



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
February 28, 2024**

The Planning Commission of Park City, Utah, will hold its regular meeting in person at the Marsac Municipal Building, City Council Chambers, at 445 Marsac Avenue, Park City, Utah 84060. Meetings will also be available online and may have options to listen, watch, or participate virtually.

MEETING CALLED TO ORDER AT 5:30 PM.

1. ROLL CALL

2. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

3. PUBLIC COMMUNICATIONS

4. WORK SESSION

- 4.A. **Land Management Code Amendments** – Consultants Lisa Wise Consulting, Inc., Cascadia Partners, and Fehr and Peers Will Present their Draft Report Regarding Opportunities to Amend the Land Management Code to Incentivize Affordable Housing and to Reduce Single-Vehicle Occupancy through Improved Parking and Transportation Demand Management Criteria. (90 mins.)
- 4.B. **1800 Park Avenue – Park & Kearns Master Planned Development and Conditional Use Permit** – The Planning Commission Will Conduct a Work Session to Review the Revised Proposal for a Master Planned Development at 1800 Park Avenue in the General Commercial Zoning District and Frontage Protection Zone. The Applicant Requests Additional Planning Commission Input Regarding Proposed Height and the Master Planned Development Criteria Outlined in Land Management Code Section 15-6-5. PL-22-05746; PL-22-05475 (60 mins.)
- 4.C. **1200 Little Kate Road – Modification to a Master Planned Development** – The Applicant Proposes to Re-Locate the Existing Swimming Pools at the MARC to be Located at the Rear of the Property, Within the 25-foot MPD Setback and 15-foot Residential Development Zoning District Setback. PL-24-06039. (20 mins.)

5. REGULAR AGENDA

- 5.A. **327 McHenry Avenue - Conditional Use Permit and Steep Slope Conditional Use Permit** - The Applicant Proposes Construction of a 10-Foot Wide by 20-Foot-Long Outdoor Swim Spa, Hardscaped Patios, and Retaining Walls on a Steep Slope Previously Disturbed to Construct a New Single-Family Dwelling in the Historic Residential - Low Density Zoning District. PL-22-05389 (CUP); PL-24-06010 (SSCUP) (40 Mins.)
(A) Public Hearing; (B) Action

6. ADJOURNMENT

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the

meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting.

***Parking is available at no charge for meeting attendees who park in the China Bridge parking structure.**

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

Planning Commission Staff Report



Subject: Land Management Code Amendments
Application: PL-23-05931
Author: Rebecca Ward, Planning Director
Date: February 28, 2024
Type of Item: Work Session

Recommendation

Review the Land Management Code Amendments Recommended Report (Exhibit A) completed by Lisa Wise Consulting, Cascadia Partners, and Fehr & Peers, and provide input.

Background

According to Park City's [2021 Housing Needs Assessment](#), "[t]here would be no affordable housing development in Park City without the city's aggressive affordable housing policies and public-private partnerships." Park City is the only Utah city where workers (11,000) outnumber the population (8,500). Over 8,000 workers with an average wage of less than \$40,000 commute daily from homes out of Summit County to jobs in Park City. "The lack of affordable housing contributes to the local labor shortage, the high cost of local services, and reduced air quality."

Additionally, the goals and objectives of [Park City Forward](#), the City's long-range transportation plan, include reducing single occupancy vehicle trips and vehicle miles traveled, and providing a balanced multi-modal and pedestrian-oriented transportation system. One of the guiding principles to accomplish these goals and objectives is to proactively review and analyze disruptive transportation and transit ideas and innovation.

On May 11, 2023, the City Council approved a Professional Service Provider Agreement with Lisa Wise Consulting and subconsultants Cascadia Partners and Fehr & Peers to evaluate the Land Management Code and identify obstacles to the City's affordable housing and transportation goals ([New Business Item 6](#); [Minutes](#), p. 17).

Over the summer of 2023, the consultants reached out to focus groups, developers, and Commission and Council liaisons for initial input and conducted a community workshop on September 26, 2023. On November 8, 2023, the consultants presented their draft recommendations to the Planning Commission ([Work Session Item 5](#); [Minutes](#), p. 3). An online survey was open through November of 2023.

The consultants are scheduled to host a community open house at 5:30 PM on Tuesday, February 27, 2024, at The Yarrow (1800 Park Avenue).

This is the last scheduled work session with the consultants and the Planning Commission. Based on the input received from the community open house and

Planning Commission work session, the consultants will finalize the report outlining code recommendations. Staff will then schedule the proposed amendments for Planning Commission review, a public hearing, and a possible recommendation to the City Council for adoption.

For more information on the project, please visit engageparkcity.com.

Project Timeline



Exhibit

A: Land Management Code Amendments Recommended Report

PARK CITY

1884



Land Management Code Amendments

Recommended Amendments Report

February 2024

PUBLIC REVIEW DRAFT

LWC

FEHR PEERS

CASCADIA
PARTNERS

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1. Overview

1.1 Project Overview

In 2023, the Park City Municipal Corporation (City) identified the need for targeted amendments to its Land Management Code (LMC, or the Code) to create greater opportunities for the production of affordable housing and to lower the number of single-occupancy vehicles and vehicle miles traveled. This Land Management Code Amendments project began with an analysis of the LMC to identify Code barriers to affordable housing and multimodal transportation. The analysis of barriers is documented in the Land Management Code Amendments Initial Report (October 2023) (Initial Report)¹. The Initial Report also summarized relevant City policies and input from focus groups, developer interviews, internal advisory groups, and a community workshop. Lastly, the Initial Report described best practices to address the identified Code barriers, supplemented with case studies of jurisdictions where similar approaches have been applied.

Public feedback on the Initial Report was provided during a Planning Commission Work Session (November 8, 2023) and an online survey (November 2023). The Initial Report and public feedback informed this document – the LMC Amendments Report. This Report includes Table 1, which identifies how the Initial Report recommendations were or were not incorporated into the proposed amendments.

This Report contains proposed amendments to various chapters and sections of the LMC. The proposed amendments aim to remove barriers to and incentivize affordable housing while also encouraging sustainable transportation choices. Proposed amendments are presented in “redline” fashion, with changes to existing LMC text recorded as underlined for added text and strikethrough for deleted text.

1.2 Summary of Recommended Amendments

Table 1 provides the Initial Report recommendations and how they were or were not incorporated into the proposed amendments. The LMC amendments were directly informed by the Potential Recommendations/Policy Considerations described in Section 3.1 of the Initial Report.

¹ Park City Municipal Corporation, [Land Management Code Amendments: Initial Report](#), October 2023.

Table 1: Summary of Initial Report Recommendations Compared to Proposed LMC Amendments

Initial Report Potential Recommendations/Policy Considerations	Notes / LMC Amendments Reference
Use Regulations and Housing Types	
Allow duplexes, triplexes, and fourplexes in SF, HR1, and RD zones when close to transit.	Amendments not proposed at this time per Planning Commission direction given during the 11/8 Work Session. Furthermore, limited benefit would be achieved due to extent of HOAs/CC&Rs that would prohibit these housing types.
Review Procedures	
Allow multifamily housing with staff-level approval in HRM, RDM, and GC zones when close to transit and consistent with objective design standards.	Amendments not proposed at this time per Planning Commission direction given during the 11/8 Work Session.
Development Standards	
Adjust the max. density in SF, RD, RDM zones and min. lot sizes in HR1 and HRM zones when close to transit. Establish a max. floor area ratio (FAR) that increases based on the number of units. Establish a min. density for large lots when close to transit.	Amendments not proposed at this time per Planning Commission direction given during the 11/8 Work Session. Furthermore, limited benefit would be achieved due to extent of HOAs/CC&Rs that would prohibit these housing types.
Remove min. lot size requirement for Detached Accessory Apartments.	See LMC Section 15-4-7(A)(8)(a). Removed min. lot size requirement for Detached Accessory Apartments.
Reduce open space requirements for housing close to transit. Create thresholds for additional open space reduction based on amount/affordability of housing provided.	Amendments proposed for reducing open space requirements for housing limited to AMPDs. See LMC Section 15-6.1-10(A). Added table for open space reductions based on amount/affordability of housing provided.
Increase height for multi-unit projects by 1 story in the HR1 Zone (from 27 to 35 ft.) and HRM and RDM zones (from 28 to 35 ft.) when close to transit and consistent with objective design standards.	Amendments to historic zoning districts will not be pursued at this time per Planning Commission direction given during the 11/8 Work Session. RDM Zone already allows height increase under AMPD.
Create thresholds for additional height based on amount/affordability of housing provided (e.g., 1 additional story if 30% of units are affordable, 2 additional stories if 50% of units are affordable).	See LMC Section 15-6.1-8(A). Revised standards and added new table with thresholds for additional height based on amount/affordability of housing provided.
Access and Connectivity Standards	
Create standards for pedestrian and bicycle connectivity, building placement and orientation, building design, etc.	See LMC Section 15-6-5(G) and 15-6.1-11. Amended specific standards and added standards pertaining to pedestrian and bicycle connectivity access, block length, building entrances, etc.

Initial Report Potential Recommendations/Policy Considerations	Notes / LMC Amendments Reference
Parking Requirements in Excess of Demand	
Reduce parking ratios (see parking ratios in Initial Report Table 14 and Table 15). Allow for additional parking reductions or consider parking maximums when close to transit or other designated zones.	See LMC Sections 15-3-6(A) and (B). Reduced parking ratios for certain uses. See LMC Sections 15-3-6(D) and 15-6-5(E). Added subsection to allow for additional parking requirement adjustments to bring substandard parking spaces into compliance and added a maximum parking limit applicable to MPDs within ¼-mile of a transit stop. See LMC Section 15-3-6.1. Added alternative parking strategies and reduced parking in proximity to transit.
Lack of Existing Parking Management and TDM Strategies	
Allow off-site parking and shared parking strategies to reduce on-site parking.	See LMC Section 15-3-6.1. Added new section to allow and provide alternative parking strategies, including off-site parking, parking reductions for sites with multiple uses, etc.
Identify a menu of TDMs for new development (see Initial Report Table 17).	See LMC Section 15-3-12. Added new section to provide TDM options for all applicable development projects.
Off-Street Parking	
Allowed reduced parking ratios based on amount/affordability of housing provided without discretionary approval.	See LMC Section 15-6.1-9. Reduced parking ratios based on amount/affordability of housing provided without discretionary approval.

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Chapter 15-3 Off-Street Parking

15-3-1 Purpose

[No changes proposed to this Section]

15-3-2 Requirement

- A. An Applicant shall provide required Off-Street parking consistent with ~~adequate provision~~this Chapter for independent ingress and egress by automobiles and other motorized vehicles, required Electric Vehicle Charging Station Infrastructure, and Electric Vehicle Charging Station installations at the time a Building is erected or enlarged.
- B. If any land, Structure, or Use is changed to ~~create~~require more Off-Street parking ~~demand~~consistent with this Chapter, the Owner must provide such additional Off-Street parking and required Electric Vehicle Charging Station Infrastructure and installation for the new Use consistent with this Chapter.
- C. Required parking must be on-Site unless ~~the Planning Commission allows such off-Site parking on adjacent or nearby deed restricted Lots~~is allowed consistent with this Chapter.

15-3-3 General Parking Area And Driveway Standards

Off-Street parking shall meet the following standards:

- A. **GRADING AND DRAINAGE.**
 - 1. Parking Areas must be Graded for proper drainage with surface water diverted to a specified Area approved by the City Engineer, to keep the Parking Area free of accumulated water and ice.
 - 2. Adequate control curbs must be installed to control drainage and direct vehicle movement.
 - 3. Parking Area drainage must be detained on Site, treated if required under NPDES (National Pollution Discharge Elimination Standards), and channeled to a storm drain or gutter as approved by the City Engineer.
 - 4. Driveways must not exceed a fourteen percent (14%) Slope.
 - 5. Drives serving more than one Single-Family Dwelling shall provide a minimum twenty foot (20') transition Area at no greater than two percent (2%) Slope beginning at the back of the curb, or as otherwise approved by the City Engineer, in anticipation of future Street improvements.
- B. **SURFACING.** Parking Areas and driveways must be Hard-Surfaced, impervious, maintained in good condition, and clear of obstructions at all times. See Required Setback Exceptions in Chapter 2 for further drive and parking requirements in specific Zoning Districts.
- C. **PARKING AREA LIGHTING.** Lighting fixtures affixed to Buildings for the purposes of lighting Parking Areas are prohibited. Light levels shall be designed with minimum light

trespass off Site by using Luminaries that are Fully Shielded with no light distributed above the horizontal plane of the Luminaire.

1. **MAXIMUM LIGHT DISTRIBUTION.** For uniformity in lighting and prevention of shadows, an average horizontal luminance level of two (2) Foot Candles with a 4:1 Uniformity Ratio over the Site is the maximum allowed.
2. **POLE HEIGHT/WATTAGE/DESIGN.** Luminaries mounting height must be, measured from the Parking Lot or driveway surface, in the range of twelve feet (12') to twenty feet (20') as determined by the Planning Department and/or the Planning Commission. The maximum height shall only be allowed after the review and approval of the Planning Department with specific findings. The determination shall be based on:
 - a. review of the Site plan,
 - b. proposed land Uses,
 - c. surrounding land Uses,
 - d. Parking Area size,
 - e. Building mass,
 - f. location of the Site with respect to other lighting sources,
 - g. impacts on the adjacent Properties,
 - h. topography of Site, and
 - i. other Site features.

Light poles higher than sixteen feet (16') are appropriate only for Parking Areas exceeding two hundred (200) stalls and not in close proximity to residential Areas.

3. **PARKING AREA WATTAGE/DESIGN STANDARD.**
 - a. Luminaries for twelve foot (12') to sixteen foot (16') poles must not exceed fifty (50) watts per fixture or 105 watts per pole.
 - b. Luminaries for eighteen foot (18') and twenty foot (20') poles must not exceed seventy-five (75) watts per fixture or 150 watts per pole.
 - c. Wood fixtures and fixtures mounted on wooden poles are encouraged. They must be naturally stained or painted in earth tones. If metal fixtures or poles are used they should be black, dark brown or earth tone.
 - d. The base of the pole shall be treated with paint, stain, stucco or another form of decorative cover. All attempts shall be made to place the base of light poles within landscape Areas.
 - e. The maximum color temperature for Parking Area lighting is 3,000 degrees Kelvin.
 - f. Parking Areas exceeding two hundred (200) stalls shall have programmable fixtures, dimmable lights, and motion sensors.

4. **UNDERGROUND PARKING GARAGE ENTRYWAYS.** Light sources within the first thirty feet (30') of an open garage entryway must be partially shielded fixtures.
5. **SUBMISSION REQUIREMENTS.** An Application for Development with Off-Street parking must contain the following:
 - a. plans indicating the location on the premises, and the type of illumination devices, fixtures, lamps, supports, reflectors, installation, and electrical details;
 - b. description of illuminating devices, fixtures, lamps, supports, reflectors, and other devices, that may include, but is not limited to, manufacturer catalog cuts and drawings, including section where required;
 - c. photometric data, such as that furnished by manufacturers or similar showing the angle of the cut off or light emission. A point by point light plan may be required to determine the adequacy of the lighting over the Site.

D. **PARKING AREA LANDSCAPING.** Landscaping for Parking Areas is considered Landscaped Open Space.

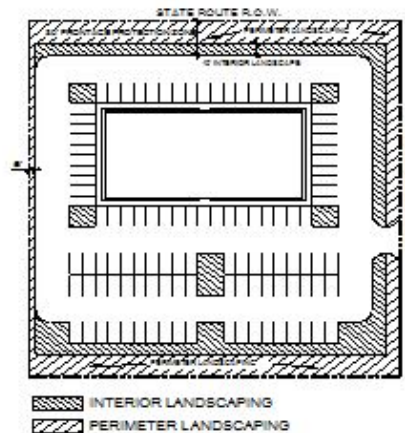
1. **SIZE OF PARKING AREA.** For purposes of this Section, a Parking Area is defined as five spaces or more. Underground parking or Parking Structures are excluded from the provisions of this Section except Screening.
2. **CALCULATION OF PARKING AREA.** The Parking Area includes all spaces, aisles, and drives, as defined by the top-back of curb or edge of pavement.
3. **INTERIOR LANDSCAPING REQUIREMENTS IN THE GENERAL COMMERCIAL (GC), REGIONAL COMMERCIAL OVERLAY (RCO), COMMUNITY TRANSITION (CT), AND LIGHT INDUSTRIAL (LI) ZONING DISTRICTS.** Each Parking Area in the GC, RCO, CT, and LI Districts must have an Interior Landscaped Area equivalent to twenty percent (20%) of the total Parking Area, including drive aisles. Parking Areas with fewer than fifty (50) spaces must have an Interior Landscaped Area equivalent to ten percent (10%) of the Parking Area. Ten feet (10') of required Perimeter Landscaping may count towards the Interior Landscaped Area.

In the design of large Parking Areas, bays or stalls shall generally be separated approximately every twelve to fifteen (12-15) stalls, by landscaping islands to break up the mass of Hard- Surfaced paving. The Parking Area must be designed to provide adequate snow storage in winter and should utilize best management practices, such as bio swales, oil and sand separators, and other methods to prevent surface and ground water contamination. See Section 15-3-3(E).

Landscaped Areas shall generally not be less than five feet (5') wide. A reduction in the landscape Area width may be granted by the Planning Director if the Applicant provides acceptable mitigation to vegetate and buffer the unenclosed Parking Area. Building foundation landscaping does not count towards Interior Landscaping Area.

NON-CONFORMANCE. All landscaping previously lawfully installed, that does not meet these requirements is considered non-conforming landscaping. The

Applicant must bring such landscaping into compliance with this Code with any change in Use that increases the Parking Ratio requirements for the Site.



4. **INTERIOR LANDSCAPING IN OTHER ZONES.** Parking should generally be located to the rear of Buildings or Screened so it does not dominate the Streetscape. In the design of large Parking Areas, bays or stalls shall generally be separated by approximately every ten to twelve (10-12) stalls landscaping islands to break up the mass of Hard-Surface paving. The Parking Area must be designed to provide adequate snow storage in winter.

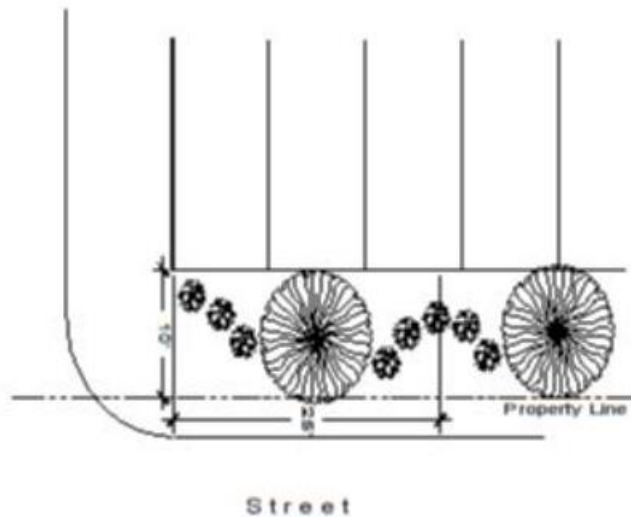
Landscaped Areas shall generally not be less than five feet (5') wide. A reduction in the landscape Area width may be granted by the Planning Director if the Applicant provides acceptable mitigation to vegetate and buffer the unenclosed Parking Area.

5. **PERIMETER LANDSCAPING.** Unless a driveway exception is used, unenclosed Parking Areas shall generally include landscaping on all perimeter Property Lines. This provision shall not be required in zoning districts that allow zero Lot Line Development, or within the Historic District Zones, unless required as part of an approved Master Planned Development.

Landscaped Areas shall generally not be less than five feet (5') wide. A reduction in the Landscape Area width may be granted by the Planning Director if the Applicant provides acceptable mitigation to vegetate and buffer the unenclosed Parking Area.

The Applicant shall generally maintain a minimum of one (1) tree and five (5) shrubs per twenty-five linear feet (25') of Landscaped Area. Trees and shrubs may be clustered as part of good design.

The Frontage Protection Overlay Zone (FPZ) requires a minimum landscaped buffer of thirty feet (30') in width, abutting the Street.



6. **SNOW STORAGE.** Snow storage Areas may be included in the Interior or Perimeter Landscaped Areas if they are landscaped to accommodate snow storage.
 7. **STORM WATER DETENTION/POLLUTION CONTROL.** Landscaped Areas used for storm water detention and pollution control may count towards the landscaping requirements.
 8. **CLEAR VIEW OF INTERSECTION.**
 - a. Corner Lots. No landscape obstruction is allowed in excess of two feet (2') in height above Street Grade within the Sight Distance Triangle. A reasonable number of trees with lower branches pruned to six feet (6') to permit automobile drivers and pedestrians an unobstructed view of the intersection may be allowed by Administrative Permit.
 - b. Driveway Access. The same criteria as used on corner Lots apply to driveway Access except that the triangular Area is defined by the intersection of the road Right-of-Way, the line extending from the point-of-curve at the top-back-of-curb, and a line connecting them at points twenty-five feet (25') from their intersection.
- E. **SNOW STORAGE.** Where parking availability will be affected by weather conditions, the Owner must provide adequate non-Hard Surfaced and landscaped snow storage Areas. Said snow storage Areas must be on-Site and equivalent to fifteen percent (15%) of the total Hard-Surfaced Area; including, Parking Spaces, aisles, driveways, curbing, gutters, and sidewalks adjacent to each surface Lot in a usable, readily accessible location. Landscaping of these Areas shall accommodate snow removal and storage on-Site.
- F. **PARKING SPACE DIMENSIONS.**
1. Parking Spaces must be at least nine feet (9') wide by eighteen feet (18') long. The City Engineer may approve minor variations in Parking Space dimensions.
 2. ADA Parking Space width requirements vary and shall be consistent with current International Building Code standards.

3. Compact spaces with dimensions of nine feet (9') wide by sixteen feet (16') long may be provided. ~~These spaces are not Code spaces for the purpose of satisfying parking requirements~~For developments providing more than fifteen (15) on-Site Parking Spaces, twenty percent (20%) of the on-Site Parking Spaces may be compact spaces that count toward the number of Parking Spaces required if the compact spaces are provided consistent with City standards.

- G. **STREET ACCESS AND CIRCULATION.** Off-Street Parking Areas must have unobstructed Access to a Street or alley. The Parking Area design for five (5) or more vehicles must not necessitate backing cars onto adjoining public sidewalks, parking strips, or roadways. With the exception of permitted Tandem Parking, Parking Spaces shall be independently accessible and unobstructed.

Applicants for all Drive-up or Drive-through service windows or facilities must provide sufficient stacking space for vehicles waiting for service, to prevent vehicles from waiting in the Right-of-Way.

- H. **DRIVEWAY WIDTHS AND SPACING.**

1. **DRIVEWAY WIDTHS AND SPACING.** The following driveway width dimensions are required. Additional driveway standards for the Historic District are outlined in Section 15-3-8 of this Chapter. Minor variations in driveway widths may be approved by the City Engineer.

PROPOSED USE	MINIMUM WIDTH	MAXIMUM TOTAL WIDTH
RESIDENTIAL Single-Family Duplex Shared Driveways	10'	27'
RESIDENTIAL Multi-Unit, 5 or more Parking Spaces	18'	30'
COMMERCIAL Requiring 5 or more Parking Spaces	24'	30'
COMMERCIAL Requiring 4 or fewer Parking Spaces	18'	30'

2. **SPACING.** A minimum of seventy-five feet (75') Spacing between major commercial driveways is recommended. Shared Use of commercial drives is strongly recommended.

A minimum of fifteen feet (15') Spacing between Single-Family driveways is required if the Lot frontage is sufficient. In the Historic District a minimum of ten feet (10') Spacing between driveways is recommended. Shared driveways are strongly recommended.

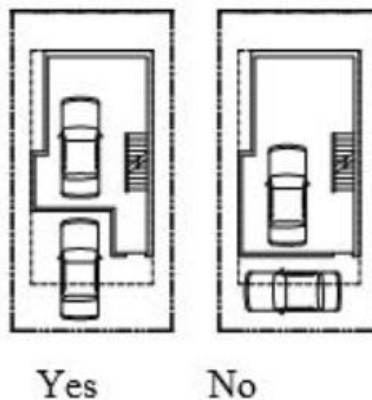
The center line of intersections of the driveways of major traffic generators entering from opposite sides of roadway must be either perfectly aligned or offset by a minimum of one hundred and fifty feet (150').

The City Engineer may approve minor Spacing divisions. Access must be spaced as follows:

STREET CLASSIFICATION	MINIMUM SPACING BETWEEN DRIVEWAYS	MINIMUM SPACING FROM INTERSECTION
LOCAL	15'	25'

STREET CLASSIFICATION	MINIMUM SPACING BETWEEN DRIVEWAYS	MINIMUM SPACING FROM INTERSECTION
COLLECTOR	50'	75'
ARTERIAL	75'	150'
HISTORIC DISTRICT	7.5'	10'

- I. **TANDEM SPACES.** Parking designs, ~~in which necessitate parking~~ one vehicle is parked directly behind another, ~~and~~ not perpendicular to each other, ~~(i.e., Tandem Parking)~~, are permitted ~~only~~ for Single Family Dwellings, Accessory Apartments, Internal Accessory Dwelling Units, and Duplex Dwellings in all ~~zoning districts~~ Zoning Districts. Tandem Parking is also allowed for Dwelling Units in multi-unit and mixed-use developments when the Tandem Spaces are assigned to the same Dwelling Unit and where the Tandem Parking is a maximum of two (2) cars in depth. Tandem Parking may also be approved for non-residential Uses if the Applicant demonstrates that it will not interfere with orderly parking and movement of vehicles (e.g., with an attendant parking agreement for valet operations, etc.). In any Zoning District where the Front Setback is twenty feet (20') or less, both Tandem Parking Spaces must be perpendicular to the Street, unless there is an adequate landscaped buffer between the Street and the Parking pad, subject to review by the Planning Director.



- J. **CLEAR VIEW OF INTERSECTING STREETS.** In all Zoning Districts, no obstruction is allowed in excess of two feet (2') in height above Street Grade on any corner Lot within the Site Distance Triangle. See 15-3-3(D)(8).
- A reasonable number of trees with lower branches pruned to six feet (6') to permit automobile drivers and pedestrians an unobstructed view of the intersection may be allowed by Administrative Permit.
- K. **SIGNS.** Refer to the Park City Sign Code, Title 12, for specific requirements for all signs associated with parking and drives.
- L. **PERMIT.** A Building Permit is required for construction of all non-bearing concrete flatwork, asphalt, and/or any Impervious Surface, regardless of area or amount of paving. This includes any repairs, alterations, modifications, and expansion of existing flatwork.

15-3-4 Specific Parking Area And Driveway Standards For Single Family Residences And Duplexes, Parking Areas With 5 Or More Spaces, And Parking Structures

A. SINGLE FAMILY RESIDENCES AND DUPLEXES.

1. **SINGLE GARAGES.** In Single Family Dwellings, single car garages must have a minimum interior dimension of eleven feet (11') wide by twenty feet (20') deep. Double car garages must be at least twenty feet (20') wide by twenty feet (20') deep.
2. **CIRCULAR DRIVEWAYS.** Circular driveways are permitted for Single Family and Duplex Dwellings provided one leg leads directly to and from a legally located garage or carport, subject to the following conditions:
 - a. Such drives shall be paved with a hard surface.
 - b. Such drives shall be a minimum of twelve feet (12') and a maximum of twenty-four feet (24") in width.
 - c. There shall be a Landscaped Area at least fifteen feet (15') in depth from the Front Property Line to the inside of the drive.
3. **PARKING RESTRICTIONS.**
 - a. All vehicles, boats, RVs, trailers, and similar vehicles must be parked on an approved paved surface. At no time shall a vehicle be parked on lawn or other landscaped Areas.
 - b. Driveway Areas are not to be used for the storage of any trailer, camper, motor home, boat or equipment at any time.
 - c. Passenger automobiles may be parked on driveways serving private residences, provided the automobile is parking completely on private Property. EXCEPTIONS: Parking may be allowed within a Right-of-Way Area, such as within the Historic District when the Street is not located within the platted Right-of-Way and the Right-of-Way is between the Street and garage. Exceptions must be approved by the City Engineer.

B. PARKING AREAS WITH FIVE (5) OR MORE SPACES.

1. All Parking Lots shall maintain the required Front and Side Setbacks as would be required for any Structure.
2. Wherever a Parking Lot or driveway to a Parking Lot is proposed to abut a Residential Use, the Applicant must Screen the Lot or drive.
3. Adjacent driveways must be separated by an island of the following widths: Multi-Unit Dwelling a minimum width of eighteen feet (18'); Commercial a minimum width of twenty-four feet (24').
4. Driveways must be at least ten feet (10') from any intersecting Right-of-Way.
5. A geotechnical report must be submitted to the City Engineer providing recommendations on Parking Lot design and construction parameters.

The City Engineer may approve minor spacing and width deviations of up to twenty percent (20%) from the standards in this Section (15-3-4(B)).

C. PARKING GARAGES AND STRUCTURES.

1. **STRUCTURED PARKING REQUIREMENTS.** Parking within a fully enclosed Parking Structure where the weather does not affect the availability of Spaces requires the following:
 - a. Twenty-four foot (24') minimum aisle width, for ninety degree (90°) layout;
 - b. Adequate circulation to ensure that each required Space is readily accessible as well as usable. Column and wall locations must be specifically addressed in terms of automobile and pedestrian circulation and maneuvering.
 - c. Light sources within the first thirty feet (30') of a Parking Structure opening must be Partially Shielded fixtures.

15-3-5 Repealed By Ord 2020-12

15-3-6 Parking Ratio Requirements For Specific Land Use Categories

- A. **RESIDENTIAL USES.** Off-Street parking shall be provided for each land Use as listed in this section, in the Parking Ratio Requirements tables. When applying the tables, the parking requirements stated for each Use, or combination of Uses, applies to each Dwelling Unit within the Structure. Specific Uses, and the related parking ratio requirements are also shown below: Also refer to Section 15-15-1 Definitions for clarification of Uses.

RESIDENTIAL PARKING RATIO REQUIREMENTS		
USE		PARKING RATIO (NUMBER SPACES)
Accessory Apartment		1 per bedroom See Section 15-4-7
Lockout Unit in Single Family and Duplex Dwellings		1 per bedroom Lockout Unit
Single Family Dwelling		2 per Dwelling Unit
Duplex Dwelling		21.5 per Dwelling Unit (43 total)
Triplex Dwelling		21.5 per Dwelling Unit (65 total)
Multi-Unit Dwelling	Apartment/Condominium not greater than 1,000 sf floor Area	1 per Dwelling Unit
	Apartment/Condominium greater than 1,000 sf and less than 2,000 sf floor Area	1.5 per Dwelling Unit
	Apartment/Condominium 2,000 sf floor Area or greater	2 per Dwelling Unit
Dormitory		<u>75% of the number of people housed or 1 per 200 sf floor Area devoted to accommodations, whichever is less</u>

RESIDENTIAL PARKING RATIO REQUIREMENTS		
USE		PARKING RATIO (NUMBER SPACES)
Boarding House, Hostel		1 per 2 beds; and 1 per manager's unit
Secondary Living Quarters		1 per bedroom in addition to requirements for primary residence
Guest House		1 per Unit <u>Guest House</u> Parking for the first six (6) bedrooms is based on the parking requirement for the dwelling. An additional space is required for every additional two (2) bedrooms utilized by the Nightly Rental Use. Parking for Historic Structures may be allowed on the Street adjacent to the Property, if approved by the Planning, Engineering, and Building Department
Nightly Rental		Parking for the first six (6) bedrooms is based on the parking requirement for the dwelling. An additional space is required for every additional two (2) bedrooms utilized by the Nightly Rental Use. Parking for Historic Structures may be allowed on the Street adjacent to the Property, if approved by the Planning, Engineering, and Building Department

- B. **NON-RESIDENTIAL USES.** In non-residential projects, or for non-residential space associated with primarily residential Structures, the following parking requirements shall apply: Also refer to LMC Chapter 15-15, Definitions, for clarification of Uses.

NON-RESIDENTIAL PARKING RATIO REQUIREMENTS	
USES	PARKING RATIO REQUIREMENTS (NUMBER SPACES)
Group Care Facility	1 per 2 bedrooms plus 1 per employee per shift, or 2 per 3 employees per shift, whichever is greater
Child Care Center	1 per on-duty staff per shift and 1 per 6 children
Public and Quasi-Public Institution, church and school; Public Utility Uses; and Cemetery	1 space per 5 seats, or 2 spaces per 3 employees, or 1 space per 1,000 sf of floor Area, whichever is greater
Auditorium and Assembly Hall	1 space per every 5 seats
Bed and Breakfast Inn	1 space per bedroom and 1 space per on-duty manager
Hotel, Minor and Major	1 space per room or suite, and 1 space per 200 sf of separately leasable commercial space
Offices, General	32 spaces per 1,000 sf of leasable floor Area
Offices, Intensive	54 spaces per 1,000 sf of leasable floor Area
Office and Clinic, Medical	5 spaces per 1,000 sf of leasable floor Area
Hospital, Limited Care	1 space per 2 beds
Hospital, General	31.5 spaces per bed
Automobile Sales/Rental	1 space per vehicle plus one space per employee

NON-RESIDENTIAL PARKING RATIO REQUIREMENTS	
USES	PARKING RATIO REQUIREMENTS (NUMBER SPACES)
Financial Institution, with and without drive-up	32 spaces per 1,000 sf of net leasable floor Area
Retail & Service Commercial, Minor, Personal Service	3 spaces for each 1,000 sf of net leasable floor Area
Retail & Service Commercial, Major	5 spaces for each 1,000 sf of net leasable floor Area
Retail & Service, outdoor storage	3 spaces per 1,000 sf of inside net leasable floor Area
Retail & Service, Auto Related and Gas Stations	5 spaces per 1,000 sf of net leasable floor Area
Shopping centers or complexes of multi-tenant retail spaces	3.5 spaces per 1,000 sf of leasable floor Area, excluding corridors and service Areas not related to individual tenant retail spaces
Convenience Store, Support Commercial Uses	54 spaces per 1,000 sf of net leasable floor Area
Cafe/Deli	32 spaces per 1,000 sf of net leasable floor Area
Restaurant, Standard and Bar	1 space 3 spaces for every 100 1,000 sf of net leasable floor Area, including kitchen Areas
Restaurant, Outdoor Dining	Based on Site specific review at the time of CUP
Restaurant, With Drive-up	157 spaces per 1,000 sf of net leasable floor Area
Light Industrial and Wholesale establishments	41 space per 1,000 sf of floor Area and 1 space for every 2 employees in the largest shift plus 1 space for each vehicle used in conducting the business and wholesale, storage uses at 1 per 1,000 sf of floor Area and light manufacturing at 2.5 per 1,000 sf of floor Area
Temporary Improvement	1 per employee plus 21 guest spaces space
Tramway Station/Ski Base Facility	See Chapter 8.20
Recreation Facility, Private or HOA	Minimum of 1 space per 4 persons maximum rated capacity
Recreation Facility, Public	1 space per 4 seats or 53 spaces per 1,000 sf of floor Area, or 1 space per 3 persons rated capacity depending on type of facility
Indoor Entertainment, Theater	1 space per 4 seats or 5 spaces per 1,000 sf of floor Area depending on type of facility
Commercial Outdoor Recreation and Stables, Riding Academy	1 space per 3 persons maximum rated capacity
Master Planned Developments	As determined by Planning Commission based on proposed Uses
Mining Operations	2 spaces per 3 employees
Airports/Heliports	As determined by the Planning Commission based on traffic generation study

- C. **CALCULATION OF SPACES.** If a project incorporates two Uses, the Use requiring a higher number of Parking Spaces shall govern. Whenever the calculation results in a fractional number of 0.50 or above, the number of spaces required must be rounded up to the next whole number. No additional space shall be required for a fractional number of less than 0.50.

D. PARKING REQUIREMENT ADJUSTMENT. A ten percent (10%) reduction in the number of required Parking Spaces is allowed to reduce or eliminate a public safety hazard or to bring substandard Parking Spaces into compliance with current City design standards subject to approval by the City Engineer.

15-3-6.1 Alternative Parking Strategies for Compliance

A. APPLICABILITY. The following alternative parking strategies may be used to comply with the minimum Off-Street parking standards required by this Chapter.

B. OFF-SITE PARKING. Required Off-Street Parking Spaces may be provided Off-Site in compliance with the following:

1. Required parking must be located within the City limits.
2. Access between the on-Site Use(s) or the subject site and the Off-Site Parking Area must be provided through pedestrian, bicycle, and/or transit facility connections (e.g., sidewalks, multi-use paths, bicycle lanes, transit stops, etc.).
3. A parking agreement shall be provided in a form acceptable to the City Attorney which identifies the location of the Off-Site parking spaces, guarantees the continued availability of the Off-Site Parking Spaces, and sets forth the ongoing responsibilities of the parties involved. The parties to the agreement shall include the owners and lessees of the Off-Site Parking Spaces and the Owners and lessees of the subject Site, and a copy of any such agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in revocation of the on-Site parking reduction approval by the City unless a new alternative parking arrangement is approved by the City within a reasonable timeframe, as determined by the Planning Director.

C. PARKING REDUCTIONS FOR SITES WITH MULTIPLE USES. For buildings or sites with multiple Uses, parking may be reduced. To calculate the parking requirement, calculate the sum of the minimum Off-Street parking requirements for the two Uses with the highest Off-Street parking requirement, and then multiply that sum by the number shown below for that combination of Uses.

<u>PARKING REDUCTIONS FOR SITES WITH MULTIPLE USES</u>					
<u>FIRST USE</u>	<u>SECOND USE</u>				
	<u>MULTI-UNIT RESIDENTIAL ¹</u>	<u>PUBLIC, INSTITUTIONAL, OR CIVIC</u>	<u>FOOD, BEVERAGE, LODGING, RECREATION, OR ENTERTAINMENT ²</u>	<u>RETAIL ²</u>	<u>OTHER COMMERCIAL</u>
<u>Multi-Unit Residential ¹</u>	<u>NA</u>				

PARKING REDUCTIONS FOR SITES WITH MULTIPLE USES					
FIRST USE	SECOND USE				
	MULTI-UNIT RESIDENTIAL ¹	PUBLIC, INSTITUTIONAL, OR CIVIC	FOOD, BEVERAGE, LODGING, RECREATION, OR ENTERTAINMENT ²	RETAIL ²	OTHER COMMERCIAL
Public, Institutional, or Civic	10%	NA			
Food, Beverage, Lodging, Recreation, or Entertainment ²	10%	20%	NA		
Retail ²	15%	25%	25%	NA	
Other Commercial	20%	25%	25%	20%	NA

¹ The parking reduction for developments with multi-unit residential shall apply only to the non-residential Use parking requirement.

² For mixed-use projects, 0 spaces shall be required for the first 3,000 sf of net leasable floor Area of "Retail & Service Commercial, Minor, Personal Service" and/or "Restaurants, Standard and Bar" Uses.

D. ADDITIONAL ALTERNATIVE STRATEGIES. After any reduction in the required number of Off-Street Parking Spaces under Section 15-3-6.1(C) is applied, the alternative strategies described below may be combined for an additional non-residential Use parking reduction of up to ten percent (10%).

- 1. Designated Car Sharing Parking.** Designated car sharing spaces (i.e., spaces marked and reserved for car sharing vehicles) shall count as an average of 1.5 Parking Spaces, for up to a maximum of three (3) designated car sharing spaces (i.e., one designated car sharing space = 2 Parking Spaces; two designated car sharing spaces = 3 Parking Spaces; and three designated car sharing spaces = 5 Parking Spaces).
- 2. Electric Vehicle (EV) Charging Parking Spaces.** Electric Vehicle (EV) Parking Spaces (i.e., spaces with approved charging infrastructure for Electric Vehicles consistent with Section 15-3-11) that are in addition to the EV Parking Spaces required to be provided pursuant to Section 15-3-11 shall count as two Parking Spaces, for up to a maximum of five (5) additional EV Parking Spaces.
- 3. Underground Parking.** When underground parking is provided, each two (2) underground Parking Spaces shall count as three (3) Parking Spaces toward satisfying the minimum required parking. This may allow for a reduction of up to five percent (5%) in the number of required Parking Spaces.

E. PROXIMITY TO TRANSIT. A fifteen percent (15%) reduction in the total number of required Parking Spaces for any development may be approved when the Site is within one thousand feet (1,000') unobstructed year-round walking distance of a Major Transit Stop.

F. CUMULATIVE PARKING REDUCTION. No development may be granted a cumulative parking reduction greater than fifty percent (50%) for non-residential Uses or greater than fifteen percent (15%) for residential Uses as provided in Sections 15-3-6.1(C), (D), and (E).

15-3-7 Parking In Master Planned Developments And Conditional Use Permits

A. In Master Planned Developments and in review of Conditional Use permits, the ~~initial~~ parking requirement is determined by referring to the requirements ~~for the Use~~ in this Chapter and the underlying zone. The Planning Commission may reduce this ~~initial~~ parking requirement to prevent excessive parking and paving. ~~The If parking is proposed below the parking requirement allowed by this Chapter, the~~ Applicant must ~~prove by~~ submit a parking study to demonstrate that the proposed parking is adequate. The parking study must analyze whether:

1. parking Uses will overlap, more than reflected in the reductions allowed by Section 15-3-6.1(C).
2. commercial spaces within the project will serve those residing within the project rather than the general public,
3. or other factors that support the conclusion that the project will generate less parking than this Code would otherwise require.

~~B. Master Planned Developments with a parking demand of eight (8) or fewer Parking Spaces may not reduce required parking under any circumstance.~~

~~C.B.~~ See Section 15-3-3 and Chapter 15-6 for Parking Area Landscaping Requirements for MPDs.

15-3-8 Parking In The Historic District

[No changes proposed to this Section]

15-3-9 Bicycle Parking Requirements

A. **OUTDOOR BICYCLE PARKING.** Outdoor bicycle parking is an area where one bicycle may be securely stored with both wheels resting on a stable surface and conveniently accessed and removed without requiring the movement of other bicycles, vehicles, or other objects.

1. Outdoor bicycle parking must:
 - a. Be inverted-U, post and ring, corral, or other as approved by the City Engineer and Transportation Planning Department;
 - b. Be mounted in concrete;
 - c. Be galvanized or stainless steel, coated with PVC or thermoplastic, and resistant to rust, corrosion, hammers, and saws;
 - d. Provide secure racks in which both the bicycle frame and wheel may be locked by the user using a U-lock;

- e. Be designed to prevent damage to the bicycle and to facilitate easy and secure bicycle parking without interference from or to adjacent bicycles;
- f. Be installed no more than fifty feet (50') from the primary entrance;
- g. Be located in convenient, highly visible, active, well-lighted areas that are easily accessible from the Right-of-Way, bicycle lanes, and/or trails and pathways;
- h. Meet the dimension, setback, and installation requirements outlined in the NACTO or AASHTO design guidelines, as approved by the City Engineer or Transportation Planning;
- i. Be Compatible in design and function with the surrounding Buildings and Street furniture;
- j. Be protected from vehicles;
- k. Be maintained in good condition, appearance, and repair;
- l. Be protected from weather by existing structures such as overhangs or awnings or by natural elements such as a tree canopy;
- m. Be clear of ice, snow, and any other obstructions;
- n. Not obstruct pedestrian or ADA accessibility.

2. Outdoor bicycle parking shall be provided for ~~ten percent (10%) of the required Off-Street parking for~~ the temporary storage of bicycles. ~~Applicants granted a reduction according to the following standards:~~

OUTDOOR BICYCLE PARKING REQUIREMENTS BY LAND USE	
LAND USE	MINIMUM, SHORT-TERM SPACES
<u>Multi-Unit Dwelling Residential Uses</u>	<u>1 space per 10 Dwelling Units</u>
<u>Lodging</u>	<u>10% of required Off-Street parking spaces; minimum 4 spaces</u>
<u>Retail and Service Uses</u>	<u>1 space per 5,000 sf of net leasable floor Area. Minimum requirement is 2 spaces.</u>
<u>Restaurant</u>	<u>1 space per 1,500 sf of net leasable floor Area. Minimum requirement is 2 spaces.</u>
<u>Offices</u>	<u>1 space per 5,000 sf of leasable floor Area. Minimum requirement is 2 spaces.</u>
<u>All Other Uses</u>	<u>To be determined by the Review Authority</u>

~~Whenever the calculation results in Off-Street parking by the Planning Commission a fractional number, the number of spaces required must satisfy outdoor bicycle parking for the full Off-Street parking requirement. be rounded up to the next whole number.~~

One percent (1%) or minimum of one (1) bicycle parking space of the outdoor bicycle parking shall provide parking at least three feet (3') by ten feet (10') per space to accommodate large bicycles such as cargo, recumbent, tandem, electric, and bicycles with trailers.

- B. **ENCLOSED BICYCLE STORAGE.** Enclosed bicycle storage provides secure long-term storing and locking of bicycles.
1. Enclosed bicycle storage must:
 - a. Be located within the Parking Structure or Building for which it is required;
 - b. Be enclosed with solid walls or floor-to-ceiling fencing;
 - c. Be securely locked and access-controlled;
 - d. Contain racks for support and locking of individual bicycles;
 - e. If not located on the ground floor, be accessible by an elevator with interior dimensions of at least eighty inches (80") by fifty-four inches (54"); and
 - f. Provide electrical outlets for e-bike charging.
 2. Enclosed bicycle storage shall be provided as follows:
 - a. For one (1) bicycle per three (3) Dwelling Units for Multi-Unit Dwellings with ten (10) or more Dwelling Units, and
 - b. For one (1) bicycle per ten (10) employees generated for Uses as outlined in Resolution No. 05-2021, as amended.
 3. Five percent of the Enclosed Bicycle Storage shall be at least three feet (3') by ten feet (10') per parking space to accommodate large bicycles such as cargo, recumbent, tandem, electric, and bicycles with trailers.
 4. Applicants required to provide ten (10) or more Enclosed Bicycle Storage spaces shall include a bicycle repair station.
- C. **EXCEPTIONS.** This Section does not apply to Summit Bike Share.
- D. **ALTERNATIVE COMPLIANCE.** The Planning Commission may reduce or modify the required outdoor bicycle parking and enclosed bicycle storage when the Applicant demonstrates a plan that achieves secure bicycle parking facilities that best suits the Uses and physical constraints of a Site.
- E. **PAYMENT-IN-LIEU.** Structures with zero Setback requirements or Properties where Outdoor Bicycle Parking or Enclosed Bicycle Parking would negatively impact access, circulation, or snow removal, may pay a fee in-lieu for required bicycle parking.

15-3-10 Off-Street Loading Spaces

[No changes proposed to this Section]

15-3-11 Electric Vehicle Charging Stations

[No changes proposed to this Section]

15-3-12 Transportation Demand Management

A. APPLICABILITY. A Transportation Demand Management (TDM) Plan is required for all development projects as provided in Section 15-3-12(B). Two (2) TDM Plan levels shall apply as described below.

1. LEVEL 1 TDM PLAN. A Level 1 TDM Plan is required for all development described below:

- a. Single Family Dwellings: 10 - 24 Dwelling Units
- b. Single Family Attached Dwellings or Multi-Unit Dwellings: 10 - 44 Dwelling Units
- c. Hotel or lodging project 10 - 39 rooms

2. LEVEL 2 TDM PLAN. A Level 2 TDM Plan is required for all projects that require a Traffic Impact Study (TIS) (i.e., development adds twenty-five (25) or more peak hour vehicle trips) as described below:

- a. Single Family Detached Dwellings: 25 Dwelling Units and greater
- b. Single Family Attached Dwellings or Multi-Unit Dwellings: 45 Dwelling Units and greater
- c. Hotel: 40 rooms or more
- d. Retail: 3,000 square feet or greater
- e. Office: 3,000 square feet or greater
- f. Sit-Down Restaurant: 2,500 square feet or greater
- g. Fast Food/Fast Casual Restaurant: 800 square feet or greater

B. EXEMPT PROJECTS. Projects exempt from TDM Plan requirements are:

- 1. Developments of Single-Family or Duplex Dwelling Units with fewer than ten (10) Dwelling Units;
- 2. Remodels or expansions of existing residential units that do not increase the total number of residential units;
- 3. Remodels or expansions of Commercial, Retail, Office, Hotel or lodging projects, or mixed-use projects involving no more than five hundred square feet (500 square feet) of commercial net leasable space or two (2) lodging rooms or units;
- 4. Any Hotel or lodging project with fewer than ten (10) rooms;
- 5. Retail less than 3,000 square feet;
- 6. Office less than 3,000 square feet;
- 7. Sit-Down Restaurant less than 2,500 square feet; and
- 8. Fast Food/Fast Casual Restaurant less than 800 square feet.

C. TDM PLAN. The Applicant shall submit a TDM Plan for review and approval by the Planning Commission. The TDM Plan shall document and demonstrate consistency with the requirements in this Section. The TDM Plan shall include, but is not limited to, the following:

1. Identification of the applicable TDM strategies to be implemented based on the size of the project and estimated number of trips generated.
2. Implementation plan for each TDM strategy, including timelines, responsibilities, and budget allocations.
3. Monitoring and evaluation plan, submitted annually to the Planning Department, to track the effectiveness of TDM strategies and adjust them as needed. At their discretion, the Planning Director may require additional Planning Commission review and modifications as needed.

D. LEVEL 1 TDM PLAN REQUIRED COMPONENTS. The following TDM trip reduction strategies are required for Level 1 TDM Plans:

1. Participation in an annual travel survey of residents and employees for the first four (4) years of building occupancy. Employers on Sites subject to an approved TDM Plan shall submit the survey results to the City.
2. Provide the following information to employees and/or residents on an annual basis:
 - a. Carpooling/vanpooling information;
 - b. Transit schedules and route information;
 - c. Information on air pollution and alternatives to single-occupancy vehicle trips;
 - d. Bicycle route and facility information, including local bicycle maps, locations of nearest outdoor bicycle parking or enclosed bicycle storage, and bicycle safety information; and
 - e. Information on walking and biking to work, pedestrian and bicycling safety, and all-weather walking shoes and traction devices for shoes and bicycle tires in winter/ice conditions.
3. One strategy from the Supplemental TDM Menu (see Section 15-3-12(F)).

E. LEVEL 2 TDM PLAN REQUIRED COMPONENTS. The following TDM trip reduction strategies are required for Level 2 TDM Plans:

1. All Level 1 required components.
2. Establishment of a TDM Coordinator to directly support commute programs, implement mobility programs, and develop transportation policies and initiatives.
3. Employee parking cash-out program.
4. Unbundle parking for residential Dwelling Units at minimum.
5. Two strategies from the Supplemental TDM Menu (see Section 15-3-12(F)).

F. SUPPLEMENTAL TDM MENU. Supplemental TDM strategies over and above the applicable Level 1 or Level 2 TDM Plan requirements may be implemented to reduce the amount of required Parking for non-residential Uses. When three (3) or more of the following strategies are provided in addition to the applicable Level 1 or Level 2 TDM Plan requirements, the Planning Commission may approve up to a fifteen percent (15%) reduction in the required parking for non-residential Uses.

1. Alternative work schedules/flex-time.
2. Preferential Parking for carpool or vanpool vehicles.
3. Employee shower facilities.
4. Provision of on-Site or Off-Site multimodal transportation improvements at the discretion of the Planning Commission, such as:
 - a. Pedestrian network improvements (e.g., providing sidewalks that are wider than the required minimum width).
 - b. Construct or improve a bike facility (e.g., providing improved safety of bicycle facilities serving key transit nodes), or
 - c. Construct transit-supportive treatments (e.g., traffic calming near transit stop, transit stop enhancements and amenities, etc.).
5. On-site child care facilities.
6. Facilities and equipment to encourage telecommuting (e.g., video-conferencing facilities and equipment).
7. Contributions to funds for local and regional facilities such as park-and-ride lots, multimodal transportation centers, satellite work centers, etc. as approved by the City Council.
8. On-Site amenities such as cafeterias, restaurants, automated teller machines, and other services that would eliminate the need for additional trips.
9. Transit incentives for employees such as additional pay for carpoolers, etc.
10. Plans for delivery of goods at off-peak times and/or plans and facilities for centralized deliveries of goods for multi-tenant facilities.

A.G. **TDM PLAN AGREEMENT.** A TDM Plan agreement shall be provided in a form acceptable to the City Attorney and shall include the TDM Plan. The parties to the agreement shall include the Owners and lessees of the project Site. A copy of the agreement shall be provided to the City. The City shall not be required to be a party to any such agreement, but each agreement shall grant the City the right (but not the obligation) to enforce the agreement's terms and shall include a provision requiring that the City be notified immediately of any termination or default of the agreement. Any termination or default of the agreement between parties shall result in enforcement action by the City unless a new TDM Plan is approved by the City within a reasonable timeframe, as determined by the Planning Director.

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Chapter 15-4 Supplemental Regulations

15-4-7 Accessory Apartments

Accessory Apartments are subject to the following criteria:

A. **CRITERIA FOR USE.**

2. **PARKING.** One (1) Parking Space per ~~Bedroom~~Accessory Apartment must be provided in addition to the existing requirement for the primary residence. Parking is permitted only within approved garages and on paved driveways. Parking Spaces for Accessory Apartments need not be covered and may be provided in tandem, parking one vehicle behind another, subject to one of the following criteria:
 - a. One (1) Parking Space for an Accessory Apartment may be provided in tandem if the existing driveway length equals or exceeds twenty-five feet (25') as measured from the Property Line.
 - b. One (1) Parking Space for an Accessory Apartment may be provided in tandem to preserve existing Significant Vegetation and when all other parking alternatives are undesirable.
 - c. Historic Zoning Districts. One (1) tandem Parking Space for an Accessory Apartment proposed in any residential Historic Zoning District may be provided when the Applicant has secured an Administrative Permit and the Planning Department has made the following findings:
 - (1) Tandem Parking will not create an undue hardship for the neighborhood.
 - (2) Other parking options are less desirable than the proposed tandem space.
 - (3) Reasonable efforts, such as automatic garage door openers, lease provisions and/or limitation of garage storage, have been made to encourage the Use of all Off-Street Parking.
8. **DETACHED ACCESSORY APARTMENTS.**
 - a. Detached Accessory Apartments ~~are allowed on Lots 3,750 square feet or greater. shall comply with the following Setbacks:~~
 - b. ~~Detached Accessory Apartments shall comply with Zoning District Setbacks for Single-Family Dwellings.~~

<u>SETBACKS FOR DETACHED ACCESSORY APARTMENTS</u>	
<u>TYPE</u>	<u>SETBACK</u>
<u>Front</u>	<u>See Zoning District Setback for Single-Family Dwellings</u>
<u>Side</u>	<u>Accessory apartments < 18 ft in height: 5 ft</u> <u>Accessory apartments > 18 ft in height: 10 ft or Zoning District Setback for Single-Family Dwellings, whichever is less</u>
<u>Side that faces the street</u>	<u>Accessory apartments < 18 ft in height: 5 ft</u> <u>Accessory apartments > 18 ft in height: 10 ft</u>

SETBACKS FOR DETACHED ACCESSORY APARTMENTS	
TYPE	SETBACK
Rear	Accessory apartments < 18 ft in height: 5 ft Accessory apartments > 18 ft in height: 10 ft

- ~~e.b.~~ Detached Accessory Apartments shall comply with the Area of Disturbance, Limits of Disturbance, and any other regulation indicated on the recorded plat that is more restrictive than the underlying Zoning District.
- ~~d.c.~~ Detached Accessory Apartments shall not exceed ~~at the~~ maximum height of ~~eighteen feet (18')~~ from ~~Existing Grade~~ allowed for Single-Family Dwellings.
- d. All new second-story windows on a Detached Accessory Apartment that are fifteen feet (15') or less from a Property Line shall incorporate at least one of the following:
- (1) The proposed second-story window shall be positioned such that the window sill is at least five feet (5') above finished floor; or
 - (2) The proposed second-story window of the Detached Accessory Apartment shall utilize frosted or obscured glass in the glazing portion of the window (i.e., glass that is patterned or textured such that objects, shapes, and patterns beyond the glass are not easily distinguishable). This option is not allowed in Historic Districts or designated Historic Sites on the Historic Sites Inventory.
- e. Detached Accessory Apartments must comply with the following standards:
- (1) A solid fence or wall six feet (6') in height or vegetative screening/plantings of species with a mature height of at least six feet (6') shall be located or constructed along interior side and rear Property Lines adjacent to the Detached Accessory Apartment if the Detached Accessory Apartment is located less than ten feet (10') from respective Property Lines.
 - (2) When any portion of a Detached Accessory Apartment roof is less than ten feet (10') from a side or rear Property Line, the roof pitch shall not be directed towards the side or rear Property Line(s), or the structure shall have a non-shedding roof material and/or an engineered snowslide restraint device for the life of the structure.
 - (3) When converting a garage into a Detached Accessory Apartment, the garage door must be removed and sealed using a material similar to that of the adjoining wall material.

15-4-7.1 Internal Accessory Dwelling Units

Internal Accessory Dwelling Units are subject to the following criteria:

A. **CRITERIA FOR USE.**

1. **SIZE.** One Internal Accessory Dwelling Unit may be constructed on a Lot that **is** ~~6,000 square feet or greater and~~ contains one Single-Family Dwelling subject to Zoning and this Section.

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Chapter 15-6 Master Planned Developments

15-6-2 Applicability

- A. **Required.** The Master Planned Development process shall be required in all Zoning Districts except in the Historic Residential-Low Density (HRL), Historic Residential (HR-1), Historic Residential 2 (HR-2), Historic Recreation Commercial (HRC), and Historic Commercial Business (HCB) for the following:
1. Any Residential project with ten (10) or more Lots.
 2. Any Residential project with ten (10) or more Residential Unit Equivalents (20,000 square feet).
 3. Any Hotel or lodging project with ten (10) or more Residential Unit Equivalents (20,000 square feet).
 4. Any new Commercial, Retail, Office, Public, Quasi-public, mixed-use, or industrial project with 10,000 square feet or more of Gross Floor Area.
 5. All projects utilizing Transfer of Development Rights Development Credits.
 6. All Affordable Housing Master Planned Developments consistent with Chapter 15-6-7.1.
 7. All projects requiring a Transportation Demand Management Plan consistent with Section 15-3-12.

15-6-5 Master Planned Development Requirements

- C. **SETBACKS.**
1. The minimum Setback around the exterior boundary of a Master Planned Development shall be twenty-five feet (25') for Parcels greater than two (2) acres. However, porches and stoops (Section 15-6-5(G)(13)) shall only be subject to the zone-required Setback. The Planning Commission may decrease the required perimeter Setback from twenty-five feet (25') for Master Planned Development Applications greater than two (2) acres to the zone-required Setback if it is necessary to provide desired architectural interest and variation.
 2. For parcels greater than two (2) acres and located inside the HRM, HR-1, HR-2, HRC, and HCB Zoning Districts, the minimum Setback around the exterior boundary of a Master Planned Development shall be determined by the Planning Commission in order to remain consistent with the contextual streetscape of adjacent Structures.
 3. For parcels two (2) acres or less, the minimum exterior boundary Setbacks shall be the zone-required Setbacks.
 4. In all Master Planned Developments, 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, to create an adequate buffer to adjacent Uses, or to meet Historic Compatibility requirements.

5. In all Master Planned Developments, the Front Setback, which may also be a perimeter setback, may be reduced to ten feet (10'), provided all on-site parking is at the rear of the Property or underground.
- 5.6. The Planning Commission may reduce Setbacks within the project boundary, but not perimeter Setbacks, from those otherwise required in the Zoning District to match an abutting zone-required Setback, provided the project meets minimum International Building Code and Fire Code requirements, does not increase project Density, maintains the general character of the surrounding neighborhood in terms of mass, scale, and spacing between Structures, and meets Open Space criteria set forth in Section 15-6-5(D).
- 6.7. Final Setback approvals shall be specified as a Finding of Fact in the Master Planned Development Approval, in the Development Agreement, and on each plat within the Master Planned Development.

E. **OFF-STREET PARKING.**

1. The number of Off-Street Parking Spaces in each Master Planned Development shall ~~not be less than the requirements of the Land Management Code, except~~consistent with Chapter 15-3 including 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 Master Planned Development submittal. The Parking analysis shall contain, at a minimum, the following information:~~consistent with Section 15-3-7.
 - a. ~~The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.~~
 - b. ~~A Parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy Parking.~~
 - c. ~~Parking needs for non-dwelling Uses, including traffic attracted to Commercial Uses from Off-Site.~~
 - d. ~~An analysis of time periods of Use for each of the Uses in the project and opportunities for shared parking by different Uses. This shall be considered only when there is Guarantee by Use covenant and deed restriction.~~
 - e. ~~A plan to discourage the Use of motorized vehicles and encourage other forms of transportation.~~
 - f. ~~Provisions for overflow Parking during peak periods.~~
 - g. ~~An evaluation of potential adverse impacts of the proposed Parking reduction and Density increase, if any, upon the surrounding neighborhood and conditions of approval to mitigate such impacts.~~

~~The Planning Department shall review the Parking analysis and provide a recommendation to the Commission. The Commission shall make a finding during review of the Master Planned Development as to whether or not the Parking analysis supports a determination to increase or decrease the required number of Parking Spaces.~~

2. The Planning Commission may permit an Applicant to pay an in-lieu Parking fee in consideration for required on-Site Parking provided that the Planning Commission determines that:
 - a. Payment in-lieu of the on-Site Parking requirement will prevent a loss of significant Open Space, Yard Area, and/or public amenities and gathering Areas;
 - b. Payment in-lieu of the on-Site Parking requirement will result in Preservation and Rehabilitation of significant Historic Structures or redevelopment of Structures and Sites;
 - c. Payment in-lieu of the on-Site Parking requirement will not result in an increase project Density or intensity of Use; and
 - d. The project is located on a public transit route or is within three (3) blocks of a municipal bus stop.
 - e. The payment in-lieu fee for the required Parking shall be subject to the provisions in the Municipal Code of Park City Section 11-12-16 and the fee set forth in the current Fee Resolution, as amended.

3. No more than one hundred and twenty five percent (125%) of the minimum required parking may be provided for newly constructed non-residential, mixed-use, or Multi-Unit Dwelling developments of ten (10) or more units when the new development is within a one-quarter (¼) mile of a transit stop. When the parking requirement is zero Parking Spaces, a maximum of five (5) Parking Spaces may be provided. The maximum parking limit does not apply to public parking facilities, park-and-ride lots, shared parking areas, or any City facilities. Exceptions to the maximum parking limit may be approved by the Planning Commission if found to be consistent with Section 15-3-1 and to further the City's goals for reducing single-occupancy vehicle trips.

G. **SITE PLANNING.** A Master Planned Development 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 Applicant shall address the following in the Site planning for a Master Planned Development:

1. Units shall be clustered on the most developable and least visually sensitive portions of the Site. Open Space shall separate the clusters. The Open Space should be designed so that existing Significant Vegetation is maintained on the Site.
2. Projects shall be designed to minimize Grading and the need for large retaining Structures.
3. Roads, utility lines, and Structures should be designed to work with the Existing Grade. Cuts and fills shall be minimized.
4. Existing trails shall be incorporated into the Open Space elements of the project and shall be maintained in their existing location whenever possible. Applicants may be required to grant the City a trail easement to connect proposed trails with existing trails. Construction of new trails shall be consistent with the Park City Trails Master Plan.

5. ~~Adequate internal vehicular, bicycle circulation and access must be provided according to the following standards; however, the following standards may be adjusted to comply with ADA accessibility requirements:~~ **PEDESTRIAN ACCESS.** On-site pedestrian, and
- a. ~~Internal Connections.~~ A system of pedestrian walkways shall be provided. ~~Pedestrian and bicycle circulations shall be separated from vehicular circulation and shall provide safe travel within the boundaries of the Master Planned Development primary entryways of all on-site buildings and all on-site automobile and bicycle Parking Areas to each other and safe travel to adjoining public sidewalks, trails to any on-site Open Space Areas, pedestrian amenities, shared trash enclosure areas, and Rights-of-Way. Private internal the sidewalk and Street.~~
- b. **To Street Network.** Provide direct pedestrian access from on-site walkways to sidewalks and Public Streets or to a clearly marked pathway network to Open Space that has direct access to a Public Street. An on-site walkway shall connect the Main Building entry or entries to a sidewalk on each Street frontage and transit stops. For residential uses fronting the Street, the sidewalk may be considered for Condominium projects if they used to meet this standard. On sites where slopes are thirty percent (30%) or greater, the walkway between the building and the sidewalk or other public outdoor areas shall be designed with steps, landings, and seating ledges that may be incorporated into planter boxes or railings.
- c. **Through Parking Lots.** Developments must provide paved or specially marked pedestrian walkways through Parking Lots that connect to the primary building entrance. Pedestrian pathways are required to comply with Section 15-6-5(G)(5)(d).
- d. **Pedestrian Pathway Design.**
- (1) All internal pathways must have an unobstructed surface width a minimum emergency and safety requirements of six feet (6') wide, except where wider pathways are prescribed in this Section or a different width is required by adopted City standard.
 - (2) Where a pathway is adjacent to perpendicular or angled parking, an additional two feet (2') of walkway width must be provided to allow parked vehicles to overhang the walkway.
 - (3) Where a required walkway crosses driveways, Parking Areas, or loading areas, a raised crosswalk, different paving material, or other distinguishing design must be provided.
 - (4) Where a required walkway is parallel and adjacent to a vehicle travel lane, it shall be raised or separated from the travel lane by a raised curb at least six (6) inches high, bollards, or other physical barrier consistent with adopted City standards.
 - (5) Pedestrian access points into Multi-Unit Dwelling developments must not be gated or closed off to the public.
6. **BICYCLE ACCESS.** On-site bicycle access routes must be provided from abutting public and private streets to outdoor bicycle parking and enclosed bicycle storage

and to each of the principal buildings. Bicycle routes shall comply with City design standards and American with Disability Act standards.

5.7. The Site plan shall include adequate Areas for snow removal and snow storage. The Landscaping plan shall allow for snow storage Areas. Structures shall be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. Snow shall be stored on-Site, unless otherwise approved by the Planning Commission.

6.8. The Site plan shall include adequate Areas for trash and recycling containers and shall include an adequate circulation area for pick-up vehicles. Convenient pedestrian Access shall be provided within the Master Planned Development to the trash and recycling containers.

No Site plan with a Commercial Development or Multi-Unit Dwelling shall be approved unless there is a mandatory recycling program, which may include Recycling Facilities for the Site. Single Family Dwellings shall include a mandatory recycling program with curb side recycling, and may also include Recycling Facilities. The Recycling Facilities shall be identified on the Site plan to accommodate for materials generated by the tenants, residents, users, operators, or owners of such Master Planned Development. Such Recycling Facilities shall include, but are not limited to, glass, paper, plastic, cans, cardboard or other household or commercially generated recyclable and scrap materials. Centralized trash and recycling containers shall be located in a completely enclosed Structure with a pedestrian door and a truck door or gate. The enclosed Structure shall be designed with materials that are compatible with the principal Structures in the Master Planned Development and shall be constructed of masonry, steel, or other substantial materials. The Structure shall be large enough to accommodate a trash container and at least two recycling containers to provide for the option of dual-stream recycling.

7.9. The Site plan for a Master Planned Development shall include transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.

10. 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.

11. **BLOCK LENGTH.** Block length is limited to three-hundred and fifty feet (350') measured from curb edge to curb edge. A block length up to six-hundred feet (600') shall only be allowed when a mid-block pedestrian connection is provided or the Planning Commission finds that:

a. It is not feasible or practical to provide a mid-block pedestrian connection due to the location, topography, existing trees or structures to be preserved, and/or dimensions or shape of the Master Planned Development Site; and

b. Pedestrian connections are otherwise provided throughout the Master Planned Development consistent with this Chapter.

12. **PRIMARY ENTRANCES.** All newly constructed buildings that front a Street shall have the primary entrance facing the Street. Buildings that front a Street on more than one side shall have an entrance facing the Street on each Street frontage.

Exceptions to this requirement may be approved when a Dwelling Unit(s) is located on a major arterial provided building entrances are otherwise consistent with this Chapter and pedestrian connectivity is also provided consistent with this Chapter.

Dwelling Units located in the interior of a Multi-Unit Dwelling development shall be designed so that the primary entryway is visible from a pedestrian pathway that is connected to a Street.

13. **BUILDING ENTRANCES.**

- a. Building entrances shall be designed so that snow does not shed freely into entrances.
- b. Building frontages may take one or more of the following forms (the following frontage types may also be used in combination); however, another form may be allowed if consistent with Section 15-6-1 (Purpose) and approved by the Planning Commission. All building frontage dimensions may be adjusted to comply with ADA accessibility requirements.

(1) **Porch.** Porch frontages with dimensions as indicated below:

- (A) Porch clear width: Minimum 12 feet
- (B) Porch clear depth (excluding stairs): Minimum 8 feet
- (C) Porch finish level above sidewalk: Minimum 18 inches
- (D) Porch clear height: Minimum 8 feet, maximum 12 feet

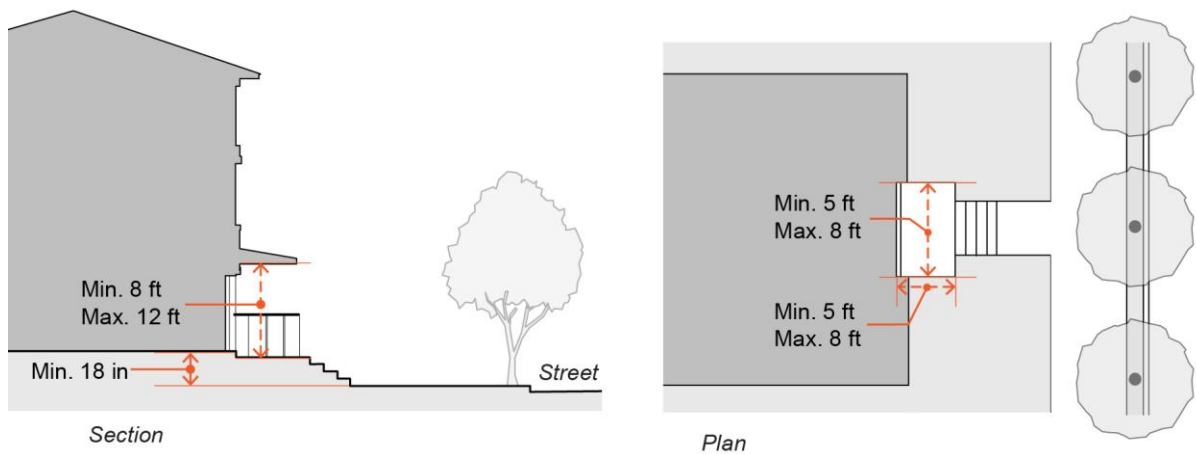
Porch Frontage



(2) **Stoop.** Stoop frontages with dimensions as indicated below:

- (A) Stoop width: Minimum 5 feet, maximum 8 feet
- (B) Stoop depth: Minimum 5 feet, maximum 8 feet
- (C) Stoop height above sidewalk: Minimum 18 inches
- (D) Stoop clear height: Minimum 8 feet, maximum 12 feet

Stoop Frontage



(3) **Forecourt.** Forecourt frontages with dimensions as indicated below:

- (A) Forecourt width: Minimum 12 feet
- (B) Forecourt depth: Minimum 12 feet
- (C) Forecourt width-to-height ratio: Maximum 2 to 1
- (D) Forecourt height above/below sidewalk: Maximum 3 feet

Forecourt Frontage



(4) **Shopfront.** Shopfront frontages with dimensions as indicated below:

- (A) Shopfront bay width: Minimum 10 feet, maximum 25 feet
- (B) Shopfront projection width: Minimum 6 feet
- (C) Shopfront projection depth: Minimum 4 feet
- (D) Shopfront clear height: Minimum 8 feet

(E) Shopfront finished floor level above sidewalk: Maximum 18 inches

(F) Shopfront recess depth: Maximum 12 inches

(G) Shopfront projection distance from curb: Minimum 2 feet

Shopfront Frontage



(5) **Terrace.** Terrace frontages with dimensions as indicated below:

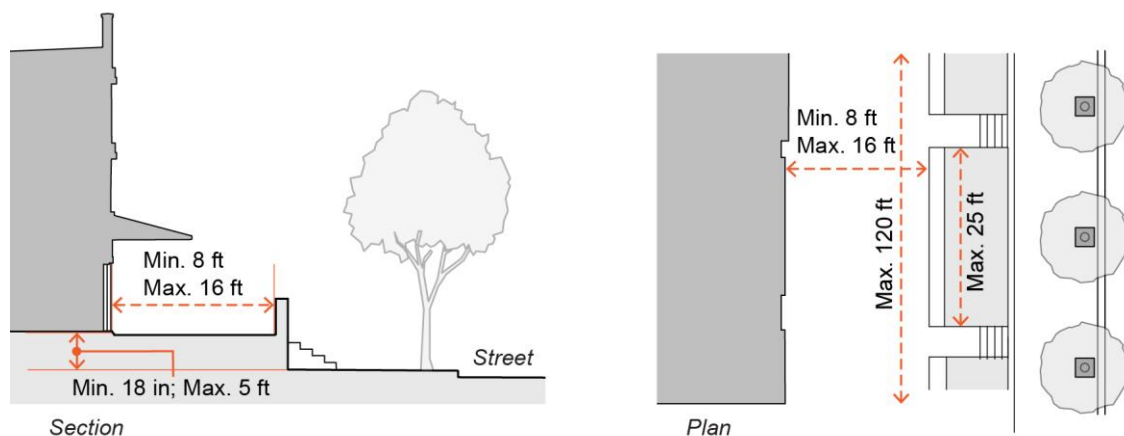
(A) Terrace width: Maximum 120 feet

(B) Terrace depth: Minimum 8 feet; maximum 16 feet

(C) Terrace distance between stairs: Maximum 25 feet

(D) Terrace finished floor height above sidewalk: Minimum 18 inches, maximum 5 feet

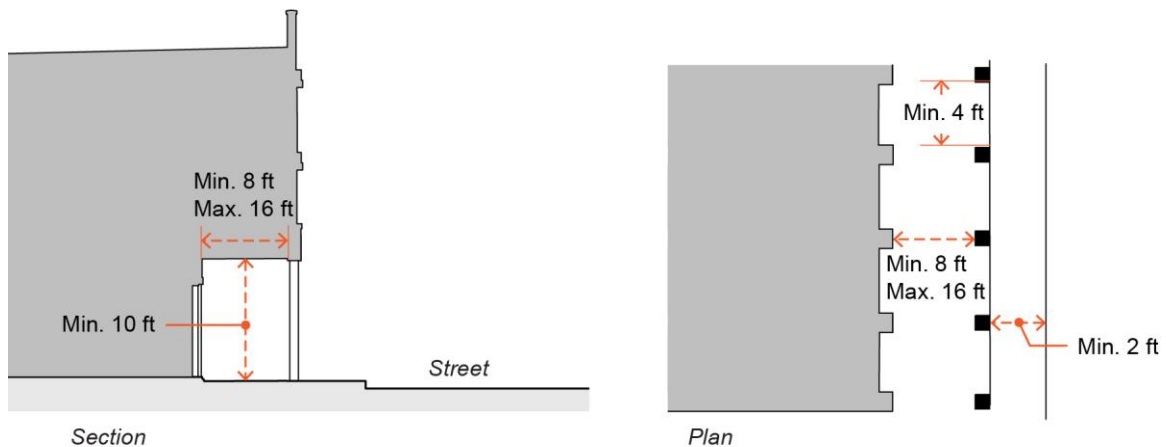
Terrace Frontage



(6) **Arcade.** Arcade frontages with dimensions as indicated below:

- (A) Arcade depth: Minimum 8 feet, maximum 16 feet, must be consistent for the length of the arcade
- (B) Arcade clear height: Minimum 10 feet
- (C) Arcade column spacing: Minimum 4 feet clear between columns
- (D) Arcade distance from curb: Minimum 2 feet

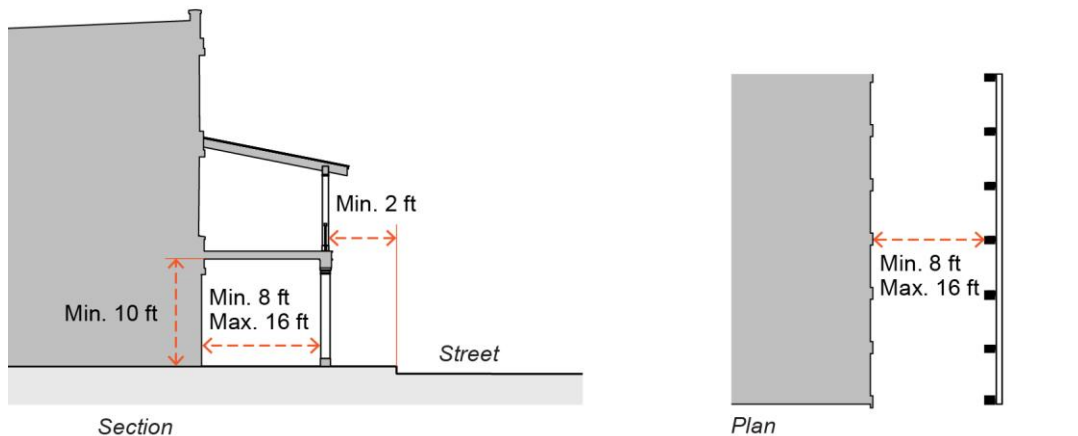
Arcade Frontage



(7) Gallery. Gallery frontages with dimensions as indicated below:

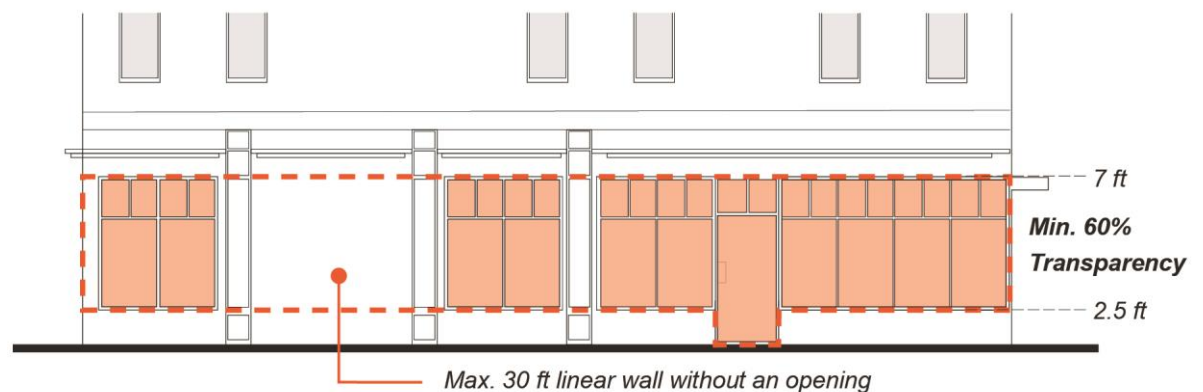
- (A) Gallery depth: Minimum 8 feet, maximum 16 feet, must be consistent for the length of the gallery
- (B) Gallery clear height: Minimum 10 feet
- (C) Gallery distance from curb (encroachment permit may be required): Minimum 2 feet

Gallery Frontage



14. **FRONTAGE IMPROVEMENTS.** New development shall provide Street frontage improvements in accordance with adopted City Plans as determined by the Planning Commission including, but not limited to, sidewalks, bike lanes, multi-use paths, bus stops, bus shelters, and other adopted City standard frontage improvements (e.g., street trees, benches, etc.). Projects within the Historic Districts must meet the requirements of Chapter 15-13, Design Guidelines for Historic Districts and Historic Sites.
15. **BUILDING TRANSPARENCY AND OPENINGS.** Exterior walls facing and within twenty feet (20') of a front or street side Property Line or a park or plaza shall include windows, doors, or other openings for at least sixty percent (60%) of the building wall area located between two and one-half feet (2 ½') and seven feet (7') above the level of the sidewalk. Such walls may run in a continuous plane for no more than thirty feet (30') without an opening. However, projects within the Historic Districts must meet the requirements of Chapter 15-13, Design Guidelines for Historic Districts and Historic Sites.

Building Transparency



- a. **Design of Required Openings.** Openings fulfilling this requirement shall have transparent glazing and provide views into display areas, sales areas, work areas, lobbies, or similar active spaces, or into window displays that are at least three feet (3') deep.
- b. **Exceptions.** The following are exempt from this requirement:
 - (1) Residential uses; and
 - (2) Parking garages.
- c. **Reductions.** This requirement may be reduced to forty percent (40%) if street-facing building walls include architectural relief (e.g., articulated building base, columns/piers, transom, etc.) and are enhanced with landscaping at the pedestrian level. Further reductions may be allowed if the Planning Commission determines that the proposed use has unique operational characteristics for which providing the required transparency and openings is incompatible.

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Chapter 15-6.1 Affordable Master Planned Developments

15-6.1-1 Purpose

The purpose of Affordable Master Planned Developments is to:

- A. Incentivize public, private, and public-private development of ~~Affordable Units~~ homes for the workforce of Park City;
- B. Create developments ~~that include market-rate and Affordable Units~~ which are mixed-income and increase housing opportunities that are affordable to a wide range of incomes;
- ~~C. Increase Building Height and Density and decrease parking requirements for Affordable Units if impacts to the community are mitigated;~~
- ~~D.C.~~ Ensure neighborhood Compatibility; and
- ~~E.D.~~ Encourage mixed-use, walkable, and sustainable development and redevelopment that provides innovative and energy efficient design, including innovative alternatives to reduce impacts of the automobile on the community.

15-6.1-2 Requirements

- A. Affordable Master Planned Developments must contain at least ~~ten (10)~~ five (5) Residential Unit Equivalents (~~2010~~,000 square feet).
- B. ~~At least fifty percent (50%) of Affordable Master Planned Development Residential Unit Equivalents~~ Developments shall ~~be Affordable Units~~ comply with one of the tiers established in Table 1:

Affordable Units

Table 1: Affordable Master Planned Developments Tiers							
	Tier 1	Tier 2		Tier 3		Tier 4	
<u>Average AMI Level ¹</u>	<u>100%</u>	<u>60%</u>	<u>80%</u>	<u>60%</u>	<u>80%</u>	<u>60%</u>	<u>80%</u>
<u>Percent of Total Units at AMI Level ²</u>	<u>50%</u>	<u>25%</u>	<u>35%</u>	<u>35%</u>	<u>45%</u>	<u>45%</u>	<u>55%</u>
¹ Percentage of Area Median Income.							
² When a calculation results in a fractional unit, the number shall be rounded up to the next whole number.							

- C. Deed-restricted units may differ from market rate units with regard to interior amenities and Gross Floor Area provided that:
 - ~~1. These differences, excluding differences related to size, are not apparent in the general exterior appearances of the market-rate units within the Affordable Master Planned Development;~~
 - 1. Building exterior appearances comply with City design standards; and
 - 2. These differences do not include insulation, windows, heating systems, and other features related to the energy efficiency of the Affordable Master Planned Development.

- D. Nightly Rentals and Timeshares are prohibited for market-rate and ~~Affordable Units~~deed-restricted units within an Affordable Master Planned Development.

15-6.1-3 Zoning Districts And Uses

- A. **ZONING DISTRICTS.** Affordable Master Planned Developments are Allowed in the following Zoning Districts:
1. Residential Development
 2. Residential Development Medium
 3. Residential Medium
 4. Recreation Commercial
 5. General Commercial
 6. Light Industrial
 7. Community Transition
 8. Historic Commercial Business
 9. Historic Recreation Commercial, east of Park Avenue
- B. **USES.** An Affordable Master Planned Development can only contain Uses that are Allowed or Conditional in the Zoning District in which it is located.
- ~~C. **COMMERCIAL USES.** An Affordable Master Planned Development may include up to 10,000 square feet of Commercial, Retail, Office, Public, and Quasi-public Uses.~~

15-6.1-4 Process

- A. **PRE-APPLICATION CONFERENCE.** An Applicant may request a pre-Application conference with Planning Department staff to become acquainted with the Affordable Master Planned Development procedures and requirements.
- B. **APPLICATION.** An Applicant shall submit a Complete Application for an Affordable Master Planned Development to the Planning Department. The Application shall include written consent by all Owners of the Property to be included in the Affordable Master Planned Development. The Planning Director shall assign the Application to a staff planner who will review the Application for completeness. The staff planner will inform the Applicant if additional information is required to constitute a Complete Application.
- C. **PUBLIC OUTREACH.** It is recommended that the Applicant conduct public outreach and that the Applicant host neighborhood meetings prior to submitting an Application for an Affordable Master Planned Development.
- D. **WORK SESSION.** After the staff planner determines an Affordable Master Planned Development Application is complete, the Applicant may request a work session with the Planning Commission in order to provide an opportunity for the public and the Planning Commission to give preliminary input.
- E. **ADDITIONAL TRAFFIC AND/OR PARKING STUDIES.** Applicants shall complete a traffic generation study according to the adopted Transportation Impact Study guidelines. The Planning Commission may require Applicants to submit and fund ~~additional~~parking

studies for Affordable Master Planned Development proposals that significantly increase the Density and intensity of Use of a Site. If the Planning Commission requires an Applicant to submit a ~~traffic-parking~~ study, the Transportation Department and City Engineer shall recommend a method of modeling and scope of the study area.

- F. **PLANNING COMMISSION REVIEW.** The Planning Commission is the primary review body for Affordable Master Planned Developments.
- G. **PLANNING COMMISSION WORK SESSION AND PUBLIC HEARING-(S).** The Planning Commission is required to hold a public hearing prior to taking action on an Affordable Master Planned Development. ~~Multiple public hearings may be necessary for larger, complex projects.~~ The Planning Commission may hold a maximum of one (1) work session and a maximum of two (2) public hearings prior to taking action on an Affordable Master Planned Development. The Planning Commission shall take Final Action on Affordable Master Planned Developments within six (6) months of the submittal of a Complete Application. Staff shall notice each public hearing in accordance with Sections 15-1-12 and 15-1-21.
- H. **PLANNING COMMISSION ACTION.** The Planning Commission shall approve, approve with modifications, or deny a requested Affordable Master Planned Development, based on the findings outlined in Section 15-6.1-12. The Planning Commission action shall be in the form of written findings of fact, conclusions of law, and in the case of approval, conditions of approval.
- I. **APPEALS.** Appeals of Planning Commission action shall be conducted in accordance with Section 15-1-18.

15-6.1-5 Approved Affordable Master Planned Developments

- A. **DEVELOPMENT AGREEMENT.** Planning Commission approval of an Affordable Master Planned Development shall be put in the form of a Development Agreement approved by the City Attorney and shall contain, at a minimum, the following:
 - 1. A legal description of the land;
 - 2. All relevant zoning and Land Management Code parameters, including all findings, conclusions, and conditions of approval, specifying any exceptions;
 - 3. An express reservation of the future legislative power and zoning authority of the City;
 - 4. A provision to allow for minor, administrative modifications without revision of the Agreement;
 - 5. A copy of the approved Site plan, architectural plans, Landscaping plans, Grading plan, trails and Open Space plans, and other plans, which are a part of the Planning Commission approval;
 - 6. A description of all Developer exactions or agreed upon public dedications;
 - 7. Developer agreement to pay all specified impact fees;
 - 8. The Initial Purchase Price of the ~~Affordable Units~~deed-restricted units, as defined in the Housing Resolution in effect at the time of a Complete Application;
 - 9. The form of ownership anticipated for the project;

10. A specific project phasing plan;
11. A list and map of all known Physical Mine Hazards on the Property, as determined through the exercise of reasonable due diligence by the Owner, as well as a description and GPS coordinates of those Physical Mine Hazards;
- ~~12.~~ A map and inventory of all Historic Structures on the Property and a Historic Structures Report prepared by a qualified Historic Preservation Professional.
- ~~12,13.~~ A condition of approval that no market-rate unit shall receive a Certificate of Occupancy until all deed-restricted units are completed.

B. DEVELOPMENT AGREEMENT RATIFICATION.

1. The Applicant shall submit a draft Development Agreement to the Planning Department within six (6) months of the date the Planning Commission approved the Affordable Master Planned Development or the Planning Commission approval shall expire.
2. The Planning Commission shall hold a public hearing prior to ratifying a Development Agreement.
3. A Development Agreement ratified by the Commission shall be signed by the Mayor and the Applicant and recorded with the Summit County Recorder within eighteen (18) months of Planning Commission approval.

C. LENGTH OF APPROVAL. Construction, as defined by the International Building Code, is required to commence within two (2) years of the date of the execution of the Development Agreement. After construction commences, the Affordable Master Planned Development shall remain valid as long as it is consistent with the approved project phasing plan set forth in the Development Agreement. The project phasing plan may require Planning Commission review and reevaluation of the project at specified points in the Development of the Affordable Master Planned Development.

D. EXTENSION. The Planning Commission may grant an extension of an Affordable Master Planned Development for up to two (2) additional years when the Applicant demonstrates no change in circumstance that would result in unmitigated impacts or that would result in a finding of non-compliance with the Affordable Master Planned Development requirements in the Land Management Code in effect at the time of the extension request. Change in circumstance includes physical changes to the Property or surrounding Properties. Applicants must submit a written extension request to the Planning Department prior to the expiration of the Affordable Master Planned Development. Staff shall notice extension request public hearings according to Sections 15-1-12 and 15-1-21.

E. MODIFICATIONS. The Planning Commission shall determine whether a proposed modification to an approved Affordable Master Planned Development is minor or substantive.

1. **Minor Modification.** A minor modification to an approved Affordable Master Planned Development is a modification that complies with the Land Management Code and Affordable Master Planned Development approval and does not trigger additional Off-Street Parking requirements, does not reduce Open Space, and does not increase traffic by 5% or more as demonstrated by a traffic generation study. The Planning Director shall review and take Final Action on a minor

modification to a Master Planned Development and shall issue an Administrative Permit for an approval. The Administrative Permit approval may be appealed to the Planning Commission.

2. **Substantive Modifications.** Substantive modifications to an approved Affordable Master Planned Development create additional impacts and require review of the entire Affordable Master Planned Development and Development Agreement by the Planning Commission, unless otherwise specified in the Development Agreement. Substantive modifications include but are not limited to a change to a Finding of Fact or Condition of Approval, a change in Use or an increase in Floor Area that triggers additional Off-Street Parking requirements, a change in Use or an increase in Floor Area that generates more than a 5% increase in traffic demonstrated by a traffic generation study, or a reduction in Open Space.

F. **SITE SPECIFIC APPROVALS.** Any portion of an approved Master Planned Development may require additional review by the Planning Commission as a Conditional Use, if so required by the Planning Commission at the time of the Affordable Master Planned Development approval.

1. Site specific approvals must comply with the review criteria of the Affordable Master Planned Development approval and the Conditional Use permit criteria in Section 15-1-10.
2. The Planning Department will review Site specific plans, including Site layout, architecture, and Landscaping plans for compliance with the Affordable Master Planned Development approval and Land Management Code prior to issuance of Building Permit.

15-6.1-6 Density

- A. Density for Affordable Master Planned Developments is not determined by the underlying Zoning District, except for the Historic Commercial Business Zoning District (see Subsection B). Rather, Density for Affordable Master Planned Developments is volume based and is determined by the requirements outlined in this Affordable Master Planned Development Chapter. Setbacks shall comply with Section 15-6.1-7, Building Height and Facades shall comply with Section 15-6.1-8, parking shall comply with Section 15-6.1-9, Common Open Space shall comply with Section 15-6.1-10, and Site planning shall comply with Section 15-6.1-11.
- B. Affordable Master Planned Developments in the Historic Commercial Business Zoning District shall comply with Sections 15-2.3-8, 15-2.6-5, and 15-2.6-7.

15-6.1-7 Setbacks

- A. The minimum Setback ~~around the exterior boundary~~from the interior side and rear Property Lines of an Affordable Master Planned Development is twenty-five feet (25') for Property greater than two (2) acres when the interior side and/or rear Property Line abuts a lower-intensity residential Zoning District.
 1. The Planning Commission may decrease the required ~~perimeter~~interior side and rear Setback from twenty-five feet (25') for Affordable Master Planned

Developments greater than two (2) acres to the zone-required Setback ~~to provide architectural interest and variation when façade variation along the subject interior side or rear Property Line exceeds the requirements in Section 15-6.1-8(D).~~

- B. For Property two (2) acres or less, the minimum Setback around the exterior boundary of an Affordable Master Planned Development shall be the zone-required Setback.
- C. For perimeter Setbacks or Setbacks within the Affordable Master Planned Development, the Planning Commission may increase Setbacks to retain existing Significant Vegetation or natural features, to create an adequate buffer to adjacent Uses, or to meet Historic Compatibility requirements.
- D. The Planning Commission may reduce Setbacks within the project boundary, but not perimeter Setbacks, from those otherwise required in the Zoning District to match an abutting zone-required Setback, provided the project meets minimum International Building Code and Fire Code requirements, maintains the general character of the surrounding neighborhood in terms of mass, scale, and spacing between Structures, and meets Open Space criteria.
- E. Final Setback approvals shall be specified as a Finding of Fact in the Affordable Master Planned Development approval, in the Development Agreement, and on each plat within the Affordable Master Planned Development.
- F. There are no minimum required Setbacks for Affordable Master Planned Developments in the Historic Commercial Business Zoning District. Building and Fire Code separation regulations apply.

15-6.1-8 Building Height And Facades

- A. **BUILDING HEIGHT.** With the exception of the Historic Commercial Business Zoning District, Affordable Master Planned Development Building Height shall comply with the ~~underlying Zoning District Building Height for the perimeter Building Façade planes. Building Height is forty-five feet (45') from Existing Grade when the following criteria are met following criteria:~~

- 1. ~~The~~ The Building complies with the maximum height established in Table 2:

Table 2: Maximum Building Height for Affordable Master Planned Developments

	Tier 1	Tier 2	Tier 3	Tier 4
Maximum Building Height by District (ft)				
<u>General Commercial (GC) District</u>	<u>35</u>	<u>45</u>	<u>55</u>	<u>65</u>
<u>All Other Districts</u>	<u>35</u>	<u>45</u>	<u>45</u>	<u>55</u>

- 1.2. ~~For Building Height above thirty-five feet (35'), the~~ Building includes a ten-foot (10') stepback on all ~~perimeter street-facing~~ Building Façade planes along the Lot lines ~~from the underlying Zoning District Building Height on the portion of the building above thirty-five feet (35') to the forty-five foot (45') Building Height~~ maximum Building Height allowed in Table 2. This shall only apply to street-facing Building Façade planes located twenty feet (20') or less from a Property Line along a street;

~~2.3. Infrastructure~~ Utility infrastructure (e.g., water, sewer, etc.) is in place or can be ~~updated~~ upgraded to meet the increased demand; and

~~4. The Building complies with Building Façade variation~~ the requirements of Section 15-6.1-8(D).

B. EXCEPTIONS. The following may exceed the Building Height:

1. Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with International Building Code requirements;
2. Water towers, mechanical equipment, and Solar Energy Systems, when enclosed or Screened, may extend up to five feet (5') above the forty-five foot (45') Building Height when they are set back at least ten feet (10') from the rooftop edge; and
3. Elevator Penthouses may extend up to eight feet (8') above the forty-five foot (45') Building Height.

C. STEPBACK EXCEPTIONS.

1. Chimneys not more than five feet (5') wide and projecting not more than two feet (2') into the stepback.
2. Roof overhangs or eaves projecting not more than two feet (2') into the stepback.
3. Window sills, belt courses, trim, exterior siding, cornices, or other ornamental features projecting not more than six inches (6") beyond the main Structure to which they are attached.
4. Rooftop Decks projecting not more than six feet (6') into the stepback.
5. Solar Energy Systems.
6. Green Roofs.
7. Rooftop gardens projecting not more than six feet (6') into the stepback.
8. Screened mechanical equipment, hot tubs, or similar Structures projecting not more than six feet (6') into the stepback.
9. Elevator penthouses and stairwells.

D. FAÇADE VARIATION.

1. Buildings greater than sixty feet (60') but less than one-hundred-twenty feet (120') in length must exhibit a prominent shift in the Façade of the Building so that no greater than seventy-five percent (75%) of the length of the Building Façade appears unbroken. Each shift shall be in the form of either a ten foot (10') change in Building Façade alignment or a ten foot (10') change in the Building Height, or a combined change in Building Façade and Building Height totaling ten feet (10').
2. Structures that exceed one-hundred-twenty feet (120') in length on any Façade shall provide a prominent shift in the mass of the Building at each one-hundred-twenty-foot (120') interval, or less, reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Façade

alignment or a fifteen foot (15') change in the Building Height. A combination of both the Building Height and Building Façade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.

3. The Façade length and variation requirements apply to all sides of a Building.
- E. Building Height in the Historic Commercial Business Zoning District shall comply with Section 15-2.6-5.

15-6.1-9 Parking

- A. ~~The number of Parking Spaces for market-rate and deed-restricted units in Affordable Master Planned Developments shall comply be provided consistent with Chapter 15-Table 3, Off-Street Parking.~~

Table 3: Minimum Parking Requirements for Affordable Master Planned Developments

Unit Size (sf)	Tier 1	Tier 2	Tier 3	Tier 4
Number of Parking Spaces per Unit				
<600 sf	0.75	0.75	0.50	0.00
600 – 1,000 sf	1.00	0.75	0.50	0.50
1,000 – 2,000 sf	1.50	1.00	1.00	1.00
>2,000 sf	2.00	1.50	1.50	1.50

- B. ~~The Applicant number of Parking Spaces required may request that be reduced consistent with Section 15-3-6.1(E) and/or 15-3-12(F). Additionally, the Planning Commission may further reduce or eliminate the requirement for parking required by Section 15-3-6, Parking Ratio Requirements For Specific Land Use Categories. To request a parking reduction, the Applicant must:~~
 1. ~~Demonstrate that parking reductions materially increase the feasibility of the proposed Affordable Master Planned Development;~~
 2. ~~Fund and submit a parking and traffic study completed by a third party selected by the City; and~~
 3. ~~Demonstrate that the proposed Affordable Master Planned Development sufficiently addresses the parking demand for the project.~~
- C. ~~If the Planning Commission approves a reduction in the parking requirements, the Applicant shall submit a parking management plan for Planning Commission review and approval prior to the issuance of a Certificate of Occupancy for any portion of the Affordable Master Planned Development.~~
 1. ~~The Planning Commission may amend the parking management plan at any time to address changing circumstances.~~
- D.B. ~~The Planning Commission may reduce the parking required by Section 15-3-6, Parking Ratio Requirements For Specific Land Use Categories, for Affordable Master Planned Developments according to one or more of the criteria outlined below:~~

1. On sites that are one acre or less by deducting 5,000 square feet per 15,000 square feet of Gross Floor Area for each floor from the sum of total floor area that is used to calculate parking requirements;
2. Parking in the Right-of-Way along the perimeter of the Affordable Master Planned Development Site is available;
- ~~3. A clear and irrevocable agreement authorizes Affordable Master Planned Development residents to park in an off-Site Parking Area or Parking Structure that is located within 1,000 feet of the Affordable Master Planned Development perimeter boundary;~~
- ~~4.3. The Affordable Master Planned Development is within 1/4-mile from six hundred feet (600') unobstructed year-round walking distance of a bus stop that includes a waiting shelter consistent with City standardsMajor Transit Stop;~~
- ~~5.4. On-Site parking is provided for motorcycles and/or scooters;~~
- ~~6.5. Bicycle parking exceeds the requirements of Section 15-3-9;~~
- ~~7.6. The Affordable Master Planned Development provides dedicated parking spaces for resident carshare vehicles.;~~
- ~~7. The Other criteria proposed by the Applicant and deemed appropriate by the Planning Commission.~~

~~E.C. Parking may not reduce Affordable Master Planned Development parking requirements below the ratio outlined be provided Off-Site in Table compliance with Section 15-3-6.1:(B).~~

Table 1

Unit-Size	Market-Rate-Units	Affordable-Units
<600 SF	0.5 spaces per unit	None
600-1,000 SF	1 space per unit	0.5 spaces per unit
1,000-2,000 SF	1.5 spaces per unit	1 space per unit
>2,000 SF	2 spaces per unit	1.5 spaces per unit

~~F.D. In mixed-use Affordable Master Planned Developments, the Commercial, Retail, Office, Public, and/or Quasi-public Uses shall meet the parking requirements outlined in Chapter 15-3.~~

~~G.E. See Section 15-2.6-12 for Affordable Master Planned Development Parking in the Historic Commercial Business Zoning District.~~

15-6.1-10 Common Open Space

- A. ~~Affordable Master Planned Developments shall contain a minimum of twenty percent (20%) Common Open Space. On-Site amenities, such as playgrounds, trails, recreation facilities, bus shelters, and significant landscaping are encouraged. requirements shall be consistent with the criteria established in Table 4. Common Open Space may not be used for Streets, roads, or Parking Areas.~~

~~The Planning Commission may decrease the required Open Space for projects~~

Table 4: Minimum Common Open Space for Affordable Master Planned Developments

	<u>Tier 1</u>	<u>Tier 2</u>	<u>Tier 3</u>	<u>Tier 4</u>
<u>Common Open Space (% of Site)</u>	<u>25%</u>	<u>20%</u>	<u>15%</u>	<u>10%</u>

- B. **EXCEPTION.** If a project is located within ~~300~~three hundred feet (300') of a ~~Public Use,~~ including but not limited to a public park, Recreation Open Space, ~~or Public Recreation Facility,~~ and the ~~public trail, public school park, Recreation Open Space,~~ or Public Recreation Facility ~~can be accessed by a pedestrian facility (e.g., sidewalk, multi-use path, etc.),~~ then no Common Open Space is required.
- C. **ACCESSIBILITY.** Required Common Open Space must be accessible to all residential units in the development site by a walkway, stairway, or other access consistent with the Americans with Disabilities Act standards and approved by the City Building Official.
- D. **AMENITIES.** Common Open Space amenities may include landscaped courtyards or decks; shade structures; patios; gardens; walkways and pathways; children's play areas (e.g., playgrounds); barbeque areas; swimming pools; sports courts; seating; lighting; and water features. Accessible areas used for stormwater retention or other multipurpose recreational and/or green spaces that meet the criteria in this Subsection may qualify as required Common Open Space.
- E. **SEATING.** Seating shall be included in the Common Open Space. Seating may include fixed seating, moveable seating, planter ledges, seat walls, and seating steps. A portion of the seating shall be located near the entrance of the Common Open Space.
- F. **USABILITY.** A surface shall be provided that allows convenient use for outdoor activity, recreation, and public gathering. Such surface may be any practical combination of high-quality plant and hardscape materials such as bricks, stone, concrete, permeable paving, turf or synthetic turf, flagstone, wood or synthetic wood, concrete, tile, or other dust-free surfacing. Surfaces shall be sloped for positive drainage and constructed to withstand snow removal and de-icing maintenance.
- G. **ADDITIONAL STANDARDS.**
- The slope of required Common Open Space may not exceed ten percent (10%).
 - Common Open Space may be at-grade, elevated, on parking podiums, or on rooftops. Rooftop Common Open Space must maintain the Zoning District Setback or a minimum ten feet (10') clear from the Property Line abutting a lower-intensity residential Zoning District, whichever is greater, and must include an opaque wall at least four feet (4') in height as measured from the floor of the Rooftop Common Open Space area. Rooftops must include safety features, such as enclosures, railings, and lighting.
 - Required Setback areas do not count as Common Open Space unless the design of the space meets the standards in this Subsection.
 - Utility and service elements located within or on the edge of Common Open Space may not be included in the Common Open Space calculations.
 - The Common Open Space shall be located and designed to receive sunlight, and shall face east, west, or preferably south.

15-6.1-11 Site Planning

An Affordable Master Planned Development shall be designed to take into consideration the characteristics of the Site upon which it is proposed to be placed. The Development should be designed to fit the Site, not the Site modified to fit the project. The Applicant shall address the following in the Site planning:

- A. **CLUSTERED DEVELOPMENT.** Units shall be clustered on the ~~most developable Site wherever possible~~ and ~~least visually sensitive portions of~~ consistent with the Site. Open Space shall separate the clusters. Sensitive Land Overlay Zone if applicable. The Open Space separating the clusters should be designed so that existing Significant Vegetation is maintained on the Site to the extent practical.
- B. **GRADING.** Projects shall be designed to minimize Grading and the need for large retaining Structures. Roads, utility lines, and Structures should be designed to work with Existing Grade. Cuts and fills shall be minimized.
- C. **TRAILS.** Existing trails shall be incorporated into the Common Open Space elements of the project and shall be maintained in their existing location whenever possible. Applicants may be required to grant the City a trail easement to connect proposed trails with existing trails. Construction of new trails shall be consistent with the Park City Trails Master Plan.
- ~~D. **INTERNAL CIRCULATION.** Adequate internal vehicular, pedestrian, and bicycle circulation shall be provided. Pedestrian and bicycle circulations shall be separated from vehicular circulation and shall provide safe travel within the boundaries of the Affordable Master Planned Development and safe travel to adjoining public sidewalks, trails, and Rights-of-Way. Private internal Streets may be considered for Condominium projects if they meet the minimum emergency and safety requirements.~~
- ~~D. **PEDESTRIAN ACCESS.** The requirements of Section 15-6-5(G)(5) shall apply.~~
- ~~E. **BICYCLE ACCESS.** The requirements of Section 15-6-5(G)(6) shall apply.~~
- ~~E.F. **SNOW REMOVAL.** The Site plan shall include adequate Areas for snow removal and snow storage. consistent with Section 15-3-3(E). The Landscaping plan shall allow for snow storage Areas. Structures shall be set back from any hard surfaces so as to provide adequate Areas to remove and store snow. Snow shall be stored on-Site, unless otherwise approved by the Planning Commission.~~
- ~~F.G. **TRASH AND RECYCLING.** The Site plan shall include adequate Areas for trash and recycling containers and shall include an adequate circulation area for pick-up vehicles. Convenient pedestrian Access shall be provided within the Affordable Master Planned Development to the trash and recycling containers. No Site plan with a Commercial Development or Multi-Unit Dwelling shall be approved unless there is a mandatory recycling program, which may include Recycling Facilities for the Site. Single Family Dwellings shall include a mandatory recycling program with curb side recycling, and may also include Recycling Facilities. The Recycling Facilities shall be identified on the Site plan to accommodate for materials generated by the tenants, residents, users, operators, or owners of such Master Planned Development. Such Recycling Facilities shall include, but are not limited to, glass, paper, plastic, cans, cardboard or other household or commercially generated recyclable and scrap materials. Centralized trash and recycling containers shall be located in a completely enclosed Structure with a pedestrian door and a truck door or gate. The enclosed Structure shall be designed with materials that are compatible with the principal Structures in the Affordable Master Planned Development~~

and shall be constructed of masonry, steel, or other substantial materials. The Structure shall be large enough to accommodate a trash container and at least two recycling containers to provide for the option of dual-stream recycling.

G.H. TRANSPORTATION AMENITIES. The Site plan shall include transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.required by adopted City standards in accordance with Section 15-6-5(G)(14).

H.I. SERVICE AND DELIVERY. Access and loading/unloading Areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.

I.J. LANDSCAPE AND LIGHTING. A preliminary Landscaping plan must be submitted with the Affordable Master Planned Development Application. The Landscaping plan shall comply with all criteria and requirements of Section 15-5-5(N). All noxious weeds, as identified by Summit County, shall be removed from the Property in accordance with the Summit County Weed Ordinance prior to issuance of Certificates of Occupancy. Lighting must meet the requirements of Section 15-5-5(J).

J.K. SENSITIVE LANDS COMPLIANCE. Applicants for an Affordable Master Planned Development that contains any Area within the Sensitive Land Overlay Zone shall conduct a Sensitive Lands Analysis and shall conform to Chapter 15-2.21.

K.L. MINE HAZARDS. Applications shall include a map and list of all known Physical Mine Hazards on the Property and a Physical Mine Hazard mitigation plan.

L.M. HISTORIC MINE WASTE MITIGATION. An Applicant for an Affordable Master Planned Development with Property that is located within the Park City Soils Ordinance Boundary shall submit a soil remediation mitigation plan and shall indicate areas of hazardous soils and proposed methods of remediation and/or removal subject to the requirements and regulations of the Municipal Code of Park City Chapter 11-15.

M.N. GENERAL PLAN REVIEW. The Planning Commission shall review Affordable Master Planned Developments for consistency with the goals and objectives of the General Plan; however such review for consistency shall not alone be binding.

N.O. HISTORIC SITES. Applicants shall submit a map and inventory of Historic Structures and Sites on the Property and a Historic Structures Report prepared by a Qualified Historic Preservation Professional.

O.P. DESIGN GUIDELINES. The Planning Commission may require Design Guidelines for Affordable Master Planned Developments, including regulation of building design elements for Single-Family Dwellings and/or Duplex Dwellings, that specify:

1. Exterior cladding material;
2. Style, dimensions, and materials of a roof structure, roof pitch, and porch;
3. Exterior nonstructural architectural ornamentation;
4. Location, design, placement, and architectural styling of windows and doors; and
5. Location, design, placement, and architectural styling of a garage door.

Q. BLOCK LENGTH. The requirements of Section 15-6-5(G)(11) shall apply.

R. PRIMARY ENTRANCES. The requirements of Section 15-6-5(G)(12) shall apply.

S. BUILDING ENTRANCES. The requirements of Section 15-6-5(G)(13) shall apply.

- T. FRONTAGE IMPROVEMENTS. The requirements of Section 15-6-5(G)(14) shall apply.
- U. BUILDING TRANSPARENCY AND OPENINGS. The requirements of Section 15-6-5(G)(15) shall apply.

15-6.1-12 Required Findings And Conclusions Of Law

The Planning Commission must make the following findings in order to approve an Affordable Master Planned Development. In some cases, conditions of approval will be attached to the approval to ensure compliance with these findings. The Affordable Master Planned Development, as conditioned:

- ~~A. Provides at least 50% Affordable Units;~~
- A. Complies with one of the tiers established in this Chapter;
- B. Complies with requirements of the Land Management Code;
- C. Meets the minimum requirements of this Chapter;
- ~~D. Provides meaningful Open Space for residents and the public;~~
- ~~E. Strengthens and enhances the resort character of Park City;~~
- ~~F.D.~~ Compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
- ~~G.E.~~ Meets the Sensitive Lands requirements of the Land Management Code ~~and is designed to place Development on the most developable land and least visually obtrusive portions of the Site if applicable;~~
- ~~H. Promotes the Use of non-vehicular forms of transportation through design and by providing trail and pathway connections;~~
- ~~I.F.~~ Was noticed and the Planning Commission held a public hearing in accordance with this Chapter;
- ~~J.G.~~ ~~Incorporates best planning practices for~~Complies with sustainable development requirements per the Residential and Commercial Energy and Green Building program, including water conservation measures and energy-efficient design and construction, ~~per the Residential and Commercial Energy and Green Building program~~ and codes adopted by the Park City Building Department in effect at the time of the Application, ~~and includes~~including Energy Star qualified products for appliances;
- ~~K.H.~~ Addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies;
- ~~L.I.~~ Addresses and mitigates Historic Mine Waster and complies with the requirements of the Park City Soils Boundary Ordinance;
- ~~M.J.~~ Addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan;
- ~~N.K.~~ Addresses and mitigates traffic in compliance with Section 15-3-12;
- ~~O.L.~~ Addresses and mitigates parking ~~reductions~~in compliance with this Chapter and ~~parking management~~Section 15-3-12.

15-6.1-13 Deed Restrictions

- A. Prior to a Certificate of Occupancy for any market rate or ~~Affordable Unit~~deed-restricted units within the Affordable Master Planned Development, provisions to ensure continued affordability of ~~Affordable Units~~deed-restricted units shall be embodied in legally binding deed restrictions, approved by the City Attorney, and recorded with the County.
- B. The deed restrictions shall conform with the deed restriction requirements outlined in the Park City Affordable Housing Resolution in effect at the time of a complete Affordable Master Planned Development Application submission, or as otherwise determined by the Park City Housing Authority.
- C. The deed restriction shall continue in full force and effect for a period not less than forty (40) years. Upon expiration of the initial forty (40) year term, or any subsequent term, the City shall have six (6) months in which to determine, based on an independent market study, that the ~~Affordable Units~~deed-restricted units within the Affordable Master Planned Development are no longer necessary to satisfy the affordable or workforce housing needs of the City. The City Council or its successor shall make the final determination of such continuing need, and if the City makes no such determination, the deed restrictions shall automatically renew for one or more additional consecutive ten (10) year terms.

15-6.1-14 Compliance

- A. Each Property Owner of an ~~Affordable Unit~~deed-restricted unit within the Affordable Master Planned Development shall submit to the City an annual compliance report, as amended from time to time by the City or its designee, verifying deed restriction compliance.
- B. The Municipal Code of Park City Section 8-3-6 establishes that it is a crime to commit affordable housing fraud. Violation of Section 8-3-6 is subject to criminal prosecution.

Chapter 15-15 Defined Terms

15-15-1 Definitions

MAJOR TRANSIT STOP. A transit stop that is served by at least two fixed transit routes with frequency of service intervals of twenty (20) minutes or less during peak periods and includes a waiting shelter consistent with City standards.

MID-BLOCK PEDESTRIAN CONNECTION. Pedestrian access provided on a block connecting one street to another street, with the two streets generally being parallel to each other.

Open Space, Common. Any outdoor area, not dedicated for public use, which is designed and intended for the common use and enjoyment of the residents and guests of more than one (1) dwelling unit.

Parking, Car Sharing. Designated parking space(s) reserved for the exclusive use of vehicles participating in a car-sharing program.

Parking, Unbundled. The practice of selling or leasing parking spaces separate from the lease of the residential unit or non-residential space.

Parking, Underground. Parking provided within a structure that is primarily underground. On slopes of 10 percent (10%) or less, 70 percent (70%) of the structure is required to be below Existing Grade to be considered "underground." On slopes of more than 10 percent (10%), 50 percent (50%) of the structure is required to be below Existing Grade to be considered "underground."

Parking, Understructure. Parking located below a structure but not underground.

PRIMARY ENTRANCE. The main point of access for pedestrians into a building.

TRANSPORTATION DEMAND MANAGEMENT (TDM). Various strategies to encourage more efficient use of the existing transportation system and reduce reliance on the personal automobile.

15-15-2 List Of Defined Terms

-M-

Major Transit Stop

Mid-block Pedestrian Connection

-O-

Open Space, Common

-P-

Parking, Car Sharing

Parking, Unbundled

Parking, Underground

Parking, Understructure

Primary Entrance

-T-

Transportation Demand Management (TDM)

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Planning Commission Staff Report



Subject: 1800 Park Avenue
Applications: PL-22-05476 Master Planned Development
PL-22-05475 Conditional Use Permit
Authors: Spencer Cawley, Planner II
Virgil Lund, Planner I
Date: February 28, 2024
Type of Item: Work Session

Recommendation

Review the updated Conditional Use Permit and Park and Kearns Master Planned Development (formerly known as The Yarrow Master Planned Development) for 1800 Park Avenue and provide input.

Description

Applicant: Seth Singerman, Yarrow Hotel Owner LLC

Applicant Representatives: Peter Tomai
Craig Elliott, Elliott Workgroup LLC

Location: 1800 Park Avenue

Zoning District: General Commercial
Frontage Protection Zone

Adjacent Land Uses: North – Olympic Welcome Plaza and Reid Office Building
East – Commercial
South – Fresh Market
West – Park Avenue Condos

Reason for Review: The Planning Commission reviews, conducts a public hearing, and takes Final Action on Conditional Use Permits and Master Planned Developments.¹

CUP Conditional Use Permit
LMC Land Management Code
MPD Master Planned Development
WUI Wildland Urban Interface

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC [§ 15-15-1](#).

¹ LMC [§ 15-1-8](#)

Summary

Constructed in 1977, the DoubleTree by Hilton Hotel (formerly “The Yarrow”) at 1800 Park Avenue has 182 rooms with restaurant and meeting room facilities on a prominent entry corridor at the corner of S.R. 224 (Park Avenue) and S.R. 248 (Kearns Boulevard):



The Applicant proposes redeveloping the 4.47-acre parcel² with:

- Five blocks ranging between 35-57 feet in height.
- Four of five blocks with nightly rental condominiums and spa/fitness, restaurant, and meeting room amenities.
- One block with offices and affordable units.
- One-story retail facing the parking lot to the south and the commercial parking lot to the east.

Please see Exhibit A: Applicant’s Statement for more information.

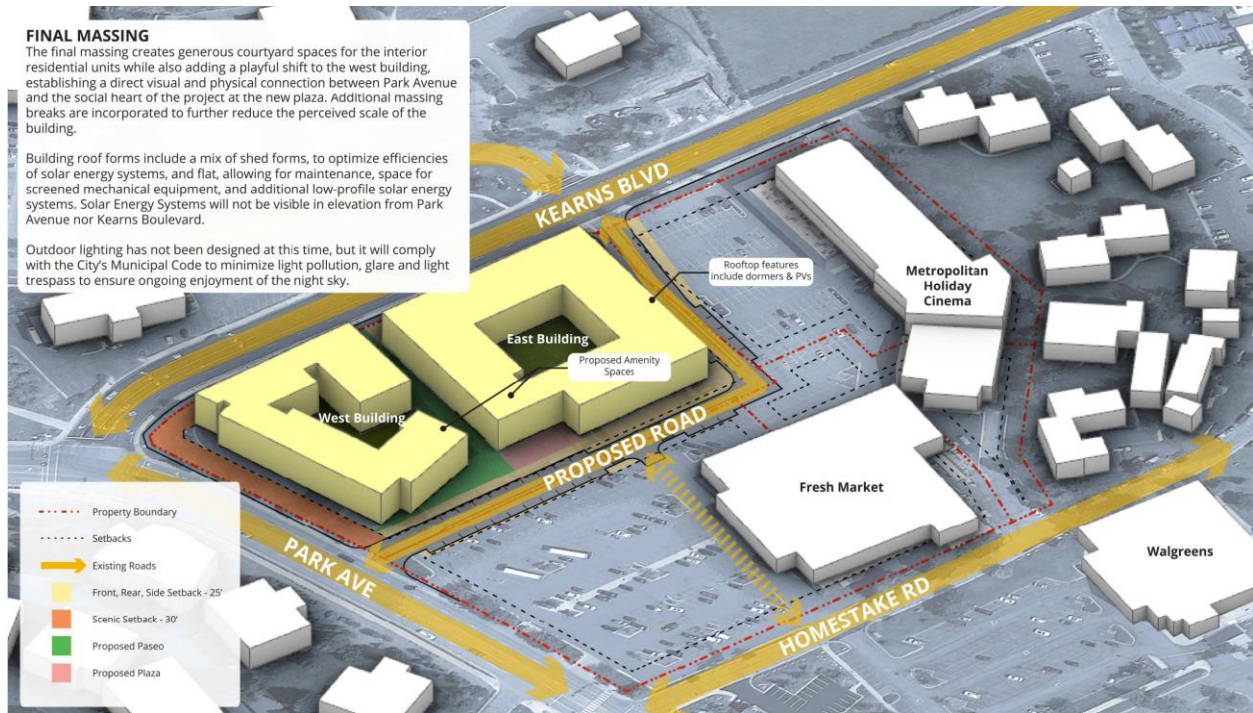
Background

On September 14, 2022, the Planning Commission conducted a work session on The Yarrow Master Planned Development (MPD) and Affordable MPD ([Staff Report and Exhibits](#), Work Session 6.A).

The original plan proposed two buildings that reached a height of 59 feet. A north-south public pedestrian paseo³ provided separation and circulation through the site. The image below shows the original massing:

² Note the property is a metes-and-bounds parcel and will require a subdivision application.

³ A public walkway.



The previous proposal included five stories:



Initial Planning Commission input included ([Minutes](#), p. 4):

- Consideration of height within the Frontage Protection Zone.
- Evaluation of overall height.

- Importance of the design and massing in the context of the community gateway at the intersection of S.R. 224 and S.R. 248.
- Full evaluation of the Applicant's requested variances from code standards.

On January 24, 2024, the Planning Commission conducted a Work Session to review the revised plans and provided input specific to height and site planning (Staff Report; Meeting Minutes). Specifically, the Planning Commission provided the following feedback:

- Increase the Building stepback and decrease the overall Building Height for the blocks along Kearns Boulevard to be outside of the FPZ 100-foot Setback.
- Decrease the height of block B, on the corner of Park and Kearns
- Increase the amount of Open Space
- Increase the pedestrian pathway from 8 feet to 10 feet wide

The Applicant revised the proposed plans, taking into consideration the direction from the Planning Commission. This Staff Report highlights the Applicant's revisions and gives an overview of the MPD requirements for Density, Setbacks, Open Space, Off-Street Parking, and Building Height.

Analysis

The Park and Kearns Master Planned Development is within the Bonanza Park neighborhood. The General Plan identifies the Bonanza Park neighborhood as a mixed-use area where locals live and work and encourages authentic human-scale redevelopment. The importance of the Park City entry experience is highlighted because of the location along both entry corridors, acknowledging that scenic views should be preserved and enhanced. The General Plan addresses the lack of connectivity and the need for improved pedestrian improvements. The details of future improvements are to be completed as part of a Small Area Plan, which is currently in progress.⁴ (Please see www.bonanzapark.com for more information on the neighborhood planning initiative.)

The Park and Kearns MPD is within the General Commercial Zoning District. Land Management Code (LMC) [§ 15-2.18-1](#) outlines the purposes of this Zoning District:

- Allow a wide range of commercial and retail trades and uses, as well as offices, business and personal services, and limited residential uses in an area convenient to transit, employment centers, resort centers, and permanent residential areas.
- Allow commercial uses that orient away from major traffic thoroughfares to avoid strip commercial development and traffic congestion.
- Protect views along the City's entry corridors.
- Encourage commercial development that contributes to the positive character of the City, buffers adjacent residential neighborhoods, and maintains pedestrian access with links to neighborhoods and other commercial developments.

⁴ [General Plan Neighborhoods 1](#), p. 162-173

- Allow new commercial development that is compatible with and contributes to the distinctive character of the City through building materials, architectural details, color range, massing, lighting, landscaping, and the relationship to streets and pedestrian ways.
- Encourage architectural design that is distinct and diverse, reflects the mountain resort character of the City, and is not repetitive of what may be found in other communities.
- Encourage commercial development that incorporates design elements related to public outdoor space, including pedestrian circulation and trails, transit facilities, plazas, pocket parks, sitting areas, play areas, and public art.

LMC [§ 15-6-5](#) outlines the minimum requirements for all MPDs. Many of the requirements and standards will have to be increased in order for the Planning Commission to make the necessary Findings to approve the MPD.

(I) Density

The Planning Commission shall approve the type of Development, number of units, and Density permitted on a given MPD Site based on a Site Suitability Analysis (Exhibit A, p. MPD-004). An MPD shall not exceed the maximum Density in the Zoning District.⁵

Unit Equivalents – Density for an MPD is based on Unit Equivalents (UE) as outlined in LMC [§ 15-6-8](#). One UE equates to 2,000 square feet of Multi-Family Dwelling floor area, or 1,000 square feet of commercial or office floor area.

The Applicant has proposed 22.79 Commercial Unit Equivalents and 67.15 Residential Unit Equivalents. The total Residential Floor Area for the proposed development is 134,292 square feet. LMC [§ 15-6-8\(D\)](#) establishes square footage limitations for Meeting Space: “Within a Hotel or Condominium project, Floor Area of meeting space may not exceed five percent (5%) of the total Floor Area of the approved residential unit equivalents.” The Applicant proposes 6,260 square feet of Meeting Space (4,439 square feet meeting hall and 1,821 square feet of breakout rooms) and complies with this requirement.

LMC [§ 15-6-5\(A\)](#) establishes Density. MPDs may not exceed the maximum density in the Zoning District. The Applicant’s updated proposal includes:

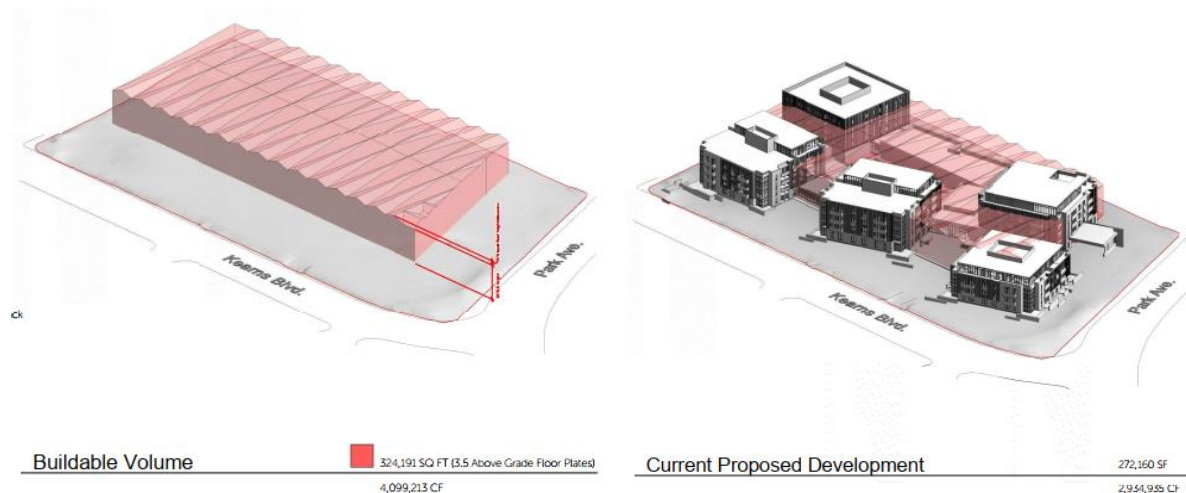
- 218 market rate units
 - 57 studios (ranging from 477 to 535 square feet)
 - 84 one-bedrooms (ranging from 477 to 826 square feet)
 - 40 two bedrooms (1,181 square feet)
 - 29 two-bedroom lockouts (1,181 square feet)
 - 8 three bedrooms (1,605 square feet)
- The spa/fitness center has been moved to the parking level and includes 4,443

⁵ LMC [§ 15-6-5\(A\)](#)

square feet

- 6,260-square-foot meeting hall and accessory spaces
- 5,863-square-foot restaurant with 969 square feet of roof deck
- 14,232-square-foot retail
- 6,106-square-foot office space
- 52 affordable units
 - 20 studios (ranging from 332 to 407 square feet)
 - 20 one-bedrooms (ranging from 602 to 672 square feet)
 - 12 two bedrooms (917 square feet)

The Applicant completed a Site Suitability Analysis and calculated the Zoning District density based on the buildable area within the 100-foot Frontage Protection Zone setback from both Kearns Boulevard and Park Avenue. The Applicant concludes the buildable volume is 324,191 square feet. The Applicant proposes using 272,160 square feet of buildable volume, as shown in the plans below:

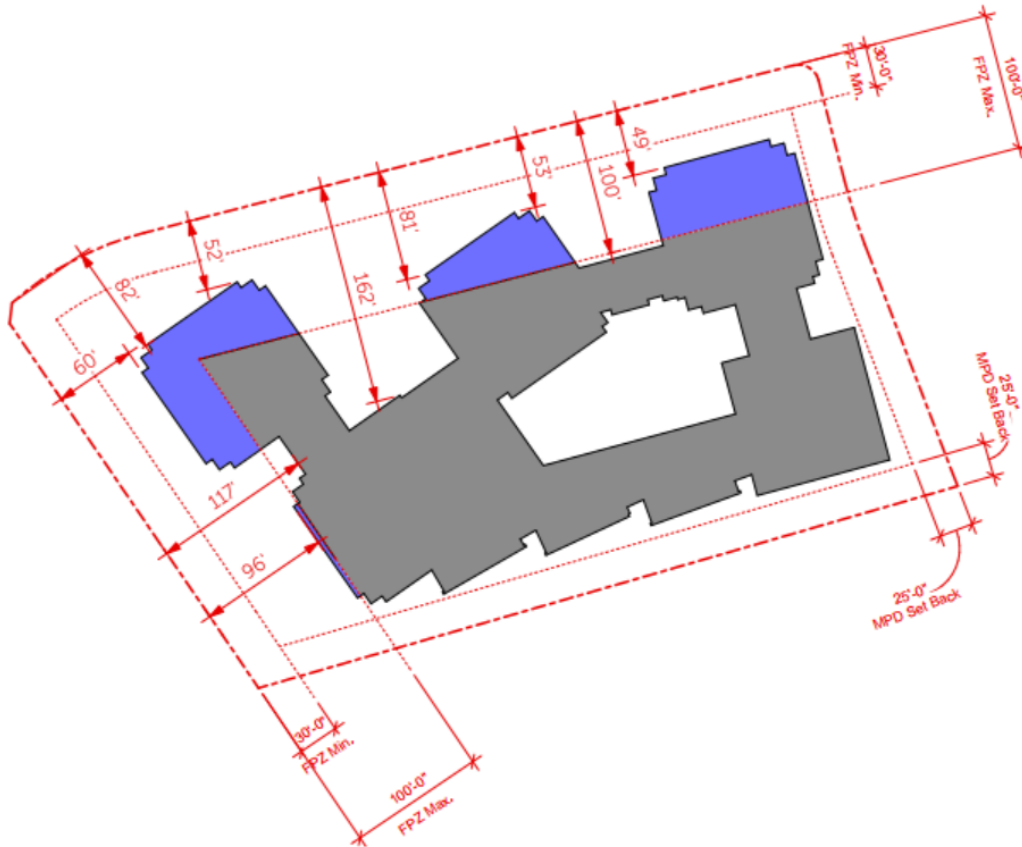


(II) Setbacks

The minimum Setback around the exterior of the boundary of an MPD is 25 feet for parcels greater than two acres.⁶ 1800 Park Avenue contains 4.47 acres. The Planning Commission may decrease the required perimeter Setback from 25 feet to the GC zone-required Setback if it is necessary to provide desired architectural interest and variation. LMC [§ 15-4-17](#) states, “Development on Corner Lots shall have two front Setbacks [. . .]. The Rear Yard will be the side of the Property opposite the driveway Access from the Street.” Park Avenue and Kearns Boulevard define the site’s Front Setback and the Rear Setback along the south lot line.

⁶ LMC [§ 15-6-5\(C\)\(1\)](#)

The site in the Frontage Protection Overlay Zone (FPZ), adding greater restrictions to the Front Setbacks. In the FPZ, the LMC requires a minimum landscaped buffer of 30 feet in width abutting the street. All development within 30 to 100 feet from the nearest Right-of-Way requires a Conditional Use Permit (CUP) and is subject to all applicable review criteria pursuant to LMC [§ 15-1-10\(E\)](#). Planning Staff will present the Planning Commission with a review and analysis of the CUP criteria at a future Planning Commission meeting. According to the Applicant's plans, 16,329 square feet (20%) of the proposed Building Footprint encroaches into the FPZ. The image below shows the encroachments in blue:



	Property.....	194,652 sq. ft.
	Required Set Backs - 30' FPZ and 10' GC Zone	
	Frontage Protection Zone 100' Set Back	
	Building Footprint encroaching into 100' FPZ.....	16,329 sq. ft.
	Existing Building Footprint inside Set Backs.....	64,161 sq. ft.
PROPOSE BUILDING FOOTPRINT:		80,490 sq. ft..

At the January 24, 2024, Work Session, several of the Planning Commissioners voiced concern with the overall height of the project. Specifically, the Commission requested the Applicant consider stepping the height of each block, lower to higher, from the FPZ toward the southeast corner of the Property. See Analysis Section V for details on the Building Height.

(III) Open Space

LMC [§ 15-6-5\(D\)\(2\)](#) requires this project to have a minimum Open Space of 30% for the redevelopment of an existing Development in the General Commercial Zoning District. The Applicant's updated submittal shows 41.5% proposed Open Space, a 1.8% increase from the proposal reviewed by the Commission on January 24, 2024, and a 9.7% increase from the proposal reviewed in September 2022.



	Property.....	194,652 sq. ft. (100%)
	Surface Parking & Driveways.....	20,130 sq. ft. (10.3%)
	Propose Building Footprint.....	80,490 sq. ft. (41.4%)
	Private Open Space.....	13,288 sq. ft. (6.8%)
	Sidewalks.....	41,241 sq. ft. (21.2%)
	Landscaped Area.....	39,503 sq. ft. (20.3%)
		PROPOSED OPEN SPACE: 80,744 (41.5%)

The Planning Commission designates the preferable type and mix of Open Space for each MPD based on guidance in the General Plan. Landscaped Open Space may be used for gardens, greenways, pathways, plazas, and similar uses.

The General Plan states, “[c]onnectivity and pedestrian safety are essential to neighborhood design within a mixed-use area. Bonanza Park currently lacks both qualities. Proposed rights-of-way dedications and pedestrian improvements are imperative to actualize the vision of a live/work/play and walkable urban district. The exact locations of the proposed rights-of-way will be finalized as part of the [Bonanza Park] Area Plan.”⁷

The updated Open Space plan shifts the Open Space to Park Avenue and Kearns Boulevard, which aligns with the Frontage Protection Zone landscaping, creating a ten-foot-wide multi-modal pedestrian pathway, and forming a landscaped buffer between the street and the pathway. Ground floor market-rate units have direct access to the proposed Open Space areas. However, the affordable units in the southeast corner do not have direct access due to the ground-level commercial space.

(IV) Off-Street Parking

The number of Off-Street Parking spaces in an MPD shall not be less than the requirements of the LMC, except the Planning Commission may increase or decrease the required number of spaces based on the Applicant-provided Parking Analysis.⁸

The Planning Commission may reduce the initial parking requirement to prevent excessive parking and paving. The Applicant must prove by a parking study that the proposed parking is adequate. The parking study must analyze whether:

1. parking uses will overlap,
2. commercial spaces within the project will serve those residing within the project rather than the general public, or
3. other factors that support the conclusion that the project will generate less parking than this Code would otherwise require.⁹

Off-Street parking is provided for each land Use pursuant to LMC [§ 15-3-6](#). Multi-Unit Residential Dwellings must provide the following:

- 1 space per Unit not greater than 1,000 square feet
- 1.5 spaces per Unit greater than 1,000 square feet and less than 2,000 square feet
- 2 spaces per Unit greater than 2,000 square feet

⁷ [Park City General Plan, Vol. 2](#), p. 170

⁸ LMC [§ 15-6-5\(E\)](#)

⁹ LMC [§ 15-3-7\(A\)](#)

The table below outlines the required LMC parking by Use for a total of 437:

Proposal	Total Units	Parking required
Total number of Units, Market Rate	189	
Units between 1000 sf and 2000 sf	49	73.5
Units under 1,000 sf	140	140
Total number of Units, Affordable	52	52
	Square Footage	
spa/fitness space	4443	13.329
meeting hall (see recommended COA)	6260	
restaurant + rooftop dining deck	6832	68.32
retail	14232	71.16
office	6106	18.318
Total LMC Parking Required		436.627

The Applicant's Parking Analysis calculates the Off-Street Parking requirements based on the Hotel Use, not by Unit sizes, for a total of 393 parking spaces. The Applicant's analysis shows that providing 354 parking spaces is sufficient for all the site's proposed uses. The Applicant requests a parking reduction from 437 required parking spaces to the proposed 354 parking spaces.

Additionally, LMC [§ 15-6-5\(E\)](#) requires additional criteria to be met for a reduction of parking to be granted based on a Parking analysis which contains the following:

1. The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.
2. A Parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy Parking.
3. Parking needs for non-dwelling Uses, including traffic attracted to Commercial Uses from Off-Site.
4. An analysis of time periods of Use for each of the Uses in the project and opportunities for shared parking by different Uses. This shall be considered only when there is Guarantee by Use covenant and deed restriction.
5. A plan to discourage the Use of motorized vehicles and encourage other forms of transportation.
6. Provisions for overflow Parking during peak periods.

7. An evaluation of potential adverse impacts of the proposed Parking reduction and Density increase, if any, upon the surrounding neighborhood and conditions of approval to mitigate such impacts.¹⁰

The Applicant's narrative and parking analysis provides a breakdown of each of the above criteria (Exhibit C).

LMC [§ 15-3-3\(G\)](#) prohibits vehicular access to parking spaces: "The Parking Area design for five (5) or more vehicles must not necessitate backing cars onto adjoining public sidewalks, parking strips, or roadways. With the exception of permitted Tandem Parking, Parking Spaces shall be independently accessible and unobstructed."

The Applicant's plans include surface-level parking within the side and rear setbacks and the applicant will need to modify this to comply with the requirements of the LMC.

LMC [§ 15-3-11](#) provides details on EV Charging Requirements: "An Applicant shall provide Electric Vehicle Charging Station Infrastructure for fifty percent (50%) of the first one hundred (100) required Off-Street parking spaces for Multi-Unit Dwellings and non-Residential Development and for five percent (5%) of required Off-Street parking spaces above one hundred (100)."¹¹

The Applicant has submitted plans showing 21 EV charging stations. Staff recommends the Applicant update their submittal showing compliance with LMC [§ 15-3-11](#) prior to scheduling this item for a public hearing.

LMC [§ 15-3-9](#) sets forth criteria for Bicycle Parking: "Outdoor bicycle parking shall be provided for ten percent (10%) of the required Off-Street parking for the temporary storage of bicycles. Applicants granted a reduction in Off-Street parking by the Planning Commission must satisfy outdoor bicycle parking for the full Off-Street parking requirement."

The Applicant must provide approximately 41 Outdoor Bicycle Parking spots. The Applicant has shown bicycle parking for 64 bicycles and 2,020 square feet of enclosed bike/ski storage space. Staff recommends the Applicant update their submittal showing compliance with the bicycle parking standards found in LMC [§ 15-3-9\(A\)](#).

Enclosed bicycle storage shall be provided:

1. For one (1) bicycle per three (3) Dwelling Units for Multi-Unit Dwellings with ten (10) or more Dwelling Units, and
2. For one (1) bicycle per ten (10) employees generated for Uses as outlined in [Resolution No. 05-2021](#), as amended.¹²

The Applicant has provided a 2,020-square-foot enclosed storage area for bikes/skis.

¹⁰ LMC [§ 15-6-5\(E\)\(1\)](#)

¹¹ LMC [§ 15-3-11\(B\)](#)

¹² LMC [§ 15-3-9\(B\)](#)

Staff recommends the Applicant update their submittal to show compliance with LMC [§ 15-3-9\(B\)](#), criteria for enclosed storage area for bikes/skis.

(V) Building Height

LMC § [15-6-5\(F\)](#) states, “The Applicant must request a Site-specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings for an increase in Building Height can be made.”

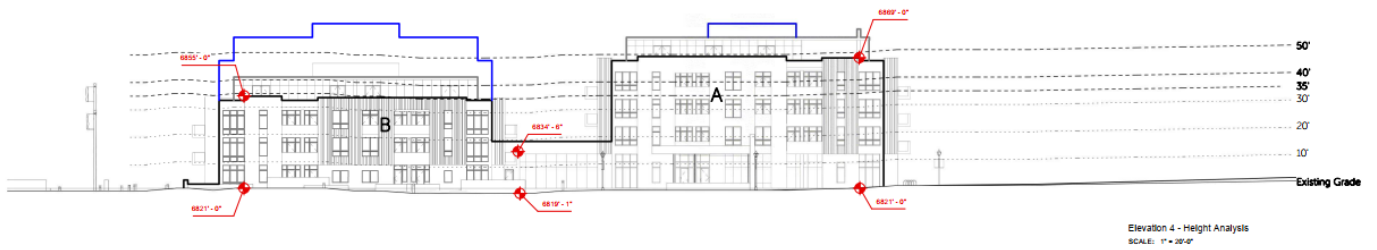
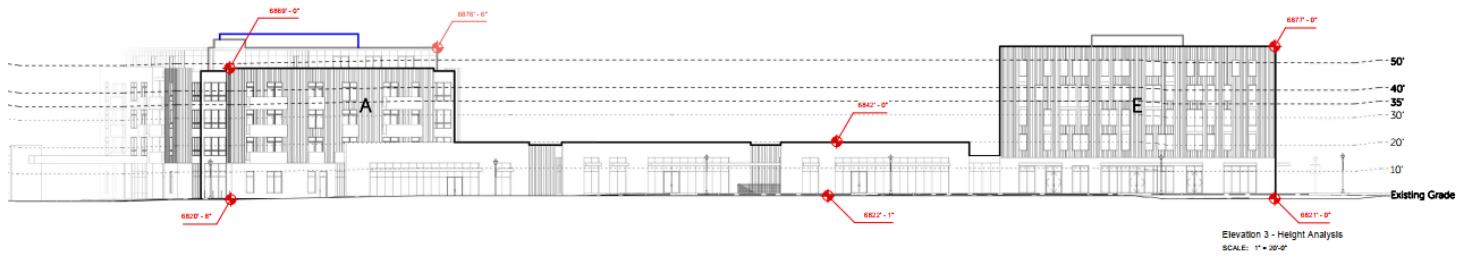
In order to grant Building Height in addition to that which is allowed in the underlying Zoning District, the Planning Commission must find that:

1. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone-required Building Height and Density, including requirements for Facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits;
2. Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site-specific analysis;
3. There is adequate Landscaping and buffering from adjacent Properties and Uses;
4. Increased Setbacks and separations from adjacent projects are proposed;
5. The additional Building Height results in more than the minimum Open Space required and results in Open Space that is publicly accessible;
6. The additional Building Height is designed in a manner that provides a transition in roof elements in compliance with [Chapter 15-5](#), Architectural Review, or the Design Guidelines for Park City’s Historic Districts and Historic Sites if the Building is located within the Historic District.

If the Planning Commission grants additional Building Height based on a Site-specific analysis, the approved additional Building Height shall only apply to the specific plans reviewed and approved by the Planning Commission.

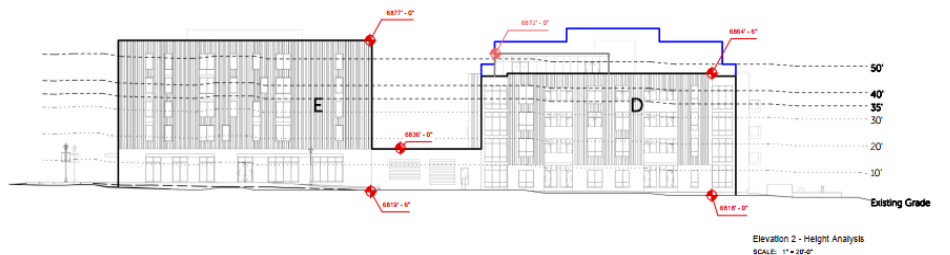
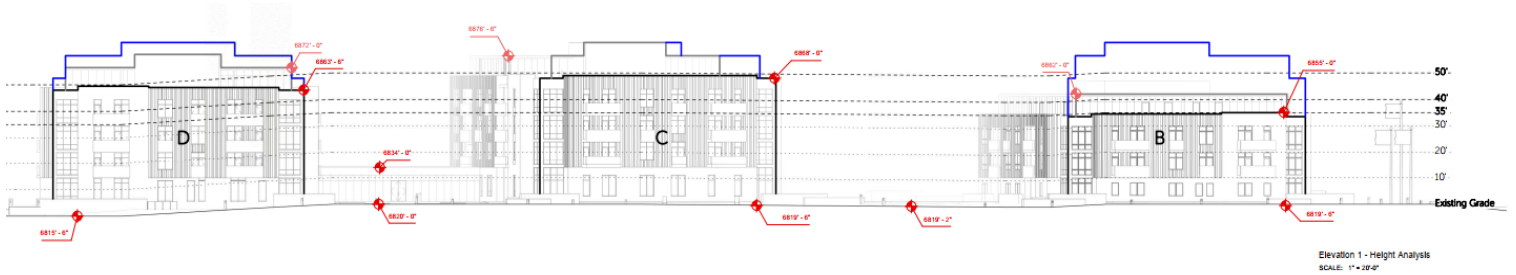
Additional Building Height shall be specified as a Finding of Fact in the Master Planned Development Approval, in the Development Agreement, and on each plat within the Master Planned Development that includes a Building with an additional Height allowance.

At the January 24, 2024, Work Session, the Applicant received input regarding the proposed height. The Planning Commission requested the Applicant to decrease the heights of the proposed blocks along Park and Kearns Boulevard, and to increase the stepback of the Building. The updated proposal incorporates the Planning Commission’s feedback and is shown in the images below. The blue lines show the height from the submittal reviewed in January:



Street Elevation Graphic Legend

- Previous Submit
- Primary Building Silhouette
- Step Back Building Silhouette (10')



The underlying Zoning District Building Height regulations govern the MPD height. LMC [§ 15-2.18-4](#) establishes a maximum height of 35 feet from existing grade in the General Commercial Zoning District. The Applicant exceeds the 35-foot-height maximum with proposed blocks A-D that range from 41 to 57 feet in height.

- The height of block A in the previous submittal was 56 feet 6 inches with a stepback to 60 feet 6 inches. Updated block A is now 49 feet with a stepback to 56 feet 6 inches.
- The height of block B in the previous submittal was 50 feet with a stepback to 57 feet six inches and mechanical equipment reaching a total height of 60 feet six inches. Updated block B is now 35 feet six inches with a stepback to 41 feet.
- The height of block C in the previous submittal was 51 feet nine inches with a stepback to 56 feet six inches. Updated block C is now 49 feet nine inches with a stepback to 56 feet six inches. The stepback has been increased and the top floor of block C is located outside of the FPZ 100-foot Setback.
- The height of block D in the previous submittal was 53 feet with a stepback to 55 feet six inches. Updated block D is now 47 feet five inches with a stepback to 56 feet six inches.
- The height of block E in the previous submittal was 60 feet six inches. The updated block E is now 57 feet.

Prior to a public hearing, the Applicant will update the submittal to show compliance with the GC Zoning District's exceptions to height as outlined in LMC [§ 15-2.18-4\(A\)](#):

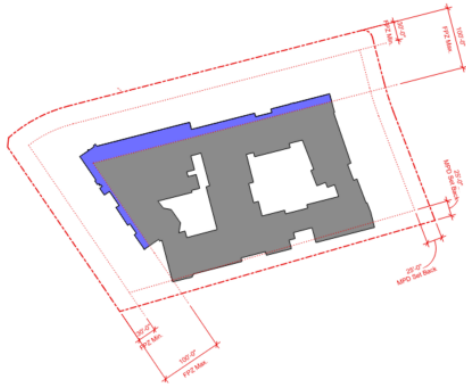
- Mechanical equipment, and associated Screening, when enclosed or screened, may extend up to five feet (5') above the height of the Building.
- An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.

Blocks B, C, and D encroach into the Frontage Protection Zone along Kearns Boulevard. Block A slightly encroaches into the FPZ along Park Avenue. LMC [§ 15-2.20-1](#) states the purposes of the Frontage Protection Zone:

- Preserving the City's scenic view corridors.
- Preserving and enhancing the rural resort character of the City's entry corridor.
- Providing a significant landscaped buffer between development and highway uses.
- Minimizing curb cuts, driveways, and access points to highways.
- Allowing for future pedestrian and vehicular improvements along the highway corridors.

The image below, taken from the Applicant's submittal, shows the existing structure, the 2022 iteration with two five-story buildings, and the updated proposal with blocks B, C, and D and their encroachments into the FPZ:

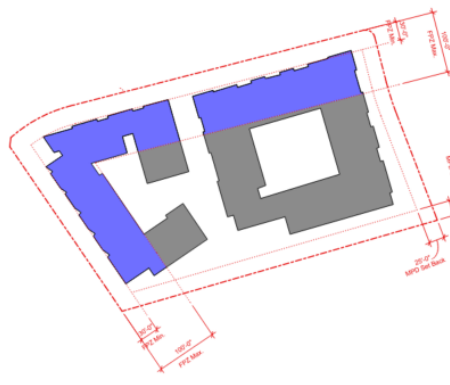
Existing Building Setback Analysis
SCALE: 1" = 80'-0"



Property	194,652 sq. ft.
Required Set Backs - 30' FPZ and 10' GC Zone	
Frontage Protection Zone 100' Set Back	
Building Footprint encroaching into 100' FPZ	9,917 sq. ft.
Existing Building Footprint inside Set Backs	60,599 sq. ft.

EXISTING BUILDING FOOTPRINT: 70,516 sq. ft.

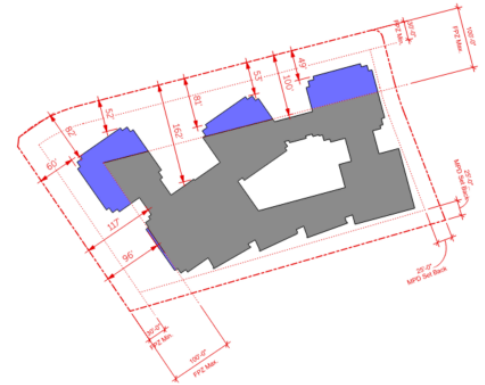
Proposed Building (MPD 2022) Setback Analysis
SCALE: 1" = 80'-0"



Property	194,652 sq. ft.
Required Set Backs - 30' FPZ and 10' GC Zone	
Frontage Protection Zone 100' Set Back	
Building Footprint encroaching into 100' FPZ	47,236 sq. ft.
Existing Building Footprint inside Set Backs	41,286 sq. ft.

PROPOSED BUILDING FOOTPRINT: 88,522 sq. ft.

Proposed Building Setback Analysis
SCALE: 1" = 80'-0"



Property	194,652 sq. ft.
Required Set Backs - 30' FPZ and 10' GC Zone	
Frontage Protection Zone 100' Set Back	
Building Footprint encroaching into 100' FPZ	16,329 sq. ft.
Existing Building Footprint inside Set Backs	64,161 sq. ft.

PROPOSE BUILDING FOOTPRINT: 80,490 sq. ft.

LMC [§ 15-2.20-4](#) prohibits development within 30 feet of Kearns Boulevard and Park Avenue and requires a Conditional Use Permit for any construction activity between 30 feet and 100 feet. LMC [§ 15-1-10\(E\)](#) outlines the 16 criteria the Planning Commission considers as part of a Conditional Use Permit review. The criteria include:

- Building mass, bulk, and orientation, and the location of buildings on site, including orientation to buildings on adjoining lots.
- Physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing.

The Applicant proposes to use the following façade materials: steel, wood, and stone veneer.

Does the Planning Commission have all the information necessary to review the proposed heights as shown in the plans? Can the Planning Commission provide additional direction to the applicant specifying acceptable height exceptions?

(VI) Housing Mitigation Plan

The purpose of the [Park City Housing Resolution 05-2021](#) is to ensure that new Development does not adversely affect the supply of affordable housing in the City and works to maintain the social, economic, and cultural fabric of Park City's community character. The requirements imposed are roughly proportionate and reasonably related to the impacts of a Development.

In accordance with the Housing Resolution, Development Agreements resulting from an MPD trigger a housing obligation of 20% of the number of residential units built and/or 20% of employees generated in commercial projects. Requirements are measured in Affordable Housing Units (AUEs) and then calculated into a square footage requirement based on the calculation that each AUE is equivalent to 900 square feet. The Applicant must submit a Housing Mitigation Plan that contains the proposed requirement calculation, and how the requirement is going to be satisfied. The proposed building of units, design plans, rental/for sale rates, and amenities must be presented as part of the plan. The Applicant has submitted a Housing Mitigation Plan that meets these requirements (Exhibit D).

The Planning Commission is tasked with reviewing the plan to ensure that the requirements and standards outlined in the Housing Resolution are met. Based on the findings of the review, the Commission should provide a recommendation to the Housing Authority to either approve or deny a proposed plan. The Housing Team will present the proposed calculations for the project as well as how the Applicant proposes to fulfill the requirement during the Work Session.

Department Review

The Planning Department, Executive Department, and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website on February 12, 2024. The *Park Record* published courtesy notice on February 12, 2024.¹³

Public Input

Staff did not receive any public input at the time this report was published.

Exhibits

- Exhibit A: Applicant's Project Statement
- Exhibit B: Updated Proposed Plans
- Exhibit C: Applicant's Off-Street Parking Narrative
- Exhibit D: Housing Mitigation Plan

¹³ LMC [§ 15-1-21](#)

December 22, 2023

Planning Department
Park City Municipal Corporation
445 Marsac Avenue
Park City, Utah 84060

re: 1800 Park Avenue - Yarrow Mixed Use / Kearns and Park Redevelopment - EWG# 2023-31
MPD Amended Application Written Statement

Project Planner and Planning Commission Members:

This amendment to the MPD and CUP for the above referenced project represents a response to comments and input received from the Park City Planning Commission during the initial work session on September 14, 2022. We have modified the design in response to the comments received and are proceeding with the MPD while the AMPD portion of the application has now been integrated into a single MPD. The amended MPD Application for 1800 Park Avenue still proposes a complete redevelopment of the site. The redevelopment will require the demolition of the existing 182 room hotel structure and construction of a new mixed-use project on the site.

One of the goals of the project team is to create a project that serves as a gateway, transitioning from the Frontage Protection Zone to this mixed-use redevelopment and the entire BOPA redevelopment area beyond. In keeping with requests from Planning Commissioners, the modified submittal breaks up the building masses and moves the buildings back from Kearns Boulevard and Park Avenue. This materially opens up the site and reduces the impression of the buildings along both streets.

The design removes the existing surface parking along Kearns Boulevard, Park Avenue, and along the property line adjacent to Holiday Village. Most of the parking servicing the project will be within an underground parking garage accessed off Kearns Boulevard with a consolidated curb cut directly across from the Jess Reid Building's eastern parking lot entrance. The entrance to the parking garage will be between the two existing, poorly functioning, curb cuts. The existing curb cuts will be removed. This revision of curb cuts will accommodate the latest designs for a grade-separated pedestrian crossing near Snow Creek Boulevard. And, the existing parking along Park Avenue and Kearns Boulevard will be redeveloped as open space within the Frontage Protection Zone, improving the aesthetic presence at one of the primary entrances into Park City.

The project as planned accommodates the tunnel studies that were developed at the Kearns Boulevard and Snow Creek drive intersection. When and if the City decides to move forward with the tunnel project(s) the current concepts can be executed with this design. The design also envisions a new



pedestrian and bicycle trail along Park and Kearns. This will remove the minimal sidewalk along both streets and create a more attractive and safer pedestrian experience.

Retail and Office, will be located along the South and East perimeters of the site. The design includes a sidewalk in front of the commercial spaces and provides adjacent pull-in parking to accommodate the commercial uses. The design implements concepts planned for this area under the General Plan and the contemplated redevelopment of the district.

Entrance to the lobby for the nightly rental condominiums is proposed through the existing south curb cut along Park Avenue, while the north curb cut on Park Avenue will be abandoned.

As proposed, the building is developed as five building blocks that are connected at the first floor. Four of the building blocks contain nightly rental condominiums and the fifth block is comprised of rental affordable housing units. Creation of these building blocks reduces the visual mass of the project by creating substantial openings along the perimeter of the project. The improved building massing and increased setbacks are made possible through the use of a height exception allowed within the LMC MPD section of the code. The four blocks at the Kearns Boulevard and Park Avenue Frontage Protection Zones are designed at four stories with a fifth story that is set back ten feet from the primary building facades.

Redevelopment of the existing hotel site will result in a project that significantly reduces the impervious surface area, and enhances the street frontage and pedestrian experience, while taking advantage of water-wise landscaping and minimizing water run-off. The design of the project also incorporates the following sustainable design principles and methods: efficient use of space, high performance mechanical systems, industry leading insulated thermal envelope, grey field development, proximate location to pedestrian pathways and public transportation, in addition to other sustainable techniques.

As a mixed-use project, a parking management plan will be submitted to describe the shared use parking concepts allowing for a reduction in overall parking requirements.

This project represents a great opportunity to improve the current condition of the project site and to provide a catalyst for the redevelopment of the surrounding district. The project team looks forward to working with the City on this project.

Sincerely,


Craig Elliott, AIA



Singerman Real Estate

Park & Kearns Redevelopment

(Yarrow Mixed Use)

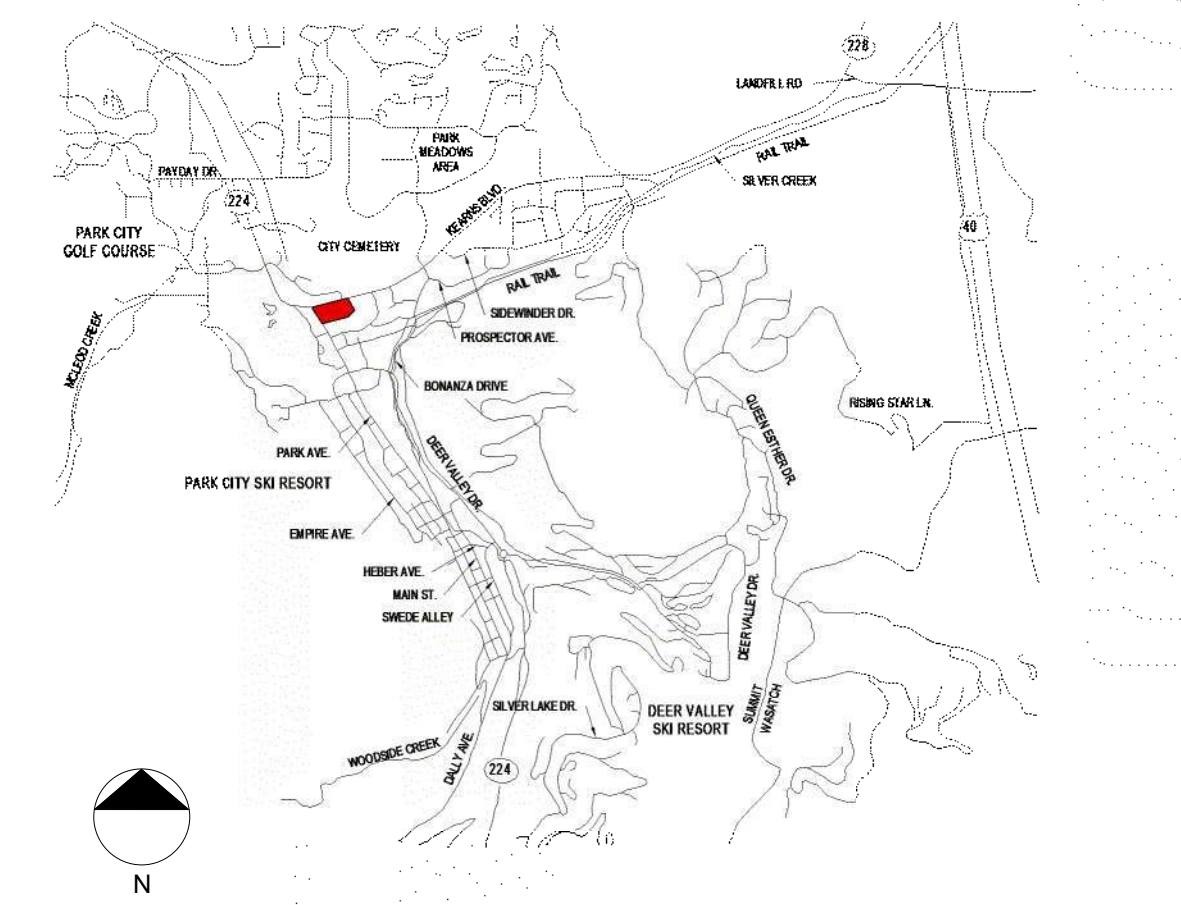
1800 Park Avenue, Park City, UT 84060

EWG Project # 2023-31

MPD & CUP

10/09/2023 (Rev. 02/02/2024)

VICINITY MAP



PROJECT CONTACT INFORMATION

OWNER	ARCHITECT
YARROW HOTEL OWNER, LLC SINGERMAN REAL STATE 980 NORTH MICHIGAN AVE. STE. 1700 CHICAGO, IL 60611 CONTACT: SETH SINGERMAN PHONE: 312.544.9645	ELLIOTT WORKGROUP, LLC 1441 WEST UTE BLVD. SUITE 100 PARK CITY, UTAH 84098 CONTACT: CARLA LEHIGH PHONE: 435.649.0092 EXT. 316
CIVIL ENGINEER	LANDSCAPE ARCHITECTURE
TALISMAN CIVIL CONSULTANTS 1588 SOUTH MAIN ST. SALT LAKE CITY, UTAH 84115 CONTACT: DAN BOURQUE PHONE: 801.743.1300	ELLIOTT WORKGROUP, LLC 1441 WEST UTE BLVD. SUITE 100 PARK CITY, UTAH 84098 CONTACT: BART WOLTHIUS PHONE: 435.649.0092 EXT. 321
ELECTRICAL ENGINEER	TRANSPORTATION ENGINEER
VAN BOERUM & FRANK ASSOCIATTES 330 S 300 E SUITE 200 SALT LAKE CITY, UTAH 84111 CONTACT: LEWIS WONG PHONE: 801.530.3148	HALES ENGINEERING 1220 NORTH 500 WEST, STE 202 LEHI, UTAH 84043 CONTACT: JOSEPH BROWNING PHONE: 801.766.4343



LMC ANALYSIS

Existing Zone
General Commercial (GC)

Total Site Area
- 194,713 SF / 4.47 Acres

Master Plan Requirements

*** Density:**
- Based on Site Suitability Analysis (Refer to MPD-004)

*** Open Space per LMC 15-6-5 D.1:**
- Minimum Open Space: 0% (Refer to MPD-006)

*** Set Backs per LMC 15-2-18-3 & 15-2-20-4:**
Front Set Back: 30' (FPZ)
Side and Back: 25' (MPD)

*** Building Height per LMC 15-2-18-4:**
Building Height: 35'
Building Height Gable Roof: 40'
Building Height Mechanical Screening: +5'
Building Height Elevator: +8'

*** Additional Building Height per LMC 15-6-5 F.ii:**
- Density is not increased (Refer to MPD-004)
- Minimized visual impact (Refer to MPD-203 & 204)
- Appropriate Landscape & Buffering (Refer to MDP-007)
- Increased Set Backs (Refer to MPD-011)
- Increased Open Space (Refer to MPD-010)

*** Site Planning per LMC 15-6-5 G:**
- Based on Site Suitability Analysis (Refer to MPD-004 & MPD-004.1)

*** Parking per LMC 15-3-6: Hotel, Minor and Major**
1 Space per room or suite and 1 space per 200 sf of leasable commercial space (Refer to MPD-090 & 010)

Multi-Unit Dwelling (Affordable Housing)
- <1000 SF = 1 per unit
- 1000-2000 SF = 1.5 Spaces per Unit
- >2000 SF = 2 Spaces per Unit

Total Units
- Block A: (12) studios, (18) 1 bed, (09) 2 bed, (0) 3+bed
- Block B: (11) studios, (19) 1 bed, (09) 2 bed, (4) 3+bed
- Block C: (17) studios, (22) 1 bed, (11) 2 bed, (2) 3+bed
- Block D: (15) studios, (26) 1 bed, (12) 2 bed, (2) 3+bed
- Block E: (28) studios, (12) 1 bed, (12) 2 bed
Total.....(63) studios, (97) 1 bed, (53) 2 bed, (8) 3+ bed
241 Units

Total Building Areas
- Level 1: 80,290.4 SF
- Level 2: 56,387.6 SF
- Level 3: 56,387.6 SF
- Level 4: 52,928.6 SF
- Level 5: 26,166.3 SF
Total.....272,160.4 SF

DRAWING INDEX

MPD-001	Cover Sheet	MPD-022	Unit Equivalent Calculations
MPD-002	Existing Conditions / Survey	MPD-090	Parking Level -2
MPD-002.1	Survey	MPD-100	Parking Level -1
MPD-003	Aerial View	MPD-101	Level 1
MPD-004	Site Suitability Analysis (30' FPZ)	MPD-102	Level 2
MPD-004.1	Site Suitability Analysis (100' FPZ)	MPD-103	Level 3
MPD-005	Site Plan	MPD-104	Level 4
MPD-006	Grading Plan	MPD-105	Level 5
MPD-007	Planting Plan	MPD-106	Roof Over Topography
MPD-008	Tree Demo	MPD-107	Unit Floor Plans
MPD-009	Utility Plan	MPD-108	Affordable Unit Floor Plans
MPD-010	Open Space	MPD-201	Elevations
MPD-011	Setback Analysis	MPD-202	Elevations
MPD-012	Snow Storage Plan	MPD-203	Height Analysis
MPD-013	Contextual Analysis	MPD-204	Height Analysis
MPD-014	Contextual Analysis	MPD-205	Facade Variation
MPD-015	Photometric Study	MPD-206	Facade Variation
MPD-016	Lighting Cut Sheet	MPD-301	Rendered Elevations
MPD-017	Solar Study	MPD-302	Rendered Elevations
MPD-018	Walk/Bike/Childcare Study	MPD-303	Renderings
MPD-019	Public Transportation	MPD-304	Renderings
MPD-020	Historic Site Report	MPD-305	Renderings
MPD-021	Parking Analysis		

PROJECT DESCRIPTION

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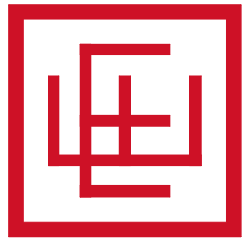
Entrance to the lobby for the nightly rental condominiums is proposed through the existing south curb cut along Park Avenue, while the north curb cut on Park Avenue will be abandoned.

As proposed, the building is developed as five building blocks that are connected at the first floor. Four of the building blocks contain nightly rental condominiums and the fifth block is comprised of rental affordable housing units. Creation of these building blocks reduces the visual mass of the project by creating substantial openings along the perimeter of the project. The improved building massing and increased setbacks are made possible through the use of a height exception allowed within the LMC MPD section of the code. The four blocks at the Kearns Boulevard and Park Avenue Frontage Protection Zones are designed at four stories with a fifth story that is set back ten feet from the primary building facades.

Redevelopment of the existing hotel site will result in a project that significantly reduces the impervious surface area, and enhances the street frontage and pedestrian experience, while taking advantage of water-wise landscaping and minimizing water run-off. The design of the project also incorporates the following sustainable design principles and methods: efficient use of space, high performance mechanical systems, industry leading insulated thermal envelope, grey field development, proximate location to pedestrian pathways and public transportation, in addition to other sustainable techniques.

As a mixed-use project, a parking management plan will be submitted to describe the shared use parking concepts allowing for a reduction in overall parking requirements.

This project represents a great opportunity to improve the current condition of the project site and to provide a catalyst for the redevelopment of the surrounding district. The project team looks forward to working with the City on this project



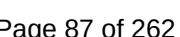
LOCATED IN THE NORTHWEST QUARTER OF SECTION 9
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

[illegible]

ICC JOB NUMBER: 22-012

SCALE: 1" = 40'

2 OF 2

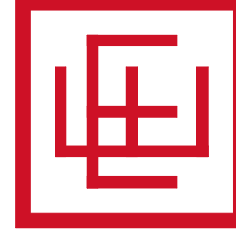




Park & Kearns Redevelopment

MPD-003

Aerial View

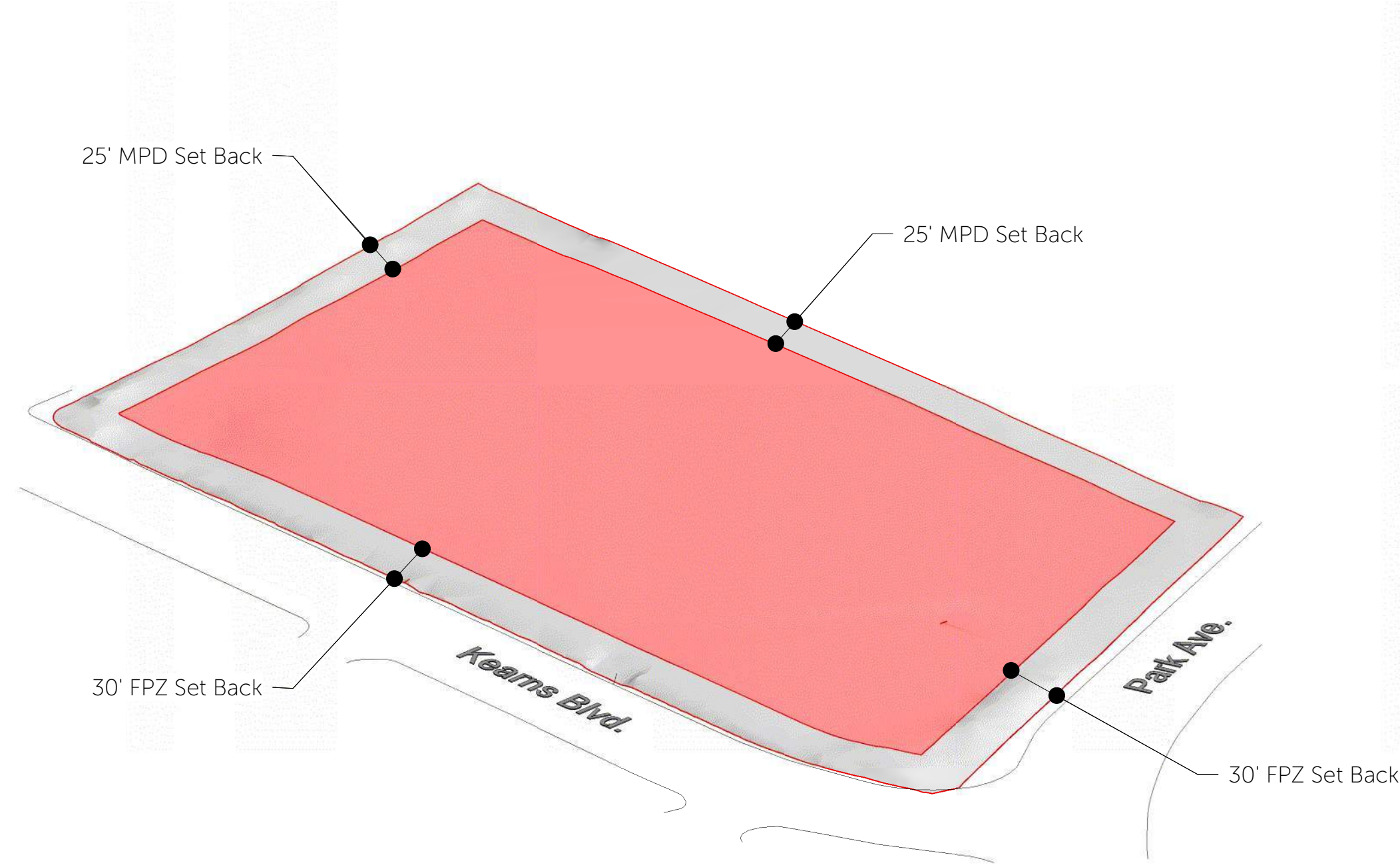


ELLIOTT WORKGROUP

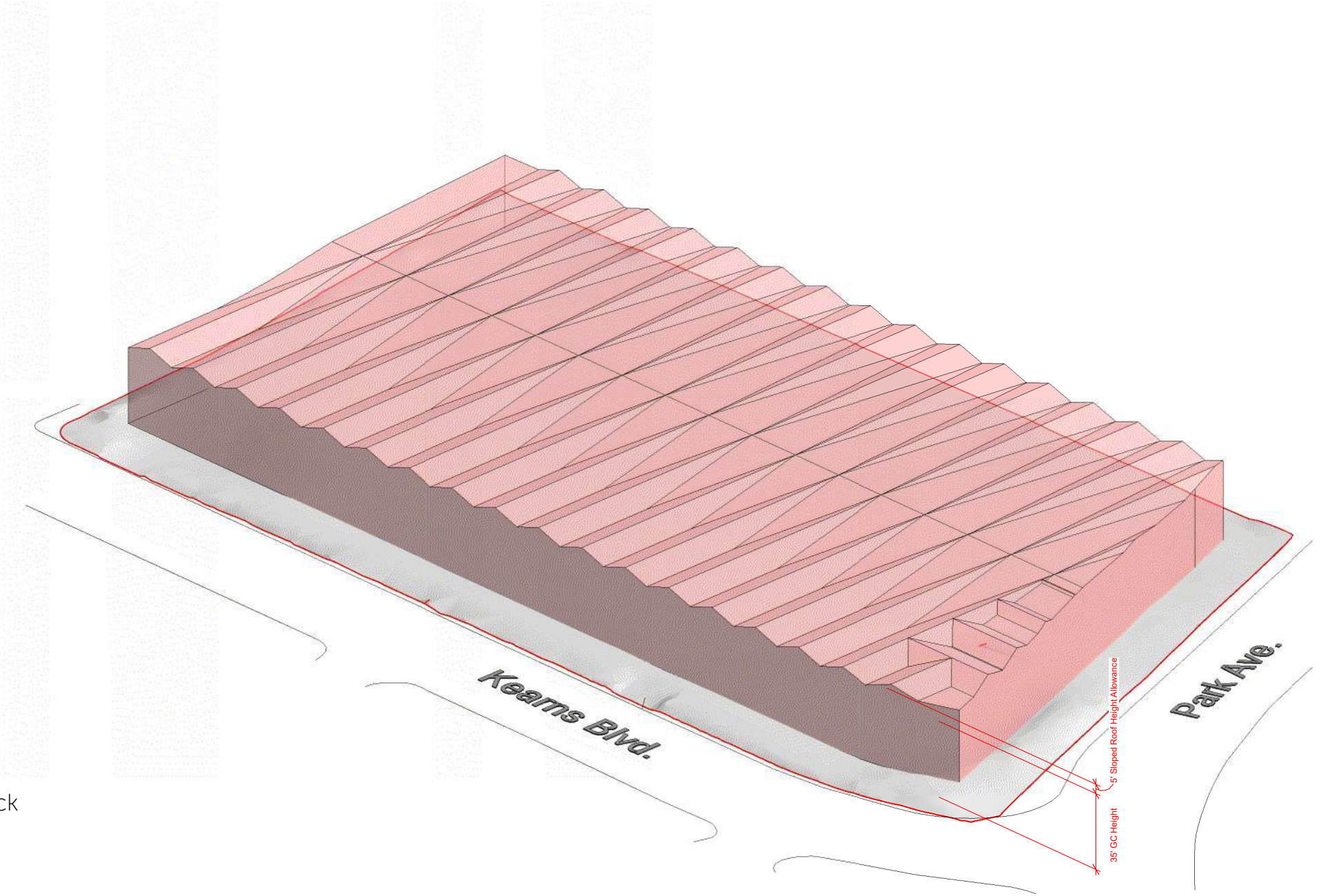
07/06/23
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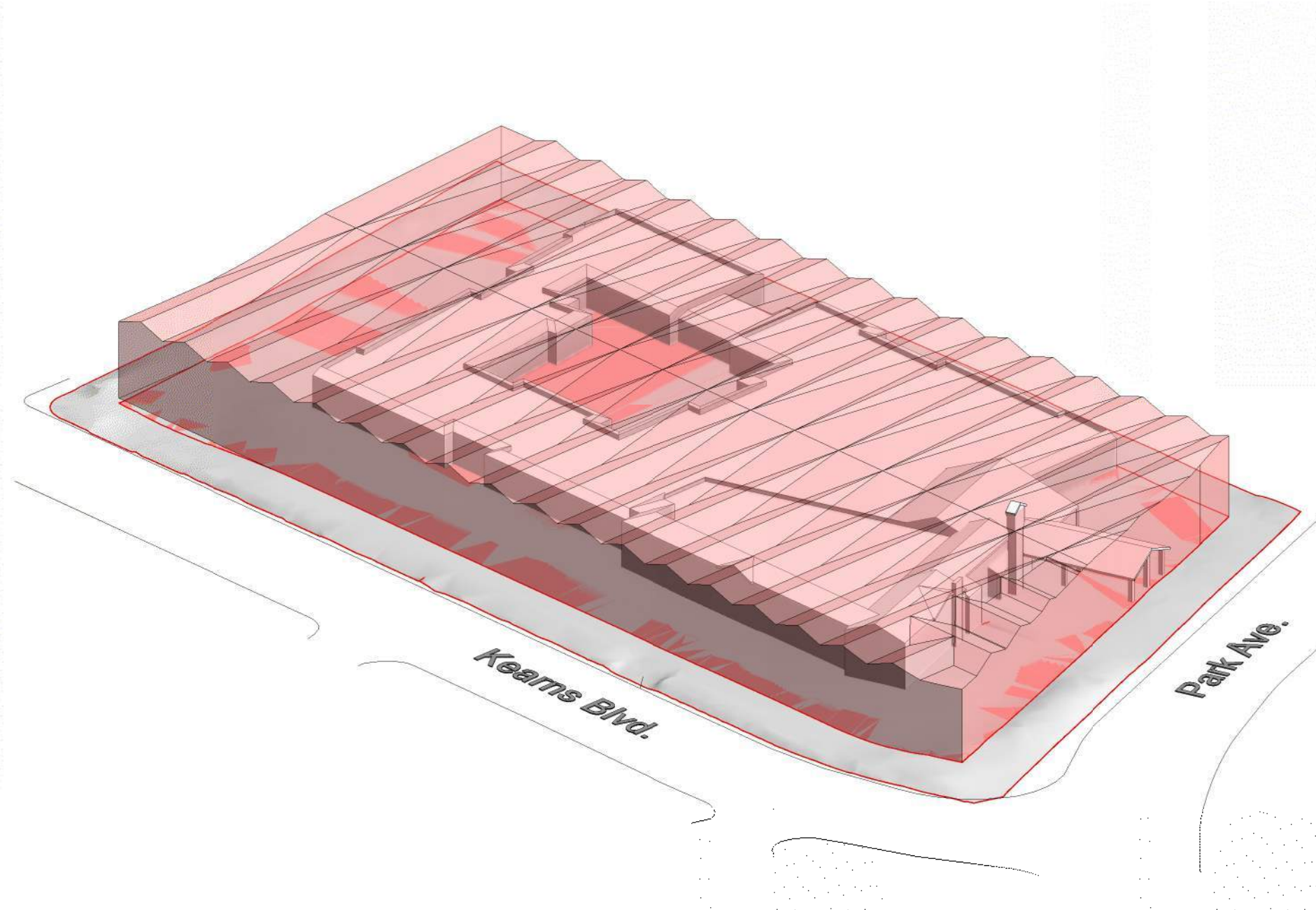
Property 194,649.5 SQ FT (4.46 ACRES)



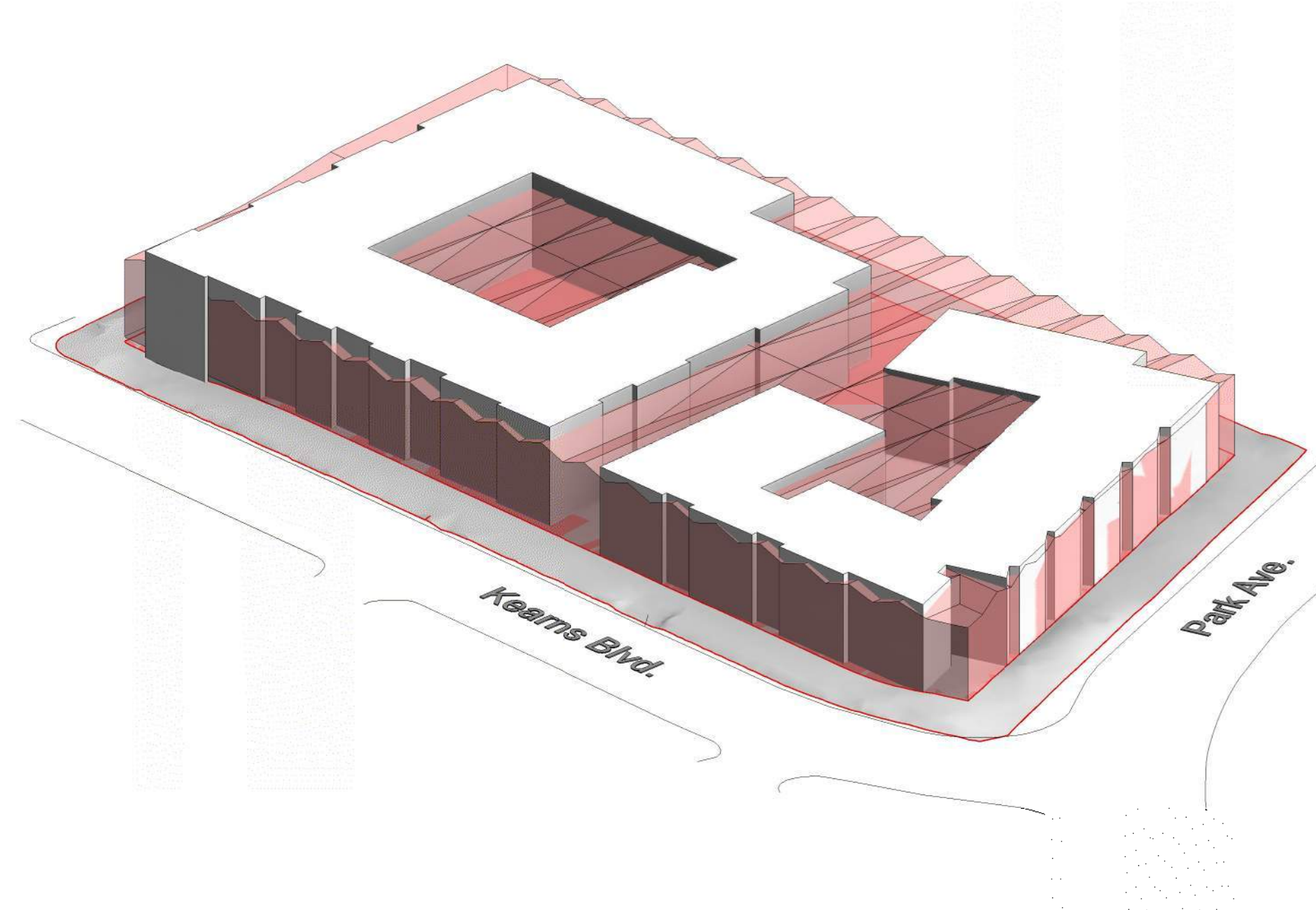
Buildable Area 147,177 SQ FT (3.37 ACRES)



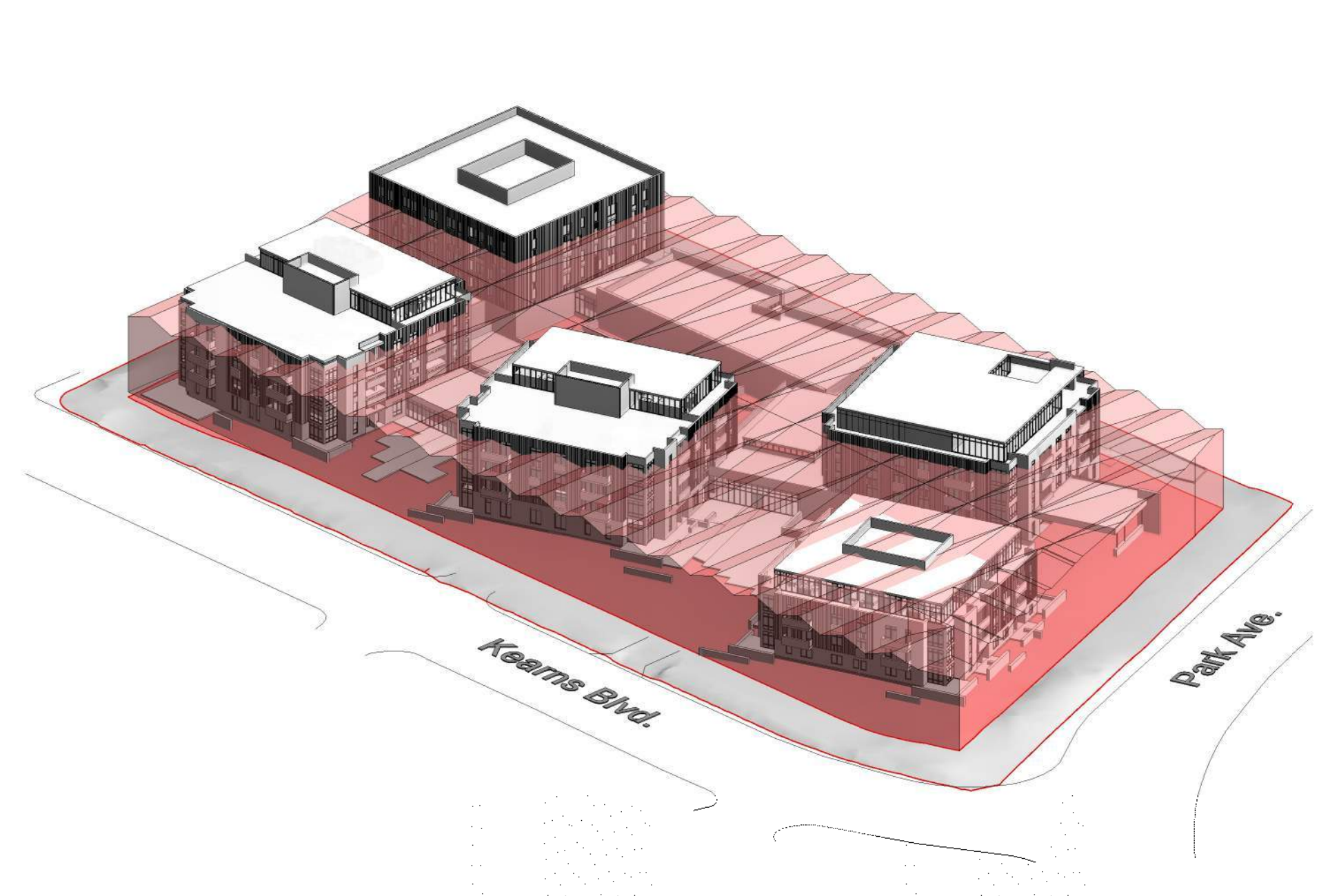
Buildable Volume 515,119 SQ FT (3.5 Above Grade Floor Plates)
6,499,553 CF



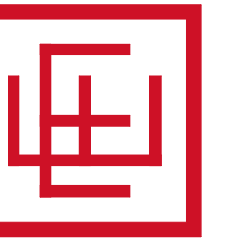
Existing Building 132,330 SF
2,468,051 CF



Previously Proposed Development 341,604 SF
3,983,485 CF

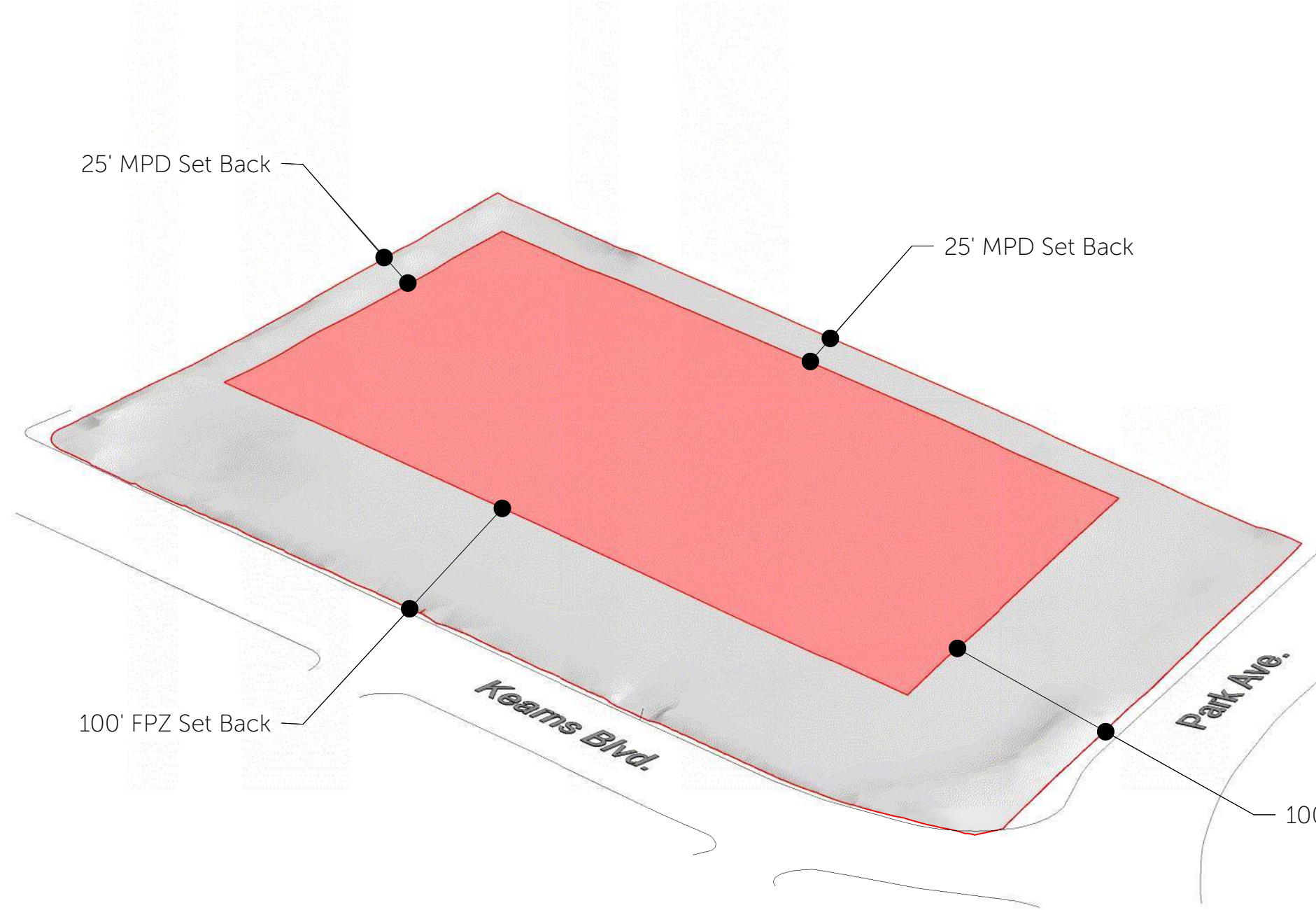


Current Proposed Development 272,160 SF
2,934,935 CF

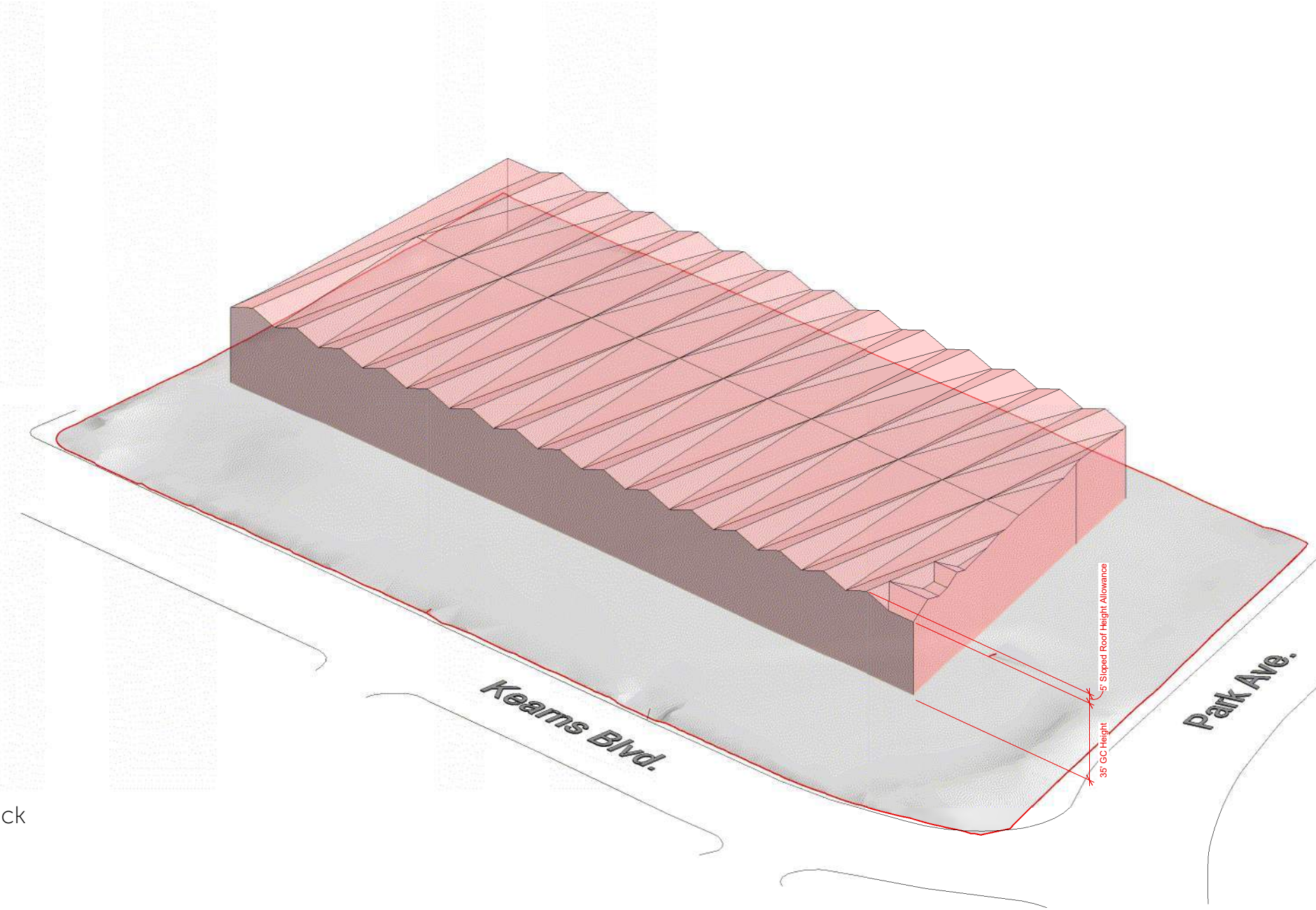




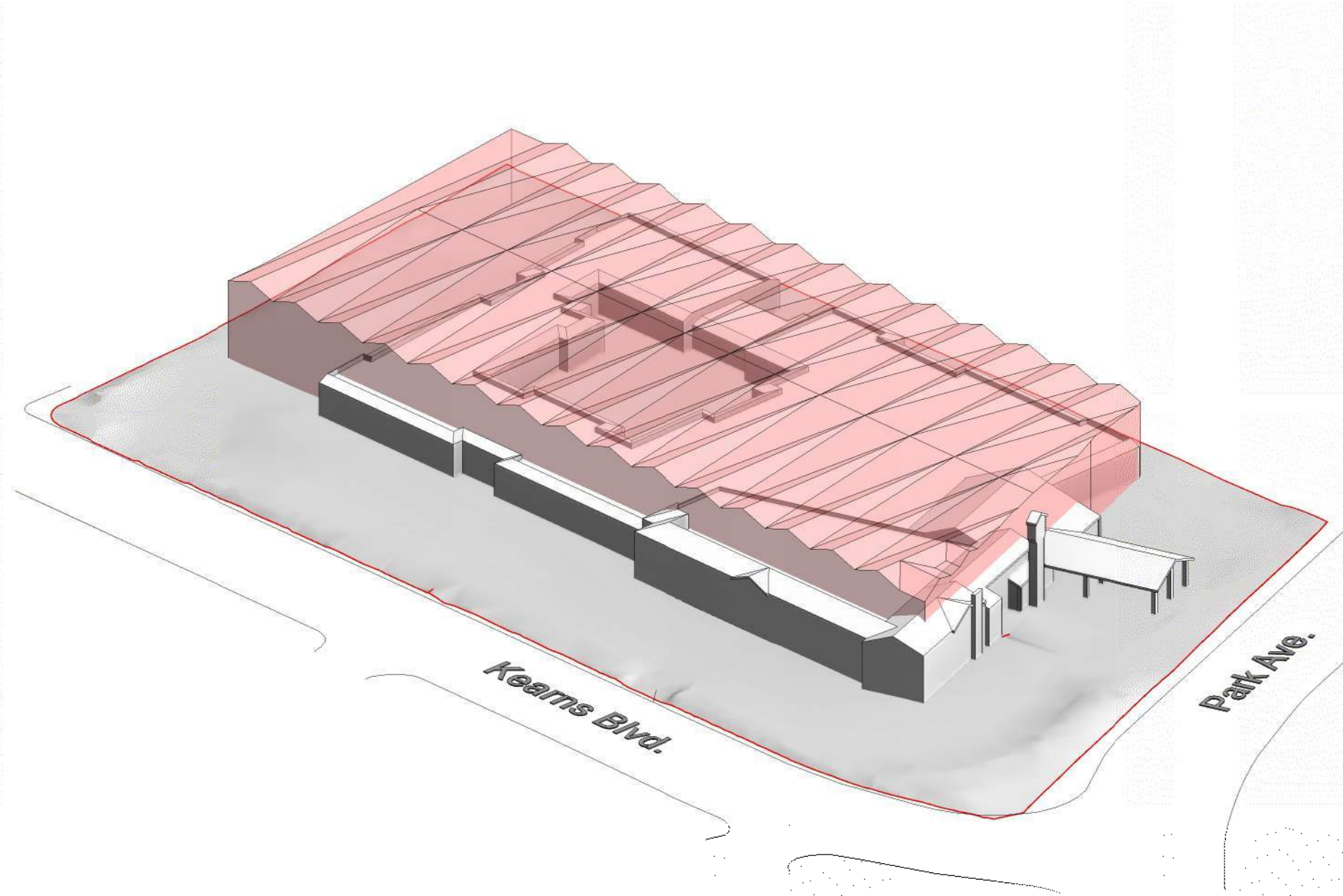
Property 194,649.5 SQ FT (4.46 ACRES)



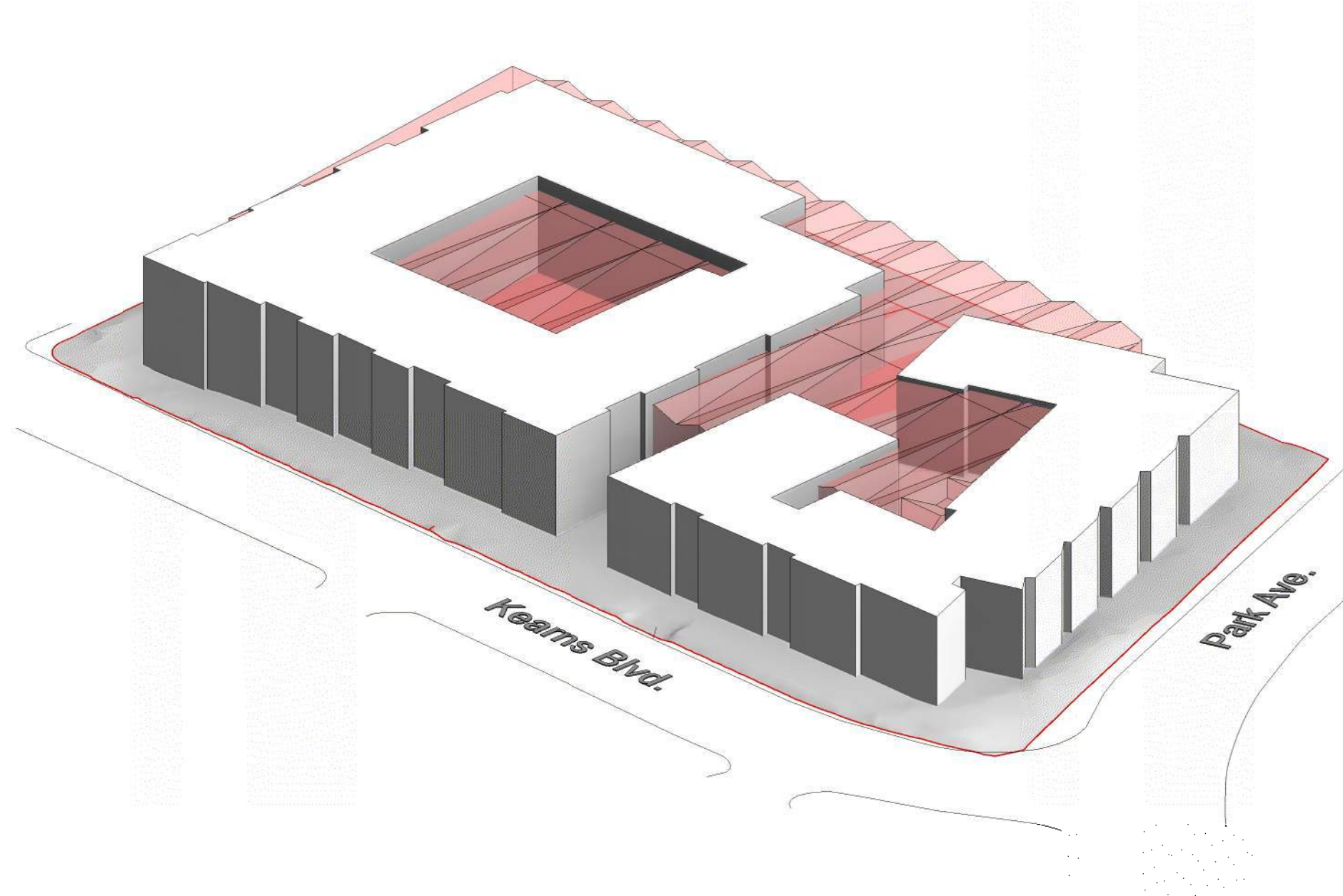
Buildable Area 92,626 SQ FT (2.13 ACRES)



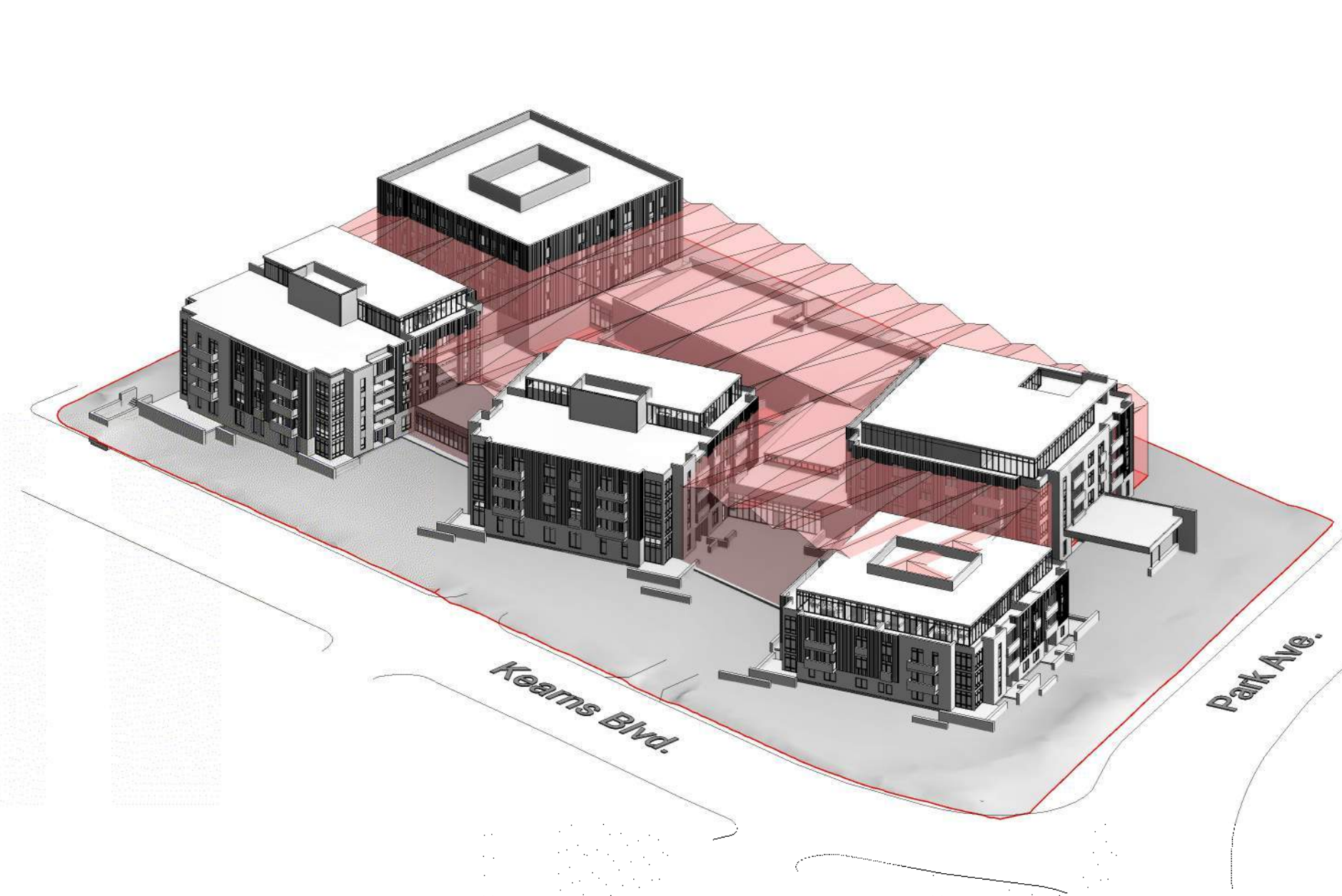
Buildable Volume 324,191 SQ FT (3.5 Above Grade Floor Plates)
4,099,213 CF



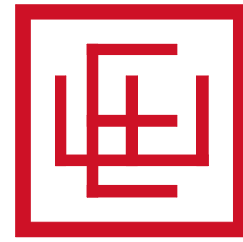
Existing Building 132,330 SF
2,468,051 CF



Previously Proposed Development 341,604 SF
3,983,485 CF

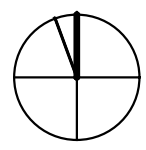


Current Proposed Development 272,160 SF
2,934,935 CF





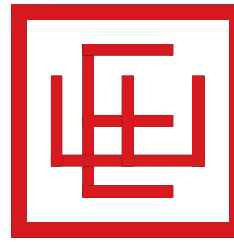
SCALE: 1" = 30'-0"



Park & Kearns Redevelopment

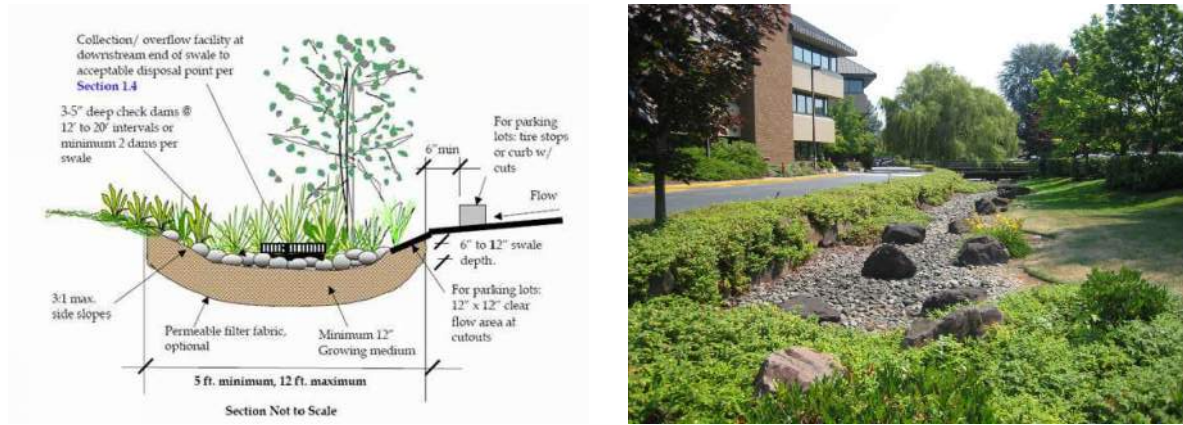
MPD-005

Site Plan



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02/02/24
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Bioswale Images



Trees



Ornamental Grasses



Shurbs and Perennials



PLANTING SCHEDULE

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
TREES			
	Abies lasiocarpa	Sub Alpine Fir	8-10' Tall
	Amlanchier x grandiflora 'Autumn Brilliance'	Serviceberry Tree	25 Gal.
	Acer ginnala 'Flame'	Amur Maple	2" Cal.
	Acer x freemanii 'Jeffersred'	Autumn Blaze Maple	2" Cal.
	Fraxinus mandshurica 'Mancana'	Autumn Purple Ash	2" Cal.
	Picea pungens	Green Colorado Spruce	8-10' Tall
	Pinus flexilis 'Vanderwolf's Pyramid'	Limber Pine	8-10' Tall
	Populus tremuloides	Quaking Aspen	2" Cal.
	Populus tremula 'Erecta'	Columnar Swedish Aspen	10-12' Tall
SHRUBS			
	Arctostaphylos uva ursi 'Massachusetts'	Kinnikinnick	5 Gal.
	Aronia melanocarpa 'Ground Hug'	Chokeberry	5 Gal.
	Pinus mugo 'Slowmound'	Mugo Pine	5 Gal.
	Physocarpus opulifolius 'Donna May'	Ninebark	5 Gal.
	Rhus aromatica 'Gro-Low'	Fragrant Sumac	5 Gal.
	Ribes alpinum 'Greenmound'	Alpine Currant	5 Gal.

GRASSES

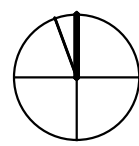
	Deschampsia cespitosa 'Pixie Fountain'	Dwarf Tufted Hairgrass	1 Gal.
	Schizachyrium scoparium 'Carousel'	Little Blue Stem	1 Gal.
	Schizachyrium scoparium 'Smoke Signal'	Little Blue Stem	1 Gal.
	Sporobolus heterolepis	Prairie Dropseed	1 Gal.
	Turf	Bio Grass	

PERENNIALS - DIVIDE UP PLANTS EQUALLY, 24" O.C. TRIANGULAR SPACING

	Achillea millefolium 'Summerwine'	Yarrow	
	Aster alpinus	Alpine Aster	
	Campanula carpatica Blue Chips	Bellflower	
	Echinacea purpurea	Purple Coneflower	
	Gaillardia aristata 'Arizona Sun'	Blanket Flower	
	Hemerocallis 'Chicago Apache'	Red Daylily	
	Heuchera 'Firefly'	Coral Bells	
	Oenothera missouriensis	Missouri Evening Primrose	
	Phlox subulata 'Drummond Pink'	Creeping Phlox	
	Rudbeckia x American Gold Rush	Black Eyed Susan	
	Salvia nemorosa 'May Night'	Salvia	
	Scabiosa columbaria 'Rose Pink'	Pincushion Flower	

Notes: 1. All Planter Beds Shall be Covered in 4" Min. of Bark Mulch.
2.Placement of Trees to be Approved by Landscape Architect.

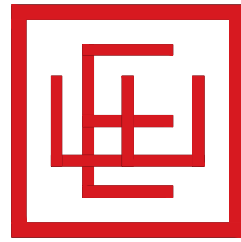
SCALE: 1" = 30'-0"



Park & Kearns Redevelopment

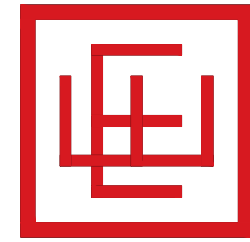
MPD-007

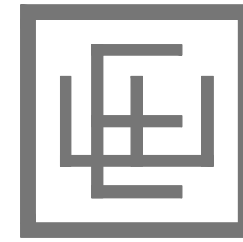
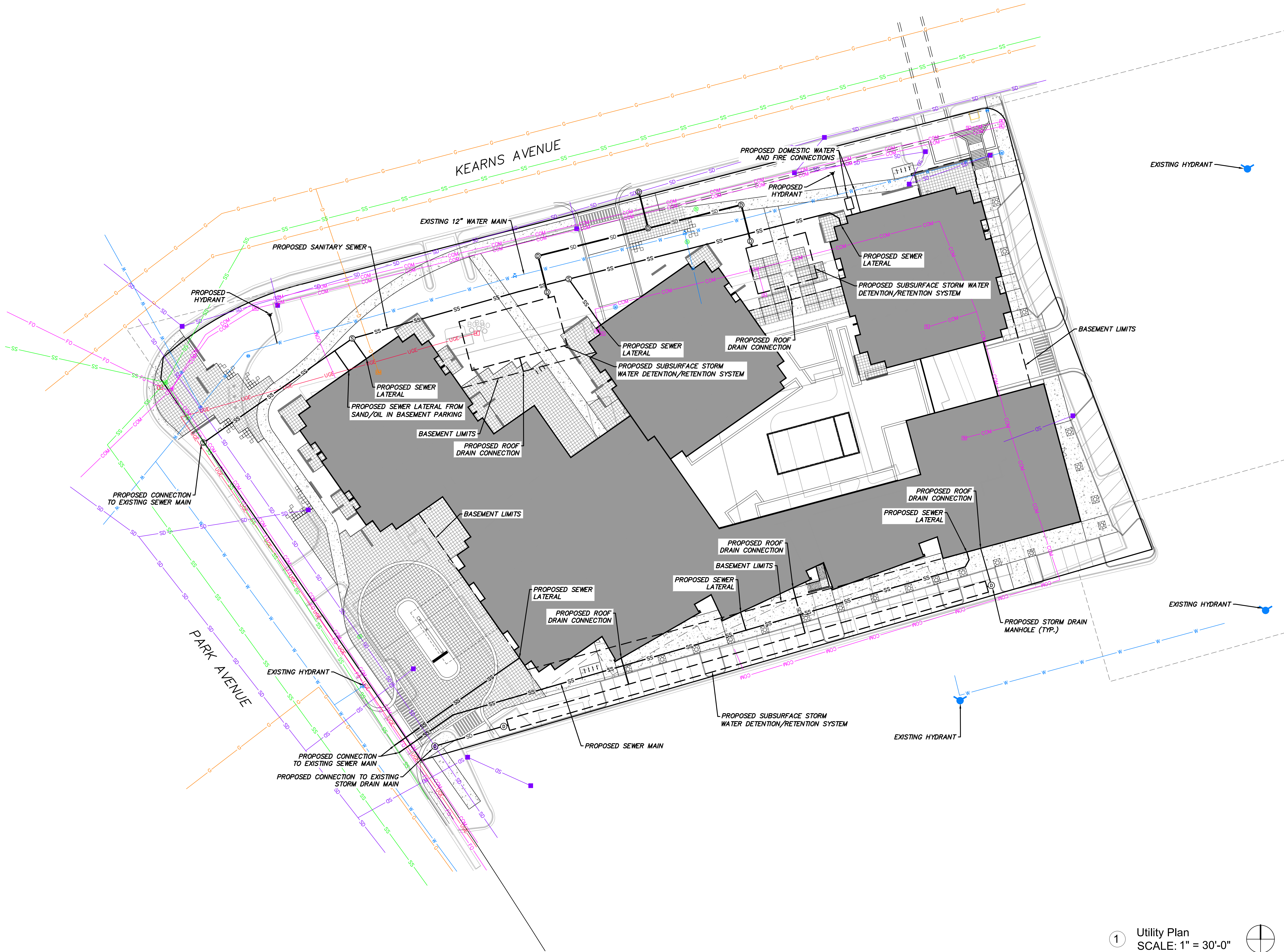
Planting Plan



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Park & Kearns Redevelopment

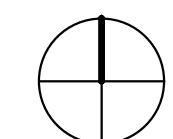
MPD-009

Utility Plan



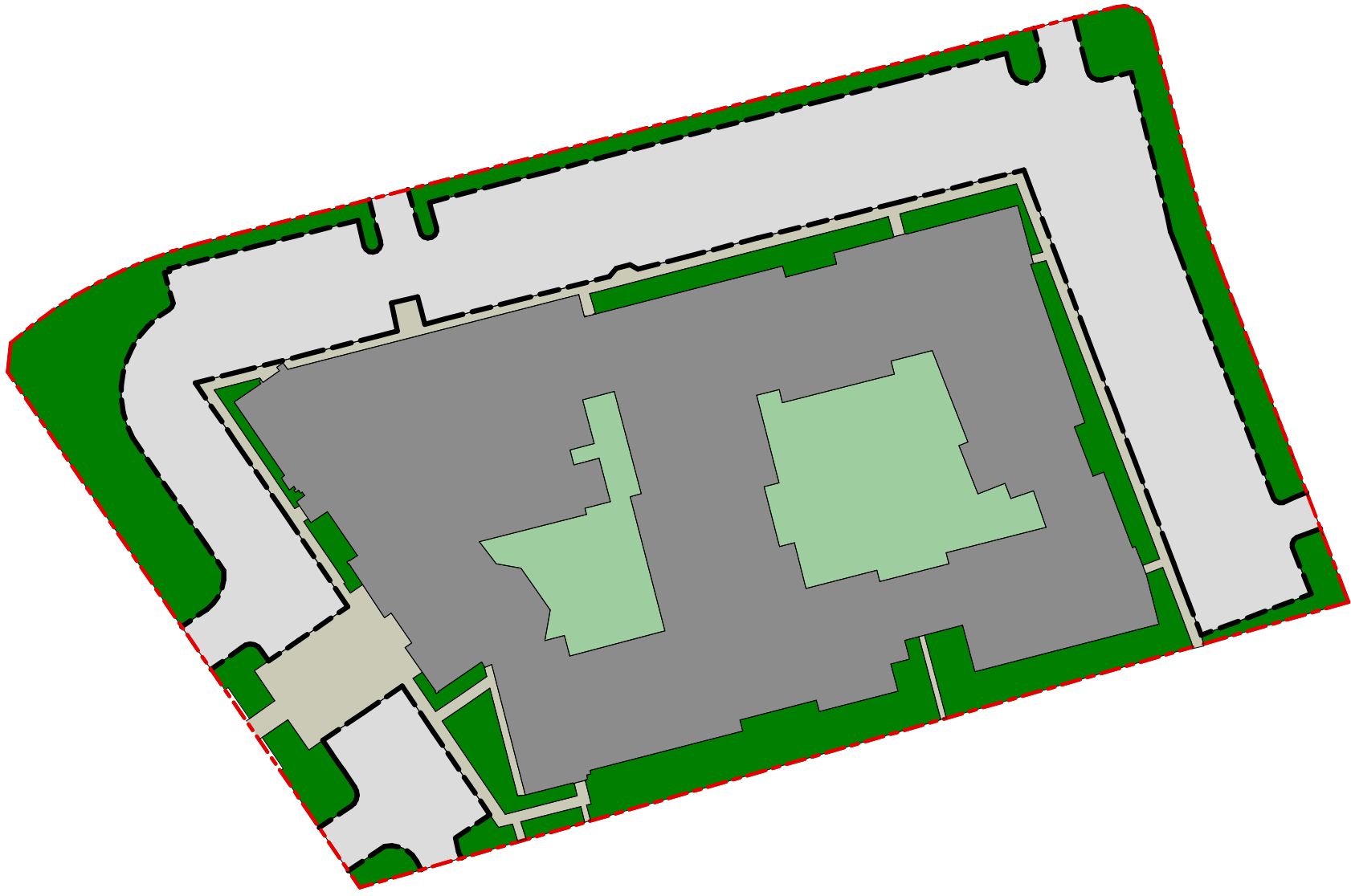
TALISMAN
CIVIL CONSULTANTS
1588 SOUTH MAIN STREET
SUITE 200
SALT LAKE CITY, UT 84115
801.743.1300

① Utility Plan
SCALE: 1" = 30'-0"



Existing Building Open Space

SCALE: 1" = 80'-0"

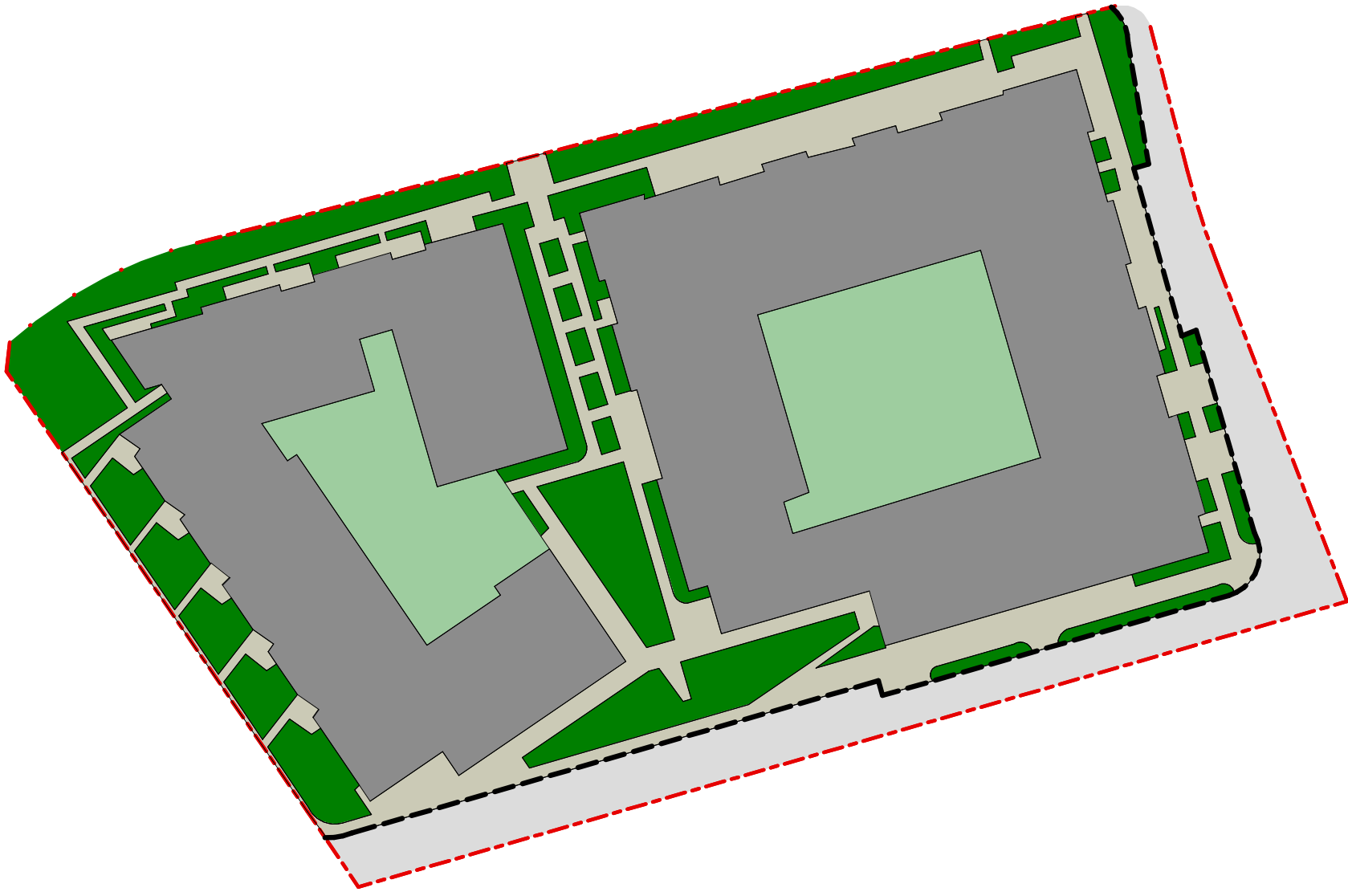


	Property.....	194,652 sq. ft. (100%)
	Surface Parking & Driveways.....	59,414 sq. ft. (30.5%)
	Existing Building Footprint.....	70,516 sq. ft. (36.3%)
	Private Open Space.....	16,228 sq. ft. (8.3%)
	Sidewalks.....	10,758 sq. ft. (5.5%)
	Landscaped Area.....	37,639 sq. ft. (19.3%)

EXISTING OPEN SPACE: 48,397 (24.8%)

Previously Proposed Building Open Space

SCALE: 1" = 80'-0"



	Property.....	194,652 sq. ft. (100%)
	Surface Parking & Driveways.....	20,821 sq. ft. (10.7%)
	Proposed Building Footprint.....	88,522 sq. ft. (45.5%)
	Private Open Space.....	23,412 sq. ft. (12.0%)
	Sidewalks.....	29,609 sq. ft. (15.2%)
	Landscaped Area.....	32,288 sq. ft. (16.6%)

PROPOSED OPEN SPACE: 61,897 (31.8%)

Proposed Building Open Space

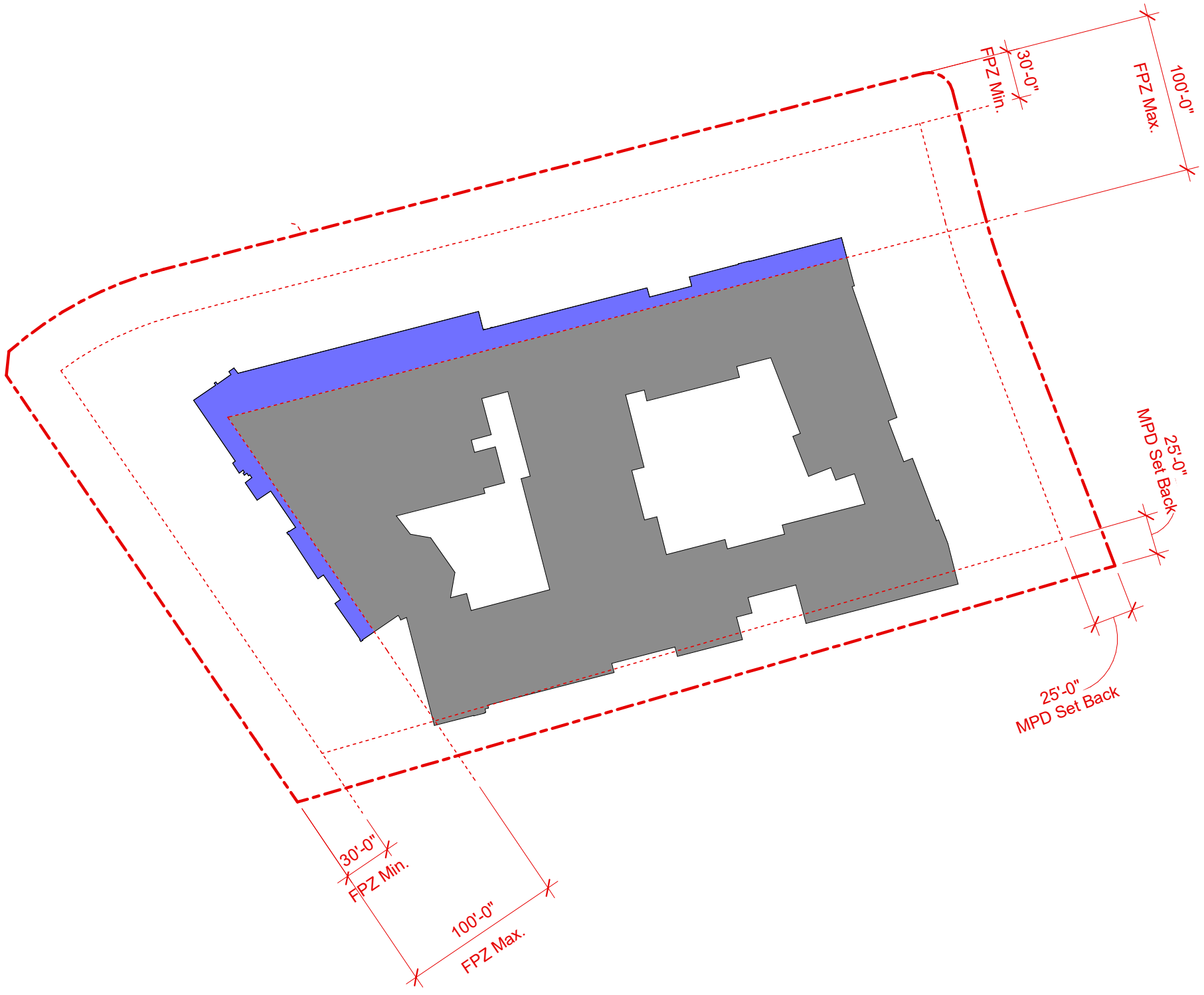
SCALE: 1" = 80'-0"



	Property.....	194,652 sq. ft. (100%)
	Surface Parking & Driveways.....	20,130 sq. ft. (10.3%)
	Propose Building Footprint.....	80,490 sq. ft. (41.4%)
	Private Open Space.....	13,288 sq. ft. (6.8%)
	Sidewalks.....	41,241 sq. ft. (21.2%)
	Landscaped Area.....	39,503 sq. ft. (20.3%)

PROPOSED OPEN SPACE: 80,744 (41.5%)

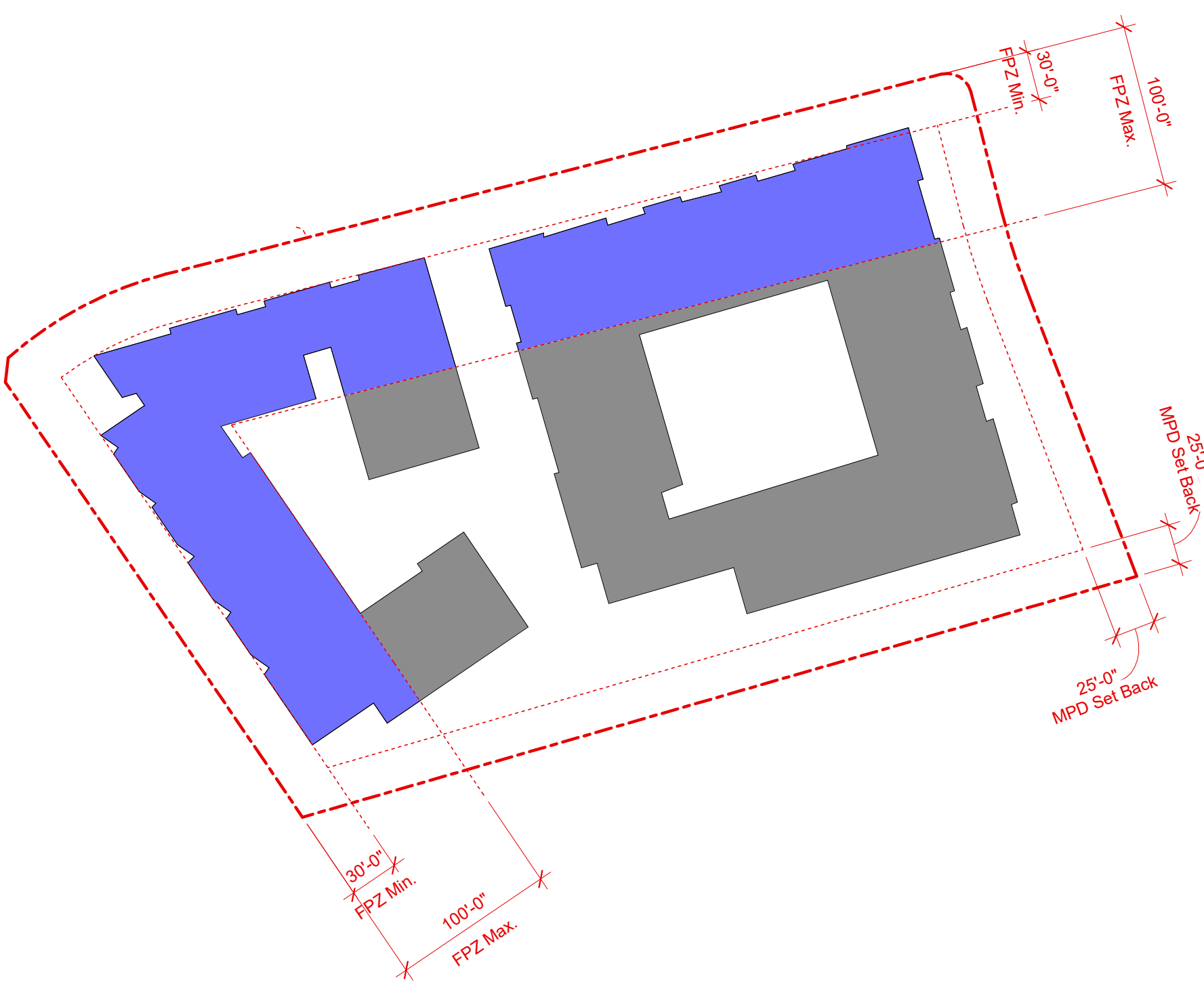
Existing Building Setback Analysis



	Property.....	194,652 sq. ft.
	Required Set Backs - 30' FPZ and 10' GC Zone	
	Frontage Protection Zone 100' Set Back	
	Building Footprint encroaching into 100' FPZ.....	9,917 sq. ft.
	Existing Building Footprint inside Set Backs.....	60,599 sq. ft.

EXISTING BUILDING FOOTPRINT: 70,516 sq. ft.

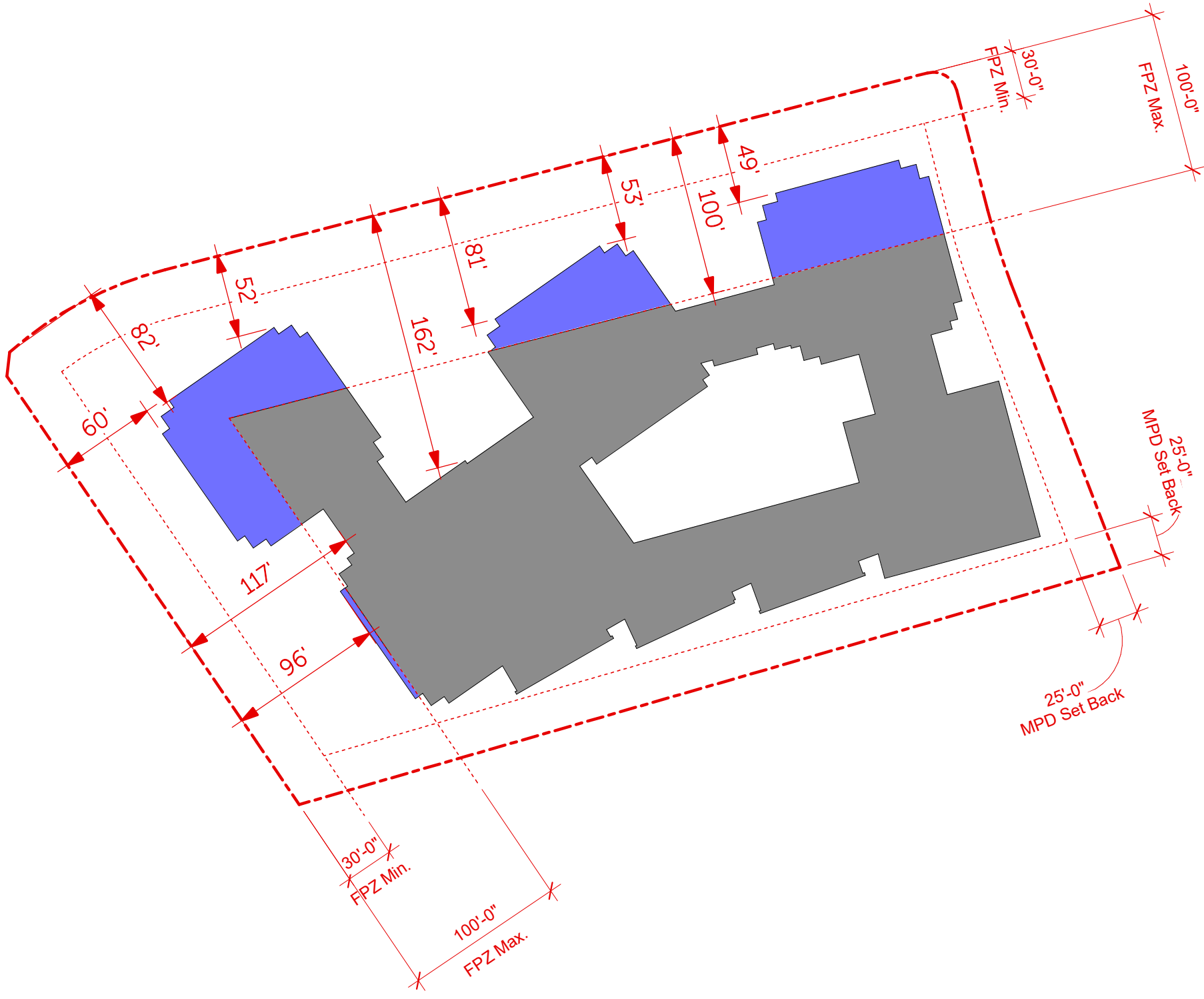
Proposed Building (MPD 2022) Setback Analysis



	Property.....	194,652 sq. ft.
	Required Set Backs - 30' FPZ and 10' GC Zone	
	Frontage Protection Zone 100' Set Back	
	Building Footprint encroaching into 100' FPZ.....	47,236 sq. ft.
	Existing Building Footprint inside Set Backs.....	41,286 sq. ft.

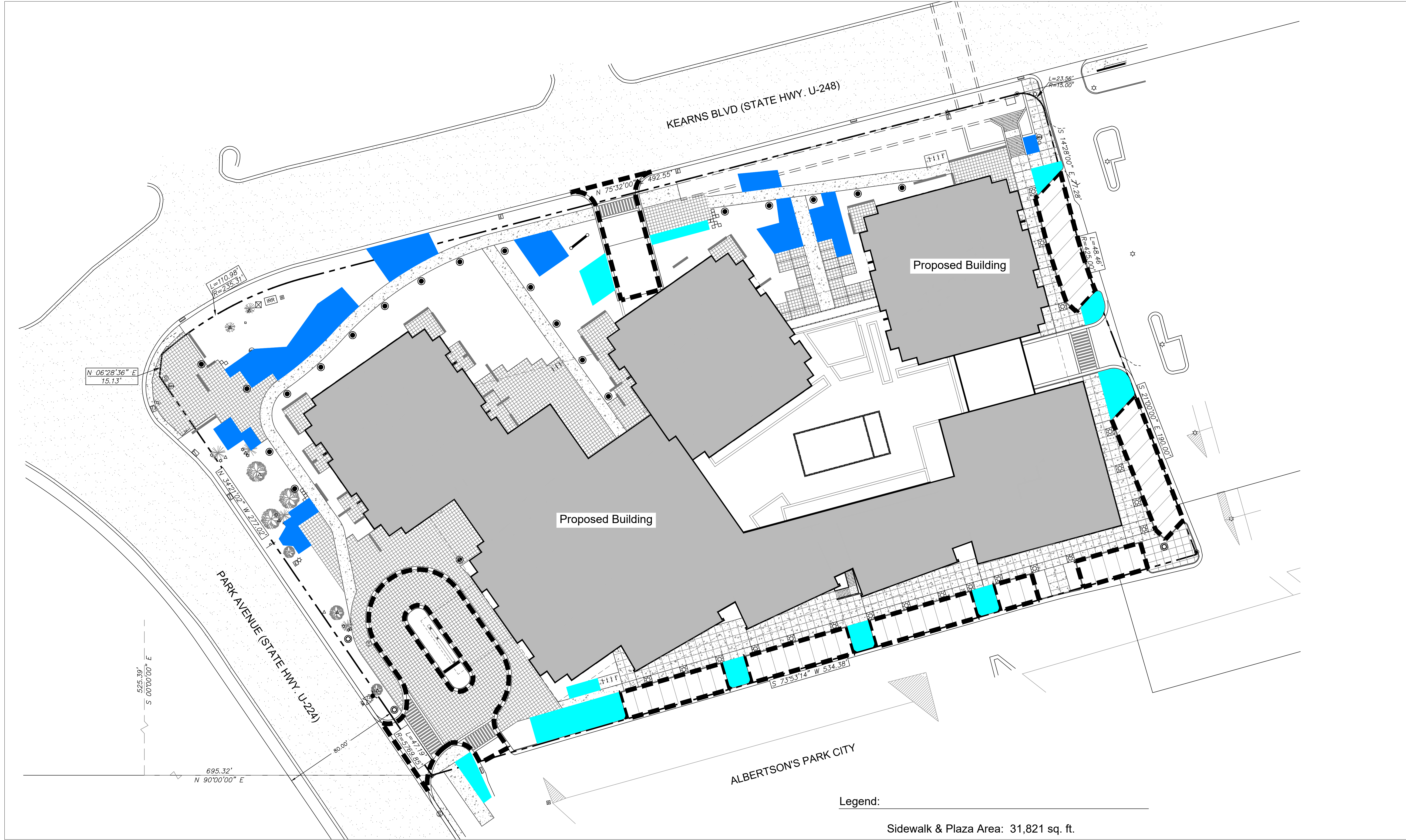
PROPOSED BUILDING FOOTPRINT: 88,522 sq. ft.

Proposed Building Setback Analysis



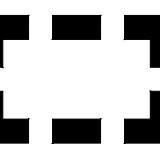
	Property.....	194,652 sq. ft.
	Required Set Backs - 30' FPZ and 10' GC Zone	
	Frontage Protection Zone 100' Set Back	
	Building Footprint encroaching into 100' FPZ.....	16,329 sq. ft.
	Existing Building Footprint inside Set Backs.....	64,161 sq. ft.

PROPOSE BUILDING FOOTPRINT: 80,490 sq. ft..

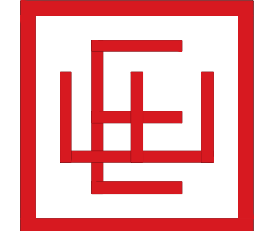
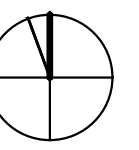


Legend:

Sidewalk & Plaza Area: 31,821 sq. ft.

-  Sidewalk & Plaza Snow Storage Area: 5,653 sq. ft. (17.7%)
-  Parking Lot Area: 20,083 sq. ft.
-  Parking Snow Storage Area: 4,020 sq. ft. (21.1%)

SCALE: 1" = 30'-0"

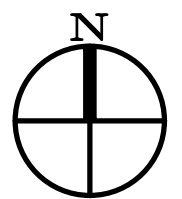


A. THE PHOTOMETRIC CALCULATION WAS PERFORMED DURING THE DESIGN DEVELOPMENT PROCESS AND THE REFLECTANCE VALUES USED ARE DESIGNER AVERAGES AND ARE CALCULATED USING THE LUMINAIRES SELECTED DURING THAT PROCESS. A MORE ACCURATE PHOTOMETRIC CALCULATION CAN BE PERFORMED ONCE THE FIXTURE HAS BEEN SELECTED AND LOCATED DURING CONSTRUCTION.



Label	Image	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
AL1		10	Holophane	GELFS P10 30K XXXXX AS7	GlasWeko Luminescent LED Halobrook Extended P10 Performance Package, 3000K CCT, Asymmetric distribution	1	6359	1	51
DL1		9	Juno Lighting	JSFSQ 14N 18LM 30K 90CRI 120 FRPC WH	14" Square EdgeLit (Slimform) Surface Mount, 3000K, 90CRI, 120V	1	1839	1	20.4
BL1		26	LIGMAN	LI-10021-T2-W30	Light Linear PT 1 Bollards	1	2950	1	27.7
WL1		6	REGA Converted by LUMCat V 09.02.2017 / H/R		24203K3	1	473	1	7
BL2		6	LIGMAN	LI-10021-T4-W30	Light Linear PT 1 Bollards	1	2957	1	27.7
DL2		18	Juno Lighting	JSFSQ 7N 10LM 30K 90CRI MVQL 7 2T WH	7" Square EdgeLit (Slimform) Surface Mount, 3000K, 90CRI, MV	1	1097	1	12.9

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Calc Zone #1	+	0.9 fc	109.8 fc	0.0 fc	N/A	N/A
Calc Zone #2	+	1.1 fc	116.7 fc	0.0 fc	N/A	N/A



1 SITE PHOTOMETRIC PLAN

LIGMAN

LIGHT LINEAR PT 1 (LI-10021)



Product description

200x80 mm - 1000 mm - 1 side

BL1, BL2



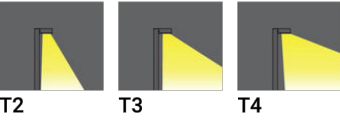
Luminaire Structure

- Die-cast aluminium housing
- Extruded aluminium column
- Pre-treated before powder coating ensuring high corrosion resistance
- Single cable entry

- One IP68 connector supplied with 0.2 m of 3x1.0 sqmm outdoor cable
- Stainless steel fasteners in grade 304 with zinc flake coating (ZFC)
- Durable silicone rubber gasket
- Clear toughened glass

- High-efficiency PMMA lens
- Integral control gear

Optic



We reserve the right to make technical and design changes.
08/03, 09-10-2023
<https://www.ligman.com/light-linear-pt-1-li-10021/>

THAILAND
LIGMAN Lighting Co.,Ltd.
17/2 Moo 4, Monthong, Bang Nam Piao,
24150 Chachoengsao - Thailand
info@ligman.com

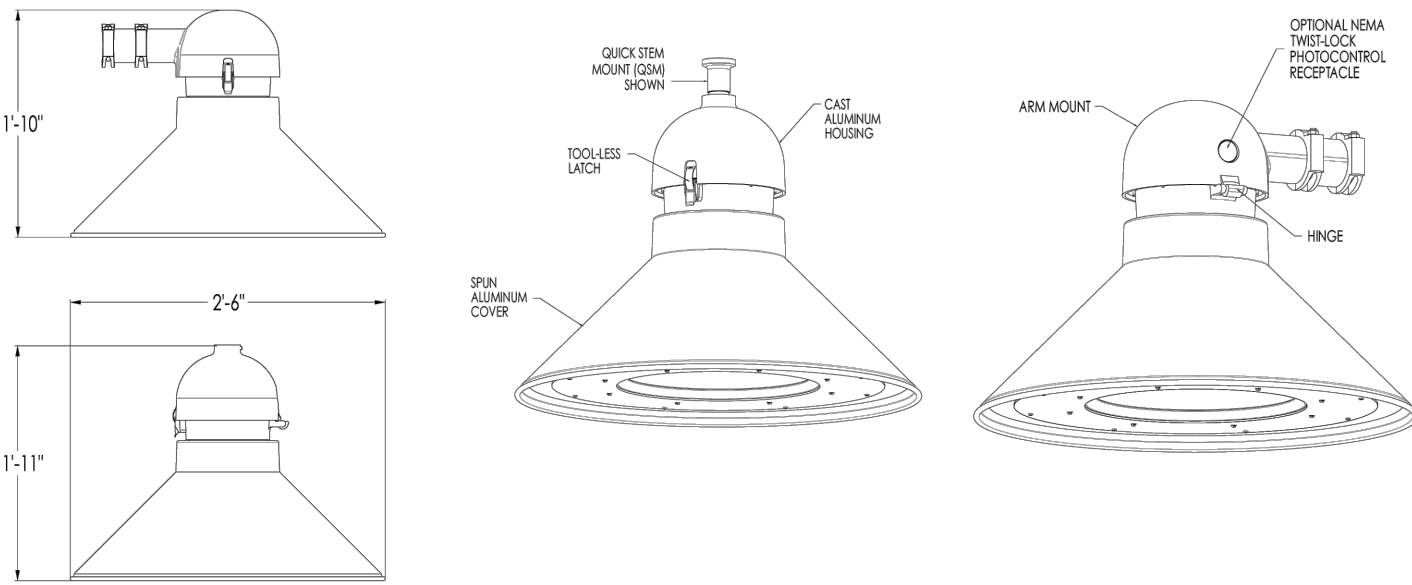
Outdoor | Bollards | LIGHT LINEAR PT



GELF3
GlasWerks® Luminescent
LED Hallbrook® Extended



DIMENSIONAL DATA



Maximum Weight - 51 lbs
Maximum Effective Projected Area - 1.2 ft²

AcuityBrands | Holophane | 3825 Columbus Rd., Granville, OH 43023 | Phone: 866-HOLOPHANE | www.holophane.com
© 2018-2021 Acuity Brands Lighting, Inc. All rights reserved. Rev. 08/23/21 Specifications subject to change without notice. Page 1 of 4

Catalog Number	
Notes	Type AL1

General Description

The architectural luminaire consists of a flat LED optical assembly shrouded by a decorative formed housing and a top mounted cast aluminum electrical assembly. The optical assembly is seamlessly integrated into the form factor for beautiful daytime appearance and exceptionally uniform lighting at night.

Optical Assembly

The optical assembly consists of an edge lit waveguide light engine for unmatched visual comfort. Light from the LED module is distributed by proprietary wave guide technology to maximize uniformity and minimize glare. Configurable with CCT options of 2700K, 3000K, and 4000K. CRI is 70 minimum. Available with asymmetric, symmetric, or pathway distributions.

Mounting Style

Optional mounting styles include Quick Lock Stem, NPT threads, and horizontal arm.

Quick Lock Stem Mounting style is compatible with the following leveling fitters:
- Boston Harbor Decorative Arm Fitter (BHDF)
- GlasWerks Decorative Arm Fitter (GDWF)
- West Liberty Decorative Arm Fitter (WDLDF)
- Ball Style Decorative Fitter (BADF)

Electrical Assembly

The cast aluminum electrical housing has a smooth domed contour. A (3) station terminal block is provided to accept #14 through #2 size wire. The electrical housing is hinged with a tool-less latch to provide easy access to the gear assembly. The unitized electrical assembly, containing the electronic driver and other electrical components, plug into the quick disconnect receptacle. The pendant mount version has a welded stem (Quick Lock Stem Mounting), which aids in installation speed. The arm mount version is provided with two U-bolts with washers and nuts and two leveling set screws that lock the housing to a 2 inch nominal (2-3/8" O.D.) horizontal

arm and allow a ±5° degree adjustment from horizontal to the cover.

Electrical System

Programmable LED driver with 0-10V dimming. Optional DALI dimming. Driver life is rated to at least 100,000 hours. Luminaire surge protection rating of 20kA/100kA per ANSI/IEEE 62.41.2.

Finish

The luminaire is finished with corrosion resistance super durable powder coat paint to ensure maximum durability. Finish is rated to 5,000 hours salt spray per ASTM B117.

Listing

The luminaire is CSA certified to US and Canadian standards. IP55 rated electrical chamber, IP66 rated LED optic chamber. 20kV/10kA extreme surge protection per ANSI/IEEE C136.2. Suitable for operation in ambient temperatures from -40°C to 40°C.

DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/ QPL to confirm which versions are qualified.

Buy American

This product is assembled in the USA and meets the Buy America(n) government procurement requirements under FAR, DFARS and DOT. Please refer to www.acuitybrands.com/resources/buy-american for additional information.

Warranty

Limited warranty located at: www.acuitybrands.com/support/warranty/terms-and-conditions

Note: Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.

IC1JB JSFSQ
JUNO SLIMFORM™ LED
IC RATED LED NEW CONSTRUCTION
JUNCTION BOX SURFACE MOUNT
DOWNLIGHT
FOR INSTALLATION INTO
FIRE RATED CEILING ASSEMBLIES
IC1JB JSFSQ

PRODUCT DESCRIPTION

IC LED Air-Loc® new construction junction box housing with energy efficient Juno SlimForm™ LED square surface mount trim for a complete downlight solution in multiple sizes 5" to 14" • May be installed in maximum 2 hour fire-rated ceiling assemblies per International Building Code Section 714 • Can be completely covered with insulation • Dimmable • Optional finish trims and shrouds available for custom, designer look similar to standard recessed downlights • Designed to provide 50,000 hours of life • 5 year limited warranty.

PRODUCT SPECIFICATIONS – TRIM

Surface Mount Trim Shallow, less than 1", solid square housing with white finish • Non conductive fixture for shower light applications • Optional, field installable finish trims available for 5" and 7" versions to change the exterior finish of fixture • Optional, field installable decorative baffle and cone shrouds for 5" and 7" versions provide the aesthetic and source shielding similar to the experience of a fully recessed downlight.

Optics Light guide technology combined with diffusing lens conceals the LEDs from direct view and provides uniform lens luminance. LED Light Engine LEDs mounted directly to heatsink designed to provide superior thermal management and ensure long life • 2700K, 3000K, 3500K or 4000K LED color temperature • LEDs binned for 4-step MacAdam ellipses color consistency • 90 CRI minimum.

LED Driver Choice of dedicated 120 volt (120) driver or universal voltage (MVOLT) driver that accommodates input voltages from 120-277 volts AC at 50/60Hz • Power factor > 0.9 at 120V input • 120 volt driver is dimmable with the use of most incandescent, magnetic low voltage and electronic low voltage wall box dimmers • Universal voltage driver is dimmable with the use of most 0-10V wall box dimmers • External driver on 5" and 7" models only • For a list of compatible dimmers, see JUNOSLIMFORM-DIM.

Electrical Connections Trim features quick connect plug installed as standard for installation into IC1JB with quick connect whip. Life Rated for 50,000 hours at >70% lumen maintenance.

PRODUCT SPECIFICATIONS – HOUSING

Junction Box Housing Designed for use in IC (insulated ceiling) or non-IC construction • Rough-in section (junction box, bar hangers) fully assembled for ease of installation • Painted steel 3-1/2" deep 4" square junction box • Provided with (4) 1/2"-3/4" concentric, (2) 1/2", (4) 3/4" and (2) 1" knockouts • cETLus listed for through-branch wiring, maximum 8 No. 12 AWG 90°C branch circuit conductors (4 in and 4 out).

Hardware Ships with retrofit mounting bracket, trim ring and quick connect whip; not required for JSFSQ installation.

INSTALLATION

Installs directly to industry standard junction boxes. The IC1JB junction box housing must be installed per the International Building Code Section 714 guidelines to maintain up to a 2 hour ceiling fire rating. Precise ceiling cutout required. For use with 1/2" – 1-1/4" ceiling thickness.

Mounting option JSFMTGPLT 4X4 is required for installation.

Real Nail® 3 Bar Hangers Telescoping Real Nail 3 system permits quick placement of housing anywhere within 24" O.C. joists or suspended ceilings • Bars scored in two locations for fast, clean breaking, allowing housing installation in tight applications • Captive bugle-headed ring shank nail for quick one-step installation and easy removal with claw hammer for future relocation • Integral T-bar notch for suspended ceilings • Locking set screw to lock junction box housing in position • Design covered under US Patent D552,969.

LISTINGS

Labels ENERGY STAR® certified • Certified to the high efficacy requirements of California T24 JAB-2016 • Assembly ETL listed to UL1598 for US and Canadian through branch wiring, damp location • Suitable for wet locations (covered ceilings) • ETL listed to UL14A.

Testing All reports are based on published industry procedures; actual performance may differ as a result of the end-user environment and applications. All values are design or typical values, measured under laboratory conditions at 25 °C.

Warranty 5-year limited warranty. This is the only warranty provided and no other statements in this specification sheet create any warranty of any kind. All other express and implied warranties are disclaimed. Complete warranty terms located at: www.acuitybrands.com/support/warranty/terms-and-conditions

Note: Actual performance may differ as a result of end-user environment and application. All values are design or typical values, measured under laboratory conditions at 25 °C. Specifications subject to change without notice.

AcuityBrands | One Lithonia Way • Conyers, GA 30012 • Phone 1-800-705-SERV (7378) • Visit us at www.acuitybrands.com
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Light Commercial & Residential

1 of 4

Recessed wall luminaire - shielded

BEGA

Application

Recessed wall luminaire with shielded light distribution for glare-free illumination of ground surfaces, building entrances, stairs and pathways.

Materials

Luminaire housing and faceplate constructed of die-cast marine grade, copper free (≤0.3% copper content) A380.0 aluminum alloy
Clear safety glass with optical texture
Silicone applied robotically to casting, plasma treated for increased adhesion
High temperature silicone gasket
Mechanically captive stainless steel fasteners
Stainless steel screw clamps
Composite installation housing

NRTL listed to North American Standards, suitable for wet locations
Protection class IP65
Weight: 3.3lbs

Electrical
Operating voltage 120-277V AC
Minimum start temperature -30° C
LED module wattage 4.8W
System wattage 7.0W
Controllability 0-10V dimmable
Color rendering index Ra > 80
Luminaire lumens 480 lumens (4000K)
LED service life (L70) 50,000 hours

LED color temperature

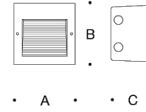
- 4000K - Product number + **K4**
- 3500K - Product number + **K3S**
- 3000K - Product number + **K3**
- 2700K - Product number + **K27**

BEGA can supply you with suitable LED replacement modules for up to 20 years after the purchase of LED luminaires - see website for details

Finish

All BEGA standard finishes are matte, textured powder coat with minimum 3 mil thickness. BEGA Unidure® finish, a fluoropolymer technology, provides superior fade protection in Black, Bronze, and Silver. BEGA standard White, as well as optionally available RAL and custom colors, are a polyester powder.

Available colors □ Black (BLK) □ White (WHT) □ RAL:
□ Bronze (BRZ) □ Silver (SLV) □ CUS:

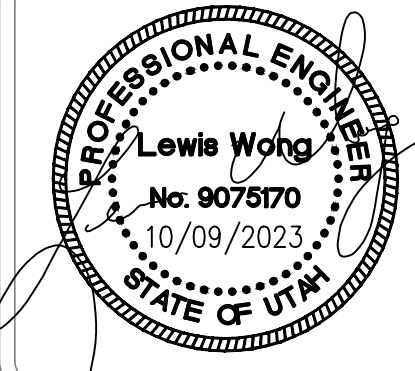


Recessed wall luminaire - shielded			
	LED	A	B C
24203	4.8 W	7 1/2"	7 1/2" 5 1/4"

BEGA 1000 BEGA Way, Carpinteria, CA 93013 (805) 684-0533 info@bega-us.com
Due to the dynamic nature of lighting products and the associated technologies, luminaire data on this sheet is subject to change at the discretion of BEGA North America. For the most current technical data, please refer to bega-us.com
Updated 11/20/20

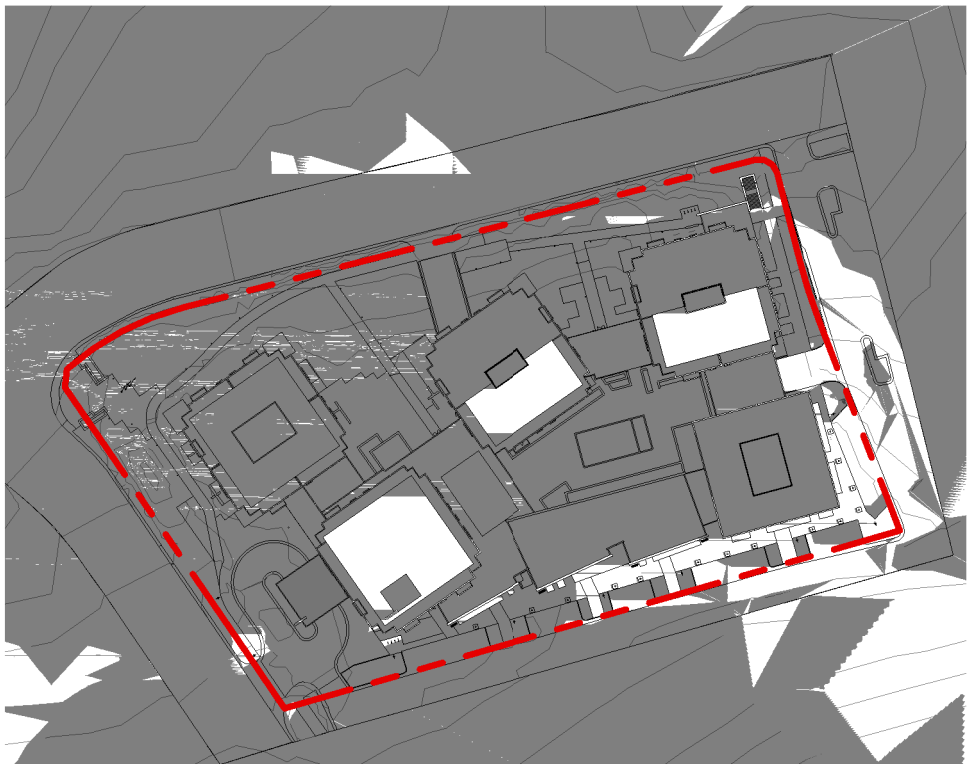
PARK CITY SURVEYING
P.O. BOX 682993
PARK CITY, UTAH 84068
(435) 649-2918

DATE	BY	REVISIONS
		COMMENTS



SURVEYED BY:
—
DRAWN BY:
HB
DATE:
OCTOBER 2023

FOR:
YARROW CORPORATION
ALTA/ACSM LAND TITLE SURVEY
1800 PARK AVENUE PARK CITY, UTAH
DWG:
YARROW ALTA.dwg



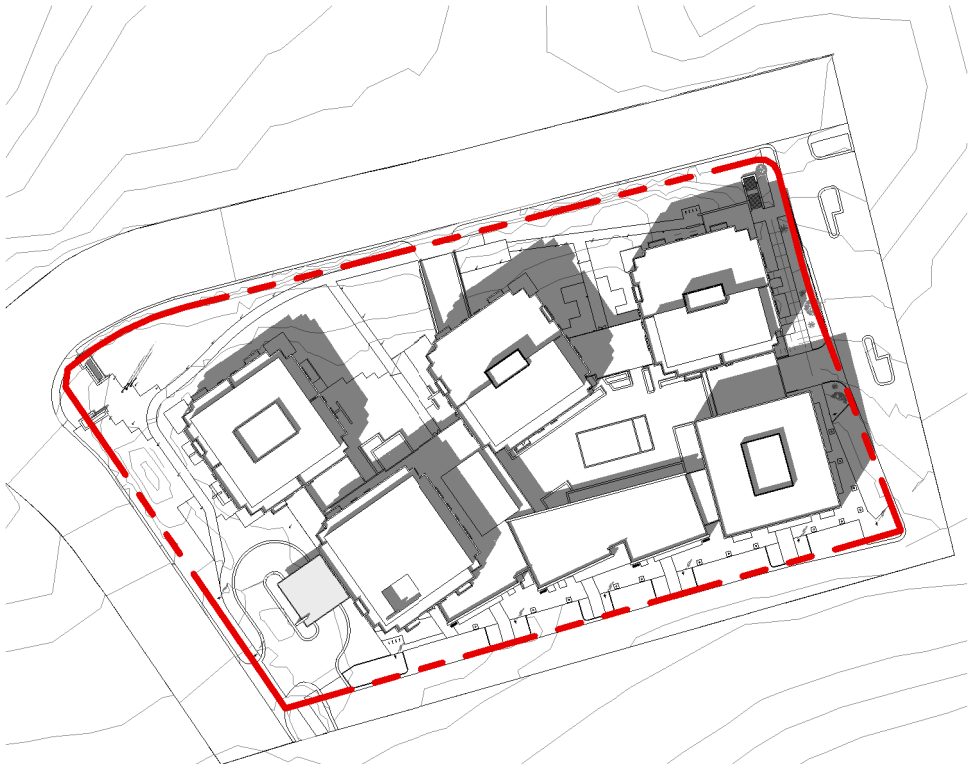
Spring Equinox - 6AM



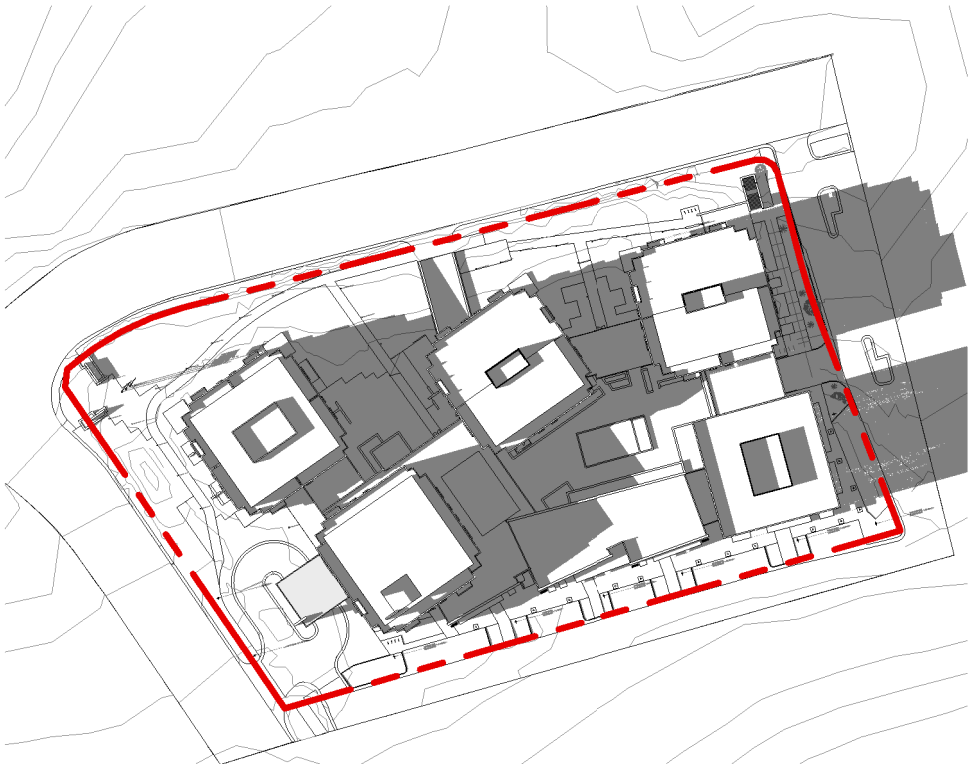
Spring Equinox - 9AM



Spring Equinox - 12PM



Spring Equinox - 3PM



Spring Equinox - 6PM



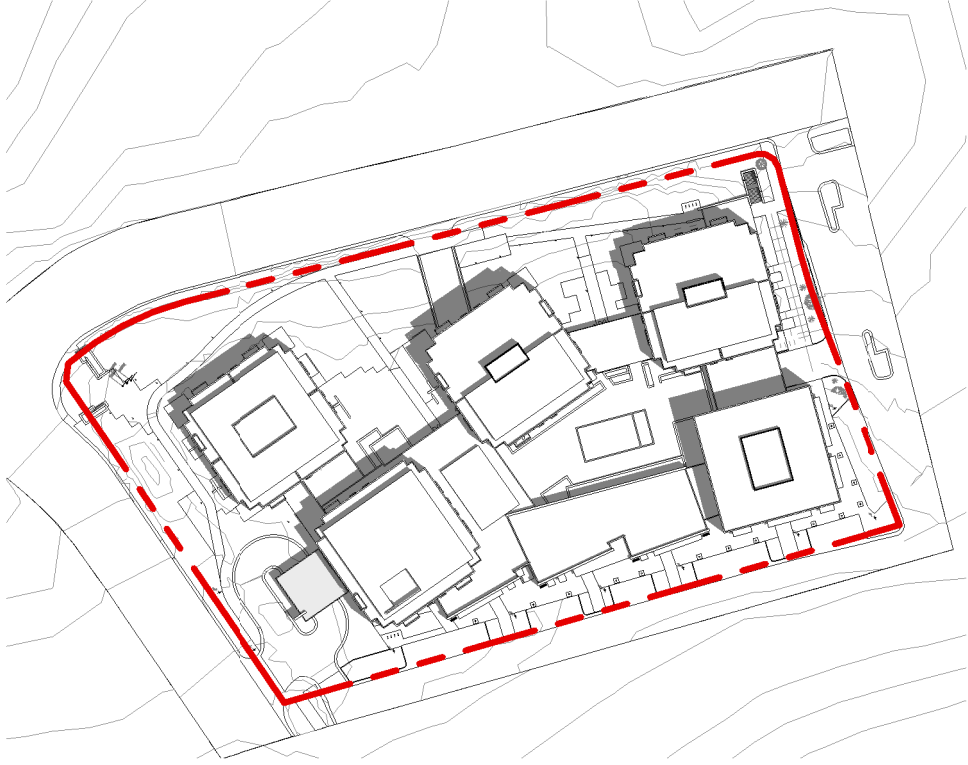
Spring Equinox - 9PM



Summer Solstice - 6AM



Summer Solstice - 9AM



Summer Solstice - 12PM



Summer Solstice - 3PM



Summer Solstice - 6PM



Summer Solstice - 9PM



Autumn Equinox - 6AM



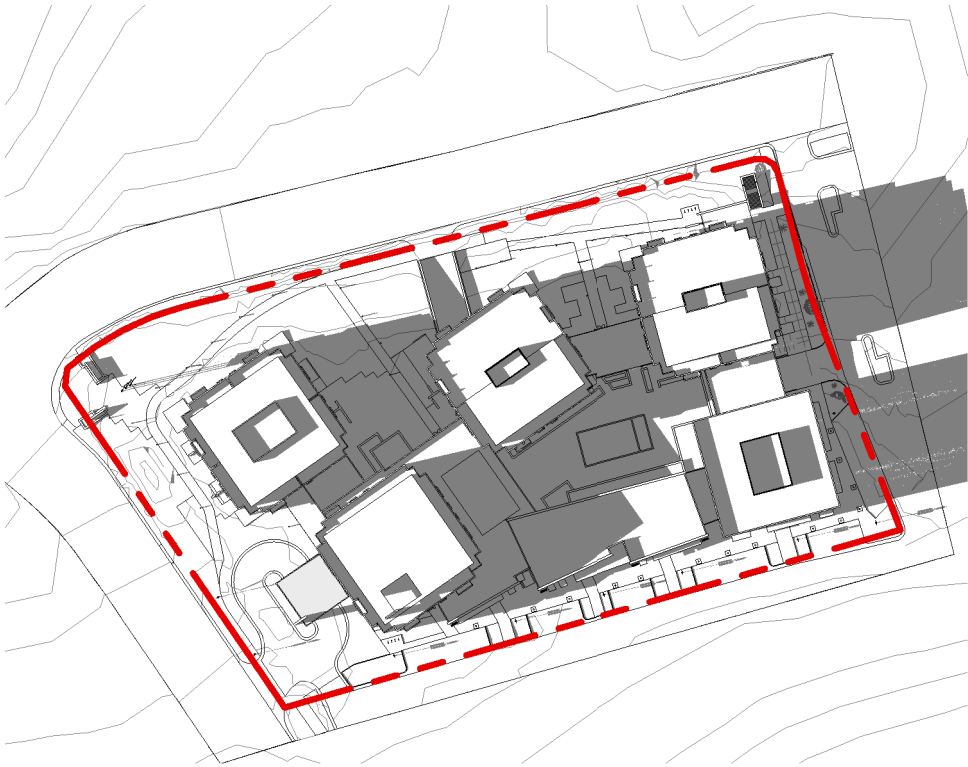
Autumn Equinox - 9AM



Autumn Equinox - 12PM



Autumn Equinox - 3PM



Autumn Equinox - 6PM



Autumn Equinox - 9PM



Winter Solstice - 6AM



Winter Solstice - 9AM



Winter Solstice - 12PM



Winter Solstice - 3PM



Winter Solstice - 6PM



Winter Solstice - 9PM



1/4 mi

5 Minutes

2 Minutes

3/4 mi

15 Minutes

3 Minutes

1 mi

20 Minutes

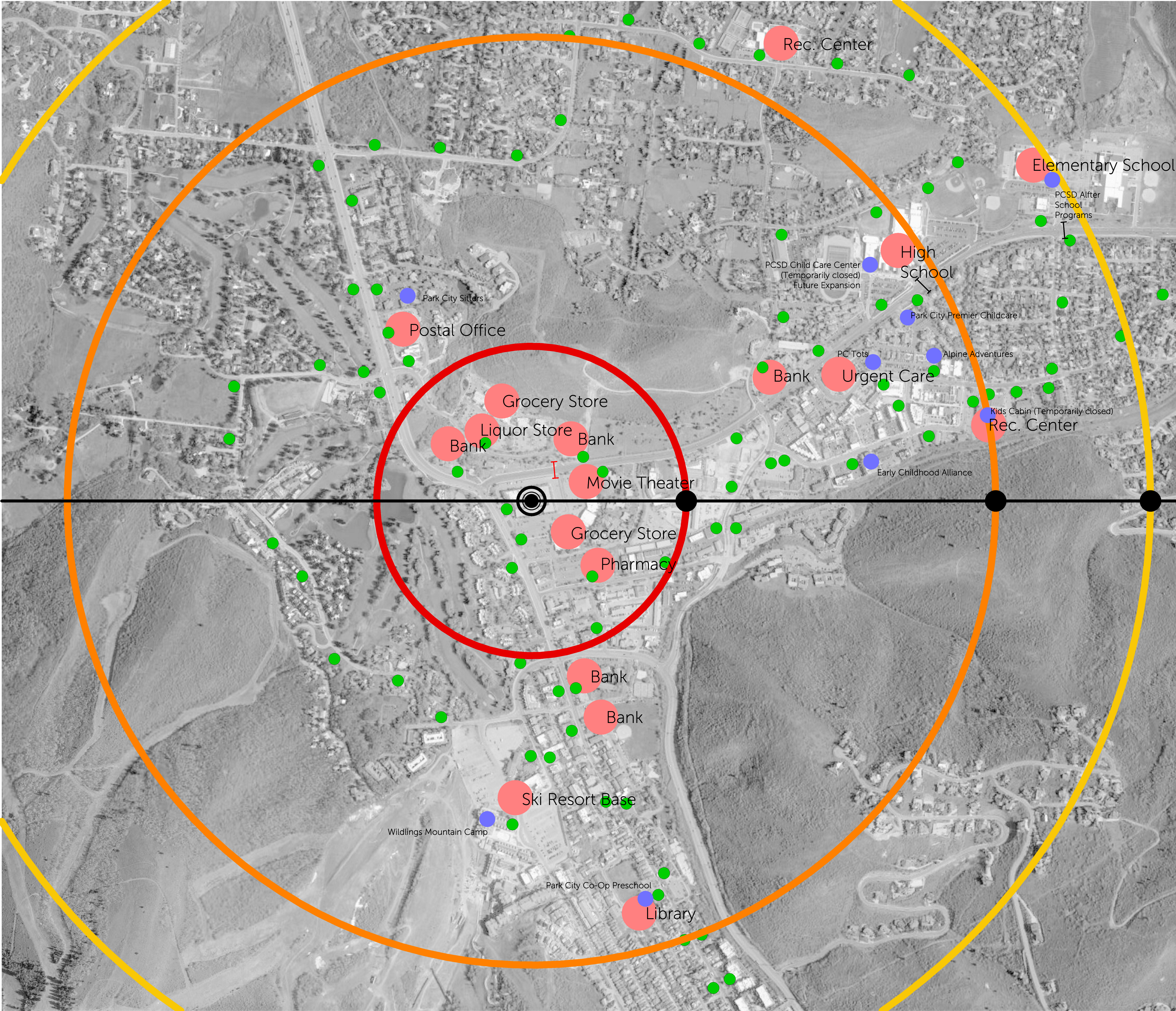
5 Minutes

- Site Location
- Amenities
- Bus Stops
- Child Care
- Underpass
- Future Underpass

Census Data Household Size and Chilren

Summit County's household size is consistent with Utah's, but the population of children is significantly lower than in the rest of the state, and, for children under 5, is even lower than the national average.

	Summit County	Utah	US
Household Size =	3.1 %	3.1%	2.6%
0 to 5 years old =	4.8 %	7.1%	5.7%
6 to 18 years old =	23.1%	28.4%	16.8%
15 to 18 years old =	14.7 %	11.7%	16.8%
% in poverty	5.8%	8.6%	8.6%
Totals	82		





Existing Bus Stop



Existing Bus Stop



Existing Bus Stop



Existing Bus Stop, under Construction



Existing Bus Stop



Existing Bus Stop



October 5, 2023

Yarrow Hotel Owner, LLC
1800 Park Avenue
Park City, Utah 84060

RE: ABOVE-GROUND HISTORIC STRUCTURES REVIEW FOR THE
PROPERTY AT 1800 PARK AVE, IN PARK CITY, SUMMIT COUNTY, UTAH
INTRODUCTION

Chronicle Heritage, LLC (Chronicle) completed an above-ground resources assessment for Yarrow Hotel Owner, LLC (Client) for the 1800 Park Ave Project in Park City, Summit County, Utah (Project). The project is in Section 9 of T2S R4E, Summit County, Utah. The Client provided map coordinates and a description of the Project to Chronicle in September of 2023.

This inventory was done to meet Park City's municipal code 15-6.1-11 (O) regarding Affordable Master Planned Developments. The code indicates that "Applicants shall submit a map and inventory of Historic Structures and Sites on the Property and a Historic Structures Report prepared by a Qualified Historic Preservation Professional."

This letter report provides the results of the background research as well as an assessment of the potential for the project area to contain National Register of Historic Places (NRHP) eligible or listed above-ground *historic properties* that are protected under the National Historic Preservation Act. For the background research, Chronicle conducted a literature review at the Utah State Historic Preservation Office (SHPO), compiling information derived from the National and State Registers of Historic Places, historic aerials, and maps to determine if any architectural/historical resources are known to be in the project area.

ABOVE-GROUND RESOURCES

For the 1800 Park Ave Project, the Above-Ground Study Area (Study Area) (Figure 1) is considered to include those cultural resources (buildings, structures, objects, or sites) that are in the Study Area and one parcel deep around it. Chronicle conducted a literature review for this area to identify any previously recorded resources. A review of SHPO survey files revealed that there are no previously recorded resources in the Study Area. The Glenwood Cemetery was noted as being listed on the NRHP; however, the cemetery is located about 650 m southwest of the Study Area.

Through field survey, Chronicle Architectural Historian, Katie Remensnyder, identified no buildings that are over 50 years old in the Study Area. Historic aerial imagery indicates that all of the buildings in the Study Area were constructed after 1973. However, one object, a Daughters of Utah Pioneers (DUP) Historic Marker was identified and recorded (Figure 2).

DUP Marker No. 128

This marker was placed by the DUP in 1943, to commemorate the location where the first family of settlers in Park City raised their home-made flag. The marker consists of a tan brick base that measures about 4 ft square and 3 to 4 ft tall. There is a bronze plaque on the front of the marker

and a 3 ft diameter bell placed on top of the base. The bell was moved from its original location at the town hall and appears to have been painted numerous times. The plaque reads:

Daughters of Utah Pioneers
No. 128,
Erected 1948,
PARK CITY PIONEERS

At this site, the first settlers entered Park City. George G. Snyder, his wife Rhoda, and their three children had cleared their way through the forest to arrive at their destination on May 25, 1872. On July 4, 1872, a celebration was held, a U.S. flag flown to the breeze, and the name Park City given officially to the town. Mrs. Snyder and daughters made the flag from a bed-sheet, a red flannel baby blanket and blue silk handkerchief. The bell hung atop the City Hall from 1902 to 1948.

RECOMMENDATIONS

The following is Chronicle's NRHP recommendation for this historic object. As part of this study, these sites were evaluated for eligibility to the NRHP based on criteria present in federal regulations outlined in 36CFR 60.4.

The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:

- (A) that are associated with events that have made a significant contribution to the broad patterns of our history; or
- (B) that are associated with the lives of persons significant in our past; or
- (C) that embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master; or that possess high artistic values; or that represent a significant and distinguishable entity whose components may lack individual distinction; or
- (D) that have yielded, or may be likely to yield, information important in prehistory or history.

Recommendations regarding the site's eligibility for the NRHP were made based on the retention of historic integrity and the above-cited criteria.

DUP Marker No. 128 NRHP Recommendation

The most prominent feature of this marker, erected by the Daughter of Utah Pioneers in 1948, is the bell from the town hall. Because the bell is a "fragment of a larger resource" (NRHP Bulletin 15), it has lost integrity of location, design, setting, materials, workmanship, and association. Further, due to the commercialization and changing nature of this part of Park City, the site lacks integrity of feeling. Although this site can be associated with the broad patterns of settlement and early settlers in Park City, it does not retain the integrity necessary to convey its significance. Further, this object does not "demonstrate its ability to convey its significance as opposed to other sites" (NRHP Bulletin 15), and is recommended not eligible under Criterion A and B. The marker does not represent a type, period, or method of construction nor was it created by a master and is recommended not eligible under Criterion C. Further, there is little potential for this

object to contain additional information that could answer questions important to the history of the area and is therefore, recommended not eligible under Criterion D.

Based on the literature review, no previously recorded historic resources exist in the Study Area. One new object was recorded as part of this Study, a DUP Marker denoting the first flag raising in Park City with the City Hall bell on top. This DUP marker was recommended not eligible for the NRHP under any Criteria. Therefore, Chronicle recommends that the 1800 Park Avenue project will have No Effect on Significant Historic Resources.

HISTORIC SITE SHORT FORM
UTAH OFFICE OF HISTORIC PRESERVATION
For Section 106 Review Only
(Do not use this form to record archeological sites)

(1-17)

1 IDENTIFICATION

Historic Property Name (if known): Daughters of Utah Pioneers Monument 106 Project Title: 1800 Park Ave, Park City
Address: 1800 Park Ave Lat/Long (Optional):
City, County: Park City, Summit County Geographical Data (Optional):

2 EVALUATION

Evaluation (select one)

- ☐ The property is considered **Eligible** at this time because it is already listed in the National Register or
- is at least 50 years old and retains its historic integrity (minimal alterations to key features), and has potential significance.
- ☒ The property is considered **Not Eligible** at this time because it:
- is less than 50 years old, or is 50 years or older but there have been major alterations to key features.

3 DOCUMENTATION

Required

- ☒ Upload two photos
☐ site sketch map (optional)
☐ other:

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

- ☐ abstract of title
☐ tax card & photo
☐ building permit
☐ Sanborn Maps
☒ other:

4 ARCHITECTURAL DESCRIPTION AND HISTORY

Date of Construction: 1948 No. of Stories: 0 Use
Building Type: Other Type Building Style: Other Original Use: Other
Foundation Material: Concrete Wall Material(s): Stone Current Use: Other
Additions: ☒ none ☐ minor ☐ major (describe below) Alterations: ☒ none ☐ minor ☐ major (describe below)
No. of contributing outbuildings and/or structures: No. of non-contributing outbuildings and/or structures:

Briefly describe the original building, any major additions or alterations and their dates, and associated outbuildings and structures. Also provide a brief history of the building's construction and use (if known). Use continuation sheets as necessary for additional photos and text.

DUP Marker No. 128

This marker was placed by the DUP in 1948, to commemorate the location where the first family of settlers in Park City raised their home-made flag. The marker consists of a tan brick base that measures about 4 ft square and 3 to 4 ft tall. There is a bronze plaque on the front of the marker and a 3 ft diameter bell placed on top of the base. The bell was

5 PROPOSED ACTION

Describe the impending action (e.g., road widening, rehabilitation, alteration, demolition). Use continuation sheets as necessary for additional photos and text.

This project may involve moving the monument. Although the monument is recommended not eligible for listing on the NRHP, it is still important to the community and to the Daughters of Utah Pioneers. It is therefore, recommended that the Daughters of the Utah Pioneers be notified so that they can participate in the relocation process.

Form completed by: Wendy Simmons Johnson

Date (mo/yr): 8/2023



Figure 1. Location of the 1800 Park Ave Study Area in Park City, Utah.



Figure 2. Location of the 1800 Park Ave, DUP Monument, Park City, Utah.

6 PHOTO UPLOAD

Upload your images. Please upload at least one current and clear image. If you have additional documents, such as a site sketch map or project area map (a map for each individual property is not required if project features multiple properties; just submit one map highlighting all properties in project area), please submit those as a separate pdf or attach as part of the agency letter.

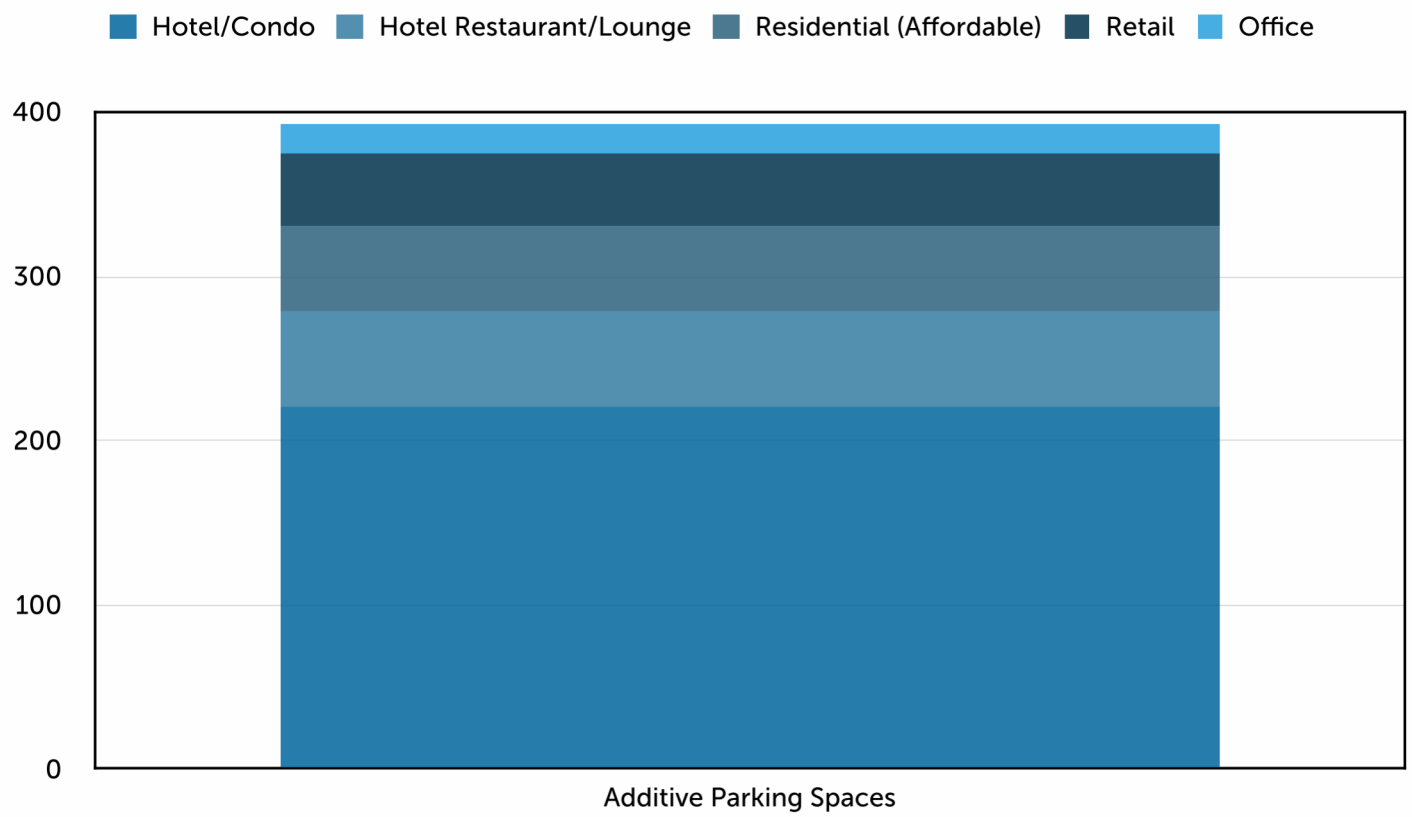


1

Parking Calculation - Hotel

	quantities			parking required			spaces required		
Hotel/Condo	221								221
studio	56	keys		1	per key				56
1 bedroom	84	keys		1	per key				84
2 bedroom	44	keys		1	per key				44
lockout	29	keys		1	per key				29
3 bedroom	8	keys		1	per key				8
Hotel Restaurant/Lounge	5,863	square feet		10	per 1,000 sf				59
Residential (Affordable)	52								52
studio	28	units		1	per unit				28
1 bedroom	12	units		1	per unit				12
2 bedroom	12	units		1	per unit				12
Retail	14,232	square feet		3	per 1,000 sf				43
Office	6,106	square feet		3	per 1,000 sf				18
									393
	273	keys							

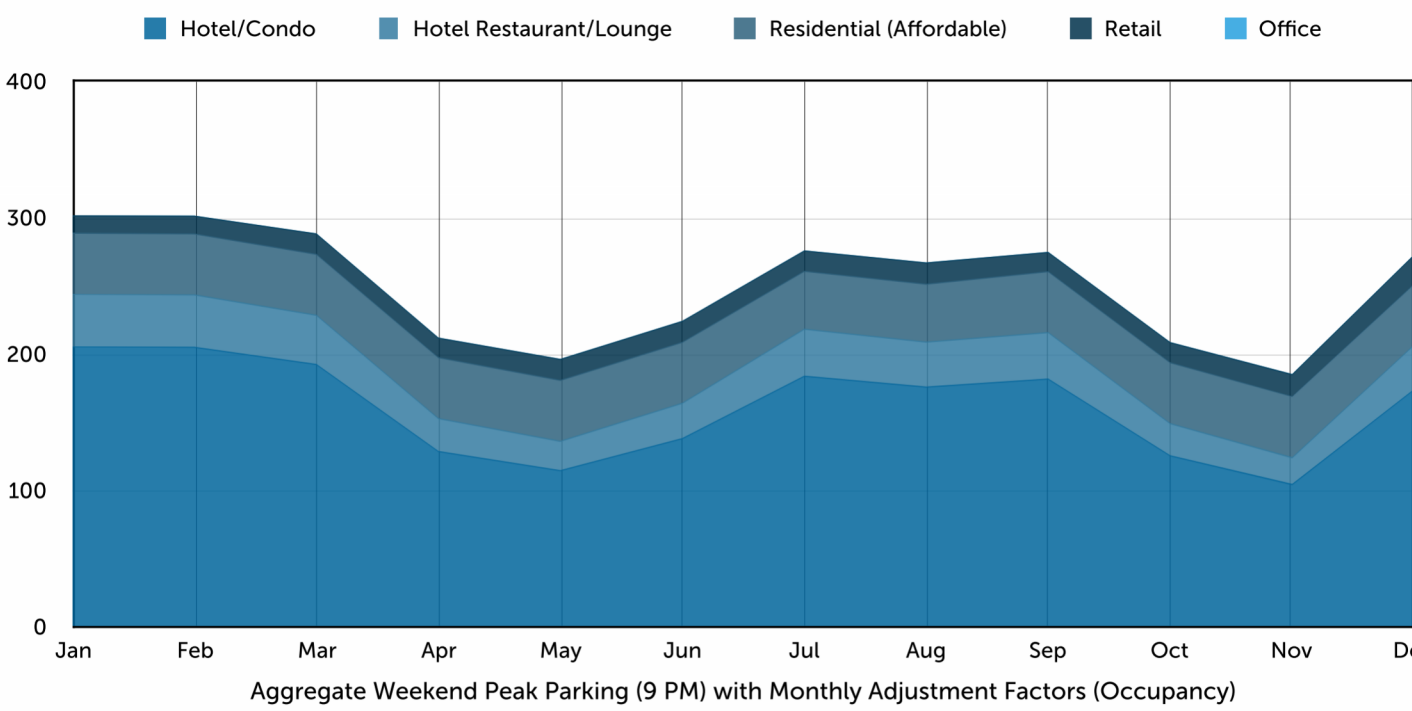
*Adjustments based on Shared Parking Third Edition, Data - Published by ICSC, NPA, and ULI



4

Monthly Occupancy Adjustments Factors at 9PM

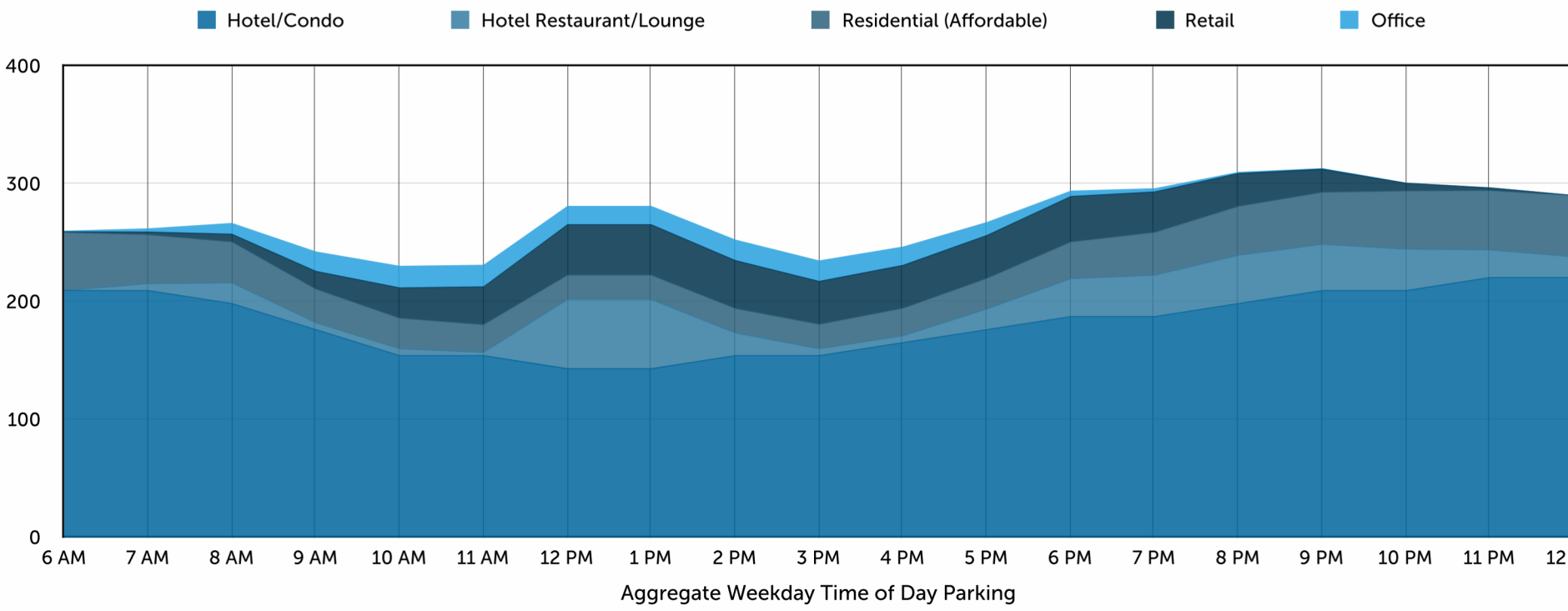
Land Use	User	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Hotel/Condo	Combined	98.1%	97.9%	91.9%	61.5%	54.8%	66.0%	87.8%	84.0%	86.8%	60.0%	50.0%	83.2%
	9PM WKND	206	206	193	129	115	139	184	176	182	126	105	175
Hotel Restaurant/Lounge	Combined	98.1%	97.9%	91.9%	61.5%	54.8%	66.0%	87.8%	84.0%	86.8%	60.0%	50.0%	83.2%
	9PM WKND	39	38	36	24	22	26	34	33	34	24	20	33
Residential (Affordable)	Resident	100%	100%	100%	100%	100%	100%	95%	95%	100%	100%	100%	100%
	9PM WKND	45	45	45	45	45	45	42	42	45	45	45	45
Retail	Combined	59%	61%	70%	67%	72%	72%	70%	73%	60%	69%	76%	100%
	9PM WKND	13	13	15	14	15	15	16	14	15	16	16	21
Office	Combined	100%	100%	100%	100%	100%	95%	95%	100%	100%	100%	100%	100%
	9PM WKND	0	0	0	0	0	0	0	0	0	0	0	0
Totals		302	302	289	212	197	225	276	267	275	209	186	273
*Adjustments based on Shared Parking Third Edition, Data - Published by ICSC, NPA, and ULI													
*Hotel Adjustments based on Actual Maximum Occupancy during each Month (November 2022 through October 2023)													
High Season													
Low Season													
Shoulder Season													



2

Weekday Time of Day Adjustments (100% Occupancy)

Land Use	User	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Hotel/Condo	Combined	95%	95%	90%	80%	70%	70%	65%	65%	70%	70%	75%	80%	85%	85%	90%	95%	95%	100%	100%
		210	210	199	177	155	155	144	144	155	155	166	177	188	188	199	210	210	221	221
Hotel Restaurant/Lounge	Combined	0%	10%	30%	10%	10%	5%	100%	100%	33%	10%	10%	30%	55%	60%	70%	67%	60%	40%	30%
		0	6	18	6	6	3	59	59	19	6	6	18	32	35	41	39	35	23	18
Residential (Affordable)	Resident	95%	80%	67%	55%	50%	45%	40%	40%	40%	40%	45%	50%	60%	70%	80%	85%	95%	97%	100%
		49	42	35	29	26	23	21	21	21	21	23	26	31	36	42	44	49	50	52
Retail	Combined	1%	5%	15%	35%	60%	75%	100%	100%	95%	85%	85%	85%	90%	80%	65%	45%	15%	5%	0%
		0	2	6	15	26	32	43	43	41	36	36	36	38	34	28	19	6	2	0
Office	Combined	3%	15%	50%	90%	100%	100%	85%	85%	95%	95%	85%	60%	25%	15%	5%	3%	1%	0%	0%
		1	3	9	16	18	18	16	16	17	17	16	11	5	3	1	1	0	0	0
Totals		260	262	267	243	230	231	281	281	253	235	247	268	294	296	310	313	301	297	291
*Adjustments based on Shared Parking Third Edition, Data - Published by ICSC, NPA, and ULI																				

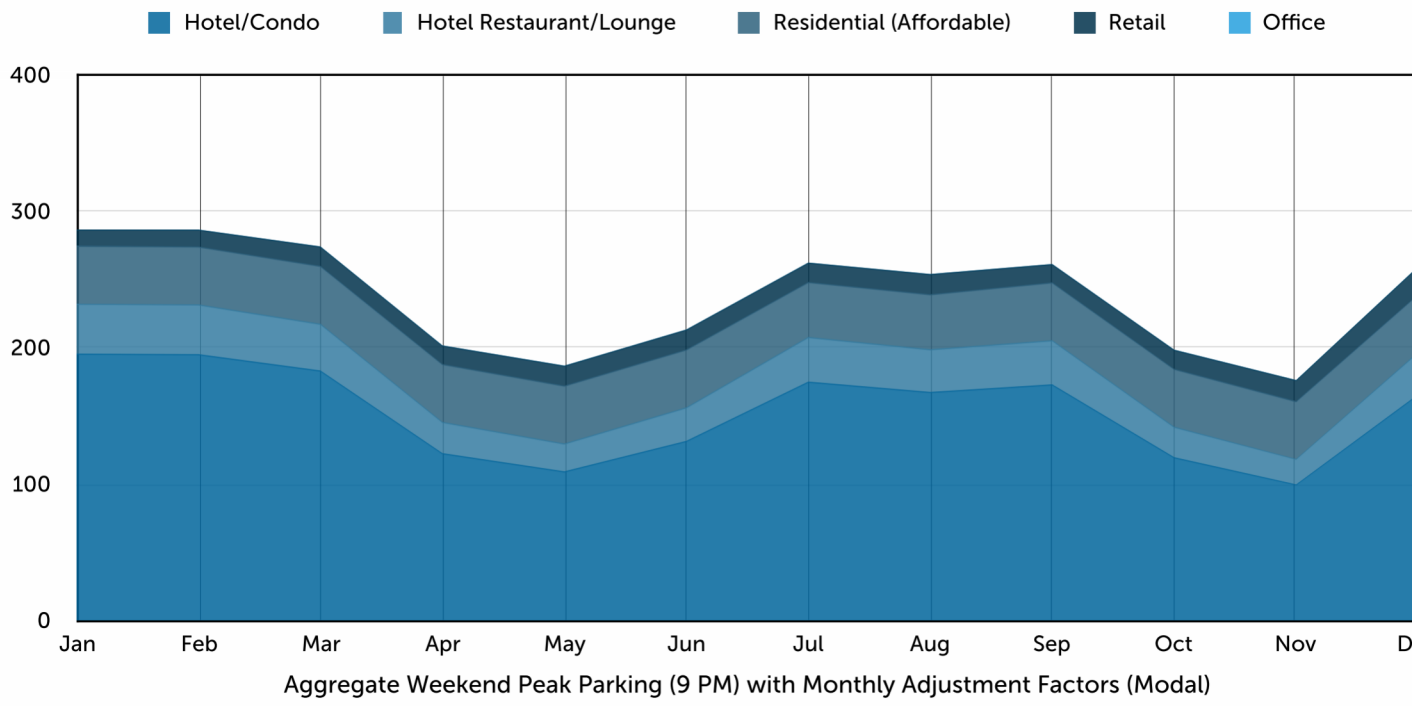


5

Monthly Modal Adjustments Factors at 9PM

Land Use	User	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Hotel/Condo	Combined	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
	9PM WKND	196	195	183	123	109	132	175	168	173	120	100	166
Hotel Restaurant/Lounge	Combined	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
	9PM WKND	37	37	34	23	20	25	33	31	32	22	19	31
Residential (Affordable)	Resident	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
	9PM WKND	42	42	42	42	42	42	40	40	42	42	42	42
Retail	Combined	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
	9PM WKND	12	12	14	14	15	15	14	15	13	14	15	20
Office	Combined	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
	9PM WKND	0	0	0	0	0	0	0	0	0	0	0	0
Totals		287	287	274	202	187	213	262	254	261	199	176	260
*Adjustment Reflect Alternative Transportation Use. Hotel Employees are Frequent Users of Free Bus Transit and Large Bus Transit Stop is Adjacent to the Site. Hotel Visitors Frequently use Alternative Transportation such as Ride Share, Car Service, and Multiple Visitors Carpooling in a Rental Car. Retail and Office Users are able to use Both Transit Stop and Pedestrian/Bike Pathways which are On and Adjacent to the Site. The Site is also Adjacent to Other Retail and Office Spaces that may Result in Single Trip Multiple Visits. Retail and Office have been Adjusted based on Weather Conditions which Coincides with the High, Low, and Shoulder Seasons. *The reduction of 5% is very conservative and is significantly less than suggested in "Shared Parking Third Edition".													

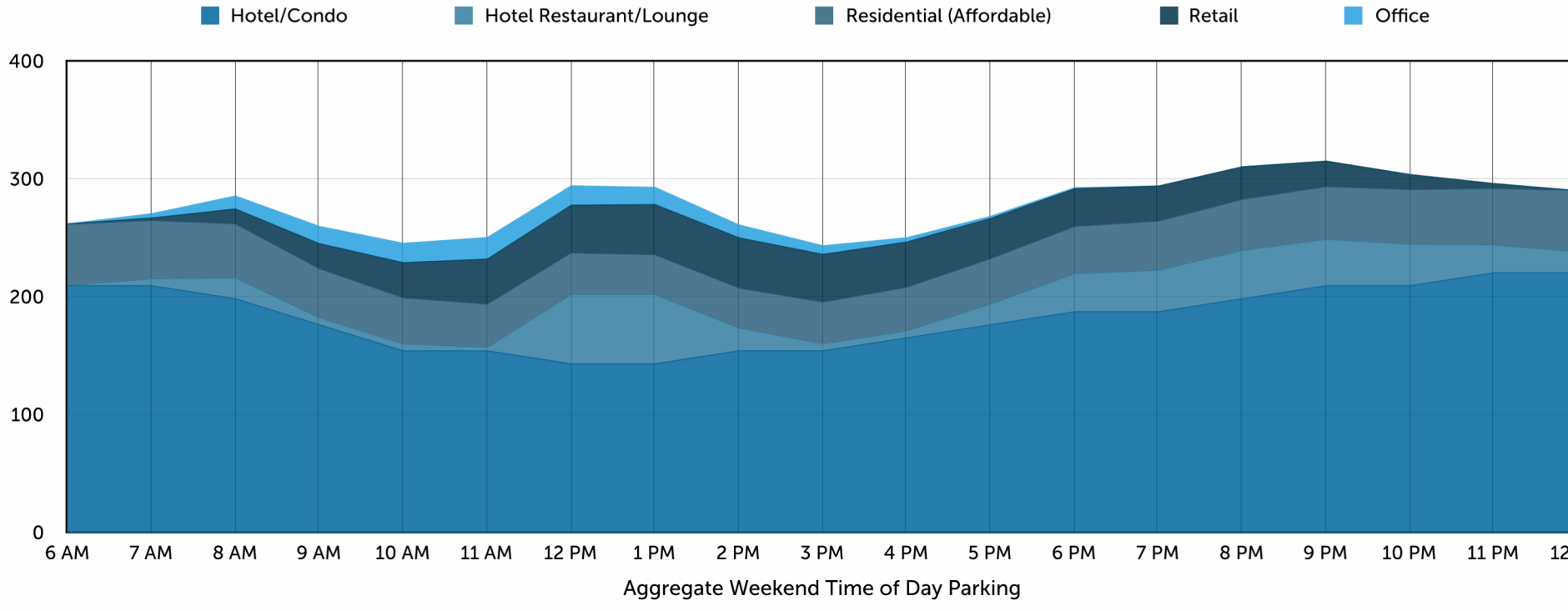
High Season	
Low Season	
Shoulder Season	



3

Weekend Time of Day Adjustments (100% Occupancy)

Land Use	User	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Hotel/Condo	Combined	95%	95%	90%	80%	70%	70%	65%	65%	70%	70%	75%	80%	85%	85%	90%	95%	95%	100%	100%
		210	210	199	177	155	155	144	144	155	155	166	177	188	188	199	210	210	221	221
Hotel Restaurant/Lounge	Combined	0%	10%	30%	10%	10%	5%	100%	100%	33%	10%	10%	30%	55%	60%	70%	67%	60%	40%	30%
		0	6	18	6	6	3	59	59	19	6	6	18	32	35	41	39	35	23	18
Residential (Affordable)	Resident	100%	95%	88%	80%	75%	70%	68%	65%	65%	68%	71%	74%	77%	80%	83%	86%	89%	92%	100%
		52	49	46	42	39	36	35	34	34	35	37	38	40	42	43	45	46	48	52
Retail	Combined	1%	5%	30%	50%	70%	90%	95%	100%	100%	95%	90%	80%	75%	70%	65%	50%	30%	10%	0%
		0	2	13	21	30	38	41	43	43	41	38	34	32	30	28	21	13	4	0
Office	Combined	0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
		0	4	11	15	16	18	16	15	11	7	4	2	1	0	0	0	0	0	0
Totals		262	271	286	260	246	251	295	293	262	244	251	269	293	295	311	315	304	297	291
*Adjustments based on Shared Parking Third Edition, Data - Published by ICSC, NPA, and ULI																				



This project has the unique opportunity to implement multiple methodologies to reduce parking. It is a mixed-use project that has different parking demands by Use during different times of day. And the site location allows easy access to the free transit system and the extensive trail system throughout Park City and the surrounding areas. In this submittal we have provided analysis that include both raw data and graphics that visually demonstrate the raw data.

The following items shown in italics are excerpted from the Land Management Code with corresponding responses:

A. *The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.*

Sheet MPD-021 Item 1 provides the Parking Calculation based on the LMC by use. Note, the worse case condition has been used by classifying the nightly rental condominium units as a hotel. The restaurant and lounge have also been included as being available to the public and parking has been included for this use in the calculation. The total cumulative or additive parking requirement is 393 parking spaces.

B. *A Parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy Parking.*

We are unaware of a mixed-use project in Park City that has been built with similar size and occupancy under the MPD adopted in 2002. There are multiple nightly rental condominium projects with different percentages of meeting space or retail space or office space that have been built. Many of these projects are over parked based on their actual use. As this is a common issue, there are examples of parking being used as office, support, storage, housekeeping, and in some instances as general parking for uses other than the nightly rental or commercial uses within the project.

C. *Parking needs for non-dwelling Uses, including traffic attached to Commercial Uses from Off-Site.*

Sheet MPD-021 Item 1 provides the Parking Calculation based on the LMC by use. A traffic study has been commissioned and the Engineering Department has been coordinating with the traffic engineer to provide a report that is consistent with the City's requirements.

D. *An analysis of time periods of Use for each of the Uses in the project and opportunities for shared parking by different Uses. This shall be considered only when there is a Guarantee by Use covenant and deed restriction.*

Sheet MPD-021 Items 2 & 3 provide an analysis of time periods of use for both Weekdays and Weekends calculated at 100% Occupancy for the nightly rental condominiums and the affordable housing. The result shows the highest parking demand occurs at 9PM on the weekend. The demand shown is 315 parking spaces. The percentages of use are from the "Shared Parking, Third Edition" published jointly by ICSC, National Parking Association, and the Urban Land Institute.

As Park City has seasonal uses we have also provided Monthly Occupancy Adjustments on Sheet MPD-021 Item 4. We have used maximum occupancy rates by percentage from the current hotel occupancy numbers from November 2022 through October 2023 which had been a record year for occupancy. The uses breakdown occupancy by High Season, Low Season, and Shoulder Season. The highest demand is in High Season during January and February and the demand shown is 302 parking spaces.

E. *A plan to discourage the Use of motorized vehicles and encourage other forms of transportation.*

The best way to discourage the use of motorized vehicles is to encourage alternative forms of transportation by making them easy to use. Sheet MPD-021 Item 5 shows Monthly Modal Adjustment based on alternative transportation use. This site is adjacent to a bus stop on both sides of Park Avenue that has a significant number of stop counts within the city limits. Additionally, the bike and pedestrian trails have been increased and improved, and additionally, significant storage and parking for bicycles for both residents and visitors has been included in the proposed design. A minimal 5% reduction has been applied to the analysis and coordinated with our traffic engineer. The ULI Shared Parking publication shows a significantly larger reduction for transit. The highest demand after applying the highest use for modal adjustments is 287 parking spaces.

Additionally, two other adjustments to current use have been observed that support this analysis. First, a significant number of visitors to the existing hotel use ride share, taxi, or car service to travel to the site, which is consistent with an onsite survey that showed the number of cars parking at the hotel is significantly lower than the occupancy would suggest. Second, a large number of the current hotel staff use alternative transit options from walking, biking, and public transit, to travel to and from work.

F. *Provisions for overflow Parking during peak periods.*

Two provisions have been made for overflow parking during peak demands. First, 354 parking spaces, or an increase of 67 spaces over the parking analysis adjustment has been proposed in the design. Second, the underground parking provides the ability to provide valet parking during peak times for the nightly rental condominium units.

G. *An evaluation of potential adverse impacts of the proposed Parking reduction and Density increase, if any, upon the surrounding neighborhood and conditions of approval to mitigate such impacts.*

The consolidation of curb cuts along Kearns Boulevard to the underground parking will improve the turning movements along Kearns and improve access to parking. Moving the majority of parking spaces underground also removes the typical condition of parking space reduction due to snow conditions.

The project as proposed does not include a density increase, so no impact will be generated from this provision.

The reduction requested is 39 parking spaces, which is much less than the 106 parking space reduction described by the Parking Analysis Adjustment. With the ability to provide valet parking services as an alternative, there should not be any adverse impacts.

• LMC Parking Calculation.....393 Stalls

• Parking Analysis Adjustment.....287 Stalls

• Parking Provided.....354 Stalls



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Park & Kearns Redevelopment

Parking Analysis

MPD-021

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EXISTING HOTEL EMPLOYEE GENERATION & UNIT
EQUILVALENT CALCULATION

Existing Yarrow Hotel	quantities	employee rate	employees	mitigation rate	workers per household
Hotel	room/suite	per room		20%	1.5
Guest Rooms	182	0.6	109.2	21.84	14.56
	182		109.2	21.84	14.56
	total area	unit equivalent	employee rate	employees	mitigation rate
Commercial	1,000.0			20%	1.5
Hotel Restaurant/Lounge	5,000	5.0	6.5	32.50	6.50
	5.0			32.50	6.50
Total Existing Yarrow Hotel Affordable Unit Equivalents					18.89

HOTEL EMPLOYEE GENERATION & UNIT
EQUILVALENT CALCULATION

Proposed Redevelopment	quantities	employee rate	employees	mitigation rate	workers per household
Hotel/Condo	room/suite	per room		20%	1.5
studio	54	0.6	32.4	6.48	4.32
ADA studio (exempt)	1		0	0	0.00
studio corner	2	0.6	1.2	0.24	0.16
1 bedroom	70	0.6	42	8.4	5.60
ADA 1 bedroom (exempt)	1		0	0	0.00
1 bedroom corner	11	0.6	6.6	1.32	0.88
1 bedroom suite	1	0.6	0.6	0.12	0.08
2 bedroom	40	0.6	24	4.8	3.20
2 bedroom lockout	28	0.6	16.8	3.36	2.24
ADA 2 bedroom (exempt)	1		0	0	0.00
ADA 2 bedroom lockout (exempt)	1		0	0	0.00
3 bedroom	7	0.6	4.2	0.84	0.56
ADA 3 bedroom (exempt)	1		0	0	0.00
	218		127.8	25.56	17.04
	total area	unit equivalent	employee rate	employees	mitigation rate
Commercial	1,000.0			20%	1.5
Hotel Restaurant/Lounge**	6,832	6.8	6.5	44.41	8.88
Retail	14,232	14.2	3.3	46.97	9.39
Office (Prof. Services)	6,106	6.1	3.7	22.59	4.52
Spa & Fitness (exempt)	4,443	0.0	0.0	0.00	0.00
Breakout Rooms (exempt)	1,821	0.0	0.0	0.00	0.00
Meeting Hall (exempt)	4,439	0.0	0.0	0.00	0.00
Pool Locker(exempt)	324	0.0	0.0	0.00	0.00
Ski/Bike Locker (Storage)	0	0.0	0.0	0.00	0.00
Total Exempt	11,027				
10% of Residential UE	13,429	***			
	27.2		113.97	22.79	15.20
Total Proposed Redevelopment Affordable Unit Equivalents					32.24

Proposed Affordable	quantities	area	total area	affordable unit equivalent	additional aue proposed	required
Residential (Affordable)	52			900		
studio A	16	407.0	6,512	7.24		
studio B	4	332.0	1,328	1.48		
1 bedroom A	8	672.0	5,376	5.97		
1 bedroom B	4	624.0	2,496	2.77		
1 bedroom C	4	607.0	2,428	2.70		
1 bedroom D	4	602.0	2,408	2.68		
2 bedroom	12	917.0	11,004	12.23		
Total Proposed Affordable			31,552	35.06	2.82	32.24

** This calculation includes the covered roof deck. The occupancy limit for the Restaurant/Lounge is determined by the egress components. Based on egress the maximum occupancy of the restaurant including employees is 290 total.
***Calculated as 10% of the total area of applicable UEs for Hotel/Condo.

MULTI-FAMILY EMPLOYEE GENERATION & UNIT
EQUIVALENT CALCULATION

Proposed Redevelopment	quantities	area	total area	unit equivalent	aue required
Hotel/Condo	room/suite			2,000	20%
studio	54	535	28,890	14.445	2.89
ADA studio (exempt)	1			0	0.00
studio corner	2	477	954	0.477	0.10
1 bedroom	70	570	39,900	19.95	3.99
ADA 1 bedroom (exempt)	1			0	0.00
1 bedroom corner	11	477	5,247	2.6235	0.52
1 bedroom suite	1	826	826	0.413	0.08
2 bedroom	40	1,181	47,240	23.62	4.72
ADA 2 bedroom (exempt)	1			0	0.00
3 bedroom	7	1,605	11,235	5.6175	1.12
ADA 3 bedroom (exempt)	1			0	0.00
	189		134,292	67.15	13.43
	total area	unit equivalent	employee rate	employees	mitigation rate
Commercial	1,000.0			20%	1.5
Hotel Restaurant/Lounge**	6,832	6.8	6.5	44.41	8.88
Retail	14,232	14.2	3.3	46.97	9.39
Office (Prof. Services)	6,106	6.1	3.7	22.59	4.52
Spa & Fitness (exempt)	4,443	0.0	0.0	0.00	0.00
Breakout Rooms (exempt)	1,821	0.0	0.0	0.00	0.00
Meeting Hall (exempt)	4,439	0.0	0.0	0.00	0.00
Pool Locker(exempt)	324	0.0	0.0	0.00	0.00
Ski/Bike Locker (Storage)	0	0.0	0.0	0.00	0.00
Total Exempt	11,027				
10% of Residential UE	13,429				
	27.2		113.97	22.79	15.20
Total Proposed Redevelopment Affordable Unit Equivalents					28.62

Proposed Affordable	quantities	area	total area	affordable unit equivalent	additional aue proposed	required
Residential (Affordable)	52			900		
studio A	16	407.0	6,512	7.24		
studio B	4	332.0	1,328	1.48		
1 bedroom A	8	672.0	5,376	5.97		
1 bedroom B	4	624.0	2,496	2.77		
1 bedroom C	4	607.0	2,428	2.70		
1 bedroom D	4	602.0	2,408	2.68		
2 bedroom	12	917.0	11,004	12.23		
Total Proposed Affordable			31,552	35.06	6.43	28.62

** This calculation includes the covered roof deck. The occupancy limit for the Restaurant/Lounge is determined by the egress components. Based on egress the maximum occupancy of the restaurant including employees is 290 total.

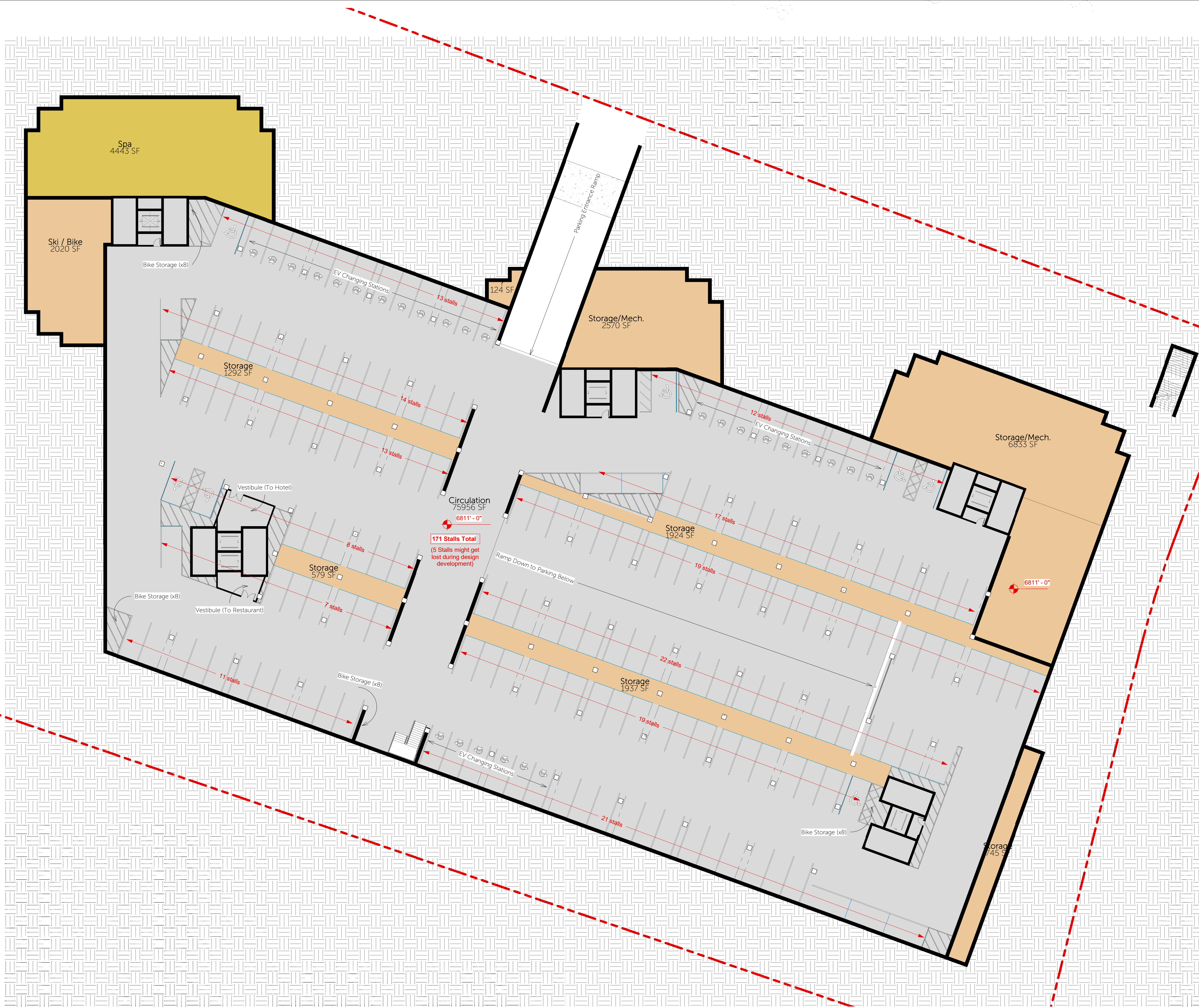
- Existing Building.....18.89 AUEs

Proposed Building (Hotel).....32.24 AUE's

Proposed Building (Multi-Family).....28.62 AUE's

52 AH Units Provided.....35.06 AUE's





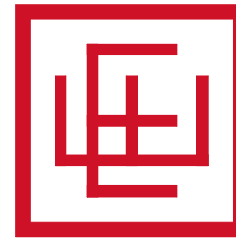
Level -1 - MPD
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Park & Kearns Redevelopment

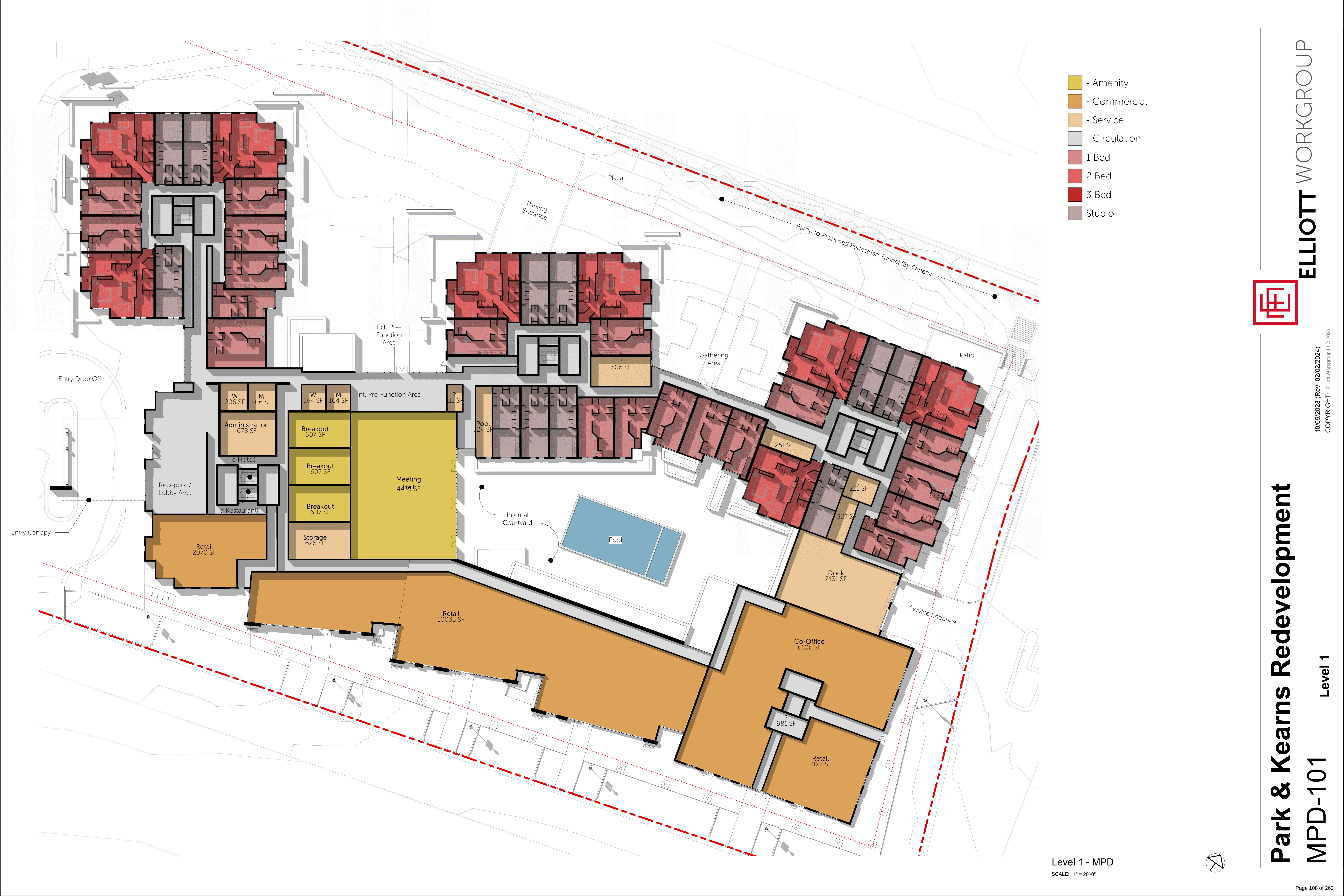
MPD-100

Parking Level -1

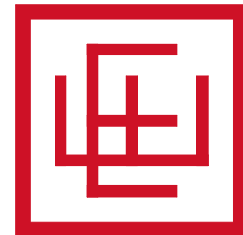


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- Amenity
- Commercial
- Service
- Circulation
- 1 Bed
- 2 Bed
- 3 Bed
- Studio



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Park & Kearns Redevelopment

MPD-101

Level 1

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Level 1 - MPD
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- Amenity
- Commercial
- Service
- Circulation
- 1 Bed
- 2 Bed
- 3 Bed
- Studio

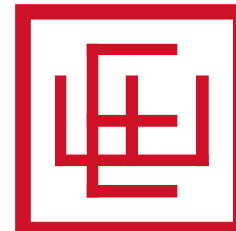
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Park & Kearns Redevelopment

MPD-102

Level 2



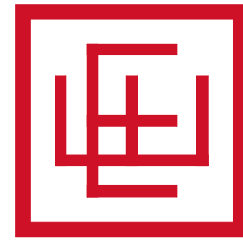
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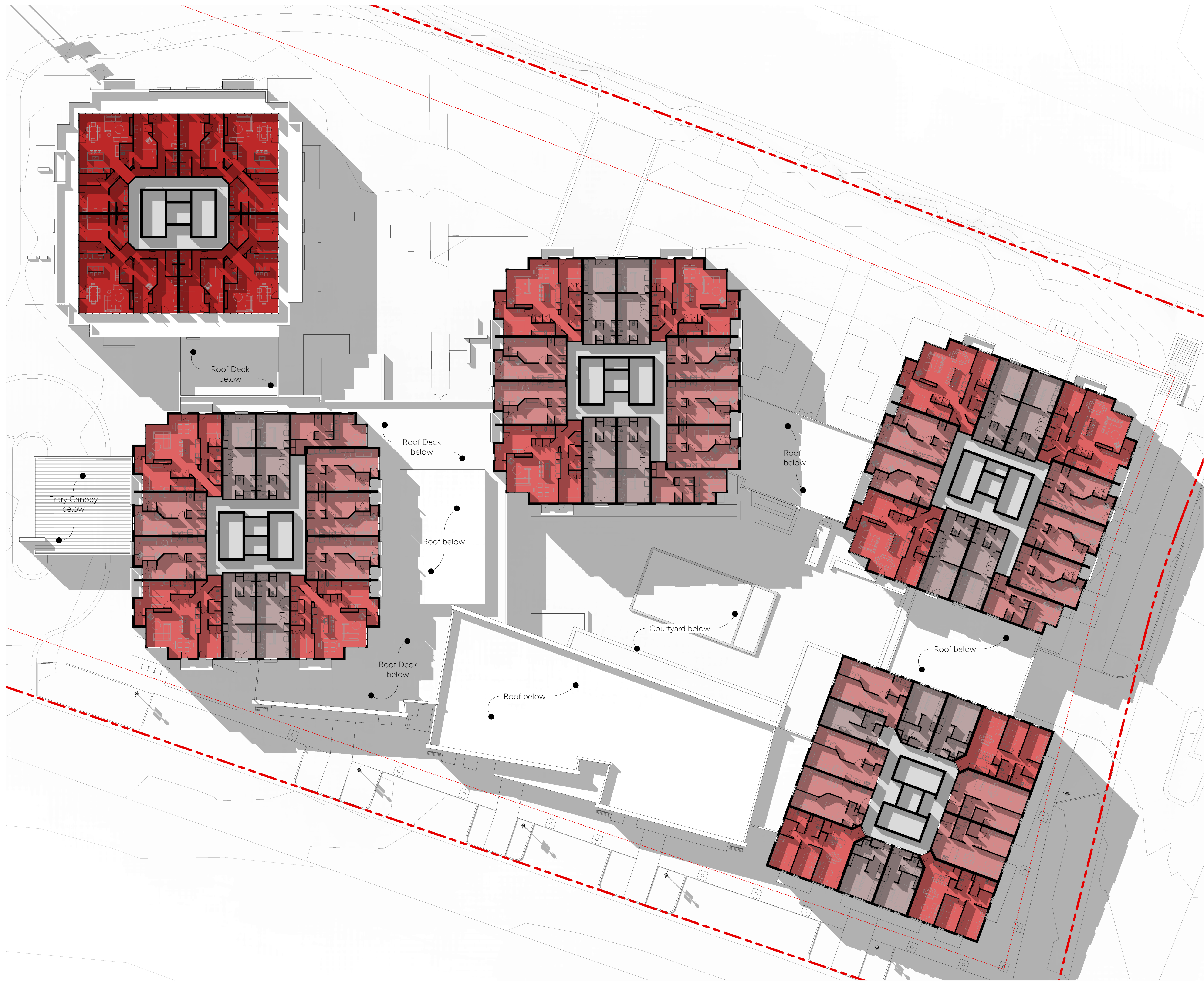
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- Amenity
- Commercial
- Service
- Circulation
- 1 Bed
- 2 Bed
- 3 Bed
- Studio

Level 3 - MPD
SCALE: 1" = 20'-0"





- Amenity
- Commercial
- Service
- Circulation
- 1 Bed
- 2 Bed
- 3 Bed
- Studio

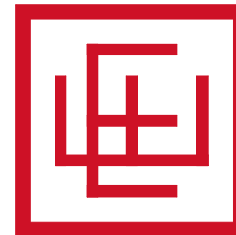
Level 4 - MPD
SCALE: 1" = 20'-0"



Park & Kearns Redevelopment

MPD-104

Level 4



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- Amenity
- Commercial
- Service
- Circulation
- 1 Bed
- 2 Bed
- 3 Bed
- Studio

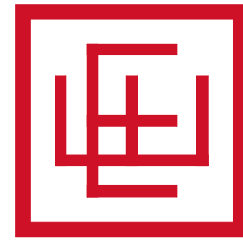
Level 5 - MPD
SCALE: 1" = 20'-0"



Park & Kearns Redevelopment

MPD-105

Level 5



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Roof Elevation: 6855' - 0"
Grade: 6820' - 0"
Roof Over Topography: 35' - 0"

Parapet Elevation: 6854' - 6"
Grade: 6819' - 0"
Roof Over Topography: 35' - 6"

Roof Elevation: 6861' - 0"
Grade: 6820' - 0"
Roof Over Topography: 41' - 0"

Parapet Elevation: 6869' - 0"
Grade: 6819' - 3"
Roof Over Topography: 49' - 9"

Roof Elevation: 6876' - 6"
Grade: 6820' - 0"
Roof Over Topography: 56' - 6"

Parapet Elevation: 6864' - 0"
Grade: 6818' - 9"
Roof Over Topography: 45' - 3"

Parapet Elevation: 6831' - 0"
Grade: 6819' - 0"
Roof Over Topography: 12' - 0"

Parapet Elevation: 6864' - 0"
Grade: 6816' - 6"
Roof Over Topography: 47' - 5"

Roof Elevation: 6876' - 6"
Grade: 6820' - 0"
Roof Over Topography: 56' - 6"

Parapet Elevation: 6836' - 0"
Grade: 6819' - 6"
Roof Over Topography: 16' - 6"

Parapet Elevation: 6833' - 11"
Grade: 6820' - 0"
Roof Over Topography: 13' - 11"

Parapet Elevation: 6869' - 0"
Grade: 6820' - 0"
Roof Over Topography: 49' - 0"

Entry Canopy Elevation: 6837' - 0"
Grade: 6819' - 6"
Roof Over Topography: 17' - 6"

Roof Elevation: 6876' - 6"
Grade: 6820' - 0"
Roof Over Topography: 56' - 6"

Parapet Elevation: 6841' - 0"
Grade: 6820' - 0"
Roof Over Topography: 21' - 0"

Roof Elevation: 6841' - 0"
Grade: 6820' - 0"
Roof Over Topography: 21' - 0"

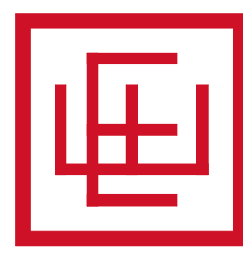
Parapet Elevation: 6842' - 0"
Grade: 6820' - 0"
Roof Over Topography: 22' - 0"

Parapet Elevation: 6877' - 0"
Grade: 6820' - 0"
Roof Over Topography: 57' - 0"

Parapet Elevation: 6834' - 0"
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Roof Over Topography: 14' - 0"

Parapet Elevation: 6842' - 0"
Grade: 6820' - 0"
Roof Over Topography: 12' - 0"

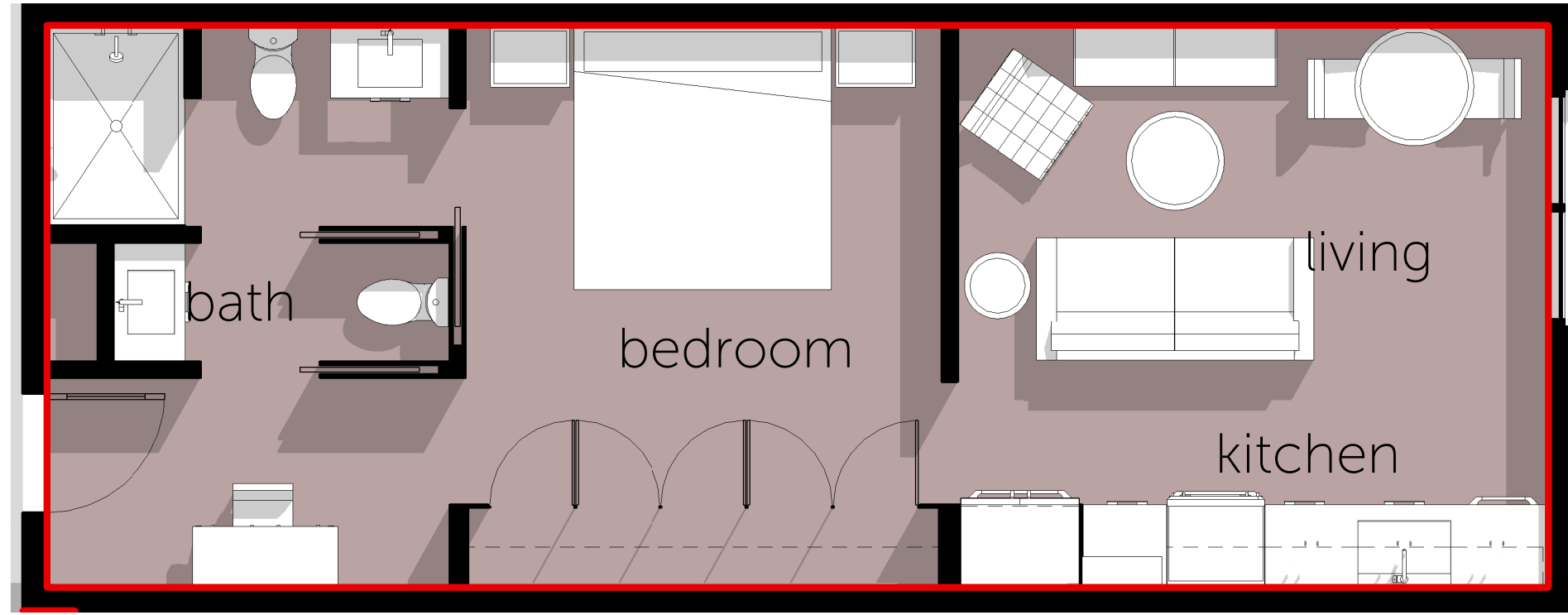
Roof Plan
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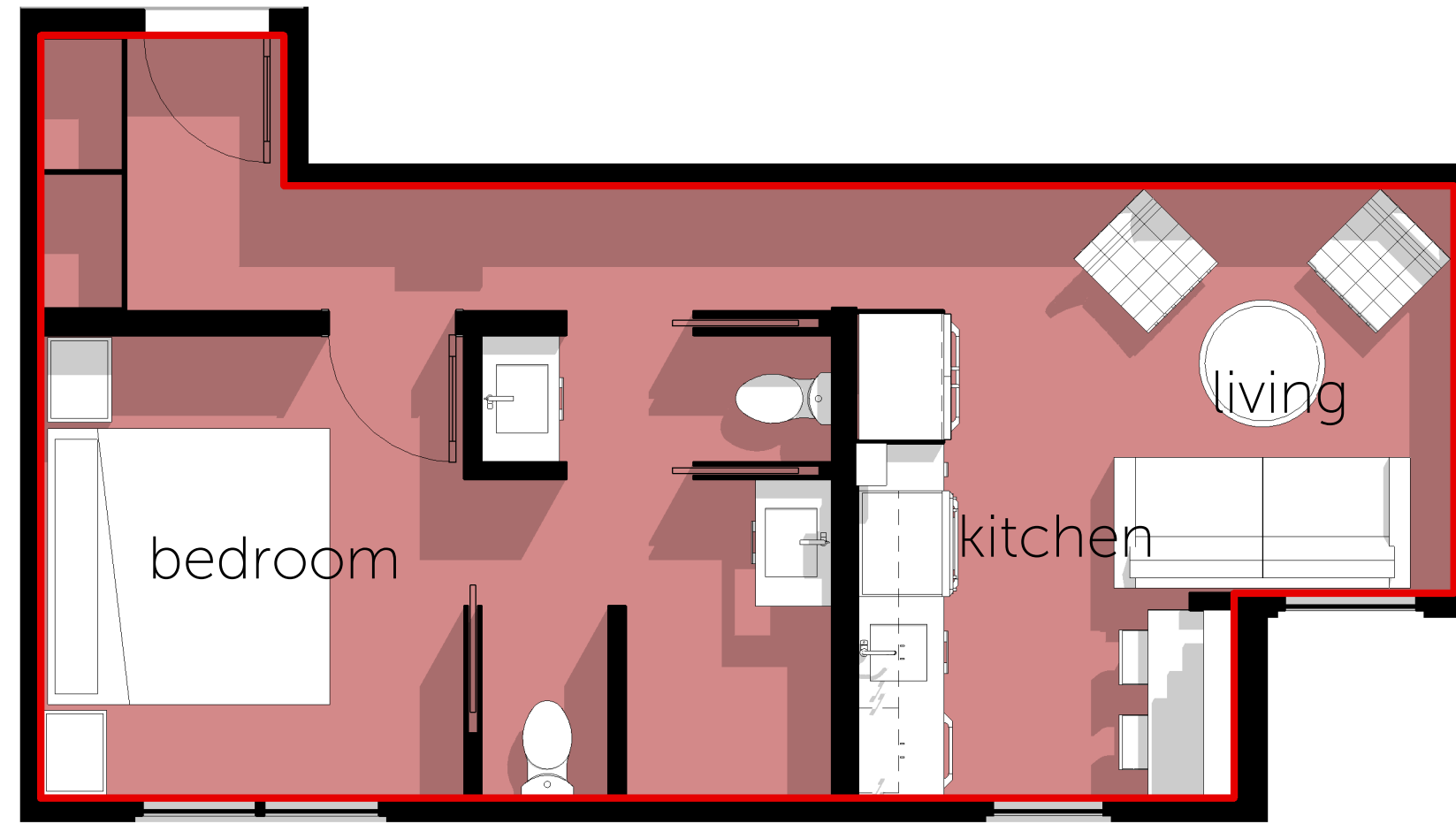
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Park & Kearns Redevelopment
MPD-106
Roof Over Topography

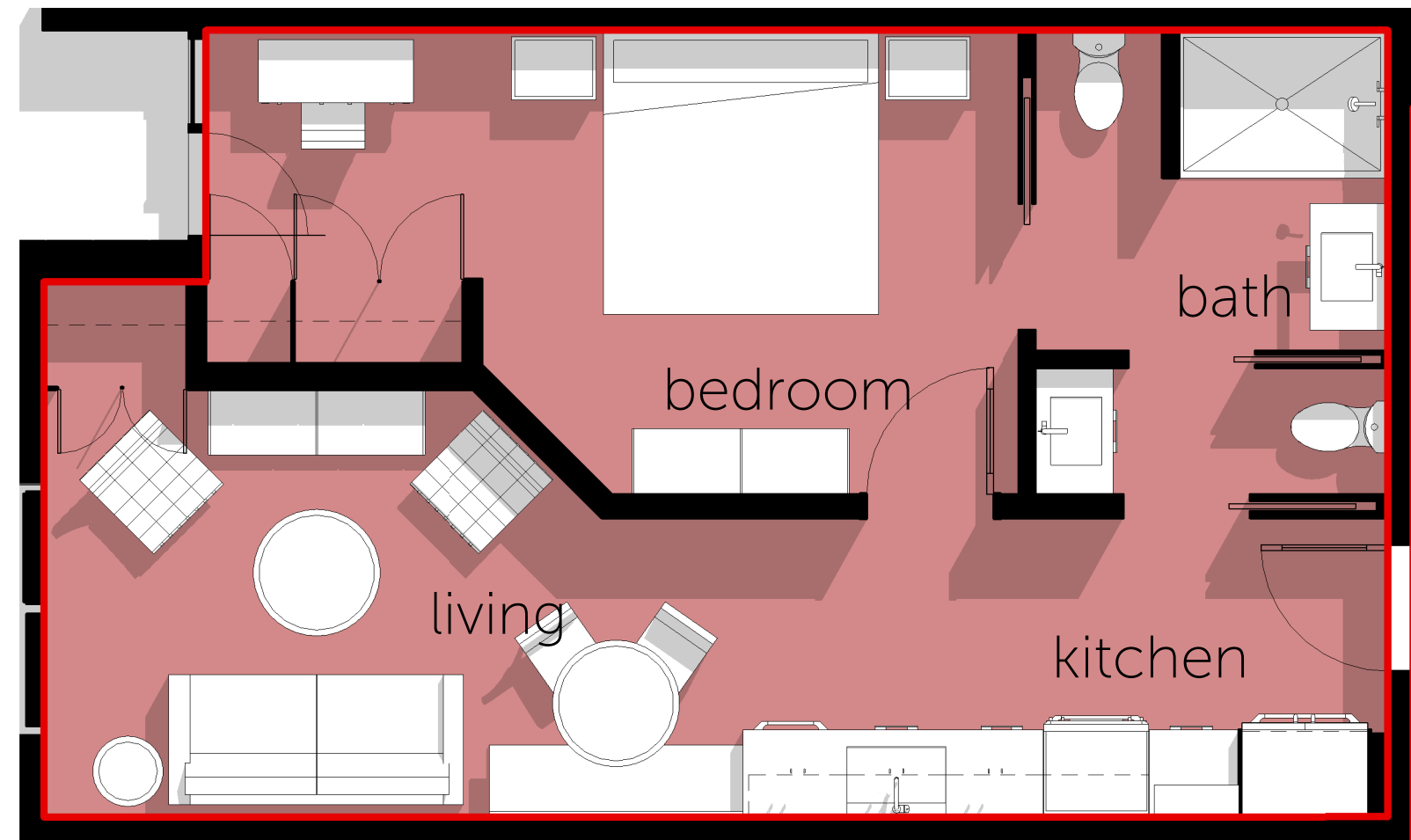
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Studio
SCALE: 1/4" = 1'-0" 535 SF



1 Bedroom - Corner
SCALE: 1/4" = 1'-0" 476 SF



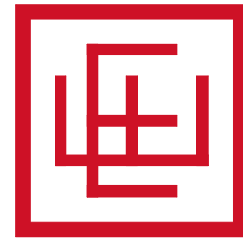
1 Bedroom
SCALE: 1/4" = 1'-0" 570 SF



2 Bedroom
SCALE: 1/4" = 1'-0" 1179 SF



3 Bedroom
SCALE: 1/4" = 1'-0" 1580 SF



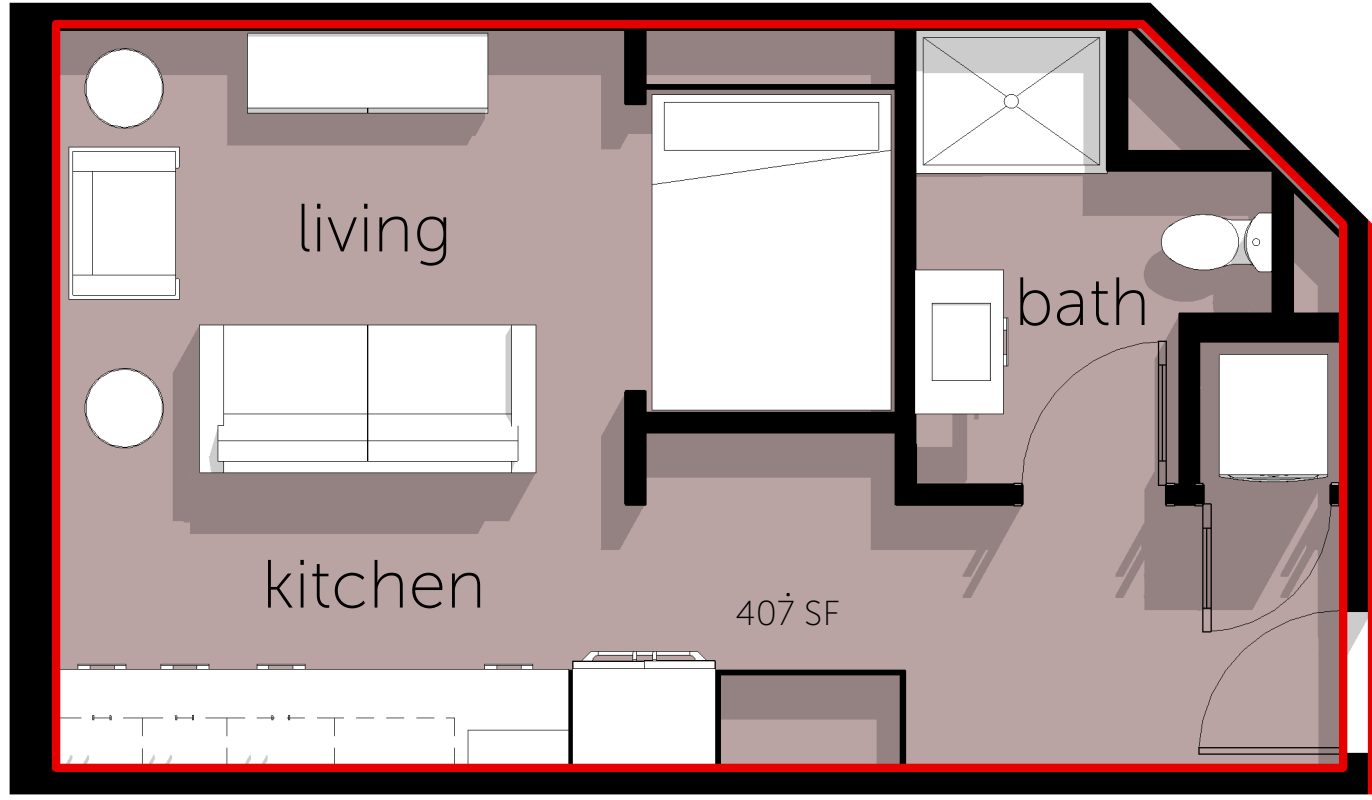
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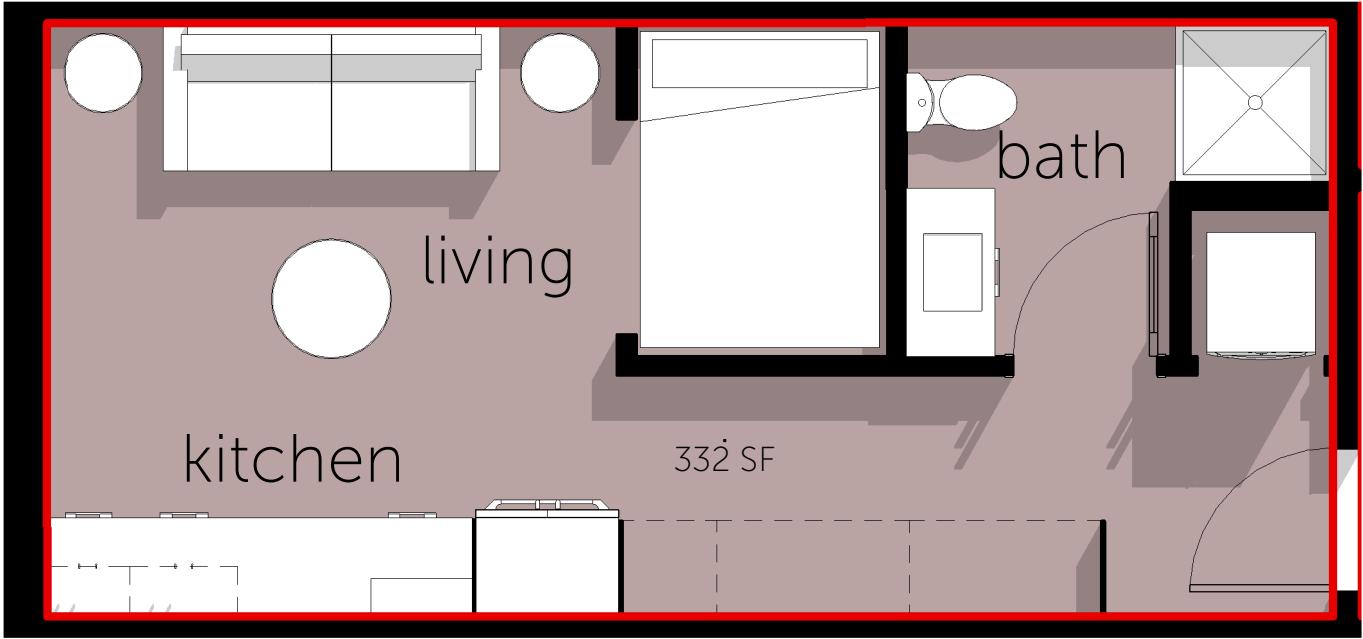
Park & Kearns Redevelopment

MPD-107

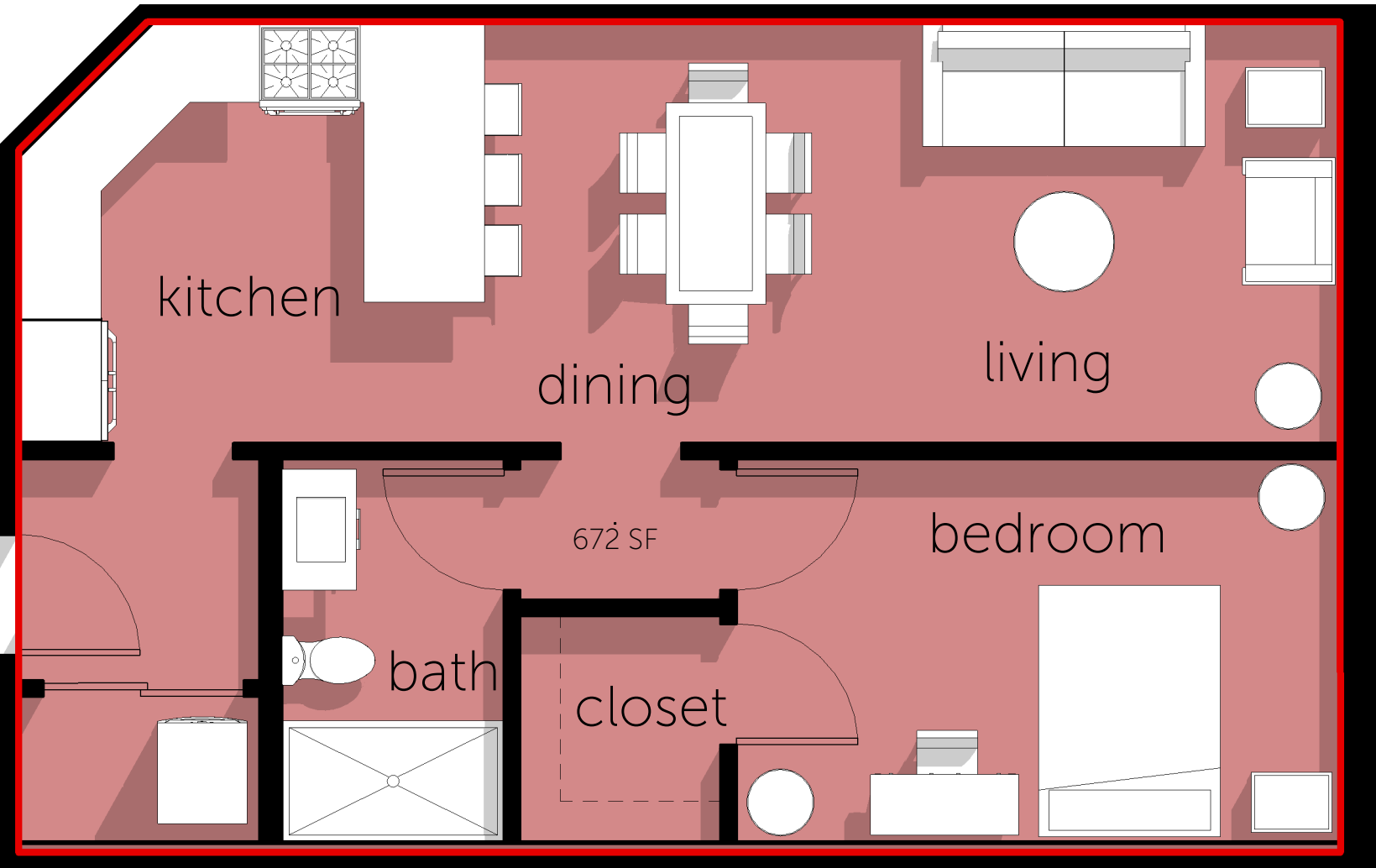
Unit Floor Plans



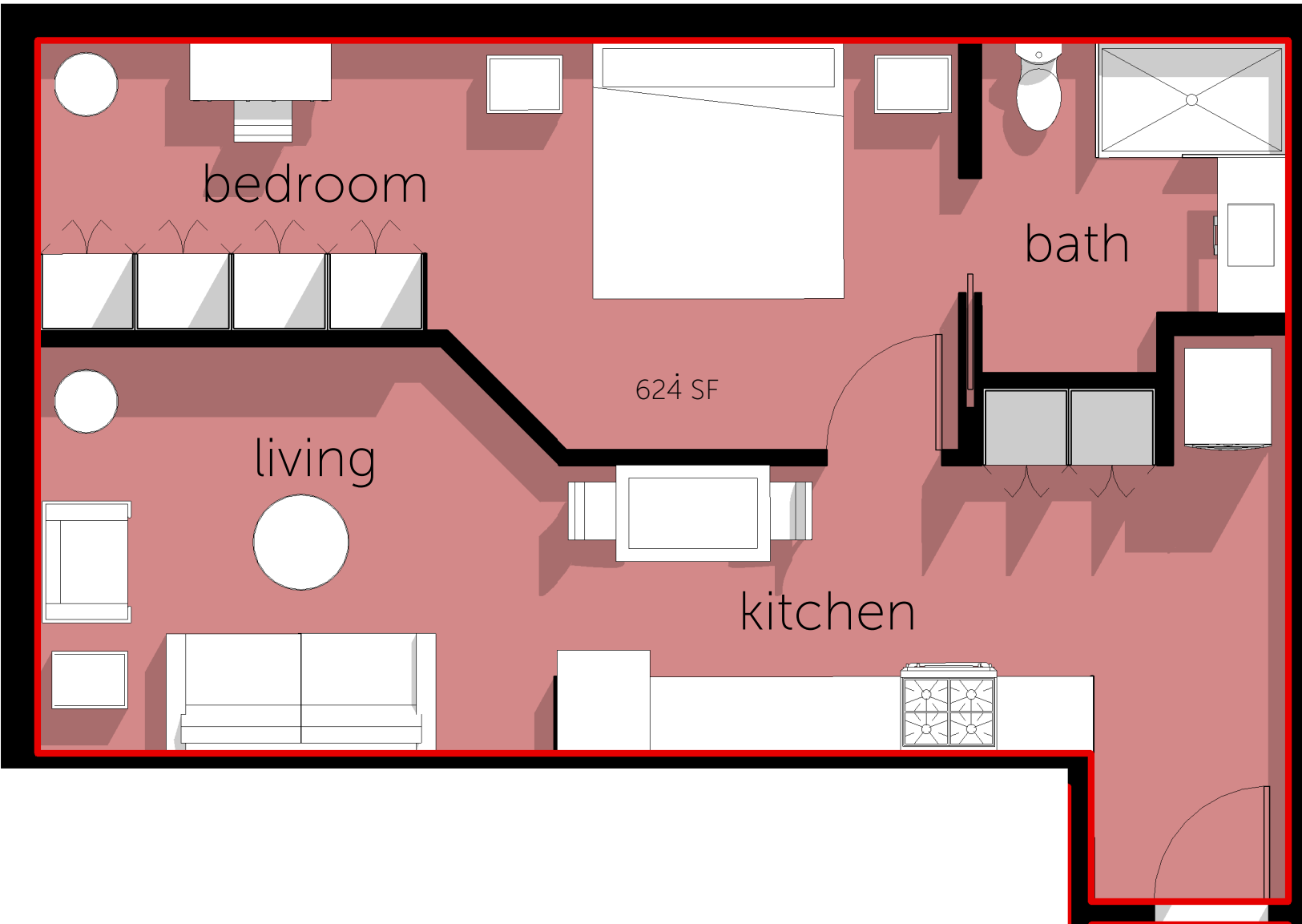
Studio A - Affordable 407 SF
SCALE: 1/4" = 1'-0"



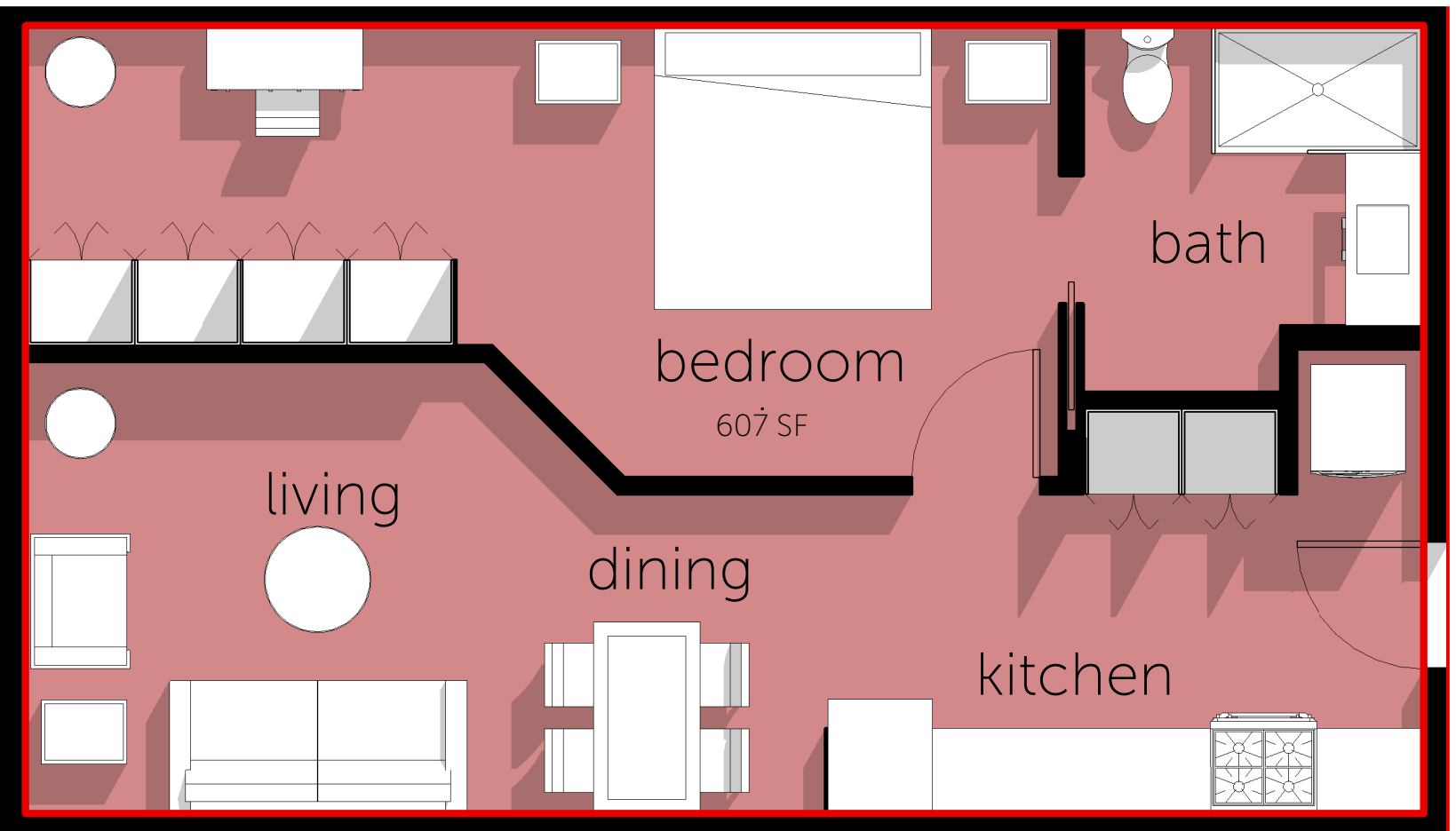
Studio B - Affordable 332 SF
SCALE: 1/4" = 1'-0"



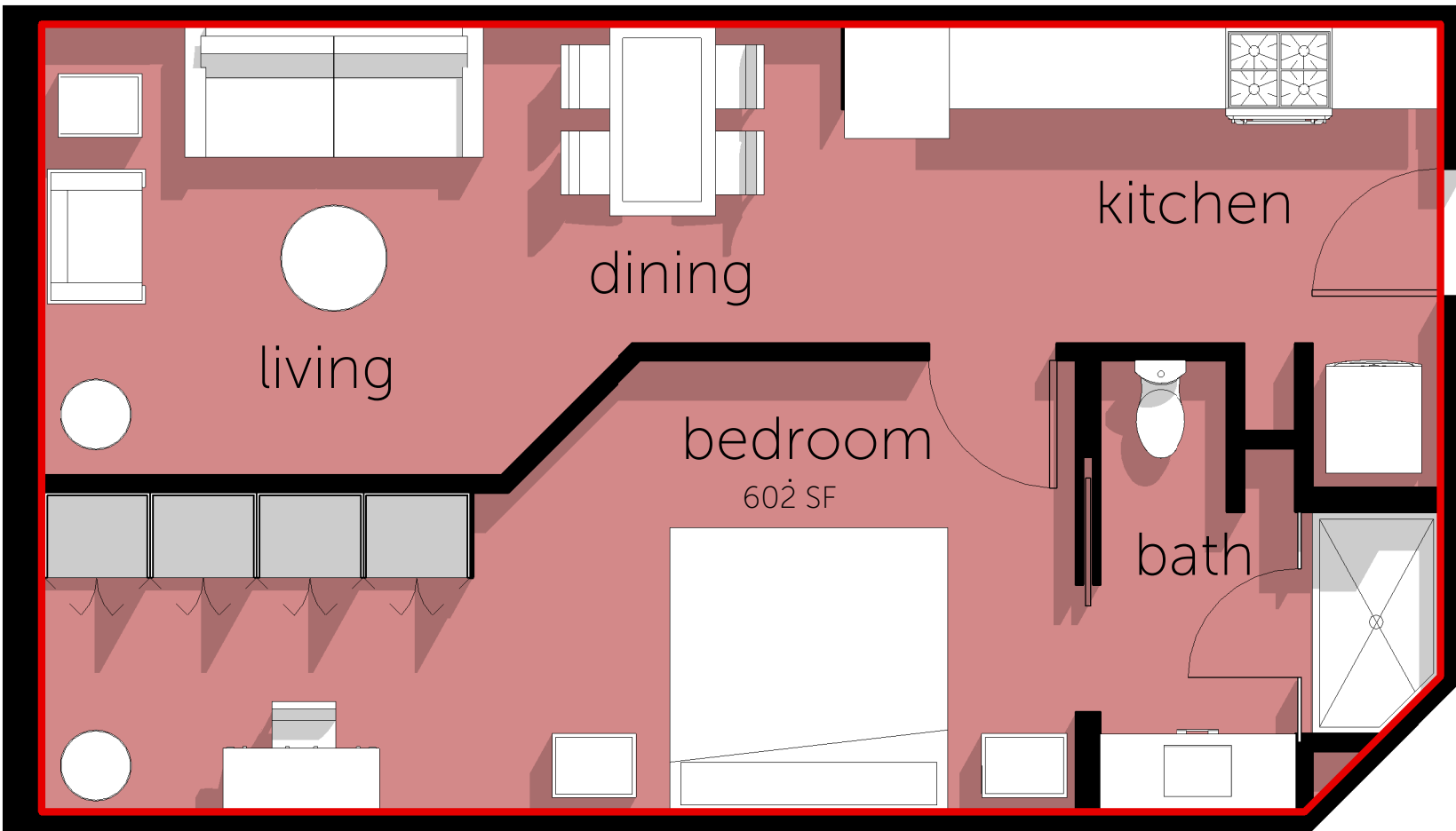
1 Bedroom A - Affordable 672 SF
SCALE: 1/4" = 1'-0"



1 Bedroom B - Affordable 624 SF
SCALE: 1/4" = 1'-0"



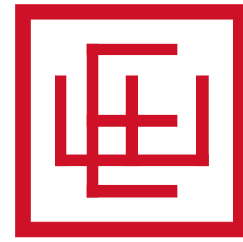
1 Bedroom C - Affordable 607 SF
SCALE: 1/4" = 1'-0"



1 Bedroom D - Affordable 602 SF
SCALE: 1/4" = 1'-0"



2 Bedroom - Affordable 917 SF
SCALE: 1/4" = 1'-0"



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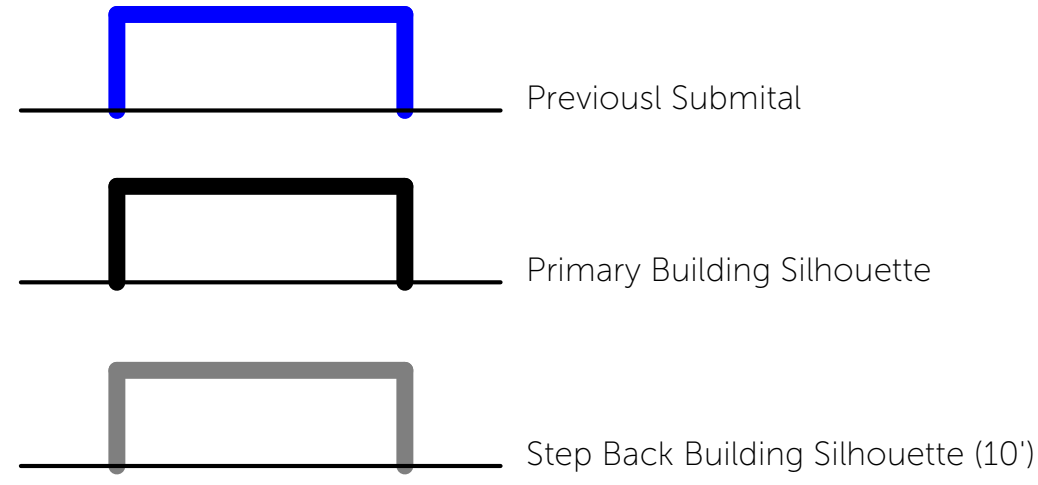
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Park & Kearns Redevelopment

Affordable Unit Floor Plans

MPD-108.

Street Elevation Graphic Legend



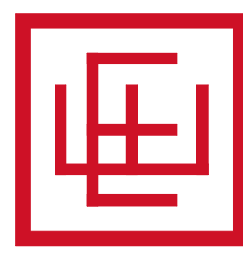
Elevation 1.

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Elevation 2.

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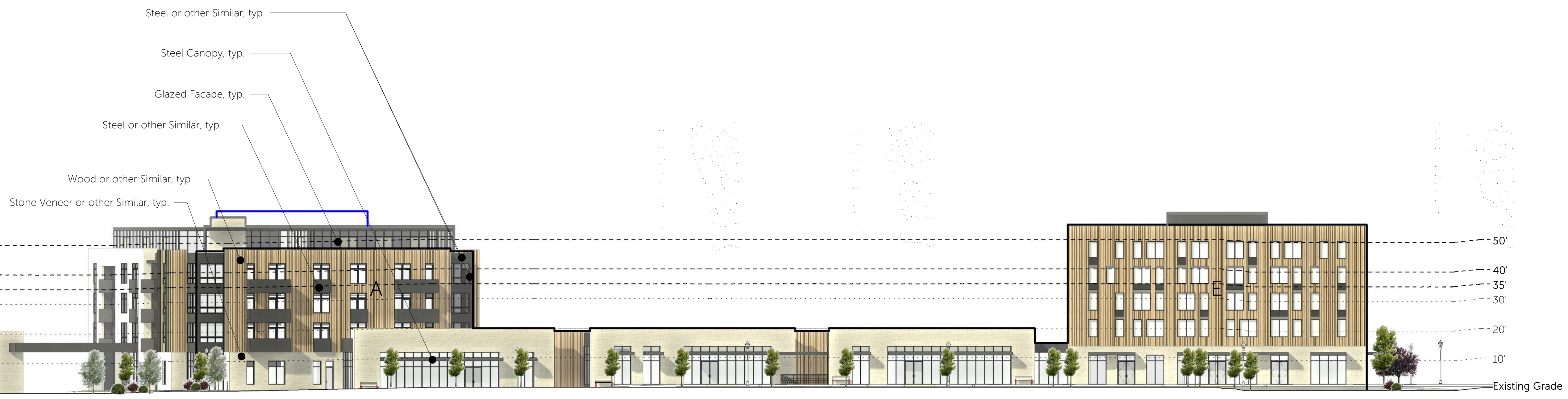
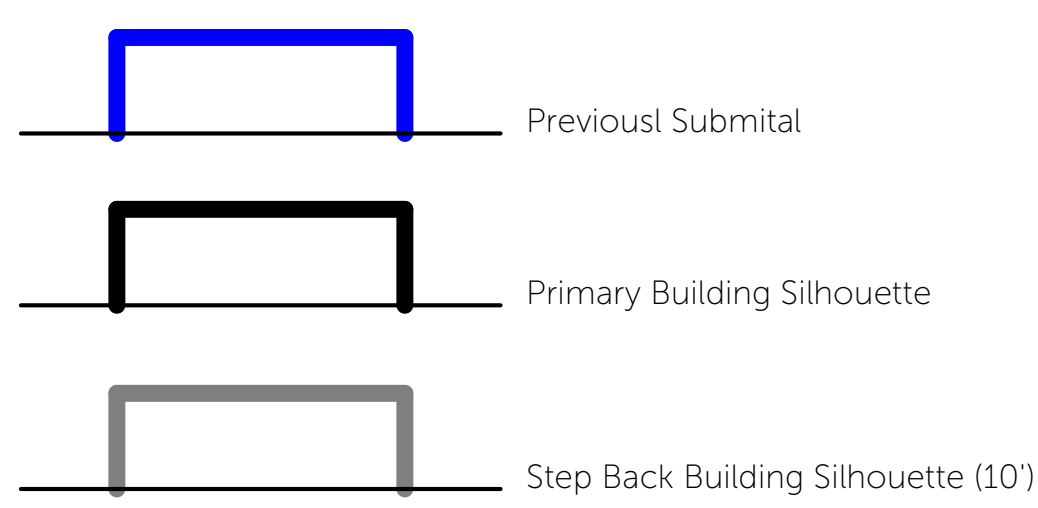


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Park & Kearns Redevelopment
MPD-201
Elevations

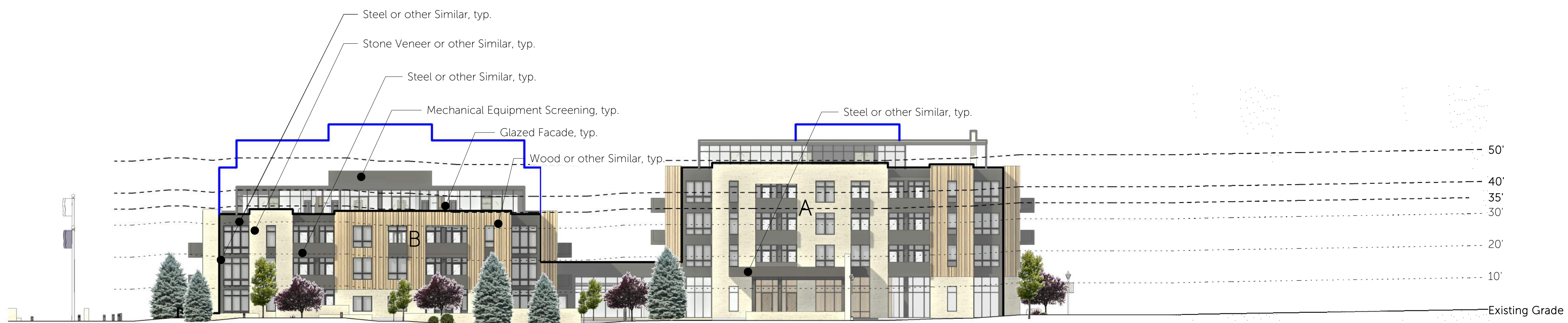
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Street Elevation Graphic Legend



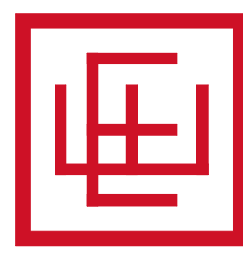
Elevation 3.

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Elevation 4.

SCALE: 1" = 20'-0"



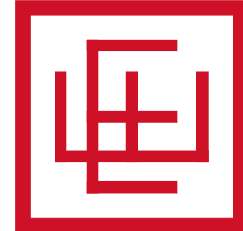
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Park & Kearns Redevelopment

MPD-202

Elevations

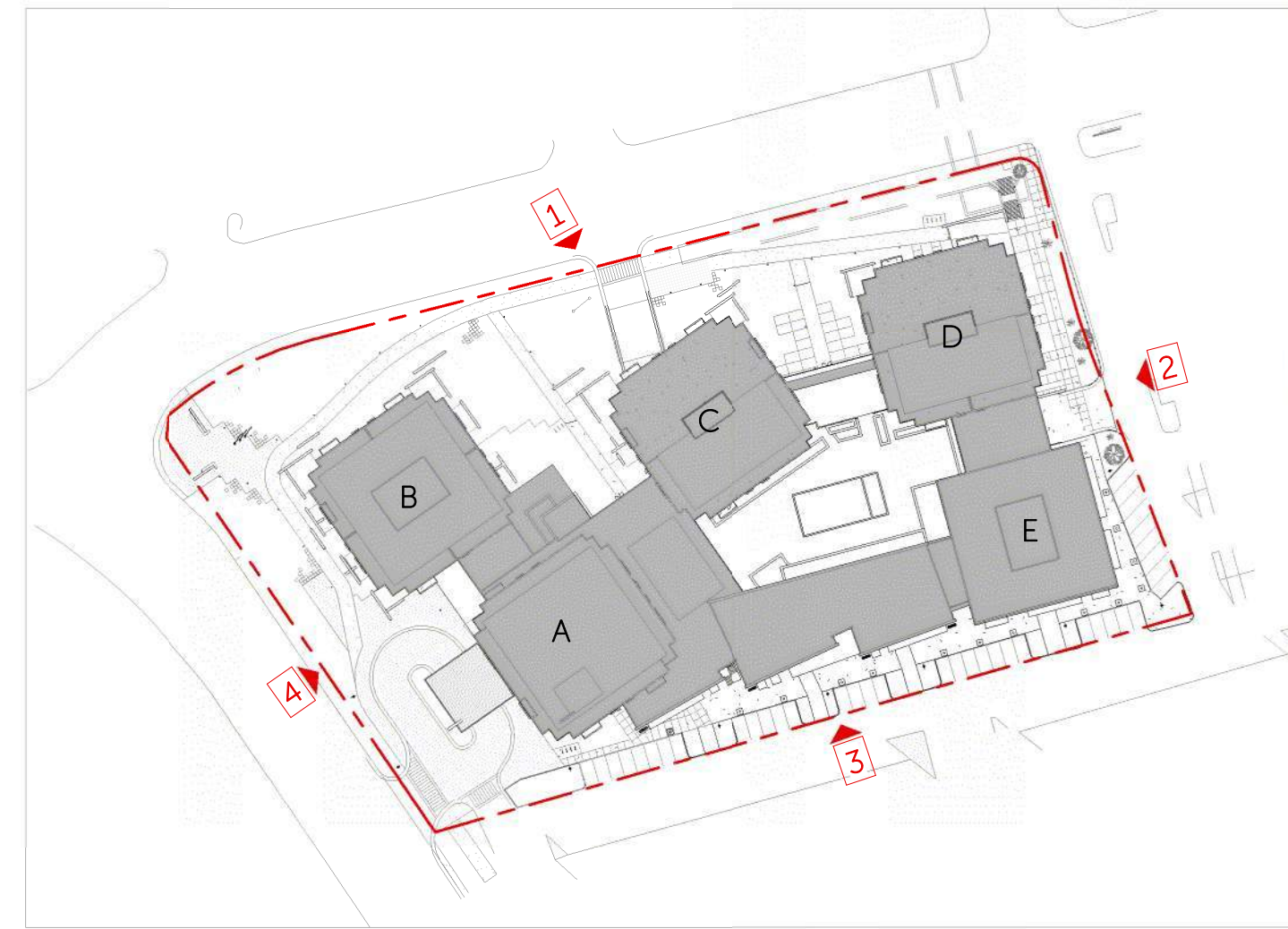
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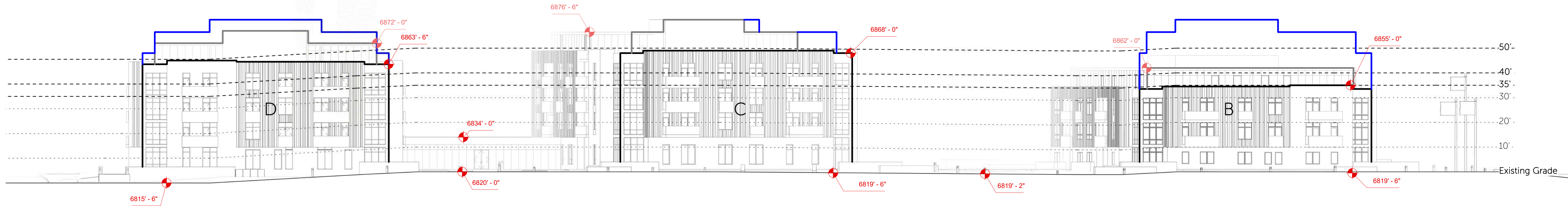
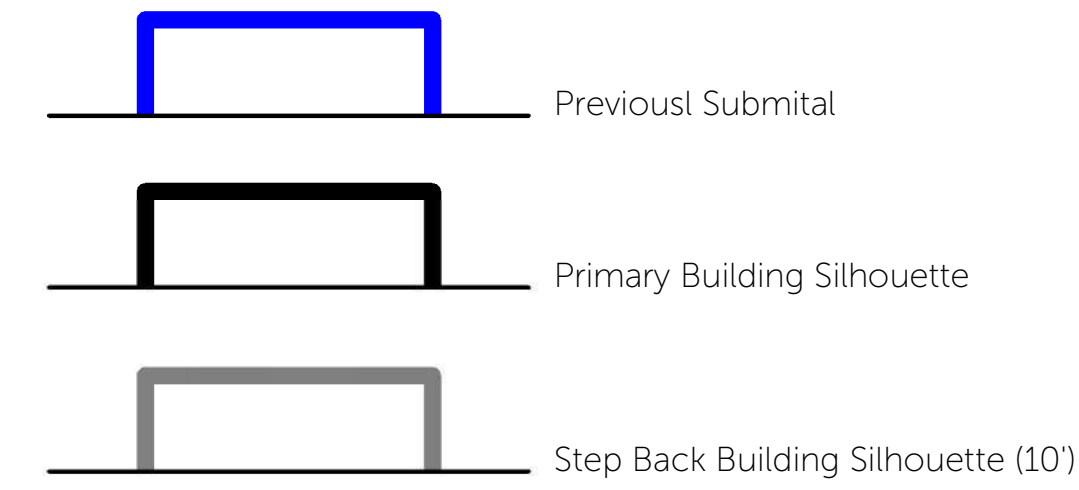
Park & Kearns Redevelopment

MPD-203

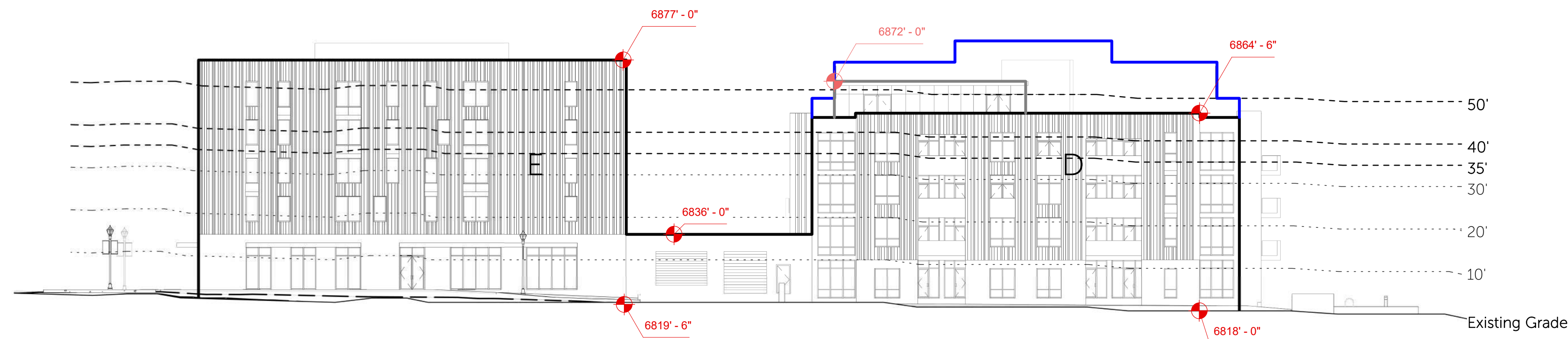
Height Analysis



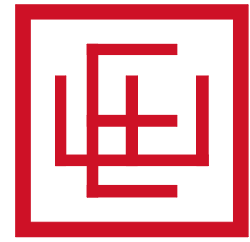
Street Elevation Graphic Legend



Elevation 1 - Height Analysis
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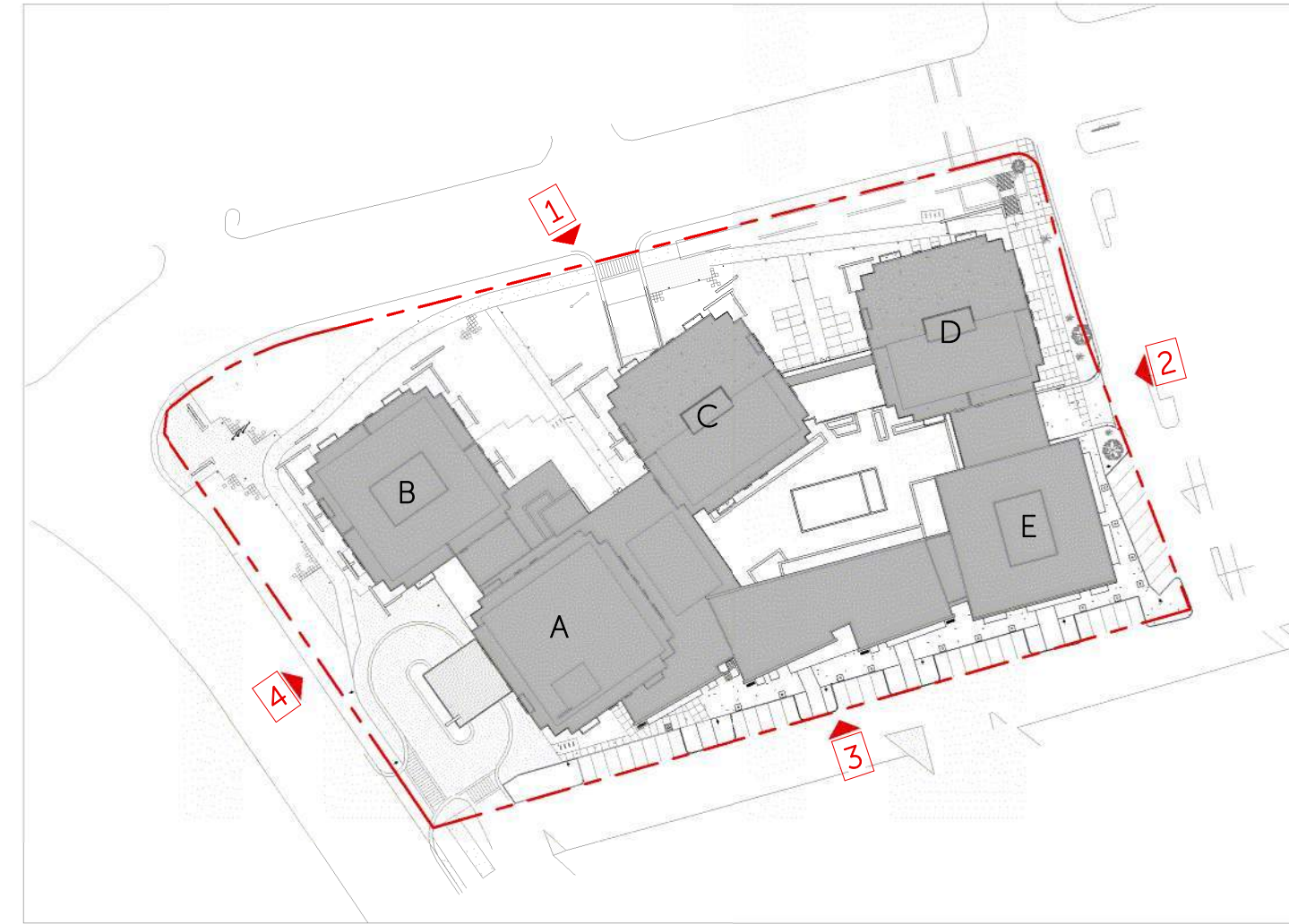
Elevation 2 - Height Analysis
SCALE: 1" = 20'-0"



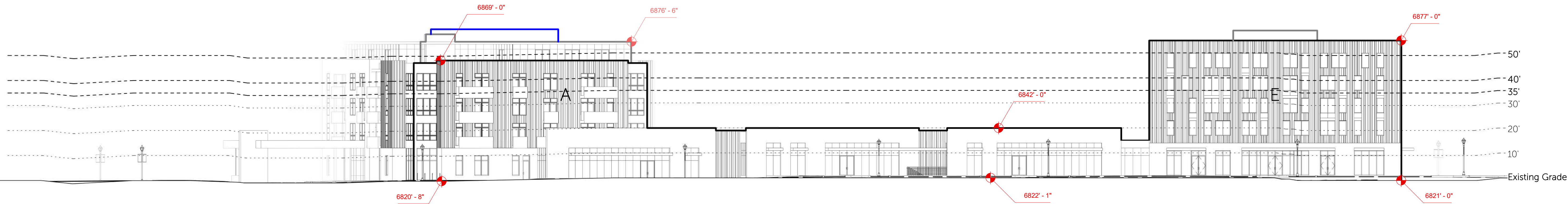
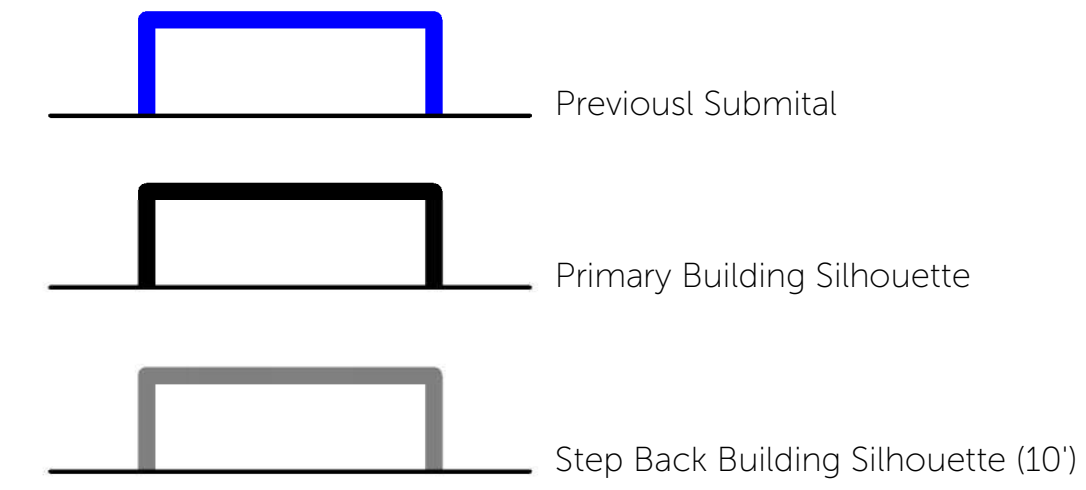
Park & Kearns Redevelopment

MPD-204

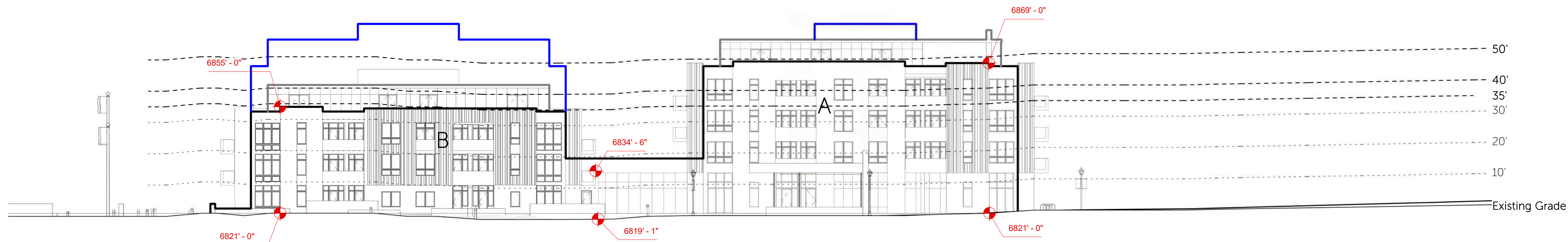
Height Analysis



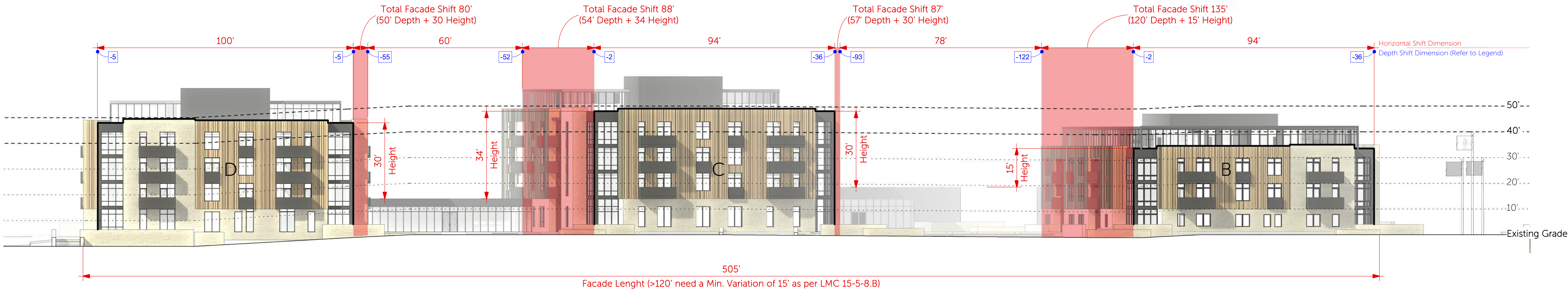
Street Elevation Graphic Legend



Elevation 3 - Height Analysis
SCALE: 1" = 20'-0"

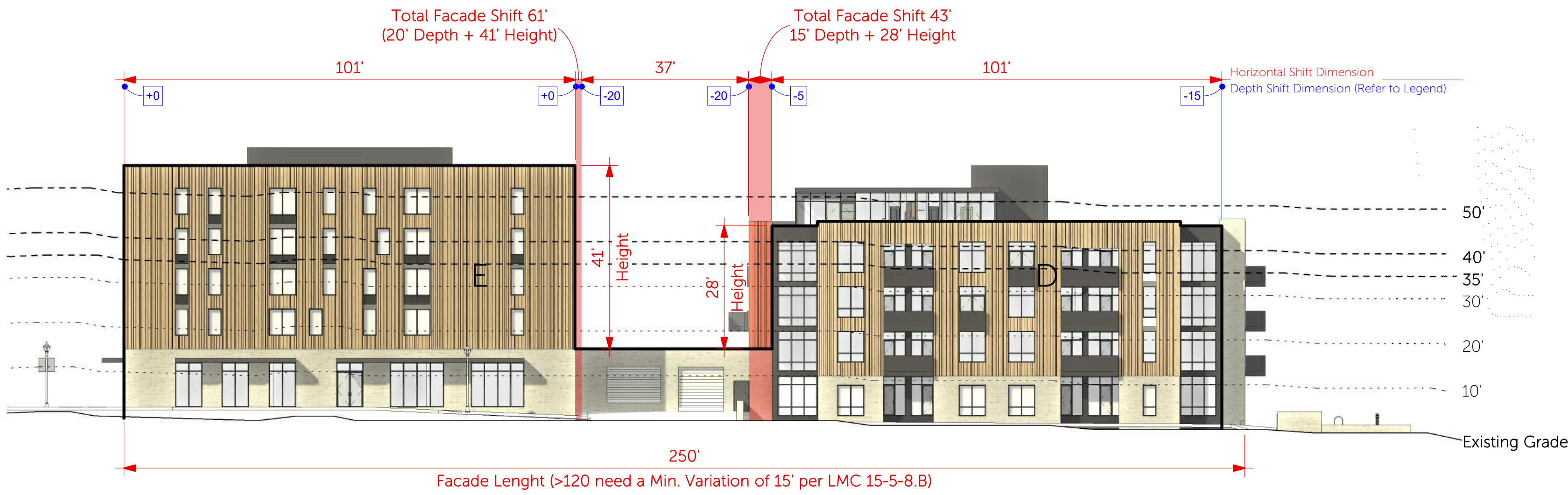


Elevation 4 - Height Analysis
SCALE: 1" = 20'-0"



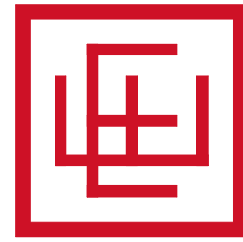
Elevation 1 - Facade Variation

SCALE: 1" = 20'-0"



Elevation 2 - Facade Variation

SCALE: 1" = 20'-0"



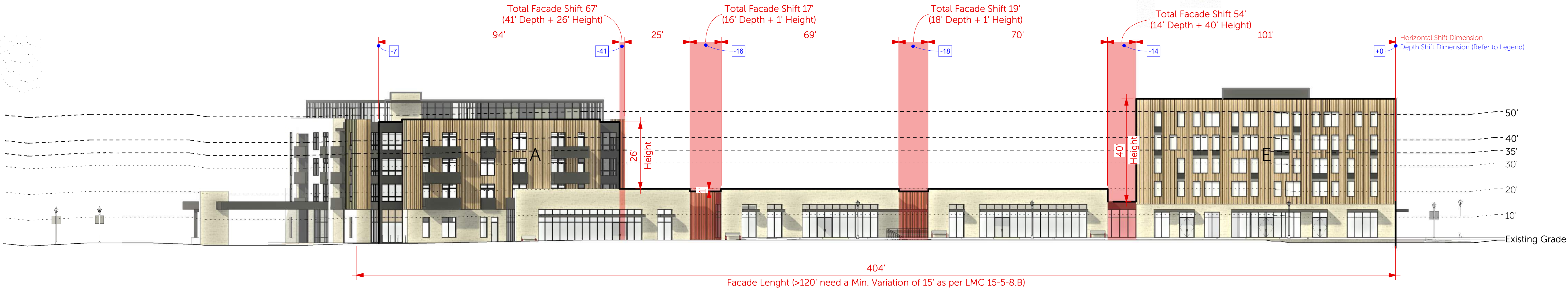
ELLIOTT WORKGROUP

Park & Kearns Redevelopment

MPD-205

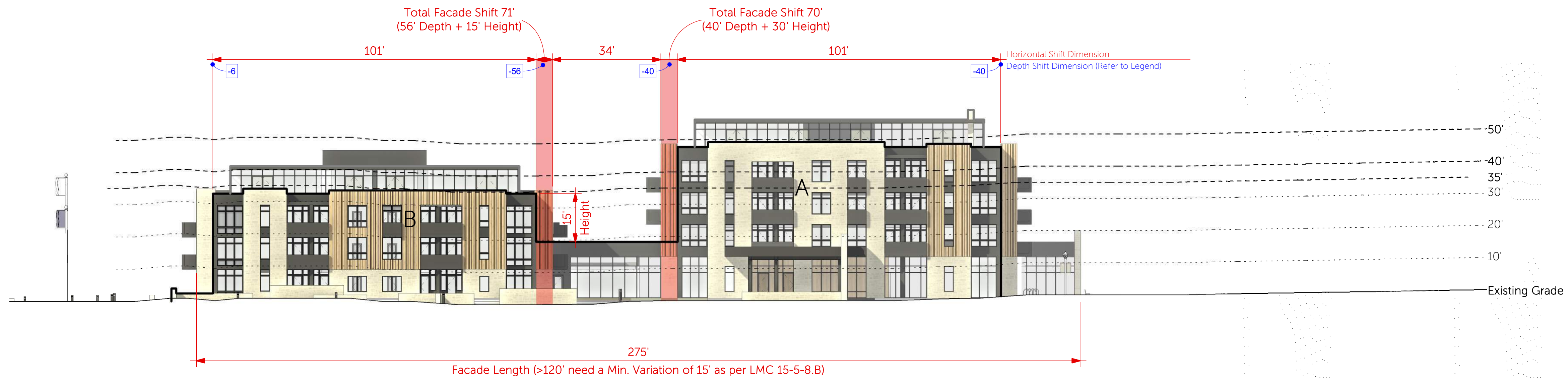
Facade Variation

10/09/2023 (Rev. 02/02/2024)
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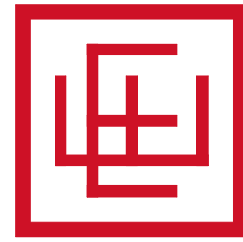
Elevation 3 - Facade Variation

SCALE: 1" = 20'-0"



Elevation 4 - Facade Variation

SCALE: 1" = 20'-0"



ELLIOTT WORKGROUP

Park & Kearns Redevelopment

MPD-206

Facade Variation

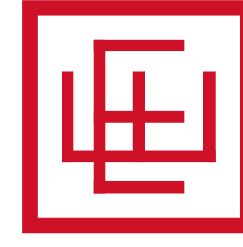
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Park & Kearns Redevelopment

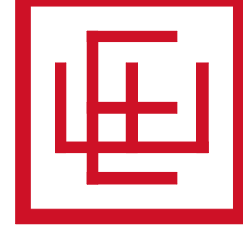
MPD-303

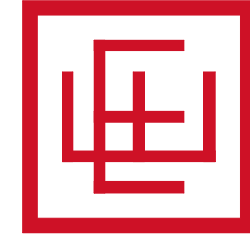
Renderings



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Park & Kearns Redevelopment

MPD-305

Renderings

February 12, 2024

Park & Kearns Redevelopment

PARKING ANALYSIS

This project has the unique opportunity to implement multiple methodologies to reduce parking. It is a mixed-use project that has different parking demands by Use during different times of day. And the site location allows easy access to the free transit system and the extensive trail system throughout Park City and the surrounding areas. In this submittal we have provided analysis that include both raw data and graphics that visually demonstrate the raw data.

The following items shown in italics are excerpted from the Land Management Code with corresponding responses:

- A. The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.*

Sheet MPD-021 Item 1 provides the Parking Calculation based on the LMC by use. Note, the worse case condition has been used by classifying the nightly rental condominium units as a hotel. The restaurant and lounge have also been included as being available to the public and parking has been included for this use in the calculation. The total cumulative or additive parking requirement is 393 parking spaces.

- B. A Parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy Parking.*

We are unaware of a mixed-use project in Park City that has been built with similar size and occupancy under the MPD adopted in 2002. There are multiple nightly rental condominium projects with different percentages of meeting space or retail space or office space that have been built. Many of these projects are over parked based on their actual use. As this is a common issue, there are examples of parking being used as office, support, storage, housekeeping, and in some instances as general parking for uses other than the nightly rental or commercial uses within the project.

- C. Parking needs for non-dwelling Uses, including traffic attached to Commercial Uses from Off-Site.*

Sheet MPD-021 Item 1 provides the Parking Calculation based on the LMC by use. A traffic study has been commissioned and the Engineering Department has been coordinating with the traffic engineer to provide a report that is consistent with the City's requirements.



- D. An analysis of time periods of Use for each of the Uses in the project and opportunities for shared parking by different Uses. This shall be considered only when there is a Guarantee by Use covenant and deed restriction.*

Sheet MPD-021 Items 2 & 3 provide an analysis of time periods of use for both Weekdays and Weekends calculated at 100% Occupancy for the nightly rental condominiums and the affordable housing. The result shows the highest parking demand occurs at 9PM on the weekend. The demand shown is 315 parking spaces. The percentages of use are from the "Shared Parking, Third Edition" published jointly by ICSC, National Parking Association, and the Urban Land Institute.

As Park City has seasonal uses we have also provided Monthly Occupancy Adjustments on Sheet MPD-021 Item 4. We have used maximum occupancy rates by percentage from the current hotel occupancy numbers from November 2022 through October 2023 which had been a record year for occupancy. The uses breakdown occupancy by High Season, Low Season, and Shoulder Season. The highest demand is in High Season during January and February and the demand shown is 302 parking spaces.

- E. A plan to discourage the Use of motorized vehicles and encourage other forms of transportation.*

The best way to discourage the use of motorized vehicles is to encourage alternative forms of transportation by making them easy to use. Sheet MPD-021 Item 5 shows Monthly Modal Adjustment based on alternative transportation use. This site is adjacent to a bus stop on both sides of Park Avenue that has a significant number of stop counts within the city limits. Additionally, the bike and pedestrian trails have been increased and improved, and additionally, significant storage and parking for bicycles for both residents and visitors has been included in the proposed design. A minimal 5% reduction has been applied to the analysis and coordinated with our traffic engineer. The ULI Shared Parking publication shows a significantly larger reduction for transit. The highest demand after applying the highest use for modal adjustments is 287 parking spaces.

Additionally, two other adjustments to current use have been observed that support this analysis. First, a significant number of visitors to the existing hotel use ride share, taxi, or car service to travel to the site, which is consistent with an onsite survey that showed the number of cars parking at the hotel is significantly lower than the occupancy would suggest. Second, a large number of the current hotel staff use alternative transit options from walking, biking, and public transit, to travel to and from work.

- F. Provisions for overflow Parking during peak periods.*

Two provisions have been made for overflow parking during peak demands. First, 354 parking spaces, or an increase of 67 spaces over the parking analysis adjustment has been proposed in the



design. Second, the underground parking provides the ability to provide valet parking during peak times for the nightly rental condominium units.

- G. An evaluation of potential adverse impacts of the proposed Parking reduction and Density increase, if any, upon the surrounding neighborhood and conditions of approval to mitigate such impacts.*

The consolidation of curb cuts along Kearns Boulevard to the underground parking will improve the turning movements along Kearns and improve access to parking. Moving the majority of parking spaces underground also removes the typical condition of parking space reduction due to snow conditions.

The project as proposed does not include a density increase, so no impact will be generated from this provision.

The reduction requested is 39 parking spaces, which is much less than the 106 parking space reduction described by the Parking Analysis Adjustment. With the ability to provide valet parking services as an alternative, there should not be any adverse impacts.



February 23, 2022

Yarrow Hotel Owners, LLC Housing Mitigation Plan

Yarrow Hotel Owners, LLC (Yarrow Owner) is pleased to incorporate this Housing Mitigation Plan as a part of its Amended Master Planned Development application for the proposed redevelopment of the existing DoubleTree by Hilton Hotel (The Yarrow) located at 1800 Park Avenue, Park City. This proposed plan has been crafted to comply with the 2021 Park City Affordable Housing Resolution.

Background

Built in 1977, the Yarrow is a 182-room full-service hotel with nearly 12,000 square feet of meeting and convention space, approximately 3800 square feet of restaurant and bar, and over 11,000 square feet of lobby and support commercial space. Operating since 1977, the 132,330 square foot Yarrow property today does not contain or provide any on-site affordable housing.

The proposed Yarrow MPD redevelopment would provide 52 deed-restricted affordable housing units on-site as part of a vibrant mixed-use, mixed-income community in the commerce heart of town. The Yarrow site has immediate access to schools, shops, services, jobs, and recreation. The site sits adjacent to heavily served transit stops and at a junction of highly trafficked pedestrian and bike routes despite the current lack of adequate pedestrian or bike infrastructure. The proposed redevelopment would enhance regional connectivity with massive on-site trail and infrastructure improvements by dedicating over 40% of the site to the public realm. The mixed-use redevelopment is designed to accommodate additional area connectivity and redevelopment to help make the dream of a vibrant Bonanza Park community a reality.

Proposed Housing Mitigation Plan

In connection with the complete redevelopment of the site, Yarrow Owner proposes to construct more affordable housing units than required to meet the requirements of the 2021 Park City Affordable Housing Resolution. The 2021 Housing Resolution calls for a total affordable housing contribution based on an employee mitigation calculation for various uses. The affordable housing requirement is calculated by Affordable Unit Equivalents (AUE) which equates to 900 square feet. In the case of condominium/hotel type of developments, the Resolution requires the application of the more demanding criteria between that for a hotel and that for a multifamily project. Commercial areas are assessed an employee generation rate pursuant to the specific type of commercial use contemplated, like restaurant, retail, or office, etc. The Resolution reads as follows:

SECTION 8. CALCULATION OF MINIMUM AFFORDABLE HOUSING REQUIREMENTS

1. Residential Development. For projects where dwelling units are offered for sale or rent, the Developer shall provide affordable housing units in an amount equal to twenty percent (20%) of the total RUEs in the project. Affordable Housing Units developed on-site in fulfillment of this requirement are not included in the density calculation for the project.

RESIDENTIAL GENERATION CALCULATION EXAMPLE An Applicant has received approval for a 128-unit Master Planned Development. The dwelling units are of

varying sizes totaling 328,000 square feet which equals 164 RUEs.

1. 164 RUEs (total units approved) multiplied by .20 (residential mitigation rate) equals 32.8 Affordable Unit Equivalents (AUEs).
 2. One AUE equals 900 square feet of net livable space.
 3. The total approved units for this Master Planned Development is 128 market rate units plus 32.8 AUEs equaling 29,520 total net square feet of additional livable space.
2. Commercial Development. The Developer shall be required to mitigate 20 percent of the employees generated. For projects with a commercial component, the minimum affordable housing requirements shall be determined according to the following formulas:

Table 1: Employee Generation by Type of Use.

Type of Use	Full Time Equivalents (2080 hours) per 1,000 Net Leasable Square Feet
Restaurant/Bar	6.5
Education	2.3
Finance/Banking	3.3
Medical Professional	2.9
Other Professional Services	3.7
Personal Services	1.3
Real Estate/Property Management	5.9
Commercial/Retail	3.3
Recreation/Amusements	5.3
Utilities	2.9
Lodging/Hotel	.06/room
Condominium Hotel	Greater of lodging/hotel calculation or residential mitigation rate
Overall/General	4.4

The Overall/General Type of Use shall apply to any use not listed in the Employee Generation Table if an Independent Calculation is not performed.

Applying the Hotel Criteria for employee generation for the Yarrow MPD redevelopment proposed results in the larger number of required AUE's at 32.24 or 29,016SF of affordable housing as noted in the table below:

Park & Kearns Employee Generation & Unit Equivalent Calculations (Hotel) v2

2/14/2024

Proposed Redevelopment		quantities	employee rate	employees	mitigation rate	workers per household
Hotel/Condo		room/suite	per room		20%	1.5
studio		54	0.6	32.4	6.48	4.32
ADA studio (exempt)		1		0	0	0.00
studio corner		2	0.6	1.2	0.24	0.16
1 bedroom		70	0.6	42	8.4	5.60
ADA 1 bedroom (exempt)		1		0	0	0.00
1 bedroom corner		11	0.6	6.6	1.32	0.88
1 bedroom suite		1	0.6	0.6	0.12	0.08
2 bedroom		40	0.6	24	4.8	3.20
2 bedroom lockout		28	0.6	16.8	3.36	2.24
ADA 2 bedroom (exempt)		1		0	0	0.00
ADA 2 bedroom lockout (exempt)		1		0	0	0.00
3 bedroom		7	0.6	4.2	0.84	0.56
ADA 3 bedroom (exempt)		1		0	0	0.00
		218		127.8	25.56	17.04
	total area	unit equivalent	employee rate	employees	mitigation rate	workers per household
Commercial		1,000.0			20%	1.5
Hotel Restaurant/Lounge**	6,832	6.8	6.5	44.41	8.88	5.92
Retail	14,232	14.2	3.3	46.97	9.39	6.26
Office (Prof. Services)	6,106	6.1	3.7	22.59	4.52	3.01
Spa & Fitness (exempt)	4,443	0.0	0.0	0.00	0.00	0.00
Breakout Rooms (exempt)	1,821	0.0	0.0	0.00	0.00	0.00
Meeting Hall (exempt)	4,439	0.0	0.0	0.00	0.00	0.00
Pool Locker(exempt)	324	0.0	0.0	0.00	0.00	0.00
Ski/Bike Locker (Storage)	0	0.0	0.0	0.00	0.00	0.00
Total Exempt	11,027					
10% of Residential UE	13,429 ***					
		27.2		113.97	22.79	15.20
Total Proposed Redevelopment Affordable Unit Equivalents						32.24

Applying the Multifamily Criteria results in a lower required number of AUEs (28.62) as noted in the table below:

Park & Kearns Employee Generation & Unit Equivalent Calculations (Multi-Family) v2						2/14/2024
Proposed Redevelopment		quantities	area	total area	unit equivalent	aue required
Hotel/Condo		room/suite			2,000	20%
studio		54	535	28,890	14.445	2.89
ADA studio (exempt)		1			0	0.00
studio corner		2	477	954	0.477	0.10
1 bedroom		70	570	39,900	19.95	3.99
ADA 1 bedroom (exempt)		1			0	0.00
1 bedroom corner		11	477	5,247	2.6235	0.52
1 bedroom suite		1	826	826	0.413	0.08
2 bedroom		40	1,181	47,240	23.62	4.72
ADA 2 bedroom (exempt)		1			0	0.00
3 bedroom		7	1,605	11,235	5.6175	1.12
ADA 3 bedroom (exempt)		1			0	0.00
		189		134,292	67.15	13.43
	total area	unit equivalent	employee rate	employees	mitigation rate	workers per household
Commercial		1,000.0			20%	1.5
Hotel Restaurant/Lounge**	6,832	6.8	6.5	44.41	8.88	5.92
Retail	14,232	14.2	3.3	46.97	9.39	6.26
Office (Prof. Services)	6,106	6.1	3.7	22.59	4.52	3.01
Spa & Fitness (exempt)	4,443	0.0	0.0	0.00	0.00	0.00
Breakout Rooms (exempt)	1,821	0.0	0.0	0.00	0.00	0.00
Meeting Hall (exempt)	4,439	0.0	0.0	0.00	0.00	0.00
Pool Locker(exempt)	324	0.0	0.0	0.00	0.00	0.00
Ski/Bike Locker (Storage)	0	0.0	0.0	0.00	0.00	0.00
Total Exempt	11,027					
10% of Residential UE	13,429					
		27.2		113.97	22.79	15.20
Total Proposed Redevelopment Affordable Unit Equivalents						28.62

INDEPENDENT CALCULATION BASED UPON ACTUAL DATA

Today, the Yarrow operates with an average of 53.5 Full Time Equivalent Employees (FTEE's) inclusive of all food & beverage and banquet employees. Applying this actual employee generation rate (.3) to just the rooms portion of the proposed redevelopment results in a Housing Mitigation Rate of 8.72 AUEs (218 rooms x .3 = 65.4 employees x 20% mitigation rate= 13.8 / 1.5 employees per household.) Adding 15.20 AUEs required for the proposed new commercial areas results in a 23.92 AUE requirement for the proposed MPD based upon actual data.

To fulfil the requirements of the Resolution Yarrow Owner proposes to provide 52 Affordable Housing Units totaling 35.06 AUE's or 31,552 square feet of affordable housing exceeding the requirement as noted below:

Proposed Affordable	quantities	area	total area	affordable unit equivalent
Residential (Affordable)	52			900
studio A	16	407.0	6,512	7.24
studio B	4	332.0	1,328	1.48
1 bedroom A	8	672.0	5,376	5.97
1 bedroom B	4	624.0	2,496	2.77
1 bedroom C	4	607.0	2,428	2.70
1 bedroom D	4	602.0	2,408	2.68
2 bedroom	12	917.0	11,004	12.23
Total Proposed Affordable			31,552	35.06

Regardless of which calculation is used, the proposed Yarrow Redevelopment is designed to supply the community with more affordable housing than it needs.

It is also worth noting that the proposed Yarrow Redevelopment is not generating completely new demand for affordable housing as if it were being built on vacant land. The proposed development would replace the existing hotel operation and employees already present in the market. Applying the Housing Resolution calculations to the existing Yarrow Hotel operations results an employee mitigation rate of 18.89 AUEs of demand which would be displaced by the proposed redevelopment (see below.)

EXISTING HOTEL EMPLOYEE GENERATION & UNIT EQUIVALENT CALCULATION

Existing Yarrow Hotel		quantities	employee rate	employees	mitigation rate	workers per household
Hotel		room/suite	per room		20%	1.5
Guest Rooms		182	0.6	109.2	21.84	14.56
		182		109.2	21.84	14.56
	total area	unit equivalent	employee rate	employees	mitigation rate	workers per household
Commercial		1,000.0			20%	1.5
Hotel Restaurant/Lounge	5,000	5.0	6.5	32.50	6.50	4.33
		5.0		32.50	6.50	4.33
Total Existing Yarrow Hotel Affordable Unit Equivalents						18.89

Therefore, the proposed redevelopment effectively exceeds its incremental affordable housing demand created by the redevelopment by over 21 AUEs calculated as follows:

Required AUEs per Hotel Criteria	32.24
less: AUEs from existing use	<u>18.89</u>
equals	13.35 Net new AUEs needed for proposed MPD
versus	35.06 proposed AUEs supplied
difference:	21.71 Surplus AUE's proposed.

The final count of units required may adjust slightly with final preparations of plans and to address City input, however the required square footage provided will exceed the requirements per the Resolution which reads:

Final Unit Requirement Calculations. The final calculations for the number of affordable units and the rental rate for these units shall be made by staff utilizing the calculation formulas in Section 8 and Section 20 of this Housing Resolution. All calculations are subject to approval by the Park City Housing Authority prior to the issuance of building permits for the project.

Affordable Homes Configurations:

Yarrow Owner proposes to deliver 35.02 AUEs of Affordable Housing on-site integrated into the project as 52 units in a dedicated residential building as follows:

Proposed Affordable	<i>quantities</i>	<i>area</i>	<i>total area</i>	<i>affordable unit equivalent</i>
Residential (Affordable)	52			900
studio A	16	407.0	6,512	7.24
studio B	4	332.0	1,328	1.48
1 bedroom A	8	672.0	5,376	5.97
1 bedroom B	4	624.0	2,496	2.77
1 bedroom C	4	607.0	2,428	2.70
1 bedroom D	4	602.0	2,408	2.68
2 bedroom	12	917.0	11,004	12.23
Total Proposed Affordable			31,552	35.06

The proposed design of the units are as follows:



Studio A - Affordable
SCALE: 1/4" = 1'-0"

407 SF



Studio B - Affordable
SCALE: 1/4" = 1'-0"

332 SF



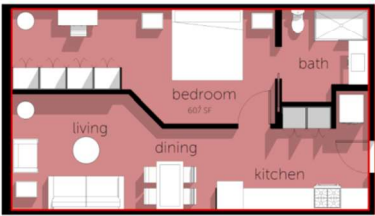
1 Bedroom A - Affordable
SCALE: 1/4" = 1'-0"

672 SF



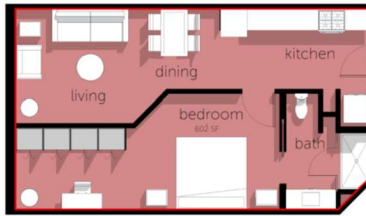
1 Bedroom B - Affordable
SCALE: 1/4" = 1'-0"

624 SF



1 Bedroom C - Affordable
SCALE: 1/4" = 1'-0"

607 SF



1 Bedroom D - Affordable
SCALE: 1/4" = 1'-0"

602 SF



2 Bedroom - Affordable
SCALE: 1/4" = 1'-0"

917 SF

The proposed Affordable Housing Units are located on-site in a dedicated residential building block integrated into the overall redevelopment as noted on the site plan below. The building is designed for efficiency to minimize maintenance and energy use, and to maintain a permanent residential environment different than the potential transient uses in the market rate buildings.



Figure 1

As can be seen from the elevation below, the Affordable Homes will book end a new strip of neighborhood commercial space and sit at the corner adjacent to existing grocery store, gym, restaurants, and other neighborhood amenities. At the other end of the new pedestrian plaza and trail sits the main entrance for the market rate homes where the existing DoubleTree lobby sits today.



All affordable housing shall be deed restricted and subject to Park City affordable housing guidelines including affordable rent restrictions. All the affordable housing is proposed to be built in the 1st residential phase of the redevelopment.

Eligibility and Pricing

All required Affordable Units will be maintained as deed restricted affordable rental homes as required by the 2021 Housing Resolution. A qualified property management company shall manage the rental and ongoing operation of the units.

Deed restricted affordable housing units will be made available at rents for households at 80% AMI or below for Summit County updated on an annual basis. All rental units will submit annual compliance surveys in accordance with the recorded deed restrictions.

The table below from Mountain Lands Community Housing Trust shows the particulars of the AMI in Summit County. Pursuant to the requirements of the 2021 Housing Resolution, the proposed Yarrow Redevelopment will provide housing at rents attainable for households at or below 80% AMI.

2023 Summit County AMI Income Limits (based on household size)

	1 Person	2 Person	3 Person	4 Person	5 Person	6 Person	7 Person
50% AMI	\$52,000	\$59,450	\$66,850	\$74,300	\$80,250	\$86,300	\$92,150
60% AMI	\$62,400	\$71,340	\$80,220	\$89,160	\$96,300	\$103,440	\$110,580
80% AMI	\$83,200	\$95,120	\$106,960	\$118,880	\$128,400	\$137,920	\$147,440
100% AMI	\$104,000	\$118,900	\$133,700	\$148,600	\$160,500	\$172,400	\$184,300

Rental rates for each type of unit will be reset annually according to the published AMI for the project location. In 2023 representative rents would be as follows:

Unit Type	Occupants	*AMI -80%	Income Percentage	Yearly Rent	Monthly Gross Rent	No. of Units
Studio	1	\$83,200	30%	\$24,960.00	\$2,080.00	20
1-Bedroom	2	\$95,120	30%	\$28,536.00	\$2,378.00	20
2-Bedroom	3	\$106,960	30%	\$32,088.00	\$2,674.00	12
					Total	52

Eligibility for the affordable rental housing at the redevelopment will be based on the AMI standards as noted. For the initial lease up of the available units, Yarrow Owner proposes to use a geographic waterfall approach in selecting from applicants, in the following priority:

1. Qualifying applicants employed in the City of Park City, 84060.
2. Qualifying applicants employed within the Park City School District boundaries.
3. Qualifying applicants employed within Summit County.

When all qualifying applicants from a category have been exhausted, applicants from the next order of priority shall immediately be given priority. This waterfall provision shall only apply at the initial generation of any waitlist and selection for the proposed affordable housing units. Subsequent leasing of available units shall be made available to qualifying applicants on a first-come-first-serve basis from the existing waitlist.

Yarrow Owner may enter into one or more master leases with local employers whereby local employers may lease a block of units to meet the housing needs of their qualifying employees. The priority of any such master leases shall follow the same geographic waterfall provided previously. Any such master leases must be consistent with the remaining provisions of this Housing Mitigation Plan, as it may be amended from time to time.

Amenities

The proposed Yarrow Redevelopment includes numerous amenities for both its residents and the community at large. Over 40% of the site has been dedicated to publicly accessible open space with safe protected bike and pedestrian trails surrounding the entire site. The proposed project provides covered onsite bike parking for every unit as well as available covered parking with available charging infrastructure for bikes and vehicles. The site is located in the commercial core of Park City immediately adjacent to grocery stores, schools, health care, restaurants, and recreation. This area is also the source of many jobs in park city allowing many residents to walk or bike to work and school. The site is next to the most frequented transit stop in the city for easy access beyond the immediate area. The project is working to host an additional bike-share station on-site for the convenience of residents and guests. This location and the provided facilities are designed to encourage alternative transit options over private vehicle trips. These features are key to minimizing traffic impacts and saving residents significant expense associated with vehicle ownership and operation.

Planning Commission Staff Report



Subject: 1200 Little Kate Road (The MARC)
Application: PL-24-06039
Author: Virgil Lund, Planner I
Date: February 28, 2024
Type of Item: Work Session

Recommendation

Review the application to modify the Municipal Athletic and Recreation Center Master Planned Development (MARC MPD) at 1200 Little Kate Road:

- (I) provide input on the proposed relocation of the pools in consideration of the Zoning District and MPD Setbacks, and
- (II) determine whether the proposal is a minor or substantive modification to the MPD.

Description

Applicant: Park City Municipal Corporation
Ken Fisher, Recreation Director
Matt Twombly, Senior Project Manager

Location: 1200 Little Kate Road

Zoning District: Residential Development

Adjacent Land Uses: Racquet Club Village to the west, north, and east, and Holiday Ranchettes Subdivision to the south.

Reason for Review: The Planning Commission reviews, conducts a public hearing, and takes Final Action on Conditional Use Permits and Master Planned Developments¹

ACUP Administrative Conditional Use Permit
CUP Conditional Use Permit
LMC Land Management Code
MARC Municipal Athletic and Recreation Center
MPD Master Planned Development

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

¹ LMC [§ 15-1-8](#)

Summary

The Applicant proposes relocating and expanding from a six-lane 25-yard 3,200 square-foot lap pool built in 1990 and a 2,600-square-foot recreation pool built in 2003 to expand and move the pools closer together to improve staffing and safety (Exhibit F, Applicant's Statement).



Image 1: Renderings of Proposed Pools

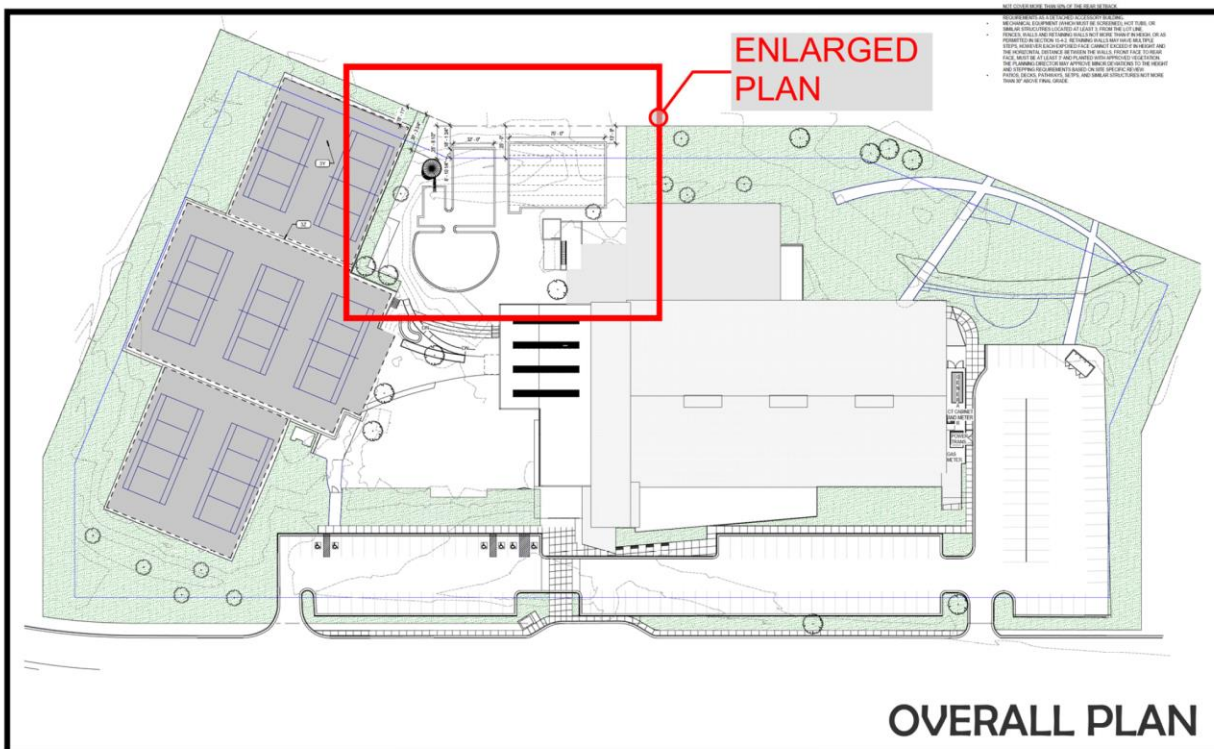
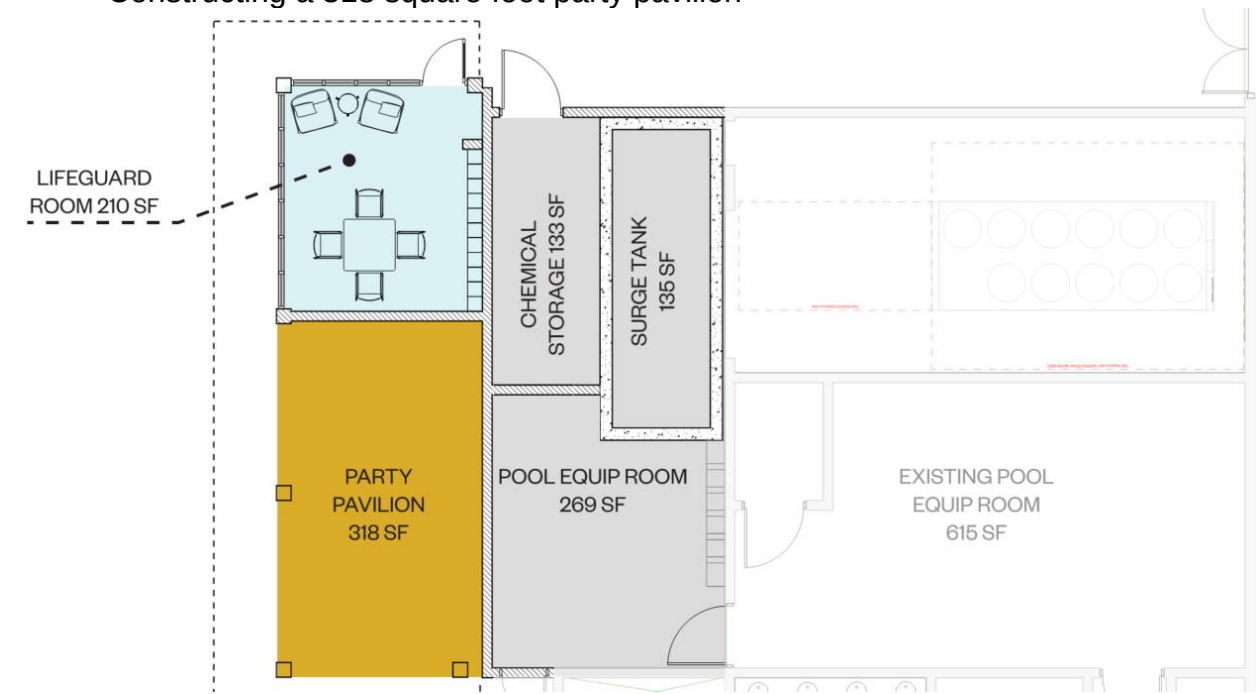


Image 2: Proposed Pool Relocation Area

The applicant proposes the following changes:

- The existing lap pool is 3,200 square feet. The proposed lap pool is increased to 3,749 square feet.
- The existing leisure pool is 2,600 square feet with a 125 square foot hot tub. The proposed leisure pool is increased to 5,000 square feet.
- Constructing a 537-square-foot addition to the existing structure for the pool mechanical equipment.
- Constructing a 210-square-foot addition to the existing structure for the lifeguard area.
- Constructing a 318 square foot party pavilion



Background

The Planning Commission approved a CUP for the Park City Racquet Club on November 17, 1976, which included an expansion of the existing Racquet Club for additional tennis courts, racquet ball courts, and a squash court (Exhibit A).

On January 20, 2010, the Planning Commission approved the MARC Conditional Use Permit (CUP) and MPD (Master Planned Development) for a 73,000-square-foot Public Recreation Facility, including seven outdoor tennis courts, four outdoor pickleball courts (added in 2013), an outdoor six-lane 25-yard lap pool constructed in 1990, and a recreation pool built in 2003. (Exhibit B). The Site Plan below is from the 2010 approval:

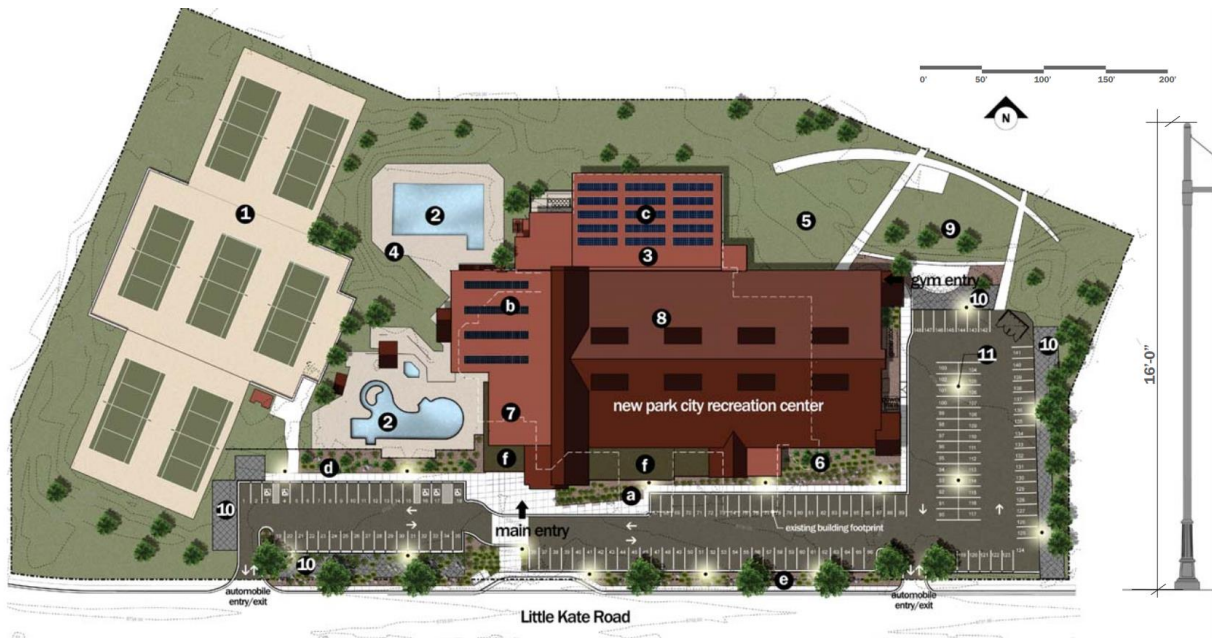
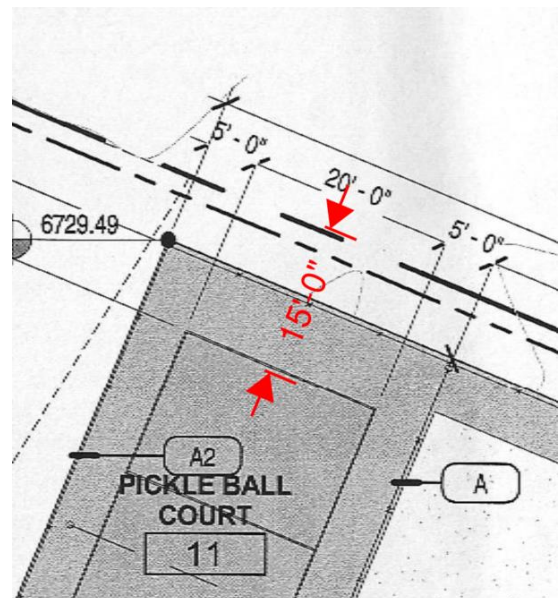
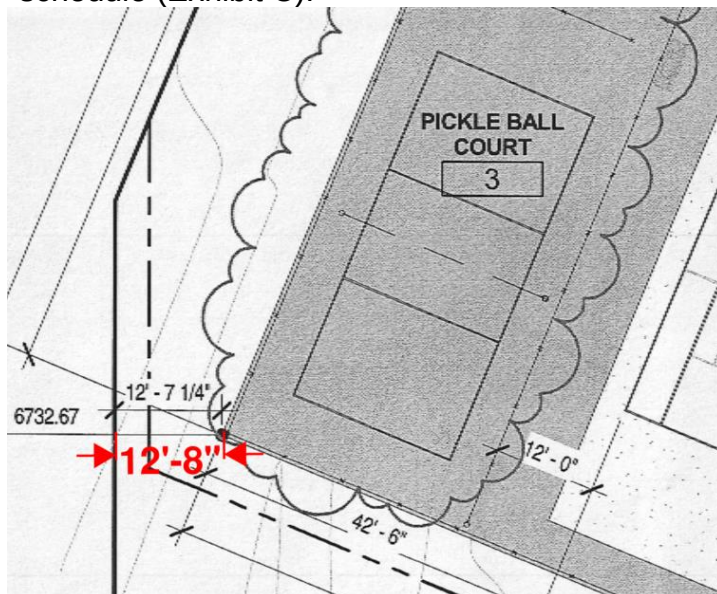


Image 3: 2010 MPD and CUP Approved Site Plan

On June 30, 2011, the Planning Commission approved a Modification to the MPD Development Agreement to modify the Saturday work hours to begin at 7 AM due to the extremely wet and cold spring weather which caused the project to be behind schedule (Exhibit C).



On August 06, 2012, the Planning Department approved an Administrative Conditional Use Permit (ACUP) to reconstruct the outdoor tennis courts and to construct four additional pickleball courts (Exhibit D). The City issued Building Permit (BD-12-17439) for the reconstruction of the tennis courts and the addition of the pickleball courts on August 6, 2013. See images above.

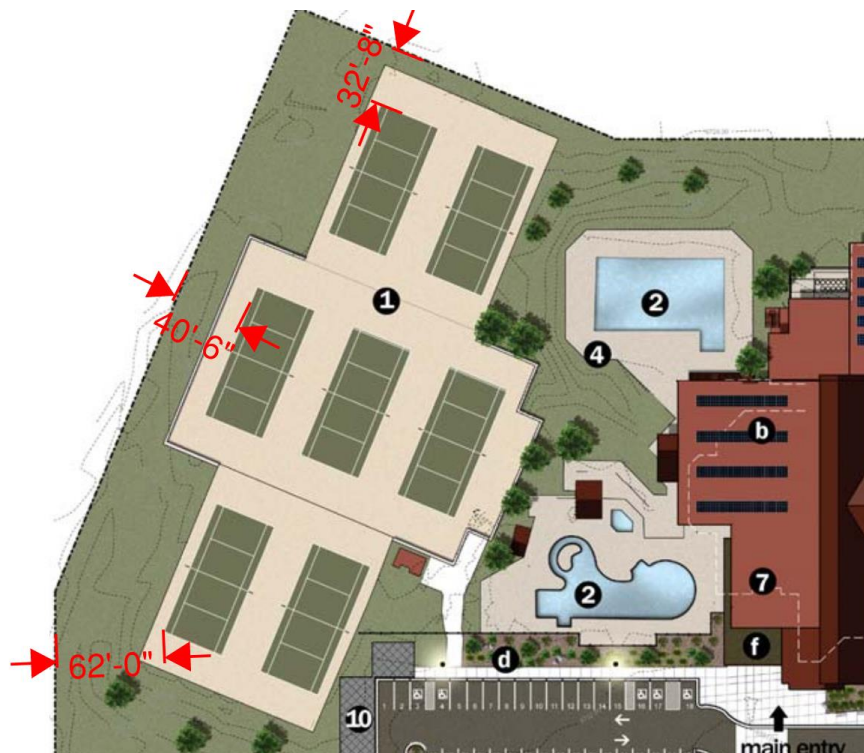
Analysis

(I) The Applicant requests the Planning Commission provide input on applicable setbacks for the swimming pool relocation proposed through a modification to the MARC MPD.

The minimum Setback around the exterior boundary of an MPD is 25 feet for Parcels greater than two acres. The Planning Commission may only decrease the required perimeter Setback from 25 feet for MPDs greater than two acres to the zone-required Setback if it is necessary to provide desired architectural interest and variation.²

LMC § 15-2.13-3 requires a 15-foot Rear Setback and a 12-foot Side Setback in the RD Zoning District.

The approved 2010 Site Plan complied with MPD and RD Zoning District side and rear Setbacks:



The Applicant proposes to modify the existing CUP/MPD to relocate the swimming pools to the rear of the property. The image below shows that the proposed swimming pools encroach into both the 15-foot RD Zoning District rear Setback and the 25-foot MPD perimeter Setback:

² LMC [§ 15-6-5\(C\)](#)

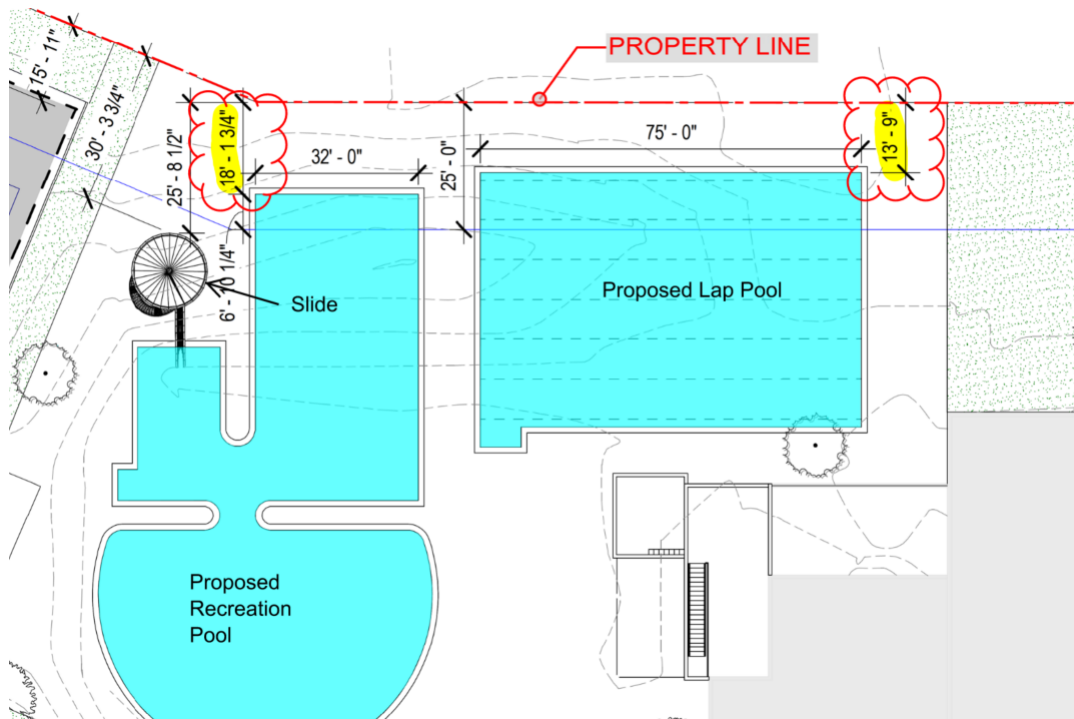


Image 2: Proposed Plans

LMC § 15-2.13-3(D) outlines rear Setbacks for the RD Zoning District: “The minimum Rear Setback is fifteen feet (15') for Main Buildings and ten feet (10') for Accessory Buildings and detached garages.”

LMC § 15-2.13-3(E)(6) establishes a rear Setback exception for Accessory Buildings

The LMC defines Accessory Buildings:

“A Building on the same Lot as the principal Building and that is:

1. clearly incidental to, and customarily found in connection with such principal Building, such as detached garages, barns, free-standing Solar Energy Systems, and other similar Structures that require a Building Permit;
2. operated and maintained for the benefit of the principal Use;
3. not a Dwelling Unit; and
4. also includes Structures that do not require a Building Permit, such as sheds, outbuildings, or similar Ancillary Structures. See Ancillary Structure.”³

The LMC defines Structures: “Anything constructed, the Use of which requires a fixed location on or in the ground, or attached to something having a fixed location on the ground and which imposes an impervious material on or above the ground; definition includes Building.”⁴

³ LMC [§ 15-15-1](#)

⁴ LMC [§ 15-15-1](#)

The LMC defines Ancillary Structures: one-story, attached or detached Structure, 250 square feet in Area or smaller, that is subordinate to and located on the same Lot as the principal Use, does not include Dwelling Area, and is not intended for sleeping or cooking. Includes Structures such as sheds, green houses, play equipment, utility Buildings, and similar Structures that may or may not require a Building Permit.

LMC § 15-2.13-3(E)(10) establishes a rear Setback exception for at-grade (or within 30" of Final Grade) improvements:

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

The MARC MPD approves a Public Recreation Facility, a facility operated by a public agency and open to the general public. As a result, staff does not interpret the swimming pools to be an accessory use, or at-grade structure that qualifies for both an exception to the 25-foot MPD perimeter Setback or as an exception to the RD Zoning District rear Setback. Rather, staff finds that due to the proposed use and impacts of the swimming pools, staff recommends the pools comply with the 25-foot MPD perimeter Setbacks.

The Applicant requests Planning Commission input on whether the proposed swimming pools would qualify for an exception to the 25-foot MPD perimeter Setback, and additionally, would meet one of the above allowable rear Setback exceptions for the Residential Development Zoning District.

(II) Staff requests the Planning Commission determine whether the relocation of the swimming pools is a minor or substantive modification to the MARC MPD.

LMC [§ 15-6-4\(K\)](#) states the Planning Commission shall determine whether a proposed modification to an approved MPD is minor or substantive. Minor modifications do not trigger additional Off-Street Parking, do not reduce Open Space, and do not increase traffic by 5% or more. The Planning Director takes Final Action on minor modifications to MPDs through an Administrative Permit.

Substantive modifications create additional impacts and require review of the entire MPD and Development Agreement. This includes modifications to a Finding of Fact or Condition of Approval, a change in Use or increase in Floor Area that triggers additional Off-Street Parking, or a change in use that increases traffic or reduces Open Space.

The existing pools at the MARC were calculated as part of the Open Space analysis for the 2009 MPD. The swimming pools at the MARC were not modified as part of the 2009 MPD approval and were existing as part of the original Park City Racquet Club. The pools underwent minor renovations and upgrades in the late 90s and early 2000s.

⁵ LMC [§ 15-2.13-3\(E\)](#)

The following modifications are proposed for the MARC:

- The existing lap pool is 3,200 square feet. The proposed lap pool is increased to 3,749 square feet.
- The existing leisure pool is 2,600 square feet with a 125 square foot hot tub. The proposed leisure pool is increased to 5,000 square feet.
- Constructing a 537-square-foot addition to the existing structure for the pool mechanical equipment.
- Constructing a 210-square-foot addition to the existing structure for the lifeguard area.
- Constructing a 318 square foot party pavilion

The proposal does include a modification to a Finding of Fact from the recorded Development Agreement for the MARC MPD from 2010.

Finding of Fact three from the recorded Development Agreement states: “The total proposed building footprint is 66,030 s.f. and gross square footage is 85,015.” The proposed structural additions will add 747 square feet to the Building Footprint and will modify this Finding of Fact.

Finding of Fact ten from the recorded Development Agreement states: “Setbacks within the Residential Development (RD) are twenty feet (20’) in the front, fifteen feet (15’) in the rear, and twelve feet (12’) on the sides. The MPD requires twenty-five (25’) foot setbacks from all sides. The building complies with these setback requirements.” The Applicant proposes to modify this Finding of Fact and decrease the required Setbacks.

The proposal increases the Floor Area of the main building of the MARC by 747 square feet and adds a 318 square foot party pavilion. This additional Floor Area triggers an additional 3.8 Parking Spaces.⁶ The proposal also increases the size of the leisure pool to 5,000 square feet. The recorded Development Agreement states that the MARC MPD requested 148 Parking Spaces. The additional 2,400 square feet of pool area adds an additional parking demand of approximately 12 Parking Spaces.⁷

The proposed modification would not trigger increases in traffic pursuant to the adopted Transportation Impact Study Guidelines.⁸

Finding of Fact two from the Development Agreement states: “The proposed facility open space is 44.7% and includes exterior tennis and pools as well as future phases.” The proposed pools will not decrease Open Space since they are included in the original analysis of the MPD. The proposed structural additions will decrease the amount of Open Space by 747 square feet.

⁶ LMC [§ 15-3-6\(B\)](#)

⁷ LMC [§ 15-3-6\(B\)](#)

⁸ TIS [Guidelines](#)

Staff requests the Planning Commission determine whether the modification is minor or substantive.

(III) The Development Review Committee reviewed the proposal on February 20, 2024, and does not require any Conditions of Approval.⁹

Department Review

The Planning Department, Engineering Department, and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website on February 14, 2024. The *Park Record* published notice on February 14, 2024.¹⁰

Public Input

Staff did not receive any public input at the time this report was published.

Exhibits

Exhibit A: 1976 CUP Final Action Letter
Exhibit B: 2010 MPD Approved Site Plan
Exhibit C: 2011 Modification Final Action Letter
Exhibit D: PL-12-01565 Final Action Letter
Exhibit E: Proposed Plans
Exhibit F: Applicant's Statement

⁹ The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

¹⁰ LMC [§ 15-1-21](#)

Park City Municipal Corporation

PARK CITY, UTAH

TO: Jack Johnson
ADDRESS: Park City, UT 84060
SUBJECT: Application for a Conditional Use Permit
FROM: Park City Planning Commission

At the regularly scheduled Planning Commission Meeting of
November 17, 1976 your application for a conditional use
permit for Park City Racquet Club etc. at
Name of Business
was

Approved XXXX Subject to the following:

that the development follow the time limit discussed which was
1st phase of approximately 58 units developed in 1977 & 1978;
2nd phase of 61 units developed in 1978 and 1979; and 3rd phase
of 61 units developed in 1980 and 1981 and upon condition that
two parking spaces per unit be provided; that the landscaping
which was presented is typical of the entire project; and that
a complete landscape plan be submitted to the Planning office;
that the two major streets of the development be connected; that
the only impact analysis required for the development be a study
of the culinary water system of the City to determine if the City can't
Disapproved for the following reasons:

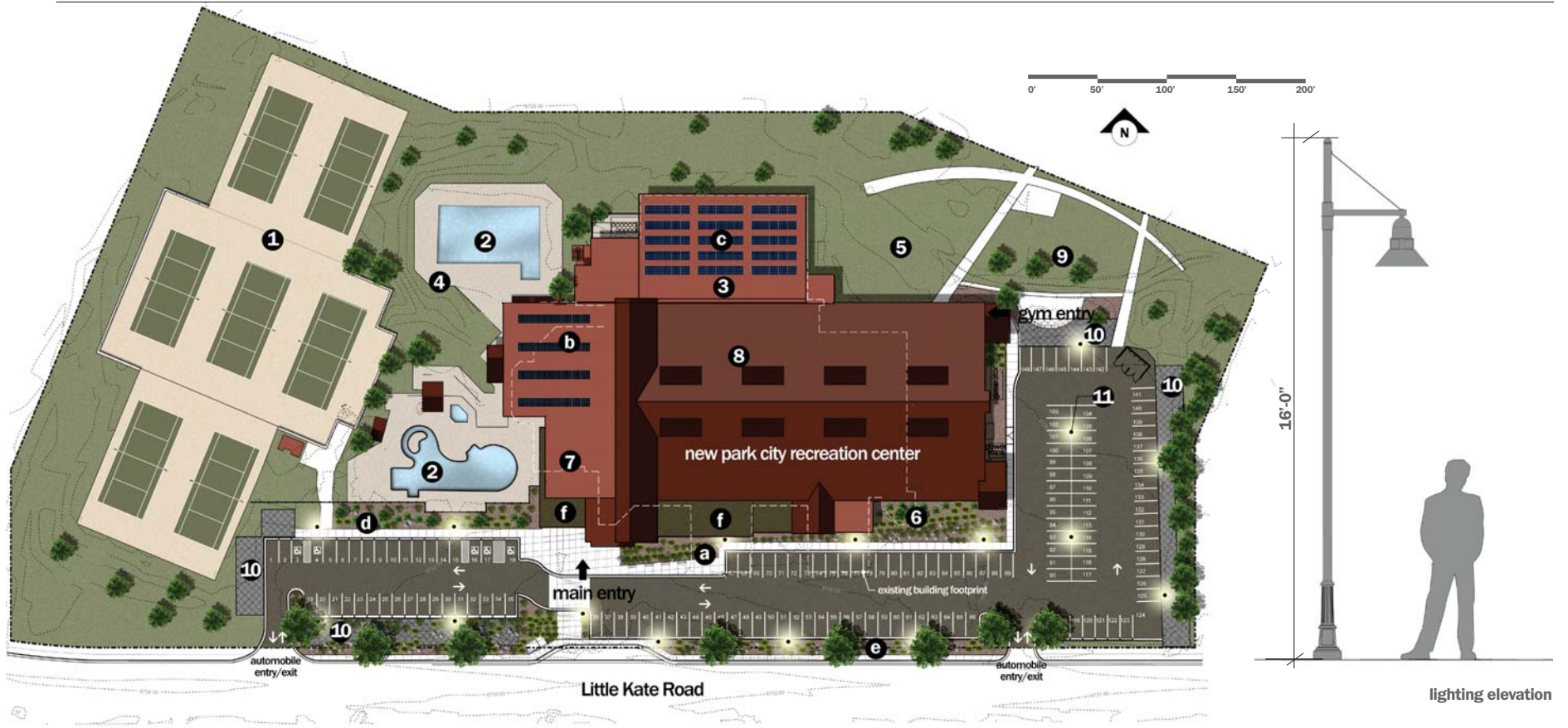
has the ability to service the project; that phases 2 and 3 be subject
to architectural approval.

Burnis Watts (LM)
Chairman of the Planning Commission

Also approved was a temporary sales office which is to be screened
by visual barrier fencing on three sides. This approval is
subject to annual review by the Planning Commission and that the
graphics of the mobile home unit are returned to the Planning
Office.

Site Plan - Existing West Lot

PARK CITY RECREATION CENTER • PARK CITY, UTAH • 20 JAN 2010



- | | | |
|----------------------------------|---|--|
| 1 existing tennis courts | 7 2-story fitness, recreation & lockers | a bike racks |
| 2 existing pool | 8 tennis building (4 courts w/ running track) | b solar hot water panels |
| 3 existing gymnasium | 9 existing park | c solar panels |
| 4 future natatorium | 10 snow storage | d water-wise landscaping |
| 5 future multi-purpose gymnasium | 11 site lighting (see elevation) | e native grass and boulder landscaping |
| 6 future restaurant | | f green roof |



June 30, 2011

Matt Twombly – Project Manager
Park City Municipal Corporation
445 Marsac Avenue
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

Application #:	PL-11-01269
Subject:	Park City Racquet Club
Address:	1200 Little Kate Road
Description	Modification to MPD Development Agreement
Action Taken	Approved
Date of Action	June 22, 2011

On June 22, 2011 the Park City Planning Commission called a meeting to order, a quorum was established, a public meeting was held, and the Planning Commission approved the Modification to the Development Agreement on the MPD for 1200 Little Kate Road – Park City Racquet Club based on the following:

Findings of Fact:

1. The Racquet Club MPD was approved by the Planning Commission on January 20, 2010.
2. The Planning Commission ratified the MPD development agreement on June 23, 2010.
3. Construction work hours on Saturdays were limited in the DA from 9 am to 6 pm (Condition of Approval #10).
4. The applicant is requesting extending Saturday's work hours to begin work at 7 am due to the extremely wet and cold spring weather which has caused the project to be behind schedule. The project has a completion date the end of November, 2011.
5. The applicant held a public open house for the Park City Racquet Club construction work hour change on June 20, 2011.
6. The *Analysis* section of this staff report is incorporated herein.

Conclusions of Law:

1. This amendment is a minor, administrative modification which does not require revision of the development agreement.

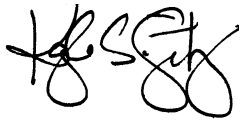
Conditions of Approval:

All previous conditions from the DA stand, with the modification of Condition #10:

10. Work is restricted to Monday through **Saturday_9 7am to 6pm**. Work will not be allowed on the following holidays: New Years, Easter, Memorial Day Labor Day, 4th of July, Thanksgiving and Christmas. This would include the tie for start up of heavy equipment and start up of any vehicles. Idling of vehicles will not be allowed. Auxillary lighting will also be restricted to these hours and work days.

If you have questions regarding your project or the action taken please don't hesitate to contact Kayla Sintz at 435-615-5062.

Sincerely,

A handwritten signature in black ink, appearing to read 'K. Sintz', with a stylized flourish at the end.

Kayla Sintz
Park City Planning Department

**PARK CITY MUNICIPAL
PLANNING DEPARTMENT**



APPLICATION REVIEW
STATUS NOTIFICATION

APPLICATION #: PL-11-01269
SUBMITTAL DATE: June 2, 2011
PROJECT NAME: Park City Racquet Club
PROJECT ADDRESS: 1200 Little Kate Road

PLANNER ASSIGNED: Kayla Sintz
PHONE: 435.615.5062
EMAIL: kayla.sintz@parkcity.org

☒ All submittal requirements for your application have been satisfied. I will be in contact with you promptly regarding the upcoming timeline of your project.

Your application was considered complete on June 6, 2011

☐ Your project application is **incomplete**. Please contact me to discuss, in detail, the additional information needed:

If you have any questions, please don't hesitate to contact me. Thank you.



August 06, 2012

Mathew Twombly
Park City Municipal Corporation
P.O. Box 1480
Park City, UT 84060

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Application #</u>	PL-12-01565
<u>Subject</u>	Park City MARC Outdoor Tennis Reconstruction
<u>Description</u>	Administrative Conditional Use Permit (CUP)
<u>Action Taken</u>	Approved
<u>Date of Action</u>	August 06, 2012

On August 06, 2012 the Park City Planning Department Staff made an official determination of approval of your application based on the following:

Project Description

Park City MARC proposes to reconstruct the outdoor tennis courts located at 1200 Little Kate Road. As part of the Master Planned Development (MPD) approval for the MARC the tennis courts were included in the open space calculation for the site. The plan for the reconstruction is to raise the courts at the tennis bubble 3' and provide additional space outside the bubble for snow removal which moves the courts approximately 9' to the north and south and approximately 9' to the east. The reconstruction also adds 4 narrow kid courts.

Findings of Fact

1. The Park City MARC proposes to reconstruct the outdoor tennis courts located at 1200 Little Kate Road.
2. The project is located in the Residential Development District (RD) District.
3. The proposed reconstruction is approximately 57,000 square feet and includes 11 outdoor tennis courts.

4. There are no environmental impacts anticipated.

Conclusions of Law

1. The CUP is consistent with the Park City Land Management Code, Chapter 15-1-10 and Chapter 15-2.13.
2. The CUP is consistent with the Park City General Plan.
3. The proposed modified use will be compatible with the surrounding structures in use, scale, mass and circulation.
4. The effects of any differences in use of scale have been mitigated through careful planning.

Conditions of Approval

1. All standard conditions of approval apply to this Conditional Use Permit.
2. A building permit must be obtained from the Park City Building Department prior to the reconstruction.

If you have questions regarding your project or the action taken please contact me at 435-615-5065 or stokes@parkcity.org.

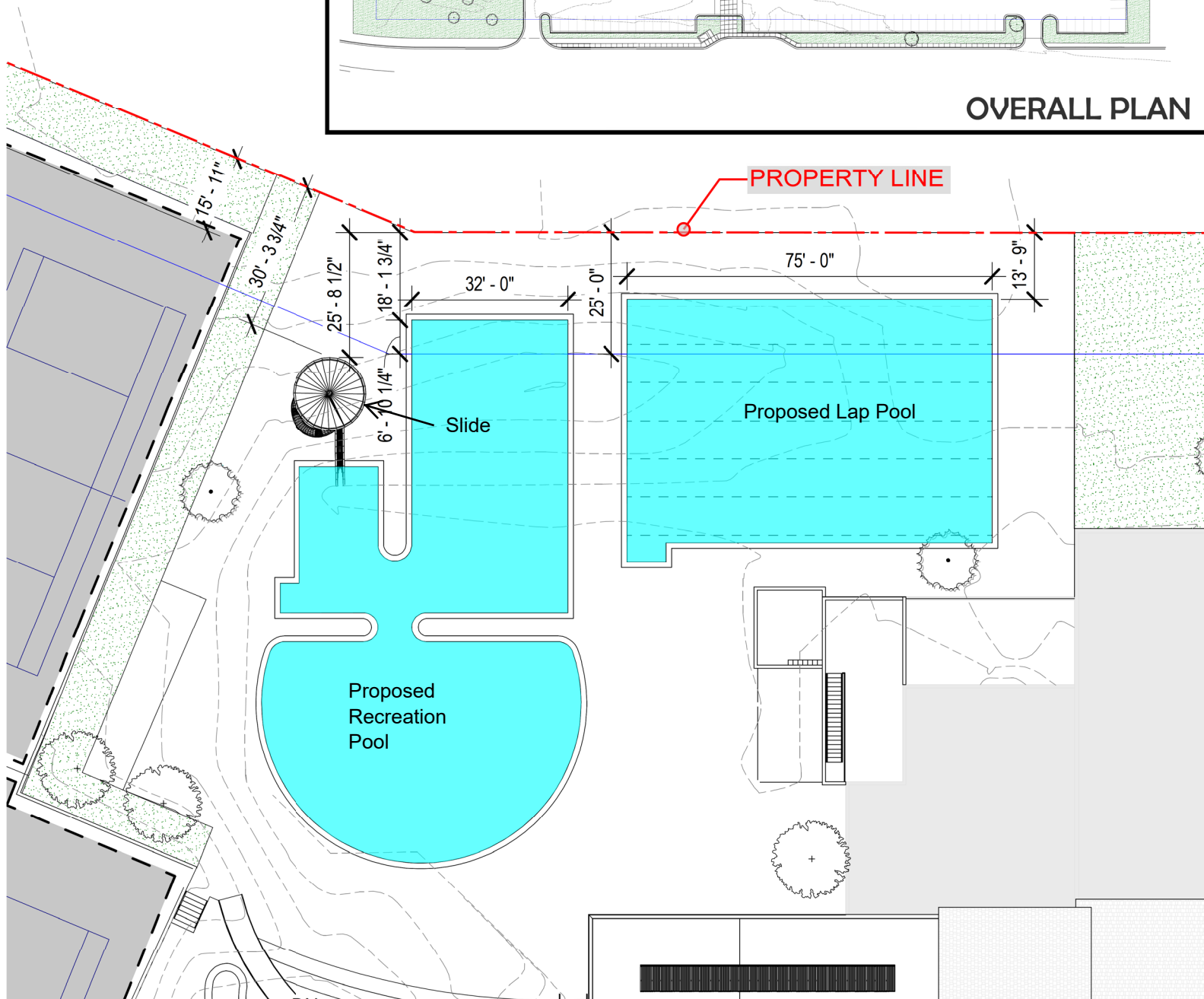
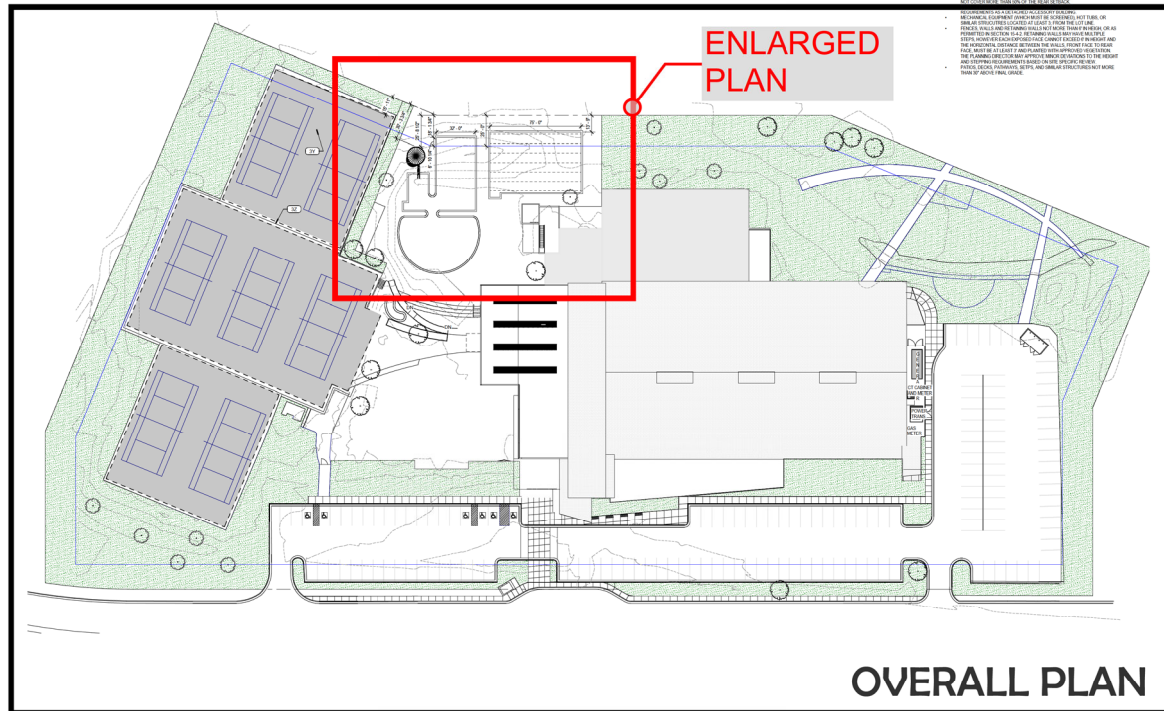
Respectfully,

A handwritten signature in black ink that reads "Shauna Stokes". The script is cursive and fluid.

Shauna Stokes
Planner Technician

NOT COVER MORE THAN 50% OF THE 88-88 SETBACK

- REQUIREMENTS FOR A LEASEHOLD PROPERTY BUILDING:
- MECHANICAL EQUIPMENT (WHICH MUST BE SCREENED, NOT TUBS, OR SIMILAR STRUCTURES) LOCATED AT LEAST 1' FROM THE SETBACK LINE.
- FENCES, WALLS AND STANDING WALLS NOT MORE THAN 18" HEIGHT. ORAS PERMITTED IN SECTION 15-4.2. RETAINING WALLS MAY HAVE MULTIPLE STEPS, HOWEVER EACH EXPOSED FACE CANNOT EXCEED 6" HEIGHT AND THE HORIZONTAL DISTANCE BETWEEN THE WALLS, FRONT FACE TO REAR FACE, MUST BE AT LEAST 1' AND PLANNED WITH APPROVED VEGETATION. THE PLANNING DIRECTOR MAY APPROVE MINOR DEVIATIONS TO THE HEIGHT AND STEPPING REQUIREMENTS BASED ON SITE SPECIFIC REVIEW.
- PATIOS, DECKS, PATHWAYS, SETPS, AND SIMILAR STRUCTURES NOT MORE THAN 36" ABOVE FINAL GRADE.

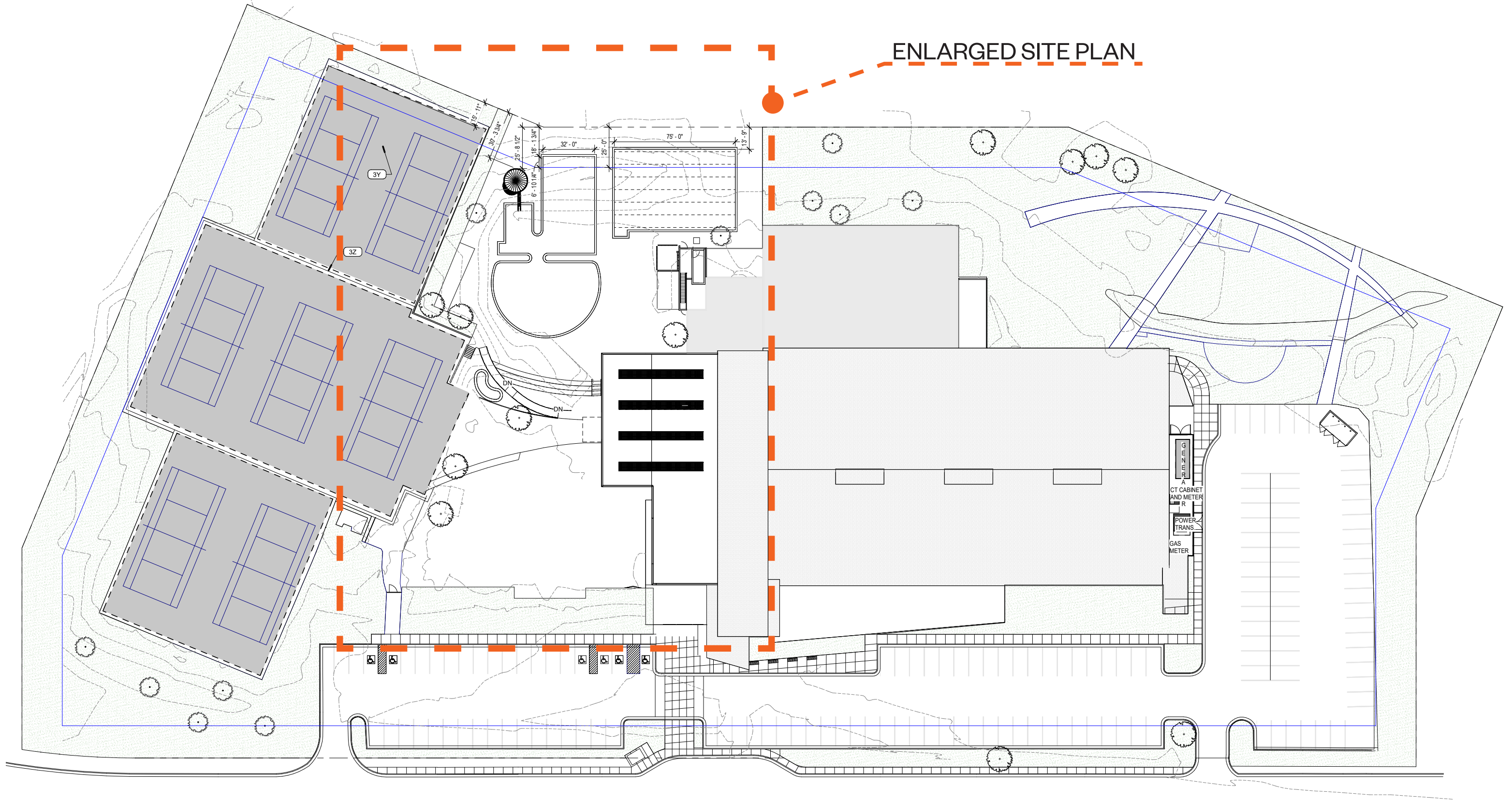








PC MARC FITNESS + POOL RENOVATION



A1 OVERALL SITE PLAN
SCALE: NOT TO SCALE

OVERALL SITE PLAN

PC MARC FITNESS & POOLS RENOVATION— PARK CITY, UT

VCBO

FEBRUARY 14, 2024

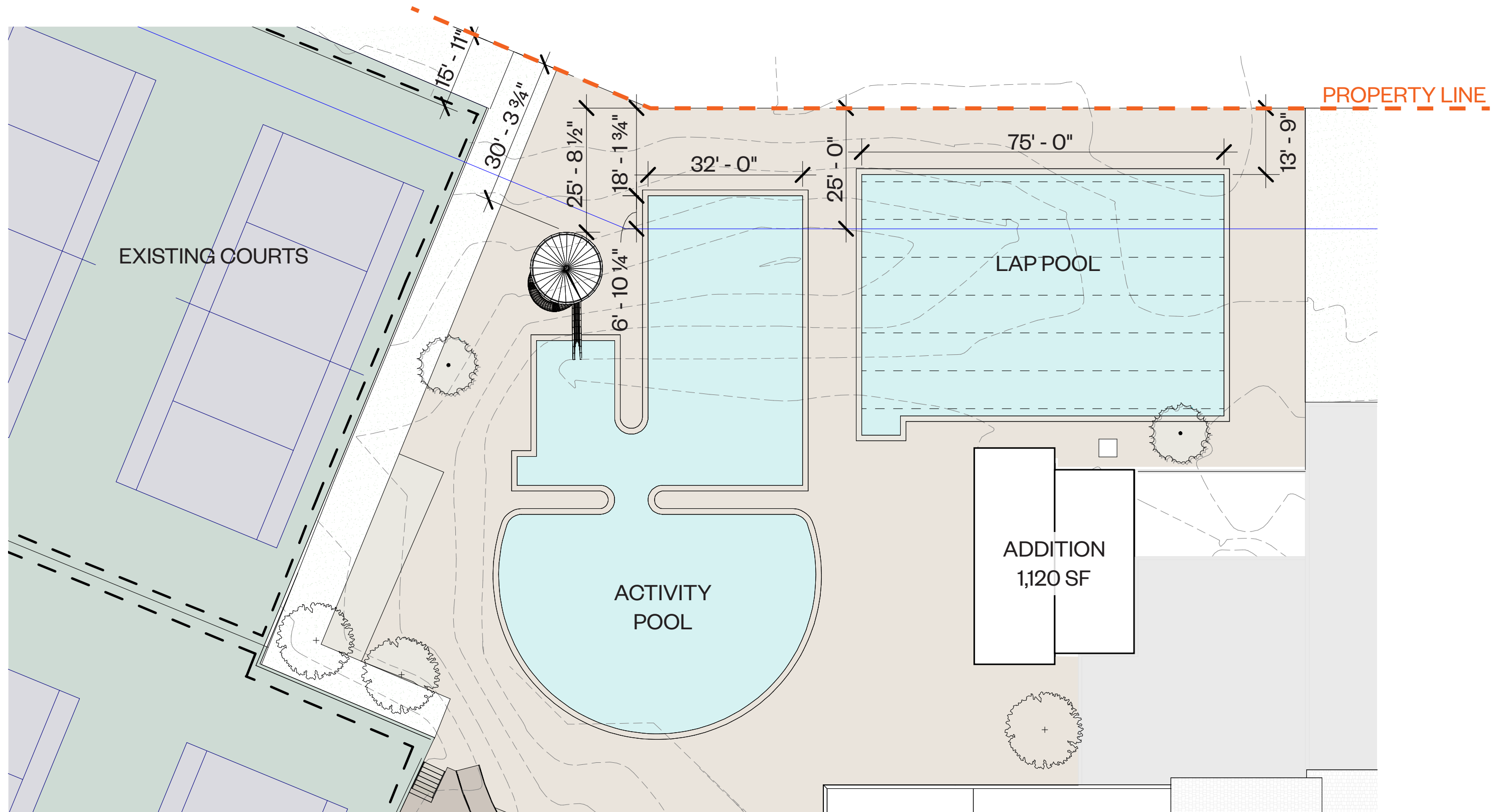


ENLARGED SITE PLAN

PC MARC FITNESS & POOLS RENOVATION— PARK CITY, UT

VCBO

FEBRUARY 14, 2024

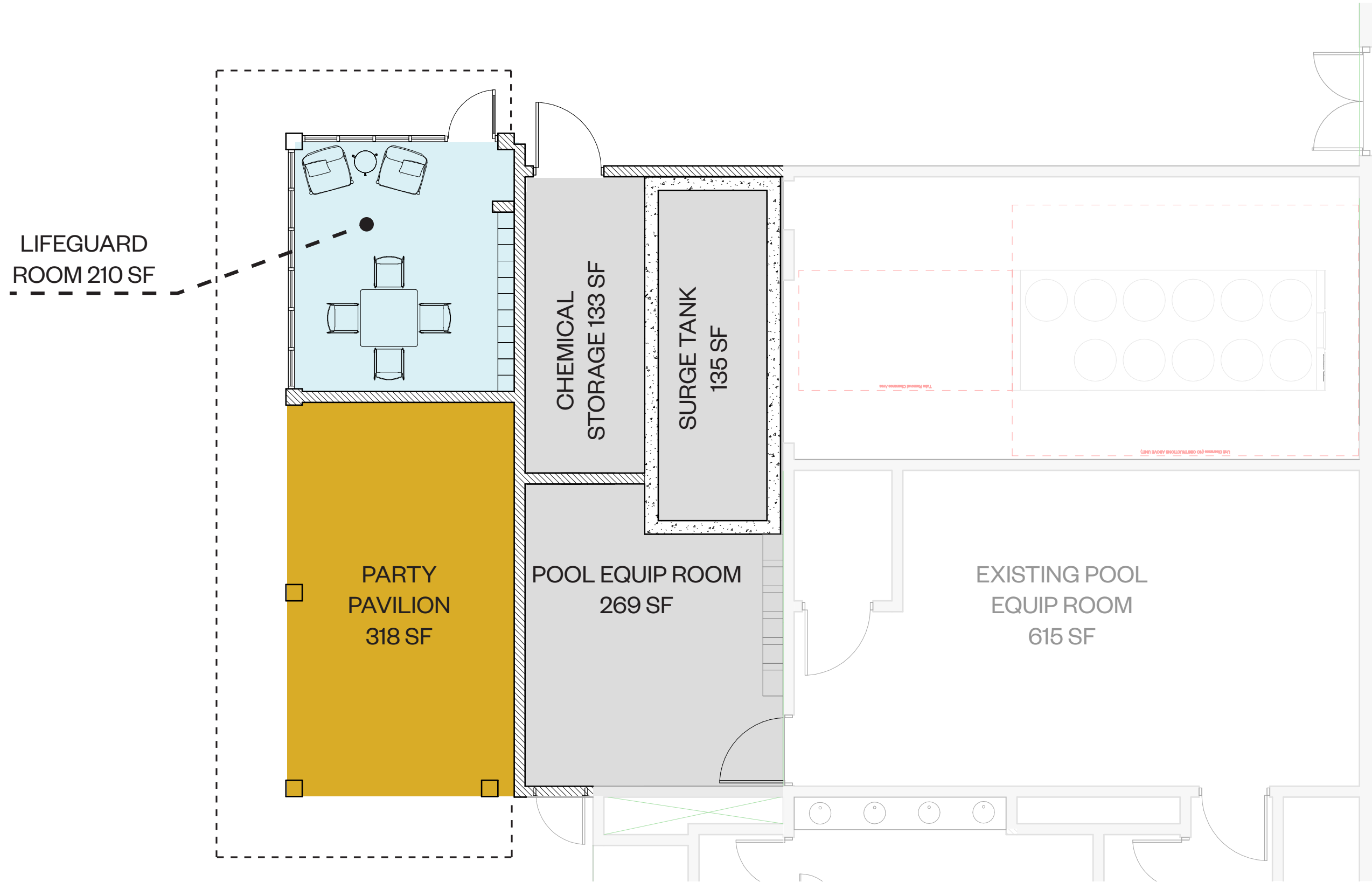


ENLARGED POOL AREA

PC MARC FITNESS & POOLS RENOVATION— PARK CITY, UT

VCBO

FEBRUARY 14, 2024



ENLARGED ADDITION

PC MARC FITNESS & POOLS RENOVATION— PARK CITY, UT

VCBO

FEBRUARY 14, 2024

Exhibit-A

Park City Municipal Corporation (PCMC) owns and operates the MARC which was remodeled in 2011. The PC MARC is a 73,000-square-foot indoor facility with seven outdoor tennis courts, four outdoor pickleball courts, an outdoor lap pool, and a recreation pool. The current lap pool is a six-lane 25-yard pool that was built in 1990. The existing recreation pool was built in 2003. The PC Municipal Council has prioritized the pool replacements among their top priorities for the current budget cycle to maintain current pool usage and avoid high maintenance costs with the existing pools.

A conditions analysis study was conducted on the existing pools in June of 2022 by Water Design Inc. The findings of the study identified several deficiencies in the condition of the pools along with critical upgrades and improvements that would be needed in the short term to maintain the existing pools.

The existing pools are located several yards away from each other on different elevations in grade separated by mature landscaping and are bisected by circulation to and from the tennis courts to the west. This separation creates staffing and safety concerns for the pools. If these pools were to be collocated adjacent to each other and away from the tennis circulation it would greatly improve staffing and security issues.

PC MARC staff in conjunction with VCBO Architecture have developed a replacement plan for the two pools. The plans place the two bodies of water to the north end of the available property. The layout provides for a 6 lane 25-yard lap pool and a multi zone recreation pool with a multi-use area that will accommodate learn to swim programs, water aerobics, recreation and addition lap swimming. A second zone will focus on toddlers with water depths between 0" to 18" and a third zone to accommodate a catch pool for a pool slide. This configuration improves lifeguard visibility of all bodies of water and accommodates efficiencies in pool piping and equipment.

Reviewing this layout with Park City Planning Department staff there is not a clear definition of property line setbacks as it relates to pools and a clear definition of whether an outdoor pool fits within the definition of buildings or accessory buildings. The 2010 Racquet Club Master Plan Development (MPD) requires a 25'-0" setback on all sides. The Land Management Code (LMC) chapter 15-2.13 underlying Residential Development (RD) zone requires a Rear Yard setback of 15' for Main Buildings and 10' setback for Accessory Buildings. The LMC Section 5-2.13-3 E. Rear Setback Exceptions - 6. Detached Accessory Buildings not more than eighteen feet (18') in height and maintaining a minimum Rear Setback of five feet (5'). Such Structures must not cover over fifty percent (50%) of the Rear Setback.

The current plans have the lap pool placed off of the north property line (rear yard) at 13' - 9" with the closest element of the recreation pool at 18' - 2" off of the north property line (refer to Exhibit B). The City is requesting that the Planning Commission review the proposed pool configuration and layout and determine if the placement of the pools as proposed is a minor or substantive modification to a Master Plan Development.

Planning Commission Staff Report



Subject: 327 McHenry Avenue: Steep Slope
Development and Private Recreation Facility
Application: PL-22-05389 – Private Recreation Facility
PL-24-06010 – Steep Slope
Author: Spencer Cawley, Planner II
Date: February 28, 2024
Type of Item: Administrative – Conditional Use Permits

Recommendation

(I) Review the applications for Steep Slope and Private Recreation Facility Conditional Use Permits, (II) open a public hearing, (III) and consider approving the applications subject to the Findings of Fact, Conclusions of law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant: 327 McHenry LLC
Jerry Fiat, Applicant Representative

Location: 327 McHenry Avenue

Zoning District: Historic Residential – Low Density
Adjacent Land Uses: Single-Family Residential

Reason for Review: The Planning Commission reviews Conditional Use Permits, conducts a public hearing, and takes Final Action¹

CUP Conditional Use Permit
HDDR Historic District Design Review
HRL Historic Residential – Low Density
LMC Land Management Code

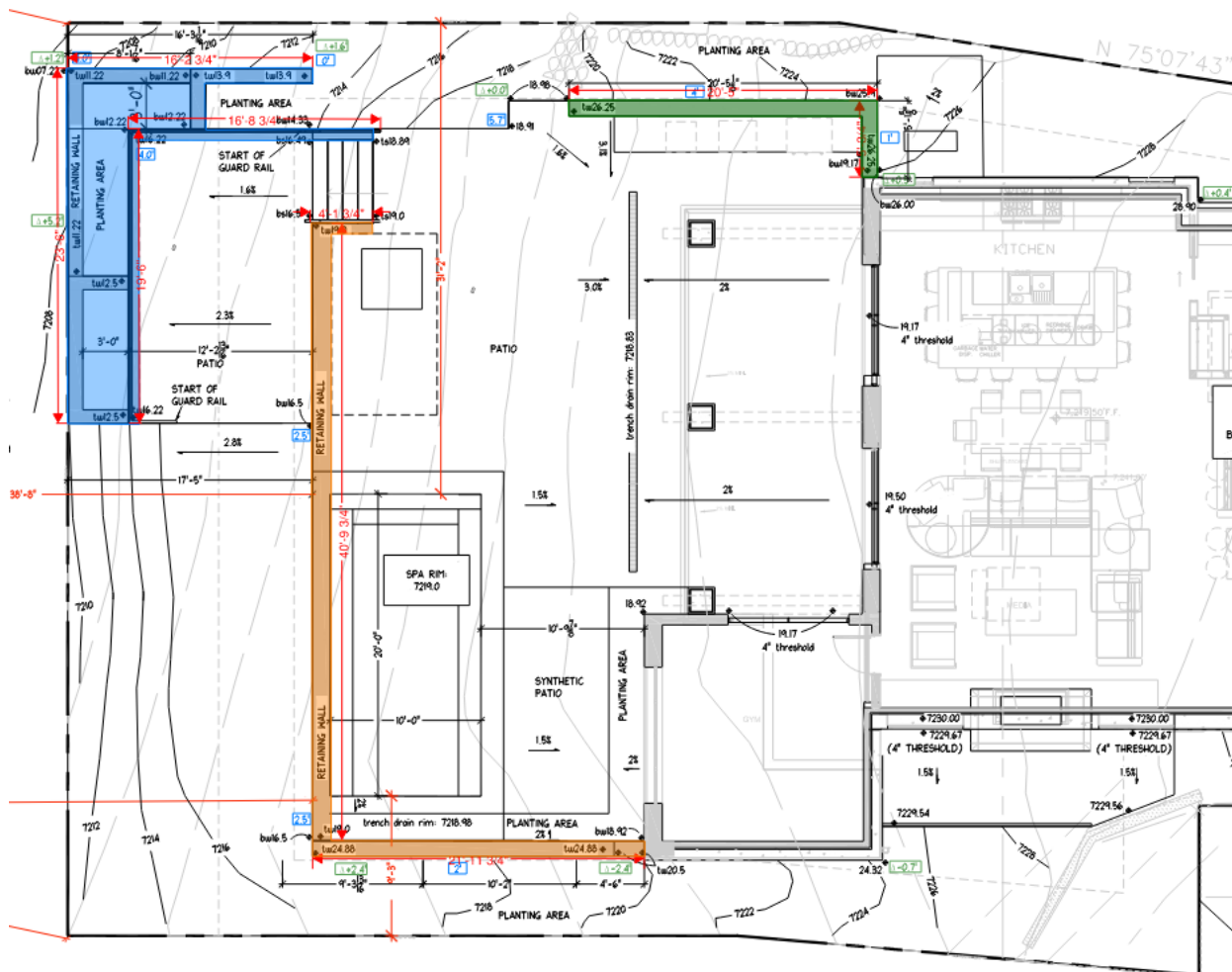
Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § [15-15-1](#).

Summary

The Applicant is constructing a new Single-Family Dwelling in the Historic Residential – Low (HRL) Zoning District and proposes adding an outdoor swim spa (10 feet wide by 20 feet long by 5 feet deep), reduced from the original proposal for a swimming pool (17 feet wide by 36 feet-nine inches long, three to six feet deep). A Steep Slope Conditional Use Permit (CUP) is required for all proposed disturbances to the Rear Yard of 327 McHenry Avenue. Staff identified three sections of retaining walls:

¹ LMC [§ 15-1-8\(G\)](#)

- Blue Section – Rear (South) Property Line. The walls parallel to the rear property line range approximately in length from 19 to 23 feet. The wall at the property line is four feet tall, steps back three feet to accommodate a planting area, and a second four-foot retaining wall.
- Blue Section – Side (North) Property Line. The walls parallel to the north property line are four feet tall and approximately 16 feet long.
- Orange Section – Swim Spa and Equipment Level. The section of the wall proposed to retain the location of the swim spa and vaulted equipment is 2.5 feet tall and approximately 41 feet long.
- Orange Section – Side (South) Property Line. The wall parallel to the south property line is two feet tall and approximately 22 feet long.
- Green Section – Side (North) Property Line. The wall parallel to the north side property line is four feet tall and approximately 20 feet tall.



The LMC identifies residential swimming pools as Private Recreation Facilities. Private Recreation Facilities are a Conditional Use in the Historic Residential – Low Density (HRL) Zoning District.² The LMC defines Private Recreation Facilities as:

² LMC [§ 15-2.1-2\(B\)\(11\)](#)

Recreation facilities operated on private property and not open to the general public, including Recreation Facilities such as swimming pools, tennis courts, outdoor Pickle Ball Courts, and similar facilities for the Use by Owners and Guests.

The original CUP submittal identified a swimming pool with dimensions 17 feet wide by 36 feet-nine inches long, and three to six feet deep, approximately 612 square feet. The updated proposal includes a 10-foot-wide by 20-foot-long and five-foot-deep installation, approximately 200 square feet.

The Applicant states the proposed 200-square-foot and five-foot-deep installation is a hot tub and not a swimming pool. Typical hot tubs range from five feet in length and width to eight feet in length and width, with a depth ranging from three to four feet. The retaining walls required for the site will be dependent upon the approved use of the Applicant's installation.

Because the proposed installation exceeds traditional hot tub dimensions, staff interprets the Applicant's "swim spa" to trigger Planning Commission review as a Private Recreation Facility. The current Planning Director requested the Applicant first obtain approval of the actual rear-yard installation from the Planning Commission prior to modifying the Landscape Plans. This is because it is the approval of the Use that will determine the required retaining walls and site disturbance. Pending the Planning Commission's decision on whether the Private Recreation Facility CUP will be approved, the Applicant will then update the proposed plans under their pending HDDR modification application.

On November 9, 2022, the Planning Commission reviewed the Conditional Use Permit (CUP) application to construct an outdoor swimming pool for 327 McHenry Avenue, held a public hearing, and continued the item to a date uncertain ([Staff Report](#); [Minutes](#), p. 43). In that meeting, the Planning Commission raised the following concerns:

- Light trespass and Dark Sky compliance of the proposed outdoor television and media center.
- Complete review and approval of the Historic District Design Review (HDDR) of the modified landscape proposal, including retention of the natural grade, the height of proposed retaining walls, and impact/mitigation of all the site's Significant Vegetation.³
- Compliance with the City's [Noise Ordinance](#).
- Compliance with the goals of Park City's General Plan.
- Steep slope stabilization, including a review of the Geotechnical Report.

Since the Planning Commission's review in November 2022, the Applicant has worked with staff to create a Landscape Plan that complies with the Land Management Code

³ LMC [§ 15-15-1](#) defines Significant Vegetation as, "Includes all large trees six inches (6") in diameter or greater measured four and one-half feet (4.5') above the ground, all groves of small trees, and all clumps of oak or maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line."

(LMC). On March 2, 2023, the Planning Director reviewed and approved the Applicant's Landscape Plan. The HDDR Final Action letter is attached as Exhibit B. The meeting minutes are attached as Exhibit C.

On March 22, 2023, the Planning Commission held a public hearing and continued the item to April 12, 2023 ([Staff Report](#); [Meeting Minutes](#), p. 3). On April 12, 2023, Staff recommended the Planning Commission continue the discussion to May 10, 2023. The Planning Commission held a public hearing and continued the item to May 10, 2023 ([Staff Report](#); [Meeting Minutes](#)).

On May 10, 2023, at the request of the Applicant and recommendation of staff, the Planning Commission held a public hearing and continued the discussion to a date uncertain ([Staff Report](#); [Meeting Minutes](#)). The Applicant has since submitted a second modification to the March 2, 2023, HDDR approval of the Landscape Plan. This modification replaces the swimming pool with a 10-foot-wide by 20-foot-long by 5-foot-deep swim spa, and significantly reduces the proposed retaining walls along the rear property line.

Background

327 McHenry Avenue is in the Historic Residential – Low Density (HRL) Zoning District. Summit County identifies the property as Parcel 331-MC-B-AM. 327 McHenry Avenue is Lot B of the 331 McHenry Avenue Subdivision – First Amended (Exhibit D).

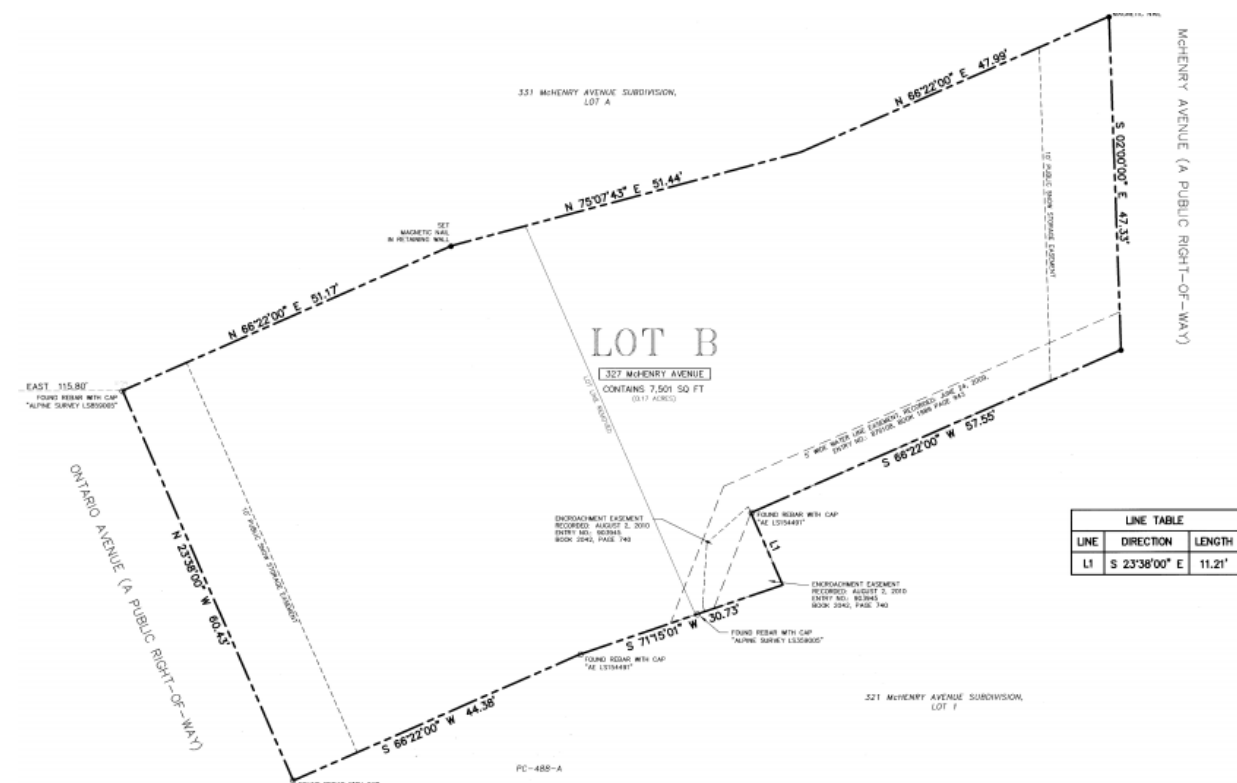


Figure 1: Lot B, 331 McHenry Avenue Subdivision

As part of the application submittals, the property owner provided Planning Staff with images of the property as viewed from McHenry Avenue and Ontario Avenue:



Figure 2: Street View of Front Yard from McHenry Avenue



Figure 3: Street View Rear Yard from Ontario Avenue

The following is a timeline of land use applications associated with 327 McHenry:

- November 19, 2020 – The City Council adopted [Ordinance No. 2020-50](#), an Ordinance Approving the 331 McHenry Avenue Subdivision – First Amended ([Staff Report](#); [Meeting Minutes](#)).
- August 24, 2021 – The Planning Department reviewed and approved an HDDR application to construct a new Single-Family Dwelling at 327 McHenry Avenue (See Exhibit E, Final Action Letter).
- September 6, 2022 – The Planning Director reviewed an HDDR modification to specific design elements of the Single-Family Dwelling (Exhibit F, Waiver Letter).
- September 20, 2022 – The Applicant submitted a CUP Application proposing to install a Private Recreation Facility (swimming pool) in the rear yard.
- March 2, 2023 – The Planning Director reviewed and approved a modification to the Landscape Plan.
- December 11, 2023 – The Planning Department received an application to modify an HDDR approval for the landscaping at 327 McHenry Avenue.
- January 4, 2024 – The Planning Department received a Steep Slope CUP application. Staff determined the Applicant was complete on January 30, 2024.

Analysis

(I) Planning Staff requests the Planning Commission determine whether the proposal is a hot tub, swim spa, or swimming pool.

The LMC identifies residential swimming pools as Private Recreation Facilities. Private Recreation Facilities are a Conditional Use in the Historic Residential – Low Density (HRL) Zoning District.⁴ The LMC defines Private Recreation Facilities as:

Recreation facilities operated on private property and not open to the general public, including Recreation Facilities such as swimming pools, tennis courts, outdoor Pickle Ball Courts, and similar facilities for the Use by Owners and Guests.

However, the Applicant's narrative indicates that the swimming pool is now identified as "a hot tub with vaulted/screened (underground) spa equipment." Although the LMC does not define "hot tub," "spa," or "swimming pool," LMC [§ 15-15-1](#) says that words not defined in the LMC "shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition." The Merriam-Webster's Collegiate Dictionary, 11th edition, makes the following distinctions:

- Hot Tub – A large tub of hot water in which bathers soak and usually socialize; Such a tub with a whirlpool device.⁵
- Spa – A hot tub with a whirlpool device.⁶
- Swimming Pool – A pool suitable for swimming: a tank (as of concrete or plastic) made for swimming.⁷

The original CUP submittal identified a swimming pool with dimensions of 17 feet wide by 36 feet-nine inches long, approximately 612 square feet. The updated proposal is for a Private Recreation Facility 10 feet wide by 20 feet long by five feet deep, approximately 200 square feet.

(II) The proposal to construct a swim spa in the rear yard of 327 McHenry Avenue complies with the Historic Residential – Low Density District requirements outlined in LMC Chapter 15-2.1.

327 McHenry Avenue is in the HRL Zoning District. All development and site improvements must meet the HRL Lot and Site requirements, outlined in the table below:⁸

⁴ LMC [§ 15-2.1-2\(B\)\(11\)](#)

⁵ Merriam-Webster. (2023). Hot tub. In *Merriam-Webster's Collegiate Dictionary* (11th ed., p. 602).

⁶ Merriam-Webster. (2023). Spa. In *Merriam-Webster's Collegiate Dictionary* (11th ed., p. 1194).

⁷ Merriam-Webster. (2023). Swimming pool. In *Merriam-Webster's Collegiate Dictionary* (11th ed., p. 1264).

⁸ LMC [§ 15-2.1-3](#)

HRL Zoning Requirements	Analysis of Proposal
Minimum Lot Area: 3,750 square feet	Complies The Lot contains 7,501 square feet.
Minimum Lot Width: 35 feet	Complies The Lot is 47.33 feet at the front lot line, increasing to 60.43 feet at the rear.
Maximum Building Footprint (Lot Area/2) x 0.9 ^{Lot Area/1875}	Not Applicable The Maximum Building Footprint was reviewed as part of the HDDR application to construct a Single-Family Dwelling. The plans submitted for the Building Permit show a proposed Building Footprint of 2,460 square feet. The LMC defines Building Footprint ⁹ as “The total Area of the foundation of the Structure, or the furthest exterior wall of the Structure projected to Natural Grade, not including exterior stairs, patios, decks, and Accessory Buildings listed on the Park City Historic Structures Inventory that are not expanded, enlarged, or incorporated into the Main Building.”
Front and Rear Setbacks: 15 feet for Lot Depths over 100 feet	Complies The proposed location of the swim spa is 17 feet, five inches from the Rear Lot Line (see Figure 5 below). The Rear Setbacks must be open and free of any Structure. However, LMC § 15-2.1-3(G)-(H) outlines Rear Setback exceptions. The Applicant’s plans indicate the following exceptions: • Retaining walls not more than four feet in height, measured from Final Grade¹⁰ • Patios, pathways, steps, or similar Structures no more than 30 inches above Final Grade

⁹ LMC [§ 15-15-1](#)

¹⁰ LMC [§ 15-4-2\(A\)\(1\)](#)

Side Setback: Five feet for Lot Widths up to 62.5 feet

Complies

The proposed location of the swim spa is nine feet, three inches from the south Side Lot Line and 31 feet, two inches from the north Side Lot Line (see Figure 5 below).

The Side Setback must be open and free of any Structure. However, LMC [§ 15-2.1-3\(J\)](#) outlines Side Setback exceptions. The Applicant's plans indicate the following exceptions:

- Retaining walls not more than six feet in height, measured from Final Grade.¹¹

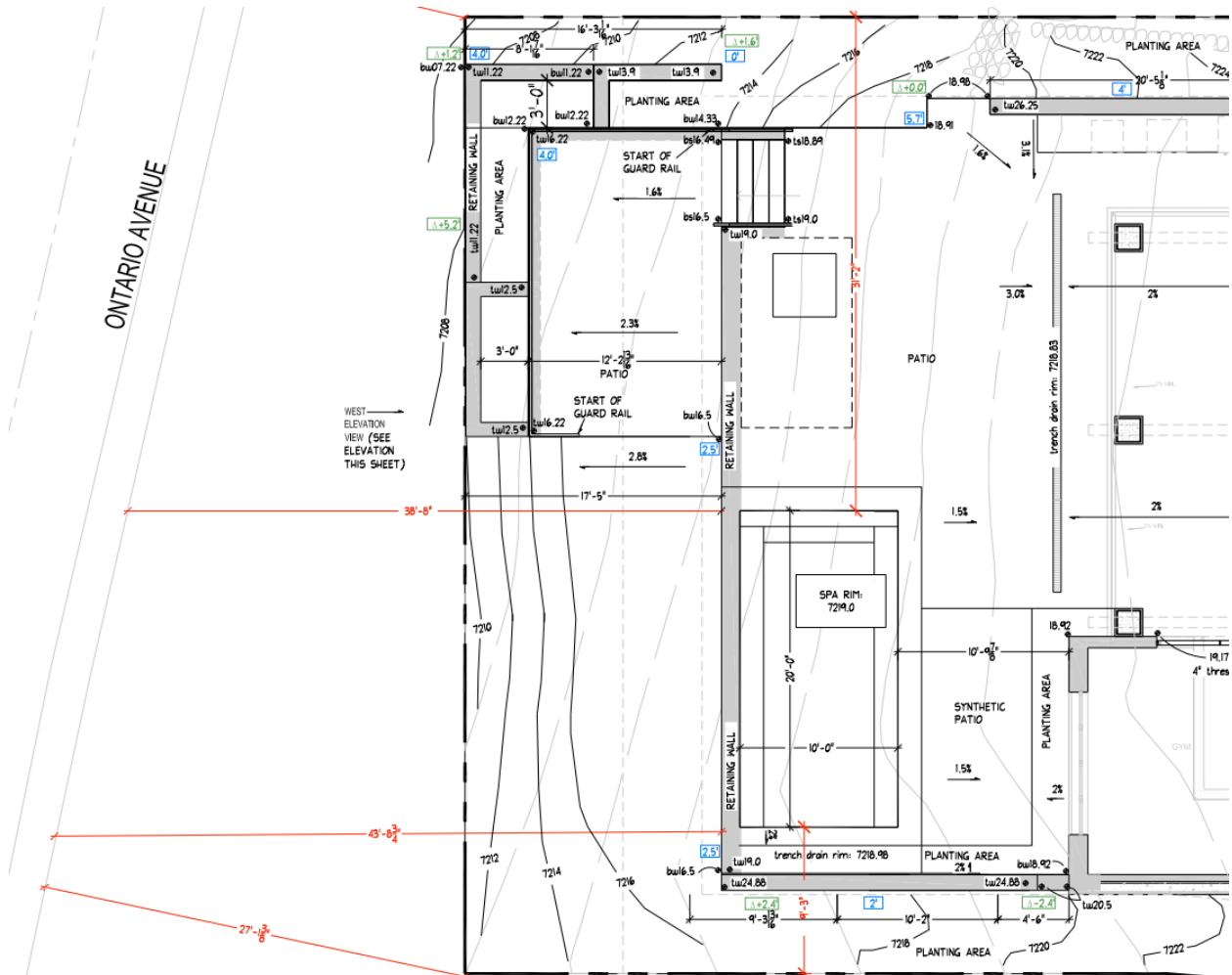


Figure 4: Swim Spa distance from Rear and Side Lot Lines

¹¹ LMC [§ 15-4-2\(A\)\(1\)](#)

(III) The proposal, as conditioned, complies with the Conditional use Permit Criteria Outlined in LMC § 15-1-10(E).

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.

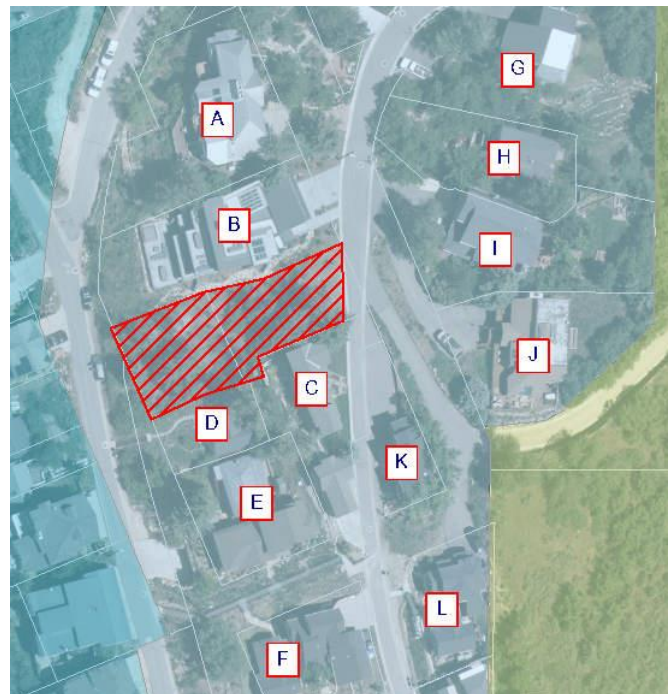
The Planning Commission shall approve a Conditional Use if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards. The Planning Commission may deny the Conditional Use if the proposed Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards.¹²

1. Size and Location of the Site

The Lot Area is 7,501 square feet. The Lot is in the HRL Zoning District. The proposed swim spa is in the Rear Yard of the property and outside all required Setbacks. The proposed swim spa is 20 feet long by 10 feet wide by five feet deep. Included in the plans are a stone paver patio area with guard rails, board form concrete retaining walls, an outdoor kitchen, and vaulted swim spa equipment. All improvements to the site comply with the LMC in terms of size and location of the Site.

The following table and image depict the Lot sizes for neighboring properties along McHenry Avenue:

	Address	Lot Size in Square Feet
A	335 McHenry	9,603
B	331 McHenry	8,354
★	327 McHenry	7,501
C	321 McHenry	4,610
D	316 Ontario	2,613
E	308 Ontario	5,387
F	264 Ontario	5,662
G	350 McHenry	15,234
H	330 McHenry	5,908
I	320 McHenry	9,606
J	310 McHenry	7,684
K	302 McHenry	3,920
L	257 McHenry	4,891



¹² LMC [§ 15-1-10](#)

Since the November 2022 Planning Commission meeting, the Applicant agreed to remove the proposed outdoor television adjacent to the swim spa (See Exhibit G).

The Applicant worked with Planning Staff to update the Landscape Plan and made the following modifications:

- The natural grade will be preserved from the southern corner to the middle of the Lot and will be planted with a mix of water-wise sod and native seed.
- Removal of a portion of the proposed retaining wall to maintain the natural grade (See Figure 7—Red highlighted portion indicates area of retaining wall reduction).
- The remaining proposed retaining walls will be visually softened and minimized with planted shrubs.
- A terraced retaining wall at the northwest corner of the property will allow for a lower patio on the property.
- All retaining walls will be four feet or less in height.
- The terracing will follow the site's existing contours and provide additional usable landscaped area on the northwest corner of the property.
- The installation of an irrigation system that will ensure minimal overspray of water onto hardscaped areas as well as a drop system for shrubs and trees.
- Proposed shrubs and trees will be planted along the side property lines to provide privacy to the site and the neighboring properties.

Figure 7 is taken from the Applicant's modified landscape plan and details the changes noted above. Full details are found in the plant schedule and landscape notes attached to Exhibit G.

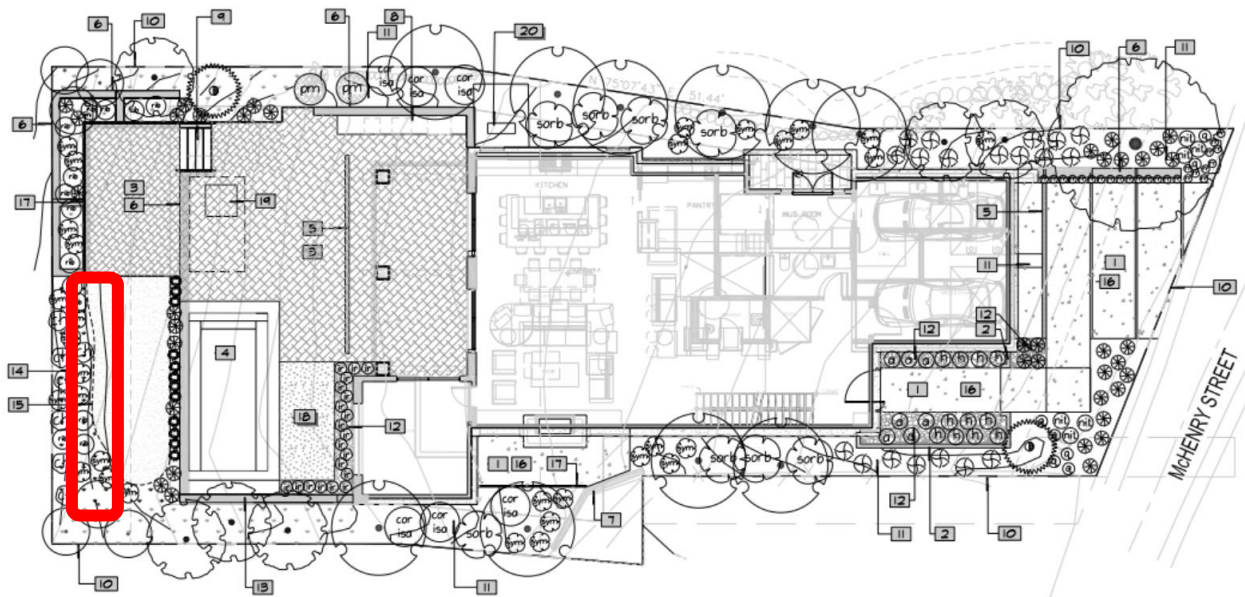


Figure 6: Modified Landscape Plan

In May 2021, an arborist reviewed the site's vegetation and recommended the property owner remove dead or blighted trees from the site and replace with new, healthy

specimens (Exhibit J). At the recommendation of the arborist, the Applicant removed the following vegetation:

- six juniper
- three spruce
- two crabapple
- one aspen

The Applicant proposes to replace the removed vegetation with the following, which will be inspected by staff prior to issuing a Certificate of Occupancy:

- 11 aspen
- six gambel oak
- six maple
- one ash tree

The Applicant proposed this variety of plant species in accordance with LMC [§ 15-5-5\(N\)](#), which encourages diverse plantings of species to prevent the spread of disease among plants. This section of the LMC also allows the Planning Director to consider the planting of multiple trees with a caliper equivalent to that of the trees removed to accommodate development. The arborist report did not detail the caliper size of the trees removed by the Applicant, but the proposed tree species are known for large caliper sizes once they are mature. Additionally, the proposed species are listed on the city's approved fire-wise plant list and will be compliant with the Wildland-Urban Interface requirements.¹³

On page 3 (L501) of Exhibit G, the Applicant provides detailed information regarding the number of trees removed. The Tree Site Inventory table on this page provides the total tree caliper removed from the site and compares to the total caliper of new trees to be planted on site. The total removed is 129.6" and the total proposed for replacement is 132.5", a net increase of 2.9".

¹³ Park City Municipal Code [Chapter 11-21](#)

Avenue. The rear of the property touches a steep slope adjacent to Ontario Avenue. The immediate neighboring properties contain Single-Family Dwellings with mature vegetation.

9. Signs and Lighting

Signs are not proposed or approved with this application.

Condition of Approval 4 requires all outdoor lighting to be compliant with LMC [§ 15-5-5\(J\)](#) and the dark sky standards. All outdoor lighting must be down-directed, fully shielded, with bulbs 3000-degree Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light-emitting part. The top and sides of a Fully Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture. Final lighting details shall show compliance with this condition and shall be reviewed by the Planning Staff prior to installation.

10. Physical Design and Compatibility with Surrounding Structures

The swim spa materials and design must comply with LMC [Chapter 15-5 Architectural Review](#) and LMC [Chapter 15-13 Design Guidelines for Historic Districts and Historic Sites](#). The Planning Department reviewed and approved the modified landscape plan on March 2, 2023. The modifications are detailed in the background section above.

11. Noise, Vibration, Odors, Steam, or other Mechanical Factors

The swim spa mechanical equipment is proposed for the area highlighted below in Figure 10. All equipment will be vaulted (underground) and fully screened from the neighboring properties, as required by the LMC.

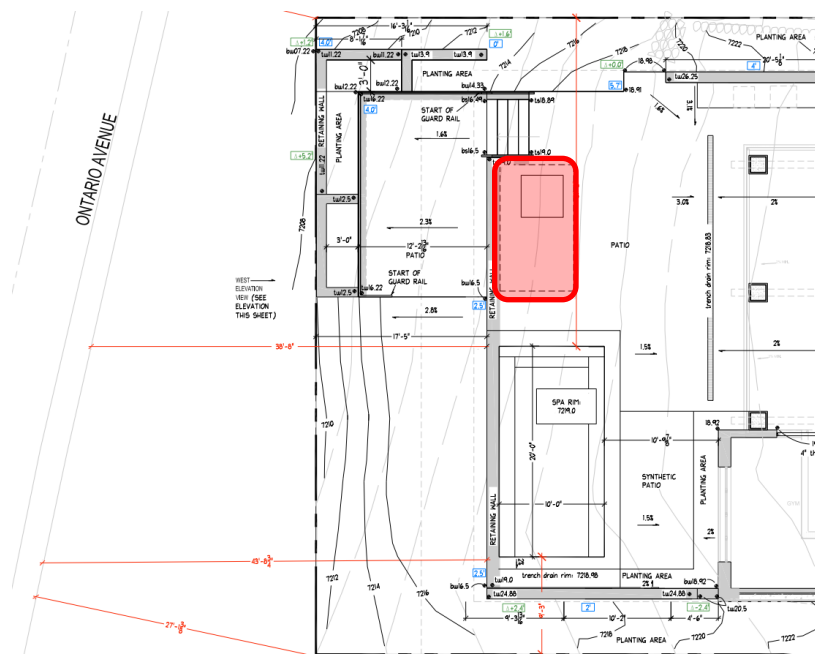


Figure 9: Vaulted Mechanical Equipment Area

Regarding noise, Park City Municipal Code [§ 6-3-2](#) states:

These regulations establish minimum standards to:

- A. *Reduce the making and reaction of excessive, unnecessary, or unusually loud noises within the limits of Park City, Utah;*
- B. *Prevent the making, creation, or maintenance of such excessive, unnecessary, or unusually loud noises that are prolonged, unusual, or unreasonable in their time, place, or use, that affect and are a detriment to public health, comfort, convenience, safety, or welfare of the residents of the City; and*
- C. *Secure and promote the public health, comfort, convenience, safety, welfare, and the peace and quiet of the residents of the City.*

Park City Municipal Code [§ 6-3-9](#) outlines the maximum permissible sound levels for Residential Uses:

Time	10:00 PM – 6:00 AM	6:00 AM – 10:00 PM
Permissible Levels	50 dBA	55 dBA

The Applicant agrees to **Condition of Approval 5** which limits the Use of the swim spa to the property owners and their guests. **Condition of Approval 6** requires adherence to Park City Municipal Code [Chapter 6-3](#) Noise.

12. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas

Vehicles for service and maintenance of the swim spa will access the property from McHenry Avenue and never from Ontario Avenue.

13. Expected Ownership and Management

The Applicant is the owner of record and the property maintained as a Single-Family Dwelling.

Nightly Rentals are prohibited in the McHenry Sub-Neighborhood of the HRL Zoning District.¹⁴

14. Within and Adjoining Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, Park City Soils Ordinance, Steep Slopes

At the November 9, 2022, meeting, the Planning Commission requested the Applicant complete a geotechnical report before further review by the Commission. The City Engineer reviewed the report and provided the following feedback:

The Applicant seems to have resolved most of our concerns. However, [there are] still concerns about their ability to build the retaining walls as shown without encroaching on [the City's] property. If these retaining walls are constructed as typical poured concrete walls, the toe of the wall would be constructed in [the

¹⁴ LMC [§ 15-2.1-2\(B\)](#)

City's property]. We will want to ensure they abide by previously written Conditions of Approval to ensure that neither their construction (any excavation work to build the foundation walls) nor any permanent infrastructure (the toe of the retaining wall) encroach outside of the [Applicant's property] and into our property. This condition will likely modify the proximity of the walls to the property line and/or might require them to construct a different type of retaining wall.

Staff recommends **Condition of Approval 7** requiring the Applicant provide an updated Construction Mitigation Plan for review by the Planning, Engineering, and Building Departments before issuing a new Building Permit to install the swim spa.

Additionally, **Condition of Approval 8** stipulates that the updated Construction Mitigation Plan must verify the Limits of Disturbance for the construction operations as well as define construction access locations and material laydown locations for the site.

In order to mitigate impacting the slope adjacent to Ontario Avenue, the Applicant agrees to **Conditions of Approval 9-11** that address how the Applicant may disturb the hillside during construction. The Applicant may not permanently disturb the slope beyond the rear or side property lines. The type of machinery used for excavation must be identified in the plans, and the point-of-access must be approved by the Planning and Engineering Departments prior to issuance of the Building Permit.

The 331 McHenry Avenue Subdivision – First Amended Plat includes the following note:

The property is not located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine waste or mine waste impacted soils, they must handle the material in accordance with State and Federal law.

For consistency, **Condition of Approval 12** requires continued adherence to this note.

15. Reviewed for Consistency with the Park City General Plan

The proposal is consistent with the General Plan and is a Conditional Use in the HRL Zoning District. The General Plan identifies “Historic Character” as one of the core values of Park City. Objective 15B is to maintain character, context, and scale of local historic districts with compatible infill development and additions.¹⁵

327 McHenry Avenue is not a Historic Site as defined by the City’s Historic Site Inventory. The properties adjacent to this site are new, infill Single-Family Dwellings. The swim spa is in the rear of the property and will not be visible from Ontario Avenue or McHenry Avenue. The proposed landscaping will screen the swim spa from the neighboring properties to the north and the south as well as from the Ontario Avenue public right-of-way.

¹⁵ [Park City General Plan](#), p. 107

(IV) The proposal, as conditioned, complies with the criteria outlined in LMC § 15-2.1-6 Development on Steep Slopes.

Development on Steep Slopes must be environmentally sensitive to hillside Areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Design Guidelines for Historic Districts.¹⁶

LMC § 15-2.1-6(A) requires a Steep Slope CUP for the construction of any Structure with a Building Footprint of more than 200 square feet and is located on or projected over an existing Slope of 30% or greater. The total area of disturbance to accommodate the swim spa, retaining walls, and patios is approximately 2,260± square feet and greater than 30% for most of the proposed development.

The Applicant provided the following slope analysis map of the property for consideration of the installation of the swim spa, retaining walls, and other hardscaped elements:

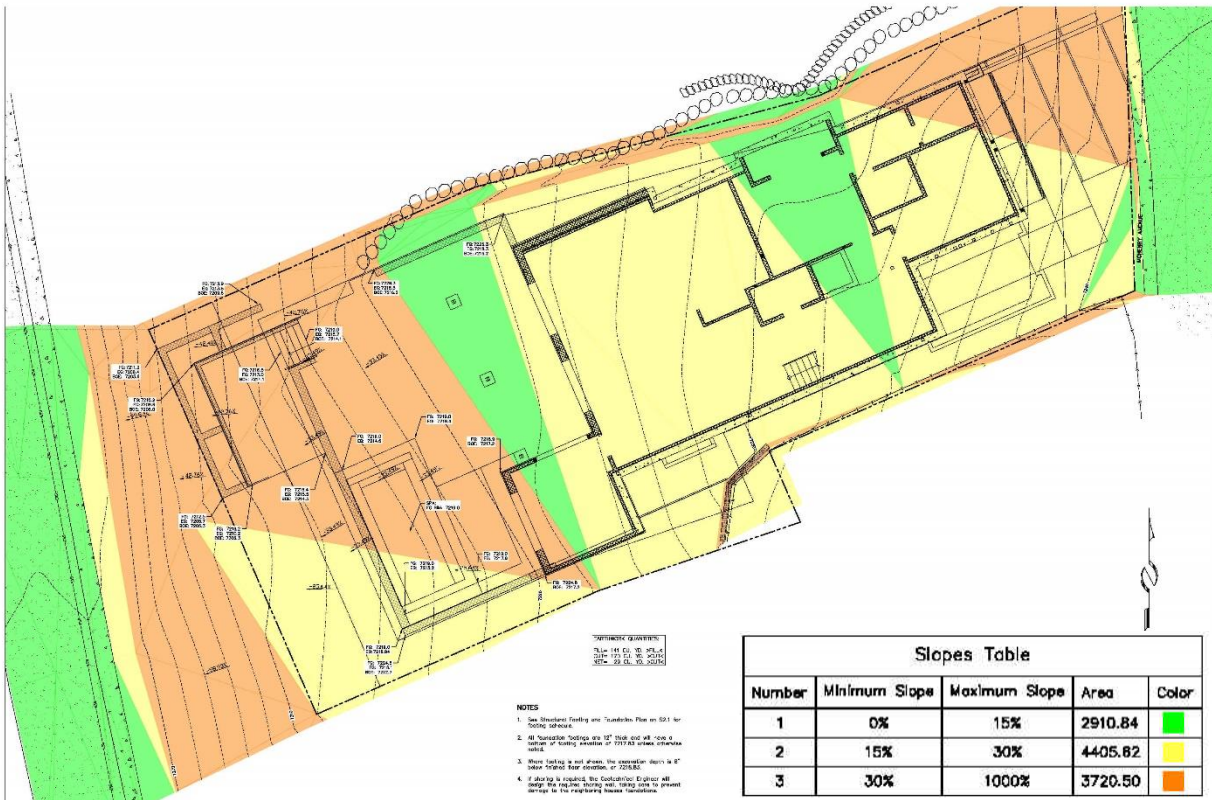


Figure 10: Slope Map

¹⁶ LMC § 15-2.1-6

The Planning Commission considers the following criteria when evaluating a Steep Slope CUP:

Requirement	Analysis of Proposal
Location of Development: Development is located and designed to reduce visual and environmental impacts of the Structure.	The landscaping, construction of the swim spa, associated equipment, and retaining walls are located toward the rear of the property. The slope ranges from 25-42 percent at this location.
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.	The proposed project is not visible from Vantage Points as defined in LMC § 15-15-1. The site is not visible from the LMC established Vantage Points. The Applicant proposes to screen the retaining walls with vegetation to minimize and soften their appearance as viewed from Ontario Avenue.
Access: Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Shared Driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible.	Access for construction of the swim spa must be reviewed and approved by the Engineering Department at the time of building permit review as outlined in the conditions of approval in Analysis Section V, below.

Terracing: The project may include retaining Structures if necessary to regain Natural Grade.	The Applicant proposes constructing three tiers of reinforced concrete retaining walls to the west of the swim spa, up to the rear property line. The retaining walls will reach a height of four feet and be separated by a horizontal distance of three feet. Directly south of the tiered walls will be graded to return to natural grade, reducing the need for additional retaining walls/terracing.
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 to provide variation of the Front Yard.	Not applicable to the scope of this proposal.
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, the Planning Commission may require a garage separate from the main Structure or no garage.	Not applicable to the scope of this proposal.

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.	The updated proposal reduces the length of the retaining walls from the entire length of the rear property line to less than half. Staff does not recommend an increase to the Rear Setback if the Applicant does not exceed four feet in height and can ensure the walls do not encroach into the Property to the west.
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.	Not applicable to the scope of this proposal.
Building Height (Steep Slope): The Zone Height in the HRL District is 27 feet and is restricted as stated in LMC § 15-2.1-5. 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 the Historic character of the	Not applicable to the scope of this proposal.

neighborhood's existing residential Structures.	
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(V) On October 24, 2022, and February 20, 2024, the Development Review Committee¹⁷ reviewed the proposal and recommend Conditions of Approval.

The Engineering and Building Departments require the following Conditions of Approval:

- **#13:** Any concrete pumping operations shall access the construction site via McHenry Avenue. If access from Ontario Avenue is necessary, then the Applicant shall coordinate with the Engineering Department prior to initiating any construction activity.
- **#14:** Construction of the swim spa and the retaining walls shall not close access to Ontario Avenue or McHenry Avenue at any time unless the proper permits are acquired through the Engineering Department.
- **#15:** Prior to submitting a building permit, the Applicant shall acquire necessary agreements with owners of any property that may be disturbed during construction.
- **#16:** The Applicant shall provide structural engineering and plan details for all retaining walls at the time of building permitting. The retaining walls at the property line must be designed to avoid encroachment onto neighboring properties.
- **#17:** An updated Geotechnical Report must approve the method of slope stabilization in accordance with the site plan.

Department Review

The Planning Department, Engineering Department, Executive Department, and City Attorney's Office reviewed this report.

Notice

Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on February 14, 2024. Staff mailed courtesy notice to property owners within 300 feet on February 14, 2024. The *Park Record* published notice on February 14, 2024.¹⁸

Public Input

Staff received public input and it is attached as Exhibit I.

¹⁷ The Development Review Committee meets the first and third Tuesday of each month to review and provide comments on Planning Applications, including review by the Building Department, Engineering Department, Sustainability Department, Transportation Planning Department, Code Enforcement, the City Attorney's Office, Local Utilities including Rocky Mountain Power and Dominion Energy, the Park City Fire District, Public Works, Public Utilities, and the Snyderville Basin Water Reclamation District (SBWRD).

¹⁸ LMC [§ 15-1-21](#)

Alternatives

- The Planning Commission may approve the Conditional Use Permit and Steep Slope Conditional Use Permit for 327 McHenry Avenue;
- The Planning Commission may deny the Conditional Use Permit and Steep Slope Conditional Use Permit for 327 McHenry and direct staff to make Findings for the denial; or
- The Planning Commission may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A:	Draft Final Action Letter
Exhibit B:	March 2, 2023 – HDDR Modification Final Action Letter
Exhibit C:	March 2, 2023 – HDDR Meeting Minutes
Exhibit D:	331 McHenry Avenue Subdivision – First Amended Plat
Exhibit E:	August 24, 2021 – HDDR Final Action Letter
Exhibit F:	September 6, 2022 – HDDR Modification Waiver Letter
Exhibit G:	Modified Landscape Plan
Exhibit H:	Geotechnical Report
Exhibit I:	Public Input
Exhibit J:	Arborist Reports
Exhibit K:	Steep Slope Map



Planning Department

February 28, 2024

327 McHenry LLC
8974 North Sackett Drive
Park City, UT 84098

CC: Jerry Fiat

NOTICE OF PLANNING COMMISSION ACTION

Description

Address: 327 McHenry Avenue

Zoning District: Historic Residential - Low Density

Applications: Conditional Use Permit
Steep Slope Conditional Use Permit

Project Numbers: PL-22-05389
PL-24-06010

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: February 28, 2024

Project Summary: The Applicant proposes the construction of a 10-foot-wide by 20-foot-long by five-foot-deep outdoor swim spa (Private Recreation Facility), hardscaped patios, and retaining walls on a Steep Slope in the Historic Residential – Low Density Zoning District.

Action Taken

On February 28, 2024, the Planning Commission conducted a public hearing and approved the Private Recreation Facility and Steep Slope Conditional Use Permits according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. The Site is located at 327 McHenry Avenue.
2. The Site is located within the Historic Residential Low-Density (HRL) Zoning District.
3. Summit County identifies the property as parcel 331-MC-B-AM and is in the 331 McHenry Avenue Subdivision – First Amended.

4. On November 19, 2020, a Plat Amendment creating 331 McHenry Avenue Subdivision- First Amended was approved by City Council. Ordinance No. 20-50 was adopted. A ten-foot (10') public snow storage easement on McHenry Avenue was required to be recorded on the plat. Two existing easements, an encroachment easement recorded August 2, 2010, and a five-foot (5') water line easement recorded June 24, 2009, are included on the plat.
5. On August 24, 2021, the Planning Department approved a Historic District Design Review application for the property at 327 McHenry Avenue to construct a new Single-Family Dwelling.
6. On September 6, 2022, the Planning Director approved a Modification to the approval of the Historic District Design Review.
7. On September 20, 2022, the Applicant submitted a Conditional Use Permit to install a Private Recreation Facility (swimming pool) in the rear yard. This submittal identified the swimming pool dimensions as 17 feet wide by 36 feet-nine inches long, and three to six feet deep, approximately 612 square feet.
8. On November 9, 2022, the Planning Commission reviewed the CUP application to construct an outdoor swimming pool at 327 McHenry Avenue, held a public hearing, and continued the item to a date uncertain. The Planning Commission raised the following concerns:
 - a. Light trespass and Dark Sky compliance of the proposed outdoor television and media center.
 - b. Complete review and approval of the Historic District Design Review (HDDR) of the modified landscape proposal, including retention of the natural grade, the height of proposed retaining walls, and impact/mitigation of all the site's Significant Vegetation.
 - c. Compliance with the City's Noise Ordinance.
 - d. Compliance with the goals of Park City's General Plan.
 - e. Steep slope stabilization, including a review of the Geotechnical Report.
9. On March 2, 2023, the Planning Director reviewed and approved the Applicant's Landscape Plan.
10. On May 10, 2023, at the request of the Applicant and recommendation of staff, the Planning Commission held a public hearing for the proposed swimming pool and continued the discussion to a date uncertain.
11. The Applicant has since submitted a second modification to the March 2, 2023, HDDR approval of the Landscape Plan. The original submittal identified a swimming pool with dimensions of 17 feet wide by 36 feet – nine inches long, approximately 612 square feet. The updated proposal is for a “hot tub” 10 feet wide by 20 feet long by five feet deep, approximately 200 square feet.
12. This modification significantly reduces the proposed retaining walls along the rear property line.

13. The LMC identifies residential swimming pools as Private Recreation Facilities. Private Recreation Facilities are a Conditional Use in the Historic Residential – Low Density Zoning District.
14. The Applicant states the proposed 200-square-foot and five-foot-deep installation is a hot tub and not a swimming pool. Typical hot tubs range from five feet in length and width to eight feet in length and width, with a depth ranging from three to four feet.
15. The retaining wall required for the site will be dependent upon the approved use of the Applicant's installation.
16. Although the LMC does not define "hot tub," "spa," or "swimming pool," LMC § 15-15-1 says that words not defined in the LMC "shall have a meaning consistent with Webster's New Collegiate Dictionary, latest edition." The Merriam-Webster's Collegiate Dictionary, 11th edition, makes the following distinctions:
 - a. Hot Tub – A large tub of hot water in which bathers soak and usually socialize; Such a tub with a whirlpool device.
 - b. Spa – A hot tub with a whirlpool device.
 - c. Swimming Pool – A pool suitable for swimming: a tank (as of concrete or plastic) made for swimming.
17. Because the proposed installation exceeds traditional hot tub dimensions, staff interprets the Applicant's "swim spa" to trigger Planning Commission review as a Private Recreation Facility.
18. The Lot Area of 327 McHenry Avenue is 7,501 square feet.
19. The Lot is 47.33 feet at the Front Lot Line and increases to 60.43 feet at the Rear Lot Line.
20. The new Single-Family Dwelling has a Building footprint of 2,460 square feet.
21. The proposed location of the swim spa is 17 feet – five inches from the Rear Lot Line.
22. The proposed location of the swim spa is nine feet – three inches from the south Side Lot Line and 31 feet – two inches from the north Side Lot Line.
23. Conditional Use Permits require review pursuant to the criteria outlined in Land Management Code § 15-1-10(E):
 - a. Size and Location of Site – The Lot Area is 7,501 square feet. The Lot is in a Historic Residential District. The proposed swim spa is in the Rear Yard of the property and outside all required Setbacks. The proposed swim spa is 20 feet long by 10 feet wide by five feet deep. Included in the plans is a stone paver patio area with guard rails, board form concrete retaining walls, an outdoor kitchen, and vaulted swim spa equipment. All improvements to the site comply with the Land Management Code in

terms of size and location of the Site.

- b. Traffic – The swim spa will not generate additional traffic beyond the primary Use of the property as a Single-Family Dwelling.
- c. Utility Capacity – On October 24, 2022, and February 20, 2024, Public Works, Utilities, and Synderville Basin Water Reclamation District reviewed the proposal and did not identify an increase to utility capacity and demand.
- d. Emergency Vehicle Access – The proposal will not change emergency access to the property. On October 24, 2022, and February 20, 2024, Park City Fire District reviewed the proposal and does not require additional emergency access to the site.
- e. Parking – LMC § 15-3-6(B) requires one off-street parking space per four persons maximum rated capacity for a Private Recreation Facility. LMC § 15-3-6(A) requires two off-street parking spaces per Dwelling Unit for a Single-Family Dwelling. The Applicant will provide four off-street parking spaces, two in the garage and two in the driveway.
- f. Internal Vehicular and Pedestrian Circulation – Not Applicable.
- g. Fencing, Screening, and Landscaping – The swim spa is stepped back from the rear of the property. The Applicant indicates that with the site's grade change, the four-foot retaining walls and the proposed landscaping will minimize the visibility of the swim spa from adjacent properties and the Ontario Avenue Right-of-Way immediately west of the Rear Yard.

The Applicant agreed to remove the proposed outdoor television adjacent to the swim spa.

The Applicant made the following modifications to the landscape plan:

- i. The natural grade will be preserved from the southern corner to the middle of the Lot and will be planted with a mix of water-wise sod and native seed.
- ii. Removal of a portion of the proposed retaining wall to maintain the natural grade.
- iii. The remaining proposed retaining walls will be visually softened and minimized with planted shrubs.

- iv. A terraced retaining wall at the northern corner of the property will allow for a lower patio on the property.
- v. All retaining walls will be four feet or less in height.
- vi. The terracing will follow the site's existing contours and provide additional usable landscaped area.
- vii. The installation of an irrigation system that will ensure minimal overspray of water onto hardscaped areas as well as a drop system for shrubs and trees.
- viii. Proposed shrubs and trees will be planted along the side property lines to provide privacy to the site and the neighboring properties.

An arborist reviewed the site's vegetation in May 2021 and recommended the property owner remove dead or blighted trees from the site and replace with new, healthy specimens.

The Applicant proposes a variety of plant species in accordance with LMC § 15-5-5(N), which encourages diverse plantings of species to prevent the spread of disease among plants. The proposed species are listed on the city's approved fire-wise plant list and will be compliant with the Wildland-Urban Interface.

The Applicant removed a total of 129.6" tree caliper equivalent from the site and proposes to replace 132.5", a net increase of 2.9".

- h. Building Mass, Bulk, and Orientation – The HDDR for the Single-Family Dwelling was approved on August 24, 2021. The plans submitted for the Building Permit show a proposed Building Footprint of 2,450 square feet.

The subject property gradually slopes down from McHenry Avenue toward Ontario Avenue. The rear of the property touches a steep slope adjacent to Ontario Avenue. The immediate neighboring properties contain Single-Family Dwellings with mature vegetation.

- i. Signs and Lighting – Signs are not proposed or approved with this application.
- j. Physical Design and Compatibility with Surrounding Structures – The swim spa's materials and design must comply with LMC Chapter 15-5 *Architectural Review* and LMC Chapter 15-13 *Design Guidelines for*

Historic District and Historic Sites. The Planning Department reviewed and approved the modified landscape plan on March 2, 2023.

- k. Noise, Vibration, Odors, Steam, or other Mechanical Factors – All swim spa equipment will either be vaulted (underground) or screened from the neighboring property, as required by the LMC.

The Applicant agrees to limit the Use of the swim spa to the property owner and their guests as well as adherence to Park City's Noise Ordinance.

- l. Control of Delivery and Service Vehicles, Loading and Unloading Zones, and Screening of Trash and Recycling Pickup Areas – Vehicles for service and maintenance of the swim spa will access the property from McHenry Avenue.
- m. Expected Ownership and Management – The Applicant is the owner of record and the property maintained as a Single-Family Dwelling.

Nightly Rentals are prohibited in the McHenry Sub-Neighborhood of the HRL Zone.

- n. Within and Adjoining Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste, Park City Soils Ordinance, Steep Slopes – See Conditions of Approval 8 – 13.
- o. Reviewed for Consistency with the Park City General Plan – The proposal is consistent with the Park City General Plan and is a Conditional Use in the HRL Zoning District. The General Plan identifies "Historic Character" as one of the core values of Park City. Objective 15B is to maintain character, context, and scale of local historic districts with compatible infill development and additions.

327 McHenry Avenue is not a Historic Site as defined by the City's Historic Site Inventory. The properties adjacent to this site are new, infill Single-Family Dwellings. The swim spa is in the rear of the property and will not be visible from Ontario Avenue or McHenry Avenue. The proposed landscaping will screen the pool from the neighboring properties to the north and the south as well as from the Ontario Avenue public right-of-way.

24. Development on Steep Slopes must be environmentally sensitive to hillside Areas, carefully planned to mitigate adverse effects on neighboring land and Improvements, and consistent with the Design Guidelines for Historic Districts.
25. LMC § 15-2.1-6(A) requires a Steep Slope CUP for the construction of any Structure with a Building Footprint of more than 200 square feet and is located on or projected over an existing Slope of 30% or greater. The total area of disturbance to accommodate the swim spa, retaining walls, and patios is approximately 2,260± square feet and greater than 30% for most of the proposed development.
26. The HDDR-approved Single-Family Dwelling is in the final stages of construction. The landscaping, construction of the swim spa, associated equipment, and retaining walls are located toward the rear of the property. The slope ranges from 25-42 percent at this location.
27. The site is not visible from the LMC-established Vantage Points. The Applicant proposes to screen the retaining walls with vegetation to minimize and soften their appearance.
28. Access for construction of the swim spa must be reviewed and approved by the Engineering Department at the time of building permit review.
29. The Applicant proposes constructing three tiers of reinforced concrete retaining walls to the west of the swim spa, up to the rear property line. The retaining walls will reach a height of four feet and be separated by a horizontal distance of three feet. Directly south of the tiered walls will be graded to return to natural grade, reducing the need for additional retaining walls/terracing.
30. The updated proposal reduces the length of the retaining walls from the entire length of the rear property line to less than half. Staff does not recommend an increase to the Rear Setback as long as the Applicant does not exceed four feet in height and can ensure the walls do not encroach into the Property to the west.
31. Staff published notice on the City's website, at the property, and at City Hall on February 14, 2024.
32. Staff mailed courtesy notice to property owners within 300 feet February 14, 2024.
33. The Park Record published public notice on February 14, 2024.
34. The Development Review Committee reviewed the proposal on October 24, 2022, and February 20, 2024, and recommends Conditions of Approval.
35. The Engineering and Building Departments require Conditions of Approval 13 – 17.

Conclusions of Law

1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.1 *Historic Residential Low-Density (HRL) District*.

2. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in Land Management Code § 15-1-10(E).

Conditions of Approval

1. Land Management Code § 15-3-6(B) requires one parking space per four persons maximum rated capacity for a Private Recreation Facility. On-Street parking is prohibited. Parking on McHenry Avenue and Ontario Avenue is prohibited. Land Management Code § 15-3-6(A) requires two parking spaces per Dwelling Unit for Single-Family Dwellings. The proposed Single-Family Dwelling has a two-car garage, and two temporary parking spots are possible on the driveway and parking shall be satisfied on site.
2. The Significant Vegetation shall be replaced with equivalent landscaping in type and size as reviewed and approved by the Forestry Board and Planning Director. Multiple trees equivalent in caliper to the size of the removed Significant Vegetation may be considered instead of replacement in kind and size. Plants similar in type and species identified on the approved landscape plans may be considered without Planning Department approval.
3. If the proposed landscaping in the Side Setbacks fails to establish within the first year after installation, then the Applicant shall replace with new vegetation at another location on the property and shall be reviewed and approved by Planning Staff.
4. All outdoor lighting must be down-directed, fully shielded, with bulbs 3000 degree Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light-emitting part. The top and sides of a Fully Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture. Final lighting details shall show compliance with this condition and shall be reviewed by the Planning Department prior to installation.
5. The Use of the swim spa is limited to the residence's primary owners and their guests.
6. The Applicant shall ensure compliance with the Park City Municipal Code Chapter 6-3 *Noise*.
7. The Applicant shall provide an updated Construction Mitigation Plan for review by the Planning, Engineering, and Building Departments before issuing a new Building Permit.
8. The updated Construction Mitigation Plan must verify the Limits of Disturbance for the construction operations as well as define construction access locations and material laydown locations for the site.
9. Construction of the swim spa and retaining walls shall not disturb the slope adjacent to Ontario Avenue beyond the property line.

10. If any soil or landscaping is disturbed on adjacent properties during construction, the Applicant shall return the disturbed areas to original grade and revegetate with non-invasive, Water Wise vegetation per Land Management Code § 15-5-5(N).
11. The Applicant shall provide the Planning and Engineering Departments details on the type of machinery used for excavation and how the machinery will access the site prior to approval of the Building Permit.
12. If the property owner encounters mine waste or mine waste impacted soils, they must handle the material in accordance with State and Federal law.
13. Any concrete pumping operations shall access the pool area via McHenry Avenue. If access from Ontario Avenue is necessary, then the Applicant shall coordinate with the Engineering Department prior to initiating any construction activity.
14. Construction of the swim spa and the retaining walls shall not close access to Ontario Avenue or McHenry Avenue at any time unless the proper permits are acquired through the Engineering Department.
15. Prior to submitting a building permit, the Applicant shall acquire necessary agreements with owners of any property that may be disturbed during construction.
16. The Applicant shall provide structural engineering and plan details for all retaining walls at the time of building permitting. The retaining walls at the property line must be designed to avoid encroachment onto neighboring properties.
17. An updated Geotechnical Report must approve the method of slope stabilization in accordance with the site plan.

If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5060 or email planning@parkcity.org.

Sincerely,

Sarah Hall, Planning Commission Chair

CC: Spencer Cawley, Project Planner



Planning Department

March 2, 2023

Matthew Christensen
327 McHenry Avenue
Park City, Utah
84060

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Application #</u>	PL-22-05410
<u>Subject</u>	Modification of HDDR Approval
<u>Address</u>	327 McHenry Avenue
<u>Description</u>	Modified Landscaping Plan
<u>Action Taken</u>	Approved
<u>Date of Action</u>	March 2, 2023

Summary of Staff Action

Staff reviewed this HDDR application for compliance with Land Management Code (LMC) Chapter 15-13, *Design Guidelines for Historic Districts and Historic Sites*. Staff reviewed the non-Historic Site in accordance with Land Management Code (LMC) Section 15-13-8, *Design Guidelines for New Residential Infill Construction in Historic Districts*, and LMC Chapter 15-2.1, *Historic Residential (HRL) District*. The plans for the project located at 327 McHenry Avenue are approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Site is located at 327 McHenry Avenue.
2. The Site is located within the Historic Residential Low-Density (HRL) Zoning District.
3. On July 12, 2021, the Planning Department received a Historic District Design Review (HDDR) application for the property at 327 McHenry Avenue; it was deemed complete July 27, 2021.
4. The Applicant is constructing a new Single-Family Dwelling.
5. On November 19, 2020, a Plat Amendment creating 331 McHenry Avenue Subdivision- First Amended was approved by City Council. Ordinance No. 20-50 was adopted. A ten foot (10') public snow storage easement on McHenry Avenue was required to be recorded on the plat. Two existing easements, an encroachment

- easement recorded August 2, 2010 and a five foot (5') water line easement recorded June 24, 2009 were also recorded. At this time, the Plat has not yet been recorded.
6. Staff reviewed 327 McHenry's HDDR application for compliance with LMC Chapter 15-13, *Design Guidelines for Historic Districts and Historic Sites*.
 7. The application was reviewed per LMC § 15-13-8 *Design Guidelines for New Residential Infill Construction in Historic Districts* and LMC Chapter 15-2.1, *Historic Residential Low-Density Zoning District*.
 8. Staff published notice on the City's website and at City Hall on February 9, 2023.
 9. Staff mailed courtesy notice to property owners within 300 feet on February 9, 2023.
 10. The Analysis Section of the Staff Report is incorporated herein.

Conclusions of Law:

1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.1, *Historic Residential Low-Density (HRL) District*.
2. The proposal meets the criteria for the *Design Guidelines for New Residential Infill Construction in Historic Districts* outlined in the LMC § 15-13-8.

Conditions of Approval:

1. The Applicant shall obtain an approved Conditional Use Permit (CUP) prior to the issuance of a building permit for the installation of the proposed swimming pool.
2. The Applicant shall not install any outdoor television without review and approval by the Planning Department and all other applicable departments. Outdoor sound systems are required to comply with all standards in PCMC's Noise Ordinance (Chapter 6-3 of Municipal Code).
3. Applicant shall not install artificial turf.
4. Applicant shall provide a schedule of mature vegetation removed prior to construction and shall provide an exhibit of the proposed replacement trees to ensure the total caliper of mature trees replaced will be matched or exceeded by the new trees prior to the issuance of a building permit.
5. Final plans and construction details shall reflect substantial compliance with the plans approved March 2, 2023 by the Planning Department. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
6. If the Applicant does not obtain a complete building permit by March 2, 2024, this HDDR approval will expire unless the Applicant submits a written extension request to the Planning Department prior to the expiration date and the Planning Department approves an extension.
7. The applicant is responsible for notifying the Planning Department and Building Department prior to making any changes to the approved plans.
8. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or his/her designee prior to construction.
9. Receipt and approval of a Construction Mitigation Plan (CMP) by the Building

- Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate the impacts to the existing neighboring structures, and existing infrastructure/ streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department.
10. The City Engineer shall review and approve all appropriate grading, utility installations, public improvements, drainage plans, and flood plain issues for compliance with City and Federal standards, and this is a condition precedent to building permit issuance.
 11. 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.
 12. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
 13. New construction activity shall not physically damage nearby Historic Sites.
 14. No more than two feet (2') of the foundation shall be visible above Final Grade on the secondary and tertiary façades; no more than 8" of foundation shall be visible above Final Grade on the primary façade.
 15. All proposed mechanical equipment and hot tubs shall meet all Setback requirements per LMC § 15-2.2-3 and shall be screened. All proposed mechanical equipment and utility systems and service equipment shall be noted and shown in plan on the construction documents. If the equipment is located on a secondary façade, it shall be placed behind the midpoint of the structure or in a location that is not visible from the primary public right-of-way along McHenry Street. Ground-level equipment shall be screened using landscape elements such as low fences, low stone walls, or perennial plant materials.
 16. All exterior wood shall have an opaque rather than transparent finish. When possible, low-VOC (volatile organic compound) paints and finished shall be used. Rustic, unfinished wood is inappropriate.
 17. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be down directed and 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.
 18. 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.
 19. Construction shall be organized and timed to minimize disturbance of Sensitive or Specially Valued Species occupying or using on-Site and adjacent natural Areas.
 20. The new driveways shall not exceed twelve (12) feet in width.

21. Per LMC § 15-2.2-3(K) Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
22. The Conditions of Approval noted on the approved HDDR plans shall also apply.
23. Project Conditions shall apply (attached).

If you have questions regarding your application or the action taken please contact the project Planner, Caitlyn Tubbs, at 435-615-5063 or caitlyn.tubbs@parkcity.org.

Sincerely,



Gretchen Milliken
Planning Director

CC: Caitlyn Tubbs, Sr. Historic Preservation Planner

Attachments

Attachment 1: Standard Conditions of Approval

Attachment 2: Approved Plans

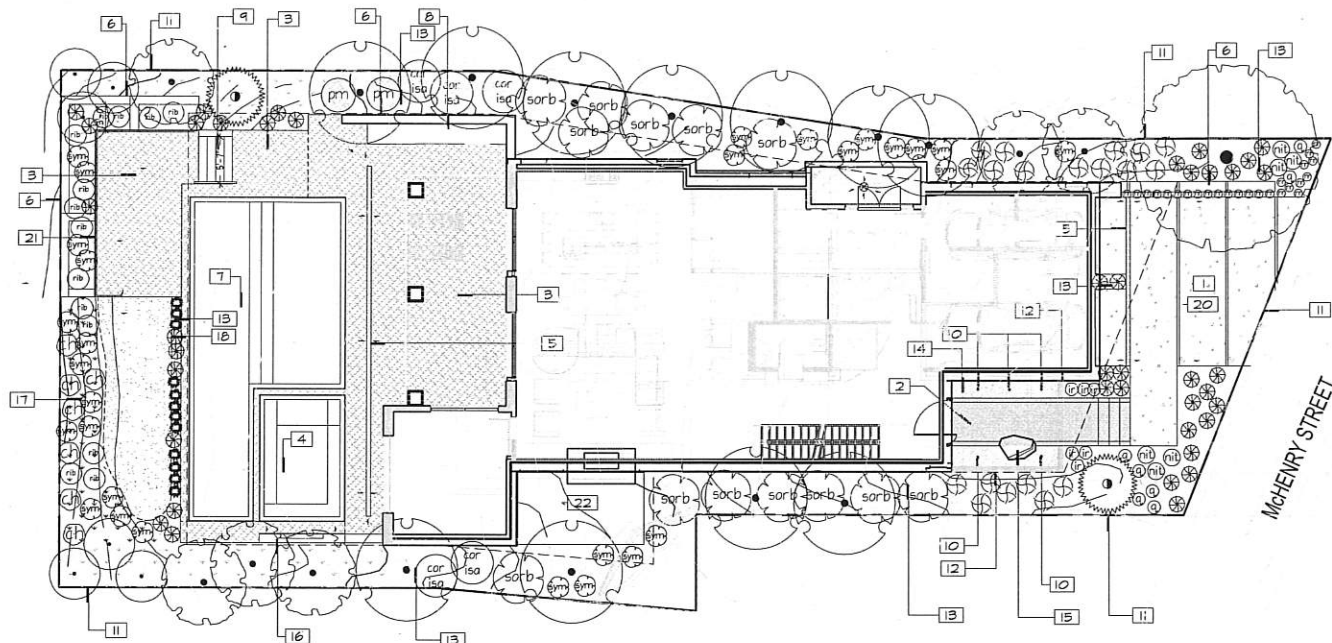
Exhibit A: Standard Conditions of Approval

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,

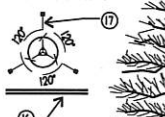
- including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.
9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according 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 are 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.

ONTARIO AVE



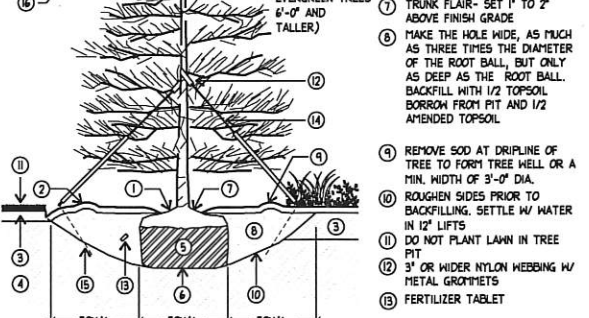
McHENRY STREET

NOTES:
1. PLANT TREE PLUMB.
2. PRUNE DEAD, DISEASED, DAMAGED, OR RUBBING BRANCHES AT PLANTING TIME.
3. REMOVE ALL LABELS, WIRES, ETC. FROM THE TREE'S STEM.



4. DOUBLE STRAND PLIABLE NO. 10-GAGE GALVANIZED STEEL WIRE OR VINYL-COATED STEEL WIRE, DO NOT PULL TIGHT 1/2" X 18" REBAR STAKES (THREE STAKES PER TREE)

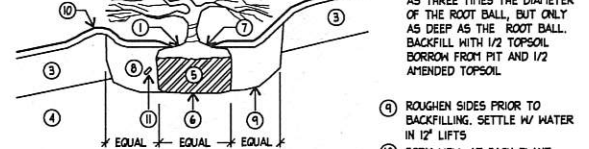
5. EDGE OF WALK OR CURB
6. TREE GUYING: ALIGN 2 GUYS PARALLEL W/ ROAD OR WALKS (USE THREE GUYS FOR ALL EVERGREEN TREES 6'-0" AND TALLER)



EVERGREEN TREE WITH GUYING
SCALE: NTS

1. MULCH 1" TO 2" BACK FROM TRUNK
2. MULCH WHEN CALLED OUT
3. AMENDED TOPSOIL - SEE TOPSOIL MIX NOTES
4. UNDISTURBED SUBGRADE
5. IF THE TREE IS BALLED AND BURLAPPED (OR CONTAINED IN A WIRE BASKET), CUT AND REMOVE THE ROPE, STRING, WIRE, AND/OR WIRE BASKET FROM AROUND THE TRUNK AND TOP 1/3 OF THE ROOT BALL
6. SET ROOTBALL ON UNDISTURBED SUBGRADE
7. TRUNK FLAIR - SET 1" TO 2" ABOVE FINISH GRADE
8. MAKE THE HOLE WIDE, AS MUCH AS THREE TIMES THE DIAMETER OF THE ROOT BALL, BUT ONLY AS DEEP AS THE ROOT BALL. BACKFILL WITH 1/2 TOPSOIL BORROW FROM PIT AND 1/2 AMENDED TOPSOIL - SEE TOPSOIL MIX NOTES
9. REMOVE SOD AT DRIPLINE OF TREE TO FORM TREE WELL OR A MIN. WIDTH OF 3'-0" DIA.
10. ROUGHEN SIDES PRIOR TO BACKFILLING. SETTLE W/ WATER IN 12" LIFTS
11. IF PLANTED IN LATE FALL, WRAP TRUNK, STARTING AT THE BOTTOM TO THE FIRST SET OF BRANCHES, REMOVE THE SPRINK, AFTER THE LAST FROST, ONLY WRAP IF SUN HITS ITS TRUNK IN WINTER.
12. DO NOT PLANT LAWN IN TREE PIT
13. 3" OR WIDER NYLON WEBBING W/ METAL GROMMETS
14. 6'-0" X 2" DIA. ROUND WOOD STAKES, TWO PER TREE (THE STAKES SHALL BE PLUMB AND SET AT THE SAME HEIGHT)
15. DOUBLE STRAND PLIABLE NO. 10-GAGE GALVANIZED STEEL WIRE OR VINYL-COATED STEEL WIRE, DO NOT PULL TIGHT
16. FERTILIZER TABLET
17. EDGE OF WALK OR CURB
18. TREE GAIRD ON ALL TREES IN TURF / GRASS SEED AREAS

NOTES:
1. PLANT SHRUB PLUMB.
2. PRUNE DEAD, DISEASED, DAMAGED, OR RUBBING BRANCHES AT PLANTING TIME.
3. REMOVE ALL LABELS, WIRES, ETC. FROM SHRUB.



SHRUB
SCALE: NTS

1. MULCH 1" TO 2" BACK FROM TRUNK
2. MULCH WHEN CALLED OUT
3. AMENDED TOPSOIL
4. UNDISTURBED SUBGRADE
5. IF THE SHRUB IS BALLED AND BURLAPPED (OR CONTAINED IN A WIRE BASKET), CUT AND REMOVE THE ROPE, STRING, WIRE, AND/OR WIRE BASKET FROM AROUND THE TRUNK AND TOP 1/3 OF THE ROOT BALL
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9. ROUGHEN SIDES PRIOR TO BACKFILLING. SETTLE W/ WATER IN 12" LIFTS
10. FORM WELL AT EACH PLANT USING TOPSOIL
11. FERTILIZER TABLET

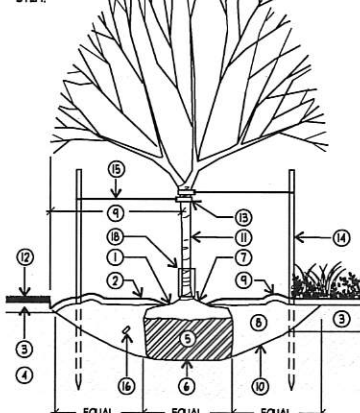
- CONTRACTOR SHALL BE RESPONSIBLE FOR MAKING HIMSELF FAMILIAR WITH ALL UNDERGROUND UTILITIES, PIPES AND STRUCTURES. CONTRACTOR SHALL TAKE SOLE RESPONSIBILITY FOR ANY COSTS INCURRED DUE TO DAMAGE OF SAID UTILITIES.
- CONTRACTOR SHALL NOT WILLFULLY PROCEED WITH CONSTRUCTION AS DESIGNED WHEN IT IS OBVIOUS THAT OBSTRUCTIONS AND/OR GRADE DIFFERENCES EXIST THAT MAY NOT HAVE BEEN KNOWN DURING DESIGN. SUCH CONDITIONS SHALL BE IMMEDIATELY BROUGHT TO THE ATTENTION OF THE OWNER'S REP. THE CONTRACTOR SHALL ASSUME FULL RESPONSIBILITY FOR ALL NECESSARY REVISIONS DUE TO FAILURE TO GIVE SUCH NOTIFICATION. CONTRACTOR SHALL BE RESPONSIBLE FOR ANY COORDINATION WITH SUBCONTRACTORS AS REQUIRED TO ACCOMPLISH THE LANDSCAPE CONSTRUCTION FOR THIS PROJECT.
- ALL PLANT MATERIAL SHALL BE APPROVED BY THE OWNER'S REPRESENTATIVE UPON DELIVERY TO THE SITE, AND PRIOR TO INSTALLATION. ANY PROPOSED SUBSTITUTIONS OF PLANT SPECIES SHALL BE MADE WITH PLANTS OF EQUIVALENT OVERALL FORM, HEIGHT, BRANCHING HABIT, FLOWER, LEAF, COLOR, FRUIT AND CULTURE ONLY AS APPROVED BY THE OWNER'S REPRESENTATIVE. THE CONTRACTOR SHALL SUPPLY ALL PLANT MATERIAL IN QUANTITIES SUFFICIENT TO COMPLETE THE PLANTING SHOWN ON THE DRAWINGS. IF DISCREPANCIES ARISE BETWEEN ACTUAL PLANTING AREA SIZES IN THE FIELD AND THOSE SHOWN ON THE PLANS, CONTRACTOR SHALL CONTACT THE OWNER'S REPRESENTATIVE FOR RESOLUTION. FAILURE TO MAKE SUCH CONFLICTS KNOWN WILL RESULT IN CONTRACTOR'S LIABILITY FOR MATERIALS RELOCATION.
- FINAL LOCATIONS OF ALL PLANT MATERIALS SHALL BE SUBJECT TO APPROVAL OF THE OWNER'S REPRESENTATIVE. TREES SHALL NOT BE PLANTED LESS THAN 5'-0" FROM CURBS OR HARD SURFACE AREAS UNLESS A ROOT BARRIER IS INSTALLED.
- CONTRACTOR SHALL PROVIDE SOIL ANALYSIS AND AMEND SOIL AS RECOMMENDED. LANDSCAPE CONTRACTOR IS RESPONSIBLE FOR THE LAST 7 INCHES OF GRADE IN TURF SOD AREAS (6 INCHES OF TOPSOIL AND 1 INCH FOR SOD) AND 15 INCHES IN SHRUB BED AREAS (3 INCHES OF BARK MULCH AND 12" OF AMENDED TOPSOIL). IF NECESSARY DIG SUBGRADE IN SHRUB BEDS AND TURF AREAS DOWN AS SPECIFIED BEFORE PLACING AMENDED TOPSOIL. THE PLANTING ISLANDS IN THE PARKING LOTS SHALL HAVE ALL ROAD BASE REMOVED PRIOR TO PLACEMENT OF TOPSOIL. REFER TO GRADING PLAN FOR FINISH GRADE AND DRAINAGE.

D PLANTING NOTES

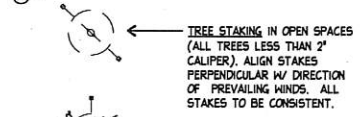
- CONTRACTOR TO INSTALL A COMPLETE NEW AND OPERATIONAL IRRIGATION SYSTEM WITHIN THE LIMIT OF WORK. INSTALL ALL SPRINKLER HEADS WITH NOZZLES OF THE APPROPRIATE DEGREE AND RADIUS FOR THE AREA TO BE COVERED. ADJUST ALL NOZZLES TO ELIMINATE SPRAYING ONTO WALKS, BUILDINGS, ETC.
- CONTRACTOR TO MAINTAIN OPERATING PRESSURE FOR EACH ZONE TO THE LAST HEAD.
- THE IRRIGATION CONTRACTOR SHALL COORDINATE HIS WORK WITH OTHER CONTRACTORS FOR THE LOCATION AND INSTALLATION OF PIPE SLEEVES AND LATERALS THROUGH WALLS AND UNDER PAVING.
- INSTALL CHECK VALVE AS NEEDED TO PREVENT HEAD DRAINAGE FROM BUBBLING, SPRAY HEADS AND DRIP EMITTERS.
- MINIMUM SIZE PIPE ON ANY CIRCUIT IS 3/4".
- NEW IRRIGATION SYSTEM MAY INCLUDE BUT IS NOT LIMITED TO: IRRIGATION MAINLINES AND LATERAL LINES, IRRIGATION VALVES AND CONTROL WIRING, IRRIGATION CONTROLLER, ELECTRICAL CONNECTION, BACKFLOW PREVENTER, GATE VALVE, SLEEVING, ISOLATION VALVES, QUICK COUPLING VALVES, VALVE BOXES, AND IRRIGATION HEADS.
- IRRIGATION SYSTEM IS TO BE INSTALLED IN ACCORDANCE WITH ALL APPLICABLE CODES AND REGULATIONS.
- ALL IRRIGATION EQUIPMENT SHALL BE INSTALLED AS PER MANUFACTURER'S SPECS.
- CONTRACTOR SHALL SUBMIT SHOP DRAWINGS PRIOR TO INSTALLATION FOR APPROVAL BY OWNER'S REPRESENTATIVE.
- ONCE COMPLETE CONTRACTOR SHALL SUBMIT AS-BUILT DRAWINGS TO OWNER.

E IRRIGATION NOTES

NOTES:
1. PLANT TREE PLUMB.
2. PRUNE DEAD, DISEASED, DAMAGED, OR RUBBING BRANCHES AT PLANTING TIME.
3. REMOVE ALL LABELS, WIRES, ETC. FROM THE TREE'S STEM.



TREE STAKING ALONG ROADS OR WALK (ALL TREES LESS THAN 2" CALIPER)



TREE STAKING IN OPEN SPACES (ALL TREES LESS THAN 2" CALIPER). ALIGN STAKES PERPENDICULAR W/ DIRECTION OF PREVAILING WINDS. ALL STAKES TO BE CONSISTENT.

TREE STAKING ALONG 2 STAKES PARALLEL W/ ROAD OR WALK (USE THREE STAKES FOR ALL DECIDUOUS TREES GREATER THAN 2" CAL.)

C DECIDUOUS TREE WITH STAKING

SCALE: NTS

B SHRUB

SCALE: NTS

PLANT SCHEDULE

DECIDUOUS	BOTANICAL NAME	COMMON NAME	CONT.	GAL.	SIZE	QTY.
	Acer grandidentatum	Bigtooth Maple	B & B	2"		6
	Fraxinus pennsylvanica	Green Ash	B & B	3"		1
	Populus tremuloides	Quaking Aspen	B & B	3"		11
	Quercus gambellii	Gambel Oak	B & B	4'-6" H		6
EVERGREEN	BOTANICAL NAME	COMMON NAME	CONT.	GAL.	SIZE	QTY.
	Pinus sylvestris 'Glaucia Nana'	Dwarf Scotch Pine Patio Tree	B & B	4'-5" H		2
SHRUBS	BOTANICAL NAME	COMMON NAME	SIZE			
	Chrysothamnus nauseosus	Rubber Rabbitbrush	1 gal			7
	Cornus sericea 'Isanti'	Isanti Redosier Dogwood	5 gal			5
	Pinus mugo pumila	Dwarf Mugo Pine	5 gal			2
	Ribes alpinum	Alpine Currant	5 gal			14
	Sorbaria sorbifolia	Ash Leaf Spirea	5 gal			13
	Symphoricarpos albus	Common White Snowberry	5 gal			29
GRASSES	BOTANICAL NAME	COMMON NAME	SIZE			
	Calamagrostis acutifolia 'Overdam'	Overdam Reed Grass	1 gal			19
	Festuca mairei	Atlas Fescue	1 gal			41
PERENNIALS	BOTANICAL NAME	COMMON NAME	SIZE			
	Achillea hybrid 'Moonshine'	Moonshine Yarrow	1 gal			12
	Aquilegia alpina	Alpine Columbine	1 gal			7
	Hemerocallis hybrid 'Rosy Returns'	Rosy Returns Daylily	1 gal			25
	Iris pallida 'Aureo Variegata'	Variegated Yellow Blade Iris	1 gal			6
	Rudbeckia fulgida 'Goldsturm'	Goldsturm Black-eyed Susan	1 gal			6
GROUND COVERS	BOTANICAL NAME	COMMON NAME	CONT.			
	Dura Turf-Grass	Dura Turf-Grass	sod			194 sf
SOD/SEED	BOTANICAL NAME	COMMON NAME	CONT.			
	Native Grass and Flower Seed Mix	Native Grass and Flower Seed Mix	seed			636 sf

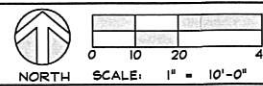
* QUANTITY INFORMATION PROVIDED FOR REFERENCE ONLY. CONTRACTOR RESPONSIBLE TO VERIFY ALL QUANTITIES.

REFERENCE SCHEDULE NOTES

SYMBOL	DESCRIPTION	QTY.
1	VEHICULAR RATED STONE PAVER OVER CONCRETE SUB SLAB HEATED DRIVE WAY, TYP. SEE SHEET L101 DETAIL G	439 sf
2	GALVANIZED MESH STEEL BRIDGE WALK AND STEPS	118 sf
3	PEDESTRIAN STONE PAVER OVER HEATED CONCRETE SUB SLAB PATIO, TYP. SEE SHEET L501 DETAIL G	1,048 sf
4	HOT TUB WITH A SAFETY COVER THAT MEETS LOCAL AND NATIONAL SAFETY CODES, SEE SHEETS L6101, 100, DETAIL #551, DETAIL #554 AND DETAIL #650	
5	CAST IRON TRENCH DRAIN, SEE GRADING PLAN L6101	
6	BOARD FORM CONCRETE RETAINING WALL, SEE ARCHITECTURAL AND STRUCTURAL PLANS	
7	POOL WITH A SAFETY COVER THAT MEETS LOCAL AND NATIONAL SAFETY CODES, SEE SHEETS L6101, 100, DETAIL #551, DETAIL #554 AND DETAIL #644	
8	OUTDOOR KITCHEN GRILL AND COUNTER	
9	STONE BLOCK STEPS OVER CONCRETE BASE, TYP.	
10	BUBBLER, TYP.	
11	PROPERTY LINE	
12	BOARD FORM CONCRETE WATER FEATURE WALLS	
13	3" DEEP SOIL PEP MULCH, TYP. SEE SHEET L501 DETAIL B	1,468 sf
14	BLACK MEXICAN BEACH PEBBLES TO BE PLACED IN BOTTOM OF WATER FEATURE	116 sf
15	BOULDER TO BE PLACED IN WATER FEATURE, COME UP 18" ABOVE FINISH BRIDGE DECK	
16	6" HIGH BOARD FORM CONCRETE PRIVACY WALL	
17	PLANT NATIVE SEED AND NATIVE SHRUBS PER PLANT SCHEDULE AND GRADE PER GRADING PLAN TO NATURAL GRADE	
18	6" X 3/8" THICK STEEL LANDSCAPE EDGE, TYP.	
20	HEATED DRIVEWAY (SNOW MELT, IF SNOW STORAGE IS NECESSARY ADJACENT LANDSCAPE TO BE USED), 2 GUEST PARKING STALLS	
21	GUARD RAIL TO MATCH HOUSE BALCONY GUARD RAIL ALONG PATIO	
22	POOL EQUIPMENT	

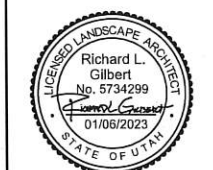
* QUANTITY INFORMATION PROVIDED FOR REFERENCE ONLY. CONTRACTOR RESPONSIBLE TO VERIFY ALL QUANTITIES.

SCALE & NORTH ARROW



Arc S sitio
Design, Inc
Landscape Architecture &
Architectural Site Design

1058 East 2100 South
Salt Lake City, Utah 84106
office 801.487.4923
fax 801.466.3046
www.arcsitiodesign.com



consultant:

project

Christensen
Residence
327 McHENRY AVE
PARK CITY, UT 84060

date

January 6, 2023

revisions

data

and project no: 21077

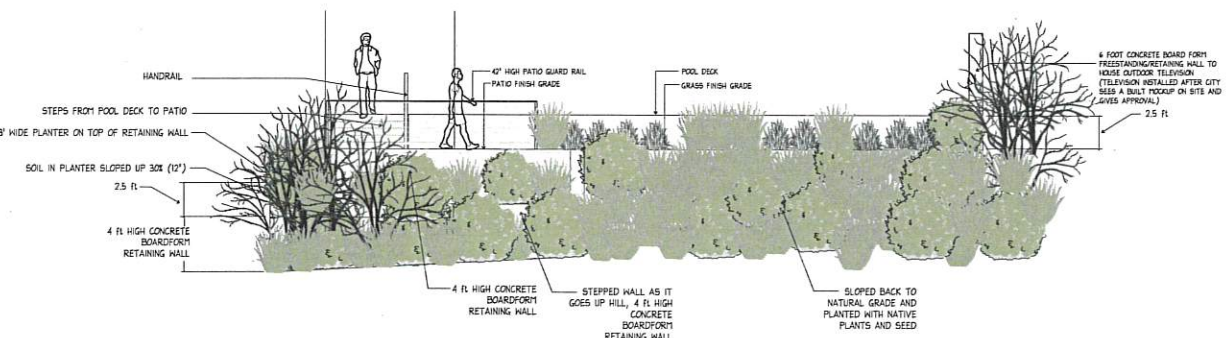
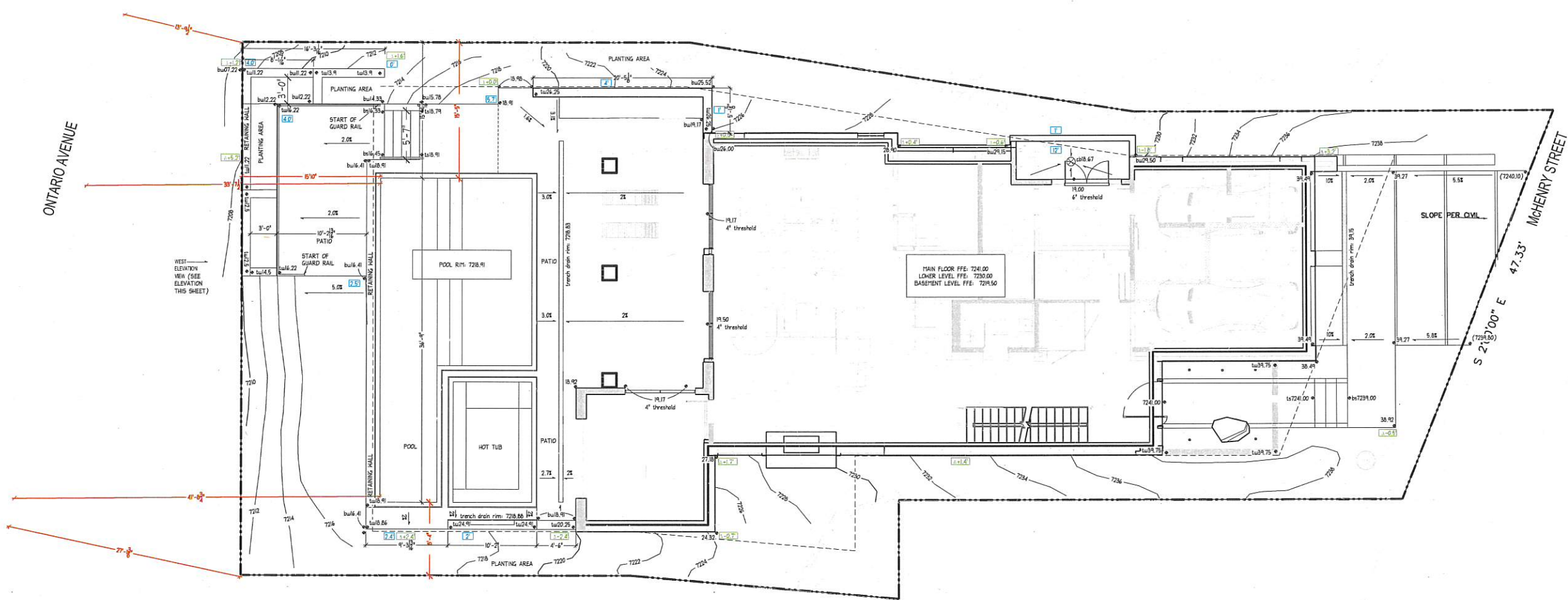
title
LANDSCAPE
PLAN

sheet

L101



consultant:



WEST ELEVATION

SCALE: 1" = 5'-0"

LEGEND

— 4320 —	PROPOSED CONTOUR LINE	• bu/bu-4325	TOP OF WALL / BOTTOM OF WALL
• (4325)	EXISTING SPOT ELEVATION	• bu/bu-4325	BOTTOM/TOP OF STAIRS
• 4325	PROPOSED SPOT ELEVATION	• 4325.00	CATCH BASIN RIM ELEVATION
• hp/tp-4325	HIGH POINT / LOW POINT	• 1.3.3.3	DIFFERENCE BETWEEN EXISTING GRADE AND PROPOSED GRADE
— 1.34 —	DIRECTION OF FLOW & SLOPE INDICATOR	• 5.5	PROPOSED WALL HEIGHT

GRADING & LAYOUT NOTES

1. FINISHED GRADES, CONTOURS, AND ELEVATIONS INDICATED ON THE GRADING AND DRAINAGE PLAN DESCRIBE FINAL SURFACE ELEVATIONS FOR COMPLETED CONSTRUCTION. THE CONTRACTOR SHALL REVIEW THE DETAILS AND SPECIFICATIONS TO ASCERTAIN SPECIFIC WORK LIMITS AND REQUIREMENTS.
2. CONTRACTOR SHALL VERIFY ALL EXISTING GRADES IN THE FIELD AND REPORT ANY DISCREPANCIES TO THE OWNER'S REPRESENTATIVE.
3. CONSULT ALL OF THE DRAWINGS AND SPECIFICATIONS FOR COORDINATION REQUIREMENTS BEFORE COMMENCING CONSTRUCTION.
4. WHERE NEW PAVING OR EARTHWORK MEETS EXISTING PAVING OR EARTHWORK SMOOTHLY BLEND LINE AND GRADE OF EXISTING WITH NEW. ALL RIDGES AND VALLEYS SHALL HAVE A SMOOTH TRANSITION.
5. GRADE EVENLY BETWEEN SPOT GRADES SHOWN ON DRAWINGS. ALL PAVED AREAS MUST GRADE TO DRAIN AT A MINIMUM OF ONE-EIGHTH INCH (1/8") PER FOOT. ANY DISCREPANCIES NOT ALLOWING THIS TO OCCUR SHALL BE REPORTED TO THE OWNER'S REPRESENTATIVE PRIOR TO CONTINUING WORK.
6. PRIOR TO COMMENCING ANY EXCAVATION WORK, THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES IN ACCORDANCE WITH THE REQUIRED PROCEDURES.
7. THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE DIAGNOSTIC ONLY, AND ALL UTILITIES MAY NOT BE SHOWN. THE CONTRACTOR SHALL CONTACT THE PROPER LOCAL AUTHORITIES OR RESPECTIVE UTILITY COMPANY TO CONFIRM THE LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. ANY DAMAGE DUE TO FAILURE OF THE CONTRACTOR TO CONTACT THE PROPER AUTHORITIES SHALL BE DONE BY THE CONTRACTOR.
8. EXCAVATION REQUIRED WITHIN PROXIMITY OF EXISTING UTILITY LINES SHALL BE DONE BY HAND. CONTRACTOR SHALL REPAIR ANY DAMAGE TO EXISTING UTILITY LINES OR STRUCTURES INCURRED DURING CONSTRUCTION OPERATIONS AT NO COST TO OWNER.
9. ANY AREA DISTURBED OUTSIDE THE LIMIT OF DISTURBANCE/PROPERTY LINE SHALL BE RESTORED TO ITS ORIGINAL CONDITIONS AT NO COST TO OWNER.
10. CONTRACTOR SHALL SUPPLY AND MAINTAIN FOR THE DURATION OF CONSTRUCTION ALL NECESSARY DEVICES FOR EROSION, SEDIMENT AND DUST CONTROL, SUCH AS HAY BALES, GRAVEL, BOARDS, ETC., INCLUDING THOSE DEVICES NECESSARY FOR STOCKPILES AND PROTECTION OF ADJACENT PUBLIC WAYS AND SHALL REMOVE THE DEVICES AFTER PROJECT CLOSURE.
11. REFER TO STRUCTURAL DETAILS AND RECOMMENDATIONS FOR ROCK WALL CONSTRUCTION.
12. CUT AND FILL SLOPES SHALL BE CONSTRUCTED AS RECOMMENDED BY THE GEOTECHNICAL REPORT.
13. INSTALL DRAINAGE PIPE ON BACKSIDE OF RETAINING WALLS AND SLOPE TO DAYLIGHT DRAINS AS REQUIRED.

SCALE & NORTH ARROW

NORTH

SCALE: 1" = 5'-0"

project

**CHRISTENSEN
RESIDENCE**
327 MCHENRY AVE
PARK CITY, UT 84060

date

January 18, 2023

revisions

data

ass project no: 21077

title

**GRADING
PLAN**

sheet

LG101

327 MCHENRY AVENUE– MODIFICATION OF APPROVAL – PL-22-05410 -

The Applicant Proposes a Modification to the Historic District Design Review (HDDR) for an Updated Landscaping Plan.

The Planning Director prefaced the item that this application is solely for the landscaping and that the Conditional Use Permit for the swimming pool would be reviewed by the Planning Commission. Director Milliken stated the Planning Commission had reviewed the swimming pool request before and tabled the item until the landscaping had been reviewed and approved.

Planner Tubbs provided a presentation of the project request and indicated the property is located within the HR-1 Zone. Planner Tubbs provided background history of the project and showed the landscaping plan as originally approved. She then presented the proposed site plan and reviewed the proposed changes.

Planner Tubbs provided a summary of Significant Vegetation which was removed according to two arborist's reports and indicated the trees which would be replacing them. Planner Tubbs reiterated the swimming pool is being considered under a separate application and would be reviewed by the Planning Commission soon. Planner Tubbs stated the Applicant has agreed to remove the outdoor television and sound system from their proposal and would return for additional permits in the future if they decide to pursue it. Planner Tubbs reviewed Conditions of Approval #1, #2, and #20. Staff recommended the Planning Director review the proposal, conduct a public hearing, and consider approving the modification based off the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Staff Report and Draft Final Action Letter.

The Applicant was in attendance virtually. The Planning Director asked the Applicant if he had anything to add to Staff's presentation. The Applicant noted there had been multiple changes from the original proposal and stated they consulted with neighboring property owners to develop the planting plan for the trees. The Planning Director asked what caliper trees would be planted as replacements. The Applicant deferred the question to Jerry Fiat, who responded the caliper was listed on the landscaping plan. Planner Tubbs reviewed the landscaping plan and stated the listed calipers were two and three inches. The Applicant stated they were open to considering larger caliper replacement trees.

Director Milliken asked about the groundcover material at southwestern corner of the lot. The Applicant responded that they were open to the City's preference. Planner Tubbs stated the material listed on the landscaping plan was a water-wise turf sod. Director Milliken asked that a Condition of Approval be added to prohibit the use of artificial turf

beyond the patio in the backyard. The Applicant stated his support for the added Condition of Approval.

At approximately 12:31 PM, the Planning Director opened a public hearing.

Mary Wintzer agreed a four to six inch caliper would have a good chance of survival but stated there was not adequate room for the number of trees to grow. She continued to say she was disappointed that the amount of foliage originally on the lot would not be recovered due to the proposed swimming pool.

Debbie Axtell asked to see the presentation slide discussing Significant Vegetation. She stated there were many more than one aspen. Jerry Fiat responded the trees on the slide were listed in the arborist's reports, not necessarily all of the trees that had been removed. Director Milliken asked if there was a report of the total number of trees removed. Jerry Fiat responded all significant trees were accounted for on the plans. Planner Tubbs presented a survey of the site prior to construction that was provided during the original HDDR approval. Jerry Fiat stated the Applicant team would create an exhibit detailing all of the trees removed and that the replacement trees would exceed the trees removed. He suggested this survey be added as a Condition of Approval.

Debbie Axtell asked when the arborist's reports were created. Planner Tubbs projected the reports on the screen. Jerry Fiat reviewed the reports on screen and further clarified that the Arborists (Park City Tree) came out on May 6th 2021 and May 14th 2021 and listed dead/dying trees. Mary Wintzer restated the site had many more trees than those listed in the reports and supported the creation of the exhibit detailing the original trees.

Debbie Axtell asked about the site visit scheduled. Planner Tubbs responded the site visit was scheduled for 4:45pm on March 22nd; immediately prior to the Planning Commission meeting. Debbie asked that Staff look at the room available on the site to see how the proposed trees will fit. Jerry Fiat responded the landscape architect is the only person who can adequately address that.

Director Milliken asked about the space labeled "22" on the proposed plan and asked what was planned in that area. The Applicant indicated it was a patio and Planner Tubbs added there would also be mechanical equipment for the swimming pool in that space. The Planning Director wondered if that patio could be minimized to provide more room for trees. Director Milliken reiterated in the historic districts ideally landscape is returned to its natural, or original, state and to minimize the amount of hardscape and manipulation to the site. Mathew Christensen commented that this is a unique lot because it's one house instead of two, this project is less intrusive than if there were two homes removing mature vegetation. A lot of thought went into the creation of this plan,

with consideration for the neighbors and the regulations.

Gretchen Miliken suggested the following be added as conditions of approval:

Any speakers or sound system must be compliant with the noise ordinance

Attach a full assessment of mature trees to ensure we replace in kind

Provide a schedule that provides all removed and schedule including all replaced and ensure all caliber is equivalent to caliber removed.

Ensure any trees introduced are in the approved tree list (waterwise and drought tolerant)

Approved HDDR on condition that CUP is approved. If CUP is denied, they will need to return for another modification of landscaping

At 1:05 PM, the Planning Director closed the public hearing.

MOTION: The Planning Director Approved the Modification of the Historic District Design Review for 327 McHenry Avenue based on the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. The Site is located at 327 McHenry Avenue.
2. The Site is located within the Historic Residential Low-Density (HRL) Zoning District.
3. On July 12, 2021, the Planning Department received a Historic District Design Review (HDDR) application for the property at 327 McHenry Avenue; it was deemed complete July 27, 2021.
4. The Applicant is constructing a new Single-Family Dwelling.
5. On November 19, 2020, a Plat Amendment creating 331 McHenry Avenue Subdivision- First Amended was approved by City Council. Ordinance No. 20-50 was adopted. A ten foot (10') public snow storage easement on McHenry Avenue was required to be recorded on the plat. Two existing easements, an encroachment easement recorded August 2, 2010 and a five foot (5') water line easement recorded June 24, 2009 were also recorded. At this time, the Plat has not yet been recorded.
6. Staff reviewed 327 McHenry's HDDR application for compliance with LMC Chapter 15-13, *Design Guidelines for Historic Districts and Historic Sites*.
7. The application was reviewed per LMC § 15-13-8 *Design Guidelines for New Residential Infill Construction in Historic Districts* and LMC Chapter 15-2.1, *Historic Residential Low-Density Zoning District*.
8. Staff published notice on the City's website and at City Hall on February 9, 2023.
9. Staff mailed courtesy notice to property owners within 300 feet on February 9, 2023.
10. The Analysis Section of the Staff Report is incorporated herein.

Conclusions of Law:

1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.1, *Historic Residential Low-Density (HRL) District*.
2. The proposal meets the criteria for the *Design Guidelines for New Residential Infill Construction in Historic Districts* outlined in the LMC § 15-13-8.

Conditions of Approval:

1. The Applicant shall obtain an approved Conditional Use Permit (CUP) prior to the issuance of a building permit for the installation of the proposed swimming pool.
2. The Applicant shall not install any outdoor television without review and approval by the Planning Department and all other applicable departments. Outdoor sound systems are required to comply with all standards in PCMC's Noise Ordinance (Chapter 6-3 of Municipal Code).
3. Applicant shall not install artificial turf.
4. Applicant shall provide a schedule of mature vegetation removed prior to construction and shall provide an exhibit of the proposed replacement trees to ensure the total caliper of mature trees replaced will be matched or exceeded by the new trees prior to the issuance of a building permit.
5. Final plans and construction details shall reflect substantial compliance with the plans approved March 2, 2023 by the Planning Department. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
6. If the Applicant does not obtain a complete building permit by March 2, 2024, this HDDR approval will expire unless the Applicant submits a written extension request to the Planning Department prior to the expiration date and the Planning Department approves an extension.
7. The applicant is responsible for notifying the Planning Department and Building Department prior to making any changes to the approved plans.
8. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or his/her designee prior to construction.
9. Receipt and approval of a Construction Mitigation Plan (CMP) by the Building Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate the impacts to the existing neighboring structures, and existing infrastructure/ streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department.
10. The City Engineer shall review and approve all appropriate grading, utility installations, public improvements, drainage plans, and flood plain issues for

compliance with City and Federal standards, and this is a condition precedent to building permit issuance.

11. 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.
12. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
13. New construction activity shall not physically damage nearby Historic Sites.
14. No more than two feet (2') of the foundation shall be visible above Final Grade on the secondary and tertiary façades; no more than 8" of foundation shall be visible above Final Grade on the primary façade.
15. All proposed mechanical equipment and hot tubs shall meet all Setback requirements per LMC § 15-2.2-3 and shall be screened. All proposed mechanical equipment and utility systems and service equipment shall be noted and shown in plan on the construction documents. If the equipment is located on a secondary façade, it shall be placed behind the midpoint of the structure or in a location that is not visible from the primary public right-of-way along McHenry Street. Ground-level equipment shall be screened using landscape elements such as low fences, low stone walls, or perennial plant materials.
16. All exterior wood shall have an opaque rather than transparent finish. When possible, low-VOC (volatile organic compound) paints and finishes shall be used. Rustic, unfinished wood is inappropriate.
17. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be down directed and 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.
18. 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.
19. Construction shall be organized and timed to minimize disturbance of Sensitive or Specially Valued Species occupying or using on-Site and adjacent natural Areas.
20. The new driveways shall not exceed twelve (12) feet in width.
21. Per LMC § 15-2.2-3(K) Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
22. The Conditions of Approval noted on the approved HDDR plans shall also apply.
23. Project Conditions shall apply (attached).

Administrative Action Meeting
March 2, 2023
Page 12

Director Milliken thanked all those in attendance of the meeting.

The Park City Administrative Action meeting adjourned at 1:07 PM.

Approved by Planning Director:

X



Gretchen Milliken
Planning Director

FOUND STREET MONUMENT
4TH STREET/MARGAC AVENUE

FOUND STREET MONUMENT
4TH STREET/ONTARIO AVENUE

BASS OF BEARING
BETWEEN STREET MONUMENTS
S 66°58'00" W 190.00'

SOUTH 214.75'

331 McHENRY AVENUE SUBDIVISION,
LOT A

LOT B

327 McHENRY AVENUE
CONTAINS 7,501 SQ FT
(0.17 ACRES)

ENCROACHMENT EASEMENT
RECORDED: AUGUST 2, 2010
ENTRY NO.: 903945
BOOK 2042, PAGE 740

ENCROACHMENT EASEMENT
RECORDED: AUGUST 2, 2010
ENTRY NO.: 903945
BOOK 2042, PAGE 740

321 McHENRY AVENUE SUBDIVISION,
LOT 1

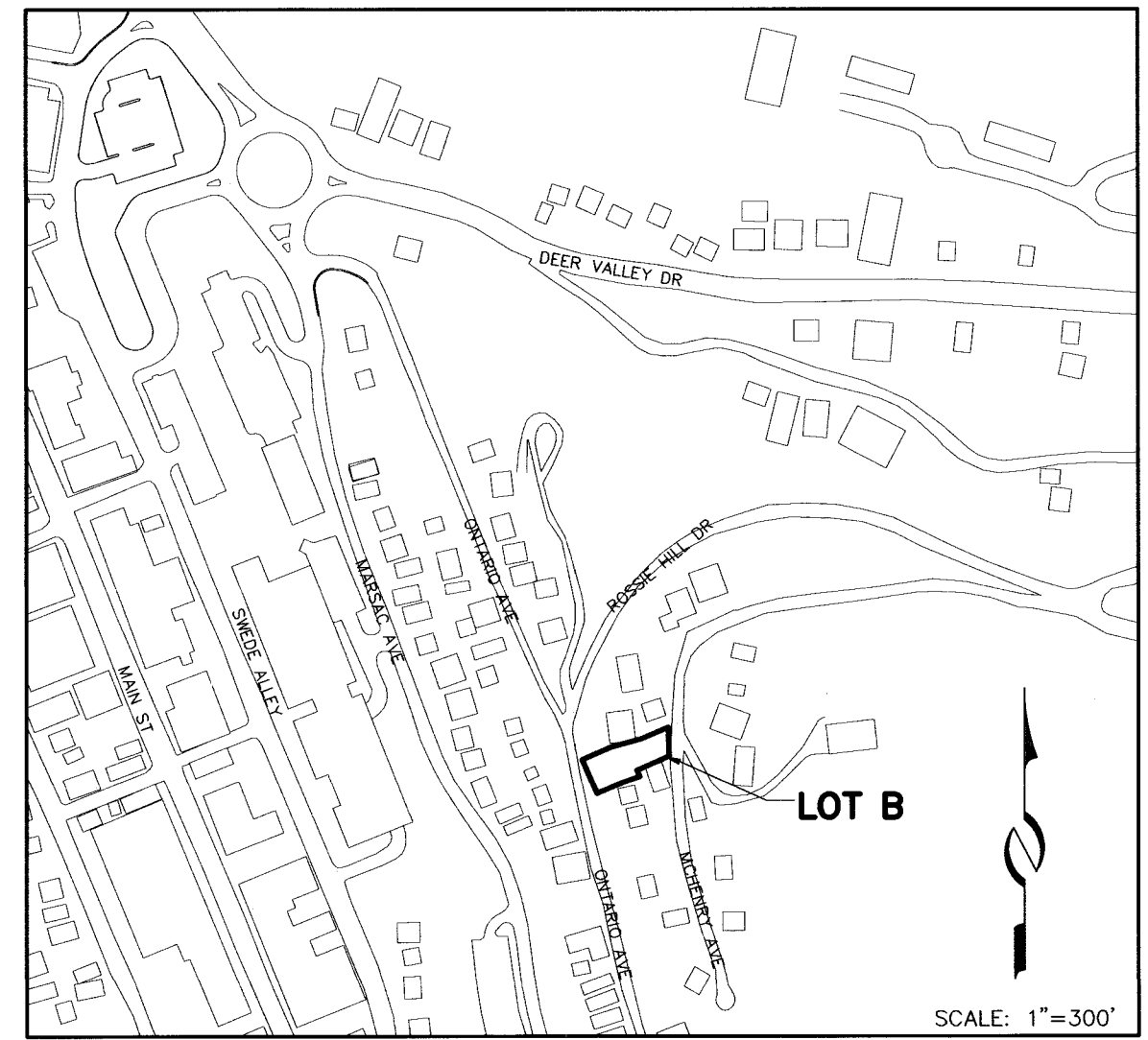
PC-488-A

FOUND REBAR WITH CAP
"AE L56164"

FOUND REBAR WITH CAP
"AE L5154401"

FOUND REBAR WITH CAP
"ALPINE SURVEY L5359005"

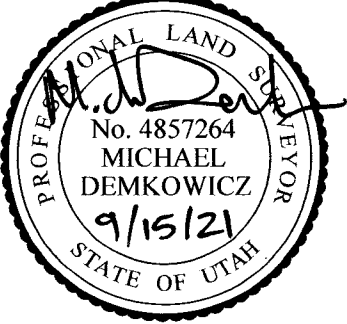
LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 23°38'00" E	11.21'



VICINITY MAP

331 McHENRY AVENUE SUBDIVISION—FIRST AMENDED

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



SURVEYORS CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the land shown on this plat and described hereon, and have combined said land into one (1) lot, hereafter to be known as 331 McHENRY AVENUE SUBDIVISION—FIRST AMENDED and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

LEGAL DESCRIPTION

All of Lots B and C, 331 McHENRY AVENUE SUBDIVISION, according to the official plat thereof on file and of record in the office of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described land, and hereby causes the same to be unified into one lot of record, together with easements as set forth to be hereafter known as 331 McHENRY AVENUE SUBDIVISION—FIRST AMENDED and does hereby dedicate for the perpetual use of the public the areas shown on this plat as intended for public use. The undersigned owner also hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over any public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this 20th day of September, 2021.

327 McHENRY LLC, a Utah limited liability company

By: Matthew Christensen, Managing Member

ACKNOWLEDGMENT

STATE OF California

: SS.

COUNTY OF Orange

On this 20th day of September, 2021, Matthew Christensen personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Managing Member of 327 McHenry LLC, a Utah limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed 331 McHENRY AVENUE SUBDIVISION—FIRST AMENDED.

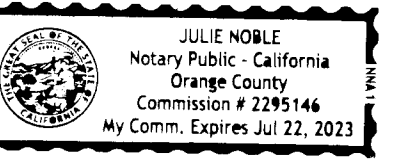
By: Julie Noble
Notary Public

Printed Name

Residing in: Orange County

My commission expires: July 22, 2023

Commission No. 2295146

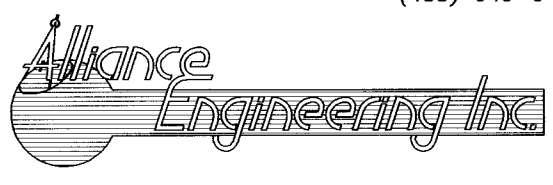
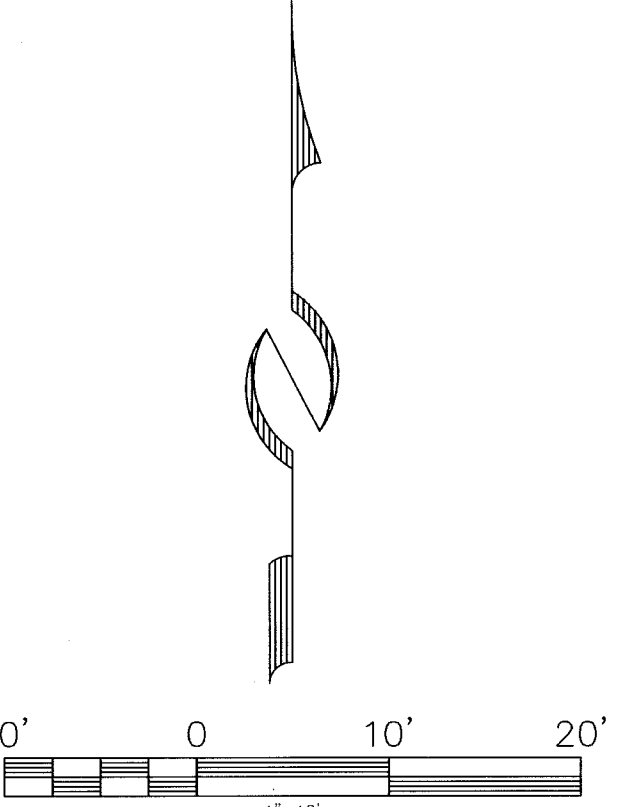


NOTES:

- This plat amendment is subject to the Conditions of Approval in Ordinance 2020-50.
- The property is located in Zone X, areas determined to be outside the 0.2% annual chance floodplain, as shown on the Flood Insurance Rate Map of the Federal Emergency Management Agency, Panel 938, Map Number 49043C0938C, and has an effective date of March 16, 2006.
- Fire sprinklers are required for all new or renovation construction on this lot, to be approved by the Chief Building Official.
- The property is not located within the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore it is not regulated by the City for mine related impacts. However, if the property owner does encounter mine waste or mine waste impacted soils, they must handle the material in accordance with State and Federal law.
- Any future development on the Lot shall have a single vehicular driveway accessed from McHenry Avenue.

LEGEND

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



(435) 649-9467

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

PUBLIC SAFETY
ANSWERING POINT APPROVAL
APPROVED THIS 12th DAY
OF October, 2021
BY Summit County GIS Coordinator

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER
RECLAMATION DISTRICT STANDARDS ON THIS 21st
DAY OF Sept, 2021
BY Engineering Department

PLANNING COMMISSION
APPROVED BY THE PARK CITY
PLANNING COMMISSION THIS 28TH
DAY OF OCTOBER, 2020
BY Chair

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN
ACCORDANCE WITH INFORMATION ON
FILE IN MY OFFICE THIS 5
DAY OF October, 2021
BY Park City Engineer

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 6th
DAY OF October, 2021
BY Park City Attorney

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY
COUNCIL THIS 19TH DAY OF NOVEMBER, 2020
BY Mayor



CERTIFICATE OF ATTEST
I CERTIFY THIS PLAT
WAS APPROVED BY PARK CITY
COUNCIL THIS 19TH DAY
OF NOVEMBER 2020
BY Park City Recorder

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF COALITION TITLE AGENCY
FEE 52.00
TIME 8:53 AM DATE 10-12-2021 ENTRY NO. 1175138
DEPUTY RECORDER



August 24, 2021

Matthew and Nina Christensen
327 McHenry Avenue,
Park City, Utah
84060

NOTICE OF PLANNING DEPARTMENT ACTION

<u>Application #</u>	PL-21-04878
<u>Subject</u>	Historic District Design Review (HDDR)
<u>Address</u>	327 McHenry Avenue
<u>Description</u>	New Single-Family Dwelling
<u>Action Taken</u>	Approved
<u>Date of Action</u>	August 24, 2021

Summary of Staff Action

Staff reviewed this HDDR application for compliance with Land Management Code (LMC) Chapter 15-13, *Design Guidelines for Historic Districts and Historic Sites*. Staff reviewed the non-Historic Site in accordance with Land Management Code (LMC) Section 15-13-8, *Design Guidelines for New Residential Infill Construction in Historic Districts*, and LMC Chapter 15-2.1, *Historic Residential (HRL) District*. The plans for the project located at 327 McHenry Avenue are approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Site is located at 327 McHenry Avenue.
2. The Site is located within the Historic Residential Low-Density (HRL) Zoning District.
3. On July 12, 2021, the Planning Department received a Historic District Design Review (HDDR) application for the property at 327 McHenry Avenue; it was deemed complete July 27, 2021.
4. The Applicant proposes to construct a new Single-Family Dwelling.
5. On November 19, 2020, a Plat Amendment creating 331 McHenry Avenue Subdivision- First Amended was approved by City Council. Ordinance No. 20-50 was adopted. A ten foot (10') public snow storage easement on McHenry Avenue was required to be recorded on the plat. Two existing easements, an encroachment easement recorded August 2, 2010 and a five foot (5') water line easement recorded June 24, 2009 were also recorded. At this time, the Plat has not yet been recorded.

6. Staff reviewed 327 McHenry's HDDR application for compliance with LMC Chapter 15-13, *Design Guidelines for Historic Districts and Historic Sites*.
7. The application was reviewed per LMC § 15-13-8 *Design Guidelines for New Residential Infill Construction in Historic Districts* and LMC Chapter 15-2.1, *Historic Residential Low-Density Zoning District*.
8. Staff published notice on the City's website and at City Hall on August 10, 2021.
9. Staff mailed courtesy notice to property owners within 300 feet on July 27, 2021.
10. The Analysis Section of the Staff Report is incorporated herein.

Conclusions of Law:

1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.1, *Historic Residential Low-Density (HRL) District*.
2. The proposal meets the criteria for the *Design Guidelines for New Residential Infill Construction in Historic Districts* outlined in the LMC § 15-13-8.

Conditions of Approval:

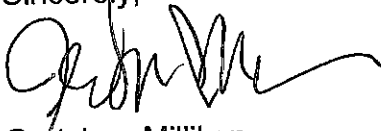
1. Final building plans and construction details shall reflect substantial compliance with the plans approved August 24, 2021 by the Planning Department. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
2. If the Applicant does not obtain a complete building permit by August 24, 2022, this HDDR approval will expire unless the Applicant submits a written extension request to the Planning Department prior to the expiration date and the Planning Department approves an extension.
3. The applicant is responsible for notifying the Building Department prior to making any changes to the approved plans.
4. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or his/her designee prior to construction.
5. Receipt and approval of a Construction Mitigation Plan (CMP) by the Building Department is a condition precedent to the issuance of any building permit. The CMP shall consider and mitigate the impacts to the existing neighboring structures, and existing infrastructure/ streets from the construction. All anticipated road closures shall be described and permitted in advance by the Building Department.
6. The City Engineer shall review and approve all appropriate grading, utility installations, public improvements, drainage plans, and flood plain issues for compliance with City and Federal standards, and this is a condition precedent to building permit issuance.
7. The designer, architect, and/or applicant shall be responsible for coordinating the approved architectural drawings and documents with the approved construction drawings and documents. The overall aesthetics of the approved HDDR architectural plans shall take precedence. Any discrepancies found among these documents that would cause a change in the approved construction drawings shall

- be reviewed and approved prior to construction.
8. Residential fire sprinklers are required for all new or renovation construction on this lot, per requirements of the Chief Building Official.
 9. 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.
 10. Any areas disturbed during construction surrounding the proposed work shall be brought back to its original state.
 11. New construction activity shall not physically damage nearby Historic Sites.
 12. New materials should reflect the character of the Historic District.
 13. No more than two feet (2') of the foundation shall be visible above Final Grade on the secondary and tertiary façades; no more than 8" of foundation shall be visible above Final Grade on the primary façade.
 14. Downspouts shall be located away from architectural features and shall be visually minimized when viewed from the primary public right-of-way.
 15. All proposed mechanical equipment and hot tubs shall meet all Setback requirements per LMC § 15-2.2-3 and shall be screened. All proposed mechanical equipment and utility systems and service equipment shall be noted and shown in plan on the construction documents. If the equipment is located on a secondary façade, it shall be placed behind the midpoint of the structure or in a location that is not visible from the primary public right-of-way along McHenry Street. Ground-level equipment shall be screened using landscape elements such as low fences, low stone walls, or perennial plant materials.
 16. No doors or windows may be vinyl or aluminum; all new doors and windows shall be wood or aluminum-clad wood.
 17. Synthetic building materials shall not be used unless the materials are made of a minimum of 50% recycled and/or reclaimed material.
 18. All exterior wood shall have an opaque rather than transparent finish. When possible, low-VOC (volatile organic compound) paints and finishes shall be used. Rustic, unfinished wood is inappropriate.
 19. All exterior lighting, on porches, decks, garage doors, entryways, etc. shall be down directed and 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.
 20. Construction waste should be diverted from the landfill and recycled when possible.
 21. 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.

22. Construction shall be organized and timed to minimize disturbance of Sensitive or Specially Valued Species occupying or using on-Site and adjacent natural Areas.
23. The new driveways shall not exceed twelve (12) feet in width.
24. Per LMC § 15-2.2-3(K) Site plans and Building designs must resolve snow release issues to the satisfaction of the Chief Building Official.
25. The Conditions of Approval noted on the approved HDDR plans shall also apply.
26. Project Conditions shall apply (attached).

If you have questions regarding your application or the action taken please contact the project Planner, Aiden Lillie, at 435-615-5067 or aiden.lillie@parkcity.org.

Sincerely,



Gretchen Milliken
Planning Director

CC: Aiden Lillie, Planner I

Attachments

Attachment 1: Standard Conditions of Approval
Attachment 2: Approved Plans

Exhibit A: Standard Conditions of Approval

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 are 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 Department

September 6, 2022

Matthew Christensen
8974 Sackett Drive
Park City, UT 84094
Christensen.mj@gmail.com
(949) 632-3223

CC: Jerry Fiat

Re: Modification of Historic District Design Review Determination
Property Address: 327 McHenry Avenue
PL-22-05246

Dear Matthew,

On September 6, 2022, the Planning Department evaluated your Historic District Design Review pre-application (PL-22-05246) for modifications to an HDDR approval (PL-21-04878). Staff determines that the proposed modifications are minor and have little or no negative impact on the approved plans. Therefore, per Land Management Code (LMC) [§ 15-11-12\(A\)\(3\)](#), your modification is not required to complete the full HDDR process. Please note the following findings of fact and conditions of approval apply to the proposal reviewed by the Design Review Team on June 8, 2022:

- The scope of this waiver is limited to minor modifications to the HDDR approval on August 24, 2021, for 327 McHenry Avenue
- Staff finds the proposal is compliant with LMC Chapter 15-2.1, *Historic Residential Low (HRL) District*
- All Conditions of Approval in the final action letter dated August 24, 2021, are still in effect
- The proposed swimming pool is a conditional use and requires Planning Commission review and approval
- Retaining walls higher than six feet in the side or rear setbacks and any walls over four feet in the front setback require an Administrative Conditional Use Permit

If you have any questions, please contact the Planning Department at 435-615-5060 or email planning@parkcity.org.

Sincerely,

Park City Municipal Corporation | 445 Marsac Avenue | P.O. Box 1480 | Park City, Utah 84060-1480
Planning Department | (435) 615-5060 Main Office Line | (435) 615-4906 Fax Line

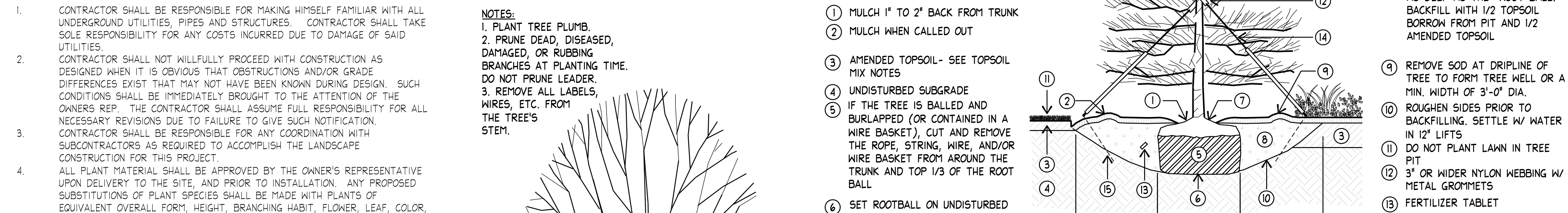
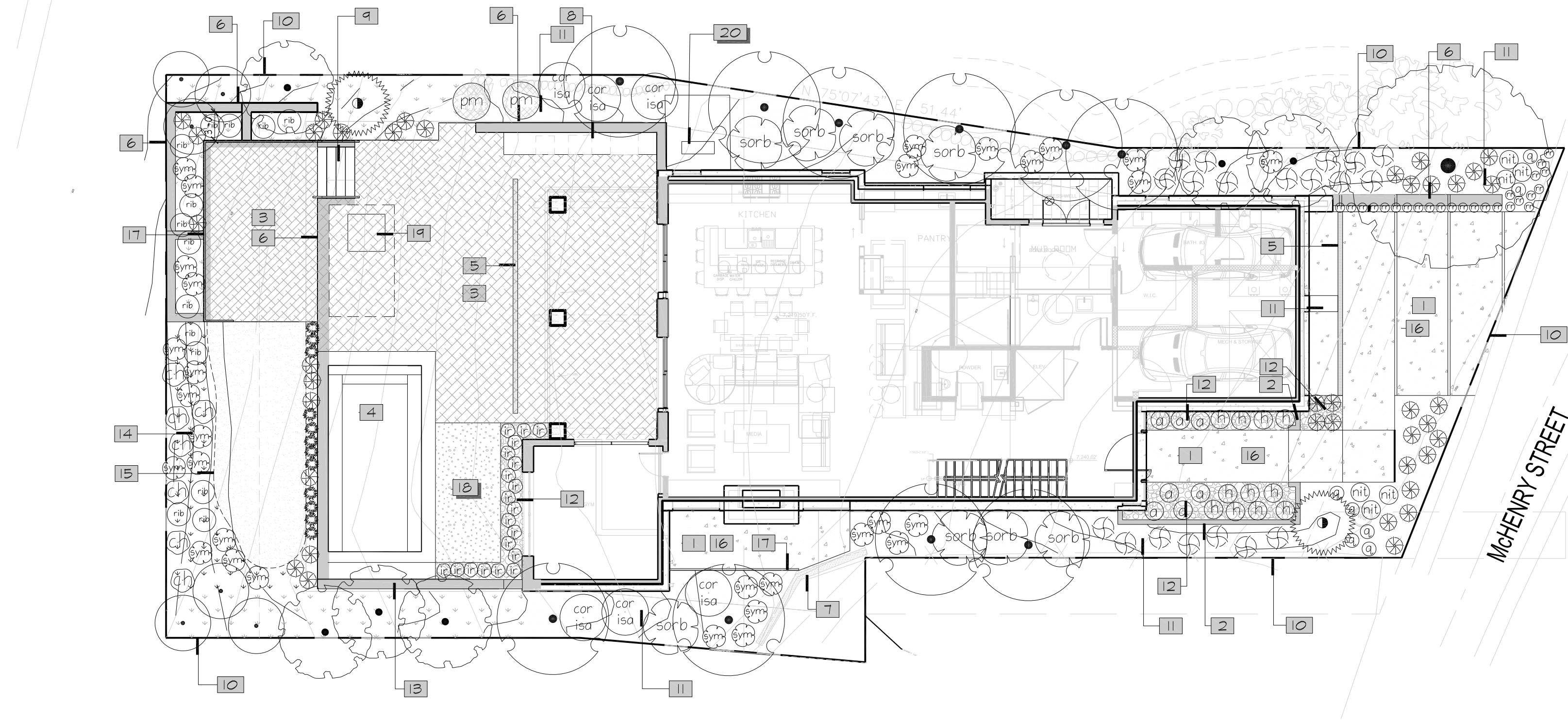


Planning Department

A handwritten signature in blue ink, appearing to read "Gretchen Milliken".

Gretchen Milliken
Planning Director

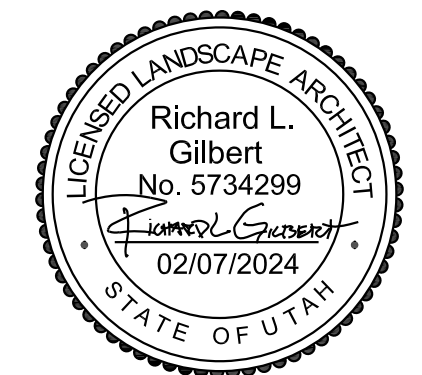
CC: Spencer Cawley, Planner II



PLANT SCHEDULE						A				
SYMBOL	BOTANICAL NAME	COMMON NAME	CONT	CAL	QTY					
DECIDUOUS										
	Acer grandidentatum MULTI-TRUNK	Bigtooth Maple	B & B	2"	6					
	Fraxinus pennsylvanica	Green Ash	B & B	2"	1					
	Populus tremuloides	Quaking Aspen	B & B	3"	10					
	Quercus gambellii MULTI-TRUNK	Gambel Oak	B & B	2"	6					
EVERGREEN										
	Pinus sylvestris 'Glauca Nana'	Dwarf Scotch Pine Patio Tree	B & B	4"	2					
SHRUBS										
	Chrysanthemum nauseosus	Rubber Rabbitbrush	1 gal		7					
	Cornus sericea 'Isanti'	Isanti Redosier Dogwood	5 gal		6					
	Pinus mugo pumilio	Dwarf Mugo Pine	5 gal		2					
	Ribes alpinum	Alpine Currant	5 gal		14					
	Sorbaria sorbifolia	Ash Leaf Spirea	5 gal		10					
	Symphoricarpos albus	Common White Snowberry	5 gal		31					
PERENNIALS										
	Achillea hybrid 'Moonshine'	Moonshine Yarrow	1 gal		12					
	Aquilegia alpina	Alpine Columbine	1 gal		7					
	Aquilegia x	Golden Columbine	1 gal		7					
	Hemerocallis hybrid 'Rosy Returns'	Rosy Returns Daylily	1 gal		25					
	Heuchera x 'Lime Rickey'	Lime Rickey Coral Bells	1 gal		11					
	Iris pallida 'Aurea Variegata'	Variegated Yellow Blade Iris	1 gal		20					
	Rudbeckia fulgida 'Goldsturm'	Goldsturm Black-eyed Susan	1 gal		6					
GRASSES										
	Calamagrostis acutifolia 'Overdam'	Overdam Reed Grass	1 gal		19					
	Festuca mairei	Atlas Fescue	1 gal		39					
GROUND COVERS										
	Dura Turf-Grass WATER-WISE SOD	Dura Turf-Grass	sod		243 sf					
	SOD/SEED									
	Native Grass and Flower Seed Mix	Native Grass and Flower Seed Mix	seed		636 sf					
* QUANTITY INFORMATION PROVIDED FOR REFERENCE ONLY. CONTRACTOR RESPONSIBLE TO VERIFY ALL QUANTITIES.										
REFERENCE SCHEDULE NOTES						B				
SYMBOL	DESCRIPTION				QTY					
	CONCRETE WITH ACID ETCH FINISH, TYP.				663 sf					
	CONCRETE BOARD FORM PLANTER TO MATCH HOUSE BOARD FORM CONCRETE									
	PEDESTRIAN STONE PAVER OVER HEADED CONCRETE SUB SLAB PATIO, TYP. SEE SHEET L501 DETAIL C				1,217 sf					
	10'X20' SPA WITH A SAFTEY COVER THAT MEETS LOCAL AND NATIONAL SAFTEY CODES									
	CAST IRON TRENCH DRAIN, SEE GRADING PLAN LG101									
	BOARD FORM CONCRETE RETAINING WALL, SEE ARCHITECTURAL AND STRUCURAL PLANS									
	PROTECT IN PLACE EXISTING WOOD									
	OUTDOOR KITCHEN GRILL AND COUNTER									
	STONE BLOCK STEPS OVER CONCRETE BASE, TYP.									
	PROPERTY LINE									
	3" DEEP SOIL PEP MULCH, TYP. SEE SHEET L501 DETAIL B				1,230 sf					
	1 1/2" TO 3" DIA. BLACK PEBBLE MULCH				172 sf					
	6' HIGH BOARD FORM CONCRETE PRIVACY WALL									
	PLANT NATIVE SEED AND NATIVE SHRUBS PER PLANT SCHEDULE AND GRADE PER GRADING PLAN TO NATURAL GRADE									
	6" X 3/8" THICK STEEL LANDSCAPE EDGE, TYP.									
	HEATED DRIVEWAY (SNOW MELT, IF SNOW STORAGE IS NECESSARY ADJACENT LANDSCAPT TO BE USED), 2 GUEST PARKING STALLS									
	GUARD RAIL TO MATCH HOUSE BALCONY GUARD RAIL ALONG PATIO									
	SYNTHETIC TURF				104 sf					
	7' W X 12' L X 6' H SPA MECHANICAL VAULT UNDER PATIO WITH 4'X4' ACCESS DOOR									
	CHILLER UNIT, SEE ARCHITECTURAL PLANS									
* QUANTITY INFORMATION PROVIDED FOR REFERENCE ONLY. CONTRACTOR RESPONSIBLE TO VERIFY ALL QUANTITIES.										
SCALE & NORTH ARROW						C				

Arc S sitio
Design, Inc
Landscape Architecture &
Architectural Site Design

1058 East 2100 South
Salt Lake City, Utah 84106
office 801 . 487 . 4923
fax 801 . 466 . 3046
www.arcsitiodesign.com



consultant:

project

Christensen
Residence
327 MCHENRY AVE
PARK CITY, UT 84060

date
February 7, 2024

revisions

data
asd project no: 21077

title
LANDSCAPE
PLAN

sheet

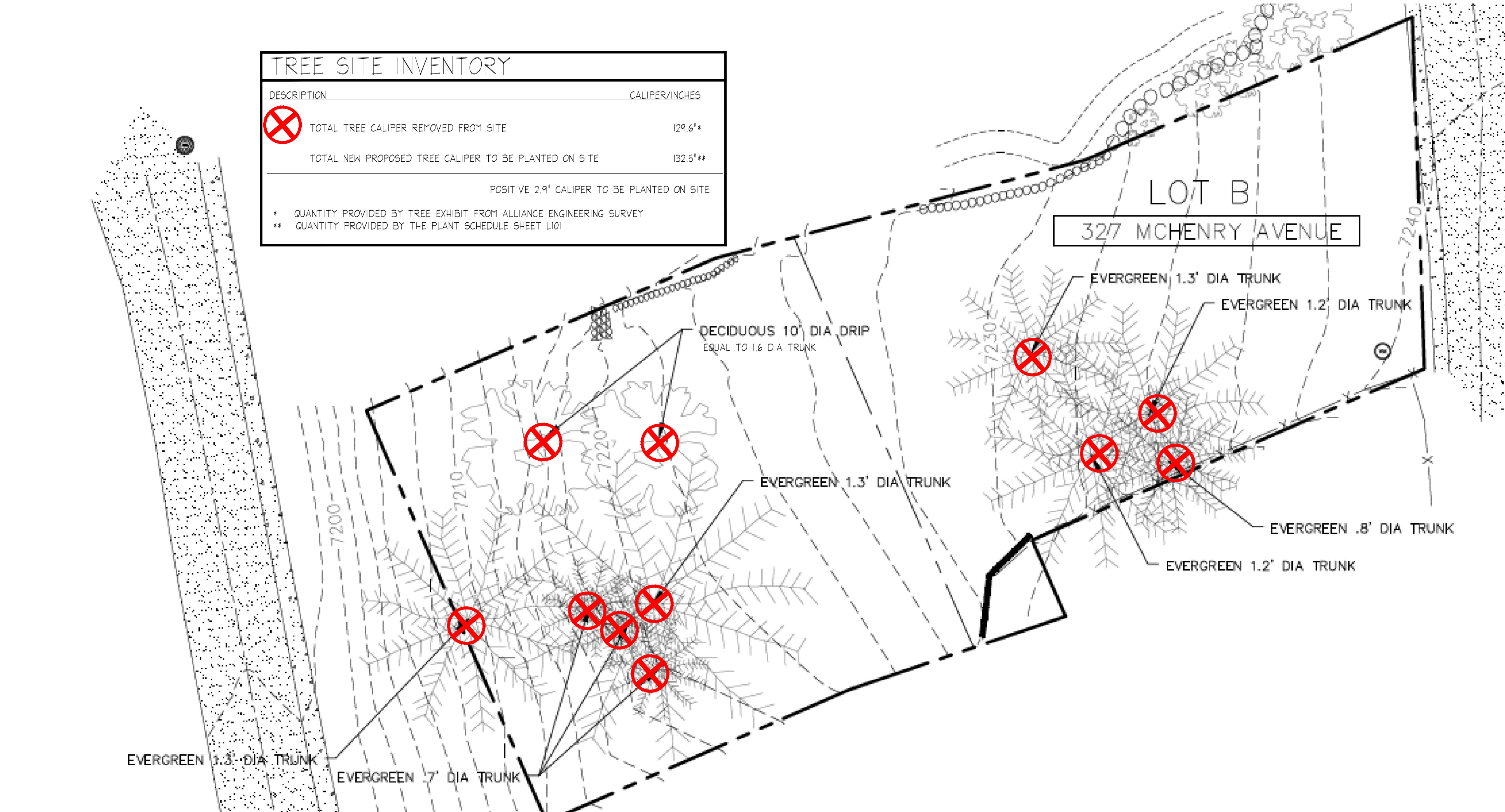
L101



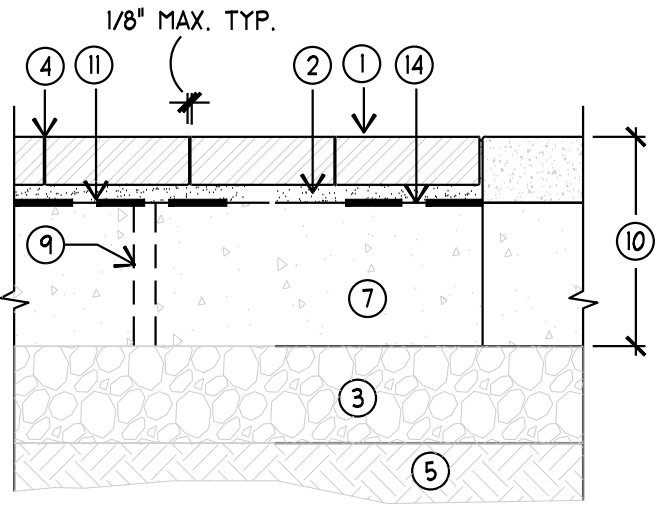
TOTAL ACREAGE = .172 OR 7,500.8 SF

D ADJOINING PROPERTIES, NEIGHBORING LOTS AND USES WITHIN 100' OF SUBJECT PROPERTY

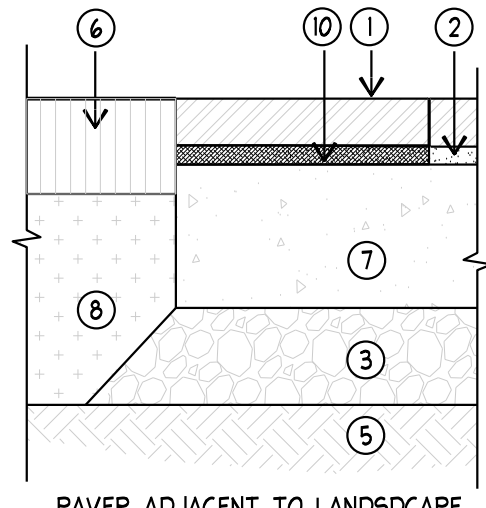
C PAVES OVER CONCRETE SUB SLAB



D EXISTING TREE CALIPER VS. PROPOSED NEW PLANTED CALIPER



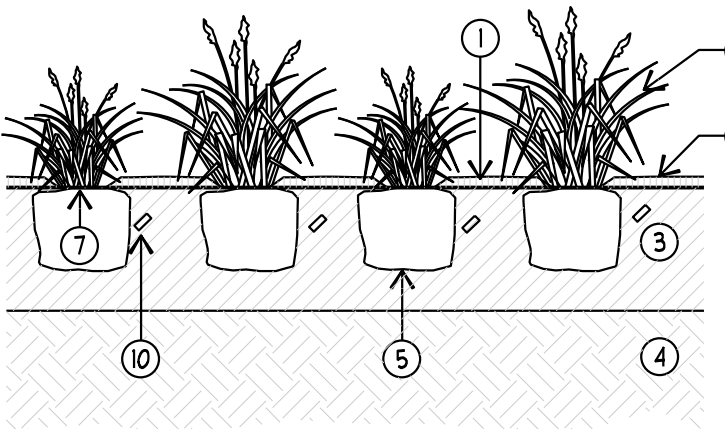
PAVER ADJACENT TO CONCRETE AREAS



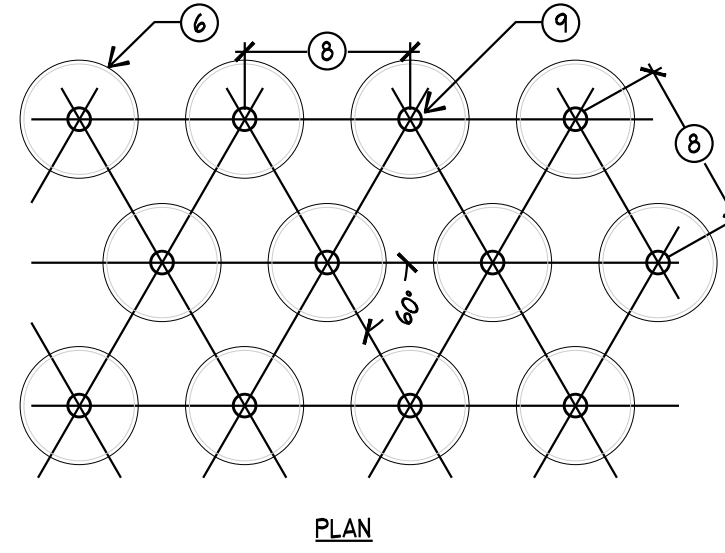
PAVER ADJACENT TO LANDSCAPE AREAS

- 1 PAVES
- 2 BEDDING SAND
- 3 COMPACTED ROADBASE
- 4 POLYMERIC SAND SWEEP JOINT TYP.
- 5 COMPACTED SUBGRADE
- 6 MULCH, WHERE APPLICABLE
- 7 4\"/>
- 8 TOPSOIL
- 9 PROVIDE 1\"/>
- 10 VERSABOND GROUT, COVER ENTIRE PAVES BASE, NO DABBING.
- 11 VAPOR BARRIER

NOTES:
1. AREAS HEATED, CONSULT WITH GENERAL CONTRACTOR AND MECHANICAL ENGINEER.



SECTION



PLAN

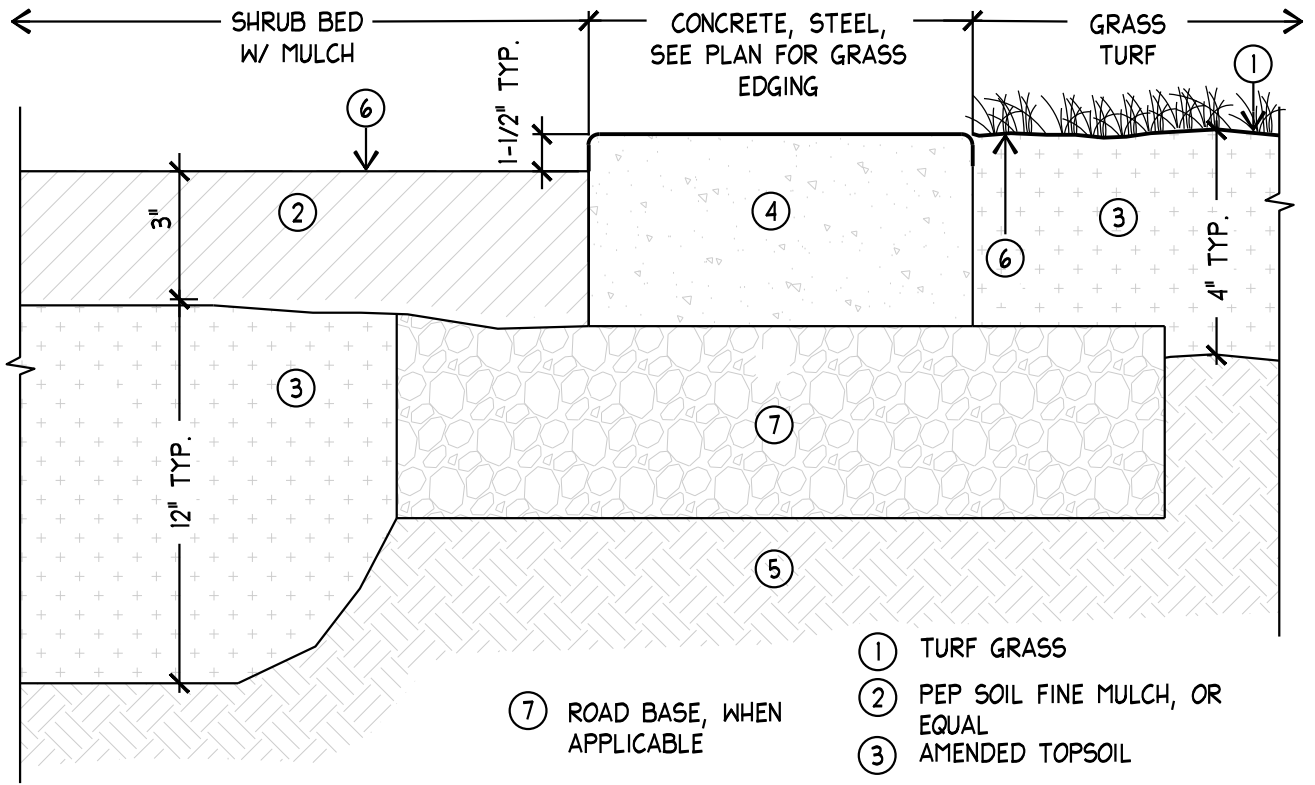
- 1 MULCH BACK FROM PLANT
- 2 MULCH WHEN CALLED OUT
- 3 AMENDED TOPSOIL - SEE TOPSOIL MIX NOTES
- 4 UNDISTURBED SUBGRADE
- 5 IF PLANTS ARE POT-BOUND AT PLANTING TIME, LOOSEN THE ROOTS AROUND THE BOTTOM AND SIDES OF THE ROOT BALL
- 6 PLANT
- 7 BE SURE THE CROWN OF THE PLANT (THE POINT WHERE ROOTS AND TOP JOIN) IS EVEN WITH THE SOIL SURFACE
- 8 PLANT SPACING VARIES - REFER TO PLANT SCHEDULE OR PLAN
- 9 CENTER OF PLANT
- 10 FERTILIZER TABLET

NOTES:
1. PRUNE DEAD, DISEASED, DAMAGED, OR RUBBING BRANCHES AT PLANTING TIME.
2. REMOVE ALL LABELS, WIRES, ETC. FROM PLANT.
3. WATER PLANTS THOROUGHLY FOLLOWING PLANTING TO SETTLE THE SOIL AROUND THE ROOTS.

A PERENNIAL / GROUNDCOVER

SCALE: NTS

SECTION/PLAN



B MULCH WITH TOPSOIL

SCALE: NTS

SECTION

consultant:

project

Christensen
Residence
327 MCHENRY AVE
PARK CITY, UT 84060

date
February 7, 2024

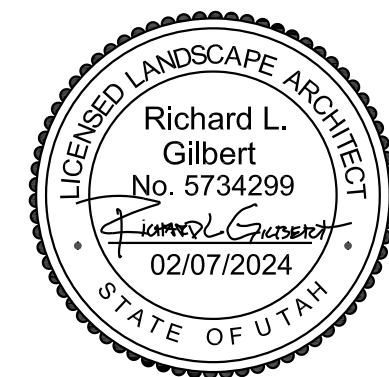
revisions

data
asd project no: 21077

title
LANDSCAPE
DETAILS

sheet

L501



consultant:

project

CHRISTENSEN
RESIDENCE
327 MCHENRY AVE
PARK CITY, UT 84060

date

February 7, 2024

revisions

data

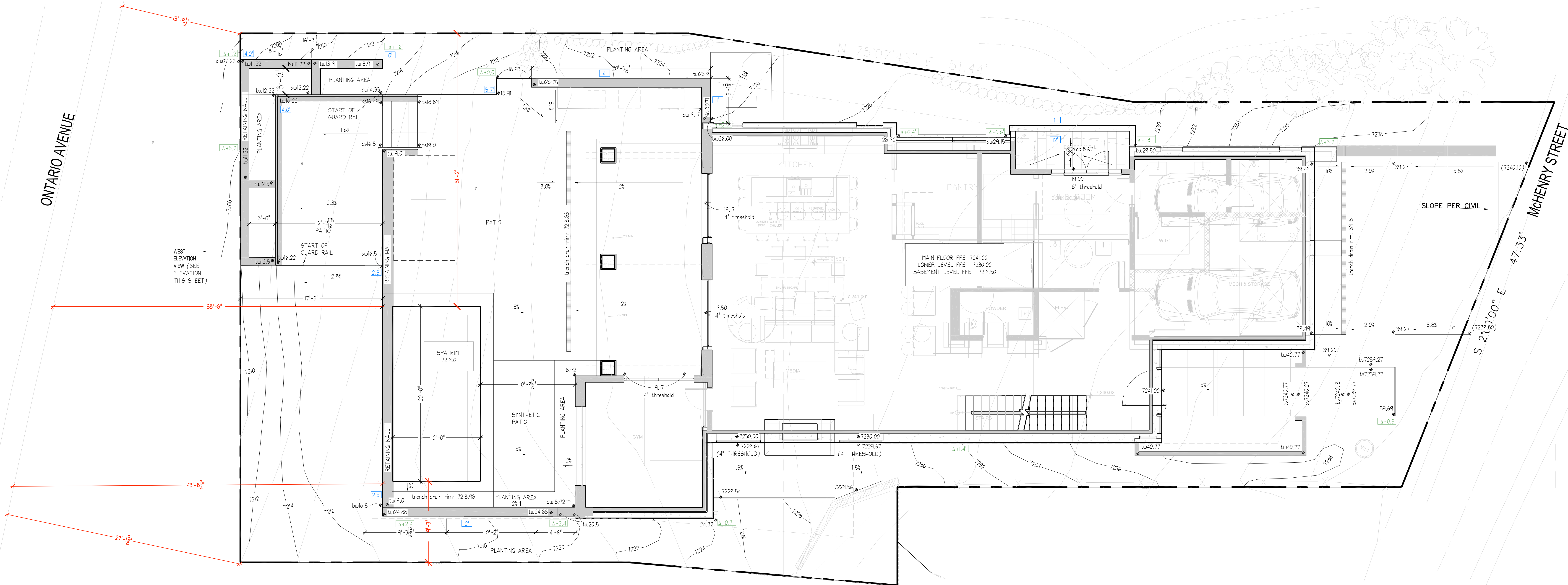
asd project no: 21077

title

GRADING
PLAN

sheet

LG101



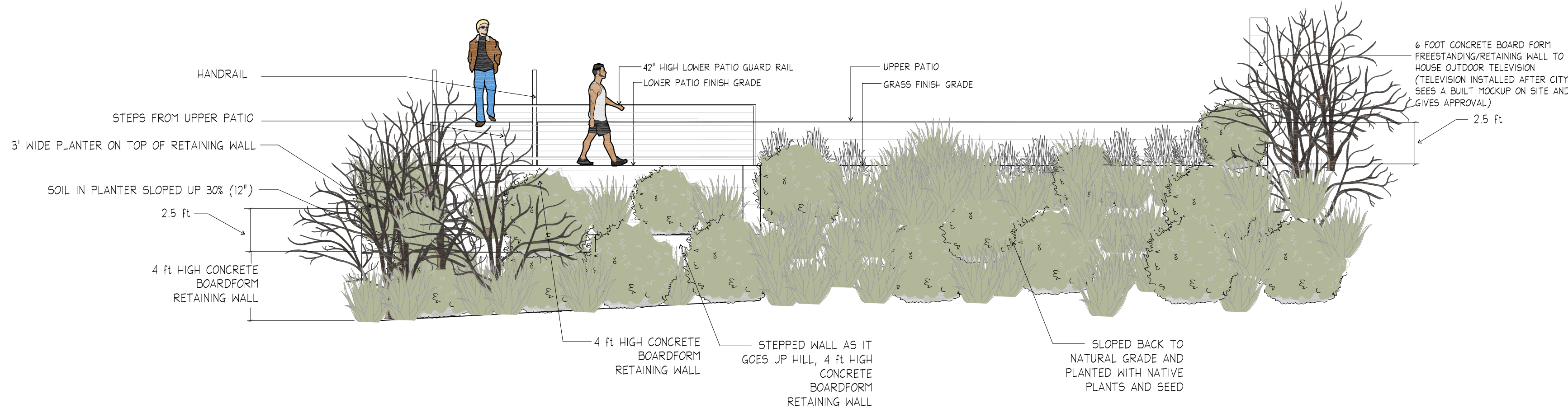
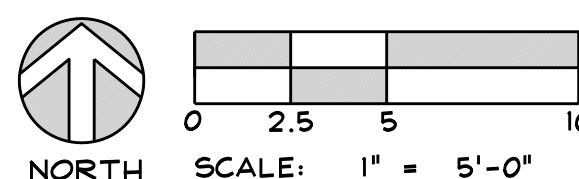
LEGEND

— 4320 —	PROPOSED CONTOUR LINE	• lu/bw4325	TOP OF WALL/ BOTTOM OF WALL
• (4325)	EXISTING SPOT ELEVATION	• bw/1w4325	BOTTOM/TOP OF STAIRS
• 4325	PROPOSED SPOT ELEVATION	• cb4325.00	CATCH BASIN RIM ELEVATION
• hp/lp4325	HIGH POINT / LOW POINT	Δ+3.5	DIFFERENCE BETWEEN EXISTING GRADE AND PROPOSED GRADE
1.5%	DIRECTION OF FLOW & SLOPE INDICATOR	3.5	PROPOSED WALL HEIGHT

GRADING & LAYOUT NOTES

- FINISHED GRADES, CONTOURS, AND ELEVATIONS INDICATED ON THE GRADING AND DRAINAGE PLAN DESCRIBE FINAL SURFACE ELEVATIONS FOR COMPLETED CONSTRUCTION. THE CONTRACTOR SHALL REVIEW THE DETAILS AND SPECIFICATIONS TO ASCERTAIN SPECIFIC WORK LIMITS AND REQUIREMENTS.
- CONTRACTOR SHALL VERIFY ALL EXISTING GRADES IN THE FIELD AND REPORT ANY DISCREPANCIES TO THE OWNER'S REPRESENTATIVE.
- CONSULT ALL OF THE DRAWINGS AND SPECIFICATIONS FOR COORDINATION REQUIREMENTS BEFORE COMMENCING CONSTRUCTION.
- WHERE NEW PAVING OR EARTHWORK MEETS EXISTING PAVING OR EARTHWORK SMOOTHLY BLEND LINE AND GRADE OF EXISTING WITH NEW. ALL RIDGES AND VALLEYS SHALL HAVE A SMOOTH TRANSITIONS.
- GRADE EVENLY BETWEEN SPOT GRADES SHOWN ON DRAWINGS. ALL PAVED AREAS MUST DRAIN AT A MINIMUM OF ONE-EIGHTH INCH (1/8") PER FOOT. ANY DISCREPANCIES NOT ALLOWING THIS TO OCCUR SHALL BE REPORTED TO THE OWNERS REPRESENTATIVE PRIOR TO CONTINUING WORK.
- PRIOR TO COMMENCING ANY EXCAVATION WORK, THE CONTRACTOR SHALL NOTIFY ALL UTILITY COMPANIES IN ACCORDANCE WITH THE REQUIRED PROCEDURES.
- THE LOCATION OF UNDERGROUND UTILITIES SHOWN ON THIS PLAN ARE DIAGRAMMATIC ONLY, AND ALL UTILITIES MAY NOT BE SHOWN. THE CONTRACTOR SHALL CONTACT THE PROPER LOCAL AUTHORITIES OR RESPECTIVE UTILITY COMPANY TO CONFIRM THE LOCATION OF ALL EXISTING UTILITIES BEFORE COMMENCING WORK. ANY DAMAGE DUE TO FAILURE OF THE CONTRACTOR TO CONTACT THE PROPER AUTHORITIES SHALL BE BORNE BY THE CONTRACTOR.
- EXCAVATION REQUIRED WITHIN PROXIMITY OF EXISTING UTILITY LINES SHALL BE DONE BY HAND. CONTRACTOR SHALL REPAIR ANY DAMAGE TO EXISTING UTILITY LINES OR STRUCTURES INCURRED DURING CONSTRUCTION OPERATIONS AT NO COST TO OWNER.
- ANY AREA DISTURBED OUTSIDE THE LIMIT OF DISTURBANCE/PROPERTY LINE SHALL BE RESTORED TO ITS ORIGINAL CONDITIONS AT NO COST TO OWNER.
- CONTRACTOR SHALL SUPPLY AND MAINTAIN FOR THE DURATION OF CONSTRUCTION ALL NECESSARY DEVICES FOR EROSION, SEDIMENT AND DUST CONTROL, SUCH AS HAY BALES, GRAVEL, BOARDS, ETC., INCLUDING THOSE DEVICES NECESSARY FOR STOCKPILES AND PROTECTION OF ADJACENT PUBLIC WAYS AND SHALL REMOVE THE DEVICES AFTER PROJECT CLOSEOUT.
- REFER TO STRUCTURAL DETAILS AND RECOMMENDATIONS FOR ROCK WALL CONSTRUCTION.
- CUT AND FILL SLOPES SHALL BE CONSTRUCTED AS RECOMMENDED BY THE GEOTECHNICAL REPORT.
- INSTALL DRAINAGE PIPE ON BACKSIDE OF RETAINING WALLS AND SLOPE TO DAYLIGHT DRAINS AS REQUIRED.

SCALE & NORTH ARROW



WEST ELEVATION

SCALE: 1" = 5'-0"



GEOTECHNICAL INVESTIGATION

**PROPOSED HOT TUB AND
RETAINING WALLS**

**327 MCHENRY AVENUE
PARK CITY, UTAH**

PREPARED FOR:

**327 MCHENRY, LLC
8974 SACKETT DRIVE
PARK CITY, UTAH 84098**

PROJECT NO. 1220947

**DECEMBER 14, 2022
REVISED FEBRUARY 5, 2024**

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EXECUTIVE SUMMARY

1. A hot tub is planned to be constructed west of a residence at the property. We have assumed the hot tub will consist of reinforced-shotcrete walls and will extend to a depth of approximately 4 to 5 feet below the ground surface.

Reinforced-concrete retaining walls are planned to be constructed west of the proposed hot tub. Three tiers of retaining walls are planned to be constructed. The two west retaining walls are planned to have a height up to approximately 4 feet and be separated by a horizontal distance of 3 feet. The east retaining wall is planned to have a height of up to approximately 2½ feet.

In our professional opinion, the proposed improvements are suitable to be constructed at the property if the recommendations in the report are followed.

2. Three test pits were excavated at the property. Approximately 6 and 5 feet of fill were encountered in Test Pits TP-1 and TP-2, respectively. Approximately ½ foot of topsoil was encountered in Test Pit TP-3. Bedrock was encountered below the fill and topsoil. Practical excavation refusal in bedrock was encountered at depths of approximately 7, 5½ and 2 feet in Test Pits TP-1 through TP-3, respectively.
3. No subsurface water was encountered in the test pits at the time of excavation. Based on our experience in the area, there is a potential for subsurface water to occur in a perched condition during the spring and early summer as snow melts.
4. The proposed hot tub and retaining walls may be supported on the undisturbed bedrock or on compacted structural fill extending down to the bedrock.

A net allowable bearing pressure of 3,500 pounds per square foot may be used in design of the hot tub and footings for the retaining walls that bear on the bedrock or compacted structural fill that extends down to the bedrock.

If a footing would bear partially on bedrock and partially on compacted structural fill, at least 2 feet of structural fill should be provided below the footing or the footing extended down to bear entirely on the bedrock.

Executive Summary (continued)

5. The upper portion of the bedrock in some areas is weathered and highly fractured; however, difficult excavation conditions in the bedrock should be expected, especially if smaller excavation will be used. Increased difficulty should be expected in confined excavations, such as utility trenches. Jack-hammering or other rock excavation methods may be needed.
6. Geotechnical information related to the hot tub, retaining walls and materials are included in the report.

SCOPE

This report presents the results of a geotechnical investigation for a hot tub and retaining walls to be constructed for the residence at 327 McHenry Avenue in Park City, Utah. The report presents the subsurface conditions encountered and provides recommendations for the proposed improvements. The study was conducted in general accordance with our proposal dated November 11, 2022. The report was revised to reflect a change in the proposed improvements.

Field exploration was conducted to obtain information on the subsurface conditions for our engineering analysis and to develop recommendations for the proposed improvements.

This report has been prepared to summarize the data obtained during the study and to present our conclusions and recommendations based on the proposed construction and the subsurface conditions encountered. Design parameters and a discussion of geotechnical engineering considerations related to construction are included in the report.

SITE CONDITIONS

At the time of our field study there was a residence under construction on the property. The area of the proposed hot tub is west of the residence. This area has been graded and is relatively level to slightly sloping down to the west. Survey stakes indicate the ground surface was near the hot tub rim and surrounding deck elevation. There was snow and ice on the ground surface.

The ground surface west of the proposed hot tub area slopes moderately to steeply down to the west. There is a large tree and some brush on the slope.

There are residences to the north and south. Ontario Avenue is to the west.

FIELD STUDY

The field study was conducted on November 17, 2022. Three test pits were excavated at the approximate locations shown on Figure 1. The test pits were excavated with a mini-excavator. The test pits were logged and soil samples obtained by an engineer from AGECC. Logs of the subsurface conditions encountered in the test pits are graphically shown on Figure 2.

The test pits were backfilled without significant compaction. The test pit backfill should be removed and replaced with properly compacted fill where it will support proposed foundations, floor slabs or exterior concrete flatwork.

SUBSURFACE CONDITIONS

Approximately 6 and 5 feet of fill were encountered in Test Pits TP-1 and TP-2, respectively. Approximately ½ foot of topsoil was encountered in Test Pit TP-3. Bedrock was encountered below the fill and topsoil and extends the full depth of the test pits. Practical excavation refusal in bedrock was encountered at depths of approximately 7, 5½ and 2 feet in Test Pits TP-1 through TP-3, respectively.

A description of the soil and bedrock encountered in the test pits follows:

Fill - The fill ranges from lean clay with gravel to clayey sand and contains occasional debris. The fill is moist to very moist and dark brown with some orange mottling.

Moisture contents of 16 and 32 percent were measured for samples of the fill tested in the laboratory.

Results of gradation tests performed on samples of the fill are shown on Figure 3.

Topsoil - The topsoil consists of lean clay. The topsoil is moist, brown and contains roots.

Limestone Bedrock - The upper portion of the bedrock is weathered and highly fractured in Test Pits TP-1 and TP-2. The bedrock is hard, moist and dark gray.

SUBSURFACE WATER

No subsurface water was encountered in the test pits at the time of excavation. Based on our experience in the area, subsurface water may occur in a perched condition during the spring and early summer as snow melts.

PROPOSED CONSTRUCTION

A hot tub is planned to be constructed west of a residence at the property. We have assumed the hot tub will consist of reinforced-shotcrete walls and will extend to a depth of approximately 4 to 5 feet below the ground surface.

Reinforced-concrete retaining walls are planned to be constructed west of the proposed hot tub. Three tiers of retaining walls are planned to be constructed. The two west retaining walls are planned to have a height up to approximately 4 feet and be separated by a horizontal distance of 3 feet. The east retaining wall is planned to have a height of up to approximately 2½ feet.

If the proposed construction is significantly different from what is described above, we should be notified so that we can reevaluate the recommendations given.

RECOMMENDATIONS

The following recommendations are provided based on the subsurface conditions encountered and the proposed construction.

A. Site Grading

Based on the site plan provided, it appears that up to 4 feet of fill will be placed to raise the grade behind the proposed retaining walls. We anticipate approximately 3 to 8 feet of backfill will be placed around the proposed hot tub.

1. Unsuitable Fill

Up to approximately 6 feet of fill was encountered in test pits excavated at the site. The fill is not considered suitable to support the proposed hot tub, retaining walls, concrete flatwork or other settlement-sensitive improvements. The fill should be removed from these areas down to the bedrock.

2. Subgrade Preparation

Prior to placing grading fill, the topsoil, unsuitable fill, organic material and other deleterious materials should be removed.

Care should be taken to not disturb the bedrock to remain below the proposed improvements.

3. Temporary Excavation Slopes

Temporary excavation slopes up to 10 feet in height in the fill and bedrock may be constructed at 1 horizontal to 1 vertical or flatter. Flatter excavation slopes in bedrock may be needed, depending on weathering and orientation of fractures. Some sloughing of soil and bedrock may occur on the face of temporary excavation slopes. The sloughed material can be removed, if needed.

Temporary excavation slopes should be protected from surface drainage. The ground surface near the top of the slopes should be graded to direct surface drainage away from the slope face.

The excavator is responsible to provide safe working conditions around temporary excavation slopes.

4. Long-term Slopes

The slope west of the proposed hot tub ranges from approximately 1.7 to 2.0 horizontal to 1 vertical. In our professional opinion, the slope will have a suitable safety factor with regards to slope stability.

Long-term fill slopes may be constructed at 2 horizontal to 1 vertical or flatter. Fill placed on slopes steeper than 5 horizontal to 1 vertical should be keyed into the slope with a key for every 2 to 4 feet of vertical rise. Prior to placement of fill, the subgrade should be prepared by removing the topsoil and other deleterious materials. Fill should be placed in relatively level lifts.

Slopes should be protected from erosion by revegetation, erosion control mats or other methods.

5. Excavation

We anticipate excavation in the bedrock can be accomplished using heavy-duty excavation equipment. Jack-hammering and other rock excavation methods may be needed. Additional difficulty should be expected in confined excavations, such as utility trenches.

6. Materials

Materials used as fill for the project are anticipated to consist of imported fill and bedrock. Recommendations for these materials are shown below.

a. Imported Fill

Listed below are materials recommended for imported structural fill.

Fill Location	Recommendation
Below Footings	Non-expansive granular soil Passing No. 200 Sieve <35% Liquid Limit < 30% Maximum size 4 inches
Below Floor Slabs (Upper 4 inches)	Sand and/or Gravel Passing No. 200 Sieve <5% Maximum size 2 inches
Below Floor Slabs (Deeper than 4 inches)	Non-expansive granular soil Passing No. 200 Sieve <50% Liquid Limit <30% Maximum size 4 inches

b. On-Site Materials

The on-site fill is not considered suitable for use as fill below the hot tub, retaining walls and other settlement-sensitive improvements, but may be considered for use as fill below concrete flatwork if it can be properly compacted. This is likely not feasible due to limited space and cold weather.

The broken down bedrock may be considered for use as fill below the hot tub and retaining walls. The bedrock may also be considered for use as fill below concrete flatwork or in landscape areas.

Topsoil, organic material, oversize material and other deleterious material should be removed from the materials described above that will be used as structural fill and below concrete flatwork.

c. Moisture Conditioning

Depending on the moisture content of the fill and bedrock at the time of construction, the fill and bedrock may require wetting or drying prior to use as fill. Drying of the fill and bedrock may not be practical during cold or wet times of the year.

7. Compaction

Compaction of materials placed at the site should equal or exceed the minimum densities as indicated below when compared to the maximum dry density as determined by ASTM D 1557.

Fill Location	Compaction
Below the Hot Tub and Retaining Walls	≥ 95%
Below Concrete Flatwork	≥ 90%
Backfill for the Hot Tub and Retaining Walls	≥ 90%
Landscaping	≥ 85%

To facilitate the compaction process, the fill should be compacted at a moisture content within 2 percent of the optimum moisture content.

Fill placed for the project should be frequently tested for compaction.

8. Drainage

The ground surface surrounding the proposed hot tub and retaining walls should be sloped to drain away from these improvements in all directions. Good surface drainage should be provided. Roof downspouts and drains from the residence should discharge beyond the limits of backfill in these areas.

B. Foundations

1. Bearing Material

The proposed hot tub and retaining walls may be supported on the undisturbed bedrock or on compacted structural fill extending down to the undisturbed bedrock.

If a footing would bear partially on bedrock and partially on compacted structural fill, at least 2 feet of structural fill should be provided below the footing or the footing extended down to bear entirely on the bedrock.

2. Bearing Pressure

A net allowable bearing pressure of 3,500 pounds per square foot may be used in design of the hot tub and footings for the retaining wall that bear on the bedrock or compacted structural fill that extends down to the bedrock.

3. Temporary Loading Conditions

The allowable bearing pressure may be increased by one-half for temporary loading conditions such as wind or seismic loads.

4. Minimum Footing Width and Embedment

Footings should have a width of at least 1½ feet and a depth of embedment of at least 1 foot.

5. Settlement

We estimate total and differential settlement will be less than ½ inch for footings bearing on the compacted structural fill or bedrock as described above.

Care should be taken to not disturb the bedrock at the base of footing excavations so that settlement can be maintained within tolerable limits. Loose material in the base of footing excavations should be removed or be compacted.

6. Frost Depth

Exterior footings and footings beneath unheated areas should be placed at least 40 inches below grade for frost protection.

7. Foundation Base

The base of excavations should be cleared of loose or deleterious material prior to fill or concrete placement.

8. Construction Observation

A geotechnical engineer from AGECE should observe footing excavations for the hot tub and retaining walls prior to structural fill or concrete placement.

C. Concrete Slab-on-Grade

1. Slab Support

Concrete slabs may be supported on the bedrock or on compacted structural fill extending down to the bedrock.

Unsuitable fill, topsoil, organics or other deleterious materials should be removed from below the proposed slabs.

2. Underslab Sand and/or Gravel

A 4-inch layer of free-draining sand and/or gravel (less than 5 percent passing the No. 200 sieve) should be placed below the concrete slabs for ease of construction and to promote even curing of the slab concrete.

D. Lateral Earth Pressures

1. Lateral Resistance for Footings

Lateral resistance for footings placed on the bedrock or compacted structural fill is controlled by sliding resistance between the footing and the foundation soil or bedrock. A friction value of 0.45 may be used in design for ultimate lateral resistance for footings. The passive resistance of the soil adjacent footings may also be considered in design for lateral resistance of footings.

2. Subgrade Walls and Retaining Structures

The following equivalent fluid weights are given for the design of subgrade walls and retaining structures. The active condition is where the wall moves away from the soil. The passive condition is where the wall moves into the soil and the at-rest condition is where the wall does not move. The values listed below assume a horizontal surface adjacent the wall.

Material Behind Wall	Active	At-Rest	Passive
Granular Fill or Bedrock	40 pcf	55 pcf	300 pcf

3. Additional Lateral Load

Additional lateral load should be expected on retaining walls when surcharge loads are planned to be near the top of the wall. Two tiers of retaining walls are planned in the west portion of the property as described in the Proposed Construction section of the report. We recommend design of the lower retaining be designed using an additional lateral pressure of 150 pounds per square foot due to the proximity of the upper retaining wall. The additional lateral load could be eliminated if the upper and lower retaining walls were constructed on the same footing and at the same elevation.

4. Seismic Conditions

Under seismic conditions, the equivalent fluid weight should be increased by 20 pcf for the active condition, increased by 5 pcf for the at-rest condition and decreased by 20 pcf for the passive condition. This assumes a horizontal ground acceleration of 0.31g which represents a 2 percent probability of exceedance in a 50-year period.

5. Safety Factors

The values recommended above assume mobilization of the soil to achieve ultimate soil strength. Conventional safety factors used for structural analysis for such items as overturning and sliding resistance should be used in design.

E. **Seismic Design Considerations**

1. Building Code Parameters

Listed below is a summary of the site parameters that may be used with the 2021 International Building Code:

Description	Value ¹
Site Class	C ²
S _s - MCE _R ground motion (period=0.2s)	0.53g
S ₁ - MCE _R ground motion (period=1.0s)	0.21g
F _a - Site amplification factor at 0.2s	1.27
F _v - Site amplification factor at 1.0s	1.5
PGA - MCE _G peak ground acceleration	0.26g
PGA _M - Site modified peak ground acceleration	0.31g

¹Values obtained from information provided by the Applied Technology Council at <https://hazards.atcouncil.org>

²Site Class C was selected based on our experience in the area and our understanding of the geology in the area. Site Class B may be possible, but would require measuring the shear wave velocity to a depth of at least 100 feet.

2 Potential Seismic Sources

No active faults are mapped as being located on the property. The nearest mapped active fault is the Salt Lake City segment of the Wasatch fault located approximately 16 miles west of the site (Utah Geological Survey, 2024).

3. Liquefaction

Based on our experience in the area and the subsurface conditions encountered, liquefaction is not a potential hazard at the site.

F. Water Soluble Sulfates

Based on published literature and previous experience in the area, the bedrock possesses negligible sulfate attack potential on concrete. No special cement type is required for concrete placed in contact with the bedrock. Other conditions may dictate the type of cement to be used in concrete for the project.

G. Subsurface Drain

With the potential for perched water conditions to develop during the wet times of the year, we recommend that a subsurface drain be provided around the below-grade portion of the hot tub and behind retaining walls. The subsurface drain system should consist of at least the following items.

1. The subsurface drain system should consist of a perforated pipe installed in a gravel filled trench around the perimeter of the subgrade portions of the hot tub and along the back of the retaining walls. The drain pipe should be placed at the low points of the excavations for the hot tub and adjacent the bottom of the retaining wall footings. A geosynthetic drain could be used as an alternative to

the free-draining gravel. The drains should extend up the foundation walls high enough (near the finished ground surface) to intercept potential subsurface water.

2. At least 6 inches of free-draining gravel should be placed below the hot tub. The gravel should connect the perimeter drainage pipe.
3. The drainage pipes should slope to a sump or outlet where water can be removed by pumping or by gravity flow.
4. If placing the gravel and drain pipe requires excavation below the bearing level of the footing, the excavation for the drain pipe and gravel should have a slope no steeper than 1:1 (horizontal to vertical) so as not to disturb the soil below the residence.
5. A filter fabric should be placed between the natural soil and the drain gravel. This will help reduce the potential for fine grained material filling in the void spaces of the gravel.
6. Consideration may be given to installing cleanouts to allow access into the perimeter drain should cleaning of the pipe be required in the future.

H. Additional Services

It is important that AGECH be involved during design and construction of the hot tub and retaining walls. There are several items where we can provide value, help the design of the geotechnical aspects of the project be more efficient and help reduce the risk to the design team and the owner.

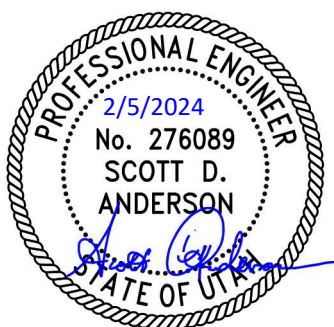
We recommend that at least the following additional services be provided:

1. Observe the excavations for the hot tub and retaining walls.
2. Review construction plans for the project to determine whether recommendations in this report have been incorporated into the design.
3. Observe fill placement and compaction during construction.
4. Provide other testing and inspections that may be required by the building code or local jurisdiction.

LIMITATIONS

This report has been prepared in accordance with generally accepted soil and foundation engineering practices in the area for the use of the client for design purposes. The conclusions and recommendations included within the report are based on the proposed construction and the information obtained from the test pits excavated at the property. Variations in the subsurface conditions may not become evident until additional exploration or excavation is conducted. If the subsurface conditions or groundwater level is found to be significantly different from what is described above, we should be notified to reevaluate our recommendations.

APPLIED GEOTECH



Scott D. Anderson, P.E.

A handwritten signature in blue ink that reads "Douglas R. Hawkes".

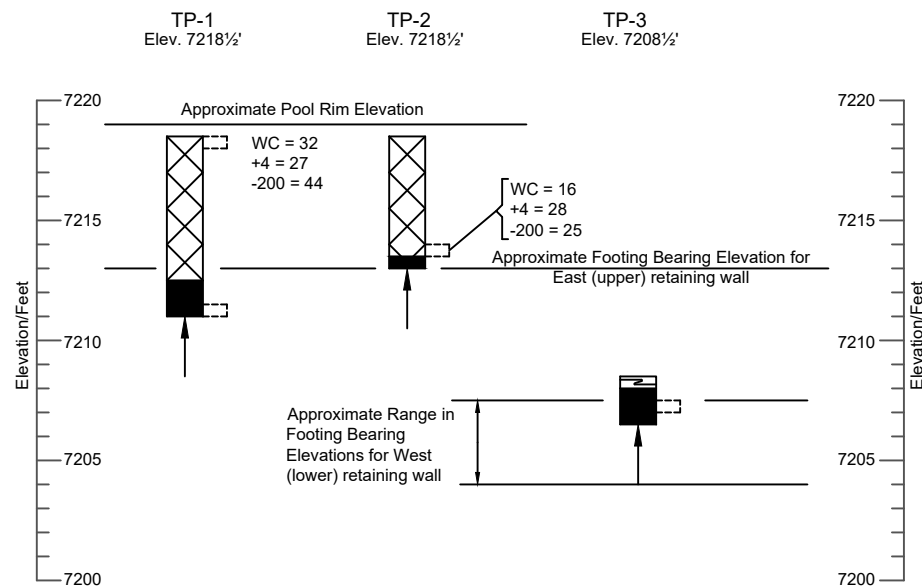
Reviewed by Douglas R. Hawkes, P.E., P.G.

SDA/rs

REFERENCES

International Code Council 2020, 2021 International Building Code, Falls Church, Virginia.

Utah Geological Survey, 2024; Utah Quaternary Fault and Fold Database, <http://geology.utah.gov/resources/data-databases/qfaults/> accessed November 4, 2024.



Approximate Vertical Scale 1"=8'

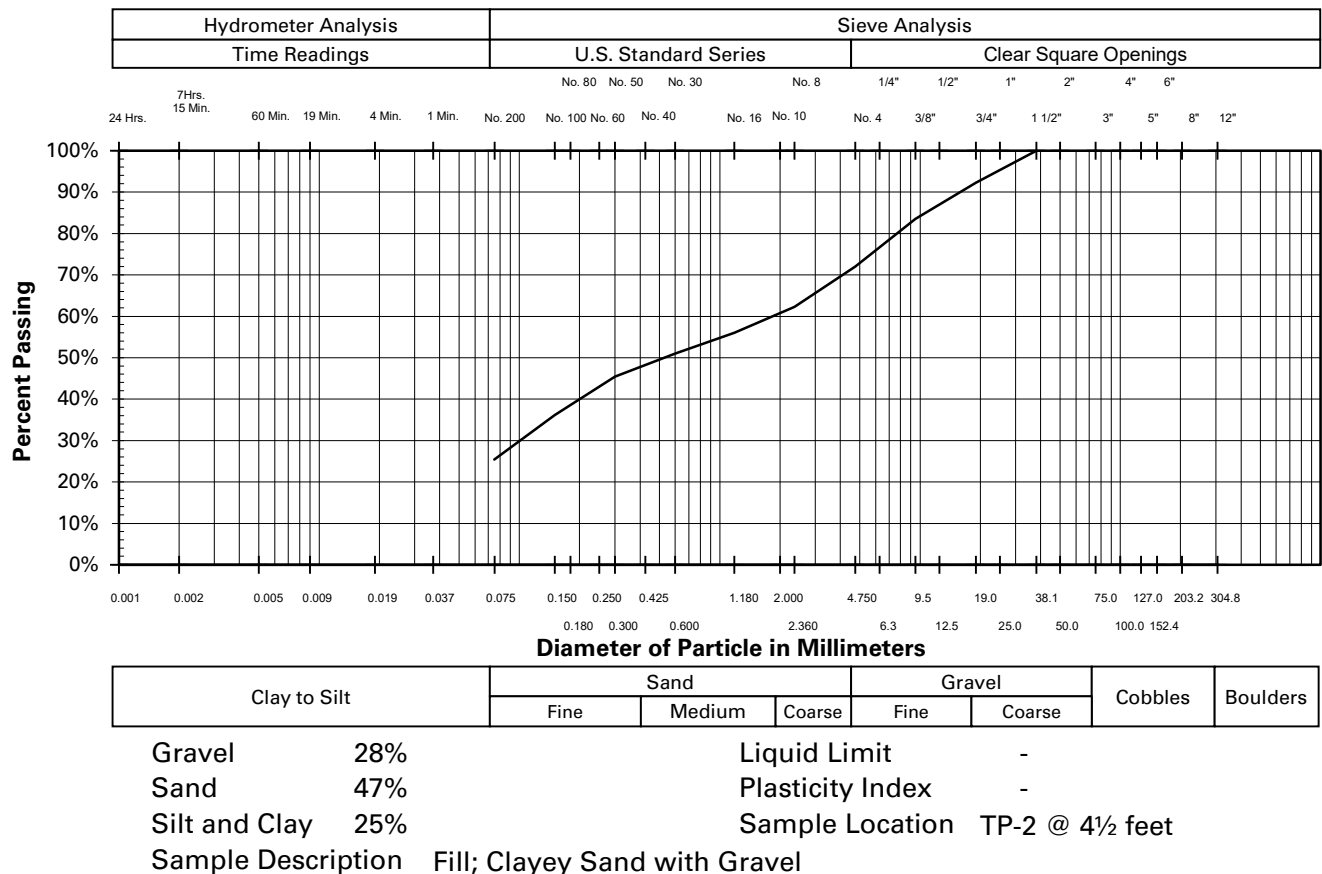
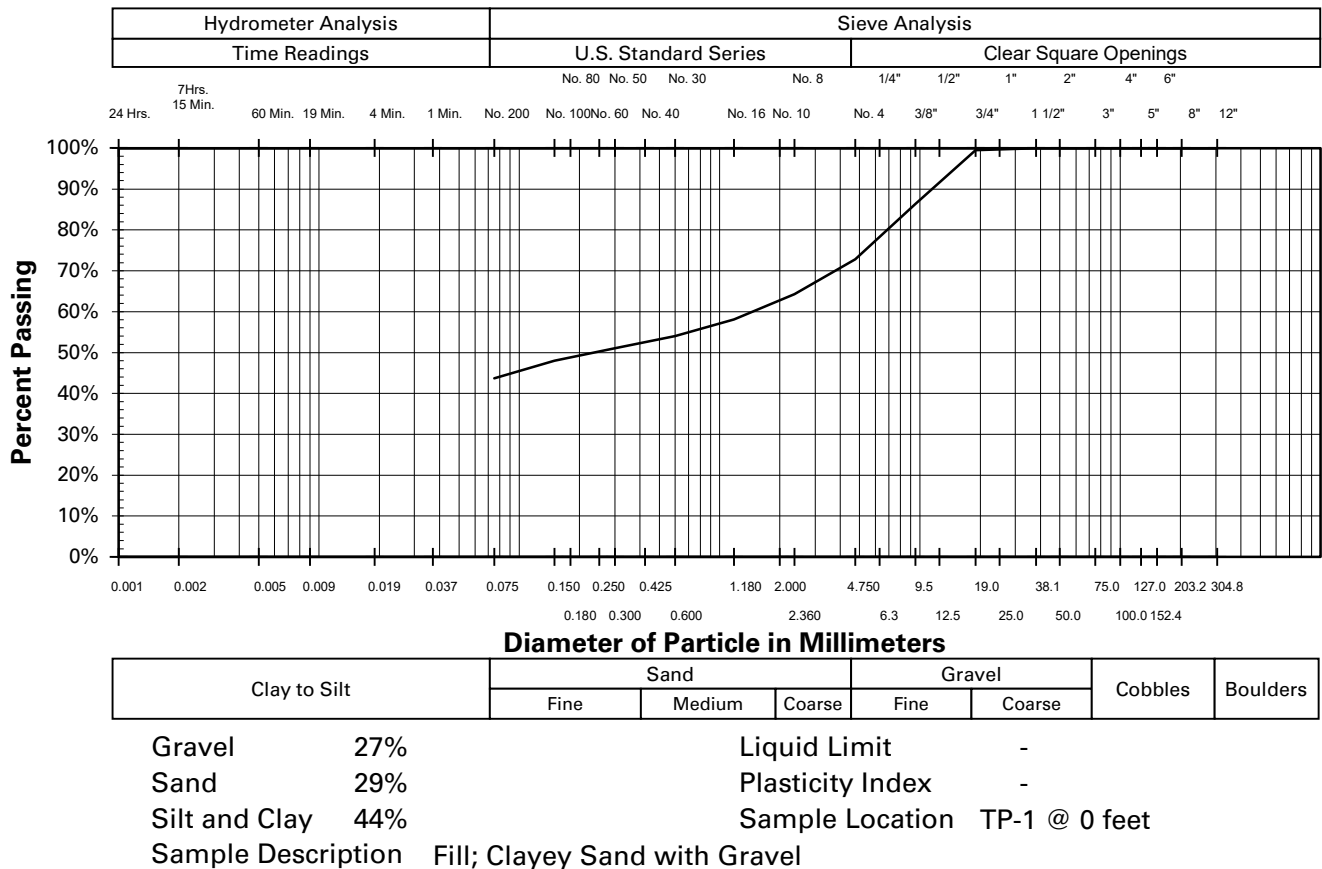
1220947

AGEC

Test Pit Logs, Legend and Notes

Figure 2

APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.



APPLIED GEOTECHNICAL ENGINEERING CONSULTANTS, INC.

TABLE I
SUMMARY OF LABORATORY TEST RESULTS

PROJECT NUMBER: 1220947

[illegible]

327 McHenry Avenue CUP

November 4, 2022

Dear Planning Commissioners,

I have written this without being able to view the packet and a complete set of plans, I apologize if some of my letter is covered in the packet.

To date the house under Construction at 327 McHenry has hauled off 300 loads of dirt and hauled back 50 for the car lift in the garage.

That means on a substandard, narrow dead- end street we have had 350 trucks back up our hill and 350 trucks travel down. This house is on its second year, and they are still framing it. Now we find out they want to build a swimming pool. This should have been submitted with the original plans so everyone could have addressed the impact before approvals.

About 1981 our neighborhood with the help of the Planning Director at that time wrote the HRL Zone to limit the amount of density on our substandard narrow dead- end street. Over the years the zones have been watered down by pressure from the development community.

This property was subdivided into one large lot and 2 small lots with neighborhood support. Later the developer and owner of the 3 lots asked planning to combine the 2 small lots into one large lot.

We spoke against the combination and asked Planning Commission deny as we would end up with a house that didn't fit the scale and character of the neighborhood. The lots were combined and that leads us to a swimming pool in Old Town.

The code was changed so now decks are not allowed on the front of a house for fear they will turn into party decks. **Therefore, you can't have a deck where you and your neighbors can visit but you can have a party pool?**

When I got on the Planning Commission the planning director Pat Putt gave me a training session, he told me to start with the General Plan and see if it conforms, then go on to the purpose statement for the zone and see if the use fits in the zone. Then go to the LMC and find items that back up your findings.

Although this is an old analysis tool, I believe it still leads to common sense conclusions:

General Plan----Our current General Plan doesn't give you much to work with, but it does talk about our 4 core values: Small Town, Natural Setting, Sense of Community and Historic Character. This project doesn't fit in with any of these values.

Going to the section on Old Town 6.1 "Infill and new additions should be compatible in the neighborhood context and subordinate to existing historic structures....." **DOES NOT COMPLY**

6.10 "The aesthetic of Old Town neighborhood should be preserved,"

The historic specialist hired by the City said that what was going to destroy our sense of history would be the mass and scale of new construction.

A-Reduced 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 Historic core.

15-2.1-6 Development on steep slopes must be environmentally sensitive to hillside areas and carefully planned to mitigate adverse effects on neighboring land and improvements and consistent with historic district design guidelines.

15-2.1-9 The property owner must protect significant vegetation during any development activity. Significant vegetation includes large trees six inches in diameter.....

The developer of this property took out about 6 significant trees, these trees were about 30 feet in height, and we were told they would be replaced. The only place on the site that could hold them is the backyard where the party pool is to go.

15-4-2-1-6 Steep slope, VISUAL ANALYSIS. The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points:

To determine potential impacts of the proposed Access, and Building mass and design; and

To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.

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 Commission should ask for a section starting on the west side of Ontario to the west side of McHenry, also for a street view from Ontario with adjacent buildings. A site visit may be appropriate. This will give a better idea of the scale of the project and what the impacts will be to the homes located on Ontario.

Due to the complexity of the site the Commission should ask Building to require a construction mitigation plan.

15-1-10 CUP-----If the reasonable anticipated detrimental effects of a proposed Conditional Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards, **the Conditional Use may be denied.**

LMC-----15-2-1 Purpose

This project will increase lighting, noise, steam that can freeze on neighbors' trees and yard, and be used as a party area.

Looking at 15-1-7-E I believe the owner cannot mitigate these items.

(1) Size and location of the site

(7) Fencing, screening, and landscaping to separate the use from adjoining uses

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

(10) signs and lighting;

(11) physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;

(12) noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;

(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;

(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.

In conclusion, building an outdoor swimming pool goes against some of Park City's most important goals...i.e. Conserve energy, be carbon neutral and conserve water. The City can't ask residents to reduce energy and water usage and then allow someone to build this project.

Thank you for your time and consideration,

Charlie Wintzer

320 McHenry Ave.

Received November 9, 2022

Dear Planning Commissioner:

Thank you for your dedication to our community. Although it may often go unrewarded, please know that your work is respected, valued and greatly appreciated. You are tasked with protecting our neighborhoods and enforcing the zonings, both of which vary greatly throughout Park City.

The zoning in Old Town, in particular, is unique and has been carefully developed over the years to protect this very special area. People in Old Town are friendly and resilient, and we very much enjoy living in an Historic Town. Those of us who live on McHenry -- a small, quiet, narrow, cul-de-sac substandard street with only 20 homes -- have chosen to live in this neighborhood -- and we ARE a neighborhood -- because we love it up here on the Hill and we understand and appreciate the Historic designation of our area. Some of our homes are recognized annually by the Historic Society for preservation of historic structures.

McHenry is zoned HRL (Historic Residential Low-Density). The address of the property in question is 327 McHenry Ave. According to the Municipal Code, in section 15-2.1-1, the "Purpose" of this restrictive zoning states:

15-2.1-1 Purpose

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

1. preserve the character of Historic residential Development in Park City,
2. encourage the preservation of Historic Buildings and/or Structures,
3. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
4. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
5. define Development parameters that are consistent with the General Plan policies for the Historic core.

The builders have asked the Planning Commission to approve a Conditional Use Permit for the construction of a full-length outdoor lap pool, adjacent to another smaller outdoor pool and to a hot tub, as well as an outdoor 6' x 10' foot television, which presumably will be accompanied by a compatible outdoor sound system. (See Exhibit C, p. 3)

None of this contributes to the character and scale of the Historic District (item #3 of the "Purpose" section).

In addition, in accordance with item #4, as it pertains to "Development on Steep Slopes", this certainly does not mitigate the impact to the environment -- in fact this development would have a **significantly negative** impact on the environment with regard to **noise and light pollution**. I know from experience that the sound travels quite well across the canyon, and it is

not unusual for us up here on the hill to overhear conversations taking place at the No-Name on week-end nights.

It is understandable that people who re-locate to Old Town from other areas of the country may not fully understand or appreciate the Historic Districts that exist throughout Park City, especially those who come here from Southern California where it is not at all unusual for every house in a neighborhood to have an outdoor swimming pool. The new owners of 327 McHenry may be attempting to replicate what they are used to in the L.A. area without fully understanding the HRL zoning and **it is the responsibility of the planning commission to prevent this kind of misinformed development in an HRL zone**. There are, of course, plenty of suitable locations in Park city for an outdoor pool/entertainment complex.

Lastly, the builders eliminated numerous significant trees on this property and had “promised” to replace them. It does not appear that, with the size and scope of the pool complex, there is room for these promised trees. This has **a negative impact** on the local environment.

Municipal Code section 15-2.2-2 defines “Uses” for the HRL zone. There are sections for Conditional Uses (15-2.2-2B) and Prohibited Uses (15-2.2-2C). There are no provisions for an outdoor entertainment complex of this scope, in the Conditional Use section. In addition, the Prohibited Uses Section clearly states that:

“PROHIBITED USES. Any Use not listed above as an Allowed or Conditional Use is a prohibited Use.”

I ask that you very seriously consider item #1 of the “Purpose” section of the HRL zoning, and that is to “preserve the character of Historic residential development in Park City”. As planning commissioners, you have the responsibility -- but also the honor -- to protect our small and special neighborhood from inappropriate development. Why have Zoning classifications at all if they are not going to be honored? This development belongs in a different neighborhood – on flat land with more space and a standard road to allow for construction and servicing of this outdoor swim complex.

As a full-time resident of McHenry Ave., I ask you to vote against granting this Conditional Use Permit for the property being developed at 327 McHenry.

Thank you for your time, your energy, and your commitment to preserving our Historic District.

Sincerely,
Kathy Carey

Received February 22, 2024

Dear Commissioners,

We are writing to voice our opposition to the proposed outdoor swim spa and hardscaped patios at 327 McHenry Ave.

Our street is in a unique Old Town neighborhood. Our neighborhood is served by a steep, narrow, dead end street which in the winter is often one lane. We are in the HRL zone and no nightly rentals are allowed.

There are 18 houses and 15 are full time residences. The houses are 10 feet apart.

The City has prohibited party decks because they are a neighborhood nuisance. To have outdoor hardscape patios and a swim spa... the results will be the same as a party deck.

The sound will not only carry to the immediate neighbors but clear across the canyon.

This is an intrusion into the solitude of the Hill when the construction workers finally leave at the end of the day.

It also sets us up for a complete party house situation should the owners decide to sell in the future.

Our Old Town neighborhoods are getting hacked away and diminished with every application.

Please consider denial of this application.

Respectfully,

Mary & Charlie Wintzer

320 McHenry Ave (for 45 years)

February 22, 2024

Dear Park Planning City Commission,

I am writing to you regarding the submission for multiple conditional use permits (CUP) for the property being built at 327 McHenry St. in Old Town of Park City. This house is located within a Historic Residential Low-Density zone and any CUP, needs to be evaluated with even more scrutiny because of the zoning. The two permits are PL-22-05389 and PL-24-0610.

I was not aware of these until I was notified by several of my neighbors about this pretty significant change to the original, submitted building plan.

I am taken aback that the builder chose not to submit the entire plan for the property on the initial permit request. It really feels as if the intention was to get the build going and then come in after the fact with this major change when it would be easier to get a CUP approved rather than trying to get this done on the first go-round.

McHenry St. (located off Rossie Hill) consists of a tiny little community with about twenty houses, almost all of which are occupied by full time residents. It is a cul-de-sac street which gets no traffic other than those of us who live here, and we chose it in large part due to that fact. We are a close-knit community holding block parties and open houses on a regular basis. The houses are also overall, quite close together and the mutual respect we have for each other ensures that we keep the noise and lights down to ensure the tranquility of the neighborhood.

I am very concerned that this zoning exception to create a private recreation facility just does not fit the neighborhood and will change the environment of the street from the original zoning rules. This just does not fit in with the character of McHenry. I also question the fact the build is going to be done on a very steep grade and wonder how fits in with the impact to the slope and surrounding homes.

We expect the planning committee to follow the zoning codes and hold property owners to them. This means enforcing the restrictions within the code and only

granting a CUP under extraordinary circumstances where it is truly warranted. This is certainly not the case here.

The code regarding HRL zoning, section 15-2-1-1 states the purpose an HRL is as follows:

15-2.1-1 Purpose

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

1. preserve the character of Historic residential Development in Park City,
2. encourage the preservation of Historic Buildings and/or Structures,
3. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
4. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
5. define Development parameters that are consistent with the General Plan policies for the Historic core.

My wife and I (and the other neighbors) do not feel that this application for an outdoor private recreation facility meets any of the zoning criteria and does not fix the impact to the environment on a steep slope property such as found at this address.

We request that the planning commission deny the requests for the conditional use permits for 327 McHenry and help to preserve the nature of this community.

Sincerely,
Kevin and Charlene Barker
257 McHenry

[REDACTED]

[REDACTED]

February 22, 2024

Dear Park Planning Commission,

I am writing once again to ask you **not to approve** the CUPs (PL-22-05389 and PL-24-0610) for the property being built at 327 McHenry St. in Old Town of Park City, which is in a HRL (Historic Residential Low-Density) zone.

This is the third letter I have written on this matter and I have attached the most recent previous letter, knowing that some of the commissioners may be new to the concerns with this particular property.

It is most unfortunate for all that the builder did not submit his full plans with these intentions with his initial proposal, as it is probably frustrating for the owner and very, very frustrating for us who live in the small neighborhood. I sincerely hope this is not a case of “it’s easier to ask forgiveness than to get permission”. The builder may have promised his client something he can not deliver.

We are a small neighborhood on McHenry St. of Rossie Hill, with only approximately 20 homes of predominantly full-time residents. We have chosen to live in this particular location because it is a quiet, cul-de-sac street with no through-traffic. We are a neighborhood of very friendly families and friends who enjoy the proximity to downtown as much as we enjoy our peace and quiet, with no nightly rentals, and a beautiful dark sky.

We are concerned that the exception to the zoning rules of permitting an outdoor “private recreation facility” is not in keeping with the tone and atmosphere of our neighborhood and that it could very easily lead to – if not now, then in the future – a very different environment from that which this street is zoned. This outdoor recreation facility may be better off in a neighborhood with different zoning and therefore different building expectations.

As private citizens, we trust you and we expect you to follow the Zoning Codes and to uphold and enforce the restrictions as they are written. We did not write the zoning, we only ask that you enforce it. Specifically, the Municipal Code, regarding HRL Zoning, section 15-2.1-1 states the Purpose of the HRL zoning as follows:

15-2.1-1 Purpose

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

1. preserve the character of Historic residential Development in Park City,
2. encourage the preservation of Historic Buildings and/or Structures,
3. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District, and maintain existing residential neighborhoods.
4. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment, and
5. define Development parameters that are consistent with the General Plan policies for the Historic core.

I do not believe that the Outdoor Private Recreation Facility meets ANY of the above criteria and it definitely does NOT mitigate the impact to the environment on a Steep Slope property.

Please help us to continue to uphold the features of this special neighborhood and oppose the requests for the Conditional Use Permits for 327 McHenry.

Sincerely,
Kathy Carey

[REDACTED]

[REDACTED]

Received February 23, 2024

Dear Planning Commissioners,

Once again, we come to you asking that you uphold the Historic Residential - Low Density Zoning Ordinance and do not approve the pool and patio application at 327 McHenry.

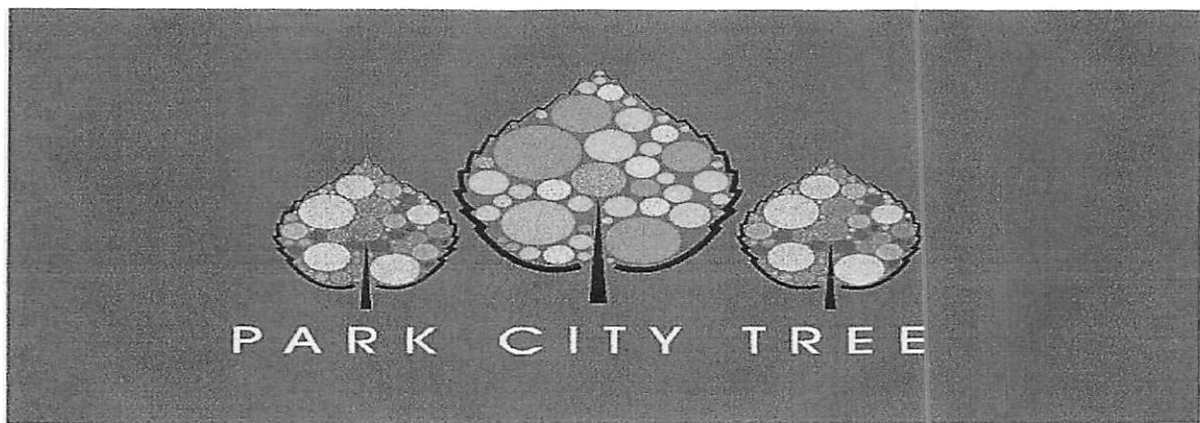
This request should have been part of the original application as it increases the mass and scale of the total project. The "slow reveal" makes it seem like it is intentionally added "late" to minimize the impact on the neighborhood. This "steep slope" project will negatively impact the environment. Other applications have been denied due to "steep slope" construction impacting the environment. This one should be as well.

The pool and patios basically amount to a "party deck", which is currently prohibited. Our house at 321 McHenry and two other houses are 10' away from the party deck, and the noises will be a major intrusion into our homes. Not to mention, the noises carry across the canyon.

This proposed project does not meet any of the criteria for the purpose of the HRL Zone or for keeping the character of Old Town, and we ask that you NOT APPROVE it.

Ed and Debbie Axtell

321 McHenry Ave



The Tree Health Care Professionals

*DEEP ROOT FEEDINGS * SPRAYING * VERTICAL MULCHING * TRUNK INJECTIONS * ORGANIC APPLICATIONS*

TREE ASSESSMENT

ISA Certified Arborist

May 6th 2021

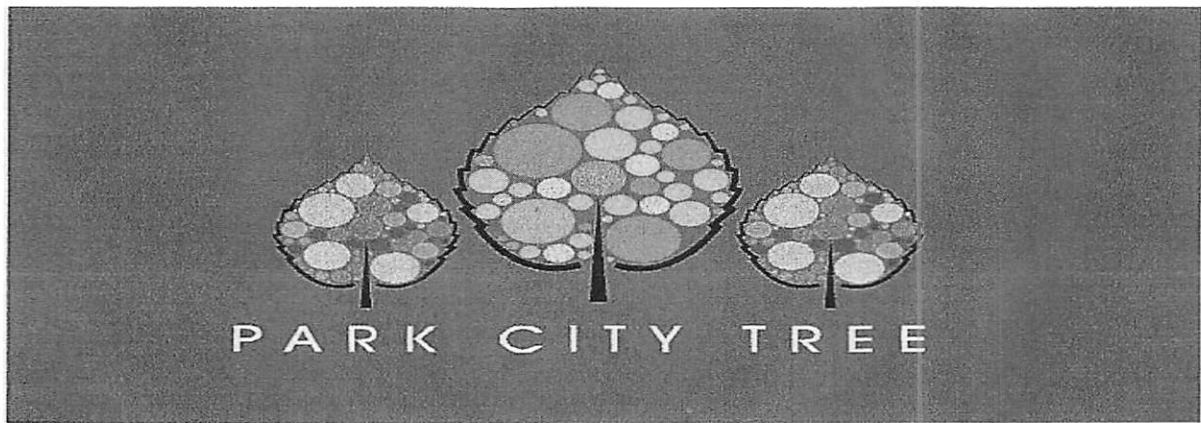
Jerry Fiat
327 McHenry
Park City, UT 84060

After inspection of the property at 327 McHenry Park City Utah I found two dead mature Spruce trees, one mature Spruce tree stressed, dying, and recommend removal. One dead mature Aspen tree.

I certify the accompanying diagram is accurate.

Sincerely,

Tim Morris
ISA Certified Arborist
UT- 4568A



The Tree Health Care Professionals

*DEEP ROOT FEEDINGS * SPRAYING * VERTICAL MULCHING * TRUNK INJECTIONS * ORGANIC APPLICATIONS*

TREE ASSESSMENT

ISA Certified Arborist

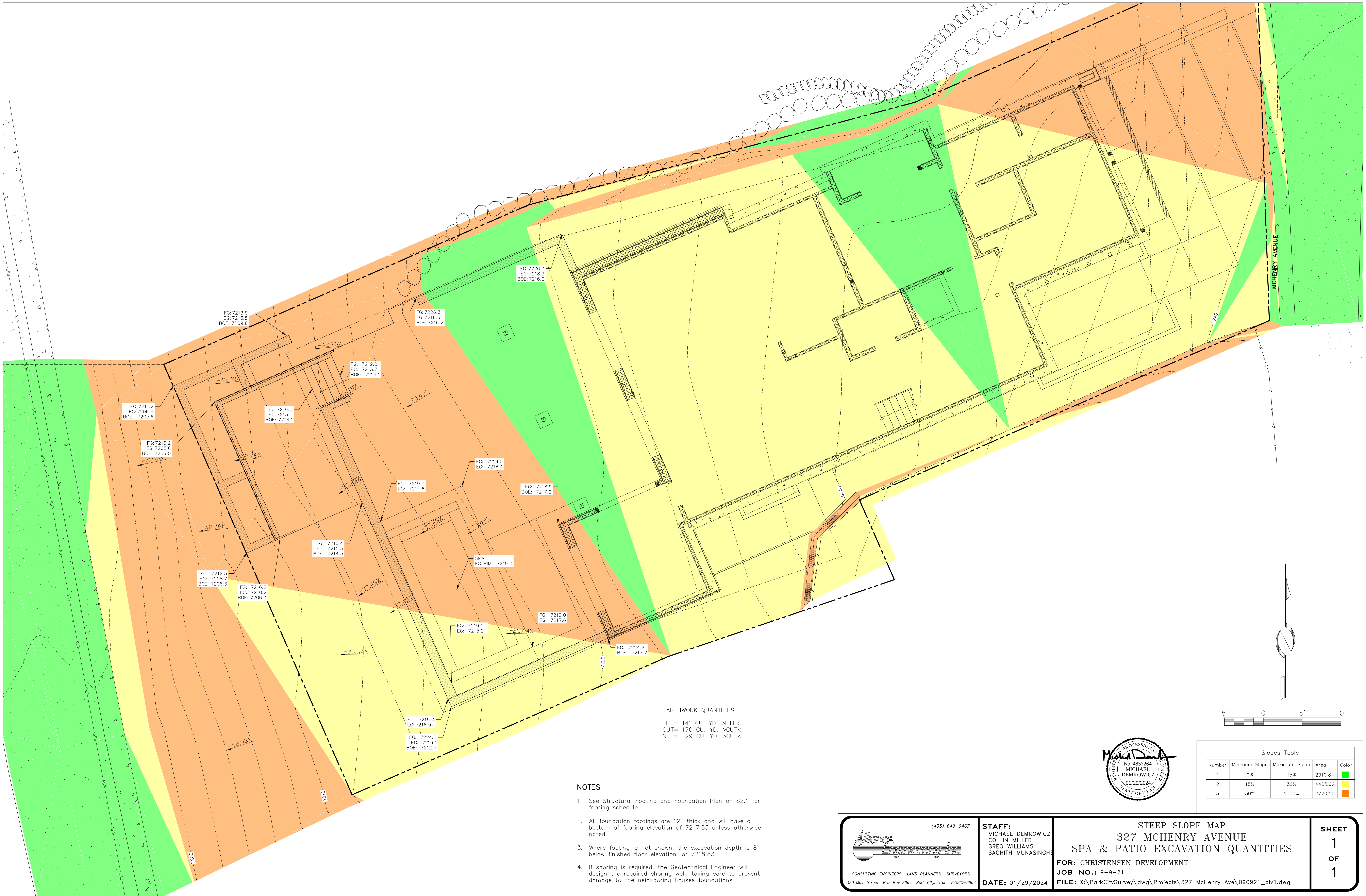
May 14th 2021

Jerry Fiat
331 McHenry
Park City, UT 84060

After inspection of the property at 331 McHenry Park City Utah I found two Crab Apple trees with fire blight, this will eventually overtake and kill the trees, the fire blight is at an advanced stage and no doubt was planted at this property with the existing problem. The junipers planted are stressed beyond any hope of the survival and need to be replaced.

Sincerely,

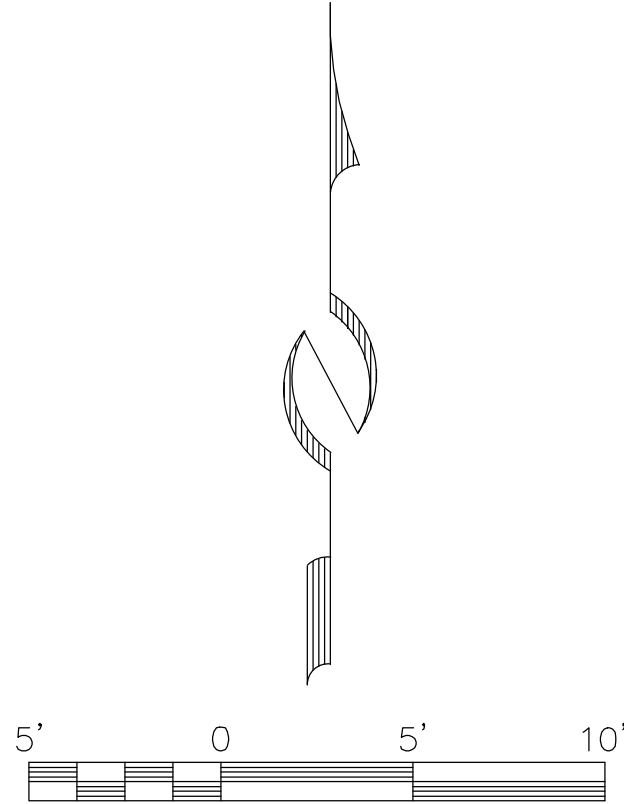
Tim Morris
ISA Certified Arborist
UT- 4568A



EARTHWORK QUANTITIES:
FILL= 141 CU. YD. >FILL<
CUT= 170 CU. YD. >CUT<
NET= 29 CU. YD. >CUT<

NOTES

- 1. See Structural Footing and Foundation Plan on S2.1 for footing schedule.
- 2. All foundation footings are 12" thick and will have a bottom of footing elevation of 7217.83 unless otherwise noted.
- 3. Where footing is not shown, the excavation depth is 8" below finished floor elevation, or 7218.83.
- 4. If shoring is required, the Geotechnical Engineer will design the required shoring wall, taking care to prevent damage to the neighboring houses foundations.



Slopes Table				
Number	Minimum Slope	Maximum Slope	Area	Color
1	0%	15%	2910.84	
2	15%	30%	4405.62	
3	30%	1000%	3720.50	

(435) 649-9467

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

STAFF:
MICHAEL DEMKOWICZ
COLLIN MILLER
GREG WILLIAMS
SACHITH MUNASINGHE

DATE: 01/29/2024

STEEP SLOPE MAP
327 MCHENRY AVENUE
SPA & PATIO EXCAVATION QUANTITIES

FOR: CHRISTENSEN DEVELOPMENT
JOB NO.: 9-9-21
FILE: X:\ParkCitySurvey\dwg\Projects\327 McHenry Ave\090921_civil.dwg

SHEET
1
OF
1