

**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
January 10, 2018**



AGENDA

MEETING CALLED TO ORDER AT 3:30PM

ROLL CALL

ADOPTION OF MINUTES OF

[December 6, 2017](#)

[December 13, 2017](#)

[December 20, 2017](#)

PUBLIC COMMUNICATIONS – Items not scheduled on the regular agenda

STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

CONSENT AGENDA – *All items on the consent agenda shall be passed or denied by a single motion at the Commission meeting, unless a motion to remove a specific item is made. If a member of the public or a member of the Planning Commission requests a public hearing on a consent agenda item, then the item shall be removed from the consent agenda and acted on at the same meeting.*

88 King Road – Steep Slope Conditional Use Permit – applicant is proposing to construct a new single-family dwelling on a vacant lot with a slope greater than 30%. *Public hearing and possible action*

PL-17-03654 03
Planner Tyler

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

1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue. Woodside Park Affordable Housing Project Phase I – Master Planned Development – Ratification of Development Agreement. *Possible action*

PL-17-03454 119
Planner Tyler

277 McHenry Avenue – Request for a Conditional Use Permit for an Accessory Apartment on Parcel A of 277 McHenry Avenue. Request for a Conditional Use Permit to allow construction of an Accessory Apartment on a steep slope. The applicant proposes at least 200 square feet of Building Footprint to be built upon an existing slope of 30 percent or greater. *Public hearing and possible action*

PL-17-03675 161
PL-17-03676
Planner Morlan

7695 Village Way – Empire Residences Conditional Use Permit for a 21 unit building at the Village at Empire Pass Master Planned Development for Lodge Building 3, with one employee housing unit and one ADA unit. *Public hearing and possible action*

PL-17-03526 203
Planner Whetstone

AGENDA CONTINUES ON NEXT PAGE

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

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

7695 Village Way – Empire Residences Condominiums- condominium plat to create private and common ownership for 21 residential units, one employee housing unit and one ADA unit. PL-17-03721 342
Planner
Whetstone

Public hearing and possible recommendation to the City Council on February 1, 2018
King's Crown Master Planned Development located at 1201-1299 Lowell Avenue consisting of 27 single-family lots, 23 residential units, 7 townhouses, and 15 affordable housing units, all residential. PL-17-03515 354
Planner
Astorga

Public hearing and possible action

King's Crown Conditional Use Permit for five (5) multi-unit dwellings consisting of 23 residential flats, 7 townhouses, and 15 affordable housing units. PL-17-03566 354
Planner
Astorga

Public hearing and possible action

King's Crown Re-Subdivision of subject land into 32 lots of record consisting of 27 single-family dwelling lots, 3 lots for the five (5) multi-unit dwellings, and 2 open space lots. PL-17-03567 354
Planner
Astorga

Public hearing and possible recommendation to the City Council on February 1, 2018

RECESS – 5:00 - 5:30 PM

REGULAR AGENDA CONTINUED – 5:30 PM

Treasure Hill, Creole Gulch and Town Lift Mid-station Sites – Amended development agreement and Conditional Use permit – Sweeney Properties Master Plan - PL-08-00370 PL-08-00370
Planner
Astorga

Public hearing

ADJOURN

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

Planning Commission Staff Report



Subject: 88 King Road Avenue
Project #: PL-17-03618
Author: Hannah M. Tyler, Planner
Date: January 10, 2018
Type of Item: Administrative – Steep Slope Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit (CUP) at 88 King Road, conduct a public hearing, and approve the Steep Slope CUP for 88 King Road. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Description

Owner/ Applicant: 88 King Road Investments LLC (Represented by Bill Van Sickle)
Location: 88 King Road
Zoning: Historic Residential Low-Density (HR-L) District
Adjacent Land Uses: Residential
Reason for Review: Construction of a new single-family dwelling with a Building Footprint in excess of two hundred square feet (200 sf) to be located upon an existing slope of 30% or greater.

Proposal

This application is a request for a Steep Slope Conditional Use Permit (CUP) for construction of a new single-family dwelling with a Building Footprint in excess of two hundred square feet (200 sf) located on an existing Slope of 30% or greater.

Background

On August 30, 2017, the City received an application for a Conditional Use Permit (CUP) for "Construction on a Steep Slope" at 88 King Road; the application was deemed complete on October 2, 2017. Since October 2, 2017, the applicant has been working with staff to confirm compliance with the HR-L zoning requirements and the Design Guidelines for New Construction.

The property is located in the Historic Residential Low-Density (HR-L) District. The lot contains 3,750 square feet. It is an uphill lot. This application is a request for a Conditional Use Permit (CUP) for construction of a new single-family dwelling on a vacant lot. Because the proposed footprint of the new structure is in excess of 200 square feet and the proposed footprint is located upon an existing slope of greater than 30%, the applicant is required to file a Conditional Use Permit application for review by the Planning Commission, pursuant to Land Management Code (LMC) § 15-2.2-6.

The Historic District Design Review (HDDR) application for the proposed for the new single-family dwelling is on hold, pending Planning Commission approval of the Steep

Slope Conditional Use Permit. The HDDR application was also submitted on August 30th, 2017.

An Administrative Lot Line Adjustment was approved in 2006 creating the 88 King Road Replat.

Purpose

The purpose of the Historic Residential Low-Density (HRL) District is to:

- A. reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
- B. provide an Area of lower density Residential Use within the old portion of Park City,
- C. preserve the character of Historic residential Development in Park City,
- D. encourage the preservation of Historic Structures,
- E. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
- G. define Development parameters that are consistent with the General Plan policies for the Historic core.

Analysis

The proposed footprint of the new single-family dwelling is 1,518 square feet; the lot size currently allows a footprint of 1,519 square feet. The new development complies with all setbacks and building footprint, as outlined in the following table.

This is an uphill lot, and the average slope of the lot is about 58%. The average slope of the footprint area is approximately 44%.

The new construction meets the allowed building height. Staff reviewed the plans and made the following LMC related findings:

Requirement	LMC Requirement	Proposed
Lot Size	Minimum of 3,750 square feet	3,750 square feet, <u>complies.</u>
Building Footprint	1,519 square feet maximum	1,518 square feet, <u>complies.</u>
Front Yard	10 feet minimum, total of 20 feet	10 feet, total of 20 feet, <u>complies</u>
Rear Yard	10 feet minimum, total of 20 feet	10 feet, total of 20 feet, <u>complies</u>
Side Yard	5 feet minimum, 10 feet total	5 feet (north), 5 feet (south) (total of 10 feet), <u>complies.</u>
Height	27 feet above existing grade, maximum.	24.89 feet, <u>complies.</u>

Height (continued)	A Structure shall have a maximum height of 35 feet measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.	35 feet, <u>complies</u> .
Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	4 feet, <u>complies</u> .
Vertical articulation	A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade. Architectural features, that provide articulation to the upper story façade setback may encroach into the minimum 10 ft. setback but shall be limited to no more than 25% of the width of the building encroaching no more than 4 ft. into the setback.	There is a 10 foot horizontal step in the downhill façade that has a maximum height of 22 feet from where Building Footprint meets the lowest point of existing Grade. <u>complies</u> .
Contributing Roof Form	The roof pitch of a Structure's Contributing Roof Form shall be between seven: twelve (7:12) and twelve: twelve (12:12) and shall occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way.	The roof pitch of the Contributing Roof Form is 7:12 and occupies a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way. <u>complies</u> .
Secondary Roof Form	Secondary Roof Forms may be below the required 7:12 roof pitch and located on the primary façade (such as porches, bay window roofs, etc).	The Secondary Roof Form is a projecting dormer with a roof pitch of 1:12. The dormer is subordinate to the Contributory Roof Form.
Parking Regulations	Two (2) parking spaces.	Two (2) parking spaces are provided in two (2) single-car garages, <u>complies</u> .

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. Staff has included this as Condition of Approval #12.

LMC § 15-2.1-6(A)(2) requires a Steep Slope Conditional Use Permit (CUP) for construction of any new construction when the Building Footprint of the addition is in excess of 200 square feet, if the building of the footprint is located upon an existing slope of 30% or greater.

Criteria 1: Location of Development.

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

The proposed single-family dwelling is located on the lot in a manner that reduces the visual and environmental impacts. The house steps with the hillside which minimizes the mass and scale while still contributing to the development pattern of the Historic District. The applicant has incorporated a series of terracing retaining walls which eliminated the need for a large and out of scale retaining wall. The applicant has also submitted a Technical Drainage Study (Exhibit D) which outlines the drainage plan.

Criteria 2: Visual Analysis.

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

The applicant submitted a photographic visual analysis, including street views, to show the proposed streetscape and cross canyon views. As demonstrated by the visual analysis, the proposed new single-family dwelling fits within the context of the slope, neighboring structures, and existing vegetation. The neighborhood consists of historic houses with one- to two-story additions, one- to two-story new houses, and a few three- to four-story new residential developments.

The visual analysis, streetscape, and cross canyon view demonstrate that the proposed design is visually compatible with the neighborhood, similar in scale and mass to surrounding structures, and visual impacts are mitigated. By stepping the structure up the hill, the mass and scale have been broken up and largely minimized. The side yard will be re-vegetated following construction. The terraced retaining walls mitigate the visual impact of the steep grade. The terraces will not change grade by more than 4 feet and occur within the property.

Criteria 3: Access.

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

The proposed driveway leads to two (2) single-car garages. As stated previously, the applicant has incorporated terraced retaining walls which mitigate the visual impact of the steep grade. The terraces will not change grade by more than 4 feet and occur within the property. These terraced retaining walls mitigated the need for a large and out of scale retaining wall to accommodate the garage(s) entrance.

At the edge of curb, the applicant has incorporated a driveway with a maximum width of 12 feet. The driveway then widens to allow for entrance to each single-car garage. This driveway design is consistent with the driveways of new construction in the Historic District.

Criteria 4: Terracing.

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

The applicant has incorporated a series of terraced retaining walls to regain Natural Grade as a result of the driveway and single-car garage entrances. These terraced retaining walls will be vegetated in each terrace which will help to shield any further impact.

There are also retaining walls in the rear yard to accommodate a patio area. The retaining walls throughout the site will not change grade more than 4 feet from Existing Grade. The applicant will change grade at the garage entrance which is allowed per LMC 15-2.1-5 Building Height.

Criteria 5: Building Location.

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

The new structure's building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. The design steps with the grade of the lot which allows for the mass and scale to be compatible with development patterns in the Historic District.

In addition, the series of terraced retaining walls helps to regain natural topography while also returning vegetation to the site. The areas of the structure above grade will appear to be one to two stories in height, which is compatible with the existing house and the neighborhood overall.

Criteria 6: Building Form and Scale.

Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the

Planning Commission may require a garage separate from the main Structure or no garage. **No unmitigated impacts.**

The applicant broke up the mass of the new structure by incorporating multiple roof lines and articulation of the wall planes. By breaking up the structure into a series of individual smaller components, the entire structure is more compatible with the Historic District. The areas of the structure above grade will appear to be one to two stories in height, which is compatible with the existing house and the neighborhood overall.

Exterior elements of the new development—roofs, entrances, eaves, porches, windows, doors, steps, retaining walls, garages, etc.—are of human scale and are compatible with the neighborhood and the style of architecture selected. The scale and height of the new structure follows the predominant pattern of the neighborhood which is comprised of one- and two-story buildings as well as historic houses with two-story additions in the back. Further, the style of this structure is consistent with the Design Guidelines.

Criteria 7: Setbacks.

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

The new structure complies with all applicable setbacks. The applicant has worked to break up the mass and scale of the structure through incorporating smaller components, multiple roof lines, and articulation of the wall planes.

Criteria 8: Dwelling Volume.

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

The proposed design is articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure. The proposed massing and architectural design components are compatible with both the volume and massing of single-family dwellings in the area. The design minimizes the visual mass and mitigates the differences in scale between the proposed single-family dwelling and surrounding structures.

Criteria 9: Building Height (Steep Slope).

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

The proposed new construction complies with the twenty-seven feet (27') maximum building height requirement measured from existing grade at the highest point. The height of the new structure is approximately 24.89 feet above existing grade. As designed the house is compatible in mass and scale with houses in the surrounding neighborhood,

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following appeal procedures found in LMC § 15-1-18. The applicant has submitted a Historic District Design Review (HDDR) application. The Historic District Design Review (HDDR) application for the proposed single-family dwelling is under review pending approval of the Steep Slope Conditional Use Permit by the Planning Commission.

Department Review

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

Notice

The property was posted and notice was mailed to property owners within 300 feet on December 27, 2017. Legal notice was also published in the Park Record in accordance with requirements of the LMC on December 23, 2017.

Public Input

No input has been received regarding the Steep Slope CUP at the time of this report.

Alternatives

- The Planning Commission may approve the Conditional Use Permit for 88 King Road as conditioned or amended, or
- The Planning Commission may deny the Conditional Use Permit and provide staff with Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date uncertain.

Significant Impacts

As conditioned, there are no significant fiscal or environmental impacts from this application. The lot is an existing platted, vacant lot with landscaping consisting of native grasses and shrubs, as well as evergreen trees.

Consequences of not taking the Suggested Recommendation

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

Recommendation

Staff recommends the Planning Commission review the application for a Steep Slope Conditional Use Permit (CUP) at 88 King Road, conduct a public hearing, and approve the Steep Slope CUP for 88 King Road. Staff has prepared findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Findings of Fact:

1. The property is located at 88 King Road.
2. On August 30, 2017, the City received an application for a Conditional Use Permit (CUP) for "Construction on a Steep Slope" at 88 King Road; the application was deemed complete on October 2, 2017.
3. The property is located in the Historic Residential Low-Density (HR-L) District.
4. The lot contains 3,750 square feet. It is an uphill lot.
5. The Historic District Design Review (HDDR) application for the proposed for the new single-family dwelling is on hold, pending Planning Commission approval of the Steep Slope Conditional Use Permit. The HDDR application was also submitted on August 30th, 2017.
6. An Administrative Lot Line Adjustment was approved in 2006 creating the 88 King Road Replat.
7. A single-family dwelling is an allowed use in the HR-L District.
8. The lot contains 3,750 square feet. This is an uphill lot, and the average slope of the lot is about 58%. The average slope of the footprint area is approximately 44%.
9. Access to the property is from King Road, a public street.
10. Two (2) parking spaces are proposed on site in two (2) single-car garages.
11. The neighborhood is characterized by a mix of historic and non-historic residential structures, single-family homes, and duplexes. The streetscape is dominated by garages, parking pads, and pedestrian entryways. The homes are a mix of one- to two-story residential developments, with a few three- to four-story houses.
12. An overall building footprint of 1,518 square feet is proposed. The maximum allowed footprint for this lot is 1,519 square feet.
13. The proposed addition complies with the front and rear yard setbacks. The minimum front and rear yard setbacks are 10 feet, for a total of 20 feet; the applicant is proposing a 10 foot front yard and 10 foot rear yard setback, for a total of 20 feet.
14. The proposed structure complies with the side yard setbacks. The minimum side yard setbacks are 5 feet, for a total of 10 feet. The structure has a 5 foot side yard setback for both the north and south side yards for a total of 10 feet.
15. The proposed structure has a maximum height of approximately 24.89 feet. The maximum height in the HR-L is 27 feet.
16. The proposed structure has an interior height of 35 feet. The maximum interior height is 35 feet.
17. The proposed development is located on the lot in a manner that reduces the visual and environmental impacts of the structure. The majority of the mass and bulk of the building has been broken up into smaller components. Only a one- to two-story structure will appear above grade on the hillside.
18. The applicant submitted a visual analysis, cross valley views, and a streetscape showing a contextual analysis of visual impacts of this single-family dwelling on the cross canyon views and the King Road streetscape. The proposed single-family dwelling is compatible with the surrounding structures as the majority of the mass and bulk of the single-family dwelling will be buried underground based on this analysis.
19. Access points and driveways have been designed to minimize grading of the natural topography and reduce the overall building scale. The proposed driveway leads to two (2) single-car garages. The applicant has incorporated terraced retaining walls

which mitigate the visual impact of the steep grade. These terraced retaining walls mitigated the need for an out of scale retaining wall to accommodate the garage(s) entrance. This driveway design is consistent with the driveways of new construction in the Historic District.

20. The applicant has incorporated a series of terraced retaining walls to regain Natural Grade as a result of the driveway and single-car garage entrances. These terraced retaining walls will be vegetated in each terrace which will help to shield any further impact.
21. There are retaining walls in the rear yard to accommodate a patio area. The retaining walls throughout the site will not change grade more than 4 feet from Existing Grade. The applicant will change grade at the garage entrance which is allowed per LMC 15-2.1-5 Building Height.
22. The new structure's building pad location, access, and infrastructure are located in such a manner as to minimize cut and fill that would alter the perceived natural topography. The design steps with the grade of the lot which allows for the mass and scale to be compatible with development patterns in the Historic District
23. The applicant broke up the mass of the new structure by incorporating multiple roof lines and articulation of the wall planes. By breaking up the structure into a series of individual smaller components, the entire structure is more compatible with the Historic District. The areas of the structure above grade will appear to be one to two stories in height, which is compatible with the existing house and the neighborhood overall.
24. The applicant has incorporated setback variations to prevent a wall effect and reduce the building scale and setbacks on adjacent structures.
25. The proposed design is articulated and broken into compatible massing components. The design includes setback variations and lower building heights for portions of the structure. The design minimizes the visual mass and mitigates the differences in scale between the proposed house and surrounding structures.
26. No lighting has been proposed at this time. Lighting will be reviewed at the time of the Building Permit application for compliance with the LMC lighting code standards and Design Guidelines.
27. The property was posted and notice was mailed to property owners within 300 feet on December 27, 2017. Legal notice was also published in the Park Record in accordance with requirements of the LMC on December 23, 2017. The property is located outside of the Soils Ordinance.
28. The findings in the Analysis section of this report are incorporated herein.

Conclusions of Law

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically section 15-2.2-6(B).
2. The Use is consistent with the Park City General Plan, as amended.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. All Standard Project Conditions shall apply.
2. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. The CMP shall include language regarding the

method of protecting adjacent structures.

3. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
4. This approval will expire on January 10, 2019, if a building permit has not been issued by the building department before the expiration date, unless an extension of this approval has been requested in writing prior to the expiration date and is granted by the Planning Director.
5. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission on January 10, 2018, and the Final HDDR Design.
6. All retaining walls within any of the setback areas shall not exceed more than six feet (6') in height measured from final grade unless an exception is granted by the City Engineer per the LMC, Chapter 4.
7. Modified 13-D residential fire sprinklers are required for all new construction on this lot.
8. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be shielded to prevent glare onto adjacent property and public rights-of-way and shall be subdued in nature. Light trespass into the night sky is prohibited. Final lighting details will be reviewed by the Planning Staff prior to installation.
9. Construction waste should be diverted from the landfill and recycled when possible.
10. To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. When approved by the Planning Department in writing to be removed, the Significant Vegetation shall be replaced with equivalent landscaping in type and size. Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may be considered instead of replacement in kind and size.
11. All excavation work to construct the foundation of the new addition shall start on or after April 15th and be completed on or prior to October 15th. The Planning Director may make a written determination to extend this period up to 30 additional days if, after consultation with the Historic Preservation Planner, Chief Building Official, and City Engineer, determines that it is necessary based upon the need to immediately stabilize an existing Historic property, or specific site conditions such as access, or lack thereof, exist, or in an effort to reduce impacts on adjacent properties.
12. 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.

Exhibits

- | | |
|-----------|--|
| Exhibit A | Existing Conditions Survey and Plans (site plan, elevations, floor plans, Visual Analysis/Streetscape) |
| Exhibit B | Drainage Mitigation Submittal |

Exhibit A:
Existing Conditions Survey and Plans
(site plan, elevations, floor plans,
Visual Analysis/Streetscape)

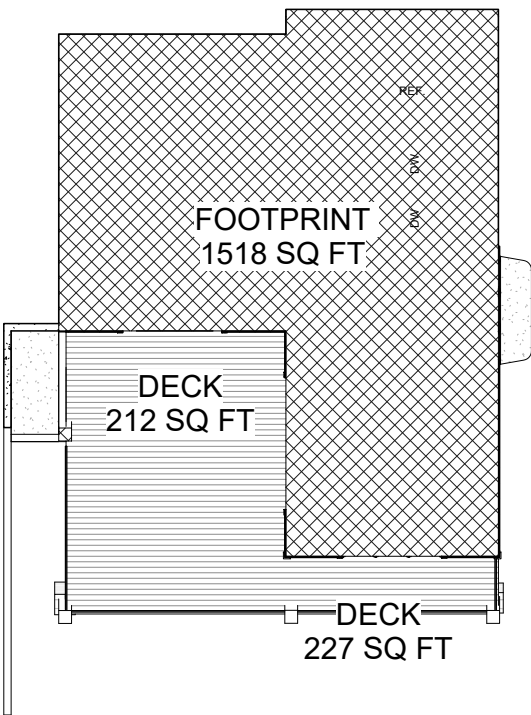
New Residence

Lot 1
88 King Road
Park City, Utah 84098

Deferred Submittals:
1- Truss Specifications
2 - Fireplace Specifications
3 - Fire Sprinkler System

Code Compliance
- 2015 IRC
- 2015 IECC Energy Code
- 2015 EIBC
- 2015 NEC

R-1 RESIDENTIAL ZONE



② Footprint Plan
1/8" = 1'-0"

Square Footage Legend	
Name	Area
Upper Floor	1283 SF
Main Living	1460 SF
Garage	473 SF
Basement Living	848 SF
Elevator	33 SF
Loft Level	772 SF
Mech	70 SF
Total Living	4,396 SF
Total Gross	4,939 SF

Sheet List	
Sheet Number	Sheet Name
A1.1	Cover Sheet
A1.2	General Notes
A1.3	Site Plan
A1.4	Landscape Plan
A2.1	Basement Plan
A2.2	First Floor Plan
A2.3	Second Floor Plan
A2.4	Loft Level
A2.5	Roof Plan
A3.0	Perspective Views
A3.1	Elevations
A3.2	Elevations
A3.3	Streetscape Elevations
A4.1	Building Sections
A4.2	Building Sections
A4.3	Wall Sections
A4.4	Architectural Details
A5.2	First Floor Reflected Ceiling Plan
A5.3	Second Floor Reflected Ceiling Plan
A6.1	Interior Elevations
A6.2	Interior Elevations
E1.1	Basement Electrical Plan
E1.2	First Floor Electrical
E1.3	Second Floor Electrical
E1.4	Loft Electrical
S1.0	Isometric Foundation
S1.1	Foundation Plan
S2.1	First Floor Framing Plan
S2.3	Second Floor Framing
S2.4	Loft Floor Framing
S2.5	Roof Framing

1. Radon Mitigation Plan AF103.6
Crawl Space Pressurization System (Passive) Radon piping in crawl space at bottom of footing level plastic with 12" overlap on plastic joints. Vertical termination of radon pipe thru the mechanical room thru the roof. Electrical outlet for in-line powered vent in mechanical room.
2. Three backflow preventers will be installed

THE ABOVE DRAWINGS AND SPECIFICATIONS ARE THE SOLE PROPERTY OF VAN SICKLE DESIGN & DRAFTING. THEY ARE TO BE USED IN CONNECTION WITH THE PROJECT ONLY AND ARE NOT TO BE REPRODUCED OR USED IN CONNECTION WITH ANY OTHER PROJECT OR PROJECTS WITHOUT THE WRITTEN CONSENT OF VAN SICKLE DESIGN & DRAFTING. ANY REPRODUCTION OR USE OF THESE DRAWINGS WITHOUT THE WRITTEN CONSENT OF VAN SICKLE DESIGN & DRAFTING IS STRICTLY PROHIBITED. ANY REPRODUCTION OR USE OF THESE DRAWINGS WITHOUT THE WRITTEN CONSENT OF VAN SICKLE DESIGN & DRAFTING IS STRICTLY PROHIBITED. ANY REPRODUCTION OR USE OF THESE DRAWINGS WITHOUT THE WRITTEN CONSENT OF VAN SICKLE DESIGN & DRAFTING IS STRICTLY PROHIBITED.

VAN SICKLE
DESIGN & DRAFTING
2065 SIDEWINDER DRIVE SUITE 200
PARK CITY, UTAH 84060
www.vansickledesignanddrafting.com

New Residence
88 King Road
Park City, Utah 84098

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

DATE
11/29/2017
8:35:34 AM

SHEET
A1.1



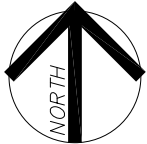
BENCHMARK FOR SURVEY
IS A NAIL AND WASHER
IN ASPHALT. ELEVATION
= 7138.8' APPROXIMATE
USGS ELEVATION

SET NAIL & BRASS
WASHER IN ASPHALT
"LS 173736"
TR. POHL

FOUND & ACCEPTED
5/8" REBAR AND
YELLOW PLASTIC CAP,
"LS 187861" "ON THE
MAP"
N. 86°W 0.35' FROM
CALCULATED POSITION

SITE PLAN

SCALE: 1" = 10'



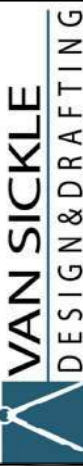
GRAPHIC SCALE
1" = 10 FEET

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ARRANGEMENTS REPRESENTED THEREIN ARE AND SHALL REMAIN THE PROPERTY
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DIMENSIONS, CONNOTATIONS, OR NOTATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR
VERIFYING THE ACCURACY OF ALL DIMENSIONS AND NOTATIONS. ANY DISCREPANCY
OR AMBIGUITY OF ANY DIMENSIONS FROM THE DIMENSIONS AND NOTATIONS
SHOWN BY THESE DRAWINGS, ALL SUCH DETAILS MUST BE SUBMITTED TO
OFFICE FOR APPROVAL PRIOR TO PROCEEDING WITH FABRICATION.

BY BUILDING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE MAY
BE ERRORS CONTAINED IN THIS SET AND WILL HOLD THIS OFFICE HARMLESS
FROM ANY OVERSIGHTS OR ERRORS AND WILL NOTIFY THIS OFFICE OF ANY ERRORS
BEFORE COMMENCING CONSTRUCTION.

LIMITATIONS OF LIABILITY
BY ACCEPTING THESE PLANS, THE CONTRACTOR UNDERSTANDS THAT THE
PLANS, SPECIFICATIONS, AND DIMENSIONS, THE CLIENT, THEIR CLIENT, AND/OR SUBCONTRACTORS, AND
ALL PRESENT AND FUTURE PERSONS OR PARTIES DIRECTLY OR INDIRECTLY
AFFECTED BY THE PLANS, SPECIFICATIONS, AND DIMENSIONS, SHALL BE
LIMITED TO A LIMIT OF LIABILITY OF \$1,000,000.00. VAN SICKLE DESIGN & DRAFTING
AND ITS EMPLOYEES AND AGENTS SHALL BE RELEASED FROM ALL LIABILITY
FOR ANY ERRORS OR OMISSIONS IN THESE PLANS, SPECIFICATIONS, AND DIMENSIONS.
SIGNED AGREED CONTRACT.



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DESIGN & DRAFTING

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(801) 694-9683
bill.draftmaster@gmail.com
www.vansicklearchitecture.com

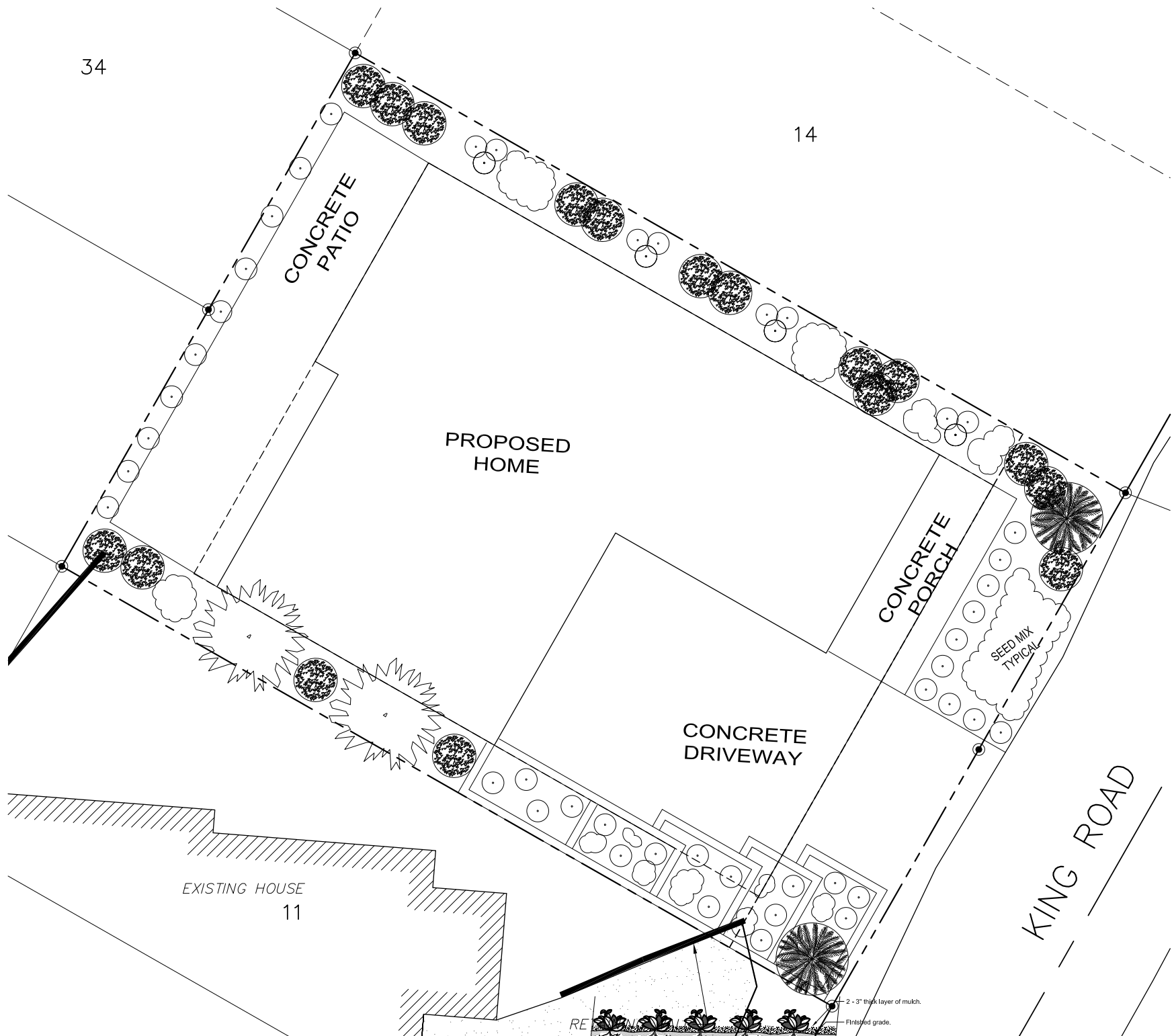
88 KING
AVENUE
REPLAT
LOT 1

NEW RESIDENCE
88 KING AVE
PARK CITY, UTAH
84098

SITE
GRADING
PLAN
SCALE:
1" = 10'

DATE OF
PLANS
29 NOV 2017

SHEET
A1.3



LEGEND and TREE COUNT

- EVERGREENS
- COLORADO SPRUCE (7) MIN 16' REQ.
 - PINUS CONTORTA LATIFOLIA
- DECIDUOUS TREES
- ROCKY MOUNTAIN MAPLE
 - ASPEN
 - EVERGREEN SHRUB AREA
 - LOW HEIGHT SHRUBS
 - ROCKS EXISTING TO REMAIN

DRIP IRRIGATION REQUIRED FOR ALL TREE CLUSTERS AND SHRUB AREAS. TYP.

NATURAL AREA: UNDISTURBED AREA

DISTURBED AREA: MUST BE REVEGETATED WITH NATURAL VEGETATION TO TRANSITION INTO UNDISTURBED AREAS.

MINIMUM SIZE TREES:
DECIDUOUS = 3" CALIPER
EVERGREEN = 14' TO 16" TALL

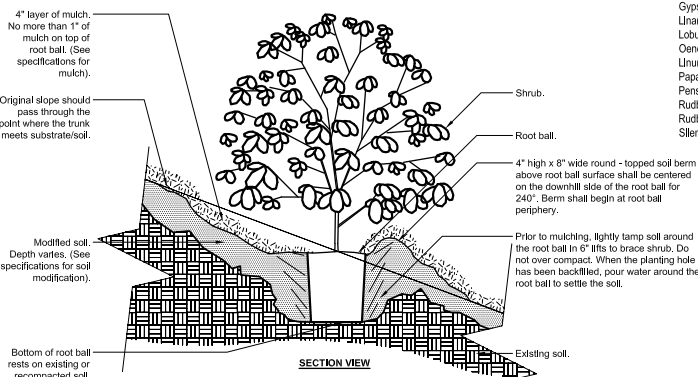
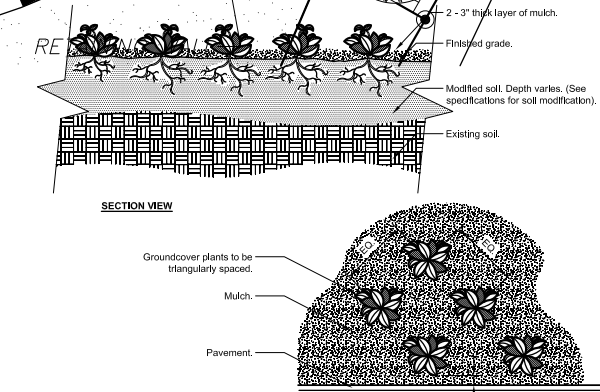
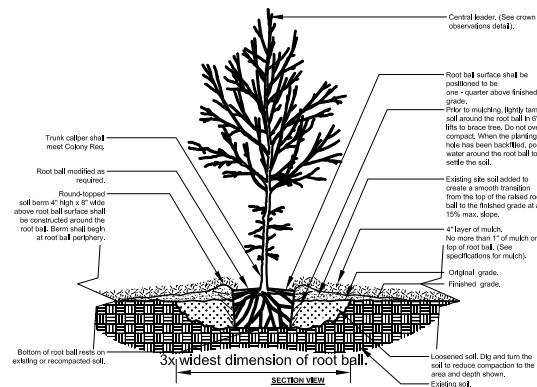
GENERAL NOTES

- Contractor is responsible for knowing locations of all underground utilities.
- All plan material shall be approved by owners representative once delivered on site prior to installation. Any proposed substitutions shall be of equal overall form and height, etc. typical
- Final locations of all plan material shall be subject to the approval of the owner or owners representative prior to installation.
- Contractor shall install a complete irrigation system, install nozels for sprinkler heads with appropriate spray and degree and radius for the area to be covered. All nozels shall be adjusted to not allow for spraying on patios, driveway and walks. Typ.
- Contractor to provide and maintain operating pressure for each zone to the last head.
- The irrigation contractor shall coordinate his work to work with all other contrators and install sleeves under paved areas as required.
- Install check valve as needed
- Minimum Pipe size for any system is 3/4"
- Irrigation system to be installed as per all applicable codes.
- All irrigation equipment to be installed as per manuf. specs

NOTES:

- DRIP IRRIGATION LINES TO ALL PLANT AREAS
- LOW SPRAY SPRINKLERS AT PRIVATE AREA LAWN
- TRANSITION TO NATIVE AREA TO BE SEEDED WITH GLENWILD APPROVED SEED MIX TO NATIVE.
- HYDRASEED AREAS BETWEEN TRANSITION AREA AND HOUSE WITH DEFENSIBLE SPACE LOW RISE NATIVE SEED MIX.
- 1 GALLON PLANTS IN TRANSITION, TO BE SELECTED FROM THE APPROVED SHRUB LIST
- 7-REQUIRED CONIFER TREES OF 16' HIGHT ARE LABELED, SMALLER CONIFERS MAY BE SELECTED FOR NON NUMBERED PLANTS.
- PVC SLEEVES UNDER DRIVEWAY FOR IRRIGATION LINES.
- GROUND SHRUBS THROUGHOUT TRANSITION AREA. SELECTION FROM GLENWILD APPROVED LIST.

WILDFLOWER SEED MIX:			
Centaurea cyanus	Blue Cornflower	Annual	2 ft. Blue
Cheiranthus allioni	Wallflower	Biennial	2 ft. Orange
Chrysanthemum maximum	Shasta Daisy	Perennial	3 ft. White
Chrysanthemum coronarium	Garland Chrysanthemum	Annual	1-2 ft. Yellow
Coreopsis tinctoria	Plains Coreopsis	Annual	2-3 ft. Yellow/Red
Cosmos sulphureus	Sulphur Cosmos	Annual	2-3 ft. Orange
Cosmos bipinatus	Wild Cosmos	Annual	3-6 ft. Pink/White/Mauve
Dianthus barbatus	Sweet William	Biennial	2 ft. Multi Pinks
Dimorphotheca sinuata	African Daisy	Annual	up to 1 ft. Yellow/Orange
Eschscholzia californica	Orange Poppy	Tender Perennial	2-3 ft. Orange
Gallardia aristata	Blanket Flower	Perennial	3 ft. Yellow/Red
Gallardia pulchella	Indian Blanket	Annual	3 ft. Yellow/Red
Gypsophila elegans	Baby's Breath	Annual	2 ft. White
Linaria maroccana	Baby Snapdragon	Annual	1-2 ft. Multi
Lobularia maritima	Sweet Alyssum	Annual	1-2 ft. White
Oenothera lamarckiana	Evening Primrose	Annual	2-3 ft. Yellow
Linum perenne lewisii	Blue Flax	Perennial	2 ft. Blue
Pagaver rhoeas	Multi Poppy	Annual	2-3 ft. Red
Penstemon strictus	Rocky Mountain Penstemon	Perennial	2-3 ft. Blue
Rudbeckia gloriosa	Gloriosa Daisy	Perennial	2-3 ft. Red/Yellow
Rudbeckia hirta	Black-eyed Susan	Biennial	2-3 ft. Yellow
Silene aemula	None-so-pretty	Annual	2-3 ft. Pink



- Notes:
- See planting legend for groundcover species, size, and spacing dimension.
 - Small roots (1/2" or less) that grow around, up, or down the root ball periphery are considered a normal condition in container production and are acceptable however they should be eliminated at the time of planting. Roots on the periphery can be removed at the time of planting. (See root ball shaving container detail).
 - Settle soil around root ball of each groundcover prior to mulching.

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Salt Lake City, UT 84124
(801) 694-9683
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88 KING AVENUE
REPLAT LOT 1

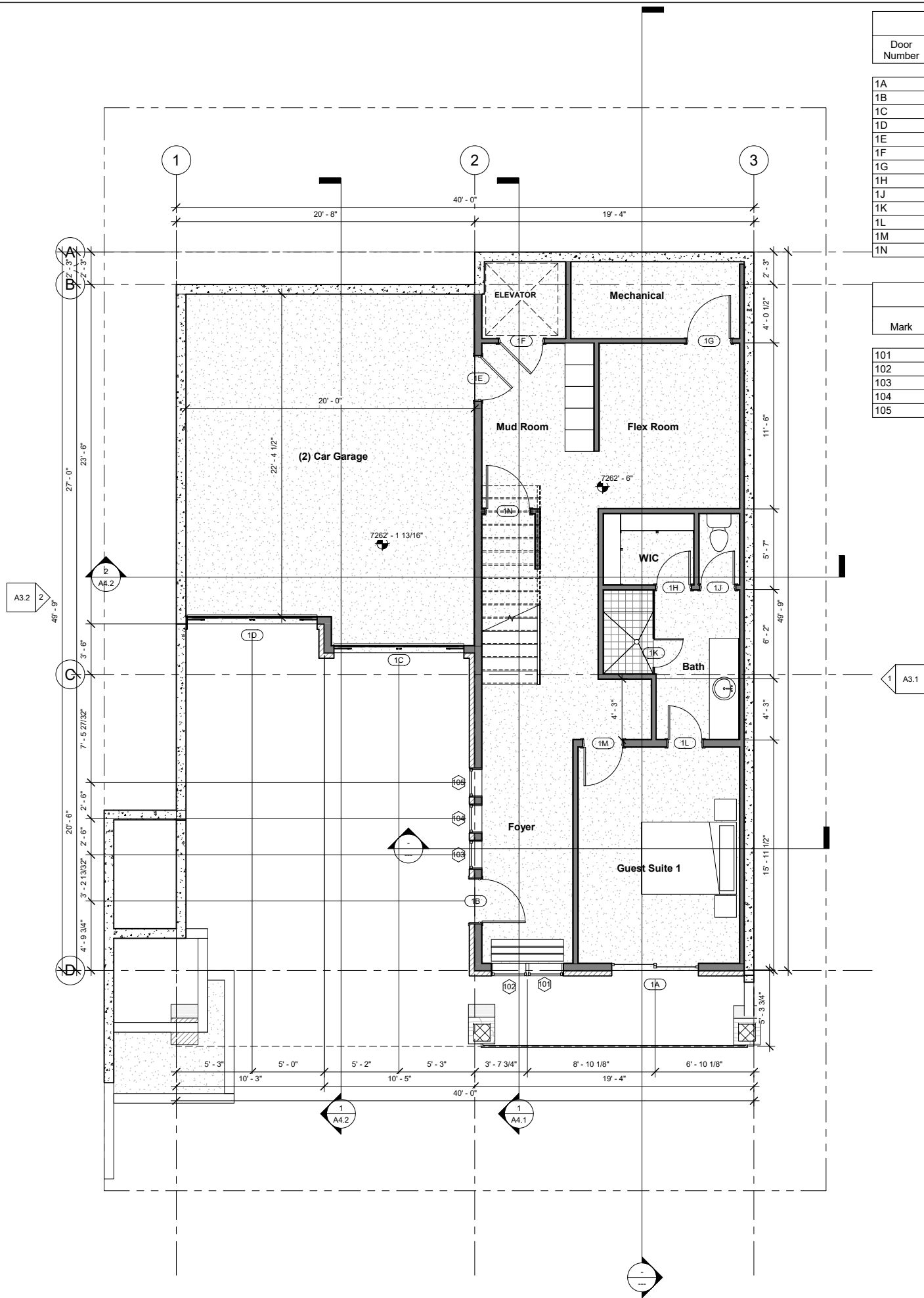
NEW RESIDENCE
88 KING AVE
PARK CITY, UTAH
84098

LANDSCAPE PLAN
SCALE:
1" = 10'

DATE OF PLANS
14 DEC 2017

SHEET
A1.4

1 Basement
1/4" = 1'-0"



Door Schedule - Basement				
Door Number	Width	Height	Family	Finish
				Comments
1A	6' - 0"	7' - 0"	Sliding-2 panel No trim	
1B	3' - 0"	7' - 0"	Door-Interior-Single-5_Panel_Vert-Wood	
1C	9' - 0"	8' - 0"	Door-Garage-Craftsman 9x8	
1D	9' - 0"	8' - 0"	Door-Garage-Craftsman 9x8	
1E	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1F	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1G	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1H	2' - 4"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1J	2' - 4"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1K	2' - 0"	6' - 8"	Single-Glass 4	
1L	2' - 4"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1M	2' - 8"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1N	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	

Window Schedule - Basement					
Mark	Rough Opening		Type	Manufactur er	Comments
	Width	Height			
101	2' - 6"	5' - 0"	Fixed		
102	2' - 6"	5' - 0"	Fixed		
103	2' - 0"	6' - 0"	Fixed		
104	2' - 0"	6' - 0"	Fixed		
105	2' - 0"	6' - 0"	Fixed		



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PARK CITY, UTAH 84060

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New Residence

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Park City, Utah 84098

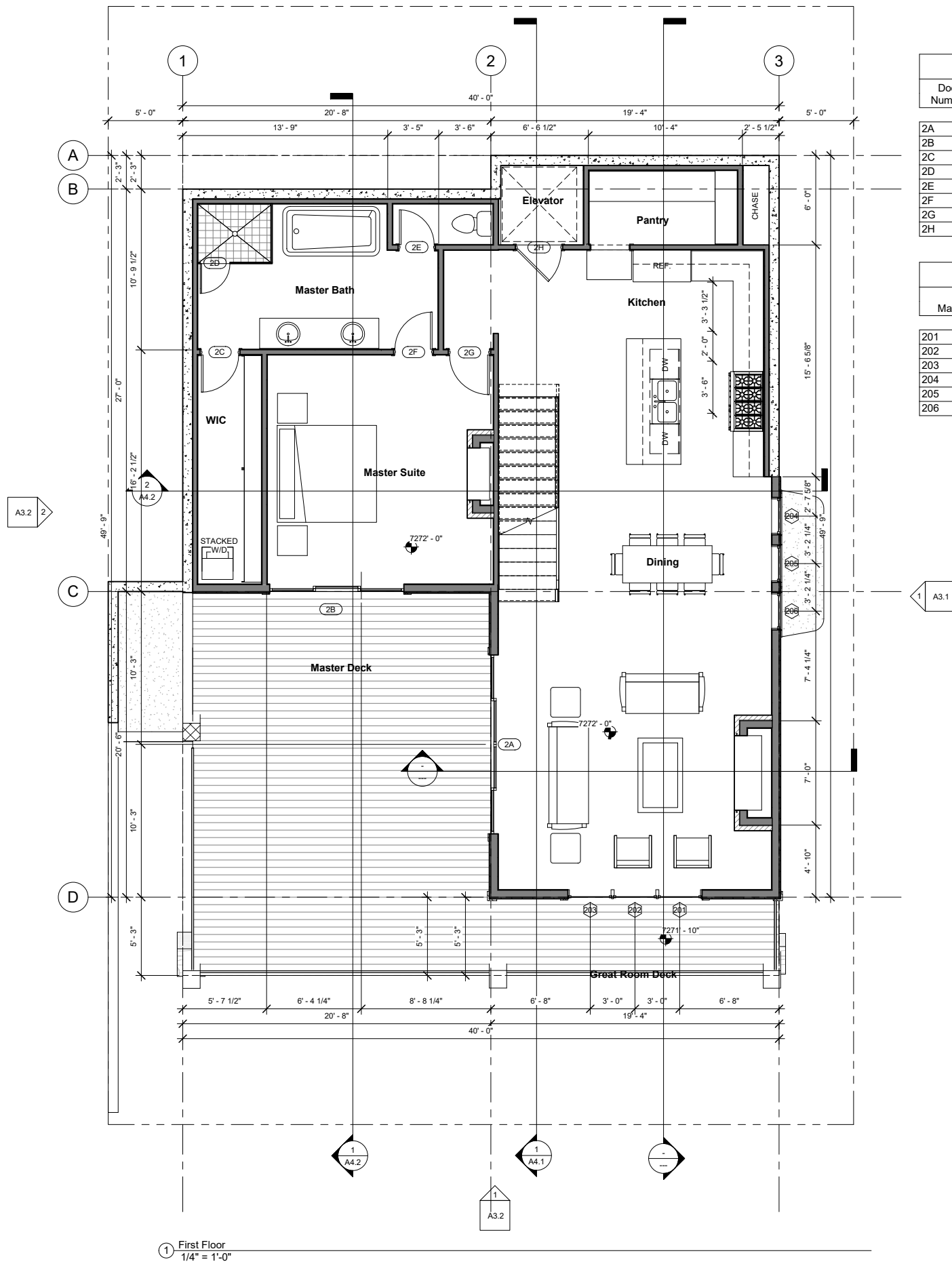
Basement
Plan

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

DATE
11/29/2017
8:35:35 AM

SHEET

A2.1



① First Floor
1/4" = 1'-0"

Door Schedule - Main				
Door Number	Width	Height	Family	Finish Comments
2A	12' - 0"	7' - 0"	Sliding-4 panel No Trim	
2B	9' - 0"	7' - 0"	Sliding-3 panel No Trim	
2C	2' - 6"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
2D	2' - 0"	6' - 8"	Single-Glass 4	
2E	2' - 4"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
2F	2' - 6"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
2G	2' - 8"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
2H	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	

Window Schedule - Main					
Mark	Rough Opening		Type	Manufacturer	Comments
	Width	Height			
201	3' - 0"	7' - 0"	Fixed		
202	3' - 0"	7' - 0"	Fixed		
203	3' - 0"	7' - 0"	Fixed		
204	2' - 6"	5' - 0"	Fixed		
205	2' - 6"	5' - 0"	Casement		
206	2' - 6"	5' - 0"	Fixed		

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New Residence

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First Floor Plan

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

DATE

11/29/2017
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SHEET

A2.2

WRITTEN DIMENSIONS IN THESE DRAWINGS SHALL HAVE PRECEDENCE SCALE DIMENSIONS. CONTRACTORS SHALL VERIFY, AND BE RESPONSIBLE ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL ACCEPTED IMMEDIATELY OF ANY DISCREPANCIES FROM THE DIMENSIONS CONDITIONS SHOWN BY THESE DRAWINGS. ALL SHOP DETAILS MUST SUBMITTED TO THIS OFFICE FOR APPROVAL PRIOR TO PROCEEDING WITH

BY BUILDING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE BE ERRORS CONTAINED IN THIS SET, AND WILL NOT HOLD THIS OFFICE FOR ANY OMISSIONS OR ERRORS. THIS WILL ACCEPT THIS OFFICE FOR ERRORS THAT ARE DURING

EXEMPTIONS OF

BY ACCEPTING THESE PLANS CONTRACTOR AND/OR SERVICES OUTLINED IN PLAN DOCUMENTS, THE CLIENT, THEIR BUILDERS, ARCHITECTS, PRESENT OR FUTURE, AND/OR ANY OTHER PARTIES DIRECTLY OR INDIRECTLY ASSOCIATED BY THE PLAN DOCUMENTS OR SERVICES OUTLINED IN PLAN DOCUMENTS ACCEPTED TO A LIMIT OF LIABILITY OF B.J. HARRIS INC. AND EMPLOYEES AND PRINCIPALS TO THE EXTENT OF THE ORIGINAL VERRALL SIGNED AGREED

New Residence
88 King Road
Park City, Utah 84098

Roof
Plan

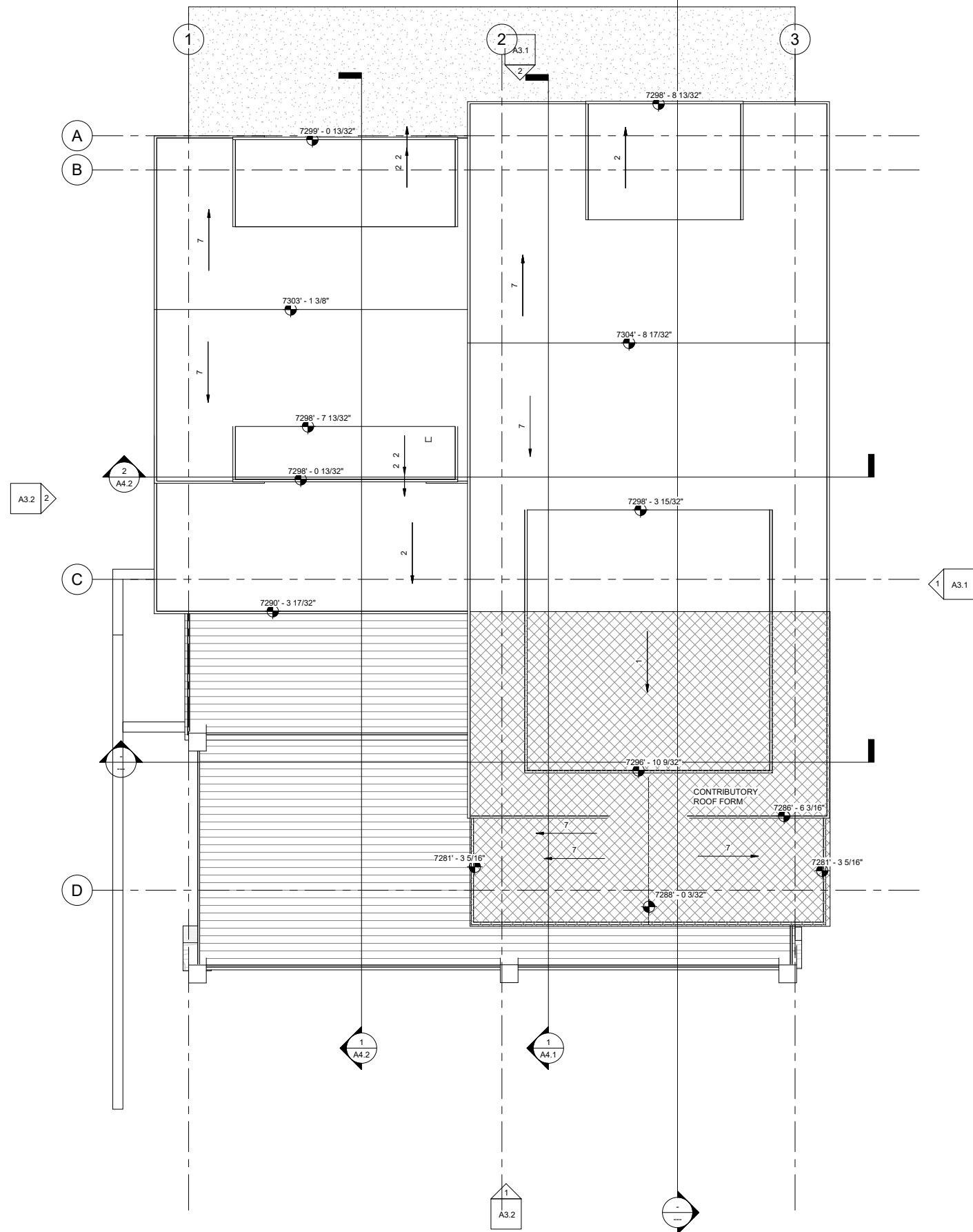
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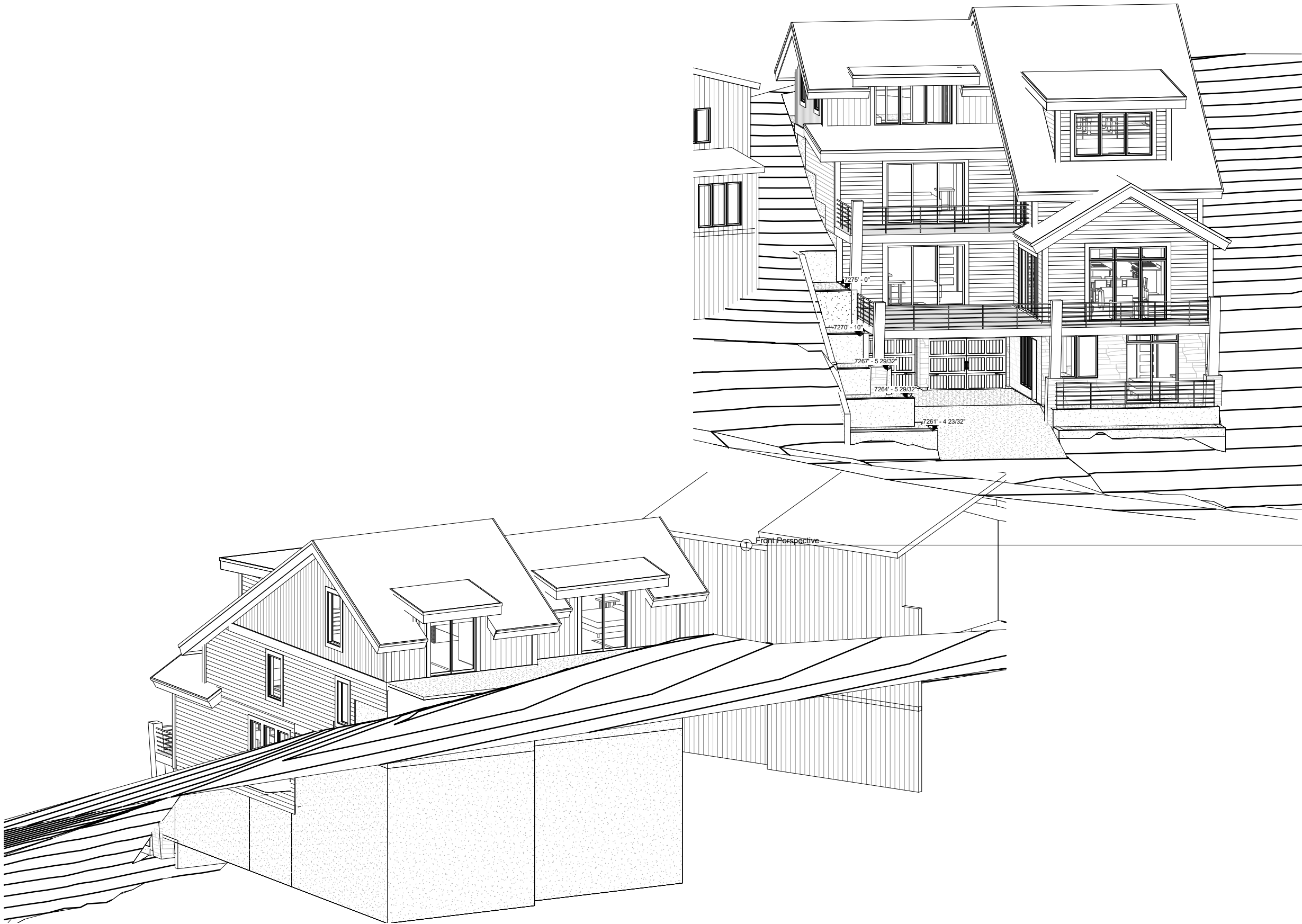
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SHEET

A2.5



① Roof Plan
1/4" = 1'-0"



② Rear Perspective

① Front Perspective

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INVALID OR USED IN CONNECTION WITH ANY OTHER WORK OR PROJECT OF
ANY OTHER PERSON FOR ANY PURPOSE OTHER THAN THE PROJECT
FOR WHICH THEY HAVE BEEN PREPARED AND DEVELOPED WITHOUT THE
CONSENT OF R.S. HARRIS, INC. ANY CONTACT WITH THESE DRAWINGS
CONSTITUTE CONCLUSIVE EVIDENCE OF THESE

WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE
OVER ALL DIMENSIONS, CONSTRUCTION, AND ANY OTHER WORK
ALL DIMENSIONS AND CONSTRUCTION ON THE JOB AND THIS OFFICE SHALL
NOT BE RESPONSIBLE FOR ANY VARIATIONS FROM THE DIMENSIONS
CONTAINED THEREIN BY THESE DRAWINGS. ALL DIMENSIONS SHALL
BE MEASURED TO THE FACE UNLESS OTHERWISE NOTED.

BY BUILDING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE
ARE ERRORS CONTAINED IN THESE PLANS AND WILL VERIFY THIS OFFICE OF
R.S. HARRIS, INC. FOR ANY ERRORS OR OMISSIONS AND WILL NOTIFY THIS OFFICE OF
ANY ERRORS THAT ARE CORRECTED.

BY ACCEPTING THESE PLANS THE CONTRACTOR OR SERVICES OUTSIDE OF
THIS OFFICE, THE CLIENT, AND/OR OTHERS, SHALL BE RESPONSIBLE FOR
THESE AND ALL PRESENT AND FUTURE ERRORS OR PARTIAL ERRORS
WHICH MAY BE DETECTED BY THE PLANS OR OTHERWISE BY SERVICES OUTSIDE OF
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**Perspective
Views**

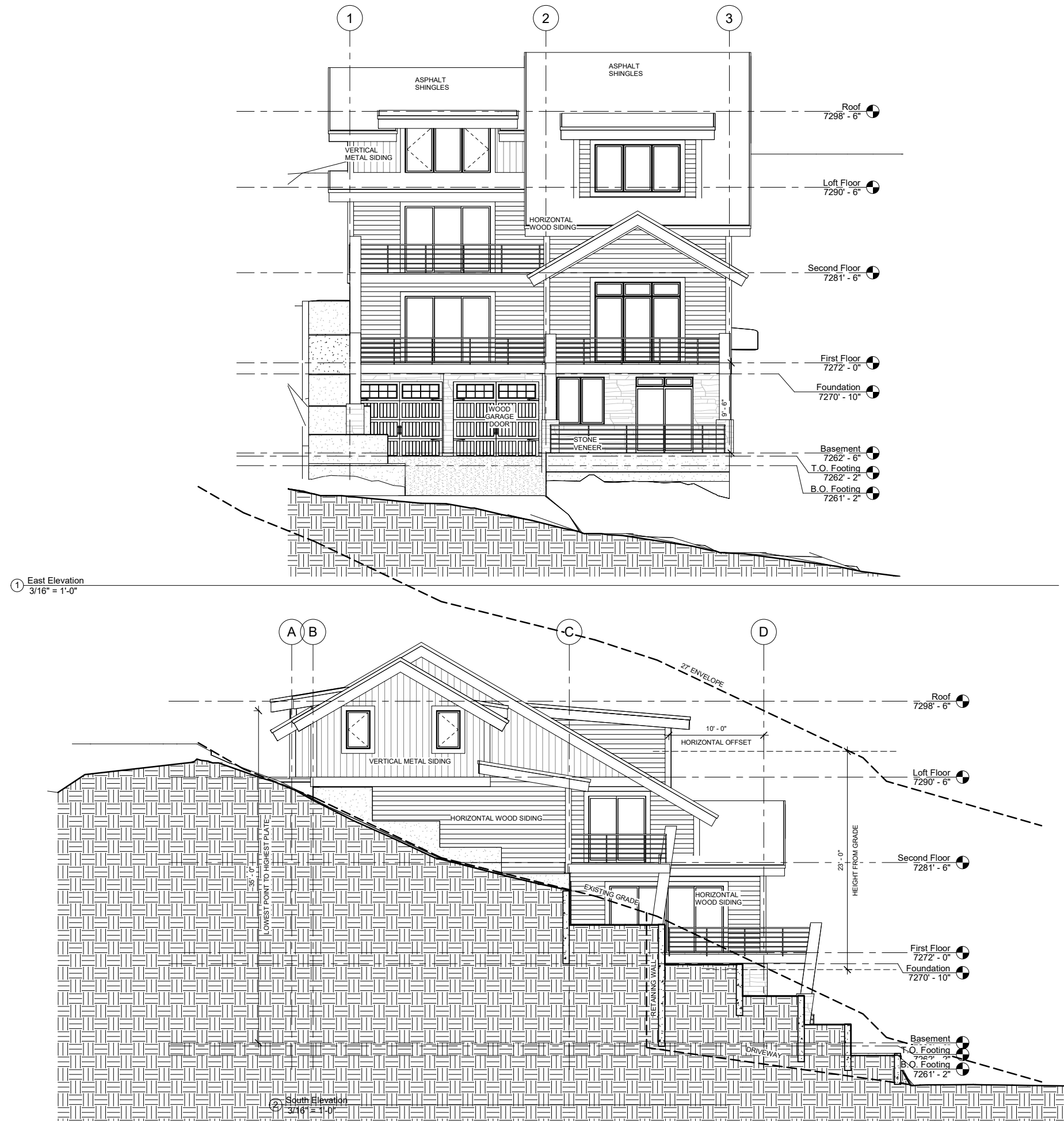
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SHEET

A3.0



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New Residence

88 King Road
Park City, Utah 84098

Elevations

SCALE:
3/16" = 1'-0"

DATE
11/29/2017
8:35:45 AM

SHEET
A3.2

WRITTEN DIMENSIONS ON THESE DRAWINGS SHALL HAVE PRECEDENCE SCALED DIMENSIONS, CONTRACTORS SHALL VERIFY AND BE RESPONSIBLE ALL DIMENSIONS AND CONDITIONS ON THE JOB AND THIS OFFICE SHALL ACCEPT UNCONDITIONALLY OF ANY DISCREPANCIES OR DISCREPANCIES SHOWN BY THESE DRAWINGS, ALL SHOP DETAILS MUST BE SUBMITTED TO THIS OFFICE FOR APPROVAL PRIOR TO PROCEEDING WITH

BY BUILDING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE BE ERRORS CONTAINED IN THIS SET, AND WILL NOT HOLD THIS OFFICE FOR ANY OMISSIONS OR ERRORS OF ANY KIND, AND WILL ACCEPT THIS OFFICE FOR ERRORS THAT ARE DURING

LESSONS OF

BY ACCEPTING THESE PLANS DOCUMENTS AND/OR SERVICES OUTLINED IN PLANS DOCUMENTS, THE CLIENT, THEIR CLIENT, BUILDER, ARCHITECT, OR PRESENTLY OR FUTURE, SHALL BE RESPONSIBLE DIRECTLY INDIRECTLY AFFECTED BY THE PLAN DOCUMENTS OR SERVICES OUTLINED IN PLANS DOCUMENTS ARE TO A LIMIT OF LIABILITY OF B.T. HARRIS INC. AND EMPLOYEES AND FRANCHISEE SHALL BE RESPONSIBLE FOR THE ORIGINAL, VERBALLY SIGNED AGREEMENT.

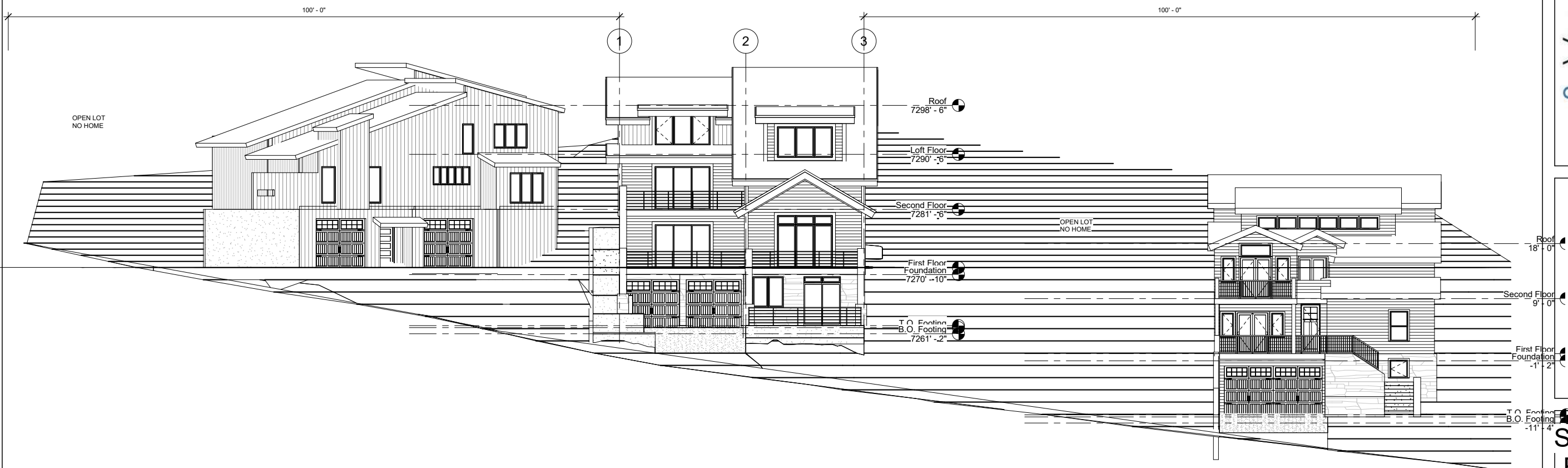


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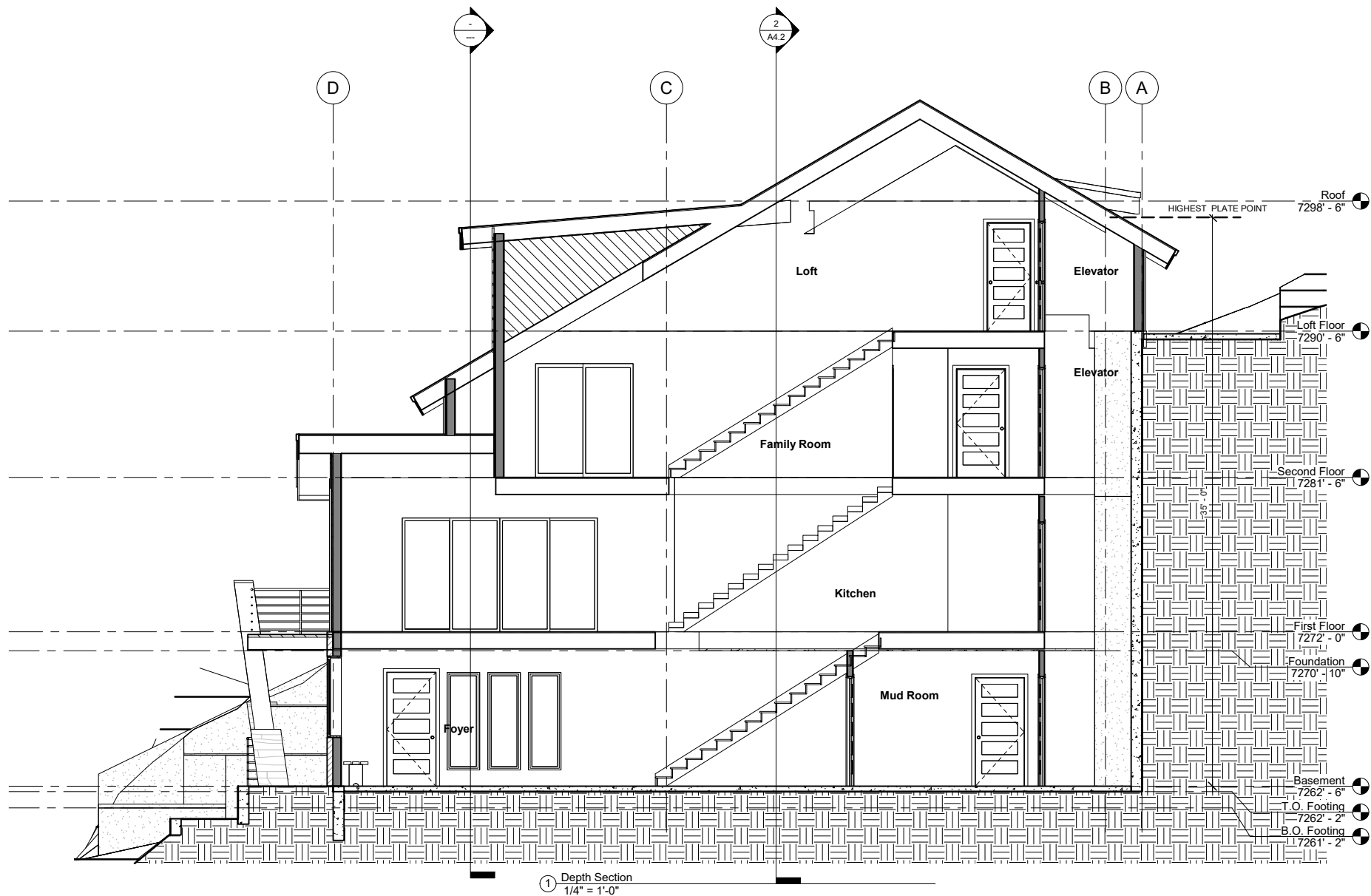
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A3.3



① Streetscape Elevation
1/8" = 1'-0"



① Depth Section
1/4" = 1'-0"

THE ABOVE DIMENSIONS AND SPECIFICATIONS ARE THE TOTAL VERTICAL ALIGNMENT REPRESENTED THEREIN ARE AND SHALL REMAIN THE PROPERTY OF R.S. HARRIS, INC. AND NO PART THEREOF SHALL BE COPIED, REPRODUCED OR USED IN CONNECTION WITH ANY OTHER WORK OR PROJECT OR FOR ANY OTHER PURPOSE FOR ANY PROJECT OTHER THAN THE PROJECT FOR WHICH THEY HAVE BEEN PREPARED AND DEVELOPED WITHOUT THE CONSENT OF R.S. HARRIS, INC. ORAL CONTACT WITH THESE FRAMES CONSTITUTE CONCLUSIVE EVIDENCE OF THESE.

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BY BUILDING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THERE ARE NO OTHER CONDITIONS IN THIS SET AND WILL HOLD THIS SERVICE FOR ANY DISCREPANCIES OR ERRORS AND WILL NOTIFY THIS OFFICE OF ERRORS THAT HAVE OCCURRED.

BY ACCEPTING THESE PLANS THE CONTRACTOR UNDERSTANDS THAT THESE PLANS DO NOT REPRESENT THE TOTAL VERTICAL ALIGNMENT OF THE PROJECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR ALL DIMENSIONS AND ALL PRESENT AND FUTURE RECORDING OF PARTS DIRECTLY AFFECTED BY THE PLANS. DIMENSIONS OF SERVICES SHOWN IN ALL PLANS DO NOT AGREE TO A LIST OF QUALITY OF R.S. HARRIS, INC. AND UNEXPECTED AND UNPREDICTABLE TO THE ADVANTAGE OF THE PROJECT. R.S. HARRIS, INC. SHALL NOT BE RESPONSIBLE.



VAN SICKLE

DESIGN & DRAFTING

2065 SIDERWINDER DRIVE SUITE 200

PARK CITY, UTAH 84060

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New Residence

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Park City, Utah 84098

Building Sections

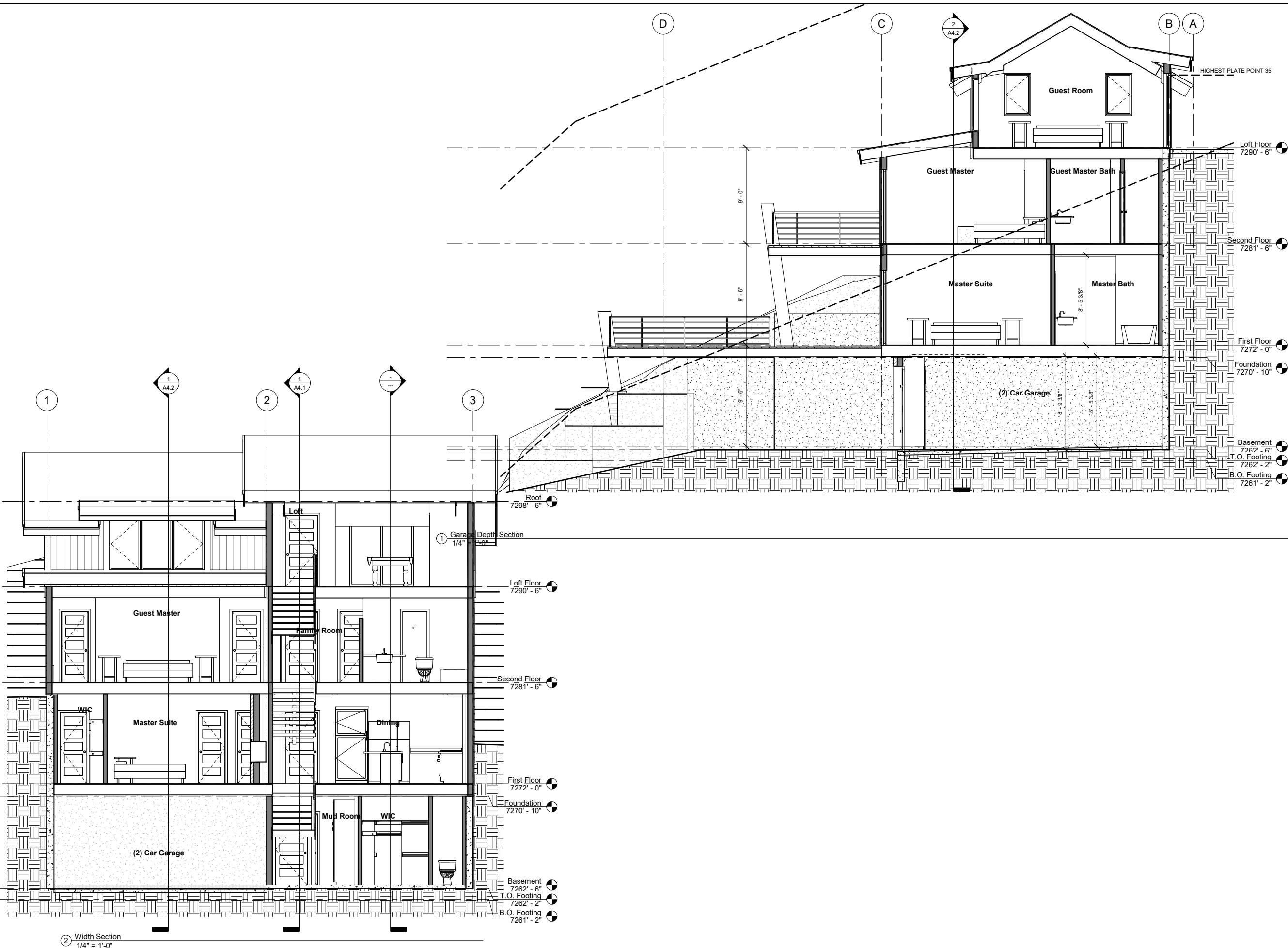
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SHEET

A4.1



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Park City, Utah 84098

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

DATE
11/29/2017
8:35:49 AM

SHEET
A4.2

Exhibit B:
Drainage Mitigation Submittal

(This SWPPP Template is for the **Common Plan** Permit Only, and
does **NOT** address SWPPP requirements found in the CGP.)

Common Plan SWPPP for New Residence

88 King Road

Park City, UT 84098

Larry Feldman

(435)901-9933

Date

12/11/2017



1. Project Information

Project Name: 88 King Road

Address: 88 King Road

City: Park City

State: UT

Zip: 84098

Latitude: 40° 29' 18.6"

Longitude: 111° 56' 73"

UPDES Permit Tracking Number:

Owner: Larry Feldman

Contact Person: Larry Feldman

Address:

City:

State:

Zip:

Telephone Number: 435-901-9933

Email Address: larry@altitudedesignbuild

General Contractor: Bill Van Sickle

Contact Person: Bill Van Sickle

Address:

City:

State:

Zip:

Telephone Number: 801-694-9683

Email Address: bill@vansickledesigned.com

1.5

Unknown Features (although this may be a law under another program, it's not a permit requirement). **Discovery of Historical, Archaeological or Paleontological Objects, Features, Sites, or Human Remains**

- A. Immediately suspend construction operations in the vicinity (100 foot minimum buffer) of the discovery.
- B. Verbally notify the Public Works Department and provide them the exact location.
- C. Protect the discovery and provide written confirmation of the discovery to the City and State Historic Departments within two calendar days.
- D. Contractor and City follow State mitigation laws.

2. Best Management Practices

2.1 SWPPP Sign (see permit part 1.10, 4.2.11)

Description of construction board is filed in Appendix L

2.2 Sensitive Features Control (see permit part 2.2)

2.2.1 Wetlands

N/A, there are no wetlands on this site.

2.2.2 Water Bodies within or 30' from Disturbance Boundary(see permit part 2.3.5)

N/A, there are no water bodies within or 30' from disturbance boundary.

2.3 Sediment Control (see permit part 2.1.2, 2.1.3 & 2.3)

2.3.1 Trap/Filter Sediment at Property Boundary (see permit part 2.1.2)

Curb sediment trap to be used at property boundary.

BMP description, rational for use and specifications, and details are filed in Appendix L.

2.4.2 Inlet Protection (see permit part 2.1.3 & 2.3)

Gravel filter bag.

BMP description, rational for use and specifications, and details are filed in Appendix L.

2.4.3 Steep Slopes (see permit part 2.3.2)

Steep slopes present on site. Fiber rolls are to be staked perpendicular to slope every 20' to prevent erosion.

2.4.4 Street Maintenance (see permit part 3.2.2)

Manual Sweeping.

Broom and shovel, to be implemented as needed to prevent sediment in from entering roads.

2.4 Top Soil Preservation (see permit part 2.5)

N/A topsoil not to be preserved.

BMP description, rational for use and specifications, and details are filed in Appendix L.

2.5 Dust Control (see permit part)

2.5.1

Water Truck.

BMP description, rational for use and specifications, and details are filed in Appendix L.

2.5.2

Manual Dust Suppression.

Contractor to spray loose dust with a hose as needed in areas where a water truck is impractical.

2.6 Egress Control (see permit part 2.4)

2.6.1 Track Out (see permit part 2.4.1)

Stabilized construction entrance.

BMP description, rational for use and specifications, and details are filed in Appendix L.

2.7 Waste Management Control (see permit part 4.2.6)

2.7.1 Solid Waste (see permit part 2.4.3)

Dumpster.

6 CuYd trash bin with locking lid. To be onsite prior to beginning excavation until landscape vegetation is installed. To be emptied regularly and when dumpster is no longer able to contain light weight trash. To be repaired when fluids are leaking. Maintain at end of work day, or prior to wet conditions, forecast precipitation, or wind, whichever comes first.

2.7.2 Construction Spoil (see permit part 2.1.1)

Placement of Soil.

Stockpiled soil is to be placed on the high side of any sloping area, preferably near a silt fence. Stockpile area to be relocated if location becomes ineffective.

2.7.3 Sanitary Waste (see permit part 2.4.4)

Containment of Sanitary Waste—Portable toilet.

BMP description, rational for use and specifications, and details are filed in Appendix L.

2.7.4 Cement Product Operations (see permit part 2.4.5, 2.9.2)

Concrete Washout.

BMP description, rational for use and specifications, and details are filed in Appendix L.

2.7.5 Concrete Cutting Operations (see permit part 2.9.2)

Containment of excess coolant waste.

Coolant waste is to be placed in bins, separated by type of liquid, and disposed of in accordance with the individual product's guidelines.

2.7.6 Non Aqueous Waste (see permit part 2.8.2)

Containment of excess liquids.

Liquid waste is to be placed in bins, separated by type of liquid, and disposed of in accordance with the individual product's guidelines.

2.7.7 Construction Wastewater (see permit part 2.7, 2.9, 2.9.4)

Trench/Excavation Dewatering.

If/when groundwater is discovered, water is to be pumped out of trench to a sediment control device of the contractor's choosing (e.g. straw bale, sediment basin, filter bag, etc.).

2.8 Management of Construction Materials Control

2.8.1 Storage of Construction Materials (see permit part 2.8.2)

Material Storage.

BMP description, rational for use and specifications, and details are filed in Appendix L.

2.8.2 Construction Staging(backfill) (see permit part 2.1.1)

Backfill Staging Area.

Designate area for construction staging activities that does not impede right of way.

2.8.3 Construction Staging(Landscaping) *(see permit part 2.1.1)*

Landscape Staging Area.

Designate area for construction staging activities that does not impede right of way.

2.9 Final Stabilization *(see permit part 2.6)*

2.9.1 Landscaping Plan

Permanent Seeding and Landscaping of Non-hard Surfaces on Site.

2.9.2 Temporary Containment of Sediment

Temporary Seeding.

Temporary seeding to be used when construction activities have temporarily ceased and have left exposed slopes until final landscaping can be completed.

3. Spill Prevention and Response Plan^(see permit part 2.8.3, 2.9.3)

Contractor must clean up any spills that may be harmful to receiving waters immediately. Contractor to place kitty litter downhill of spill to prevent spill from reaching inlet. Clean-up is to be performed starting downhill and working up so as to prevent spill from spreading. Clean-up materials include citrus based biodegradable solvents, and kitty litter. Any cleaning materials that are used to clean up any spills shall be disposed of in accordance with the product's instructions.

Any discharges in 24 hours equal to or in excess of the reportable quantities listed in 40 CFR 117, 40 CFR 110, and 40 CFR 302 will be reported to the National Response Center and the Division of Water Quality (DWQ) as soon as practical after knowledge of the spill is known to the permittee. The permittee shall submit within 14 calendar days of knowledge of the release a written description of: the release (including the type and estimate of the amount of material released), the date that such release occurred, the circumstances leading to the release, and measures taken and/or planned to be taken to the Division of Water Quality (DWQ), 288 North 1460 West, P.O. Box 144870, Salt Lake City, Utah 84114-4870. The Storm Water Pollution Prevention Plan must be modified within 14 calendar days of knowledge of the release to provide a description of the release, the circumstances leading to the release, and the date of the release. In addition, the plan must be reviewed to identify measures to prevent the reoccurrence of such releases and to respond to such releases, and the plan must be modified where appropriate.

Agency	Phone Number
National Response Center	(800) 424-8802
Division of Water Quality (DWQ) 24-Hr Reporting	(801) 538-6146; (801) 536-4123
Utah Department of Health Emergency Response	(801) 580-6681
UFA	911

Minimum spill quantities requiring reporting:

Material	Media Released To	Reportable Quantity
Engine oil, fuel, hydraulic & brake fluid	Land	25 gallons
Paints, solvents, thinners	Land	100 lbs (13 gallons)
Engine oil, fuel, hydraulic & brake fluid	Water	Visible Sheen
Refrigerant	Air	1 lb
Antifreeze, battery acid, gasoline, engine degreasers	Air, Land, Water	100 lbs (13 gallons)

Emphasis to:

- 1st Priority: Protect all people (including onsite staff)
- 2nd Priority: Protect equipment and property
- 3rd Priority: Protect the environment

1. Make sure the spill area is safe to enter and that it does not pose an immediate threat to health or safety of any person.

2. Check for hazards (flammable material, noxious fumes, cause of spill) – if flammable liquid, turn off engines and nearby electrical equipment. If serious hazards are present leave area and call 911. LARGE SPILLS ARE LIKELY TO PRESENT A HAZARD.
3. Stop the spill source and contain flowing spills immediately with spill kits, dirt or other material that will achieve containment.
4. Call co-workers and supervisor for assistance and to make them aware of the spill and potential dangers
5. If spilled material has entered a storm sewer, regardless of containment; contact the Municipal Storm Water Division.
6. Cleanup all spills (flowing or non-flowing) immediately following containment. Clean up spilled material according to manufacturer specifications, for liquid spills use absorbent materials AND DO NOT FLUSH AREA WITH WATER.
7. Properly dispose of cleaning materials and used absorbent material according to manufacturer specifications.
8. Report the reportable quantity to the Municipal Storm Water Division.

Emergency Numbers

Utah Hazmat Response Officer 24 hrs	(801)-538-3745
City Police Department	(435)-615-5500
Municipal Storm Water Division	(435)-615-5307

4. Site Map(s) *(see permit part 4.2.3)*

The SWPPP site maps are filed in Appendix B

5. Record Keeping

See the appendices in Appendix A-K.

SWPPP Inspections-Maintenance-Correction Report *(permit part 3.2.1, 3.2.2, 3.3, 3.4, 4.2.12)*

Inspections are required every 7 calendar days

Repair or replace BMPs prior to need or by end of week whichever comes first. Update the Inspection-Maintenance-Correction Report weekly.

Section 3.2.2 requires daily maintenance of pavements and site grounds.

See the Inspection-Maintenance-Correction Reports in Appendix E

Changes to the SWPPP *(see permit part 4.2.12, 4.2.13)*

See the Amendment Log in Appendix F.

Training *(see permit part 4.2.7)*

Training Logs and Documents are filed in Appendix H.

6. Discharge Information

Receiving Waters (look up <http://wq.deq.utah.gov> to identify your receiving water body)

1. **Silver Creek**

Impaired Waters (refer to <http://wq.deq.utah.gov> in the left hand column to determine status of receiving water body).

Impaired Surface Water	Is this surface water impaired?	Pollutant(s) causing the impairment	Has a TMDL been completed?	Pollutant(s) for which there is a TMDL
Silver Creek	Yes X No		☐ Yes X No	See web site above

7. Certification, Notification and Delegation(see permit part 4.2.9)

Owner Certification: See documents filed in Appendix G.

Operator Certification: See documents filed in Appendix G.

Delegation of Authority:

Subcontractor Certification:

Notice of Permit Transfer Requirements:

SWPPP Appendices

Appendix A: General Location Map

Appendix B: SWPPP Site Maps

Appendix C: UPDES Permit(UTRH00000)

Appendix D: Permits; NOI, MS4 ([Including City, County, State, 3rd Party; MS4 Acknowledgements](#))

Appendix E: Inspection-Maintenance-Correction Report

Appendix F: SWPPP Amendment Log

Appendix G: Certifications, Agreements, Delegation of Authority

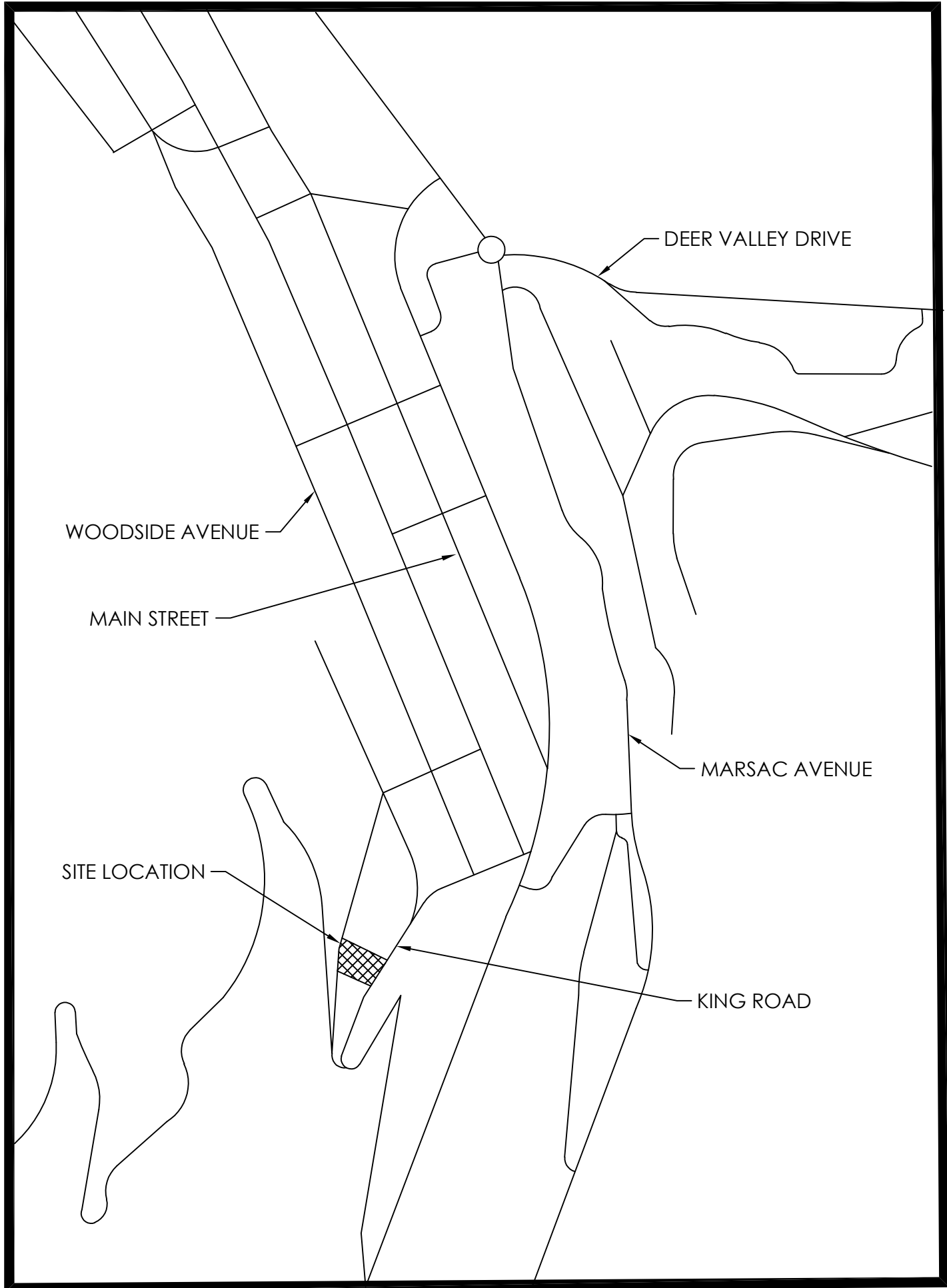
Appendix H: Training Log

Appendix I: Construction Plans

Appendix J: Additional Information ([e.g. Support documents and out of date SWPPP documents, etc.](#))

Appendix K: BMP Specifications and Details

Appendix A: General Location Map



VICINITY MAP

N.T.S

Appendix B: SWPPP Site Map

88 KING
AVENUE
REPLAT
LOT 1

NEW RESIDENCE
88 KING AVE
PARK CITY, UTAH
84098

SITE
GRADING
PLAN

SCALE:

1" = 10'

*DATE OF
PLANS*

29 NOV 2017

SHEET

A1.3



Appendix C: UPDES Permit (UTRH0000)

General Permit for Storm Water Discharges from Construction Activities
STATE OF UTAH, DEPARTMENT OF ENVIRONMENTAL QUALITY,
DIVISION OF WATER QUALITY

General Storm Water Permit for Construction Activity
Connected with Single Lot Housing Projects
Utah Pollution Discharge Elimination System Permit No. UTRH00000
(Common Plan Permit)

This Permit is issued in compliance with the provisions of the Utah Water Quality Act (Utah Code Annotated 19-5, as amended) the federal Water Pollution Control Act (33 United States 1251 et. seq., as amended by the Water Quality Act of 1987, Public Law 100-4), and the rules and Regulations made pursuant to those statutes.

This permit applies to "construction activity" for a single lot disturbing a total of one acre or less and for construction activities related to residential dwellings. A single lot covered by this permit is part of a common plan of development or sale (see definitions in Part 6).

Issuance of this permit does not authorize any permittee to violate water quality standards. The permittee shall develop best management practices (BMPs) and engage in activities that will protect water quality during the construction project.

This permit shall become effective on February 1, 2016.

This permit and the authorization to discharge expire at midnight on January 31, 2021.

Signed this 20 day of January, 2016

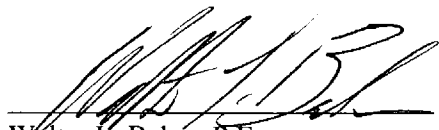

Walter L. Baker, P.E.
Director



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General Storm Water Permit for Construction Activity Connected with Single Lot Housing Projects
UPDES Permit No. UTRH00000

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1. COVERAGE UNDER THIS PERMIT. Conditions for coverage under this permit.

1.1. Coverage Limitations. A project site (see definition of a project site in Part 6) is eligible for this permit if it meets the following requirements:

- 1.1.1. It is found within the State of Utah but is not in Indian Country,
- 1.1.2. The construction activity is related to residential building on an individual lot or parcel.
- 1.1.3. It disturbs a total of one acre or less over the duration of the construction project,
- 1.1.4. *Multiple site coverage:*

- 1.1.4.a. This permit may apply to multiple lots with the contingency that each lot be covered under a different permit tracking number (separate permit coverage for each lot). Lots do not necessarily need to be located within the same sub-division.

- 1.1.4.b. If multiple lot coverage is desired under one permit, it may be obtained under the General Permit for Discharges from UPDES Permit No. UTRC00000. Multiple lots may be covered under one tracking number (one permit coverage) provided that UTRC00000 is the controlling permit, and all lots covered under that tracking number are within the same sub-division.

1.2. Discharges Allowed. This permit allows discharges of storm water from construction activity at a project site, provided the storm water discharge meets the requirements within this permit.

1.3. Non-Storm Water Discharges. Other non-storm water discharges that are allowed are:

- 1.3.1. Flushings from potable or irrigation water sources where they have not been used for a washing or cleaning activity;
- 1.3.2. Water used for dust control;
- 1.3.3. Spring water and groundwater that have not been soiled with sediment or other pollutants from construction activity;
- 1.3.4. Emergency fire-fighting activities, and;
- 1.3.5. Footing drains that have not been soiled from construction activity.

1.4. How to Obtain Permit Coverage. The permit may be obtained online at the Utah Department of Environmental Quality (DEQ) UPDES Permits website at

<http://www.waterquality.utah.gov/UPDES/stormwatercon.htm>. Click on "Application for a Storm Water Permit". Create an account, or if an account has already been created, proceed with providing the information requested. **The notice of intent (NOI) for this permit is the same NOI that is used for the UTRC00000 permit.** To complete the application process the permittee must pay a permit fee. The NOI may be filled out electronically using the online permit application system. The NOI can also be submitted using a paper form obtained from the same website cited above along with the permit fee. The paper form and fee can either be hand delivered to Utah Division of Water Quality [DWQ], 195 North 1950 West, Salt Lake City, Utah, 3rd floor in the MASOB building, or mailed to DWQ, P.O. Box 144870, Salt Lake City, Utah 84114-4870. When a party receives coverage under the permit, they will receive a permit

tracking number and the opportunity to copy the NOI for “proof of coverage.” A copy of this permit may be downloaded from the DEQ website at <http://www.deq.utah.gov/Permits/water/updes/stormwatercon.htm>.

- 1.5. Signature on the NOI. The owner and the general contractor, which in some cases could be the same party, must sign the paper copy of the NOI (see 5.16.1.a) and place it in the storm water pollution prevention plan (SWPPP) (see 4.2.8).
- 1.6. Permit Renewal. This permit must be renewed yearly on the anniversary date of the original permit application. This is done by logging onto the account created at the time of NOI application, refreshing the information on the NOI, and paying the yearly permit fee.
- 1.7. Start and end of Permit Coverage. Permit coverage begins immediately upon completion and submission of an NOI and the permit fee. If the NOI is submitted electronically on-line permit coverage begins on that day. If the NOI is submitted by mail permit coverage begins when the NOI is received and entered into the on-line data base by DWQ staff. For projects within the jurisdiction of a regulated MS4 (see definitions in Part 6; the list of regulated MS4’s is found on <http://www.deq.utah.gov/Permits/water/updes/stormwatermun.htm>), the permittee must also notify and receive approval for the project from the regulated MS4 having jurisdiction before the project may commence (see 4.2.10.). The permit fee is an annual fee that must be paid yearly on the anniversary date of permit issuance. The permit will remain effective until or unless any of the following occurs:
 - 1.7.1. The permittee completes the notice of termination (NOT) process, as outlined in section 1.8,
 - 1.7.2. The permittee fails to submit the yearly permit fee,
 - 1.7.3. Aside from permit coverage, which may be renewed annually by the permittee, as needed, this general permit expires every 5 years and normally is renewed through a public notice process by DWQ. In the event that the permit nears the end of its 5 year cycle, and the year of permit coverage for a construction site extends beyond the expiration date for the permit, the permittee must request continuing coverage through the permit renewal process. Otherwise permit coverage for a construction site will terminate when the general permit expires. Renewal of permit coverage can be done in the online electronic storm water data base up to 12 months prior to the expiration of the permit, or by letter received by DWQ before the expiration date of the specific permit coverage in question where concurrently all entries in the NOI can be updated as needed.
 - 1.7.3.a. If a renewal permit has been issued and is in place at the expiration date of this permit, this permit will terminate and coverage under the renewed permit will begin on the expiration date unless 1.7.1 has been invoked by the permittee.
 - 1.7.3.b. If a renewal permit has not been issued, this permit will be administratively extended until a renewal permit is issued or it is determined that this permit will not be continued. If a renewal permit is issued, and the permittee indicated a desire for continuing coverage under the new permit, coverage

will continue for the permittee under the new permit coverage unless 1.7.1 is invoked. If the permit is discontinued, the permittee must continue coverage under another general permit or an individual permit.

- 1.7.4. Coverage under this permit is rescinded or revoked for administrative reasons. In this case, the permittee will be notified in writing from the Director and will be required to apply for coverage under a different general or individual UPDES permit. This permit is terminated on the day coverage under another permit begins.
- 1.8. Notice of Termination. The permittee must terminate the permit by submitting an NOT when the project is completed. The NOT must be filed and retained for 3 years after the permit has been terminated (see 3.7). To terminate the permit, the permittee must comply with either 1.8.1 or 1.8.2, outlined below, and must comply with 1.8.3 if the project is within the jurisdiction of a regulated MS4 (see <http://www.deq.utah.gov/Permits/water/updes/stormwatermun.htm> for regulated MS4s):
- 1.8.1. The landscaping is completed and the site meets “final stabilization” requirements (see part 6, definitions, for final stabilization).
- 1.8.2. When a project (residential building) is completed but ‘final stabilization’ is not established, the building must be in process of being sold and ready for homeowners to take possession. If built by the homeowners, they must be in the process of moving in or already have moved in the house. The lot must have perimeter controls on downslope boundaries and surface stabilization controls on all surfaces that are 20 % (1 to 5 slope, or 11.3 degrees) or greater to prevent erosion and soil migration offsite;
- 1.8.3. The permittee must submit a paper copy of a NOT form to the MS4 of jurisdiction and schedule a final inspection (with the MS4). Termination is complete upon approval of the final inspection from the local MS4, or from DWQ if outside the jurisdiction of a regulated MS4.
- 1.9. Water Quality: Through the design of appropriate BMPs, it is expected that the permittee will achieve compliance with water-quality standards. If additional information becomes available indicating a project site is causing or is contributing to a violation of water quality standards or an existing total maximum daily load (TMDL), coverage under this permit may be revoked or rescinded, and the permittee may be required to get coverage under an individual UPDES permit or another UPDES general permit. If this occurs, the owner and the general contractor will be notified in writing by the Director and given instructions on how they must proceed.
- 1.10. Requirement to Post a Notice of Permit Coverage. The permittee must post a sign at the project site that includes the UPDES Permit tracking number, owner or general contractor contact name, a phone number for the owner or general contractor, an email address for the owner or general contractor, and in the case of an electronic SWPPP, a web address or information on how to access the electronic SWPPP. The notice must be posted with lettering large enough to be readable from a public right-of-way.

2. POLLUTION PREVENTION REQUIREMENTS

2.1. Structural Controls. Minimize sediment transport off the site as follows:

- 2.1.1. *Stockpiled Material*. Stockpiled material must not be stored on an impervious surface, except a material that will not be transported with precipitation, such as two-inch graded and washed gravel, unless it will be permanently placed and the holding area will be swept clean the same day it is dropped. If stored temporarily for more than a day, it must be placed as far as feasibly possible from roads or other impervious surfaces, storm water inlets, or water bodies, and with stockpile perimeter runoff controls utilized.
- 2.1.2. *Perimeter Controls*. Perimeter controls such as silt fences, straw wattles, other filter berms, cut back curbs, vegetative buffers, etc., must be properly placed on the downslope sides of the project to prevent sediment from leaving the site during a storm event. As perimeter controls become loaded to 1/3 of capacity, they must be cleaned.
- 2.1.3. *Inlet Protection*. Storm-drain inlets on the project site and on adjacent roads immediately down gradient from the site must be protected if they receive drainage from the active construction site. Protection may be, but is not limited to, rock wattles, sand bags, proprietary devices, or other. Rock wattles and sand bags are not advised for use in winter because they can be destroyed or removed by snow plows.

2.2. Protection of Critical or Sensitive Areas: Critical or sensitive areas such as preservation of the drip line around trees, wetlands, buffer zones by water bodies, etc., must be separated and isolated by clearly marking the areas with environmental fencing.

2.3. Managing the Site to Minimize Sediment Transport Offsite.

- 2.3.1. The total area of soil disturbance at any one time must be minimized by disturbing only the area necessary to complete that stage of construction in the construction process.
- 2.3.2. Soil disturbances on steep slopes must be minimized. For purposes of this permit a steep slope is 70% (or 1 to 1.66, or 35 degrees), or greater. This means avoiding a disturbance of soils on steep slopes or if disturbing the soil surface is necessary providing a robust surface stabilizing cover (such as geomats, environmental blankets, or other robust slope stabilizing control) to prevent erosion.
- 2.3.3. Storm water volume and velocity must be controlled to minimize soil erosion and sediment transport by methods such as allowing or not obstructing infiltration and using velocity-control devices to reduce energy in runoff flowing on slopes.
- 2.3.4. Storm water discharges leaving the site, including both peak flow rates and total storm water volume, must be controlled to minimize channel and stream-bank erosion and scour in the immediate vicinity of discharge points. This may be accomplished using experience, estimates, and good judgement; unless unusual or extraordinary site conditions present a potential for excessive erosion, hillside/impoundment collapse, environmental/safety hazards, or other site problems; for which a professional engineer must be consulted.

- 2.3.5. *Thirty-Foot Vegetative Buffer.* If a waterbody is adjacent to, within 30 feet from, or passing through the project boundaries, a 30-foot natural buffer between the waterbody and construction activity must be provided. If a 30-foot natural buffer cannot be provided, a substitute control measure equivalent to the 30-foot buffer must be provided, or the SWPPP must contain an explanation why neither is feasible. If it is not feasible to maintain a 30-foot natural buffer, as much natural buffer as is possible must be preserved and coupled with placement of additional erosion and sediment controls designed, implemented, and maintained to substitute and be equivalent to the 30-foot natural buffer.

The requirement for a natural buffer or substitute controls does not apply to any area outside of the project boundaries, but if a waterbody is within, for example, 20 feet from the project boundary, there must be 10 feet of natural vegetative buffer or substitute controls, or if within 25 feet from the project boundary, there must be 5 feet of natural vegetative buffer or substitute controls, and so forth.

- 2.3.5.a. Substitution for a natural buffer should be calculated with models such as USDA's RUSLE2 or WEPP, or by using SEDCAD, SEDIMOT, or other similar models. In lieu of using a model for calculation of a substitution buffer, the permittee shall deploy the following:

2.3.5.a.i. For every full 9 feet of natural buffer that is not provided on slopes up to 10 percent, one row of an effective perimeter control, such as a silt fence, staked straw wattle, proprietary or other filter berm, or other perimeter control, must be properly placed. For example, if only 15 feet of natural buffer can be provided, the permittee will substitute one row of a perimeter control in addition to the 15 feet of natural buffer to make up for the 15 feet of buffer that could not be preserved.

2.3.5.a.ii. In addition to the requirements above for substitutions in place of the 30-foot natural buffer, on slopes between 10 percent and 30 percent, five feet of surface stabilization must be placed down gradient of and between each perimeter control substituted. For slopes steeper than 30 percent, 6 feet of surface stabilization must be placed downgradient of and between each perimeter control substituted, such as mulch, hydromulch, wood chips, bark, compost, erosion mat, etc., but excluding tackifiers.

2.4. Good Housekeeping Measures. The permittee must address the following:

- 2.4.1. *Track Out.* Track-out pads (see definitions) and or rumble strips (see definitions) must be used to prevent dirt/mud tracked on streets as vehicles leave the site. If traffic onto and off the site is not frequent, a site operator may impose a blanket prohibition of vehicle traffic onto the site, allowing for the occasions to deliver and unload, but afterwards providing sweeping and/or cleaning of tracked out dirt (keep in mind that vehicles leaving a muddy site with no track out protection can track mud for several

blocks – the operator is liable for all track out from the site except for a dirt stain after sweeping -- see note after 3.2.2.). Dirt or mud tracked out on the street must not be washed or hosed into a storm drain. Tracked out mud or dirt on the street must be swept and/or scraped up as needed every day (see 3.2.2.).

- 2.4.2. *Curb Ramps*: This permit prohibits the intentional placement of dirt and/or mud on paved streets or sidewalks. Curb ramps may be crushed rock, wood or steel ramps, or another material that does not wash away with storm water.
- 2.4.3. *Waste and Debris*. The site must be cleaned of waste and debris daily (see daily self-inspection 3.2.2). Waste and debris must be contained and secured adequately to prevent scattering from wind until it is removed from the site and disposed of properly.
- 2.4.4. *Portable Toilet*. Portable toilets must be tied down, staked down, or secured using other measures to prevent turn over, and they must be placed away from a road gutter, storm water inlet, or waterbody.
- 2.4.5. *Washing of Concrete, Stucco, and Paint Equipment*. A plastic film-lined pit or sealed container must be provided for washout of equipment used for concrete, stucco, and water-based paint. After completion of concrete, stucco, and paint tasks, the permittee must dispose of the waste by drying and sending solids to a landfill. Oil-based paint cleanout must be done in containers, taken off-site, and disposed of separately.
- 2.5. Soil Compaction/Top Soil. Topsoil must be preserved and placed on areas to be landscaped or areas planned for receiving vegetative cover, unless infeasible. Soil compaction must be minimized on areas that will not be used for support of structural elements such as roads, parking areas, structures, etc., unless infeasible.
- 2.6. Stabilization Requirement. Stabilization requirements are as follows:
 - 2.6.1. *Stabilization requirements for areas that receive 20 inches of rainfall annually or greater*: Stabilization of disturbed areas must, at a minimum, be initiated immediately whenever any clearing, grading, excavating or other earth disturbing activities have permanently ceased on any portion of the site or have temporarily ceased on any portion of the site for greater than 14 calendar days. Stabilization can be sodding, planting, application of mulch (wood chips, rock, gravel, bark, compost, cat tracking on straw, hydromulch, etc.), application of geotextiles or erosion blankets, application of a tackifier, seeding (including preparation for germination and growth), a combination of these methods, or other method.
 - 2.6.2. *Stabilization or equivalent requirements for arid and semi-arid areas (areas receiving less than 20 inches of rainfall annually)*: Stabilization for visually flat areas is not required (roughly up to 5 percent, 1 to 20 slope, or 2.3 degrees slope). Areas with slopes up to roughly 20 percent (1 to 5 slope or 11.3 degrees) must have, at minimum, velocity-control devices in every area where storm water collects and flows, spaced close enough across the flow to stop erosion (see also 2.3.3). Soil surface stabilization such as sodding, planting, hydromulch, compost, bark, cat tracking on straw, gravel,

geotextiles, erosion blankets, or other stabilization methods is required on all other sloped areas, increasing the robust nature of stabilizing cover commensurately with increasingly steeper slopes.

2.6.3. *Permanent Stabilization for Arid areas.*

- 2.6.3.a. In addition to requirements above (see 2.6.2), permanent stabilization requires seeding on all areas that are not covered with permanent stabilization elements or structural elements such as building structure or pavement, or that are engineered or intended for structural purposes like graveled parking or dirt roads.
- 2.6.3.b. Disturbed areas on projects located outside of populated and developed areas and where no irrigation water is available and where future periodic landscaping maintenance is not planned must be reclaimed with a seed mix of plants indigenous to the area or tolerant to the local climatic conditions that does not include invasive species. Velocity-control devices may be permanent or temporary. If velocity-control devices are intended for temporary use, they must be biodegradable and designed durable enough to withstand extreme weather.

2.7. Construction Dewatering. Construction dewatering can occur onsite without an additional UPDES permit if it is infiltrated or contained onsite and is not discharged offsite. Otherwise, construction dewatering discharges must be permitted under the General Permit for Construction Dewatering and Hydrostatic Testing UPDES Permit UTG070000, which can be obtained online through submittal of an NOI at <https://secure.utah.gov/waterquality>.

2.8. Pollution Prevention Measures. The permittee must design, install, implement, and maintain effective pollution prevention measures to minimize the discharge of pollutants. At a minimum, such measures must address the following:

- 2.8.1. *Vehicle, Wheel, and Other Washing*. Minimize the discharge of pollutants from equipment and vehicle washing, wheel-wash water, and other wash waters. Wash waters must be treated in a sediment basin or alternative control that provides equivalent or better treatment prior to discharge
- 2.8.2. *Exposure to Pollutants*. Minimize the exposure of building materials, building products, construction wastes, trash (see 2.4.3), landscape materials, fertilizers, pesticides, herbicides, detergents, sanitary waste (see 2.4.4), and other materials present on the site to precipitation and to storm water. Minimization of exposure is not required in cases where the exposure to precipitation and to storm water will not result in a discharge of pollutants, or where exposure of a specific material or product poses little risk of storm water contamination (e.g., final products and materials intended for outdoor use).
- 2.8.3. *Leaks and Spills*. Minimize the discharge of pollutants from spills and leaks and implement chemical spill and leak prevention and response procedures.

2.9. Prohibited Discharges. The following discharges are prohibited:

- 2.9.1. Wastewater from washout or cutting of concrete (see 2.4.5),

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- 2.9.2. Wastewater from washout and cleanout of stucco, paint, form release oils, curing compounds, and other construction materials (see 2.4.5),
- 2.9.3. Fuels, oils, or other pollutants used in vehicle and equipment operation and maintenance,
- 2.9.4. Soaps or solvents used in vehicle and equipment washing.

3. SELF-INSPECTION REQUIREMENTS.

3.1. Inspector Qualifications. Weekly inspections (see 3.2.1 below) must be done by a qualified person. A qualified person means a person knowledgeable in the principles and practices of erosion and sediment control that possesses the skills to:

- 3.1.1. Assess conditions at the construction site that could impact storm water quality,
- 3.1.2. Assess the effectiveness of a storm water control measure selected to control the quality of storm water discharges from the construction activity.

3.2. Self-Inspections.

- 3.2.1. *Weekly Self Inspections:* Self-inspections must occur every 7 days. A written report is required (see 3.4).
- 3.2.2. *Daily Site Check:* Each day of construction activity, the site must be inspected for dirt in the street and trash on the site. Streets must be swept clean (see note below), if soiled. Dirt must be removed off the street (not swept or washed into the storm drain system). Trash on the site must be picked up and disposed of into trash containers (see 2.4.3.) or disposed of off-site (e.g., municipal/private garbage collection service or construction waste landfill). Sub-contractors must be held responsible by the permit holder to perform these duties in accordance with this paragraph for the activities they are contracted to perform. A written report is not required, however the operator will keep a daily log (for the active construction days) listing the initials of the person doing the site check.

Note: Swept clean means sweeping and scraping. Scraping if there is dirt left behind that is crusted and that sweeping will not pick up. This does not mean removing the microscopic layer of dust or the minute amounts of dirt in the cracks and crevices of the surface left behind staining the pavement.

3.3. Weekly Self-Inspection Requirements.

- 3.3.1. *Areas to check include the following:*
 - 3.3.1.a. Areas that have been cleared, graded, or excavated that are not stabilized,
 - 3.3.1.b. All storm water control measures, including perimeter controls,
 - 3.3.1.c. Material piles, waste-disposal containers, sanitary facilities, loose trash, litter, washout areas, portable toilets, track out pad, egress points (if any), etc.,
 - 3.3.1.d. Storm water conveyances through the site, treatment areas, and drainages,
 - 3.3.1.e. All storm water discharge points, street gutters, storm water inlets,
 - 3.3.1.f. Areas that have been temporarily stabilized,
 - 3.3.1.g. Areas that have been permanently stabilized and are completed do not need further inspections.
- 3.3.2. *Items to check include the following:*
 - 3.3.2.a. All erosion and sediment controls and other pollution prevention controls

have been installed, are operational, and are working as intended to minimize pollutant discharges. Determine if any controls need to be replaced, repaired, or maintained.

3.3.2.b. Identify any locations where new or modified storm water controls are necessary.

3.3.2.c. Signs of visible erosion and sedimentation (i.e., sediment deposits) that have occurred and are attributable to discharges from your site,

3.4. Weekly Inspection Reports. The weekly self-inspection report must be written within 24 hours of inspection and must include:

3.4.1. The initials of the person doing the inspection,

3.4.2. The date of the inspection,

3.4.3. The weather during the inspection,

3.4.4. The problems that were found needing correction (as they pertain to 3.3.1 and 3.3.2 above),

3.4.5. The date when corrective action is completed,

3.4.6. All self-inspection reports must be filed with other permit records regarding the permit. Inspection reports must be available during an oversight inspection.

3.5. Corrective Action: Corrective action must be completed before the next weekly inspection.

3.6. Inspections by an Oversight Authority. A copy of an oversight inspection report must be filed and be available for review during other oversight inspections.

3.7. Record Keeping. Records regarding this permit, the NOI, the NOT, the SWPPP, inspection reports, other related information and documents must be preserved for 3 years after the submission of the NOT (see 5.10).

4. STORM WATER POLLUTION PREVENTION PLAN (SWPPP).

4.1. SWPPP Requirement. The permittee must prepare a SWPPP before the NOI for the project is submitted. The SWPPP must address all the applicable requirements in Part 2.

4.1.1. *SWPPP Site Design*. The design, installation, and maintenance of erosion and sediment controls must address factors such as the amount, frequency, intensity and duration of precipitation; the nature of resulting storm water runoff; and soil characteristics, including the range of soil particle sizes expected to be present onsite. These may be accomplished using experience, estimates, and good judgement, unless unusual or extraordinary site conditions create hazards for which a professional engineer must be consulted.

4.1.2. *Surface Outlets*: When discharging from basins and impoundments, utilize outlet structures that withdraw water from the surface, unless infeasible.

4.2. Contents of a SWPPP. A SWPPP must contain the following:

4.2.1. *Contacts*. The contacts for the site with contact information (name, address, telephone, email) including owner, general contractor, and any other party that significantly affects the implementation of the SWPPP or has responsibilities over the SWPPP.

4.2.2. *Sequence and Estimated Dates of Construction Activities*. Listed in the sequence with estimated dates including the following:

4.2.2.a. Start and end of excavation activities, initial excavation, backfill excavation and final grading,

4.2.2.b. Any temporary or permanent cessation of earth-disturbing activities,

4.2.2.c. Start and end of landscaping if this is done as part of the construction activity before the home is sold.

4.2.3. *Site Map or Chart*. A site map may be hand drawn (as close to scale as possible) or may be a copy of an architect drawing including the following information:

4.2.3.a. Boundaries of the property,

4.2.3.b. Boundaries of soil surface disturbances, including any outside the boundaries of the property,

4.2.3.c. Slopes, including areas of steep slopes,

4.2.3.d. Locations of stockpiles of soils, storage of construction materials, portable toilets, trash containers, concrete washout pits or containers, egress points, and track out pads,

4.2.3.e. Waterbodies, wetlands, and natural buffer areas,

4.2.3.f. Locations and types of BMPs or storm water control measures for the control and/or treatment of storm water flowing onto, through, and/or offsite,

4.2.3.g. Locations of storm water inlets, storm water discharge points going off site,

- 4.2.3.h. Areas that will be temporarily or permanently stabilized during the construction period.
- 4.2.4. *Thirty-Foot Natural Buffer.* The SWPPP must show the dimensions and placement of the 30-foot natural buffer, the substitute control measures, or a detailed explanation of why a natural buffer or substitute control measure could not be applied.
- 4.2.5. *Pollutants.* A list of construction site pollutants including the pollutant-generating activity, and an inventory of pollutants for each pollutant generating activity (e.g., paints, solvents, form oil, fuels, and other chemicals; applications, materials, and liquids that if released could pollute storm water).
- 4.2.6. *Waste Management.* Waste management procedures including soil removal, clearing debris removal, demolition removal, trash disposal, construction-waste disposal, and sanitary-waste disposal.
- 4.2.7. *Training.* The permittee will ensure that each subcontractor or utility provider is aware of their responsibilities for keeping soil on the site and preventing pollution. The permittee must keep in mind that they are responsible for and may be issued fines for poor performances by their subcontractors and utility providers. Consideration will be given if the permittee can document when and what instructions were given to the subordinate party.
- 4.2.8. *NOI and Permit.* The SWPPP must contain a copy of this permit and a copy of the NOI for the project.
- 4.2.9. *SWPPP Signature and Certification.* The SWPPP must be signed and certified by both the Owner and the General Contractor in accordance with 5.16.1.a.
- 4.2.10. *MS4 Approval of Project.* For areas where projects are within a regulated MS4's jurisdiction (see definitions in Part 6; the list of regulated MS4's is found on <http://www.deq.utah.gov/Permits/water/updes/stormwatermun.htm>), the SWPPP must contain the signature and date of the MS4 reviewer who has approved the proposed project for construction (see 1.7.).
- 4.2.11. *Availability of the SWPPP.* The SWPPP must be available at the construction site covered under this permit during onsite construction activity, unless the SWPPP is available online. If the SWPPP is available online there must be a sign (see 1.10) that describes where the SWPPP can be accessed online. The SWPPP is a plan for the site, and workers must be able to refer to the SWPPP and update it as needed to manage the site (including SWPPPs found on the internet). The SWPPP is not required to be on the site when construction workers leave for the day or when there is no activity occurring on the site, but at all times there must be posted contact information where the SWPPP can be obtained (see Part 1.10). The SWPPP must be made available within 24 hours to DWQ representatives or other oversight inspectors, e.g., U.S. Environmental Protection Agency [EPA] or a local MS4, on request, or immediately during an inspection on the site when there are workers and activity at the site.

4.2.12. *Required Modifications of the SWPPP.* The SWPPP must be modified as follows:

4.2.12.a. During inspections when it is determined from observations of site conditions that storm water control measures are:

4.2.12.a.i. Not adequate or not shown in the SWPPP, or

4.2.12.a.ii. Changes in the SWPPP are necessary for compliance with this permit.

4.2.12.b. When an oversight authority determines that the SWPPP is not adequate based on missing a required SWPPP or permit item, not addressing pollutants properly, not being up to date and reflecting current site conditions, or not being clear, thorough, and understandable.

4.2.13. *SWPPP Modifications Deadline.* Modifications to the SWPPP from inspections or oversight authority direction must occur before or during the next weekly inspection.

5. STANDARD PERMIT CONDITIONS.

5.1. Duty to Comply.

5.1.1. The permittee must comply with all conditions of this permit. Any permit noncompliance constitutes a violation of the Utah Water Quality Act (the Act) and is grounds for enforcement action; for permit termination, revocation and reissuance, or modification; or for denial of a permit renewal application.

5.1.2. *Penalties for Violations of Permit Conditions*

5.1.2.a. *Violations.* The Act provides that any person who violates the Act, Utah wastewater or storm water rules, or conditions of a permit issued under the Act, is subject to a fine of \$10,000 per day.

5.1.2.b. *Willful or Gross Negligence.* The Act provides that any person who discharges a pollutant to waters of the State as a result of criminal negligence or who intentionally discharges is criminally liable and is subject to imprisonment and a fine of up to \$50,000 per day (Utah Code Annotated 19-5-115).

5.1.2.c. *False Statements.* The Act provides that any person who knowingly makes any false material statement, representation, or certification in any application, record, report, plan, or other document filed or required to be maintained under the Act, the rules, or this permit, or who knowingly falsifies, tampers with, or renders inaccurate, any monitoring device or method required to be maintained under the Act shall upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for 6 months, or by both (Utah Code Annotated 19-5-115(4)).

5.2. Duty to Reapply. If a permittee wishes to continue an activity regulated by this permit after the expiration date of this permit, the permittee must apply for and obtain a new permit except as provided in 1.6 and 1.7 of this permit.

5.3. Need to Halt or Reduce Activity not a Defense. It shall not be a defense for a permittee in an enforcement action that it would have been necessary to halt or reduce the permitted activity in order to maintain compliance with the conditions of this permit.

5.4. Duty to Mitigate. The permittee shall take all reasonable steps to minimize or prevent any discharge in violation of this permit that has a reasonable likelihood of adversely affecting human health or the environment.

5.5. Duty to Provide Information. The permittee shall furnish to the Director or an authorized representative, within a reasonable time, any information that is requested to determine compliance with this permit. The permittee must also furnish to the Director or an authorized representative copies of records to be kept by this permit.

5.6. Other Information. When the permittee becomes aware that he or she failed to submit any relevant facts or submitted incorrect information in the NOI or in any other report to the Director, he or she shall promptly submit such facts or information.

- 5.7. Oil and Hazardous Substance Liability. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties to which the permittee is or may be subject under the Act.
- 5.8. Property Rights. The issuance of this permit does not convey any property rights of any sort, nor any exclusive privileges, nor does it authorize any injury to private property nor any invasion of personal rights, nor any infringement of Federal, State or local laws or regulations.
- 5.9. Severability. The provisions of this permit are severable, and if any provision of this permit, or the application of any provision of this permit to any circumstance, is held invalid, the application of such provision to other circumstances, and the remainder of this permit shall not be affected thereby.
- 5.10. Record Retention. The permittee shall retain copies of SWPPPs and all reports required by this permit, and records of all data used to complete the NOI to be covered by this permit, for a period of at least three years from the date that the permit for the site is terminated (see 3.7). This period may be extended by request of the Director at any time.
- 5.11. Addresses. All written correspondence under this permit shall be directed to the DWQ at the following address:
- Department of Environmental Quality
Division of Water Quality
195 North 1950 West
P.O. Box 144870
Salt Lake City, Utah 84114-4870
- 5.12. State Laws. Nothing in this permit shall be construed to preclude the institution of any legal action or relieve the permittee from any responsibilities, liabilities, or penalties established pursuant to any applicable State law or regulation under authority preserved by Utah Code Annotated 19-5-117.
- 5.12.1. No condition of this permit shall release the permittee from any responsibility or requirements under other environmental statutes or regulations.
- 5.13. Proper Operation and Maintenance. The permittee shall at all times properly operate and maintain all facilities and systems of treatment and control and related appurtenances which are installed or used by the permittee to achieve compliance with the conditions of this permit and with the requirements of SWPPPs. Proper operation and maintenance also includes adequate laboratory controls and appropriate quality assurance procedures. Proper operation and maintenance requires the operation of backup or auxiliary facilities or similar systems, installed by a permittee only when necessary to achieve compliance with the condition of the permit.
- 5.14. Inspection and Entry. The permittee shall allow, upon presentation of credentials, the Director or an authorized representative to:
- 5.14.1. Enter upon the permittee's premises where a regulated facility or activity is located or conducted or where records must be kept under the conditions of this permit;

- 5.14.2. Have access to and copy at reasonable times, any records that must be kept under the conditions of this permit.
- 5.14.3. Inspect at reasonable times any facilities, equipment (including monitoring and control equipment), practices or operations regulated or required under this permit; and
- 5.14.4. Sample or monitor at reasonable times for the purposes of assuring permit compliance or as otherwise authorized by law, any substances or parameters at any location.

5.15. Reopener Clause.

- 5.15.1. *Reopener Due to Water Quality Impacts.* If there is evidence indicating that the storm water discharges authorized by this permit cause, have the reasonable potential to cause, or contribute to a violation of a water-quality standard, the discharger may be required to obtain an individual permit or an alternative general permit in accordance with 1.7.4 of this permit or the permit may be modified to include different limitations and/or requirements.
- 5.15.2. *Reopener Guidelines.* Permit modification or revocation will be conducted according to Utah Administrative Code R317-8-5.6 and UAC R317-8-6.2.
- 5.15.3. *Permit Actions.* This permit may be modified, revoked and reissued, or terminated for cause. The filing of a request by the permittee for a permit modification revocation and reissuance, termination, a modification of planned changes or anticipated noncompliance does not stay any permit condition.

5.16. Signatory Requirements.

- 5.16.1. All NOIs, SWPPPs, reports, certifications or information submitted to the Director, or that this permit requires be maintained by the permittee, shall be signed as follows:
 - 5.16.1.a. All NOIs and SWPPPs shall be signed by both the owner or lessee of the project/property and the general contractor.
 - 5.16.1.b. All reports required by the permit and other information requested by the Director or by an authorized representative of the Director shall be signed by a person described above or by a duly authorized representative of that person. A person is a duly authorized representative only if:
 - 5.16.1.b.i. The authorization is made in writing by a person described above and submitted to the Director; and
 - 5.16.1.b.ii. The authorization specifies either an individual or a position having such as the position of manager, operator, superintendent, or position of equivalent responsibility or an individual or position having overall responsibility for environmental matters for the company. A duly authorized representative may therefore be either a named individual or any individual occupying a named position.
 - 5.16.1.c. *Certification.* Any person signing documents under 5.16 shall make the following certification:

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information including the possibility of fine and imprisonment for knowing violations.

- 5.16.2. If a document is to be signed electronically, the Division's rules regarding electronic transactions govern, if applicable.

6. DEFINITIONS

Arid Areas: Areas with an average annual rainfall of 10 inches or less.

Common Plan of Development (or sale): A plan to subdivide a parcel of land into separate parts for separate sale. This can be for a residential, commercial, or industrial development. The plan originates as a single parcel that is separated into parts. This usually goes through an approval process by a local governmental unit, but in some cases, it may not require that process. The original plan is considered the “common plan of development or sale” whether phased or completed in steps.

Additional information related to Common Plan of Development for Permit Purposes:

For UPDES storm water permit purposes, a common plan must have been initiated after October, 1992. A common plan of development or sale remains so until each lot or section of the development has fulfilled its planned purposes (e.g. in a residential development as homes are completed, stabilized, and sold or occupied). As lots or separated sections of the development are completed, the lot or section is stabilized, and the plan purposes are fulfilled for that area, lot, or section, it is no longer part of the common plan of development or sale (e.g. if a home is sold in a development and the owner decides to add a garage somewhere on the lot, that garage project is not part of the common plan of development or sale).

In this process a common plan of development or sale may become reduced in size and/or separated by completed areas which are no longer part of the common plan of development or sale, but all unfinished lots remain part of the same common plan development or sale until they are completed, stabilized, and fulfilled according to the purposes of the plan.

Construction Activity: Earth-disturbing activities, such as the clearing, grading, and excavation of land.

Construction Waste: Discarded material such as packaging materials, scrap construction materials, masonry products, timber, steel, pipe, and electrical cuttings, plastics, and Styrofoam.

Corrective Action: For the purposes of the permit, any action taken to 1) repair, modify, or replace any storm water control used at the site; 2) clean up and dispose of spills, releases, or other deposits found on the site; and 3) remedy a permit violation.

Dewatering: The act of draining rainwater and/or groundwater from building foundations, vaults, and trenches (Note: if dewatering is occurring on a construction site and it causes a discharge to waters of the State, it must be permitted separately under the General Permit for Construction Dewatering and Hydrostatic Testing , UPDES Permit UTG070000).

Director: The director of the Division of Water Quality.

Discharge Point: For the purposes of this permit, the location where collected and concentrated storm water flows are discharged from the construction site.

Final Stabilization: All disturbed areas must be covered by permanent structures such as pavement, concrete slab, building, etc., or for areas not covered by permanent structures but that are receiving 20 inches or more of average annual precipitation, vegetation has been established with a uniform (e.g.,

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evenly distributed, without large bare areas) perennial vegetative cover equivalent to 70 percent of the natural background vegetative cover. In the case of areas that are not covered by permanent structures, but that are receiving less than 20 inches of average annual precipitation (arid areas, 0-10 inches; semi-arid areas, 10-20 inches), final stabilization is equivalent to the requirements of 2.6.3 of this permit, including the provisions for permanent stabilization.

Impervious Surface: For the purpose of this permit, any land surface with a low or no capacity for water infiltration including, but not limited to, pavement, sidewalks, parking areas, driveways, or rooftops.

Indian Country: Defined at 40 CFR §122.2 as follows:

1. All land within the limits of any Indian reservation under the jurisdiction of the United States Government, notwithstanding the issuance of any patent, and, including rights-of-way running through the reservation;
2. All dependent Indian communities within the borders of the United States whether within the originally or subsequently acquired territory thereof; and
3. All Indian allotments, the Indian titles to which have not been extinguished, including rights-of-ways running through the same.

Infeasible: Infeasible means not technologically possible or not economically practicable and achievable in light of best industry practices. DWQ notes that it is not intentional for permit storm water control efforts required in the permit to conflict with State water rights law. In the case of conflict, State water rights law supersedes.

Install or Installation: When used in connection with storm water controls, to connect or set in position storm water controls to make them operational.

Municipal Separate Storm Sewer System or MS4: A storm-sewer system owned and operated by a state, city, town, county, district, association, or other public body created by or pursuant to State law having jurisdiction over disposal of storm water that discharges to waters of the State (e.g., Sandy City owns and operates the MS4 within the jurisdiction of Sandy City, or essentially Sandy City is the MS4).

Natural Buffer: For the purposes of this permit, an area of undisturbed natural cover surrounding surface waters within which construction activities are restricted. Natural cover includes the vegetation, exposed rock, or barren ground that exists before earth-disturbing activities begin.

Oversight Authority: Oversight authorities for storm water permits are agents from the EPA, DWQ or the Municipality of jurisdiction, when they are addressing compliance of storm water permits.

Owner: For the purpose of this permit an owner has ownership of a property on which construction activity is taking place, but it also includes ownership of a project for which construction activity is occurring on property that is leased. An owner is the party that has ultimate control over construction plans and specifications, including the ability at the highest level to make modifications to those plans and specifications. "Owner" in this context is the party that has ultimate control over the destiny of a project.

Permittee: The owner and/or the general contractor (those that signed on the NOI), for the project.

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Pollutant-Generating Activities: At construction sites, for the purposes of this permit, those activities that lead to or could lead to the generation of pollutants, either as a result of earth-disturbance or a related support activity. Some of the types of pollutants that are typically found at construction sites are as follows:

- Sediment
- Nutrients
- Heavy metals
- Pesticides and herbicides
- Oil and grease
- Bacteria and viruses
- Trash, debris, and solids
- Treatment polymers
- Any other toxic chemicals

Pollution Prevention Measures: Storm water controls designed to reduce or eliminate the addition of pollutants to construction site discharges through analysis of pollutant sources, implementation of proper handling/disposal practices, employee education, and other actions.

Project Site: A project site is not necessarily contained within the property boundaries designated for the final construction objective, or property owned by the owner of the project. The project site includes all areas affected by the construction process where disturbances, storage, or other construction activity occurs. If an area outside of property boundaries is used for the construction process, DWQ assumes the permittee has the right to access and use that area and the permittee must also meet permit requirements in that area.

Receiving Water: A “Water(s) of the State” is as defined in UAC R317-1-1, into which the regulated storm water discharges (see waters of the State listed below).

Rumble Strip: A rigid ramp/track (often made of steel) that vehicles drive over that causes tires to flex and shake for the removal of dirt.

Semi-Arid Areas: Areas with an average annual rainfall of between 10 and 20 inches.

Stabilization: The use of vegetative and/or non-vegetative cover to prevent erosion and sediment loss in areas of disturbed soil exposed from the construction process.

Storm water: Means storm water runoff, snowmelt runoff, and surface runoff and drainage.

Storm Water Control Measures: Refers to any storm water control, BMP, or other method used to prevent or reduce the discharge of pollutants to waters of the state.

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Storm Water Inlet: An entrance or opening to a storm water conveyance system, generally placed below grade so as to receive storm water drainage from the surrounding area.

Storm Event: A precipitation event that results in a measurable amount of precipitation.

Track Out Pad: A track out pad is a pad normally made up of 4 to 6 inches of up to 6 inch cobble rocks or gravel of various size (the size is sometimes specified by a local MS4). Sometimes it is underlain with a fabric to keep dirt and mud separated from rock or gravel. It is wide enough to underlay the tires of any/all traffic leaving a construction site as vehicles exit the site. Its function is to flex and shake the tires to dislodge mud and dirt from the tires of vehicles leaving the construction site. Track out pads must be stirred or worked periodically so that mud or dirt collected is moved to the bottom and the rock/gravel on the pad is clean and effective dislodging more mud/dirt.

Waters of the State: All streams, lakes, ponds, marshes, watercourses, waterways, wells, springs, irrigation systems, drainage systems, and all other bodies or accumulations of water, surface and underground, natural or artificial, public or private, that are contained within, flow through, or border upon this state or any portion thereof, except that bodies of water confined to and retained within the limits of private property, and that do not develop into or constitute a nuisance, or a public health hazard, or a menace to fish and wildlife, shall not be considered to be "Waters of the State" under this definition (see Utah Code Annotated, 19-5-102(23)(a) &(b), and UAC R317-1-1).

Appendix D: Permits (NOI)

Appendix E: Inspection, Maintenance, Correction Report

Inspection General Information

BMP Designation	Okay	Not Okay	BMP Condition, Corrective Action Required.
Are all pollution sources controlled? Do any other problems exist?			
<i>[BMP # and Name] From SWPPP Template</i>			
<i>[BMP # and Name] From SWPPP Template</i>			
<i>[BMP # and Name] From SWPPP Template</i>			
<i>[BMP # and Name] From SWPPP Template</i>			
<i>[BMP # and Name] From SWPPP Template</i>			
<i>[BMP # and Name] From SWPPP Template</i>			
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<i>[BMP # and Name] From SWPPP Template</i>			
<i>[BMP # and Name] From SWPPP Template</i>			
<i>[BMP # and Name] From SWPPP Template</i>			
<i>[BMP # and Name] From SWPPP Template</i>			
<i>[BMP # and Name] From SWPPP Template</i>			

Overall Site Conditions (These pages are suggested if the permittee chooses. They can be deleted if desired)

Concerns to be Checked	Implemented Y/N/NA	Maintained Y/N/NA	Corrective Action	Date Corrected
Are all slopes and disturbed areas not actively being worked properly stabilized?				
Are all water bodies (e.g., streams, wetlands) protected with buffers or similar BMPs?				
Are perimeter controls and sediment controls properly installed and maintained (anchored into soil)?				
Has the sediment build up been removed from BMPs designed to catch sediment?				
Are discharge points and receiving waters free of any sediment deposits?				
Is all sediment that has been deposited off site cleaned up?				
Are storm drain inlets properly protected?				
Does the construction exit have a track out pad (or other BMP)?				
Is the track out pad (or other BMP) effective in preventing sediment from being tracked into the street?				
Is trash/litter from work areas collected and placed in covered dumpsters?				
Are washout facilities (e.g., paint, stucco, concrete) available, clearly marked, and maintained?				
Are vehicle/equipment fueling, cleaning, and maintenance areas managed properly with no illicit discharges?				
Are fuels and construction materials and chemicals that are potential storm water contaminants covered or in secondary containment?				
Are non-storm water discharges (e.g., wash water, dewatering, wheel washing) properly controlled?				
Is run-on prevented or properly managed?				
Are there locations where additional BMP's are necessary?				
Are material piles protected from weather and placed on hard surfaces only day by day for placement and not for storage?				
Are all BMPs and storm water control measures accurately shown and updated on the SWPPP map?				

Appendix F: Amendment Log

SWPPP AMENDMENT LOG			
Amendment #	Description of the Amendment	Date of Amendment	Notes

Appendix G: Certifications, Agreements and Delegation of Authority

OWNER CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: _____ Title: _____

Signature: _____ Date: _____

Company: _____

Project: _____

OPERATOR CERTIFICATION

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: _____ Title: _____

Signature: _____ Date: _____

Company: _____

Project: _____

Delegation of Authority Form

Delegation of Authority

I, _____ (name), hereby designate the person or specifically described position below to be a duly authorized representative for the purpose of overseeing compliance with environmental requirements, including the Construction General Permit, at the _____ construction site. The designee is authorized to sign any reports, stormwater pollution prevention plans and all other documents required by the permit.

(name of person or position)
(company)
(address)
(city, state, zip)
(phone)

By signing this authorization, I confirm that I meet the requirements to make such a designation as set forth in _____ (Reference State Permit), and that the designee above meets the definition of a “duly authorized representative” as set forth in _____ (Reference State Permit).

I certify under penalty of law that this document and all attachments were prepared under my direction or supervision in accordance with a system designed to assure that qualified personnel properly gathered and evaluated the information submitted. Based on my inquiry of the person or persons who manage the system, or those persons directly responsible for gathering the information, the information submitted is, to the best of my knowledge and belief, true, accurate, and complete. I am aware that there are significant penalties for submitting false information, including the possibility of fine and imprisonment for knowing violations.

Name: _____

Company: _____

Title: _____

Signature: _____

Date: _____

SUBCONTRACTOR CERTIFICATION
STORMWATER POLLUTION PREVENTION PLAN

Project Number: _____

Project Title: _____

Operator(s): _____

As a subcontractor, you are required to comply with the Stormwater Pollution Prevention Plan (SWPPP) for any work that you perform on-site. Any person or group who violates any condition of the SWPPP may be subject to substantial penalties or loss of contract. You are encouraged to advise each of your employees working on this project of the requirements of the SWPPP. A copy of the SWPPP is available for your review at the office trailer.

Each subcontractor engaged in activities at the construction site that could impact stormwater must be identified and sign the following certification statement:

I certify under the penalty of law that I have read and understand the terms and conditions of the SWPPP for the above designated project and agree to follow the BMPs and practices described in the SWPPP.

This certification is hereby signed in reference to the above named project:

Company: _____

Address: _____

Telephone Number: _____

Type of construction service to be provided: _____

Signature: _____

Title: _____

Date: _____

Notice of Permit Transfer Requirements

Name of Previous Owner

Telephone Number

Address of Previous Owner

City

State

Zip

Signature of Previous Owner

Date

Name of New Owner

Telephone Number

Address of New Owner

City

State

Zip

Signature of New Owner

Date

PROJECT NAME AND LOCATION

Previous Permit Number

Name of Project

Address of Project

City

State

Zip

Longitude

Latitude

WHAT KIND OF TRANSFER: PARTIAL OR TOTAL?

Is this a transfer of ownership of partial or total of the permitted area? Partial ☐
Total ☐

If this is a transfer of part of the permitted area to a new owner, describe what part:

Will there be a new SWPPP prepared? YES ☐ NO ☐

Please update the General Contractor Information (see transfer options 1 or 2, first page). If this is a partial transfer the only option is 1.

This form must be submitted to the Municipality of Jurisdiction and DWQ

To submit to DWQ either email to the construction storm water coordinator or,
FAX to 801-535-4301

Or mail to DWQ
 PO Box 144870

Appendix H: Training Log

[illegible]

Packet Pg. 84

Appendix I: Construction Plans

New Residence

Lot 1
88 King Road
Park City, Utah 84098

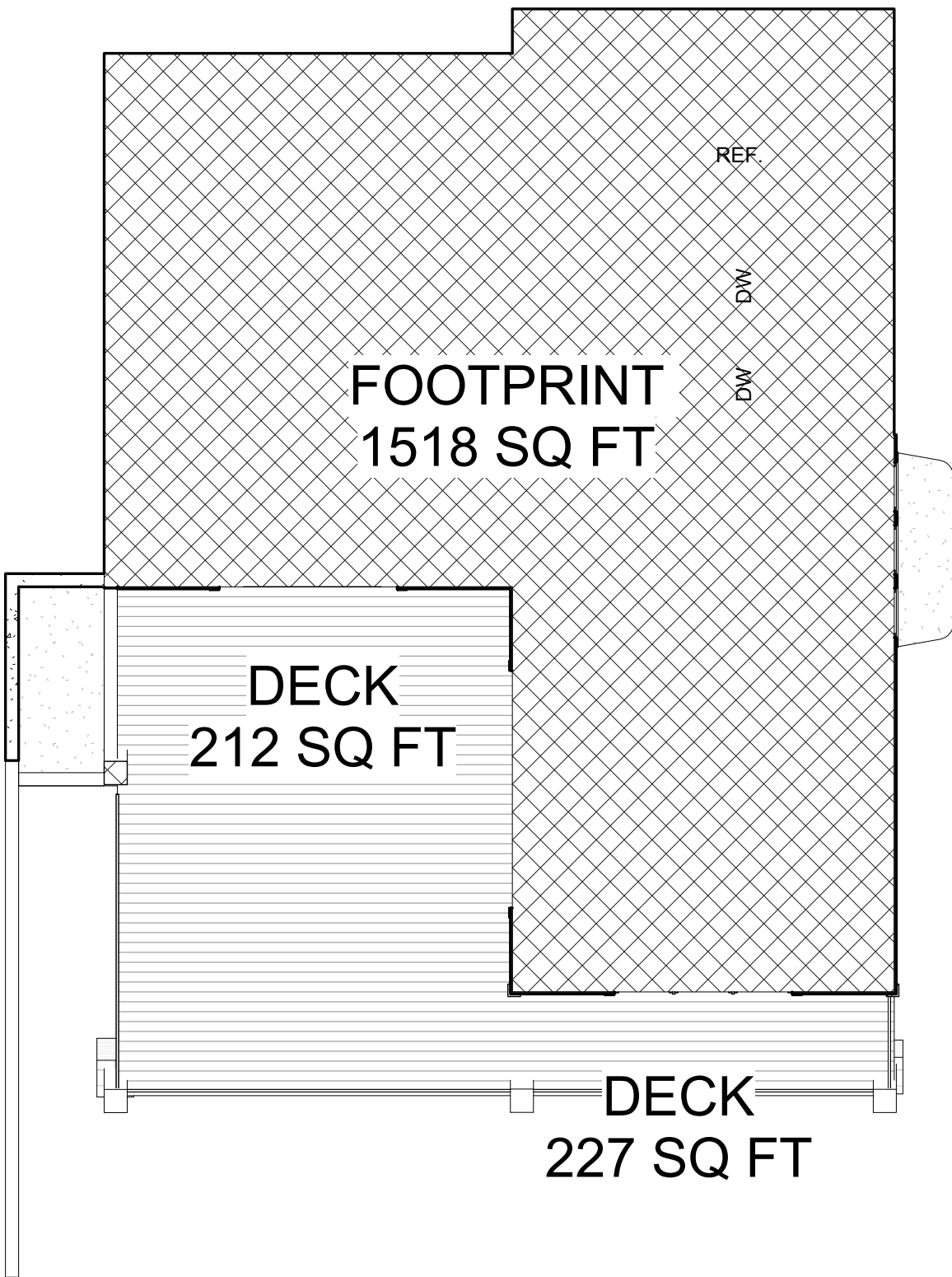
- Deferred Submittals:
- 1- Truss Specifications
 - 2 - Fireplace Specifications
 - 3 - Fire Sprinkler System

- Code Compliance
- 2015 IRC
 - 2015 IECC Energy Code
 - 2015 EIBC
 - 2015 NEC

R-1 RESIDENTIAL ZONE

Square Footage Legend	
Name	Area
Upper Floor	1283 SF
Main Living	1460 SF
Garage	473 SF
Basement Living	848 SF
Elevator	33 SF
Loft Level	772 SF
Mech	70 SF
Total Living	4,396 SF
Total Gross	4,939 SF

Sheet List	
Sheet Number	Sheet Name
A1.1	Cover Sheet
A1.2	General Notes
A1.3	Site Plan
A1.4	Landscape Plan
A2.1	Basement Plan
A2.2	First Floor Plan
A2.3	Second Floor Plan
A2.4	Loft Level
A2.5	Roof Plan
A3.0	Perspective Views
A3.1	Elevations
A3.2	Elevations
A3.3	Streetscape Elevations
A4.1	Building Sections
A4.2	Building Sections
A4.3	Wall Sections
A4.4	Architectural Details
A5.2	First Floor Reflected Ceiling Plan
A5.3	Second Floor Reflected Ceiling Plan
A6.1	Interior Elevations
A6.2	Interior Elevations
E1.1	Basement Electrical Plan
E1.2	First Floor Electrical
E1.3	Second Floor Electrical
E1.4	Loft Electrical
S1.0	Isometric Foundation
S1.1	Foundation Plan
S2.1	First Floor Framing Plan
S2.3	Second Floor Framing
S2.4	Loft Floor Framing
S2.5	Roof Framing



② Footprint Plan
1/8" = 1'-0"

1. Radon Mitigation Plan AF103.6
Crawl Space Pressurization System (Passive) Radon piping in crawl space at bottom of footing level plastic with 12" overlap on plastic joints. Vertical termination of radon pipe thru the mechanical room thru the roof. Electrical outlet for in-line powered vent in mechanical room.
2. Three backflow preventers will be installed

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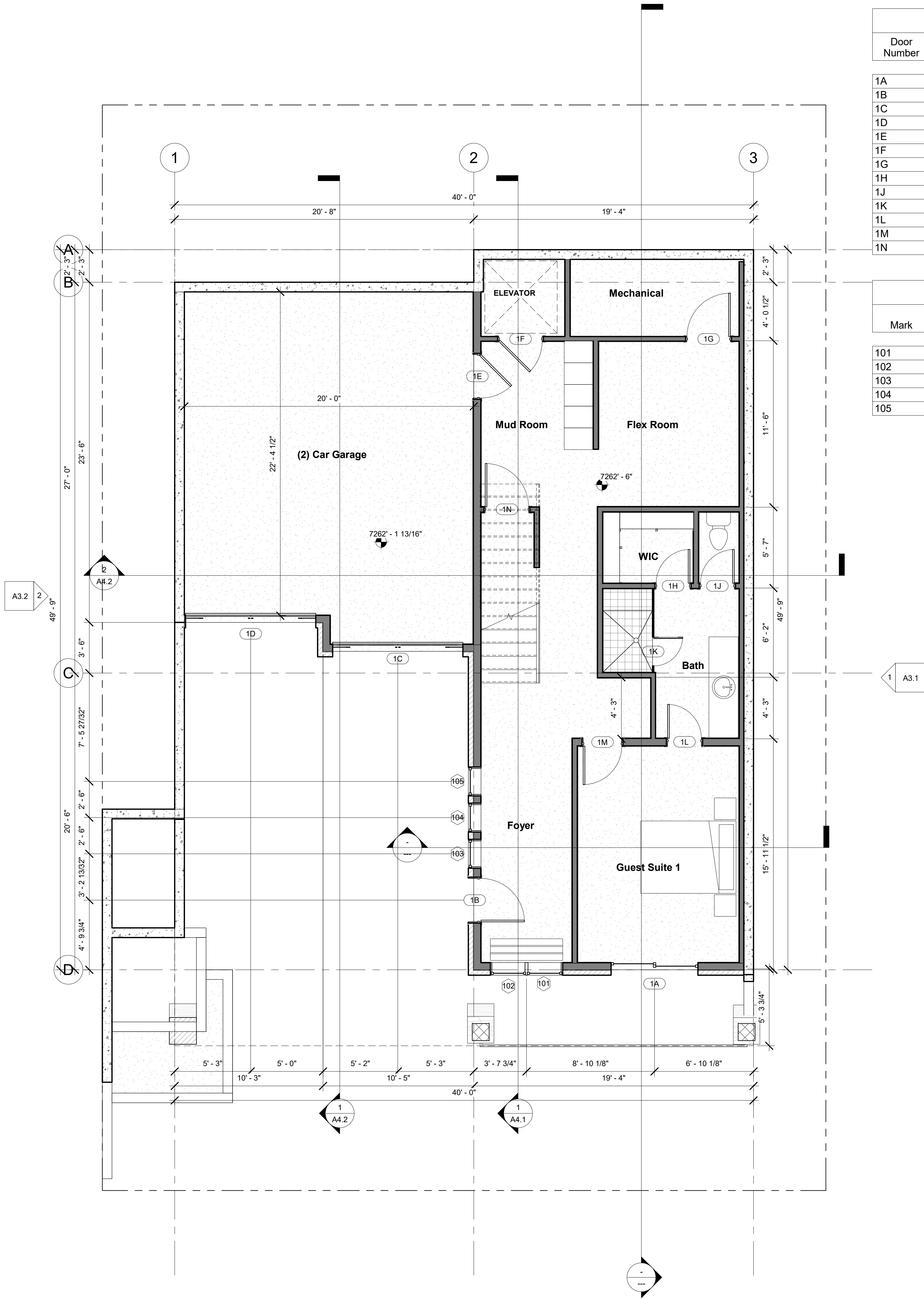
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DESIGN & DRAFTING
2065 SIDEWINDER DRIVE SUITE 200
PARK CITY, UTAH 84060
www.vansickledesignanddrafting.com

New Residence
88 King Road
Park City, Utah 84098

Cover Sheet
SCALE:
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SHEET
A1.1



Door Schedule - Basement				
Door Number	Width	Height	Family	Finish
				Comments
1A	6' - 0"	7' - 0"	Sliding-2 panel No trim	
1B	3' - 0"	7' - 0"	Door-Interior-Single-5_Panel_Vert-Wood	
1C	9' - 0"	8' - 0"	Door-Garage-Craftsman 9x8	
1D	9' - 0"	8' - 0"	Door-Garage-Craftsman 9x8	
1E	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1F	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1G	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1H	2' - 4"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1J	2' - 4"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1K	2' - 0"	6' - 8"	Single-Glass 4	
1L	2' - 4"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1M	2' - 8"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
1N	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	

Window Schedule - Basement					
Mark	Rough Opening		Type	Manufactur er	Comments
	Width	Height			
101	2' - 6"	5' - 0"	Fixed		
102	2' - 6"	5' - 0"	Fixed		
103	2' - 0"	6' - 0"	Fixed		
104	2' - 0"	6' - 0"	Fixed		
105	2' - 0"	6' - 0"	Fixed		

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ARRANGEMENTS REPRESENTED THEREIN ARE AND SHALL REMAIN THE
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SHOWN BY THESE DRAWINGS. ALL SHOP DETAILS MUST
BE LIMITED TO THIS OFFICE FOR APPROVAL PRIOR TO PROCEEDING WITH
THE BUILDING THESE PLANS. THE CONTRACTOR UNDERSTANDS THAT THERE
ARE ERRORS CONTAINED IN THESE PLANS AND WILL NOTIFY THIS OFFICE OF
THESE ERRORS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR
FOR ANY OVERSIGHTS OR ERRORS AND WILL NOTIFY THIS OFFICE OF
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VAN SICKLE

DESIGN & DRAFTING

2065 SIDEWINDER DRIVE SUITE 200
PARK CITY, UTAH 84060
www.vansickledesignanddrafting.com

New Residence

88 King Road
Park City, Utah 84098

Basement
Plan

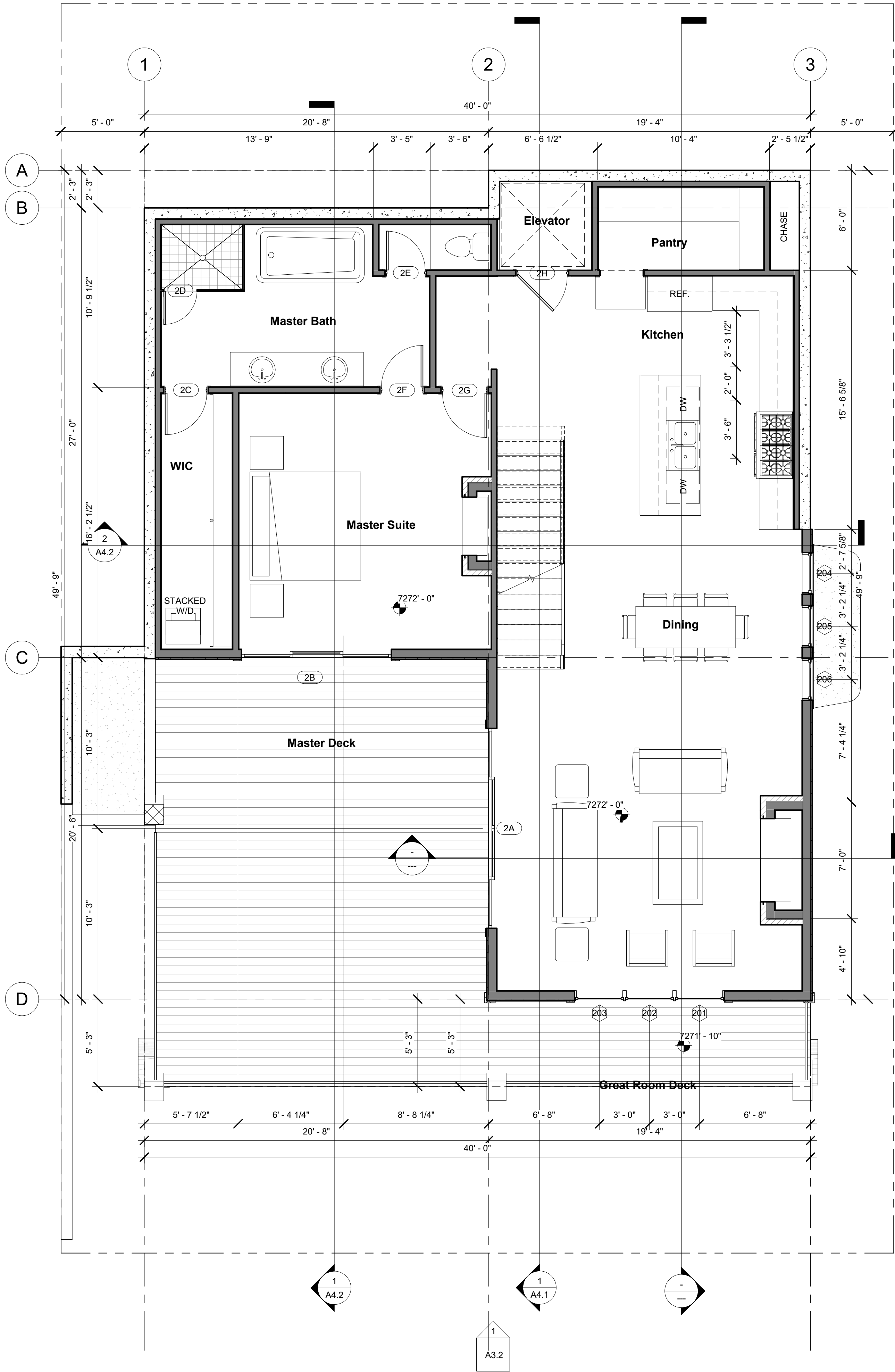
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① First Floor
1/4" = 1'-0"

Door Schedule - Main				
Door Number	Width	Height	Family	Finish
				Comments
2A	12' - 0"	7' - 0"	Sliding-4 panel No Trim	
2B	9' - 0"	7' - 0"	Sliding-3 panel No Trim	
2C	2' - 6"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
2D	2' - 0"	6' - 8"	Single-Glass 4	
2E	2' - 4"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
2F	2' - 6"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
2G	2' - 8"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
2H	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	

Window Schedule - Main					
Mark	Rough Opening		Type	Manufacturer	Comments
	Width	Height			
201	3' - 0"	7' - 0"	Fixed		
202	3' - 0"	7' - 0"	Fixed		
203	3' - 0"	7' - 0"	Fixed		
204	2' - 6"	5' - 0"	Fixed		
205	2' - 6"	5' - 0"	Casement		
206	2' - 6"	5' - 0"	Fixed		

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VAN SICKLE

DESIGN & DRAFTING

2065 SIDEWINDER DRIVE SUITE 200

PARK CITY, UTAH 84060

www.vansickledesignanddrafting.com

New Residence

88 King Road

Park City, Utah 84098

First Floor Plan

SCALE:

1/4" = 1'-0"

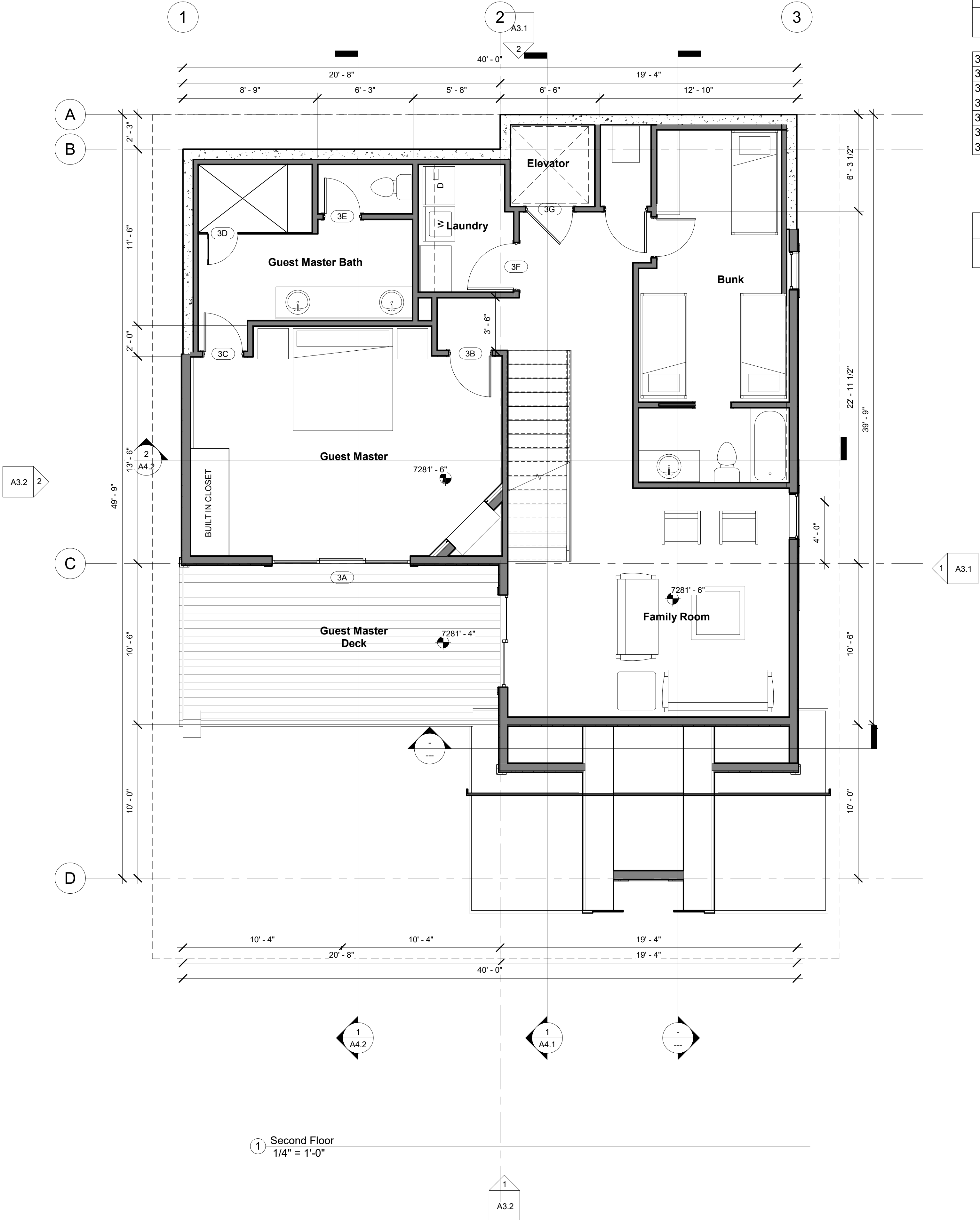
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Door Schedule - Upper				
Door Number	Width	Height	Family	Finish
				Comments
3A	9' - 0"	7' - 0"	Sliding-3 panel No Trim	
3B	2' - 8"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
3C	2' - 6"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
3D	2' - 0"	6' - 8"	Single-Glass 4	
3E	2' - 4"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
3F	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
3G	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	

Window Schedule - Upper				
Mark	Rough Opening		Type	Comments
	Width	Height		

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PARK CITY, UTAH 84060
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New Residence

88 King Road
Park City, Utah 84098

Second Floor Plan

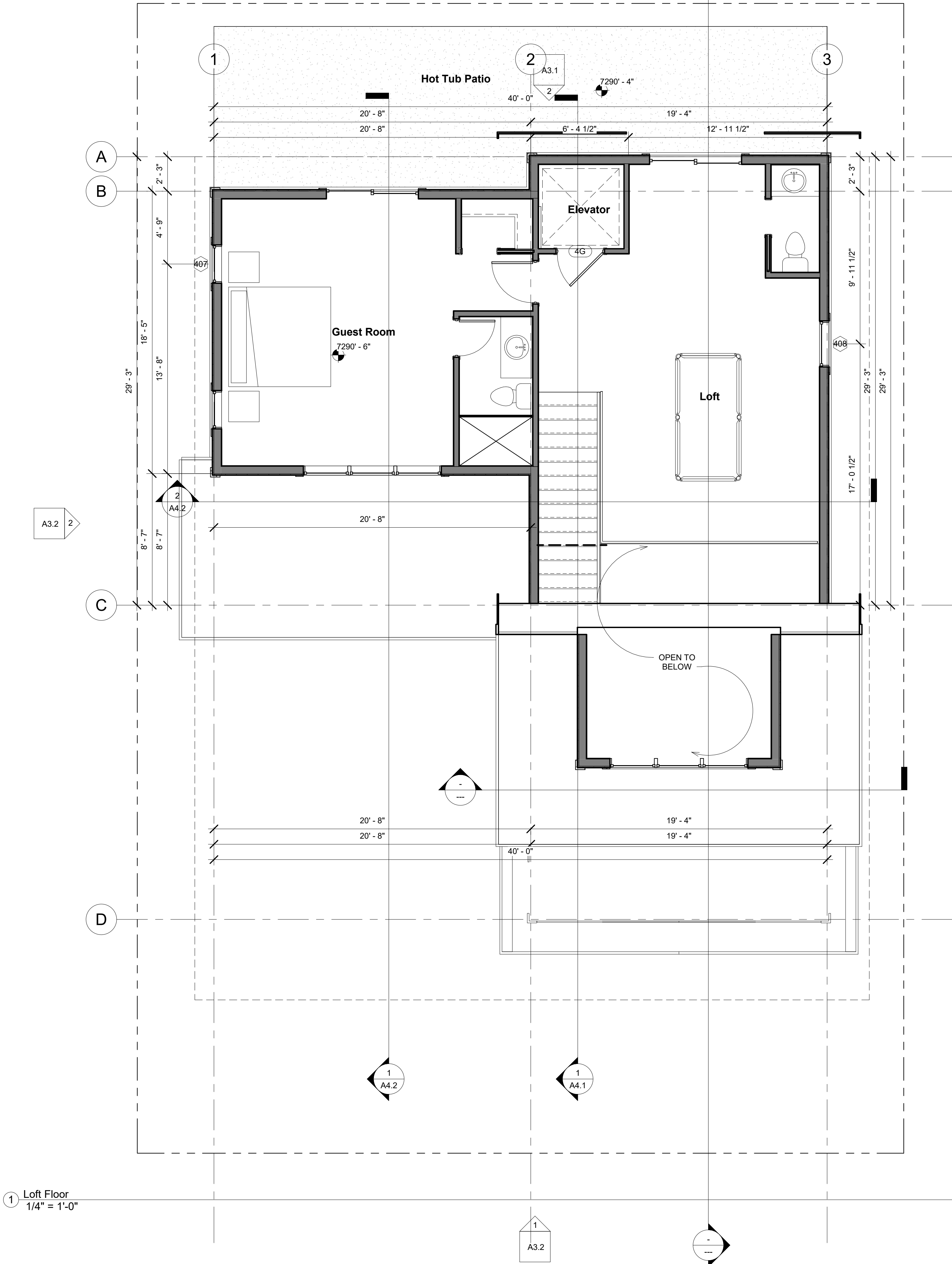
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Door Schedule - Loft				
Door Number	Width	Height	Family	Finish Comments
4DD	2' - 6"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
4FF	2' - 8"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
4G	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
4GG	2' - 8"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
4HH	6' - 0"	7' - 0"	Sliding-2 panel No trim	
4II	2' - 4"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
4JJ	2' - 4"	6' - 8"	Door-Interior-Single-Pocket-2_Panel-Wood	
4KK	2' - 4"	6' - 8"	Door-Interior-Single-Pocket-2_Panel-Wood	
4LL	2' - 4"	6' - 8"	Door-Interior-Single-Pocket-2_Panel-Wood	
4M	9' - 0"	8' - 0"	Door-Garage-Craftsman 9x8	
4MM	6' - 0"	7' - 0"	Sliding-2 panel No trim	
4N	9' - 0"	8' - 0"	Door-Garage-Craftsman 9x8	
4O	3' - 0"	6' - 8"	Door-Interior-Single-5_Panel_Vert-Wood	
4P	3' - 0"	6' - 8"	Single-Flush	
4T	6' - 0"	7' - 0"	Sliding-2 panel No trim	

Window Schedule - Loft					
Mark	Rough Opening		Type	Manufactur er	Comments
	Width	Height			
407	2' - 6"	4' - 0"	Casement		
408	3' - 0"	6' - 0"	Casement		
409	2' - 0"	5' - 0"	Casement		
410	2' - 0"	5' - 0"	Casement		
411	2' - 0"	5' - 0"	Casement		
412	2' - 6"	6' - 0"	Casement		
413	2' - 6"	6' - 0"	Casement		
414	2' - 0"	5' - 0"	Casement		
415	2' - 0"	4' - 0"	Casement		
416	2' - 0"	4' - 0"	Casement		
417	2' - 0"	4' - 0"	Casement		
418	1' - 4"	3' - 0"	Casement		
419	1' - 4"	3' - 0"	Casement		
420	1' - 4"	3' - 0"	Casement		
421	1' - 4"	3' - 0"	Casement		
422	1' - 4"	3' - 0"	Casement		
426	3' - 0"	1' - 0"	Fixed		
427	3' - 0"	1' - 0"	Fixed		
438	3' - 0"	1' - 6"	Fixed		
439	3' - 0"	1' - 6"	Fixed		
440	3' - 0"	1' - 6"	Fixed		
441	3' - 0"	5' - 0"	Fixed		
442	3' - 0"	5' - 0"	Fixed		
443	3' - 0"	5' - 0"	Fixed		
444	3' - 0"	5' - 0"	Fixed		
445	3' - 0"	5' - 0"	Casement		
446	3' - 0"	5' - 0"	Casement		
456	2' - 6"	4' - 0"	Casement		
458	2' - 6"	5' - 0"	Casement		
465	3' - 0"	5' - 0"	Casement		

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VAN SICKLE

DESIGN & DRAFTING

2065 SIDEWINDER DRIVE SUITE 200
PARK CITY, UTAH 84060
www.vansickledesignanddrafting.com

New Residence

88 King Road
Park City, Utah 84098

Loft Level

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

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A2.4

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VAN SICKLE

DESIGN & DRAFTING

2065 SIDEWINDER DRIVE SUITE 200

PARK CITY, UTAH 84060

www.vansickledesignanddrafting.com

New Residence

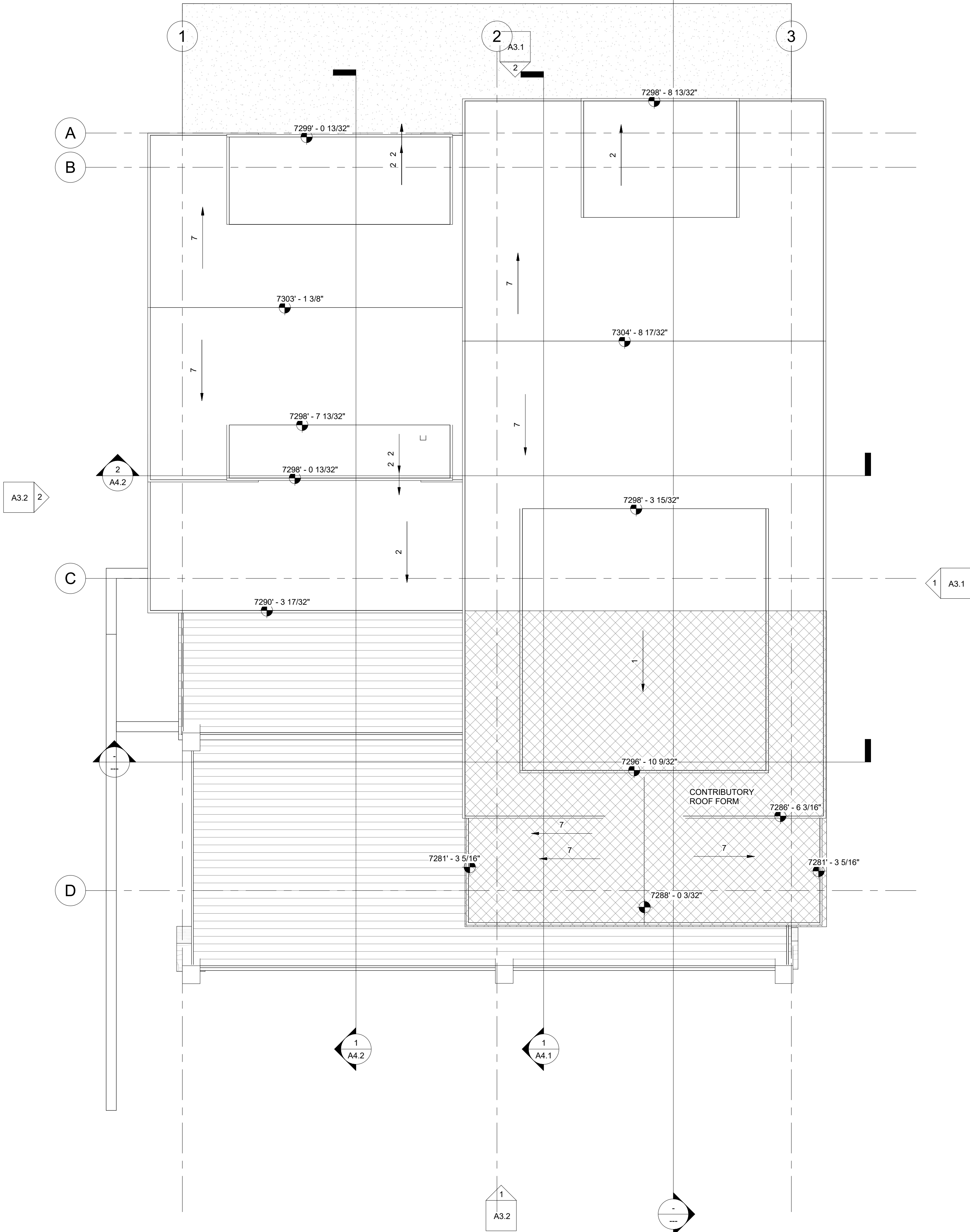
88 King Road
Park City, Utah 84098

Roof Plan

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

DATE
11/29/2017
8:35:39 AM

SHEET
A2.5

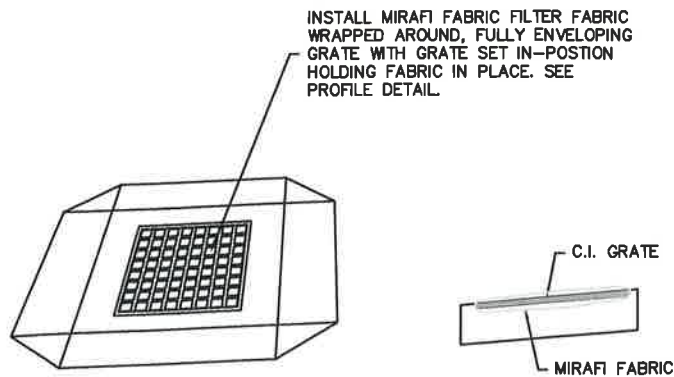


1 Roof Plan
1/4" = 1'-0"

Appendix K: BMP Specifications and Details

BMP: Catch Basin Inlet Protection

CBIP



SIDE VIEW

INSTALL WHEN CONSTRUCTION OF CURB AND GUTTER AND ROADWAYS IS COMPLETE.

DESCRIPTION:

Sediment filter installed in catch basin.

APPLICATION:

Construct at catch basin inlets located down-gradient of areas to be disrupted.

INSTALLATION/APPLICATION CRITERIA:

- Provide up-gradient sediment controls, such as silt fence during construction of inlet
- When construction of curb and gutter and roadways is complete, install fabric filter in inlet

LIMITATIONS:

- Recommended maximum contributing drainage area of one acre
- Requires shallow slopes adjacent to inlet

MAINTENANCE:

- Inspect inlet protection following storm event and at a minimum of once every 14 days
- Remove accumulated sediment when it reaches 4 inches in depth
- Look for bypassing or undercutting and repair or realign as needed

OBJECTIVES:

- ☒ Housekeeping Practices
- ☐ Contain Waste
- ☐ Minimize Disturbed Areas
- ☐ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☒ Control site Perimeter
- ☒ Control Internal Erosion



TARGETED POLLUTANTS

- ☒ Sediment
- ☐ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☒ Floatable Materials
- ☐ Other Waste

POLLUTANT IMPACT

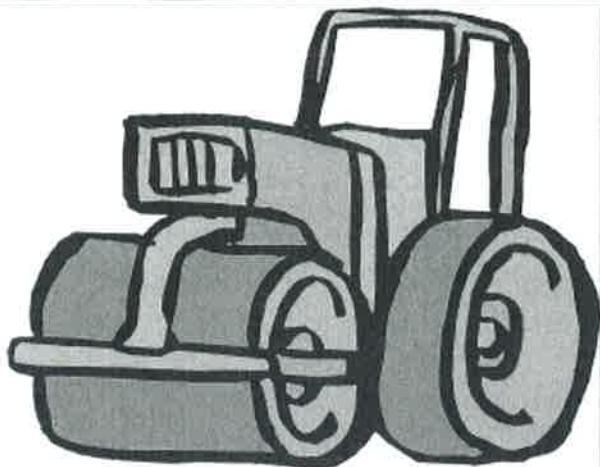
- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- \$\$ Capital Costs
- \$ O & M Costs
- \$\$ Maintenance
- \$ Training

RELATIVE COSTS

- \$\$\$ High
- \$\$ Medium
- \$ Low



DESCRIPTION:

Use of rolling, tamping, or vibration to stabilize fill materials and control erosion by increasing the soil density. Increasing the density of soil improves soil strength, reduces long-term soil settlement, and provides resistance to erosion.

APPLICATIONS:

- Stabilize fill material placed around various structures.
- Improve soil in place as foundation support for roads, parking lots, and buildings.

INSTALLATION/APPLICATION CRITERIA:

- Make sure soil moisture content is at optimum levels.
- Use proper compaction equipment.
- Install sediment control and storm water management devices below compacted areas and runoff interceptor devices above these areas. Drainage from compacted areas must be carefully planned to protect adjacent uncompacted soils.
- The surface of compacted areas should be scarified and seeded or mulched and seeded to increase the effectiveness of compaction.

LIMITATIONS:

- Compaction tends to increase runoff.
- Over-compaction will hamper revegetation efforts.

MAINTENANCE:

No maintenance required.

OBJECTIVES

- ☐ Housekeeping Practices
- ☐ Contain Waste
- ☒ Minimize Disturbed Areas
- ☒ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☐ Control Site Perimeter
- ☐ Control Internal Erosion



TARGETED POLLUTANTS

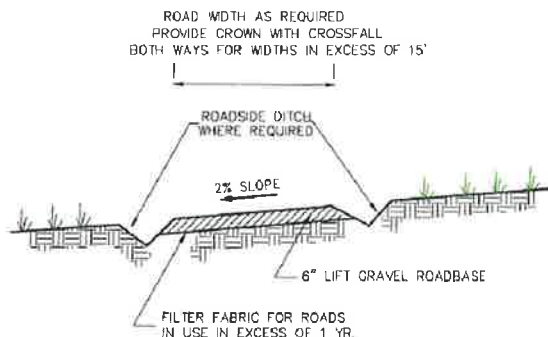
- Sediment
- ☐ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☐ Floatable Materials
- ☐ Other Waste

- High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☒ Capital Costs
- ☒ O&M Costs
- ☐ Maintenance
- ☒ Training

- High ☒ Medium ☐ Low



OBJECTIVES

- ☒ Housekeeping Practices
- ☐ Contain Waste
- ☒ Minimize Disturbed Areas
- ☒ Stabilize Disturbed Areas
- ☒ Protect Slopes/Channels
- ☐ Control Site Perimeter
- ☐ Control Internal Erosion

DESCRIPTION:

Temporary stabilization of on-site roadway by placement of gravel roadbase.

APPLICATION:

- On-site roadways used daily by construction traffic (may not apply to gravelly type soils)
- Parking or staging areas susceptible to erosion due to traffic use

INSTALLATION/APPLICATION CRITERIA:

- Grade temporary access road with 2% cross fall, for two-way width provide crown.
- Provide roadside ditch and outlet controls where required.
- Place 6 inches of 2-inch to 4-inch crushed rock on driving area

LIMITATIONS:

- May require removal of gravel roadbase at completion of activities if final cover is not impervious
- May require controls for surface storm water runoff

MAINTENANCE:

- Inspect after major rainfall events and at least monthly.
- Place additional gravel as needed and repair any damaged areas.
- Maintain any roadside drainage controls.



TARGETED POLLUTANTS

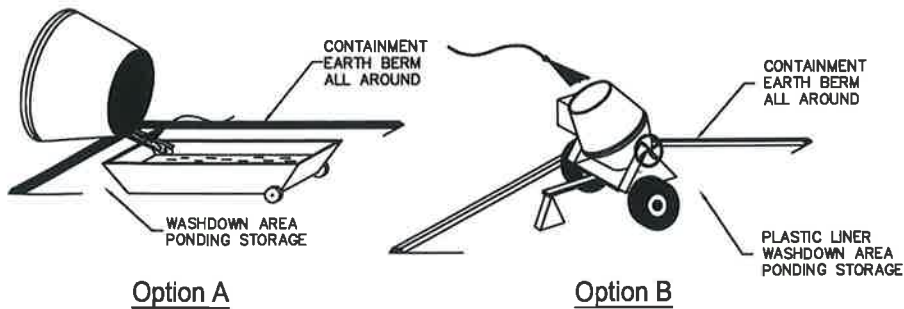
- ☒ Sediment
- ☐ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☐ Floatable Materials
- ☐ Other Waste

- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☒ Capital Costs
- ☒ O&M Costs
- ☒ Maintenance
- ☐ Training

- ☒ High
- ☒ Medium
- ☐ Low



OBJECTIVES

- ☐ Housekeeping Practices
- ☒ Contain Waste
- ☐ Minimize Disturbed Areas
- ☐ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☐ Control Site Perimeter
- ☐ Control Internal Erosion

DESCRIPTION:

Prevent or reduce the discharge of pollutants to storm water from concrete waste by conducting washout off-site, performing on-site washout in a designated area, and training employees and subcontractors.

APPLICATIONS:

This technique is applicable to all types of sites.

INSTALLATION/APPLICATION CRITERIA:

- Store dry and wet materials under cover, away from drainage areas.
- Avoid mixing excess amounts of fresh concrete or cement on-site.
- Perform washout of concrete trucks off-site or in designated areas only.
- Do not wash out concrete trucks into storm drains, open ditches, streets, or streams.
- Do not allow excess concrete to be dumped on-site, except in designated areas.
- When washing concrete to remove fine particles and expose the aggregate, avoid creating runoff by draining the water within a bermed or level area. (See Earth Berm Barrier information sheet.)
- Train employees and subcontractors in proper concrete waste management.

LIMITATIONS:

- Off-site washout of concrete wastes may not always be possible.

MAINTENANCE:

- Inspect subcontractors to ensure that concrete wastes are being properly managed.
- If using a temporary pit, dispose hardened concrete on a regular basis.



TARGETED POLLUTANTS

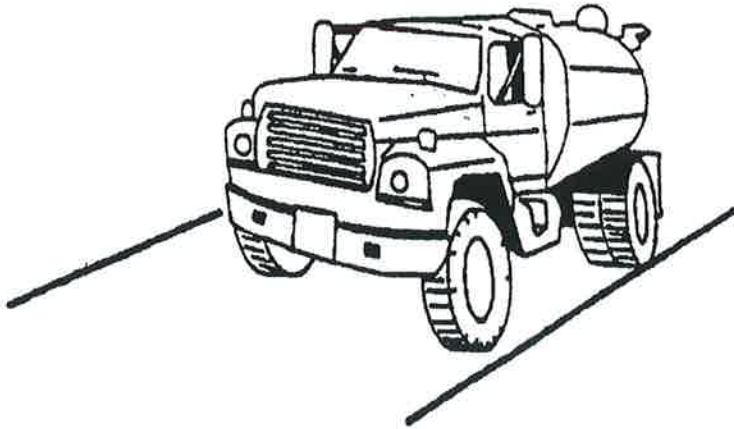
- ☐ Sediment
- ☐ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☐ Floatable Materials
- ☒ Other Waste

- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☐ Capital Costs
- ☐ O&M Costs
- ☒ Maintenance
- ☒ Training

- ☒ High
- ☒ Medium
- ☐ Low

**DESCRIPTION:**

Dust control measures are used to stabilize soil from wind erosion, and reduce dust by construction activities.

APPLICATION:

Dust control is useful in any process area, loading and unloading area, material handling areas, and transfer areas where dust is generated. Street sweeping is limited to areas that are paved.

INSTALLATION/APPLICATION CRITERIA:

- Mechanical dust collection systems are designed according to the size of dust particles and the amount of air to be processed. Manufacturers' recommendations should be followed for installation (as well as the design of the equipment).
- Two kinds of street sweepers are common: brush and vacuum. Vacuum sweepers are more efficient and work best when the area is dry.
- Mechanical equipment should be operated according to the manufacturers' recommendations and should be inspected regularly.

LIMITATIONS:

- Is generally more expensive than manual systems.
- May be impossible to maintain by plant personnel (the more elaborate equipment).
- Is labor and equipment intensive and may not be effective for all pollutants (street sweepers).

MAINTENANCE:

If water sprayers are used, dust-contaminated waters should be collected and taken for treatment. Areas will probably need to be resprayed to keep dust from spreading.

OBJECTIVES

- ☒ Housekeeping Practices
- ☐ Contain Waste
- ☒ Minimize Disturbed Areas
- ☒ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☐ Control Site Perimeter
- ☐ Control Internal Erosion

**TARGETED POLLUTANTS**

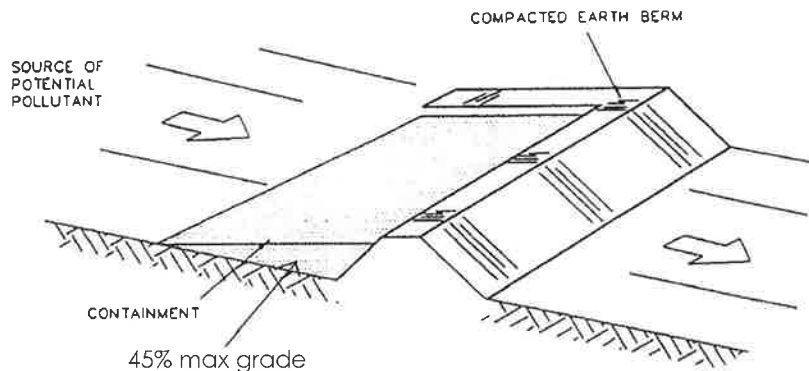
- Sediment
- ☐ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☐ Floatable Materials
- ☐ Other Waste

- High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☒ Capital Costs
- ☐ O&M Costs
- ☒ Maintenance
- ☒ Training

- High
- ☒ Medium
- ☐ Low



DESCRIPTION:

A temporary containment control constructed of compacted soil.

APPLICATION:

- Construct around waste and materials storage area.
- Construct around staging and maintenance areas.
- Construct around vehicle parking and servicing areas.

INSTALLATION/APPLICATION CRITERIA:

- Construct an earthen berm down hill of the area to be controlled. The berm should surround fueling facilities and maintenance areas on three sides to provide containment.
- Berm needs to be a minimum of 1 foot tall by 1 foot wide and be compacted by earth moving equipment.

LIMITATIONS:

- Not effective on steep slopes.
- Limits access to controlled area.
- Personnel need to quickly respond to spills with remedial actions.

MAINTENANCE:

- Observe daily for any non-stormwater discharge.
- Look for runoff bypassing ends of berms or undercutting berms.
- Repair or replace damaged areas of the berm and remove accumulated sediment.
- Recompact soil around berm as necessary to prevent piping.

OBJECTIVES

- ☐ Housekeeping Practices
- ☒ Contain Waste
- ☐ Minimize Disturbed Areas
- ☐ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☒ Control Site Perimeter
- ☐ Control Internal Erosion



TARGETED POLLUTANTS

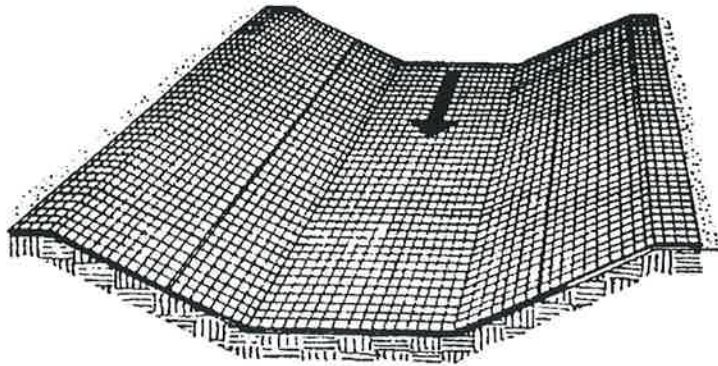
- ☐ Sediment
- ☐ Nutrients
- ☒ Toxic Materials
- ☐ Oil & Grease
- ☒ Floatable Materials
- ☐ Other Construction Waste

- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☒ Capital Costs
- ☐ O&M Costs
- ☒ Maintenance
- ☐ Training

- ☒ High ☒ Medium ☐ Low



DESCRIPTION:

Erosion control blankets are used in place of mulch on areas of high velocity runoff and/or steep grade, to aid in controlling erosion on critical areas by protecting young vegetation.

APPLICATIONS:

- Where vegetation is likely to grow too slowly to provide adequate cover.
- In areas subject to high winds where mulch would not be effective.

INSTALLATION/APPLICATION CRITERIA:

- Install erosion control blankets parallel to the direction of the slope.
- In ditches, apply in direction of the flow.
- Place erosion control blankets loosely on soil - do not stretch.
- Ends of blankets should be buried no less than six inches deep.
- Staple the edges of the blanket at least every three feet.

LIMITATIONS:

- Not recommended in areas which are still under construction.

MAINTENANCE:

- Check for erosion and undermining periodically, particularly after rainstorms.
- Repair dislocations or failures immediately.
- If washouts occur, reinstall after repairing slope damage.
- Monitor until permanently stabilized.

OBJECTIVES

- ☐ Housekeeping Practices
- ☐ Contain Waste
- ☐ Minimize Disturbed Areas
- ☒ Stabilize Disturbed Areas
- ☒ Protect Slopes/Channels
- ☐ Control Site Perimeter
- ☐ Control Internal Erosion



TARGETED POLLUTANTS

- Sediment
- ☒ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☐ Floatable Materials

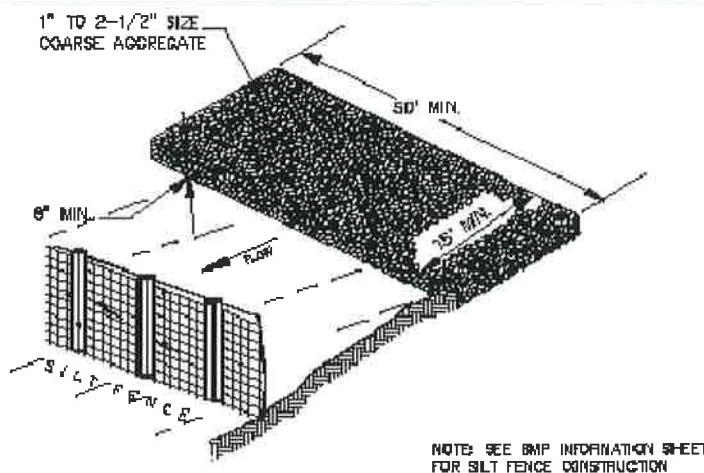
- High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

- ☐ Other Waste

IMPLEMENTATION REQUIREMENTS

- Capital Costs
- ☒ O&M Costs
- ☒ Maintenance
- ☐ Training

- High ☒ Medium ☐ Low

**DESCRIPTION:**

A stabilized pad of crushed stone for general washing of equipment and construction vehicles.

APPLICATION:

At any site where regular washing of vehicles and equipment will occur. May also be used as a filling point for water trucks limiting erosion caused by overflow or spillage of water.

INSTALLATION/APPLICATION CRITERIA:

- Clear and grub area and grade to provide maximum slope of 1%
- Compact subgrade and place filter fabric if desired (recommended for wash areas to remain in use for more than 3 months).
- Place coarse aggregate, 1 to 2-1/2 inches in size, to a minimum depth of 8-inches.
- Install silt fence downgradient (see silt fence BMP information sheet).

LIMITATIONS:

Cannot be utilized for washing equipment or vehicles that may cause contamination of runoff such as fertilizer equipment or concrete equipment. Solely used to control sediment in wash water.

MAINTENANCE:

- Inspect daily for loss of gravel or sediment buildup.
- Inspect adjacent area for sediment deposit and install additional controls as necessary.
- Repair area and replace gravel as required to maintain control in good working condition.
- Expand stabilized area as required to accommodate activities.
- Maintain silt fence as outlined in specific silt fence BMP information sheet.

OBJECTIVES

- ☒ Housekeeping Practices
- ☐ Contain Waste
- ☐ Minimize Disturbed Areas
- ☐ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☐ Control Site Perimeter
- ☒ Control Internal Erosion

**TARGETED POLLUTANTS**

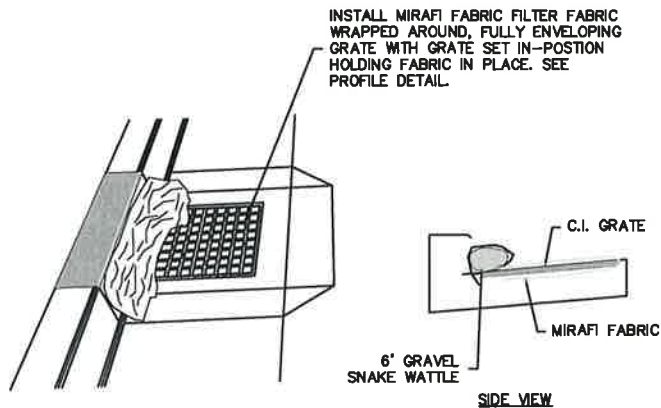
- ☒ Sediment
- ☐ Nutrients
- ☒ Toxic Materials
- ☒ Oil & Grease
- ☐ Floatable Materials
- ☐ Other Waste

- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☒ Capital Costs
- ☐ O & M Costs
- ☒ Maintenance
- ☐ Training

- ☒ High ☒ Medium ☐ Low



WATTLE MAY BE GRAVEL FILLED OR STRAW FILLED. INSTALL WHEN CONSTRUCTION OF CURB AND GUTTER AND ROADWAYS IS COMPLETE.

DESCRIPTION:

Sediment barrier erected around storm drain inlet.

APPLICATION:

Construct at storm drainage inlets located down-gradient of areas to be disturbed by construction.

INSTALLATION/APPLICATION CRITERIA:

- Provide up-gradient sediment controls, such as silt fence during construction of inlet
- When construction of curb and gutter and roadways is complete, install gravel filled or straw wattles around perimeter of inlet

LIMITATIONS:

- Recommended maximum contributing drainage area of one acre
- Requires shallow slopes adjacent to inlet

MAINTENANCE:

- Inspect inlet protection following storm event and at a minimum of once every 14 days
- Remove accumulated sediment when it reaches 4 inches in depth
- Look for bypassing or undercutting and repair or realign as needed

OBJECTIVES:

- ☒ Housekeeping Practices
- ☐ Contain Waste
- ☐ Minimize Disturbed Areas
- ☐ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☒ Control site Perimeter
- ☒ Control Internal Erosion



TARGETED POLLUTANTS

- ☒ Sediment
- ☐ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☒ Floatable Materials
- ☐ Other Waste

POLLUTANT IMPACT

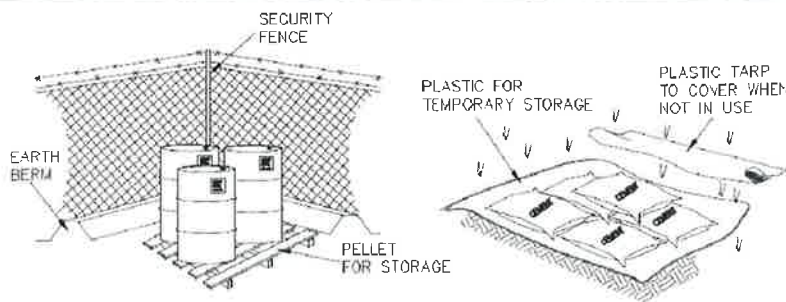
- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- \$\$ Capital Costs
- \$ O & M Costs
- \$\$ Maintenance
- \$ Training

RELATIVE COSTS

- \$\$\$ High
- \$\$ Medium
- \$ Low



- ▶ CONTROLLED STORAGE LOCATION
- ▶ BERMED PERIMETER IMPOUNDMENT
- ▶ STORAGE OFF GROUND
- ▶ COVER WHEN NOT IN USE

DESCRIPTION:

Controlled storage of on-site materials.

APPLICATION:

- Storage of hazardous, toxic, and all chemical substances.
- Any construction site with outside storage of materials.

INSTALLATION/APPLICATION CRITERIA:

- Designate a secured area with limited access as the storage location. Ensure no waterways or drainage paths are nearby.
- Construct compacted earthen berm (See Earth Berm Barrier Information Sheet), or similar perimeter containment around storage location for impoundment in the case of spills.
- Ensure all on-site personnel utilize designated storage area. Do not store excessive amounts of material that will not be utilized on site.
- For active use of materials away from the storage area ensure materials are not set directly on the ground and are covered when not in use. Protect storm drainage during use.

LIMITATIONS:

- Does not prevent contamination due to mishandling of products.
- Spill Prevention and Response Plan still required.
- Only effective if materials are actively stored in controlled location.

MAINTENANCE:

- Inspect daily and repair any damage to perimeter impoundment or security fencing.
- Check materials are being correctly stored (i.e. standing upright, in labeled containers, tightly capped) and that no materials are being stored away from the designated location.

OBJECTIVES

- ☒ Housekeeping Practices
- ☒ Contain Waste
- ☐ Minimize Disturbed Areas
- ☐ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☐ Control Site Perimeter
- ☐ Control Internal Erosion



TARGETED POLLUTANTS

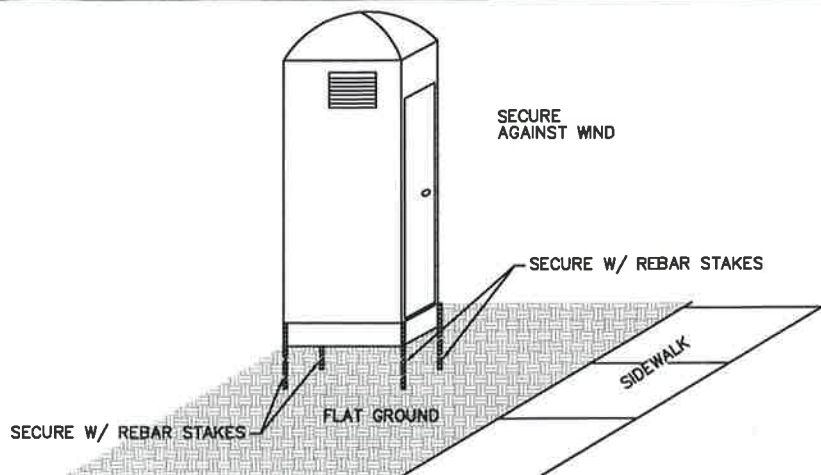
- ☐ Sediment
- ☐ Nutrients
- ☒ Toxic Materials
- ☐ Oil & Grease
- ☐ Floatable Materials
- ☒ Other Waste

- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☒ Capital Costs
- ☒ O&M Costs
- ☒ Maintenance
- ☒ Training

- ☒ High
- ☒ Medium
- ☐ Low



DESCRIPTION:

Temporary on-site sanitary facilities for construction personnel.

APPLICATION:

All sites with no permanent sanitary facilities or where permanent facility is too far from activities.

INSTALLATION/APPLICATION CRITERIA:

- Locate portable toilets in convenient locations throughout the site.
- Prepare level, gravel surface and provide clear access to the toilets for servicing and for on-site personnel.
- Construct earth berm perimeter (See Earth Berm Barrier Information Sheet), control for spill/protection leak.

LIMITATIONS:

No limitations.

MAINTENANCE:

- Portable toilets should be maintained in good working order by licensed service with daily observation for leak detection.
- Regular waste collection should be arranged with licensed service.
- All waste should be deposited in sanitary sewer system for treatment with appropriate agency approval.

OBJECTIVES

- ☒ Housekeeping Practices
- ☒ Contain Waste
- ☐ Minimize Disturbed Areas
- ☐ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☐ Control Site Perimeter
- ☐ Control Internal Erosion



TARGETED POLLUTANTS

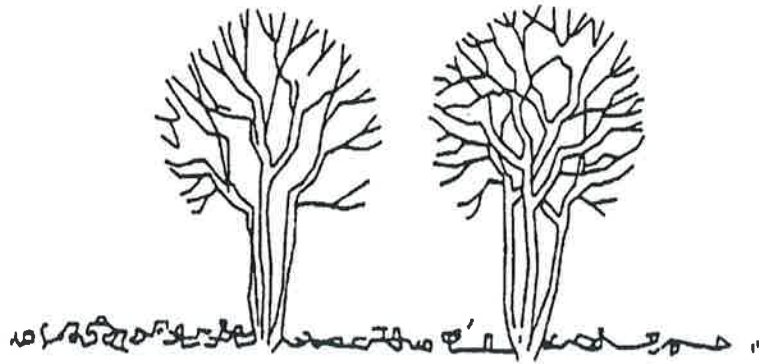
- ☐ Sediment
- ☐ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☐ Floatable Materials
- ☒ Other Waste

- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☒ Capital Costs
- ☒ O&M Costs
- ☒ Maintenance
- ☐ Training

- ☒ High ☒ Medium ☐ Low



GENERAL DESCRIPTION:

Carefully planned preservation of existing vegetation minimizes the potential of removing or injuring existing trees, vines, shrubs and/or grasses that serve as erosion controls.

APPLICATIONS:

This technique is applicable to all types of sites. Areas where preserving vegetation can be particularly beneficial are floodplains, wetlands, stream banks, steep slopes, and other areas where erosion controls would be difficult to establish, install, or maintain.

INSTALLATION/APPLICATION CRITERIA:

- Clearly mark, flag or fence vegetation or areas where vegetation should be preserved.
- Prepare landscaping plans which include as much existing vegetation as possible and state proper care during and after construction.
- Define and protect with berms, fencing, signs, etc. a setback area from vegetation to be preserved.
- Propose landscaping plans which do not include plant species that compete with the existing vegetation.
- Do not locate construction traffic routes, spoil piles, etc. where significant adverse impact on existing vegetation may occur.

LIMITATIONS:

- Requires forward planning by the owner/developer, contractor and design staff.
- For sites with diverse topography, it is often difficult and expensive to save existing trees while grading the site satisfactorily for the planned development.
- May not be cost effective with high land costs.

MAINTENANCE:

- Inspection and maintenance requirements for protection of vegetation are low.
- Maintenance of native trees or vegetation should conform to landscape plan specifications.

OBJECTIVES

- ☐ Housekeeping Practices
- ☐ Contain Waste
- ☒ Minimize Disturbed Areas
- ☒ Stabilize Disturbed Areas
- ☒ Protect Slopes/Channels
- ☒ Control Site Perimeter
- ☐ Control Internal Erosion



TARGETED POLLUTANTS

- Sediment
- ☐ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☐ Floatable Materials
- ☐ Other Waste

- High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

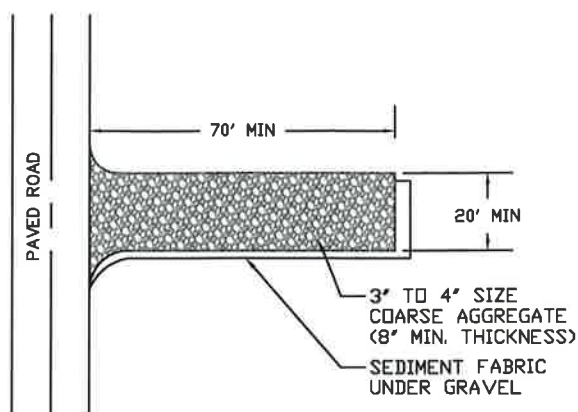
IMPLEMENTATION REQUIREMENTS

- ☐ Capital Costs
- ☐ O&M Costs
- ☐ Maintenance
- ☐ Training

- High
- ☒ Medium
- ☐ Low

BMP: Stabilized Construction Entrance

SCE



DESCRIPTION:

A stabilized pad of crushed stone located where construction traffic enters or leaves the site from or to paved surface.

APPLICATIONS:

At any point of ingress or egress at a construction site where adjacent traveled way is paved. Generally applies to sites over 2 acres unless special conditions exist.

INSTALLATION/APPLICATION CRITERIA:

- Clear and grub area and grade to provide maximum slope of 2%.
- Compact subgrade and place filter fabric if desired (recommended for entrances to remain for more than 3 months).
- Place coarse aggregate, 1 to 2-1/2 inches in size, to a minimum depth of 8 inches.

LIMITATIONS:

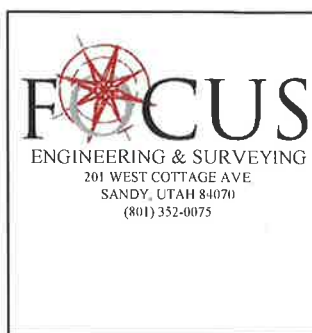
- Requires periodic top dressing with additional stones.
- Should be used in conjunction with street sweeping on adjacent public right-of-way.

MAINTENANCE:

- Inspect daily for loss of gravel or sediment buildup.
- Inspect adjacent roadway for sediment deposit and clean by sweeping or shoveling.
- Repair entrance and replace gravel as required to maintain control in good working condition.
- Expand stabilized area as required to accommodate traffic and prevent erosion at driveways.

OBJECTIVES

- ☒ Housekeeping Practices
- ☐ Contain Waste
- ☐ Minimize Disturbed Areas
- ☐ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☒ Control Site Perimeter
- ☐ Control Internal Erosion



TARGETED POLLUTANTS

- ☒ Sediment
- ☐ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☐ Floatable Materials
- ☐ Other Waste

- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☒ Capital Costs
- ☒ O&M Costs
- ☒ Maintenance
- ☐ Training

- ☒ High
- ☒ Medium
- ☐ Low

**DESCRIPTION:**

Practices to clean-up leakage/spillage of on-site materials that may be harmful to receiving waters.

APPLICATION:

All sites

GENERAL:

- Store controlled materials within a storage area.
- Educate personnel on prevention and clean-up techniques.
- Designate an Emergency Coordinator responsible for employing preventative practices and for providing spill response.
- Maintain a supply of clean-up equipment on-site and post a list of local response agencies with phone numbers.

METHODS:

- Clean-up spills/leaks immediately and remediate cause.
- Use as little water as possible. NEVER HOSE DOWN OR BURY SPILL CONTAMINATED MATERIAL.
- Use rags or absorbent material for clean-up. Excavate contaminated soils. Dispose of clean-up material and soil as hazardous waste.
- Document all spills with date, location, substance, volume, actions taken and other pertinent data.
- Contact local Fire Department and State Division of Environmental Response and Remediation (Phone #536-4100) for any spill of reportable quantity.

MATERIALS:

Cleaning equipment may include, but is not limited to, hoses, solvents, and saw-dust.

OBJECTIVES

- ☒ Housekeeping Practices
- ☒ Contain Waste
- ☐ Minimize Disturbed Areas
- ☐ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☐ Control Site Perimeter
- ☐ Control Internal Erosion

**TARGETED POLLUTANTS**

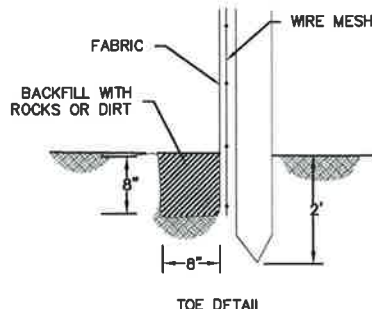
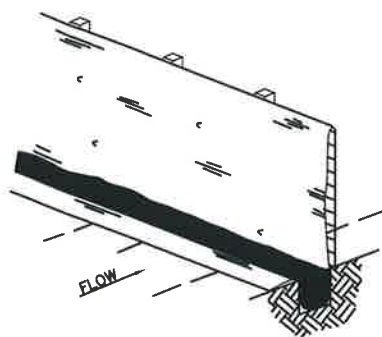
- ☐ Sediment
- ☐ Nutrients
- ☒ Toxic Materials
- ☒ Oil & Grease
- ☐ Floatable Materials
- ☐ Other Waste

- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☒ Capital Costs
- ☐ O&M Costs
- ☐ Maintenance
- ☒ Training

- ☒ High
- ☒ Medium
- ☐ Low



SILT FENCE MAY BE INSTALLED FOR PERIMETER CONTROL.
A MINIMUM 20-FOOT VEGETATED BUFFER MAY ALSO BE
SUBSTITUTED FOR PERIMETER CONTROL
(PRESERVATION OF EXISTING VEGETATION).

DESCRIPTION:

A temporary sediment barrier consisting of entrenched filter fabric stretched across and secured to supporting posts.

APPLICATION:

- Perimeter control: place barrier at downgradient limits of disturbance
- Sediment barrier: place barrier at toe of slope or soil stockpile
- Protection of existing waterways: place barrier at top of stream bank
- Inlet protection: place fence surrounding catchbasins

INSTALLATION/APPLICATION CRITERIA:

- Place posts 6 feet apart on center along contour (or use preassembled unit) and drive 2 feet minimum into ground. Excavate an anchor trench immediately upgradient of posts.
- Secure wire mesh (14 gage min. With 6 inch openings) to upslope side of posts. Attach with heavy duty 1 inch long wire staples, tie wires or hog rings.
- Cut fabric to required width, unroll along length of barrier and drape over barrier. Secure fabric to mesh with twine, staples, or similar, with trailing edge extending into anchor trench.
- Backfill trench over filter fabric to anchor.

LIMITATIONS:

- Recommended maximum drainage area of 0.5 acre per 100 feet of fence
- Recommended maximum upgradient slope length of 150 feet
- Recommended maximum uphill grade of 2:1 (50%)
- Recommended maximum flow rate of 0.5 cfs
- Ponding should not be allowed behind fence

MAINTENANCE:

- Inspect immediately after any rainfall and at least daily during prolonged rainfall.
- Look for runoff bypassing ends of barriers or undercutting barriers.
- Repair or replace damaged areas of the barrier and remove accumulated sediment.
- Reanchor fence as necessary to prevent shortcutting.
- Remove accumulated sediment when it reaches $\frac{1}{2}$ the height of the fence.

OBJECTIVES

- ☐ Housekeeping Practices
- ☐ Contain Waste
- ☐ Minimize Disturbed Areas
- ☐ Stabilize Disturbed Areas
- ☒ Protect Slopes/Channels
- ☒ Control Site Perimeter
- ☒ Control Internal Erosion



TARGETED POLLUTANTS

- Sediment
- ☐ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☐ Floatable Materials
- ☐ Other Waste

- High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☒ Capital Costs
- ☒ O&M Costs
- ☒ Maintenance
- ☐ Training

- High
- ☒ Medium
- ☐ Low

**DESCRIPTION:**

Prevent or reduce the discharge of pollutants to stormwater from vehicle and equipment washing and steam cleaning by using off-site facilities, washing in designated, contained areas only, eliminating discharges to the storm drain by infiltrating or recycling the wash water, and training employees and subcontractors.

APPROACH:

- Use off-site commercial washing and steam cleaning businesses as much as possible. Washing vehicles and equipment outdoors or in areas where wash water flows onto paved surfaces or into drainage pathways can pollute stormwater. If you wash a large number of vehicles or pieces of equipment, consider conducting this work at an off-site commercial business. These businesses are better equipped to handle and dispose of the wash waters properly. Performing this work off-site can also be economical by eliminating the need for a separate washing operation at your site.
- If washing must occur on-site, use designated, bermed wash areas to prevent wash water contact with stormwater, creeks, rivers, and other water bodies. The wash area can be sloped for wash water collection and subsequent infiltration into the ground.
- Use as little water as possible to avoid having to install erosion and sediment controls for the wash area. Use phosphate-free biodegradable soaps. Educate employees and subcontractors on pollution prevention measures. Do not permit steam cleaning on-site. Steam cleaning can generate significant pollutant concentrations.

LIMITATIONS:

- Even phosphate-free, biodegradable soaps have been shown to be toxic to fish before the soap degrades.
- Sending vehicles/equipment off-site should be done in conjunction with Stabilized Construction Entrance. (See BMP in the Construction Section).
- The measures outlined in this factsheet are insufficient to address all the environmental impacts and compliance issues related to steam cleaning.

MAINTENANCE:

- Minimal, some berm repair may be necessary.

APPLICATIONS

- ☐ Manufacturing
- ☐ Material Handling
- ☒ Vehicle Maintenance
- ☒ Construction
- ☒ Commercial Activities
- ☐ Roadways
- ☐ Waste Containment
- ☒ Housekeeping Practices

**TARGETED POLLUTANTS**

- Sediment
- Nutrients
- Heavy Metals
- Toxic Materials
- Oxygen Demanding Substances
- Oil & Grease
- ☐ Flammable Materials
- ☐ Bacteria & Viruses

- High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- ☒ Capital Costs
- ☐ O&M Costs
- ☐ Maintenance
- ☒ Training

- High
- ☒ Medium
- ☐ Low

**DESCRIPTION:**

Prevent or reduce the discharge of pollutants to stormwater from waste handling and disposal by tracking waste generation, storage, and disposal; reducing waste generation and disposal through source reduction, re-use, and recycling; and preventing runoff and runoff from waste management areas.

APPROACH:

- Maintain usage inventory to limit waste generation.
- Substitute or eliminate raw materials.
- Modify process or equipment.
- SARA Title III, Section 313 requires reporting for over 300 listed chemicals and chemical compounds. This requirement should be used to track these chemicals although this is not as accurate a means of tracking as other approaches.
- Track waste generated.
- Use design data and review: process flow diagram, materials and applications diagram, piping and instructions, equipment list, plot plan.
- Use economic data and review: Waste treatment and disposal cost. Product utility and economic cost. Operation and maintenance labor cost.
- Recycle materials whenever possible.
- Maintain list of and the amounts of materials disposed.
- Segregation and separate waste.
- Cover, enclose, or berm industrial wastewater management areas whenever possible to prevent contact with runoff or runoff.
- Equip waste transport vehicles with anti-spill equipment.
- Minimize spills and fugitive losses such as dust or mist from loading systems.
- Ensure that sediments or wastes are prevented from being tracked off-site.
- Training and supervision.
- Stencil storm drains on the facility's property with prohibitive message regarding waste disposal.

LIMITATIONS:

Hazardous waste that cannot be re-used or recycled must be disposed of by a licensed hazardous waste hauler.

APPLICATIONS

- ☐ Manufacturing
- ☒ Material Handling
- ☐ Vehicle Maintenance
- ☒ Construction
- ☒ Commercial Activities
- ☐ Roadways
- ☒ Waste Containment
- ☒ Housekeeping Practices

**TARGETED POLLUTANTS**

- ☐ Sediment
- ☐ Nutrients
- ☒ Heavy Metals
- ☒ Toxic Materials
- ☐ Oxygen Demanding Substances
- ☒ Oil & Grease
- ☐ Floatable Materials
- ☐ Bacteria & Viruses

- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

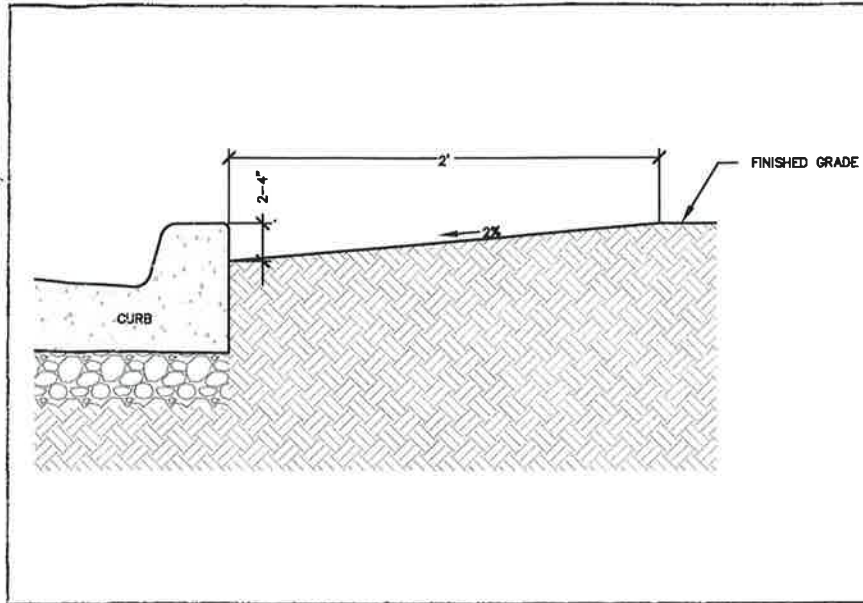
IMPLEMENTATION REQUIREMENTS

- ☐ Capital Costs
- ☒ O&M Costs
- ☐ Maintenance
- ☒ Training

- ☒ High
- ☒ Medium
- ☐ Low

BMP: Curb Sedimentation Trap

CST



Description:

Sediment barrier to inhibit migration into roads and storm drain system.

Application:

Create trap at back of curb or sidewalk down gradient of areas to be disturbed by crust.

Installation/Application Criteria:

- Provide up-gradient sediment controls, such as silt fence during construction of curb or sidewalk.
- When construction of curb and gutter and roadways is complete, create trap per grading dimensions shown.

Limitations:

- Recommended maximum contributing drainage area of one acre.
- Requires shallow slopes to reduce flow velocity. if steeper slopes are present, trap may need to be deepened.

Maintenance:

- Inspect sediment trap following storm event and at a minimum of once every 14 days.
- Remove accumulated sediment when it reached top back of curb.
- look for bypassing or undercutting and repair as needed.

OBJECTIVES:

- ☒ Housekeeping Practices
- ☐ Contain Waste
- ☐ Minimize Disturbed Areas
- ☐ Stabilize Disturbed Areas
- ☐ Protect Slopes/Channels
- ☒ Control site Perimeter
- ☒ Control Internal Erosion



TARGETED POLLUTANTS

- ☒ Sediment
- ☐ Nutrients
- ☐ Toxic Materials
- ☐ Oil & Grease
- ☒ Floatable Materials
- ☐ Other Waste

POLLUTANT IMPACT

- ☒ High Impact
- ☒ Medium Impact
- ☐ Low or Unknown Impact

IMPLEMENTATION REQUIREMENTS

- \$\$ Capital Costs
- \$ O & M Costs
- \$\$ Maintenance
- \$ Training

RELATIVE COSTS

- \$\$\$ High
- \$\$ Medium
- \$ Low

Detention Basin

Project: Residence at 88 King Road
Location: Park City, Utah
Date: 12/12/2017
Designer: Dustin Paulsen



100-Year Retention Sizing

Design Criteria

Intensity Table: Per Park City Standards
Return Period: 100 year
Allowable Discharge: 0.14 cfs
Per Park City Standards (Pre-development Conditions)

Allowable Discharges

Storm Drain Discharge: 0.14 cfs
Other Discharge: 0.00 cfs
Total Discharge: 0.136 cfs
Source:

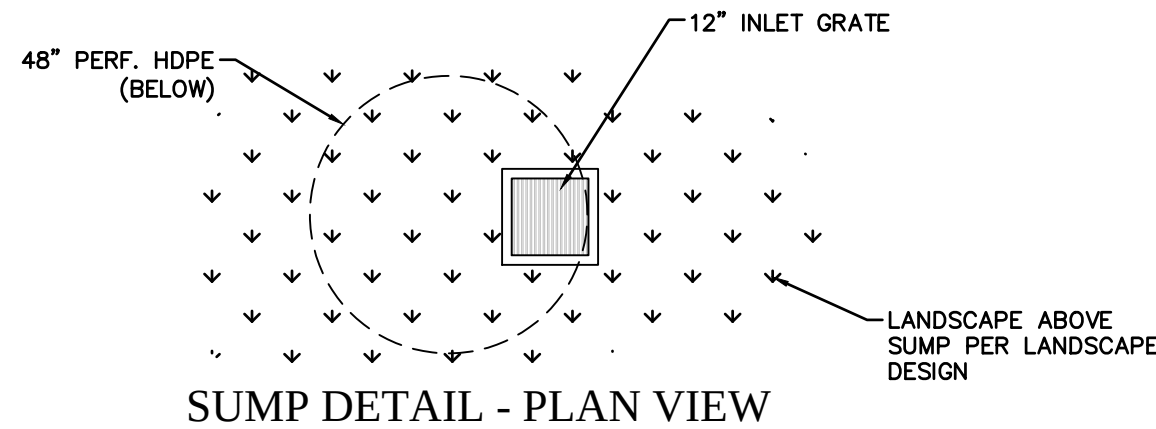
Weighted "C" Value

Surface Type	Area (sf)	"C" Value	C*A
Homes (rooftops)	2,825	0.85	2,401
Landscape	925	0.10	93
Totals	3,750		2,493.75
Weighted "C" Value		0.67	

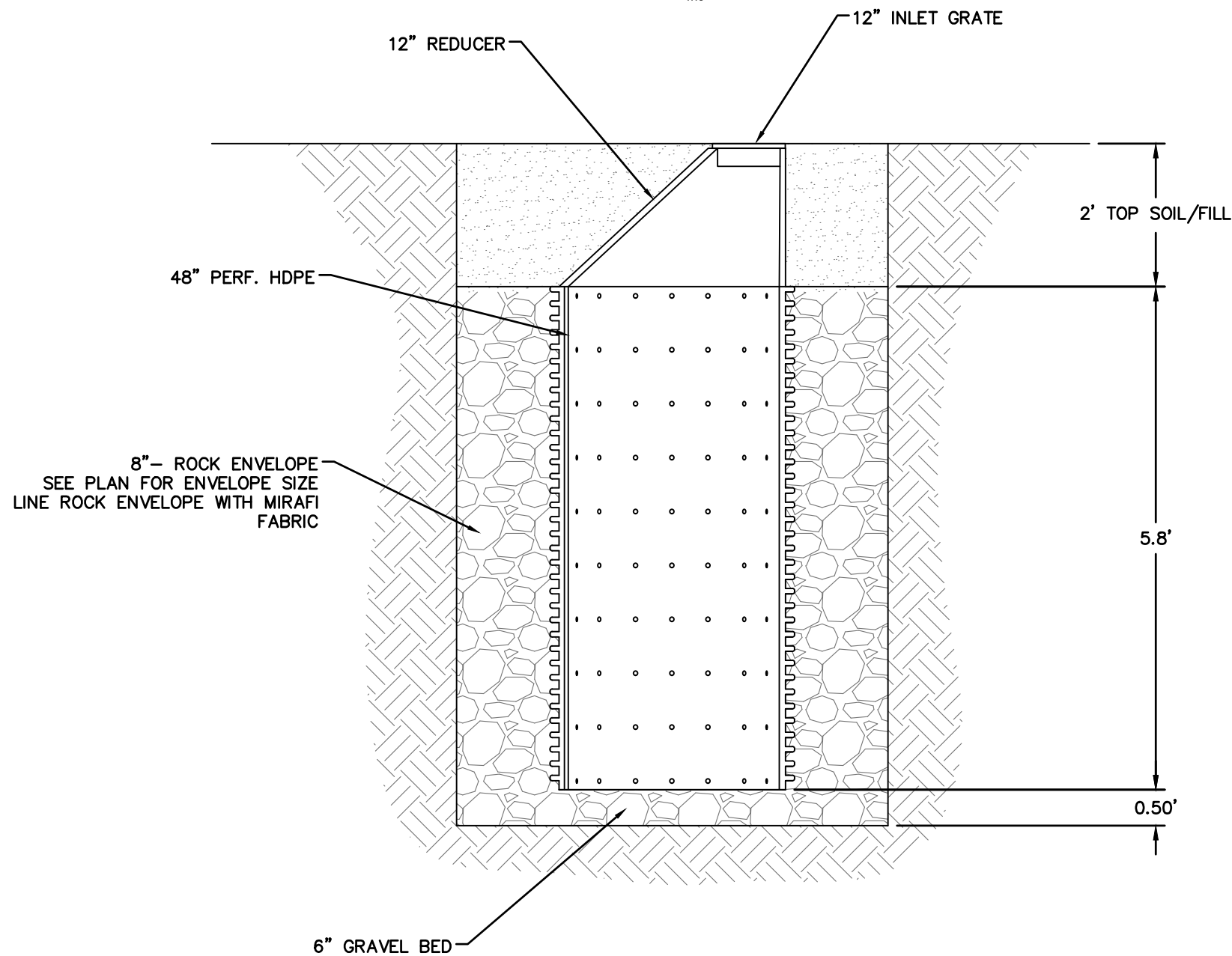
Drainage Calculations

Duration	Intensity	Runoff C	Area	Rainfall	ccumulate Flow	Allowable Discharge	Discharge	Required Storage
min	in/hr		Ac	cfs	cf	cfs	cf	cf
5.0	7.90	0.67	0.09	0.45	136	0.14	41	95
10.0	6.01	0.67	0.09	0.34	206	0.14	82	125
15.0	4.96	0.67	0.09	0.28	256	0.14	122	133
30.0	3.34	0.67	0.09	0.19	344	0.14	245	99
60.0	2.07	0.67	0.09	0.12	427	0.14	490	-63
120.0	1.15	0.67	0.09	0.07	474	0.14	979	-505
180.0	0.77	0.67	0.09	0.04	476	0.14	1,469	-993
360.0	0.41	0.67	0.09	0.02	507	0.14	2,938	-2,431
720.0	0.25	0.67	0.09	0.01	618	0.14	5,875	-5,257
1440.0	0.14	0.67	0.09	0.01	692	0.14	11,750	-11,058

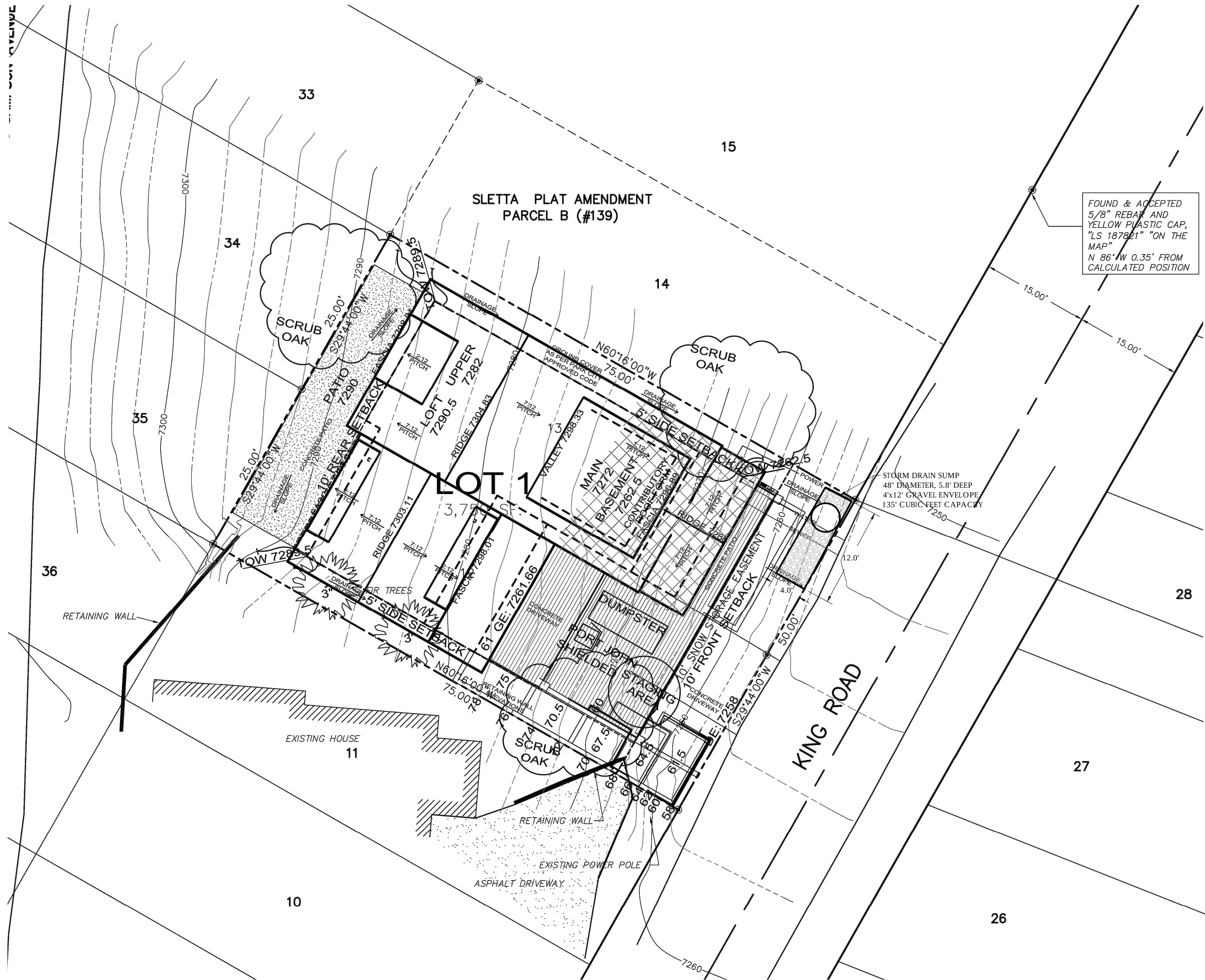
Maximum Storage Requirement: 133
Maximum Storage Requirement (ac-ft): 0.00



SUMP DETAIL - PLAN VIEW



SUMP DETAIL - PROFILE VIEW



FOUND & ACCEPTED
5/8" REBAR AND
YELLOW PLASTIC CAP,
T.S. 1878.61' ON THE
MAP
IN 86' W 0.35' FROM
CALCULATED POSITION



GRAPHIC SCALE



(IN FEET)
1 inch = 10 ft.

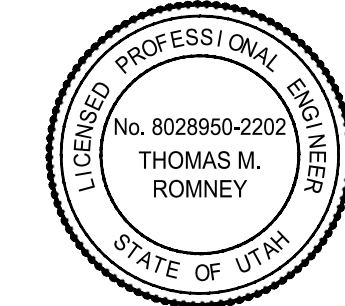
STORM DRAIN NARRATIVE:

THE PRE-DEVELOPMENT CONDITION OF THE SITE IS THAT OF A VACANT LOT WITH HEAVY PLANT COVER AND SLOPES UP TO 50%. THE RATIONAL METHOD (Q=CIA) WAS USED TO DETERMINE THE PRE-DEVELOPMENT STORM WATER RUNOFF FLOW FOR THE SITE. A TIME OF CONCENTRATION OF 5 MINUTES, A "C" VALUE OF 0.20, AND A RAINFALL INTENSITY OF 7.9 IN/HR WERE USED TO CALCULATE THE PRE-DEVELOPMENT RUNOFF FLOW OF 0.136 CFS.

THE STORM DRAIN SUMP WAS SIZED USING A DISCHARGE RATE OF 0.136 CFS (PRE-DEVELOPMENT CONDITIONS) TO HANDLE THE 100 YEAR, 24 HOUR STORM EVENT PER PARK CITY STANDARDS. SEE STORM DRAIN CALCULATIONS AND SUMP DETAIL THIS SHEET.



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NEW RESIDENCE
88 KING ROAD, PARK CITY, UT
DRAINAGE PLAN

#	DATE	DESCRIPTION
1		
2		
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4		
5		
6		

DRAINAGE PLAN

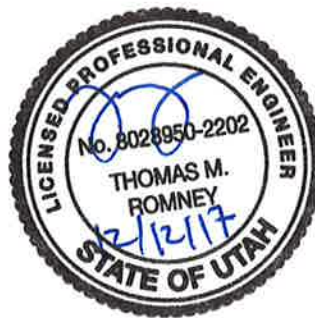
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Sheet: 17-483

TECHNICAL DRAINAGE STUDY

NEW RESIDENCE

88 KING ROAD, PARK CITY, UT

DECEMBER 13, 2017



Professional Engineer: Thomas Romney, P.E.;

Project Manager: Dustin Paulsen, E.I.T.

FOCUS ENGINEERING AND SURVEYING

GENERAL LOCATION AND DESCRIPTION

The proposed project is located at 88 King Road in Park City. The current site conditions consist of a vacant lot with heavy brush and tree cover, with the property sloping from the north west to the south east and falling approximately 35 feet. The size of the lot is 3750 square feet and the entire property will be disturbed during construction. The soil on the site consists predominantly of gravelly loam and cobbly clay layers.

DRAINAGE BASIN

The property does not have any have any known offsite drainages and all existing on site drainage is discharged toward King Road above ground.

PROPOSED DRAINAGE PLAN

A drainage plan consisting of a storm drain sump has been developed for this property. The sump will consist of a 12" inlet grate and a vertical 48" perforated HDPE pipe within a gravel envelope (see drainage plan detail in the appendix). The storm drain sump was sized using a discharge rate of 0.136 cubic feet per second (pre-development conditions) and will detain the 100 year, 24 hour storm event per Park City standards.

The analysis was performed using the Park City design storm IDF curves and the rational method for calculating storm water runoff.

HYDROLOGIC ANALYSIS

The predevelopment condition of the site is that of a vacant lot with heavy brush and tree cover. The existing storm runoff flow was determined using the rational method ($Q=CIA$) with a time of concentration of 5 minutes, a rainfall intensity of 7.9 in/hr, and a "C" value of 0.2 (per Park City standards). This resulted in a runoff flow of 0.136 cfs.

The design storm required is the 100 year, 24 hour event for detention. The rational method with a weighted "C" value of 0.67 was used to determine the required post development storm runoff storage volume. The following intensity values were used to determine storm water detention volumes:

Drainage Calculations

Duration	Intensity	Runoff C	Area	Rainfall	Accumulated Flow	Allowable Discharge	Discharge	Required Storage
<i>min</i>	<i>in/hr</i>		<i>Ac</i>	<i>cfs</i>	<i>cf</i>	<i>cfs</i>	<i>cf</i>	<i>cf</i>
5.0	7.90	0.67	0.09	0.45	136	0.14	41	95
10.0	6.01	0.67	0.09	0.34	206	0.14	82	125
15.0	4.96	0.67	0.09	0.28	256	0.14	122	133
30.0	3.34	0.67	0.09	0.19	344	0.14	245	99
60.0	2.07	0.67	0.09	0.12	427	0.14	490	-63
120.0	1.15	0.67	0.09	0.07	474	0.14	979	-505
180.0	0.77	0.67	0.09	0.04	476	0.14	1,469	-993
360.0	0.41	0.67	0.09	0.02	507	0.14	2,938	-2,431
720.0	0.25	0.67	0.09	0.01	618	0.14	5,875	-5,257
1440.0	0.14	0.67	0.09	0.01	692	0.14	11,750	-11,058

The runoff discharge of the post development site cannot exceed that of predevelopment or 0.136 cfs. Using the predevelopment runoff flow as a discharge rate, the storm drain sump was sized to hold the maximum required storage volume of 133 cubic feet.

CONCLUSION/COMPLIANCE STATEMENT

It is concluded that the project is in compliance with city standards and design guidelines.

APPENDIX

Detention Basin

Project: Residence at 88 King Road
 Location: Park City, Utah
 Date: 12/12/2017
 Designer: Dustin Paulsen



100-Year Retention Sizing

Design Criteria

Intensity Table: Per Park City Standards
 Return Period: **100 year**
 Allowable Discharge: **0.14 cfs** Per Park City Standards
 (Pre-development Conditions)

Allowable Discharges

Storm Drain Discharge: 0.14 cfs
 Other Discharge: 0.00 cfs Source:
 Total Discharge: **0.136 cfs**

Weighted "C" Value

Surface Type	Area (sf)	"C" Value	C*A
Homes (rooftops)	2,825	0.85	2,401
Landscape	925	0.10	93
Totals	3,750		2,493.75
Weighted "C" Value		0.67	

Drainage Calculations

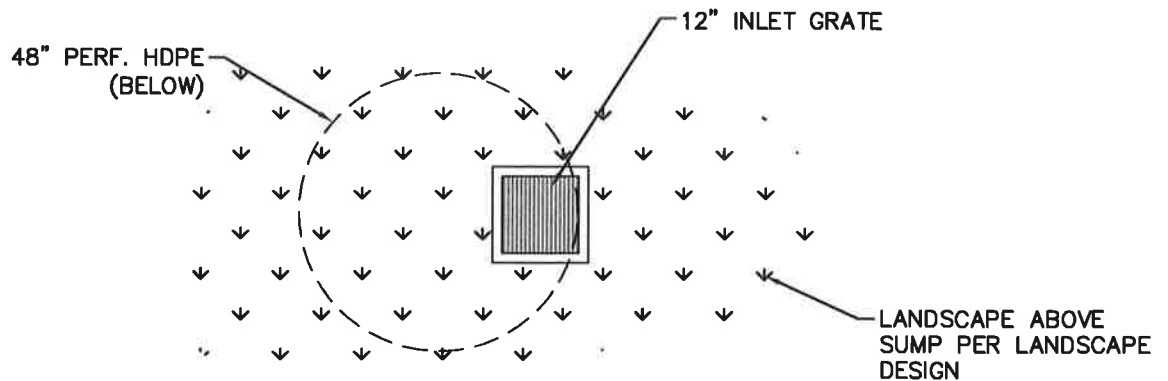
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min	in/hr		Ac	cfs	Flow	Discharge	cf	Storage
					cf	cfs		cf
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1440.0	0.14	0.67	0.09	0.01	692	0.14	11,750	-11,058

Maximum Storage Requirement: **133**
 Maximum Storage Requirement (ac-ft): 0.00

Retention Basin Design

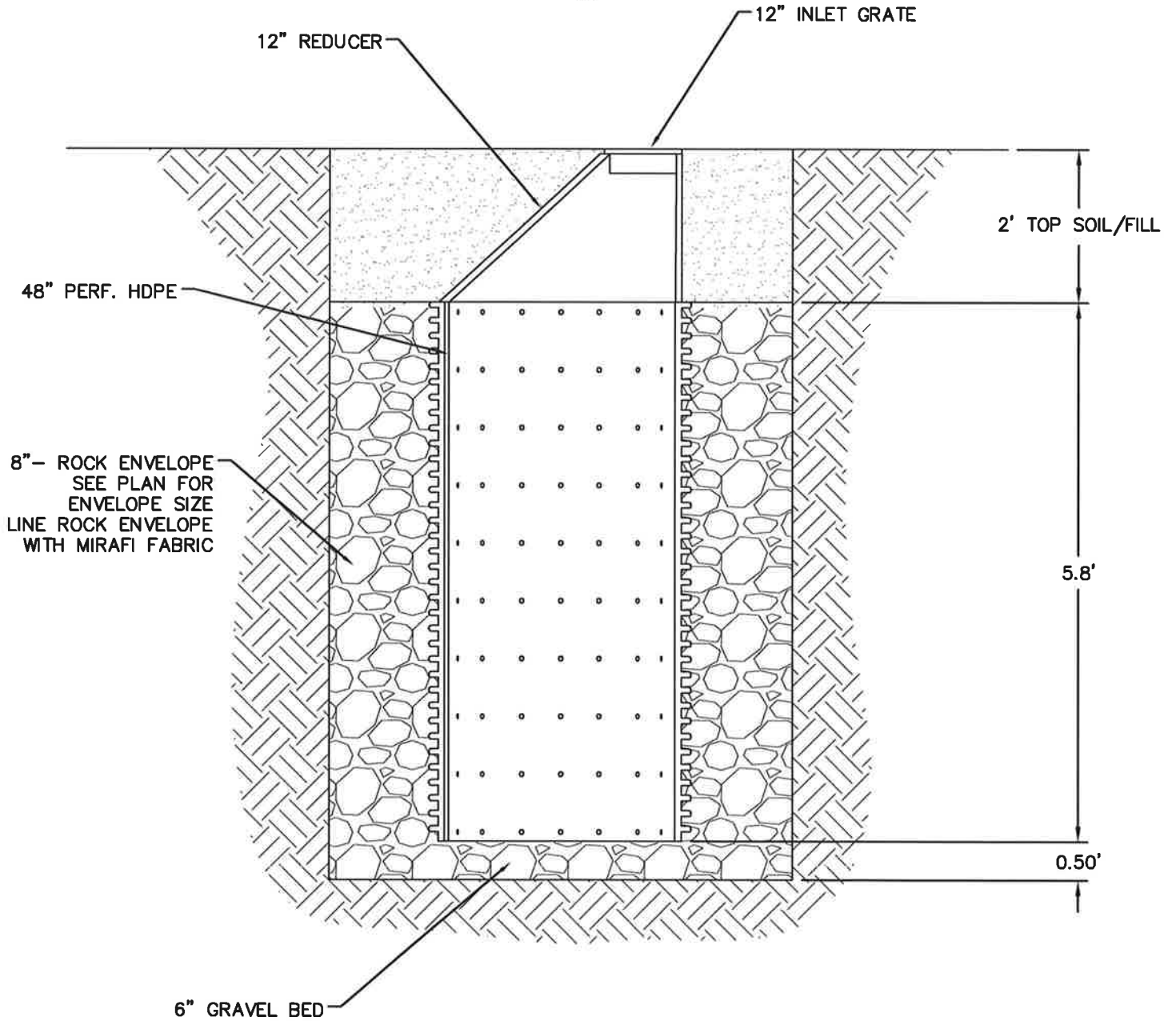
Storage Requirement: 133 cf
 Allowable Depth: XX ft
 Retention Pond Volume: 1,505 cf
 Roadway Sump Storage: 1,320 cf
 Retention Calculated Using Basic Geometry
 of a Trapezoidal Trench

Total Storage 2,825 RETENTION ADEQUATE



SUMP DETAIL - PLAN VIEW

NTS



Detention Basin

Project: Residence at 88 King Road
Location: Park City, Utah
Date: 12/12/2017
Designer: Dustin Paulsen



100-Year Retention Sizing

Design Criteria

Intensity Table: Per Park City Standards
Return Period: 100 year
Allowable Discharge: 0.14 cfs Per Park City Standards (Pre-development Conditions)

Allowable Discharges

Storm Drain Discharge: 0.14 cfs
Other Discharge: 0.00 cfs
Total Discharge: 0.136 cfs

Source:

Weighted "C" Value

Surface Type	Area (sf)	"C" Value	C*A
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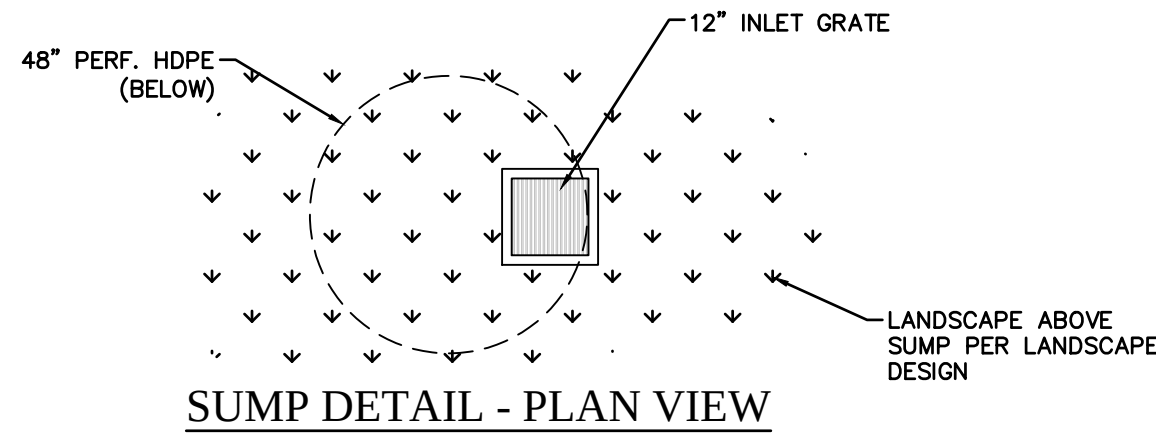
Weighted "C" Value

0.67

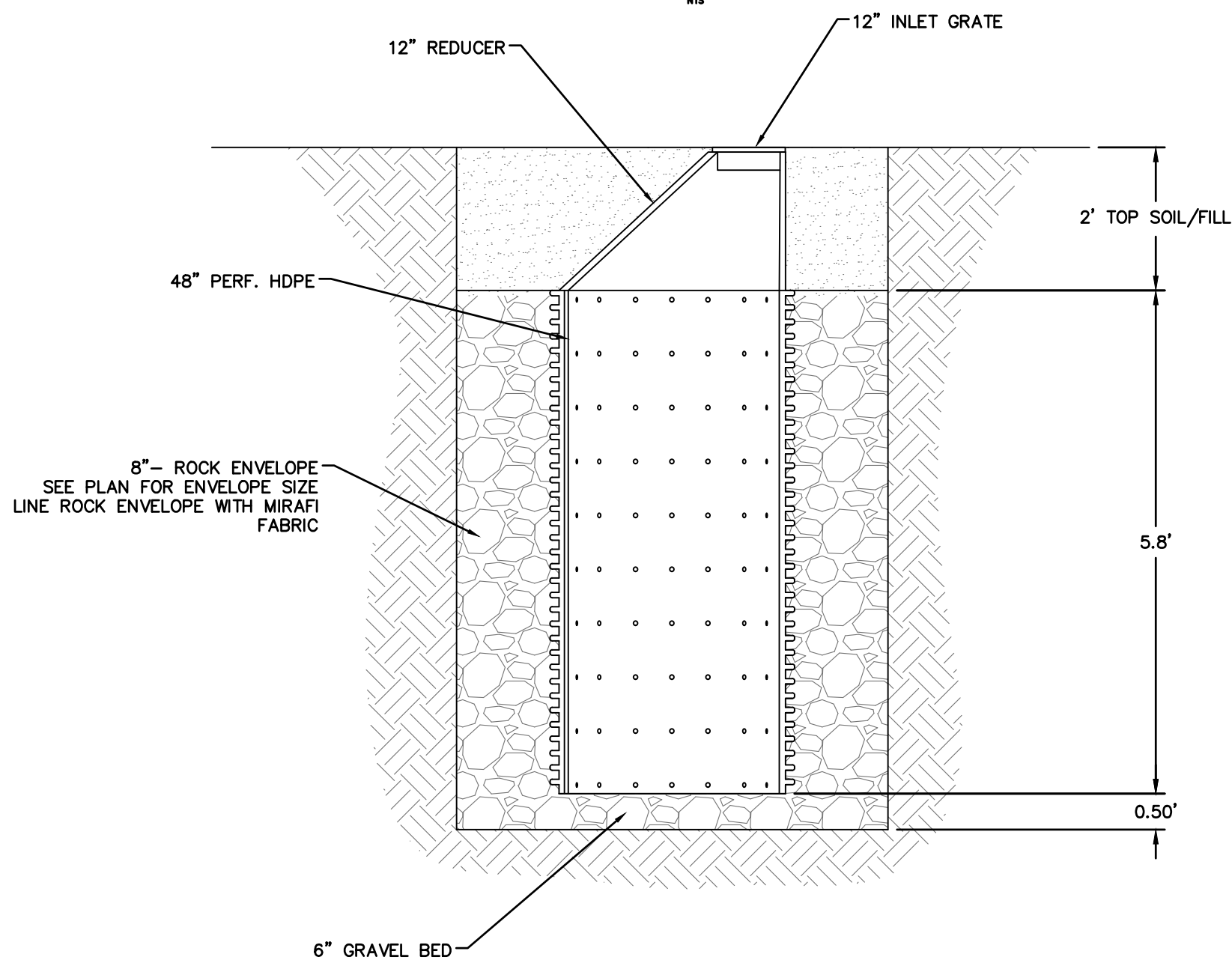
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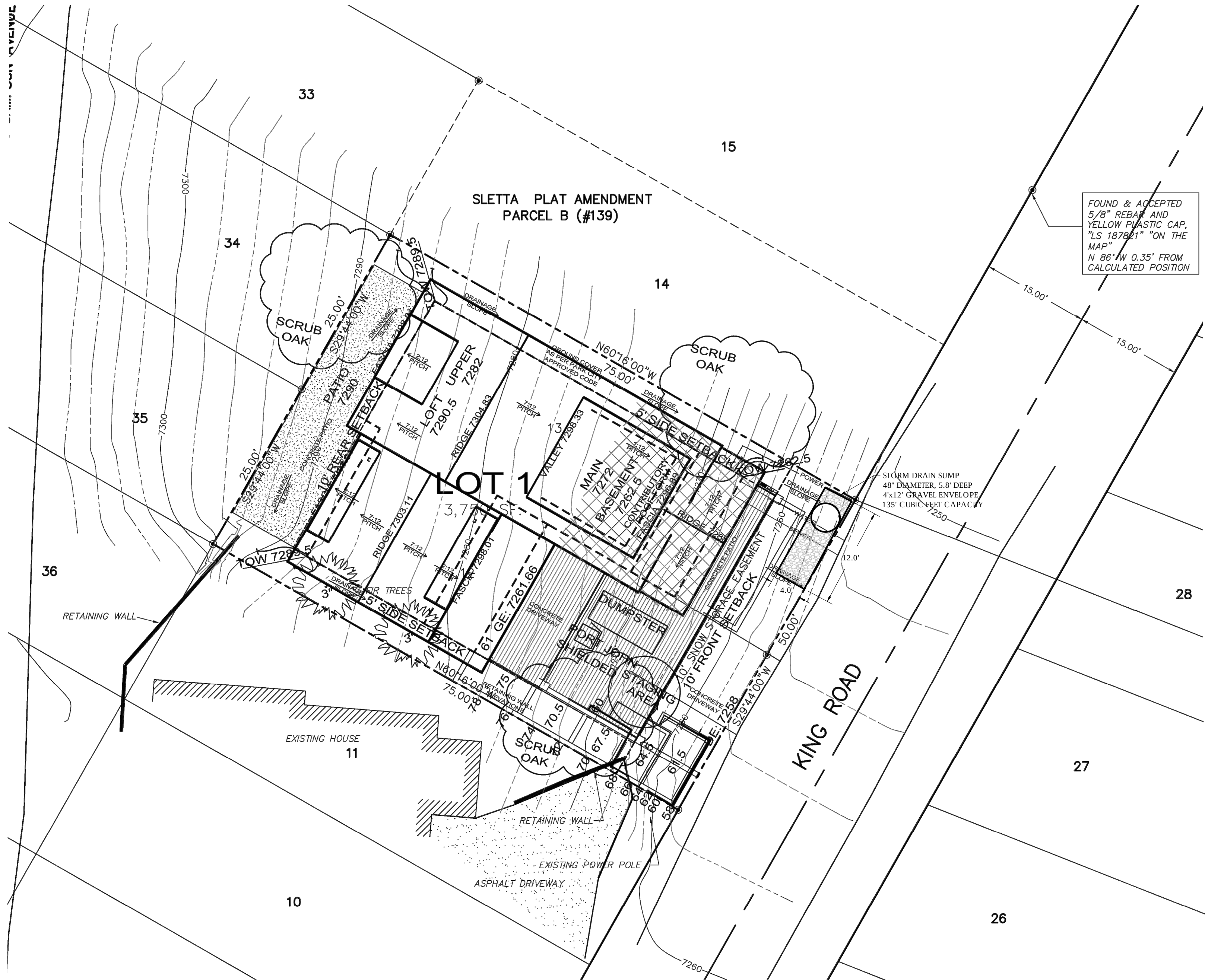
Maximum Storage Requirement: 133
Maximum Storage Requirement (ac-ft): 0.00



SUMP DETAIL - PLAN VIEW



SUMP DETAIL - PROFILE VIEW



FOUND & ACCEPTED
5/8" REBAR AND
YELLOW PLASTIC CAP,
T.S. 1878.61' ON THE
MAP
IN 86' W 0.35' FROM
CALCULATED POSITION



GRAPHIC SCALE



(IN FEET)
1 inch = 10 ft.

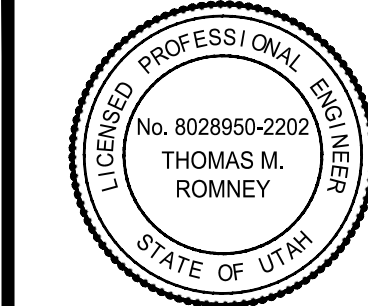
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NEW RESIDENCE
88 KING ROAD, PARK CITY, UT
DRAINAGE PLAN

#	DATE	DESCRIPTION
1		
2		
3		
4		
5		
6		

DRAINAGE
PLAN

Scale: 1"=10'
Date: 12/12/17
Sheet: 17-483

01



Planning Commission Staff Report

PLANNING DEPARTMENT

Application #: PL-17-03454
Subject: Woodside Park Affordable Housing Project Phase I MPD
Author: Hannah M. Tyler, Planner II
Date: January 10, 2018
Type of Item: Ratification of Development Agreement

Summary Recommendations

Staff recommends that the Planning Commission review the Woodside Park Affordable Housing Project Phase I Master Planned Development (MPD) Development Agreement and consider ratifying the agreement to memorialize the MPD approval granted by the Planning Commission on August 23, 2017. The MPD is for four (4) Single-Family Dwellings, an eight-unit (8-unit) Multi-Unit Dwelling, and a Thirteen-car (13-car) Parking Lot. A public hearing is not required for this action.

Description

Applicant: Park City Municipal Corporation
Location: 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue
Zoning: Historic Residential-Medium Density (HR-M) Zoning District
Adjacent Land Uses: Single-Family, Multi-Family, Municipal Uses
Reason for Review: Master Planned Development applications require a Development Agreement with ratification by the Planning Commission within six months of approval of the MPD.

Background

During a Work Session on August 25, 2016, City Council provided the Lower Park Avenue Affordable Housing Project Team (Elliot Workgroup, Economic Development, Housing, Planning, and Community Development) with direction to pursue a preferred concept for affordable housing on the former Park Avenue Fire Station Parcel ([Staff Report](#) – page 4, [Minutes](#) – Page 1). This project would be known as the Woodside Park Affordable Housing Project Phase I. On September 20th, 2016, the Project Team held a Public Open House to gather public input on City Council's preferred concept.

With public input gathered, the Project Team returned to City Council on October 20, 2016 with an updated preferred concept based on the community engagement and August 25th Council comments. At the October 20th, 2016 meeting, Council provided affirmative direction to pursue the preferred concept, as amended, and begin the Land Use process ([Staff Report](#) – Page 4, [Minutes](#) – Page 2).

Over the next few months, the Project Team met weekly to develop the required Land Use application submittals and conduct further LMC pre-reviews with Planning

Department staff as required by the [Land Management Code 15-6-4](#). There are eight (8) applications total for the entire scope of Phase I.

The HDDR applications (four [4] total) for the structures on the site have been approved by Planning Staff. The Woodside Park Phase I Subdivision was approved by City Council on August 31, 2017. The Conditional Use Permits for the Parking Lot and the Multi-Unit Dwelling were approved by Planning Commission on August 23, 2017.

On January 26, 2017 Elliot Workgroup submitted the MPD application as the representative for Park City Municipal Corporation. The application was deemed complete on March 2, 2017 after staff worked with the applicant on the requirements for the submittal.

The Planning Commission reviewed and continued the Master Planned Development application during a Work Session on July 12, 2017 ([Staff Report](#) – page 59 – Minutes, in this meeting packet in Draft form in the July 26 [Agenda Packet](#) – page 3). The Planning Commission opened a public hearing and continued the application on July 26, 2017 – there was no discussion conducted by the Planning Commission on July 26, 2017.

On August 23, 2017, the Planning Commission approved the Woodside Park Affordable Housing Project Phase I MPD ([Staff Report](#) – page 332 – [Minutes](#) – page 27).

Phase I of the Woodside Park Affordable Housing Project will consist of 10.68 Unit Equivalents to be located between Woodside Avenue and Park Avenue. The project is located in the Historic Residential-Medium Density (HR-M) Zoning District. The scope will include:

- Demolition of the former Park Avenue Fire Station (completed)
- Four (4) Single-Family Dwellings
- An eight-unit (8-unit) Multi-Unit Dwelling
- A thirteen-car (13-car) Parking Lot
- An Access Easement running east-west.

Development Agreement Requirements

Section 15-6-4 (G) of the LMC requires that the Development Agreement contain the following elements:

- 1) A legal description of the land;
- 2) All relevant zoning parameters including all findings, conclusions, and conditions of approval;
- 3) An express reservation of the future legislative power and zoning authority of the City;
- 4) A copy of the approved MPD plans and any other plans which are a part of the Planning Commission approval;
- 5) A description of all Developer exactions or agreed upon public dedications;
- 6) The Developers agreement to pay all specified impact fees;
- 7) The form of ownership anticipated for the project and a specific project phasing

- plan; and
- 8) A list and map of all known Physical Mine Hazards on the property.

Staff finds that the Development Agreement attached as Attachment 1, including the attached exhibits, includes all of the required items listed above and meets the required timeframes for submittal following the August 23, 2017 approval of the Woodside Park Affordable Housing Project Phase I MPD. The project is proposed to be constructed in a single phase and therefore there is no phasing plan. There are no known Physical Mine Hazards on the lot. As a defined term in the Land Management Code, Physical Mine Hazards means “any shaft, adit, tunnel, portal, building, improvement or other opening or structure related to mining activity”. The Planning Director, Environmental Manager, experienced in the Park City Soils Ordinance, and Historic Preservation Planner reviewed USGS 7.5 minute quadrangle Geologic maps, USDA aerial photos from 1966 and Park City Mining District maps. No evidence on mining hazards or waste dump areas were found. From it is concluded that there are no known Physical Mine Hazards.

Development Agreement Ratification

Attached is the proposed Woodside Park Affordable Housing Project Phase I MPD Development Agreement (Attachment 1). Land Management Code Section 15-6-4 (G) states that once the Planning Commission has approved a Master Planned Development, the approval shall be put in the form of a Development Agreement. The Development Agreement must be ratified by the Planning Commission and signed by the Mayor on behalf of the City Council, prior to recordation at the Summit County Recorder’s office. This item is not noticed as a public hearing.

The Land Management Code requires the Development Agreement to be submitted to the City within six (6) months of the approval of the MPD. The Woodside Park Affordable Housing Project Phase I MPD was approved by the Planning Commission on August 23, 2016. The Development Agreement was submitted to the City on December 18, 2017, within the required six month timeframe.

Department Review

The Engineering, Legal and Planning Departments have reviewed the agreement for conformance with the August 23, 2017 Woodside Park Affordable Housing Phase I MPD approval.

Recommendation

Staff recommends that the Planning Commission review the Woodside Park Affordable Housing Project Phase I Master Planned Development (MPD) Development Agreement and consider ratifying the agreement to memorialize the MPD approval granted by the Planning Commission on August 23, 2017. The MPD is for four (4) Single-Family Dwellings, an eight-unit (8-unit) Multi-Unit Dwelling, and a Thirteen-car (13-car) Parking Lot. A public hearing is not required for this action.

Exhibit

Attachment 1- Amended Development Agreement with attached exhibits as follows:

Exhibit A – Plat

Exhibit B – MPD plans approved by Planning Commission on August 23, 2017

Exhibit C – MPD Action letter Planning Commission Approval from August 23, 2017

Exhibit D – Legal Description of subject property located at the Woodside Park Phase I Subdivision

WHEN RECORDED, MAIL TO:
City Recorder
Park City Municipal Corporation
P. O. Box 1480
Park City, Utah 84060

**DEVELOPMENT AGREEMENT
FOR THE WOODSIDE PARK AFFORDABLE HOUSING PROJECT
PHASE I MASTER PLANNED DEVELOPMENT (MPD), LOCATED AT
1333 PARK AVENUE, 1353 PARK AVENUE, AND 1374 WOODSIDE
AVENUE, PARK CITY, SUMMIT COUNTY, UTAH**

This Development Agreement is entered into as of this ____ day of _____, 2018, by and between Park City Municipal Corporation (“Developer”) as the owner and developer of certain real property located in Park City, Summit County, Utah, on which Developer proposes the development of a project known as the Woodside Park Affordable Housing Project Phase I Master Planned Development, and Park City Municipal Corporation, a municipality and political subdivision of the State of Utah (“Park City”), by and through its City Council.

R E C I T A L S

- A. Developer is the owner of a the Woodside Park Phase I Subdivision located in Park City, Summit County, Utah, as reflected in Exhibit A, which is attached hereto and incorporated herein by this reference (the “Property”), on which it has obtained approval for the development known as the Woodside Park Affordable Housing Project Phase I Master Planned Development, as more fully described in the incorporated Exhibits B and C, attached, and as set forth below (the “Project”).
- B. Park City requires development agreements under the requirements of the Park City Land Management Code (“LMC”) for all Master Planned Developments.
- C. Developer is willing to design and develop the Project in a manner that is in harmony with and intended to promote the long-range policies, goals and objectives of the Park City General Plan, and address other issues as more fully set forth below.
- D. Park City, acting pursuant to its authority under Utah Code Ann., Section 10-9-101, *et seq.*, and in furtherance of its land use policies, goals, objectives, ordinances, resolutions, and regulations has made certain determinations with respect to the proposed Project, and, in the exercise of its legislative discretion, has elected to approve this Development Agreement.

Now, therefore, in consideration of the mutual covenants, conditions and considerations as more fully set forth below, Developer and Park City hereby agree as follows:

1. **Project Conditions:**

1.1. The Design Drawings dated and reviewed by the Planning Commission on August 23, 2017, (attached as Exhibit B) and Findings of Fact, Conclusions of Law and Conditions of Approval (attached as Exhibit C) are incorporated herein as the Project; subject to

changes detailed herein. The Project is located in the Historic Residential Medium-Density (HR-M) zoning district.

1.2. Developer and its successors agree to pay the then current impact fees imposed and as uniformly established by the Park City Municipal Code at the time of permit application, whether or not state statutes regarding such fees are amended in the future.

1.3. Developer and any successors agree that the following are required to be entered into and approved by Park City prior to issuance of a Building Permit: (a) a construction mitigation plan, (b) a utility and grading plan, (c) a storm water plan, (d) a water efficient landscape and irrigation plan showing snow storage areas in compliance with the conditions of the August 23, 2017 MPD approval.

1.4. Developer is responsible for compliance with all local, state, and federal regulations regarding contaminated soils as well as streams and wetlands. Developer is responsible for receiving any Army Corp of Engineer Permits required related to disturbance of streams and wetlands.

2. **Vested Rights and Reserved Legislative Powers**

2.1 Subject to the provisions of this Agreement, Developer shall have the right to develop and construct the Project in accordance with the uses, densities, intensities, and general configuration of development approved by this Agreement, subject to compliance with the other applicable ordinances and regulations of Park City.

2.2 **Reserved Legislative Powers.** Developer acknowledges that the City is restricted in its authority to limit its police power by contract and that the limitations, reservations and exceptions set forth herein are intended to reserve to the City all of its police power that cannot be so limited. Notwithstanding the retained power of the City to enact such legislation under the police powers, such legislation shall only be applied to modify the existing land use and zoning regulations which are applicable to the Project under the terms of this Agreement based upon policies, facts and circumstances meeting the compelling, countervailing public interest exception to the vested rights doctrine in the State of Utah. Any such proposed legislative changes affecting the Project and terms and conditions of this Agreement applicable to the Project shall be of general application to all development activity in the City; and, unless the City declares an emergency, Developer shall be entitled to the required notice and an opportunity to be heard with respect to the proposed change and its applicability to the Project under the compelling, countervailing public interest exception to the vested rights doctrine.

3. **Successors and Assigns.**

3.1 **Binding Effect.** This Agreement shall be binding on the successors and assigns of Developer in the ownership or development of any portion of the Project.

3.2 **Assignment.** Neither this Agreement nor any of the provisions, terms or conditions hereof can be assigned to any other party, individual or entity without assigning the rights as well as the responsibilities under this Agreement and without the prior written consent of the City, which consent shall not be unreasonably withheld. Any such request for assignment may be made by letter addressed to the City and the prior written consent of the City may also be

evidenced by letter from the City to Developer or its successors or assigns. This restriction on assignment is not intended to prohibit or impede the sale of parcels of fully or partially improved or unimproved land by Developer prior to construction of buildings or improvements on the parcels, with Developer retaining all rights and responsibilities under this Agreement.

4. **General Terms and Conditions.**

4.1 **Term of Agreement.** Construction, as defined by the Uniform Building Code, is required to commence within two (2) years of the date of execution of this Agreement. After Construction commences, the Woodside Park Affordable Housing Project Phase I Master Planned Development and this Agreement shall continue in force and effect until all obligations hereto have been satisfied. The Master Plan approval for the Project shall remain valid so long as construction is proceeding in accordance with the approved phasing plan set forth herein.

4.2 **Agreement to Run With the Land.** This Development Agreement shall be recorded against the Property, as described in Exhibit D attached hereto, and shall be deemed to run with the land and shall be binding on all successors and assigns of Developer in the ownership or development of any portion of the Property.

4.3 **No Joint Venture, Partnership or Third Party Rights.** This Development Agreement does not create any joint venture, partnership, undertaking or business arrangement between the parties hereto, nor any rights or benefits to third parties.

4.4 **Integration.** This Development Agreement contains the entire Agreement with respect to the subject matter hereof and integrates all prior conversations, discussions or understandings of whatever kind or nature and may only be modified by a subsequent writing duly executed by the parties hereto.

4.5 **Severability.** If any part or provision of this Agreement shall be determined to be unconstitutional, invalid or unenforceable by a court of competent jurisdiction, then such a decision shall not affect any other part or provision of this Agreement except that specific provision determined to be unconstitutional, invalid or unenforceable. If any condition, covenant or other provision of this Agreement shall be deemed invalid due its scope or breadth, such provision shall be deemed valid to the extent of the scope or breadth permitted by law.

4.6 **Attorney's Fees.** If this Development Agreement or any of the Exhibits hereto are breached, the party at fault agrees to pay the attorney's fees and all costs of enforcement of the non-breaching party.

4.7 **Minor Administrative Modification.** Minor administrative modification may occur to this approval without revision of this Agreement.

5. **Phasing.**

5.1 **Project Phasing.** The Project will be developed in one (1) phase.

5.2 **Construction of Access.** Developer may commence grading access to the Project from Park Avenue and Woodside Avenue, as approved by the City Engineer according to generally accepted engineering practices and standards, and pursuant to permit requirements of

the LMC, the International Building Code/ Fire Code, and the Army Corps of Engineers. Developer shall be responsible for maintenance of any such accesses until they are completed according to City standards and accepted by the City.

5.3 Form of ownership anticipated for the project. The Project will consist of twelve residential units. Units are anticipated to be included in the condominium plat for individual ownership.

6. **Water.** Developer acknowledges that water development fees will be collected by Park City in the same manner and in the same amount as with other development within municipal boundaries and that impact fees so collected will not be refunded to Developer or to individual building permit applicants developing within the Project.

7. **Affordable Housing.** This Master Planned Development, as submitted, is subject to requirements of Housing Resolution 13-15. Developer has submitted a Housing Mitigation Plan to the Park City Housing Authority that was approved at the October 29, 2015 meeting of the Park City Housing Authority. A deed restriction shall be recorded against the plat prior to the issuance of building permits. The Developer shall comply with the Affordable Housing Mitigation Plan requirements, prior to receiving any certificates of occupancy.

8. **Physical Mine Hazards.**

There are no known Physical Mine Hazards on the property as determined through the exercise of reasonable due diligence by the Owner.

9. **Notices.**

All notices, requests, demands, and other communications hereunder shall be in writing and shall be given (i) by Federal Express, UPS, or other established express delivery service which maintains delivery records, (ii) by hand delivery, or (iii) by certified or registered mail, postage prepaid, return receipt requested, to the parties at the following addresses, or at such other address as the parties may designate by written notice in the above manner:

To Developers:

Park City Municipal Corporation
445 Marsac Avenue
PO Box 1480
Park City, UT 84060
Attn: City Attorney

To Park City:

Park City Municipal Corporation
445 Marsac Avenue
PO Box 1480
Park City, UT 84060
Attn: City Attorney

Such communication may also be given by facsimile and/or email transmission, provided any such communication is concurrently given by one of the above methods. Notices shall be deemed effective upon receipt, or upon attempted delivery thereof if delivery is refused by the intended recipient or if delivery is impossible because the intended recipient has failed to provide a reasonable means for accomplishing delivery.

10. **List of Exhibits.**

Exhibit A – Plat

Exhibit B – MPD plans approved by Planning Commission on August 23, 2017

Exhibit C – MPD Action letter Planning Commission Approval from August 23, 2017

Exhibit D – Legal Description of subject property located at the Woodside Park Phase I
Subdivision

IN WITNESS WHEREOF, this Development Agreement has been executed by the Developer by persons duly authorized to execute the same and by the City of Park City, acting by and through its City Council as of the ____ day of _____, 2018.

PARK CITY MUNICIPAL CORPORATION

By: _____
Andy Beerman, Mayor

ATTEST:

By: _____
City Recorder

APPROVED AS TO FORM:

Mark D. Harrington, City Attorney

DEVELOPER:

Park City Municipal Corporation
445 Marsac Avenue
PO Box 1480
Park City, UT 84060
Attn: City Attorney

By:

STATE OF UTAH)
 : ss
COUNTY OF SUMMIT)

On this ____ day of _____, 2018, personally appeared before me _____, whose identity is personally known to me/or proved to me on the basis of satisfactory evidence and who by me duly sworn/affirmed), did say that _____ is a member/manager of Park City Municipal Corporation.

Notary Public

Exhibit A:
Plat approved by Planning Commission
on August 23, 2017



SURVEYOR'S CERTIFICATE

I, Charles Quinn, do hereby certify that I am a Professional Land Surveyor and that I hold Certificate No. 24889, as prescribed under the laws of the State of Utah, further certify that by authority of the owner, I have made a survey of the tract of land into lots and subdivisions as shown on this plat, and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

PARCEL 1.
Beginning at a point which is North 54°01' East 350.00 feet and South 35°59' East 222.00 feet from the Northwest corner of Block 24, SNYDER'S ADDITION TO PARK CITY, said point also being on the West line of the original lot of Roger W. Snyder, 150.00 feet East along said line to the corner of Block 24, thence North 54°01' East 150.00 feet to the corner of Block 24, thence North 35°59' East 150.00 feet to the point of beginning.

PARCEL 2.
Beginning at a point which is South 54°01' West 329 feet and South 35°59' East 325.0 feet from the Northwest corner of Block 24, SNYDER'S ADDITION TO PARK CITY, said point also being on the West line of the original lot of Roger W. Snyder, 150.00 feet East along said line to the corner of Block 24, thence North 54°01' East 150.00 feet to the corner of Block 24, thence North 35°59' East 150.00 feet to the point of beginning.

PARCEL 3.
Beginning at a point which is South 54°01' West 329 feet and South 35°59' East 325.0 feet from the Northwest corner of Block 24, SNYDER'S ADDITION TO PARK CITY, said point also being on the West line of the original lot of Roger W. Snyder, 150.00 feet East along said line to the corner of Block 24, thence North 54°01' East 150.00 feet to the corner of Block 24, thence North 35°59' East 150.00 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that _____, the undersigned owner of the herein described land, do hereby certify that I have caused this Plat Amendment to be prepared, and does hereby consent to the recording of this Plat.

In witness whereof, the undersigned set his/her hand this _____ day of _____, 2017.

ACKNOWLEDGMENT

Authorized Representative

State of _____
County of _____

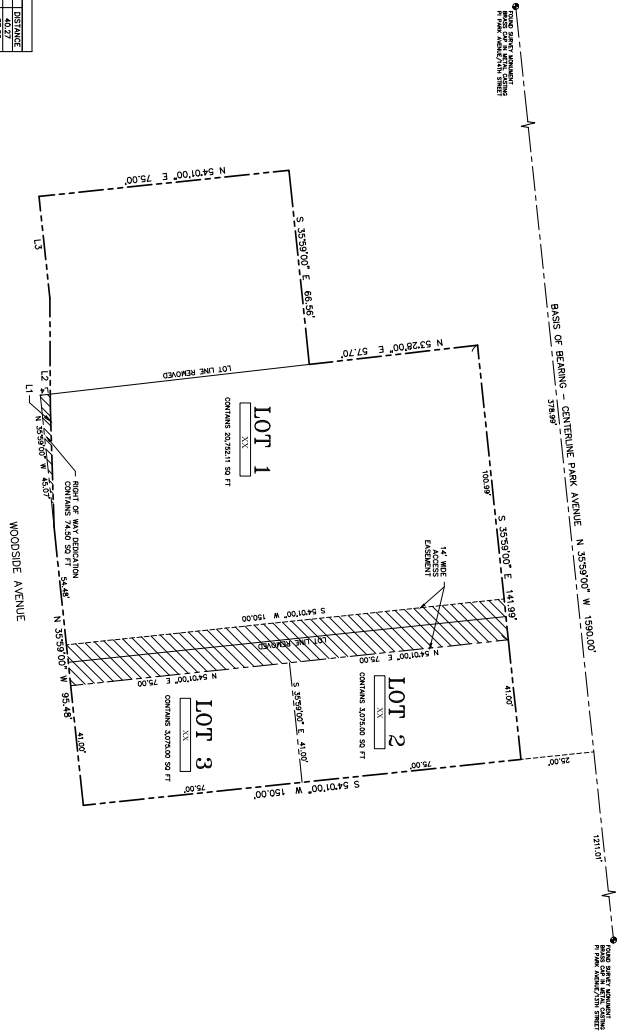
On this _____ day of _____, 2017, _____, hereinafter approved before me, the undersigned Notary Public, in and for said state and county, being duly sworn, acknowledged to me that he/she is the authorized representative of _____, and that he/she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

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

NOTE

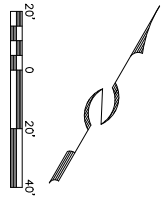
This subdivision is subject to the Conditions of Approval in Ordinance 2017-_____.

LINE	BEARING	DISTANCE
1	N 54°01'00" E	75.00'
2	S 35°59'00" E	68.56'
3	N 54°01'00" E	41.00'
4	S 35°59'00" E	34.89'
5	N 54°01'00" E	34.89'
6	S 35°59'00" E	34.89'



WOODSIDE PARK SUBDIVISION-PHASE I

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



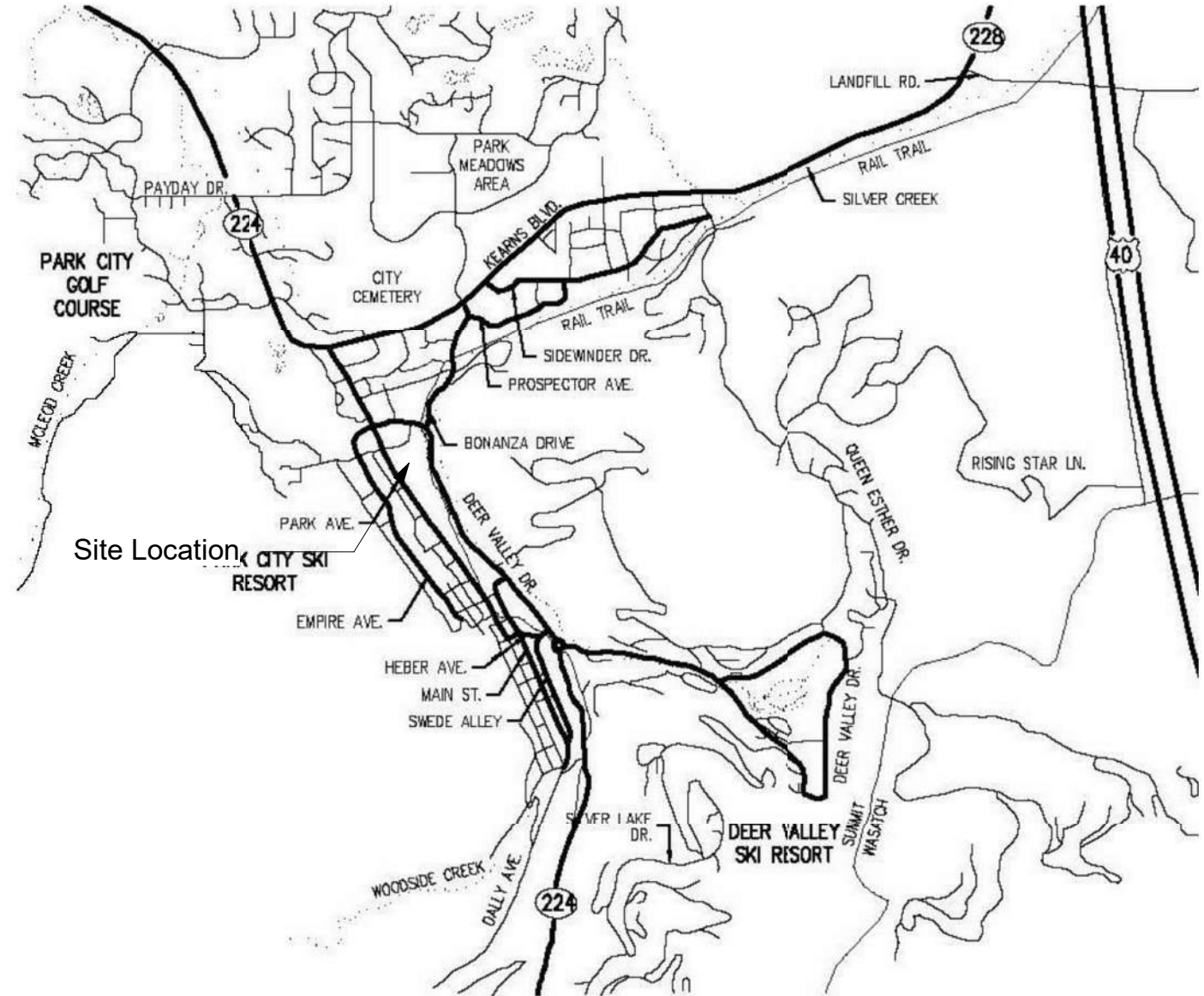
	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2017 BY _____ S.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2017 BY _____ CHAIR	ENGINEER'S CERTIFICATE AND THIS PLAT TO BE IN ACCORDANCE WITH THE PLANNING COMMISSION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS SUBDIVISION PLAT MAP WAS RECORDED IN THE COUNCIL THIS _____ DAY OF _____, 2017 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER
	PLAT NO. 2-10-16 FILE: A:\Survey\Additions\2017\20170106.dwg						

Exhibit B:
MPD Plans approved by Planning
Commission on August 23, 2017

Woodside Park

1353 Park Ave
Park City, Utah
Master Planned Development

January 26th, 2017 (Rev.
05/04/2017)



PROJECT CONTACT INFORMATION

OWNER	ARCHITECT	BUILDER
Park City Municipal Corporation 445 Marsac Avenue, P.O.Box 1480 Park City, UT 84060	EWG Architecture 449 Main Street, P.O. Box 3419 Park City, UT 84060 435-649-0092 Contact: Steve Bruemmer, AIA	
CIVIL ENGINEER	INTERIOR DESIGN	LANDSCAPE ARCHITECTURE
Alliance Engineering 323 Main Street, P.O. Box 2664 Park City, UT 84060 435-649-9467 Contact: Michael Demkowicz		EWG Architecture 449 Main Street, P.O. Box 3419 Park City, UT 84060 435-649-0092 Contact: Sid Ostergaard
STRUCTURAL ENGINEER	PLUMBING ENGINEER MECHANICAL ENGINEER	ELECTRICAL ENGINEER

SERVICE CONTACTS

Rocky Mountain Power 201 South Main St, Suite 2300 Salt Lake City, UT 84111 (866) 870-3419	Qwest Phone Company Salt Lake City, UT (800) 922-7387
Park City School District 2700 Kearns Blvd Park City, UT 84060 (435) 645-5600	Park City Fire Department 730 Bitter Rd Park City, UT 84098 (435) 649-6706
Park City Municipal Corp 1354 Park Ave Park City, UT 84060 (435) 658-9471	Comcast Cable 1777 Sun Peak Dr. #105 Park City, UT 84098 (435) 649-4020
Questar Gas P.O. Box 45360 Salt Lake City, UT 84145 (800) 541-2824	Division of Water Quality 288 South 1460 East Salt Lake City, UT 84112 (801) 538-6146
Snyderville Post Office 6440 Hwy 224 Park City, UT 84098 (800) 275-8777	Snyderville Basin Water Reclamation District 2800 Homestead Rd Park City, UT 84098 (435) 649-7993

DRAWING INDEX

MPD	
MPD-001	COVER SHEET
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MPD-004	PROPOSED SITE PLAN
MPD-005	PROPOSED ROOF PLAN
MPD-006	SITE SUITABILITY
MPD-007	OPEN SPACE AREA PLAN
MPD-008	AREA PLAN
MPD-009	CONTEXTUAL ANALYSIS
MPD-010	CONTEXTUAL ANALYSIS
MPD-011	CONTEXTUAL ANALYSIS
MPD-012	CONTEXTUAL ANALYSIS
MPD-013	CONTEXTUAL ANALYSIS
MPD-014	CONTEXTUAL ANALYSIS
MPD-015	SITE SECTION ANALYSIS
1 of 2	UTILITY PLAN
2 of 2	STORMWATER MANAGEMENT PLAN
L-100	LANDSCAPE PLAN
L-200	LANDSCAPE PLAN

BUILDING DESCRIPTION

The proposed project consist of combining the existing non-historic fire station lot at 1353 Park Avenue with the 1364 Woodside Avenue lot (Sernyak Subdivision Lot 2) to accommodate a new development of five affordable housing residential units and open space.

The non-historic fire station at 1353 Park Avenue will be demolish (Per Demolition Permit) to accommodate the new residential units and the 1364 Woodside Avenue (Sernyak Subdivision Lot 2) will be use as parking area for them.

The relatively flat lot of the old fire station will accommodate one single family home located at the new 1343 Park Avenue parcel and four townhouse units with lockout units on the back at the new 1354 Woodside Avenue parcel.

All residential units consist of two levels with pitched and flat roofs under the hight requirements. The response of the statutory regulation, all new work or repair, replacement, rehabilitation or restoration shall be compliant. Design Guidelines intended to secure, compatibility with and provide for visual aesthetics complement to the character and function of the community shall be paramount to any proposed improvement. All design on these houses has been design to comply with the Design Guidelines regulations.

Master Planned Development
January 26th, 2017 (Rev. 05/04/2017)



Woodside Park

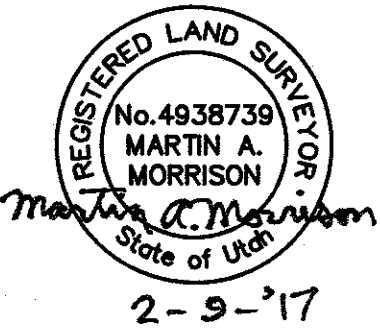
1353 Park Ave
Park City, Utah

COVER SHEET

MPD-001

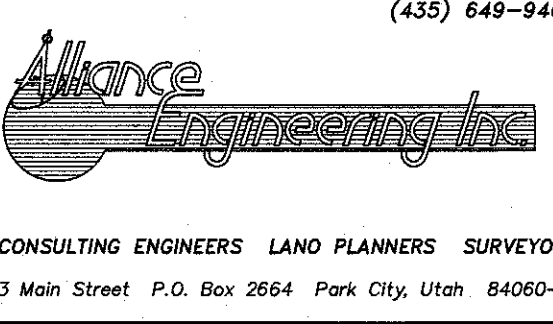
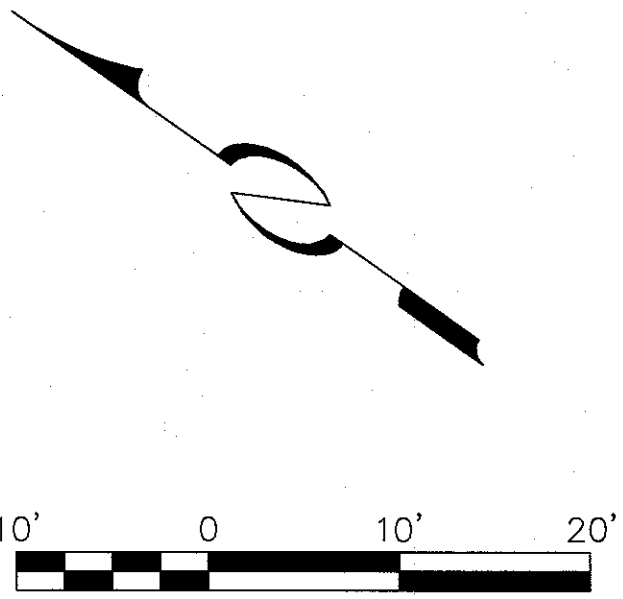
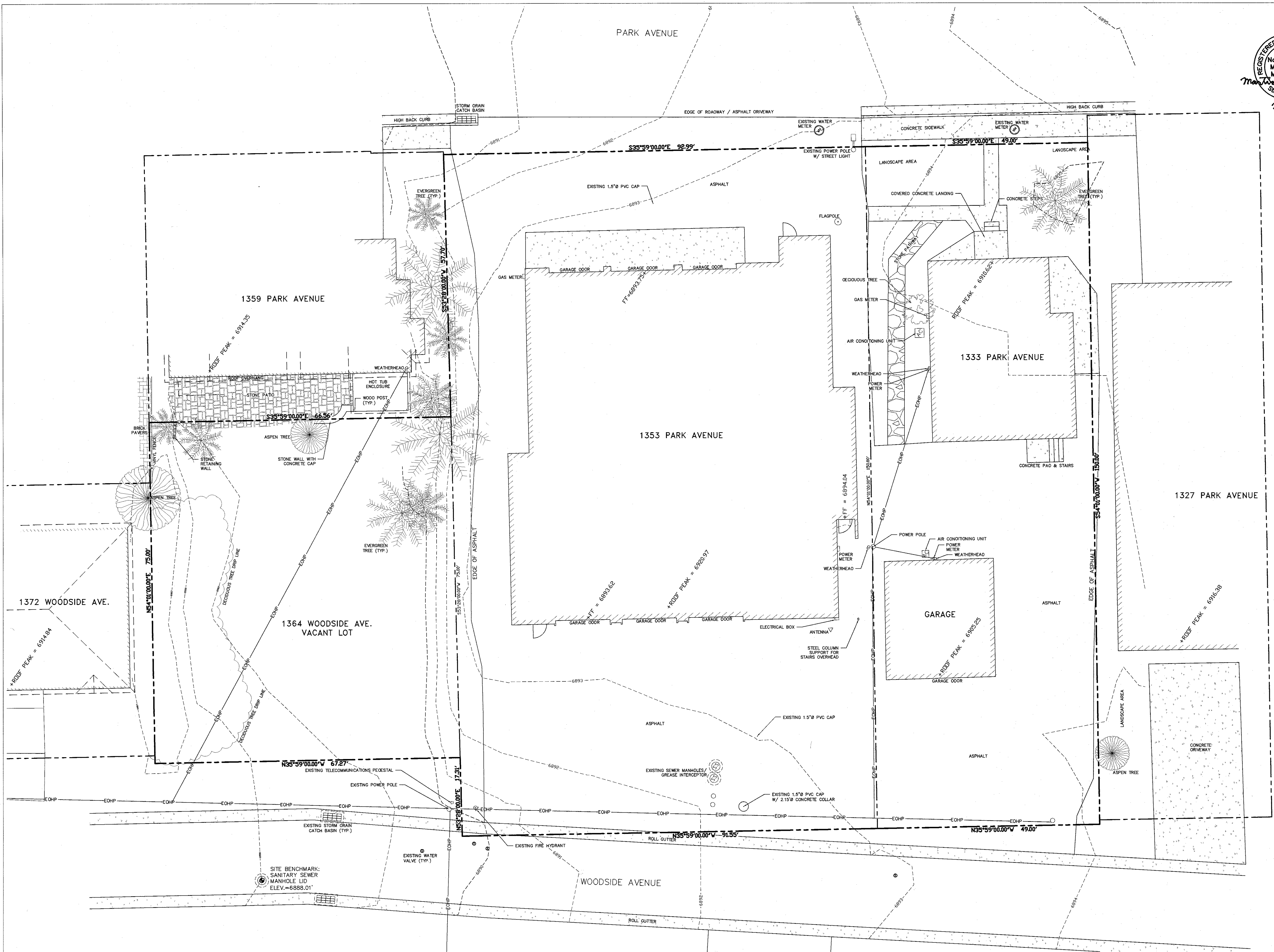
SURVEYOR'S CERTIFICATE

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



NOTES

1. Site Benchmark: Sanitary Sewer Manhole Lid
Elevation=6888.01'
2. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
3. This topographic map is based on a field survey performed on October 5, 2015, and October 20, 2016.
4. Property corners were not set or found as part of this survey. Alliance Engineering performed a Record of Survey on 1364 Woodside Avenue recorded as S-8845 on November 4, 2016 on file and of record with the Summit County Recorder's Office. This surveyor has not completed a boundary survey on the remaining parcels. Bearings and distances shown are per deed.



STAFF:
MICHAEL DEMKOWICZ
DEVIN EARL
CHIP TOMSUDEN
MARTIN MORRISON
CHARLES GALATI

DATE: 2/7/17

EXISTING CONDITIONS & TOPOGRAPHIC MAP

1333, 1353 PARK AVE. & 1364 WOODSIDE AVE.

FOR: PARK CITY MUNICIPAL CORPORATION

JOB NO.: 7-10-16

FILE: X:\SnydersAddition\dwg\srvtopo2016\071016 - Woodside Park.dwg

SHEET
1
OF
1



SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold Certificate No. 7248891, as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the tract of land into lots and streets, together with easements, hereafter to be known as WOODSIDE PARK SUBDIVISION – PHASE I and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

PARCEL 1
Beginning at a point which is North 54°01' East 350.00 feet and South 35°59' East 222.00 feet from the Northwest corner of Block 24, SNYDER'S ADDITION TO PARK CITY, said point also being on the Westerly right-of-way line of Park Avenue; running thence South 35°59' East along said right-of-way line 92.99 feet; thence South 54°01' West 150.00 feet; thence North 35°59' West 91.55 feet; thence North 53°28' East 150.1 feet to the point of beginning.

PARCEL 2
Beginning at a point which is South 54°01' West 329 feet and South 35°59' East 325.0 feet from the Northeast corner of Block 24, SNYDER'S ADDITION, Park City, Utah, and running thence South 35°59' East 39 feet; thence South 54°1' West 150 feet; thence North 35°59' West 49 feet, more or less, to a wooden fence; thence North 54°1' East along said wooden fence 150 feet; thence South 35°59' East 10 feet to the point of beginning.

PARCEL 3
All of Lot 2, SERNYAK SUBDIVISION, according to the official plat thereof, on file and of record in the Summit County Recorder's Office

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that _____, the undersigned owner of the herein described tract of land, to be known hereafter as WOODSIDE PARK SUBDIVISION–PHASE I, does hereby certify that he/she has caused this Plat Amendment to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set his/her hand this _____ day, of _____, 2017.

ACKNOWLEDGMENT

_____, Authorized Representative

State of _____:
County of _____:

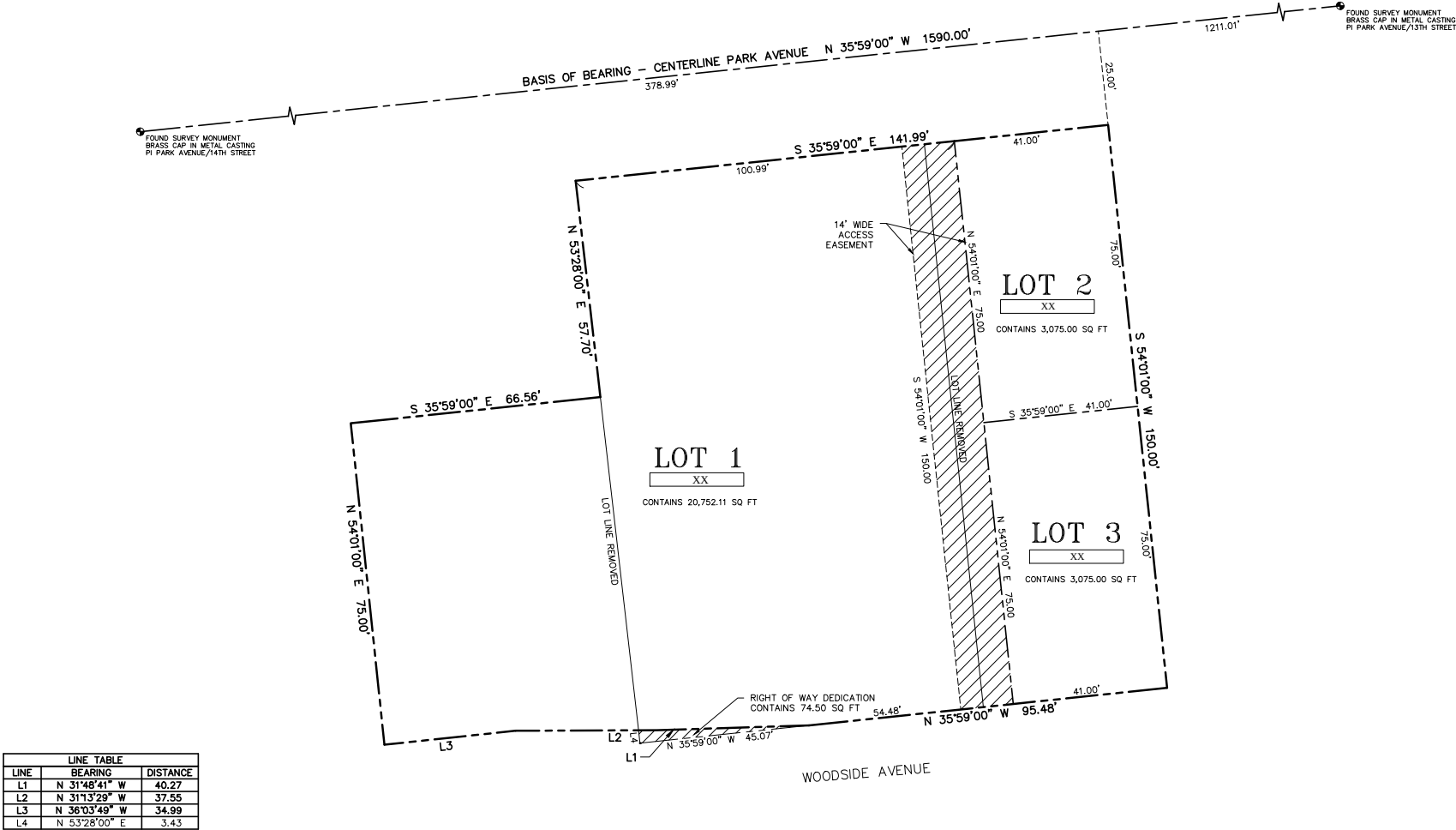
On this _____ day of _____, 2017, _____ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, _____ acknowledged to me that he/she is the authorized representative of _____ and that he/she signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Notary Public
A Notary Public commissioned in _____

Printed Name
Residing in: _____
My commission expires: _____

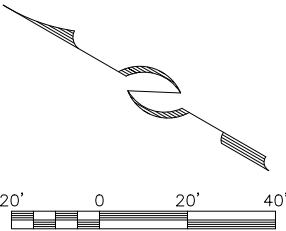
NOTE

This subdivision is subject to the Conditions of Approval in Ordinance 2017–_____.



WOODSIDE PARK SUBDIVISION–PHASE I

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



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

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____
DAY OF _____, 2017
BY _____
S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____
DAY OF _____, 2017
BY _____
CHAIR

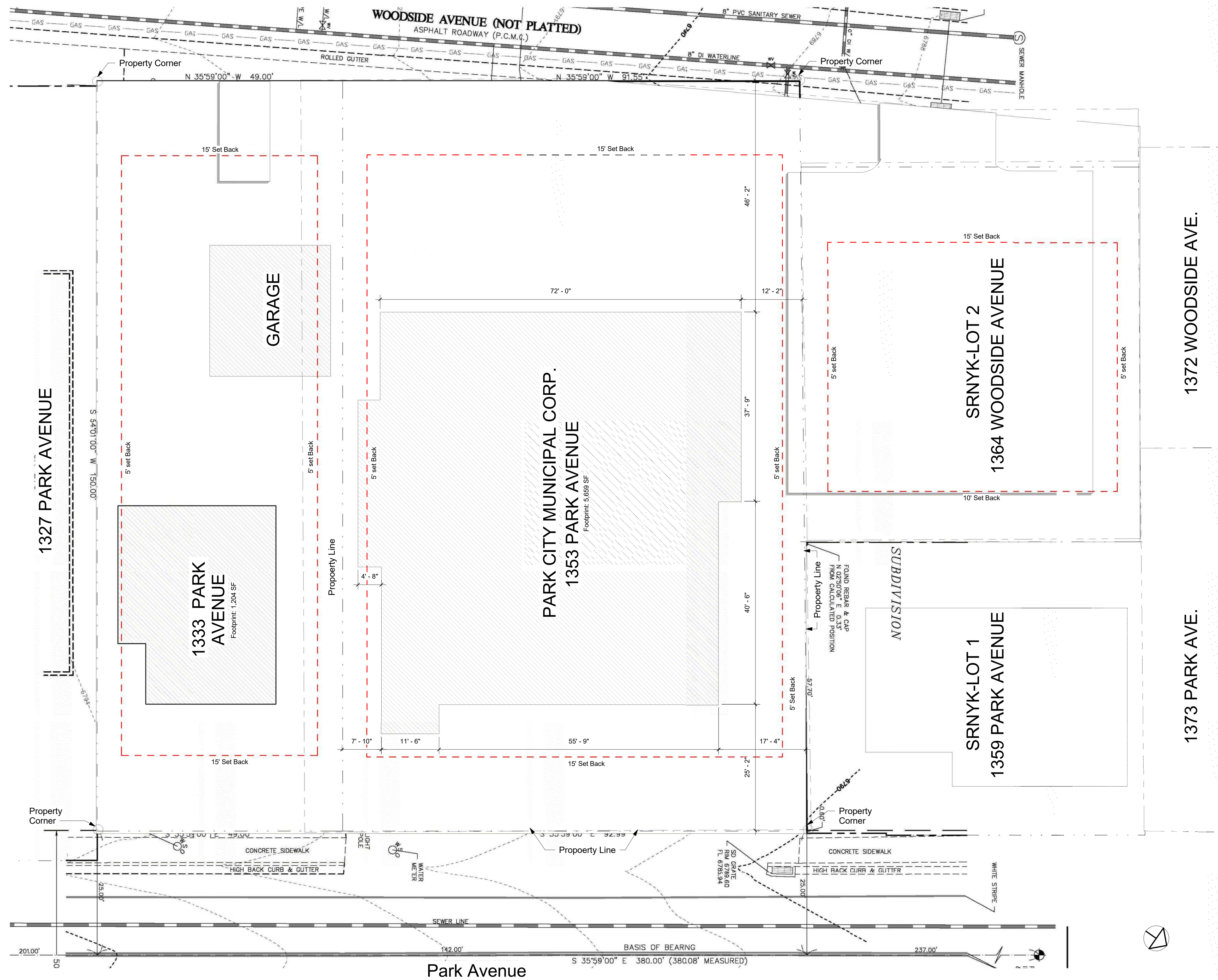
ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____
DAY OF _____, 2017
BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____
DAY OF _____, 2017
BY _____
PARK CITY ATTORNEY

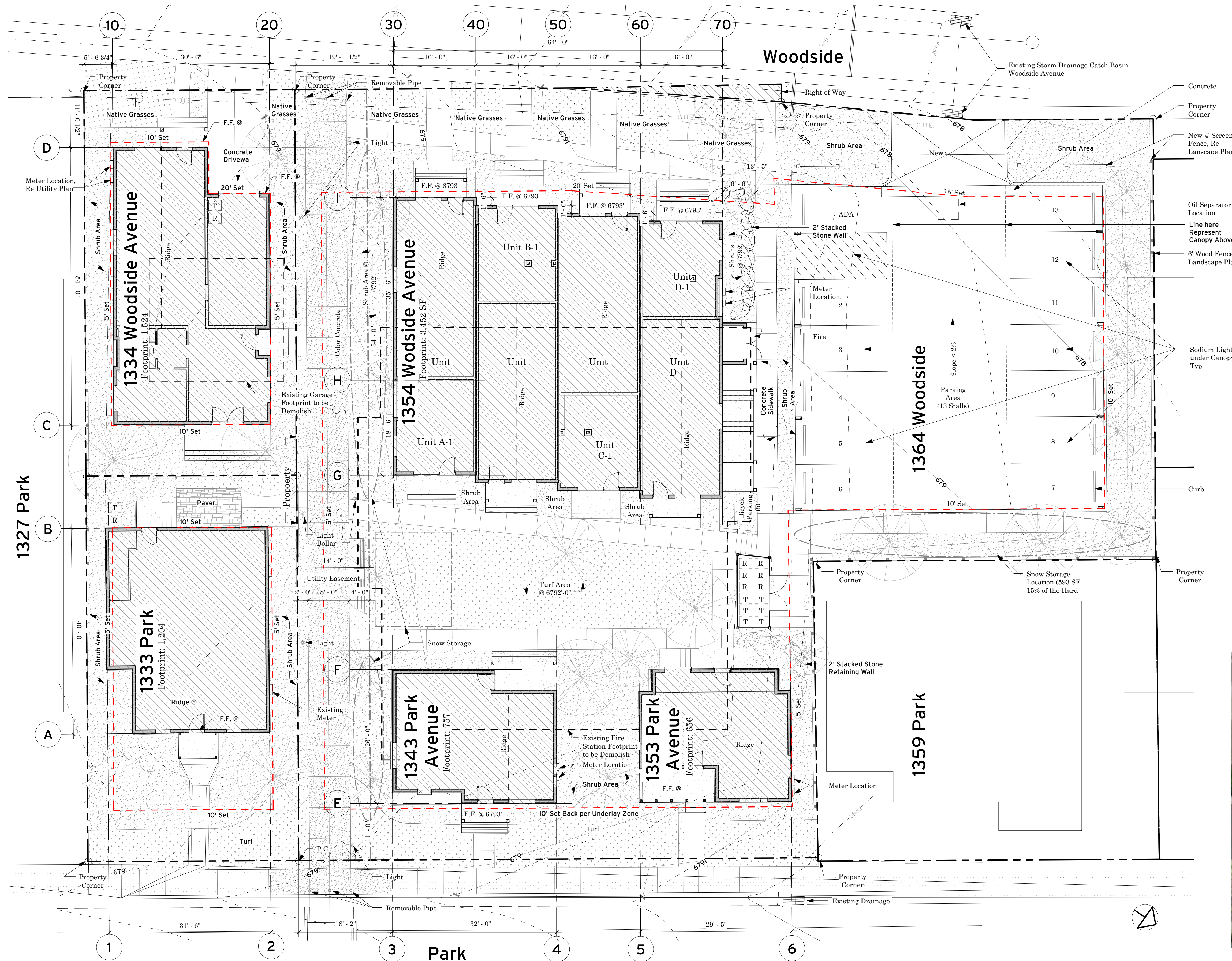
COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017
BY _____
MAYOR

CERTIFICATE OF ATTEST
I CERTIFY THIS SUBDIVISION PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2017
BY _____
PARK CITY RECORDER

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ ENTRY NO. _____
FEE _____ RECO _____



1 Existing 1353 Park Avenue Site Plan
SCALE: 1" = 10'-0"



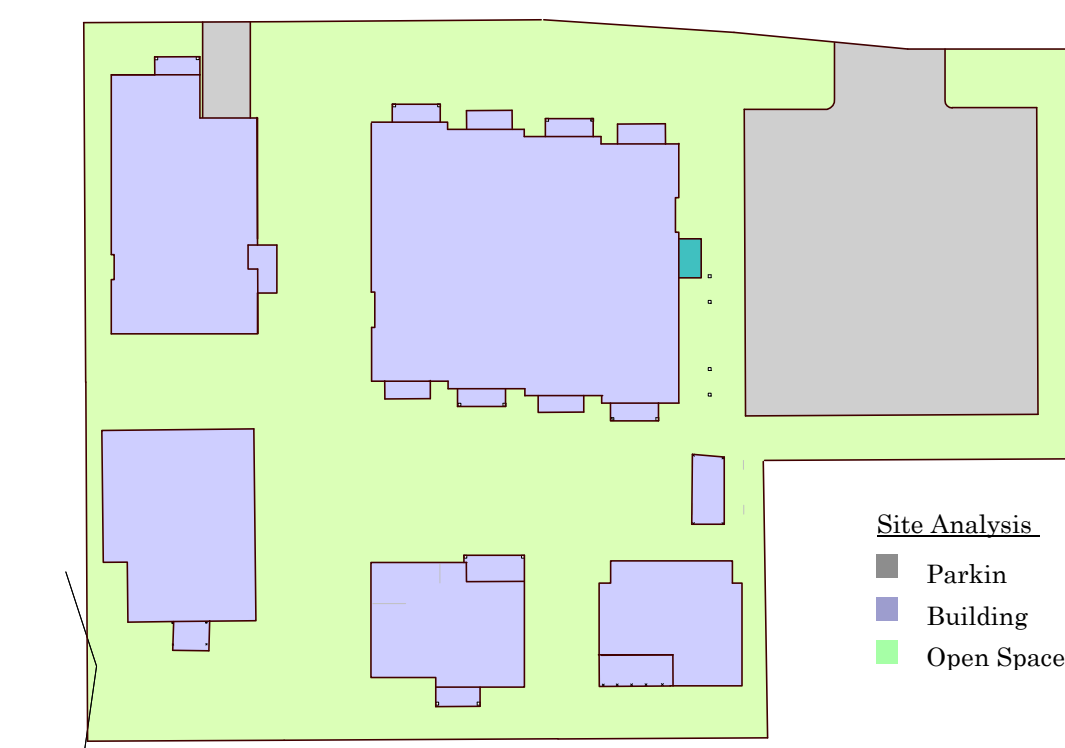
Parking Analysis

	Parking Requirement
1333 Park Avenue	0
1354 Park Avenue	0
1343 Park Avenue	1.5
1334 Woodside Avenue	2
1354 Woodside Avenue	10
TOTAL REQUIRED STALLS	13.5
Surface Parking	14
Structure Parking	1
TOTAL PROPOSED STALL	15

Site Analysis

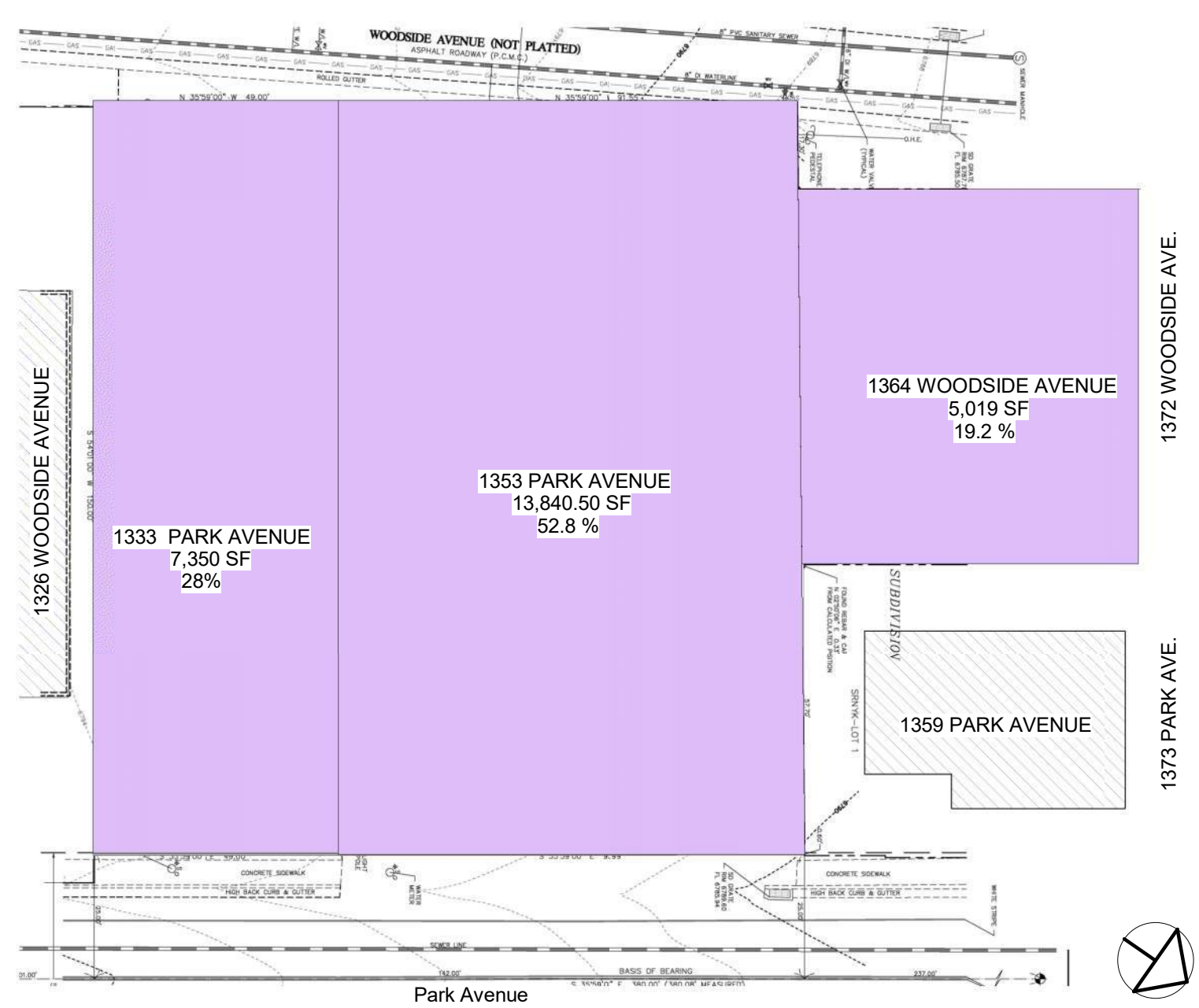
	Area	Acres	Percentage
Driveways/Parking	4,397	0.1	16.32%
Building Area	8,424	0.193	31.27%
Open Space	14,119	0.323	52.41%
TOTAL PROPERTY	26,940	0.616	100.00%

* Re: LMC 15-6-5-D



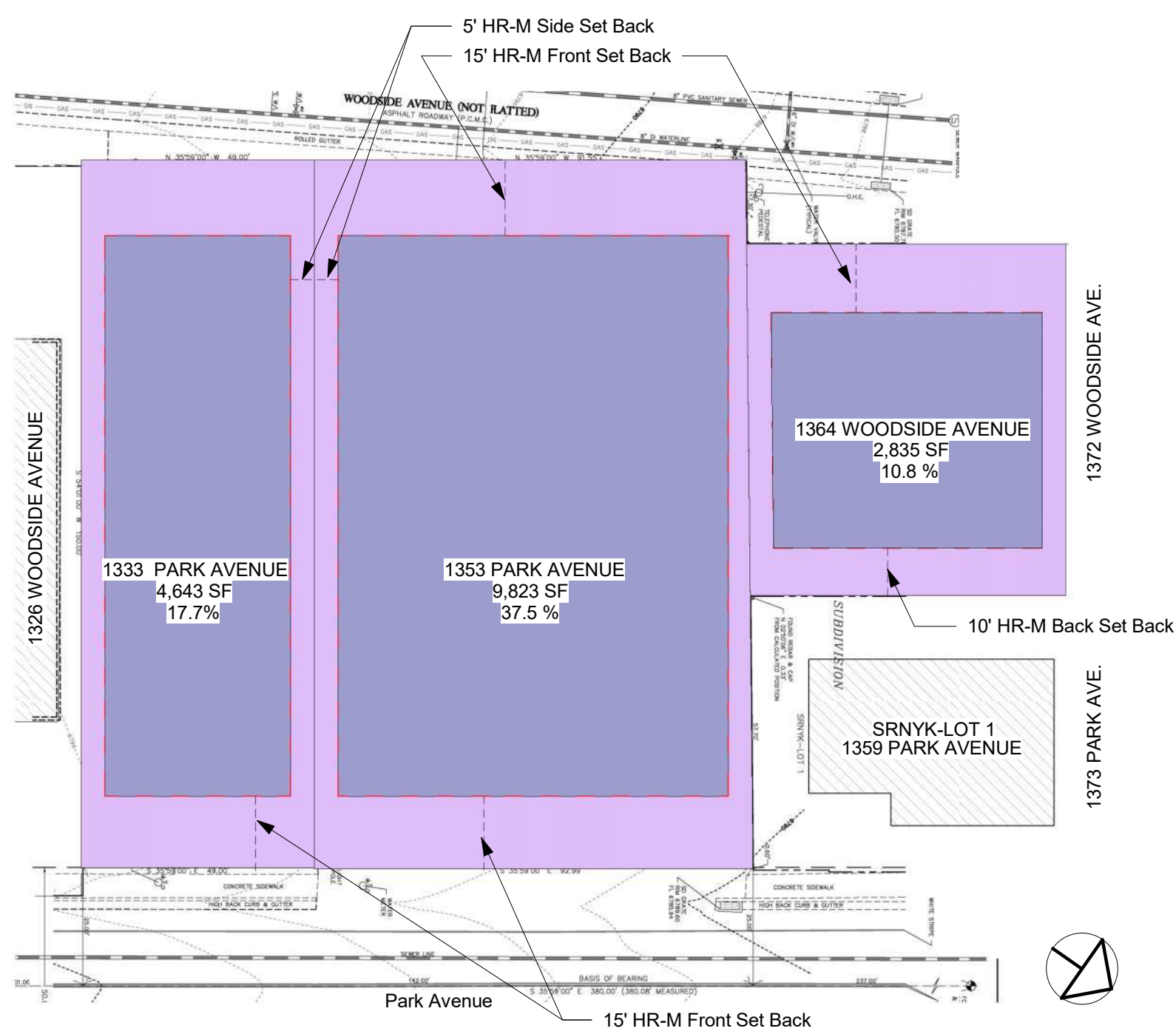
1 Proposed Site Plan
SCALE: 1" = 10'-0"

2 Proposed Aerial Photo
SCALE: 1" = 40'-0"



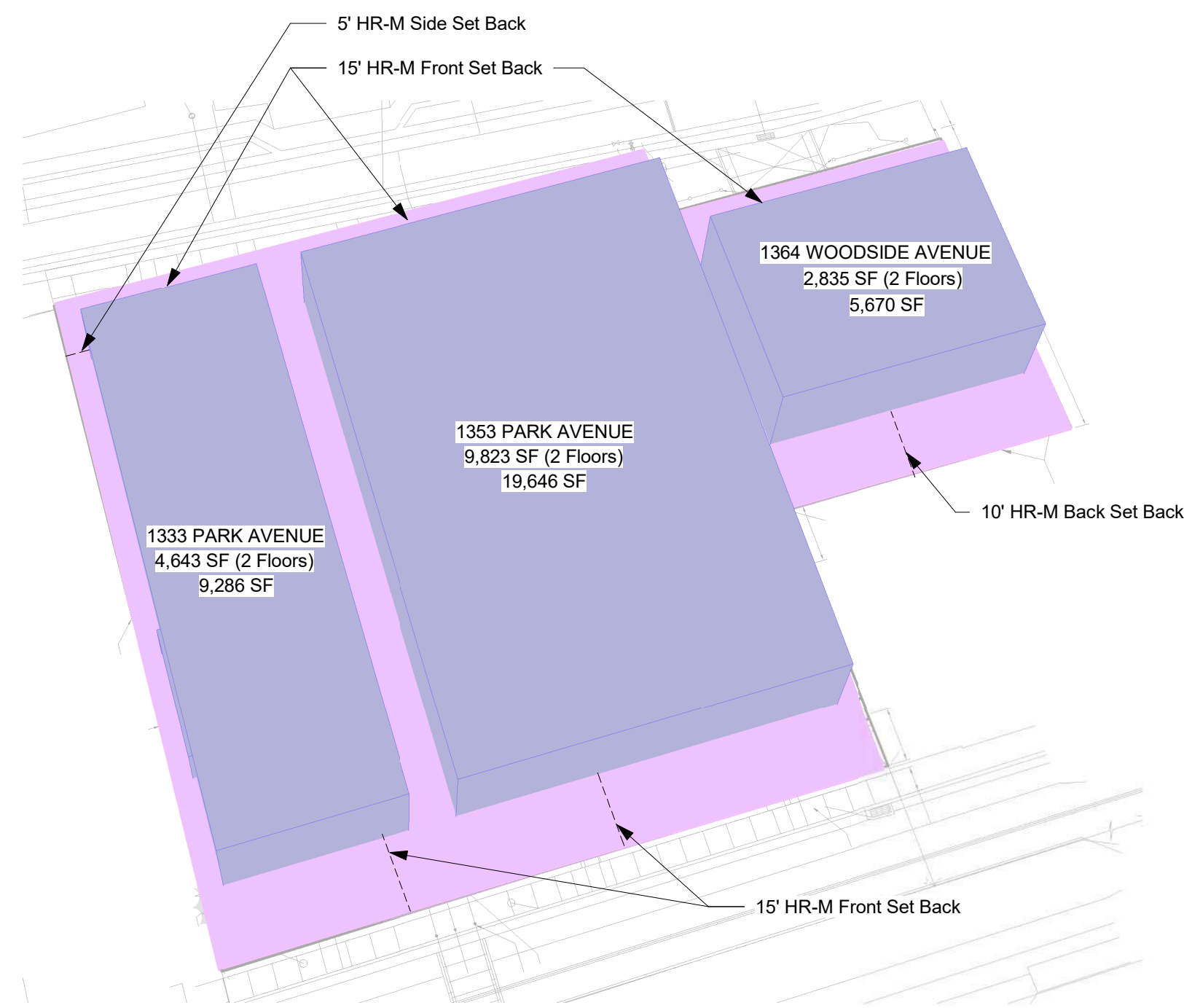
Property Area (Existing)

26,209.50 SQ FT = 100%



Buildable Area (Existing)

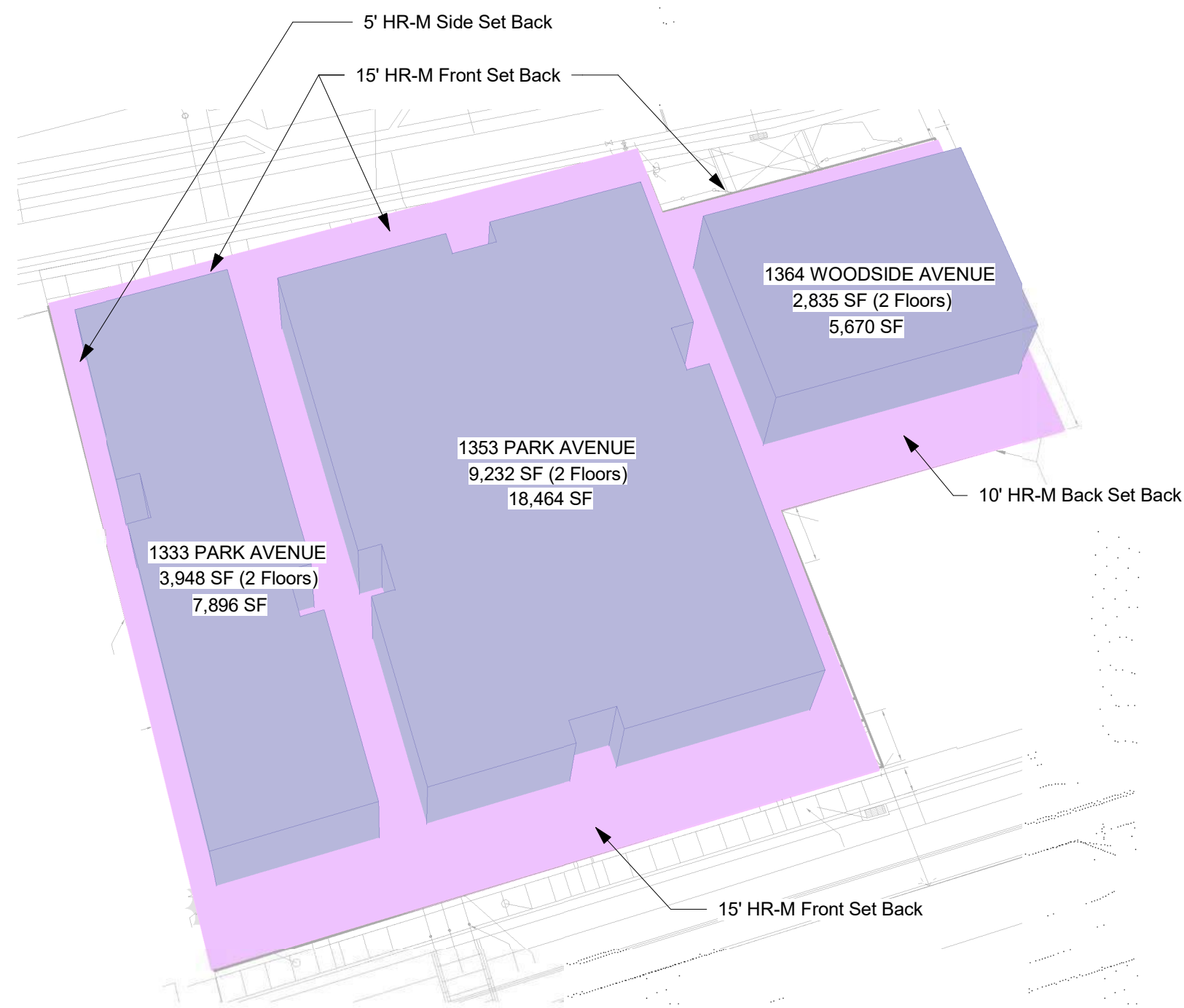
17,301 SQ FT = 66%
8,908.5 SQ FT = 34%



Buildable Volume (Existing)

34,602 SF

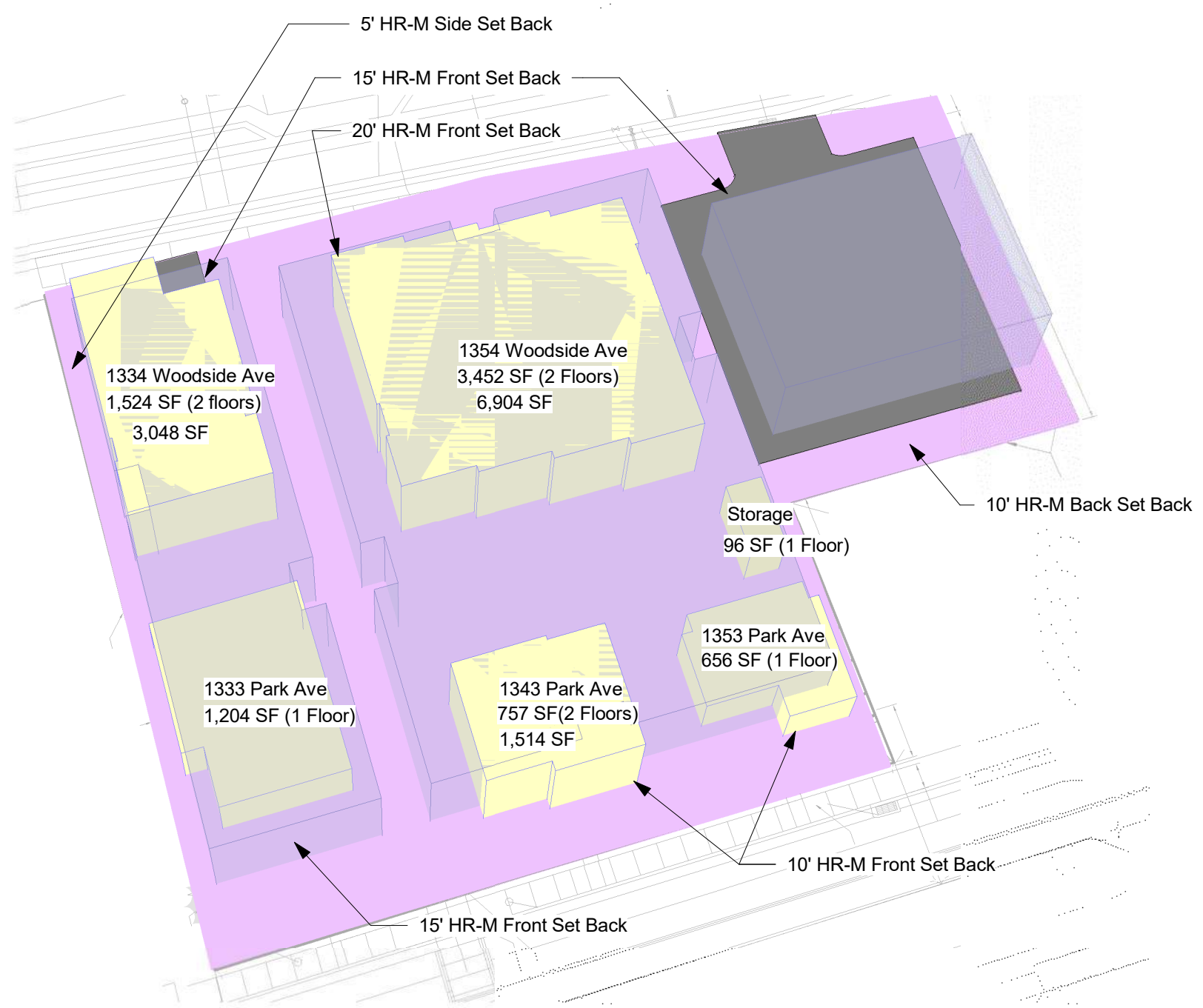
HR-M Zone Height 27' Maximum Building Developable Area



Buildable Volume (Allowable)

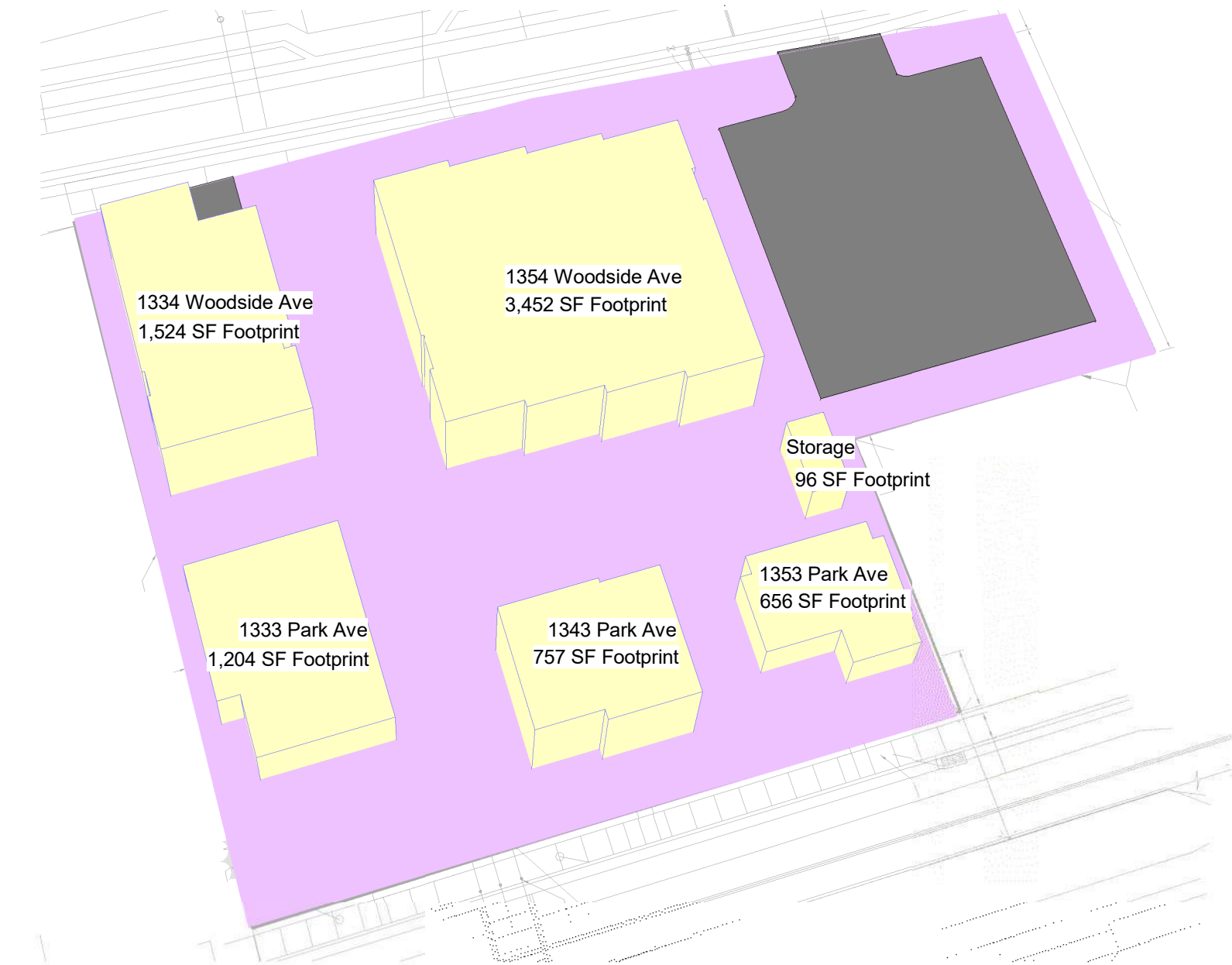
HR-M Zone Height 27' 26,209 SF

Maximum Building Developable Footprint 16,015 = 61 %
Open Space Area 10,194 = 39 %



Proposed Buildings

Proposed Building	Area	13,422 SF
Proposed Building Footprint	7,593 SF	
Proposed Storage	96 SF	



Proposed Open Space

4,397 SF Parking = 16.34 %
14,119 SF Open Space = 52.48 %

Legend

- Open space
- Buildable Area
- Parking
- Proposed Area

Site Analysis

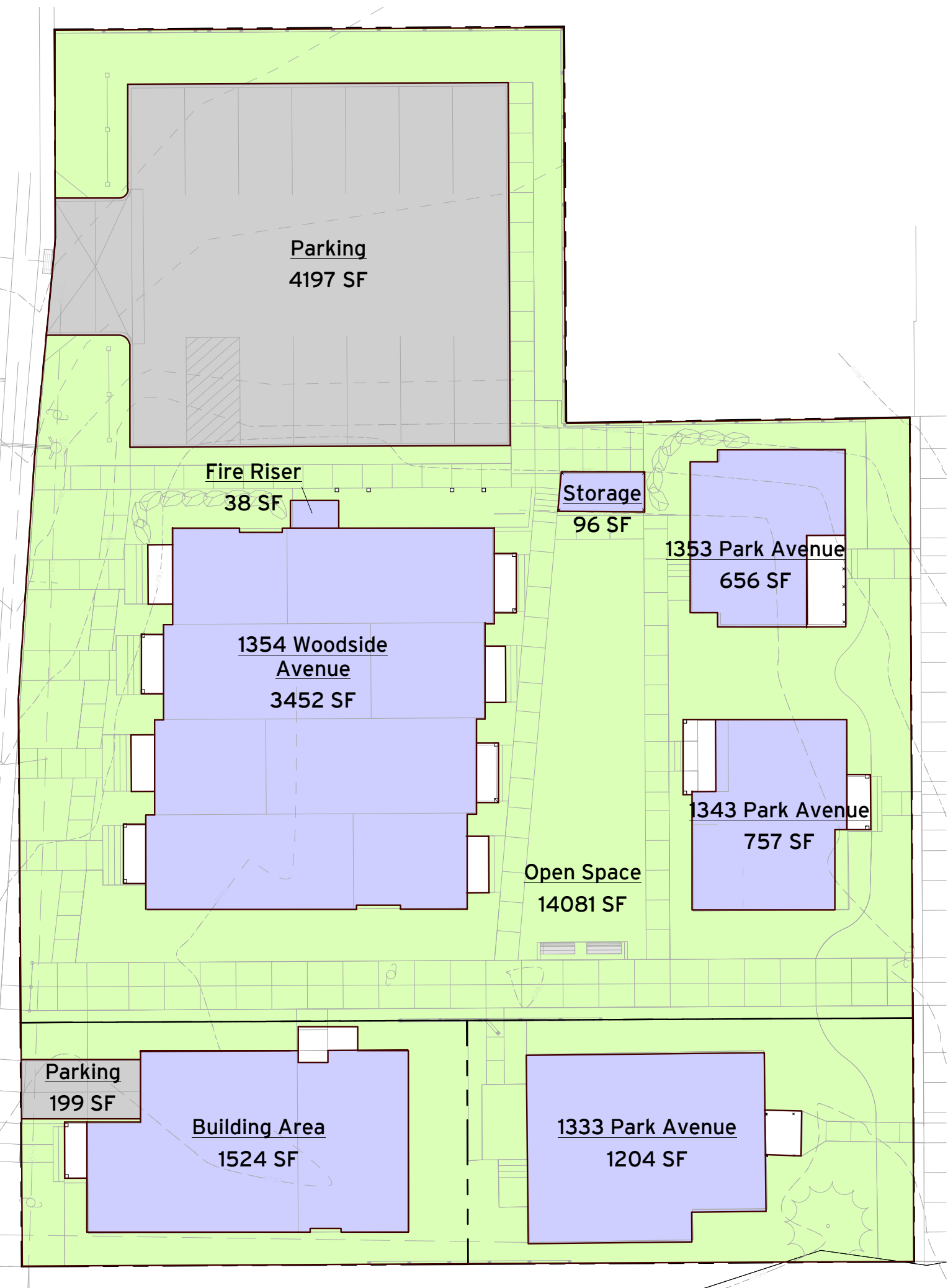
	Area	Acres	Percentage
Driveways/Parking	4,397	0.094	16.32%
Building Footprint	7,727	0.177	28.68%
Private Hardscape	697	0.014	2.59%
Open Space	14,119	0.307	52.41%
TOTAL PROPERTY	26940	0.592	100.00%

LEGEND

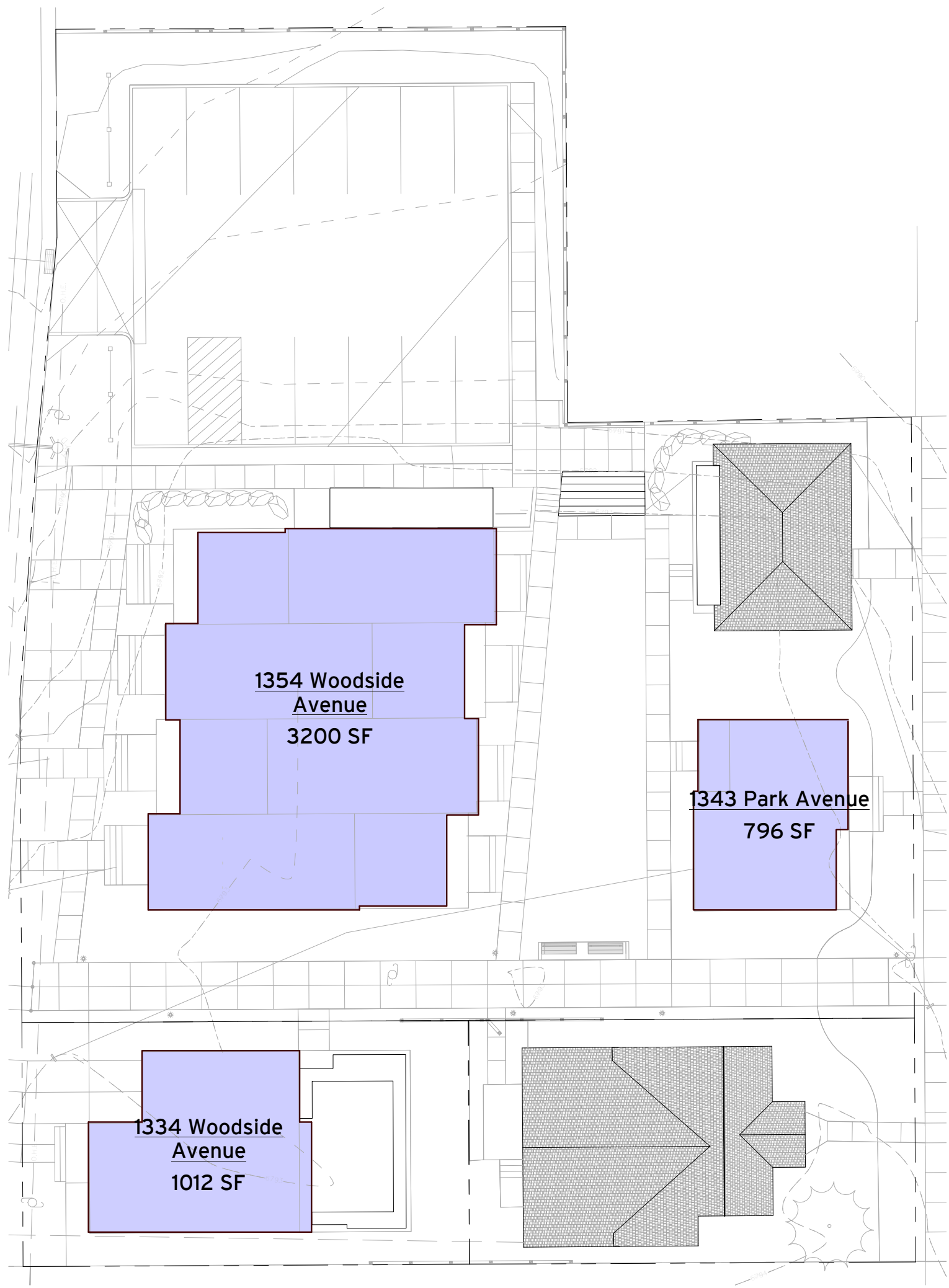
- Driveway/Parki
- Building
- Private
- Open Space

AREA CALCULATION - Gross / Net / UE's

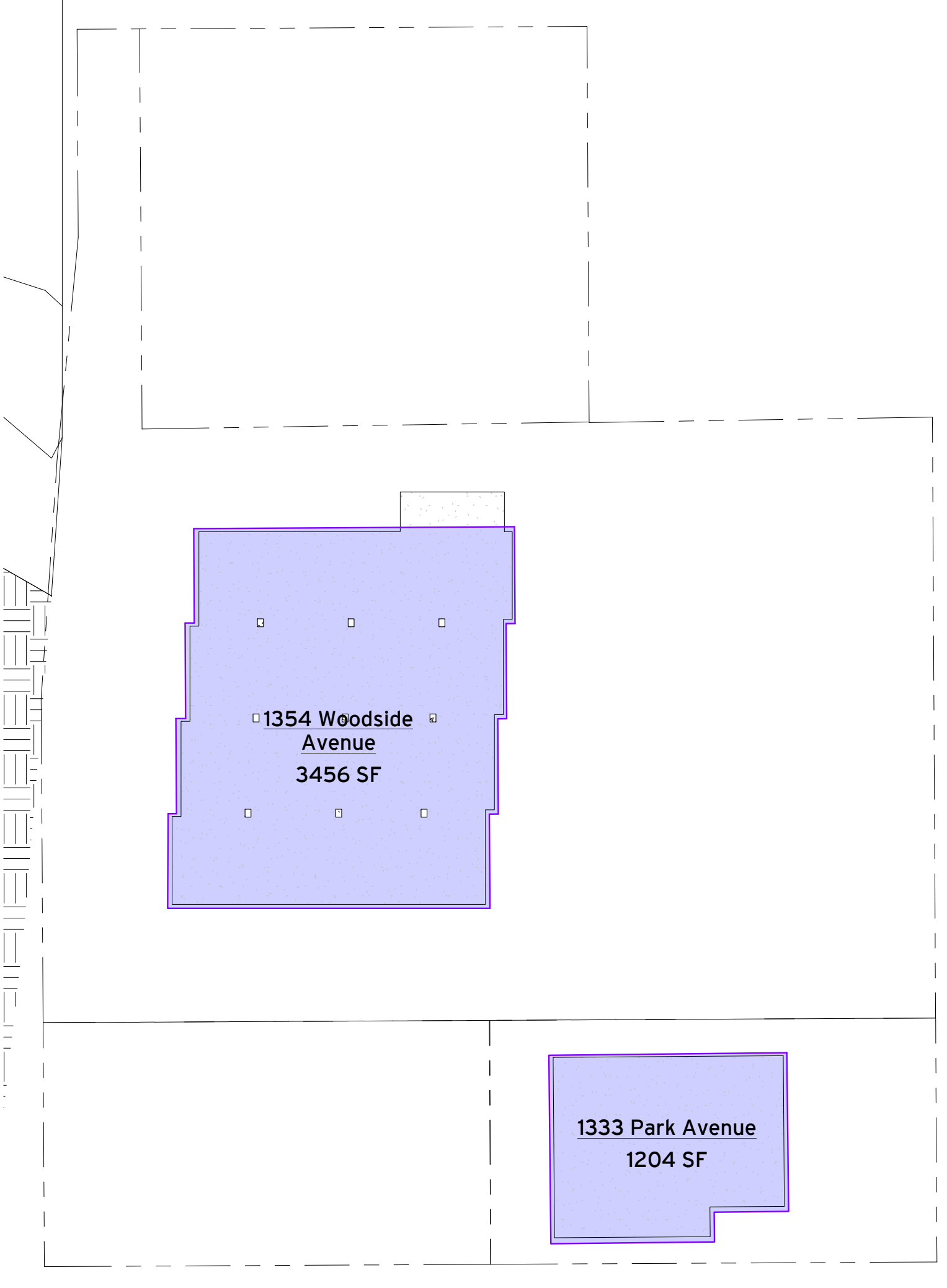
1333 Park Avenue								
Level	Useable Area	Gross Area	Residential Use	Commercial Use	Affordable Use	Residential UE	Commercial UE	Affordable UE
Lower Level	0	1,204			900			0.00
Level 1	1,036	1,204			900			1.15
TOTAL	1036	2,408						1.15
Percentage								100%
1353 Park Avenue								
Level	Useable Area	Gross Area	Residential Use	Commercial Use	Affordable Use	Residential UE	Commercial UE	Affordable UE
Level 1	576	656			900			0.64
TOTAL	576	656						0.64
Percentage								100%
1343 Park Avenue								
Level	Useable Area	Gross Area	Residential Use	Commercial Use	Affordable Use	Residential UE	Commercial UE	Affordable UE
Level 1	671	757			900			0.75
Level 2	648	796			900			0.72
TOTAL	1319	1553						1.47
Percentage								100%
1334 Woodside Avenue								
Level	Useable Area	Gross Area	Residential Use	Commercial Use	Affordable Use	Residential UE	Commercial UE	Affordable UE
Level 1	1,091	1,524	2,000			0.55		
Level 2	882	1,012	2,000			0.44		
TOTAL	1973	2,536				0.99		
Percentage						100%	0%	0%
1354 Woodside Avenue								
Level	Useable Area	Gross Area	Residential Use	Commercial Use	Affordable Use	Residential UE	Commercial UE	Affordable UE
Lower Level	0	3,456			900			0.00
Level 1	3,078	3,452			900			3.42
Level 2	2,710	3,200			900			3.01
TOTAL	5788	10,108						6.43
Percentage								100%
TOTAL	10692	17261				0.99	0.00	9.69
Percentage						9%	0%	91%



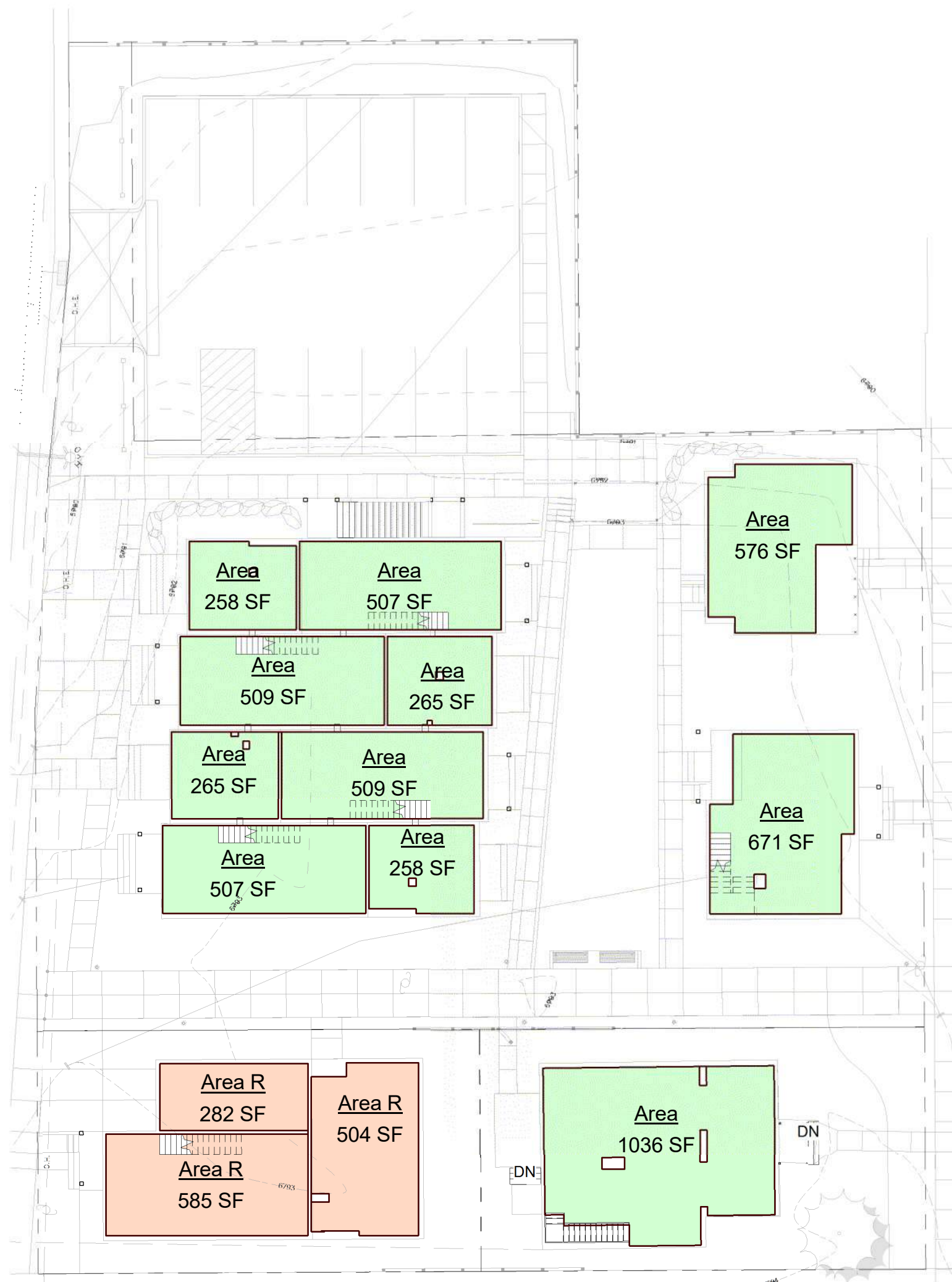
1 Gross Main Level
SCALE: 1" = 20'-0"



2 Gross Second Level
SCALE: 1" = 20'-0"



3 Gross Storage Level
SCALE: 1" = 20'-0"



1 Net Floor Level
SCALE: 1" = 20'-0"



2 Net Second Level
SCALE: 1" = 20'-0"

AREA CALCULATION - Net / Parking

Residential

Unit Name	Parcel	Level	Area SF	Area SF Total	Parking Ratio	Parking Requirements
1334 Woodside	Parcel 4	Level 1	585			
		Level 2	882			
				1,467	1.5 Stalls / Between 1,000-2,000SF	1.5
Accessory Building	Parcel 4	Level 1	504	504	1 Stall / Less than 1,000SF	1
TOTAL				1971		2.5

Affordable Housing

Unit Name	Parcel	Level	Area SF	Area SF Total	Parking Ratio	Parking Requirements
1333 Park Avenue	Parcel 1	Level 1	1,036	1,036	0 Stalls / Historic	0
1353 Park Avenue	Parcel 2	Level 1	576	576	0 Stalls / Historic	0
1343 Park Avenue	Parcel 3	Level 1	671			
		Level 2	648			
				1,319	1.5 Stalls / Between 1,000-2,000SF	1.5
1354 Woodside Avenue	Parcel 5	Level 1	507			
		Level 2	670			
				1,177	1.5 Stalls / Between 1,000-2,000SF	1.5
	Parcel 6	Level 1	509			
		Level 2	685			
				1,194	1.5 Stalls / Between 1,000-2,000SF	1.5
	Parcel 7	Level 1	509			
		Level 2	685			
				1,194	1.5 Stalls / Between 1,000-2,000SF	1.5
	Parcel 8	Level 1	507			
		Level 2	670			
				1,177	1.5 Stalls / Between 1,000-2,000SF	1.5
Accessory Building	Parcel 5	Level 1	258	258	1 Stall / Less than 1,000SF	1
	Parcel 6	Level 1	265	265	1 Stall / Less than 1,000SF	1
	Parcel 7	Level 1	265	265	1 Stall / Less than 1,000SF	1
	Parcel 8	Level 1	258	258	1 Stall / Less than 1,000SF	1
TOTAL				8719		11.5



Aerial View 1 From Park Avenue



Aerial View 2 From Woodside Avenue



Courtyard View 1



Courtyard View 2



Park Avenue View



Woodside Avenue View



Woodside Avenue View



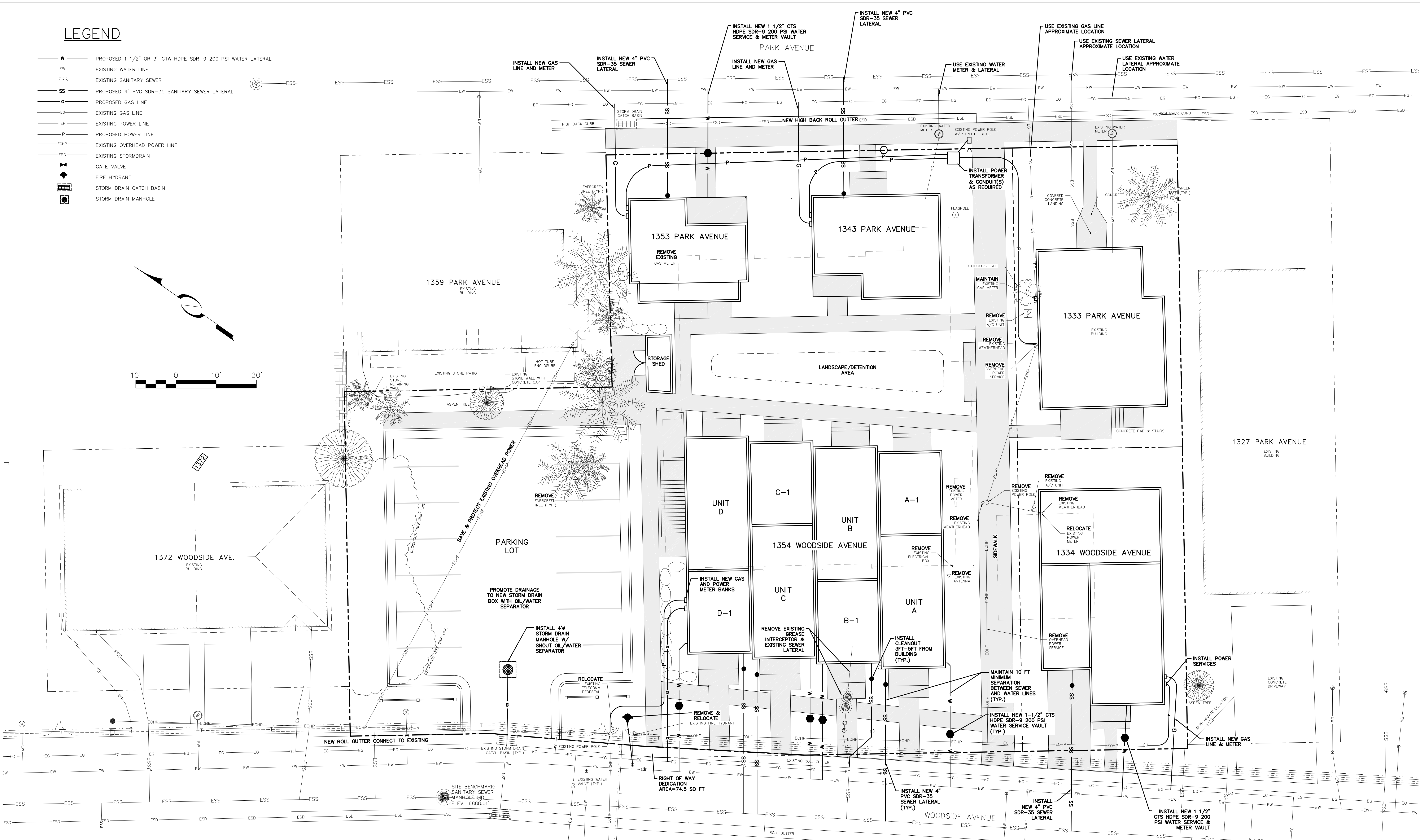
Woodside Avenue View

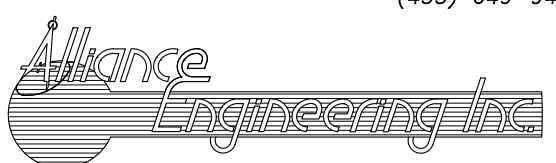


1 Section
SCALE: 1/8" = 1'-0"

LEGEND

- W PROPOSED 1 1/2" OR 3" CTW HDPE SDR-9 200 PSI WATER LATERAL
- EW EXISTING WATER LINE
- ESS EXISTING SANITARY SEWER
- SS PROPOSED 4" PVC SDR-35 SANITARY SEWER LATERAL
- G PROPOSED GAS LINE
- EG EXISTING GAS LINE
- EP EXISTING POWER LINE
- P PROPOSED POWER LINE
- EOHP EXISTING OVERHEAD POWER LINE
- ESD EXISTING STORMDRAIN
- Gate Valve
- Fire Hydrant
- Storm Drain Catch Basin
- Storm Drain Manhole





(435) 649-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
MICHAEL DEMKOWICZ
JUAN CARRASCO
TANDIN CHAPMAN

DATE: 4/25/17

1333, 1353 PARK AVE. & 1364 WOODSIDE AVE.

WOODSIDE PARK

CONCEPT UTILITY PLAN

FOR: PARK CITY MUNICIPAL CORPORATION

JOB NO.: 7-10-16

FILE: X:\SnydersAddition\dwg\Projects\Woodside Park\071016-Woodside Park-civil.dwg

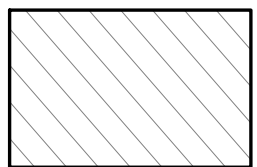
SHEET

1

OF

2

LEGEND



PERVIOUS SURFACE



IMPERVIOUS SURFACE



ANALYSIS AREA
BOUNDARY

4/24/2017



Precipitation Frequency Data Server

NOAA Atlas 14, Volume 1, Version 5

Location name: Park City, Utah, USA*

Latitude: 40.65° Longitude: -111.5°

Elevation: 6936.48 ft**

* source: EPR Maps

** source: USGS

POINT PRECIPITATION FREQUENCY ESTIMATES

Samir Perica, Sarah Diaz, Sarah Hain, Li-Bin Hsu, Kazungu Mubarek, Delonah Martin, Sandra Paredes, Walter Rapp, Carl Topinka, David Ulrich, Fengyu Yao, Michael Yedda, Tim Zhou, Geoffrey Bortnik, Daniel Brewen, Li-Chuan Chen, Tye Flaczick, John Vardach

NOAA, National Weather Service, Silver Spring, Maryland

PF_tabular | PF_graphical | Maps_A_webiste

PF tabular

Duration	Average recurrence interval (years)									
	1	2	5	10	25	50	100	200	500	1000
5-min	1.54 (1.35-1.75)	1.84 (1.72-2.28)	2.68 (2.34-3.10)	3.32 (2.89-3.89)	4.40 (3.71-5.10)	5.41 (4.42-6.40)	6.59 (5.20-7.80)	7.98 (6.05-9.73)	16.2 (7.34-12.8)	12.3 (6.41-15.8)
10-min	1.17 (1.03-1.36)	1.48 (1.35-1.72)	2.03 (1.79-2.30)	2.53 (2.19-2.89)	3.35 (2.82-3.88)	4.12 (3.36-4.87)	5.02 (3.96-6.07)	6.08 (4.60-7.45)	7.80 (5.99-9.74)	8.37 (6.40-10.0)
15-min	0.964 (0.848-1.12)	1.22 (1.08-1.42)	1.69 (1.47-1.94)	2.19 (1.81-2.44)	2.77 (2.33-3.25)	3.40 (2.78-4.02)	4.14 (3.27-4.86)	5.02 (3.80-6.12)	6.44 (4.62-8.05)	7.74 (5.28-9.82)
30-min	0.650 (0.572-0.750)	0.824 (0.724-0.950)	1.13 (0.963-1.31)	1.41 (1.20-1.64)	1.86 (1.57-2.19)	2.29 (1.87-2.71)	2.79 (2.20-3.34)	3.38 (2.64-4.12)	4.34 (3.11-4.42)	5.22 (3.06-6.88)
60-min	0.402 (0.353-0.460)	0.510 (0.449-0.592)	0.699 (0.612-0.811)	0.873 (0.759-1.01)	1.15 (0.970-1.35)	1.42 (1.16-1.68)	1.73 (1.36-2.07)	2.09 (1.58-2.55)	2.69 (1.92-3.35)	3.23 (2.21-4.13)
2-hr	0.258 (0.223-0.293)	0.320 (0.284-0.364)	0.420 (0.379-0.477)	0.512 (0.459-0.564)	0.664 (0.586-0.763)	0.805 (0.670-0.922)	0.973 (0.782-1.15)	1.17 (0.904-1.41)	1.50 (1.09-1.85)	1.79 (1.29-2.27)
3-hr	0.198 (0.179-0.222)	0.245 (0.222-0.274)	0.315 (0.279-0.348)	0.372 (0.332-0.417)	0.470 (0.409-0.528)	0.556 (0.474-0.634)	0.661 (0.547-0.787)	0.785 (0.627-0.948)	1.00 (0.757-1.25)	1.21 (0.866-1.53)
6-hr	0.132 (0.122-0.145)	0.163 (0.150-0.179)	0.198 (0.182-0.219)	0.233 (0.211-0.255)	0.289 (0.251-0.310)	0.329 (0.282-0.387)	0.364 (0.317-0.413)	0.419 (0.364-0.480)	0.518 (0.421-0.630)	0.610 (0.477-0.775)
12-hr	0.084 (0.077-0.090)	0.103 (0.094-0.113)	0.128 (0.115-0.137)	0.144 (0.131-0.151)	0.172 (0.155-0.190)	0.195 (0.173-0.217)	0.220 (0.191-0.240)	0.247 (0.210-0.285)	0.288 (0.239-0.337)	0.322 (0.250-0.390)
24-hr	0.054 (0.050-0.059)	0.067 (0.061-0.072)	0.080 (0.074-0.087)	0.091 (0.084-0.099)	0.106 (0.097-0.115)	0.118 (0.108-0.129)	0.131 (0.118-0.142)	0.143 (0.129-0.156)	0.160 (0.143-0.175)	0.173 (0.154-0.198)
2-day	0.032 (0.030-0.035)	0.040 (0.037-0.043)	0.048 (0.044-0.052)	0.054 (0.050-0.058)	0.064 (0.059-0.069)	0.070 (0.064-0.077)	0.078 (0.071-0.085)	0.085 (0.077-0.095)	0.095 (0.085-0.104)	0.102 (0.091-0.113)
3-day	0.024 (0.022-0.026)	0.030 (0.027-0.032)	0.036 (0.033-0.039)	0.041 (0.037-0.044)	0.048 (0.043-0.052)	0.053 (0.048-0.058)	0.059 (0.053-0.064)	0.064 (0.058-0.070)	0.072 (0.064-0.079)	0.078 (0.069-0.086)
4-day	0.020 (0.018-0.022)	0.025 (0.023-0.027)	0.030 (0.027-0.032)	0.034 (0.031-0.037)	0.040 (0.036-0.043)	0.044 (0.040-0.048)	0.049 (0.044-0.054)	0.054 (0.048-0.059)	0.060 (0.053-0.067)	0.066 (0.057-0.073)
7-day	0.014 (0.013-0.015)	0.017 (0.016-0.019)	0.020 (0.019-0.021)	0.023 (0.021-0.025)	0.027 (0.025-0.029)	0.030 (0.027-0.033)	0.033 (0.030-0.037)	0.036 (0.033-0.040)	0.041 (0.036-0.046)	0.044 (0.039-0.049)
10-day	0.011 (0.010-0.012)	0.014 (0.012-0.015)	0.016 (0.015-0.018)	0.018 (0.017-0.020)	0.021 (0.019-0.023)	0.023 (0.021-0.026)	0.025 (0.023-0.030)	0.028 (0.027-0.033)	0.030 (0.028-0.035)	0.032 (0.029-0.036)
20-day	0.007 (0.007-0.008)	0.009 (0.008-0.010)	0.011 (0.010-0.011)	0.012 (0.011-0.013)	0.013 (0.012-0.015)	0.015 (0.013-0.018)	0.016 (0.014-0.017)	0.017 (0.015-0.019)	0.018 (0.017-0.020)	0.019 (0.017-0.021)
30-day	0.006 (0.005-0.006)	0.007 (0.007-0.008)	0.008 (0.008-0.009)	0.009 (0.009-0.010)	0.011 (0.010-0.012)	0.012 (0.011-0.013)	0.013 (0.011-0.014)	0.013 (0.012-0.015)	0.014 (0.013-0.016)	0.015 (0.014-0.017)
45-day	0.005 (0.004-0.005)	0.006 (0.005-0.006)	0.007 (0.007-0.008)	0.008 (0.008-0.009)	0.009 (0.009-0.010)	0.010 (0.009-0.011)	0.010 (0.010-0.011)	0.011 (0.010-0.012)	0.012 (0.011-0.013)	0.012 (0.011-0.014)
60-day	0.004 (0.004-0.005)	0.005 (0.005-0.006)	0.006 (0.006-0.007)	0.007 (0.006-0.007)	0.008 (0.007-0.008)	0.008 (0.008-0.009)	0.010 (0.009-0.010)	0.010 (0.009-0.011)	0.011 (0.009-0.011)	0.011 (0.010-0.012)

* Precipitation frequency (PF) estimates in this table are based on frequency analysis of partial duration series (PDS).
Numbers in parentheses are PF estimates at lower and upper bounds of the 90% confidence interval. The probability that precipitation frequency estimates (for a given duration and average recurrence interval) will be greater than the upper bound (or less than the lower bound) is 5%. Estimates at upper bounds are not checked against probable maximum precipitation (PMP) estimates and may be higher than currently valid PMP values.
Please refer to NOAA Atlas 14 document for more information.

Back to Top

http://hdsc.nws.noaa.gov/hdsc/pfds/pfds_printpage.html?lat=40.6500&lon=-111.5000&data=us&units=english&series=pds

14

METHOD OF ANALYSIS: RATIONAL METHOD Q=CIA

STORM RETURN PERIOD: 100 YEARS

STORM DURATION: 15 MIN

Q=RUNOFF FLOWRATE [CUBIC FEET/SEC]

C=RUNOFF COEFFICIENT=(0.1*PERVIOUS AREA+0.9*IMPERVIOUS AREA)/TOTAL AREA

I=STORM INTENSITY [INCHES/HR]

A=AREA [ACRES]

PRE-DEVELOPMENT

ANALYSIS AREA (LOT BOUNDARY) = 0.618 ACRES

PRE-DEVELOPMENT PERVIOUS AREA = 0.182 ACRES

PRE-DEVELOPMENT IMPERVIOUS AREA = 0.436 ACRES

C = RUNOFF COEFFICIENT = 0.664

i = STORM INTENSITY = 4.14 IN/HR

Q = CIA = (0.664)(4.14 IN/HR)(0.618 ACRES) = 1.70 CFS

POST-DEVELOPMENT

ANALYSIS AREA (LOT BOUNDARY) = 0.618 ACRES

POST-DEVELOPMENT PERVIOUS AREA = 0.230 ACRES

POST-DEVELOPMENT IMPERVIOUS AREA = 0.388 ACRES

C = RUNOFF COEFFICIENT = 0.602

i = STORM INTENSITY = 4.14 IN/HR

Q = CIA = (0.602)(4.14 IN/HR)(0.618 ACRES) = 1.54 CFS

SUMMARY

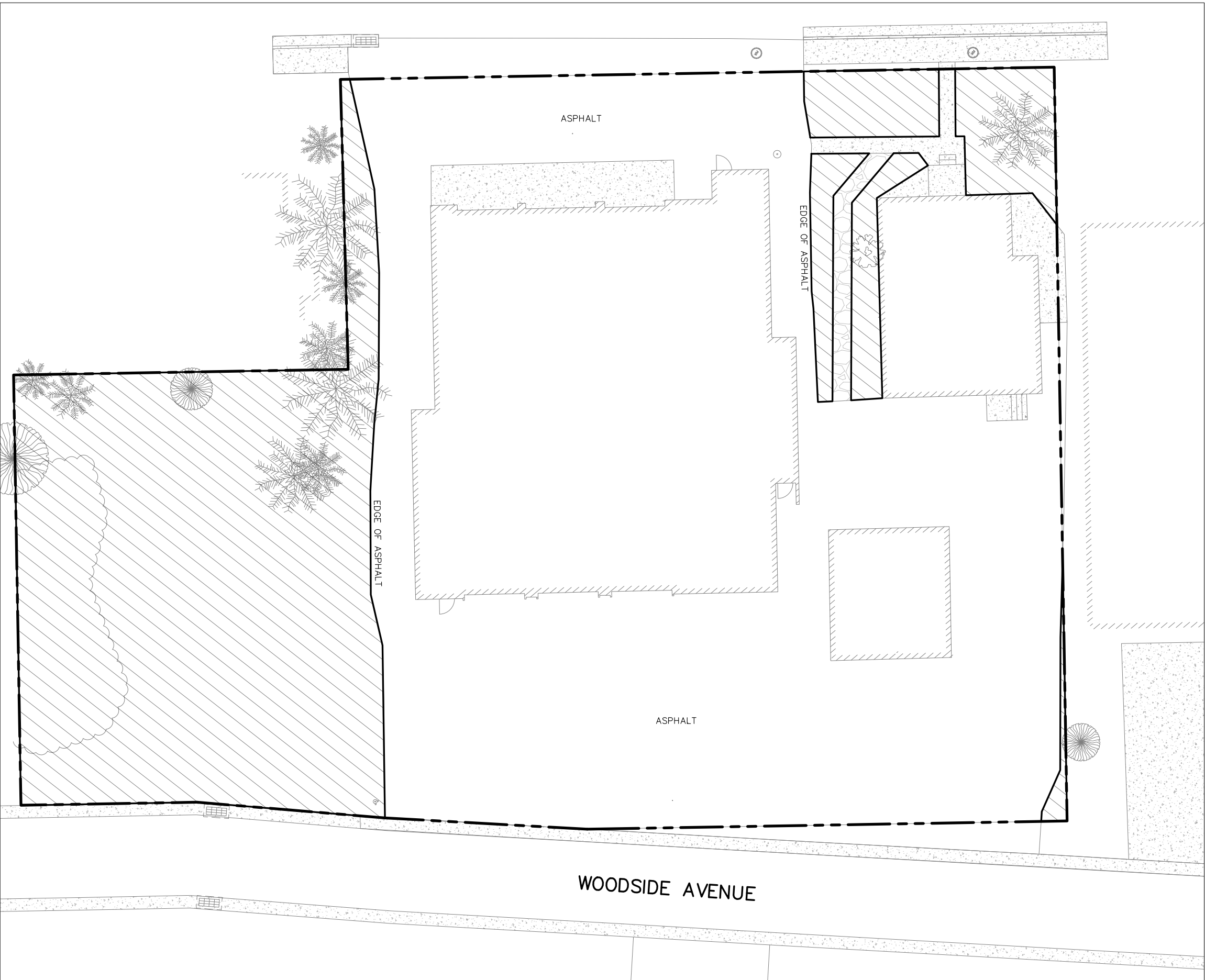
ΔQ = 1.54 CFS - 1.70 CFS = -0.16 CFS

THE RUNOFF FROM PRE-DEVELOPMENT TO POST-DEVELOPMENT DECREASES, THEREFORE NO ON-SITE DETAINMENT IS REQUIRED.

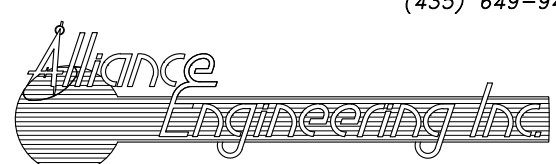
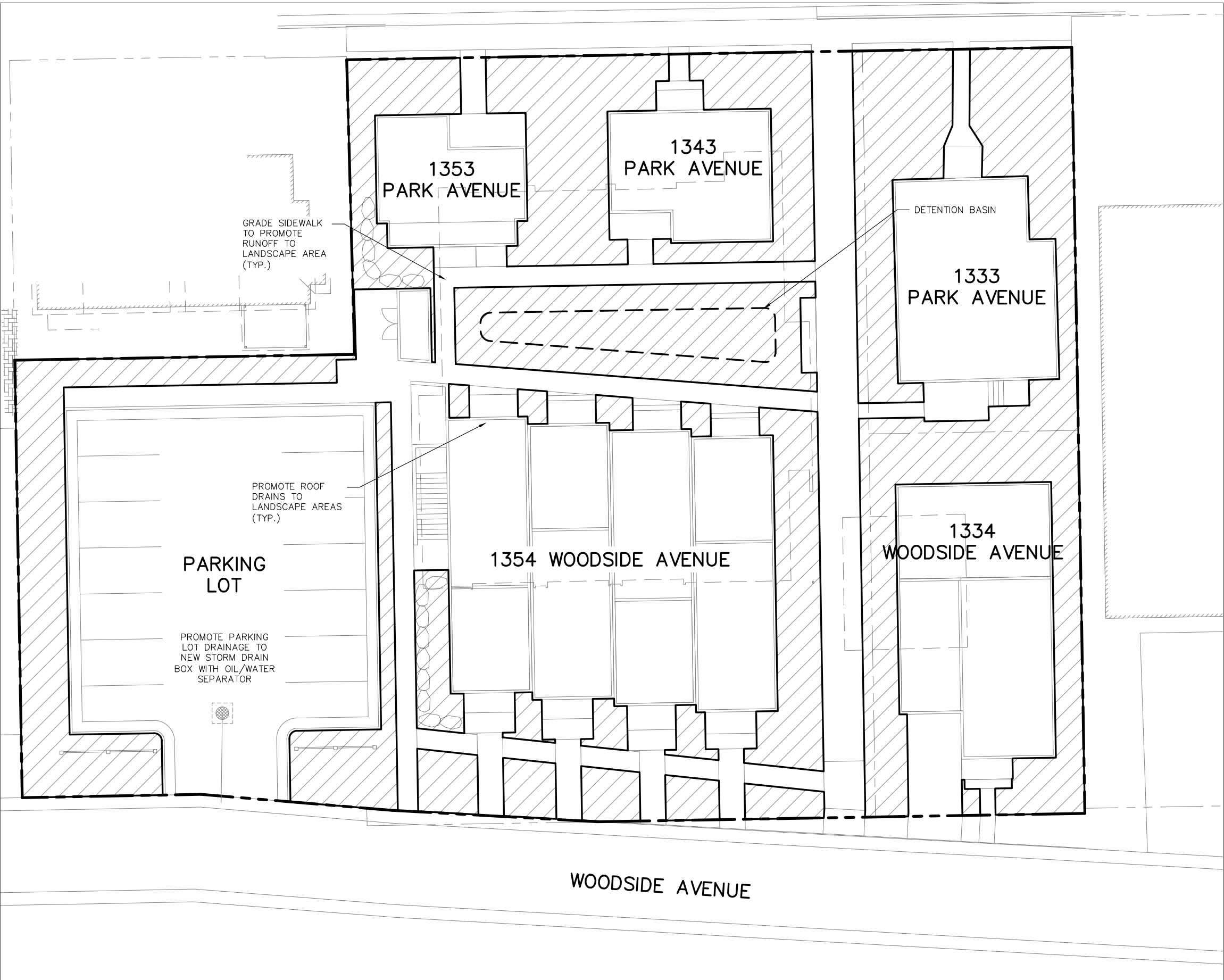
HOWEVER, DEVELOPMENT WILL STILL PROMOTE ON-SITE

DETENTION AT LANDSCAPE AREAS.

PRE-DEVELOPMENT



POST-DEVELOPMENT



(435) 649-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:

MICHAEL DEMKOWICZ
JUAN CARRASCO
TANDIN CHAPMAN

DATE: 4/25/17

1333, 1353 PARK AVE. & 1364 WOODSIDE AVE.

WOODSIDE PARK
STORMWATER MANAGEMENT PLAN

FOR: PARK CITY MUNICIPAL CORPORATION

JOB NO.: 7-10-16

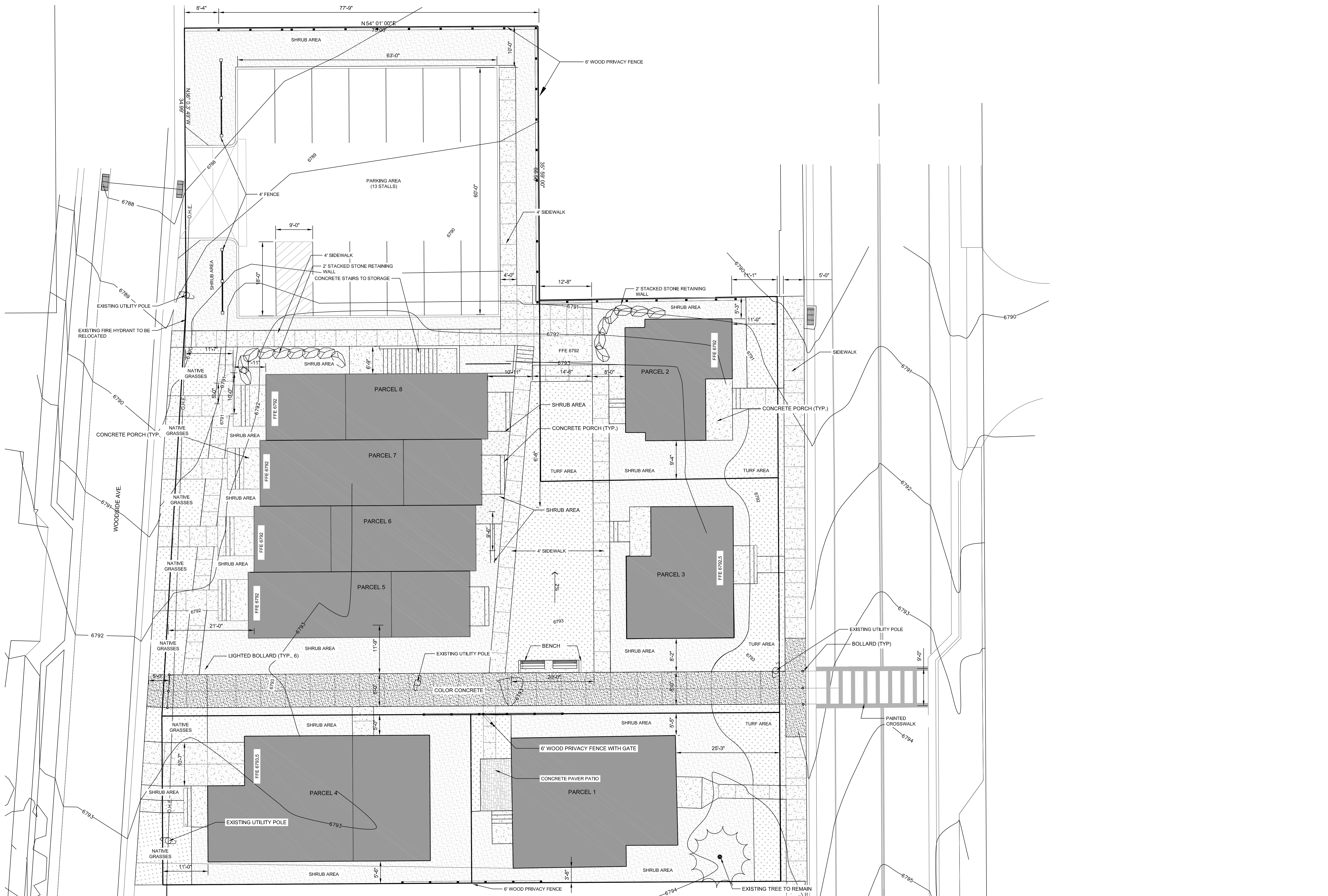
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SHEET

2

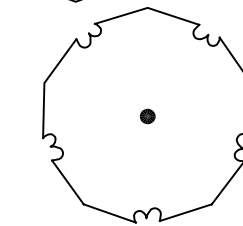
OF

2





TREES

SHRUBSGRASSES

Turf Area

Exhibit C:
MPD Action Letter from Planning
Commission Approval on August 23, 2017



August 25, 2017

Park City Municipal Corporation
445 Marsac Avenue
P.O. Box 1480
Park City, UT 84103

CC: Elliott Workgroup, Project Architects

NOTICE OF PLANNING COMMISSION ACTION

Description

Project Description: Woodside Park Master Planned Development
Project Number: PL-17-03454
Project Address: 1333 Park Avenue, 1353 Park Avenue, and 1364 Woodside Avenue
Date of Final Action: August 23, 2017

Action Taken

On August 23, 2017 the Planning Commission conducted a public hearing and approved the Woodside Park Master Planned Development (MPD) according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact:

1. The proposed site location consists of 1333 Park Avenue ("Significant" Single-Family Dwelling), 1353 Park Avenue (the former Park Avenue Fire Station parcel), and 1364 Woodside Avenue (vacant lot)
2. The site is known as the Woodside Park Affordable Housing Project Phase I.
3. Phase I of the Woodside Park Affordable Housing Project will consist of 10.68 Unit Equivalents to be located between Woodside Avenue and Park Avenue. The scope will include: Demolition of the former Park Avenue Fire Station; Four (4) Single-Family Dwellings; An eight-unit (8-unit) Multi-Unit Dwelling; A Thirteen-car (13-car) Parking Lot and An Access Easement running east-west.
4. During a Work Session on August 25, 2016, City Council provided the Lower Park Avenue Affordable Housing Project Team (Elliott Workgroup, Economic Development, Housing, Planning, and Community Development) with direction to pursue a preferred concept for affordable housing on the former Park Avenue Fire Station Parcel.
5. At the October 20th, 2016 meeting, City Council provided affirmative direction to pursue the preferred concept, as amended, and begin the Land Use process.

6. The Project Team met weekly to develop the required Land Use application submittals and conduct further LMC pre-reviews with Planning Department staff as required by the Land Management Code 15-6-4.
7. There are eight (8) applications total for the entire scope of Phase I.
8. On January 26, 2017 Elliot Workgroup submitted the MPD application as the representative for Park City Municipal Corporation. The application was deemed complete on March 2, 2017 after staff worked with the applicant on the requirements for the submittal.
9. The Planning Commission reviewed and continued this Master Planned Development application during a Work Session on July 12th, 2017. The Planning Commission held a public hearing and continued the Master Planned Development application on July 26th, 2017.
10. On June 28th, 2017, July 12th, 2016, August 9th, 2017 the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on the Utah Public Notice Website and Park Record on June 24th, 2017, July 8th, 2017, and August 5th, 2017 according to requirements of the Land Management Code.
11. At the July 12th, 2017 Work Session, the Planning Commission reviewed the entire scope of the project and discussed specific items with the applicant. The specific discussion items included, but were not limited to Snow storage, Area context on a neighborhood scale, Parking Requirements based on unit type, Solar panel glare, other examples of similar Affordable Housing projects, and Sound mitigation between units of the Multi-Unit Dwelling.
12. On March 1, 2017, the Historic Preservation Board (HPB) reviewed the Historic District Design Review (HDDR) application and approved the Material Deconstruction and Relocation of the "Significant" Single-Family Dwelling at 1323 Woodside Avenue to 1353 Park Avenue.
13. On March 1, 2017, the HPB reviewed the HDDR application and approved the Material Deconstruction of the "Significant" Single-Family Dwelling located at 1333 Park Avenue.
14. The remaining HDDR applications are under review by Planning Staff pending additional modifications and/or reviews by Planning Commission for the Conditional Use Permits.
15. The proposal complies with Land Management Code (LMC) § 15-6-5(A) Density as the proposed Density of the MPD does not exceed the maximum Density in the zone. The proposed MPD consists of 5.25 Residential Unit Equivalents.
16. Land Management Code (LMC) § 15-6-5(B) Building Footprint is not applicable as the site is not located in the HR-1 or HR-2 District. The proposed MPD is located in the HR-M Zoning District.
17. The proposal complies with Land Management Code (LMC) § 15-6-5(C) Setbacks as Per [LMC 15-6-5\(C\)\(2\)](#), for parcels less than one (1) acre in size and located inside the HRM, HR-1, HR-2, HR-L, HRC, and HCB, Districts, the minimum Setback around the exterior boundary of an MPD shall be determined by the Planning Commission in order to remain consistent with the contextual streetscape of adjacent Structures.
18. The Woodside Park Affordable Housing Phase I MPD area is less than one (1) acre in size in the HRM Zoning District, therefore, the setbacks shall be determined by the Planning Commission.

19. The two (2) Single-Family Dwellings located on Lot 1 abutting Park Avenue (1343 Park Avenue and 1353 Park Avenue) shall have an 10 foot rather than the Zone required 15 foot Front Yard Setback which is consistent with many of the existing single-family dwellings on Park Avenue (including the neighboring "Significant" Single-Family Dwelling located at 1359 Park Avenue).
20. The two (2) Single-Family Dwellings (1343 Park Avenue and 1353 Park Avenue) will comply with all other applicable Setbacks, will comply with the minimum Uniform Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria set forth in Section 15-6-5(D). No additional density is achieved by the decreased setback and all other requirements will still be met.
21. Parking Space 13 of the Parking Lot abutting Woodside Avenue on Lot 1 shall have a minimum Front Yard setback of 12 foot 8 inches. The remainder of the Parking Lot will comply with all applicable Setbacks. Parking Space 13 encroaches into the Front Yard Setback by a maximum of approximately 2 feet 4 inches. The Parking Lot is compatible with the streetscape and is appropriately screened. The Carport Structure will comply with all applicable HRM Zone required Setbacks.
22. The Front Yard setback of 12 feet 8 inches for Parking Space will not result in greater project density and will be properly buffered/visually mitigated through vegetative and fenced screening that is compatible with the Design Guidelines for Historic Districts and Historic Sites.
23. The Setback for Parking Space 13 will result in an additional Parking Space for the project, which the project team is contemplating potential uses as electric car charging station, car-share, and other uses that are compatible with goals set forth in the General Plan (ex. Goal 5 - Environmental Mitigation objectives and implementation strategies). Parking Space 13 will allow for one (1) additional car to park off-street rather than on the street.
24. The proposal complies with Land Management Code (LMC) § 15-6-5(D) Open Space because the proposed MPD is considered a redevelopment of existing Development; therefore, the Planning Commission shall reduce the required open space to 30% in exchange for project enhancements. The proposed MPD area is a total of 26,940 square feet. The applicant is proposing 52.41% Open Space which equates to 14,119 square feet.
25. The total required Parking Spaces of the entire project is 13.5 (14 when rounded to the next whole number) Parking Spaces. The total number of Parking Spaces provided by the project is 15 Parking Spaces.
26. The proposed MPD is providing one (1) additional Parking Space in excess of what is required by the Land Management Code.
27. The two (2) Historic Single-Family Dwellings located on Park Avenue (1333 Park Avenue and 1353 Park Avenue) do not have a Parking Requirement per LMC 15-2.4-6 Existing Historic Structures; therefore, no parking is provided for these structures.
28. The non-Historic Single-Family Dwelling located at 1334 Woodside Avenue has a single-car garage and driveway providing the required two (2) parking spaces on its own site.
29. The Multi-Family Dwelling (1354 Woodside Avenue) and non-historic Single-Family Dwelling (1343 Park Avenue) combine for a total of 11.5 Parking Spaces required

which will be provided in the 13-car Parking Lot.

30. One (1) of the Parking Spaces is ADA compliant for van accessibility in accordance with the ADA requirements.
31. Per LMC 15-3-9 Bicycle Parking Requirements, the Multi-Unit Dwelling must provide at least three (3) bicycle Parking Spaces or ten percent (10%) of the required off-Street Parking Spaces, whichever is greater, for the temporary storage of bicycles. The applicant is proposing to provide five (5) Bicycle Parking Spaces.
32. The proposal complies with Land Management Code (LMC) § 15-6-5(F) Building Height because the proposed MPD complies with the Building Height requirements for the HRM Zoning District. No Height exception is requested.
33. The proposal complies with Land Management Code (LMC) § 15-6-5(G) Site Planning because; the units are sited in such a way that is compatible with other residential structures in the Historic District, specifically respecting the Historic rhythm and scale of the streetscape on both Woodside Avenue and Park Avenue; Due to the relatively flat topography, very little retaining will be necessary. All retaining walls on site are no higher than 4 feet in total height. All retaining walls will be stacked stone consistent with those found in the Historic District; Roads, utility lines, and Buildings are designed to work with the Existing Grade. Cuts and fills are minimized; The project scope includes an Access Easement running east-west which will link the City Park and Park Avenue bus stops to Woodside Avenue; ample snow storage areas are provided in accordance with the requirements of the LMC for the Access Easement, internal sidewalks, and Parking Lot; An enclosed trash and recycling structure has been provided on site which included a total of 12 cans (6 Recycling and 6 Trash).
34. The proposal complies with Land Management Code (LMC) § 15-6-5(H) Landscape and Street Scape because there is no existing significant vegetation. There is a landscape buffer for the Parking Lot and landscaping throughout the remainder of the project that is consistent with that found in the Historic District, including, but not limited to, natural turf, native grasses, deciduous trees, shrubs, and other alpine perennials.
35. Land Management Code (LMC) § 15-6-5(I) Sensitive Lands Compliance is not applicable as the site is not located within the Sensitive Lands Overlay District.
36. Land Management Code (LMC) § 15-6-5(J) Employee/Affordable Housing is not applicable as Eleven (11) of the twelve (12) proposed units are designated as Affordable Housing.
37. Land Management Code (LMC) § 15-6-5(K) Child Care is not applicable as the scale of this project is minor and much less than the allowed Zone Density. The Park City Library has Child Care which is located within walking distance and there is significant open space within the vicinity and on the proposed project site (City Park, Library Park, etc.).
38. Land Management Code (LMC) § 15-6-5(L) Mine Hazards is not applicable as there are no known Physical Mine Hazards on the property.
39. Land Management Code (LMC) § 15-6-5(M) Historic Mine Waste Mitigation is not applicable as there are no known Physical Mine Hazards on the property. The site is within the Soils Ordinance Boundary and the site will have to meet the Soils Ordinance which is standard for all Development and is Condition of Approval #5 of the Plat Amendment.
40. The proposal complies with Land Management Code (LMC) § 15-6-5(N) General

Plan Review as the proposed MPD fulfills the following Goals 3, 5, 7, 8, 15 of the General Plan and the applicable Objectives and/or Implantation Strategies of each as further described in the Analysis section of this report.

41. The proposal complies with Land Management Code (LMC) § 15-6-5(O) Historic Sites as the applicant submitted a Historic Preservation Plan and Physical Conditions Report for the Historic Single Family Dwellings located at 1333 Park Avenue and 1353 Park Avenue. 1333 Park Avenue will be rehabilitated and 1353 Park Avenue will be relocated from 1323 Woodside Avenue and reconstructed at the new site. As a part of the Plat Amendment application, Condition of Approval #4 requires that both structures (1333 Park Avenue and 1353 Park Avenue) shall have Façade Preservation Easements placed on them prior to sale to a new property owner. Both structures are already listed as “Significant” on Park City’s Historic Sites Inventory.
42. The property is located in a FEMA Flood Zone A.

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.

Conditions of Approval:

1. The project shall fully comply with any provisions indicated in the LMC or approved MPD regarding lighting, trash/recycling enclosures, mechanical equipment, etc.
2. A conditional use permit is required for the Multi-Unit Dwelling and Parking Area of five (5) or more spaces prior to issuance of a building permit.
3. A development agreement as described in LMC Section 15-6-4(G) shall be ratified by the Planning Commission within 6 months of this approval and prior to issuance of a building permit for the project.
4. All vehicle access to the site shall be off of Woodside Avenue.
5. Parking Space Allocation within the Parking Area shall be established as a part of the CC&Rs.
6. That the basic infrastructure for electronic charges to be installed in the parking lot and for e-chargers to be installed at a later date.
7. An e-bike location should be located somewhere on the site.

If you have any questions or concerns regarding this letter, please do not hesitate to call me at (435)615-5059 or contact me by email at hannah.tyler@parkcity.org.

Sincerely,



Hannah M. Tyler
Project Planner

Exhibit D:

Legal Description of subject property located at
the Woodside Park Phase I Subdivision

BOUNDARY DESCRIPTION

PARCEL 1

Beginning at a point which is North 54°01' East 350.00 feet and South 35°59' East 222.00 feet from the Northwest corner of Block 24, SNYDER'S ADDITION TO PARK CITY, said point also being on the Westerly right-of-way line of Park Avenue; running thence South 35°59' East along said right-of-way line 92.99 feet; thence South 54°01' West 150.00 feet; thence North 35°59' West 91.55 feet; thence North 53°28' East 150.1 feet to the point of beginning.

PARCEL 2

Beginning at a point which is South 54°01' West 329 feet and South 35°59' East 325.0 feet from the Northeast corner of Block 24, SNYDER'S ADDITION, Park City, Utah, and running thence South 35°59' East 39 feet; thence South 54°1' West 150 feet; thence North 35°59' West 49 feet, more or less, to a wooden fence; thence North 54°1' East along said wooden fence 150 feet; thence South 35°59' East 10 feet to the point of beginning.

PARCEL 3

All of Lot 2, SERNYAK SUBDIVISION, according to the official plat thereof, on file and of record in the Summit County Recorder's Office

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: 277 McHenry Avenue
Author: Tippe Morlan, Planner
Date: January 10, 2018
Type of Item: Administrative – CUP for an Accessory Apartment & CUP for Steep Slope Construction

Project Number:	PL-17-03675/PL-17-03676
Applicant:	Michael Kaplan
Location:	277 McHenry Avenue
Zoning:	Historic Residential – Low Density (HRL)
Adjacent Land Uses:	Residential single-family dwellings
Reason for Review:	CUP – In the HRL zone, an accessory apartment is classified as a conditional use and requires Planning Commission review and approval. SS CUP – Construction of a new structure with more than 200 square feet of Building Footprint that will be located upon an existing slope of 30% or greater requires Planning Commission review and approval.

Summary Recommendations

Staff recommends that the Planning Commission conduct a public hearing and consider **approving** the request for a Conditional Use Permit (CUP) for an accessory apartment to be located on Parcel A of 277 McHenry Avenue within the HRL zone based on the findings of fact, conclusions of law, and conditions of approval provided herein for the Commission's consideration.

Staff recommends that the Planning Commission conduct a public hearing and consider **approving** the request for a Steep Slope Conditional Use Permit (SS CUP) for the construction of a new accessory apartment on Parcel A of 277 McHenry Avenue based on the findings of fact, conclusions of law, and conditions of approval provided herein for the Commission's consideration.

Staff also recommends that the Planning Commission conduct a joint public hearing for both items at this address. Two separate motions will need to be made; the accessory apartment needs to be approved before the Steep Slope CUP can be approved.

Proposal

This application is a request for a CUP and a Steep Slope CUP for the construction of a new accessory apartment. An accessory apartment is classified as a conditional use in the HRL zone, and a Steep Slope CUP is required when more than 200 square feet of a new structure is proposed on an existing slope of 30 percent or greater. The parcel is currently vacant, and the applicant is proposing to build a new structure of approximately 992 square feet in size. The proposed footprint of the new construction is 686.2 square feet and the construction is proposed on a slope greater than 30%. In some areas, the slope is approximately 110%. The front portion of the lot (approximately 6 feet from the front property line) and the rear portion of the lot

(approximately 30 feet from the rear property line) are nearly flat; however, a majority of the structure is proposed to be built into a steep portion of the lot rising by approximately 11 feet over a distance of 10 feet (see photographs in Exhibit J).

Background

May 3, 2016 – The City received a Plat Amendment application for the 277 McHenry Plat Amendment which was deemed complete on May 25, 2016.

November 2, 2016 – The Planning Department received an application for three variances. The application was deemed complete on December 28, 2016. The requested variances were as follows:

1. Allow an accessory apartment with a floor area greater than 1/3 of the floor area of the main dwelling unit up to 1,000 square feet.
2. Allow an accessory apartment with a floor area greater than 1/3 of the floor area of the main dwelling unit up to 1,166 square feet.
3. Reduce the rear yard setback requirement from 10 feet to 5 feet for the construction of a detached garage and accessory apartment on the eastern portion of the lot.

March 21, 2017 – The Board of Adjustment conducted a public hearing and **APPROVED** a variance request to allow a proposal of the accessory apartment at 277 McHenry Avenue with an allowed square footage of up to a maximum of 1,000 square feet.

March 21, 2017 – The Board of Adjustment also conducted a public hearing and **DENIED** a variance request to allow a square footage greater than 1,000 square feet for the accessory apartment.

May 16, 2017 – The Board of Adjustment conducted a public hearing and **DENIED** a variance request to allow a 5' setback reduction from 10' in the rear yard to construct an Accessory apartment in the HR-L zone.

July 26, 2017 – The Planning Commission reviewed the proposed plat amendment and issued a **POSITIVE** recommendation to the City Council with a unanimous vote. There were no comments made by the public at the Public Hearing.

July 26, 2017 – The City Council **APPROVED** a plat amendment to remove two interior lot lines creating one lot at this address bisected by McHenry Avenue. The western portion became Lot 1 and the eastern portion became Parcel A of 277 McHenry Avenue. This item was approved with the following Conditions of Approval pertinent to the current CUP applications:

7. The density cannot increase on this lot. If the applicant wants to apply for an accessory apartment, the duplex will need to be converted to a single-family dwelling.

8. Parcel A is appurtenant to Lot 1. This lot can never be further subdivided or sold separately. The property on both sides of the road will always be 277 McHenry Avenue. This shall be noted on the plat prior to recordation.

September 27, 2017 – The City received an application for a CUP, Steep Slope CUP, and Historic District Design Review for the construction of a new accessory apartment on a steep slope at 352 Woodside Avenue. The applications were deemed complete on November 8, 2017, and a public hearing was held on November 28, 2017. Final review of the application is pending the Conditional Use approval of the accessory apartment use.

Purpose

The purpose of the Historic Residential Low-Density (HRL) District is to:

- A. reduce density that is accessible only by substandard Streets so these Streets are not impacted beyond their reasonable carrying capacity,
- B. provide an Area of lower density Residential Use within the old portion of Park City,
- C. preserve the character of Historic residential Development in Park City,
- D. encourage the preservation of Historic Structures,
- E. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
- G. define Development parameters that are consistent with the General Plan policies for the Historic core.

Analysis

The subject property consists of Parcel A of 277 McHenry Avenue, an uphill parcel 1,824 square feet in size. Parcel A is appurtenant to Lot 1 of 277 McHenry Avenue which consists of 4,381 square feet in its entirety. There is an existing non-historic duplex structure on Lot 1 which must be converted to a single-family dwelling before a building permit can be issued for an Accessory Apartment, if approved. This conversion is conditioned in the plat approval (Conditions of Approval 7 and 8 as stated above) and is proposed in the Conditions of Approval for these proposed CUP applications. Additionally, a 10 foot wide public snow storage easement will be recorded along the frontages of both parts of this lot, and a utility easement will be required 10 feet from the sewer line in McHenry Avenue on the uphill side of the road to be recorded with the plat.

Zoning Requirements

The proposed accessory apartment is located in the Historic Residential – Low Density (HRL) zoning district. The proposed structure complies with all setback and LMC requirements as outlined in the following table:

Requirement	LMC Requirement	Proposed (Parcel A)	Compliance
Lot Size	3,750 SF minimum	4,381 SF total (Lot 1 and Parcel A)	Yes
Lot Width	35 feet minimum	35.5 feet	Yes
Building Footprint	1,712.5 SF maximum	1,386.2 SF total - Existing: 700 SF (Lot 1)	Yes

		- Addition: 686.2 SF	
Front Yard	10 feet minimum	10 feet	Yes
Rear Yard	10 feet minimum	10 feet	Yes
Side Yard	3 feet minimum, total 6 feet.	North Side: 3 feet South Side: 3 feet Total: 6 feet	Yes
Height	27 feet above existing grade, maximum	The highest portion of the structure is approximately 27 feet from existing grade.	Yes
Height (continued)	A Structure shall have a maximum height of 35 feet measured from the lowest finish floor plane to the point of the highest wall top plate that supports the ceiling joists or roof rafters.	33.7 feet	Yes
Final grade	Final grade must be within four (4) vertical feet of existing grade around the periphery of the structure.	Maximum difference is 2 feet on the all elevations.	Yes
Vertical articulation	A ten foot (10') minimum horizontal step in the downhill façade is required unless the First Story is located completely under the finish Grade on all sides of the Structure. The horizontal step shall take place at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade. Architectural features, that provide articulation to the upper story façade setback may encroach into the minimum 10 ft. setback but shall be limited to	There is a 10 foot horizontal step in the downhill façade that meets the LMC requirements. No exceptions for vertical articulation are requested.	Yes

	no more than 25% of the width of the building encroaching no more than 4 ft. into the setback.		
Roof Pitch	Between 7:12 and 12:12. A Green Roof may be below the required 7:12 roof pitch as part of the primary roof design. In addition, a roof that is not part of the primary roof design may be below the required 7:12 roof pitch.	The structure proposes all roof pitches at 7:12 with the exception of two small flat green roof areas	Yes
Parking	Two off-street parking spaces required. Accessory Apartments require an additional one space per bedroom. 3 total spaces are required.	3 spaces are proposed. Existing Structure: 2 spaces Accessory Apartment: 1 space for 1 bedroom (plus 1 additional substandard parking space which may not count toward parking requirements).	Yes

Accessory Apartment Analysis

The applicant is requesting a Conditional Use Permit for an Accessory Apartment on Parcel A of an existing lot at 277 McHenry Avenue. Accessory Apartments are identified as conditional uses in the HRL zone. The lot is described as Parcel A of Lot 1 of the approved 277 McHenry Avenue Subdivision. This plat was approved by the City Council on July 26, 2017 although it has not yet been recorded. Because the lot has a slope greater than 30 percent running through the middle of the property and across the building pad area, a Steep Slope CUP is also required.

The proposed structure contains a total of 991.91 square feet, not including the garage. The proposed building footprint totals 686.2 square feet, and the total footprint of the entire lot including the existing structure is 1,386.2 square feet, which is below the maximum allowed footprint of 1,712.5 square feet. The proposed structure complies with all lot standards of the HRL zone, as indicated in the table above and is described as follows:

Floor	Size
Garage/Basement Level	686.2 square feet
Main Level	665.69 square feet
Upper Level	326.22 square feet
Accessory Apartment Floor Area	991.91 square feet

The Board of Adjustment approved a variance allowing an accessory structure of up to 1,000 square feet. Section 15-4-7 of the LMC indicates that "Accessory Apartments may be no more than one third (1/3) of the dwelling size, shall be limited to a maximum floor area of 1,000 square feet and shall be no less than 400 square feet with no more than two (2) bedrooms." The Board of Adjustment has approved a variance to allow an accessory apartment of greater than one third of the primary dwelling size up to 1,000 square feet at this location. The proposed structure meets these requirements.

The LMC regulations for Accessory Apartments (Section 15-4-7) also require that no more than three homes within 300 feet of the subject property contain established Accessory Apartments. There are no other accessory apartments within 300 feet of this lot, although they are allowed as a Conditional Use.

The LMC standards require one parking space per bedroom in an accessory apartment and disallow nightly rentals in either the existing structure or the accessory apartment. The property owner must also occupy either the main dwelling unit or the accessory apartment. The Accessory Apartment may never be sold separately from the main dwelling unit. Compliance with these regulations is included as a Condition of Approval for this CUP.

The applicant is proposing one bedroom and one parking space in this structure for himself, the owner, to occupy as a full-time resident. There is a second substandard sized parking space proposed in the structure as well. The applicant has indicated intent to remove the washer/dryer and mechanical space shown in the floor plans (Exhibit F) to propose this second space which will be 11.5 feet by 16 feet at its shortest length. A standard required parking space needs to be 9 feet by 18 feet in size, so this second space cannot be counted toward parking requirements. The existing structure on Lot 1 has two paved off-street parking spaces approximately 11 feet wide by 37.5 feet long in front of the house. This meets the off-street parking standards for 2 spaces which require a minimum parking area of 9 feet wide and 36 feet long.

CUP Criteria

The Accessory Apartment meets the criteria for a Conditional Use Permit found in Section 15-1-10 (E) of the Land Management Code. The Planning Commission must review each of the following items when considering whether or not the proposed Conditional Use mitigates impacts of and addresses the following items:

1) Size and location of the Site.

The accessory apartment meets all zoning and setback requirements in its proposed location fronting McHenry Avenue. The proposed structure meets all size, height, and volume requirements as allowed by the LMC and by the Board of Adjustments. **No unmitigated impacts.**

2) Traffic considerations including capacity of the existing Streets in the Area.

A condition of the approved plat and a proposed condition of approval for this application is for the existing legal non-conforming duplex to be converted into a

single-family dwelling. The impacts of an accessory apartment would be offset by this reduction in density on the main structure. This proposed use would not increase traffic on McHenry Avenue. Additionally, the new structure provides an additional standard parking area for the residents beyond the existing two parking spaces. **No unmitigated impacts.**

3) Utility capacity including Storm Water run-off.

No utility capacity issues were identified throughout the interdepartmental review process. The location of the electrical service is being resolved between the applicant and Rocky Mountain Power. Access to the service needs to be in place before a building permit may be issued. **No unmitigated impacts.**

4) Emergency vehicle Access.

Emergency access is substandard for this house due to the substandard size of McHenry Avenue. The Fire Marshal has indicated that no parking can be allowed in the driveway (within the 10 foot setback area) in order to maintain existing emergency access standards. **No unmitigated impacts, as conditioned.**

5) Location and amount of off-Street parking.

The LMC requires two parking spaces for each dwelling unit and one parking space for each bedroom in an accessory apartment (Section 15-3). Each parking space must be at least nine feet wide by eighteen feet long (Section 15-3-3(F)).

The existing duplex located on the subject property currently has two parking spaces although the LMC requires two spaces per dwelling unit and four spaces are required. The conversion of the duplex to a single-family dwelling would bring this structure into compliance with the LMC parking requirements as it would need to maintain the existing two spaces. The proposed Accessory Apartment requires one space per bedroom. As the applicant is proposing one bedroom and one parking space, this application would bring the entire lot into compliance with parking requirements. **No unmitigated impacts, as conditioned.**

6) Internal vehicular and pedestrian circulation system.

Vehicular and pedestrian circulation throughout the neighborhood will remain the same. **No unmitigated impacts.**

7) Fencing, Screening, and landscaping to separate Use from adjoining Uses.

Adjoining uses are all single-family dwellings of similar bulk, mass, and design. The applicant is not proposing any new fencing or landscaping outside of what is required by the Construction Mitigation Plan. **No unmitigated impacts.**

8) Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots.

The mass, bulk, and orientation of the building on the site are compatible with the mass, bulk, and orientation of other structures along McHenry Avenue. See Exhibit H for a visual example of what the proposed structure looks like in the context of McHenry Avenue. **No unmitigated impacts as conditioned.**

9) Usable Open Space.

There is no usable Open Space proposed since this a single private lot. **No unmitigated impacts.**

10) Signs and lighting.

No signs are proposed. Any lighting on the exterior of the proposed structure will be down directed and shielded. **No unmitigated impacts.**

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

The design of the proposed structure is undergoing a Historic District Design Review and is compatible with the surrounding structures. The proposed design meets the Guidelines for New Construction in Historic Districts and incorporates historic design elements into the structure. **No unmitigated impacts as designed and conditioned.**

12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site.

There is no noise, vibration, odor, steam, or other mechanical factor that may affect neighboring properties outside of the construction period. The proposed use is an accessory apartment which will not cause any of these nuisances. **No unmitigated impacts.**

13) Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas.

No delivery or service vehicles are proposed. No loading or unloading zones are proposed. No trash or recycling pickup areas are proposed. **No unmitigated impacts.**

14) Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities.

The property owner has indicated that he intends to live in the one-bedroom accessory apartment structure. The duplex will be converted into a single-family dwelling and will be used for long-term rentals. No nightly rentals or commercial tenancies are allowed in the HRL zone. **No unmitigated impacts as conditioned.**

15) Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site.

The subject property is not within or adjacent to any environmentally sensitive lands, physical mine hazards, historic mine waste and the Park City Soils Ordinance. The property does have a steep slope, and the applicant has submitted an application for a Conditional Use Permit for development on steep slopes. **No unmitigated impacts.**

16) Reviewed for consistence with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding.

The proposed development is consistent with the goals and objectives of the Park City General Plan, especially Goal 15 to “preserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations” and Objective 15B to “maintain character, context and scale of local historic districts with compatible infill development and additions.” The proposed structure will meet all Historic District design standards for new construction and will be compatible with the surrounding neighborhood. **Consistent.**

Steep Slope Regulations

Staff reviewed the compatibility of this proposed structure compared to others along McHenry Avenue. McHenry Avenue is comprised of Old Town lots from the Park City Survey which have been bisected by McHenry Avenue. The topography of the neighborhood made it difficult to construct the road where it had been originally platted. As a result, there are a handful of oddly shaped lots in the area, including the subject property. Looking at 277 McHenry Avenue as a whole, the proposed lot is similar to the size of lots in the surrounding area. The condition of the lot being split into two parts by McHenry Avenue is also similar to other lots in the vicinity. Even with McHenry Avenue bisecting the lot, the accessory apartment meets all lot and site requirements of the HRL zone, including setback and footprint requirements.

The proposed footprint of the new construction is 686.2 square feet, and the construction is proposed on a slope greater than 30%. The front portion of the lot (approximately 6 feet from the front property line) and the rear portion of the lot (approximately 30 feet from the rear property line) are nearly flat; however a majority of the structure is proposed to be built into a steep slope that runs through the very middle of the parcel.

Staff finds that the design as proposed is compatible with the neighborhood and complies with the Steep Slope Conditional Use criteria as outlined below. Regulations for development on steep slopes in the HRL zone are stated in LMC 15-2.1-6. All such development is subject to the following criteria:

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

The proposed structure is located within the building pad of Parcel A and outside of all setbacks required on the lot. It meets all zoning requirements including a front yard setback along McHenry Avenue. The structure is proposed to match the stepping of similar homes in its vicinity.

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

The applicant submitted plans through the Historic District Design Review process including a streetscape showing how the three story structure will be observed when viewed from the street (Exhibit H). The proposed structure cannot be seen from the key Vantage Points as defined in LMC Section 15-15. The applicant has also provided streetscape elevations which show how the house sits on the slope in relation to existing grade and the zoning height requirements (Exhibit H) and cross canyon views (Exhibit I) to show a minimal visual impact.

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

*The drive access is approximately 10 feet long with a grade of 0 percent from the street. The grade is relatively flat at the front of the property allowing for a driveway that does not need extensive grading. The proposed structure requires one parking space and provides two spaces. The second parking space is not required and is 11 feet wide by 16 feet long at its shortest length. **No unmitigated impacts.***

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

*The only retaining wall proposed on this lot is an 8 inch reinforced concrete foundation wall on the south side of the structure. The top of wall follows the existing grade and stands 6 inches above the existing grade at all points. The wall is proposed to be 8 feet long, extending 5 feet and 3 inches into the setback. As per LMC Section 15-4-2, retaining walls within side and rear yard setback areas on any lot (steep slope or not) cannot exceed six feet (6') in height measured from Final Grade. The proposed wall is well below that height requirement and meets the standards of the LMC. **No unmitigated impacts.***

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

The structure is located on the lot in a manner that least impacts the natural topography of the lot. The bottom garage level of the proposed structure is proposed to be constructed into the slope on the lot. The upper floors are built on top of this floor and onto the flat portion of the parcel at the top of the slope to avoid additional cuts and fills following the topography of the lot. The proposed structure maintains a maximum building height of 27 feet and does not propose any height exceptions.

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

The proposed structure is oriented against the lot's existing contours and is stepped with the grade. The garage floor proposed to be built into the existing slope is approximately 686 square feet in size. It is proposed as one standard parking space and a small storage area which may be used as parking but is not large enough to count as a second parking stall. The main floor is approximately 666 square feet and sits on top of the garage floor, and the top floor is significantly smaller at 326 square feet in size. It's set back from the rest of the structure and sits mostly on the flat portion of the lot.

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

The proposed structure has a front yard setback of 10 feet. This is the same as the surrounding houses along McHenry Avenue, including the main structure on the other portion of this Lot, and meets the minimum required setbacks. Increasing the front setback could push the building further back into the hillside requiring additional grading. The rear setback is ten feet which also meets the zone's rear setback requirements. Because the structure is proposed to be built up to the setback areas, increasing either front or rear setback areas would decrease the size of the parking space in the garage so that it does not meet the LMC requirements found in Section 15-3-3 requiring minimum parking

dimensions of 9 feet by 18 feet. This design has minimal impact on the street wall at the front of the property and maximizes the space available on the lot to construct the minimum sized garage area necessary to accommodate the use.

8. **Dwelling Volume.** The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in [LMC Chapter 2.1 – HRL]. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures. **No unmitigated impacts.**

The proposed structure meets all size, height, setback, and volume related requirements indicated in the LMC for the HRL zone. The proposed massing component is compatible with both the volume and massing of structures in the area comprised of three story dwellings. As shown in Exhibit H, the proposed structure does not extend above the road any higher than surrounding structures.

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

The proposed building height meets the requirements of the HRL zone. The applicant is not proposing any height exceptions.

Process

Approval of this application constitutes Final Action that may be appealed to the City Council following the procedures found in Land Management Code § 15-1-18.

Department Review

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

Public Input

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

Alternatives

- The Planning Commission may approve the requested CUP and Steep Slope CUP as conditioned or amended, or
- The Planning Commission may deny the requested CUP and Steep Slope CUP and direct staff to make Findings for this decision, or
- The Planning Commission may request specific additional information and may continue the discussion to a date uncertain.
- If the Planning Commission continues or denies the CUP, the Steep Slope CUP may be continued.

Significant Impacts

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

Consequences of not taking the Suggested Recommendation

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

Recommendation

Staff recommends that the Planning Commission conduct a public hearing and consider **approving** the request for a Conditional Use Permit (CUP) for an accessory apartment to be located on Parcel A of 277 McHenry Avenue within the HRL zone based on the findings of fact, conclusions of law, and conditions of approval provided herein for the Commission's consideration.

Staff recommends that the Planning Commission conduct a public hearing and consider **approving** the request for a Steep Slope Conditional Use Permit (SS CUP) for the construction of a new accessory apartment on Parcel A of 277 McHenry Avenue based on the findings of fact, conclusions of law, and conditions of approval provided herein for the Commission's consideration.

Staff also recommends that the Planning Commission conduct a joint public hearing for both items at this address. Two separate motions will need to be made; the accessory apartment needs to be approved before the Steep Slope CUP can be approved.

General Findings of Fact for both requests:

1. The site is located at 277 McHenry Avenue.
2. The site is located in the Historic Residential-Low Density (HRL) zoning district.
3. The site is 4,381 square feet in its entirety comprised of Lot 1 and Parcel A.
4. The accessory apartment is proposed to be on Parcel A which is 1,824 square feet in size.
5. There is an existing non-historic duplex structure on Lot 1 which must be converted to a single-family dwelling before a building permit can be issued for an Accessory Apartment.
6. The proposed structure complies with all setback and LMC requirements as outlined in the analysis.
7. The City Council approved the 277 McHenry Avenue Subdivision Plat Amendment at this location on July 26, 2017 and the plat is pending recordation.
8. A Historic District Design Review (HDDR) application is currently under review.
9. The Board of Adjustment conducted a public hearing on March 21, 2017 and approved a variance request to allow a proposal of the accessory apartment at 277 McHenry Avenue with an allowed square footage of up to a maximum of 1,000 square feet.
10. The Board of Adjustment also conducted a public hearing on March 21, 2017 and denied a variance request to allow a square footage greater than 1,000 square feet for the accessory apartment.
11. The Board of Adjustment conducted a public hearing on May 16, 2017 and denied a variance request to allow a 5' setback reduction from 10' in the rear yard to construct an Accessory apartment in the HR-L zone.

12. On September 27, 2017, the City received an application for a CUP, Steep Slope CUP, and Historic District Design Review for the construction of a new accessory apartment on a steep slope at 352 Woodside Avenue. The applications were deemed complete on November 8, 2017.
13. The applicant requests to build a new accessory apartment at this location.
14. The proposed structure has a Floor Area of 991.9 square feet.
15. The proposed building footprint is 686.2 square feet. The total footprint on the lot is 1,386.2 square feet which complies with the maximum allowable footprint of 1,712.5 square feet.
16. The new construction takes place over slopes that are thirty percent (30%) or greater.
17. The proposed front yard setback of ten (10') complies with the minimum front yard setback of ten feet (10').
18. The proposed rear yard setback of ten (10') complies with the minimum rear yard setback of ten feet (10').
19. The proposed side yard setbacks of three feet (3') comply with the minimum side yard setbacks of three feet (3').
20. The proposed structure complies with the maximum building height as follows:
 - a. The structure cannot be more than 27 feet from existing grade. It is proposed to be 27 feet from existing grade at its highest point.
 - b. The structure cannot be more than 35 feet measured from the lowest finish floor plane to the point of the tallest wall top plate. The proposed structure measures at 33.7 feet.
 - c. The final grade must be within 4 vertical feet of the existing grade. The maximum difference proposed is 2 feet.
 - d. A 10 foot minimum horizontal step in the downhill façade is required at a maximum height of twenty three feet (23') from where Building Footprint meets the lowest point of existing Grade. The proposed structure meets this requirement.
 - a. The primary roof pitch is required to be between 7:12 and 12:12. The proposed structure has a primary roof pitch of 7:12.
21. This property is located outside of the Soils Ordinance Zone.

Accessory Apartment CUP Findings of Fact:

1. Accessory apartments are conditional uses in the HRL zone.
2. The LMC requires one parking space per bedroom in an accessory apartment.
3. The applicant is proposing one bedroom and one parking space.
4. Nightly rentals are not allowed in either the existing structure or the proposed structure.
5. The property owner must occupy either the main dwelling unit or the accessory apartment. The owner has expressed intent to occupy the accessory apartment.
6. The Accessory Apartment may never be sold separately from the main dwelling unit.
7. The LMC requires that no more than three homes within 300 feet of the subject property contain established Accessory Apartments.
8. There are no other accessory apartments within 300 feet of this lot,
9. The Accessory Apartment meets the criteria for a Conditional Use Permit found in Section 15-1-10 (E) of the LMC as detailed in the Analysis.

Steep Slope CUP Findings of Fact:

1. The applicant submitted plans including a streetscape showing how the structure will be observed when viewed from Marsac Avenue.
2. The proposed structure cannot be seen from the key vantage points as indicated in the LMC Section 15-15-1.283.
3. The proposed house is located within the building pad and outside of all setbacks required on the lot.
4. McHenry Avenue is comprised of Old Town lots from the Park City Survey which have been bisected by McHenry Avenue.
5. The presence of the road adds another frontage element to the lot requiring an additional front setback on this portion of the lot.
6. The front portion of the lot (approximately 6 feet from the front property line) and the rear portion of the lot (approximately 30 feet from the rear property line) are nearly flat; however a majority of the structure is proposed to be built into a steep slope that runs through the very middle of the parcel.
7. The structure is proposed to match the stepping of similar homes in its vicinity.
8. The applicant submitted plans through the Historic District Design Review process including a streetscape showing how the three story structure will be observed when it is constructed.
9. The drive access is approximately 10 feet long with a grade of 0 percent from the street.
10. No retaining walls are proposed on this lot.
11. The proposed structure is to be built into the existing grade.
12. The bottom garage level of the proposed structure is proposed to be constructed into the slope on the lot. The upper floors are built on top of this floor and onto the flat portion of the parcel at the top of the slope to avoid additional cuts and fills following the topography of the lot.
13. The proposed structure maintains a maximum building height of 27 feet and does not propose any height exceptions.
14. The proposed structure is oriented against the lot's existing contours and is stepped with the grade.
15. The garage/basement floor proposed to be built into the existing slope is approximately 686 square feet in size.
16. The garage is proposed to have one standard parking space and an additional substandard parking space which may not count toward any parking requirements. The accessory apartment has one bedroom and a one parking space requirement.
17. The main floor is approximately 666 square feet and sits on top of the garage floor, and the top floor is significantly smaller at 326 square feet in size. It's set back from the rest of the structure and sits mostly on the flat portion of the lot.
18. The proposed structure meets all size, height, setback, and volume related requirements indicated in the LMC for the HRL zone.
19. The proposed massing component is compatible with both the volume and massing of structures in the area comprised of three story dwellings.

Conclusions of Law:

1. The Application complies with all requirements of this LMC.

2. The Use will be Compatible with surrounding Structures in Use, scale, mass and circulation.
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval for both requests:

1. All Standard Project Conditions shall apply.
2. One unit, either the main Dwelling Unit or the Accessory Apartment, shall be occupied by the Owner of the Structure and the Accessory Apartment shall not be sold separately.
3. A deed restriction "Notice to Purchaser" must be filed with the County Recorder, which states:

"A permit for an Accessory Apartment was issued to _____, the current Owner of this Property on _____. This permit runs with the land and is automatically transferred to the new owner by the sale or Transfer of this Property, provided however, if the Use by the new Owner does not continue to comply with the conditions of approval, the permit may be invalidated by the Planning Department pursuant to Section 15-4-7(B)(1). Prospective purchasers should be advised that only one (1) unit on the Property may be rented; the other must be occupied by the Owner. The Owner shall strictly adhere to all the conditions of approval and the prohibition of the rental of either Dwelling Unit for short term rentals of less than thirty (30) days."
4. Nightly rentals are not allowed. Neither the main Dwelling Unit nor the Accessory Apartment may be rented for periods of time less than thirty days.
5. The density cannot increase on this lot. If the use is approved and the applicant wants to apply for an accessory apartment, the duplex will need to be converted to a single-family dwelling.
6. Parcel A is appurtenant to Lot 1. This lot can never be further subdivided or sold separately. The property on both sides of the road will always be 277 McHenry Avenue as noted on the 277 McHenry Avenue subdivision plat.
7. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits.
8. A final utility plan, including a drainage plan for utility installation, public improvements, and drainage, shall be submitted with the building permit submittal and shall be reviewed and approved by the City Engineer and utility providers prior to issuance of a building permit.
9. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
10. A final landscape plan shall be submitted for review and approval by the City Planning Department, prior to building permit issuance.
11. No building permits shall be issued for this project unless and until the design is reviewed and approved by the Planning Department staff for compliance with this Conditional Use Permit and the Design Guidelines for Historic Districts and Historic Sites.
12. As part of the building permit review process, the applicant shall submit a certified topographical survey of the property with roof elevations over topographic and U.S.G.S. elevation information relating to existing grade as well as the height of the proposed building ridges to confirm that the building complies with all height restrictions.
13. The applicant shall submit a detailed shoring plan prior to the issue of a building

permit. The shoring plan shall include calculations that have been prepared, stamped, and signed by a licensed structural engineer.

14. No parking is allowed within the 10 foot front yard setback area.
15. This approval will expire on January 10, 2019 if a building permit has not been issued by the building department before the expiration date, unless a written request for an extension is submitted prior to the expiration date and the extension is granted by the Planning Director.
16. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission, subject to additional changes related more specifically to the architectural design made during the Historic District Design Review.

Exhibits

- Exhibit A – Applicant's Statement
- Exhibit B – Record of Survey
- Exhibit C – Approved Plat
- Exhibit D – Aerial Photograph
- Exhibit E – Site Plan
- Exhibit F – Floor Plans
- Exhibit G – Elevations
- Exhibit H – Streetscape
- Exhibit I – Cross Canyon View
- Exhibit J – Site Photographs
- Exhibit K- Standard Project Conditions

September 25, 2017

To: Park City Planning Department

Re.: **HDDR and Steep Slope and Accessory Apartment CUP Applications
277 McHenry Ave. Garage/Accessory Apartment**

I am the owner of the property at 277 McHenry Ave. (formerly 355), Park City, Park City Survey Block 60 Lot 12 and the north half of lot 11. At the request of the Planning Department, and in anticipation of the garage/accessory apartment, at a recent Park City Council meeting the lots (above) underwent a plat amendment and were consolidated into a single lot of record (I don't know that new designation yet). I am within my property rights to build the structure and it conforms to the Park City Land Management Code.

We will build a garage and accessory apartment on the currently unoccupied easterly portion of my land. McHenry Avenue bisects my land. Originally, I had planned to subdivide the property and create two separate lots of record on each side of the road. This would have been a much simpler and preferable solution. Unfortunately, staff's interpretation according to the LMC indicates there is insufficient total land square footage for two lots.

We have had several years of discussions with members of the Planning Department. We have received staff support for our plans, however as part of those negotiations I have agreed to give up the currently legal non-conforming (grandfathered) legal status of the primary house and it will now become a single-family home.

I intend to live in the new addition as my residence and I will lease the current house to a long-term tenant. One of the reasons I will live in the accessory apartment is it will have radiant heat. I have a permanent sinus problems and my current house's forced air heating system is seriously exacerbating my health issues.

The fact that McHenry Ave. bisects my land has created a hardship due to both the +/- 15-foot-wide road, and also adherence to the LMC mandated front-yard setbacks from both sides of the road. Accordingly, we went before the Board of Adjustment seeking 1) a larger edifice than code allows, and 2) a reduction of the rear-yard setback (from 10 feet to 5 feet) to allow for two perpendicular garage parking spaces and less impact to my immediate neighbors. The results of the BOA meetings were to cap the structure at 1000 livable square feet and denial of the rear-yard setback request.

The new residence will have a garage (with a single parking space plus storage), a micro kitchen, one bedroom, an office area, and two bathrooms. The architect, David White's design is consistent with the neighborhood's architecture.



	1973- currently	After accessory apartment
Total # of Units	2	2
Off-street parking	2	4*
Kitchen	2	2
Oven	2	1
bedrooms	5	5

* one will now be inside garage

After years of discussions, I hope to conclude these approvals before the end of the year and begin construction in the spring of 2018.

Very Truly Yours,



Michael Kaplan, M.I.M., A.L.M.



BENEFITS TO THE NEIGHBORHOOD

To Whom It May Concern:

We will build a garage and accessory apartment on the currently unoccupied easterly portion of my land. The house and garage/apartment are separated by McHenry Avenue. The primary structure is currently designated as a legal non-conforming (grandfathered) duplex. As previously agreed, the primary house will lose its' duplex designation and it will become a single-family home.

I intend to live in the new addition as my residence and I will lease the current house to a long-term tenant. One of the reasons I will live in the accessory apartment is it will have radiant heat. I have a permanent medical issue (sinus problems) and my current house's forced air heating system is seriously exacerbating my health issues.

The new residence will have a garage (with a single parking space plus storage), a micro kitchen, one bedroom, an office area, and two bathrooms.

	1973- currently	After accessory apartment
Total # of Units	2	2
Off-street parking	2	4*
Kitchen	2	2
Oven	2	1
bedrooms	5	5

* one will now be inside garage

Benefits to the neighborhood include:

- The architect, David White's design is consistent with the neighborhood's architecture.
- Parking will increase from 2 legal and 2 non-conforming roadside parking places; to 2 legal plus 2 garage and one driveway parking places. This will help with get vehicles off McHenry ave. which will provide safer traffic and snow removal.
- Heated drive lessens snow banks.
- The new garage/accessory structure will be aesthetically pleasing, made with high-end materials, and utilize solar and be energy efficient.
- No increased density, there will still be only a total two housing units.
- The new structure will not interfere with any neighbor's view corridors.
- Increase property values.



After years of discussions, I hope to conclude these approvals before the end of the year and begin construction in the spring of 2018.

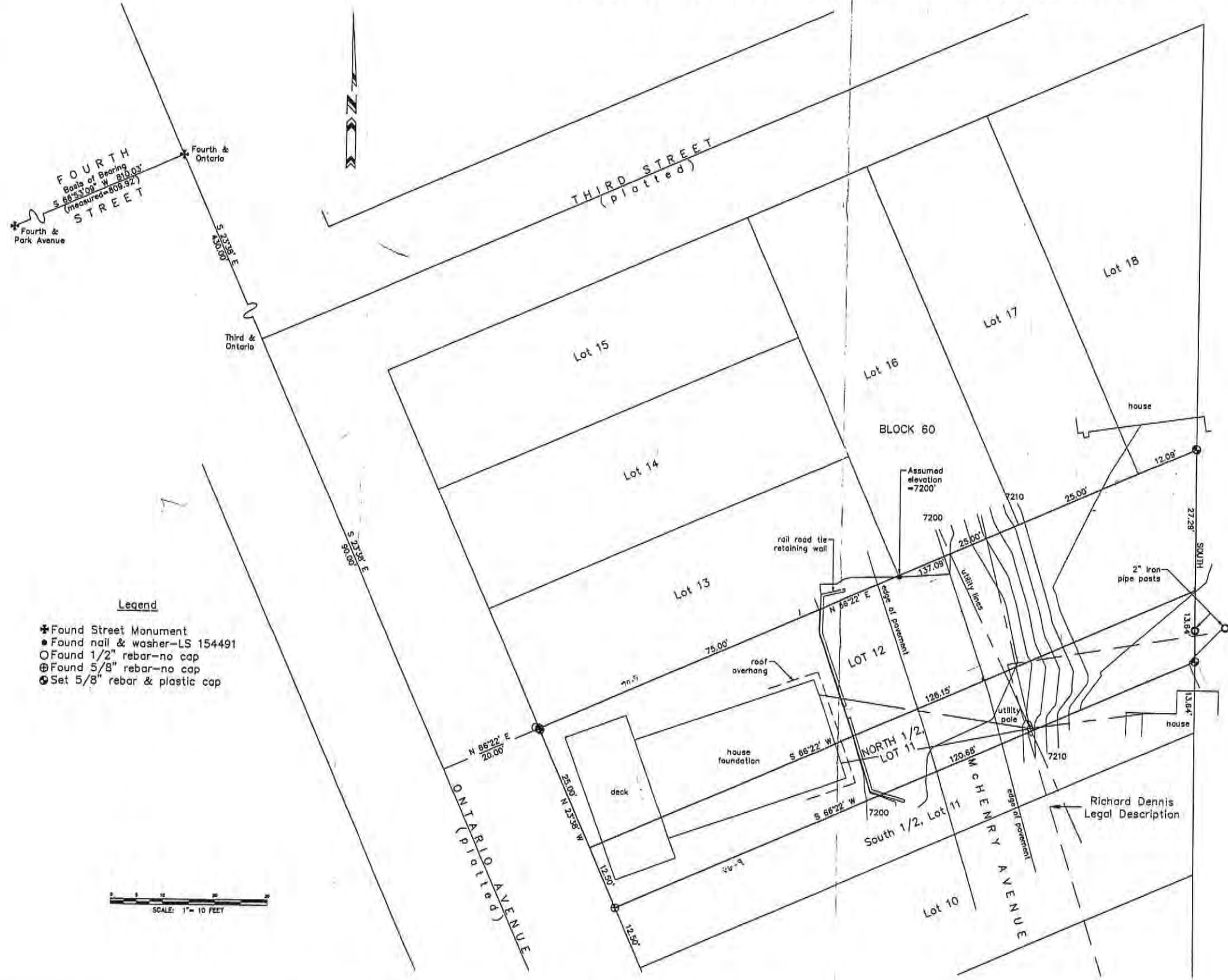
Very Truly Yours,



Michael E. Kaplan



Park City Survey, Block 60,
Lot 12 & the North 1/2 of Lot 11



NARRATIVE

1. Survey requested by: Michael Kaplan.
2. Purpose of survey: locate the specified topographic relief.
3. Basis of survey: found Street Monuments, according to the amendment of Sheet #3 of the Park City Monument Control Map by Bush & Guggell, Inc., on file and of record in the office of the Summit County Recorder.
4. Date of survey: May 31, 2002.
5. Property corners found as shown.
6. Located in the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base & Meridian.
7. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report.
8. For the previous breakdown of Lot 11 see the record of survey No. S-406 by Alliance Engineering, on file in the office of the Summit County Recorder.
9. The Richard Dennis Legal Description as shown encroaches on the property but has a questionable validity. Further title research is recommended.
10. An assumed elevation of 7200 feet was assigned to the nail and washer in the asphalt street at the southwesterly corner of Lot 16, as shown.

LEGAL DESCRIPTION

All of Lot 12 and the North 1/2 of Lot 11, Park City Survey, according to the official plat thereof, on file and of record in the office of the Summit Co. Recorder; containing ±0.11 acres.

SURVEYOR'S CERTIFICATE

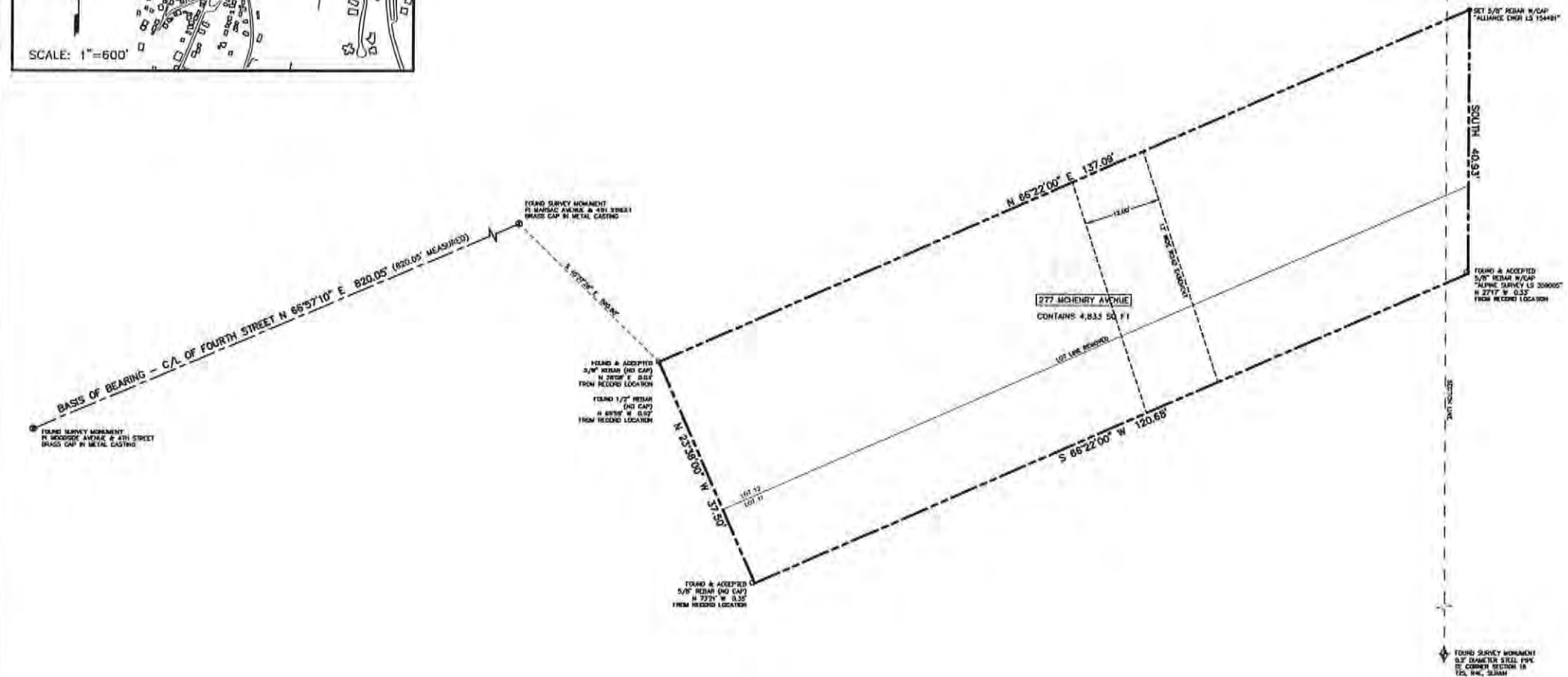
I, J.D. Gailey, a Registered Land Surveyor as prescribed by the laws of the State of Utah and holding License No. 359005, do hereby certify that I have supervised a survey of the hereon described property and that this plat is a true representation of said survey.

16.29.05
Date

J.D. Gailey, License No. 359005

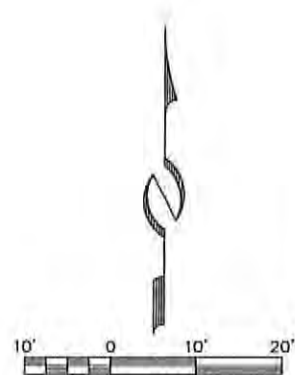
Alpine Survey, Inc.
19 Prospector Drive
Park City, Utah 84060
(435) 655-8016

MAY 03 2016



277 McHENRY AVENUE PLAT AMENDMENT

MAY 03 2016



I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners, this Record of Survey map of 277 MCHENRY AVENUE PLAT AMENDMENT has been prepared under my direction and that the same has been monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

The North 1/2 of LOT 11 and All of LOT 12, BLOCK 60, PARK CITY SURVEY, according to the official plat thereof on file and of record in the Summit County Recorder's Office.

KNOW ALL MEN BY THESE PRESENTS that Michael Ellis Kaplan, and Michael Ellis Kaplan, Trustee of THE MATH Trust dated January 8, 2015, as their interests appear, hereby certifies that he has caused this Plat Amendment to be prepared and hereby consents to the recordation of the 277 McHenry Avenue Plat Amendment.

Michael Ellis Kaplan,
Trustee of The MATH Trust dated January 8, 2015

State of _____)
 : ss.
 County of _____)

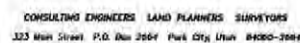
On this _____ day of _____, 2016, Michael Ellis Kaplan personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Michael Ellis Kaplan acknowledged to me that he is the owner of the tract described hereon and Trustee of The MATH trust dated January 8, 2015, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Reading in: _____

My commission expires: _____

Commission No: _____

This subdivision is subject to the Conditions of Approval in Ordinance 16-_____



BY S.R.W.R.D.

CHAIR

PARK CITY ENGINEER

PARK CITY ATTORNEY

MAYOR

BY PARK CITY RECORDER

FEE

RECORDED



RECEIVED
MAY 03 2016
CITY OF PARK CITY

Alliance Engineering Inc.
(435) 649-9487
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Mohr Street P.O. Box 2186 Park City, Utah 84060-2186

STAFF:
MARSHALL KING
JESSE MORENO
DATE: 4/21/16

AERIAL PHOTOGRAPH
277 McHENRY AVENUE
BLOCK 60, PARK CITY SURVEY
FOR: MICHAEL KAPLAN
JOB NO.: 4-3-16
FILE: X:\ParkCitySurvey\dwg\Exhibits\277 McHenry-ortho.dwg

SHEET
1
OF
1

Exhibit E - Site Plan

NOTES

1. ALL LANDSCAPE IRRIGATION SHALL BE Drip Type Irrigation

2. ALL DISTURBED AREAS WITHIN THE L.O.D. SHALL BE GRADED & RE-SEEDED W/ DROUGHT TOLERANT NATURAL GRASSES & WILDFLOWERS.

LANDSCAPE LEGEND

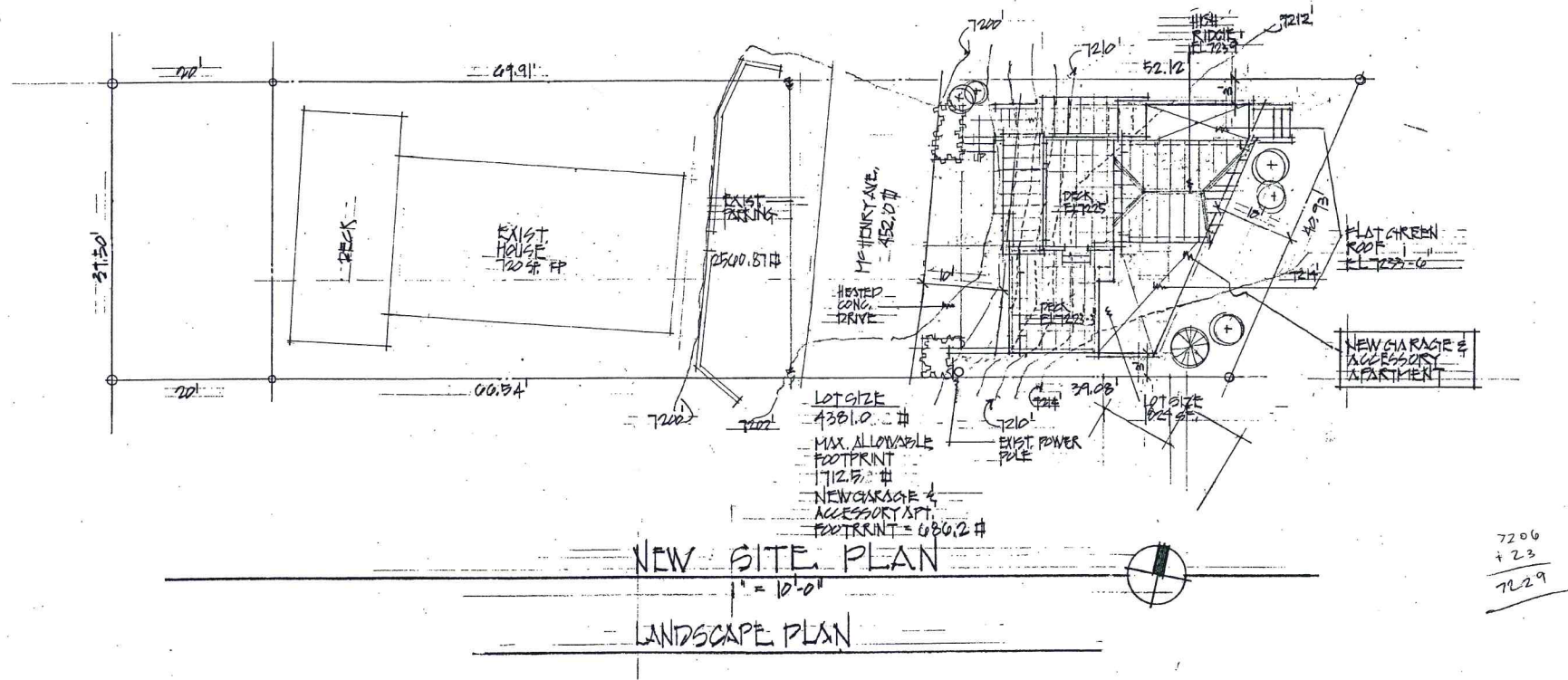
ASPEN CLUMP (8'-0" MIN. HT.) (5)

EVERGREEN (1)
(COLORADO BLUE SPRUCE - 6'-0" - 8'-0" HT.)

SHRUBS (DROUGHT TOLERANT)
(2 PLANTERS)

PAK BRUSH (EXIST.)

- GENERAL NOTES**
1. Comply with IRC Chapter 4 for excavations, fill, cuts and grading. Pay special attention to tall cuts close to property lines. CUT SLOPES AND GRADE FILLS STEEPER THAN 2:1 REQUIRE SOILS REPORTS ADDRESSING STABILITY. General Contractor shall arrange a meeting with Plan Checker, the General Contractor and the Excavator for this project prior to any permits being issued.
 2. Tubs and showers with tiled walls require a Portland Cement application, fibered-cement or glass mat gypsum: green board is no longer allowed in this application.
 3. A permanent certificate shall be posted on or in the electrical distribution panel listing the predominant R-values of insulation installed in or on ceiling/roof, walls, foundation, (slab, basement wall, crawl space wall and/or floor) and ducts outside the conditioned spaces; U-factors of windows, and SHGC of windows. The type and efficiency of heating, cooling and service water heating equipment shall also be listed. Note: The listing will not allow the drilling or modification of the panel or cover to accomplish this. IRC N1101.9
 4. Special inspection is required for field welding and high strength bolting. 2009 IBC, sections 1704.3.1 and 1704.3.3 epoxy connections.
 5. All electrical installations shall comply with the 2012 IRC and 2011 NEC.
 6. All electrical receptacles shall be tamper resistant.
 7. All plumbing installations shall comply with the 2012 IRC.
 8. All mechanical installations shall comply with the 2012 IRC and IFGC.
 9. Showers shall be finished to a min. height of not less than 72" above the floor. Material shall be non-absorbent.
 10. Tower cranes require City approval prior to installation. Submit site plan and Air Space Easement with any adjacent property owners impacted.
 11. Surface water shall drain away from the building at all points. Direct the drainage water to the street or an approved drainage course. (not onto neighboring properties) The grade shall fall a min. of 6" within the first 10 ft.
 12. Foundation rebar inspections for walls over 8 ft. high shall have forms installed only on one side of wall until rebar has been inspected and approved.
 13. All mechanical vents shall be 8' above grade and 3' above roof.
 14. Heated conc. slabs require R5 insulation.
 15. Heated floors require R11 insulation.



REVISIONS	BY

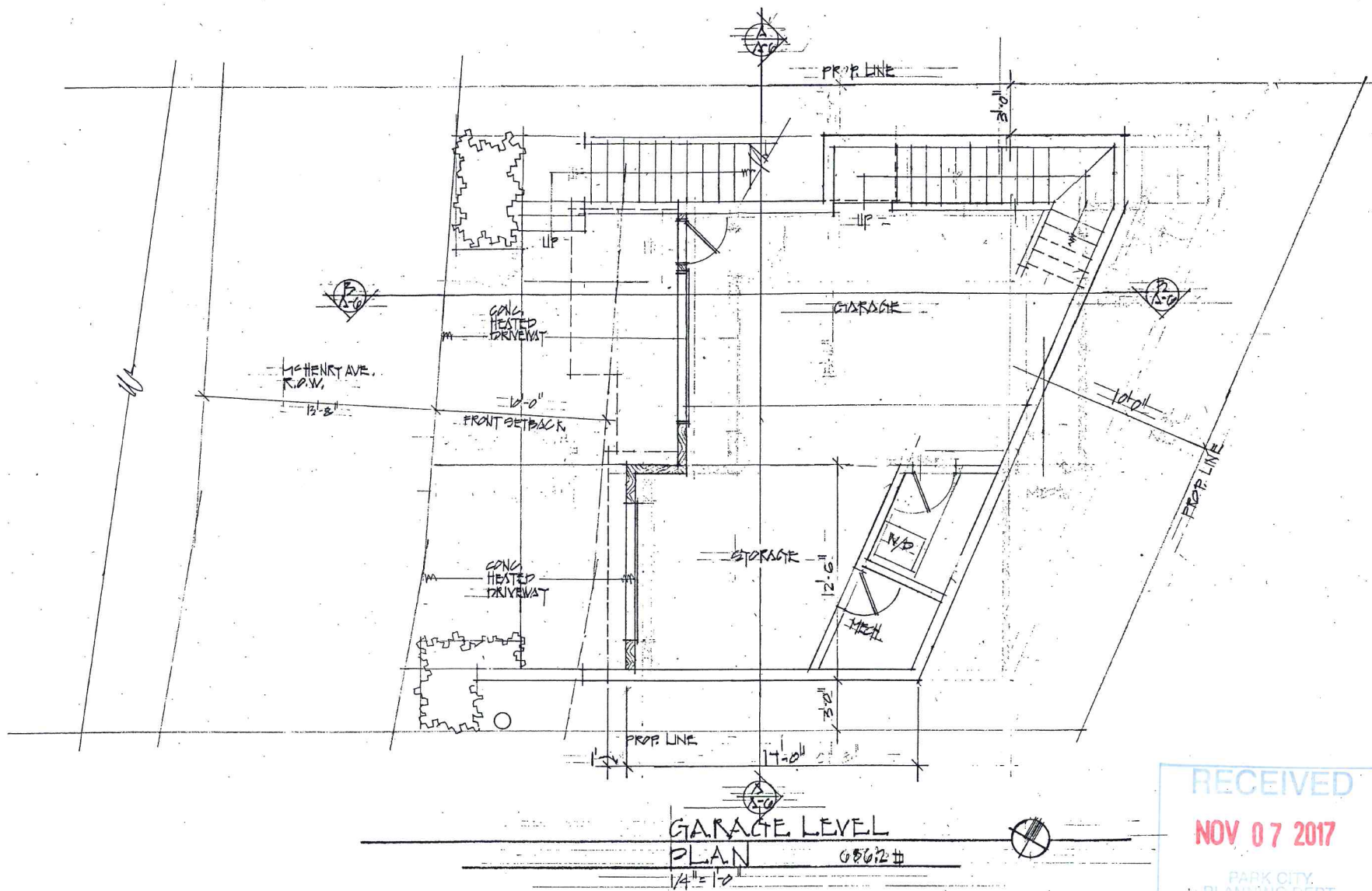
DAVID G. WHITE, ARCHITECT
P.O. BOX 1313 - 2703 ESTATES DRIVE
PARK CITY, UTAH 84060
(435) 649-8379 FAX: (435) 655-8845
EMAIL: dgwhite@ymission.com

NEW SITE & LANDSCAPE PLAN
2712 MC HENRY AVE
PARK CITY, UTAH 84060

Date: 11/07/17
Scale: 1" = 10'-0"
Drawn: J. M. HENRY
Job: 2712 MC HENRY
Sheet: A-1
Of: 1 Sheets

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GARAGE LEVEL
PLAN
1/4" = 1'-0"

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P.O. BOX 1313 - 2703 ESTATES DRIVE
PARK CITY, UTAH 84060
(435) 649-8379 FAX: (435) 655-8845
EMAIL: dgwhite@mission.com

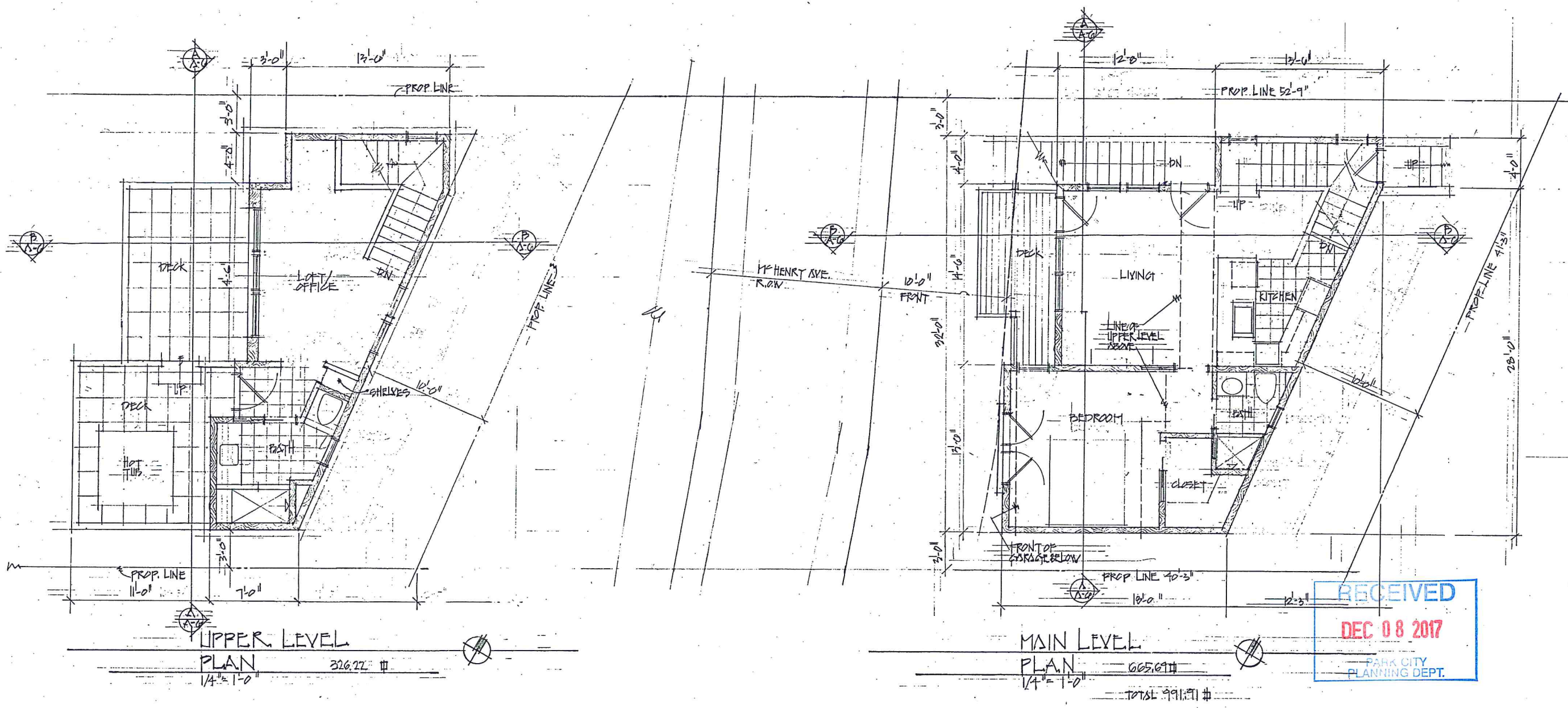
GARAGE LEVEL PLAN

Date	0-2-10
Scale	1/4" = 1'-0"
Drawn	
Job	277 MC HENRY
Sheet	A-2
Of	Sheets

277 MC HENRY AVE.
PARK CITY, UTAH 84060

REVISIONS	
DAVID G. WHITE, ARCHITECT	
P.O. BOX 1313 - 2703 ESTATES DRIVE PARK CITY, UTAH 84060 (435) 649-8379 FAX: (435) 655-8845 EMAIL: dgwhite@dmmission.com	

MAIN & UPPER LEVEL FLOOR PLANS	
277 MC HENRY AVE. PARK CITY, UTAH 84060	
Date	0-30-10
Scale	
Drawn	
Job	277 MC HENRY
Sheet	A-3
Of	Sheets



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Exhibit G - Elevations

REFERENCE NOTES

1. Existing grade shown dashed
2. New finish grade
3. Glue-laminated beam- See framing plans. 1" chamfer all exposed ends. All Glue-lam beams to be smooth finish.
4. 1"x6" beveled Cedar siding.
5. 1"x8" cedar siding square cut vertical pattern.
6. 2"x Cedar corner trim.
7. Exterior door and window trim- 2"x cedar jambs, 3"x heads and sills for windows and 3"x heads for doors
8. 1"x Cedar fascia. (two piece) See detail
9. 1"x6" Cedar soffit.
10. Roof to wall surface- extend ice and water shield over entire roof deck except top two feet @ ridges. Where vertical walls intersect roof, extend ice and water shield up wall min. 18" behind exterior siding material.
11. Roof Covering- Standing Seam metal roofing.
12. Aluminum ext. clad insulated wood windows and doors. Windows and exterior doors U= 0.36 or better. See Window and Door Schedule.
13. Galvanized metal flashing.
14. 3 1/2" blown and binned insulation. R13 min.
15. 5 1/2" blown and binned insulation. R= 19 min.
16. Roof insulation shall have one layer at top of roof joists R25 closed cell foam and R 24 blown in batts in lower portion of roof joists. Total R49
17. 10" blown and binned insulation. R= 31 min.
18. Waterproof membrane and drainage mat on all foundation walls protecting living space below grade. Install 6" perforated drain plastic drain wrapped in filter fabric and set in gravel. Extend downhill to daylight.
19. 4" concrete slab on 2" rigid insulation. Install 6 mil plastic vapor barrier under rigid insulation. Install conc., insulation and vapor barrier over 4" gravel base. Install radiant heat tubes.
20. 8" reinf. Conc. foundation wall. See structural.
21. Guardrails- see details.
22. Floor joists- see framing plans.
23. Roof joists- see framing plans.
24. See interior finish schedule for floor, wall and ceiling finishes.
25. 4" concrete slab w/ 6x6-10/10 wire mesh on 4" gravel base.
26. Stone veneer in dry stack pattern.
27. 1 1/2" light weight concrete w/ radiant heat tubes.
28. Wood overhead garage doors w/ heavy springs and electric operators.
29. Vertical Metal fascia.
30. Horizontal cedar band. (See Details)

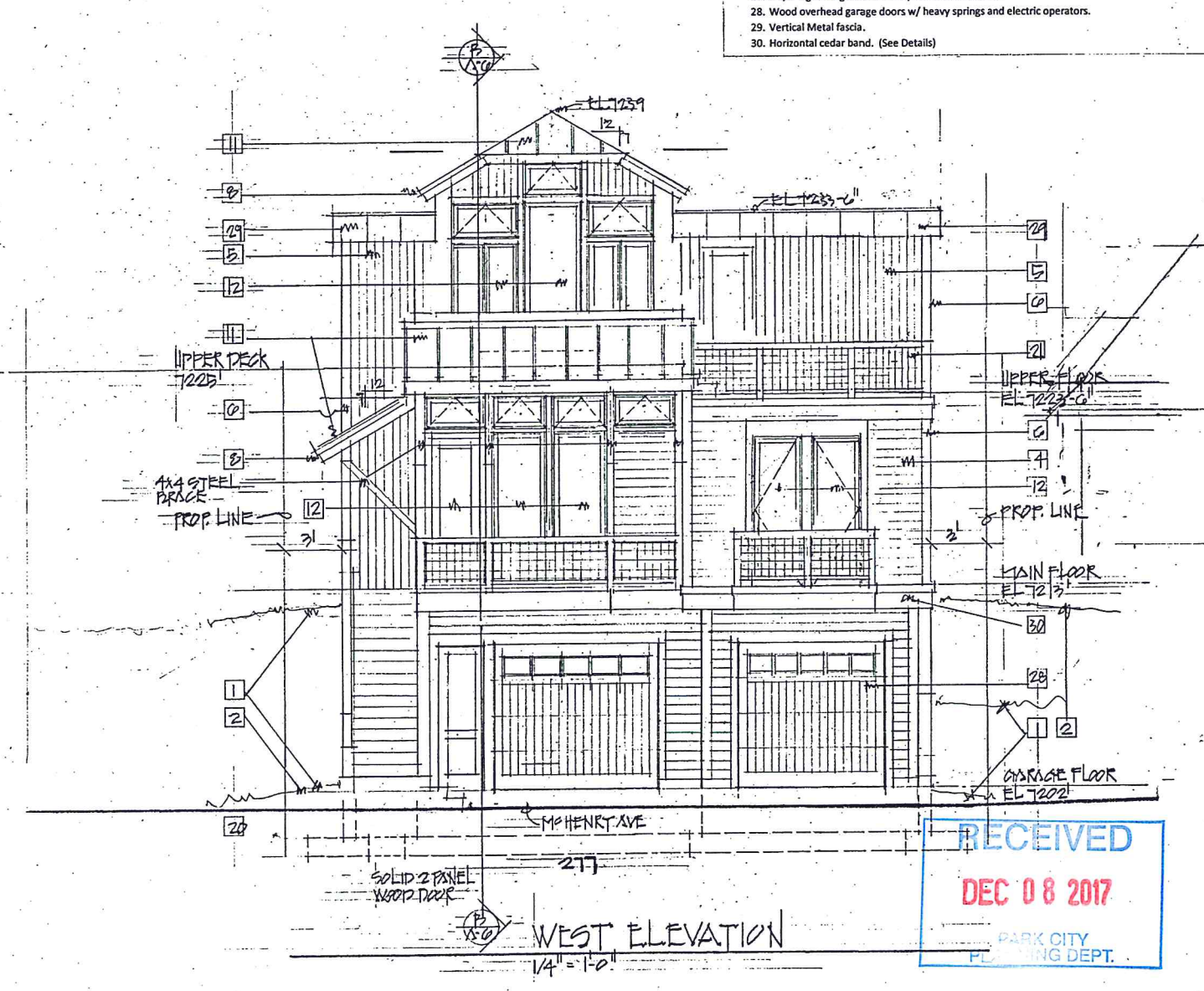
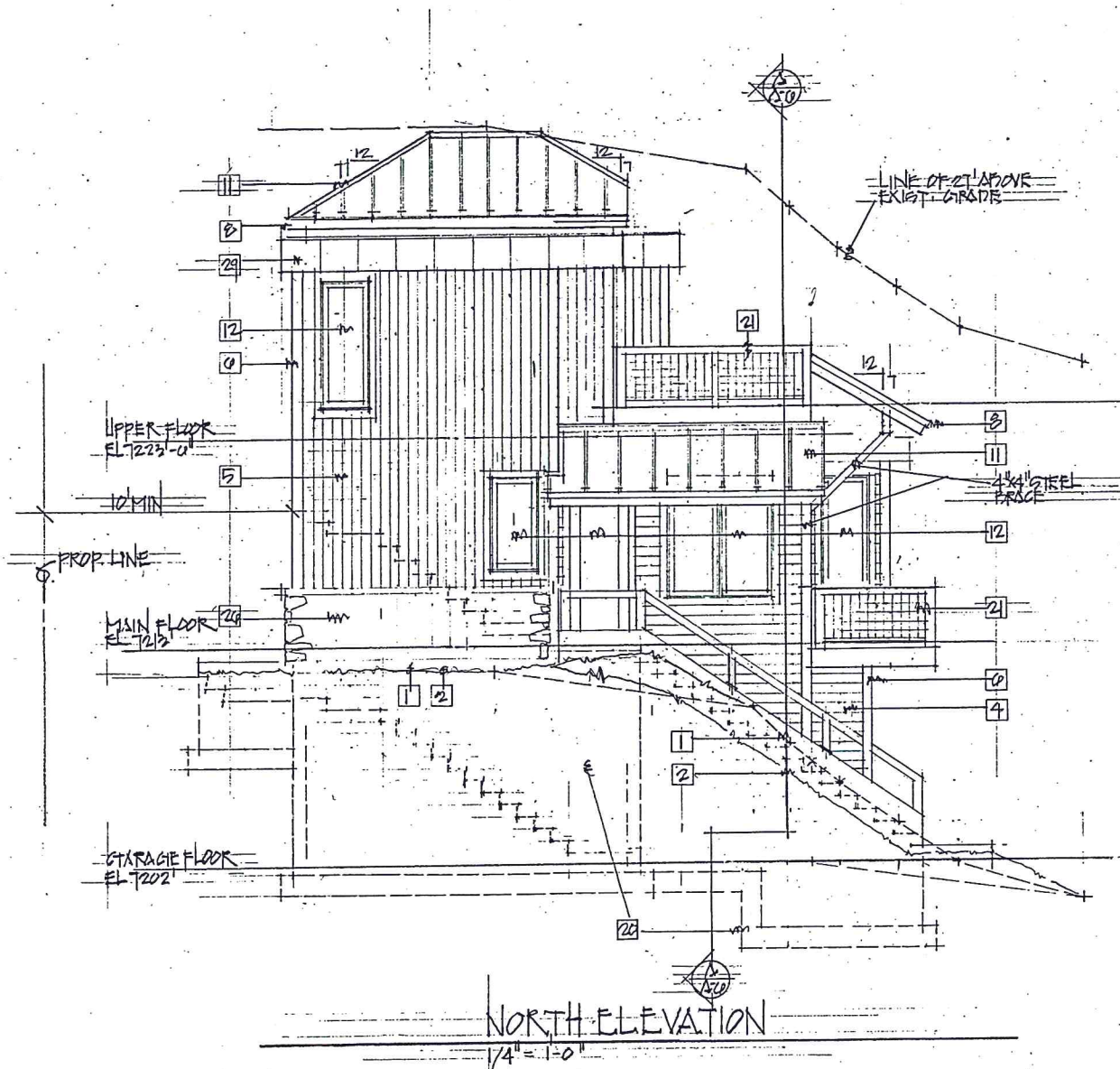
REVISIONS	BY

DAVID G. WHITE, ARCHITECT

P.O. BOX 1313 - 2703 STATES DRIVE
PARK CITY, UTAH 84060
(435) 649-8379
EMAIL : dgwhite@emission.com

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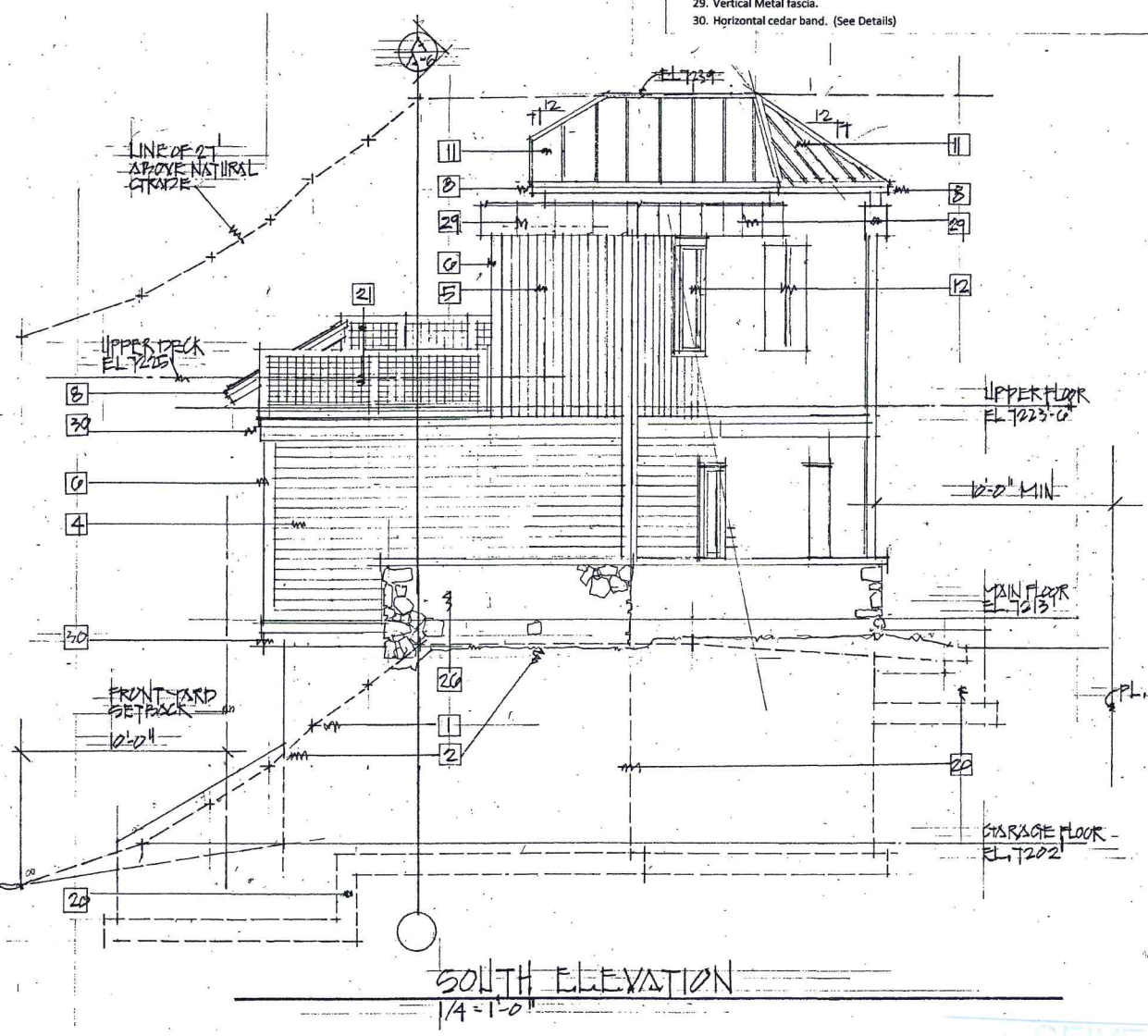
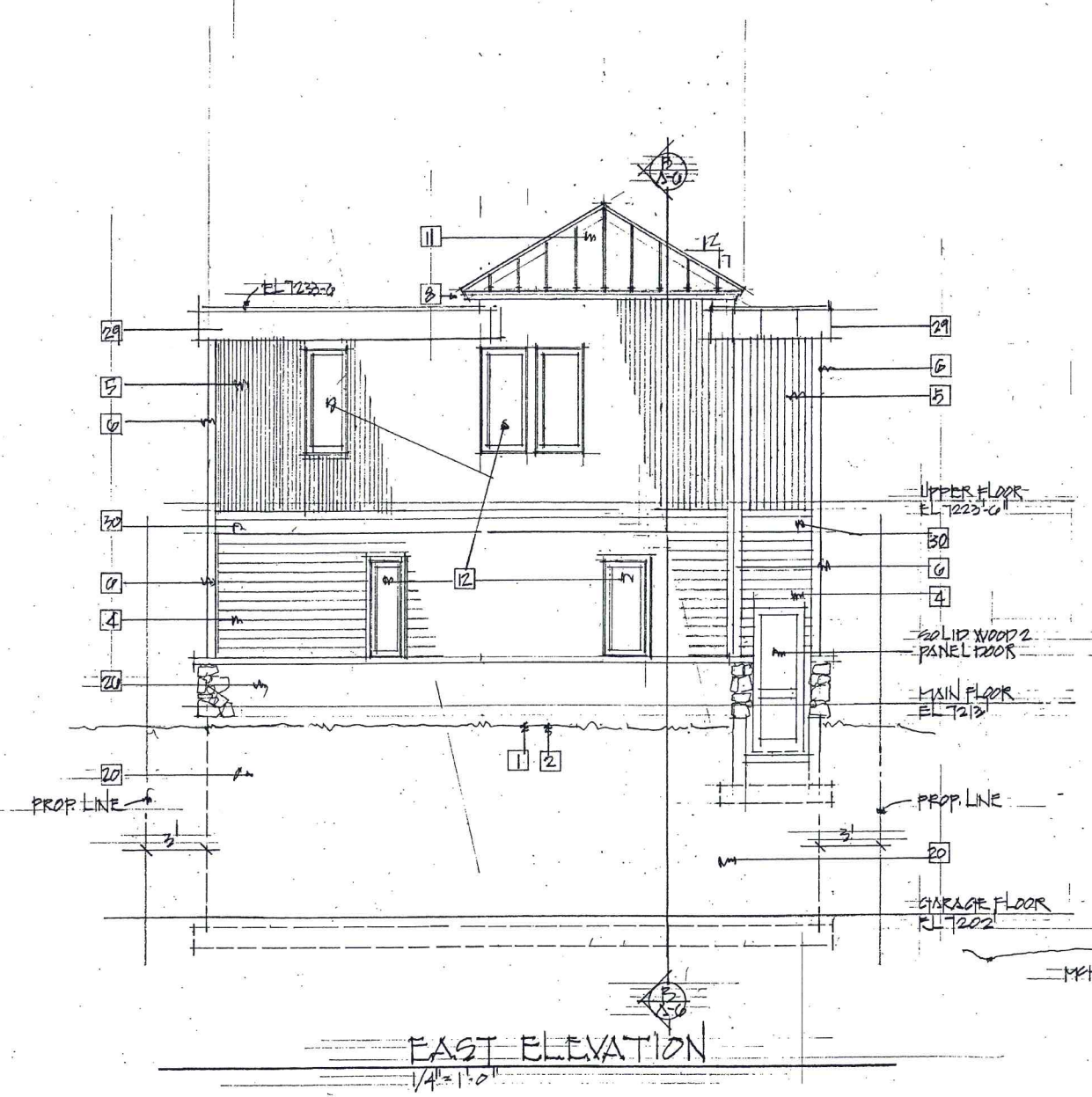
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Job	2777 HENRY
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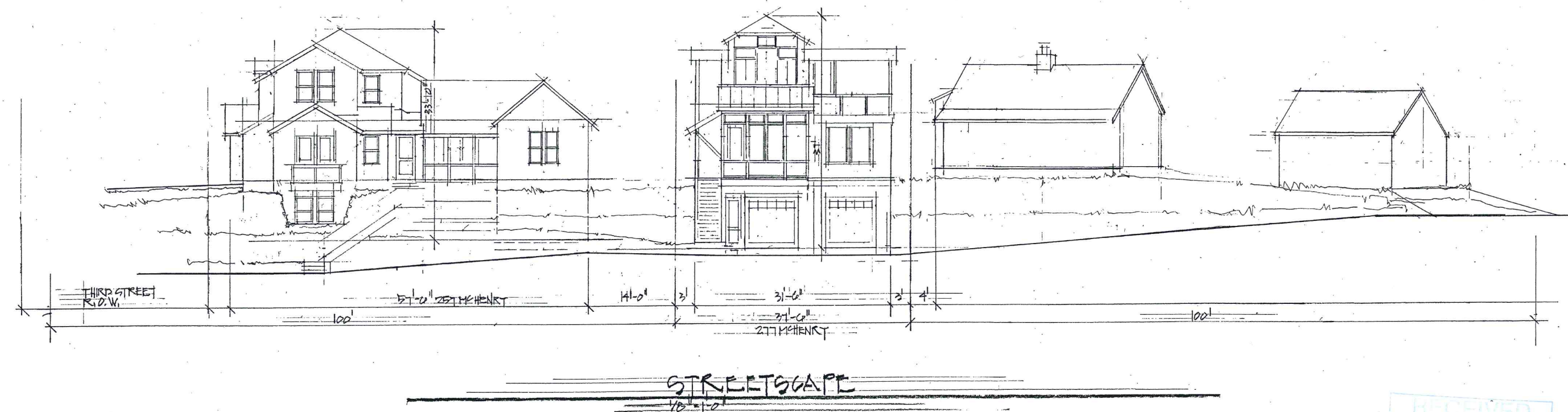
- REFERENCE NOTES
- Existing grade shown dashed
 - New finish grade
 - Glue-laminated beam- See framing plans. 1" chamfer all exposed ends. All Glue-lam beams to be smooth finish.
 - 1"x6" beveled Cedar siding.
 - 1"x8" cedar siding square cut vertical pattern.
 - 2"x Cedar corner trim.
 - Exterior door and window trim- 2"x cedar jambs, 3"x heads and sills for windows and 3"x heads for doors
 - 1"x Cedar fascia. (two piece) See detail
 - 1"x6" Cedar soffit.
 - Roof to wall surface- extend ice and water shield over entire roof deck except top two feet @ ridges. Where vertical walls intersect roof, extend ice and water shield up wall min. 18" behind exterior siding material.
 - Roof Covering- Standing Seam metal roofing.
 - Aluminum ext. clad insulated wood windows and doors. Windows and exterior doors U= 0.36 or better. See Window and Door Schedule.
 - Galvanized metal flashing.
 - 3 1/2" blown and batted insulation. R13 min.
 - 5 1/2" blown and batted insulation. R= 19 min.
 - Roof insulation shall have one layer at top of roof joists R25 closed cell foam and R 24 blown in batts in lower portion of roof joists. Total R49
 - 10" blown and batted insulation. R= 31 min.
 - Waterproof membrane and drainage mat on all foundation walls protecting living space below grade. Install 6" perforated drain plastic drain wrapped in filter fabric and set in gravel. Extend downhill to daylight.
 - 4" concrete slab on 2" rigid insulation. Install 6 mil plastic vapor barrier under rigid insulation. Install conc., insulation and vapor barrier over 4" gravel base. Install radiant heat tubes.
 - 8" reinf. Conc. foundation wall. See structural.
 - Guardrails- see details.
 - Floor joists- see framing plans.
 - Roof joists- see framing plans.
 - See interior finish schedule for floor, wall and ceiling finishes.
 - 4" concrete slab w/ 6x6-10/10 wire mesh on 4" gravel base.
 - Stone veneer in dry stack pattern.
 - 1 1/2" light weight concrete w/ radiant heat tubes.
 - Wood overhead garage doors w/ heavy springs and electric operators.
 - Vertical Metal fascia.
 - Horizontal cedar band. (See Details)



Date	9-28-17
Scale	
Drawn	
Job	277 MCKENRY
Sheet	A-5
Of	Sheets

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Exhibit H - Streetscapes



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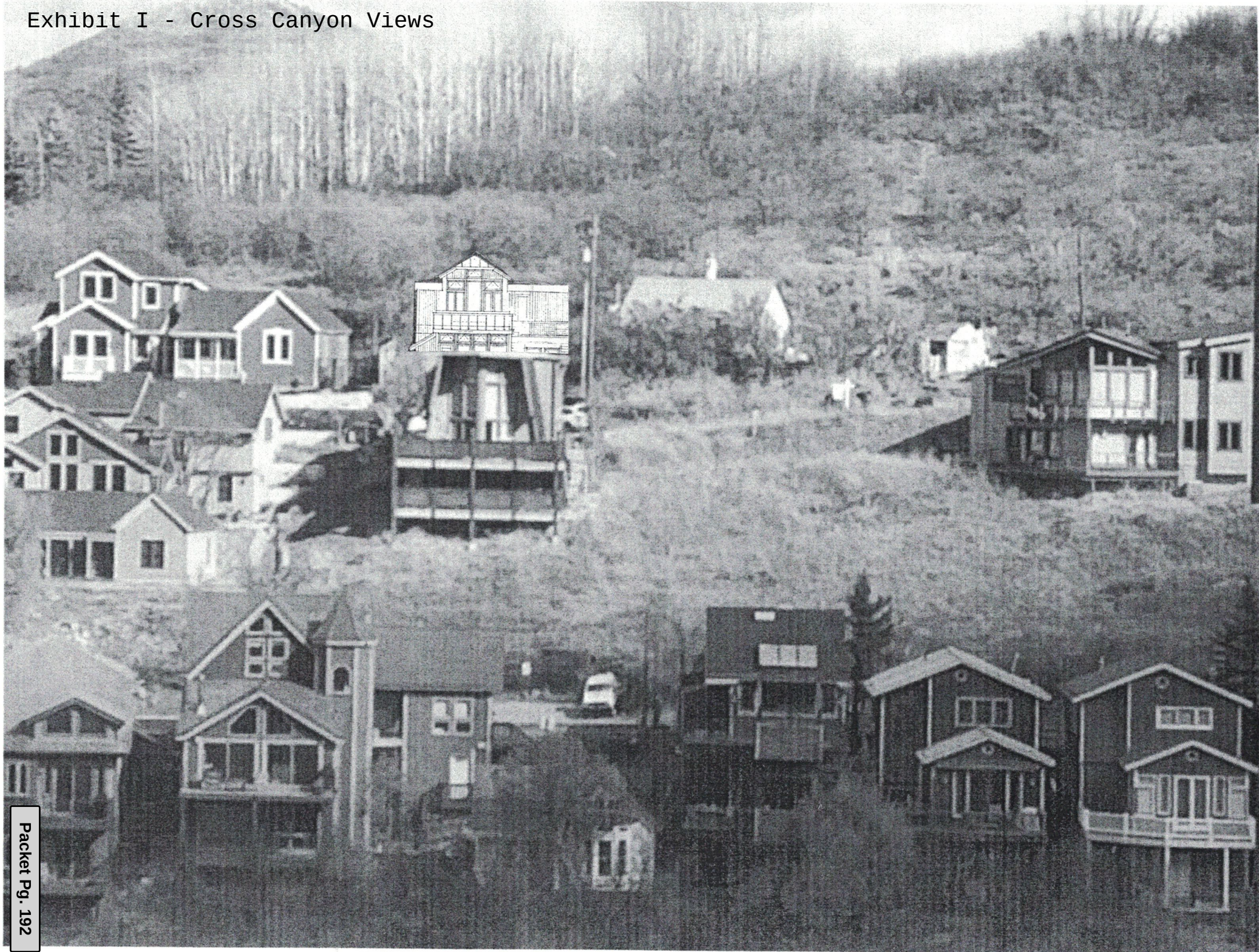
DAVID G. WHITE, ARCHITECT
P.O. BOX 1313 - 2703 ESTATES DRIVE
PARK CITY, UTAH 84060
(435) 649-8379 FAX: (435) 655-8845
EMAIL: dgwhite@kmission.com

Date	11/7/17
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Drawn	
Job	277
Sheet	A-7
Of	Sheets





Exhibit I - Cross Canyon Views

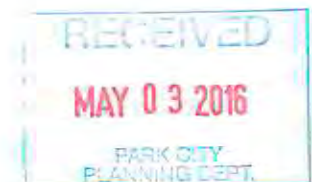




Approx. Roof Line



277 McHenry Avenue – looking west





East portion of 277 McHenry Avenue – looking east

Please note that this existing parking area is not a legal parking space.





277 McHenry Avenue – looking east





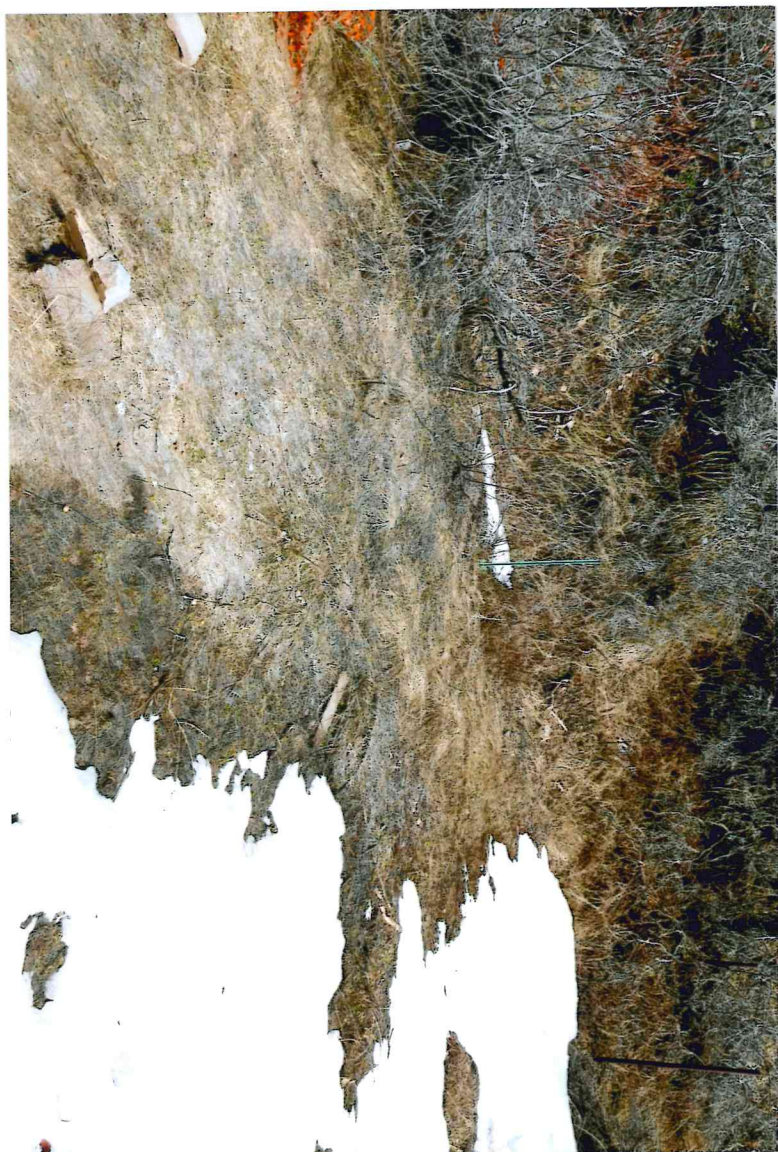
277 McHenry Avenue – looking southwesterly





277 McHenry Avenue – looking north

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**PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS**

1. The applicant is responsible for compliance with all conditions of approval.
2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.
3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.
4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.
5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.
6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.
7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist

the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.

8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.
10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.
11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.
12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.
13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.

14. The planning and infrastructure review and approval is transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.
15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.
16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.
17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.
18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.
19. All projects located within the Soils Ordinance Boundary require a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.

Planning Commission Staff Report



Application: PL-17-03526
Subject: Empire Residences
Author: Kirsten Whetstone, AICP, Sr. Planner
Date: January 10, 2018
Type of Item: Administrative - Conditional Use Permit

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing, discuss compliance with the Village MPD Volumetrics, and consider approving a Conditional Use Permit for the Empire Residences (Building 3 -Village at Empire Pass Master Planned Development) according to the findings of fact, conclusions of law, and conditions of approval as outlined in this report.

Description

Applicant: Empire Residences LLC- Brady Deucher
Location: 7695 Village Way
Zoning: Residential Development (RD) District as part of the Flagstaff Annexation and Master Planned Development
Adjacent Land Uses: Deer Valley Resort, Empire Club, condominiums, townhouses, vacant development parcels of the Village at Empire Pass Pod A and open space

Summary

On April 12, 2017, the Planning Department received an application for a Conditional Use Permit (CUP) for a 21 unit residential lodge building to be located on Lot 3 of the Village at Empire Pass North Subdivision (Exhibits A-D) utilizing 24.484 unit equivalents (UE). The building is identified as Building 3 within the Village at Empire Pass Master Planned Development (VEP MPD), approved on July 28, 2004 ([Exhibit E](#)). An American with Disability Act (ADA) unit and an 880 sf deed restricted employee housing unit (EHU) are also proposed within the lodge building. This application was deemed complete on July 17, 2017, with submission of additional information and revised plans.

Background

Flagstaff Annexation

On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the Flagstaff Mountain area. Resolution 20-99 granted the equivalent of a "large-scale" Master Planned Development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions, restrictions, obligations, and amenities for each parcel. The Flagstaff Development Agreement (Agreement) was amended and recorded in March 2007 ([Exhibit F- link to Development Agreement](#)).

The 2007 Amended Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village. The Mountain Village is further constrained to a maximum density of 785 unit equivalents (UE) configured in no more than 550 dwelling units as multi-family, hotel, townhouse or PUD units, provided the number of PUD units does not exceed 60. The Mountain Village is also allowed 16 single family home sites. At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A) (Exhibit L- Village Map). The development pods are to be linked by transit. A fourth pod, pod D is allowed 30 single family lots (this area was platted with the Red Cloud Subdivision for 30 single family home sites). Subject property is located within Pod A (Exhibit M- Pod Map). See Exhibit N for density summary of the MPD (note- this is still current density summary as no new condominium plats recording new units/UEs have been recorded).

The Agreement required the applicant to submit 14 specific technical reports for review and approval by the City. The 14 studies, along with the Land Management Code and the amended Development Agreement form the standards under which the subject subdivision plat, and subsequent Administrative Conditional Use Permit, are reviewed (Exhibit O – [Link to Technical Reports](#)).

Village at Empire Pass Master Planned Development

On July 28, 2004, the Planning Commission approved a Master Planned Development (MPD) for the Village at Empire Pass (Pod A), known as the Village Master Planned Development (VEP MPD) ([Exhibit E](#)). The VEP MPD was the first step in the development process for Pod A. A separate MPD for Pod B1 was approved in May 2002 and amended in 2004, 2005, 2008 and 2009. Additionally, on March 14, 2007, the Planning Commission approved a Master Planned Development for Pod B2 at Empire Pass (location of the Montage Resort and Empire Canyon Day Lodge).

The purpose of the VEP MPD was to establish unit mix and density for the Mountain Village as well as addressing overall project infrastructure throughout the Annexation Area. The MPD established building volumetric diagrams, including specific height exceptions, density and development location. The MPD requires Conditional Use Permit approval for the lodge buildings and Administrative Conditional Use Permit approval for the townhouse and PUD style units, prior to building permit issuance for construction.

Subdivision Approvals

Village at Empire Pass North Subdivision plat, approved by Council on June 15, 2017, plats metes and bounds parcels within the VEP MPD area for the purpose of creating platted lots of record for Buildings 3 and 4, as well as townhouse units on Lot 1. Recordation of the final mylar plat is pending final review by the City. Plat recordation is a condition of issuance of a building permit for construction of Building 3. The plat identifies a requirement for affordable housing to be constructed within the buildings on Lots 2 and 3 to be completed prior to issuance of a certificate of occupancy for each building.

Submittal

On April 12, 2017, the Planning Department received an application for a Conditional Use Permit (CUP) for a 21 unit residential lodge building to be located on Lot 3 of the Village at Empire Pass North Subdivision (Exhibits A-D). The application was deemed complete on July 17, 2017 with submission of additional information. Final approval by the Empire Pass Design Review Board was provided on October 20, 2017 (Exhibit A2).

Planning Commission discussion

On October 25, 2017, the Planning Commission conducted a public hearing and discussed this item before continuing the item to November 29th. On November 29th the item was continued to December 13th to allow additional time for the applicant to provide additional information regarding building height and volumetric and for staff to complete the analysis and staff report.

At the October 25th meeting Staff requested discussion on the following items:

1. Setback reductions for a portion of the length of the balconies on the north elevation.
2. Compliance with the building volumetric of the VE MPD, in terms of allowing the mezzanine level for two sixth floor units.

In their discussion, the Commission generally agreed that the balconies should comply with the setbacks, even though the MPD does allow the Commission to approve exceptions within an MPD. The Commission also requested additional information on the volumetric to understand what has been previously approved within this MPD. They were concerned that what was proposed doesn't meet what is permitted under the MPD. The Commission also requested that the affordable housing unit meet the required 880 square feet within the unit itself, and that any storage area be in addition to this minimum.

The applicant redesigned the balconies to meet the 12' side yard setbacks and has redesigned the required affordable employee housing unit (EHU) to be 880 square feet for the affordable unit, not including assigned storage area in the garage level.

To address the volumetric issue the applicant researched previously approved lodge buildings and presented a letter and documentation to staff (Exhibit P) regarding the other buildings. Staff also reviewed previously approvals and found a consistent interpretation of MPD Volumetric and building articulation was applied. The proposed building meets the height requirements and includes vertical and horizontal stepping. The Volumetric allow residential uses within the roof area for architectural interest and articulation. (See Analysis section for further analysis).

Purpose

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

- (A) allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,

- (B) encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
- (C) allow commercial and recreational activities that are in harmony with residential neighborhoods,
- (D) minimize impacts of the automobile on architectural design,
- (E) promote pedestrian connections within Developments and between adjacent Areas; and
- (F) provide opportunities for variation in architectural design and housing types.

Land Management Code (LMC) and VEP MPD Analysis

The proposal complies with LMC lot and site requirements of the RD Zoning District and the VEP MPD as described below.

	RD Zoning District and/or VEP MPD
Lot Size	No minimum lot size. Lot 3 is approximately 0.66 acres (28,750 square feet).
Front yard setbacks	Minimum 25 feet to front facing garage, 20 feet to building. Proposed front setback is 20' (garage is on side). <u>Complies</u> .
Rear yard setbacks	Minimum 15 feet rear setbacks. Proposed minimum rear setback is 15'. <u>Complies</u> .
Side yard setbacks Roof eaves are allowed to extend 3' into the side, rear and front setbacks. Shared driveway is permitted across the property line within the platted access easement per plat. Sidewalks that provide circulation within the Village are permitted as shown within platted access easements. Screened mechanical equipment may extend 5' into the side setback area.	Minimum 12 feet side setbacks. North side- proposed minimum setback is 12'. (North side balconies have been re-designed to maintain a 12' setback). South side- proposed minimum setback is 12'. Mechanical equipment has a side yard setback of 5' and is entirely below final grade. <u>Complies</u> .

Building Height and Volumetric Per Village MPD Volumetric and Heights (see Exhibit G). See also Exhibits H and P Applicant's volumetric study, letter and documentation of previously approved lodge buildings. Regarding Building Height- A mix of 4 and 5 residential stories is allowed in addition to a parking story and a roof envelop area, which may also have residential units. The following heights are permitted by the MPD volumetric: 25% of the building was permitted to reach 74' above existing grade (north end), 55% of the building to reach 82' above existing grade, and 20% of the building (south end) to reach 74' above existing grade.	Proposed building has 50% of the building at 82', 25% (north) is less than 74', and 20% (south) is at or less than 74'. <u>Complies.</u> The building contains 4 levels of residential units on the northern portion, and 5 and 6 levels of residential units (with a Mezzanine Level in the roof area for three units) in the central and southern portion of the building. There are visually four, five and six stories, in addition to the parking level and the mezzanine levels. This is consistent with previously approved lodge buildings within this MPD as <u>further described in the Analysis section.</u> <u>Complies.</u>
Parking The <u>Flagstaff Transit and Parking Management Plan</u> approved with the MPD <u>requires</u> a 25% reduction in parking from what would be normally required by the LMC and the Empire Pass HOA is required to provide shuttle services.	Per LMC, based on unit sizes, forty-two (42) spaces are required for the 21 units, one ADA and one EHU. With the 25% reduction 32 spaces are required. The underground parking structure has 30 spaces (including 2 ADA). There are 3 surface spaces for a total of 33 spaces. <u>Complies.</u>
Architectural Design All construction is subject to Village at Empire Pass Design Review Board (DRB) approval and LMC Chapter 15-5 Architectural Design Guidelines with final review conducted at the time of the Building Permit.	The building as presented was reviewed by the Village at Empire Pass DRB including site and architectural design, materials and colors, articulation, volumetric, height allowances, and setbacks. A final approval letter was provided on October 20th (See Exhibit A2). <u>Complies.</u>
Residential Units	21 market rate units (24.484) UE are proposed ranging from 542 sf to 3,596 sf (total of 48,968 sf). Deed restricted unit is 880 sf. ADA unit is 436 sf. Total all residential is 50,284 sf. <u>Complies.</u>
Commercial space	No commercial uses are proposed in this phase.
Residential Accessory uses (Guest amenities)	Common residential amenity areas are provided on level one, including locker rooms, fitness area, lounge/après ski area, and lobby areas for the use of the residents and guests. Total guest amenity area is approximately 4,500 sf.

Density Summary Density is per Development Agreement and VEP MPD. Up to 21 units (49,000 square feet, utilizing 24.5 UE) were allocated to this Lot by the Developer. Proposed market rate residential – 48,968 sf (24.48 UE). Gross building area is approximately 85,757 sf and includes all residential units, circulation and lobby, guest amenities, parking, mechanical, storage, manager office, housekeeping, etc.). All residential- 50,284 sf (58.64% of gross building area) Circulation/mechanical/vents/housekeeping - 18,029 sf (21%) Guest Amenities- 4,500 sf (5.25%) Parking/mech/storage in garage- 12,944 sf (15.1%)	The Mountain Village (Pods A, B1 and B2) was approved with a maximum of 785 UE (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. To date 382 multi-family units (588.742 UE) have been platted and/or built within the Mountain Village, including One Empire. Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge. One Empire Pass is under construction. There is sufficient remaining density for the proposal (see Exhibit N- Density Summary). Density summary includes One Empire Pass as the condominium plat was recorded. <u>Complies</u>.
Affordable Housing Approximately 540 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 104 AUE affordable units are completed and have certificates of occupancy (89 AUE are off-mountain and 15 AUE are on-mountain)	The plans identifies one 880 sf deed restricted affordable unit, or EHU as they are called in Flagstaff, within the building consisting of 1.1 AUE. <u>Complies</u>.

Analysis of Conditional Use Criteria

Conditional Uses are subject to review according to the following criteria set forth in the LMC 15-1-10(E). Staff's analysis is in *italics*.

(1) Size and location of the Site;

Empire Residences consists of a single multi-story building with 21 residential units ranging in area from 542 sf to 3,596 sf, one 880 sf affordable housing unit, and one 436 sf ADA unit. Subject property is Lot 3 of the Village at Empire Pass North subdivision, north of Shooting Star and southeast of One Empire Pass adjacent to the Silver Strike lift and ski run. The lot consists of approximately 0.66 acres (28,750 square feet). Excluding the affordable and ADA units, the total market rate residential floor area is 48,968 sf, utilizing 24.484 unit equivalents (UE). Gross building area is 85,757 sf, of which 50,284 sf is residential (58.64%); 18,029 sf is circulation/lobby (21%); 4,500 sf is guest amenities (5.25%); and 12,944 sf is parking garage, mechanical, storage, manager office, housekeeping, etc. (15.1 %).

*The site slopes up from the street and the design proposes a single level underground parking structure with up to four, five and six stories of residential uses. Three upper units have a mezzanine level into the roof area. The garage entrance is on the north side. The garage level is mostly below final grade, except at the northern entrance, which is approximately 6' above the street level. The size and location of the site comply with parameters of the MPD. **No unmitigated impacts.***

(2) Traffic considerations including capacity of the existing Streets in the Area:
*This site is accessed from Village Way and Empire Club Drive, private roads that connect to Marsac Avenue, a public Right-of-Way. A traffic management plan was approved as part of the Technical Reports for the Flagstaff Annexation and Development Agreement to reduce overall traffic generated from the development. Parking has been reduced by 25%. A final Construction Mitigation Plan (Exhibit R) is required at the time of Building Permit issuance in compliance with the Flagstaff Development Agreement that reiterates that downhill truck traffic will use Royal Street, unless use of Marsac Avenue is approved and/or required by the City Engineer and Chief Building Official. The Construction Mitigation Plan also addresses where excavated materials will be hauled if they are not used on this site. The Development Agreement requires excavated materials to remain within the Annexation Area. **No unmitigated impacts.***

(3) Utility capacity:
*Sewer, electric, gas, water and phone service is available at the site. A final approved storm water plan, as well as a final utility and grading plan, is required prior to issuance of a building permit. Applicant will need to verify that capacity still exists in the detention pond below this property and will need to maintain run-off sufficient to support the existing tree stands. All above ground utility infrastructure (transformers, ground sleeves, telephone boxes, cable boxes, etc.) are to be located on the property. Staff recommends a condition of approval related to the location of dry facilities on the property to ensure that the location of transformers and other utility infrastructure on the property is shown and these items can be adequately screened. Showing dry utilities on the final plans allows verification from utility companies that the location shown on the plans is viable for their installation. **No unmitigated impacts.***

(4) Emergency vehicle Access:
*Primary emergency access is from Village Way as well as Empire Club Drive that winds through the Village area with two access points onto Marsac Avenue. Village Way intersects both Empire Club Drive and Marsac Avenue providing multiple routes for emergency access. **No unmitigated impacts.***

(5) Location and amount of off-Street parking:
The Transit and Parking Management Plan approved with the MPD and Flagstaff Development requires a 25% reduction in parking from what would be normally required by the LMC. A total of forty-two (42) spaces are required for the 21 units as configured, the EHU and the ADA unit. The 25% reduction rounds to a required 32 spaces. The

*underground parking structure will have 30 spaces. Additionally, 3 surface spaces are provided for a total of 33 spaces. **No unmitigated impacts.***

(6) Internal vehicular and pedestrian circulation system;

*Access to the project is from Village Way, a private street. A drop-off area is located in the front of the building and a bus stop is located nearby on Marsac Avenue. A pedestrian path system is proposed consistent with the Village Master Plan of Trails connecting this building to the Empire Club and shuttle stop. **No unmitigated impacts.***

(7) Fencing, Screening, and landscaping to separate the Use from adjoining Uses;

*A final landscape plan is required as a condition precedent to Building Permit. Landscaping and irrigation will be water efficient, utilizing drought tolerant plantings, limited turf area, and drip irrigation. The plan shall indicate mitigation for removal of identified significant trees. **No unmitigated impacts.***

(8) Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots;

This building is one of ten multi-story lodge buildings planned to be clustered within Pod A and oriented along the Silver Strike lift and ski run. Empire Residences is proposed to have four to six floors of residential units (with a seventh mezzanine level for three of the sixth floor units within the roof area). There is a single level parking structure under the building. The ADA unit and deed restricted employee housing unit (EHU) are located on the first story where the resident's amenity area is located (locker rooms, exercise room, lounge/après ski, and lobby area). Levels 2 -4 each have four units. Levels 5 and 6 each have three units. Market rate units range in area from 542 sf to 3,596 sf. The ADA unit is 439 sf and the EHU is 880 sf (this does not include storage area assigned in the garage).

Gross building area, including units, parking and all common areas within the building is approximately 85,757 sf. A total of twenty-one (21) residential units are proposed with a total of 49,000 sf, not including the 880 sf deed restricted affordable housing unit (includes dedicated storage areas) and the 436 sf ADA unit. The 49,000 sf utilize 24.5 unit equivalents (UE). To the west, there are five existing buildings of a similar size, height, and volumetric (One Empire Pass, Silver Strike, Flagstaff, Arrow Leaf A and Arrow Leaf B).

*On the adjacent lot to the south there is one existing building (Shooting Star). Additionally, to the south there is one lodge building still to be constructed (Tower Residences). A future lodge building can be proposed on the adjacent lot to the north (Lot 2 of the Village at Empire Pass North (VEPN)) and townhouses are contemplated on Lot 1 of the VEPN, across Village Way to the east. The mass of the building steps down as the lot slopes to the north. The building is articulated both horizontally and vertically. **No unmitigated impacts.***

(9) Usable Open Space;

Both passive and active Open Space is provided in excess of 88% within the Flagstaff Annexation boundary. The individual lots were not required to provide open space. The

*proposal includes a useable plaza area in the back adjacent to the ski run/lift area. **No unmitigated impacts.***

(10) Signs and lighting:

*Signs and lighting must be in conformance with the Park City codes and the Flagstaff Mountain Resort Design Guidelines. All exterior signs require a separate sign permit approved by the Planning Department. Any sign shown on the plans is for illustration only and does not indicate approval. Street lights must be approved by the City Engineer (LED, 48 watt, 2700 K in a style consistent with Park City street lights) and if installed, will be privately maintained. **No unmitigated impacts.***

(11) Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing:

In the immediate area, there are five existing similarly sized multi-story residential condominium buildings (Silver Strike, Flagstaff (aka Snowberry), Shooting Star, Talisker Tower Club and One Empire Pass), as well as the two story Larkspur town homes and Paintbrush PUD style homes (single-family detached homes). See also #8 above. The master developer reviews the design, volumetric and building heights and coordinates design elements for all phases of the project. All developments are required to have approval by the Flagstaff Architectural Design Review Board. The Design Review Board provided a letter of approval on October 20, 2017 (Exhibit A2).

The following heights are permitted by the MPD volumetric: 25% of the building was permitted to reach 74' above existing grade (north end), 55% of the building to reach 82' above existing grade, and 20% of the building (south end) to reach 74' above existing grade. Staff reviewed the proposed building for compliance with the MPD volumetric and maximum building height allowed and finds that the building complies with the maximum allowable building height. Proposed building has 50% of the building at 82', 25% (north) is less than 74', and 20% (south) is at or less than 74'. Staff finds that the building complies with the required building height volumetrics.

The building contains 4 levels of residential units on the northern portion, and 5 and 6 levels of residential units (with a Mezzanine Level in the roof area for three units) in the central and southern portion of the building. There are visually four, five and six stories, in addition to the parking level and the mezzanine levels.

Staff reviewed approvals for Silver Strike, Flagstaff, and One Empire Pass. In all cases these lodge buildings were approved with areas of 6 residential levels (stories) where the volumetric diagrams show 4 and 5 stories, in addition to the parking garage and roof envelope area. The approvals specifically indicate that residential uses should be incorporated into the roof envelope area and emphasize building articulation and maximum building heights for various portions of the building.

Staff also reviewed the applicant's letter and volumetric study of previously approved lodge buildings in the VE MPD (Exhibit P). According to the MPD approvals (Exhibit E) the intent of the Volumetric is to define the architectural massing of the building and to insure that the massing is broken up by significant faced and roofline shifts. From the

approval “the Volumetric generally depicts the location and heights modeled in the attached visual analysis and approximate locations of the buildings as the plans evolve through the design process”.

Based on examination of prior lodge building approvals within the Village as depicted in Exhibit P, staff finds that there has been a consistent interpretation of the MPD Building Height and Volumetrics throughout the Village MPD. The applicant will provide a presentation at the meeting. **Staff requests discussion as to whether the Planning Commission concurs that mezzanine areas within the units on the 6th story comply with the MPD Volumetrics.**

(12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;

All uses, except the outdoor patio area, are inside the residential building and there are no expected impacts on residents/visitors or Property Off-Site. Mechanical equipment is proposed to be below final grade and screened with landscaping and covered with a grate material. Staff recommends conditions of approval related to screening of exterior mechanical equipment and protrusions. **No unmitigated impacts.**

(13) Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas;

Service and delivery is for residential only as there is no commercial or support commercial component in the building. It is anticipated that laundry/maid service will be needed on a weekly basis throughout the Village. Trash enclosure is located in an accessory structure outside of the garage entry. Three parking spaces in the front provide for loading and unloading. **No unmitigated impacts.**

(14) Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities;

The project will be platted as a condominium. Nightly rental is a permitted use within the RD zoning district. These units will primarily be second homes and it is unlikely that many will be full-time residences, although this possibility is not precluded. **No unmitigated impacts.**

(15) Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site. There are no Environmentally Sensitive Lands within or adjoining the site. The building is located on a sloping lot within the Pod A. The site is currently developed with a temporary sales building. There aspen trees and shrubs on the site that if removed will be mitigated with replacement trees and shrubs per the landscape plan. **No unmitigated impacts.**

(16) General Plan. The application is subject to the restrictions and conditions of the Flagstaff Annexation and Development Agreement. In terms of the General Plan, this property was annexed, zoned, master planned and platted to be consistent with the goals and objectives of the Park City General Plan in providing resort based lodging and

*guest amenities in close proximity to Deer Valley Resort, affordable housing, reduction in traffic generation with clustered development in the Village, shuttle service within the development and within Park City, significant open space and trails, as well as attention to mitigation of past and present environmental impacts. **Consistent.***

Department Review

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

Notice

The property was posted and notices were mailed to property owners within 300 feet on October 10, 2017 and December 22, 2017. A legal notice was published in the Park Record on October 7, 2017 and December 23, 2017. No public input has been received at the time of this report.

Significant Impacts

There are no significant fiscal or environmental impacts from this application that have not been mitigated with the Flagstaff Agreement and Master Planned Development and conditions of approval.

Recommendation

Staff recommends the Planning Commission hold a public hearing, discuss compliance with the Village MPD Volumetrics, and consider approving a Conditional Use Permit for the Empire Residences (Building 3 -Village at Empire Pass Master Planned Development) according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact:

1. The Empire Residences Conditional Use Permit (CUP) is located at 7695 Village Way in the RD-MPD District, within Pod A of the Village at Empire Pass Master Planned Development.
2. The property is subject to the Flagstaff Mountain Annexation and Development Agreement approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007.
3. 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.
4. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (Village MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area. The MPD (known as Mountain Village) was amended to include Pod B2 (Montage). 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. To date approximately 382 multi-family units (588.742 UE) (of which 52 are PUD style units) and 16 single family units have been platted and/or built (including the One Empire Pass units).

5. Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge. Building 5 is under construction as One Empire Pass. Still to be approved: Tower Residences (Building 1), Building 3 (subject property) and Building 4. There is sufficient density remaining within the MPD with approximately 196.268 UE (168 MF units) remaining (see Exhibit N-Density Summary) for the 21 units (24.5 UE).
6. Approximately 540 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 104 AUE are completed and have certificates of occupancy (89 off-mountain and 15.46 on-mountain).
7. As part of the Empire Residences CUP 1.1 AUE (880 sf) is required by the subdivision plat for this lot. The affordable unit is a total of 880 sf (not including dedicated storage areas). One AUE is 800 sf for the Flagstaff Development.
8. On April 12, 2017, the Planning Department received an application for a Conditional Use Permit for a twenty-one (21) unit residential building to be located on Lot 3 of the recently approved Village at Empire Pass North Subdivision.
9. The application was deemed complete on July 17, 2017, following submittal of revised plans.
10. Access to the property is from Village Way, a private street.
11. The property is also known as Lot 3 of the Village at Empire Pass North Subdivision, approved by Council in 2017.
12. Lot 3 consists of 28,750 square feet and is currently developed with a temporary sales building and small parking area, approved with an Administrative Conditional Use Permit.
13. 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 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 landscape, and includes other utility and maintenance provisions.
14. The proposed Empire Residences CUP consists of a single multi-story building with 21 residential units ranging from 542 sf to 3,596 sf, one 880 sf affordable housing unit and one 436 sf ADA unit.
15. Gross building area is 85,757 sf, of which 50,284 sf is all residential (58.64%); 18,029 sf is circulation/lobby (21%); 4,500 sf is guest amenities (5.25%); and 12,944 sf is parking garage, mechanical, storage, manager office, housekeeping, etc. (15.1 %).
16. The total floor area of the residential (market rate) units is 48,968 square feet and utilizes 24.484 UE, this does not include the affordable unit or the ADA unit (which will be designated as common area). Guest amenity areas (exercise and recreation areas, locker rooms, lobby and reception area, lounge/après ski, restrooms, etc.) are proposed on the first level. These common residential accessory uses do not require use of UEs.

17. No commercial uses are proposed within this building.
18. The Transit and Parking Management Plan approved with the VEP MPD requires a 25% reduction in parking from what would normally be required by the LMC. Based on unit sizes, forty-two (42) spaces would be required for the 21 units, affordable unit, and ADA unit. The 25% reduction rounds up to 32 spaces. The underground parking structure will have 30 parking spaces. Three (3) surface spaces are provided for a total of 33 parking spaces.
19. The elevation and climate of Flagstaff creates a harsh environment for utilities and their maintenance.
20. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof). A height exception was approved with the Village at Empire Pass Master Plan Development. Specific volumetric diagrams were approved for each Building. For Building 3, 25% of the building (north side) was permitted to reach 74' above existing grade, 55% of the building (central) to reach 82' above existing grade, and 20% of the building (south side) to reach 74' above existing grade.
21. The proposed building complies with the MPD height allowances and has 25% (north side) at or below 74', 50% in the central portion at or below 82' and 25% (south side) is at or below 74'.
22. The building contains 4 levels of residential units on the northern portion, and 5 and 6 levels of residential units (with a Mezzanine Level in the roof area for three upper units) in the central and southern portion of the building. There are visually four, five and six stories, in addition to the parking level and the mezzanine levels. Building articulation and massing are consistent with previously approved lodge buildings and meet the intent of the VE MPD.
23. The building complies with RD District zone setbacks maintaining a 20' front setback, 12' side setbacks and 15' rear setbacks. LMC exception to the side yard setback allows screened mechanical equipment to have a five foot setback as follows: LMC Section 15-2.13-3 (G) (10) Side Yard Exceptions "Screened mechanical equipment, hot tubs, and similar Structures located a minimum of five feet (5') from the Side Lot Line. Balconies on the north side have been redesigned to comply with the 12' setback requirements.
24. 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.
25. Excavated soil will remain within the Flagstaff Annexation area as required by the Annexation Agreement with a location to be identified on the final Construction Mitigation Plan submitted with the building permits.
26. The property is part of a common development that exceeds one acre and thus has MS4 requirements to meet.

Conclusions of Law:

1. The CUP, as conditioned, is consistent with the Village at Empire Pass Master Planned Development and Flagstaff Mountain Resort Master Planned Development, the Park City Land Management Code, and the General Plan.
2. The proposed use, as conditioned, will be compatible with the surrounding structures

in use, scale, mass and circulation.

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

Conditions of Approval:

1. All standard conditions of approval apply to this Conditional Use Permit.
2. 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.
3. All exterior lights must conform to the City lighting ordinance and the Flagstaff Mountain Resort Design Guidelines. Final compliance with the City's Lighting Ordinance will be verified at the time of building permit plan review and prior to issuance of a certificate of occupancy. Exterior lighting shall be shielded and down directed.
4. All exterior signs require an approved sign permit prior to installation.
5. 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.
6. All exterior mechanical equipment shall be screened and shielded from public streets. Screening with landscaping and fencing/grating materials is allowed. All wall and roof top vents and protruding mechanical shall be painted to match the adjacent wall or roof to minimize impacts on public view.
7. All utility facilities must be located on site, unless specific easements have been provided on the recorded plat. A plan must be provided at the time of the building permit application showing all utility locations, including dry utilities. The applicant shall provide verification that the utility plan is viable and the utility boxes can be screened with landscaping and/or fencing.
8. 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.
9. The applicant shall record a condominium plat prior to selling individual units.
10. Utility and grading plans, including storm water drainage plans, must be approved by the City Engineer prior to Building Permit issuance.
11. Affordable housing provided with this Conditional Use Permit shall comply with all requirements and stipulations of the Flagstaff Development Agreement and the City's affordable housing resolution in effect at the time of the Development Agreement prior to issuance of a certificate of occupancy for the building. The affordable unit shall be indicated on the final condominium plat prior to recordation of such plat and shall be completed prior to issuance of a certificate of occupancy for the building.
12. A deed restriction for the EHU unit, acceptable to the City, shall be recorded prior to plat recordation. The deed restriction 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.

13. The CCRs shall limit the HOA dues related to the deed restricted employee housing unit (EHU) in order to ensure the Unit remains affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to HOA fees.
14. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
15. All conditions of approval of the Village at Empire Pass MPD shall continue to apply.
16. All conditions of approval of the Flagstaff Annexation and Development Agreement shall continue to apply, including the restrictions on solid wood burning fireplaces, removal of excavated materials, construction of pedestrian connections to the transit hub within the Village, and provision of any required ADA and affordable housing units.
17. A Final Construction Mitigation Plan (CMP) shall be submitted for approval by the Planning, Building, and Engineering Departments prior to issuance of a building permit. The CMP shall indicate where and how excavated soils will be hauled and/or stored, hours of construction, truck routes, phasing of construction, road closures, and other items required by the Building Department.
18. Interior fire sprinklers are required for new construction and shall meet requirements of the Chief Building Official at the time of review of the building permit.
19. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
20. All requirements and conditions of the Snyderville Basin Water Reclamation District shall be met prior to building permit issuance.
21. The deed restricted unit shall be a minimum of 880 sf to meet the plat note requirement of 1.1 AUE for this lot. One AUE is equivalent to 800 sf according to the Development Agreement.
22. This development is part of a common development that is greater than one acre. This development shall meet the MS4 storm water requirements. Prior to building permit issuance, the applicant shall verify that capacity exists in the existing detention pond utilized by Pod A and shall demonstrate that sufficient run-off will remain on site to support existing tree stands.
23. Development of this property is subject to the conditions of approval, plat notes, easements and restrictions of the Village at Empire Pass North Subdivision plat.
24. The Village at Empire Pass North Subdivision plat shall be recorded prior to issuance of any building permits on this property.
25. This 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.

Exhibits

Exhibit A – Project Description

Exhibit A2 – Letter of Approval from the Design Review Board (October 20, 2017)

Exhibit B – Site and Landscape Plans and Floor Plans

Exhibit C – Architectural Elevations

Exhibit D – Subdivision plat (Village at Empire Pass North)

Exhibit E – [Village at Empire Pass MPD approval July 28, 2004](#)

Exhibit F – [Development Agreement \(2007\)](#)

Exhibit G – Approved MPD Building Volumetric Diagrams
Exhibit H – Volumetric Study
Exhibit I – Existing Conditions survey
Exhibit J – Photos of the site
Exhibit K – Utility Plans
Exhibit L – Village Map
Exhibit M – MPD Pod Map
Exhibit N – Density Summary
Exhibit O – [Technical Reports \(link\)](#)
Exhibit P – Applicant's Letter and attachments re Volumetric Study (November 21, 2017)
Exhibit Q – Minutes of October 25, 2017 PC Meeting
Exhibit R – Construction Mitigation Plan

Empire Residences LLC

Memo

To: Park City Planning

From: Brady Deucher, Empire Residences LLC

Date: October 1, 2017

Re: Empire Residences CUP application

Empire Residences LLC is seeking a Conditional Use Permit for the development and construction of a residential building on Lot 3 of the Village at Empire Pass North Subdivision. The site is part of the land subject to the Amended and Restated Development Agreement for Flagstaff Mountain recorded in March 2007 which granted the Developer/Owner of the property a Large Scale Master Planned Development. This application seeks to move forward the approvals as required in the development agreement to the level considered a Small Scale Master Plan, for which, we believe a CUP is required.

Empire Residences LLC is proposing to build a 71,000 SF structure consisting of 21 residential for sale properties, (not exceeding 49,000 SF), 1 Accessible Unit as required by town code (1 ADA Unit), 1 Employee Housing Unit (1 EHU Unit), 30 Underground parking spaces and 33 total parking spaces, and various Residential Accessory Uses as defined in the Development Agreement.

The development has an allowable building height of 82 feet. No part of the proposed building exceeds that limit. The underlying MPD contemplated a story count of 4-5 levels, not including the underground parking. The proposed building includes 2 units that form a 6th level, however, this is not inconsistent with the MPD, or our surrounding neighbors. This level also serves to improve the “step down” look that both the MPD and Design Review Board required as the roof steps down both to the north and the south consistently in spite of a significant rise in topography on the south side. The development was able to accomplish this look while meeting the horizontal or vertical building height and percentage requirements. The Empire Pass Design Review Board has specifically approved both the story count and slight setback variations for the development.

Below are answers to specific questions required in the CUP Application:

How will the proposed use “fit-in” with surrounding uses?

The development of a resort style condominium property was specifically contemplated for this site within the previously granted MPD. The proposed building fits the approved massing and square footage allowances per previous approvals.

What type of service will it provide to Park City?

The property is part of the resort residential development of Empire Pass Village.

Is the proposed use consistent with the current zoning district and with the General Plan?

The proposed development is consistent with the Development Agreement recorded in March 2007 for Flagstaff Mountain.

Is the proposed use similar or compatible with the other uses in the same area?

Yes, the proposed property has received approval from the Empire Pass HOA Design Review Board as being compliant with the expected design and use of the property.

Is the proposed use suitable for the proposed site?

Yes, the proposed property fits within the prescribed massing and maximum SF.

Will the proposed use emit noise, glare, dust, pollutants, and odor?

The proposed use is similar in design to the other condominium buildings in Empire Pass Village. There are no extraordinary uses or mechanical systems that one would expect to produce any emissions dissimilar to the other existing properties.

What will be the hours of operation and how many people will be employed?

As a residential property, it is expected to be occupied during all hours of the day. The developer is proposing to have Deer Valley Lodging operate the HOA and thus may employ at least one FTE as a lodge keeper, plus other support employees from existing staff of DV Lodging.

Are there special issues that need to be mitigated?

No.

EMPIRE PASS

October 20, 2017

DESIGN REVIEW BOARD

Harrison Horn
Empire Residences
2520 N. University Ave., Ste 50
Provo, UT 84604

RE: Empire Residences, 7695 Village Way
Final DRB Approval

Dear Mr. Horn,

Thank you for your recent application regarding Empire Residences to the Empire Pass Design Review Board (the DRB) requesting Final Design Approval of the proposed condominium lodge project. The DRB previously reviewed Conceptual plans on December 20, 2016 and February 22, 2017. The Preliminary Approval was granted by the DRB on March 29, 2017. The DRB reviewed the applicants first Final Submittal on June 6, 2017 and September 5, 2017 and did not make a motion for approval and requested more information. At the September 29, 2017 meeting the DRB reviewed the applicant's Final submittal and granted Final Approval with the following conditions:

1. The review was based on plans dated 08.xx.2017 and printed 9.21.17 prepared by BWA Architects and now on file except for:
 - Site Plan Sheet AS100 printed 10.18.17 now on file;
 - Floor Plans Sheet A100 – A107 printed 10.18.17 now on file
2. The applicant has staked the building corners and centerline of both driveways; the DRB had no issues with the lot staking;
3. The applicant has shown on the site plan the designated surface parking spot for the adjacent lot on the north driveway; the parking stall should meet city requirements for stall size and dimensions should be shown on the site plan for location and size.
4. The applicant will not move the Silver Strike Chair transformer located in the northwest corner of the lot; approval of location for transformer located in the northeast corner of the lot to be coordinated with Rocky Mountain Power. Location screened behind monument sign is preferred by the DRB.
5. The north driveway grade of the first 20 feet is at 4.8% maximum and the improved paved driveway width has been reduced from 20 feet wide to 16 feet wide with 2' driveable "curbs" on each side. Applicant to submit curb profile that satisfies requirement for driveability and drainage management. The DRB required both the driveway on the North and the parking lot/driveway on the East to be heated. Driveway grades and widths/dimensions are shown on civil plans dated 06.29.17.

4188 SR248 PO Box 99 Kamas UT 84036 tel 435.333.3700 fax 435.333.3716

6. The front entry driveway has a maximum grade of 12% in the middle section and grades vary for the rest of the driveway; the applicant has verified the driveway grades on the civil plans;
7. Plans now show easement for Deer Valley shallow utilities from Village Way to Silver Strike Chair; easement will also be shown on VEPN Plat when recorded
8. Unit square footages have been adjusted to remove residential accessory space and the affordable housing unit from overall building allowable square footages;
9. The site is required to include 1.1 Affordable Housing Units ("AHUs"). Current plans show 1.0 AHUs. Applicant has included a 736 sf affordable unit on Level One along with two Owner Storage Lockers for the Affordable Units on Level 0 with total storage area of 144 sf. Applicant has represented that City will accept the total 880 sf as satisfying the On-Site Affordable Housing requirement.
10. Site 3 is now restricted by covenant to 24.5 ERUs. Applicant to ensure the correct number of parking stalls for both market units, affordable unit and ADA unit are shown on the plans to the satisfaction of the City; Applicant to show unit square footages on the plans to the satisfaction of the City;
11. The updated plans show a stone pony wall around chiller units located outside the 20' front yard setback at the NE corner of the building; The pony wall shall be limited to 4' in height. The DRB reviewed and approved the chiller units in this location, provided appropriate landscape screening planted in front.
12. The mechanical units outside of the South building setback are below grade and screened with a stone pony wall and grate top. This portion of the building structure is still shown outside of the building setbacks and this will need to be reviewed and approved through the City. The DRB accepts the setback reduction from 12' to 4' for the below grade mechanical equipment.
13. Applicant has revised the plans to show the generator underground. The mechanical equipment outside of the affordable unit has been relocated to the sides of the building to maintain a clear deck. Revised location of condensers is shown on elevation sheet A201.
14. The DRB previously requested the 12 chillers shown adjacent the front entry of the building be removed; The chillers have been removed from the front entry.
15. Applicant to ensure materials used for decorative panels on stair towers on the exterior of the building will not be a reflective material; A materials board was reviewed and approved by the DRB. All exterior materials are subject to approval of an onsite mockup of materials to be provided as required for final material, color and detailing approval. Materials on stair towers will not be reflective and are as submitted to DRB in 9/29/2017.
16. Building matrix has been corrected to match the building unit counts, including affordable unit and accessible unit.
17. The porte cochere roof materials will be wood and metal;
18. Applicant to grant an easement to the Empire Pass MOA and show on the plans and plat the sidewalk extending from Shooting Star to VEPN Lot 2. Easement will be shown on VEPN plat when recorded. Applicant responsible for construction of sidewalk connection to sidewalk on Shooting Star property;

19. The applicant will rebuild or repair, at its cost, any construction related damage to the Empire Pass sidewalk on the Shooting Star property.;
20. Applicant shall make reasonable efforts to receive approval from the Shooting Star HOA to construct a sidewalk on a preferred alignment closer to the ski trail.;
21. Railing design has been reviewed and meets design requirements.
22. Applicant verified height of landscaped stone faced concrete walls will not exceed 4 feet.
23. Applicant provided cut and fill calculations on Civil 1 of 4 Site & Grading Plan.
24. The applicant will not install any permanent fencing around the site.
25. The square footage for this building is 71,785 square feet; 85,789 gross sf including parking level.
26. Chimneys cap designs have been reviewed and meet design requirements.
27. The applicant plans show proposed height at 82 feet with a maximum of 82 feet for this lot, and other height limits consistent with approved volumetric for site; Approval subject to PCMC confirmation of height compliance with approved volumetric. In order to meet the 82 foot height restriction the application has modified the roof form and has revised the roof stepping. This additional stepping provides greater interest and compliance with the intent of the building massing. See revised roof on A201-A202
 - a. The DRB approved the building massing as proposed with an accepted roof stepping and variation in roof forms.
 - b. The DRB approved the building façade stepping and variation in the vertical planes.
 - c. The DRB reviewed and approved the height of the building.
29. The primary roof pitches of 4:12 are in compliance with the guidelines; lower sloped roof pitches for shed dormers are allowed.
 - a. The DRB approved the proposed roof pitches.
30. Windows are found to follow the design guidelines.
31. Window headers and trim proposed on sheet A511 and exterior elevations comply with the intent of the design guidelines.
32. Exterior entry door, garage door on A201 and A202 follows the intent of the design guidelines.
33. Applicant to submit color and texture sample for concrete drive areas for DRB approval prior to installation;
34. All boulder materials must match closely the DRB approved stone for the building;
35. Applicants understand that except for cementitious siding approved by DRB no faux or manufactured materials may be used as finished exterior product, this would include glu-lam beams, faux stone, bare concrete, vinyl siding, etc.;
36. The DRB reviewed the proposed cedar vertical board siding for exterior wall material; applicant understands all exterior materials are subject to mockup review.
37. Applicant has provided exterior lighting plan, including cut sheets for wall packs, wall sconce, and bollard fixtures.

38. Applicant has provided complete landscape plan, including counts, planting specs and detailed grading, for DRB review; the DRB will reserve the right to request additional plantings from any DRB approved landscape plan;
39. Construction management plan will be submitted and reviewed/approved prior to commencement
40. The entry monument specs and pics have been submitted and approved prior and are shown on Detail B2 Sheet AS100.
41. applicant understands that the building is subject to City approvals beyond any approval of the DRB;
42. Applicant understands the requirement to provide an on-site mock-up of exterior materials, colors and construction techniques for further DRB review and approval prior to installation of the same.
43. Applicant to submit an Improvement Location Certificate (ILC) prepared by a licensed surveyor to confirm the height and location of the foundation are consistent with the DRB approval;
44. In order to maintain the integrity of the Guidelines and encourage the continuity of a cohesive design aesthetic at Empire Pass, when Final approval is granted the approval will expire one year from the date of DRB approval; if no construction activity has occurred or progressed the applicant will be required to return to the DRB for a renewed approval of Final plans.
45. Upon DRB approval of the Working Drawing submittal and prior to start of construction activity, the applicant shall submit a compliance deposit and schedule a pre-construction conference.
46. Applicant has amended plans to show detail and design to express the structure at the roof gables, shed roofs and roofs over decks.
47. Stone walls have been revised to show a thickened stone base and a detail is provided on A4/ A502.
48. Entry porte cochere view meets the intent of the design guidelines.

Again, we thank you for your Final Design submittal and look forward to working with you and your team as the process continues. Feel free to contact our office at 435-333-3700 with any questions regarding the Design Review process.

Respectfully,

Douglas Ogilvy,
On behalf of the Empire Pass Design Review Board

EMPIRE RESIDENCES

7695 VILLAGE WAY,
PARK CITY, UT 84060
CONSTRUCTION DOCUMENTS

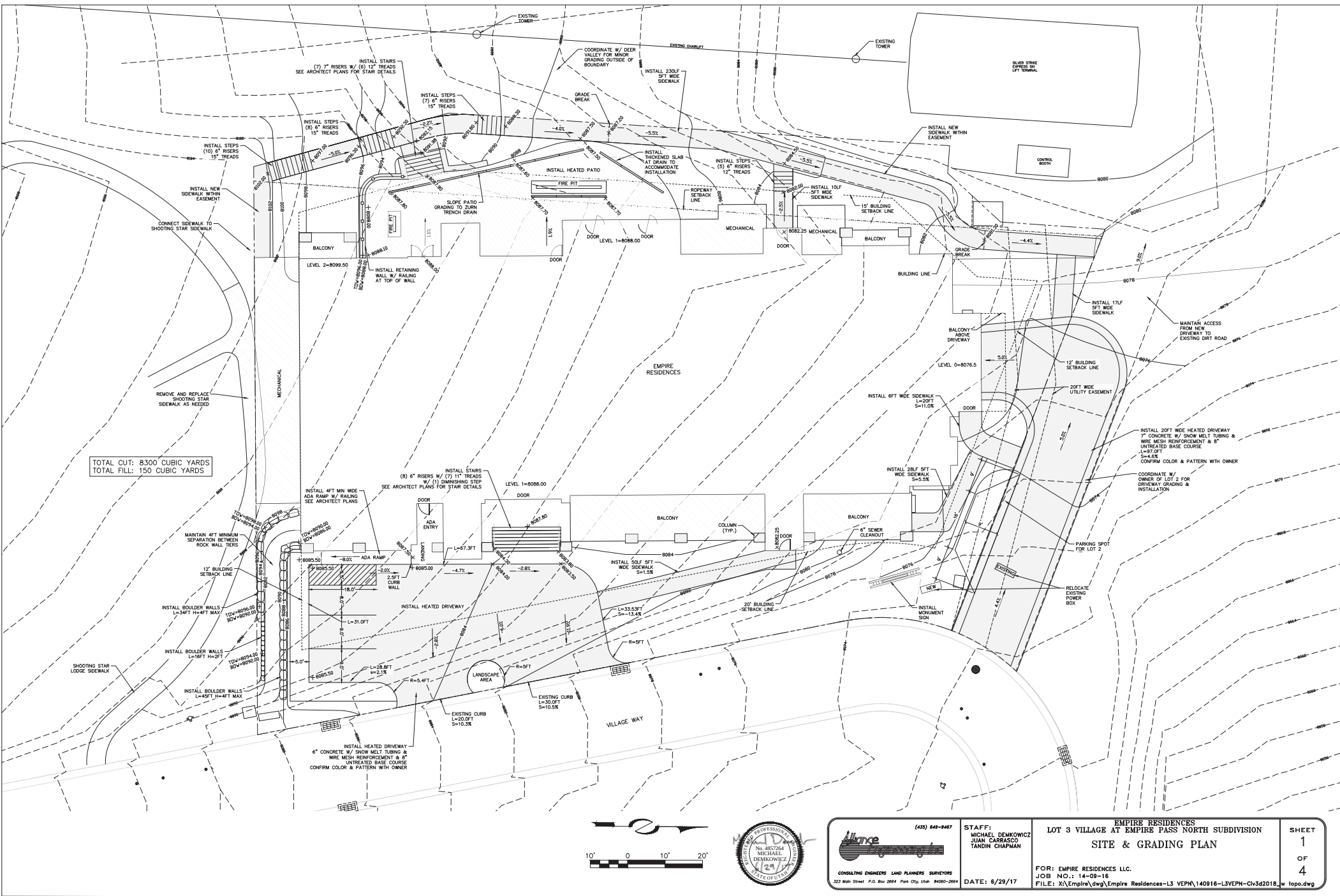
PROJECT IMAGE



ARCHITECT	OWNER
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CONTRACTOR	CIVIL ENGINEER
COMPANY NAME	ALLIANCE ENGINEERING
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		A513	BUILDING SECTIONS
		A514	BUILDING SECTIONS
		A515	BUILDING SECTIONS

SITE PLAN GRADING PLAN



LANDSCAPE PLAN



PLANT SCHEDULE

SYMBOL	QTY	COMMON NAME / BOTANICAL NAME	CONT.	CSL.	SIZE
	14	Quaking Aspen (Betula) / Pseudots. menziesii	848	2"	Car
	5	Howay Spruce / Picea alberta	848	10-12"	
	6	White Fir / Abies concolor	848	6"	
	225	COMMON NAME / BOTANICAL NAME	CONT.		
	51	Campanula Medium Bush / Campanula medium	9 gal		
	81	Kalmia latifolia / Kalmia latifolia	1 gal		
	25	Black Fungus Dogwood / Cornus amomum 'Walter's Redwing'	3 gal		
	14	Strawberry Dogwood / Rubus odoratus 'Walter's Redwing'	3 gal		
	14	Yellow Fungus Dogwood / Cornus amomum 'Walter's Redwing'	3 gal		
	7	Blue Oak Grass / Festuca ovina	1 gal		
	225	COMMON NAME / BOTANICAL NAME	CONT.		
	31	Black-eyed Susan / Rudbeckia hirta	3 gal		
	44	Blue Flax / Linum catharticum	1 gal		
	29	Small Blue Lupine / Lupinus albus	1 gal		
	17	Summer Pansy / Viola tricolor	1 gal		
	225	COMMON NAME / BOTANICAL NAME	CONT.		
	5,328 sf	4" Wood Mulch / 4" Wood Mulch	Material		
	528 sf	Gravel / Gravel	Material		
	3,037 sf	Kentucky Bluegrass / Poa pratensis	Material		

← North

RECEIVED
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PLANNING DEPT.

N ROME TWO
EMPIRE RESIDENCES
LANDSCAPE CONCEPT
SITE PLAN

berg
LANDSCAPE
ARCHITECTS

380 E Main St, Suite 204
Murray, UT 84049 ph: (801) 733-2000

THIS DOCUMENT IS RELEASED
FOR REVIEW ONLY. IT IS NOT
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UNLESS SIGNED AND SEALED.
CAMIL N. BORG, L.A.
SERIAL NO. 7382780
DATE: 7 MAR 2017

DESIGN BY: CNB DATE: 7 MAR 2017
DRAWN BY: CNB REV: L01

ROOF PLAN

KEYNOTES

508 METAL GRATE
2304 CONDENSER WELL
2802 4" UT BOLLARD

REV	DATE	DESCRIPTION
1	10/10/2017	ISSUED FOR PERMIT
2	10/10/2017	REVISIONS
3	10/10/2017	REVISIONS

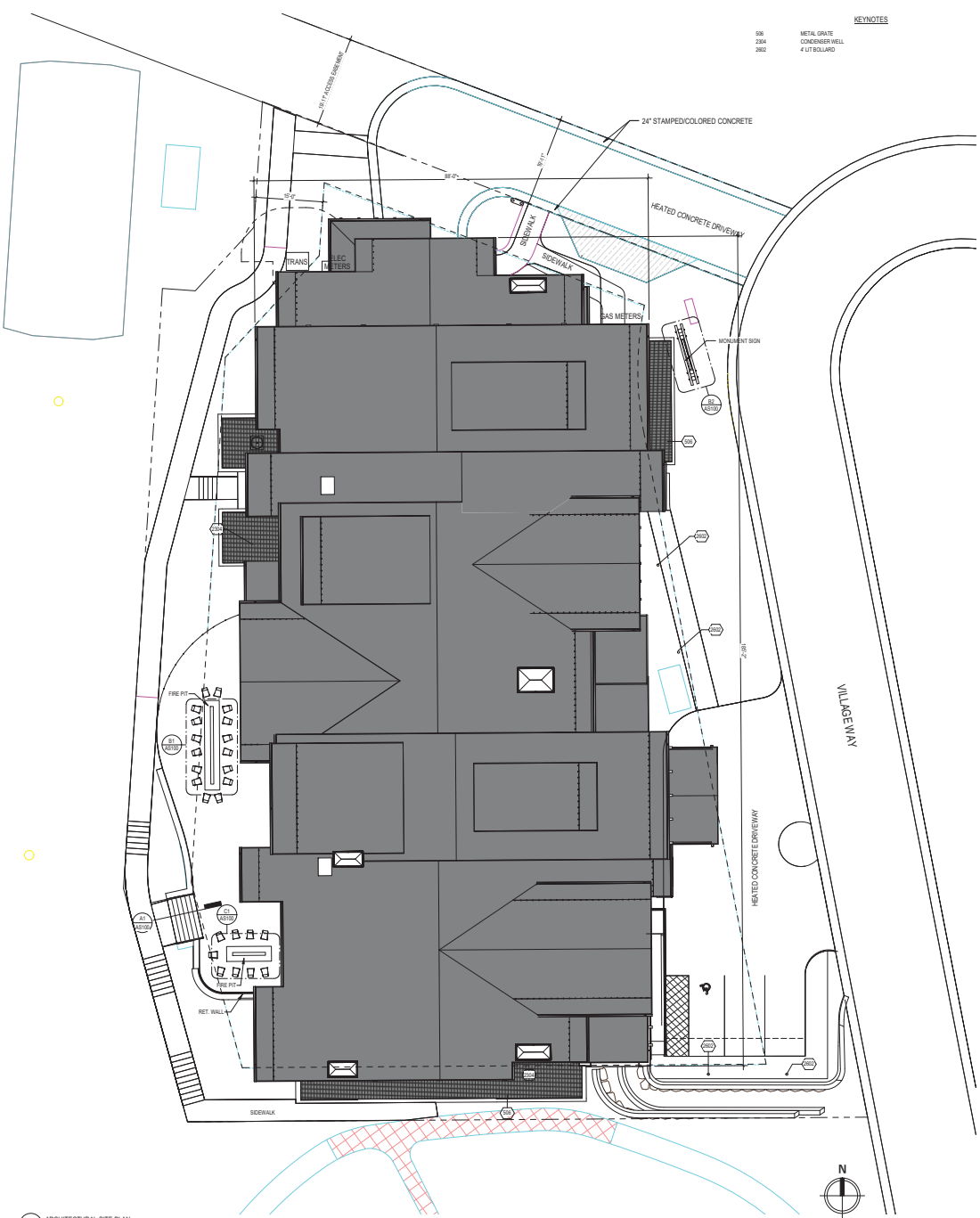
EMPIRE RESIDENCES
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HOLLAND, OHIO 44131
BWA@BWAARCHITECTS.COM

PROJECT NUMBER
ANS-1701
DRAWN BY
CHKD BY
CONSTRUCTION
DOCUMENTS

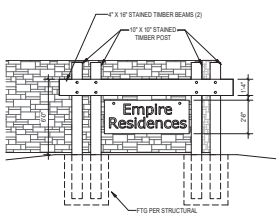
ARCHITECTURAL SITE
PLAN

DRAWING NUMBER
AS100

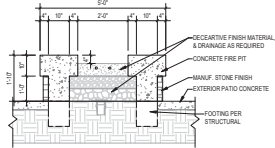
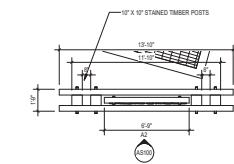


ARCHITECTURAL SITE PLAN
12" x 18"

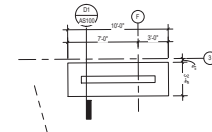
MONUMENT SIGN PLAN
14" x 14"



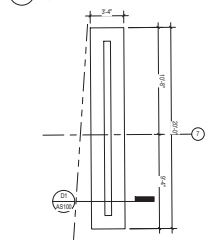
MONUMENT SIGN ELEVATION
12" x 12"



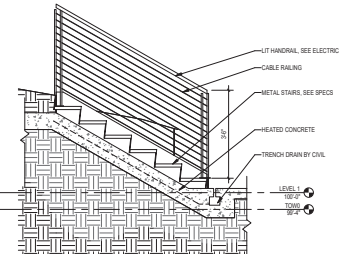
FIRE PIT SECTION
12" x 12"



FIRE PIT PLAN
12" x 12"



FIRE PIT PLAN
12" x 12"



METAL STAIRS OVER HEATED CONCRETE
12" x 12"

Packet Bn 328

FLOOR PLANS

GROSS AREAS	
LEVEL 0	14,004 SF
LEVEL 1	12,586 SF
LEVEL 2	11,904 SF
LEVEL 3	11,904 SF
LEVEL 4	11,904 SF
LEVEL 5	10,389 SF
LEVEL 6	10,229 SF
MEZZ	2,874 SF
TOTAL:	85,793 SF

UE UNIT TOTALS			
LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	3,624 SF	1.8
LEVEL 2	4	9,437 SF	4.7
LEVEL 3	4	9,437 SF	4.7
LEVEL 4	4	9,437 SF	4.7
LEVEL 5	3	7,840 SF	3.9
LEVEL 6	3	8,814 SF	3.4
MEZZ	2	2,501 SF	1.3
GRAND TOTAL	21	49,000 SF	24.5

ALL UNITS	
NAME	
Level 1	
ADA UNIT TYPE A	
AFFORDABLE UNIT	
UNIT 1	
UNIT 2	
UNIT D-1	

ALL UNITS	
NAME	Area
Level 4	
UNIT A-4	2,199 SF
UNIT B-4	2,357 SF
UNIT C-4	2,264 SF
UNIT E-4	3,608 SF
	10,428 SF

Level 2	
UNIT A-2	
UNIT B-2	
UNIT C-2	
UNIT D-2	
Level 3	
UNIT A-3	
UNIT B-3	
UNIT C-3	
UNIT D-3	

Level 5	
UNIT A-5	2,199 \$
UNIT B-5	2,357 \$
UNIT C-5	2,264 \$
	6,819 \$

Level 6	
UNIT F-6	2,905 \$
UNIT G-6	3,234 \$
UNIT H-6	3,086 \$
	9,315 \$
	50,316 \$

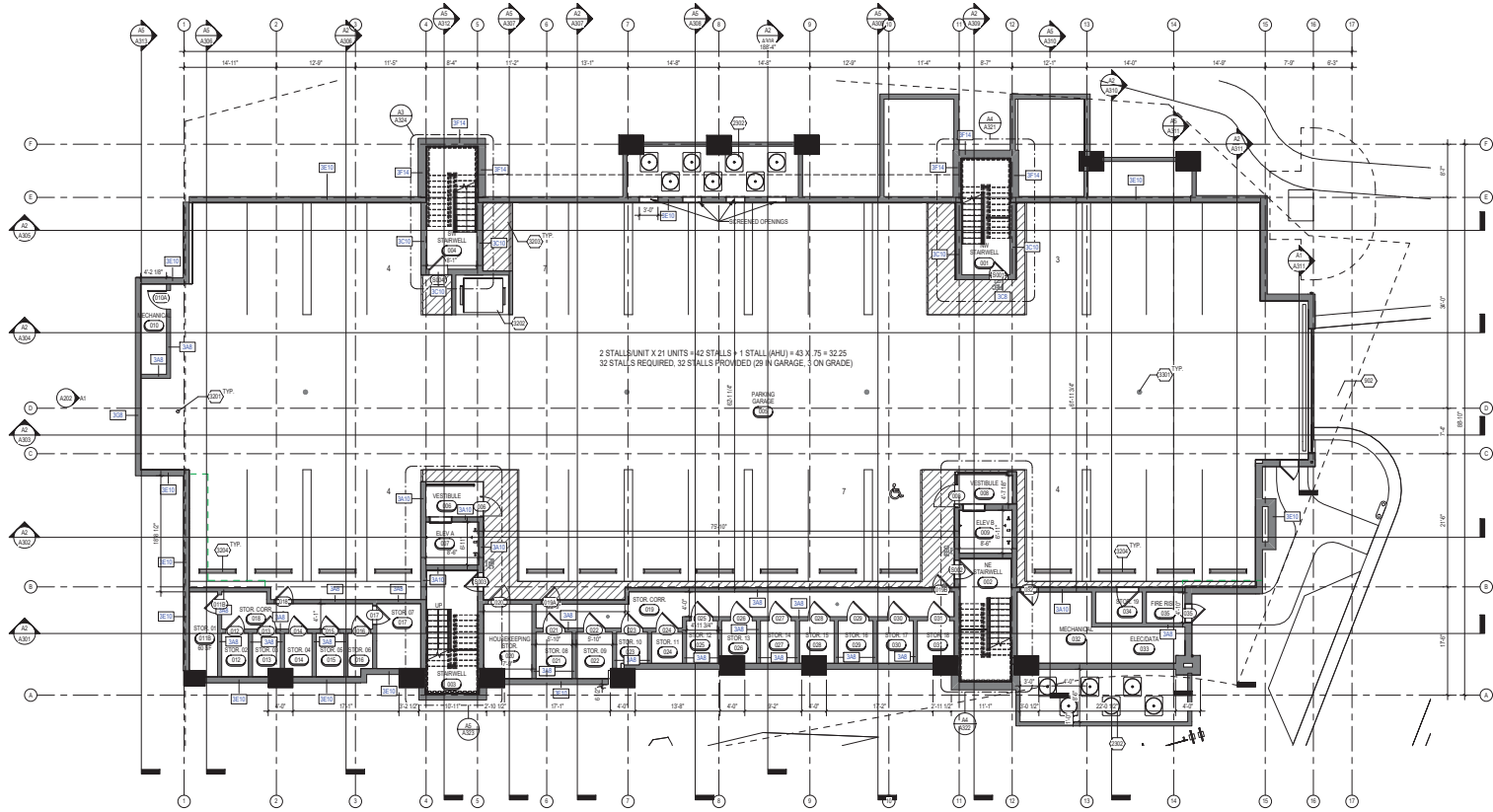
FLOOR PLAN GENERAL NOTES:

- [illegible]

KEY NOTES:

- 3201 CONCRETE RE COATING, SEAL & PROTECTANTS
3202 TRAFFIC COATING
3203 UNIT CONDENSERS PER MECH
3201 9" CONCRETE FILLED METAL BOLLARD PTD YELLOW
3202 TRASH ENCLOSURE
3203 WHITE PAINTED STRIPING AS SHOWN
3204 PREFAB CONCRETE BUMPER EXPOIXED TO CONCRETE SLAB
3301 FLOOR DRAIN

MARK	ISSUE DESCRIPTION	ISS. DATE	#	REV. DESCRIPTION	REV. DATE
1	FORMALIC SET	04/10/2017			
2	DESIGN COPY SET	05/10/2017			
3	PERMIT SET	08/10/2017			



A1
A100

1/8" = 1'-0"

GARAGE - FLOOR PLAN

Nothing is shown as a requirement unless specifically noted. All dimensions are in feet and inches. All dimensions are to the centerline of the wall unless otherwise noted. All dimensions are to the centerline of the wall unless otherwise noted. All dimensions are to the centerline of the wall unless otherwise noted.

Nothing is shown as a requirement unless specifically noted. All dimensions are in feet and inches. All dimensions are to the centerline of the wall unless otherwise noted. All dimensions are to the centerline of the wall unless otherwise noted. All dimensions are to the centerline of the wall unless otherwise noted.

Nothing is shown as a requirement unless specifically noted. All dimensions are in feet and inches. All dimensions are to the centerline of the wall unless otherwise noted. All dimensions are to the centerline of the wall unless otherwise noted. All dimensions are to the centerline of the wall unless otherwise noted.

GROSS AREAS

LEVEL 1	10,888 SF
LEVEL 2	10,888 SF
LEVEL 3	10,888 SF
LEVEL 4	10,888 SF
LEVEL 5	10,888 SF
LEVEL 6	10,888 SF
MECH	10,888 SF
TOTAL	66,732 SF

UE UNIT TOTALS

LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	1,521 SF	1.5
LEVEL 2	4	1,521 SF	1.5
LEVEL 3	4	1,521 SF	1.5
LEVEL 4	4	1,521 SF	1.5
LEVEL 5	4	1,521 SF	1.5
LEVEL 6	3	1,521 SF	1.5
MECH	1	1,521 SF	1.5
GRAND TOTAL	21	48,000 SF	21.0

ALL UNITS

NAME	Area
UNIT 1	1,521 SF
UNIT 2	1,521 SF
UNIT 3	1,521 SF
UNIT 4	1,521 SF
UNIT 5	1,521 SF
UNIT 6	1,521 SF
UNIT 7	1,521 SF
UNIT 8	1,521 SF
UNIT 9	1,521 SF
UNIT 10	1,521 SF
UNIT 11	1,521 SF
UNIT 12	1,521 SF
UNIT 13	1,521 SF
UNIT 14	1,521 SF
UNIT 15	1,521 SF
UNIT 16	1,521 SF
UNIT 17	1,521 SF
UNIT 18	1,521 SF
UNIT 19	1,521 SF
UNIT 20	1,521 SF
UNIT 21	1,521 SF

ALL UNITS

NAME	Area
UNIT 1	1,521 SF
UNIT 2	1,521 SF
UNIT 3	1,521 SF
UNIT 4	1,521 SF
UNIT 5	1,521 SF
UNIT 6	1,521 SF
UNIT 7	1,521 SF
UNIT 8	1,521 SF
UNIT 9	1,521 SF
UNIT 10	1,521 SF
UNIT 11	1,521 SF
UNIT 12	1,521 SF
UNIT 13	1,521 SF
UNIT 14	1,521 SF
UNIT 15	1,521 SF
UNIT 16	1,521 SF
UNIT 17	1,521 SF
UNIT 18	1,521 SF
UNIT 19	1,521 SF
UNIT 20	1,521 SF
UNIT 21	1,521 SF

KEY NOTES:

1. POINT WALLS/CHIMNEYS SEE PLANS AND ELEVATIONS

2. RETAINING WALLS SEE CIVIL FOR DESIGN/DETAILS

3. FIRE EXTINGUISHERS SEE DETAIL DIAGRAMS

4. TRAFFIC COATING

5. ADA COMPLIANCE PER MECH

6. ADA ELECTRONIC DOOR ACTUATOR MOUNTING LOCATION PER ANSI/ICC 117.1

FLOOR PLAN GENERAL NOTES:

1. SEE GENERAL CONSTRUCTION NOTES ON SHEET 0100 FOR ADDITIONAL NOTES

2. GENERAL NOTES APPLY TO ALL DRAWINGS

3. ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMN UNLESS OTHERWISE NOTED

4. DO NOT SCALE DRAWINGS

5. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OF MATERIALS OR EQUIPMENT

6. ELECTRICAL PLANS INDICATE THE GENERAL LOCATION AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, ETC. INFORMATION DRIVING IS SUBORDINATE TO CONDUIT AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITION WHEN PIPES, LOCATION OF THESE ITEMS MAY BE ADJUSTED TO COMPLY WITH THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS

7. ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE

8. ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND/OR SMOKE WITH FIRE STOPPING AND APPROVED SEALANT

9. ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND INDICATED IN THE CONTRACTORS BID

10. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THIS PROJECT. THE REMOVAL AND DISPOSAL OF ALL CONSTRUCTION DEBRIS SHALL BE IN FULL COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS. THE PREMISES SHALL BE KEPT CLEAN AND FREE FROM ALL WASTE MATERIALS

11. GENERAL CONTRACTOR SHALL PROTECT NEW CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THE WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS EXPENSE

12. ALL PIPING AND CONDUIT SHALL BE CONCEALED WITHIN WALLS, UNDERFLOOR, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWING. EXPOSED TUBING MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED TUBING SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED TUBING ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ACCENT COLOR

13. ARCHITECTUAL FINISH FLOOR ELEVATION 100'0" EQUALS ACTUAL SITE REFERENCE OF FINISH FLOOR

14. SEE SHEET 0100 FOR WALL TYPES

15. SEE SHEET 0100 FOR DOOR AND ABLE FOR WINDOW TYPES

16. PRELIMINARY SHALL BE INSTALLED TO CUT OFF CONCEALED DRAFT OPENINGS BOTH VERTICAL AND HORIZONTAL AND SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AND A ROOF OR GATEWAY

17. SEE GENERAL CONSTRUCTION NOTES ON SHEET 0100 FOR PRELIMINARY REQUIREMENTS

18. ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS

19. DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANSI A117.1-2009 (SEE SHEETS 0100, 0101, 0102, 0103)

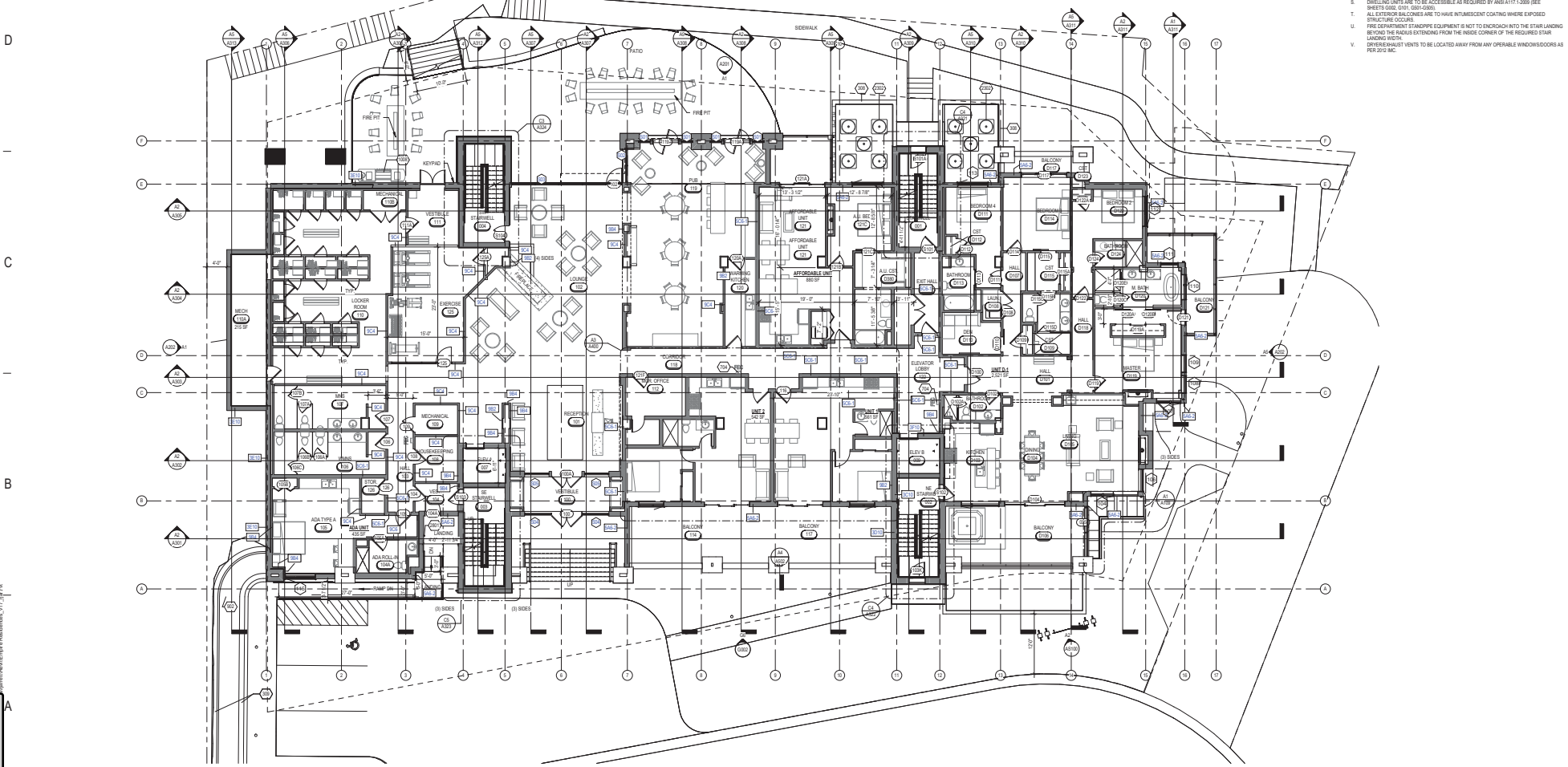
20. ALL EXTERIOR BALCONIES ARE TO HAVE AN INTRINSIC COATING WHERE EXPOSED TO DIRECT SUNLIGHT

21. FIRE DEPARTMENT STANDPIPE EQUIPMENT IS NOT TO ENCRUSH INTO THE STAIR LANDING BEYOND THE HAZARD EXTENDING FROM THE INSIDE CORNER OF THE REQUIRED STAIR LANDING WIDTH

22. EXTERIOR EXHAUST VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOW/DOORS AS PER 2012 IRC

REVISIONS

NO.	DATE	DESCRIPTION
1	04/10/2017	ISSUED FOR PERMIT
2	05/01/2017	REVISED PER MECH
3	05/01/2017	REVISED PER MECH



LEVEL 1 - FLOOR PLAN
1/8" = 1'-0"

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84000

BWA
ARCHITECTS
101 EAST LON LANE, #200
HOLLAND, OHIO 43041
BWAARCHITECTS.COM

PROJECT NUMBER
48170
OWN BY
CHD BY

CONSTRUCTION
DOCUMENTS

LEVEL 1 - FLOOR PLAN

DRAWING NUMBER
A101

LEVEL 0	14,004 SF
LEVEL 1	12,586 SF
LEVEL 2	11,904 SF
LEVEL 3	11,904 SF
LEVEL 4	11,904 SF
LEVEL 5	10,389 SF
LEVEL 6	10,229 SF
MEZZ	2,674 SF
TOTAL:	85,793 SF

UE UNIT TOTALS			
LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	3,824 SF	1.8
LEVEL 2	4	9,407 SF	4.7
LEVEL 3	4	9,407 SF	4.7
LEVEL 4	4	9,407 SF	4.7
LEVEL 5	3	7,840 SF	3.9
LEVEL 6	3	6,814 SF	3.4
MEZZ	-	2,501 SF	1.3
GRAND TOTAL	21	40,000 SF	24.5

NAME	Area
------	------

Level 1	
ADA UNIT TYPE A	436 S
AFFORDABLE UNIT	880 S
UNIT 1	561 S
UNIT 2	542 S
UNIT D-1	2,521 S
	4,940 S

NAME	Area
------	------

UNIT A-4	2,199
UNIT B-4	2,357
UNIT C-4	2,264
UNIT E-4	3,608
	10,428

Level 2	
UNIT A-2	2,199 S
UNIT B-2	2,357 S
UNIT C-2	2,264 S
UNIT D-2	2,588 S

Level 5	
UNIT A-5	2,199
UNIT B-5	2,357
UNIT C-5	2,294
	6,819

UNIT A-3	2,119 S
UNIT B-3	2,357 S
UNIT C-3	2,564 S

Level 6	
UNIT F-6	2,995
UNIT G-6	3,234
UNIT H-6	3,086

SEE "GENERAL CONSTRUCTION NOTES" ON SHEET 0002 FOR

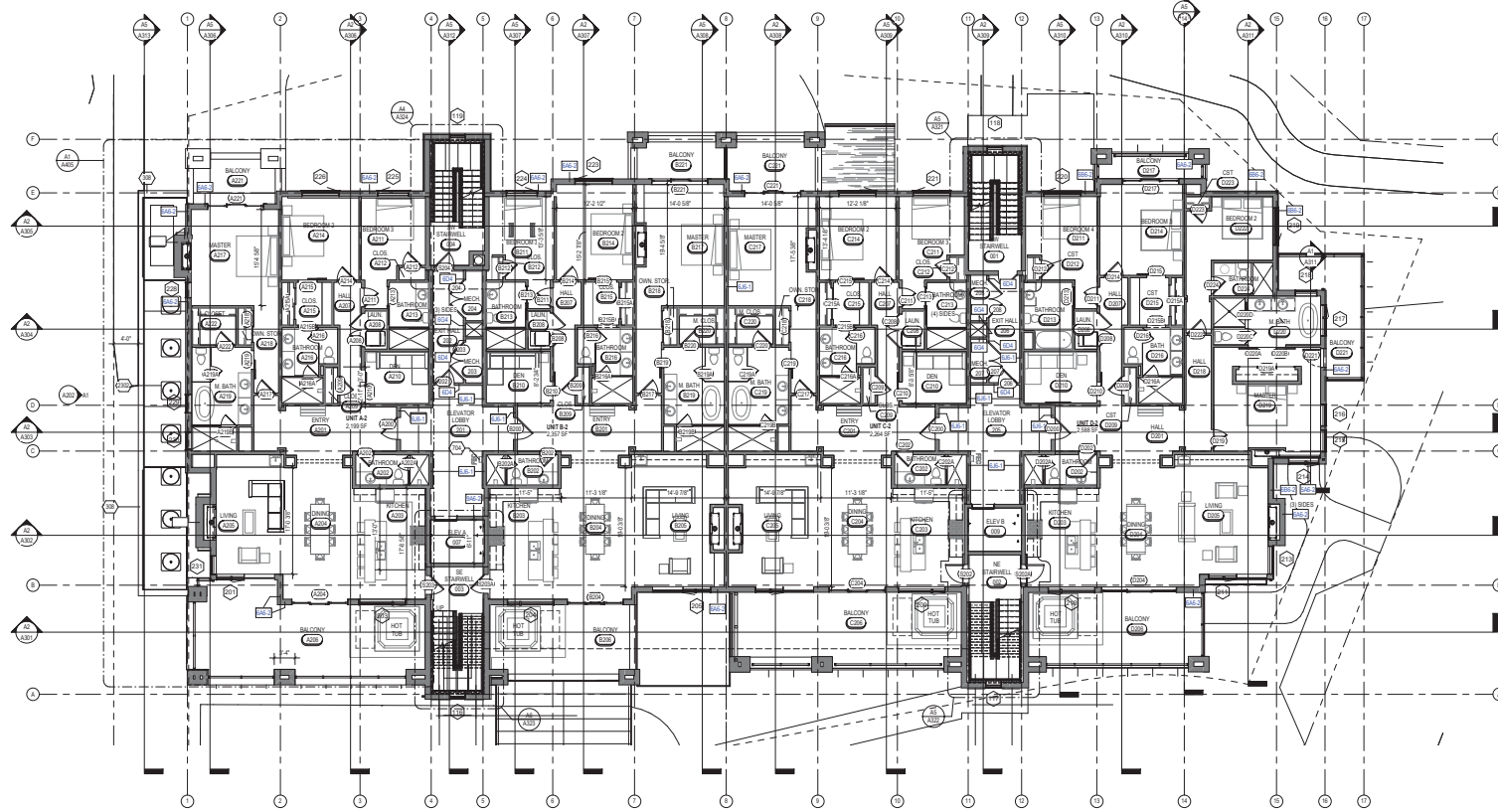
SEE "GENERAL CONSTRUCTION NOTES" ON SHEET 0002 FOR

- [illegible]

704 FIRE EXTINGUISHERS

704 FIRE EXTINGUISHERS

UNIT CONE



LEVEL 2 - FLOOR PLAN
1/8" = 1'-0"

Nothing is a part of the contract documents unless specifically identified as such in the contract documents. The contract documents shall be read in their entirety and shall be construed as a single document.

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Nothing is a part of the contract documents unless specifically identified as such in the contract documents. The contract documents shall be read in their entirety and shall be construed as a single document.

GROSS AREAS			
LEVEL 0	10,894 SF		
LEVEL 1	12,988 SF		
LEVEL 2	11,984 SF		
LEVEL 3	11,984 SF		
LEVEL 4	11,984 SF		
LEVEL 5	10,988 SF		
LEVEL 6	10,988 SF		
MEZZ	3,294 SF		
TOTAL	86,793 SF		

UE UNIT TOTALS			
LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	1,537 SF	1
LEVEL 2	4	1,437 SF	2
LEVEL 3	4	1,437 SF	3
LEVEL 4	4	1,437 SF	4
LEVEL 5	3	1,365 SF	5
LEVEL 6	3	1,365 SF	6
MEZZ	1	3,294 SF	7
GRAND TOTAL	21	48,903 SF	243

ALL UNITS	
NAME	Area
Level 1	1,537 SF
Level 2	1,437 SF
Level 3	1,437 SF
Level 4	1,437 SF
Level 5	1,365 SF
Level 6	1,365 SF
MEZZ	3,294 SF

ALL UNITS	
NAME	Area
Level 1	1,537 SF
Level 2	1,437 SF
Level 3	1,437 SF
Level 4	1,437 SF
Level 5	1,365 SF
Level 6	1,365 SF
MEZZ	3,294 SF

ALL UNITS	
NAME	Area
Level 1	1,537 SF
Level 2	1,437 SF
Level 3	1,437 SF
Level 4	1,437 SF
Level 5	1,365 SF
Level 6	1,365 SF
MEZZ	3,294 SF

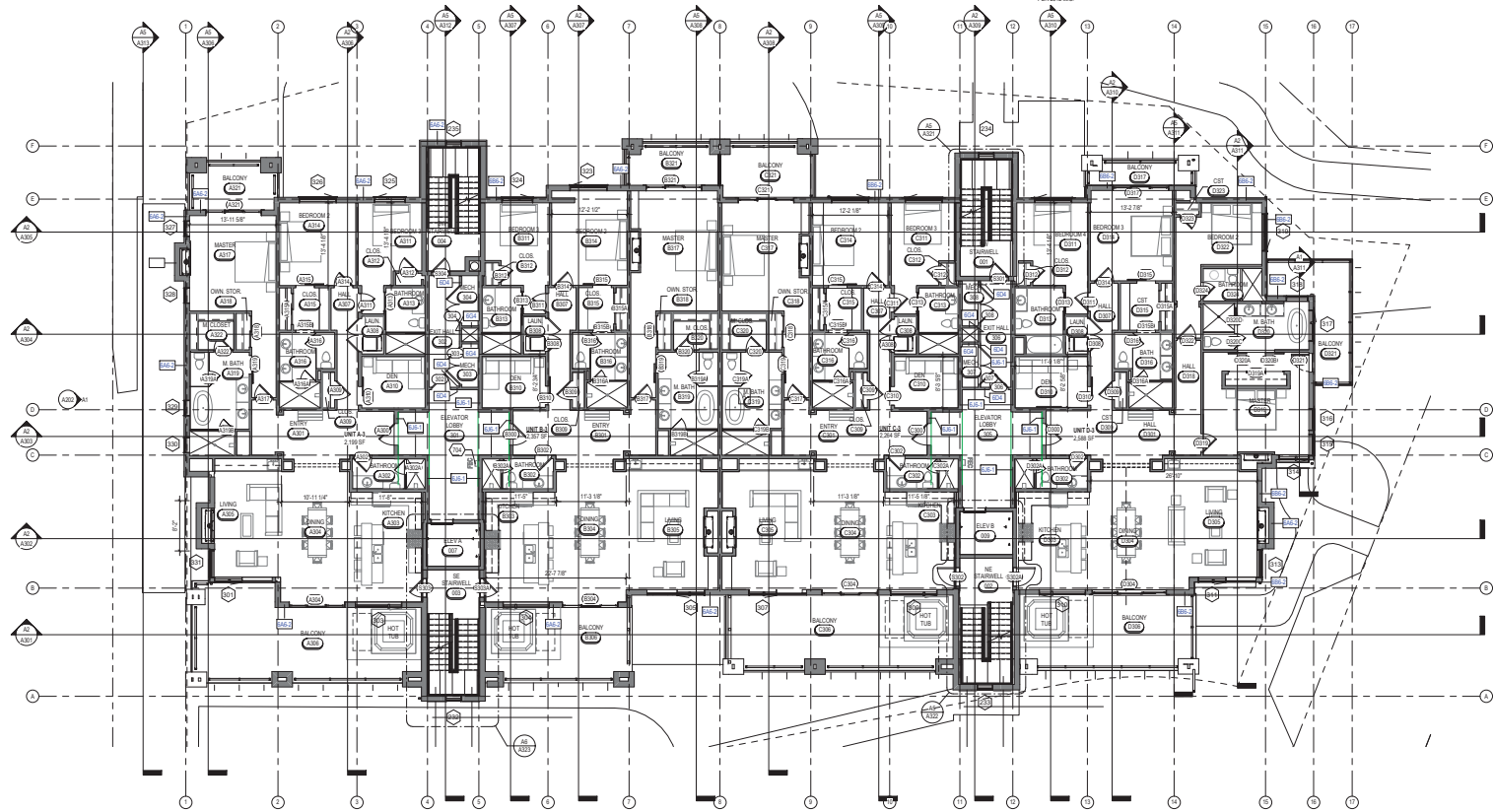
ALL UNITS	
NAME	Area
Level 1	1,537 SF
Level 2	1,437 SF
Level 3	1,437 SF
Level 4	1,437 SF
Level 5	1,365 SF
Level 6	1,365 SF
MEZZ	3,294 SF

FLOOR PLAN GENERAL NOTES:

- SEE GENERAL CONSTRUCTION NOTES ON SHEET 000 FOR ADDITIONAL NOTES.
- A. GENERAL NOTES APPLY TO ALL DRAWINGS.
- B. ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMN, UNLESS OTHERWISE NOTED.
- C. DO NOT SCALE DRAWINGS.
- D. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSION AND FIELD INFORMATION.
- E. ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, ETC. INFORMATION SHOWN IS DIAGNOSTIC IN CHARACTER AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITION WHERE APPLICABLE. LOCATION OF THESE ITEMS MAY BE ADJUSTED TO COMPLY WITH THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- F. ALL INTERFERENCES FOR USE IN THIS PROJECT SHALL BE NEW AND INDICATED UNLESS NOTED OTHERWISE.
- G. ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND OR SMOKE WITH FIRE RATING AND APPROVED SEALANT.
- H. ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND INDICATED IN THE CONTRACTORS BID.
- I. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THIS PROJECT. THE REMOVAL AND DISPOSAL OF ALL CONSTRUCTION DEBRIS SHALL BE IN FULL COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS. THE PREMISES SHALL BE KEPT CLEAR AND FREE FROM ALL WASTE MATERIAL.
- J. GENERAL CONTRACTOR SHALL PROTECT NEW CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THIS WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTOR'S EXPENSE.
- K. ALL PIPES AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED PIPES MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED PIPES SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED PIPES ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ADJACENT COLOR.
- L. ARCHITECTURAL FINISH FLOOR ELEVATION 100' EQUALS ACTUAL SITE REFERENCE OF FINISH FLOOR.
- M. SEE SHEET 000 FOR WALL TYPES.
- N. SEE SHEET 000 FOR DOOR AND AISLE FOR WINDOW TYPES.
- O. PRELIMINARY SHALL BE RETAINED TO CUT OFF CONCEALED DRAFT OPENINGS BOTH VERTICAL AND HORIZONTAL AND SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AREA AND ROOF OR ATTIC SPACE.
- P. SEE GENERAL CONSTRUCTION NOTES ON SHEET 000 FOR PRELIMINARY REQUIREMENTS.
- Q. ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED FOR ADA COMPLIANCE.
- R. DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ADA 119.2 (SEE DWELLING UNITS, CIVIL, 000-000).
- S. ALL EXTERIOR BALCONIES ARE TO HAVE INTUMESCENT COATING WHERE EXPOSED STRUCTURAL COPING.
- T. FIRE DEPARTMENT STAIRPIPE EQUIPMENT IS NOT TO ENDOCHARGE INTO THE STAIRLANDING BEYOND THE RISER EXTENDING FROM THE INSIDE CORNER OF THE REQUIRED STAIR LANDING (WITH DIFFERENTIAL) VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOWS/DOORS AS PER 903.2 IBC.

KEY NOTES:

SEE FIRE EXHAUSTOR, SEE DETAIL DRAWING



LEVEL 3 - FLOOR PLAN
10' = 1"

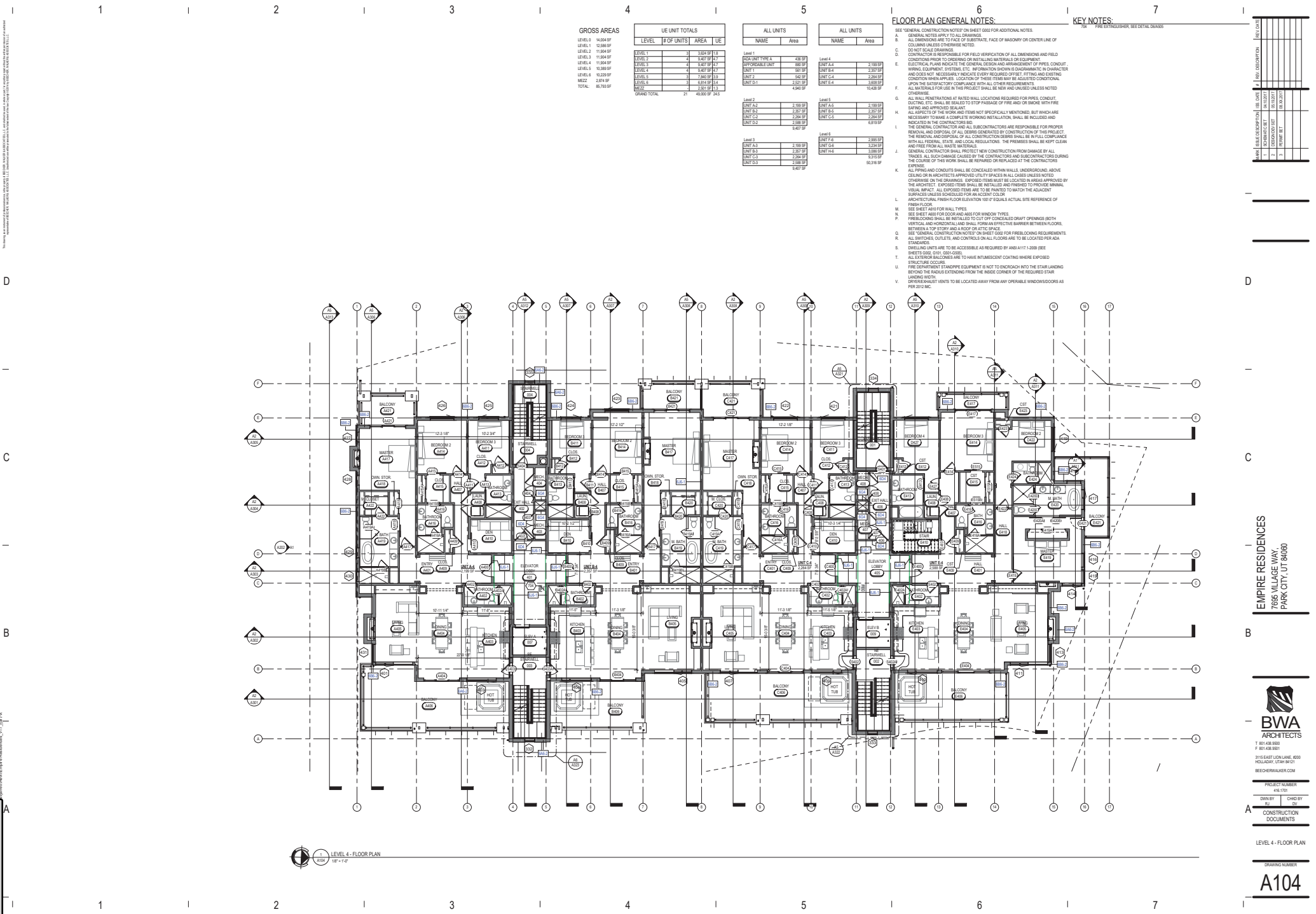
EMPIRE RESIDENCES
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PARK CITY, UT 84090

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3115 EAST LONLAK, #600
HOLLAAND, OHIO 44131
BWA@BWAARCHITECTS.COM

PROJECT NUMBER
481103
OWN BY
CHD BY
CONSTRUCTION
DOCUMENTS

LEVEL 3 - FLOOR PLAN

DRAWING NUMBER
A103



GROSS AREAS

LEVEL 0	10,984 SF
LEVEL 1	10,984 SF
LEVEL 2	11,984 SF
LEVEL 3	11,984 SF
LEVEL 4	11,984 SF
LEVEL 5	10,984 SF
LEVEL 6	10,984 SF
MEZZ	5,294 SF
TOTAL	86,792 SF

UE UNIT TOTALS

LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	1,847 SF	1
LEVEL 2	4	1,847 SF	2
LEVEL 3	4	1,847 SF	3
LEVEL 4	4	1,847 SF	4
LEVEL 5	3	1,847 SF	5
LEVEL 6	3	1,847 SF	6
MEZZ	1	5,294 SF	1
GRAND TOTAL	21	48,000 SF	243

ALL UNITS

NAME	Area
Unit 1	1,847 SF
Unit 2	1,847 SF
Unit 3	1,847 SF
Unit 4	1,847 SF
Unit 5	1,847 SF
Unit 6	1,847 SF
MEZZ	5,294 SF

ALL UNITS

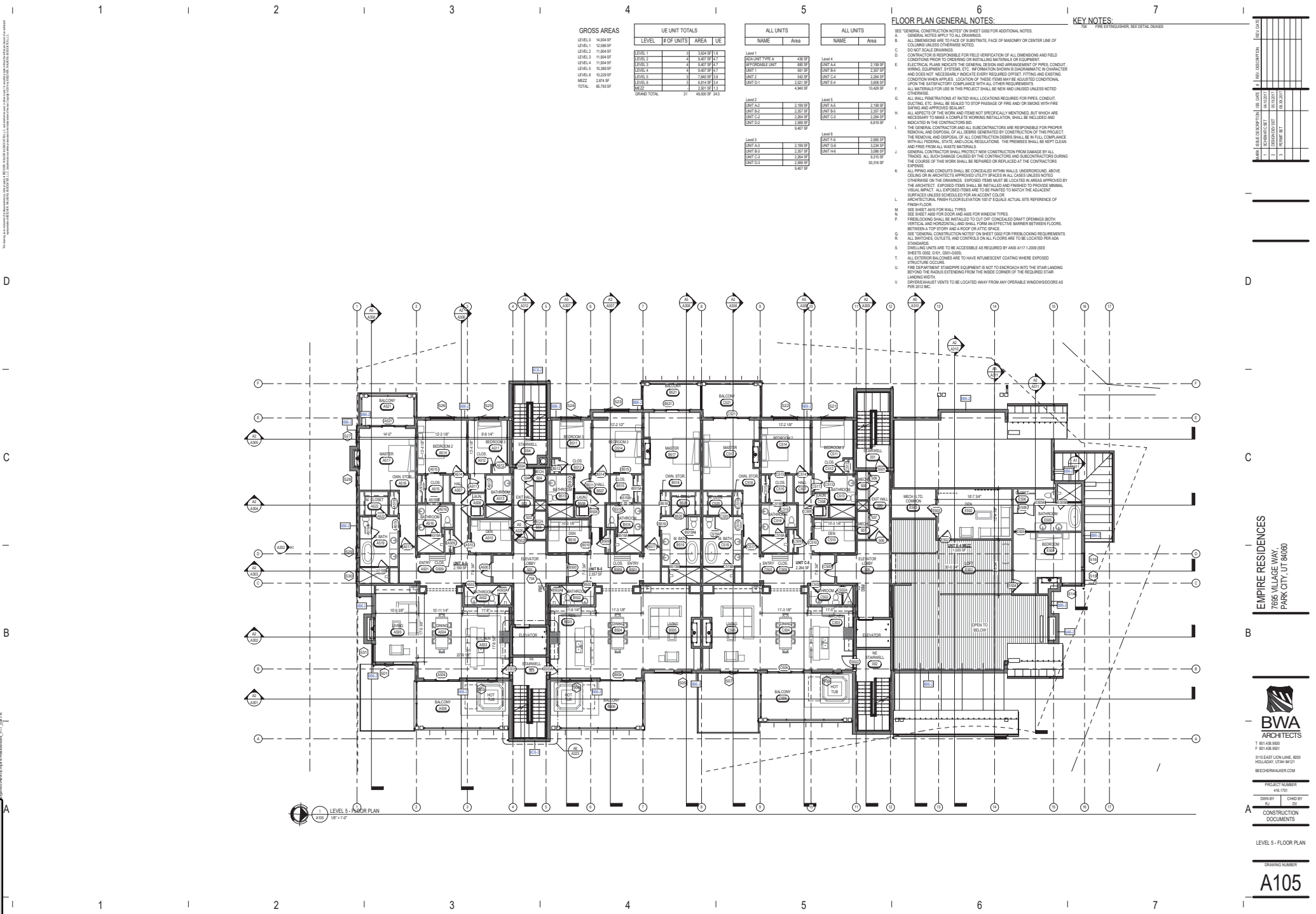
NAME	Area
Unit 1	1,847 SF
Unit 2	1,847 SF
Unit 3	1,847 SF
Unit 4	1,847 SF
Unit 5	1,847 SF
Unit 6	1,847 SF
MEZZ	5,294 SF

FLOOR PLAN GENERAL NOTES:

- SEE GENERAL CONSTRUCTION NOTES ON SHEET 040 FOR ADDITIONAL NOTES.
- GENERAL NOTES APPLY TO ALL DRAWINGS.
- ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMNS UNLESS OTHERWISE NOTED.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, SYSTEMS, ETC. INFORMATION SHOWN IS CANDIDATE, NOT CONTRACTOR, AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITION WHEN APPLIED. LOCATION OF THESE ITEMS MAY BE ADJUSTED TO COMPLY WITH THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW UNLESS OTHERWISE NOTED OTHERWISE.
- ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND OR SMOKE WITH FIRE STOPPING AND IMPROVED SEALING, BUT NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND BACKUP TO THE GENERAL CONTRACTOR.
- THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THIS PROJECT. THE REMOVAL AND DISPOSAL OF ALL CONSTRUCTION DEBRIS SHALL BE IN FULL COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS. THE PREMISES SHALL BE KEPT CLEAN AND FREE FROM ALL WASTE MATERIALS.
- GENERAL CONTRACTOR SHALL PROTECT NEW CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THE WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS EXPENSE.
- ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED ITEMS MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED ITEMS SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED ITEMS ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ALTERNATE COLOR.
- ARCHITECTURAL FINISH FLOOR ELEVATION 10'-0" SCALES ACTUAL SITE REFERENCE OF FINISH FLOOR.
- SEE SHEET 040 FOR RAIL TYPERS.
- PIREBROOKING SHALL BE INSTALLED TO CUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AND A ROOF OR ATTIC SPACE.
- SEE "GENERAL CONSTRUCTION NOTES" ON SHEET 040 FOR FIREBROOKING REQUIREMENTS.
- ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS.
- DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANSI A117.1-2008 (SEE SHEETS 040, 041, 042, 043).
- ALL EXTERIOR BALCONIES ARE TO HAVE INTUMESCENT COATING WHERE EXPOSED STRUCTURE OCCURS.
- FIRE DEPARTMENT STANDPIPE EQUIPMENT IS NOT TO ENCRUSH INTO THE STAIR LANDING BEYOND THE RAILING EXTENDING FROM THE INSIDE CORNER OF THE REQUIRED STAIR LANDING WIDTH.
- DRINKING WATER UNITS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOWS/DOORS AS PER 2012 IRC.

KEY NOTES:

- 1. FIRE EXTINGUISHER, SEE DETAIL DRAWING.



GROSS AREAS

LEVEL 0	10,984 SF
LEVEL 1	12,588 SF
LEVEL 2	11,944 SF
LEVEL 3	11,944 SF
LEVEL 4	11,944 SF
LEVEL 5	10,984 SF
LEVEL 6	10,929 SF
MEZZ	1,974 SF
TOTAL	86,793 SF

UE UNIT TOTALS

LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	1,847 SF	1
LEVEL 2	4	1,847 SF	2
LEVEL 3	4	1,847 SF	3
LEVEL 4	4	1,847 SF	4
LEVEL 5	3	1,847 SF	5
MEZZ	1	1,847 SF	6
GRAND TOTAL	21	48,000 SF	24.3

ALL UNITS

NAME	Area
Level 1	438.95
Level 2	438.95
Level 3	438.95
Level 4	438.95
Level 5	438.95
MEZZ	438.95

ALL UNITS

NAME	Area
Level 1	438.95
Level 2	438.95
Level 3	438.95
Level 4	438.95
Level 5	438.95
MEZZ	438.95

FLOOR PLAN GENERAL NOTES:

- SEE GENERAL CONTRACTOR NOTES ON SHEET 1000 FOR ADDITIONAL NOTES.
- GENERAL NOTES APPLY TO ALL DRAWINGS.
- ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMNS UNLESS OTHERWISE NOTED.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLATION OF MATERIALS OR EQUIPMENT.
- ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, SYSTEMS, ETC. INFORMATION SHOWN IS DIAGNOSTIC IN NATURE AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITIONS UNDER FLOOR. LOCATION OF THESE ITEMS MAY BE ADJUSTED TO COMPLY WITH THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE.
- ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND OR SMOKE WITH FIRE RATING AND APPROVED SEALANT.
- ALL APERTURES OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND THE REMOVAL AND DISPOSAL OF ALL CONSTRUCTION DEBRIS SHALL BE IN FULL COMPLIANCE WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS. THE PERMITS SHALL BE KEPT CLEAR AND FREE FROM ALL WASTE MATERIALS.
- GENERAL CONTRACTOR SHALL PROTECT NEW CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THIS WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS EXPENSE.
- ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED TUBING MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED TUBING SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED TUBING ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ACCENT COLOR.
- ARCHITECTURAL FINISH FLOOR ELEVATION 10' 0" EQUALS ACTUAL SITE REFERENCE OF FINISH FLOOR.
- SEE SHEET 1000 FOR WALL TYPES.
- SEE SHEET 1000 FOR DOOR AND WINDOW TYPES.
- FIREPROOFING SHALL BE INSTALLED TO OUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) BETWEEN FLOORS.
- BETWEEN A TOP STORY AND A ROOF OR ATTIC SPACE.
- SEE GENERAL CONTRACTOR NOTES ON SHEET 1000 FOR FIREPROOFING REQUIREMENTS.
- ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS.
- DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANS A117.1-2008 (SEE SHEETS 1000, 1001, 1002, 1003).
- ALL EXTERIOR BALCONIES ARE TO HAVE INTUMESCENT COATINGS WHERE EXPOSED STRUCTURE OCCURS.
- FIRE DEPARTMENT STANDPIPE EQUIPMENT IS NOT TO ENDOUCH INTO THE STAIR LANDING BEYOND THE INSIDE EXTENSION FROM THE INSIDE CORNER OF THE REQUIRED TURN LANDING WIDTH.
- DWELLING UNITS VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOWS/DOORS AS PER 2012 IRC.

KEY NOTES:

- SEE GENERAL CONTRACTOR NOTES ON SHEET 1000 FOR ADDITIONAL NOTES.
- GENERAL NOTES APPLY TO ALL DRAWINGS.
- ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMNS UNLESS OTHERWISE NOTED.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLATION OF MATERIALS OR EQUIPMENT.
- ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, SYSTEMS, ETC. INFORMATION SHOWN IS DIAGNOSTIC IN NATURE AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITIONS UNDER FLOOR. LOCATION OF THESE ITEMS MAY BE ADJUSTED TO COMPLY WITH THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE.
- ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND OR SMOKE WITH FIRE RATING AND APPROVED SEALANT.
- ALL APERTURES OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND THE REMOVAL AND DISPOSAL OF ALL CONSTRUCTION DEBRIS SHALL BE IN FULL COMPLIANCE WITH ALL FEDERAL, STATE AND LOCAL REGULATIONS. THE PERMITS SHALL BE KEPT CLEAR AND FREE FROM ALL WASTE MATERIALS.
- GENERAL CONTRACTOR SHALL PROTECT NEW CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THIS WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS EXPENSE.
- ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED TUBING MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED TUBING SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED TUBING ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ACCENT COLOR.
- ARCHITECTURAL FINISH FLOOR ELEVATION 10' 0" EQUALS ACTUAL SITE REFERENCE OF FINISH FLOOR.
- SEE SHEET 1000 FOR WALL TYPES.
- SEE SHEET 1000 FOR DOOR AND WINDOW TYPES.
- FIREPROOFING SHALL BE INSTALLED TO OUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) BETWEEN FLOORS.
- BETWEEN A TOP STORY AND A ROOF OR ATTIC SPACE.
- SEE GENERAL CONTRACTOR NOTES ON SHEET 1000 FOR FIREPROOFING REQUIREMENTS.
- ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS.
- DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANS A117.1-2008 (SEE SHEETS 1000, 1001, 1002, 1003).
- ALL EXTERIOR BALCONIES ARE TO HAVE INTUMESCENT COATINGS WHERE EXPOSED STRUCTURE OCCURS.
- FIRE DEPARTMENT STANDPIPE EQUIPMENT IS NOT TO ENDOUCH INTO THE STAIR LANDING BEYOND THE INSIDE EXTENSION FROM THE INSIDE CORNER OF THE REQUIRED TURN LANDING WIDTH.
- DWELLING UNITS VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOWS/DOORS AS PER 2012 IRC.

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84090

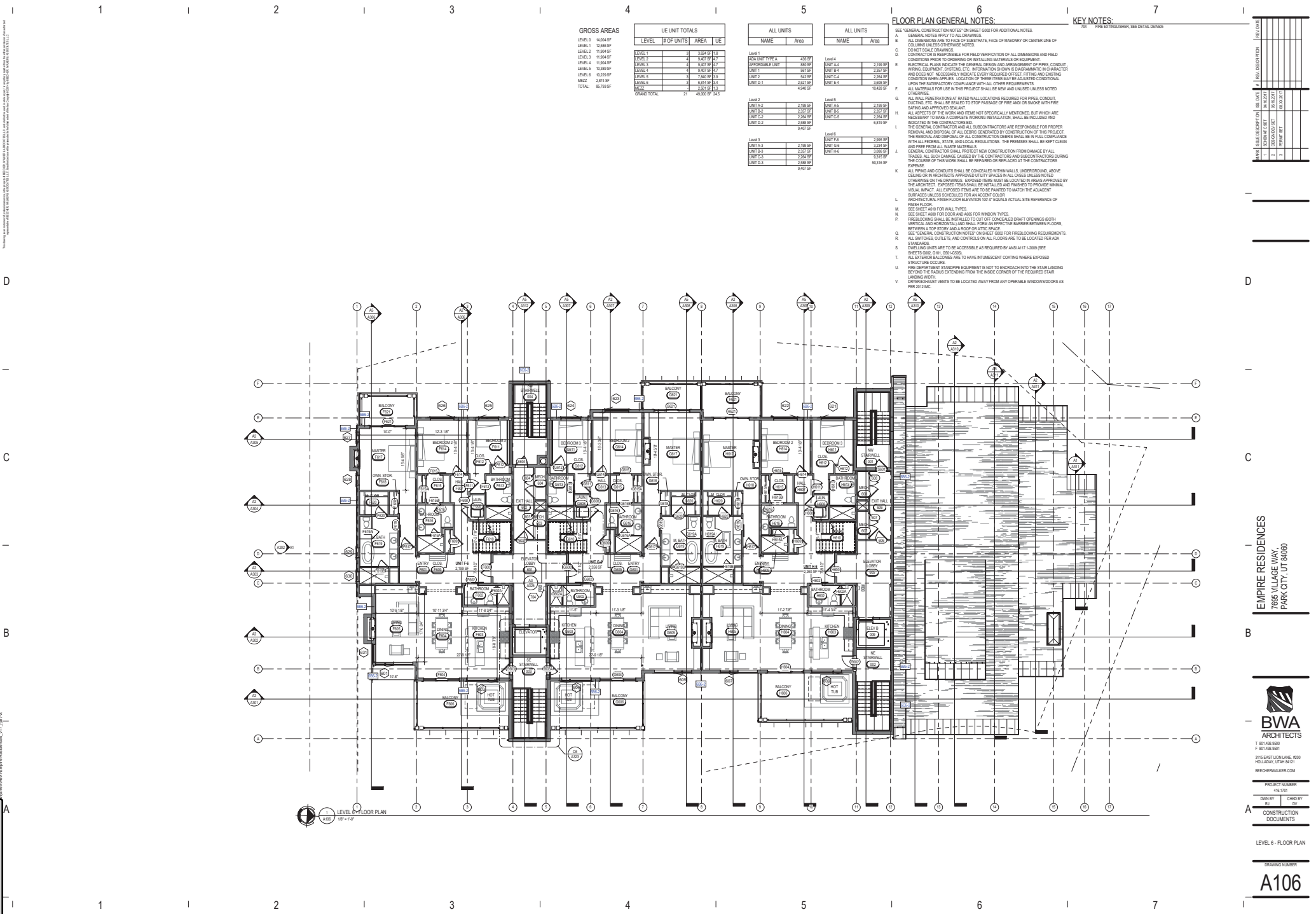


PROJECT NUMBER
410-101
OWN BY
CHD BY
CONSTRUCTION
DOCUMENTS

LEVEL 5 - FLOOR PLAN

DRAWING NUMBER

A105



GROSS AREAS

LEVEL 6	10,984 SF
LEVEL 5	10,984 SF
LEVEL 4	10,984 SF
LEVEL 3	10,984 SF
LEVEL 2	10,984 SF
LEVEL 1	10,984 SF
MEZZ	10,984 SF
TOTAL	65,784 SF

UE UNIT TOTALS

LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	1,517 SF	F1
LEVEL 2	4	1,417 SF	F2
LEVEL 3	4	1,417 SF	F3
LEVEL 4	3	1,365 SF	F4
LEVEL 5	3	1,365 SF	F5
MEZZ	1	1,335 SF	F1.5
GRAND TOTAL	21	48,000 SF	F1-F5

ALL UNITS

NAME	Area
UNIT 1	1,517 SF
UNIT 2	1,417 SF
UNIT 3	1,417 SF
UNIT 4	1,365 SF
UNIT 5	1,365 SF
UNIT 6	1,335 SF

ALL UNITS

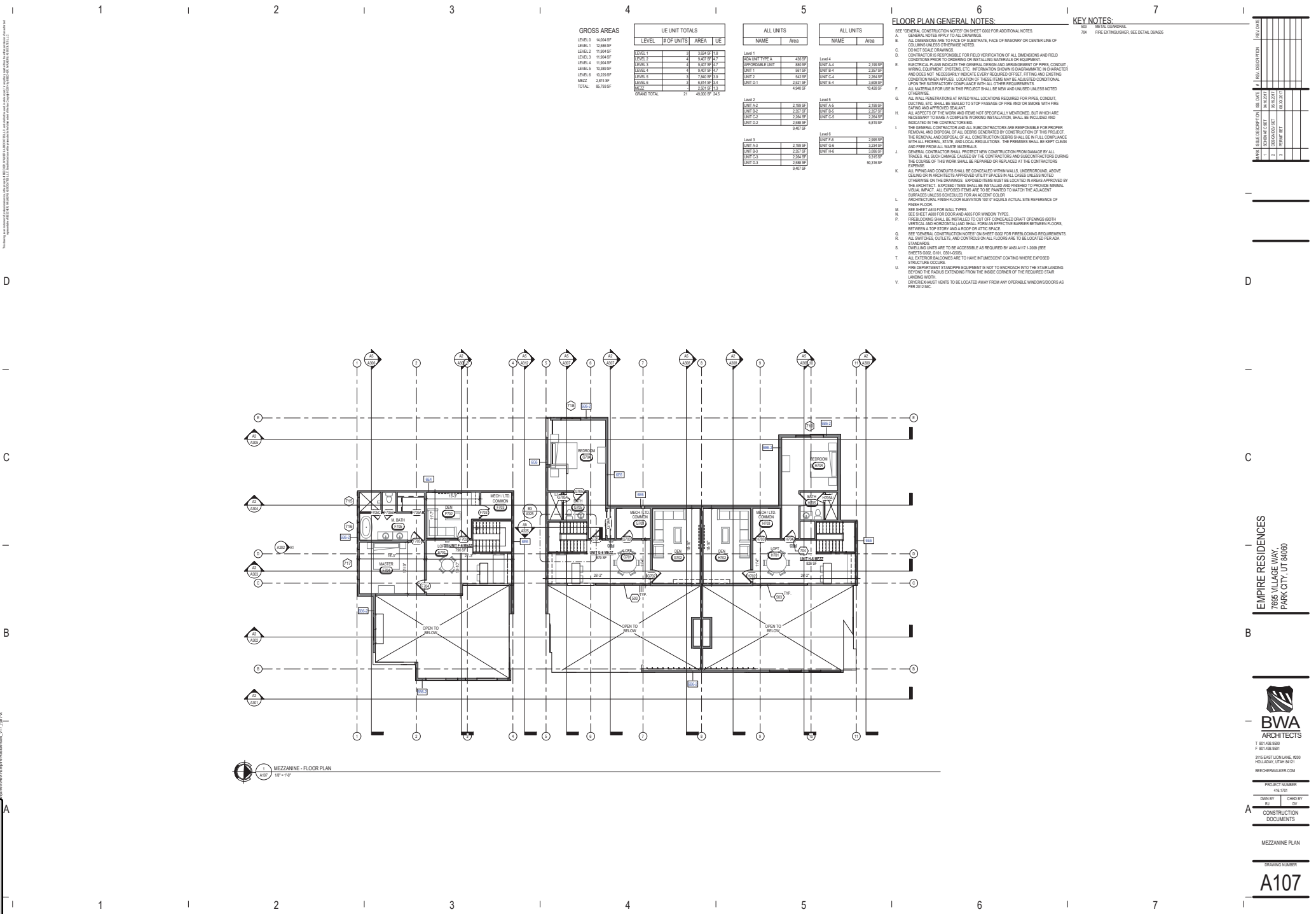
NAME	Area
UNIT 1	1,517 SF
UNIT 2	1,417 SF
UNIT 3	1,417 SF
UNIT 4	1,365 SF
UNIT 5	1,365 SF
UNIT 6	1,335 SF

FLOOR PLAN GENERAL NOTES:

- SEE GENERAL CONSTRUCTION NOTES ON SHEET 100 FOR ADDITIONAL NOTES.
- A. GENERAL NOTES APPLY TO ALL DRAWINGS.
- B. ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMNS UNLESS OTHERWISE NOTED.
- C. DO NOT SCALE DRAWINGS.
- D. CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- E. ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, SYSTEMS, ETC. INFORMATION SHOWN IS DIAGNOSTIC IN CHARACTER AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITIONS WHEN APPLICABLE. LOCATION OF THESE ITEMS MAY BE ADJUSTED TO COMPLY WITH THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- F. ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE.
- G. ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND/OR SMOKE WITH FIRE RATING AND IMPROVED DESIGN.
- H. ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO MAKE A COMPLETE WORKING INSTALLATION, SHALL BE INCLUDED AND NOTED.
- I. THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THE PROJECT. THE REMOVAL AND DISPOSAL OF ALL CONSTRUCTION DEBRIS SHALL BE IN FULL COMPLIANCE WITH ALL FEDERAL, STATE, AND LOCAL REGULATIONS. THE REMOVAL SHALL BE KEPT CLEAN AND FREE FROM ALL WASTE MATERIALS.
- J. GENERAL CONTRACTOR SHALL PROTECT EXISTING CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THIS WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS' EXPENSE.
- K. ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED ITEMS MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED ITEMS SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED ITEMS ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ACCENT COLOR.
- L. ARCHITECTURAL FINISH FLOOR ELEVATION 10'-0" IS ACTUAL SITE REFERENCE OF FINISH FLOOR.
- M. SEE SHEET 100 FOR RATED WALL TYPES.
- N. SEE SHEET 100 FOR DOOR AND CASE FOR WINDOW TYPES.
- O. FIRESTOPPING SHALL BE INSTALLED TO CUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AND A ROOF OR ATTIC SPACE.
- P. SEE "GENERAL CONSTRUCTION NOTES" ON SHEET 100 FOR FIRESTOPPING REQUIREMENTS.
- Q. ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS.
- R. DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANSI A117.1-2008 (SEE SHEETS 100, 101, 102, 103, 104, 105).
- S. ALL EXTERIOR BALCONIES ARE TO HAVE ANTI-SLIP COATING WHERE EXPOSED STRUCTURE OCCURS.
- T. FIRE DEPARTMENT STAIRWELL EQUIPMENT IS NOT TO BE BROUCHED INTO THE STAIRWELL BEYOND THE INSIDE EXTENSION FROM THE INSIDE CORNER OF THE REQUIRED STAIR LANDING WIDTH.
- U. DIFFERENTIAL VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOWS/DOORS AS PER 2012 IRC.

KEY NOTES:

1. FIRE EXTINGUISHER, SEE DETAIL DRAWING.



GROSS AREAS			
LEVEL 0	10,984 SF		
LEVEL 1	10,984 SF		
LEVEL 2	10,984 SF		
LEVEL 3	10,984 SF		
LEVEL 4	10,984 SF		
LEVEL 5	10,984 SF		
LEVEL 6	10,984 SF		
MEZZ	10,984 SF		
TOTAL	86,780 SF		

UE UNIT TOTALS			
LEVEL	# OF UNITS	AREA	UE
LEVEL 1	3	3,627 SF	1
LEVEL 2	4	5,472 SF	2
LEVEL 3	4	5,472 SF	3
LEVEL 4	4	5,472 SF	4
LEVEL 5	4	5,472 SF	5
LEVEL 6	3	3,627 SF	6
MEZZ	3	3,627 SF	7
GRAND TOTAL	21	48,000 SF	21

ALL UNITS	
NAME	Area
UNIT 1	3,627 SF
UNIT 2	5,472 SF
UNIT 3	5,472 SF
UNIT 4	5,472 SF
UNIT 5	5,472 SF
UNIT 6	3,627 SF
UNIT 7	3,627 SF

ALL UNITS	
NAME	Area
UNIT 1	3,627 SF
UNIT 2	5,472 SF
UNIT 3	5,472 SF
UNIT 4	5,472 SF
UNIT 5	5,472 SF
UNIT 6	3,627 SF
UNIT 7	3,627 SF

FLOOR PLAN GENERAL NOTES:

- SEE GENERAL CONSTRUCTION NOTES ON SHEET 1000 FOR ADDITIONAL NOTES.
- GENERAL NOTES APPLY TO ALL DRAWINGS.
- ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMNS UNLESS OTHERWISE NOTED.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, SYSTEMS, ETC. INFORMATION SHOWN IS DIAGNOSTIC IN CHARACTER AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITION UNLESS SPECIFICALLY NOTED. LOCATION OF THESE ITEMS MAY BE ADJUSTED TO OBTAIN UPON THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE.
- ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND/OR SMOKE WITH FIRE RATING AND IMPROVED SEALANT.
- ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO COMPLY WITH ALL APPLICABLE CODES, SHALL BE INCLUDED AND INDICATED IN THE CONSTRUCTION LOG.
- THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THIS PROJECT AND FREE FROM ALL WASTE MATERIALS.
- GENERAL CONTRACTOR SHALL PROTECT ALL EXISTING CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THE WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS EXPENSE.
- ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED ITEMS MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED ITEMS SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED ITEMS ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ADJACENT COLOR.
- ARCHITECTURAL FINISH FLOOR ELEVATION 10'-0" (SEE ACTUAL SITE REFERENCE OF FINISH FLOOR).
- SEE SHEET 1000 FOR WALL TYPES.
- SEE SHEET 1000 FOR DOOR AND WINDOW TYPES.
- FIRESTOPPING SHALL BE INSTALLED TO CUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AND SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AND A ROOF OR ATTIC SPACE.
- SEE GENERAL CONSTRUCTION NOTES ON SHEET 1000 FOR FIRESTOPPING REQUIREMENTS.
- ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS.
- DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANSI A117.1-2009 (SEE SHEETS 1000, 1001, 1002, 1003).
- ALL EXTERIOR BALCONIES ARE TO HAVE ANTI-SLIP COATING WHERE EXPOSED STRUCTURE OCCURS.
- FIRE DEPARTMENT STANDPIPE EQUIPMENT IS NOT TO ENCRUST INTO THE STAIRLANDING BEYOND THE INSIDE EXTENSION FROM THE INSIDE CORNER OF THE REQUIRED STAIR LANDING WIDTH.
- OVERPRESSURIZATION VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOWS/DOORS AS PER 2010 IRC.

KEY NOTES:

- SEE GENERAL CONSTRUCTION NOTES ON SHEET 1000 FOR ADDITIONAL NOTES.
- GENERAL NOTES APPLY TO ALL DRAWINGS.
- ALL DIMENSIONS ARE TO FACE OF SUBSTRATE, FACE OF MASONRY OR CENTER LINE OF COLUMNS UNLESS OTHERWISE NOTED.
- DO NOT SCALE DRAWINGS.
- CONTRACTOR IS RESPONSIBLE FOR FIELD VERIFICATION OF ALL DIMENSIONS AND FIELD CONDITIONS PRIOR TO ORDERING OR INSTALLING MATERIALS OR EQUIPMENT.
- ELECTRICAL PLANS INDICATE THE GENERAL DESIGN AND ARRANGEMENT OF PIPES, CONDUIT, WIRING, EQUIPMENT, SYSTEMS, ETC. INFORMATION SHOWN IS DIAGNOSTIC IN CHARACTER AND DOES NOT NECESSARILY INDICATE EVERY REQUIRED OFFSET, FITTING AND EXISTING CONDITION UNLESS SPECIFICALLY NOTED. LOCATION OF THESE ITEMS MAY BE ADJUSTED TO OBTAIN UPON THE SATISFACTORY COMPLIANCE WITH ALL OTHER REQUIREMENTS.
- ALL MATERIALS FOR USE IN THIS PROJECT SHALL BE NEW AND UNLESS OTHERWISE NOTED OTHERWISE.
- ALL WALL PENETRATIONS AT RATED WALL LOCATIONS REQUIRED FOR PIPES, CONDUIT, DUCTING, ETC. SHALL BE SEALED TO STOP PASSAGE OF FIRE AND/OR SMOKE WITH FIRE RATING AND IMPROVED SEALANT.
- ALL ASPECTS OF THE WORK AND ITEMS NOT SPECIFICALLY MENTIONED, BUT WHICH ARE NECESSARY TO COMPLY WITH ALL APPLICABLE CODES, SHALL BE INCLUDED AND INDICATED IN THE CONSTRUCTION LOG.
- THE GENERAL CONTRACTOR AND ALL SUBCONTRACTORS ARE RESPONSIBLE FOR PROPER REMOVAL AND DISPOSAL OF ALL DEBRIS GENERATED BY CONSTRUCTION OF THIS PROJECT AND FREE FROM ALL WASTE MATERIALS.
- GENERAL CONTRACTOR SHALL PROTECT ALL EXISTING CONSTRUCTION FROM DAMAGE BY ALL TRADES. ALL SUCH DAMAGE CAUSED BY THE CONTRACTORS AND SUBCONTRACTORS DURING THE COURSE OF THE WORK SHALL BE REPAIRED OR REPLACED AT THE CONTRACTORS EXPENSE.
- ALL PIPING AND CONDUITS SHALL BE CONCEALED WITHIN WALLS, UNDERGROUND, ABOVE CEILING OR IN ARCHITECTS APPROVED UTILITY SPACES IN ALL CASES UNLESS NOTED OTHERWISE ON THE DRAWINGS. EXPOSED ITEMS MUST BE LOCATED IN AREAS APPROVED BY THE ARCHITECT. EXPOSED ITEMS SHALL BE INSTALLED AND FINISHED TO PROVIDE MINIMAL VISUAL IMPACT. ALL EXPOSED ITEMS ARE TO BE PAINTED TO MATCH THE ADJACENT SURFACES UNLESS SCHEDULED FOR AN ADJACENT COLOR.
- ARCHITECTURAL FINISH FLOOR ELEVATION 10'-0" (SEE ACTUAL SITE REFERENCE OF FINISH FLOOR).
- SEE SHEET 1000 FOR WALL TYPES.
- SEE SHEET 1000 FOR DOOR AND WINDOW TYPES.
- FIRESTOPPING SHALL BE INSTALLED TO CUT OFF CONCEALED DRAFT OPENINGS (BOTH VERTICAL AND HORIZONTAL) AND SHALL FORM AN EFFECTIVE BARRIER BETWEEN FLOORS, BETWEEN A TOP STORY AND A ROOF OR ATTIC SPACE.
- SEE GENERAL CONSTRUCTION NOTES ON SHEET 1000 FOR FIRESTOPPING REQUIREMENTS.
- ALL SWITCHES, OUTLETS, AND CONTROLS ON ALL FLOORS ARE TO BE LOCATED PER ADA STANDARDS.
- DWELLING UNITS ARE TO BE ACCESSIBLE AS REQUIRED BY ANSI A117.1-2009 (SEE SHEETS 1000, 1001, 1002, 1003).
- ALL EXTERIOR BALCONIES ARE TO HAVE ANTI-SLIP COATING WHERE EXPOSED STRUCTURE OCCURS.
- FIRE DEPARTMENT STANDPIPE EQUIPMENT IS NOT TO ENCRUST INTO THE STAIRLANDING BEYOND THE INSIDE EXTENSION FROM THE INSIDE CORNER OF THE REQUIRED STAIR LANDING WIDTH.
- OVERPRESSURIZATION VENTS TO BE LOCATED AWAY FROM ANY OPERABLE WINDOWS/DOORS AS PER 2010 IRC.

REV		DATE	DESCRIPTION
1	10/10/2017	10/10/2017	10/10/2017
2	10/10/2017	10/10/2017	10/10/2017
3	10/10/2017	10/10/2017	10/10/2017

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84000

BWA
ARCHITECTS
T 801.438.9881
F 801.438.9881
BWA@BWAARCH.COM

PROJECT NUMBER
494170
OWN BY
CHD BY
CONSTRUCTION
DOCUMENTS

MEZZANINE PLAN
DRAWING NUMBER
A107

Not for construction. This drawing is a preliminary drawing and is not to be used for construction. It is for informational purposes only. All dimensions and notes are subject to change without notice. The user of this drawing assumes all liability for its use.

Architect's Seal and Stamp

Packet Bn 337

1 2 3 4 5 6 7

KEY NOTES:
101 PORT COCHERE ROOF SEE STRUCTURAL DRAWINGS FOR METAL FRAMING TO BE
CONSTRUCTED OUT OF METAL AND WOOD STRUCTURE
703 PREFINISHED METAL HANGOUTS & DOWNPOUT
1003 ROOF HATCH

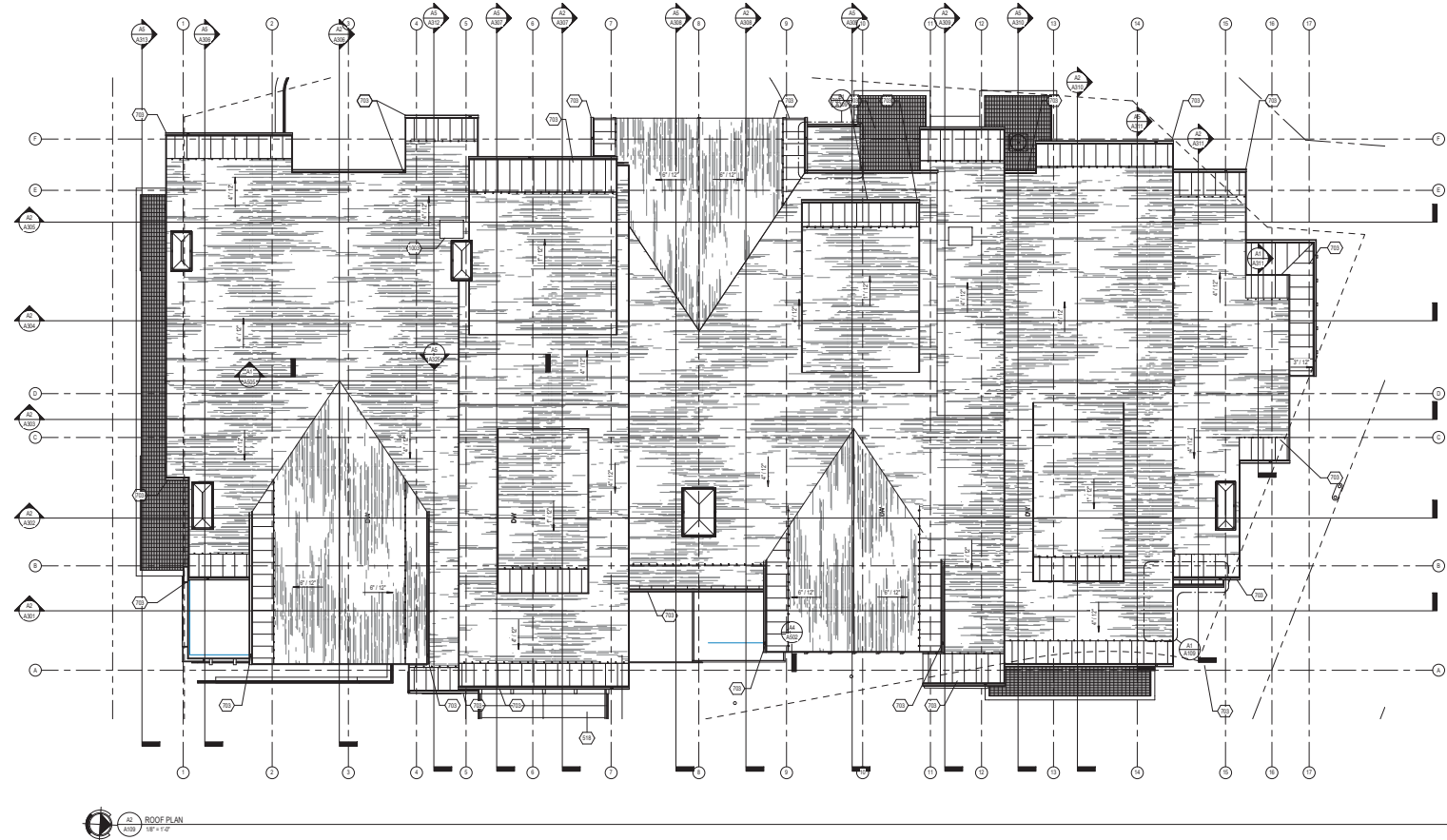
REV	DESCRIPTION	DATE
1	ISSUE FOR PERMITTING	08/04/2017
2	REVISIONS	08/04/2017
3	REVISIONS	08/04/2017

D

C

B

A



ELEVATIONS



EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84060

BWA
ARCHITECTS
T 801.438.8888
F 801.438.8881
3115 EAST LONLAKE, #100
HOLLAND, OHIO 44131
BWA@BWAARCH.COM

PROJECT NUMBER
418.170

DRAWN BY
CHKD BY

CONSTRUCTION DOCUMENTS

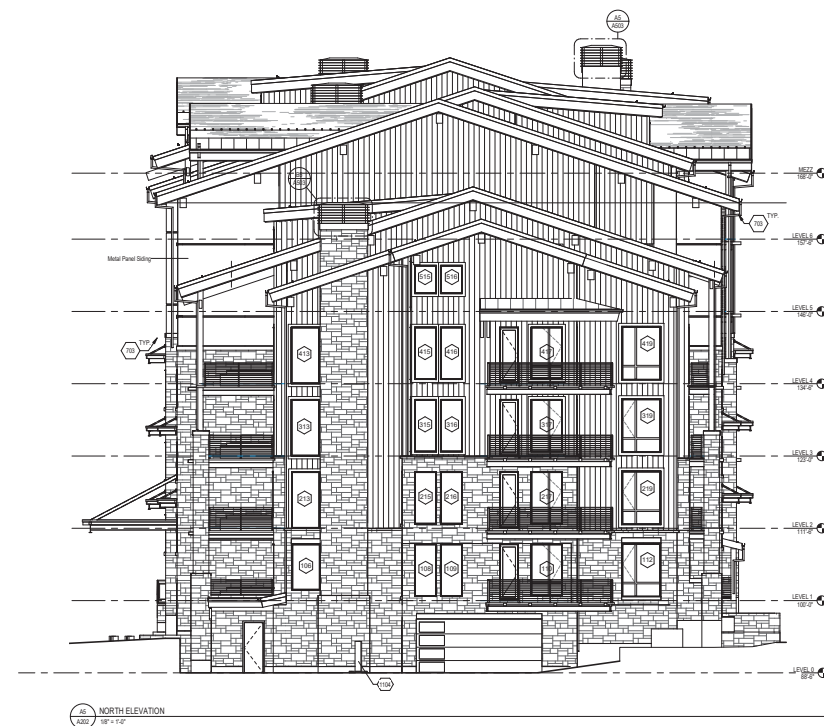
EAST & WEST ELEVATION

DRAWING NUMBER
A201

Packet Bn 238

MARKS	ISSUE DESCRIPTION	ISS. DATE	#	REV. DESCRIPTION	REV DATE
1	SCHEMATIC SET	04.10.2017			
2	DESIGN/COF SET	06.10.2017			
3	PERMIT SET	08.05.2017			

703	PREFINISHED METAL RAINGUTTER & DOWNSPOUT.
1102	BACKUP GENERATOR - REFER TO MECHANICAL
1104	REMOTE KEYPAD ACCESS
2305	UNDERGROUND CONDENSERS



A202

This drawing is a part of a set of architectural drawings for the proposed development at 7695 Village Way, Park City, Utah. It is not to be used for any other purpose without the written consent of BWA Architects.

D

C

B

A

Packet Pg 2/10



3 NORTH ELEVATION (COLOR)
3/22" = 1'-0"



4 EAST ELEVATION (COLOR)
3/22" = 1'-0"



5 SOUTH ELEVATION (COLOR)
3/22" = 1'-0"



6 WEST ELEVATION (COLOR)
3/22" = 1'-0"

EXTERIOR MATERIAL LEGEND

- ASPHALT SHINGLES
- CEDAR SIDING
- CONCRETE
- CONCRETE - STRUCTURAL GLASS
- STANDING BEAM METAL ROOF
- STONE VENER

KEYNOTES

- 402 FULL THICKNESS STONE WINDOW SILL
- 403 SHIPED STONE COLUMN
- 501 CHIMNEY CAP
- 503 METAL GUARDRAIL
- 513 10" METAL HEADER
- 514 10" METAL SIDING
- 516 10" METAL COLUMNS
- 517 10" METAL PAGES
- 524 WOOD ROOF TA, SEE STRUCTURAL
- 703 PREFINISHED METAL RAINGUTTER & DOWNSPOUT
- 705 B&B TYPE BROWN GLASS
- 1005 MONUMENT SIGN
- 1006 FIRE PIT
- 1007 MONUMENT CARD KEY ACCESS
- 1009 CONDENSER SCREEN WALL

REV	DESCRIPTION	DATE
1	ISSUED FOR PERMIT	04.10.2017
2	REVISIONS	05.10.2017
3	REVISIONS	06.10.2017

D

C

B

A

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84000

BWA
ARCHITECTS
T 801.438.9800
F 801.438.9801
3115 EAST LON LANE, #200
HOLLAND, OHIO 44131
BWA@BWAARCHITECTS.COM

PROJECT NUMBER
495.1701
DRAWN BY
CONSTRUCTION DOCUMENTS

COLOR ELEVATIONS

DRAWING NUMBER
A910

EXHIBIT D



SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold Certificate No. 7248591, 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 herein described property and that to the best of my knowledge this plat is a correct representation of said survey.

BOUNDARY DESCRIPTION

PARCEL A

A parcel of land located in the South half of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°09'24" East 428.45 feet coincident with the section line and North 173.03 feet from a 3-1/4" diameter cap on an aluminum pipe at the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 48°58'47" West 120.58 feet to a point on a non tangent curve to the right having a radius of 725.00 feet, of which the radius point bears North 58°06'17" East, said point being on the easterly boundary of Marsac Avenue Right of Way, recorded June 28, 2002, as Entry No. 623451, in the Office of the Recorder, Summit County, Utah; thence coincident with Marsac Avenue Right of Way the following four (4) courses: 1) northerly along the arc of said curve 306.94 feet through a central angle of 24°15'25" to a point of reverse curve to the left having a radius of 175.00 feet, of which the radius point bears South 82°21'42" West; thence 2) northwesterly along the arc of said curve 290.23 feet through a central angle of 95°01'25" to a point on a curve to the left having a radius of 625.00 feet, of which the radius point bears South 12°39'42" East; thence 4) along the arc of said curve 96.98 feet through a central angle of 08°53'26" to a point on the northerly boundary of the Marsac Mining Claim, recorded survey number S-6414, in the Office of the Recorder, Summit County, Utah; thence coincident with said boundary North 55°00'00" West 276.95 feet; thence North 56°34'49" East 475.97 feet; thence South 85°02'20" East 239.60 feet; thence South 22°25'58" East 215.67 feet; thence South 23°48'28" East 358.05 feet; thence South 21°40'14" West 199.66 feet to the point of beginning.

PARCEL B

A parcel of land located in the northeast quarter of Section 28 and the southeast quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°09'24" East 390.39 feet coincident with the section line and South 118.26 feet from a 3-1/4" diameter cap on an aluminum pipe at the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being at the intersection of Village Way, The Village At Empire Pass, Phase 1, recorded November 24, 2004, as Entry No. 718034 in the Office of the Recorder, Summit County, Utah, and Marsac Avenue Right of Way, recorded June 28, 2002, as Entry No. 623451 in the Office of the Recorder, Summit County, Utah, said point also being on a curve to the right having a radius of 15.00 feet, of which the radius point bears North 38°57'06" West; and running thence coincident with Village Way, the following five (5) courses: 1) westerly along the arc of said curve 16.07 feet through a central angle of 61°23'47" to a point of compound curve to the right having a radius of 62.50 feet, of which the radius point bears North 22°26'41" East; thence 2) northwesterly along the arc of said curve 38.43 feet through a central angle of 30°13'44"; thence 3) North 32°19'35" West 148.50 feet to a point on a curve to the left having a radius of 52.50 feet, of which the radius point bears South 57°40'25" West; thence 4) along the arc of said curve 145.36 feet through a central angle of 158°38'08"; thence 5) South 10°57'43" East 159.62 feet to the northerly boundary of Lot 8, The Village At Empire Pass, Phase 1; thence coincident with said Lot 8 South 89°36'26" West 151.81 feet; thence North 15°22'27" West 77.03 feet; thence North 03°28'20" West 178.84 feet; thence North 86°16'45" West 49.39 feet, said point being on the easterly boundary of The Village At Empire Pass West Side, recorded August 12, 2005, as Entry No. 746744 in the Office of the Summit County Recorder, and running thence coincident with said easterly boundary the following four (4) courses: 1) North 03°31'11" West 17.15 feet to a point on a curve to the right having a radius of 300.00 feet, of which the radius point bears North 84°26'49" East; thence 2) along the arc of said curve 20.22 feet through a central angle of 03°31'42" to a point of compound curve to the right having a radius of 150.00 feet, of which the radius point bears North 86°16'30" East; thence 3) northerly along the arc of said curve 75.83 feet through a central angle of 28°57'57"; thence 4) North 27°16'27" East 56.07 feet to a point on the southerly boundary of Lot 61, Marsac Mining Claim, recorded survey number S-6414 in the Office of the Summit County Recorder; thence coincident with said boundary the following five (5) courses: 1) South 68°50'00" East 113.41 feet; thence 2) North 11°45'46" East 1.93 feet; thence 3) South 64°00'00" East 25.34 feet; thence 4) North 35°00'00" East 79.48 feet; thence 5) North 55°00'00" West 325.43 feet to a point on a non tangent curve to the right having a radius of 575.00 feet, of which the radius point bears South 18°11'39" East, said point being on Marsac Avenue Right of Way; thence coincident with Marsac Avenue Right of Way the following five (5) courses: 1) easterly along the arc of said curve 55.52 feet through a central angle of 03°31'57"; thence 2) North 77°20'18" East 65.40 feet to a point on a curve to the right having a radius of 125.00 feet, of which the radius point bears South 12°39'42" East; thence 3) along the arc of said curve 207.31 feet through a central angle of 95°01'25" to a point of reverse curve to the left having a radius of 775.00 feet, of which the radius point bears North 82°21'42" East; thence 4) southerly along the arc of said curve 352.06 feet through a central angle of 26°10'39" to a point of reverse curve to the right having a radius of 725.00 feet, of which the radius point bears South 56°20'03" West; thence 5) southeasterly along the arc of said curve 186.58 feet through a central angle of 14°44'43" to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT REDUS Park City LLC, the undersigned owner of the herein described tract of land, to be known hereafter as VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recording of this Plat, in witness whereof, the undersigned set his hand this ____ day of _____, 2017.

REDUS Park City LLC, a Delaware limited liability company
By: REDUS Properties, Inc., a Delaware corporation

Its: manager.
By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

State of _____
County of _____

On this ____ day of _____, 2017, David Ash personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, David Ash acknowledged to me that he is an authorized signatory of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

Printed Name _____
Residing in: _____
My commission expires: _____

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT EMPIRE RESIDENCES, LLC, the undersigned owner of the herein described tract of land, to be known hereafter as VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recording of this Plat, in witness whereof, the undersigned set his hand this ____ day of _____, 2017.

EMPIRE RESIDENCES LLC, a Delaware limited liability company
By: EMPIRE RESIDENCES LLC, a Delaware limited liability company

Its: manager.
By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

State of _____
County of _____

On this ____ day of _____, 2017, _____ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Harrison Horn acknowledged to me that he is an authorized signatory of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

A Notary Public commissioned in Utah

Printed Name _____
Residing in: _____
My commission expires: _____

VILLAGE AT EMPIRE PASS NORTH SUBDIVISION

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

SHEET 1 OF 2

LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 77°20'18" E	65.40'
L2	N 15°22'27" W	77.03'
L3	N 86°16'45" W	49.39'
L4	N 5°33'11" W	17.15'
L5	N 27°16'27" E	56.07'
L6	N 11°45'46" E	1.93'
L7	S 64°00'00" E	25.34'
L8	N 35°00'00" E	79.48'
L9	N 77°20'18" E	65.40'
L10	N 34°31'5" E	134.23'
L11	S 85°48'47" E	7.34'
L12	N 42°44'41" E	19.25'
L13	N 3°56'31" E	27.99'
L15	N 37°49'10" W	29.51'
L16	N 86°16'45" W	29.93'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	625.00'	96.98'	8°53'26"
C2	15.00'	16.07'	61°23'47"
C3	62.50'	38.43'	35°13'44"
C4	52.50'	145.36'	158°38'08"
C5	300.00'	20.22'	3°51'42"
C6	150.00'	75.83'	28°57'57"
C8	575.00'	55.52'	5°31'57"
C9	52.50'	116.13'	128°44'09"
C10	52.50'	29.23'	31°53'59"

LEGEND
● Set 5/8" rebar w/cap, "ALLIANCE ENGR./S 154491"
(Unless noted otherwise)
□ Street Address

 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 333 Main Street, P.O. Box 2064 Park City, Utah 84050-2064	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DATE OF _____, 2017 BY _____ S.B.W.R.D.	PLANNING COMMISSION APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DATE OF _____, 2017 BY _____ CHAIR	ENGINEER'S CERTIFICATE FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DATE OF _____, 2017 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM APPROVED AS TO FORM THIS _____ DATE OF _____, 2017 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ MAYOR	CERTIFICATE OF ATTEST I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER _____
---	---	---	--	--	--	--	---

TES:

This plot is subject to the Conditions of Approval in Ordinance 2017-____.

The position of the north $\frac{1}{4}$ corner of Section 28, Township 2 South Range 4 East SLBM, as shown on this survey, is from the dependent re-survey of Section 28, 29, 31, 22 & 33 performed by Robinson, Blehn & Blehn Inc. in 2000 (Rec.# S-3819, Summit County Recorder's Office).

Conditional use permit approval will be required prior to construction on each of the development lots shown hereon.

A declaration of condominium and a record condominium map will be required for the purpose of the sale of individual units within the development lots shown hereon.

The lots described on this plot are subject to the Restated Development Agreement for Flagstaff Mountain, Bonanza Flat, Richardson Flat, the 20-Acre Quinn's Junction Parcel and Iron Mountain dated as of May 2, 2007, and recorded on March 2, 2007, as Entry No. 00806100 in Book 1850, Page 1897 (the "Development Agreement"). By separate Declaration of Payment and Development Covenants, recorded October 4, 2016, as Entry No. 01055133 in the official records of the Summit County Recorder, as amended, Lot 3 has been allocated the right to develop 24.5 Unit Equivalents within no more than 21 dwelling units and the obligation to locate 1.1 Affordable Unit Equivalents thereon, as each of those capitalized terms is defined in the Development Agreement. Lot 2 has been allocated the obligation to locate 2.0 Affordable Unit Equivalents thereon and Lot 1 has no on-site affordable housing obligations. The allocation of Unit Equivalents to Lot 2 and Lot 1 may be done at a future date by a separate recorded document. No Unit Equivalents will be allocated to Lot 4, which is to be used in connection with resort and similar activities. No lot within this plot has been allocated any commercial Unit Equivalents.

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 lot or 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.

Owners and potential buyers of any unit or land within the lots depicted on this plot 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 covenants or agreements with such owner.

The owner of Lot 3 hereby grants a non-exclusive resort and access easement over the approximately west twenty feet (20') of Lot 3, as depicted on this plot as the "Cable UDOT Setback" for the benefit of Lot 4 to allow ski lift maintenance access and the right to conduct resort activities, including to locate movable safety fences.

This plot also depicts the following easements, each of which may be amended, relocated or revised, without amendment hereto, in accordance with each such easement's terms:

- a. Agreement and Covenant of Cooperation (Ski Access/Storm Drainage), Entry No. 665956, Summit County Recorder's Office which affects Lot 2 and Lot 3 of this plot.
- b. Right-Of-Way and Easement Grant (Gas Utility), Entry No. 755686, Summit County Recorder's Office, potentially affects Lot 2 and Lot 3.
- c. Grant of Access Easement (Sewer Utility), Entry No. 850350, Summit County Recorder's Office, affects Lot 2.
- d. Grant of Easement (Sewer Utility), Entry No. 716688, Summit County Recorder's Office, affects Lot 2.
- e. Grant of Easement (Storm Drain Facilities), Entry No. 716459, Summit County Recorder's Office, affects Lot 3.
- f. Reciprocal Easement Agreement (Resort and Access) to be recorded in advance of or contemporaneously with this plot in the Summit County Recorder's Office, affects Lot 2, Lot 3 and Lot 4, and describes the use of Easement Area A, Easement Area B, Easement Area C and Easement Area D.

Public safety access and public utility easements are hereby dedicated for all public and private roadways and emergency access roads.

The property is located within a water source protection zone. All sewer construction must comply with the State of Utah drinking water regulations.

A ten foot (10') wide snow storage easement is hereby dedicated to the Master Association along the frontage of all lots.

Wastewater service to the Village at Empire Pass North Subdivision shall be provided by the Snyderville Basin Water Reclamation District. A Line Extension Agreement with the District may be required for Lots 1 & 2. It shall be the responsibility of the Owner of each lot to extend the public wastewater system within the lot being developed according to the requirements of the Line Extension Agreement.

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.

A UDOT Conditional Access Permit or city permit, depending upon the ownership of Marsoc Avenue, will be required prior to construction on Lot 1 and for vehicle access to Lot 2 directly from Marsoc Avenue.

Fire sprinklers will be required within all dwellings constructed on the lots.

Ski Easement Note: 5' Ski and Pedestrian Easement in favor of Lot 4 for resort operations and trail maintenance and for purpose of providing property owners, invitees and guests of One Empire Pass Condominium with ski and pedestrian access to and from adjoining skiways.

Ski Buffer Note: 10' Skiway Buffer Zone in favor of Lot 4 providing that without prior written consent of owner of Lot 4:

- a. no above-ground building or landscaping obstructions may be constructed in the Skiway Buffer Zone.
- b. no trees or other above-ground landscaping obstructions may be maintained in the Skiway Buffer Zone.

The owner of Lot 2 hereby grants a non-exclusive resort and access easement over the western edge of the property as depicted on this plot as the "5' Wide Ski Easement". This easement is for the benefit of Lot 4 for resort operations and trail maintenance and for the benefit of VEPWS Lot 15 property owners, invitees and guests for purposes of ski and pedestrian access.

The owner of Lot 2 hereby grants a non-exclusive easement near the western edge of the property as depicted on this plot as the "10' Skiway Buffer Zone". This easement is for the benefit of Lot 4 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 Skiway Buffer Zone.

At the time of plot recording, Lot 1 includes lands within the Empire Village MPD in the RD Zone and additional lands within the ROS Zone on Lot 1 shall conform to requirements of applicable zoning regulations for the different portions on the property.

(435) 649-9467

Robinson, Blehn & Blehn Inc.

TALING ENGINEERS LAND PLANNERS SURVEYORS

11 Street P.O. Box 2864 Park City, Utah 84002-2864

VILLAGE AT EMPIRE PASS NORTH SUBDIVISION

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

v:\mp JOB NO.: 12-2-16 FILE: X:\Empire\dwg\arr\plot2016\120216-VAEP North Sub

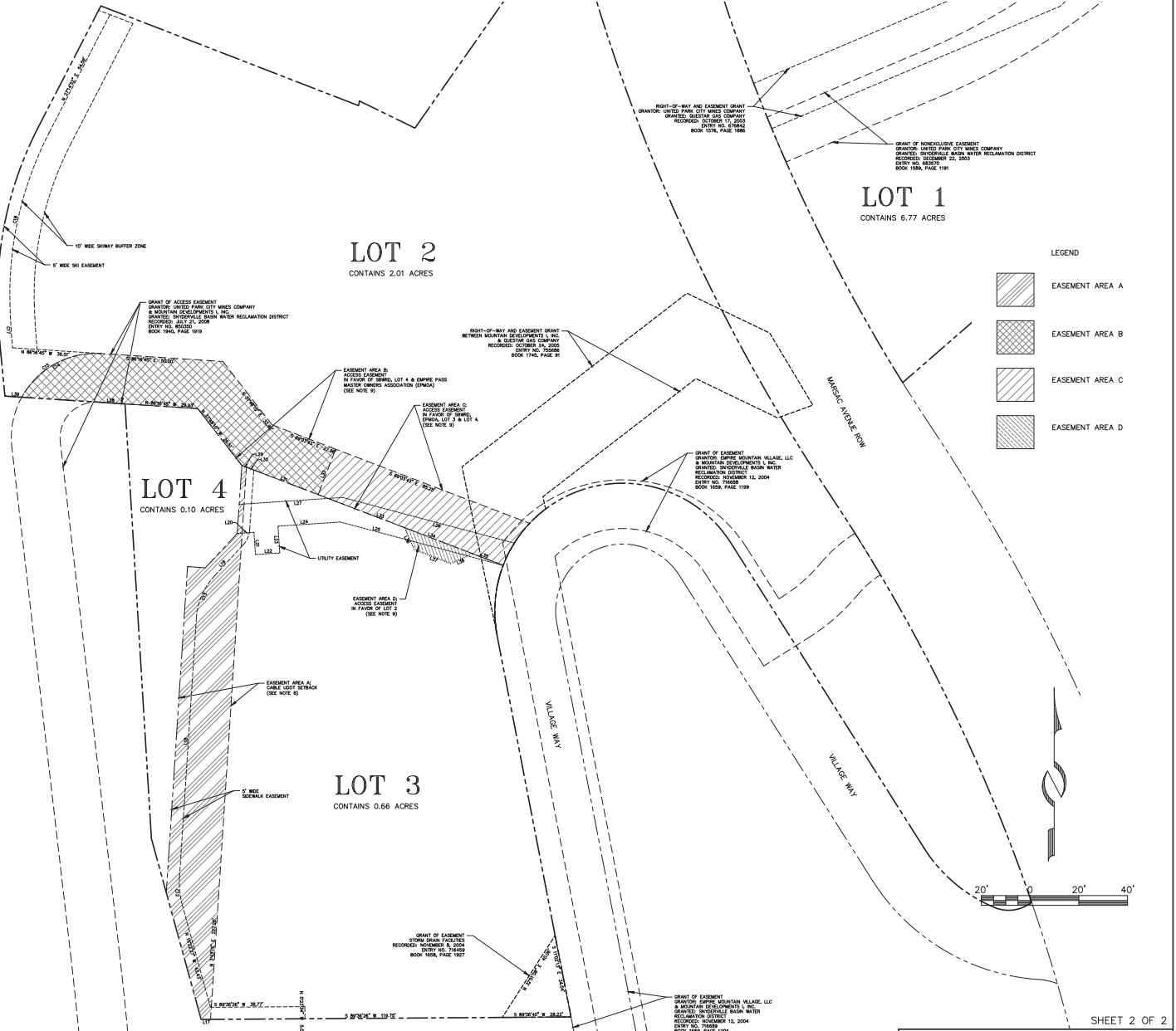
RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED

AT THE REQUEST OF _____

DATE _____ TIME _____ ENTRY NO. _____

FEE _____ RECORDER _____



Planning Commission Meeting
Minutes of July 28, 2004
Page 10

Findings of Fact - Marsac Avenue & Chambers Street Right-of-Way

1. The property is located between platted Marsac Avenue at the Sandridge parking lots and the Guardsman Connection to Silver Lake.
2. The zoning along the road is HR-1 and ROS.
3. The City Council adopted Ordinance 99-20 on June 24, 1999, approving the annexation and development agreement for the 1,655-acre Flagstaff Mountain area.
4. The Flagstaff Annexation Development Agreement Section 2.10.2 stipulates certain road and intersection improvements, including widening the road, drainage improvements, a passing lane, and runaway truck ramp.

Conclusions of Law

1. There is good cause for this subdivision plat.
2. The subdivision plat is consistent with the Master Plan Development Agreement, Park City Land Management Code, the General Plan, and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed subdivision plat.
4. Approval of the subdivision 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 Subdivision 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 Subdivision 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 and the plat will be void.

6. Empire Pass Master Planned Development

Planner Brooks Robinson commented on Pod A at Empire Pass and noted that the Planning Commission has discussed many details of his master planned development over several months. The public hearing was re-opened on July 14 and continued to this evening. The Staff has prepared findings of fact, conclusions of law, and conditions of approval for the master plan for Pod A. Pod B1 was previously approved. The Staff finds that this application complies with the Land Management Code and the Development Agreement, which are the controlling documents. There will be additional units and density left over from this approval, and Pod B2 will come in at a later date with its own master plan once the applicants are further along in planning development for that area. The applicant had prepared a number of exhibits and updates for the Commissioners' binders which will comprise this approval. These includes the project description and minor grammatical

error and language revisions. Planner Robinson outlined other updates distributed this evening. The Staff recommended that the Planning Commission re-open the public hearing, consider public input, and provide direction to the Staff and applicant.

Chair Barth referred to Pages 115-123 of the staff report, Summary of Compliance with the Technical Reports, and noted that he did not see in the draft findings any reference to incorporate those pages into a motion. Planner Robinson recalled that on July 14 Commissioner Erickson requested compliance with technical reports, and the decision was made to provide them as a separate document. He offered to add them as a finding.

Doug Clyde, representing the applicant, distributed to the Commissioners a visual simulation from King Road that was inadvertently left out of their package. He was uncertain which phasing plan is included in their packets and wanted to be sure the one they have shows the right units. He noted that town home units 16 and 17 and cluster home units 11 and 12 are in Phase I. He referred to page 6 of the recent handouts and corrected the number of Townhomes and PUD's from 28 to 23 units in the first phase.

Chair Barth re-opened the public hearing.

There was no comment.

Chair Barth closed the public hearing.

Commissioner Erickson read the conditions of approval relative to traffic circulation based on the development agreement and asked if they are part of the transportation mitigation plan and part of the 14 technical reports. Mr. Clyde replied that they are reflected in the existing construction mitigation plans currently on file with the City. Planner Robinson explained that every CUP that comes forward will need its own construction mitigation plan which will be reviewed by the Planning Commission.

The Planning Commission and Mr. Clyde discussed enforcement procedures for downhill traffic.

Planner Robinson revised Finding of Fact 10 by inserting a comma after A(Exhibit H)@ and adding Aand a compliance matrix with the technical reports (Exhibit I).@

Mr. Clyde referred to the density indicated on page 104 of the staff report and noted that 563 takes into account the additional 18 PUD units. This is not reflected in the table above, and he suggested adding the language Accounting the additional 18 PUD units noted below.@

MOTION: Commissioner Erickson moved to APPROVE the MPD in accordance with the findings of fact, conclusions of law, and conditions of approval with the following revisions:

- 1) The incorporation of the revised July 28, 2004, project description as presented by Staff.
2. The revision to Finding of Fact 10 incorporating the compliance report with the 14 technical reports, Exhibit I.
3. The revision to the phasing plan incorporating the town home Units 16 & 17 and the cluster home Units 11 & 12.
4. Correction to the staff report, page 104, with regard to the density incorporating the phrase that the 563.3 units includes the 18 unit equivalents referenced in Pod B1 below.
5. Incorporation of Condition of Approval 10 that they incorporate the technical report updates and clarifications as presented in the staff report

Mr. Clyde stated that the PUD's were originally intended to be 5,000 square feet each, but they had a problem with the Unit Equivalent calculation. He will return with a revised UE calculation which raises the number by 18 additional UE's. It will not change the plan, but it will make it correspond with the way they interpret UE's.

Planner Robinson referred to the density in the Pod B1 section on page 104 and noted that the last sentence should recognize that 90,000 square feet should be assigned to Lot B and not Lot C.

Commissioner Erickson incorporated the change to Page 104 as described by Planning Robinson into his motion. Commissioner Powers seconded the motion.

VOTE: The motion passed unanimously. Commissioner Thomas abstained from the vote, and Commissioner Zimney was not present for the vote.

Commissioner Volkman referred to the status of the technical reports regarding the mine soils hazard plan and the language which states, AA draft work plan for the clean up of Empire Canyon was approved by the EPA and reviewed by the Park City Municipal Corporation. Work will begin this summer.@ Mr. Clyde explained that the Empire Canyon work referred to is the clean up of the creek below the Deer Valley Day Lodge and the top of Daly Avenue. It has no relation to moving the mine dump.

Findings of Fact - Empire Pass

1. The Village at Empire Pass (Mountain Village) Master Planned Development is located in the RD-MPD and ROS-MPD Districts.
2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. 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.
3. The Flagstaff Mountain Annexation is approximately 1,655 acres. Mixed-use development is limited to approximately 147 acres in four (4) development areas identified as Pods A, B-1, B-2 and D. The remainder of the annexation area is to be retained as passive and/or recreational open space.
 4. The Development Agreement limits development in Pods A, B-1, B-2 to:
 - No more than 705 Unit Equivalents in no more than 470 residential units (including not more than 60 PUD-style units) and no more than 16 single-family home sites;
 - no more than 85,000 square feet of resort support commercial; and
 - a maximum 35,000 square foot day skier lodge in Pod B-2.
 5. The Development Agreement required City review and approval of fourteen (14) technical reports/studies. The reports include details on the following information:
 - Mine/Soil Hazard Mitigation
 - Architectural Design Guidelines
 - Transit
 - Parking
 - Open Space Management
 - Historic Preservation
 - Emergency Response
 - Trails
 - Private Road Access Limitations
 - Construction Phasing
 - Infrastructure and Public Improvement Design
 - Utilities
 - Wildlife Management
 - Affordable Housing
 6. The Planning Commission completed the review and approval process for the technical reports/studies on December 12, 2001.
 7. This Master Plan for Pod A consists of a total of 321.5 units and 435.6 unit equivalents, including the previously approved Paintbrush, Larkspur, and Building H; the Transit Hub, ski lift and ski trails, and the location of the Alpine Club.
 8. Over 65% of the residential units (minimum 306) are within Pod A and within walking distance of the Transit Hub as required by the Development Agreement.
 9. The 14 technical reports/studies along with the Land Management Code and the Development Agreement (99-30) for the standard which the subject Master Planned Development and Phase 1 preliminary/final plat are reviewed.
 10. The applicant has provided supplemental materials including Master Plan Development Project Description (dated July 2004, Exhibit A), Supplemental Project Description and Conditions (dated July 5, 2004, Exhibit B), Volumetric Analysis (dated July 5, 2004, Exhibits D and E), Visual Analysis dated July 4, 2004 (Exhibit F), Architectural Character dated March 19, 2004 (Exhibit G), Supplemental Plans

- including Building Height Diagram, Vegetative Buffer, Trails, and construction Sequencing (Exhibit H), and a Compliance Matrix with the Technical Reports (Exhibit I). Together with the Site Plans dated July 21, 2004, (Exhibit C), these Exhibits and this report comprise the Village at Empire Pass MPD.
11. The Village at Empire Pass MPD illustrates conceptual access and street layouts that have not been specifically approved by the City Engineer and the City Fire Marshall. Final road layout will be subject to individual Subdivisions and Conditional Use Permits.
 12. Conditional Use Permit approval is required prior to any development within the Village at Empire Pass MPD area.
 13. The proposed Village at Empire Pass Master Planned Development includes a maximum density assignment and conceptual site design for Thirty (30) detached single-family PUD-style units utilizing 85.4 Unit Equivalents.
 14. The proposed Village at Empire Pass Master Planned Development includes a maximum density assignment and conceptual site design for Fifty-One (51) Townhouse units utilizing 64 Unit Equivalents. Eight of these Townhouse units are in a duplex configuration and count toward the PUD limits of 60.
 15. The proposed Village at Empire Pass Master Planned Development includes a conceptual site design for six (6) single-family homes.
 16. Conservation Easements are proposed within platted lots. These Conservation Easement areas will not count toward the development acreage.
 17. The PUD-style cluster homes and the Townhomes are to be platted as condominiums and not as individual lots.
 18. Utility lines and ski trails will be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.
 19. The Emergency Response Plan has been reviewed by the Chief Fire Marshall and the Planning Commission in order to allow fire access and safety at the end of the over-length cul-de-sac.
 20. The Planning Commission may decrease setbacks within an MPD. Setback variance is shown on Sheet 10 of 10 of Exhibit A, dated June 15, 2004.
 21. The Maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof).
 22. The Land Management Code, Section 15-6-5(E) allows the Planning Commission to consider increased building height based upon a site specific analysis and determination.
 23. The applicant has requested additional building height for the structures proposed as Buildings 109, inclusive. The proposed building volumetrics are detailed on Exhibit D dated June 14, 2004.
 24. The proposed increase in building height for Buildings 1-9 does not result in an increase in square footage or building volume over what could be allowed under the zone-required building height and density, including requirements for facade variation and design, but rather provides desired architectural variation.

25. Proposed Buildings 1-9 have been positioned to minimize visual impacts on adjacent structures. Potential problems on neighboring properties caused by shadows, loss of solar access, and loss of air circulation have been mitigated to the extent possible as defined by the Planning Commission.
26. The site plan for proposed Buildings 1-9 includes adequate landscaping and buffering from adjacent properties and uses.
27. The additional building height for proposed Buildings 1-9 has resulted in more minimum open space than required and has resulted in the open space being more usable.
28. An MPD for pod B-2 will be reviewed under a separate MPD application.

Conclusions of Law - Empire Pass

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code.
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code.
3. The MPD, as conditioned, is consistent with the Park City General Plan.
4. The MPD, as conditioned, provides the highest value of open space as determined by the Planning Commission.
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City.
6. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
7. The MPD, as conditioned, is compatible in use, scale, and mass with adjacent properties and promotes neighborhood compatibility.
8. The MPD provides amenities to the community so that there is no net loss of community amenities.
9. 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.
10. The MPD, as conditioned, meets the provisions of the Sensitive Lands provisions 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.
11. The MPD, as conditioned, promotes the use of non-vehicular forms of transportation through design and by providing trail connections.
12. The MPD has been noticed and public hearings held in accordance with this Code.
13. The requirements necessary for the Planning Commission to grant additional building height within the MPD pursuant to the Land Management Code Section 15-6-5 have been met.

Conditions of Approval - Empire Pass

1. A Conditional Use Permit is required prior to any development within the Village at Empire Pass MPD area. As per the Phasing Plan, only the nine large multi-family

- buildings require a CUP review by the Planning Commission. All other units are to be reviewed at a Staff level.
2. City Engineer approval of a utility and infrastructure plan is a condition precedent to the issuance of any building permits within the Village Master Planned Development area.
 3. Utility lines and ski trails shall be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.
 4. If and when the realigned Guardsman Road is dedicated to the City, the Developer will execute an encroachment agreement in a form acceptable to the City Attorney and City Engineer for the private improvements (ski bridges and/or tunnels) within the rights-of-way.
 5. All essential municipal public utility buildings associated with the utility plan for the subdivision require a conditional use permit.
 6. The proposed over-length cul de sac that ends in the six single-family lots will have a secondary emergency access from the end of the road to Marsac Avenue. The emergency access will continue as a minimum 20-foot-wide all-weather surface road.
 7. A Construction Mitigation Plan, including truck routing, is a submittal requirement for each Conditional Use Permit.
 8. A preliminary landscape plan, including provisions for water-efficient irrigation systems, shall be submitted with each CUP application.
 9. All subsequent applications and approvals are subject to the Technical Reports as approved or amended.
 10. The technical report updates and clarifications as presented in the staff report shall be incorporated in this approval.
7. Red Cloud Subdivision

Planner Robinson noted that Red Cloud, commonly called Pod D, is the third and final Empire Pass application. Thirty single-family lots are proposed on the land owned and controlled by Talisker and the United Park City Mine Company. At the July 14 work session, the Planning Commission discussed the Enchanted Forest and how to apply the statement in the development agreement that no development should occur in the Enchanted Forest. Planner Robinson understood there to be general consensus from the Commission that having a ski easement/conservation easement across an area to be determined would constitute adequate protection. The language will prohibit snowmobiles but will allow skiing in the winter for people coming off the Red Cloud lift. The other issue discussed on July 14 was whether to amend the development agreement and Exhibit A of the development agreement which shows the pod boundaries to move the boundaries further south and west. This would not change the density or average lot size. The Staff analyzed that proposal for separation from ski runs and a visual analysis, and it is the Staff's opinion that the development agreement would have to be amended to allow that to



Recorded this ____ day of ____
2007
at Book # ____ Page # ____

ENTRY NO. 00806100

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Agreement PAGE 1 / 49

ALAN SPRIGGS, SUMMIT COUNTY RECORDER

FEE \$ 0.00 BY PARK CITY MUNICIPAL CORP



Recorded at the request of and return
to: Park City Municipal Corp.
Attn: City Recorder
P.O. Box 1480, Park City, UT 84060

**AMENDED AND RESTATED DEVELOPMENT AGREEMENT
FOR FLAGSTAFF MOUNTAIN,
BONANZA FLATS, RICHARDSON FLATS,
THE 20-Acre QUINN'S JUNCTION PARCEL
AND IRON MOUNTAIN**

THIS AMENDED AND RESTATED DEVELOPMENT AGREEMENT ("Agreement") is entered into as of the 2nd day of March, 2007, by and between UNITED PARK CITY MINES COMPANY, ("UPCM" or "DEVELOPER"), DEER VALLEY RESORT COMPANY, ("DEER VALLEY"), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah ("City") (collectively, the "Parties").

RECITALS

- A. WHEREAS, DEVELOPER and DEER VALLEY own approximately; 1,600 of 1,750 acres of patented mining claims located in the unincorporated Flagstaff Mountain area of Summit County, more particularly described and depicted in Exhibit A attached hereto (hereafter, "Flagstaff Mountain"); approximately 106 acres of patented mining claims located on Iron Mountain within an unincorporated area of Summit County more particularly described and depicted in Exhibit B attached hereto (hereafter, "the Iron Mountain Parcels"); approximately 1,500 acres of patented mining claims, constituting all of UPCM's land located in the unincorporated Bonanza Flats area of Wasatch County more particularly described and depicted in Exhibit C attached hereto (hereafter, "Bonanza Flats"); all of UPCM's land east of U.S. 40 and south of S.R. 248 constituting approximately 650 acres of real property owned in fee simple located immediately east of U.S. 40 and south of S.R. 248 within an unincorporated area

of Summit County more particularly described and depicted in Exhibit D attached hereto (hereafter, "Richardson Flats"); and approximately 20-Acres of real property owned in fee simple located west of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit E attached hereto (hereafter, "the 20-Acre Quinn's Junction Parcel");

- B. WHEREAS, on May 17, 1994 DEVELOPER filed an application for annexation to Park City of Flagstaff Mountain, consisting of DEVELOPER's, DEER VALLEY's and Northside Neighborhood Property Owners' land, together totaling an area of approximately 1,750 acres;
- C. WHEREAS, on May 10, 1997 the Park City Council unanimously resolved by Resolution 10-97 to annex Flagstaff Mountain under certain Development Parameters;
- D. WHEREAS, on July 8, 1998 DEVELOPER requested reconsideration by the City of Resolution 10-97 and offered certain incentives for limiting development of the Bonanza Flats, Richardson Flats and the Iron Mountain Parcels;
- E. WHEREAS, on September 10, 1998 the Park City Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats and the Iron Mountain Parcels, as set forth in this Agreement;
- F. WHEREAS, in the intervening months since the City Council adopted the September 10, 1998 development parameters, the DEVELOPER further refined its proposal by offering to move 16 single family homes from the sensitive Prospect Ridge area to the Mountain Village and to constrain development in the Northside Neighborhood to reduce site disturbance and to facilitate sale to a conservation buyer for a time certain;
- G. WHEREAS, the Parties intended to enter into the original Agreement to establish new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels and to establish a time certain for annexation of Flagstaff Mountain (now referred to generally as Empire Pass) into the City;

- H. WHEREAS, the Parties in fact entered into the original Agreement on or about June 24, 1999; and
- I. WHEREAS, the Parties desire to amend and restate the original Agreement in connection with the development of a project known as the Montage Resort & Spa which is presently planned to include 192 hotel rooms and suites, with spa, restaurant and conference facilities, and a residential component that consists of resort condominiums.

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants hereafter set forth, the sufficiency of which the Parties hereby acknowledge, the Parties agree as follows:

SECTION I. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by the Park City Land Management Code (LMC) in effect on the date of a complete application or, if different, by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement.

- 1.1 **"Annexation Property"** means that approximately 1,750 acres of property known as Flagstaff Mountain, described and depicted on Exhibit A.
- 1.2 **"Bonanza Flats"** means that approximately 1,500 acres of UPCM property commonly referred to as Bonanza Flats, constituting all of UPCM's holdings in Bonanza Flats and described and depicted on Exhibit C.
- 1.3 **"DEER VALLEY"** means the Deer Valley Resort Company, a Utah limited Partnership and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEER VALLEY shall cause its employees and agents to act in accordance with the terms of this Agreement.
- 1.4 **"DEVELOPER"** means United Park City Mines Company, a publicly traded Delaware corporation, and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEVELOPER shall cause its employees and agents to act in accordance

with the terms of this Agreement.

- 1.5 **"Inaction"** provisionally¹ means (a) DEVELOPER's failure to pursue a sequential permit (i.e. Small Scale MPD permit, conditional use permit, subdivision application, or building permit) by failing to submit a complete application for such a permit or by failing to respond to the City's written requests for information which the City deems is necessary to process the application; or (b) DEVELOPER's failure to sustain permitted construction such that the permit under which construction is allowed, expires or is otherwise suspended or revoked.
- 1.6 **"Meeting Accessory Uses"** provisionally² means uses normally associated and necessary to serve meeting and banquet space. Meeting Accessory Uses do not require the use of Unit Equivalents and include:
- 1.6.1 Administrative and Banquet Offices
 - 1.6.2 Banquet Storage Areas
 - 1.6.3 Banquet Prep Areas Storage Areas
 - 1.6.4 Common A/V Storage Areas
 - 1.6.5 Coat Check Areas
 - 1.6.6 Public Restrooms
 - 1.6.7 Public Telephone Areas
 - 1.6.8 Public Hallways
 - 1.6.9 Public Circulation Areas.
- 1.7 **"Mountain Village"** means that mixed-use portion of Flagstaff Mountain described and depicted as the Mountain Village in Exhibit A attached hereto and limited to a total of 87 acres, within three development Pods (A, B₁, and B₂) and maximum densities, unit equivalencies and configuration more fully described herein.

¹ This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superseded by an LMC definition of the term.

² This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superseded by an LMC definition of the term.

- 1.8 **"Northside Neighborhood"** means that 63-acre portion of Flagstaff Mountain described and depicted as the Northside Neighborhood in Exhibit A attached hereto and limited to the maximum density, unit equivalency, and configuration more fully described herein.
- 1.9 **"Northside Neighborhood Property Owners"** means, in addition to UPCM and DEER VALLEY, Park City Star Mining Company, Inc., a Utah corporation, Bransford Land Company, representing the interests of Anne Bransford Newhall, Mary Bransford Leader and Carolyn Bransford MacDonald, and Stichting Beheer Mayflower Project, a legal entity representing the interests of Stichting Mayflower Recreational Fonds and of Stichting Mayflower Mountain Fonds.
- 1.10 **"Pedestrian Village"** means an area configured within Pod A of the Mountain Village for the mixed use of residential, Residential Accessory, Resort Support Commercial, Resort Accessory, meeting and Meeting Accessory Uses within which at least fifty percent (50%) of the residential properties are clustered within walking distance (5 minutes) of a Transportation Hub for such residential properties, which can be directly accessed by pathways or sidewalks.
- 1.11 **"Planned Unit Development" or "PUD"** means a master planned development consisting of clustered, detached, single family or duplex units with common open space and coordinated architecture.
- 1.12 **"Pod Z"** means that area, depicted on Exhibit F that is limited for ski-related uses as further defined herein.
- 1.13 **"Project"** means the residential, recreational and commercial real estate development to be constructed within Flagstaff Mountain.
- 1.14 **"Residential Accessory Uses"** provisionally³ means uses that are for the benefit of the residents of a commercial residential use, such as a hotel or nightly rental condominium project. Residential Accessory Uses do not require the use of Unit Equivalents. Residential Accessory Uses include:

³ This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superseded by an LMC definition of the term.

- 1.14.1 Common Ski Lockers
- 1.14.2 Common Lobbies
- 1.14.3 Registration
- 1.14.4 Concierge
- 1.14.5 Bell Stand/Luggage Storage
- 1.14.6 Common Maintenance Areas
- 1.14.7 Mechanical Rooms
- 1.14.8 Common Laundry Facilities and Common Storage Areas
- 1.14.9 Employee Facilities
- 1.14.10 Common Pools, Saunas and Hot Tubs
- 1.14.11 Public Telephone Areas
- 1.14.12 Public Restrooms
- 1.14.13 Administrative Offices
- 1.14.14 Public Hallways and Circulation Areas

1.15 **"Resort Accessory Uses"** provisionally⁴ means uses that are clearly incidental to and customarily found in connection with the principal resort building or use and are operated for the convenience of the owners, occupants, employees, customers or visitors to the principal resort use. Resort Accessory Uses do not require the use of Unit Equivalents. They include such uses as:

- 1.15.1 Information
- 1.15.2 Lost and Found
- 1.15.3 Mountain Patrol
- 1.15.4 Mountain Administration
- 1.15.5 Mountain Maintenance and Storage Facilities
- 1.15.6 Mountain Patrol and Emergency Medical Facilities
- 1.15.7 Public Lockers
- 1.15.8 Public Restrooms
- 1.15.9 Employee Lockers
- 1.15.10 Ski School/Day Care

⁴ This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superseded by an LMC definition of the term.

1.15.11 Ticket Sales Areas

1.15.12 Ski Check Areas

1.15.13 Public Circulation Areas and Hallways

1.16 **“Richardson Flats”** means all of UPCM’s property at the southeast corner of U.S. 40 and S.R. 248, more fully described and depicted on Exhibit D.

1.17 **“Transportation Hub”** means the terminus of a public and/or private transportation system that is located at a convenient location within the Mountain Village.

1.18 **“Unit Equivalent,”** with respect to commercial structures and multifamily and PUD structures, has the meaning set forth in the LMC.⁵ Each single family residential structure (excluding PUDs) approved by the City pursuant to this Agreement for construction within the Project shall have a Unit Equivalent of 1.00, regardless of the size or the location of the single family residential structure. Each commercial structure or portion thereof (as such may be determined in applicable MPD approvals) shall consume 1 Unit Equivalent for each 1000 square feet. Each multifamily and PUD residential structure shall consume 1 Unit Equivalent for each 2000 square feet.

SECTION II. LARGE SCALE MPD—FLAGSTAFF MOUNTAIN

2.1. DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain. This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities and is subject to all normally-applicable City processes, and in addition thereto, such processes defined below, including DEVELOPER’s responsibility, prior to or concurrent with the Small Scale MPD process, to submit and ultimately to obtain (upon modification, if necessary) City approval, of satisfactory plans detailed below:

⁵ Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

- 2.1.1. Mine/Soil Hazard Mitigation Plan--which plan shall include an inventory of all mine sites, potential sources of release of hazardous materials into the environment, and a plan and schedule for their remediation;
- 2.1.2. Detailed Design Guidelines, with strong architectural themes, for the entire Flagstaff Mountain Project;
- 2.1.3. Specific Transit Plan;
- 2.1.4. Parking Management Plan;
- 2.1.5. Detailed Open Space Management Plan;
- 2.1.6. Historic Preservation Plan;
- 2.1.7. Emergency Response Plan, including DEVELOPER's commitments to provide infrastructure necessary to serve the Project and Bonanza Flats and phasing therefor;
- 2.1.8. Trails Master Plan setting forth trail locations, specifications, phasing and timing of public easements;
- 2.1.9. Private Road Access Limitation Procedures;
- 2.1.10. Construction Phasing Plan—including construction milestones for project amenities, including Richardson Flats development;
- 2.1.11. General Infrastructure and Public Improvements Design and Phasing Plan, which calls for the efficient extension of services, concentrating initial infrastructure development in the Mountain Village, and secondarily in the Northside Neighborhood. Such plan shall allow for the construction of a variety of housing types in each phase;
- 2.1.12. Utilities Master Plan—including the timing, alignment and service strategy for water and sewer service, as well as storm water management throughout the Project and Bonanza Flats;
- 2.1.13. Wildlife Management Plan; and
- 2.1.14. Affordable Housing Plan, including phasing.
- 2.2. **Maximum Development Parameters--Flagstaff Mountain.** Flagstaff Mountain is composed of the Mountain Village, the Northside

Neighborhood; various ski related improvements, and the Silver Mine Adventure. Upon annexation, Flagstaff Mountain will be zoned as shown on the zoning map attached hereto as Exhibit P. The following maximum development parameters apply to Flagstaff Mountain:

2.2.1 Mountain Village: The Mountain Village is constrained as follows:

- 2.2.1.1 Small Scale MPD.** Site specific volumetrics and configuration will be established in the Small Scale MPD process.
- 2.2.1.2. Maximum Development Area.** In the Small Scale MPD process, the entire Mountain Village development shall be constrained within a total of 87 acres.
- 2.2.1.3. Maximum Density.** The maximum density within the Mountain Village is 785 Unit Equivalents configured in no more than 550 dwelling units.⁶ Such density shall be configured as multi-family, hotel, or PUD units, provided the PUD units do not exceed 60. PUD units consume Unit Equivalents in the same respect as multifamily units. Additionally, the Mountain Village may contain up to 16 detached single family home sites.
- 2.2.1.4. Pedestrian Village.** At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A), and must be located within a five-minute walk of the Transportation Hub. All three development pods (Pods A, B₁, and B₂) within the Mountain Village must be linked by transit.
- 2.2.1.5. Commercial.** The Mountain Village may additionally include up to 75,000-sq. ft. of Resort Support Commercial uses, which shall include Neighborhood

⁶ Hotel rooms of 500 square feet or less constitute 1/4 Unit Equivalent. In the case of the Montage, the 192 Montage hotel rooms shall count as Unit Equivalents at the rate of 1 Unit Equivalent per 2,000 square feet of hotel rooms, but such hotel rooms shall not have kitchens and shall not count as dwelling units.

Convenience Commercial uses for residents and visitors such as groceries and sundries.

2.2.1.6. **Mine Site Reclamation.** To the greatest extent possible, DEVELOPER shall locate density in disturbed areas. This provision applies primarily to potential density at the Daly West site. Additionally, DEVELOPER shall reclaim⁷ all mining and mining overburden sites within Flagstaff Mountain, in accordance with state and federal regulatory agency review.

2.2.1.7. **Public Trails.** DEVELOPER shall construct and dedicate public trails designated on an accepted Trails Master Plan. Many trails will be constructed on land ultimately owned by DEER VALLEY. In those areas, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for public trail use. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.2.1.8. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER and/or DEER VALLEY shall execute for the benefit of the City perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which, at a minimum, shall prevent the construction thereon of residential, commercial and retail structures but shall provide for ski-related uses consistent with paragraph 2.5 herein.

2.2.1.9. **Parking.** Each Small Scale MPD submittal shall include a parking management plan with respect to the portion of the property covered by such Small Scale MPD submittal.

⁷ Reclamation shall include, at a minimum, revegetation of exposed areas.

The goal of the plan is to design the Mountain Village in such a way as to reduce parking demand by 25%. DEVELOPER shall plan and encourage within the Mountain Village portion of the Project programs such as parking management, paid parking for commercial uses, shuttles and other programs designed to reduce the demand for private vehicles and parking. DEVELOPER shall provide for shared parking in all commercial, short-term residential and mixed-use buildings. Assigned or reserved spaces within commercial, short-term residential and mixed-use buildings are prohibited except that in the case of the Montage, one parking space may be assigned for each dwelling unit (excluding the 192 hotel rooms). The majority of the required parking areas will be fully enclosed and/or constructed underground.

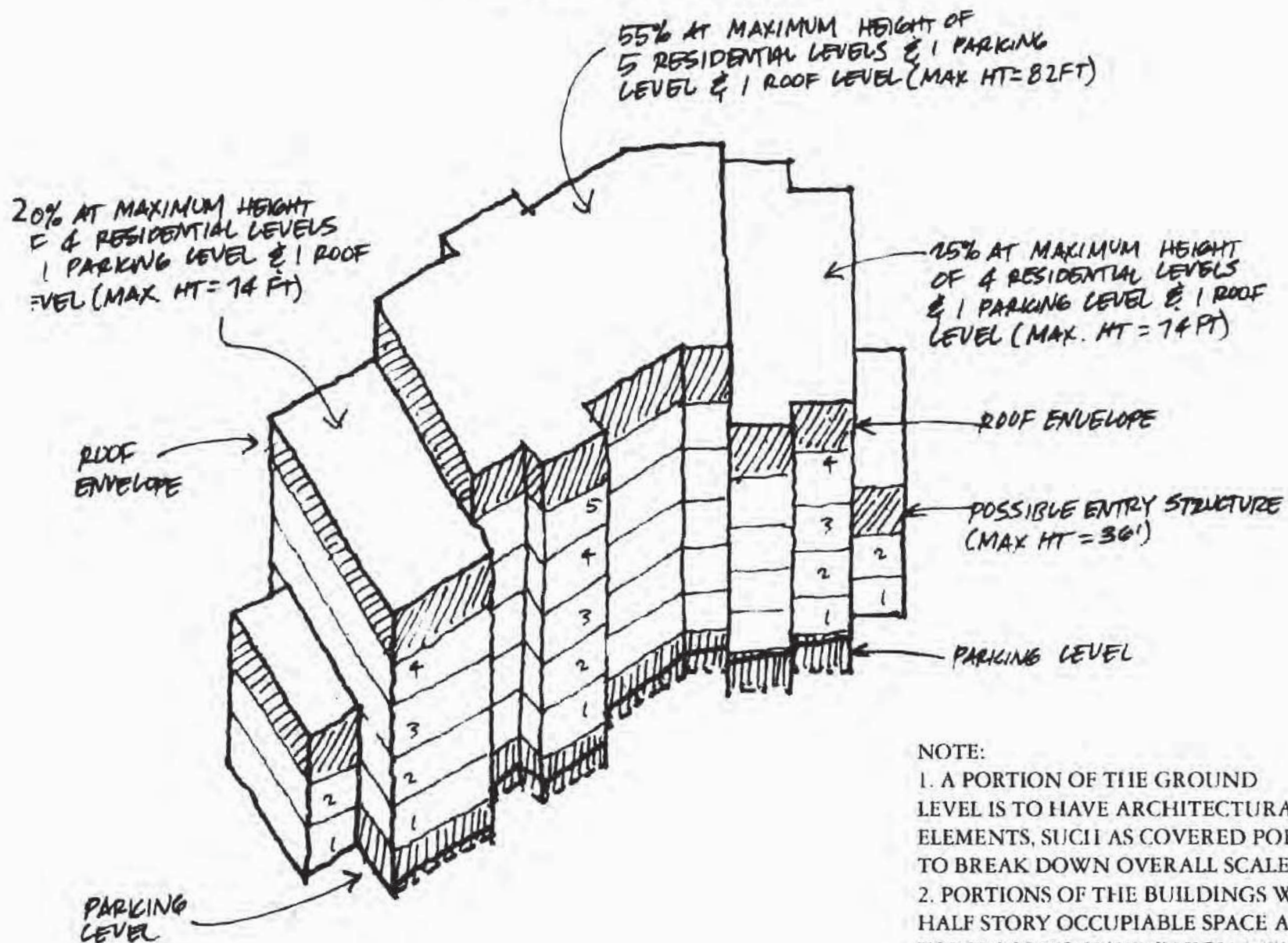
2.3 **Prospect Ridge.** DEVELOPER considers the Prospect Ridge area depicted in Exhibit K to be a critical viewshed area for Old Town.

2.3.1 **Public Trails.** Consistent with the Trails Master Plan, DEVELOPER shall construct and dedicate to the City public trails designated within the Prospect Ridge area.

2.3.2 **Deed Restricted Open Space.** Within 30 days of issuance of the first Small Scale MPD, DEVELOPER shall cause to be recorded a document, approved by the City, which shall impose perpetual covenants and use restrictions for that portion of Prospect Ridge depicted as "Recreation Open Space Dedication" on Exhibit K which shall prevent the construction thereon of residential, commercial and/or retail structures, ski lifts, and developed alpine ski runs.

2.4. **Northside Neighborhood.** The Northside Neighborhood is composed of property owned by five separate Northside Neighborhood Property Owners and, upon their written acceptance of the terms of this Agreement,

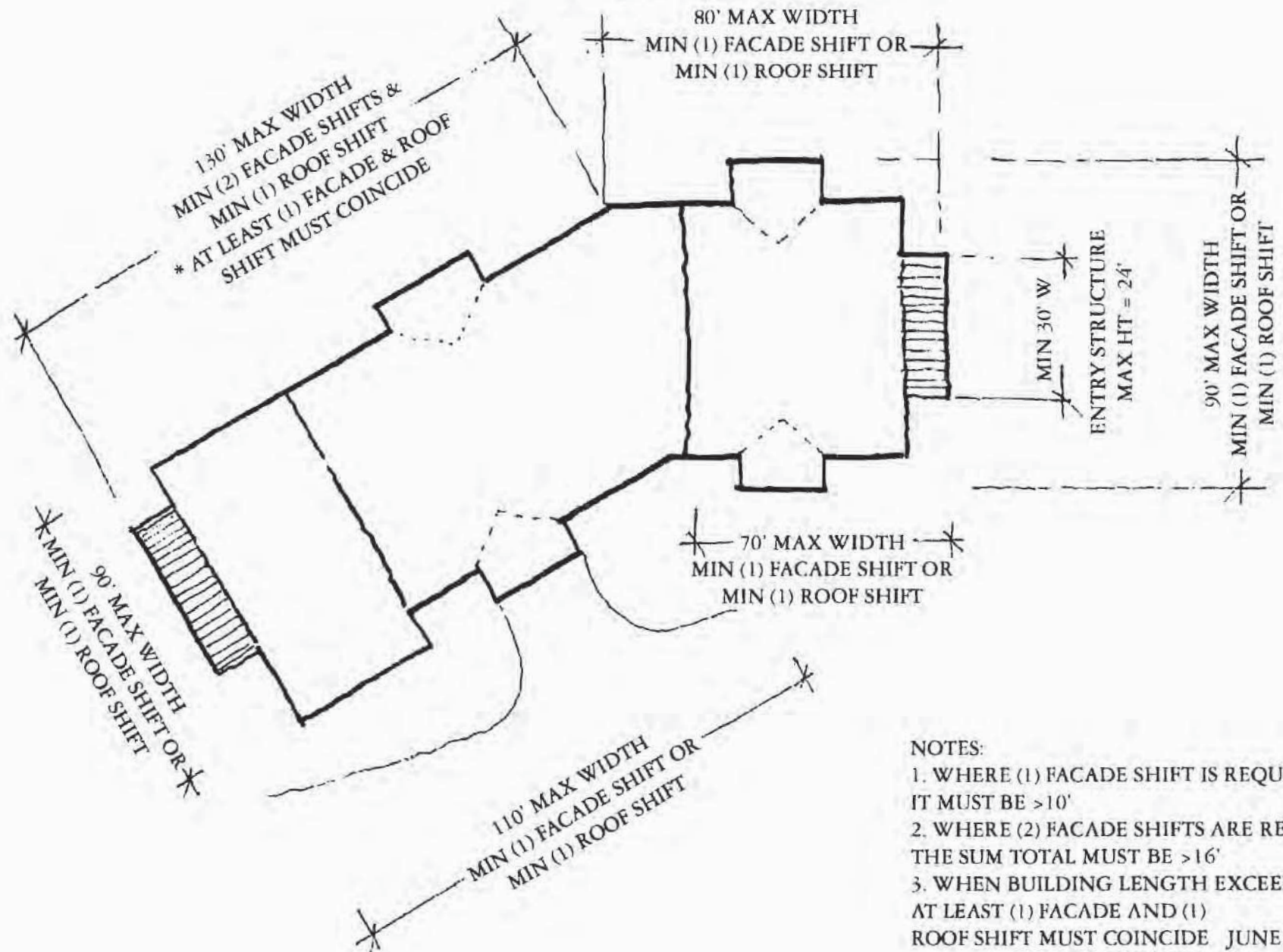
Building 3 Volumetrics Isometric View



JUNE 17, 2004

Building 3 Volumetrics Plan View

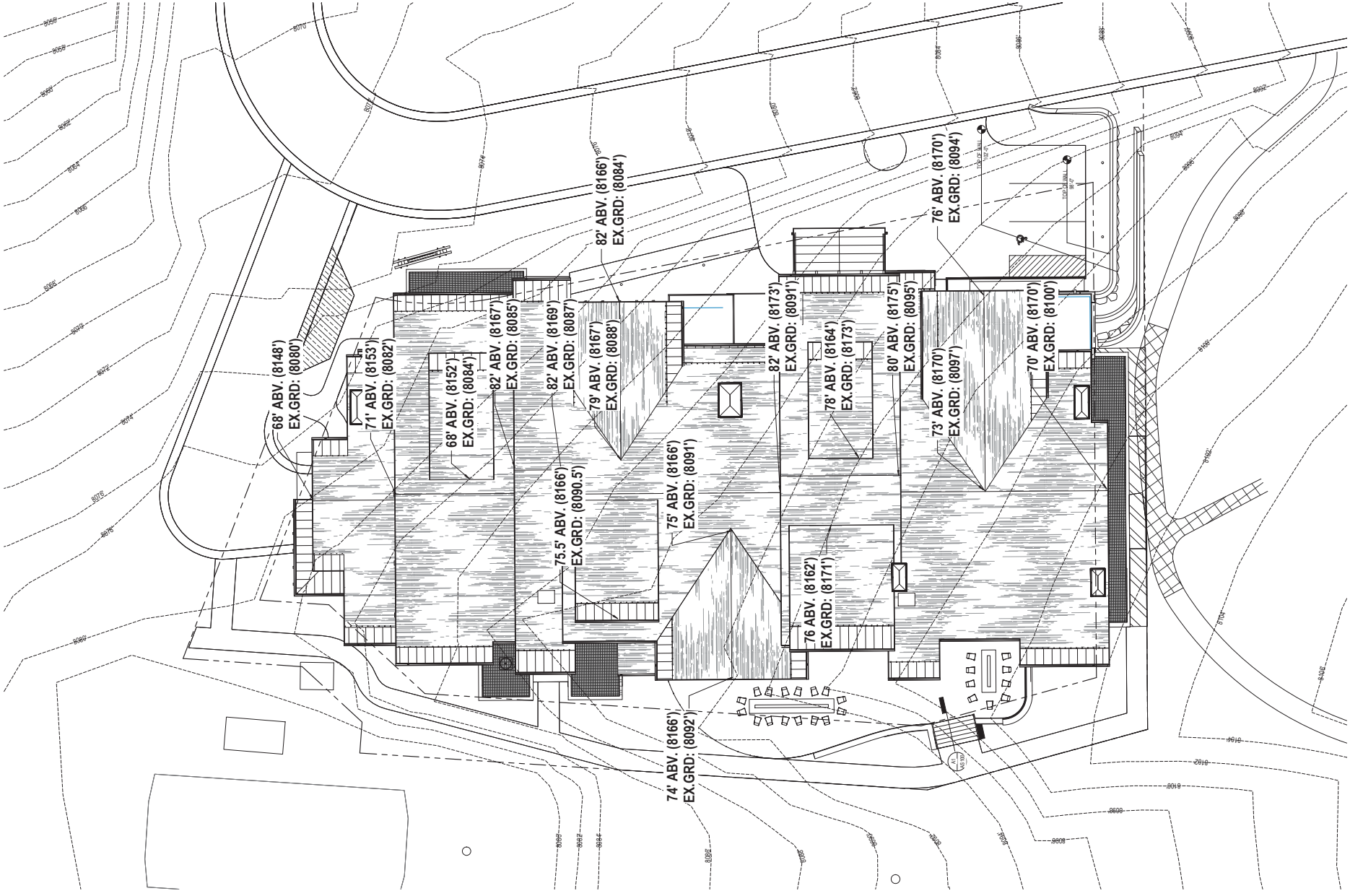
EXHIBIT G



NOTES:

1. WHERE (1) FACADE SHIFT IS REQUIRED IT MUST BE >10'
 2. WHERE (2) FACADE SHIFTS ARE REQUIRED THE SUM TOTAL MUST BE >16'
 3. WHEN BUILDING LENGTH EXCEEDS 120' AT LEAST (1) FACADE AND (1) ROOF SHIFT MUST COINCIDE
- JUNE 17, 2004

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C:\Users\james@empire-residences_vtz\p\print
The preparation of this drawing, including the design, engineering, and construction documents, is the responsibility of the architect and shall not be construed as a representation of the architect's liability for the design and construction of the project. The architect shall not be responsible for the design and construction of the project if the design and construction documents are not used in accordance with the architect's instructions.



#	REV. DESCRIPTION	REV. DATE
1	ISSUE DESCRIPTION	ISS. DATE
2	ISSUE DESCRIPTION	ISS. DATE
3	ISSUE DESCRIPTION	ISS. DATE

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84060

BWA
ARCHITECTS
T: 801.438.9500
F: 801.438.9501
3115 EAST LION LANE, #200
HOLLAND, UTAH 84031
BWA@BWAARCHITECTS.COM

PROJECT NUMBER
416.170

ROOF OVER TOPO
DRAWING NUMBER
A921

1 | 2 | 3 | 4 | 5 | 6

25% AT MAXIMUM HEIGHT OF 74'
4 STORIES + MEZZ.
(20% ALLOWED)

50% AT MAXIMUM HEIGHT OF 82'
6 STORIES + MEZZ.
(55% ALLOWED)

25% AT MAXIMUM HEIGHT OF 74'
5 STORIES + MEZZ.
(25% ALLOWED)

188' - 0"

47' - 9"

95' - 6"

44' - 9"

82'-0" ABOVE EXISTING GRADE

74'-0" ABOVE EXISTING GRADE

MEZZ
168'-0"
LEVEL 6
157'-0"
LEVEL 5
148'-0"
LEVEL 4
139'-0"
LEVEL 3
130'-0"
LEVEL 2
111'-0"
LEVEL 1
100'-0"

#	REV.	DESCRIPTION	REV. DATE
1	1	ISSUE DESCRIPTION	ISS. DATE
2	2	ISSUE DESCRIPTION	ISS. DATE
3	3	ISSUE DESCRIPTION	ISS. DATE

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84060

BWA
ARCHITECTS
T: 801.438.9500
F: 801.438.9501
3115 EAST LION LANE, #200
HOLLAND, UTAH 84031
BECCHERWALKER.COM

PROJECT NUMBER
416.1701
DRAWN BY
Author
CHECKED BY
Checker
CONSTRUCTION
DOCUMENTS

HEIGHT ANALYSIS
DRAWING NUMBER
A920

3 WEST VOLUMETRIC ELEVATION
A920 1/8" = 1'-0"

1 | 2 | 3 | 4 | 5 | 6

The owner acknowledges that the information contained herein is for informational purposes only and does not constitute an offer of insurance. The owner further acknowledges that the information contained herein is not intended to be used as a basis for any insurance policy. The owner understands that the information contained herein is not intended to be used as a basis for any insurance policy.

C:\Users\james\OneDrive\Empire Residences_v17.dgn
PRINTED AT: 11/20/2017 2:45:59 PM



1
A922 VOLUMETRICS ISOMETRIC Copy 1

#	REV.	DESCRIPTION	REV. DATE
1	ISSUE	ISSUE	14.10.2017
2	ISSUE	ISSUE	15.10.2017
3	ISSUE	ISSUE	16.10.2017

EMPIRE RESIDENCES
7695 VILLAGE WAY,
PARK CITY, UT 84060

BWA
ARCHITECTS
T: 801.438.9500
F: 801.438.9501
3115 EAST LION LANE, #200
HOLLAND, UTAH 84031
BECOMEHAWKER.COM

PROJECT NUMBER
416.1701
DRAWN BY
Author
CHECKED BY
Checker
CONSTRUCTION
DOCUMENTS

3D NE SIDE
DRAWING NUMBER
A922

EXISTING CONDITIONS

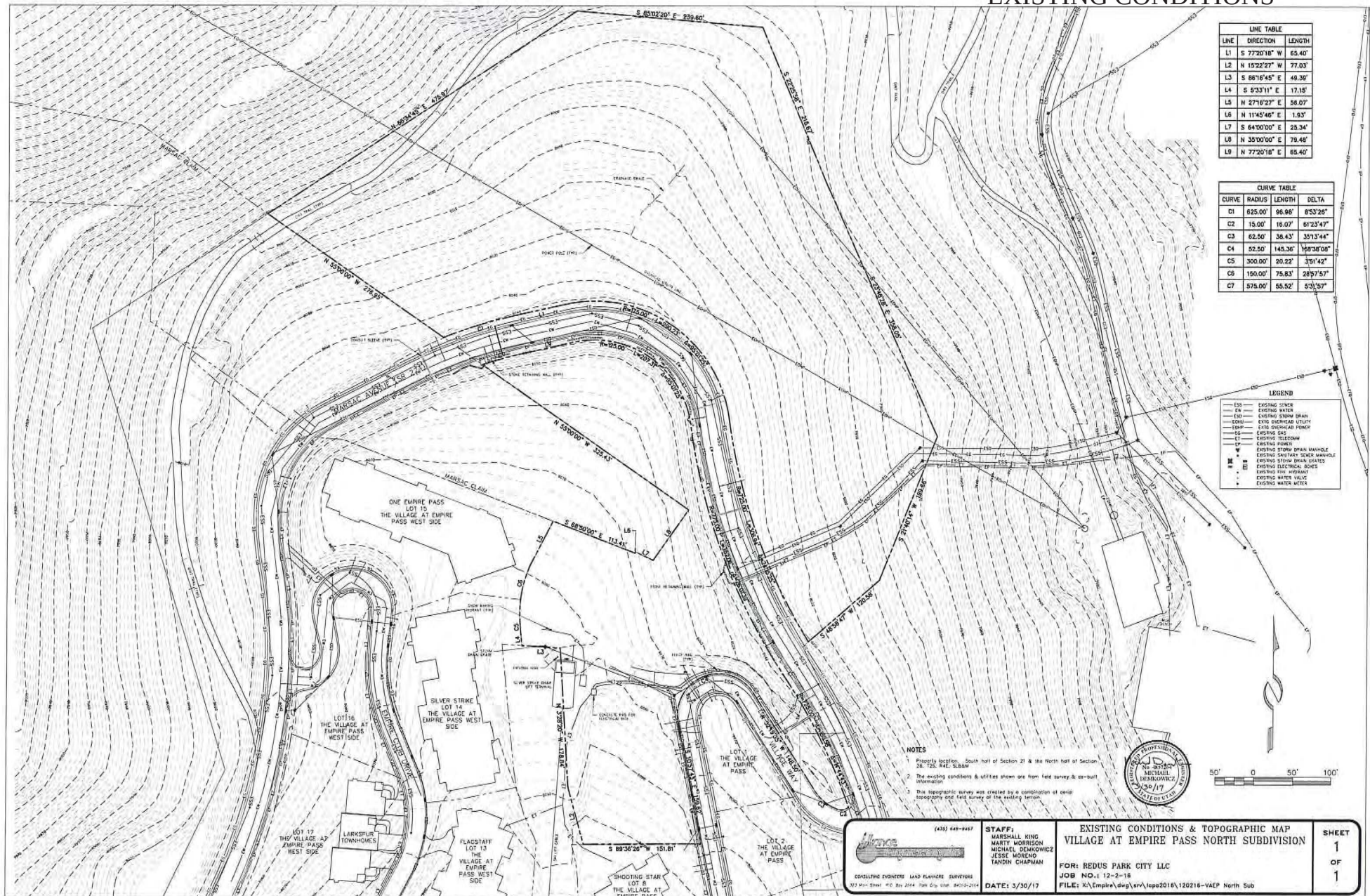


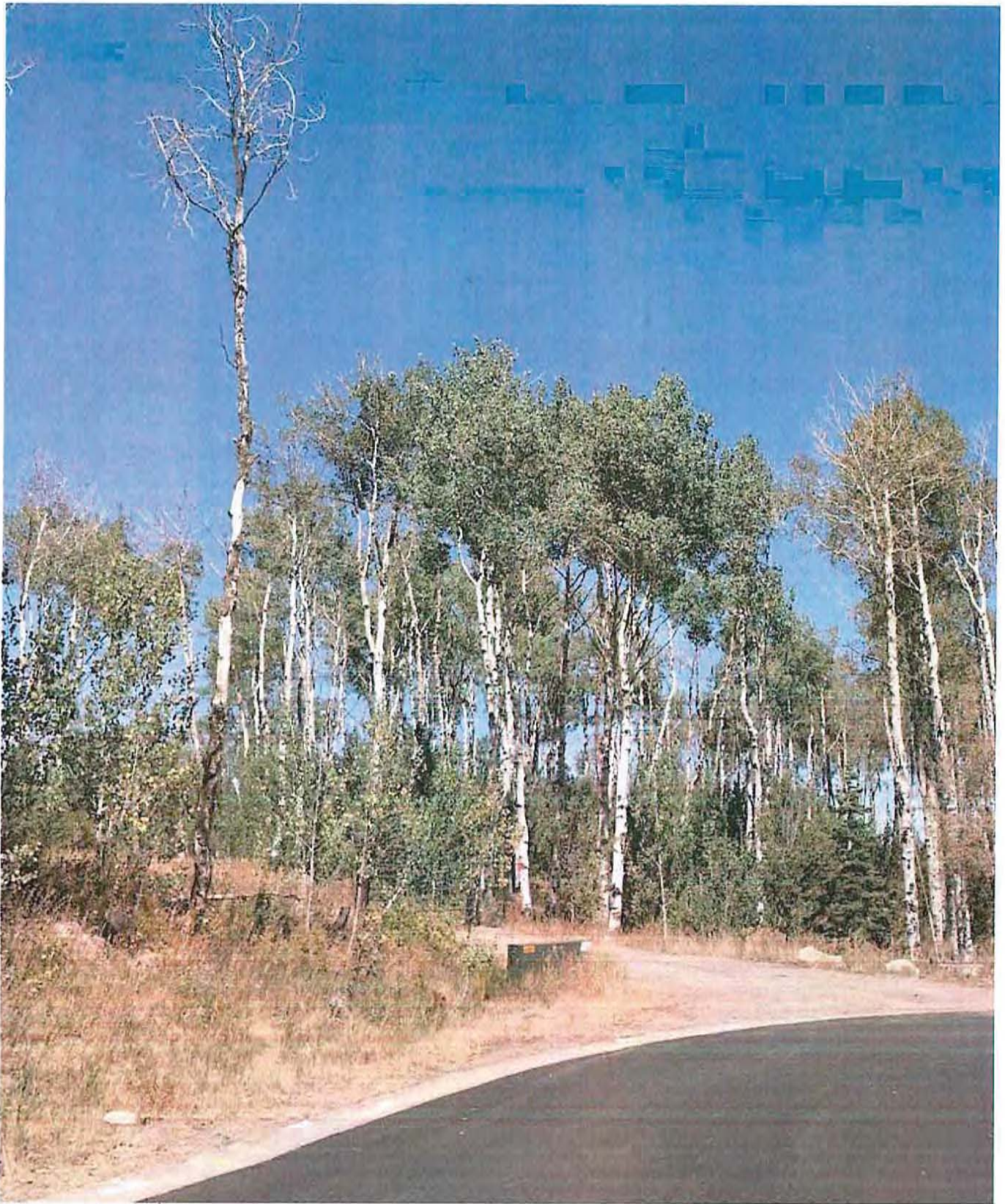
EXHIBIT J- AERIAL PHOTO



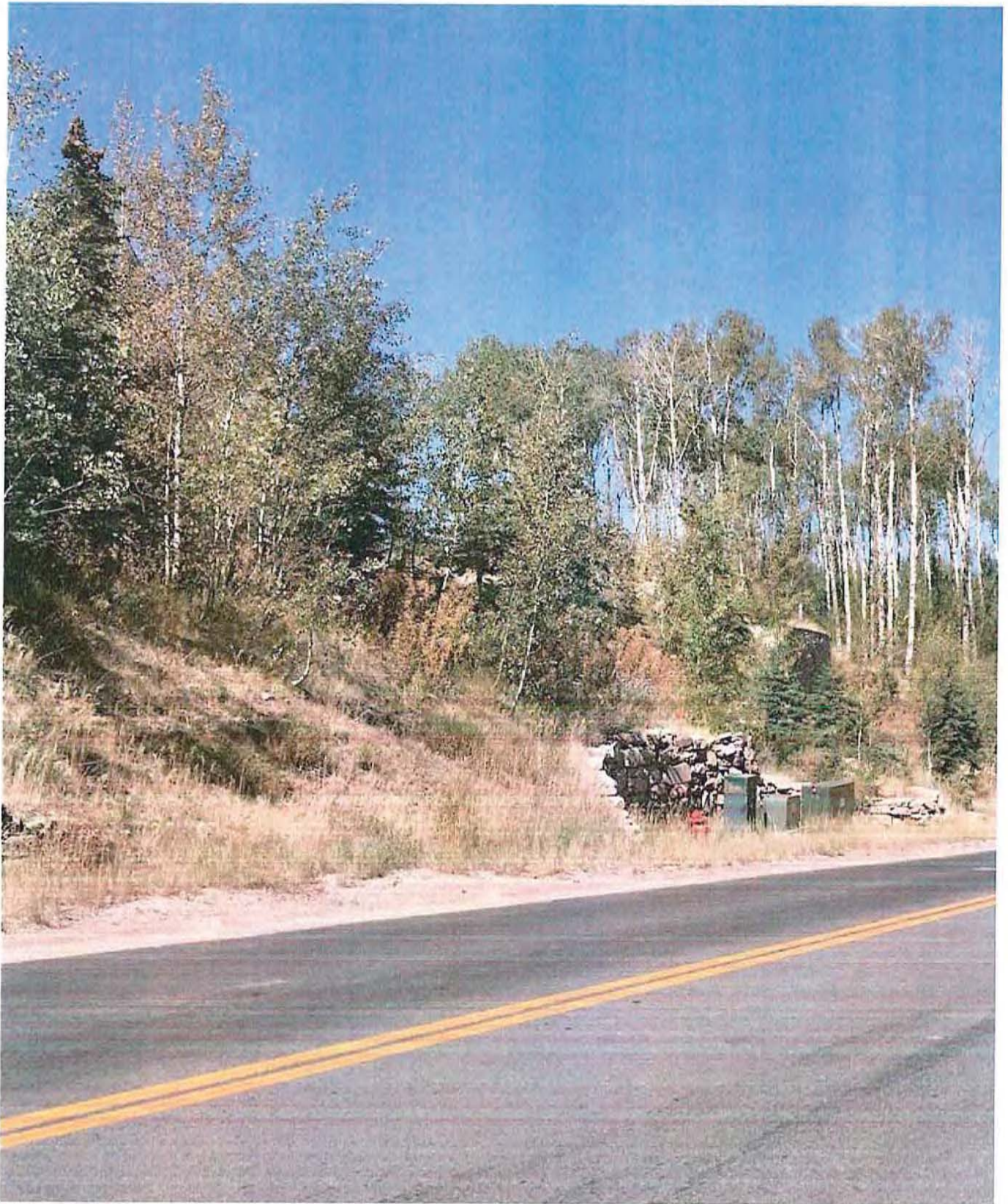
SUBJECT PROPERTY



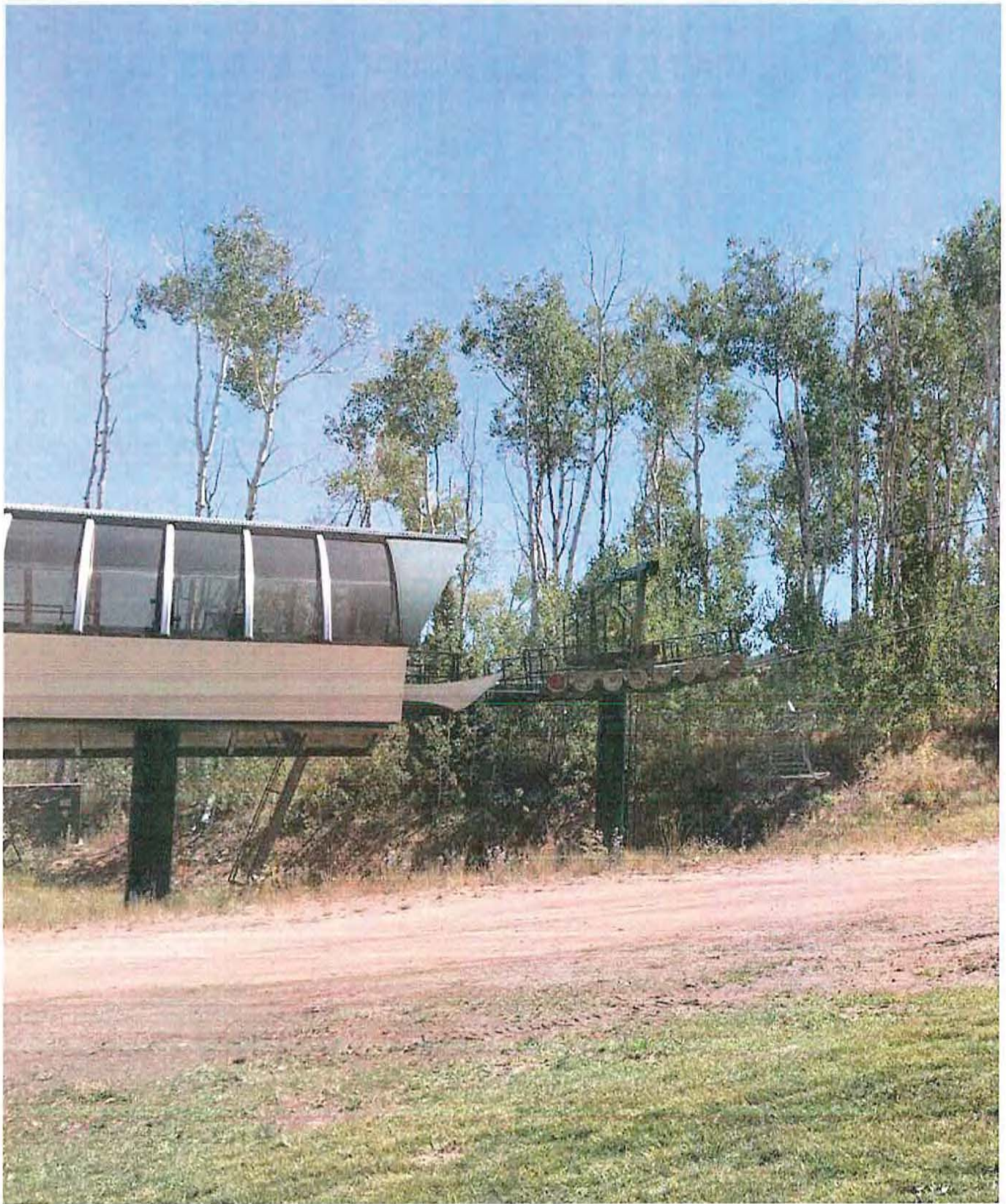
(435) 848-9487 allance Engineering CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 220 Main Street, P.O. Box 2054 Park City, Utah 84060-2054	STAFF: MARSHALL KING MARTY JOHNSON MICHAEL DEMKOWICZ JESSE MORENO DATE: 8/25/16	AERIAL PHOTOGRAPH VILLAGE AT EMPIRE PASS NORTH SUBDIVISION FOR: REDUS PARK CITY LLC JOB NO.: 12-2-16 FILE: K:\Empire\dwg\Exhibit\VAEP North Sub-artha.dwg	SHEET 1 OF 1
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Looking northwest to Lots 2 and 3 from Village Way.



Looking west from Marsac to Lot 2

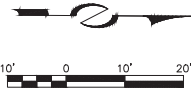
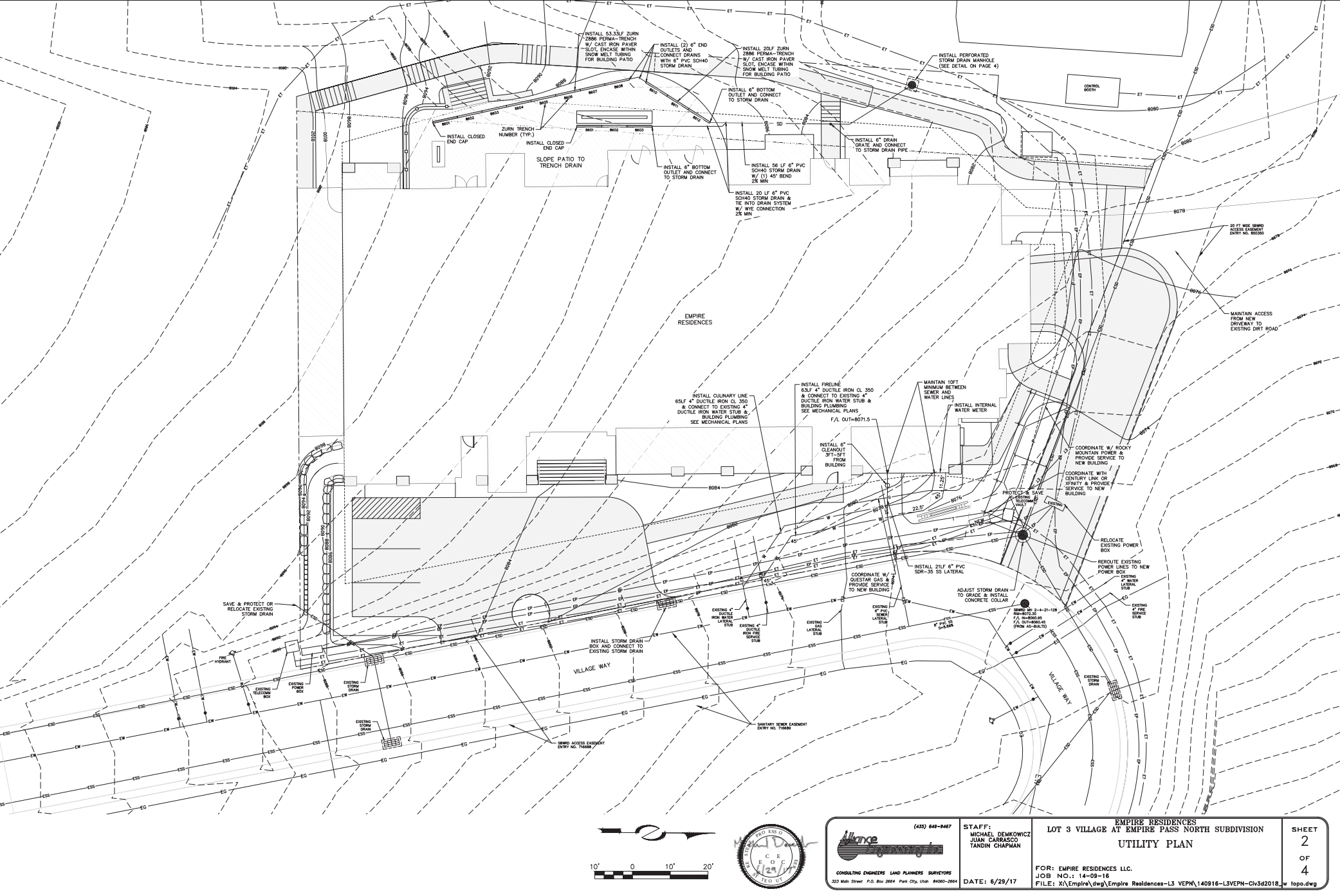


Looking west from Lots 2 and 3 to Silver Strike Lift





EXHIBIT K- UTILITY PLANS



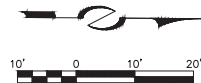
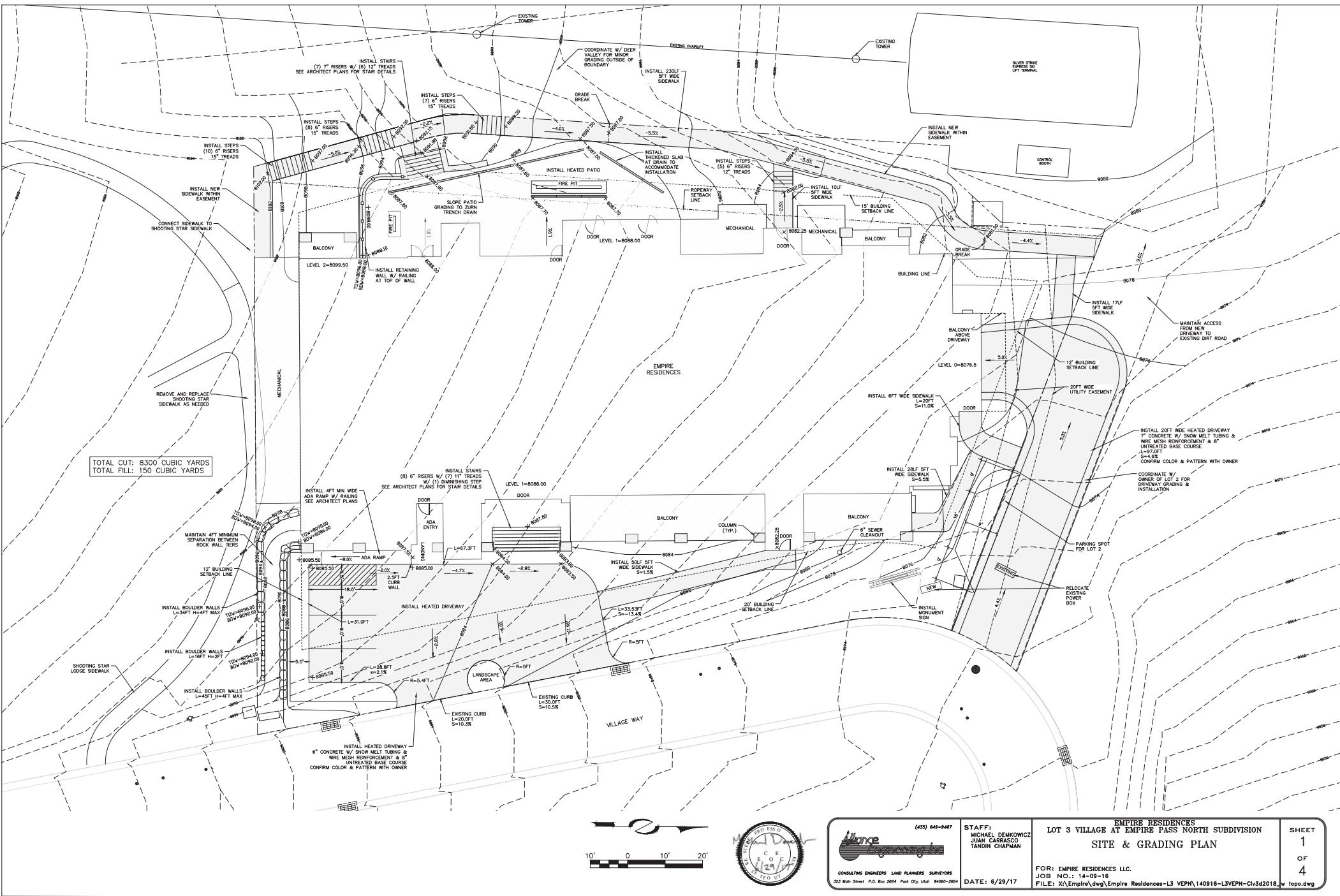
(435) 649-9467
Alance
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street, P.O. Box 2604, Park City, Utah 84002-0264

STAFF:
MICHAEL DEMKOWICZ
JUAN CARASCO
TANDIN CHAPMAN
DATE: 6/29/17

EMPIRE RESIDENCES
LOT 3 VILLAGE AT EMPIRE PASS NORTH SUBDIVISION
UTILITY PLAN
FOR: EMPIRE RESIDENCES LLC.
JOB NO.: 14-09-16
FILE: X:\Empire.dwg\Empire Residences-L3 VEPN\140916-L3VEPN-Civ3d2018

SHEET
2
OF
4
topo.dwg

SITE AND GRADING



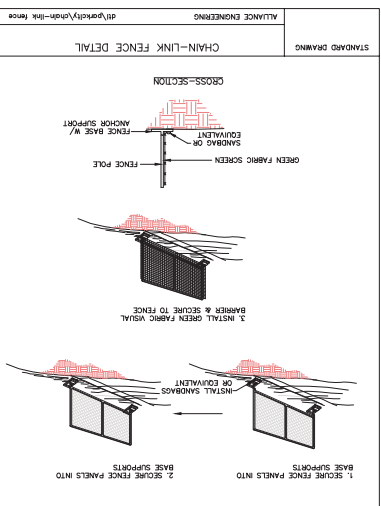
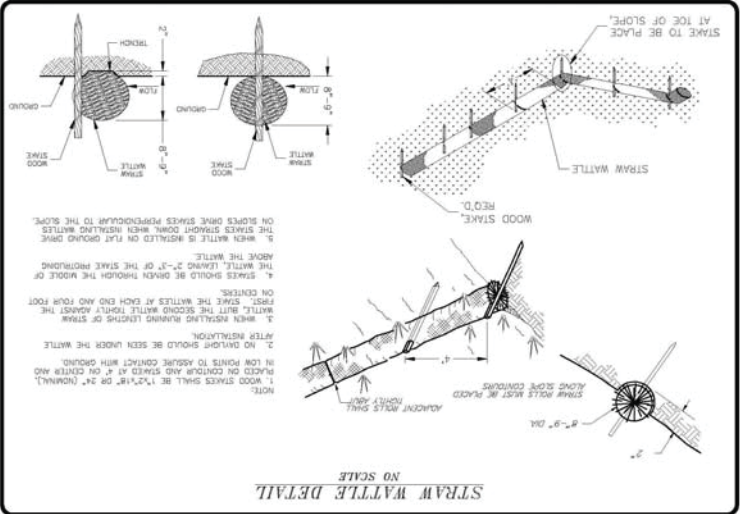
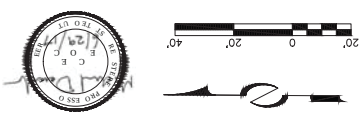
STAFF:
MICHAEL DEMKOWICZ
JUAN CARASCO
TANDIN CHAPMAN

LOT 3 VILLAGE AT EMPIRE PASS NORTH SUBDIVISION
SITE & GRADING PLAN

FOR: EMPIRE RESIDENCES LLC.
JOB NO.: 14-09-16
FILE: X:\Empire.dwg\Empire-Residences-L3_VEPN\140916-L3VEPN-Civ3d2018_topo.dwg

DATE: 6/29/17

SHEET
1
OF
4





SNYDERVILLE BASIN

WATER RECLAMATION DISTRICT

2800 HOMESTEAD RD, PARK CITY, UT 84098

WWW.SBWRD.ORG

T 435-649-7993

F 435-649-8040

October 4, 2017

Harrison Horn
Empire Residences LLC
2520 N. University Ave. #50
Provo, UT 84604

Subject: Empire Residences/Village at Empire Pass Lot 3
Service Provider Letter

Dear Mr. Horn,

This is to respond to your request regarding wastewater service for the referenced project in the Snyderville Basin.

The proposed project is within the Snyderville Basin Water Reclamation District (SBWRD). The SBWRD can provide wastewater service to the project provided the established procedures for obtaining said wastewater service are followed as outlined SBWRD standards. The Developer is encouraged to contact our office to begin the SBWRD development process.

Wastewater service is not committed by SBWRD until SBWRD receives full payment of all required fees including SBWRD impact fees.

Please contact me with any questions.

Sincerely,

for BDA
Bryan D. Atwood, P.E.
District Engineer

Cc: Riley Jarrett, Beecher Walker Architects
Project File

Subject
Property

Development Site
per MPD



Master Plan - Summer

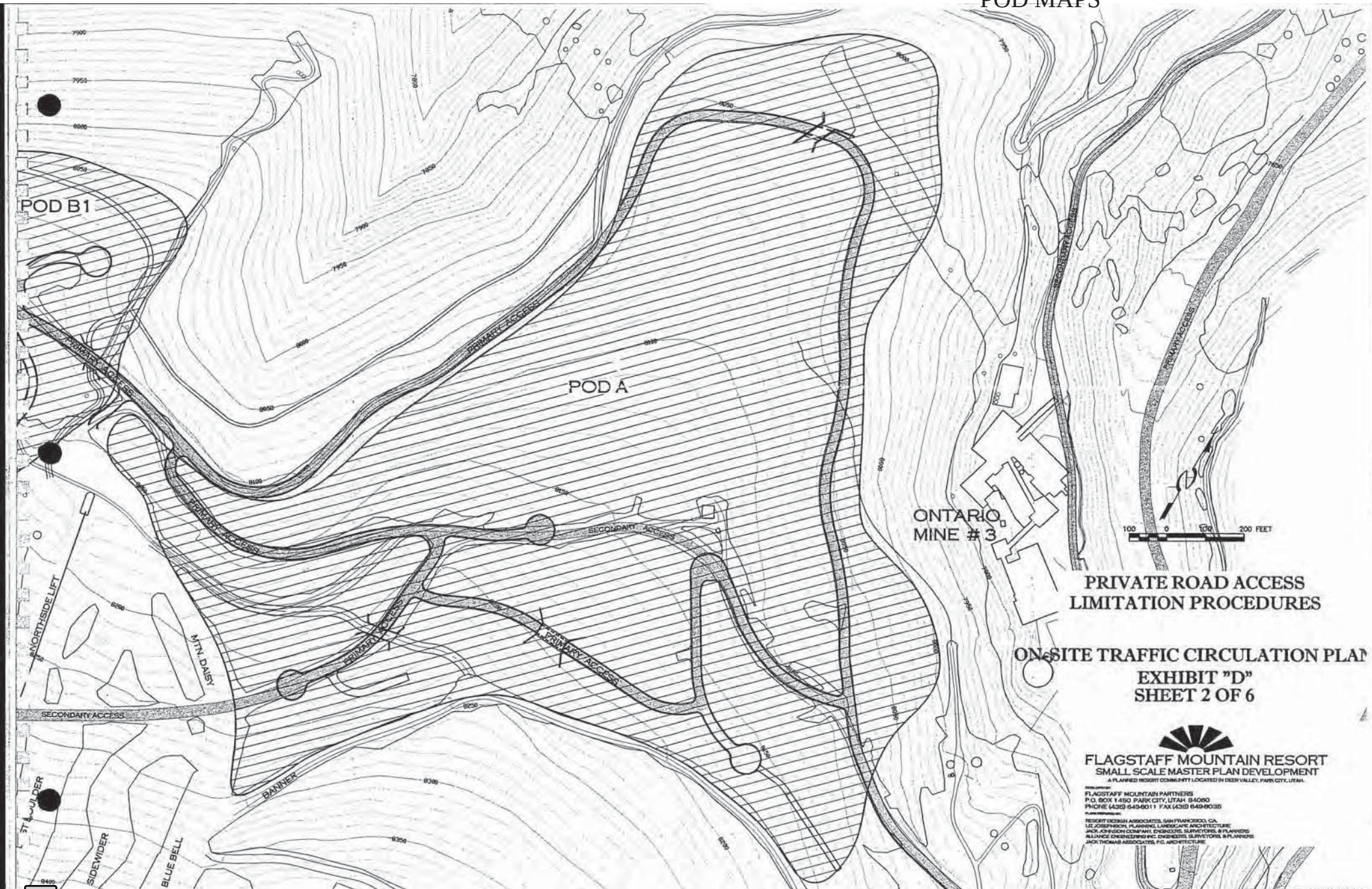
May 6, 2006

HART HOWERTON
PLANNING ARCHITECTURE
LANDSCAPE ARCHITECTURE
AND ENVIRONMENTAL DESIGN

THE VILLAGE AT EMPIRE PASS
Park City, Utah

EXHIBIT M

POD MAPS



PRIVATE ROAD ACCESS
LIMITATION PROCEDURES

ON-SITE TRAFFIC CIRCULATION PLAN
EXHIBIT "D"
SHEET 2 OF 6


FLAGSTAFF MOUNTAIN RESORT
SMALL SCALE MASTER PLAN DEVELOPMENT
A PLANNED RESORT COMMUNITY LOCATED IN DEER VALLEY, PARK CITY, UTAH

FLAGSTAFF MOUNTAIN PARTNERS
P.O. BOX 1450, PARK CITY, UTAH 84080
PHONE (435) 649-6011 FAX (435) 649-6035

RESORT DESIGN ASSOCIATES, SAN FRANCISCO, CA
LEE JOSEPHSON, PLANNING, LANDSCAPE ARCHITECTURE
AND JOHNSON COMPANY, ENGINEERS, SURVEYORS, & PLANNERS
ALLIANCE ENGINEERING INC. ENGINEERS, SURVEYORS, & PLANNERS
ARCHITECTURAL ASSOCIATES, P.C. ARCHITECTURE

EXHIBIT N

Flagstaff Annexation and Empire Pass Units and Unit Equivalents Updated for 5.24.17

POD	Single Family	Allowed SF lots	SF Permits	SF CO #'s
A	Banner Wood-platted	6	4	4
B1	Northside-platted	10	10	10
D	Red Cloud-platted	30	12	11
Totals	(Single Family only)	46	26	25

POD	Multi-family	Units	Square Feet	Units	UE	MF Units	ADA	EHU	On Mtn AUE	CO UE's	CO	Status
		Approved/Proposed	Platted w/ condo	Platted w/ condo	Approved/Proposed w/ condo or sub	UE Platted with condo	Platted as PUDs		provided/r equired		provided/ proposed	
A	Horseshoe Townhouses on Lot 1 VEPN plat TDB	0		0		0			0	0	0	0 Sub Plat under review
A	Lot 3 VEPN plat-(Bldg 3) Proposed	21		0	24.50	0	1		1.1 AUE	0	0	0 Sub Plat under review
A	Lot 2 VEPN plat-(Bldg 4) TBD	0		0		0	2		2.0 AUE	0	0	0 Sub Plat under review
A	Tower Residential- platted lot/no condo plat (Bldg 1)	25		0	38.90	0	1		0.75 AUE	0	0	0 CUP expired/not platted
A	Shooting Star-platted lot and condo (Bldg 2)	21	36,109	21	18.30	18.055	0	1	0		18.1	21 Completed
A	One Empire Pass-platted lot and condo (Bldg 5)	27	65,026	27	32.80	32.513	0	1	1	1.125 AUE	0	0 27 Under Construction
A	Silver Strike-platted lot and condo (Bldg 6)	34	71,305	34	35.60	35.653	0	2	1	1.1 AUE	35.7	34 Completed
A	Flagstaff -platted lot and condo (Bldg 7)	37	73,506	37	35.90	36.753	0	2	2	1.6 AUE	36.8	37 Completed
A	Arrow Leaf A-platted lot and condo (Bldg 8)	28	46,458	28	24.50	23.229	0	2	3	2.85 AUE	23.3	28 Completed
A	Arrow Leaf B- platted lot and condo (Bldg 9)	28	48,746	28	25.70	24.373	0	2	0	0	24.4	28 Completed
A	Grand Lodge-platted lot and condo (Bldg H)	27	65,344	27	33.00	32.672	0	2	1	1.2 AUE	32.7	27 Completed
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	15	48,693	15	24.40	24.347	6	0	0	0	24.4	15 Completed
A	Larkspur West Townhouses-all platted/condo	12	41,273	12	20.70	20.637	0	0	0	0	20.7	12 Completed
A	Paintbrush PUDs- all platted /condo	12	63,076	12	31.90	31.538	12	0	0	0	32	12 Completed
A	Belles PUDs- all platted/condo	17	90,000	17	45.00	45	17	0	0	0	37.85	14 14 Completed
B1	Nakoma PUDs- phase 1 platted/condo	17	90,000	17	45.00	45	17	0	0	0	35	13 13 Completed
B1	Ironwood- all platted/condo	24	73,944	23	37.40	36.972	0	1	1	1 AUE	37.1	23 Completed
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)	hotel rooms		hotel rooms	69.60	72.665	0		0	0	72.4	1 Completed -see note
B2	B2 West Montage condos- platted (apprvd 94)	94	218,669	84	114.00	109.335	0	5	10	7.8 AUE	109.3	84 Completed
B2	B2 East- B2East Subdivision approved/No condo plat yet	70		0	81.00	0	0	2		4.2 AUE	0	0 Sub plat approved
Totals (Multi-family only)		509	1032149	382	738.20	588.742	52	24	19	24.725 AUE 16.675 AUE built to date (on mtn)	539.75	349
Maximum Allowed by Flagstaff Development Agreement		550		550	785.00	785	60	n/a				
Remaining UE/Units/AUE		41		168	46.80	196.258	8	n/a				

Affordable Housing											
MF Totals by POD only aprvrd or platted (not SF lots)	Units Approved	Units Platted	UE Approved	UE Platted	MF Units as PUD	Total MPD AUE required	Total off Mtn AUE required	Total on Mtn AUE required	Total off Mtn AUE built	Total on Mtn AUE built	Total AUE owed
A (not including Lot 3 and Tower CUP)	258	258	327.8	324.77	35						
B1	41	40	82.4	81.972	17						
B2 (plus 174 hotel rooms) not including B2East	94	84	183.6	182	0						
A, B1, B2	393	382	593.8	588.742	52	118.9	94.175	24.725	89	16.675	13.225

% of MF units total in Pods A, B1 and B2 that are in POD A
(MPD requires minimum of 50%)

SF- Single family lot/house

MF- Multi-family/condominium units

PUD- Planned Unit Development Style MF

EHU- Employee Housing Unit (no min number)

AUE- Affordable Unit Equivalent (1 AUE = 800 sf)

UE- Unit Equivalent (1 UE = 2,000 sf residential)

ADA- American Disability Act required units

VEPN- Village Empire Pass North Subdivision plat

CO- Certificate of Occupancy (hotel rooms counted as 1 CO total)

EXHIBIT O

Technical Reports

See Link in Exhibit list.



November 21 ,2017

Kirsten Whetstone
Senior Planner
Park City Municipal Corporation

RE: Empire Residences CUP Application

Dear Kirsten:

We are writing you to provide clarification on our building's compliance with the Volumetric Design included in the Flagstaff Development Agreement.

Background Information

The Village at Empire MPD includes a map of potential future development based on a loose concept proposal of building shapes, topography, orientation, road placement, walkways, building square footage, size, and envelope.

During the course of development and approvals the Development Review Board closely followed design guidelines in building materials and aesthetic appeal for building architecture and feel, massing, windows, landscaping, fencing, walkways, etc.

The intent of the volumetric analysis is to define the architectural massing of a building and insure that the mass of the building is broken up by façade and roofline shifts, as well as introducing architectural elements at the base of the building.

The volumetrics generally depicts the location and heights modeled in the visual analysis, however there has been, and will continue to be, some changes in the shapes, and locations of the buildings as well as design in levels and effects of individual topography on the buildings.

The Volumetric section of the Supplemental Project Description noted, among other things:

“The intent of the volumetric analysis is to define the architectural massing of a building and insure that the mass of the building is broken up by significant façade and roofline shifts...”

“The volumetrics generally depicts the location and heights modeled in the attached visual analysis, however there has been and will continue to be, some changes in the shapes and approximate locations of the buildings as the plans evolve through the design process.”

A closer inspection of both the map and concept of the volumetrics will show that all of the buildings in Empire Pass are shown to have 5 levels, including the 4 level Talisker Club building. They also show bends in the building and roof shifts and entrances and other development possibilities that were never actually designed, planned, or engineered, but merely conceptual. The buildings are also out of proportion relative to what square footage and unit equivalents are assigned to each building so once those are assigned, the buildings can be designed and approved with input from the DRB and the square footages and EUs are assigned.

Building Height

Building height is measured continuously from the highest point of the building to the existing grade directly below that point. The isometric diagrams establish maximum heights at various areas of the building. This height allows for three separate elements above existing grade as follows:

1. Height to accommodate the roof and residential units within the roof zone.
2. Height for the intervening full floors of residential below the roof zone, and
3. Height for a varying amount of parking structure above the existing grade depending on where you draw the section through the building.

The sum of these three elements cannot and does not exceed the maximum heights allowed in the MPD.

See the attached document from Beecher Walker Architects and Alliance Engineering. A certified topographical survey was completed by Alliance Engineering and used by Beecher Walker Architects to confirm the building heights above existing grade, and the percentages, as required by the volumetric diagram.

Per the attached exhibit from Beecher Walker Architects, our building heights are as follows:

The volumetrics state that 55% of the building may be at the maximum height of 82' above existing grade. Only 50% of our building is at the maximum height allowed.

The volumetrics state that 20% of the south end of the building must be below 74'. 25% of the south end of our building is below 74'. The south end could be higher per the volumetrics.

The volumetrics state that 25% of the north end of the building must be below 74'. We meet this requirement.

Building Appurtenances and Exceptions

Beyond the height and massing shown in the volumetrics, some appurtenances are allowed outside of this envelope. They include but are not limited to:

1. Dormer with ridge heights not exceeding the ridge height of the roof to which they are attached
2. Chimneys and chimney roof forms used for HVAC equipment and mechanical penthouses provided they do not extend more than 5' above the top of the roof. Elevator penthouses may exceed the ridge height by 8'.
3. Skylights not exceeding 3' above the ridgeline of the roof that it is on
4. Code required parapet walls
5. Roof overhangs, brackets and bracing
6. Awnings
7. Covered and uncovered balconies
8. Grade level arcades not to exceed 15' in height
9. Kiosks, pool and spa pavilions, outdoor food service not exceeding 15' in height
10. Bay windows not exceeding 5' in depth measured perpendicular to the building
11. Screened and covered HVAC equipment
12. Porte Cochere structures not to exceed 28' in height
13. Accessory buildings and other structures and appurtenances as allowed in the zone by the LMC

Building Levels

With regard to building 3, the developer closely followed the requirement for the breakup of roofline and façade percentages that meet or exceed the expectations of the MPD approval and its overall height as a percentage of length is likewise compliant. Further, while overall height of the building is difficult given the 20 foot drop in topography, the developer was able to attain roofline and façade shifts and stay under the height limits given in the MPD study.

As mentioned before, both the DRB and Planning Commission have approved buildings in Empire pass that exceed the levels contemplated in the MPD concept plan.

The Design Review Board for Empire Village has thoroughly reviewed our plans. Their representative, Douglas Ogilvy, stated in the public hearing on October 25, 2017, that the levels and configuration of our building comply with their interpretation of the volumetric diagram, and our building overall complies with the intent. Specifically they have taken the position on all prior approvals that the examples, and references to 5 levels, are an example of just one of many possible designs, and that it would not be practical to provide examples of all possible configurations, rather the maximum height is the limiting factor. We believe the planning staff and Commission have also taken this position in prior approvals in the Village, following the DRB's lead on this issue.

Silver Strike, Flagstaff, and One Empire have all received approvals for 6 platted levels, (some with lofts, see attached), while meeting their height restrictions so long as they meet the other aesthetic and volumetric requirements. Empire Residences has met or exceeded the volumetric and height restrictions and has requested approval for a 6 level building (with lofts) similar to the 3 other buildings built and standing in Empire Pass. Our building does not have an elevator or stairwell access to a 7th level, nor a 7th level corridor, etc. Our design would properly be referred to as 6 levels with a loft.

Best Regards,

Lynn Padan
Harrison Horn
Empire Residences, LLC

Talisker Club

Shooting Star

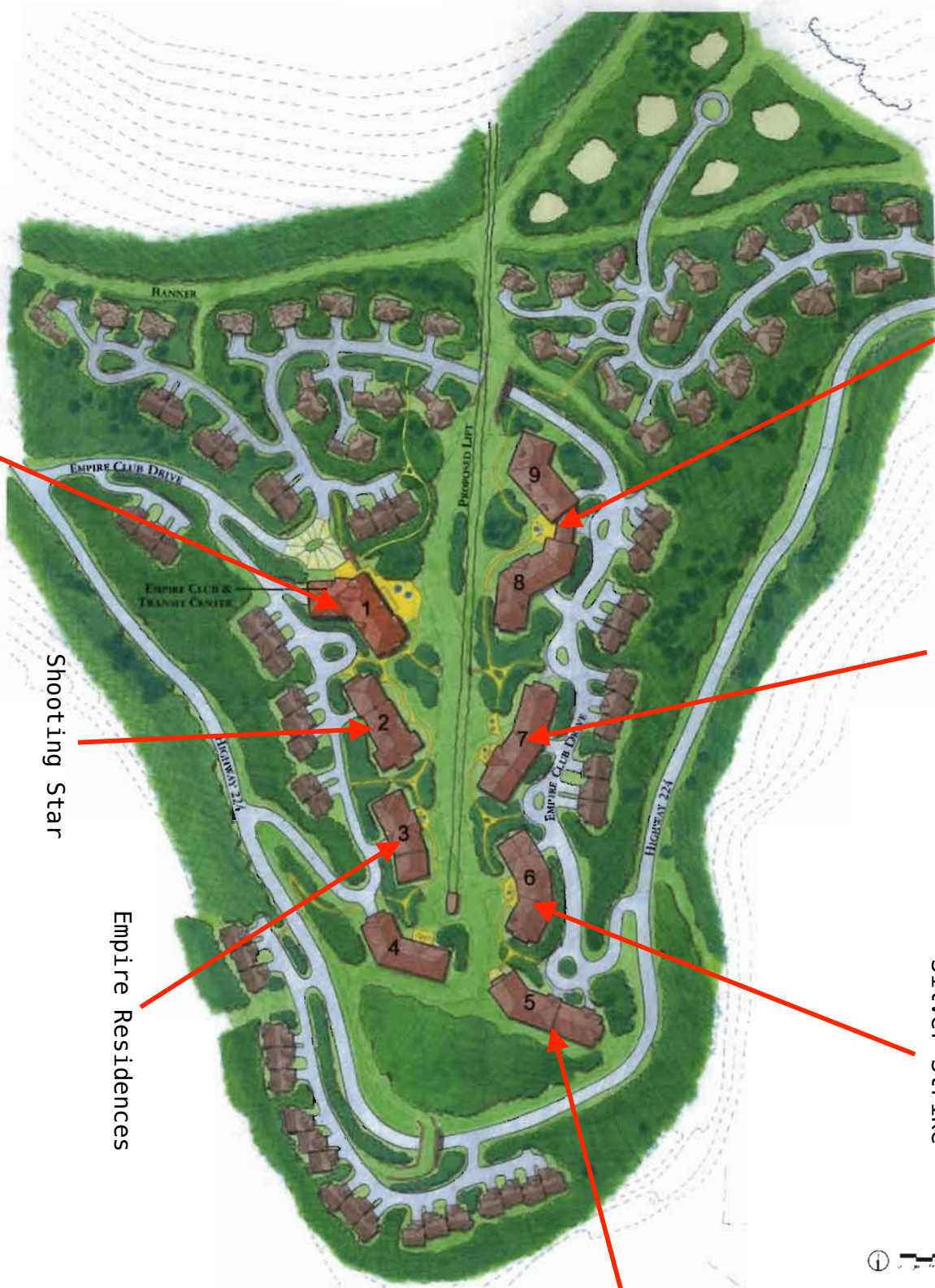
Empire Residences

One Empire Pass

Arrowleaf

Flagstaff

Silver Strike

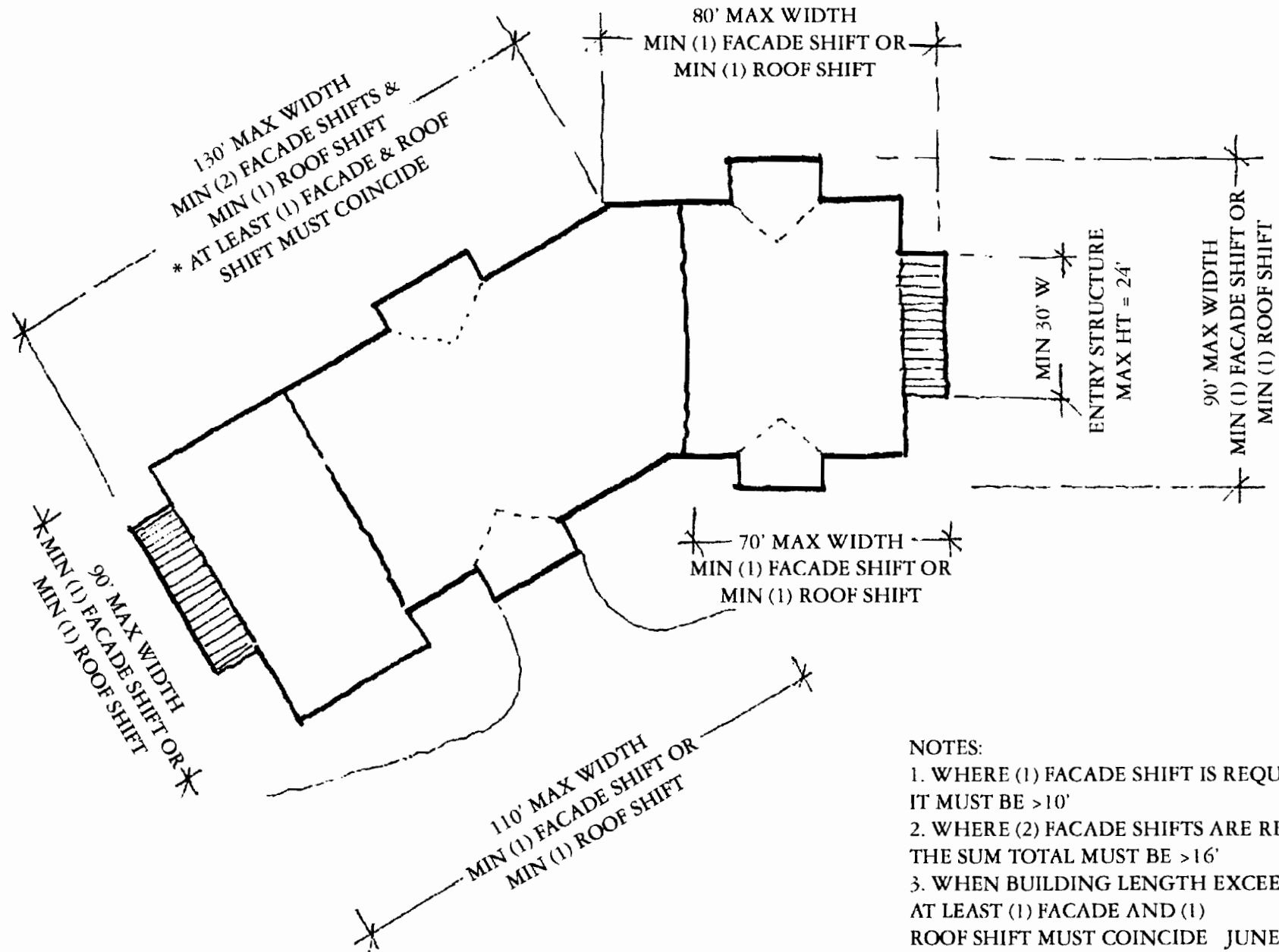


May 6, 2004
HART HOWERTON
LANDSCAPE ARCHITECTS
P.O. BOX 1000
SALT LAKE CITY, UT 84101

THE VILLAGE AT EMPIRE PASS
Park City, Utah

Master Plan - Summer

Building 3 Volumetrics Plan View

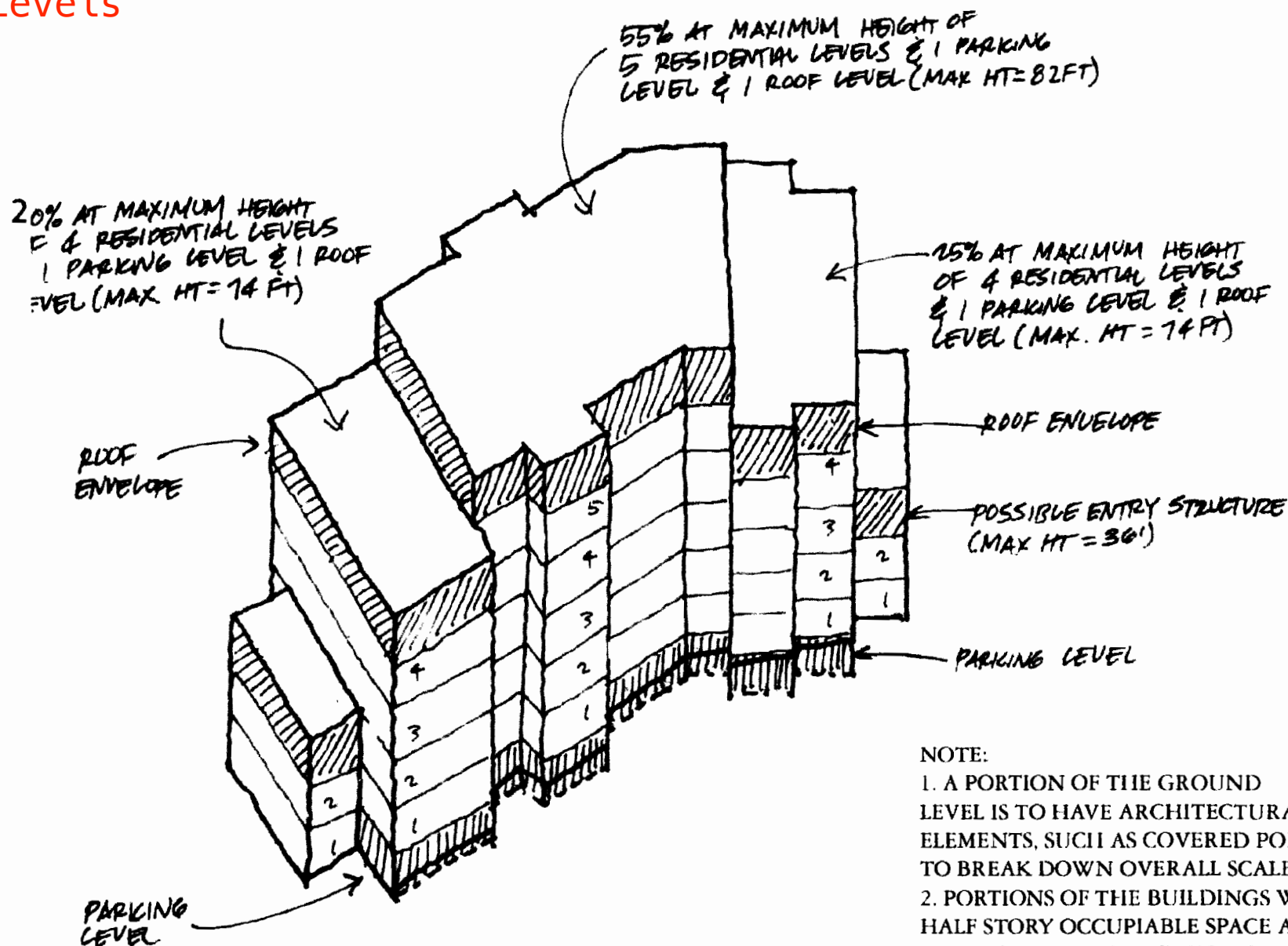


NOTES:

1. WHERE (1) FACADE SHIFT IS REQUIRED IT MUST BE >10'
 2. WHERE (2) FACADE SHIFTS ARE REQUIRED THE SUM TOTAL MUST BE >16'
 3. WHEN BUILDING LENGTH EXCEEDS 120' AT LEAST (1) FACADE AND (1) ROOF SHIFT MUST COINCIDE
- JUNE 17, 2004

Empire Residences
Max Height: 82 Feet
6 Levels

Building 3 Volumetrics Isometric View

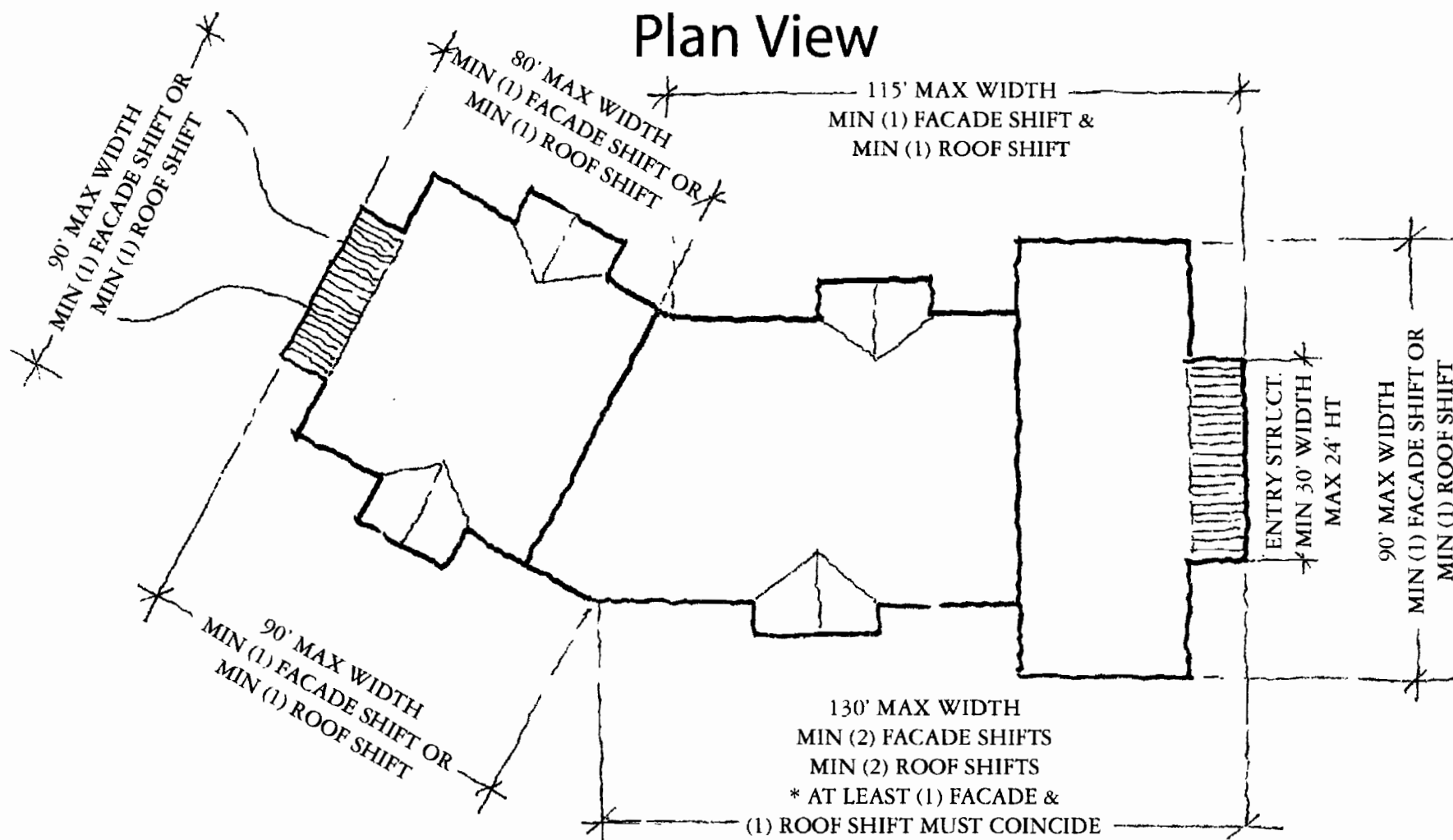


NOTE:

1. A PORTION OF THE GROUND LEVEL IS TO HAVE ARCHITECTURAL ELEMENTS, SUCH AS COVERED PORCHES, TO BREAK DOWN OVERALL SCALE
2. PORTIONS OF THE BUILDINGS WITH HALF STORY OCCUPIABLE SPACE AT THE TOP FLOOR TO HAVE 6' HIGH STEMWALL

JUNE 17, 2004

Building 4 Volumetrics Plan View



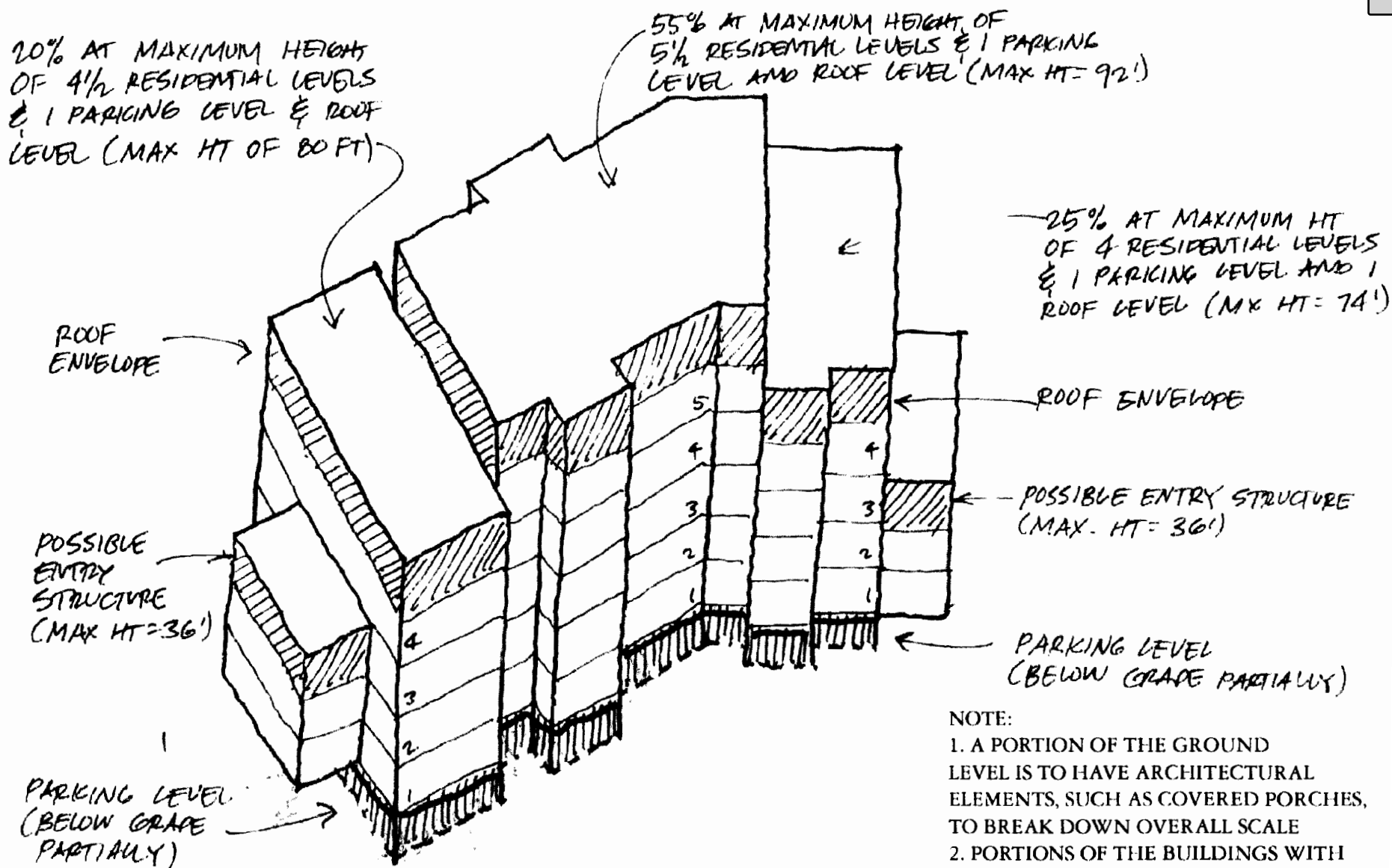
NOTES:

1. WHERE (1) FACADE SHIFT IS REQUIRED IT MUST BE >10'
2. WHERE (2) FACADE SHIFTS ARE REQUIRED THE SUM TOTAL MUST BE >16'
3. WHEN BUILDING LENGTH EXCEEDS 120' AT LEAST (1) FACADE AND (1) ROOF SHIFT MUST COINCIDE

JUNE 17, 2004

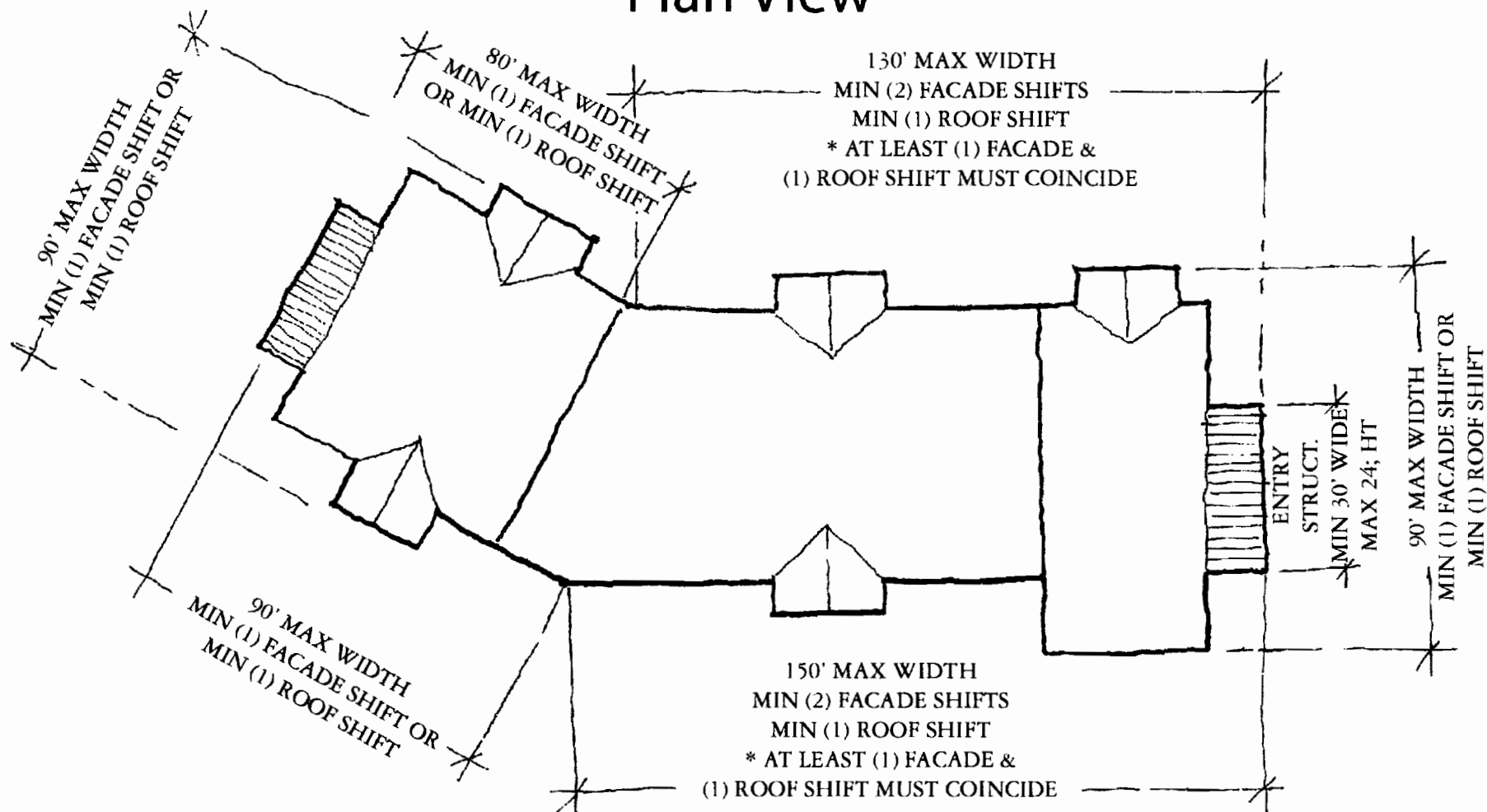
Future Development
Max Height: 92 feet

Building 4 Volumetrics Isometric View



JUNE 17, 2004

Building 5 Volumetric Plan View



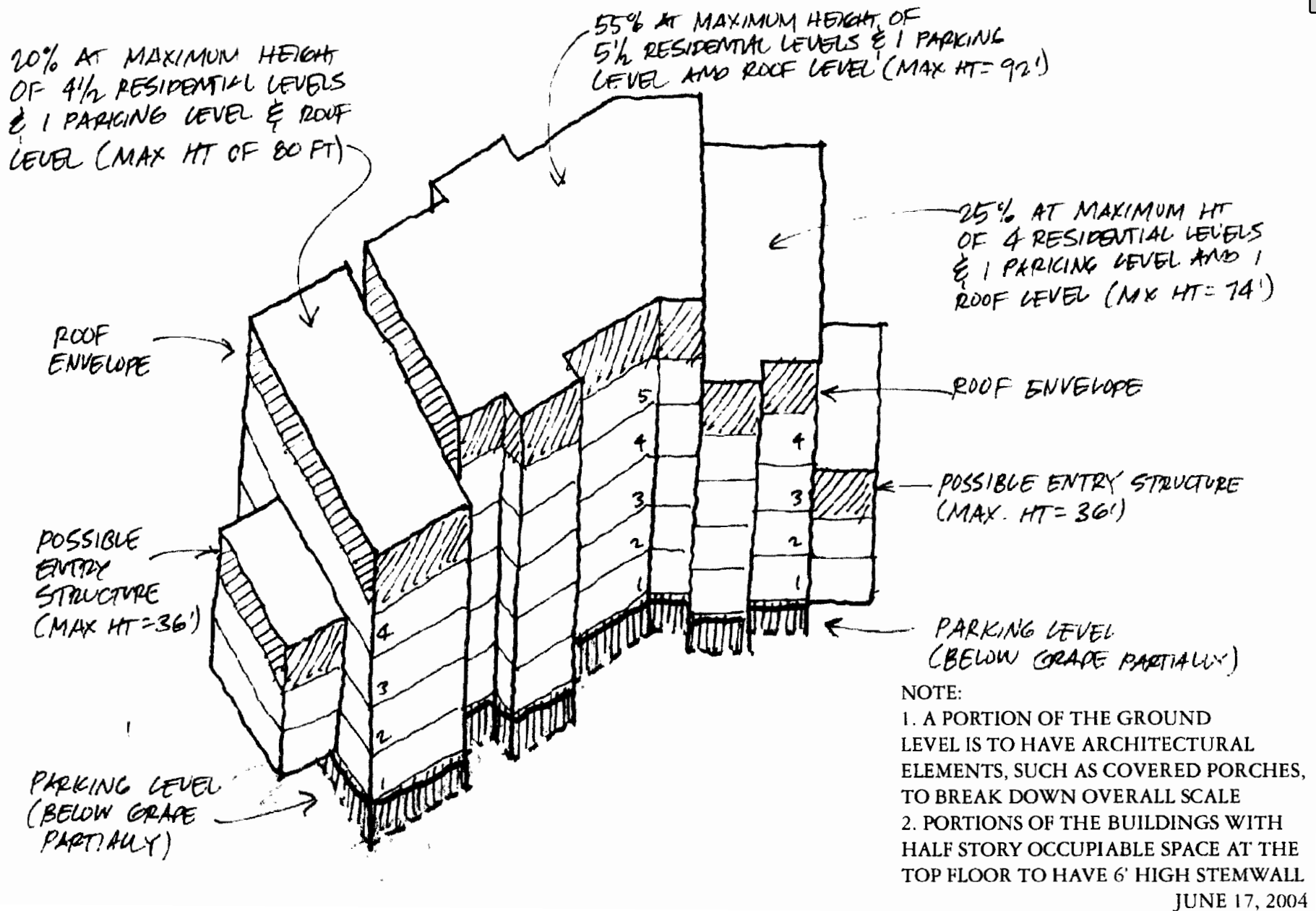
NOTES:

1. WHERE (1) FACADE SHIFT IS REQUIRED
IT MUST BE >10'
2. WHERE (2) FACADE SHIFTS ARE REQUIRED
THE SUM TOTAL MUST BE >16'
3. WHEN BUILDING LENGTH EXCEEDS 120'
AT LEAST (1) FACADE AND (1)
ROOF SHIFT MUST COINCIDE

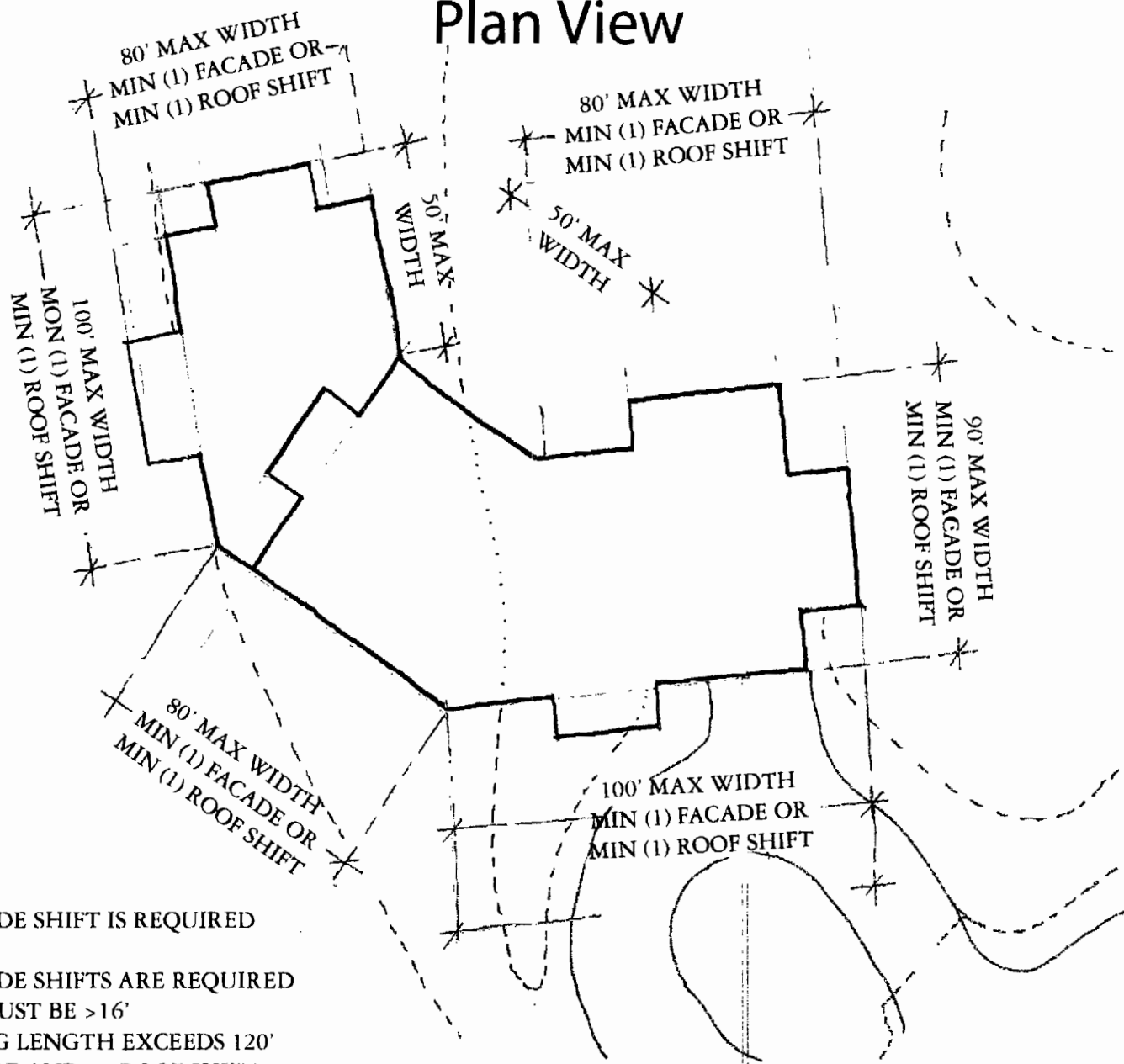
JUNE 17, 2004

One Empire Pass
Max Height: 92 Feet
6 Levels

Building 5 Volumetrics Isometric View



Building 6 Volumetric Plan View

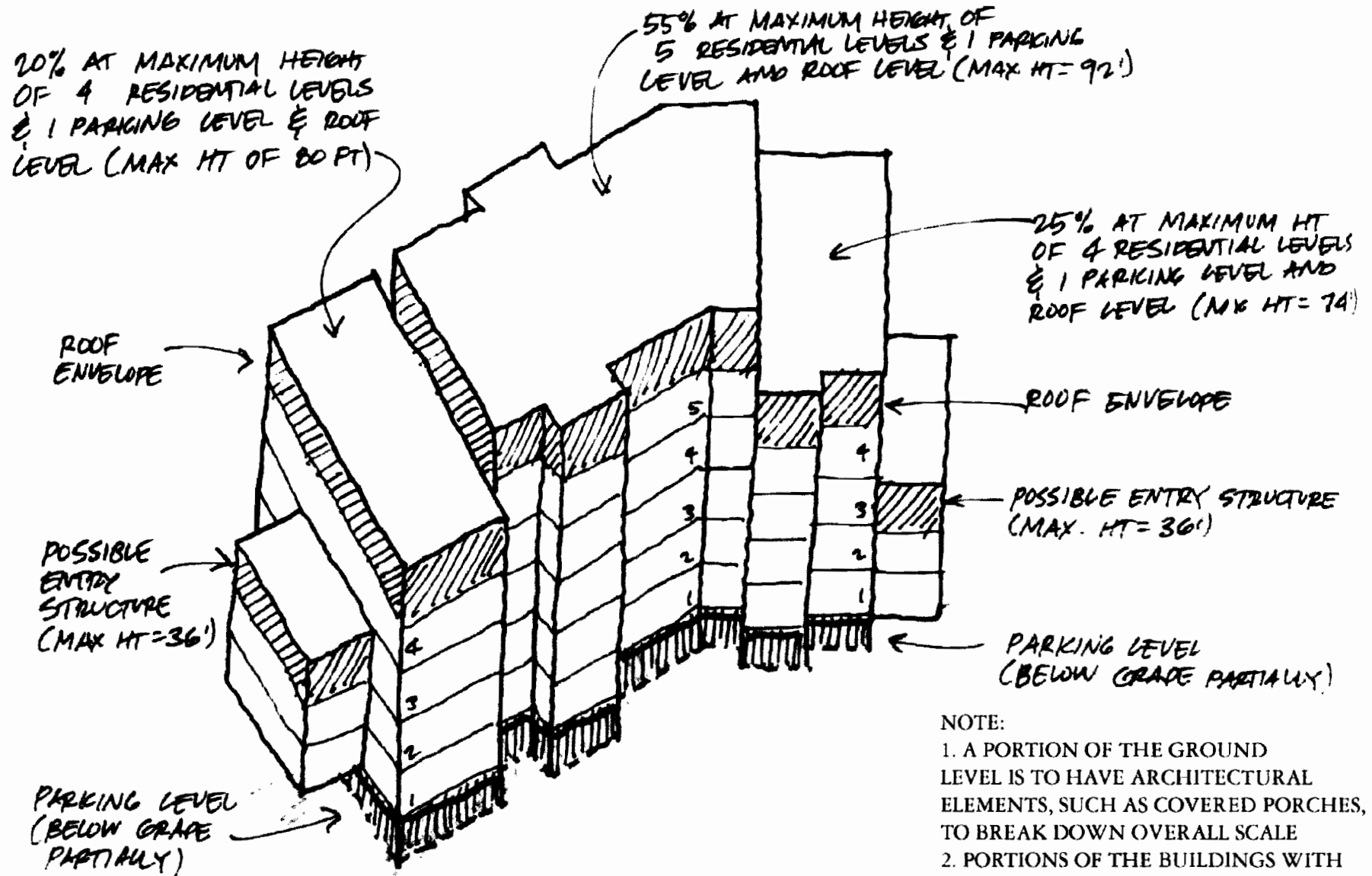


NOTES:

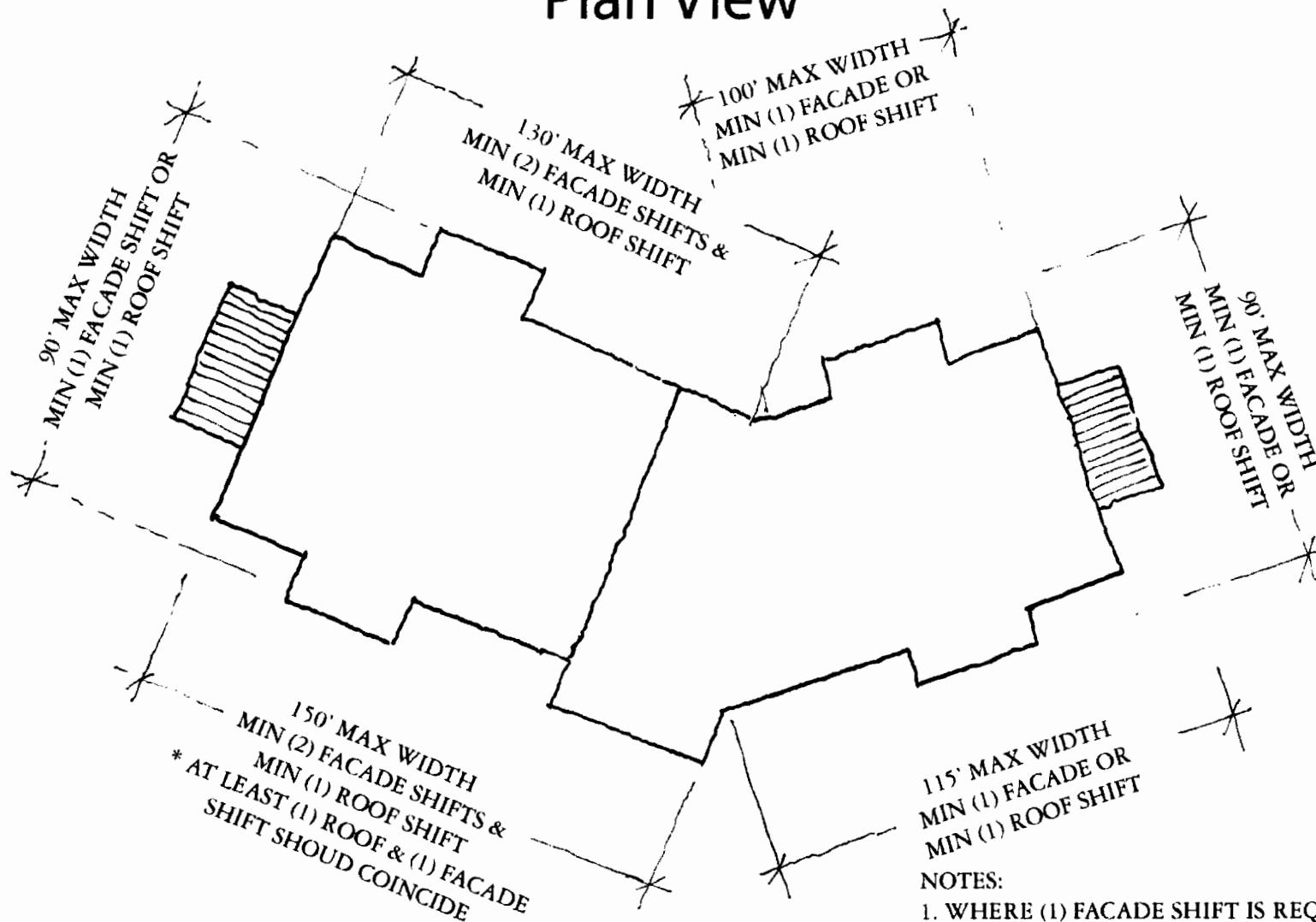
1. WHERE (1) FACADE SHIFT IS REQUIRED IT MUST BE >10'
2. WHERE (2) FACADE SHIFTS ARE REQUIRED THE SUM TOTAL MUST BE >16'
3. WHEN BUILDING LENGTH EXCEEDS 120' AT LEAST (1) FACADE AND (1) ROOF SHIFT MUST COINCIDE

Silver Strike
Max Height 92 feet
6 Levels

Building 6 Volumetrics Isometric View



Building 7 Volumetric Plan View



NOTES:

1. WHERE (1) FACADE SHIFT IS REQUIRED IT MUST BE >10'
2. WHERE (2) FACADE SHIFTS ARE REQUIRED THE SUM TOTAL MUST BE >16'
3. WHEN BUILDING LENGTH EXCEEDS 120' AT LEAST (1) FACADE AND (1) ROOF SHIFT MUST COINCIDE

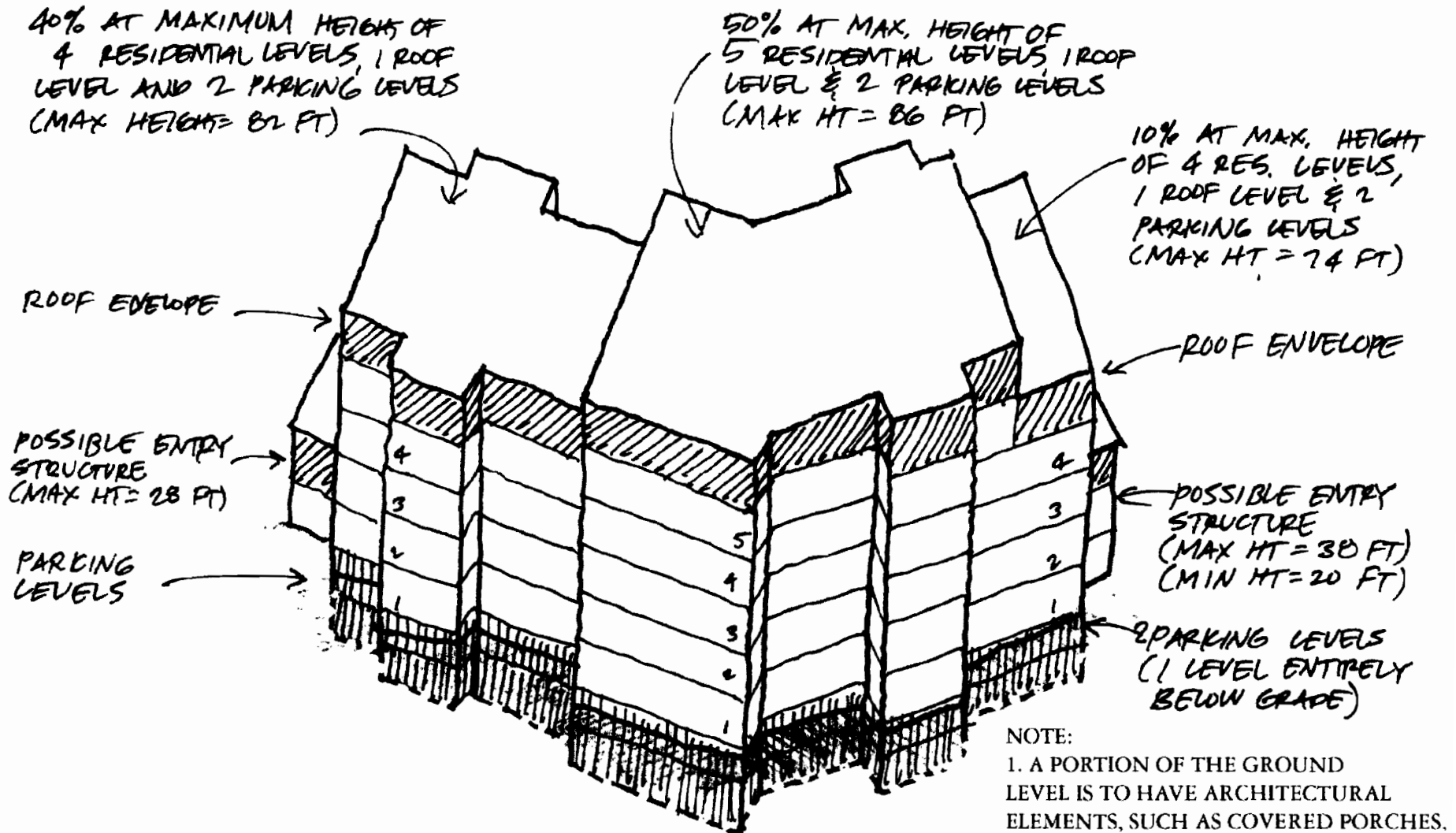
JUNE 17, 2004

Flagstaff

Max Height: 86 Feet

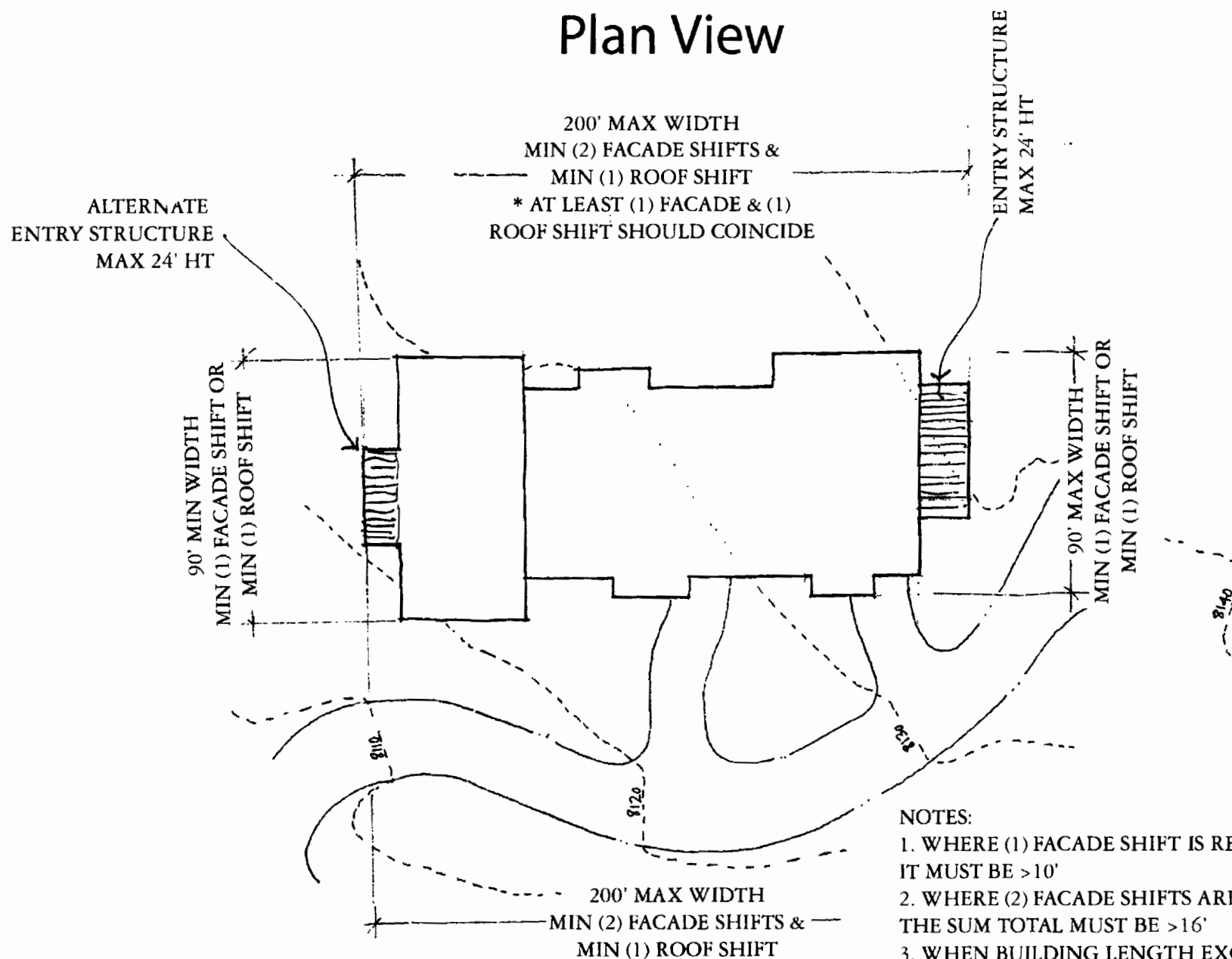
6 Levels

Building 7 Volumetrics Isometric View



JUNE 17, 2004

Building 8 Volumetrics Plan View



NOTES:

1. WHERE (1) FACADE SHIFT IS REQUIRED IT MUST BE >10'
2. WHERE (2) FACADE SHIFTS ARE REQUIRED THE SUM TOTAL MUST BE >16'
3. WHEN BUILDING LENGTH EXCEEDS 120' AT LEAST (1) FACADE AND (1) ROOF SHIFT MUST COINCIDE

JUNE 17, 2004

Arrowleaf
Max Height: 86 Feet

Building 8 Volumetrics Isometric View

25% AT MAX HEIGHT OF
4 RESIDENTIAL LEVELS,
ROOF LEVEL AND PARKING
LEVEL (MAX HEIGHT
= 80 FT)

60% AT MAXIMUM HEIGHT OF
5 RESIDENTIAL LEVELS, ROOF
LEVEL, 1 PARKING LEVEL
(MAX HT = 86 FT)

15% AT MAXIMUM HEIGHT OF
4 RESIDENTIAL LEVELS, ROOF
LEVEL, 1 PARKING LEVEL
(MAX HT = 74 FT)

ROOF
ENVELOPE

ROOF ENVELOPE

ENTRY STRUCTURE
(MAX HEIGHT = 28 FT)

PARKING LEVEL

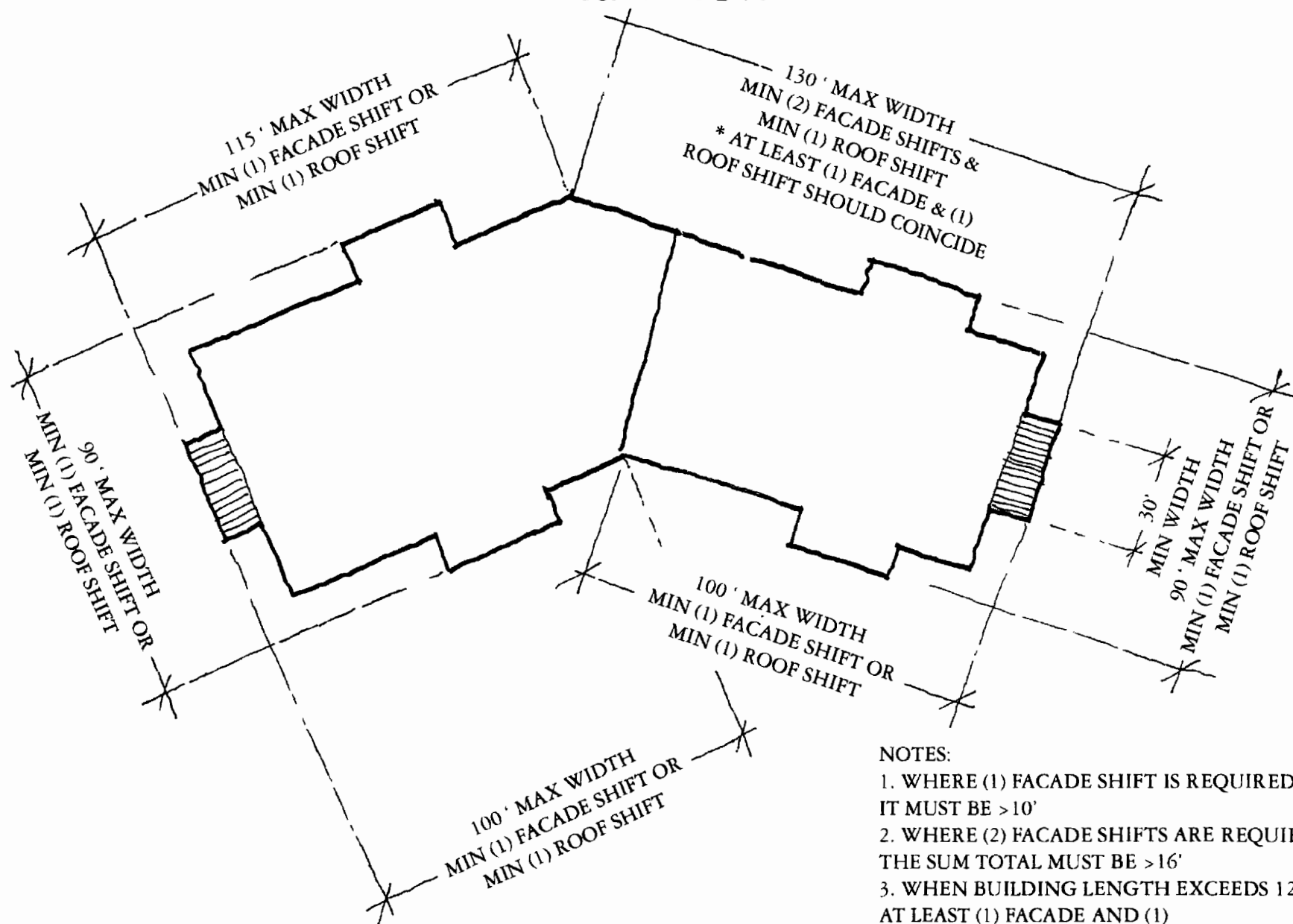
A PORTION OF THE GROUND
LEVEL TO HAVE ARCHITECTURAL
ELEMENTS SUCH AS COVERED
PORCHES TO BREAK DOWN
OVERALL SCALE

NOTE:

1. A PORTION OF THE GROUND
LEVEL IS TO HAVE ARCHITECTURAL
ELEMENTS, SUCH AS COVERED PORCHES,
TO BREAK DOWN OVERALL SCALE
2. PORTIONS OF THE BUILDINGS WITH
HALF STORY OCCUPIABLE SPACE AT THE
TOP FLOOR TO HAVE 6' HIGH STEMWALL

JUNE 17, 2004

Building 9 Volumetrics Plan View



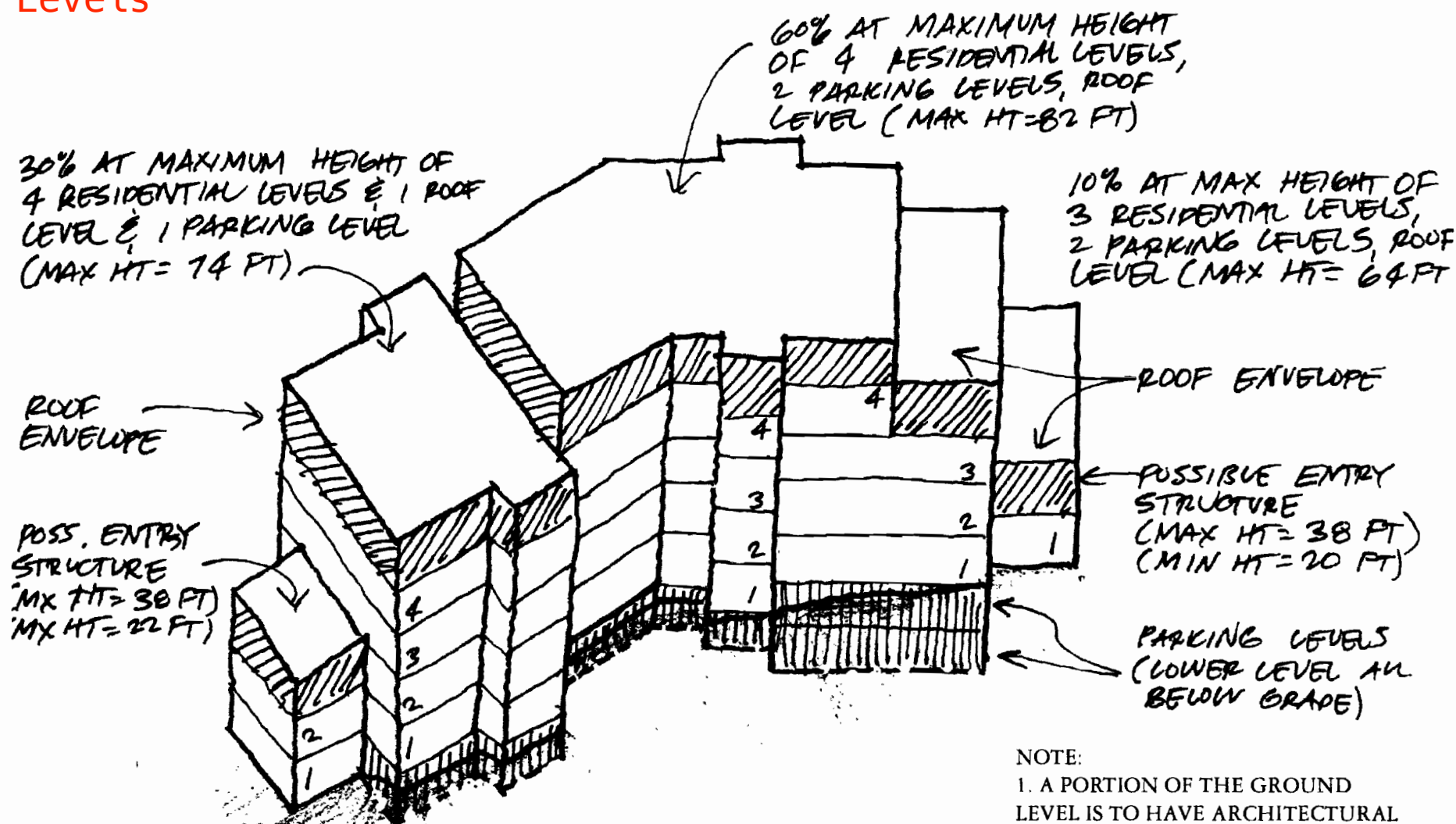
NOTES:

1. WHERE (1) FACADE SHIFT IS REQUIRED IT MUST BE > 10'
2. WHERE (2) FACADE SHIFTS ARE REQUIRED THE SUM TOTAL MUST BE > 16'
3. WHEN BUILDING LENGTH EXCEEDS 120' AT LEAST (1) FACADE AND (1) ROOF SHIFT MUST COINCIDE

JUNE 17, 2004

Arrowleaf
Max Height: 82 Feet
5 Levels

Building 9 Volumetrics Isometric View



NOTE:

1. A PORTION OF THE GROUND LEVEL IS TO HAVE ARCHITECTURAL ELEMENTS, SUCH AS COVERED PORCHES, TO BREAK DOWN OVERALL SCALE
2. PORTIONS OF THE BUILDINGS WITH HALF STORY OCCUPIABLE SPACE AT THE TOP FLOOR TO HAVE 6' HIGH STEMWALL

JUNE 17, 2004

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5. **7695 Village Way – Empire Residences Conditional Use Permit for a 20-unit lodge building subject to requirements of the Village at Empire Pass Master Planned Development for Building 3, with one employee housing unit and one ADA unit.** (Application PL-17-03526)

Planner Whetstone reviewed the conditional use permit application for Lodge Building 3 at the Village at Empire Pass Master Planned Development, located at 7695 Village Way, just north of Shooting Star, which is Lodge Building 2. The project sits within Pod A of the Village at Empire Pass, subject to the Flagstaff Annexation and Development Agreement. It is also subject to the Village at Empire Pass and associated plat notes, as well as the LMC. The property is located in the RD zone. The proposal is for 21 residential units in one building; in addition to providing one ADA unit and one affordable housing deed restricted unit. The requirement for Empire Pass was 1.1. The applicant is providing 880 square feet for the deed restricted unit. A single parking garage at approximately 12,000 square feet provides most of the required parking. She believed two spaces were outside the garage. Planner Whetstone noted that this included the 25% reduction as required by the Development Agreement.

The Staff analysis of the project was included in the Staff report. The project was also reviewed against the LMC conditional use permit criteria.

Planner Whetstone clarified that the Planning Department was not looking for final action this evening. The Staff report outlined items for the Planning Commission to discuss and provide feedback. The Staff would like discussion regarding the side setback reductions for the balconies on the north side. Since this is a Master Plan the requirement is 12'. The balconies are not at ground level and the Planning Commission has the purview to grant a setback reduction. The Staff also requested discussion and review regarding compliance with the volumetrics. It meets the height but there are issues with the volumetrics in terms of stories.

Planner Whetstone stated that she had been working with the applicant most of the summer on this project and it is much better. The applicant also worked with the Design Review Board and the Planning Department had received the signed letter of approval today. It would be included in the Staff report for the next meeting. Planner Whetstone noted that the Design Review Board had reviewed the project in extensive detail because there is an architectural theme that they try to protect.

Planner Whetstone requested that the Planning Commission discuss the two items outlined in the Staff report, conduct a public hearing, and continue this item to November 29, 2017. She had included draft findings of fact and conditions of approval

in the Staff report to give the Commissioners the opportunity to review them before the next meeting.

Brady Deucher, representing Empire Residences LLC, stated that the main question with volumetrics that was discussed extensively over the past year with the Design Review Board at Deer Valley and with Planner Whetstone, was that every existing building is five stories. The proposed concept of their building is also five stories. Mr. Deucher believed the height limit was the issue. They have 82' but it can only be certain percentages, and it has to step down in spite of the slope. It took a lot of time and work but they were able to get under 82' and it steps down on both levels. Mr. Deucher stated that all the buildings at 1 Empire are all six stories plus. The Design Review Board said that because a precedent was already set, they were less concerned about the stories and more concerned about meeting the building height, hitting the percentages, and stepping down the building. Mr. Deucher noted that with the number of UEs, the amount of square footage, and the building height, they were at six stories, which is the same as the surrounding buildings.

Mr. Deucher asked Riley Jarrett, the project architect, to comment on the issue with the balconies. Mr. Jarrett stated that the balconies are on the north side and a setback line cuts a sharp diagonal. They were proposing to offer a usable balcony, but overhanging them without any support below. They would cantilever out from the buildings and consequently encroach slightly into the setbacks. That was the first variance in the setback. Mr. Jarrett stated that mechanical equipment was another issue for discussion.

Lynne Padan, with Empire Residences, commented on the setback issue. He noted that they have a large 20' access that Deer Valley uses to reach the base of the Silver Strike Express Chair Lift. The property line was chosen to be on the south side of that easement as opposed to the north side or the middle and, therefore, it ended up being platted on the south side. He thought it was important to note that there was another 20 feet between their building and the next property. A corner of the balconies encroaches, but it does not encroach onto someone else's property. He thought it was important to understand that the property line was arbitrarily determined and because of how it ended up, a corner of the decks intersect the setback.

Chair Strachan asked for the size of the encroachment. Mr. Padan used a rendering to show the driveway access to the lift, and how the corner of each balcony comes into what would be a required setback. He indicated their property line and its proximity to the next property. The balconies encroach in a triangular configuration at approximately 5 feet.

Commissioner Suesser asked if the encroachments were only on the north side. Mr. Padan answered yes. The corner of the deck encroaches into the 20' easement to access the ski lift. Commissioner Phillips assumed the encroachment was approximately 20 square feet. Mr. Jarrett replied that it was less than ten feet.

Commissioner Campbell asked if the access road was a dirt road. Mr. Padan replied that it was dirt currently, but it would be paved and heated as part of the project.

Mr. Jarrett remarked that the condensers on the south side also encroach into the setback. The condensers are completely underground and four feet away from the property line. There will be a metal grate over the top for air circulation. Mr. Padan stated that the building itself is entirely within the setback. He understood that the Code allows mechanical equipment to encroach into the side yard setback if it is above grade in a screened enclosure. They put the mechanical equipment below grade and it is not visible at all. Planner Whetstone explained that mechanical equipment is allowed to encroach 5' into the 12' setback. The Staff believes that because the condensers are underground they are considered screened, as long as the Fire District can move over the top of the grates.

Planner Whetstone clarified that the building itself meets the 12' setback on the south side. The mechanical equipment is screened with a big retaining wall all the way down to the parking garage. The mechanical equipment themselves are 8' from the property line. Mr. Padan emphasized that the mechanical equipment is 100% below grade.

Commissioner Thimm understood that if the condensers were at grade with a retaining wall to screen it, it would be LMC compliant. Planner Whetstone answered yes. However, the wall in the side setback could only be 6' tall. Mr. Padan believed that putting the mechanical equipment underground was a better solution than what was otherwise allowed.

Commissioner Band asked if they need an exception because the equipment is below grade. Planner Whetstone explained that the Code states that mechanical equipment can be in the side yard setback and it can encroach 5' into the side yard setback.

Director Erickson asked if the Planning Commissioner needed to make a decision on the mechanical equipment, or whether it was just information. Planner Whetstone replied that it was only information. The Planning Commission was being asked to address the setbacks for the balconies. Director Erickson clarified that the deck setback was affected by the building volumetrics, plus the property line on the north that is outside the Deer Valley ski lift access road. The discussion should focus on compliance with the bulk, mass and scale. In giving direction to the Staff and applicant,

the first step would be to determine whether the proposal meets the height, bulk and mass requirement of the Empire MPD. After that, they can work through the setbacks.

Chair Strachan asked if the applicant was seeking a height exception. He was told they were not.

Planner Whetstone reviewed the elevations and the Building 3 volumetrics. She believed the design meets the requirements for articulation. In looking at Elevation C, she counted the garage level and six stories, and a unit in the roof.

Commissioner Joyce understood that there were height restrictions of 25% at 74' on the north end; 55% at 82'; and 20% at 74' on the south end. The applicant added a story based on those restrictions. However, in another packet they were given, the numbers were 25% at 74'; 50% at 82' instead of the 55% they are allowed; and 25% instead of the 20% allowed. Even with the added floor, he believed the height was smaller than the 25%, 55% and 20% allowed.

Director Erickson stated that if the Commissioners were comfortable with Commissioner Joyce's analysis, the Staff could make a finding to that effect.

Commissioner Campbell asked for clarification as to why one graphic said 50% at maximum height of 82', six stories plus mezzanine, but another graphic said 5 stories plus mezzanine. Planner Whetstone explained that one was the applicant's building, and the second one was a volumetric that was approved back when the Master Plan was approved. She believed it still met the volumetric, but not the other language of the volumetric of the additional stories.

Commissioner Campbell referred to a note that talks about half stories at the top floor. Mr. Padan explained that there are three units at the top floor, which are mezzanines of the units below. He clarified that they were not individual units. The requirement is to have 5 stories plus a mezzanine. Mezzanine meaning a partial floor of the unit beneath it. Commissioner Campbell asked for the ceiling height in that space. He was told it was 8'; however, the ceiling slopes and it is vaulted up to 9' in some areas.

Commissioner Thimm noted that the mezzanine is part of the sixth floor but it is a seventh level. Planner Whetstone stated that she was able to tell that the building met the volumetric and the heights, but she thought the Planning Commission should make a decision on the details. Commissioner Campbell asked if the LMC speaks to the number of floors. Planner Whetstone answered no. Commissioner Campbell pointed out that the exception has nothing to do with the LMC. Chair Strachan clarified that it was specific to Empire Pass as part of the development agreement.

Commissioner Campbell asked if the Planning Commission had the right to make this type of change to an MPD. He felt that granting the exception would allow the applicant to violate the rules of the MPD. Assistant City Attorney McLean replied that they needed to abide by the requirements of the MPD. Commissioner Campbell questioned how the Planning Commission could approve it. Ms. McLean replied that the Staff had that same issue.

Mr. Padan stated that the last three building that were approved in Empire Village all have the same volumetrics that was approved as part of the Master Plan and the Flagstaff Development Agreement. Each of the nine buildings were approved. They all say five stories and they all have maximum heights. The last three buildings that were approved and built have six stories and a mezzanine. The applicant's interpretation, and he believed the interpretation of the Design Review Board, was that the diagram says five stories, but it also has a maximum height. That was interpreted as an example. It is roughly a box and they need to fit the building within that box. The architect who theoretically drew that at the time had a theoretical building in all nine cases, and showed five levels. However, the standard has been six and they complied with what the last three buildings have done.

Planner Whetstone stated that she was only the Planner on the last building which is currently under construction. That building has four stories with the fifth story in the roof level, and five stories in the middle. She agreed with the applicant that some of the other buildings appear to have additional stories.

Mr. Padan reviewed a rendering of the Flagstaff building that showed six stories plus an additional level. He noted that the Flagstaff building complies with the maximum height; and that this applicant complies with all the volumetric designs as well in terms of height. Mr. Padan stated that 1 Empire, the building under construction, is six stories. Planner Whetstone clarified that 1 Empire does not have a mezzanine. Mr. Padan agreed, but there are six levels, and the volumetric design says five. He noted that Silver Strike has six levels well, and their volumetric design says five. He pointed out that all of the buildings mentioned meet the height requirement.

Chair Strachan believed the Planning Commission understood the issue.

Chair Strachan opened the public hearing.

Doug Ogilvy, stated that he was representing Redus Park City, the owner of the site to the north, and he was also President of the Design Review Board. Mr. Ogilvy stated that the DRB reviewed this application and focused on the height. He concurred with

Mr. Padan's analysis that all of the buildings have worked to the six story height limitation, as opposed to the five story shown in the volumetric. He believed the case could be made for six stories and the DRB was comfortable with it. With respect to the encroachment in the north setback, Mr. Ogilvy concurred with Mr. Padan that with the 20' driveway they were probably 25' from the next building, plus 12'. The driveway creates an additional buffer; therefore, the 5' encroachment into that 12' zone is not a concern to the DRB, or to the adjacent property owner. Mr. Ogilvy reported that the applicant has been working with the DRB for months and have responded to their suggestions and concerns by massaging the building massing and architectural detailing. Mr. Ogilvy noted that the Design Review Board had sent a letter of support to the Planning Department.

Chair Strachan noted that the letter contained a number of conditions of approval. He asked if the applicant disputed any of those conditions. Mr. Deucher replied that the applicant was comfortable with the conditions.

Chair Strachan noted that the encroachment is into Deer Valley's right-of-way. If the Planning Commission decides to grant the exception, they would require an encroachment agreement between the two parties as a condition of approval. It was noted that the encroachment is into the setback and not into the right-of-way.

Chair Strachan closed the public hearing.

Commissioner Joyce understood that for the affordable housing they counted storage units downstairs to achieve the 880 square feet required. He has never known the City to claim detached closet storage as part of living space to meet affordable units. Planner Whetstone agreed that it was unusual. The applicant was having a difficult time reaching the 880 square feet, and she spoke with Rhoda Stauffer, the City Housing Specialist, who said if they could provide storage it would be counted because storage is always a premium for the smaller units. Planner Whetstone emphasized that the decision was made by the City Housing Specialist.

Commissioner Joyce questioned whether Ms. Stauffer had the authority to make that decision because it goes against the LMC, which requires 880 square feet of living space. He stated that if the City intends to count storage, then all of the storage units should be added to all of the square footages in the entire project in relation to the UEs provided. They either all count or they do not. He has never seen detached storage counted. Planner Whetstone explained that affordable units do not use UEs. It is in the Housing Resolution and not in the LMC. She asked Ms. Stauffer specifically if the storage units could be counted and she had said yes.

Assistant City Attorney McLean agreed with Commissioner Joyce. Either the Housing resolution needs to say it specifically, or they have to go back to the Housing Authority to make that determination. Ms. McLean recommended that Planner Whetstone verify it with Ms. Stauffer before the November 29th meeting.

Commissioner Joyce thought there were two questions. If they answer is to reduce the requirement for affordable housing for this particular unit, that is one issue. However, he did not understand how anyone outside of the Code could arbitrarily decide to include detached storage on another floor when calculating the square footage of any residence. If that is the intention, he believed every storage unit on ground floor should be added into the space above. Commissioner Joyce wanted to make sure the Housing Authority was not telling them to count square footage inconsistently inside a building, because he would not sign off on that. If they come back and say they are willing to take less than 880 square feet, that is a different issue.

Chair Strachan stated that the Housing Authority applies different standards. They apply the Housing Resolution and not the LMC. He agreed with Planner Whetstone that the LMC does not allocate UEs to affordable units. Commissioner Joyce pointed out that the LMC has a square footage requirement.

Assistant City Attorney McLean understood Commissioner Joyce's concern and she thought the Staff should come back with a more complete analysis. She remarked that while UEs are not calculated in terms of overall UEs going to affordable housing, it is generally private area and not common area. Planner Whetstone understood that the unit would be common area. It would not be private and for sale. Ms. McLean clarified that it could not be a for-sale unit if it is common area. Planner Whetstone stated that it would be common area held by the HOA. Ms. McLean remarked that generally storage areas are also common. She suggested that they table this discussion until the Staff has the opportunity to look into it further. Ms. McLean agreed that one set of storage units could not be treated differently than other sets of storage.

Director Erickson requested that the Planning Commission focus on whether the project meets the height limits with variation, but does not directly respond to the conceptual diagram in the MPD. Planner Whetstone reiterated that her concern was with the mezzanine level in the sixth floor, as opposed to a mezzanine level in a fifth story.

Chair Strachan thought this was an example of why precedent is important. If they set precedent with other buildings, it sets the precedent for the buildings to come. That is why decisions made by previous Planning Commissions are important. Chair Strachan agreed with Commissioner Joyce's analysis. The heights are met. There is a

precedent for having more floors that are indicated in the volumetrics drawings, but precedent exists and they can follow it as long as they meet the height requirements. Commissioner Band concurred.

Commissioner Thimm asked if the other buildings went through the same CUP process. Director Erickson answered yes. Commissioner Thimm asked if it was determined that they were seven levels. Chair Strachan asked Mr. Ogilvy if he could answer that question.

Doug Ogilvy stated that 1 Empire was definitely six levels. He would have to look at the plans to see if it might be 6-1/2. Chair Strachan stated that if it was six stories it already met the deviation. However, he recalled going through the same analysis and he was relying on Mr. Ogilvy's memory as the applicant's representative at the time.

Assistant City Attorney McLean suggested that the Staff look at the other approvals and the findings. They need to look at exactly what happened, because if they made a mistake with one building, they do not have to make the same mistake again. However, if they made the same decision they were leaning towards this evening, they could rely on it. She reiterated her preference to wait until the Staff researches exactly what was done with other approval. Commissioner Thimm thought that knowing the background of the precedence was important.

Chair Strachan asked the Commissioners to comment on the setback exception. Commissioner Band was uncomfortable with the exception. The applicant has a blank lot and they were able to design whatever they wanted to put on that lot. They were not able to fit the square footage of one affordable unit and made a closet to meet the square footage requirement, but the building is large enough that they needed five feet off of the corner to add a deck. Commissioner Band clarified that she was not saying no at this point, but she believed they could have designed around all of the problems. If there is a precedent, she would probably not make it an issue. Commissioner Band had no issues with the six floors and a mezzanine because several building up there have six stories plus.

Chair Strachan concurred. He recalled that one of the hot button issues was the amount of affordable housing in the Flagstaff annexation agreement. Much of the governmental decision around that agreement many years ago was whether to put affordable housing up there, and if so, how much. He thought the guidance was to put in as much as possible. Chair Strachan stated that if the affordable units were getting squeezed so the non-affordable units could have bigger decks, that was not in line with the original intent of the Flagstaff Annexation Agreement. He believed there was room to work it out as they resolve the problem of counting storage space as affordable

square footage. Chair Strachan thought it was good that the Planning Commission was being asked for a continuation rather than approval.

Commissioner Campbell suggested that Commissioner Band read LMC 15-2.13-3 to help with the issues she had with the deck. It had lot and size requirements and there were areas where the applicant could request items that could go into the side and back yards. She read from Item 8, "The Planning Commission may vary side yards in subdivisions and MPDs. In no case shall the Planning Commission reduce side yards to less than 10 feet between structures", which they were not doing. Commissioner Campbell believed the Planning Commission clearly have the ability to allow this request.

Commissioner Campbell recommended that the applicant check with the manufacturers of the condensing units, because he could not imagine they would work underground without enough air flow. Mr. Jarrett stated that he has been working with the manufacturers. They cannot double stack or stagger the condensers, but keeping them single should not be an issue.

Commissioner Joyce stated that normally when they talk about doing exceptions, there is a reason behind it such as an extenuating circumstance or an unusual lot, etc. He agreed with Commissioner Band that they had a clear open lot, and they designed the building too large to accommodate the setbacks. He believed there needed to be something more substantial to justify the exception.

Commissioner Campbell asked if it was fair to ask the applicant for a mock-up of what the decks would look like if the corner was pushed back without the exception. Mr. Padan was willing to do a mock-up. He stated that it was initially designed with the corner clipped off, but they thought it would have more architectural appeal if it was rectangular. Commissioner Campbell asked if Commissioner Joyce would be more inclined to support the exception if they put the square footage for the affordable housing back upstairs. Commissioner Joyce thought the two issues were unrelated.

Director Erickson noted that the Staff report was written for a continuance to November 29th; however, that date is contingent on Planner Whetstone having enough time to do the research and the applicant having enough time to respond. The Planning Commission should continue to November 29th, and if they are not ready with all the information, it could be continued to another meeting. Ms. McLean pointed out that the agenda was already heavy on November 29th. Chair Strachan recommended that they keep the November 29th date as scheduled.

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MOTION: Commissioner Joyce moved to CONTINUE 7695 Village Way, Empire Residence Conditional Use Permit to November 29, 2017. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission Meeting adjourned at 9:20 p.m.

Approved by Planning Commission: _____

APPROVED



CONSTRUCTION MITIGATION PLAN

PERMIT #: TBD

Subject to Change

CMP prepared by Brady

ADDRESS: 7695 Village Way

CONTRACTOR: Rimrock Construction

In the Large Scale Master Plan approval for the Flagstaff development (attached) there are series of detailed of a Site-Specific Construction Mitigation Plans. This LSMPD established some guidelines as well specific action items that are addressed in this CMP.

1. Hours of Operation are 7:00 a.m. to 9:00 p.m. Monday through Saturday and 9:00 a.m. to 6:00 p.m. on Sundays. Construction activity is not permitted to occur on dates that would have a negative impact on Special Events and/or Holidays. Other work hour limitations may be placed on Main St and Old Town area Construction sites.

During Events you will be required to comply with any requests from the Special Events Coordinator. Work hour extensions may be approved by the Park City Building Official when needed. In order to be approved, a written request for the extension must be received a minimum of 48 hours in advance and must include the dates and times for the extension and a description of any of the anticipated impacts, (deliveries, outdoor lighting, noise, etc.). The request will not be automatically approved once submitted. It must be considered, and a determination will be made. Comments: Work restricted dates.

Memorial Day, Monday May 28th.

Fourth of July, Wednesday July 4th.

Pioneer Day, Tuesday July 25th.

Tour of Utah, Sunday August 5th.

Park City Arts Festival, Friday August 12th through August 14th.

Miners Day (Memorial Day), Wednesday September 5th.

Thanksgiving, Thursday November 22nd through Sunday November 25th.

Christmas, Sunday December 23rd through Wednesday December 26th.

New Years, Saturday December 30th through Wednesday January 2nd.

Work during the above dates requires approval from the Chief Building Official. If you plan on working during any of these dates you need to schedule a meeting with Chad Root by calling 435-615-5100. Bring with you a written plan detailing the type of work you intend to do.

Loud work, deliveries and any type of work that disrupts traffic or impacts sidewalks is discouraged during holidays.

2. Parking will not block reasonable public and safety vehicle access; will remain on same side of street and on pavement. An approved parking plan is required from the Public Works Department for parking in fee areas, permit parking areas, municipal parking lots and City property. The building permit is not a

permit to park in these areas. Construction equipment, (fork lifts, cranes, backhoes, etc.) is not permitted to be driven or parked on public parking lots, city streets or private property unless otherwise approved.
Comments: All construction workers shall park off site and be bused to and from construction site. Parking is not allowed on Marsac Avenue or Empire Club Drive. Rimrock Construction will submit a separate parking plan to the Park City Building Department for approval. No construction traffic is allowed on Royal Street. All construction traffic is to use Marsac Avenue.

3. Deliveries will be during hours of operation only. Contractor will get the appropriate Partial Road Closure Permits approved for Deliveries that take over one hour.

Comments: Unloading, loading or picking loads is not allowed on Marsac Avenue. Construction traffic is not allowed on Royal Street. All construction traffic is required to use Marsac Avenue. Staging of concrete trucks is not allowed on Marsac Ave. Concrete deliveries before 7:00 a.m. requires approval from the Chief Building Official.

4. Stockpiling & Staging will be on site and within the approved limits of disturbance fence. A separate Right Of Way Permit is required if materials, dumpsters or toilets are to be placed in the Public Right Of Way. Any additional stockpiling or staging site must be approved by the building department including an LOD fence, erosion control and bond by PCMC. Any soil that is stockpiled on site or off site is required to be covered, fenced and surrounded by erosion control measures.

Comments: All terms and agreement for all storage locations needs to be finalized and signed with all involved.

1. 5,000+CY of permanent storage on site 4 of VAEP N Subdivision to be placed and stabilized by contractor according to existing UPCMC guidelines and inspected by AGECE and Stormwater inspectors.
2. Temporary Storage 6,000CY at Site 4- The permanent storage has been filled up so this will be a temporary use until an approval from Park City Municipal has been given to relocate the storage to Richardson Flats.
3. Temporary Storage – 8,000CY on Ontario Mine Bench to be managed by contractor according to all BMP for temporary storage. 6,000CY to be moved back to Empire Residences site for back fill. 2,000CY to be worked out with Deer Valley as needed.

5. Construction Phasing requires approval from the Chief Building Official.

Comments: All Construction Phasing must be maintained within the approved LOD area unless otherwise approved.

6. Trash Management & Recycling - Construction site will provide adequate storage and program for trash removal and will keep site clean daily. Recycling is encouraged.

Comments: Dumpsters must be placed within the approved LOD. Dumpsters or trash trailers on the Public Right of Way require a permit from the City Engineer. A construction material recycling program will be developed with Recycle Utah that will deal with those materials and must be available for inspection by PCMC. This work will be overseen by UPK and the MHA representative and will comply with approved EPA and PCMC work plans.

7. Control of Dust & Mud: Mud and dust will be controlled daily. Gravel will be placed in the ingress and egress areas to prevent mud and dirt from being tracked on streets. Water will be on site to prevent dust.

Comments: A Storm Water Management plan will be in place to control dust and mud. This process is in the Large Scale Master Plan approval for the Flagstaff development.

1. Truck Wash
2. Street Cleaning
3. A Storm Water Pollution Prevention Plan in place and with Notice of Intent number from State of Utah and access to requires Stormwater Inspectors.

8. Noise will not be above 65 decibels which violates the noise ordinance and will not be made outside the hours of operation.

9. Grading & Excavation will be during hours of operation and trucking routes may be restricted to prevent adverse impacts. Grading on site may occur during regular hours of operation.

Excavated materials generated from the project will be processed and reused or disposed of within the annexation area. Materials will be processed by sorting the material into structural fill and top soil.

All regulated soil removal trucks will have a current vehicle inspection by the Utah Highway Patrol prior to being used on the project.

All trucks have emission control per State requirements.

Truck drivers will adhere to posted speed limits.

Regulate soil removal trucks are required to carry current documentation certifying completion of safety training and vehicle inspection reports.

All loaded or unloaded trucks will be covered with a tarp to prevent loss of dust, gravel, and dirt materials.

All loads will be inspected before leaving the site to insure that all loose material is removed from the underside of the vehicle, tires, wheels and mud flaps of the vehicle.

Each truck will be uniquely identified by the use of a numbering system or a label that is clearly displayed.

Engine brakes will not be used per Park City Municipal Ordinance.

All vehicles will be required to stop at the brake check area location just above the steep grade on the mine road.

10. Temporary Lighting if used will be approved by the Park City Planning Department.

Lighting is required in construction related boardwalks.

11. Construction Sign will be posted on site and in a location that is readable from the street. The sign will not exceed 12 square feet in size and 6 feet in height. The lettering will not exceed 4 inches in height and will include the following information: Contractor name, address, phone number and emergency contact information.

12. Other Issues: Dogs will be prohibited from construction site. Information will be provided to neighboring property owners to help inform them of the project and to keep the lines of communication open.

13. Erosion Control: Storm Water Management Plan - Attachment A - will be reviewed, signed and attached to this construction mitigation plan.

Comments: Proper erosion control must be installed and maintained on this site. Any drainage on this site must be addressed and controlled. The gutter and storm drain system must be protected from soil and construction debris during this project. Contractor / builder will monitor job site entry to ensure that mud or debris does not enter the gutter or street. Street and gutter must be cleaned daily.

Concrete truck washout area must be identified and erosion control protection must be placed around this area.

14. Toilet Facilities: All construction sites shall have permanent toilets with authorization in writing, or an approved temporary toilet facility positioned in a location approved by the Building Department, at the rate of one toilet per fifteen on-site employees (1-15 employees = one toilet, 16-30 employees = two toilets and so on). Portable toilets must be screened with black or dark green material on three sides if visible to the public right of way. The door must face away from the public right of way / street. Toilets

placed on the public right of way require a right of way permit from the City Engineer. Written permission is required from private property owners if toilet facilities on private property are to be utilized.

15. Soils Ordinance: All properties located within the soils ordinance boundary shall comply with PCMC Title 11, Chapter 15, including but not limited to dust control, covering soil and approved soil disposal

16. Partial Road Closures: Partial road closures are required if one lane of travel is partially blocked by construction traffic or deliveries. Partial Road Closures require 48 hours' notice. Partial road closures may be obtained at the Building Department or online at www.parkcity.org Click on Departments next click on Community Development next click on Building and Fire Safety next click on Applications then click on Street Closure Application. The Partial Road Closure form can be printed and emailed or delivered to the Building Department. Partial Road Closure applications can be emailed to building_mail@parkcity.org.

17. Full Road Closures: Full road closures require approval from the Chief Building Official. Full Road Closures require 48 hours' notice. Full road closures applications must be filled out at the Building Department.

18. Right Of Way Permits: Right of way permits are required from the City Engineers Office for any work, damage or reconstruction in the Public Right OF Way.

A separate Right OF Way Permit is required if materials, dumpsters or toilets are to be placed in the Public Right Of Way.

11-14- 2. FENCING OF PUBLIC

RIGHT-OF-WAY. In those zones, which permit construction of buildings up to property lines or within five feet (5') of property lines, leaving a very limited or no setback area, the building official may permit construction fences to be built across sidewalk area where there are sidewalks, or into the parking lane of the street where there is no sidewalk. Where street width will permit, in the judgment of the building official, the construction fence shall also provide a temporary sidewalk area, which may be built in the parking lane of the street. Any sidewalk built as a part of a construction site fence must be covered with a structural roof, which complies with Section 3306 of the International Building Code. The International Building Code requirements for construction of a temporary sidewalk may be reduced or waived by the Building Official where conditions will not permit the full four foot (4') width. The location of fencing within the public way and the determination of whether to require sidewalk shall be made by the Building Official, subject to review by the City Manager. In the event that changes in parking regulations are required by the construction of such a fence, the Police Chief is authorized to post signs prohibiting or otherwise regulating parking in the area adjoining the construction site.

19. Cranes: All cranes must be preapproved by the Chief Building Official. Contractor will provide a site plan showing the radius of the boom over neighboring properties and streets.

Airspace and trespass agreements are required to be in place in the file before the crane can be installed on the property. The crane is prohibited from swinging over neighboring properties and streets loaded or unloaded without prior approval. Flaggers are required when approval is granted.

20. Limits of Disturbance Fence: Chain link fencing is required on sites with excavations deeper than 4 feet. Dark green or black fencing is acceptable on sites that are not being excavated.

Comments: Six foot chain-link fence will be used on this site.

21. Boardwalks: Boardwalks may be required on some projects per the International Building Code. When boardwalks are required they will have a mining theme and be equipped with lights and reflectors. Sidewalks and streets beneath the boardwalk will be repaired or replaced before the certificate of occupancy is issued. A monetary bond may be required by the City Engineers for sidewalks and streets beneath the boardwalk. Specifications are available at the Park City Building Department.

Park City Municipal Corporation reserves the right to abate any inactive or abandoned construction site.

**** Special Instructions may be given at any time ****

Validity of Permit: The issuance or approval of plans, specifications and computations shall not be a permit for, or an approval of any violation to any of the provisions of the Building Code, Fire Code or any of the city Ordinances. Permit presuming to give authority to violate or cancel provisions of the Codes and Ordinances of the Park City Municipal Corporation shall not be valid.

All plans approved are subject to field inspection and interpretation of the field inspectors or the Building Official.

Contractor Signature:_____ **Date:**_____

Approved By:_____ **Date:**_____

[illegible]

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor and that I hold Certificate No. 7248891 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, EMPIRE RESIDENCES, a Utah Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown herein is correct.

State of _____;
County of _____, SS:
This instrument was acknowledged before me this _____ day of _____, 201____
by _____ the _____ of Empire Residences LLC, a Utah
limited liability company.

Notary Public

Printed Name

Residing in: _____
My commission expires: _____

KNOW ALL MEN BY THIS PRESENTS THAT, EMPIRE RESIDENCES, LLC, a Utah limited liability company, the owner of the tract of land described herein as EMPIRE RESIDENCES, a Utah Condominium Project, located on said tract of land, hereby certifies that it has caused this survey to be made and this Condominium Plat consisting of SIX (6) sheets to be prepared and does hereby consent to the recordation of this Plat and submit this property to the Utah Condominium Ownership Act.

The owner certifies that the Units shown on this plat, but not under construction at the time the plat was recorded, will, when completed be in conformance with the approved Master Planned Development, Declaration of Condominium, recorded concurrently herewith, and the Land Management Code of Park City Municipal Corporation.

In witness whereof of the undersigned has executed this certificate and dedication this _____ day of _____, 2011.

EMPIRE RESIDENCES,
a Utah limited liability company

By: _____

Title: _____

The dimensions of the private spaces and access square footage calculations are based on drawings supplied by Beecher Water Association. The Master Association is not responsible for the precise accuracy in accordance with the Master Declaration and the Declaration of Condominium for Empire Residents, a Utah Condominium Project. Such calculations typically differ somewhat from those of a professional surveyor. The Master Association is not responsible for the methods of determining unit size. It is the intent that the private square footage of the units will be as constructed.

2. The position of the north 1/4 corner of Section 28, Township 20 South, Range 4 East SBLM, as shown on this survey, is from the corner of the Section 28, 22 N, 31 E, 22 S 33 confirmed by Robinson Brien & Brien Inc. in 2000 (Rec'd 5-S-3819, Summit County Recorder's Office).

3. All common structural elements are designated as Common Areas and Facilities, as defined in the Declaration of Condominium.

4. Building lies on this sheet are from the property line to the building foundation on shown.

5. All Common Areas and Facilities are dedicated as non-exclusive easements to Park City Municipal Corporation, Sylvanville Water Reclamation District, Park City Fire Service District, and Summit County for the purpose of providing access for utility and other installation, use, maintenance, and eventual removal.

6. Access to the units is by private roads and is not warranted by Park City.

The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Condominium, Conditions, and Restrictions of Empire Pass, as amended ("Master Declaration"), requires the membership of each lot or unit, together with the terms of the terms of the articles of Incorporation, bylaws, rules, Master Regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reimbursement fees as set forth in the Master Declaration.

8. The units of the Empire Residents Condominium Development are served by a Common Private Local Wastewater Line. The Empire Pass Master Owners Association, Inc. (the "Master Association") shall be responsible for the operation and replacement of the wastewater line, and the cost of such maintenance and replacement shall be paid by the Empire Residents Owners Association, Inc. as part of the common expenses.

9. The owner of lot 2 hereby grants a non-exclusive right and access easement over the approximately west twenty feet (20') of the lot to the benefit of the easement of the Empire Pass Master Owners Association, Inc. to allow said lot to provide access and the right to construct access facilities, including to locate movable safety fences.

10. This plot also depicts the following easements, which may be amended, relocated or revised, without amendment hereto, in accordance with the terms of the Declaration of Condominium:

- a. Agreement and Covenant of Cooperation (SK Access/Storage Driveways), Unit No. 665596, Summit County Recorder's Office, which affects Lot 2 and Lot 3 of this plot.
- b. Right-of-Way and Easement Grant (Gus Utility), Unit No. 755688, Summit County Recorder's Office.
- c. Grant of Access Easement (Sturm Utility), Unit No. 800350, Summit County Recorder's Office.
- d. Grant of Access (Crew Utility), Unit No. 716488, Summit County Recorder's Office.
- e. Grant of Easement (Dewey Drive Facilities), Unit No. 716459, Summit County Recorder's Office.
- f. Reciprocal Easement Agreement (Realt and Access), Unit No. 1077215, Summit County Recorder's Office, describes the use of Easement Area A, Easement Area B, Easement Area C and Easement Area D.

11. Public safety access and public utility easements are hereby dedicated to all public and private roadways and emergency access.

12. The property is located within a water source protection zone. All sewer construction must comply with the State of Utah drinking water groundwater protection zone.

13. A ten foot (10') wide snow storage easement is hereby dedicated to the Master Association along the public and private road frontage.

14. Village Way is a private road to be acquired, maintained and repaired by the Master Association for the use and benefit of the owner and property in Empire Pass. The Master Association shall have the right to acquire Village Way not in public road or right-of-way.

15. At the time of re-surfacing of Village Way, the Master Association shall be responsible to adjust wastewater manholes to grade according to the Village Way Water Reclamation District Standards. Prior notification of the adjustments and inspection by SEWRD is required.

16. Fire sprinklers will be required with the dwelling.

17. ADA/ATF Unit: Deduct Restricted Expenses/Affordable Housing Unit (ADA).

18. ATF Unit on Level one is designed as an ATF Unit.

19. ATF Unit on Level one is designed as an ATF Unit.

20. All conditions of approval of the Village of Empire Pass (Pod A) Master Planned Development, the Village of Empire Pass Phase I, the Empire Residents Conditional Use Permit, and Park City Ordinance 16-08 shall continue to apply.

21. All conditions of approval of the Village of Empire Pass Master Planned Development, the Village of Empire Pass Phase I Plot, the Empire Residents Conditional Use Permit, and Park City Ordinance 16-08 shall continue to apply.

22. All conditions of approval of the Village of Empire Pass Master Planned Development, the Village of Empire Pass Phase I Plot, the Empire Residents Conditional Use Permit, and Park City Ordinance 16-08 shall continue to apply.

23. All conditions of approval of the Village of Empire Pass Master Planned Development, the Village of Empire Pass Phase I Plot, the Empire Residents Conditional Use Permit, and Park City Ordinance 16-08 shall continue to apply.

24. This plot records a total of 4968 sq. ft. of residential unit area that is subject to the Unit Equivalent (UE) representing 24.5 UEs.

A UTAH CONDOMINIUM PROJECT

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

PAGE 1 OF 6

11/21/17 JOB NO.: 14-9-16 FILE: X:\Empire\daq\src\plot2016\140916-Emp Res.dwg

CERTIFICATE OF ATTEST I CERTIFY THIS CONDOMINIUM PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ PARK CITY RECORDER	RECORDED STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ _____ FEE RECORDER TIME _____ DATE _____ ENTRY NO. _____
---	--

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS ____ DAY OF _____, 201

BY _____
MAYOR

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____
DAY OF _____, 2018
BY _____
PARK CITY ATTORNEY

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS _____
DAY OF _____, 2018
BY _____
PARK CITY ENGINEER

PLANNING COMMISSION

APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS _____
DAY OF _____, 2017

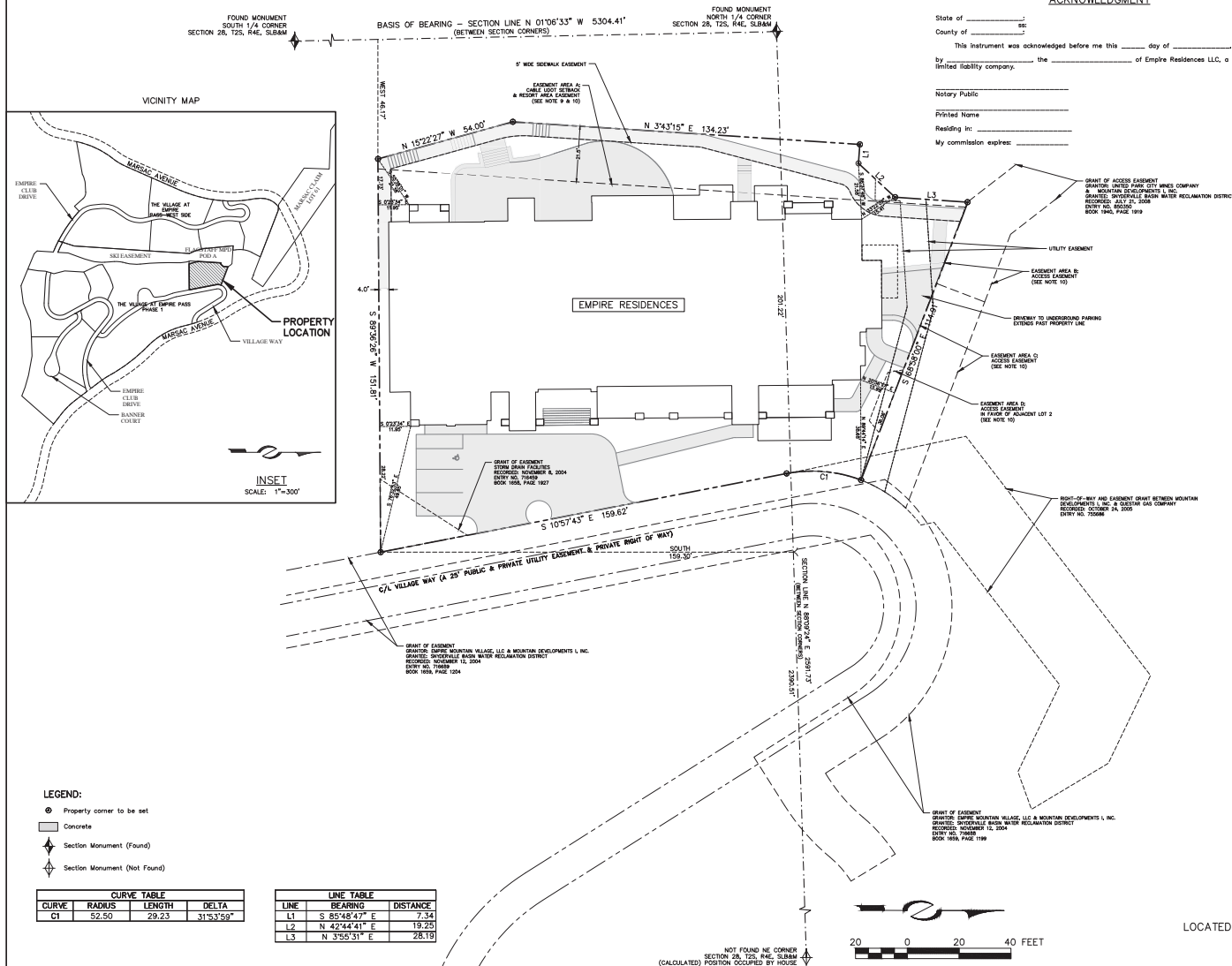
BY _____
CHAIR

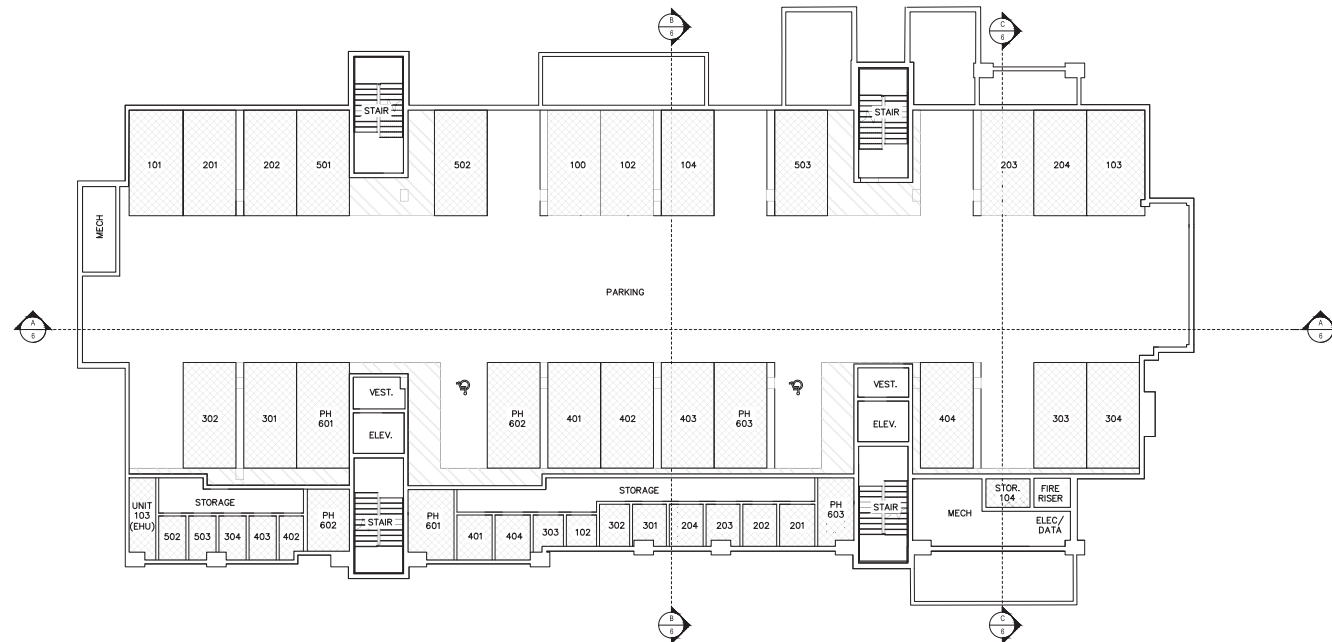
SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT STANDARDS ON THIS _____
DAY OF _____, 2018
BY _____
S.B.W.R.D.

(435) 649-9467

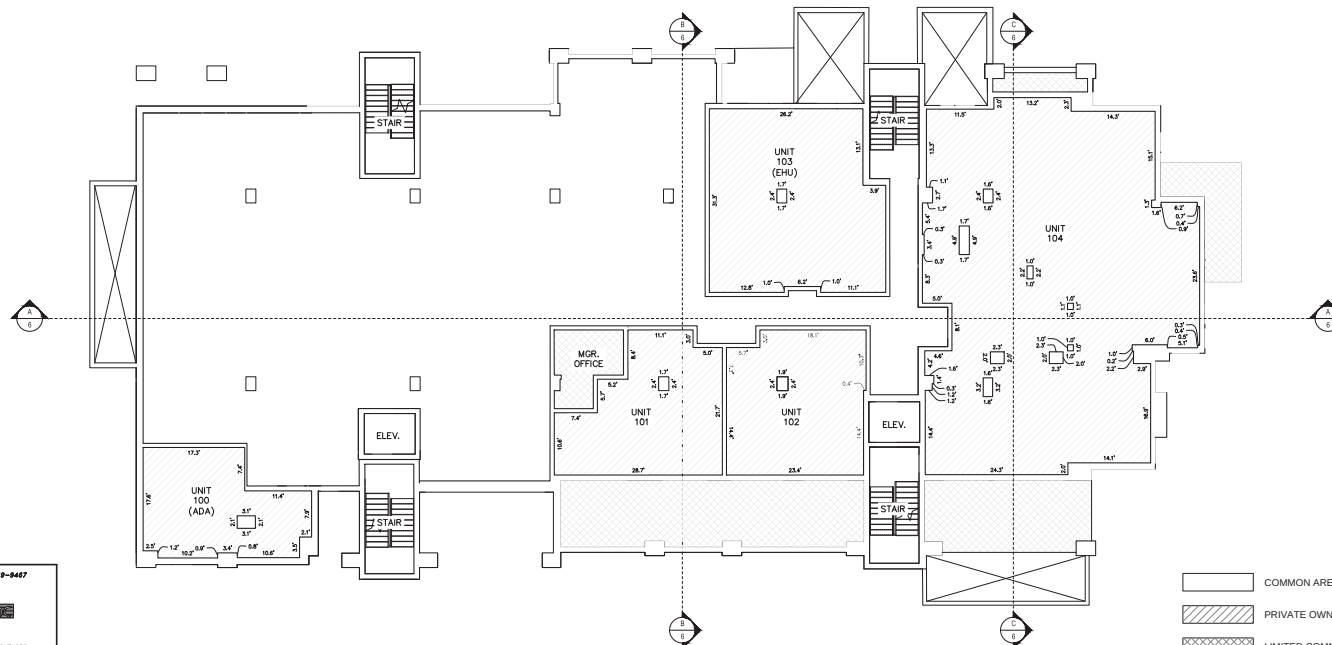


CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664





LEVEL P1
SCALE: 1" = 10'



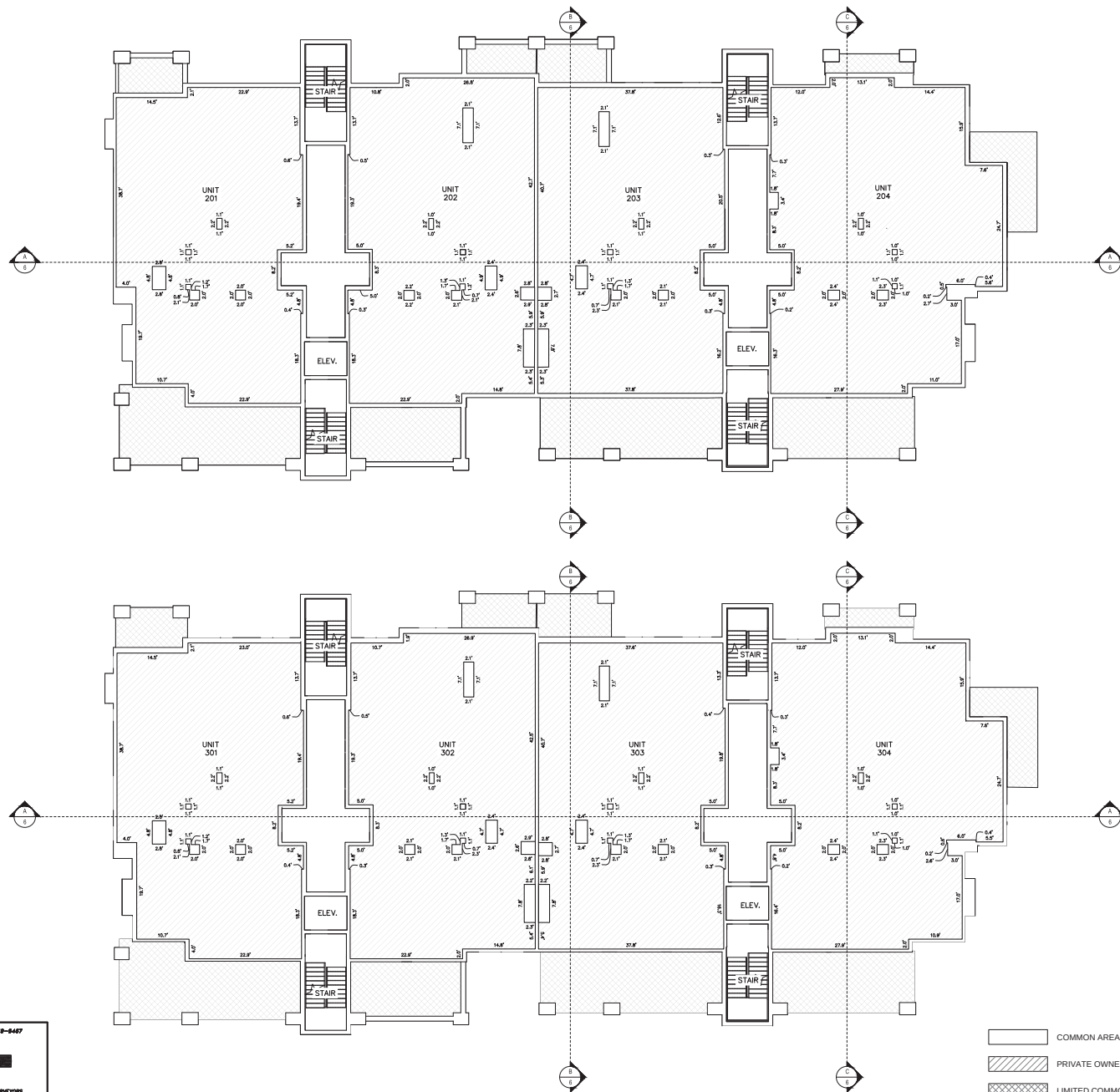
LEVEL 1
SCALE: 1" = 10'

LEVEL 1 SQUARE FOOTAGE TABLE

UNIT	SQUARE FOOTAGE
UNIT 100 (ADA)	436 SF
UNIT 101	542 SF
UNIT 102	561 SF
UNIT 103 (EHU)	880 SF
UNIT 104	2521 SF



- COMMON AREA
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP



LEVEL 2
SCALE: 1" = 10'

LEVEL 2 SQUARE FOOTAGE TABLE

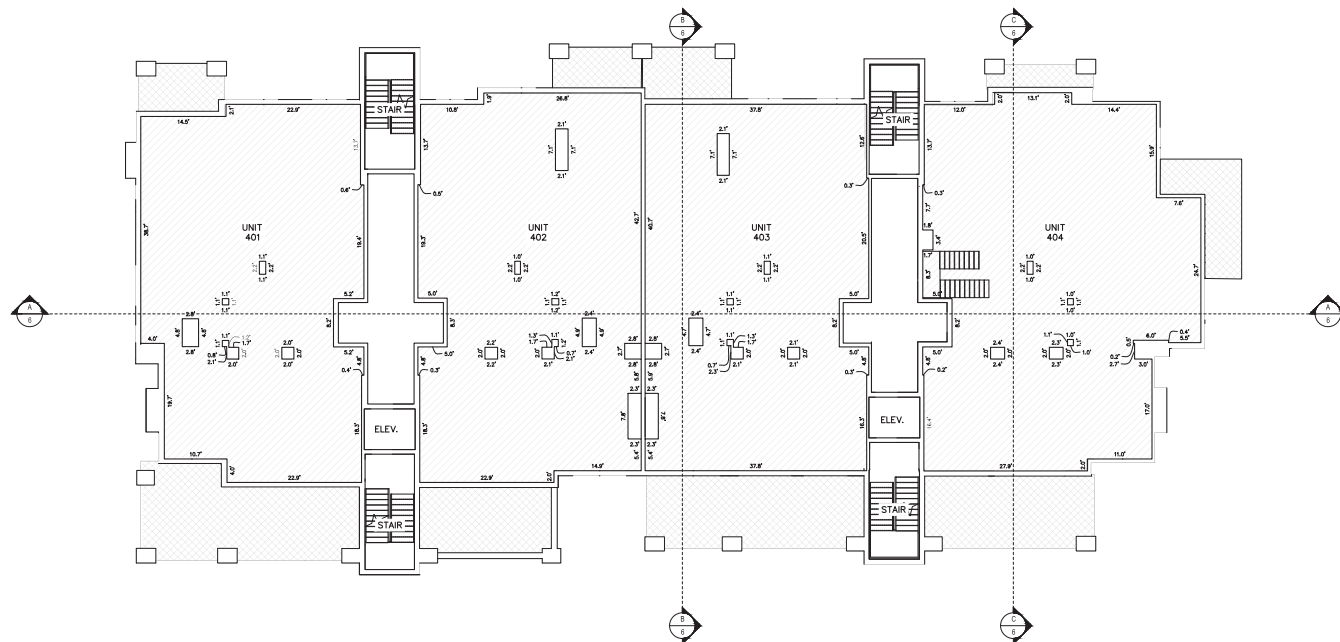
LEVELS	SQUARE FOOTAGE
UNIT 201	2199 SF
UNIT 202	2357 SF
UNIT 203	2263 SF
UNIT 204	2585 SF

LEVEL 3
SCALE: 1" = 10'

LEVEL 3 SQUARE FOOTAGE TABLE

LEVELS	SQUARE FOOTAGE
UNIT 301	2190 SF
UNIT 302	2357 SF
UNIT 303	2263 SF
UNIT 304	2585 SF



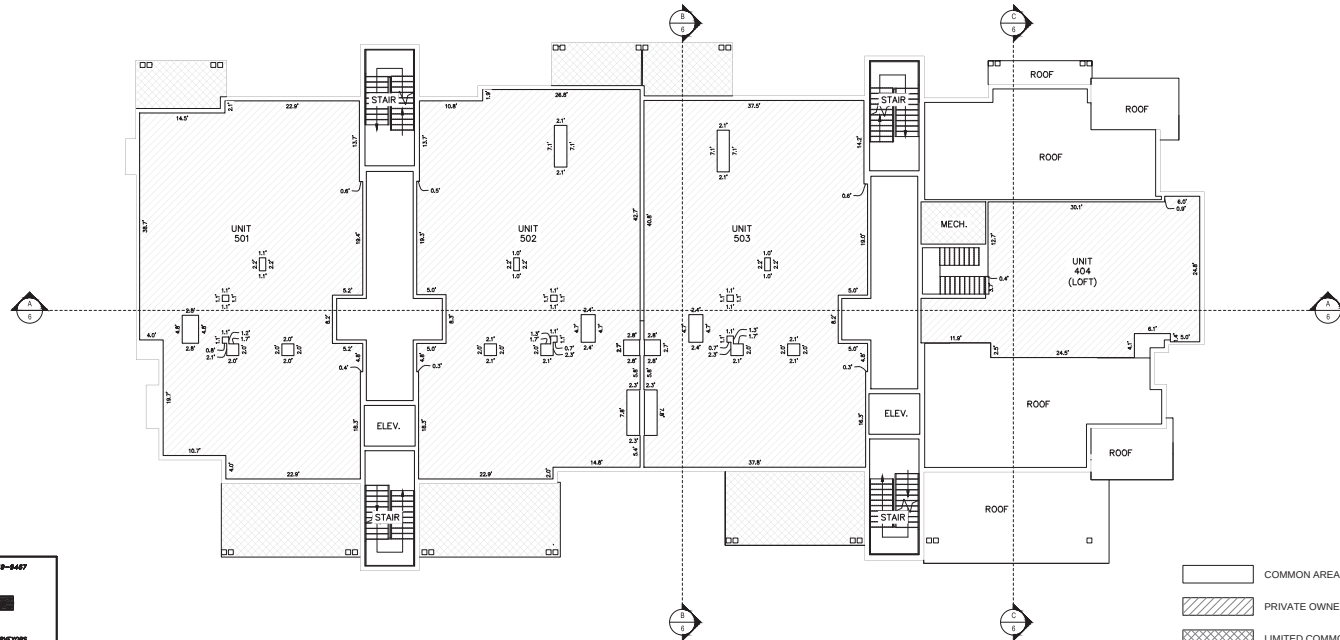


LEVEL 4

SCALE: 1" = 10'

LEVEL 4 SQUARE FOOTAGE TABLE

LEVELS	SQUARE FOOTAGE
UNIT 401	2199 SF
UNIT 402	2357 SF
UNIT 403	2263 SF
UNIT 404	2584 SF

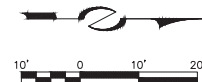


LEVEL 5

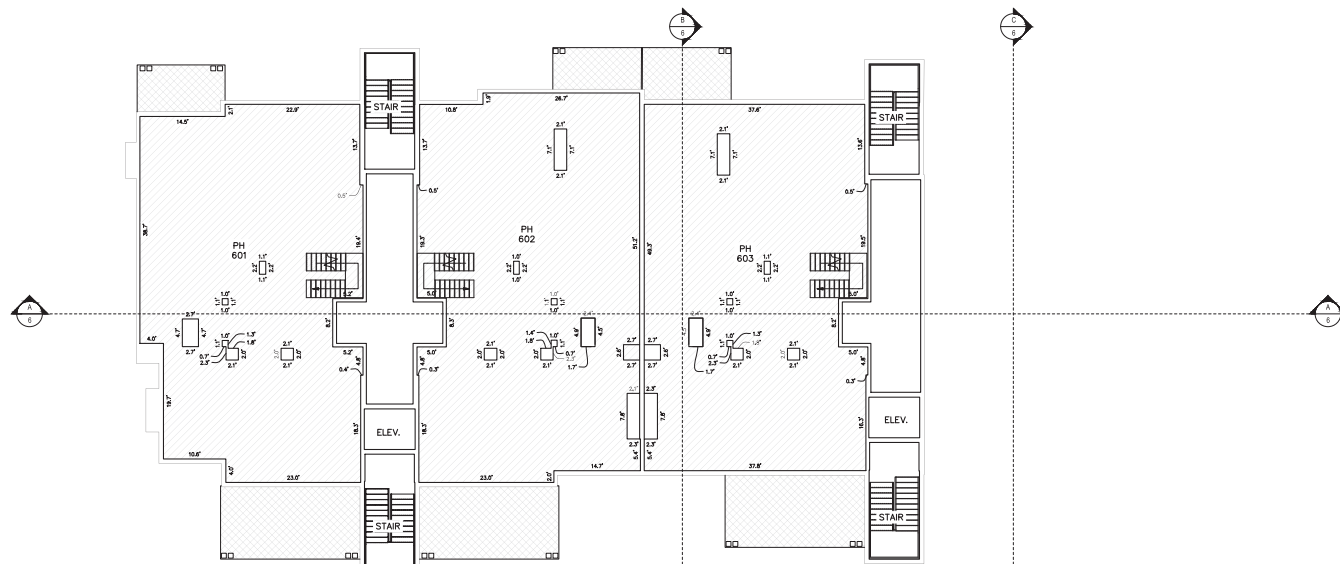
SCALE: 1" = 10'

LEVEL 5 SQUARE FOOTAGE TABLE

LEVELS	SQUARE FOOTAGE
UNIT 501	2199 SF
UNIT 502	2357 SF
UNIT 503	2263 SF
UNIT 404 (LOFT)	1012 SF



- COMMON AREA
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

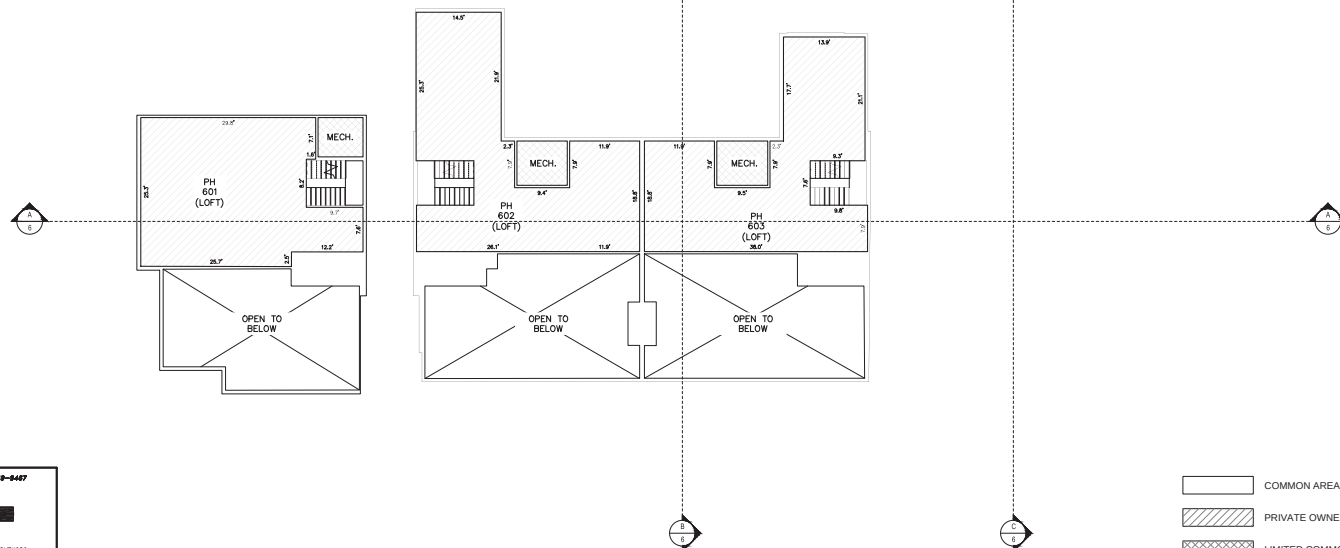


LEVEL 6

SCALE: 1" = 10'

LEVEL 6 SQUARE FOOTAGE TABLE

LEVELS	SQUARE FOOTAGE
PH 601	2199 SF
PH 602	2357 SF
PH 603	2262 SF

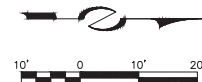


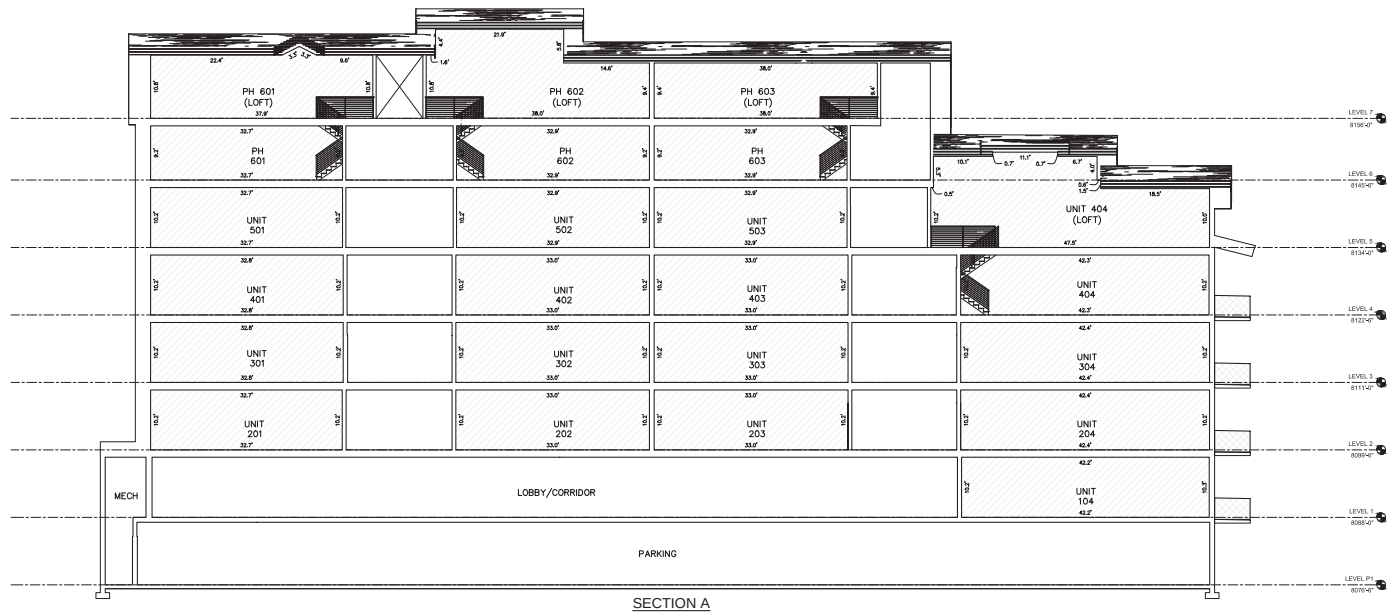
LEVEL 7

SCALE: 1" = 10'

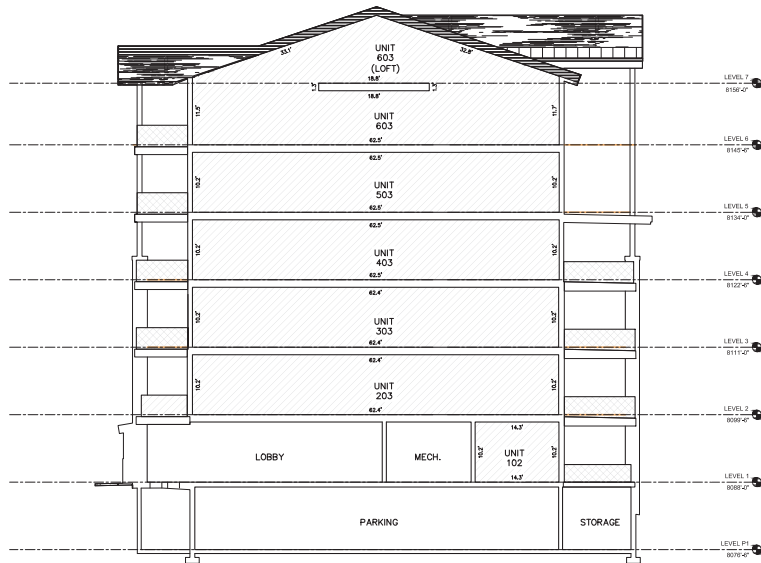
LEVEL 7 SQUARE FOOTAGE TABLE

LEVELS	SQUARE FOOTAGE
PH 601 (LOFT)	794 SF
PH 602 (LOFT)	887 SF
PH 603 (LOFT)	812 SF

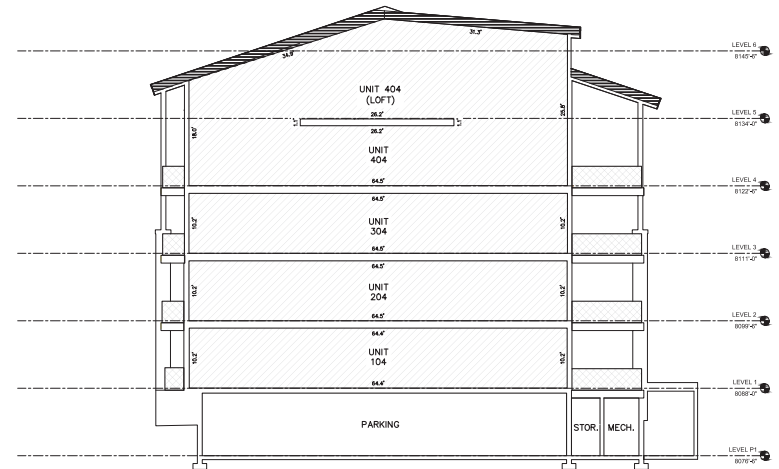




SECTION A



SECTION B



SECTION C

Empire Residences
Project Intent
November 20, 2017

Empire Residences is a 23 unit ski in/ski out, for sale condominium project located in the Empire Pass Subdivision in Upper Deer Valley. The parcel is the proposed Lot 3, Village at Empire Pass North Subdivision plat, which is currently in the approval process. (21 Market rate units, one ADA and one EHU)

Also within the building is an Affordable Unit as well as an Employee Housing Unit, both built to spec and standard of the code for Park City.

The project is at 7695 Village Way, Park City, Utah and adjacent to (30 ft. from) the Silver Strike chairlift at Deer Valley Resort.

The building is just under 82' tall and stands at 6 stories in height. There is an underground parking garage as well as individual storage units for each resident. There are two elevators that service the building and open into the penthouse units. The units are mostly 2 bedroom 2 bath with the Penthouses being larger at 3 bedroom 3 bath.

Amenities are located mostly within the first floor and entry level of the building. They include a pub with bar and games, a gym, après ski area, indoor and outdoor fireplaces for community gathering as well as ski lockers, the before mentioned storage in the garage, and each unit with more than one dedicated parking stall underground. A unique amenity included at Empire Residences is that each unit has a personal hot tub on the porch that is recessed into the floor hiding it from viewshed outside of the project but lending a private place for each unit to relax.

Finishes of the project are highly luxurious, even for upper Deer Valley. The exterior of the building is mountain contemporary and includes metal railings on the porches/balconies and metal panels on the stair towers. Siding being used is a natural wood board on board siding with natural stone on lower levels. Windows are aluminum clad, solid core doors throughout with 10' ceilings, including drop downs finished in wood. Kitchens are finished with the highest-grade appliances and built in's, giving a custom and high-end feel to each unit. Floor plans are open and the units are "through" units meaning they have views out both sides of the building and are arguably the best view in Deer Valley.

Projections put the completion time of the construction of the building at 15 months from commencement. Sales push will begin this season and ramp up as we get closer to condo plat recordation.

Ordinance 2017-30**AN ORDINANCE APPROVING THE VILLAGE AT EMPIRE PASS NORTH
SUBDIVISION, LOCATED WITHIN POD A OF THE VILLAGE AT EMPIRE PASS
MASTER PLANNED DEVELOPMENT, PARK CITY, UTAH**

WHEREAS, owners of the property known as PCA-S-98-BB, PCA-S-98-DD, and PCA-S-98-DD-EE, PCA-S-98 EE, PCA-S-384 and adjacent remnant parcels located to the north and east of the Village at Empire Pass Phase I Subdivision at Marsac Avenue and Village Way in Park City, Utah, have petitioned the City Council for approval of a subdivision plat; and

WHEREAS, these parcels include a total of 9.54 acres that were not included with any of the previous subdivisions of the Village at Empire Pass Pod A Master Planned Development. The subdivision consists of a 6.77 acre Lot 1 for future townhouse units, a 2.01 acre Lot 2 for Lodge Building 4, a 0.66 acre Lot 3 for future Lodge Building 3, and a 0.1 acre Lot 4 for ski area related uses; and

WHEREAS, legal notice of the public hearing was published in the Park Record and on the Utah Public Notice website on November 26th and December 28th, 2016, and on April 12th and 26th, 2017 for the revised plat, and the property was posted on November 30th, 2016 and on April 10th 2017, according to the requirements of the Land Management Code; and

WHEREAS, courtesy notice was sent to surrounding property owners on November 30, 2016 and resent on April 10, 2017 for the revised plat, according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on December 14, 2016 and January 11th and February 8th 2017, to receive input on the subdivision plat; and

WHEREAS, the Planning Commission, on February 8, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 1, 2017, the applicant requested a continuation in order to amend the plat to add property to Lots 1 and 2 that had recently been acquired; and

WHEREAS, on March 9, 2017, City Council held a public hearing on the subdivision plat and continued the item to a date uncertain; and

WHEREAS, on March 31, 2017, the applicant submitted revisions to the proposed plat adding 0.43 acres of property recently acquired to Lot 2 and 3.77 acres to Lot 1; and

WHEREAS, the Planning Commission held public hearings on April 26th and

May 24th, 2017, to receive public input on the subdivision plat; and

WHEREAS, the Planning Commission, on May 24, 2017, voted unanimously to forward a positive recommendation to the City Council; and,

WHEREAS, on June 15, 2017, City Council held a public hearing on the subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Village at Empire Pass North subdivision.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The subdivision 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 is located at Marsac Avenue and Village Way within Pod A of the Master Planned Development for the Village at Empire Pass. Addresses will be assigned prior to plat recordation.
2. The zoning is Residential Development (RD) within Flagstaff Mountain Resort Annexation and Village at Empire Pass MPD area (RD-MPD). Lot 1 is partially within the Recreation Open Space (ROS) District.
3. On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the Flagstaff Mountain area.
4. Resolution 20-99 granted the equivalent of a "large-scale" master planned development (MPD) and set forth the types and locations of land use, maximum densities, timing of development, development approval process, as well as development conditions and amenities for each parcel.
5. The Flagstaff Development Agreement was subsequently amended and recorded in March of 2007.
6. The Development Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village.
7. The Mountain Village is further constrained to a maximum density of 785 UE configured in no more than 550 dwelling units as multi-family, hotel, or PUD units, provided the number of PUD units do not exceed 60. The Mountain Village is also allowed 16 single family home sites. At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A).
8. There are currently 588.742 UE (382 multi-family units) platted within the Village at Empire Pass (Pods A, B1 and B2).

9. Based on a review of all UE and units constructed and platted to date within the Flagstaff Annexation Development area, there are sufficient remaining UE and units for these three lots.
10. The applicant requests a plat note referring to a recorded covenant identifying the maximum density allowed on Lot 3 as 24.5 UE configured in no more than twenty one (21) individual units, subject to final Conditional Use Permit review. Maximum density for lots within this subdivision is subject to the remaining density of the Flagstaff Annexation Development Agreement and final Conditional Use Permit review to be determined during future Conditional Use Permit review. No density is assigned to Lot 4 as it is to be used in connection with Deer Valley Resort and similar activities.
11. The applicant is not requesting allocation of any MPD Resort Support Commercial for this subdivision at this time. There exist a total of 3,687 sf of unallocated Resort Support Commercial that can be allocated within the Village MPD to Pods A, B1, and B2. This includes the 3,600 sf allocated to the B2East Subdivision.
12. Accounting of the support commercial, residential accessory space, and support meeting space is finalized at the time of review of the Conditional Use Permits and memorialized with final condominium plat approval.
13. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (Pod A), known as the Village Master Planned Development (VMPD) Pod A.
14. The purpose of the VMPD was to establish unit mix and density for the Village Master Plan, as well as addressing overall project infrastructure throughout the Annexation Area. The VMPD established building volumetric diagrams, including specific height exceptions, density, and development location.
15. The Village at Empire Pass West Side Subdivision plat was approved by Council in 2005 and recorded at Summit County on August 12, 2005. This subdivision platted Lots 12-18 of the VMPD (west side).
16. Village at Empire Pass Phase I Subdivision plat was approved by Council on September 30, 2004 and platted the east side lots. An amended Village at Empire Pass Phase I Subdivision plat was approved on January 6, 2011 and recorded on January 4, 2012.
17. Six lodge buildings have been built to date within Pod A namely Shooting Star, Silver Strike, Flagstaff Lodge (was Snowberry Lodge), Arrowleaf A and Arrowleaf B, and Grand Lodge. A seventh building, One Empire Pass is currently under construction. Additionally, Larkspur East and Larkspur West Townhouses (attached homes), Paintbrush and Belles PUD style homes, and six single family homes in Banner Wood are platted within Pod A. Of these units, one Belles PUD unit and 2 Banner Wood single family units remain to be permitted and constructed. Additionally 4 PUD units within Nakoma in Pod B1 remain to be permitted and constructed.
18. Three of the large lodge buildings (Buildings 1, 3, and 4) as well as additional townhouse and PUD style units remain to be constructed within the Village MPD Pod A.
19. The proposed subdivision consists of property that is currently described by metes and bounds. The request is for a 6.77 acre Lot 1, for future townhouse and PUD units, a 2.01 acre Lot 2 for Lodge Building 4, a 0.66 acre Lot 3 for future Lodge

- Building 3, and a 0.10 acre Lot 4. The property consists of a total of 9.54 acres.
20. Lots 1 and 2 have frontage on Marsac Avenue, a State Highway. Lot 3 has frontage on Village Way, a private street. Lot 2 also has frontage on Village Way. Lot 4 has access to Village via a proposed access easement across Lot 2.
 21. Lots 2 and 3 will take access off Village Way. Location of access off Marsac Avenue requires review and approval by UDOT and the City Engineer, as Marsac Avenue is currently a state highway.
 22. A Conditional Use Permit (CUP) is required prior to construction of the Lodge Buildings, PUD style units, and townhouses.
 23. Utilities are available to the lots. SBWRD recommended conditions and plat notes to address their concerns.
 24. All existing and required easements will be recorded on the plat, including utilities, storm drainage, access, snow storage, etc. No changes are proposed to existing streets.
 25. Final utility plans are required to be submitted with the Conditional Use Permit based on the proposed configuration of units and buildings. Additional off-site utility easements maybe required and will have to be recorded prior to issuance of building permits.
 26. There is no minimum or maximum lot size or lot width in the RD District.
 27. All applicable requirements of Land Management Code apply, unless otherwise allowed per the Flagstaff Development Agreement and the Village at Empire Pass MPD.
 28. A height exception and building volumetric were approved with the Village at Empire Pass Pod A Master Planned Development for the Lodge Buildings (Lots 2 and 3).
 29. The final Mylar plat is required to be approved and signed by the Snyderville Basin Water Reclamation District prior to recordation to ensure that requirements of the District are addressed.
 30. Snow storage area is required along public streets and rights-of-way due to the possibility of large amounts of snowfall in this location.
 31. On site affordable housing requirements are required by the Flagstaff Development-Affordable Housing Technical Report. This plat identifies an on-site housing obligation of 2.0 AUE for Lot 2 and 1.1 AUE for Lot 3 (per requirements of the Affordable Housing Mitigation Plan) to be incorporated into MPD Lodge Building 3 (on Lot 3) and Building 4 (on Lot 2) and noted on the plat. Also 0.84 AUE are an outstanding requirement of the Tower Residences to be constructed in MPD Lodge Building 1 (on Lot 9 of the Village at Empire Pass Subdivision). No AUE are planned or identified for Lot 1 of this Village at Empire Pass North Subdivision.
 32. Requirements of the Flagstaff Agreement will be reviewed and verified for compliance during the Conditional Use Permit applications reviewed for development on Lots 1, 2 and 3. This transportation, affordable housing, environmental, transfer fees, construction mitigation, and others as may apply. Some of these obligations are triggered by the number of certificates of occupancy issued.
 33. The property consists of more than 1.0 acres and shall is subject to requirements of the MS4 Storm Water Permit program.

34. 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 plat.
2. The subdivision plat is consistent with the Park City Land Management Code and applicable State law regarding subdivisions, the Park City General Plan, and the Village at Empire Pass Master Planned Development.
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 Attorney and City Engineer will review and approve the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at Summit County within one 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 written request for an extension is submitted to the City prior to the expiration date and the City Council grants an extension.
3. All applicable conditions, regulations, requirements, and stipulations of the Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel, and Iron Mountain (recorded at Summit County on March 2, 2007), and associated Technical Reports and Agreements, continue to apply.
4. The plat will note that conditions of approval of the Village at Empire Pass Master Planned Development (Pod A) shall continue to apply.
5. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lots.
6. Non-exclusive public utility easements (PUE) shall be indicated on the plat prior to recordation as approved by the City Engineer and SBWRD, including drainage easements.
7. A financial security to guarantee for the installation of any required public improvements is required prior to plat recordation in a form approved by the City Attorney and in an amount approved by the City Engineer.
8. A ten foot (10') wide snow storage easement is required along the private street frontages of the lots and a ten (10') wide public snow storage easement is required along public street frontages.
9. Fire sprinklers are required for new construction per the Chief Building Official at the time of review of the building permit. A note stating this shall be on the plat.
10. Prior to building permit issuance, documentation from UDOT showing approval of access to Lot 1 off Marsac Avenue is required. If documentation does not exist, a new application shall be submitted to UDOT for approval of the curb cut location. This approval shall be submitted to the City Engineer.

11. Any proposed curb cuts for access directly to Marsac Avenue, a state highway, must be approved by the City Engineer and UDOT.
12. A Conditional Use Permit approval is required prior to issuance of building permits on Lots 1, 2 and 3.
13. A final grading and utility plan, including storm water and drainage plans, shall be submitted with the Conditional Use Permits for development on Lots 1, 2 and 3, for approval by the City Engineer and SBWRD. No building permits shall be issued until all necessary utility easements are recorded.
14. A declaration of condominium and a record of condominium plat are required prior to the sale of individual units within the development.
15. All requirements of the affordable housing mitigation plan shall be addressed with the Conditional Use Permit and condominium plat. A note shall be included on the plat indicated that the development of Lot 2 has an on-site affordable housing requirement of 2.0 AUE and Lot 3 has an on-site affordable housing obligation of 1.1 AUE. All AUEs shall be consistent with all requirements of the Flagstaff Affordable Housing Mitigation Plan. Lot 1 has no on-site obligation.
16. All deed restricted units shall be identified on the final condominium plats prior to recordation of such plats. Phasing and certificates of occupancy for the affordable housing units shall be commensurate with the certificates of occupancy for the market rate units. Affordable units shall comply with all requirements of the Flagstaff Affordable Housing Mitigation Plan, as amended, and Park City Housing Resolution 17-99. Affordable units shall have prorated and reduced HOA fees, to be described in the CCRs.
17. Wastewater service to Village at Empire Pass North Subdivision shall be provided by the Snyderville Basin Water Reclamation District. A Line Extension Agreement with the District may be required for Lot 1. If a line extension is necessary, it shall be the responsibility of the Owner to extend the public wastewater system within Lot 1 according to the requirements of the Line Extension Agreement.
18. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
19. This development is part of a common plan development and a MS4 storm water permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance.
20. The CC&Rs shall provide notice and process for the tracking and collection of the Real Estate Transfer Fee as required and defined by the Flagstaff Mountain Development Agreement, as amended.
21. Requirements and obligations of the Flagstaff Mountain Development Agreement, as amended and recorded at Summit County in March of 2007, as apply to this Property, shall be completed, or bonded for completion, prior to issuance of certificates of occupancy for any approved development located on Lots 1, 2, and 3, unless otherwise conditioned herein. This includes gondola payments, number of shuttles in operation, provision of affordable housing units, collection mechanism for real estate transfer fees, and all other such obligations as are outlined in the March 2007 Agreement, some of which are triggered by the number of certificates of occupancy issued.
22. A Construction Mitigation Plan shall be submitted with Conditional Use Permit

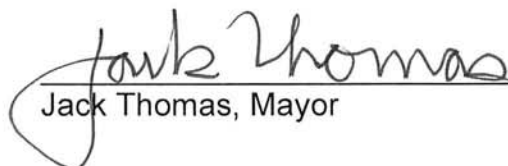
- applications and in advance of issuing building permits.
23. The ROS zoning line shall be indicated on plans submitted with the Conditional Use Permit application and all construction of units shall be restricted to the RD zoned portion. Construction disturbances within ROS portions of the Flagstaff Annexation area are subject to the Development Agreement and associated technical reports (e.g. for trails, ski runs and lifts, utilities, access roads, etc.). Construction on Lot 1 shall conform to all applicable Land Management Code requirements in effect at the time of submittal of application.
24. Each parcel developed within this common development shall meet the requirements of the MS4 Storm Water Permit program.
25. A skier and pedestrian access easement shall be provided on Lot 2 for the benefit of the One Empire Pass property (Lot 15 of the Village at Empire Pass West Side Subdivision plat) consistent with the Village at Empire Pass MPD and recorded ski access agreements.
26. At the request of the applicant, a plat note referencing a recorded development covenant, identifying a maximum allowable density on Lot 3, shall be provided on the plat prior to recordation.

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

PASSED AND ADOPTED this 15th day of June, 2017.

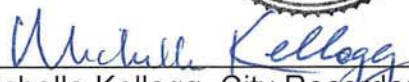
PARK CITY MUNICIPAL CORPORATION





Jack Thomas, Mayor

ATTEST:



Michelle Kellogg, City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Exhibits

Exhibit A – Proposed subdivision plat

SURVEYOR'S CERTIFICATE

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

No. 7248891
CHARLES GALATI
State of Utah

BOUNDARY DESCRIPTION

PARCEL A
A parcel of land located in the South half of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°09'24" East 428.45 feet coincident with the section line and North 173.03 feet from a 3-1/4" diameter cap on an aluminum pipe at the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence South 48°58'47" West 120.98 feet to a point on a non tangent curve to the right having a radius of 725.00 feet, of which the radius point bears North 58°08'17" East, said point being on the easterly boundary of Marzac Avenue Right of Way, recorded June 26, 2002, as Entry No. 623451, in the Office of the Recorder, Summit County, Utah, thence coincident with Marzac Avenue Right of Way the following four (4) courses: 1) northerly along the arc of said curve 306.94 feet through a central angle of 24°52'25" to a point of reverse curve to the left having a radius of 175.00 feet, of which the radius point bears South 82°21'45" West; thence 2) northerly along the arc of said curve 260.23 feet through a central angle of 90°01'25"; thence 3) South 77°02'18" West 65.40 feet to a point on a curve to the left having a radius of 625.00 feet, of which the radius point bears South 12°39'42" East; thence 4) along the arc of said curve 98.98 feet through a central angle of 08°53'26" to a point on the northerly boundary of the Marzac Mining Claim, recorded survey number S-8414, in the Office of the Recorder, Summit County, Utah; thence coincident with said boundary North 55°02'00" West 276.95 feet; thence North 56°34'49" East 47.97 feet; thence South 85°02'20" East 239.60 feet; thence South 22°25'58" East 215.67 feet; thence South 23°46'28" East 358.05 feet; thence South 21°40'14" West 189.68 feet to the point of beginning.

PARCEL B
A parcel of land located in the northeast quarter of Section 28 and the southeast quarter of Section 21, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 88°09'24" East 390.39 feet coincident with the section line and South 118.26 feet from a 3-1/4" diameter cap on an aluminum pipe at the north quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being at the intersection of Village Way, The Village At Empire Pass, Phase 1, recorded November 24, 2004, as Entry No. 718034 in the Office of the Recorder, Summit County, Utah, and Marzac Avenue Right of Way, recorded June 26, 2002, as Entry No. 623451, in the Office of the Recorder, Summit County, Utah, said point also being on a curve to the right having a radius of 15.00 feet, of which the radius point bears North 38°57'06" West; and running thence coincident with Village Way, the following five (5) courses: 1) westerly along the arc of said curve 18.07 feet through a central angle of 61°23'47" to a point of compound curve to the right having a radius of 62.50 feet, of which the radius point bears North 22°26'41" East; thence 2) northwesterly along the arc of said curve 38.43 feet through a central angle of 32°13'44"; thence 3) North 32°19'35" West 148.50 feet to a point on a curve to the left having a radius of 52.50 feet, of which the radius point bears South 57°40'25" West; thence 4) along the arc of said curve 145.36 feet through a central angle of 136°38'08"; thence 5) South 10°57'43" East 159.62 feet to the northerly boundary of Lot B, The Village At Empire Pass, Phase 1, recorded November 24, 2004, as Entry No. 718034 in the Office of the Recorder, Summit County, Utah, thence North 03°29'00" West 178.84 feet; thence North 88°18'20" East 49.39 feet, said point being on the easterly boundary of The Village At Empire Pass West Side, recorded August 12, 2005, as Entry No. 746744 in the Office of the Summit County Recorder; and running thence coincident with said easterly boundary the following four (4) courses: 1) North 05°33'11" West 17.15 feet to a point on a curve to the right having a radius of 300.00 feet, of which the radius point bears North 84°26'48" East; thence 2) along the arc of said curve 20.22 feet through a central angle of 03°51'42" to a point of compound curve to the right having a radius of 150.00 feet, of which the radius point bears North 88°18'20" East; thence 3) northerly along the arc of said curve 75.83 feet through a central angle of 28°57'37"; thence 4) North 27°16'27" East 56.07 feet to a point on the southerly boundary of Lot B, Marzac Mining Claim, recorded survey number S-8414 in the Office of the Summit County Recorder; thence coincident with said boundary the following five (5) courses: 1) South 68°50'00" East 113.41 feet; thence 2) North 11°45'46" East 1.93 feet; thence 3) South 64°50'00" East 25.34 feet; thence 4) North 55°02'00" East 79.48 feet; thence 5) North 55°02'00" East 113.41 feet to a point on a non tangent curve to the right having a radius of 575.00 feet, of which the radius point bears South 18°11'39" East, said point being on Marzac Avenue Right of Way, thence coincident with Marzac Avenue Right of Way the following five (5) courses: 1) easterly along the arc of said curve 55.52 feet through a central angle of 05°31'57"; thence 2) North 77°02'18" East 65.40 feet to a point on a curve to the right having a radius of 125.00 feet, of which the radius point bears South 12°39'42" East; thence 3) along the arc of said curve 207.31 feet through a central angle of 90°01'25" to a point of reverse curve to the left having a radius of 775.00 feet, of which the radius point bears North 82°21'42" East; thence 4) southerly along the arc of said curve 352.06 feet through a central angle of 26°01'39" to a point of reverse curve to the right having a radius of 725.00 feet, of which the radius point bears South 56°20'03" West; thence 5) southeasterly along the arc of said curve 186.58 feet through a central angle of 14°44'43" to the point of beginning.

VILLAGE AT EMPIRE PASS NORTH SUBDIVISION

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

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT REDUS Park City LLC, the undersigned owner of the herein described tract of land, to be known hereafter as VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recording of this Plat. In witness whereof, the undersigned set his hand this _____ day of _____, 2017.

REDUS Park City LLC, a Delaware limited liability company
By: REDUS Properties, Inc., a Delaware corporation

Its manager:
Name: _____
Title: _____

State of _____
County of _____

ACKNOWLEDGMENT

On this _____ day of _____, 2017, David Ash personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, David Ash acknowledged to me that he is an authorized signatory of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

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

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT EMPIRE RESIDENCES, LLC, the undersigned owner of the herein described tract of land, to be known hereafter as VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recording of this Plat. In witness whereof, the undersigned set his hand this _____ day of _____, 2017.

EMPIRE RESIDENCES LLC, a Delaware limited liability company
By: EMPIRE RESIDENCES LLC, a Delaware limited liability company

Its manager:
Name: _____
Title: _____

State of _____
County of _____

ACKNOWLEDGMENT

On this _____ day of _____, 2017, _____ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, _____ acknowledged to me that he is an authorized signatory of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

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

LEGEND

• 5/8" = 1' "near" = 1/2" = 1/4" = 1/8" = 1/16" = 1/32" = 1/64" = 1/128" = 1/256" = 1/512" = 1/1024" = 1/2048" = 1/4096" = 1/8192" = 1/16384" = 1/32768" = 1/65536" = 1/131072" = 1/262144" = 1/524288" = 1/1048576" = 1/2097152" = 1/4194304" = 1/8388608" = 1/16777216" = 1/33554432" = 1/67108864" = 1/134217728" = 1/268435456" = 1/536870912" = 1/1073741824" = 1/2147483648" = 1/4294967296" = 1/8589934592" = 1/17179869184" = 1/34359738368" = 1/68719476736" = 1/137438953472" = 1/274877906944" = 1/549755813888" = 1/1099511627776" = 1/2199023255552" = 1/4398046511104" = 1/8796093022208" = 1/17592186044416" = 1/35184372088832" = 1/70368744177664" = 1/140737488355328" = 1/281474976710656" = 1/562949953421312" = 1/1125899906842624" = 1/2251799813685248" = 1/4503599627370496" = 1/9007199254740992" = 1/18014398509481984" = 1/36028797018963968" = 1/72057594037927936" = 1/144115188075855872" = 1/288230376151711744" = 1/576460752303423488" = 1/1152921504606846976" = 1/2305843009213693952" = 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YES:

This plat is subject to the Conditions of Approval in Ordinance 2017-_____.

The position of the north $\frac{1}{4}$ corner of Section 28, Township 2 South Range 4 East SLBM, as shown on this survey, is from the dependent re-survey of Section 28, 29, 31, 32 & 33 performed by Robinson, Blinn & Blinn Inc. in 2000 (Rec.# 5-3816, Summit County Recorder's Office).

Conditional use permit approval will be required prior to construction on each of the development lots shown herein.

A declaration of condominium and a record condominium map will be required for the purpose of the sale of individual units within the development lots shown herein.

The lots described on this plat are subject to the Restated Development Agreement for Flaggstaff Mountain, Bonanza Flat, Richardson Flat, the 20-Acre Quinn's Junction Parcel and Van Morrison dated as of May 2, 2007, and recorded on March 7, 2007, as Entry No. 00806100 in Book 1850, Page 1897 (the "Development Agreement"). By separate Declaration of Payment and Development Covenants, recorded October 4, 2016, as Entry No. 00503133 in the official records of the Summit County Recorder, as amended, Lot 3 has been allocated the right to develop 24.5 Unit Equivalents within no more than 21 dwelling units and the obligation to locate 1.1 Affordable Unit Equivalents thereon, as each of those capitalized terms is defined in the Development Agreement. Lot 2 has been allocated the obligation to locate 2.0 Affordable Unit Equivalents thereon and Lot 1 has no on-site affordable housing obligations. The allocation of Unit Equivalents to Lot 2 and Lot 1 may be done at a future date by a separate recorded document. No Unit Equivalents will be allocated to Lot 4, which is to be used in connection with resort and similar activities. No lot within this plat has been allocated any commercial Unit Equivalents.

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 lot or 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.

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 off-season resort activities are conducted on where certain risks are present, including, without limitation, damage to property 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 herein. 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.

The owner of Lot 3 hereby grants a non-exclusive resort and access easement over the approximately west twenty feet (20') of Lot 3, as depicted on this plat as the "Cable UDOT Setback" for the benefit of Lot 4 to allow ski lift maintenance access and the right to conduct resort activities, including to locate movable safety fences.

This plat also depicts the following easements, each of which may be amended, released or revised, without amendment hereto, in accordance with each such easement's terms:

a. Agreement and Covenant of Cooperation (Ski Access/Storm Drainage), Entry No. 665956, Summit County Recorder's Office which affects Lot 2 and Lot 3 of this plat.

b. Right-Of-Way and Easement Grant (Gas Utility), Entry No. 755686, Summit County Recorder's Office, potentially affects Lot 2 and Lot 3.

c. Grant of Access Easement (Sewer Utility), Entry No. 850350, Summit County Recorder's Office, affects Lot 2.

d. Grant of Easement (Sewer Utility), Entry No. 716688, Summit County Recorder's Office, affects Lot 2.

e. Grant of Easement (Storm Drain Facilities), Entry No. 716459, Summit County Recorder's Office, affects Lot 3.

f. Reciprocal Easement Agreement (Resort and Access) to be recorded in advance of or contemporaneously with this plat in the Summit County Recorder's Office, affects Lot 2, Lot 3 and Lot 4, and describes the use of Easement Area A, Easement Area B, Easement Area C and Easement Area D.

Public safety access and public utility easements are hereby dedicated for all public and private roadways and emergency access roads.

The property is located within a water source protection zone. All sewer construction must comply with the State of Utah drinking water regulations.

A ten foot (10') wide snow storage easement is hereby dedicated to the Master Association along the frontage of all lots.

Wastewater service to the Village at Empire Pass North Subdivision shall be provided by The Snyderville Basin Water Reclamation District. A Line Extension Agreement with the District may be required for Lots 1 & 2. It shall be the responsibility of the Owner of each lot to extend the public wastewater system within the lot being developed according to the requirements of the Line Extension Agreement.

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.

A UDOT Conditional Access Permit or city permit, depending upon the ownership of Marsac Avenue, will be required prior to construction on Lot 1 and for vehicle access to Lot 2 directly from Marsac Avenue.

Fire sprinklers will be required within all dwellings constructed on the lots.

Ski Easement Note: 5' Ski and Pedestrian Easement in favor of Lot 4 for resort operations and trail maintenance and for purpose of providing property owners, invitees and guests of One Empire Pass Condominium with ski and pedestrian access to and from adjoining skiways.

Ski Buffer Note: 10' Skiway Buffer Zone in favor of Lot 4 providing that without prior written consent of owner of Lot 4:

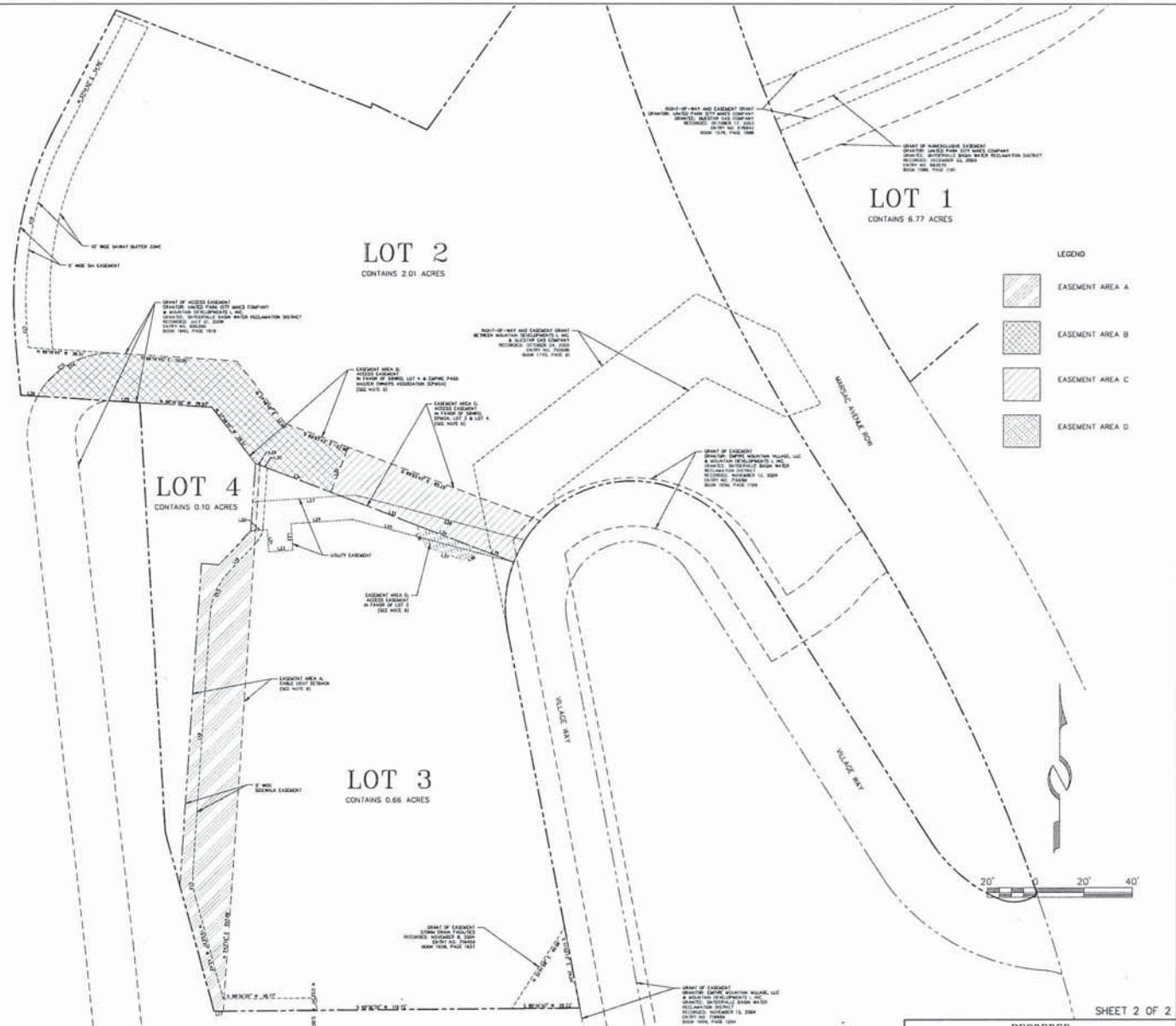
a. no above-ground building or landscaping obstructions may be constructed in the Skiway Buffer Zone.

b. no trees or other above-ground landscaping obstructions may be maintained in the Skiway Buffer Zone.

The owner of 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 "5' Wide Ski Easement". This easement is for the benefit of Lot 4 for resort operations and trail maintenance and for the benefit of VEPWS Lot 15 property owners, invitees and guests for purposes of ski and pedestrian access.

The owner of Lot 2 hereby grants a non-exclusive easement near the western edge of the property as depicted on this plat as the "10' Skiway Buffer Zone". This easement is for the benefit of Lot 4 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 Skiway Buffer Zone.

At the time of plat recording, Lot 1 includes lands within the Empire Village MPD in the RD Zone and additional lands within the RDS Zone. Future land uses on Lot 1 shall conform to requirements of applicable zoning regulations for the different portions on the property.



VILLAGE AT EMPIRE PASS NORTH SUBDIVISION

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

JOB NO.: 12-2-16 FILE: X:\Empire\dwg\lot\2016\120216-VAEP North Sub

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

EXHIBIT D - See link in Exhibits list

EXHIBIT E - See link in Exhibits list

EXHIBIT □ F

Technical Reports

See Link in Exhibit list.

EMPIRE PASS

October 20, 2017

DESIGN REVIEW BOARD

Harrison Horn
Empire Residences
2520 N. University Ave., Ste 50
Provo, UT 84604

RE: Empire Residences, 7695 Village Way
Final DRB Approval

Dear Mr. Horn,

Thank you for your recent application regarding Empire Residences to the Empire Pass Design Review Board (the DRB) requesting Final Design Approval of the proposed condominium lodge project. The DRB previously reviewed Conceptual plans on December 20, 2016 and February 22, 2017. The Preliminary Approval was granted by the DRB on March 29, 2017. The DRB reviewed the applicants first Final Submittal on June 6, 2017 and September 5, 2017 and did not make a motion for approval and requested more information. At the September 29, 2017 meeting the DRB reviewed the applicant's Final submittal and granted Final Approval with the following conditions:

1. The review was based on plans dated 08.xx.2017 and printed 9.21.17 prepared by BWA Architects and now on file except for:
 - Site Plan Sheet AS100 printed 10.18.17 now on file;
 - Floor Plans Sheet A100 – A107 printed 10.18.17 now on file
2. The applicant has staked the building corners and centerline of both driveways; the DRB had no issues with the lot staking;
3. The applicant has shown on the site plan the designated surface parking spot for the adjacent lot on the north driveway; the parking stall should meet city requirements for stall size and dimensions should be shown on the site plan for location and size.
4. The applicant will not move the Silver Strike Chair transformer located in the northwest corner of the lot; approval of location for transformer located in the northeast corner of the lot to be coordinated with Rocky Mountain Power. Location screened behind monument sign is preferred by the DRB.
5. The north driveway grade of the first 20 feet is at 4.8% maximum and the improved paved driveway width has been reduced from 20 feet wide to 16 feet wide with 2' driveable "curbs" on each side. Applicant to submit curb profile that satisfies requirement for driveability and drainage management. The DRB required both the driveway on the North and the parking lot/driveway on the East to be heated. Driveway grades and widths/dimensions are shown on civil plans dated 06.29.17.

4188 SR248 PO Box 99 Kamas UT 84036 tel 435.333.3700 fax 435.333.3716

6. The front entry driveway has a maximum grade of 12% in the middle section and grades vary for the rest of the driveway; the applicant has verified the driveway grades on the civil plans;
7. Plans now show easement for Deer Valley shallow utilities from Village Way to Silver Strike Chair; easement will also be shown on VEPN Plat when recorded
8. Unit square footages have been adjusted to remove residential accessory space and the affordable housing unit from overall building allowable square footages;
9. The site is required to include 1.1 Affordable Housing Units ("AHUs"). Current plans show 1.0 AHUs. Applicant has included a 736 sf affordable unit on Level One along with two Owner Storage Lockers for the Affordable Units on Level 0 with total storage area of 144 sf. Applicant has represented that City will accept the total 880 sf as satisfying the On-Site Affordable Housing requirement.
10. Site 3 is now restricted by covenant to 24.5 ERUs. Applicant to ensure the correct number of parking stalls for both market units, affordable unit and ADA unit are shown on the plans to the satisfaction of the City; Applicant to show unit square footages on the plans to the satisfaction of the City;
11. The updated plans show a stone pony wall around chiller units located outside the 20' front yard setback at the NE corner of the building; The pony wall shall be limited to 4' in height. The DRB reviewed and approved the chiller units in this location, provided appropriate landscape screening planted in front.
12. The mechanical units outside of the South building setback are below grade and screened with a stone pony wall and grate top. This portion of the building structure is still shown outside of the building setbacks and this will need to be reviewed and approved through the City. The DRB accepts the setback reduction from 12' to 4' for the below grade mechanical equipment.
13. Applicant has revised the plans to show the generator underground. The mechanical equipment outside of the affordable unit has been relocated to the sides of the building to maintain a clear deck. Revised location of condensers is shown on elevation sheet A201.
14. The DRB previously requested the 12 chillers shown adjacent the front entry of the building be removed; The chillers have been removed from the front entry.
15. Applicant to ensure materials used for decorative panels on stair towers on the exterior of the building will not be a reflective material; A materials board was reviewed and approved by the DRB. All exterior materials are subject to approval of an onsite mockup of materials to be provided as required for final material, color and detailing approval. Materials on stair towers will not be reflective and are as submitted to DRB in 9/29/2017.
16. Building matrix has been corrected to match the building unit counts, including affordable unit and accessible unit.
17. The porte cochere roof materials will be wood and metal;
18. Applicant to grant an easement to the Empire Pass MOA and show on the plans and plat the sidewalk extending from Shooting Star to VEPN Lot 2. Easement will be shown on VEPN plat when recorded. Applicant responsible for construction of sidewalk connection to sidewalk on Shooting Star property;

19. The applicant will rebuild or repair, at its cost, any construction related damage to the Empire Pass sidewalk on the Shooting Star property.;
20. Applicant shall make reasonable efforts to receive approval from the Shooting Star HOA to construct a sidewalk on a preferred alignment closer to the ski trail.;
21. Railing design has been reviewed and meets design requirements.
22. Applicant verified height of landscaped stone faced concrete walls will not exceed 4 feet.
23. Applicant provided cut and fill calculations on Civil 1 of 4 Site & Grading Plan.
24. The applicant will not install any permanent fencing around the site.
25. The square footage for this building is 71,785 square feet; 85,789 gross sf including parking level.
26. Chimneys cap designs have been reviewed and meet design requirements.
27. The applicant plans show proposed height at 82 feet with a maximum of 82 feet for this lot, and other height limits consistent with approved volumetric for site; Approval subject to PCMC confirmation of height compliance with approved volumetric. In order to meet the 82 foot height restriction the application has modified the roof form and has revised the roof stepping. This additional stepping provides greater interest and compliance with the intent of the building massing. See revised roof on A201-A202
 - a. The DRB approved the building massing as proposed with an accepted roof stepping and variation in roof forms.
 - b. The DRB approved the building façade stepping and variation in the vertical planes.
 - c. The DRB reviewed and approved the height of the building.
29. The primary roof pitches of 4:12 are in compliance with the guidelines; lower sloped roof pitches for shed dormers are allowed.
 - a. The DRB approved the proposed roof pitches.
30. Windows are found to follow the design guidelines.
31. Window headers and trim proposed on sheet A511 and exterior elevations comply with the intent of the design guidelines.
32. Exterior entry door, garage door on A201 and A202 follows the intent of the design guidelines.
33. Applicant to submit color and texture sample for concrete drive areas for DRB approval prior to installation;
34. All boulder materials must match closely the DRB approved stone for the building;
35. Applicants understand that except for cementitious siding approved by DRB no faux or manufactured materials may be used as finished exterior product, this would include glu-lam beams, faux stone, bare concrete, vinyl siding, etc.;
36. The DRB reviewed the proposed cedar vertical board siding for exterior wall material; applicant understands all exterior materials are subject to mockup review.
37. Applicant has provided exterior lighting plan, including cut sheets for wall packs, wall sconce, and bollard fixtures.

38. Applicant has provided complete landscape plan, including counts, planting specs and detailed grading, for DRB review; the DRB will reserve the right to request additional plantings from any DRB approved landscape plan;
39. Construction management plan will be submitted and reviewed/approved prior to commencement
40. The entry monument specs and pics have been submitted and approved prior and are shown on Detail B2 Sheet AS100.
41. applicant understands that the building is subject to City approvals beyond any approval of the DRB;
42. Applicant understands the requirement to provide an on-site mock-up of exterior materials, colors and construction techniques for further DRB review and approval prior to installation of the same.
43. Applicant to submit an Improvement Location Certificate (ILC) prepared by a licensed surveyor to confirm the height and location of the foundation are consistent with the DRB approval;
44. In order to maintain the integrity of the Guidelines and encourage the continuity of a cohesive design aesthetic at Empire Pass, when Final approval is granted the approval will expire one year from the date of DRB approval; if no construction activity has occurred or progressed the applicant will be required to return to the DRB for a renewed approval of Final plans.
45. Upon DRB approval of the Working Drawing submittal and prior to start of construction activity, the applicant shall submit a compliance deposit and schedule a pre-construction conference.
46. Applicant has amended plans to show detail and design to express the structure at the roof gables, shed roofs and roofs over decks.
47. Stone walls have been revised to show a thickened stone base and a detail is provided on A4/ A502.
48. Entry porte cochere view meets the intent of the design guidelines.

Again, we thank you for your Final Design submittal and look forward to working with you and your team as the process continues. Feel free to contact our office at 435-333-3700 with any questions regarding the Design Review process.

Respectfully,

Douglas Ogilvy,
On behalf of the Empire Pass Design Review Board

PROPOSED LOT 3
VILLAGE AT EMPIRE
NORTH SUBDIVISION
EXISTING CONDITIONS &
TOPOGRAPHIC MAP

SURVEYOR'S CERTIFICATE



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

GENERAL NOTES

- 1. Field work for this survey was performed in June 16, 2017 and is in compliance with generally accepted industry standards for accuracy.
- 2. Site Benchmark: Sanitary Sewer Manhole Elevation=8072.3' as shown.
- 3. A boundary survey was not performed on this property as part of this existing conditions and topography map. Boundary lines shown are per proposed plat.
- 4. The architect is responsible for verifying building setbacks, zoning requirements, and building heights.
- 5. Utility location is from record information, As-Built drawings as well as above ground evidence. Call Blue Stakes before excavating.

LEGEND

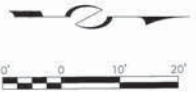
---	EXISTING SEWER
---	EXISTING WATER
---	EXISTING STORM DRAIN
---	EXISTING OVERHEAD UTILITY
---	EXISTING OVERHEAD POWER
---	EXISTING GAS
---	EXISTING TELEPHONE
---	EXISTING POWER
---	EXISTING STORM SEWER MANHOLE
---	EXISTING SANITARY SEWER MANHOLE
---	EXISTING STORM DRAIN GRATES
---	EXISTING ELECTRICAL BUIES
---	EXISTING FIRE HYDRANT
---	EXISTING WATER VALVE
---	EXISTING WATER METER
---	EXISTING
---	PROPERTY CORNER FOUND MONUMENT
---	"ALLIANCE ENGINEERING" BEAM & CAP
---	SITE BENCHMARK

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 85°48'47" E	7.34
L2	N 42°44'41" E	19.25
L3	N 3°55'31" E	28.19

CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
C1	52.50	29.23	31°53'59"



VILLAGE WAY (A PRIVATE RIGHT OF WAY)

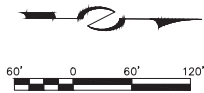


STAFF:
MICHAEL DEMKOWICZ
JUAN CARRASCO
TANDIN CHAPMAN
CHARLES GALATI
DATE: 9/22/17

EXISTING CONDITIONS & TOPOGRAPHIC MAP
EMPIRE RESIDENCES

FOR: EMPIRE RESIDENCES LLC
JOB NO.: 14-9-16
FILE: K:\Empire.dwg\un\plat2016\140916-13VEPN-Existing Conditions.dwg

SHEET
1
OF
1



 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2004 Park City, Utah 84060-2004	(435) 649-9467	STAFF: MICHAEL DEMKOWICZ JUAN CARRASCO TANDIN CHAPMAN	AERIAL PHOTOGRAPHY EXHIBIT	SHEET 1 OF 1
			EMPIRE RESIDENCES	
	DATE: 9/19/17	FOR: EMPIRE RESIDENCES LLC. JOB NO.: 14-9-16 FILE: X:\Empire.dwg\Empire_Residences-L3_VEPN\140916-L3VEPN-Civ3d2018.dwg		



SNYDERVILLE BASIN

WATER RECLAMATION DISTRICT

2800 HOMESTEAD RD, PARK CITY, UT 84098

WWW.SBWRD.ORG

T 435-649-7993

F 435-649-8040

December 8, 2017

Kirsten Whetstone
Park City Municipal Corp.
445 Marsac Avenue
P.O. Box 1480
Park City, UT 84060

RE: Empire Residences
Plat Approval

Dear Ms. Whetstone:

The Snyderville Basin Water Reclamation District has reviewed the referenced plat and has determined that it conforms to District regulations. We are therefore prepared to sign the plat.

The developer should contact me to schedule a time for plat signing after the Owner's Dedication has been signed.

Sincerely,

Bryan D. Atwood, P.E.
District Engineer

cc: Michael Demkowicz, Alliance Engineering
Project File

EXHIBIT K

Flagstaff Annexation and Empire Pass Units and Unit Equivalents Updated 11.10.17 (VEMP Phase 1 Lots 1 and 2 combined into Lot A approved by CC)

POD	Single Family	Allowed SF lots	SF Permits	SF CO #'s
A	Banner Wood-platted	6	4	4
B1	Northside-platted	10	10	10
D	Red Cloud-platted	30	12	11
Totals	(Single Family only)	46	26	25

POD	Multi-family	Units Approved/Proposed	Square Feet Platted w/ condo	Units Platted w/ condo	UE Approved/Proposed w/ condo or sub	UE Platted with condo	MF Units Platted as PUDs	ADA provided/r equired	EHU provided	On Mtn AUE provided/ proposed	CO UE's	CO Units	Status
A	Horseshoe Townhouses on Lot 1 VEPN plat TDB	not yet identified								0	0	0	0 Sub Plat under review
A	Lot 3 VEPN plat-(Bldg 3) Proposed	21		0	24.50	0		1		1.1 AUE	0	0	0 Sub Plat under review
A	Lot 2 VEPN plat-(Bldg 4) TBD	not yet identified						2		2.0 AUE	0	0	0 Sub Plat under review
A	Lot A VEMP1 (combo of Lots 1 and 2 VEMP1)	not yet identified									0	0	
A	Tower Residential- platted lot/no condo plat (Bldg 1)	25		0	38.90	0	0	1		0.75 AUE	0	0	0 CUP expired/not platted
A	Shooting Star-platted lot and condo (Bldg 2)	21	36,109	21	18.30	18.055	0	1	0	0	18.1	21	21 Completed
A	One Empire Pass-platted lot and condo (Bldg 5)	27	65,026	27	32.80	32.513	0	1	1	1.125 AUE	0	0	0 27 Under Construction
A	Silver Strike-platted lot and condo (Bldg 6)	34	71,305	34	35.60	35.653	0	2	1	1.1 AUE	35.7	34	34 Completed
A	Flagstaff -platted lot and condo (Bldg 7)	37	73,506	37	35.90	36.753	0	2	2	1.6 AUE	36.8	37	37 Completed
A	Arrow Leaf A-platted lot and condo (Bldg 8)	28	46,458	28	24.50	23.229	0	2	3	2.85 AUE	23.3	28	28 Completed
A	Arrow Leaf B- platted lot and condo (Bldg 9)	28	48,746	28	25.70	24.373	0	2	0	0	24.4	28	28 Completed
A	Grand Lodge-platted lot and condo (Bldg H)	27	65,344	27	33.00	32.672	0	2	1	1.2 AUE	32.7	27	27 Completed
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	15	48,693	15	24.40	24.347	6	0	0	0	24.4	15	15 Completed
A	Larkspur West Townhouses-all platted/condo	12	41,273	12	20.70	20.637	0	0	0	0	20.7	12	12 Completed
A	Paintbrush PUDs- all platted /condo	12	63,076	12	31.90	31.538	12	0	0	0	32	12	12 Completed
A	Belles PUDs- all platted/condo	17	90,000	17	45.00	45	17	0	0	0	37.85	14	14 Completed
B1	Nakoma PUDs- all 17 are platted condo but 5 unbuilt	17	90,000	17	45.00	45	17	0	0	0	35	12	12 Completed
B1	Ironwood- all platted/condo	24	73,944	23	37.40	36.972	0	1	1	1 AUE	37.1	23	23 Completed
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)	hotel rooms		hotel rooms	69.60	72.665	0		0	0	72.4	1	1 Completed -see note
B2	B2 West Montage condos- platted (apprvd 94)	94	218,669	84	114.00	109.335	0	5	10	7.8 AUE	109.3	84	84 Completed
B2	B2 East- B2East Subdivision approved/No condo plat yet	70		0	81.00	0	0	2		4.2 AUE	0	0	0 Sub plat approved
Totals (Multi-family only)		509	1032149	382	738.20	588.742	52	24	19	24.725 AUE 16.675 AUE built to date (on mtn)	539.75	348	
Maximum Allowed by Flagstaff Development Agreement		550		550	785.00	785	60	n/a					
Remaining UE/Units/AUE (for Lots 1 and 2 VEPM and Lot A VEMP)		41		168	46.80	196.258	8	n/a					

Affordable Housing

MF Totals by POD only aprvrd or platted (not SF lots)	Units Approved	Units Platted	UE Approved	UE Platted	MF Units as PUD	Total MPD AUE required	Total off Mtn AUE required	Total on Mtn AUE required	Total off Mtn AUE built	Total on Mtn AUE built	Total AUE owed
A (not including Lot 3 and Tower CUP)	258	258	327.8	324.77	35						
B1	41	40	82.4	81.972	17						
B2 (plus 174 hotel rooms) not including B2East	94	84	183.6	182	0						
A, B1, B2	393	382	593.8	588.742	52						
						118.9	94.175	24.725	89	16.675	13.225

% of MF units total in Pods A, B1 and B2 that are in POD A

67.54%

(MPD requires minimum of 50%)

SF- Single family lot/house

MF- Multi-family/condominium units

PUD- Planned Unit Development Style MF

EHU- Employee Housing Unit (no min number)

AUE- Affordable Unit Equivalent (1 AUE = 800 sf)

UE- Unit Equivalent (1 UE = 2,000 sf residential)

ADA- American Disability Act required units

VEPN- Village Empire Pass North Subdivision plat

CO- Certificate of Occupancy (hotel rooms counted as 1 CO total)

Planning Commission Staff Report



PLANNING DEPARTMENT

Subject: Empire Residences Condominiums
Author: Kirsten Whetstone, MS, AICP- Sr. Planner
Project #: PL-17-03721
Date: January 10, 2018
Type of Item: Legislative – Condominium Plat

Summary Recommendation

Staff recommends the Planning Commission holds a public hearing for the Empire Residences condominium plat, for twenty-one market rate residential units within one building, and considers forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance. A staff report for Planning Commission review and possible action on the Empire Residences CUP is included in this January 10th packet. If the CUP is not approved, then this condominium plat shall be continued to a future date, following the public hearing.

Description

Applicant: Empire Residences LLC- Brady Deucher
Location: 7695 Village Way
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, Empire Club, condominiums, townhouses, vacant development parcels of the Village at Empire Pass Pod A and open space
Reasons for Review: Condominium plats require Planning Commission review and recommendation with final action by City Council.

Proposal

This is a request for approval of the Empire Residences condominium plat (Exhibit A) for 21 residential units, one American with Disability Act (ADA) unit and one deed restricted employee housing unit (EHU) within one building proposed to be constructed at 7695 Village Way. This condominium plat memorializes density, uses and configuration of units, and identifies areas of private and common ownership. Construction of these units is subject to approval of the Empire Residences Conditional Use Permit and subsequent building permits. Application is further described in the applicant's letter (Exhibit B).

Background

The property at 7695 Village Way is located within the Residential Development (RD) zoning district on a 0.66 acre Lot 3 of the Village at Empire Pass North Subdivision (Exhibit C). The property is subject to the Village at Empire Pass Master Planned Development (VEP MPD), approved by the Planning Commission on July 28, 2004

([Exhibit D- link to VEP MPD approval](#)). A Conditional Use Permit (CUP) for these units is under concurrent review by the Planning Commission. Approval of the CUP is a condition of plat approval and recordation.

Flagstaff Annexation

On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the Flagstaff Mountain area. Resolution 20-99 granted the equivalent of a "large-scale" Master Planned Development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions, restrictions, obligations, and amenities for each parcel. The Flagstaff Development Agreement was amended and recorded in March 2007 (Amended Agreement) and is the current controlling document for development on this lot ([Exhibit E- Link to Flagstaff Development Agreement](#)).

The 2007 Amended Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village. The Mountain Village is further constrained to a maximum density of 785 unit equivalents (UE) configured in no more than 550 dwelling units as multi-family, hotel, townhouse or PUD units. The number of PUD units is restricted to sixty units (60). The MPD also allowed 16 single family home sites within the Mountain Village. At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A). The development pods are to be linked by transit. A fourth pod, Pod D, is allowed 30 single family lots (this area was platted as the Red Cloud Subdivision for 30 single family home sites). Subject property is located within Pod A. See Exhibit K for density summary of the MPD.

There are also 14 technical reports associated with the Empire Pass development area. The 14 technical reports, along with the Land Management Code and the Amended Agreement, form the standards under which the developments in the area are reviewed (Exhibit F – [Link to Technical Reports](#)).

Village at Empire Pass Master Planned Development

On July 28, 2004, the Planning Commission approved a Master Planned Development (MPD) for the Village at Empire Pass (Pod A), known as the Village at Empire Pass Master Planned Development (VEP MPD) ([Exhibit D- Link to VEP MPD approval](#)). The VEP MPD was the first step in the development process for Pod A.

The purpose of the VEP MPD was to establish unit mix and density for the Mountain Village as well as addressing overall project infrastructure throughout the Annexation Area. The VEP MPD established building volumetric diagrams, including specific height exceptions, density and development location. The VEP MPD requires Conditional Use Permit approval for the lodge buildings and administrative Conditional Use Permit approval for the townhouses and PUD style units, prior to building permit issuance for construction.

Subdivision Approvals

Village at Empire Pass North Subdivision plat, approved by Council on June 15, 2017,

plats metes and bounds parcels within the VEP MPD area for the purpose of creating platted lots of record for Buildings 3 and 4, as well as townhouse units on Lot 1 (Exhibit C). Recordation of the approved plat is pending final review by the City. Plat recordation is a condition of issuance of a building permit for construction of Building 3. The plat identifies a requirement for affordable housing to be constructed within the buildings on Lots 2 and 3 to be completed prior to issuance of a certificate of occupancy for each building and in compliance with the housing plan.

Conditional Use Permit

On April 12, 2017, the Planning Department received an application for a Conditional Use Permit known as the Empire Residences CUP for a 21 unit residential lodge building to be located on Lot 3 of the Village at Empire Pass North Subdivision utilizing a maximum of 24.5 Unit Equivalents (UE). The building is identified as Building 3 within the VEP MPD, approved on July 28, 2004. An ADA unit and a deed restricted employee unit (EHU) are also proposed within the lodge building. Final approval by the Empire Pass Design Review Board was provided on October 20, 2017 (Exhibit G).

The Empire Residences CUP includes a total of 50,284 square feet (sf) of residential uses, including the ADA and EHU units. Approximately 4,500 sf of residential accessory uses (guest amenities such as owner lounge, locker rooms, and breakfast/après ski area, guest fitness, restrooms, kid's recreation areas, business center, etc.) are platted as common area within the building. These areas are for owners and guests of owners only. There are no commercial or support commercial uses within this building where non-owners/guests purchase items or services. This residential building is not a hotel and there is not a commercial kitchen. Support commercial uses for the Village are located at the Tower Club (aka Empire Club) a short walk to the south. Parking, mechanical and storage areas in the garage account for 12,944 sf. Circulation, janitor closets, and other mechanical areas/vent shafts, etc. not in the garage, account for 18,029 sf. Gross building area is approximately 85,757 sf and includes all residential units, circulation and lobby, guest amenities, parking, mechanical and vents, storage, and other (office, housekeeping, etc.).

A staff report for Planning Commission review and possible action on the Empire Residences CUP is included in this January 10th packet. If the CUP is not approved, then this condominium plat shall be continued to a future date, following the public hearing, to ensure that the plat conforms to the CUP plans.

Submittal

On October 30, 2017, the City received an application for the Empire Residences condominium plat. The application was deemed complete on November 27, 2017. The proposed condominium plat memorializes density, size and configuration of proposed units and identifies areas of private and common ownership. See Exhibits H, I and J for existing conditions survey, aerial photo and SBWRD letter.

Purpose of the RD Zone

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

- (A) Allow a variety of Residential Uses that are Compatible with the City's Development

- objectives, design standards, and growth capabilities,
- (B) Encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
- (C) Allow commercial and recreational activities that are in harmony with residential neighborhoods,
- (D) Minimize impacts of the automobile on architectural design,
- (E) Promote pedestrian connections within Developments and between adjacent Areas; and
- (F) Provide opportunities for variation in architectural design and housing types.

Analysis

The zoning for the plat is Residential Development (RD) subject to the VEP MPD and Empire Residences CUP. The proposal complies with LMC lot and site requirements of the RD Zoning District and the VEP MPD as described below.

	RD Zoning District and/or VEP MPD
Lot Size	No minimum lot size. Lot 3 is approximately 0.66 acres (28,750 square feet).
Front yard setbacks	Minimum 25 feet to front facing garage, 20 feet to building. Proposed front setback is 20' (garage is on side). <u>Complies.</u>
Rear yard setbacks	Minimum 15 feet rear setbacks. Proposed minimum rear setback is 15'. <u>Complies.</u>
Side yard setbacks Roof eaves are allowed to extend 3' into the side, rear and front setbacks. Shared driveway is permitted across the property line within the platted access easement per plat. Sidewalks that provide circulation within the Village are permitted as shown within platted access easements. Screened mechanical equipment may extend 5' into the side setback area.	Minimum 12 feet side setbacks. North side- proposed minimum setback is 12'. (North side balconies have been re-designed to maintain a 12' setback). South side- proposed minimum setback is 12'. The mechanical equipment has setback of 5' and is entirely below final grade and screened. <u>Complies.</u>
Building Height Per Village MPD: 25% of the building is permitted to reach 74' above existing grade (north end), 55% of the building to reach 82' above existing grade, and 20% of the building (south end) to reach 74' above existing grade.	Proposed building has 50% of the building at 82', 25% (north) is less than 74', and 25% (south) is less than 74'. The plat is consistent with the allowed building heights and the proposed Conditional Use Permit. <u>Complies.</u>
Parking The <u>Flagstaff Transit and Parking Management Plan</u> approved with the MPD requires a 25% reduction in parking from what would be normally required by the LMC and the Empire Pass HOA is required to provide shuttle service.	Per LMC, based on unit sizes, forty-two (42) spaces are required for the 21 units, one ADA and one EHU. With the 25% reduction, 32 spaces are required. The underground parking structure has 30 spaces (including 2 ADA). There are 3 surface spaces for total of 33 spaces. Each unit is assigned one space as limited common and the remaining spaces are common. <u>Complies.</u>

Architectural Design All construction is subject to Village at Empire Pass Design Review Board (DRB) approval and LMC Chapter 15-5 Architectural Design Guidelines with final review conducted at the time of the Building Permit.	The building as presented was reviewed by the Village at Empire Pass DRB including site and architectural design, materials and colors, articulation, volumetric, height allowances, and setbacks. A final approval letter was provided on October 20th (See Exhibit G). <u>Complies.</u>
Residential Units	21 market rate units are proposed, ranging in area from 542 sf to 3,596 sf (total of 48,968 sf) (24.484 UE). Deed restricted unit is 880 sf. ADA unit is 436 sf. Total all residential is 50,284 sf. <u>Complies.</u>
Commercial space	No commercial uses are proposed in this phase.
Residential Accessory uses (Guest amenities)	Common residential amenity areas are provided on level one, including locker rooms, fitness area, lounge/après ski area, and lobby areas for the use of the residents and guests. Total guest amenity area is approximately 4,500 sf.
Density Summary Density is per Development Agreement and VEP MPD. Up to 21 units (49,000 square feet, utilizing 24.5 UE) was allocated to this lot by the Developer. Proposed market rate residential – 48,968 sf (24.48 UE). Gross building area is approximately 85,757 sf and includes all residential units, circulation and lobby, guest amenities, parking, mechanical, storage, manager office, housekeeping, etc.). All residential- 50,284 sf (58.64% of gross building area) Circulation/mechanical/vents/housekeeping - 18,029 sf (21%) Guest Amenities- 4,500 sf (5.25%) Parking/mech/storage in garage- 12,944 sf (15.1%)	The Mountain Village (Pods A, B1 and B2) was approved with a maximum of 785 UE (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. To date 382 multi-family units (588.742 UE) have been platted and/or built within the Mountain Village, including One Empire Pass. Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge. One Empire Pass is under construction. There is sufficient remaining density for the proposal (see Exhibit K- Density Summary). Density summary includes One Empire Pass, all Belles units and all Nakoma units as the condominium plats for these projects are recorded. <u>Complies.</u>
Affordable Housing Approximately 540 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 104 AUE affordable units are completed and have certificates of occupancy (89 AUE are off-mountain and 15 AUE are on-mountain).	The plat identifies one 880 sf deed restricted affordable unit, or EHU as they are called in Flagstaff, within the building consisting of 1.1 AUE. <u>Complies.</u>

The platted units include:

Unit #	Total Floor Area (sf)	Parking required
Private Units		
Unit 101	542	1
Unit 102	561	1
Unit 104	2521	2
Unit 201	2199	2
Unit 202	2357	2
Unit 203	2263	2
Unit 204	2585	2
Unit 301	2190	2
Unit 302	2357	2
Unit 303	2263	2
Unit 304	2585	2
Unit 401	2199	2
Unit 402	2357	2
Unit 403	2263	2
Unit 404	3596	2
Unit 501	2199	2
Unit 502	2357	2
Unit 503	2263	2
Unit 601	2993	2
Unit 602	3244	2
Unit 603	3074	2
21 Total Private Residential Units	48,968	40
Unit 103 (EHU)	880	1
Unit 100 (ADA)	436	1
Common residential/guest accessory amenity uses.	4,500	n/a
Common circulation, vents, mechanical, housekeeping closets, etc.	18,029	n/a
Parking garage area (includes storage, mechanical, in the garage)	12,944	n/a
Gross building area, including all residential, guest accessory, circulation, storage, mechanical, and parking garage.	85,757	n/a

The condominium plat identifies 21 private residential units totaling 48,968 sf, and 24.484 UE. The units range in area from 542 sf to 3596 sf with an average unit area of

2,331.8 sf.

One EHU is identified as private area. The applicant requests that the EHU unit be platted as private space so that the unit can be managed and rented out by the project owners rather than turn it over to the 21 members of the future HOA. This is consistent with the Grand Lodge, Flagstaff, One Empire Pass, and Arrowleaf Lodges. These projects maintain ownership of the EHU and lease to a manager of the property or to someone employed in the Empire Pass area. These EHU are occupied by a qualified employee. Shooting Star does not have an EHU in the building and the EHU at Silver Strike is designated as common. The Silver Strike unit is controlled by the HOA and is vacant. A deed restriction for the EHU unit, acceptable to the City, is a Condition of Approval prior to plat recordation. The deed restriction should outline and resolve concerns that may have come up on other affordable units platted as private.

The ADA unit is required to be platted as Common Area.

An underground parking structure provides 30 parking spaces, including 2 ADA spaces, as well as limited common storage areas for each unit. Three surface spaces are provided at the drop off area in the front. Parking is identified as limited common and common, with one space assigned to each unit. Total building area is 85,757 sf.

Staff finds good cause for this condominium plat as it is consistent with density and uses identified in the approved Master Planned Development and proposed Empire Residences CUP. The condominium plat allows for the sale of individual units and provides one affordable housing unit on site.

Department Review

This project has gone through an interdepartmental review. Issues brought up at that time, including utility easements and ownership designations have been added and/or revised. As conditioned, no further issues remain.

Notice

On December 22, 2017, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record and on the Utah Public Notice website on December 23, 2017.

Public Input

Staff has not received public input on the condominium plat at the time of this report.

Alternatives

- Planning Commission may forward a positive recommendation to City Council for the Empire Residences condominium plat as conditioned or amended, or
- Planning Commission may forward a negative recommendation to City Council for the Empire Residences condominium plat and direct staff to make Findings for this decision, or
- Planning Commission may continue the item to a date certain. If the Empire Residences CUP is not approved at this meeting then this condominium plat application should also be continued to a future date.

Significant Impacts

There are no significant fiscal or environmental impacts that result from this application. Platting the condominium units allows individual units to be sold.

Consequences of not taking the Suggested Recommendation

Individual units could not be sold.

Good Cause

There is good cause for this condominium plat to memorialize the size and configuration of these units as approved by the Conditional Use Permit in order to describe the private, common and limited common areas.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the Empire Residences Condominiums plat, for twenty-one market rate residential units, one ADA unit and one deed restricted EHU within one building, and consider forwarding a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Exhibits

Ordinance

Exhibit A – Proposed plat

Exhibit B – Applicant's letter

Exhibit C – Village at Empire Pass North Subdivision and Ord. (approved, not recorded)

[Exhibit D – Village at Empire Pass Planned Development \(VEP MPD\) approval \(link\)](#)

[Exhibit E – Flagstaff Development Agreement \(link\)](#)

[Exhibit F – Technical reports \(link\)](#)

Exhibit G – Empire Pass Design Review Board letter

Exhibit H – Topographical Survey (existing conditions)

Exhibit I – Aerial photo

Exhibit J – SBWRD letter

Exhibit K – Density Summary

Draft Ordinance No. 2018-XX

**AN ORDINANCE APPROVING THE EMPIRE RESIDENCES CONDOMINIUM PLAT
LOCATED AT 7695 VILLAGE WAY, PARK CITY, UTAH.**

WHEREAS, the owners of the property known as the Empire Residences Condominiums, located at 7695 Village Way, petitioned the City Council for approval of the Empire Residences Condominiums plat; and

WHEREAS, on December 22, 2017, the property was properly posted and legal notice was sent to all affected property owners; and

WHEREAS, on December 23, 2017, 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 held a public hearing on January 10, 2018, to receive input on the Empire Residences Condominium plat;

WHEREAS, the Planning Commission, on January 10, 2018, forwarded a recommendation to the City Council; and,

WHEREAS, the City Council on February 1, 2018, 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 Empire Residences Condominium plat consistent with the Village at Empire Pass Master Planned Development Agreement and the Empire Residences 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 Empire Residences 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 is subject to the Flagstaff Mountain Annexation and Development Agreement approved by City Council per Resolution No. 99-30 on June 24, 1999 and amended on March 2, 2007.
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 approximately 382 multi-family units (588.742 UE) (of which 52 are PUD style units) and 16 single family units have been platted and/or built (including the One Empire Pass units currently under construction) within Pods A, B1 and B2.
6. Constructed lodge style buildings include Shooting Star, Silver Strike, Flagstaff, Arrowleaf A and B, and Grand Lodge. Building 5 is under construction as One Empire Pass. Lodge buildings still to be approved within Pod A are: Tower Residences (Building 1), Building 3 (subject property) and Building 4.
7. There is sufficient density remaining within the VE MPD for the proposed 21 units (24.5 UE).
8. Approximately 540 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 104 affordable units are completed and have certificates of occupancy (89 units are off-mountain and 15 units are on-mountain).
9. As part of the Empire Residences CUP 1.1 AUE (880 sf) is required by the subdivision plat for this lot. The affordable unit consists of 880 sf (not including dedicated storage areas) and is 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 April 12, 2017, the Planning Department received an application for a Conditional Use Permit for a twenty-one (21) unit residential building to be located on Lot 3 of the Village at Empire Pass North Subdivision. The application was deemed complete on July 17, 2017 and is currently under review by the Planning Commission.
11. The Village at Empire Pass North Subdivision was approved by Council on June 15, 2017 and is currently under final review by the City as required prior to recordation.
12. The property is located at 7695 Village Way.
13. Access to the property is from Village Way, a private street.
14. Lot 3 consists of 28,750 square feet and is currently developed with a temporary sales building and small parking area.
15. 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.
16. On November 21, 2017, the City received an application for the Empire Residences Condominium plat. The application was considered complete on November 27, 2017.
17. In December of 2016, a building permit for a temporary sales office building was issued for this site. Building permits for the condominiums cannot be issued until the

Conditional Use Permit is approved by the Planning Commission and the Subdivision plat is recorded.

18. 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.
19. The condominium plat identifies 21 private residential units totaling 48,968 sf, utilizing 24.484 UE. The units range in size from 542 sf to 3,596 sf with an average unit size of 2,331.8 sf. The 436 sf ADA unit is required to be identified as common area. The 880 sf EHU is identified as private area.
20. No commercial uses are proposed.
21. Based on the unit sizes, a minimum of 32 parking spaces are required when taking into consideration the 25% parking reduction required by the Flagstaff Development Agreement and MPD.
22. An underground parking structure provides 30 parking spaces, including 2 ADA spaces, as well as limited common storage areas for each unit. Three surface spaces are provided for a total of 33 parking spaces.
23. Each unit has one assigned limited common parking space and the remaining spaces are common.
24. 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.
25. 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.
26. 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 amended 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 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.

4. All applicable recorded public utility and access easements shall be indicated on this condominium plat prior to recordation.
5. The Village at Empire Pass North Subdivision plat shall be recorded prior to issuance of building permits for the condominiums and prior to recordation of this condominium plat.
6. The deed restricted employee housing unit (EHU) shall be a minimum of 880 sf, exclusive of additional storage area to be dedicated to this unit, to meet the plat note requirement of 1.1 AUE for this lot. One AUE is equivalent to 800 sf according to the Development Agreement. The ADA unit shall be platted as common area.
7. A deed restriction for the EHU unit, acceptable to the City, shall be recorded prior to plat recordation. The deed restriction 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.
8. The CCRs shall limit the HOA dues related to the deed restricted employee housing unit (EHU) in order to ensure the Unit remains affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to HOA fees. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
9. The ADA unit shall be platted as Common Area.

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

PASSED AND ADOPTED this ____ day of February, 2018.

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

Planning Commission Updated Staff Report

Subject: King's Crown
Author: Francisco Astorga, AICP, Senior Planner
Project #: PL-17-03515, PL-17-03566, & PL-17-03567
Date: 10 January 2018
Type of Item: Administrative – Master Planned Development
Administrative – Conditional Use Permit
Legislative – Re-Subdivision

Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing and review the submitted Master Planned Development (MPD), Conditional Use Permit (CUP), and Re-Subdivision applications. Staff recommends that the Planning Commission approve the MPD and CUP as conditioned, and forward a positive recommendation of the Re-Subdivision to the City Council as conditioned, based on the listed Findings of Facts, Conclusions of Law, and Conditions of Approval in the staff report and the draft ordinance.

Description

Applicant: CRH Partners, LLC represented by Rory Murphy, Hans Fuegi, and Chuck Heath
Evergreen Engineering represented by Andrew Moran
WOW Atelier represented by Chimso Onwuegbu
Location: 1201-1299 Lowell Avenue, Park City, Utah 84060
Zoning: Recreation Commercial (RC) District, Recreation And Open Space (ROS) District, and Sensitive Land Overlay (SLO) Zone
Adjacent Land Uses: Trails, skiing, open space, and residential.
Reason for Review: MPDs and CUPs applications require Planning Commission public hearing / review / final action.
Re-Subdivisions applications require Planning Commission public hearing / review / recommendation to the City Council, and City Council public hearing / review / final action.

Background

MPD application - Any residential project with ten (10) or more lots or ten or more residential unit equivalents (20,000 square feet) requires an MPD. The applicant proposes the construction of thirty (30) units totaling 80,963 square feet within three (3) separate multi-unit dwellings, fifteen (15) deed-restricted affordable housing units totaling 16,520 square feet in a separate multi-unit dwelling, and twenty-seven (27) single-family dwelling lots equating to approximately 71,880 square feet. The applicant requests a total of 57 residential units (condos/townhouses/houses) totaling

approximately 152,843 square feet.

CUP application - Multi-unit dwellings are listed as a conditional use in the RC District. 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. MPDs are also listed as conditional uses within the RC District.

Re-Subdivision application - The reconfiguring of the proposed lots require final action of a Re-Subdivision by the City Council. The applicant proposes a total of 32 lots of record from the existing 247 lots platted Old Town lots, within Snyder's Addition to the Park City Survey. Applicant proposes the following:

- Three (3) lots to accommodate the four (4) Multi-Unit Dwelling buildings (to be later re-plated via Condominium Plat): proposed Lot 1, 2, and 30.
- Twenty-seven (27) single-family dwelling lots: proposed Lot 3 - 29.
- Two (2) open space lots: proposed Lot 31 - 32.

Background

The Planning Commission had an initial discussion with the applicant during the July 26, 2017 Planning Commission meeting, the staff report is found [here](#) and the adopted meeting minutes are found [here](#). Staff met with the applicant several times after this Planning Commission meeting and plans were updated and submitted on September 29, 2017. On October 13, 2017, staff requested clarification regarding the preliminary site plan, preliminary utility plan, preliminary grading plan, construction mitigation, and snow storage. On October 27, 2017 plans were updated and an electronic model was submitted to staff which included the massing of the potential 27 single-family dwellings in addition to the massing of the multi-unit dwellings.

The Planning Commission held a public hearing and reviewed the updated submittals during the November 29, 2017 Planning Commission meeting, the staff report is found [here](#) and the adopted meeting minutes are found [here](#). During this meeting staff requested direction from the Planning Commission regarding the proposed density, setback reduction, type of open space, and preliminary/final Subdivision Plat approval. On December 6, 2017 the following exhibits were submitted to the City for the Planning Commission work session addressing the issues raised at the November 29, 2017 meeting:

- Letter from the Applicant dated December 1, 2017 received on December 6, 2017
- Potential fill location aerial photograph
- Proposed export fill placement
- Existing conditions survey
- Proposed Plat (updated)

A work session discussion with the Planning Commission took place on December 13, 2017 which was limited to the construction mitigation aspects of the proposal. This staff

report is found [here](#) and the drafted meeting minutes are found [here](#).

Proposal

The subject site is located at 1201 – 1299 Lowell Avenue. The subject site is within the RC, ROS, and SLO District. 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. No units are proposed within the ROS District or within the SLO.

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. The proposed private road/drive begins at the 12th Street / Lowell Avenue intersection which then curbs up to a hammer-head turn around located near the northwest corner of the property. Rothwell Road climbs up approximately sixty feet (60') and is approximately 548 feet long.

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). The applicant does not plan on building the 27 houses, but to develop the lots to be able to sell them individually.

The MPD includes the following:

- A total of 32 lots.
- Seven (7) deed restricted affordable housing condominium units (8.55 affordable unit equivalents).
- Eight (8) additional non-required deed restricted affordable housing condominium units (9.07 affordable unit equivalents).
- 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.
- Market rate units
 - 23 condominiums
 - 7 townhomes
 - 27 single-family lots (detached houses)

Building A - Affordable Housing

- Multi-unit dwelling, conditional use
- 15 residential affordable housing units
- Square footage
 - Residential: 16,520
 - Mechanical: 256
 - Internal circulation (hallways and stairs): 1,833
 - Parking and vehicular circulation: 5,571
 - Overall: 24,180
- 18 parking spaces located in an enclosed underground parking garage

- Vehicular access off Lowell Avenue through one (1) driveway
- 5 stories above the parking garage
- Located on proposed Lot 1
- Affordable housing residential units do not count towards residential Unit Equivalents

Building B/C

- Multi-unit dwelling, conditional use
- 12 residential units
- Square footage
 - Residential: 28,253 (14.13 residential Unit Equivalents)
 - Mechanical: 375
 - Internal circulation (hallways, stairs, and elevator): 1,133
 - Parking and vehicular circulation: 9,305
 - Overall: 39,066
- 21 parking spaces located in enclosed underground parking garages
- Vehicular access off Lowell Avenue through two (2) separate driveways
- 4 stories above the parking garage
- Located on proposed Lot 2

Building D

- Multi-unit dwelling, conditional use
- 11 residential units
- Square footage
 - Residential: 24,590 (12.30 residential Unit Equivalents)
 - Mechanical: 166
 - Internal circulation (hallways, stairs, and elevator): 1,827
 - Parking and vehicular circulation: 8,313
 - Overall: 34,896
- 22 parking spaces located in an enclosed underground parking garage
- Vehicular access off Lowell Avenue through one (1) driveway
- 4 stories above the parking garage
- Located on proposed Lot 2

Townhomes Building

- Multi-unit dwelling, conditional use
- 7 residential units
- Residential square footage: 29,005 (14.50 residential Unit Equivalents)
- 14 parking spaces, 2 within each parking garage
- Vehicular access off proposed private drive through individual driveways
- 3 stories above the garage level
- Located on proposed Lot 30

Single-Family Residential Lots

- Single-family dwellings, allowed use

- 27 lots accommodate one (1) single-family dwelling on each lot
- Approximate buildable square footage: 71,880 (35.94 residential Unit Equivalents)
- 54 parking spaces, 2 within each lot as required
- Vehicular access off proposed private drive through individual driveways
- Located on proposed Lots 3-29

Open Space Lots

- 2 lots to be re-platted as open space
- Proposed open space lot 31:
 - Square footage: 2,106.4
 - Proposed retaining walls and stair access to adjacent property to the south
- Proposed open space Lot 32:
 - Square footage: 487,798.29 (11.2 acres)
 - No improvements on this lot
 - Proposed accessory building, 750 square feet, consisting of restroom and lockers for the exclusive use of property owners. Accessory buildings are an allowed use with the RC District. Restrooms/lockers are considered residential accessory space and do not count towards Unit Equivalents.
 - Contains an existing pedestrian access easement for Nastar, LLC.

In addition to plans showing existing conditions and proposed plans ([General Drawings](#), [Civil Drawings \(ALTA & Slope\)](#), [Proposed Plat \(updated\)](#), [Survey](#), [Civil Drawings](#), [Landscape Drawings](#), [Architectural Site Drawings](#), [Site Compliance Drawings](#), [Architectural Graphics Drawings](#), [Architectural Drawings](#), [Material Board](#), [Townhome Rendering](#)), the applicant submitted the following letters and reports:

- [Exhibit A - Applicant's MPD Letter](#)
- [Exhibit B - Applicant's General Plan Letter](#)
- [Exhibit C - Prior Agreements](#)
- [Exhibit D - Applicant's CUP Letter](#)
- [Exhibit E - Applicant's Re-Subdivision Letter](#)
- [Exhibit F - Construction Mitigation Plan](#)
- [Exhibit G – Affordable Housing Letter](#)
- [Exhibit H – 2017.08.03 Planning Commission and Staff Questions and Concerns Letter](#)
- [Exhibit I – 2017.12.01 Planning Commission Response Letter \(submitted on 2017.12.06\)](#)
- [Exhibit J - Applicant's Traffic Studies and Transportation Master Plan](#)
- [Exhibit K - Vegetation Study](#)
- [Exhibit L - Geotechnical Investigation](#)
- [Exhibit M - City Traffic Study](#)
- [Exhibit N - King's Crown Traffic Study](#)
- [Exhibit O - Cultural Survey](#)

- [Exhibit P - Environmental Survey](#)
- [Exhibit Q - Mine Site Studies](#)
- [Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations](#)
- [Exhibit S - SFD Approximate Excavation Quantities](#)

Analysis - Master Planned Development

[Land Management Code § 15-6-5](#) indicates that all MPDs shall contain the following minimum requirements:

A. Density.

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

The site contains a total of 653,860 sf. (15.01 acres) broken down in the following manner:

- RC District: 199,867 sf. (4.59 acres)
- RC District within the SLO Zone: 78,654 sf. (1.81 acres)
- ROS District: 84,194 sf. (1.93 acres)
- ROS District within the SLO Zone: 291,145 sf. (6.68 acres)

The applicant proposes to build solely within the zoning boundaries of the RC District (4.59 acres). 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.

Within the RC District, sites with multi-unit dwellings receive a maximum floor area ratio (FAR) of 1.0. The portion of the site in the RC District has a maximum floor area of 199,867 sf. for multi-unit dwellings. 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. The proposal contains a total FAR of 0.41 ($80,963 \div 199,867$) for multi-unit dwellings. In applying the FAR at its maximum, the site would have a remaining 118,904 sf. in density ($199,867 - 80,963$). 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) without any sort of internal road layout/access. The applicant requests to re-subdivide 27 single-family lots in conjunction with their 80,963 sf. of multi-unit dwellings.

A residential Unit Equivalent is 2,000 square feet. The applicant proposes the construction of the following 30 residential units and the allotment of 27 lots:

- 12 units (flats) within multi-unit Building B/C totaling 27,683 square feet (13.84 residential Unit Equivalents)

- 11 units (flats) within multi-unit Building D totaling 24,255 square feet (12.13 residential Unit Equivalents)
- 7 townhouses within the Townhome Building totaling 29,005 square feet (14.50 residential Unit Equivalents)
- 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)

Complies. The applicant requests a total of 57 residential units in the form of flats, townhouses, and future houses totaling approximately 152,843 square feet (76.41 residential Unit Equivalents) within the RC District non-SLO zone which is 199,867 square feet. The site also contains 78,654 square feet of area in the RC District within the SLO Zone; however, the applicant does not seek to transfer any of that density into the development as allowed in the SLO Regulations. The proposed Density of the MPD does not exceed the maximum Density in the zone.

If the applicant was requesting to solely build multi-unit dwellings only utilizing RC District non-SLO zone which is 199,867 square feet, it would trigger a maximum density of 199,867 square feet, 99.94 residential Unit Equivalents, based on the Districts FAR of 1.0. If the applicant was requesting to solely build single-family dwellings only utilizing RC District non-SLO zone which is 199,867 square feet, it would trigger a maximum density of 106 residential units based on the minimum lot size of 1,875 square feet.

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

Not applicable. The site is not located in the HR-1 or HR-2 District.

C. Setbacks.

LMC 15-6-5(C) states the following:

(1) The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels one (1) acre or larger in size. The Planning Commission may decrease the required perimeter Setback from twenty five feet (25') for MPD applications one (1) acre or larger to the zone required Setback if it is necessary to provide desired architectural interest and variation.

[...]

(4) In all MPDs, for either the perimeter setbacks or the setbacks within the project, the Planning Commission may increase Setbacks to retain existing Significant Vegetation or natural features or to create an adequate buffer to adjacent Uses, or to meet historic Compatibility requirements.

(5) The Planning Commission may reduce Setbacks within the project boundary,

but not perimeter Setbacks, from those otherwise required in the zone to match an abutting zone Setback, provided the project meets minimum Uniform Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria set forth in Section 15-6-5(D)

Complies, pending Planning Commission approval of requested Setbacks. The applicant request 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. Applicant seeks the following setback reductions as allowed by the Code, to be granted by the Planning Commission:

1. Proposed Lots 3-7 front setback reduction to ten feet (10').
2. Proposed Lot 21 side setback reduction to twenty feet (20').
3. Proposed Lot 22 side setback reduction to ten feet (10').

The proposed setback reduction as described above matches the abutting zone setbacks, all aspect of the project will comply with applicable Building and Fire codes, it does not increase project density, and maintains the general character of the surrounding neighborhood in terms of mass, scale and spacing between houses, and meets open space criteria.

Staff recommends applying the RC District minimum setbacks as requested as the adjacent single family dwellings did not go through the master planned process as their setbacks are based on the minimum zone setback. Proposed Lots 3-7 are directly across the street from lots with typical minimum front yard setback. Lots 21 and 22 are tucked all the way at the end of the private drive, which their requested setback reduction is opposite to the location of the private driveway. Staff recommends granting the setback reduction based on the RC District applicable minimum setback.

D. Open Space.

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

LMC Definition of Open Space.

- A. Open Space, Landscaped.** *Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hard-scaped plazas, and public pedestrian amenities, but excluding Buildings or Structures.*
- B. Open Space, Natural.** *A natural, undisturbed Area with little or no improvements. Open space may include, but is not limited to, such Areas as Ridge Line Area, Slopes over thirty percent (30%), wetlands,*

Stream Corridors, trail linkages, Subdivision or Condominium Common Area, or view corridors.

C. Open Space, Transferred Development Right (TDR). *That portion of a Master Planned Development, PUD, Cluster Plan or other Development plan from which Density is permanently Transferred. This Area may be either Natural or Landscaped Open Space.*

Complies. The MPD site contains a total of 653,759 square feet. The MPD 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.

The Planning Commission shall designate the preferable type and mix of open space for each Master Planned Development. This determination will be based on the guidance given in the Park City General Plan. Landscaped open space may be utilized for project amenities such as gardens, greenways, pathways, plazas, and other similar Uses. Open space may not be utilized for Streets, roads, driveways, Parking Areas, commercial Uses, or Buildings requiring a Building Permit. Staff finds that the requested open space designation of natural open space best suits the site based on the site's natural undisturbed Area. The applicant proposes to designate the use of the two (2) open space lots on the proposed Re-Subdivision (plat).

Applicant indicated on their latest letter ([Exhibit I – 2017.12.01 Planning Commission Response Letter \(submitted on 2017.12.06\)](#)) a list of prohibited uses and restrictions in the protected open space followed by a list of allowed and reserved uses:

Prohibited uses and restrictions:

- *Any industrial, commercial, or for-profit recreational activity (downhill skiing is expressly permitted).*
- *No construction of any structures or impervious paving. [except for residential accessory building, 750 sf. within the RC District and stairs/retaining walls to the structure to the south].*
- *No recreational improvements, except hiking/biking trails and ski-related trails and associated equipment, are permitted.*
- *Subdivision.*
- *Mining.*
- *Alteration of topography.*
- *Dumping.*
- *Manipulation of water.*
- *Roads and impervious surfaces.*
- *Vehicles (expressly permitted are vehicles associated with ski maintenance on the ski run trails only).*
- *Plant removal or introduction.*
- *Density [units]*
- *Hunting.*

- *Perimeter fencing.*
- *Haying and grazing.*

Allowed and reserved uses:

- *Skiing.*
- *Ski-related equipment on the ski runs.*
- *Ski maintenance vehicles.*
- *Conveyance of the property is allowed.*
- *Buried utilities on the ski runs.*
- *Signs as necessary.*
- *Public access.*
- *Hiking/biking trails.*
- *Preservation, restoration or enhancement of conservation values.*
- *Native species may be restored.*

Applicant submitted [Exhibit K - Vegetation Study](#), regarding potential impacts of the proposed development. The study provides recommendation an objective opinion regarding the impacts on the tree canopy of the proposed development.

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

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:

- Affordable Housing Building A requires 18 parking spaces based on the size of the units. The proposed building contains 18 parking spaces.
- Building B/C requires 21 parking spaces based on the size of the units. The proposed building contains 21 parking spaces.
- Building D requires 21 parking spaces based on the size of the units. The proposed building contains 22 parking spaces.
- 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.
- Single-family dwelling residential lots requires 54 parking spaces, based on unit count. These 27 residential lots would require a minimum of 2 parking spaces per unit.

Complies.

F. Building Height.

- a. Multi-unit dwellings: No Structure shall be erected to a height greater than

thirty-five feet (35') from Existing Grade. Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 or greater.

- b. Single-family dwellings: No Single Family shall be erected to a height greater than twenty-seven feet (27'). Final Grade must be within four vertical feet (4') of Existing Grade around the periphery of the Structure, except for the placement of approved window wells, emergency egress, and a garage entrance. Additional height requirements apply (mimics HR-1 District).

Complies. *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. **The applicant does not seek additional height under the MPD parameters listed under LMC § 15-6-5 MPD Requirements, subsection F.***

G. Site Planning.

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

1. *Units should be clustered on the most developable and least visually sensitive portions of the Site with common open space separating the clusters. The open space corridors should be designed so that existing Significant Vegetation can be maintained on the Site.*

Complies. The project has been designed to maintain the existing neighborhood development pattern, with the larger scale buildings tucked alongside the existing multi-family.

2. *Projects shall be designed to minimize Grading and the need for large retaining Structures.*

Complies. 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.

3. *Roads, utility lines, and Buildings should be designed to work with the Existing Grade. Cuts and fills should be minimized.*

Complies. 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.

4. *Existing trails should be incorporated into the open space elements of the project and should be maintained in their existing location whenever possible. Trail easements for existing trails may be required. Construction of new trails will be required consistent with the Park City Trails Master Plan.*

Complies. 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.

5. *Adequate internal vehicular and pedestrian/bicycle circulation should be provided. Pedestrian/ bicycle circulations shall be separated from vehicular circulation and may serve to provide residents the opportunity to travel safely from an individual unit to another unit and to the boundaries of the Property or public trail system. Private internal Streets may be considered for Condominium projects if they meet the minimum emergency and safety requirements.*

Complies. Rothwell Road (private drive) and its specifications has been worked out in conjunction with the Park City Fire District, Park City Planning, and Park City Engineering Departments.

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. 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.

6. *The Site plan shall include adequate Areas for snow removal and snow storage. The landscape plan shall allow for snow storage Areas. Structures shall be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. The assumption is that snow should be able to be stored on Site and not removed to an Off- Site location.*

Complies. There are sufficient areas adjacent to the streets, driveways, and parking areas to store snow.

7. *It is important to plan for refuse storage and collection and recycling facilities. The Site plan shall include adequate Areas for dumpsters and recycling containers. These facilities shall be Screened or enclosed. Pedestrian Access*

shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests.

No final site plan for a commercial or multi-family residential development shall be approved unless there is a mandatory recycling program put into effect which may include Recycling Facilities for the project.

Single family residential development shall include a mandatory recycling program put into effect including curb side recycling but may also provide Recycling Facilities.

Locations for proposed centralized trash and recycling collection facilities shall be shown on the site plan drawings. Written approval of the proposed locations shall be obtained by the City Building and Planning Department.

Centralized garbage and recycling collection containers shall be located in a completely enclosed structure, designed with materials that are compatible with the principal building(s) in the development, including a pedestrian door on the structure and a truck door/gate. The structure's design, construction, and materials shall be substantial e.g. of masonry, steel, or other materials approved by the Planning Department capable of sustaining active use by residents and trash/recycle haulers.

The structures shall be large enough to accommodate a garbage container and at least two recycling containers to provide for the option of dual-stream recycling. A conceptual design of the structure shall be submitted with the site plan drawings.

Complies as conditioned. The MPD shall comply with the trash storage and collection and recycling regulations contained herein.

8. *The Site planning for an MPD should include transportation amenities including drop-off areas for van and shuttle service, and a bus stop, if applicable.*

Complies. 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.

9. *Service and delivery Access and loading/unloading Areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.*

Complies. No commercial service and delivery are included in this MPD as

the entire project is 100% residential.

H. Landscape and Street Scape.

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

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 LMC Chapter 15-5, Architectural Review.

Complies. 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. Drought tolerant species and species native to the area are stipulated in the Guidelines. Native rock and boulders are stipulated.

Lighting is proposed to comply with requirements of LMC Chapter 15-5, Architectural Review and is further spelled out in the Guidelines.

In conjunction with the construction of the multi-unit buildings, the applicant is also proposing to build a sidewalk on Lowell Avenue on the west side of the road adjacent to their development. The City Engineer has reviewed the proposal and requires a five foot sidewalk extending from the Marriot MountainSide to the end of the Multi-Unit Dwellings.

I. Sensitive Lands Compliance.

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

Complies. No development within the MPD is located within the SLO with the exception of trails, which are an allowed use in the SLO.

J. Employment/Affordable Housing.

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

Complies. Kings Crown MPD includes 200% of the required Affordable Housing as required by the current housing resolution (03-2017). The current affordable housing proposal, which is developed through the Affordable Housing Staff and the Affordable Housing Authority (The City Council), is shown in the proceeding table. The Staff and the Affordable Housing Authority retain the final say on these

figures, however, and the final decision is made subsequent to the MPD approval.

Table 1. Type of Unit/AMI Target/Price

Unit Type	AMI Target	Price
Three bedroom	60%	\$240,250
Two bedroom	60%	\$216,225
Two bedroom	60%	\$216,225
One bedroom	60%	\$192,153
Two bedroom	70%	\$252,262
Two bedroom	70%	\$252,262
Two bedroom	80%	\$288,300
Two bedroom	80%	\$288,300
Three bedroom	100%	\$400,416
Two bedroom	100%	\$360,375
Three bedroom	120%	\$480,499
Three bedroom	120%	\$480,499
Two bedroom	120%	\$432,449
Two bedroom	120%	\$432,449
Two bedroom	120%	\$432,449

K. Child Care.

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

Not applicable. Staff does not find that the project creates additional demands for child care.

L. Mine Hazards.

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

Not applicable. An environmental survey ([Exhibit P - Environmental Survey](#)) was prepared revealing no environmental contaminants on the property. A mine site study ([Exhibit Q - Mine Site Studies](#)) was conducted and determined that there were no mining related activities on the property.

M. Historic Mine Waste Mitigation.

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

Not applicable. An environmental survey ([Exhibit P - Environmental Survey](#)) was prepared revealing no environmental contaminants on the property. A mine site study ([Exhibit Q - Mine Site Studies](#)) was conducted and determined that there were no mining related activities on the property.

N. General Plan Review.

All MPD applications shall be reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding.

Complies. Staff finds that the proposal fulfills the following goals and objectives of the General Plan:

Small Town

- [Goal 1: Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods.](#)
Objective 1A - 1D
- [Goal 2: Park City will emphasize and preserve our sense of place while collaborating with the Wasatch Back and Slat Lake County regions through regional land use and transportation planning.](#)
Objective 2A - 2D
- [Goal 3: Park City will encourage alternative modes of transportation on a regional and local scale to maintain our small-town character.](#)
Objective 3A – 3C

Natural Setting

- [Goal 4: Open Space: Conserve a connected healthy network of open space for continued access to and respect for the natural setting.](#)
Objective 4A - 4E
- [Goal 5: Environmental Mitigation: Park City will be a leader in energy efficiency and conservation of natural resources reducing greenhouse gas emissions by at least fifteen percent \(15%\) below 2005 levels in 2020.](#)
Objective 5A - 5D.
- [Goal 6: Climate Adaptation: Park City will implement climate adaption strategies to enhance the City's resilience to the future impacts of climate change.](#)
Objectives 6A - 6D

Sense of Community

- [Goal 7: Life-cycle Housing: Create a diversity of primary housing opportunities to address the changing needs of residents.](#)
Objectives 7A - 7E
- [Goal 8: Workforce Housing: Increase affordable housing opportunities and associated services for the work force of Park City.](#)
Objectives 8A - 8C
- [Goal 9: Parks and Recreation: Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors.](#)
Objective 9A - 9C
- [Goal 10: Park City will provide world-class recreation and public infrastructure to host local, regional, national and international events that further Park City's role as a world-class multi-seasonal destination resort while maintaining a balance with our sense of community.](#)

Objective 10A - 10C

- [Goal 12: Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City.](#)

Objectives 12A - 12C

- [Goal 13: Arts & Culture: Park City will continue to grow as an arts and culture hub encouraging creative expression.](#)

Objective 13A - 13C

- [Goal 14: Living within limits: the future of Park City includes limits \(ecological, qualitative and economic\) to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region.](#)

Objective 14A – 14D

O. Historic Sites

All MPD Applications shall include a map and inventory of Historic Structures and Sites on the Property and a Historic Structures Report, as further described on the MPD application. The Historic Structures Report shall be prepared by a Qualified Historic Preservation Professional.

Not applicable. 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. An environmental survey ([Exhibit P - Environmental Survey](#)) was prepared revealing no environmental contaminants on the property. A mine site study ([Exhibit Q - Mine Site Studies](#)) was conducted and determined that there were no mining related activities on the property.

Analysis – Conditional Use Permit

Multi-unit dwellings and Master Planned Developments are listed as a conditional use in the RC District. 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.

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. The RC District lists multi-unit dwellings as a conditional use. 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.

1. **Size and location of the Site.** The project is located on Lowell Avenue, between 12th and 13th Street. The four (4) multi-unit dwellings are located at the lower portion of the subject site. Based on the maximum FAR of the RC District, the minimum paper density would be approximately 200,000 square feet when only considering the RC District of the subject site. The applicant proposes the

construction of thirty (30) multi-unit dwellings totaling 80,963 square feet within three (3) separate multi-unit dwellings and fifteen (15) deed-restricted affordable housing units totaling 16,520 square feet in a separate multi-unit dwelling. The applicant also requests twenty-seven (27) single-family dwelling lots equating to approximately 71,880 square feet. The applicant requests a total of 57 residential units (condos/townhouses/houses) totaling approximately 152,843 square feet.

No unmitigated impacts.

2. Traffic considerations including capacity of the existing Streets in the Area.

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. Capacity of existing streets can handle anticipated normal traffic especially based on the fact that maximum density is not being pursued by the applicant. See the following submitted exhibits:

- [Exhibit J - Applicant's Traffic Studies and Transportation Master Plan](#)
- [Exhibit M - City Traffic Study](#)
- [Exhibit N - King's Crown Traffic Study](#)

No unmitigated impacts.

3. Utility capacity, including Storm Water run-off. Utilities necessary for these proposed uses are available at or near the site. Final utility plans, including grading and storm water run-off plans will be required at time of building permit review.

Extensions of utilities or utility upgrades to the development site are required. A utility plan has been developed with this submittal in coordination with the required utilities and Park City Engineering Department. A final utility plan will be submitted with the final construction documents to be reviewed by the City and utility service providers. City Staff will provide utility coordination meetings to ensure that utilities are provided in the most efficient, logical manner and that comply with best practices, including consideration of aesthetics in the location of above ground utility boxes.

No unmitigated impacts.

4. Emergency vehicle Access. 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.

No unmitigated impacts.

5. Location and amount of off-Street parking. The applicant does not request to decrease the required number of off-street parking spaces; therefore, no parking analysis has been submitted. See proposed location and amount of parking:

- The affordable housing Building A requires 18 parking spaces based on the size of the units. The proposed building contains 18 parking spaces in the proposed parking garage, lower level.
- Building B/C requires 21 parking spaces based on the size of the units. The proposed building contains 21 parking spaces in the proposed parking garage, lower level.
- Building D requires 21 parking spaces based on the size of the units. The proposed building contains 22 parking spaces in the proposed parking garage, lower level.
- 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 within each proposed unit/private garage, lower level.

No unmitigated impacts.

6. **Internal vehicular and pedestrian circulation system.** 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.

No unmitigated impacts.

7. **Fencing, Screening, and landscaping to separate the Use from adjoining Uses.** 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.

No unmitigated impacts.

8. **Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots.** The project has been designed to mirror the existing neighborhood development patterns. 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.

No unmitigated impacts.

9. **Usable Open Space.** As designed, approximately 82 percent of the project is contiguous open space, with access to skiing and bike trails.

No unmitigated impacts.

10. **Signs and lighting.** 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.

No unmitigated impacts.

11. **Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing.** The physical design of the proposed additions and new buildings, in terms of mass, scale, style, design and architectural detailing, complies with LMC §15-5-5 Architectural Design. The

proposed buildings complement the existing neighborhood in architectural character, materials, colors, mass and scale. Proposed materials consist of metal and membrane roofing, wood and metal siding, natural stone and other elements consistent with the existing buildings.

No unmitigated impacts.

- 12. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site.** This project will not create any of the conditions listed that are not normally associated in the residential nature of the proposed use.

No unmitigated impacts.

- 13. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas.** There will be no delivery or service vehicles to the project as the entire project is residential. 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.

No unmitigated impacts.

- 14. Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities.** 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 dwellings. The affordable units will be sold per the affordable housing agreement with the city. Nightly rentals are an allowed use in the Recreation Commercial District but will not be allowed for the affordable units.

No unmitigated impacts.

- 15. Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site;** This developed portion of the site is not within any of the above mentioned designation other than the steep slopes found throughout the site. The applicant has chosen to develop over the non-SLO portion of their subject site. 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. An environmental survey ([Exhibit P - Environmental Survey](#)) was prepared revealing no environmental contaminants on the property. A mine site study ([Exhibit Q - Mine Site Studies](#)) was conducted and determined that there were no mining related activities on the property.

Proposed Export Fill Placement of Multi-Unit Buildings/Road

Applicant represent the figures/exhibits for the placement, volume and height of on-mountain waste rock on a map showing the placement areas for waste rock,

see [Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations](#), based on conversations they have had with the Park City Mountain representatives. The exhibit also shows the proposed study of the corresponding volumes and depths of the waste material. 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. Maximum depth would be 5 feet, tapering off to 0 feet.

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. The applicant estimates 14,400 cubic yards of material (includes swell) which would equate to 1,440 truckloads (at 10 yds. / truck). 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. Applicant feels that this is a very significant concession and one that has not been offered by any project in the Park City area. The idea is to prevent large fleets of trucks from causing conflicts during the very busy winter ski season on a parcel of property adjacent to the resort.

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, but cannot guarantee this as it is a function of many different suppliers, multiple subcontractors and various, unpredictable trucking schedules. 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.

Proposed Export Fill Quantity of Single-Family Dwellings

Applicant has provided the approximate excavation quantities of the 27 single-family dwellings. The applicant is not planning on building these houses. The applicant estimates approximately 7,500 cubic yards, see [Exhibit S - SFD Approximate Excavation Quantities](#). While staff discussed with the applicant to possibility of mandating that this fill material be accommodated on the neighboring property (ski resort) the applicant was unwilling to concede to this as they do not have a commitment from the adjacent neighbor for this quantity. The applicant request that these excavation quantities follow standard City protocol regarding removal of material.

Construction Mitigation Plan

The Chief Building official has studied the applicant's preliminary Construction Mitigation Plan and finds that the proposal is in general terms with current

Building Department policies. Construction Mitigation Plan will be finalized by the Building Dept. once building permits are submitted by the applicant.

No unmitigated impacts, as conditioned. See the following submitted exhibits:

- [Exhibit F - Construction Mitigation Plan](#)
- [Exhibit I – 2017.12.01 Planning Commission Response Letter \(submitted on 2017.12.06\)](#)
- [Exhibit L - Geotechnical Investigation](#)
- [Exhibit P - Environmental Survey](#)
- [Exhibit Q - Mine Site Studies](#)
- [Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations](#)
- [Exhibit S - SFD Approximate Excavation Quantities](#)

16. Reviewed for consistency with the goals and objectives of the Park City

General Plan; however such review for consistency shall not alone be binding.

Consistent. See Master Plan Development Section regarding General Plan consistency. In addition to the submitted letter regarding to consistency with the General Plan the applicant also submitted a letter regarding compliance with the City's Transportation Master Plan:

- [Exhibit B - Applicant's General Plan Letter](#)
- [Exhibit J - Applicant's Traffic Studies and Transportation Master Plan](#)

Analysis - Re-Subdivision

The site is within the Snyder's Addition to the Park City Survey which requires the reconfiguring the entire site, 653,860 sf. (15.01 acres), into the proposed 32 lots. The applicant proposes the following lots:

- Three (3) lots to accommodate the four (4) Multi-Unit Dwelling buildings: proposed Lots 1, 2, and 30.
- Twenty-seven (27) single-family dwelling lots: proposed Lot 3 - 29.
- Two (2) open space lots: proposed Lot 31 - 32.

The three (3) proposed multi-family lots would in the future platted with a Condominium Plat into their individual units, allowing the property owner the ability to sell each unit individually. The development proposes the re-configuring of 27 single-family lots to house one single-family dwelling each. The development also proposes the re-configuring of two (2) open space lots that would be owned and maintained by the development homeowner's association (HOA).

The City vacated internal Rights-of-Way (ROW) in 1966. [See Exhibit C - Prior Agreements - 1966 Ordinance](#). This Re-Subdivision in conjunction with this MPD request removes all platted lots within the development.

Land Management Code Section [15-7.1-5 Preliminary Subdivision Plat](#), specifically sub-section D and E indicates the following:

D. Planning Commission Review of Preliminary Plat. *The Planning Commission shall study the Preliminary Plat and the report of the Staff, taking into consideration requirements of Land Management Code, any Master Plan, site plan, or Sensitive Land Analysis approved or pending approval on the subject Property. Particular attention will be given to the arrangement, location and width of Streets, their relation to sewerage disposal, drainage, erosion, topography and natural features of the Property, location of Physical Mine Hazards and geologic hazards, Lot sizes and arrangement, the further Development of adjoining lands as yet un-subdivided, and the requirements of the Official Zoning Map, General Plan, and Streets Master Plan, as adopted by the Planning Commission and City Council. The Planning Commission shall make a finding as to whether there is Good Cause in approving the preliminary plat.*

E. PUBLIC HEARINGS. *The Planning Commission shall hold a public hearing on the Preliminary Plat Application. Such hearings shall be advertised in accordance with the requirements of Section 15-1-12 of the Land Management Code and in the same manner as the subsequent public hearings of the final Subdivision Plat; except, however, that the Planning Commission may, at its sole discretion, combine the required hearings for both preliminary and final Subdivision Plat approval.*

During the November 29, 2017 Planning Commission meeting Staff recommended that the Planning Commission combine the required hearings for both preliminary and final Subdivision Plat approval. Staff does not see a benefit at this time to have a review and public hearing for preliminary subdivision plat at Planning Commission to then have the applicant come back with another application to hold another review and public hearing for final subdivision plat at Planning Commission with a recommendation to the City Council with the sub-sequent review and public hearing at City Council. The Planning Commission agreed with staff in that the combination of preliminary and final plat review.

The proposed final plat includes the following lot no, lot size, and specific use:

<u>Lot#:</u>	<u>Size:</u>	<u>Use:</u>
1	18,381.29 sf.	Multi-Unit Dwelling (future Bldg. A, affordable housing)
2	41,773.16 sf.	Multi-Unit Dwellings (future Bldg. B/C and D)
3	1,875.0 sf.	SFD
4	1,875.0 sf.	SFD
5	1,875.0 sf.	SFD
6	2,062.5 sf.	SFD
7	2,576.56 sf.	SFD
8	2,677.79 sf.	SFD
9	2,004.92 sf.	SFD
10	2,326.52 sf.	SFD
11	2,182.2 sf.	SFD

12	2,015.91 sf.	SFD
13	2,049.98 sf.	SFD
14	2,041.91 sf.	SFD
15	2,017.33 sf.	SFD
16	1,995.8 sf.	SFD
17	1,991.28 sf.	SFD
18	2,603.19 sf.	SFD
19	2,921.39 sf.	SFD
20	2,269.58 sf.	SFD
21	5,644.75 sf.	SFD
22	3,184.94 sf.	SFD
23	3,548.63 sf.	SFD
24	2,820.0 sf.	SFD
25	2,820.0 sf.	SFD
26	2,356.33 sf.	SFD
27	2,370.46	SFD
28	2,342.39 sf.	SFD
29	2,343.03 sf.	SFD
30	19,903.68 sf.	Multi-Unit Dwellings (future Townhouses, 7 units)
31	2,106.40 sf.	Open Space
32	487,892.55 sf.	Open Space

The minimum lot area for single-family dwellings in the RC District is 1,875 square feet. All of the SFD lots meet the minimum lot area requirements. The RC does not have a minimum lot area for lots with multi-unit dwellings. Some lots are big enough to house a duplex with a minimum lot area of 3,750 square feet; however, the applicant has indicated that they will not seek to build (sell) duplex lots. A note shall be added to the plat indicating that development on each SFD lot is limited to one (1) single-family dwelling.

The proposed final plat shall in compliance with criteria outlined under the LMC § 15-7.3 Requirements for Improvements, Reservations, and Design which includes the following, as applicable: general subdivision requirements, general lot design requirements, road requirements and design, drainage and storm sewers, water facilities, sewer facilities, sidewalks, hiking trails, bike paths, and horse trails, public uses, preservation of natural features and amenities. All plats are reviewed by the City Engineer for these and other applicable standards. The applicant has filed a Line Extension Agreement with the Snyderville Basin Water Reclamation District. The City Engineer has reviewed preliminary utilities which comply as conditioned.

Staff finds Good Cause for this Re-Subdivision (Final Plat) as it allows the development based on the MPD and CUP, which allow a significant portion of the site to not be disturbed and which places development at the lower portions of subject site.

Process

Approval of these applications by the City constitutes Final Action that may be appealed

following the procedures found in LMC § 1-18. A Building Permit is publicly noticed by posting of the permit.

Significant Impacts

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

Department Review

This project has gone through an interdepartmental review at a Development Review Committee meeting.

Significant Impacts

There are no significant impacts to the City or adjacent neighborhoods as a result of this proposal that have not been addressed with plan revisions and conditions of approval

Notice

On December 27, 2017, the property was posted and public hearing courtesy notices were mailed to property owners within three hundred feet (300'). Legal notice was published in the Park Record two weeks prior to the scheduled public hearing.

Public Input

Staff received two (2) public input letters from adjacent property owners. Ms. Kravtin indicates general concerns with the Old Town character of the portion of Lowell Avenue. Marriott MountainSide indicates concerns with traffic during construction and on-going traffic, proximity to property, privacy, construction noise and possible long term noise, and dust issues. The submitted public input letters are found [here](#).

Summary Recommendations

Staff recommends that the Planning Commission hold a public hearing and review the submitted Master Planned Development (MPD), Conditional Use Permit (CUP), and Re-Subdivision applications. Staff recommends that the Planning Commission approve the MPD and CUP as conditioned, and forward a positive recommendation of the Re-Subdivision to the City Council as conditioned, based on the listed Findings of Facts, Conclusions of Law, and Conditions of Approval in the staff report and the draft ordinance.

Master Planned Development & Conditional Use Permit

Findings of Fact

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 has 14 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 ($80,963 \div 199,867$) 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 reduction 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.
 - 1. The Uses will be Compatible with surrounding Structures in Use, scale, mass and circulation.
 - 2. 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.

Link - Applicant Narratives

Proposed Ordinance Exhibit – Re-Subdivision (Final Plat)

[Exhibit A - Applicant's MPD Letter](#)

[Exhibit B - Applicant's General Plan Letter](#)

[Exhibit C - Prior Agreements](#)

[Exhibit D - Applicant's CUP Letter](#)

[Exhibit E - Applicant's Re-Subdivision Letter](#)

[Exhibit F - Construction Mitigation Plan](#)

[Exhibit G – Affordable Housing Letter](#)

[Exhibit H – 2017.08.03 Planning Commission and Staff Questions and Concerns Letter](#)

[Exhibit I – 2017.12.01 Planning Commission Response Letter \(submitted on 2017.12.06\)](#)

Link - Reports

[Exhibit J - Applicant's Traffic Studies and Transportation Master Plan](#)

[Exhibit K - Vegetation Study](#)

[Exhibit L - Geotechnical Investigation](#)

[Exhibit M - City Traffic Study](#)

[Exhibit N - King's Crown Traffic Study](#)

[Exhibit O - Cultural Survey](#)

[Exhibit P - Environmental Survey](#)

[Exhibit Q - Mine Site Studies](#)

[Exhibit R - Proposed Export Fill Placement Exhibit and Possible Fill Locations](#)

[Exhibit S - SFD Approximate Excavation Quantities](#)

Link - Plans

[Exhibit T - General Drawings:](#)

GI-001 Cover Sheet

[Exhibit U1 – Civil Drawings \(ALTA & Slope\):](#)

ALTA Survey

Slope Map

[Exhibit U2 – Proposed Plat \(updated\)](#)

Updated Proposed Plat (received 2017.12.06)

Exhibit U3 – Survey

C1 Existing Conditions Survey

Exhibit U4 - Civil Drawings:

Proposed Plat

C3 Preliminary Utility Plan

C4 Preliminary Grading Plan

C5 Detailed Grading Plans

C6 Detailed Grading Plans

Exhibit V – Landscape Drawings:

L-101 LANDSCAPE PLAN

L-102 MATERIALS PLAN

Exhibit W - Architectural Site Drawings:

AS-001 Site Aerial Plan

AS-002 Existing Platted Conditions

AS-003 Project Scope

AS-004 Diagrammatic Site Plan

Exhibit X - Site Compliance Drawings:

AS-005 Property Zone Area Plan

AS-006 Open Space Calculations

AS-007 Building Pads / Setbacks

AS-008 Snow Storage Diagram

AS-009 Construction Mitigation

AS-010 Internal Pedestrian Circulation

AS-011 Retaining Wall Plan

AS-101 Architectural Site Plan

Exhibit Y - Architectural Graphics Drawings:

AG-101 Roof Height Compliance

AG-102 Height Fog Studies

AG-111 Affordable Building Area Plans

AG-112 Affordable Building Area Plans

AG-121 Condo Building B/C Area Plans

AG-122 Condo Building B/C Area Plans

AG-123 Condo Building B/C Area Plans

AG-131 Condo Building D Area Plans

AG-132 Condo Building D Area Plans

AG-141 Townhome Area Plans

AG-142 Townhome Area Plans

Exhibit Z - Architectural Drawings:

AE-201 Lowell Ave – Streetscape Elevations

AE-211 Building A Elevations

AE-212 Building A Elevations

AE-221 Building B Elevations

AE-222 Building B Elevations

AE-223 Building C Elevations

AE-231 Building D Elevations

AE-232 Building D Elevations

AE-241 Townhome Street Elevation
AE-301 Site Sections
AE-302 Site Sections
AE-311 Building A Sections
AE-321 Building B/C Sections
AE-331 Building D Sections
AE-341 Townhome Sections
AE-342 Townhome Sections
AE-901 Preliminary 3D Views
AE-902 Preliminary 3D Views
AE-903 Preliminary Overall Sketch

Exhibit AA – Materials

[Material Board](#)

[Townhome Rendering](#)

Proposed Ordinance Exhibit – Re-Subdivision (Final Plat)

Draft Ordinance No. 2018-XX

AN ORDINANCE APPROVING THE KINGS CROWN RE-SUBDIVISION LOCATED AT 1201-1299 LOWELL AVENUE, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 1201-1299 Lowell Avenue, have petitioned to the City Council for approval of the Kings Crown Re-Subdivision; and

WHEREAS, on December 23, 2017 the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was published in the Park Record on December 23, 2017, and notice letters were sent to all affected property owners on December 27, 2017, in accordance with the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on January 10, 2018, to receive input on the plat;

WHEREAS, the Planning Commission, on January 10, 2018, forwarded a recommendation to the City Council; and,

WHEREAS, on February 1, 2018, the City Council held a public hearing on the Subdivision Plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve King's Crown Re-Subdivision.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. King's Crown Re-Subdivision Final Plat, as shown in Attachment 1 (also Exhibit U2), is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

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 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)

4. The site is within the Snyder's Addition to the Park City Survey which requires the reconfiguring the entire site, 653,860 sf. (15.01 acres), into the proposed 32 lots.
5. The applicant proposes the following lots:
 - a. Three (3) lots to accommodate the four (4) Multi-Unit Dwelling buildings: proposed lot 1, 2, and 30.
 - b. Twenty-seven (27) single-family dwelling lots: proposed lot 3 - 29.
 - c. Three (3) open space lots: proposed lot 31 - 32.
6. The three (3) proposed multi-family lots would in the future re-platted via Condominium Plat re-subdivided into their individual units, allowing the property owner the ability to sell each unit individually.
7. The development proposes the re-configuring of 27 single-family lots to house one single-family dwelling each.
8. The development also proposes the re-configuring of two (2) open space lots that would be owned and maintained by the development homeowner's association (HOA).
9. The City vacated internal Rights-of-Way (ROW) in 1966.
10. This Re-Subdivision in conjunction with the concurrent MPD and CUP.
11. The Re-Subdivision application request removes all platted lots within the development.
12. Land Management Code Section 15-7.1-5 Preliminary Subdivision Plat, specifically indicates that the Planning Commission may, at its sole discretion, combine the required hearings for both preliminary and final Subdivision Plat approval.
13. The minimum lot area for single-family dwellings in the RC District is 1,875 square feet.
14. All of the SFD lots meet the minimum lot area requirements.
15. The applicant has indicated that they will not seek to build (sell) duplex lots on applicable lots. A note shall be added to the plat indicating that.
16. The applicant has filed a Line Extension Agreement with the Snyderville Basin Water Reclamation District. The City Engineer has reviewed preliminary utilities which comply as conditioned

Conclusions of Law:

1. There is Good Cause for this Final Plat as it consistent with the MPD and CUP.
2. The Final Plat is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed Final Plat.
4. Approval of the Final Plat, subject to the conditions of approval stated below, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form of 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 present the final signed Mylar plat to the City, for City signatures and recordation at Summit County, within one year of the date of City Council approval, or this approval will be considered void; unless an extension request is made in writing prior to the expiration date and an extension is granted by the City Council.
3. Approval of this Plat is subject to the Master Planned Development approval.
4. Final utility plans, consistent with preliminary utility plans reviewed by the Planning Commission during the MPD/CUP review, shall be submitted with the final subdivision plat for approval by the City Engineer.
5. 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.
6. 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.
7. Utilities must be extended to the site to sustain the anticipated uses. Twenty (20') foot wide non-exclusive utility easements are generally necessary for long term maintenance and shall be dedicated on the final subdivision plats. Off-site improvements are necessary to serve the site with utilities.
8. Final road designs will be provided to the Park City Planning, Engineering and Building Departments for review and approval as part of the permit process.
9. The proposed final plat shall in compliance with criteria outlined under the LMC § 15-7.3 Requirements for Improvements, Reservations, and Design which includes the following, as applicable: general subdivision requirements, general lot design requirements, road requirements and design, drainage and storm sewers, water facilities, sewer facilities, sidewalks, hiking trails, bike paths, and horse trails, public uses, preservation of natural features and amenities. All plats are reviewed by the City Engineer for these and other applicable standards.
10. 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
11. 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
12. A note shall be added to the plat indicating that development on each SFD lot is limited to one (1) single-family dwelling.

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

PASSED AND ADOPTED this __ day of __, 2018.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR
ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney