



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
March 13, 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. MINUTES APPROVAL

- 2.A. Consideration to Approve the Planning Commission Meeting Minutes from February 14, 2024
- 2.B. Consideration to Approve the Planning Commission Meeting Minutes from February 21, 2024

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

4. PUBLIC COMMUNICATIONS

5. CONTINUATIONS

- 5.A. **10206 Twisted Branch Road – Subdivision** – The Applicant Proposes to Create One (1) Lot with Access Off of Gated/Private Twisted Branch Road in the Recreation and Open Space Zoning District and in the Sensitive Land Overlay. PL-23-05973 (2 mins.)
(A) Public Hearing; (B) Continue to Date Uncertain
- 5.B. **10206 Twisted Branch Road – Conditional Use Permit** – The Applicant Proposes to Construct a Private Restaurant with Ski-in/Ski-out Access in the Recreation and Open Space Zoning District and the Sensitive Land Overlay. PL-23-05823 (0 mins.)
(A) Public Hearing; (B) Continue to Date Uncertain

6. WORK SESSION

- 6.A. **Land Management Code Amendments** – The Planning Commission Will Review Code Amendments in Progress and Prioritize Amendments for 2024. (60 mins.)

7. REGULAR AGENDA

- 7.A. **8200 Royal Street – Condominium Plat Amendment** – The Applicant Proposes to Construct a 192-Square-Foot-Addition on the Main Level of Unit 35 in the Residential Development Zoning District. PL-24-06046 (15 mins.)
(A) Public Hearing; (B) Action
- 7.B. **844 Empire Avenue – Plat Amendment** – The Applicant Seeks a Plat Amendment to

Remove Plat Note 3 to Accommodate Access for the Construction of a New Detached Garage at a Significant Historic Site in the Historic Residential - 1 Zoning District. PL-24-06049 (15 mins)
(A) Public Hearing; (B) Action

- 7.C. **2685 Meadow Creek Drive – Plat Amendment** – The Applicant Proposes Amending the Smith Subdivision Parcel to Shift the Existing Building Pads Out of the Wetlands to Maintain the Sensitive Land Overlay and Amend the Driveway Easement to be Entirely on Parcel B Within the Estate Zoning District and Sensitive Land Overlay. PL-24-06003 (30 mins.)
(A) Public Hearing; (B) Action

8. 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.



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
FEBRUARY 14, 2024**

COMMISSIONERS IN ATTENDANCE: Chair Sarah Hall, Vice Chair Christin Van Dine, Laura Suesser, Bill Johnson, John Frontero, Henry Sigg, Rick Shand

EX OFFICIO: Rebecca Ward, Planning Director; Spencer Cawley, City Planner; Caitlyn Tubbs, Senior Historic Preservation Planner; Lillian Zollinger, City Planner; Jason Glidden, Affordable Housing Manager; John Robertson, Public Improvements Engineer; Rebecca Gutknecht, Jaron Ehlers, Planning Technician; Jason Berntson, Planning Technician; Mark Harrington, City Attorney

1. ROLL CALL

Chair Sarah Hall called the meeting to order at approximately 5:30 p.m. and announced that all Commissioners were present in chambers, with the exception of Commissioner Henry Sigg who appeared via Zoom.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from January 10, 2024.

MOTION: Commissioner John Frontero moved to APPROVE the Planning Commission Meeting Minutes from January 10, 2024. Commissioner Christin Van Dine seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

B. Consideration to Approve the Planning Commission Meeting Minutes from January 24, 2024

MOTION: Commissioner Bill Johnson moved to APPROVE the Planning Commission Meeting Minutes from January 24, 2024. Commissioner Frontero seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

3. PUBLIC COMMUNICATIONS

There were no public communications.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Chair Hall invited Planning Director, Rebecca Ward to state any Staff Communications prior to the Public Communications section of the meeting. Director Ward reported that on Tuesday, February 27, 2024, a Community Open House would be held on the Land Management Code Amendments to incentivize affordable housing and reduce the impacts of vehicles. She also noted that on February 28, 2024, a Work Session would be held with the consultants working on those amendments.

In terms of tonight's public comment, Director Ward reminded those planning to provide public input to state their full name and sign in. Comments should be limited to three minutes or less and directed to the Planning Commission and not to the applicant or the audience. She also reminded that comments should remain civil and be directed to the matters before the Planning Commission for review. She also announced that a Work Session was scheduled at the end of tonight's agenda for the Park Meadows Golf Course. She reported that this Work Session would not include a public hearing. She reported that when it comes before the Planning Commission for a public hearing, it would be publicly noticed. In the meantime, any input regarding that item could be sent via email to planning@parkcity.org.

Commissioner Frontero disclosed that with regard to the Work Session item on tonight's agenda, he is a member of the Park Meadows Golf Club. He expressed confidence that he could handle the application without any undue influence.

Commissioner Shand disclosed that he is also a member of Park Meadows Country Club, and felt he could weigh in and participate in the discussion, particularly the Work Session, without any bias.

Commissioner Johnson reiterated his disclosure that he works for SWCA Environmental Consultants, which provided the Technical Memorandum for the Historic District Design Review for the 220 King Road application. He stated he works in a separate department and was not a part of that process in any way. He did not believe it would affect any determination on that application.

Chair Hall disclosed that her husband has periodically used attorneys from Snell & Wilmer for business-related purposes and he retains different attorneys from different offices. She stated that this would not affect her decisions.

5. CONTINUATIONS

- A. 10206 Twisted Branch Road – Subdivision** – The Applicant Proposes to Create One (1) Lot with Access Off of Gated Twisted Branch Road in the Recreation and Open Space Zoning District and in the Sensitive Land Overlay. PL-23-05973.

Chair Hall reported that there would be a public hearing on this item and Agenda Item 5.B, although the public hearing would be continued along with this item to March 13, 2024.

Chair Hall opened the public hearing. There was no public comment. The public hearing was closed.

MOTION: Commissioner Van Dine moved to CONTINUE 10206 Twisted Branch Road – Subdivision, and public hearing thereon to March 13, 2024. Commissioner Shand seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

- B. 10206 Twisted Branch Road – Conditional Use Permit** – The Applicant Proposes to Construct a Private Restaurant Use with Ski-in/Ski-out Access in the Recreation and OpenSpace Zoning District and the Sensitive Land Overlay. PL-23-05823.

Chair Hall opened the public hearing. There was no public comment. The public hearing was closed.

MOTION: Commissioner Johnson moved to CONTINUE 10206 Twisted Branch Road – Condition Use Permit, and public hearing thereon, to March 13, 2024. Commissioner Van Dine seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

6. REGULAR AGENDA

Chair Hall reported that Staff would present one presentation for Agenda Items 6.A, 6.B, and 6.C regarding 220 King Road.

Director Ward reported that Senior Historic Preservation Planner, Caitlyn Tubbs, would present these items. She also reported that City Engineer, John Robertson and Public Improvements Engineer, Rebecca Gutknecht were present. The item included several applications: a Plat Amendment, a Conditional Use Permit (“CUP”), and a Steep Slopes Conditional Use Permit (“SSCUP”). They would address all items in one presentation before turning it over to the Applicant. She reported that much of the background of this property was previously discussed with the Planning Commission during the October 2023 Work Session, as well as the January 2024 Work Session. She stated Staff would highlight some of the updates since the last meeting.

The proposal was to demolish a 4,235 square foot Single-Family Dwelling and a 4,189 square foot guesthouse to construct a Single-Family Dwelling with approximately 7,500 square feet of finished space, 5,900 square feet of unfinished space, a terrace/patio area, a 1,000 square foot Accessory Building, a pool, and a 4,794 square underground parking area.

Director Ward reported that the Applicants updated their request to amend Plat Notes 1, 4, and 5, and to add Plat Notes 10, 11 and 12. She presented one of the Applicants’ renderings of the proposed structure.

Director Ward reported that this property was identified as Lot 2 of the Treasure Hill Subdivision and part of the Sweeney Master Planned Development (“MPD”). There are Plat Notes that restrict the future development of the Lots within this Subdivision. She presented a map where she highlighted the single-family properties that are part of the Sweeney MPD. Lot 1 is known as 200 King Road, and is currently vacant. Lot 2 is known as 220 King Road and is the Applicants’ property. Lots 3 and 4 are located along Norfolk Avenue, and Lots 6 and 7 are located along Woodside Avenue. She noted that Lot 5 was Open Space and Lot 8 was the one property within

the Sweeney MPD that was under Estate zoning. The remainder were under the Historic Residential – 1 (“HR-1”) zoning regulations. Director Ward explained that the red dashed line shown on the map illustrated the Sensitive Land Overlay (“SLO”).

Planner Tubbs explained that one of the Applicant’s requests was to amend the Plat Note that governs the footprint of the structure. She presented the language of Plat Note 1, which provides for a Maximum Building Footprint of 3,500 square feet. Applicants proposed amending this Plat Note to separate the calculation of the square footage area of the garage from the Maximum Building Footprint and exclude the underground improvements from the Footprint calculation. She reported that the Applicant proposed to calculate the Building Footprint separately at each level. To address the Footprint, Applicant proposed that a portion of the structure would be cantilevered over some grade or would be offset from lower levels.

Planner Tubbs presented screen shots from the animation video provided by Applicants during the last meeting. She pointed out the Footprint of one of the levels highlighted in red, and a portion of the area to be excluded from the Footprint calculation. She explained that the area shown in red would count towards the Footprint, while the area shown in light gray would be the underground improvements that would not be calculated as part of the Footprint. She presented another image showing areas that would and would not be part of the Footprint calculation.

Commissioner Suesser asked if there were any previous instances of the Commission calculating the Footprint as proposed by Applicants. Planner Tubbs explained that for other structures in the HR-1 zone, Footprint had been calculated according to Title 15, Chapter 2.2, Section 6. Director Ward added that in the Definition Section, the Footprint is what is constructed over the existing grade and measured from the furthest wall area of the structure. Commissioner Suesser commented that this proposal was a departure from the traditional calculation. Director Ward reported that the proposed Plat Note would determine that the Building Footprint would be based on any single level, and would exclude what is below grade. She highlighted Plat Note 11 and explained that the Applicants proposed that the Accessory Buildings would also be excluded from the Footprint.

She also reported that the Applicant updated the roof form following the Planning Commission’s discussions at the last meeting. The Plat Notes for this Subdivision established a maximum height for flat roofs, and the Applicants proposed a pitched roof at 30 feet. She also noted another Plat Note dealing with easterly facing façade height that requires a step back of at least five feet for maximum façade height and is within 25 feet of that step back.

Under the current Land Management Code (“LMC”) for the HR-1 Zoning District, Director Ward reported that there were four elements regarding height:

- The final grade must be within four vertical feet of the Existing Grade. This is to preserve the natural grade and to minimize disturbances to that natural grade. This applies to retaining walls and other structures beyond the main structure.
- Maximum interior height is 35 feet, which is measured from the lowest finish floor plane to the point of the highest wall top plate.
- A ten-foot minimal horizontal step in the downhill façade is required at a maximum height of 23 feet from where the footprint meets the lowest point of the downhill portion of the property.
- Roof pitch is between 7:12 and 12:12.

Director Ward stated that the Single-Family homes within the Sweeney MPD were constructed prior to 2009, as outlined in the Staff Report. Prior to this time, the LMC stated that no structure could be higher than 27 feet from the Existing Grade. In 2009, the City Council adopted Ordinance 09-14, which established a maximum of 3 stories, each 10 vertical feet counting the basement as the first. She explained that the 2009 amendments were the first to require a 10-foot minimum horizontal step in the downhill façade, and this set the roof pitch. She reported that in 2013, this section was further amended to proscribe a maximum internal height of 35 feet from the lowest finish floor plane to the top wall plate. The specification in 2013 was that the horizontal step occurs at 23 feet from the downhill façade.

Director Ward presented images from the Applicants' submittal that showed the proposal would be within the 30-foot height requirement. She added there had been some roof modifications that exceeded that, however, Applicants proposed an inverted step where the structure steps out instead of back. She stated that Staff added the green line shown on the Applicants' image to highlight the proposed cantilever. If the structure were required to have the step back, Staff highlighted that in pink.

In response to the Commission's input in January, Director Ward reported that Applicants made some modifications to the roof form. She noted the discussion regarding the expanse of the roof form, and Staff highlighted in green the proposed modifications to the roof form. She stated that it would exceed the 30-foot height. Director Ward explained that the Plat Notes proposed by the Applicants would amend the Building Height regulations and establish the Sweeney MPD and the height regulations in effect at the time the MPD was approved. It would also allow for the step-out proposed by Applicants.

For the Accessory Buildings, Director Ward stated that Applicants submitted their Steep Slope analysis for the site. A current Plat Note regulates the Building Area Limits and defines where the structures may be constructed. She presented a graphic showing the existing Plat for Lot 2 and the green area highlighted by Staff showed the existing Building Area Limit. She reported that the Applicants proposed to re-adjust the Building Area Limits and shift the area to the west, which would bring it partially into the Sensitive Land Overlay. The Applicants also proposed to reduce the overall Building Area Limits by shifting some of the limits from the east façade to the west façade. As a result, the underground parking area would be excluded from the Building Area Limits. She presented an image that illustrated the proposed shift to the top of the Building Area Limit to accommodate the Accessory Buildings. She reminded the Commission that everything left of the red-dashed line on the graphic was within the current Sensitive Land Overlay. The red-dashed line was superimposed over the proposed Building Area Limit and showed the overlap.

Director Ward reported that the Sweeney MPD was approved prior to the adoption of the SLO in 1991, but the Treasure Hill Subdivision was approved after the adoption of the SLO and it established the Building Area Limits for this property. Currently, the property is platted such that it does not encroach into the Sensitive Land Overlay. Applicants proposed to amend the Building Area Limit to extend that western portion into that Overlay.

With regard to the Steep Slopes criteria and analysis in the January 24th Staff Report, Director Ward explained that the considerations that the Planning Commission was to evaluate include the location of the development, the visual analysis, access, terracing, building location, building form and scale, Setbacks, the overall volume of the dwelling and Building Height. She noted the Applicants' Excavation section view provided the total excavation proposed to accommodate the proposed construction. The Grading Plan also illustrated retaining walls for the driveway

easement, the vehicle ramp, the planting area, and the Accessory Buildings that are proposed to be built into the hillside. It also showed the retaining walls for the parking area entrance into the hillside.

Director Ward presented additional screenshots from the video shared by Applicants during the last meeting that showed the parking area entrance and Accessory Building façade highlighted in green. With regard to the discussions regarding other underground tunnels or entryways within the Sweeney MPD, Director Ward reported there is a shared tunnel for Lots 3 and 4, referred to as the Norfolk properties. She presented a graphic that illustrated the location of those properties, and a screenshot that showed what was built. She added that an Accessory Structure for the Woodside properties was part of the Subdivision Review for a common underground driveway within the Fifth Street Right-of-Way. She stated that was a platted element, and she showed images of those properties to the Commission.

Director Ward stated that the Applicants proposed changes to the Plat Notes as they outlined. Additionally, the Applicants proposed Plat Notes for exterior lighting, limiting glazing along the façade to 60% on the eastern portion, and exceptions for the Accessory Buildings. As indicated by the Applicants during the last Work Session, she added that they proposed a Plat Note that the structure would be used as a Single-Family residence, and there would be no condominium, time interval ownership, fractional ownership, or Nightly Rentals on the property. She explained that the items before the Planning Commission included a review of the Conditional Use Permits. The standard is whether reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects.

For the Plat Amendment, she reported that the standard was whether there was Good Cause. Good Cause is defined in the LMC and is established on a case-by-case basis. It may include things such as providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues relating to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and Park City, and furthering the health, safety, and welfare of the Park City community.

Director Ward stated that the recommendation to the Planning Commission was to open and close a public hearing on all of the applications in Agenda Items 6.A, 6.B, and 6.C, discuss whether there is Good Cause to amend the Plat Notes and to shift the Building Area Limits, and to determine whether reasonable conditions are or could be proposed to mitigate reasonably anticipated detrimental effects. Finally, she requested the Planning Commission direct Staff to draft a Final Action Letter outlining the Findings of Fact, Conclusions of Law, and Conditions of Approval for ratification on February 21, 2024.

The Applicant, Tatiana Prince introduced herself and acknowledged that while her husband Matthew Prince is a Park City native, she is a newer resident. They purchased a home on Norfolk Avenue in Park City shortly after they were married. Following the purchase of their home, they gradually spent more and more of their free time in Park City, and in late 2019/early 2020 they decided they wanted to make Park City their permanent home. She expressed that as they were contemplating their forever home, they spoke with their neighbors, and it was their neighbors who introduced them to the people from whom they ultimately purchased 220 King Road. They were pleased that so many of their neighbors had taken the time to write in and express their support of this project. She added that many of the neighbors provided inspiration and input into this project.

Applicant T. Prince identified some of her neighbors in attendance who support the project. She also mentioned Pat Sweeney and thanked him for voicing his early concerns regarding the project, and who over the progress of this project had become a staunch supporter. She stated that all but one of the immediate neighbors had expressed support for this project. She reiterated how proud they were of the relationships they were able to build, and were excited to make this part of Old Town their long-term home. She thanked the Planning Commission and Staff for their work on this project.

On behalf of the Applicant, Wade Budge introduced himself, Applicant Planner Jason Boal, attorney Bruce Baird, and the Applicant Matthew Prince. He referenced the discussions during the last meeting regarding the roof and options to break up the 117-foot length. He presented the image previously submitted to the Commission during the last meeting, followed by a slide that illustrated two options to address those concerns. Mr. Budge reported that the Applicants were agreeable to either of the two proposed options and were willing to go in whichever direction the Planning Commission would be willing to pursue. He noted that if they proceeded with Roof Option B, which would break up the roof with a 20-foot shed area, they would have to reflect that height allowance within the Plat Note that allowed for a 30-foot height. He stated there was an allowance for more height if there was an access or similar type item, and they would want to make it explicit that it would accommodate this design item.

Mr. Budge reported that if the Planning Commission decided that this was not something that would work, then proceeding with the original plan that has a 30-foot line all the way across would be another way to address this issue. Commissioner Van Dine asked about the height increase with this option. Mr. Budge reported that it would be three feet.

Mr. Budge next addressed the discussions and information in the Staff Report regarding the influences for this site. He felt it was important to reiterate that this design was reflective and respectful of the historic themes that already exist in this community. He presented a slide that identified the areas of influence that were already described in other City planning documents. He mentioned the Commercial Zone along Main Street, the Residential Zone, and an expanded Residential Zone. He emphasized that this particular property as well as the other Sweeney properties were above that. He added that Lot 2 is close to what would be considered the industrial area, so the design drew influence from the Ontario Mine and some of the other mine structures that were once more prominent in the community. The themes incorporated in this home would reflect that history.

Mr. Budge felt it was the design that got it to the point where the Historic Society endorsed this proposal. He emphasized that there was a very deliberate and conscious effort to make sure that the design paid homage to the historic structures of the community. Mr. Budge next addressed the Accessory Building and Commissioner Johnson's request about how they would address the Sensitive Land Overlay. He explained that they took what they understood to be the estimated SLO line, assumed that it would apply to this Accessory Structure, and made sure that the Findings of Fact and Conditions of Approval would meet the requirements of the Sensitive Land Overlay. He presented a slide that depicted how the SLO would be impacted, and how they intended to meet those criteria from the Code. There were two elements, and one was to show the terrace while the other showed the Accessory Building. They showed how there would be no ridgeline impact associated with the Accessory Use.

Mr. Budge also highlighted how they would minimize the Limits of Disturbance and not create any additional hazards. He commented that they proposed a Condition of Approval with respect to

vegetation and ensuring that the landscaping would be respectful of those themes identified in the Sensitive Land Overlay.

Commissioner Johnson asked about the height of the retaining walls. Mr. Budge explained that some of the retaining walls were four feet, some were six feet, some were eight feet, and some went up to twelve feet. He added that they carefully analyzed the LMC with respect to retaining walls, and noted the requirement that retaining walls within the Setbacks cannot be any taller than four feet. He explained that they made sure that they would meet the LMC standard. Mr. Budge noted the Planning Commission could provide an exception for retaining walls within the Setbacks. While the prior plans showed some retaining walls at eight feet within the Setback, they re-evaluated this with Alliance Engineering, and it was determined they could achieve a four-foot terrace and a four-foot landing followed by another four-foot terrace for those retaining walls within the Setback.

With regard to the other retaining walls, Mr. Budge stated they would be the height needed to accommodate the grade and the structure, which is consistent with what is allowed by the Code.

Chair Hall suggested that when they discuss the Steep Slopes Conditional Use Permit ("CUP") they could review the depictions of the retaining walls.

Mr. Budge next addressed the Landscaping Plan. He stated that currently there was not much native vegetation on the site; however, Applicants were very conscious of ensuring they have a Landscaping Plan that would beautify the area and affect some of the screening discussed during the last meeting. When the Applicants first engaged Olson Kundig, they provided "musts" to be included in the design and accommodated by the site. Landscaping was a primary item for Applicants. He assured that this was an area of emphasis that would be done well to achieve screening and to ensure the area would be beautified.

Commissioner Suesser observed that when the Applicants purchased the site, they understood the Building Area Limits as platted and that the Building Area Limits did not encroach on the SLO or into the Very Steep Slopes. She felt that the Applicants were requesting the ability to encroach into the SLO and go beyond the Building Area Limits that were clearly identified on the plat. Mr. Budge noted that the Applicants were aware that the Building Area Limits had been moved once before, but did not know that the adjustment proposed in terms of moving the Building Area Limits uphill and reducing the Building Area Limits would impact the Sensitive Land Overlay. The map they had from 1994 showed that Lot 1 and Lot 2 were outside the Sensitive Land Overlay. They had since come to the understanding that further updates to the SLO map had either shifted or adjusted the location of the SLO, and the location was now such that it clipped the Accessory Building.

Mr. Budge stated that because they were going through the Steep Slope process, they could mitigate the detrimental impacts associated with the adjustment. They also requested the Planning Commission take into account the fact that by reducing the Building Area Limits, they were achieving the goal of making sure that the Area of Disturbance on site would be reduced by 500 feet.

Commissioner Frontero referenced the Landscaping Plan and asked if there was a view from the east looking west. He also asked if the trees shown on the right of the image would act as a buffer from the valley looking up towards the house. Mr. Budge confirmed that would be the case. He stated they would provide that detail for the Commission.

The Applicant, Matthew Prince added that the intent was to provide screening and privacy for themselves. One of the first things they inquired about was how they could ensure that the building would be as private as possible, and would like to plant tall trees. He added that as the trees grow, they would both break up the mass of the building and obscure the building as much as possible. He felt this would serve both their interests and the interests of the public.

Commissioner Shand asked if the photograph on page 3 of the Staff Report was representative of the proposed Landscaping Plan. Mr. Budge stated the Landscape Plan inspired that image, but the Landscape Plan has been more carefully refined since then.

Commissioner Sigg felt it would be helpful to see an elevation showing the as-built Landscape Plan. He added that it would be helpful to see a perspective from Marsac Avenue and a more direct westerly direction across the valley as if it was a full, front-on view. He referenced a presented image and asked if that was a good representation of the Landscape Plan, and felt there were a lot of deciduous and not a lot of conifers. Mr. Budge stated the Landscape Plan included more conifer that would provide the screening mentioned by Applicant M. Prince. He commented that this image showed the deciduous so that the Commission could see the structure for evaluation.

Commissioner Sigg felt that for the analysis of screening, it might be helpful to see it in the context of the actual conifers similar to what is shown on the slope side. He felt that would go a long way in terms of the visual analysis.

Mr. Budge stated they were presently reaching out to the architect with this request. He stated that Staff did a good job of explaining some of the changes to the proposal. He highlighted the proposed Plat Notes and noted that they have something unique because the MPD contemplated that the proposed homes would be processed as a Conditional Use Permit. As a result of coupling the CUP with the Plat Amendment, they could achieve the set of restrictions determined by the Planning Commission at its discretion to meet the values intended for this area.

Mr. Budge presented the proposed Plat Notes and explained that the proposed language was highlighted in red. He pointed out that "outside facing walls on any single level" was intended to remove any question on the Footprint. He believed they honored it because they did not have a single level greater than 3,500 square feet, which was the Footprint restriction put into the Plat.

With regard to Plat Note 1(e), Mr. Budge stated this language was taken from a Plat Note for another property within the same MPD, 445 King Road. This language was added to clarify that the parking area, which is not a garage because it is not enclosed, would be located underground, and not count as part of the Footprint calculation.

Commissioner Johnson asked if there was living space included in the other Plat Note as well. Mr. Budge reiterated that they pulled this language from the Plat Note for 445 King Road.

With regard to height, Mr. Budge highlighted the language that the Maximum Height was 28 feet for flat, and 33 feet for pitch. He highlighted the changes in red, and stated "in accordance with the Sweeney MPD" along with the dates of approval, "Building Height shall be measured as outlined in the Note, and there are no interior height restrictions." He explained that the intent behind this language was that they would not create a precedent where someone else in the HR-1 zone might try to argue that they did not apply the interior height, as well as the debate as to

whether interior height was measured from lowest floor or, as they contended, from the lowest finished floor. This Plat Note would solve that issue.

Commissioner Frontero asked if this Plat Note would solve the issue regarding unfinished versus finished. Mr. Budge answered in the affirmative and added that the submitted plans show it as being unfinished, but this Plat Note would provide that there would not be a limit on the interior height. He added that they did not propose a Plat Note that the bottom levels could never be finished, but on the plans before the Planning Commission, they are unfinished.

Commissioner Frontero stated that he initially looked at the application during the last meeting which showed 7,400 square feet finished and nearly 6,000 square feet unfinished, and asked if that was still the plan. Mr. Budge confirmed and stated that was what the Applicants were requesting the Planning Commission approve.

Commissioner Suesser asked for clarification on the proposed interior height. Mr. Budge stated they had not measured from the lowest floor, but he did not have reason to dispute the Staff's determination. He stated that from the finished floor the interior height would be less than 35 feet. Staff confirmed that they included the unfinished floor in the measurement of 53 feet.

Commissioner Shand inquired about the intent of the maximum interior height requirement. Director Ward explained that in 2009, the City adopted a limitation on the stories in the Historic Residential zones. As the Commission is well aware, there are many properties on Steep Slopes, and height was originally written at 27 feet from the existing grade. She explained that going up a slope, that height could continue up the slope. To help mitigate that, they created an internal measurement so the homes in the Historic Residential zones could have a stepping-up effect to a certain limit. She also mentioned the horizontal step back to help homes at the base of a Steep Slope to have a compatible height reflective of the historic heights.

Mr. Budge added that from an owner's perspective, he had seen interior height correctly applied in a Subdivision with 25-foot lots where they do not want a home climbing too far up the lot. In this case, because of the MPD and its' history, specificity, and uniqueness with respect to height, they felt their proposal would be suitable for this site.

Mr. Budge next stated that Applicants were cognizant of the Dark Sky requirement, and they wanted to make it explicit on the Plat. He highlighted the language that all exterior lighting shall be fully shielded. Relative to the glazing, they wanted to make sure that parameters were set forth in the Plat and added a requirement regarding interior lighting in Plat Note 11. He noted that the slide contained two Plat Note 11s, and stated it should read 10, 11, 12, and 13.

In the second Plat Note 11 on the slide, Mr. Budge stated that the intent was to confirm that the detached below-grade Accessory Buildings would not count towards the Footprint. This Plat Note was proposed to ensure that there would be no confusion as to the Accessory Structure. He emphasized the Plat Note that reflected the owner's commitment that this would be not a Nightly Rental property, a Fractional Use, or some other type of use. He stressed that this would be a home for a single family. Mr. Budge stated that completed the Applicants' presentation, and invited questions or comments that might arise after public comment.

Chair Hall noted the number of public attendees. She opened the public hearing with Agenda Items 6.A., 6.B. and 6.C.

She reminded those wishing to speak to sign in, state their name for the record, and keep comments to three minutes or less.

Sue Barsamian reported that she resides in Park City and drives by Treasure Hill every day. She expressed her support for this project, as she found this to be a refreshing design that has a nice combination of modern with a real homage to Park City's mining history. Ms. Barsamian felt the design was nicely done and would like to see more people in Park City adopt this approach. She also appreciated the care given to tucking the home into the hillside and the ridgeline. She stated she had learned more in this meeting about the extensive expansion to the natural landscaping, which would provide a nice buffer zone and be an attribute to the hillside.

Pat Sweeney resides at 445 King Road and appreciates the Commission's time on this matter. He was present representing himself and his brothers Ed and Mike and the various Sweeney entities. Mr. Sweeney reported that they fully support this application. The architecture is stunning, the function is impressive, and it meets the requirement of appropriate infill in the Historic District, in particular, the tenet that it reflects, but does not replicate, and is contemporary. He made it clear that the proposed Plat Notes were fine, and cleared up the way that properties had been historically handled. There was no difference in the way the houses on Lots 3, 4, 6 and 7 were treated. He highlighted there was space that would not count that is not above grade, and has landscaping or a deck on top. Mr. Sweeney stated that if there were some limit on interior height, then he would personally be in gross violation of the current Code, adding that he does not have a final Certificate of Occupancy on his current house. He felt he might outdo Applicants in the amount of space he built underground. Some of the space does not count because it has landscaping on it. With respect to the neighbors behind his property, Mr. Sweeney appreciated the public comment and agreed with them. However, if there was a concern about what the Applicants wanted to build, he felt people should focus on what is around those homes.

Eric Hermann resides in zip code 84060 and he and his wife are the immediate neighbors of 220 King Road. He and his wife have owned their home since 2006. He stated that he and his wife treasure the unique character of the community and would never initiate conflict with a neighbor. They support the Applicants' right to build a home and look forward to the completion of the home and meeting the Building Codes. Mr. Hermann stated that unfortunately, the current Staff Report and Findings of Fact were so unprecedented that he felt compelled to express his concerns. He and his wife built a home in Old Town that was approved subject to meeting LMC and HR-1 rules and guidelines. They wanted more east-facing windows, a larger Footprint, and a more contemporary look, but that would have violated the Code. He reported that they obtained approval and built their home according to the strict requirements of the HR-1 Code. Mr. Hermann expressed shock at Staff's Findings of Fact that recommended approval of a structure not required to conform to Old Town rules and guidelines, and instead recommended that these rules and guidelines be changed or removed to allow for approval of the Applicants' design. As citizens, everyone agrees to restrict themselves for the common good and abide by laws and regulations. The Old Town Building Code maintains the Old Town's unique character.

Mr. Hermann reported that Staff determined that the proposed structure does not comply with rules and regulations regarding height, roof pitch, massing, window style, percentage of glazing, Steep Slopes, SLO, and Footprint. If these rules are discarded as they are in this application, he wondered how the City would enforce the HR-1 zone requirements in the future. Every project will have Good Cause to demand whatever exceptions it seeks to the rules. He asked if he and his wife chose to remodel their property by expanding the Footprint and installing floor-to-ceiling

glazing that purportedly echoes industrial mining buildings, whether could they count on the Planning Commission to approve it, or would they require a change in design and build elsewhere.

Mr. Hermann stressed that they depend upon the Commission to apply the rules equally to all residents of Old Town. While Old Town is not always the easiest place to live in Park City, he stated they embrace its' unique historic character and sense of community. The residents count on the Planning Commission to ensure that it is preserved today and in the future.

Ben Dahl reported that he is one of the neighbors on Sampson Avenue in zip code 84060. He fully supported this application for a Plat Amendment and the design. He felt it was an inspired design, and the Applicants have been extremely collaborative with their neighbors regarding the impact of the design. Mr. Dahl stated his property abuts Lot 1, and stated he has concerns about wildfire risk and the ability to have fire access and turnarounds. He felt that the Applicants' proposal in this regard was an extreme upgrade for the neighborhood, in general, and his home specifically. The design inspired by old Park City mining history was an upgrade from the current homes on the site and was a nice "hat tip" to the history of this town. Mr. Dahl stated he did not have concerns about the application. While he would be impacted by the construction process, the positive impacts on the neighborhood and the way Applicants approached this is something he wished every neighbor would emulate. He encouraged the Commission to support this application.

Tina Lewis resides in zip code 84060 and has lived in Park City for 50 years. In the early 1980s, she served on the City Council, and was a member of the team that wrote Park City's modern LMC, established the Historic District, wrote the Historic District Guidelines, established the Historic District Commission (now called the Historic Preservation Board), restored the Miner's Hospital and established the first professional library, restored City Hall, and founded the Park City Museum. Ms. Lewis stated she served for nine years on the Board of Trustees of the National Trust for Historic Preservation in Washington, D.C., and was Chair of the Trust's National Advisory Board. She reported she also served for decades on the Board of the Utah Heritage Foundation, now called Preservation Utah, and she and her husband restored a wonderful 1884 miner's cottage on Woodside Avenue.

Ms. Lewis stated the current members of the Planning Commission, Planning Department, City Council, City Manager, the City Attorney, and the Mayor were the stewards of Park City's fragile Historic District, and the visionaries for Park City's future. These current officials were also the protectors of Park City's international brand that attracts visitors, businesses, and organizations from around the globe. She stressed that the successful transformation from a mining town to a documented ghost town, to a world-renowned destination came about because of the magnetic allure of the spectacular mountain peaks surrounding a tiny historic town, and the strong, passionate citizens who value the city's preservation and were determined that it develop with quality and integrity.

Ms. Lewis commented that the Planning Commission's responsibility was to ensure that anyone who wants to add or change something to the town would respect the Codes, rules, and vision. The Commission is the gatekeeper, and Park City lives with the consequences of the Commission's actions.

Justin Keyes appeared on behalf of the owners of Lot 1. He explained that when he speaks with clients, the first thing he tells them is that the project must comply with the Code on its face. If it does not comply with the Code on its' face, then it must identify one of the exceptions found in

the Code and see if the project could qualify under one of those exceptions. If an owner or developer cannot fit into one of those two boxes, they have to show why the vision is so great that they need to modify the Code to allow what is proposed. Mr. Keyes stated that the Staff Report was a bit unusual for him and it surprised him. Typically, the Staff Report has a helpful chart and the January 24th Staff Report included that chart but it was not in the Staff Report for this meeting. He generated his own compliance chart and forwarded it to the Commission today. Mr. Keyes noted that there were a lot of elements for which this project does not comply, and he heard the Applicants concede that today. He also stressed that this project did not comply with the Sweeney MPD.

Mr. Keyes offered that the redlines on the Plat Notes reflected the Applicants' intent to rewrite the rules of the game and build what they want to build. He urged the Commission to be careful about precedent. He wondered what could happen if an owner/developer could use a Plat Note to upend the HR-1 zone and commented that the definition of how to measure a Building Footprint was in the Code. According to the January 24th Staff Report, using the Code definition of Building Footprint would result in a Building Footprint of 11,300 square feet in an area where the allowance was 3,500 to 4,500 square feet. With respect to Building Height, Mr. Keyes proffered that the Applicants admitted today that the proposal did not comply. In response to Commissioner Frontero's request to break up the massing, Applicants came back with an even taller roof. He stressed that the HR-1 Code provides that the roof *shall* be 7:12 to 12:12, whereas the proposed roof is 3:12. Mr. Keyes appreciated the prior comment that the Commission serves as the gatekeepers to what is allowed, and he felt the Applicants needed to comply with the Code. He mentioned that he loves the home, but it would be better suited in other neighborhoods and not the Historic District.

Mike Sweeney yielded his time to his brother, Pat Sweeney.

Pat Sweeney felt there was an erroneous statement in the Staff Report that this Lot is subject to HR-1. He stated it was subject to HR-1/MPD requirements, which was a zone unanimously passed by the City Council in 1990 to memorialize the understanding with the Sweeneys. He reported that when they were first asked to engage with a clustering Master Plan with Staff, Tom Clyde wrote a letter to his brother saying they would be vested under the existing zoning. Mr. Sweeney proffered that the discussions about subsequent codes applying to the MPD were nonsense, other than for fire and safety.

Michael Anderson reported that he resides in zip code 84060, Park Meadows. Before tonight, he never heard the word "plat note." He supported the Applicants and the home they proposed to build. He felt the home was beautiful, and he understood the Commission's job was to look at the specifics. He moved to Park City from California 3 ½ years ago and lived about six feet from the Applicants in Old Town. He described them as wonderful neighbors and extremely considerate. He commented that M. Prince encouraged him to visit more Park City historical museums. He felt that M. Prince had a lot of history with this town and very much respects it. Mr. Anderson opined that the proposed house was in keeping with Park City, and they should encourage this type of investment in the neighborhood. By discouraging it, he felt would be going in the opposite direction, which would be a big mistake.

Carole Fontana reported that she resides in 84060 and lives on the Margarita side of the canyon. She felt the architectural design of the proposed home was really good, and agreed with everything said. Ms. Fontana felt the scale was too much, and felt that it would look more like a small resort than a family dwelling, and she would like it scaled down a bit.

Kristin Parker reported she lives in 84098 with her husband and three young children. Prior to their current home, her family lived directly across the valley in Aerie. She spent time looking at the Landscape Plans and architecture plan and feels this would be a beautiful home. She felt the details and thought put into the design paid a beautiful homage to the mining history. Mr. Parker stated she is a beekeeper and a farmer, and cares a lot about the impact on the land, and she felt the proposal did a good job with regard to the native species selection and trying to keep the Lot fitting in with the natural surroundings. She had no concerns with the project and expressed her support.

Erin Kryzak reported that she owns a home on Prospector Avenue and has lived in Park City on and off since the 1980s. She felt that the landscaping stood out to her with regards to shielding the mass and glazing. Ms. Kryzak commented that this is a mountain environment with limited resources, and she thinks about water. If they are going to use landscaping as a way to shield the hugeness of this house, she wanted to mention that the landscaping would take water.

Ginger Tolman reported that she resides in 84060 on upper Norfolk, directly below this site. She felt this was a beautiful design, but the size and height would not fit in this neighborhood. She also understood that the proposal would not fit with the Codes.

Pamela Prince reported that she is Matthew Prince's mother. They have lived in Park City since the late 1960s. She was happy that her son has re-established himself in Park City. She resides in a house on King Road. She believed that the proposed home will be far superior to what is currently on the site. They did a great job of putting the plans together and she was pleased that her son and his family would be living in Park City. Ms. Prince felt her son and his family would do a lot for the community. She presented a picture of her son when they built the Alpine slide years ago.

Emma Sopko reported that she owns a home in the Old Town Historic District directly across from the Applicants' property. She commented that an 11,000-square-foot home would be well-suited to Deer Valley, The Colony, Park Meadows, Thanes Canyon, Aerie, or any of the other large development communities around the Old Town Historic District. Ms. Sopko felt this was a critical moment for the Planning Commission because what is decided in the coming days would open the floodgates to large-scale buildings that would forever change the face of the town and everything that makes it unique and special. She added that they would have future resort-scaled properties built that would be better suited for the other neighborhoods referenced previously. She encouraged the Planning Commission to take into consideration why they have the codes and the zoning that are in place, and how current residents have been required to take steps to make sure they fit into keeping the historic treasured town the way that it is. Ms. Sopko urged the Planning Commission to consider the future implications and the precedent this could set.

Anne Bransford owns property in 84060 and echoed the comments of Speaker Lewis. She was not invested in the project but felt that the Commission should decide with the understanding that it will set a precedent in the community. For 99 years, her family has owned property here, and as a landowner who respects the work of the Commission, she urged the Planning Commissioners to make a decision based on what their hearts tell them to do for the community.

Nicholas Shaffer reported he used to live in the 84060 zip code, but now lives in 84098. He echoed the comments regarding precedent and stated that this application must be decided under either the existing Code or the Sweeney MPD. The requirements under those two regulations

should not be mixed and matched, because any future applications would leverage that. Mr. Shaffer asked the Planning Commission, as guardians of Old Town, to remember that every time it makes a decision the door is opened a little wider for something new. He acknowledged that the proposal was an amazing project, but it would be appropriate in other locations. If the Commission was inclined to approve the application, he urged them to approve it under either the MPD or the Code.

There was no further public comment. Chair Hall closed the public hearing and invited questions or comments from the Commission to the Applicant and/or Staff. She mentioned that there was a significant overlap between the Plat Amendment and both CUP applications and noted that Staff had a slide that could help guide the discussions. She suggested focusing on the Plat Amendment first and then move to the CUP applications.

Senior City Attorney, Mark Harrington suggested it would be fair to allow both Applicant and Staff to address any points raised in the public comment or the presentations.

Mr. Budge was heartened to see so many positive comments. In response to those comments related to the size and comparison to other HR-1 Lots, he proffered that those people were likely not at last month's meeting. During that meeting, they presented a study of the other five homes in the MPD and compared and contrasted this design to those homes. He offered to show those slides to any member of the public who would like to see them. He added that they were very cognizant of precedent, and wanted to ensure that they were acting within the rules of what was intended. When compared with what was constructed on Lots 3, 4, 6, 7, and 8, this home would be comparable and favorable.

With regard to the comments regarding the Code, Mr. Budge stressed that Applicants were not looking to amend the Code. He specifically referenced the comments of Speaker Keyes and stated they were working within the framework that was intended when the MPD was adopted. He stated that this intent was reflected in Plat Note 9, which talks about how the Planning Commission was to be the body to review the house design and request for the home. He stressed that was the process they undertook.

Mr. Budge stated that one of the opponents to this application who spoke twice on this matter had the only un-built home in this MPD. Therefore, the precedent that would be set by approval would only be set for that one other home on Lot 1. He argued that Lot 1 would be the only lot that could come forward and talk about precedent. Elements that would be allowed under this application would not apply to other lots within the HR-1 zone because those lots are not within the Sweeney MPD. He stressed that the Applicants were very aware of the importance to the community that this application be processed according to what was intended by the MPD and the Plat Notes.

Applicant M. Prince expressed gratitude for Staff, with whom they had worked on this for nearly four years. During that process, they made a lot of changes, and he specifically mentioned glazing, the type of glass, and pushing the home away to make it more hidden from the hillside. He described the process with Staff as very collaborative. He also thanked the neighbors and noted that with the exception of one, all neighbors supported this project. He was honored that many took the time on Valentine's Day to speak on behalf of this project.

With respect to the Hermanns, Applicant M. Prince stated they met with them and talked about their specific concerns. He stated the Hermanns wanted to ensure that the trail would not be impacted, so they moved the home back and further away from the trail than the existing home.

He emphasized that this home would be smaller, lower, and have a lesser footprint than what exists on the Lot currently. They are not looking for special treatment, but are looking for the same treatment the Sweeney's originally negotiated.

Applicant M. Prince reiterated that he grew up in Park City and appreciated precedent and wanted Old Town to stay the way Old Town is; however, another important precedent is what the City negotiated with the Sweeney's. He stated that no family had done more to preserve open space, maintain the trails, and build the town lift infrastructure and runs. Park City would not have those things without the Sweeneys. He stated the Sweeneys had the right to build 250 homes up the side of Treasure Hill, and they negotiated that with the City. One of the points of those negotiations was there would be these seven Lots that were special and different and would have different rules applied to them.

Applicant M. Prince stated that each one of these Lots had a larger home than somewhere else in the area, and they were just asking for the same treatment that the other Sweeney lots received. He cautioned that if the Sweeney's deal was renegotiated today, then another dangerous precedent would be set, which is that the deal reached and the rules intended for these properties could be changed, making it difficult for anyone else to trust the City in its' word. Applicant M. Prince stressed that they want to build something respectful, appreciated the comments, and were happy this was coming close. He appreciated their neighbors and all the time that Staff has put into this application.

Director Ward clarified an important point indicated in the Staff Report and stated that Staff did not draft Findings of Fact. They were submitted by the Applicants. In additionally, the January 24 Staff Report was incorporated into the current Staff Report, and there were no changes to Staff findings. The Report for tonight's meeting provided updated information on the background of the Sweeney MPD and the Code regulations discussed during the last meeting. With regard to the analysis of the five homes that were presented by Applicants in the January 24 Work Session, Director Ward stated the Staff Report provided the documentation on record for the Building Permits, CUPs, the Historic District Design Reviews, and all the approval processes for those homes. Director Ward understood there was an updated landscape rendering, and the Applicants would forward that to Staff who would share it with the Planning Commission.

On behalf of the Applicants, Attorney Bruce Baird reported that the updated landscape rendering was just forwarded to Director Ward, and was shown on Zoom. Attorney Baird described the rendering and reported it could be provided quickly.

Commissioner Suesser sought clarification on some of the comments that this property was not in HR-1. She understood that it was in HR-1 and wondered if there was some unique zone for this property. Director Ward explained that the Condition of Approval 3 for the Sweeney MPD stated, "The Planning Commission and Staff shall review these proposals as Conditional Uses. This shall include a review of the design of the structures to ensure that they are designed to minimize the visual impact. The design shall be consistent with the Historic District Guidelines."

Condition of Approval 1 provided, "At the time of that Conditional Use or Subdivision review, the Staff and Planning Commission shall review projects for compliance with the adopted Codes and Ordinances in effect at the time in addition to ensuring conformance with the approved Master Plan." The Applicants indicated Plat Note 9, which references precedent and states that the "above special restrictions are consistent with the Sweeney Master Plan...final house design shall be reviewed under the Small Scale Master Plan Process [the current CUP process] in accordance

with the Sweeney Master Plan.” Commissioner Suesser noted the language from Condition of Approval 1 that projects shall be reviewed for compliance with the Codes and asked whether that referred to the current LMC. Director Ward answered in the affirmative, noting the language “in addition to ensuring conformance with the approved Master Plan.”

Commissioner Sigg sought clarification of the wording “at the time.” He felt the language was vague as to whether it applied to “at the time of the Sweeney MPD,” or “at the time of the current application.” Director Ward explained the background for the changes that occurred since the Single-Family Lots were constructed, and there were changes to the way that Height was regulated within the HR-1 Zoning District. Applicants were requesting the Planning Commission consider reviewing this application with the Codes in effect at the time of the Sweeney MPD. She added that the information provided by Staff in the Staff Report was the analysis under today’s HR-1 Zoning District Code.

Commissioner Sigg asked if the other homes in the Sweeney MPD were reviewed in the context of the Code at the time they were reviewed, or whether they were reviewed under the Code at the time that the Sweeney MPD was established. Director Ward stated those applications were reviewed under the Code at that time, which had not changed since the time of the Sweeney MPD.

Mr. Budge commented that Mr. Sweeney’s written comments detailed that from his experience and opinion. Mr. Budge opined that “at the time” applied unless it was a topic addressed in the MPD, in which case the MPD would govern. He explained they wanted to remove any ambiguity or question by proposing Plat Notes that would clarify why they are where they are relative to these elements. He noted that Plat Note 9, as written, reflected the fact that there were multiple updates. The Plat itself was also updated. He argued that when talking about the Sweeney MPD, there is a set of values and principles, and the land use authority that decides whether an application fits within those values described in the MPD is the Planning Commission. Mr. Budge emphasized that Applicants were not looking for anything other than what was contemplated when the MPD was approved.

Chair Hall reiterated her suggestion to focus on the Plat Amendment before moving on to the CUPs, especially given that the Steep Slope CUP had some very specific requirements that do not overlap as much with the Plat Amendment. She acknowledged that this is a complicated application, and the Commission was statutorily required to vote at this meeting. She requested the Plat Notes be presented for discussion.

Commissioner Johnson asked for a comparison of the existing Building Area Limits versus the proposed Building Area Limits. Mr. Budge pulled up the requested slide and explained that the top crosshatched area was the extension and the bottom gray area was where the Building Area Limits were being removed. He noted that the Building Area Limits were being adjusted to mirror the black-dashed line. He stated the net effect was a reduction of 500 feet.

Chair Hall observed that Lot 2 in the white area included the Accessory Structure. Mr. Budge stated the crosshatched area labeled “two buildable areas contain 1,434 square feet” is where the Accessory Use would be located.

In response to Commissioner Suesser’s comments regarding overlap with the SLO, Mr. Budge stated that prior Staff representatives told them last year that they were not in the SLO. He felt it was a moot point, as they would comply with the SLO.

Commissioner Johnson referenced LMC Section 15-2-2.1-4(A) which provides that no development is allowed on or within 50 feet map distance of a Very Steep Slope. He noted that anything new in that area would be subject to that provision. Mr. Budge stated the Planning Commission would be allowed to approve that development, which is why they were before the Planning Commission. If some mitigations or elements would need to be added to address any impact, they tried to anticipate that with the Plat Note redlines. Commissioner Johnson expressed his understanding.

In furtherance of Commissioner Johnson's remarks, Commissioner Suesser wondered why Staff had not provided a Site Suitability Determination or Sensitive Land Determination with respect to building within the SLO. She felt that information was necessary before reaching a determination. Director Ward stated that as noted by Commissioner Johnson, the analysis provided was that the Building Area Limits do not encroach into the SLO. The question was whether there was Good Cause to realign the Building Area Limits to allow for the Applicants' proposal.

As indicated by the Staff Report, Director Ward stated the Accessory Building was included in the proposed expanded Building Area Limits. There are exceptions with not only the underground parking area but also what would appear in the slope to access that underground parking area, which would not be included in the Building Area Limits. She confirmed that this was based on the proposal, and what would comply with the SLO was what was currently the Building Area Limits.

Commissioner Sigg observed that the Building Area Limits were proposed to be amended, which Director Ward confirmed. She explained that under the current SLO, it would not be allowed unless the Planning Commission determined there was Good Cause and it would improve the disturbance for the site.

Commissioner Suesser felt that Staff should have provided that analysis rather than the Commission making that determination. Director Ward stated that the Building Area Limits as currently platted conform with the SLO because that was established at the time of the Subdivision. Mr. Budge added that the Applicants submitted five bases for Good Cause. Based on that, the Applicants submit that the Planning Commission was within its authority to reflect the adjustment and move the buildable area that would lessen the impact of the structure, which further affects a reduction of the buildable area. He emphasized that the proposal would reduce the non-conformity of having two residential structures, preserve the character of the neighborhood to be more consistent with the Sweeney MPD, reduce the buildable area, facilitate the construction of a single residence, and remove two residences with its associated impacts. The proposal would also further health, welfare, and safety.

Commissioner Johnson revisited LMC Section 15-2-2.1-4, and stated it provided a list of seven items that must be reviewed in order to find suitability for anything on a Very Steep Slope. He asked to see the slide regarding the retaining wall so they could address number 2, which provides that building areas and setbacks do not create excessive cuts or fills, slopes, and minimal retaining walls to limit disturbance and meet the grade. Mr. Budge referred to the various plans submitted and included in the Staff Report. He presented a plan prepared by Alliance Engineering that showed where they would have the walls and how they related to the site. He stated that in the areas of the Setbacks, the walls would be no taller than four feet. There would also be walls holding back excavation in the area of the Accessory Structure, depicted at the bottom left of the slide before the Commission.

Mr. Budge confirmed that would be in Section C of the Excavation Plan. Commissioner Johnson observed that Section C stated that the deepest shoring would be 45.9 feet. Mr. Budge stated that the detail would be underground and did not refer to a wall. He confirmed that there would not be retaining walls in the SLO; the only elements within the SLO would be the underground portion of the Accessory Structure. He clarified that a portion of the Accessory Structure would be within the SLO, but there would be no retaining walls within the SLO.

Chair Hall requested that the proposed Plat Notes be presented for discussion. With respect to Plat Note 1, entitled "Footprint," Chair Hall invited comments or questions.

Commissioner Van Dine sought clarification that in the rest of the HR-1 zone, there was a 400-square-foot allowance for garages. Director Ward explained there is an exception from Gross Floor Area that is specific to the Historic District and not related to the Building Footprint. She explained that under the current Code, the Building Footprint is the total area of the foundation of the structure or the further exterior wall of the structure projected to natural grade. She noted there were some exceptions, including exterior stairs, patios, decks, and Accessory Buildings designated Historic.

Chair Hall asked about the 445 King Road Plat map. Director Ward clarified that 445 King Road was the only Single-Family Dwelling in the Sweeney MPD within the Estate Zoning District. She sought confirmation that the proposed wording was the same as that in the 445 King Road plat.

Commissioner Suesser expressed concern regarding the proposed language for Plat Note 1 because the original language stated that the 3,500 square-foot Footprint included garages. The exception added by Applicants would exclude parking areas located below grade. She found that troublesome and contradictory. Chair Hall agreed. Commissioner Suesser would edit the exception and not the original language. Commissioner Shand agreed if the garage was in an enclosed space with a door, then it should not be included in subsection (e). He pointed to "parking area" versus "garage" and offered that a garage would have a door whereas a parking area would not.

Commissioner Shand felt the internal conflict in this language was using the word "garage" in subsection (e) as opposed to the main body of the Plat Note. Commissioner Suesser agreed.

Commissioner Johnson struggled with the term "living space" in subsection (e) and wondered why it was included.

Director Ward reported the proposed language was identical to that found for 445 King Road, except for the parking area. Planner Tubbs reported that the language on the recorded Plat for 445 King Road was as follows:

"That portion of any garage, carport, mechanical space, or living space that is located below existing natural grade and which has landscaping or deck as provided in 1(a) located above it."

Commissioner Suesser questioned the importance of comparing the proposed language to that for 445 King Road, given that the latter site was located in a different zone. Chair Hall replied that she felt it was important as this Commission recently considered it and it is located in the Sweeney MPD. For consistency of the MPD, she felt that they were looking at this under the lens of

consistency with the MPD since it is a unique MPD. Commissioner Suesser wanted to make it very clear that for any determination they make it would be through the lens of the Sweeney MPD, and not setting any precedent for the HR-1 zone.

Commissioner Sigg suggested adding “unfinished space” because this house would have a large amount of unfinished space below the existing grade. Commissioner Shand asked whether the phrase in subsection (e) that refers to “living space that is located below existing grade” would satisfy Commissioner Sigg’s question regarding “unfinished space.” Commissioner Sigg reiterated that this proposal had a large amount of unfinished lower-level below-grade space. He wanted clarification on whether that was or was not included within the Footprint. Chair Hall felt this was an important distinction. Commissioner Sigg noted they talked about it in terms of mechanical space and observed it could be a great place for an accessory office. He wanted to see some reference to that as part of the Footprint.

In addition, as it relates to parking, Commissioner Sigg asked if it included elements such as a porte-cochere or a circulation turnaround. Chair Hall assumed the answer was “yes,” but invited the Applicants to clarify. Mr. Budge stated that the intent was to apply those items underground. He noted that he had never seen an underground porte-cochere. He confirmed the underground area would include a turnaround, as requested by the Fire Department.

Commissioner Suesser expressed an issue with approaching the applications this way because talking about the CUP was appropriate rather than wordsmithing the Plat Notes. She felt it did not seem to be the best approach. She also mentioned that there had not been a determination of Good Cause.

Commissioner Frontero stated that the Applicants should provide the Good Cause, and the Commission should not have to draw it out. He asked the Applicants’ team to go through the items and identify the Good Cause for each of the Plat Note amendments. Mr. Budge explained that they looked at the definition of Good Cause found in the LMC. He handed out a document and referenced EI, II, III IV, and V that outlined the Good Cause that they believe support the Plat. He felt it was for the Commission to judge these. He argued that the evidence submitted today and in the prior meetings all support Good Cause, and the Planning Commission would be acting within its’ authority to find Good Cause here.

Commissioner Suesser noted the definition of Good Cause as providing positive benefits and mitigating negative impacts. She felt there was an emphasis in the Sweeney MPD and the LMC regarding the visual impact of this proposed structure. There were City consultants who weighed in on that impact from various established vantage points in town and concluded that the mass and scale were out of proportion to what is appropriate in the Historic District. She asked how the Applicants would mitigate that negative impact.

Mr. Budge commented that they mitigated that negative impact, and stated that the last time an outside consultant provided comments was in April, and significant changes had been made since that time. He mentioned the more recently proposed roof change. The changes addressed and mitigated those impacts. When looking at mitigation, it should be looked at in the context of whether the applicant is complying with the requirements relative to the dimensions and the like, which they are. He stated they were meeting the requirements regarding Height and massing. In response to the consultant’s ideas, they reduced the glazing, added additional material, and adjusted the roof on a couple of occasions. He referenced a previous version that had a larger roof section referenced in that April report. He argued that they had mitigated those impacts, and

recalled the presentation during the prior meeting that showed how the proposed structure compared to the two existing structures on the site. The new structure would be lower than what exists on the site now and would occupy roughly the same space.

Commissioner Suesser noted that the Staff Report referenced the existing buildings as being 60 feet wide and 30 feet wide, whereas the proposed structure was 133 feet wide. She asked how the proposed structure was less than the dimensions of the existing structures. Mr. Budge responded that when the MPD was approved, it was contemplated there could be a Footprint of 3,500 square feet, and that is what Applicants are building. He noted that technically the new structure would be below 3,500 square feet. He explained that they mitigated the impacts by responding to comments as they came in. The proposal would not replace the two existing structures on the site; rather, they would replace the two structures with one structure, plus the Accessory Building that will be concealed into the hillside. He emphasized that the design is within what was contemplated when the MPD was approved.

Commissioner Sigg referenced some of the consultant's comments and observed that they were inconclusive about how this project fits into the unity and context of the mining era. While he appreciated the changes that had been made, and that some elements could be construed to look like a mine, he noted they had not seen a full-fledged report from the consultants just as they had not seen a full-fledged SLO analysis. He stated that the statutory requirement to vote puts pressure on everyone, and the more complete the information the better.

Commissioner Sigg also mentioned that the notice for this meeting went out on the 31st for a public hearing two weeks later, and that seemed like a short trigger. He wanted to ensure that this application was getting the review it deserved in terms of being forced into a vote that could go in the opposite direction from what the applicant wanted.

Mr. Budge stated that they were not looking for a Historic District Design Review ("HDDR") approval tonight. He explained that they got to a point in the process where they needed clarity on the actual structure before they completed the HDDR process, which would involve future discussion and another consultant report. He stressed that this would not be the end of the road with respect to items related to design.

Commissioner Sigg appreciated these comments and acknowledged they were not the body to address those issues, but stated that for the Commission to make such an important decision and not have that information was like the cart leading the horse.

Commissioner Suesser asked for clarification on whether typically the HDDR would be completed before the Planning Commission review. Director Ward stated that for the Sweeney MPD and in general, the first review in an HDDR is what are the underlying zoning regulations and the plat regulations that govern the site. When there is compliance with those regulations, then they look at the design elements. As indicated in the Staff Report, she explained that the process for all Single-Family homes in the Sweeney MPD was to first go through Planning Commission review for a CUP, and then the design elements would be refined through the HDDR. In the CUP criteria, the Planning Commission has the discretion to review building mass, bulk, and orientation, and the location of buildings on the site, including buildings on adjoining lots.

Another criterion is physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing. She stated that through the CUP process, the Planning Commission establishes the mass and the type of structure allowed on this site. The HDDR then

ensures that the design complies with the materials, glazing, and other details. With respect to the element of whether the proposal preserves the character of the neighborhood, Commissioner Suesser felt the consultants did not find that compatibility. She expressed concern that there were problems with finding Good Cause based on the framework set up by the City.

Commissioner Frontero referenced Plat Note 4, as amended. He noted the proposal was to remove the interior height restriction and asked why that would be Good Cause. Mr. Budge stated that Good Cause was a separate item, but explained that the request to remove the interior height restriction was that they do not believe that ordinance was ever intended to apply to the Sweeney MPD. He heard that from people involved with the Sweeney MPD from the beginning. Rather than leave it for potential future questions, they felt it was prudent to address it here. He added that the Commission only needs to find one item of Good Cause, and the list is long. They provided five bases for Good Cause and one of the biggest was removing the Nightly Rental and removing two homes. He averred that the Commission does not have to agree with each of the bases listed.

Commissioner Frontero recalled his comments from the last meeting that the roof straight line is not compatible, and the Applicants came back with a Plan B. He expressed disappointment that Plan B included an element higher than what is allowed. He felt they would have come back with something more compatible to break up the mass without adding height. He did not like Plan A or B.

Mr. Budge stated that Plat Note 4 already included the concept that 28 feet for flat roofs and 33 feet for pitched roofs shall be permitted for the express purposes of accommodating access. He noted the proposal was within the 33 feet, and noted that this was not for access but rather for purposes of providing a differentiation in design. They could say for purposes of accommodating access or a light feature, which is what this does, that is no longer than $\frac{1}{5}$ the length of that particular roof edge, then it could be accommodated. He was sorry that Commissioner Frontero did not like the design or the look of it, and they endeavored to find something that would break up that line.

Commissioner Frontero felt that Plan B accomplished one item, but it created another, which would cause a challenge with respect to height.

There was discussion regarding how to proceed in terms of the discussions.

Commissioner Suesser stated the one positive benefit of this proposal was the fire turnaround and possible fire mitigation ability. She did not feel, however, that the project mitigated the negative visual impacts of the size and scale. No public amenities were being proposed, except for the fire turnaround. She did not feel that replacing the two homes with a larger home resolved an existing non-conformity. The design consultants did not agree that this home would preserve the character of the neighborhood. Other than the fire turnaround, she did not feel this project would do anything to further the health, safety, and welfare of the Park City community. She did not feel the application met the suggested criteria for Good Cause.

Commissioner Van Dine recognized that they do not need to find that all of the criteria are met to find Good Cause. She felt it would be hard to find that any private residence would provide a public benefit. Commissioner Van Dine acknowledged that the houses in the MPD were not compatible with Old Town, nor would this one be compatible. Due to its' location, she viewed compatibility as between the other houses within the MPD and this house was compatible

compared with the other homes. She struggled with how they could give this many exceptions to a Code that they have stuck to everywhere else.

Commissioner Van Dine felt the Code was meant for Old Town lots of 25' x 75' or the two-lot combinations. The lots in the MPD are very different.

With regards to the roof, Commissioner Van Dine appreciated the proposed roof over the other houses in the MPD. She felt the other rooflines stood out more on the hill and were more obtrusive than the 3:1 proposed here. Commissioner Van Dine struggled with Good Cause but understood how some of these elements fit in terms of Good Cause.

Commissioner Shand found there was Good Cause. He felt the proposed house was architecturally significant. As one of the public comments stated, this location is caught between HR-1 and the Sweeney MPD. They try to apply the Sweeney MPD in some instances, while also trying to apply the HR-1 Code in other instances. He struggled with the fact that this property is within the HR-1 Code; however, as pointed out by Commissioner Van Dine, the HR-1 Code is geared predominantly towards 25' x 75' lots.

Commissioner Shand referenced a public comment regarding the roof pitch, and he felt any steeper roof pitch would create more of an impact from the cross-valley view. He acknowledged the concerns expressed, but he felt there was Good Cause for this project. In addition to architectural significance, he mentioned it would be a Single-Family home versus a rental. He felt it would create some architectural interest in town.

Commissioner Shand acknowledged Commissioner Frontero's request for an alteration to the roof to eliminate the linear portion of the roof and his comments that he did not like either Plan A or Plan B. Commissioner Shand felt that Plan B improved the linear visual.

Commissioner Frontero liked the breakup of the linear visual, but he did not like that the Applicants increased the height to accomplish it.

Commissioner Shand asked if it would be possible to take that portion of the shed roof and tilt it down to bring it into compliance with the Building Height.

Applicant M. Prince stated they looked at a number of different options and the challenge with it going down is it creates a very unstable structure in terms of how the roof is held up. He added that it also created further possibilities for leaks and other problems. They tried a number of ways to overcome this issue, and there was already a concept in the existing Plat Note that there can be exceptions to get up to 33 feet. If the Commission would be more comfortable, Applicants would be happy to take it down to 2 feet instead of 3 feet. He also highlighted the changes made to the materials wherein they varied the materiality of the roof to camouflage and break it up more. It is difficult to show in the renderings, but they wanted it to be like the front of the Ontario Mine, where different materials would provide an additional way to break it up.

Applicant M. Prince stated they listened to the feedback about breaking it up and they tried a number of ways to achieve that while keeping the architectural and structural integrity. This was the best option they came up with, but they could make it lower if requested. Given the concept that they could go up to 33 feet, they wanted to stay within that window and break up the roofline. No matter what, they would vary the materials to break up the solid line, and the addition of trees in the landscape would also help to break up that roofline.

Commissioner Van Dine felt the 3-foot additional height was fine when looking at what was asked of Applicants. It accomplished the desire to break up that line without changing it on a huge scale. She understood that the current structures were 60 feet wide and 30 feet wide, with 40 feet in between. Director Ward stated they could verify the distance between the two homes. Commissioner Van Dine observed that the proposed home would approximate the width of the two existing homes with the space in between.

Applicant M. Prince added that Staff calculated the Footprint of the buildings based off the LMC definition of Building Footprint, and this proposal essentially connects the two existing buildings. He noted that was also contemplated by the original Plat Note.

Commissioner Suesser commented that did not take into account the Accessory Building. She did not feel the redlines to Plat Note 4 would bring the proposal into compliance, because of the 33-foot high roof and the language that only allows that to accommodate access. Mr. Budge stated that in the language "accommodating access, i.e. stairwells..." they would state "accommodating access or a light feature" or "a window feature no longer than 1/5 of the linear length of the roof."

Commissioner Suesser stressed that it is a very specific Plat Note that clearly restricts the height, and Applicants are just asking to change the language. Mr. Budge stated it had been done before, which is why he felt he was not being cavalier. This was not the original set of Plat Notes; rather this is the third set of Plat Notes.

With regard to removing the interior height restrictions, Commissioner Suesser stated that given the way the Applicants proposed to measure the interior height of the structure, she questioned the necessity of the language. Mr. Budge felt the language was consistent, but agreed that they measured the height from the finished floor and were compliant. They felt this language would simply provide clarity.

Commissioner Suesser commented that when the Applicants finish the unfinished floor, they would not violate the interior height restriction. Mr. Budge reiterated that this would definitively resolve the issue.

Commissioner Sigg asked if there was an objection to a Plat Note that the unfinished area would remain unfinished. Commissioner Suesser stated there was, and added that was the reason for the language in Plat Note 4. She then stated Applicants were not committing to not finishing the floor and stated they wanted to add the language to Plat Note 4 that there would be no interior height restrictions, so when it is finished, they would not be in violation of the interior height restrictions.

Commissioner Sigg reiterated his question as to whether there would be an objection to a Plat Note that would establish that the unfinished area could not be finished space. Commissioner Frontero suggested removing the last phrase of the proposed language. Mr. Budge stated that the Applicants would be agreeable to removing the last phrase of the proposed language in Plat Note 4. Commissioner Suesser agreed that made sense, but commented that Applicants clearly indicated that they intend to finish that floor. Commissioner Johnson suggested adding another Plat Note that would require Applicants to return for a plat amendment. Mr. Budge stated they were okay with striking the last phrase and felt it was a good middle ground.

With regard to Plat Note 5, Director Ward confirmed that this was intended to address the cantilever. City Attorney Harrington opined that this Plat Note would be one where the prior comments about being very clear that the Commission was not creating precedent were important, as this is unique to this MPD in terms of the façade variation and allowing the step out. He felt that could be sufficiently addressed should they determine it would be appropriate; however, the Commission might want to augment the Applicants' proposed Findings to direct Staff to add language so that it does not create a precedent.

Chair Hall asked if they could add an entire Plat Note making clear that this would not set precedent for the HR-1 zone. She was reviewing this application as applying to the Sweeney MPD, and it would not be applicable to HR-1. Commissioner Frontero agreed and felt the Commission was in agreement on that. Chair Hall clarified that a Plat Note regarding precedent would apply to all Plat Notes. Director Ward confirmed that Staff would add language and referenced Plat Note 9, which they would modify to state that this would be specific to the Treasure Hill Subdivision properties only within the Sweeney MPD.

Mr. Budge requested the Plat Note discussed be moved to the bottom, because in precedence, it references the "above special restrictions," so they might as well capture all of the Plat Notes. There was Commission agreement.

Commissioner Suesser cautioned about including the reference to the Sweeney MPD in individual Plat Notes and not all of them. She suggested that a general statement be included at the end, rather than indicated in each one of the Plat Notes.

City Attorney Harrington stated that the specific Findings in the Final Action Letter could distinguish the changes being made for this application, and this amendment would only apply to this Plat. He added that the precedence talks about precedence within the MPD, so they would address a different situation for HR-1 to be clear and they would change the context of that Plat Note altogether.

Director Ward suggested adding that as the first Plat Note, and referencing all of the Plat Notes below. Commissioner Frontero agreed and felt it would make it clear from the outset. Director Ward clarified that Staff recommended that Plat Note 10 [Exterior Lighting] be modified to reflect the Dark Sky Code, which would also include additional shielding of exterior lights on a Steep Slope. Commissioner Van Dine agreed.

With respect to Glazing in Plat Note 11, Commissioner Van Dine asked where else in town they see this type of glazing. Director Ward stated many of the new residences in Aerie Mountain and Upper Deer Valley have more glazing for the façade. For the Historic District, specifically, the Historic District Design Guidelines recommend that the solid-to-void ratio, meaning windows to façade, be similar to the scale of Historic residences. Therefore, floor-to-ceiling glazing is not something that would be compatible with the Historic District, as outlined in the SWCA Report. A ratio of 60% would still allow for extensive glazing. She added that one of the additional Conditions of Approval Staff recommended addressed the lower level that is proposed to have floor-to-ceiling glazing. Through the landscaping and berms, there are ways to mitigate that, and with the types of plantings, there are additional ways they could further reduce those impacts.

Staff recommended in the Staff Report to include the vegetation requirements for mitigating the glazing. Chair Hall asked if they should include that between Plat Note 11 and Plat Note 11 [sic].

She felt they would also get into more detail with the vegetation plan when they address the Steep Slope CUP, but she felt it should be inserted here.

Commissioner Suesser agreed and expressed concern that they would have a Plat Note and a Condition of Approval, and they would not know which one would apply. She requested the Condition of Approval referenced by Director Ward with respect to the glazing be included in the Plat Notes. There was consensus.

Commissioner Johnson addressed the renumbered Plat Note 12 and stated he was still stuck on the section of the SLO that is relevant to the application. He could not find that this application met findings 2, 4, or 5 based on the initial review. He asked the Applicants if they would be willing to take the Accessory Structure out of the buildable area. He reasoned that it is proposed to be located on a Very Steep Slope, and there is the risk of landslide and potential erosion and land subsidence.

Applicant M. Prince stated he would refer back to the letters submitted by Sweeney where the City Attorney specifically stated that when a question arose about whether the SLO applied to the Sweeney Lots, the explicit answer was that it did not. He confirmed that the letter was written in 2016.

Commissioner Suesser observed that the buildable lots were not in the SLO, but the Applicants wanted to amend the buildable lot area into the SLO. Applicant M. Prince referred to the history of the SLO and submitted that the SLO had crept down and there was ambiguity about where the SLO was located. At the time the plats were created in 1994, he stated the SLO was not in Lot 2 at all. Commissioner Johnson stated that per the Code, the proposal was within 50 feet of a Very Steep Slope that is in the SLO.

Applicant M. Prince felt that was consistent with what was found by the Planning Commission in 2016, and the Steep Slope conditions did not apply to these particular Lots.

Mr. Budge highlighted the trade-off of putting a structure into the hillside where it would be shielded from view, particularly because the Applicants committed to comply with the requirements relative to disturbing that area and then rehabilitating it and having it covered with soils and vegetation.

Commissioner Johnson understood but stated that there was a recent landslide and while it was arguable as to what caused that landslide, there was an argument that it was caused by snow storage. This landslide caused major damage to adjacent properties and was a health risk to the public. He explained he was coming at this issue from this perspective, and in looking at the Code he was trying to get there. Applicant M. Prince expressed that what differentiates this property from others is the scale and size. If there is a landslide, it would slide into their home, so they have worked very carefully to ensure they could do this in a way that meets all the requirements. He felt the good cause in doing this could be found in the proposal to move this structure out of Hermann's view and move it further away from the trails.

Applicant M. Prince understood Commissioner Johnson's concerns but expressed frustration over the fact that the SLO boundaries are extremely fluid. What is strange about this site with the SLO is there is no difference from one inch forward to one inch back and King Road sits right above. He looked to the precedent articulated in 2016 and felt and stated they retained the best engineers in town who concluded they could do this and do it responsibly.

Commissioner Johnson was fully receptive to the Applicants' position but noted the Commission just worked on an amendment to the SLO, which had not been updated since 1992/1993, and they were still working on further amendments to it. He was focused on the Code and was not only concerned about the health and welfare standpoint of a slide into Applicant's road but also about impacts on King Road or the public trail adjacent to it. The size of the structure itself also caused him to question if they needed the Accessory Structure as part of the Building Area Limits because, without the Accessory Structure, the SLO would be irrelevant to this application. Commissioner Johnson emphasized that the rest of the structures were within the existing Building Area Limits, and he had no concerns.

Applicant M. Prince reiterated that the Sweeney's were the real experts on the history and he felt the challenge was that the SLO line could have been arbitrarily placed anywhere and there was nothing they could point to that states this particular area is sensitive in any way. That line has moved over time, so he looked to the fact that this area had already been disturbed when the original buildings were constructed, and they would be removing a retaining wall to allow them to build the Accessory Structure into the hillside. He stressed that if they arbitrarily allow a line to be drawn without any basis, it becomes very difficult to comply with it. Originally, they were outside of this area and further down, and Staff requested them to push the home lower and further back into the hillside. He felt as though they were pushed into this direction and were trying to be responsive to it.

Commissioner Johnson appreciated how the design had transformed over the course of this process; however that hillside is very steep.

Applicant M. Prince stated they could move it, but then it would have more of a visual impact on the rest of the hillside. He would be happy to move it to get it out of the SLO and would prefer that because the view would be better for them, but then there would be more cross-valley impacts. He stressed they were trying to balance all of the different issues.

Commissioner Johnson noted the entire site was very steep and specifically pointed out that the King Road side of the driveway was extremely steep with old vegetation so they could not move the Accessory Structure into that location.

Applicant M. Prince stated they could move the structure further north, but then there would be a much higher visual impact. Balancing the equities, when they look at the history of how arbitrary the SLO line has been, they believe they should be compliant with what the engineers concluded could be done responsibly and reasonably with the precedent set in 2016 and minimizing any cross valley views of this structure.

Commissioner Suesser commented that they were not just talking about an arbitrary SLO line, they were also talking about Very Steep Slopes, and those haven't moved. She understood that the Building Area is limited to portions of the site that had previously been disturbed, which does not include the area of the proposed Accessory Structure.

Applicant M. Prince expressed understanding with the concerns, but the specific language from 2016 was that the Very Steep Slopes and the SLO requirements did not apply to these eight Lots.

City Attorney Harrington clarified that some over-simplifications were occurring, but felt the last public speaker captured it best in terms of the MPD versus the existing Code. He recalled that

during the prior meeting, the Commission was focused on the house analysis and not the Accessory Structure. He stated the Commission was appropriately going through the exercise. He did not believe there was arbitrary or capricious action by the City, so he took the line on the Zoning Map for what it was. He clarified that the issue was not that the SLO does not apply to pre-existing MPDs; rather, it does not apply to change existing rights under existing MPDs unless there is an affirmative application to substantively modify the MPD.

City Attorney Harrington felt the legal opinion of Jim Carter from 1992, attached as Exhibit AA, more directly captured the accurate focus. The question is “do the proposed changes rise to the level of a change in units.” There are three or four different clarifications in there in terms of what would trigger an SLO review within the Sweeney MPD specifically.

If Sweeney proposed an amendment to shift the seven Lots to a new location prior to any of the Lots being developed, because of the Steep Slopes on this entire Lot the SLO would likely prohibit a new application for a Single-Family home on this site at that time.

City Attorney Harrington continued by stating that was not the situation here. The Lots were platted and there is a unit on this Lot. The Commission was looking at whether the proposed changes rose to the level of incompatible expectation that was originally approved. He stated that during the last meeting, with regard to the changes to the home, most of the Commission was close to saying as long as these other issues were addressed the home might be okay. Based on the additional information provided, now the Commission was shifting its focus to whether the same was true for the Accessory Structure and the parking area since they involve excavations. Staff gave the Commission a middle path by stating if they find it under the MPD, they still have Section 15-2.2-6 [Steep Slope criteria] to get at 90% of the same analysis. In other words, whether the placement meets the Steep Slope best practices criteria in the Steep Slope CUP for the siting of that structure.

He stressed it would not be prohibited by the 50-foot rule, because they are not changing the entire MPD, the unit density, or configuration. The issue is whether the siting of the new disturbance meets the Steep Slope CUP and whether it could be mitigated. He noted the proposal to take the soils uphill instead of downhill and retaining walls, and the issue is whether those are enough, or whether the site disturbance, public safety concerns, and design and visual impacts from the east outweigh that mitigation so that it becomes non-compliant with the standards in Section 15-2.2-6. If the Commission agrees that there is no fundamental shift in the MPD, they do not need additional site suitability information; rather, they should look at the site-specific information through the lens of whether it meets the Steep Slope CUP.

City Attorney Harrington added that if the Commission finds that the proposed change to the Building Area Limits and the other notes do implicate the MPD as a significant change, then they are back to a broader Steep Slope analysis. This is why the threshold determination of consistency with the MPD, where the Commission was appropriately focused in the first meeting, is critical to the application of the SLO.

Chair Hall asked if the Commission was comfortable stating that Plat Note 12 would be contingent on a Steep Slope CUP, and they would get into that discussion at a later point in the meeting. She felt there was a lot within the Steep Slope, but was unsure how to separate them so they could work through this complicated application.

Commissioner Suesser asked the Applicants to address how the application for the Accessory Structure complies with the MPD.

City Attorney Harrington sought clarification as to whether the Commission wanted to add language at the beginning of Plat Note 12 that "Subject to a Steep Slope CUP, as applicable, below grade..."

Mr. Budge reported that Applicants prepared a set of Findings for the Steep Slope CUP, and they called out each of the nine criteria and tied it to evidence. He handed out blue sheets with this information. Chair Hall suggested they be separated because there is so much within the Steep Slope CUP.

The Commission next addressed Plat Note 13, and there were no issues expressed. They revisited Plat Note 1, and Mr. Budge stated they were agreeable to striking the word "garage" in subsection (e).

Commissioner Suesser sought confirmation that the below-grade parking area would not have a door. Mr. Budge confirmed there would be no door, and added that is standard within the Sweeney MPD.

Commissioner Suesser also raised the additional language regarding the light feature.

Commissioner Frontero asked if there was consensus for Plan B for the roof, noting they would need to create a 33-foot height allowance. Commissioner Shand liked the break even though it increased the height by three feet because he felt the height increase was not significant. Commissioner Sigg agreed.

Commissioner Frontero liked the break better than a straight line. Commissioner Van Dine suggested adding "for architectural variation, not to exceed 15 feet in width...." Commissioner Suesser liked the Applicants' use of the "light feature." Mr. Budge proposed a "light feature no greater than 20 feet in length" after "accommodating access" in Plat Note 4. Commissioner Van Dine noted the addition of compliance with Dark Sky in Plat Note 10. Further changes were made to the Plat Notes pursuant to the prior discussions.

Commissioner Suesser asked about the rationale for not including the Accessory Structure Footprint for the overall Footprint. Commissioner Van Dine understood that the original Sweeney MPD did not require Accessory Buildings to be included.

Chair Hall asked for a motion on Agenda Item 6.A. Commissioner Suesser suggested further discussion on Good Cause, to which Chair Hall responded that she understood there was consensus.

Commissioner Van Dine noted the Commission only needed to find one element supporting Good Cause. City Attorney Harrington stated they could incorporate either Staff's suggestions or the suggestions from the Applicants' draft Findings, or the Commission could issue its' own findings. Staff would then return with a proposed Final Action Letter that would capture the basis of the majority finding. He explained that the Commission did not necessarily have to agree on each element of Good Cause but they must come to a collective conclusion. Chair Hall had heard public benefits such as preserving trails and fire turnarounds, compatibility with the MPD, Single-Family Dwellings without rentals, architectural variations, a decrease in density and a decrease

in the Building Area. She also heard Commissioner Suesser's comments against Good Cause based on the lack of preserving the character of the neighborhood. City Attorney Harrington recalled that Commissioner Suesser's point had to do more with HDDR review, consistency, and the lack of structural separation as echoed in the consultant's report.

Director Ward stated that the Applicants just indicated that for Plat Note 4, the area of the raised shed roof was 24 feet in length. Therefore, they proposed to amend that language from 20 feet in length to 24 feet in length.

Commissioner Shand found sufficient Good Cause. Commissioner Van Dine also found sufficient Good Cause. Commissioner Suesser did not find Good Cause. Commissioner Sigg had compatibility issues and did not find Good Cause. Commissioner Frontero found Good Cause. Commissioner Johnson stated that he had compatibility issues as well, but he could also find Good Cause for the Plat Amendment.

City Attorney Harrington reported that the motion could be to direct Staff to prepare the Final Action letter approving the Plat Amendment with modifications as discussed at this meeting. The Commission would have the opportunity to review the final Findings of Fact that Staff would modify pursuant to the discussion. The Commission preferred to take the vote at the end of this Agenda Item.

After a brief recess, Chair Hall called the meeting back to order and confirmed the presence of all Commissioners. She announced that the meeting was running behind schedule and apologized to all present. She felt there would not be sufficient time to properly consider the Work Session. She suggested that Director Ward work with that applicant to re-schedule the Work Session. The applicant for the Work Session reported they would prefer to hold the Work Session as scheduled. Chair Hall also indicated that the other Regular Agenda items could also be rescheduled if desired by those applicants.

- A. 220 King Road – Plat Amendment** – The Applicant Proposes Amending Plat Notes of the Lot 2 Phase 1 Treasure Hill Subdivision Plat Regarding Building Footprint to Demolish Two Existing Dwellings and Construct a New Single-Family Dwelling and Accessory Buildings within the Sweeney Master Planned Development, Historic Residential – 1 Zoning District, and Partially within the Sensitive Land Overlay. PL-22-05318.

MOTION: Commissioner Frontero moved to direct Staff to PREPARE a Final Action for Approval of 220 King Road – Plat Amendment, for final review on February 21, 2024. Commissioner Van Dine seconded the motion.

VOTE: Commissioner Shand – Yes; Commissioner Johnson – Yes; Commissioner Van Dine – Yes; Commissioner Frontero – Yes; Commissioner Suesser – No; Commissioner Sigg – No. The motion passed 4-to-2.

- B. 220 King Road – Conditional Use Permit** -- The Applicant Proposes Demolishing Two Existing Dwellings to Construct a New Single-Family Dwelling and Accessory Buildings within the Sweeney Master Planned Development. Historic Residential – 1 Zoning District and Partially within the Sensitive Land Overlay. PL-22-05319.

The Commission resumed discussion on the CUPs for 220 King Road and reported that the Commission received new information from the Applicants. Mr. Budge explained the only new information that was not in the Staff Report was the Conditions that started on Page 6. They added Conditions in the Staff Report that Applicants had not addressed. He proffered that the Conditions that start on Page 6, including those additions, were the most important. The yellow sheet was for the house and the blue sheet was for the Steep Slope.

Chair Hall opened the public hearing and incorporated all public comments made earlier in the meeting into the record. Director Ward recommended the Conditions of Approval outlined in the Staff Report be addressed.

Commissioner Suesser referenced the January 24 Staff Report that included a chart showing compliance or non-compliance. She asked if the findings made in the January 24 Staff Report were still applicable. Director Ward explained that if the findings were under the Sweeney MPD as discussed with the Plat Notes, Staff's recommended findings would be based on review under the Sweeney MPD. She confirmed that, as conditioned, Staff found compliance with the Sweeney MPD when contrasted with the criteria for the CUP.

Commissioner Suesser stated that it would have been helpful to see that breakdown in the Staff Report, and understood the Commission could request additional information before taking a vote on the application. She felt that analysis would have been helpful for the Commission to consider.

Chair Hall asked if the information requested by Commissioner Suesser would be in addition to what was included in the Staff Report. She noted the Applicants presented a chart. City Attorney Harrington stated that another way to approach this would be to ask which issues remained, assuming the Plat Notes clarified prior compliance issues. He mentioned whether the glazing language was sufficiently addressed. He added that there still seemed to be an issue regarding which retaining walls needed to be modified further. On this point, he heard the Applicants say just the ones within the Setback, whereas the Staff proposed a Condition of Approval that referenced all east, west, and north retaining walls. Director Ward clarified that Staff's proposed Condition of Approval referenced all retaining walls not affiliated with the Accessory Buildings. City Attorney Harrington suggested that getting into the weeds on this CUP was worth the time unless the Commission wanted to address the Steep Slope CUP first as that might dictate some of the analysis as it relates to the parking area and Accessory Structure.

Chair Hall invited comments on whether the Commission wanted to address the Steep Slope CUP first. The Commission expressed no preference, so Chair Hall invited Commission comments on the CUP for the Single-Family Dwelling.

Commissioner Van Dine referenced Page 4, Additional Findings, 10(3) stating that the residence met the 30-foot height limitation stated on the Treasure Hill Subdivision Plat. She noted this house is at 33 feet. Chair Hall asked if they could just incorporate and reference the Plat rather than the specifics so there would be no discrepancies or inconsistencies.

In terms of Lighting, Chair Hall assumed the proposed language in subsection (w) was from the Dark Sky Ordinance. Director Ward confirmed. Commissioner Van Dine asked if they could make the fully shielded ground-level fixtures required rather than encouraged.

Commissioner Suesser asked if anyone had an issue with Finding of Fact 9 that the SLO does not apply to the residence. Mr. Budge reminded those present that they would strike all of Page 4

based on the prior discussions. He confirmed that Finding of Fact 9 on Page 1 should be stricken as well. City Attorney Harrington clarified that Staff would adjust the Findings as the Commission was not adopting these tonight. The final revision would come before the Commission on the 21st. He felt the focus should be on the Conditions of Approval if the Commission was inclined to move toward an affirmative approval.

Commissioner Frontero asked if the Conditional Use under consideration included the pool. Mr. Budge highlighted the language stating that the “proposed mechanical equipment or hot tub shall be screened.” He agreed they should add the word “pool.” City Attorney Harrington suggested adding a reference to the plans in number 7.

Chair Hall suggested summarizing what would be stricken or modified in the Findings of Fact or Conditions of Approval. She found them to be generally consistent with the MPD, the LMC, and the proposed Plat Amendment. They proposed to strike Finding of Fact 9, modify (h)(3) to state “plat note” rather than the specific height, strike (q), and modify that any ground-level fixtures shall be fully shielded. For (x), they would add “/pool.”

With respect to Finding of Fact 7, Director Ward asked if they could have the Applicants submit and date the most updated plans that include the Landscaping Plans submitted to the Commission during this meeting. In doing this, they would have one exhibit that contained everything that could be attached and the date it was reviewed by the Commission.

Commissioner Shand asked for clarification on the modification regarding the exterior lighting. Chair Hall reported that they add “shall be fully shielded” rather than “encouraged to be fully shielded.”

Commissioner Van Dine referenced subsection (u). She understood that was a typical Condition, but in this case, Applicants would be removing 11,000 cubic feet of soil from the site. She did not want the landscape restored to the original; rather she wanted it improved as contemplated by the proposed Landscaping Plan.

Commissioner Johnson stated they could similarly modify (m) by adding a Code reference. He asked how the process identified in subsection (o) would work, given tonight’s discussions. Director Ward explained that once the Planning Commission takes final action on the CUP, Staff would then schedule the HDDR for a public hearing. Staff would work through the details of materials. She referenced one of the Conditions of Approval that did not carry over but that they would evaluate was that the Applicant shall demonstrate that the proposed metal siding and roofing materials have solar reflectivity index (“SRI”) of 35 or less prior to issuance of a Building Permit. Commissioner Johnson understood that due to all the changes, Staff would have to go back through the plans, including the Accessory Use. He understood that the design of the structure was still subject to HDDR approval. He asked if the Conditions would have enough strength, as written.

City Attorney Harrington reported that the Conditions would not have to reference Design Guidelines since the HDDR analysis was already subject to what is codified. He wanted to ensure that the Commission either consciously incorporated all of Staff’s recommended Conditions of Approval, or agreed to strike some of the recommended Conditions.

Commissioner Johnson wanted to make sure that they have the guidelines in place and respect them and have the review based on this design. City Attorney Harrington suggested that both

parties desired a degree of clarity that the Guidelines alone would reflect that final review and the outstanding issues such as the glazing and the roof would not be revisited during the HDDR. The Commission's design review on the CUP would accept the main massing, whereas HDDR refines the design. He did not believe that additional language would be needed on this point.

Director Ward asked the Applicants if there were any Conditions of Approval in the Staff Report that they would not agree to incorporate. Mr. Budge stated they agreed with them but wanted to clarify the Condition related to the retaining walls within the driveway easement. He stated they would ensure that all of the retaining walls would be within the driveway easement. With regards to the language about getting property owner approval, he stated they already have that, so they proposed, "all improvements associated with the driveway must be contained within the driveway easement."

Mr. Budge stated that one of their proposed Conditions provided that Applicants must make sure that the site work and restoration must comply with LMC Section 15-2.2-5 regarding the difference between existing and finished grade. He recalled the Staff Report statement that visible retaining walls to the northeast south of the structure shall be terraced so that no more than 4 feet of Existing Grade is manipulated. He stated that on the backside, which is not visible, there would be more than 4 feet of retaining wall. He recalled his earlier statements that there would be retaining walls greater than 4 feet, except those within the Setbacks. He felt they could iron this language out as part of the fine-tuning of the Conditions, but to the extent anyone felt there should not be a retaining wall taller than 4 feet, they should discuss that now. He noted that there were existing retaining walls on site that were greater than 4 feet.

Mr. Budge also referenced the Condition stating that the windows shall be aluminum-clad wood. Applicants have not yet selected the windows and noted they would certainly not be vinyl, which was added in the Plat Note. Instead, Applicants would like to work through the HDDR, because although they might be aluminum-clad wood, they might be a different material such as steel.

Applicant M. Prince added they would try to select a material that would provide a much higher environmental sensitivity as they were trying to make this a LEED building. He assured the Commission that they would not skimp on the windows, and they would be triple-paned, high-quality windows. There was confirmation that they would leave it up to HDDR.

Commissioner Johnson understood that the tallest proposed retaining walls would be at the entrance to the parking area.

Chair Hall noted that this issue was included in the blue packet and assumed there would be many questions on the Steep Slopes.

MOTION: Commissioner Frontero moved to direct Staff to PREPARE a Final Action for Approval of 220 King Road – Conditional Use Permit, for final review on February 21, 2024. Commissioner Shand seconded the motion.

VOTE: Commissioner Shand – Yes; Commissioner Johnson – No; Commissioner Van Dine – Yes; Commissioner Frontero – Yes; Commissioner Suesser – No; Commissioner Sigg – No. Due to a tie, Chair Hall registered her vote as Yes. The motion passed 4-to-3.

C. 220 King Road – Steep Slope Conditional Use Permit – The Applicant Proposes Demolishing Two Existing Dwellings to Construct a New Single-Family Dwelling

and Accessory Buildings within the Sweeney Master Planned Development, Historic Residential - 1 Zoning District, and Partially within the Sensitive Land Overlay. PL-23-05571.

Chair Hall invited comments on the SSCUP and mentioned issues such as stormwater. Commissioner Johnson felt that storm water would be part of the CUP 2 criteria. Mr. Budge reported that Page 2 of the blue packet contained each of the nine criteria for building in a Steep Slope and they tied each criterion to the plans listed on the first page. The Applicants also added a new Condition of Approval, listed as (g), which came straight out of the Staff Report. He acknowledged that the retaining wall by the Accessory Structure would be taller than four feet as would the retaining wall by the parking area. There was discussion off microphone. Mr. Budge reported that the taller retaining wall would be on the back side and not visible. The visible retaining walls would be four feet tall and would be located by the Setbacks.

Commissioner Johnson noted that the 12-foot retaining walls by the Accessory Structure would be on the side, and noted that the area into the hillside would have a footing with steel or metal studs. He questioned whether that would be strong enough. Mr. Budge offered that because that would not be near the Setback, they would likely have soil nails or something similar. Commissioner Johnson stated these retaining walls would be exceptions to the Code and asked the other Commissioners how they felt about that. Chair Hall observed they were needed for the fire turnaround. Commissioner Johnson agreed but stated it always came back to the Accessory Building for which there were continual requests for exceptions. Director Ward clarified that the four-foot regulation comes into the height amendments in the HR-1 Zoning District. If those height regulations do not apply, then it would be governed by the height in effect at the time of the MPD approval and would change the four-foot requirement. Mr. Budge explained that they could seek an exception as to the retaining walls in the Setback, but they were not.

Commissioner Shand asked if the Accessory Building retaining wall was exposed just on the interior side. Mr. Budge confirmed and added that the outside of the wall would be retaining.

Commissioner Johnson understood City Attorney Harrington as stating that because this was part of the MPD and did not represent a substantial change, the SLO Ordinance in Section 15.2.21.5(3) would only apply if it were a brand new development or the Applicants were shifting to a separate parcel within the existing MPD. City Attorney Harrington confirmed that the standalone SLO ordinance was not applicable, however, the SLO site-specific criteria in the HR-1 Steep Slope CUP section would apply. That section includes the mitigation review criteria.

If the Commission wanted to close the gap between the general language for some of the retaining walls and the original Staff Condition of Approval, they could fashion a Condition of Approval regarding any retaining wall in excess of 4 feet not screened by the home shall have additional mitigation such as additional landscaping that shall be reviewed under the HDDR.

Chair Hall suggested that any new retaining wall that is east-facing and not concealed by the home shall have vegetation or other screening. City Attorney Harrington opined that the Commission should focus on the same purpose of the 4-foot terracing, and whether it could be achieved through a different mechanism that would allow the physically required retaining wall height.

City Attorney Harrington suggested that the retaining walls at the parking area entrances might not be screened as much from the east and might be more relevant than the walls on the north for the Accessory Structure.

Chair Hall liked having the vegetation plan more specifically conceal the parking area.

Mr. Budge suggested that Condition of Approval (e) was the one that should be beefed up to reflect these discussions. That Condition addressed screening of the walls.

City Attorney Harrington understood that Staff originally had a Condition of Approval regarding a construction mitigation plan. Director Ward indicated that was in the CUP for the home, but would recommend that also be included in the Steep Slope CUP Conditions of Approval as follows:

“The Applicant shall include in its’ construction mitigation plan a proposal to direct excavated clean soils for use on Park City Mountain Resort.”

She recommended that they confirm with the Chief Building Official before coming back with the final proposed Condition of Approval.

City Attorney Harrington suggested that Staff modify the language for the Final Action Letter, and for clarity, this would be Condition (d) on page 6 of the yellow packet and transferred to a new Condition of Approval on page 4 in the blue packet.

Chair Hall officially opened the public hearing on this item and incorporated all public comments made during the initial portion of the Regular Agenda. She then closed the public hearing for Agenda Item 6.C. There being no further comments or questions from the Commission, Chair Hall reported that statutorily the Commission was required to take a vote on all three of these Agenda Items.

Commissioner Suesser referenced the Additional Findings for the residence CUP and stated they all referenced compliance with the LMC rather than the Sweeney MPD. She asked how that was consistent given that this proposal was not consistent with the LMC and that perhaps the Commission would be allowing an exception because the proposal complied with the Sweeney MPD. Chair Hall agreed and stated that while in some areas the proposal complied with the LMC, she felt they could clarify the ones that were specific to the Sweeney MPD.

City Attorney Harrington stated that they would add references for the precedent. He stated the Commission was still making findings with the existing CUP criteria as conformed by the clearly established MPD regulations. He added that was consistent with the first five homes in HR-1 where certain regulations would not have allowed those homes to be what they were originally. The Commission would be making sure the design was not incompatible as opposed to purely compatible with a 25' x 75' lot design. They could add the precedent language requested by Chair Hall to all three approvals to make it clear that there is a distinction between what flowed from the MPD vesting versus the LMC. Chair Hall commented that they would want to keep the LMC reference in some of these findings, and mentioned signs, noise, and lights.

Commissioner Suesser stated that they likely could not find LMC compliance of issues such as appropriate size, appropriate mass, bulk, and orientation, physically designed to be compatible with surrounding structures, appropriately situated on existing topography, and consistency with the goals and objectives of Park City General Plan. She acknowledged that the Commission

might find these items acceptable under the Sweeney MPD analysis. She was having trouble finding compliance with the LMC on a number of those items.

City Attorney Harrington stated there were two separate issues. One was whether there was a consensus decision on whether there is compliance versus clarification on the record that the references should reflect the proper compliance. He mentioned the issue of height and stated that the Plat Note provided that the Code-based height restrictions were not applicable, therefore there should not be a Finding that the height complied with the current Code. The merits of each of these items would be a separate discussion.

Chair Hall commented that from a high-level perspective, the LMC allows for an MPD, which in turn allows for general exceptions to specific requirements.

Commissioner Suesser remarked that the process in analyzing whether an application complies with the CUP is whether it complies with the specific requirements laid out in the LMC.

City Attorney Harrington suggested that another option would be to include a header similar to what they included in the Plat Note. It could read, "subject to the Conditions of Approval and the Plat Amendment Notes consistent with the original MPD approval, the Commission adopts the following...". He stated that most of the references to the LMC refer to the CUP section of the LMC, not the regulations in the zoning compliance section. He agreed it was convoluted, but wanted to clarify the bifurcation for the references versus substantive discussion on certain issues.

There was agreement to incorporate the language at the beginning, as suggested by City Attorney Harrington.

Chair Hall asked if there was further discussion on any of the three items. She clarified that the Commission was voting to approve and make recommendations to Staff to draft a Final Action Letter and make findings consistent with the discussion. The final review of those items would occur at the February 21 meeting. City Attorney Harrington noted that they would not continue the public hearing, but the Commission could make changes to the redlines. Chair Hall added that the draft Final Action Letters would be emailed by Friday as a regular Staff Packet, and then there would be a hybrid meeting on the 21st where people could attend virtually or in-person to review everything discussed.

Commissioner Sigg asked if this would be a collective vote or individual votes. City Attorney Harrington recommended that a vote be taken on application items individually.

Commissioner Suesser recorded some of her objections to the Findings for the Residence CUP [Item 6.B.] and stated she did not find compliance with the LMC for the following Additional Findings of Fact: 10(a), 10(g), 10(h), 10(k), 10(o), and 10(p). She recalled that 10(q) was removed.

Chair Hall invited discussion on any of Commissioner Suesser's objections. Chair Hall asked if the objection to Finding 10(k) was as to both portions: incompatible with surrounding structures per LMC and also inconsistent with the other single-family residences within the MPD. Commissioner Suesser objected to the entire Finding.

Chair Hall understood that Commissioner Suesser found that the application did not comply with the LMC because it was inconsistent with the single-family residences within the Sweeney MPD.

With regard to the Plat Amendment, Chair Hall reminded that there was a poll but no formal motion.

Commissioner Frontero understood that the motion would be to direct Staff to draft a Final Action Letter for review on February 21, 2024. City Attorney Harrington added that the motion must also specify approval or denial of the Plat Amendment.

MOTION: Commissioner Frontero moved to direct Staff to PREPARE a Final Action for Approval of 220 King Road – Steep Slope Conditional Use Permit, for final review on February 21, 2024. Commissioner Van Dine seconded the motion.

VOTE: Commissioner Shand – Yes; Commissioner Johnson – No; Commissioner Van Dine – Yes; Commissioner Frontero – Yes; Commissioner Suesser – No; Commissioner Sigg – No. Due to a tie, Chair Hall registered her vote as Yes. The motion passed 4-to-3.

- D. 7932 Red Tail Court – Conditional Use Permit** – The Applicant Proposes to Construct a Private Recreation Facility (Swimming Pool) in the Residential Development (RD) Zoning District and Sensitive Land Overlay. PL-23-05961.

City Planner, Spencer Cawley introduced New City Planning Technician, Jason Berntson who would present the application. He also reported that the applicant's representative was present to answer any questions. Planner Berntson presented a graphic that showed the location of the site in the Residential Development ("RD") Zoning District and within the Bald Eagle at Deer Valley Condominium Subdivision. He reported that the applicant proposed to build a swimming pool on the same site as a Single-Family Dwelling that is currently under construction. The pool is proposed to be 40' x 8' or 320 square feet. He added that the pool would be used as a lap pool and a spa for the owner and guests.

Planner Berntson reported that Staff found this application met the lot and site requirements for the RD zone and was well within the required Setbacks. The pool would be located mostly within an interior courtyard and would not be very visible from the surrounding properties. He added it would be screened by vegetation and landscaping, as well as partially by the roof overhang. The application was found to comply with the Bald Eagle at Deer Valley Subdivision Plat, and there were no Plat Notes applicable to this particular development. The Building Pad was approximately 10,000 square feet, and this pool would be entirely within the Building Pad and the Limits of Disturbance.

Planner Berntson reported that the proposal, as conditioned, complied with the LMC. He highlighted Condition of Approval 2 which was requested by the Snyderville Basin Water Reclamation District and reads, "The applicant shall not hard tap into the sewer system." He also noted a Condition of Approval that all parking must be satisfied on-site. This site has a parking requirement of five spaces, and there are five available spaces in the garage and existing driveway.

Planner Berntson highlighted Condition of Approval 5 that all lighting must be compliant with the Dark Sky Code. There is also a Condition of Approval regarding compliance with the Noise Ordinance, Chapter 6-3. After publication of the Draft Final Action Letter, they noticed a missing

clarification in Condition of Approval 2, and he requested it be amended to state, "The swimming pool and associated mechanical equipment shall not hard tap into the sewer system."

Commissioner Suesser asked where the pool would be emptied if not into the sewer system. She asked if there was a flooding concern if it would not go into the sewer. Applicant-representative John Shirley, AIA reported that the pool would drain into the storm water drain system versus the sewer system. He confirmed that complied with Snyderville Basin's requirements and they approved it to drain into the storm drain system. Planner Cawley added that the sewer system was not designed to take that capacity or volume of water. Planner Berntson noted that this site was also within the SLO, and Staff found the application complied with the SLO criteria. The site was also on a Steep Slope, and the average slope on the site was 16.5%. There were no Very Steep Slopes within 50 feet, so the proposal complied with the Steep Slope Setback requirements.

Additionally, Significant Vegetation on site would be replaced as indicated in the Landscape Plan. Eight evergreen trees would be replaced with 45 trees. He added that the proposal also complies with Wildland Urban Interface. The project would be subject to a final inspection by the Fire Marshall before issuance of a Certificate of Occupancy. Staff recommended the Commission review the CUP for the construction of the swimming pool, hold a public hearing, and consider approving the CUP based on the Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended.

Chair Hall opened the public hearing. There was no public comment. Chair Hall closed the public hearing.

Commissioner Johnson liked how the pool was integrated into the design of the home to limit the visual impact.

MOTION: Commissioner Johnson moved to APPROVE the Conditional Use Permit for 7932 Red Tail Court, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended as follows:

Findings of Fact

1. The Site is located at 7932 Red Tail Court.
2. The Site is within the Residential Development (RD) Zoning District.
3. On October 3, 2023, the city issued a Building Permit for a new Single-Family Dwelling at 7932 Red Tail Court.
4. The Property is Lot 21 of the Bald Eagle Condominium Project.
5. The Lot contains 0.57 acres (24,755 square feet).
6. Private Recreation Facilities (swimming pool) are a Conditional Use in the RD Zoning District and require Planning Commission review and approval.
7. On November 21, 2023, the Planning Department received a Conditional Use Permit Application to construct a swimming pool.

8. On December 1, 2023, the Planning Department determined the Conditional Use Permit Application was complete.
9. The proposed swimming pool is for the benefit of the Property Owner and will not be accessible to the general public.
10. The Front Setback in the RD Zoning District is 20 feet for main Structures and 25 feet for Garages. The proposed swimming pool is 164 feet 10 inches from the front property line.
11. The Rear Setback in the RD Zoning District is 15 feet. The proposed swimming pool is 87 feet from the rear property line.
12. The Side Setback in the RD Zoning District is 12 feet. The proposed swimming pool is 36 feet 8 inches from the side setback.
13. The proposed swimming pool is located within the interior courtyard of the house.
14. The proposed swimming pool is within the platted Building Pad.
15. Conditional Use Permits require review pursuant to the criteria outlined in Land Management Code (LMC) § 15-1-10(E).
 - a. Size and Location of Site – 7932 Red Tail Court is Lot 21 of the Bald Eagle Condominium project. The Lot contains 0.57 acres (24,755 square feet). The Building Pad is 10,420 square feet, and the Limits of Disturbance (LOD) encompasses an additional 7,315 square feet. The swimming pool is within the existing Building Pad and the LOD.
 - b. Traffic Capacity – The swimming pool will not generate traffic beyond the property's primary Use as a Single-Family Dwelling.
 - c. Utility Capacity – On January 16, 2024, the Water Department and Snyderville Basin Water Reclamation District (SBWRD) reviewed this proposal. They request a condition of approval stating the Applicant cannot hard-pipe into the existing sewer system.
 - d. Emergency Vehicle Access – The proposal will not change emergency access to the Property. On January 16, 2024, Park City Fire District reviewed the application and confirmed the proposal conforms with their requirements.
 - e. Off-Street Parking – LMC § 15-3-6(A) requires two off-street parking spaces per Dwelling Unit for a Single-Family Dwelling. LMC § 15-3-6(B) requires one off-street parking space per four persons maximum rated capacity for a Private Recreation Facility. The Applicant has stated that the pool has a maximum capacity of 12 people, which requires three off-street

parking spaces. The Applicant can park approximately five vehicles off-street in the Single-Family Dwelling's attached Garages and driveway.

- f. Internal Vehicle and Pedestrian Circulation –The swimming pool will be used primarily by the property owner and their guests which will not change the Lot's vehicle and pedestrian circulation.
- g. Fencing, Screening, and Landscaping – The swimming pool will be screened by the structure and landscaping on site. The pool's location within a partially enclosed courtyard limits visibility from surrounding houses, and the pool will be concealed by a safety cover when not in use. The swimming pool will be partially located underneath the roofline of the Single-Family Dwelling.
- h. Structure Mass, Bulk, and Orientation – The property gradually slopes from Red Tail Court toward the rear of the property. The proposed swimming pool will be in a courtyard near the center of the house, surrounded by a deck. The pool will be partially enclosed by the house structure. The deck that the swimming pool is located on has an approved 4' retaining wall elevating it above the terrain. There are no additional structural elements proposed for the pool.
- i. Useable Open Space –There are no open space requirements for a Single-Family Dwelling.
- j. Signs and Lighting – No Signs or additional lighting are proposed or approved with this application.
- k. Physical Design and Compatibility with Surrounding Structures – The Planning, Engineering, and Building Departments will review the final design prior to the issuance of a building permit. The Planning Department will review the Swimming Pool materials and design for compliance with LMC Chapter 15-5 Architectural Review and the Conditions of Approval of this Conditional Use Permit.
- l. Noise, Vibration, Odors, Steam, or Other Mechanical Structures – The Swimming Pool equipment will be in a below-grade structure with no visibility or noise impact on the residence or surrounding properties. Planning Department.
- m. Control of Delivery and Service Vehicles; Loading and Unloading; Screening of Trash and Recycling Pickup Areas – Vehicles for service and maintenance of the Swimming Pool will access the Property from Red Tail Court.
- n. Expected Ownership – The Applicant is the owner of record, and the property will be maintained as a Single-Family Dwelling.

- o. Environmentally Sensitive Lands, Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, or Steep Slope – The swimming pool as proposed is not within the Park City Soil Ordinance boundary, does not feature historic mining waste, does not contain other physical hazards, and is not on a steep slope.
 - p. General Plan Consistency – Goal 7 of the General Plan states that the City strives to create a diversity of primary housing opportunities, allowing full-time residents to have local options for work and play.
- 16. The proposal complies with the Sensitive Land Overlay Criteria outlined in LMC Chapter 15-2.21
 - a. Steep Slopes - The swimming pool at 7932 Red Tail Court meets the setback requirement for Steep Slopes. 7932 Red Tail Court is located on a Steep Slope. The LMC defines a Steep Slope as a slope that is greater than 15%. A Very Steep Slope is any Slope greater than 40%. The average slope for the lot at 7932 Red Tail Court is 16.53%. The average Slope within 50 feet of 7932 Red Tail Court is approximately 20%.
 - b. Vegetative Cover - All Significant Vegetation will be replaced on-site as designated on the approved Landscape Plan (Exhibit E). The existing conditions survey shows eight evergreen trees that were removed to construct the Single-Family Dwelling. The Landscape Plan identifies the replacement of the eight evergreens with 36 quaking aspens, three saskatoon serviceberries, and six subalpine furs.
 - c. Designated Entry Corridors and Vantage Points - The proposed swimming pool is not visible from any designated vantage points.
 - d. Wetlands and Stream Corridors - 7932 Red Tail Court is not located near any designated Wetlands or Streams.
 - e. Wildlife Habitat Areas - The intent of the Wildlife and Wildlife Habitat Protection is to “promote, preserve, and enhance wildlife and wildlife habitat Areas in and around Park City, and to protect them from adverse effects and potentially irreversible impacts.” The LMC explains further: “If Planning Department the Development Site contains or is within five hundred feet (500') of a natural Area or habitat Area, and the wildlife and habitat report show the existence of Sensitive or Specially Valued Species, the Development plans shall include provisions to ensure that any habitat contained in any such natural Area shall not be disturbed or diminished, and to the Maximum Extent Feasible, such habitat shall be enhanced.” The Utah Division of Wildlife Resources has compiled a list of all Sensitive and Specially Valued Species in the State of Utah. This list was used to ensure that there are no Sensitive or Specially Valued species that are occupying or using on-Site and adjacent Areas. Sensitive or Specially Valued Species includes Federally Threatened and Endangered Species; State of Utah Threatened and Endangered Species; State of Utah Species of Concern

and animals and plants of special concern to the Park City Community as identified in the General Plan and in need of special protection.

- f. Wildland Urban Interface - The Applicant has submitted a landscape plan with vegetation that complies with all WUI code requirements. The Fire Marshall will inspect compliance with the WUI code after installation and prior to Certificate of Occupancy.

17. On January 16, 2024, the Development Review Committee reviewed the proposal.

Conclusions of Law

1. The Application complies with the requirements of the LMC.
2. The Use is compatible with the surrounding Structures in Use, scale, mass, and circulation.
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Conditions of Approval

1. The swimming pool shall be within the Building Pad as indicated on the plans.
2. The swimming pool and associated mechanical shall not hard tap into the sewer system.
3. On-street parking is prohibited, and all parking must be satisfied on-site.
4. No Sign installations are allowed.
5. 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 Planning Department 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.
6. The Applicant shall adhere to Park City's Noise Ordinance.

Commissioner Shand seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

- E. 243 Woodside Avenue – Steep Slope Conditional Use Permit** – The Applicant Proposes to Construct a New Single-Family Dwelling in the Historic Residential -1 Zoning District. PL-23-05842.

City Planner, Lillian Zollinger invited the Commission to ask questions about the application.

Commissioner Suesser inquired about the height of each of the floors. Planner Zollinger reported that the applicant could speak to that, and mentioned that the interior height per Code was measured at 35 feet from the lowest point of the finished level to the top plate. Therefore, she estimated each floor was approximately eight feet high. Commissioner Suesser asked why the heights were not indicated on the submitted plans. Director Ward stated the heights were stated, but noted the small print on the plans. Staff or the applicant highlighted the measurement in the middle of the second floor. Planner Zollinger noted that the individual floors were not called out, but the measurement was highlighted.

Director Ward reported that the Applicant's Representative, Jeff Schindewolf was unable to speak via Zoom due to technical issues but he stated in the chat that the floors were labeled with heights as having an eight-foot ceiling. Planner Zollinger pulled up the plans from the Packet and stated that they call out the elevations for each floor to be identified.

Commissioner Suesser expressed concern that the proposal was to dig down from the original grade to accommodate four stories of the home. She found that to be inconsistent with the LMC. She asked if Staff confirmed the proposal included 8-foot floors. Planner Zollinger answered in the affirmative and reported that two floors are 9 feet but includes one foot for the floors, and the total interior height is 35 feet from the bottom level finished floor to the top plate. Commissioner Shand explained that when you reach the top sill plate, the attic floor is not counted in the measurement. He explained three of the floors were 9 feet and then 8 feet, totaling 35 feet.

Mr. Schindewolf announced was able to unmute and was available to speak.

Commissioner Suesser requested the slide that showed the Existing Grade and what was being excavated to confirm that it would not be more than four feet. Planner Zollinger presented the plan that responded to Commissioner Suesser's request. Mr. Schindewolf added that this site had been modified, but they could not find anything from the previous owners who had used it for some landscaping. The front of the Lot was dug lower than it was at some point.

Commissioner Suesser noted they measured from the ground level up to the top plate, yet the slide appeared to show they were not excavating out of the hillside. Planner Zollinger mentioned the applicant would excavate and refill. Final finished grade on the outside of the house would be within four feet of natural grade. Commissioner Suesser commented that she has always questioned whether that was really the intent of the provision because she felt it was actually supposed to be built into the hillside and not excavated out and filled in to appear that it was not excavated. She felt that the provision that the existing house was only four feet above the Existing Grade was really a misnomer.

Mr. Schindewolf reported that they were trying to conform to the character and aesthetic of the street, and he felt that they did a good job of doing that. This home would sit lower than the house uphill from this one. He also felt this home stepped down from the hillside, and the homes next door did exactly the same thing.

Commissioner Frontero asked if the house to the left was three stories. Mr. Schindewolf believed it was a four-story home. Planner Zollinger offered that the greenhouse two doors down was four stories. Mr. Schindewolf stated all three homes to the left are four stories. He added that the

homes help to retain the hillside, and he did not feel as though this proposal was anything unusual and he reiterated they were trying to keep that aesthetic.

In response to an inquiry, he stated that the slope of the driveway was fairly shallow. Planner Zollinger noted the plans stated it was 7%, and the maximum was 14 percent. Mr. Schindewolf stated the maximum grade was only a small portion, and where the arrow stops they slope 1% to the drain to allow for drainage away from the house. He added that this driveway would be easily navigable with all required drainage. It would also be heated as well.

Chair Hall opened the public hearing. There was no public comment. The public hearing was closed.

Commissioner Shand observed the ground floor was below street level and asked if there was a sewer evacuation system. Mr. Schindewolf reported they did not know that yet, but they provided a sewer ejector pump if it is required. He doubted it would be required and believed they could get to the sewer, which is typically 8 to 10 feet under grade. He added that the City Engineer reviewed this and did not have any questions or comments regarding that issue.

MOTION: Commissioner Van Dine moved to APPROVE the Steep Slope CUP for 243 Woodside Avenue based on the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Draft Final Action Letter as follows:

Findings of Fact

1. The Site is located at 243 Woodside Avenue, part of the 239 Woodside Replat Lot Line Adjustment, and is a vacant lot.
2. The Site is located within the Historic Residential – 1 (HR-1) Zoning District.
3. The Applicant proposes construction of a new Single-Family Dwelling (SFD) on the vacant lot.
4. The new SFD proposes an excess of 200 square feet located on an existing Slope of thirty percent (30%) or greater, therefore, a SSCUP application is required.
5. In conjunction with the SSCUP, the Applicant submitted a Historic District Design Review (HDDR) Application (PL-23-05841). The HDDR Application approval is subject to the approval of this SSCUP.
6. 243 Woodside Avenue is located on an uphill lot with an average slope of 31%.
7. 1,452 square feet of the SFD will be constructed on a steep slope with an average slope 32.1%.
8. The minimum Lot size in the HR-1 Zoning District is 1,875 square feet. 243 Woodside Avenue is 1,875 square feet.
9. The minimum Lot width in the HR-1 Zoning District is 25 feet. 243 Woodside Avenue is 25 feet in width.

10. The maximum building footprint in the HR-1 Zoning District for a Lot that is 1,875 square feet is 844 square feet. The proposed building footprint is 844 square feet.
11. Minimum Front and Rear setbacks for Lots 75' in depth in the HR-1 Zoning District is 10' each. The proposed SFD meets a 10-foot Setback for both the Front and Rear setbacks.
12. Minimum Side Setbacks for Lots 25' in width are three feet each in the HR-1 Zoning District. The proposed SFD meets a three-foot side setback for each side.
13. The maximum building height is 27 feet from Existing grade in the HR-1 Zoning District. The proposed maximum building height is 26' 11.5" from Existing grade.
14. The HR-1 Zoning District requires a ten-foot minimum horizontal step in the downhill façade. The proposed SFD steps back at 10 feet at 23 feet from the lowest point of existing grade.
15. Final Grade must be within four feet of existing grade in the HR-1 Zoning District. The proposed final grade is within four feet of Existing grade.
16. Structures cannot exceed 35 feet from the lowest finish floor plane to the point of highest wall top plate that supports the ceiling joists or roof rafters in the HR-1 Zoning District. The proposal has an interior height of 35 feet, as defined.
17. The roof pitch for the Contributing Roof Form must be between 7:12 and 12:12 in the HR-1 Zoning District. The proposed Contributing Roof Form is 7:12.
18. Per Land Management Code (LMC) § 15-2.2-6, SSCUP applications are subject to the following criteria:

Criteria	Analysis of Proposal
LOCATION OF DEVELOPMENT – Development is located and designed to reduce visual and environmental impacts of the Structure.	Complies: The SFD is at the allowed 844 sf building footprint, and set back 13 feet, exceeding the 10-foot Front Setback requirement, and allowing for the structure to be pulled back from the ROW with room for landscaping. The slope of the site is steepest at the rear, and the SFD has been designed to step up the hillside, in a similar pattern to the rest of the street.
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	Complies: The Applicant provided the following photos: The proposed design remains consistent with the height of the existing dwellings on the street. The proposed terracing keeps the final grade within four feet of existing grade.

mitigation, vegetation protection, and other design opportunities. 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.	
TERRACING – The project may include terraced retaining Structures if necessary to regain Natural Grade.	Complies: The proposed Site is located off Woodside Avenue, with the Front Property Line approximately 15 feet from the road. The Applicant shall record an encroachment agreement with the City for driveway access to the site (see Condition of Approval 18). The proposed driveway is 10 feet.
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.	Complies: The proposed SFD includes terracing within four feet of existing grade.
BUILDING FORM AND SCALE – Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Director and/or Planning Commission may require a garage separate from the main Structure or no garage.	Complies: The proposed SFD is located approximately 28 feet from the ROW, placing the majority of the massing at the Rear of the property. The buffer from the ROW to the structure, and a 10-foot driveway width, allows for landscaping and open space at the Front of the site.
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.	Complies: The structure is set back three feet, further than the 10-foot Front Setback requirement and creates space in front of the SFD to reduce a wall effect.

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.	Complies: The proposed SFD volume is compliant with the HR-1 Zoning District Lot and Site requirements as analyzed above. The location of the SFD is three feet more than the required 10-foot Setback. The proposed structure is compliant with the massing requirements found in LMC § 15-13-8(A), wherein larger masses shall be placed in the rear.
BUILDING HEIGHT STEEP SLOPE – The Zone Height in HR-1 is 27' for Structures and is restricted as stated above in Section 15-2.2-5. 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 neighborhood's existing residential Structures.	Complies: The proposed SFD is compliant with the HR-1 Zoning District Height requirements as analyzed above. The adjacent structures have a similar height and step back as the slope increases.

Commissioner Frontero seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission.

7. WORK SESSION

- A. 2000 Meadows Drive (Park Meadows Golf Course) – Conditional Use Permit and Modification to the Master Planned Development** – The Applicant Proposes to Construct a 6,386-square-foot Maintenance Building, a 2,018-square-foot Lean-to Shed, and a 10,744-square-foot Paved Parking Area for 20 Off-Street Parking Spaces within the Park Meadows Master Planned Development and Recreation and Open Space Zoning District. PL-23-05986, PL-23-05893.

Chair Hall reported that the Commissioners read the Packet, and asked if the applicant had specific questions so the Commission could provide its feedback without a full presentation.

The Applicant's Representative, Jonathan DeGray reported that they plan to supplement Staff's presentation, address the need for the building, and clarify that for the Commission.

Planning Technician, Jaron Ehlers reported that Engineer Gutknecht was available to answer questions, and Affordable Housing Manager Jason Glidden was online.

The first question for the Commission was whether they found the proposed application aligned with the goals of the General Plan for the Park Meadows neighborhood.

Commissioner Frontero found the sequencing of this question to be unusual. He suggested that an abbreviated presentation would be more helpful.

Planner Ehlers presented the location of the site and described the various buildings on the property. On the specific site, he pointed out the maintenance buildings and the paved parking area. Applicants proposed to install a lean-to shed for parking maintenance vehicles and add parking for a total of 20 spaces. He also pointed to the proposed location for the new maintenance building. He presented a slide showing the history of the project and a slide showing specific details of this project.

Commissioner Suesser asked if the applicant was adding additional employees and about the reasoning behind the 20 additional spaces. Applicant Mike Councilman, General Manager for Park Meadows Country Club, responded that currently, the employees park in the open space shown on the graphic for the maintenance yard. He noted it was disruptive for deliveries and day-to-day operations, which is why they proposed the additional parking spaces.

There was no intention to add employees; rather it reflected a reallocation of resources in which the existing building would become cold storage for equipment that currently sits outside. The new building would be the new employee-used space as well as the mechanical bays and chemical storage. The prior parking area would then be freed up for day-to-day operations and would make deliveries of materials easier. Additionally, they included soil storage so that trucks could pull straight ahead and back in.

Commissioner Frontero observed that this would be a much-improved circulation plan with an additional storage building and the lean-to building would be for equipment. He asked if there was any office space included.

Applicant Councilman stated that the new building would house employee spaces. The current building had a few offices and lockers, whereas the new building would allocate employee offices, lockers, break room, and showers to create a better workplace for the employees.

Planner Ehlers presented the General Plan Goals for the Park Meadows neighborhood, and the purpose of the zone as outlined in the LMC. He presented some of the key MPD points and noted this request proposed additional density. The trips generated were below what would be needed for a Traffic Study, and the parking was intended for existing employees. Additionally, all structures would be below the required building height. A determination from the Army Corps of Engineers would be required prior to issuance of a Building Permit.

Planner Ehlers also reported this proposal complied with Setbacks and zoning height. Vehicle maintenance would shift indoors, and there would be no change to existing hours of operation. He stated the applicant was coordinating with the Affordable Housing team to determine whether additional affordable housing obligations would be required.

Commissioner Frontero asked Manager Glidden about the potential affordable housing obligation. He understood that if the applicant added new employees, then that would come into play. Manager Glidden confirmed and reported that the applicants submitted some information to the team regarding the current employee base and what they had done over the past three years. The team was evaluating that information to make a determination whether there would be any increase in the number of employees, which would then trigger a housing requirement. If there was a determination that housing was required, Commissioner Frontero asked if they would need to wait on it, or whether it would just be more information for the next meeting.

Manager Glidden noted that the applicant submitted information and it would have to go to the Housing Authority for approval to grant the housing waiver pursuant to the Housing Resolution. They would like feedback regarding the applicant's proposal.

Commissioner Suesser questioned the proximity of the new parking area to the pond and whether the Army Corps of Engineers would approve the paving. She noted a similar issue on Meadows Drive. She wondered why the courtyard could not just be striped for parking.

Applicant Councilman reported that they engaged the Army Corps of Engineers and were awaiting their response. With regard to the parking lot, he mentioned the day-to-day operations and ease of circulation as well as safety. If they were to strip the courtyard, they would have to be cognizant of how they stripe it in terms of the circulation of the delivery vehicles. He felt that having the cars parked off to the side would solve all of their issues.

Commissioner Johnson recalled that there might be something in the Code that restricted paving within a certain distance of wetlands. He then mused that it might be irrelevant as all of Park Meadows was within wetlands. Engineer Gutknecht explained that the regulations regarding distance related specifically to areas within the SLO. This area is not within the SLO, which is why they are having the Army Corps of Engineers review the proposal, as their determination is different than that of the City. Planner Ehlers confirmed a proposed Condition of Approval would require a wetlands delineation.

With regard to the question regarding alignment with the General Plan, Commissioner Johnson felt the proposal aligned with the Park Meadows neighborhood General Plan statement. They would probably want to look at mitigating any traffic concerns on Estates Drive.

Applicant Councilman made it clear that they were not increasing the footprint of the golf course or recreational space, so there is no intention to increase the number of employees or deliveries.

Commissioner Suesser asked if the proposal would remove any Significant Vegetation. Architect DeGray reported that the new building would occupy the fairway rough, and a few trees and the fencing would be replaced. He mentioned they would install approximately 40 new trees. He noted the neighbors reviewed the proposed plan.

There was consensus that this proposal was in line with the General Plan. With regard to the question regarding alignment with the zone, there was consensus. In terms of the Findings of Fact, Chair Hall mentioned the affordable housing component and noted that would be incorporated into the Regular Agenda item.

Commissioner Shand asked if they would have information back from the Housing Authority in time for the next meeting. Architect DeGray stated they would have to have that, along with the delineation by the Army Corps of Engineers. It was noted that the original building on site was 40+ years old and was original to the golf course.

In terms of whether the Commission needed more information on mitigation for the CUP, Chair Hall reported that all buildings were proposed to be below the zone height. She asked the applicant if they would opt into restricting the buildings to that height. Architect DeGray did not believe there was any reason to restrict it further as long as they were under the zone height limit.

The Applicant confirmed that the existing building would remain. The building would be 22 feet high, and the garage doors would be 10 feet. There were no issues reported regarding the hours of operation starting at 4:30 a.m. Chair Hall observed that because operations were being moved indoors there would be less of an issue with the neighbors. In response to an inquiry, a fence is proposed to be installed around the entire facility, and with proposed berming the fence would be higher than it is now.

8. ADJOURNMENT

MOTION: Commissioner Van Dine moved to adjourn.

The meeting adjourned at approximately 10:50 p.m.

PENDING APPROVAL

Conditional Use
File No. PL-22-05319
[220 King Residence]

Findings of Fact

1. On July 18, 2022 the applicant Pesky Porcupine LLC (“Applicant”) submitted an application and paid the required fee for a conditional use permit in connection with a proposed single-family residence (the “Residence”) to be constructed on the Summit County, Utah Tax Parcel No. THILL-2-AM (the “Property”).

2. The Property is located within the Sweeney Properties Master Plan Development that was approved December 18, 1985, as amended on October 20, 1987 (as amended, the “Amended Sweeney Properties MPD”). The Property is also platted within the First Amended Lot 2, Phase 1, Treasure Hill Subdivision of record with the Summit County Recorder’s Office (“Treasure Hill Subdivision Plat”).

3. Condition No. 3 of the Amended Sweeney Properties MPD requires that the Planning Commission and Park City’s staff review proposed development on King Road as a conditional use and ensure that the design of structures will minimize visual impact on adjacent property.

4. The Property is currently being used for two single-family residences, that the Applicant intends to demolish to construct the new Residence. The existing single-family residences have been used for short-term rentals.

5. The application is for the construction of the Residence (“Residence CUP”) as required by Condition No. 3 of the Amended Sweeney Properties MPD.

6. The Planning Commission has authority to act as the land use authority for the Residence CUP. *See* Condition No. 3 of the Amended Sweeney Properties MPD; LMC § 15-1-10.D.

7. The Applicant submitted all the materials required by the LMC for the Residence CUP and presented in a public hearing regarding the proposals set forth in Residence CUP application.

8. The Planning Commission, after carefully considering the site plan attached hereto as Exhibit A and other design materials, the Applicant’s submittals, and the Applicant’s presentation at the public hearing, has determined that the Residence was designed to minimize visual impact on adjacent property owners.

9. The City’s staff have questioned whether the Sensitive Land Overlay Zone (“SLO”) applies to the Property and whether the Applicant must comply with the SLO requirements found in LMC § 15-2.21-4. After carefully considering the staff’s concerns and supporting documentation submitted by the Applicant, the Planning Commission has determined that the SLO does not apply to the Property.

Additional Findings

10. The Planning Commission, as the land use authority, finds that the proposed Residence CUP is in compliance with the standards in LMC § 15-1-10.E. Specifically, the Residence:

a. Is an appropriate size and location for the Property. *See* LMC § 15-1-10.E.1
This finding is supported further as follows:

i. The Property is notably larger than most of the other buildable lots in the Amended Sweeney Properties MPD. The ratio of lot size to the Residence is significantly smaller than neighboring residences.

ii. The Property's buildable area is being reduced by approximately 490 square feet concurrently with this approval. The Residence will be located within the reduced buildable area.

iii. The Residence will be adequately setback and buffered from the surrounding properties. The nearest adjacent residence is approximately 120 feet away.

b. Addresses traffic considerations including the capacity of the existing streets in the area. *See* LMC § 15-1-10.E.3. This finding is supported as follows:

i. The new residence will utilize the same access point as the existing homes. No additional traffic or traffic impacts will result from the new residence. In fact, traffic impacts will be decreased as two homes have more traffic than the single Residence.

ii. The capacity of the existing streets is sufficient to accommodate the new residence and no traffic impact study was necessary.

c. Has sufficient utility capacity, including storm water run-off. *See* LMC § 15-1-10.E.3. This finding is supported as follow:

i. All utilities on the Property were installed with the existing houses and are adequate to service the existing houses.

ii. The Residence will decrease utility usage by utilizing more efficient construction materials and by replacing two existing homes used as short-term rentals.

iii. All storm water run-off from new impervious surfaces will be retained onsite.

d. Provides adequate emergency vehicle access. *See* LMC § 15-1-10.E.4. Specifically, the Residence has been designed to meet all emergency vehicle access and

driveway slope requirements as set forth in the LMC, including by providing a fire turnaround in the underground parking area.

e. Provides adequate off-street parking. *See* LMC § 15-1-10.E.5. Specifically, the Residence provides at least two off-street parking stalls as required by LMC § 15-3-6(A).

f. Provides sufficient internal vehicular and pedestrian circulation system. *See* LMC § 15-1-10.E.6. This finding is supported as follow:

i. Vehicles accessing the Property will continue to use existing access points from King Road. The Residence is designed such that vehicles can turnaround and park via the private driveway and the underground parking area.

ii. There is minimum pedestrian traffic in the area as the public roadways do not have sidewalks. There is a 10' public non-motorized bike, pedestrian trail, and ski easement on the Property for the benefit of a neighboring property. No change is being proposed to those easements.

g. Provides fencing, screening, and landscaping to separate the use from adjoining uses. *See* LMC § 15-1-10.E.7. This finding is supported as follow:

i. The existing fencing, screening, and landscaping for the existing houses is adequate to separate the use from adjoining uses. No additional fencing is being proposed by the Applicant.

ii. New landscaping will consist of native grasses and trees and existing vegetation will be maintained and managed.

iii. Perimeter vegetation will continue to provide a visual barrier to the Property and mitigate visual impact.

h. Is appropriately massed, bulked, and oriented, on the site. *See* LMC § 15-1-10.E.8. This finding is supported as follow:

i. The Residence has been intentionally designed to break up the perceived mass and follows the plat notes relative to massing. Specifically, the plans show the Residence: (i) broken up into at least four (4) massing elements that are each less than 1,500 square feet; (ii) have an overall footprint of less than 3,500 square feet, as measured by the definition on the subdivision plat; and (iii) is 30' or less in height.

ii. The site is designed to respect the existing topography and site features such as existing trees and vegetation. Cut, fill, and retaining wall areas will be located behind the Residence to minimize any visible impact on neighboring uses.

iii. The Residence meets the 30' height limitation stated on the Treasure Hill Subdivision Plat.

i. Contains usable open space. *See* LMC § 15-1-10.E.9. Specifically, the new residence does not substantially change the existing site's open space. All existing landscape easements will be maintained.

j. Contains no signs but will provide appropriate lighting. *See* LMC § 15-1-10.E.10. The Property will comply with the city's outdoor lighting requirements found at LMC § 15-5-5(J).

k. Is physically designed to be compatible with surrounding structures. *See* LMC § 15-1-10.E.11. Specifically, the Residence is consistent with other single-family residences within the Amended Sweeney Properties MPD.

l. Does not produce noise, vibration, odors, steam, or other mechanical factors that would affect people or off-site property. *See* LMC § 15-1-10.E.12.

m. Properly controls delivery and service vehicles, loading and unloading zones, and screens trash and recycling pickup areas. *See* LMC § 15-1-10.E.13. Specifically, a vehicle control gate will control access to delivery and service vehicles, and the Property is adequately sized to park delivery and service vehicles without impacting adjoining uses.

n. Will not be used as a condominium, time interval ownership, fractional ownership, nightly rental, or for a commercial use. *See* LMC § 15-1-10.E.14. Indeed, the Property will be used only as a single-family residence and the short-term rental uses on the two existing homes will be terminated.

o. Is appropriately situated on the existing topography of the Property. *See* LMC § 15-1-10.E.15. This finding is supported as follow:

i. The site is already adequately graded to support the existing houses and minimal additional grading will be required for the Residence.

ii. For the reasons discussed below, a steep slope conditional use permit will be issued for the very steep slope disturbance.

p. Is consistent with the goals and objectives of the Park City General Plan. *See* LMC § 15-1-10.E.16. This finding is supported as follow:

i. The existing houses to be demolished are not historically significant.

ii. The proposed design of the Residence is consistent with the design criteria contemplated by the Amended Sweeney Properties MPD approval.

q. The Planning Commission finds that the SLO does not apply to the Property based on the following:

- i. The Amended Sweeney Properties MPD predates the City's adoption of the SLO ordinance and the Amended Sweeney Property MPD established site suitability. The Amended Sweeney Property MPD's approval cannot be undone by applying the SLO ordinance.
- ii. The SLO ordinance has never been applied within the Amended Sweeney Properties MPD, even when certain properties clearly fall within the SLO.
- iii. City staff have previously represented to the public that the SLO does not apply within the Amended Sweeney Properties MPD. For example, according to the minutes of the Planning Commission meeting on August 11, 2004, page 25, former Director Putt stated that the SLO does not apply to applications within the Amended Sweeney Properties MPD. Likewise in a staff report, dated June 8, 2016, page 52, Senior Planner, Francisco Astorga stated that projects within the Amended Sweeney Properties MPD predate the SLO and therefore the "SLO does not specifically apply in terms of a density determination and site suitability analysis."
- iv. In exchange for the Property's development, the Amended Sweeney Properties MPD protected sensitive land by dedicating significant open space areas within the development.
- v. Pursuant to LMC § 15-1-6.A "zoning boundary lines are intended to conform to existing Property boundary lines . . . unless the lines are located by specific dimensions . . ." Also, "[w]here the Zoning District lines appear to have *intentionally* divided a Lot or Parcel between two (2) or more districts" the zoning will apply to each portion of the Lot or Parcel. *See* LMC § 15-1-6.B. The most recent map of the SLO depicts the SLO bisecting the Property. There is no evidence that the SLO was intentionally drawn to bisect the Property nor is there evidence that the boundary lines intentionally followed specific dimensions. Accordingly, the SLO boundary was intended to follow the property's boundary and exclude the Property. Even if the SLO intentionally bisected the Property, the Residence is excluded from the SLO and thus the SLO does not apply to this approval.

11. The Planning Commission finds that for the reasons above, the Residence will not have a detrimental impact on surrounding uses. The Planning Commission further finds that by terminating the existing short-term rental uses of the two homes currently existing on the Property, the Residence will have a reduced overall impact on surrounding uses.

12. As discussed below, the Applicant has agreed to self-impose certain conditions on the Property to minimize any potential detrimental effects that may result from the proposed use. The Planning Commission finds that these conditions adequately mitigate any potential detrimental effects that may result from the Residence.

Conclusion

Based on the foregoing, and subject to the conditions listed below, the Residence CUP application meets the standards and requirements of the LMC, including the criteria for approving a conditional use per LMC § 15-1-10.E and 10-9A-507, Utah Code Ann.. The Planning Commission concludes it is appropriate to issue Residence CUP subject to the below conditions, each of which will mitigate any reasonably anticipated detrimental effects associated with the Residence.

Conditions

The use approved by the Residence CUP is conditioned upon the following:

A. Final building plans shall reflect substantial compliance with the plans approved February 14, 2024, by the Planning Commission. Any changes, modifications, or deviations from the approved design that have not been approved in advance by Park City's Planning and Building Departments may result in a stop work order.

B. The Applicant is responsible for notifying the Planning and Building Departments prior to proposing any changes to this approval. The Applicant shall submit in writing any changes, modifications, or deviations from the approved scope of work for planning review and approval/denial in accordance with the applicable standards prior to construction.

C. The current access point of King Road must be maintained, and no new access points are allowed.

D. Applicant shall include in its construction mitigation plan as required by LMC § 11-14-14, a proposal to direct excavated clean soils for use on the Park City Mountain Resort so as to minimize any impact on public City streets. If Park City Mountain Resort will not accept the excavated clean soils, Applicant will submit to the Community Development Department a proposed amendment to the construction mitigation plan for transportation of the excavated clean soils.

E. All storm water run-off from new impervious surfaces must be contained on the Property.

F. Applicant shall submit a storm drainage analysis to the Park City Engineering Department. The analysis must show that the required storm drainage storage volume matches the pre-development and post-development conditions for a 100-year 24-hour event.

G. Applicant shall submit a soil investigation report, geotechnical report, and slope stability report to the city concurrent with or prior to submitting a building permit application.

H. Prior to obtaining a building permit, the Applicant shall provide soil stabilization details documenting how the disturbed area will be restored and stabilized.

I. The proposed development must include a vehicular turnaround that meets applicable fire code standards.

J. The Residence's occupants must use as on-site parking the sub-grade parking area shown on the proposed plans.

K. The proposed development must include a vehicle control gate that allows vehicles to queue in the Property's driveway and not on King Road.

L. No additional fencing is permitted without further approval by the Park City Building Department.

M. After construction of the Residence is completed, Applicant shall revegetate the site consistent with the submitted landscape plan.

N. The Residence must be constructed according to the approved plans.

O. The Applicant shall receive approval through the Historic District Design Review process prior to receiving a building permit.

P. The proposed residence's roof shall be consistent with the approved plans.

Q. The existing access and landscaping easement shall remain in place.

R. Except for a typical "for sale" sign no signs will be permitted on the Property.

S. All outdoor lighting on the Property shall comply with LMC § 15-5-5(J).

T. The primary use of the Property shall be limited to a single-family residential use. The proposed residence shall not be used for a short-term rental or have fractional ownership.

U. Any areas disturbed during construction shall be restored to the original state after the proposed residence is completed.

V. The railing of the roof terrace shall minimize the visibility when viewed cross-canyon.

W. All exterior lighting shall be down directed, fully shielded, with bulbs 3,000 degrees Kelvin or less to prevent glare onto adjacent property and shall comply with the City's outdoor lighting code per LMC § 15-5-5(J). Flood lights are prohibited. Fully Shielded outdoor lights shall not exceed 12 feet above Existing Grade. Outdoor lights installed higher than 12 feet above Existing Grade require additional shielding, as approved by the Planning Department.

Fully-Shielded ground-level fixtures are encouraged. Final lighting details must be reviewed by Planning Staff prior to installation.

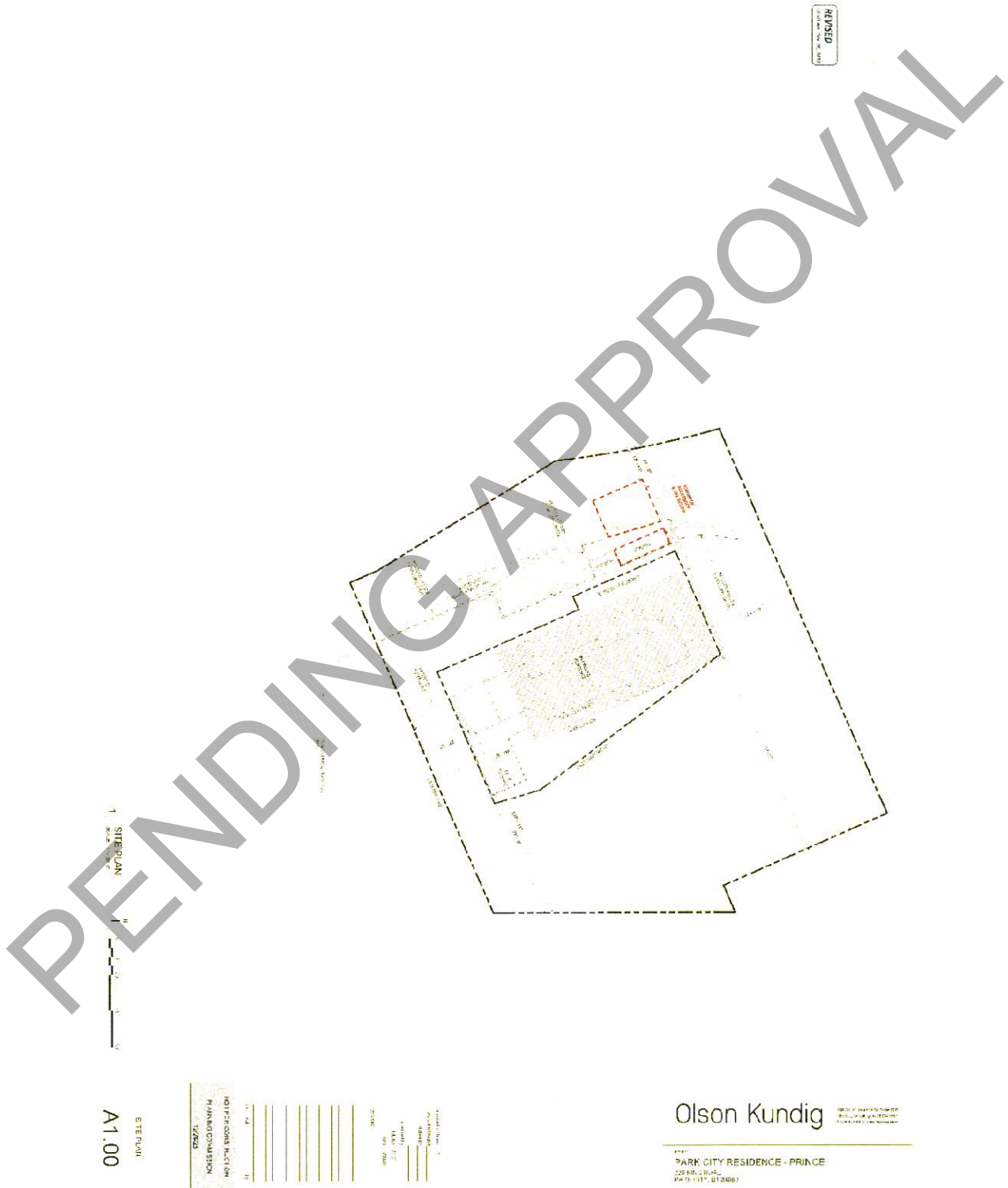
X. All proposed mechanical equipment and/or hot tubs shall be screened. Hot tubs on east façade decks or terraces.

Y. No more than eight inches of the new foundation shall be visible above Final grade on the primary façade and no more than two feet of the foundation shall be visible above Final Grade on secondary and tertiary facades.

Z. Lower-level glazing on the north, east, and south facades shall be screened with berms and/or vegetation as approved by the Planning Department.¹⁶

AA. Vinyl or aluminum doors and windows are prohibited.

Exhibit A
Site Plan



Conditional Use
File No. PL-23-05571
[Steep Slope –220 King]

Findings of Fact

1. On February 21, 2023, the applicant Pesky Porcupine LLC (“Applicant”) submitted an application and paid the required fee for a conditional use permit in connection with a proposed single-family residence (the “Residence”) to be constructed on the Summit County, Utah Tax Parcel No. THILL-2-AM (the “Property”).

2. The Property is located within the Sweeney Properties Master Plan Development that was approved December 18, 1985, as amended on October 20, 1987 (as amended, the “Amended Sweeney Properties MPD”).

3. Condition No. 3 of the Amended Sweeney Properties MPD requires that the Planning Commission and Park City’s staff review proposed development on King Road as a conditional use and ensure that the design of structures will minimize visual impact on adjacent property.

4. The Property is currently being used for two single-family residences, that the Applicant intends to demolish to construct the new Residence. The existing single-family residences have been used for short-term rentals.

5. The second conditional use permit application is for construction on a steep slope (“Steep Slope CUP”) as required by Section 15-2.2-6 of Park City’s Land Management Code (“LMC”).

6. In connection with the Steep Slope CUP application, the Applicant submitted the following documents prepared by Alliance Engineering Inc. for the Planning Commission’s consideration:

- a. Existing Conditions Map (Job No. 8-3-23);
- b. Conceptual Grading Plan (Job No. 8-3-23);
- c. Drainage Plan (Job No. 8-3-23);
- d. Steep Slope Map (Job No. 8-3-23);
- e. Stormwater Management Plan (Job No. 8-3-23); and
- f. Excavation Section View (Job No. 8-3-23).

7. The Planning Commission has authority to act as the land use authority for the Steep Slope CUP. *See* LMC § 15-1-10.D.

8. The Applicant submitted all the materials required by the LMC for the Steep Slope CUP and presented in a public hearing regarding the proposals set forth in Steep Slope CUP application.

9. With respect to the Steep Slope CUP, the Planning Commission, after carefully considering the Applicant's submittals referenced above and the Applicant's presentation at the public hearing, has determined that any detrimental effects caused by proposed development on steep slopes can be reasonably mitigated and comply with the LMC's requirements.

Additional Findings

10. The Planning Commission, as the land use authority, finds that the proposed Steep Slope CUP complies with the standards in LMC § 15-2.2-6.B. Specifically, the proposed steep slope disturbance and Residence:

a. Are located and designed to reduce the visual and environmental impacts. *See* LMC § 15-2.2-6.B.1. Specifically, the hillside cuts and impact to the very steep slope will be located behind the Residence and will generally not be visible to the town core of Park City.

b. Will be consistent with the visual analysis and landscaping plan submitted by the Applicant. *See* LMC § 15-2.2-6.B.2. Specifically, the Applicant submitted to the Planning Commission a visual analysis and landscaping plan that showed that the proposed steep slope disturbance. The Planning Commission has determined that the steep slope disturbance will generally not be visible from the town core of Park City as it is screened from view by the proposed residence.

c. Are consistent with the applicable access and driveway screening requirements. *See* LMC § 15-2.2-6.B.3. Specifically, access to the Property is not changing as the existing driveway will be used and improved. The driveway improvements will comply with the LMC's requirements.

d. Will be appropriately terraced to regain natural grade. *See* LMC § 15-2.2-6.B.4. Terraced structures will be screened from view of the town core of Park City by the proposed residence.

e. Are designed to preserve the perceived natural topography of the Property. *See* LMC § 15-2.2-6.B.5. Specifically, all cuts to the hillside will be screened from view of the town core of Park City by the Residence.

f. Are consistent with the building form and scale requirements of LMC § 15-2.2-6.B.6. Specifically, the Residence is divided into several massing elements to reduce massing and to orient against the Property's existing contours. Portions of the Residence have been located below grade to reduce visibility and perceived bulk.

g. Are consistent with the applicable setback requirements. *See* LMC § 15-2.2-6.B.7.

h. Are consistent with the applicable volume limitations. *See* LMC § 15-2.2-6.B.8. Specifically, the Residence's volume is less than what is permitted in the HR-1 District.

i. Are consistent with the applicable building height requirements. *See* LMC § 15-2.2-6.B.8. Specifically, the Residence meets the height requirements identified in the Amended Sweeney Properties MPD.

11. The Planning Commission finds that for the reasons above, the steep slope disturbance will not have a detrimental impact on surrounding uses.

12. As discussed below, the Applicant has agreed to self-impose certain conditions on the Property to minimize any potential detrimental effects that may result from the proposed steep slope disturbance. The Planning Commission finds that these conditions adequately mitigate any potential detrimental effects that may result from the steep slope disturbance or the Residence.

Conclusion

Based on the foregoing, and subject to the conditions listed below, the Steep Slope CUP meet the standards and requirements of the LMC, including the criteria for approving a conditional use per LMC § 15-2.2-6.B and 10-9A-507, Utah Code Ann.. The Planning Commission concludes it is appropriate to issue the Steep Slope CUP subject to the below conditions, each of which will mitigate any reasonably anticipated detrimental effects associated with the uses described in the Steep Slope CUP application.

Conditions

The use approved by the Steep Slope CUP is conditioned upon the following:

A. All retaining walls shall be generally placed behind the proposed residence to reduce visibility from the town core of Park City.

B. The driveway to the proposed residence shall not exceed a 14% grade and must comply with LMC § 15-3-3(A)(4).

C. Access to the parking area located on the Property shall not face King Road.

D. If the proposed development contains any retaining walls that are taller than four feet in height, then the Applicant shall provide engineered plans for the retaining walls at the time the Applicant makes application for a building permit.

E. Applicant shall maintain vegetative screening in accordance with the submitted vegetation plan to reduce the visibility of retaining walls.

F. The limits of disturbance around the proposed residence shall be limited to the minimal area necessary to excavate and backfill the foundation.

G. Structures on the Property shall conform to the HR-1 setbacks set forth in LMC § 15-2.2-3. The property is located outside of 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 with State and Federal law.

PENDING APPROVAL

Plat Amendment
File No. PL-22-05318
[Plat Amendment]

Findings of Fact

1. The Applicant has proposed a new plat entitled the Second Amendment for Lot 2, Phase 1, Treasure Hill Subdivision (“Amended Plat”), a copy of which is attached hereto as Exhibit A, which will amend the existing Treasure Hill Subdivision Plat, including the Amended Plat’s notes which are attached hereto as Exhibit B.

2. On July 18, 2022, the applicant Pesky Porcupine LLC (“Applicant”) submitted an application for a proposed subdivision plat amendment in connection with a proposed single-family residence to be constructed on the Summit County, Utah Tax Parcel No. THILL-2-AM (the “Property”).

3. The Property is located within the Sweeney Properties Master Plan Development that was approved December 18, 1985, as amended on October 20, 1987 (as amended, the “Amended Sweeney Properties MPD”). The Property is also platted within the First Amended Lot 2, Phase 1, Treasure Hill Subdivision of record with the Summit County Recorder’s Office (“Treasure Hill Subdivision Plat”).

4. The Property is currently being used for two single-family residences that the Applicant intends to demolish to construct a new single residence.

5. The Amended Plat differs from the Treasure Hill Subdivision Plat in two ways. First, the Amended Plat modifies plat note 1 on the Treasure Hill Subdivision Plat to align with the Amended Sweeney Properties MPD approval conditions and other phases within the Amended Sweeney Properties MPD. Second, the Amended Plat modifies the buildable area by reducing the overall buildable area and relocating a portion thereof to the west side of the Property, as depicted on the attached Amended Plat.

6. The Applicant submitted all materials required by the Park City Land Management Code (“LMC”) for the proposed plat amendment.

7. The planning commission has authority to act as the land use authority to approve the Amended Plat pursuant to LMC § 15-7-7.

8. After carefully reviewing the Amended Plat, the Amended Sweeney Properties MPD approval documents, other materials presented by the Applicant, and input received by the Applicant, City staff, and the public in a public hearing, the Planning Commission has determined that good cause exists for amending the Treasure Hill Subdivision Plat via the Amended Plat as more fully specified below. *See Utah Code § 10-9a-609(1)(a).*

9. The Planning Commission further concludes that no public street or municipal utility easement is being vacated or amended by the Amended Plat. *See Utah Code § 10-9a-609(1)(b).*

Additional Findings

10. The Planning Commission, as the land use authority, finds that there is good cause to approve the Amended Plat based on the following:

a. Note 1 of the Treasure Hill Subdivision Plat contains a development limitation that buildings must have a building footprint of 3,500 square feet or less. That allowable building footprint includes garages but does not include:

- i. Decks which are open on at least two sides (but which may have railings as required), covered or uncovered, and which do not have above grade living space below or above them;
- ii. Exterior walkways;
- iii. Exterior stairs; and
- iv. Driveways.

Note 1 was included on the Treasure Hill Subdivision Plat but was not imposed upon the Property via the Amended Sweeney Properties MPD. Other subdivisions within the Amended Sweeney Properties MPD define “building footprint” more broadly and nothing within the Amended Sweeney Properties MPD requires the Treasure Hill Subdivision Plat’s more restrictive definition.

b. The Amended Plat also contains a building footprint limitation of 3,500 square feet or less. The allowable building footprint includes garages but does not include:

- i. Decks which are open on at least two sides (but which may have railings as required), covered or uncovered, and which do not have above grade living space below or above them;
- ii. Exterior walkways;
- iii. Exterior stairs;
- iv. Driveways; and
- v. That portion of any garage, carport, mechanical space, or living space that is located below existing grade and which has landscaping or deck (as provided in (1(A)) located above the garage, carport, mechanical space, or living space.

c. The Amended Plat’s development limitation is more consistent with the Amended Sweeney Properties MPD approval as the building footprint limitation was intended to limit the visual impact of development and subgrade improvements, excluded under the Amended Plat, have a de minimis visual impact on adjacent uses.

d. The overall buildable area of the Treasure Hill Subdivision Plat is 490 square feet larger than the buildable area of Amended Plat. The Amended Plat removes buildable area from portions of the Property that are visible to downtown Park City and

relocates such buildable area to the west side of the Property to reduce the visual impact of the buildable area.

e. The Planning Commission finds that good cause exists, *see* LMC §§ 15-15-1 & 15-7.1-3.B, for amending the Treasure Hill Subdivision Plat based on the following:

- i. The Amended Plat resolves an existing non-conformity as the two residential units constructed on a single lot will be demolished in favor of a single residential unit on a single lot.
- ii. The Amended Plat preserves the character of the neighborhood and Park City as the Amended Plat is more consistent with the Amended Sweeney Properties MPD approval.
- iii. Reducing the buildable area and relocating a portion of the buildable area will reduce the visual impact of the Property's development. This is consistent with best planning and design practices.
- iv. The Amended Plat facilitates the construction of a single residence in place of two residence that are presently used as short-term rentals. Demolishing the two existing short-term rentals reduces the overall density of the area, alleviates traffic, decreases utility usage, minimizes noise and light pollution, and is more consistent with neighboring uses.
- v. The Amended Plat facilitates the termination of the existing short-term rentals. This furthers the health, safety, and welfare of the Park City community as it will decrease the number of unknown persons in the community and increase the overall sense of community by housing long-term residents.

f. The Amended Plat includes all existing public streets and municipal utility easements and does not propose to vacate or amend the same.

Conclusion

Based on the foregoing, good cause exists to approve the Amended Plat as it satisfies the requirements of Utah Code § 10-9a-609(1) and LMC § 15-7-7. The Planning Commission concludes it is appropriate to approve the Amended Plat.

Exhibit A
Amended Plat

[illegible]

Exhibit B
Amended Plat Notes

SPECIAL RESTRICTIONS FOR SINGLE FAMILY HOMES TO BE CONSTRUCTED AS SHOWN HEREON:

1. FOOTPRINT. THE RESIDENTIAL FOOTPRINT OF THE DWELLING ("MAIN HOUSE"), TO BE LOCATED ON LOT 2, PHASE I, TREASURE HILL SUBDIVISION (THE "LOT"), SHALL BE CALCULATED FROM THE OUTSIDE FACE **ANY SINGLE LEVEL**, AND A MAXIMUM OF THREE THOUSAND FIFTY (3,500) SQUARE FEET FOOTPRINT INCLUDING GARAGES. THE FOLLOWING SHALL NOT COUNT TOWARD THE FOOTPRINT CALCULATIONS:

- a) DECK WHICH IS OPEN ON AT LEAST TWO SIDES, BUT WHICH MAY HAVE RAILINGS AS REQUIRED, COVERED OR UNCOVERED, AND THAT DOES NOT HAVE ABOVE-EXISTING NATURAL GRADE OR LIVING SPACE LOCATED BELOW OR ABOVE IT;
- b) EXTERIOR WALKWAYS;
- c) EXTERIOR STAIRS;
- d) DRIVEWAY; AND
- e) **THAT PORTION OF ANY GARAGE, CARPORT, MECHANICAL SPACE, PARKING AREA, OR LIVING SPACE THAT IS LOCATED BELOW EXISTING GRADE AND WHICH HAS LANDSCAPING OR DECK (AS PROVIDED IN 1(A)) LOCATED ABOVE IT.**

2. BUILDING AREA LIMITS. IMPROVEMENTS, INCLUDING FENCES AND FORMAL LANDSCAPING (UNLESS OTHERWISE PERMITTED UNDER EASEMENTS OR AGREEMENTS OF RECORD OR AS SHOWN ON THE PLAT OR AS CONSISTENT WITH THE APPROVED CONSTRUCTION DRAWINGS OF THE DRIVEWAYS, UPPER NORFOLK TURNAROUND, KING ROAD TURNAROUND, SKI BRIDGE AND UTILITY PLANS) SHALL BE LIMITED TO THE BUILDING AREA LIMITS NOTED ON THE PLAT.

3. CONSTRUCTION DISTURBANCE. UNLESS OTHERWISE PROVIDED IN AGREEMENTS WITH PARK CITY MUNICIPAL CORPORATION WHICH ARE OF RECORD, TEMPORARY CONSTRUCTION DISTURBANCE SHALL BE LIMITED TO TWENTY (20) FEET BEYOND THE BUILDING AREA LIMITS OR TO ADJOINING LOT PROPERTY LINES WHICH EVER IS CLOSER. SUCH DISTURBED AREA SHALL BE REVEGETATED WITH NATIVE LANDSCAPING.

4. HEIGHT. THE BUILDING HEIGHT SHALL BE MEASURED FROM EXISTING GRADE TO THE TOP OF THE FLAT ROOFS AND TO THE RIDGE OF PITCHED ROOFS. THE MAXIMUM HEIGHT, IN GENERAL, SHALL BE TWENTY-FIVE (25) FEET FOR FLAT ROOFS AND THIRTY (30) FEET FOR PITCHED ROOFS. A MAXIMUM HEIGHT OF TWENTY EIGHT (28) FEET FOR FLAT ROOFS AND THIRTY-THREE (33) FEET FOR PITCHED ROOFS SHALL BE PERMITTED FOR THE EXPRESSED PURPOSE OF

ACCOMMODATING ACCESS, I.E. STAIRWELLS AND/OR ELEVATORS, BETWEEN FLOOR LEVELS. IN ACCORDANCE WITH THE SWEENEY MPD, WHICH WAS APPROVED BY THE PARK CITY MUNICIPAL CORPORATION ON OCTOBER 16, 1986, AND AS SUBSEQUENTLY AMENDED ON OCTOBER 14, 1987 AND DECEMBER 30, 1992, BUILDING HEIGHT SHALL ONLY BE MEASURED AS OUTLINED IN THIS PLAT NOTE #4 AND THERE ARE NO INTERIOR HEIGHT RESTRICTIONS.

5. FACADE HEIGHT, EASTERLY FACING. THE MAXIMUM FACADE HEIGHT FOR THE EASTERLY FACING FACADES WITHOUT A STEP BACK OR STEP OUT OF AT LEAST FIVE (5) FEET SHALL BE TWENTY FIVE (25) FEET FROM EXISTING OR REESTABLISHED GRADE WHICHEVER IS GREATER.

6. MASSING. HOUSE DESIGNS MAY BE COMPRISED OF ONE OR MORE CONNECTED OR UNCONNECTED BUILDING MASSES. NO ONE BUILDING MASS WITHIN THE 3,500 SQUARE FOOT FOOTPRINT REFERENCED IN NOTE 1 ABOVE, SHALL HAVE A FOOTPRINT THAT EXCEEDS 1,500 SQUARE FEET. MASSING ELEMENTS SHALL BE SEPARATED BY HORIZONTAL AND/OR VERTICAL FACADE BREAKS.

7. SEWER LATERALS. MAINTENANCE AND REPLACEMENT OF SEWER LATERALS SHALL BE THE RESPONSIBILITY OF THE OWNER(S) AND NOT THAT OF SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT.

8. FIRE SPRINKLING. INTERNAL AND EXTERNAL MODIFIED 13d FIRE SPRINKLERS SHALL BE PROVIDED FOR THE HOME. WOOD ROOFING MATERIAL SHALL BE PROHIBITED.

9. PRECEDENCE. THE ABOVE SPECIAL RESTRICTIONS ARE CONSISTENT WITH THE SWEENEY MASTER PLAN APPROVED BY THE PARK CITY MUNICIPAL CORPORATION ON OCTOBER 16, 1986 AND AS SUBSEQUENTLY AMENDED ON OCTOBER 14, 1987 AND DECEMBER 30, 1992. FINAL HOUSE DESIGN SHALL BE REVIEWED UNDER THE SMALL SCALE MASTER PLAN PROCESS IN ACCORDANCE WITH THE SWEENEY MASTER PLAN.

10. EXTERIOR LIGHTING. ALL EXTERIOR LIGHTING SHALL BE FULLY SHIELDED TO PROTECT THE NIGHT SKY.

11. GLAZING. SIXTY PERCENT (60%) OF THE EASTERN FACING FAÇADE IS PERMITTED TO BE GLAZING AND LIGHTING IMPACTS FROM THE EASTERN FACING FAÇADE SHALL BE MITIGATED BY INTERIOR FIXTURES DESIGNED TO MINIMIZE DIRECT VISIBILITY OF THE LIGHTING ELEMENT FROM RESIDENCES WITHIN 1/3 MILE OF THE RESIDENCE.

11. DETACHED BELOW GRADE ACCESSORY BUILDINGS. BELOW GRADE ACCESSORY BUILDINGS ARE PERMITTED WITHIN THE BUILDABLE AREA. THE FOOTPRINT OF A DETACHED BELOW GRADE ACCESSESORY BUILDING DOES NOT

COUNT TOWARDS THE FOOTPRINT AREA OF THE DWELLING AS ALLOWED IN NOTE #1.

12. . USE OF RESIDENTIAL STRUCTURE. ANY RESIDENCE CONSTRUCTED AFTER THE DATE OF THIS AMENDMENT SHALL ONLY BE USED AS A SINGLE-FAMILY RESIDENCE. THE NEW RESIDENCE SHALL NOT BE USED AS A CONDOMINIUM, TIME INTERVAL OWNERSHIP, FRACTIONAL OWNERSHIP, OR NIGHTLY RENTALS. HOME OCCUPATIONS SHALL BE PERMITTED IN ACCORDANCE WITH LMC §15-4-3.

PENDING APPROVAL



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION SPECIAL MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
FEBRUARY 21, 2024**

COMMISSIONERS IN ATTENDANCE: Chair Sarah Hall, Vice Chair Christin Van Dine, Laura Suesser, Bill Johnson, John Frontero, Henry Sigg, Rick Shand

EX OFFICIO: Rebecca Ward, Planning Director; Caitlyn Tubbs, Senior Historic Planner, Margaret Plane, Special Counsel

1. ROLL CALL

Chair Sarah Hall called the meeting to order at approximately 5:30 p.m. She noted that all Commissioners were present either in chambers or on Zoom, with the exception of Commissioner Henry Sigg, who was having difficulty connecting but planned to attend the meeting electronically.

2. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Commissioner Johnson provided a disclosure for Agenda Item 4.A and stated that he works for SWCA Environmental Consultants, which provided a Technical Memorandum for the 220 King Road application regarding the Historic District Review Guidelines. He was not part of that project and it will not impact any decision made on the application before the Planning Commission.

It was noted that Commissioner Sigg joined the meeting via Zoom.

Chair Hall disclosed that her husband has used Snell & Wilmer for unrelated business matters.

There were no further Staff or Board communications and disclosures.

3. PUBLIC COMMUNICATIONS

Commissioner Van Dine reported that at the last Planning Commission Meeting, there was a public comment period held for 220 King Road. Further comments can be submitted to Staff.

There were no public communications.

4. REGULAR AGENDA

- A. **220 King Road – Plat Amendment** – On February 14, 2024, the Planning Commission Conducted a Public Hearing and Directed Planning Staff to Draft a Final Action Letter Approving the Proposed Amendment of Lot 2 Phase 1 Treasure Hill Subdivision Plat Notes to Demolish Two Existing Dwellings to Construct a New Single-Family Dwelling and Accessory Buildings within the Sweeney Master Planned Development, Historic Residential – 1 Zoning District, and Partially within the Sensitive Lands Overlay. PL-22-05319.

Planning Director, Rebecca Ward, presented the Staff Report and stated that there are three applications on the Planning Commission Meeting agenda related to 220 King Road including a Plat Amendment, a Conditional Use Permit for a single-family dwelling and pool, and a Steep Slope Conditional Use Permit for the proposed project. The applications were first submitted in July 2022. There was an October 2022 and October 2023 Work Session with the Planning Commission. The 2022 Work Session was withdrawn. On January 2, the applicant filed a request for Final Action within 45 days. On January 24, the Planning Commission conducted a Work Session on the project to provide the applicant with input. Staff noticed a public hearing, according to the requirements of the Land Management Code (“LMC”), and on February 14, a public hearing was opened and closed for the three applications related to 220 King Road.

Director Ward reported that there has been a great deal of community input throughout the process. All of the public input received before February 16, when the Meeting Materials Packet was published, is included in the Meeting Materials Packet and is part of the record. Any public input submitted after February 16 has been forwarded to the Planning Commission for review.

The Planning Commission vote is on whether the amendments to the Final Action Letters address the direction the majority of the Planning Commission gave Staff at the February 14 meeting. If the Planning Commission finds the Final Action Letters accurately reflect the discussion and the majority vote last week, then the letters should be ratified. There is a Draft Final Action Letter with the proposed plans attached. There are also three exhibits that track the red lines. During the February 14 meeting and as part of the Meeting Materials Packet from that meeting, the applicant submitted draft Findings of Fact, Conclusions of Law, and Conditions of Approval. Based on input from the majority of the Commission, some changes have been incorporated and are reflected in the Final Action Letter. If there are concerns, she asked that those be shared.

Commissioner Frontero discussed the Conditional Use Permit for the home. The exhibit that was presented indicated that the applicant is proposing a certain amount of unfinished space. He previously asked for a definition of unfinished space and has yet to see that in the materials presented. Commissioner Frontero asked once again for the definition of unfinished space. Commissioner Suesser added that in the Staff Report from January 24, Staff determined that the unfinished space was included and the footprint of the application was actually 11,300 square feet rather than the number provided by the applicant. She expressed concerns about the way the footprint and height are being measured. Commissioner Sigg noted that he previously asked about unfinished space. At that time, he was led to believe the space was intended to be only for mechanical use. Part of the reason for the unfinished area had to do with over-excavation for building footings. He wanted to understand why the space wouldn't be backfilled instead.

Applicant Representative, Wade Budge, offered to answer the questions posed by the Commission. Relative to the use, it will be concrete floors and the area will be used for utilities

and storage. Commissioner Frontero wondered if that was true for both floors shown in the exhibit. This was confirmed. Commissioner Suesser noted that Staff included that in their measurement of the space, which is consistent with how projects are measured in the LMC. She agreed with the way Staff had analyzed and measured the space. It was her belief that the Commission should review the application with the understanding that the space is included in the footprint of the building. Director Ward referenced the proposed plat note from the applicant regarding the building footprint. The proposed measurement would be calculated from the outside face of the walls on any single level. It is her understanding that the footprint for the unfinished grade is 3,500 square feet. The underground parking area was included in the 11,300 square feet as well as the footprint of the accessory buildings. The previous direction from the Commission was to measure the individual levels and exclude the underground parking area.

Commissioner Suesser pointed out that according to the Staff Report from January 24, the 3,500 square foot footprint was taken from the lowest level of the proposed structure, which is a half floor. Senior Historic Planner, Caitlyn Tubbs, clarified that for the Staff Report from January 24, the 11,300 square feet referred to the total area of disturbance or the total area of excavation. It includes the parking area and the excavation for the accessory buildings, measured from the furthest foundation wall. With the proposed plat notes, which the Planning Commission discussed with the applicant at the last meeting, portions of that area would be excluded from the footprint calculation. Footprint calculations would be taken level by level. Commissioner Suesser asked to share the Staff Report from January 24 with those present so there was clarity about what was shown. It was her understanding that the calculation did not include accessory buildings.

Commissioner Shand asked if everyone was on the same page with respect to footprint, disturbed area, and the total square footage of the home. He did not want terms to be used interchangeably. Director Ward clarified that the direction from the Planning Commission for the plat notes, as outlined in Exhibit B, is that the footprint includes the main house and that the footprint be measured at each level. That excludes the portion that was included in the Staff Report from January 24. Commissioner Suesser questioned the total square footage of the footprint according to Staff analysis. Director Ward reported that in the Staff Report from January 24, the analysis included the underground parking area. What is drafted in the Final Action Letter is that the building footprint excludes the underground parking area, but includes the footprint of the home at each level. This was based on direction received from the Commission.

Commissioner Suesser was not suggesting that the parking area be included but asked for additional clarification about the 3,500 square foot footprint that the applicant is suggesting as opposed to what is listed in the Staff Report. Director Ward reiterated that the parking area was included in the Staff Report for January 24. The direction for the amended plat notes is to measure the building footprint of the dwelling and to exclude the underground parking area. That changes the total square footage of the building footprint. Commissioner Suesser wanted to know the square footage of the footprint, excluding the parking area and the accessory building square footage. Director Ward reported that the square footage is 3,500 feet, measured at each level.

Commissioner Suesser asked if the 11,300 square foot footprint is consistent with how the area would be measured under the LMC. Director Ward explained that the analysis in the Staff Report from January 24 includes a definition to state that it is from the furthest exterior wall. What the proposed application does is update the plat notes for the Treasure Hill Subdivision. It looks at what counts toward the footprint and what is excluded. Commissioner Van Dine believed some of the other properties in the Master Plan Development ("MPD") have the same type of underground parking areas and those were not included in the square footage. Only garages and

enclosed areas were included, which was the rationale for the direction that was given to Staff. Commissioner Johnson asked if those are legal and complying lots. Commissioner Van Dine believed those were in compliance with the MPDs at the time. Commissioner Suesser asked to read a section from the Staff Report from January 24, and read the following language:

- The applicant calculates the building footprint at the lowest level, which has the smallest footprint, at 3,475 square feet. However, the structure cantilevers beyond this footprint, greatly increasing the mass of the structure and the amount of excavation required, and thus, should be considered by the Planning Commission.

Commissioner Suesser's concern was that the measurements were being done from the small half-floor. It was pointed out that the measurements would be taken at every level of the actual dwelling, per the current Staff Report and plans. The applicant is at 3,500 square feet at every level. Commissioner Suesser stated that the methodology in the LMC would calculate the square footage footprint of the applicant proposal at 11,300 square feet and not 3,500 square feet. Commissioner Van Dine clarified that a determination has been made by the Commission.

Commissioner Frontero asked for clarification about the unfinished floor. He wondered what would happen in the future if the applicant wanted to finish the space. Director Ward explained that under the drafted Conditions of Approval, the applicant is responsible for notifying the Planning and Building Departments prior to proposing any changes to this approval. The applicant shall submit in writing any changes, modifications, or deviations from the approved scope of work for planning review and approval/denial in accordance with the applicable standards prior to construction. Director Ward noted that if the Commission wants to clarify that further, there can be a reference to changes to the unfinished space, which is defined as concrete floors for utilities and storage. She pointed out that the current Condition of Approval covers that because if the applicant proposes changes from what is attached as the approved plans, the applicant needs to submit those changes in writing and go through the review process. If the applicant wanted to finish the space, that would trigger a review from the Commission. Commissioner Frontero suggested removing the ambiguity by stating modification must come back to the Commission.

Commissioner Suesser wanted to understand how the applicant will be in compliance with the height requirements. Director Ward reported that the Planning Commission directed Staff to draft an amendment to the plat notes. The plat notes apply the building height to the lot, as it was applied to the other single-family dwellings within the Sweeney Properties MPD, with the height regulations that were in effect at that time. Commissioner Suesser asked what the maximum height of the building will be. Director Ward explained that prior to 2009, the building height regulations in the HR-1 Zoning District stated that no structure shall be erected to a height greater than 27 feet from existing grade. It was in 2009 that the code was amended. There was another amendment in 2013. The original height limitation was 27 feet from the existing grade. In 2009, there was a maximum of three stories established, with a maximum of 10 vertical feet, counting the basement as a first story. That was when the minimum horizontal step was enacted. Director Ward explained that in 2013, that was amended to establish an internal height of 35 feet.

Commissioner Suesser asked about the interior of the project proposal. She believed it was determined that the interior height was 53 feet. Director Ward clarified that this included an unfinished grade. Commissioner Suesser reiterated some comments she shared at the January 24 meeting. She felt Staff measured the height of the project correctly and according to the proper

methodology. As a result, she believed the application should be contemplated as if it included the unfinished floor in the height. Director Ward noted that the existing code measures from the lowest finished grade. Commissioner Shand asked if the 53-foot internal height is part of the HR-1 LMC as opposed to the Sweeney Properties MPD. Planner Tubbs reported that the HR-1 Zoning District lays out the maximum internal height from the lowest finished floor plain to the topmost wall plate at 35 feet. That measurement does not exist in the MPD. Discussions were had about the red line document that was currently before the Planning Commission.

Commissioner Frontero stated that he would feel more comfortable if there was a Condition of Approval that clearly stated finishing the floors will require the applicant to come back to the Planning Commission. Director Ward noted that the existing condition can be clarified to include the definition of unfinished space and require Planning Commission review in order for that space to be changed. There was support from most Commissioners to amend the condition. Commissioner Suesser objected to not including the unfinished space in the interior height and in the footprint. An amendment was made to Condition of Approval B for the Conditional Use Permit:

- Unfinished space indicated on plan sheets A2.10 and A2.20 of the approved plan set is limited to concrete floors, utilities, mechanical equipment, and storage. Future modifications to this unfinished space shall be reviewed by the Planning Commission in accordance with the Conditional Use Permit process.

Commissioner Frontero asked to review the updated Landscaping Plan. There appears to be a plan to plant approximately 112 trees on the property when completed. Director Ward reported that the applicant has indicated the quantity and type. Commissioner Frontero thanked Staff for the clarification. Discussions were had about Condition of Approval M in the Conditional Use Permit language. Commissioner Frontero suggested adding a reference to that exhibit:

- After construction of the Residence is completed, Applicant shall revegetate the site consistent with the approved landscape plan, seen on sheet A1.03 of the approved plans.

Chair Hall asked if there were any additional comments about the Plat Amendment, Conditional Use Permits, or Steep Slope Conditional Use Permits. Commissioner Johnson stated that he has mitigation suggestions for the Steep Slope Conditional Use Permit. It was noted that the task before the Commission is to consider ratifying the three Final Action Letters if those align with the direction that the majority of the Planning Commission gave at the February 14 meeting.

Commissioner Suesser noted that the red line document, made a reference to the outdoor pool. She did not believe there was any discussion about the outdoor pool at the last Planning Commission Meeting. Director Ward noted that it is indicated on the Site Plan for the landscaping. With respect to the Conditional Use Permit for the project, Commissioner Suesser reiterated her position that the Staff analysis in the Staff Report from January 24 was accurate. The concerns raised in that analysis are the concerns that she continues to have for this project.

MOTION: Commissioner Frontero moved to RATIFY the Plat Amendment Final Action Letter, as approved by the majority of the Planning Commission by a 4 to 2 vote on February 14, 2024.

Findings of Fact:

1. The Applicant has proposed a new plat entitled the Second Amendment for Lot 2, Phase 1, Treasure Hill Subdivision ("Amended Plat"), a copy of which is attached hereto as Exhibit A, which will amend the existing Lot 2, Phase I Treasure Hill Subdivision Plat, including the Amended Plat's notes which are attached hereto as Exhibit B.
2. On July 18, 2022, the applicant Pesky Porcupine LLC ("Applicant") submitted an application for a proposed subdivision plat amendment in connection with a proposed single-family residence to be constructed on the Summit County, Utah Tax Parcel No. THILL-2-AM (the "Property").
3. The Property is located within the Sweeney Properties Master Plan Development that was approved on December 18, 1985, as amended on October 20, 1987 (as amended, the "Amended Sweeney Properties MPD"). The Property is also platted within the First Amended Lot 2, Phase 1, Treasure Hill Subdivision of record with the Summit County Recorder's Office ("Treasure Hill Subdivision Plat").
4. The Property is currently being used for one single-family residence and one guest house that the Applicant intends to demolish to construct a new single residence.
5. The Amended Plat differs from the Treasure Hill Subdivision Plat in two ways. First, the Amended Plat modifies plat note 1 on the Treasure Hill Subdivision Plat to align with the Amended Sweeney Properties MPD approval conditions and other phases within the Amended Sweeney Properties MPD. Second, the Amended Plat modifies the buildable area by reducing the overall buildable area and relocating a portion thereof to the west side of the Property, as depicted on the attached Amended Plat.
6. The Applicant submitted all materials required by the Park City Land Management Code ("LMC") for the proposed plat amendment.
7. The Planning Commission has authority to act as the land use authority to approve the Amended Plat pursuant to LMC § 15-7-7.
8. After carefully reviewing the Amended Plat, the Amended Sweeney Properties MPD approval documents, other materials presented by the Applicant, and input received by the Applicant, City staff, and the public in a public hearing, the Planning Commission has determined that good cause exists for amending the Treasure Hill Subdivision Plat via the Amended Plat as more fully specified below. See Utah Code §10-9a-609(1)(a).
9. The Planning Commission further concludes that no public street or municipal utility easement is being vacated or amended by the Amended Plat. See Utah Code § 10-9a-609(1)(b).
10. The Planning Commission expressly finds this approval is limited to the Amended Plat of the Amended Sweeney Properties Master Planned Development, and as

such shall not create any precedent nor interpretation of general applicability in the Historic Residential-1 Zoning District, for current Land Management Code regulations, or other plat amendments.

Additional Findings:

11. The Planning Commission, as the land use authority, finds that there is good cause to approve the Amended Plat based on the following:
- a. Note 1 of the Treasure Hill Subdivision Plat contains a development limitation that buildings must have a building footprint of 3,500 square feet or less. That allowable building footprint includes garages but does not include:
 - i. Decks which are open on at least two sides (but which may have railings as required), covered or uncovered, and which do not have above grade living space below or above them;
 - ii. Exterior walkways;
 - iii. Exterior stairs; and
 - iv. Driveways.

Note 1 was included on the Treasure Hill Subdivision Plat but was not imposed upon the Property via the Amended Sweeney Properties MPD. Other subdivisions within the Amended Sweeney Properties MPD define “building footprint” more broadly and nothing within the Amended Sweeney Properties MPD requires the Treasure Hill Subdivision Plat’s more restrictive definition.

- b. The Amended Plat also contains a building footprint limitation of 3,500 square feet or less. The allowable building footprint includes garages but does not include:
 - i. Decks which are open on at least two sides (but which may have railings as required), covered or uncovered, and which do not have above grade living space below or above them;
 - ii. Exterior walkways;
 - iii. Exterior stairs;
 - iv. Driveways; and
 - v. That portion of any carport, mechanical space, parking areas or living space that is located below existing grade and which has landscaping or deck (as provided in (1(A)) located above it.
- c. The Amended Plat's development limitation is more consistent with the Amended Sweeney Properties MPD approval as the building footprint

limitation was intended to limit the visual impact of development and subgrade improvements, excluded under the Amended Plat, have a de minimis visual impact on adjacent uses.

- d. The overall buildable area of the Treasure Hill Subdivision Plat is 490 square feet larger than the buildable area of Amended Plat. The Amended Plat removes buildable area from portions of the Property that are visible to downtown Park City and relocates such buildable area to the west side of the Property to reduce the visual impact of the buildable area.
- e. The Planning Commission finds that good cause exists, see LMC §§15-15-1 & 15-7.1-3. B, for amending the Treasure Hill Subdivision Plat based on the following:
 - i. The Amended Plat resolves an existing non-conformity as the two residential units constructed on a single lot will be demolished in favor of a single residential unit on a single lot.
 - ii. The Amended Plat preserves the character of the neighborhood and Park City as the Amended Plat is more consistent with the Amended Sweeney Properties MPD approval.
 - iii. Reducing the buildable area and relocating a portion of the buildable area will reduce the visual impact of the Property's development. This is consistent with best planning and design practices.
 - iv. The Amended Plat facilitates the construction of a single residence in place of one residence and one guest house that have been used as short-term rentals. Demolishing the two existing short-term rentals reduces the overall density of the area, alleviates traffic, decreases utility usage, minimizes noise and light pollution, and is more consistent with neighboring uses.
 - v. The Amended Plat facilitates the termination of the existing short-term rentals. This furthers the health, safety, and welfare of the Park City community as it will decrease the number of unknown persons in the community and increase the overall sense of community by housing long-term residents.
 - vi. The Amended Plat includes all existing public streets and municipal utility easements and does not propose to vacate or amend the same

Conditions of Approval:

- 1. The Conditional Use Permit and Steep Slope Conditional Use Permit Conditions of Approval below are incorporated herein.

Commissioner Van Dine seconded the motion.

VOTE: The motion passed 4-to-2, with Commissioners Suesser and Sigg voting No and Commissioners Frontero, Shand, Johnson, and Van Dine voting Yes.

Chair Hall reported that the motions for the agenda items confirm what was discussed during the prior Planning Commission Meeting. Special Counsel, Margaret Plane, reported that voting “Nay” indicates that there is disagreement that Staff correctly and thoroughly drafted the documents to align with what the majority directed. If the two Commissioners who voted against the motion were willing to share suggestions, Staff can look into those, but if the votes were in opposition because there is disagreement with the project, that was a different matter. Commissioner Suesser did not believe there was an appropriate analysis and process for the application. She did not feel the discussion that took place last week thoroughly analyzed the application. As a result, it was not her belief that the Final Action Letters accurately reflect a well-reasoned decision by the Planning Commission. Commissioner Sigg agreed with that statement. He did not feel there was enough empirical data and there were conflicting statements presented.

- B. 220 King Road – Conditional Use Permits** – On February 14, 2024, the Planning Commission Conducted a Public Hearing and Directed Planning Staff to Draft a Final Action Letter Approving the Proposed Plans to Demolish to Two Existing Dwellings to Construct a New Single-Family Dwelling and Accessory Buildings and Outdoor Pool within the Sweeney Master Planned Development, Historic Residential – 1 Zoning District, and Partially Within the Sensitive Lands Overlay. PL-22-05318, PL-23-05523.

MOTION: Commissioner Shand moved to RATIFY the Conditional Use Permit Final Action Letter, as approved by a majority of the Planning Commission by a 4 to 3 vote on February 14, 2024, and as amended on February 21, 2024.

Findings of Fact:

1. On July 18, 2022, the applicant Pesky Porcupine LLC (“Applicant”) submitted an application and paid the required fee for a conditional use permit in connection with a proposed single-family residence (the “Residence”) to be constructed on the Summit County, Utah Tax Parcel No. THILL-2-AM (the “Property”).
2. The Property is located within the Sweeney Properties Master Plan Development that was approved December 18, 1985, as amended on October 20, 1987 (as amended, the “Amended Sweeney Properties MPD”). The Property is also platted within the First Amended Lot 2, Phase 1, Treasure Hill Subdivision of record with the Summit County Recorder’s Office (“Treasure Hill Subdivision Plat”), as amended.
3. Condition No. 3 of the Amended Sweeney Properties MPD requires that the Planning Commission and Park City’s staff review proposed development on King Road as a conditional use and ensure that the design of structures will minimize visual impact on adjacent property.

4. The Property is currently being used for one single-family residence and one guest house, that the Applicant intends to demolish to construct the new Residence. The existing single-family residence and guest home have been used for short-term rentals.
5. The application is for the construction of the Residence ("Residence CUP") as required by Condition No. 3 of the Amended Sweeney Properties MPD
6. The Planning Commission has authority to act as the land use authority for the Residence CUP. See Condition No. 3 of the Amended Sweeney Properties MPD; LMC § 15-1-10.D.
7. The Applicant submitted all the materials required by the LMC for the Residence and outdoor pool CUP and presented in a public hearing regarding the proposals set forth in Residence CUP application.
8. The Planning Commission, after carefully considering the site plan attached hereto as Exhibit C and other design materials, the Applicant's submittals, and the Applicant's presentation at the public hearing, has determined that the Residence was designed to minimize visual impact on adjacent property owners.

Additional Findings:

9. The Planning Commission, as the land use authority, finds that the proposed Residence CUP is in compliance with the standards in LMC § 15-1-10. E, as applied pursuant to the Amended Sweeney Properties MPD. Specifically, the Residence:
 - a. As applied pursuant to the Amended Sweeney Properties MPD, is an appropriate size and location for the Property. See LMC § 15-1-10. E.1 This finding is supported further as follows:
 - i. The Property is notably larger than most of the other buildable lots in the Amended Sweeney Properties MPD. The ratio of lot size to the Residence is significantly smaller than neighboring residences.
 - ii. The Property's buildable area is being reduced by approximately 490 square feet concurrently with this approval. The Residence will be located within the reduced buildable area.
 - iii. The Residence will be adequately setback and buffered from the surrounding properties. The nearest adjacent residence is approximately 120 feet away.
 - b. Addresses traffic considerations including the capacity of the existing streets in the area. See LMC § 15-1-10. E.3. This finding is supported as follows:

- i. The new residence will utilize the same access point as the existing homes. No additional traffic or traffic impacts will result from the new residence. In fact, traffic impacts will be decreased as two homes have more traffic than the single Residence
- ii. The capacity of the existing streets is sufficient to accommodate the new residence and no traffic impact study was necessary.
- c. Has sufficient utility capacity, including stormwater run-off. See LMC§ 15-1-10. E.3. This finding is supported as follows:
 - i. All utilities on the Property were installed with the existing houses and are adequate to service the existing houses.
 - ii. The Residence will decrease utility usage by utilizing more efficient construction materials and by replacing one existing home and one existing guest house used as short-term rentals.
 - iii. All stormwater run-off from new impervious surfaces will be retained onsite.
- d. Provides adequate emergency vehicle access. See LMC § 15-1-10. E.4. Specifically, the Residence has been designed to meet all emergency vehicle access and driveway slope requirements as set forth in the LMC, including by providing a fire turnaround in the underground parking area.
- e. Provides adequate off-street parking. See LMC § 15-1-10. E.5. Specifically, the Residence provides at least two off-street parking stalls as required by LMC § 15-3-6(A).
- f. Provides sufficient internal vehicular and pedestrian circulation system. See LMC § 15-1-10. E.6. This finding is supported as follows:
 - i. Vehicles accessing the Property will continue to use existing access points from King Road. The Residence is designed such that vehicles can turn around and park via the private driveway and the underground parking area.
 - ii. There is minimum pedestrian traffic in the area as the public roadways do not have sidewalks. There is a 10' public non-motorized bike, pedestrian trail, and ski easement on the Property for the benefit of a neighboring property. No change is being proposed to those easements.
- g. Provides fencing, screening, and landscaping to separate the use from adjoining uses. See LMC § 15-1-10. E.7. This finding is supported as follows:

- i. The existing fencing, screening, and landscaping for the existing houses are adequate to separate the use from adjoining uses. No additional fencing is being proposed by the Applicant.
 - ii. New landscaping will consist of native grasses and trees and existing vegetation will be maintained and managed.
 - iii. Perimeter vegetation will continue to provide a visual barrier to the Property and mitigate visual impact.
- h. As applied pursuant to the Amended Sweeney Properties MPD, is appropriately massed, bulked, and oriented, on the site. See LMC § 15-1-10. E.8. This finding is supported as follows:
- i. The Residence has been intentionally designed to break up the perceived mass and follows the plat notes relative to massing. Specifically, the plans show the Residence: (i) broken up into at least four (4) massing elements that are each less than 1,500 square feet; (ii) have an overall footprint of less than 3,500 square feet, as measured by the definition on the second amended subdivision plat; and (iii) complies with the seconded amended subdivision plat.
 - ii. The site is designed to respect the existing topography and site features such as existing trees and vegetation. Cut, fill, and retaining wall areas will be located behind the Residence to minimize any visible impact on neighboring uses.
 - iii. The Residence meets the height limitation stated on the second amended subdivision plat.
- i. Contains usable open space. See LMC § 15-1-10. E.9. Specifically, the new residence does not substantially change the existing site's open space. All existing landscape easements will be maintained.
- j. Contains no signs but will provide appropriate lighting. See LMC § 15-1-10. E.10. The Property will comply with the city's outdoor lighting requirements found at LMC § 15-5-5(J).
- k. As applied pursuant to the Amended Sweeney Properties MPD, is physically designed to be compatible with surrounding structures. See LMC § 15-1-10. E.11. Specifically, the Residence is consistent with other single-family residences within the Amended Sweeney Properties MPD.
- l. Does not produce noise, vibration, odors, steam, or other mechanical factors that would affect people or off-site property. See LMC § 15-1-10. E.12.

- m. Properly controls delivery and service vehicles, loading and unloading zones, and screens trash and recycling pickup areas. See LMC § 15-1-10. E.13. Specifically, a vehicle control gate will control access to delivery and service vehicles, and the Property is adequately sized to park delivery and service vehicles without impacting adjoining uses.
 - n. Will not be used as a condominium, time interval ownership, fractional ownership, nightly rental, or for a commercial use. See LMC § 15-1-10. E.14. Indeed, the Property will be used only as a single-family residence and the short-term rental uses on the existing home and guest house will be terminated.
 - o. Is appropriately situated on the existing topography of the Property. See LMC § 15-1-10. E.15. This finding is supported as follows:
 - i. The site is already adequately graded to support the existing houses and minimal additional grading will be required for the Residence.
 - ii. For the reasons discussed below, a steep slope conditional use permit will be issued for the very steep slope disturbance.
 - p. Is consistent with the goals and objectives of the Park City General Plan. See LMC § 15-1-10. E.16. This finding is supported as follows:
 - i. The existing houses to be demolished are not historically significant.
 - ii. The proposed design of the Residence is consistent with the design criteria contemplated by the Amended Sweeney Properties MPD approval.
10. The Planning Commission finds that for the reasons above, the Residence will not have a detrimental impact on surrounding uses. The Planning Commission further finds that by terminating the existing short-term rental uses of the home and guest house currently existing on the Property, the Residence will have a reduced overall impact on surrounding uses.
11. As discussed below, the Applicant has agreed to self-impose certain conditions on the Property to minimize any potential detrimental effects that may result from the proposed use. The Planning Commission finds that these conditions adequately mitigate any potential detrimental effects that may result from the Residence.

Conditions of Approval:

The use approved by the Residence and outdoor pool CUP is conditioned upon the following:

- A. Final building plans shall reflect substantial compliance with the plans approved February 14, 2024, by the Planning Commission, and attached as Exhibit D. Any

changes modifications, or deviations from the approved design that have not been approved in advance by Park City's Planning and Building Departments may result in a stop work order.

- B. The Applicant is responsible for notifying the Planning and Building Departments prior to proposing any changes to this approval. The Applicant shall submit in writing any changes, modifications, or deviations from the approved scope of work for planning review and approval/denial in accordance with the applicable standards prior to construction. Unfinished space indicated on plan sheets A2.10 and A2.20 of the approved plan set is limited to concrete floors, utilities, mechanical equipment, and storage. Future modifications to this unfinished space shall be reviewed by the Planning Commission.
- C. The current access point of King Road must be maintained, and no new access points are allowed. The driveway width within the platted easement on 200 King Road and within the setbacks required for 220 King Road shall not exceed 12 feet in width unless required by the Park City Fire District to accommodate turning radius and emergency vehicles.
- D. The Applicant shall include in their Construction Mitigation Plan (CMP), in addition to Municipal Code of Park City Section 11-14-4(H), a specific plan for all soil exporting. Soil shall be transported uphill on King Road to an approved site for deposit. Time of operations, location of deposit site, total cubic yards to be exported, and number of trips hauling shall be outlined and regulated through the CMP. If the property owner of an approved site for deposit will not accept the excavated soils, the applicant will submit an alternative soil exporting plan for review by the Planning Director and Chief Building Official. No alternative soil exporting will be permitted until plans are approved.
- E. All stormwater run-off from new impervious surfaces must be contained on the Property.
- F. Applicant shall submit a storm drainage analysis to the Park City Engineering Department. The analysis must show that the required storm drainage storage volume matches the pre-development and post-development conditions for a 100-year 24-hour event.
- G. Applicant shall submit a soil investigation report, geotechnical report, and slope stability report to the city concurrent with or prior to submitting a building permit application.
- H. Prior to obtaining a building permit, the Applicant shall provide soil stabilization details documenting how the disturbed area will be restored and stabilized.
- I. The proposed development must include a vehicular turnaround that meets applicable fire code standards.
- J. The Residence's occupants must use as on-site parking the sub-grade parking area shown on the proposed plans.

- K. The proposed development must include a vehicle control gate that allows Park City emergency vehicle access and for vehicles to queue in the Property's driveway and not on King Road.
- L. No additional fencing is permitted without further approval by the Park City Planning and Building Departments.
- M. After construction of the Residence is completed, Applicant shall revegetate the site consistent with the approved landscape plan, seen on sheet A1.03 of the approved plans.
- N. The Residence must be constructed according to the approved plans.
- O. The Applicant shall receive approval through the Historic District Design Review process prior to submitting a building permit.
- P. The proposed residence's roof shall be consistent with the plans approved by the Planning Commission on February 14, 2024, and attached as Exhibit D.
- Q. The existing access and landscaping easement shall remain in place.
- R. Except for a typical "for sale" sign no signs will be permitted on the Property.
- S. The primary use of the Property shall be limited to a single-family residential use. The proposed residence shall not be used for a short-term rental or have fractional ownership.
- T. Any areas disturbed during construction shall be restored to the original state after the proposed residence, accessory building and structures, and retaining walls are completed.
- U. The railing of the roof terrace shall minimize the visibility when viewed cross-canyon.
- V. All exterior lighting shall be down directed, fully shielded, with bulbs 3,000 degrees Kelvin or less to prevent glare onto adjacent property and shall comply with the City's outdoor lighting code per LMC § 15-5-5(J). Flood lights are prohibited. Fully Shielded outdoor lights shall not exceed 12 feet above Existing Grade. Ground-level fixtures shall be Fully Shielded. Final lighting details must be reviewed by Planning Staff prior to installation.
- W. All proposed mechanical equipment, the pool, and/or a hot tub shall be screened. Any hot tub installation is prohibited on east façade decks or terraces.
- X. No more than eight inches of the new foundation shall be visible above Final grade on the primary façade and no more than two feet of the foundation shall be visible above Final Grade on secondary and tertiary facades.

- Y. Lower-level glazing on the north, east, and south facades shall be screened with berms and/or vegetation as approved by the Planning Department.
- Z. The property is located outside of 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 with State and Federal law.
- AA. The Applicant shall demonstrate the proposed metal siding and roofing materials have a Solar Reflectivity Index (SRI) of 35 or less prior to the submittal of a building permit.
- BB. Prior to submittal of a Building Permit, the Applicant shall submit for review the excavation and grading plans for Engineering Department review and approval to ensure no additional erosion, land subsidence, or avalanche hazard is created.
- CC. Cuts, fills, and retaining walls shall be minimized.
- DD. The Applicant shall demonstrate compliance with Municipal Code of Park City Chapter 11-21 Utah Wildland-Urban Interface Code at the time of Building Permit submittal.
- EE. The Applicant shall demonstrate adequate turnaround to allow a fire apparatus to maneuver to and from the site as approved by the Park City Fire District prior to submitting a Building Permit. The Applicant shall provide a fire hydrant within 600 feet of the proposed development.
- FF. The Applicant should upsize the existing service line to provide adequate pressure to the additional living area and fire sprinkler system. Please note the City operates substantial water lines to the west of the proposed dwelling.
- GG. To conduct construction across the neighboring 200 King Road property, including any additional width required to accommodate the installed improvements, all work shall be limited to the limits of the platted easement. The applicant shall submit required approvals for any work or structures proposed outside of the easement at 200 King Road.
- HH. Glazing on the east façade shall comply with the Second Amendment for the Lot 2 Phase 1 Treasure Hill Subdivision plat notes. Vinyl and aluminum doors and windows are prohibited. Window and door details shall be reviewed and approved through the Historic District Design Review process.

Commissioner Frontero seconded the motion.

VOTE: There was a vote of 3-to-3, with Commissioners Suesser, Sigg, and Johnson voting No and Commissioners Frontero, Shand, and Van Dine voting Yes.” Chair Hall voted Yes to break the tie. The motion carried 4-to-3.

- C. 220 King Road – Steep Slope Conditional Use Permit** – On February 14, 2024, the Planning Commission Conducted a Public Hearing and Directed Planning Staff to Draft a Final Action Letter Approving the Proposed Plans to Demolish Two Existing Dwellings to Construct a New Single-Family Dwelling and Accessory Buildings within the Sweeney Master Planned Development, Historic Residential – 1 Zoning District, and Partially within the Sensitive Lands Overlay. PL-23-05571.

MOTION: Commissioner Van Dine moved to RATIFY the Steep Slope Conditional Use Permit Final Action Letter, as approved by a majority of the Planning Commission by a 4-to-3 vote on February 14, 2024.

Findings of Fact:

1. On February 21, 2023, the applicant Pesky Porcupine LLC (“Applicant”) submitted an application and paid the required fee for a conditional use permit in connection with a proposed single-family residence (the “Residence”) to be constructed on the Summit County, Utah Tax Parcel No. THILL-2-AM (the “Property”).
2. The Property is located within the Sweeney Properties Master Plan Development that was approved December 18, 1985, as amended on October 20, 1987 (as amended, the “Amended Sweeney Properties MPD”).
3. Condition No. 3 of the Amended Sweeney Properties MPD requires that the Planning Commission and Park City’s staff review proposed development on King Road as a conditional use and ensure that the design of structures will minimize visual impact on adjacent property.
4. The Property is currently being used for one single-family residence and one guest house, that the Applicant intends to demolish to construct the new Residence. The existing single-family residence and guest house have been used for short-term rentals.
5. The conditional use permit application is for construction on a steep slope (“Steep Slope CUP”) as required by Section 15-2.2-6 of Park City’s Land Management Code (“LMC”).
6. In connection with the Steep Slope CUP application, the Applicant submitted the following documents prepared by Alliance Engineering Inc. for the Planning Commission’s consideration:
 - a. Existing Conditions Map (Job No. 8-3-23);
 - b. Conceptual Grading Plan (Job No. 8-3-23);
 - c. Drainage Plan (Job No. 8-3-23);
 - d. Steep Slope Map (Job No. 8-3-23);

- e. Stormwater Management Plan (Job No. 8-3-23); and
 - f. Excavation Section View (Job No. 8-3-23).
- 7. The Planning Commission has authority to act as the land use authority for the Steep Slope CUP. See LMC § 15-1-10. D.
 - 8. The Applicant submitted all the materials required by the LMC for the Steep Slope CUP and presented in a public hearing regarding the proposals set forth in Steep Slope CUP application.
 - 9. With respect to the Steep Slope CUP, the Planning Commission, after carefully considering the Applicant's submittals referenced above and the Applicant's presentation at the public hearing, has determined that any detrimental effects caused by proposed development on steep slopes can be reasonably mitigated and comply with the LMC's requirements.

Additional Findings:

- 10. The Planning Commission, as the land use authority, finds that the proposed Steep Slope CUP complies with the standards in LMC § 15-2.2-6. B. Specifically, the proposed steep slope disturbance and Residence:
 - a. As applied pursuant to the Amended Sweeney Properties MPD, are located and designed to reduce the visual and environmental impacts. See LMC §15-2.2-6. B.1. Specifically, the hillside cuts and impact to the very steep slope will be located behind the Residence and will generally not be visible to the town core of Park City.
 - b. Will be consistent with the visual analysis and landscaping plan submitted by the Applicant. See LMC § 15-2.2-6. B.2. Specifically, the Applicant submitted to the Planning Commission a visual analysis and landscaping plan that showed the proposed steep slope disturbance. The Planning Commission has determined that the steep slope disturbance will generally not be visible from the town core of Park City as it is screened from view by the proposed residence.
 - c. Are consistent with the applicable access and driveway screening requirements. See LMC § 15-2.2-6. B.3. Specifically, access to the Property is not changing as the existing driveway will be used and improved. The driveway improvements will comply with the LMC's requirements.
 - d. Will be appropriately terraced to regain natural grade. See LMC §15-2.2-6. B.4. Terraced structures will be screened from view of the town core of Park City by the proposed residence.

- e. Are designed to preserve the perceived natural topography of the Property. See LMC § 15-2.2-6. B.5. Specifically, all cuts to the hillside will be screened from view of the town core of Park City by the Residence.\
 - f. As applied pursuant to the Amended Sweeney Properties MPD, are consistent with the building form and scale requirements of LMC § 15-2.2-6. B.6. Specifically, the Residence is divided into several massing elements to reduce massing and to orient against the Property's existing contours. Portions of the Residence have been located below grade to reduce visibility and perceived bulk.
 - g. Are consistent with the applicable setback requirements. See LMC §15-2.2-6. B.7.
 - h. Are consistent with the applicable volume limitations. See LMC § 15-2.2-6. B.8.
 - i. Are consistent with the applicable building height requirements. See LMC § 15-2.2-6. B.8. Specifically, the Residence meets the height requirements identified in the Amended Sweeney Properties MPD.
11. The Planning Commission finds that for the reasons above, the steep slope disturbance will not have a detrimental impact on surrounding uses.
12. As discussed below, the Applicant has agreed to self-impose certain conditions on the Property to minimize any potential detrimental effects that may result from the proposed steep slope disturbance. The Planning Commission finds that these conditions adequately mitigate any potential detrimental effects that may result from the steep slope disturbance or the Residence.

Conditions of Approval:

The use approved by the Steep Slope CUP is conditioned upon the following:

- JJ. All retaining walls shall be generally placed behind the proposed residence to reduce visibility from the town core of Park City.
- KK. The driveway to the proposed residence shall not exceed 12 feet in width unless required by Park City Fire District for emergency vehicle turning radius and access, shall not exceed a 14% grade, and must comply with LMC § 15-3-3(A)(4).
- LL. Access to the parking area located on the Property shall not face King Road.
- MM. If the proposed development contains any retaining walls that are taller than four feet in height, then the Applicant shall provide engineered plans for the retaining walls at the time the Applicant makes application for a building permit.

- NN. Applicant shall maintain vegetative screening in accordance with the submitted vegetation plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the east façade glazing.
- OO. The limits of disturbance around the proposed residence shall be limited to the minimal area necessary to excavate and backfill the foundation.
- PP. Structures on the Property shall conform to the HR-1 setbacks set forth in LMC § 15-2.3. The property is located outside of 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 with State and Federal law.
- QQ. The Applicant shall include in their Construction Mitigation Plan (CMP), in addition to Municipal Code of Park City Section 11-14-4(H), a specific plan for all soil exporting. Soil shall be transported uphill on King Road to an approved site for deposit. Time of operations, location of deposit site, total cubic yards to be exported, and number of trips hauling shall be outlined and regulated through the CMP. If the property owner of an approved site for deposit will not accept the excavated soils, the applicant will submit an alternative soil exporting plan for review by the Planning Director and Chief Building Official. No alternative soil exporting will be permitted until plans are approved.
- RR. The Applicant shall provide elevation drawings of all segments of the Accessory Buildings that have an exposed face to Planning staff for review as part of the Historic District Design Review process

Commissioner Shand seconded the motion.

VOTE: There was a vote of 3-to-3 with Commissioners Suesser, Sigg, and Johnson voting No and Commissioners Frontero, Shand, and Van Dine voting Yes. Chair Hall voted Yes to break the tie. The motion carried 4-to-3.

5. ADJOURNMENT

MOTION: Commissioner Van Dine moved to adjourn.

The meeting adjourned at approximately 7:44 p.m.

Planning Commission Staff Report



Subject: Hot Creek Subdivision
Application: PL-23-05823 (CUP)
PL-23-05973 (Subdivision)
Author: Spencer Cawley, Planner II
Date: March 13, 2024
Type of Item: Administrative – Conditional Use Permit & Subdivision

Recommendation

Staff recommends the Planning Commission open a public hearing and continue the items to a date uncertain to allow additional time for the Applicant to modify their proposal.

Description

Applicant: Talisker Club 2.0 LLC

Location: 10206 Twisted Branch Road, PCA-S-98-SD-3

Zoning District: Recreation and Open Space
Sensitive Land Overlay

Adjacent Land Uses: Resort, Residential, Hotel

Reason for Review: Subdivisions and CUPs require Planning Commission Final Action¹

¹ LMC [§ 15-1-8\(G\) & \(H\)](#)

Planning Commission Staff Report



Subject: Land Management Code Amendments
Author: Planning Team
Date: March 13, 2024
Type of Item: Work Session

Recommendation

Review the Land Management Code amendments in progress and provide input on prioritized amendments for 2024.

Summary

The Land Management Code implements the goals and policies of the General Plan.¹ In the fall of 2023, the City Council directed staff to issue a Request for Proposals (RFP) for consultant services to assist the City in a comprehensive update to the [2014 General Plan](#). On November 17, 2023, staff issued [the RFP](#), which remained open through February 2, 2024. Six qualified consultants submitted responses to the RFP. A General Plan RFP review committee was established and included a Planning Commission liaison and representatives from the Park City Chamber, Historic Park City Alliance, and the Executive, Economic Development, Affordable Housing, Engineering, Transportation Planning, and Planning Departments. The RFP review committee met to discuss and rate the responses, and then met again for two rounds of consultant interviews before selecting a recommended consultant. Staff is in the process of negotiating a contract with the consultant to take to the City Council for review and potential approval.

The comprehensive update to the General Plan is tentatively scheduled to begin once the Bonanza Park Small Area Plan is adopted. The update to the General Plan is anticipated to be completed at the end of 2025. Upon adoption of the new General Plan, staff anticipates a full overhaul of the Land Management Code to implement the updated General Plan recommendations. In the meantime, this staff report outlines amendments that are in progress while the General Plan process is initiated.

To review the 2023 amendments identified and prioritized by the Planning Commission that have been enacted, please see Exhibit B.

Analysis

Land Management Code amendments in progress are summarized below and (I) are drawn from the recommendations of the General Plan, (II) have been identified and recommended by staff, or (III) are mandated by the state:

¹ LMC [Section 15-1-2](#)

(I) Amendments Recommended by the General Plan

Bonanza Park Small Area Plan

The General Plan acknowledges the Bonanza Park neighborhood is an authentic mixed-use neighborhood where locals live and work and identifies opportunities to address challenges unique to the area through a Small Area Plan. On March 2, 2023, the City Council approved a contract with [MKS](#) and subconsultants [Future IQ](#) and [Fehr & Peers](#) to complete the 200-acre Bonanza Park Small Area Plan ([City Council Agenda; Minutes](#), p. 3). One year later, the consultants are completing the last phase of the planning process and are preparing for a final community meeting on April 9, 2024.

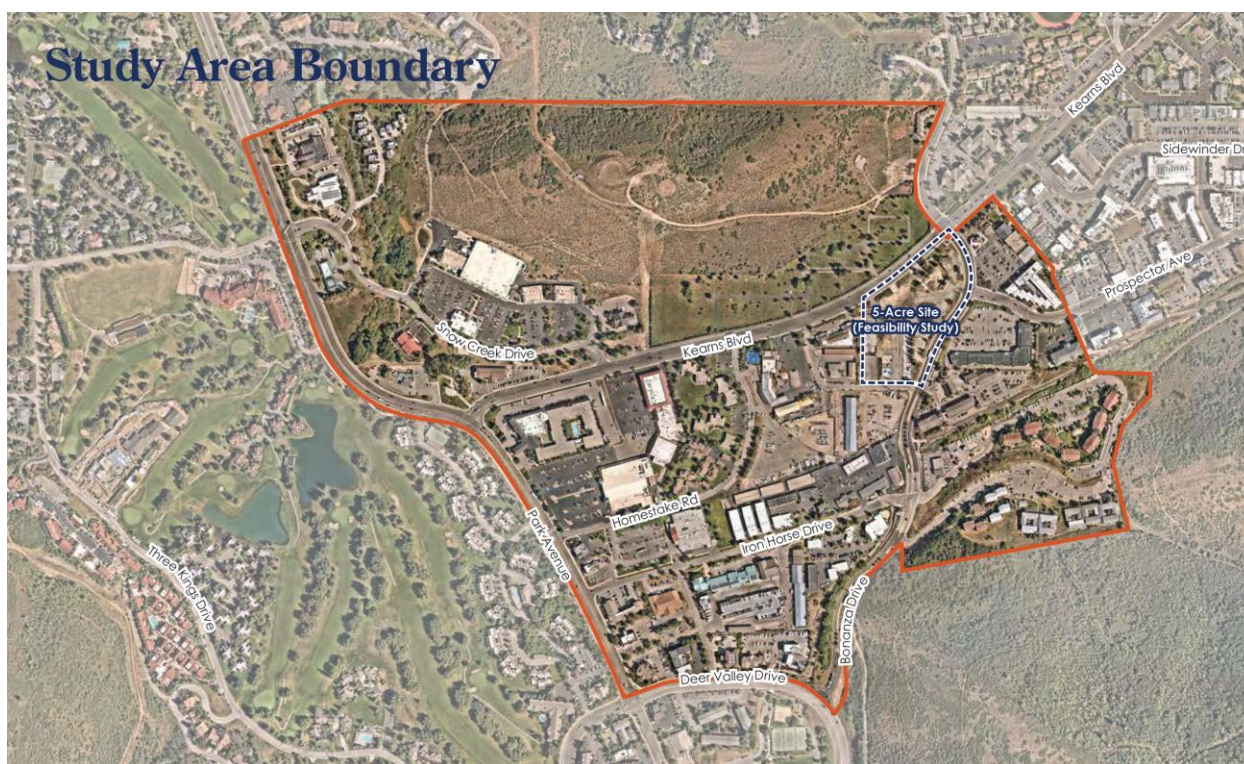


Figure 1 Bonanza Park Small Area Plan Boundary

The Mayor appointed a 13-member [advisory group](#) representing a spectrum of residents, advocates, employers, institutional partners, landowners, and other key stakeholders to support and augment the community engagement process, provide feedback to the project management team, and to serve as a partner in the implementation of the completed plan.

The consultants conducted stakeholder roundtables, issued two surveys, and hosted two community meetings. Staff conducted additional outreach with the Senior Center, Historic Park City Alliance, the lodging and restaurant associations, the Prospector Square Property Owners Association, the Chamber, Park City High School students,

young families, and community members who speak Spanish. For more information on the Small Area Plan, please visit bonanzapark.com.

The Phase I and II engagement results indicate the community envisions the following goals for the neighborhood:



The draft Small Area Plan is scheduled for Planning Commission review and public hearings on May 22 and June 12, with a possible recommendation for City Council consideration. Pending City Council approval of the Small Area Plan, the City received a grant from Mountainland Association of Governments for consultant services to implement the Small Area Plan through Land Management Code amendments. [Design Workshop](#) was selected to provide these consultant services and the amendments are tentatively scheduled for Planning Commission review this fall.

Multi-Modal Transportation

General Plan Goal 3 – Park City will encourage alternative modes of transportation on a regional and local scale to maintain our small-town character.

Community Planning Strategy 3.1: Require development and redevelopment to increase the potential for multi-modal transportation options including public transit, biking, and walking. Require developers to document how a development proposal encourages walking, biking, and public transportation over the single-occupancy vehicle.

Community Planning Strategy 3.2: Revise parking requirements to incentivize multi-modal transportation, high efficiency vehicles, and shared parking areas.

Community Planning Strategy 3.3: Create a requirement within new development and redevelopment for connectivity and linkage within the City road and trail network.

Community Planning Strategy 3.14: Adopt travel demand management programs to encourage commuter trip reduction programs, including prioritized employment hub routes, commuter incentives, and recognition of local businesses that incentivized employee use of alternative modes of transportation.



Lisa Wise Consulting and subconsultants Cascadia Partners and Fehr & Peers submitted [a Final Report](#) recommending amendments to the Land Management Code in part to reduce single-occupancy vehicles by updating parking requirements, setting baseline criteria to support pedestrian-oriented development and walkability, establishing criteria for potential parking reductions, and outlining standards for Transportation Demand Management plans for projects with long-term reporting requirements.

The consultants reached out to local stakeholders, issued a survey for community input, and conducted an initial work session with the Planning Commission on November 8, 2023 ([Minutes](#), p. 3). The consultants incorporated stakeholder, community, and Planning Commission input and drafted [a Final Report](#). The consultants held a community open house on February 27, 2024, and a Planning Commission work session on February 28, 2024, for input on their draft Final Report. The consultants are now incorporating the community and Planning Commission's input into their formal recommendations, which staff will schedule for Planning Commission review, a public hearing, and a potential recommendation for City Council's consideration. More information on the project is available on the Engage Park City [website](#).

Community Planning Strategy 3.11: Improve access to, efficiency, and experience of public transit.

The Transit team received federal grants to expand the electric bus fleet and chargers and the Engineering team is working to update bus stops throughout the City. The Frontage Protection Zone is the only code that outlines transit facilities. Otherwise, the Land Management Code does not address transit pull-outs, transit electric charging infrastructure, or bus shelters within setbacks. To accommodate the updates and

improvements to the transit system and facilities for transit riders, staff will recommend amendments to the code, scheduled for Planning Commission review in April with a possible recommendation for City Council consideration in May.



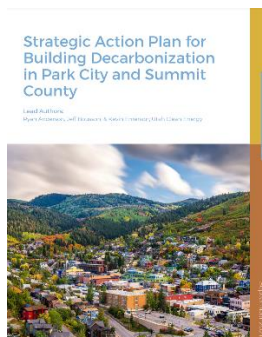
Figure 2 Architectural Rendering of Revised Shelter Design

Sustainability

General Plan Goal 5 – Environmental Mitigation: Park City will be a leader in energy efficiency and conservation of natural resources reducing greenhouse gas emissions by at least 15% below 2005 levels in 2020.

Objective 5A: Encourage development practices that decrease per capita carbon output, decrease vehicle miles traveled, increase carbon sequestration, protect significant existing vegetation, and contribute to the community emission reduction goal.

Community Planning Strategy 5.1: Incorporate environmental considerations as an integral part of reviewing future development and redevelopment projects, including incorporation of greenhouse gas goals into land use planning.



The Planning team will continue to coordinate with the Sustainability team on their [Strategic Action Plan for Building Decarbonization in Park City and Summit County](#). In the meantime, the Planning team is evaluating amendments to the Master Planned Development Chapter within the Land Management Code to require net zero development when applicants request exceptions. The Planning team is also evaluating what would be needed to verify and track net zero development to ensure compliance.

Dark Sky Amendments – On January 21, 2021, the City Council adopted [Ordinance No. 2021-05](#), enacting regulations for outdoor lighting that is dark sky compliant. Dark sky lighting is fully shielded, meaning the bulb is not visible, and the light is down directed, with bulbs 3,000 degrees Kelvin or less. The dark sky code requires that non-compliant outdoor light bulbs be replaced with those that are 3,000 degrees Kelvin or less by the end of 2024. As a result, the Planning team is conducting community outreach with partners, including Summit County, to provide information on the purposes of the dark sky code and the requirements for outdoor lighting. Staff will recommend updates to the dark sky code at the end of the year to reflect the 2024 deadline.

Affordable Housing

General Plan Goal 7 – Life-Cycle Housing: Create a diversity of primary housing opportunities to address the changing needs of residents.

Objective 7A: Increase diversity of housing stock to fill voids within housing inventory (including price, type, and size) to create a variety of context sensitive housing opportunities.

Objective 7E: Create housing opportunities for the City’s aging population.

General Plan Goal 8 – Workforce Housing: Increase affordable housing opportunities and associated services for the workforce of Park City.

Objective 8A: Provide increased housing opportunities that are affordable to a wide range of income levels within all Park City neighborhoods.

Community Planning Strategy 8.5: Evaluate the Land Management Code to remove unnecessary barriers to affordable housing.

Incentivizing Accessory Apartments – When the Planning Commission forwarded recommended amendments regarding lot combinations for residential uses in the Historic Districts, the Planning Commission also forwarded a recommendation for City Council’s consideration – to incentivize the construction of Accessory Apartments to increase housing stock for long-term rentals. The Housing team is researching model pilot programs and Planning consultants are developing recommended code amendments.

Lisa Wise Consulting and subconsultants Cascadia Partners [Final Report](#) recommends amendments to the Land Management Code in part to further incentivize affordable housing development. In summary, the consultants recommend:

- Reducing regulations for Accessory Apartments and Internal Accessory Dwelling Units.
- Updating the Affordable Master Planned Development section to reduce open

space for projects near transit and to allow flexibility for mixed Area Median Income and uses within.



Figure 3 EngineHouse, the City's First Affordable Master Planned Development Approved by the Planning Commission in 2021 is under construction

The consultants are incorporating community and Planning Commission input regarding the Final Report and will submit their revised recommendations. Staff will schedule work sessions and public hearings with the Planning Commission for review and a potential recommendation to the City Council for consideration.

Historic Preservation

General Plan Goal 15 – Preserve the integrity, mass, scale, compatibility, and historic fabric of the nationally and locally designated historic resources and districts for future generations.

Community Planning Strategy 15.4: Annually review the Land Management Code and Chapter 15-13 *Regulations for Historic Districts and Historic Sites* to maintain regulatory consistency.

Land Management Code Chapter 15-13 outlines standards for construction within Park City's six Historic Zoning Districts. Three amendments are in progress to support historic preservation:

- Illustrating concepts to make the standards clear.
- Codifying requirements to protect historic materials when a structure is panelized or lifted.
- Reevaluating material and opacity requirements for development in Historic Districts to determine whether the adopted standards reflect the local character.

Goal 16 of the General Plan is to maintain the Historic Main Street District as the heart of the City for residents and encourage tourism in the district for visitors.

Community Planning Strategy 16.4: is to work with Historic Park City Alliance and the Park City Historical Society to address the needs and concerns of local business owners.

The Planning Commission and Historic Preservation Board directed staff to establish design standards for temporary structures in the Historic Districts. The Planning Commission and Historic Preservation Board conducted work sessions on the proposed amendments. Staff reviewed the amendments with the Historic Park City Alliance and sought input. On March 6, 2024, the Historic Preservation Board reviewed the proposed amendments and unanimously forwarded a positive recommendation for the Planning Commission's consideration. These amendments are scheduled for Planning Commission review on March 27, 2024, for a public hearing and possible recommendation for City Council consideration.

Community Planning Strategy 15.9: Continue to update criteria for development on steep slopes to prevent incompatible mass/scale within the historic districts based on findings of periodic reviews of ongoing projects.

The purpose of the Steep Slope Conditional Use Permit amendments is to illustrate key concepts, to update the submittal requirements for constructions on Steep Slopes, and to clarify interior height regulations in the Historic Residential Districts. Occasionally, after the Planning Commission approves a Steep Slope Conditional Use Permit, applicants propose modifications to the plans due to issues discovered on site during construction that were not identified beforehand. To help remediate this, the proposed amendments will require the applicant to submit additional information before Planning Commission review rather than at the Building Permit phase, such as a geotechnical report, showing that an Engineer has identified the ability and feasibility to construct the proposed structures and that the retaining walls accurately reflect the massing and height required for construction. Additionally, staff is coordinating with Building and Engineering to establish baseline requirements for geotechnical reports.

(II) Amendments Recommended by Staff

Tents and Outdoor Events

The purpose of the Tent and Outdoor Event amendments is to update the review process. Tents are proposed to be regulated under an Administrative Permit instead of an Administrative Conditional Use Permit, codifying consistent standards and streamlining staff review time. The regulations under an Administrative Permit are more applicable to a temporary tent (less than 14 days) than the Conditional Use Permit regulations. Tents up for longer than 14 days or more than five times per year will still be reviewed by the Planning Commission under a Conditional Use Permit. Outdoor

Event applications are often combined with Tent applications, and the amendments will better clarify the requirements for their regulation.

Clarifying Parking Regulations for Residential Uses

Can code-required parking be satisfied within a setback? A 2019 task force originally identified the need to clarify parking regulations for residential uses for consistent application in Zoning Districts. Staff evaluated the Land Management Code and outlined potential amendments to clarify parking regulations for residential uses to establish conformity across the Zoning Districts, and to potentially carve out exceptions for Historic Sites, Accessory Apartments, and Internal Accessory Dwelling Units. The Planning Commission conducted an initial work session on September 13, 2023 ([Staff Report](#); [Minutes](#), p. 34). These amendments are scheduled for another Planning Commission work session this spring.

Sensitive Land Overlay Clarifications

Staff recommends clarifying the triggers for Sensitive Land Overlay review, including annexations, Conditional Use Permits, Master Planned Developments, Affordable Master Planned Developments, and modifications to platted elements.

Defining Outdoor Pools

Staff recommends clarifying that only outdoor pools associated with a single-family dwelling or residential use require a Conditional Use Permit, and defining what distinguishes an outdoor pool from an outdoor hot tub.

Radon Mitigation

The City established a task force to recommend radon mitigation. One of the task force recommendations is to amend the Land Management Code to require new construction to accommodate potential radon mitigation installations.

Childcare Regulations

On June 13, 2023, the City Council directed staff to evaluate whether land use regulations are an obstacle to childcare facilities. The purpose of the amendments is to reduce regulatory barriers for childcare facilities and to ensure the municipal code is in line with state regulations. The amendments will propose reducing parking requirements for childcare facilities and reducing the level of review for certain childcare facility types from Planning Commission to administrative-level review. The amendments will also include the removal of a childcare provision in Master Planned Developments and Affordable Master Planned Developments.

Appeal Panel Updates

On July 13, 2023, the City Council adopted [Ordinance No. 2023-26](#) establishing the City's first appeal panel. Now that the appeal panel is established, staff recommends amendments for staggered terms that end in May and to allow members to continue to serve until a successor is appointed.

Accessory Uses in Master Planned Developments

On September 28, 2023, the City Council unanimously denied the recommended amendments regarding accessory uses in Master Planned Developments. The Mayor appointed a task force to review the proposed amendments and to issue a recommendation. The City Council requested clarification on four items:

- What is the purpose of the amendments?
- What are the financial implications?
- What type of development do the amendments incentivize/disincentivize?
- What is the purpose of the footnote connecting Resort Support Commercial to approved Master Planned Developments?

The task force met on December 7, 2023, January 18, 2024, and February 22, 2024. The final task force meeting is scheduled for April 3, 2024. The task force will issue a written recommendation outlining their findings for Planning Commission and City Council consideration.

(III) Updates to Comply with State Code

Mobile Business Amendments

Staff will propose amendments to comply with Utah Code Chapter 56, which creates allowances for what the state defines as an Enclosed Mobile Business. According to the state, *Enclosed Mobile Businesses* include “barber; beauty and cosmetic, including nail, eyelash, and waxing; cycling; cell phone; computer; footwear; media archive and transfer; pet grooming; sewing and tailoring; small engine; and tool.” The state prohibits the City from certain regulations of Enclosed Mobile Businesses, like those imposed for Food Trucks. Staff will recommend updates to the Municipal Code of Park City to:

- Establish Mobile Business as a Use in certain Zoning Districts.
- Define *Mobile Business*, *Enclosed Mobile Business*, *Food Truck*, *Food Cart*, and *Ice Cream Truck*.
- Shift Food Truck regulations in Municipal Code of Park City Title 4 *Licensing* to Title 15 Land Management Code for Planning Department Review.

Subdivision Reviews

This year, Utah Legislature enacted [H.B. 476 Municipal Land Use Regulation Modifications](#) to clean up language the state imposed in last year’s [S.B. 174 Local Land Use and Development Revisions](#) pre-empting municipal review processes for single-family, duplex, and townhome subdivisions. Staff will recommend updates to the recently adopted Land Management Code [Section 15-7.5 Administrative Subdivision Procedure](#) to reflect the Utah Legislature’s 2024 changes.

Department Review

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

Exhibits

Exhibit A: Proposed 2024 Timeline

Exhibit B: Land Management Code Amendments Enacted 2023-2024

2024 Land Management Code Amendment Schedule

March 27	Work Session: Childcare Facility Amendments Public Hearing: Temporary Structures in Historic Districts Public Hearing: Maximum Lot Size Considerations for Recreation Commercial, Residential 1, and Residential Medium Zoning Districts
April 10	Public Hearing: Updates to Zoning District setback regulations to accommodate electric bus chargers and bus shelter upgrades. Public Hearing: Sensitive Land Overlay trigger clarifications, radon mitigation, parking in setbacks, and distinguishing outdoor pools and hot tubs.
May 8	Work Session: Historic District regulation illustrations
May 22	Public Hearing: Bonanza Park Small Area Plan
June 12	Public Hearing: Codification of standards for the lifting and panelizing Historic Structures. Public Hearing: Bonanza Park Small Area Plan
June 26	Materials and Opacity in Historic Districts
July	Work Session: Steep Slope modifications and establishment of geotechnical report standards
August	Work Session: Tents and Outdoor Events

Enacted Land Management Code Amendments 2023-2024

Water Wise Landscaping – On March 9, 2023, the City Council adopted [Ordinance No. 2023-10](#) to update water wise landscaping regulations to reflect best practices and to clarify standards.

Secure Bicycle Parking Requirements – On April 27, 2023, the City Council adopted [Ordinance No. 2023-18](#) to update outdoor bicycle parking and enclosed bicycle storage requirements for new developments to support multi-modal transportation.

Sensitive Land Overlay Updates – On April 27, 2023, the City Council adopted [Ordinance No. 2023-19](#) to update vantage points, establish standards for trail construction and Sensitive Land Overlay evaluation when the Trails Master Plan is developed, clarify prohibitions of development within fifty feet of Very Steep Slopes, and require a soil investigation report and geotechnical report as part of the application process for properties with steep slopes at the time of land use review rather than defer to building permit review. The [Sensitive Land Overlay and Ridge Line Area map](#) and [Sensitive Land Overlay Application](#) were updated to provide clarity for applicants and to ensure the Planning Commission has the materials and information needed to evaluate compliance with Sensitive Land Overlay regulations.

Prohibition of Nightly Rentals in Chatham Crossing & West Ridge Subdivisions—
On April 27, 2023, the City Council adopted [Ordinance No. 2023-16](#) to prohibit Nightly Rentals within these Residential Development Zoning District Subdivisions.

Fractional Use of Dwelling Units – Preserving areas within Park City for primary residents is identified in the General Plan. *Sense of Community* is one of the core values and Goal 7 of the General Plan is to create a diversity of primary housing opportunities to address the changing needs of residents. Objective 7B is to focus efforts for diversity of primary housing stock within primary residential neighborhoods to maintain majority occupancy by fulltime residents within these neighborhoods.

Fractional use of condominium units in the form of Timeshares and Private Residence Clubs is not new to Park City. However, to address a new type of fractional and transient use of Single-Family Dwellings offered by companies like Pacaso, Sharetni, and Ember with properties in primary resident areas, on October 27, 2022, the City Council enacted [Ordinance No. 2022-21](#) to direct fractional use to those Zoning Districts that allow transient uses like Timeshares and Private Residence Clubs. However, on March 3, 2023, the Utah State Legislature enacted Senate Bill 271 prohibiting municipalities from regulating fractional use of dwelling units. On April 27, 2023, the City Council adopted [Ordinance No. 2023-16](#) to repeal the land use regulations enacted to protect primary resident areas. Homeowner associations may prohibit fractional use and City staff reached out to homeowner associations to provide information.

Internal Accessory Dwelling Unit and Food Truck Definition Updates – On June 15, 2023, the City Council adopted [Ordinance No. 2023-30](#) to update defined terms to comply with changes to state code.

Creation of an Appeal Panel – On July 13, 2023, the City Council adopted [Ordinance No. 2023-36](#), establishing a three-member appeal panel to hear appeals of Planning Commission final action. On February 1, 2024, the City appointed Adam Strachan, Esteban Nunez, and Matthew Day to the appeal panel. The appeal panel conducted their first meeting on March 4, 2024.

Lot Combinations in Historic Districts – On October 26, 2023, the City Council adopted [Ordinance No. 2023-50](#) to establish a maximum lot size for residential uses in the Historic Districts to preserve the integrity, mass, scale, compatibility, and historic fabric of Old Town.

Final Action – To improve land use review efficiency, on October 26, 2023, the City Council adopted [Ordinance No. 2023-49](#) to shift final action for subdivisions and plat amendments from the City Council to the Planning Commission. Also, due to changes in state code that require building permits for single-family, duplex, and townhomes to be processed within fourteen days, staff-level review for Steep Slope Conditional Use Permits for lots 3,750 square feet or less was shifted to the Planning Commission to ensure compliance with steep slope regulations and evaluation of construction proposed for steep slopes prior to building permit submittal.

Water Wise Landscaping – On November 16, 2023, the City Council adopted [Ordinance No. 2023-53](#) to modify the water wise regulations to reflect changes to state code to qualify for the state's landscape conversion program funding that supports turf replacement with water wise landscaping.

Electric Vehicle Charging Stations and Fast Chargers – On February 1, 2024, the City Council adopted [Ordinance No. 2024-03](#) to increase required conduit for Electric Vehicle Charging Stations from 20% to 50%, to establish Fast Chargers as a standalone use in the General Commercial, Regional Commercial Overlay, and Light Industrial Zoning Districts, and to establish Fast Chargers as an allowed accessory use in all Zoning Districts.

Clarifying the Design Guidelines for Historic Districts and Historic Sites – On February 15, 2024, the City Council adopted [Ordinance No. 2024-05](#) to make minor corrections to Land Management Code Chapter 15-13, and to replace the term “guideline” with “regulation” to clarify the standards are requirements and not advisory suggestions.

Subdivision Review – In 2023, the Utah Legislature enacted [SB 174 Local Land Use and Development Revisions](#), effective February 1, 2024, which prohibits the Planning Commission and City Council from approving final subdivision plats for Single-Family

Dwellings, Duplexes, and Townhomes. On February 1, 2024, the City Council adopted [Ordinance No. 2024-03](#) to enact Land Management Code Chapter 15-7.5 to establish an administrative review process for these limited subdivisions.

Planning Commission Staff Report



Subject: 8200 Royal Street, Unit #35
Application: PL-24-06046
Author: Virgil Lund, Planner I
Date: March 13, 2024
Type of Item: Administrative – Condo Plat Amendment

Recommendation

(I) Review the proposed Fifth Amended Stag Lodge Phase II Condominium Plat Amendment, amending Unit 35; (II) conduct a public hearing; and (III) consider approving the Condominium Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft Final Action Letter (Exhibit A).

Description

Applicant: WCSCM Utah LLC c/o Warren Gorrell; Applicant
Representative: Marshall King, Alliance Engineering

Location: 8200 Royal Street, Unit #35

Zoning District: Residential Development, Sensitive Land Overlay

Adjacent Land Uses: Residential, Resort Open Space

Reason for Review: The Planning Commission reviews and takes final action on Condominium Plat Amendments.¹

LMC Land Management Code
RD Residential Development
SLO Sensitive Land Overlay

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

Summary

The Applicant proposes to add 192 square feet to the main level of Unit 35 and to designate the Common Area in the walls between Private Ownership Area A and Private Ownership Area B as Private Ownership Area B. The image below shows Unit 35 in relation to the Stag Lodge Boundary.

¹ LMC [§ 15-7.1-2](#)

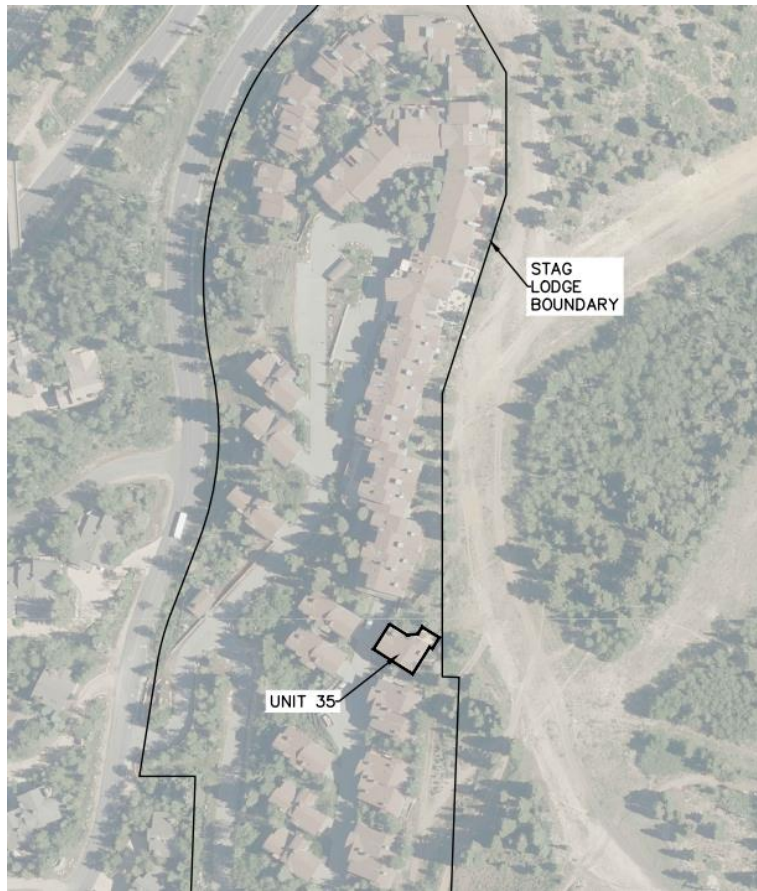


Image 1: Unit 35

Background

Stag Lodge Phase II is a 12-unit Phase of the 52-unit condominium project located in the Silver Lake area of Deer Valley. The Stag Lodge Condominium project consists of a total of 52 units ranging in size from 2,213 square feet to 6,806.8 square feet. Unit 35 of Stag Lodge Phase II is a detached, single-family unit.

- On May 17, 1985, the Planning Commission approved a Master Planned Development application for the Stag Lodge Phase II condominiums.
- The Stag Lodge Phase II Condominium Plat was recorded January 17, 1989, Summit County Recorder Entry No. 303348. (Exhibit B)
- The First Amended Stag Lodge Phase II plat was recorded with Summit County on January 17, 2003, and created two types of ownership for the units.
- The Second Amended Stag Lodge Phase II plat was approved by City Council on July 1, 2004, and recorded at Summit County on May 25, 2005, and created additional private area for the Units.
- The Third Amended Stag Lodge Phase II plat was approved August 21, 2014, by the City Council and recorded with Summit County on January 12, 2015, Summit County Recorder Entry No. 1010601. (Exhibit C). This amendment enlarged Unit 35 by expanding the Garage Level to encompass the entire building footprint. The amendment converted Common Area to Private Ownership Area A. 1,789.8 square feet was added to Unit 35 as part of the Third Amended Plat.

The Applicant proposes to add 192 square feet of “Private Ownership Area A” to Unit 35.

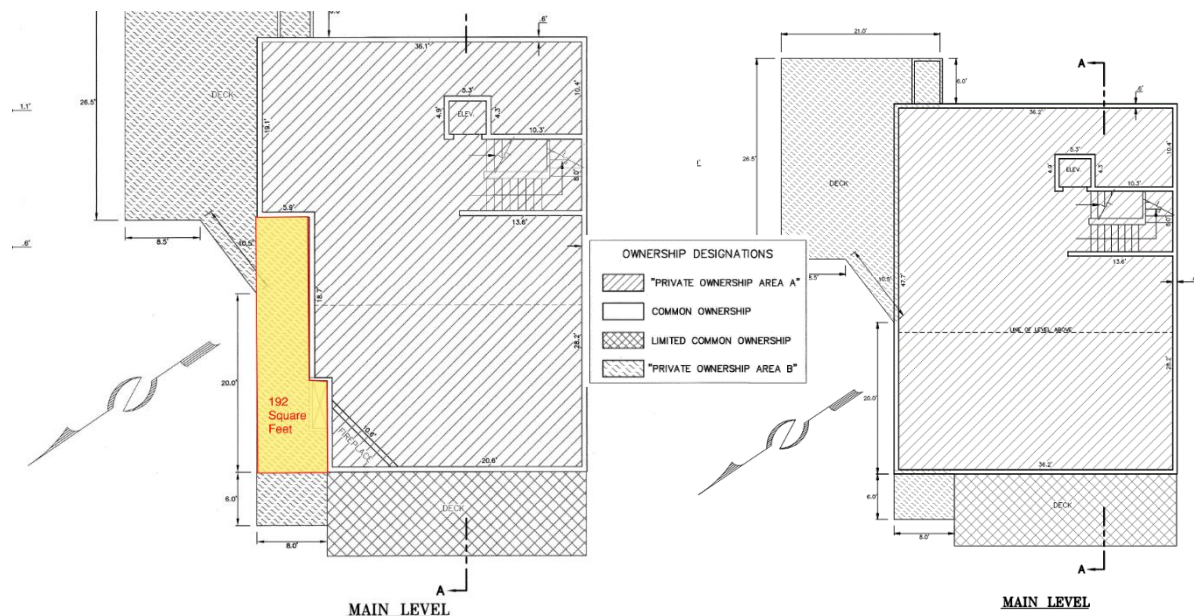


Image 2: Existing Plat (left) with Proposed Addition in Yellow, and Proposed Plat (right)

Analysis

(I) The Fifth Amended Stag Lodge Phase II Condominium Plat complies with LMC Chapter 15-2.13, the *Residential Development Zoning District Requirements*

8200 Royal Street Unit 35 is in the RD Zoning District. The purposes of the RD Zoning District include:

1. allow a variety of Residential Uses that are Compatible with the City’s Development objectives, design standards, and growth capabilities,
2. encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,
3. allow commercial and recreational activities that are in harmony with residential neighborhoods,
4. minimize impacts of the automobile on architectural design,
5. promote pedestrian connections within Developments and between adjacent Areas; and
6. provide opportunities for variation in architectural design and housing types.²

² LMC [§ 15-2.13-1](#)

Lots and Sites within the RD Zoning District must meet the following requirements:³

Requirement	Analysis of Proposal
Setbacks: Front- 20 Feet Rear- 15 Feet Side- 12 Feet	Complies: The proposed addition will occur on the north side of the Structure. The Structure maintains an approximately 120-foot Setback to the side property line. The Structure maintains approximately 20 feet to the Rear Property line.

(II) The proposal complies with LMC § 15-3-6, Off-Street Parking Requirements

Condominiums greater than 2,000 square feet require 2 Parking Spaces per Dwelling Unit. Unit 35 has a two-car garage that is approximately 27 feet wide by 23 feet deep.⁴

(III) The proposal complies with the Deer Valley Resort 12th Amended and Restated Large Scale Master Plan

The Deer Valley Master Plan allowed 52 Units for the Stag Lodge Condominium Project (Exhibit D), and 52 Units have been constructed. No additional Units are proposed as part of this Plat Amendment.

(IV) The proposal complies with the Sensitive Land Overlay requirements

The proposed addition will be constructed on the existing deck, within the footprint of the Structure.

(V) The proposal complies with LMC § 15-7.1-3(B), Plat Amendment

Changes to platted elements including conversion of Common Area/Limited Common Area within a condominium requires a Plat Amendment. Plat Amendments shall be reviewed according to the requirements of LMC § 15-7-1.6 and approval shall require a finding of Good Cause.

LMC § 15-15-1 defines Good Cause as “[Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities,

³ LMC [§ 15-2.13-3](#)

⁴ LMC [§ 15-3-4\(A\)\(1\)](#)

addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”

Staff finds Good Cause for this plat amendment because this amendment does not change the parking requirements, will remain compliant with the Deer Valley Large Scale MPD, and does not create any non-conformities. No Public Street, Right of Way, or easement has been vacated or amended.

(VI) The Development Review Committee reviewed this proposal on March 5, 2024, and does not require any Conditions of Approval.⁵

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, and posted notice to the property on February 28, 2024. Staff mailed courtesy notice to property owners within 300 feet on February 28, 2024. The *Park Record* published notice on February 28, 2024.⁶

Public Input

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

Alternatives

- The Planning Commission may approve the Fifth Amended Stag Lodge Phase II Condominium Plat;
- The Planning Commission may deny the Fifth Amended Stag Lodge Phase II Condominium Plat 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: Summit County Recorder Entry No. 303348

Exhibit C: Summit County Recorder Entry No. 1010601

Exhibit D: Deer Valley Large Scale Master Planned Development

⁵ 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).

⁶ LMC [§ 15-1-21](#)



Planning Department

March 13, 2024

WCSCM Utah LLC c/o Warren Gorrell
8014 Greenwich Woods Drive
McLean, VA 22102
202-716-5000

CC: Alliance Engineering

NOTICE OF PLANNING DEPARTMENT ACTION

Description

Address: 8200 Royal Street, Unit 35

Zoning District: Residential Development, Sensitive Land Overlay

Application: Condominium Plat Amendment

Project Number: PL-24-06046

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: March 13, 2024

Project Summary: The Applicant proposes to add 192 square feet to the main level of Unit 35 and to designate the Common Area in the walls between Private Ownership Area A and Private Ownership Area B as Private Ownership Area B.

Action Taken

On March 13, 2024, the Planning Commission conducted a public hearing and approved the Fifth Amended Stag Lodge Phase II Condominium Plat according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The Stag Lodge Condominium project consists of a total of 52 units ranging in size from 2,213 square feet to 6,806.8 square feet. Unit 35 of Stag Lodge Phase II is a detached, single-family unit.
2. On May 17, 1985, the Planning Commission approved a Master Planned Development application for the Stag Lodge Phase II condominiums.



Planning Department

3. The Stag Lodge Phase II Condominium Plat was recorded January 17, 1989, Summit County Recorder Entry No. 303348.
4. The First Amended Stag Lodge Phase II plat was recorded with Summit County on January 17, 2003, and created two types of ownership for the units.
5. The Second Amended Stag Lodge Phase II plat was approved by City Council on July 1, 2004, and recorded at Summit County on May 25, 2005 and created additional private area for the Units.
6. The Third Amended Stag Lodge Phase II plat was approved August 21, 2014, by City Council and recorded with Summit County on January 12, 2015, Summit County Recorder Entry No. 1010601. This amendment enlarged Unit 35 by expanding the Garage Level to encompass the entire building footprint. The amendment converted Common Area to Private Ownership Area A. 1,789.8 square feet was added to Unit 35 as part of the Third Amended Plat.
7. The Applicant proposes to add 192 square feet of "Private Ownership Area A" to Unit 35.
8. The Fifth Amended Stag Lodge Phase II Condominium Plat complies with LMC Chapter 15-2.13, the Residential Development Zoning District Requirements
 - a. Setbacks: The proposed addition will occur on the north side of the Structure. The Structure maintains an approximately 50-foot Setback to the side property line. The Structure maintains approximately 20 feet to the Rear and South Side Property line.
9. The proposal complies with LMC § 15-3-6, Off-Street Parking Requirements
 - a. Condominiums greater than 2,000 square feet require 2 Parking Spaces per Dwelling Unit. Unit 35 has a two-car garage that is approximately 27 feet wide by 23 feet deep
10. The proposal complies with the Deer Valley Resort 12th Amended and Restated Large Scale Master Plan
 - a. The Deer Valley Master Plan allowed 52 Units for the Stag Lodge Condominium Project, and 52 Units have been constructed. No additional Units are proposed as part of this Plat Amendment.
11. The proposal complies with the Sensitive Land Overlay requirements
 - a. For projects within the Deer Valley Large Scale Master Planned Development, the density limitations of the Sensitive Area Overlay Zone do not apply because Master Planning Developments approved prior to the adoption of the Sensitive Area Overlay Zone are vested in terms of density.



Planning Department

- b. The proposed addition will be constructed on existing disturbed area, within the footprint of the Structure.
- 12. The proposal complies with LMC § 15-7.1-3(B), Plat Amendment
 - a. Changes to platted elements including conversion of Common Area/Limited Common Area within a condominium requires a Plat Amendment. Plat Amendments shall be reviewed according to the requirements of LMC § 15-7-1.6 and approval shall require a finding of Good Cause.
 - b. LMC § 15-15-1 defines Good Cause as “Providing positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”
 - c. Good Cause exists for this plat amendment because this amendment does not change the mass of the existing structure or the parking requirements, will remain compliant with the Deer Valley Large Scale MPD, and does not create any non-conformities. No Public Street, Right of Way, or easement has been vacated or amended.

Conclusions of Law

- 1. There is Good Cause for this plat amendment.
- 2. The Plat Amendment is consistent with Land Management Code § 15-7.1-3(B), § 15-7.1-6, and Chapter 15-2.13 Residential Development District.
- 3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
- 4. Approval of the Plat Amendment, subject to the conditions below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

- 1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, the Conditions of Approval, and the amended CC&Rs prior to recordation of the plat.



Planning Department

2. The Applicant shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, this approval will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.

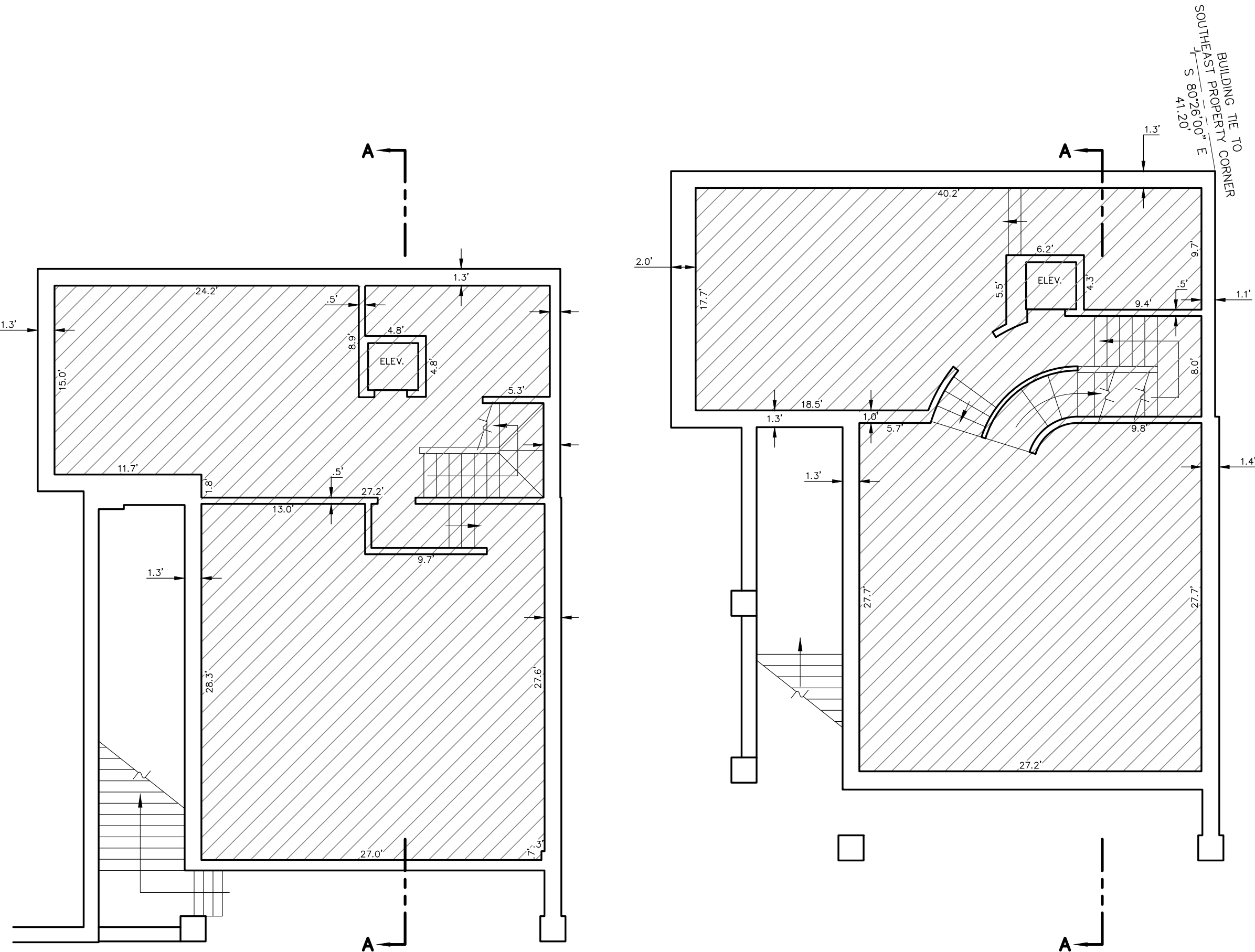
If you have questions or concerns regarding this Final Action Letter, please call 385-481-2036 or email virgil.lund@parkcity.org

Sincerely,

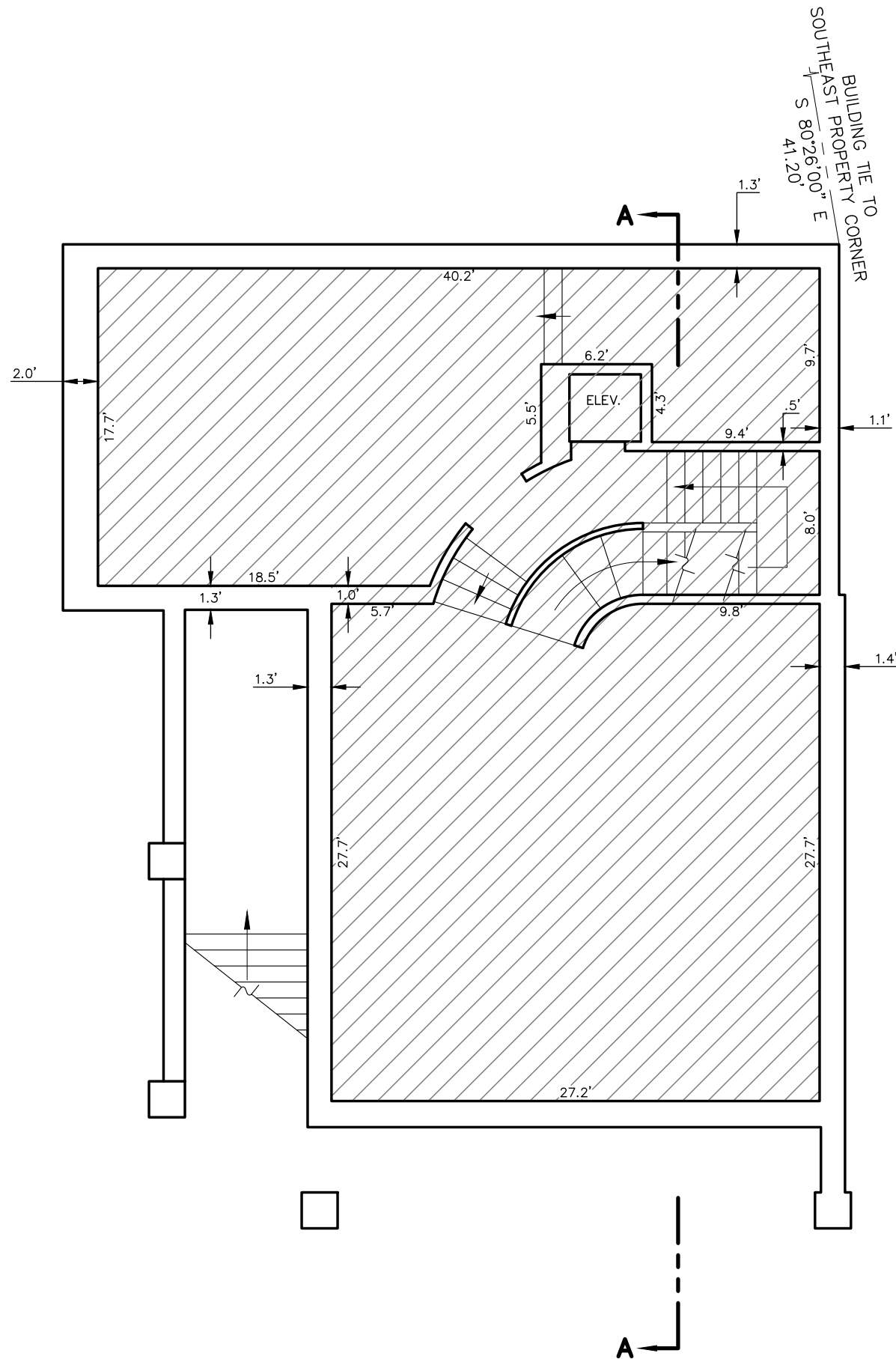
Sarah Hall
Planning Commission Chair

CC: Virgil Lund

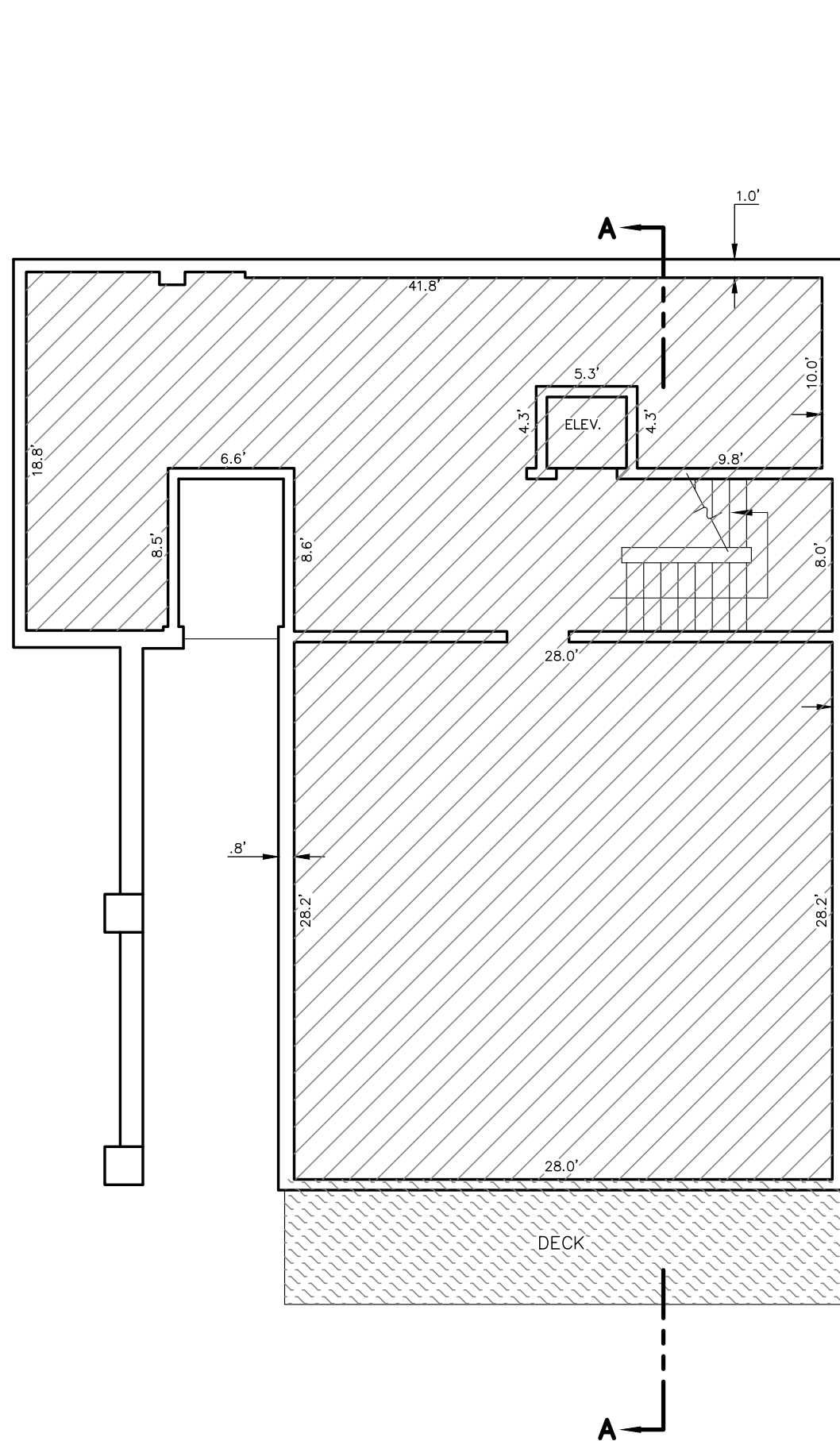
Attachment 1: Proposed Plat



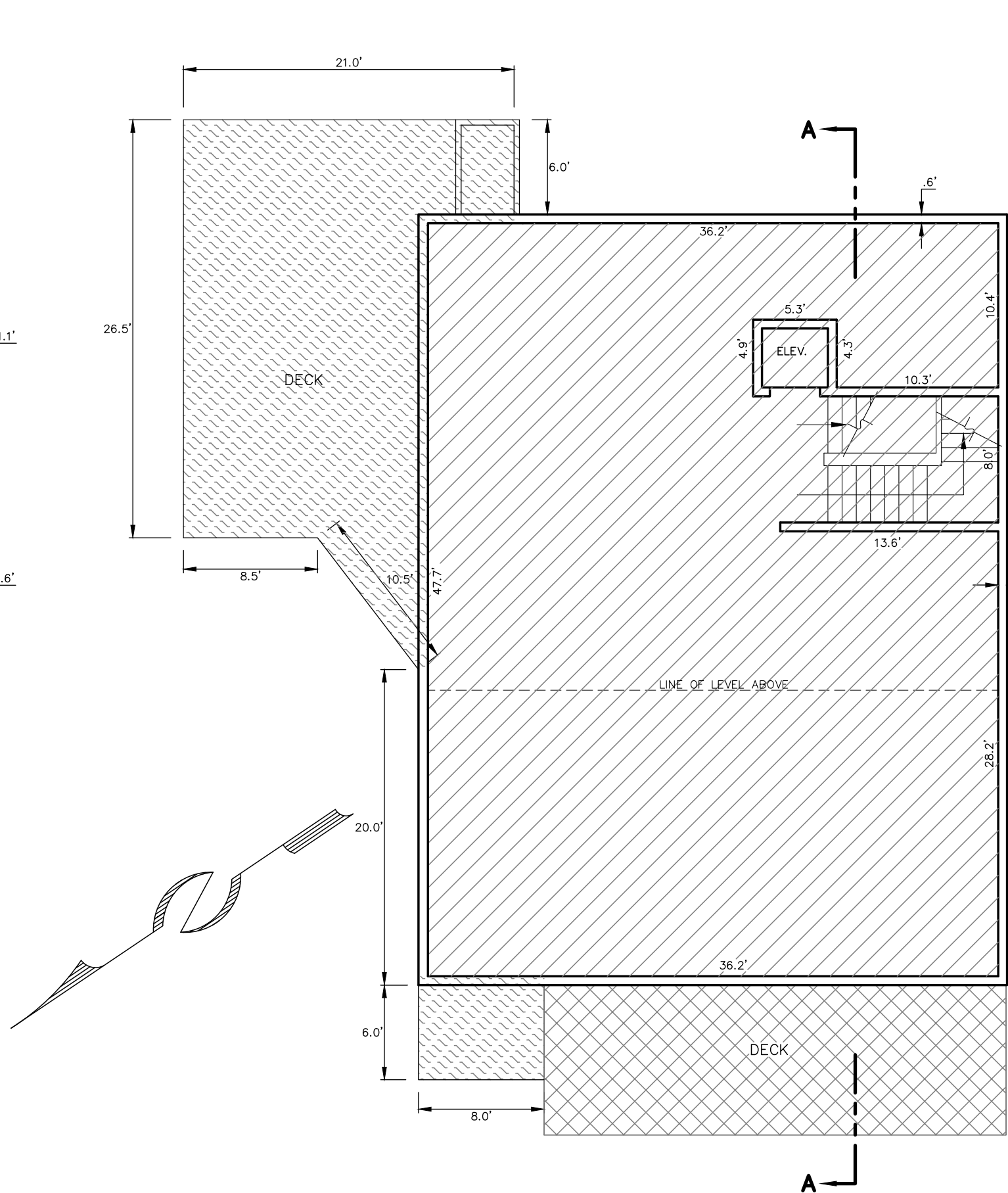
GARAGE/LOWER LEVEL



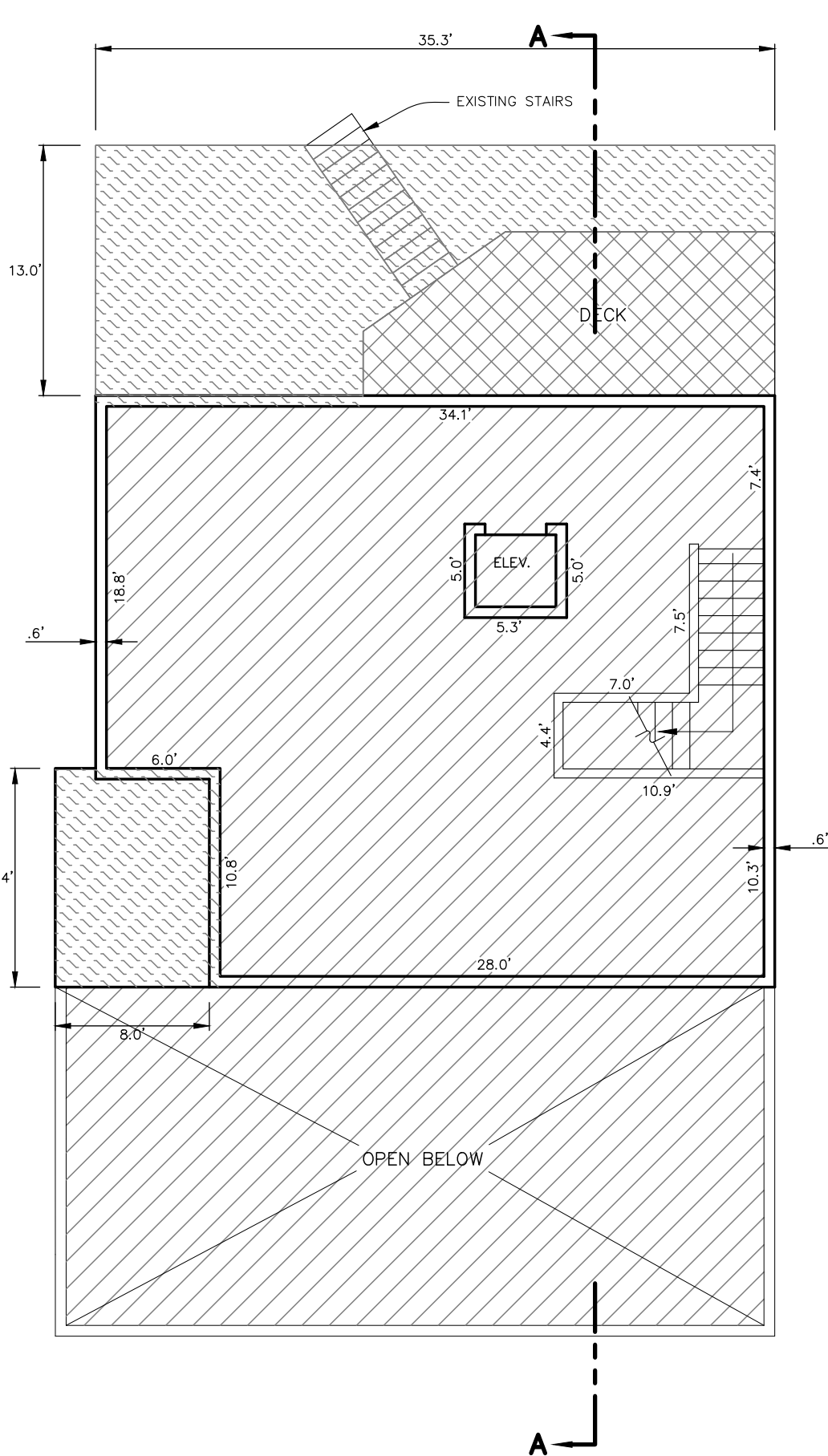
ENTRY LEVEL



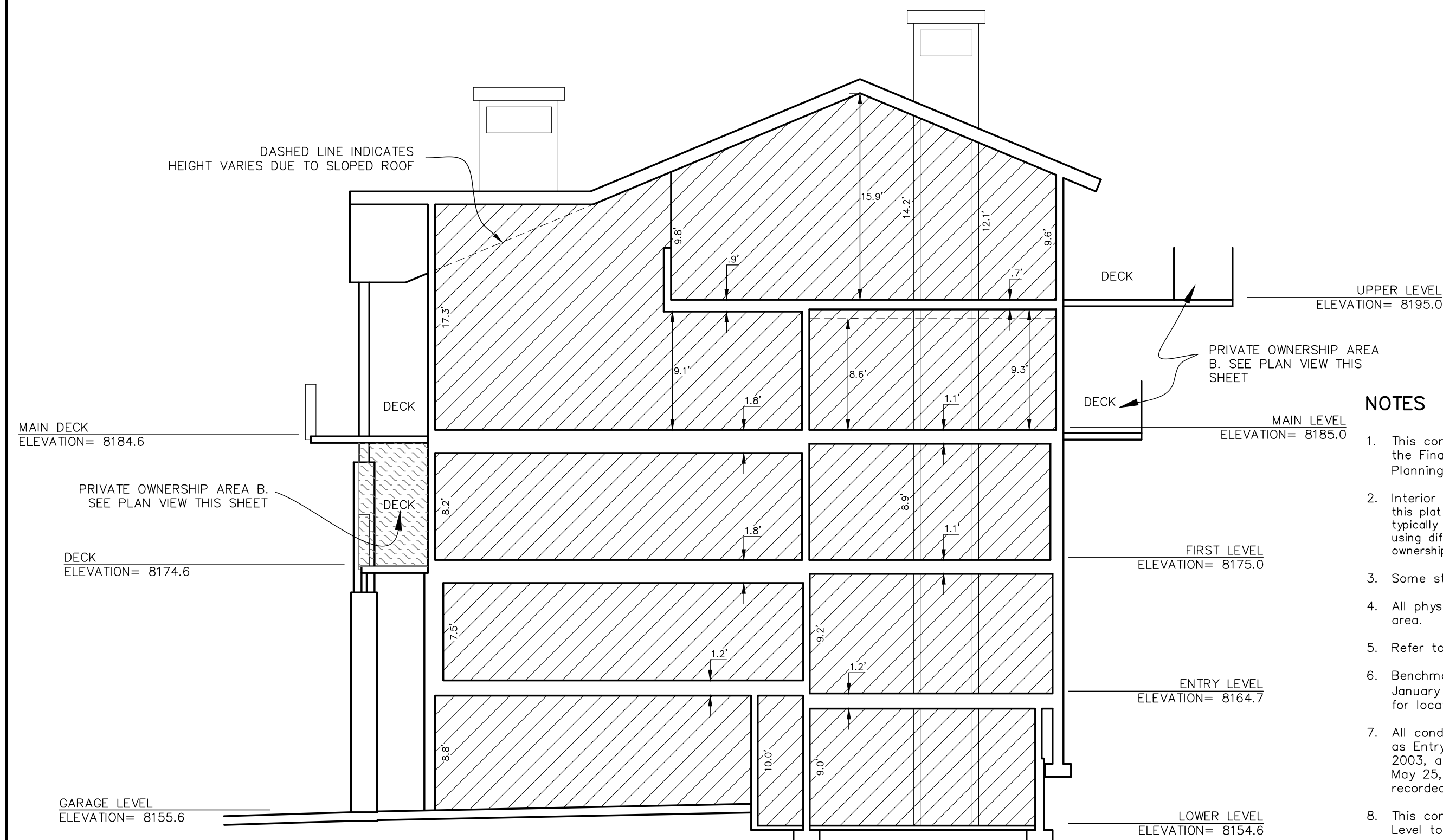
FIRST LEVEL



MAIN LEVEL



UPPER LEVEL



SECTION A

OWNERSHIP DESIGNATIONS	
	"PRIVATE OWNERSHIP AREA A"
	COMMON OWNERSHIP
	LIMITED COMMON OWNERSHIP
	"PRIVATE OWNERSHIP AREA B"

UNIT 35	SQUARE FOOTAGE
GARAGE/LOWER LEVEL	1388.4
ENTRY LEVEL	1450.2
FIRST LEVEL	1509.0
MAIN LEVEL	1704.1
UPPER LEVEL	946.6
TOTAL	6998.3

NOTES

- This condominium plat amendment is subject to the Conditions of Approval in the Final Action Letter dated _____, 2024, and on file with the Planning Department. (PL-24-06046)
- Interior dimensions shown are to finish surfaces and the square footages shown on this plat are calculated in accordance with the Utah Condominium Act. Such calculations typically differ somewhat from the square footage determined by the architect or others using different methods of determining unit size. It is the intent that the private ownership area of the units will be as constructed.
- Some structural elements are designated as Private Ownership "B".
- All physical features and improvements not shown are designated as common area.
- Refer to the Declaration of Condominium for complete description of ownership.
- Benchmark: See Sheet 1 of the Stag Lodge Phase II Condominium, recorded January 17, 1989 as Entry No. 303348 in the Summit County Recorder's Office for location and elevation.
- All conditions of approval of the Stag Lodge Phase II, recorded January 17, 1989, as Entry No. 303348; Stag Lodge Phase II, First Amended, recorded January 17, 2003, as Entry No. 645060 and Stag Lodge Phase II, Second Amended, recorded May 25, 2005, as Entry No. 737280; Stag Lodge Phase II, Third Amended, recorded January 12, 2015, shall continue to apply.
- This condominium plat amendment extends portions of the north wall of the Main Level to the north.
- All conditions of approval of the Deer Valley MPD shall continue to apply.
- Street address: 8200 Royal Street East #35.

OWNER'S CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS THAT, Warren Correll, the undersigned owner of the herein described Stag Lodge Phase II, Unit 35, hereby certifies that he has caused this plat amendment to be made, to be hereafter known as STAG LODGE PHASE II FIFTH AMENDED AMENDING UNIT 35.

WCSCM Utah LLC, a Virginia limited liability company

By: _____
Warren Correll, Manager

ACKNOWLEDGMENT

State of _____:

ss.

County of _____:

On this _____ day of _____, 2024, Warren Correll personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Warren Correll acknowledged to me that he is the manager of WCSCM Utah LLC, a Virginia limited liability company, the owner of Unit 35, and that he signed the above Owner's Consent to Record freely and voluntarily.

A Notary Public commissioned in _____

Printed Name _____

Residing in: _____

My commission expires: _____

SURVEYOR'S CERTIFICATE



I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 4857264 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I do further certify that by authority of the owners, I have prepared this condominium plat amendment of the property described hereon, hereafter to be known as STAG LODGE PHASE II FIFTH AMENDED AMENDING UNIT 35.

LEGAL DESCRIPTION

Unit 35, contained within the STAG LODGE CONDOMINIUM, PHASE II, AMENDED, a Utah expandable condominium project as the same is identified in the record of survey map recorded on March 4, 1985 in Summit County, as Entry No. 231328, (as said record of survey map may have heretofore been amended or supplemented) and in the declaration recorded in Summit County, as Entry No. 231329 in Book 333 of Page 435 (as said declaration may have heretofore been amended or supplemented). Together with the exclusive rights to the limited common areas associated with Unit 35 and the appurtenant undivided interest in said project's common areas as established in said declaration and allowing for periodic alteration both in the magnitude of said undivided interest and in the composition of the common areas and facilities to which said interest relates.

Together with a 25 foot wide private roadway and non-exclusive public utility easement as set forth on said record of survey map for STAG LODGE PHASE II recorded January 17, 1989 as Entry No. 303348 and the record of survey map for STAG LODGE PHASE III recorded March 1, 1990 as Entry No. 321286

ASSOCIATION CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS, that the undersigned, on behalf of Stag Lodge Owners Association, having complied with the requirements of both Statutes and the Recorded Declaration, hereby consents to the recording of this amended condominium plat.

Stag Lodge Owners Association, a Utah nonprofit corporation

By: _____
David Lippman, President

ACKNOWLEDGMENT

State of _____:

ss.

County of _____:

On this _____ day of _____, 2024, personally appeared before me, the undersigned Notary Public, in and for said County and State, David Lippman, being duly sworn, acknowledged to me that he is the President of Stag Lodge Homeowners Association, Inc., a Utah nonprofit corporation and that he signed the above Association Consent to Record for, on, and in behalf of all of the unit owners at the Stag Lodge Condominium Project acting as a group (under the name of the Stag Lodge Homeowners Association, Inc., a Utah nonprofit corporation) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1963) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Stag Lodge Condominiums.

A Notary Public Commissioned in _____

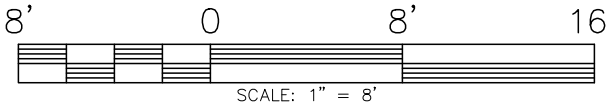
Printed Name _____

Residing in: _____

My commission expires: _____

FIFTH AMENDED
STAG LODGE PHASE II
AMENDING UNIT 35

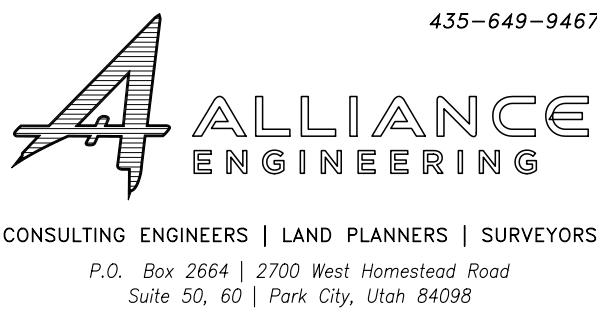
A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTHWEST
QUARTER OF SECTION 22,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



3/7/24

JOB NO.: 1-2-24

FILE: X:\SilverLakeVillage\dwg\sr\plat2024\010224.dwg



SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____

DAY OF _____, 2024.

BY _____

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____

DAY OF _____, 2024.

BY _____ CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____

DAY OF _____, 2024.

BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____

DAY OF _____, 2024.

BY _____

PUBLIC SAFETY ANSWERING POINT APPROVAL

APPROVED THIS _____ DAY

OF _____, 2024

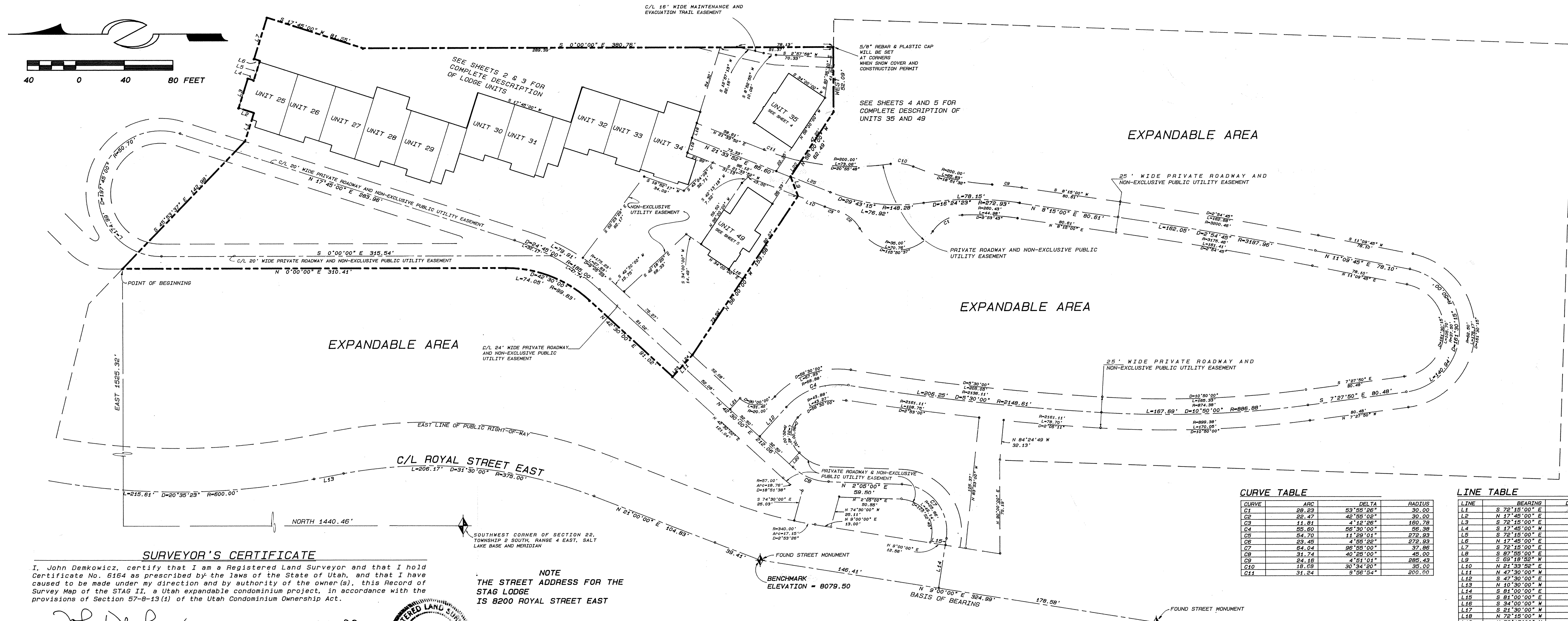
BY _____ SUMMIT COUNTY GIS COORDINATOR

RECORDED

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

DATE _____ TIME _____

ENTRY NO. _____ FEE _____ RECORDER _____

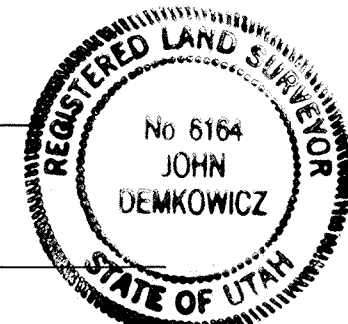


SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 6164 as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by authority of the owner(s), this Record of Survey Map of the STAG II, a Utah expandable condominium project, in accordance with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act.

John Demkowicz
JOHN DEMKOWICZ L.S. NO. 6164

12-19-88
DATE:



LEGAL DESCRIPTION

Beginning at a point that is North 1440.46 feet and East 1525.32 feet from the Southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, said point being on the South boundary line of STAG LODGE PHASE I, a Utah expandable condominium project, according to the official plat thereof, as recorded in Summit County, Utah; and running thence along said South boundary line thru the following 8 courses (1) S 45°53'37" E 142.98 feet; thence (2) S 72°15'00" E 23.83 feet; thence (3) N 17°45'00" E 13.00 feet; thence (4) S 72°15'00" E 24.83 feet; thence (5) S 17°45'00" W 5.00 feet; thence (6) S 72°15'00" E 16.50 feet; thence (7) N 17°45'00" E 5.00 feet; thence (8) S 72°15'00" E 34.83 feet; thence leaving said South boundary line along the East line of an expandable area to said STAG LODGE PHASE I thru the following 2 courses (1) S 17°45'00" W 81.55 feet; thence (2) South 380.76 feet to the Southeast corner of said expandable area; thence leaving said East line West 52.09 feet; thence N 56°00'00" W 62.49 feet to a point on the centerline of a private road and non-exclusive public utility easement; thence S 69°18'52" W 16.89 feet to a point on the West line of said private road and utility easement; thence leaving said West easement line N 56°00'00" W 153.58 feet to a point on the East line of a 24' wide private roadway and non exclusive public utility easement; thence N 47°30'00" W 24.00 feet to a point on the West line of said easement; thence along said West easement line thru the following 3 courses (1) N 42°30'00" E 91.02 feet to a point on a 99.83 foot radius curve to the left, the radius point of which bears N 47°30'00" W; thence, (2) northeasterly along the arc of said curve 74.05 feet thru a central angle of 42°30'00" to a point of tangency; thence (3) North 310.41 feet to the point of beginning. CONTAINS 2.143 ACRES

Subject to a private roadway and non-exclusive public utility easement as recorded in Summit County, Utah, Entry NO. 229400, January 11, 1985, Book 327, Pages 803-805

NOTE
THE STREET ADDRESS FOR THE STAG LODGE IS 8200 ROYAL STREET EAST

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that Success at Stag, A Utah Limited Partnership, being the owners of the tract of land in Park City, Summit County Utah, described on this sheet, do hereby consent to the recordation of the Record of Survey Map in the Office of the County Recorder of Summit County Utah, in accordance with the Utah Condominium Ownership Act.

Executed this 19th day of December, 1988.

Success at Stag
A Utah Limited Partnership

Harry F. Reed
By: Harry F. Reed
General Partner

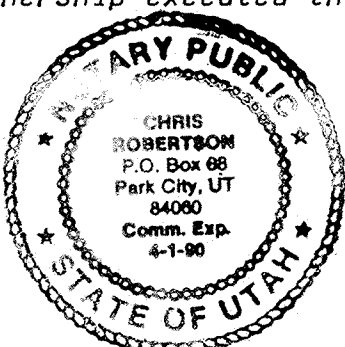
Stephen M. Schirf
By: Stephen M. Schirf
General Partner

ACKNOWLEDGEMENT

State of UTAH
County of Summit

On the 19 day of December, 1988, personally appeared before me Harry F. Reed, who, being by me duly sworn, did say that he is a General Partner of Success at Stag, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said Limited Partnership as such general partner, and said Harry F. Reed duly acknowledged to me that said partnership executed the same.

Chris Robertson
Notary Public
My Commission Expires: 4-1-90
Residing at: PARK CITY, UT

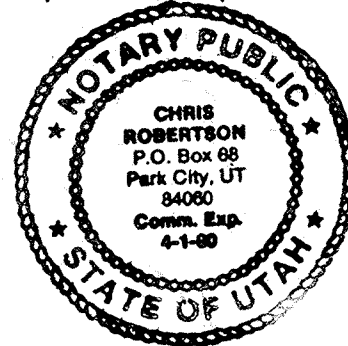


ACKNOWLEDGEMENT

State of UTAH
County of Summit

On the 19 day of December, 1988, personally appeared before me Stephen M. Schirf who, being by me duly sworn, did say that he is a General Partner of Success at Stag, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said Limited Partnership as such general partner, and said Stephen M. Schirf duly acknowledged to me that said partnership executed the same.

Chris Robertson
Notary Public
My Commission Expires: 4-1-90
Residing at: PARK CITY, UT



NOTE:

THE STAG LODGE HOMEOWNERS ASSOCIATION IS RESPONSIBLE FOR THE MAINTENANCE OF ALL 4" AND 6" SANITARY SEWER LATERALS.

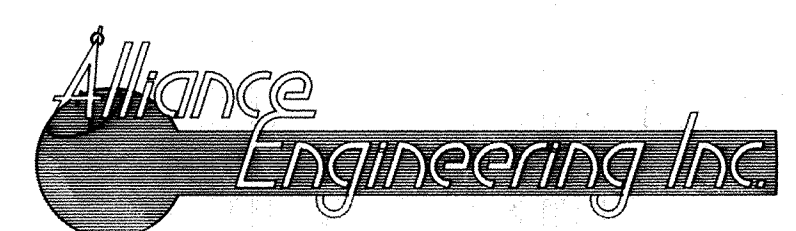
CURVE TABLE

CURVE	ARC	DELTA	RADIUS
C1	28.23	53°55'26"	30.00
C2	22.47	42°55'02"	30.00
C3	11.81	4°12'28"	180.78
C4	55.60	56°30'00"	56.38
C5	54.70	11°29'01"	272.93
C6	23.45	4°55'22"	272.93
C7	64.04	96°55'00"	37.86
C8	31.74	40°25'00"	45.00
C9	24.16	4°51'01"	285.43
C10	18.29	30°34'20"	35.00
C11	31.24	9°56'54"	200.00

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 72°15'00" E	23.83
L2	N 17°45'00" E	13.00
L3	S 72°15'00" E	24.83
L4	S 17°45'00" W	5.00
L5	S 72°15'00" E	16.50
L6	N 17°45'00" E	5.00
L7	S 72°15'00" E	34.83
L8	S 87°55'00" E	26.61
L9	S 69°18'52" W	16.89
L10	N 56°00'00" E	23.25
L11	N 47°30'00" W	24.00
L12	N 47°30'00" E	32.00
L13	N 10°30'00" W	24.44
L14	S 81°00'00" E	35.00
L15	S 81°00'00" E	9.36
L16	S 34°00'00" W	15.78
L17	S 24°30'00" W	11.05
L18	N 22°15'00" W	12.53
L19	N 72°15'00" W	16.53
L20	N 47°30'00" W	12.00
L21	S 47°30'00" E	12.00
L22	S 56°00'00" E	16.29
L23	S 47°30'00" E	12.00
L24	S 47°30'00" E	12.00
L25	N 21°33'52" E	34.61

RECORD OF SURVEY MAP OF:
STAG LODGE PHASE II
A UTAH EXPANDABLE CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, SUMMIT COUNTY, UTAH



ALLIANCE ENGINEERING INC.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 4 DAY OF January 1989 A.D.
BY *David D. Velazquez*
CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 12TH DAY OF JANUARY 1989 A.D.
BY *Eric W. Sullivan, P.E.*
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 11TH DAY OF January 1989 A.D.
BY *David A. Carter*
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

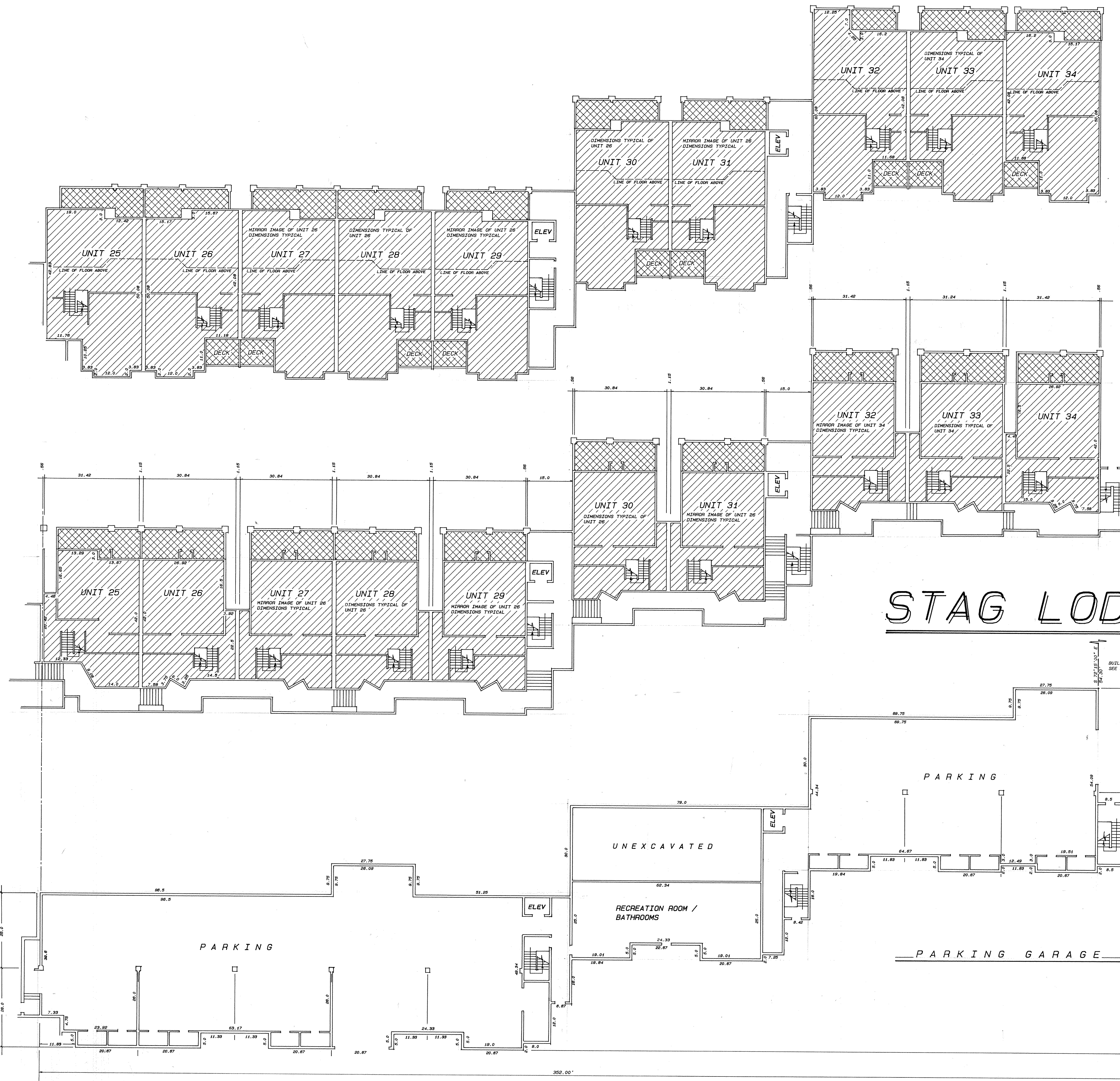
APPROVED AS TO FORM THIS 11TH DAY OF January 1989 A.D.
BY *Antonia G. Sheldon*
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 11TH DAY OF January 1989 A.D.
BY *John Taylor*
MAYOR

RECORDED

STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF *High Country Title*
DATE 1-17-89 TIME 11:22 BOOK PAGE
FEE *106.00* RECORDER *Alvin Serrano*



MAIN LEVEL /
MASTER BEDROOM LEVEL

NOTES:

1. Plans and dimensions shown on this plat were compiled from Architectural Drawings prepared by Richard Otto and field measurements made on site.
2. Interior dimensions shown are to finished surfaces.
3. All structural elements are designated as common areas.
4. All physical features and improvements not shown are designated as common areas.
5. Refer to Declaration of Condominium for complete description of ownership.
6. BENCHMARK: See Sheet 1 of 5 for location and elevation.

LOWER LEVEL /
ENTRY LEVEL

STAG LODGE PHASE II

OWNERSHIP LEGEND

- COMMON OWNERSHIP
- PRIVATE OWNERSHIP
- LIMITED COMMON OWNERSHIP

* OWNERSHIP LEGEND TYPICAL ALL SHEETS



STAG LODGE PHASE II

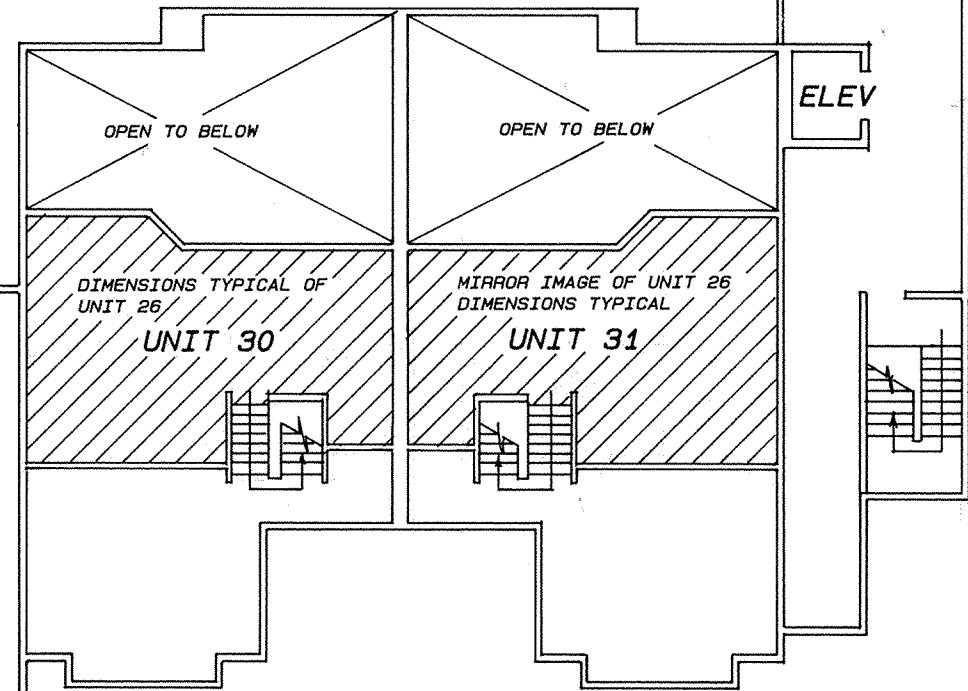
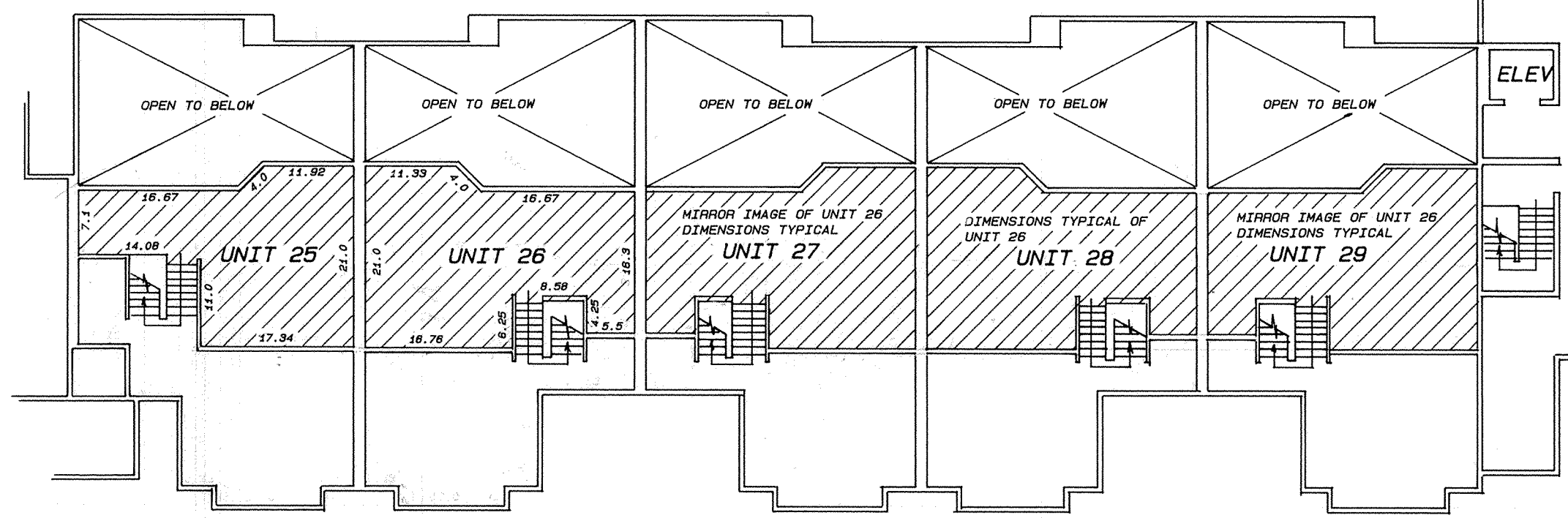
A UTAH EXPANDABLE CONDOMINIUM PROJECT LOCATED IN SECTION 22, T2S, R4E, SLB6M, SUMMIT COUNTY, UTAH

SHEET 2 OF 5

#303418 RECORDED
 STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE
 REQUEST OF *High Country Title*
 DATE *11/22/99* TIME *11:22* BOOK *106* PAGE *106*
 FEE *106* RECORDER *Alan Spriggs*

NOTES:

1. Plans and dimensions shown on this plat were compiled from Architectural Drawings prepared by Richard Otto and field measurements made on site.
2. Interior dimensions shown are to finished surfaces.
3. All structural elements are designated as common areas.
4. All physical features and improvements not shown are designated as common areas.
5. Refer to Declaration of Condominium for complete description of ownership.
6. BENCHMARK: See Sheet 1 of 5 for location and elevation.



UPPER LEVEL / LOFT



FINISH FLOOR ELEVATIONS

	UNIT 25	UNIT 26	UNIT 27	UNIT 28	UNIT 29	UNIT 30	UNIT 31	UNIT 32	UNIT 33	UNIT 34
LOFT LEVEL	8144.4	8149.0	8149.0	8153.6	8153.6	8164.4	8164.4	8178.0	8179.7	8181.5
MASTER BEDROOM	8139.4	8144.0	8144.0	8148.6	8148.6	8159.4	8159.4	8173.3	8175.0	8176.8
MAIN LEVEL	8134.4	8139.0	8139.0	8143.6	8143.6	8154.4	8154.4	8168.6	8170.3	8172.1
ENTRY LEVEL	8129.4	8134.0	8134.0	8138.6	8138.6	8149.4	8149.4	8163.9	8165.6	8167.4
LOWER LEVEL	8124.4	8129.0	8129.0	8133.6	8133.6	8145.4	8145.4	8159.2	8160.9	8162.7

UNIT SQUARE FOOTAGE

	UNIT 25	UNIT 26	UNIT 27	UNIT 28	UNIT 29	UNIT 30	UNIT 31	UNIT 32	UNIT 33	UNIT 34
LOFT LEVEL	508.5	541.1	541.1	541.1	541.1	541.1	541.1	553.1	553.1	553.1
MASTER BEDROOM	707.2	623.7	623.7	623.7	623.7	623.7	623.7	631.0	631.0	631.0
MAIN LEVEL	826.8	868.8	868.8	868.8	868.8	868.8	868.8	1009.6	882.6	882.6
ENTRY LEVEL	210.5	236.6	236.6	236.6	236.6	236.6	236.6	236.6	236.6	236.6
LOWER LEVEL	971.3	938.7	938.7	938.7	938.7	938.7	938.7	950.0	950.0	950.0
TOTAL	3224.3	3208.9	3208.9	3208.9	3208.9	3208.9	3208.9	3380.3	3253.3	3253.3

STAG LODGE PHASE II

LOFT LEVEL

MASTER BEDROOM LEVEL

MAIN DECK

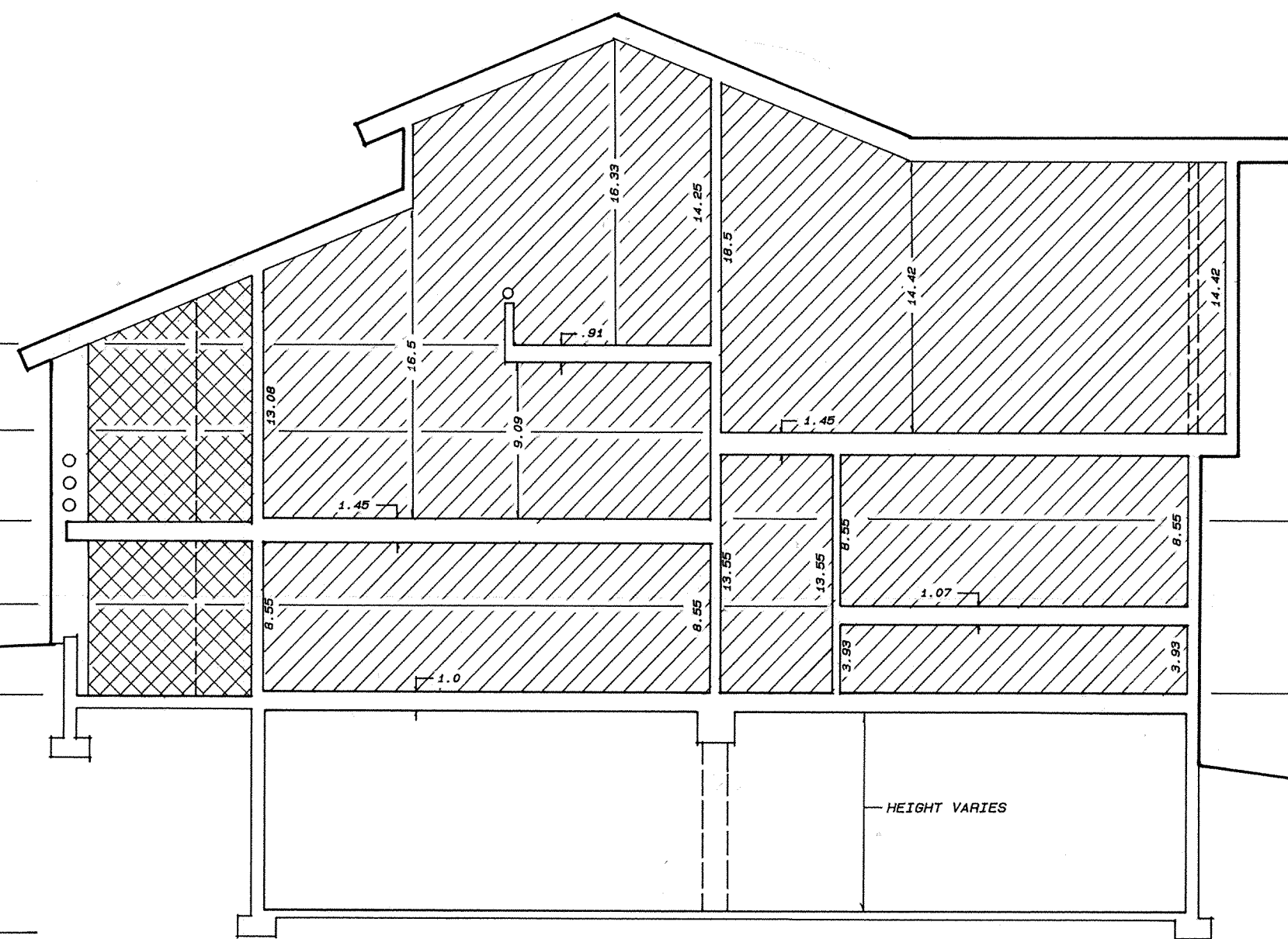
ENTRY LEVEL

LOWER DECK

MAIN LEVEL

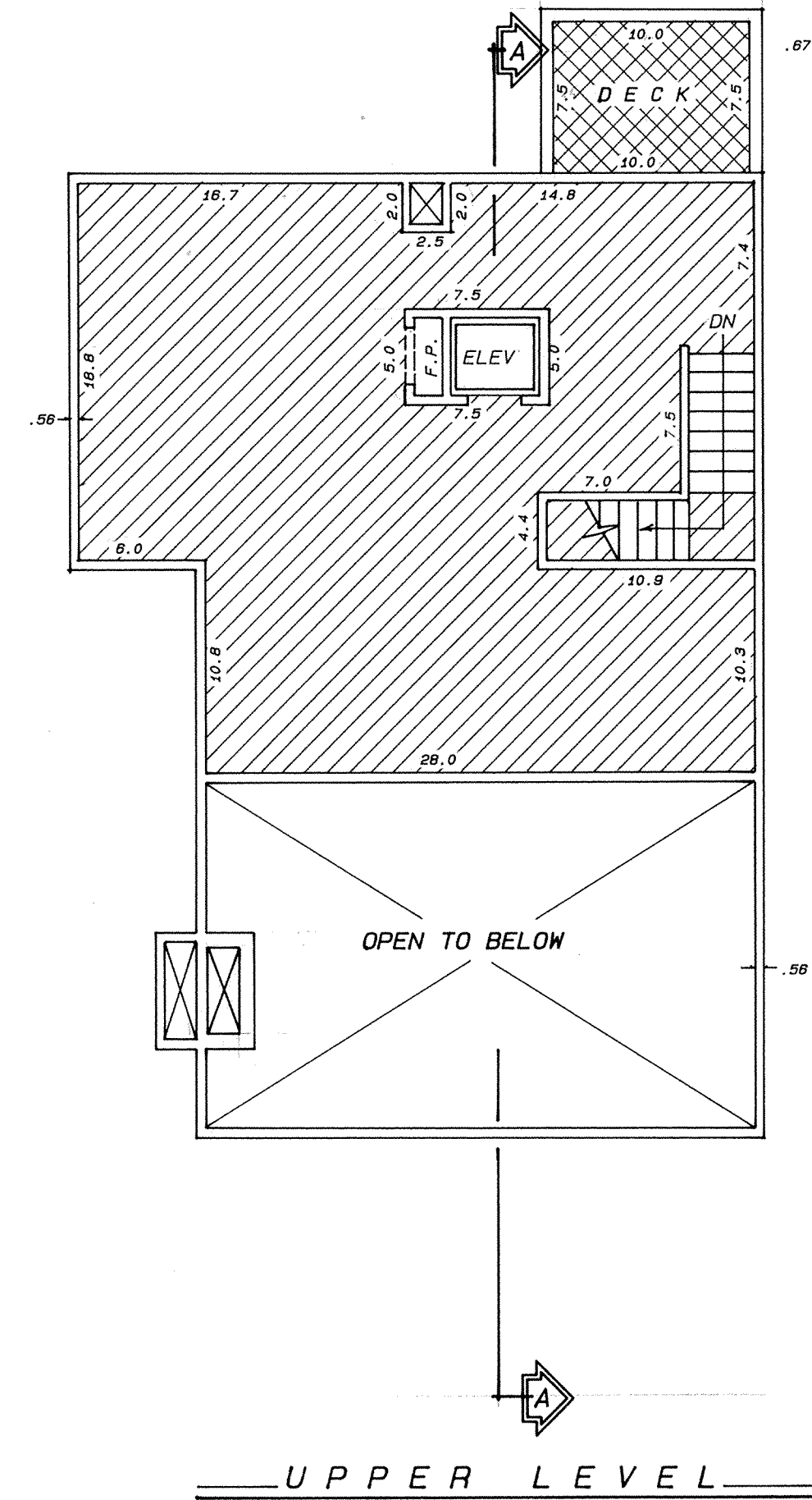
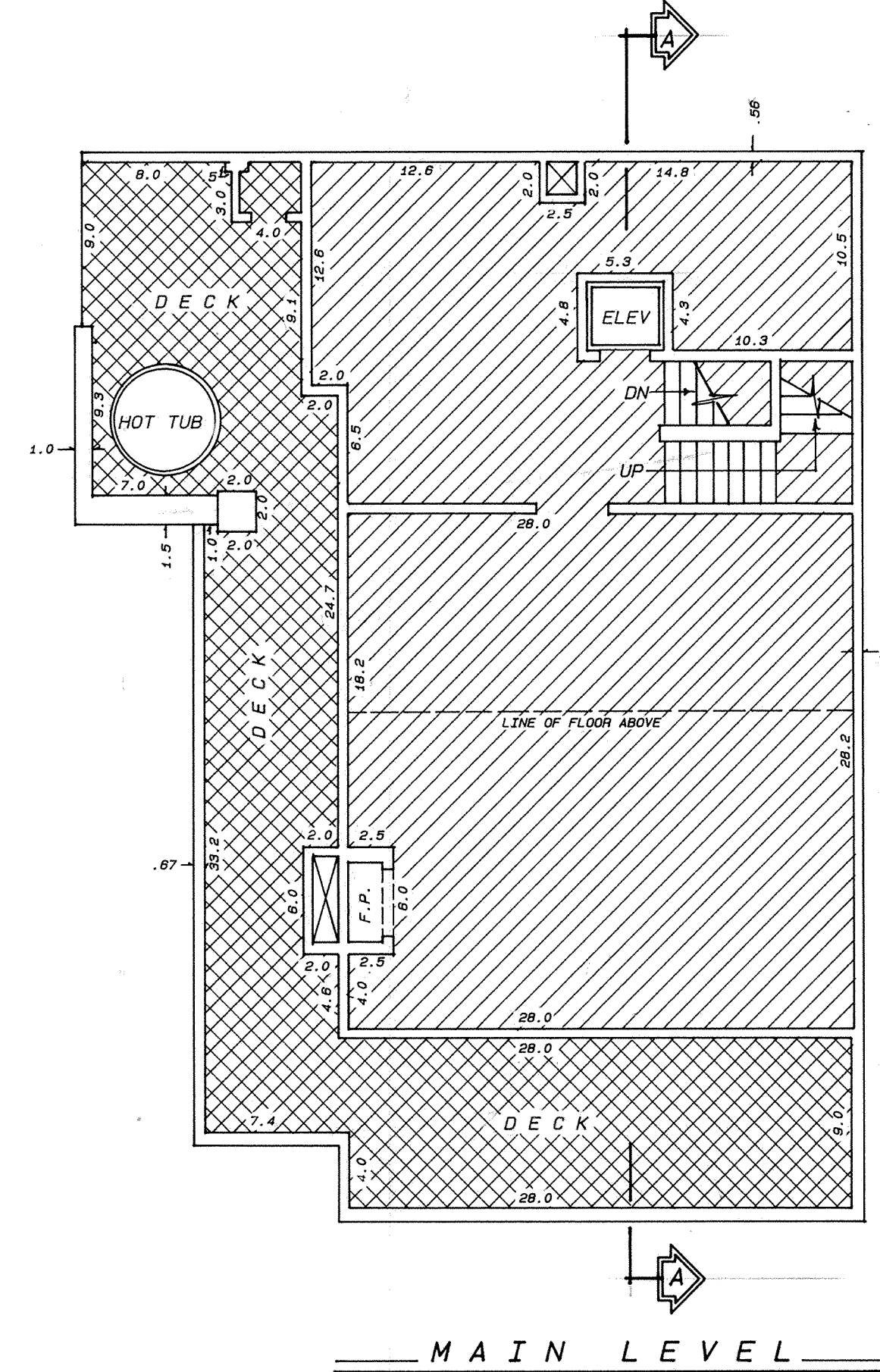
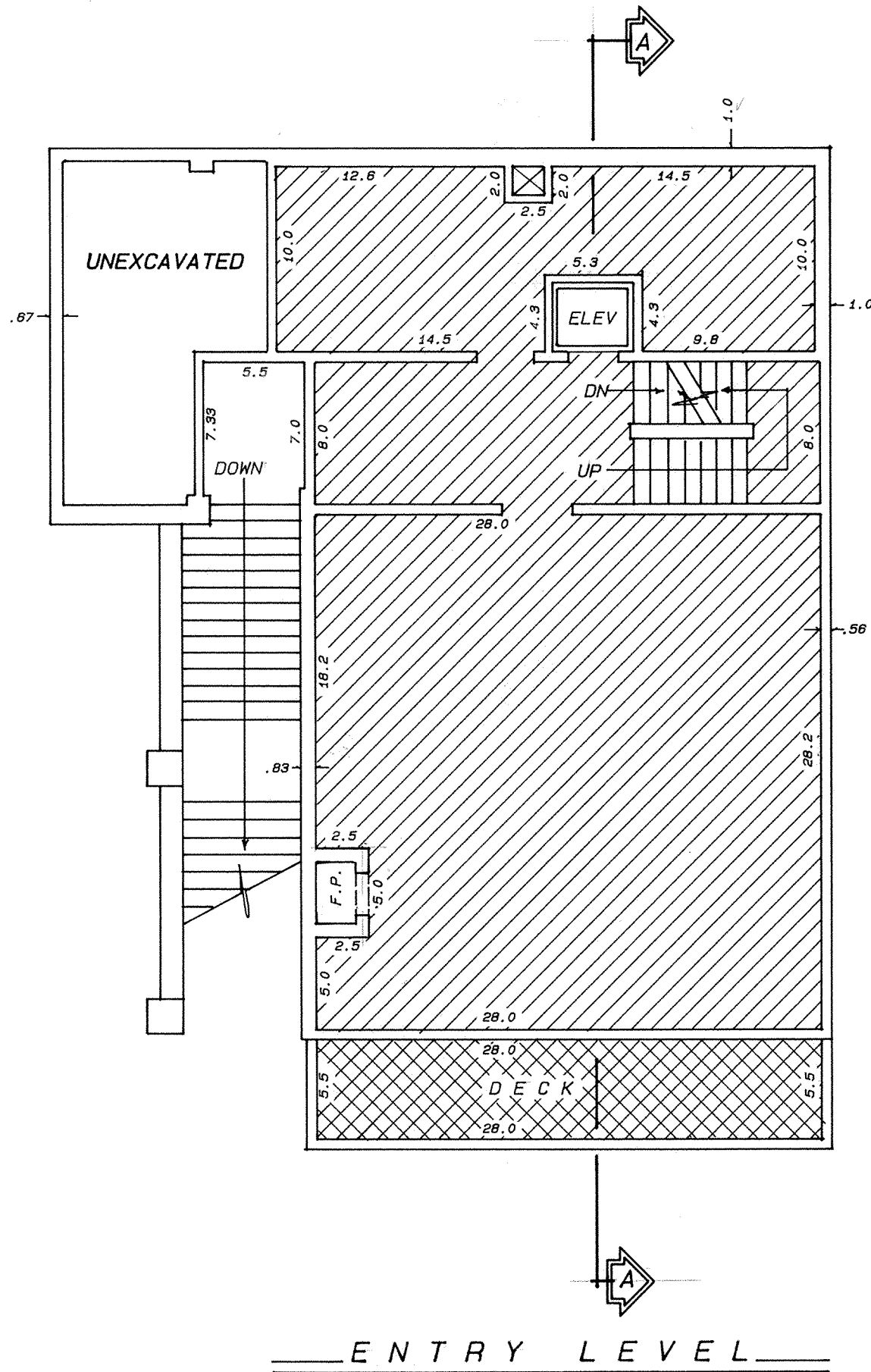
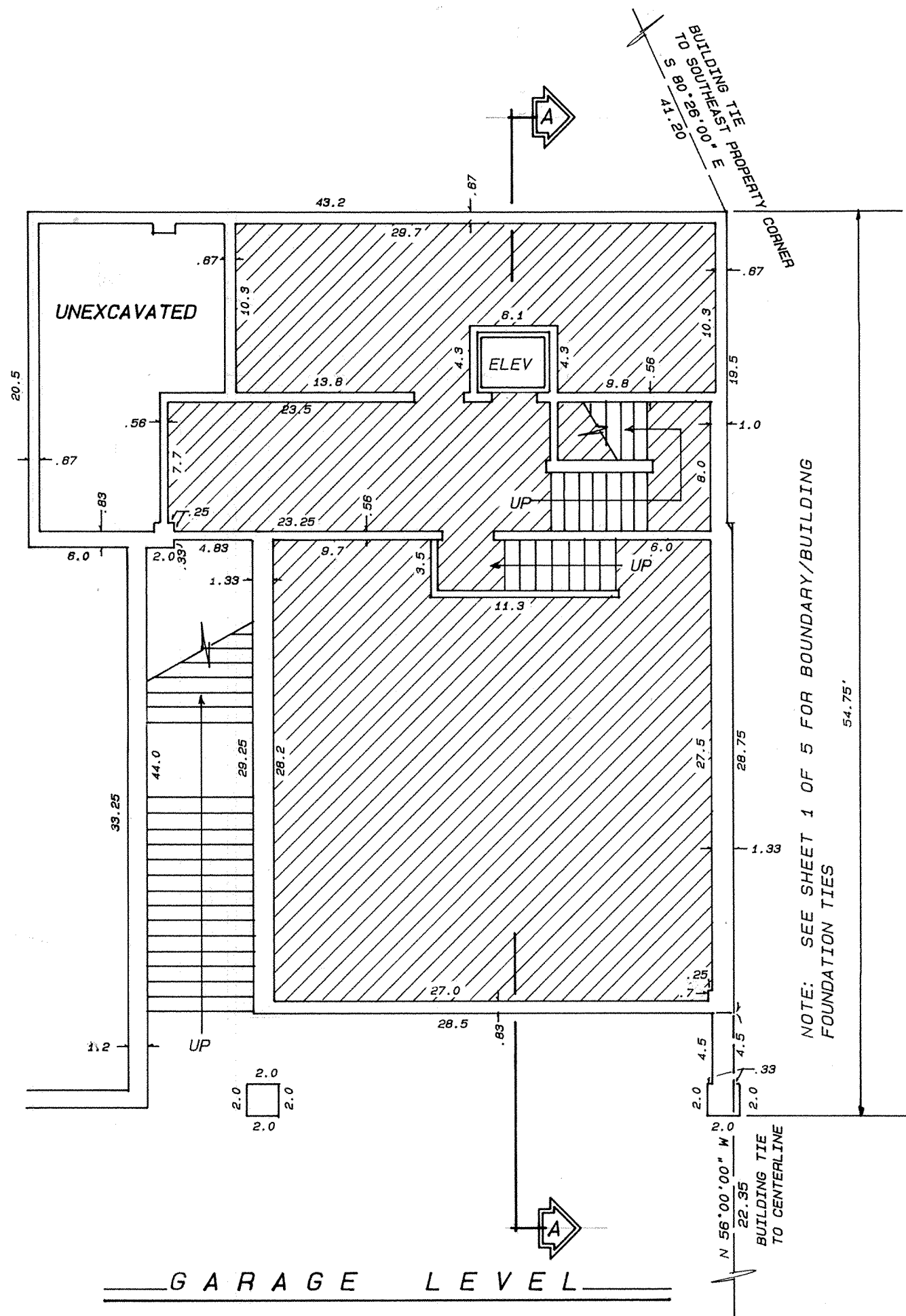
LOWER LEVEL

SECTION A



STAG LODGE PHASE II

A UTAH EXPANDABLE CONDOMINIUM PROJECT LOCATED IN SECTION 22, T2S, R4E, S10N,
SUMMIT COUNTY, UTAH
SHEET 3 OF 5
303348
RECORDED
STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE
REQUEST OF *High Country Title*
DATE *11-22-00* TIME *11:22* BOOK *106* PAGE *121*
FEE *106.00* RECORDER *Alan Spriggs*

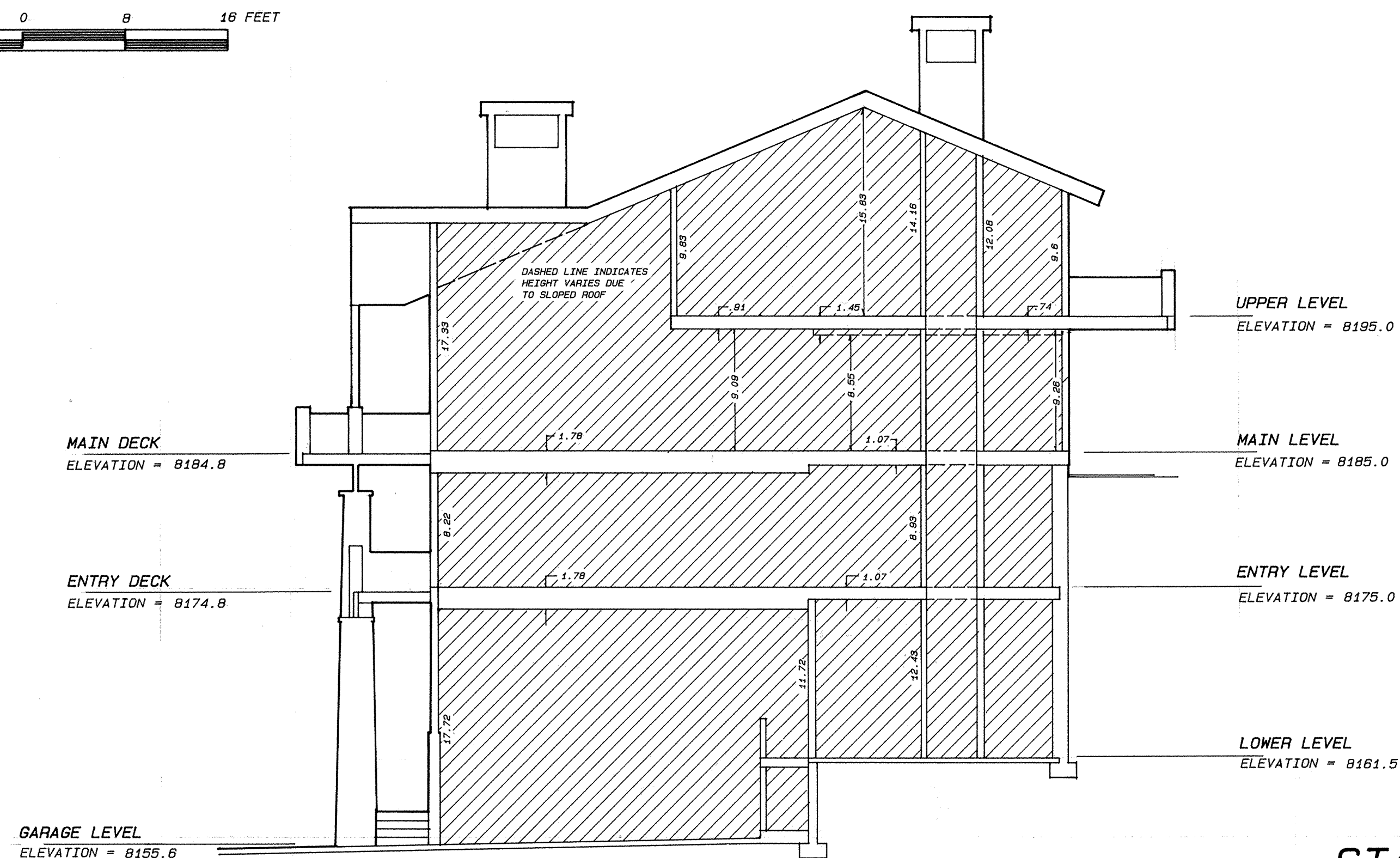


UNIT 35	SQUARE FOOTAGE
GARAGE LEVEL	1369.30
ENTRY LEVEL	1341.00
MAIN LEVEL	1365.10
UPPER LEVEL	941.60
TOTAL	5017.00

NOTES:

- Plans and dimensions shown on this plat were compiled from Architectural Drawings prepared by Richard Otto and field measurements made on site.
- Interior dimensions shown are to finished surfaces.
- All structural elements are designated as common areas.
- All physical features and improvements not shown are designated as common areas.
- Refer to Declaration of Condominium for complete description of ownership.
- BENCHMARK: See Sheet 1 of 5 for location and elevation.

UNIT 35



STAG LODGE PHASE II

A UTAH EXPANDABLE CONDOMINIUM PROJECT LOCATED IN SECTION 28, T8S, R4E, S16M, SUMMIT CO., UTAH

SHEET 4 OF 5

#303348

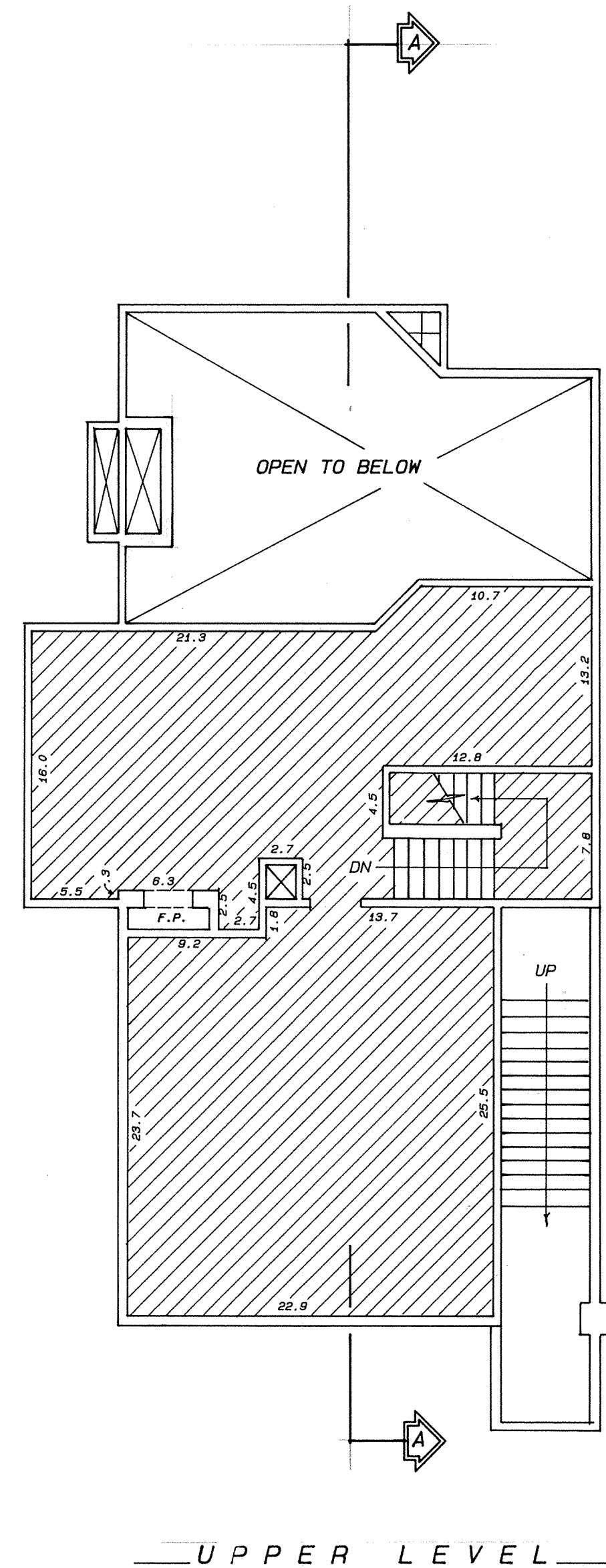
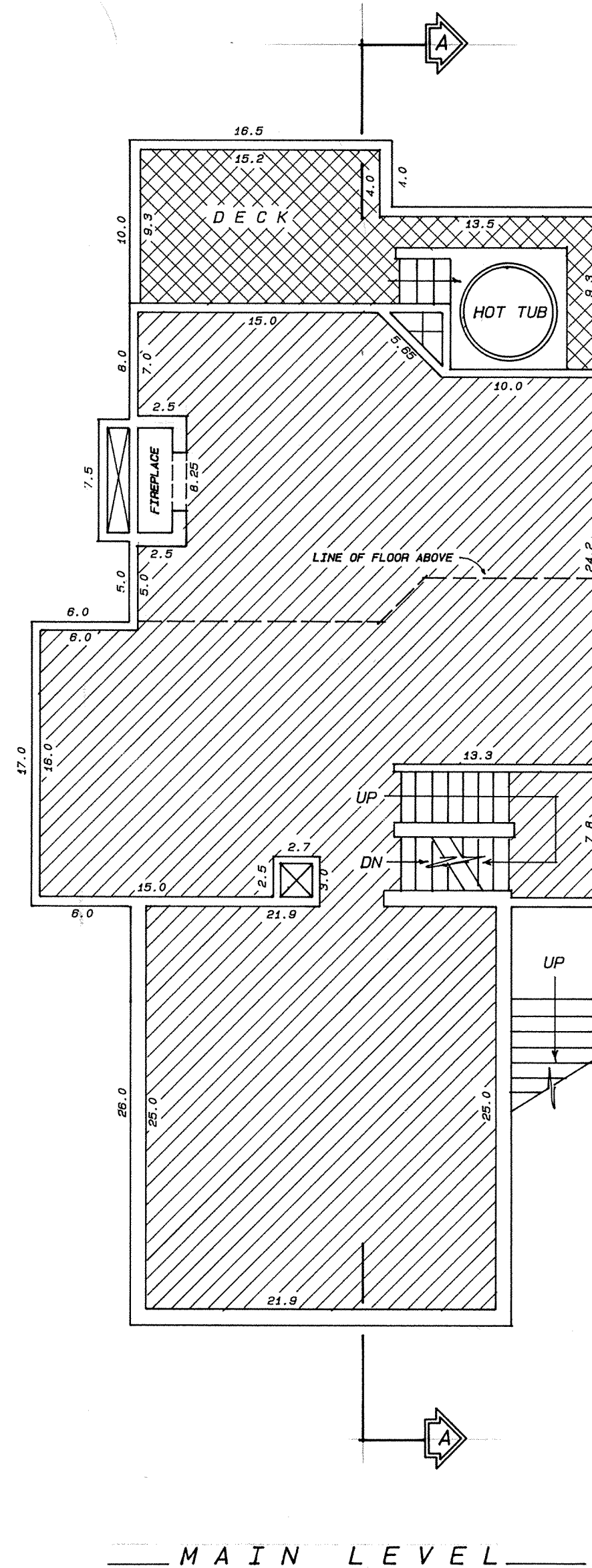
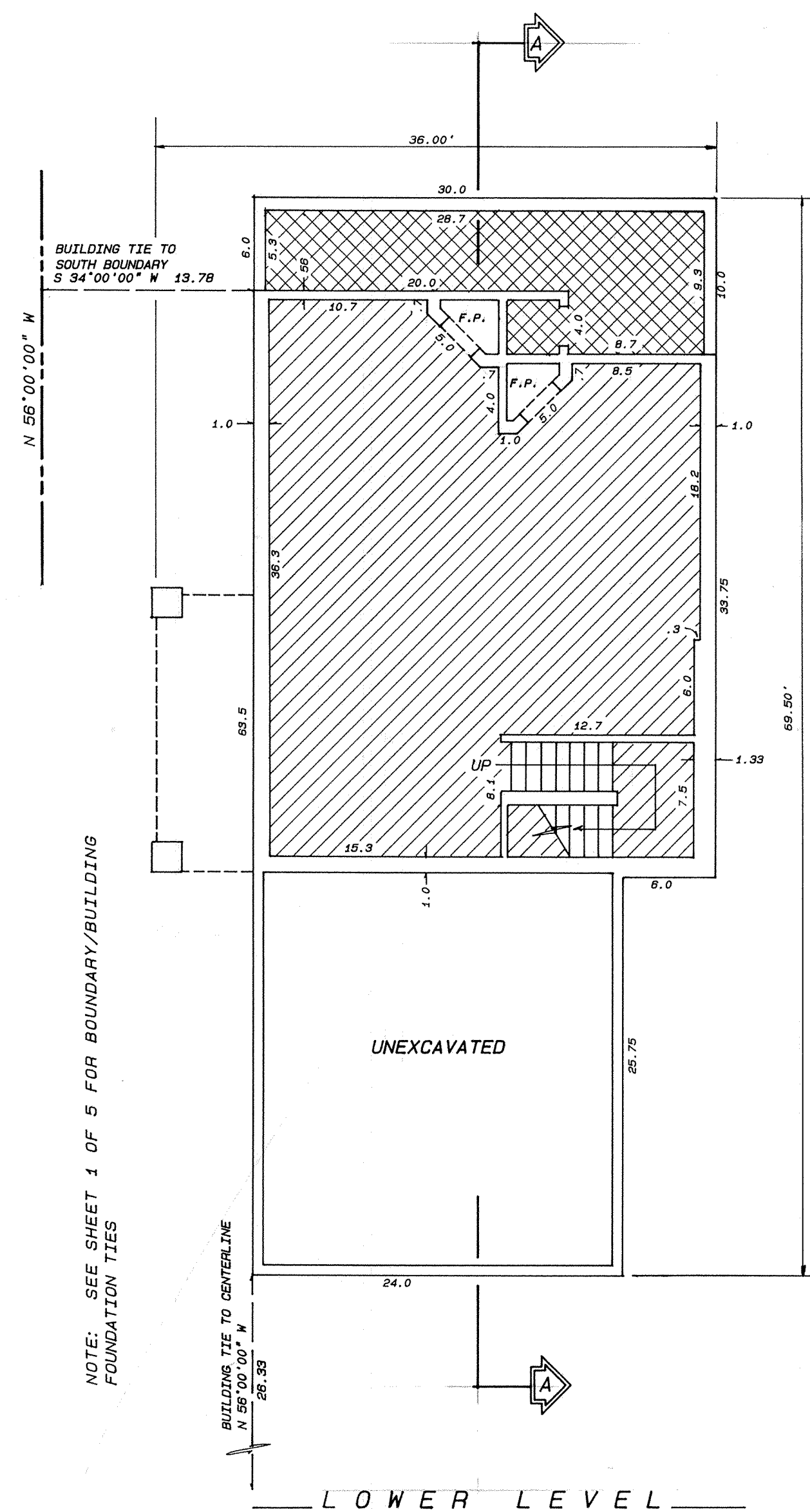
RECORDED

STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE

REQUEST OF *High Country Title*

DATE *1-17-99* TIME *11:22* BOOK _____ PAGE _____

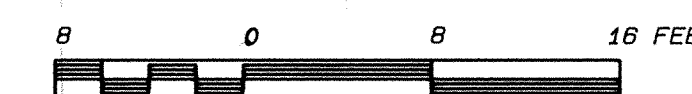
Alison Spizzo
FEE _____ RECORDER



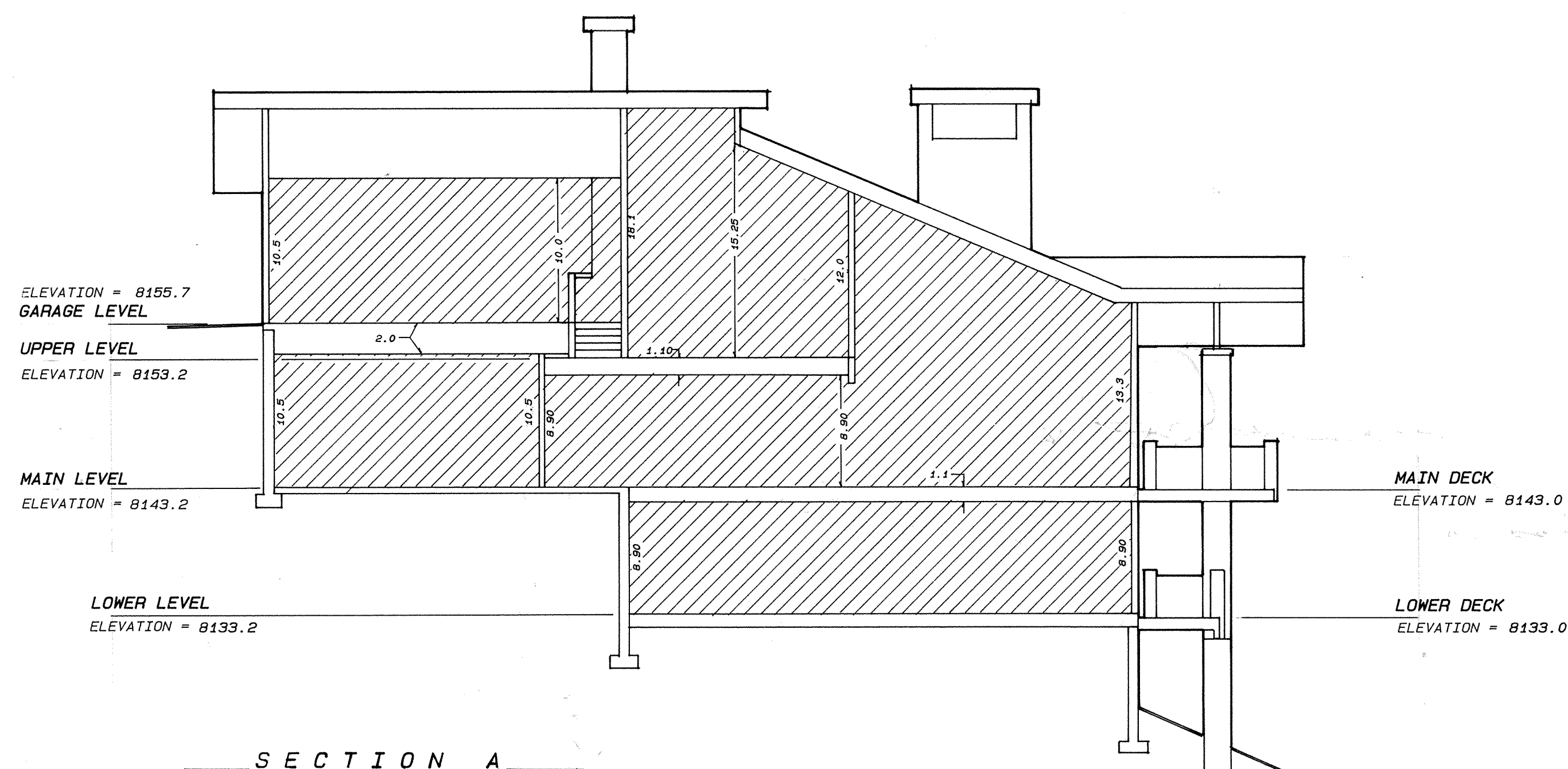
NOTES:

- Plans and dimensions shown on this plat were compiled from Architectural Drawings prepared by Richard Otto and field measurements made on site.
- Interior dimensions shown are to finished surfaces.
- All structural elements are designated as common areas.
- All physical features and improvements not shown are designated as common areas.
- Refer to Declaration of Condominium for complete description of ownership.
- BENCHMARK: See Sheet 1 of 5 for location and elevation.

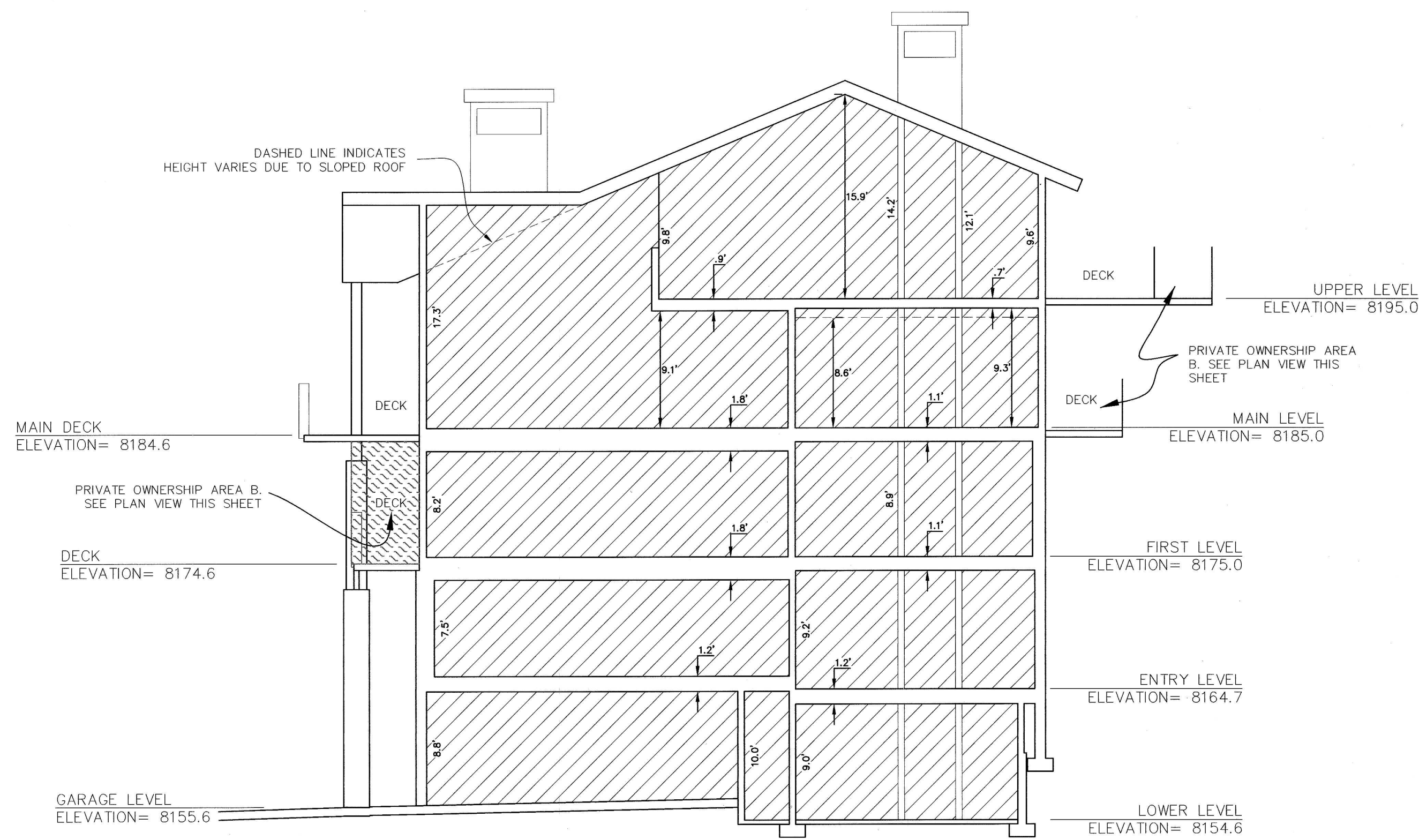
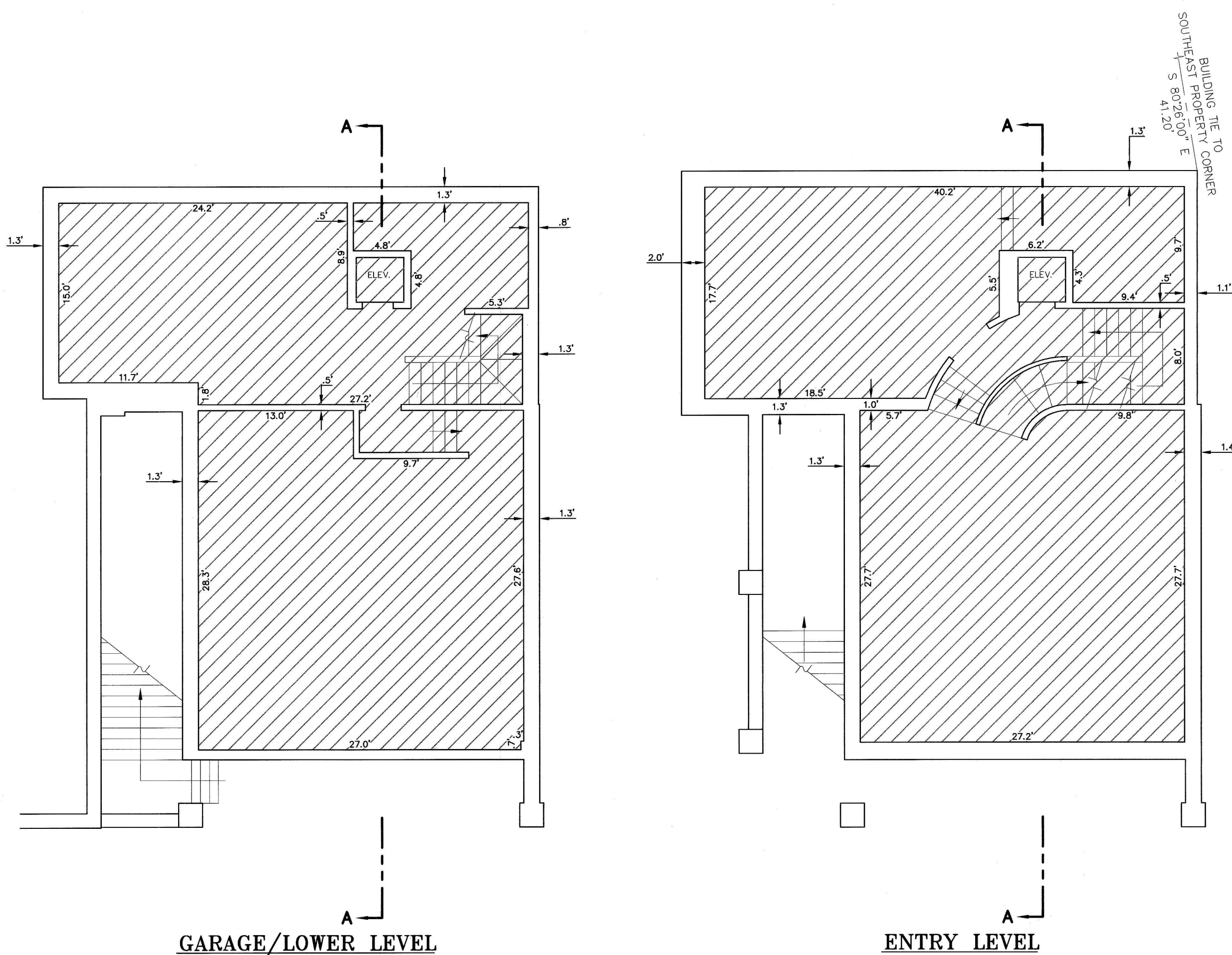
UNIT 49	SQUARE FOOTAGE
LOWER LEVEL	964.40
MAIN LEVEL	1775.89
UPPER LEVEL	1194.60
TOTAL	3934.89



UNIT 49



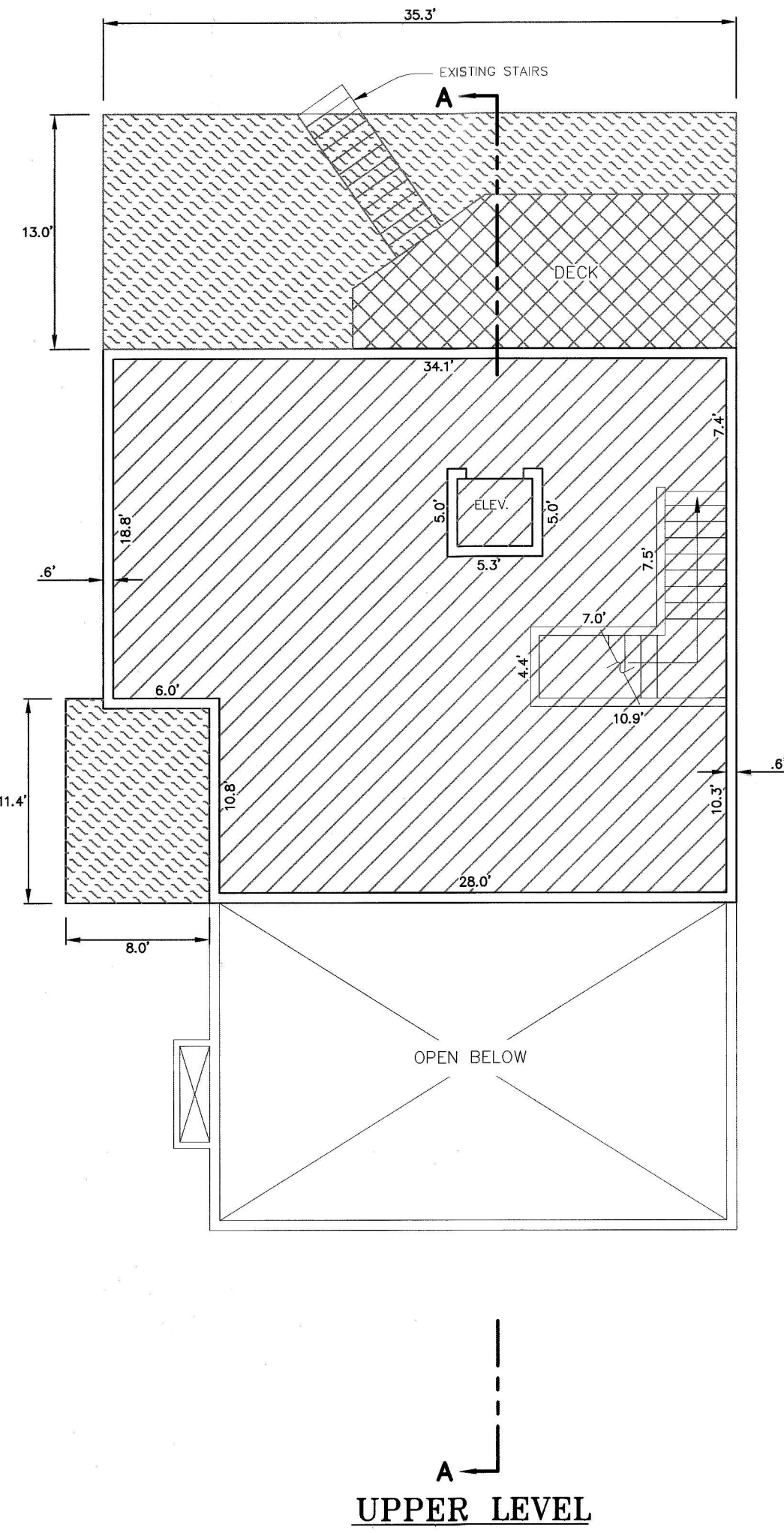
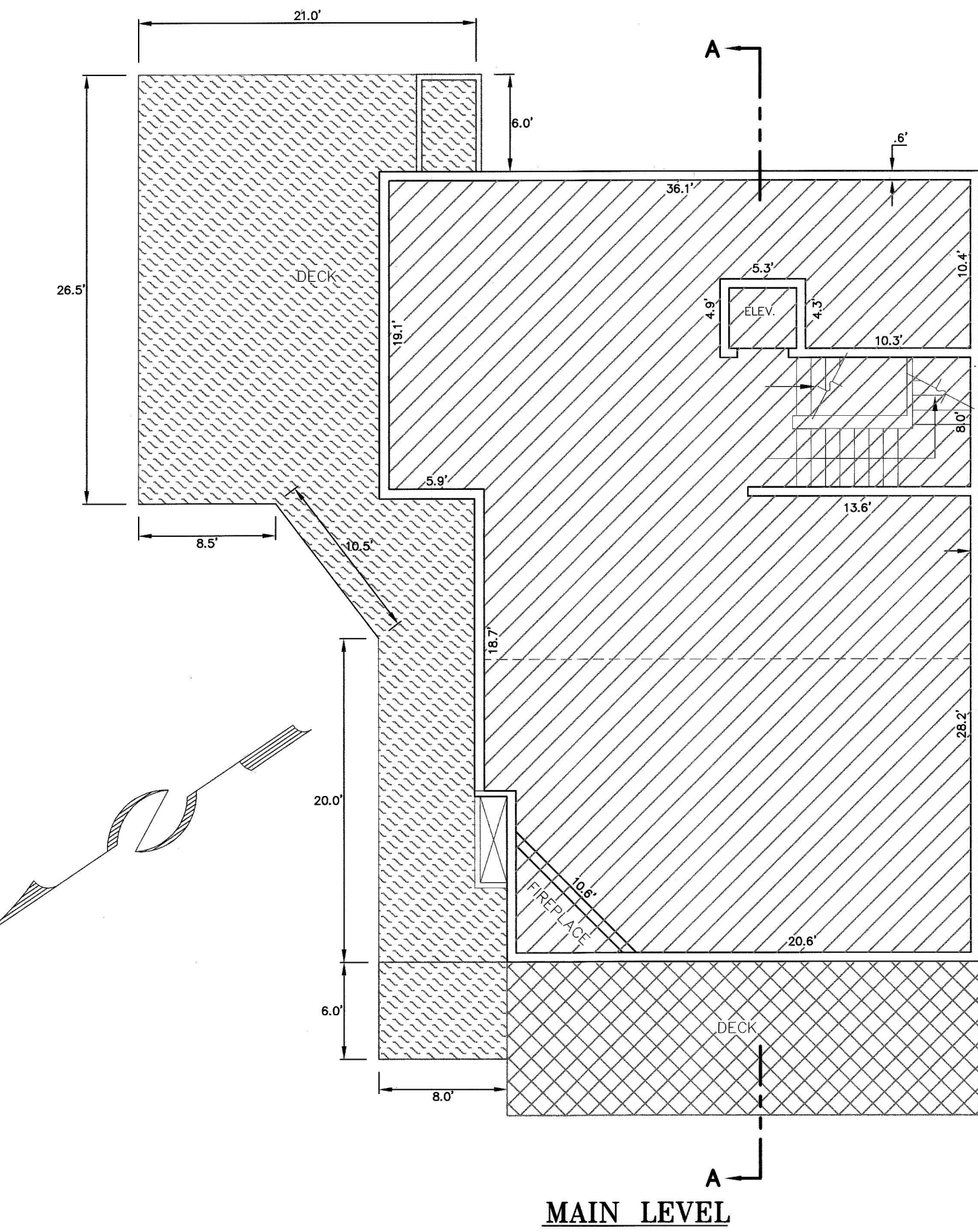
STAG LODGE PHASE II
A UTAH EXPANDABLE CONDOMINIUM PROJECT LOCATED IN SECTION 22, T2S, R4E, SLB6M, SUMMIT COUNTY, UTAH
SHEET 5 OF 5
203248 RECORDED
STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE
REQUEST OF *High Country Title*
DATE *1-17-89* TIME *11:22* BOOK *106* PAGE *85*
Alan Briggs
FEE RECORDER



OWNERSHIP DESIGNATIONS	
	"PRIVATE OWNERSHIP AREA A"
	COMMON OWNERSHIP
	LIMITED COMMON OWNERSHIP
	"PRIVATE OWNERSHIP AREA B"

UNIT 35	SQUARE FOOTAGE
GARAGE/LOWER LEVEL	1388.4
ENTRY LEVEL	1450.2
FIRST LEVEL	1509.0
MAIN LEVEL	1512.6
UPPER LEVEL	946.6
TOTAL	6806.8

- NOTES**
- Interior dimensions shown are to finish surfaces.
 - All structural elements are designated as common areas.
 - All physical features and improvements not shown are designated as common area.
 - Refer to Declaration of Condominium for complete description of ownership.
 - Benchmark: See Sheet 1 of the Stag Lodge Phase II Condominium, recorded January 17, 1989 as Entry No. 303348 in the Summit County Recorder's Office for location and elevation.
 - All conditions of approval of the Stag Lodge Phase II, recorded January 17, 1989, as Entry No. 303348; Stag Lodge Phase II, First Amended, recorded January 17, 2003, as Entry No. 645060 and Stag Lodge Phase II, Second Amended, recorded May 25, 2005, as Entry No. 737280 shall continue to apply.
 - The two primary changes reflected on this plan that are different from the previous plan are: 1) The Garage/Lower Level will include what was the unexcavated Common Area on the Garage Level on Stag Lodge Phase II, Second Amended for Unit 35 and has been expanded to Private Ownership. 2) To reflect changes that have taken place on what is designated as the Main Level and Entry Level on the Stag Lodge Phase II, Second Amended for Unit 35, recorded May 25, 2005, as Entry No. 737280 in the office of the Summit County Recorder.
 - All conditions of approval of the Deer Valley MPD shall continue to apply.
 - This record of survey is subject to the conditions of approval in Ordinance 14-40.



OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, that the undersigned owner of the herein described Stag Lodge Phase II, Unit 35, hereby certifies that he has caused this survey to be made and this amended Record of Survey Map to be prepared and hereby consents to the recordation of this amended Record of Survey Map.

Warren Correll
Warren Correll, Manager, WSCM Utah LLC

ASSOCIATION DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, that the undersigned, on behalf of Stag Lodge Owners Association, having complied with the requirements of both Statutes and the Recorded Declaration hereby consents to the recordation of this amended record of survey map.

Warren Correll
Warren Correll, President
Stag Lodge Owners Association

ACKNOWLEDGMENT

State of Utah
County of Summit
On this 10th day of October, 2014, Warren Correll personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Warren Correll acknowledged to me that he is the manager of WSCM Utah LLC, a Virginia limited liability company, the owner of Unit 35, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

Warren Correll
Warren Correll, Manager of WSCM Utah LLC, a Virginia limited liability company

A Notary Public commissioned in Summit County, Utah
Tori Ekstrom
Printed Name
Residing in: Summit County
My commission expires: March 19, 2016

TERI EKSTROM
Notary Public, State of Utah
Commission # 652363
My Commission Expires March 19, 2016

ACKNOWLEDGMENT

State of Utah
County of Summit
On this 10th day of October, 2014, personally appeared before me, the undersigned Notary Public, in and for said County and State, Warren Correll, being duly sworn, acknowledged to me that he is the president of the Stag Lodge Homeowners Association, Inc., and that he signed the above Owner's Dedication and Consent to Record for, on, and in behalf of all of the unit owners at the Stag Lodge Condominium Project acting as a group (under the name of the Stag Lodge Homeowners Association, Inc.) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 67-1-1 et seq. (1963) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Stag Lodge Condominium.

Warren Correll
A Notary Public Commissioned in Summit County, Utah
Tori Ekstrom
Printed Name
Residing in: Summit County
My commission expires: March 19, 2016

TERI EKSTROM
Notary Public, State of Utah
Commission # 652363
My Commission Expires March 19, 2016

SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owner, this Third Amended Record of Survey map of STAG LODGE PHASE II, UNIT 35, a Utah Condominium Project in accordance with the provisions of the Utah Condominium Ownership Act.

Martin A. Morrison
State of Utah
9-25-14

LEGAL DESCRIPTION

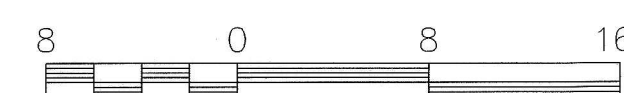
Unit 35, contained within the STAG LODGE CONDOMINIUM, PHASE II, AMENDED, a Utah expandable condominium project as the same is identified in the record of survey map recorded on March 4, 1985 in Summit County, as Entry No. 231328, (as said record of survey map may have heretofore been amended or supplemented) and in the declaration recorded in Summit County, as Entry No. 231329 in Book 333 at Page 435 (as said declaration may have heretofore been amended or supplemented). Together with the exclusive rights to the limited common areas associated with Unit 35 and the appurtenant undivided interest in said project's common areas as established in said declaration and allowing for periodic alteration both in the magnitude of said undivided interest and in the composition of the common areas and facilities to which said interest relates.

Together with a 25 foot wide private roadway and non-exclusive public utility easement as set forth on said record of survey map for STAG LODGE PHASE II recorded January 17, 1989 as Entry No. 303348 and the record of survey map for STAG LODGE PHASE III recorded March 1, 1990 as Entry No. 321296

THIRD AMENDED RECORD OF SURVEY MAP

STAG LODGE PHASE II UNIT 35

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



9/25/14 JOB NO.: 4-4-14 FILE: X:\SilverLakeVillage\dwg\sr\plat2014\040414.dwg

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

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 23rd DAY OF October, 2014
BY *Ken Butts*

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 23RD DAY OF JULY, 2014
BY *John W. Dwyer*
CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 18th DAY OF November, 2014
BY *Paul S. Miller*
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 9th DAY OF December, 2014
BY *Paul S. Miller*
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 9th DAY OF December, 2014
BY *Martin A. Morrison*
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 21ST DAY OF AUGUST, 2014
BY *Paul S. Miller*
MAYOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF First American Title
DATE 11/12/15 TIME 12:09 p.m.
1010601 \$31.00 Recky S. Darnold
ENTRY NO. FEE RECORDER

When recorded, Mail to:
Park City Recorder
PO Box 1480
Park City, UT 84060

**DEER VALLEY RESORT TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
November 30, 2016**

WHEREAS, Royal Street Land Company, a Utah corporation ("Royal Street") heretofore submitted to the Planning Commission of Park City ("Commission") certain items with relation to a residential, commercial, and recreational development project known as Deer Valley / Lake Flat Area Development ("Project") which items were listed in the original Permit granted for the Project by Commission and are incorporated herein by reference; and

WHEREAS, Commission found that such items submitted by Royal Street complied with and satisfied all applicable requirements of the Park City Land Management Code as then in force, to permit the construction of the Project as a planned unit development pursuant to the planned unit development exception then contained in the Park City Land Management Code; and

WHEREAS, Commission heretofore issued to Royal Street a Special Exception Permit dated September 27, 1977, with relation to the Project, which Special Exception Permit was amended by an Amended Special Exception Permit dated June 27, 1979 issued to Royal Street and by a Second Amended and Restated Special Exception Permit dated January 27, 1982, a Third Amendment to Special Exception Permit dated May 17, 1984, a Fourth Amendment to Special Exception Permit dated February 21, 1985, a Fifth Amended and Restated Special Exception Permit dated December 23, 1986, a First Amendment to Fifth Amended and Restated Special Exception Permit dated November 29, 1989, a Second Amendment to Fifth Amended and Restated Special Exception Permit dated April 11, 1990, a Sixth Amended and Restated Special Exception Permit dated October 10, 1990, a Seventh Amended and Restated Large Scale Master Planned Development Permit dated April 14, 1993, an Eighth Amended and Restated Large Scale Master Planned Development Permit dated April 25, 2001, a Ninth Amended and Restated Large Scale Master Planned Development Permit dated June 28, 2006, a Tenth Amended and Restated Large Scale Master Planned Development Permit dated August 12, 2009, and an Eleventh Amended and Restated Large Scale Master Planned Development Permit dated March 23, 2011, which were issued to Deer Valley Resort Company ("Permittee"), as assignee and successor to the rights of Royal Street under the Special Exception Permit; and

WHEREAS, Permittee and Commission desire to further amend and restate the Large Scale Master Planned Development Permit to reflect actions approved by the Commission with respect to the combination of vacant Deer Valley MPD Silver Lake Village Lots F, G, and H into one Lot I and to transfer 843 square feet of existing residential density (0.4215 unit equivalents (UE)) from Deer Valley MPD Silver Lake Village Lot D (existing Goldener Hirsh Inn) to the new Deer Valley MPD Silver Lake Village Lot I, to accommodate connection, access and circulation between the Goldener Hirsch Inn on Parcel D and the future Goldener Hirsch Residences proposed on Parcel I.

WHEREAS, Permittee has requested modification to the Large Scale Master Planned Development Permit and Commission is willing to grant said modifications as herein set forth; and

WHEREAS, Commission finds that it is in the best interest of Park City and its citizens that Permittee be granted the right to construct and develop the Project as a Master Planned Development in accordance with the Park City Land Management Code passed and adopted December 22, 1983, effective January 1, 1984 as the same has been amended by Ordinance to the date hereof (herein designated the "Code") and in accordance with the Large Scale Master Planned Development Permit as amended and restated hereby.

NOW THEREFORE, the Large Scale Master Planned Development Permit is hereby amended and restated to authorize and grant the right, and Permittee is hereby authorized and granted the right, to develop and construct the Project, subject to Planning Commission approval of any required Conditional Use Permits for site specific development and City Council approval and recordation of any required subdivision plats, as outlined and detailed in this: (A) Twelfth Amended and Restated Large Scale Master Planned Development Permit ("Permit") including the Exhibits hereto and those documents and items submitted by Permittee as aforesaid, as a Master Planned Development pursuant to the Master Planned Development provisions contained in the Code; and, (B) the Agreement dated July 12, 1978, between Park City, as "City", and Royal Street, as "Royal Street", as amended by an Amendment to Agreement dated May 29, 1978, a Second Amendment to Agreement dated April 3, 1980, a Third Amendment to Agreement dated August 21, 1980, as amended and restated in its entirety by a Fourth Amendment and Restatement of Agreement, a Fifth Amendment to Agreement dated May 17, 1984, and a Sixth Amendment to Agreement dated February 21, 1985, and all subsequent amendments, which are all incorporated herein by reference and which Agreement as so amended is herein referred to as the "Agreement", and as such Agreement may hereafter be further amended from time to time. Park City is hereinafter referred to in this Permit as "City".

A. **Densities.** For purposes of determining densities in the Project:

(1) Insofar as the following portions of the Project are concerned, the authorized densities shall be as follows:

<u>Parcel Designation</u>	<u>Authorized Dwelling Units</u>
Northwest Multi-Family (Fawn grove)	80
North Entrance Multi-Family (Pinnacle)	40
North Hillside Multi-Family (Pinnacle)	46
Southwest Multi-Family (Aspenwood)	30
Southwest Multi-Family (Courchevel)	13.5
Northwest Hillside Multi-Family (Daystar)	24
South Entrance Multi-Family (Stonebridge)	50
South Multi-Family (Lakeside)	60
West Multi-Family (Pine Inn and Trails End)	40
Total	383.5

For purposes of determining densities on the parcels designated in this Subparagraph (1), a single family home or an apartment containing two bedrooms or more constituted a dwelling

Unit, a one-bedroom apartment constituted one-half of a dwelling Unit, and a hotel room or lodge room constituted one-half of a dwelling Unit. The parcels in this subparagraph have all been developed as of the date hereof.

(2) Insofar as all portions of the Project other than the nine parcels containing 383.5 dwelling Units identified in Subparagraph A. (1) above are concerned, an apartment Unit containing one bedroom or more shall constitute a dwelling Unit and a hotel room or lodge room shall constitute one-half of a dwelling Unit.

(3) If approved in advance by Commission and Permittee, the owner of any development parcel in the Project shall have the right to have the densities permitted on said development parcel calculated in accordance with Subparagraph A. (1) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) or in accordance with the Unit Equivalent formula contained in Section 10.12 of the Code, as said Unit Equivalent formula may from time to time be amended or modified. In the event of election of an owner to utilize said Unit Equivalent formula and approval thereof by Commission and Permittee, the maximum number of Unit Equivalents which may be contained in the structures built upon said development parcel shall not exceed the permitted number of dwelling Units to be constructed thereon determined in accordance with Subparagraph A. (1) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) and the number of Unit Equivalents as constructed on said development parcel shall for all purposes hereof be deemed the number of units constructed thereon. Approval of use of the Unit Equivalent formula by Commission and Permittee shall not, and cannot, alter or release any private land use covenants between the owner and Deer Valley, or others, concerning development of the property or the density permitted thereon.

(4) Insofar as the following portions of the Project are concerned, the authorized densities, permitted on the development parcels are required to be calculated in accordance with the Unit Equivalent Formula contained in Section 10.12 of the Code as said Unit Equivalent formula may from time to time be amended or modified:

<u>Parcel Designation</u>	<u>Authorized Unit Equivalents</u>
Snow Park Village	209.75
Total	209.75

B. Unit Size. Except for units with relation to which the owner elected or elects to or is required to utilize the Unit Equivalent formula, there shall be no size limitation for Units constructed on any parcel provided that following construction the parcel proposed to be developed contains a minimum of 60% open space and otherwise complies with MPD and all applicable zoning regulations.

C. Development Parcel Designations. Development parcel designations, prescribed densities, parcel sizes, building height limitations (the height limitation for each parcel will be determined by reference to the Code in effect at time of application for approval of the development of the parcel) and the status of development of the parcels as of the date hereof are reflected on Exhibit 1. Permittee shall have the right to develop a total of 2,110 residential Units (exclusive of employee housing Units) within the Project. Permittee shall have the right to develop 209.75 Unit Equivalents within the Snow Park Village, subject to the conditions and

requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the following:

(1) **Conditional Use Review.** Prior to the sale by Permittee of the Snow Park Village, Permittee shall submit a site-specific plan with relation to such parcel to the Commission requesting approval for construction on the parcel. In addition, the Permittee shall request the establishment of building site conditions with relation to the parcel. Accordingly, Permittee or persons acting on its behalf shall file with the Community Development Department of City a completed application form supported by the information set forth in Section 15-6 of the Code, as the same may be amended from time to time. The procedure for the approval or disapproval of any site-specific plan shall be based upon the provisions of this Permit and the conditional use criteria of the Code in effect on the date of application. Components of the Project, other than land development parcels, are listed on Exhibits 2 and 3.

D. Subdivision of Development Parcels. Prior to the sale of any individual lots on any parcel listed on Exhibit 1 developed for residential use as a "subdivision" as defined by the City subdivision ordinance and state statute, the party electing to establish a subdivision on said parcel shall comply with all applicable provisions of the City subdivision ordinance in effect at the time of application. The procedure for the approval or disapproval of any subdivision application shall be based upon the procedure provided in the City subdivision ordinance in effect at the time of application.

Prior to the filing of a record of survey map and declaration of condominium to establish a condominium on any parcel listed on Exhibit 1, the party electing to establish a condominium shall comply with all applicable provisions of any City condominium ordinance in effect at the time of application. The procedure for the approval or disapproval of any condominium shall be based upon the Utah Code and any City condominium ordinance in effect at the time of application.

E. Applicability of Sensitive Area Overlay Zone. For projects within the Deer Valley Large Scale Master Planned Development, the density limitations of the Sensitive Area Overlay Zone do not apply because Master Planned Developments approved prior to the adoption of the Sensitive Area Overlay Zone are vested in terms of density. Site planning standards can be applied only to the extent that they do not unequivocally reduce vested density. Limits of disturbance, vegetation protection, and building design standards do apply.

F. Relationship to National Standards. The provisions of the Code and any other applicable zoning and development ordinances including national standards with respect to engineering or building requirements as adopted by City, in effect in City on the date hereof, shall govern the development within the Project, except as otherwise provided herein.

G. Off-Street Parking. Parking required with relation to each portion of the Project shall be based upon Code as in effect at the time application for a building permit for such portion of the Project as is filed with City. For purposes of calculating required parking, the Project shall be deemed to be zoned Residential Development District (RD) Master Planned Developments (MPD). Parking for each separate development parcel in the Project shall be determined in accordance with the Code at the time of application for Conditional Use approval. Any additional parking shall not encroach into zoned open space.

If the capacity of the surface parking lots in the Snow Park Community is exceeded on 10% or more of the days during any single ski season the need for constructing additional parking in said area shall be reviewed by the Commission.

H. Commercial Space, Support Commercial, and Meeting Space. Exhibit 2 hereto lists commercial and support space allotted to the Project. The General Snow Park Commercial category is restricted in utilization within the Project to the following parcels in the Snow Park area:

Pine Inn Multi-Family Parcel
Snow Park Lodge Multi-Family Parcel (Black Diamond Lodge)
Snow Park Village (Combination of Snow Park Hotel Parcel and
Snow Park Parking Area Parcel)
Snow Park Day Center Parcel

Utilization of portions of the General Snow Park Commercial category within any of the above listed parcels is subject to the specific approval of both Permittee and Commission.

In addition to the Exhibit 2 Commercial Space permitted in the Project, Support Commercial shall be permitted and used as defined in the Code, as amended, at the time of application.

I. Employee Housing. Permittee has been required to cause the development of 112 employee (affordable) housing units pursuant to prior editions of this Permit. Prior to the date of this Permit, Permittee has developed or caused to be developed units qualifying under the low and moderate income housing exception of the Code as follows:

<u>Project Location</u>	<u>Number of Qualifying Units</u>
A. Units in Deer Valley:	
Little Belle Manager Unit	1
Stag Lodge Manager Unit	1
Sterlingwood Manager Unit	1
Bald Eagle Caretaker Units	2
Mt. Cervin Manager Unit	1
Deer Valley Club Manager Unit	1
B. Units Other Than in Deer Valley:	
Parkside Apartments	42
Fireside Apartments / Condos	42
Washington Mill Apts.	8
Peace House	3
Aspen Villas / Silver Meadows (Participation)	9
Fawn grove Employee Unit	1
Total	112

Deer Valley shall be obligated to comply with all applicable ordinances of City relating to the creation and construction of employee housing, including ordinances that are adopted after the date of this Permit. Deer Valley will be given credit for the previously developed units

identified above when computing the employee housing obligation under applicable ordinances. The City acknowledges full satisfaction of Deer Valley's current obligation in the Employee Housing Agreement dated October 6, 1995 executed in conjunction with Deer Valley's contribution to the Silver Meadows project. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing employee / affordable housing units built by Deer Valley or persons acting on its behalf exceeds the number of units required by the new ordinance, credit shall be given against the ordinance imposed obligation, but in no event shall City be obligated to reimburse Deer Valley for any excess, or to permit the assignment of the excess to other parties with a similar employee housing requirement. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing units built by Deer Valley or those acting on its behalf falls short of the newly imposed ratio of employee units to conventional units, Deer Valley agrees to be bound by the provisions of the newly adopted ordinance; provided, however, that the new ordinance shall apply only to those Units on which site specific approval is granted after the adoption of the employee / affordable housing ordinance.

J. Technical Reports. Permittee shall submit updated technical reports with regard to traffic monitoring, water systems, and sewer systems for review by Commission as significant changes occur in those systems and as needed for specific project review as required by the Community Development Director and Public Works Director prior to density approval.

K. Public Use of Ski Facilities. Use of all ski facilities shall be open to the general public and shall not be restricted to owners of property located in Deer Valley or to members of any private club. Furthermore, all charges, fees and costs paid by the general public for the use of such facilities shall not exceed the charges, fees and costs paid by owners of property located in Deer Valley.

L. Trails .There are 4 types of trails in Deer Valley:

- (1) Bicycle paths located within street rights-of-way;
- (2) Pedestrian paths connecting parcels together within a community;
- (3) Connecting paths connecting communities together; and
- (4) Hiking trails to provide access to the mountain.

Bicycle paths shall be located within street rights-of-way dedicated to City and shall be operated and maintained by City as shown on the Deer Valley Trails Master Plan and the City Trails Master Plan.

Pedestrian paths shall be hard surfaced, a minimum of five feet wide, a maximum of six feet wide and built to public sidewalk specifications. These paths shall connect development parcels together and connect development parcels to commercial nodes. At the time of conditional use approval of a particular development parcel, the developer of said parcel shall provide a pedestrian path across said parcel connecting to the paths on the adjoining parcels. The location of these paths shall be determined by the parcel developer and by City staff with the Deer Valley Trails Master Plan used as a guide. The locations shall be modified as necessary to take into consideration topography and existing trails, and shall tie into the bus system which serves Deer Valley. These paths shall form a year-round system. Maintenance shall be the responsibility of the parcel owner. A 10 to 15 foot wide easement (easement size

shall be determined at the time of site specific conditional use approval) for each pedestrian path shall be dedicated to City and is required to be shown on the recorded plat for the applicable development parcel.

It is recognized by the parties that the property within the Deer Valley Resort is private property. Public access to ski runs is at the discretion of Permittee. Summer public access and non-destructive summer use which includes casual hiking on ski runs shall be allowed by Permittee subject to reasonable rules and regulations.

In the event that City in its sole discretion determines that City should hold any easements for hiking, City shall make a request that an easement be granted for any or all of the hiking trails that City desires to hold within or adjacent to ski runs shown on the Trails Master Plan. In the event that City obtains a formal agreement, City agrees to maintain such hiking trails, and Permittee will provide legal descriptions, signage and grant to City an easement (minimum of 10 feet to maximum of 15 feet wide) to maintain such hiking trails without hard surface and without winter maintenance. If City desires to upgrade the hiking trails beyond that which currently exists, City agrees to bear the cost of those improvements. The Trails Master Plan shall serve as a general guide in determining the final location of said hiking trails. In the event City obtains and holds formal easements for hiking trails, City shall indemnify and hold Permittee and its successors and assigns harmless from and against any loss, damage, injury or responsibility with relation to any such trail and any claims, demands or causes of action from any person resulting from injuries sustained while utilizing any hiking trails for which City has obtained and holds easements. Said public easement shall also be subject to such additional reasonable rules and regulations as Permittee deems appropriate to eliminate possible interference with the operation and maintenance of the ski resort, or in the interest of safety or security.

M. Open Space. With the exception of those parcels identified on Exhibit 1 and those areas and items listed on Exhibit 2 as "commercial and support space", all remaining property in the Project is hereby designated "landscaped open space" as that term is defined in the Code as presently in effect and shall remain substantially free from structures, roads and parking lots except as otherwise approved by City or permitted by the Code as presently in effect. The "landscaped open space" shall be maintained and operated by Permittee at Permittee's sole cost and expense.

N. Fire Considerations. All buildings or structures located within the Bald Eagle, Silver Lake, and North Silver Lake Communities shall be fire sprinkled in accordance with UBC 38-1-82.

O. Water Improvements .Permittee agrees that, as a condition of and concurrently with issuance to Permittee of a building permit for the construction of any buildings or structures comprising a portion of the Project, Permittee shall be obligated to agree in writing to construct and convey to City storage facilities, pumping facilities, and transmission lines, as agreed upon and approved by the Public Works Director and City Engineer at the time of issuance of said building permit, to the extent necessary to store and transmit culinary water, irrigation water, and water for fire flows to the buildings and structures covered by the building permit and to connect the same to the water system of City, and shall evidence to the satisfaction of City the ability of Permittee to comply with such agreements.

Permittee agrees that completion of the action required by this Section O with relation to any building or structure included in the Project shall be deemed a condition precedent to the

right to occupy and utilize the building or structure. Commission and Permittee agree that the general level of water facilities construction for the Project required by this Section O has been heretofore accomplished by Permittee.

The existing agreement relating to water rights and water facilities for Deer Valley development entered into November 17, 1988 between Permittee as "DVRC", Royal Street as "Royal Street", and City as "Park City" and the Deer Valley Water Facilities Improvement Agreement dated March 31, 1994 between City, Royal Street and Permittee (as "DVRC") and the Amendment to the 1994 Deer Valley Water Facilities Improvement Agreement dated May 12, 2006 between City as "Park City", Royal Street and Permittee (as "DVRC") are made a part of this Permit by reference.

P. Sewer Considerations .Although City has no responsibility for sewer approvals; the Snyderville Basin Sewer Improvement District has indicated the following with respect to sewerage in Deer Valley: Projected flow calculations are based on average wastewater flow from residential units and make no distinction regarding size. In other words, the Sewer District does not follow the "unit equivalent" concept as does City.

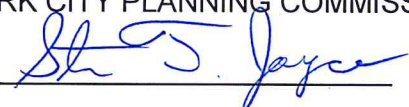
The Sewer District has previously reviewed both the Upper and Lower Deer Valley sewer systems and made the following comments: Upper System (American Flag / Silver Lake Community) - There are two sections of sewer within the American Flag Subdivision that limit upstream, new growth to approximately 325 additional residential units. There are several sections with only slightly greater capacity. This concern or limitation was eliminated by construction of a new sewer trunk line from Royal Street through the Westview Parcel in 1988. Lower System (Solamere, Queen Esther, Fawn grove) - A portion of the trunk sewer serving this area was replaced in 1985 to provide greater capacity for Hanover and Park Con projects as well as Deer Valley's. These three developers executed an agreement with the District which identified their anticipated development and the percentage of the cost they would fund to "reserve" capacity in the sewer system. Of the present sewer capacity of approximately 1385 units, Deer Valley has approximately 200 units available for future development. However, there are downstream sections of sewer that have less capacity than the new Deer Valley North Road sewer. This problem will be pursued with the developers as necessary.

Q. Separability. If any provision or provisions of this Permit shall be held or deemed to be, or shall, in fact, be illegal, inoperative, or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent, whatsoever.

R. Term of Permit. The term of this Permit is governed by the Twenty-Ninth Edition of the Land Management Code of Park City as revised as of April 1, 1993.

Approved this 30th day of November, 2016.

PARK CITY PLANNING COMMISSION

By 

Planning Commission Chair

**DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS**

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
DEER VALLEY COMMUNITY					
Stonebridge & Boulder Creek Multi-Family	50	54	1	28	10.23
Aspenwood Multi-Family	30	30		28	9.21
Pine Inn & Trails End Multi-Family	40	45	1	35	8.52
In The Trees (South Multi-Family) Multi-Family	14	14		28-45	2.87
Black Diamond Lodge (Snow Park Lodge Multi-Family)	29	27		28-75	5.70
Courcheval Multi-Family	13.5	27	1	35	1.82
Daystar Multi-Family	24	24		28	9.84
Fawngrove Multi-Family	50	50		28	12.05
Chateaux Fawngrove Multi-Family	10.5	11	2	28	Incl
Bristlecone Multi-Family	20	20		28	Incl
Lakeside Multi-Family	60	60		28	6.49
Solamere Single Family (includes Oaks, Royal Oaks & Hidden Oaks)	274	274		28	237.81
Pinnacle Multi-Family	86	86		28	36.80
Comstock Lodge (East Bench Multi-Family)	10.5	21	1	35	3.50
Red Stag Lodge	8.5	11	1	35	Incl
Powder Run Multi-Family	25	33	1	35	3.20
Wildflower (Deer Valley North Lot 1 Multi-Family)	11	14	1	28	1.04
Glenfiddich (Deer Valley North Lot 2 Multi-Family)	12	12		28	1.45
Chapparal (Deer Valley North Lot 3 Multi-Family)	15	20	1	28	1.44
Northeast Multi-Family:					12.65
Lodges @ Deer Valley	73.25	85	3	28-35	
Silver Baron Lodge	42.75	50	12	28-35	
Snow Park Village (Snow Park Hotel & Parking Sites)	209.75	0	4	28-45	14.93
Total Deer Valley Community	1108.75				
AMERICAN FLAG COMMUNITY					
American Flag Single Family	93	93		28	83.04
LaMaconnerie Multi-Family	15	15		28	6.19
Total American Flag Community	108				
NORTH SILVER LAKE COMMUNITY					
Westview Single Family	15	1		28	40.69
Evergreen Single Family	36	36		28	27.60
NSL Homesite Parcel #1	1	1		35	1.90
Belleterre Single Family	10	10		28	11.42
Bellevue Townhomes (NSL Subdivision Lot 1)	24	14	10	28	4.62
Bellemont Townhomes (NSL Subdivision Lots 2A and 2A-1)	18	12	10	28	3.75
NSL Subdivision Lot 2B	54	0		45	5.96
BelleArbor Townhomes (NSL Subdivision Lot 2C)	43	21	10	28-35	8.25
NSL Subdivision Lot 2D Open Space Lot	0	0	5	0	4.03
Total North Silver Lake Community	201				
SILVER LAKE COMMUNITY					
Stag Lodge Multi-Family	50	52	6	28-35	7.34
Cache Multi-Family	12	12		28	1.77
Sterlingwood Multi-Family	18	18		28-35	2.48
Deer Valley Club	20	30	1	28-45	1.53
Double Eagle (SL East Parcel 2 Multi-Family)	18	18		28-35	2.26
Stein Eriksen Lodge Multi-Family	66.75	65	11	28-35	10.86
Little Belle Multi-Family	20	20		28	3.66
Chateaux At Silver Lake Lot 23 Deer Valley Club Estates Subdivision)	65	78	1	28-45	3.24
Sterling Lodge (Lot 2 Silver Lake East Subdivision)	14	14		28-45	0.61
Royal Plaza Multi-Family (Silver Lake Village Lot A)	7.6215	13	1	59 (A)	0.48
Mt. Cervin Plaza Multi-Family (Silver Lake Village Lot B)	7.5	7		59 (A)	0.54
Inn at Silver Lake (Silver Lake Village Lot C)	10	8		59 (A)	0.50
Goldener Hirsch Inn (Silver Lake Village Lot D)	5.5785	18	1	59 (A)	0.35
Mt Cervin Multi-Family (Silver Lake Village Lot E)	16	15		59 (A)	0.53
Silver Lake Village Lot F	0	0		59 (A)	0.35
Silver Lake Village Lot G	0	0		59 (A)	0.38
Silver Lake Village Lot H	0	0		59 (A)	0.44
Silver Lake Village Lot I (combination of Silver Lake Village lots F, G, H)	34.4215	38	13,14,15	59 (A)	1.17
SL Knoll Condominiums	4	4		35	0.76
Knoll Estates Single Family	21	21		35	9.90
Black Bear Lodge (Lot 22 Deer Valley Club Estates Subdivision)	51	51		35	1.39
Knollheim Single Family	20	5	7	35	1.84
Alpen Rose Single Family	2	2		35	0.66
Silverbird Multi-Family	6	6		35	0.80
Ridge Multi-Family	24	24		35	2.34

**DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS**

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
Enclave Multi-Family	17	17		28-35	1.79
Twin Pines Multi-Family	8	8		28-35	1.33
Cottages Single Family	11	11		28	7.06
Alta Vista Subdivision	7	7		35	6.02
Woods Multi-Family	16	7	8	28-35	2.41
Trailside Multi-Family	9	9		28-35	1.46
Aspen Hollow Multi-Family	16	16		28-35	3.18
Ridgepoint Multi-Family	38	38		28-35	5.60
Total Silver Lake Community	614.8715				
BALD EAGLE COMMUNITY					
Bald Eagle Single Family	78	58	9	28	35.65
Total Bald Eagle Community	78				
TOTAL CONVENTIONAL UNITS	2110.6215				
EMPLOYEE HOUSING UNITS					
Little Belle	1				
Stag Lodge	1				
Sterlingwood	1				
Bald Eagle	2				
Mt. Cervin	1				
Deer Valley Club	1				
TOTAL EMPLOYEE HOUSING UNITS	7				

NOTES:

1. These projects have been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density than base permitted density.
2. One small unit was separately permitted in this project using .5 unit of density.
3. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (85) than base permitted density (73.25).
4. This parcel is required to use the Unit Equivalent Formula contained in Section 10.12 of the Code.
5. This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B.
6. Two additional units were permitted in this project on land that was not a part of the Deer Valley MPD.
7. This parcel was originally permitted as 20 MF units but subsequently developed as 5 single family homesites.
8. This parcel was permitted as 16 units. Subsequently 9 of the unit development rights were acquired by the homeowners and dedicated as open space.
9. This parcel was originally permitted as a combination of single family and multi-family. The multi-family uses were converted to single family with a density reduction from 78 to 58 units.
10. The development density on these parcels is less than the original permitted density at the election of the developer.
11. The transfer of 1.75 Unit Equivalents to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on June 28, 2006.
12. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (50) than base permitted density (42.75). The transfer of 1 Unit Equivalent to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on March 23, 2011.
13. Prior to issuance of a building permit on Lot I, the Property owner shall submit an Historic Mine Waste report.
If Historic Mine Waste is located on the site, a mitigation plan shall also be submitted compliant with the Park City Soils Boundary Ordinance.
14. Building on Lot I shall be designed to be broken into more than one volumetric mass above final grade,
exhibiting both horizontal and vertical articulation. Common underground parking is permitted.
15. The transfer of 0.4215 UE from Lot D to Lot I was approved by Planning Commission on November 30, 2016.

A. Lots in the Silver Lake Village Subdivision have a development height limitation tied to a base elevation of 8122' with peak of roof not to exceed elevation 8186'.

DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 2
COMMERCIAL AND SUPPORT SPACE

LOCATION	RETAIL	RESTAURANT (3)	COMM'L OFFICES	ADMIN., SUPPORT & OTHER	TOTAL	TRANSFER TO RESIDENTIAL	DEVELOPED	REMAINING
SNOW PARK LODGE	13807	26958		85578	126343		126343	0
SNOW PARK TICKET SALES BUILDING				5112	5112		5112	0
SNOW PARK PLAZA BUILDING	3100		16000	4180	23280		23280	0
GENERAL SNOW PARK COMMERCIAL (1)	21890				21890		0	21890
SILVER LAKE LODGE	1200	29160		15790	46150		46150	0
EMPIRE LODGE (4)		22456		12544	35000		30453	4547
SILVER LAKE COMMUNITY (2)	27962		4265	12938	45165	1243	31954	11968
NORTH SILVER LAKE COMMUNITY	8000			6525	14525		0	14525
MAINTENANCE, WHSE, & SHOPS				31724	31724		31724	0
TOTAL	75959	78574	20265	174391	349189		295016	52930

NOTES:

(1) General Snow Park Commercial may only be utilized on certain parcels with approval of Commission and Permittee.
18110 square feet of General Snow Park Commercial has previously been allocated to and is included in totals for Snow Park Lodge.

(2) 10125 square feet of Silver Lake Community commercial has previously been allocated to and is included in totals for Silver Lake Lodge (1994 Silver Lake Lodge expansion 6990 sf and 1998 Silver Lake Lodge expansion 3135 sf).
Remainder of Silver Lake Community commercial consists of:

Developed Space:

Royal Plaza	14312
Mt. Cervin Plaza	8080
Goldener Hirsch Inn	2062 (see note #5)
Chateaux at Silver Lake	7500
Total	31954

Transferred to Royal Plaza Residential

1243

Allocated but Undeveloped Space:

Silver Lake Village Lot C	7000
Remainder Unallocated	4968
Total	45165

(3) Includes kitchen, receiving and storage.

(4) Maximum size of Empire Lodge is 35000 sf of which 30453 sf has been developed.

(5) Commercial uses on Silver Lake Village Lot D includes 2,062 sf as allocated from this Amended and Restated Large Scale MPD, plus support commercial uses.



DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 3
OTHER PROJECT COMPONENTS

ITEM	WITHIN PARK CITY	OUTSIDE PARK CITY
SKI AREA (1)		
CHAIRLIFTS	15	5
GONDOLA		1
SKI TRAILS AND BOWLS	63	34
SNOWMAKING	X	X
SKI PATROL / UTILITY STATIONS:		
BALD EAGLE MTN.	X	
BALD MTN.	X	
FLAGSTAFF MTN.	X	
LITTLE BALDY		X
JORDANELLE BASE		X
EMPIRE CANYON	X	
AMENITIES		
SNOW PARK LAKES & MEADOWS	X	
SNOW PARK PARKING LOTS	X	
PEDESTRIAN TRAIL SYSTEM	X	X
MOUNTAIN BIKING TRAILS SYSTEM	X	X
SOLAMERE SWIM & TENNIS FACILITY	X	
SNOWSHOE TOMMYS CABIN	X	
CUSHINGS CABIN	X	
BIRDSEYE CABIN	X	
JORDANELLE BASE		X
SNOW PARK CONCERT AMPHITHEATRE	X	

(1) ADDITIONAL SKI AREA FACILITIES AS DEMAND DICTATES, SUBJECT TO PROVISIONS OF PARK CITY LAND MANAGEMENT CODE AND OTHER APPLICABLE JURISDICTIONS.



Planning Commission Staff Report



Subject: 844 Empire Avenue
Application: PL-24-06049
Author: Caitlyn Tubbs, Senior Historic Planner
Date: Mach 13, 2024
Type of Item: Administrative - Plat Amendment

Recommendation

(I) Review the proposed Plat Amendment removing Plat Note 3 from the 844 Empire Avenue Amended Plat, (II) conduct a public hearing, and (III) consider approving the Plat Amendment based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant: Todd Gilbert,
represented by Marshall King (Alliance Engineering)
Location: 844 Empire Avenue
Zoning District: Historic Residential – 1
Adjacent Land Uses: Residential, City Right-of-Way
Reason for Review: Per LMC [§ 15-1-8](#) “Plat Amendments are initially reviewed by staff and submitted to the Planning Commission for Final Action.”

DRC Development Review Committee
HDDR Historic District Design Review
HPB Historic Preservation Board
HR-1 Historic Residential – 1
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 owns 844 Empire Avenue, a designated [Significant Historic Site](#)¹ on Park City’s Historic Sites Inventory, located at the intersection of Empire Avenue, Crescent Tram Road, and the platted but unbuilt 9th Street Public Right of Way (public stairs). The Applicant has proposed the construction of an addition to the western side of the Structure with a detached garage alongside Empire Avenue. The proposed



Figure 1: 1940s Tax Photograph

¹ LMC [§ 15-11-10\(D\)\(2\)\(ad\)](#)

access to the garage is off Crescent Tram Road but the recorded Plat Note 3 requires “[d]rive access to the site shall be from Empire Avenue or through platted un-built 9th Street in a location approved by the City Engineer.” Plat Note 3 must be removed for the proposed access onto Crescent Tram Road.

Since Plat Note 3 was recorded in 2017, multiple changes have been made to Empire Avenue and the 9th Street Right of Way which necessitates vehicular access from Crescent Tram Road:

- In 2024, the City completed construction of staircase improvements within the 9th Street Right of Way;
- On October 6, 2022, the City Council approved a reduction of the speed limit from twenty-five miles per hour to twenty miles per hour ([Minutes](#), p. 17);
- In a September 20, 2022 DRC meeting, the Water Department raised concerns regarding the waterline and utility infrastructure that exists in the 9th Street Right of Way and stated the waterline could not sustain the weight of a vehicle passing over it;



Figure 2: Vicinity Map showing Subject Property

Background

The 844 Empire Avenue Site previously included three parcels; one full Lot and two

partial Lots²; “all of Lot 12, most of Lot 13, and a portion of Lot 14, Block 14, Snyders Addition to the Park City Survey.” The 2016 Plat Amendment was approved under Ordinance 2016-16 (Exhibit D) and combined the three parcels into one Lot and dedicated 932 square feet of right-of-way to the City along Crescent Tram Road. As acknowledged in Ordinance 2016-16 Finding of Fact 15, the Planning Director reviewed the property under LMC [§ 15-4-17](#) and determined the unusual Lot has three Front Lot Lines, one Side Lot Line, and one Rear Lot Line (see Figure 3).

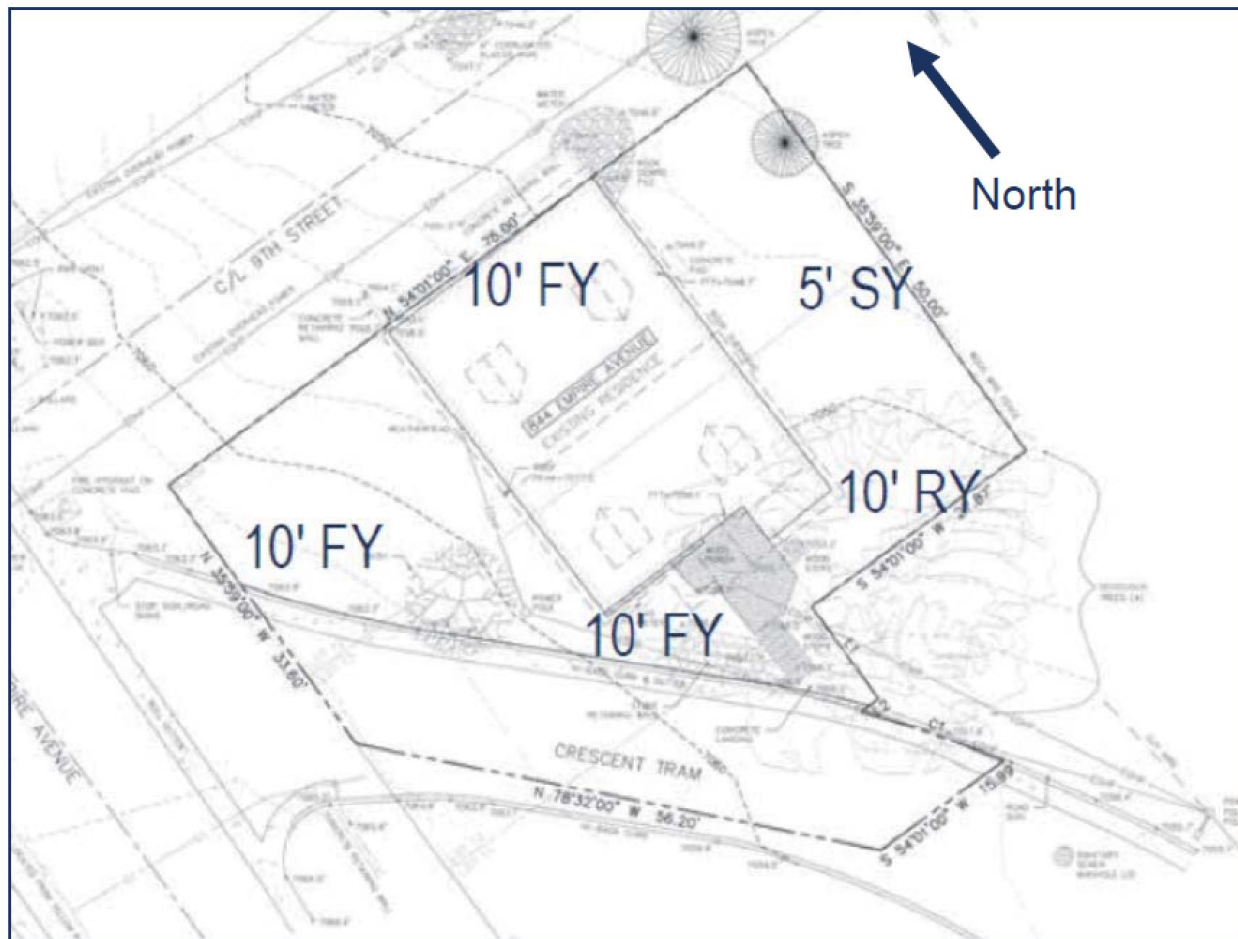


Figure 3: 2015 Planning Director Determination Diagram Showing Setbacks

In 2014, a fire damaged portions of the Historic Structure. On February 7, 2024, the Historic Preservation Board conducted a site visit to look at the fire-damaged materials in advance of the Applicant’s Material Deconstruction request later that evening. Following a public hearing, the Historic Preservation Board approved the proposed Material Deconstruction and Panelization to facilitate the development of this property ([Staff Report](#)).

On February 20, 2024, the Applicant submitted a Variance Application to permit the construction of the proposed detached garage within the northern and southern Front

² May 11, 2016 Planning Commission Staff Report (Exhibit F)

Setbacks. The Board of Adjustment will need to take Final Action on the Variance request and the proposed Plat Amendment will need to be recorded with the Summit County Recorder's Office before the Applicant may proceed to the final HDDR hearing with the Planning Director. Before the Applicant may proceed to the final HDDR hearing with the Planning Director they will need 1) Final Action from the Board of Adjustment regarding the proposed Variance; 2) Final Action from the Planning Commission regarding the proposed Plat Amendment; and 3) recordation of the Amended Plat with the Summit County Recorder's Office.

Analysis

Land Management Code [§ 15-1-8\(H\)](#) lists the Planning Commission as the Land Use Authority for Plat Amendments.

(I) The proposal to amend the 844 Empire Avenue Amended Plat to remove Plat Note 3 complies with LMC Chapter 15-2.2: *Historic Residential (HR -1) District*.

The purpose of the HR-1 District is to:

- A. Preserve present land Uses and character of the Historic residential Areas of Park City;
- B. Encourage the preservation of Historic Buildings and/or Structures;
- C. Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods;
- D. Define Development parameters that are consistent with the General Plan policies for the Historic core; and
- E. Establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment³.

The Site is currently occupied by a Significant Historic Structure on which the Applicant intends to construct an addition and detached garage. Pursuant to LMC [§ 15-2.2-4](#), existing Historic Structures that do not comply with Building Footprint, Building Height, Setbacks, Off-Street Parking, and driveway location standards are valid Non-Complying Structures. The northern wall of the existing house currently sits at the northern property line and is non-compliant with the required ten-foot Front Setback. The northern wall enclosed the historic front porch to provide additional bedroom space; the Applicant has proposed the restoration of the front porch in its existing location. The southern corner of the house is also sited approximately four and a half feet from the southern front Lot Line. New construction, such as the proposed addition and detached garage, are required to comply with all applicable zoning requirements regardless of the proposed point(s) of access to the property. The proposed removal of Plat Note 3 will not affect the proposal's compliance with Lot and Site Requirements as outlined in LMC [Chapter 15-2.2](#).

(II) The proposal to amend the 844 Empire Avenue Amended Plat to remove Plat Note 3 complies with the Plat Amendment requirements outlined in LMC Chapter

³ LMC [§ 15-2.2-1](#)

15-7.1.

Plat Amendments shall be reviewed according to LMC [§ 15-7.1-6](#) *Final Subdivision Plat* and approval requires (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.

LMC [§ 15-15-1](#) defines *Good Cause* as “[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”

The Applicant also has a pending Historic District Design Review (HDDR) application, PL-22-05350, which was reviewed by the Development Review Committee on September 20, 2022. During this review, the Park City Engineering and Water Departments expressed concern regarding the initial proposed access to the property from the unbuilt 9th Street public right-of-way. The Engineering Department outlined problems with Clear View requirements and distances between driveways and street intersections. The Water Department pointed out the presence of a massive water line in the 9th Street Right of Way that would not support the weight of vehicular access. The Applicant revised the proposed orientation and access of the detached garage in response to these comments.

The HDDR was again reviewed by the DRC on September 5, 2023, where the Engineering and Water Departments acknowledged the changes the Applicant made in response to the prior comments. The DRC also noticed Plat Note 3 required access from Empire Avenue or the 9th Street Right of Way, which had been declared non-viable options previously and recommended the Applicant amend the Plat to remove this note.

Right-of-Way along Crescent Tram Road and a snow storage easement were dedicated to the City as part of Ordinance 2016-26 and the prior Plat Amendment for this Site. These dedications are not impacted or vacated by the removal of Plat Note 3. The proposed construction of the garage would also provide one off-street parking space along a narrow and steep Right-of-Way further improving public health, safety and welfare.

(III) The Development Review Committee reviewed the Plat Amendment proposal on February 20, 2024.⁴

⁴ 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).

The Development Review Committee (DRC) reviewed the proposed Plat Amendment on February 20, 2024, and provided the following comments:

The DRC expressed its satisfaction with the proposed Plat Amendment removing Plat Note 3 and had no further concerns.

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 and posted notice to the property on February 28, 2024. Staff mailed courtesy notice to property owners within 300 feet on February 28, 2024. The *Park Record* published courtesy notice on March 2, 2024.⁵

Public Input

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

Alternatives

- The Planning Commission may approve the Plat Amendment;
- The Planning Commission may deny the Plat Amendment 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 or uncertain.

Exhibits

Exhibit A: Draft Final Action Letter

Exhibit B: Applicant's Narrative

Exhibit C: 844 Empire Avenue Amended Plat (Currently Recorded)

Exhibit D: Ordinance 2016-26

Exhibit E: 844 Empire Avenue Amended Plat (Proposed)

Exhibit F: May 11, 2016 Planning Commission Staff Report

⁵ LMC [§ 15-1-21](#)



Planning Department

March 13, 2024

Alliance Engineering, Inc.
Attn: Marshall King
marshall@alliance-engr.com

CC: Todd Gilbert

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	844 Empire Avenue
Zoning District:	Historic Residential – Low Density
Application:	Plat Amendment
Project Number:	PL-24-06049
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	March 13, 2024
Project Summary:	The Applicant proposes removing Plat Note 3 which restricts vehicle access to the Site from Empire Avenue or the 9 th Street Public Right-of-Way.

Action Taken

On March 13, 2024, the Planning Commission conducted a public hearing and approved the “844 Empire Avenue Plat Amendment – Lot 1 Amended” Plat Amendment according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The property is located at 844 Empire Avenue, in the Historic Residential – 1 (HR – 1) Zoning District.
2. The site is also known as Lot 1 of the 844 Empire Avenue Plat Amendment.
3. 844 Empire Avenue is a Significant Historic Site on the Park City Historic Sites Inventory.



Planning Department

4. On June 2, 2026 the City Council approved Ordinance 2016-26 which approved the 844 Empire Avenue Plat Amendment.
5. Condition of Approval 5 required drive access to the site be taken from Empire Avenue or through plated un-built 9th Street in a location approved by the City Engineer. This was recorded by Note 3 on the Amended Plat.
6. There is no vehicular access to the Site. Pedestrian access to the site is from Empire Avenue and the 9th Street Public Right-of-Way requiring use of the public stairs.
7. On September 20, 2022, the Development Review Committee identified concerns regarding vehicular impact to water lines, Clear View Areas, and distances between driveways and street intersections. The Applicant revised the proposal to reflect these comments.
8. On September 5, 2023, the Development Review Committee noted that Plat Note 3 would need to be removed to accommodate the proposed drive access from Crescent Tram Road.
9. On February 14, 2024, the Applicant submitted a Plat Amendment application to the Planning Department.
10. A Single-Family Dwelling is an allowed use in the HR - 1 Zoning District.
11. Land Management Code Section 15-13-6 requires two Off-Street Parking Spaces for a Single-Family Dwelling. The site does not have Off-Street Parking. Pursuant to LMC [§ 15-2.1-4](#), the Significant Historic Site is exempt from Off-Street Parking. This Plat Amendment allows the Applicant to remove a plat note that restricts vehicular access to the site from Empire Avenue and the 9th Street Right of Way, both of which have been determined to have adverse impacts on utility lines and public safety as determined by the Water Department and City Engineer.
12. The Development Review Committee reviewed the application on February 20, 2024.
13. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on February 28, 2024.
14. Staff mailed courtesy notice to property owners within 300 feet on February 28, 2024.
15. The *Park Record* published a courtesy notice on February 24, 2024.

Conclusions of Law

1. There is Good Cause for this Plat Amendment because it (a) allows for Off-Street Parking along a narrow and steep Right-of-Way, (b) retains present land Uses



Planning Department

and the Character of the HR - 1 Zoning District, (c) no Public Street or Right-of-Way is vacated or amended, and (d) no easement is vacated or amended.

2. The Plat Amendment is consistent with Land Management Code § 15-7.1-3(B), § 15-7.1-6, and Chapter 15-2.2 *Historic Residential – 1 Zoning District*.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the Conditions of Approval, prior to recordation of the plat.
2. The Applicant shall record the plat at the County within one year from the date of Planning Commission approval. If recordation is not complete within one year, this approval will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.
3. The property is not located within the Park City Soil Ordinance Boundary. However, if the property owner encounters mine waste or mine waste impacted soils, they must handle the material in accordance with State and Federal laws.
4. City Engineer review and approval of all lot grading, utility installations, public improvements, and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
5. Any proposed Structure, future development, or modification on this site shall require the Applicant to submit a Historic District Design Review Application to the Planning Department for review and compliance with Land Management Code § 15-13-2 Design Guidelines For Historic Residential Sites.
6. The Applicant shall record the plat at the County prior to submitting for a Building Permit.



Planning Department

If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5063 or email caitlyn.tubbs@parkcity.org.

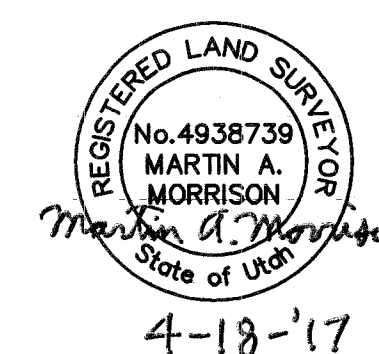
Sincerely,

Sarah Hall
Planning Commission Chair

CC: Caitlyn Tubbs, Senior Historic Preservation Planner

ATTACHMENT

Attachment 1: Proposed Plat



I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners, I have prepared this Record of Survey map of 844 EMPIRE AVENUE PLAT AMENDMENT and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

Lot 12, Block 14, Snyder's Addition to Park City.

Also, a part of Lots 13 and 14, in Block 14, Snyder's Addition to Park City described as follows: Beginning at the Southwest corner of Lot 11, Block 14; and running thence South 54°01' West 75 feet; thence South 35°59' East 8.6 feet; thence South 78°32' East 56.2 feet; thence North 54°01' East 37 feet; thence North 35°59' West 50 feet to the point of beginning.

Less and excepting the following land conveyed to Robert G. Ward and Margery W. Ward, his wife, grantee, as show in that certain Quit-Claim Deed recorded December 28, 1983, as Entry No. 214633, in Book 283, at page 299, of Official Records, more particularly described as follows:

Beginning at the Northeast corner of Lot 14, Block 14, Snyder's Addition to Park City, Utah; and running thence South 35°59' East along the Easterly boundary of said Lot 14, 25 feet; thence South 54°01' West along the Southerly boundary of said Lot 14, 21.01 feet to a point on the Northerly side of the Crescent right-of-way; thence along said Northerly side of the Crescent right-of-way, being a 130-foot radius curve to the left (radius point bears South 22°14'19" West), 15.94 feet; thence North 54°01' East 2.34 feet; thence North 35°59' West 12 feet to a point on the Northerly boundary of said Lot 14; thence North 54°01' East along said Northerly boundary of Lot 14, 27.87 feet to the point of beginning.

KNOW ALL MEN BY THESE PRESENTS that CRESCENT TRAM LLC, a Utah limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as 844 EMPIRE PLAT AMENDMENT, does hereby certify that it has caused this Plat Amendment to be prepared, and does hereby consent to the recordation of this Plat.

ALSO, the owner hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements and required utilities shown on this plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this 24th day of April, 2017.

By: TGG
Todd Gilbert, Manager
CRESCENT TRAM LLC, a Utah limited liability company

State of CALIFORNIA
County of SAN FRANCISCO : ss.

On this 24TH day of APRIL, 2017, Todd Gilbert personally appeared before me, whose identity is personally known to me or proven to me by the production of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of CRESCENT TRAM 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 the 844 EMPIRE PLAT AMENDMENT.

A Notary Public commissioned in CALIFORNIA

GILAYNA JOI SANTOS
Printed Name

Residing in: SAN FRANCISCO, CA

My commission expires: 08/16/2019

COMMISSION NAME: GILAYNA JOY SANDS
EXPIRATION DATE: 08/14/2019
COUNTY: SAN FRANCISCO, CALIFORNIA
COMMISSION NUMBER: 2123850

NOTE

1. This subdivision is subject to the Conditions of Approval in Ordinance 2016-26.
2. Fire sprinklers shall be required for all new construction or substantial renovations, as determined by the Park City Building Department during building permit review.
3. Drive access to the site shall be from Empire Avenue or through platted un-built 9th Street in a location approved by the City Engineer.

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

4/18/17 JOB NO.: 17-8-15 FILE: X:\SnydersAddition\dwg\srv\plat2015\170815.dwg

844 EMPIRE AVENUE PLAT AMENDMENT Page 149 of 27

844 EMPIRE AVENUE PLAT AMENDMENT

PROJECT INTENT

January 31, 2024

844 Empire Avenue Plat Amendment was recorded June 1, 2017, as Entry No. 1070614 in the Office of the Recorder, Summit County, Utah. The historic residence situated on the lot is unoccupied at the time of this submittal.

Note 3 from the currently recorded plat which states, “Drive access to the site shall be from Empire Avenue or through platted, un-built 9th Street in a location approved the City Engineer.” This note was required by a previous city engineer. Since that time, utilities and stairs have been placed in the 9th Street right-of-way and the current city engineer has requested that the note be removed.



844 Empire Avenue looking northerly



844 Empire Avenue looking southeasterly



844 Empire Avenue looking northwesterly



844 Empire Avenue looking southerly



844 Empire Avenue looking northerly



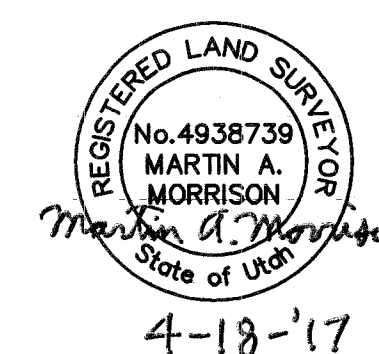
844 Empire Avenue looking southeasterly



844 Empire Avenue looking northwesterly



844 Empire Avenue looking southerly



Ordinance No. 2016-26

**AN ORDINANCE APPROVING THE 844 EMPIRE AVENUE PLAT AMENDMENT
LOCATED AT 844 EMPIRE AVENUE, PARK CITY, UTAH.**

WHEREAS, the owner of the property located at 844 Empire Avenue has petitioned the City Council for approval of the Plat Amendment to combine Lot 12, most of Lot 13, and a portion of Lot 14, Block 14, of the Snyder's Addition to the Park City Survey ; and

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

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

WHEREAS, the Planning Commission held public hearings on March 23, April 13, and May 11, 2016, to receive input on Plat Amendment; and

WHEREAS, the Planning Commission, on May 11, 2016, forwarded a positive recommendation to the City Council; and,

WHEREAS, on June 2, 2016, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the 844 Empire Avenue Plat Amendment.

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

SECTION 1. APPROVAL. 844 Empire Avenue Plat Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 844 Empire Avenue.
2. The property is in the Historic Residential-1 (HR-1) District.
3. The subject property consists of all of Lot 12, most of Lot 13, and a portion of Lot 14, Block 14, Snyder's Addition to the Park City Survey.
4. The site is listed on Park City's Historic Building Inventory as a significant site.
5. The proposed Plat Amendment creates one (1) lot of record from the existing three (3) parcels, one (1) full lot and two (2) partial lots consisting of a total of 4,174 square feet.
6. A portion of the property is encumbered by the Crescent Tram Road which has been used since the late 1800s and was paved in the early 1970s.

7. The City requests that the property owner formalize the dedication to the City that portion of the Crescent Tram prescriptive easement area that is on subject property. This area consists of 932 square feet.
8. The proposed lot would be 3,242 square feet.
9. A single-family dwelling is an allowed use in the District.
10. The minimum lot area for a single-family dwelling is 1,875 square feet.
11. The proposed lot meets the minimum lot area for a single-family dwelling.
12. The minimum lot width allowed in the District is twenty-five feet (25').
13. The proposed lot is approximately thirty one feet (31') wide.
14. The proposed lot meets the minimum lot width requirement.
15. Per LMC § 15-4-17 the Planning Director has determined the following setbacks:
 - a. From 9th Street, platted un-built ROW, front yard, ten feet (10') minimum. This is the historic front of the structure.
 - b. From Empire Avenue, front yard, ten feet (10') minimum.
 - c. From Crescent Tram, front yard, ten feet (10') minimum.
 - d. From the south neighbor, rear yard, ten feet (10') minimum. This side is opposite of the historic front of the house.
 - e. From the east neighboring property, side yard, five feet (5') minimum.
16. The existing historic structure does not meet the minimum setbacks along the north side, platted un-built 9th Street ROW, as the structure was built on the property line.
17. The existing historic structure does not meet the minimum setbacks along the shared property line with the neighboring site on the south as it is approximately eight and a half feet (8.5').
18. The existing historic structure does not meet minimum setbacks along the Crescent Tram ROW dedication as it is approximately five feet (5') from the new property line after the dedication.
19. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures; however, additions must comply with building setbacks.
20. The concrete retaining wall encroaches across the north property line over the 9th Street ROW.
21. The proposed lot area consisting of 3,242 square feet yields a maximum Building Footprint of 3,151.0 square feet.
22. LMC § 15-7.3-4(l)(2) Widening and Realignment of Existing Roads indicates that where a subdivision borders an existing narrow road for realignment or widening, the Applicant shall be required to improve and dedicate at his expense such Areas for widening or realignment of such roads.
23. LMC § 15-7.3-4(l)(2) indicates that land reserved for any road purposes may not be counted in satisfying yard or Area requirements contained in the Land Management Code.
24. Utah Code, Transportation Code, Right-Of-Way Act § 72-5-104 declares that a highway (street or road, not including an area principally used as a parking lot) is dedicated and abandoned to the use of the public when it has been continuously used as a public thoroughfare for a period of ten (10) years.
25. Crescent Tram has continuously been used as a public thoroughfare for much

- longer than the required ten (10) years.
26. LMC § 15-2.2-3(D) indicates that the maximum Building Footprint is calculated according to the following formula for Building Footprint: $\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$, where FP = maximum Building Footprint and A = Lot Area.
 27. The proposed lot area shown on the attached requested Plat Amendment displays that the proposed lot is to contain 3,242 square feet, which would yield a maximum Building Footprint of 1,351.0 square feet.
 28. In order to provide a future vehicular access to 844 Empire Avenue, the City Engineer has indicated that the existing intersection at Empire Avenue and Crescent Tram needs to be re-designed and improved.
 29. The current site does not have vehicular access.
 30. The future vehicle access is for the sole benefit of 844 Empire Avenue.
 31. All of the costs associated with the re-design and improvements are the burden of the property owner.
 32. The intersection currently works as-built, without vehicular access to 844 Empire Avenue.
 33. The City Engineer has indicated that a vehicular access can only be accommodated off Empire Avenue or through platted un-built 9th Street.
 34. The City Engineer is not willing to support vehicular access directly off Crescent Tram.
 35. The City's Historic Site Inventory designated the site in the significant category.
 36. Historic Structures that do not comply with Off-Street parking and driveway location standards are valid Complying Structures.
 37. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment.
 38. There is good cause for this Plat Amendment as the lot line going through a historic structure will be removed, 932 square feet will be dedicated to the City for the Crescent Tram road for public use, the requested Plat Amendment will not cause undo harm to adjacent property owners, and all requirements of the Land Management Code can be met.
 39. The proposed lot area of 3,242 square feet is a compatible lot combination as the entire Historic Residential-1 District has abundant sites with these approximate dimensions in this neighborhood.
 40. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

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

Conditions of Approval:

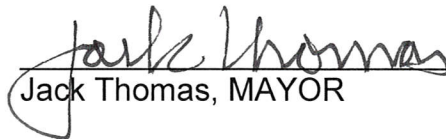
1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A ten foot (10') wide public snow storage easement will be required along the Empire Avenue front of the property.
4. Fire sprinklers shall be required for all new construction or substantial renovations, as determined by the Park City Building Department during building permit review.
5. Drive access to the site shall be from Empire Avenue or through platted un-built 9th Street in a location approved by the City Engineer.
6. The concrete retaining wall built over the north property line shall be resolved prior plat recordation. The applicant bears the burden of proper approvals for the retaining wall, which may include an encroachment agreement with the City through the City Engineer's office, or relocation/removal of the retaining wall, subject to compliance with applicable Design Guidelines for Historic Sites through a Historic District Design Review application.
7. The plat shall formalize the dedication of the Crescent Tram which has been used as right of way for more than 10 years.

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

PASSED AND ADOPTED this 2nd day of June, 2016.

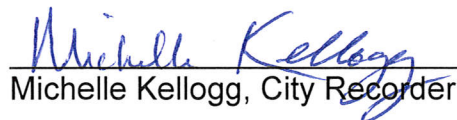
PARK CITY MUNICIPAL CORPORATION





Jack Thomas, MAYOR

ATTEST:



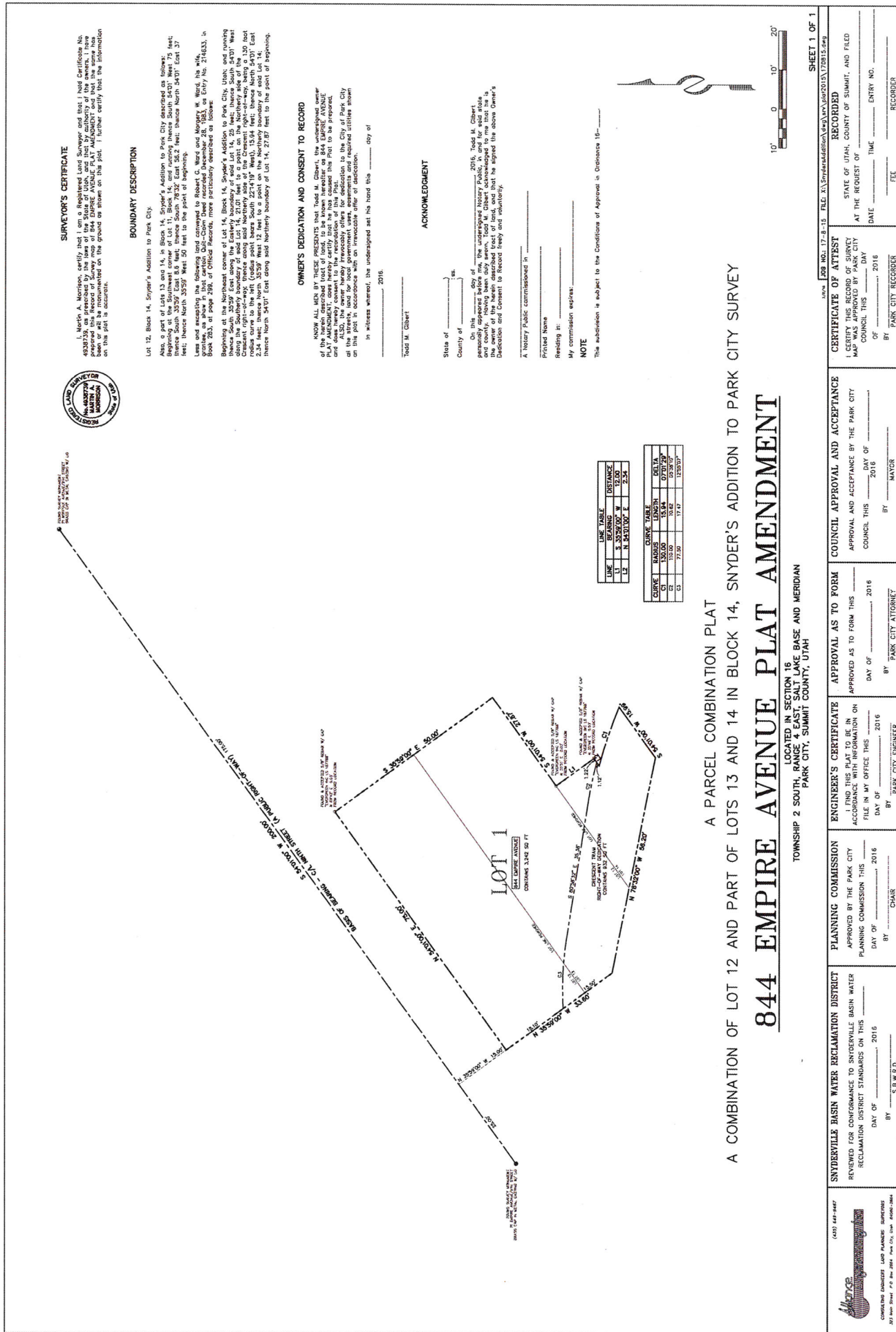
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:



Mark Harrington, City Attorney

Attachment 1 – Proposed Plat Amendment

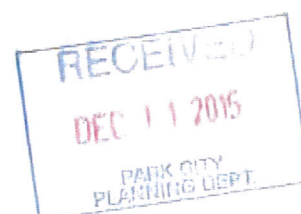


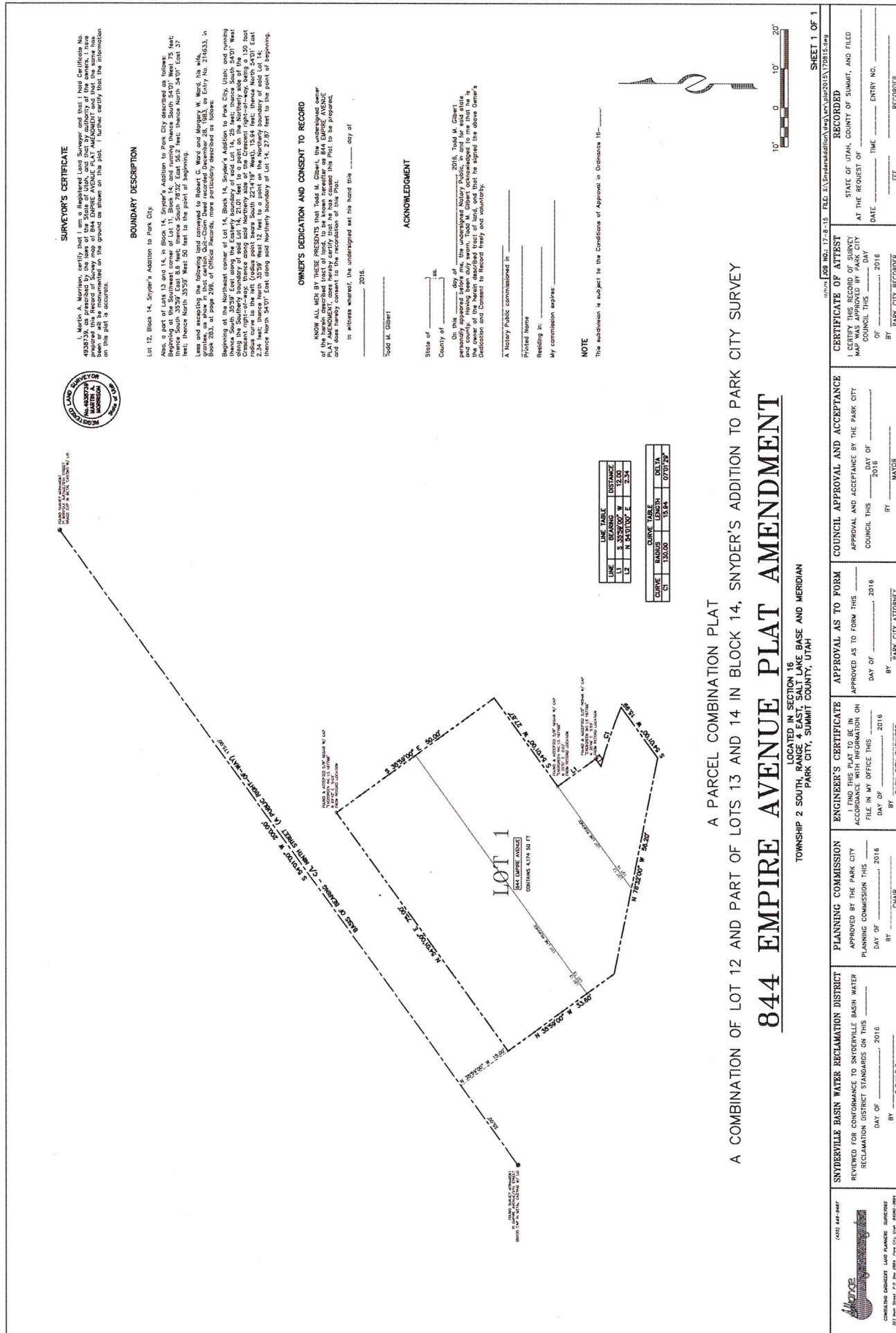
SNYDER'S ADDITION TO PARK CITY SURVEY, BLOCK 14,
LOT 12 AND PORTIONS OF LOTS 13 & 14,

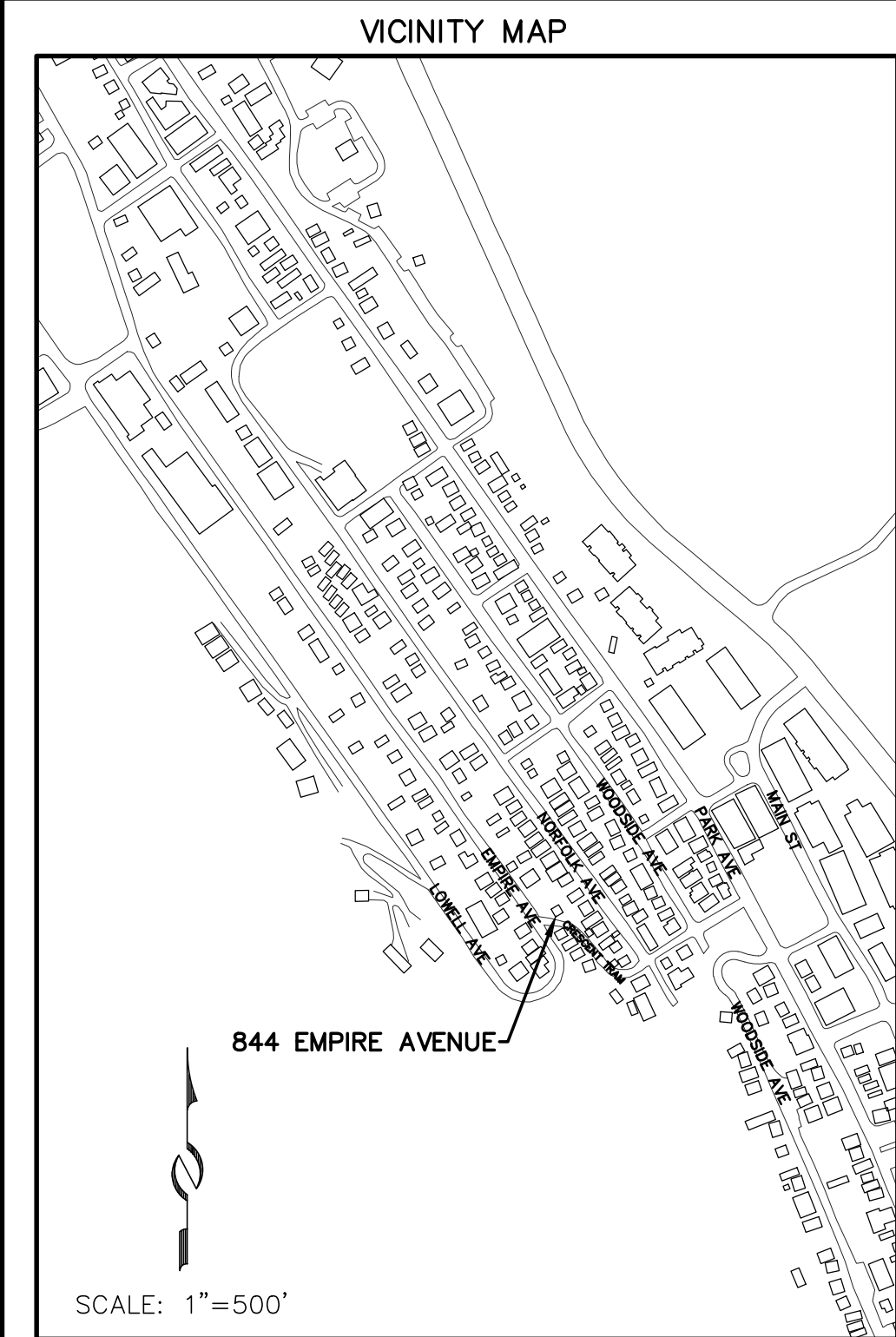
(844 EMPIRE AVENUE)

PROJECT INTENT

Lot 12 and portions of Lots 13 & 14, Block 14, Snyder's Addition to Park City Survey, (also known as 844 Empire Avenue) are owned by the same entity. The original lot lines from Snyder's Addition to Park City Survey still exist between Lots 12 & 13 and between Lots 13 & 14. The owner desires to unify the property into one lot of record by extinguishing the existing lot line, with the ultimate goal of renovating the existing residence.







SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold License No. 4857264 in accordance with Title 58, Chapter 22, Professional Engineers and Professional Land Surveyors Licensing Act. I further certify that I have completed a survey and have referenced a record of survey map of the existing property boundaries in accordance with Section 17-23-17 and have verified the boundary locations and have placed monuments as represented on the plat. I do further certify that by authority of the owners, I have prepared this plat amendment of the property described hereon, hereafter to be known as 844 EMPIRE AVENUE PLAT AMENDMENT-FIRST AMENDED.

BOUNDARY DESCRIPTION

Lot 1, 844 Empire Avenue Plat Amendment, according to the official plat thereof, recorded June 1, 2017, as Entry No. 1070614 of the Official Records of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that CRESCENT TRAM LLC, a Utah limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as 844 EMPIRE PLAT AMENDMENT-FIRST AMENDED, does hereby certify that it has caused this Plat Amendment to be prepared, and does hereby consent to the recordation of this Plat.

ALSO, the owner hereby irrevocably offers for dedication to the City of Park City land for local government uses, easements and required utilities shown on this plat in accordance with an irrevocable offer of dedication.

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

2024.

CRESCENT TRAM LLC, a Utah limited liability company

By: _____
Todd Gilbert, Manager

ACKNOWLEDGMENT

State of _____
County of _____: ss.

On this _____ day of _____, 2024, Todd Gilbert personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Manager of CRESCENT TRAM 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 the 844 EMPIRE PLAT AMENDMENT-FIRST AMENDED.

A Notary Public commissioned in _____

Printed Name _____

Residing in: _____

My commission expires: _____

NOTE

- This plat amendment is subject to the Conditions of Approval in the Final Action Letter dated the _____ day of _____, 2024, on file with the Planning Department (PL-24-_____).
- Fire Sprinklers shall be required for all new construction or substantial renovations, as determined by the Park City Building Department during building permit review.

LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 35°59'00" W	12.00
L2	N 54°01'00" E	2.34

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	130.00	15.94	07°01'29"
C2	77.50	17.47	12°55'07"

844 EMPIRE AVENUE PLAT AMENDMENT-FIRST AMENDED

SNYDER'S ADDITION TO PARK CITY SURVEY, LOCATED IN SECTION 16
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SHEET 1 OF 1

1/31/2024 JOB NO.: 17-8-15 FILE: X:\SnydersAddition\dwg\sr\plat2015\170815-amended.dwg

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2024

BY _____

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THE _____ DAY OF _____, 2024

BY _____ CHAIR

ENGINEER'S CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2024

BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, 2024

BY _____ PARK CITY ATTORNEY

COUNCIL APPROVAL & ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2024.

BY _____ MAYOR

CERTIFICATE OF ATTEST

I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THE _____ DAY OF _____, 2024

BY _____ PARK CITY RECORDER

PUBLIC SAFETY ANSWERING POINT APPROVAL

APPROVED THIS _____ DAY OF _____, 2024

BY _____ SUMMIT COUNTY GIS COORDINATOR

RECORDED

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

FEE _____ RECORDER _____

TIME _____ DATE _____ ENTRY NO. _____

Planning Commission Staff Report

Subject: 844 Empire Avenue Plat Amendment
Author: Francisco Astorga, AICP, Senior Planner
Project Number: PL-15-03034
Date: 11 May 2016
Type of Item: Legislative – Plat Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the 844 Empire Avenue Plat Amendment located at 844 Empire Avenue and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Description

Applicant: Todd Gilbert represented by Sara Goff and Marshall King, Alliance Engineering, Inc.
Location: 844 Empire Avenue
Zoning: Historic Residential-1 (HR-1)
Adjacent Land Uses: Residential
Reason for Review: Plat Amendments require Planning Commission review and City Council review and action

Proposal

The property owner requests to unite three (3) parcels consisting of one (1) full lot (all of Lot 12) and two (2) partial lots (most of Lot 13, and a portion of Lot 14), into one (1) lot of record by removing the internal lot lines which separates the lot and partial lots. The proposed Plat Amendment also includes the dedication of Crescent Tram roadway to the City. The subject lots are located in Block 14 of the Snyder's Addition to the Park City Survey.

Background

On December 30, 2015, the City received a completed Plat Amendment application for the 844 Empire Avenue Plat Amendment. The property is located at 844 Empire Avenue. The property is in the HR-1 District. The subject property consists of all of Lot 12, most of Lot 13, and a portion of Lot 14, Block 14, Snyder's Addition to the Park City Survey. The entire subject area is recognized by Summit County as Parcel no. SA-143 (Tax ID).

Currently, the site contains a single-family dwelling. The single-family dwelling was built circa 1904. The site is listed on Park City's Historic Sites Inventory as a significant site. The site is ineligible to be listed on the National Register of Historic Places because of significant modifications. The historic front of the house was located towards the north along platted un-built 9th Street Right-of-Way (ROW). The front of the structure has

been changed to the porch opposite of 9th Street along the Crescent Tram prescriptive easement. According to Summit County records the structure contains a total living area of 1,010 square feet, with a basement area of 972 square feet. The property contains a portion of the Crescent Tram Road which is a prescriptive easement along the southwest area.

The Planning Commission reviewed this Plat Amendment during their March 23, 2016 Planning Commission meeting. Click on the following link to view the prepared [staff report](#). Click on the following link to view the adopted [meeting minutes](#). The Commission held a public hearing and continued the item to the April 13, 2016 meeting. The item was continued at the applicant's request to allow additional time for the applicant to review the Crescent Tram roadway dedication and how that affects the maximum building footprint.

The Planning Commission held a public hearing during their April 13, 2016 Planning Commission meeting and did not review the item. Click on the following link to view the continuation [staff report](#) and [meeting minutes](#). The item was continued to the May 11, 2016 meeting per the same reason listed above. In order to prepare for the May 11, 2016 Planning Commission public meeting, and subsequent June 2, 2016 City Council meeting, staff re-noticed the item as indicated in the notice section of this staff report.

Purpose

The purpose of the HR-1 District is to:

- A. preserve present land Uses and character of the Historic residential Areas of Park City,
- B. encourage the preservation of Historic Structures,
- C. encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods,
- D. encourage single family Development on combinations of 25' x 75' Historic Lots,
- E. define Development parameters that are consistent with the General Plan policies for the Historic core, and
- F. establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment.

Analysis

The proposed Plat Amendment creates one (1) lot of record from the existing three (3) parcels, one (1) full lot and two (2) partial lots consisting of a total of 4,174 square feet. The area on of the property which is under the prescriptive easement of the Crescent Tram Road is considered dedicated under State Law. Therefore, that dedication should be memorialized as part of this Plat Amendment. The portion of Crescent Tram Road over the subject property is 932 square feet. The proposed lot would be 3,242 square feet in area without the Crescent Tram Road section.

A single-family dwelling is an allowed use in the HR-1 District. The minimum required

lot area for a single-family dwelling is 1,875 square feet. The proposed lot meets the minimum lot area for a single-family dwelling. A duplex dwelling is a conditional use in the HR-1 District. The minimum lot area for a duplex dwelling is 3,750 square feet. The proposed lot does not meet the minimum lot area for a duplex dwelling. The minimum lot width allowed in the HR-1 District is twenty-five feet (25'). The proposed lot is approximately thirty one feet (31') wide. The proposed lot meets the minimum lot width requirement. Table 1 shows applicable development parameters in the HR-1 District:

Table 1:

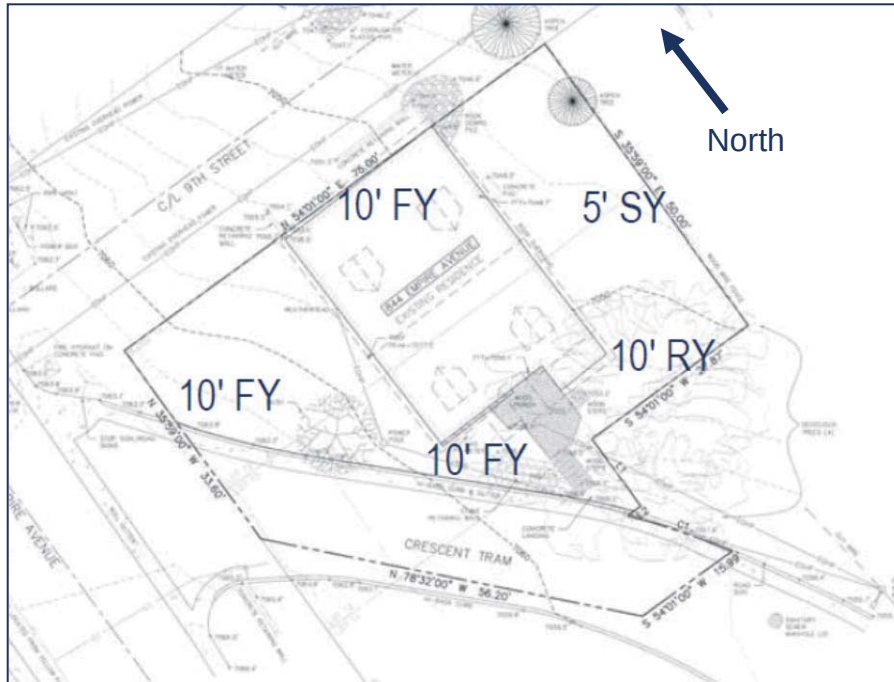
LMC Regulation	Requirements
Building Footprint	1,351.0 square feet, maximum based on lot size.
Front/Rear Yard Setbacks	10 feet minimum, 20 feet total.
Side Yard Setbacks	5 feet minimum, 10 feet total.
Building (Zone) Height	No Structure shall be erected to a height greater than twenty-seven feet (27') from Existing Grade.
Final Grade	Final Grade must be within four vertical feet (4') of Existing Grade around the periphery [...].
Lowest Finish Floor Plane to Highest Wall Top Plate	A Structure shall have a maximum height of thirty five feet (35') measured from the lowest finish floor plane to the point of the highest wall top plate [...].
Vertical Articulation	A ten foot (10') minimum horizontal step in the downhill façade is required [...].
Roof Pitch	Roof pitch must be between 7:12 and 12:12 for primary roofs. Non-primary roofs may be less than 7:12.

Setbacks

Land Management Code (LMC) § 15-4-17 *Setback Requirements for Unusual Lot Configurations* lists different scenarios and their corresponding setback determinations for lots that don't follow the standard front, two (2) sides, and rear yard areas, traditionally known as a *block lot*. Furthermore, it indicates that any lots, which are not specified in this LMC section, are to have setbacks determined by the Planning Director. The Planning Director has determined the following setbacks:

- From 9th Street, platted un-built ROW, front yard (FY), ten feet (10') minimum. This is the historic front of the structure.
- From Empire Avenue, front yard (FY), ten feet (10') minimum.
- From Crescent Tram, front yard (FY), ten feet (10') minimum.
- From the south neighbor, rear yard (RY), ten feet (10') minimum. This side is opposite of the historic front of the house.
- From the east neighboring property, side yard (SY), five feet (5') minimum.

The diagram below graphically displays the Planning Director's setback determination:



The existing historic structure does not meet the minimum setbacks along the north side, platted un-built 9th Street ROW. The existing structure was built along this property line and the roof overhang is over the property line encroaching approximately eighteen inches (18"). Also, along this same property line, there is a concrete retaining wall built on the ROW. The existing historic structure also does not meet minimum setbacks along the Crescent Tram as it is approximately five feet (5') from the new property line after the dedication. The existing historic structure also does not meet minimum setbacks from the shared property line with the neighboring site towards the south as it is approximately eight and a half feet (8.5').

LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures; however, additions must comply with building setbacks.

Staff recommends adding a condition of approval that indicates that the concrete retaining wall encroachment across the north property line over the 9th Street ROW shall be resolved prior to plat recordation. The applicant bears the burden of proper approvals for the retaining wall, which may include an encroachment agreement with the City through the City Engineer's office, or relocation/removal of the retaining wall, subject to compliance with applicable Design Guidelines for Historic Sites through a Historic District Design Review application with the Planning Department.

Road Dedication

Utah Code, Transportation Code, Right-Of-Way Act [§ 72-5-104](#) declares that a highway (street or road, not including an area principally used as a parking lot) is dedicated and abandoned to the use of the public when it has been continuously used as a public

thoroughfare for a period of ten (10) years. Staff finds that Crescent Tram Road has continuously been used as a public thoroughfare for much longer than the required ten (10) years.

Furthermore, LMC § 15-7.3-4(I)(2) *Widening and Realignment of Existing Roads* indicates the following “Land reserved for any road purposes may not be counted in satisfying yard or Area requirements contained in the Land Management Code.”

Because Utah Code [§ 72-5-104](#) dictates that statutorily the road is dedicated after ten (10) years, the requirement to dedicate the road as part of the Plat Amendment formalizes that dedication.

Building Footprint

LMC § 15-2.2-3(D) indicates that the maximum Building Footprint is calculated according to the following formula for Building Footprint:

$$\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$$

where FP = maximum Building Footprint and A = Lot Area.

The LMC indicates that the maximum Building Footprint is a simple function of the lot area. The proposed lot area shown on the attached requested Plat Amendment displays that the proposed lot is to contain 3,242 square feet, which would yield a maximum Building Footprint of 1,351.0 square feet.

The applicant disagrees with this finding. See Exhibit I – Applicant’s Letter received 22 March 2016, as they have indicated that they need a total of 1,476 square feet of maximum building footprint, which is 125 square feet over what the LMC allows based on the Maximum Building Footprint Formula. After careful review of applicable City Codes staff finds that the City is not able to provide the ‘*maximum building footprint prior road dedication*’ but can only approve the ‘*maximum building footprint after road dedication*’ which constitutes the lot size. Furthermore, the last sentence of LMC § 15-7.3-4(I)(2) found in the Road Dedication section above indicates that this area, reserved for any road, may **not** be counted in satisfying area requirements contained in the LMC.

Intersection Re-Design/Improvements

In order to provide a future vehicular access to 844 Empire Avenue, the City Engineer has indicated that the existing intersection at Empire Avenue and Crescent Tram needs to be re-designed and improved. The current site does not have vehicular access. Because the future vehicle access is for the sole benefit of 844 Empire Avenue, all of the costs associated with the re-design and improvements are the burden of the property owner. The intersection currently works as-built, without vehicular access to 844 Empire Avenue. At this stage the City Engineer has indicated that a vehicular access can only be accommodated off Empire Avenue or 9th Street. The City Engineer would not support vehicular access directly off Crescent Tram. Thus, any cost to applicant for improvements are only those directly related to allowing vehicular access to the site.

The City's Historic Sites Inventory designated the site in the significant category. LMC § 15-2.2-4 Existing Historic Structures indicates the following:

Historic Structures that do not comply with Building Setbacks, Off-Street parking, and driveway location standards are valid Complying Structures. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment. Additions must comply with Building Setbacks, Building Footprint, driveway location standards and Building Height. All Conditional Uses shall comply with parking requirements of Chapter 15-3.

Good Cause

Planning Staff finds that there is good cause for this Plat Amendment as the lot line going through a historic structure will be removed, 932 square feet will be memorialized as dedicated to the City for the Crescent Tram road for public use, the requested Plat Amendment will not cause undo harm to adjacent property owners, and all requirements of the Land Management Code can be met. The proposed lot area of 3,242 square feet is a compatible lot combination as the entire HR-1 District has abundant sites with approximate dimensions.

Process

The approval of this Plat Amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC § 15-1-18.

Department Review

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

Notice

The property was posted and notice was mailed to property owners within 300 feet on March 9, 2016. Legal notice was published in the Park Record on March 9, 2016 according to requirements of the Land Management Code.

The property was again posted and notice was mailed to property owners within 300 feet on April 27, 2016. Legal notice was again published in the Park Record on April 27, 2016 according to requirements of the Land Management Code.

Public Input

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

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the 844 Empire Avenue Plat Amendment as conditioned or amended; or

- The Planning Commission may forward a negative recommendation to the City Council for the 844 Empire Avenue Plat Amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on 844 Empire Avenue Plat Amendment.

Significant Impacts

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

Consequences of not taking the Planning Department's Recommendation

The site would remain as is. The site would consist of one (1) Old Town lot and two (2) partial lots. The historic structure would contain a lot line going through it. Additions to the historic structure would have to respects all setbacks of all internal lot lines. The Crescent Tram ROW dedication would not take place. The existing single-family dwelling would remain as is. The portion of Crescent Tram would remain in the form of a prescriptive easement instead of City ROW.

Summary Recommendation

Staff recommends the Planning Commission hold a public hearing for the 844 Empire Avenue Plat Amendment located at 844 Empire Avenue and consider forwarding a positive recommendation to the City Council based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Exhibits

Exhibit A – Draft Ordinance with Proposed Plat Amendment
 Exhibit B – Applicant's Project Description
 Exhibit C – Original Submittal
 Exhibit D – Existing Conditions & Topographic Map (Survey)
 Exhibit E – Aerial Photograph
 Exhibit F – Vicinity Map
 Exhibit G – County Tax Map
 Exhibit H – Site Photographs
 Exhibit I – Applicant's Letter received 22 March 2016

Links

03.23.2016 Planning Commission staff report:
 ▪ <http://www.parkcity.org/Home/ShowDocument?id=24365#page=51>
 03.23.2016 Planning Commission meeting minutes:
 ▪ <http://www.parkcity.org/Home/ShowDocument?id=25475#page=7>
 04.13.2016 Planning Commission continuation staff report:
 ▪ <http://www.parkcity.org/Home/ShowDocument?id=24493#page=33>
 04.13.2016 Planning Commission meeting minutes:
 ▪ <http://www.parkcity.org/Home/ShowDocument?id=25557#page=9>
 Utah Code, Transportation Code, Right-Of-Way Act § 72-5-104:
 ▪ http://le.utah.gov/xcode/Title72/Chapter5/72-5-S104.html?v=C72-5-S104_2014040320140513

Exhibit A – Draft Ordinance with Proposed Plat Amendment

Ordinance No. 16-XX

AN ORDINANCE APPROVING THE 844 EMPIRE AVENUE PLAT AMENDMENT LOCATED AT 844 EMPIRE AVENUE, PARK CITY, UTAH.

WHEREAS, the owner of the property located at 844 Empire Avenue has petitioned the City Council for approval of the Plat Amendment to combine Lot 12, most of Lot 13, and a portion of Lot 14, Block 14, of the Snyder's Addition to the Park City Survey ; and

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

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

WHEREAS, the Planning Commission held public hearings on March 23, April 13, and May 11, 2016, to receive input on Plat Amendment; and

WHEREAS, the Planning Commission, on May 11, 2016, forwarded a recommendation to the City Council; and,

WHEREAS, on June 2, 2016, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the 844 Empire Avenue Plat Amendment.

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

SECTION 1. APPROVAL. 844 Empire Avenue Plat Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 844 Empire Avenue.
2. The property is in the Historic Residential-1 (HR-1) District.
3. The subject property consists of all of Lot 12, most of Lot 13, and a portion of Lot 14, Block 14, Snyder's Addition to the Park City Survey.
4. The site is listed on Park City's Historic Building Inventory as a significant site.
5. The proposed Plat Amendment creates one (1) lot of record from the existing three (3) parcels, one (1) full lot and two (2) partial lots consisting of a total of 4,174 square feet.

6. A portion of the property is encumbered by the Crescent Tram Road which has been used since the late 1800s and was paved in the early 1970s.
7. The City requests that the property owner formalize the dedication to the City that portion of the Crescent Tram prescriptive easement area that is on subject property. This area consists of 932 square feet.
8. The proposed lot would be 3,242 square feet.
9. A single-family dwelling is an allowed use in the District.
10. The minimum lot area for a single-family dwelling is 1,875 square feet.
11. The proposed lot meets the minimum lot area for a single-family dwelling.
12. The minimum lot width allowed in the District is twenty-five feet (25').
13. The proposed lot is approximately thirty one feet (31') wide.
14. The proposed lot meets the minimum lot width requirement.
15. Per LMC § 15-4-17 the Planning Director has determined the following setbacks:
 - a. From 9th Street, platted un-built ROW, front yard, ten feet (10') minimum. This is the historic front of the structure.
 - b. From Empire Avenue, front yard, ten feet (10') minimum.
 - c. From Crescent Tram, front yard, ten feet (10') minimum.
 - d. From the south neighbor, rear yard, ten feet (10') minimum. This side is opposite of the historic front of the house.
 - e. From the east neighboring property, side yard, five feet (5') minimum.
16. The existing historic structure does not meet the minimum setbacks along the north side, platted un-built 9th Street ROW, as the structure was built on the property line.
17. The existing historic structure does not meet the minimum setbacks along the shared property line with the neighboring site on the south as it is approximately eight and a half feet (8.5').
18. The existing historic structure does not meet minimum setbacks along the Crescent Tram ROW dedication as it is approximately five feet (5') from the new property line after the dedication.
19. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures; however, additions must comply with building setbacks.
20. The concrete retaining wall encroaches across the north property line over the 9th Street ROW.
21. The proposed lot area consisting of 3,242 square feet yields a maximum Building Footprint of 3,151.0 square feet.
22. LMC § 15-7.3-4(l)(2) Widening and Realignment of Existing Roads indicates that where a subdivision borders an existing narrow road for realignment or widening, the Applicant shall be required to improve and dedicate at his expense such Areas for widening or realignment of such roads.
23. LMC § 15-7.3-4(l)(2) indicates that land reserved for any road purposes may not be counted in satisfying yard or Area requirements contained in the Land Management Code.
24. Utah Code, Transportation Code, Right-Of-Way Act § 72-5-104 declares that a highway (street or road, not including an area principally used as a parking lot) is dedicated and abandoned to the use of the public when it has been continuously

- used as a public thoroughfare for a period of ten (10) years.
25. Crescent Tram has continuously been used as a public thoroughfare for much longer than the required ten (10) years.
 26. LMC § 15-2.2-3(D) indicates that the maximum Building Footprint is calculated according to the following formula for Building Footprint: $\text{MAXIMUM FP} = (A/2) \times 0.9^{A/1875}$, where FP = maximum Building Footprint and A = Lot Area.
 27. The proposed lot area shown on the attached requested Plat Amendment displays that the proposed lot is to contain 3,242 square feet, which would yield a maximum Building Footprint of 1,351.0 square feet.
 28. In order to provide a future vehicular access to 844 Empire Avenue, the City Engineer has indicated that the existing intersection at Empire Avenue and Crescent Tram needs to be re-designed and improved.
 29. The current site does not have vehicular access.
 30. The future vehicle access is for the sole benefit of 844 Empire Avenue.
 31. All of the costs associated with the re-design and improvements are the burden of the property owner.
 32. The intersection currently works as-built, without vehicular access to 844 Empire Avenue.
 33. The City Engineer has indicated that a vehicular access can only be accommodated off Empire Avenue or through platted un-built 9th Street.
 34. The City Engineer is not willing to support vehicular access directly off Crescent Tram.
 35. The City's Historic Site Inventory designated the site in the significant category.
 36. Historic Structures that do not comply with Off-Street parking and driveway location standards are valid Complying Structures.
 37. Additions to Historic Structures are exempt from Off-Street parking requirements provided the addition does not create a Lockout Unit or an Accessory Apartment.
 38. There is good cause for this Plat Amendment as the lot line going through a historic structure will be removed, 932 square feet will be dedicated to the City for the Crescent Tram road for public use, the requested Plat Amendment will not cause undo harm to adjacent property owners, and all requirements of the Land Management Code can be met.
 39. The proposed lot area of 3,242 square feet is a compatible lot combination as the entire Historic Residential-1 District has abundant sites with these approximate dimensions in this neighborhood.
 40. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. A ten foot (10') wide public snow storage easement will be required along the Empire Avenue front of the property.
4. Fire sprinklers shall be required for all new construction or substantial renovations, as determined by the Park City Building Department during building permit review.
5. Drive access to the site shall be from Empire Avenue or through platted un-built 9th Street in a location approved by the City Engineer.
6. The concrete retaining wall built over the north property line shall be resolved prior plat recordation. The applicant bears the burden of proper approvals for the retaining wall, which may include an encroachment agreement with the City through the City Engineer's office, or relocation/removal of the retaining wall, subject to compliance with applicable Design Guidelines for Historic Sites through a Historic District Design Review application.

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

PASSED AND ADOPTED this 2nd day of June, 2016.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Attachment 1 – Proposed Plat Amendment

[illegible]

SNYDER'S ADDITION TO PARK CITY SURVEY, BLOCK 14,
LOT 12 AND PORTIONS OF LOTS 13 & 14,

(844 EMPIRE AVENUE)

PROJECT INTENT

Lot 12 and portions of Lots 13 & 14, Block 14, Snyder's Addition to Park City Survey, (also known as 844 Empire Avenue) are owned by the same entity. The original lot lines from Snyder's Addition to Park City Survey still exist between Lots 12 & 13 and between Lots 13 & 14. The owner desires to unify the property into one lot of record by extinguishing the existing lot line, with the ultimate goal of renovating the existing residence.



[illegible]

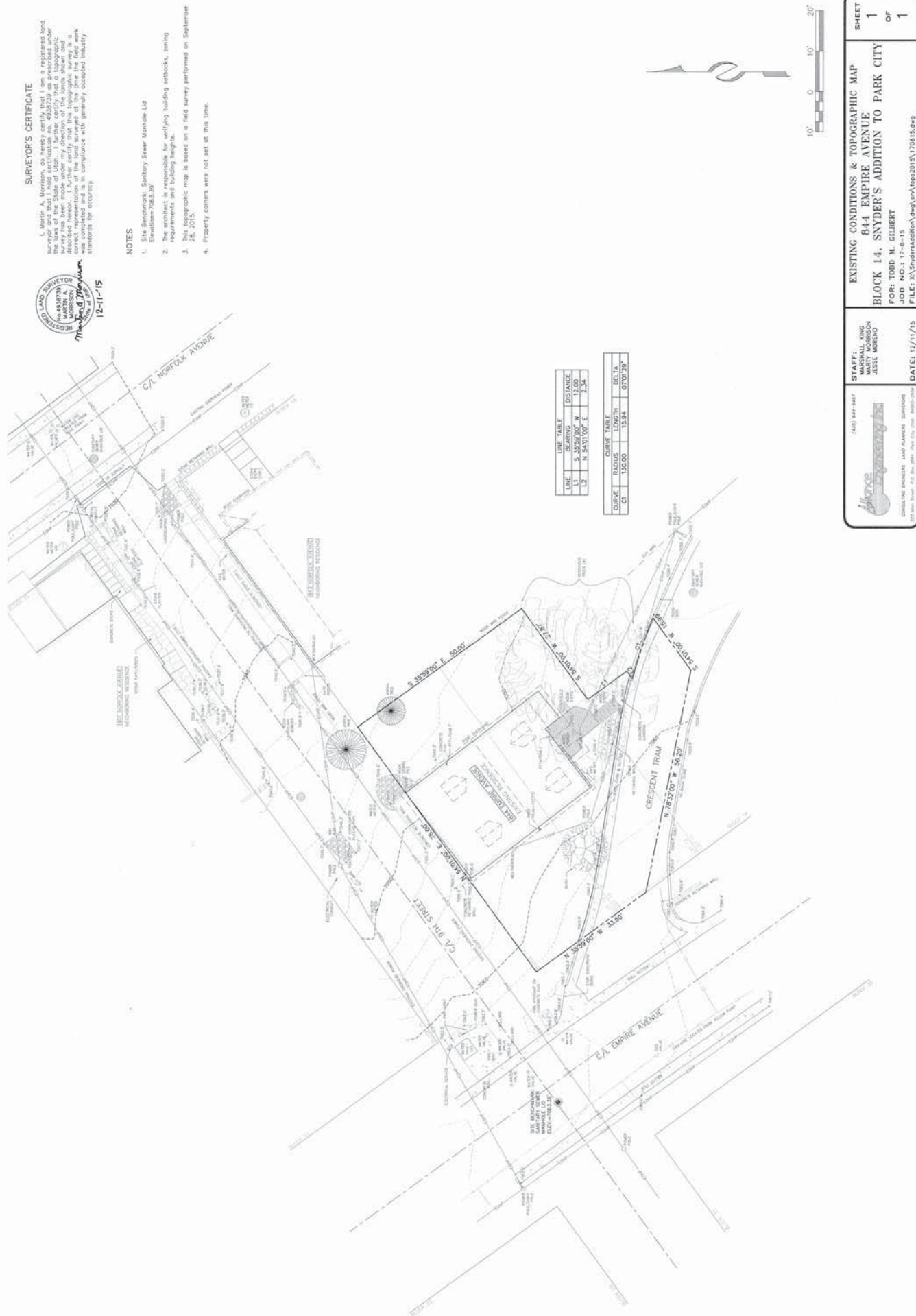
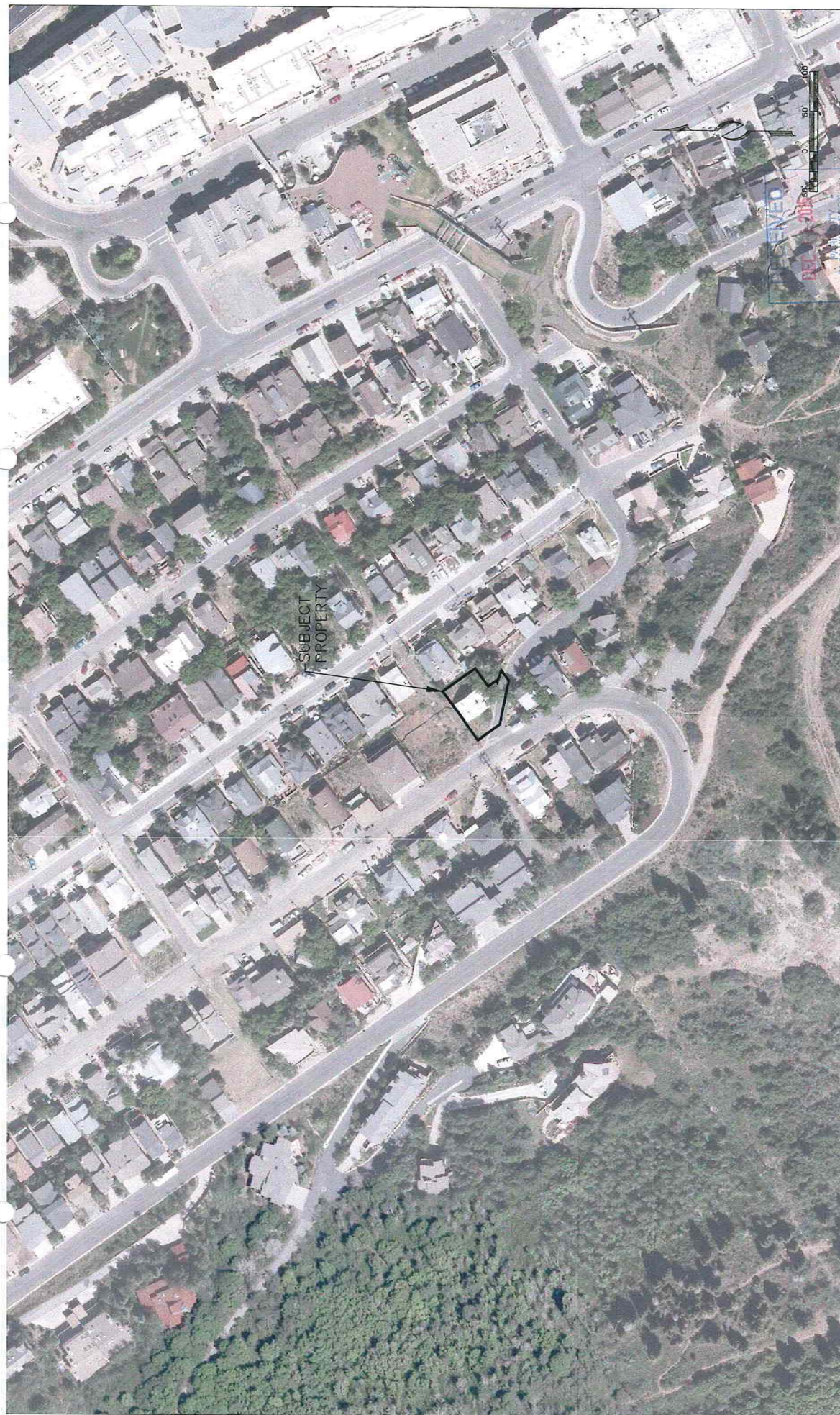


Exhibit E – Aerial Photograph



	STAFF: JAMES L. HINS JESSIE MORENO	DATE: 8/31/15	SHEET 1 OF 1
	AERIAL PHOTOGRAPH		
	844 EMPIRE AVENUE		
	BLOCK 14, SNYDER'S ADDITION		
FOR: TODD GILBERT & SARA COFF			
JOB NO.: 17-8-15			
FILE: X:\SnyderAddition\Gwp\ExhibitE\844_empire_aerial-ortho.jpg			

Legend

- Address
- Parcels
- Streets
- HSI Significant Site
- HSI Landmark Site

Map Labels:

- Streets: Norfolk Ave, Crescent Rd, Lowell Ave, Empire Ave
- Addresses: 908, 835, 827, 830, 834, 850, 860, 901, 907, 915, 921, 930, 916, 912, 908, 902, 843, 844, 827, 823, 817, 811, 803, 802, 812, 820, 830, 841, 835, 829, 819, 822, 841, 906, 906, 906, 920, 920, 917, 911, 923, 901

Scale: 0 15 30 60 90 120 Feet

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Page 58 of 140

Address

Streets

Streets

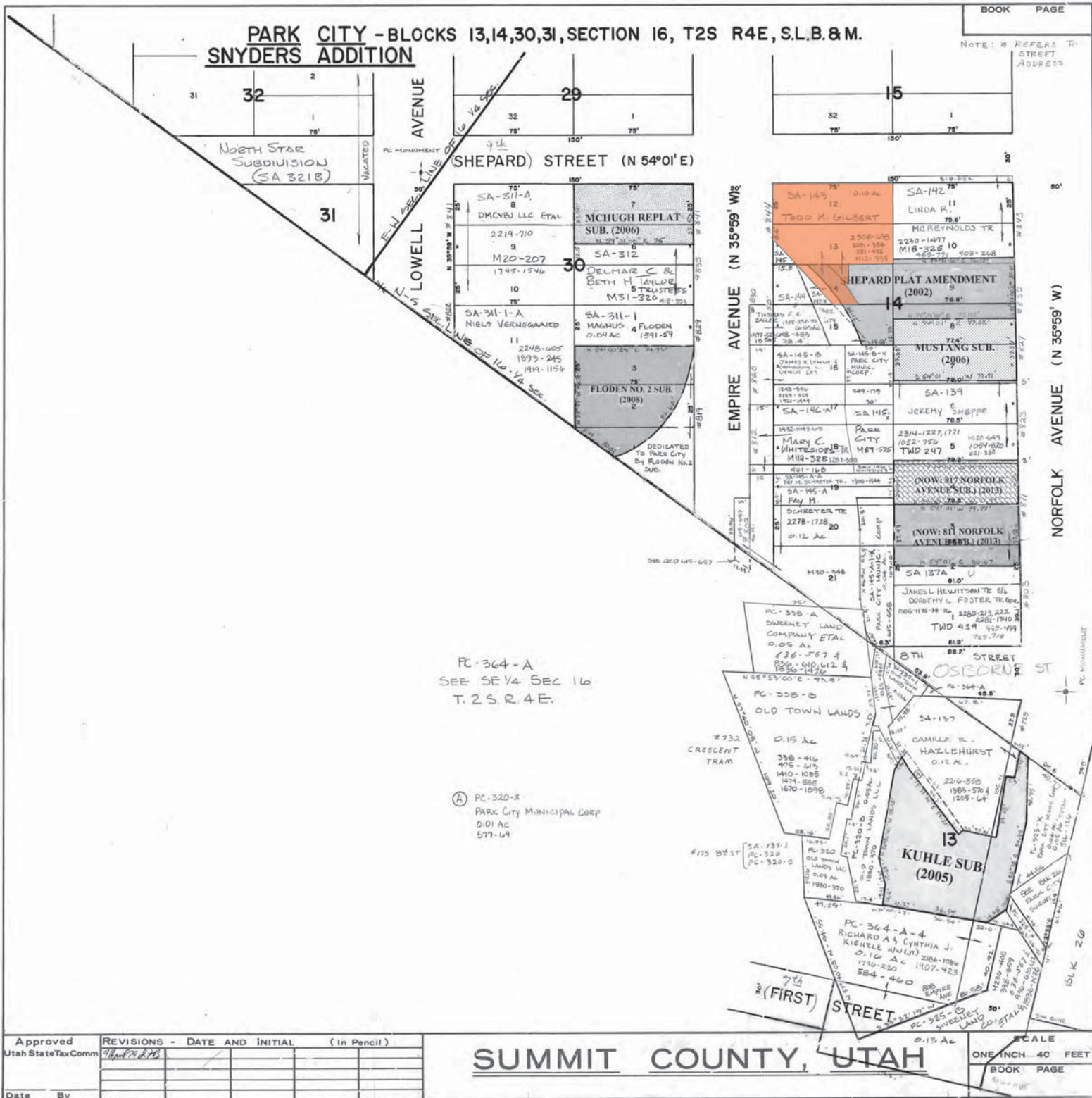
HSL Significant Site

HSI Landmark Site

Planning Commission Packet May 2016

Feet

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844 Empire Avenue looking northerly

Exhibit H – Site Photographs



844 Empire Avenue looking southeasterly



844 Empire Avenue looking northwesterly



844 Empire Avenue looking southerly

March 21, 2016

Park City Municipal Corporation
443 Marsac Avenue
Park City, Utah 84060

Attn: Francisco Astorga, Planning Department

Re: Plat Amendment
844 Empire Avenue

Dear Francisco,

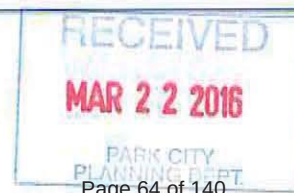
After review of your email of March 18, 2016 we are disappointed that the entire property is not being included in the footprint area calculation as we thought it would be. Transfer of our ownership of the property occupied by Crescent Tram to the city should hold some value. Based on your email it does not. The full lot area of 4184 sq. ft. would yield a footprint of 1654 sq. ft. We understand that the maximum footprint created by the entire lot is probable not usable based on the other constraints placed on the property such as; lot shape, setbacks and designing around the historic home. We also feel that giving no credit for the Crescent Tram property is inherently unfair.

Your email stipulates that the footprint will be calculated on a lot area of 3242 sq. ft. providing a footprint of 1351 sq. ft. we feel this number is restrictive. After review of a number of design options we feel a footprint of 1476 sq. ft. would allow us to utilize a reasonable portion of the property and gain a modest 125 additional square feet of footprint over your proposed number.

We would very much like to proceed with our plat before the planning commission but feel that it is important to resolve this issue prior to that hearing. We would like to meet and discuss this issue with you at the earliest possible time.

Please let us know when you would be available to meet.

Sincerely,



Planning Commission Staff Report



Subject: 2685 Meadow Creek Drive
Application: PL-24-06033
Author: Jaron Ehlers, Planning Technician
Date: March 13, 2024
Type of Item: Administrative - Plat Amendment

Recommendation

(I) Review the proposed Smith Subdivision First Amended to shift the existing Building Pads out of the Wetlands to Maintain the Sensitive Land Overlay and amend the Driveway Easement to be entirely on Parcel B, (II) hold a public hearing, and (III) consider approving the proposed Plat Amendment subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant: Paul Caraher
Josh Call, Applicant Representative
Location: 2685 and 2647 Meadow Creek Drive
Zoning District: Parcel A – Single Family, partially in the Sensitive Land Overlay
Parcel B – Estate and Sensitive Land Overlay
Adjacent Land Uses: Single Family and Open Space
Reason for Review: The Planning Commission reviews and takes final action on Plat Amendments.¹

DRC Development Review Committee
LMC Land Management Code
SLO Sensitive Land Overlay

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

Summary

The current Building Pads for 2685 Meadow Creek Drive that are platted on the Smith Subdivision encroach into the 50 foot Setback for Wetlands that is required by LMC § [15-2.21-6\(F\)](#). To comply with the Sensitive Land Overlay (SLO), the Applicant is proposing to relocate the platted Building Pads outside these Setbacks. The Applicant is additionally proposing to replat the Driveway Easement so that it is entirely located on 2685 Meadow Creek Drive, also known as Parcel B. As the existing Driveway Easement is partially located on Parcel A, that Lot is also amended by this application.

¹ LMC [§ 15-7.1-2](#)

Figure A: The Existing Smith Subdivision: Parcel B is in Yellow, Parcel A is in Purple and Green, with the portion that was transferred to Parcel A by the creation of the Smith Subdivision being the Purple Section.

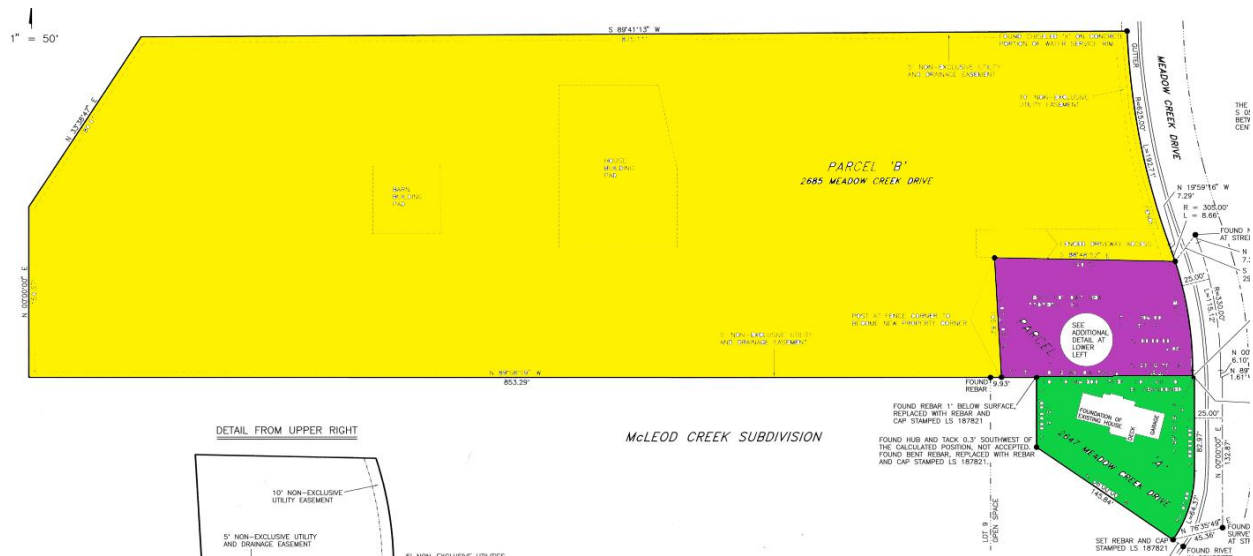


Figure B: Lot 6 of the Willow Ranch Subdivision. Shows the existing Building Pads and Driveway Easement.

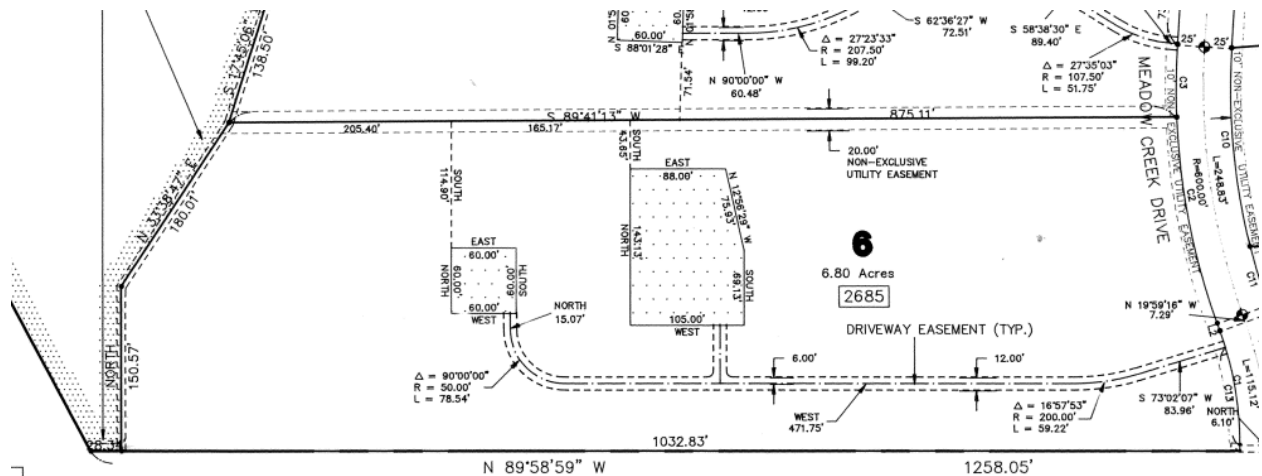


Figure C: Current Smith Subdivision Plat:

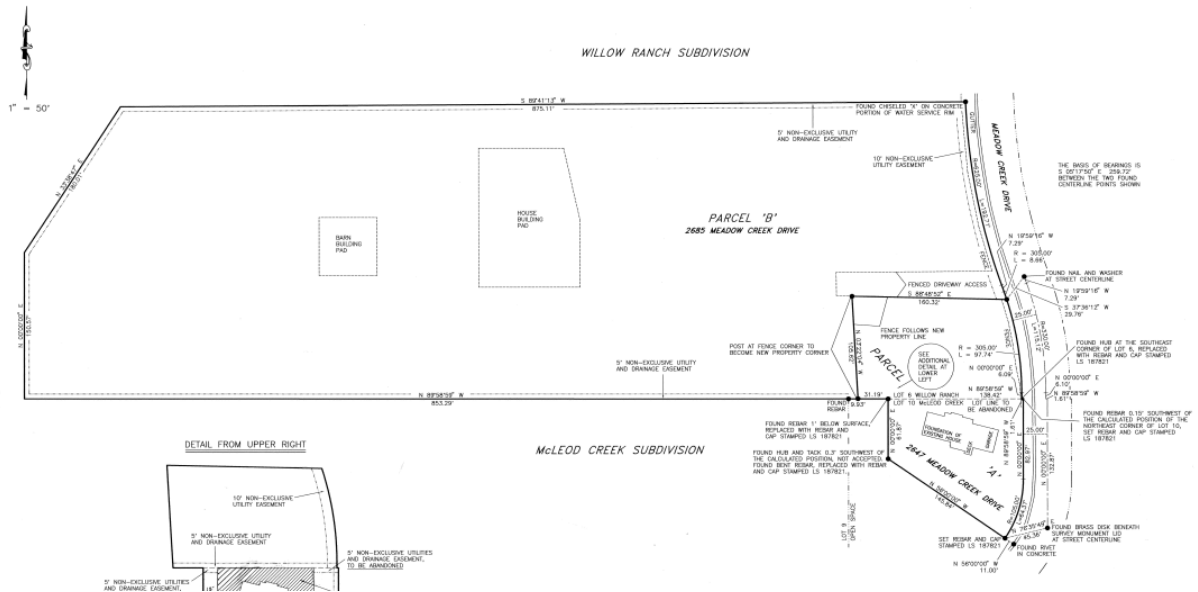
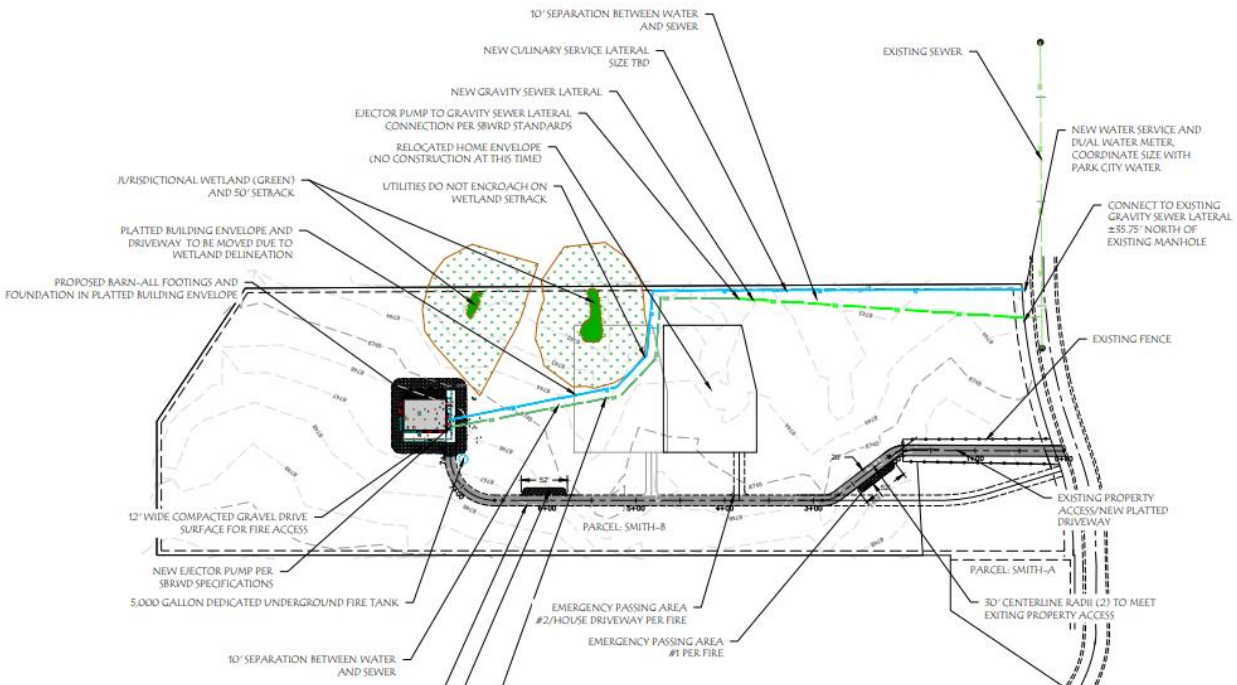


Figure D: Proposed Site Plan showing the Wetlands, Wetland Setbacks, and changes to Driveway Easement.



Background

In 1980, the City approved the McLeod Creek Subdivision, which was zoned as part of the Recreation Development (RD) Zoning District. On January 22, 1985, the City Council passed Ordinance 86-5 which rezoned the McLeod Creek Subdivision as part of the Single Family (SF) Zoning District (Exhibit F).

On December 17, 1992, the City Council formally annexed what would become the Willow Ranch Subdivision, zoning it Estate and Recreation Open Space (Exhibit G). On January 28, 1993, the City Council approved the final Plat for the Willow Ranch Subdivision, which consisted of six lots (Exhibit H). The City was creating the SLO at the same time as the Willow Ranch annexation, so the SLO did not initially apply as the Annexation was vested. To provide protection in the absence of the SLO, specific building pads for a Single-Family Dwelling and Barn, driveway easements, and square footage were placed as restrictions for some of the Lots within the Plat (Exhibit I). Lot 6, which is now Parcel B, was one such Lot.

In 1995, the then owner wished to add an addition to the existing Single-Family Dwelling located on Lot 10 of the McLeod Creek Subdivision, but this proposed addition encroached into setbacks. The owner also owned Lot 6 of Willow Ranch, which was vacant. The property owner applied to create the two-Lot Smith Subdivision with Lot 10 from McLeod Creek and Lot 6 of Willow Ranch. To accommodate the addition, the Lot line for McLeod Creek Lot 10 would be shifted North to incorporate part of Willow Ranch Lot 6. This new Lot was named Parcel A. The remainder of Lot 6 became Parcel B. On August 31, 1995, the City Council approved the Smith Subdivision (Exhibit J). The Lot 6 Building Pads for the potential Single-Family Dwelling and Barn remained on the Smith Subdivision Plat, but neither the Square Footages nor the Driveway Easement are shown. Ordinance 95-44, which approved the Smith Subdivision, included Condition of Approval (COA) 3 which states, "All previous conditions of the Willow Ranch and McLeod Creek Subdivisions shall remain in full force and effect." The addition to the existing Single-Family Dwelling located on former Lot 10 of the McLeod Creek Subdivision was never constructed.

On September 8, 2022, the Planning Department received a Plat Amendment from the current applicant seeking to adjust the lot line for Parcels A and B to restore it to the original boundary between the McLeod and Willow Ranch Subdivisions. That application was under the address 2647 Meadow Creek Drive (Parcel A) and assigned the number PL-22-05374. As part of Staff's analysis of the application, it was determined that the Applicant would need to complete a Wetlands Delineation as required by LMC [§ 15-2.21-6](#). A COA was recommended where the final location of the Building Pads would be determined by the Planning Director and City Engineer following that Delineation. Staff also recommended that the restrictions and Plat Notes that had been included on the Willow Ranch Plat, but were not included on the Smith Subdivision Plat, would be placed on the amended Smith Subdivision Plat, as they remained in effect due to COA 3 of Ordinance 95-44. The Plat Amendment was scheduled for a public hearing before the Planning Commission on December 14, 2022, but the applicant withdrew the application before the hearing ([Staff Report](#) | [Minutes](#)). Staff has incorporated all those recommendations into this Staff Report and Draft Final Action Letter.

In preparation for submitting a new Plat Amendment application, the applicant reached out to Staff to determine what would be required under the SLO and expressed their

interest in building the Barn first. Staff took the proposal to the Development Review Committee (DRC) on August 15, 2023. Following the meeting, the applicant worked with the Planning Department, City Engineer, Park City Fire District (PCFD), and the public utilities to amend their proposal. On January 4, 2024, the applicant submitted the formal application for a Plat Amendment.

Analysis

(I) The proposal to amend the Smith Subdivision complies with the Estate Zoning District requirements as outlined in LMC Chapter 15-2.10.

Parcel B is located within the Estate Zoning District. LMC [§ 15-2.10-2](#) establishes that both Single Family Dwellings and Agriculture are Allowed Uses within the Estate Zone, so regardless if the Applicant constructs the Barn or Single Family Dwelling first, both are Allowed Uses.

Estate Zone Requirements	Analysis of Proposal
Lot Size	LMC § 15-2.10-3(A) requires that all uses (except Duplexes) have a minimum Lot Size of 3 Acres. Complies: Parcel B has a Lot Size of 6.4 Acres
Lot Width	LMC § 15-2.10-3(B) requires a minimum Lot Width of 100 feet. Complies: Parcel B has a Lot Width of 304 feet.
Setbacks	LMC § 15-2.10-3(C) establishes that Setbacks for Front, Rear, and Sides to be 30 feet. Complies: The Building Pad for the Single-Family Dwelling is located 44.68 feet from the Northern Lot Line. The Barn Building Pad is located 103.29 feet from the Northern Lot Line.
Building Height	LMC § 15-2.10-4 sets a Building Height of 28 feet from Existing Grade. Complies: Per the submitted plans for the Barn (Exhibit K), the Building Height for the Barn will be 27.125 feet.
Sensitive Lands Overlay	<i>*See Analysis II for SLO Analysis*</i>

(II) The proposal, as Conditioned, to amend the Smith Subdivision complies with the Sensitive Land Overlay outlined in LMC Chapter 15-2.21.

To modify platted elements, an SLO analysis is required because Parcel B is located within the SLO. LMC [§ 15-2.21-6\(D\)](#) requires that the Applicant provide a wetlands delineation. The Applicant has completed a provisional delineation (Exhibit L) which identified two Wetlands on Parcel B, shown on the Site Plan Concept (Exhibit M). LMC [§ 15-2.21-6\(F\)](#) requires a 50 foot Setback from all Wetlands. As the Site Plan Concept shows, the existing Building Pads for both the Barn and Single-Family Dwelling encroach on the Wetlands Setback.

The Applicant has contacted the Army Corps of Engineers for a formal delineation, and the field work will occur in the Spring. As the boundaries of the Wetlands are not final, Staff Recommends Condition of Approval 7:

“Prior to the recordation of the amended plat, the applicant shall submit an updated wetland designation approved by the Army Corps of Engineers to confirm the designated building pads and proposed driveway comply with required wetland regulations. If modifications to the designated building pads and proposed driveway location are required, the Applicant shall return to the Planning Commission for additional review and approval based upon the updated wetland designation to ensure compliance with the Sensitive Land Overlay and to mitigate site disturbance. Such modifications shall not result in any net expansion of a building pad.”

When the Willow Ranch Subdivision was created, many restrictions were placed onto the Plat. Those restrictions were not incorporated into the Smith Subdivision Plat, but Ordinance No. 95-44 included COA 3 which stated, “All previous conditions of the Willow Ranch and McLeod Creek Subdivision shall remain in full force and effect” (Exhibit J). Staff recommends these be added as plat notes to the Amended Smith Subdivision Plat (Conditions of Approval 8):

“Plat notes shall include the following:

A maximum of three horses will be allowed and grazing of horses in the wildlife corridor is prohibited for Parcel B.

Home square footage is limited to a maximum of 8,000 square feet for Parcel B.

Barn square footage is limited to a maximum of 1,800 square feet for Parcel B. Residential use and human occupancy of the barn is prohibited.

Building height of the home and barn on Parcel B is limited to 23 feet to midpoint of roof and 28 feet to peak of roof.

Parcel B is subject to an Animal Management Plan and Equestrian Lot

Open Space Covenant Executed with Park City Municipal Corporation.

Basements are prohibited for Parcel B.”

The current Smith Subdivision Plat (Exhibit C) also established that the area added to Lot 10, forming Parcel A, was to be a non-build Yard Area. Staff recommends Condition of Approval 9 to reflect this:

“A Plat Note shall indicate that the area added to Lot 10 of the McLeod Creek Subdivision, which is zoned Estate Zoning District, from the Willow Ranch Subdivision shall be a non-build area with such uses allowed as were previously allowed as part of Lot 6 of the Willow Ranch Subdivision.”

(III) The proposal to amend the Smith Subdivision complies with the Subdivision Procedures outlined in LMC Chapter 15-7.1.

Plat Amendments shall be reviewed according to LMC [§ 15-7.1-6](#) *Final Subdivision Plat* and approval requires (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.

(a) There is Good Cause for this proposed Plat Amendment

The Planning Commission shall make a finding as to good cause prior to approving a Plat Amendment². LMC [§ 15-15-1](#) defines *Good Cause* as “[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”

Staff finds Good Cause for the Plat Amendment as it resolves existing issues and non-conformities, specifically by moving the Building Pads outside of the Wetlands Setbacks and by moving the Parcel B Driveway Easement exclusively onto Parcel B as well as bringing a potential driveway into compliance with PCFD requirements.

(b) No Public Street, Right-of-Way, or easement is vacated or amended.

No changes to the public street or Right-of-Way are proposed. The utility easements running around the property will not be amended. The Driveway Easement will be amended, but it is not a public easement.

(IV) The Development Review Committee met on August 23, 2023, and provided feedback but required no Conditions of Approval.³

² LMC [§ 15-7.1-6\(C\)](#)

³ The Development Review Committee meets the first and third Tuesday of each month to review and

The Park City Fire District required the emergency passing areas be added to the Driveway Easement. The Applicant also worked with Park City Water and Snyderville Basin Water Reclamation District to ensure that they had a utility plan that didn't encroach on the Wetlands Setbacks.

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, and posted notice to the property on February 28, 2024. Staff mailed courtesy notice to property owners within 300 feet on February 28, 2024. The *Park Record* published notice on February 28, 2024.⁴

Public Input

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

Alternatives

- The Planning Commission may approve the Plat Amendment;
- The Planning Commission may deny the Plat Amendment and direct staff to make Findings for the denial; or
- The Planning Commission may request additional information and continue the discussion to April 10, 2024.

Exhibits

Exhibit A: Draft Final Action Letter

Exhibit B: Proposed Plat

Exhibit C: Current Recorded Plat

Exhibit D: McLeod Plat

Exhibit E: Willow Ranch Plat

Exhibit F: Ordinance 87-5

Exhibit G: Ordinance 92-22

Exhibit H: January 28, 1993, City Council Minutes

Exhibit I: January 27, 1993, Planning Commission Minutes

Exhibit J: Ordinance 95-44

Exhibit K: Barn Plans

Exhibit L: Preliminary Wetland Delineation

Exhibit M: Site Plan Concept

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).

⁴ LMC [§ 15-1-21](#)



Planning Department

March 13, 2024

Josh Call
Rimrock Engineering and Development

CC: Paul and Alaine Caraher

NOTICE OF PLANNING COMMISSION ACTION

Description

Address: 2685 and 2647 Meadow Creek Drive

Zoning District: Parcel A – Single Family, partially in the Sensitive Land Overlay
Parcel B – Estate and Sensitive Land Overlay

Application: Plat Amendment

Project Number: PL-24-06033

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: March 23, 2024

Project Summary: The Applicant Proposes Amending the Smith Subdivision Parcel to Shift the Existing Building Pads Out of the Wetlands to Maintain the Sensitive Land Overlay and Amend the Driveway Easement to be Entirely on Parcel B

Action Taken

On March 13, 2024, the Planning Commission conducted a public hearing and approved the Smith Subdivision First Amended Plat Amendment according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. In 1980, the Park City Municipal Corporation (the City) approved the McLeod Creek Subdivision.
2. On January 22, 1985, the City Council passed Ordinance 86-5, rezoning McLeod Creek Subdivision to being Single Family (SF) Zoning District.
3. On December 17, 1992, the City Council formally annexed what would become the Willow Ranch Subdivision, zoning it Estate and Recreation Open Space.



Planning Department

4. On January 28, 1993, the City Council approved the final Plat for the Willow Ranch Subdivision, which consisted of six lots.
5. The City was creating the SLO at the same time as the Willow Ranch annexation, and so the SLO didn't initially apply as the Annexation was vested.
6. To provide protection in the absence of the SLO, specific building pads for a Single-Family Dwelling and Barn, driveway easements, and square footage were placed as restrictions on the Plat.
7. Lot 6, which is now Parcel B, was one such Lot.
8. In 1995, the then owner wished to add an addition to the existing Single-Family Dwelling located on Lot 10 of the McLeod Creek Subdivision, but this proposed addition encroached into setbacks. The owner also owned Lot 6 of Willow Ranch, which was vacant. The property owner applied to create the two-Lot Smith Subdivision. To accommodate the addition, the Lot line for Lot 10 would be shifted North to incorporate part of Lot 6. This new Lot was named Parcel A. The remainder of Lot 6 became Parcel B.
9. On August 31, 1995, the City Council approved the Smith Subdivision. The Lot 6 Building Pads for the potential Single-Family Dwelling and Barn remained on the Smith Subdivision Plat, but neither the Square Footages nor the Driveway Easement are shown. Ordinance 95-44, which approved the Smith Subdivision, included Condition of Approval (COA) 3 which states, "All previous conditions of the Willow Ranch and McLeod Creek Subdivisions shall remain in full force and effect."
10. The addition was not constructed.
11. On September 8, 2022, the Planning Department received a Plat Amendment from the current applicant seeking to adjust the lot line for Parcels A and B to restore it to the original boundary between the McLeod and Willow Ranch Subdivisions. That application was under the address 2647 Meadow Creek Drive (Parcel A) and assigned the number PL-22-05374. As part of Staff's analysis of the application, it was determined that the Applicant would need to complete a Wetlands Delineation as required by LMC § 15-2.21-6.
12. A COA was recommended where the final location of the Building Pads would be determined by the Planning Director and City Engineer following that Delineation. Staff also recommended that the restrictions and Plat Notes that had been included on the Willow Ranch Plat, but weren't included on the Smith Subdivision Plat, would be placed on the amended Smith Subdivision Plat, as they remained in effect due to COA 3 of Ordinance 95-44. The Plat Amendment was scheduled



Planning Department

for a public hearing before the Planning Commission on December 14, 2022, but the applicant withdrew the application before the.

13. In preparation for submitting a new Plat Amendment application, the applicant reached out to Staff to determine what would be required under the SLO and expressed their interest in building the Barn first.
14. Staff took the proposal to the Development Review Committee (DRC) on August 15, 2023. Following the meeting, the applicant worked with the Planning Department, City Engineer, Park City Fire District (PCFD), and the public utilities to amend their proposal.
15. On January 4, 2024, the applicant submitted the formal application for a Plat Amendment.
16. Staff published notice on the City's website and the Utah Public Notice website, and posted notice to the property on February 28, 2024. Staff mailed courtesy notice to property owners within 300 feet on February 28, 2024. The Park Record published notice on February 28, 2024.
17. Parcel B is located within the Estate Zoning District.
18. Land Management Code (LMC) § 15-2.10-2 establishes that both Single Family Dwellings and Agriculture are Allowed Uses within the Estate Zone.
19. Per LMC Chapter 15-2.10, all structures within the Estate Zone are subject to the following criteria:

Estate Zone Requirements	Analysis of Proposal
Lot Size	<i>LMC § 15-2.10-3(A) requires that all uses (except Duplexes) have a minimum Lot Size of 3 Acres.</i> Complies: Parcel B has a Lot Size of 6.4 Acres
Lot Width	<i>LMC § 15-2.10-3(B) requires a minimum Lot Width of 100 feet.</i> Complies: Parcel B has a Lot Width of 304 feet.
Setbacks	<i>LMC § 15-2.10-3(C) establishes that Setbacks for Front, Rear, and Sides to be 30 feet.</i> Complies: The Building Pad for the Single Family Dwelling is located 44.68 feet from the Northern Lot Line. The



Planning Department

	Barn Building Pad is located 103.29 feet from the Northern Lot Line.
Building Height	<i>LMC § 15-2.10-4 sets a Building Height of 28 feet from Existing Grade.</i> Complies: The Building Height for the Barn will be 27.125 feet.

20. Parcel B is located within the SLO, specifically in relation to Wetlands located on the Lot. LMC § 15-2.21-6(D) requires that the Applicant provide a wetlands delineation. The Applicant has completed a provisional delineation (Exhibit X) which identified two Wetlands on Parcel B, shown on the Site Plan Concept. LMC § 15-2.21-6(F) requires a 50 foot Setback from all Wetlands. As the Site Plan Concept shows, the existing Building Pads for both the Barn and Single Family Dwelling encroach on the Wetlands Setback.
21. The Applicant has contacted the Army Corps of Engineers for a formal delineation by them, and the field work will occur in the Spring.
22. The current Smith Subdivision Plat also established that the area added to Lot 10, forming Parcel A, was to be a non-build Yard Area.
23. Plat Amendments shall be reviewed according to LMC § 15-7.1-6 Final Subdivision Plat and approval requires (a) a finding of Good Cause, and (b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.
24. Good Cause exists for the Plat Amendment as it resolves existing issues and non-conformities, specifically by moving the Building Pads outside of the Wetlands Setbacks and by moving the Parcel B Driveway Easement exclusively onto Parcel B as well as bringing a potential driveway into compliance with PCFD requirements.
25. No changes to the public street or Right-of-Way are proposed. The utility easements running around the property will not be amended. The Driveway Easement will be amended, but it is not a public easement.

Conclusions of Law

1. The proposed Plat Amendment complies with the LMC Requirements pursuant to Chapter 15-2.10 for the Estate Zoning District.
2. The proposed Plat Amendment complies with the LMC Requirements pursuant to Chapter 15-2.21 for the SLO.



Planning Department

3. The proposed Plat Amendment complies with the LMC Requirements pursuant to LMC Chapter 15-7.1 for Subdivision Procedures as there is Good Cause and no Public Street, Right-of-Way, or easement is vacated or amended.

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the amended plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the Planning Director.
3. No building permit application may be submitted until after this plat amendment has been recorded with the County.
4. Development on Parcel A must conform with the land use regulations of the Single-Family Zoning District.
5. Development on Parcel B must conform with the land use regulations of the Estate Zoning District and the Sensitive Land Overlay.
6. Easements established as part of the 1995 Smith Subdivision are required to be retained or relocated pursuant to documented easement holder permission, including a 10-foot existing utility and drainage easement common to both Lots.
7. Prior to the recordation of the amended plat, the applicant shall submit an updated wetland designation approved by the Army Corps of Engineers to confirm the designated building pads and proposed driveway comply with required wetland regulations. If modifications to the designated building pads and proposed driveway location are required, the Applicant shall return to the Planning Commission for additional review and approval based upon the updated wetland designation to ensure compliance with the Sensitive Land Overlay and to mitigate site disturbance. Such modifications shall not result in any net expansion of a building pad.
8. Plat notes shall require the following:
 - a. A maximum of three horses will be allowed and grazing of horses in the wildlife corridor is prohibited for Parcel B.
 - b. Home square footage is limited to a maximum of 8,000 square feet for Parcel B.
 - c. Barn square footage is limited to a maximum of 1,800 square feet for Parcel B. Residential use and human occupancy of the barn is prohibited.



Planning Department

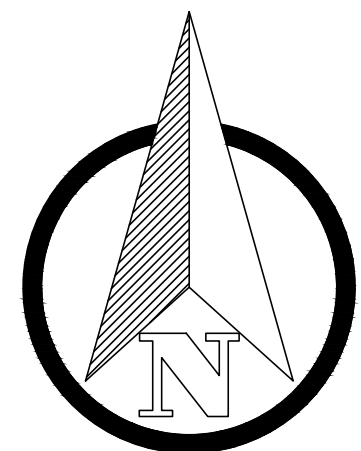
- d. Building height of the home and barn on Parcel B is limited to 23 feet to midpoint of roof and 28 feet to peak of roof.
 - e. Parcel B is subject to an Animal Management Plan and Equestrian Lot Open Space Covenant Executed with Park City Municipal Corporation.
 - f. Basements are prohibited for Parcel B.
9. A Plat Note shall indicate that the area added to Lot 10 of the McLeod Creek Subdivision, which is zoned Estate Zoning District, from the Willow Ranch Subdivision shall be a non-build area with such uses allowed as were previously allowed as part of Lot 6 of the Willow Ranch Subdivision.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5058 or email jaron.ehlers@parkcity.org.

Sincerely,

Planning Commission Chair

CC: Jaron Ehlers, Planning Technician

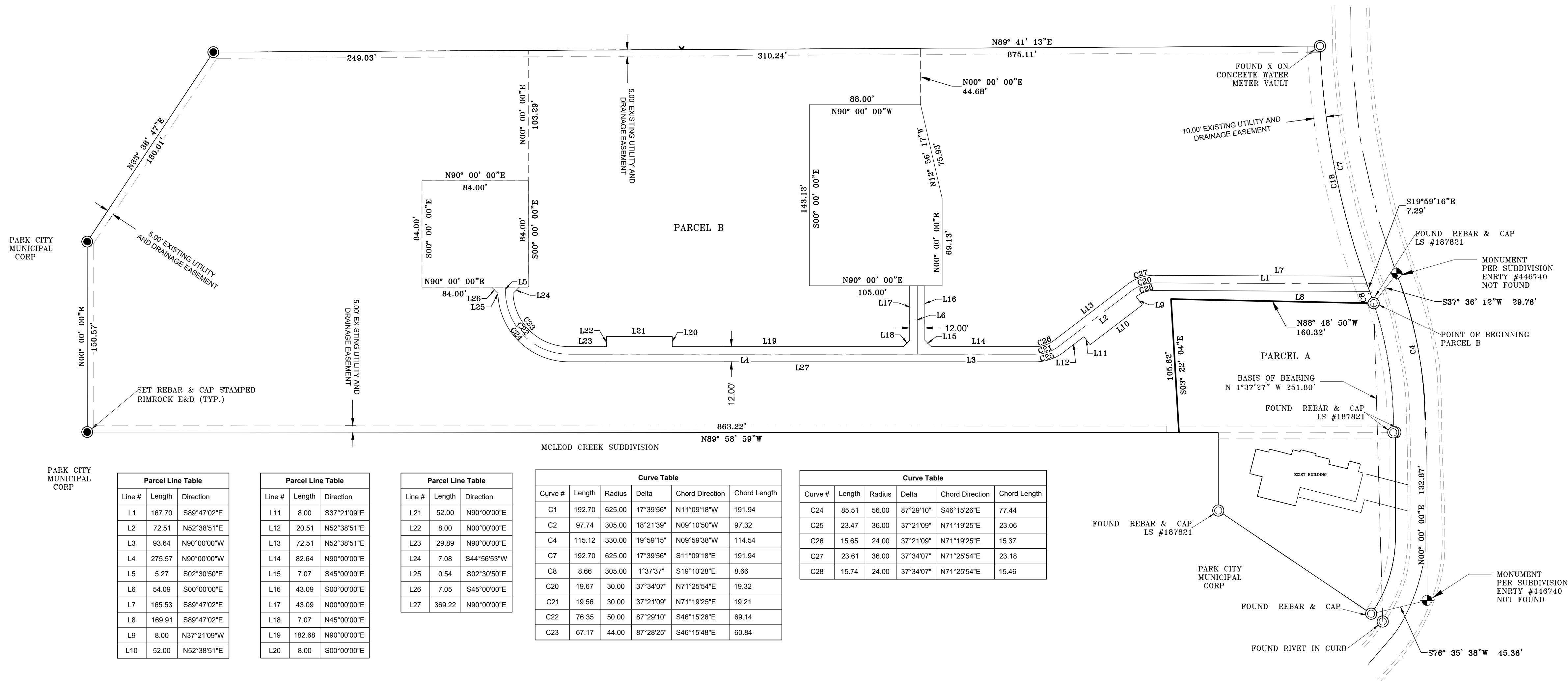


0 50 100
Feet

SMITH SUBDIVISION PARCEL B AMENDED

LOCATED IN THE:
SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN, PARK CITY
SUMMIT COUNTY, UTAH

LANCE WILLARD L. JR.
Willow Ranch Sub. #7



Line #	Length	Direction
L1	167.70	S89°47'02"E
L2	72.51	N52°38'51"E
L3	93.64	N90°00'00"W
L4	275.57	N90°00'00"W
L5	5.27	S02°30'50"E
L6	54.09	S00°00'00"E
L7	165.53	S89°47'02"E
L8	169.91	S89°47'02"E
L9	8.00	N37°21'09"W
L10	52.00	N52°38'51"E

Line #	Length	Direction
L11	8.00	S37°21'09"E
L12	20.51	N52°38'51"E
L13	72.51	N52°38'51"E
L14	82.64	N90°00'00"E
L15	7.07	S45°00'00"E
L16	43.09	S00°00'00"E
L17	43.09	N00°00'00"E
L18	7.07	N45°00'00"E
L19	182.68	N90°00'00"E
L20	8.00	S00°00'00"E

Line #	Length	Direction
L21	52.00	N90°00'00"E
L22	8.00	N00°00'00"E
L23	29.89	N90°00'00"E
L24	7.08	S44°56'53"W
L25	0.54	S02°30'50"E
L26	7.05	S45°00'00"E
L27	369.22	N90°00'00"E

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C1	192.70	625.00	17°39'56"	N11°09'18"W	191.94
C2	97.74	305.00	18°21'39"	N09°10'50"W	97.32
C4	115.12	330.00	19°59'15"	N09°59'38"W	114.54
C7	192.70	625.00	17°39'56"	S11°09'18"E	191.94
C8	8.66	305.00	1°37'37"	S19°10'28"E	8.66
C20	19.67	30.00	37°34'07"	N71°25'54"E	19.32
C21	19.56	30.00	37°21'09"	N71°19'25"E	19.21
C22	76.35	50.00	87°29'10"	S46°15'26"E	69.14
C23	67.17	44.00	87°28'25"	S46°15'48"E	60.84

Curve #	Length	Radius	Delta	Chord Direction	Chord Length
C24	85.51	56.00	87°29'10"	S46°15'26"E	77.44
C25	23.47	36.00	37°21'09"	N71°19'25"E	23.06
C26	15.65	24.00	37°21'09"	N71°19'25"E	15.37
C27	23.61	36.00	37°34'07"	N71°25'54"E	23.18
C28	15.74	24.00	37°34'07"	N71°25'54"E	15.46

PLAT NOTES

THE PURPOSE OF THIS PLAT IS TO ADJUST THE BUILDING EASEMENTS FOR PARCEL B

- 10' PUBLIC UTILITY EASEMENTS ON FRONT LOT LINE ALONG ELK MEADOW CIRCLE, 5' PUBLIC UTILITY EASEMENTS ON ALL SIDE AND REAR LOT LINES
- THIS SUBDIVISION PLAT AMENDMENT IS BASED UPON THE PREVIOUS RECORDED SUBDIVISION PLAT BY JOE DHAENENS RECORDED IN THE SUMMIT COUNTY RECORDERS OFFICE ENTRY # 446740
- BASIS OF BEARING IS BETWEEN A FOUND RIVET IN THE CURB AND GUTTER AND A FOUND REBAR AND CAP LS#187182 AS SHOWN ON THIS PLAT

PARK CITY RECORDER

APPROVED THIS _____ DAY OF _____, A.D. 2024.

PARK CITY MAYOR

APPROVED THIS _____ DAY OF _____, A.D. 2024.

PARK CITY MAYOR

PARK CITY ATTORNEY

I HAVE EXAMINED THE PROPOSED PLAT OF THIS SUBDIVISION, AND IN MY OPINION IT CONFORMS WITH THE ORDINANCES APPLICABLE THERETO AND NOW IN FORCE AND EFFECT. APPROVED THIS _____ DAY OF _____, A.D. 2024.

PARK CITY ATTORNEY

PARK CITY ENGINEER

I HEREBY CERTIFY THAT THIS PLAT EXAMINED BY THIS OFFICE AND IT IS CORRECT IN ACCORDANCE WITH INFORMATION ON FILE IN THIS OFFICE.

PARK CITY ENGINEER

DATE

SNYDERVILLE BASIN WATER RECLAMTION DISTRICT

APPROVED THIS _____ DAY OF _____, A.D. 2024.

SBWRD REPRESENTATIVE

PARK CITY PLANNING COMMISSION

APPROVED THIS _____ DAY OF _____, A.D. 2024.

CHAIRMAN

RECORDED ENTRY NUMBER

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

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE \$

SUMMIT COUNTY RECORDER

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT PAUL THOMAS CARAHER III (TRUSTEE) OF THE CARAHER FAMILY TRUST, HAVING CAUSED THE SAME TO BE SUBDIVIDED INTO LOTS, TO BE HEREAFTER KNOWN AS SMITH SUBDIVISION PARCEL B AMENDED, AS SHOWN ON THIS PLAT AND INTENDED FOR PRIVATE USE, SUBJECT TO EASEMENTS AND RIGHTS GRANTED HEREUNDER AND ANY MATTERS OF RECORD, RESTRICTIONS AND CONDITIONS CONTAINED ON THIS PLAT. IN WITNESS WHEREOF, I HAVE HEREUNTO SET OUR/MY HAND(S) THIS _____ DAY OF _____, 2024, A.D.

BY: _____
PAUL THOMAS CARAHER III

DATE

ACKNOWLEDGMENT

STATE OF UTAH)
) SS.
COUNTY OF _____)

ON THE _____ DAY OF _____, A.D. 2024, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC, THE SIGNATURE(S) OF THE ABOVE OWNERS DEDICATION _____, WHO ACKNOWLEDGED TO ME THAT (S)HE EXECUTED THE ABOVE OWNERS DEDICATION AND CONSENT TO RECORD.

NOTARY PUBLIC

MY COMMISSION EXPIRES: _____

LEGAL DESCRIPTION

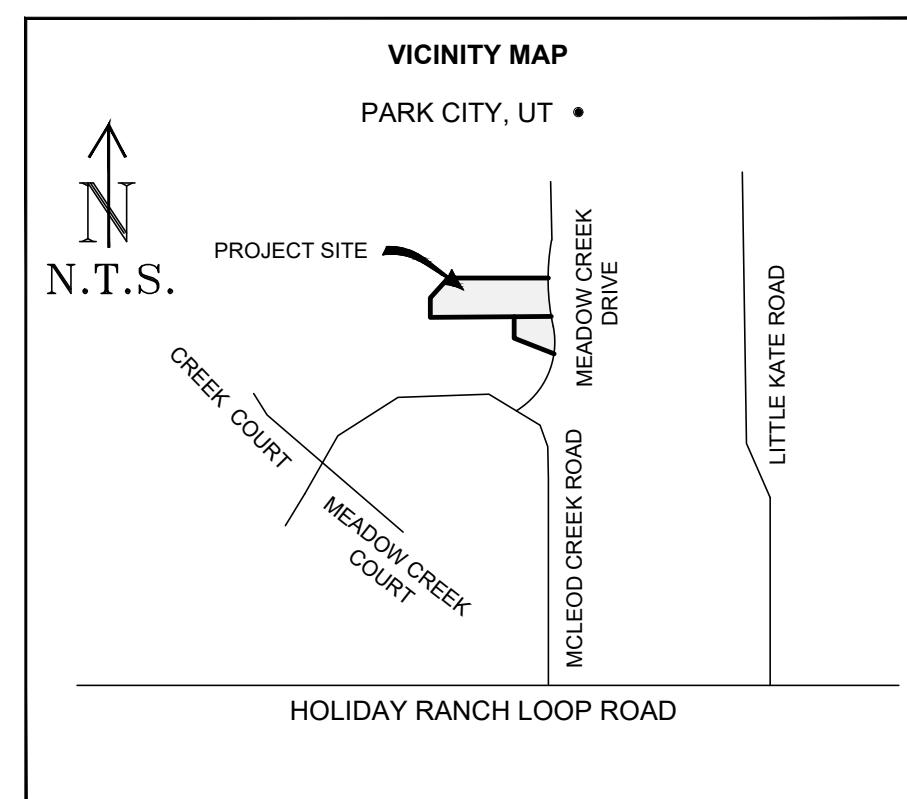
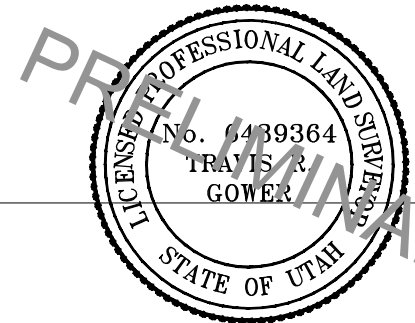
ALL OF PARCEL B, SMITH SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 5 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH. RECORDED IN THE SUMMIT COUNTY RECORDERS OFFICE ENTRY #446740

SURVEYOR'S CERTIFICATE

I, TRAVIS R. GOWER, DO HEREBY CERTIFY THAT I AM A PROFESSIONAL LAND SURVEYOR IN THE STATE OF UTAH, AND THAT I HOLD LICENSE NUMBER 6439364 IN ACCORDANCE WITH TITLE 58, CHAPTER 22, PROFESSIONAL ENGINEERS AND PROFESSIONAL LAND SURVEYORS LICENSING ACT, I FURTHER CERTIFY THAT I HAVE COMPLETED A SURVEY AND HAVE REFERENCED A RECORD OF SURVEY MAP OF THE EXISTING PROPERTY BOUNDARIES IN ACCORDANCE WITH SECTION 17-23-17 AND HAVE VERIFIED THE BOUNDARY LOCATIONS AND HAVE PLACED MONUMENTS AS REPRESENTED ON THAT PLAT. I DO FURTHER CERTIFY THAT BY THE AUTHORITY OF THE OWNERS, I HAVE PREPARED THIS PLAT AND AMENDMENT OF THE PROPERTY DESCRIBED HEREON, HEREAFTER TO BE KNOWN AS SMITH SUBDIVISION PARCEL B AMENDED.

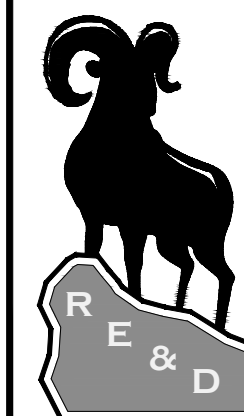
TRAVIS R. GOWER
P.L.S. 6439364

DATE



SMITH SUBDIVISION PARCEL B AMENDED

LOCATED IN THE: SOUTHEAST QUARTER OF SECTION 5,
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN, PARK CITY SUMMIT COUNTY, UTAH



tgower@re-n-d.com
801-837-0633

RIMROCK
ENGINEERING &
DEVELOPMENT

PROJECT NAME

**SMITH SUBDIVISION
PARCEL B AMENDED**

1" = 50'

DRAWN: TG

CHECKED: AP

PROJECT #

RGC2216-01-01

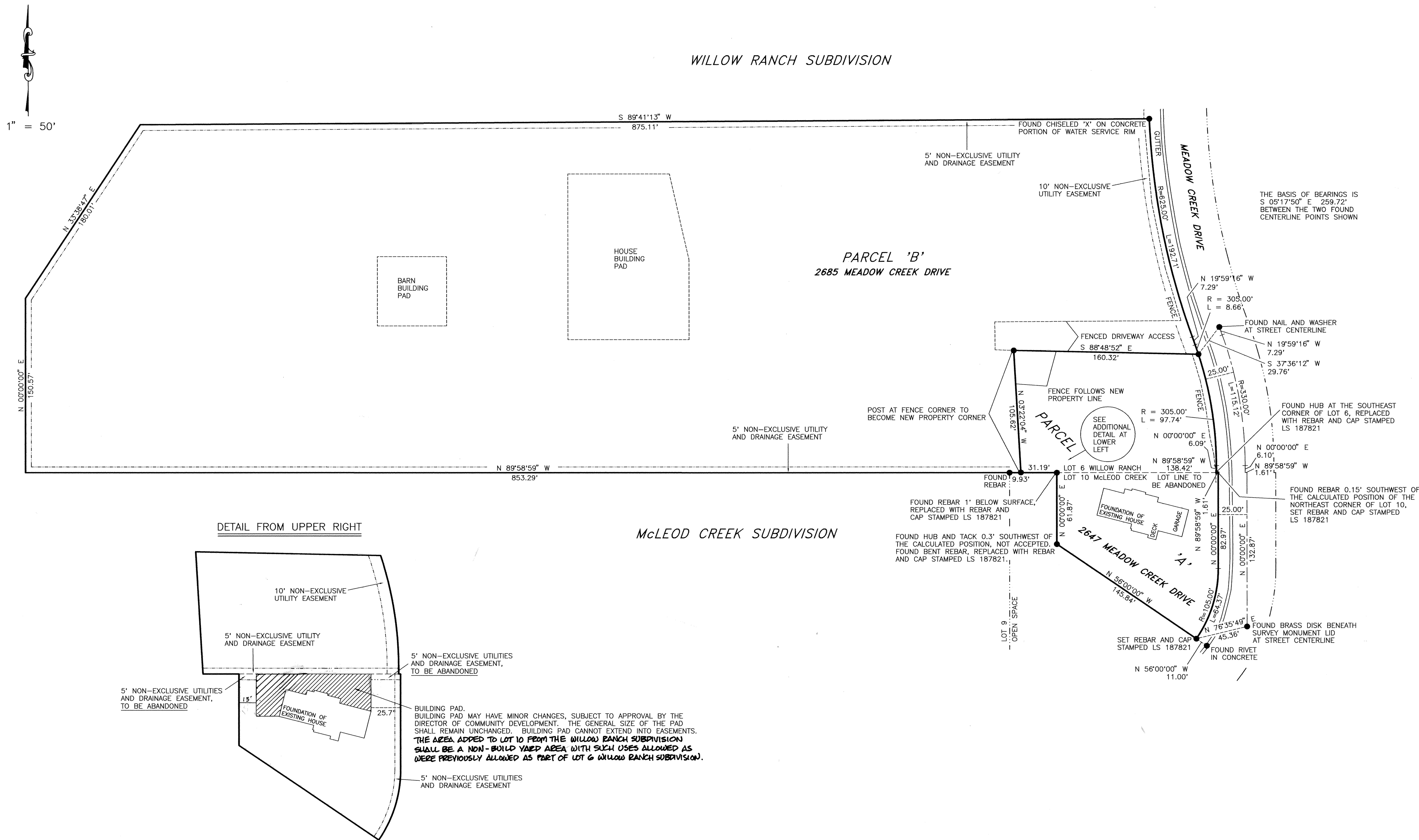
DATE:

01/16/2024

SHEET NO:

1 OF 1

SMITH SUBDIVISION
being a
PLAT AMENDMENT OF LOT 6 WILLOW RANCH SUBDIVISION AND LOT 10 McLEOD CREEK SUBDIVISION
and RECORD OF SURVEY



OWNER'S CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT, THAT WE, PHILO M. SMITH, JR. AND DIANE JORDAN SMITH TRUSTEES, THE OWNERS OF THE HEREON DESCRIBED PROPERTY, HERINAFTER TO BE KNOWN AS SMITH SUBDIVISION, CERTIFY THAT WE HAVE CAUSED THIS SURVEY TO BE MADE, AND THE PLAT TO BE PREPARED, AND WE DO HEREBY CONSENT TO THE RECORDATION OF THIS SUBDIVISION AND PLAT AMENDMENT.

Philo M. Smith, Jr.
PHILO M. SMITH, JR.

Diane Jordan Smith
DIANE JORDAN SMITH, FOR DIANE JORDAN SMITH TRUSTEES

THE OWNER, OR HIS REPRESENTATIVE, HEREBY IRREVOCABLY OFFERS, FOR DEDICATION TO THE CITY OF PARK CITY, ALL STREETS, LAND FOR PUBLIC UTILITIES AND EASEMENTS SHOWN ON THE SUBDIVISION PLAT AND CONSTRUCTION PLANS IN ACCORDANCE WITH AN IRREVOCABLE OFFER OF DEDICATION.

ACKNOWLEDGEMENT

STATE OF Utah
COUNTY OF Summit

ON THIS 14 DAY OF March, 1995, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, PHILO M. SMITH, JR. AND DIANE JORDAN SMITH, WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT THEY ARE THE OWNERS OF THE HEREIN DESCRIBED PROPERTY, AND THEY SIGNED THE ABOVE OWNER'S CONSENT TO RECORD FREELY AND VOLUNTARILY.

NOTARY PUBLIC
GLENNA R. COLLIER
310 South Main, Suite 300
Salt Lake City, Utah 84101
My Commission Expires: 12-28-98
RESIDING AT: Park City, UT

SURVEYOR'S CERTIFICATE

I, JOE DHAENENS, CERTIFY THAT I AM A REGISTERED LAND SURVEYOR, AND THAT I HOLD LICENSE NUMBER 187821 AS PRESCRIBED BY THE LAWS OF THE STATE OF UTAH, AND THAT I HAVE MADE A SURVEY OF THE PROPERTY SHOWN HEREON AND AS DESCRIBED IN THE NOTES AND LEGAL DESCRIPTION BELOW.

NOTES

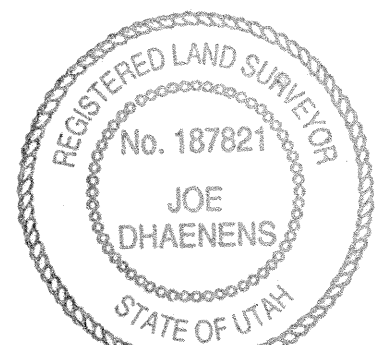
1. THE BASIS OF BEARINGS FOR THIS SURVEY IS AS SHOWN.
2. SURVEY MONUMENTS WERE FOUND OR SET AS SHOWN.
3. THE PURPOSE OF THIS SURVEY IS FOR BOUNDARY LOCATION AND PLAT AMENDMENT.
4. THIS SURVEY WAS REQUESTED BY PHILO SMITH.
5. THIS SURVEY WAS PERFORMED ON MAY 10, 1995.
6. THE OWNER OF THIS PROPERTY SHOULD BE AWARE OF ANY ITEMS AFFECTING THE PROPERTY THAT MAY APPEAR IN A TITLE INSURANCE REPORT; THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS DRAWN OR NOTED HEREON.
7. ALL BEARINGS AND DISTANCES SHOWN WERE MEASURED AND ARE EQUIVALENT TO THE RECORD BEARINGS AND DISTANCES, EXCEPT WHERE OTHERWISE SHOWN.
8. THE PURPOSE OF THIS PLAT AMENDMENT IS TO ADD PART OF LOT 6 TO LOT 10. OTHER LOT LINES IN McLEOD CREEK AND WILLOW RANCH SUBDIVISIONS WILL NOT BE AFFECTED.

LEGAL DESCRIPTIONS

PARCEL A:
LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASELINE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL OF LOT 10 OF McLEOD CREEK SUBDIVISION, TOGETHER WITH A PART OF LOT 6 OF WILLOW RANCH SUBDIVISION, SAID PART OF LOT 6 BEING THE FOLLOWING: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 6, THENCE N 89°58'59" W ALONG THE COMMON LINE BETWEEN McLEOD CREEK AND WILLOW RANCH SUBDIVISIONS 169.61 FEET, THENCE N 03°22'04" W 105.62 FEET, THENCE S 88°48'52" E 160.32 FEET TO A POINT ON A 305.00 FOOT RADIUS CURVE, THENCE 97.74 FEET IN A SOUTHERLY DIRECTION ALONG THE ARC OF SAID CURVE WHOSE CHORD BEARS S 09°10'50" E 97.32 FEET, THENCE S 00°00'00" E 6.09 FEET TO THE POINT OF BEGINNING. PARCEL A CONTAINS 0.74 ACRES.

PARCEL B:
LOCATED IN SECTION 5, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASELINE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: ALL OF LOT 6 OF WILLOW RANCH SUBDIVISION, EXCEPTING THEREFROM A PART OF LOT 6 OF WILLOW RANCH SUBDIVISION, SAID PART OF LOT 6 BEING THE FOLLOWING: BEGINNING AT THE SOUTHEAST CORNER OF SAID LOT 6, THENCE N 89°58'59" W 169.61 FEET, THENCE N 03°22'04" W 105.62 FEET, THENCE S 88°48'52" E 160.32 FEET TO A POINT ON A 305.00 FOOT RADIUS CURVE, THENCE 97.74 FEET IN A SOUTHERLY DIRECTION ALONG THE ARC OF SAID CURVE WHOSE CHORD BEARS S 09°10'50" E 97.32 FEET, THENCE S 00°00'00" E 6.09 FEET TO THE POINT OF BEGINNING. PARCEL B CONTAINS 6.40 ACRES.

SURVEYED BY:	CITY COUNCIL	CITY ENGINEER	CITY ATTORNEY	SEWER DISTRICT APPROVAL	RECORDED
ON THE MAP LAND SURVEYING P.O. BOX 3864 PARK CITY, UT 84060 647-9825	APPROVED BY THE PARK CITY COUNCIL ON THIS <u>31ST</u> DAY OF <u>AUGUST</u> , 1995. <i>Eric L. Sheldon</i> MAYOR CITY RECORDER	APPROVED BY THE PARK CITY ENGINEER ON THIS <u>12TH</u> DAY OF <u>DECEMBER</u> , 1995. <i>Eric W. O'Hara, PE</i> CITY ENGINEER	APPROVED AS TO FORM BY THE PARK CITY ATTORNEY ON THIS <u>10TH</u> DAY OF <u>JANUARY</u> , 1996. <i>Mal D. Hargrett</i> CITY ATTORNEY	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS <u>7th</u> DAY OF <u>December</u> , 1995. <i>James L. Baird</i> S.B.S.I.D.	NUMBER <u>446-740</u> STATE OF UTAH COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF <u>Coalition</u> <u>Title</u> DATE <u>01-23-96</u> TIME <u>08:14 AM</u> FEE <u>5.20</u> <i>Diane M. Dunn, deputy</i> COUNTY RECORDER

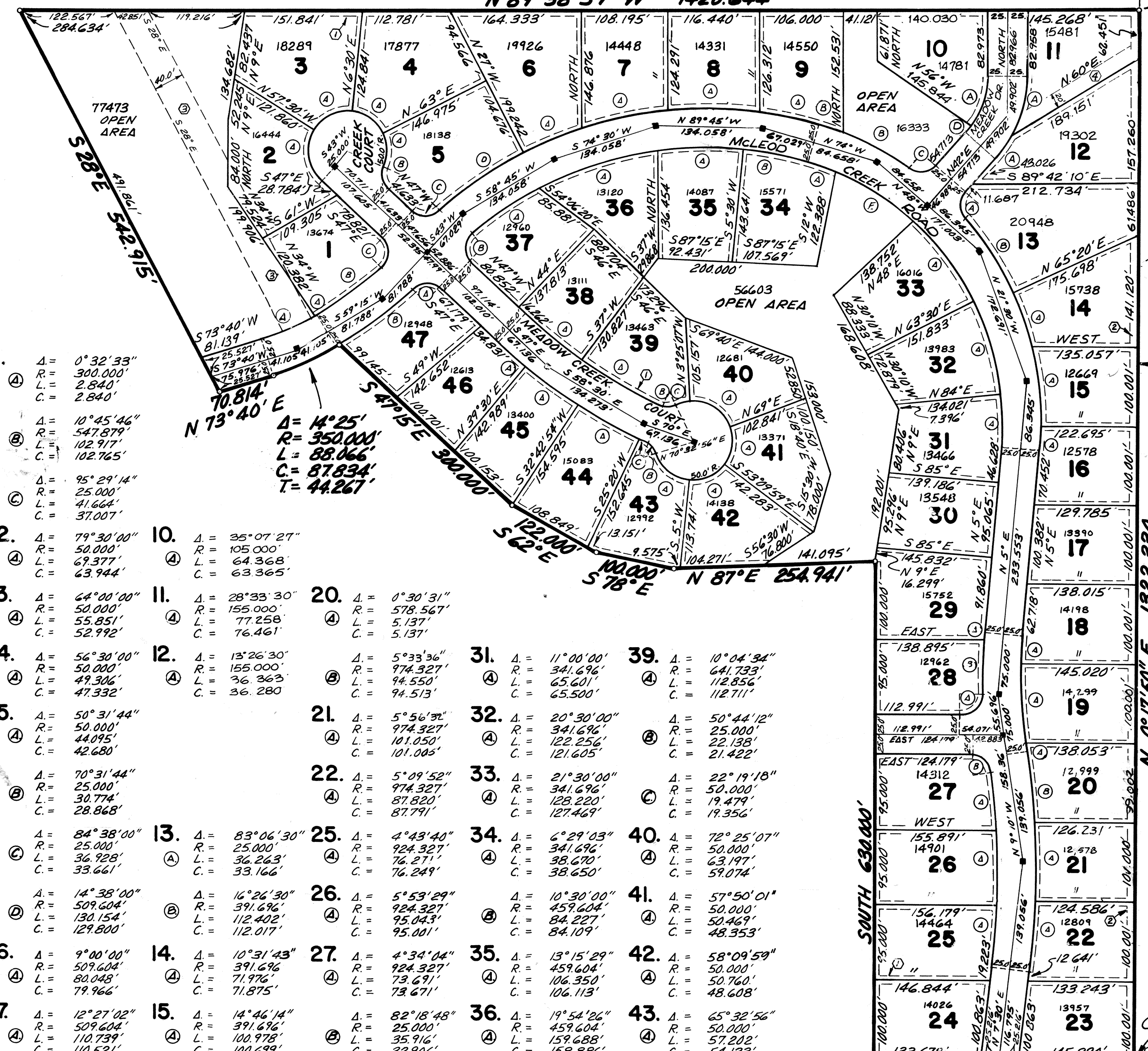


11-28-95
DATE

LEGEND

1. 50 FOOT WIDE NON-EXCLUSIVE UTILITIES AND DRAINAGE EASEMENT ALONG LOT LINES AS SHOWN.
2. 10.0 FOOT WIDE NON-EXCLUSIVE UTILITIES AND DRAINAGE EASEMENT ALONG BACK LOT LINES AS SHOWN.
3. 400 FOOT WIDE NON-EXCLUSIVE UTILITIES EASEMENT.
4. 20.0 FOOT WIDE NON-EXCLUSIVE UTILITIES EASEMENT.

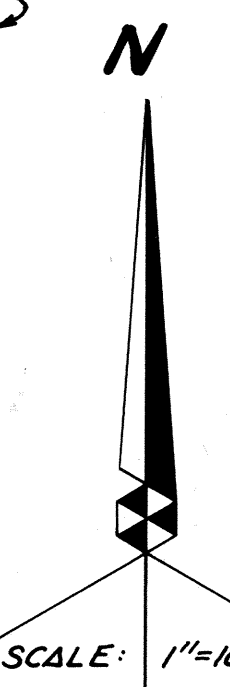
SURVEY MONUMENTS FIRE HYDRANT N 89° 58' 59" W 1420.644'



1. A = 0° 32' 33" R = 300.000' L = 2.640' C = 2.640'	10. A = 35° 07' 27" R = 105.000' L = 64.368' C = 63.365'	20. A = 0° 30' 31" R = 578.567' L = 5.137' C = 5.137'	30. A = 11° 00' 00" R = 341.696' L = 65.601' C = 65.500'	40. A = 10° 04' 34" R = 641.733' L = 12.856' C = 12.711'
2. A = 79° 30' 00" R = 50.000' L = 69.377' C = 63.944'	11. A = 28° 33' 30" R = 155.000' L = 77.258' C = 76.461'	21. A = 5° 56' 32" R = 974.327' L = 101.050' C = 101.003'	31. A = 5° 33' 36" R = 974.327' L = 94.550' C = 94.513'	41. A = 10° 44' 12" R = 50.000' L = 22.138' C = 21.422'
3. A = 64° 00' 00" R = 50.000' L = 55.851' C = 52.992'	12. A = 13° 26' 30" R = 155.000' L = 36.363' C = 36.280'	22. A = 5° 09' 52" R = 974.327' L = 87.820' C = 87.791'	32. A = 20° 30' 00" R = 341.696' L = 122.256' C = 121.605'	42. A = 58° 09' 59" R = 50.000' L = 50.760' C = 48.608'
4. A = 56° 30' 00" R = 50.000' L = 49.306' C = 47.332'	13. A = 83° 06' 30" R = 25.000' L = 36.928' C = 33.661'	23. A = 4° 34' 04" R = 924.327' L = 73.691' C = 73.671'	33. A = 21° 30' 00" R = 341.696' L = 128.220' C = 127.469'	43. A = 65° 32' 56" R = 50.000' L = 57.202' C = 54.133'
5. A = 50° 31' 44" R = 50.000' L = 44.095' C = 42.680'	14. A = 10° 31' 43" R = 391.696' L = 71.976' C = 71.875'	24. A = 19° 54' 26" R = 459.604' L = 159.688' C = 158.886'	34. A = 6° 29' 03" R = 341.696' L = 38.670' C = 38.650'	44. A = 7° 22' 54" R = 691.733' L = 42.256' C = 42.249'
6. A = 9° 00' 00" R = 509.604' L = 80.048' C = 79.966'	15. A = 14° 46' 14" R = 391.696' L = 100.978' C = 100.699'	25. A = 92° 22' 34" R = 25.000' L = 40.307' C = 36.081'	35. A = 13° 15' 29" R = 459.604' L = 106.350' C = 106.113'	45. A = 6° 47' 06" R = 691.733' L = 8.436' C = 8.434'
7. A = 12° 27' 02" R = 509.604' L = 110.739' C = 110.521'	16. A = 4° 22' 03" R = 391.696' L = 29.859' C = 29.852'	26. A = 5° 53' 29" R = 459.604' L = 95.043' C = 95.001'	36. A = 19° 54' 26" R = 459.604' L = 159.688' C = 158.886'	46. A = 3° 30' 00" R = 691.733' L = 42.256' C = 42.249'
8. A = 13° 07' 20" R = 509.604' L = 116.713' C = 116.458'	17. A = 14° 46' 14" R = 391.696' L = 100.978' C = 100.699'	27. A = 4° 34' 04" R = 924.327' L = 73.691' C = 73.671'	37. A = 12° 43' 42" R = 459.604' L = 102.102' C = 101.893'	47. A = 85° 23' 45" R = 25.000' L = 37.261' C = 33.907'
9. A = 8° 25' 38" R = 509.604' L = 74.953' C = 74.886'	18. A = 3° 43' 19" R = 578.567' L = 37.583' C = 37.577'	28. A = 92° 22' 34" R = 25.000' L = 40.307' C = 36.081'	38. A = 7° 55' 39" R = 691.733' L = 88.791' C = 88.720'	48. A = 14° 03' 48" R = 391.696' L = 96.142' C = 95.901'
19. A = 05° 02' 42" R = 391.696' L = 34.491' C = 34.479'	19. A = 9° 56' 10" R = 578.567' L = 100.333' C = 100.208'	29. A = 1° 05' 10" R = 628.567' L = 11.915' C = 11.915'	39. A = 10° 04' 34" R = 641.733' L = 12.856' C = 12.711'	49. A = 19° 30' 57" R = 341.696' L = 116.386' C = 115.825'

E 1/4 COR. OF SECTION 5
FOUND STONE

NE COR. OF
SE 1/4 OF SE 1/4



SURVEYOR'S CERTIFICATE

I JAMES G. WEST DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE No. 3082 AS PRESCRIBED UNDER THE LAW OF THE STATE OF UTAH. I FURTHER CERTIFY THAT BY AUTHORITY OF THE OWNERS, I HAVE MADE A SURVEY OF THE TRACT OF LAND SHOWN ON THIS PLAT AND DESCRIBED BELOW AND HAVE SUBDIVIDED SAID TRACT OF LAND INTO LOTS AND STREETS, HEREAFTER TO BE KNOWN AS McLEOD CREEK SUBDIVISION AND THAT THE SAME HAS BEEN CORRECTLY SURVEYED AND STAKED ON THE GROUND AS SHOWN ON THIS PLAT.

BEGINNING AT A POINT N 0° 17' 50" E ALONG A SECTION LINE 16.5 FEET FROM THE SOUTHEAST CORNER OF SECTION 5, T.2 S., R.4 E., S.L.B.&M. AND RUNNING THENCE N 0° 17' 50" E ALONG SAID SECTION LINE 1322.930 FEET TO THE NORTHEAST CORNER OF THE SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5; THENCE N 89° 58' 59" W ALONG THE NORTH LINE OF SAID SOUTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 5, A DISTANCE OF 1420.644 FEET; THENCE S 89° 42' 10" E 542.915 FEET; THENCE N 73° 40' E 70.814 FEET TO A CURVE TO THE LEFT, THE RADIUS POINT BEING N 16° 20' W 350.000' FEET; THENCE NORTHEASTERLY ALONG THE ARC 88.066 FEET; THENCE S 47° 15' E 300.000 FEET; THENCE S 62° E 122.000 FEET; THENCE S 78° E 100.000 FEET; THENCE N 87° E 254.941 FEET; THENCE SOUTH 630.000 FEET TO THE NORTH RIGHT-OF-WAY LINE OF HOLIDAY RANCH LOOP ROAD; THENCE ALONG SAID RIGHT-OF-WAY LINE EAST 330.000 FEET TO THE POINT OF BEGINNING. CONTAINS 23008 ACRES.

Feb 18, 1980
DATE

James G. West
JAMES G. WEST

OWNERS DEDICATION

KNOW ALL MEN BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS OF THE HEREIN DESCRIBED TRACT OF LAND HAVING CAUSED SAME TO BE SUBDIVIDED INTO LOTS AND STREETS TO BE HEREAFTER KNOWN AS McLEOD CREEK SUBDIVISION DO HEREBY DEDICATE FOR PERPETUAL USE OF THE PUBLIC ALL PARCELS OF LAND SHOWN ON THIS PLAT AS INTENDED FOR PUBLIC USE. IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 27th DAY OF February A.D. 1980.

McLEOD CREEK ASSOCIATES

UTAH POWER AND LIGHT CO.

Robert L. Harrington
J.C. Taylor
J.C. TAYLOR, VICE PRESIDENT

May 1, 1970
DATE

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF SUMMIT
ON THIS 27th DAY OF February A.D. 1980 PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, ROBERT L. HARRINGTON WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS A GENERAL PARTNER OF McLEOD CREEK ASSOCIATES A UTAH PARTNERSHIP THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID COMPANY FOR THE PURPOSES THEREIN MENTIONED AND THAT SAID COMPANY FOR THE PURPOSES THEREIN MENTIONED AND THAT SAID COMPANY EXECUTED THE SAME.

Carol Spencer
NOTARY PUBLIC

My Commission Expires January 26, 1981
RESIDING IN SUMMIT COUNTY, UTAH

ACKNOWLEDGMENT

STATE OF UTAH
COUNTY OF SUMMIT
ON THIS 27th DAY OF February A.D. 1980 PERSONALLY APPEARED BEFORE ME THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID STATE AND COUNTY, J.C. TAYLOR WHO AFTER BEING DULY SWORN, ACKNOWLEDGED TO ME THAT HE IS A VICE PRESIDENT OF UTAH POWER AND LIGHT CO. A UTAH CORPORATION THAT HE SIGNED THE OWNER'S DEDICATION FREELY AND VOLUNTARILY FOR AND IN BEHALF OF SAID CORPORATION FOR THE PURPOSES THEREIN MENTIONED AND THAT SAID CORPORATION EXECUTED THE SAME.

Carol Spencer
NOTARY PUBLIC

My Commission Expires January 26, 1981
RESIDING IN SUMMIT COUNTY, UTAH

McLeod Creek Subdivision

Located in the SE 1/4 of the SE 1/4 of Section 5, T.2 S., R.4 E., S.L.B.&M.

Prepared By: J.J. Johnson & Associates Civil Engineering Planning Surveying 1700 Park Avenue P.O. Box 1661 Park City, Utah 84060	City Planning Commission Approved & Accepted by the Park City Planning Commission this 27th Day of Feb A.D. 1980 Bernie Whetter Chairman	Engineers Certificate Approved & Accepted by the Park City Engineering Department this 2nd Day of Oct A.D. 1980 John Probasco Park City Engineer	Approval as to Form Approved as to Form this 14th Day of March A.D. 1981 Mark T. McE Park City Attorney	Certificate of Attest Attest this 1st Day of April A.D. 1981 M. Olson Park City Recorder	Council Approval & Acceptance Approved & Accepted by the Park City Council this 1st Day of April A.D. 1981 Ph. O. Green Mayor	No. 178292 Recorded State of Utah, County of Summit, Recorded and Filed at the request of: M. R. Olson - Park City Municipal Corp. Date 4/13/81 Time 2:10 33.50 Fee Summit County Recorder
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LOT	CURVE	RADIUS	LENGTH	CHORD	BEARING	DELTA
6	C1	305.00'	106.40'	105.86'	N 09°59'38" W	19°59'16"
6	C2	625.00'	192.71'	191.95'	S 11°09'16" E	17°39'59"
7	C3	625.00'	66.49'	66.46'	S 00°43'35" W	06°09'43"
7	C4	25.00'	22.39'	21.65'	N 21°53'06" W	51°19'04"
7	C5	55.00'	60.50'	57.49'	S 16°02'01" E	63°01'14"
1	C6	55.00'	62.96'	59.58'	S 48°16'19" W	65°35'25"
2	C7	55.00'	62.96'	59.58'	N 66°08'16" W	65°35'25"
3	C8	55.00'	84.89'	76.71'	N 10°52'29" E	88°26'04"
3	C9	25.00'	22.39'	21.65'	S 29°25'59" W	51°19'04"
4	C10	575.00'	182.74'	181.97'	S 05°19'50" E	18°12'33"
5	C11	575.00'	55.72'	55.70'	S 17°12'41" E	05°33'09"
5	C12	355.00'	123.84'	123.21'	N 09°59'38" W	19°59'16"
6	C13	305.00'	90.31'	89.98'	N 08°28'56" W	16°57'53"
1	C14	55.00'	24.32'	24.12'	S 28°08'33" W	25°19'54"
2	C15	55.00'	31.48'	31.05'	N 49°44'25" W	32°47'23"
1	C16	55.00'	24.81'	24.60'	S 68°08'36" W	25°50'51"

LINE	DIRECTION	DISTANCE
L1	S 00°00'00" E	6.09'
L2	N 19°59'16" W	7.29'
L3	S 19°59'16" E	7.29'
L4	N 00°00'00" E	6.10'

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into a public street and lots, together with easements as set forth on the attached plat, hereafter to be known as Willow Ranch Subdivision.

Also the owner hereby dedicates to Summit County, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Park City Municipal Corporation a non-exclusive easement over the utility and drainage easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

Executed this 12th day of FEBRUARY, 1993.

Richard Dudley - President

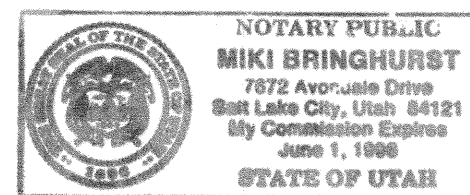
Willow Ranch Development Inc., a Utah corporation

ACKNOWLEDGEMENT

State of Utah)
County of Summit)
On the 12th day of February, 1993, personally appeared before me, Richard Dudley, who, being by me duly sworn, did say that he is the President of Willow Ranch Development Inc., a Utah Corporation and that within and foregoing Owner's Dedication and Consent to Record, was signed on behalf of said Corporation and said Richard Dudley acknowledged to me that said Corporation executed the same.

Notary Public

My commission expires: 1/6/96



LEGAL DESCRIPTION

Beginning at the East Quarter Corner of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence along the East line of the North half of the Southeast Quarter of said Section 5, South 00°17'50" West 1338.83 feet to the Southeast Corner of the North half of the Southeast Quarter of said Section 5, said point also being the Northeast Corner of McLeod Creek Subdivision as recorded; thence along the South line of the North half of the Southeast Quarter of said Section 5, said South line also being the North line of said McLeod Creek Subdivision, North 89°58'39" West 1258.05 feet to a point on the Easterly most line of a 50 foot wide railroad right-of-way, thence along said railroad right-of-way the following two (2) calls: 1) North 28°16'38" West 694.96 feet to a point of a 855.00 foot radius curve to the left; thence 2) along the arc of said curve 75.88 feet thru a central angle of 05°05'05"; thence North, 387.86 feet; thence South 79°53'25" East 262.94 feet; thence North 82°51'53" East 140.99 feet; thence South 88°02'27" East 185.69 feet; thence North 60°24'25" East 345.20 feet; thence North 26°38'08" East 153.78 feet to a point on the center section line of said Section 5, said point also being on the south line of Ridgeview Subdivision as recorded; thence North 89°57'38" East along said center section line and said subdivision line 679.64 feet to the POINT OF BEGINNING.

Contains: 41.48 acres of land, more or less.

SURVEYOR'S CERTIFICATE

I, JACK J. JOHNSON, DO HEREBY CERTIFY THAT I AM A REGISTERED LAND SURVEYOR AND THAT I HOLD CERTIFICATE NO. 4496 AS PRESCRIBED UNDER THE LAWS OF THE STATE OF UTAH. I FURTHER CERTIFY THAT A SURVEY HAS BEEN MADE OF THE LAND SHOWN ON THIS PLAT AND DESCRIBED HEREON. I FURTHER CERTIFY THAT THIS PLAT IS A CORRECT REPRESENTATION OF THE LAND SURVEYED AND HAS BEEN PREPARED IN CONFORMITY WITH THE MINIMUM STANDARDS AND REQUIREMENTS OF THE LAW.

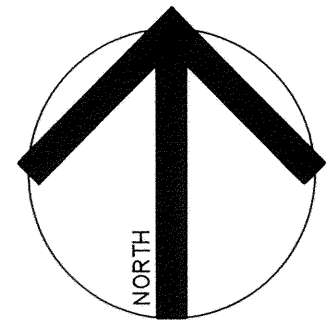
JACK J. JOHNSON

FEBRUARY 12, 1993

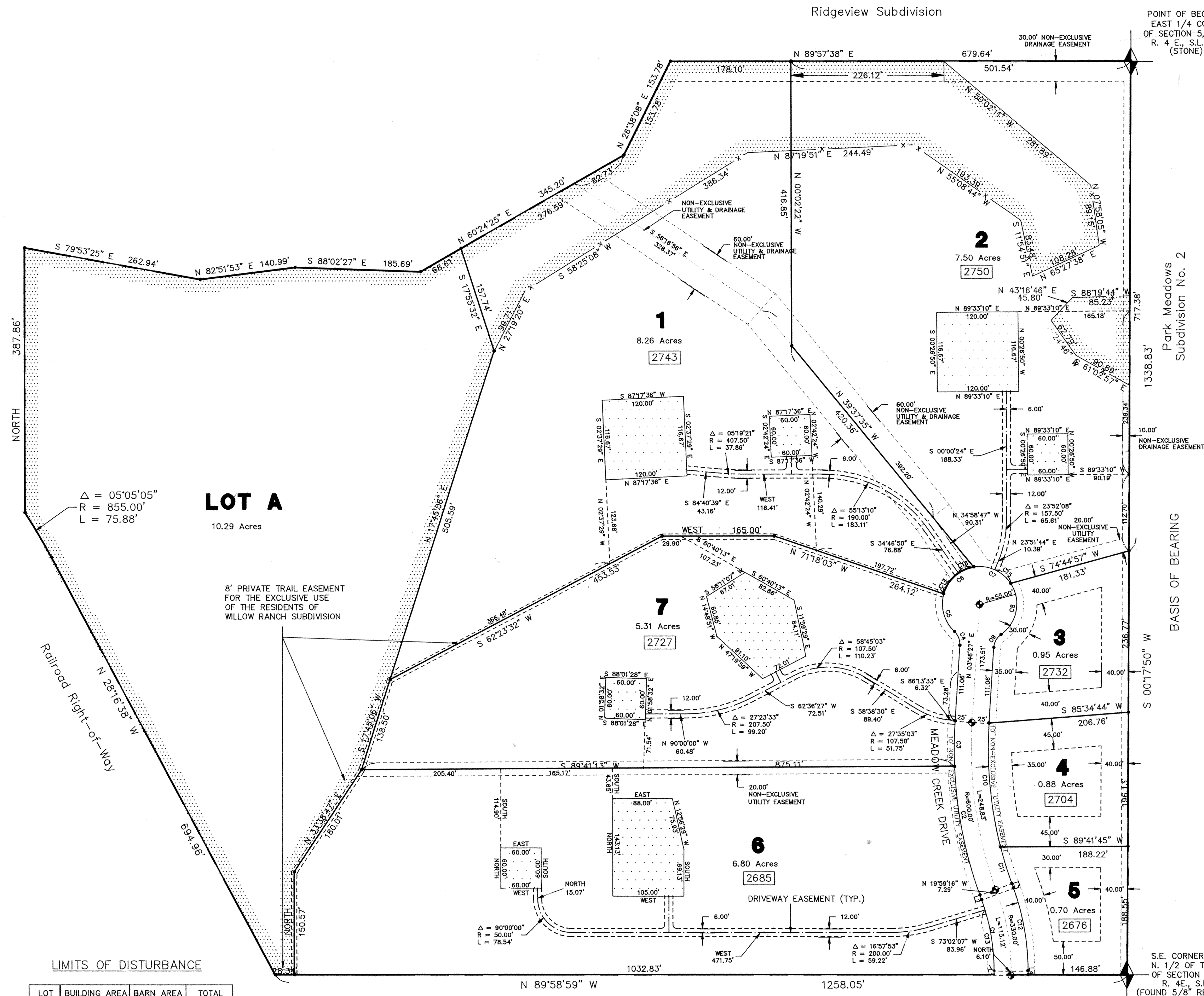
DATE:

WILLOW RANCH SUBDIVISION

A PART OF THE NORTH HALF OF SOUTHEAST QUARTER
OF SECTION 5, T. 2S, R. 4E,
SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



SCALE: 1" = 100'



NOTES:

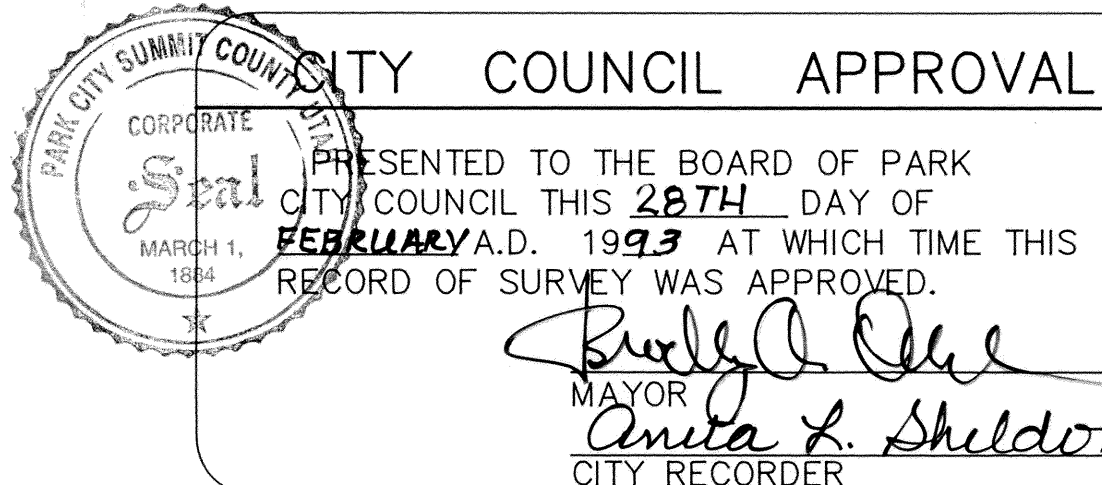
- BUILDINGS SHALL BE CONSTRUCTED WITHIN THE LIMITS OF SHOWN BUILDING PADS.
- ON LOTS 1 AND 2, THE TOTAL IMPACTED AREA, INCLUDING BUILDING FOOTPRINT AND ADDITIONAL FILL, SHALL NOT EXCEED 14,000 SQUARE FEET.
- A 5 FOOT NON-EXCLUSIVE UTILITY AND DRAINAGE EASEMENT IS HEREBY DEDICATED ALONG BOTH SIDES OF ALL LOT LINES.
- A 10 FOOT NON-EXCLUSIVE UTILITY EASEMENT IS HEREBY DEDICATED ALONG FRONT LOT LINES.
- ALL FOOTING AND FOUNDATION DESIGNS SHALL BE APPROVED BY GEOTECHNICAL ENGINEERS.
- IRRIGATION IN ALL LOTS BY SPRINKLER ONLY.
- ON LOTS 1, 2, 6, AND 7 A MAXIMUM OF THREE HORSES WILL BE ALLOWED AND NO GRAZING OF HORSES IN THE WILDLIFE CORRIDORS.
- OWNERS OF LOTS 1, 2, 6, AND 7 ARE REQUIRED TO INSTALL AND MAINTAIN LOT LINE FENCING IN ACCORDANCE WITH THE C.C.&R.s AND DESIGN GUIDELINES OF WILLOW RANCH.
- HOME SQUARE FOOTAGES WILL BE LIMITED TO A MAXIMUM OF 8,000 SQUARE FEET ON LOTS 1, 2, 6, AND 7 AND 4400 SQUARE FEET ON LOTS 3, 4, AND 5.
- BARN SQUARE FOOTAGES WILL BE LIMITED TO A MAXIMUM OF 1,800 SQUARE FEET WITH NO HUMAN OCCUPANCY.
- BUILDING HEIGHTS OF HOMES AND BARN WILL BE LIMITED TO 23 FEET TO MIDPOINT OF ROOF AND 28 FEET TO PEAK OF ROOF.
- HOMES ON LOTS 1, 2, 6, AND 7 WILL BE REQUIRED TO INSTALL MODIFIED 13-D FIRE SPRINKLER SYSTEMS AS DIRECTED BY THE PARK CITY FIRE MARSHALL.
- LOTS 1, 2, 6, AND 7 ARE SUBJECT TO AN ANIMAL MANAGEMENT PLAN AND EQUESTRIAN LOT OPEN SPACE COVENANT EXECUTED WITH THE PARK CITY MUNICIPAL CORPORATION.
- NO BASEMENTS ARE ALLOWED.
- PRIOR TO OCCUPANCY OF ANY HOUSE, ITS DRIVEWAY MUST BE PAVED.
- PARK CITY MUNICIPAL CORPORATION DOES NOT NORMALLY PLOW SNOW WITHIN A SUBDIVISION UNIT 50% OF THE LOTS HAVE BEEN BUILT UPON.
- NO BUILDING PERMITS WILL BE ISSUED UNTIL MEADOW CREEK DRIVE HAS BEEN PAVED. EXCAVATION AND FOOTING/FOUNDATION PERMITS WILL BE ISSUED PRIOR TO PAVING OF MEADOW CREEK DRIVE.
- LOTS 1, 2, 6, AND 7 ARE ALLOWED AN ACCESSORY DWELLING UNIT SUBJECT TO THE APPROVAL OF PARK CITY MUNICIPAL CORPORATION AND RESTRICTIONS AS OUTLINED IN THE WILLOW RANCH C.C.&R.s.

LEGEND

- HOUSE BUILDING PAD
- BARN BUILDING PAD (60' x 60')
- WILDLIFE CORRIDOR
- ADDRESS
- STREET MONUMENT

LIMITS OF DISTURBANCE

LOT	BUILDING AREA (sq. ft.)	BARN AREA (sq. ft.)	TOTAL (sq. ft.)
LOT 1	14,000	3600	17,600
LOT 2	14,000	3600	17,600
LOT 6	14,400	3600	18,000
LOT 7	14,400	3600	18,000
TOTAL			71,200



CITY ENGINEER

APPROVED AND ACCEPTED BY THE
PARK CITY ENGINEERING DEPARTMENT
ON THIS 26th DAY OF FEBRUARY
A.D. 1993.

Chris W. DeHaan P.E.
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK
CITY PLANNING COMMISSION ON THIS 22nd
DAY OF February A.D. 1993.

B. Wick
CHAIRMAN

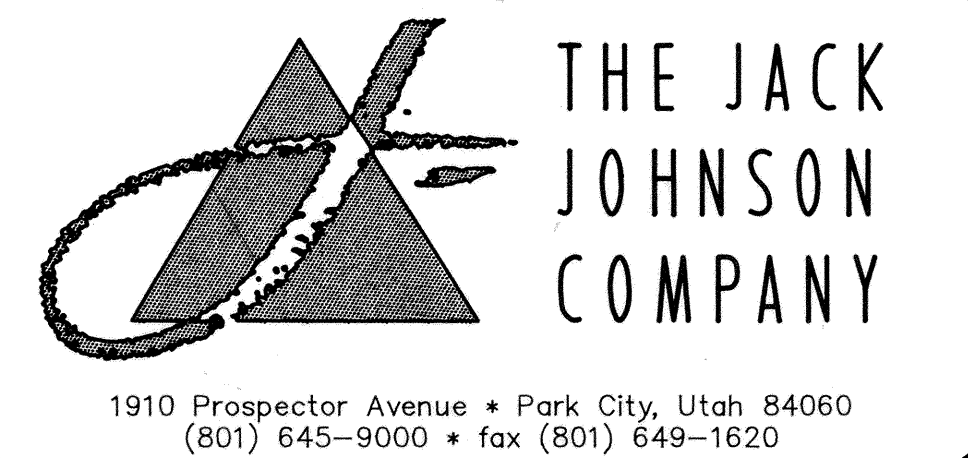
APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 22nd
DAY OF February A.D. 1993.

Jack J. Johnson
CITY ATTORNEY

RECORDED

No. 374694
STATE OF UTAH,
COUNTY OF SUMMIT.
RECORDED AND FILED AT THE REQUEST OF:
Coalition Title
Date: 02-26-93
Time: 11:15 A.M.
Fee: 7.22
Alan Spriggs
COUNTY RECORDER



PLOTTED: JANUARY 22, 1993

ORDINANCE

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF
PARK CITY, UTAH TO INCLUDE THE MC LEOD CREEK SUBDIVISION
SINGLE FAMILY (SF) ZONE

WHEREAS, the City Council created the Single Family Zone to be designated to areas which are primarily permanent single family residential in character; and

WHEREAS, the McLeod Creek Subdivision is similar in nature to the other subdivisions designated as single family;

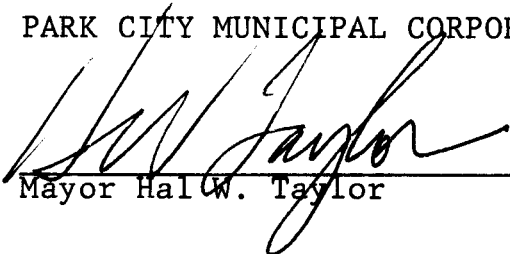
NOW, THEREFORE BE IT ORDAINED by the City Council of Park City as follows:

SECTION 1. ZONING MAP AMENDED. The zoning map of Park City is hereby officially amended to designate the McLeod Creek Subdivision as Single Family (SF) from its former designation as Residential Development (RD).

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective immediately upon publication.

PASSED AND ADOPTED this 22nd day of January, 1987.

PARK CITY MUNICIPAL CORPORATION



Mayor Hal W. Taylor

Attest:



City Recorder

Ordinance No. 92-22

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP
OF PARK CITY, UTAH TO INCLUDE THE
PETERSON (WILLOW RANCH) PROPERTY

WHEREAS, Park City Municipal Corporation and its affiliated entities have acquired properties adjacent to and contiguous with the City boundaries to provide for several public needs; and

WHEREAS, the Park City Council, on its own motion, has proposed the annexation of these properties on the terms and conditions set forth in a Supplemental Annexation Declaration dated December 17, 1992; and

WHEREAS, notice of the proposed annexation was duly published for at least four consecutive weeks in compliance with state law; and

WHEREAS, public hearings were held before the Planning Commission on December 2, 1992 and before the City Council on December 10 and 17, 1992, and the City Council finds that the annexation and zoning designation proposed at the time of the hearing is in the best interest of the community;

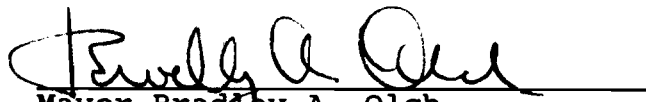
NOW, THEREFORE BE IT ORDAINED by the City Council of Park City, Utah, that the Official Zoning Map of Park City, Utah be amended as follows:

SECTION 1. AMENDMENT TO OFFICIAL ZONING MAP. The parcels of property depicted in the attached Exhibit A shall be annexed to the City boundaries of Park City, Utah and shall be zoned Estate (E) and Recreation Open Space (ROS).

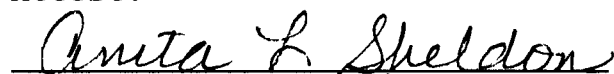
SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

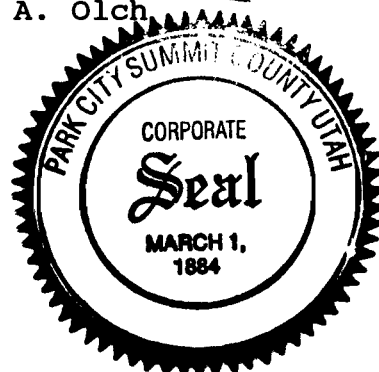
PASSED AND ADOPTED this 17th day of ~~August~~^{December}, 1992.

PARK CITY MUNICIPAL CORPORATION


Mayor Bradley A. Olch

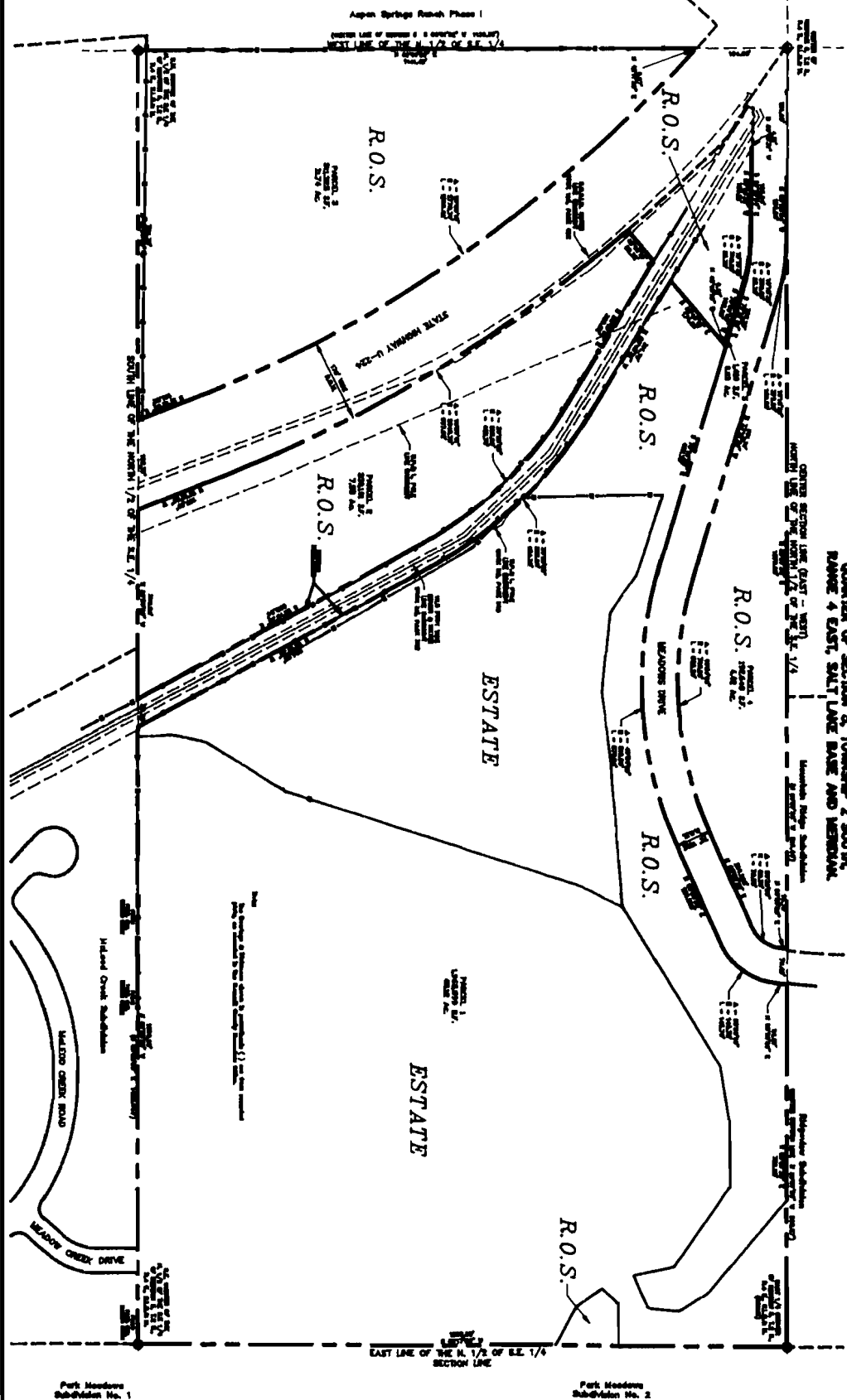
Attest:


Anita L. Sheldon, City Recorder



ANNEXATION & ZONING PLAT OF THE PETERSON PROPERTY

LOCATED IN THE NORTH HALF OF THE SOUTHEAST
QUARTER OF SECTION 5, TOWNSHIP 2 SOUTH,
RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.



CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF
CITY COUNCIL, THIS _____ DAY OF _____
A.D. 19____, AT WHICH TIME THIS
RECORD OF DEEDS WAS APPROVED.

CITY CLERK _____

CITY ENGINEER

APPROVED AND ACCEPTED BY THE
CITY ENGINEER, THIS _____ DAY OF _____
A.D. 19____.

CITY ENGINEER _____

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE
CITY PLANNING COMMISSION, THIS _____ DAY OF _____
A.D. 19____.

CITY CLERK _____

APPROVAL AS TO FORM

APPROVED AS TO FORM, ON THIS _____ DAY OF _____
A.D. 19____.

CITY ATTORNEY _____

RECORDED

IN THE STATE OF _____
COUNTY OF _____
RECORDED AND FILED AT THE REGISTRY ON _____

COUNTY RECORDER _____



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A note to this effect shall be placed on the plat. Prior to plat recordation, a security will be posted with the City to guarantee installation of the trail improvements.

2. Approval of final plat for Willow Ranch Subdivision - Ruth Gezelius, "I move approval of the final plat for the Willow Ranch Subdivision with the conditions outlined under the staff recommendation 1 through 6 adding condition No. 7 which would require sidewalks to City standards along Meadow Creek Drive to the cul-de-sac and Condition No. 8 regarding the condition that the Planning Commission added on accessory apartments would be limited to the dwelling units on Lots No. 1, 2, 6 and 7 only with the revisions in the language as specified by the Planning Commission on size, parking and other considerations with the addition that the requirement that the accessory apartments be accessed by the same entrance as the owner of the house uses". Sally Elliott seconded. Motion carried.

Sally Elliott	Aye
Ruth Gezelius	Aye
Roger Harlan	Aye
Leslie Miller	Absent
Bob Richer	Aye

I. PROJECT STATISTICS:

Applicant:	Jeff Graham for Jack Johnson Co.
Project Address:	State Hwy. 224, north of McLeod Creek Sub. and south of Ridgeview
Request:	Final Plat of 7-lot subdivision
Zoning:	SF and ROS
Adjacent Land Uses:	SF Residential and open space
Date of Application:	September 8, 1992
Date of Staff Report:	January 22, 1993
Staff Planner:	Suzanne McIntyre
Staff Recommendation:	APPROVE

II. BACKGROUND INFORMATION:

This is the final plat for the parcel known as the Peterson Annexation which was annexed into the City at the end of 1992.

III. PROJECT DESCRIPTION:

The property is proposed to be developed as 7 single family lots, 4 of which will be large equestrian lots with stables and pasture areas. The development has been designed to avoid the high value wetlands and to minimize impacts on other wetlands by locating the houses and barns on the upland areas of the site. There will be 2.7

acres of wetlands disturbed by development which will be mitigated by the provision of 22.3 acres of wildlife habitat and preservation corridors. Those areas will be fenced to prohibit grazing and access and irrigated to allow the natural vegetation to be re-established. The developers intend to start construction in Spring of 1993.

IV. ISSUES FOR DISCUSSION:

House Size. At the last Planning Commission meeting the staff presented 4 issues for discussion: house sizes, trails, accessory apartments (employee housing), and grazing in the northeast corner of the site. All the issues were resolved with the exception of house sizes. The applicant provided a comparison with the McLeod Creek subdivision and it appears that the houses are generally in the range of 2600-3400 sf on lots which are 13,000-16,000 sf. The 3 smaller lots in Willow Ranch average 33,000 sf and the houses are proposed to be 4000 sf. The lots in Willow Ranch are much larger than the neighboring lots but with the accompanying wall height and mass restrictions, will appear to be in a comparable range.

Accessory Apartments (Employee Units). It is worth noting that on the issue of accessory apartments, the language in the CC&Rs is being revised to allow them on the large lots as long as they are incorporated into the main building envelope and are not rented on a nightly basis. Rental rates and size restrictions are not being included but are left up to the individual property owner. A statement is also being included as to the intent of the City and developer in allowing them as affordable employee housing for caretakers or other employees.

Grazing in the Northeast Corner of the Site. Additional language shall be included in the animal management plan to address the issues of pasture rotation and fencing in the northeast corner. Grazing is permitted but must be carefully monitored.

Trails. The Planning Commission recommendation on the trail locations will be presented to the City Council along with the recommendation of City Landscape Architect Jennifer Harrington.

Revegetation of Disturbed Areas. City Engineer Eric DeHaan has expressed concern over the revegetation of areas disturbed by infrastructure construction and has requested an additional condition on the approval. Mr. DeHaan is generally comfortable with the utility plan but has also added a condition in the event that final approval from the utility companies is not forthcoming. Location of drainage easements has also not been finalized and will be required before plat recordation.

V. PUBLIC INPUT STATEMENT: The property was posted and legal notice sent and as of January 22, 1993 additional input has been received from:

Mike Watts, adjacent property owner in Ridgeview Subdivision, who expressed his concern that the northeast corner of the site be carefully maintained to prevent overgrazing due to the location of the stream in this area.

VI. STAFF RECOMMENDATION: The Planning Staff recommends the approval the final plat for the Willow Ranch 7 Lot Single Family Subdivision with the following conditions:

1. Information shall be included on the plat regarding the following:
 - house and barn building pads, sizes and heights
 - wildlife corridors
 - fire sprinkling
2. Prior to plat recordation the City Council, City Attorney and City Engineer shall have reviewed and approved the plat and accompanying Animal Management Plan. The Animal Management Plan shall include restrictions on the number of horses, grazing, fencing, and uses within the wildlife corridor.
3. Prior to plat recordation the Community Development Department and City Attorney shall have reviewed and approved the CC&Rs which shall include restrictions on architecture and use.
4. Prior to plat recordation the City Engineer shall have received approval from all utility companies serving the property. The plat shall have been deemed to be denied in the event utility easements not currently shown on the plat are in fact required by any franchised utility provider and a new plat shall be required to be approved by the City. This condition does not apply to various drainage easements for existing storm drain channels and culverts, which shall be shown on the plat.
5. The security guaranteeing the installation of public improvements shall include stream channel mitigation according to a plan approved by the Community Development Director. It is anticipated that the mitigation will take two or more years to accomplish and it is the intent of the Planning Commission that no public improvements shall be accepted by the City until the Community Development Director has determined that successful mitigation has been accomplished. A separate guarantee will be required to ensure adequate mitigation of disturbance to the stream channel in accordance with the approved plan.

6. A note shall be added to the plat that the driveway must be paved prior to occupancy of each house.
7. A sidewalk shall be included along the cul de sac.
8. The staff shall revise the language in the CC&Rs regarding accessory apartments to limit the unit square footage so as to preclude construction of duplexes, ensure adequate parking, restrict nightly rentals, and require entrance from the main structure.

VIII RESIGNATIONS AND APPOINTMENTS

Appointment of Ruth Gezelius as the City Council liaison to the Town Lift Project Design Task Force - The Mayor requested a motion to approve. Bob Richer, "I so move". Sally Elliott seconded. Motion carried.

Sally Elliott	Aye
Ruth Gezelius	Aye
Roger Harlan	Aye
Leslie Miller	Absent
Bob Richer	Aye

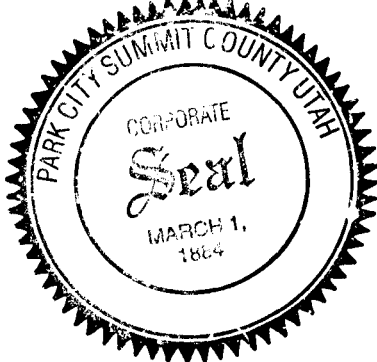
IX ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned.

* * * * *

The meeting for which these minutes were prepared was noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Janet M. Scott



Janet M. Scott
Deputy City Recorder

Curtis Oberhansly, owner of property on Ridge Avenue, was concerned because his lots have a steep downhill slope. The proposed FARs affect the lots with a downhill slope much more severely than the lots with an uphill slope. He wondered if there had been some consideration given to these downhill slope lots. It would look like a mineshaft to build a structure with a 700 sq. ft. footprint and then come up with a 400 sq. ft. garage for access.

Chairman Bruce Erickson commented that it was his understanding that from here the Architectural Review Group would review the final standards and the HDC would also be developing final standards. Susan Lykes responded that what was before the Commission now would go into effect, and when the Architectural Design Group comes back with their recommendation, it would go back to the HDC to make further recommendations that would replace the FARs. No consideration had been given for uphill or downhill lots, and the architects were being relied upon to get around the problems of garages, driveways, and access.

Mr. Oberhansly stated that he feared this, because once something became a law or ordinance, it was difficult to change. He felt that he must rush to develop his property, because in the last 20 years it had been continually downzoned. He asked that, before the Commission forwarded a positive recommendation to the City Council, they look at these downhill lots.

Chairman Bruce Erickson responded that the Commission would not take action at this meeting and the Staff would review this issue before a recommendation is forwarded.

Chairman Bruce Erickson closed the public hearing on the proposed amendments to the Land Management Code in the Historic District.

✓ 2. Willow Ranch - Request for Preliminary and Final Plat Approval of a 7-Lot Single Family Subdivision - Jack Johnson Co.

Public
Hearing

Senior Planner Suzanne McIntyre reported that this application was for a seven-lot, single-family subdivision. It originally came to the Planning Commission as the Peterson Annexation. The City purchased a large portion of the property which would be entry corridor open space. Four of the lots would be large equestrian lots. The development was designed to avoid high value wetlands and minimize impacts on other wetlands. There would be 2.7 acres of wetlands disturbed by development which would be mitigated by the provision of 22.3 acres of improved wildlife habitat. The canal running through the property would be restored to a natural stream. The developers planned for construction to start in the spring of 1993.

Planning Commission Meeting
Minutes of January 27, 1993
Page 5

At the last meeting, the Planning Commission looked at the issues still remaining to be resolved: house size, accessory apartments (employee units), and grazing in the northeast corner of the site. All were resolved except for house sizes, and the Planning Commission had asked for comparisons with other neighborhoods in the area. The houses in the McLeod Creek Subdivision range from 2,600 to 3,400 sq. ft. on 13,000 to 16,000 sq. ft. lots. The three smaller lots in Willow Ranch average 33,000 sq. ft., and the proposed houses would be 4,400 sq. ft. It was noted that there was a typographical error in the staff report and that the proposed house size is 4,400, not 4,000 sq. ft. The larger lots are proposed to have houses of 8,000 sq. ft. The houses and lots were much larger than the neighboring lots, but with the accompanying wall height and mass restriction, the Staff felt they would appear to be in a comparable range. The developer has added to the CC&R's the acceptability of accessory apartments on the large lots as long as they are incorporated in the main building envelope and not rented on a nightly basis. The intent of the City and developers in allowing accessory apartments as affordable employee housing for caretakers or other employees has also been included in the CC&R's.

With respect to grazing in the northeast corner of the site, additional language shall be included in the animal management plan to address the monitoring of grazing, pasture rotation and fencing. The Planning Commission has made one recommendation regarding trails, and the Staff, represented by Jennifer Harrington, had prepared a second recommendation. The Commissioners were given a copy of the trails masterplan recommending a concrete sidewalk running across the property and a trail along the old railroad grade. Planner McIntyre further stated that the City Engineer, Eric DeHaan, was concerned that the infrastructure improvements be carefully monitored and that extraordinary revegetation efforts would be necessary. A condition of approval was added to guarantee that. The Staff had received a letter from Snyderville Basin Sewer Improvement District indicating that a line extension agreement had been approved.

The Staff has received input from the following individuals:

Mike Watts, adjacent property owner in Ridgeview Subdivision, expressed concern that the northeast corner be carefully maintained.

Richard and Kathy Kennedy are concerned about the grazing in the northeast corner and the issues of fencing.

A letter was received from L.C & C.T. Worsch asking that their letter be read into the record. Senior Planner Suzanne McIntyre summarized the letter, stating that the entire text would be filed

with the application. They were concerned that this is a legitimate wetlands area. They also addressed the drainage areas, the standing water, the vegetation, and the fact that this is a vital habitat for wildlife. They felt the mitigation measures would not help the wildlife. They were concerned about parceling up the area and felt that horses were not appropriate in this location. This parcel constituted one of the last largest contiguous active wildlife habitats in Park City, and tiny units of meadow connected by fenced corridors did not constitute effective habitat. The future is arrived at in small steps, and although this development itself did not seem to doom the aesthetic future of Park City, in aggregate with other developments to be approved, it would contribute. In 50 years, the effect of all these small steps would be felt.

The Staff received a call from Jan Gibbs who asked that the letter submitted last November be read to the Planning Commissioners. Chairman Bruce Erickson asked Planner McIntyre to summarize the high points and file the letter with the application. The letter was sent to the Army Corps of Engineers and stated that the Gibbs' were in direct opposition to the proposal. They felt it would disturb the wetlands and hurt the wildlife. They felt the role of the Army Corps was to preserve the wetlands and listen to the concerns of the community.

Planner Suzanne McIntyre stated that the Staff was recommending approval with the conditions listed in the Staff Report.

Commissioner Chuck Klingenstein stated that he was excusing himself from this item due to a potential for any perceived conflict of interest.

Commissioner Dean Berrett asked for clarification of condition 6 and stated that many times winter conditions precluded a driveway from being paved. Planner McIntyre stated that this condition was added at the request of Chief Building Official Ron Ivie. His thinking was that, with the extending driveways on these lots, they needed to be paved for emergency access.

Commissioner Alison Child asked for clarification on the barn size and the Staff's recommendation on the trails plan. Planner McIntyre responded that the barns may be 1,500 sq. ft. on a 60 x 60 square foot building pad with a 22 ft. height restriction. She stated that Jennifer Harrington's trail recommendation was presented at the last meeting and stated that there should be a wildlife viewing trail provided by the developer bisecting the parcel between Lot A and the backs of the large equestrian lots 1, 6, and 7, in addition to the trail along the old railroad grade. Commissioner Child asked what Ms. Harrington's response to the

Planning Commission Meeting
Minutes of January 27, 1993
Page 7

Planning Commission's concerns was, and if the Commission's concerns would be forwarded to the City Council. Planner McIntyre stated that Ms. Harrington felt strongly that her recommendation had merit because it would be a restricted wildlife viewing area with a boardwalk and gates at both ends to keep dogs and bicycles out of the area. She further stated that good notes were kept at the work session and the Commission's concerns would be reported to the City Council.

Commissioner Fred Jones commented that he was concerned that the Staff was proceeding with a recommendation counter to that of the Commission without having an opportunity to try to resolve the issue. He felt it was contrary to the position of preserving the wetlands to put a boardwalk in the middle of them. Planning Director Nora Seltenrich responded that this was not something that the Staff typically does, but Ms. Harrington felt very strongly about her recommendation and wanted to let the City Council know why she felt the way she did. The Council has encouraged the Staff to bring its opinions forward when they have a strong opinion on something counter to that of the Commission. Commissioner Fred Jones stated that his objection was that Ms. Harrington was going directly to the City Council without explaining her position to the Commission so they would understand. Commissioner Alison Child commented that she felt it was not in the best interest of the wildlife to have a boardwalk in the middle of the area to encourage more people to go into the area and disturb the animals.

Commissioner Ron Whaley commented that he would like to see accessory housing included on all seven lots since the smallest lot is 7/10 of an acre and large enough to handle an accessory apartment. Commissioner Chris Erickson and the developer concurred. Planner McIntyre stated that the Staff would support this recommendation.

Chairman Bruce Erickson opened the public hearing.

Mike Larson, a student from Treasure Mountain Middle School (TMMS), commented that he thought the land should not be developed, because lot A is along the highway, and every day when he goes to the bus stop, there are dead deer. He feels they are trapped in the area. If the lots are developed there will be nowhere for the deer to go, and they will run off and be hit by cars. He asked the Commissioners what they were going to do about it.

Commissioner Ron Whaley responded that he had asked the same question of the Division of Wildlife Resources and the Department of Transportation when they put in Highway 40, and he was told it would be mitigated, which meant some deer would be killed and some would not. Commissioner Whaley said it was a good question, and

Planning Commission Meeting
Minutes of January 27, 1993
Page 8

that it was a difficult question to decide where human interfacing begins and ends. He said there are no easy answers.

Rebecca Fogarty, a TMMS student, asked what kind of materials would be used to fence the project. Planner Suzanne McIntyre responded that a post and rail type fence was proposed. Ms. Fogarty also asked if there would be a disclosure to the buyers of lots 5, 6, and 7 about the marshlands and the potential contamination that may be there. She felt that if the owners of Northshore and Prospector had known about existing conditions before they bought their property, they probably would not have built there. Commissioner Ron Whaley responded that the courts hold that it is the buyer's responsibility to know all they can about the property. Park City would help an individual find out that information, but ultimately it was the individual's responsibility to do discovery. Chairman Bruce Erickson stated that it would not be noted on the plat, but on the sales report and the documents for the homeowners' association there were restrictions listed for the wetlands and what could and could not be done with the property. Ms. Fogarty stated that the Planning Commission was making a big mistake and didn't think they should turn Park City into another California.

TMMS student Dylan Kelsch stated that he felt the wetlands were a resource that the community needed.

TMMS student Zeke Ewing asked for clarification as to why lots 1, 2, 6, and 7 were so spread out with small houses on them. He felt the lots should be smaller to help protect the wetlands. Senior Planner Suzanne McIntyre responded that the developer came in with an original plan for equestrian lots with a riding arena. As a compromise, the City received a lot of open space and the developer removed the riding arena. The current configuration is a compromise between the developer's desires and the City's concerns.

TMMS student Jake Wartena commented that he was opposed to the project and felt the wetlands should be saved.

Both Chairman Bruce Erickson and Commissioner Joe Tesch commented that the students had asked very intelligent questions and that they wished they had received the students' wisdom at the beginning of this project.

Mr. Tom Kullen, who lives in the lot adjacent to the Willow Creek Ranch entry, commented that he was disturbed with the cavalier attitude in approving what appeared to him to be duplexes in a subdivision. He asked for clarification about the size of the apartments. Commissioner Whaley clarified that the apartments must be within the envelope and remain within the 4,400 feet. Mr. Kullen voiced his opposition to the apartments on the smaller lots

because they would create parking problems, and the house sizes would not allow for an apartment. His other concerns were the enforceability of the CC&R's. Chairman Bruce Erickson stated that the regulation would be under the City's regulations for moderate income housing, MISRP. Commissioner Ron Whaley stated that the Commission's actions were not cavalier. This had been a long process, and there were actually other resorts which required that accessory apartments be built. This would help with the City's need for affordable housing.

Mr. Kullen further voiced his concern about the manure cleanup and was concerned with the odor. He felt it was not enough to do it twice a year. Chairman Erickson stated that it was required by the Animal Management Plan to scrape the pastures twice a year.

Mr. Kullen commented on the fencing of the development to separate it from the McLeod Creek subdivision and asked if the barbed wire fence would be taken down or if there would be double fencing. The developer responded that he could not take down the existing fence without the homeowners' permission. Chairman Bruce Erickson stated that they would look into it further.

Mr. Kullen commented that he felt the house sizes were too large.

Mike Larson spoke on behalf of the TMMS 7th hour class and stated that 90% of the City's wetlands had already been built on, and wanted to know why the City wanted to build on the 10% that was left.

Chairman Bruce Erickson responded that the City did not regulate the development of wetlands until this year. The Planning Commission felt that the mitigations that were being made were responsible tradeoffs to let the development take place. He commented that these were great questions, and more student comment was needed in the future.

Chairman Bruce Erickson closed the public hearing.

VI. MINUTES OF JANUARY 13, 1993

MOTION: Commissioner Ron Whaley moved to APPROVE the minutes of the January 13, 1993, meeting of the Park City Planning Commission. Commissioner Fred Jones seconded the motion.

VOTE: The minutes of January 13, 1993, were approved unanimously.

**AN ORDINANCE APPROVING AMENDMENTS TO LOT 6 WILLOW RANCH
SUBDIVISION AND LOT 10 MCLEOD CREEK SUBDIVISION
LOCATED AT 2647 MEADOW CREEK DRIVE, PARK CITY, UTAH**

WHEREAS, the owners of the property known Lot 10 McLeod Creek Subdivision, Park City, Utah, have petitioned the City Council for approval of amendments to both Lot 6, Willow Ranch Subdivision and Lot 10, McLeod Creek Subdivision; and

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

WHEREAS, the City Council held a public hearing on August 31, 1995 to receive input on the proposed amendments; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat, known as the Plat Amendment of Lot 6 Willow Ranch Subdivision and Lot 10 McLeod Creek Subdivision;

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

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned plat amendments and that neither the public nor any person will be materially injured by the proposed plat amendments.

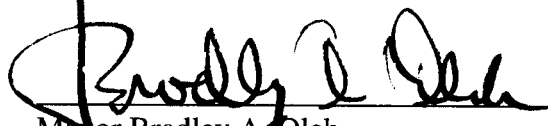
SECTION 2. PLAT APPROVAL. The amendments to Lot 10, McLeod Creek Subdivision and Lot 6, Willow Creek Subdivision, Park City, Utah, are approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Attorney and City Engineer shall review and approve the final plat.
2. All Standard Conditions of Approval apply.
3. All previous conditions of the Willow Ranch and McLeod Creek Subdivisions shall remain in full force and effect.
4. A note shall be added to the plat, prior to recordation, stating that the area added to Lot 10 from the Willow Ranch Subdivision shall be a non-build yard area with such uses allowed as were previously allowed as part of Lot 6 Willow Ranch Subdivision.

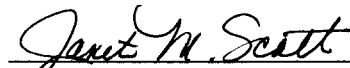
SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect upon adoption.

PASSED AND ADOPTED this 31st day of August, 1995.

PARK CITY MUNICIPAL CORPORATION

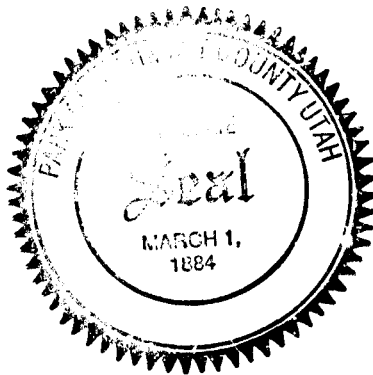

Mayor Bradley A. Olch

Attest:


Janet M. Scott, Deputy City Recorder

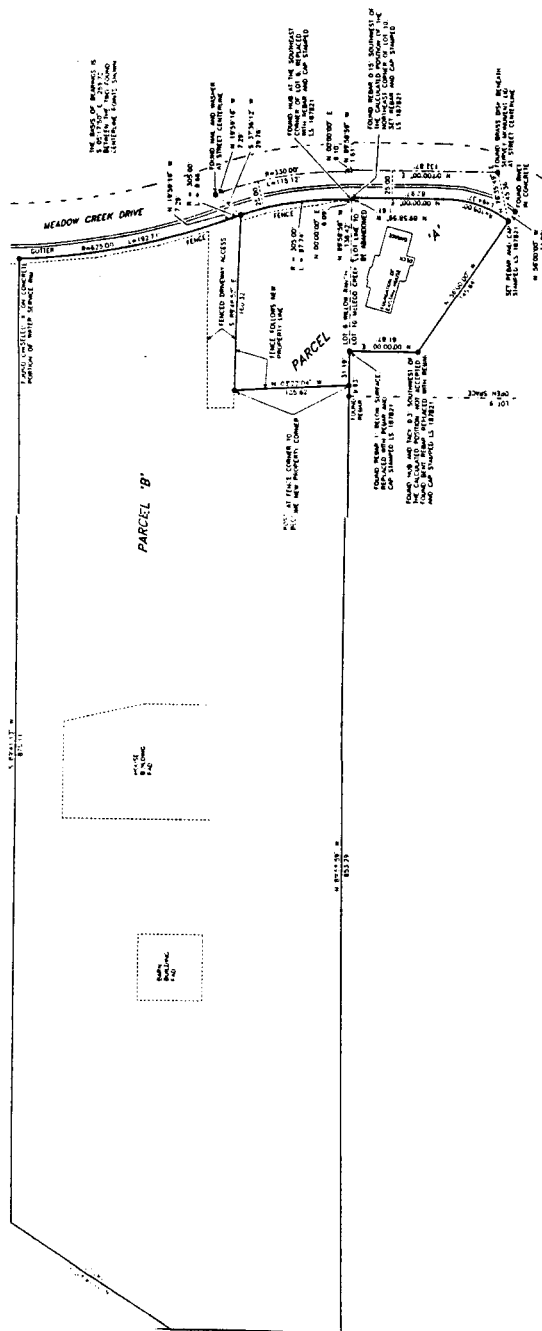
Approved as to form:


Mark D. Harrington, Assistant City Attorney



PLAT AMENDMENT OF LOT 6 WILLOW RANCH SUBDIVISION AND LOT 10 MCLEOD CREEK SUBDIVISION
and RECORD OF SURVEY

1" = 50'



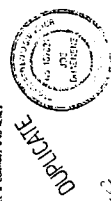
LAND SURVEYING
P.O. BOX 144
MAY 1981

SURVEYOR'S CERTIFICATE

NOTES:
1. The Survey of Meadows Creek Subdivision is a Survey of the same name and location as the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
2. The Survey of Meadows Creek Subdivision is a Survey of the same name and location as the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
3. The Survey of Meadows Creek Subdivision is a Survey of the same name and location as the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
4. The Survey of Meadows Creek Subdivision is a Survey of the same name and location as the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
5. The Survey of Meadows Creek Subdivision is a Survey of the same name and location as the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
6. The Survey of Meadows Creek Subdivision is a Survey of the same name and location as the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
7. The Survey of Meadows Creek Subdivision is a Survey of the same name and location as the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
8. The Survey of Meadows Creek Subdivision is a Survey of the same name and location as the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
9. The Survey of Meadows Creek Subdivision is a Survey of the same name and location as the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
10. The Survey of Meadows Creek Subdivision is a Survey of the same name and location as the Survey of Meadows Creek Subdivision, which was recorded in the County of ...

LEGAL DESCRIPTIONS

PARCEL 18, SECTION 3, Township 2 North, Range 4 East, T2S, R4E, S34, is a portion of the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
PARCEL 18, SECTION 3, Township 2 North, Range 4 East, T2S, R4E, S34, is a portion of the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
PARCEL 18, SECTION 3, Township 2 North, Range 4 East, T2S, R4E, S34, is a portion of the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
PARCEL 18, SECTION 3, Township 2 North, Range 4 East, T2S, R4E, S34, is a portion of the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
PARCEL 18, SECTION 3, Township 2 North, Range 4 East, T2S, R4E, S34, is a portion of the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
PARCEL 18, SECTION 3, Township 2 North, Range 4 East, T2S, R4E, S34, is a portion of the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
PARCEL 18, SECTION 3, Township 2 North, Range 4 East, T2S, R4E, S34, is a portion of the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
PARCEL 18, SECTION 3, Township 2 North, Range 4 East, T2S, R4E, S34, is a portion of the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
PARCEL 18, SECTION 3, Township 2 North, Range 4 East, T2S, R4E, S34, is a portion of the Survey of Meadows Creek Subdivision, which was recorded in the County of ...
PARCEL 18, SECTION 3, Township 2 North, Range 4 East, T2S, R4E, S34, is a portion of the Survey of Meadows Creek Subdivision, which was recorded in the County of ...



DUPLICATE

RECORDED
INDEXED
FILED
MAY 1981

SNYDERVILLE BASIN, SEWER
IMPROVEMENT DISTRICT
APPROVED AND ACCEPTED BY THE DISTRICT
MAY 1981

CITY ATTORNEY
APPROVED BY THE CITY ATTORNEY ON THIS
MAY 1981

CITY PLANNING COMMISSION
APPROVED BY THE CITY PLANNING COMMISSION ON THIS
MAY 1981

CITY ENGINEER
APPROVED BY THE CITY ENGINEER ON THIS
MAY 1981

CITY COUNCIL
APPROVED BY THE CITY COUNCIL ON THIS
MAY 1981

GENERAL NOTES AND RECOMMENDATIONS

- GENERAL NOTES:
1. EVERY EFFORT HAS BEEN MADE TO ELIMINATE ERRORS DURING THE PREPARATION OF THESE DRAWINGS, BUT BECAUSE TIMBERLYNE CANNOT GUARANTEE AGAINST THE POSSIBILITY OF HUMAN ERROR, IT BECOMES THE OBLIGATION OF THE USER TO VERIFY THE ACCURACY OF ALL DETAILS AND DIMENSIONS AND PERSONALLY BE RESPONSIBLE FOR THEM.
 2. NOTED DIMENSIONS TAKE PRECEDENCE OVER SCALE. LARGER SCALE OVER SMALLER SCALE.
 3. ALL MECHANICAL AND ELECTRICAL PLANS AND SPECIFICATIONS ARE DESIGNBUILT FURNISHED BY THE MECHANICAL/ELECTRICAL CONTRACTOR FOR THEIR USE.
 4. ALL TIMBERS ARE FULL DIMENSION ROUGH SAWN UNLESS NOTED. SILL PLATE IS 2X TREATED UNLESS NOTED OTHERWISE. WE RECOMMEND SILL SEALER BE INSTALLED BENEATH THE SILL PLATE
 5. WHERE FEASIBLE INSTALL THE BOLTS IN THE PLATE JOINERY SO THAT THE NUTS CAN BE ACCESSED FROM THE INTERIOR OF THE BARN. THE SIDING OR FRAMING MAY NEED TO BE NOTCHED SLIGHTLY FOR PLATE AND BOLT CLEARANCE.
 6. VERIFY WINDOW AND DOOR ROUGH OPENINGS BEFORE FRAMING.

1. WE RECOMMEND 1/4" BREAKER BOARD BE INSTALLED AT SIDING SPLICES. WE RECOMMEND THAT THE CONTRACTOR INSTALL 2" FLASHING @ ALL BREAKER BOARD LOCATIONS.
8. EXTERIOR FLASHING TO BE INSTALLED AT ALL CONNECTIONS BETWEEN ROOFS, WALLS, AND PROJECTIONS OR PENETRATIONS AS REQUIRED BY GOOD CONSTRUCTION PRACTICES. FLASHING IS NOT SUPPLIED BY TIMBERLYNE.
9. ANY MATERIALS SHOWN ON THESE DRAWINGS WHICH ARE NOT WRITTEN IN YOUR CONTRACT OR INCLUDED IN THE TIMBERLYNE MATERIALS LIST ARE TO BE PROVIDED BY THE BUYER.
10. WHERE TREATED WOOD IS CROSSCUT, NOTCHED, OR BORED ON SITE, THE EXPOSED UNTREATED WOOD SHOULD BE GIVEN TWO LIBERAL COATS OF A WOOD PRESERVATIVE SEALANT.

FOUNDATION NOTES:

1. LOCAL BUILDING CODE SPECIFICATIONS REGARDING WATERPROOFING, DAMP PROOFING AND VENTILATION OF FOUNDATION WALLS AND SLABS, TAKE PRECEDENCE OVER THE STANDARD INFORMATION SHOWN IN THESE DRAWINGS. IT IS THE RESPONSIBILITY OF THE BUYER, OR ON-SITE FOUNDATION CONTRACTOR TO SATISFY THE LOCAL BUILDING CODE REQUIREMENTS.

SOIL: FOOTINGS ARE DESIGNED TO A MIN. SOIL CAPACITY OF 1500 PSF.

SLABS: CONCRETE SLABS SHALL CONFORM TO A 28-DAY STRENGTH OF 3000 PSI AND FOOTINGS TO A STRENGTH OF 3000 PSI.

CODE: 2016 INTERNATIONAL BUILDING CODE & LOCAL CODES

LOADS

ROOF LIVE/SNOW LOAD:- ___ PSF

LOFT LIVE LOAD:- ___ PSF

WIND LOAD :- ___ MPH "L" EXPOSURE

SEISMIC DESIGN CATEGORY:- _

IMPORTANCE CATEGORY:- _

BUILDING ERECTION SAFETY NOTES:

THE CONTRACTOR IS RESPONSIBLE FOR IMPLEMENTING JOB SITE SAFETY AND CONSTRUCTION PROCEDURES IN ACCORDANCE WITH NATIONAL, STATE, AND LOCAL SAFETY REQUIREMENTS. THE ADEQUACY AND SAFETY OF ERECTION BRACING, SHORING, AND TEMPORARY SUPPORTS IS THE SOLE RESPONSIBILITY OF THE GENERAL CONTRACTOR.

WOOD TYPE

STRUCTURAL FRAMING: DOUG FIR #1

PURLIN: DOUG FIR #1

REVISION HISTORY

REV#	DATE:	DESCRIPTION:
1.0	6/21/2023	FINAL PLAN
1.1	00/00/2023	--
1.2	00/00/2023	--
1.3	00/00/2023	--
1.4	00/00/2023	--

SYMBOLS

- 

WOOD IN SECTION
- 

CONCRETE IN SECTION
- 

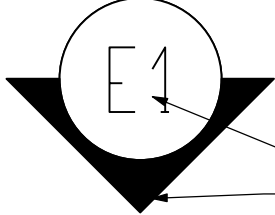
SAND OR GRAVEL IN SECTION
- 

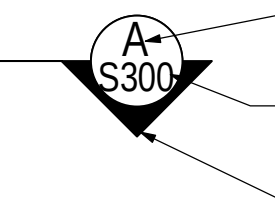
STEEL IN SECTION
- 

BATT INSULATION IN SECTION
- 

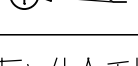
INSULATION NAILBASE IN SECTION
- 

ARCH ROOF
- 

BOARD AND BATTEN SIDING
- 

ELEVATION NUMBER
VIEW DIRECTION OF
BUILDING ELEVATION
- 

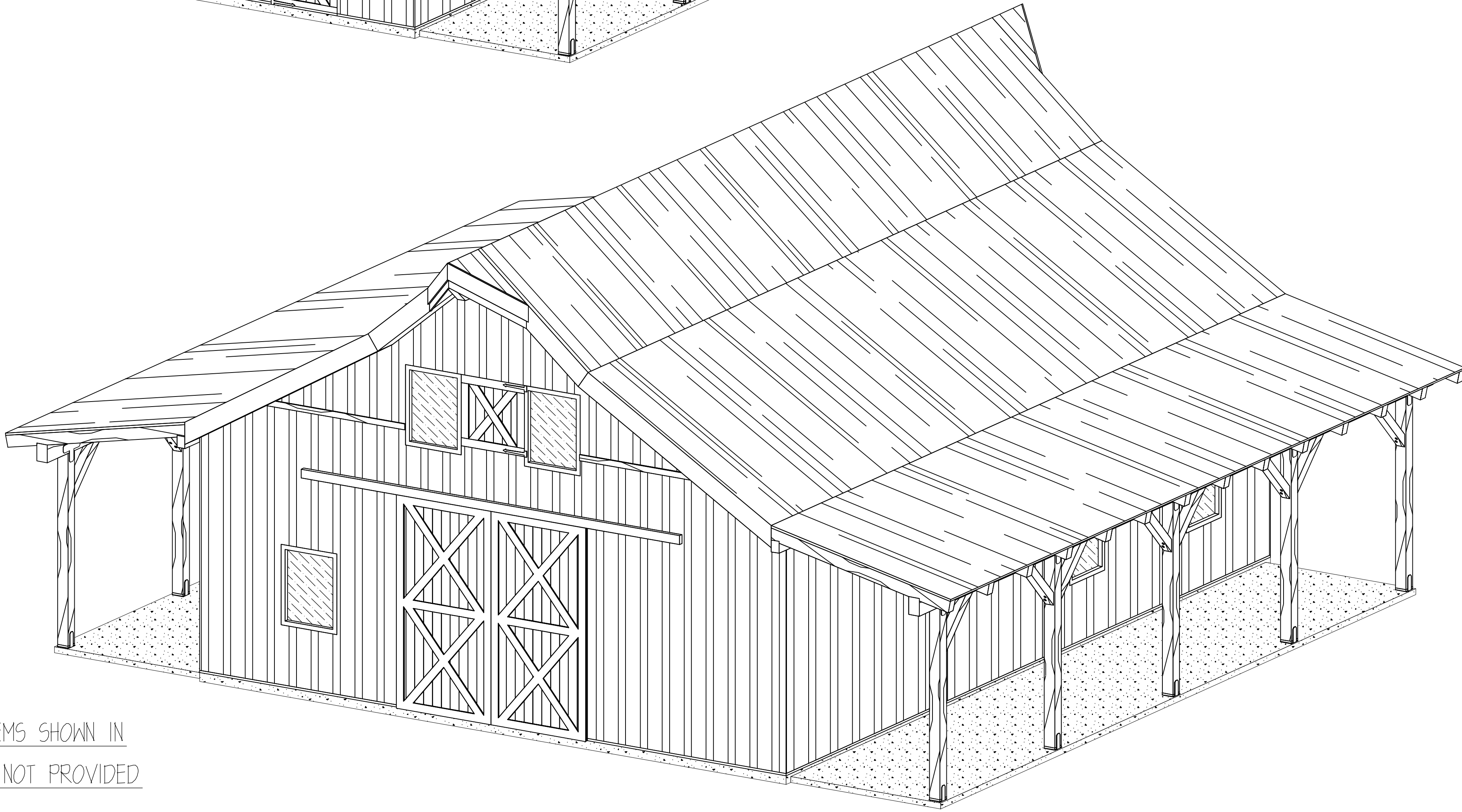
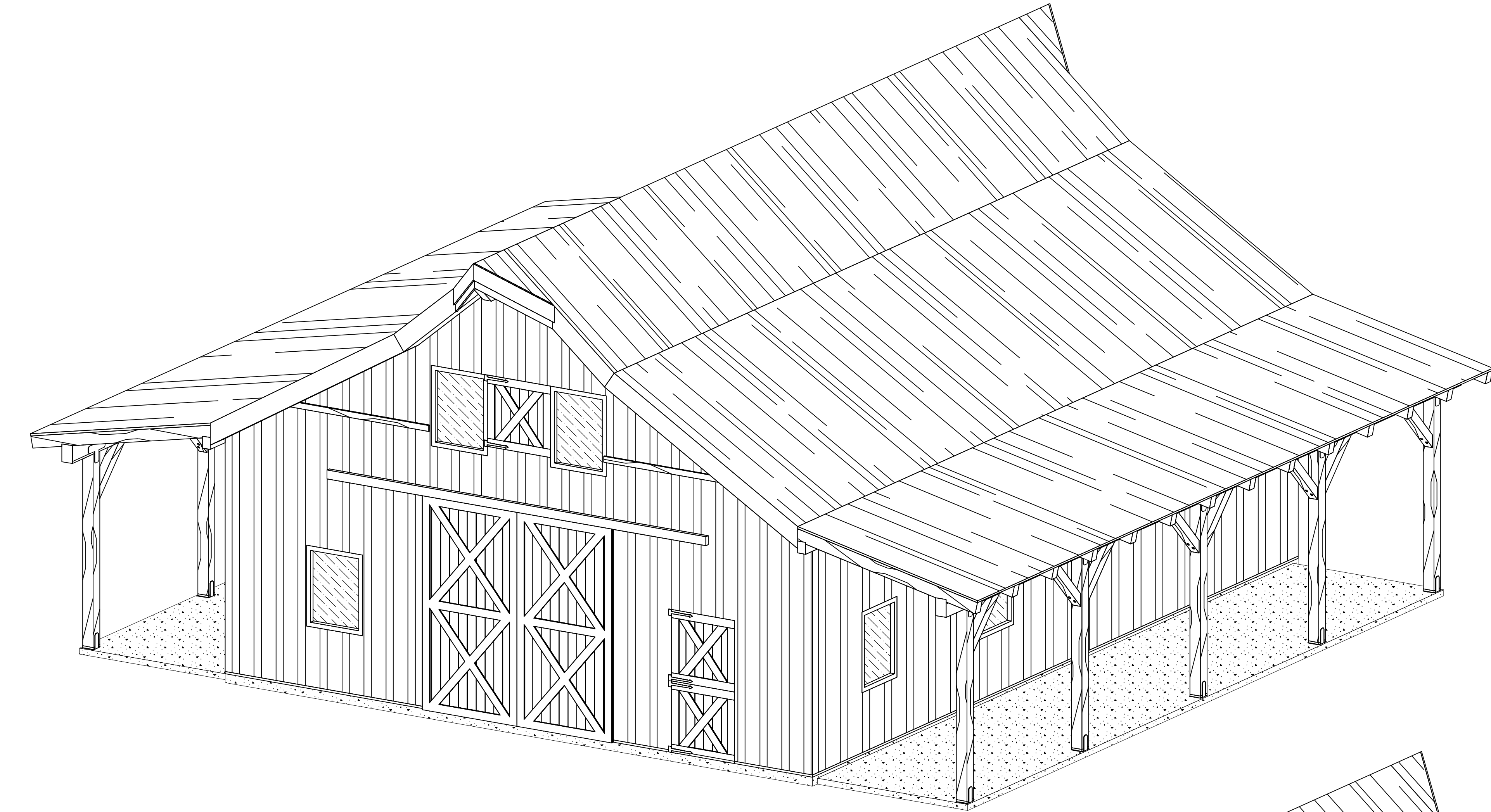
DESCRIBES DETAIL
LETTER
DESCRIBES PAGE
DETAIL IS ON
- 

VIEW DIRECTION OF
SECTION DETAILS
- 

POST CONNECTION TYPE

STANDARD ABBREVIATIONS

CONC	CONCRETE	MAX	MAXIMUM	EXT	EXTERIOR
CONT	CONTINUOUS	MIN	MINIMUM	FF	FINISHED FLOOR
DBL	DOUBLE	NTS	NOT TO SCALE	FTG	FOOTING
DF	DOUGLAS FIR	OC	ON CENTER	INSUL	INSULATION
EA	EACH	OH	OVERHEAD	INT	INTERIOR
STD	STANDARD	T&G	TONGUE & GROOVE	TYP	TYPICAL



SHEET INDEX

- G000 COVER SHEET
- D200 MAIN FLOOR PLAN & LOFT FLOOR PLAN
- D201 ROOF PLAN AND PURLIN LAYOUT
- D300 EXTERIOR ELEVATIONS
- D400 BUILDING SECTIONS
- S200 FOUNDATION PLAN
- S201 FOUNDATION DETAILS
- S202 CATWALK FRAMING PLAN
- S300 DETAILED BUILDING SECTIONS
- S400 CONNECTIONS AND ATTACHMENT DETAILS
- S401 FLASHING DETAILS
- S500 BENT DETAILS
- S501 FRAME 150
- S502 FRAME 150 WITH PURLING
- S503 ROOF FRAMING 150
- S600 POST CONNECTION/ BENT LAYOUT
- S601 SIP WALL ROUGH OPENINGS

LIST BELOW ARE ITEMS SHOWN IN
DRAWINGS BUT ARE NOT PROVIDED
BY TIMBERLYNE

- FINISHED ROOFING MATERIAL
- FLASHING MATERIAL
- INTERIOR FINISH
- WINDOWS
- FLOOR HANGERS

COVER SHEET

NOTE: LINE 3D DIAGRAMS ON COVER SHEET
(SHEET #1) ARE REPRESENTATIONAL ONLY AND ARE
NOT INTENDED FOR USE AS CONSTRUCTION DRAWINGS



www.timberlyne.com

Nebraska: 116 West 1st Street
Wayne, NE 68787
888-489-1680
Texas: 613 Hwy 46 E.
Boerne, TX 78006
877-680-1680

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TIMBERLYNE GROUP™.

CUSTOMER INFORMATION:

PAUL
CARAHER

PROJECT INFORMATION:

CARAHER
BARN

2685 MEADOW CREEK DR.
PARK CITY, UTAH 84060

NUMBER: PCA1122-1

CATEGORY: AGRICULTURAL

STYLE: PONDEROSA

OTHER: --

OTHER: --

PM: MM

DRAWING INFORMATION:

DRAWN BY: NK

DATE: 6/27/2023

STATUS: FINAL PLAN SET

OTHER: --

OTHER: --

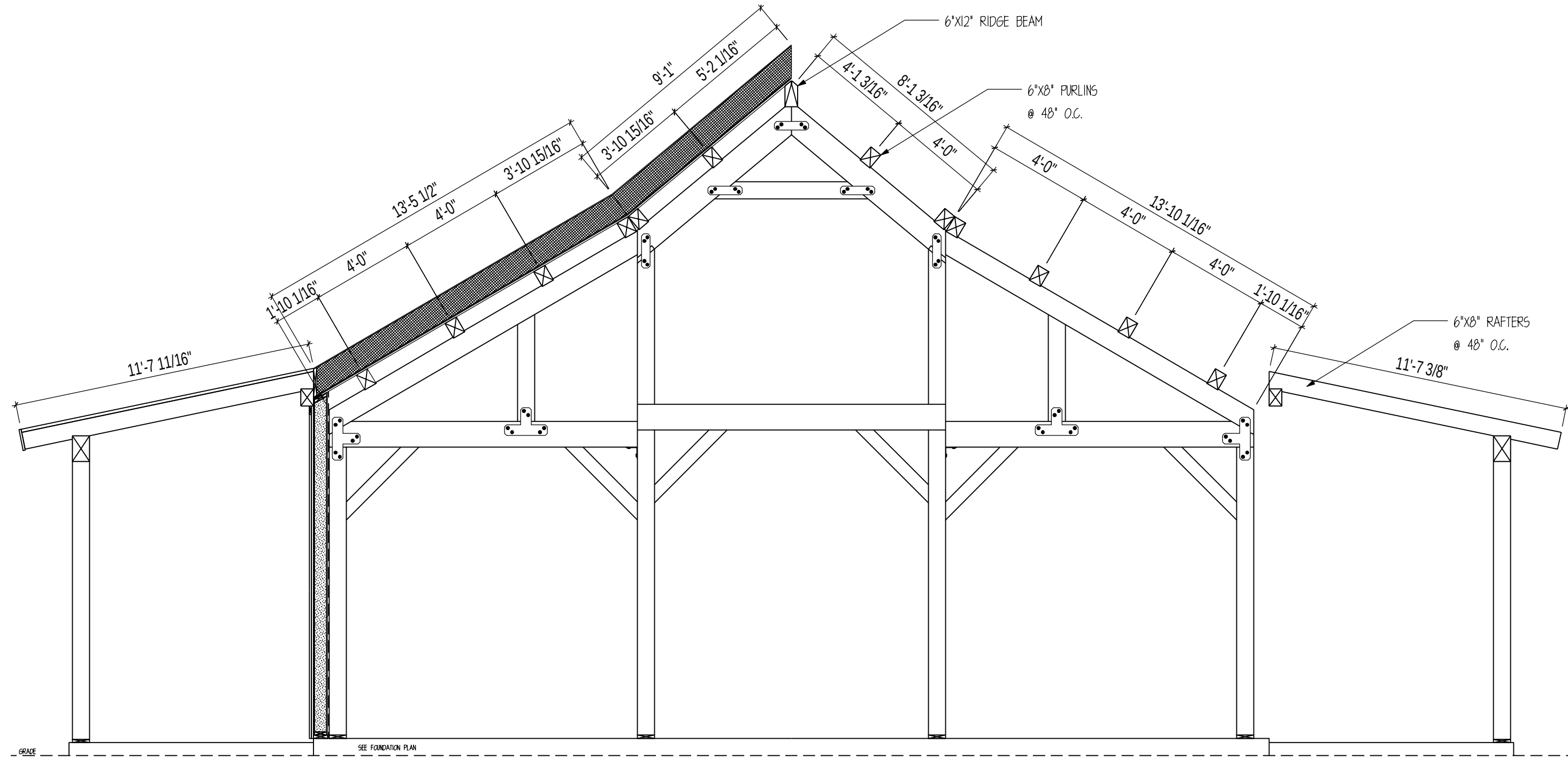
SHEET NOTES

SHEET

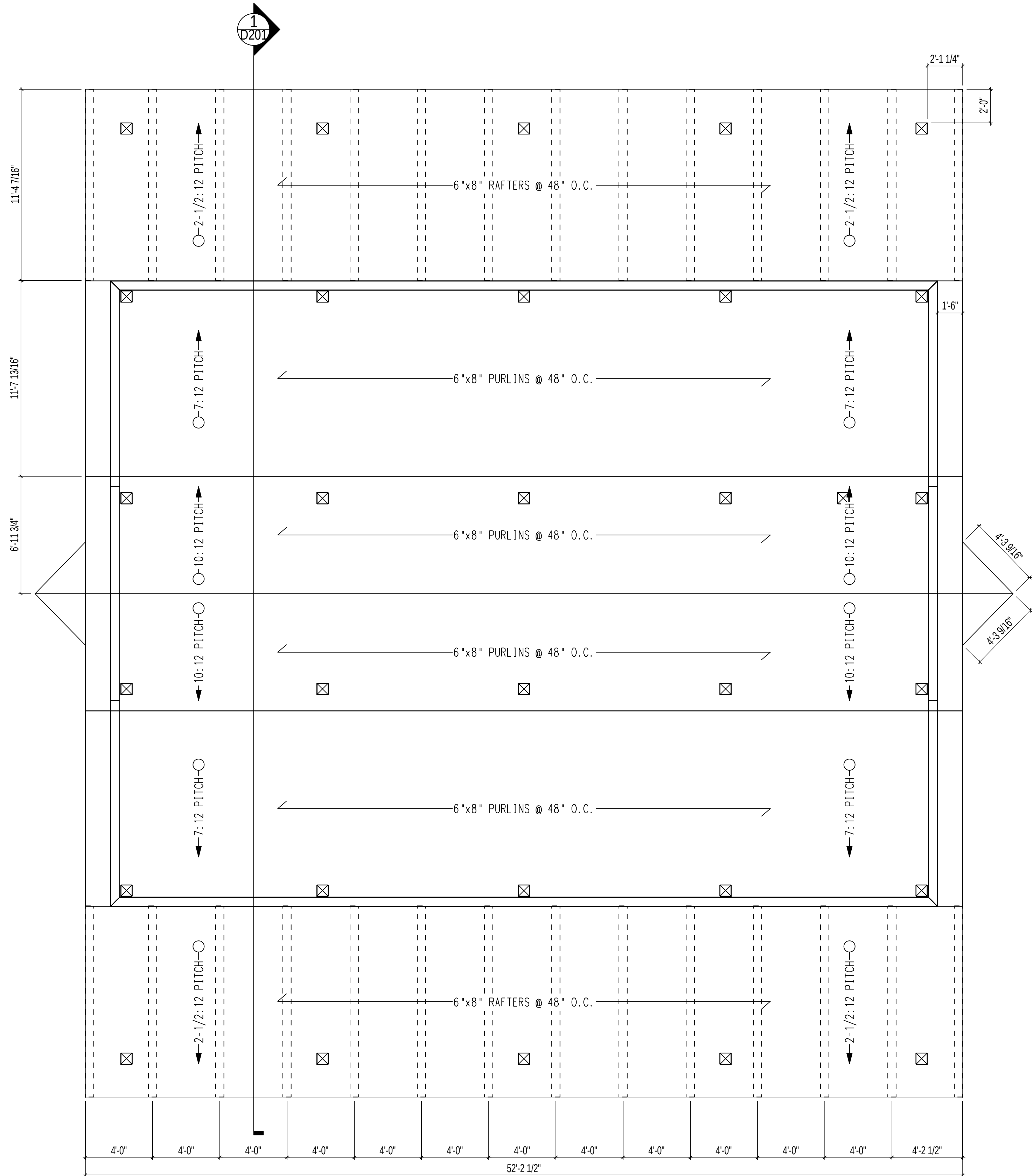
G000

SHEET NOTES:

1. FLOOR LAYOUT DRAWINGS ARE NOT DESIGNED BY AN ARCHITECT. ADDITIONAL PROFESSIONAL SERVICES MAY BE REQUIRED TO COMPLY WITH LOCAL CODES AND REGULATIONS.
2. TIMBERLINE IS NOT RESPONSIBLE FOR DESIGNING ELECTRICAL, PLUMBING, AND HVAC PLANS.
3. INTERIOR PARTITION WALLS, WINDOWS, DOORS, AND FIXTURES ARE PROVIDED BY CUSTOMER OR GENERAL CONTRACTOR.
4. DAYLIGHT OPENING, VENT OPENING, AND EGRESS REQUIREMENTS ARE THE RESPONSIBILITY OF THE CUSTOMER/GENERAL CONTRACTOR.
5. DOOR AND WINDOW LOCATIONS ARE APPROX. ONLY. EXACT LOCATION TO BE DETERMINED BY THE CUSTOMER AND GENERAL CONTRACTOR.

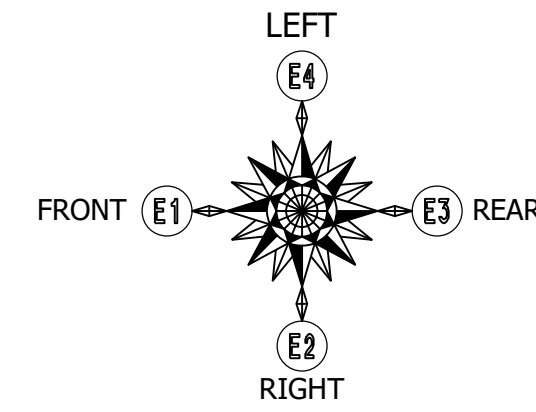


1 **PURLIN LAYOUT**
SCALE: 1/4" = 1'



ROOF FRAMING PLAN

SCALE: 1/4" = 1'



CUSTOMER INFORMATION:

**PAUL
CARAHER**

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OTHER: --

PM: MM

DRAWING INFORMATION:

DRAWN BY: NK

DATE: 6/27/2023

STATUS: FINAL PLAN SET

OTHER: --

OTHER: --

SHEET NOTES

1. SEE SIP MANUFACTURE DRAWING FOR PANEL
INSTALLATION

CUSTOMER INFORMATION:

**PAUL
CARAHER**

PROJECT INFORMATION:

**CARAHER
BARN**

2685 MEADOW CREEK DR.
PARK CITY, UTAH 84060

NUMBER: PCA1122-1

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STYLE: PONDEROSA

OTHER: --

OTHER: --

PM: MM

DRAWING INFORMATION:

DRAWN BY: NK

DATE: 6/27/2023

STATUS: FINAL PLAN SET

OTHER: --

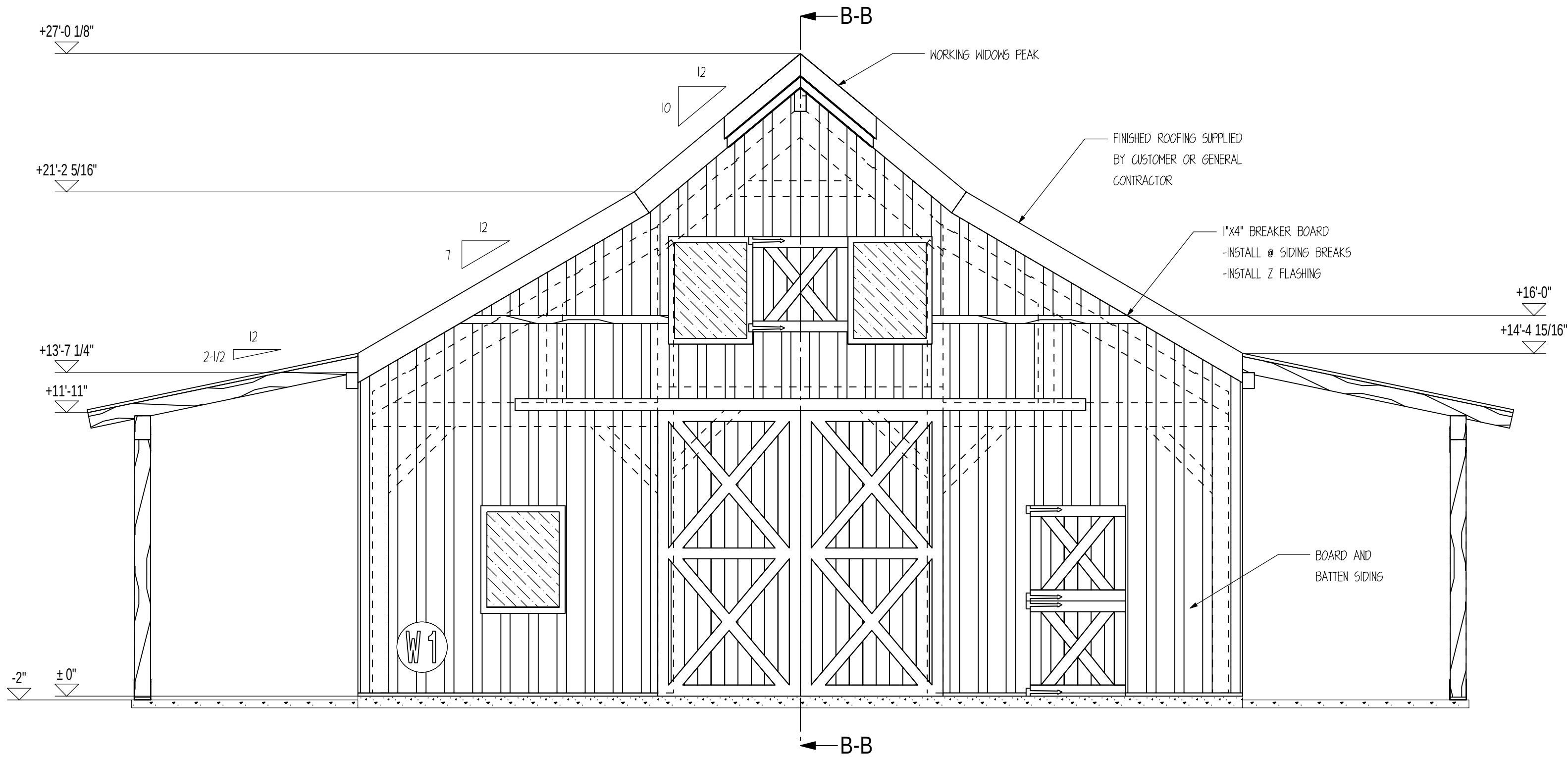
OTHER: --

SHEET NOTES

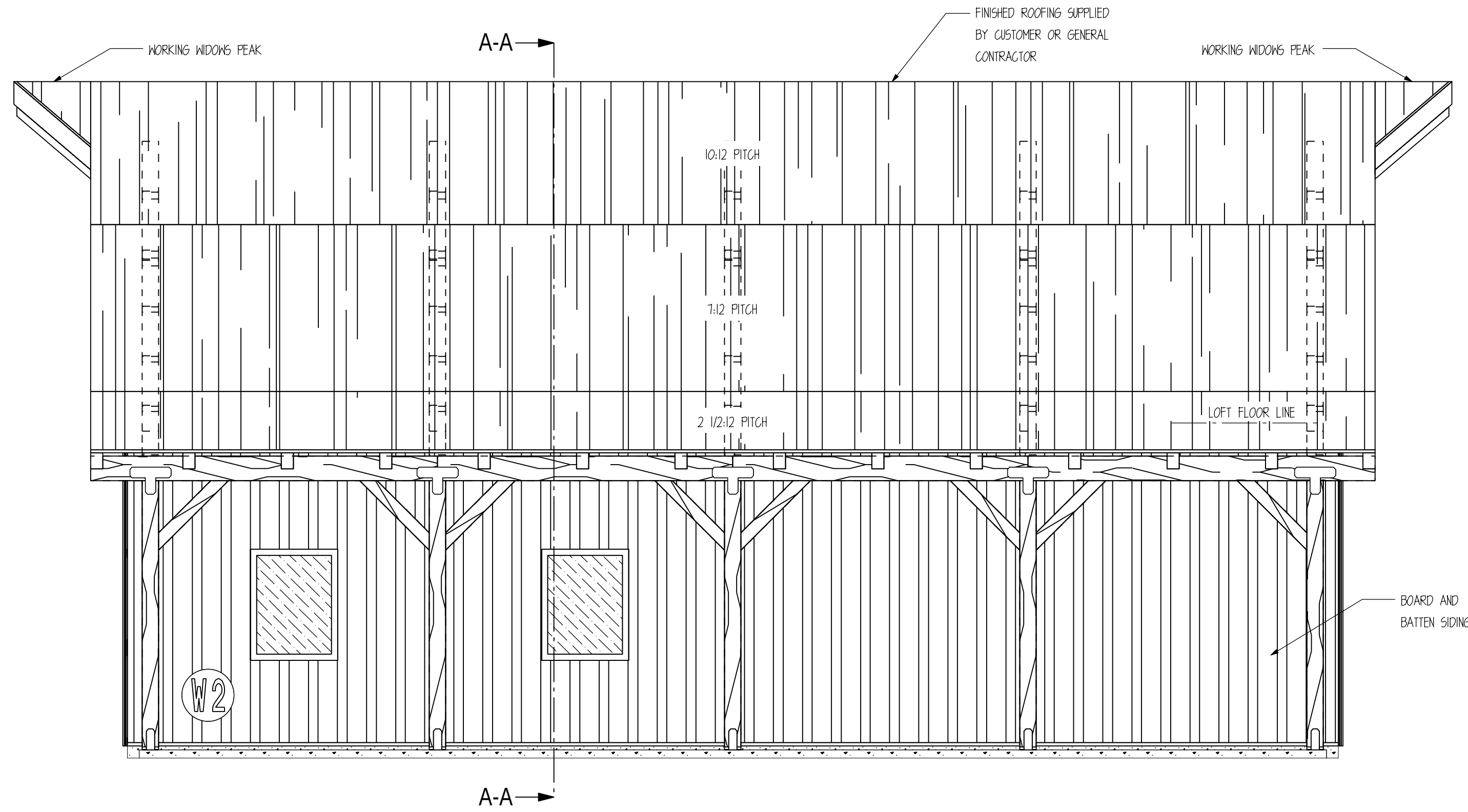
SHEET

D300

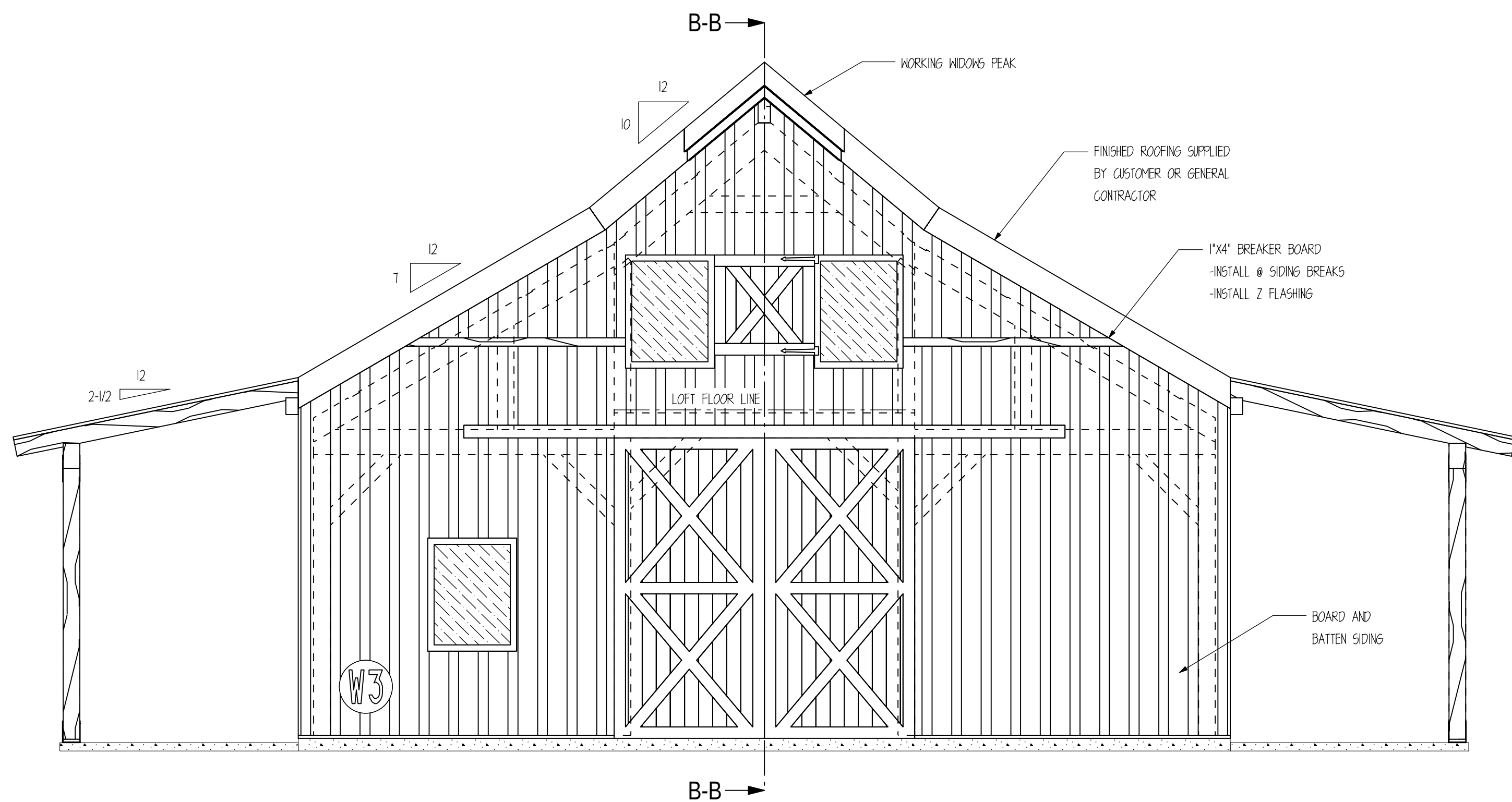
Page 230 of 274.



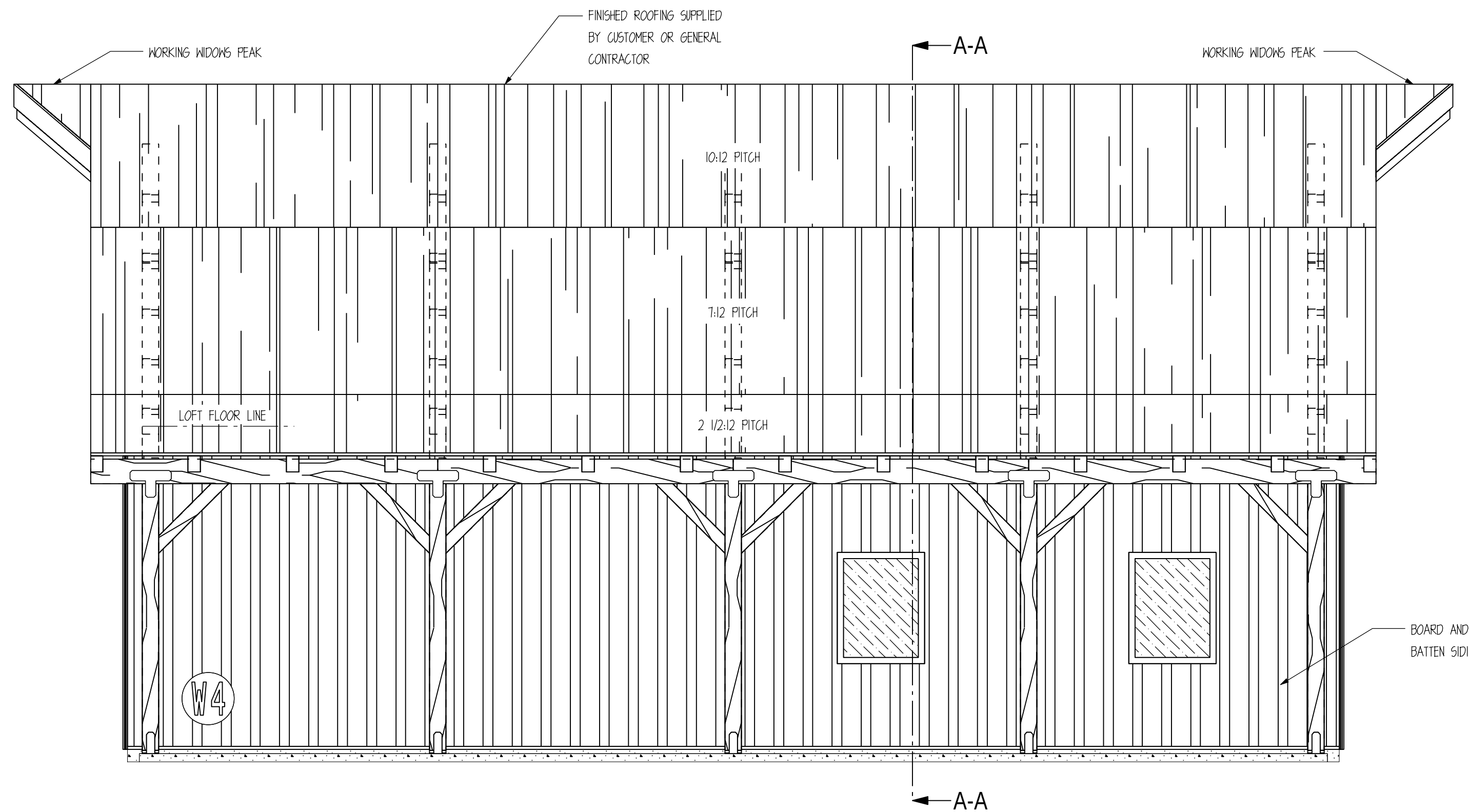
E1 **FRONT ELEVATION**
SCALE: 1/4" = 1'



E2 **RIGHT ELEVATION**
SCALE: 1/4" = 1'



E3 **REAR ELEVATION**
SCALE: 1/4" = 1'



E4 **LEFT ELEVATION**
SCALE: 1/4" = 1'

SHEET NOTES:
1. BREAKER BOARD LOCATION IS APPROX ONLY AND
SHOULD BE INSTALLED ON SITE TO MATCH SIDING
LENGTH PROVIDED.
2. DOOR AND WINDOW LOCATIONS ARE APPROX.
ONLY. EXACT LOCATIONS TO BE VERIFIED BY
CUSTOMER AND GENERAL CONTRACTOR.
3. FINISHED ROOFING MATERIAL TO BE PROVIDED BY
CUSTOMER OR GENERAL CONTRACTOR. ROOFING
UNDERLAYMENT PROVIDED BY TIMBERLYNE

CUSTOMER INFORMATION:

**PAUL
CARAHER**

PROJECT INFORMATION:

**CARAHER
BARN**

2685 MEADOW CREEK DR.
PARK CITY, UTAH 84060

NUMBER: PCA1122-1

CATEGORY: AGRICULTURAL

STYLE: PONDEROSA

OTHER: --

OTHER: --

PM: MM

DRAWING INFORMATION:

DRAWN BY: NK

DATE: 6/27/2023

STATUS: FINAL PLAN SET

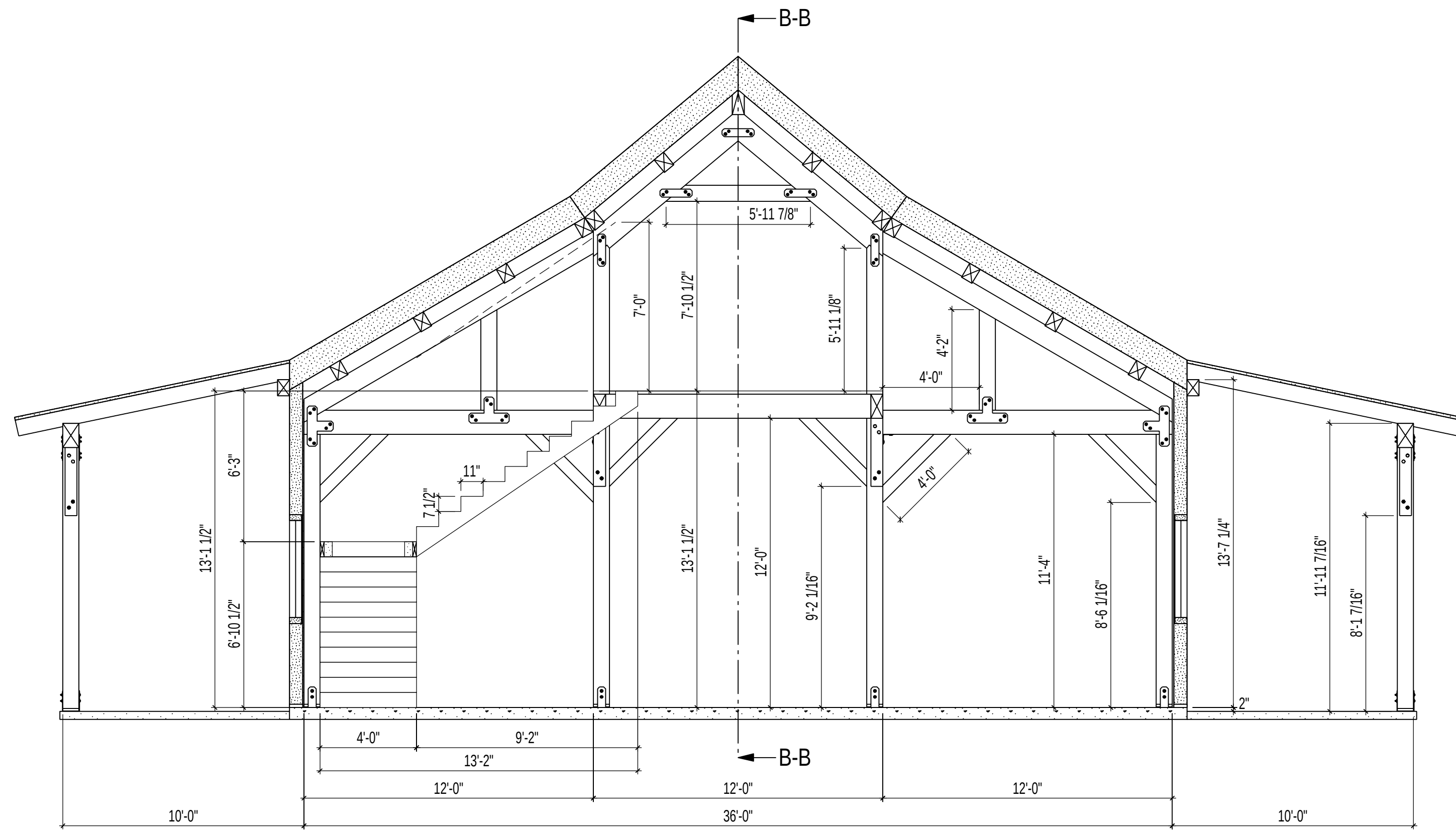
OTHER: --

OTHER: --

SHEET NOTES

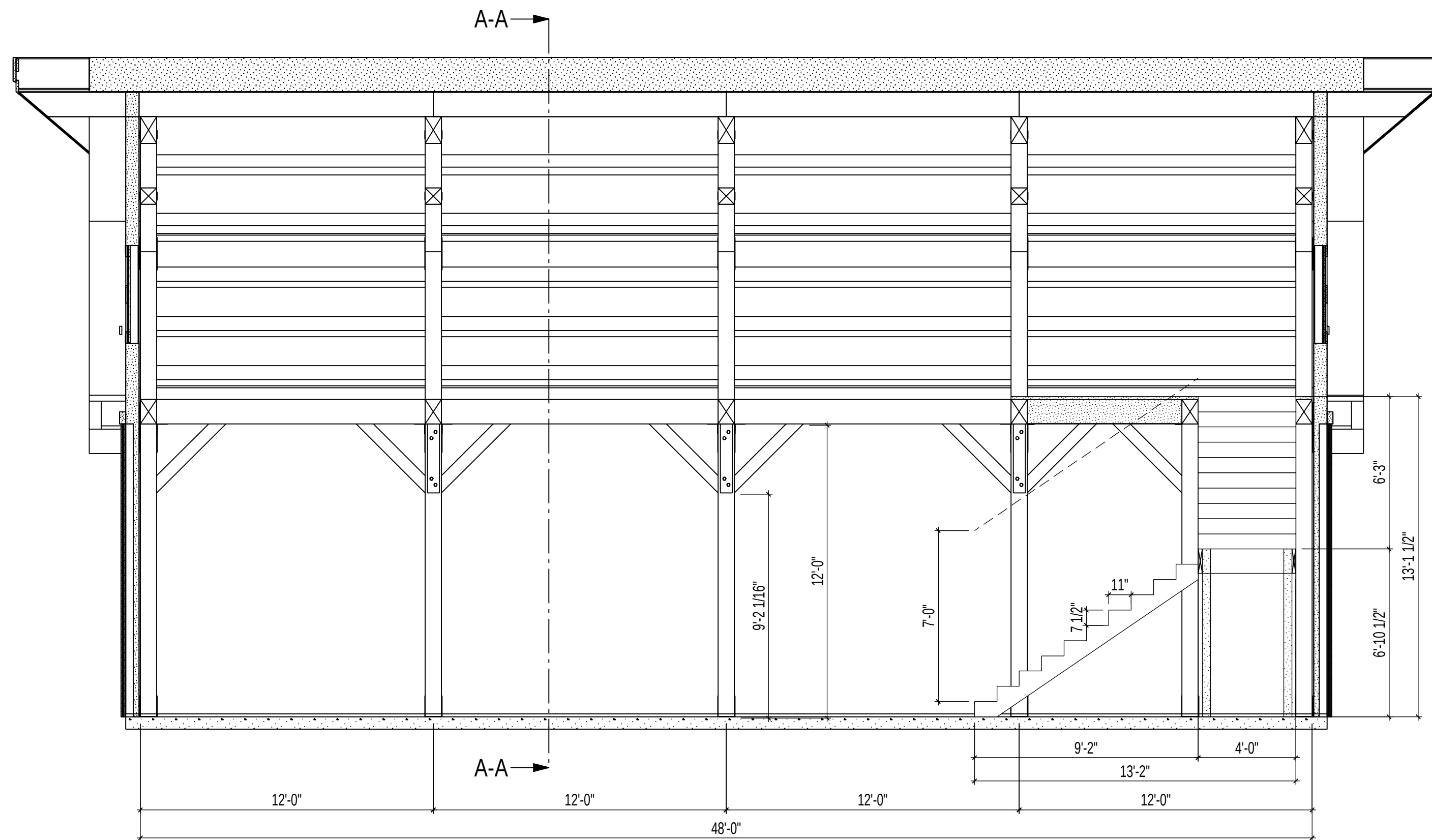
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D400



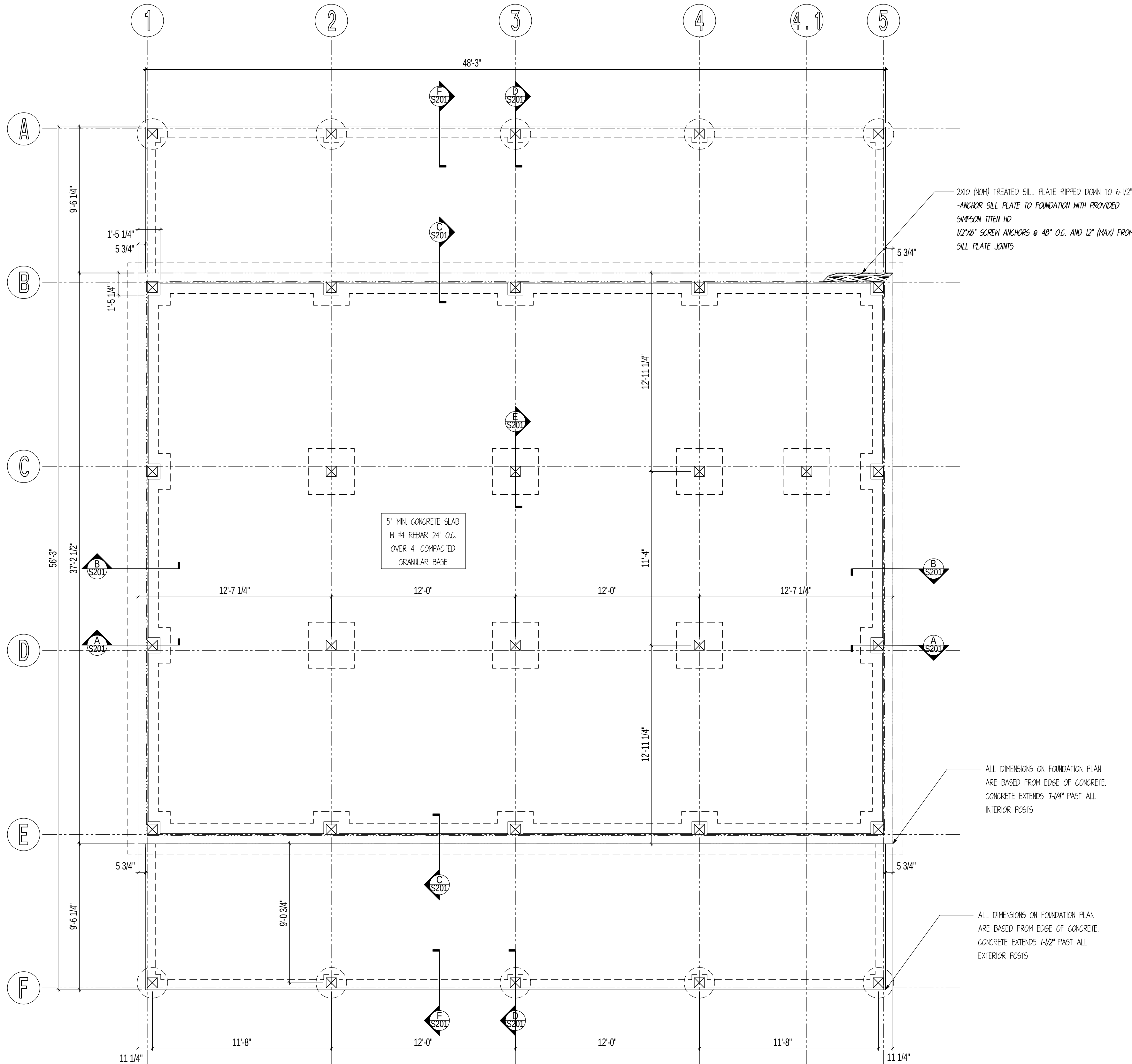
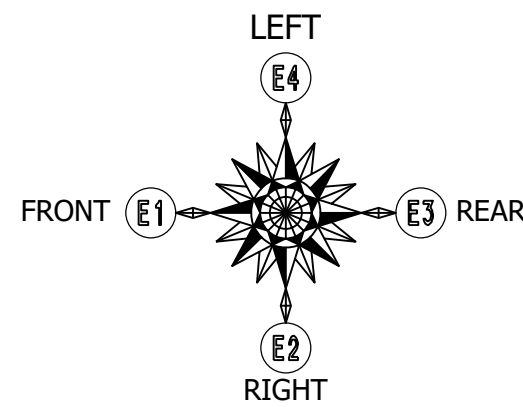
BUILDING SECTION A-A

SCALE: 1/4" = 1'



BUILDING SECTION B-B

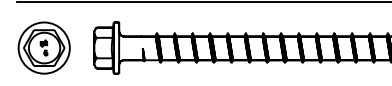
SCALE: 1/4" = 1'



FOUNDATION PLAN

SCALE: 1/4" = 1'

SCREW ANCHOR INFORMATION



SIMPSON TITEN HD 1/2\"/>

NOTES:

1. USED FOR POST ATTACHMENT.
2. USED TO ATTACH TREATED SILL TO CONCRETE.
3. USE 1/2" DIA. MASONRY BIT TO PRE-DRILL

CUSTOMER INFORMATION:

PAUL
CARAHER

PROJECT INFORMATION:

CARAHER
BARN

2685 MEADOW CREEK DR.
PARK CITY, UTAH 84060

NUMBER: PCA1122-1

CATEGORY: AGRICULTURAL

STYLE: PONDEROSA

OTHER: --

OTHER: --

PM: MM

DRAWING INFORMATION:

DRAWN BY: NK

DATE: 6/27/2023

STATUS: FINAL PLAN SET

OTHER: --

OTHER: --

SHEET NOTES

1. FOUNDATION DIMENSIONS TO BE VERIFIED BY GENERAL CONTRACTOR BEFORE ERECTION OF FRAME.
2. CHECK LOCAL CODE FOR MINIMUM FOOTING DEPTH.
3. REFER TO COVER SHEET FOR FURTHER INFORMATION ON FOUNDATION AND REBAR.

SHEET

S200



PAUL
CARAHER

CARAHER
BARN

NUMBER: PCA1122-1

CATEGORY: AGRICULTURAL

STYLE: PONDEROSA

OTHER: _____

DRAWING INFORMATION:

DRAWN BY: NK

DATE: 6/27/2022

STATUS: FINAL PLAN SET

OTHER: --

OTHER: ..

SHEET NOTES

1. INSTALL BLOCKING BETWEEN JOISTS @ ALL

ENDS.

2. ALL HANGERS SUPPLIED BY OTHER

SHEET

S201

0204

CUSTOMER INFORMATION:

**PAUL
CARAHER**

PROJECT INFORMATION:

**CARAHER
BARN**

2685 MEADOW CREEK DR.
PARK CITY, UTAH 84060

NUMBER: PCA1122-1

CATEGORY: AGRICULTURAL

STYLE: PONDEROSA

OTHER: --

OTHER: --

PM: MM

DRAWING INFORMATION:

DRAWN BY: NK

DATE: 6/27/2023

STATUS: FINAL PLAN SET

OTHER: --

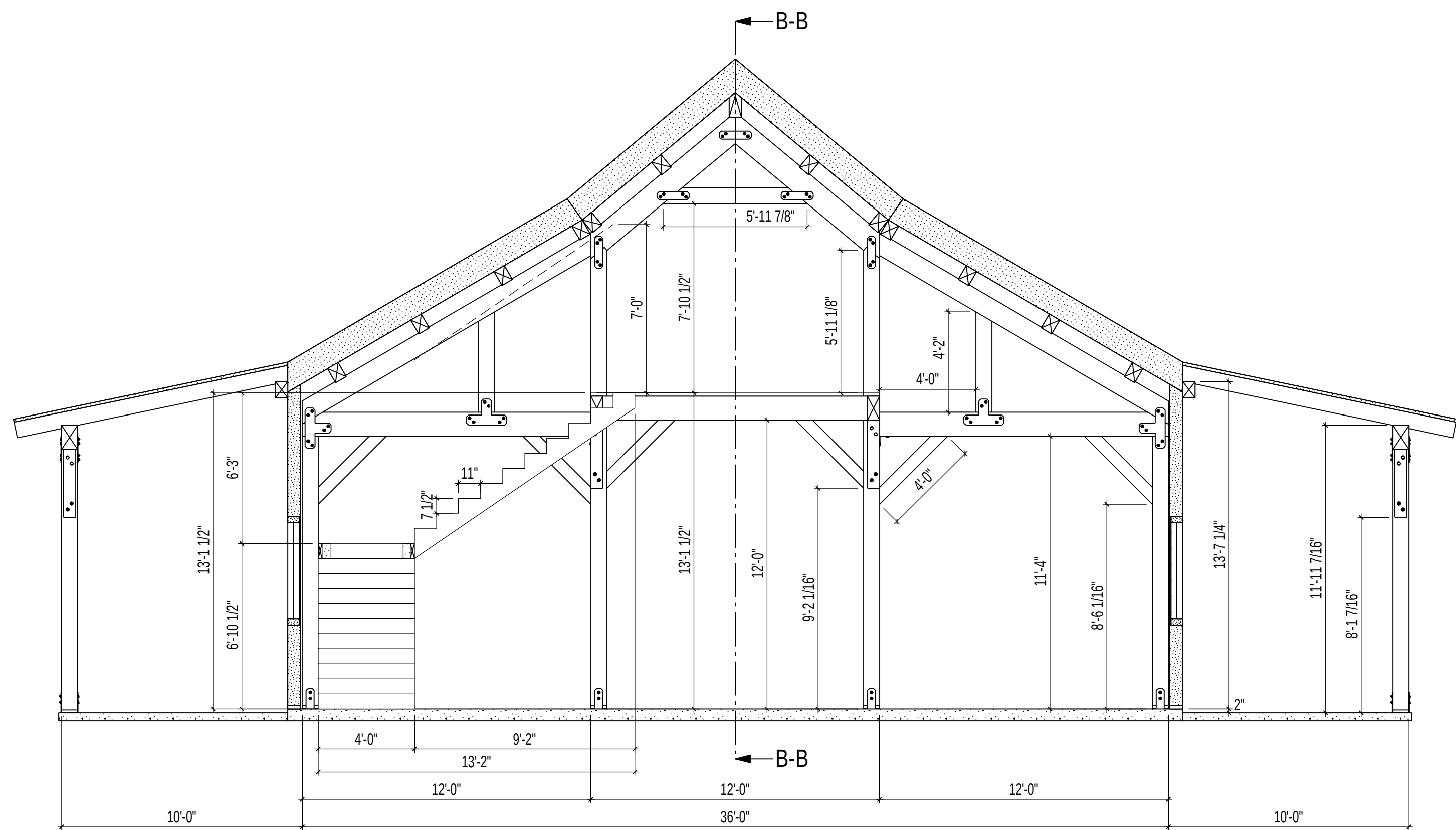
OTHER: --

SHEET NOTES

SHEET

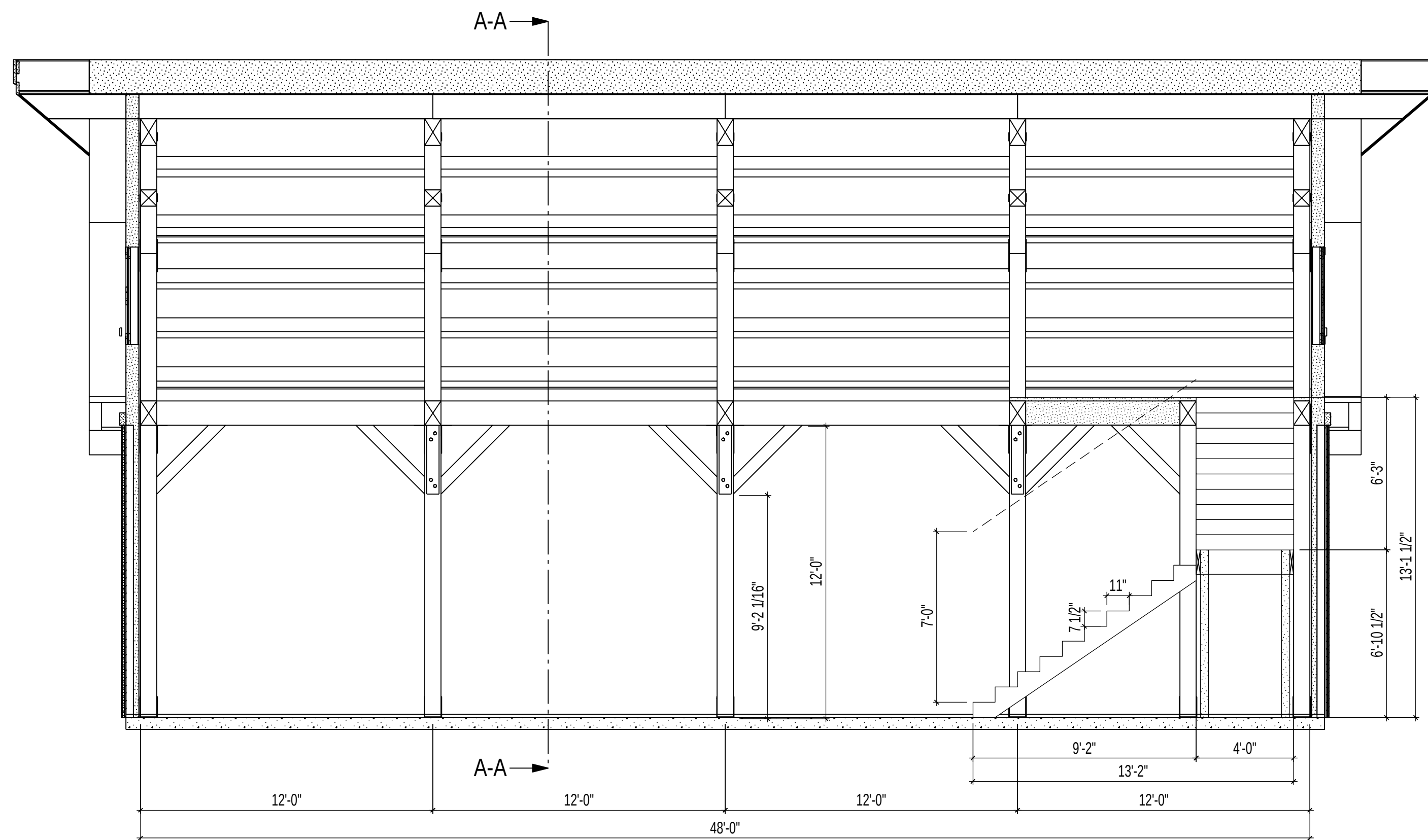
S203

Page 234 of 274.



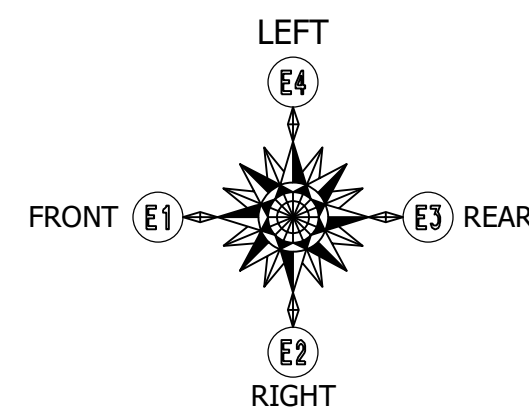
STAIR SECTION A-A

SCALE: 1/4" = 1'

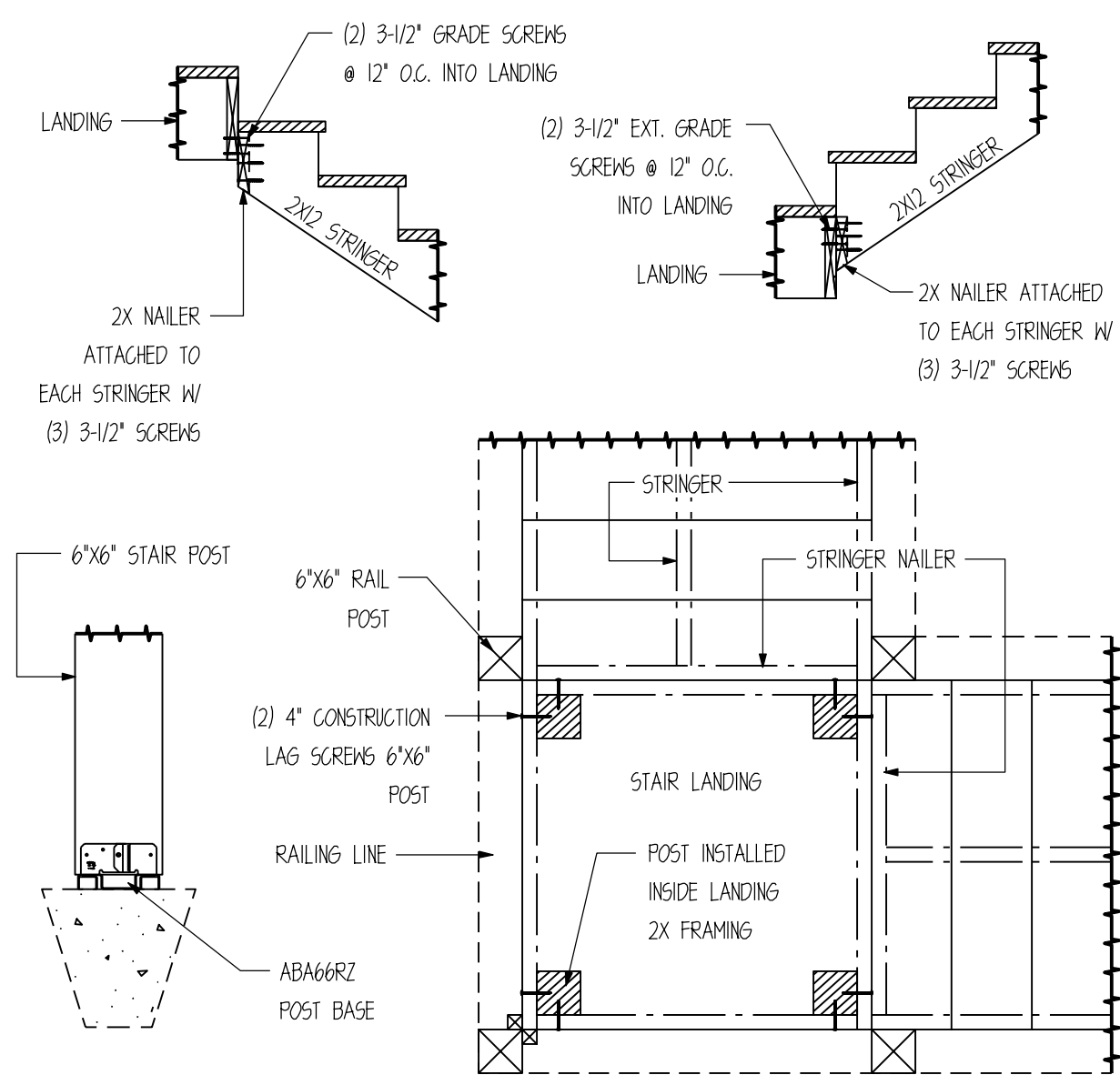


STAIR SECTION B-B

SCALE: 1/4" = 1'

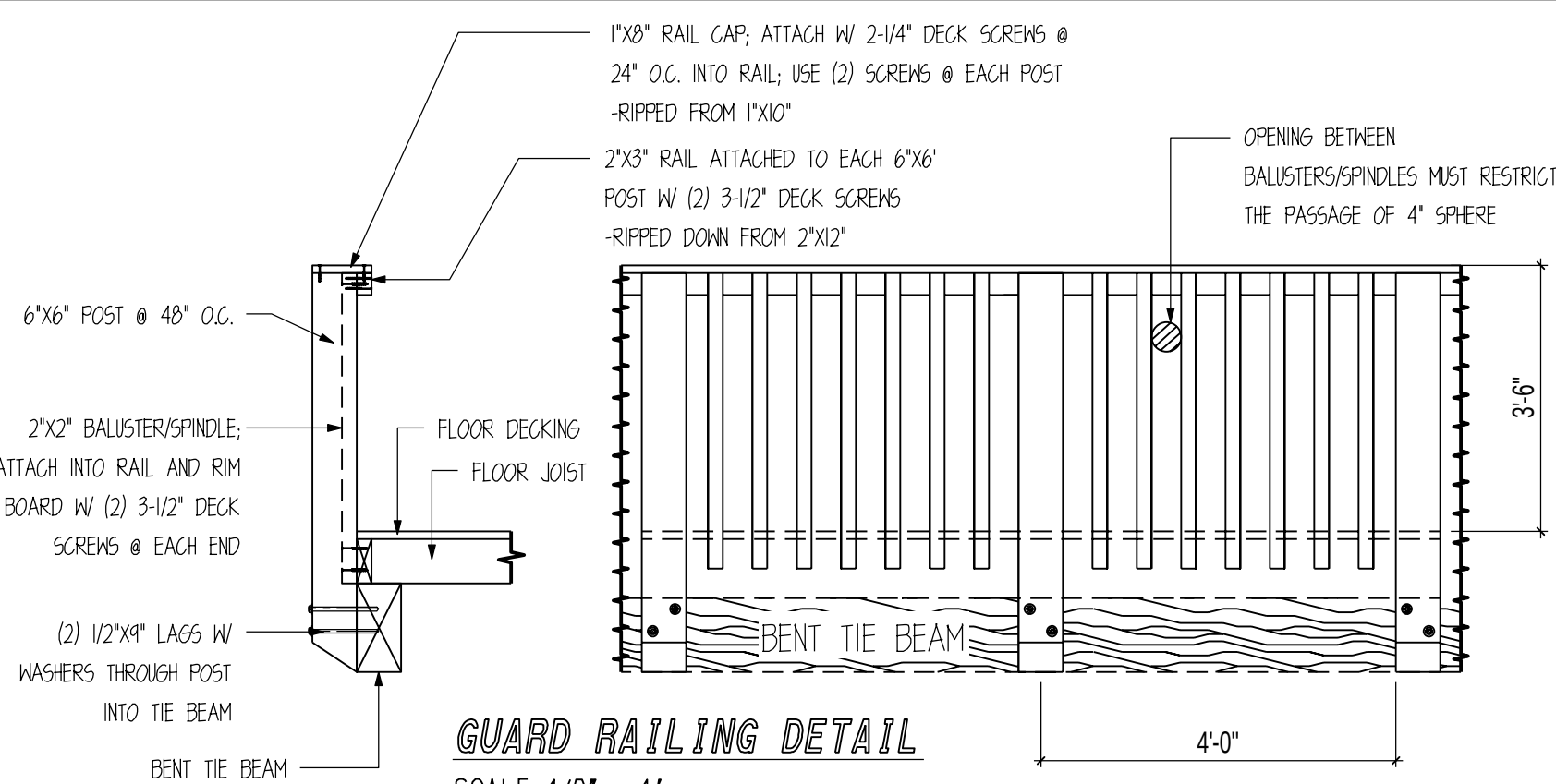


STAIR FRAMING DETAILS



STAIR FRAMING NOTES:

1. 12" STRINGERS PROVIDED TO BE CUT TO FIT ON SITE. STAIR RUNS WITH STRINGER LENGTHS LONGER THAN 12' REQUIRE 6x6 POST SUPPORTS AT STRINGER SPLICES.
2. ANCHORS AND FASTENERS FOR CONSTRUCTING THE STAIR AND RAILING KITS ARE PROVIDED BY GENERAL CONTRACTOR.
3. THE STANDARD STAIR PACKAGE INCLUDES ENOUGH MATERIALS TO INSTALL RAILING ON BOTH SIDES OF THE STAIRS.

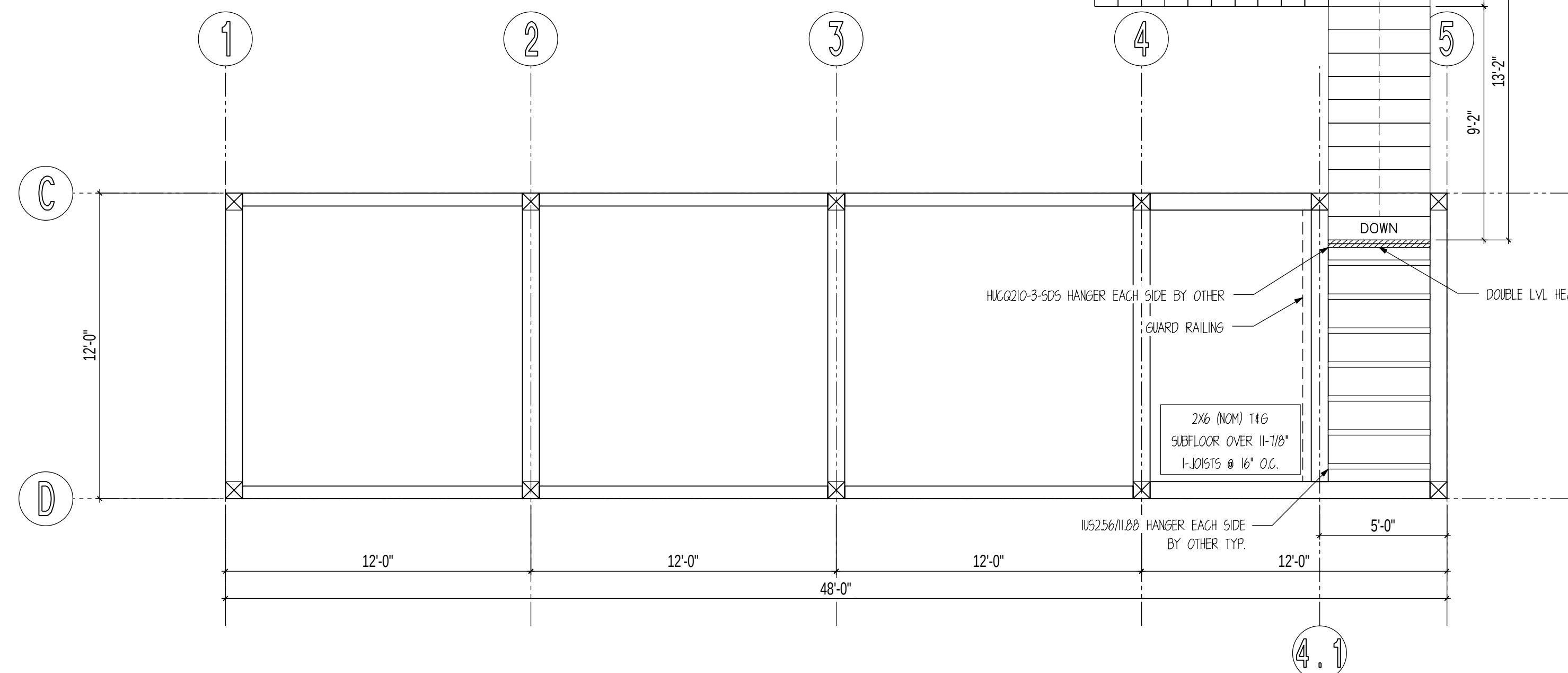
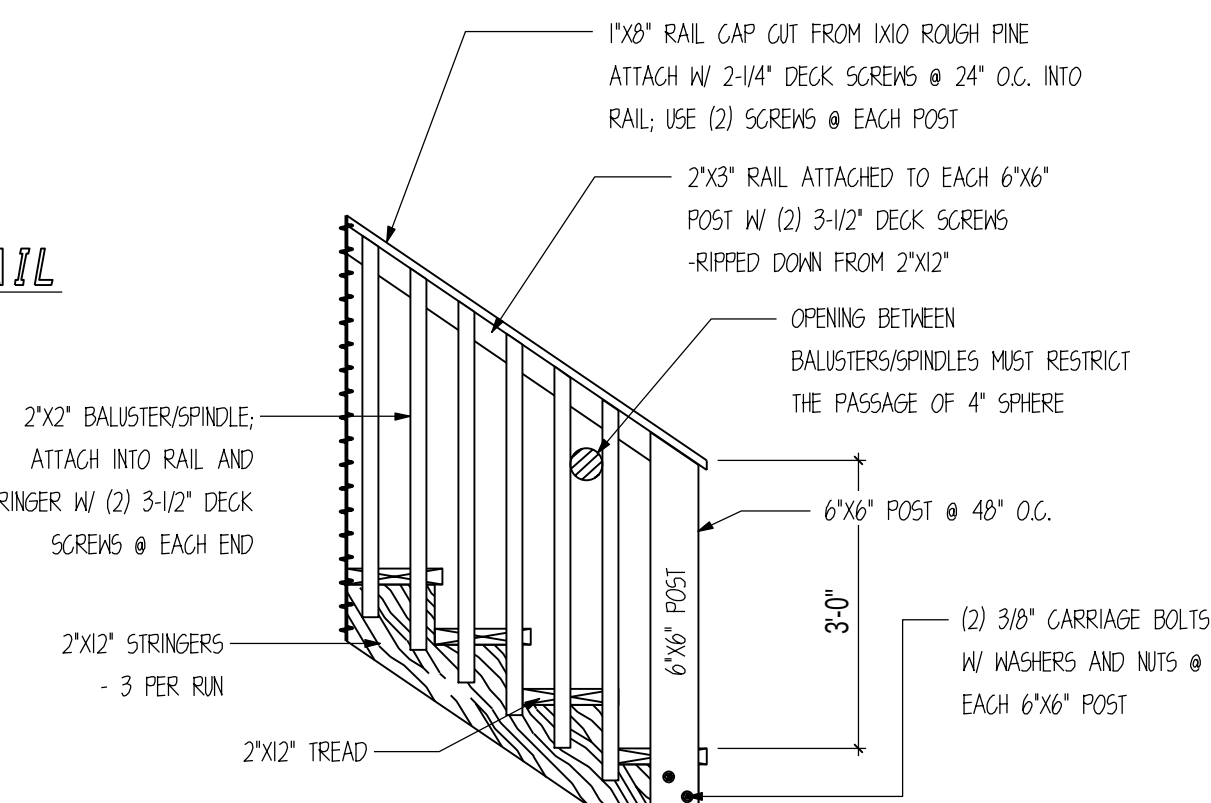


GUARD RAILING DETAIL

SCALE: 1/2" = 1'

GUARD RAILING DETAIL @ STAIR STRINGER

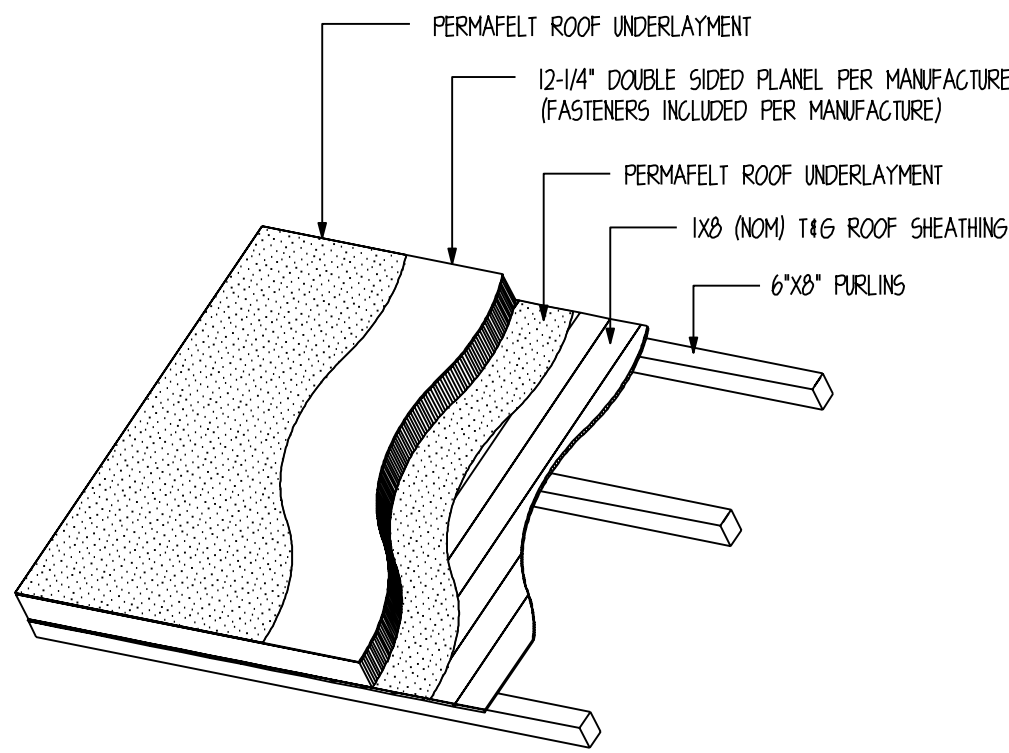
SCALE: 1/2" = 1'



CATWALK FRAMING PLAN

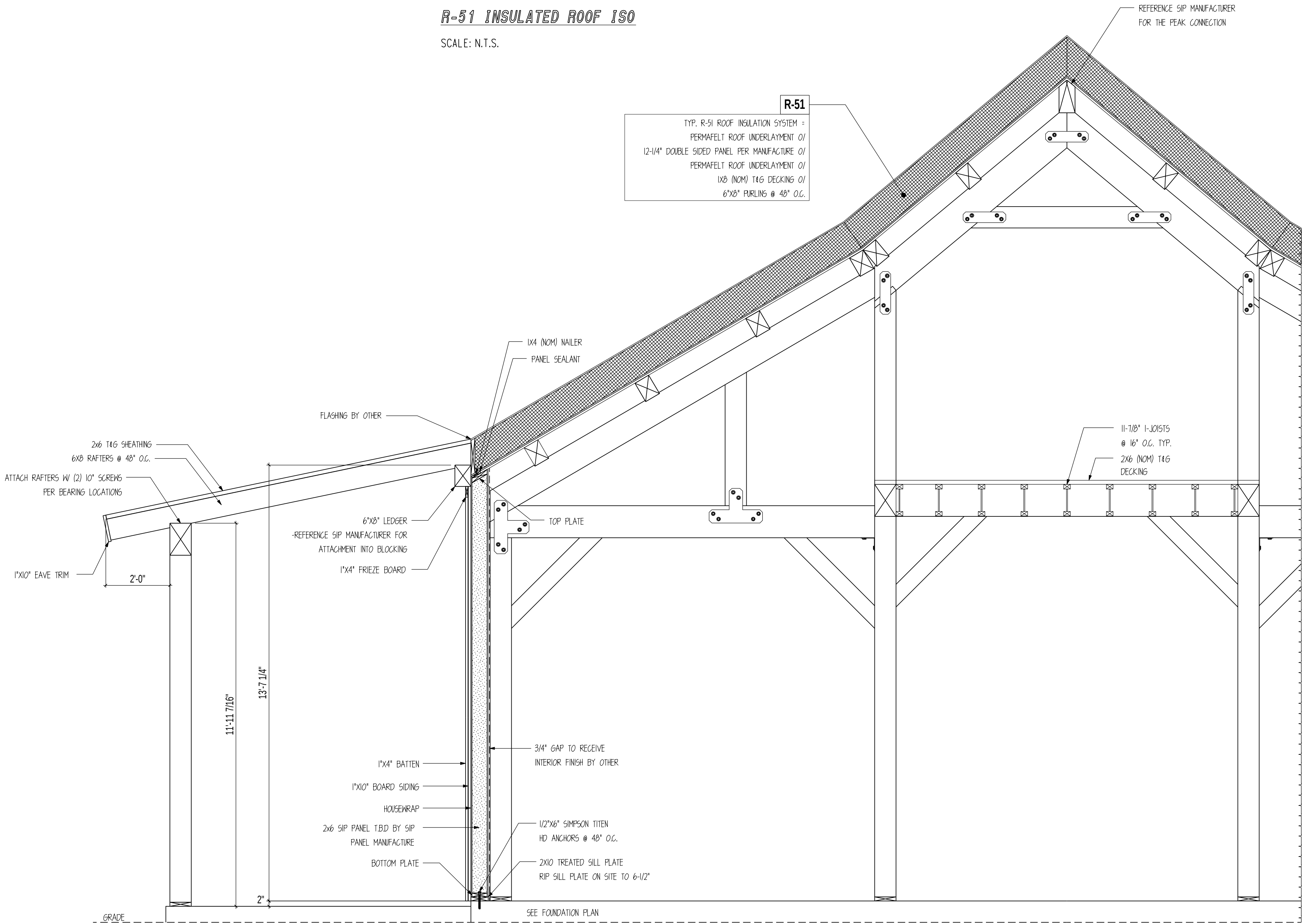
SCALE: 1/4" = 1'

NOTE: EXTERIOR FLASHING TO BE INSTALLED AT ALL CONNECTIONS BETWEEN ROOFS, WALLS, AND PROJECTIONS OR PENETRATIONS AS REQUIRED BY GOOD CONSTRUCTION PRACTICES. FLASHING MATERIALS AND DETAILS TO BE PROVIDED BY CUSTOMER OR GENERAL CONTRACTOR.

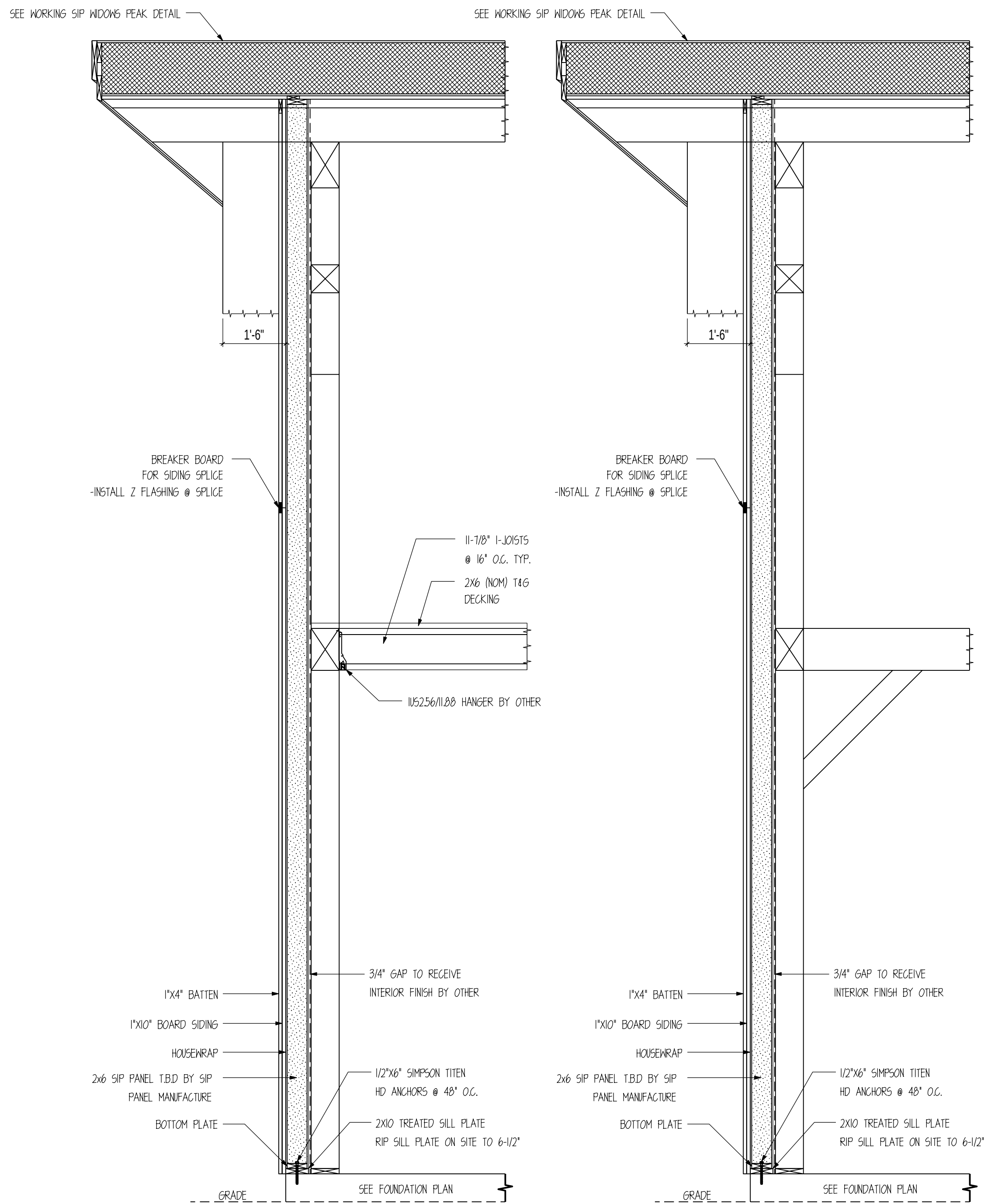


R-51 INSULATED ROOF ISO

SCALE: N.T.S.



A FULL BUILDING SECTION
SCALE : 1/2" = 1'



B GABLE BUILDING SECTION
SCALE : 1/2" = 1'

C GABLE BUILDING SECTION
SCALE : 1/2" = 1'

CUSTOMER INFORMATION:
**PAUL
CARAHER**

PROJECT INFORMATION:
**CARAHER
BARN**
2685 MEADOW CREEK DR.
PARK CITY, UTAH 84060
NUMBER: PCA1122-1
CATEGORY: AGRICULTURAL
STYLE: PONDEROSA
OTHER: --
OTHER: --
PM: MM

DRAWING INFORMATION:
DRAWN BY: NK
DATE: 6/27/2023
STATUS: FINAL PLAN SET
OTHER: --
OTHER: --

SHEET NOTES

SHEET

S300

CUSTOMER INFORMATION:

PAUL
CARAHER

PROJECT INFORMATION:

CARAHER
BARN

2685 MEADOW CREEK DR.
PARK CITY, UTAH 84060

NUMBER: PCA1122-1

CATEGORY: AGRICULTURAL

STYLE: PONDEROSA

OTHER: --

OTHER: --

PM: MM

DRAWING INFORMATION:

DRAWN BY: NK

DATE: 6/27/2023

STATUS: FINAL PLAN SET

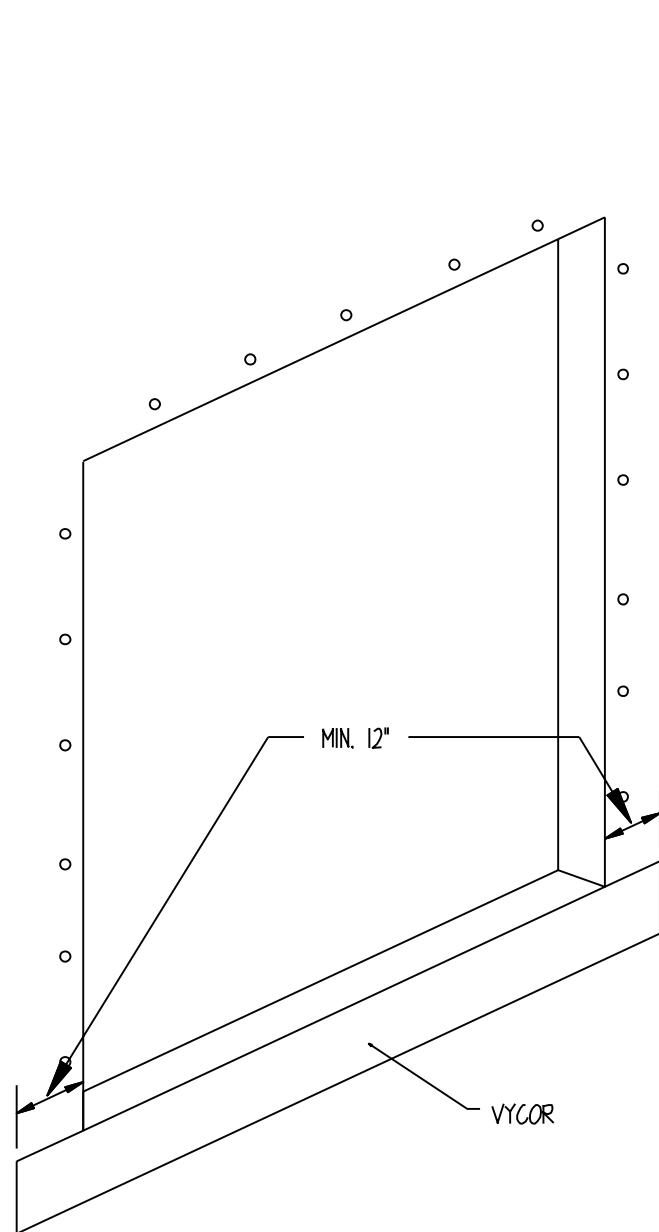
OTHER: --

OTHER: --

SHEET NOTES

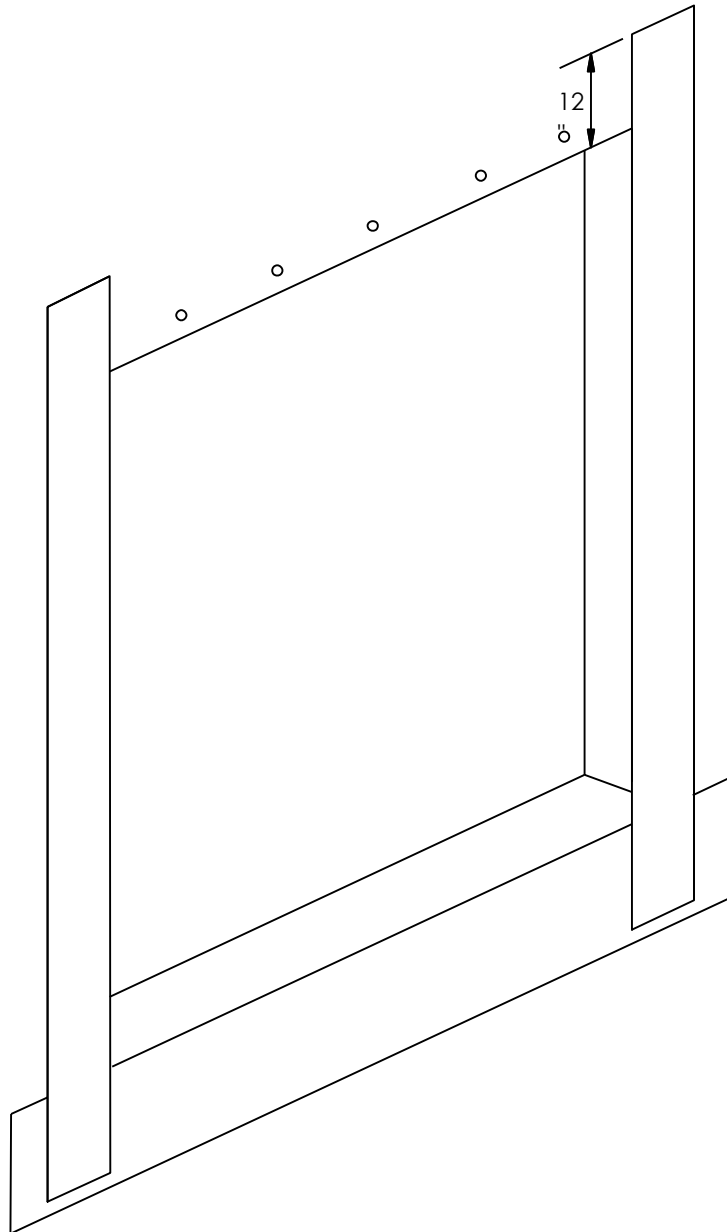
SHEET

S401



STEP 1

INSTALL 12" WIDE MOISTSTOP PER DIAGRAM, LEAVING RELEASE PAPER ON BACKSIDE, PLACE PAPER SIDE AGAINST SHEATHING AND ATTACH BY STAPLING OR NAILING ALONG TOP EDGE.

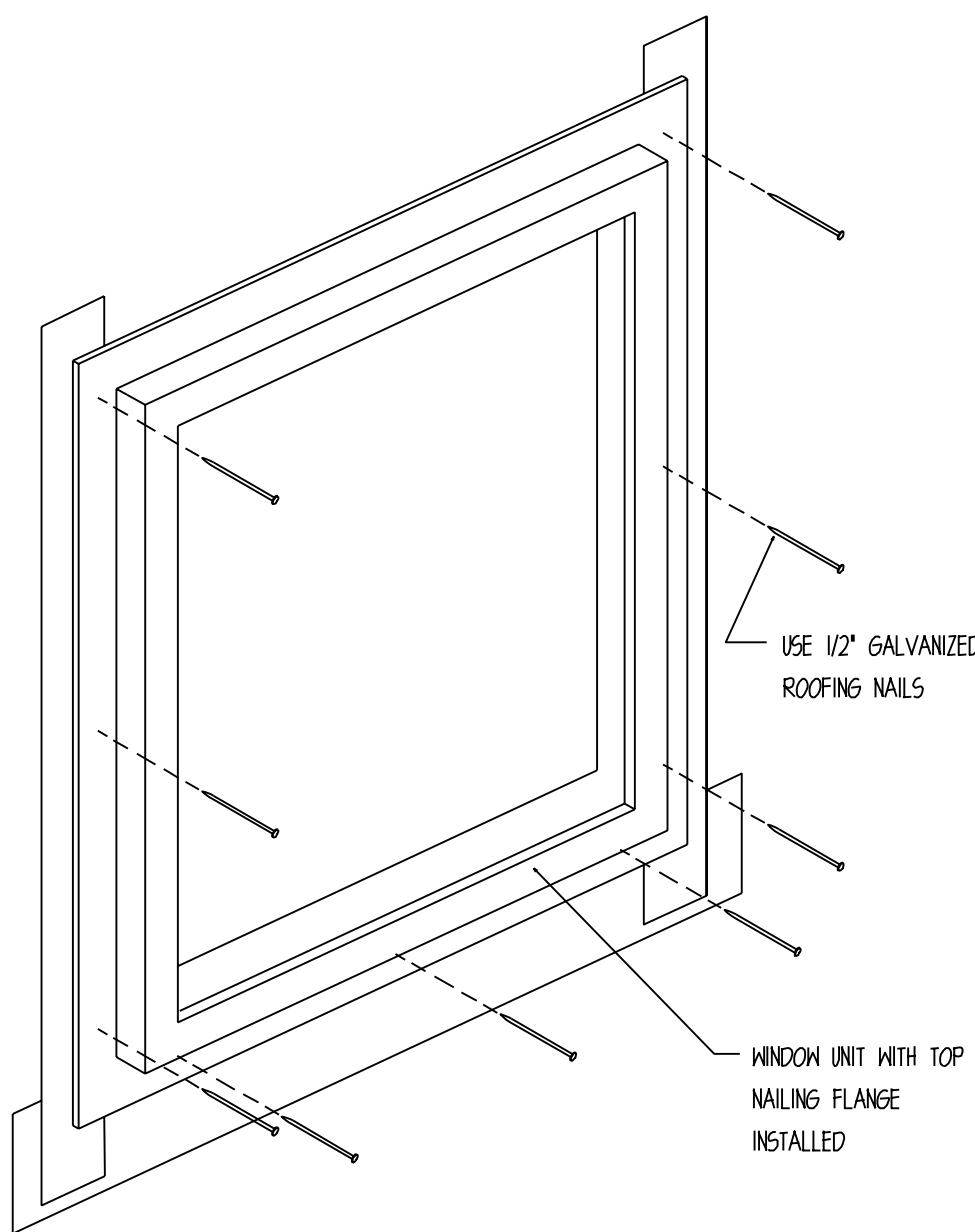


STEP 2

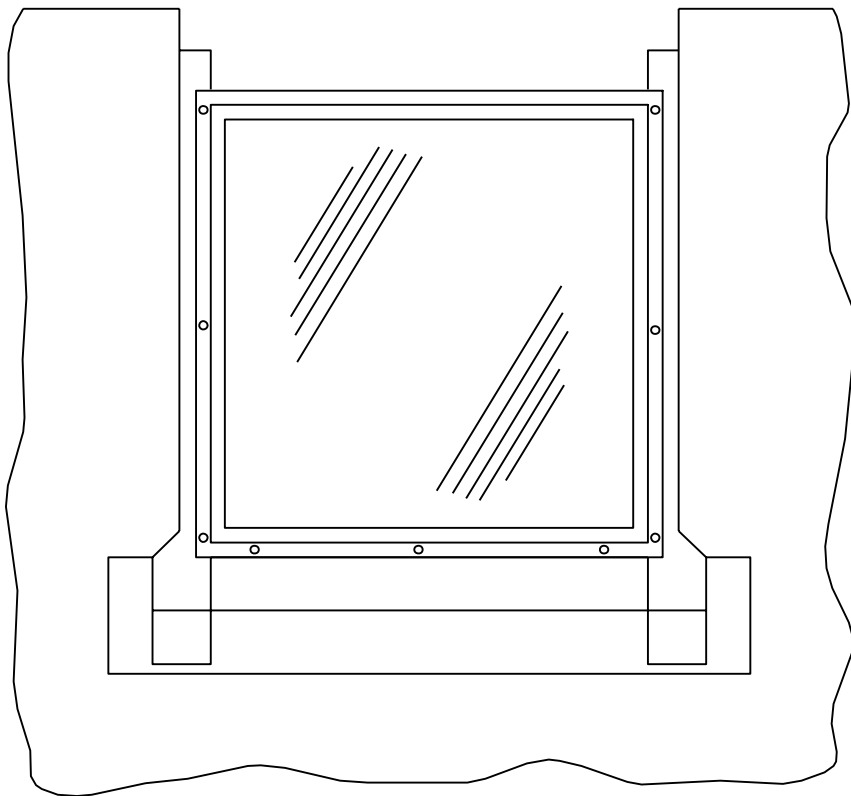
INSTALL 12" MOISTSTOP JAMB PIECES PER DIAGRAM, ADHERING TO SHEATHING AND FRAMING.

FOR ADDITIONAL ATTACHMENT, STAPLE PERIMETER EDGES ABOVE SILL AREA.

UPON COMPLETION OF STEPS (1 THRU 4) USING A J-ROLLER, APPLY PRESSURE AND ROLL ENTIRE SURFACE OF MOISTSTOP TO REMOVE WRINKLES & AIR POCKETS.

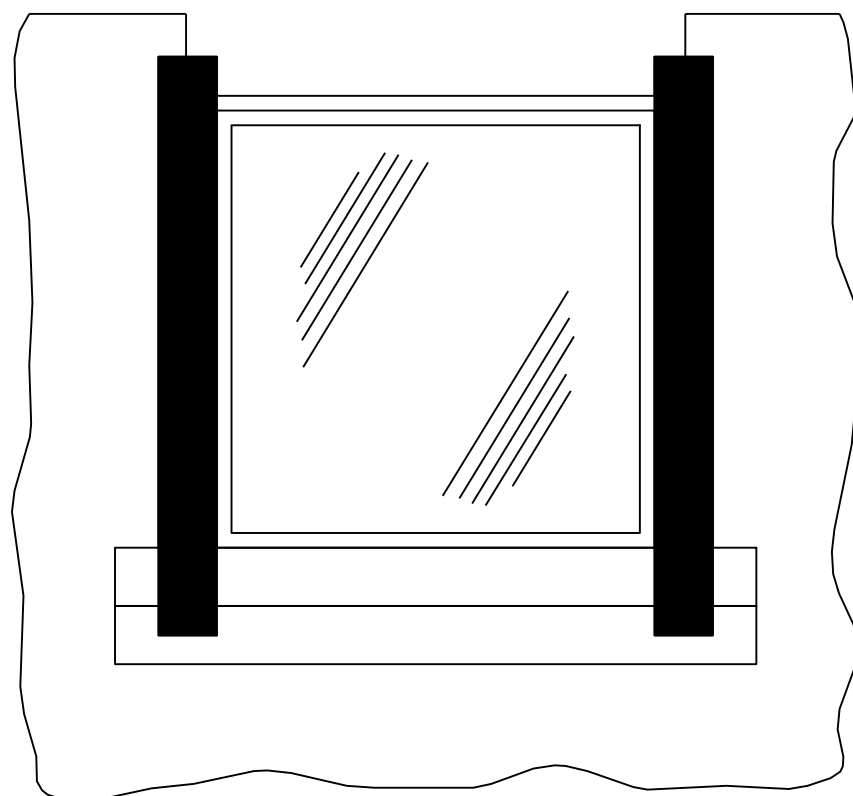


STEP 3



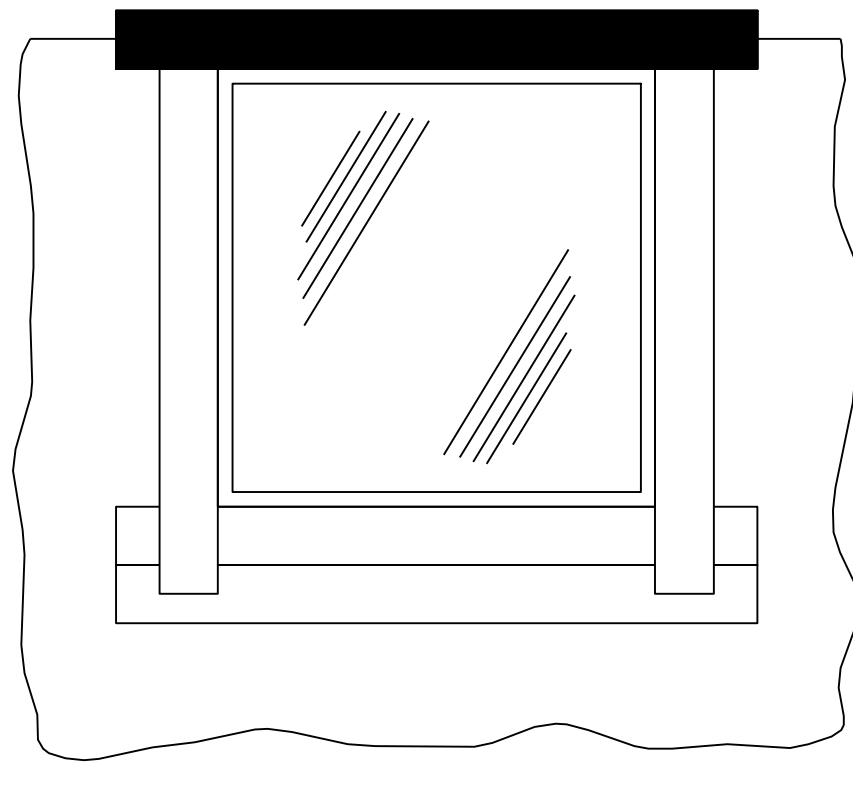
STEP 4

PLACE 60 MIN BUILDING PAPER AROUND WINDOWS AS SHOWN CONTINUOUS AROUND STRUCTURE - REMOVE BACKING FROM MOISTSTOP SILL PIECE AND ADHERE TO BUILDING WRAP



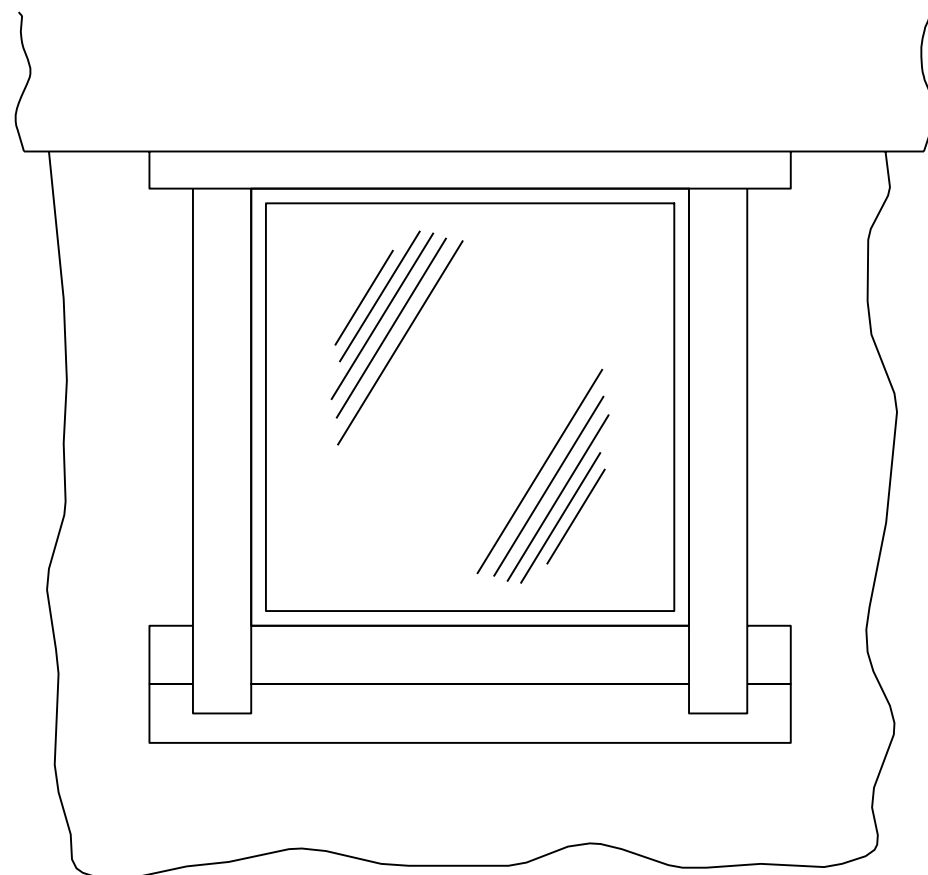
STEP 5

INSTALL 20 MIL VYCOR TAPE PER DIAGRAM ADHERING TO THE WINDOW SILL NAILING FLANGE.



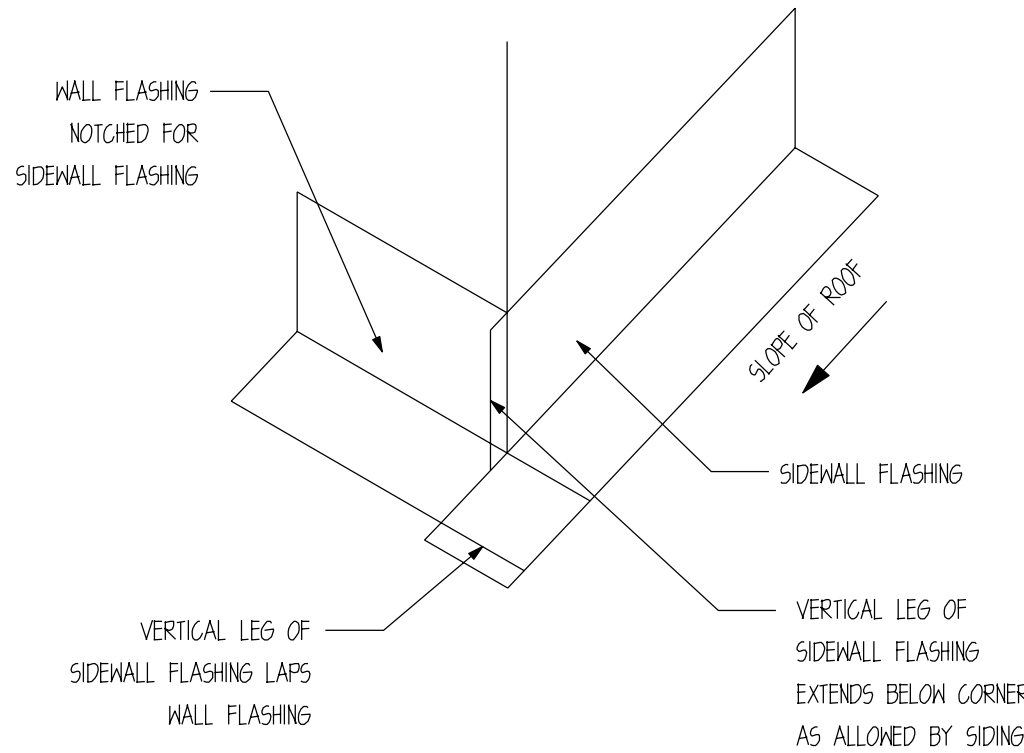
STEP 6

INSTALL 20 MIL VYCOR PER DIAGRAM ADHERING TO THE WINDOW HEAD FLANGE AND SHEATHING.
UPON COMPLETION OF STEPS, USING A J-ROLLER, APPLY PRESSURE AND ROLL ENTIRE SURFACE OF VYCOR TO REMOVE WRINKLES AND AIR POCKETS.



STEP 7

INSTALL 60 MIN BUILDING PAPER AS SHOWN CONTINUOUS AROUND STRUCTURE



KICK-OUT FLASHING

SCALE: N.T.S.

CUSTOMER INFORMATION:

**PAUL
CARAHER**

PROJECT INFORMATION:

**CARAHER
BARN**

2685 MEADOW CREEK DR.
PARK CITY, UTAH 84060

NUMBER: PCA1122-1

CATEGORY: AGRICULTURAL

STYLE: PONDEROSA

OTHER: --

OTHER: --

PM: MM

DRAWING INFORMATION:

DRAWN BY: NK

DATE: 6/27/2023

STATUS: FINAL PLAN SET

OTHER: --

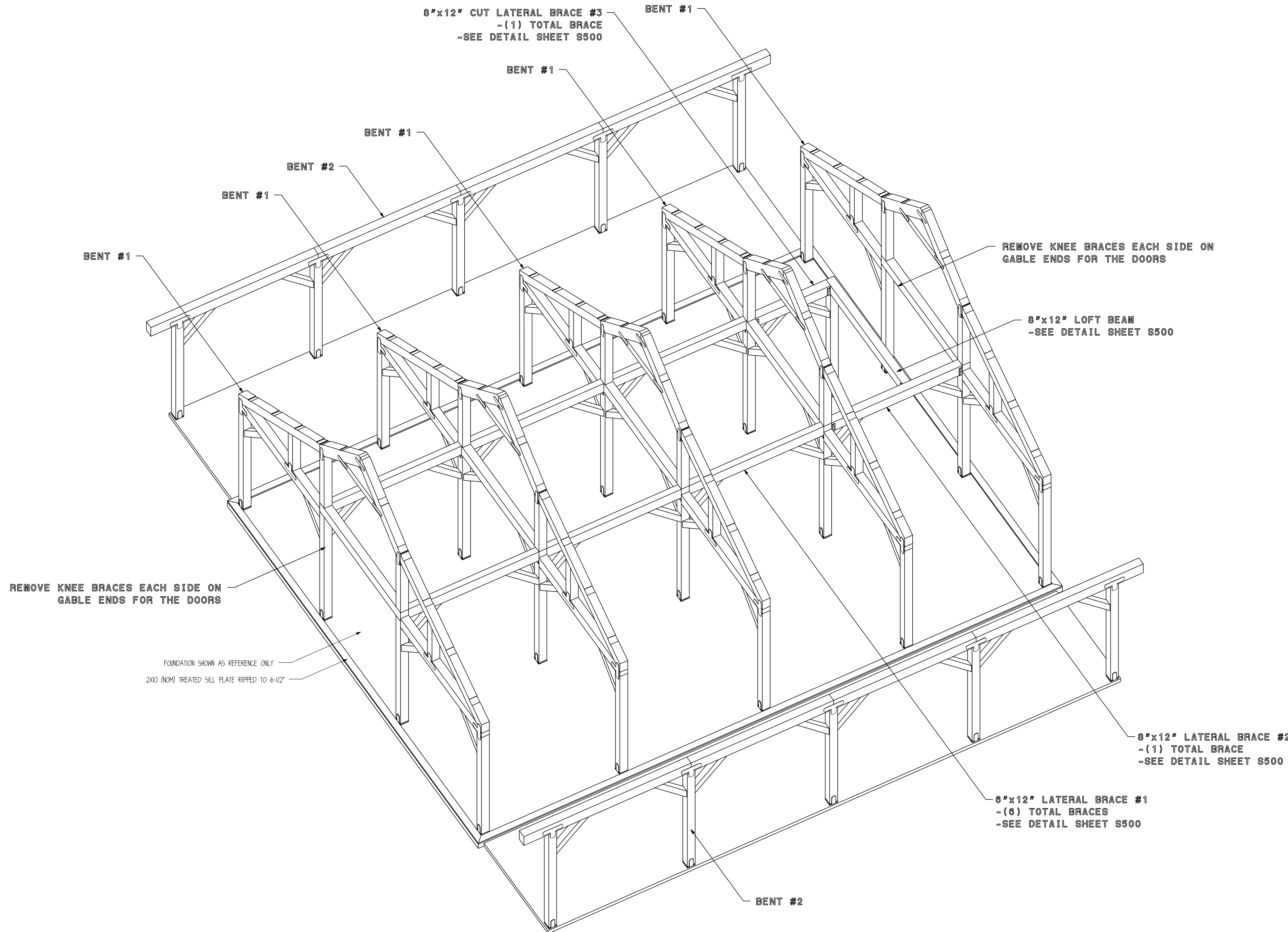
OTHER: --

SHEET NOTES

1. BASE OF MAIN FRAME POST CUT TO FIT IN
FIELD BY GENERAL CONTRACTOR ACCORDING
TO SPECS ON CUT LISTS. CUT BOTTOM OF
POST ONLY.

SHEET

S501



FRAME ISO

SCALE: N.T.S.

CUSTOMER INFORMATION:

PAUL
CARAHER

PROJECT INFORMATION:

CARAHER
BARN

2685 MEADOW CREEK DR.
PARK CITY, UTAH 84060

NUMBER: PCA1122-1

CATEGORY: AGRICULTURAL

STYLE: PONDEROSA

OTHER: --

OTHER: --

PM: MM

DRAWING INFORMATION:

DRAWN BY: NK

DATE: 6/27/2023

STATUS: FINAL PLAN SET

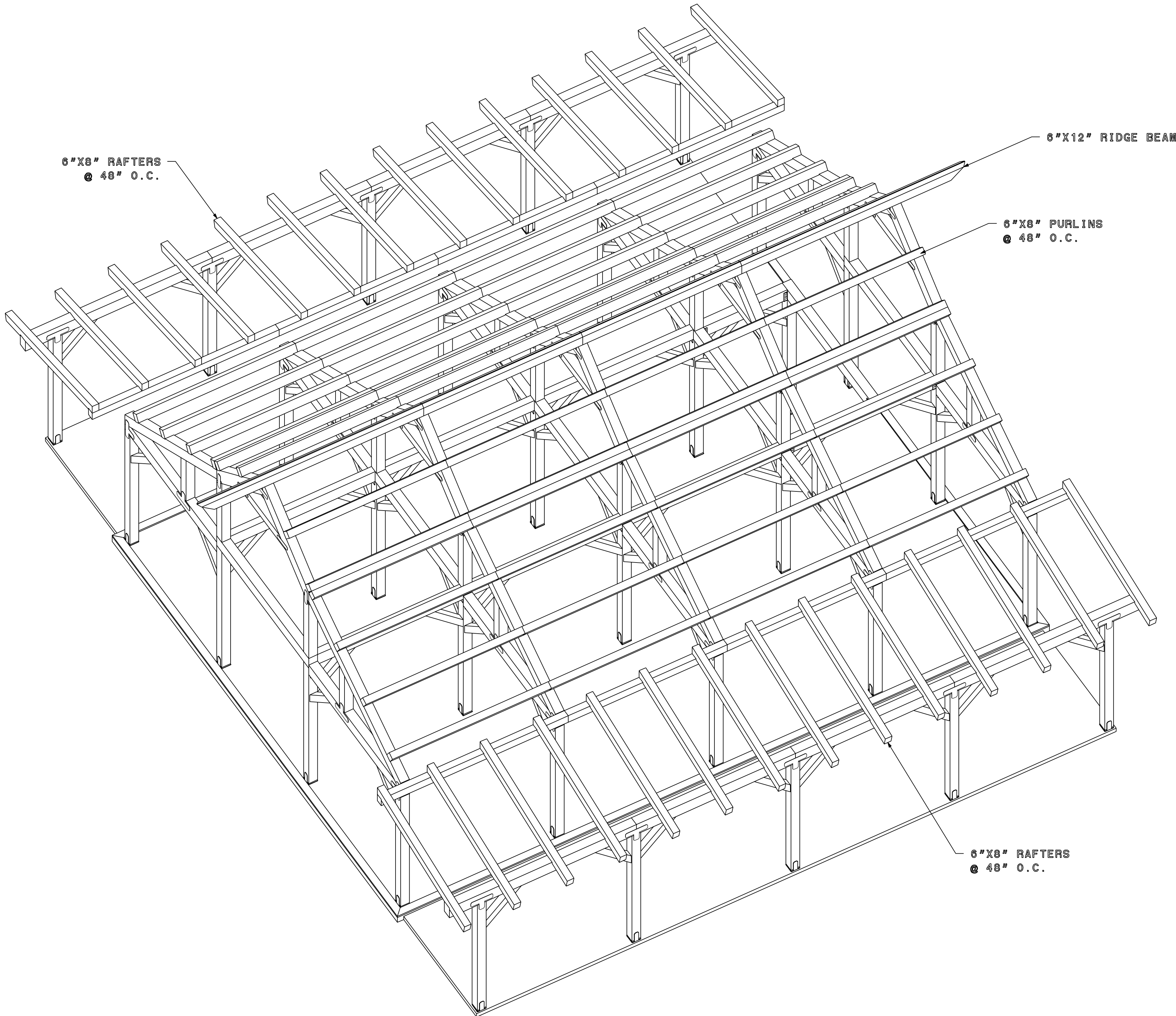
OTHER: --

OTHER: --

SHEET NOTES
1. BASE OF MAIN FRAME POST CUT TO FIT IN
FIELD BY GENERAL CONTRACTOR ACCORDING
TO SPECS ON CUT LISTS. CUT BOTTOM OF
POST ONLY.

SHEET

S502



FRAME ISO W/ PURLINS

SCALE: N.T.S.

CUSTOMER INFORMATION:

PAUL
CARAHER

PROJECT INFORMATION:

CARAHER
BARN

2685 MEADOW CREEK DR.
PARK CITY, UTAH 84060

NUMBER: PCA1122-1

CATEGORY: AGRICULTURAL

STYLE: PONDEROSA

OTHER: --

OTHER: --

PM: MM

DRAWING INFORMATION:

DRAWN BY: NK

DATE: 6/27/2023

STATUS: FINAL PLAN SET

OTHER: --

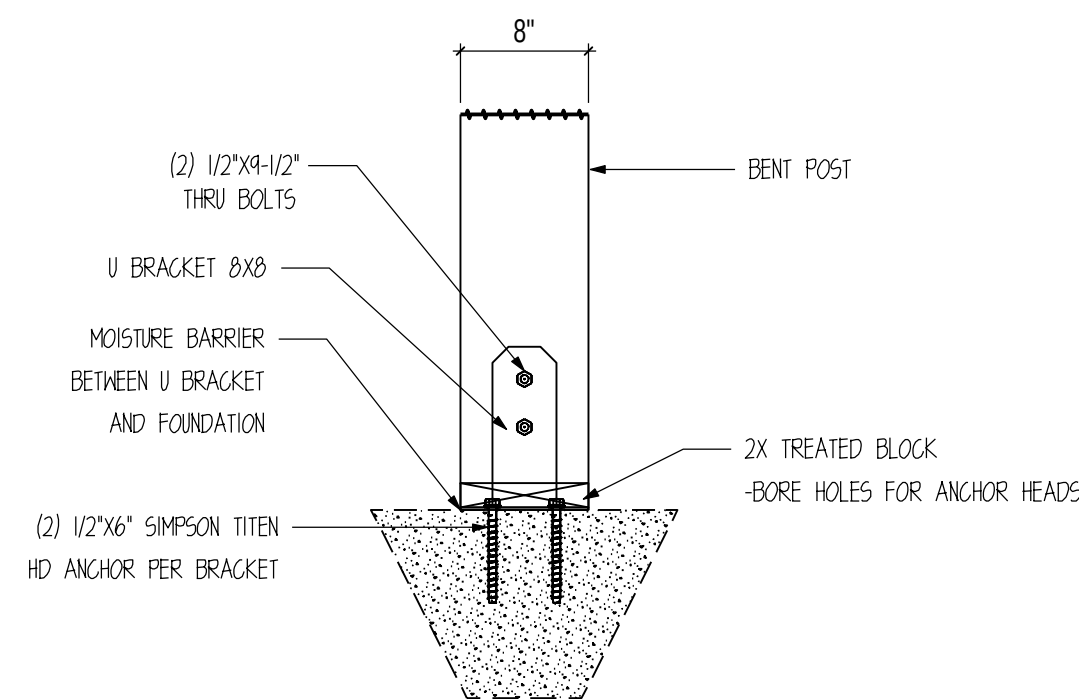
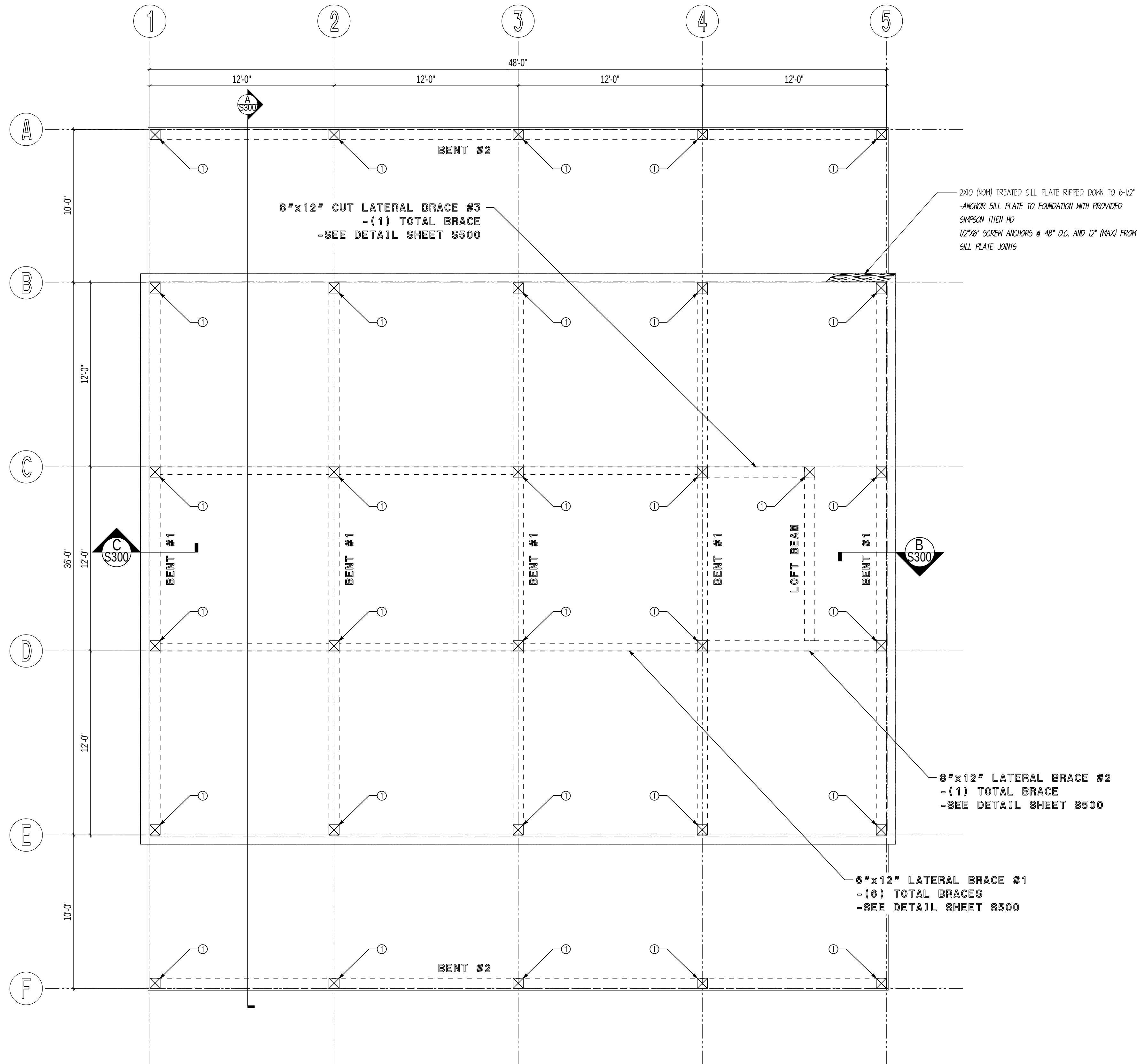
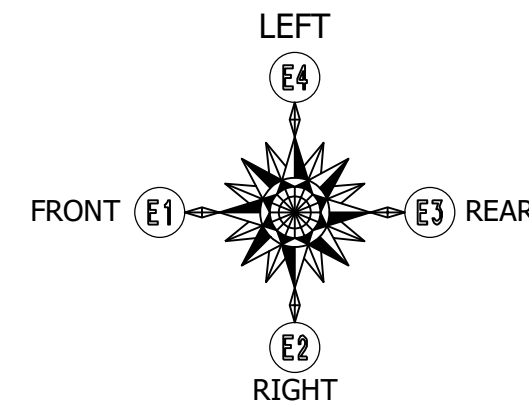
OTHER: --

SHEET NOTES

1. BASE OF MAIN FRAME POST CUT TO FIT IN
FIELD BY GENERAL CONTRACTOR ACCORDING
TO SPECS ON CUT LISTS. CUT BOTTOM OF
POST ONLY.

SHEET

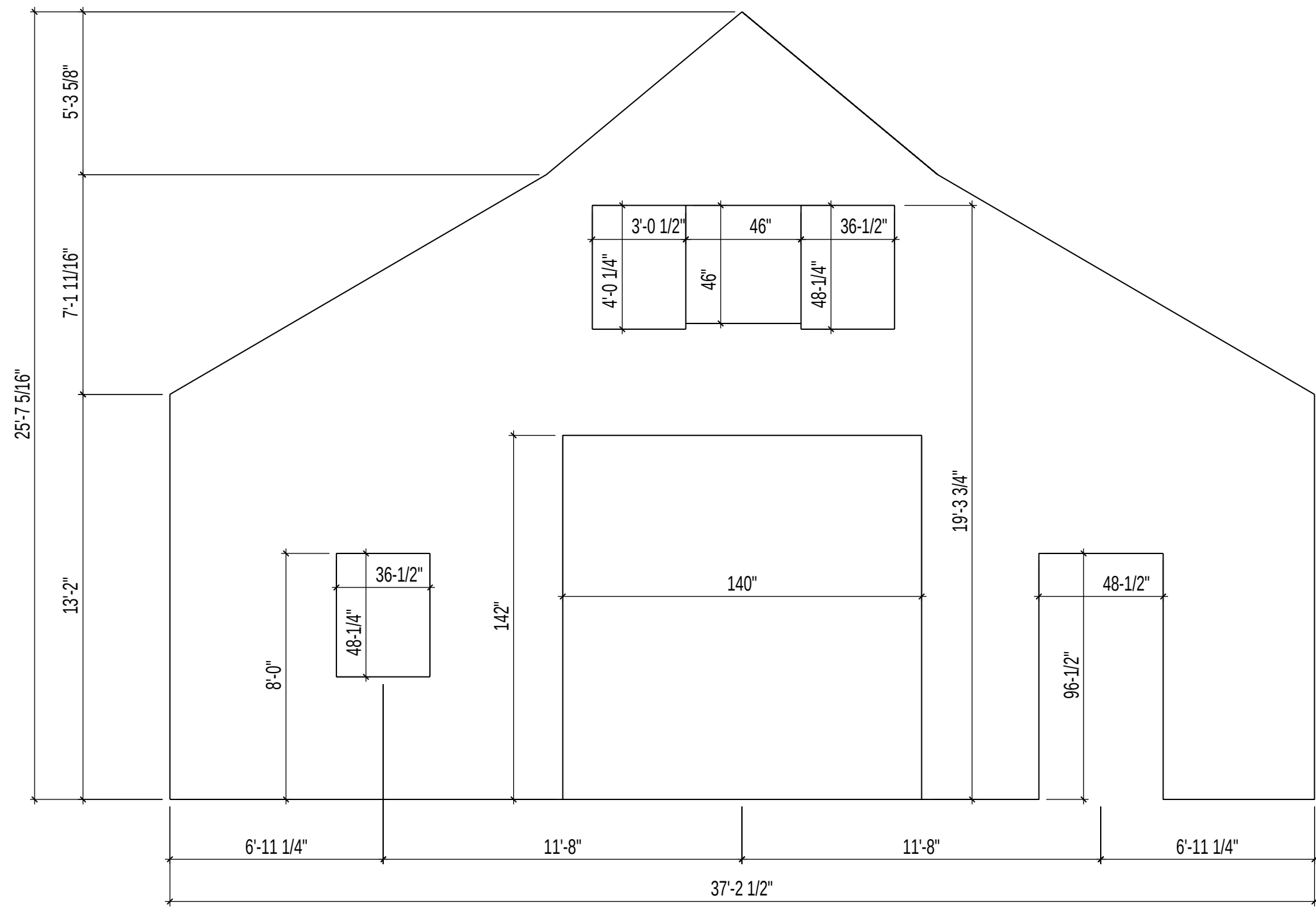
S600



1 POST CONNECTION DETAIL
SCALE : 1" = 1'-0"

BENT LAYOUT

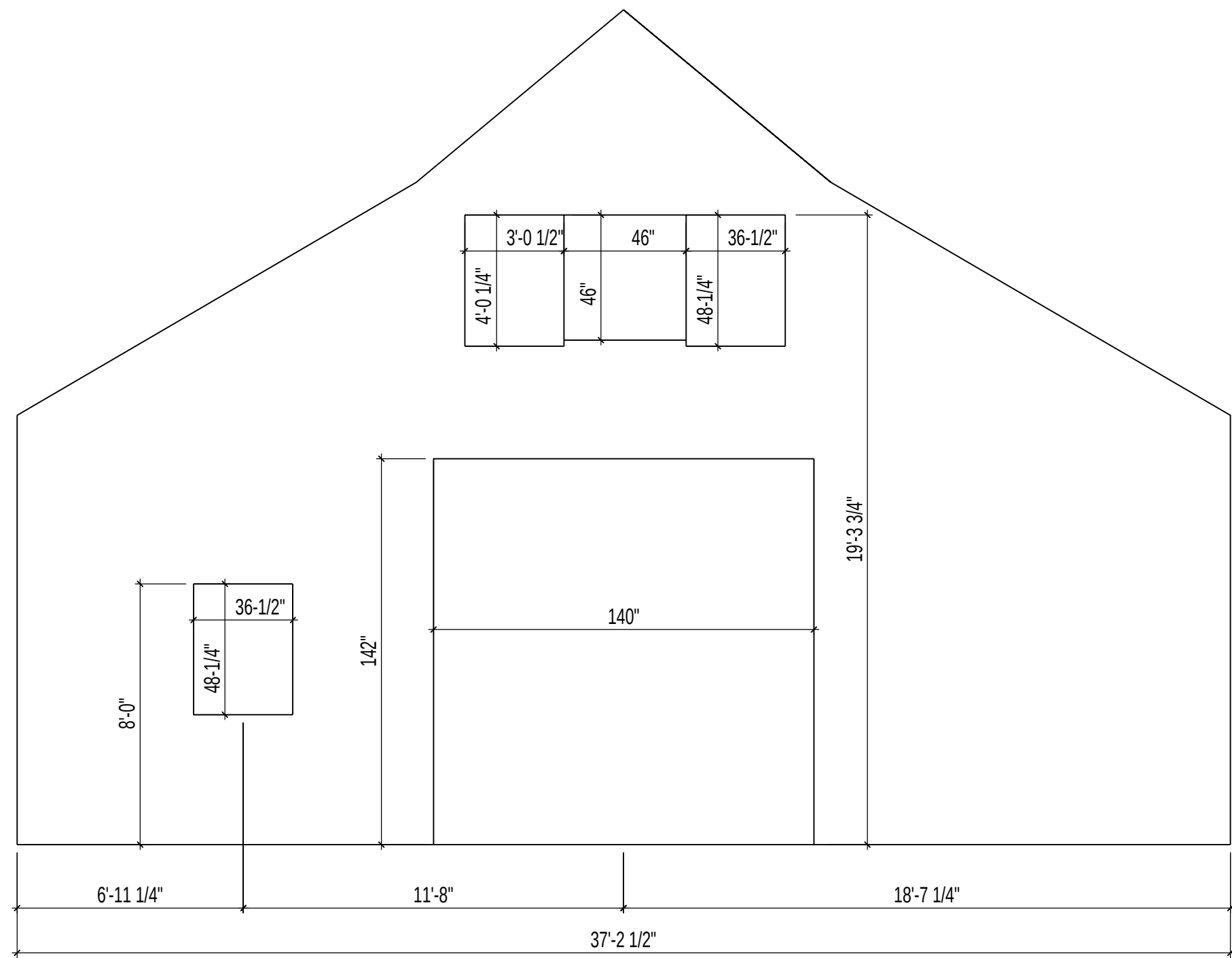
SCALE: 1/4" = 1'



SIP WALL W1

SCALE: 1/4" = 1'

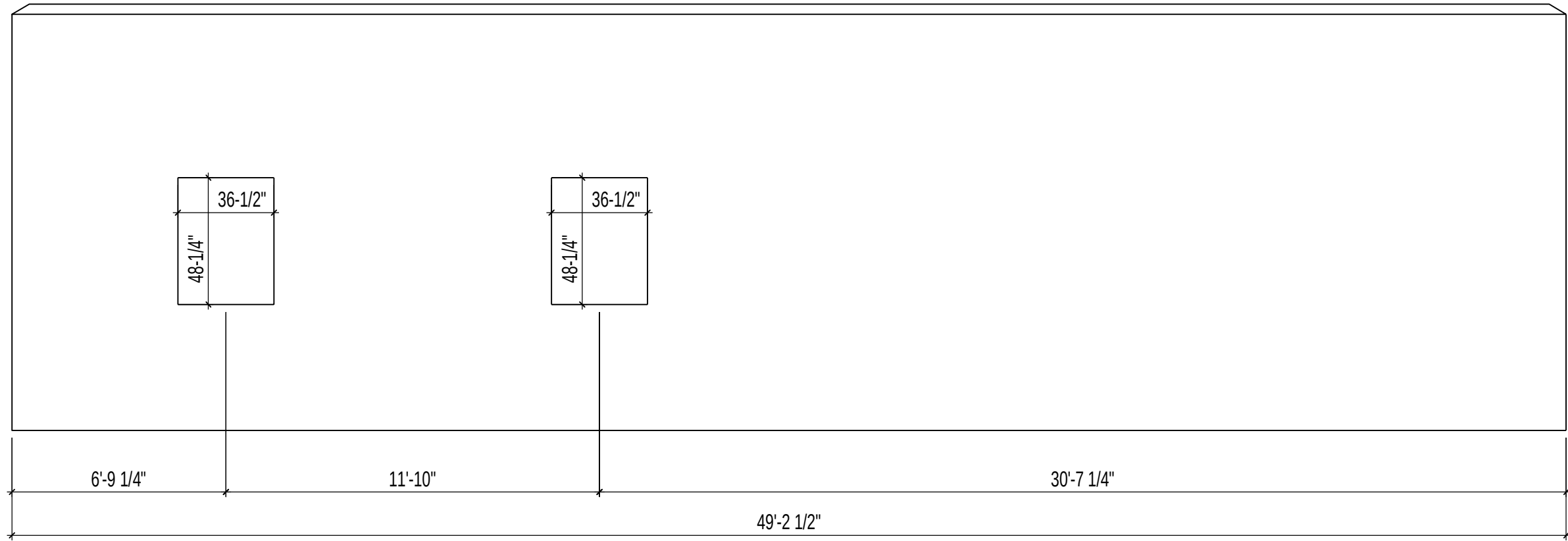
NOTE: CONTRACTOR TO FIELD VERIFY OPENING SIZES
PRIOR TO FRAMING.



SIP WALL W3

SCALE: 1/4" = 1'

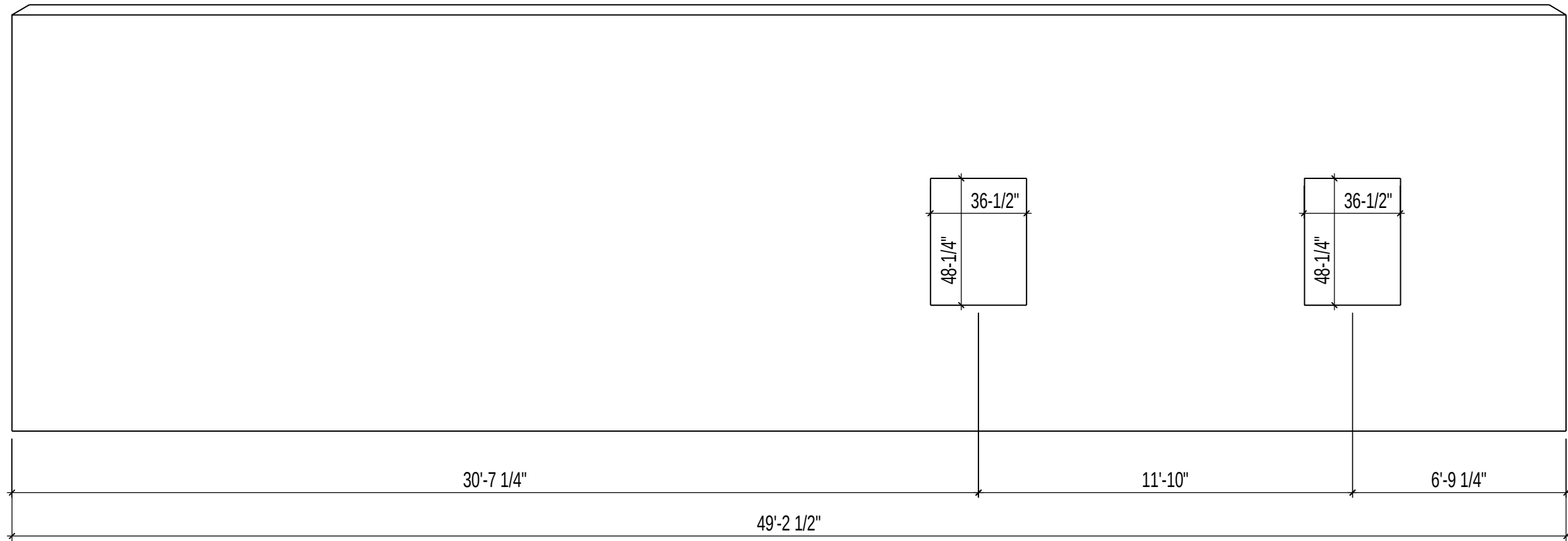
NOTE: CONTRACTOR TO FIELD VERIFY OPENING SIZES
PRIOR TO FRAMING.



SIP WALL W2

SCALE: 1/4" = 1'

NOTE: CONTRACTOR TO FIELD VERIFY OPENING SIZES
PRIOR TO FRAMING.



SIP WALL W4

SCALE: 1/4" = 1'

NOTE: CONTRACTOR TO FIELD VERIFY OPENING SIZES
PRIOR TO FRAMING.



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888-489-1680

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Boerne, TX 78006
877-680-1680

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CUSTOMER INFORMATION:
PAUL CARAHER
PROJECT INFORMATION:
CARAHER BARN
2685 MEADOW CREEK DR. PARK CITY, UTAH 84060
NUMBER: PCA1122-1
CATEGORY: AGRICULTURAL
STYLE: PONDEROSA
OTHER: --
OTHER: --
PM: MM
DRAWING INFORMATION:
DRAWN BY: NK
DATE: 6/27/2023
STATUS: FINAL PLAN SET
OTHER: --
OTHER: --
SHEET NOTES
SHEET

**PAUL CARAHER
WETLAND DELINEATION
SUMMIT COUNTY, UTAH**



**PAUL CARAHER
WETLAND DELINEATION
SUMMIT COUNTY, UTAH**

Prepared for:

**PAUL CARAHER
2685 MEADOW CREEK DRIVE
PARK CITY, UT. 84060**

And

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Prepared by:

**INTERMOUNTAIN ECOSYSTEMS, LLC
270 EAST 1230 NORTH
SPRINGVILLE, UT. 84663
801-367-1589**

28 JUNE 2023

**PAUL CARAHER
WETLAND DELINEATION
SUMMIT CO., UTAH**

EXECUTIVE SUMMARY

Intermountain Ecosystems, LLC. was contracted by Paul Caraher to conduct a wetland delineation on approximately 6.47 acres of property located at 2685 Meadow Creek Road in Park City, Utah at coordinates N 40.67221° W 111.51143°. Approximately 0.025 acres of wetlands were delineated in the project area based on two small polygons. The project area is located near McLeod Creek , a water of the United States (WOUS).

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1.0 INTRODUCTION

1.1 Project Description

Mr. Paul Caraher has contracted Intermountain Ecosystems to conduct a Waters of the United States (WOUS) inventory which includes jurisdictional wetlands administered under Section 404 of the Clean Water Act (CWA). The project area is located in Park City, UT. at 2685 Meadow Creek Drive (Fig 1).

The property is approximately 6.47 acres in size and the land has been fallow for several years. The property is owned by Mr. Caraher and his plans include barn construction, habitat restoration and perhaps some light grazing by horses. There is no interstate commerce associated with this project.

Average annual precipitation for Park City is estimated at 16 inches and elevation is estimated at 6400 ft. (Ashcroft 1992). The following report includes a description of the field methods, vegetation, soils, hydrology sampling, inventory results, and discussion of the wetland delineation and connectivity to WoUS.

2.0 METHODS

2.1 Field Inventory

Field inventory was conducted on 16th June by Ronald J. Kass, Professional Wetland Scientist (PWS) and Paul Dawson, hydrologist in accordance with the 1987 "Corps of Engineers Wetlands Delineation Manual." Information reviewed included *Hydric Soils of the U.S.* (USDA-SCS 1991), *National List of Plant Species that Occur in Utah*: Intermountain Region 8 (USFWS 1988), *National Wetland Inventory Maps (NWI)* and *Soil Survey Web* (USDA 2023).

Upland/wetland boundaries were identified and delineated by sampling vegetation, soils, and determining wetland hydrology at subjective sample points along ecological gradients. Seven (7) data points were established in areas most relevant to determine the upland/wetland boundary.

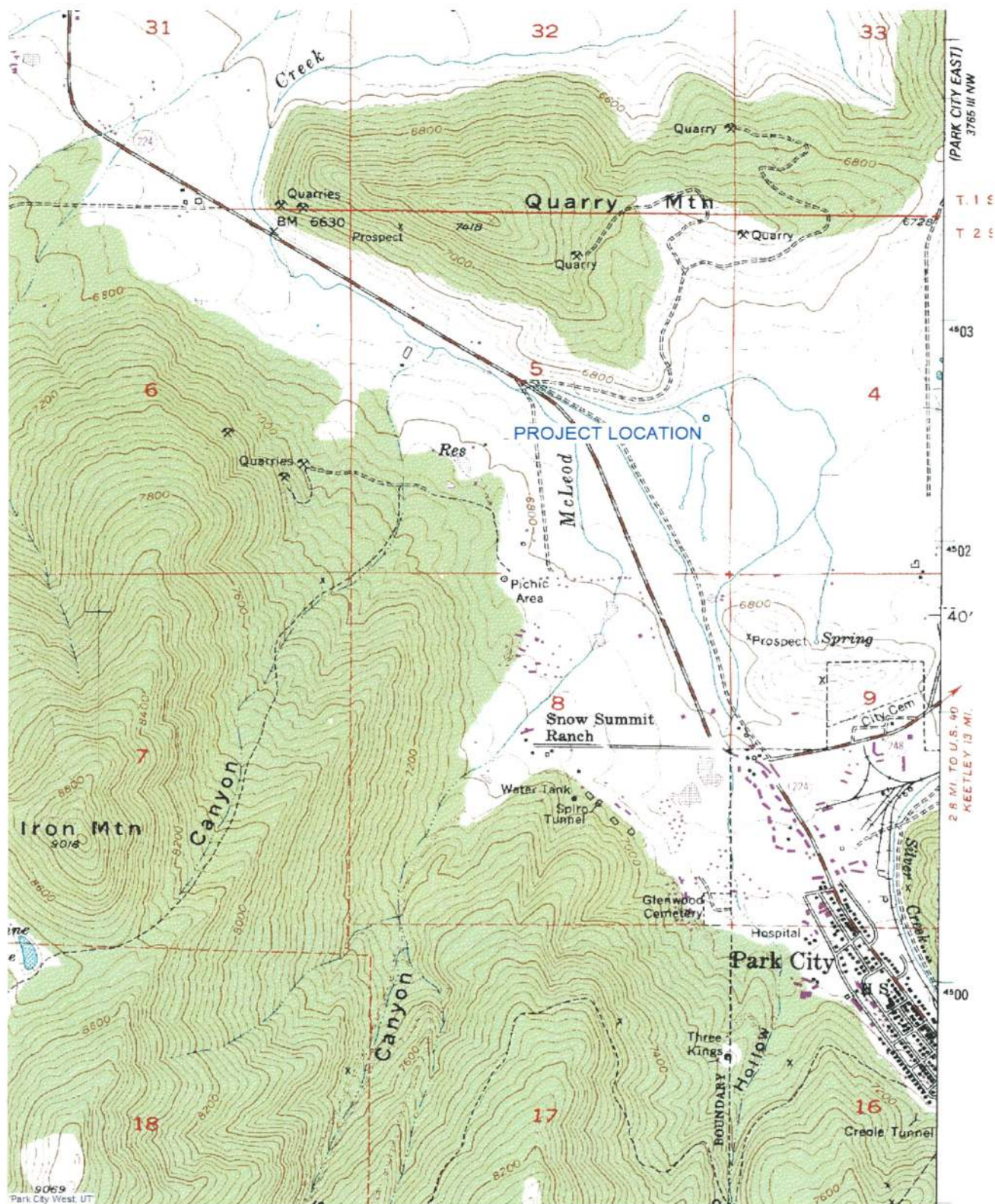


Fig 1. Project Location USGS Park City East.

Data points were designated with pink pin flags and wetland boundaries were mapped with Trimble Geo 7X GPS. Vegetation was determined by ocular estimation of percent cover within a 6-foot radius for herbaceous strata and shrubs, and within 30-foot radius for trees. Vegetation dominance was determined by the 50/20 rule. A routine onsite determination data sheet was completed for each sample point (Appendix A).

Soil texture, chroma (Munsell color charts-Kollmorgen 1988), and moisture were determined at each sample point by examination of soil characteristics within an excavated pit 18 inches deep. Observing local conditions and assessing primary and secondary indicators determined hydrology.

Jurisdictional/non-jurisdictional wetland determination was concluded for each sample point based on the presence of at least one field indicator for each of the three USACOE parameters, and a surface connection to adjacent WoUs. Surface connections to WoUS were established by examining USGS maps and aerial photos and field checking these connections.

Table 1. Species List and Indicator Status

Common Name	Scientific Name	Indicator Status
<u>Woody</u>		
Sandbar willow	<i>Salix exigua</i>	FACW
<u>Graminoids</u>		
Baltic rush	<i>Juncus balticus</i>	FACW
Spikerush	<i>Eleocharis palustris</i>	OBL
Tall wheatgrass	<i>Thinopyrum panicum</i>	FACU
Nebraska sedge	<i>Carex nebrascensis</i>	FACW
Cattail	<i>Typha latifolia</i>	OBL
Meadow fescue	<i>Festuca pratensis</i>	FACU

Indicator Status (Reed 1988).

OBL Obligate wetland plants; almost always occur in wetlands under natural conditions (>99 percent probability).

FACW Facultative wetlands plants; usually occur in wetlands but occasionally found in one-wetlands (67-99 percent probability).

FAC Facultative plant; equally likely to occur in wetlands or non-wetlands (34-66 percent probability).

FACU Facultative upland plants; usually occur in non-wetlands but occasionally found in wetlands (1-33 percent probability).

UPL Upland plants; occur almost never in wetlands under natural conditions (<1 percent probability).

NI No indicator; insufficient information available to determine indicator status.

3.0 RESULTS

3.1 Vegetation

This property is characterized as a palustrine wet meadow with plant species such as Arctic rush (*Juncus arcticus*), meadow foxtail (*Alopecurus pratensis*) and Nebraska sedge (*Carex nebrascensis*). Uplands are dominated by whitetop (*Cardaria draba*). Common plant species and their indicator status are listed in Table 1.

3.2 Soils

Soil Survey Web (USDA 2023) indicated Wanship loam 0-3% slope (Appendix C). This soil occurs on low stream terraces and is often associated with cobbles at 20 inches. Onsite soils were characterized as silt loams and sandy loams, moderately well drained and generally dark brown (10YR 2/1, 2/2) with no redox concentrations. There was considerable organic matter located within the top 6 inches of the soil profile.

3.3 Hydrology

Wetland hydrology is provided by sub-surface flow from McLeod Creek which drains to the north across most areas west of Park City. Wetland hydrology was observed in data pts. 3 & 5.

3.4 Analysis of Data Points

Data Pt. #1--This point was located in concave topography vegetated to Nebraska sedge (FACW) and meadow foxtail (FACW). The soil was silt loam (10YR 2/1) and there was water in the sample pit at 18 inches. Only the USACOE vegetation parameter was met rendering this point as upland (Appendix A).

Data Pt. # 2-- This point was located near concave topography vegetated to Arctic rush (FACW) and meadow foxtail (FACW). Soils were silt loams (10YR 2/2) with no redox concentrations or wetland hydrology. Only the USACOE vegetation parameter was met rendering this point as upland (Appendix A).

Data Pt. # 3-- This point was located in a depression vegetated to meadow foxtail (FACW) and Nebraska sedge (FACW). The soil was a silt loam (10YR 2/2) and there was water at 9 inches in the sample pit. All three USACOE parameters were met rendering this point as wetland (Appendix A).

Data Pt. # 4-- This was a paired data point located in convex topography vegetated to mainly white top (FACU). Soils were a silt loam (10YR 2/1) and there was no hydrology in the sample pit. No USACOE parameters were met rendering this point as upland (Appendix A).

Data Pt. # 5-- This point was located in a depression vegetated to meadow foxtail (FACW) and Arctic rush (FACW). The soil was a silt loam (10YR 2/1) and saturated at 10 inches. All three USACOE parameters were met rendering this point as wetland (Appendix A).

Data Pt. #6-- This was a paired data point located in convex topography vegetated to mainly white top (FACU). Soils were a silt loam (10YR 2/1) and there was no hydrology in the pit. No USACOE parameters were met rendering this point as upland (Appendix A).

Data Pt. #7-- This point was located in convex topography vegetated to mainly white top (FACU). Soils were a silt loam (10YR 2/1) and there was no hydrology in the sample pit. No USACOE parameters were met rendering this point as upland (Appendix A).

4.0 DISCUSSION

Approximately 0.025 acres of palustrine wet meadow were delineated based on 2 wetland polygons (see photo 1). There were no ditches located on the property. McLeod Creek, and its tributaries flows adjacent and through the project area and is most likely responsible for wetland hydrology.



Photo 1. Wet Meadow 6/16/23

5.0 LITERATURE CITED

- ACOE. 2012. State of Utah-National Wetland Plant List. 2012 Final Draft.
- Ashcroft, G. L., J. T. Jensen, and J. L. Brown. 1992. Utah Climate.
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- U. S. Department of Agriculture-Soil Conservation Service (USDA-SCS). 2023. Soil Web Site
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- U. S. Department of Agriculture-Natural Resources Conservation Service and U.S. Army Corps of Engineers. 2006. Field Indicators of the Hydric Soils of the

APPENDIX A
ROUTINE WETLAND DATA FORMS

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: 2685 Meadow Creek Drive City/County: Park City/Utah Sampling Date: 6/16/23
 Applicant/Owner: Paul Caraher State: UT Sampling Point: 1U
 Investigator(s): Ron Kass & Paul Dawson Section, Township, Range: T2S, R4E, S5
 Landform (hillslope, terrace, etc.): Floodplains Local relief (concave, convex, none): concave Slope (%): 0-3
 Sub region (LRR): Arid Lat: N 40.67253234° Long: W 111.51260177° Datum: WGS 1984
 Soil Map Unit Name: Wanship loam NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation No, Soil No, or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes, X No
 Are Vegetation No, Soil No, or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes, <u>X</u>	No <u> </u>	Is the Sampled Area within a Wetland? <u> </u> No <u>X</u>
Hydric Soil Present?	Yes <u> </u>	No <u>X</u>	
Wetland Hydrology Present?	Yes <u> </u>	No <u>X</u>	
Remarks .			

VEGETATION

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>66</u> (A/B)
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
Total Cover: _____				Prevalence Index worksheet: Total % Cover of: _____ Multiply by: _____ OBL species _____ x 1 = _____ FACW species _____ x 2 = _____ FAC species _____ x 3 = _____ FACU species _____ x 4 = _____ UPL species _____ x 5 = _____ Column Totals: _____ (A) _____ (B) Prevalence Index = B/A = _____
Sapling/Shrub Stratum				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
Total Cover: _____				Hydrophytic Vegetation Indicators: ___ Dominance Test is >50% ___ Prevalence Index is ≤3.0 ¹ ___ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ Problematic Hydrophytic Vegetation ¹ (Explain)
Herb Stratum				
1. <u>Carex nebrascensis</u>	<u>10</u>	<u>Y</u>	<u>OBL</u>	
2. <u>Alopecurus pratensis</u>	<u>10</u>	<u>Y</u>	<u>FACW</u>	
4. <u>Cardaria draba</u>	<u>10</u>	<u>Y</u>	<u>UPL</u>	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
Cover: <u>30</u>				¹ Indicators of hydric soil and wetland hydrology must be present.
Woody Vine Stratum				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
Total Cover: _____				
% Bare Ground in Herb Stratum _____ % Cover of Biotic Crust _____				
Hydrophytic Vegetation Present? Yes <u>X</u> No <u> </u>				

Remarks:

SOIL

Sampling Point: 1U

[illegible]

HYDROLOGY

Wetland Hydrology Indicators:		Secondary Indicators (2 or more required)
Primary Indicators (any one indicator is sufficient)		Water Marks (B1) (Riverine)
☐ Surface Water (A1)	☐ Salt Crust (B11)	☐ Sediment Deposits (B2) (Riverine)
☐ High Water Table (A2)	☐ Biotic Crust (B12)	☐ Drift Deposits (B3) (Riverine)
☐ Saturation (A3)	☐ Aquatic Invertebrates (B13)	☒ Drainage Patterns (B10)
☐ Water Marks (B1) (Nonriverine)	☐ Hydrogen Sulfide Odor (C1)	☐ Dry-Season Water Table (C2)
☐ Sediment Deposits (B2) (Nonriverine)	☐ Oxidized Rhizospheres along Living Roots (C3)	☐ Thin Muck Surface (C7)
☐ Drift Deposits (B3) (Nonriverine)	☐ Presence of Reduced Iron (C4)	☐ Crayfish Burrows (C8)
☐ Surface Soil Cracks (B6)	☐ Recent Iron Reduction in Plowed Soils (C6)	☐ Saturation Visible on Aerial Imagery (C9)
☐ Inundation Visible on Aerial Imagery (B7)	☐ Other (Explain in Remarks)	☐ Shallow Aquitard (D3)
☐ Water-Stained Leaves (B9)		☐ FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☒ No ☐ Depth (inches): 18 Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)		Wetland Hydrology Present? ☐ Yes ☒ No
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: 2685 Meadow Creek Dr. City/County: Park City/Utah Sampling Date: 6/16/23
 Applicant/Owner: Paul Caraher State: UT Sampling Point: 2U
 Investigator(s): Ron Kass & Paul Dawson Section, Township, Range: T2S, R4E, S5
 Landform (hillslope, terrace, etc.): Floodplains Local relief (concave, convex, none): concave Slope (%): 0-3
 Sub region (LRR): Arid Lat: N 40.67274089° Long: W 111.51310751° Datum: WGS 1984
 Soil Map Unit Name: Wanship loam NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation No, Soil No, or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes, X No
 Are Vegetation No, Soil No, or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes, <u>X</u>	No <u> </u>	Is the Sampled Area within a Wetland?
Hydric Soil Present?	Yes <u> </u>	No <u>X</u>	
Wetland Hydrology Present?	Yes <u> </u>	No <u>X</u>	
Remarks:			

VEGETATION

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>66</u> (A/B)
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
3. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
4. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
Total Cover: <u> </u>				Prevalence Index worksheet: Total % Cover of: <u> </u> Multiply by: OBL species <u> </u> x 1 = <u> </u> FACW species <u> </u> x 2 = <u> </u> FAC species <u> </u> x 3 = <u> </u> FACU species <u> </u> x 4 = <u> </u> UPL species <u> </u> x 5 = <u> </u> Column Totals: <u> </u> (A) <u> </u> (B) Prevalence Index = B/A = <u> </u>
Sapling/Shrub Stratum				
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
3. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
Total Cover: <u> </u>				
Herb Stratum				Hydrophytic Vegetation Indicators: ___ Dominance Test is >50% ___ Prevalence Index is ≤3.0 ¹ ___ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ Problematic Hydrophytic Vegetation ¹ (Explain)
1. <u>Juncus articus</u>	<u>10</u>	<u>Y</u>	<u>FACW</u>	
2. <u>Alopecurus pratensis</u>	<u>30</u>	<u>Y</u>	<u>FACW</u>	
4. <u>Cardaria draba</u>	<u>30</u>	<u>Y</u>	<u>UPL</u>	
5. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
Cover: <u>70</u>				¹ Indicators of hydric soil and wetland hydrology must be present. Hydrophytic Vegetation Present? Yes <u>X</u> No <u> </u>
Woody Vine Stratum				
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
Total Cover: <u> </u>				
% Bare Ground in Herb Stratum <u> </u> % Cover of Biotic Crust <u> </u>				

Remarks:

SOIL

Sampling Point: 1U

[illegible]

HYDROLOGY

Wetland Hydrology Indicators: Primary Indicators (any one indicator is sufficient)		Secondary Indicators (2 or more required)	
☐ Surface Water (A1) ☐ High Water Table (A2) ☐ Saturation (A3) ☐ Water Marks (B1) (Nonriverine) ☐ Sediment Deposits (B2) (Nonriverine) ☐ Drift Deposits (B3) (Nonriverine) ☐ Surface Soil Cracks (B6) ☐ Inundation Visible on Aerial Imagery (B7) ☐ Water-Stained Leaves (B9)	☐ Salt Crust (B11) ☐ Biotic Crust (B12) ☐ Aquatic Invertebrates (B13) ☐ Hydrogen Sulfide Odor (C1) ☐ Oxidized Rhizospheres along Living Roots (C3) ☐ Presence of Reduced Iron (C4) ☐ Recent Iron Reduction in Plowed Soils (C6) ☐ Other (Explain in Remarks)	☐ Water Marks (B1) (Riverine) ☐ Sediment Deposits (B2) (Riverine) ☐ Drift Deposits (B3) (Riverine) ☒ Drainage Patterns (B10) ☐ Dry-Season Water Table (C2) ☐ Thin Muck Surface (C7) ☐ Crayfish Burrows (C8) ☐ Saturation Visible on Aerial Imagery (C9) ☐ Shallow Aquitard (D3) ☐ FAC-Neutral Test (D5)	
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)		Wetland Hydrology Present? ☒ No	
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:			
Remarks:			

Project/Site: 2685 Meadow Creek Dr. City/County: Park City/Utah Sampling Date: 6/16/23
Applicant/Owner: Paul Caraher State: UT Sampling Point: 3W
Investigator(s): Ron Kass & Paul Dawson Section, Township, Range: T2S, R4E, S5
Landform (hillslope, terrace, etc.): Floodplains Local relief (concave, convex, none): concave Slope (%): 0-3
Sub region (LRR): Arid Lat: N 40.67277557° Long: W 111.5136151° Datum: WGS 1984
Soil Map Unit Name: Wanship loam NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)

Are Vegetation No , Soil No , or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes, X No

Are Vegetation No , Soil No , or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

Hydrophytic Vegetation Present?	Yes, <u>X</u>	No _____	Is the Sampled Area within a Wetland?	, <u>X</u>	No _____
Hydric Soil Present?	Yes <u>X</u>	No _____			
Wetland Hydrology Present?	Yes <u>X</u>	No _____			
Remarks.					

<u>Tree Stratum</u> (Use scientific names.)	Absolute % Cover	Dominant Indicator Species?	Status
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
Total Cover: _____			
<u>Sapling/Shrub Stratum</u>			
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
Total Cover: _____			
<u>Herb Stratum</u>			
1. <u>Carex nebrascensis</u>	15	Y	OBL
2. <u>Alopecurus pratensis</u>	30	Y	FACW
4. <u>Cardaria draba</u>	20	Y	UPL
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
Cover: <u>60</u>			
<u>Woody Vine Stratum</u>			
1. _____	_____	_____	_____
2. _____	_____	_____	_____
Total Cover: _____			
% Bare Ground in Herb Stratum _____	% Cover of Biotic Crust _____		
Remarks:			

Dominance Test worksheet:	
Number of Dominant Species That Are OBL, FACW, or FAC: <u>2</u>	(A)
Total Number of Dominant Species Across All Strata: <u>3</u>	(B)
Percent of Dominant Species That Are OBL, FACW, or FAC: <u>66</u>	(A/B)
Prevalence Index worksheet:	
Total % Cover of: _____	Multiply by: _____
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____	(A) _____ (B) _____
Prevalence Index = B/A = _____	
Hydrophytic Vegetation Indicators:	
___ Dominance Test is >50%	
___ Prevalence Index is ≤3.0 ¹	
___ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)	
___ Problematic Hydrophytic Vegetation ¹ (Explain)	
¹ Indicators of hydric soil and wetland hydrology must be present.	
Hydrophytic Vegetation Present?	
Yes <u>X</u>	No _____

SOIL

Sampling Point: 3W

[illegible]

HYDROLOGY

Wetland Hydrology Indicators:		Secondary Indicators (2 or more required)
Primary Indicators (any one indicator is sufficient)		
☐ Surface Water (A1)	☐ Salt Crust (B11)	☐ Water Marks (B1) (Riverine)
☐ High Water Table (A2)	☐ Biotic Crust (B12)	☐ Sediment Deposits (B2) (Riverine)
☒ Saturation (A3)	☐ Aquatic Invertebrates (B13)	☒ Drainage Patterns (B10)
☐ Water Marks (B1) (Nonriverine)	☐ Hydrogen Sulfide Odor (C1)	☐ Dry-Season Water Table (C2)
☐ Sediment Deposits (B2) (Nonriverine)	☐ Oxidized Rhizospheres along Living Roots (C3)	☐ Thin Muck Surface (C7)
☐ Drift Deposits (B3) (Nonriverine)	☐ Presence of Reduced Iron (C4)	☐ Crayfish Burrows (C8)
☐ Surface Soil Cracks (B6)	☐ Recent Iron Reduction in Plowed Soils (C6)	☐ Saturation Visible on Aerial Imagery (C9)
☐ Inundation Visible on Aerial Imagery (B7)	☐ Other (Explain in Remarks)	☐ Shallow Aquitard (D3)
☐ Water-Stained Leaves (B9)		☐ FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☒ No ☐ Depth (inches): <u>11</u> Saturation Present? Yes ☒ No ☐ Depth (inches): <u>4</u> (includes capillary fringe)		Wetland Hydrology Present? <u>Yes</u>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: 2685 Meadow Creek Drive City/County: Park City/Utah Sampling Date: 6/16/23
 Applicant/Owner: Paul Caraher State: UT Sampling Point: 4U
 Investigator(s): Ron Kass & Paul Dawson Section, Township, Range: T2S, R4E, S5
 Landform (hillslope, terrace, etc.): Floodplains Local relief (concave, convex, none): convex Slope (%): 0-3
 Sub region (LRR): Arid Lat: N 40.18287651° Long: W 111.60621528° Datum: WGS 1984
 Soil Map Unit Name: Wanship loam NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation No, Soil No, or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes, X No
 Are Vegetation No, Soil No, or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes, <u> </u>	No <u>X</u>	Is the Sampled Area within a Wetland? <u> </u> Yes <u> </u> No <u>X</u>
Hydric Soil Present?	Yes <u> </u>	No <u>X</u>	
Wetland Hydrology Present?	Yes <u> </u>	No <u>X</u>	
Remarks: <u>paired data pt-upland</u>			

VEGETATION

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>33</u> (A/B)
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
3. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
4. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
Total Cover: <u> </u>				Prevalence Index worksheet: Total % Cover of: <u> </u> Multiply by: <u> </u> OBL species <u> </u> x 1 = <u> </u> FACW species <u> </u> x 2 = <u> </u> FAC species <u> </u> x 3 = <u> </u> FACU species <u> </u> x 4 = <u> </u> UPL species <u> </u> x 5 = <u> </u> Column Totals: <u> </u> (A) <u> </u> (B) Prevalence Index = B/A = <u> </u>
Sapling/Shrub Stratum				
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
3. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
Total Cover: <u> </u>				
Herb Stratum				Hydrophytic Vegetation Indicators: ___ Dominance Test is >50% ___ Prevalence Index is ≤3.0 ¹ ___ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ Problematic Hydrophytic Vegetation ¹ (Explain)
1. <u>Poa pratensis</u>	<u>10</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Alopecurus pratensis</u>	<u>30</u>	<u>Y</u>	<u>FACW</u>	
4. <u>Cardaria draba</u>	<u>30</u>	<u>Y</u>	<u>UPL</u>	
5. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
Cover: <u>70</u>				¹ Indicators of hydric soil and wetland hydrology must be present.
6. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
7. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
8. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
Total Cover: <u> </u>				
Woody Vine Stratum				Hydrophytic Vegetation Present? Yes <u> </u> No <u>X</u>
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
Total Cover: <u> </u>				
% Bare Ground in Herb Stratum <u> </u> % Cover of Biotic Crust <u> </u>				

Remarks:

SOIL

Sampling Point: 4U

Profile Description: (Describe to the depth needed to document the indicator or confirm the absence of indicators.)

Depth (inches)	Matrix		Redox Features				Texture	Remarks
	Color	%	Color	%	Type ¹	Loc ²		
0-18	10YR 2/1						SL	moist

¹Type: C=Concentration, D=Depletion, RM=Reduced Matrix. ²Location: PL=Pore Lining, RC=Root Channel, M=Matrix.

Hydric Soil Indicators: (Applicable to all LRRs, unless otherwise noted.)

Indicators for Problematic Hydric Soils³:

- | | |
|--|---|
| ☐ Histosol (A1) | ☐ Sandy Redox (S5) |
| ☐ Histic Epipedon (A2) | ☐ Stripped Matrix (S6) |
| ☐ Black Histic (A3) | ☐ Loamy Mucky Mineral (F1) |
| ☐ Hydrogen Sulfide (A4) | ☐ Loamy Gleyed Matrix (F2) |
| ☐ Stratified Layers (A5) (LRR C) | ☐ Depleted Matrix (F3) |
| ☐ 1 cm Muck (A9) (LRR D) | ☐ Redox Dark Surface (F6) |
| ☐ Depleted Below Dark Surface (A11) | ☐ Depleted Dark Surface (F7) |
| ☐ Thick Dark Surface (A12) | ☐ Redox Depressions (F8) |
| ☐ Sandy Mucky Mineral (S1) | ☐ Vernal Pools (F9) |
| ☐ Sandy Gleyed Matrix (S4) | |

- ☐ 1 cm Muck (A9) (LRR C)
- ☐ 2 cm Muck (A10) (LRR B)
- ☐ Reduced Vertic (F18)
- ☐ Red Parent Material (TF2)
- ☐ Other (Explain in Remarks)

³Indicators of hydrophytic vegetation and wetland hydrology must be present.

Restrictive Layer (if present):

Type: _____

Depth (inches): _____

Hydric Soil Present? Yes, ☐ No ☒ X

Remarks: High organic matter content low chroma,

HYDROLOGY

Wetland Hydrology Indicators:

Secondary Indicators (2 or more required)

Primary Indicators (any one indicator is sufficient)

- | | | |
|--|--|--|
| ☐ Surface Water (A1) | ☐ Salt Crust (B11) | ☐ Water Marks (B1) (Riverine) |
| ☐ High Water Table (A2) | ☐ Biotic Crust (B12) | ☐ Sediment Deposits (B2) (Riverine) |
| ☐ Saturation (A3) | ☐ Aquatic Invertebrates (B13) | ☐ Drift Deposits (B3) (Riverine) |
| ☐ Water Marks (B1) (Nonriverine) | ☐ Hydrogen Sulfide Odor (C1) | ☒ Drainage Patterns (B10) |
| ☐ Sediment Deposits (B2) (Nonriverine) | ☐ Oxidized Rhizospheres along Living Roots (C3) | ☐ Dry-Season Water Table (C2) |
| ☐ Drift Deposits (B3) (Nonriverine) | ☐ Presence of Reduced Iron (C4) | ☐ Thin Muck Surface (C7) |
| ☐ Surface Soil Cracks (B6) | ☐ Recent Iron Reduction in Plowed Soils (C6) | ☐ Crayfish Burrows (C8) |
| ☐ Inundation Visible on Aerial Imagery (B7) | ☐ Other (Explain in Remarks) | ☐ Saturation Visible on Aerial Imagery (C9) |
| ☐ Water-Stained Leaves (B9) | | ☐ Shallow Aquitard (D3) |
| | | ☐ FAC-Neutral Test (D5) |

Field Observations:

Surface Water Present? Yes ☐ No ☒ X Depth (inches): _____

Water Table Present? Yes ☐ No ☒ X Depth (inches): _____

Saturation Present? Yes ☐ No ☒ X Depth (inches): _____

(includes capillary fringe)

Wetland Hydrology Present? ☐ No

Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:

Remarks:

Project/Site: 2685 Meadow Creek Drive City/County: Park City/Utah Sampling Date: 6/16/23
Applicant/Owner: Paul Caraher State: UT Sampling Point: 5W
Investigator(s): Ron Kass & Paul Dawson Section, Township, Range: T2S, R4E, S5
Landform (hillslope, terrace, etc.): Floodplains Local relief (concave, convex, none): concave Slope (%): 0-3
Sub region (LRR): Arid Lat: N 40.67278777° Long: W 111.51409428° Datum: WGS 1984
Soil Map Unit Name: Wanship loam NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)

Are Vegetation No , Soil No , or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes, X No

Are Vegetation No , Soil No , or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

Hydrophytic Vegetation Present?	Yes, <u>X</u>	No _____	Is the Sampled Area within a Wetland?	, <u>X</u> No _____
Hydric Soil Present?	Yes <u>X</u>	No _____		
Wetland Hydrology Present?	Yes <u>X</u>	No _____		
Remarks .				

<u>Tree Stratum</u> (Use scientific names.)	Absolute % Cover	Dominant Indicator Species?	Status
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
Total Cover: _____			
<u>Sapling/Shrub Stratum</u>			
1. _____	_____	_____	_____
2. _____	_____	_____	_____
3. _____	_____	_____	_____
4. _____	_____	_____	_____
5. _____	_____	_____	_____
Total Cover: _____			
<u>Herb Stratum</u>			
1. <u>Juncus arcticus</u>	10	Y	FACW
2. <u>Alopecurus pratensis</u>	30	Y	FACW
4. <u>Cardaria draba</u>	20	Y	UPL
5. _____	_____	_____	_____
6. _____	_____	_____	_____
7. _____	_____	_____	_____
8. _____	_____	_____	_____
Cover: <u>60</u>			
<u>Woody Vine Stratum</u>			
1. _____	_____	_____	_____
2. _____	_____	_____	_____
Total Cover: _____			
% Bare Ground in Herb Stratum _____	% Cover of Biotic Crust _____		

Dominance Test worksheet:

Number of Dominant Species That Are OBL, FACW, or FAC: 2 (A)

Total Number of Dominant Species Across All Strata: 3 (B)

Percent of Dominant Species That Are OBL, FACW, or FAC: 66 (A/B)

Prevalence Index worksheet:

Total % Cover of:	Multiply by:
OBL species _____	x 1 = _____
FACW species _____	x 2 = _____
FAC species _____	x 3 = _____
FACU species _____	x 4 = _____
UPL species _____	x 5 = _____
Column Totals: _____	(A) _____ (B) _____

Prevalence Index = B/A = _____

Hydrophytic Vegetation Indicators:

___ Dominance Test is >50%

___ Prevalence Index is ≤3.0¹

___ Morphological Adaptations¹ (Provide supporting data in Remarks or on a separate sheet)

___ Problematic Hydrophytic Vegetation¹ (Explain)

¹Indicators of hydric soil and wetland hydrology must be present.

Hydrophytic Vegetation Present? Yes X No _____

Remarks: _____

SOIL

Sampling Point: 5W

[illegible]

HYDROLOGY

Wetland Hydrology Indicators:		Secondary Indicators (2 or more required)
Primary Indicators (any one indicator is sufficient)		
☐ Surface Water (A1)	☐ Salt Crust (B11)	☐ Water Marks (B1) (Riverine)
☐ High Water Table (A2)	☐ Biotic Crust (B12)	☐ Sediment Deposits (B2) (Riverine)
☒ Saturation (A3)	☐ Aquatic Invertebrates (B13)	☐ Drift Deposits (B3) (Riverine)
☐ Water Marks (B1) (Nonriverine)	☐ Hydrogen Sulfide Odor (C1)	☒ Drainage Patterns (B10)
☐ Sediment Deposits (B2) (Nonriverine)	☐ Oxidized Rhizospheres along Living Roots (C3)	☐ Dry-Season Water Table (C2)
☐ Drift Deposits (B3) (Nonriverine)	☐ Presence of Reduced Iron (C4)	☐ Thin Muck Surface (C7)
☐ Surface Soil Cracks (B6)	☐ Recent Iron Reduction in Plowed Soils (C6)	☐ Crayfish Burrows (C8)
☐ Inundation Visible on Aerial Imagery (B7)	☐ Other (Explain in Remarks)	☐ Saturation Visible on Aerial Imagery (C9)
☐ Water-Stained Leaves (B9)		☐ Shallow Aquitard (D3)
		☐ FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☒ No ☐ Depth (inches): <u>9</u> Saturation Present? Yes ☒ No ☐ Depth (inches): <u>4</u> (includes capillary fringe)		Wetland Hydrology Present? <u>Yes</u>
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

WETLAND DETERMINATION DATA FORM – Arid West Region

Project/Site: 2685 Meadow Creek Drive City/County: Park City/Utah Sampling Date: 6/16/23
 Applicant/Owner: Paul Caraher State: UT Sampling Point: 6U
 Investigator(s): Ron Kass & Paul Dawson Section, Township, Range: T2S, R4E, S5
 Landform (hillslope, terrace, etc.): Floodplains Local relief (concave, convex, none): convex Slope (%): 0-3
 Sub region (LRR): Arid Lat: N 40.67277387° Long: W 111.51406370° Datum: WGS 1984
 Soil Map Unit Name: Wanship loam NWI classification: None

Are climatic / hydrologic conditions on the site typical for this time of year? Yes X No (If no, explain in Remarks.)
 Are Vegetation No, Soil No, or Hydrology No significantly disturbed? Are "Normal Circumstances" present? Yes, X No
 Are Vegetation No, Soil No, or Hydrology No naturally problematic? (If needed, explain any answers in Remarks.)

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes, <u> </u>	No <u>X</u>	Is the Sampled Area within a Wetland? <u> </u> No <u>X</u>
Hydric Soil Present?	Yes <u> </u>	No <u>X</u>	
Wetland Hydrology Present?	Yes <u> </u>	No <u>X</u>	
Remarks: Paired data pt for 5W			

VEGETATION

Tree Stratum (Use scientific names.)	Absolute % Cover	Dominant Species?	Indicator Status	Dominance Test worksheet: Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u> (A) Total Number of Dominant Species Across All Strata: <u>3</u> (B) Percent of Dominant Species That Are OBL, FACW, or FAC: <u>33</u> (A/B)
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
3. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
4. <u> </u>	<u> </u>	<u> </u>	<u> </u>	Prevalence Index worksheet: Total % Cover of: <u> </u> Multiply by: OBL species <u> </u> x 1 = <u> </u> FACW species <u> </u> x 2 = <u> </u> FAC species <u> </u> x 3 = <u> </u> FACU species <u> </u> x 4 = <u> </u> UPL species <u> </u> x 5 = <u> </u> Column Totals: <u> </u> (A) <u> </u> (B) Prevalence Index = B/A = <u> </u>
Total Cover: <u> </u>				
Sapling/Shrub Stratum				
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	Hydrophytic Vegetation Indicators: ___ Dominance Test is >50% ___ Prevalence Index is ≤3.0 ¹ ___ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet) ___ Problematic Hydrophytic Vegetation ¹ (Explain) ¹ Indicators of hydric soil and wetland hydrology must be present.
3. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
4. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
5. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
Total Cover: <u> </u>				Hydrophytic Vegetation Present? Yes <u> </u> No <u>X</u>
Herb Stratum				
1. <u>Poa pratensis</u>	<u>10</u>	<u>Y</u>	<u>FACU</u>	
2. <u>Alopecurus pratensis</u>	<u>30</u>	<u>Y</u>	<u>FACW</u>	
4. <u>Cardaria draba</u>	<u>40</u>	<u>Y</u>	<u>UPL</u>	Hydrophytic Vegetation Present? Yes <u> </u> No <u>X</u>
5. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
6. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
7. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
8. <u> </u>	<u> </u>	<u> </u>	<u> </u>	Hydrophytic Vegetation Present? Yes <u> </u> No <u>X</u>
Cover: <u>80</u>				
Woody Vine Stratum				
1. <u> </u>	<u> </u>	<u> </u>	<u> </u>	
2. <u> </u>	<u> </u>	<u> </u>	<u> </u>	Hydrophytic Vegetation Present? Yes <u> </u> No <u>X</u>
Total Cover: <u> </u>				
% Bare Ground in Herb Stratum <u> </u> % Cover of Biotic Crust <u> </u>				
Remarks:				

SOIL

Sampling Point: 6U

[illegible]

HYDROLOGY

Wetland Hydrology Indicators:		Secondary Indicators (2 or more required)
Primary Indicators (any one indicator is sufficient)		
☐ Surface Water (A1)	☐ Salt Crust (B11)	☐ Water Marks (B1) (Riverine)
☐ High Water Table (A2)	☐ Biotic Crust (B12)	☐ Sediment Deposits (B2) (Riverine)
☐ Saturation (A3)	☐ Aquatic Invertebrates (B13)	☐ Drift Deposits (B3) (Riverine)
☐ Water Marks (B1) (Nonriverine)	☐ Hydrogen Sulfide Odor (C1)	☐ Drainage Patterns (B10)
☐ Sediment Deposits (B2) (Nonriverine)	☐ Oxidized Rhizospheres along Living Roots (C3)	☐ Dry-Season Water Table (C2)
☐ Drift Deposits (B3) (Nonriverine)	☐ Presence of Reduced Iron (C4)	☐ Thin Muck Surface (C7)
☐ Surface Soil Cracks (B6)	☐ Recent Iron Reduction in Plowed Soils (C6)	☐ Crayfish Burrows (C8)
☐ Inundation Visible on Aerial Imagery (B7)	☐ Other (Explain in Remarks)	☐ Saturation Visible on Aerial Imagery (C9)
☐ Water-Stained Leaves (B9)		☐ Shallow Aquitard (D3)
		☐ FAC-Neutral Test (D5)
Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)		Wetland Hydrology Present? ☐ No
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

Project/Site: 2685 Meadow Creek Drive City/County: Park City/Utah Sampling Date: 6/16/23
Applicant/Owner: Paul Caraher State: UT Sampling Point: 7U
Investigator(s): Ron Kass & Paul Dawson Section, Township, Range: T2S, R4E, S5
Landform (hillslope, terrace, etc.): Floodplains Local relief (concave, convex, none): convex Slope (%): 0-3
Sub region (LRR): Arid Lat: N 40.67277387° Long: W 111.51406370° Datum: WGS 1984
Soil Map Unit Name: Wanship loam NWI classification: None

SUMMARY OF FINDINGS – Attach site map showing sampling point locations, transects, important features, etc.

Hydrophytic Vegetation Present?	Yes, ___	No <u>X</u>	Is the Sampled Area within a Wetland? ____ No <u>X</u>
Hydric Soil Present?	Yes _____	No <u>X</u>	
Wetland Hydrology Present?	Yes _____	No <u>X</u>	
Remarks : <u>found no arrow</u>			

<u>Tree Stratum</u> (Use scientific names.)	<u>Absolute % Cover</u>	<u>Dominant Indicator Species?</u>	<u>Status</u>	
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
Total Cover: _____				
<u>Sapling/Shrub Stratum</u>				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
3. _____	_____	_____	_____	
4. _____	_____	_____	_____	
5. _____	_____	_____	_____	
Total Cover: _____				
<u>Herb Stratum</u>				
1. <u>Poa pratensis</u>	10	Y	FACU	
2. <u>Alopecurus pratensis</u>	30	Y	FACW	
4. <u>Cardaria draba</u>	40	Y	UPL	
5. _____	_____	_____	_____	
6. _____	_____	_____	_____	
7. _____	_____	_____	_____	
8. _____	_____	_____	_____	
Cover: <u>80</u>				
<u>Woody Vine Stratum</u>				
1. _____	_____	_____	_____	
2. _____	_____	_____	_____	
Total Cover: _____				
% Bare Ground in Herb Stratum _____ % Cover of Biotic Crust _____				
Remarks:				

<u>Dominance Test worksheet:</u>	
Number of Dominant Species That Are OBL, FACW, or FAC: <u>1</u>	(A)
Total Number of Dominant Species Across All Strata: <u>3</u>	(B)
Percent of Dominant Species That Are OBL, FACW, or FAC: <u>33</u>	(A/B)
Prevalence Index worksheet:	
Total % Cover of: _____	Multiply by: _____
OBL species _____ x 1 = _____	
FACW species _____ x 2 = _____	
FAC species _____ x 3 = _____	
FACU species _____ x 4 = _____	
UPL species _____ x 5 = _____	
Column Totals: _____ (A)	_____ (B)
Prevalence Index = B/A = _____	
Hydrophytic Vegetation Indicators:	
___ Dominance Test is >50%	
___ Prevalence Index is ≤3.0 ¹	
___ Morphological Adaptations ¹ (Provide supporting data in Remarks or on a separate sheet)	
___ Problematic Hydrophytic Vegetation ¹ (Explain)	
¹ Indicators of hydric soil and wetland hydrology must be present.	
Hydrophytic Vegetation Present?	
Yes _____	No <u>X</u>

SOIL

Sampling Point: 7U

[illegible]

HYDROLOGY

Wetland Hydrology Indicators:		Secondary Indicators (2 or more required)
Primary Indicators (any one indicator is sufficient)		
☐ Surface Water (A1)	☐ Salt Crust (B11)	☐ Water Marks (B1) (Riverine)
☐ High Water Table (A2)	☐ Biotic Crust (B12)	☐ Sediment Deposits (B2) (Riverine)
☐ Saturation (A3)	☐ Aquatic Invertebrates (B13)	☐ Drift Deposits (B3) (Riverine)
☐ Water Marks (B1) (Nonriverine)	☐ Hydrogen Sulfide Odor (C1)	☐ Drainage Patterns (B10)
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☐ Surface Soil Cracks (B6)	☐ Recent Iron Reduction in Plowed Soils (C6)	☐ Crayfish Burrows (C8)
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Field Observations: Surface Water Present? Yes ☐ No ☒ Depth (inches): _____ Water Table Present? Yes ☐ No ☒ Depth (inches): _____ Saturation Present? Yes ☐ No ☒ Depth (inches): _____ (includes capillary fringe)		Wetland Hydrology Present? ☒ No
Describe Recorded Data (stream gauge, monitoring well, aerial photos, previous inspections), if available:		
Remarks:		

**APPENDIX B
WETLAND DELINEATION MAP**



Paul Caraher Wetland Delineation

2023

T 2S R 4E S 05
Summit County, Utah

Legend

• Data Point

□ Boundary (Total Area = 6.47 Acres)

▨ Wetland (Total Area - 0.025 Acres)

Service Layer Credits: Utah AGRC
Coordinate System: NAD 1983 UTM Zone 12N
Projection: Transverse Mercator
Datum: North American 1983
Units: Meter
Author: Rachel Nelson
Date: 6/26/2023

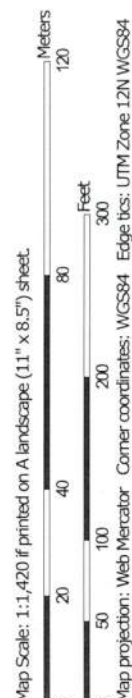


Intermountain Ecosystems

270 East 1230 North
Springville, UT 84663
(801) 489-4590

APPENDIX C
USDA SOIL MAPS

Soil Map—Summit Area, Utah, Parts of Summit, Salt Lake and Wasatch Counties
(Paul Carraher)



Soil Map may not be valid at this scale.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
178	Wanship loam, 0 to 3 percent slopes	5.7	100.0%
Totals for Area of Interest		5.7	100.0%

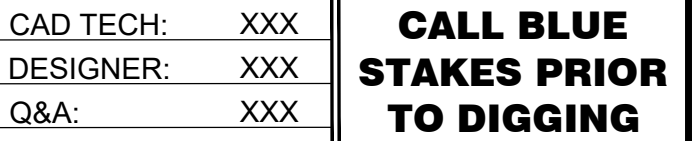


1.



PLAN REVISIONS

A.



PROJECT NAME

PARK CITY BARN

SHEET NAME

SITE PLAN CONCEPT

PLAN SUBMITTAL: CONCEPTUAL

REVIEW SET
2/8/24

SHEET NUMBER

1.1