost estimates and initial design with the contractor's input.

Funding

The funding for this contract is from water service fees and is included in the approved FY2020-2021 Public Utilities capital improvements projects budget.

Exhibits

- Exhibit A: Lithos Scope and Fee Schedule

Exhibit A:

		Lithos			
No.	Phase	Labor	Subconsultants	Direct Costs	Total
1	**Tunnel Assessment**				
1.1	Ventilation and setup	$ 5,920			$ 5,920
1.2	Tunnel traverse/inspection	$ 15,480		$ 2,068	$ 17,548
1.3	Workshops/meetings	$ 4,840			$ 4,840
2	**Capital Improvements Feasiblity Report**				
2.1	Alt 1: Long-term support/vent concepts	$ 26,840			$ 26,840
2.2	Alt 2: Temp support/backfill concepts	$ 10,440			$ 10,440
2.3	Critical Path Schedule	$ 7,880			$ 7,880
2.4	ROM Support Costing	$ 3,760			$ 3,760
2.5	Report	$ 10,920			$ 10,920
	Markup 12%		$ -	$ 175	$ 175
	Total	$ 86,080	$ -	$ 2,243	**$ 88,323**

Contingency - $11,677.00 Total: $100,000.00

Goal: Maintain reliable water delivery to the junction room while separating water flows which do and do not require treatment for approximately the first ~13,000 feet of tunnel as measured from the Spiro portal. Based on our understanding of the current project work, Lithos and HWC propose the following tasks concurrent with Spiro portal rehabilitation:

1. Tunnel Assessment (Target Date late January 2021 or as construction allows)
    a. Arrange/procure/ install temporary ventilation to allow access to the ~13,000 station of the Spiro Tunnel (HWC)
        i. HWC to assess viability of permanent ventilation versus temporary ventilation (cost compare)
    b. Procure and make available all PPE and respirators for two Lithos, one Park City and HWC personnel (HWC)
    c. Prepare portal and first 400-feet for entry by loci (HWC)
        i. Provide loci (PCMC)
        ii. Move loci beyond current construction zone (HWC)
    d. Review available reports and target areas of special interest (Lithos)
    e. Traverse tunnel to bulkhead and Thaynes Junction by loci. Stop as needed
        i. Observation/ semi qualitative approach relying on existing Golder data. Limited data collection in support of preliminary modeling and support concepts
        ii. Two days (16 hrs underground) planned. Fit tests and training required prior.
        iii. Conduct post-tunnel meeting to discuss observations differing from Golder report and/or of major concern. Follow up workshop planned later after absorbing data.

2. Capital Improvements Feasibility (Completion Date April 2021)
    a. Alternative I: Develop Long-Term Support Concepts by Station as well as Proposed Maintenance and inspection schedules.
        i. 4-week duration, single virtual workshop
        ii. Explore long-term ventilation options and egress (forced air versus raise bore)
    b. Alternative II: Develop Temporary Support Concepts by station, and invert piping and backfill plans
        i. 4-week duration
    c. Develop Critical Path Support Schedule (all)
        i. Weighting factors:
            1. Long-term versus temporary support needs/logistics
            2. Single point access (Spiro portal)
            3. Water supply risk
        ii. 4-week duration, single virtual workshop
    d. Develop ROM Class 5 costing for Alt I and Alt II (HWC)
        i. 2-week duration

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: John Robertson
Submitting Department: Engineering
Item Type: Staff Report
Agenda Section:

Subject:
Request to Grant an Easement for Construction and Maintenance of Wastewater Collection and Transportation Pipelines and Appurtenances, across City-Owned Property to Snyderville Basin Water Reclamation District (SBWRD)

Suggested Action:

Attachments:
SBWRD Agreement Staff Report

Exhibit A: Grant of Easement

Exhibit B: Location of Easement

City Council
Staff Report

Subject: SBWRD Grant of Easement
Author: John Robertson, City Engineer
Department: Engineering
Date: February 25, 2021
Type of Item: Consent

Recommendation
Staff recommends that Council grant the following easement for construction and maintenance of wastewater collection and transportation pipelines and appurtenances across City-owned property, to the Snyderville Basin Water Reclamation District (SBWRD)

Background
SBWRD has identified the location shown on Exhibit B as the location to provide wastewater services for the future development of the Bonanza Park parcels, commonly known as the Arts & Culture District (A&CD). Any development in this area will require a grant of easement for a wastewater pipeline. Though the timeline for construction of the A&CD is in discussion and not finalized, the timing of two infrastructure projects that will occur during the summer of 2021 make it cost-effective to install this pipeline during this construction season, irrespective of the Council's decision on A&CD.

The Park City Department of Public Utilities has an ongoing water replacement project on SR 248. The contractor performing that work is mobilized and performing similar pipeline replacement/installation in the area, so having the work performed is appropriate and consistent with their scope of work.

Additionally, this summer the Utah Department of Transportation (UDOT) is performing a pavement improvement project from the intersection of SR 248 & SR 224 to the SR 40 interchange. The project consists of grinding the existing pavement and placing a pavement overlay to improve the rideability of the corridor. Upon completion of the work, UDOT places a moratorium of 3 to 5 years on allowing any street cuts into the pavement. This moratorium could potentially delay the start of the A&CD project as the ability to install wastewater infrastructure could lead to a delay of the start of the A&CD project (or any new construction at this site).

The contractor performing this work is aware of this work and will be able to complete the work this spring and prior to the UDOT project beginning.

Analysis
SBWRD is a valued utility and stakeholder throughout the Park City community. It holds numerous easements with the city to operate and maintain the wastewater system efficiently and effectively.

Engineering and Legal staff have reviewed the easements and are supportive of the proposed language.

Department Review
This report has been reviewed by the Office of the City Attorney and City Manager.

Funding Source
Funding to perform this work is associated with funding sources identified for the A&CD.

Attachments
Exhibit A – Grant of Easement
Exhibit B – Location of Easement

When recorded return to:
Snyderville Basin Water Reclamation District
2800 Homestead Road
Park City, Utah 84098

GRANT OF EASEMENT
FOR CONSTRUCTION AND MAINTENANCE OF WASTEWATER COLLECTION AND TRANSPORTATION PIPELINE(S) AND APPURTENANCES

PARK CITY MUNICIPAL CORPORATION, a political subdivision of the State of Utah, Grantor, does hereby convey and warrant to the Snyderville Basin Water Reclamation District, a local District of the State of Utah, (the District) Grantee, of Summit County, Utah, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, a permanent non-exclusive easement and right-of-way for the purpose of constructing, operating and maintaining one or more underground pipelines and appurtenances in the easement granted herein for the collection and transportation of wastewater as permitted by the District in the exclusive discretion of the District, over, across, through and under the premises of the Grantor situated in Summit County, Utah which are more specifically described as follows:

An easement located in the southeast quarter of the northwest quarter of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said easement being described as follows:

Beginning at a point that is North 0°13’40” East 496.68 feet coincident with the section line and West 7.14 feet from the center of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being South 49°48’20” West 9.37 feet from the northernmost corner of Parcel B, Kearns Business Center Subdivision, recorded September 24, 1992, as Entry no. 366123 in the Summit County Recorder’s office, and also being on the southerly right-of-way of Kearns Boulevard; and running thence South 15°27'17" East 28.62 feet, thence South 74°32'43" West 20.00 feet, thence North 15°27'17" West 19.66 feet to a point on a non-tangent curve to the left having a radius of 1482.26 feet, of which the radius point bears North 39°09'58" West, said point also being on the southerly right-of-way of Kearns Boulevard; thence coincident with the southerly right-of-way of Kearns Boulevard and along the arc of said curve 21.92 feet through a central angle of 00°50'50" to the point of beginning.

Description contains 482.12 square feet.

The Basis of Bearing for the above description is South 89°45’07” East 2656.06 feet between the west quarter corner and the center of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

This easement is contained within Parcels KBC-B & PSA-46-RE-B

Also granting to the Snyderville Basin Water Reclamation District a perpetual right of ingress and egress to and from and along said right-of-way and with the right to operate, maintain, repair, replace, augment and/or remove the pipelines and appurtenances deemed necessary by the District for the collection and transportation of wastewater; also the right to trim, clear or remove, at any time from said right-of-way any tree, brush, structure or obstruction of any character

whatsoever, which in the sole judgment of the Grantee may endanger the safety of or interfere with the operation of Grantee's facilities. The Grantor and its successors in interest hereby forever relinquish the right to allow or construct any surface or underground improvement which would interfere with the operation, replacement or repair of the pipelines constructed and maintained under the provisions of this easement and covenant and agree that no underground or surface improvement, trees or structures will be constructed under or over the surface of the easement granted herein, without the express written consent in advance of the Grantee, which would interfere with the exercise of the rights of the Grantee to operate, maintain, repair or replace the sewer pipeline constructed by or for the Grantee.

The easement granted herein is subject to the condition that the Grantee shall indemnify and hold harmless, the Grantor, its heirs and successors against any and all liability caused by the acts of the Grantee, its contractors or agents, during the construction, operation or maintenance of the sewer pipeline provided for in this easement; the Grantor's right to indemnification or to be held harmless by the Grantee under the terms of this paragraph are expressly conditioned upon prompt and immediate notice to the Grantee of any claim or demand which would cause a claim against the Grantee and upon the Grantees right to defend any claim against the Grantor which would cause a claim of indemnification against the Grantor. This provision shall not be interpreted or construed to waive the rights of the Grantee to the affirmative defenses to claims provided under the Utah Governmental Immunity Act.

WITNESS the hand of said Grantor this _____ day of _____ , 20__.

PARK CITY MUNICIPAL CORPORATION

By: _____

Name: _____

Title: _____

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

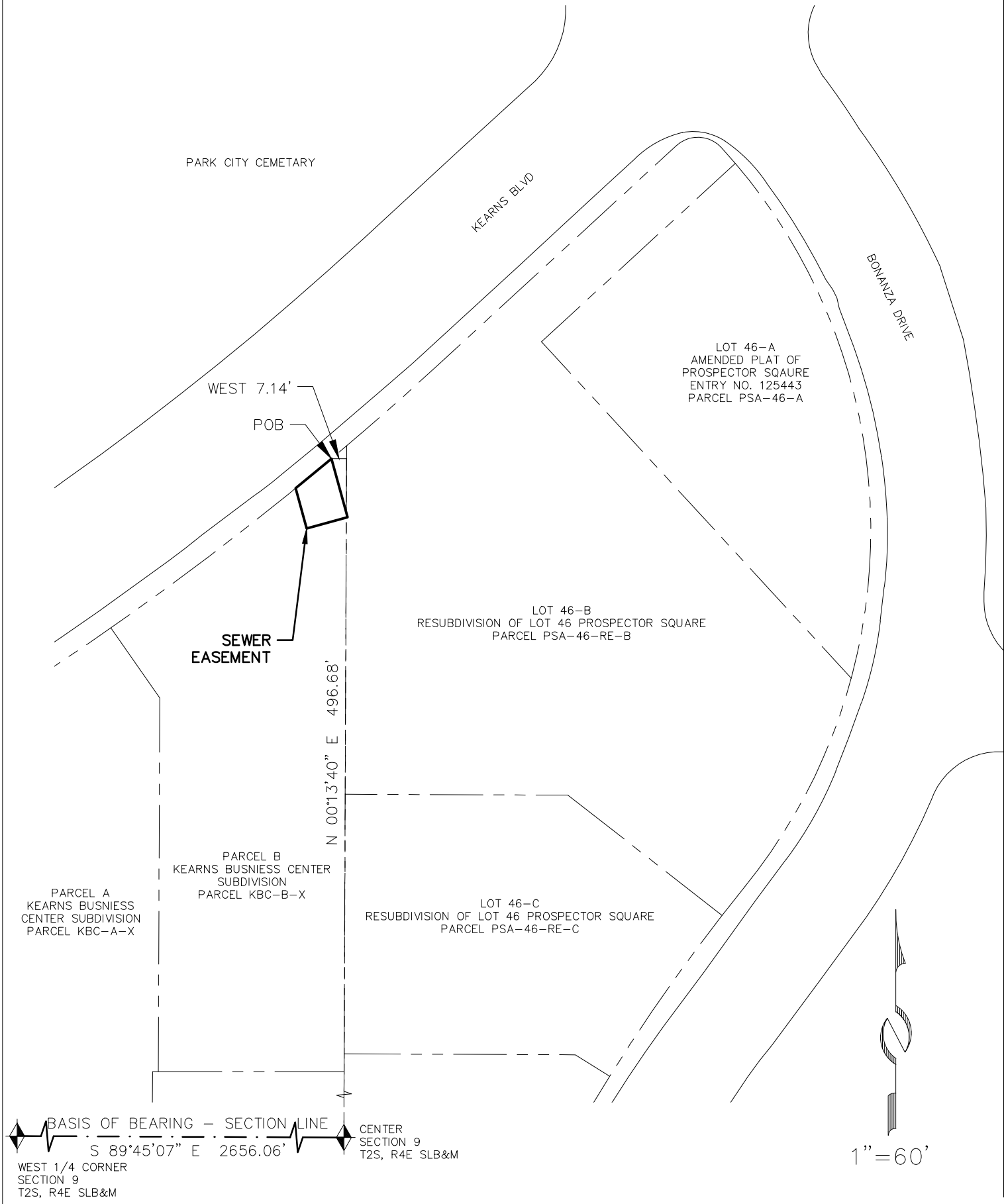
On this _____ day of _____, 20____, personally appeared before me _____, who being duly sworn, did say that he/she is the signer of the within instrument, and that the within and foregoing Grant of Easement was signed on behalf of PARK CITY MUNICIPAL CORPORATION, with actual and requisite authority, and said signer acknowledged to me that he/she executed the same.

S
E
A
L

_____
Notary Public

Revised and Readopted 4/20

SANITARY SEWER EASEMENT
KEARNS BUSINESS CENTER SUBDIVISION



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Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Corey Legge
Submitting Department: Engineering
Item Type: Staff Report
Agenda Section:

Subject:
Request to Grant Non-Exclusive Rights-of-Way, Easements and Environmental Deed Restrictions Associated with the Alice Claim Subdivision, Across Parcel PC-S-55-X to King Development Group, LLC, Questar Gas Company dba Dominion Energy Utah, and Rocky Mountain Power, in a Form Approved by the City Attorney

Suggested Action:

Attachments:
Alice Claim Easements Staff Report

Exhibit A: Access Easement to King Development Group, LLC

Exhibit B: Easement to Questar Gas Company

Exhibit C: Easement to Rocky Mountain Power

Exhibit D: Environmental Deed Restriction

City Council Staff Report

Subject: **Alice Claim: Grant of Access and Utility Easements**
Author: **Corey Legge, PE, Deputy City Engineer**
Department: **Engineering**
Date: **February 25, 2021**
Type of Item: **Legislative**

Recommendation

Grant utility/access easements and environmental deed restriction associated with the Alice Claim Subdivision, in a form approved by the City Attorney, across parcel PC-S-55-X owned by the Park City Municipal Corporation (PCMC). The documents recommended for City Council approval consist of the following:

- A non-exclusive right-of-way and easement to KING DEVELOPMENT GROUP LLC for access to Alice Claim by vehicles and pedestrians.
- A non-exclusive right-of-way and easement to QUESTAR GAS COMPANY dba Dominion Energy Utah for the construction and maintenance of underground gas distubution facilities.
- A non-exclusive right-of-way and easement to ROCKY MOUNTAIN POWER for the construction and maintenance of underground electric power distubution facilities.
- Environmental Deed Restriction to comply with the environmental site management requirements of work within impacted soil.

Executive Summary

Park City parcel PC-S-55-X encompasses the Woodside Water Tank and Park City Water Department access through Alice Claim Subdivision. Consistent with previously approved plans, King Development Group, LLC has requested a grant of easement and access easement for construction and maintenance of buried dry utilities. Conditions of Approval outlined in Ordinance 2018-08 require the applicant to receive City Council approval to provide access and utility easements over the City's property for Alice Court prior to plat recordation. The applicant anticipates installing the remaining private utility services during the spring of 2021.

Background

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

- October 8, 2014 Planning Commission work session and minutes
- April 8, 2015 Planning Commission meeting and minutes
- June 10, 2015 Planning Commission meeting and minutes
- July 8, 2015 Planning Commission meeting and minutes
- July 22, 2015 Planning Commission meeting and minutes
- August 12, 2015 Planning Commission meeting and minutes (Negative

recommendation forwarded to City Council)

- October 8, 2015 City Council work session meeting and minutes
- October 29, 2015 City Council meeting and minutes (Application amended and remanded back to Planning Commission)
- December 9, 2015 Planning Commission work session and minutes
- May 25, 2016 Planning Commission meeting and minutes
- July 13, 2016 Planning Commission meeting and minutes
- July 27, 2016 Planning Commission meeting and minutes (Positive recommendation forwarded to City Council)
- March 9, 2017 City Council meeting and minutes (Application amended and remanded back to Planning Commission
- April 12, 2017 Planning Commission meeting and minutes (Positive recommendation forward to City Council)
- May 25, 2017 City Council meeting and minutes
- March 8, 2018 City Council Meeting and minutes
- September 12, 2019: Grant of Sanitary Sewer Easement City Council Meeting and minutes

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

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

Analysis

This action does not represent a change from previous land use approvals.The utility infrastructure is designed to service the nine (9) developable lots within the proposed Alice Claim Subdivision.

Parcel PC-S-55-X is approximately 1.71 acres. It includes about six hundred fifty feet (650') of right-of-way that is thirty feet (30') wide for access to the Woodside Water Tank. A fourteen inch (14") raw water conveyance pipe and a sixteen inch (16") transmission waterline pipe is located within parcel PC-S-55-X. The proposed design of the Alice Claim Subdivision complies with water code and has been reviewed by Public Utilities and the City Engineer.

A construction permit for the public improvements of the Alice Claim Subdivision was issued in August 2019. The public improvements consisted of water system upgrades, storm water drainage improvements, sediment forebay, and retaining wall/landscaping. These public improvements have been installed by the developer. Additionally, the developer has obtained a line extention agreement from Snyderville Basin Water Reclamation District and installed the sanitary sewer improvements. The remaining work is anticipated to be completed in the spring of 2021 and consists of gas line installation, buried power, asphalt of Alice Court (private road), and re-vegetation.

Parcel PC-S-55-X is identified in the 2020 Supplemental Remedial Action Report as an area of impacted soil which is on file with the Utah Department of Environmental Quality. The applicant previously undertook a voluntary remediation of the regulated soils on the site. The Environment Deed Restriction indicates an environmental cleanup has been completed on the property and is a covenant intended to require future use of the property to comply with the environmental site management requirements.

Department Review

This report has been reviewed by the City Manager, Legal, Public Utilities, and Community Development. All concerns raised by these departments have been incorporated herein.

Exhibits

Exhibit A: Access Easement to King Development Group, LLC
Exhibit B: Easement to QUESTAR GAS COMPANY
Exhibit C: Easement to ROCKY MOUNTAIN POWER
Exhibit D: Environmental Deed Restriction

GRANT OF EASEMENT
[Alice Court]

This GRANT OF EASEMENT is made as of this ___ day of_____, 20__, between **PARK CITY MUNICIPAL CORPORATION**, a Utah municipal corporation, ("City") and **KING DEVELOPMENT GROUP, LLC**, a Utah limited liability company and its successors and assigns ("King"). City and King are sometimes referred to herein collectively as "Parties" and individually as "Party."

RECITALS:

A. King is the owner of real property that is known as Alice Claim located in Park City, Utah, described on **Exhibit 1** to this Grant of Easement, and is approved for nine residential single family home lots, common area, driveways, a private road (Alice Court) and related utilities and improvements (collectively "Alice Claim"). City is the owner of a parcel of real property that is located within Alice Claim, a portion of which parcel is described on **Exhibit 2** to this Grant of Easement ("City Parcel"), and over which Alice Court, in part, is located.

B. City holds easement rights over the existing dirt road within Alice Claim to access the City water tank as set forth in that instrument recorded with the Summit County Recorder on November 22, 1989, as Entry No. 316054, in Book 543, at Page 387 and re-recorded on April 4, 1990, as Entry No. 322903, in Book 560, at Page 459 ("City's Easement").

C. City adopted Ordinance 2018-08 approving the Alice Claim Subdivision and Plat Amendment. The Alice Claim Subdivision and Plat Amendment have been recorded with the Summit County Recorder ("Alice Claim Plat").

D. Solely on the terms and conditions of this Grant of Easement, King desires to receive from the City the Easement (defined below) for the benefit of Alice Claim, and the City desires to grant to King the Easement over and within the City Parcel.

NOW, THEREFORE, in consideration of the premises and the mutual covenants herein contained, City and King agree as follows:

1. **Recitals**. The foregoing recitals to this Grant of Easement are incorporated and made a part of this Grant of Easement.

2. **Easement Grant**. City hereby grants, bargains, sells and conveys to King, its successors, assigns, transferees, or lessees ("Alice Easement Holder") a perpetual non-exclusive right of way and easement over the City Parcel as more particularly described on Exhibit 2 ("Alice Easement"). The Alice Easement includes rights benefiting Alice Claim and obligations burdening the City Parcel. The Alice Easement includes (i) access for ingress to and egress from Alice Claim by vehicles and pedestrians; (ii) grading, regrading, constructing, reconstructing, upgrading, repairing and maintaining a paved improved roadway and corresponding, curb, gutter, sidewalks, and shoulders (collectively, "Road") over and within the Alice Easement as depicted on Exhibit 2; (iii) draining water through the City's storm drain system within the Alice

Easement; (iv) installing, constructing, erecting, maintaining, replacing, upgrading, and repairing a retaining wall within the area of the Alice Easement depicted on Exhibit 2 ("Wall"); (v) planting, maintaining, replacing, cultivating and pruning landscape vegetation within the area of the Alice Easement depicted on Exhibit 2 ("Landscape"); (vi) erecting, repairing, replacing, upgrading and maintaining signs ("Signs"); installing, maintaining, replacing, upgrading, operating and repairing lateral pipelines for sewer and water connections to each of the nine homes of Alice Claim ("Laterals"). Road, Wall, Landscape, Laterals and Signs are collectively referred to herein as "Alice Improvements")

a. **Alice Improvements**. Alice Easement Holder has exclusive authority, control and responsibility over the Alice Improvements within the Alice Easement. Alice Easement Holder shall maintain the Alice Improvements in good condition and repair at its sole expense. Notwithstanding the initial construction and location of any of the Alice Improvements, Alice Easement Holder may repair, modify, replace, upgrade, and reconstruct the Alice Improvements installed by Alice Easement Holder within the Alice Easement. The City shall repair at its sole cost damage to the Alice Improvements caused by the City, its employees, contractors or agents.

b. **Utilities**. The City has authority, control, and responsibility over underground utilities within the Easement ("Utilities"). Except for damage caused by Alice Easement Holder to Utilities, neither King nor its successors and assigns have continuing responsibility, liability or obligations relating to the Utilities. Alice Easement Holder shall pay the costs of repairing damage caused by any of them to the Utilities.

3. **Effective Date**. The Alice Easement granted herein is effective upon the date of recording of this Grant of Easement with the Summit County Recorder against the City Parcel ("Effective Date").

4. **Title**. City represents and warrants to Alice Easement Holder that City holds fee title to the City Parcel free and clear of any liens and encumbrances.

5. **Covenants**. The City Parcel is burdened by and subject to the Alice Easement, and Alice Claim is benefited by and subject to the Alice Easement. The Alice Easement touches and concerns and runs with both the City Parcel and Alice Claim and is given for the sole benefit of persons owning an interest in Alice Claim and their guests and invitees. The Alice Easement may not be transferred, assigned or encumbered, nor may any sub-easements be granted, except as an appurtenance to Alice Claim or to an owner's association pertaining to Alice Claim. The City Parcel is held, transferred, sold, conveyed, used, occupied, rented, leased, mortgaged or otherwise encumbered and subject to the Alice Easement. City will ensure that no building, structure or other obstruction is placed, erected, maintained, installed or permitted within the Alice Easement by, on or in behalf, or at the direction of City that interferes with the Alice Improvements. The grant of the Alice Easement, rights and privileges in this Grant of Easement are independent of any contractual agreements undertaken by the Parties in this Grant of Easement, and a breach by either Party of any such contractual agreement will not result in any forfeiture or reversion of the Alice Easement, rights and privileges granted in this Grant of Easement.

6. **City's Easement**. King acknowledges that the City will continue to enjoy the use of the City's Easement over Alice Claim to access the City water tank. Work within Alice Claim may not unreasonably interfere with the City's use of the City's Easement. Use of the City's Easement will not unreasonably interfere with the use of Alice Claim and the Alice Easement. City shall prevent soil, mud and debris from being tracked and deposited from City's Easement by vehicles driven by City employees, contractors and agents (collectively "City Debris") onto paved improved roads within Alice Claim. Without delay and at its own cost, City shall cleanup and remove City Debris from paved improved roads within Alice Claim.

7. **Notices**. All notices are deemed to be duly given if personally served or sent by overnight express mail or courier service to the Parties at the following addresses and shall be complete upon receipt or refusal to accept delivery as indicated in the return receipt or in the receipt of such express mail or courier service:

If to City:

Park City Municipal Corporation
P.O. Box 1480
Park City, UT 84060
Attn: Mayor

with a copy to City Engineer:
P.O. Box 1480
Park City, UT 84060

If to King:

c/o Jerry Fiat
PO Box 4581
Park City, Utah 84060

with a copy to:
Paul Levy
Suite 2300, 2 N. LaSalle Street
Chicago, IL 60602

and with a copy to:
Bradley R. Cahoon, Esq.
Durham Jones & Pinegar, P.C.
111 S. Main St., Ste. 2400
Salt Lake City, Utah 84111

Any Party may, by written notice to the other Party from time to time in the manner herein provided, specify a different address for notice purposes.

8. **Easement Recording**. Upon execution of this Grant of Easement by the Parties, Alice Easement Holder may record this Grant of Easement in the Office of the Recorder of Summit County, Utah against the City Parcel and Alice Claim.

9. **Compliance with Laws**. Alice Easement Holder shall utilize the Alice Easement in accordance with all federal, state, and local laws and regulations applicable to the use thereof. Alice Easement Holder shall comply with all requirements and specifications of all applicable utility and similar providers and governmental authorities while using the Alice Easement.

10. **Miscellaneous**.

a. Waiver. No consent or waiver, express or implied, by any Party to or any breach or default by any other Party in the performance by such other Party of the obligations thereof under this Grant of Easement is a consent to or waiver of any other breach or default in the performance by such other Party of the same or any other obligations of such other Party under this Grant of Easement. Failure on the part of any Party to complain of any act or failure to act of any other Party or to declare such other Party in default, irrespective of how long such failure continues, is not a waiver by such Party of the rights thereof under this Grant of Easement.

b. Severability. If any provision of this Grant of Easement or the application thereof to any entity or circumstances is invalid or unenforceable to any extent, the remainder of this Grant of Easement and the application of such provisions to any other entity or circumstance is not affected thereby and enforceable to the greatest extent permitted by law.

c. Status Reports. Recognizing that any party may find it necessary from time to time to establish to third parties such as government agencies, accountants, banks, mortgagees or the like, the then current status of performance hereunder, the Parties each agree, upon the written request of the other Party, made from time to time by notice as provided in **Section 7** hereof, to furnish promptly a written statement (in recordable form, if requested) containing any reasonably requested information which pertains to (i) the status of this Grant of Easement , or (ii) whether there are any defaults hereunder qualified to the best of the knowledge and belief of the party making such statement.

d. Terminology. All personal pronouns used in this Grant of Easement, whether used in the masculine, feminine or neuter gender, include all other genders; the singular includes the plural; and the plural includes the singular. Titles of sections of this Grant of Easement are for convenience only, and neither limit nor amplify the provisions of this Grant of Easement, and all references in this Grant of Easement to sections thereof refer to the corresponding sections of this Grant of Easement unless specific reference is made to the sections of another document or instrument.

e. Counterparts. This Grant of Easement may be executed in any number of counterparts, each of which is an original and all of which together is a single instrument.

f. Exhibits Incorporated. Exhibits to this Grant of Easement are incorporated in and made a part of the Grant of Easement by this reference.

g. Binding Grant of Easement. The provisions of this Grant of Easement apply to, inure to the benefit of and bind the Parties hereto and their respective heirs, transferees, successors and assigns thereof, including, without limitation, any mortgagee or trustee of a deed of trust acquiring an interest in any portion of the City Parcel or Alice Claim by reason of foreclosure, deed or assignment in lieu of foreclosure or purchase at foreclosure sale; but any such mortgagee or trustee of a deed of trust is not required to assume any obligation under this Grant of Easement unless and until such mortgagee or trustee of a deed of trust has so acquired an interest in any portion of the City Parcel or Alice Claim, and then only such as may arise by operation of law by reason of privity of estate as limited by the provisions of this Grant of Easement. Subject to the above, whenever in this Grant of Easement a reference to any Party is made, such reference includes a reference to the heirs, transferees, executors, legal representatives, successors and assigns of such Party.

h. Interpretation. Each of the Parties has participated in the preparation of this Grant of Easement, and no rule of construction applies construing this Grant of Easement against either Party based on the claim that one Party was the drafter of the Grant of Easement. This Grant of Easement is made in Summit County, Utah.

i. Relationship of Parties. No express or implied term, provision or condition of this Grant of Easement renders the Parties partners or joint venturers nor does anything herein create the relationship of landlord and tenant.

j. Non-Terminable Grant of Easement. No breach of the provisions of this Grant of Easement entitle any fee title owner of the City Parcel or Alice Claim or other Party to cancel, rescind or otherwise terminate this Grant of Easement, but such limitation does not affect, in any manner, any other rights or remedies which any Party may have hereunder by reason of any breach of the provisions of this Grant of Easement. No breach of the provisions of this Grant of Easement defeats or renders invalid the lien of any mortgage or deed to secure debt made in good faith for value covering the City Parcel or Alice Claim or any portion thereof or any improvements thereon.

k. Remedies. In addition to any other rights or remedies available to a Party hereof at law or equity, in the event a Party fails to comply with the provisions of this Grant of Easement, a Party may (but is not obligated to), after giving at least thirty (30) days' written notice to the other Party (or such shorter notice as may be reasonable under the circumstances, in case of an emergency), perform or cause to be performed such work or pay such sums as are necessary to comply with the terms of this Grant of Easement. In such event, all sums reasonably expended and all costs and expenses reasonably incurred by the Party in connection with such work shall be paid promptly on written demand to the other Party. Notwithstanding any provision in this Grant of Easement to the contrary, in no event shall a Party be liable to the other Party for indirect, special, punitive, or consequential damages, including, without limitation, lost profits. All rights and remedies provided under this Grant of Easement are cumulative and may be pursued singularly, in any combination, and in any order. The failure to enforce any of the terms and provisions contained herein is not a waiver of the right to thereafter strictly enforce the terms and provisions hereof.

l. Term. This Grant of Easement and the Alice Easement, rights, restrictions, obligations and liabilities created hereby are perpetual to the extent permitted by law. To the extent applicable law limits the term of any of the foregoing, the term thereof shall be automatically renewed for a period equal to the greater of one hundred (100) years or the longest period permitted by applicable law.

m. Governing Law. This Grant of Easement is governed by and construed in accordance with the laws of the State of Utah.

n. Modifications. This Grant of Easement may be modified, amended or terminated in whole or in part, only by a written instrument executed and acknowledged by the then fee title owner(s) of the City Parcel and the then fee title owner(s) of Alice Claim.

o. Non-Merger. In the event that fee simple title to the City Parcel and Alice Claim is held simultaneously by a single owner, the Easement and the terms, covenants, and obligations set forth in this Grant of Easement are not automatically merged into the combined fee simple estate.

p. Non-Dedication. Nothing in this Grant of Easement is a gift or dedication of all or any portion of the Alice Easement area for the general public or for any public purposes whatsoever, it being the intention of the Parties that the rights granted herein be strictly limited to the purposes expressed in this Grant of Easement. However, a general easement is hereby granted to all police, sheriff, fire protection, ambulance, and all other similar emergency agencies or persons to enter upon the Alice Easement area in the proper performance of their duties.

q. Attorney Fees. If there is a dispute under or otherwise relating to the enforcement of this Grant of Easement that is not resolved by mutual agreement among the Parties, the prevailing Party in such dispute is entitled to reimbursement by the non-prevailing Party for the costs and expenses (including without limitation attorney and expert fees) incurred by the prevailing Party in such dispute whether resolved by litigation, mediation or settlement agreement.

r. Grantee and its successors or assigns shall comply with all terms of the Deed Restriction, identified as Entry No. _____, recorded on _____ with the Summit County Recorder, against the Grantor's property wherein the Easement is located. Grantee acknowledges that the Deed Restriction was recorded prior to the Easement.

IN WITNESS WHEREOF, the Parties have executed this Grant of Easement as of the Effective Date.

KING DEVELOPMENT GROUP, LLC,
a Utah limited liability company

By: PCP, LLC, an Illinois limited liability company

By: _____
Its: Manager

STATE OF_____)
) ss.
County of _____)

On the ___ day of _____, 20__, personally appeared before me _____ who acknowledged before me that he signed the foregoing instrument on behalf of PCP, LLC, an Illinois limited liability company, the manager of **KING DEVELOPMENT GROUP, LLC**.

_____
Notary Public

My Commission Expires:

_____

PARK CITY MUNICIPAL CORPORATION,
a Utah municipal corporation

By: _____
ANDY BEERMAN, Mayor

ATTEST:

_____
City Recorder's Office

STATE OF UTAH)
) ss.
County of SUMMIT)

On the ___ day of _____, 2021, personally appeared before me ANDY BEERMAN, Mayor, who acknowledged before me that he signed the foregoing instrument on behalf of **PARK CITY MUNICIPAL CORPORATION,** a Utah municipal corporation.

_____
Notary Public

My Commission Expires:

EXHIBIT 1
to Grant of Easement

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:
Beginning at a point on Line 6-7 of the Alice Lode, Mineral Survey #3331, said point being also S89°06'26"E 746.50 feet, along the Section Line, and South 965.86 feet from the North Quarter Corner of said Section 21, and running thence, along said Line 6-7, N36°04'27"E 380.92 feet to a point on Line 2-3 of the Newell Lode USL-653; thence, along said Line 2-3, Newell Lode, N56°36'34"E 378.21 feet to a point on the Westerly Boundary Line of Subdivision No.1 of Millsite Reservation (Filed Aug. 13, 1887); thence, along said Westerly Boundary Line, S00°26'00"W 314.49 feet; thence S20°47'00"W 104.15 feet; thence S69°12'24"E 79.34 feet to the Northwesterly Right-of-Way Line of Ridge Avenue as shown on the Ridge Avenue Subdivision plat recorded as Entry No. 444460 in the Summit County Recorder's Office; thence, along said Northwesterly Right-of-Way Line, S22°07'48"W 103.24 feet to the Westerly Boundary Line of said Millsite Reservation; thence S00°26'00"W 212.93 feet, to a point on Line 3-4 of said Alice Lode, Mineral Survey #3331; thence, along said Line 3-4 of Alice Lode, S30°58'27"W 349.20 feet, to Corner #3 of said Alice Lode; thence, along Line 2-3 of said Alice Lode, S07°38'27"W 197.78 feet to a point on Line 1-2 of the Park View Lode USL-655; thence, along said Line 1-2 of the Park View Lode, N88°09'06"W 273.26 feet to a point on Line 1-2 of said Alice Lode MS-3331; thence, along said Line 1-2, Alice Lode, N59°26'30"W 173.91 feet to a point on Line 1-2 of the Huron Mine Lode USL- 256; thence, along said Line 1-2, Huron Mine Lode, N66°41'14"E 108.84 feet to Post #1 of said Huron Mine Lode; thence N29°43'52"E 198.26 feet; thence N33°28'21"E 96.51 feet; thence N25°06'47"W 370.00 feet to the Point of Beginning. Contains: 443,999 square feet or 10.19 acres.

LESS AND EXCEPTING THEREFROM: All of Parcel 5, Tax ID Number PC-S-55-X, being more particularly described as follows:

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:
Beginning at a point S89°06'26"E 1284.92 feet, along the Section Line, and South 669.67 feet from the North Quarter Corner of said Section 21, and running thence, S00°26'00"W 86.27 feet; thence S20°47'00"W 312.90 feet; thence S09°39'00"W 102.70 feet; thence S03°13'00"W 83.17 feet; thence S28°08'00"W 189.11 feet; thence S61°52'00"E 60.00 feet; thence S28°08'00"W 45.90 feet; thence S20°49'00"W 200.70 feet; thence S07°20'00"E 6.20 feet; thence S82°40'00"W 60.00 feet; thence S07°20'00"E 12.32 feet; thence N88°09'06"W 30.39 feet; thence N07°20'00"W 7.47 feet; thence S82°40'00"W 46.23 feet; thence N88°09'06"W 13.95 feet; thence N07°20'00"W 41.58 feet; thence N20°49'00"E 247.90 feet; thence N28°08'00"E 55.50 feet; thence S61°52'00"E 60.00 feet; thence N28°08'00"E 182.49 feet; thence N03°13'00"E 78.23 feet; thence N09°39'00"E 107.30 feet; thence N20°47'00"E 396.71 feet to the Point of Beginning. Containing 67,071 square feet or 1.540 acres.

SLC_5190944

EXHIBIT 2
to Grant of Easement

[City Parcel and Alice Easement Legal Description]

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the Westerly Boundary Line of Subdivision No. 1 of Millsite Reservation (Filed August 13, 1887) said point being also S89°06'26"E 1284.92 feet, along the Section Line, and South 669.67 feet from the North Quarter Corner of said Section 21, and running thence, along said Westerly Boundary Line, S00°26'00”W 86.27 feet; thence S20°47'00”W 312.90 feet; thence N68°07'21”W 30.00 feet; thence N20°47'00”E 393.21 feet to the Point of Beginning.

Containing 10,592 square feet or 0.24 acres.

WHEN RECORDED MAIL TO:
Questar Gas Company
P.O. Box 45360, Right-of-way
Salt Lake City, UT 84145-0360
.cp;

Space above for County Recorder's use
PARCEL I.D.#

EASEMENT GRANT

PARK CITY MUNICIPAL CORPORATION, a Utah municipal corporation, ("Grantor"), does hereby convey to QUESTAR GAS COMPANY dba Dominion Energy Utah, a corporation of the State of Utah ("Grantee"), its successors and assigns, for the sum of ONE DOLLAR ($1.00) in hand paid and other good and valuable consideration, receipt of which is hereby acknowledged, a non-exclusive right-of-way and easement (hereinafter collectively, "Easement") to construct, lay, maintain, operate, repair, alter, inspect, protect, make connections to, remove and replace pipelines, valves, valve boxes and install cathodic monitoring and mitigation facilities and other gas transmission and distribution facilities (hereinafter collectively called "Facilities"), said Easement being situated in the County of Summit, State of Utah, as shown on Exhibit "A" attached hereto and by this reference made a part hereof and more particularly described as follows, to-wit:

> Land of the Grantor located in Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian; said parcel being more particularly described as follows:
>
> Beginning at a point on the Westerly Boundary Line of Subdivision No. 1 of Millsite Reservation (Filed August 13, 1887) said point being also S89°06'26"E 1284.92 feet, along the Section Line, and South 669.67 feet from the North Quarter Corner of said Section 21, and running thence, along said Westerly Boundary Line, S00°26'00"W 86.27 feet; thence S20°47'00"W 312.90 feet; thence N68°07'21"W 30.00 feet; thence N20°47'00"E 393.21 feet to the Point of Beginning.
>
> Containing 10,592 square feet or 0.24 acres.

TO HAVE AND TO HOLD the same unto said Grantee, its successors and assigns, so long as the Facilities shall be maintained, with the right of ingress and egress to and from said Easement to construct, lay, maintain, operate, repair, alter, inspect, protect, make connections to, remove and replace the same. This Easement shall carry with it the right to use any available access road(s) for the purpose of conducting the foregoing activities. During temporary periods, Grantee may use such portion of the property along and adjacent to said Easement as may be reasonably necessary in connection with construction, maintenance, repair, removal or

replacement of the Facilities. Grantor shall have the right to use said premises except for the purposes for which this Easement is granted to Grantee, provided such use does not interfere with the Facilities or any other rights granted to Grantee hereunder.

Without limiting the generality of the foregoing, Grantor does hereby covenant, warrant and agree as follows:

1. Grantor shall not build or construct, nor permit to be built or constructed, over or across the Easement, any building, retaining walls, rock walls, footings or improvement which impairs the maintenance or operation of the Facilities.

2. Grantor shall not change the contour within the Easement without prior written consent of Grantee.

3. Grantor shall not plant, or permit to be planted, any deep-rooted trees, or any vegetation with roots that may damage the Facilities, within the Easement, without prior written consent of Grantee.

4. Grantor shall not place personal property within the Easement that impairs the maintenance or operation of the Facilities.

5. Grantee shall have the right to cut and remove timber, trees, brush, overhanging branches, landscaping and improvements or other obstructions of any kind and nature which may injure or interfere with Grantee's use, occupation or enjoyment of the Easement, without liability to Grantor, and without any obligation of restoration or compensation.

6. Grantor agrees to indemnify, hold harmless and defend Grantee, its agents and employees, from all claims, mechanics liens, demands, damages, actions, costs and charges for personal injury and property damage, and any other liabilities, including attorney's fees, arising out of or by any reason of Grantor's use of the Easement or any activities conducted thereon by Grantor, his/her/its agents, employees, invitees or as a result of Grantor's negligence.

7. Grantee and its successors or assigns shall comply with all terms of the Deed Restriction, identified as Entry No. _____, recorded on _____ with the Summit County Recorder, against the Grantor's property wherein the Easement is located. Grantee acknowledges that the Deed Restriction was recorded prior to the Easement.

8. The Easement is binding upon and inures to the benefit of the successors and assigns of Grantor and the successors and assigns of Grantee, and may be assigned in whole or in part by Grantee.

9. It is hereby understood that any parties securing this grant on behalf of Grantee are without authority to make any representations, covenants or agreements not herein expressed.

10. It is hereby understood that any parties securing this grant on behalf of Grantee are without authority to make any representations, covenants or agreements not herein expressed.

WITNESS the execution hereof this ____ day of _____, 2021.

GRANTOR:
PARK CITY MUNICIPAL CORPORATION,
a Utah municipal corporation

By: _____
ANDY BEERMAN, Mayor

ATTEST:

_____
City Recorder's Office

STATE OF UTAH)
) ss.
County of SUMMIT)

On the ___ day of _____, 2021, personally appeared before me ANDY BEERMAN, Mayor, who acknowledged before me that he signed the foregoing instrument on behalf of **PARK CITY MUNICIPAL CORPORATION,** a Utah municipal corporation.

_____
Notary Public

My Commission Expires:

REV05042015
Return to:
Rocky Mountain Power

Project Name: ALICE CLAIM PARK CITY
WO#:
RW#:

UNDERGROUND RIGHT OF WAY EASEMENT

For value received, **PARK CITY MUNICIPAL CORPORATION**, a Utah municipal corporation, ("Grantor"), hereby grants **ROCKY MOUNTAIN POWER**, an unincorporated division of PacifiCorp its successors and assigns, ("Grantee"), a non-exclusive easement for a right of way for the construction, reconstruction, operation, maintenance, repair, replacement, enlargement, and removal of underground electric power transmission, distribution and communication lines and all necessary or desirable accessories and appurtenances thereto, including without limitation: wires, fibers, cables and other conductors and conduits therefor; and pads, transformers, switches, cabinets, and vaults on, across, or under the surface of the real property of Grantor in Summit County, State of Utah, ("Easement") more particularly described as follows:

A parcel of land located in the Northeast Quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

Beginning at a point on the Westerly Boundary Line of Subdivision No. 1 of Millsite Reservation (Filed August 13, 1887) said point being also S89°06'26"E 1284.92 feet, along the Section Line, and South 669.67 feet from the North Quarter Corner of said Section 21, and running thence, along said Westerly Boundary Line, S00°26'00"W 86.27 feet; thence S20°47'00"W 312.90 feet; thence N68°07'21"W 30.00 feet; thence N20°47'00"E 393.21 feet to the Point of Beginning.

Containing 10,592 square feet or 0.24 acres.

Together with the present and (without payment therefor) the future right to keep the Easement clear of all brush, trees, timber, structures, buildings and other hazards which might endanger Grantee's facilities or impede Grantee's activities.

At no time shall Grantor place or store any flammable materials (other than agricultural crops), or light any fires, on or within the boundaries of the right of way. Subject to the foregoing limitations, the surface of the right of way may be used for a paved road, curb, gutter, sidewalk, retaining walls, landscaping and other purposes not inconsistent with the purposes for which this Easement has been granted.

The rights and obligations of the parties hereto shall be binding upon and shall benefit their respective heirs, successors and assigns.

To the fullest extent permitted by law, each of the parties hereto waives any right it may have to a trial by jury in respect of litigation directly or indirectly arising out of, under or in connection with this agreement**.** Each party further waives any right to consolidate any action in which a jury trial has been waived with any other action in which a jury trial cannot be or has not been waived.

Grantee and its successors or assigns shall comply with all terms of the Deed Restriction, identified as Entry No. _____, recorded on _____ with the Summit County Recorder, against the Grantor's property wherein the Easement is located. Grantee acknowledges that the Deed Restriction was recorded prior to the Easement.

[signature and acknowledgement are on next page]

Dated this _____ day of _____, 2021.

GRANTOR:

PARK CITY MUNICIPAL CORPORATION,
a Utah municipal corporation

By: _____
ANDY BEERMAN, Mayor

ATTEST:

_____
City Recorder's Office

STATE OF UTAH)
) ss.
County of SUMMIT)

On the ___ day of _____, 2021, personally appeared before me ANDY BEERMAN, Mayor, who acknowledged before me that he signed the foregoing instrument on behalf of **PARK CITY MUNICIPAL CORPORATION,** a Utah municipal corporation.

_____
Notary Public

My Commission Expires:

WHEN RECORDED RETURN TO:

Park City Municipal Corporation
Legal Department

THIS SPACE FOR RECORDER'S USE ONLY

ENVIRONMENTAL DEED RESTRICTION

THIS ENVIRONMENTAL DEED RESTRICTION (the "Deed Restriction") is made as of _____, 20__, by Park City Municipal Corporation, a Utah municipal corporation, ("Declarant").

RECITALS

A. Declarant is the owner of certain land located in the Park City, Summit County, Utah, described in Exhibit 1 to this Deed Restriction ("Property");

B. An environmental cleanup has been completed on the Property; and

C. Through the recording of the Deed Restriction, Declarant intends to restrict the use of the Property and require compliance with the environmental site management requirements of this Deed Restriction.

NOW THEREFORE, Declarant declares as follows:

1. Covenant Running with Land. In consideration of the benefits obtained by Declarant, the receipt and adequacy of which are hereby acknowledged, Declarant hereby covenants and agrees, and does by this Deed Restriction intend, to restrict the future use of the Property as set forth below, by the establishment of this covenant running with the Property.

2. Site Management Restrictions: Soils within the Property may have concentrations ("Impacted Soil") that exceed 400 milligrams per kilogram ("mg/kg") lead and 100 mg/kg arsenic ("Action Levels"). Identified areas of Impacted Soil are presented in the 2020 Supplemental Remedial Action Report on file with the Utah Department of Environmental Quality, VCP #043. Impacted Soil within the Property must be managed when Impacted Soil is

encountered and disturbed. The following must be followed whenever Impacted Soil is found within the Property:

a. Access Control. An access control plan must be followed to restrict access to Impacted Soil. The plan should address designated points of ingress and egress, parking, staging of equipment and materials, and management of haul vehicles.

b. Health and Safety. A health and safety plan must be prepared to address anticipated work conditions and potential contaminants and to protect workers and the public.

c. Identifying Impacted Soil. Impacted Soil includes mine waste material and soil that, at minimum, has a concentration greater than the Action Levels as measured using an x-ray fluorescence device or through laboratory analysis.

d. Dust Control. Fugitive dust must be controlled using the following minimum best management practices ("BMPs"):

i. Apply water spray, with or without additives, during excavation, loading, and dumping operations, and to disturbed areas, coverings, and soil piles, as needed.

ii. Cover soil piles, as necessary.

iii. Cover haul trucks prior to leaving the Property.

iv. Control speed of vehicles on the Property.

e. Storm Water and Erosion Control. Storm water discharge permit coverage for construction activities must be obtained from the appropriate agencies prior to implementation of ground disturbance or remediation activities. BMPs are necessary for storm water run-off to and from the Property associated with ground disturbing activities and remediation activities. Construction activities disturbing one acre or greater are required to be covered by storm water discharge permitting. A storm water pollution prevention plan with BMPs for erosion control is required onsite.

f. Decontamination. Impacted Soil loads in haul trucks must be covered prior to leaving the Property. Trucks and equipment must be inspected, and Impacted Soil, if present, must be removed from the outside of the vehicles leaving the Property.

g. Cover and Disposal. Unless disposed offsite, Impacted Soil must be returned to the excavated area within the Property and covered with material having lead and arsenic concentrations that are below Action Levels. The cover material must be a similar type material (*e.g.*, asphalt, road base, grass, cap, etc.) that was in-place prior to site disturbing activities. The cover material over Impacted Soil must not be less than one foot. Impacted Soil that is removed from the Property must be disposed at a disposal facility licensed to accept the Impacted Soil.

4. Successors and Assigns Bound. Declarant agrees, covenants, and acknowledges that the Property is to be held, sold, conveyed, leased, owned, operated, occupied and used subject to the applicable terms, conditions and obligations imposed by the Deed Restriction relating to the use, repair, maintenance and/or improvement of the Property, and matters incidental thereto. Such terms, conditions and obligations are a burden and restriction on the use of the Property, as applicable. The provisions of the Deed Restriction are enforceable as equitable servitudes and conditions, restrictions and covenants running with the Property, and are binding on Declarant and upon each and all of its respective successors, assigns, employees, agents, representatives, contractors, easement holders, and upon each future owner and easement holder of the Property.

5. Severability. If any provision of this Deed Restriction is deemed by a court to be illegal or unenforceable, that provision is severed, and the remainder of this Deed Restriction remains operative and binding.

[signature and acknowledgement are on next page]

IN WITNESS WHEREOF, Declarant has executed this Deed Restriction as of the Effective Date.

DECLARANT:

PARK CITY MUNICIPAL CORPORATION,
a Utah municipal corporation

By: _____
ANDY BEERMAN, Mayor

ATTEST:

_____
City Recorder's Office

STATE OF UTAH)
) ss.
County of SUMMIT)

On the ___ day of _____, 2021, personally appeared before me ANDY BEERMAN, Mayor, who acknowledged before me that he signed the foregoing instrument on behalf of **PARK CITY MUNICIPAL CORPORATION,** a Utah municipal corporation.

_____
Notary Public

My Commission Expires:

<u>EXHIBIT 1</u>
to Environmental Deed Restriction

Legal Description of the Property:

Land of the Grantor located in Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian; said parcel being more particularly described as follows:

Beginning at a point on the Westerly Boundary Line of Subdivision No. 1 of Millsite Reservation (Filed August 13, 1887) said point being also S89°06'26"E 1284.92 feet, along the Section Line, and South 669.67 feet from the North Quarter Corner of said Section 21, and running thence, along said Westerly Boundary Line, S00°26'00”W 86.27 feet; thence S20°47'00”W 312.90 feet; thence N68°07'21”W 30.00 feet; thence N20°47'00”E 393.21 feet to the Point of Beginning.

Containing 10,592 square feet or 0.24 acres.

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Franklin Williams
Submitting Department: Transit
Item Type: Staff Report
Agenda Section:

Subject:
Request to Authorize the City Manager to Execute the Professional Services Agreement with Optibus Inc., for Software Installation and Support to Facilitate Enhanced Transit Route Design and Driver Schedule Optimization, in an Amount Not to Exceed $61,000 Per Year, for Three Years, in a Form Approved by the City Attorney

Suggested Action:

Attachments:
Transit Route Design and Scheduling Software Staff Report

City Council
Staff Report

Subject:	**Professional Services Contract for Transit Route Design and Scheduling Optimization Software**
Author:	**Franklin Williams and Kim Fjeldsted**
Department:	**Transportation / Transit**
Date:	**02-25-2021**
Type of Item:	**Administrative**

Recommendation

Approve a Service Provider/Professional Services Agreement with Optibus Inc., for enhanced transit route design and driver scheduling optimization software, not to exceed $61,000, per year. The contract is for a three-year term, in a form to be approved by the City Attorney.

The Optibus software will produce significant long-term savings in miles, hours, vehicle, and labor costs, well beyond the cost of the software itself.

Background and Analysis

- The new transit team is committed to investments in best practices and technology that create more effective transit routes, optimizes vehicle utilization and driver schedules, and collects data to enable continuous improvement.
- Park City Transit expends ~$4.8M annually on labor and makes considerable investments in capital infrastructure and equipment (electric busses).
- Optimizing system efficiency and using modern software is necessary to continue to improve the existing system, as well as take advantage of the separation from Summit County.
- Over time, Park City Transit will include bus-rapid-transit, expanded on-demand service, and potential aerial connections.
- Re-designing Park City Transit routes involves mapping software that compares multiple alignments, including parameters such as housing density, census data, and travel times.
- Transit planning software enables the transit operator to fine-tune schedules to eliminate unnecessary time while maintaining reliability. Vehicle assignment is called blocking and involves matching the best bus to the service, ensuring that the bus can complete the full block without running out of fuel or battery charge, and ensuring that daily service and scheduled preventive maintenance is performed.
- Effective blocking enables the transit agency to get the most work out of their fleet while preventing vehicle-related service interruptions. Blocking is currently performed manually by Park City and includes a great deal of daily reassignment of buses to cover the work.

  Currently, all driver shift scheduling and route schedule design and programming are performed manually. Additionally, optimizing electric vehicle use and charging to make the best use of electricity rate structures, battery life, and maximizing daily usable service requires specialized software to fully leverage electric vehicle investments. Park

City Transit currently does not have this capability, and the evolution of the Park City Transit system has rendered the current manual methods inadequate for supporting efficient use and optimization of resources.
In addition, two previous reviews of Park City Transit's operations highlighted the need to procure run-cutting and scheduling software to optimize available resources (Gaudet, 2018; Benson, 2019).
An RFP was executed, and the vendor chosen was Optibus Inc.

Funding

The project cost is funded by a budgeted Capital Improvement Project in year one and the Transit operations fund in the following years. The payments are annual for a three-year term.

Department Review

This report has been reviewed by Transit, Legal, Budget, and the City Manager

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Michelle Kellogg
Submitting Department: Executive
Item Type: Staff Report
Agenda Section:

Subject:
2021 Legislative Update

Suggested Action:
Each week during the 2021 Legislative Session, the City Manager will provide a verbal update and synopsis of the Session to date.

Attachments:

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: John Robertson
Submitting Department: Engineering
Item Type: Continuation
Agenda Section:

Subject:
Consideration to Continue an Ordinance Amending Title 11, Building and Building Regulations, Chapter 16 Flood Damage, of the Municipal Code of Park City, Implementing New Mapping and Regulations for Flood Damage Prevention in the Areas of Special Flood Hazard
(A) Public Hearing (B) Continue to March 11, 2021

Suggested Action:

Attachments:
Flood Damage Ordinance Continuation Staff Report

City Council
Staff Report

Subject:	**Flood Damage Code Amendment**
Author:	**John Robertson, City Engineer**
Department:	**Engineering**
Date:	**February 25, 2021**
Type of Item:	**Administrative**

Recommendation

Staff recommends that Council continue the Flood Damage code amendment to March 11, 2021 as staff modifies the current Flood Damage ordinance to ensure clarity of the required ordinance modifications requested by FEMA.

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Julia Collins
Submitting Department: Transportation Planning
Item Type: Work Session
Agenda Section:

Subject:
Transportation Planning and Projects Update

Suggested Action:

Attachments:
Transportation Projects Update Staff Report

Exhibit A: Upcoming Capital Transportation Projects

Exhibit B: Planned Regional Transportation Projects

Exhibit C: Grant Project List

City Council Staff Report

Subject: Transportation Planning and Projects Update
Authors: Julia Collins, Transportation Planning
John Robertson, City Engineer
Alex Roy, Senior Transportation Planner
Austin Taylor, Transportation Demand Mgmt and Active Transportation
Departments: Transportation Planning and Engineering
Date: February 25, 2021
Type of Item: Work Session

Executive Summary

Review the following update on transportation planning efforts and provide feedback on proposed priorities and next steps. Staff is advancing transportation plans and projects to ensure that the outcomes align with the community's aggressive transportation goals. The various planning processes currently underway are a necessary stepping stone to make smart, aggressive, and potentially bold changes to the community's transportation system.

Report Overview

This report will discuss three closely related items:

1. Update on transportation master plans;
2. Overview of several capital construction projects over the next 1-2 years; and
3. Overview of the next 5-10 years of priority capital projects.

The Park City community determined "Transportation Innovation" to a main priority Pillar during the Vision 2020 process. As we work to quickly build out our goals and strategies around this Vision Pillar, it is necessary to update our guiding Transportation Master Plans and define "bold action" into concrete capital and infrastructure projects. Typically, various inputs guide capital projects, including studies, technical analyses, engineering, available funding sources, and community/council goals.

Transportation Master Plan Update

The Transportation Planning team is working on completing three major master plans, the Long Range Transportation Master Plan, Short Range Transit Plan and Active Transportation Master Plan, which will provide a cohesive road map for our transportation projects over the next ten years. These plans will be completed by the end of Spring 2021.

As discussed at the October 1, 2020 City Council meeting, the current long range transportation master plan is the nearly decade-old Traffic and Transportation Master Plan (TTMP). The relevant projects in the TTMP have been accomplished, such as shoulder running bus on SR-224, intelligent parking systems, real-time transit info, transit to Salt Lake City, and trail improvements. The current desires of the community, displayed through Vision 2020, require updated plans and resource prioritization.

The Long Range Transportation Master Plan, branded Park City Forward, updates the TTMP, integrates Vision 2020, and provides a foundation for goals and modal decisions. Staff expects to complete Park City Forward in summer 2021. The next steps are to engage the technical advisory committee, complete the project lists and public engagement. Park City Forward will serve as the overarching strategic document for future transportation projects and planning efforts, such as .

Elements of Park City's Long Range Transportation Master Plan:

- Goals and Vision Statement
- Public engagement that feeds into all elements
- Scenario planning and modeling: testing plausible futures
- Short term and longer term multimodal project list

    - Fiscally constrained systems plan 1-5 years and 5-10 years
    - Vision network for all modes
- Key strategies and steps for implementation
    - Roadways including an improvement plan, ensuring modal integration
    - Transit, including first/last mile, transit facilities, high level network, park and rides, aerial and expanding technologies
    - Active transportation, high level safety and network
    - Intelligent Technology Solutions (ITS)
    - Shared mobility services and autonomous vehicles
    - Freight and commercial goods delivery
    - Parking

Short Range Transit Plan
The current Short Range Transit Plan ("SRTP") was completed for Park City and Summit County in 2016. Most of the projects and services outlined in the 2016 plan were implemented, such as the White 10 Electric Express, the implementation of a transit signal priority on all traffic signals, and other transit improvements. The industry standard is to update this plan every 4-5 years, meaning this SRTP will span the 2022-2025 timeline.

Two significant developments will shape the new SRTP, namely, the passage of additional transit taxes in 2016 and 2018 and a planned shift of responsibility for regional transit operations to Summit County via their newly formed regional transit district.

The new SRTP will evaluate and incorporate innovative, high-value options for transit service within Park City Municipal boundaries. These include on-demand microtransit, smartphone apps, mobility service, aerial systems, transit vehicles/equipment alternatives, coordination with private transportation companies, and integration with walking and biking systems. The City will also pursue a second phase to evaluate a transit-exclusive mode that compares aerial transit system with dedicated busways to connect the four primary destinations. Those four destinations include Park City Mountain Resort base area, Deer Valley Resort Snow Park base area, Old Town Park City, and the potential Park City Arts and Culture District. The Federal Transit Authority (FTA) has committed to covering 80% of the plan's costs through a planning assistance fund. Currently, proposals are under review, and staff will return to Council for contract approval.

Active Transportation Master Plan
The Active Transportation Master Plan (ATP) will be a blueprint to guide the development of a world-class biking and walking network. The ATP will include a network for high priority areas, and policy and program recommendations on encouraging residents, employees, and visitors to walk and bike year-round. This will be the first ATP the City will have developed and will build on the 2006 Walkability project. In fall 2020, the City received a grant from the Utah Department of Transportation (UDOT) to support this plans development. UDOT is contributing $70,000, and the City is responsible for a match contribution of $25,000. The ATP Scope of Work has been developed and will be advertised for procurement this month.

The objectives for the ATP are as follows:
- Identify critical infrastructure investments to improve access, comfort, and safety for people using active transportation, focusing on connections to major destinations and transit stops and including networks for walking and biking;
- Create an on-street wayfinding plan to direct people to Park City's paved trail network that includes etiquette techniques;
- Identify education, encouragement, enforcement, and equity programs to boost the share of residents and guests who use active transportation;

- Build on the newly adopted modal hierarchy pyramid and street cross-sections and engineering standards to develop active transportation infrastructure design standards for road rehabilitation projects; and
- Identify performance measures and data collection methods to help track usage over time.

Overview of Other Transportation-related Capital Projects

The transportation planning, engineering, and trails departments are responsible for delivering transportation capital projects that advance the City's transportation goals. These projects align with the multimodal, pedestrian safety goals established in Vision 2020 and are included in Park City Forward. In the next two years, the City will begin construction on ten projects that will provide innovative and bold multimodal transportation solutions. A handful will be completed through partnerships with UDOT, private developers and the City's Public Utilities Department. Exhibit A outlines the funded project timelines, locations, and descriptions.

Looking beyond the two-year horizon, a recommended priority project list has been drafted that will advance the goals of pedestrian and bicycle safety, promote the "car-optional" lifestyle, and encourage modal shifts from the single-occupancy automobile to other sustainable modes. Many projects could be defined as bold actions. The priorities fall into three categories: capital, state of good repair, and operational projects. The majority of these projects are identified in Vision 2020 and the draft Park City Forward Transportation Master Plan. This list is found in Exhibit B, and is expected to grow once the plans mentioned above are completed.

The priority project list is founded on the following principles: project readiness, greatest impact on the multimodal transportation network, customer experience, ridership, possible partnership/collaborations, community support, transportation network gaps, and creating connections. These projects will improve the customer experience of the transportation system, advance the City's sustainability and environmental goals, and improve system efficiency and ridership in the respective modes. Additionally, the projects will have the most significant impact on the transportation network relative to the investment.

This list captures the next round of capital projects; however, they lack adequate funding to advance to construction. Therefore, staff plans to pursue grants and funding through the capital budgeting process.

Staff assembled Exhibit C to demonstrate the estimated capital funding paired with the confidence rating for receiving grants. While staff seeks outside grant opportunities, additional design, engineering, and analysis will need to be conducted to advance construction when funding becomes available from an outside entity. Ultimately, the priority project list creates a roadmap for a strategic approach to grant applications and advances the transportation capital improvement program.

Next Steps

Staff requests feedback and direction from Council on the priority project list before engaging in further project development. The planned project list will act as an interim guiding document until the more extensive master plans are finalized. This list will also inform staff, the public, and developers on Park City's transportation priorities and expectations.

Conclusion

Park City is known for being innovative with transportation solutions, pushing boundaries on programs and policies, and thinking big. The updated modal plans (short-range transit and active transportation) under development will showcase these ideas and provide realistic timelines, work plans, projects, policies, budgets, and metrics for implementation. Moving forward with these

efforts will allow a strategic and aggressive approach to transportation improvements for our community.

Attachments

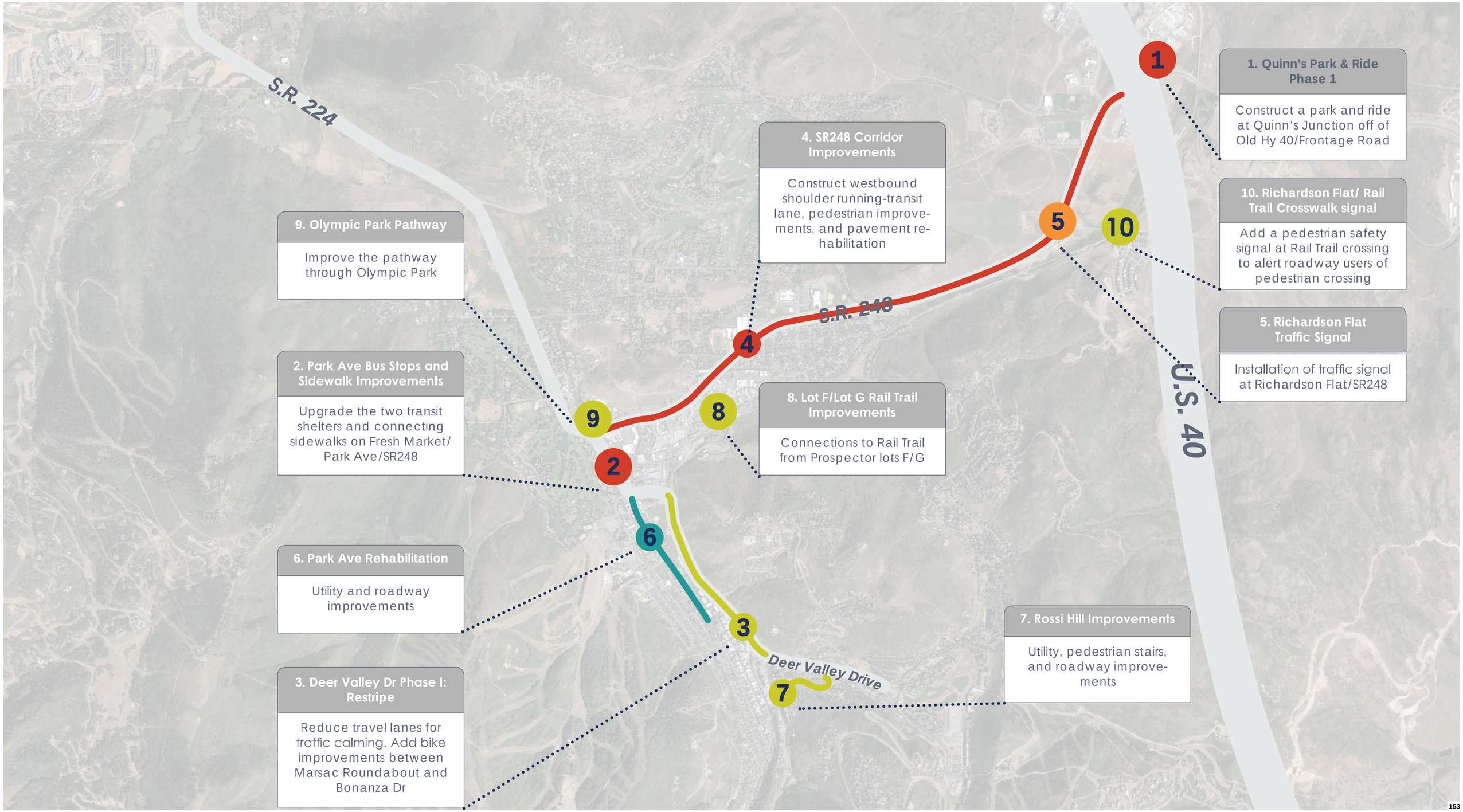
Exhibit A – Map of Capital Projects
Exhibit B – Map of Planned Priority Projects
Exhibit C – Estimated Capital Project Funding

Upcoming Capital Transportation Projects

This is an overview of funded capital transportation projects to be implemented by Spring 2022.

Legend

- Spring 2021 Construction
- Summer 2021 Construction
- Fall 2021 Construction
- Spring 2022 Construction
- Regional Roadway

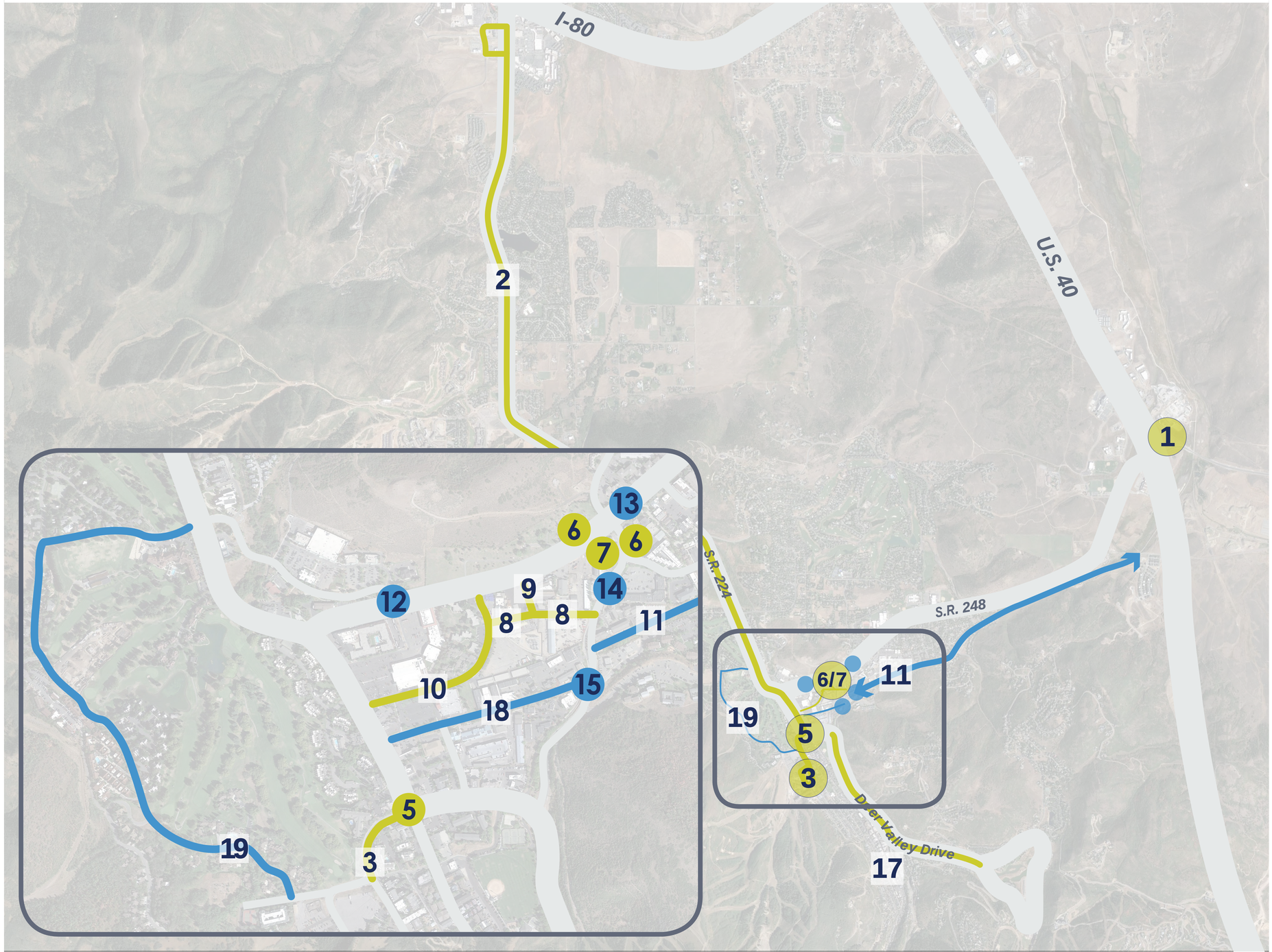


Planned Regional Transportation Projects

This is an overview of planned regional transportation projects to be implemented in 5-10 years. Projects listed are not currently funded and are awaiting budget allocation or funding opportunities.

Legend

- High Priority Projects
- Priority Projects
- Regionally Significant Street/Roadway



Capital Projects List

1. Quinn's Junction Park & Ride Phase II
Project Details: Build a transit station, end of line transit facilities, electric bus charger, and an ebike station. Provide intersection improvements, signage, and VMS boards.

2. SR 224 Bus Rapid Transit (BRT)
Project Details: Add side-runnning BRT transit lanes, transit intersection improvements, and signage. Project includes potential roadway widening to accommodate transit lanes.

3. Empire Avenue and Multimodal connections
Project Details: Provide transit priority and enhanced connectivity for bikes/pedestrians. Improvements could include transit lanes, pathways, and other improvements outside the base area redevelopment.

4. Deer Valley Drive Complete Streets
Project Details: Provide transit priority and enhanced connectivity for bikes/pedestrians. Improvements could include transit lanes, pathways, and other improvements outside the resort area redevelopment

5. Empire/Park/SR224 Intersection and Street Improvements
Project Details: Update intersection with transit priority and pedestrian safety improvements.

6. Arts & Culture Transit Stops
Project Details: Construct regional transit stops on Westbound SR248 and Northbound Bonanza. Add transit facilities/amenities, bus pullouts, sidewalk and pathway improvements.

7. Arts & Culture Parcel Transportation Improvements
Project Details: Includes two onsite transit shelters with bus pullouts; a waiting area inside building #2; and a pathway and sidewalks on SR248/Bonanza. *Funded with $3 million in the existing budget.*

8. Munchkin Complete Street Connection and Improvements
Project Details: Extend road through to Homestake. Add a 15' pathway on the south side, and a 5' sidewalk on north side; shared bike lane markings and a high visibility crossing at Munchkin/Bonanza Dr; utility relocations, roadway connections, and landscaping.

9. Woodbine Complete Streets Improvements
Project Details: Reconstruct Woodbine with a 5' sidewalk, shared bike lane markings, signs, drainage, utilities and an improved Woodbine/SR248 crossing.

10. Homestake Complete Streets Improvements
Project Details: Add a 12' pathway on south side of Homestake and shared bike lane markings and improve SR224 pedestrian crossings. Project may also include utility relocation, roadway connections, pathways/sidewalks, bike markings, protected pedestrian crossings, and landscaping.

11. Rail Trail Widening
Project Details: Resurface and widen the rail trail to 14'. Improve drainage, erosion control, and add bridges.

12. Snow Creek Crossing (Tunnel under SR248)
Project Details: Road will be extended through to Homestake. Inclusion of a 15' pathway on south side; 5' sidewalk on north side; shared bike lane markings, high visibility crossing at Munchkin/Bonanza Dr, Utility relocation, roadway connections and landscaping.

13. SR248/ Bonanza Wells Fargo Tunnel
Project Details: Tunnel under SR248/Kearns in front of Wells Fargo

14. Bonanza/Prospector Tunnel or Bridge
Project Details: Crossing Bonanza connecting Arts and Culture to Prospector Square and Rail Trail.

15. Iron Horse Intersection/Rail Trail tunnel
Project Details: Tunnel improvement from Arts and Culture district to existing tunnel on Bonanza Drive

***16. Mobility as a Service Improvements/Curbside Improvements**
Project Details: Drop-off and pick-up zones, modifications to curb space, include methods such as car and bike sharing, taxis and car rentals/leases, and provides consumer travel options.

17. Old Town Complete Street Improvements
Project Details: Numerous active transportation improvements and traffic calming features for the Old Town core. May include byway opportunities, lighting, wayfinding, pedestrian crossings, improved bike/pedestrian facilities.

18. Iron Horse Complete Street Improvements
Project Details: Enhanced sidewalks and improved pathways, connections to Rail Trail, intersection improvement to Bonana Dr.

19. Three Kings Complete Street Improvements
Project Details: Transit improvements, pathway connections, bike markings, and traffic calming measures on Three Kings Drive to Thaynes Canyon Drive.

*Other Projects

State of Good Repair and Operational Projects

A. Electric Vehicle Charging Infrastructure
Upgraded electric chargers; DC fast charger/trickle charger.

B. Electric Bus Fleet Replacement
Convert entire transit fleet to electric vehicles.

C. Bus Shelter Maintenance
Improved design, sidewalk connections, transit shelters, lighting, signage, etc.

D. Rail Trail Maintenance
Maintain the rail trail pavement, improve drainage, weed control, etc

E. SR248 Express Bus NEPA
Plan and design to connect Quinns and Park City with transit priority

F. On-Demand Micro Transit
On-Demand transit service with flexible routing, scheduling, vehicles, etc.

G. Electric Autonomous Vehicle
Electric autonomous vehicle that operates as a circulator service.

H. Variable Message Boards
Continue to expand real time traveler information.

***Not pictured on map**

DRAFT: Priority Transportation Capital Projects Needs (5-10 years)

	ID	Project Name	Description	Cost Estimate	Priority	Grant Opportunities: Potential grant amount	Grant award confidence rate	estimated local match
HIGH PRIORITY	1	**Quinn's Junction Park & Ride Phase II**	Transit station, end of line transit facilities, electric bus charger, ebike station, intersection improvements, signage, VMS	$ 2,500,000	Ridership/Customer Experience: **High** Sustainability/Environment: **High** System Efficiency: **High**	$ 2,000,000	High	$ 500,000
	2	**SR224 BRT Transit improvements**	PC municipal will be responsible for transit intersection improvements, signage, potential roadway widening to accommodate transit lanes between SR224/ Empire and Marsac	$ 20,000,000	Ridership/Customer Experience: **High** Sustainability/Environment: **High** System Efficiency: **High**	$ 16,000,000	Med	$ 4,000,000
	3	**PCMR Area Transit and Multimodal Connections**	Improve connectivity for transit vehicles, pedestrians, and bikes to PCMR. Improvements could include through two-way transit lanes, wider sidewalks, bulbouts, bike lanes, pedestrian and intersection improvements on	$ 3,000,000	Ridership/Customer Experience: **High** Sustainability/Environment: **High** System Efficiency: **High**	$ 2,100,000	Med	$ 900,000
	4	**Deer Valley Drive Complete Streets and Resort Transit Access**	Improvements to advance transit only facilities (SR224/Deer Valley dr), transit priority access to the DV transit hub, improve the DV transit hub, improved sidewalks, pathways and bike lane connections.	$ 3,000,000	Ridership/Customer Experience: **High** Sustainability/Environment: **High** System Efficiency: **High**	$ 2,400,000	Med	$ 600,000
	5	**Empire/Park/SR224 Intersection and Street Improvements**	Provide improved transit access through Empire/Park/SR224 intersection and Empire improvements. Cost estimate is approximate.	$ 2,500,000	Ridership/Customer Experience: **High** Sustainability/Environment: **High** System Efficiency: **High**	$ 2,000,000	Med	$ 500,000
	6	**Arts and Culture: Transit Stops**	Construct 2 regional transit stops on Westbound SR248 and Northbound Bonanza, transit facilities and amenities, bus pullout, sidewalk and pathway improvements.	$ 2,500,000	Ridership/Customer Experience: **High** Sustainability/Environment: **Med** System Efficiency: **High**	$ 2,000,000	High	$ 500,000
	7	**Munchkin Complete Street Connection and Improvements**	Road will be extended through to Homestake. Inclusion of a 15' pathway on south side; 5' sidewalk on north side; shared bike lane markings, high visibility crossing at Munchkin/Bonanza Dr, Utility relocation, roadway connections and landscaping	$ 1,300,000	Ridership/Customer Experience: **Med** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 1,040,000	High	$ 260,000
	8	**Woodbine Complete Streets Improvements**	Woodbine reconstruction, with a 5' sidewalk, shared bike lane markings, signs, drainage, utilities and improved Woodbine/SR248 crossing.	$ 400,000	Ridership/Customer Experience: **Med** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 320,000	Low	$ 80,000
	9	**Homestake Complete Streets Improvements**	Homestake will accommodate additional 12' pathway on south side and shared bike lane markings; improved SR224 pedestrian crossings; May also include utility relocation, roadway connections, pathway and sidewalks, bike markings, protected pedestrian crossings, landscaping.	$ 2,100,000	Ridership/Customer Experience: **Med** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 1,470,000	Low	$ 630,000
PRIORITY	10	**Rail Trail Widening**	Widening the rail trail to 14' include a resurface, improve drainage, erosion control, add bridges	$ 1,100,000	Ridership/Customer Experience: **High** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 850,000	High	$ 250,000
	11	**Snow Creek Crossing aka Tunnel under SR248**	Tunnel under SR248/Kearns in front of Zions next to Snow Creek	$ 5,000,000	Ridership/Customer Experience: **Med** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 3,000,000	Med	$ 2,000,000
	12	**SR248/ Bonanza Wells Fargo Tunnel**	Tunnel under SR248/Kearns in front of Wells Fargo	$ 5,000,000	Ridership/Customer Experience: **Med** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 4,200,000	Low	$ 800,000
	13	**Bonanza/Prospector Tunnel or Bridge**	Crossing Bonanza connecting Arts and Culture to Prospector Square/Prospector Ave/Rail Trail	$ 15,000,000	Ridership/Customer Experience: **Med** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 10,800,000	Low	$ 4,200,000
	14	**Iron Horse Intersection/Rail Trail tunnel**	Tunnel improvement from Arts and Culture district to existing Bonanza tunnel	$ 4,000,000	Ridership/Customer Experience: **Med** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 4,200,000	Low	$ 800,000
PRIORITY	15	**Mobility as a Service Improvements and curb side improvements**	Drop off and pick up zones, modifications to curb space, real-time software platform include any combo of transport methods such as car and bike sharing, taxis and car rentals/leases, and provides consumer travel planning to payments.	$ 1,500,000	Ridership/Customer Experience: **Med** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 750,000	Low	$ 750,000
	16	**Old Town Complete Street Improvements**	Numerous active transportation improvements and traffic calming features including additional neighborhood byway opportunities, lighting, wayfinding, pedestrian crossings,	$ 3,000,000	Ridership/Customer Experience: **Med** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 2,000,000	High	$ 1,000,000
	17	**Iron Horse Complete Street Improvements**	Street improvements, enhanced sidewalks and improved pathways, and pathway connection to Rail Trail, intersection improvement to Bonana Dr. Improved crossing at Shortline and Iron Horse.	$ 2,200,000	Ridership/Customer Experience: **Med** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 1,540,000	High	$ 660,000
	18	**Three Kings Complete Street**	Transit shelter, bike markings and traffic calming measures on Three Kings Drive to Thaynes Canyon Drive	$ 1,200,000	Ridership/Customer Experience: **Low** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 800,000	High	$ 300,000

State of Good Repair Projects**

1	**Electric Vehicle Charging Infrastructure**	Three transit electric chargers: DC fast chargers/trickle	$ 1,500,000	Investment needs to occur in order to keep electric fleet operable. Maintain operational asset or service level degrades.	$ 1,280,000	High	$ 220,000
2	**Electric Bus Fleet Replacement**	convert entire fleet over	$ 5,000,000	Diesel fleet replacement	$ 4,000,000	Med	$ 1,000,000
3	**Bus shelter maintenance**	ADA compliance, sidewalk connections, transit shelters, lighting, signage, etc.	$ 300,000	Annual contribution to update and maintain bus shelters within Park City	n/a	No grants exist	$ 300,000
4	**Rail Trail Maintenance**	Maintain the rail trail, Sr248 to Prospector	$ 300,000	Needed to maintain service levels.	n/a	No grants exist	$ 300,000

Additional Operational Projects that need funding***

1	**SR248 Express Bus NEPA**	Pland to connect east side with Quinns and PC, AA, design and NEPA	$ 1,400,000	Ridership/Customer Experience: **High** Sustainability/Environment: **High** System Efficiency: **High**	$ 300,000	High	$ 1,100,000
3	**On-demand micro transit**	on-demand transit, flexible routing/scheduling, vehicles, etc.	$ 1,200,000	Ridership/Customer Experience: **High** Sustainability/Environment: **High** System Efficiency: **High**	$ 960,000	Med	$ 240,000
2	**Electric Autonomous Vehicle**	Park ave/Arts and Culture circulator	$ 1,000,000	Ridership/Customer Experience: **High** Sustainability/Environment: **High** System Efficiency: **High**	$ 800,000	Med	$ 200,000
4	**Variable Message Boards**	Variable Message Boards providing real time travel information along major roadways	$ 120,000	Ridership/Customer Experience: **Med** Sustainability/Environment: **Med** System Efficiency: **Med**	$ 60,000	Med	$ 60,000

PARK CITY 1884
PLANNING DEPARTMENT

City Council Staff Report

Subject: 1064 Park Avenue Condominium Plat
Author: Laura Kuhrmeyer, Planner
Project Number: PL-20-04644
Date: February 25, 2021
Type of Item: Legislative – LMC Amendment

Summary Recommendation

Staff recommends continuing this item to the March 18, 2021 meeting to allow the Historic Preservation Board and Planning Commission to provide a recommendation to Council.

Description

Project Name:	Land Management Code (LMC) Amendments to Chapter 15-2.4, Historic Residential-Medium Density (HRM) District, and Chapter 15-15, Defined Terms.
Applicant:	Planning Department
Reason for Review:	Amendments to the Land Management Code (LMC) affecting the Historic Districts require Historic Preservation Board and Planning Commission recommendation to City Council for adoption. The purposes of the Historic Preservation Board include providing input to staff, the Planning Commission, and City Council to safeguard the heritage of the City and to protect Historic Sites, Buildings, and Structures; as well as making recommendations to the Planning Commission and City Council on ordinances that may encourage Historic preservation.

Executive Summary

The City received a Historic District Design Review Pre-Application that proposed a shared driveway between two properties in the Historic Residential – Medium Density (HRM) Zoning District. After reviewing the project, staff determined that the LMC does not contemplate the Shared Driveway and below-Grade Common Parking Structures occurring on lots that generally do not have steep slopes, such as Lots in the HRM zone. The LMC currently allows for one (1) Shared Driveway and, as a Conditional Use, a below-Grade Common Parking Structure between the two Side Setbacks of participating Properties. As a result, staff recommends amending LMC Section 15-2.4-3, *Lot and Site Requirements* and LMC Section 15-2.4-11, *Parking Regulations* to amend Rear and Side Setback exceptions for below-Grade Shared Parking Structures.

Should the proposed amendments move forward, the Historic District Design Guidelines (LMC Chapter 15-13) will need to be amended alongside these proposed amendments. However, Staff has only included the original LMC Amendments, as included in the February 3, 2021 HPB Packet, in this report and exhibits. Staff will return with additional redlines for LMC 15-13 in March.

This proposed LMC Amendment was scheduled to be reviewed by HPB on February 3, 2021. However, the meeting ran late, and the item was continued, without discussion, to the following meeting, March 3, 2021.

Recommendation

Staff recommends continuing this item to the March 18, 2021 meeting to allow the Historic Preservation Board and Planning Commission to provide a recommendation to Council.

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Jenny Diersen
Submitting Department: Sustainability
Item Type: Resolution
Agenda Section:

Subject:
Consideration to Adopt Resolution 03-2021, a Resolution Authorizing the Resubmission of an Application for Designation as a Utah Enterprise Zone to the State of Utah Governor's Office of Economic Development
(A) Public Input (B) Action

Suggested Action:

Attachments:
Enterprise Zone Staff Report

Exhibit A: Enterprise Resolution

Exhibit B: Proposed Enterprise Zone New Map 2021

City Council Staff Report

Subject: Enterprise Zone Reauthorization
Authors: Jenny Diersen
Department: Economic Development
Date: February 25, 2021
Type of Item: Administrative

Recommendation:

Hold a Public Hearing and adopt resolution 03-2021 (Exhibit A) authorizing an updated application to be sent to the Governor's Office of Economic Development (GOED) to designate portions of the Bonanza Park, Snow Creek, and Prospector areas as an Enterprise Zone (EZ).

Executive Summary

The Utah EZ Tax Credit program promotes economic development and business growth in Utah's rural areas, specifically for municipalities with a population that does not exceed 20,000 and within a County of no more than 70,000. Under this program, qualifying businesses locating to or expanding in designated EZ's may claim State of Utah tax credits, both for job creation and capital investment (https://business.utah.gov/wp-content/uploads/2020/10/Utah-Enterprise-Zone-Tax-Credit.pdf).

The program also offers other incentives, including a tax credit of 50% of the value of a cash contribution to a 501(c)(3) private non-profit corporation engaged primarily in community and economic development. While retail, construction and utilities are not eligible for tax credits under this program, other businesses such as arts, entertainment and recreation, educational services, and food and accommodation are eligible.

On July 30, 2015 (p 136 / minutes p. 8), City Council authorized, and GOED then approved an EZ for the Main Street and Lower Park Redevelopment Districts, as well as Bonanza Park and Prospector neighborhoods. No tax credits have been claimed in Park City through this program since its inception.

The program must be renewed with the State every 5 years. Staff applied for the extension of the EZ zone by the December 31 deadline. After submitting the application, James Dixon, GOED's Senior Rural Programs Manager, staff recommended removing Main Street and Lower Park Ave RDA's from the updated zone, first because the program is for underperforming areas, and secondly to avoid the perception of duplicating taxing benefits, whereas an RDA's taxing structure already defers revenues to taxing entities. The updated EZ map (Exhibit B) allows the Bonanza Park, Snow Creek and Prospector neighborhoods to remain eligible through 2025.

Analysis

GOED's Office of Rural Development (ORD) offers a limited number of business incentives to employers wanting to locate to or expand within the State. Thus, being a designated EZ is an important tool for local municipalities to use in their economic and community development efforts.

The primary goal of the Utah EZ Program is to improve the State's local and regional economies. The program does this by enhancing opportunities for private investment in certain areas that are called EZs.

Offering business incentives in these designated areas will offer an additional tool to support Council's Affordable Housing, Transportation, and Social Equity goals by incentivizing job creation and capital investment in the development of the Bonanza and Prospector area with the Arts and Culture District for sustainable tourism including new businesses development and non-profits. Further, allowing the value of a cash contribution to a 501(c)(3) private non-profit corporation engaged primarily in community and economic development could facilitate donations to many of our local non-profits. As identified on GOED's website, the following list of tax credits is available: (http://business.utah.gov/programs/incentives/enterprise-zones/tax-credits/),

Based on data pulled from the footprint of the recommended EZ, 15.6 % (87 households) in the zone had incomes below the poverty line in the past 12 months. This compares to 10.1% for the State of Utah and 7.2% for Summit County. Park City is estimated to have a total number of 388 households below the poverty line of (12%).

In 2020, the State of Utah EZ zones included 1,249 capital tax credits having the equivalent of $13.5M in investment, and 12 Job creation tax credits, resulting in 117 jobs.

Locally, in Summit County 2016-2018 reporting indicates 15 claims were made for tax credits. The companies making these claims received tax credit certificates in the amount of $126,262 for making capital investments in the amount of $1,416,233. Credits have not been reported from Summit County in 2019 and 2020.

In conclusion, based on success in Summit County and across the State, Economic Development staff recommends moving forward with the renewal of this program with the updated map as outlined and, taking a stronger approach to promoting this opportunity.

Land Use and Zoning Implications

The EZ designation has no impact on land use or zoning. Future development or expansion of facilities has the potential to increase the population and or vehicle trips. However, since development in the future is expected to occur on lands already designated for commercial or industrial development, the future households which might be created would be part of the region's natural growth patterns.

This report has been reviewed by Executive, Legal, Budget, Finance and Housing departments.

Attachments

Exhibit A: Resolution 03-2021 Adopting Enterprise Zone
Exhibit B: Map of Proposed Enterprise Zone

Resolution No. 03 - 2021

RESOLUTION AUTHORIZING THE RESUBMISSION OF AN APPLICATION FOR DESIGNATION AS A UTAH ENTERPRISE ZONE TO THE STATE OF UTAH GOVERNOR'S OFFICE OF ECONOMIC DEVELOPMENT

WHEREAS the eligible businesses may claim tax credits as an incentive to relocate or expand in these zones in July of 2015; and

WHEREAS on February 25, 2021, the City Council conducted a public hearing to receive comments on the proposed Enterprise Zone designation and application; and

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

SECTION 1. AUTHORIZATION. Park City authorizes that staffing shall be made available to maintain record-keeping, monthly updates on zone activities and to discuss these activities with program auditors.

SECTION 2. SELF-EVALUATION. Park City shall develop a self-evaluation process to measure its progress in meeting its goals and objectives and that this process shall be submitted to the Governor's Office of Economic Development for review, approval and modification.

SECTION 3. EXECUTION. Park City authorizes the City Manager or her designee to execute all documents related to these actions.

SECTION 4. EFFECTIVE DATE. This resolution shall take effect upon adoption.

PASSED AND ADOPTED this 25th day of February 2021.

PARK CITY MUNICIPAL CORPORATION

_____

Mayor Andy Beerman

Exhibit A: DRAFT Resolution 03-2021 Enterprise Zone

Attest:

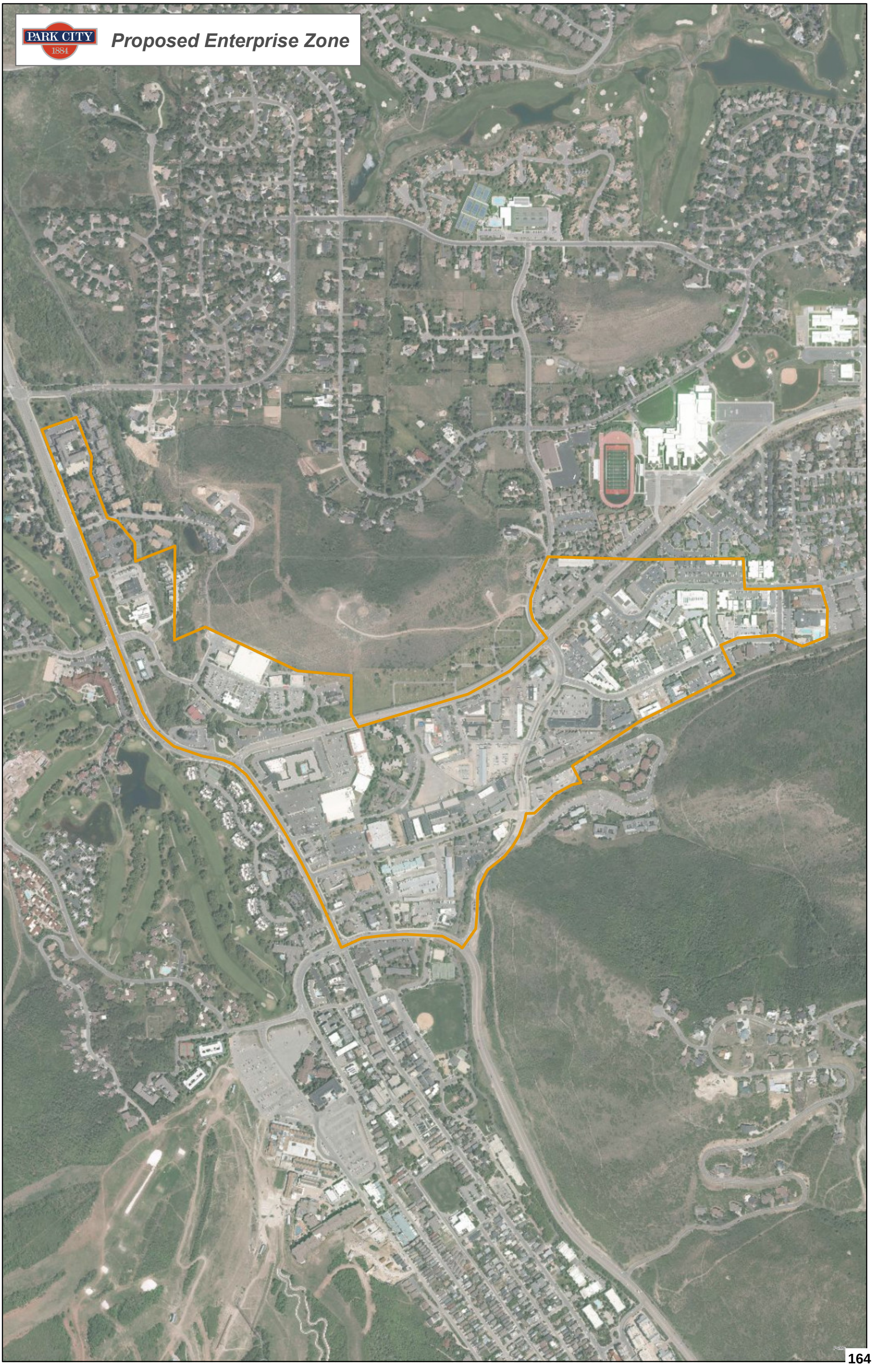
_____

Michelle Kellogg, City Recorder

Approve as to form:

_____

Mark D. Harrington, City Attorney


PARK CITY
1884
Proposed Enterprise Zone

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Alexandra Ananth
Submitting Department: Planning
Item Type: Staff Report
Agenda Section:

Subject:
Consideration to Approve Ordinance 2021-08, an Ordinance Approving the Argent at Empire Pass Condominiums, First Amended, Located at 7677 Village Way, Park City, Utah
(A) Public Hearing (B) Action

Suggested Action:

Attachments:
7677 Village Way Condo Plat Amendment Staff Report

Exhibit A: Ordinance 2021-08

Exhibit B: Applicant's Project Description

Exhibit C: Current Recorded Plat

Exhibit D: Ordinance 2019-58

Exhibit E: Public Input

City Council Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **Argent at Empire Pass Condominiums First Amended**
Project #: **PL-20-04278**
Author: **Alexandra Ananth, Sr. Planner**
Date: **February 25, 2021**
Type of Item: **Administrative – Condominium Plat Amendment**

Summary Recommendation

Staff recommends the City Council 1) review the requested Condominium Plat Amendment, 2) conduct a public hearing, and 3) consider approving Ordinance 2021-12.

Description

Applicant:	Lot 2 Empire Pass North, LLC
Location:	7677 Village Way, Empire Pass Lot 2
Zoning:	Residential Development (RD) District as part of the Flagstaff Annexation and Village at Empire Pass Master Planned Development (MPD)
Adjacent Land Uses:	Deer Valley Resort, condominiums building and townhouses, vacant development parcels and open space
Reasons for Review:	Plat Amendments require Planning Commission review and recommendation and City Council review and action

Executive Summary

The Argent at Empire Pass Condominium Plat was originally approved by the Planning Commission on November 13, 2019 (Staff Report, beginning on p. 406; Minutes, beginning on p. 48), and by the City Council on December 5, 2019 (Staff Report, beginning on p. 75; Minutes, p. 9). A CUP was also approved by the Commission on November 13, 2019 (Staff Report, beginning on p. 321; Minutes, beginning on p. 48), as required by the Village at Empire Pass Master Planned Development (VEP MPD). The 28 unit building is currently under construction.

The ownership of the Argent is requesting to amend the Condominium Plat in order to accomplish two things:

1. To combine two units into one for a prospective buyer (no change in total square footage or to the building exterior).
2. To subdivide the underlying land into two separate parcels.

On February 10, 2021, the Planning Commission held a public hearing on the proposed Condominium Plat Amendment (Staff Report, Audio) and voted unanimously to forward a positive recommendation for Council's consideration.

Background

The property at 7677 Village Way is located within the Residential Development (RD) zoning district on the 2.01 acre Lot 2 of the Village at Empire Pass North Subdivision. The property is subject to the Village at Empire Pass Master Planned Development (VEP MPD), approved by the Planning Commission on July 28, 2004 and the Flagstaff Mountain Development Agreement, most recently amended and restated on March 2, 2007.

Analysis

LMC §15-7-7 Vacation, Alteration Or Amendment Of Plats, states that "The City Council may, on its own motion, or pursuant to a petition, consider and resolve at a public hearing any proposed vacation, alteration or amendment of a Subdivision plat, or any Street, Lot, alley or public Use Area contained in a Subdivision plat, as provided in Section 10-9a-608 through 10-9a-611 of the Utah Code Annotated (1953) as amended. If the amended plat is approved and recorded, the recorded plat shall vacate, supersede, and replace any contrary provision in a previously recorded plat on the same land. The recorded vacating ordinance shall replace a previously recorded plat described in the vacating ordinance."

The ownership of the Argent at Empire Pass are requesting to amend the Condominium Plat in order to accomplish two things:

1. To combine two units into one for a prospective buyer (no change in total square footage or to the building exterior).
2. To subdivide the underlying land into two parcels.

The applicant is proposing to combine units 201 and 202 into one larger unit (201) for a prospective buyer who would like to combine them into one tax ID. There is no change in total area that will result from the unit combination and there are no exterior changes to the building as a result of the combination. Proposed unit 201 will now be 3,484 square feet, or 1.742 UEs. The overall density UE's of the project, affordable housing obligations for the site (2 units), and parking (38 stalls) remain unchanged. Approval of this amendment will bring the number of Multi-Family Units approved in Empire Pass to 536 units, which is within the 550 units allowed in the Flagstaff Development Agreement.

The applicant is also proposing to subdivide the underlying parcel (Lot 2) into two parcels, Lot 2, and new Parcel A, a 0.35 acre parcel on the northernmost portion of the lot. The purpose of this is new Parcel A, is to create an opportunity for a potential future land swap between the ownership of Argent at Empire Pass, and the neighboring Marsac Claim parcel. This would protect the view corridor and open space adjacent to the Argent at Empire Pass to the north, from future development on the Marsac Claim parcel in front of the Argent building. Dividing Lot 2 into two separate parcels has no material change to the Density or Setbacks of the project.

The VEP MPD allocates up to 32 UE (64,000 square feet) to Lot 2. The proposed building is 63,924 square feet. Therefore, the Argent at Empire Pass has effectively utilized all of the density associated with Lot 2, therefore all of the remaining land, including Parcel A is limited to Open Space. The applicant has agreed to a Condition

of Approval, COA #6, that a Plat Note shall indicate that Parcel A is restricted as Open Space, is not separately developable, and has no density associated with it. Any future amendments will be processed in accordance with the Land Management Code in effect at the time of application.

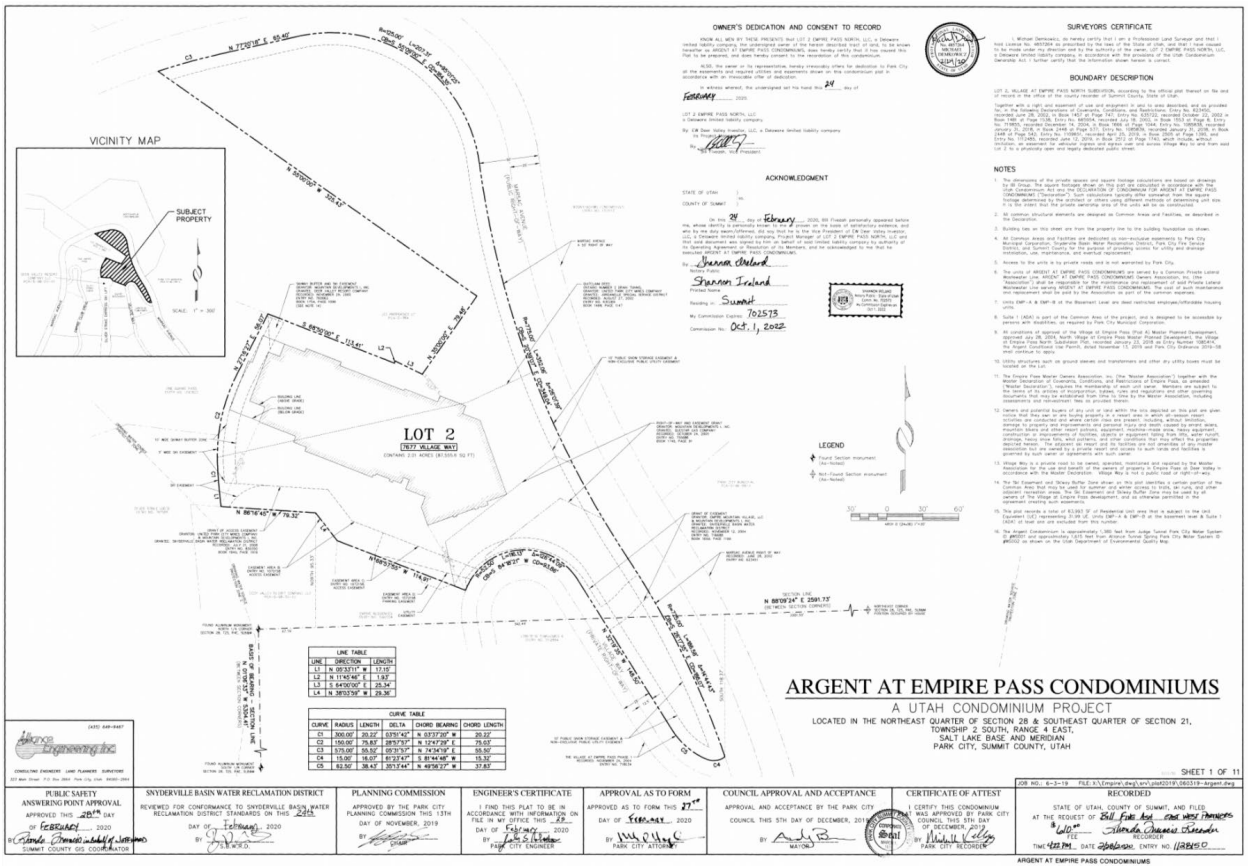


Figure 1: Existing Recorded Plat Showing Lot 2

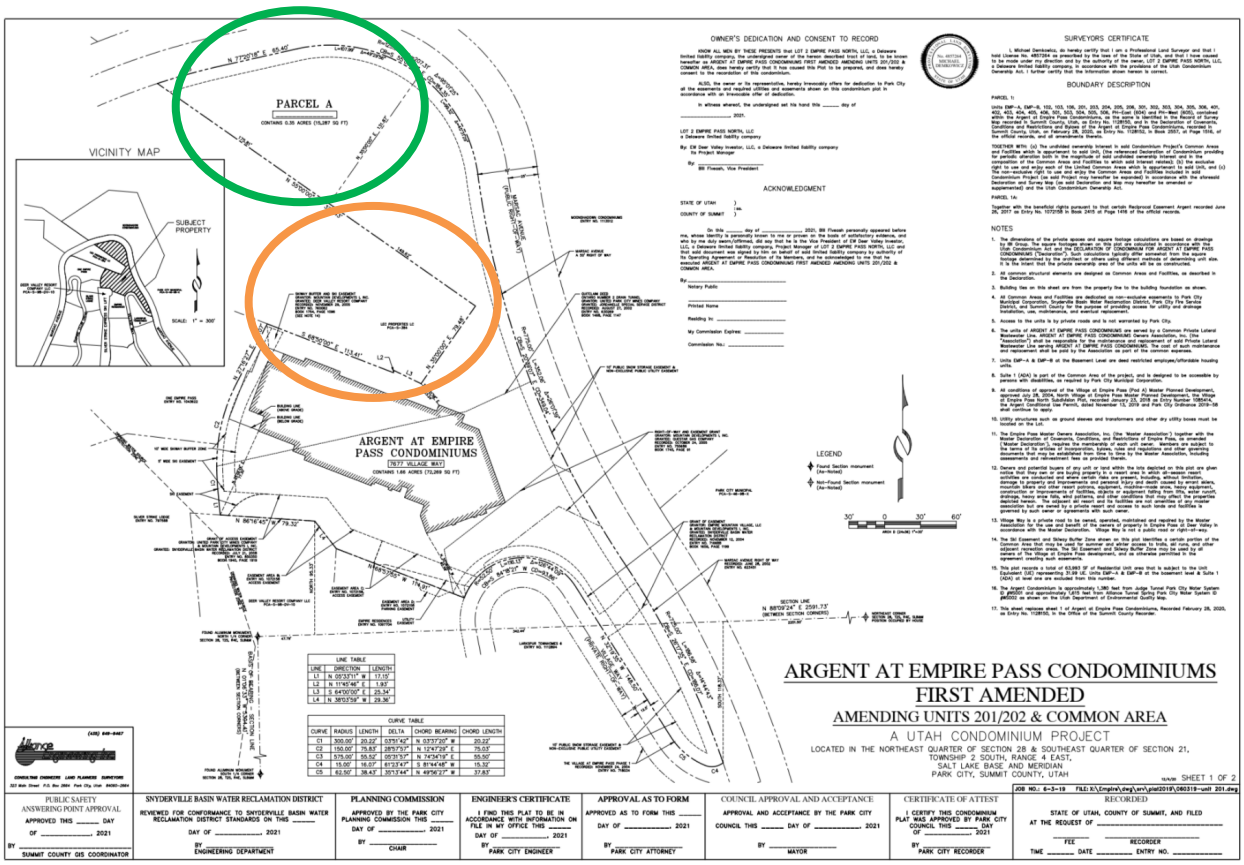


Figure 2: Proposed Plat Showing Lot 2 and New Parcel A, circled in green.

The applicant hopes to eventually swap Parcel A with land circled in orange (currently part of the Marsac Claim), to protect views and open space adjacent to the Argent at Empire Pass from future development on this portion of the Marsac Claim parcel.

Public Input

Staff received one public comment in advance of the hearing (Exhibit E). An attorney representing the HOA of One Empire Pass also spoke during the public input section of the public hearing. In summary, their concerns are that:

- the creation of Parcel A (and a future land swap) would place any density from the Marsac Claim Parcel adjacent to One Empire Pass
- the creation of Parcel A should be continued until plans were submitted for the Marsac Claim Parcel

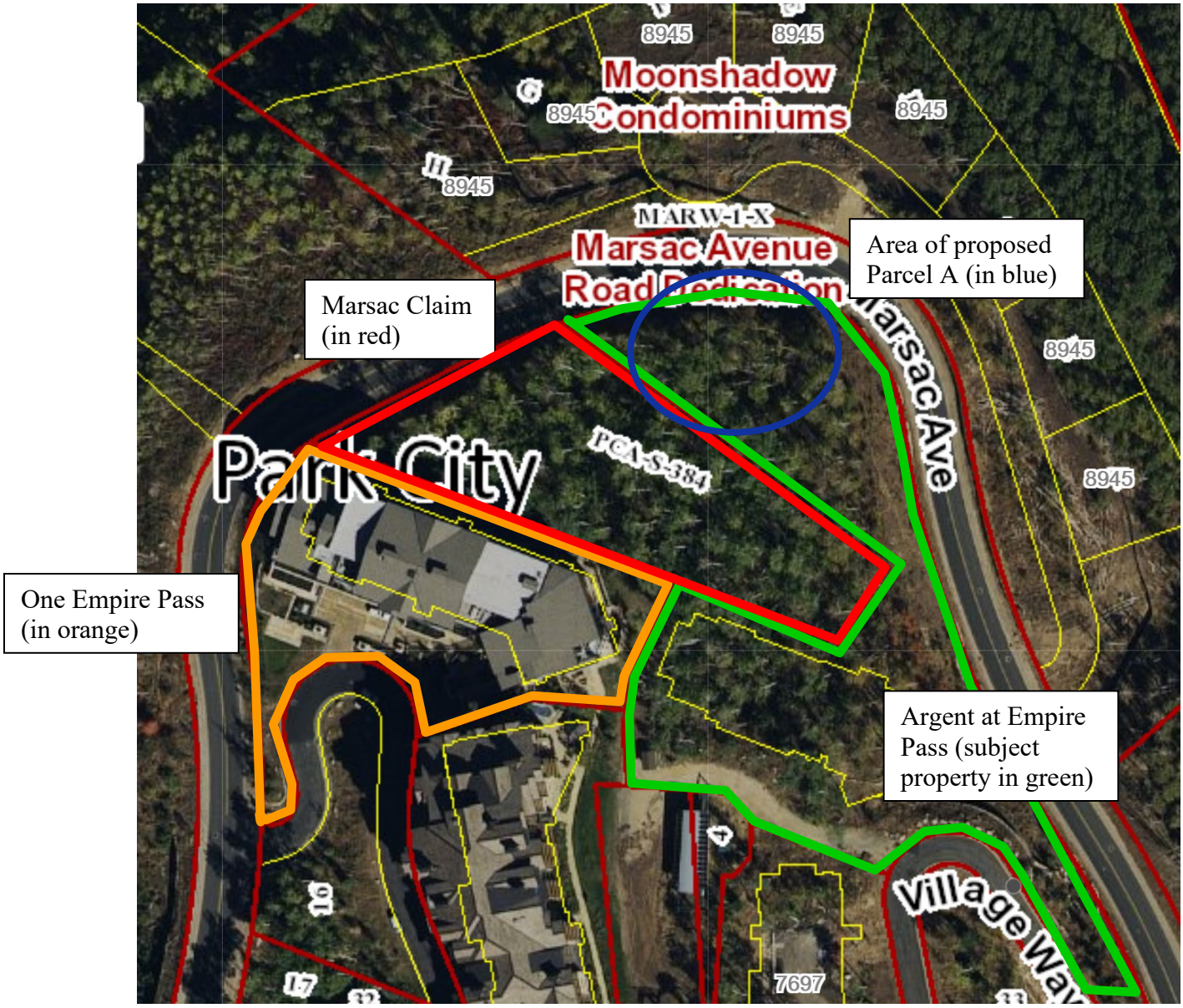


Figure 3: Aerial View of subject property, One Empire Pass and Marsac Claim Parcels.

The applicant contends that the density associated with the Marsac Claim Parcel is under dispute, and has been for many years as it is not part of the VEP MPD, and that it could take many years for that project to move forward. The applicant preferred to create the Parcel A now, while they were already before the Council to combine two units, and that waiting any longer would require the approval of all 27 condo unit owners once the units were individually owned.

The applicant agreed to a Plat Note restricting Parcel A to Open Space, and that any future application would come back before the Planning Commission and City Council, and would be processed in accordance with the Land Management Code in effect at the time of application.

Alternatives

- The Council may approve the Argent at Empire Pass Condominiums Plat First Amended, as conditioned or amended, (**staff recommendation**)
- The Council may deny the Argent at Empire Pass Condominiums Plat Amendment, and direct staff to make Findings for this decision, or
- The Council may continue the item to a date certain.

Exhibits

Exhibit A – Ordinance 2021-08
Exhibit B – Applicant's Project Description
Exhibit C – Current Condominium Plat
Exhibit D – Ordinance 2019-58
Exhibit E – Public Input

Exhibit A

Ordinance No. 2021-08

AN ORDINANCE APPROVING THE ARGENT AT EMPIRE PASS CONDOMINIUMS, FIRST AMENDED, LOCATED AT 7677 VILLAGE WAY, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Argent at Empire Pass Condominiums, located at 7677 Village Way, petitioned the City Council for approval of the Argent at Empire Pass Condominiums First Amended Condominium Plat; and

WHEREAS, on January 27, 2021, the property was properly posted and legal notice was sent to all affected property owners; and

WHEREAS, on January 27, 2021, proper legal notice was published in the Park Record and on the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission, on February 10, 2021, help a public hearing and forwarded a positive recommendation to the City Council; and,

WHEREAS, the City Council on February 25, 2021, held a public hearing and took final action on the Condominium Plat; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Argent at Empire Pass Condominiums First Amended Condominium Plat consistent with the Village at Empire Pass Master Planned Development Agreement and the Argent at Empire Pass Condominiums Conditional Use Permit.

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 Argent at Empire Pass Condominiums First Amended Condominium Plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property was originally part of 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.
2. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities for the annexation area.
3. 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. The MPD (also known as the Mountain Village) was later amended to include Pod B2 (Montage and B2 East).

4. The Mountain Village (Pods A, B1 and B2) was approved for a maximum of 785 UE of multi-family (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units.
5. To date 770 UEs and 16 single family units have been platted and/or built including the Argent at Empire Pass Condominiums.
6. Constructed lodge style buildings include Shooting Star (Building 2), One Empire Pass (Building 5), Silver Strike (Building 6), Flagstaff Lodge (Building 7), Arrowleaf A and B (Buildings 8 & 9). Empire Residences (Building 3) and the Condominiums at the Tower (Building 1) are currently under construction.
7. There is sufficient density remaining within the VE MPD for the 27 units (32 UE).
8. 572 UE certificates of occupancy have been issued for the entire Flagstaff Annexation and Development area (Pods A, B1, B2, and D). According to the Annexation and Development Agreement, 15 AUE of affordable housing obligations come due for each 150 UE certificates of occupancy. The next housing obligation trigger point is 600 UE certificates of occupancy, when 60 AUE are required to be complete. As of now 105 affordable units are completed and have certificates of occupancy (89 units are off-mountain and 16 units are on-mountain).
9. As part of the Argent at Empire Pass Condominiums CUP 2.0 AUE (1600 sf) is required by the subdivision plat for this lot. The affordable units consists of an 815 sf studio and a 803 sf one bedroom unit designated as private area and can be sold as an affordable unit or used for long term rental to qualified workers consistent with the Flagstaff Housing Mitigation Plan and applicable housing resolutions.
10. On December 5, 2019, the City Council approved the Argent at Empire Pass Condominium Plat.
11. On December 23, 2020, the Planning Department received an application to amend the Condominium Plat to combine two units into one for a prospective buyer; and to subdivide the underlying land into two separate parcels.
12. The property is located at 7677 Village Way and is known as Lot 2 of The Village at Empire Pass North Subdivision, approved by Council on June 15, 2017.
13. Access to the property is from Village Way, a private street.
14. The property is subject to subdivision plat notes that require compliance with the 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.
15. No commercial uses are proposed in the building.
16. Based on the unit sizes, a minimum of 38 parking spaces are required when taking into consideration the 25% parking reduction required by the Flagstaff Development Agreement and MPD.
17. An underground parking structure provides 35 parking spaces, including 2 ADA spaces, as well as limited common storage areas for some unit. Four surface spaces are provided for a total of 39 parking spaces.
18. The application is in compliance with the location, density and affordable housing requirements of the Development Agreement as they apply to this lot, the VEP MPD

approved in 2004, and The Village at Empire Pass North Subdivision Plat approved in 2017.

19. Staff finds Good Cause for this Condominium Plat Amendment as it is consistent with the density and uses identified in the approved VEP Master Planned Development Site Plan and the Village at Empire Pass North Subdivision Plat, and the original approval of the Argent at Empire Pass.
20. The Condominium Plat Amendment allows for the combination of two units into one larger unit, and for the creation of Parcel A, a 0.35 acre parcel that may be used in the future for a land swap with the adjacent owner in order to protect the views and open space adjacent to the Argent at Empire Pass to the north. Dividing Lot 2 into two separate parcels has no material change on the Density, Open Space or Setbacks of the project.

1. The Applicant has agreed to COA #6, which requires that a Plat Note shall indicate that Parcel A is restricted as open space, is not separately developable, and has no density associated with it. Any future amendments will be processed in accordance with the Land Management Code in effect at the time of application.

<u>Conclusions of Law:</u>

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

<u>Conditions of Approval:</u>

2. All Conditions of Ordinance 2019-58 shall continue to apply.
3. The City Attorney and City Engineer will review and approve the final form and content of the amended condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the Plat.
4. The applicant will record the Condominium Plat Amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is submitted in writing and approved by the City Council.
5. Conditions of approval of the Village at Empire Pass Master Planned Development (MPD) and the Empire Residences Conditional Use Permit (CUP) apply to this Plat and a note shall be added to the plat prior to recordation referencing that conditions of approval of the Village at Empire Pass MPD, Village at Empire Pass North Subdivision, and the Empire Residences CUP continue to apply to this Condominium Plat Amendment.
6. All applicable recorded public utility and access easements shall be indicated on this Condominium Plat Amendment prior to recordation.
7. A Plat Note shall indicate that Parcel A is restricted as open space, is not separately developable, and has no density associated with it. Any future amendments will be processed in accordance with the Land Management Code in effect at the time of application.

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

PASSED AND ADOPTED this ____ day of February, 2021.

PARK CITY MUNICIPAL CORPORATION

_____
Andy Beerman, MAYOR

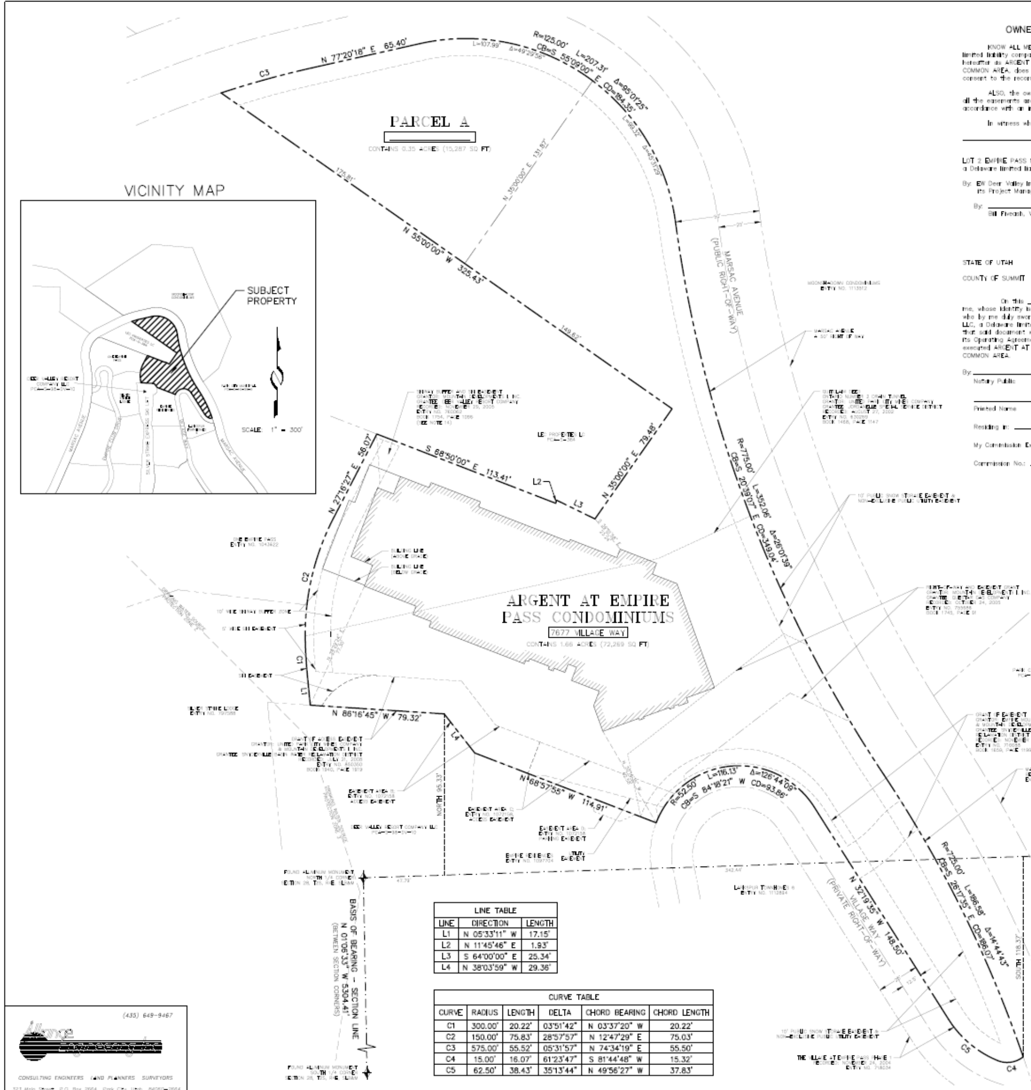
ATTEST:

_____
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

_____
Mark Harrington, City Attorney

Exhibits
Exhibit A – Condominium Plat Amendment



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 05°33'11" W	17.15'
L2	N 11°45'46" E	1.93'
L3	S 64°00'00" E	25.34'
L4	N 38°03'59" W	29.36'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	300.00'	20.22'	03°51'42"	N 03°37'20" W	20.22'
C2	150.00'	75.83'	28°57'57"	N 12°47'29" E	75.03'
C3	575.00'	55.52'	05°31'57"	N 74°34'19" E	55.50'
C4	15.00'	16.07'	61°23'47"	S 81°44'48" W	15.32'
C5	62.50'	38.43'	35°13'44"	N 49°56'27" W	37.83'

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that LOT 2 EMPIRE PASS NORTH, LLC, a Delaware limited liability company, the undersigned owner of the hereon described tract of land, to be known hereafter as ARGENT AT EMPIRE PASS CONDOMINIUMS FIRST AMENDED AMENDING UNITS 201/202 & COMMON AREA, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recordation of this condominium.

ALSO, the owner or its representative, hereby irrevocably offers for dedication to Park City all the easements and required utilities and easements shown on this condominium plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this ______ day of

______________ 2021.

LOT 2 EMPIRE PASS NORTH, LLC
a Delaware limited liability company

By: EW Deer Valley Investor, LLC, a Delaware limited liability company
its Project Manager

By: ______________
Bill Fiveash, Vice President

ACKNOWLEDGMENT

STATE OF UTAH)
:ss.
COUNTY OF SUMMIT)

On this ______ day of ______________, 2021, Bill Fiveash 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 Vice President of EW Deer Valley Investor, LLC, a Delaware limited liability company, Project Manager of LOT 2 EMPIRE PASS NORTH, LLC 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 ARGENT AT EMPIRE PASS CONDOMINIUMS FIRST AMENDED AMENDING UNITS 201/202 & COMMON AREA.

By: ______________
Notary Public

____
Printed Name

Residing in: ______________

My Commission Expires: ______________

Commission No.: ______________

PROFESSIONAL LAND SURVEYOR No. 4857264 MICHAEL DEMKOWICZ STATE OF UTAH

SURVEYORS CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, LOT 2 EMPIRE PASS NORTH, LLC, a Delaware limited liability company, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

BOUNDARY DESCRIPTION

PARCEL 1:

Units EMP—A, EMP—B, 102, 103, 106, 201, 203, 204, 205, 206, 301, 302, 303, 304, 305, 306, 401, 402, 403, 404, 405, 406, 501, 503, 504, 505, 506, PH—East (604) and PH—West (605), contained within the Argent at Empire Pass Condominiums, as the same is identified in the Record of Survey Map recorded in Summit County, Utah, as Entry No. 1128150, and in the Declaration of Covenants, Conditions and Restrictions and Bylaws of the Argent at Empire Pass Condominiums, recorded in Summit County, Utah, on February 28, 2020, as Entry No. 1128152, in Book 2557, at Page 1516, of the official records, and all amendments thereto.

TOGETHER WITH: (a) The undivided ownership interest in said Condominium Project's Common Areas and Facilities which is appurtenant to said Unit, (the referenced Declaration of Condominium providing for periodic alteration both in the magnitude of said undivided ownership interest and in the composition of the Common Areas and Facilities to which said interest relates); (b) the exclusive right to use and enjoy each of the Limited Common Areas which is appurtenant to said Unit, and (c) The non—exclusive right to use and enjoy the Common Areas and Facilities included in said Condominium Project (as said Project may hereafter be expanded) in accordance with the aforesaid Declaration and Survey Map (as said Declaration and Map may hereafter be amended or supplemented) and the Utah Condominium Ownership Act.

PARCEL 1A:

Together with the beneficial rights pursuant to that certain Reciprocal Easement Argent recorded June 26, 2017 as Entry No. 1072158 in Book 2415 at Page 1416 of the official records.

NOTES

1. The dimensions of the private spaces and square footage calculations are based on drawings by IBI Group. The square footages shown on this plat are calculated in accordance with the Utah Condominium Act and the DECLARATION OF CONDOMINIUM FOR ARGENT AT EMPIRE PASS CONDOMINIUMS ("Declaration"). Such calculations typically differ somewhat from the square footage determined by the architect or others using different methods of determining unit size. It is the intent that the private ownership area of the units will be as constructed.
2. All common structural elements are designed as Common Areas and Facilities, as described in the Declaration.
3. Building ties on this sheet are from the property line to the building foundation as shown.
4. All Common Areas and Facilities are dedicated as non—exclusive easements to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Service District, and Summit County for the purpose of providing access for utility and drainage installation, use, maintenance, and eventual replacement.
5. Access to the units is by private roads and is not warranted by Park City.
6. The units of ARGENT AT EMPIRE PASS CONDOMINIUMS are served by a Common Private Lateral Wastewater Line. ARGENT AT EMPIRE PASS CONDOMINIUMS Owners Association, Inc. (the "Association") shall be responsible for the maintenance and replacement of said Private Lateral Wastewater Line serving ARGENT AT EMPIRE PASS CONDOMINIUMS. The cost of such maintenance and replacement shall be paid by the Association as part of the common expenses.
7. Units EMP—A & EMP—B at the Basement Level are deed restricted employee/affordable housing units.
8. Suite 1 (ADA) is part of the Common Area of the project, and is designed to be accessible by persons with disabilities, as required by Park City Municipal Corporation.
9. All conditions of approval of the Village at Empire Pass (Pod A) Master Planned Development, approved July 28, 2004, North Village at Empire Pass Master Planned Development, the Village at Empire Pass North Subdivision Plat, recorded January 23, 2018 as Entry Number 1085414, the Argent Conditional Use Permit, dated November 13, 2019 and Park City Ordinance 2019—58 shall continue to apply.
10. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the Lot.
11. The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass, as amended ("Master Declaration"), requires the membership of each unit owner. Members are subject to the terms of its articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein.
12. Owners and potential buyers of any unit or land within the lots depicted on this plat are given notice that they own or are buying property in a resort area in which all—season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, mountain bikers and other resort patrons, equipment, machine—made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such owner or agreements with such owner.
13. Village Way is a private road to 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. Village Way is not a public road or right—of—way.
14. The Ski Easement and Skiway Buffer Zone shown on this plat identifies a certain portion of the Common Area that may be used for summer and winter access to trails, ski runs, and other adjacent recreation areas. The Ski Easement and Skiway Buffer Zone may be used by all owners of The Village at Empire Pass development, and as otherwise permitted in the agreement creating such easements.
15. This plat records a total of 63,993 SF of Residential Unit area that is subject to the Unit Equivalent (UE) representing 31.99 UE. Units EMP—A & EMP—B at the basement level & Suite 1 (ADA) at level one are excluded from this number.
16. The Argent Condominium is approximately 1,380 feet from Judge Tunnel Park City Water System ID #WS001 and approximately 1,615 feet from Alliance Tunnel Spring Park City Water System ID #WS002 as shown on the Utah Department of Environmental Quality Map.
17. **This sheet replaces sheet 1 of Argent at Empire Pass Condominiums, Recorded February 28, 2020, as Entry No. 1128150, in the Office of the Summit County Recorder.**

ARGENT AT EMPIRE PASS CONDOMINIUMS
FIRST AMENDED
AMENDING UNITS 201/202 & COMMON AREA
A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28 & SOUTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 2

JOB NO.: 6-3-19 FILE: X:\Empire\dwg\srv\plat2019\060319-unit 201.dwg

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

PUBLIC SAFETY ANSWERING POINT APPROVAL
APPROVED THIS ______ DAY OF ______________, 2021
BY ______________
SUMMIT COUNTY GIS COORDINATOR

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS ______
DAY OF ______________, 2021
BY ______________
ENGINEERING DEPARTMENT

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS ______
DAY OF ______________, 2021
BY ______________
CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ______
DAY OF ______________, 2021
BY ______________
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ______
DAY OF ______________, 2021
BY ______________
PARK CITY ATTORNEY

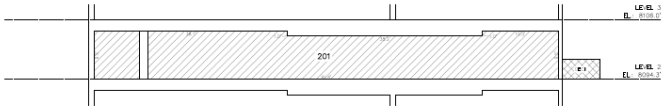
COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ______ DAY OF ______________, 2021
BY ______________
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS CONDOMINIUM PLAT WAS APPROVED BY PARK CITY COUNCIL THIS ______ DAY OF ______________, 2021
BY ______________
PARK CITY RECORDER

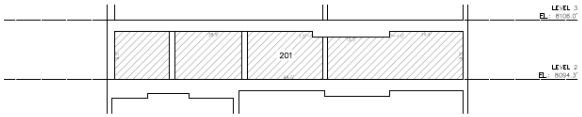
RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF ______________
FEE ______ RECORDER ______
TIME ______ DATE ______ ENTRY NO. ______

NOTE

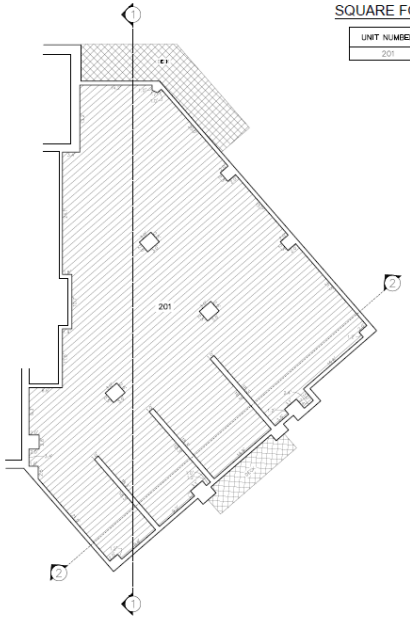
1. Due to the architectural features in the units, the ceiling heights are not uniform throughout each unit. Notwithstanding the depiction of the volume of the units as shown on this plat, the actual boundaries of each unit are as described in Article 4 of the Declaration.



SECTION 1



SECTION 2



SQUARE FOOTAGE TABLE

UNIT NUMBER	SQUARE FOOTAGE
201	3,484 SF

ARGENT AT EMPIRE PASS CONDOMINIUMS
FIRST AMENDED
AMENDING UNITS 201/202 & COMMON AREA
A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28 & SOUTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

OWNERSHIP LEGEND

- COMMON
- LIMITED COMMON
- PRIVATE OWNERSHIP

(435) 649-9467
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
333 Main Street P.O. Box 2664 Park City, Utah 84060-2664

10/4/19 SHEET 2 OF 2

JOB NO.: 6-3-19 FILE: X:\Empire\dwg\ent\plat2019\060319-unit 201.dwg

RECORDED

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

_____ _____
FEE RECORDER

TIME _____ DATE _____ ENTRY NO. _____

Argent at Empire Pass

Condominium Plat Amendment Application Overview

To: Park City Planning Department

Applicant: Lot 2 Empire Pass North, LLC

Applicant Representative: Hannah Tyler

Subject Property: Argent at Empire Pass
7677 Village Way
Park City, UT 84060

Enclosed is a package containing the complete application requirements for a Condominium Plat Amendment. The information below is intended to provide the Planning Department with an application overview describing the intent of the proposed Condominium Plat Amendment.

The Argent at Empire Pass Condominiums were approved by Planning Commission on November 13, 2019. The building is currently under construction. The ownership of the Argent at Empire Pass has been in the process of building the property and contracting for the sale of the individual units. They subsequently need to amend the Condominium Plat to adjust a pair of units for a buyer and amend the underlying parcel for a future opportunity to secure an additional amenity for the building.

The purpose of the proposed Condominium Plat Amendment is to accomplish two (2) things:

1. To combine units 201 and 202 into one (1) unit (now 201). A prospective buyer is purchasing both units and would like to combine them into one Tax ID. There will be no change in total area that will result from the unit combination.
2. Subdivide the underlying parcel into two (2) parcels. The applicant proposes to subdivide the main parcel underlying the building and create a second parcel

containing .35 acres on the northernmost point of the development. The purpose of this new parcel is to create the opportunity for a future land swap between the ownership of Argent at Empire Pass and the neighboring Marsac Claim parcel for the purposes of protecting view corridors and open space adjacent to the building for the future owners of Argent at Empire Pass. There will be no increase in density from the Master Planned- or zone allowed-densities and there will be no reduction in open space.

Attached are all application requirements listed on pages 2 and 3 of the Condominium Plat Amendment application. The following details notes applicable to specific application requirements:

Because the Argent at Empire Pass Condominiums are under a single ownership as no units have been transferred or sold, application requirement #10 is satisfied by the signature of Bill Fiveash as a Authorized Signer for the single owner, Lot 2 Empire Pass North, LLC.

Hard copies of the proposed plat, certified topographic survey, and aerial photograph will be dropped off to the City Hall Planning Department dropbox following digital submittal and in compliance with Park City Municipal Corporation COVID-19 protocols.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that LOT 2 EMPIRE PASS NORTH, LLC, a Delaware limited liability company, the undersigned owner of the hereon described tract of land, to be known hereafter as ARGENT AT EMPIRE PASS CONDOMINIUMS, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recordation of this condominium.

ALSO, the owner or its representative, hereby irrevocably offers for dedication to Park City all the easements and required utilities and easements shown on this condominium plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this 24 day of FEBRUARY, 2020.

LOT 2 EMPIRE PASS NORTH, LLC
a Delaware limited liability company

By: EW Deer Valley Investor, LLC, a Delaware limited liability company
its Project Manager

By: [signature]
Bill Fiveash, Vice President

ACKNOWLEDGMENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On this 24 day of February, 2020, Bill Fiveash 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 Vice President of EW Deer Valley Investor, LLC, a Delaware limited liability company, Project Manager of LOT 2 EMPIRE PASS NORTH, LLC 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 ARGENT AT EMPIRE PASS CONDOMINIUMS.

By: Shannon Ireland
Notary Public

Shannon Ireland
Printed Name

Residing in: Summit

My Commission Expires: 702573

Commission No.: Oct. 1, 2022

SHANNON IRELAND
Notary Public - State of Utah
Comm. No. 702573
My Commission Expires on
Oct 1, 2022

PROFESSIONAL LAND SURVEYOR
No. 4857264
MICHAEL DEMKOWICZ
2/24/20
STATE OF UTAH

SURVEYORS CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, LOT 2 EMPIRE PASS NORTH, LLC, a Delaware limited liability company, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

BOUNDARY DESCRIPTION

LOT 2, VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, according to the official plat thereof on file and of record in the office of the county recorder of Summit County, State of Utah.

Together with a right and easement of use and enjoyment in and to area described, and as provided for, in the following Declarations of Covenants, Conditions, and Restrictions: Entry No. 623450, recorded June 28, 2002, in Book 1457 at Page 747; Entry No. 635722, recorded October 22, 2002 in Book 1481 at Page 1538; Entry No. 665954, recorded July 18, 2003, in Book 1553 at Page 8; Entry No. 719855, recorded December 14, 2004, in Book 1666 at Page 1044; Entry No. 1085838, recorded January 31, 2018, in Book 2448 at Page 537; Entry No. 1085839, recorded January 31, 2018, in Book 2448 at Page 542; Entry No. 1109651, recorded April 25, 2019, in Book 2505 at Page 1390, and Entry No. 1112485, recorded June 12, 2019, in Book 2512 at Page 1740, which include, without limitation, an easement for vehicular ingress and egress over and across Village Way to and from said Lot 2 to a physically open and legally dedicated public street.

NOTES

1. The dimensions of the private spaces and square footage calculations are based on drawings by IBI Group. The square footages shown on this plat are calculated in accordance with the Utah Condominium Act and the DECLARATION OF CONDOMINIUM FOR ARGENT AT EMPIRE PASS CONDOMINIUMS ("Declaration"). Such calculations typically differ somewhat from the square footage determined by the architect or others using different methods of determining unit size. It is the intent that the private ownership area of the units will be as constructed.
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12. Owners and potential buyers of any unit or land within the lots depicted on this plat are given notice that they own or are buying property in a resort area in which all-season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, mountain bikers and other resort patrons, equipment, machine-made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such owner or agreements with such owner.
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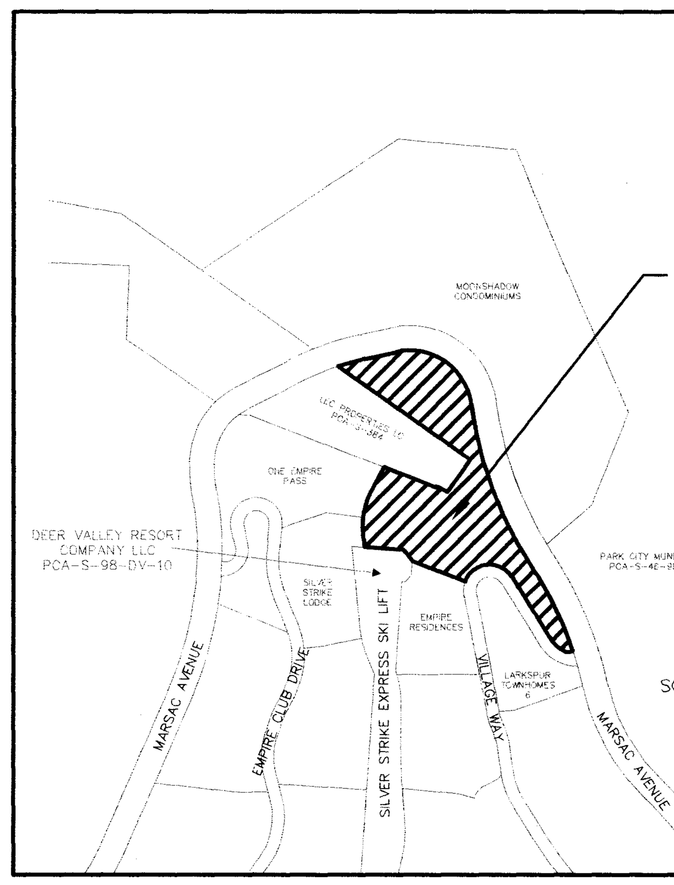
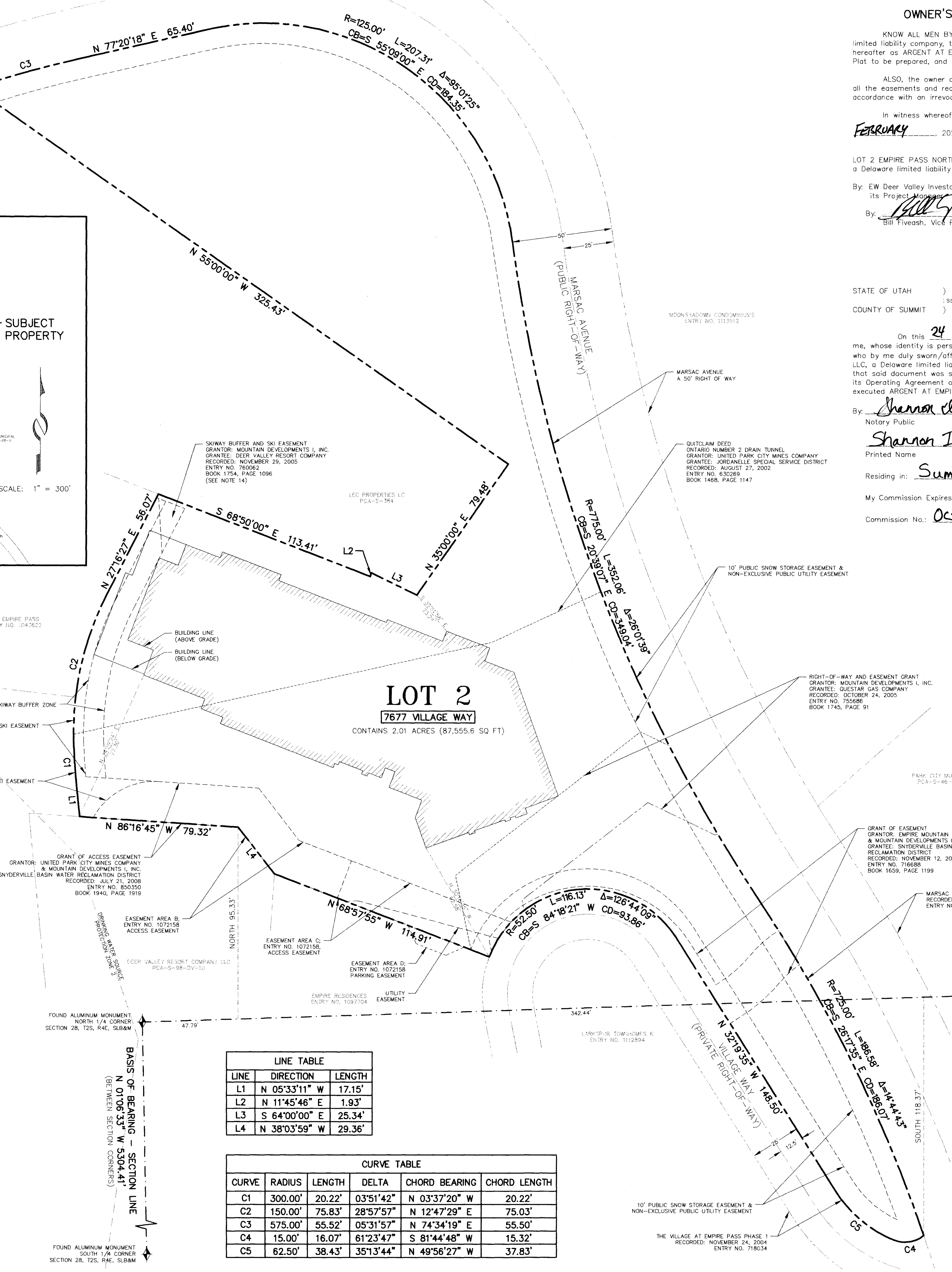
16. The Argent Condominium is approximately 1,380 feet from Judge Tunnel Park City Water System ID #WS001 and approximately 1,615 feet from Alliance Tunnel Spring Park City Water System ID #WS002 as shown on the Utah Department of Environmental Quality Map.

VICINITY MAP





LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 05°33'11" W	17.15'
L2	N 11°45'46" E	1.93'
L3	S 64°00'00" E	25.34'
L4	N 38°03'59" W	29.36'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	CHORD BEARING	CHORD LENGTH
C1	300.00'	20.22'	03°51'42"	N 03°37'20" W	20.22'
C2	150.00'	75.83'	28°57'57"	N 12°47'29" E	75.03'
C3	575.00'	55.52'	05°31'57"	N 74°34'19" E	55.50'
C4	15.00'	16.07'	61°23'47"	S 81°44'48" W	15.32'
C5	62.50'	38.43'	35°13'44"	N 49°56'27" W	37.83'

LEGEND

Found Section monument (As-Noted)

Not-Found Section monument (As-Noted)

30' 0 30' 60'
ARCH D (24x36) 1"=30'

ARGENT AT EMPIRE PASS CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28 & SOUTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

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

2/21/20 SHEET 1 OF 11

JOB NO.: 6-3-19 FILE: X:\Empire\dwg\srv\plat2019\060319-Argent.dwg

PUBLIC SAFETY ANSWERING POINT APPROVAL
APPROVED THIS 28th DAY OF FEBRUARY, 2020
BY Rhonda Francis in behalf of Jeff Ward
SUMMIT COUNTY GIS COORDINATOR

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 24th DAY OF February, 2020
BY [signature]
S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 13TH DAY OF NOVEMBER, 2019
BY [signature]
CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 25 DAY OF February, 2020
BY [signature]
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 27th DAY OF FEBRUARY, 2020
BY [signature]
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 5TH DAY OF DECEMBER, 2019
BY [signature]
MAYOR

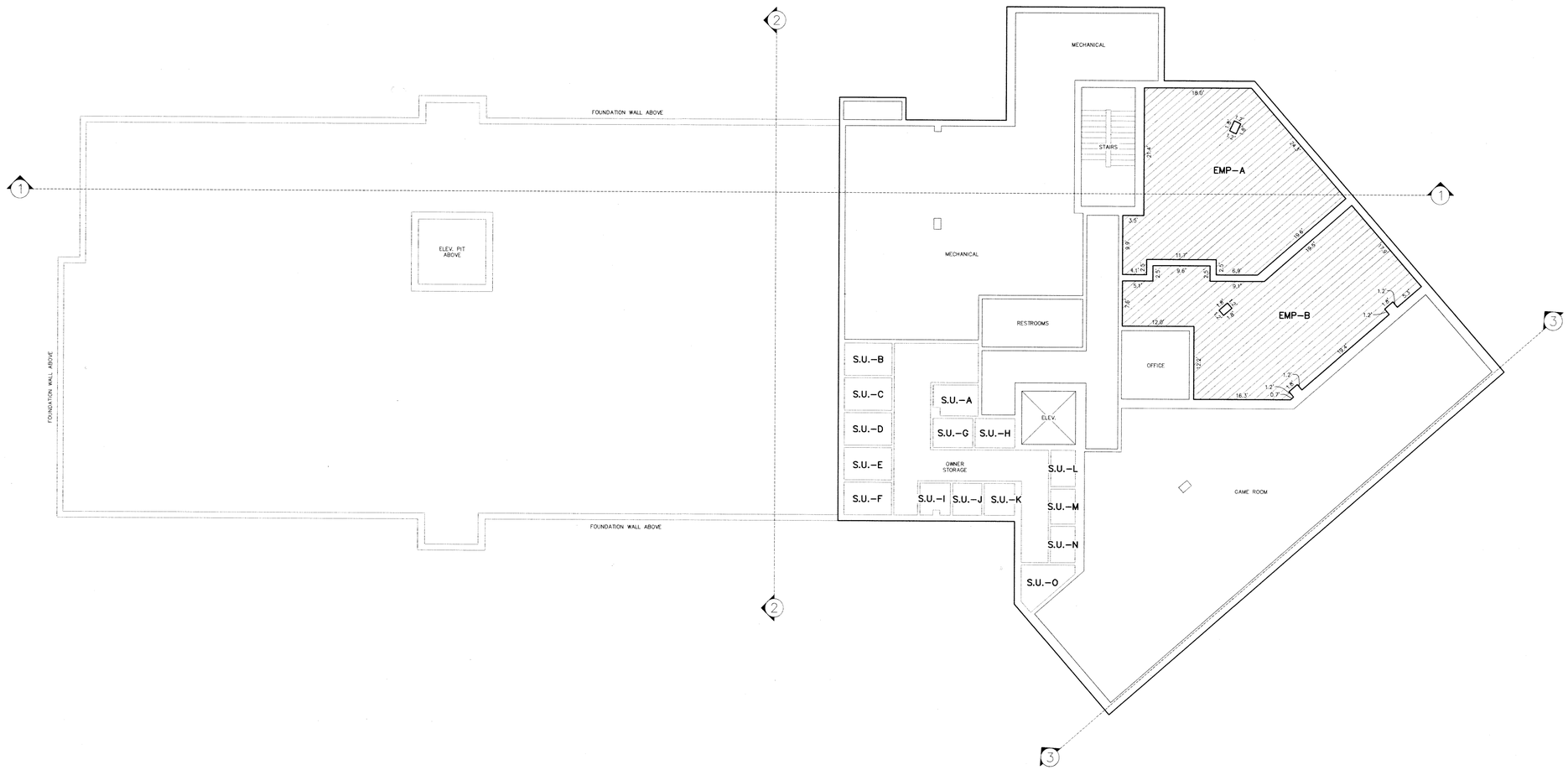
PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

CERTIFICATE OF ATTEST
I CERTIFY THIS CONDOMINIUM PLAT WAS APPROVED BY PARK CITY COUNCIL THIS 5TH DAY OF DECEMBER, 2019
BY [signature]
PARK CITY RECORDER

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Bill Five Ash East West Partners
$610.00 Rhonda Francis Recorder
FEE RECORDER
TIME 4:22 PM DATE 2/28/2020 ENTRY NO. 1128150

BASEMENT
SQUARE FOOTAGE TABLE

UNIT NUMBER	SQUARE FOOTAGE
EMP-A	803 SF
EMP-B	815 SF



ABBREVIATION LEGEND

ELEV. = ELEVATOR
S.U. = STORAGE UNIT

OWNERSHIP LEGEND

COMMON
LIMITED COMMON
PRIVATE OWNERSHIP

BASEMENT

ARGENT AT EMPIRE PASS CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28 & SOUTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

10' 0 10' 20'
ARCH D (24x36) 1"=10'

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

ENTRY NO. 01128150
02/28/2020 04:22:09 PM B: 2557 P: 1514
Plat PAGE 1/1
RHONDA FRANCIS, SUMMIT COUNTY RECORDER
FEE 610.00 BY BILL FIVEASH CO EAST WEST PARTNERS

SHEET 2 OF 11

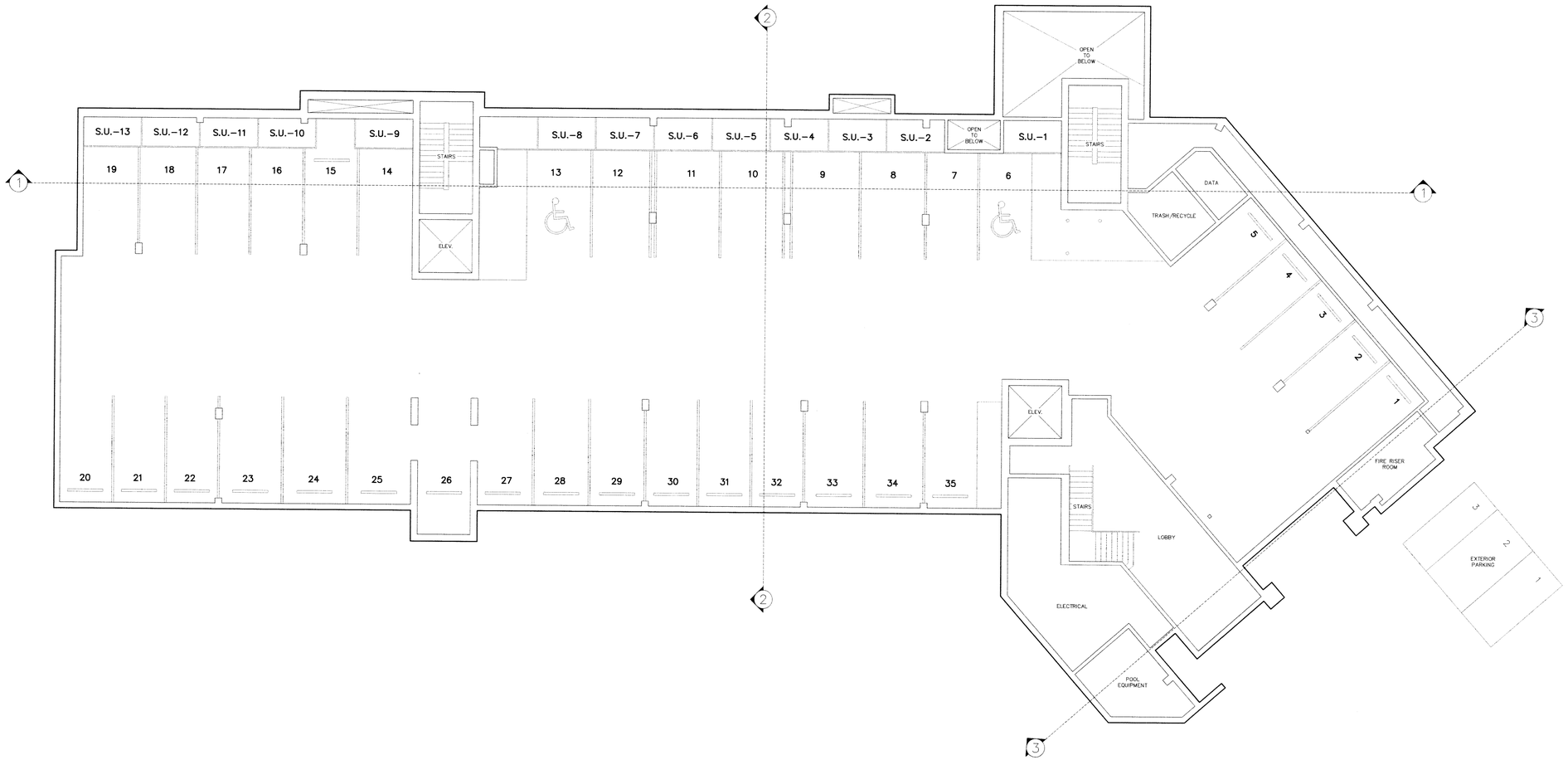
JOB NO.: 6-3-19 FILE: X:\Empire\dwg\srv\plat2019\060319-Argent.dwg

RECORDED

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

_____ _____
FEE RECORDER

TIME _____ DATE _____ ENTRY NO. _____



ABBREVIATION LEGEND

ELEV. = ELEVATOR
S.U. = STORAGE UNIT

OWNERSHIP LEGEND

COMMON
LIMITED COMMON
PRIVATE OWNERSHIP

PARKING

ARGENT AT EMPIRE PASS CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28 & SOUTHEAST QUARTER OF SECTION 21,
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PARK CITY, SUMMIT COUNTY, UTAH

10' 0 10' 20'
ARCH D (24x36) 1"=10'

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FEE 610.00 BY BILL FIVEASH CO EAST WEST PARTNERS

SHEET 3 OF 11

JOB NO.: 6-3-19 FILE: X:\Empire\dwg\srv\plat2019\060319-Argent.dwg

RECORDED

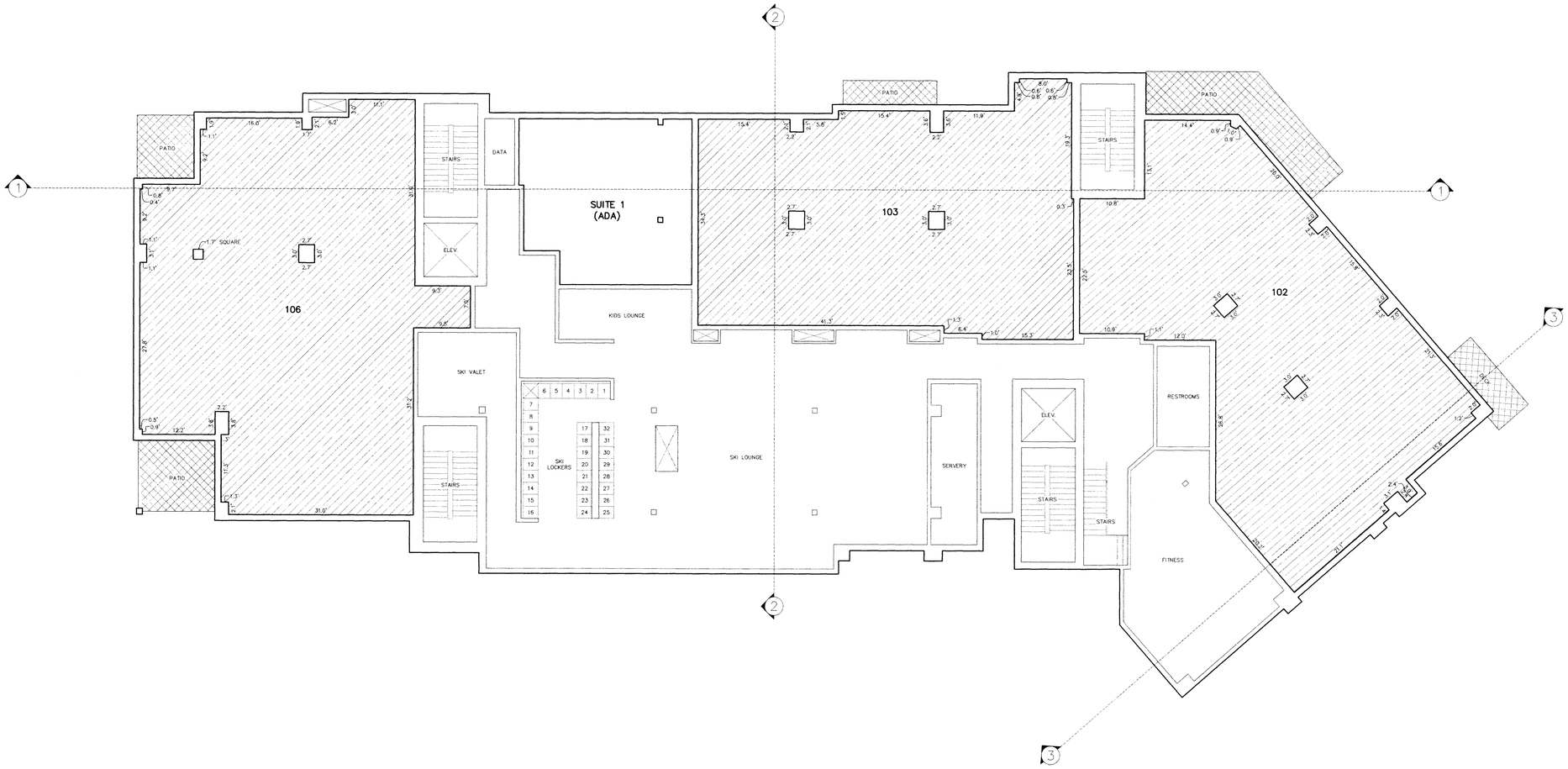
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____

_____ _____
FEE RECORDER

TIME _____ DATE _____ ENTRY NO. _____

LEVEL 1
SQUARE FOOTAGE TABLE

UNIT NUMBER	SQUARE FOOTAGE
102	2,620 SF
103	2,283 SF
106	2,819 SF



ABBREVIATION LEGEND

ELEV. = ELEVATOR
S.U. = STORAGE UNIT

OWNERSHIP LEGEND

- COMMON
- LIMITED COMMON
- PRIVATE OWNERSHIP

LEVEL 1

ARGENT AT EMPIRE PASS CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28 & SOUTHEAST QUARTER OF SECTION 21,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

10' 0 10' 20'
ARCH D (24x36) 1"=10'

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SHEET 4 OF 11

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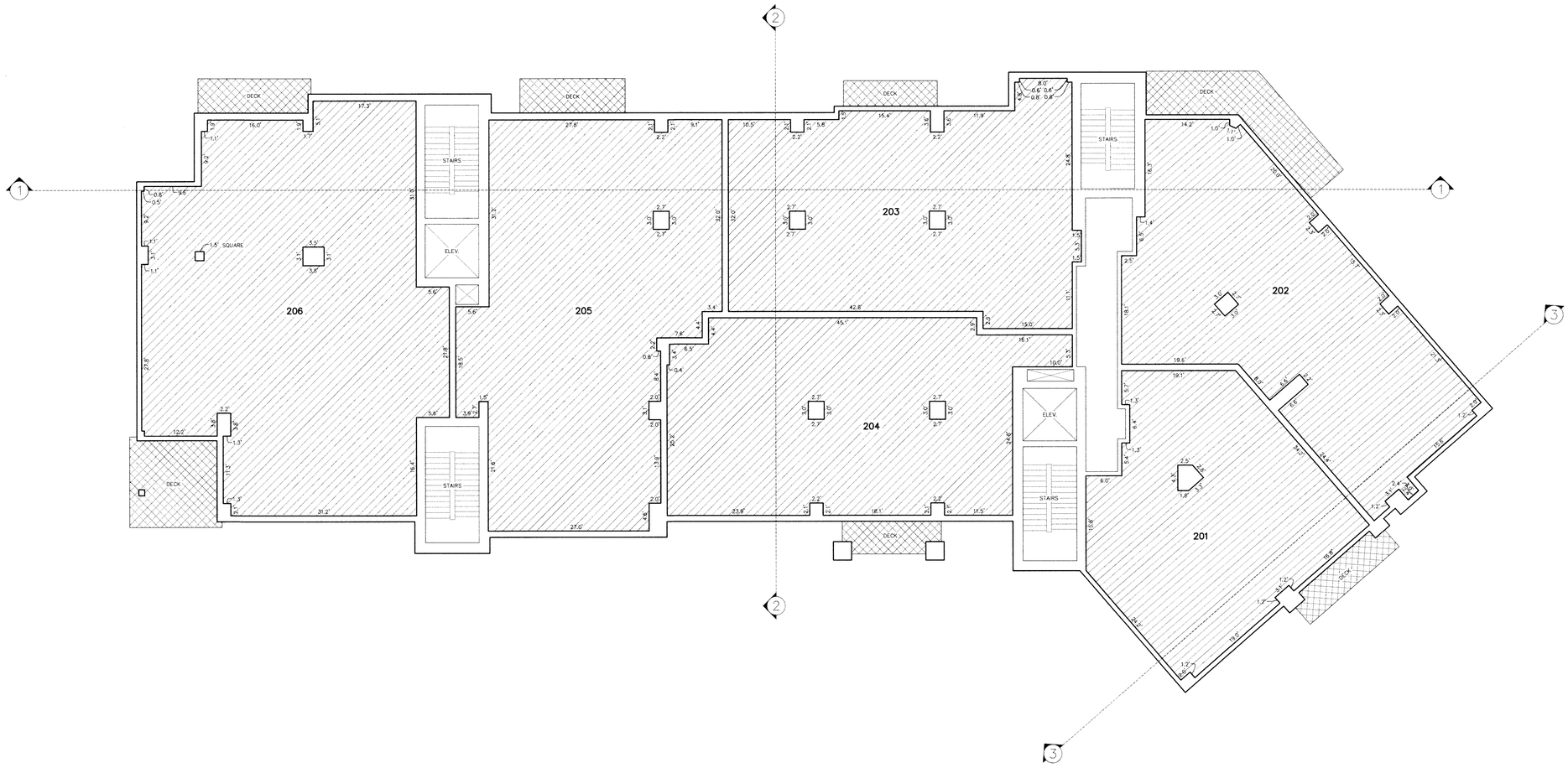
LEVEL 2
SQUARE FOOTAGE TABLE

UNIT NUMBER	SQUARE FOOTAGE
201	1,506 SF
202	1,978 SF
203	1,981 SF
204	1,894 SF
205	2,413 SF
206	2,897 SF



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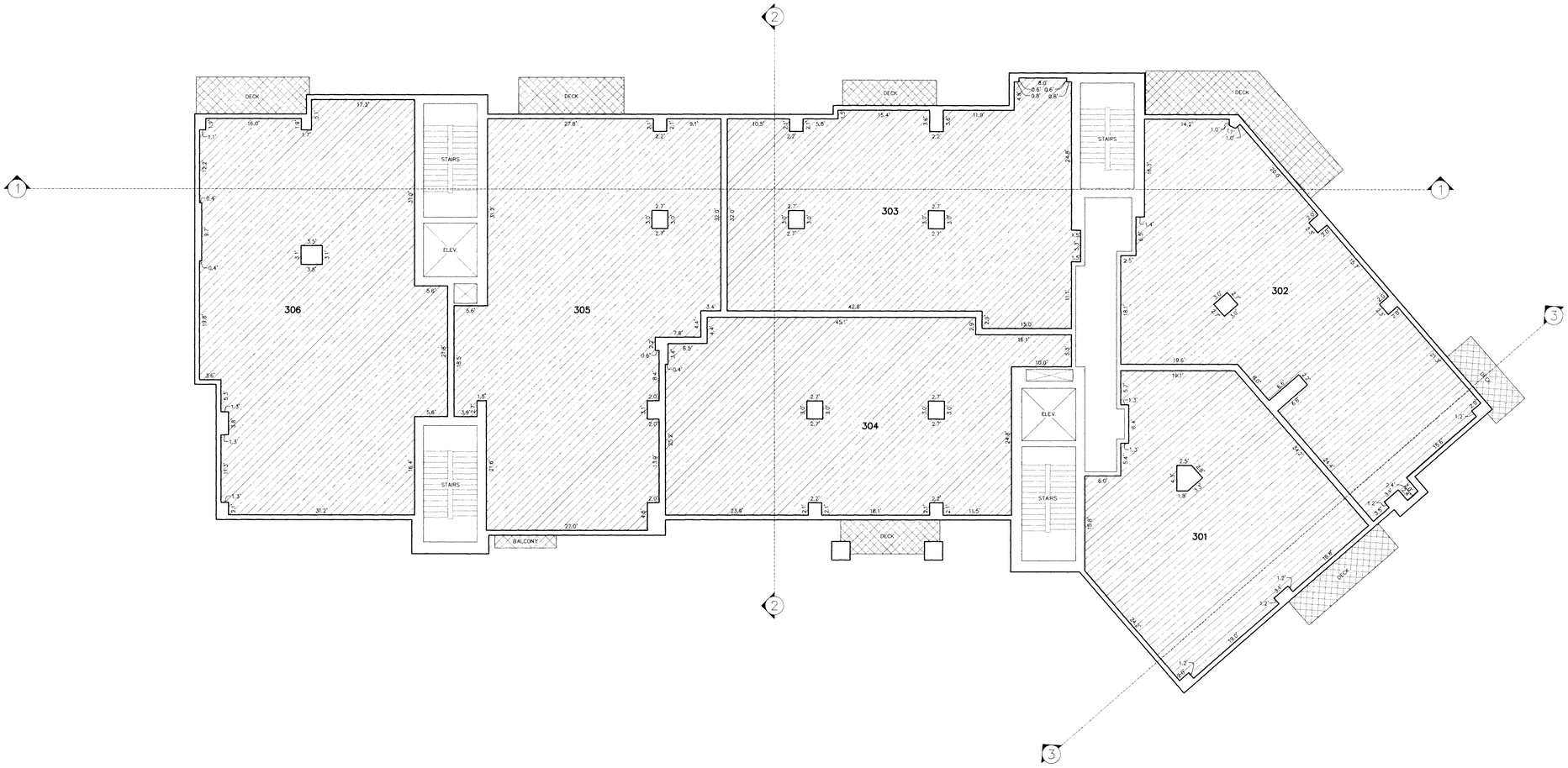
LEVEL 3
SQUARE FOOTAGE TABLE

UNIT NUMBER	SQUARE FOOTAGE
301	1,506 SF
302	1,978 SF
303	1,981 SF
304	1,894 SF
305	2,413 SF
306	2,450 SF



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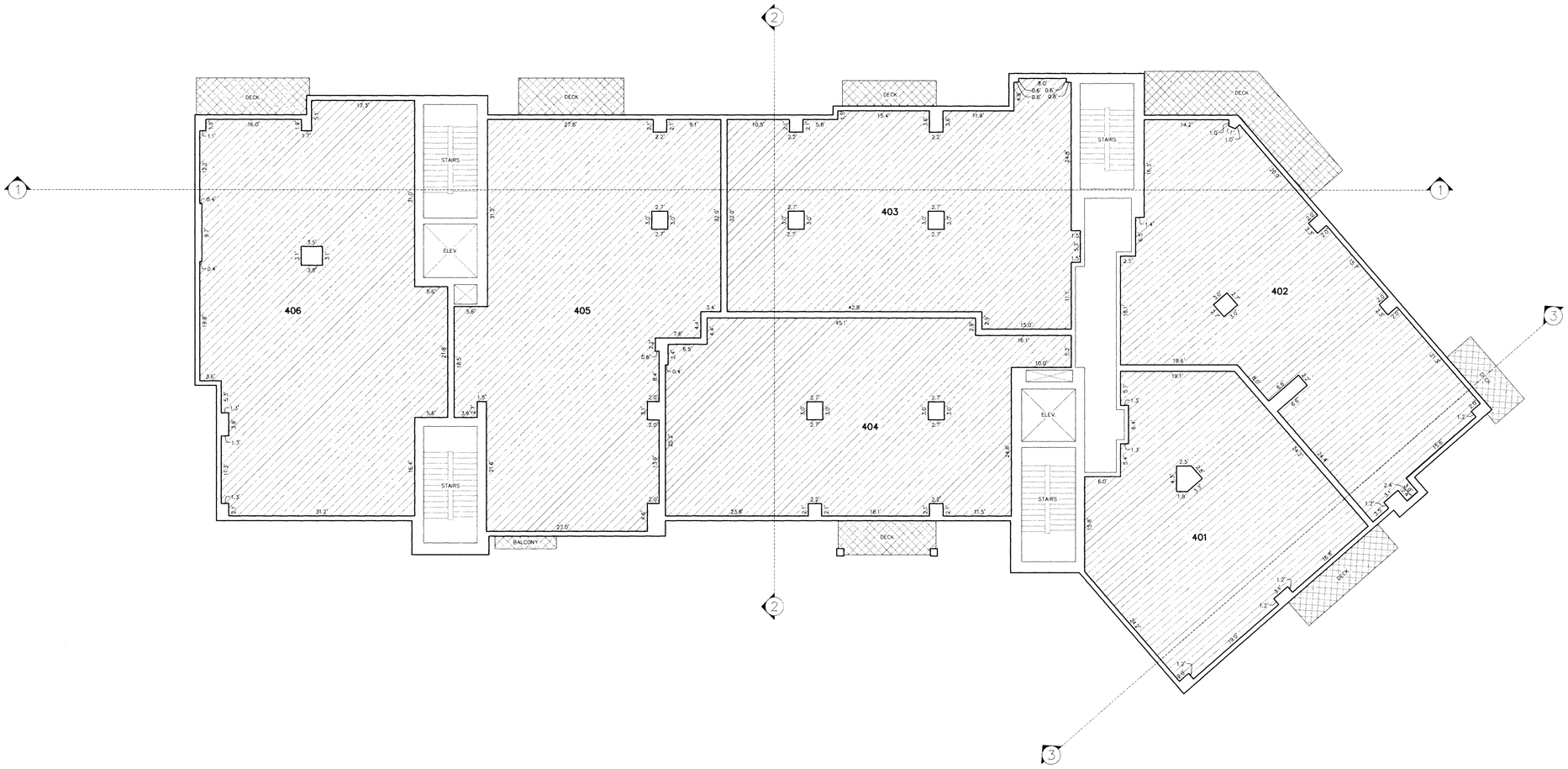
LEVEL 4
SQUARE FOOTAGE TABLE

UNIT NUMBER	SQUARE FOOTAGE
401	1,506 SF
402	1,978 SF
403	1,981 SF
404	1,894 SF
405	2,413 SF
406	2,450 SF



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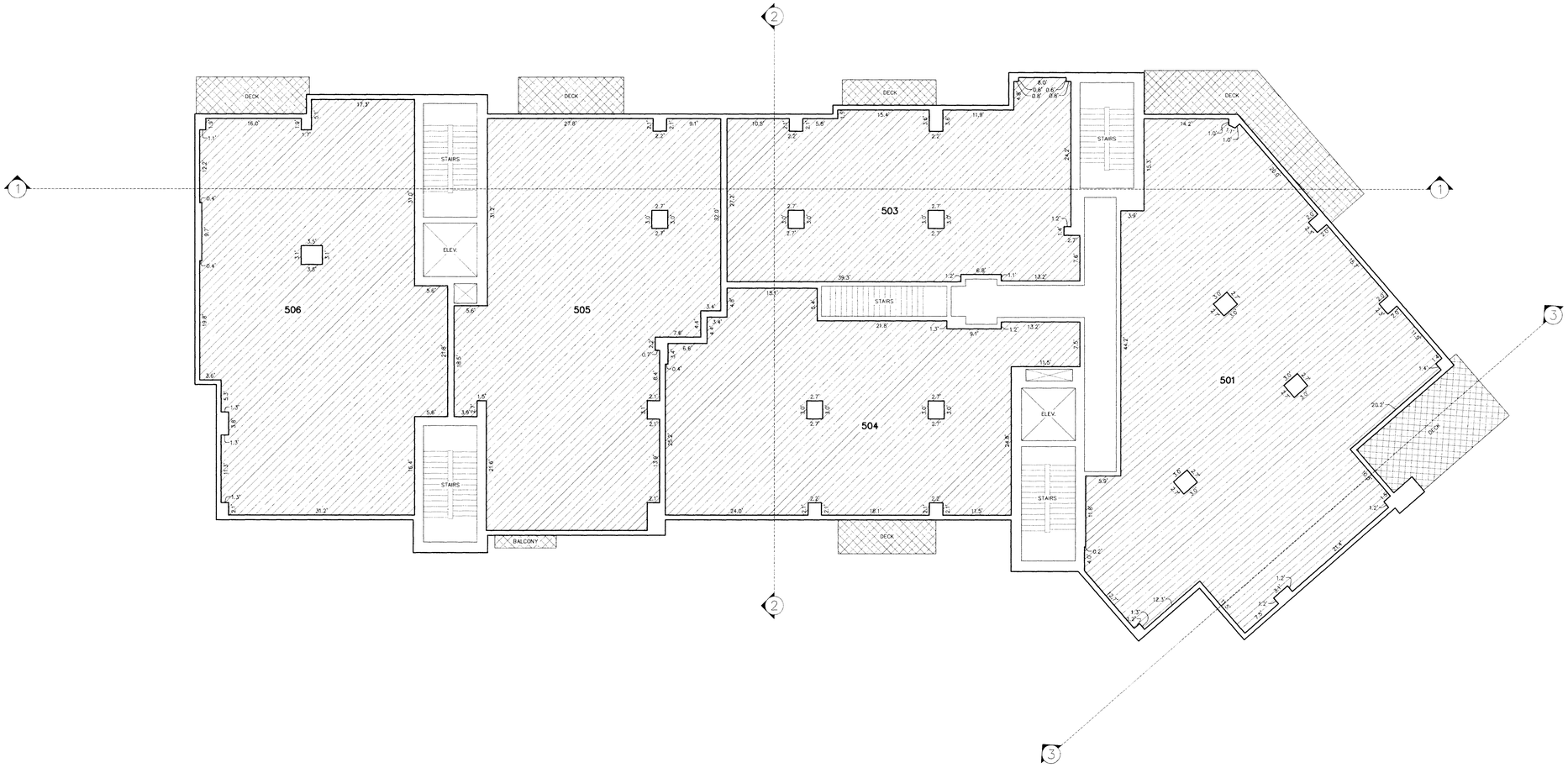
LEVEL 5
SQUARE FOOTAGE TABLE

UNIT NUMBER	SQUARE FOOTAGE
501	3,207 SF
503	1,649 SF
504	1,986 SF
505	2,415 SF
506	2,450 SF



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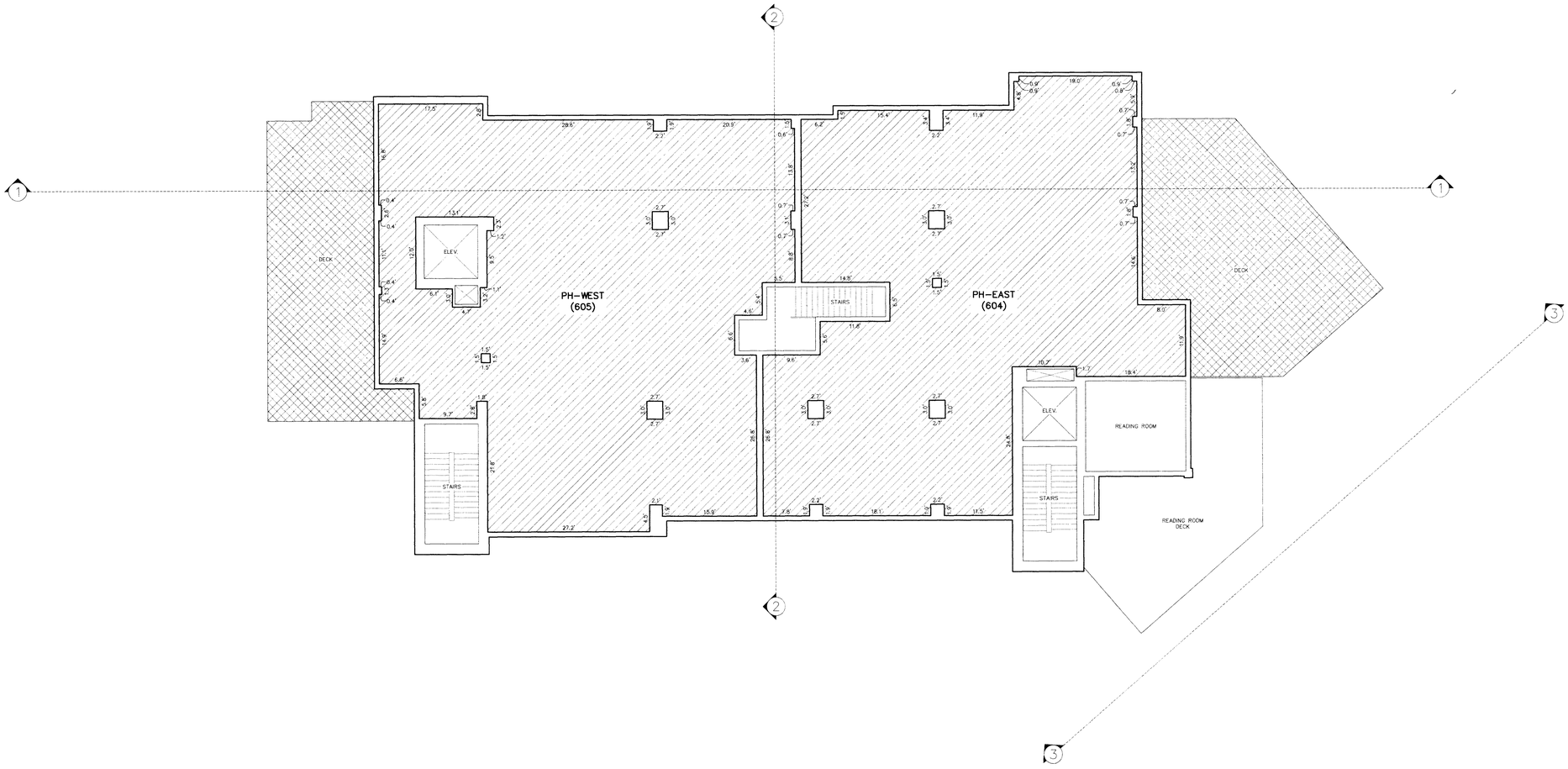
LEVEL 6
SQUARE FOOTAGE TABLE

UNIT NUMBER	SQUARE FOOTAGE
PH-EAST (604)	3,524 SF
PH-WEST (605)	3,927 SF



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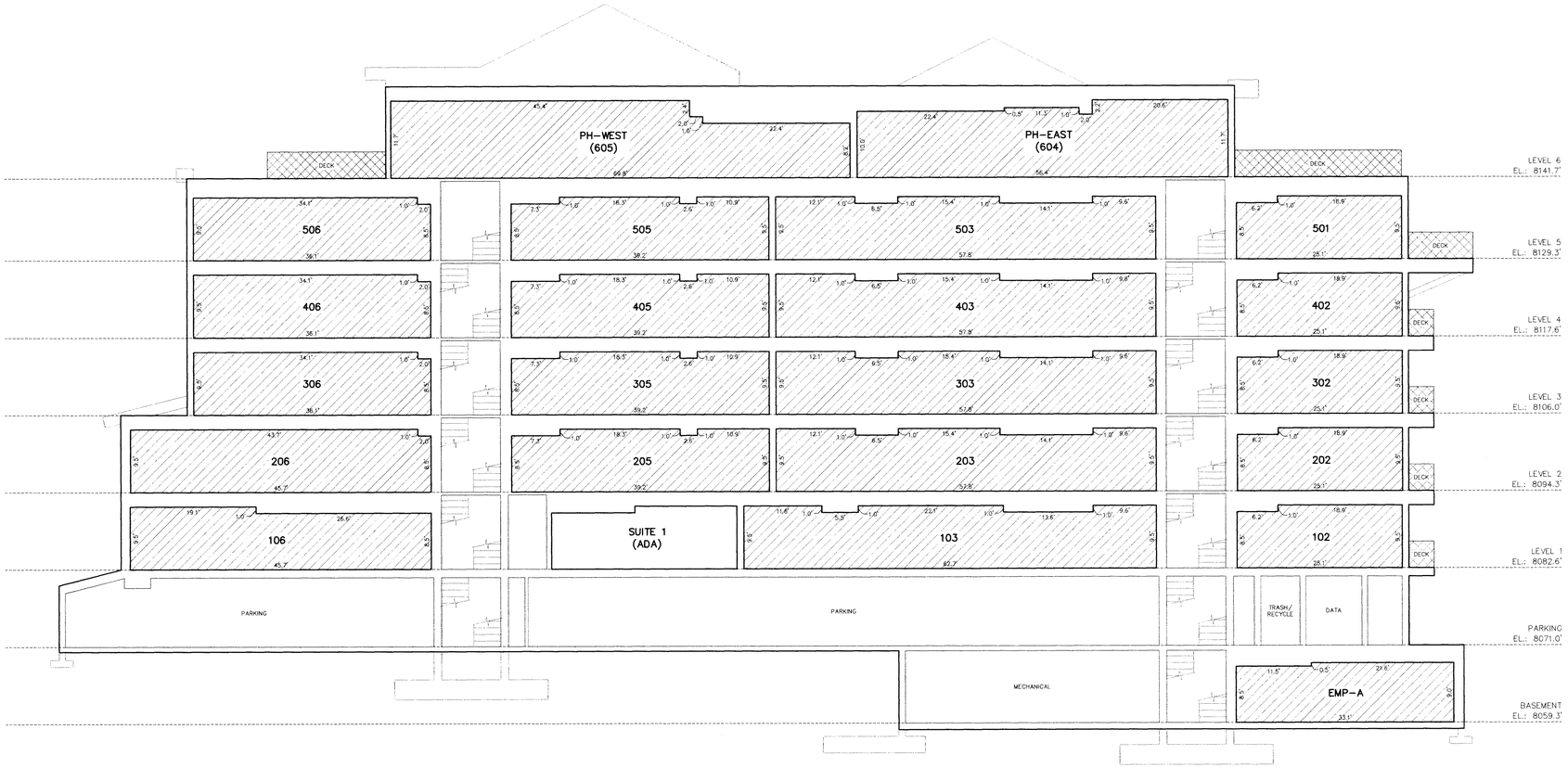
NOTE

1. Due to the architectural features in the Units, the ceiling heights are not uniform throughout each unit. Notwithstanding the depiction of the volume of the Units as shown on this plat, the actual boundaries of each Unit are as described in Article 4 of the Declaration.



SECTION 1

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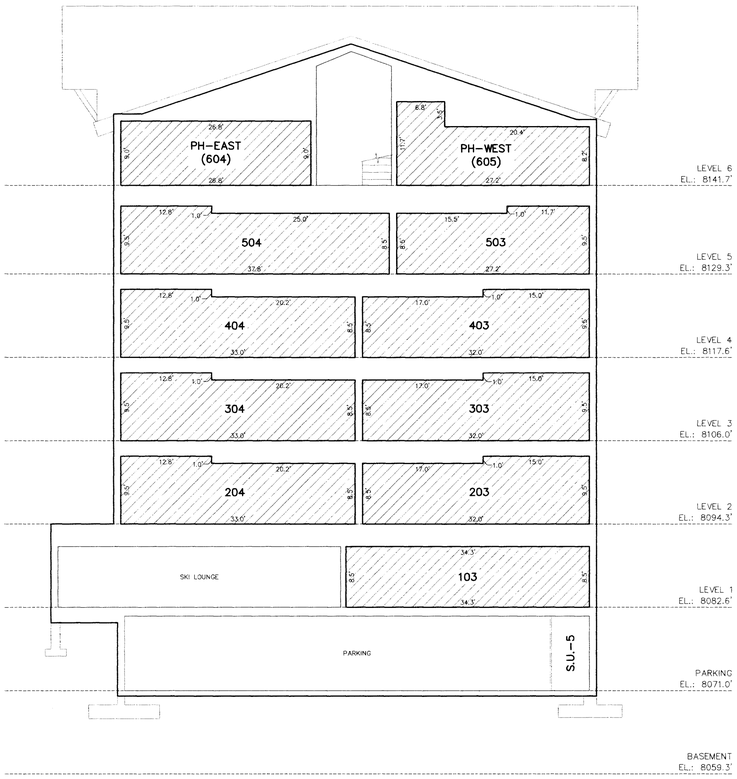
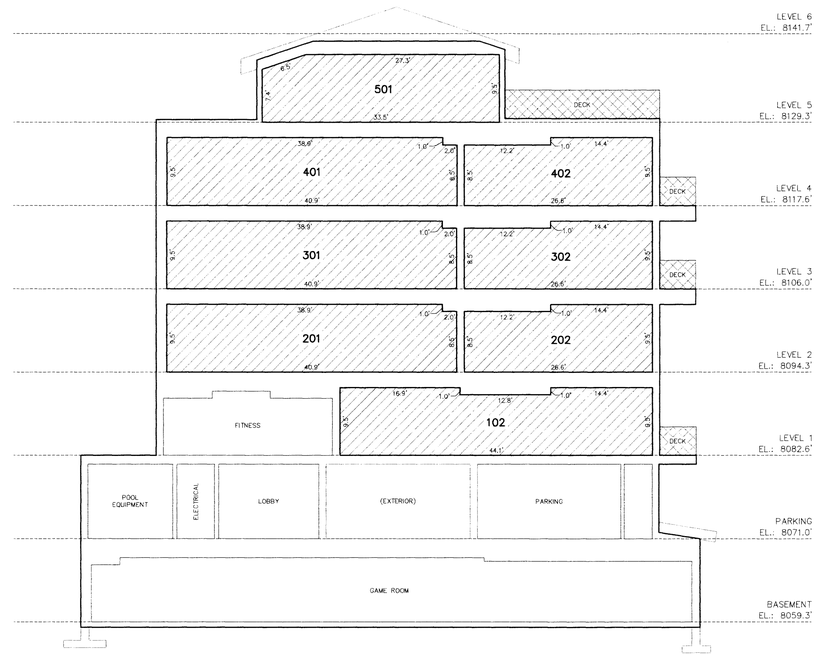


SECTION 2



SECTION 3

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Ordinance No. 2019-58

AN ORDINANCE APPROVING THE ARGENT AT EMPIRE PASS CONDOMINIUMS LOCATED AT 7677 VILLAGE WAY, PARK CITY, UTAH.

WHEREAS, the owners of the property known as the Argent at Empire Pass Condominiums, located at 7677 Village Way, petitioned the City Council for approval of the Argent at Empire Pass Condominiums Plat; and

WHEREAS, on September 25, 2019, the property was properly posted and legal notice was sent to all affected property owners; and

WHEREAS, on September 25, 2019, proper legal notice was published in the Park Record and on the Utah Public Notice website according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission opened the Public Hearing on October 9, 2019, and continued the item to after a November 7, 2019 Study Session to consider compliance matters regarding Technical Reports 5 & 6 as part of the proposed Memorandum of Agreement with the Master Owners Association;

WHEREAS, the Planning Commission, on November 13, 2019, continued the Public Hearing on the Condominium Plat and forwarded a positive recommendation to the City Council; and,

WHEREAS, the City Council on December 5, 2019, held a public hearing and took final action on the Condominium Plat; and,

WHEREAS, it is in the best interest of Park City, Utah to approve the Argent at Empire Pass Condominiums consistent with the Village at Empire Pass Master Planned Development Agreement and the Argent at Empire Pass Condominiums Conditional Use Permit.

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 Argent at Empire Pass Condominiums Plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property was originally part of 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.
2. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities for the annexation area.
3. 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. The MPD (also known as the Mountain Village) was later amended to include Pod B2 (Montage and B2 East).

4. The Mountain Village (Pods A, B1 and B2) was approved for a maximum of 785 UE of multi-family (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units.
5. To date 770 UEs and 16 single family units have been platted and/or built including the Argent at Empire Pass Condominiums.
6. Constructed lodge style buildings include Shooting Star (Building 2), One Empire Pass (Building 5), Silver Strike (Building 6), Flagstaff Lodge (Building 7), Arrowleaf A and B (Buildings 8 & 9). Empire Residences (Building 3) and the Condominiums at the Tower (Building 1) are currently under construction.
7. There is sufficient density remaining within the VE MPD for the proposed 28 units (32 UE).
8. 572 UE certificates of occupancy have been issued for the entire Flagstaff Annexation and Development area (Pods A, B1, B2, and D). According to the Annexation and Development Agreement, 15 AUE of affordable housing obligations come due for each 150 UE certificates of occupancy. The next housing obligation trigger point is 600 UE certificates of occupancy, when 60 AUE are required to be complete. As of now 105 affordable units are completed and have certificates of occupancy (89 units are off-mountain and 16 units are on-mountain).
9. As part of the Argent at Empire Pass Condominiums CUP 2.0 AUE (1600 sf) is required by the subdivision plat for this lot. The affordable units consists of an 815 sf studio and a 803 sf one bedroom unit designated as private area and can be sold as an affordable unit or used for long term rental to qualified workers consistent with the Flagstaff Housing Mitigation Plan and applicable housing resolutions.
10. On July 22, 2019, the Planning Department received an application for a both a Condominium Plat and a Conditional Use Permit for a twenty-eight (28) unit residential building to be located on Lot 2 of the Village at Empire Pass North Subdivision. The applications were deemed complete on August 22, 2019 and are currently under review by the Planning Commission.
11. The property is located at 7677 Village Way and is known as Lot 2 of The Village at Empire Pass North Subdivision, approved by Council on June 15, 2017.
12. Access to the property is from Village Way, a private street.
13. Lot 2 consists of 2.01 acres or 87,556 square feet and is currently undeveloped.
14. The property is subject to subdivision plat notes that require compliance with the 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.
15. 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.
16. The condominium plat identifies 28 private residential units totaling 63,993 sf, utilizing up to 32 UE. The units range in size from 1,506 sf to 3,927 sf. The 801 sf ADA accessible one bedroom unit is identified as common area. The 815 and 803 sf deed restricted units are identified as private area.
17. No commercial uses are proposed in the building.

18. Based on the unit sizes, a minimum of 39 parking spaces are required when taking into consideration the 25% parking reduction required by the Flagstaff Development Agreement and MPD.
19. An underground parking structure provides 35 parking spaces, including 2 ADA spaces, as well as limited common storage areas for some unit. Four surface spaces are provided for a total of 39 parking spaces.
20. All parking spaces will remain Common Area on the Plat but each unit will be assigned one stall and the rest will be kept as common usage.
21. The plat is consistent with the approved Village at Empire Pass Master Planned Development and the Empire Residences Conditional Use Permit in terms of density, height, uses, setbacks, and parking.
22. The application is in compliance with the location, density and affordable housing requirements of the Development Agreement as they apply to this lot, the VEP MPD approved in 2004, and The Village at Empire Pass North Subdivision Plat approved in 2017.
23. On November 7, 2019 the City Council held a Study Session to consider the Historic Preservation obligations of Developers under the Flagstaff Development Agreement and compliance responsibilities.
24. At the November 7, 2019 Study Session, Council was presented with a Planning Department Staff Report which summarized an October 2019 report by SWCA Environmental Consultants titled Historic Preservation Plan Update for Flagstaff Mountain Resort in Park City.
25. The October 2019 SWCA Report and the November 7, 2019 Staff Report identified current deficiencies in historic preservation obligations and mitigation and/or maintenance work needed (Nov. 7 Staff Report Tables 2-5 and 9), identified additional suggested historic preservation work needed (Nov. 7 Staff Report Table 6), and found that immediate stabilization was needed on the Judge Mining and Smelting Building before the coming winter.
26. No decisions were made by Council at the November 7, 2019 Study Session and Council stated that the issues would be further addressed at a future work session. However, Council indicated that preservation of the historic mine site structures was a priority for the Council. Also, that applications before the Planning Commission should continue to be addressed on a case-by-case basis.
27. City Council stated at the November 7, 2019 Study Session their desire to proactively work with responsible parties via a new Memorandum of Agreement to achieve compliance with the obligations of the Flagstaff Annexation and Development Agreement and Technical Reports 5 & 6, including continuing maintenance.
28. The currently proposed Memorandum of Agreement (MOA) has not yet been executed and its terms have not yet been finalized.
29. In the currently proposed MOA, developers Storied and REDUS agree in paragraph 3(b) to provide $40,000 each into escrow for costs incurred by the Association to stabilize the Judge Mining and Smelting Building. This amount has not yet been determined to be adequate.
30. This applicant, East West Partners for the Argent at Empire Pass, is not a signatory to the proposed MOA.

31. The Applicant agrees to use its best efforts to encourage the Empire Pass Master Owners Association to work to expeditiously complete and continue its preservation and maintenance obligations of the Flagstaff Development Agreement and Technical Reports 5 & 6, and will cooperatively work with the City to achieve actual compliance.
32. Prior to Plat recording, the applicant has agreed to voluntarily contribute $20,000 to Historic Preservation efforts in the Flagstaff Development Area, to be held in escrow by the City.
33. A Residences at the Tower Condominiums Plat Condition of Approval requires finalizing that MOA prior to the recordation of the Twisted Branch Road Subdivision Plat.
34. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of building permits for buildings 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.
35. The condominium plat allows for the sale of individual units.

Conclusions of Law:

1. There is good cause for this Condominium Plat.
2. The Condominium Plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed 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:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended Condominium Plat for compliance with State law, the Land Management Code, and the Conditions of Approval, prior to recordation of the Plat.
2. The applicant will record the Condominium Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a request for an extension is submitted in writing and approved by the City Council.
3. Conditions of approval of the Village at Empire Pass Master Planned Development (MPD) and Empire Pass Lot 2 Conditional Use Permit (CUP) apply to this Plat and a note shall be added to the Plat prior to recordation referencing that Conditions of Approval of the Village at Empire Pass MPD, Village at Empire Pass North Subdivision, and Empire Pass Lot 2 CUP continue to apply to this Condominium Plat.
4. All applicable recorded public utility and access easements shall be indicated on this Condominium Plat prior to recordation.
5. The deed restricted housing units shall be a minimum of 815 and 803 sf respectively, to meet the plat note requirement of 2.0 AUE for this lot. One AUE is equivalent to 800 sf according to the Development Agreement.
6. Deed Restrictions for the restricted units, approved by the City in accordance with the applicable Housing Resolution, shall be recorded prior to Plat recordation. The deed restrictions shall outline and resolve any issues or concerns that may have come up on

other affordable units platted as private. The Plat shall note that the EHU is subject to a deed restriction.

7. The CCRs shall limit the HOA dues related to the deed restricted employee housing units in order to ensure the units 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 such fees. The CCRs shall be submitted with the Condominium Plat for review and approval by the City prior to final Condominium Plat recordation.
8. The ADA unit shall be platted as Common Area.
9. Prior to plat recording, the applicant has agreed to voluntarily contribute $20,000 to Historic Preservation efforts in the Flagstaff Development Area, which will be held by the City in escrow.

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

PASSED AND ADOPTED this 5th day of December, 2019.

PARK CITY MUNICIPAL CORPORATION

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Andy Beerman, MAYOR

ATTEST:

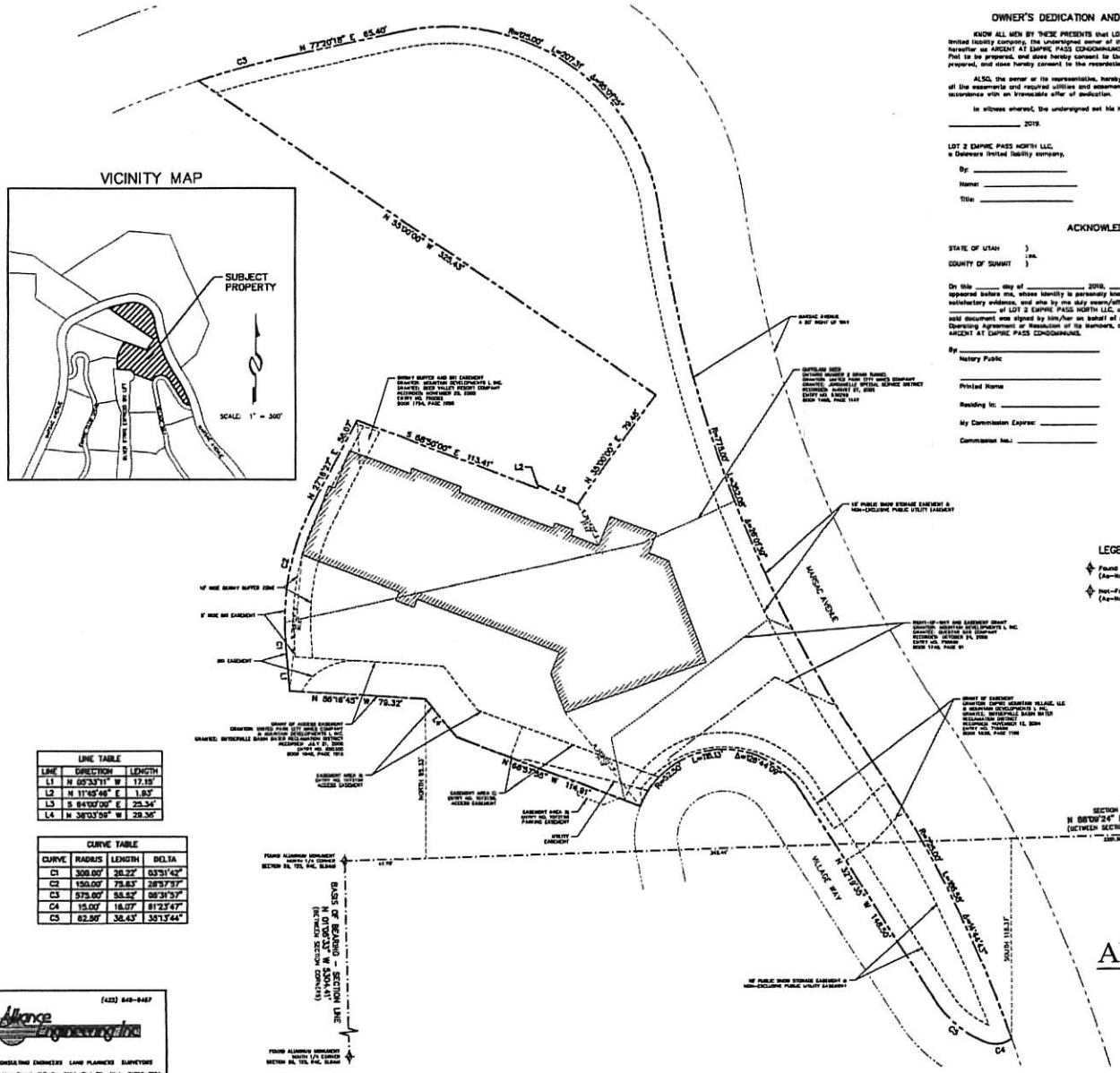
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibits

Exhibit A – Condominium Plat



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 00°33'11" W	17.19'
L2	N 11°45'46" E	1.83'
L3	S 84°00'00" E	25.34'
L4	N 38°03'59" W	29.36'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	300.00'	26.22'	03°51'42"
C2	150.00'	75.83'	28°37'37"
C3	575.00'	54.52'	06°31'37"
C4	15.00'	16.07'	61°23'47"
C5	62.50'	38.43'	35°13'44"

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that LOT 2 EMPIRE PASS NORTH LLC, a Delaware limited liability company, the undersigned owner of the hereon described tract of land, to be known hereafter as ARGENT AT EMPIRE PASS CONDOMINIUMS, does hereby certify that it has caused the Plat to be prepared, and does hereby consent to the recordation of this condominium plat to be prepared, and does hereby consent to the recordation of this condominium plat

ALSO, the owner or its representative, hereby irrevocably offers for dedication to Park City all the easements and required utilities and easements shown on this condominium plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this _____ day of _____ 2019.

LOT 2 EMPIRE PASS NORTH LLC,
a Delaware limited liability company.

By: _____

Name: _____

Title: _____

ACKNOWLEDGMENT

STATE OF UTAH)
:ss.
COUNTY OF SUMMIT)

On this _____ day of _____ 2019, _____ 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/she is the _____ of LOT 2 EMPIRE PASS NORTH LLC, a Delaware limited liability company, and that said document was signed by him/her 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 ARGENT AT EMPIRE PASS CONDOMINIUMS.

By _____

Notary Public

_____

Printed Name

Residing In: _____

My Commission Expires: _____

Commission No.: _____

SURVEYORS CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857294 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, RIDGE Park City LLC, a Delaware limited liability company, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

BOUNDARY DESCRIPTION

All of LOT 2, VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, according to the official plat thereof, on file and of record in the office of the Summit County Recorder, Summit County, Utah

NOTES

1. The dimensions of the private spaces and square footage calculations are based on drawings supplied by EB Group. The square footage shown on the plat are calculated in accordance with the Utah Condominium Act and the Declaration of Condominium for ARGENT AT EMPIRE PASS CONDOMINIUMS, a Utah Condominium Project. Such calculations typically differ somewhat from the square footage determined by the architect or others using different methods of determining unit size. It is the intent that the private ownership area of the units will be as constructed.
2. All common structural elements are designated as Common Areas and Facilities, as described in the Declaration of Condominium.
3. Building ties on this sheet are from the property line to the building foundation as shown.
4. All Common Areas and Facilities are dedicated as non-exclusive easements to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Service District, and Summit County for the purpose of providing access for utility and drainage installation, use, maintenance, and eventual replacement.
5. Access to the units is by private roads and is not serviced by Park City.
6. The units of the ARGENT AT EMPIRE PASS CONDOMINIUMS are served by a Common Private Lateral Wastewater Line. The ARGENT AT EMPIRE PASS CONDOMINIUMS Master Owners Association, Inc. (the "Master Association") shall be responsible for the maintenance and replacement of said Private Lateral Wastewater Line serving ARGENT AT EMPIRE PASS CONDOMINIUMS. The cost of such maintenance and replacement shall be paid by the ARGENT AT EMPIRE PASS CONDOMINIUMS Owners Association, Inc. as part of the common expenses.
7. Units EMP-A & EMP-B: Deed Restricted Employee/Affordable Housing Act (DHA). Unit 102 on Level One is designed as an ADA unit.
8. All conditions of approval of the Village at Empire Pass (Pod A) Master Planned Development, approved July 28, 2010, North Village at Empire Pass Master Planned Development, the Village at Empire Pass North Subdivision Plat, recorded January 23, 2018 as Entry Number 1063414, the Argent Conditional Use Permit, dated _____ 2019 and Park City Ordinance _____ shall continue to apply.
9. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the Lot.
10. The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass, as amended ("Master Declaration"), requires the membership of each unit owner. Members are subject to the terms of its articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein.
11. Owners and potential buyers of any unit or land within the lots expected on this plat are given notice that they own or are buying property in a resort area in which all-season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, mountain bikers and other resort patrons, equipment, machine-made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such owner or agreements with such owner.
12. Village Way is a private road to 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. Village Way is not a public road or right-of-way.
13. Lot 2 hereby grants a non-exclusive resort and access easement over the western edge of the property as depicted on this plat as the "3' Wide Ski Easement". This easement is for the benefit of Lot 4 Village at Empire Pass North Subdivision for resort operations and trail maintenance and for the benefit of the Lot 13 Village at Empire Pass Westside Subdivision (One Empire Pass Condominiums) property owners, invitees and guests for purposes of ski and pedestrian access.
14. Lot 2 hereby grants a non-exclusive easement near the western edge of the property as depicted on the plat as the "10' Snowy Buffer Zone". This easement is for the benefit of Lot 4 Village at Empire Pass North Subdivision providing that without prior written consent of owner of Lot 4 no above-ground building, trees or other landscaping obstructions may be constructed or maintained in the Snowy Buffer Zone.
15. This plat records a total of 83,993 SF of Residential Unit area that is subject to the Unit Equivalent (UE) representing 31.99 UE. Units EMP-A & EMP-B at the basement level & unit 105 ADA at level one are excluded from this number.

ARGENT AT EMPIRE PASS CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

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

SHEET 1 OF 10

JOB NO.: 6-3-19 FILE: X:\Empire\dwg\srv\plat2019\060319-Argent.dwg

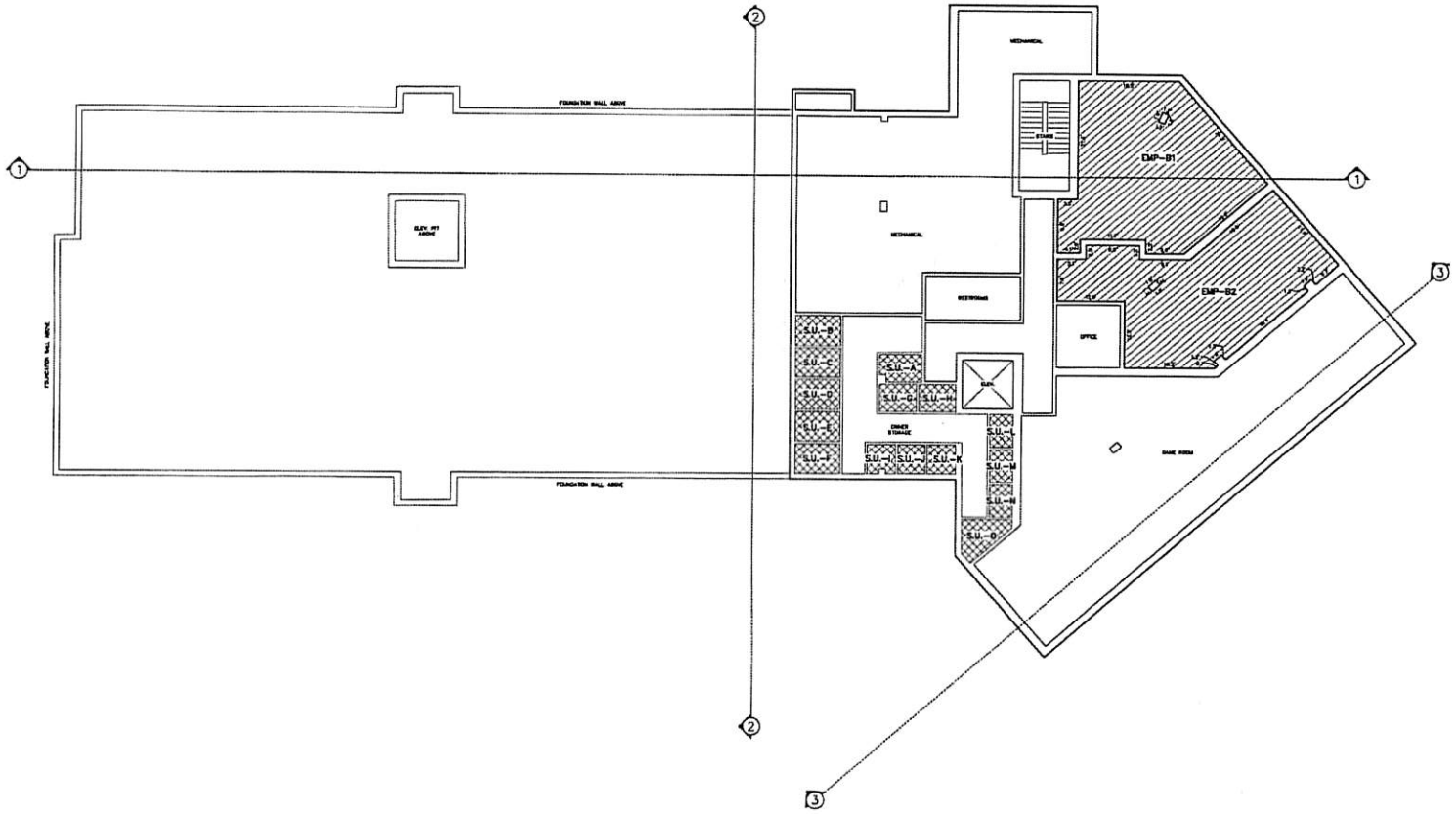
PUBLIC SAFETY ANSWERING POINT APPROVAL	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
APPROVED THIS _____ DAY OF _____, 2019 BY _____ SUMMIT COUNTY GIS COORDINATOR	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2019 BY _____ S.B.W.R.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2019 BY _____ CHAIR	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2019 BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 2019 BY _____ PARK CITY ATTORNEY	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2019 BY _____ MAYOR	I CERTIFY THIS CONDOMINIUM PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2019 BY _____ PARK CITY RECORDER	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER _____ TIME _____ DATE _____ ENTRY NO. _____

BASEMENT
SQUARE FOOTAGE TABLE

UNIT NUMBER	SQUARE FOOTAGE
EMP-B1	803 SF
EMP-B2	815 SF

BASEMENT
STORAGE UNIT OWNERSHIP

OWNER STORAGE UNIT NUMBER	ROOM UNIT NUMBER
S.U.-A	
S.U.-B	
S.U.-C	
S.U.-D	
S.U.-E	
S.U.-F	
S.U.-G	
S.U.-H	
S.U.-I	
S.U.-J	
S.U.-K	
S.U.-L	
S.U.-M	
S.U.-N	
S.U.-O	



BASEMENT

ABBREVIATION LEGEND

ELEV. = ELEVATOR
S.U. = STORAGE UNIT

OWNERSHIP LEGEND

- COMMON
- LIMITED COMMON
- PRIVATE OWNERSHIP

ARGENT AT EMPIRE PASS CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE NORTHEAST QUARTER OF SECTION 28, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

10' 0 10' 20'

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

11/22/19 SHEET 2 OF 10

JOB NO.: 6-3-19 FILE: X:\Empire\dwg\srv\plat2019\060319-Argent.dwg

RECORDED

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

FEE _____ RECORDER _____

TIME _____ DATE _____ ENTRY NO. _____

From:	planning
To:	Christin Van Dine; Douglas Thimm (dthimm@archnexus.com); John Kenworthy; John Phillips; Laura Suesser (laura.suesser@gmail.com); Sarah Hall (s.m.hall@icloud.com)
Cc:	Alexandra Ananth
Subject:	FW: 7677 Village Way/Agenda Item 5B on February 10, 2021 Agenda
Date:	Tuesday, February 9, 2021 9:57:24 AM

Jessica R. Nelson
Planning Analyst
She/Her/Hers
(435) 615-5061

Please note we are working remote at times due to COVID-19 protocols and have a large number of permits, which can cause a delay in response. Email is the best contact method, but if you call please leave a detailed voicemail and I will return it as soon as possible.
WE ARE WORKING TO ACCOMMODATE ONLINE SUBMISSIONS. PLEASE NOTE THAT WE CANNOT RECEIVE EMAILS GREATER THAN 8 MB. FOR LARGE ATTACHMENTS, PLEASE SEND US A DROPBOX LINK.

Disclaimer: The Planning Department strives to give the best customer service possible and to respond to questions as accurately as possible based upon the information provided. However, answers given at the counter and/or prior to application are not binding and they are not a substitute for formal Final Action, which may only occur in response to a complete application to the Planning Department. Those relying on verbal input or preliminary written feedback do so at their own risk. Zoning and Land Management Code sections are subject to change.

From: Tom Jacobson <tom@tomjacobsonlaw.com>
Sent: Tuesday, February 9, 2021 9:27 AM
To: planning <planning@parkcity.org>
Subject: FW: 7677 Village Way/Agenda Item 5B on February 10, 2021 Agenda

Jessica:

Would you be so kind as to forward this e mail to the Commissioners. Thank you.

Thomas N. Jacobson
Attorney at Law
3079 Fairway Hills Court
Park City, Utah 84060
(435) 615-9911
Cell—(951) 314-4258
Fax—(951) 682-7884
tom@tomjacobsonlaw.com

From: Tom Jacobson
Sent: Sunday, February 7, 2021 4:31 PM
To: sarah.hall@parkcity.org; john.kenworthy@parkcity.org; john.phillips@parkcity.org; mark.sletten@parkcity.org; laura.suesser@parkcity.org; douglas.thimm@parkcity.org; christin.vandine@parkcity.org
Subject: 7677 Village Way/Agenda Item 5B on February 10, 2021 Agenda

Members of the Commission:

I represent Andrea and Frank Newman and Carrie and David Marriott with regard to Agenda Item 5B, PL-20-04278. The Applicants propose to obtain approval for a lot swap, approval of easement extension and combining of two units. My clients have no objection to the combining of two units but have some concerns about the proposal relating to the lot swap and ski easement.

My clients have been advised there is a "Gentlemen's Agreement" not to engage in any further development on the parcel owned by LEC Properties which currently extends adjacent to One Empire and the Argent buildings. We have also been advised East West contends no further development will take place on the lands owned by East West Partners adjacent to the Argent parcel. On the other hand, the Applicants have not explained why the ski access is necessary unless the LEC property and East West property are being considered for future development.

Sound development practice dictates that if there is a "Gentlemen's Agreement" regarding future development it must be memorized, included as part of this proposal and its recordation made a condition of any approval of the ski easement and lot swap. Doing things piece meal has never been a good planning practice and eventually leads to some of the problems communities, such as ours, encounter at a later stage of development. The best practice for all concerned is to present to the Commission for approval the proposed restriction on future building at the same time as the application for the land swap and grant of easement, and make any approval of the lot swap and ski easement contingent on the recordation of a restriction on future building on the LEC property and East West properties.

Because of the importance of doing things correctly, we request the Commission bifurcate the issue of combining units 201 and 202 and approve that limited request. We also ask the remainder of the matter relating to the lot swap and ski easement be continued until the Commission has before it the proposed recordable restriction.

Please do not hesitate to contact me before Wednesday's meeting.

Thomas N. Jacobson
Attorney at Law
3079 Fairway Hills Court
Park City, Utah 84060
(435) 615-9911
Cell—(951) 314-4258
Fax—(951) 682-7884
tom@tomjacobsonlaw.com

Council Agenda Item Report

Meeting Date: February 25, 2021
Submitted by: Alexandra Ananth
Submitting Department: Planning
Item Type: Staff Report
Agenda Section:

Subject:
Consideration to Approve Ordinance 2021-09, an Ordinance Approving an Extension of the Lilac Hill East Subdivision Located at 729, 741, 747, 751, 755 Rossie Hill Drive, Park City, Utah
(A) Public Hearing (B) Action

Suggested Action:

Attachments:
Lilac Hill East Extension of Time Staff Report

Exhibit A: Ordinance 2021-09

Exhibit B: Applicant's Request for Extension

Exhibit C: Ordinance 2020-02

City Council
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **Lilac Hill East Subdivision**
Author: **Alexandra Ananth, Senior Planner**
Project Number: **PL-21-04737**
Date: **February 25, 2021**
Type of Item: **Administrative – Subdivision Plat Extension of Approval**

Summary Recommendations

Staff recommends the City Council 1) review the proposal, 2) hold a public hearing and 3) consider approving the requested one year extension of the Lilac Hill East Subdivision based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the attached draft Ordinance.

Description

Applicant:	Lilac Hill LLC, represented by Alliance Engineering, Marshall King
Location:	729, 741, 747, 751, 755 Rossie Hill Drive (PC-546 & PC-547)
Zoning:	HRL (Historic Residential- Low Density)
Adjacent Land Uses:	Residential- Single family, duplex, and multi-family
Reason for Review:	Extensions of Approval City Council review and action

Executive Summary

The Lilac Hill East Subdivision was approved unanimously by the City Council on January 9, 2020 (Staff Report, beginning on p. 272; Minutes, beginning on p. 11). The applicant is now seeking a one year extension of time to complete and submit the Plat for recording.

Background

The Lilac East Subdivision Plat consists of five (5) Lots of record. There are three historic homes located on the north side of the property, which will remain, and will be located on Lots 1, 2 and 3. Lots 4 and 5 are vacant of any structures.

The three (3) existing houses are listed on the Park City Historic Sites Inventory (HSI) and all three (3) are designated as Landmark Sites. Development of the three (3) Historic Sites are required to abide by the Design Guidelines for Historic Districts and Historic Sites, and any future project will be reviewed by the Historic Preservation Board through the Historic District Design Review application process.

Analysis

This Major Subdivision was reviewed for compliance with the following Land Management Code Sections:

- 15-2.1 Historic Residential-Low Density (HRL) District;
- 15-7 Subdivision General Provisions;

- 15-7.1 Subdivision Procedures;
- 15-7.3 Requirements For Improvements, Reservations and Design;
- 15-12-15(B)(4) Subdivision Approval; and
- 15-12-15(B)(9) Subdivision and Condominium Plat and Plat Amendment Review.

The applicant states in their Request for Extension (Exhibit B), that the conveyance from the previous owners to the applicant took longer than expected. In addition, the necessity of obtaining a Title Report for property to the north owned by Park City Municipal Corporation, as requested by the Snyderville Basin Water Reclamation District, for recordation of sewer easements, delayed being able to complete and submit the Plat for recording before the January 9, 2021 deadline.

LMC § 15-7.1-6(C)5., *Final Subdivision Plat*, states that "Applicants may request time extensions of the City Council approval by submitting a request in writing to the Planning Department prior to expiration of the approval. The City Council may grant an extension to the expiration date when the Applicant is able to demonstrate no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request. Change in circumstance includes physical changes to the Property or surroundings."

Staff recommends approval of the extension based upon the fact that the applicant requested a time extension prior to the expiration of their 2020 approval, and there has been no change in circumstance that would result in an unmitigated impact, or in a finding of non-compliance with the Park City General Plan or the LMC.

Exhibits
Exhibit A: Draft Ordinance with Plat (Attachment 1)
Exhibit B: Applicant's Request for Extension
Exhibit C: Ordinance 2020-02

Exhibit A

Ordinance No. 2021-09

AN ORDINANCE APPROVING AN EXTENSION OF THE LILAC HILL EAST SUBDIVISION LOCATED AT 729, 741, 747, 751, 755 ROSSIE HILL DRIVE, PARK CITY, UTAH.

WHEREAS, the property owners of the property located at all of Government Lots 29 and 30 SEC 15 T2S, R4E, SLB&M (PC-546-547) have petitioned the City Council for extension of the Subdivision; and

WHEREAS, on February 11, 2021, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on December 11, 2019, to receive input on the Preliminary Subdivision; and

WHEREAS, the Planning Commission, on December 11, 2019, forwarded a positive recommendation, combining the Preliminary and Final Subdivision Plats per the requirements of LMC 15-7.1-3, to the City Council; and,

WHEREAS, on January 9, 2020, the City Council held a public hearing to receive input on the Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to extend the Lilac Hill East Subdivision located at 729, 741, 747, 751, 755 Rossie Hill Drive, Park City, Utah.

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

SECTION 1. APPROVAL. The Lilac Hill East Subdivision as shown in Attachment 1 is extended for one year subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at All of Government Lots 29 & 30, Section 15 of Township 2 South, Range 4 East, Salt Lake Base and Meridian. It was formerly known as the 15th house on the rear south side in Deer Valley, Park City previously addressed under PC-546; and also as the 13th and 14th houses south side in Deer Valley, Park City previously addressed under PC-547.
2. The site is within the Historic Residential- Low Density (HRL) Zoning District.
3. The proposed Subdivision Plat creates five (5) Subdivision Lots out of two existing Government lots.

4. The application for the Lilac Hill East Subdivision was deemed completed on September 23, 2019.
5. The three (3) existing houses on the site are all designated as Landmark on the Park City Historic Sites Inventory (HSI).
6. All three (3) Historic Structures were likely constructed in the 1890s, and prior to 1907.
7. The properties were initially constructed on mining claims, and the land came to be held by the Bureau of Land Management (BLM).
8. In November 2018, the BLM granted a land patent to Richard Dennis, Pamela Ann Fisher, and Paula Marie Bond for the property.
9. The land was rezoned from RM to HRL through Ordinance 2017-05.
10. There are no known previous applications found for the property as the houses do not have street address numbers.
11. The Historic Sites referenced as 652 and 660 Rossie Hill Drive on the City's Historic Sites Inventory are the addresses of two condominiums to the southeast of this site. 652 Rossie Hill Drive is the street address number of Unit 2 of the Tahoma Condominiums (TAHOMA-2); and 660 Rossie Hill Drive is the street address number of Unit 1 Building 1 of the Quicksilver Condominium (QS-1).
12. At the November 13, 2019 Planning Commission meeting, the item was continued to December 11, 2019.
13. On December 11, 2019 Planning Commission forwarded a positive recommendation to City Council.
14. The proposed Subdivision Plat creates five (5) Lots of record from the existing legal description containing 0.79 acres. The proposal is as follows:
    a. Lot 1: Proposed address of 741 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 660 Rossie Hill Drive and containing 5,253 sq ft.
    b. Lot 2: Proposed address of 729 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 652 Rossie Hill Drive and containing 6,566 sq ft.
    c. Lot 3: Proposed address of 755 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 622 Rossie Hill Drive and containing 7,327 sq ft.
    d. Lot 4: Proposed address of 751 Rossie Hill Drive. Contains 7,437 sq ft,
    e. Lot 5: Proposed address of 747 Rossie Hill Drive. Contains 6,176 sq ft.
15. A portion of Rossie Hill Drive cuts across the northeast corner of the site (1,146 sq ft) as well as across the south portion of the site (275 sq ft). Both portions of Rossie Hill Drive will be dedicated to the City with this Subdivision Plat, and the street dedication shall be noted on the recorded plat,
16. The wood slat fence, wood path, planter box, and shed encroach into the neighboring property PC-750-1-X that is owned by the City. The applicant shall either remove the encroachments or enter into an encroachment agreement prior to recordation of this Subdivision Plat.
17. The minimum Setbacks for Lot 1 are:
    a. Side: 5ft for a total of 18ft
    b. Front/ Rear: 15ft for a total of 30ft

18. The minimum Setbacks for Lot 2 are:
    a. Side: 5ft for a total of 14ft
    b. Front/ Rear: 15ft for a total of 30ft
19. The minimum Setbacks for Lot 3 are:
    a. Side: 10ft for a total of 24ft
    b. Front/ Rear: 12ft for a total of 25ft
20. The minimum Setbacks for Lot 4 are:
    a. Side: 10ft for a total of 24ft
    b. Front/ Rear: 12ft for a total of 25ft
21. The minimum Setbacks for Lot 5 are:
    a. Side: 10ft for a total of 24ft
    b. Front/ Rear: 10ft for a total of 20ft
22. The Maximum Building Footprint for each Lot are:
    a. Lot 1: 1955,16 square feet
    b. Lot 2: 2270.04 square feet
    c. Lot 3: 2427.1 square feet
    d. Lot 4: 2448.36 square feet
    e. Lot 4: 2182.52 square feet
23. Single-family dwellings are an allowed use in the HRL District. The minimum Lot Area is 3,750 square feet. The proposed Lots meet the minimum Lot Area. The minimum width of a Lot is thirty-five (35'), measured fifteen feet back from the Front Lot Line. The proposed Lots meet the minimum Lot width.
24. The proposed shared driveway with utilities is required to be a minimum of twenty feet (20') wide. The access road grades are proposed to be less than fourteen percent (14%).
25. Current standards would prohibit any roads over ten percent (10%) from being converted to public Rights of-Way. Neither Planning nor Engineering staff would recommend accepting any part of the private drive as a public Right-of-Way in the future.
26. Staff finds in order to mitigate the impacts of the paved twenty (20) foot wide driveway, a setback of ten feet (10') from the Driveway Easement should be required, per Condition of Approval #5. The applicant has agreed to this Condition of Approval.
27. The City Engineer will require the applicant to grant one (1) – ten foot (10') snow storage easements along the south property line along Rossie Hill.
28. The Site is not located within the Sensitive Lands Overlay District.
29. The Site is not located within the Soils Ordinance Boundary.
30. All development shall comply with the applicable LMC Requirements.
31. A Subdivision Plat is necessary in order for the three (3) Historic Sites to be developed.
32. On February 11, 2021, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on February 11, 2021, according to requirements of the Land Management Code.
33. The applicant requested a time extension prior to the expiration of their 2020 approval, and there has been no change in circumstance that would result in an

unmitigated impact, or in a finding of non-compliance with the Park City General Plan or the LMC.

Conclusions of Law:

1. There is no change in circumstance that would result in an unmitigated impact or that would result in a finding of non-compliance with the Park City General Plan or the Land Management Code in effect at the time of the extension request..
2. Extension of the Subdivision, 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 of this extension. If recordation has not occurred within one (1) years' time, this extension will be void.
3. Unless modified above, all Conditions of Approval of Ordinance 2020-02 remain in full force and effect

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

PASSED AND ADOPTED this ___ day of _____, 2021.

PARK CITY MUNICIPAL CORPORATION

_____ _____

Andy Beerman, MAYOR Date

ATTEST:

_____

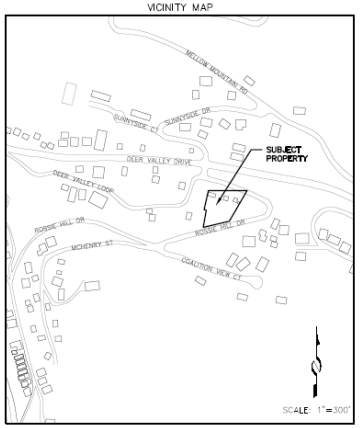
Michelle Kellogg, City Recorder

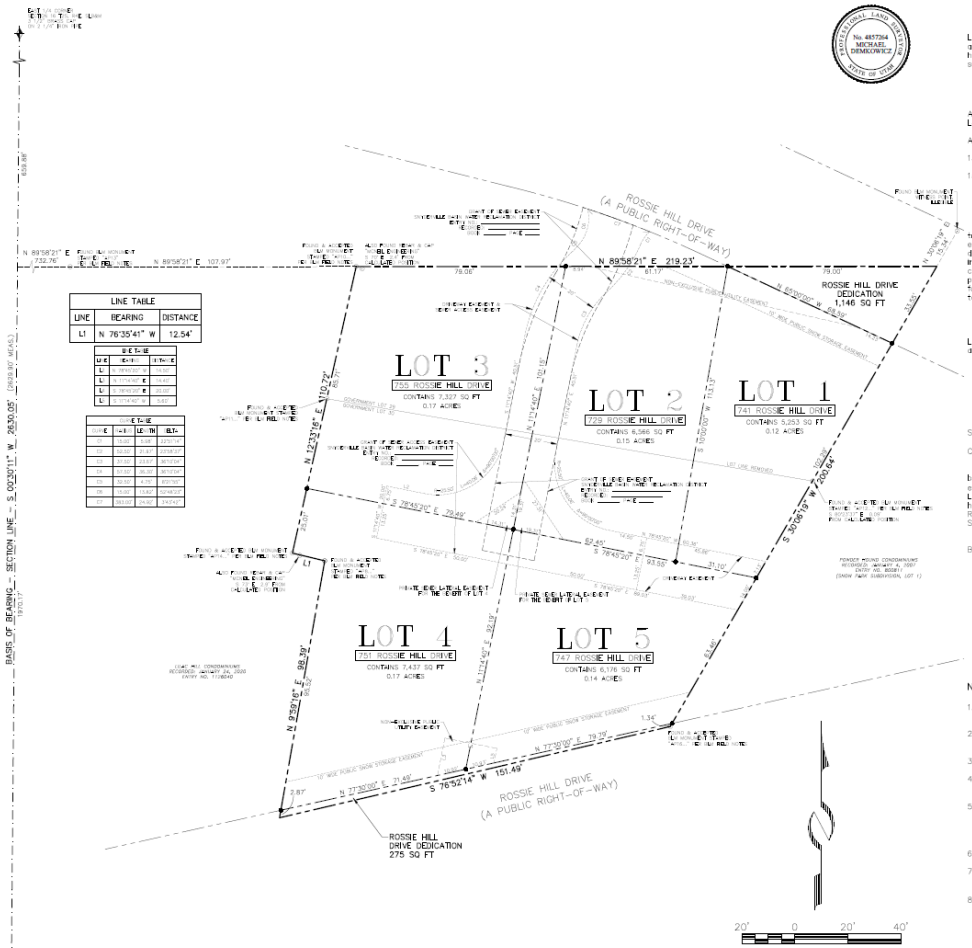
APPROVED AS TO FORM:

_____

Mark Harrington, City Attorney

VICINITY MAP





LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 76°35'41" W	12.54'

CURVE TABLE			
LINE	BEARING	DISTANCE	
L1	N 89°58'21" E	219.23'	
L2	N 12°23'16" E	112.72'	
L3	N 12°23'16" E	112.72'	
L4	S 30°06'19" W	258.64'	
L5	S 30°06'19" W	258.64'	
L6	N 29°39'40" E	88.39'	
L7	N 29°39'40" E	88.39'	

CURVE TABLE				
CURVE	RADIUS	LENGTH	DELTA	
C1	50.00'	3.98'	4°34'04"	
C2	50.00'	21.47'	24°36'07"	
C3	50.00'	33.83'	38°75'06"	
C4	50.00'	35.36'	40°15'04"	
C5	50.00'	4.26'	4°52'56"	
C6	15.00'	13.42'	52°43'27"	
C7	50.00'	24.92'	28°32'47"	

SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 4857264, 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 and described hereon, hereafter to be known as **LILAC HILL EAST SUBDIVISION** and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

All of Government Lots 29 and 30, Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Also sometimes known and described as follows:

13th and 14th houses South side in Deer Valley, Park City.

15th house rear South side in Deer Valley, Park City.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be divided into lots and streets, together with easements as set forth to be hereafter known as **LILAC HILL EAST SUBDIVISION**, and does hereby dedicate for the perpetual use of the public all roads and other areas shown on this plat as intended for public use. The undersigned owner also hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this _____ day of _____, 2021.

LILAC HILL EAST, LLC
a Delaware limited liability company

By: _____
Todd Franklin Watanabe, Authorized Signatory

ACKNOWLEDGMENT

STATE OF _____)
:ss.
COUNTY OF _____)

On this _____ day of _____, 2021, Todd Franklin Watanabe 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 Authorized Signatory of **Lilac Hill East, LLC**, a Delaware 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 **LILAC HILL EAST SUBDIVISION**.

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 2020-02 & 2021-_____. 2021-_____ is approval for an extension of Ordinance 2020-02.
2. See Survey 442-AZ, on file with the Bureau of Land Management, and Records of Survey S-0006427 and S-0010076 on file in the office of the Summit County Recorder.
3. All Lots shall have a ten (10') foot setback from the Driveway Easement.
4. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal.
5. Drives (private road / Fire Department access road) shall provide twenty feet (20') wide of clear space to meet Fire Code. If parking impacts this twenty foot (20') wide clear space, it will not be allowed and shall be signed "No Parking". Roads less than twenty-six feet (26') wide shall be marked "No Parking" on both sides of the road.
6. This property shall not be further subdivided.
7. The Driveway Easement from lower Rossie Hill Drive shall be the single vehicular access for all five (5) Lots.
8. At the time of any resurfacing of the private driveway, the **Lilac Hill East Homeowners' Association** shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District (SBWRD) standards. Prior notification of the adjustments and inspection by SBWRD is required.

LEGEND

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

LILAC HILL EAST SUBDIVISION

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

SHEET 1 OF 1

(435) 649-9467
CONSULTING ENGINEERS · LAND PLANNERS · SURVEYORS
333 Main Street · P.O. Box 2664 · Park City, Utah 84060-2664

DATE: JOB NO.: 3-9-18 FILE: K:\EastofOldTown\dwg\srv\plat2018\030918.dwg

PUBLIC SAFETY ANSWERING POINT APPROVAL	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
APPROVED THIS _____ DAY OF _____, 2021 BY _____ SUMMIT COUNTY GIS COORDINATOR	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2021 BY _____ ENGINEERING DEPARTMENT	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 11TH DAY OF DECEMBER, 2019 BY _____ CHAIR	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2021 BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 2021 BY _____ PARK CITY ATTORNEY	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2021 BY _____ MAYOR	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2021 BY _____ PARK CITY RECORDER	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ _____ FEE _____ RECORDER TIME _____ DATE _____ ENTRY NO. _____

LILAC HILL EAST SUBDIVISION
ROSSIE HILL DRIVE
REQUEST FOR EXTENSION
December 4, 2020

Lilac Hill East Subdivision is a proposed 5-lot subdivision on Rossie Hill Drive. There are currently three historic homes located on the north side of the property. These three historic homes would be located on the proposed Lots 1, 2 and 3. The two westernmost homes are unoccupied and the easternmost home is occupied. Lots 4 and 5 are currently vacant and are located along the south boundary of the property.

The property is owned by Lilac Hill LLC, a Delaware limited liability company. Due to the conveyance from the previous owners to Lilac Hill LLC taking longer than expected and the necessity to obtain a title report for property to the north owned by Park City Municipal Corporation, as requested by Snyderville Basin Water Reclamation District, for recordation of sewer easements, this delayed being able to complete and submit the Mylar for recording and signatures before the January 9, 2021, deadline.

Ordinance No. 2020-02

AN ORDINANCE APPROVING THE LILAC HILL EAST SUBDIVISION LOCATED AT 729, 741, 747, 751, 755 ROSSIE HILL DRIVE, PARK CITY, UTAH.

WHEREAS, the property owners of the property located at all of Government Lots 29 and 30 SEC 15 T2S, R4E, SLB&M (PC-546-547) have petitioned the City Council for approval of the Subdivision; and

WHEREAS, on October 30, 2019, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on October 26, 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, 652 Rossie Hill Drive is the street address number of Unit 2 of the Tahoma Condominiums (TAHOMA-2); and

WHEREAS, 660 Rossie Hill Drive is the street address number of Unit 1 Building 1 of the Quicksilver Condominium (QS-1); and

WHEREAS, on November 27, 2019 the Summit County GIS Coordinator confirmed the addresses for the proposed Subdivision Plat; and

WHEREAS, the three (3) properties currently identified on the Park City Historic Sites Inventory as 622, 652, 660 Rossie Hill Drive shall be identified as 755, 729, 741 Rossie Hill Drive, respectively; and

WHEREAS, Ordinance 2017-05 is an Ordinance approving a Zoning Map amendment from Residential Medium (RM) District to Historic Residential Low-Density (HRL) District; and

WHEREAS, the Planning Commission held a public hearing on December 11, 2019, to receive input on the Preliminary Subdivision; and

WHEREAS, the Planning Commission, on December 11, 2019, forwarded a positive recommendation, combining the Preliminary and Final Subdivision Plats per the requirements of LMC 15-7.1-3, to the City Council; and,

WHEREAS, on January 9, 2020, the City Council held a public hearing to receive input on the Subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Lilac Hill East Subdivision located at 729, 741, 747, 751, 755 Rossie Hill Drive, Park City, Utah.

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

SECTION 1. APPROVAL. The Lilac Hill East Subdivision 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 All of Government Lots 29 & 30, Section 15 of Township 2 South, Range 4 East, Salt Lake Base and Meridian. It was formerly known as the 15th house on the rear south side in Deer Valley, Park City previously addressed under PC-546; and also as the 13th and 14th houses south side in Deer Valley, Park City previously addressed under PC-547.
2. The site is within the Historic Residential- Low Density (HRL) Zoning District.
3. The proposed Subdivision Plat creates five (5) Subdivision Lots out of two existing Government lots.
4. The application for the Lilac Hill East Subdivision was deemed completed on September 23, 2019.
5. The three (3) existing houses on the site are all designated as Landmark on the Park City Historic Sites Inventory (HSI).
6. All three (3) Historic Structures were likely constructed in the 1890s, and prior to 1907.
7. The properties were initially constructed on mining claims, and the land came to be held by the Bureau of Land Management (BLM).
8. In November 2018, the BLM granted a land patent to Richard Dennis, Pamela Ann Fisher, and Paula Marie Bond for the property.
9. The land was rezoned from RM to HRL through Ordinance 2017-05.
10. There are no known previous applications found for the property as the houses do not have street address numbers.
11. The Historic Sites referenced as 652 and 660 Rossie Hill Drive on the City's Historic Sites Inventory are the addresses of two condominiums to the southeast of this site. 652 Rossie Hill Drive is the street address number of Unit 2 of the Tahoma Condominiums (TAHOMA-2); and 660 Rossie Hill Drive is the street address number of Unit 1 Building 1 of the Quicksilver Condominium (QS-1).
12. At the November 13, 2019 Planning Commission meeting, the item was continued to December 11, 2019.
13. On December 11, 2019 Planning Commission forwarded a positive recommendation to City Council.
14. The proposed Subdivision Plat creates five (5) Lots of record from the existing legal description containing 0.79 acres. The proposal is as follows:
    a. Lot 1: Proposed address of 741 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 660 Rossie Hill Drive and containing 5,253 sq ft.
    b. Lot 2: Proposed address of 729 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 652 Rossie Hill Drive and containing 6,566 sq ft.

c. Lot 3: Proposed address of 755 Rossie Hill Drive. Consisting of the existing Historic Site addressed as 622 Rossie Hill Drive and containing 7,327 sq ft.
d. Lot 4: Proposed address of 751 Rossie Hill Drive. Contains 7,437 sq ft,
e. Lot 5: Proposed address of 747 Rossie Hill Drive. Contains 6,176 sq ft.

15. A portion of Rossie Hill Drive cuts across the northeast corner of the site (1,146 sq ft) as well as across the south portion of the site (275 sq ft). Both portions of Rossie Hill Drive will be dedicated to the City with this Subdivision Plat, and the street dedication shall be noted on the recorded plat,
16. The wood slat fence, wood path, planter box, and shed encroach into the neighboring property PC-750-1-X that is owned by the City. The applicant shall either remove the encroachments or enter into an encroachment agreement prior to recordation of this Subdivision Plat.
17. The minimum Setbacks for Lot 1 are:
    a. Side: 5ft for a total of 18ft
    b. Front/ Rear: 15ft for a total of 30ft
18. The minimum Setbacks for Lot 2 are:
    a. Side: 5ft for a total of 14ft
    b. Front/ Rear: 15ft for a total of 30ft
19. The minimum Setbacks for Lot 3 are:
    a. Side: 10ft for a total of 24ft
    b. Front/ Rear: 12ft for a total of 25ft
20. The minimum Setbacks for Lot 4 are:
    a. Side: 10ft for a total of 24ft
    b. Front/ Rear: 12ft for a total of 25ft
21. The minimum Setbacks for Lot 5 are:
    a. Side: 10ft for a total of 24ft
    b. Front/ Rear: 10ft for a total of 20ft
22. The Maximum Building Footprint for each Lot are:
    a. Lot 1: 1955,16 square feet
    b. Lot 2: 2270.04 square feet
    c. Lot 3: 2427.1 square feet
    d. Lot 4: 2448.36 square feet
    e. Lot 4: 2182.52 square feet
23. Single-family dwellings are an allowed use in the HRL District. The minimum Lot Area is 3,750 square feet. The proposed Lots meet the minimum Lot Area. The minimum width of a Lot is thirty-five (35'), measured fifteen feet back from the Front Lot Line. The proposed Lots meet the minimum Lot width.
24. The proposed shared driveway with utilities is required to be a minimum of twenty feet (20') wide. The access road grades are proposed to be less than fourteen percent (14%).
25. Current standards would prohibit any roads over ten percent (10%) from being converted to public Rights of-Way. Neither Planning nor Engineering staff would recommend accepting any part of the private drive as a public Right-of-Way in the future.

26. Staff finds in order to mitigate the impacts of the paved twenty (20) foot wide driveway, a setback of ten feet (10') from the Driveway Easement should be required, per Condition of Approval #5. The applicant has agreed to this Condition of Approval.
27. The City Engineer will require the applicant to grant one (1) – ten foot (10') snow storage easements along the south property line along Rossie Hill.
28. The Site is not located within the Sensitive Lands Overlay District.
29. The Site is not located within the Soils Ordinance Boundary.
30. All development shall comply with the applicable LMC Requirements.
31. A Subdivision Plat is necessary in order for the three (3) Historic Sites to be developed.
32. On October 30, 2019, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published in the Park Record on October 26, 2016, according to requirements of the Land Management Code. At the November 13, 2019 Planning Commission meeting, this item was continued to December 11, 2019.
33. All findings within the Analysis section and the recitals above are incorporated herein as Findings of Fact.

Conclusions of Law:

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

Conditions of Approval:

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. The applicant shall dedicate the portions of the property that consist of Rossie Hill Drive to the City as part of this Subdivision Plat.
4. A ten foot (10') wide public snow storage easement will be required along the south side of Rossie Hill Drive.
5. All Lots shall have a ten (10') foot setback from the Driveway Easement.
6. The wood slat fence, wood path, planter box, and shed encroach into the neighboring property PC-750-1-X that is owned by the City. The applicant shall either remove the encroachments or enter into an encroachment agreement prior to recordation of this Subdivision Plat.

7. The property is located outside the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance to State and Federal law.
8. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.
9. Drives (private road I Fire Department access road) shall provide twenty feet (20') wide of clear space to meet Fire Code. If parking impacts this twenty feet (20') wide clear space, it will not be allowed and shall be signed "No Parking". Roads less than twenty-six feet (26') wide shall be marked "No Parking" on both sides of the road. Fire District access shall be noted and identified on the recorded plat.
10. This property shall not be further subdivided.
11. The Driveway Easement from lower Rossie Hill Drive shall be the single vehicular access for all five (5) Lots.

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

PASSED AND ADOPTED this 9th day of January, 2020.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

1/15/20
Date

ATTEST:

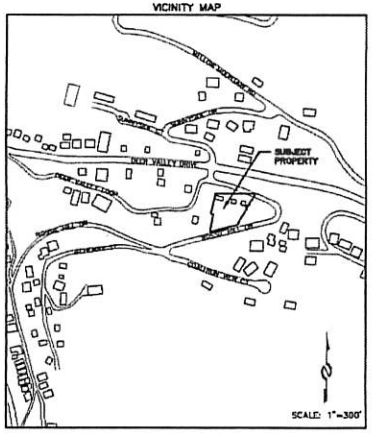
Michelle Kellogg, City Recorder

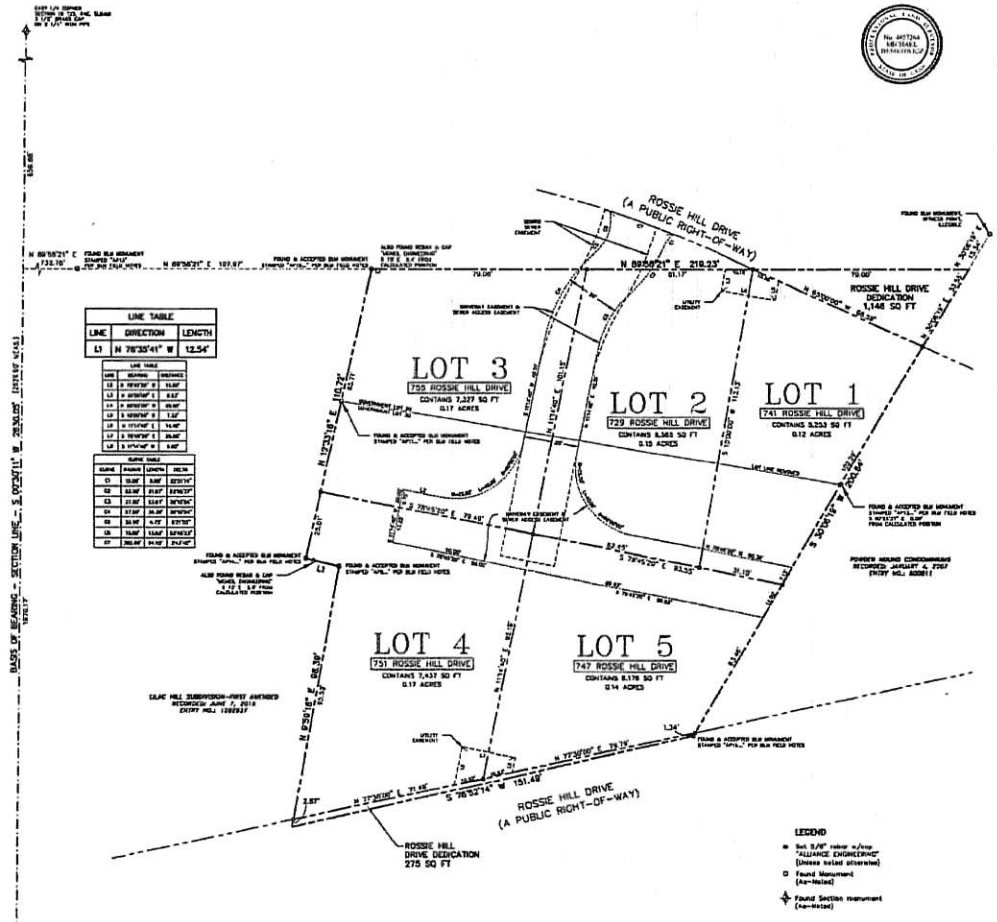
PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

APPROVED AS TO FORM:

Mark Harrington, City Attorney

VICINITY MAP





LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 78°35'41" W	12.54'

LINE TABLE		
LINE	BEARING	DISTANCE
L2	N 89°58'39" W	11.00'
L3	N 89°58'39" W	8.57'
L4	N 89°58'39" W	69.00'
L5	N 89°58'39" W	1.32'
L6	N 17°14'40" E	14.40'
L7	S 89°58'39" E	26.00'
L8	S 89°58'39" E	8.00'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	15.00'	3.00'	12°00'00"
C2	52.00'	21.07'	23°12'23"
C3	21.00'	33.07'	90°16'34"
C4	27.00'	34.30'	90°16'34"
C5	30.00'	4.72'	9°01'00"
C6	15.00'	13.04'	50°00'13"
C7	265.00'	34.52'	7°27'40"

LEGEND

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

LILAC HILL EAST SUBDIVISION

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

SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 4857264, 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 and described hereon, hereafter to be known as LILAC HILL EAST SUBDIVISION and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

All of government Lots 29 and 30, Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Also sometimes known and described as follows:

13th and 14th houses South side in Deer Valley, Park City;

15th house rear South side in Deer Valley, Park City.

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 LILAC HILL EAST SUBDIVISION, does hereby certify that it has caused this subdivision plat to be prepared and does hereby consent to the recordation of this subdivision plat.

ALSO, the owner hereby irrevocably offers for dedication to the city of Park City all the streets, land for local government uses, easements and required utilities shown on this plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this _____ day of _____ 2020.

LILAC HILL LLC
a Delaware limited liability company

By: Watanabe Ventures LLC, an Indiana limited liability company
Its Sole Member

By: _____
Todd Franklin Watanabe
Chief Investment Officer
Watanabe Ventures LLC
an Indiana limited liability company

ACKNOWLEDGMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____ 2020, Todd Franklin Watanabe 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 Chief Investment Officer of Watanabe Ventures LLC, an Indiana limited liability company, Sole Member of Lilac Hill LLC, a Delaware 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 LILAC HILL EAST SUBDIVISION.

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. See Record of Survey S-____
3. See Survey 442-AZ, on file with the Bureau of Land Management, and Record of Survey S-8427, on file in the office of the Summit County Recorder.

20' 0 20' 40'

SHEET 1 OF 1

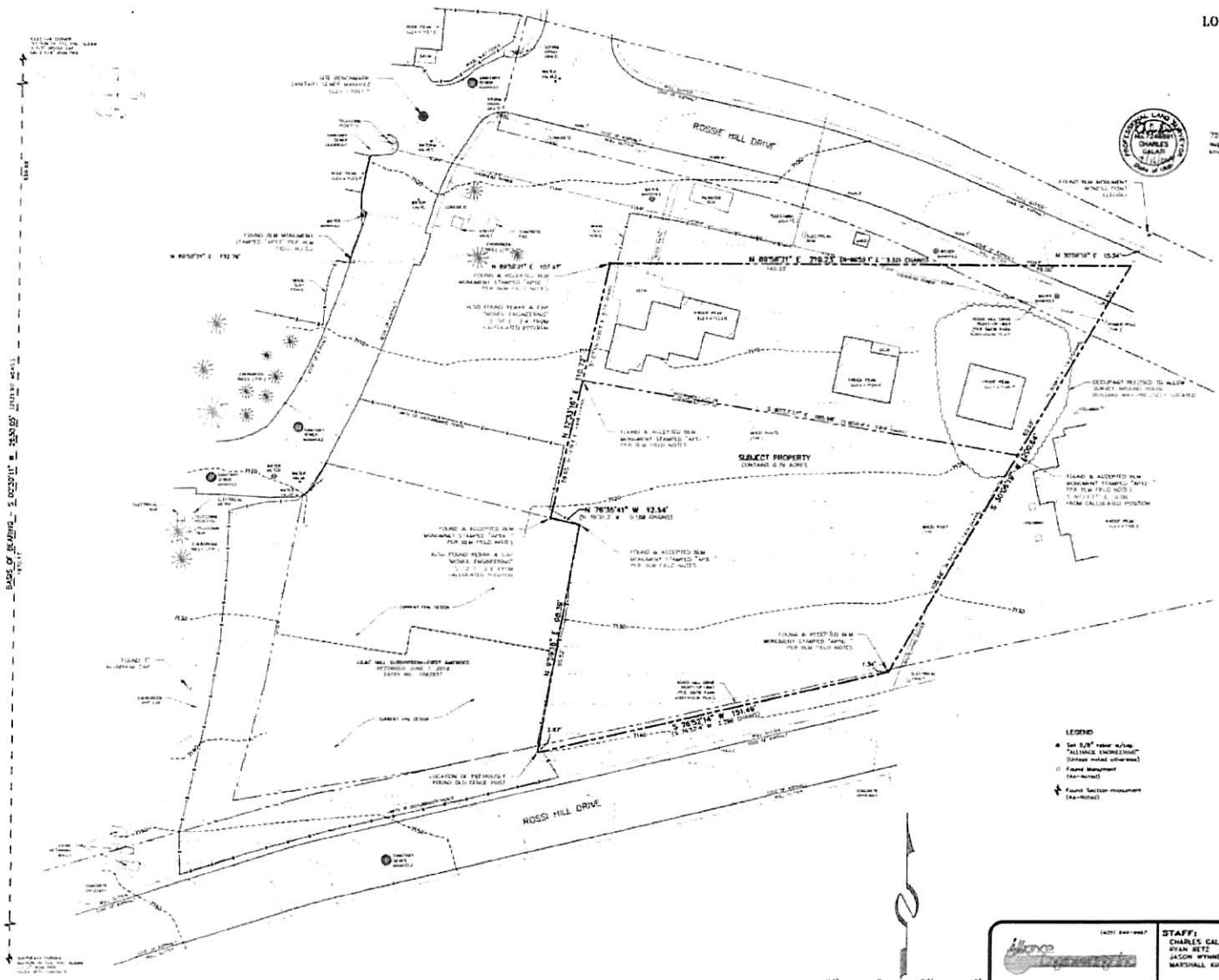
JOB NO.: 3-9-18 FILE: X:\EastofOldTown\dwg\srv\plat2018\030918.dwg

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

PUBLIC SAFETY ANSWERING POINT APPROVAL	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
APPROVED THIS _____ DAY OF _____, 2020	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2020	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2019	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2020	APPROVED AS TO FORM THIS _____ DAY OF _____, 2020	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2019	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2019	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
BY _____ SUMMIT COUNTY GIS COORDINATOR	BY _____ S.B.W.R.D.	BY _____ CHAIR	BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ MAYOR	BY _____ PARK CITY RECORDER	_____ FEE _____ RECORDER TIME _____ DATE _____ ENTRY NO. _____

GOVERNMENT
LOTS 29 & 30

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 15,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
RECORD OF SURVEY
SUMMIT COUNTY, UTAH



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 7246891, 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 government Lots 29 and 30, Section 15, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Also sometimes known and described as follows:

13th and 14th houses South side in Deer Valley, Park City;

15th house near South side in Deer Valley, Park City

NARRATIVE/NOTES

1. Basis of Bearing for this survey is between the found section monuments as shown on this plat.
2. Field work for this survey was performed October 3, 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 any easements and setbacks per subdivision plat 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, Lilac Hill Subdivision, Lilac Hill Subdivision-First Amended, Snow Park Subdivision Plat, and Powder Hound Condominiums Plat, Record of Survey S-8600 (as aforementioned documents on file and of record in the Summit County Recorder's Office), Surveys 442-AT, 442-AW & 442-AZ and their related field notes (on file with the Bureau of Land Management) 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=7097.7' as shown.
7. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
8. Property corners were found as shown.
9. Record bearings and distances, when different than measured, are shown in parenthesis ( ).

CONSULTING ENGINEERS · LAND PLANNERS · SURVEYORS	STAFF: CHARLES GALATI, RYAN BETZ, JASON WYNNE, MARSHALL KING DATE: 9/16/19	EXISTING CONDITIONS & TOPOGRAPHIC MAP ROSSIE HILL BLM PARCELS PARK CITY, UTAH FOR: FRANK WATANABE JOB NO.: 3-9-18 FILE: K:\Costa\Dwfrwn\dwg\srv\srv2018\030918-Rossi Hill BLM parcels\030918-topo.dwg	SHEET 1 OF 1

City Council
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **Affordable Master Planned Developments**
Application: **PL-21-04738**
Authors: **Jason Glidden, Affordable Housing Manager**
Rebecca Ward, Land Use Policy Analyst
Date: **February 25, 2021**
Type of Item: Legislative – Land Management Code Amendment

Recommendation

Hold a public hearing and consider approving Ordinance No. 2021-10 to (1) Repeal Chapter 15-6-7, *Master Planned Affordable Housing Development*; (2) Enact Chapter 15-6.1, *Affordable Master Planned Developments*; and (3) Amend Chapter 15-15, *Defined Terms*.

Description

Applicant:	Planning Department
Zoning Districts:	Residential Development Residential Development Medium Residential Medium Recreation Commercial General Commercial Light Industrial Community Transition
Land Management Code Amendments:	Repealing § 15-6-7, *Master Planned Affordable Housing Development* Enacting Chapter 15-6.1, *Affordable Master Planned Developments* Amending Chapter 15-15, *Defined Terms*
Reason for Review:	The Commission has the primary responsibility of reviewing Land Management Code amendments and forwarding a recommendation for City Council's consideration. The City Council holds a public hearing and takes Final Action.

Acronyms

AMI	Area Median Income
AMPD	Affordable Master Planned Development
LMC	Land Management Code
MCMP	Municipal Code of Park City
MPD	Master Planned Development

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

In 2016, the City Council passed Resolution HA 01-2016, establishing a goal to create 800 new affordable units by 2026 with an interim goal of 220 units by 2020. The Council passed this Resolution to:

- Promote a range of affordable, quality housing opportunities for persons of all economic levels;
- To meet the socio-economic needs of people who live and work in Park City;
- To maintain a community that contains a broad diversity of owner-occupied and rental housing types; and
- To promote energy efficient and environmentally sensitive housing development that blends with the City's natural environment.

In the City Council's Long-Term Strategic Plan, the Council identified "a range of affordable, quality housing opportunities that meet the life-cycle needs of persons at all economic levels" to be a critical priority (p. 6). "[S]olving housing will greatly mitigate traffic . . . some residents worry that bringing more affordable and attainable housing into the region will affect property values, but we would counter that a community without completeness is less resilient, less vibrant, and less desirable" (p. 4).

While the City has made strides toward the goal of 800 units, there is still a long way to go. Public-private partnerships will be important in developing the remaining 263 units in the next five years.

The proposed Affordable Master Planned Development (AMPD) amendments are the final phase in a three-year process to amend the Land Management Code (LMC) to add cost effective design standards to facilitate financially feasible projects, whether public or private or both, increasing incentives for affordable housing development.

The proposed code:

- Permits AMPDs in non-Historic Zoning Districts that allow Multi-Unit Dwellings
- Separates the AMPD review and approval process from the MPD process
- Requires at least 50% of the Residential Unit Equivalents to be Affordable Units
- Reduces Open Space requirements and Setbacks
- Allows Building Height up to 45 feet
- Reduces parking when impacts are mitigated, and
- Allows for mixed-use development

Background

Please see Exhibit B for detailed Background information.

The proposed AMPD code includes recommendations from two reports produced by Cascadia Partners:

Affordable Master Planned Development Code Audit Report

Height and Parking Best Practices Research

The Planning Commission conducted the following work sessions on the proposed code:

October 28, 2020	Parking Reductions Staff Report; Minutes, p. 3
November 11, 2020	Increased Height Staff Report; Minutes, p. 4
December 9, 2020	Separating the AMPD from the MPD Code, establishing a 50% affordable unit minimum, allowing mixed-use development, and restricting Nightly Rentals Staff Report; Minutes, p. 14

On January 27, 2021, the Planning Commission conducted the first public hearing on the proposed code (Staff Report; Minutes, p. 17). On February 10, 2021, the Planning Commission conducted a second public hearing and—while some Planning Commissioners expressed concerns regarding height—unanimously forwarded a positive recommendation to the City Council (Staff Report; Audio).

Analysis

The proposed AMPD code implements Park City General Plan Goals, Objectives, and Community Planning Strategies, and the Housing Assessment and Plan Goals.

The Land Management Code (LMC) implements the goals and policies of the General Plan.[1] Goal 7 of the General Plan is to "[c]reate a diversity of primary housing opportunities to address the changing needs of residents."[2]

Objective 7A is to "[i]ncrease diversity of housing stock to fill voids within housing inventory (including price, type, and size) to create a variety of context sensitive housing opportunities."[3]

- Community Planning Strategies include:

[1] LMC § 15-1-2.
[2] https://www.parkcity.org/home/showpublisheddocument?id=12388 (p. 4).
[3] https://www.parkcity.org/home/showpublisheddocument?id=12388 (p. 5).

- 7.1.2 for "[i]ncreased density that might allow for affordable/attainable housing."

Goal 8 of the General Plan is to "[i]ncrease affordable housing opportunities and associated services for the workforce of Park City."[4]

Objective 8A is to "[p]rovide increased housing opportunities that are affordable to a wide range of income levels."

Objective 8B is to "[i]ncrease rental housing opportunities for seasonal workers in close proximity to resorts and mixed-use centers."

- Community Planning Strategies include:
    - 8.4 to "[u]pdate incentives for density bonuses for affordable housing developments to include moderate and mixed-income housing."
    - 8.5 to "[e]valuate the Land Management Code to remove unnecessary barriers to affordable housing."
    - 8.7 to "[r]eview the affordable housing Master Planned Development requirements and amend according to existing economics. This review should be completed in conjunction with the housing needs assessment during the regular two year review."[5]

The General Plan Housing Toolbox recommends decreased parking requirements, a density bonus, and increased height for affordable developments.[6]

The 2021 Update to the Housing Assessment and Plan establishes Goal 1: "[b]uild affordable and attainable units on City-owned property through public-private partnerships" and Goal 3: "[i]mplement zoning incentives for Affordable Units in new developments; reduce parking for certain affordable housing and amend the Land Management Code to incentivize affordable housing development." Goal 4 is to "[e]ncourage affordable housing near transit."

The purpose of the proposed code is to implement the strategies outlined in the General Plan and Housing Assessment and Plan to incentivize affordable housing development to achieve the City's overarching goal of 800 Affordable Units by 2026, and to lay a foundation for public-private partnerships in the development of Affordable Units beyond 2026.

The amendments:

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[4] https://www.parkcity.org/home/showpublisheddocument?id=12388 (p. 8).
[5] https://www.parkcity.org/home/showpublisheddocument?id=12388 (p. 10).
[6] https://www.parkcity.org/home/showpublisheddocument?id=12371 (p. 22 and 25).

(I) Separate the MPD and AMPD criteria, review, and approval process.

The proposed code repeals LMC § 15-6-7, *Master Planned Affordable Housing Development* and creates a new Chapter, LMC Chapter 15-6.1, *Affordable Master Planned Developments*. This repeal and replacement code separates the criteria recommended by the Cascadia reports and the Planning Commission that are specific to AMPDs, including reduced Open Space, increased Building Height, decreased parking requirements, and reduced Setbacks, from the MPD code.

The reason for this separation is in part because MPDs trigger affordable housing obligations under Housing Resolution 25-2020. Approved MPDs must provide Affordable Units for 20% of the total Residential Unit Equivalents. Additionally, the Developer must provide Affordable Units for 20% (divided by 1.5 workers per household) for the employees generated by the development.[7] Affordable Units that are built on site of an approved MPD are exempt from the Density calculation and serve as a Density bonus. The separation of the AMPD and MPD code provides clarity regarding which site and zoning standards apply to Affordable Units in a traditional MPD versus an AMPD.

Also, separating the AMPD from the MPD code will help achieve the different purposes of both. The purpose of AMPDs is to incentivize private development or public-private partnerships in the development of Affordable Units to fill a much-needed void in the housing market and results in projects wherein at least 50% of the Residential Unit Equivalents are Affordable Units. The purpose of the Housing Resolution MPD obligation is to mitigate the impact of the development on the community in part by providing Affordable Units for the workforce generated by the specific development proposed.

Lastly, separating the AMPD from the MPD code will simplify the review and approval process for the public, staff, and the Planning Commission.

(II) Establish the AMPD in non-Historic Zoning Districts where Multi-Unit Dwellings are a Conditional Use.

The Cascadia report and Planning Commission AMPD discussions were specific to Multi-Unit Dwellings. As a result, the proposed code is drafted to allow AMPDs in Zoning Districts where Multi-Unit Dwellings are either an Allowed Use or Conditional Use, excluding the Historic Recreation Commercial (a small Zoning District at the base of Main Street with commercial and residential development including the Depot, Main & Sky, and the Barclay Butera Building), Historic Commercial Business (the Main Street/Swede Alley area), and Historic Residential Medium Density (including properties along Park Avenue between 10th Street and 15th Street) Zoning Districts.

The Planning Commission determined that increased Height to 45' is not appropriate in the Historic Districts, which have maximum Building Heights ranging from 27' to 30' with some exceptions. The LMC may be amended in the future to include these Historic

[7] Housing Resolution 25-2020, ¶ 5.

Zoning Districts that allow Multi-Unit Dwellings and will require additional public notice and Historic Preservation Board review and recommendation.

In the meantime, AMPDs are proposed in the following Zoning Districts:

- Residential Development
- Residential Development Medium
- Residential Medium
- Recreation Commercial
- General Commercial
- Light Industrial
- Community Transition

(III) Establish Volume-Based Density that overrides base-zoning.

When staff first proposed the AMPD code in 2018, staff acknowledged that a Density Bonus would be challenging to apply in certain Zoning Districts because some are volume-based (established by Setbacks and Height), some are based on Floor Area Ratio, and others on units per acre (Staff Report, p. 57-60).

The proposed code establishes volume-based Density for AMPDs in all Zoning Districts, meaning the AMPD units can be built to the full Density available on a Lot so long as the reduced Open Space and Setback requirements, increased Height regulations, and parking requirements are met.

(IV) Allow for reduced Parking.

The proposed code requires AMPDs to meet code-required parking, unless the Applicant:

- Demonstrates that parking reductions materially increase the feasibility of the proposed AMPD;
- Funds and submits a parking and traffic study completed by a third party selected by the City, and
- Demonstrates that the proposed AMPD sufficiently addresses the parking demand for the project.

The Planning Commission has discretion to reduce parking requirements according to one or more criteria:

- On sites that are one acre or less by deducting 5,000 square feet per 15,000 square feet of Gross Floor Area for each floor from the sum of total floor area that is used to calculate parking requirements
- Parking in the Right-of-Way along the perimeter of the Affordable Master Planned Development Site is available
- A clear and irrevocable agreement authorizes Affordable Master Planned Development residents to park in an off-Site Parking Area or Parking

Structure that is located within 1,000 feet of the Affordable Master Planned Development perimeter boundary
- The Affordable Master Planned Development is within ¼-mile from a bus stop that includes a waiting shelter consistent with City standards
- On-Site parking is provided for motorcycles and/or scooters
- Bicycle parking exceeds the requirements of Section 15-3-9
- The Affordable Master Planned Development provides dedicated parking spaces for resident carshare vehicles

The Planning Commission may not reduce Affordable Master Planned Development parking requirements below the ratio outlined in Table 1:

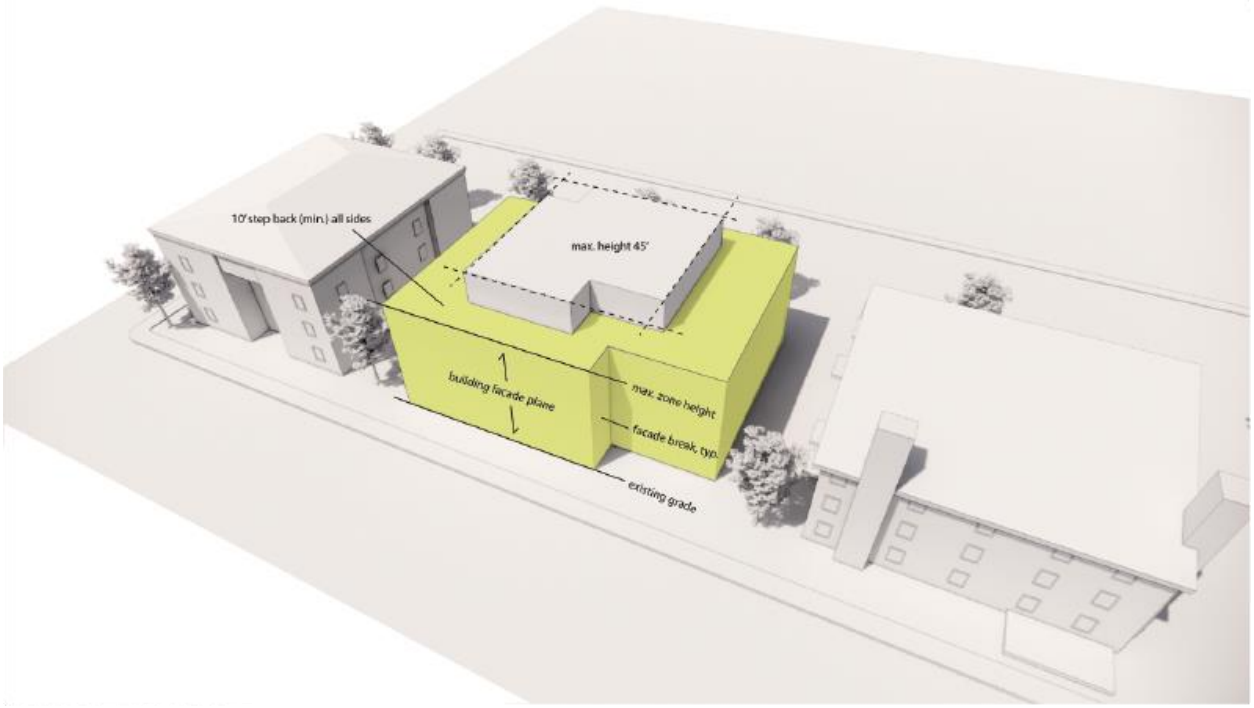
Unit Size	Market-Rate Units	Affordable Units
< 600 SF	0.5 spaces per unit	None
600 – 1,000 SF	1 space per unit	0.5 spaces per unit
1,000 – 2000 SF	1.5 spaces per unit	1 space per unit
> 2,000 SF	2 spaces per unit	1.5 spaces per unit

If the Planning Commission approves a reduction in parking, the proposed code requires the Applicant to submit a parking management plan prior to the issuance of any Certificate of Occupancy within the AMPD. The Planning Commission may amend the parking management plan at any time to address changing circumstances.

(V) Allow for increased Height.

AMPDs must meet the underlying Zoning District Building Height for the perimeter Building Façade planes, but can achieve a 45-foot Building Height when three criteria are met:

- The Building includes a ten-foot (10') stepback on all perimeter Building Façade planes from the underlying Zoning District Building Height
- Infrastructure is in place or can be updated to meet the increased demand, and
- The Building complies with Building Façade variation requirements, meaning Buildings with façade lengths greater than 60 feet must incorporate a shift in the façade to create variety in the architectural design.



Method Studio

(VI) Allow for mixed-use development.

Goal 8 of the General Plan is to "[i]ncrease affordable housing opportunities and associated services for the workforce of Park City."[8] The existing code requires AMPDs to be 100% Affordable Units, but the proposed code allows for mixed-use development. Allowing Commercial, Retail, Office, Public, and Quasi-public Uses that are less than 10,000 square feet (so that the MPD code is not triggered) in AMPDs may help further incentivize private development of Affordable Units because—while more expensive to finance upfront—may produce long-term returns higher than residential returns.

Under Housing Resolution 25-2020, developers must provide housing for 20% of the employees generated by the development (divided by 1.5 workers per household). The proposed code does not apply this same formula to AMPDs that include mixed-use as an additional incentive – both for the construction of Affordable Units, and also for mixed-use developments that provide on-Site services for residents.

(VII) Prohibit Nightly Rentals and Timeshares.

The current code prohibits Nightly Rentals and timeshares for Affordable Units. Now that the proposed AMPD code includes market-rate units, this prohibition is extended for both Affordable Units and market-rate units to create long-term housing opportunities for community members.

[8] https://www.parkcity.org/home/showpublisheddocument?id=12388 (p. 8).

(VIII) Require recordation of deed restrictions for a 40-year period.

The proposed code requires deed restrictions for all Affordable Units in an AMPD to protect the long-term affordability of the units. The standard deed restriction template for Affordable Units within the City requires that deed restrictions include an initial 40-year term and allows the City Council the option to conduct an independent market study to determine whether the Affordable Units are still necessary to satisfy the affordable or workforce housing needs of the City at the end of the 40-year term. If the City does not make a determination when the forty-year term ends, the deed restrictions automatically renew for one or more additional consecutive ten-year terms.

The proposed code requires:

- Recordation of the deed restriction prior to a Certificate of Occupancy for any market rate or Affordable Unit within the AMPD, approved by the City Attorney; and
- Compliance with the deed restriction requirements outlined in the Housing Resolution
    - Outlining Qualified Buyer and Qualified Renter criteria
    - Full-time residency requirements for owners of Affordable Units
    - Rental restrictions
    - The resale process and Maximum Resale Price formula (for-sale Affordable Units increase in value by 3% per year, less costs to bring units to Minimum Standards outlined in the deed restrictions)
    - An option for the City to purchase Affordable Units in the event of owner default[9]

(IX) Require annual compliance reports.

Each Property Owner of an Affordable Unit within an AMPD must complete an annual compliance report to the City verifying deed restriction compliance. The Affordable Housing Team sends these compliance reports with requests for additional information, including car ownership. This annual data will help staff evaluate car ownership and the effectiveness of parking mitigations.

(X) Update Definitions.

The LMC definition of Affordable Housing does not reflect definitions in Housing Resolution 25-2020 and the LMC does not include definitions for terms like *Affordable Unit*, *Micro-Unit*, or *Residential Unit Equivalent*. The proposed code includes these definitions and bases the *Residential Unit Equivalent* definition on the existing LMC § 15-6-8, *Unit Equivalents.*

[9] https://parkcity.municipalcodeonline.com/book?type=resolutions#name=25-2020_Affordable_Housing_Guidelines

NEXT STEPS:

Evaluate AMPD Fees

Municipal Code of Park City (MCMP) § 11-12-13 provides City Council discretion to waive building permit, plan check, planning application, construction inspection, and other fees "for those projects, which are deemed to serve a beneficial public purpose that would be harmed by the City requiring payment of such fees, such as low income housing projects."

Municipal Code of Park City (MCMP) § 11-13-4 allows the City Manager to waive impact fees for construction of affordable housing up to $25,000. The City Council may waive impact fees above that amount for the construction of affordable housing. However, Section 7 of the Housing Resolution 25-2020 specifically states that affordable housing obligations that fulfill Housing Resolution requirements triggered by an MPD approval are not eligible for fee waivers.

Staff seeks City Council direction to explore possible fee waivers for AMPDs.

Department Review

The Development Review Committee and Planning, Housing, Engineering, and Legal Departments reviewed the proposed LMC amendments.

Notice

The *Park Record* published notice on January 13, 2021. Staff published notice on the City's website and the Utah Public Notice website and mailed notice to property owners within the applicable Zoning Districts and to Affected Entities on January 13, 2021.[10]

Public Input

Public input is attached as Exhibit C.

Exhibits

Exhibit A: Ordinance No. 2021-10
Exhibit B: Background
Exhibit C: Public Input

[10] LMC § 15-1-21.

DRAFT ORDINANCE 2021-10

AN ORDINANCE REPEALING LAND MANAGEMENT CODE § 15-6-7, *MASTER PLANNED AFFORDABLE HOUSING DEVELOPMENT*; ENACTING CHAPTER 15-6.1, *AFFORDABLE MASTER PLANNED DEVELOPMENTS*; AND AMENDING CHATPER 15-15, *DEFINED TERMS*

WHEREAS, the Park City General Plan establishes goals, objectives, and community planning strategies to create a diversity of primary housing opportunities to address changing needs of residents; to increase diversity of housing stock to fill voids within housing inventory to create a variety of context sensitive housing opportunities, to increase density that might allow for affordable housing, to increase affordable housing opportunities and associated services for the workforce of Park City, and to provide increased housing opportunities that are affordable to a wide range of income levels;

WHEREAS, the Park City General Plan recommends updating incentives for density bonuses for affordable housing developments to include moderate and mixed-income housing, to evaluate the Land Management Code to remove unnecessary barriers to affordable housing, and to review the affordable housing Master Planned Development requirements and amend according to existing economics;

WHEREAS, the Park City General Plan Housing Toolbox recommends decreased parking requirements, a density bonus, and increased height for affordable developments;

WHEREAS, the Park City 2020 and 2021 Housing Assessment and Plan establishes goals to build affordable and attainable units on City-owned property through public-private partnerships, to implement zoning incentives for Affordable Units in new developments, to reduce parking for certain affordable housing and amend the Land Management Code to incentivize affordable housing development, and to encourage affordable housing near transit;

WHEREAS, the Land Management Code implements the goals, objectives, and policies of the Park City General Plan to maintain the quality of life and experiences for City residents and visitors;

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah, to promote the health, safety, and welfare of the residents, visitors, and property owners of Park City;

WHEREAS, the Planning Commission duly noticed and conducted work sessions on October 28, 2020, November 11, 2020, December 9, 2020, and duly noticed and

conducted public hearings on January 27, 2021 and February 10, 2021 and unanimously forwarded a positive recommendation to City Council,

WHEREAS, the City Council duly noticed and conducted a public hearing on February 25, 2021.

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

SECTION 1. REPEAL AND AMENDMENT: MUNICIPAL CODE OF PARK CITY, LAND MANAGEMENT CODE TITLE 15. The recitals above are incorporated herein as findings of fact. Municipal Code of Park City Section 15-6-7, *Master Planned Affordable Housing Development* is hereby repealed; Chapter 15-6.1, *Affordable Master Planned Developments* is hereby enacted; and Chapter 15-15, *Defined Terms*, is hereby amended as outlined in Attachment 1.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 25th day of February, 2021

PARK CITY MUNICIPAL CORPORATION

_____

Andy Beerman, Mayor

Attest:

_____

City Recorder

Approved as to form:

_____

Mark Harrington, City Attorney

15-6-7 [~~Master Planned Affordable Housing Development~~]

Repealed

~~A.~~ [~~**PURPOSE**. The purpose of the Master Planned Affordable Housing Development is to promote housing for a diversity of income groups by providing Dwelling Units for rent or for sale in a price range affordable by families in the low-to-moderate income range. This may be achieved by encouraging the private sector to develop Affordable Housing.~~

~~Master Planned Developments, which are one hundred percent (100%) Affordable Housing, as defined by the housing resolution in effect at the time of Application, may be considered for a Density incentive greater than that normally allowed under the applicable Zoning District and Master Planned Development regulations with the intent of encouraging quality Development of permanent rental and permanent Owner-occupied housing stock for low and moderate income families within the Park City Area.~~

~~B.~~ ~~**RENTAL OR SALES PROGRAM**. If a Developer seeks to exercise the increased Density allowance incentive by providing an Affordable Housing project, the Developer must agree to follow the guidelines and restrictions set forth by the Housing Authority in the adopted Affordable Housing resolution in effect at the time of Application.~~

~~C.~~ ~~**MIXED RENTAL AND OWNER/ OCCUPANT PROJECTS**. When projects are approved that comprise both rental and Owner/occupant Dwelling Units, the combination and phasing of the Development shall be specifically approved by~~

~~the Planning Commission and become a condition of project approval. A permanent rental housing unit is one which is subject to a binding agreement with the City.~~

~~D. **MPD REQUIREMENTS**. All of the Master Planned Development requirements and findings of this Chapter shall apply to Affordable Housing Master Planned Development projects.~~

~~E. **DENSITY BONUS**. The Planning Commission may increase the allowable Density to a maximum of twenty (20) Unit Equivalents per acre. The Unit Equivalent formula applies.~~

~~F. **OPEN SPACE**. All Master Planned Affordable Housing Developments shall contain a minimum of twenty percent (20%) Open Space as defined in Chapter 15-15. On-Site amenities, such as playgrounds, trails, recreation facilities, bus shelters, significant landscaping, or other amenities are encouraged. Open Spaces may not be utilized for Streets, roads, or Parking Areas.~~

~~The Planning Commission may decrease the required Open Space for projects located within 300 feet (300') of a Public Use, including, but not limited to a public park, Recreation Open Space, public trail, public school, or Public Recreation Facilities.~~

G. **RENTAL RESTRICTIONS**. ~~The provisions of the moderate income housing exception shall not prohibit the monthly rental of an individually owned unit. However, Nightly Rentals or timesharing shall not be permitted within Developments using this exception. Monthly rental of individually owned units~~

~~shall comply with the guidelines and restrictions set forth by the Housing Authority as stated in the adopted Affordable Housing resolution in effect at the time of Application.~~]

HISTORY

Adopted by Ord. 02-07 on 5/23/2002

Amended by Ord. 06-22 on 4/27/2006

Amended by Ord. 09-10 on 3/5/2009

Amended by Ord. 2020-09 on 1/30/2020

Amended by Ord. 2020-45 on 10/1/2020

15-6.1 Affordable Master Planned Developments

15-6.1-1 Purpose

15-6.1-2 Requirements

15-6.1-3 Zoning Districts And Uses

15-6.1-4 Process

15-6.1-5 Approved Affordable Master Planned Developments

15-6.1-6 Density

15-6.1-7 Setbacks

15-6.1-8 Building Height and Facades

15-6.1-9 Parking

15-6.1-10 Open Space

15-6.1-11 Site Planning

15-6.1-12 Required Findings And Conclusions of Law

15-6.1-13 Deed Restrictions

15-6.1-14 Compliance

15-6.1-1 Purpose

The purpose of Affordable Master Planned Developments is to:

A. Incentivize public, private, and public-private development of Affordable Units for the workforce of Park City;
B. Create developments that include market-rate and Affordable Units and increase housing opportunities that are affordable to a wide range of incomes;
C. Increase Building Height and Density and decrease parking requirements for Affordable Units if impacts to the community are mitigated;
D. Ensure neighborhood Compatibility; and
E. Encourage mixed-use, walkable, and sustainable development and redevelopment that provides innovative and energy efficient design, including innovative alternatives to reduce impacts of the automobile on the community.

15-6.1-2 Requirements

A. Affordable Master Planned Developments must contain at least ten (10) Residential Unit Equivalents (20,000 square feet).
B. At least fifty percent (50%) of Affordable Master Planned Development Residential Unit Equivalents shall be Affordable Units.
C. Affordable Units may differ from market rate units with regard to interior amenities and Gross Floor Area provided that:

1. These differences, excluding differences related to size, are not apparent in the general exterior appearances of the market-rate units within the Affordable Master Planned Development;
2. These differences do not include insulation, windows, heating systems, and other features related to the energy efficiency of the Affordable Master Planned Development.

D. Nightly Rentals and Timeshares are prohibited for market-rate and Affordable Units within an Affordable Master Planned Development.

15-6.1-3 Zoning Districts And Uses

A. **ZONING DISTRICTS.** Affordable Master Planned Developments are Allowed in the following Zoning Districts:

1. Residential Development
2. Residential Development Medium
3. Residential Medium
4. Recreation Commercial
5. General Commercial
6. Light Industrial
7. Community Transition

B. **USES.** An Affordable Master Planned Development can only contain Uses that are Allowed or Conditional in the Zoning District in which it is located.

C. **COMMERCIAL USES.** An Affordable Master Planned Development may include up to 10,000 square feet of Commercial, Retail, Office, Public, and Quasi-public Uses.

15-6.1-4 Process

A. **PRE-APPLICATION CONFERENCE.** An Applicant may request a pre-Application conference with Planning Department staff to become acquainted with the Affordable Master Planned Development procedures and requirements.

B. **APPLICATION.** An Applicant shall submit a Complete Application for an Affordable Master Planned Development to the Planning Department. The Application shall include written consent by all Owners of the Property to be included in the Affordable Master Planned Development. The Planning Director shall assign the Application to a staff planner who will review the Application for completeness. The staff planner will inform the Applicant if additional information is required to constitute a Complete Application.

C. **PUBLIC OUTREACH.** It is recommended that the Applicant conduct public outreach and that the Applicant host neighborhood meetings prior to submitting an Application for an Affordable Master Planned Development.

D. **WORK SESSION.** After the staff planner determines an Affordable Master Planned Development Application is complete, the Applicant may request a work session with the Planning Commission in order to provide an opportunity for the public and the Planning Commission to give preliminary input.

E. **ADDITIONAL STUDIES.** The Planning Commission may require Applicants to submit and fund additional studies for Affordable Master Planned Development proposals that significantly increase the Density and intensity of Use of a Site. If the Planning Commission requires an Applicant to submit a traffic study, the

Transportation Department and City Engineer shall recommend a method of modeling and scope of the study area.

F. **PLANNING COMMISSION REVIEW.** The Planning Commission is the primary review body for Affordable Master Planned Developments.

G. **PUBLIC HEARING.** The Planning Commission is required to hold a public hearing prior to taking action on an Affordable Master Planned Development. Multiple public hearings may be necessary for larger, complex projects. Staff shall notice each public hearing in accordance with Sections 15-1-12 and 15-1-21.

H. **PLANNING COMMISSION ACTION.** The Planning Commission shall approve, approve with modifications, or deny a requested Affordable Master Planned Development, based on the findings outlined in Section 15-6.1-12. The Planning Commission action shall be in the form of written findings of fact, conclusions of law, and in the case of approval, conditions of approval.

I. **APPEALS.** Appeals of Planning Commission action shall be conducted in accordance with Section 15-1-18.

15-6.1-5 Approved Affordable Master Planned Developments

A. **DEVELOPMENT AGREEMENT.** Planning Commission approval of an Affordable Master Planned Development shall be put in the form of a Development Agreement approved by the City Attorney and shall contain, at a minimum, the following:

1. A legal description of the land;

2. All relevant zoning and Land Management Code parameters, including all findings, conclusions, and conditions of approval, specifying any exceptions;
3. An express reservation of the future legislative power and zoning authority of the City;
4. A provision to allow for minor, administrative modifications without revision of the Agreement;
5. A copy of the approved Site plan, architectural plans, Landscaping plans, Grading plan, trails and Open Space plans, and other plans, which are a part of the Planning Commission approval;
6. A description of all Developer exactions or agreed upon public dedications;
7. Developer agreement to pay all specified impact fees;
8. The Initial Purchase Price of the Affordable Units, as defined in the Housing Resolution in effect at the time of a Complete Application;
9. The form of ownership anticipated for the project;
10. A specific project phasing plan;
11. A list and map of all known Physical Mine Hazards on the Property, as determined through the exercise of reasonable due diligence by the Owner, as well as a description and GPS coordinates of those Physical Mine Hazards;

12. A map and inventory of all Historic Structures on the Property and a Historic Structures Report prepared by a qualified Historic Preservation Professional.

B. **DEVELOPMENT AGREEMENT RATIFICATION**.

1. The Applicant shall submit a draft Development Agreement to the Planning Department within six (6) months of the date the Planning Commission approved the Affordable Master Planned Development or the Planning Commission approval shall expire.
2. The Planning Commission shall hold a public hearing prior to ratifying a Development Agreement.
3. A Development Agreement ratified by the Commission shall be signed by the Mayor and the Applicant and recorded with the Summit County Recorder within eighteen (18) months of Planning Commission approval.

C. **LENGTH OF APPROVAL**. Construction, as defined by the International Building Code, is required to commence within two (2) years of the date of the execution of the Development Agreement. After construction commences, the Affordable Master Planned Development shall remain valid as long as it is consistent with the approved project phasing plan set forth in the Development Agreement. The project phasing plan may require Planning Commission review and reevaluation of the project at specified points in the Development of the Affordable Master Planned Development.

D. **EXTENSION**. The Planning Commission may grant an extension of an Affordable Master Planned Development for up to two (2) additional years when

the Applicant demonstrates no change in circumstance that would result in unmitigated impacts or that would result in a finding of non-compliance with the Affordable Master Planned Development requirements in the Land Management Code in effect at the time of the extension request. Change in circumstance includes physical changes to the Property or surrounding Properties. Applicants must submit a written extension request to the Planning Department prior to the expiration of the Affordable Master Planned Development. Staff shall notice extension request public hearings according to Sections 15-1-12 and 15-1-21.

E. **MODIFICATIONS**. The Planning Commission shall determine whether a proposed modification to an approved Affordable Master Planned Development is minor or substantive.

1. **Minor Modification**. A minor modification to an approved Affordable Master Planned Development is a modification that complies with the Land Management Code and Affordable Master Planned Development approval and does not trigger additional Off-Street Parking requirements, does not reduce Open Space, and does not increase traffic by 5% or more as demonstrated by a traffic generation study. The Planning Director shall review and take Final Action on a minor modification to a Master Planned Development and shall issue an Administrative Permit for an approval. The Administrative Permit approval may be appealed to the Planning Commission.

2. **Substantive Modifications**. Substantive modifications to an approved Affordable Master Planned Development create additional impacts and

require review of the entire Affordable Master Planned Development and Development Agreement by the Planning Commission, unless otherwise specified in the Development Agreement. Substantive modifications include but are not limited to a change to a Finding of Fact or Condition of Approval, a change in Use or an increase in Floor Area that triggers additional Off-Street Parking requirements, a change in Use or an increase in Floor Area that generates more than a 5% increase in traffic demonstrated by a traffic generation study, or a reduction in Open Space.

F. **SITE SPECIFIC APPROVALS**. Any portion of an approved Master Planned Development may require additional review by the Planning Commission as a Conditional Use, if so required by the Planning Commission at the time of the Affordable Master Planned Development approval.

1. Site specific approvals must comply with the review criteria of the Affordable Master Planned Development approval and the Conditional Use permit criteria in Section 15-1-10.
2. The Planning Department will review Site specific plans, including Site layout, architecture, and Landscaping plans for compliance with the Affordable Master Planned Development approval and Land Management Code prior to issuance of Building Permit.

15-6.1-6 Density

A. Density for Affordable Master Planned Developments is not determined by the underlying Zoning District. Rather, Density for Affordable Master Planned Developments is volume based and is determined by the requirements outlined

in this Affordable Master Planned Development Chapter. Setbacks shall comply with Section 15-6.1-7, Building Height and Facades shall comply with Section 15-6.1-8, parking shall comply with Section 15-6.1-9, Open Space shall comply with Section 15-6.1-10, and Site planning shall comply with Section 15-6.1-11.

15-6.1-7 Setbacks

A. The minimum Setback around the exterior boundary of an Affordable Master Planned Development is twenty-five feet (25') for Property greater than two (2) acres.
    1. The Planning Commission may decrease the required perimeter Setback from twenty-five feet (25') for Affordable Master Planned Developments greater than two (2) acres to the zone-required Setback to provide architectural interest and variation.

B. For Property two (2) acres or less, the minimum Setback around the exterior boundary of an Affordable Master Planned Development shall be the zone-required Setback.

C. For perimeter Setbacks or Setbacks within the Affordable Master Planned Development, the Planning Commission may increase Setbacks to retain existing Significant Vegetation or natural features, to create an adequate buffer to adjacent Uses, or to meet Historic Compatibility requirements.

D. The Planning Commission may reduce Setbacks within the project boundary, but not perimeter Setbacks, from those otherwise required in the Zoning District to match an abutting zone-required Setback, provided the project meets minimum International Building Code and Fire Code requirements, maintains the general

character of the surrounding neighborhood in terms of mass, scale, and spacing between Structures, and meets Open Space criteria.

E. Final Setback approvals shall be specified as a Finding of Fact in the Affordable Master Planned Development approval, in the Development Agreement, and on each plat within the Affordable Master Planned Development.

15-6.1-8 Building Height and Facades

A. **BUILDING HEIGHT.** Affordable Master Planned Development Building Height shall comply with the underlying Zoning District Building Height for the perimeter Building Façade planes. Building Height is forty-five feet (45') from Existing Grade when the following criteria are met:

1. The Building includes a ten foot (10') stepback on all perimeter Building Façade planes from the underlying Zoning District Building Height to the forty-five foot (45') Building Height;
2. Infrastructure is in place or can be updated to meet the increased demand; and
3. The Building complies with Building Façade variation requirements.

B. **EXCEPTIONS.** The following may exceed the Building Height:

1. Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with International Building Code requirements;
2. Water towers, mechanical equipment, and Solar Energy Systems, when enclosed or Screened, may extend up to five feet (5') above the forty-five foot (45') Building Height; and

3. Elevator Penthouses may extend up to eight feet (8’) above the forty-five foot (45’) Building Height.

C. **STEPBACK EXCEPTIONS**.

1. Chimneys not more than five feet (5’) wide and projecting not more than two feet (2’) into the stepback.
2. Roof overhangs or eaves projecting not more than two feet (2’) into the stepback.
3. Window sills, belt courses, trim, exterior siding, cornices, or other ornamental features projecting not more than six inches (6”) beyond the main Structure to which they are attached.
4. Rooftop Decks projecting not more than six feet (6’) into the stepback.
5. Solar Energy Systems.
6. Green Roofs.
7. Rooftop gardens projecting not more than six feet (6’) into the stepback.
8. Screened mechanical equipment, hot tubs, or similar Structures projecting not more than six feet (6’) into the stepback.

D. **FAÇADE VARIATION.**

1. Buildings greater than sixty feet (60') but less than one-hundred-twenty feet (120’) in length must exhibit a prominent shift in the Façade of the Building so that no greater than seventy-five percent (75%) of the length of the Building Façade appears unbroken. Each shift shall be in the form of either a ten foot (10') change in Building Façade alignment or a ten foot

(10') change in the Building Height, or a combined change in Building Façade and Building Height totaling ten feet (10').

2. Structures that exceed one-hundred-twenty feet (120') in length on any Façade shall provide a prominent shift in the mass of the Building at each one-hundred-twenty-foot (120') interval, or less, reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Façade alignment or a fifteen foot (15') change in the Building Height. A combination of both the Building Height and Building Façade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.
3. The Façade length and variation requirements apply to all sides of a Building.

15-6.1-9 Parking

A. Affordable Master Planned Developments shall comply with Chapter 15-3, *Off-Street Parking*.
B. The Applicant may request that the Planning Commission reduce the parking required by Section 15-3-6, *Parking Ratio Requirements For Specific Land Use Categories*. To request a parking reduction, the Applicant must:
    1. Demonstrate that parking reductions materially increase the feasibility of the proposed Affordable Master Planned Development;
    2. Fund and submit a parking and traffic study completed by a third party selected by the City; and

3. Demonstrate that the proposed Affordable Master Planned Development sufficiently addresses the parking demand for the project.

C. If the Planning Commission approves a reduction in the parking requirements, the Applicant shall submit a parking management plan for Planning Commission review and approval prior to the issuance of a Certificate of Occupancy for any portion of the Affordable Master Planned Development.

1. The Planning Commission may amend the parking management plan at any time to address changing circumstances.

D. The Planning Commission may reduce the parking required by Section 15-3-6, *Parking Ratio Requirements For Specific Land Use Categories*, for Affordable Master Planned Developments according to one or more of the criteria outlined below:

1. On sites that are one acre or less by deducting 5,000 square feet per 15,000 square feet of Gross Floor Area for each floor from the sum of total floor area that is used to calculate parking requirements;
2. Parking in the Right-of-Way along the perimeter of the Affordable Master Planned Development Site is available;
3. A clear and irrevocable agreement authorizes Affordable Master Planned Development residents to park in an off-Site Parking Area or Parking Structure that is located within 1,000 feet of the Affordable Master Planned Development perimeter boundary;
4. The Affordable Master Planned Development is within ¼-mile from a bus stop that includes a waiting shelter consistent with City standards;

5. On-Site parking is provided for motorcycles and/or scooters;
6. Bicycle parking exceeds the requirements of Section 15-3-9;
7. The Affordable Master Planned Development provides dedicated parking spaces for resident carshare vehicles.

E. The Planning Commission may not reduce Affordable Master Planned Development parking requirements below the ratio outlined in Table 1:

Unit Size	Market-Rate Units	Affordable Units
< 600 SF	0.5 spaces per unit	None
600 – 1,000 SF	1 space per unit	0.5 spaces per unit
1,000 – 2000 SF	1.5 spaces per unit	1 space per unit
> 2,000 SF	2 spaces per unit	1.5 spaces per unit

Table 1

F. In mixed-use Affordable Master Planned Developments, the Commercial, Retail, Office, Public, and/or Quasi-public Uses shall meet the parking requirements outlined in Chapter 15-3.

15-6.1-10 Open Space

A. Affordable Master Planned Developments shall contain a minimum of twenty percent (20%) Open Space. On-Site amenities, such as playgrounds, trails, recreation facilities, bus shelters, and significant landscaping are encouraged. Open Space may not be used for Streets, roads, or Parking Areas.

B. The Planning Commission may decrease the required Open Space for projects located within 300 feet (300') of a Public Use, including but not limited to a public park, Recreation Open Space, public trail, public school, or Public Recreation Facility.

15-6.1-11 Site Planning

An Affordable Master Planned Development shall be designed to take into consideration the characteristics of the Site upon which it is proposed to be placed. The Development should be designed to fit the Site, not the Site modified to fit the project. The Applicant shall address the following in the Site planning:

A. **CLUSTERED DEVELOPMENT.** Units shall be clustered on the most developable and least visually sensitive portions of the Site. Open Space shall separate the clusters. The Open Space should be designed so that existing Significant Vegetation is maintained on the Site.

B. **GRADING.** Projects shall be designed to minimize Grading and the need for large retaining Structures. Roads, utility lines, and Structures should be designed to work with Existing Grade. Cuts and fills shall be minimized.

C. **TRAILS.** Existing trails shall be incorporated into the Open Space elements of the project and shall be maintained in their existing location whenever possible. Applicants may be required to grant the City a trail easement to connect proposed trails with existing trails. Construction of new trails shall be consistent with the Park City Trails Master Plan.

D. **INTERNAL CIRCULATION.** Adequate internal vehicular, pedestrian, and bicycle circulation shall be provided. Pedestrian and bicycle circulations shall be separated from vehicular circulation and shall provide safe travel within the boundaries of the Affordable Master Planned Development and safe travel to adjoining public sidewalks, trails, and Rights-of-Way. Private internal Streets may

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

E. **SNOW REMOVAL.** The Site plan shall include adequate Areas for snow removal and snow storage. The Landscaping plan shall allow for snow storage Areas. Structures shall be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. Snow shall be stored on-Site, unless otherwise approved by the Planning Commission.

F. **TRASH AND RECYCLING.** The Site plan shall include adequate Areas for trash and recycling containers and shall include an adequate circulation area for pick-up vehicles. Convenient pedestrian Access shall be provided within the Affordable Master Planned Development to the trash and recycling containers. No Site plan with a Commercial Development or Multi-Unit Dwelling shall be approved unless there is a mandatory recycling program, which may include Recycling Facilities for the Site. Single Family Dwellings shall include a mandatory recycling program with curb side recycling, and may also include Recycling Facilities. The Recycling Facilities shall be identified on the Site plan to accommodate for materials generated by the tenants, residents, users, operators, or owners of such Master Planned Development. Such Recycling Facilities shall include, but are not limited to, glass, paper, plastic, cans, cardboard or other household or commercially generated recyclable and scrap materials. Centralized trash and recycling containers shall be located in a completely enclosed Structure with a pedestrian door and a truck door or gate. The enclosed Structure shall be designed with materials that are compatible with

the principal Structures in the Affordable Master Planned Development and shall be constructed of masonry, steel, or other substantial materials. The Structure shall be large enough to accommodate a trash container and at least two recycling containers to provide for the option of dual-stream recycling.

G. **TRANSPORTATION AMENITIES.** The Site plan shall include transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.

H. **SERVICE AND DELIVERY.** Access and loading/unloading Areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.

I. **LANDSCAPE AND LIGHTING.** A preliminary Landscaping plan must be submitted with the Affordable Master Planned Development Application. The Landscaping plan shall comply with all criteria and requirements of Section 15-5-5(N). All noxious weeds, as identified by Summit County, shall be removed from the Property in accordance with the Summit County Weed Ordinance prior to issuance of Certificates of Occupancy. Lighting must meet the requirements of Section 15-5-5(J).

J. **SENSITIVE LANDS COMPLIANCE.** Applicants for an Affordable Master Planned Development that contains any Area within the Sensitive Land Overlay Zone shall conduct a Sensitive Lands Analysis and shall conform to Chapter 15-2.21.

K. **CHILD CARE.** A Site designated and planned for a Child Care Center may be required for an Affordable Master Planned Development if the Planning

Commission determines that the project will create additional demands for Child Care.

L. **MINE HAZARDS.** Applications shall include a map and list of all known Physical Mine Hazards on the Property and a Physical Mine Hazard mitigation plan.

M. **HISTORIC MINE WASTE MITIGATION.** An Applicant for an Affordable Master Planned Development with Property that is located within the Park City Soils Ordinance Boundary shall submit a soil remediation mitigation plan and shall indicate areas of hazardous soils and proposed methods of remediation and/or removal subject to the requirements and regulations of the Municipal Code of Park City Chapter 11-15.

N. **GENERAL PLAN REVIEW.** The Planning Commission shall review Affordable Master Planned Developments for consistency with the goals and objectives of the General Plan; however such review for consistency shall not alone be binding.

O. **HISTORIC SITES.** Applicants shall submit a map and inventory of Historic Structures and Sites on the Property and a Historic Structures Report prepared by a Qualified Historic Preservation Professional.

15-6.1-12 Required Findings And Conclusions Of Law

The Planning Commission must make the following findings in order to approve an Affordable Master Planned Development. In some cases, conditions of approval will be attached to the approval to ensure compliance with these findings. The Affordable Master Planned Development, as conditioned:

A. Provides at least 50% Affordable Units;

B. Complies with requirements of the Land Management Code;

C. Meets the minimum requirements of this Chapter;

D. Provides meaningful Open Space for residents and the public;

E. Strengthens and enhances the resort character of Park City;

F. Compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;

G. Meets the Sensitive Lands requirements of the Land Management Code and is designed to place Development on the most developable land and least visually obtrusive portions of the Site;

H. Promotes the Use of non-vehicular forms of transportation through design and by providing trail and pathway connections;

I. Was noticed and the Planning Commission held a public hearing in accordance with this Chapter;

J. Incorporates best planning practices for sustainable development, including water conservation measures and energy-efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application, and includes Energy Star qualified products for appliances;

K. Addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies;

L. Addresses and mitigates Historic Mine Waster and complies with the requirements of the Park City Soils Boundary Ordinance;

M. Addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan;

N. Addresses and mitigates traffic;

O. Addresses and mitigates parking reductions and parking management.

15-6.1-13 Deed Restrictions

A. Prior to a Certificate of Occupancy for any market rate or Affordable Unit within the Affordable Master Planned Development, provisions to ensure continued affordability of Affordable Units shall be embodied in legally binding deed restrictions, approved by the City Attorney, and recorded with the County.

B. The deed restrictions shall conform with the deed restriction requirements outlined in the Park City Affordable Housing Resolution in effect at the time of a complete Affordable Master Planned Development Application submission, or as otherwise determined by the Park City Housing Authority.

C. The deed restriction shall continue in full force and effect for a period not less than forty (40) years. Upon expiration of the initial forty (40) year term, or any subsequent term, the City shall have six (6) months in which to determine, based on an independent market study, that the Affordable Units within the Affordable Master Planned Development are no longer necessary to satisfy the affordable or workforce housing needs of the City. The City Council or its successor shall make the final determination of such continuing need, and if the City makes no such determination, the deed restrictions shall automatically renew for one or more additional consecutive ten (10) year terms.

15-6.1-14 Compliance

A. Each Property Owner of an Affordable Unit within the Affordable Master Planned Development shall submit to the City an annual compliance report, as amended from time to time by the City or its designee, verifying deed restriction compliance.

B. The Municipal Code of Park City Section 8-3-6 establishes that it is a crime to commit affordable housing fraud. Violation of Section 8-3-6 is subject to criminal prosecution.

. . . .

15-15-1 Defined Terms

AFFORDABLE HOUSING. Housing that is priced affordable to households with incomes at or below 80% of Area Median Income.

AFFORDABLE UNIT. Affordable Master Planned Development units that are deed restricted to the housing size and type for individuals meeting occupancy guidelines approved and adopted by the City Council and outlined in the Housing Resolution in effect at the time of a Complete Affordable Master Planned Development Application.

MICRO UNIT. A unit that is between 250 and 600 square feet designed around a single room incorporating features of a living room, bedroom, dining room/kitchen, and bathroom.

RESIDENTIAL UNIT EQUIVALENT. For Multi-Unit Dwellings, Residential Unit Equivalents are calculated on the basis of one (1) Unit Equivalent per 2,000 square feet and portions of Unit Equivalents for additional square feet above or below 2,000. For

example: 2,460 square feet of a Multi-Unit Dwelling equals 1.23 Residential Unit Equivalents.

15-15-2 List Of Defined Terms

. . . .

-**A**-

Access

Accessory Apartment

Accessory Building

Accessory Use

Active Building Permit

Administrative Permit

Affected Entity

Affordable Housing

Affordable Unit

Agent

Agriculture

Allowed Use

Alteration, Building

Ancillary Structure

Anemometers and Anemometer Towers

Antenna

Antenna, Test Drive

Antenna, Enclosed

Antenna, Freestanding

Antenna, Roof Mounted

Antenna, Temporary

Antenna, Wall Mounted

Apartment

Applicant

Application

Application, Complete

Architectural Detail

Area or Site

Attic

. . . .

-**M**-

Master Planned Development (MPD)

Material Deconstruction or Dismantling

Maximum Extent Feasible

Maximum House Size

Medical Cannabis Pharmacy

Medical Cannabis Production Establishment

Micro Unit

Model Home

. . . .

-**R**-

Receiving Site

Reconstruction

Recreation Equipment, Outdoor

Recreation Facilities, Commercial

Recreation Facilities, Private

Recreation Facilities, Public

Recycling Facility

Recycling Facility, Class I

Refractive Light Source

Regulated Use

Rehabilitation

Residential Unit Equivalent

Residential Use

Resort Support Commercial

Restaurant

Restaurant, Drive-Through

Restoration

Resubdivision

Rhythm and Pattern

Retail and Service, Commercial-Auto Related

Retail and Service, Commercial-Major

Retail and Service, Commercial-Minor

605 Retail and Service, Commercial-

606 Personal Improvement

607 Ridge Line Area

608 Riding Stable, Commercial

609 Right-of-Way

610 Road, Collector

611 Road Classification

612 Road Right-of-Way Width

613 Roof Form

614 Roof Form, Contributing

615 Roof Form, Flat

616 Roof Form, Secondary

617 Roof, Total

Exhibit B: Background

In 2018, staff proposed AMPD amendments to:

(I) Reduce the requirement from 100% to 50% affordable or attainable housing;

(II) Create a sliding scale for Density Bonuses based on the total percentage of Affordable units and the Area Median Income served – the more affordable units and the lower AMI served, the greater Density Bonus;

(III) Reduce Off-Street Parking to match general MPD parking requirements; and

(IV) Exempt micro-units 500 square feet or less from parking requirements.

The Planning Commission forwarded a positive recommendation to City Council but requested continued work on Height, micro-unit limitations, and clarification with respect to market-rate units and the density bonus, parking restrictions, and rental units (Staff Report, p. 52; Minutes, p. 11).

When staff presented the proposed AMPD amendments, the City Council requested further study to demonstrate whether the proposed AMPD amendments went far enough to incentivize public-private partnerships. The Council directed staff to hire a consultant. The City hired Cascadia Partners to audit the proposed AMPD code (City Council Staff Report; Minutes, p. 12 - 13).

On November 25, 2019, Cascadia Partners submitted the *Affordable Master Planned Development Code Audit Report: Identifying Zoning and Housing Development Barriers*. Cascadia concluded that the proposed AMPD code did not sufficiently mitigate the funding gap and could not be accommodated on certain sites. Cascadia recommended additional incentives through:

- Reduced Setbacks
- Reduced Open Space
- Increased Floor Area Ratio (allow more Height)
- Increased Lot Coverage
- Reduced Parking

On December 5, 2019, the City Council reviewed Cascadia's Audit Report and directed staff to amend the AMPD code in two phases: Phase I to reduce Setbacks, Open Space, and Parking, and Phase II to increase Height and further reduce parking.

On January 30, 2020, the City Council adopted Ordinance 2020-09, enacting Phase I to reduce MPD Setbacks for Lots less than two acres to the Zone-Required Setbacks, to reduce AMPD Open Space from 50% to 20%, and to reduce AMPD Parking requirements to match general MPD requirements.

To implement Phase II, staff hired Cascadia Partners to evaluate land use codes that incentivize Affordable Housing through reduced parking and increased Height.

Cascadia submitted *Best Practice Research on Height and Parking Code Standards for AMPD Update*. The Planning Commission conducted three work sessions and provided input below.

Parking Reductions

On October 28, 2020, the Planning Commission considered parking reductions and provided the following direction (Staff Report; Minutes, p. 3):

- Reduce parking for Affordable Units and require parking mitigations based on transit access, available carshares, motorcycle/scooter parking, and bicycle parking.

Current Requirement		Recommended Requirements		
Dwelling Size	**All units**	**Dwelling Size**	**Market-Rate Units**	**Affordable Units**
<1,000 SF	1 space per unit	<600 SF	0.5 spaces per unit	None
1,000 – 2,000 SF	1.5 spaces per unit	600 SF – 1,000 SF	1 space per unit	0.5 spaces per unit
>2,000 SF	2 spaces per unit	1,000 – 2,000 SF	1.5 spaces per unit	1 space per unit
		>2,000 SF	2 spaces per unit	1.5 spaces per unit

- Provide additional parking reductions for AMPDs on small sites: for every 15,000 square feet per floor, reduce the parking requirement for 5,000 square feet.
- Reduce Off-Street Parking Requirements for projects on Lots with an area less than 5,000 square feet if sufficient parking demand reductions can be implemented.
- Allow credit for on-street parking along the site frontage.
- Allow credit for off-site parking spaces within 800 to 1,000 feet from the AMPD that are dedicated to AMPD parking.

Increased Height

On November 11, 2020, the Planning Commission provided input on the following (Staff Report; Audio):

- Allow Height up to 45 feet in:
  - Predominantly Residential Zoning Districts (RD, E, SF)
  - Mixed Residential and Resort-Oriented Zoning Districts (RDM, R-1, RM)
  - Resort-Oriented and Commercial Zoning Districts (RC, LI, GC)
  - Highway 40 Entry Corridor Zoning District (CT)
- Require Height stepdowns from the edge of Buildings to mitigate the impact.
- Apply a maximum building length and façade articulation standard.

AMPD Affordable/Market-Rate Requirements

On December 9, 2020, the Planning Commission provided input on the final phase in the amended AMPD code, including an update to the percentage of affordable versus market-rate units (Staff Report; Minutes, p. 14). Based on amendments to the Housing Resolution and lessons learned through City development of Affordable Housing, the proposed code implements the following:

(I) Separates AMPDs from MPDs and Housing Resolution obligations;

(II) Requires at least 50% Affordable Units;

(III) Allows only Affordable Units – not Attainable Units;

(IV) Bases the Density Bonus on an envelope encompassing reduced Setbacks, Open Space, and increased Height rather than on base-zoning Density;

(V) Prohibits Nightly Rentals and Timeshares in both affordable and market-rate AMPDs;

(VI) Allows commercial development if the total is less than 10,000 square feet.

The Planning Commission then conducted two public hearings on January 27, 2021 (Staff Report; Minutes, p. 17) and February 10, 2021 (Staff Report; Audio), and forwarded a positive recommendation to City Council.

January 15, 2021, 12:57 PM

Hello Rebecca Ward!
I am a long time resident of Park , 30 years. I have heard the City want to construct affordable housing many times. They Usuall do this at the request of special interest groups.

Park City is over-built. Please provide the demographics of the current residents of the Park City. Please provide the demographics of the people who need affordable housing.

I think that what you find is a great disparity of the incomes, social status and education of the people who can find affordable housing to the employment of the people who need affordable housing. The housing provided by the affordable housing projects are not for people can work and live in Park City.

There are not that many well paying jobs in this Resort Town. You should also provide the opportunities available to people who wish to live in affordable housing. Most of the higher income residents currently living in Park City, live in the three subdivisions but work in Salt Lake City.

Neal Krasnick

January 16, 2021, 7:48 AM

Please excuse the typos and lack of quantifiers in my message. I have heard the new people request the City of Park City nees affordable housing every election year for the past 30 years. This is true for the seasonal workers. They can never afford the housing currently constructed inside of Park City. When the skiing and snowboarding was booming, and the snow was free from mother nature the businesspeople who owned their business-built homes inside the city limits. Thes homes were never affordable the the seasonal employees who worked for minimum wage.

Part of the wages the businesspeople gave their employees was discount equipment and use of the businesses corporate pass. The employees never had health insurance or social security. times change and middle-class residents in Summit county have built homes out in the County. This is the cause of our traffic problem. every enening and every morning the employees must commute into the City in 224 and 248. They have to start very early to be at work by 8 am. They have a traffic jam at 3 pm to 5 pm.

You need to find a fast and convenient way to quickly allow the employees to get to and from work. Alta insists they need their important employees available every day, they provide housing for these people. The shop owners and the resort owners do not provide enough employee housing, especially for the married employees.

The tourist shops and gift store inside of Park City are orientated to the discretionary spending habits of the vacationer. There are no shops or food services designed for the middle class or lower class, those families shop online or at big box stores in Salt Lake City.

Demographics. Your effort is doomed to fail if you do not explore the reasonable options to tearing down small buildings and building four story dormitories. It is too expensive. much of Park City is a Super Fund site, the area was polluted by the 60 years os silver and lead mining. many homes had to inter their toxic soil on site. this prevents the area from rebuilding and remodeling the current construction.

the history and demographic of Park City has constructed what we have today the overcrowded vacation homes exist because people wanted a second home near the resort. Employees do not earn enough money to rent or purchase these homes. The City could subsidize their employees to rent or purchase existing homes. That is an option you may wish to explore.

I'm sory for the first e mail it was too brief and quickly typed. contact me for explinations.

Neal

January 27, 2021, 8:06 AM

I have serious concerns with some of the proposals being reviewed as amendments to the Affordable Master Plan Development.

I would like these concerns shared with the Planning Commission.

First: "Building Height up to 45 feet" That is alot of building, especially if located next to or near many of the town's building which would be less than half of that number. It's very clear how the proposal would make it cheaper and increase the profit margin for developers. It is NOT clear how it would preserve the lifestyle or enhance the lives of people in residential zones living next to such a structure. There are probably places where this would work (think Richardson Flat). It seems like a real "in your face" to so many people in town who have worked for so many years to preserve the character and livability of residential Park City, especially the Old Town area.

Second: The proposal to eliminate parking requirements is even worse. With the exception of the past year when no one is going anywhere or doing much of anything, traffic and parking are the issues (above all else) which Park City residents are forced to deal with. People have cars. People who live here have cars. People who might live here someday will likely have cars as well. It's easy to explain why parking wasn't build in Old Town, but to move forward and build new/dense structures without parking

requirements seems almost criminal. **Enhanced** parking requirements would seem to make more sense.

Third: It's not clear to me where this proposal is coming from. I'm pretty sure people all around town are NOT asking for bigger building next to them, or large complex developments with no place to park once the building are built. Please clarify.

The Planning Commission has numerous roles, and I understand that. But from my perspective, the most important of those roles is to protect the people who live here (and pay taxes here) from development that will adversely affect thier lives. I believe these development proposals do just that, and this makes me sad.

One job I do **not** think falls on the shoulders of the Planning Commission is to ensure that developers can increase and maximize thier profit margins. I believe these development proposals do just that, and this makes me sad.

Thank you for your time.

Carol Murphy
2440 Sidewinder Dr.
Park City, Utah 84060

February 10, 2021, 4:53 PM

Please enter the following into the record at this evening's Planning Commission meeting regarding Affordable Housing:

Greetings. As you consider amending the LMC to incentivize Private-Public partnerships to develop affordable housing, please keep in mind the different needs of RENTAL vs. Ownership units. For instance, rental units may be smaller (including MICRO UNITS), require smaller kitchens and bathrooms, not need as much parking (especially if they lie on a bus route), but will likely require common laundry facilities. Due to our high property and building (incl. renovation) costs, both types of affordable units will likely need more density and height than the current LMC allows to 'pencil out.'
-Michael Kaplan

Michael E. Kaplan M.I.M., A.L.M.

City Council
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: King's Crown Condominiums Plat Amendment
Applications: PL-20-04661, PL-21-04739, and PL-21-04578
Author: Rebecca Ward
Date: February 25, 2021
Type of Item: Administrative – Condominium Plat Amendment

Recommendation

Review proposed amendments to the King's Crown Condominiums plat, hold a public hearing, and consider approving Ordinance No. 2021-11.

Description

Applicant:	CRG Development, LLC
Location:	1271 Lowell Avenue
Zoning District:	Recreation Commercial
Adjacent Land Uses:	Multi-Unit and Single-Family Dwellings
Reason for Review:	The Planning Commission reviews and takes Final Action on substantive Master Planned Development modifications Plat amendments require Planning Commission review and recommendation and City Council review and Final Action

Acronyms

CUP	Conditional Use Permit
LMC	Land Management Code
MPD	Master Planned Development

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

On November 21, 2019, the City Council enacted Ordinance No. 2019-56, approving the King's Crown Condominium Plat for Buildings B | C | D on Lot 2 (Staff Report; Minutes, p. 14). On December 10, 2019, the Applicant recorded the Plat with the County (Exhibit C; Summit County Recorder Entry No. 112337).

Buildings B and C of the King's Crown Condominiums are under construction. However, there was a discrepancy in the information and exhibits presented to the Planning Commission regarding the location of King's Crown Condominiums Building D during the MPD review and approval. The Applicant's engineer exhibits showed the southern boundary of Building D extending beyond the southern boundary of the Lift Lodge Condominiums located across Lowell Avenue. The Applicant's architect exhibits showed the southern boundary of Building D aligning with the southern boundary of the Lift Lodge Condominiums located across Lowell Avenue.

To clarify this discrepancy and the Building D approval, on August 12, 2020, the

Applicant submitted a letter requesting to vacate and rescind City approvals for Building D to begin the review process anew (see Exhibit D). The Applicant applied for the King's Crown Condominiums Building D Plat Amendment and an MPD modification. The proposed King's Crown Condominiums Plat amendment is specific to Building D and:

- Confirms the location of Building D
- Reduces the units from 12 to 11
- Reduces the parking from 22 to 21 spaces
- Reduces the limited common area by 386 square feet, and
- Increases the private area by 712 square feet

On January 27, 2021, the Planning Commission determined the King's Crown Condominiums Building D Plat Amendment was a substantive MPD modification to the King's Crown MPD and continued the discussion to February 10, 2021 (Staff Report; Minutes, p. 3).[1]

On February 10, 2021, the Planning Commission unanimously approved a modification to the King's Crown MPD Findings of Fact 112 and 113 to clarify the location of Building D within the MPD, and unanimously forwarded a positive recommendation to the City Council for the King's Crown Condominiums Building D Plat Amendment, with changes to the Conditions of Approval, discussed below and reflected in Ordinance No. 2021-11 (Staff Report; Audio).

Background

Please see Exhibit B for detailed background information.

Analysis

The proposed King's Crown Condominium Plat Amendment for Building D complies with the Land Management Code, the Recreation Commercial Zoning District requirements, and Parking requirements.

Plat amendments are reviewed according to the requirements of LMC § 15-7.1-6(B) with Planning Commission review and recommendation and City Council action. The Commission reviews the plat, taking into consideration requirements of the MPD.[2]

The Applicant requests the following amendments to Building D of the King's Crown Condominiums:

- Reduce the units from 12 to 11
- Reduce the parking from 22 to 21 spaces
- Reduce the limited common area by 386 square feet, and
- Increase the private area by 712 square feet

[1] LMC § 15-6-4(K).
[2] LMC § 15-7.1-6(C).

The Setback and Height requirements for Building D were evaluated at the time of the MPD approval. Building D was approved as a four-story building above a parking garage (January 10, 2018 Staff Report, p. 380, Finding of Fact 35). The required 25-foot MPD perimeter Setback along Lowell Avenue and the 10-foot Rear and Side Setbacks are indicated on the recorded and proposed Plat.[3]

The proposed amendments mostly impact the internal units and limited common deck areas, outlined below:

Limited Common Space – Reduced by 386 SF

Unit	Recorded Plat	Proposed Plat
D101	410 SF	451 SF
D102	330 SF	455 SF
D103	70 SF	265 SF
D104	465 SF	Removed
D201	310 SF	331 SF
D202	540 SF	344 SF
D203	296 SF	298 SF
D301	441 SF	458 SF
D302	460 SF	420 SF
D303	758 SF	742 SF
D401	857 SF	883 SF
D402	694 SF	598 SF
TOTAL	**5631 SF**	**5245 SF**

Private Area – Increased by 712 SF

Unit	Recorded Plat	Proposed Plat
D101	2286 SF	1999 SF
D102	1260 SF	2605 SF
D103	1261 SF	2149 SF
D104	2050 SF	Removed
D201	2123 SF	2500 SF
D202	2506 SF	2261 SF
D203	2497 SF	2637 SF
D301	1988 SF	2165 SF
D302	2298 SF	1950 SF
D303	1806 SF	2193 SF
D401	2500 SF	2544 SF
D402	2218 SF	2502 SF
TOTAL	**24,793 SF**	**25,505 SF**

[3] LMC § 15-2.16-3.

Total Parking Spaces – Reduced from 22 to 21

LMC § 15-3-6(A) outlines required parking spaces for Multi-Unit Dwellings based on Floor Area square footage, which is defined as "[t]he Area of a Building, including all enclosed Areas, consisting of the Area of all floors located under a ceiling that is above Final Grade, measured in square feet. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area." LMC § 15-15-1.

Units between 1,000 and 2,000 SF require 1.5 parking spaces and Units greater than 2,000 SF require 2 parking spaces:

Unit	Square Footage	Required Parking Spaces
D101	1999 SF	1.5
D102	2605 SF	2
D103	2149 SF	2
D201	2500 SF	2
D202	2261 SF	2
D203	2637 SF	2
D301	2165 SF	2
D302	1950 SF	1.5
D303	2193 SF	2
D401	2544 SF	2
D402	2502 SF	2
	TOTAL	**21**

On February 10, 2021, the Planning Commission amended the King's Crown MPD/CUP Findings of Fact 112 and 113 and added Conditions of Approval 4 – 11 to Ordinance No. 2021-11 to establish Good Cause for the proposed King's Crown Condominiums Plat Amendment for Building D.

The Planning Commission shall make a finding as to Good Cause prior to making a positive recommendation to City Council for a plat amendment.[4] Good Cause is defined as "[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community."[5]

To establish Good Cause for the King's Crown Condominiums Plat amendment, the Planning Commission amended Findings of Fact 112 and 113 of the King's Crown MPD/CUP and added Conditions of Approval 4 – 11 to Ordinance No. 2021-11 to mitigate

[4] LMC § 15-7.1-6(C).
[5] LMC § 15-15-1.

negative impacts, provide public amenities and benefits, resolve existing issues and non-conformities, and preserve the character of the neighborhood. These are factors the Planning Commission previously considered when the Planning Commission approved the King's Crown MPD/CUP in 2018.

For example, MPDs "provide design flexibility necessary for well-planned . . . developments that are Compatible with the surrounding neighborhood."[6] The goal of MPDs is in part to "ensure neighborhood Compatibility."[7] One of the required findings the Commission must make when approving an MPD is that the MPD "is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility . . . and protects residential neighborhoods and Uses."[8]

Conditional Use Permits require mitigation of "Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots."[9] Additionally, Multi-Unit Dwellings approved as a Conditional Use must address "physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing."[10]

The Planning Commission amended the King's Crown MPD/CUP to establish the King's Crown Re-Subdivision Plat as the standard for the proposed King's Crown Condominium Plat amendment, requiring a 10-foot side setback from the southern boundary of Building D to the southern Lot line. The proposed Building D Plat Amendment exceeds this 10-foot side setback by two feet. The result of the 12-foot setback places the southern boundary of Building D to nearly align with the northern boundary of Unit C of the Residences at King's Crown across Lowell Avenue. The Commission approved Condition of Approval 10, requiring a 12-foot side setback for Building D to exceed the required 10-foot side setback.

The Planning Commission amended the King's Crown MPD/CUP Findings of Fact to establish the King's Crown Re-Subdivision Plat as the baseline standard for determining project compliance:

> 112: The project has been designed to mirror the existing neighborhood development patterns, outlined in the King's Crown Re-Subdivision Plat (Summit County Recorder Entry No. 1091847).
>
> 113: The larger mass buildings are located adjacent to the larger buildings on Lowell, and the project homes mirror the East side of Lowell, with the townhomes continuing the townhome pattern as well, outlined the King's Crown Re-Subdivision Plat (Summit County Recorder Entry No. 1091847).

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[6] LMC § 15-6-1.
[7] LMC § 15-6-1(B).
[8] LMC § 15-6-6(F).
[9] LMC § 15-1-10(E)(8).
[10] LMC § 15-1-10(E)(11).

To further mitigate the impacts of Building D on the properties across Lowell Avenue, the Planning Commission added the following Conditions of Approval to Ordinance No. 2021-11, with amendments in red. The Planning Commission also requested that the Applicant update Exhibit H, *Current BLDG D Placement AS-020*. As a result, this updated exhibit is attached to Ordinance 2021-11 as Attachment 2, *Exhibit – Conditions of Approval*. Staff recommends one additional clarification to Condition of Approval 5, shown in orange.

> The Building D garage entrance shall be as shown in ~~Exhibit H, *Current BLDG D Placement AS-020*~~ Attachment 2, *Exhibit – Conditions of Approval* (Condition of Approval 4);
>
> The Applicant shall install boulder retaining walls that front Lowell Avenue as shown in Attachment 2, *Exhibit – Conditions of Approval* (Condition of Approval 5);
>
> The Applicant shall maintain a mid-stair planter, shown in ~~Exhibit H, *Current BLDG D Placement AS-020*~~ Attachment 2, *Exhibit – Conditions of Approval* (Condition of Approval 6);
>
> At the time of Building Plan submission, the Applicant shall submit a landscaping plan that sufficiently complies with ~~*Current BLDG D Placement AS-020*~~ Attachment 2, *Exhibit – Conditions of Approval* with species outlined in the City's Wildland Urban Interface Code, with deciduous trees a minimum caliper of 2 inches, and the evergreens will have a minimum planted height of 15 feet (Condition of Approval 7);
>
> The Applicant shall expand the public access easement at the base of the public access stairs within the Setback from Lowell Avenue to relocate the lower portion of the stairs to the north of the twelve-foot setback from the southern boundary of Lot 2, allowing the stairway to be off-set to the south at 14 feet 11 inches from the right-of-way line along Lowell Avenue according to the requirements of the City Engineer and City Attorney and shall include the expanded easement on the final plat to increase landscaping to mitigate the visual impacts to property owners across Lowell, as shown in ~~Exhibit H, *Current BLDG D Placement AS-020*~~ Attachment 2, *Exhibit – Conditions of Approval* (Condition of Approval 8);
>
> The Applicant shall install signage approved by the Planning Department in compliance with the Park City Municipal Sign Code at the base of the public access easement informing the public of the public access to the ski run (Condition of Approval 9).

The Planning Commission also added Condition of Approval 11:

> The 10-foot-wide public access is required to be retained along the southern boundary of Lot 2.

Department Review

The Planning, Engineering, and Legal Departments reviewed this application.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on January 13, 2021. Staff mailed courtesy notice to property owners within 300 feet on January 13, 2021. The *Park Record* published notice on January 13, 2021.[11]

Public Input

Please see Exhibit G.

Exhibits

Exhibit A:	Ordinance No. 2021-11
	Attachment 1 – King's Crown Condominiums, First Amended Plat
	Attachment 2 – Exhibit – Conditions of Approval
Exhibit B:	Background
Exhibit C:	Recorded King's Crown Condominium Plat
Exhibit D:	Letter Vacating and Rescinding Building D Approvals
Exhibit E:	Applicant Statements
Exhibit F:	January 10, 2018 King's Crown MPD/CUP Approval
Exhibit G:	Public Input
Exhibit H:	Current BLDG D Placement AS-020

[11] LMC § 15-1-21.

Ordinance No. 2021-11

AN ORDINANCE APPROVING THE KING'S CROWN CONDOMINIUMS FIRST AMENDED CONDOMINIUM PLAT LOCATED IN PARK CITY, SUMMIT COUNTY, UTAH

WHEREAS, on January 10, 2018, the Planning Commission approved the King's Crown Master Planned Development and Conditional Use Permit for a 32-Lot subdivision with Single-Family Lots, Condominiums, Townhomes, and Open Space;

WHEREAS, there was a discrepancy in the information and exhibits presented to the Planning Commission regarding the location of the King's Crown Condominiums Building D during the King's Crown Master Planned Development approval;

WHEREAS, staff reviewed subsequent King's Crown plats based on the King's Crown Master Planned Development Findings of Fact, Conclusions of Law, and Conditions of Approval and the Applicant's engineer exhibits, but these exhibits differed from the Applicant's architect exhibits;

WHEREAS, on June 20, 2019, the City Council adopted Ordinance No. 2019-34, approving the King's Crown Condominium Plat for Condominium Buildings B | C | D;

WHEREAS, the Applicant did not record this approved plat with Summit County, but rather requested to amend the plat;

WHEREAS, on November 21, 2019, the City Council approved Ordinance No. 2019-56, amending the King's Crown Condominium Plat;

WHEREAS, on December 10, 2019, the Applicant recorded the Plat with the County (Summit County Recorder Entry No. 112337);

WHEREAS, on August 12, 2020, the Applicant submitted a letter requesting to vacate and rescind City approvals for King's Crown Condominiums Building D in order to begin the review process anew;

WHEREAS, the Applicant submitted an application to amend the King's Crown Condominiums Plat specific to Building D and to modify the King's Crown Master Planned Development;

WHEREAS, on January 27, 2021, the Planning Commission duly noticed a public hearing and determined the King's Crown Condominiums Building D Plat Amendment was a substantive King's Crown Master Planned Development modification and continued the discussion to February 10, 2021;

WHEREAS, on February 10, 2021, the Planning Commission amended the King's Crown Master Planned Development Findings of Fact 112 and 113 and added Conditions of Approval 4 through 11 to this Ordinance to establish Good Cause for the King's Crown Condominium Plat;

WHEREAS, on February 10, 2021, the Planning Commission forwarded a unanimous positive recommendation to the City Council for consideration;

WHEREAS, on February 25, 2021, the City Council duly noticed a public hearing and reviewed the proposed plat amendment.

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

SECTION 1. APPROVAL. The King's Crown Condominiums, First Amended Plat amending Building D is approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. On January 10, 2018, the Planning Commission approved the King's Crown Master Planned Development and Conditional Use Permit.
2. The King's Crown Master Planned Development is a 32-Lot subdivision in the Recreation Commercial Zoning District that includes Single-Family Lots, seven townhomes on Lot 30, the King's Crown Workforce Housing Condominiums (Building A) on Lot 1, and the King's Crown Condominiums (Buildings B | C | D) on Lot 2. Over 11 acres are preserved as Open Space on Lots 31 and 32.
3. On February 1, 2018, the City Council approved Ordinance No. 2018-05, the King's Crown Re-Subdivision Plat (Summit County Recorder Entry No. 1091847).
4. On June 13, 2018, the Planning Commission ratified the King's Crown Development Agreement (Summit County Recorder Entry No. 1093392).
5. On May 22, 2019, the Planning Commission modified the King's Crown Master Planned Development and Conditional Use Permit.
6. On June 20, 2019, the City Council adopted Ordinance No. 2019-34, approving the King's Crown Condominium Plat for Buildings B | C | D on Lot 2 of the King's Crown Re-Subdivision. The Applicant did not record this plat, but further amended the plat.
7. On November 21, 2019, the City Council adopted Ordinance No. 2019-56, amending the King's Crown Condominium Plat for Buildings B | C | D on Lot 2. On December 10, 2019, the Applicant recorded this plat (Summit County Recorder Entry No. 112337).
8. There was a discrepancy in the information and exhibits presented to the Planning Commission as part of the King's Crown MPD/CUP approval. The

discrepancy was specific to the King's Crown Condominiums Building D. An exhibit prepared by the Applicant's architect showed the southern boundary of Building D aligning with the southern boundary of the Lift Lodge Condominiums across Lowell Avenue. The exhibits prepared by the Applicant's engineer showed the southern boundary of Building D extending beyond the southern boundary of the Lift Lodge Condominiums. Staff did not identify this discrepancy prior to reviewing the subsequent plat approvals and based compliance of plats on the King's Crown MPD/CUP Findings of Fact, Conclusions of Law, Conditions of Approval, and the Applicant's engineer exhibits.

9. On August 12, 2020, the Applicant submitted a letter to the Planning Department requesting to vacate and rescind City approvals for Building D of the King's Crown Condominium Plat and engineering approval to amend Building D.
10. The Planning Commission reviews plat amendments according to the requirements of LMC § 15-7.1-6(B) and makes a recommendation for City Council action. The Planning Commission reviews the plat, taking the Master Planned Development requirements into consideration.
11. MPDs provide design flexibility necessary for well-planned developments that are Compatible with the surrounding neighborhood.
12. The goal of MPDs is in part to ensure neighborhood compatibility. One of the required findings the Planning Commission must make when approving an MPD is that the MPD is compatible in use, scale, and mass with adjacent properties, and promotes neighborhood compatibility and protects residential neighborhoods and uses.
13. The King's Crown MPD/CUP was designed to locate Multi-Unit Dwellings near Marriott's Mountainside to the north and Lift Lodge Condos to the east. Building D of the King's Crown Condominiums is located across from the Lift Lodge Condos and the Residences at King's Crown, a three-unit condominium that is located between Lowell Avenue and Empire Avenue. (The Residences at King's Crown Condominiums are not part of the King's Crown MPD/CUP.
14. On January 27, 2021, the Planning Commission determined the King's Crown Condominiums Building D Plat amendment was a substantive MPD modification and continued the discussion to February 10, 2021.
15. On February 10, 2021, the Planning Commission unanimously approved a modification to the King's Crown MPD Findings of Fact 112 and 113 to clarify the location of Building D within the MPD. The King's Crown Re-Subdivision Plat (Summit County Recorder Entry No. 1091847) is the baseline standard for King's Crown project compliance.
16. The proposed plat amendment complies with the King's Crown Re-Subdivision Plat, Lot 2 and:
    a. Reduces the total units within Building D from 12 to 11;

b. Reduces limited common space by 386 square feet;
c. Increases private area by 712 square feet; and
d. Reduces parking from 22 to 21 spaces.

Conclusions of Law

1. There is Good Cause for this plat amendment because the amended King's Crown MPD/CUP Findings of Fact 112 and 113 and Conditions of Approval of this Ordinance mitigate the impact of Building D on properties across Lowell Avenue.
2. The plat amendment is consistent with the Land Management Code.
3. Neither the public nor any person will be materially injured by this 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 Applicant is responsible for compliance with all conditions of approval.
2. 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.
3. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
4. The Building D garage entrance shall be as shown in Attachment 2, *Exhibit – Conditions of Approval*;
5. The Applicant shall install boulder retaining walls that front Lowell Avenue as shown in Attachment 2, *Exhibit – Conditions of Approval*;
6. The Applicant shall maintain a mid-stair planter, shown in Attachment 2, *Exhibit – Conditions of Approval*;
7. At the time of Building Plan submission, the Applicant shall submit a landscaping plan that sufficiently complies with Attachment 2, *Exhibit – Conditions of Approval* with species outlined in the City's Wildland Urban Interface Code, with deciduous trees a minimum caliper of 2 inches, and the evergreens will have a minimum planted height of 15 feet.

8. The Applicant shall expand the public access easement at the base of the public access stairs within the Setback from Lowell Avenue to relocate the lower portion of the stairs to the north of the twelve-foot setback from the southern boundary of Lot 2, allowing the stairway to be off-set to the south at 14 feet 11 inches from the right-of-way line along Lowell Avenue according to the requirements of the City Engineer and City Attorney and shall include the expanded easement on the final plat to increase landscaping to mitigate the visual impacts to property owners across Lowell, as shown in the Attachment 2, *Exhibit – Conditions of Approval*;
9. The Applicant shall install signage approved by the Planning Department in compliance with the Park City Municipal Sign Code at the base of the public access easement informing the public of the public access to the ski run.
10. The side Setback for the southern boundary of Lot 2 shall exceed the code-required side Setback of 10 feet and shall retain a 12-foot side Setback.
11. The 10-foot-wide public access is required to be retained along the southern boundary of Lot 2.

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

PASSED AND ADOPTED this 25th Day of February, 2021.

PARK CITY MUNICIPAL CORPORATION

_____

Andy Beerman, MAYOR

ATTEST:

_____

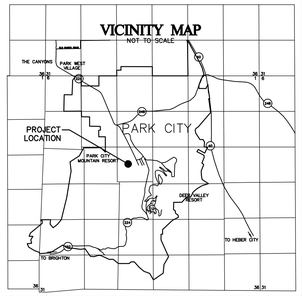
City Recorder

APPROVED AS TO FORM:

_____

Mark Harrington, City Attorney

ATTACHMENT 1



SURVEYOR'S CERTIFICATE

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

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

STATE OF UTAH
GREGORY R. WOLBACH
NO. 187788
PROFESSIONAL LAND SURVEYOR

GREGORY R. WOLBACH DATE:

NORTH

GRAPHIC SCALE

16 0 8 16 32 64

(IN FEET)
1 inch = 16 ft.

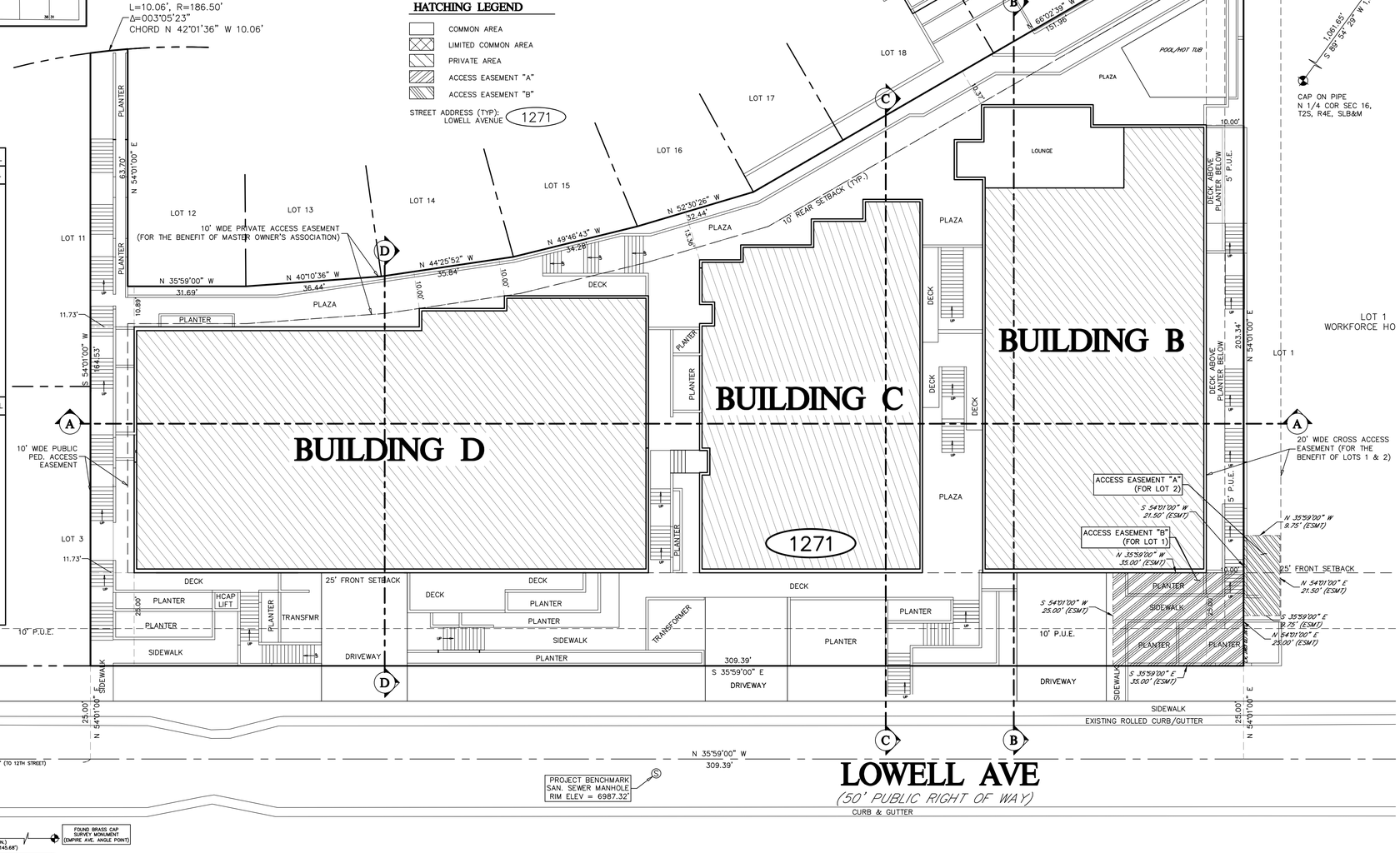
HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA
- ACCESS EASEMENT "A"
- ACCESS EASEMENT "B"

STREET ADDRESS (TYP): LOWELL AVENUE 1271

AREA TABULATIONS

COMMON AREA	64,199 SF TOTAL
LIMITED COMMON AREA	11,752 SF TOTAL
UNIT B101	366 SF
UNIT B102	313 SF
UNIT B103	127 SF
UNIT B201	528 SF
UNIT B202	217 SF
UNIT B301	509 SF
UNIT B302	410 SF
UNIT B401	1100 SF
UNIT C101	222 SF
UNIT C102	342 SF
UNIT C201	584 SF
UNIT C202	223 SF
UNIT C301	314 SF
UNIT C302	229 SF
UNIT C401	1023 SF
UNIT D101	451 SF
UNIT D102	455 SF
UNIT D103	265 SF
UNIT D201	331 SF
UNIT D202	344 SF
UNIT D203	298 SF
UNIT D301	458 SF
UNIT D302	420 SF
UNIT D303	742 SF
UNIT D401	883 SF
UNIT D402	598 SF
PRIVATE AREA (UNITS)	52,832 SF TOTAL
UNIT B101	756 SF
UNIT B102	1147 SF
UNIT B103	1762 SF
UNIT B201	1916 SF
UNIT B202	1704 SF
UNIT B301	2677 SF
UNIT B302	1766 SF
UNIT B401	3121 SF
UNIT C101	1930 SF
UNIT C102	1745 SF
UNIT C201	1815 SF
UNIT C202	1660 SF
UNIT C301	1837 SF
UNIT C302	1762 SF
UNIT C401	2485 SF
UNIT D101	1999 SF
UNIT D102	2605 SF
UNIT D103	2149 SF
UNIT D201	2500 SF
UNIT D202	2261 SF
UNIT D203	2637 SF
UNIT D301	2165 SF
UNIT D302	1950 SF
UNIT D303	2193 SF
UNIT D401	2544 SF
UNIT D402	2502 SF



CONDOMINIUM PLAT

KING'S CROWN CONDOMINIUMS, FIRST AMENDED

– A UTAH CONDOMINIUM PROJECT –

A CONDOMINIUM PROJECT LOCATED WITHIN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

LEGAL DESCRIPTION

UNIT NOS. B101, B102, B103, B201, B202, B301, B302, AND B401 IN BUILDING B; UNIT NOS. C101, C102, C201, C202, C301, C302, AND C401 IN BUILDING C; UNIT NOS. D101, D102, D103, D104, D201, D202, D203, D301, D302, D303, D401, AND D402 IN BUILDING D, CONTAINED WITHIN THE KING'S CROWN CONDOMINIUMS, AS THE SAME IS IDENTIFIED IN THE RECORD OF SURVEY MAP RECORDED IN SUMMIT COUNTY, UTAH, AS ENTRY NO. 1123377, IN BOOK 2544, AT PAGE 1025, AND IN THE DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS AND BYLAWS OF THE KINGS CROWN CONDOMINIUMS, RECORDED IN SUMMIT COUNTY, UTAH, ON DECEMBER 10, 2019, AS ENTRY NO. 1123378, IN BOOK 2544, AT PAGE 1123378, OF THE OFFICIAL RECORDS, AND ALL AMENDMENTS THERETO.

TOGETHER WITH: (A) THE UNDIVIDED OWNERSHIP INTEREST IN SAID CONDOMINIUM PROJECT'S COMMON AREAS AND FACILITIES WHICH IS APPURTENANT TO SAID UNIT, (THE REFERENCED DECLARATION OF CONDOMINIUM PROVIDING FOR PERIODIC ALTERATION BOTH IN THE MAGNITUDE OF SAID UNDIVIDED OWNERSHIP INTEREST AND IN THE COMPOSITION OF THE COMMON AREAS AND FACILITIES TO WHICH SAID INTEREST RELATES); (B) THE EXCLUSIVE RIGHT TO USE AND ENJOY EACH OF THE LIMITED COMMON AREAS WHICH IS APPURTENANT TO SAID UNIT, AND (C) THE NON-EXCLUSIVE RIGHT TO USE AND ENJOY THE COMMON AREAS AND FACILITIES INCLUDED IN SAID CONDOMINIUM PROJECT (AS SAID PROJECT MAY HEREAFTER BE EXPANDED) IN ACCORDANCE WITH THE AFORESAID DECLARATION AND SURVEY MAP (AS SAID DECLARATION AND MAP MAY HEREAFTER BE AMENDED OR SUPPLEMENTED) AND THE UTAH CONDOMINIUM OWNERSHIP ACT.

CONTAINS: 41,773.16 SQUARE FEET (0.9590 ACRES) MORE OR LESS.

NOTES:

1. BASIS OF BEARING: NORTH 35°59'00" WEST BETWEEN FOUND AND ACCEPTED EMPIRE AVENUE SURVEY MONUMENTS, AS SHOWN HEREON.
2. PROJECT BENCHMARK ELEVATION = 6987.32'. SANITARY SEWER MANHOLE RIM IN LOWELL AVENUE, AS SHOWN HEREON.
3. THIS PLAT REPRESENTS AN AMENDMENT TO "KING'S CROWN CONDOMINIUMS", ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, ENTRY NO. 01123377.
4. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ANY ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS CONDOMINIUM CONVERSION ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
5. THE UNITS OF THIS CONDOMINIUM PLAT ARE SERVED BY PRIVATE LATERAL WASTEWATER LINES THAT CROSS THE COMMON AREA. "THE KING'S CROWN CONDOMINIUM OWNERS ASSOCIATION" SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF THE PRIVATE LATERAL WASTEWATER LINES WITHIN THE COMMON AREA.
6. COMMON AREAS WITHIN THE PLAT ARE DEDICATED FOR PRIVATE UTILITIES, INCLUDING PRIVATE LATERAL WASTEWATER LINES.
7. BUILDING DEPARTMENT APPROVAL OF A FIRE SPRINKLER PLAN IS REQUIRED.
8. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 2019-34.
9. ALL CONDITIONS OF APPROVAL OF THE AMENDED MASTER PLAN NED DEVELOPMENT, CONDITIONAL USE PERMIT, KING'S CROWN RE-SUBDIVISION PLAT ORDINANCE NO. 2018-05, AND ORDINANCE NO. 2019-51, AND AMENDED HOUSING MITIGATION PLAN SHALL CONTINUE TO APPLY.
10. UNIT MEASUREMENTS SHOWN HEREON ARE FINISHED SURFACE OF INSIDE WALL TO FINISHED SURFACE OF INSIDE WALL (ON SHEETS 2-4).

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT BY THE VIRTUE OF A CORPORATE RESOLUTION, CRG PARTNERS, LLC, A UTAH LIMITED LIABILITY COMPANY, OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, TO BE KNOWN HEREAFTER AS THE "KINGS CROWN CONDOMINIUMS, FIRST AMENDED", DOES HEREBY CERTIFY THAT WE HAVE CAUSED THIS PLAT TO BE PREPARED, AND DOES HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.

ALSO, THE OWNERS DO HEREBY DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL ROADS AND OTHER AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

ALSO, THE OWNERS, OR HIS/HER REPRESENTATIVES, HEREBY CERTIFY THAT THE BUILDINGS CONTAINING UNITS SHOWN ON THIS PLAT, UNDER CONSTRUCTION AT THE TIME THE PLAT IS RECORDED, WILL, WHEN COMPLETED, BE AS SHOWN ON THIS PLAT.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS _____, DAY OF _____, 20__.

_____
RORY MURPHY, MANAGER
CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
:ss
COUNTY OF SUMMIT)

PERSONALLY APPEARED BEFORE ME THIS _____, DAY OF _____, 20___ THE FOLLOWING: RORY MURPHY, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS MANAGER OF CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY AND THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND ON BEHALF OF SAID CORPORATION AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC _____.

RESIDING IN _____.

LIEN HOLDER CONSENT

ON THE _____, DAY OF _____ 20____ , CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY, ENTERED INTO A DEED OF TRUST WITH **STERLING NATIONAL BANK**, WHICH DEED OF TRUST IS SECURED BY THE PROPERTY MORE PARTICULARLY DESCRIBED IN THE ABOVE IDENTIFIED DEED OF TRUST. SAID DEED OF TRUST WAS RECORDED ON APRIL 10, 2020, AS ENTRY NO. 1130518 IN BOOK 2565 AT PAGE 0236 IN THE OFFICIAL RECORDS OF THE SUMMIT COUNTY RECORDER'S OFFICE.

STERLING NATIONAL BANK IS FULLY AWARE THAT **CRG DEVELOPMENT, LLC** IS IN THE PROCESS OF RECORDING A PLAT CREATING A PROJECT KNOW AS **"KING'S CROWN CONDOMINIUMS, FIRST AMENDED"** AND **STERLING NATIONAL BANK** HEREBY CONSENTS TO THE RECORDING OF THE PLAT FOR ALL PURPOSES SHOWN THEREON.

DATED THIS ____ DAY OF _____, 20 _____.

STERLING NATIONAL BANK

BY: _____.
PRINT NAME: _____.
TITLE: _____.

ACKNOWLEDGMENT

STATE OF UTAH)
:ss
COUNTY OF _____.)

ON THIS _____, DAY OF _____, 20 ____, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED _____, THE _____ OF **STERLING NATIONAL BANK** PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THE FOREGOING LIEN HOLDER'S CONSENT REGARDING THE **KING'S CROWN CONDOMINIUMS, FIRST AMENDED** AND WAS SIGNED BY HIM ON BEHALF OF SAID **STERLING NATIONAL BANK** AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES _____.

NOTARY PUBLIC _____.

RESIDING IN _____.

Evergreen Engineering, Inc.
Civil Engineering * Land Surveying * Land Planning
1678 Sidewinder Drive, Unit C
P.O. Box 2861 * Park City * Utah * 84060
Phone: 801.557.5482
E-mail: amoran@evergreen-eng.com

SHEET 1 OF 4
PLOT DATE: OCTOBER 26, 2020
DRAWING: KC-LOT2-CONDO-FP-R.dwg
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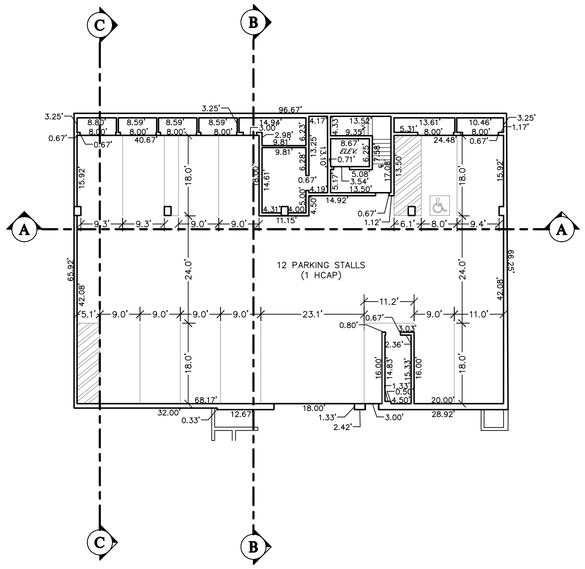
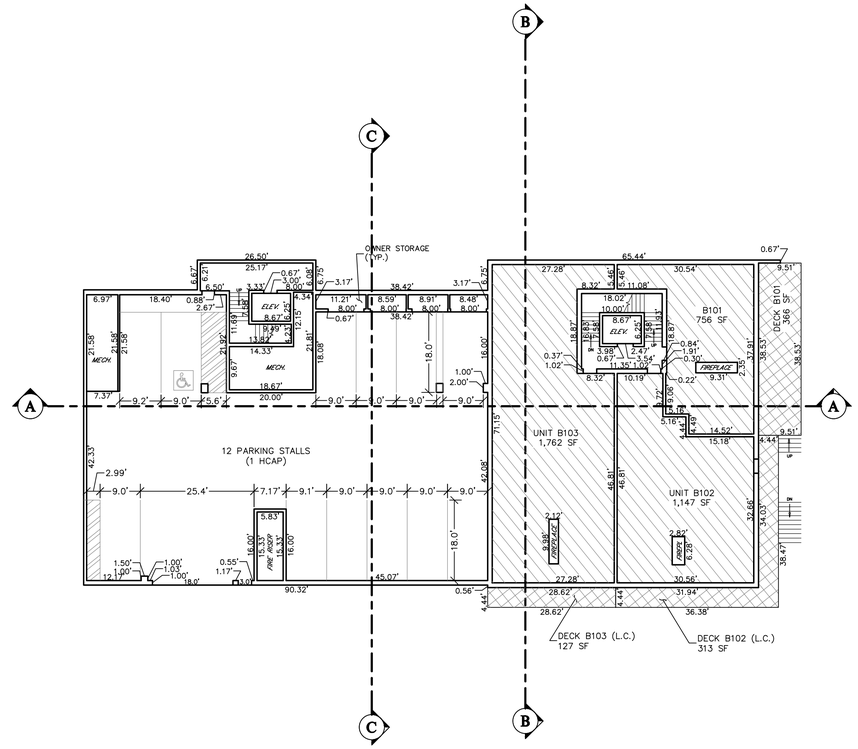
PUBLIC SAFETY ANSWERING POINT APPROVAL	CITY ENGINEER	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	COUNCIL APPROVAL & ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
APPROVED THIS ___DAY OF _____ A.D. 20__.	THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 20 ____.	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ AD 20 ____.	APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 20 ____.	APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 20 ____	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 20 ____.	I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ A.D. 20 ____	N°. _____ . STATE OF _____ . COUNTY OF _____ . RECORDED AND FILED AT THE REQUEST OF: _____
_____ JEFF WARD, GIS COORDINATOR/ADDRESSING AUTHORITY	_____ CITY ENGINEER	BY: _____ SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	_____ CHAIR	_____ CITY ATTORNEY	_____ MAYOR	_____ CITY RECORDER	_____ COUNTY RECORDER

LEVEL 1

BUILDING B
PARKING LEVEL

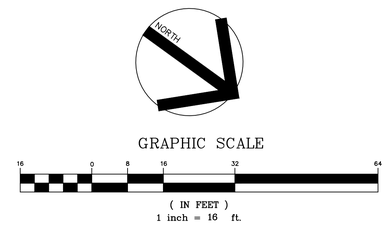




LEVEL 2

BUILDING B
UNITS B101, B102, B103

BUILDING C
PARKING LEVEL

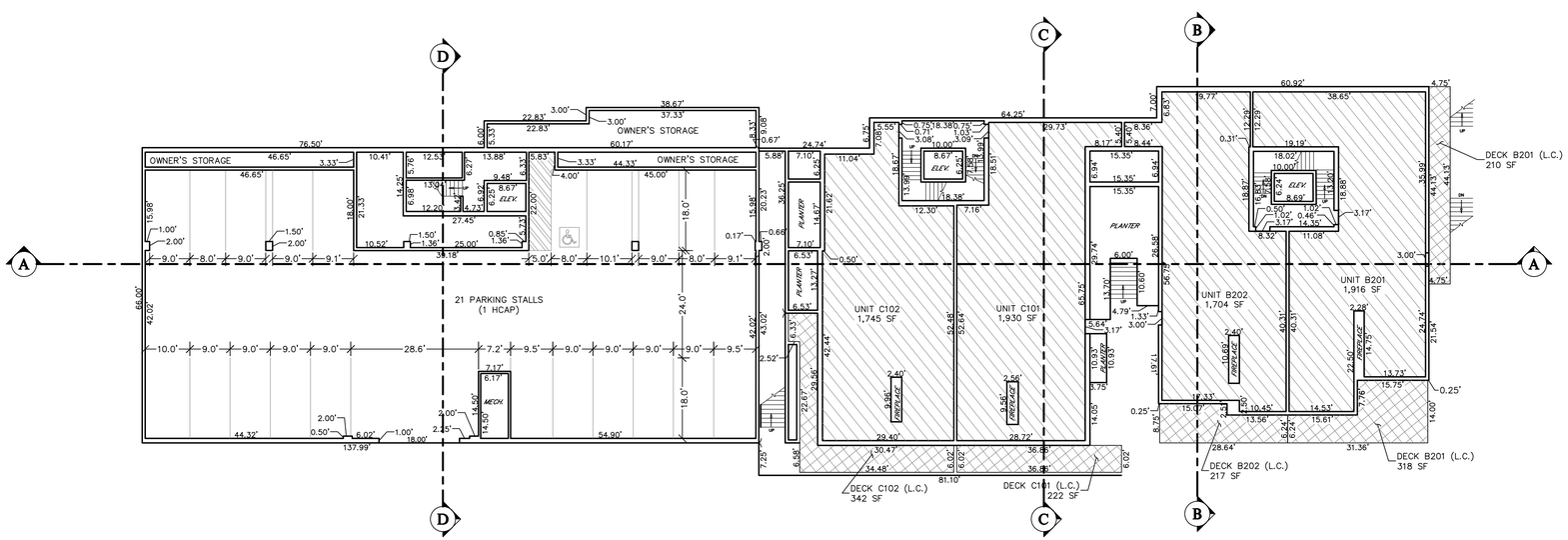


LEVEL 3

BUILDING B
UNITS B201, B202

BUILDING C
UNITS C101, C102

BUILDING D
PARKING LEVEL



HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA

PLOT DATE: OCTOBER 26, 2020

NO. _____ RECORDED
DATE _____
STATE OF _____
CITY OF _____
RECORDED AT THE REQUEST OF _____

FEES _____ CITY RECORDER _____

Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
P.O. Box 2861 • Park City • Utah • 84060
Phone: 801-557-5482
E-mail: amoran@evergreen-eng.com

REVISIONS		
DATE	BY	COMMENTS

© 2020 Evergreen Engineering, Inc.

STATE OF UTAH
GREGORY R. WOLBACH
NO. 187788
PROFESSIONAL LAND SURVEYOR

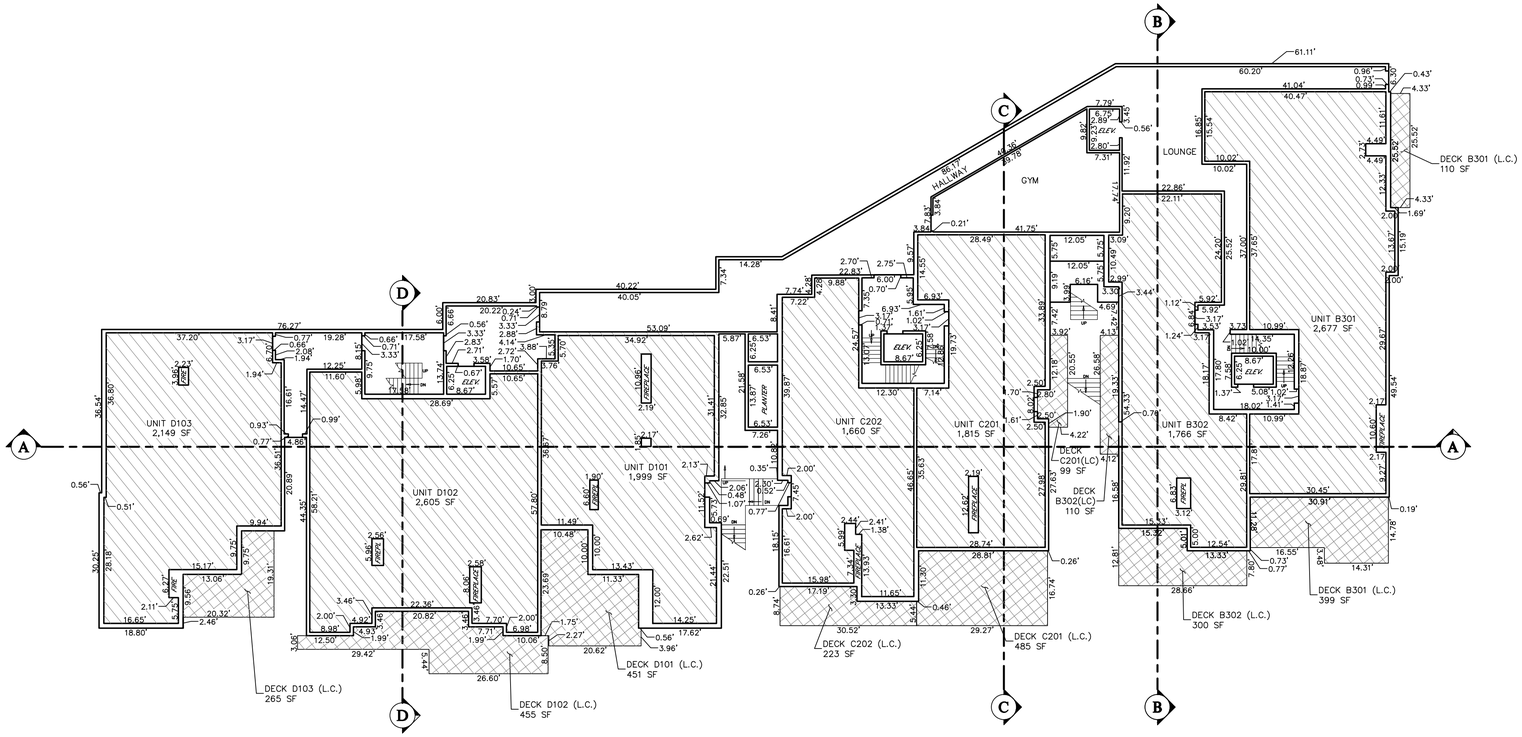
DESIGNED BY: WOW
DRAWN BY: ADM
CHECKED BY: ADM

KING'S CROWN CONDOMINIUMS, 1ST AMENDED
FLOOR PLANS - LEVELS 1, 2 & 3

FOR: CRG PARTNERS

DWG. KC-LOT2-CONDO-FP-3
JOB NO. 1626

SHEET 2 OF 4

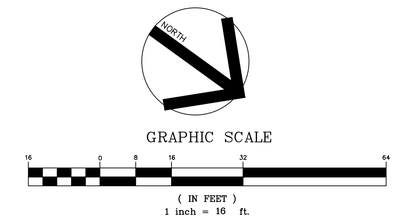


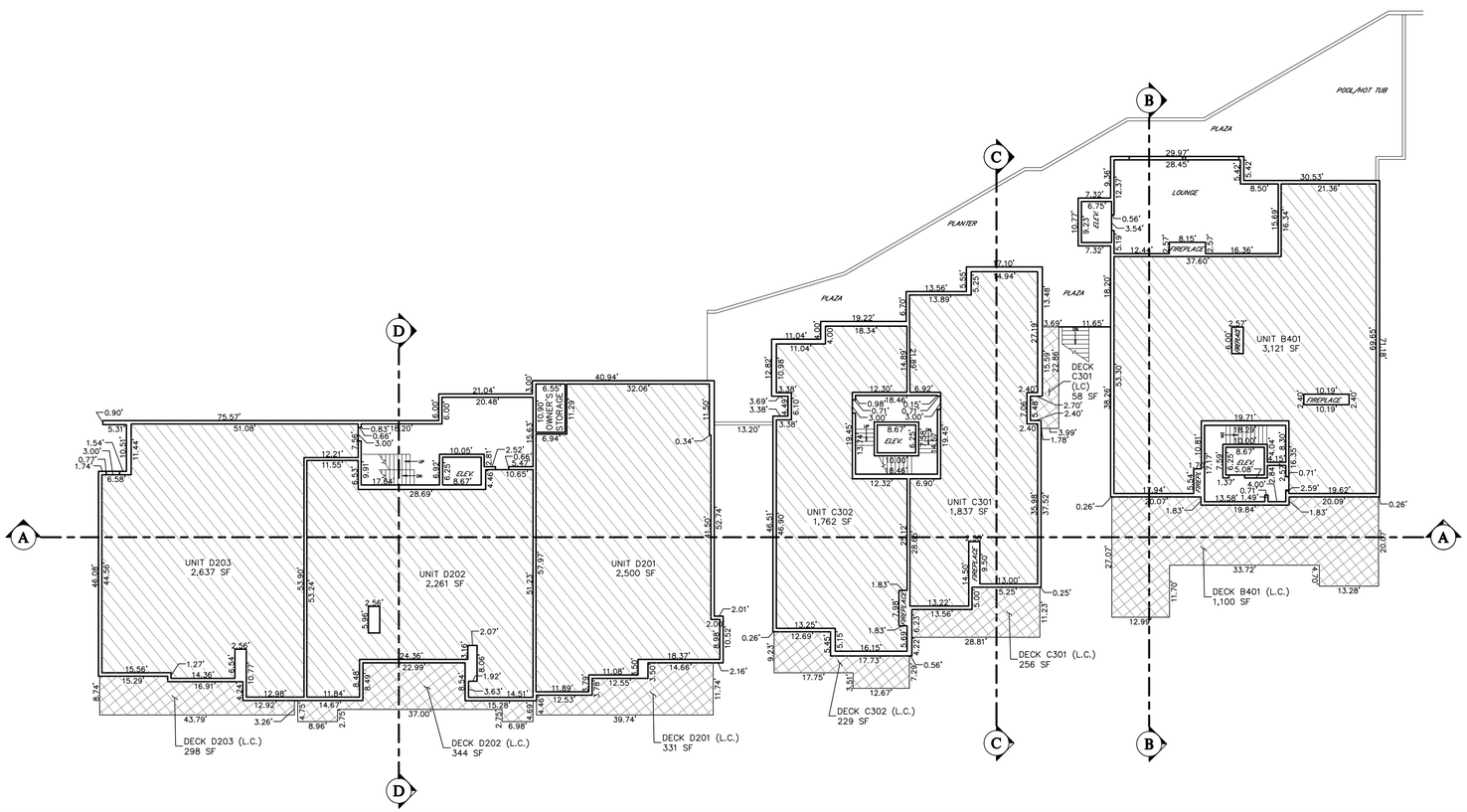
LEVEL 4

BUILDING B
UNITS B301, B302

BUILDING C
UNITS C201, C202

BUILDING D
UNITS D101, D102, D103





LEVEL 5

BUILDING B
UNITS B401

BUILDING C
UNITS C301, C302

BUILDING D
UNITS D201, D202 & D203

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA

PLOT DATE: OCTOBER 26, 2020

RECORDED
NO. _____
DATE _____
STATE OF _____
CITY OF _____
RECORDED AT THE REQUEST OF _____
FEES _____ CITY RECORDER _____

Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
P.O. Box 2861 • Park City • Utah • 84060
Phone: 801-557-5482
E-mail: amoran@evergreen-eng.com

REVISIONS		
DATE	BY	COMMENTS

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STATE OF UTAH
GREGORY R. WOLBACH
NO. 187788
PROFESSIONAL LAND SURVEYOR

DESIGNED BY: WOW
DRAWN BY: ADM
CHECKED BY: ADM

KING'S CROWN CONDOMINIUMS, 1ST AMENDED
FLOOR PLANS - LEVELS 4 & 5

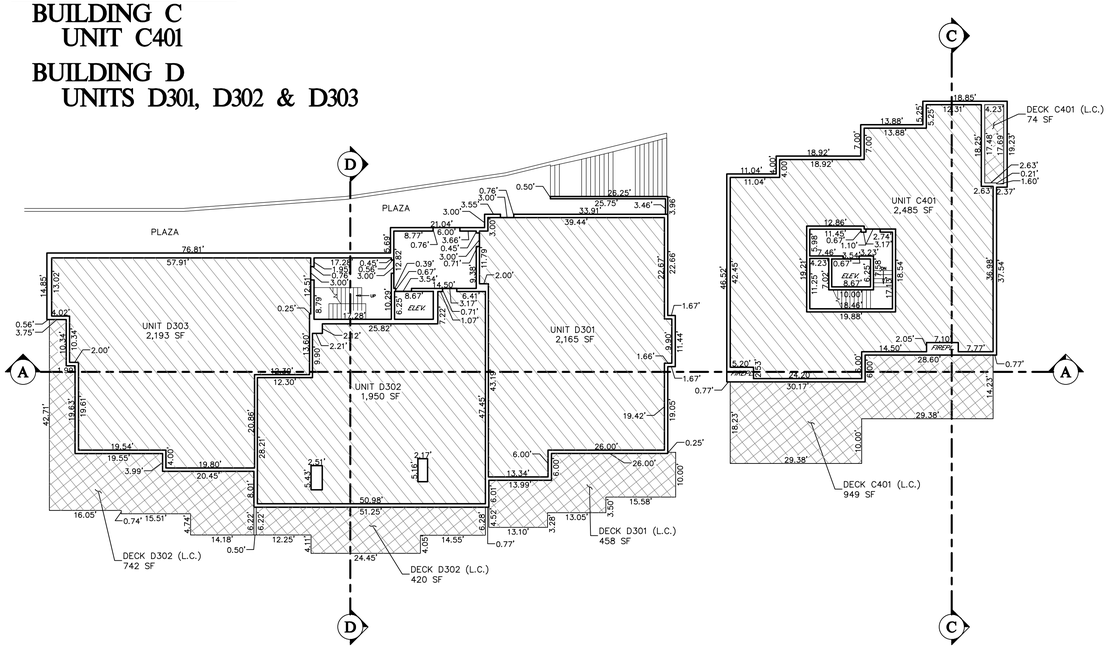
JOB NO. 1626
SVC: KC-LOT2-CONDO-FP-R
FOR: CRG PARTNERS

SHEET 3 OF 4

LEVEL 6

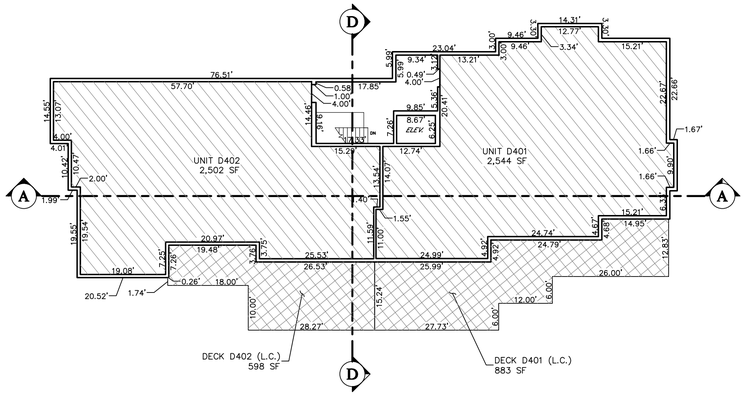
BUILDING C
UNIT C401

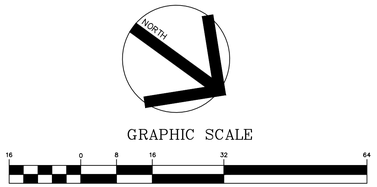
BUILDING D
UNITS D301, D302 & D303



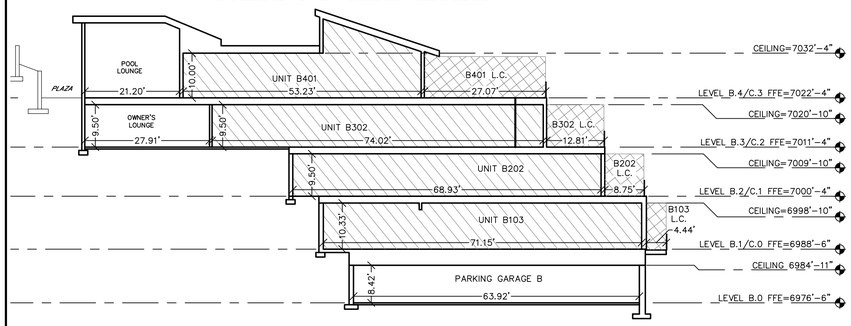
LEVEL 7

BUILDING D
UNITS D401 & D402

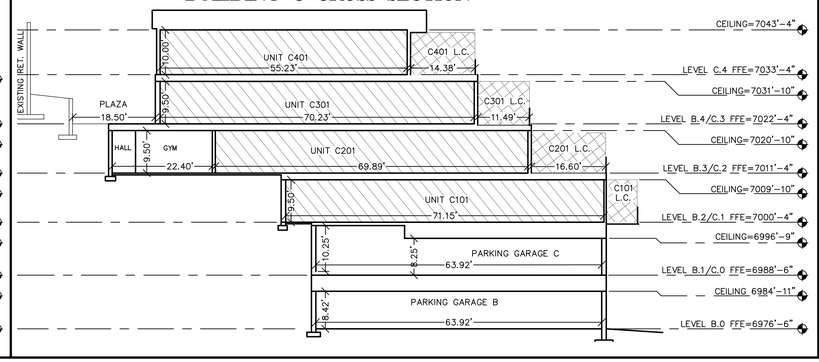




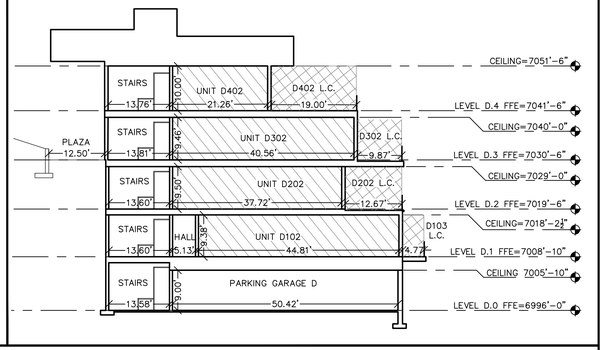
BUILDING B CROSS SECTION



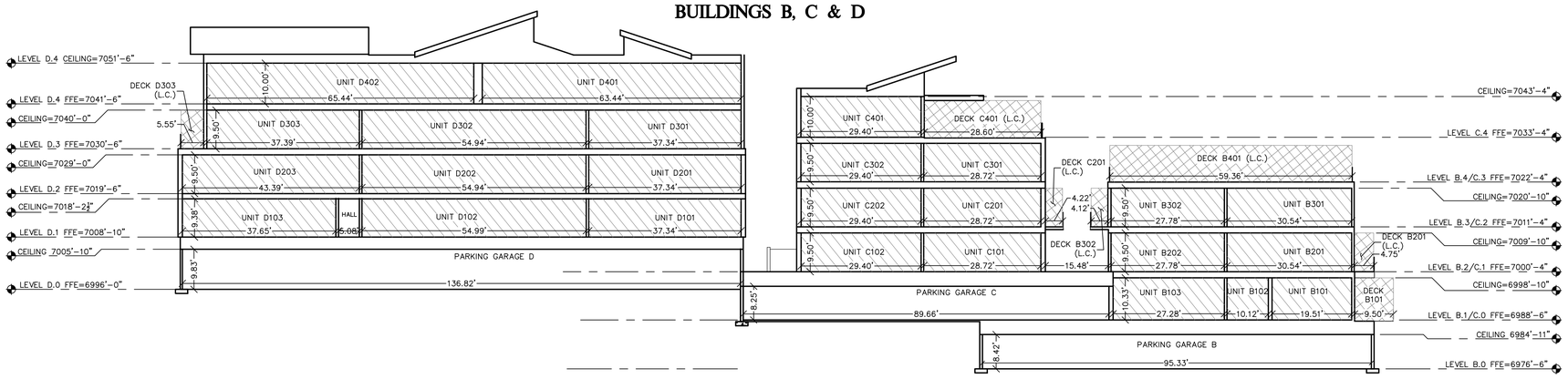
BUILDING C CROSS SECTION



BUILDING D CROSS SECTION



BUILDINGS B, C & D



HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA

PLOT DATE: OCTOBER 26, 2020

RECORDED
NO. _____
DATE _____
STATE OF _____
CITY OF _____
RECORDED AT THE REQUEST OF _____
FEES _____ CITY RECORDER _____

Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
P.O. Box 2861 • Park City • Utah • 84060
Phone: 801-557-5482
E-mail: amoran@evergreen-eng.com

REVISIONS		
DATE	BY	COMMENTS

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STATE OF UTAH
GREGORY R. WOLBACH
NO. 187788
PROFESSIONAL LAND SURVEYOR

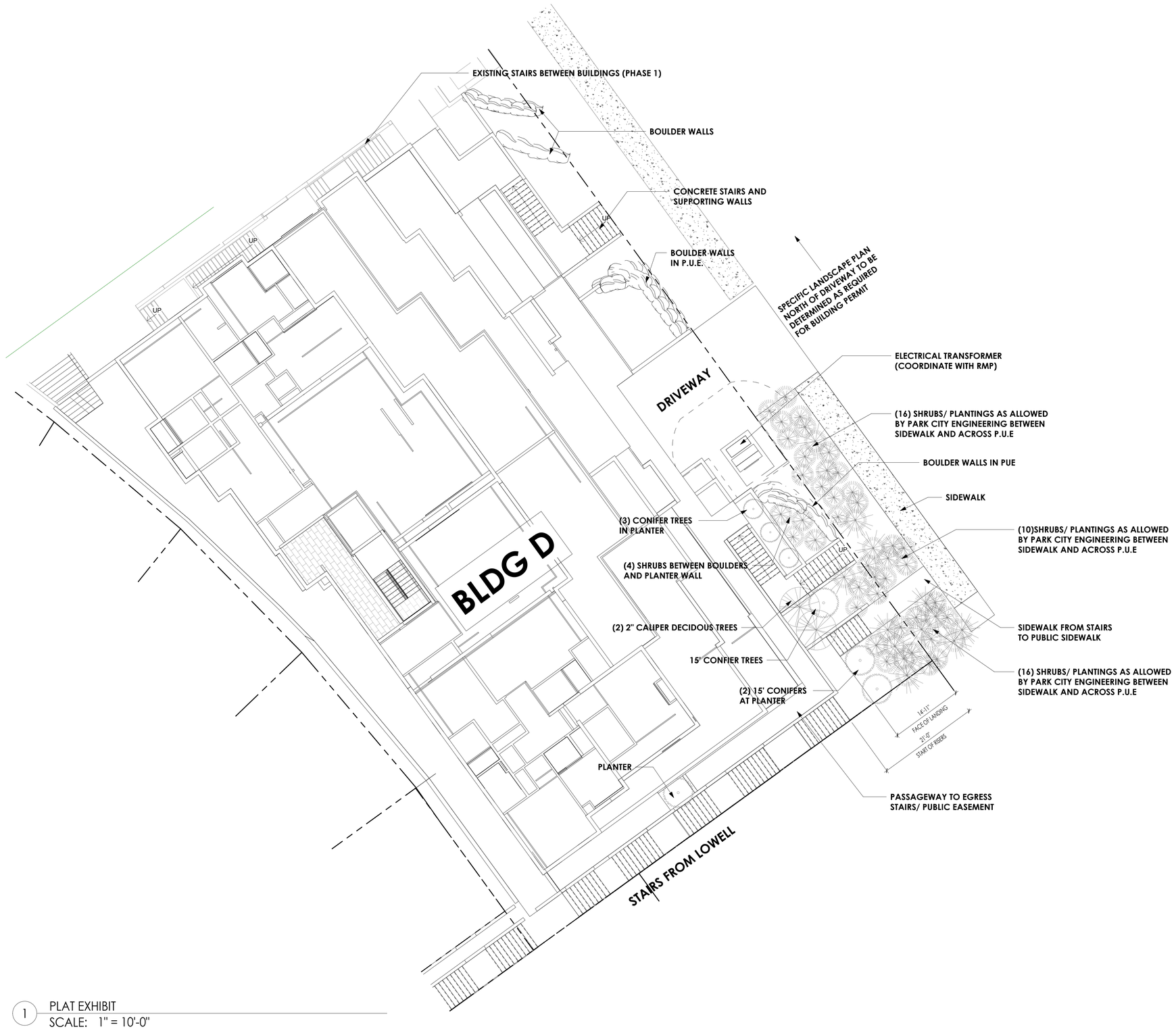
DESIGNED BY: WOW
DRAWN BY: ADM
CHECKED BY: ADM

KING'S CROWN CONDOMINIUMS, 1ST AMENDED
FLOOR PLANS - LEVELS 6 & 7
BUILDING CROSS-SECTIONS

FOR: CRG PARTNERS
JOB NO. 1626
DWG: KC-LOT2-CONDO-FP

SHEET 4 OF 4

ATTACHMENT 2



1 PLAT EXHIBIT
SCALE: 1" = 10'-0"

PRELIMINARY NOT FOR PERMIT OR CONSTRUCTION

CIVIL: EVERGREEN ENGINEERING
STRUCTURAL: JARRATT ENGINEERING
MECHANICAL: DB W/ JTB ENGINEERING
ELECTRICAL: BNA INC
LANDSCAPE:
INTERIOR: WOW +/ NATURAL INSTINCTS

KING'S CROWN
1271 LOWELL AVENUE
PARK CITY, UTAH

PROJECT #: 180025
ISSUE DATE:
ISSUE:
REVISIONS

EXHIBIT - CONDITIONS OF APPROVAL

EXHIBIT

COPYRIGHT: WOW atelier, LLC. 2021

the concepts, ideas, drawings and specifications herein are an original unpublished work and the property of WOW Atelier, LLC and shall not be used on any other work. do not scale drawings. all conditions shall be verified on site. discrepancies shall be brought to the attention of the architect before proceeding.
plot date2/10/2021 9:40:58 PM D:\Revit Local Files\Kings Crown Condos_PHASE2_CENTRAL_dwimmo@be-wow.com.rvt

On January 10, 2018, the Planning Commission approved the King's Crown Master Planned Development and Conditional Use Permit (MPD/CUP),[1] a 32-Lot subdivision with:

- 27 Single-Family Lots;[2]
- Seven townhomes on Lot 30;
- The King's Crown Workforce Condominiums A on Lot 1;
- The King's Crown Condominiums B | C | D on Lot 2; and
- Over 11 acres of Open Space on Lots 31 and 32.

The King's Crown MPD/CUP and subsequent plats were approved after several Planning Commission work sessions, and Planning Commission and City Council public hearings:

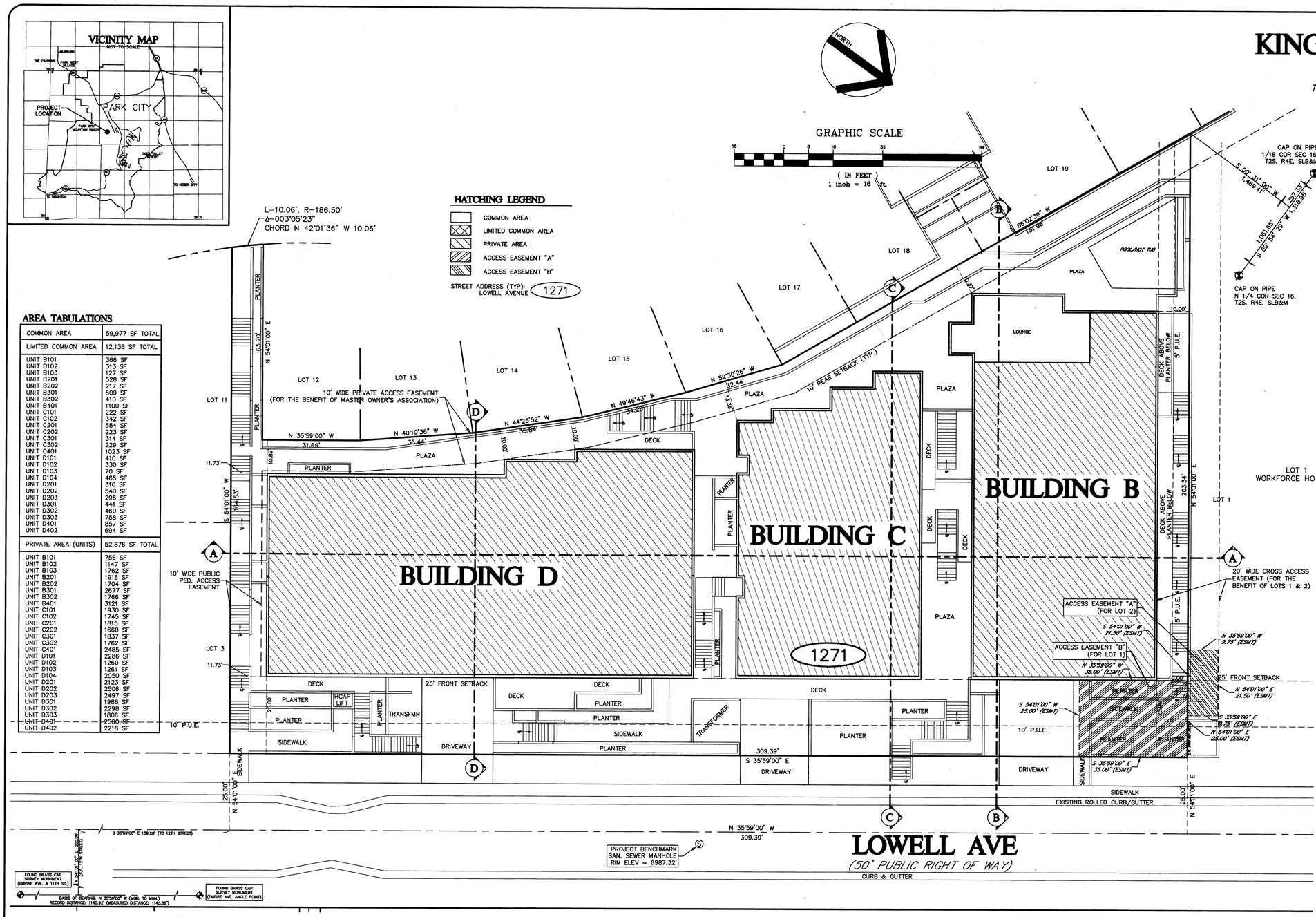
July 26, 2017	The Commission conducted an initial work session (Staff Report, p. 100; Minutes, p. 15)
November 29, 2017	The Commission conducted a public hearing (Staff Report, p. 212; Minutes, p. 93)
December 13, 2017	The Commission conducted a work session (Staff Report, p. 189; Minutes, p. 72)
January 10, 2018	The Commission approved the King's Crown Master Planned Development and Conditional Use Permit (Staff Report, p. 354; Minutes, p. 38-61)
January 10, 2018	The Commission reviewed the King's Crown Re-Subdivision Plat and forwarded a positive recommendation to the City Council (Staff Report, p. 354; Minutes, p. 38-61)
February 1, 2018	The Council approved Ordinance No. 2018-05, the King's Crown Re-Subdivision Plat (Staff Report p. 58; Minutes, p. 8-9)
June 13, 2018	The Commission ratified the King's Crown Development Agreement (Staff Report; Minutes, p. 53-54)
May 22, 2019	The Commission modified the King's Crown Master Planned Development and Conditional Use Permit (Staff Report; Minutes, p. 46-55)
May 22, 2019	The Commission reviewed the King's Crown Condominium Plat and forwarded a positive recommendation to City Council (Staff Report; Minutes, p. 46)

[1] The Planning Commission approved the King's Crown Master Planned Development and Conditional Use Permit under one application. The findings of fact and conditions of approval are the same for both approvals.
[2] On January 7, 2021, the City Council enacted Ordinance No. 2021-03, combining three Single-Family Lots into two, reducing the overall number to 26.

June 20, 2019	The Council adopted Ordinance No. 2019-34, approving the King's Crown Condominium Plat for Buildings B | C | D on Lot 2 (Staff Report; Minutes, p. 8-9)
November 13, 2019	The Commission reviewed the amended King's Crown Condominium Plat and forwarded a positive recommendation to City Council (Staff Report; Minutes, p. 30)
November 21, 2019	The Council approved Ordinance No. 2019-56, amending the King's Crown Condominium Plat for Buildings B | C | D on Lot 2 (Staff Report; Minutes, p. 14)
August 12, 2020	The Applicant submitted a letter requesting to vacate and rescind City approvals for Building D of the King's Crown Condominium Plat and engineering approval (Exhibit C)
December 9, 2020	The proposed Plat Amendment was scheduled for the Planning Commission's consideration but the application was withdrawn and the Applicant later submitted an application to amend the plat and the King's Crown MPD/CUP
January 27, 2021	The Planning Commission determined the King's Crown Building D Plat Amendment was a substantive modification to the King's Crown MPD and continued the discussion to February 10, 2021 (Staff Report; Audio)
February 10, 2021	The Planning Commission amended the King's Crown MPD/CUP Findings of Fact 112 and 113 to establish the King's Crown Re-Subdivision Plat as the baseline document for subsequent plat compliance and unanimously forwarded a positive recommendation to the City Council for the King's Crown Condominiums Plat Amendment with specific Conditions of Approval.

CONDOMINIUM PLAT
KING'S CROWN CONDOMINIUMS
– A UTAH CONDOMINIUM PROJECT –

A CONDOMINIUM PROJECT LOCATED WITHIN SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH



LEGAL DESCRIPTION

LOT 2, KING'S CROWN RE-SUBDIVISION, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

CONTAINS: 41,773.16 SQUARE FEET (0.9590 ACRES) MORE OR LESS.

NOTES:

1. BASIS OF BEARING: NORTH 35°59'00" WEST BETWEEN FOUND AND ACCEPTED EMPIRE AVENUE SURVEY MONUMENTS, AS SHOWN HEREON.
2. PROJECT BENCHMARK ELEVATION = 6987.32'. SANITARY SEWER MANHOLE RIM IN LOWELL AVENUE, AS SHOWN HEREON.
3. THIS PLAT REPRESENTS A CONDOMINIUM CONVERSION OF LOT 2, "KING'S CROWN RE-SUBDIVISION", ON FILE AND OF RECORD IN THE OFFICE OF THE SUMMIT COUNTY RECORDER, ENTRY NO. 1091847, AS AMENDED.
4. COVENANTS, CONDITIONS, RESTRICTIONS, REQUIREMENTS, EASEMENTS, OR ANY ITEMS PREVIOUSLY ASSOCIATED WITH THE PROPERTY DESCRIBED HEREON REMAIN IN EFFECT. ALL REQUIREMENTS SET FORTH TO THIS CONDOMINIUM CONVERSION ARE IN ADDITION TO PREVIOUSLY ASSOCIATED ITEMS.
5. THE UNITS OF THIS CONDOMINIUM PLAT ARE SERVED BY PRIVATE LATERAL WASTEWATER LINES THAT CROSS THE COMMON AREA. "THE KING'S CROWN CONDOMINIUM OWNERS ASSOCIATION" SHALL BE RESPONSIBLE FOR OWNERSHIP, OPERATION AND MAINTENANCE OF THE PRIVATE LATERAL WASTEWATER LINES WITHIN THE COMMON AREA.
6. COMMON AREAS WITHIN THE PLAT ARE DEDICATED FOR PRIVATE UTILITIES, INCLUDING PRIVATE LATERAL WASTEWATER LINES.
7. BUILDING DEPARTMENT APPROVAL OF A FIRE SPRINKLER PLAN IS REQUIRED.
8. THIS PLAT IS SUBJECT TO THE CONDITIONS OF APPROVAL IN ORDINANCE 2019–34.
9. ALL CONDITIONS OF APPROVAL OF THE AMENDED MASTER PLAN NED DEVELOPMENT, CONDITIONAL USE PERMIT, KING'S CROWN RE-SUBDIVISION PLAT ORDINANCE NO. 2018–05, AND ORDINANCE NO. 2019–51, AND AMENDED HOUSING MITIGATION PLAN SHALL CONTINUE TO APPLY.
10. UNIT MEASUREMENTS SHOWN HEREON ARE FINISHED SURFACE OF INSIDE WALL TO FINISHED SURFACE OF INSIDE WALL (ON SHEETS 2–4).

AREA TABULATIONS

COMMON AREA	59,977 SF TOTAL
LIMITED COMMON AREA	12,138 SF TOTAL
UNIT B101	366 SF
UNIT B102	313 SF
UNIT B103	127 SF
UNIT B201	528 SF
UNIT B202	217 SF
UNIT B301	509 SF
UNIT B302	410 SF
UNIT B401	1100 SF
UNIT C101	222 SF
UNIT C102	342 SF
UNIT C201	584 SF
UNIT C202	223 SF
UNIT C301	314 SF
UNIT C302	229 SF
UNIT C401	1023 SF
UNIT D101	410 SF
UNIT D102	330 SF
UNIT D103	70 SF
UNIT D104	465 SF
UNIT D201	310 SF
UNIT D202	540 SF
UNIT D203	296 SF
UNIT D301	441 SF
UNIT D302	460 SF
UNIT D303	758 SF
UNIT D401	857 SF
UNIT D402	694 SF
PRIVATE AREA (UNITS)	52,876 SF TOTAL
UNIT B101	756 SF
UNIT B102	1147 SF
UNIT B103	1762 SF
UNIT B201	1916 SF
UNIT B202	1704 SF
UNIT B301	2677 SF
UNIT B302	1766 SF
UNIT B401	3121 SF
UNIT C101	1930 SF
UNIT C102	1745 SF
UNIT C201	1815 SF
UNIT C202	1660 SF
UNIT C301	1837 SF
UNIT C302	1762 SF
UNIT C401	2485 SF
UNIT D101	2286 SF
UNIT D102	1260 SF
UNIT D103	1261 SF
UNIT D104	2050 SF
UNIT D201	2123 SF
UNIT D202	2506 SF
UNIT D203	2497 SF
UNIT D301	1988 SF
UNIT D302	2298 SF
UNIT D303	1806 SF
UNIT D401	2500 SF
UNIT D402	2218 SF

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT BY THE VIRTUE OF A CORPORATE RESOLUTION, CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY, OWNER OF THE HEREIN DESCRIBED TRACT OF LAND, TO BE KNOWN HEREAFTER AS THE "KING'S CROWN CONDOMINIUMS", DOES HEREBY CERTIFY THAT WE HAVE CAUSED THIS PLAT TO BE PREPARED, AND DOES HEREBY CONSENT TO THE RECORDATION OF THIS PLAT.
ALSO, THE OWNERS, OR HIS/HER REPRESENTATIVES, HEREBY CERTIFY THAT THE BUILDINGS CONTAINING UNITS SHOWN ON THIS PLAT, UNDER CONSTRUCTION AT THE TIME THE PLAT IS RECORDED, WILL, WHEN COMPLETED, BE AS SHOWN ON THIS PLAT. THE OWNERS DEDICATE FOR THE PERPETUAL USE OF THE PUBLIC ALL AREAS SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. THE UNDERSIGNED OWNERS ALSO HEREBY CONVEY ANY OTHER EASEMENTS AS SHOWN ON THIS PLAT TO THE PARTIES INDICATED AND FOR THE PURPOSES SHOWN HEREON.

IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND THIS 26th DAY OF November, 2019

RORY MURPHY, MANAGER
CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY

CORPORATE ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF SUMMIT) :ss

PERSONALLY APPEARED BEFORE ME THIS 26 DAY OF November, 2019 THE FOLLOWING: RORY MURPHY, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS MANAGER OF CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY AND THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND ON BEHALF OF SAID CORPORATION AND THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES 3-16-20
NOTARY PUBLIC
RESIDING IN Salt Lake

LIEN HOLDER CONSENT

ON THE 26th DAY OF November 2019, CRG DEVELOPMENT, LLC, A UTAH LIMITED LIABILITY COMPANY, ENTERED INTO A DEED OF TRUST WITH BANK OF AMERICAN FORK, A DIVISION OF PEOPLE'S INTERMOUNTAIN BANK, WHICH DEED OF TRUST IS SECURED BY THE PROPERTY MORE PARTICULARLY DESCRIBED IN THE ABOVE IDENTIFIED DEED OF TRUST. SAID DEED OF TRUST WAS RECORDED ON AUGUST 3, 2018, AS ENTRY NO. 1096168 IN BOOK 2473 AT PAGE 1083 IN THE OFFICIAL RECORDS OF THE SUMMIT COUNTY RECORDER'S OFFICE.

BANK OF AMERICAN FORK IS FULLY AWARE THAT CRG DEVELOPMENT, LLC IS IN THE PROCESS OF RECORDING A PLAT CREATING A PROJECT KNOW AS "KING'S CROWN CONDOMINIUMS" AND BANK OF AMERICAN FORK HEREBY CONSENTS TO THE RECORDING OF THE PLAT FOR ALL PURPOSES SHOWN THEREON.

DATED THIS 26th DAY OF November, 2019.

BANK OF AMERICAN FORK
BY:
PRINT NAME: IVAN WARNER
TITLE: VICE PRESIDENT

ACKNOWLEDGMENT

STATE OF UTAH)
COUNTY OF Utah) :ss

ON THIS 26 DAY OF November 2019, BEFORE ME, A NOTARY PUBLIC, PERSONALLY APPEARED IVAN WARNER, THE VICE PRESIDENT OF BANK OF AMERICAN FORK PROVED ON THE BASIS OF SATISFACTORY EVIDENCE TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO IN THE FOREGOING LIEN HOLDER'S CONSENT REGARDING THE KING'S CROWN CONDOMINIUMS AND WAS SIGNED BY HIM ON BEHALF OF SAID BANK OF AMERICAN FORK AND ACKNOWLEDGED THAT THEY EXECUTED THE SAME.

MY COMMISSION EXPIRES 3-16-22
NOTARY PUBLIC
RESIDING IN Salt Lake, Utah

SURVEYOR'S CERTIFICATE

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

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

STATE OF UTAH GREGORY R. WOLBACH NO. 187788 PROFESSIONAL LAND SURVEYOR

GREGORY R. WOLBACH — DATE: November 25, 2019

Evergreen Engineering, Inc.
Civil Engineering * Land Surveying * Land Planning
P.O. Box 2861 * Park City * Utah * 84060
Phone: 801.557.5482
E-mail: amoran@evergreen-eng.com

SHEET 1 OF 4
PLOT DATE: NOVEMBER 25, 2019
DRAWING: KC-LOT2-CONDO-FP-R.dwg
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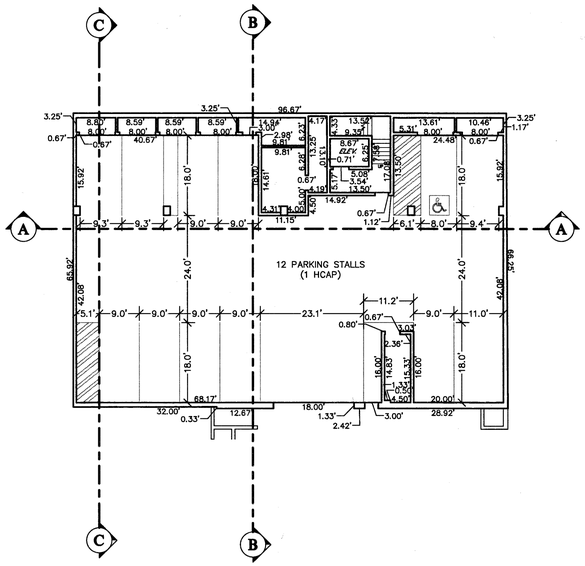
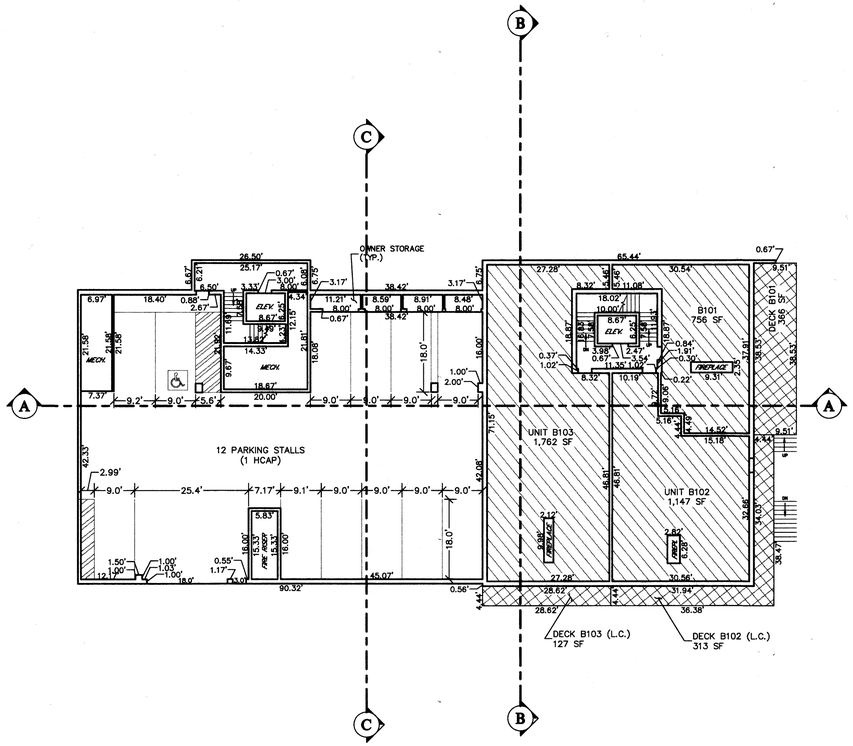
PUBLIC SAFETY ANSWERING POINT APPROVAL	CITY ENGINEER	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	COUNCIL APPROVAL & ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
APPROVED THIS 10th DAY OF December A.D. 2019 JEFF WARD GIS COORDINATOR/ADDRESSING AUTHORITY	THIS PLAT IS IN CONFORMANCE WITH INFORMATION ON FILE IN THE OFFICE OF THE PARK CITY ENGINEERING DEPARTMENT ON THIS 4TH DAY OF December A.D. 20 19. CITY ENGINEER	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 26th DAY OF November AD 20 19. BY: SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	APPROVED BY THE PARK CITY PLANNING COMMISSION ON THIS 13TH DAY OF NOVEMBER A.D. 2019. CHAIR	APPROVED AS TO FORM ON THIS 6TH DAY OF December A.D. 20 19 CITY ATTORNEY	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 21ST DAY OF NOVEMBER A.D. 2019 MAYOR	I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS 4th DAY OF December A.D. 20 19 CORPORATE Seal PARK CITY SUMMIT COUNTY UTAH MARCH 1, 1884 CITY RECORDER	Nº. 01123377 . Time: 2:54 pm STATE OF UTAH COUNTY OF Summit . Date: 12/10/2019 RECORDED AND FILED AT THE REQUEST OF: METRO NATIONAL TITLE FEE: 254.00 COUNTY RECORDER

KINGS CROWN CONDOMINIUMS

LEVEL 1

BUILDING B
PARKING LEVEL

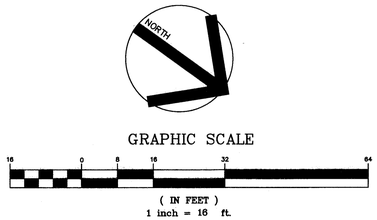




LEVEL 2

BUILDING B
UNITS B101, B102, B103

BUILDING C
PARKING LEVEL

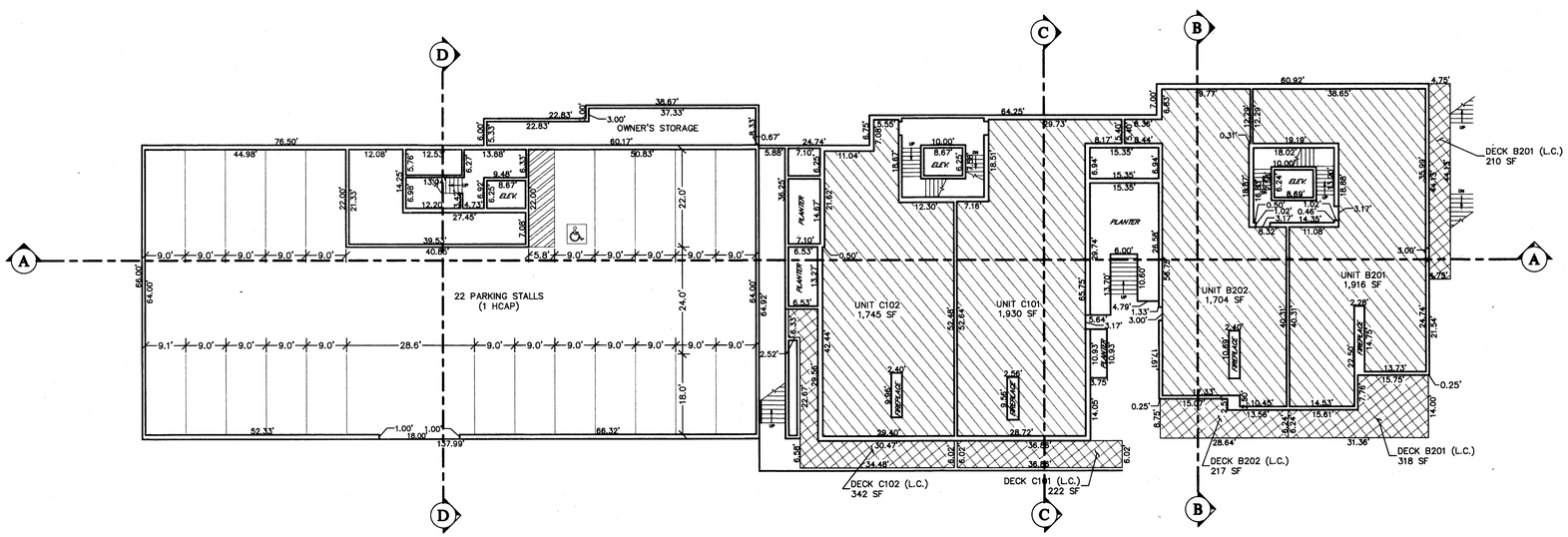


LEVEL 3

BUILDING B
UNITS B201, B202

BUILDING C
UNITS C101, C102

BUILDING D
PARKING LEVEL



HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA

PLOT DATE: NOVEMBER 25, 2019

ENTRY NO. 01123377
12/10/2019 02:54:44 PM B: 2544 P: 1025
Plat PAGE 1/1
RHONDA FRANCIS SUMMIT COUNTY RECORDER
FEE 254.00 BY METRO NATIONAL TITLE

FEES CITY RECORDER

Evergreen Engineering, Inc.
Civil Engineering * Land Surveying * Land Planning
P.O. Box 2863 * Park City * Utah * 84060
Phone: 801-557-5482
E-mail: amoran@evergreen-eng.com

REVISIONS		
DATE	BY	COMMENTS

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STATE OF UTAH
GREGORY R. WOLBACH
NO. 187788
PROFESSIONAL LAND SURVEYOR

DESIGNED BY: WOW
DRAWN BY: ADM
CHECKED BY: ADM

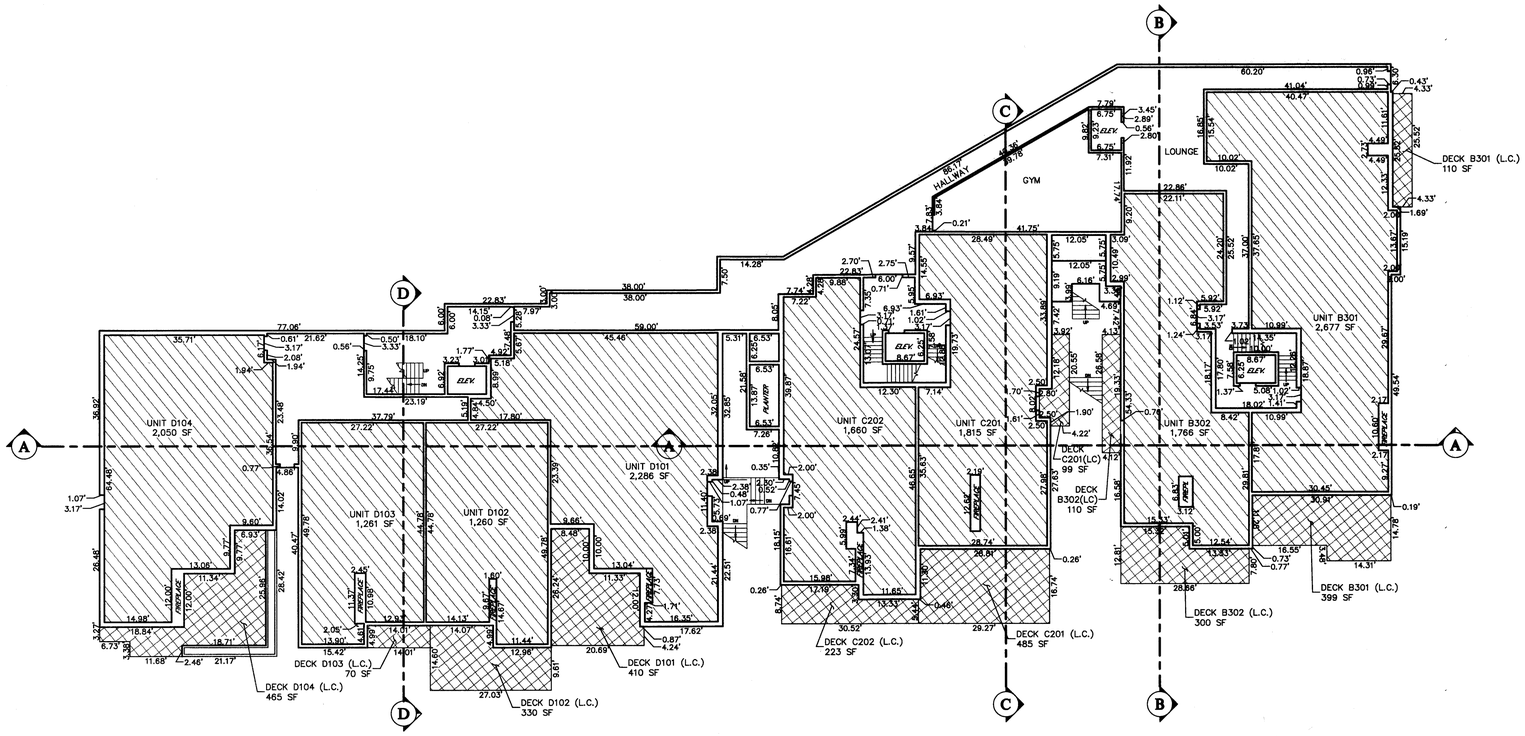
KING'S CROWN CONDOMINIUMS
FLOOR PLANS - LEVELS 1, 2 & 3

FOR: CRG PARTNERS

DWG: KC-LOT2-CONDO-FP

JOB NO. 1626

SHEET 2 OF 4

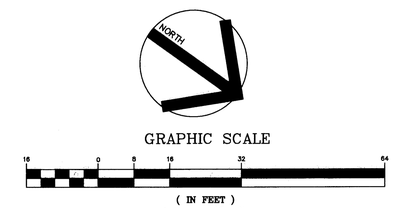


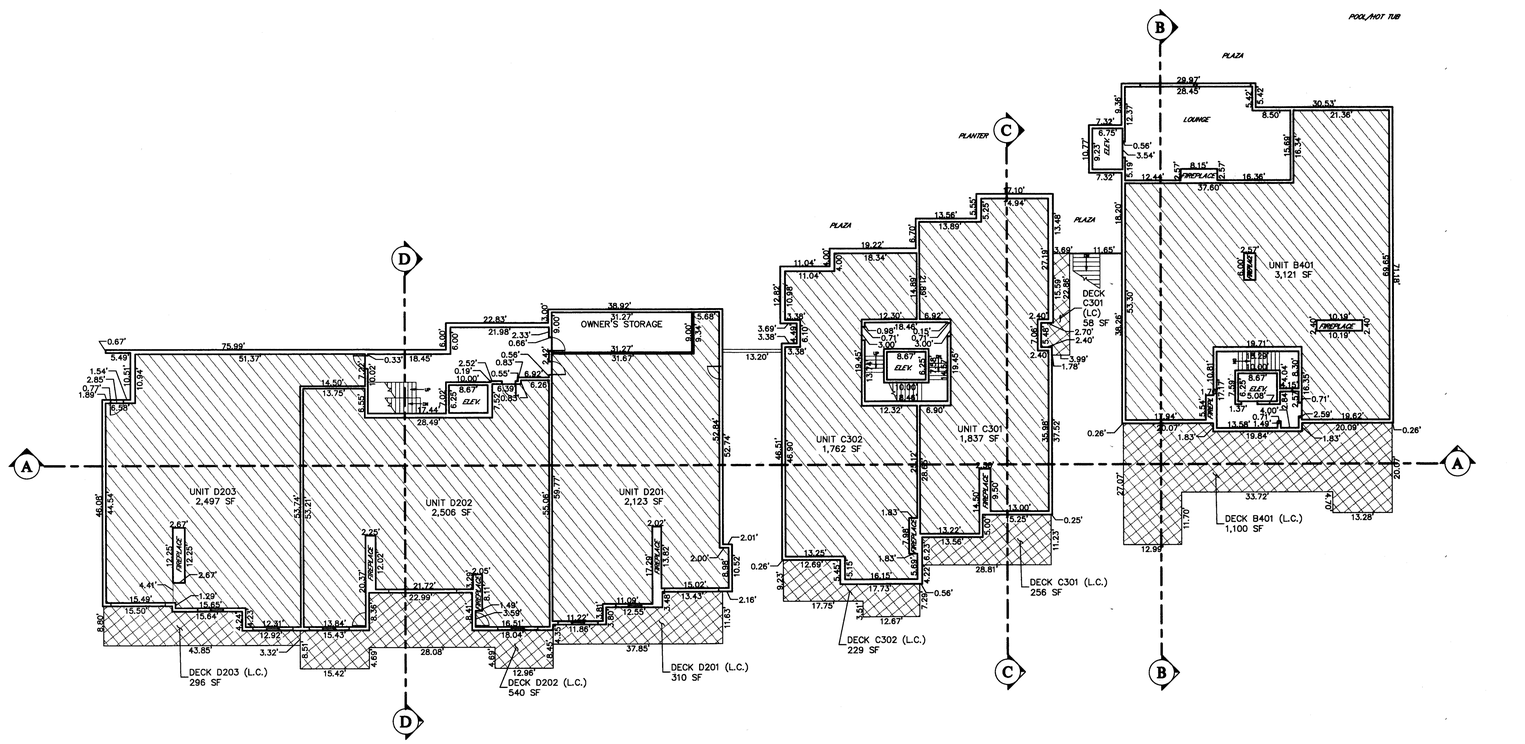
LEVEL 4

BUILDING B
UNITS B301, B302

BUILDING C
UNITS C201, C202

BUILDING D
UNITS D101, D102, D103, D104





LEVEL 5

BUILDING B
UNITS B401

BUILDING C
UNITS C301, C302

BUILDING D
UNITS D201, D202 & D203

HATCHING LEGEND

- COMMON AREA
- LIMITED COMMON AREA
- PRIVATE AREA

PLOT DATE: NOVEMBER 25, 2019

ENTRY NO. 01123377
12/10/2019 02:54:44 PM B: 2544 P: 1025
Plat PAGE 1/1
RHOADS FRANCIS , SUMMIT COUNTY RECORDER
FEE 254.00 BY METRO NATIONAL TITLE

FEES CITY RECORDER

KINGS CROWN CONDOMINIUMS

Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
P.O. Box 2285 • Park City • Utah • 84060
Phone: 801-557-5482
E-mail: amoran@evergreen-eng.com

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REVISIONS		
DATE	BY	COMMENTS

STATE OF UTAH
11/25/19
GREGORY R. WOLBACH
NO. 187788
PROFESSIONAL LAND SURVEYOR

DESIGNED BY: WOW
DRAWN BY: ADM
CHECKED BY: ADM

KING'S CROWN CONDOMINIUMS
FLOOR PLANS - LEVELS 4 & 5

JOB NO. 1626
SWC: KC-LOT2-CONDO-FP

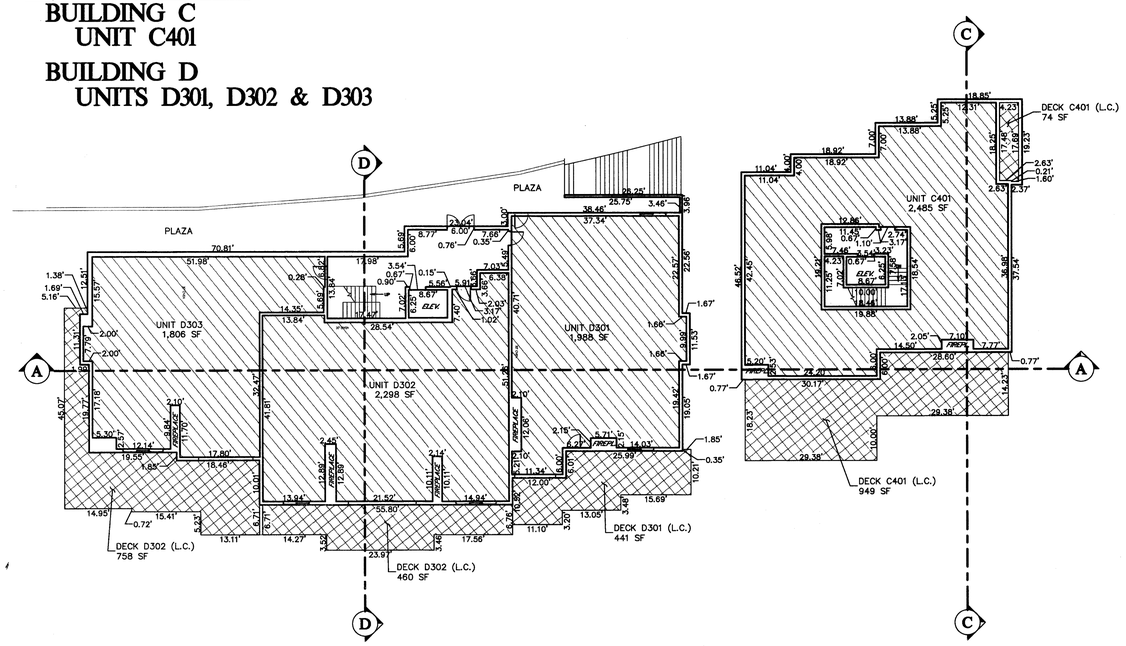
FOR: CRG PARTNERS

SHEET 3 OF 4

LEVEL 6

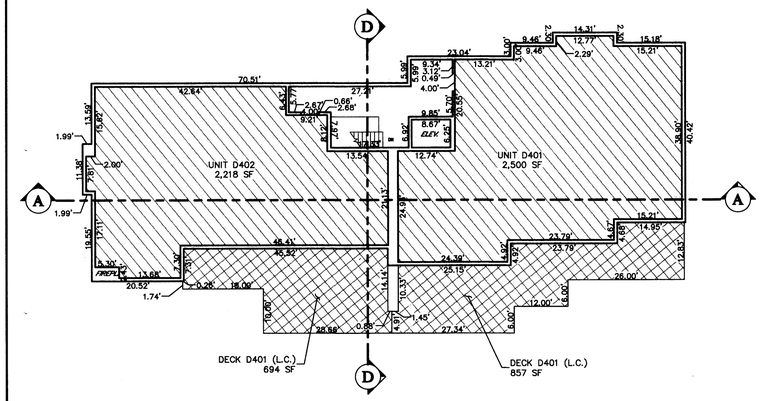
BUILDING C
UNIT C401

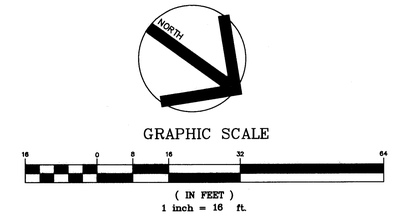
BUILDING D
UNITS D301, D302 & D303



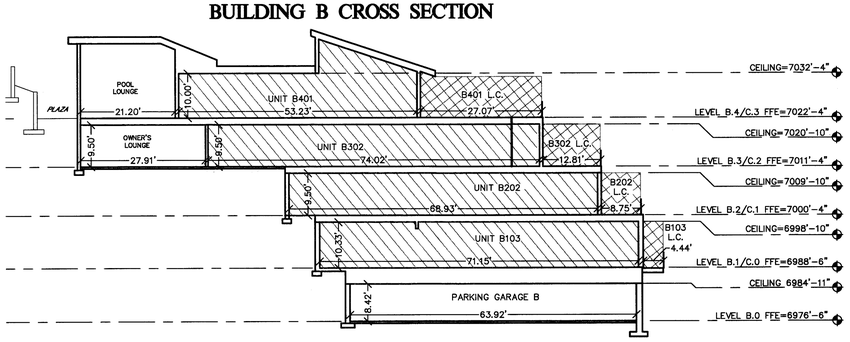
LEVEL 7

BUILDING D
UNITS D401 & D402





BUILDING B CROSS SECTION



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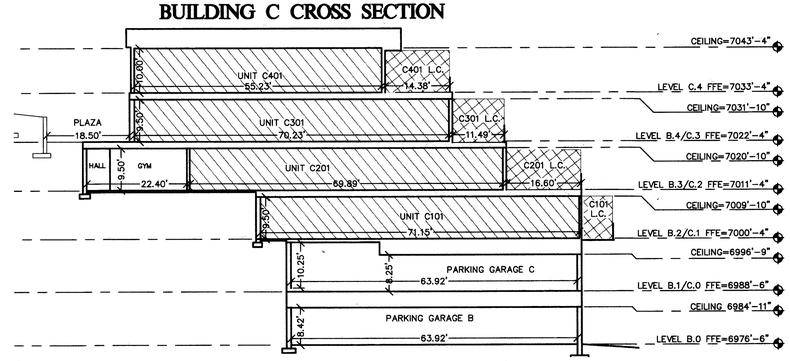
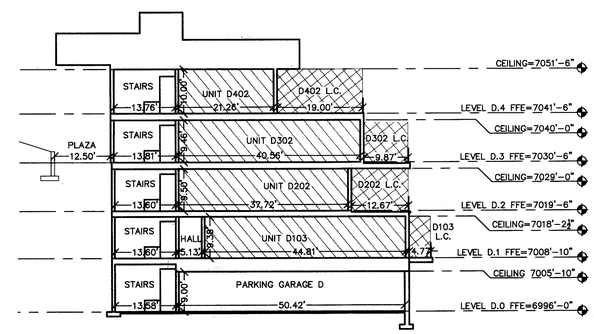
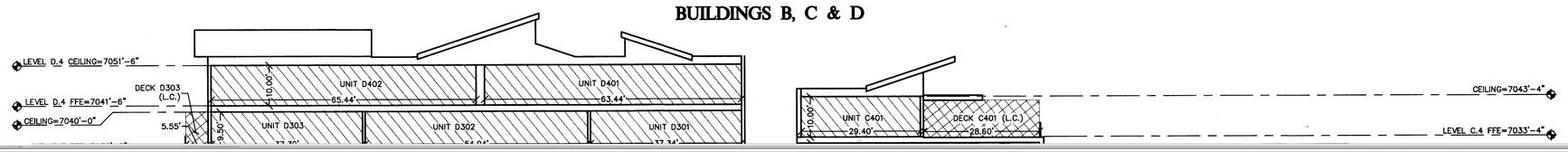


BUILDING D CROSS SECTION



BUILDINGS B, C & D



HATCHING LEGEND

Evergreen Engineering, Inc.
Civil Engineering • Land Surveying • Land Planning
P.O. Box 2861 • Park City • Utah • 84060
Phone: 801-649-9467
E-mail: amoran@evergreen-eng.com

REVISIONS

DATE	BY	COMMENTS

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STATE OF UTAH
11/26/19
GREGORY R. WOLBACH
NO. 187288
PROFESSIONAL LAND SURVEYOR

DESIGNED BY: WOW
DRAWN BY: ADM
CHECKED BY: ADM

CROWN CONDOMINIUMS
PLANS - LEVELS 6 & 7
DING CROSS-SECTIONS

JOB NO. 1626
DWG. KC-LOT2-CONDO-FP

August 12, 2020

Mr. Bruce Ericksen, Planning Director
Ms. Rebecca Ward, Senior Planner
Park City Planning Department
Park City Municipal Corporation
PO Box 1450
445 Marsac Avenue
Park City, UT

Re: King's Crown Condominiums

Dear Bruce and Rebecca:

CRG Development, LLC, a Utah limited liability company ("**CRG**"), has been pursuing the process of seeking from Park City Municipal Corporation (the "**City**") the necessary approvals to develop and construct the King's Crown Condominiums on Lot 2 of King's Crown Re-subdivision in Park City. The Planning Commission (the "**Planning Commission**") and the City Council (the "**City Council**") of the City have previously granted plat approval and engineering approval for Building D and the Building D Parking Structure within King's Crown Condominiums.

Notwithstanding the approval received by CRG from the Planning Commission and the City Council, CRG has determined to seek amendments from the Planning Commission and the City Council pertaining to the plat approval and the engineering approval with respect to Building D and the Building D Parking Structure. Consequently, CRG hereby requests that all approvals previously obtained by CRG from the Planning Commission and from the City Council pertaining to the engineering, design and location of Building D and the Building D Parking Structure be vacated and rescinded. CRG shall immediately initiate again the process to seek from the Planning Commission and from the City Council the plat approval and the engineering approval for Building D and the Building D Parking Structure.

Very truly yours,

CRG DEVELOPMENT, LLC
a Utah limited liability company

By: _____
Rory Murphy, Manager

4850-4403-4247.v1

January 8, 2021

Rebecca Ward, Senior Planner
Park City Planning Department
Park City Municipal Corporation
445 Marsac Avenue
P.O. Box 1450
Park City, UT 84060

RE: Submittal for Phase 2 King's Crown Condominiums (Building D)

Dear Rebecca,

CRG Development, LLC ("CRG") previously submitted to you a Condominium Plat Application package from CRG, as the Applicant, for King's Crown Condominiums Phase 2, Building D. As you and I have discussed, CRG has vacated its original plat approval for Building D, and CRG has presented this Application to begin the process anew. This Application follows the LMC to the letter, and there are no exceptions to the LMC requested. The proposed Plat is exactly in accord with the previous MPD and the CUP approvals that have been awarded for Lot 2 of the King's Crown Re-Subdivision. CRG has reduced the overall number of units from 12 to 11, but that is the only substantive change.

Rather than simply adjust the previously approved Building D Plat, CRG has elected to start from the beginning on Building D, due to an unfortunate situation with some adjacent neighbors, Patricia Kravtin and Jonathan Horwitz (who will be referred to in this submittal at times as the "Neighbors"). In connection with the Park City Planning Commission meeting scheduled for September 23, 2020, the Neighbors submitted to the City a document entitled "Summary of Public Comment and Requested Action" pertaining to Building D. In their submitted document to the City, the Neighbors make multiple references to an alleged "2017 Agreement" between them and CRG Development, LLC and CRH Partners, LLC pertaining to the relocation of the southernmost boundary of Building D. Although CRG Development, LLC, as the developer of Building D, attempted in good faith over an extended period of time to address multiple concerns and objections raised by the Neighbors pertaining to Building D, there never was, nor is there now, any agreement between CRG Development, LLC and/or CRH Partners, LLC and the Neighbors pertaining to Building D.

Attached to the Summary of Public Comment and Requested Action submitted to the Planning Commission by the Neighbors for the September 23, 2020 Planning Commission Meeting are numerous Exhibits which the Neighbors apparently deem to be relevant with respect to Building D. Included within Exhibit 18 submitted to the Planning Commission by the Neighbors is a copy of an email from Jon Horwitz to Rory Murphy sent on July 31, 2020. The second paragraph in that email from Jon Horwitz reads as follows: "Up to a few weeks ago, when you ceased returning our communications, we have had a very positive working relationship built up over the past three years. Until your letter, we thought we were getting closer to reaching an agreement on how to resolve this situation."

By Jonathan Horwitz' own written admission, which has been submitted by him to the Planning Commission, there never was an agreement between CRG Development, LLC and/or CRH Partners, LLC and the Neighbors pertaining to Building D. Jonathan Horwitz acknowledges that he and Patricia Kravtin merely "thought we were getting closer to reaching an agreement on how to resolve this situation."

The Neighbors also submitted to the Planning Commission written comments for the December 9, 2020 Planning Commission pertaining to CRG's resubmitted Condominium Plat Application for King's Crown Condominiums, Building D. As you know, CRG requested that the Planning Commission's consideration of CRG's Building D Condominium Plat Application be rescheduled from December 9, 2020 to the Planning Commission meeting scheduled for January 27, 2021. The written comments from the Neighbors for the December 9, 2020 meeting again contain numerous references to an alleged agreement between them and CRG pertaining to the relocation of the southern most boundary of Building D. In spite of the multiple allegations by the Neighbors in their December 9, 2020 written comments delivered to the Planning Commission, there never was, nor is there now any agreement between CRG and/or CRH Partners, LLC and the Neighbors pertaining to Building D. As mentioned above, the continued insistence by the Neighbors regarding any such alleged 2017 agreement is contradicted by Jonathan Horwitz' own written admission delivered to the Planning Commission for the September 23, 2020 Planning Commission.

The Neighbors make repeated allegations regarding an alleged desire, decision or effort by CRG to move the location of Building D on Lot 2. The engineering position of Building D has never changed in the entire King's Crown application process. Every engineering document has shown the location of Building D exactly where CRG proposes with its current Application.

The accurate location of Building D is shown on thirteen of the Exhibits attached to the King's Crown MPD Submittal (please see attached Exhibits), which are identified as:

1. King's Crown at Park City Preliminary Plat
2. Preliminary Utility Plan
3. Preliminary Grading Plan.
4. Detailed Grading Plan.
5. Site Distance Exhibit.
6. Materials Exhibit.
7. Planting Exhibit.
8. Open Space Calculations.
9. Building Pads/Setbacks.
10. Snow Storage Diagram.
11. Internal Pedestrian Circulation.
12. Retaining Wall Plan.
13. Architectural Site Plan.

14. Height FOG Studies.

15. Streetscape Elevations.

16. Preliminary 3D Views.

17. Preliminary Overall Sketch.

Of all the Exhibits attached to the King's Crown MPD Submittal only one (the Diagrammatic Site Plan) is subject to misinterpretation. In spite of all of the Exhibits that accurately and correctly depict the location of the Building D, the Neighbors have focused upon the one ambiguous Exhibit regarding the location of Building D. The ambiguous Exhibit was prepared by Chimso Onwuegbu of WOW Atelier, which company has been retained by CRG to perform the architectural work pertaining to the King's Crown Condominium Project. Attached to this letter is a letter addressed to Rory Murphy from Chimso Onwuegbu (Exhibit A) in which he explains: (a) the history of the preparation of the ambiguous Exhibit and (b) Chimso's prior statement regarding the alignment of Building D with the Lift Lodge Condominiums on the opposite side of Lowell Avenue.

Chimso's letter states as follows:

> The original MPD exhibit which eventually turned into an exhibit for the neighbors across the street began in the infancy of the project—in fact, it was one of the initial driving decision makers for the general layout for the site. It was created as a diagrammatic tool for the city to show the context of our project. It wasn't meant as a scalable drawing as it was always based on a google image. The purpose was to show that within the context of the city, we would be respectful of the development patterns and break our project into 3 general categories of development and that each area would roughly align with the existing uses already existing in the neighborhood. The first was that mutli-family buildings would be developed along Lowell to a point in general proximity to the condominiums across the street, single family lots would also generally align with the homes across the street, and the townhomes would continue the development pattern of the existing duplex structures on the West side of Lowell.
>
> At a later date, we were asked if the condominiums still existed in their original location across from the Lift Lodge, and we answered to the affirmative, keeping in mind that from WOWs perspective, we were still talking in generalities, and not an exact alignment - again, because that was never the intent of the exhibit. As the initial drawings, civil and architectural, show, the property line of the condo project has never shifted, and the general location of the southernmost building also remains as always represented. We erred in responding to the alignment of the building to the Lift Lodge because not until our first in person meeting with the Neighbors did we realize that they were in fact using our diagram as a literal

> representation of alignment with the Lift Lodge. If we had understood the level of specificity which was being implied from the aerial image exhibit, we could have pointed out at a much earlier date, early on in the MPD/CUP process, that we weren't aligning exactly with the Lift Lodge. Even the actual exhibit showed an underlay of the survey, prepared in anticipation of construction documents, [which] didn't perfectly align with the google aerial image. In hindsight, we would have removed the google image and simply used the survey to show the location of Building D in the exhibit as that has stayed constant since the earliest stages of the design, and made clear that the initial diagram was in the context of Lowell Avenue, and not specific to neighboring sites.

The Neighbors are claiming that their failure to oppose the approval by the City of the King's Crown MPD rested upon the Neighbors' misunderstanding of this Exhibit. CRG should not be required to adjust the location of Building D based upon a single ambiguous Exhibit and the Neighbors' alleged reliance on such ambiguous Exhibit. It dramatically affects the economics and tenability of the project. When the confusion caused by the Exhibit was pointed out to CRG by the Neighbors, CRG made a tremendous effort to try to address the Neighbors' concerns, even though CRG had no legal obligation to do so.

CRG's architect re-designed the southern edge of Building D no less than three times. That effort was met with stubborn refusal by the Neighbors to agree to a compromise. CRG was never able to enter into an agreement with the Neighbors.

CRG simply asks the Staff and Commission to approve what is squarely within the four corners of the Land Management Code. CRG is not requesting any setback deviations from Code. CRG strongly believes that CRG has done a yeoman's effort to do its best to address the concerns of the Neighbors, well above and beyond what could reasonably be expected. CRG is not interested in offering any further concessions to the Neighbors, and CRG requests that the Planning Commission reaffirm the current location of Building D and acknowledge that all of the Exhibits that were part of the MPD/CUP application and approval did reflect the actual location of Building D, with the exception of one ambiguous Exhibit as explained above.

The language of the MPD approval states that development patterns should be generally mirrored. The Neighbors consistently allege that the southern edge of Building D should be parallel with the southern edge of the southern building of Lift Lodge Condominiums located across Lowell Avenue. In this regard, it should be noted that the southern edge of the Lift Lodge building across the street is located 6 feet, 8 inches north from the southern property line of the Lift Lodge Condominiums. The southern edge of the parking garage and level 1 of Building D is located 11 feet, 8 inches north from the southern boundary line of Lot 2. Consequently, the setback of Building D from the southern property line is 5 feet greater than the setback of the Lift Lodge Condominium building located across the street from Building D.

Regardless of their demands made to preserve their view, the Neighbors must realize that their residence is part of a multi-family building, so the spirit of the ordinance would be that a multi-family building be placed across the street from them. Right now, there is nothing across the

street from them. What is a particularly good indication of the "spirit of the conversation" between CRG and the Neighbors is that the location of the access stairs from Lowell Avenue to Rothwell Road was deliberately placed in front of the Neighbors' home to mitigate the specific visual impacts of the project.

The Neighbors have been involved in the King's Crown project from its inception and have constantly lobbied for special favor the entire time. The first concession CRG made to them was to put the stairway in front of their multi-family condominium building, "The Residences at King's Crown". This opened up the view for them and allowed them to get more sunlight and exposure than any other house along Lowell across from the King's Crown project. The meetings and effort to appease the Neighbors have been numerous. Every effort has been made to work with them and it is clear to CRG that its efforts to try to accommodate the Neighbors have been futile.

A few examples of the efforts that have been made to date by CRG for the benefit of the Neighbors include the following items.

- CRG re-designed the southern roof element of Building D to accommodate the Neighbors' view from their bedroom window so they could continue to see Iron Mountain.
- CRG placed the stairway in front of the Neighbors' house to give them the best view possible.
- CRG moved the entrance of the parking garage from near the Neighbors' home to the north 40 feet so the car headlights would not shine in their condo. It was fine if it shone in someone else's unit as long as it didn't impact them.
- CRG hired a structural engineer and replaced the angle iron on their driveway free of charge.
- CRG planted a tree in the Neighbors' front yard to hide the construction from their view.
- CRG shut down the entire job for a day and a half for the Neighbors' daughter's wedding.

In addition to the partial list above, there were numerous occasions when the Neighbors would contact CRG or the contractor and demand certain actions be undertaken on their behalf. CRG tried very hard to accommodate them, and the instruction given by CRG to its contractors was always "just try to make them happy". Despite the contractors' frustration, CRG's contractors continued to try to work with the Neighbors, and CRG constantly responded to their request for personal favors, such as landscaping, construction advice, cleaning of their area, etc.

CRG attached one ambiguous Exhibit to its MPD submittal. That is the focus of this entire discussion. All of the remaining submittal Exhibits were correct and showed the property lines accurately. Unfortunately, CRG did not realize this until late December 2019. Up until that point it was CRG's understanding that the Exhibit the Neighbors kept referring to was unambiguous. CRG did not realize the ambiguity in the one Exhibit until it was brought to our attention by the Neighbors. All of the remaining Exhibits were correct and unambiguous. However, the Neighbors demanded that CRG be bound by one ambiguous Exhibit.

CRG first redesigned the building as shown on Exhibit B. This was not acceptable to the Neighbors and was rejected by them. Please understand that CRG was under no legal obligation to appease them. At great cost and effort, CRG redesigned the building a second time. This is attached as Exhibit C. Again, this was rejected by the Neighbors. The Neighbors claimed to be very upset, and it was difficult to communicate with them. CRG then underwent a third redesign, shown on Exhibit D, in which CRG reduced the square footage of Building D and completely re-designing the southern section of Building D. In fact, CRG estimates that this design shaved 1,400 of finished square footage off of Building D. All of this was offered by CRG because of one ambiguous Exhibit and CRG's desire to appease the Neighbors.

CRG does not believe anyone else would have gone to such lengths to try to mitigate this type of situation. In spite of CRG's efforts which CRG felt were incredibly generous, and which cost CRG in square footage lost, redesign fees and engineering costs, Mr. Horwitz called Rory Murphy and said the Neighbors could accept the third redesign provided CRG gave the Neighbors the following items:

- A heated underground parking space.
- A 4' by 8' heated storage space.
- A full ski club membership.
- A full gym membership.
- A full pool/lounge club membership.

CRG estimates the cost of these items to be approximately $330,000. These demands were unacceptable to CRG. CRG is no longer interested in trying to appease the Neighbors. While CRG is not planning to move the garage entrance back or redesign the roof, CRG is unwilling to make any more changes to Building D to appease the Neighbors. CRG has no duty to redesign Building D to suit the Neighbors. CRG's duty is to the Park City Land Management Code and to the Park City Planning Commission and City Council. CRG is not requesting anything outside of what is permitted by the LMC. The location of Building D has not changed one foot since the approval of the MPD and CUP. The Neighbors' objections are based on one Exhibit that was inadvertently ambiguous. It is not fair nor is it reasonable to suggest that CRG re-work its entire plan to accommodate one inadvertently ambiguous Exhibit.

CRG requests from the Commission that they issue a clarification for the MPD submittal that acknowledges that the placement of Building D was represented accurately on all of the Exhibits, with the possible exception of one ambiguous Exhibit, and that such unambiguous Exhibits remain the standard by which the subsequent Plat will be measured.

As previously mentioned, the proposed Plat for Building D does not seek height exceptions, setback exceptions or parking exceptions. There are 21 parking spaces required, and there are 21 spaces provided on the Plat. The setbacks meet the Park City Land Management Code, and the proposed sighting of Building D mirrors the multi-family building that exists across the street.

CRG appreciates the opportunity to submit this Application and looks forward to presenting this to the Commission. Please do not hesitate to contact me with any questions or concerns whatsoever.

Sincerely,

CRG Development, LLC

By: _____
Rory Murphy, Manager

January 10, 2021

Rebecca Ward, Senior Planner
Park City Planning Department
Park City Municipal Corporation
PO Box 1480
445 Marsac Avenue
Park City, Utah 84060

RE: Request for Planning Commission Determination for a Minor Modification/Clarification to an MPD

Dear Rebecca,

Please find attached to this letter our full submittal for an MPD Minor Modification/Clarification Determination from the Park City Planning Commission for the location of Building D (Phase 2) in Lot 2 of the King's Crown Resubdivision. We are requesting this Minor Modification/Clarification to our MPD and CUP approvals due to an unfortunate situation with one of the neighbors adjacent to the King's Crown Project. The situation is explained in detail in the MPD Submittal Letter attached to this application.

Included in this Application are the following documents:

- Signed and complete Application Form.
- Submittal Letter for Phase 2 King's Crown Condominiums (Building D).
- Original King's Crown MPD Submittal.
- King's Crown MPD and CUP Approval document from Park City to Applicant.
- Update Title Report.
- List of neighbors within 300' of the project.
- Addressed/stamped envelopes of neighbors within 300' of the project.

We are respectfully requesting that the Planning Commission make the Determination that this is a Minor Modification to the King's Crown MPD. We believe that it is really a clarification since all but one of the original submittal exhibits were correct and consistent with the previous approvals from the Planning Commission. We thank the Staff and the Planning Commission for your consideration of this request. We welcome any comments or questions on this request this Determination and deeply appreciate your time with this proposal.

Sincerely,

Rory Murphy
Manager, CRG Development, LLC

22 January 2018

Rory Murphy
1887 Gold Dust Lane, Suite 301
Park City, Utah 84060

Re: King's Crown Master Planned Development and Conditional Use Permit

Rory:

On January 10, 2018, the Planning Commission of Park City approved your Master Planned Development (application no. PL-17-03515) and Conditional Use Permit (PL-17-03566), subject to the following findings of fact, conclusions of law, and conditions of approval:

<u>Master Planned Development & Conditional Use Permit Findings of Fact:</u>

1. The subject site is located at 1201 – 1299 Lowell Avenue.
2. The subject site is within the RC, ROS, and SLO District.
3. The proposed development takes place roughly over 30% of the property, all contained within the RC District located adjacent to Lowell Avenue towards the northeast of the subject site.
4. The applicant proposes to build three (3) multi-unit buildings with access off Lowell Avenue, a private road/drive to be known as Rothwell Road, and a townhouse building with access off Rothwell Road.
5. The proposed private road/drive begins at the 12th Street / Lowell Avenue intersection which then curves up to a hammer-head turn around.
6. Rothwell Road climbs up approximately sixty feet (60') and is approximately 548 feet long.
7. The applicant also proposes to develop 27 single-family lots, 4 of which would be accessed off Lowell Avenue, and the remaining 24 would be accessed off Rothwell Road (15 on the west side of the private road and 8 on the east side of the private road).
8. The applicant does not plan on building the 27 houses, but to develop the lots to be able to sell them individually.
9. The MPD includes a total of 32 lots.
10. The MPD includes seven (7) deed restricted affordable housing condominium

units (8.55 affordable unit equivalents).

11. The MPD includes eight (8) additional non-required deed restricted affordable housing condominium units (9.07 affordable unit equivalents).
12. The MPD includes 11.2 acres of platted open space in the form of large tracts of contiguous natural open space that does not include open space area around the units, equating to 74.6%. The total open space percentage is 83.9.
13. The MPD includes 23 market rate condominiums, 7 market rate townhomes, and 27 market rate single family detached houses.
14. Building A is a multi-unit dwelling, listed as a conditional use.
15. Building A has 15 residential affordable housing units.
16. Building A has the following square footage:
    a. Residential: 16,520
    b. Mechanical: 256
    c. Internal circulation (hallways and stairs): 1,833
    d. Parking and vehicular circulation: 5,571
    e. Overall: 24,180
17. Building A has 18 parking spaces located in an enclosed underground parking garage.
18. Building A has vehicular access off Lowell Avenue through one (1) driveway.
19. Building A has 5 stories above the parking garage.
20. Building A is on proposed lot 1.
21. Affordable housing residential units do not count towards residential Unit Equivalents.
22. Building B/C is a multi-unit dwelling, listed as a conditional use.
23. Building B/C has 12 residential units.
24. Building B/C has the following square footage:
    a. Residential: 28,253 (14.13 residential Unit Equivalents)
    b. Mechanical: 375
    c. Internal circulation (hallways, stairs, and elevator): 1,133
    d. Parking and vehicular circulation: 9,305
    e. Overall: 39,066
25. Building B/C has 21 parking spaces located in enclosed underground parking garages.
26. Building B/C has vehicular access off Lowell Avenue through two (2) separate driveways.
27. Building B/C has 4 stories above the parking garage
28. Building B/C is on proposed lot 2
29. Building D is a multi-unit dwelling, listed as a conditional use.
30. Building D has 11 residential units
31. Building D has the following square footage:
    a. Residential: 24,590 (12.30 residential Unit Equivalents)
    b. Mechanical: 166
    c. Internal circulation (hallways, stairs, and elevator): 1,827
    d. Parking and vehicular circulation: 8,313
    e. Overall: 34,896
32. Building D has 22 parking spaces located in an enclosed underground parking

garage.

33. Building D has vehicular access off Lowell Avenue through one (1) driveway.
34. Building D has 4 stories above the parking garage.
35. Building D is on proposed lot 2.
36. Townhomes Building is a multi-unit dwelling, listed as a conditional use.
37. Townhomes Building has 7 residential units
38. Townhomes Building is 29,005 (14.50 residential Unit Equivalents).
39. Townhomes Building has14 parking spaces, 2 within each parking garage.
40. Townhomes Building has vehicular access off proposed private drive through individual driveways.
41. Townhomes Building has 3 stories above the garage level.
42. Townhomes Building is on proposed lot 30
43. Single-family dwellings are an allowed use within the District.
44. The applicants request to plat 27 lots to accommodate one (1) single-family dwelling on each lot.
45. The approximate buildable square footage of the single family dwellings is 71,880 (35.94 residential Unit Equivalents).
46. The single-family dwellings require 54 parking spaces, 2 within each lot as required.
47. The single-family dwellings have vehicular access off proposed private drive through individual driveways and four (4) off Lowell Avenue.
48. The single family lots are on proposed lots 3-29.
49. The applicant proposed two (2) lots to be re-platted as open space.
50. Proposed open space Lot 31 is 2,106.4 square feet with retaining walls and stair access to adjacent property to the south.
51. Proposed open space Lot 32 is 487,798.29 square feet (11.2 acres).
52. Proposed open space Lot 32 is to house an accessory building, 750 square feet, consisting of restroom and lockers for the exclusive use of property owners.
53. The proposed accessory building on Lot 32 is located on the RC District.
54. Accessory buildings are an allowed use with the RC District.
55. Restrooms/lockers are considered residential accessory space and does not count towards Unit Equivalents.
56. The site contains a total of 653,860 sf. (15.01 acres) broken down in the following manner:
    a. RC District: 199,867 sf. (4.59 acres)
    b. RC District within the SLO Zone: 78,654 sf. (1.81 acres)
    c. ROS District: 84,194 sf. (1.93 acres)
    d. ROS District within the SLO Zone: 291,145 sf. (6.68 acres)
57. The applicant proposes to build solely within the zoning boundaries of the RC District. The applicant does not request to build within the boundary of the RC District/SLO, or within the ROS District, and these areas would be dedicated as open space.
58. Within the RC District, sites with multi-unit dwellings receive a maximum floor area ratio (FAR) of 1.0.
59. The portion of the site in the RC District has a maximum floor area of 199,867 sf. for multi-unit dwellings.
60. The RC District does not provide a FAR standard for single-family dwelling lots,

but rather, a minimum lot area requirement of 1,875 sf.

61. The proposal contains a total FAR of 0.41 (80,963 ÷ 199,867) for multi-unit dwellings.
62. In applying the FAR at its maximum, the site would have a remaining 118,904 sf. in density (199,867 - 80,963).
63. In applying the floor area not used for multi-unit dwelling for single-family dwellings, this would create approximately 63 residential lots (applying the minimum lot area of 1,875 square feet).
64. The applicant requests to re-subdivide 27 single-family lots in conjunction with their 80,963 sf. of multi-unit dwellings.
65. A residential Unit Equivalent is 2,000 square feet.
66. The applicant proposes the construction of the following 30 residential units and the allotment of 27 lots:
    a. 12 flats within multi-unit Building B/C totaling 27,683 square feet (13.84 residential Unit Equivalents).
    b. 11 flats within multi-unit Building D totaling 24,255 square feet (12.13 residential Unit Equivalents).
    c. 7 townhouses within the Townhome Building totaling 29,005 square feet (14.50 residential Unit Equivalents).
    d. 27 lots to accommodate one (1) future single-family dwelling on each lot which would be approximately 71,880 square feet (35.94 residential Unit Equivalents).
67. The applicant requests to maintain the MPD setback of 25 feet around the perimeter of the entire development, with the exception of seven (7) future single-family residential Lots 3-7 and 21-22.
68. Applicant seeks the following setback reductions as allowed by the Code, if granted by the Planning Commission:
    a. Proposed Lot 3-7 front setback reduction to ten feet (10').
    b. Proposed Lot 21 side setback reduction to twenty feet (20').
    c. Proposed Lot 22 side setback reduction to ten feet (10').
69. The proposed setback reductions as described above matches the abutting zone setbacks and all aspect of the project will comply with applicable Building and Fire codes. The reductions do not increase project density, maintain the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and they meet open space requirements of the MPD.
70. The proposed setback reductions are in compliance with LMC MPD provisions.
71. All Master Planned Developments shall contain a minimum of sixty percent (60%) open space as defined in LMC Chapter 15-15 […].
72. The site contains a total of 653,759 square feet. The site contains 17,012 square feet of hard-scaped plazas equating to 2.6% of the site and 531,519 square feet (12.20 acres) equating to 81.3% of natural open space.
73. The applicant proposes to designate the use of the two (2) open space lots on the proposed Re-Subdivision (plat).
74. The applicant does not request to decrease the required number of off-street parking spaces; therefore, no parking analysis has been submitted. See building by building requirement:

a. Affordable Housing Building A requires 18 parking spaces based on the size of the units. The proposed building contains 18 parking spaces.
b. Building B/C requires 21 parking spaces based on the size of the units. The proposed building contains 21 parking spaces.
c. Building D requires 21 parking spaces based on the size of the units. The proposed building contains 22 parking spaces.
d. Townhome building requires 14 parking spaces based on the size of the units, two (2) parking spaces per unit. Proposed building contains 14 parking spaces.
e. Single-family dwelling residential lots require 54 parking spaces, based on unit count. These 27 residential lots would require a minimum of 2 parking spaces per unit.

75. The proposal complies with the provisions of the building height parameters for multi-unit buildings listed under LMC § 15-2.16-4 Building Height and single-family dwellings listed under LMC § 15-2.16-5 Special Requirements For Single Family And Duplex Dwellings (subsection L-M), including all applicable height exceptions as allowed in the LMC.
76. The applicant does not seek additional height under the MPD parameters listed under LMC § 15-6-5 MPD Requirements, Sub-section F.
77. The project has been designed to maintain the existing neighborhood development pattern, with the larger scale buildings located alongside the existing multi-family.
78. The proposed plan uses the massing of the buildings to mitigate the need for retaining walls by burying the buildings into the hillside. The balance of the required retaining walls has been stepped in shorter wall sections to reduce/eliminate tall retaining walls.
79. Roads and utility lines are proposed to work with the existing grades to the greatest extent possible, as indicated on the civil site and grading plans. Areas of the deepest cuts are mitigated by using the townhome buildings to step up the hill.
80. All trails proposed with the MPD are incorporated into open space elements and in some areas are maintained and improved in their existing locations. Trail easements will be platted on the final recorded subdivision plats. Staff recommends adding a public recreation easement on Rothwell Road (private road) connecting to trail network on the mountain.
81. The City requests to secure a recreational public access easement from Lowell Avenue, up the roadway to the stairwell shown on the plans, to allow for public trail access.
82. The City requests to prepare a public trail plan for the open space parcel, provide for trail ‘corridors’ subject to final alignment, which would be part of the recorded development agreement. The applicant stipulates to this condition of approval.
83. There are sufficient areas adjacent to the streets, driveways, and parking areas to store snow.
84. The MPD shall comply with the trash storage and collection and recycling regulations contained herein.
85. There are no commercial or non-residential uses with this project, and all off-

street parking requirements are met within the project. The bus stop/ transportation area is located yards away from the project at the resort base. The applicant is considering placing an e-bike sharing station on site on Lowell Avenue for public use.

86. The submitted landscape plans specify the maximum area allowed for lawn or turf is limited to fifty percent (50%) of the total Area allowed to be disturbed and not covered by Buildings and other hard surfaces.
87. Drought tolerant species and species native to the area are stipulated in the Guidelines. Native rock and boulders are stipulated as allowed within the LMC.
88. Lighting is proposed to comply with requirements of LMC Chapter 15-5, Architectural Review and is further spelled out in the Guidelines.
89. No development within the MPD is located within the SLO with the exception of trails, which are an allowed use in the SLO.
90. The proposal includes 200% of the required Affordable Housing as required by the current housing resolution (03-2017).
91. The current affordable housing proposal, which is developed through the Affordable Housing Staff and the Affordable Housing Authority (The City Council), is shown on a table within this staff report. The Staff and the Affordable Housing Authority retain the final say on these figures.
92. The proposal does not create additional demands for child care.
93. An environmental survey (Exhibit P - Environmental Survey) was prepared revealing no environmental contaminants on the property.
94. A mine site study (Exhibit Q - Mine Site Studies) was conducted and determined that there were no mining related activities on the property.
95. The proposal fulfills the following goals and objectives of the General Plan.
96. A cultural survey (Exhibit O - Cultural Survey) was prepared revealing the only significant historical element on site was the Crescent Tramway, which will remain as the existing ski/ bike trail on the property. There are no historic structures on site.
97. LMC § 15-6-4 (G) states that once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement and shall be submitted to the Planning Department within six (6) months of MPD approval, for ratification by the Planning Commission..
98. Multi-unit dwellings and Master Planned Developments are listed as a conditional uses in the RC District.
99. The applicant proposes the construction of four (4) multi-unit dwelling buildings which includes one (1) building housing the affordable housing units that exceeds the required affordable housing requirements.
100. There are certain uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land uses, may not be compatible in some areas or may be compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.
101. A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards.
102. The project is located on Lowell Avenue, between 12th and 13th Street.

103. The four (4) multi-unit dwellings are located at the lower portion of the subject site.
104. A traffic study (Triton Engineering, June, 2017) was provided by the applicant and reviewed by the City indicating that study intersections are anticipated to continue operating at acceptable levels of service.
105. Capacity of existing streets can handle anticipated normal traffic especially based on the fact that maximum density is not being pursued by the applicant.
106. Utilities necessary for these proposed uses are available at or near the site.
107. Final utility plans, including grading and storm water run-off plans will be required at time of building permit review.
108. The proposed plans have been reviewed by the City and the Park City Fire District for compliance and meet the requirements for emergency vehicle access based on the close proximity to Lowell Avenue and the direct connection of the private drive.
109. The proposed conditional use meets all LMC parking regulations.
110. The internal circulation plan incorporated on the site plan showing proposed access to existing trails as well community access point to the trails and ski runs.
111. Adjoining uses mirror the uses proposed in this project, and no separation is required. In fact, the project is providing community access through to adjacent open space.
112. The project has been designed to mirror the existing neighborhood development patterns.
113. The larger mass buildings are located adjacent to the larger buildings on Lowell, and the project homes mirror the East side of Lowell, with the townhomes continuing the townhome pattern as well.
114. As designed, approximately 82 percent of the project is contiguous open space, with access to skiing and bike trails.
115. All signs and lighting for the project will be approved through the Master Sign Plan application process and through building department review for compliance with the LMC.
116. The physical design of the proposed additions and new buildings, in terms of mass, scale, style, design and architectural detailing.
117. The proposed buildings complement the existing neighborhood in architectural character, materials, colors, mass and scale.
118. Proposed materials consist of metal and membrane roofing, wood and metal siding, natural stone and other elements consistent with the existing buildings.
119. This project will not create any of the conditions listed that are not normally associated in the residential nature of the proposed use.
120. There will be no commercial delivery or service vehicles to the project as the entire project is residential. Typical residential delivery service will utilize residential streets and driveways.
121. Trash and Recycling will mirror the existing Old Town pattern and usage with small residential trash bins, and shall comply with the required regulation listed under Master Planned Developments.
122. All condominiums will be sold as wholly owned condominiums and be required to follow local guidelines relative to other uses, the same applies to the single-family

lots.

123. The proposed development is not within any environmentally sensitive lands, physical mine hazards, historic mine waste, or Park City Soils Ordinance.
124. The site is within steep slopes found throughout the site.
125. The overall proposal, both Multi-Unit Dwellings (conditional use) and single-family detached houses (allowed use) takes place over approximately 30% of the entire site.
126. The Applicant provided Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations, with the placement, volume and height of on-mountain waste rock on a map showing the placement areas for waste rock
127. Applicant indicates a verbal agreement with Park City Mountain representatives to place the material from the multi-unit buildings and road construction on Park City Mountain.
128. Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations also shows the proposed study of the corresponding volumes and depths of the waste material on adjacent property.
129. Applicant indicates that all waste material must be certified as environmentally clean, compacted in no more than 2-foot lifts (to achieve a 90%+ compaction) covered with six inches (6") of topsoil, seeded with a native grass mix and sod placed over the grass seeds.
130. Applicant demonstrates that the maximum depth would be 5 feet, tapering off to 0 feet.
131. Applicant proposes to transport the excavated material to the neighboring property without the necessity of using City streets. It is the Applicant's responsibility to seek such permission with the neighboring site.
132. Applicant explains that in the highly unlikely case that they are unable to secure a written agreement with the Park City Mountain, the excavation material would be disposed of by the traditional method used in the vast majority of construction projects to be approved by the City prior to issuance of building permits.
133. The applicant estimates 14,400 cubic yards of material (includes swell) which would equate to 1,440 truckloads (at 10 yds. / truck).
134. As a Condition of Approval, the applicant has indicated that they would not undergo excavation or footings and foundation work on the multi-family buildings or the access road during the winter season from Christmas through April 1st.
135. Applicant has indicated that they will instruct construction staff to keep delivery trucks off the streets during the peak busy times of between 8:30 am and 10:00 am as well as the peak afternoon times of 3:30 pm through 4:30 pm.
136. Applicant agrees to not deliver materials during the busiest tourist times of Christmas week, MLK weekend, Sundance week, MLK weekend, President's Day weekend, Arts Fest, July 4th weekend, Miner's Day weekend, and Tour de Utah.
137. Applicant has provided the approximate excavation quantities of the 27 single-family dwellings which would be approximately 7500 cubic yards.
138. The applicant does not plan on building the 27 single-family dwellings but plans to sell the lots to individuals and/or builders.
139. The Chief Building official has studied the applicant's preliminary Construction

Mitigation Plan and finds that the proposal is in compliance with current Building Department policies.

140. Construction Mitigation Plan will be finalized by the Building Dept. once building permits are submitted by the applicant.
141. The applicant stipulates to the conditions of approval.
142. The discussion in the Analysis section is incorporated herein.

Master Planned Development Conclusions of Law

A. The MPD, as conditioned, complies with all the requirements of the Land Management Code;
B. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 herein;
C. The MPD, as conditioned, provides the highest value of Open Space, as determined by the Planning Commission;
D. The MPD, as conditioned, strengthens and enhances the resort character of Park City;
E. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
F. The MPD, as conditioned, is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses;
G. The MPD, as conditioned, provides amenities to the community so that there is no net loss of community amenities;
H. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
I. The MPD, as conditioned, meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the Site;
J. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; and
K. The MPD has been noticed and public hearing held in accordance with this Code.
L. The MPD, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application.
M. The MPD, as conditioned, addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.
N. The MPD, as conditioned, addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.
O. The MPD, as conditioned, addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.

Conditional Use Permit Conclusions of Law:

1. The proposal satisfies the Conditional Use Permit review criteria as established by the LMC's Conditional Use Review process (§15-1-10(E), Criteria 1-16).
2. The proposal complies with all requirements of this LMC.
3. The Uses will be Compatible with surrounding Structures in Use, scale, mass
4. The effects of any differences in Use or scale have been mitigated through careful planning.

Master Planned Development & Conditional Use Permit Conditions of Approval:

1. All standard project conditions shall apply.
2. A Construction Mitigation Plan (CMP) shall be submitted and approved by the City for compliance with the Municipal Code, as a condition precedent to issuance of any grading or building permits. The CMP shall be updated as necessary to identify impacts and propose reasonable mitigation of these impacts on the site, neighborhood, and community due to construction of this project. The CMP shall include information about specific construction phasing, traffic, parking, service and delivery, stock-piling of materials and staging of work, work hours, noise control, temporary lighting, trash management and recycling, mud and dust control, construction signs, temporary road and/or trail closures, limits of disturbance fencing, protection of existing vegetation, erosion control. Storm-water management, and other items as may be required by the Building Department. The immediate neighborhood and community at large shall be provided notice at least 24 hours in advance of construction work impacting private driveways, street closures, and interruption of utility service.
3. A storm water run-off and drainage plan shall be submitted with the building plans and approved prior to issuance of any building permits. The plan shall follow Park City's Storm Water Management Plan and the project shall implement storm water Best Management Practices. Post development drainage shall not exceed predevelopment drainage conditions and special consideration shall be made to protect any wetlands delineated on and adjacent to the site.
4. The project is over 1.0 acres and will be required to meet the requirements of Park City's municipal separate storm sewer system (MS4) storm-water program.
5. Final utility plans, consistent with preliminary utility plans reviewed by the Planning Commission during the MPD review, shall be submitted with the final subdivision plat.
6. Dry utility infrastructure must be located on the property and shown on the building plans prior to building permit issuance to ensure that utility companies verify that the area provided for their facilities are viable and that exposed meters and boxes can be screened with landscaping.
7. The Snyderville Basin Water Reclamation District's review and approval of the utility plans and final subdivision plat, for conformance with the District's standards for review, is a condition precedent to plat recordation and building permit issuance.
8. An Affordable Housing Plan shall be approved by the Park City Housing Authority prior to issuance of any building permits for units within the MPD and deed restrictions shall be recorded.

9. As a condition precedent to receiving a certificate of occupancy for any market rate unit the City shall be provided with proof of compliance with the approved Affordable Housing Plan.
10. A master sign plan for the project shall be submitted, reviewed for compliance with the Park City Sign Code, and approved by the City, as a condition precedent to issuance of any individual sign permits.
11. Approval of this Master Planned Development is subject to LMC Chapter 6-Master Planned Developments and shall expire two years from the date of execution of the Development Agreement unless Construction, as defined by the Uniform Building Code, has commenced on the project.
12. Once the Planning Commission has approved an MPD, the approval shall be put in the form of a Development Agreement. The Development Agreement must be submitted to the Planning Department for ratification by the Planning Commission within 6 months of this approval. The Development Agreement shall be signed by the Mayor on behalf of the City Council and recorded with the Summit County Recorder.
13. Timing of completion of all required items and public benefits shall be further described and stated in the Development Agreement.
14. Vegetation and landscaping will be planted in such a manner that screening of adjacent properties is to be consistent with approved landscape plans. The applicant recognizes that the City Engineer have final authority on landscape placement in required easement areas.
15. All interior roads shall be constructed to Park City Engineering standards. Final grades, storm drainage and width to be approved by the City Engineer.
16. Interior roads are proposed to be private and maintained by the HOA.
17. An HOA shall be in place to maintain and govern the property.
18. An open space use plan shall be approved by the Park City Planning Department and shall be included as part of the development agreement. Such uses shall be consistent with the LMC and shall include ski runs, hiking/biking trails and related ski improvements such as snow making and signage as needed and appropriate.
19. A trails master plan that is consistent with the city's needs and desires shall be forwarded by the City Trails personnel and approved by both the applicant and the Park City Planning Department, which would be part of the recorded development agreement.
20. The applicant shall allow a recreational public access easement from Lowell Avenue, up the roadway to the stairwell shown on the plans, to allow for public trail access, and shall be shown on the plat.
21. The proposal shall comply with all Architectural Design Guidelines outlined in LMC § 15-5-5 which includes prohibited architectural styles and motifs, prohibited siding materials, design ornamentation, number of exterior wall materials, roofing materials, roof shapes, solar panels and skylights, window treatments, Lighting, trash and recycling enclosures, mechanical equipment, patios and driveways, and landscaping. Materials 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 January 10, 2018.

22. The proposal shall comply with the trash storage and collection parameters with the language outlined in LMC § 15-5-5(G).
23. The proposal shall not undergo excavation or footings and foundation work on the multi-family buildings or the access road (Rothwell Road) during the winter season from Christmas (December 25) through April 1st.
24. Materials shall not be delivered during the busiest tourist times of Christmas week, MLK weekend, Sundance week, MLK weekend, President's Day weekend, Arts Fest, July 4th weekend, Miner's Day weekend, and Tour de Utah.
25. The final building plans and construction details for the project shall substantially comply with the drawings reviewed by the Planning Commission on January 10, 2018.
26. The applicant shall record a plat prior to selling individual units.
27. A deed restriction all affordable housing units shall be recorded prior building permit issuance.
28. The CCRs shall be submitted with the plat for review and approval by the City prior to final plat recordation.
29. The CCRs submitted with condominium plats that include any deed restricted affordable housing units shall limit the HOA dues related to the deed restricted employee housing unit in order to ensure that the units remain affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the units (or exempt the units from HOA fees) to ensure that the units don't lose their affordability due to HOA fees. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
30. The Conditional Use Permit shall expire on January 10, 2019, unless an extension is requested in writing prior to expiration date and the extension is granted by the Planning Director.
31. A final water efficient landscape and irrigation plan that indicates required storm water facilities and snow storage areas, and that meets the defensible space requirements and mitigates for removal of significant vegetation, shall be submitted with the building permit application for approval by the Planning, Building, and Engineering Department, and shall be in substantial conformance with the plans reviewed by the Planning Commission on January 10, 2018.
32. All requirements and conditions of the Snyderville Basin Water Reclamation District shall be met prior to building permit issuance.
33. This development is part of a common development that is greater than one (1) acre. This development shall meet the MS4 storm water requirements.

Please be aware that this approval in no way exempts the property from complying with other requirements that may be in effect on the property, and building permit regulations, as applicable. It is the responsibility of the property owner to ensure compliance with these regulations.

As the applicant, this letter is intended as a courtesy to document the status of your request. The official minutes from the Planning Commission meeting are available in the Planning Department office.

If you have questions regarding your applications or the action taken please don't hesitate to contact me at 435-615-5064 or fastorga@parkcity.org.

Sincerely,

Francisco Astorga, AICP
Senior Planner

Francisco Astorga

From: Patricia Kravtin <pdkravtin@comcast.net>
Sent: Tuesday, July 25, 2017 12:36 PM
To: Francisco Astorga
Subject: Public Comment on Kings Crown MPD, 1201-1299 Lowell Avenue Project

Public Comment on Proposed King's Crown Project

On Planning Commission Meeting

Agenda Item: Wednesday July 26th, 2017

We are residents of 1240 Lowell Avenue, which is currently the first single-family residence on Lowell Avenue south of Manor Way. As such, we will be among the most, if not the most impacted abutter of the proposed Kings Crown development in regard to its impact on the residential/old town character of the portion of Lowell Avenue south of the Resort base. We have previously shared issues of abutter impact and means of mitigation with the development team prior to their submission to the commission, and we are very appreciative of the developers' outreach and consideration given to the neighborhood quality of Lowell Avenue south of Manor Way. That said, this is a development of significant scale in a neighborhood that already bears the heavy burden of negative spillover effects of the Resort, and will bear the brunt of the burden of future potentially unprecedented large-scale development associated with the Treasure project. Per the Commission's Corrected Notice of Public Hearing, we understand "the Planning Commission is not expected to take Final Action as this is the initial introduction of the projected" and that the item will be continued to a future date. As key abutters, we respectively ask for the Commission to give this important project its full and careful consideration, taking into account the potential significant impacts of the development on the Lowell Avenue residential neighborhood.

Respectively,
Patricia Kravtin and Jonathan Horwitz
1240 Lowell Avenue
Park City, Utah 84060

November 11, 2019

My name is Patricia Kravtin. My husband, Jonathan Horwitz, and I are residents of 1240 Lowell Avenue, which is the first single-family residence on Lowell Avenue south of Manor Way. As such, we are among the most, if not the most impacted abutter of the proposed Kings Crown development in regard to its impact on the residential/old town character of the portion of Lowell Avenue south of the Resort base. We have on numerous occasions, from the very beginning of the project review process in the fall of 2017 and throughout the past two years shared our concerns with the Developer and the Commission and its Staff regarding the negative impacts of a development of this size and massing on the residential character and quality of life on the northern end of Lowell by the Resort Base. We have over the past two years followed the review process closely and engaged in productive discussions concerning mitigation with the Developer CRH (through its liaison, Mr. Rory Murphy) and then lead planner Mr. Francisco Astorga.

The productive outcome of our engagement with the Developer and Mr. Astorga, as memorialized by CSH representative Mr. Rory Murphy at the Planning Commission's November 29, 2017 meeting (See pages 97-98 of the Minutes of this meeting) was the agreement that the southernmost condominium building, Building D – the building most proximal to the residential segment of Lowell Avenue and also the building of greatest massing, would not extend beyond the southernmost edge of the Lift Lodge condominium building. Agreements were also made about the placement, staggered design, and landscaping of the planned pedestrian access stairs, to be located between the southernmost edge of Building D and the northern edge of House Lot #3 which was to line up with the Kravtin/Horwitz home. (See attached Excerpts from Minutes of November 28, 2019 Planning Commission Meeting).

The project now is well underway. Understandably, there have been changes in various aspects of the project and numerous iterations of plans and drawings since the project's initial approval, including this most recent set of changes now before the Commission. As lay people, however, it is not clear to us from our review of the current proposal and of the current plat drawings included in the Staff Report as well as our visual inspection of the physical stakes that have since been put in the ground, how the various changes that have come before the Commission may impact prior representations made by the Developer to the Commission that served to help mitigate the negative impact of this project on the Lowell Avenue residential neighborhood and in particular, on our home which is directly across the street from this development.

Over the past two years, we have reached out to CRH and received oral assurances that current plans for the placement of Building D were still as agreed, i.e., that the southernmost boundary of Building D and the pedestrian access on its south side will be in conformance to the agreed upon representations as memorialized in the minutes of the November 29, 2017 meeting. Earlier in the process, we had been provided a courtesy drawing from CRH that illustrated the lineup of Building D and the placement and design of the public access stairway in a manner that would leave no ambiguity. (see Attached). As shown in the attached drawing, that the southernmost edge of Building D would not exceed past the southernmost boundary of the Lift

Lodge condominium. The staircase is also staggered and landscaped in a manner that helps minimize the impact of the Building D.

At this very critical juncture of the project, we again respectfully ask that the Commission and its Staff to ensure with CRH that the representations they made to us and this Commission in November 2017 concerning the placement of Building D and the pedestrian access way will be complied with and are fully reflected in the current drawings and official plat -- notwithstanding the numerous changes in the plans and drawings that have occurred in the past two years including the most recent set of changes before the Commission at this week's meeting.

Thank you for the opportunity to express our concerns as the Kings Crown development in our Lowell Avenue neighborhood is evolving from concept to reality.

Sincerely,
Patricia Kravtin and Jonathan Horwitz
1240 Lowell Avenue
Park City, UT 84060

Excerpts from the minutes of the November 29, 2017 Planning Commission meeting:

> "Mr. Murphy stated that they had significant roof and building placement consideration. A building was moved 15 feet north from its original site to accommodate the Crafton/Horowitz [sic] house, and minimize the disturbance on their visual corridor." (Minutes of the November 29,2017 Meeting at p.97)
>
> "They also plan vegetation mitigation adjacent to the pedestrian access stairs in an effort to protect the views of the Crafton/Horowitz house." (Id. At p. 97)
>
> "Mr. Murphy reiterated that relative to the Crafton/Horowitz house, they pulled the building 15" to the north. He noted that the southernmost boundary on Building C/D matches the southernmost boundary on the Lift Lodge. Also, the driveway for Building D was pulled 42" to the north to accommodate Crafton/Horowitz because they did not want headlights coming out of the driveway and into their house." (Id. at. p. 98)

EMPIRE AVE
(50' ROW)
LOWELL AVE
BASIS OF BEARING: N 35° 59'00" W (MON. TO MON.)
RECORD DISTANCE: 1145.92'
(MEASURED DISTANCE: 1145.68')
LIFT LODGE
HORWITZ/KRAVTIN
BUILDING D
PLANTERS
COMMUNITY STAIRS
BLOCK 26
12TH STREET
(30' ROW)
SIGHT TRIANGLE SHALL BE
KEPT FREE OF ALL OBSTACLES
LOT 14
LOT 13
LOT 12
LOT 11
LOT 10
LOT 9
LOT 8
LOT 7
LOT 6
LOT 5
LOT 4
LOT 3
LOT 2
LOT 1
240'
STOP SIGN
ELEV. 7010
UP
UP

Patricia Kravtin and Jonathan Horwitz
1240 Lowell Avenue
Written Comment for September 23, 2020 Planning Commission Meeting

RE: Developer's Error in Plans for Kings Crown Development Building D Southern Boundary Line in Contravention of Approval Requiring Development Mirror Existing Neighborhood Pattern for Existing Small-Scale Homes Commencing at 1240 Lowell Avenue.

Summary of Public Comment and Requested Action:

Park City Municipal Code governing Master Planned Developments requires, among other things, compatibility with existing neighborhoods. In 2017, the then lead planner, Francisco Astorga ("Planner Astorga"), facilitated an agreement between the developer CRG and CRH (the "Applicant") and us (the "2017 Agreement") to relocate the southernmost boundary of Building D of the Kings Crown development project (the "Project") to conform Building D to the Master Planned Development ("MPD") and conditional use permit findings of fact specifically requiring that the Project "mirror the existing neighborhood pattern" and that "the larger mass buildings are located adjacent to the larger buildings on Lowell, and the [P]roject homes mirror the east side of Lowell, with the townhomes continuing the townhome patterns as well". The 2017 Agreement satisfied the MPD and the above-noted conditional use permit findings of fact necessary for the city's approval of the Project with respect to the plat for Building D.

Specifically, under the 2017 Agreement, the Applicant agreed to move the southernmost boundary of Building D a minimum of 15 feet to the north to line up with southernmost boundary of the existing Lift Lodge in order to mitigate the visual and physical impact of the enormous scale of Building D on the existing small-scale residential neighborhood pattern of homes on the east side of Lowell Avenue beginning with our home at 1240 Lowell Avenue. Because of our home's location as the first single-family residential home on the east side of Lowell in that small-scale neighborhood pattern, we are perhaps the most impacted by the Project. For this reason, we have been active, vocal participants in the planning approval process and have maintained regular communications with the Applicant since the Project's inception. We have repeatedly raised the issue of the Building D boundary and requested strict enforcement of municipal code and the MPD to mitigate the various harmful impacts of Building D's massing on our home in public statements before the commission, and in communications with Planning staff and with the Applicant.

Indeed, for the past three years, we were repeatedly assured by the Applicant both in private communications and, more significantly, on the public record of the meetings of this Commission that our concern with the southernmost boundary of Building D had been addressed and resolved by the Applicant as agreed upon. Most prominent of those assurances was provided in an email dated November 26, 2017, wherein the Applicant's representative, Rory Murphy, stated: "We will make a point to clarify to the commission verbally that the south wall of Building D lines up with the southernmost edge of the Lift Lodge. This building moved 15 feet from its original location…." Mr. Murphy stated further, "… we moved the building 15 feet north from its original

location to help mitigate the impact on your home. Again, the southern boundary of Building D lines up with the southern boundary of Lift Lodge."

To further buttress these assurances, Mr. Murphy provided us with a drawing clearly delineating the boundary of Building D to align with the southern boundary of Lift Lodge. See Exhibit 1 (providing above-referenced email and copy of the attached agreement boundary document). As recently as the Commission's November 13, 2019 meeting, Mr. Murphy confirmed, on the meeting record, and reaffirmed by follow up email to us dated November 14, 2019, "[t]hat both I [Mr, Murphy] and the new Planner, Rebecca Ward, reiterated the position publicly ***we have discussed all along regarding aligning the southernmost edge of Building D with the southernmost edge of Lift Lodge***." (Emphasis added). See Exhibit 2 (providing referenced email).

It was not until early December 2019, after years of providing written and oral assurances to us and in statements on the record before this Commission, that the Applicant admitted that its filed plans were, in fact, in error, and, if uncorrected, would place the boundary of Building D too far to the south, in contravention of applicable code, the 2017 Agreement and the MPD. In the first few months that followed the Applicant's acknowledgement of its error, we were repeatedly assured by Mr. Murphy, in writing, that the error would be corrected. Indeed, Mr. Murphy went so far as to state, by email dated December 18, 2019, that the Applicant would not proceed "without our blessing." See Exhibit 3 (providing referenced email dated December 18, 2019).

Unfortunately, that spirit of cooperation abruptly ended in a letter from Mr. Murphy dated July 27, 2020, stating that the Applicant would no longer be communicating with us regarding correction of the Building D boundary line error in the plans, and notifying us, for the first time, of the Applicant's intention to bring the matter of "Building D and the Building D parking structure" back before the Commission and the city council to "initiate the process once again to request …all necessary approvals." See Exhibit 4 (providing referenced letter attached to email from Mr. Murphy dated July 27, 2020).

Since the Applicant is no longer communicating with us, we can only surmise that, having now realized its error in the positioning of the southern boundary of Building D, the Applicant believes that by seeking to vacate the approvals and reopening the matter of Building D before the Commission, it will be able to free itself from the 2017 Agreement and the many affirmative representations it made, on the record, to this Commission at the November 29, 2019 meeting that the Building D boundary line would be aligned with the boundary line for the Lift Lodge and avoid compliance with the conditional use findings of fact and applicable provisions of the municipal code regarding neighborhood compatibility.

Accordingly, we respectfully request the Commission, in its role as steward of the public interest and the Park City Municipal Code for MPDs, recognize and hold the Applicant to the 2017 Agreement or, alternatively, exact from the Applicant an alignment of the boundary line of Building D with the boundary line for the Lift Lodge for any proposed new plan in order to mitigate the damage this large master planned developed and large scale buildings will have on the existing small-scale home neighborhood pattern and on our home in particular. Requiring that the Project as a whole— and Building D specifically— conform to the MPD and conditional use findings of

fact requiring mirroring the existing small-scale neighborhood pattern that begins with our home and requiring larger mass buildings to be located nearer the existing larger buildings along Lowell Avenue, is critical for protecting the city's residents and the public trust and to preserve the integrity of the planning and approval process.

We further request this Commission require the Applicant to take responsibility for the errors in the plans and its failure to align the boundary line of Building D with the larger scale Lift Lodge building boundary by conforming its plan and that the Commission not allow the Applicant to unfairly shift the impact of its plan errors onto us as the initial home in the small scale home neighborhood pattern in the form of an intrusive, large scale parking garage and/or building through seeking to vacate the existing approvals.

More detail written comments and documentation follow.

Patricia Kravtin and Jonathan Horwitz
1240 Lowell Avenue
September 23, 2020 Planning Commission Meeting

RE: Kings Crown Project Building D

Public Comment and Additional Background Facts and Documentation (Exhibits 1 through 18).

As noted in the above Summary, Planner Astorga facilitated the 2017 Agreement between the Applicant and us (which is memorialized in a series of email correspondence and affirmed by the Applicant on the record at meetings of this Commission) to move the southernmost boundary of Building D a minimum of 15 feet to the north so as to line up with southernmost boundary of the Lift Lodge, in accordance with the MPD and Conditional Use Permit Finding of Fact. Commission members may recall that Conditional Use Permit Findings of Facts #77, #112 and #113 collectively conditioned approval of the Project on the requirement that the Project "maintain the existing development pattern, with the larger scale buildings alongside the existing multi-family" (Finding #77), "mirror the existing neighborhood pattern," (Finding #112), and, as more specifically prescribed in Finding #113, "the larger mass buildings are located adjacent to the larger buildings on Lowell, and the [P]roject homes mirror the east side of Lowell, with the townhomes continuing the townhome patterns as well." The 2017 Agreement is memorialized, in part, in a December 7, 2017 email from Mr. Murphy, in which he states that "***we placed the single family lots in front of your home and the other homes to the south so they would match what was across the street and we would have similar, less-imposing structures across from those existing homes."*** (Emphasis added). See Exhibit 5. The consideration for the 2017 Agreement

was our positive public comment to the Commission in support of the Project, which was satisfied. See Exhibits 5 and 6.

The 2017 Agreement remains critical to the Applicant's compliance with the MPD and Conditional Use Permit Finding of Facts to mitigate numerous anticipated detrimental impacts on our home if Building D, the largest mass building of the Project, is sited directly across from our small, single-family home, as originally proposed rather than moved to the north at least 15 feet to mirror the small-scale neighborhood homes on the other side of Lowell Avenue. See Exhibit 7 (showing pictures of our home at 1240 Lowell and its exposure to the large massing impacts of Building D and attendant detrimental externalities associated with a structure of that scale and mass).

The terms and validity of the 2017 Agreement were expressly acknowledged by the Applicant on the record of this Commission's November 29, 2017 meeting. Specifically, the meeting minutes state: "Mr. Murphy stated that … [a] building was moved 15 feet north from its original site to accommodate the Crafton Horowitz house [sic]. See Exhibit 8. The minutes further state:

> Mr. Murphy reiterated that relative to the Crafton/Horowitz [sic] house, they pulled the building 15' to the north. He noted that the southernmost boundary on Building C/D matches the southernmost boundary on the Lift Lodge. Also, the driveway for Building D was pulled 42' to the north to accommodate the Crafton/Horowitz [sic] because they did not want headlights coming out of the driveway and into their house." Id.

The 2017 Agreement was again affirmed by the Applicant and by Planner Rebecca Ward at the Commission's November 13, 2019. See Exhibit 9. (Relevant portions of the November 13, 2019 meeting minutes). Unfortunately, an error in the plans would now place the boundary of Building D too far to the south, encroaching on the small-scale residential pattern of the Lowell

Avenue neighborhood, which starts at our residence at 1240 Lowell Avenue. See Exhibit 10 (showing pictures of small scale residential streetscape beginning at 1240 Lowell Avenue).

The Applicant has had ample opportunity over the past three years to have identified and corrected its Building D boundary error. We repeatedly raised the question about Building D's southernmost boundary between April 2017 and December 19, 2019 with the Applicant, and in public comments submitted before the Commission. See Exhibit 11 (providing copies of our written and oral public comments submitted July 26, 2017, November 29, 2017, November 13, 2019, and December 19, 2019, seeking Commission clarification with the Applicant concerning Building D's southernmost boundary vis-à-vis documentation from the Applicant as to its proper siting).

In response to our repeated inquiries as to the correctness of Building D boundary line we were repeatedly given assurances by Mr. Murphy that he had checked with the project architect, and even further representations that the architect had made the conforming changes and had sent those on to Planner Astorga. See Exhibits 12 and 13 (email correspondence with Applicant).

More recently, in an email dated November 11, 2019 responding to our email dated November 9, 2019 expressing our concern based on our observation that "the distance between lot 3 and building D on the current drawing does not seem to reconcile with Building D ending with the Lift Lodge building," Mr. Murphy responded that he would confirm the boundary line location aligned with the Lift Lodge boundary and stated, "[p]lease ***be assured that I will honor what was said***." (Emphasis added). See Exhibit 14.

Two days later, Mr. Murphy stated in an email to us:

> I understand your concerns and your requests are absolutely fair and reasonable. When you are next here, I will get the surveyor/civil engineer to join us on site and

> we will measure off. This should give you peace of mind you are seeking. Relative to tonight [Planning Commission meeting], I will reiterate our position on this and further put this on the record.

Mr. Murphy, in fact, did confirm the Applicant's commitment to correct the boundary error, alongside Planner Rebecca Ward, on the public record, that Building D would not move from what had been agreed to per the 2017 Agreement.

The on-site meeting referred to in Mr. Murphy's above referenced correspondence occurred December 3, 2019, but no surveyor or civil engineer attended. Mr. Murphy and Mr. Onwuegbu [Project architect] indicated that was unnecessary as they could now confirm themselves that the concerns we had repeatedly expressed to them over the past three years with regard to the accuracy of their Building D plans were, in fact, valid, *i.e.*, that the plans on file with the Commission for Building D did <u>not</u> actually align with the southernmost boundary of Building D with Lift Lodge as agreed and as represented to the Commission. Mr. Murphy continued to provide assurances to us, however, noting in an email dated December 18, 2019, "I want you to know emphatically that we [the Applicant] will not submit anything for Building D without your blessing." See Exhibit 3; see also Exhibits 15 and 16, (providing additional email communications from Mr. Murphy providing further assurances, dated February 21, 2020 and March 2, 2020, respectively).

Those late 2019 and early 2020 email assurances from the Applicant concerning the boundary of Building D were consistent with the tenor and spirit in which we had positively and constructively engaged with the Applicant from the very inception of the project. Indeed Mr. Murphy on numerous occasions orally and in writing acknowledged the fairness and reasonableness of our mitigation requests and concerns and thanked us for our constructive, cooperative attitude as highly impacted neighboring property owners in being willing to work with

them including as recently as this past November. See Exhibit 17 (email communications from Mr. Murphy dated December 7, 2017 and November 13, 2019). In this same spirit, following Applicant's discovery of the error in the plans, we continued to positively engage with the Applicant on potential mutually agreeable solutions to the boundary issue and believed we were on a path that could have led to resolution.

Unfortunately, the Applicant's willingness to address the error and to abide by the 2017 Agreement abruptly changed. By letter dated July 27, 2020, we were notified that the Applicant was unilaterally terminating all discussions with us concerning Building D, and purported to instruct us instead to use the "opportunity to express your opposition and concerns pertaining to the engineering, design, construction, and location of Building D and the Building D Parking Structure directly to the Planning Commission, to the City Council, to the City's Building Department and to any and all employees and officers of the City as you deem appropriate." … See Exhibit 4.

Despite the adversarial tone of that letter, we reached out to Mr. Murphy in a spirit of cooperation and expressed our willingness to reengage in productive dialogue with him and the development team concerning the boundary Building D "to resolve this in a more expeditious and less cumbersome manner than your letter suggests," *i.e.*, to have the matter of Building D reopened anew before the City. By letter dated August 5, 2020, the Applicant reaffirmed its unwillingness to correct its error and advised that "further discussion between [us] and representatives of CRG [the Applicant] will not be productive." See Exhibit 18 (containing copy of our outreach to Mr. Murphy on July 31, 2020 and Applicant's August 5, 2020 Letter in response). We are now advised by Planner Rebecca Ward that the Applicant has requested to vacate its prior approvals and are

understandably concerned that the Applicant is seeking to avoid the 2017 Agreement and compliance with the MPD and Conditional Use Findings of Facts as set forth above.

Based on the Applicant's agreement with us and the Applicant's numerous representations to this Commission, we would expect that the Commission would look very unfavorably on any effort by the Applicant to use the recently acknowledged error in its plans for Building D as a basis for negating the 2017 Agreement and the MPD and Conditional Use Permit Finding of Facts on which the 2017 agreement was based. To allow the Applicant to do so would cast serious doubts on the integrity of the planning process in serving the greater public good over special interests—a process we personally respect and have indeed put our faith in. We thank you for your time and consideration and the opportunity to provide these comments.

Sincerely, Patricia Kravtin and Jonathan Horwitz

EXHIBIT INDEX

1.	Email from Rory Murphy dated November 22, 2017 with Attached Boundary Document
2.	Email from Rory Murphy dated November 14, 2019
3.	Email from Rory Murphy dated December 18, 2 019
4.	Email from Rory Murphy dated July 27, 2020 with Attached Letter
5.	Email from Rory Murphy dated December 7, 20 17
6.	Email communication to and from Patricia Kravtin and Francisco Astorga between July 25, 2017 and August 16, 2017
7.	Pictures of Residence at 1240 showing home's exposure to large massing impacts of Building D's
8.	Excerpt from November 29, 2017 Meeting Minutes with Mr. Murphy on record describing the Building D Boundary Agreement in relation to the Crafton/Horowitz(sic) house
9.	Excerpt from November 13, 2019 Meeting Minutes with Mr. Murphy on record confirming the Building D Boundary Agreement alongside Planner Rebecca Ward
10.	Pictures of Small-Scale Pattern of Residential Streetscape beginning at 1240 Lowell
11.	Written Public Comments of Patricia Kravtin & Jonathan Horwitz submitted for the Commission's meetings dated July 26,2017, November 13, 2019, and December 19,2019
12.	Email from Patricia Kravtin and Jonathan Horwitz to Rory Murphy dated April 7,2017 and his response dated April 9, 2017, copying architect Chimso Onwuegbu, and his further response dated April 10. 2017 confirming Mr. Onwuegbu's movement of the building per the agreement and Mr. Onweugbu's representation he sent to Francisco
13.	Email from Patricia Kravtin and Jonathan Horwitz to Rory Murphy dated July 28,2017 and Mr. Murphy's response dated August 1,2017.
14.	Email from Jon Horwitz to Rory Murphy dated November 9, 2019, and Mr. Murphy's response dated November 11, 2019
15.	Email from Rory Murphy dated February 21,2020
16.	Email from Rory Murphy dated March 2,2020
17.	Email communications from Rory Murphy dated December 7, 2017 and November 13, 2019
18.	Email from Rory Murphy dated August 5, 2020 with Attached Letter

Exhibit 1

From: Rory Murphy fmailto:paladinparkcity@aol.com)
Sent: Wednesday, November 22, 2017 11:11 AM
To: jon_horwitz@putnam.com; pdkravtin@comcast.net
Cc: chimso@be-wow.com
Subject: Fwd: Horwitz/Kravtin View

Hi Jon and Pat,

I hope you both are well. Sorry for the delay in getting this to you. My Mom passed last month and I'm afraid I've been rather occupied. When you get a chance, please look over the below view and let me know if we are getting closer to your expectations on this item.

take care,

Rory

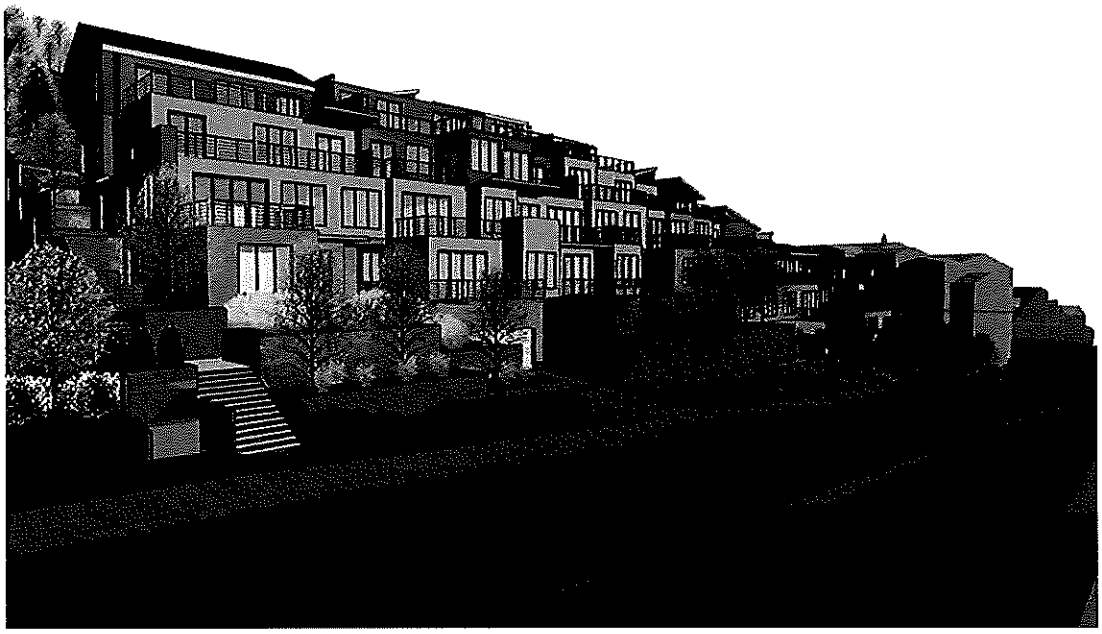
Rory Murphy
paladinparkcity@aol.com

435 640 5068
2590 Sidewinder Drive
Park City, UT 84060

-----Original Message-----
From: Chimso Onwuegbu <chimso@be-wow.com>
To: Rory Murphy <paladinparkcity@aol.com>
Sent: Tue, Nov 21, 2017 9:53 am
Subject: Horwitz/Kravtin View

Rory -

Here is a current image which shows a view from the Living area. It shows the driveway moved down per their request, as well as significant undulations to both the Lowell Ave facade as well as the South elevation along the community stairs. Let me know if this is what you were looking for?



chimso onwuegbu chimso@be-wow.com cell 801.712.4078

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(50' ROW)
LIFT LODGE
HORWITZ/KRAVITIN
BUILDING D
PLANTERS
COMMUNITY STAIRS
BLOCK 26
240
SIGHT TRIANGLE SHALL BE
12TH STREET
(50' ROW)

Exhibit 2

[redacted]

From: rory murphy [mailto:paladinparkcity@aol.com]
Sent: Thursday, November 14, 2019 12:06 PM
To: pdkravtin@comcast.net; Jon Horwitz <Jon_Horwitz@putnam.com>
Subject: Meeting Last Night

Pat/Jon,

Wanted to let you know that both I and the new Planner, Rebecca Ward, reiterated the position publicly we have Jiscussed all along regarding aligning the southernmost edge of building D with the southernmost edge of Lift Lodge. I am gone for Thanksgiving, but back on that Sunday, so maybe we can plan to meet Monday with the Engineer and Chimso to set the stake? Let me know if that still works. Jon: hope you are recovering!

Thanks,

Rory

Rory Murphy
paladinparkcity@aol.com
435 640 5068
2590 Sidewinder Drive
Park City, UT 84060

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Exhibit 3

[redacted]

[redacted]

[redacted]

From: rory murphy (mailto:paladinparkcity@aol.com]
Sent: Wednesday, December 18, 2019 11:49 AM
To: Jon Horwitz <Jon Horwitz@putnam.com>; pdkravtin@comcast.net
Subject: Building D

Hi Jon and Pat,

I wanted to drop you a line and let you know that I am not neglecting the redesign of Building D. We have been trying to Jet platted, construction loan in place, contracts executed, etc. while barreling towards the holidays. We continue to work on it and should have something pulled together within the next couple of weeks. I have had Chimso working on it, but his first effort wasn't to my expectations. I want you to know emphatically that we will not submit anything for Building D without your blessing. I greatly value the relationship we have developed and at the end of the day it is a lot more important to me that you feel we have integrity.

If I don't see you, then Happy Holidays and we'll see you when you are next in town. Please do not hesitate to contact me with any questions or concerns.

Take care,

Rory

Rory Murphy
paladinparkcity@aol.com
435 640 5068
2590 Sidewinder Drive
Park City, UT 84060

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Exhibit 4

[redacted]

[redacted]

[redacted]

From: paladinparkcity@aol.com [mailto:paladinparkcity@aol.com]
Sent: Monday, July 27, 2020 9:18 PM
To: pdkravtin@comcast.net; Jon Horwitz <Jon Horwitz@putnam.com>
Subject:

Dear Jon and Pat,

'lease see the attached letter from CRG Development, LLC.

Kindest Regards,

Rory

Rory Murphy
paladinparkcity@aol.com
435 640 5068
2590 Sidewinder Drive
Park City, UT 84060

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July 27, 2020

VIA EMAIL

Jon Horwitz
Pat Kravtin

Re: King's Crown Condominiums

Dear Jon and Pat:

As you know, over the past two years I have communicated with you on behalf of CRG Development, LLC ("CRG") in reference to CRG's King's Crown Condominiums project (the "Project") that is being developed on Lot 2 of King's Crown Re-Subdivision in Park City, Utah ("Lot 2"). Specifically, I have communicated extensively with you regarding the engineering, design and location within the Project of Building D and the below-ground parking structure to be constructed beneath Building D (the "Building D Parking Structure").

During the process pursued by CRG to obtain from the Planning Commission (the "Planning Commission") and the City Council (the "City Council") of Park City Municipal Corporation (the "City"), you have expressed concerns about the engineering, design and location of Building D and the Building D Parking Sh·ucture. In an effort to address your concerns, in the process of seeking and obtaining approvals from the Planning Commission and from the City Council of the City regarding the engineering, design and location of Building D and the Building D Parking Structure, CRG, at great expense to CRG, has made significant modifications pertaining to the engineering, design and location of Building D and the Building D Parking Structure. You have even suggested that, during the course of your discussions with me regarding the engineering, design and location of Building D and the Building D Parking Structure, you may have foregone your opportunities to express your concerns and your opposition pe1 1aining to Building D and the Building D Parking Structure directly to the Planning Commission and the City Council.

In spite of the major modifications and concessions made by CRG with respect to Building D and the Building D Parking Structure, recently you have communicated to me that you are still very opposed to the final approvals obtained by CRG from the Planning Commission and from the City Council regarding the engineering, design and location of Building D and the Building D Parking Structure.

In light of your ongoing dissatisfaction with respect to the final approvals obtained by CRG from the Planning Commission and the City Council of the City with respect to the engineering,

design and location of Building D and the Building D Parking Structure, CRG has decided that CRG will immediately request that all approvals previously received by CRG from the Planning Commission and from the City Council pertaining to the engineering, design and location of Building D and the Building D Parking Structure be vacated and rescinded. Thereafter, CRG shall initiate the process once again to request from the Planning Commission and from the City Council of the City all necessary approvals with respect to CRG's proposed engineering, design, construction and location of Building D and the Building D Parking Structure on Lot 2. During this new application and approval process, you will have the unfettered opportunity to express your opposition and concerns pertaining to the engineering, design, construction and location of Building D and the Building D Parking Structure directly to the Planning Commission, to the City Council, to the City's Building Department and to any and all employees and officers of the City as you deem appropriate.

It is the intent of CRG to comply with all applicable laws, ordinances, rules and regulations of the City, as CRG seeks to obtain new approvals from the Planning Commission and from the City Council of the City for the engineering, design, construction and location of Building D and the Building D Parking Structure.

Very truly yours,

CRG Development, LLC,
a Utah limited liability company

By: _____
Rory Murphy, Manager

Exhibit 5

[redacted]

[redacted]

[redacted]

From: Rory Murphy [mailto:paladinparkcity@aol.com]
Sent: Thursday, December 07, 2017 5:52 PM
To: Jon Horwitz <Jon Horwitz@putnam.com>; pdkravtin@comcast.net
Cc: chimso@be-wow.com; cv.heath.pc@gmail.com; hans@xmission.com
Subject: Fwd: Horwitz/Kravtin View

Hi Jon and Pat,

Thank you for your kind words regarding the presentation as well as Pat's speech during public comment. We very much appreciate your working with us and continuing to work with us on the various issues with the proposed project.

The standard for the single family lots in Park City is 10' in the HRI Zone as well as the RC Zone where the project is located. Where the conflict comes in is that an MPD (Master Planned Development), which this is, has a typical requirement of a 25' setback surrounding it. The exception would be from the MPD requirements, not the Zone requirements. This is because MPD's rarely involve single family homes, which are restricted to 27' above grade, as opposed to multi-family and commercial structures, which allow heights to go to 35' above the grade (and thus greater mass). Altering a MPD setback is permissible under the Code if it conforms to the underlying Zone, which this does. The lots were designed the way they were to match the lots found across the street and the approximately 95% of the lots in Old Town. We placed the single family lots in front of your home and the other homes to the south so they would match what was across the street and we would have smaller, less-imposing structures across from those existing homes.

The 20' measurement comment you were referring to that Chimso mentioned comes from the requirement that every home provide room for two cars. With the length of a car requiring 20', the garage is set 10' back from the 10' setback, allowing for one car in the garage and one car on the driveway. The practical result is a 20' setback from the curb. while you only need 12-14' for a garage, the practical reality is that while there may be a small entryway adjacent to the garage (maximum 7' wide or so), most people simply chose to park there or put in some stairs (as you did with your house). This is true of virtually every house on Lowell. A quick look at google earth will show you what I am saying. The aforementioned reality of construction in the historic Zone would achieve the results you indicated below.

We discussed it at length and the conclusion was that pushing the houses further back up the hill to achieve the 25' setback would not only be inconsistent with the rest of the single family homes in the area, it would also force the building mass into a larger box to maximize the areas of their homes, which would likely be counter-productive to the visual massing effect you referred to in your email. Pushing the whole project up would also force the road and

subsequently the townhomes to be pushed farther up the hill, which would create other concerns with visual impacts on a larger scale.

That being said, I would still like to meet with both of you and Chimso to discuss this and see what we can do to try to accurately visualize the impact to your home and minimize that to the extent possible. We are due to appear in front of Commission next week for a work session (no action) and then again in January (for possible action). If you are in town for the holidays, then lets try to meet and discuss this. otherwise, lets definitely plan to conference call during the next short while at your convenience. Hans, Chuck and I are out of town until Monday, but are available after that.

Thank you again for your willingness to work with us. We very much appreciate it.

Sincerely,

Rory

Rory Murphy
paladinparkcity@aol.com
435 640 5068
2590 Sidewinder Drive
Park City, UT 84060

-----Original Message-----
From: Jon Horwitz <Jon_Horwitz@putnam.com>
To: Rory Murphy <paladinparkcity@aol.com>; pdkravtin <pdkravtin@comcast.net>
Cc: chimso <chimso@be-wow.com>; cv.heath.pc <cv.heath.pc@gmail.com>; hans <hans@xmission.com>
Sent: Mon, Dec 4, 2017 1:25 pm
Subject: RE: Horwitz/Kravtin View

Hi Rory
Pat told me she was very impressed with the presentation you gave to the commission notwithstanding the very late hour, and I would like to echo her appreciation for your clarifying to the Commission the changes to Unit D and its garage, as well as additional landscaping and other architectural features you added to help mitigate our impacts from that building's massing impact. There was one item however that she said came up during the meeting, seemingly the first time we have heard of this issue, that I wanted to follow-up on with you on related to the setback for the single family lots on Lowell Ave across from our home.
From what she explained, the standard setback for single family homes from the street is 20 feet, and that was reflected as part of your original plan. She told me that it was subsequently brought to your attention that in old town, exemptions for 10 foot setbacks are permitted, and on that basis your plans were amended, and you are now seeking exemptions for all lots, including those on Lowell Ave across the street from us. She indicated one of the Commissioners questioned that change, specifically for the lots across the street from us fronting on Lowell, noting that it did not keep in line with the larger setback of the stacked condos.
We also have concerns about the potential impact of the smaller setbacks on us personally (shadows, blocking sunlight, massing etc.) as well as the visual impact on the Lowell Ave streetscape generally. She mentioned that Chimso in response to the Commissioner said that most home builders would typically prefer the 20 foot setback in old town to allow room to park more cars since parking is so limited, such that according to Chimso, most setbacks existing on Lowell today are generally 20 feet or greater, and so he did not think this would turn out to be a real concern. That said, there is no guarantee as to what any individual lot owner would do. Given this exposure, and based on Chimso's comments, I would respectfully ask that you keep the standard set back requirements at the original 20 feet - at least for the lots directly fronting Lowell Ave next to the stacked condos (the ones having the most visual impact on the streetscape), as the Commissioner noted. It would certainly give us much more peace of mind not to have to add worry about the additional potential visual massing impact of the single family homes directly across the street from us in addition to the stacked condos we know we are going to be facing.
Let me know where you are at on this issue.
Thanks Rory,
Jon

From: Rory Murphy [mailto:paladinparkcity@aol.com]
Sent: Tuesday, November 28, 2017 11:53 AM
To: Jon Horwitz <Jon_Horwitz@putnam.com>; pdkravtin@comcast.net

Cc: chimso@be-wow.com; cv.heath.pc@gmail.com; hans@xmission.com
Subject: Fwd: Horwitz/Kravtin View

-----Original Message-----
From: Patricia Kravtin <pdkravtin@comcast.net>
To: 'Rory Murphy' <paladinparkcity@aol.com>; jon_horwitz <jon horwitz@putnam.com>
Cc: chimso <chimso@be-wow.com>; 'Jon Horwitz' <Jon Horwitz@putnam.com>
Sent: Sun, *Nov* 26, 2017 5:00 pm
Subject: RE: Horwitz/Kravtin View

Rory, Jon and I are still going through the materials posted on the commission site but had a few threshold questions for you and Chimso that we are seeking clarification on for us and the Commission.

We *very* much appreciate that the image below is definitely getting closer to our expectation in that it appears to incorporate changes we had discussed for, i.e., movement of the garage entrance down from the uphill end of Unit D so headlights did not glare into house, and also that undulations had been added to the Lowell Ave fa9ade and South elevation for a less harsh architectural massing.

We would like to clarify:
(1) that with this movement of the garage entrance, which is only partway down from the uphill end of the building, that Chimso is confident and can represent to us and the Commission that we will not have the glare of headlights coming into our home. This is a real concern of ours given the size of Unit D and the volume of cars that might be going in and out of that building. We do appreciate the movement of the garage, but had been hoping the garage would be located *even* further away from our end of that Building. We understand your concern regarding the garage. In the latest drawings, we pulled the entrance to the garage 42 feet to the north along Lowell from where we had it to accommodate your concerns. This was as far as was practical as we were already pushing the limits of constructability relative to cross-slopes on the road. This really is as far as we can push it. Relative to the headlights, if a driver turns south from the garage entrance, then there will be a brief instant when the cars lights will shine on your home, but it appears that it will hit the first floor and not the bedroom.

(2) that you will clarify to the Commission that the proposed plat in their package does not reflect the true location of Unit D relative to Lift Lodge and our home, as the plat in the package is inconsistent with your updated drawings which show the uphill end of Unit D to be located well north of our home. We will make a point to clarify to the Commission verbally (and therefore on the record) that the south wall of Building D lines up with the southernmost edge of the Lift Lodge. This building moved 15 feet from its original location to accommodate your view.

(3) following up on point (2), there is still ambiguity as to where exactly the uphill (i.e., southern-most) end of Unit D would be located relative to our home and Lift Lodge structures. The last email we had on the subject indicated the building had definitely been *moved* 15 feet to the north but also that there would be an effort made to *move* it *even* further north of our home to mitigate our negative impacts. Given the importance of Unit D's placement, we would like to remove this ambiguity and for you to clarify for us and the Commission more precisely where the southernmost end of Unit D would lie. Please see the attached drawing showing the proposed locations of the buildings. After we met, we moved the Building D 15 feet north from its original location to help mitigate the impact on your home. Again, the southern boundary of Building D lines up with the southern boundary of Lift Lodge. Please note where the stairs are. The stairs are interspersed with planter boxes which should significantly improve the visual effect from your home. We were, unfortunately, squeezed **in** the other direction by the City Engineer for the placement of a water line and unfortunately cannot *move* it farther and still maintain building heights.

(4) Finally, as with the garage movement, we like the tweaks to the original images that Chimso has added to soften the Building D's massing. That said, we had hoped for the addition of more dramatic side terracing as featured in the photo of your Main Street development that Jon had previously forwarded to you. Could you clarify whether you have considered and ruled out the possibility of adding more such prominent features to Building D or whether there remain opportunities to consider further architectural refinements that might soften the building's massing? I discussed this with Chimso this morning and he said he played with the terracing quite a bit and is confident that the effect will softened your views in that direction. We've also added planters where we will plant trees and shrubs to further reduce the visual intrusion on your home. That being said, we should continue our dialogue with Chimso to try to achieve the best end result for your views as possible.

Thanks so much, as always, we so appreciate your outreach and constructive dialogue throughout this process.
Best Pat

From: Rory Murphy [mailto:paladinparkcity@aol.com)
Sent: Wednesday, November 22, 2017 11:11 AM
To: jon_horwitz@putnam.com; pdkravtin@comcast.net
Cc: chimso@be-wow.com
Subject: Fwd: Horwitz/Kravtin View

Hi Jon and Pat,

I hope you both are well. Sorry for the delay in getting this to you. My Mom passed last month and I'm afraid I've been rather occupied. When you get a chance, please look over the below view and let me know if we are getting closer to your expectations on this item.

take care,

Rory

Rory Murphy
paladinparkcity@aol.com
435 640 5068
2590 Sidewinder Drive
Park City, UT 84060

-----Original Message-----
From: Chimso Onwuegbu <chimso@be-wow.com>
To: Rory Murphy <paladinparkcity@aol.com>
Sent: Tue, Nov 21, 2017 9:53 am
Subject: Horwitz/Kravtin View

Rory-

Here is a current image which shows a view from the Living area. It shows the driveway moved down per their request, as well as significant undulations to both the Lowell Ave facade as well as the South elevation along the community stairs. Let me know if this is what you were looking for?

Exhibit 6

[redacted]

[redacted]

[redacted]

From: Francisco Astorga <fastorga@parkcity.org>
Sent: Wednesday, August 16, 2017 10:37 AM
To: 'PATRICIA KRAVTIN' <pdkravtin@comcast.net>
Subject: RE: Public Comment on Kings Crown MPD, 1201-1299 Lowell Avenue Project - follow up

Patricia,

We will not have a King's Crown meeting on August 23. Date to be determined. I will let you know.

Thanks,

Francisco Astorga, AICP | Senior Planner
Park City | Planning Department
(P| 435.615.5064 | m 435.658.8940

445 Marsac Avenue | PO Box 1480
Park City, UT 84060-1480

From: PATRICIA KRAVTIN [mailto:pdkravtin@comcast.net]
Sent: Tuesday, August 15, 2017 9:08 AM
To: Francisco Astorga
Subject: RE: Public Comment on Kings Crown MPD, 1201-1299 Lowell Avenue Project - follow up

Hi Francisco, I just wanted to check whether there was still a chance the Kings Crown development could make it on the August 23rd agenda. I was planning on going back East for a couple of weeks since I hadn't heard back I just wanted to double-check before I made my travel plans. Thank you again for taking the time to meet with Jon and I we're very appreciative of your time and attention to our concerns. Best Patricia

-----Original Message-----

From: fastorga@parkcity.org
To: pdkravtin@comcast.net
Cc:
Sent: 2017-07-31 11:56:55 AM
Subject: RE: Public Comment on Kings Crown MPD, 1201-1299 Lowell Avenue Project - follow up

Patricia,

The item was continued to a date uncertain. I will let you know as soon as I find out the new date. Tuesday August 8, Thursday August 10, and Friday August 11 works for me. Let me know at what time.

Sincerely,

Francisco Astorga, AICP ◆ Senior Planner
Park City ◆ Planning Department
(p) 435.615.5064 ◆(f) 435.658.8940

445 Marsac Avenue ◆PO Box 1480
Park City, UT 84060-1480

From: Patricia Kravtin [mailto:pdkravtin@comcast.net]
Sent: Friday, July 28, 2017 2:04 PM
To: Francisco Astorga
Subject: Re: Public Comment on Kings Crown MPD, 1201-1299 Lowell Avenue Project - follow up

Francisco,

I wanted to follow up on scheduling as we discussed.

First, I wondered if you had any better sense whether the Commission would next be deliberating on the Kings Crown project at its August 23rd or its September 27th meeting?

Also, I did want very much to meet with you the week after next when my husband and I are both in town. We could meet Tuesday August 8th through Friday August 11th – is there one of those days that would be better for you? Would very much like to make an appointment at time convenient to you.

Thanks so much Patricia

From: Francisco Astorga <fastorga@parkcity.org>
Date: Tuesday, July 25, 2017 at 8:21 PM
To: "Patricia D. Kravtin" <pdkravtin@comcast.net>
Subject: RE: Public Comment on Kings Crown MPD, 1201-1299 Lowell Avenue Project

Patricia,

I would love to speak with you over the phone. Please let me know what phone number I can reach you at.

Thanks,

Francisco Astorga, AICP ◆ Senior Planner
Park City ◆ Planning Department
(p) 435.615.5064 ◆(f) 435.658.8940

445 Marsac Avenue ◆PO Box 1480
Park City, UT 84060-1480

From: Patricia Kravtin [mailto:pdkravtin@comcast.net]
Sent: Tuesday, July 25, 2017 12:38 PM
To: Francisco Astorga
Subject: FW: Public Comment on Kings Crown MPD, 1201-1299 Lowell Avenue Project

Francisco – see below and in separate transmission I sent you a public comment statement I would ask be included in the public record.

As we got so limited advance notice of the agenda item, we are not able to attend tomorrow's night meeting.

Is there a way to get more advance notice of when the Commission will next continue its deliberations on this project?

My husband and are very vested in the outcome of this project as it is directly across the street from our home.

Best Patricia

From: "Patricia D. Kravtin" <pdkravtin@comcast.net>
Date: Tuesday, July 25, 2017 at 2:35 PM
To: <fastorga@parkcity.org>
Subject: Public Comment on Kings Crown MPD, 1201-1299 Lowell Avenue Project

Public Comment on Proposed King's Crown Project

On Planning Commission Meeting

Agenda Item: Wednesday July 26th, 2017

We are residents of 1240 Lowell Avenue, which is currently the first single-family residence on Lowell Avenue south of Manor Way. As such, we will be among the most, if not the most impacted abutter of the proposed Kings Crown development in regard to its impact on the residential/old town character of the portion of Lowell Avenue south of the Resort base. We have previously shared issues of abutter impact and means of mitigation with the development team prior to their submission to the commission, and we are very appreciative of the developers' outreach and consideration given to the neighborhood quality of Lowell Avenue south of Manor Way. That said, this is a development of significant scale in a neighborhood that already bears the heavy burden of negative spillover effects of the Resort, and will bear the brunt of the burden of future potentially unprecedented large-scale development associated with the Treasure project. Per the Commission's Corrected Notice of Public Hearing, we understand "the Planning Commission is not expected to take Final Action as this is the initial introduction of the projected" and that the item will be continued to a future date. As key abutters, we respectively ask for the Commission to give this important project its full and careful consideration, taking

into account the potential significant impacts of the development on the Lowell Avenue residential neighborhood.

Respectively,
Patricia Kravtin and Jonathan Horwitz
1240 Lowell Avenue
Park City, Utah 84060

Staff recommended that the Planning Commission grant that reduction and had drafted a finding to support their recommendation. He stated that it is not a special exception or a variance, but it is an exception that is codified in the MPD language that allows the Planning Commission to grant that if it meets specific criteria. One criteria is that no additional density is being requested. Another criteria is that the exception does not remove or take away from any open space requirements. Planner Astorga believed the proposed open space was approximately 82%. For those reasons the Staff believed the Planning Commission could reduce the setbacks from 25' to the zoning designation of the RC District for single family dwellings, which is a minimum of 10'. Planner Astorga noted that the same request was being made to reduce the rear yard setbacks for Lots 21 and 22. Planner Astorga reviewed a site plan to identify which lots were requesting the exception.

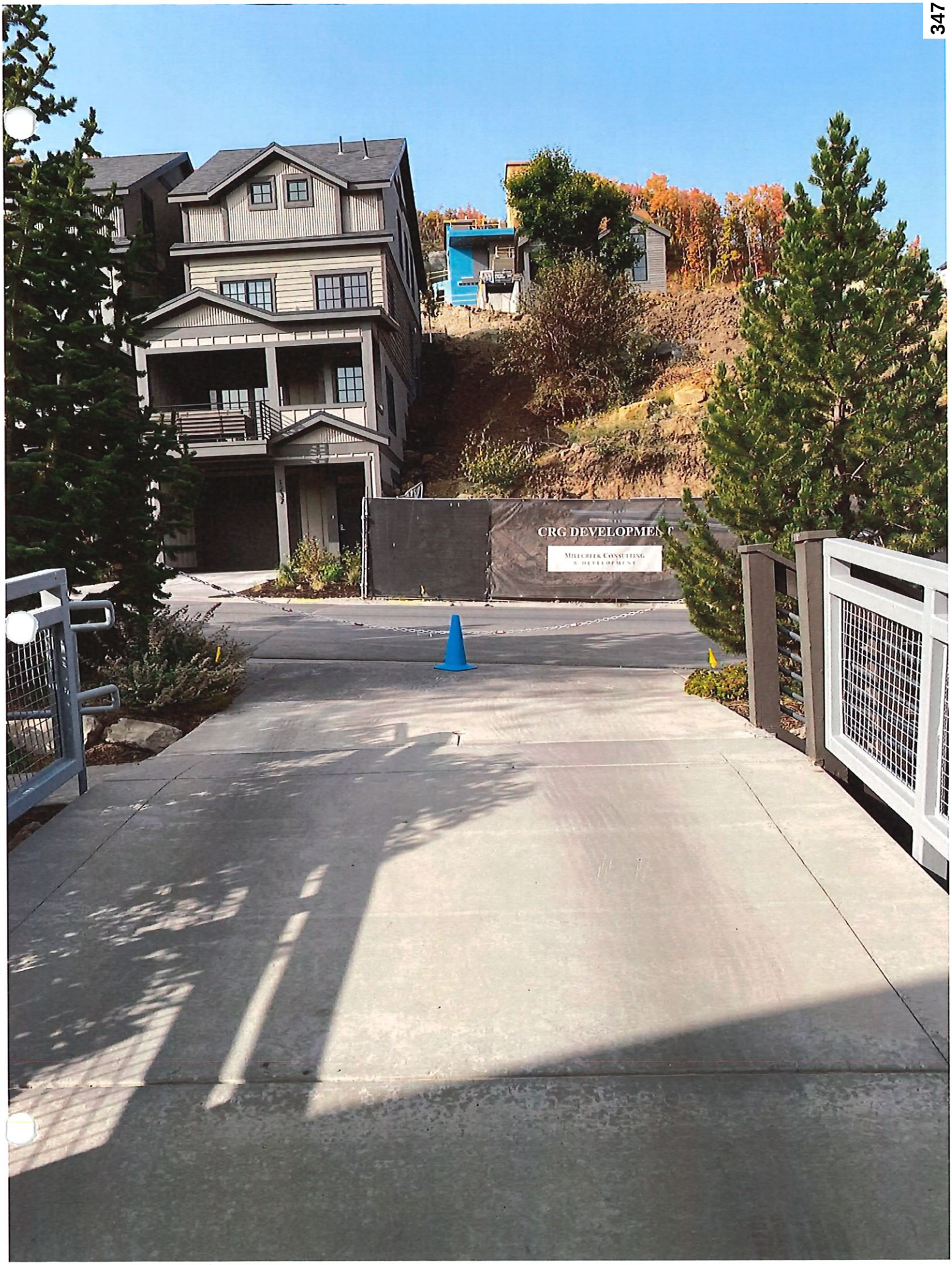
Chair Pro Tem Campbell asked if there would be sidewalks in front of those lots. Planner Astorga replied that there were no sidewalks, as currently proposed by the applicant, to comply with City Engineer policy. Chair Pro Tem Campbell understood that the houses across the street had a 10' setback without a sidewalk. Planner Astorga explained that the minimum is 10'. He was not aware of the built setback because the RC District on Lowell Avenue has a very interesting development pattern, and they do not see many lot combinations on Lowell Avenue. It remains true to the standard Old Town development pattern of 25' x 75', which would trigger a minimum setback of 10'. However, in order to accommodate at least one exterior parking space, that portion of the house would be set back at least 18'. If a house has two interior parking spaces, then the setback is 10' minimum.

Chair Pro Tem Campbell recalled from the last meeting that the neighbors on that side supported the reductions. Planner Astorga replied that it was Patricia Crafton. He received an email from Ms. Crafton indicating that she had worked out her issues directly with the applicant. Ms. Crafton did not offer public comment and was not in attendance this evening. Chair Pro Tem Campbell assumed that meant Ms. Crafton had no objections. Planner Astorga agreed.

Planner Astorga pointed out that there is no guarantee that if the Planning Commission allows a 10' setback that all of those five houses would be built exactly at 10' because it is the minimum. The applicant could come back with an 18' setback to accommodate the exterior parking space.

Rory Murphy, representing the applicant, stated that their property line is 18' from the edge of the road, and that is where these lots would start. He pointed out that there is an effect of 18' already, plus the 10' setback. As Planner Astorga reported, having a

Exhibit 7


CRG DEVELOPMEN
MILLCREEK CONSULTING

CRG DEVELOPMENT
WOW

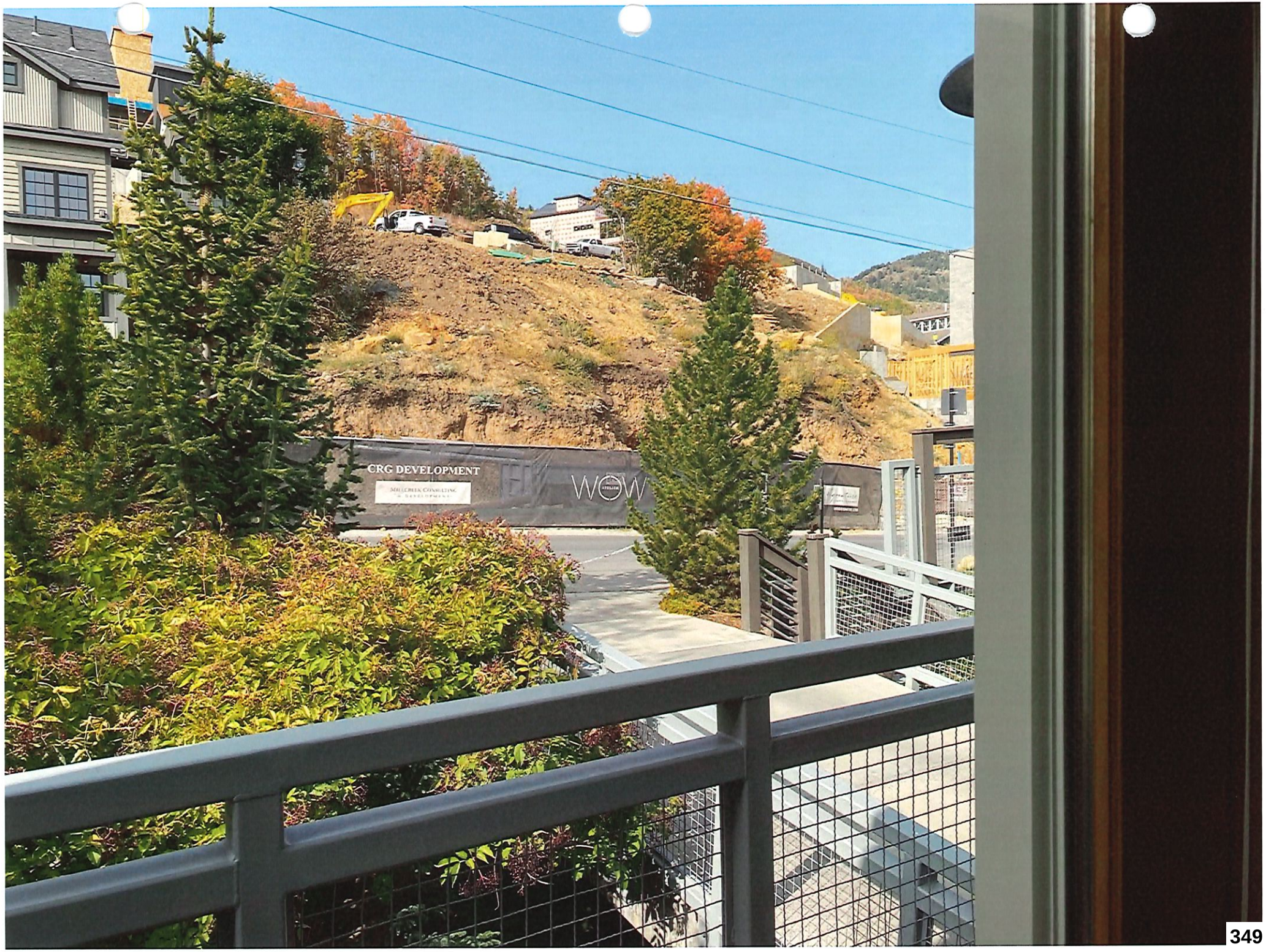

CRG DEVELOPMENT
WOW

Exhibit 8

the access ski run; and that will be on the adjacent ski run. They were working with Vail on that matter.

Mr. Murphy stated that they had significant roof and building placement consideration. A building was moved 15 feet north from its original site to accommodate the Crafton/Horowitz house, and minimize the disturbance on their visual corridor. They also moved the townhomes around in an effort to accommodate some of the issues that were raised by Planner Astorga and Director Erickson. In addition, they moved some of the single family homes to accommodate snow storage areas, as well utility lines, based on concerns raised by the City Engineer.

Mr. Murphy remarked that all construction parking would be on-site. No parking will be allowed on the street. Lowell would remain open throughout the process. The only time it may be necessary to close Lowell would be at the end of the project when they re-scarify and repave that road. Mr. Murphy stated that they were approached by the Marriott Hotel about shielding the pool activities. At the request of the Planning Commission, they have implemented community within the neighborhood gathering areas. One is a pool and hot tub area. The other is a ski locker area located to the townhomes adjacent to the ski run. They will shield the pool activity area with vegetation and architectural screening to protect that activity from the Marriott as much as possible.

Mr. Murphy reiterated that this project will have no hotel, convention, or commercial uses. The building facades will match the current vernacular of a mountain mining theme. Landscape mitigation is planned in several places. One is to protect the Smith lots around the townhome areas. They also intend to do landscape mitigation by the Marriott as much as possible, given the restraints of an existing water line. They also plan vegetation mitigation adjacent to the pedestrian access stairs in an effort to protect the views of the Crafton/Horowitz house.

Mr. Murphy stated that the windows were adjusted on the affordable housing building at the request of the Marriott, so the windows do not stare into each other. They continue to work with Mark Harney, the General Manager of the Marriott on that issue.

In terms of dust control, they intend to have a water truck onsite at all times throughout the excavation. Mr. Murphy did not believe the dust would be dramatic, but they will do their best to mitigate it and will continue to work with the neighbors on that issue.

Mr. Murphy stated that they were planning to put a community gathering area on the affordable housing deck, which was directly adjacent to space the Marriott considers to

be private and quiet space. At the request of the Marriott, they agreed to remove the deck and not offer it as a community gathering area to address those concerns.

Mr. Murphy noted that the access road was aligned with 12th Street to keep lights from cars from directly impacting any particular house. A set of stairs was added to the Smith property so those townhomes can access the ski run. They have made significant roofline modifications for neighbors' views in at least four different areas in trying to protect views where they exist.

Mr. Murphy reiterated that relative to the Crafton/Horowitz house, they pulled the building 15' to the north. He noted that the southernmost boundary on Building C/D matches the southernmost boundary on the Lift Lodge. Also, the driveway for Building D was pulled 42' to the north to accommodate Crafton/Horowitz because they did not want headlights coming out of the driveway and into their house. Mr. Murphy stated that the applicant would continue to make a strong effort to keep the public informed. They were setting up bi-weekly meetings with the Marriott and anyone else who is interested during the construction period.

Mr. Murphy outlined some of the major benefits of the proposed plan. The project has significantly less density than even the most conservative estimates of what is allowed on the site. None of the property in the SLO overlay zone would be disturbed. The applicant was proposing 84% open space, including hardscape; and 82% contiguous undisturbed open space with a conservation easement placed on it. The visual aesthetics of the hillside will be preserved. They were proposing 200% of the affordable housing obligation. Mr. Murphy stated that the most important point of the entire proposal is the elimination of 247 platted Old Town lots. The project has no commercial or hotel uses. No height exceptions are being requested, no use exceptions being requested, and no zoning exceptions being requested. They will preserve the maple forest on the property in perpetuity.

Chair Strachan wanted to know the plans for a mountain biking trail goes through the maple forest. Mr. Murphy replied that the trail has a special quality and it will remain. It is an old railroad line and the only historic feature on the site.

Chair Strachan asked for clarification on the request for the setback exception. Mr. Murphy stated that for the five homes along Lowell, the 10' setback is on every other single-family home on Lowell. He stated that no one had thought about it until Planner Astorga pointed it out. Chismo Onwuegbu stated that the biggest reason for the 10' setback was to maintain the character of the single family homes throughout that zone.

Exhibit 9

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

COMMISSIONERS IN ATTENDANCE:

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

EX OFFICIO: Planning Director Bruce Erickson; Alexandra Ananth, Planner; Caitlyn Barhorst, Planner; Rebecca Ward, Planner; Mark Harrington, City Attorney

==========

ROLL CALL

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

APPROVAL OF MINUTES

<u>October 16, 2019</u>

MOTION: Commissioner Sletten moved to APPROVE the Minutes of October 16, 2019 as written. Commissioner Hall seconded the motion.

VOTE: The motion passed unanimously.

<u>October 23, 2019</u>

Commissioner Sletten referred to page 17 and the question from Commissioner Kenworthy regarding the Twisted Branch site visits. Commissioner Sletten asked if the Commissioners could individually schedule a site visit. Director Erickson replied that each Commissioner could communicate directly with Planner Ananth to schedule a site visit.

Commissioner Hall referred to Condition of Approval #3 which states, "The City Council to review and approve the encroachment agreement". She recalled the discussion during the meeting that City Attorney Harrington had said the Planning Commission could direct the City Council to review the previous encroachment agreement. Commissioner Hall did not believe that direction was highlighted sufficiently in the condition as written. She thought the language was too standard to address the important issue that Commissioner Kenworthy had raised; and preferred that it be accentuated.

APPROVED 12.11.19

including 15-4-12, 15-7.1-3(C), 15-12-15(B)(9), and applicable State law regarding condominium plat amendments.
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 – 875 Main Street

1. All Conditions of Approval of the original Lift Lodge at Town Lift condominium plat and any subsequent modifications continue to apply.
2. 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.
3. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
4. Residential fire sprinklers will be required for all new construction per requirements of the Chief Building Official.

8.E 1271 Lowell Avenue – Condominium Plat – The King's Crown Condominium Plat Consists of 26 Market Rate Units and 1 Affordable Housing Unit. (Application PL-19-0415)

Planner Ward presented this item on behalf of Laura Kurhmeyer, the project planner.

Planner Ward reported that this item was the condominium plat for Lot 2 within the King's Crown re-subdivision that was previously approved. The Planning Commission approved this plat on May 22, 2019; however, changes have been proposed since that approval.

Planner Ward stated that one of the proposed changes was to remove 545 square feet from Unit B-401. Another change was to remove the pool from inside Building B to the rear of Building B. The applicant was also proposing to remove approximately 7,000 square feet from the bottom two floors of Building B. Planner Ward noted that originally the affordable housing unit was showing as common area on the plat; and the applicant was now proposing to show the affordable unit as a private unit. The unit would still remain under the same affordable housing deed restrictions. The unit could eventually be sold as an affordable housing unit and those deed restrictions would remain in place. Planner Ward stated that originally the Penthouse in Building D was proposed for

one owner; however, since the May 22nd approval, the applicant was proposing to divide that unit into two units.

Planner Ward reported on an email from the neighbors at 1240 Lowell that was received after the Staff report was published. The email was forwarded to all the Commissioners. Planner Ward stated that the residents at 1240 Lowell are located across the street from Building D and they wanted to ensure that the staggered design, the landscaping, and pedestrian access stairs would not change. Planner Ward clarified that at this time, the location of Building D and the stairs are proposed to remain as they were in the plat that was approved on May 22nd.

Rory Murphy, representing the applicant, reiterated the neighbor's concerns and he assured everyone that Building D would not move.

Chair Phillips opened the public hearing.

There were no comments.

Chair Phillips closed the public hearing.

Chair Phillips noted that the original plan was to dig into the hillside, which required a significant amount of truck traffic for hauling. He believed the proposal to remove 7,000 square feet was a positive change to the plan and he supported the request.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for the King's Crown Condominium plat located at 1271 Lowell Avenue, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Sletten seconded the motion.

VOTE: The motion passed unanimously.

Planner Ward indicated a minor change to Finding of Fact #17, to reflect the change in the square footage of the private units.

Commissioner Thimm accepted the change to Finding of Fact #17 in his motion.

<u>Findings of Fact – 1271 Lowell Avenue</u>

1. The site is located at 1271 Lowell Avenue, Lot 2 of the King's Crown Re-Subdivision.
2. The site is located within the Recreation Commercial District.
3. On January 10, 2018 the Park City Planning Commission approved the King's

APPROVED 12.11.19

Crown Master Planned Development and a Conditional Use Permit for Multi-Unit Dwellings throughout the development for market rate and affordable housing units.
4. On February 1, 2018 the Park City Council approved the King's Crown ReSubdivision Plat per Ordinance No. 2018-05.
5. On June 13, 2018 the Park City Planning Commission ratified the Development Agreement required by the approved Master Planned Development.
6. On June 14, 2018 Summit County recorded the Development Agreement -entry no. 01093392.
7. On May 16, 2018 Summit County recorded the King's Crown Re-Subdivision Plat – entry no. 1091847.
8. On August 30, 2018 the Park City Housing Authority approved the King's Crown Affordable Housing Mitigation Plan.
9. On March 19, 2019 the Park City Planning Department received a complete Condominium Plat.
10.On May 22, 2019 the Planning Commission amended the MPD and CUP.
11.On August 14, 2019, the Planning Department received a complete application for this Condominium Plat.
12.On September 22, 2019, the Planning Commission reviewed the King's Crown Resubdivision First Amended Plat and forwarded a unanimous positive recommendation to Council.
13.On October 10, 2019, the City Council reviewed and approved the King's Crown Resubdivision First Amended Plat, but removed the additional internal Lot Line splitting Lot 2 into Lot 2A and Lot 2B.
14.The proposed Condominium Plat memorializes common, limited common, and private areas that would that allows the units to be sold individually.
15.The proposed Condominium Plat consists of twenty-six (26) market rate units, and one (1) Affordable unit within the King's Crown Building B, C, and D, to be platted as King's Crown Condominiums.
16.The unit boundaries of each private unit would be set forth on the recorded plat.
17.The size of the private units within the multi-unit dwelling ranges from 756 – 3,121 square feet.
18.Common areas include mechanical spaces, internal circulation, parking garage and circulation, swimming pool, spa, gym area, entertainment area, exterior walls and internal bearing walls/columns, footing and foundation, roof, etc.
19.Limited common areas include several exterior decks throughout the three (3) buildings.
20.The recordation of this Condominium Plat would allow the applicant to sell each unit.
21.There is Good Cause for this Condominium Plat as it reflects compliance with the amended Master Plan Development and Conditional Use Permit, approved ReSubdivision Plat, and amended Affordable Housing Mitigation Plan.
22.The analysis section of the staff report is incorporated herein.

Conclusions of Law – 1271 Lowell Avenue

1. There is good cause for this Condominium Plat.
2. The Condominium Plat is consistent with the Park City Land Management Code and applicable State law regarding Condominium Plats.
3. Neither the public nor any person will be materially injured by the proposed 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 – 1271 Lowell Avenue

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat and CCRs for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the Plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A plat note shall state that all conditions of approval of the amended Master Planned Development, Conditional Use Permit, King's Crown Re-Subdivision Plat (Ordinance No. 2018-05 and Ordinance No. 2019-51), and amended Housing Mitigation Plan shall continue to apply.

8.F 1500 Snow Creek – Conditional Use Permit – Silver King Coffee is Seeking a CUP for a Retail Drive-up use in the Regional Commercial Overlay District in the South-East Side of the Snow Creek Crossing Parking Lot. (Application PL-19-04339)

Planner Ananth introduced Ben Buehner and Brooke Hontz, representing the applicant.

Planner Ananth reviewed the application for a conditional use permit to relocate the existing drive-thru business from Kearns Boulevard to the Snow Creek Shopping Center. The applicant is proposing to locate in a landscaped area of the Snow Creek Shopping. The Center is zoned RD with a Regional Commercial Overlay. It is also a transfer of development rights receiving zone. Planner Ananth reported that an MPD governs the shopping center.

Planner Ananth reported that retail drive-thru businesses require a CUP to consider traffic impacts on the surrounding area.

Exhibit 10

NEIGHBORHOOD
AREA
PLEASE DRIVE
SLOWLY

Exhibit 11

November 11, 2019

My name is Patricia Kravtin. My husband, Jonathan Horwitz, and I are residents of 1240 Lowell Avenue, which is the first single-family residence on Lowell Avenue south of Manor Way. As such, we are among the most, if not the most impacted abutter of the proposed Kings Crown development in regard to its impact on the residential/old town character of the portion of Lowell Avenue south of the Resort base. We have on numerous occasions, from the very beginning of the project review process in the fall of 2017 and throughout the past two years shared our concerns with the Developer and the Commission and its Staff regarding the negative impacts of a development of this size and massing on the residential character and quality of life on the northern end of Lowell by the Resort Base. We have over the past two years followed the review process closely and engaged in productive discussions concerning mitigation with the Developer CRH (through its liaison, Mr. Rory Murphy) and then lead planner Mr. Francisco Astorga.

The productive outcome of our engagement with the Developer and Mr. Astorga, as memorialized by CSH representative Mr. Rory Murphy at the Planning Commission's November 29, 2017 meeting (See pages 97-98 of the Minutes of this meeting) was the agreement that the southernmost condominium building, Building D – the building most proximal to the residential segment of Lowell Avenue and also the building of greatest massing, would not extend beyond the southernmost edge of the Lift Lodge condominium building. Agreements were also made about the placement, staggered design, and landscaping of the planned pedestrian access stairs, to be located between the southernmost edge of Building D and the northern edge of House Lot #3 which was to line up with the Kravtin/Horwitz home. (See attached Excerpts from Minutes of November 28, 2019 Planning Commission Meeting).

The project now is well underway. Understandably, there have been changes in various aspects of the project and numerous iterations of plans and drawings since the project's initial approval, including this most recent set of changes now before the Commission. As lay people, however, it is not clear to us from our review of the current proposal and of the current plat drawings included in the Staff Report as well as our visual inspection of the physical stakes that have since been put in the ground, how the various changes that have come before the Commission may impact prior representations made by the Developer to the Commission that served to help mitigate the negative impact of this project on the Lowell Avenue residential neighborhood and in particular, on our home which is directly across the street from this development.

Over the past two years, we have reached out to CRH and received oral assurances that current plans for the placement of Building D were still as agreed, i.e., that the southernmost boundary of Building D and the pedestrian access on its south side will be in conformance to the agreed upon representations as memorialized in the minutes of the November 29, 2017 meeting. Earlier in the process, we had been provided a courtesy drawing from CRH that illustrated the lineup of Building D and the placement and design of the public access stairway in a manner that would leave no ambiguity. (see Attached). As shown in the attached drawing, that the southernmost edge of Building D would not exceed past the southernmost boundary of the Lift

Lodge condominium. The staircase is also staggered and landscaped in a manner that helps minimize the impact of the Building D.

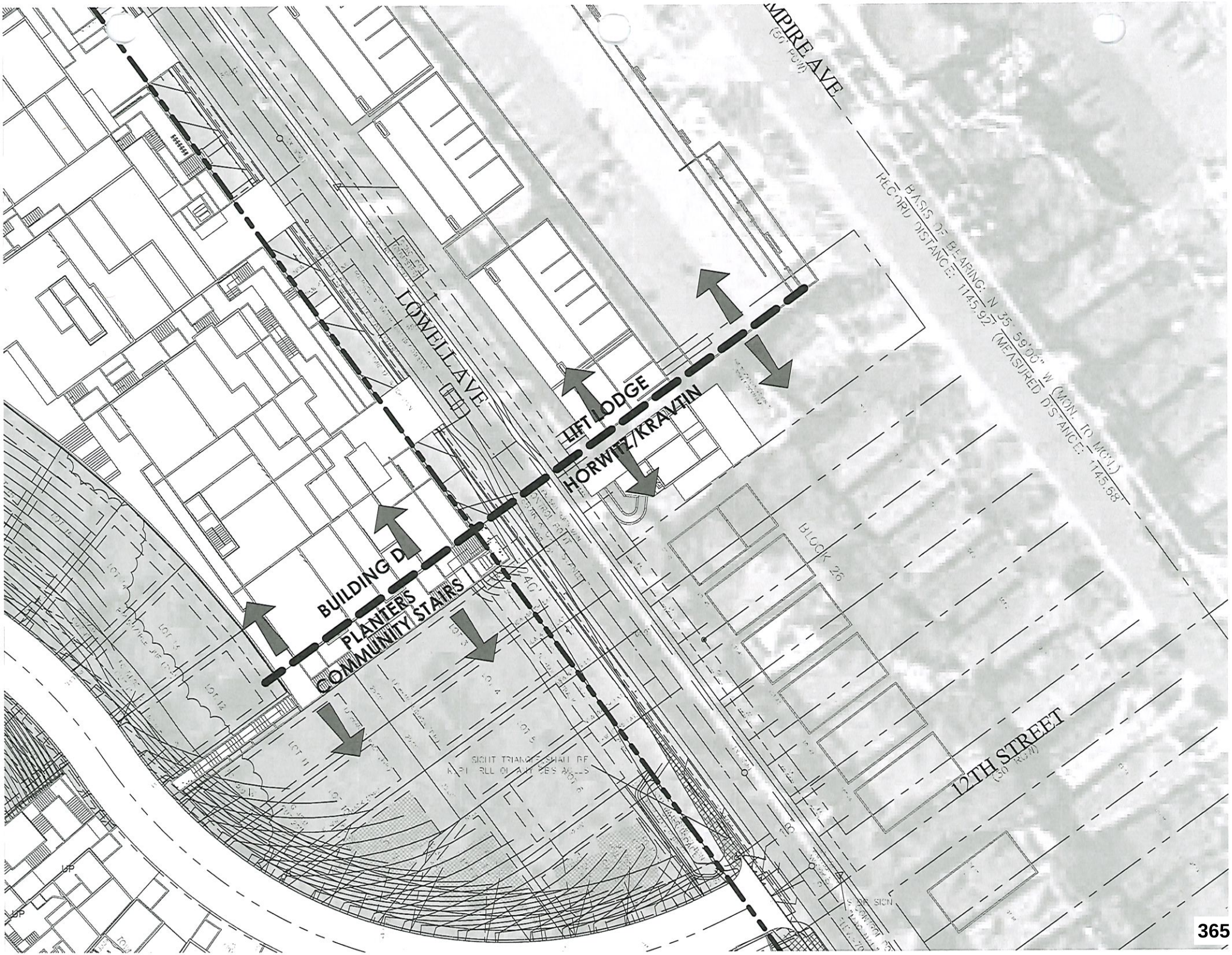
At this very critical juncture of the project, we again respectfully ask that the Commission and its Staff to ensure with CRH that the representations they made to us and this Commission in November 2017 concerning the placement of Building D and the pedestrian access way will be complied with and are fully reflected in the current drawings and official plat -- notwithstanding the numerous changes in the plans and drawings that have occurred in the past two years including the most recent set of changes before the Commission at this week's meeting.

Thank you for the opportunity to express our concerns as the Kings Crown development in our Lowell Avenue neighborhood is evolving from concept to reality.

Sincerely,
Patricia Kravtin and Jonathan Horwitz
1240 Lowell Avenue
Park City, UT 84060

Excerpts from the minutes of the November 29, 2017 Planning Commission meeting:

> "Mr. Murphy stated that they had significant roof and building placement consideration. A building was moved 15 feet north from its original site to accommodate the Crafton/Horowitz [sic] house, and minimize the disturbance on their visual corridor." (Minutes of the November 29,2017 Meeting at p.97)
>
> "They also plan vegetation mitigation adjacent to the pedestrian access stairs in an effort to protect the views of the Crafton/Horowitz house." (Id. At p. 97)
>
> "Mr. Murphy reiterated that relative to the Crafton/Horowitz house, they pulled the building 15" to the north. He noted that the southernmost boundary on Building C/D matches the southernmost boundary on the Lift Lodge. Also, the driveway for Building D was pulled 42" to the north to accommodate Crafton/Horowitz because they did not want headlights coming out of the driveway and into their house." (Id. at. p. 98)


LOWELL AVE
BUILDING D
PLANTERS
COMMUNITY STAIRS
LIFT LODGE
HORWITZ/KRAVTIN
BLOCK 26
12TH STREET
(50' ROW)
BASIS OF BEARING: N 35° 59'06" W (MON. TO MON.)
RECORD DISTANCE: 1145.92'
(MEASURED DISTANCE: 1145.58')
SIGHT TRIANGLE SHALL BE
KEPT CLEAR OF ALL OBSTACLES

My name is Patricia Kravtin. My husband, Jonathan Horwitz, and I are residents of 1240 Lowell Avenue, which is the first single-family residence on Lowell Avenue south of Manor Way. As such, we are among the most, if not the most impacted abutter of the proposed Kings Crown development in regard to its impact on the residential/old town character of the portion of Lowell Avenue south of the Resort base. We have on numerous occasions, from the very beginning of the project review process in the fall of 2017 and throughout the past two years shared our concerns with the Developer and the Commission and its Staff regarding the negative impacts of the stacked condominium buildings with their size and massing on the residential character and quality of life on the northern end of Lowell by the Resort Base.

We have over the past two years followed the review process closely and engaged in productive discussions concerning mitigation with the Developer CRH (through its liaison, Mr. Rory Murphy) and then lead planner Mr. Francisco Astorga, and most recently, Ms. Rebecca Ward. We most recently submitted public comments to the Commission on November 11, 2019 expressing our concerns that the current plat drawings before the Commission as regarding Building D – the building most proximal to the residential segment of Lowell Avenue and also the building of greatest massing, does not currently conform to the developer's representation to us and in statements before the Commission on November 29, 2017 that the southernmost edge of Building D would not extend beyond the southernmost edge of the Lift Lodge condominium building.

While we understand the matter before the Commission today is primarily focused on changes to Buildings B and C, we wish to make it clear that our concerns regarding the location and impact of Building D, of this date, are yet to be resolved. It is our further understanding, based on recent email

communications with CSH representative Mr. Rory Murphy, that revised plans for Building D will be forthcoming. We are hopeful those plans will finally address the unresolved issues with Building D's placement that honor the commitment made by the developer and memorialized by CSH representative Mr. Rory Murphy at the Planning Commission's November 29, 2017 meeting (See pages 97-98 of the Minutes of that meeting, as attached to my November 11, 2019 public comments along with a drawing provided to us by the Developer showing the agreed upon boundary of Building D).

Respectfully, Patricia Kravtin and Jonathan Horwitz, 1240 Lowell Avenue

Public Comment on Proposed King's Crown Project

On Planning Commission Meeting

Agenda Item: Wednesday July 26th, 2017

We are residents of 1240 Lowell Avenue, which is currently the first single-family residence on Lowell Avenue south of Manor Way. As such, we will be among the most, if not the most impacted abutter of the proposed Kings Crown development in regard to its impact on the residential/old town character of the portion of Lowell Avenue south of the Resort base. We have previously shared issues of abutter impact and means of mitigation with the development team prior to their submission to the commission, and we are very appreciative of the developers' outreach and consideration given to the neighborhood quality of Lowell Avenue south of Manor Way. That said, this is a development of significant scale in a neighborhood that already bears the heavy burden of negative spillover effects of the Resort, and will bear the brunt of the burden of future potentially unprecedented large-scale development associated with the Treasure project. Per the Commission's Corrected Notice of Public Hearing, we understand "the Planning Commission is not expected to take Final Action as this is the initial introduction of the projected" and that the item will be continued to a future date. As key abutters, we respectively ask for the Commission to give this important project its full and careful consideration, taking into account the potential significant impacts of the development on the Lowell Avenue residential neighborhood.

Respectively,
Patricia Kravtin and Jonathan Horwitz
1240 Lowell Avenue
Park City, Utah 84060

Exhibit 12

[redacted]

[redacted]

[redacted]

From: Rory Murphy [mailto:paladinparkcity@aol.com]
Sent: Monday, April 10, 2017 4:18 PM
To: Jon Horwitz <Jon_Horwitz@putnam.com>; pdkravtin@comcast.net
Cc: hans@xmission.com; cv.heath.pc@gmail.com; chimso@be-wow.com
Subject: Fwd: Neighborhood Meeting King's Crown

Hi Jon and Pat,

Here is the corrected overlay drawing. Chimso had moved the condo building about 15 feet from the outside edge of your house to the north. We ran out of room or would have moved it even more. Chimso is also working the roof line to make sure that you have a good line-of-sight to Iron Mountain.

Thank you for your continued interest and dialogue.

take care,

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

Park City, UT 84060

-----Original Message-----
From: Chimso Onwuegbu <chimso@be-wow.com>
To: Rory Murphy <paladinparkcity@aol.com>
Sent: Sun, Apr 9, 2017 1:10 pm
Subject: Re: Neighborhood Meeting King's Crown

Here you go - I will also send to Francisco.

chimso onwuegbu chimso@be-wow.com cell 801.712.4078

On Fri, Apr 7, 2017 at 3:01 PM, Rory Murphy <paladinparkcity@aol.com> wrote:

Jon,

You are correct. I didn't catch this in our submittal.

Chimso: can you correct the overall site plan drawing superimposed over the ortho when you get a chance? We will need to send an updated copy to Francisco as well.

Thanks Jon, nice catch. We will update you with elevations as they become available.

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

Park City, UT 84060

-----Original Message-----
From: Jon Horwitz <Jon_Horwitz@putnam.com>
To: Patricia Kravtin <pdkravtin@comcast.net>; paladinparkcity <paladinparkcity@aol.com>; hans <hans@xmission.com>; cv.heath.pc <cv.heath.pc@gmail.com>
Sent: Fri, Apr 7, 2017 2:27 pm
Subject: Re: Neighborhood Meeting King's Crown

Hi Rory

Looking at the attached documents, I believe the one that shows the site plan superimposed on the photograph of Lowell Ave does not appear to be accurate as it seems to place the individual homes across from Lift Lodge and the site driveway directly across from our home. Could you please take a look and clarify for us as the placement of the development relative to us is one of our main concerns. Also, if you could share any elevation drawings once completed.

Thanks again for sharing this with us, it is appreciated.

Best,

Jon

Sent from my iPad

> On Apr 7, 2017, at 2:35 PM, Patricia Kravtin <pdkravtin@comcast.net> wrote:
>
> fyi
>
> From: Rory Murphy <paladinparkcity@aol.com<mailto:paladinparkcity@aol.com>>
> Date: Friday, April 7, 2017 at 1:26 PM
> To: "Patricia D. Kravtin" <pdkravtin@comcast.net<mailto:pdkravtin@comcast.net>>
> Cc: <hans@xmission.com<mailto:hans@xmission.com>>, <cv.heath.pc@gmail.com<mailto:cv.heath.pc@gmail.com>>
> Subject: Re: Neighborhood Meeting King's Crown
>
> Hi Pat,
>
> Thanks for your kind words :) Agreed on Lowell parking. I don't think either side of the street should be used for parking. We'll keep working Staff and Council while we are in front of them on this. Please find attached two drawings that show the proposed plan in some detail. Call me with your questions or comments when you have an opportunity.
>
> take care,
>
> Rory
>
> Rory Murphy
> paladinparkcity@aol.com<mailto:paladinparkcity@aol.com>
> 435 640 5068
> 2590 Sidewinder Drive
> Park City, UT 84060
>
>

> -----Original Message-----
> From: Patricia Kravtin <pdkravtin@comcast.net<mailto:pdkravtin@comcast.net>>
> To: Rory Murphy <paladinparkcity@aol.com<mailto:paladinparkcity@aol.com>>
> Sent: Fri, Apr 7, 2017 9:25 am
> Subject: Re: Neighborhood Meeting King's Crown
>
> HI Rory,
> Thanks again for your updates, Jon and I both truly appreciate the neighborhood outreach you and your partners have engaged in and we look forward to further such outreach as your project progresses.
> I did want to follow up and ask that you email a copy of the preliminary drawing you displayed at the meeting last week.
> And lets keep that pressure on the town to get all of Lowell zoned as Residential Permit Parking only. Matt Cassel again confirmed to Hans and I at last night's road construction meeting that he was going to be pushing for it. Lets hold him to it!!
>
> Best Pat
>
> From: Rory Murphy <paladinparkcity@aol.com<mailto:paladinparkcity@aol.com>>
> Date: Tuesday, February 28, 2017 at 11:52 AM
> To: <paladinparkcity@aol.com<mailto:paladinparkcity@aol.com>>, <ARusten@aol.com<mailto:ARusten@aol.com>>, <HDLMAL@bellsouth.net<mailto:HDLMAL@bellsouth.net>>, <nick@E7parkcity.com<mailto:nick@E7parkcity.com>>, <nancy@kwparkcity.com<mailto:nancy@kwparkcity.com>>, <elsteven00@gmail.com<mailto:elsteven00@gmail.com>>, <NielsPV@yahoo.com<mailto:NielsPV@yahoo.com>>, <psustonehome@yahoo.com<mailto:psustonehome@yahoo.com>>, <CarolA@E7parkcity.com<mailto:CarolA@E7parkcity.com>>, <csramussen@msn.com<mailto:csramussen@msn.com>>, <shsmith@resortside.com<mailto:shsmith@resortside.com>>, <cnhult@comcast.net<mailto:cnhult@comcast.net>>, <mark.harney@mvwc.com<mailto:mark.harney@mvwc.com>>, <laura.suesser@gmail.com<mailto:laura.suesser@gmail.com>>, <drwinarski@gmail.com<mailto:drwinarski@gmail.com>>, <dean@parkcitysport.com<mailto:dean@parkcitysport.com>>, <jamie@parkcitysport.com<mailto:jamie@parkcitysport.com>>, <aplloren@gmail.com<mailto:aplloren@gmail.com>>, <jon_horwitz@putnam.com<mailto:jon_horwitz@putnam.com>>, <jennettelawrence@gmail.com<mailto:jennettelawrence@gmail.com>>, <amoran@evergreen-eng.com<mailto:amoran@evergreen-eng.com>>, "Patricia D. Kravtin" <pdkravtin@comcast.net<mailto:pdkravtin@comcast.net>>
> Cc: <cv.heath.pc@gmail.com<mailto:cv.heath.pc@gmail.com>>, <hans@xmission.com<mailto:hans@xmission.com>>, <chimso@be-wow.com<mailto:chimso@be-wow.com>>, <fastorga@parkcity.org<mailto:fastorga@parkcity.org>>
> Subject: Re: Neighborhood Meeting King's Crown
>
> All,
>
> We have had a number of additional meetings with neighbors of the King's Crown property with individuals and groups that could not be at the meeting on the 9th. Attached please find an updated list with additional input from those neighbor meetings. Thank you again for your thoughts and time. We will keep you posted as to the progress as things develop. In the meantime, please do not hesitate to share your thoughts and concerns with us regarding the property. We look forward to continuing our dialogue.
>
> take care,
>
> Rory
>

> Rory Murphy
> paladinparkcity@aol.com<mailto:paladinparkcity@aol.com>
> 435 640 5068
> 2590 Sidewinder Drive
> Park City, UT 84060
>
>
> -----Original Message-----
> From: Rory Murphy <paladinparkcity@aol.com<mailto:paladinparkcity@aol.com>>
> To: ARusten <ARusten@aol.com<mailto:ARusten@aol.com>>; HDLMAL <HDLMAL@bellsouth.net<mailto:HDLMAL@bellsouth.net>>; nick <nick@E7parkcity.com<mailto:nick@E7parkcity.com>>; nancy <nancy@kwparkcity.com<mailto:nancy@kwparkcity.com>>; elsteven00 <elsteven00@gmail.com<mailto:elsteven00@gmail.com>>; NielsPV <NielsPV@yahoo.com<mailto:NielsPV@yahoo.com>>; psustonehome <psustonehome@yahoo.com<mailto:psustonehome@yahoo.com>>; CarolA <CarolA@E7parkcity.com<mailto:CarolA@E7parkcity.com>>; csramussen <csramussen@msn.com<mailto:csramussen@msn.com>>; shsmith <shsmith@resortside.com<mailto:shsmith@resortside.com>>; cnhult <cnhult@comcast.net<mailto:cnhult@comcast.net>>; mark.harney <mark.harney@mvwc.com<mailto:mark.harney@mvwc.com>>; laura.suesser <laura.suesser@gmail.com<mailto:laura.suesser@gmail.com>>; drwinarski <drwinarski@gmail.com<mailto:drwinarski@gmail.com>>; dean <dean@parkcitysport.com<mailto:dean@parkcitysport.com>>; jamie <jamie@parkcitysport.com<mailto:jamie@parkcitysport.com>>; aplloren <aplloren@gmail.com<mailto:aplloren@gmail.com>>
> Cc: cv.heath.pc <cv.heath.pc@gmail.com<mailto:cv.heath.pc@gmail.com>>; hans <hans@xmission.com<mailto:hans@xmission.com>>; chimso <chimso@be-wow.com<mailto:chimso@be-wow.com>>; fastorga <fastorga@parkcity.org<mailto:fastorga@parkcity.org>>
> Sent: Sun, Feb 12, 2017 5:15 pm
> Subject: Neighborhood Meeting King's Crown
>
> Dear All,
>
> I want to reiterate our thanks for attending the neighbor meeting on Thursday. We very much appreciate you taking the time to attend and offer your comments. As we promised, I have attached a list of the comments to this email to be used as a basis for further input and discussion. In that view, please do not hesitate to continue to contact us with your comments and suggestions. This is enormously helpful for us and we are grateful for your participation.
>
> An administrative note: I tried to copy the emails as best I could. If any bounce back, I will reach out and call to get the correct one. I had to make a best guess with some of them :)
>
> Take care,
>
> Rory Murphy 435-640-5068
paladinparkcity@aol.com<mailto:paladinparkcity@aol.com>
> Hans Fuegi 435-640-1383 hans@xmission.com<mailto:hans@xmission.com>
> Chuck Heath 435-659-8875 cv.heath.pc@gmail.com<mailto:cv.heath.pc@gmail.com>
>
>
> Rory Murphy
> paladinparkcity@aol.com<mailto:paladinparkcity@aol.com>
> 435 640 5068
> 2590 Sidewinder Drive
> Park City, UT 84060
> <Kings Crown Site final .pdf>
> <Kings Crown Overall Site final.pdf>

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WORKFORCE
CONDOS
LOTS
LOTS
LOTS
TOWNHOMES
SENSITIVE LANDS OVERLAY ZONE
RC ZONE
ROS ZONE
ROS ZONE
0
25
50
100
200

Exhibit 13

[redacted]

[redacted]

[redacted]

From: Rory Murphy [mailto:paladinparkcity@aol.com]
Sent: Tuesday, August 01, 2017 4:07 PM
To: Jon Horwitz <Jon_Horwitz@putnam.com>; pdkravtin@comcast.net
Cc: chimso@be-wow.com; hans@xmission.com; cv.heath.pc@gmail.com
Subject: Fwd: 1240 Lowell Ave.

Jon and Pat,

My apologies for taking so long to reply to this. I dropped my computer on Friday and managed to break the hard drive. A pretty fine mess. I'm just now back in operation.

We are happy to discuss the views and the roof lines when you get back into town. As we have said, if we can accommodate you, we will strive to. Chimso and I can meet with you at your convenience and we can continue to discuss this.

You are correct with the belief that the building has been moved the 15 feet north that we discussed earlier. The drawings that you referenced, the Utility plan and the Civil Site

Plan were, as you put (and I really like this phrase) an "artifact" of the previous iterations. The building has been moved down and the area in front of your house is a stairway that walks up to the ski run. We will clarify this in our next presentation at the Planning Commission. Chimso and I have also discussed moving the entrance to the condo building closest to you further north to mitigate the concern you raised in your email below. We can discuss that next week as well.

I want to express our thanks for your taking the time to actually get into the details and understand what we are trying to do. We know this a development is not what you want to have happen across the street from you. Taking the time to get the facts straight is truly appreciated.

take care,

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

Park City, UT 84060

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

From: Rory Murphy [mailto:paladinparkcity@aol.com]
Sent: Thursday, July 27, 2017 12:37 PM
To: Jon Horwitz <Jon_Horwitz@putnam.com>; pdkravtin@comcast.net
Cc: chimso@be-wow.com; cv.heath.pc@gmail.com; hans@xmission.com
Subject: Fwd: Jon & Pat

Hi Jon and Pat,

Please take a look at these view when you get a chance. We did fool with the roofs quite a bit to maintain the view northwest to Iron Mountain. I thought this turned out reasonably well. I'm less satisfied with the view to the southwest. I think we can continue to work the roof lines on the townhomes here to maximize your view a little better. Still a work in progress. When you get to town, please contact me and we will set up a time to get together. This dialogue has been very helpful.

Relative to your questions form the preceding email, I think it is important that we continue to work on the entrance so we do not have headlights shining into your unit. Chimso: can you please take a look at this and see what can be done to make this situation better for Jon and Pat? Also, your suggestion that each lot have a vegetation plan makes a lot of sense. There is excellent mature vegetation up there and it needs to be protected where possible. I think having each lot submit a vegetation plan to the HOA architectural committee before construction would be appropriate and the maple trees protected to the extent practical. In no case would we allow what has happened below you where they stripped the land bare long before construction and just let it sit there.

As always, thank you for your continued comments and suggestions. They have been very helpful and given us great ideas.

take care,

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

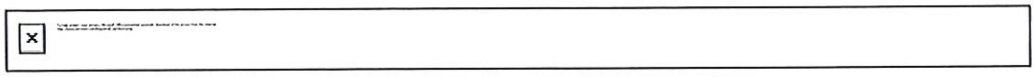
Park City, UT 84060

-----Original Message-----
From: Chimso Onwuegbu <chimso@be-wow.com>
To: Rory Murphy <paladinparkcity@aol.com>
Sent: Tue, Jul 25, 2017 2:57 pm
Subject: Jon & Pat

Rory -

Here are a couple views from their deck.

chimso onwuegbu chimso@be-wow.com cell 801.712.4078



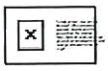


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Exhibit 14

[redacted]

[redacted]

[redacted]

From: rory murphy [mailto:paladinparkcity@aol.com]
Sent: Monday, November 11, 2019 2:55 PM
To: Jon Horwitz <Jon_Horwitz@putnam.com>
Cc: pdkravtin@comcast.net
Subject: Re: Horwitz/Kravtin View

Hi Jon and Pat,

Hope you are both well. I do not believe that the building has moved at all and the areas shown are planter beds, but I am meeting with Chimso in an hour and will confirm. Please be assured that I will honor what was said. I also owe you some assistance on your concrete where you have puddling on your lower deck. Good luck with the surgery and I look forward to seeing you both soon. I will report back to you after my meeting with Chimso.

Take care,

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

Park City, UT 84060

-----Original Message-----
From: Jon Horwitz <Jon_Horwitz@putnam.com>
To: rory murphy <paladinparkcity@aol.com>
Cc: Pat Kravtin (pdkravtin@comcast.net) <pdkravtin@comcast.net>
Sent: Mon, Nov 11, 2019 8:15 am
Subject: FW: Horwitz/Kravtin View

Hi Rory

I also wanted to give you a heads-up that Pat will not be able to make the meeting this week because I am having a minor surgical procedure. Instead, she is planning to submit a comment to the commission reiterating our understanding, citing back to your presentation at the 11/29/17 planning commission meeting, that the southern edge of Building D not extend past the southern edge of lift lodge. As you know, from the beginning this has been a really important point for us and what we learned is that when the guys show up with plans and orange spray paint, all they care about is what's on that piece of paper.

Best,

Jon

From: Jon Horwitz
Sent: Saturday, November 09, 2019 11:36 AM
To: rory murphy <paladinparkcity@aol.com>; Chimso Onwuegbu <chimso@be-wow.com>; Pat Kravtin (pdkravtin@comcast.net) <pdkravtin@comcast.net>
Subject: FW: Horwitz/Kravtin View

Hi Rory

Hope all is well with you. I wanted to follow-up on the placement of building D. Rebecca Ward shared the staff report from the most recent presentation before the planning commission with Pat. It appears that the original staggered stairway is being shown as a straight stairway, with less width, and we wanted to confirm that your commitment to end building D in line with the Lift Lodge building (see attached) has not changed with all the restructuring that is taking

place. We are concerned because the distance between lot 3 and Building D on the current drawing does not seem to reconcile with building D ending with the lift lodge building, so we would appreciate your clarification of the two different drawings and their impact on us.

Thanks so much.

Best, Jon and Pat

---------- Forwarded message ----------
From: Rory Murphy <paladinparkcity@aol.com>
Date: Nov 28, 2017 11:53 AM
Subject: Fwd: Horwitz/Kravtin View
To: Jon Horwitz <Jon_Horwitz@putnam.com>,pdkravtin@comcast.net
Cc: chimso@be-wow.com,cv.heath.pc@gmail.com,hans@xmission.com

---

-----Original Message-----
From: Patricia Kravtin <pdkravtin@comcast.net>
To: 'Rory Murphy' <paladinparkcity@aol.com>; jon_horwitz <jon_horwitz@putnam.com>
Cc: chimso <chimso@be-wow.com>; 'Jon Horwitz' <Jon_Horwitz@putnam.com>
Sent: Sun, Nov 26, 2017 5:00 pm
Subject: RE: Horwitz/Kravtin View

Rory, Jon and I are still going through the materials posted on the commission site but had a few threshold questions for you and Chimso that we are seeking clarification on for us and the Commission.

We very much appreciate that the image below is definitely getting closer to our expectation in that it appears to incorporate changes we had discussed for, i.e., movement of the garage entrance down from the uphill end of Unit D so headlights did not glare into house, and also that undulations had been added to the Lowell Ave façade and South elevation for a less harsh architectural massing.

We would like to clarify:

(1) that with this movement of the garage entrance , which is only partway down from the uphill end of the building, that Chimso is confident and can represent to us and the Commission that we will not have the glare of headlights coming into our home. This is a real concern of ours given the size of Unit D and the volume of cars that might be going in and out of that building. We do appreciate the movement of the garage, but had been hoping the garage would be located even further away from our end of that Building. We understand your concern regarding the garage. In the latest drawings, we pulled the entrance to the garage 42 feet to the north along Lowell from where we had it to accommodate your concerns. This was as far as was practical as we were already pushing the limits of constructability relative to cross-slopes on the road. This really is as far as we can push it. Relative to the headlights, if a driver turns south from the garage entrance, then there will be a brief instant when the cars lights will shine on your home, but it appears that it will hit the first floor and not the bedroom.

(2) that you will clarify to the Commission that the proposed plat in their package does not reflect the true location of Unit D relative to Lift Lodge and our home, as the plat in the package is inconsistent with your updated drawings which show the uphill end of Unit D to be located well north of our home. We will make a point to clarify to the Commission verbally (and therefore on the record) that the south wall of Building D lines up with the southernmost edge of the Lift Lodge. This building moved 15 feet from its original location to accommodate your view.

(3) following up on point (2), there is still ambiguity as to where exactly the uphill (i.e., southern-most) end of Unit D would be located relative to our home and Lift Lodge structures. The last email we had on the subject indicated the building had definitely been moved 15 feet to the north but also that there would be an effort made to move it even further north of our home to mitigate our negative impacts. Given the importance of Unit D's placement, we would like to remove this ambiguity and for you to clarify for us and the Commission more precisely where the southernmost end of Unit D would lie. Please see the attached drawing showing the proposed locations of the buildings. After we met, we moved the Building D 15 feet north from its original location to help mitigate the impact on your home. Again, the southern boundary of Building D lines up with the southern boundary of Lift Lodge. Please note where the stairs are. The stairs are interspersed with planter boxes which should significantly improve the

visual effect from your home. We were, unfortunately, squeezed in the other direction by the City Engineer for the placement of a water line and unfortunately cannot move it farther and still maintain building heights.

(4) Finally, as with the garage movement, we like the tweaks to the original images that Chimso has added to soften the Building D's massing. That said, we had hoped for the addition of more dramatic side terracing as featured in the photo of your Main Street development that Jon had previously forwarded to you. Could you clarify whether you have considered and ruled out the possibility of adding more such prominent features to Building D or whether there remain opportunities to consider further architectural refinements that might soften the building's massing? I discussed this with Chimso this morning and he said he played with the terracing quite a bit and is confident that the effect will softened your views in that direction. We've also added planters where we will plant trees and shrubs to further reduce the visual intrusion on your home. That being said, we should continue our dialogue with Chimso to try to achieve the best end result for your views as possible.

Thanks so much, as always, we so appreciate your outreach and constructive dialogue throughout this process.

Best Pat

From: Rory Murphy [mailto:paladinparkcity@aol.com]
Sent: Wednesday, November 22, 2017 11:11 AM
To: jon_horwitz@putnam.com; pdkravtin@comcast.net
Cc: chimso@be-wow.com
Subject: Fwd: Horwitz/Kravtin View

Hi Jon and Pat,

I hope you both are well. Sorry for the delay in getting this to you. My Mom passed last month and I'm afraid I've been rather occupied. When you get a chance, please look over the below view and let me know if we are getting closer to your expectations on this item.

take care,

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

Park City, UT 84060

-----Original Message-----
From: Chimso Onwuegbu < chimso@be-wow.com >
To: Rory Murphy < paladinparkcity@aol.com >
Sent: Tue, Nov 21, 2017 9:53 am
Subject: Horwitz/Kravtin View

Rory -

Here is a current image which shows a view from the Living area. It shows the driveway moved down per their request, as well as significant undulations to both the Lowell Ave facade as well as the South elevation along the community stairs. Let me know if this is what you were looking for?

chimso onwuegbu chimso@be-wow.com cell 801.712.4078

-

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Exhibit 15

[redacted]

[redacted]

[redacted]

From: paladinparkcity@aol.com [mailto:paladinparkcity@aol.com]
Sent: Friday, February 21, 2020 10:51 AM
To: Jon Horwitz <Jon_Horwitz@putnam.com>
Cc: pdkravtin@comcast.net; chimso@be-wow.com
Subject: Re: Building D

Jon/Pat,

Today doesn't work for Chimso, but he and I are available Sunday afternoon if that works for you. Attached is our latest efforts on the re-design. Don't worry, it is still a draft set and that is why we are hoping to meet. We've made some progress but are still not there.

Sorry to have caused you stress with this. It has easily been one of the most stressful issues I have have dealt with regarding this project.

Look forward to seeing you.

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

Park City, UT 84060

-----Original Message-----
From: Jon Horwitz <Jon_Horwitz@putnam.com>
To: paladinparkcity@aol.com <paladinparkcity@aol.com>
Cc: pdkravtin@comcast.net <pdkravtin@comcast.net>; chimso@be-wow.com <chimso@be-wow.com>
Sent: Thu, Feb 20, 2020 5:57 pm
Subject: Re: Building D

Hi Rory

We are well and I hope you are too. We are currently in Park City, but I am leaving Monday morning. If it works for you we could meet tomorrow afternoon at 3:30 or 4:00. We are also available on the weekend, but I don't want to take you guys away from family. Let me know if tomorrow works.

It would be helpful to get an email with revised drawings in advance, and also to know that building D will end where lift lodge ends.

Thanks so much and look forward to seeing you.

Best,

Jon

Sent from my iPhone

On Feb 20, 2020, at 3:59 PM, "paladinparkcity@aol.com" <paladinparkcity@aol.com> wrote:

Hi Pat and Jon,

I hope this email finds you well and you are getting a lot of skiing in this year. Now that the dust has settled with Buildings B and C, I was hoping to meet with you both the next time you are in town and it is convenient and go over the work we have done on Building D.

Let me know what works and Chimso and I will make ourselves available.

Take care,

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

Park City, UT 84060

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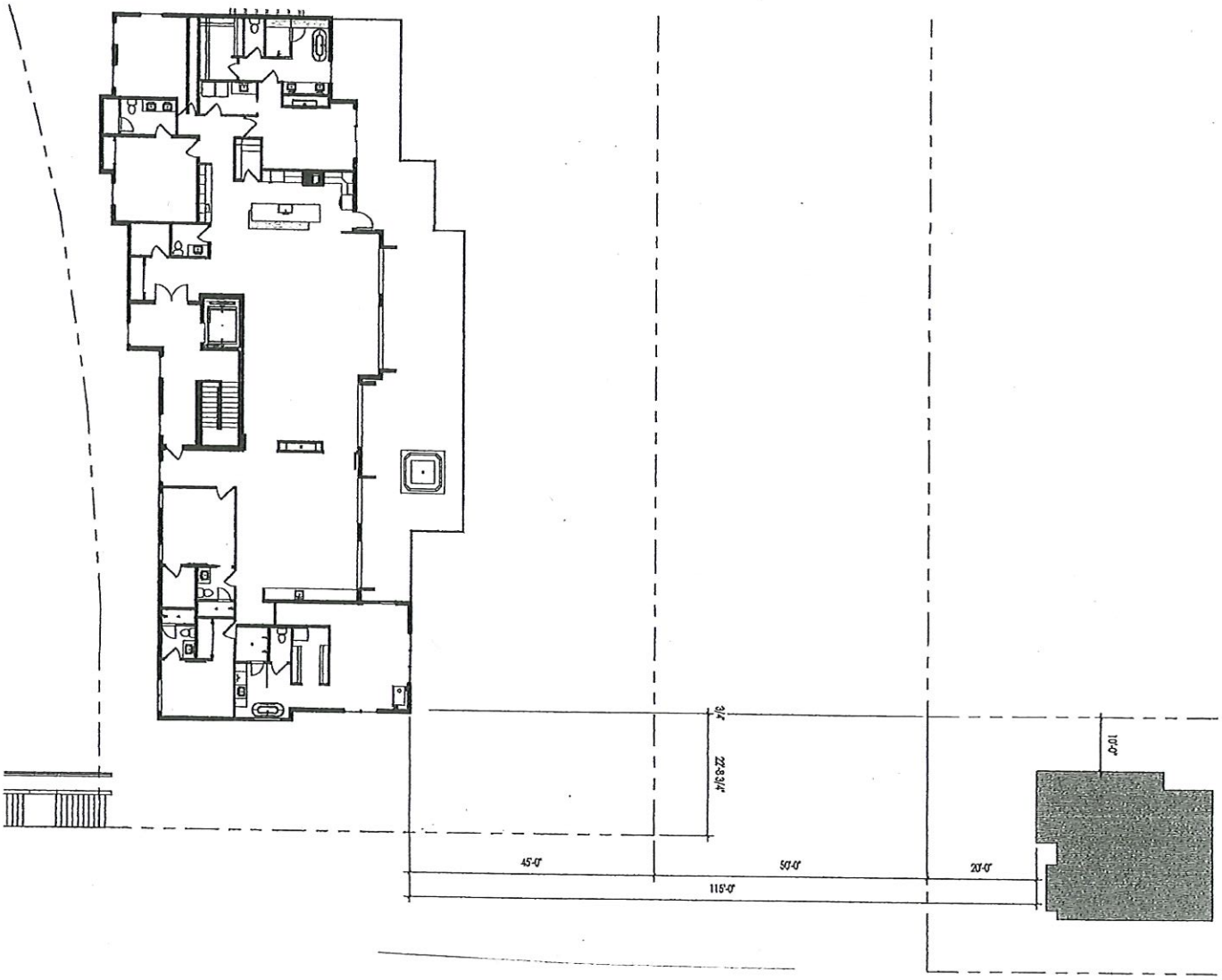

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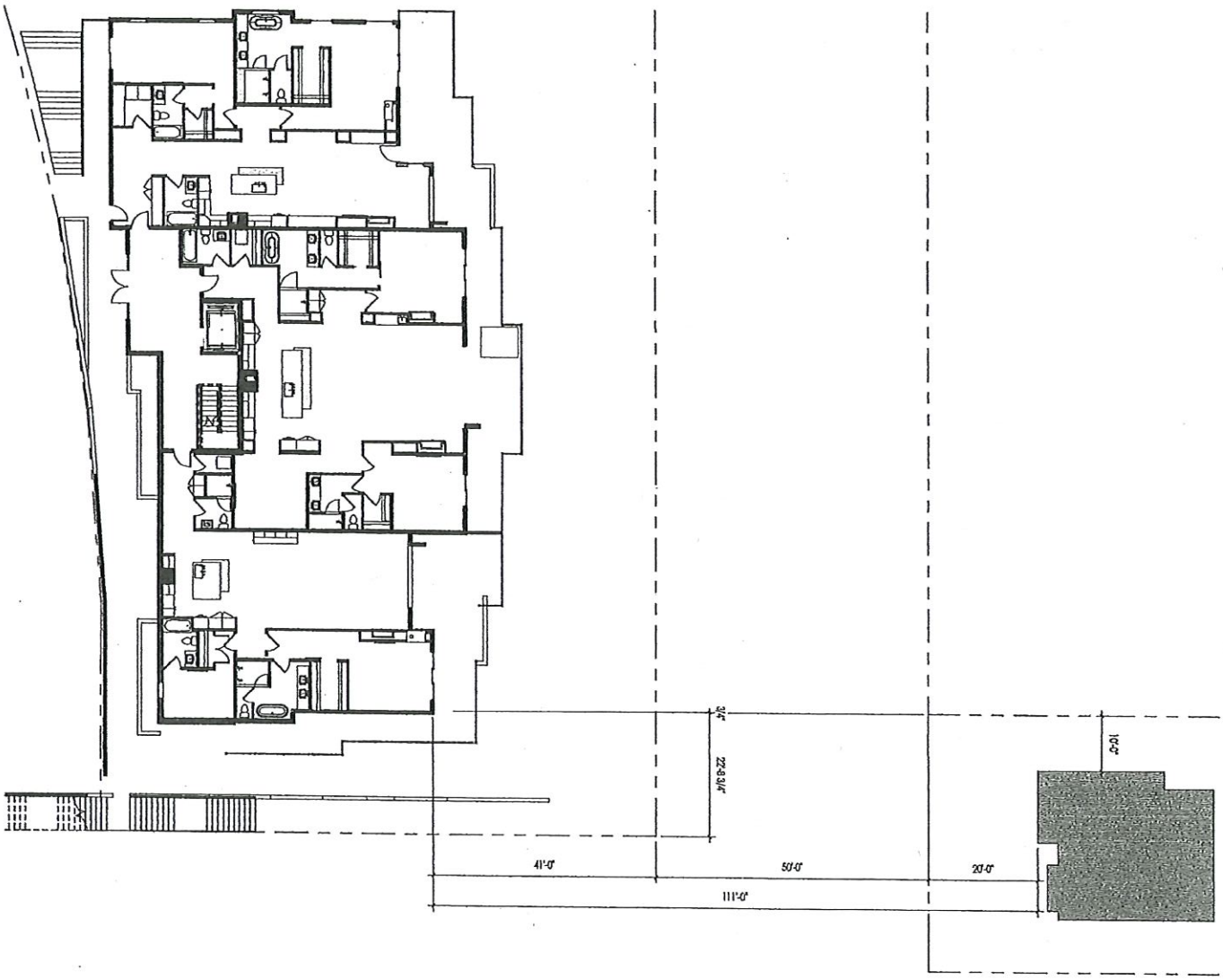

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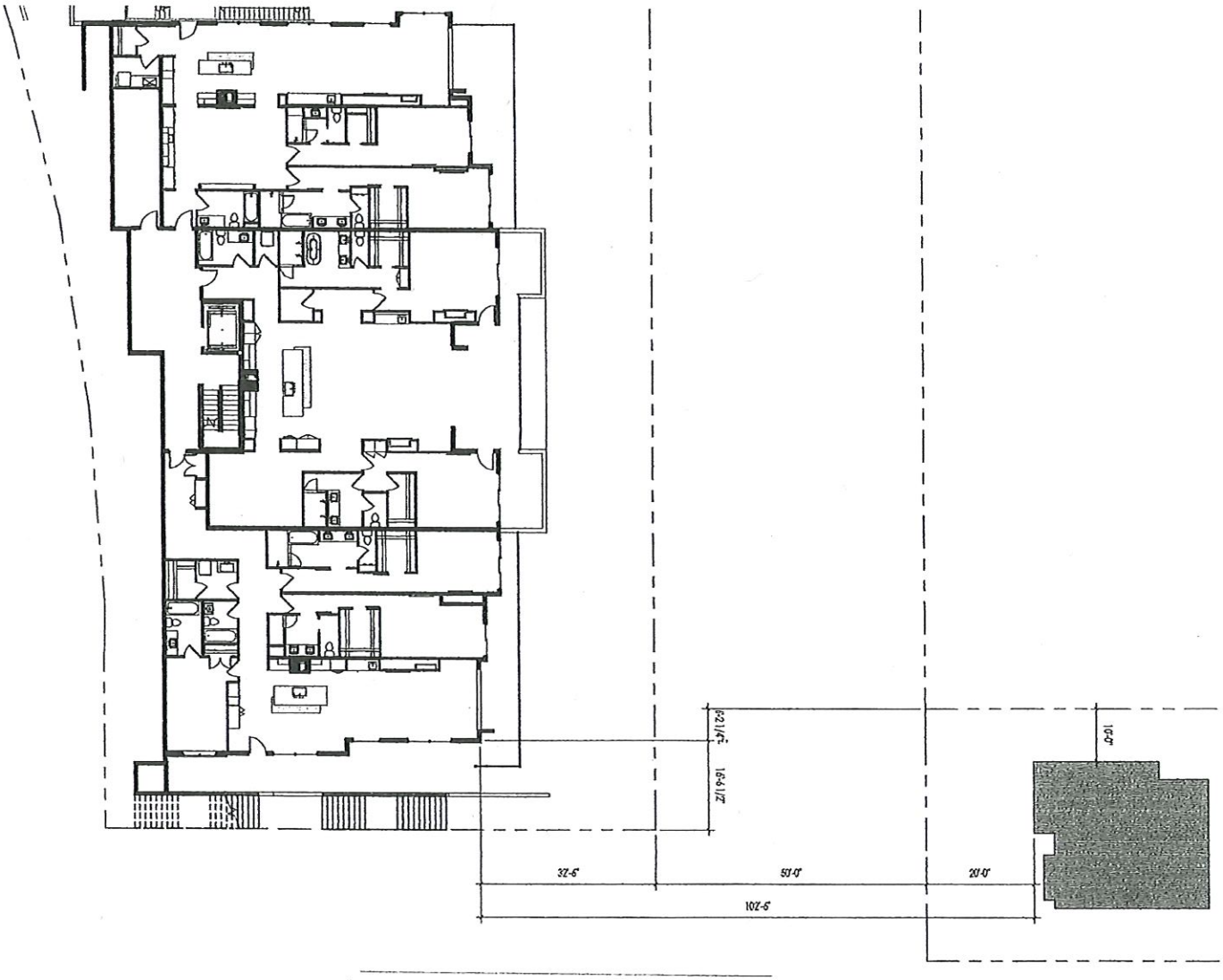

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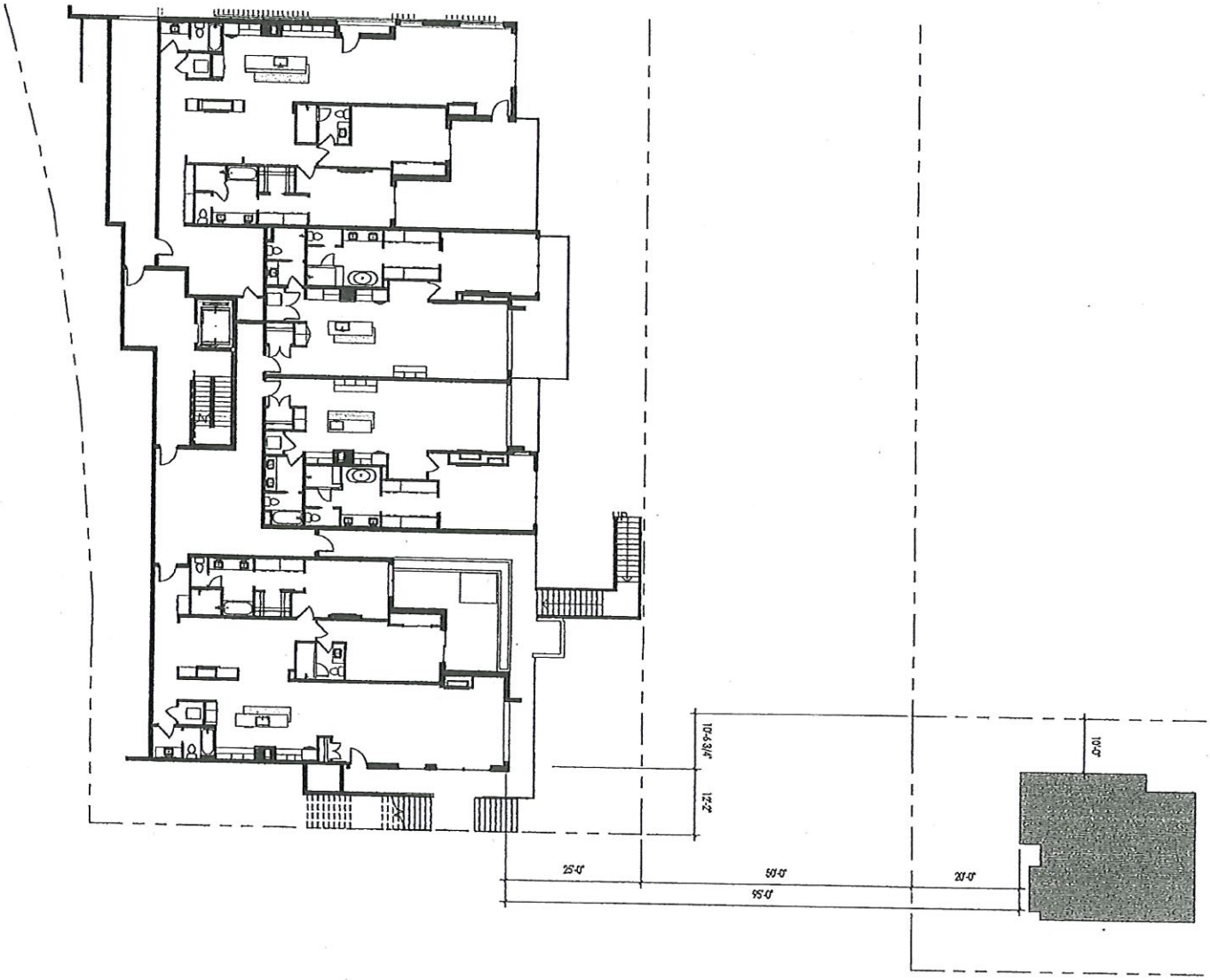
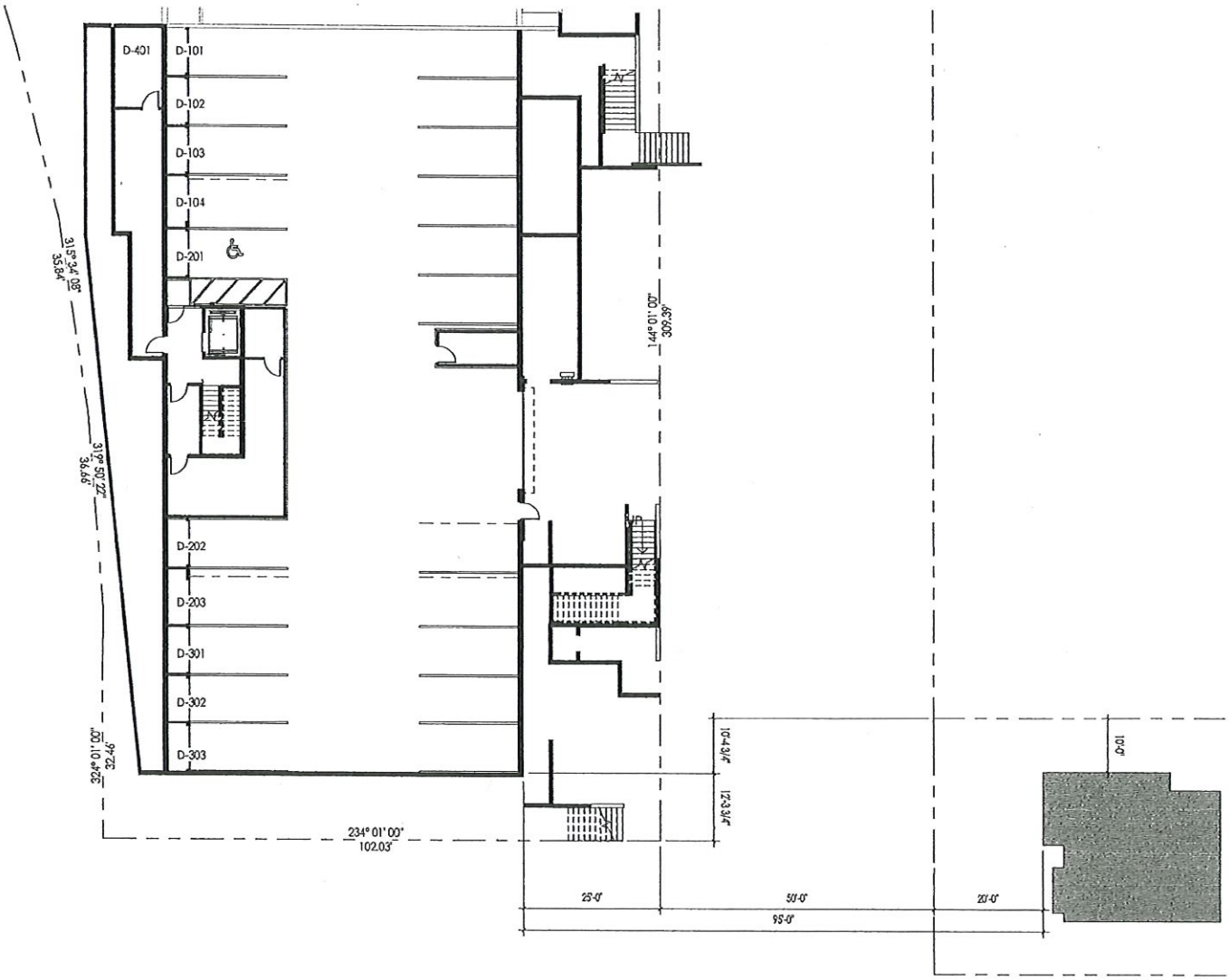


FIRST FLOOR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D-101
D-102
D-103
D-104
D-201
D-202
D-203
D-301
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31°15' 34" 08"
35.84'
31°9' 50" 22"
36.66'
94°22' 00" 10.4"
234° 01' 00"
102.03'
144° 01' 00"
309.39'
10'-4 3/4"
12'-3 3/4"
10'-0"
25'-0"
50'-0"
20'-0"
95'-0"

GARAGE

Exhibit 16

[redacted]

[redacted]

[redacted]

From: paladinparkcity@aol.com [mailto:paladinparkcity@aol.com]
Sent: Monday, March 02, 2020 3:19 PM
To: jon.s.horwitz@gmail.com; Jon Horwitz <Jon_Horwitz@putnam.com>
Subject: Exhibit

Hi Jon,

Thanks for taking the time to talk with me last week. I appreciate your understanding of the situation and I am working with Chimso to resolve this. He and I met this morning and I think that we are getting closer to a solution that hopefully will be acceptable. Again, I will not submit anything to the City until we reach an understanding. Attached is the Exhibit I spoke about last week. It is only meant to show the original slope of the hill and the impact of the building.

Thanks again Jon. Please give my best to Pat.

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

Park City, UT 84060

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Exhibit 17

[redacted]

[redacted]

[redacted]

From: rory murphy [mailto:paladinparkcity@aol.com]
Sent: Wednesday, November 13, 2019 11:51 AM
To: pdkravtin@comcast.net; Jon Horwitz <Jon_Horwitz@putnam.com>
Subject: Re: Location of Building D

Hi Pat,

Please give Jon my best!

I understand your concerns and your requests are absolutely fair and reasonable. When you are next here, I will get the surveyor/civil engineer to join us on site and we will measure off. This should give you the peace of mind you are seeking. Relative to tonight, I will reiterate our position on this and further put this on the record. Sometimes I am asked not to speak in the interests of time, however, if the opportunity is there, I will state this again for the record.

Thanks,

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

Park City, UT 84060

-----Original Message-----
From: Patricia Kravtin <pdkravtin@comcast.net>
To: rory murphy <paladinparkcity@aol.com>; jon_horwitz <jon_horwitz@putnam.com>
Sent: Wed, Nov 13, 2019 9:38 am
Subject: Re: Location of Building D

Thanks Rory, I am responding for Jon since he is still kind of loopy, but doing well.

We very much appreciate the response, but it still seems to leave the question open for an outcome other than certain that the edge of Building D will not exceed past the end of the Lift Lodge/Sweetwater.

We certainly appreciate your willingness to sit down with us, but what we are really looking for here is clarity now that we have a hard reference point for Lot's 3 foundation to go off on, it seems to us that should be possible.

Seems like we should be able at this point, to measure off the edge of Lot 3, the additive components of the actual distance between the Lot 3 foundation, the Lot 3 side set back, the public access stairway/side setback, and the allowable edge of Building D per the plat.

Otherwise, the commitment regarding the edge of Building D is not something we can count on the Plat making clear.

Also, it would give us additional peace of mind if, given the opportunity, you are able to reiterate there is no change regarding the edge of Building D, and that the plat so reflects that commitment, at the meeting tonight.

Thanks for all!! Best Pat

From: rory murphy <paladinparkcity@aol.com>
Date: Wednesday, November 13, 2019 at 12:04 PM
To: <jon_horwitz@putnam.com>, "Patricia D. Kravtin" <pdkravtin@comcast.net>
Subject: Location of Building D

Dear Jon and Pat,

I hope the surgery went well. Sorry to hear you had to go through it! As far as I can tell and more importantly as far as Chimso can tell, Building D remains in the same place and will remain in line with the end of Lift Lodge/Sweetwater. I *think* that the edge you may be concerned with is planter boxes going up adjacent to the stairs. Let's plan to sit down and go over any concerns you have when you are next in town. On another note, we will start with concrete on the condo buildings in about two weeks and I had planned to address your concrete when my guys were on site.

Hope you are both doing good and look forward to seeing you.

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

Park City, UT 84060

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Exhibit 18

[redacted]

[redacted]

[redacted]

[redacted]

From: Jon Horwitz
Sent: Friday, July 31, 2020 6:59 PM
To: rory murphy <paladinparkcity@aol.com>
Cc: Pat Kravtin (pdkravtin@comcast.net) <pdkravtin@comcast.net>
Subject: Reply to your letter

Dear Rory

We are in receipt of your letter dated July 27, 2020. While we were surprised and disappointed by the tone of the letter, and certain characterizations, we are hopeful that the decision by CRH to withdraw its approvals related to Building D at this time is a positive gesture, given they do not reflect the agreement to move building D 15 feet from the outside edge of our house to the north.

Up to a few weeks ago, when you ceased returning our communications, we have had a very positive working relationship built up over the past three years. Until your letter, we thought we were getting closer to reaching an agreement on how to resolve this situation.

Please let us know if you are interested in scheduling a time for us to meet with you and the development team in an effort to try again to resolve this in a more expeditious and less cumbersome manner than your letter suggests.

Best Regards,

Jon and Pat

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[redacted]

[redacted]

[redacted]

From: paladinparkcity@aol.com [mailto:paladinparkcity@aol.com]
Sent: Wednesday, August 05, 2020 12:16 PM
To: Jon Horwitz <Jon_Horwitz@putnam.com>; pdkravtin@comcast.net
Subject:

Dear John and Pat,

Please see the attached letter from CRG Development, LLC.

Best Regards,

Rory

Rory Murphy

paladinparkcity@aol.com

435 640 5068

2590 Sidewinder Drive

Park City, UT 84060

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August 5, 2020

VIA EMAIL

Jon Horwitz
Pat Kravtin

Re: King's Crown Condominiums

Dear Jon and Pat:

Thank you for your email message sent on July 31, 2020 in which you inquired if representatives of CRG Development, LLC ("CRG") are interested in scheduling a time to meet with you to resolve your concerns pertaining to the engineering, design and location of Building D and the Building D Parking Structure within CRG's King's Crown Condominiums Project. As you mentioned in your email, representatives of CRG have been communicating with you over the past three years in an effort to address your concerns and objections pertaining to the engineering, design and location of Building D and the Building D Parking Structure without reaching an agreement with you on how to resolve your concerns. All of the members of CRG have concluded that further discussion between you and representatives of CRG will not be productive.

In light of your ongoing dissatisfaction with respect to the final approvals obtained by CRG from the Planning Commission and the City Council of Park City Municipal Corporation (the "City") with respect to the engineering, design and location of Building D and the Building D Parking Structure, CRG will request that all approvals previously received by CRG from the Planning Commission and from the City Council of the City pertaining to the engineering, design and location of Building D and the Building D Parking Structure be vacated and rescinded. CRG is in the process of initiating once again the process to request from the Planning Commission and from the City Council of the City all necessary approvals with respect to CRG's proposed engineering, design, construction and location of Building D and the Building D Parking Structure.

As mentioned in CRG's letter to you dated July 27, 2020, during this new application and approval process, you will have the unfettered opportunity to express your opposition and concerns pertaining to the engineering, design, construction and location of Building D and the Building Parking Structure directly to the Planning Commission, to the City Council, to the City's Building Department and to any all employees and officers of the City as you deem appropriate.

Very truly yours,

CRG DEVELOPMENT, LLC,
a Utah limited liability company

By: _____
Rory Murphy, Manager

4829-0043-3094v1

Patricia Kravtin and Jonathan Horwitz
1240 Lowell Avenue
Written Comment for December 9, 2020 Planning Commission Meeting

RE: KINGS CROWN BUILDING D CONDOMINIUM PLAT RESUBMISSION:

CRG'S RESUBMITTED BUILDING D CONDOMINIUM PLAT DOES NOT CONFORM TO THE AGREED UPON BUILDING D SOUTHERNMOST BOUNDARY, AND IN DOING SO FAILS TO MEET MPD AND CUP REQUIREMENTS FOR MIRRORING, COMPATIBILITY, AND MITIGATION OF ADVERSE IMPACTS.

Introduction and Summary of Public Comment and Requested Action**:**

We are submitting these comments to bring to your attention the very unfortunate situation that has developed with regard to Building D of the Kings Crown Master Planned Development. The developer (CRG) had agreed to, and represented to us and the Commission on multiple occasions dating back to November 2017, that they had provided very specific mitigation of the harmful, adverse impacts of Building D's large massing, scale, and height on our single-family residence, the first single family home on Lowell Avenue located directly adjacent to the proposed Building D. The agreed upon mitigation, coordinated under the auspices of Lead Planner Francisco Astorga, was to shift the building's southernmost boundary 15 feet to the north to align with the southernmost boundary of the multi-unit Lift Lodge. This movement of the southernmost boundary of Building D established a small, but meaningful buffer zone between Building D and our west front-facing home. (See attached pictures to these comments.) Unlike many homes built on the downslope in in Old Town, our primary windows face uphill towards Building D.

This early agreed upon mitigation, was from our standpoint, far less desirable than what we originally sought, i.e., a single family home to mirror our property, as enjoyed by our neighbors to our south, but we agreed to the brokered mitigation in a spirit of compromise and goodwill, and in response to CRG's early acknowledgement of the adverse impacts that Building D would have on us and our home. CRG's attempt now, some three years later, to walk back on their word and deny us this reasonable mitigation -- as agreed from the very inception of the project until CRG finally realized (or acknowledged) in December 2019, that their architect had made a

mistake in the platted boundary -- is an affront to us and the governing MPD and CUP process upon which we put our faith to protect us from adverse impacts.

Despite our raising of numerous red flags based on our layman's review of CRG drawings and marketing materials concerning the accuracy of Building's D plat to CRG, Planning Staff, and in prior comments to this Commission, CRG liaison Mr. Rory Murphy continued to represent to us, Planning Staff, and the Commission as he had done over the course of the past couple of years that nothing had changed with respect to CRG's agreement with us to align the southernmost boundary of Building D with the southernmost boundary of the Lift Lodge building to the immediate north of our home. Indeed, as late as November 2019, on the record of this Commission, and alongside Planner Rebecca Ward, Mr. Murphy reaffirmed nothing had changed relative to the agreed upon placement of Building D. He provided even further reassurances of his public declaration in November 2019 in follow-up email communications to us, where he "wanted to let you know that both I and the new Planner Rebecca Ward, reiterated the position publicly we have discussed all along regarding aligning the southernmost edge of building D with the southernmost edge of Lift Lodge." (See Exhibits 2 and 9 attached to our September 23, 2020 Comments).

All remained good, until December 2019, when CRG finally acknowledged to us at an onsite meeting that their architect had made a "mistake" in their recorded plat, that the southernmost boundary of Building D was sited further to the south than agreed, they believed roughly 11 to 12 feet too far to the south, confirming our observations the building would encroach into the agreed upon buffer zone between Building D and our home. Nonetheless at that time, CRG agreed to revise their plans to rectify the situation and make good on their word to provide us with the agreed upon buffer zone. Communications between us and CRG remained amicable between the time of their acknowledgement of their error and the next several months that followed. In mid-December 2019, CRG asked for time to rework their plans, but with Mr. Murphy providing strong assurances to us: "I want you to know emphatically that we will not submit anything for Building D without your blessing." (See Exhibit 3 to our September 23, 2020 Comments). In the months that followed, CRG shared redesigned versions of Building D that incrementally moved towards the agreed upon mitigation, but ultimately CRG fell well short

of its prior and repeated representations to us, Planning Staff, and on the public record of the Commission.

The situation finally came to a head when in July 2020, to our surprise and dismay, CRG unilaterally cut-off all discussions with us despite our continued willingness to work with them to consider solutions to their predicament. Instead of taking us up on our continued willingness to work with them, CRG instead chose to withdraw all their original approvals pertaining to the flawed Building D plat and to bring the matter again before the Commission in an attempt to have the Commission reapprove the resubmitted Building D plat incorporating the same flawed plat boundary – but this time with everyone's acknowledgement of that flaw. Without the agreed upon southernmost boundary, the plat is void of reasonable mitigation of the adverse impacts of the large mass stacked condo Building D on adjacent single-family home abutters – of which we are the most severely impacted due to our home's location directly adjacent to the building. See attached pictures of our home and its exposure to the imposing massing, scale, and height of Building D and the negative externalities associated with a building of that scale.

In effect, CRG is seeking a mulligan from the Commission, at our expense and adverse impact, to allow CRG to proceed with the construction of Building D in total disregard of the agreed upon mitigation to us concerning the southernmost boundary of Building D. We believe CRG's disregard of the Building D boundary is at odds with the MPD and CUP process requiring Building D, as part of the Kings Crown MPD, to mirror the existing neighborhood, "be compatible with surrounding structures in use, scale, mass," or be "mitigated through careful planning."

CRG is acting like we, Planning Staff, and the Commission will have total collective amnesia concerning the boundary agreement or our legitimate needs as severely impacted abutters for mitigation. Given the irreparable harm we face from the prospect of the behemoth of Building D in the shadow of our home including its wide and high visual massing; structural blockade; generation of air, light, and noise pollution; traffic congestion and impacts on auto and pedestrian safety; generation of auto exhaust and glaring headlights emanating from its garage structure; noisy mechanicals; invasions into our privacy; etc., we believe CRG's action to renege on the previously agreed upon and well documented mitigation plan is reprehensible. It is all the more stunning to us given assurances from CRG liaison Mr. Rory Murphy of his value of the

relationship we have developed, our belief in CRG's integrity, and again that CRG "would not submit anything for Building D without [our] blessing." (See Exhibit 3 of our September 23, 2020 Comments).

Our Ask of the Commission and Further Comments to Follow

We have put our faith in the MPD and CUP process these past three years. We respectfully ask the Commission in full earnest to use its authority and respond appropriately to the situation CRG has placed you in, by holding CRG to all prior representations concerning mitigation of Building D, including the crucial siting of the southernmost boundary of Building D to align with the southernmost boundary of the Lift Lodge. We believe our requested action by the Commission is essential to CRG's compliance with the MPD and CUP requirements and to addressing our legitimate needs for mitigation against harmful impacts. To let CRG walk away scot-free from their clearly stated commitments to us as severely impacted abutters and to you on the public record which gained our early favor and facilitated your swift approval of their project -- in juxtaposition to what was going on with the highly contentious Treasure Project also before the Commission at that time -- will send a clear signal and encourage other developers to engage in this kind of bait and switch strategy.

In our comments that follow, we will give more detail on why CRG's brazen resubmission of the Building D Condominium Plat void of the originally agreed upon mitigation should not be rewarded with a quick rubber stamping by the Commission, as CRG's actions suggests it believes the Commission might do.

A Fuller Context for Our Comments and Concerns Regarding CRG's Building D "Resubmission"

As residents of the first single family house on the east side of Lowell Avenue located directly across from CRG's Kings Crown MPD, this will be our fifth time providing comments to the Commission. Reference to our situation as the most severely impacted abutter of CRG's Building D appeared even more times on the record of your public meetings and also in our multiple conversations with Planning Commission staff. In the first four comments we submitted between November 2017 and December 2019, we indicated our cautious support for this massive, but seemingly responsible development in our neighborhood based on CRG's early neighborhood outreach and representations made by CRG to us and other neighbors early on concerning

mitigation they would provide. But at the same time, we noted we were depending on the Commission to hold CRG to its promises and representations made before you as part of the approval process. As a directly adjacent front facing single-family home abutter, we have a legitimate need for mitigation of the negative impacts that a building of the mass, height, and scale of Building D will impose on us.

Most recently, in our September 23, 2020 Comments and Exhibit, we came before you in light of new, extremely troubling information that CRG's previously approved Building D plat did not in fact conform to the MPD and CUP requirements for mirroring and compatibility with the existing pattern of the neighborhood, and CRG's acknowledged failure to incorporate its multiple, prior public representations on the record of this Commission that CRG had moved Building D a minimum of 15 feet to the north so as to align its southernmost boundary with the boundary of the Lift Lodge.

Our September 23, 2020 comments provided you with the full history and facts of what has transpired over the past three years with regard to Building D's siting, leading up to the very unfortunate, sudden, and dramatic about face by CRG in July 2020. In the vicinity of July 2020, after two and a half years of amicable communications with us and repeated assurances from CRG Liaison Mr. Murphy and project architect Chimso Onwuegbu that the southernmost boundary of Building D would align with the southernmost boundary of Lift Lodge (to our immediate north), CRG unilaterally cut off all communications with us. At this time, it became clear CRG had decided to totally renege on its long-standing public commitment to move the building 15 feet to the north so as to provide the agreed upon buffer zone between Building D and our single-family home. The actions taken by CRG are in blatant disregard and disrespect of over two years of clear, unambiguous, and amicable representations to us, and also before the Planning Staff, and the Commission itself as transcribed in your public meeting minutes. Instead of honoring their repeated, prior representations, CRG embarked on a new strategy to rescind all its prior approvals from the Commission and City, and start the process "anew."

We fear, based on CRG's recent submittals to the Commission, that despite its claims to us that the process of Building D's approval would start "anew," and afford us full opportunity to voice our concerns and mitigation needs as severely impacted abutters, that CRG is seeking – and indeed expecting to receive - a quick, streamlined rubber stamp approval by the Commission and City

Council to give it the green light to proceed full steam ahead with CRG's desired construction of Building D without the required mirroring of the southernmost boundary of that building to the southernmost boundary of the Lift Lodge.

The History and Facts of the Building D Boundary and its Import

The history and facts of the matter are clear, notwithstanding CRG's current attempt for a mulligan from this Commission as regards the siting of Building D. In late summer of 2017, under the auspices of Lead Planner Francisco Astorga, CRG voluntary agreed to move the southernmost boundary of Building D-- the largest of the four mass stacked condominium structures it was planning to squeeze into pre-existing quiet, low density Lowell Avenue neighborhood south of Manor Way and the PCMR resort base-- some 15 feet to the north so that the southernmost boundary of Building D would align with the southernmost boundary of the Lift Lodge, the last multi-unit building on Lowell Avenue before the neighborhood pattern shifted into one of small scale Old Town character homes.

In the very words of Mr. Rory Murphy, as transcribed in the publicly recorded minutes of the Commission's November 29, 2017 meeting -- words he consistently stood behind for over three year until his July 2020 letter informing us of the cut off of all communications with CRG: "*Mr. Murphy stated that … building [D] was moved 15 feet north from its original site to accommodate the Crafton Horowitz house [sic].* (See Exhibit 8 of our September 23, 2020). The minutes go on to further state: *Mr. Murphy reiterated that relative to the Crafton/Horowitz [sic] house, they pulled the building 15' to the north. He noted that the southernmost boundary on Building C/D matches the southernmost boundary on the Lift Lodge. Also, the driveway for Building D was pulled 42' to the north to accommodate the Crafton/Horowitz [sic] because they did not want headlights coming out of the driveway and into their house." Id., emphasis added.*

CRG's amicable and voluntary agreement to shift the Building D structure 15 feet to the north achieved many things:

- It smoothed the way for fast, smooth project approval by addressing in one simple, elegant solution the need for CRG to address the negative impacts and incompatibility of Building D's mass, height, and scale on the small scale residential pattern of homes immediately to its south, that we and other impacted abutters could otherwise, had we

chosen to follow the pattern of the highly contentious Treasure, brought before the Commission leading to likely delay if not derailment of their project. To be clear, had CRG previously acknowledged the failure of its plat to reflect its representations to us and made on the record of the Commission, and CRG's unwillingness to honor those representations, rather than give us repeatedly false assurances, we, and we believe our neighbors as well, would have been before you in force at every meeting the Kings Crown MPD was on your agenda, calling truth to power so to speak, and asking the Commission to require CRG to amend *its plat prior to final approval.*

- It satisfied the MPD and CUP requirements as framed by Lead Planner Astorga that the project specifically requiring that the Project "mirror the existing neighborhood pattern" and that "the larger mass buildings are located adjacent to the larger buildings on Lowell, and the [P]roject homes mirror the east side of Lowell, with the townhomes continuing the townhome patterns as well."

- It gave us, the most impacted and proactive of abutters (what sadly turned out to be a false sense of complacency) a basis to accept of Building D going in across the street from our home, because of the buffer zone that CRG agreed very early on to create by moving the building 15 feet to the north so as to line up with Lift Lodge. In the words of Mr. Murphy, "Please see the attached drawing showing the proposed locations of the buildings. After we met, we moved the Building D 15 feet north from its original location to help mitigate the impact on your home. Again, the southern boundary of Building D lines up with the southern boundary of Lift Lodge." (See November 26, 2017 email from Mr. Murphy, provided as Exhibit 5 to our September 23, 2020 Comments, reproduced here for ease of reference). We rested at night on the belief, based on over two years of constant reassurances from Mr. Murphy including those on the record of this Commission, that while we would not be mirrored as we thought we should pursuant to the MPD and CUP requirements by a single family house directly opposite us as enjoyed by our neighbors to our south, that in the spirit of compromise, our adverse impact would be tolerable if we at least had a similar buffer zone across the street to our west, that we had to our immediate north with the multi-unit Lift Lodge.

- As shown in the siting plans CRG provided us (see Exhibit 1 to our September 23, 2020 comments, in particular to a diagram Mr. Murphy referred to subsequently as "the smoking gun," attached also to these comments for ease of reference), our house, while not mirrored by another single family home like ours (as we would have wanted and believe strict adherence to the MPD and CUP requirements would warrant), would face the public access stairway. The public access stairway, as shown on the attached drawing also provided in Exhibit 1, was also represented and assured by CRG early on, would be double width, terraced, and landscaped so as to provide us screening and visual relief from the behemoth of Building D going in across from us. In the words of Mr. Murphy, "Please note where the stairs are. The stairs are interspersed with planter boxes which should significantly improve the visual effect from your home." (See November 26, 2017 email from Mr. Murphy provided in Exhibit 5 to our September 23, Comments).

<u>Where We are Today – A Problem of CRG's Own Making that CRG is Asking the Commission to Fix at Our Expense and in Seeming Disregard of the "Resubmission" Process CRG Has Forced on Us</u>

So where does this bring us today? To be clear, we are here due to a problem of CRG's own making. Despite our raising of numerous red flags, well documented in email correspondence between us and Mr. Murphy, copied onto CRG's architect Mr. Onwuegbu, and CRG/CRH partners Hans Fuegi and Chuck Heath concerning the southernmost boundary reflected in the various Building D Condominium plats submitted to the Commission throughout the various stages of the process between 2017 and 2019, CRG maintained the Building boundary aligned on the southernmost side as agreed with the Lift Lodge. That is until December 2019. And as noted above, until July 2020, CRG had maintained it would make good on its finally acknowledged "error." What changed in CRG's mind, we cannot say, other than the obvious, that fixing the error was not in their pecuniary interest, and a sense that the City would let them get away with not providing the agreed upon mitigation to us.

It is most disheartening from a process perspective that there is the potential here that the matter of Building D's siting is being considered and time-lined as a mundane "amendment" despite CRG's rescinding of all approvals and description of the Building D Condominium. That CRG's

"resubmission" is a ruse of a strategy to extract itself out of its three-year mitigation agreement with us and its past affirmative representations on the public record of this Commission of that agreement. We are most concerned that the "Amendment to Building D" as identified on the Commission agenda and on the Public Notice does not adequately describe or give notice of what is at stake here for impacted abutters such as ourselves. The language in the Public Notice mailed out to property owners within 300 feet describes "a petition[]…to amend the Building D Condominium Plat to reduce the units from 12 to 11, to reduce the parking from 22 to 21 parking spaces, to reduce the limited common area square footage by 386 square feet, and to increase the private area square footage by 712 square feet. This does not seem to adequately describe the import of the Amendment before the Commission at this time.

As so stated in correspondence dated July 27, 2020 from CRG and confirmed by Planner Rebecca Ward in email correspondence dated November 24, 2020, "[t]his process amends the recorded plat and through that amendment, vacates the previously recorded plat. *All approvals pertaining to Building D through the City have been rescinded and are dependent upon approval of the updated Building D plat."* As further clarified by CRG, it was rescinding all prior approvals in order for us to "have the unfettered opportunity to express [our] opposition and concerns pertaining to the engineering, design, construction and location of Building D and the Building D Parking Structure."

<u>Our Clarion Call and Request for Commission Action</u>

From the very beginning, we have believed in the integrity of the MPD and CUP process, the Planning Commission Staff, and the Commission. It is in this vein, that we are here before the Commission asking that the Commission stand up for process by holding CRG to the requirements of the MPD and CUP requirements for mirroring the existing pattern of development on Lowell Avenue and providing mitigation of harmful impacts. We would like to believe our ask should be an easy one -- given we are only asking the Commission to hold CRG to its very own words, to mitigation it agreed to voluntarily and early on, as well documented in the packet of materials contained in our September 23, 2020 Exhibit.

We are making this clarifying call for action by the Commission not just to hold CRG and its liaison Mr. Murphy to his own words to align the southernmost boundary of Building D with the southernmost boundary of the Lift Lodge for the sake of doing so, or because of Mr. Murphy's

repeated avowals that unlike other developers, CRG were local developers who valued their integrity, but because it is the action required to:

- Mirror the existing neighborhood pattern on Lowell Avenue and "be compatible with surrounding structures in use, scale, mass" or be "mitigated through careful planning:" (See Minutes of May 22, 2019 meeting at 55);
- Address our legitimate needs as severely impacted abutters for mitigation of the harmful impacts of the mass, scale and height of Building D on our home, without which we could suffer irreparable harm to the quality of our residential life and our property value;
- Maintain the integrity of the MPD and CUP process in which we put our faith and willingness to accept compromise mitigation, thereby supporting a model of amicable versus contentious environment for future MPD in the City;
- Ensure the resubmission of Building D is not a mere rubber stamping of the previously approved plat which all parties now know does not provide the agreed upon buffer zone, and which to our eye is off by at least 11 to 12 feet from where CRG represented on the record of this Commission the building had been moved.

Accordingly, we respectfully request the Commission, in its role as steward of the public interest and the Park City Municipal Code for MPDs, to recognize and hold the Applicant to the 2017 Agreement. Or in the alternatively "to exact" from the Applicant an alignment of the southernmost boundary line of Building D with the boundary line for the Lift Lodge for any proposed new plat in order to mitigate the damage this large master planned developed and large scale buildings will have on the existing small-scale home neighborhood pattern and on our home in particular. Requiring that the Project as a whole— and Building D specifically— conform to the MPD and conditional use findings of fact requiring mirroring the existing small-scale neighborhood pattern that begins with our home and requiring larger mass buildings to be located adjacent to the existing larger buildings along Lowell Avenue, is critical for protecting the city's residents, including adjacent abutters of which we are the most severely impacted, from adverse effects of Building D as well as keeping the public trust in the integrity of the planning and approval process pertaining to MPD projects.

We further request this Commission require the Applicant to take full responsibility for the error in its submitted plat to align the boundary line of Building D with the Lift Lodge building boundary by conforming its plat and that the Commission not now allow the Applicant to do an end run around the original approval process and unfairly shift the costs of its plat errors onto us by denying us reasonable mitigation.

Respectfully submitted,

Patricia Kravtin and Jonathan Horwitz

1240 Lowell Avenue

Attachments to Follow:

Attachment 1:

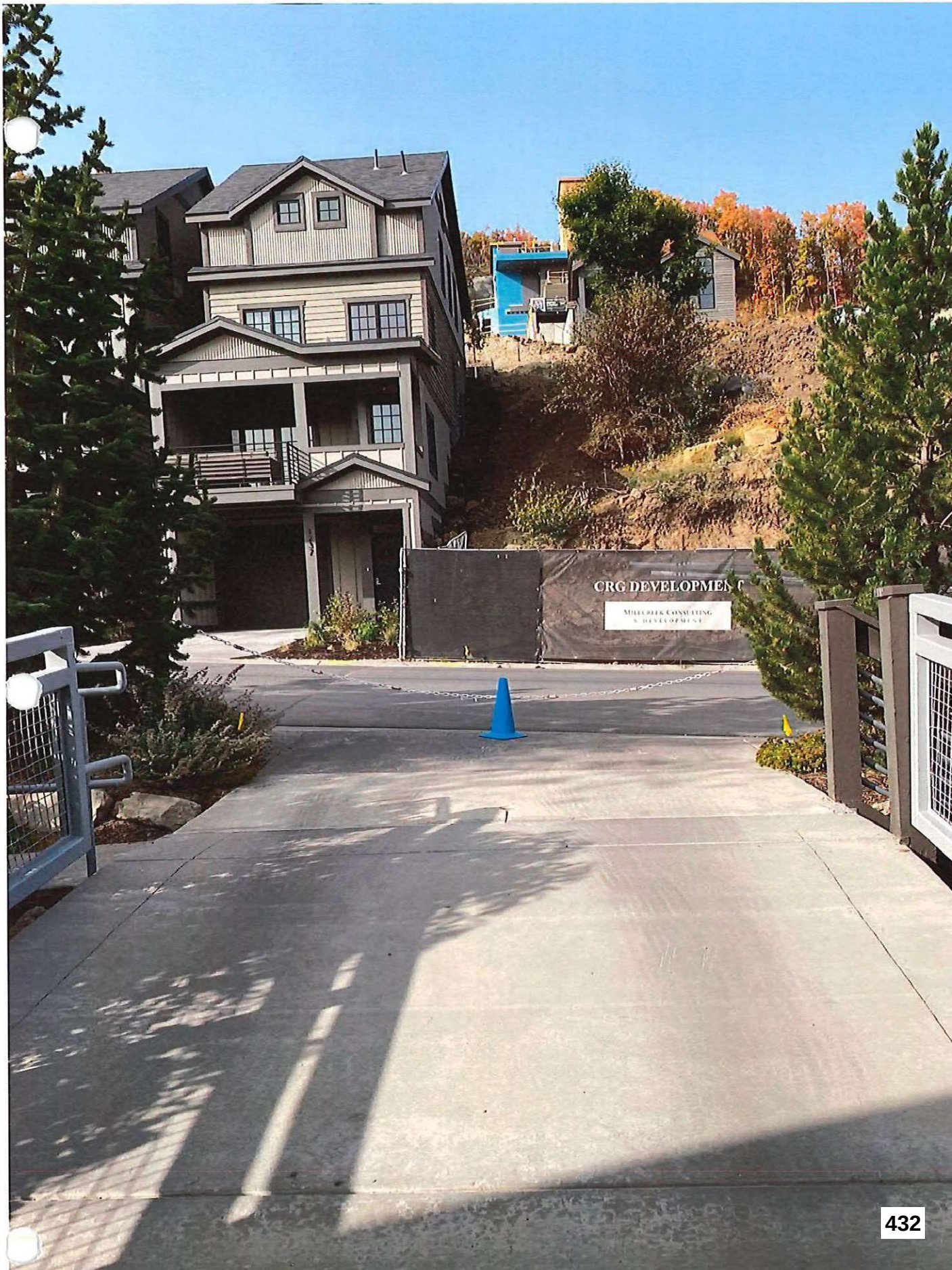
Pictures of Our Home at 1240 Lowell Avenue, Residential Streetscape on the East Side of Lowell Avenue, and Building D Construction Site

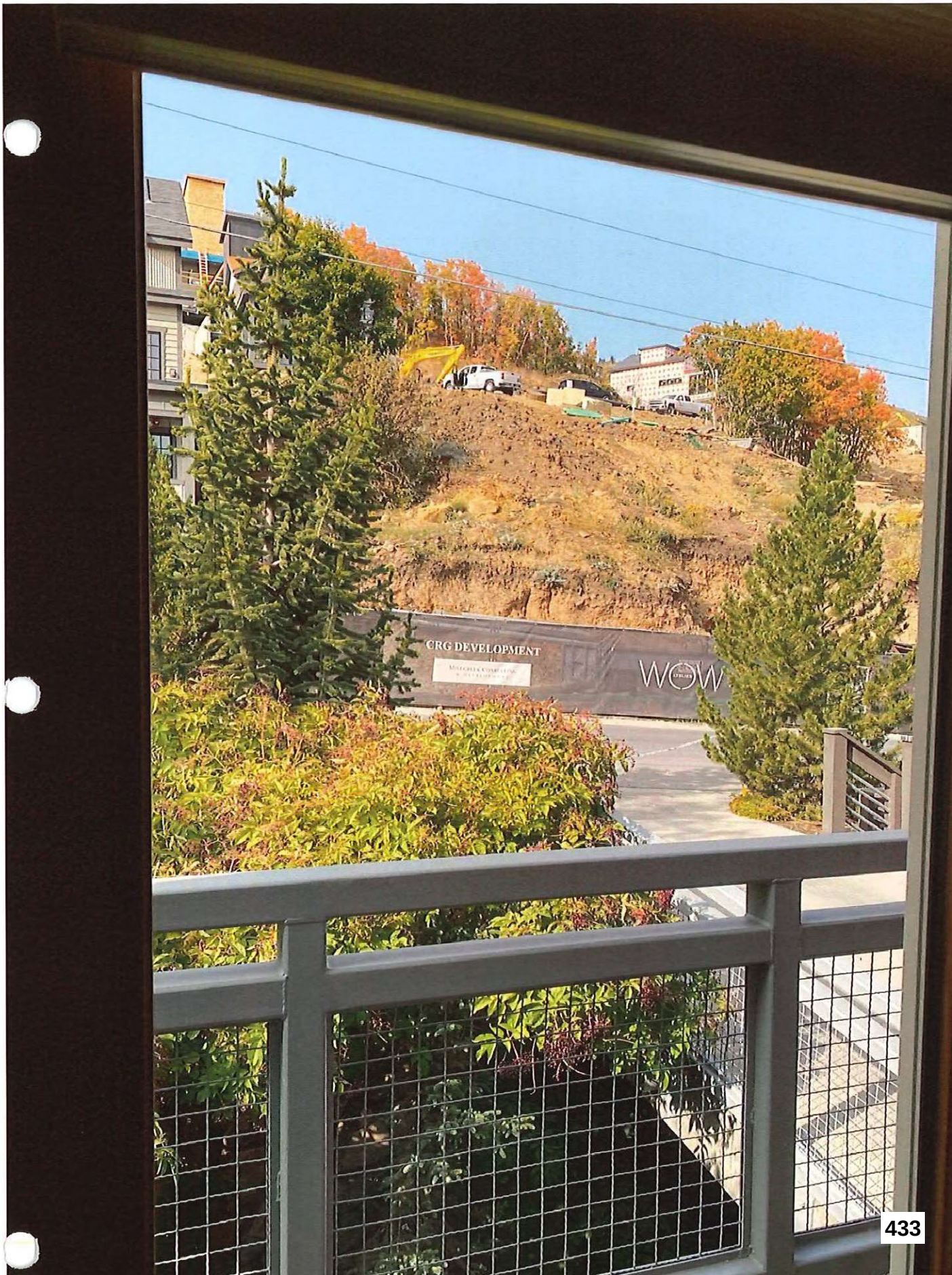
Attachment 2:

November 28, 2017 Email from Rory Murphy with Attached Site Drawing and Boundary Diagram

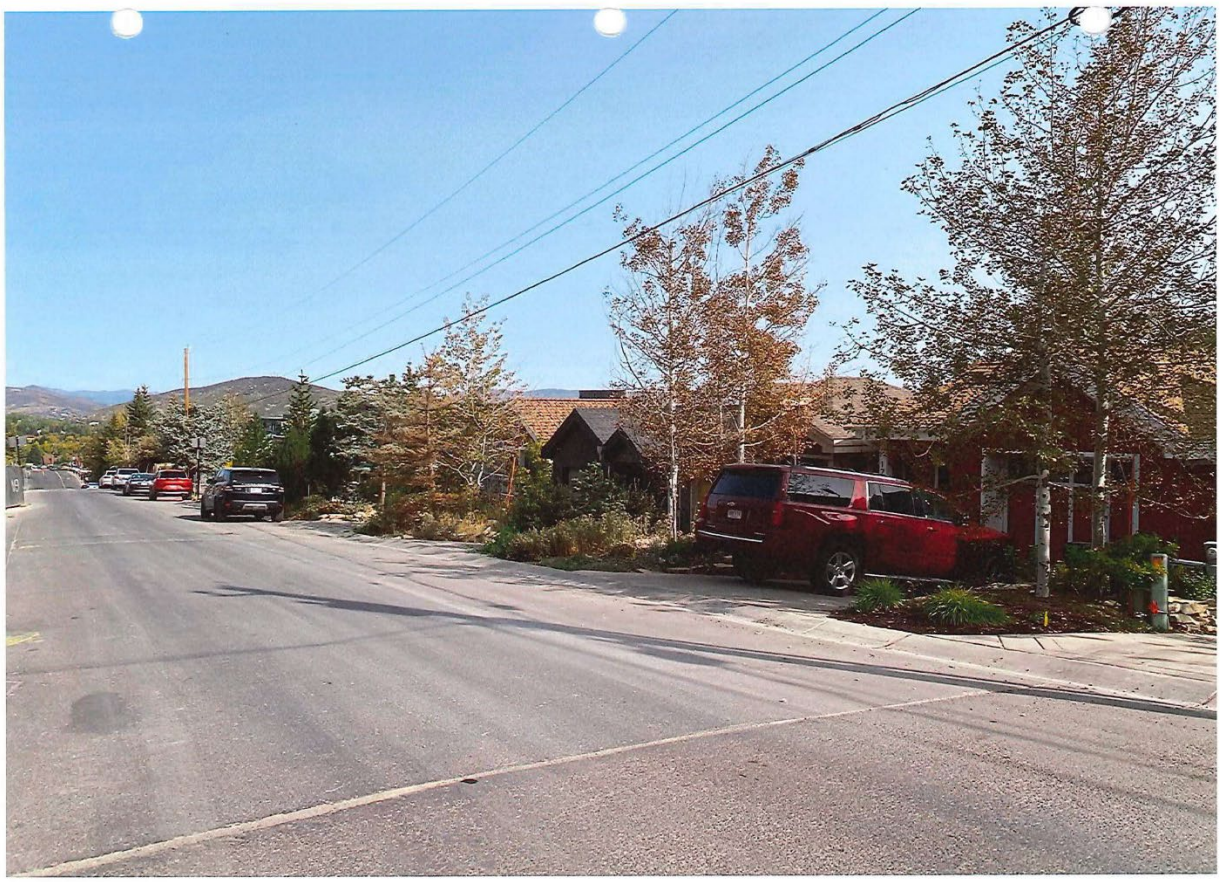
Attachment 1

Pictures of Our Home at 1240 Lowell Avenue, Residential Streetscape on the East Side of Lowell Avenue, and Building D Construction Site


CRG DEVELOPMEN
MILLCREEK CONSULTING


CRG DEVELOPMENT
WOW

CRG DEVELOPMENT
KOMATSU



Attachment 2

November 28, 2017 Email from Rory Murphy with Attached Site Drawing and Boundary Document

From: Rory Murphy [mailto:paladinparkcity@aol.com]
Sent: Tuesday, November 28, 2017 11:53 AM

To: Jon Horwitz <Jon_Horwitz@putnam.com>; pdkravtin@comcast.net
Cc: chimso@be-wow.com; cv.heath.pc@gmail.com; hans@xmission.com
Subject: Fwd: Horwitz/Kravtin View

-----Original Message-----

From: Patricia Kravtin <pdkravtin@comcast.net>

To: 'Rory Murphy' <paladinparkcity@aol.com>; jon_horwitz <jon_horwitz@putnam.com>
Cc: chimso <chimso@be-wow.com>; 'Jon Horwitz' <Jon_Horwitz@putnam.com>

Sent: Sun, Nov 26, 2017 5:00 pm
Subject: RE: Horwitz/Kravtin View

Rory, Jon and I are still going through the materials posted on the commission site but had a few threshold questions for you and Chimso that we are seeking clarification on for us and the Commission.

We very much appreciate that the image below is definitely getting closer to our expectation in that it appears to incorporate changes we had discussed for, i.e., movement of the garage entrance down from the uphill end of Unit D so headlights did not glare into house, and also that undulations had been added to the Lowell Ave façade and South elevation for a less harsh architectural massing.

We would like to clarify:

(1) that with this movement of the garage entrance , which is only partway down from the uphill end of the building, that Chimso is confident and can represent to us and the Commission that we will not have the glare of headlights coming into our home. This is a real concern of ours given the size of Unit D and the volume of cars that might be going in and out of that building. We do appreciate the movement of the garage, but had been hoping the garage would be located even further away from our end of that Building. We understand your concern regarding the garage. In the latest drawings, we pulled the entrance to the garage 42 feet to the north along Lowell from where we had it to accommodate your concerns. This was as far as was practical as we were already pushing the limits of constructability relative to cross-slopes on the road. This really is as far as we can push it. Relative to the headlights, if a driver turns south from the garage entrance, then there will be a brief instant when the cars lights will shine on your home, but it appears that it will hit the first floor and not the bedroom.

(2) that you will clarify to the Commission that the proposed plat in their package does not

reflect the true location of Unit D relative to Lift Lodge and our home, as the plat in the package is inconsistent with your updated drawings which show the uphill end of Unit D to be located well north of our home. We will make a point to clarify to the Commission verbally (and therefore on the record) that the south wall of Building D lines up with the southernmost edge of the Lift Lodge. This building moved 15 feet from its original location to accommodate your view.

(3) following up on point (2), there is still ambiguity as to where exactly the uphill (i.e., southern-most) end of Unit D would be located relative to our home and Lift Lodge structures. The last email we had on the subject indicated the building had definitely been moved 15 feet to the north but also that there would be an effort made to move it even further north of our home to mitigate our negative impacts. Given the importance of Unit D's placement, we would like to remove this ambiguity and for you to clarify for us and the Commission more precisely where the southernmost end of Unit D would lie.
Please see the attached drawing showing the proposed locations of the buildings. After we met, we moved the Building D 15 feet north from its original location to help mitigate the impact on your home. Again, the southern boundary of Building D lines up with the southern boundary of Lift Lodge. Please note where the stairs are. The stairs are interspersed with planter boxes which should significantly improve the visual effect from your home. We were, unfortunately, squeezed in the other direction by the City Engineer for the placement of a water line and unfortunately cannot move it farther and still maintain building heights.

(4) Finally, as with the garage movement, we like the tweaks to the original images that Chimso has added to soften the Building D's massing. That said, we had hoped for the addition of more dramatic side terracing as featured in the photo of your Main Street development that Jon had previously forwarded to you. Could you clarify whether you have considered and ruled out the possibility of adding more such prominent features to Building D or whether there remain opportunities to consider further architectural refinements that might soften the building's massing? I discussed this with Chimso this morning and he said he played with the terracing quite a bit and is confident that the effect will softened your views in that direction. We've also added planters where we will plant trees and shrubs to further reduce the visual intrusion on your home. That being said, we should continue our dialogue with Chimso to try to achieve the best end result for your views as possible.

Thanks so much, as always, we so appreciate your outreach and constructive dialogue throughout this process.

Best Pat

From: Rory Murphy [mailto:paladinparkcity@aol.com]

Sent: Wednesday, November 22, 2017 11:11 AM

To: jon_horwitz@putnam.com; pdkravtin@comcast.net

Cc: chimso@be-wow.com

Subject: Fwd: Horwitz/Kravtin View

Hi Jon and Pat,

I hope you both are well. Sorry for the delay in getting this to you. [redacted] When you get a chance, please look over the below view and let me know if we are getting closer to your expectations on this item.

take care, Rory

Rory Murphy
paladinparkcity@aol.com 435
640 5068

2590 Sidewinder Drive
Park City, UT 84060

-----Original Message-----

From: Chimso Onwuegbu <chimso@be-wow.com>
To: Rory Murphy <paladinparkcity@aol.com>
Sent: Tue, Nov 21, 2017 9:53 am

Subject: Horwitz/Kravtin View

Rory -

Here is a current image which shows a view from the Living area. It shows the driveway moved down per their request, as well as significant undulations to both the Lowell Ave facade as well as the South elevation along the community stairs. Let me know if this is what you were looking for?

chimso onwuegbu chimso@be-wow.com cell 801.712.4078

BASIS OF BEARING: N 35° 59'00" W (MON. TO MON.)
RECORD DISTANCE: 1145.92' (MEASURED DISTANCE: 1145.58')
10TH STREET
BLOCK 26
HORWITZ/KRAVLIN
LIFT LODGE
LOWELL AVE
BUILDING D
PLANTERS
COMMUNITY STAIRS

Tuesday, January 19, 2021, 10:02 PM

I am writing to express my concerns regarding whether the changes to the Kings Crown Condominium Building D Plat is a Minor or Substantive Modification to the Master Plan Development. I have no doubt that the proposed encroachment, and the developers attempt to not honor its original commitments to mirror the existing neighborhood, is a major and substantive request.

I am asking the Commission to require the Developer honor its original boundary and location of Building D, or sever Building D from the Kings Crown Master Plan Development for a new and complete review. The changes requested by the Developer, and presented by the Planning Commission, are difficult to understand and need a full and transparent review and discussion. The proposed changes, and the impact on the neighborhood, are not a mere amendment as the public notice suggests.

Further review and complete and total transparency are needed to ensure that the Kings Crown Development honor and keep the original plan that mirrors the existing neighborhood; not just from a functional aspect but also from an aesthetic aspect. A complete and total review is necessary for the integrity of the Developer and the Planning Commission.

Sincerely,
Connee Rasmussen
1243 Empire Ave
Park City, UT

Friday, January 22, 2021, 5:24 PM

Dear Rebecca:

By way of introduction we live at 1243B Empire Ave. As abutters within 300 feet of Kings Crown, we received the notice dated January 13, 2021 concerning a new proposal regarding Building D. We wish to comment on the public record.

The lack of transparency regarding the approvals for Building D is troubling to us. As abutters, the notices we have received concerning Building D have been difficult to understand and have not made clear the differences between the current Proposal and the developer's prior representations regarding mitigation to the neighboring abutters, and also the fact that the developers more recently rescinded all prior approvals. The

lack of transparency raises concerns that Building D, the biggest of the three condos in the MPD, and the one closest to the smaller residential homes, is not getting the proper review it deserves by the Commission.

In light of the Developer's rescinding of all prior City approvals specific to Building D, and the Developer's failure to show its proposed Building D plat conforms with the specific promises and representations it made in 2017 concerning mitigation of the negative impacts of Building D on the neighbors, the current Building D Proposal must be evaluated as a "substantive modification to the MPD" and not as a "minor" modification, allowing thorough review and comment to assure no adverse impact to our neighbors.

Thank you for your consideration,
Greg and Rachel Ashley

Thursday, February 4, 2021, 3:45 PM

Ms. Ward,

I would like to be included in the planning commission's next virtual meeting regarding the ongoing status of the Kings Crown Development. I request visual, as well as audio, participation. I apologize for my inexperience with these virtual meetings but I am very thankful for the planning commissions help and for allowing me to address my concerns.

My major concerns are the expansion of Building D and the diminishing and narrowing of the public access stairway. As you can see, by the recently submitted 3D street view, it is impossible to visualize the stairway and the major problem regarding soil retention on such a steep hillside, with the removal of many beautiful and, I believe, necessary staggered planter boxes. The over use of fake landscape art is obscuring the actual architecture of the building and does not show the narrowing of the stairway and what it will look like with the removal of the planter boxes. My point is made by an evergreen plopped on the path in front of the stairway, in the submitted top view, and a tree growing out of the stairs in the lower right corner of the second view. I know the removal of the off-set stairs and the soil retaining planters is a cost cutting measure, however; it is also much less visually and aesthetically appealing and does keep faith with the original plan. I think it would be helpful to be provided with an accurate visual drawing of the space between Condo Building D and the uphill townhouse.

The submitted drawing, addressing items 1-7, is unfortunately vague and inconsistent with providing all of us with the information that is necessary to obtain honest and accurate information on Building D's boundaries. I have recently stated that there are many questions regarding the expansion of Building D in keeping with the "mirroring" of the neighbors that are, as of now, not addressed. I assume, at this point in construction, the developers know exactly what they want to do. Should they not be required to provide complete information so an informed decision can be made on this substantive modification request?

Sincerely,
Connee Rasmussen
1243 Empire Avenue
Park City, Utah

January 21, 2021

Dear Rebecca,

We are Patricia Kravtin and Jonathan Horwitz, residents of 1240 Lowell Avenue. We once again, as we have now done multiple times now over the past 3 years, weigh in on the issue of Building D, the last and biggest of the three Kings Crown MPD mass stacked condo buildings going in across from us on Lowell Avenue and in the view of lower Old Town as you look up the hill toward the development.

While we are pleased that the matter of Building D has finally made it to the Commission's meeting agenda, after several false starts last year, we are very troubled and concerned by the non-transparent nature of the Public Notice and the process by which the matter of Building D has been framed.

As of this writing, neither we nor our neighbors have had an opportunity to review a copy of the proposed resubmitted Building D plat and the developer's plan if any to address the needed mitigation of the mass of Building D that was discussed as part of the original MPD approval process, despite our timely filing of a GRAMA request for those documents.

The Public Notice from the Commission dated January 13, 2021, is totally non-transparent and difficult to understand. It does not clarify the differences between the developer's current Proposal and the developer's 2017 representations reiterated over the course of the past two years regarding mitigation to the neighboring abutters, and also the fact that the developers more recently rescinded all prior approvals.

The Notice mentions only the developers' combination of two units and associated changes, and provides only the vague language as to whether "the Proposal is a Minor or Substantive Modification to the MPD." The Notice given no mention of any proposal of the developer to address the mitigation issues of most pressing impact to us as adjacent abutters, namely the siting location of Building D, and the design and landscaping of the public access stairway that will line up across from our own front stairway.

This lack of transparency alone raises concerns that Building D, the biggest of the three condos in the MPD, and the one closest to the smaller residential homes, is not going to get the full and proper review it deserves by the Commission. To the contrary, it suggests the developer's belief it is going to get your fast-track approval of Building D without a full and complete hearing on the harmful impacts of Building D on us and the other small-scale homes in the Lowell Avenue neighborhood. In fact, the developer's website recently posted Building D units as "just released" along with square footage and prices. How can this be given they have no current approvals for Building D?

These circumstances are not the least bit consistent with the developer's rescinding of all city approvals in its September 24, 2021 submittal to you. In that letter, the developer expressly states:

"Rather than simply adjust the previously approved Building D Plat, CRG has elected *to start from the beginning on Building D,* due to an unfortunate situation with some adjacent neighbors." *(italics added)*

In full transparency, we are the adjacent neighbors they are referring to. But the unfortunate situation is entirely of the developer's own making and reneging on its promises and representations on your public record concerning Building D. The process that is unfolding before us does not come close to being a

“start from the beginning on Building D” as the developer states in its letter. The Public Notice gives no suggestion or hint of a “start from the beginning on Building D.”

In light of the developer's rescinding of all prior City approvals specific to Building D, the developer's failure to show its proposed Building D plat conforms with the specific promises and representations it made in 2017 concerning mitigation of the negative impacts of Building D on the neighbors, and the developer’s own words that the approval process concerning Building D is to “start from the beginning,” **the current Building D Proposal must be evaluated as a "substantive modification to the MPD" and not as a "minor" modification to be glossed over and rubber stamped for approval by the Commission.**

The public record from the 2017 deliberations on the Kings Crown MPD could not be clearer as to the developer’s representations about the placement and siting of Building D and the design of public access stairway. Our past comments of which we attach the latest submitted for the December 9, 2020 meeting (but not put on the record due to the last-minute pulling of the item by the developer) provide extensive documentation of the developer’s statements to us and to you. We know our comments are voluminous and tedious to review, but we respectfully ask you to invest your time in understanding what is at stake here.

This is not a mere matter of one abutter versus a developer as we suspect the developer would like you to believe. To be clear, this a matter that impacts the entire character of our neighborhood, but even bigger than that, the matter goes to the heart of the integrity of the MPD/CUP planning process and whether developers will be held to promises and representations of mitigation made on the record of the Commission at the time of project approval to gain favor. This matter goes to the transparency of the planning process and whether the review process affords affected residents and citizens the opportunity to get the mitigation they are lawfully entitled to a fair hearing on. Once the developer decided it was no longer willing to honor its representations made to us and you on your record in 2017, and again in November 2019, concerning Building D, it all falls on the Commission now to see the MPD and CUP process works to the public benefit.

Our sincere hope is that the Planning Commission and City will hold the developer to its words on the agreed upon mitigation, that they agreed to all along under the auspices of Lead Planner Astorga, until their unfortunate acknowledgement that the plans were not in conformance. Pursuant to the MPD and CUP requirements, the developer must be held accountable to provide mitigation of the impact of their mass development on the small-scale Lowell Avenue neighborhood beginning at our home at 1240 Lowell Avenue.

Thank you for your consideration,

Patricia Kravtin and Jonathan Horwitz
1240 Lowell Avenue

February 4, 2021

To: Rebecca Ward, Senior Planner
Re: Substantive Modification of Building D in Lot 2 of the King's Crown Subdivision

We are Patricia Kravtin and Jonathan Horwitz, residents of 1240 Lowell Avenue. We submit these written comments following the Commission's January 27, 2021 determination the proposed King's Crown Plat Amendment specific to Building D is a substantive modification to the MPD, and as such "creates additional impacts and may include a change to a Finding of Fact or Condition of Approval." (Jan 27. 2021, Staff Report at 61)

SUMMARY OF COMMENTS

We urge the Commission not to rush its deliberations on Building D, but to take the time necessary to fully consider and understand: (1) the very detrimental additional impacts that the proposed Plat Amendment will impose on the entire Lowell Avenue neighborhood but that fall disproportionately and singularly on us as the most directly impacted abutter, and (2) to make the appropriate and necessary changes (as proposed in Attachment A to our comment) to the relevant Findings of Fact and Condition of Approvals as required to mitigate the grossly non-conforming incompatible use, scale, mass, style, design and architectural detailing of Building D in juxtaposition to our home and other adjacent properties as demonstrated in the pictures and accompanying narrative presented in this submission.

Point One: There never was ambiguity in the promises and commitments of mitigation made by the Developer regarding the placement of Building D in relation to the southernmost boundary of Lift Lodge**.**

Point Two: The developer's current disavowal of prior representations and promises of mitigation made to us pursuant to the MPD and CUP process is in stark contrast with its early constructive outreach and understanding of the negative harms that its mass stacked condo Building D would impose on us, as well documented.

Point Three: The clearly articulated mitigation to align the southernmost boundary of Building D with the Lift Lodge is necessary, reasonable and commensurate with the non-compatibility of Building D and the singularly harmful impacts of that mass structure to us and our single- family home**.**

Point Four: Claims by the developer it has provided us adequate mitigation for the detrimental impacts of Building D on us and our home is simply not supported by the facts.

Conclusion: Neither the Commission nor we should be responsible for or bear the burden for the errors or lack of due diligence on the part of the developer and its architect. It is reasonable and in the public interest to hold the developer accountable for promised lawful mitigation to impacted abutters. That is all we have ever asked of the Commission is to hold this developer accountable and all we continue to respectfully ask for now.

In its submission dated January 10, 2021 and its oral presentation at the January 27, 2021 meeting, the developer CRG suggests it never intended to provide clarity in prior representations made to us, Commission Staff, and the Commission concerning the siting of the southernmost boundary of Building D, and that the discrepancies identified in the January 27, 2021 Staff Report boil down to what CRG repeatedly characterizes as one "ambiguous" Exhibit prepared by project architect Chimso Onweugbu and provided by CRG to us and to the Commission in its submission package (See Exhibit W of the Jan. 27, 2021 Staff Report).

Remarkably, given the documentation we have demonstrating otherwise, including an additional document provided to us that CRG displayed up on its screen during its oral presentation at the Jan. 27, 2021 meeting *(see Figure 1 below)*, the architect now claims in an undated, unsigned letter attached to the developer's January 20, 2021 submission that from his perspective, the exact line up of the Building D southernmost boundary to the Lift Lodge southernmost boundary, as shown in Exhibit W of the Jan. 27, 2021 Staff Report and as clearly demarcated by bolded arrows placed by the architect himself in the Figure 1 diagram below, was never intended to reflect an exact alignment, but rather should be considered only in the context of "talking in generalities."

The architect's recent claim that he was only "talking in generalities" defies credulity on several levels. Specifically, Mr. Onweugbu's claim the diagram was never meant to be taken as a "literal representation" is directly contradicted by:

(1) The clear, unambiguous reiteration of the Building D's alignment with Lift Lodge by Mr. Murphy on the public record of the Commission on November 29, 2017 as excerpted below with emphasis added (Mr. Murphy;s words were also cited in the Jan. 27, 2021 Staff Report at 56):

> "Mr. Murphy stated that … building [D] was moved 15 feet north from its original site to accommodate the Crafton Horowitz house [sic]. The minutes go on to further state: Mr. Murphy reiterated that relative to the Crafton/Horowitz [sic] house, they pulled the building 15' to the north. *He noted that the southernmost boundary on Building C/D matches the southernmost boundary on the Lift Lodge.* Also, the driveway for Building D was pulled 42' to the north to accommodate the Crafton/Horowitz [sic] because they did not want headlights coming out of the driveway and into their house."

(2) Confirming representations to both Planners Astorga and Ward regarding the alignment with the Lift Lodge as memorialized in written communications from Mr. Murphy to us (see Exhibit J to 1/27/21 Staff report, reproducing our 9/23/20 Exhibits No. 12 and No. 2);

(3) The narrative response from Mr. Murphy that accompanied CRG's provision of Figure 1 below, *the very purpose of which as documented below was to remove any possible ambiguity of the Building D southernmost boundary*; (See excerpts of Mr. Murphy's narrative response provided below, and the complete email provided in Attachment B to these comments);

(4) Chimso's own acknowledgment in the unsigned letter, that when asked to confirm at a later date (actually there many such confirmations to us between November 2017 to November 2019) that the condominiums still aligned with Lift Lodge, "*we answered in the affirmative;"* and

(5) The focus on the Lift Lodge (also known as Sweetwater) as a key demarcation point of the boundary of Building D existed from the very onset of the project, as memorialized in an email from Mr. Murphy circulated February 12,2017 summarizing notes from the Neighborhood Meeting of February 9, 2017.

What Chimso leaves out in his unsigned, undated letter presented for the first time as part of the developer's Jan. 10, 2021 submission, but to which our documentation attests, is these affirmations to us and the Commission about the alignment of the southernmost boundary of Building D with the Lift Lodge occurred repeatedly between 2017 and 2019, right up until the onsite meeting in early December. It was at that time that Rory and Chimso told us it was not necessary to have a surveyor meet us at the site as originally offered by Mr. Murphy; Rory and Chimso readily admitted to us there and then that they had messed up and the plat on file mistakenly placing the building too far to the north, by their own admission by about 10 feet or so (we believe closer to 11.5 feet). *To this day, we still don't know for sure how far their proposed siting extends past the Lift Lodge southernmost boundary based on the most recent submittal to the Commission.*

Neither Rory nor Chimso said anything then (at the December 2019 onsite meeting) or in the six months that followed, to remotely suggest what they are now saying, namely that Rory's repeated statements -- including those he made a point to us to put on your public record in the seminal 2017 public work session to "give us peace of mind" and also in his request to you "to use the public forum to address the issues raised by the neighbors so that their promises go on the record and the neighbors are assured for their sincerity regarding their concerns" -- were never intended to be taken as a literal representation; similarly, there was no such prior representation to us regarding Figure 1 *(again provided to us in the specific context of clarification and removing ambiguity)* or to our knowledge to Commission Staff regarding Exhibit W, that these architect prepared documents were never intended by the architect to be exact, accurate, or that we were mistaken in taking Chimso's diagram and other architectural drawings provided us to be anything but an accurate representation of the boundary and other mass softening architectural and landscaping elements. Why would we, given their preparation by a licensed professional architect and fully supported by repeated assurances from Rory in over three years of written and oral statements to us and the Commission where a laser focus has been on the relationship between the southernmost boundary of Building D and the Lift Lodge?

Prior to CRG's representation to you at the 1/27/21 meeting, we had never been told over the prior 3 and a half years not to take Mr. Murphy and the architect's words about the boundary of Building D as a "literal representation;" indeed the whole point of our repeated discussions and Mr. Murphy's documented affirmations in 2017 and 2018 was to establish a boundary in reference to the Lift Lodge. In December 2019, we heard none of the talk we are hearing now -- - only that they had messed up, and Rory asked us to give him time to make it right.

As we have only been reasonable and cooperative despite our substantial detrimental impacts from CRG's project, we agreed to give Rory time to make it right but we did convey the issue we were having with CRG to the then new Planner Rebecca Ward. But little did we expect the turn of events that transpired between December 2019 - when CRG freely admitted to us that the plat

on file with the City was in error - and the present where CRG is asking you now to double down and approve their plat again despite their admitted error which precludes our rightful mitigation from the negative impacts of their incompatible structure. From Rory's assurances to us that CRG would make it right in December 2019, to CRG's complete and utter disavowal of all their past statements including ones on your record expressly intended to memorialize the exact alignment with Lift Lodge, peppered with a series of false characterizations of us as over demanding abutters impossible to satisfy.

CRG's characterizations of us are untrue and unfair given our ready willingness to accept a compromise offer of mitigation, brokered by Planner Astorga in 2017 which Francisco affirmed our resolution with the developer on the record at the January 2018 meeting. What that resolution was is well documented, i.e., to align the southernmost boundary of Building D with the Lift Lodge along with a beautiful double wide terraced and well landscaped public access stairway as a minimal buffer from the mass and negative externalities from Building D. As also well documented in the summaries of the Public Outreach meetings held in 2017 circulated by Mr, Murphy, we had initially advocated to the developer and Mr. Astorga for the boundary of D to be located much further to the north of Lift Lodge to provide more buffer to the quaint residential pattern of Lowell Avenue as we felt the MPD and CUP requirements and good planning would dictate given the degree of harmful impact from Building D's grossly incompatible mass, scale, design, detail and use from existing development patterns on Lowell Avenue as you move up Lowell up from Manor Way (*See Figures 5A-C below*).

But ironically so as to avoid an adversarial planning process or potential litigative outcome and as keen supporters of responsible development, we readily agreed to the compromise. We never felt entitled to the open space or expansive views we enjoyed for the first ten years in our home, but we also expected good planning to protect us from a grossly incompatible structure going in directly across from us, with such massing and harsh visual blockade from our major living areas. Ironic indeed that we are being portrayed now by CRG as difficult and stubborn neighbors, simply because we are asking the Commission to hold the developer accountable for promised and necessary mitigation to us and our neighboring abutters from CRG's decision to place *the least compatible structure* in terms of mass and scale closest to the small-scale pattern of development on Lowell south of Manor Way. As demonstrated below *(See Figures 5A-C)*, the behemoth of Building D is going to dwarf our home, impose a harsh visual blockade, markedly diminish our natural light, reduce our privacy, create a source of toxic exhaust fumes, headlights, and overall reduce our quality of residential living, property value, and degrade our surrounding neighborhood by its inherent gross incompatibility with the adjacent and surrounding structures.

In the following key points, we address and respond in more detail to the numerous misrepresentations and mischaracterizations by CRG regarding their promised mitigation to us and why CRG must be held accountable for the specific promises and representations made to us and to our surrounding neighbors in the form of our proposed changes to the Findings of Fact and Conditions of Approval in order to comply with the MPD and CUP requirements if they are to have any meaning. (See Attachment B for our proposed changes) As documented below, the so-called mitigation the developer claims to have provided us are either not true or do not

represent actual or meaningful sources of mitigation for the specific and costly harm to ourselves, our property, and surrounding neighborhood of the grossly incompatible Building D in its current proposed placement.

Point One: There never was ambiguity in the promises and commitments of mitigation made by the Developer regarding the placement of Building D in relation to the southernmost boundary of Lift Lodge.

There is no ambiguity in what the developer originally promised and committed to as mitigation regarding the alignment of the southernmost boundary of Building D; only now an admitted error or inexactness by the architect that he and the developer must own and bear the burden of, especially given the time both had to address and correct the problem.

While the question of Building D placement may have been ambiguous in early to mid-2017, that was well clarified by Mr. Murphy on the record in November 2017 and in documented correspondence we submitted in prior comments. The fact that the various plat drawings submitted by the developer did not conform to those multiple commitments from Mr. Murphy was not a matter of ambiguity, it was plain and simply admitted to us in December 2019 to be a mistake by the architect. *Regardless, whether it was an unintentional error, an oversight, or the lack of good faith to honor CRG's promised mitigation to us and surrounding neighbors, it is not a basis for the Commission to now relieve CRG of its agreed upon mitigation to us and surrounding neighbors, and in doing so, to take away from us any meaningful mitigation of the harms we are poised to incur in the absence of CRG's specific mitigation promises.*

The following exchange of e-mail correspondence, first from Patricia Kravtin and Jon Horwitz to Rory Murphy and Chimso Onwuegbu on 11/26/17 (IN BLACK, with yellow highlighting added for emphasis), and then the response from Mr. Murphy (IN RED), including the developers own drawing from Rory Murphy with Chimso Onwuegbu, Chuck Heath and Hans Fugi being CC'ed on 11/28/17 serves as undeniable documentation that Mr. Murphy and the development team fully understood the commitment they had made with regard to the placement of Building D relative to lining up with the southernmost edge of Lift Lodge. (See Attachment B for the entirety of this key email communication)

Patricia Kravtin (Point of Clarification #2): "We would like to clarify that you will clarify to the Commission that the proposed plat in their package does not reflect the true location of Unit D relative to Lift Lodge and our home, as the plat in the package is inconsistent with your updated drawings which show the uphill end of Unit D to be located well north of our home".

Rory Murphy (Reply #2): "We will make a point to clarify to the Commission verbally (and therefore on the record) that the south wall of Building D lines up with the southernmost edge of the Lift Lodge. This building moved 15 feet from its original location to accommodate your view".

Patricia Kravtin (Point of Clarification #3): "We would like to clarify, following up on point (2), there is still ambiguity as to where exactly the uphill (i.e., southern-most) end of Unit D would be located relative to our home and Lift Lodge structures. The last email we had on the subject

indicated the building had definitely been moved 15 feet to the north but also that there would be an effort made to move it even further north of our home to mitigate our negative impacts. Given the importance of Unit D's placement, we would like to remove this ambiguity and for you to clarify for us and the Commission more precisely where the southernmost end of Unit D would lie.

Rory Murphy (Reply #3): "Please see the attached drawing showing the proposed locations of the buildings. After we met, we moved the Building D 15 feet north from its original location to help mitigate the impact on your home. Again, the southern boundary of Building D lines up with the southern boundary of Lift Lodge. Please note where the stairs are. The stairs are interspersed with planter boxes which should significantly improve the visual effect from your home. We were, unfortunately, squeezed in the other direction by the City Engineer for the placement of a water line and unfortunately cannot move it farther and still maintain building heights.

Following is the "attached drawing" Mr. Murphy refers to above in responding to our question specifically asking him to clarify the boundary "for us and the Commission" so as "remove this ambiguity" as may have existed before the Commission's November 14, 2017 public work session. The drawing confirms Mr. Murphy's narrative and agreement to clarify on your record, that "the south wall of Building D lines up with the southernmost edge of the Lift Lodge."

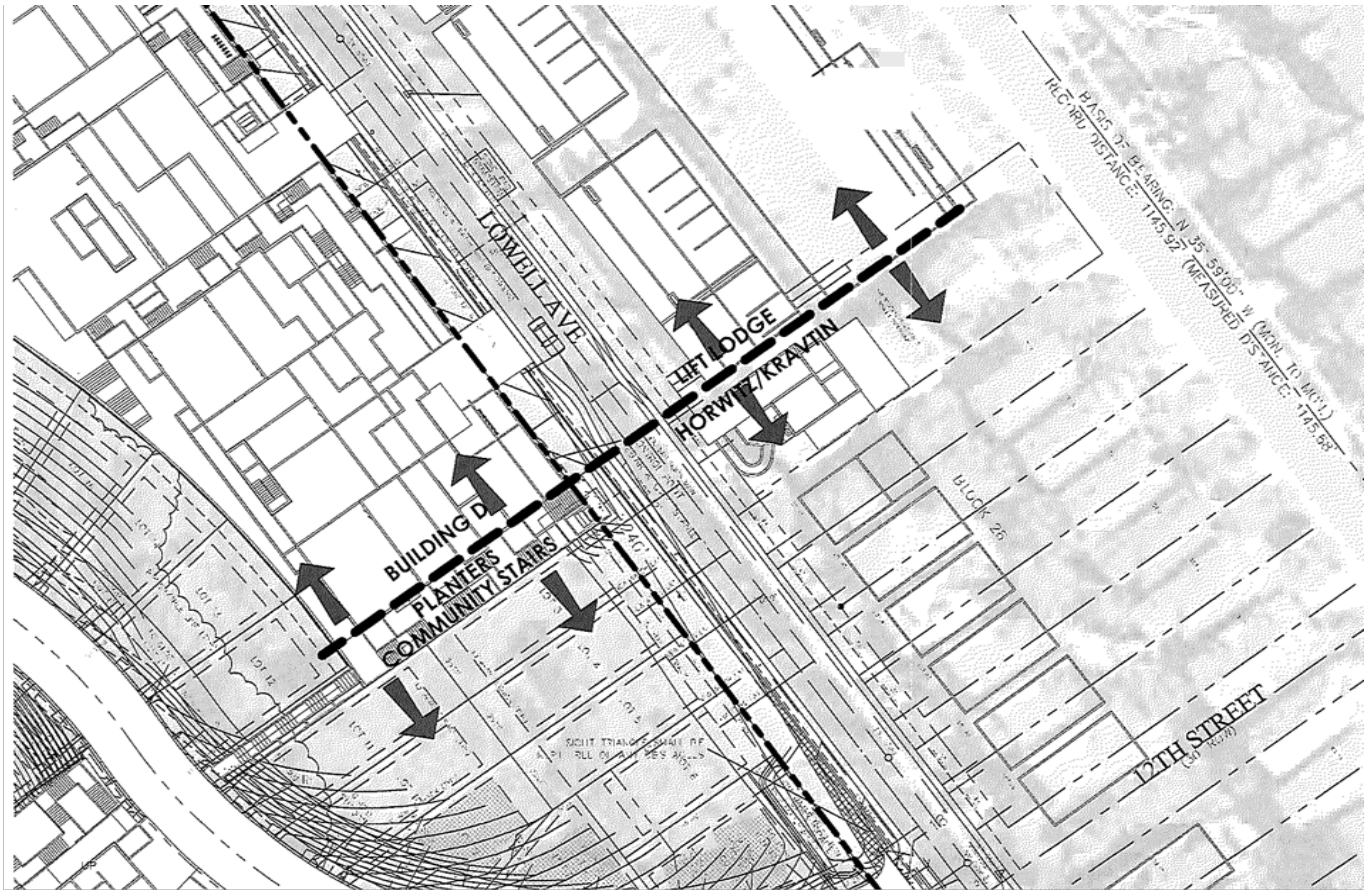


FIGURE 1

Point Two: The developer's current disavowal of prior representations and promises of mitigation made to us pursuant to the MPD and CUP process is in stark contrast with its early constructive outreach and understanding of the negative harms that its mass stacked condo Building D would impose on us, as well documented.

The developer at the onset of the project showed a good faith effort to provide necessary lawful mitigation to the neighborhood as evidenced by the drawings and narrative language accompanying those drawings provided us in November 2017 showing very specific mitigation of the incompatible massing of Building D; only now that its MPD project is well underway, we have a developer attempting to disavow its promised and necessary mitigation seemingly on the grounds it never really meant its written and oral words and licensed architect drawings be taken "as a literal representation of alignment with the Lift Lodge."

In addition to the overlay drawing above, the 11/26/17 correspondence from Mr. Murphy also included the attached drawing from the architect, shown below. CRG's commitment on the placement of Building D and the rendering in *Figure 2* below showing a heavily terraced Building D and double-width terraced beautifully landscaped public access stairwell gave additional assurances that the developer and architect had considered mitigation and were understanding of the need to be sensitive to the neighborhood given the overwhelming mass of the development the developer was proposing as part of its ability to gain a swift and abutter-uncontested approval of the MPD by the Commission - especially given the climate created by Treasure, and what we now see on the horizon with the PCMR lot project.

FIGURE 2

Sadly, that sense of responsibility to mitigate the negative impacts of the massing and other incompatibilities of Building D on the immediate surrounding neighborhood as demonstrated in the drawings provided us in 2017 and that secured our approval of their project, despite the

disproportionate impact on our home and us personally appears to have evaporated in the ensuing years between the original grant of their MPD approval and the imminent construction of Building D. *The plat they are seeking your recommendation of approval contains no meaningful mitigation of the very negative impacts of their incompatible mass stacked condominium Building D;* indeed, it does not even contain any of the later somewhat improved redesigns CRG notes in its submission it presented us after it acknowledged its plat error – but that still fell well short of its promised mitigation reiterated on your public record.

While CRG claims it offered three redesigns, the first of the three was never presented to us because Mr. Murphy himself declared "I have had Chimso working on it, but his first effort wasn't to my expectations. I want you to know emphatically we will not submit anything to the Commission without your blessing." (See Staff Report, Exhibit J, reproducing Exhibit 3 of our September 23, 2020 Comment). The second offered up to us we understood from the architect was very close to the first redesign that did not meet even Mr. Murphy's expectations. The third redesign, while still falling well short of what Mr. Murphy had agreed upon regarding the Building boundary the past three years, at least made an effort to align some portion of the building with the Lift Lodge, although that alignment traded off indoor square footage with private outdoor square footage, raising other mitigation concerns for which we expressed our need for additional clarity and information to be able to meaningful evaluate our impacts of the redesign vis-à-vis what we had agreed upon under the auspices of Planner Astorga. Unfortunately, it was shortly thereafter the developer unilaterally cut off all communications with us. (The drawings we believe reflect the third redesign were provided to us in a GRAMA request are attached as Attachment C to these comments).

That their narrative portrays us as the unreasonable party for expecting them to honor words clearly and unambiguously spoken on your public record regarding the boundary is like shaming the victim. Whatever costs they purport to have incurred to "accommodate" us could easily have been avoided by their earlier due diligence in confirming (as we requested of him on many occasions) their plat adhered to words Mr. Murphy unambiguously stated, indeed "reiterated" on your public record in November 2017, regarding the alignment with Lift Lodge and as confirmed with Planner Ward as recently as November 2019.

Point Three: The clearly articulated mitigation to align the southernmost boundary of Building D with the Lift Lodge is necessary, reasonable and commensurate with the non-compatibility of Building D and the singularly harmful impacts of that mass structure to us and our single- family home.

The mitigation to align the southernmost boundary of Building D with the Lift Lodge was brokered by Lead Planner Astorga at the earliest stages of the project in 2017. Both we and Mr. Murphy readily accepted the brokered mitigation in a congenial fashion. Neither we nor Mr. Murphy ever expressed any dissatisfaction with the statement of the boundary in relation to Lift Lodge. Mr. Murphy reiterated CRG's acceptance of the boundary in relation to Lift Lodge to us and to you on your public record.

For the reasons we elaborate on below, the alignment of the southernmost boundary of Building D with the Lift Lodge is necessary and reasonable mitigation pursuant to the MPD and CUP requirements of the City commensurate with the non-compatibility of Building D and the singularly harmful impacts of that mass structure to us and our single- family home. These

include diminution of our enjoyment of our home and our property value and the degradation of our surrounding neighborhood vis-à-vis the preexisting pattern of development on Lowell Avenue and our reasonable expectation of a conforming compatible structure opposite adjacent our home pursuant the MPD findings of fact and conditions of approval in the absence of the promised mitigation.

The picture shown on the following page captures the view of Kings Crown homes looking south up Lowell Ave. *(See Figure 3 below).* Contrast this pleasant compatible streetscape, mass, use, design, and architecture with the views to the north *(see Figure 4 below)* where the CRG mass stacked condos are going in. Note above the attractive single-family homes and view of treetops. We believe Building D will be a full story taller than these four-story homes and that is why mitigation in the form of placing Building D no further up Lowell Ave than Lift Lodge was such an important part of the agreed upon mitigation in order to soften the visual blockade from our major sleeping and living quarters.

In contrasting view to our north looking toward CRG's Kings Crown mass stacked condos, the view to our south shows the pleasant conforming structures of the single-family lots (not built by CRG). *This view of conforming single-family homes shown in Figure 3 is a mirroring of our home consistent with the MPD and CUP findings of fact and conditions of approval. By no stretch of the imagination or reality could Building D be found to be a mirroring image of our home compliant with the MPD and CUP findings of fact and conditions of approval, or even a mirroring of the low-profile style and design of Lift Lodge from the Lowell Avenue streetscape.*

FIGURE 3

As shown in the photo on the following page *(see Figure 4)* taken from our master bedroom you can see the last of the Kings Crown single family homes on the left and Building C on the right. Building D will completely fill the space in between and will be considerably taller than the single-family home on the left, and Building C on the right because we believe it will be a full story taller than both the single-family home on the left and Building C. Because of this, from the onset in 2017 we were very focused on the placement of Building D. Originally the request submitted and summarized as "community input" was to have Building D well north of Lift Lodge. In our meeting with City Planner Francisco Astorga, he offered a compromise he believed he could get the developer to agree of having the southernmost edge of Building D line up with the Southernmost edge of Lift Lodge.

While this was not ideal, we are pro responsible development, and so we felt we could live with the small buffer zone between our home and the giant mass of building D, softened by the promised double width terraced and well landscaped public access stairway and we agreed with the proposal in the spirit of good citizenship. As Mr. Astorga opined, Mr. Murphy also agreed to the proposal, CRG sent drawings to Francisco, he sent drawings to us, and Rory further agreed to us that he would state it on the record of the Planning Commission for clarity and for our peace of mind. There was absolutely no ambiguity following the developer's initial agreement with the

brokered agreement. This suggestion of ambiguity has only newly surfaced as a strategy to extricate itself from promises made on the record the developer no longer finds it convenient to adhere.

We believe the truth is that the developer made an early unfortunate mistake in failing to check the engineering drawings they submitted to conform with Mr. Murphy's statements and now don't want to own up and bear the costs of their mistake or oversight. This is unfortunate because there were so many opportunities the due diligence could have been performed to avoid this situation. On many occasions we pointed out to Mr. Murphy questions about the placement of Building D as other aspects of the MPD were going into the ground around the Building D site, but on each occasion, he confirmed that Building D and Lift Lodge lined up, each time noting his reach out to Chimso for confirmation For whatever reason, Mr. Murphy, and the architect failed to do the real due diligence to confirm what they were literally saying to us and to you since 2017 as actually being "true." It was not until December 2019 when we met Mr. Murphy, the architect, and a member of CRG at the site that Mr. Murphy admitted they had messed up. We as severely impacted neighbors who worked closely with the city and the developer on this issue over multiple years should not be the ones to bear the impact of the developer's error and lack or attention to detail.

FIGURE 4

These next set of pictures on the following page *(Figures 5A – 5C)* show our home in brown siding and gray metal. The first panoramic picture shows the relatively low impact of the homes and Lift Lodge on the other side of the street from the Kings Crown development. It demonstrates that the mass of Building D is incompatible with the neighborhood. The second and third pictures show our side stairway which is included in our ten-foot setback. Lift Lodge is

a clear delineation of the residential neighborhood, and why it was agreed to as a mitigation proxy.

FIGURE 5A, 5B, 5C

FIGURE 6

Figure 6 above provides a view of the small-scale residential pattern of development to the south of our home, once again demonstrating the gross incompatibility of Building D relative to our pre-existing surrounding structures both to our north and our south.

Point Four: Claims by the developer it has provided us adequate mitigation for the detrimental impacts of Building D on us and our home is simply not supported by the facts.

The various items of mitigation listed in their January 10, 2021 comment either is not true in the first instance (and we have documentation to prove it), is not meaningful mitigation to the harmful impacts we are poised to suffer from the imposing mass of Building D in our direct line of sight, and/or in no way could be reasonably taken to provide offsetting mitigation in lieu of the promised alignment of the southernmost boundary to align with Lift Lodge and other mass-softening features represented in the architect's drawing above.

<u>False claim of mitigation regarding preserving our Iron Mountain View. We have already lost our view of Iron Mountain from the other buildings of the MPD to our north.</u> CRG claims to have redesigned the southern roof of Building D preserve the view of Iron Mountain from our master bedroom window. Truth is we have already lost our view of Iron Mountain from Building C:

On the following page *(see Figure 7)* is a four-part picture collage showing the view from our master bedroom looking down Lowell Ave: The pictorial collage shows the progression of Building C as it removes any view of Iron Mountain from our bedroom, contrary to CRG's claim that they preserved the view. When Building D goes in, we will be further blockaded by mass. The view of the hillside remaining will be obliterated by Building D.

<u>False claim of mitigation regarding the public access stairway given CRG's current proposal</u>. The placement of the stairway more has to do with the location of their amenity building than to our mitigation. We would have preferred the placement of a single-family house across from us as the mirroring condition would warrant. We stand to lose significant privacy and also have the public try to use our private stairwell as a continuation. Most importantly, the promised mitigation of the public stairway was conditioned on the double width beautiful terraced landscape design that CRG's current submission fails to honor. The proposed downgrade of the stairway is a significant issue for us and other immediate neighbors in addition to the boundary, and odd that Mr. Murphy would highlight it given the downgrade.

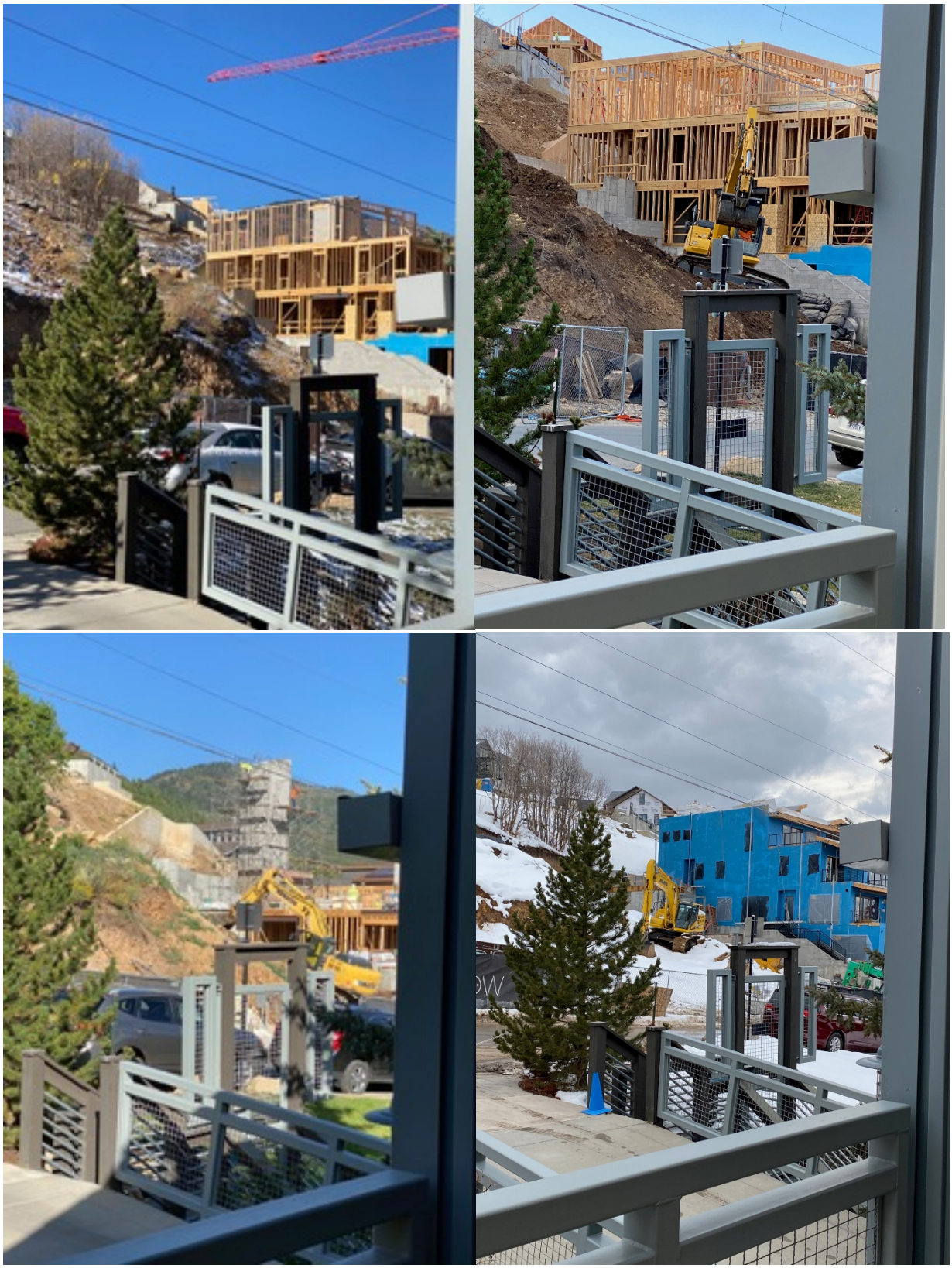


FIGURE 7

False claim of mitigation with a "tree." Mr. Murphy claims to have planted to screen our view from D was in reality a small 2 ½ foot bush that had nothing to do with the side of our property facing Building D. The small bush in question was planted on the south side of our property as shown in the picture below *(See Figure 8)*, behind existing evergreen trees. It was purely ornamental and provided no screening from Building D or construction vehicles. We never asked Mr. Murphy to plant or pay for the bush; we were informed one day by our gardener that Mr. Murphy had approached him about paying for a planting. Ironically, the bush died, and we paid for its replacement.

FIGURE 8

False claim of mitigation with the driveway. While they may have moved the driveway 40 feet to keep headlights from glaring into our window, they will not be providing the agreed upon minimal mitigation if they building itself has shifted well south of its agreed upon alignment with Lift Lodge. Our home is singularly impacted by the multi-unit driveway. And unlike Lift Lodge occupants, we are full-time residents and so will bear the burden of the negative externality of the headlight invasion into our sleeping space on a permanent basis.

False claims of mitigation with engineering work. Our documentation will show all we requested was the reference for an engineer we could hire to ensure the structural integrity of our driveway particularly with concerns about the trucks that could be trying to turn around in during construction. And we offered to pay for the service rendered. While Mr. Murphy was gracious not to accept our offer to pay for the service, he never indicated in the case of the engineering work that what he presented as neighborly gestures given the severe inconveniences his project was causing us was being provided in lieu of our agreed upon mitigation. Had he done so, we would have respectfully declined this gesture.

False claims of mitigation concerning shutting down entire job for a day and half during our daughter's [sic] wedding. Our documentation shows all we asked was for him to have his crews perform routine water cleansing of the mud and dirt debris from their construction in front of our house which we understand to be in compliance with city requirements in the first instance and which Mr. Murphy insisted we contact him regarding these kinds of issues as they arose in lieu of contacting the city. We also inquired whether some existing tree screening we knew ultimately would be pulled out was scheduled for that week in the hope it would not. We never specifically asked the developer for a total shut-down during the period of our son's wedding. To suggest it was a special favor to keep our road and entrance to our driveway free of their construction mud and debris, which has plagued all our neighbors over the past three years we have been living with the MPD constructions, is disingenuous if not insulting. Ironically, the main purpose of our outreach to Mr. Murphy that week, and why he knew of our son's wedding in the first instance, was to ask the nature of the matters before the Commission at that week's meeting; given our occupation with the wedding, we did not feel our participation at the meeting was necessary if items pertinent to Building D were not on the agenda, as Mr. Murphy had indicated to us in an email response to our inquiry sent prior to the May 2019 meeting. In retrospect, had we known then what we learned the following December that CRG's plat did not correctly reflect the boundary agreement then we would have made it a priority to attend, wedding week notwithstanding.

CONCLUSION AND REQUEST FOR ACTION

Hopefully the pictures and associated narratives we have provided in these comments better clarify for the Commission the extent of the burden of negative externalities we are singularly and disproportionately being asked to bear as a result of CRG's decision to build a fourth mass stacked condo building (indeed *the largest* of the four stacked condo style building) across from our single family home versus the compatible single family dwellings to our south or even a low profile multi-unit dwellings like the Lift Lodge (see Figures 5A,5B, and 5C). And hopefully you can better understand why we have participated so actively in the MPD and CUP process from the very onset.

The developer has sought to unfairly characterize us as overly aggressive, unreasonable, troublesome neighbors. This feels like shaming and blaming of the victim, and we ask the Commission to see through these false representations of us and our rightful expectations that the Commission would hold the developer to its words and to its promises made on your record regarding necessary and lawful mitigation to us pursuant to the MPD and CUP requirements – conditions which permitted your swift approval of their MPD in 2017, with no real abutter opposition --- most importantly none coming from us based on Mr. Murphy's clear representations of CRG's mitigation of our negative impacts by alignment of the southernmost boundary of Building D with the Lift Lodge.

That they not only have decided not to honor their clearly stated and well documented commitments of mitigation to us, that we had every right to accept as literal and exact, and in exchange for our on the record support and lack of opposition to their project between 2017 and 2019 – right up until they admitted their plat error and Mr. Murphy signaled push back from the investors to honor past representations to us as recorded on your record. The situation deteriorated further when they unilaterally walked away from the table after we expressed willingness – against our own interests – to sit down with them to try and explore other means of mitigation they could provide that would be less costly to them than what they promised us and reiterated on your record.

On top of all the angst they have caused us, the expenditure of countless hours of our time, and substantial outlay of our resources for professional advice we have had to incur over the past year from their actions and failure to live up to their on-record commitments to us, they have sought to portray us as the unreasonable party. And instead coming before you in earnest and in good faith to own up to their plat error, they are doubling down to have you approve the same plat that has now been shown not to comply with the agreed upon, minimum level of mitigation given the harmful impacts we are facing from Building D, given we are a single-family home and by all accounts should be opposite adjacent a single-family home or town home style structure, not a noncompatible behemoth of a mass stacked condo building.

Moreover, the plat they are asking you to recommend for approval still leaves so many unanswered questions that impact our home and our surrounding neighborhood including not only the precise boundary of the southernmost edge of Building D, but the design and landscape plan for the public access stairway (which appears to inexplicably dead end into trees at the

bottom of Lowell) and other design features of the building, the garage and the surrounds that have significant impact on our mitigation and that of our neighbors.

In conclusion, we respectfully ask the Commission not to rush through the requested approval of a plat with remaining unresolved issues of mitigation. Please take the time necessary to fully consider and understand: (1) the very detrimental additional impacts that the proposed Plat Amendment will impose on the entire Lowell Avenue neighborhood but that fall disproportionately and singularly on us as the most directly impacted abutters, and (2) to make the appropriate and necessary changes (as proposed in Attachment A to our comment) to the relevant Findings of Fact and Condition of Approvals as required to mitigate the grossly non-conforming incompatible use, scale, mass, style, design and architectural detailing of Building D in juxtaposition to our home and other adjacent properties as demonstrated in the pictures and accompanying narrative presented in this submission.

Neither the Commission nor we should be responsible for or bear the burden for the errors or lack of due diligence on the part of the developer and its architect. It is reasonable and in the public interest to hold the developer accountable for promised lawful mitigation to impacted abutters. That is all we have ever asked of the Commission is to hold this developer accountable and all we continue to respectfully ask for now.

Submitted by: Patricia D. Kravtin and Jonathan Horwitz, 1240 Lowell Avenue

Attachment A – Proposed Changes to MPD and CUP Findings of Fact and Condition of Approvals

Attachment B – Email Communications dated November 28, 2017 between Rory Murphy and Patricia Kravtin and Jonathan Horwitz, cc'ed to Architect and CRG Partners

Attachment C – Redesign of Building D Prepared by CRG June 2020

Kravtin Horwitz February 10, 2021 Public Comment Attachment A

PROPOSED ADDITIONAL FINDINGS OF FACT AND CONCLUSIONS OF LAW

Findings of Fact

1. CRG made written and visual (in the form of architectural drawings) assurances to neighbors, including adjacent neighbors at 1240 Lowell Avenue, that the southernmost wall of Building D shall align with the southernmost wall of the Lift Lodge.
2. CRG made affirmative representations in public meetings that the southernmost wall of Building D shall align with the southernmost wall of the Lift Lodge.
3. CRG made written and visual representations to neighbors and the City regarding mitigation of Building D's impact on the neighborhood and adjacent neighbors, including placement of a terraced and landscaped double-wide staircase, various terraces and other features that would break up and mitigate significant massing and scale of Building D.
4. The City and neighbors relied upon CRG's representations regarding the placement of Building D and additional mitigation that would be included in the architectural design of Building D.
5. Certain neighbors, including adjacent neighbors at 1240 Lowell Avenue, agreed to a compromise plan and withdrew other objections that they had, in reliance on CRG's representations regarding the placement and design of Building D.
6. The plat submitted by CRG to the City relating to dimensions and placement of Building D on the property has been withdrawn by CRG. A new plat that reflects CRG's prior representations and promises to the City and neighbors regarding the placement of Building D will need to be submitted and approved by the City prior to any construction.

Conditions of Approval

1. CRG must create and submit for approval a final plat for Building D, which shall reflect and confirm that the southernmost wall of Building D shall align with the southernmost wall of the Lift Lodge.
2. The final architectural design of Building D, and related double width stairways, will be terraced and landscaped in a manner that will mitigate the large box massing and scale of Building D. The final architectural design shall be approved by the Planning Department prior to any construction of Building D.

From: Rory Murphy [mailto:paladinparkcity@aol.com]
Sent: Tuesday, November 28, 2017 11:53 AM
To: Jon Horwitz <Jon_Horwitz@putnam.com>; pdkravtin@comcast.net
Cc: chimso@be-wow.com; cv.heath.pc@gmail.com; hans@xmission.com
Subject: Fwd: Horwitz/Kravtin View

-----Original Message-----
From: Patricia Kravtin <pdkravtin@comcast.net>
To: 'Rory Murphy' <paladinparkcity@aol.com>; jon_horwitz <jon_horwitz@putnam.com>
Cc: chimso <chimso@be-wow.com>; 'Jon Horwitz' <Jon_Horwitz@putnam.com>
Sent: Sun, Nov 26, 2017 5:00 pm
Subject: RE: Horwitz/Kravtin View

Rory, Jon and I are still going through the materials posted on the commission site but had a few threshold questions for you and Chimso that we are seeking clarification on for us and the Commission.

We very much appreciate that the image below is definitely getting closer to our expectation in that it appears to incorporate changes we had discussed for, i.e., movement of the garage entrance down from the uphill end of Unit D so headlights did not glare into house, and also that undulations had been added to the Lowell Ave façade and South elevation for a less harsh architectural massing.

We would like to clarify:
(1) that with this movement of the garage entrance , which is only partway down from the uphill end of the building, that Chimso is confident and can represent to us and the Commission that we will not have the glare of headlights coming into our home. This is a real concern of ours given the size of Unit D and the volume of cars that might be going in and out of that building. We do appreciate the movement of the garage, but had been hoping the garage would be located even further away from our end of that Building. We understand your concern regarding the garage. In the latest drawings, we pulled the entrance to the garage 42 feet to the north along Lowell from where we had it to accommodate your concerns. This was as far as was practical as we were already pushing the limits of constructability relative to cross-slopes on the road. This really is as far as we can push it. Relative to the headlights, if a driver turns south from the garage entrance, then there will be a brief instant when the cars lights will shine on your home, but it appears that it will hit the first floor and not the bedroom.

(2) that you will clarify to the Commission that the proposed plat in their package does not reflect the true location of Unit D relative to Lift Lodge and our home, as the plat in the package is inconsistent with your updated drawings which show the uphill end of Unit D to be located well north of our home. We will make a point to clarify to the Commission verbally (and therefore on the record) that the south wall of Building D lines up with the southernmost edge of the Lift Lodge. This building moved 15 feet from its original location to accommodate your view.

(3) following up on point (2), there is still ambiguity as to where exactly the uphill (i.e., southern-most) end of Unit D would be located relative to our home and Lift Lodge structures. The last email we had on the subject indicated the building had definitely been moved 15 feet to the north but also that there would be an effort made to move it even further north of our home to mitigate our negative impacts. Given the importance of Unit D's placement, we would like to remove this ambiguity and for you to clarify for us and the Commission more precisely where the southernmost end of Unit D would lie. Please see the attached drawing showing the proposed locations of the buildings. After we met, we moved the Building D 15 feet north from its original location to help mitigate the impact on your home. Again, the southern boundary of Building D lines up with the southern boundary of Lift Lodge. Please note where the stairs are. The stairs are interspersed with planter boxes which should significantly improve the visual effect from your

home. We were, unfortunately, squeezed in the other direction by the City Engineer for the placement of a water line and unfortunately cannot move it farther and still maintain building heights.

(4) Finally, as with the garage movement, we like the tweaks to the original images that Chimso has added to soften the Building D's massing. That said, we had hoped for the addition of more dramatic side terracing as featured in the photo of your Main Street development that Jon had previously forwarded to you. Could you clarify whether you have considered and ruled out the possibility of adding more such prominent features to Building D or whether there remain opportunities to consider further architectural refinements that might soften the building's massing? I discussed this with Chimso this morning and he said he played with the terracing quite a bit and is confident that the effect will softened your views in that direction. We've also added planters where we will plant trees and shrubs to further reduce the visual intrusion on your home. That being said, we should continue our dialogue with Chimso to try to achieve the best end result for your views as possible.

Thanks so much, as always, we so appreciate your outreach and constructive dialogue throughout this process.
Best Pat

From: Rory Murphy [mailto:paladinparkcity@aol.com]
Sent: Wednesday, November 22, 2017 11:11 AM
To: jon_horwitz@putnam.com; pdkravtin@comcast.net
Cc: chimso@be-wow.com
Subject: Fwd: Horwitz/Kravtin View

Hi Jon and Pat,

I hope you both are well. Sorry for the delay in getting this to you. My Mom passed last month and I'm afraid I've been rather occupied. When you get a chance, please look over the below view and let me know if we are getting closer to your expectations on this item.

take care,

Rory

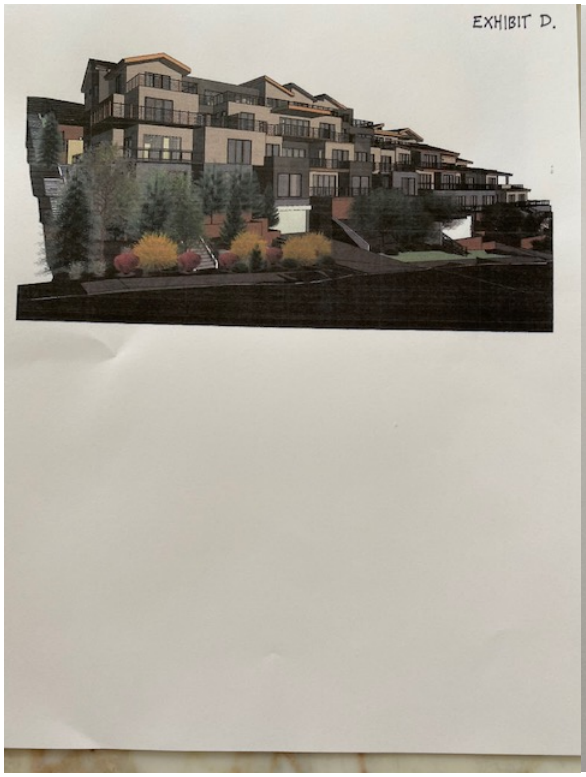
Rory Murphy
paladinparkcity@aol.com
435 640 5068
2590 Sidewinder Drive
Park City, UT 84060

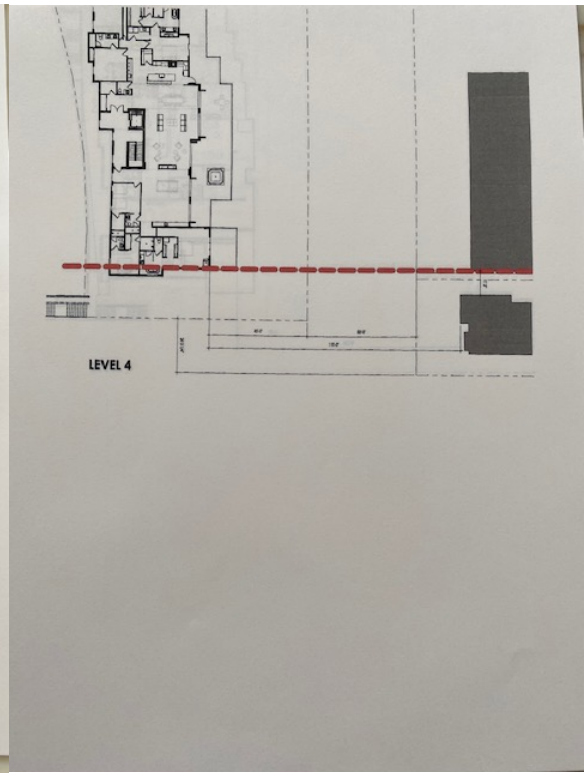
-----Original Message-----
From: Chimso Onwuegbu <chimso@be-wow.com>
To: Rory Murphy <paladinparkcity@aol.com>
Sent: Tue, Nov 21, 2017 9:53 am
Subject: Horwitz/Kravtin View

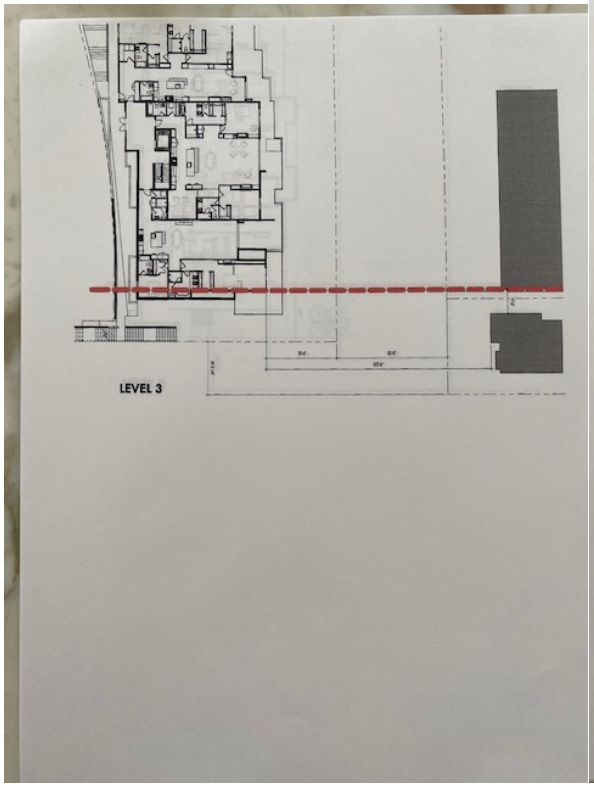
Rory -

Here is a current image which shows a view from the Living area. It shows the driveway moved down per their request, as well as significant undulations to both the Lowell Ave facade as well as the South elevation along the community stairs. Let me know if this is what you were looking for?

Attachment C to Horwitz Kravtin Comments - Redesign of CRG- June 2020



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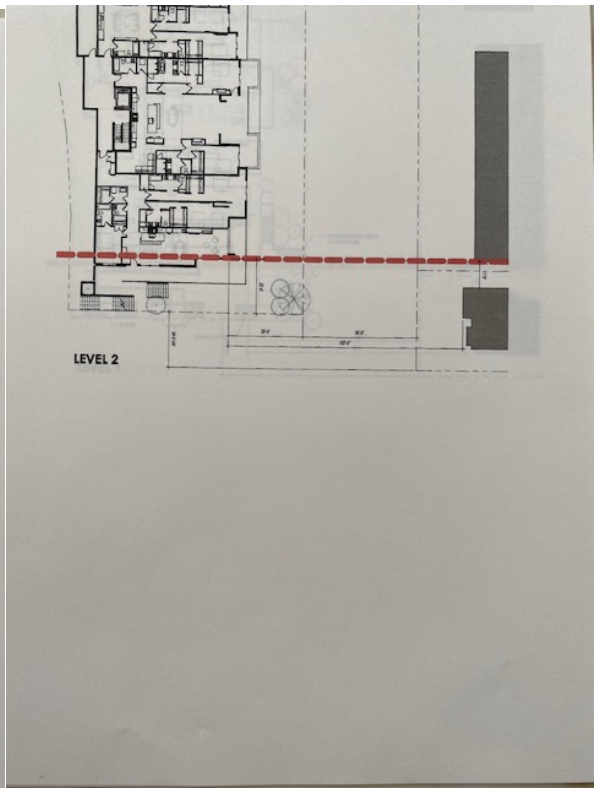
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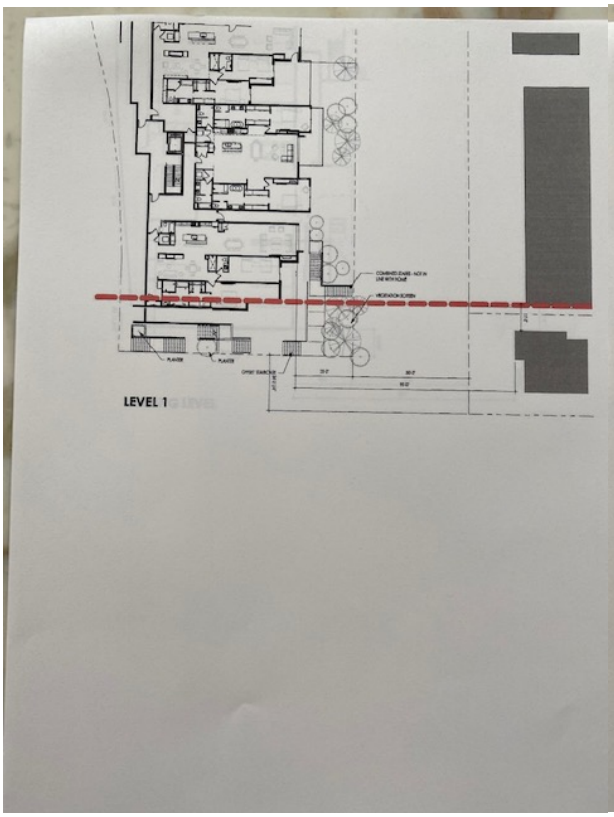
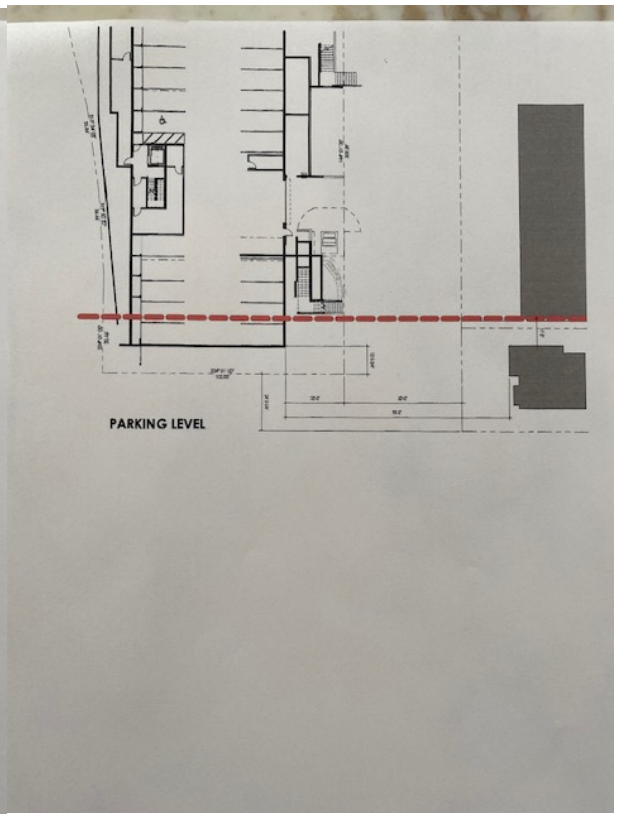
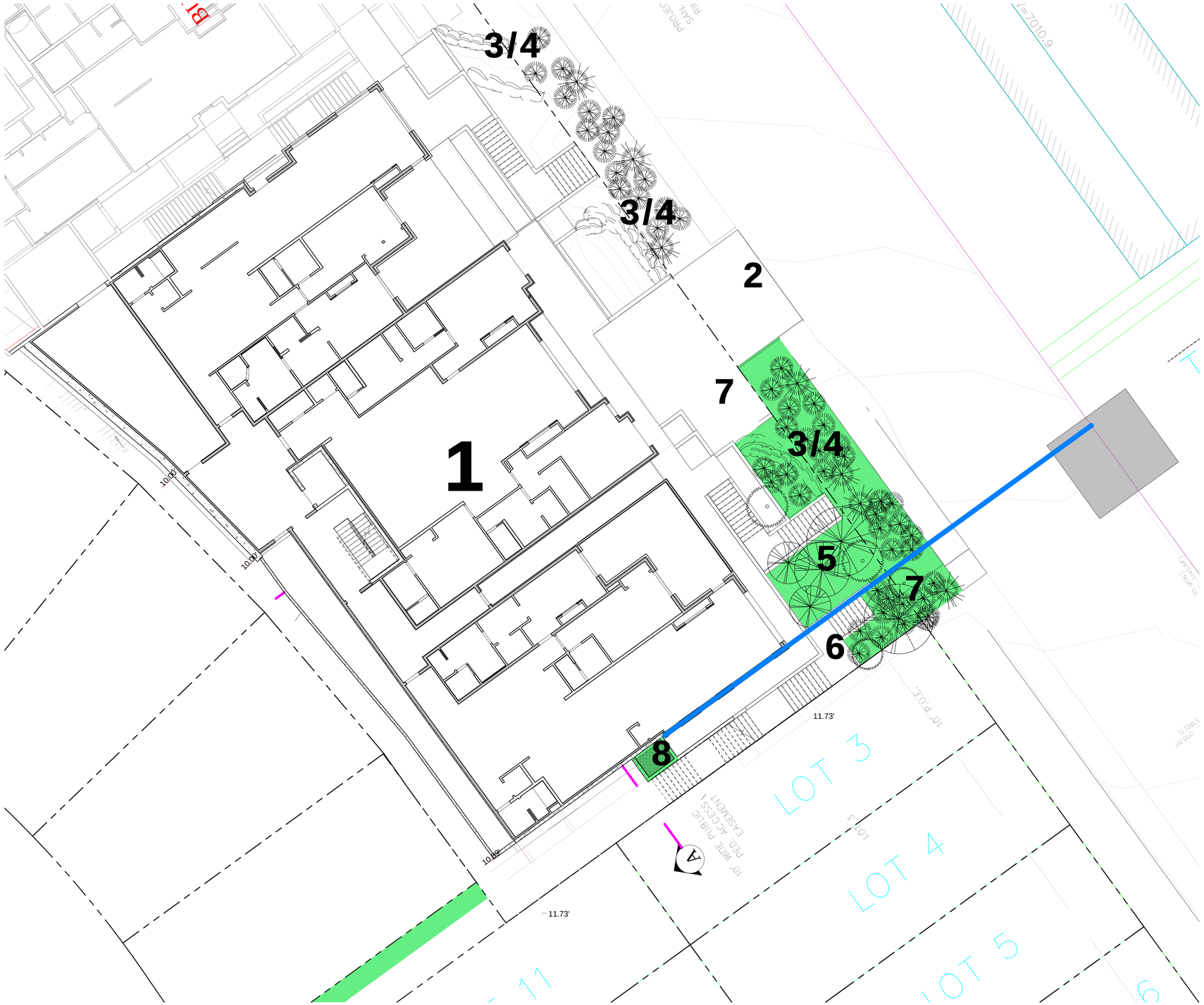

LEVEL 1


PARKING LEVEL



1 ARCHITECTURAL SITE PLAN -JP
SCALE: 1" = 10'-0"

CURRENT CONDITION VS ORIGINAL

1. CONDO BUILDINGS ALL REMAIN IN IDENTICAL LOCATIONS AS ORIGINALLY SUBMITTED (MINOR ADJUSTMENTS MADE THROUGH THE COURSE OF TAKING THE DESIGN FROM A PRE-SCHEMATIC DESIGN AT MPD SUBMITTAL TO CURRENT CONSTRUCTION DOCUMENTS.
2. GARAGE ENTRACE MOVED 40FT NORTH
3. REMOVED MAJORITY OF STRUCTURED RETAINING/PLANTER WALLS
4. REVISED LANDSCAPE TO PROVIDE SOFTER BOULER WALLS
5. ADDED SIGNIFICANT PLANTINGS AT SOUTHERMOST END OF PROJECT TO SOFTEN THE IMPACT OF THE CONDO BUILDINGS
6. MAINTAINED FINAL STAIR OFFSET AND PLANTER
7. RELOCATED ELECTRICAL TRANSFOMER AND REPLACED WITH A TREE
8. MAINTAINED MID STAIR PLANTER AGAINST BUILDING

WOW

PRELIMINARY NOT FOR PERMIT OR CONSTRUCTION

CIVIL: EVERGREEN ENGINEERING
STRUCTURAL: JARRATT ENGINEERING
MECHANICAL: DB W/ JTB ENGINEERING
ELECTRICAL: BNA INC
LANDSCAPE:
INTERIOR: WOW +/ NATURAL INSTINCTS

KING'S CROWN

1271 LOWELL AVENUE
PARK CITY, UTAH

PROJECT #: 180025
ISSUE DATE:
ISSUE:
REVISIONS

CURRENT BLDG D PLACEMENT

AS-020

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the concepts, ideas, drawings and specifications herein are an original unpublished work and the property of WOW Atelier, LLC and shall not be used on any other work. do not scale drawings. all conditions shall be verified on site, discrepancies shall be brought to the attention of the architect before proceeding.
plot date: 2/1/2021 2:27:00 PM D:\Revit Local Files\Kings Crown Condos_PHASE2_CENTRAL_brimso@be-wow-com.rvt

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3D STREET VIEWS

AS-021

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ISSUE:

REVISIONS

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