PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
June 26, 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 June 12, 2024

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

4. PUBLIC COMMUNICATIONS

5. CONTINUATIONS

5.A. **218 Sandridge Avenue – Steep Slope Conditional Use Permit** – The Applicant Proposes an Addition to a Significant Historic Structure on a Steep Slope in the Historic Residential – 1 Zoning District. PL-24-06059 (2 mins.)
(A) Public Hearing; (B) Continuation to July 10, 2024

6. REGULAR AGENDA

6.A. **Parcel PCA-S-98-II-X – Conditional Use Permit** – The Applicant Proposes Improvements at the Mid-Mountain Trailhead, and to Increase the Number of Parking Spaces to 29. PL-24-06159 (15 mins.)
(A) Public Hearing; (B) Action

6.B. **8945 Marsac Avenue Moonshadow Condominiums – Condominium Plat Amendment** – The Applicant Proposes to Amend the Moonshadow Condominium Plat to Define Private and Limited Common Areas for Units A, B, C, D, F, and H. PL-24-06084 (15 mins.)
(A) Public Hearing; (B) Action

6.C. **218 Sandridge Road – Plat Amendment** – The Applicant Proposes Creating a 5,835-Square-Foot Lot and Dedicating 233 Square Feet to Sandridge Road for a

Significant Historic Site in the Historic Residential – 1 Zoning District. PL-24-06059 (15 mins.)
(A) Public Hearing; (B) Action

6.D. **220 King Road – Plat Amendment (PL-22-05319)** – On April 30, 2024, the Appeal Panel Denied the Appeal of Conditional Use Permits and a Steep Slope Conditional Use Permit for a New Single-Family Dwelling at 220 King Road, Lot 2 of the Treasure Hill Subdivision, Part of the Sweeney Master Planned Development. The Appeal Panel Remanded the Plat Amendment to the Planning Commission to Determine (1) Does the Sensitive Land Overlay Apply Due to Sweeney Master Planned Development Vesting; (2) If the Sensitive Land Overlay Applies, Whether It Can Bisect a Lot; and (3) If the Sensitive Land Overlay Applies, What is Staff's Sensitive Land Determination, Recommendation, and Mitigations. PL-24-06057 (90 mins.)
(A) Public Hearing; (B) Action

6.E. **1800 Park Avenue – Park and Kearns Master Planned Development** – The Applicant Proposes Redevelopment of the Site with 174 Hotel/Condo Units, 60 Affordable Units, 8,143 Square Feet of Restaurant/Bar Uses, 2,543-Square-Feet of Retail, and 6,500-Square-Feet of Office Spaces in the General Commercial Zoning District and Frontage Protection Overlay Zone. The Applicant Modified the Project Building Height and Requests Planning Commission Input. PL-22-05476 (45 mins.)
(A) Public Hearing; (B) Continuation to a Date Uncertain

6.F. **2656 Aspen Springs** – **Modification to a Conditional Use Permit** – The Applicant Requests a Modification to a Guest House Conditional Use Permit Approved by the Planning Commission on April 13, 2022, to Include an Outdoor Pool. PL-24-06160 (15 mins.)
(A) Public Hearing; (B) Action

7. 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
JUNE 12, 2024

COMMISSIONERS IN ATTENDANCE: Chair Sarah Hall, Laura Suesser (via Zoom), Bill Johnson, John Frontero, Henry Sigg, Rick Shand

EX OFFICIO: Rebecca Ward, Planning Director; Jaron Ehlers, Planning Technician

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1. ROLL CALL

Chair Sarah Hall called the meeting to order at approximately 5:30 p.m.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from May 8, 2024.

Corrections were proposed by Commissioner Shand to the May 8, 2024, meeting.

MOTION: Commissioner Shand moved to APPROVE the Meeting Minutes, as amended for May 8, 2024. Commissioner Sigg seconded the motion.

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

B. Consideration to Approve the Planning Commission Meeting Minutes from May 22, 2024.

MOTION: Commissioner Sigg moved to APPROVE the Meeting Minutes for May 22, 2024. Commissioner Shand seconded the motion.

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

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

There were no Staff or Board Communications or Disclosures.

4. PUBLIC COMMUNICATIONS

Those providing public input were asked to state their full names and sign in. Comments were to be limited to three minutes or less and to be directed to the Commission, be civil, and address items before the Commission for review.

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Planning Director, Rebecca Ward reported that a Ribbon Cutting for the Water Treatment Plant will take place on June 24. It is open to the public. It was noted that the application was approved some time ago.

Commissioner Johnson gave a slide presentation on a recent tour that he and other City and County Officials participated in in Durango and Telluride. Affordable housing was one of the significant topics discussed, which does not apply to Park City since the real estate market is not comparable. In these communities, they are buying and repurposing aging hotels and motels. In one instance, 72 units were converted into 44 studio units and 28 one-bedroom units. In the rear of the property, they increased the number to 28 two-bedroom new construction units and 20 three-bedroom new construction units. All of the units are 60% Average Median Income ("AMI") with several set aside for 30% AMI. There were no market-rate units and no Code exceptions proposed. It was noted that the project was developed by the City. It was thought that the project could be financially feasible if the property were purchased at a discount since it was an old motel.

The takeaway was that homelessness is a critical issue in Durango and is prevalent throughout the area. Homelessness is something the City can be more aware of as they address affordable housing initiatives. A State Road is the main artery through Durango where there are no overlay or frontage protection zones. They are limited in that they have a Complete Streets Initiative as well as a Code to address the issue. Because of new development, they are doing a better job of widening sidewalks but the historical setback is a challenge.

Concern was expressed with trying to preserve green space as it limits the width of the sidewalk. It was suggested that the Commission consider widths when dealing with development in the City. It was not thought to be a good solution for walkability and bikeability. While everyone wants more trees, greenery, and dedicated open space, the hope is that there is a better way to accomplish it.

Where there is high traffic, support was expressed for wider sidewalks, however, there are cross streets that might not be as wide or mixed-use. The thought was that sidewalk width depends on the street, traffic, and pedestrian counts. Commissioner Johnson reported that Durango and Telluride have a great bike and walking trail along the river but much of the housing is on either side of the State Road. As a result, many of the connections are lost. The Planning Department there has limited flexibility because of the State Road.

Commissioner Johnson reported that Durango and Telluride are surrounded by federal land so urban sprawl is limited. In this case, they acquired 1,850 acres of private lands and are creating community-oriented activities such as an amphitheater and world-class mountain bike training and biking. When it was County land, it abutted Bureau of Land Management ("BLM") property. When the annexation took place, they rezoned their vision by zoning the open space and creating rural zoning areas. He considered it a great example.

Historic Preservation issues were discussed. Commissioner Johnson stated that they do a lot of work with respect to their Demolition by Neglect Program. A timeline is imposed within which a Building Permit needs to be issued within five years. Action needs to be taken rather than allowing buildings to fall into disrepair.

Commissioner Johnson reported that they have a very vibrant Main Street and rather than put dining into the street, they moved the sidewalk into the street and left the dining on the stairs. It

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flows well and allows for bike parking. Photos were described. Rebates were also offered to address traffic issues by providing e-bike rebates for specific income levels.

Commissioner Johnson reported that the group met with officials from the Towns of Telluride and Mountain Village and San Miguel County who are extremely aggressive with their affordable housing. Telluride has a Housing Authority that has done a lot of work. It was reported that a project consisting of Section 8 housing was built that was transferred to City ownership. Deed restrictions require 1,400 hours to be worked annually. They are having difficulty regulating that but are doing a lot of great things for affordable housing. Commissioner Johnson liked that there are 60% in town rental units and 40% that are owned. He suggested that the ratio be 75%/25%. It was noted that the majority of the County is an ownership model.

Commissioner Suesser found the discussion to be very interesting and helpful. She previously thought of Telluride as a town that is similar to Park City, however, she was not so sure anymore. Commissioner Johnson stated that the population of full-time residents is less than 6,000. The Town of Telluride itself is clustered and real estate prices are double those of Park City. He stated that the disparity is quite large. He suspected that was why they were so focused on affordable housing. Many people commute from Montrose, which is nearly three hours away, and from the surrounding counties. There is no major airport. Telluride, however, is making headway in terms of affordable housing.

A question was raised as to whether the affordable housing is mid-rise block housing or more individual. Commissioner Johnson stated that there is a lot of diversity in terms of building types in the area being discussed which is at the end of Town. He explained that affordable housing is a use by right, which was applauded by the majority of the attendees. He received clarification that it is a use-by-right if 100% of the affordable units are affordable and meet the Code. Otherwise, it goes through their Planned Unit Development ("PUD") process. He explained that AMIs fluctuate and that is how they are able to make it pencil.

Photos were shown of a downtown development where an entire intersection was buried to provide underground parking. There is deed-restricted commercial on the first level and market rate on the second and third floors. Across the street, they did the reverse with affordable market rate commercial below. Deed-restricted commercial was described as a space that is dedicated to non-profits such as office space and art studios. Commissioner Johnson liked the idea of providing specific vibrancy in certain areas. He did not consider it to be subsidized retail as it is geared toward non-profit organizations.

A question was raised as to whether Utah allows deed-restricted commercial. Senior City Attorney, Mark Harrington stated that it depends. There are components of that in the Intermountain Health Care ("IHC") Development Agreement. He explained that they may have more latitude to do it in a Development Agreement or Annexation rather than in zoning. They face occasional legislation that attempts to limit the City's involvement in affirmatively deeded restricting properties. He noted that the proposed bills have been oversimplified in the past but currently, the City has some capability to employ that. It could perhaps be put in the zoning.

A question was raised as to whether from a State or City level, there could be a public right-of-way with underground parking. Attorney Harrington reported that assuming the City is going to have some ownership capability, he could not recall the original plans for underground parking on the Bonanza site. There may be setback and property issues that would have to be addressed.

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Commissioner Sigg reported that the State has a statute for infrastructure funding for things like parking as a funding source for something that normally would be prohibitively expensive. Commissioner Suesser was also curious about that and stated that the State owns Hwy 228 and Hwy 224 and there are a lot of utilities in those roads. She loved the idea but questioned the feasibility. She hoped to explore it further.

Commissioner Johnson described other affordable housing components employed by Telluride such as a boarding house with 18 single-occupancy units, communal kitchens, and shared co-ed restrooms. It features 23 parking stalls and is located downtown close to the resort and Main Street. It is essentially winter housing for the workforce. There are a handful of tiny homes across the street that were described as overpriced. Telluride also provides housing for Town employees to incentivize them to stay. The AMI fluctuates based on that. Durango also has Demolition by Neglect in place. Currently, there is a seven-year time limit while community members support three to five years to help combat issues that exist with historic homes falling into disrepair.

A question was raised as to whether the City Code includes similar with regard to Demolition by Neglect. Attorney Harrington explained that there is a combination. There are inclusions in the City's Historic Code and the General Dangerous Building Code. There is no separate ordinance to that effect with affirmative obligations and Demolition by Neglect cannot be utilized as justification for demolition.

Photos of a small home were shown where they went three floors into the ground to secure the foundation as well as a gondola that took about 22 minutes to ride. It is free and runs every day from 6:30 a.m. to midnight. It was thought to be about half the cost operationally of running a bus and less than ¼ the cost of micro transit. The gondola was built and is owned by Mountain Village until 2027, which coincides with the equipment life of the gondola. The Town and the County are trying to figure out how to fund the $100 million renovation. It has been very controversial.

A question was raised as to whether there is affordable housing in Mountain Village. Commissioner Johnson confirmed that there is. They are doing a lot in that respect. He noted that there are no restrictions on nightly rentals. He reported that there is a development near the airport where a developer proposed to build affordable housing. The Housing Department, however, is very aggressive and did not go through the public process or any public hearings and spot-zoned it. They are now faced with several lawsuits. While the residents want affordable housing, the public process is very important to them.

There were no further public comments. The Public Communications Period was closed.

5. REGULAR AGENDA

A. 2413 Gilt Edge Circle – Condominium Plat Amendment – The Applicant Proposes to Amend the Arrowood Condominiums at Deer Valley Unit 3 to Convert 356 Square Feet of Limited Common Area to Private Ownership to Construct a New Bedroom within the Residential Development Zoning District. PL-24-06095.

Planning Technician, Jaron Ehlers was joined remotely by Marshall King and Megan Blosser from Alliance Engineering. The application was for a Condominium Plat Amendment for a three-unit condo development located at 2413 Gilt Edge Circle. A

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change was made to the proposed Plat since the packet was distributed. It was noted that not all of the common space will be converted to private ownership. The Arrowood Condominiums were approved in 1997 with litigation that led to a Settlement Agreement that required changes to what was approved. In 1999, the City reapproved the modified Condominium Plat that was recorded and the project built. In 2004, the City Council approved a Plat Amendment to Unit 2, which is similar to what is proposed to convert limited common space to private ownership to allow for the construction of an addition under a raised deck. The amendment was never recorded. There was also a change in the square footage from 356 square feet to 351 square feet of limited common area to private ownership to allow for the construction of an addition of one bedroom and one bathroom.

The existing condominium and deck meet the setback requirements but for clarity, staff recommended Condition of Approval Number 3, which specifies that the addition shall comply with the required 15-foot rear setback. There is no increase to the parking requirement, which the condominium already meets. Staff also recommended a fourth Condition of Approval that requires them to record and amend the Codes, Covenants, and Restrictions ("CC&Rs") and include recordation of the Plat.

Staff found there was good cause since when the City Council approved the original condominium plat in 1999, they found there was good cause for Record of Survey as a significant portion of the property will remain unbuildable. The addition does not exceed the area disturbed by the existing deck and most of the site remains undisturbed.

Staff recommended an amendment to the Draft Final Action Letter to change all mention of the square footage from 356 square feet to 351. Staff recommended the Commission consider granting approval.

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

Commissioner Suesser asked given the recited good cause that staff found to approve the request if there is a prohibition on an additional deck on the extension. Mr. King stated that the addition will be under the existing deck and cover the existing footprint. No additional deck is to be added. It was confirmed that the Homeowners Association ("HOA") has signed off on the request.

Commissioner Frontero asked about the title on the limited common area once they have filed the volumetric of the condominium. Mr. King explained that the limited common area will still be owned by the HOA and is for the use of a particular unit. Attorney Harrington reported that the amendment extends the volume of the unit to include the new area below the deck. There is limited common area there currently as it is under the enclosed deck.

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A rendering of the lower level was sought to better visualize the enclosure of the space under the deck. It was thought to be helpful to have a drawing or photograph of how it looks now. Mr. King stated that a photograph was submitted with the application and displayed for the Commission.

Commissioner Shand agreed that it would have been helpful to have a photo. It was confirmed that the deck will continue to be limited common area. Reference was made to page four of the Staff Report that shows the setback as 14' 4" as measured from the corner of the column of the deck. Below it shows that the building is in compliance with the setback of 15' 1" from a different measurement point. Mr. King explained that on the corner where the patio meets the building corner, there is a six-inch stone veneer. In this case, they were able to look under the stone veneer where the concrete foundation corner is visible. Setbacks are measured from the foundation. The measurement method was described. Once the addition is completed, it will be brought into compliance because the addition will not come out as far as the stone column. It was recommended that a rendering of what the project is expected to look like upon completion be provided.

Planner Ehlers reported that they have reviewed what is contained in the plat, which has a cross-section of the unit. The proposed rendering of the proposed build-out has not yet been shown to staff. He explained that that is not a submittal requirement for plat amendments. Ms. Blosser shared a .pdf rendering with the Commission showing the building elevations with the new addition.

Commissioner Frontero recommended that a rendering be required at the time of submittal for anything that impacts the exterior of a structure. He did not consider such a requirement to be a hardship for the applicant.

MOTION: Commissioner Johnson moved to APPROVE the Plat Amendment for Arrowood Condominiums at Deer Valley, Unit 3 subject to the following:

Findings of Fact:

1. 2413 Gilt Edge Drive is Unit 3 of the three-unit Arrowood Condominiums at Deer Valley Condominium.

2. 2413 Gilt Edge Drive is in the Recreation Development (RD) Zoning District.

3. On September 25, 1997, the City Council adopted Ordinance 97-44, approving the Arrowood Condominiums, a three-unit detached Condominium development.

4. On January 28, 1999, the City Council adopted Ordinance 99-2, approving the Arrowood Condominiums, with minor adjustments from a 1997 Settlement Agreement.

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5. All three units have been constructed.

6. On August 11, 2004, the Planning Commission held a public hearing on an amendment to Unit 2. That proposal was also to amend the Condominium Plat to convert the area under the deck into living space. The Planning Commission directed Staff to return with a recommendation to forward a recommendation to the City Council.

7. On August 25, 2004, the Planning Commission held a public hearing and forwarded a positive recommendation to the City Council.

8. On August 26, 2004, the City Council adopted Ordinance 04-37, approving the Plat Amendment for Unit 2.

9. That Plat Amendment was never recorded and has since expired.

10. On April 12, 2024, the Applicant submitted a Plat Amendment application to the Planning Department to amend Unit 3.

11. On April 22, 2024, the Planning Department issued the Applicant a complete application notice for the current application.

12. The Arrowood at Deer Valley Homeowners Association approved the proposal.

13. The Applicant proposes to amend the Arrowood Condominiums in Deer Valley Plat for Unit 3 to convert 356 square feet of Limited Common Area to Private Ownership.

14. This proposal increases living space by allowing the enclosure of the area below the existing porch.

15. This proposed addition includes a Bedroom and Bathroom.

16. The porch will be converted to a roof for the addition.

17. Unit 3 currently has a Private Ownership of 2,653.65 square feet.

18. The proposed conversion from Limited Common Area to Private Ownership is consistent, as conditioned, with the requirements of the RD Lot and Site Requirements in LMC § 15-2.13-3.

19. LMC § 15-2.13-3 defines the required setbacks: 20 feet for the Front, 15 feet for the Rear, and 12 feet for the Side.

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20. Condition of Approval 3 of Ordinance 99-2 establishes that the Front of the Lot abuts Gilt Edge Circle while the Rear abuts the Solamere Subdivision No. 1.

21. The existing Deck is in compliance with the Setbacks.

22. Due to the proximity of the existing structure to the zone setback, Condition of Approval 3 is necessary to confirm any addition/new construction meets the required zone Setbacks.

23. The proposal is compliant with LMC Chapter 15-2.13 because it is not proposing to alter the Lot Size or Lot Width, nor does the Addition increase the Building Height.

24. LMC § 15-3-6(A) establishes the minimum Parking Requirement for a Condominium Unit over 2,000 Square Feet to be two Spaces.

25. The existing Unit 3 already has a two-car Garage, and the proposed expansion of Private Ownership does not increase the Parking Requirement.

26. There exists Good Cause for the Plat Amendment because it maintains the Good Cause that was identified when the City approved the Plat in 1999, specifically that "[t]here is good cause for the Record of Survey, as a significant portion of the property will remain unbuildable." The addition does not exceed the area disturbed by the existing deck, and most of the site remains undisturbed.

27. The proposed addition does not disturb any Public Street, Right-of-Way, or easement.

28. The Development Review Committee reviewed the proposal on May 21, 2024, and requires Condition of Approval 4.

29. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on May 29, 2024.

30. Staff mailed a courtesy notice to property owners within 300 feet on May 29, 2024.

31. *The Park Record* published a courtesy notice on May 29, 2024.

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Conclusions of Law

1. The proposal to amend Arrowood Condominiums at Deer Valley Condominium Unit 3 complies, as conditioned, with the RD Zoning District Requirements outlined in LMC Chapter 15-2.13.

2. The proposal to amend Arrowood Condominiums at Deer Valley Condominium Unit 3 complies, as conditioned, with the Off-Street Parking Requirements as outlined in LMC Chapter 15-3.

3. The proposed Plat Amendment complies with the LMC requirements pursuant to LMC Chapter 15-7.1 for Plat Amendment procedures because there is Good Cause and no Public Street, Right-of-Way, or easement is vacated or amended.

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 Conditions, Covenants, and Restrictions 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 addition shall comply with the required 15-foot Rear Setback.

4. Before recordation of the Plat Amendment, the Applicant shall record with the County the Amended Declaration to the Condominium for Arrowood at Deer Valley Condominiums in a form approved by the City Attorney.

Commissioner Sigg seconded the motion. The motion passed with the unanimous consent of the Commission.

The Commission took a short break.

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B. Bonanza Park Small Area Plan – The Planning Commission will Review the Draft Plan to the Planning Commission, which Establishes a Vision Statement and Project Goals to Create a Mixed-Use, Local, User-Friendly, Inclusive, Green, and Cultural Neighborhood. PL-24-06026.

Andy Knight and Luis Calvo were present from MKSK Planning\Urban Design\Landscape Architecture to continue the discussion from the last meeting on the Small Area Plan. Mr. Knight explained that the discussion on the 200-acre study plan was in conjunction with the five-acre study. They will also share a preview of the final report that will be prepared as part of the study process. Revisions were made to Mixed-Use and User-Friendly based on conversations that took place at the last meeting.

The three remaining goals were discussed and consisted of the following:

- Inclusive – Expand the Availability of Affordable and Workforce Housing Units. Throughout the process, they have recognized workforce and affordable housing as very high goals from this study area. High marks were received in terms of public engagement from stakeholders. The State defines affordable at 80% of the Area Median Income ("AMI"). Park City has an Inclusionary Housing Ordinance that requires Master Planned Developments to provide 20% of its units as affordable and a percentage of the workforce generated by the project. As recent as 2023, a Housing Needs Assessment was conducted at which time there were around 651 moderate-income units Citywide. At that time, it was 11% of the 15% goal. Based on their discussions with the community, that goal should be higher. That should ramp up by 800 to 1,000 units Citywide. The Bonanza Study Area is an ideal location for workforce and affordable housing. For that reason, it is a goal of the project.

  The recommendations were as follows:

  - Work with the development community to build more affordable workforce housing.

It was recommended that the City explore additional Development Agreement options and incentivize affordable units. They can also encourage the construction of different types of unit sizes.

  - Establish bold affordability metrics to guide decision-making and track short and long-term success.

There should be a baseline that begins with a given year and checks in on the progress of goals.

  - Work with residents and property owners to preserve naturally occurring moderate-income housing already existing in the neighborhood.

Preserve existing housing that is near Bonanza Park. It is referred to as naturally occurring affordable housing.

  - Ensure that new housing in public spaces in Bonanza Park follows universal design principles.

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Promote housing for all users. Universal design principles should be employed including accessible entries and non-slip surfaces in floors and bathtubs. A case study that has a good mixture is the Martha Project in Boise, Idaho. The developer utilized quality materials, integrated public art, and contains a mixture of studio, 1, 2, and 3-bedroom units. There is also interior bicycle parking. Open space and common areas were also incorporated where people could gather.

- Green – Create a More Welcoming and Sustainable Community. The three goals were identified as:

    - Create a safe and comfortable 10-minute walk to the park, outdoor community, or trail connection.

An area was identified in the center of the study area that shows a need for an area for a park. This is within a 10-minute walk for many Park City residents. There is a need for parks and open space common areas. They can also create neighborhood and outdoor community space and focus on trail and pedestrian connections.

    - Provide examples of publicly accessible green spaces or outdoor community spaces.

While all open spaces do not have to be of the same type, they can all work collectively to create a sustainable neighborhood. They can include community gardens, urban plazas, and large gathering areas and received positive feedback from the community.

    - Incentivize sustainable development with Park City to meet the net zero goals, reduce vehicle trips, and improve access to transit.

- Cultural – Weave Arts and Culture into the Community Fabric.

The recommendations were as follows:

- Use public art and placemaking elements to inspire, delight, and enliven public spaces and streets in Bonanza Park.

- Ensure that public art is meaningfully incorporated into development proposals and community outdoor spaces.

    - Allow art installations in the Frontage Protection Zone. When approved through the Public Arts Advisory Board, this is a good way to utilize the Frontage Protection Zone and provide opportunities to share culture in the arts in the neighborhood. Public art can also be shared in streetscapes. There are numerous opportunities to integrate public art into streetscape and traffic calming measures.
    - Develop art installations and gateway elements. Work with the Summit County and Park City Arts Council to enliven the Rail Trail.
    - Public Art is a core development principle. They can encourage and require developers of Master Planned developments to incorporate local art.

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- Require the community outdoor spaces create as part of new development to include public art and incorporate murals, super graphics, and color to break up building facades.

Commissioner Suesser commented on how the area needs open space or a public park and asked if any thought had been given to reimagining the Olympic Park area making it more vibrant and potentially using it in a new way. Mr. Knight responded that they did not think specifically about the park itself in terms of recommending that it be improved, but it is addressed in some of the elements being discussed such as gateway opportunities and expression of culture. He considered it a good opportunity to create a welcoming experience.

The comment was made that when trying to implement a park onto private property there was some question as to how that can occur with a City-owned park on private property. Mr. Calvo stated that there are a variety of privately owned public spaces that are programmed by a developer or private owner with public access that are not officially a public park. If there was a desire for a portion of a development to be a public park, there would be a Development Agreement or Memorandum of Understanding between the developer and the City for maintenance, cleanup, programming, etc. Generally, however, that remains within the developer's purview and is considered an amenity to the development itself.

Mr. Calvo reviewed Section 4 of the presentation – Bonanza Park in Action. It is the implementation chapter and makes the ideas and concepts a reality. He stated that all communities, regardless of size and resources, must have targets and priorities. The top three priorities in implementing the plan were identified as follows:

- Draft the new Bonanza Park Mixed Use Zoning District ("BPMX"). It includes such things as the density bonus and the addition of community benefits. The next step will be to formalize the concepts that are shared in the document with staff working with the community on that through additional engagement.
- Update the Frontage Protection Zone ("FPZ") to guide future development. It is a response to a potential rezoning. As additional density becomes palpable through a mixed-use zoning district, the FPZ has increased its importance in protecting scenic views along key corridors in Bonanza Park. The update will ensure that new development in Bonanza Park continues to honor some of the scale and character that are expected from gateways into the community. The language should be drafted concurrently with the BPMX zoning and go to the City Council for consideration as a future ordinance. This is a short-term item that can begin right after the adoption of the process.
- Ensure that all streets in Bonanza Park have a baseline of pedestrian connectivity and safety. There are expectations for a walkable community. There are several things in Bonanza Park that are lacking with respect to walkability, connectivity, bike friendliness, and transit readiness. One is the lack of sidewalks. A number of sidewalk gaps have been introduced in the plan that should be addressed.

It was recommended that the Commission work with Mr. Calvo on his pre-implementation goals, specifically FPZ improvement. Interest in connectivity issues was also expressed. Mr. Calvo referred to the matrix in the Implementation Section and stated that for each of the goals there are associated recommendations. A timeline was added based on conversations with City Staff and their assessment of the feasibility of each. He considered many of the goals to be intertwined. He commented that the Code will drive many of the initiatives. He used the matrix as the guide

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in that effort moving forward. The goals also describe the future of Bonanza as desired by the public. Chair Hall commented that the implementation recommendations include things the City can do and provide a good place to start. It was reported that as drafted, the plan is intended to be a supplement to the General Plan. It brings forward the latest community vision for future development. The Commission can consider it a guiding document until the ideas are codified. A question was raised as to why they should require all six goals to be met by a new application. That was thought to be a high bar although the goal within the area was to achieve all six at a high level.

The categories of Inclusive, Green, and Cultural were discussed. Support was expressed for interweaving culture and art throughout the entire 200-acre area paying particular attention to the trails. It was something that the community wants to continue to see. The three goals were thought to be well presented.

The document has been updated since the last meeting. The edits were presented. Mr. Calvo stated that the first edit applies to the entire Bonanza Park Tomorrow Goals. They were asked to update the imagery to better reflect the character of Park City. Mixed Use Goals 1 and 2 were updated as well as the FPZ on pages 57 and 58 and 61 and 62. For Goal 1, revisions were made to the Community Benefits Section. The graphic was expanded to reflect the examples of community benefits that could be provided as part of the next step of implementation. Each category was expanded to include a more complete definition of what the Community Benefit means in this context. In the multi-modal transit hub, they identified the Park Avenue Transit Stop and Fresh Market as key. They also added the potential for heated or enclosed structures, public restrooms, or other transit amenities that developers could pay as a fee in lieu. The Snow Creek Tunnel and other public improvements were added to the neighborhood that developers could pay into as a community benefit. The undergrounding of utilities was added to the list of potential community benefits that can be considered. They also specified that affordable and workforce housing as a community benefit must be above and beyond what is required by the Code. That is 20% of the affordable units. For it to be considered a community benefit it would need to exceed that local requirement. Edits were also made to the verbiage to indicate that community benefits can be organized in a weighed system and point-based. The points must reflect the relative value of an investment of a community benefit.

Concern was expressed with the point-based concept but it was projected that practicality and implementation may be challenging. A tiering system was suggested as an alternative. The wording was to be changed to specify that a density bonus could be reviewed by the Planning Commission for a recommendation to the City Council for review and approval. Chair Hall commented that it is necessary to address affordability to provide incentives.

It was suggested that a mechanism be in place where they can signal to future developments that they no longer require the three benefits as they have been satisfied. Mr. Calvo agreed and stated that Bonanza Park does not need multiple mobility hubs. The impact of a mobility hub is that it is centralized and it requires placement in the district. The Code could be written to reevaluate community benefits of have discretion in how or if they are applicable to a certain project. It was suggested that there be flexibility in the benefits and potentially reprioritize them so that new applicants can help satisfy the benefits that remain unsatisfied. Mr. Calvo suggested that there be clarity for developers in terms of what can be expected. He suggested that the process be spelled out in the Code of how community benefits can expire or be fulfilled.

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Commissioner Suesser suggested that they delete a portion of number two to state, “Community benefits are scored based on their impact.” Chair Hall remarked that it seems that if the development meets some or all community benefits it is scored and qualifies. She was not sure that was the progression and it might not qualify. Commissioner Suesser’s understanding was that if they have some or all of the community benefits, at a later point they will develop a system that will indicate what they would be entitled to for a density bonus to be determined later.

Chair Hall suggested that number 3 specify that there shall be a determination as to whether a development qualifies for a density bonus rather than it being presumed.

Mr. Calvo presented revisions to the FPZ reflected on page 61. They first added verbiage to specify that the Planning Commission maintains discretion within the FPZ, especially for development after the 30-foot setback to the 100-foot setback. This will be addressed further at a later date. The most significant change to the FPZ was the addition of a building height restriction to the entirety of the FPZ regardless of any density bonus that occurs in the underlying zoning. The building height maximum for the FPZ is 35 feet. They also added that they understand that there are small sites, corner lots, or other issues that arise that could be in conflict. It was recommended that there be a level of discretion for the Commission to consider site-specific factors in applying the FPZ. For instance, a corner lot or a lot where the FPZ occupies a significant majority of the site.

Mr. Calvo reported that they also added updates to page 62 of the plan including the following:

- Encouraged the undergrounding of utilities in the FPZ;
- Added edits and language to clarify the plan’s recommendation on the placement of mechanical equipment and elevator shafts;
- Reiterated the recommendation in the Culture Section to allow arts and culture elements in the FPZ.
- Added a cross-section to show what the FPZ updates might look like if they were built out.
- Clarified that green space in the FPZ, which has been described as a linear green, should not be something that is only restricted to the perimeter of the site. If the site is able to accommodate it, it should be a green that is interconnected to the neighborhood to break up super blocks. They are intended to connect to the interior of the site.

A graphic was added to show an example of how the FPZ updates could reimagine some of the public spaces along the key corridors.

It was noted that based on the last meeting, they wanted to reduce the FPZ from 300 to 100 feet. A 30 to 50-foot setback was added with the potential for additional height to be allowed in the area. Public art will be allowed within the 30 feet but it was recommended that there be site-specific criteria as well for things within 50 feet. Mr. Calvo explained that if the FPZ occupies a majority of the site, the Planning Commission can have discretion in how the regulations are applied. A paragraph was added to specify that they are allowing for exceptions of prioritized good design on smaller, challenging sites at the discretion of the Planning Commission.

Commissioner Suesser stated that as groups they talked about how it would be a Conditional Use Permit (“CUP”) process and if it is appropriate or if additional criteria would be appropriate. Director Ward explained that with the site-specific design, there was discussion of the Sensitive Land Overlay where vantage points have been designated. When a developer comes forward,

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they can go to a designated vantage point and consider how to develop their site plan. There can be designated criteria similar to what is in the Steep Slope CUP where, based on site-specific review, there might be some flexibility with Commission discretion to increase setbacks for corner lots or similar. The criteria that are addressed there would come as part of the Code Amendment process. That is expected to come forward as a CUP from the applicant. Mr. Knight offered to clarify that in the text.

The thought was that it would allow the Commission discretion to review an application on a case-by-case basis. The one flaw identified was that public feedback was based on the five-acre parcel and limiting the FPZ. Commissioner Suesser commented that given the congestion and the entry corridor at Kearns Boulevard and Park Avenue near the Yarrow, a greater setback there would be appropriate as opposed to the Arts and Culture corner. Both will be in the same zone.

Director Ward explained that there are currently no vantage points for the neighborhood. There are predictable standards that would be applied to the projects that come in within the FPZ. The vantage points are tied to the SLO. There are some processes that the Commission goes through that have criteria that can help achieve the goals of the FPZ.

Commissioner Suesser mentioned interior green space and the desire to encourage that. She states that green space should be public and not in interior courtyards, for example, and cut off from the public. Public green space will be more sought after in the FPZ. Director Ward suggested the term “public” be added to the draft, which overlaps nicely with what is recommended in the Green Section.

Mr. Calvo recalled a previous discussion of a boutique hotel as a use consideration. They are not to a point that they can have a list of allowable uses but they are alluding to certain things. Their understanding of a boutique hotel was typically 10 to 100 rooms, an independent brand or small chain that offers a niche or unique visitor experience. The term “boutique hotel” is not defined in the Code currently but could be added as part of a Code update. Another option was to add a third category of lodging to be called “boutique hotel”. Examples from other communities were shared. Mount Pleasant, South Carolina, for example, defines “boutique hotels” as containing no more than 50 lodging units and specifies the types of services provided. Sonoma County defines it as up to 50 rooms with or without kitchen facilities. Aspen’s definition is much more restricted to 10 to 14 individual units. If considered as an allowable use implementation would involve defining what that means.

Mr. Calvo stated that most municipalities have just a hotel or lodging category but no limit on the number of rooms. As a resort community, they have very specific needs and demands. The benefit of defining boutique hotels or expanding the hotel categories could be to allow for smaller lodging in Bonanza Park that might not be allowed or supported by the community if it is a larger hotel. As part of the engagement, there was some hesitation to allow larger, new hotels in Bonanza Park. People were much more open to smaller hotels or boutique hotels. The land use regulatory side becomes more complicated when the definition is essentially the same.

The comment was made that the boutique hotel and hotel concept has a lot to do with the business model of the hotel and the ownership parameters. It was recommended that within the newly created Bonanza Park Mixed-Use District, a new hotel category is defined based on the number of rooms being 40 to 50. It should also limit meeting space. Another definition should be based on the ownership structure. All of the rooms available in the definition of boutique hotels should be nightly rentals with single ownership and operated as a traditional hotel. Mr. Knight

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cautioned that with the creation of a new category they might have to update the definitions of minor and major hotels if the number of rooms or the ownership structure is in conflict. With regard to the district, it was suggested that they consider putting a cap on how many hotels will be allowed. Mr. Calvo noted that with respect to short-term rentals, the intent is to have a more concise strategy for Bonanza Park. The next step in defining that is to clarify that a boutique hotel is not an avenue for short-term rentals.

The comment was made that more detailed discussion is needed on the matter and there is a benefit to having a hotel there. Hotels have a high turnover of people, which creates vitality. 90% of people who stay in hotels go out to eat and long-term tenants in the area eat out 20% of the time. There is a balance that should be reached to create vitality in the area. Chair Hall agreed and stated that her vision for the boutique hotel use in the area is to allow it to the extent they can prohibit nightly rentals of condominium units. If they allow enough of this type of model they can potentially reduce the number of nightly rentals that are permitted in the area. Mr. Calvo was confident that when staff prepares a Staff Report on the matter, the definition of boutique hotel or use is longer.

Mr. Calvo identified changes made to pages 71-77 of the User-Friendly Section. Under UF1 they added language to consider corner lots and setbacks to allow for pedestrian/cyclist movement and circulation. They recommended that the Commission consider seasonal pedestrian/cyclist amenities as well. They also provided a cross-section of what a pedestrian/cyclist/greenway connection can look like as part of the FPZ or signature trail or as part of a new street. A cross-section was also shown of what a new north-south connection could look like as well as a separated landscape pedestrian trail. This is an instance where a tighter right-of-way can be accommodated to add a trail connection. Revisions were also made to the User-Friendly 4 where they expanded the language to provide opportunities for greater parking reductions for all uses and to allow the potential for minimal parking for a use such as a boutique hotel.

The Commission took a five-minute recess.

Chair Hall opened the public hearing.

Mark Fisher thanked the Commission for their dedication and reported that he sold the five acres and the Engine House property to the City. He has a 20+ year background on the property. With regard to connectivity and the design of the tunnels and trails, they spent years coming up with a plan that involved the land between Bonanza Drive and Park Avenue. The intent was to move the substation and allow that footprint to be Bonanza Park. At that time, the intent was to move the substation to where the Deer Valley Laundromat is located on the other side of Bonanza Drive. Now the City Council is contemplating putting it above Zions Bank which he supported. He was told that the power lines will be aligned in such a way that will allow the substation in future years to be moved so that the area where it is currently can be redeveloped. Mr. Fisher encouraged the Commission to leave that possibility open to address connectivity. For example, the rail trail can be extended under Bonanza Drive directly to the substation and from there to Park Avenue and the resorts. He thought it would be a missed opportunity to not consider that as part of the plan. Mr. Fisher commented that everything he is hearing tonight so far is that the Code will largely benefit the five-acre parcel and properties like the Yarrow. The vast majority of the properties will not be demoed in the near future. He encouraged the new Bonanza Park Mixed-Use Zone to adopt a more modern parking standard as is seen in large communities. Mr. Fisher stated that they have been wanting to enclose the Blind Dog deck for at least five years and through different staffing issues with the Planning Department they haven't gotten anywhere. He

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encouraged the Commission to make additions to the Code that address and improve the operations of existing businesses that have 10 to 15-year leases and won't be torn down.

Tracy Hardin, a Park Meadows resident, stated that she is a user of the Cloud Creek Trail which has become a thoroughfare for e-bikes. When approaching the Olympic Plaza riders struggle to understand where to go and it is very dangerous to navigate and cross there. She stated that a tunnel is part of the long-term plan but suggested that it be prioritized. In addition, considering green space in the Olympic Park area there is a lot of cement so if there is an opportunity there to create green space or a more hospitable gathering space with better shade it would be beneficial. Ms. Hardin next commented on the green space considerations and stated that the renderings shown on the slide were very large gathering spaces. She suggested they instead provide more intimate spaces. With regard to sustainability, currently, it is net zero good transit. There is a tremendous opportunity at this junction in the redevelopment and building in Park City to put more framework around net zero buildings and electrification. She commended the City's sustainability team who is very knowledgeable and willing to set aggressive guidelines for that. They have provided innovative ways for Park City to become a bigger showplace for sustainable building.

Debra Renfro gave her zip code as 84060 and was under the impression that Fehr & Peers was going to have a representative present to talk about the circulation and transportation portions of the study. She referred to page 256 in the packet where Fehr & Peers states that "All plus- project traffic scenarios were based on the preferred Land Use Plan developed for the study area which had two versions; a high-density version and a low-density version. The primary difference between the two versions was the amount of residential units proposed with 4,925 multi-family residential units in the high-density version and 3,844 multi-family residential units in the low-density version. All other land uses (hotel, dorms, art center, professional office, retail, restaurants, and grocery store) were the same for each version. The land use plan is described in more detail elsewhere in this Small Area Plan. " In the May meeting, the Commissioners asked MKSK for a ratio of residential, hotel, office, restaurants, etc. that would yield the most vibrant, successful Bonanza Park District. MKSK stated that they had not determined a ratio for Bonanza Park yet Fehr & Peers states that it has been detailed elsewhere. Ms. Renfro asked what mix Fehr & Peers used for each version and who developed it. What assumptions were made for additional employee generation for low-density versus high-density. This matters from a traffic perspective and potentially impacts the need for more affordable housing. On this matter, Ms. Renfro asked what assumptions Fehr & Peers made regarding traffic for the increase in visitors to the area from outside Bonanza Park.

Ms. Renfro referenced pages 205 and 206 of the packet where there are graphics with inset photos of what the corners look like today. In all three, mountains are visible. The depictions under the proposed FPZ, mountains are no longer seen in two of the three photos. It was her understanding that the main focus of the FPZ is to preserve viewsheds. She asked the Commission to reconsider that. In the Small Area Plan Committee, there was discussion about whether the Commission should consider dedicated bus lanes as an appropriate use within the first 30 feet of the FPZ.

Peter Tomai lives in the 84098 zip code. He commended the City for recognizing the potential presented by Bonanza Park. As Mr. Fisher alluded, there has been a lot of thought and time over many years in determining how best to deal with the area. Previously, Bonanza Park was the industrial and commercial core of Park City. It included lumber yards, gas stations, and other industrial uses. It has since evolved into a niche neighborhood with successful small businesses

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and creative uses. It, however, suffers from its industrial legacy with acres of asphalt parking, low metal and block buildings, and a complete lack of open space, vegetation, and bike and pedestrian facilities. It was designed for cars. Mr. Tomai was concerned when he heard that it would be many years until the area will be redeveloped. He questioned whether that was the goal. He suggested that they encourage redevelopment in the area to create an opportunity for a complete community where people can live, work, play, thrive, and grow.

Greg Friedman, a Bonanza Park resident, reported that he has lived in the area for many years and he walks the area frequently. With regard to the gaps in walkability, when looking at the graphic presented, he identified places where they could have additional walkability that have not been suggested. He recommended the addition of a walkability sidewalk/trail behind the properties of Homestake and Claim Jumper Properties to connect Kearns Boulevard and Homestake Road to provide connectivity for the people who live in the existing buildings and what will be there in the future. He also suggested that the potential for a sidewalk/trail be added to connect the back of the Engine House property and what is now the Substation property across the existing property to Iron Horse Drive to help provide connectivity. He suggested that rail service be brought back to the center of Park City. He considered it to be very shortsighted to not take into account the fact that rail travel is so efficient. The district mobility hub could include a rail element with the Rail Trail terminating in the Bonanza Park area.

There were no further public comments. The public hearing was closed.

Chair Hall stated that once the matter goes onto the City Council there will be another opportunity for public comment.

Planner Ehlers stated that to this point staff has served as the liaison for the project and it is being fast-tracked to the extent possible. He took exception to the people thinking that they do not have a sense of urgency to take action and that they are trying to inhibit development. He explained that they are trying to do it the right way.

Mr. Knight addressed the next steps which are to incorporate the feedback provided tonight into an updated version of the plan. Mr. Knight was asked why representatives from Fehr & Peers were not present tonight. Mr. Knight stated that Fehr & Peers was not available but they made arrangements for them to attend the next City Council Meeting. Regarding the question of a preferred plan, under the proposed development scenarios, they reacted to a preferred street network plan. Several options were presented and the preferred plan included a mixed-use formula to determine parking and traffic demands.

The comment was made that Fehr & Peers expects every major intersection to operate at a Level of Service “F” in the next 10 years. Mr. Knight stated that there are some existing traffic concerns and additional development will continue to exacerbate those issues.

Director Ward reported that during peak times every major intersection is in this neighborhood. Fehr & Peers coordinated with the Engineering and Transportation Planning Teams to look at the traffic holistically. That includes future developments. This is a neighborhood that can be pedestrian-oriented and transit-friendly through mitigation strategies, site-specific requirements, parking reductions, and transit enhancements. Expert help on those strategies is available through the mobility component, which is part of the Bonanza Park Small Area Plan. As they go through the Code, they have a great foundation to build upon with the Lisa Wise Consulting work on Transportation Demand Management Plans that can be required for individual projects that

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allow for annual reporting and compliance that build in flexibility over time. Those details can be included in the Code so that mitigation strategies can be site-specific in the context of what is taking place in the neighborhood as a whole. It was contemplated that each project will likely have to provide a Traffic Mitigation Plan and a long-term plan that shows how the impacts of the plan will be managed. A key component is how they develop the 200 acres to make it more pedestrian-friendly and less reliant on cars.

The comment was made that Olympic Park would be more user-friendly if there was a viable way to get there. With regard to traffic demand and failure, there is an acute need for our transportation and traffic initiatives to move forward. Recently, recommendations were made to the City from the Transportation Disrupter Committee and potential initiatives. It was noted that many people will come to the area from throughout the County.

A question was raised as to whether the plan would allow for Bus Rapid Transit, SR-248, or transit improvements. Director Ward stated that throughout the process the coordination of long-term transit improvements has been reviewed and input has been provided from the long-term planning teams. There is nothing in the plan that would prevent those improvements from happening but facilitate and help support those long-term improvements. The point was made that if a developer had a basic plan for the City-wide Transportation Initiative, it would be easier to plan.

With regard to priority, Mr. Calvo assumed there would be some procurement, design time, and lead time needed to fulfill some of the connectivity gaps. Commissioner Suesser referenced the corner of Kearns Boulevard and Park Avenue and asked if the City can determine how much space they should have for pedestrians and cyclists for a well-connected corner and whether it makes sense to construct a tunnel or overpass to take people from that corner across Park Avenue. Director Ward stated that there are several adopted plans in place. This will become a supplement to the General Plan if it moves forward. They also have Park City Forward, which is the transportation plan that sets long-term projects and priorities. She referenced page 72 of the plan, which calls out a potential tunnel or connection from McLeod Creek creating the north-south connection through Shortline Road to Deer Valley Drive and identifying that as a gap. The desire is to build a network along Park Avenue and north-south connections that are currently missing and the east-west Rail Trail connection. In terms of individual improvements for the major intersections and the experience of pedestrians and cyclists crossing, some additional recommendations and strategies would need to be done in partnership with the Utah Department of Transportation ("UDOT"). There was a public comment about looking at the connectivity grid. There are limitations and opportunities and this provides an overview of a network that individual sites can plug into and connect with. As individual sites develop, there are opportunities to improve internally and address how people are coming to the sites overall.

Director Ward explained that the City can improve all of the pedestrian connections along the major intersections in partnership with UDOT. The plan recommends that as the neighborhood develops those things are done over several years. If the recommendation on page 97 is to reduce that to short-term that can be done.

There was a consensus among the Commission to support the six high-level goals and acknowledge that the real work will take years and many meetings to accomplish. Chall Hall stated that in general, the Small Area Plan with the updates discussed tomorrow was something she was satisfied with in terms of forwarding a positive recommendation to the City Council.

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Procedural issues were discussed. Director Ward reported that there will be many meetings held to review what has been discussed to make the six goals a reality and what the Code allows for. She explained that in order for the Code to apply, it needs to be updated. When an applicant comes forward, once they submit a complete application they are vested under the Code that is in effect at that time. The Commission has flexibility under the existing Master Plan Development Code. For the amendments coming out of the project to apply, they have to be fully adopted. The City was awarded a grant for consultant services to ensure that they are done and done well in a reasonable amount of time. The internal goal was to move forward with a draft by the end of the year.

It was suggested that it move forward as quickly as possible in order for the stakeholders in the area to begin to move forward and present applications for redevelopment. It was determined to be a good framework for the next step. MKSK was thanked for their good work and for capturing what the community relayed to them. They should meet with the City Council to determine what the community benefits will be for the Code amendment and how they will approach the tabling and the matrix system for the developments that will be seeking a density bonus. Director Ward confirmed that it is proposed to be a supplement to the General Plan and will replace what is currently in the General Plan specific to the Bonanza Park Neighborhood. For the comprehensive updates to the General Plan, the City Council approved the contract with Design Workshop and the project will be getting underway this month.

Director Ward commended MKSK for their great work. Revisions will still be coming forward regarding renderings on pages 64 and 65. The renderings reflect what the Commission reviewed in the last meeting. When the matter goes to the City Council they will be updated to reflect the latest changes to the FPZ.

MOTION: Commissioner Johnson moved to forward a POSITIVE recommendation to the City Council for the Bonanza Park Small Area Plan based on the Draft Ordinance. Commissioner Frontero seconded the motion. The motion passed with the unanimous consent of the Commission.

6. ADJOURNMENT

MOTION: Commissioner Shand moved to adjourn. The motion passed with the unanimous consent of the Commission.

The meeting adjourned at approximately 9:00 PM.

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Planning Commission
Staff Report

Subject: **218 Sandridge Road**
Application: **PL-24-06059**
Author: **Planning Team**
Date: **June 26, 2024**
Type of Item: **Steep Slope Conditional Use Permit**

Recommendation

(I) Open a public hearing, and (II) continue the public hearing to July 10, 2024, to allow the Applicant time to make modifications to the proposal.

Description

Applicant:	Dennis Hranitzky, represented by Molly Guinan
Location:	218 Sandridge Road
Zoning District:	Historic Residential – 1
Adjacent Land Uses:	Residential
Reason for Review:	The Planning Commission holds a public hearing and takes Final Action on Plat Amendments.[1]

LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

[1] LMC Section 15-1-8(H)

Planning Commission
Staff Report

Subject: **Parcel: PCA-S-98-SD-1A**
Application: **PL-24-06159**
Author: **Virgil Lund, Planner I**
Date: **June 26, 2024**
Type of Item: **Conditional Use Permit**

Recommendation

(I) Review the proposed Conditional Use Permit for Parking Area improvements at the Mid-Mountain Trailhead, (II) conduct a public hearing, and (III) consider approving the Conditional Use Permit based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant:	Sommet Blanc, LLC Douglas Ogilvy, Applicant Representative
Location:	Parcel PCA-S-98-SD-1A
Zoning District:	Residential Development
Adjacent Land Uses:	Multi-Family Dwellings, Recreation Open Space
Reason for Review:	Parking Areas greater than five spaces require a Conditional Use Permit in the Residential Development Zoning District.[1]

CUP	Conditional Use Permit
LMC	Land Management Code
MPD	Master Planned Development
RD	Residential Development

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

The Applicant proposes improvements to the existing Mid-Mountain Trailhead Parking Area along Marsac Avenue to increase the Parking Spaces from 15 to 29 with two that are ADA compliant. The current paved parking area requires vehicles to back onto Marsac Avenue. The improved Parking Area will be horizontally separated from Marsac Avenue with a low landscaped berm and includes angle-in parking with a one-way entrance and exit, and parallel parking for vehicles with trailers (Exhibit B). The

[1] LMC § 15.2-13.2(B)

Applicant proposes retaining walls greater than six feet in height and the removal of Significant Vegetation to construct the Parking Area improvements.

Background

The Mid-Mountain Trailhead and Parking Area along Marsac Avenue in the Empire Pass area near the Sommet Blanc site (9300 Marsac Avenue) has been an unofficial Parking Area popular for recreational users. Parking Areas greater than five Parking Spaces require a Conditional Use Permit (CUP) in the Residential Development (RD) Zoning District.

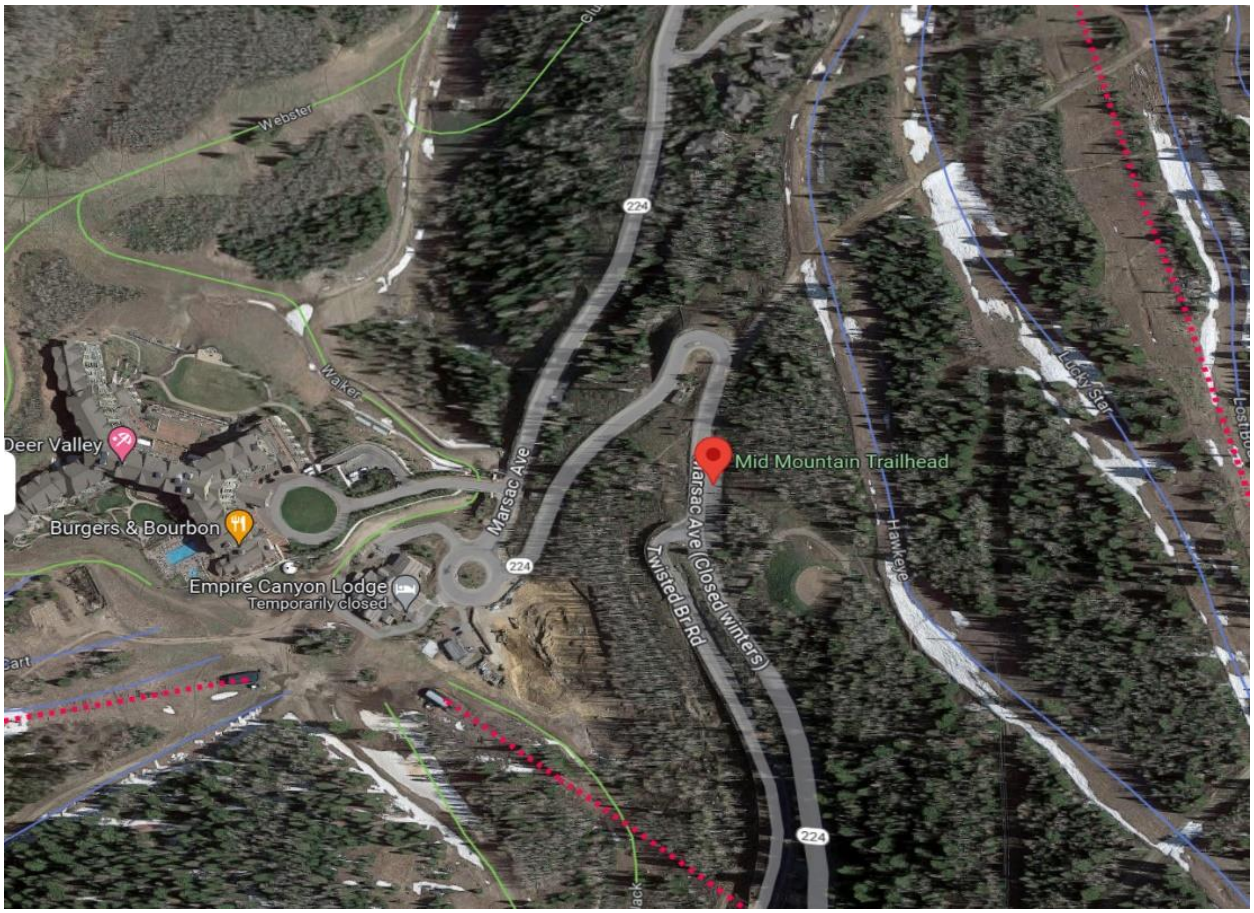


Image 1: Mid Mountain Trailhead Location in the Upper Deer Valley Neighborhood.

Image 2: Existing Conditions at the Mid Mountain Trailhead Requiring Vehicles to reverse onto Marsac Avenue.

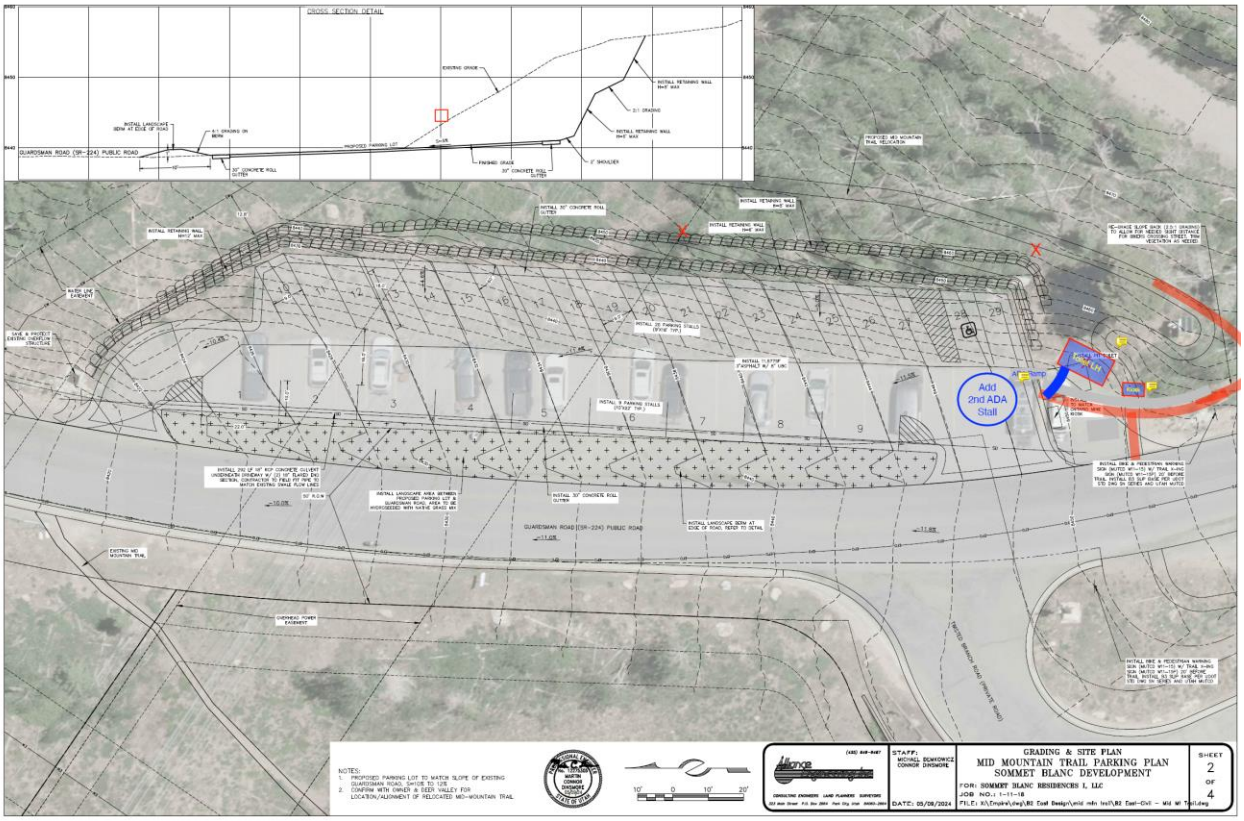


Image 3: The Applicant's proposed improvements create a one-way circulation and angled parking so vehicles no longer back out onto Marsac Avenue.

Sommet Blanc Approvals

The Sommet Blanc CUP was approved by the Planning Commission on March 9, 2022, for the development of 49 residential units and a 3,600-square-foot restaurant.

The Mid-Mountain Trailhead and Parking Area improvements were considered by the Planning Commission as part of the 2022 Sommet Blanc CUP approvals. Condition of Approval 24 states:

> *Applicant shall construct a parking lot at the Mid-Mountain location and reroute the Mid-Mountain trail, which shall be reviewed and approved by the City Trails & Open Space Manager.*

Condition of Approval 25 states:

> *Applicant shall obtain a license agreement, subject to City Attorney's Office approval, which ensures the City's ability to operate, manage and maintain the Mid-Mountain parking lot (snow removal to remain within the EPMOA).*

Condition of Approval 18 from the Sommet Blanc plat approval states:

> *"The Mid-Mountain Trailhead parking lot shall be constructed by 10/15/24."*

On June 6, 2024, the Applicant submitted a CUP for the required improvements to the Mid-Mountain Trailhead and Parking Area. On June 11, 2024, staff determined the Application was complete.

Analysis

(I) The proposal complies with the Residential Development Zoning District Requirements found in LMC Chapter 15-2.13.

Parking Areas with five or more spaces require a CUP in the RD Zoning District and are subject to the following requirements:[2]

Requirement	Analysis of Proposal
Front Setback: 20 Feet	**Complies:** Parking Areas are listed as a Front, Side and Rear Setback exception in the RD Zoning District.[3] The Proposed Parking Area is approximately 13 feet from the property line along Marsac Avenue.

[2] LMC § 15-2.13
[3] LMC § 15-2.13-3(C)(2)(f)

Side Setback: 12 Feet	**Complies:** The proposed Parking Area improvements are greater than 12 feet from any side property line.
Rear Setback: 15 Feet	**Complies:** The proposed Parking Area improvements are greater than 15 feet from the rear property line.
Vegetation Protection: The Property Owner must protect Significant Vegetation during any Development activity. Significant Vegetation includes large trees six inches (6") in diameter or greater measured four and one-half feet (4½') above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet (50 sq. ft.) or more measured at the drip line.	**Complies:** The Applicant proposes to remove seven trees with a diameter of 6" inches or greater. LMC § 15-5-5(N)(4)(i)(2) establishes exceptions where the Forestry Board and Planning Director may approve the removal of Significant Vegetation "if upon their review it is found that equivalent replacement is impossible, would be detrimental to the site's existing and/or proposed vegetation, or violates Chapter 11-21 Utah Wildland-Urban Interface Code." On June 6, 2024, the Forestry Board reviewed the proposal and determined the replacement of Significant Vegetation would be detrimental to the site's existing vegetation and approved the removal of seven trees with a diameter of 6" inches or greater.

(II) The proposal complies with LMC § 15-3-4 *Specific Parking Area Standards for Parking Areas With 5 of More Spaces*.

LMC § 15-3-4 requires the following:

Requirement	Analysis of Proposal
All Parking Lots shall maintain the required Front and Side Setbacks as would be required for any Structure.	**Complies:** LMC § 15-15-1 defines Parking Lot, Commercial: "A Parking Lot in which motor vehicles are parked for compensation or for Commercial Uses." Parking Area is defined: "An unenclosed Area or Lot other than a Street used or designed for parking." The Applicant proposes a Parking Area at the Mid Mountain Trailhead. Parking Areas are listed as a Front, Side and Rear Setback exception in the RD Zoning District (LMC § 15-2.13-3).

A geotechnical report must be submitted to the City Engineer providing recommendations on Parking Lot design and construction parameters. The City Engineer may approve minor spacing and width deviations.	**Complies:** On June 4, 2024, the City Engineer reviewed the proposed plans. The Engineering Department requires the Applicant to provide detailed engineered plans and a geotechnical report for the proposed retaining walls and Parking Area improvements at building permit submittal. These requirements are reflected in Condition of Approval 3.

(III) The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).

There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

The Planning Commission shall approve a Conditional Use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards. The Planning Commission may deny the Conditional Use if the proposed Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards. LMC § 15-1-10.

CUP Review Criteria	Analysis of Proposal
Size and Location of Site	**Complies:** The proposed Parking Area improvements will help increase pedestrian and vehicle safety at the Mid-Mountain Trailhead because vehicles will no longer be required to back onto Marsac Avenue, and there is a one-way entrance and exit.
Traffic Capacity	**Complies:** The proposed Parking Area improvements will help alleviate vehicular traffic and conflict surrounding the Mid-Mountain Trailhead by removing the need for parked cars to back into Marsac Avenue.

Utility Capacity	**Complies:** The Development Review Committee reviewed the proposal on June 4, 2024, and confirmed the proposal conforms with their requirements.
Emergency Vehicle Access	**Complies:** The Park City Fire District reviewed the proposal on June 4, 2024, and confirmed the proposal conforms with their requirements.
Off-Street Parking	**Complies:** The proposed Parking Area improvements will increase the amount of Off-street parking for recreation uses from 15 Parking Spaces to 29 and will add two ADA-compliant Parking Spaces.
Internal Vehicular and Pedestrian Circulation System	**Complies:** The proposed Parking Area improvements will help increase pedestrian and vehicle safety at the Mid-Mountain Trailhead because pedestrians and users of the Parking Area will be located off Marsac Avenue and will be separated by a landscaped berm.
Fencing, Screening, and Landscaping	**Complies:** The Applicant proposes retaining walls greater than six feet along the hillside to stabilize the slope surrounding the Parking Area. The maximum height that the retaining walls will reach is 12 feet from Final Grade and will span the length of the Parking Area, approximately 288 feet across. The proposed retaining wall will be constructed of rocks. Retaining walls greater than six feet in the RD Zoning District require an Administrative Conditional Use Permit (ACUP). The Applicant submitted an ACUP for the retaining walls with the Planning Department, pending approval of this CUP. Condition of Approval 6: All disturbed vegetation must be replaced to existing or improved conditions and shall comply with LMC § 15-5-5(N). Seeded areas shall have at least 80% or more germination prior to site completion.

Structure Mass, Bulk, and Orientation	**Complies:** The total square footage for the proposed improvements will be approximately 18,000 square feet. Vegetation must be protected during development activity, and disturbed areas must be replaced to existing or improved conditions. The proposed Parking Area improvements will be similar in design to other Trailheads in Park City. On May 27, 2024, the Trails and Open Space Department approved the design for the proposed Parking Area improvements.
Useable Open Space	**Complies:** The proposed Parking Area will increase the accessibility to Open Space for the community.
Signs and Lighting	**Complies:** Municipal Code of Park City § 12-8-1 lists exceptions from the Sign Code requirements: "Signs located inside open-air recreational facilities that are not oriented to public streets, such as signs in ski resorts, skateboard parks, and golf courses, are exempt from the requirements of this Title." The Applicant proposes a trailhead kiosk sign that is four feet wide by four feet tall and approximately eight feet tall and is not oriented to Marsac Avenue, similar to other kiosk signs at Park City trailheads (Exhibit C). There will be six signs, approximately seven square feet each, oriented towards Marsac Avenue. The Sign Code states the following in § 12-8-1(A): "CITY SIGNS. Signs erected by or at the direction of the Park City Municipal Corporation are exempt from the requirements of this Title." The Trails and Open Space and Engineering Department requires the Applicant to install entrance and exit signs, trail crossing warning signs, a stop sign at the Parking Area exit, and trail stop signs for trail users (Exhibit B).

Physical Design and Compatibility with Surrounding Structures	**Complies:** The Applicant proposes retaining walls greater than six feet along the hillside to stabilize the slope surrounding the Parking Area. The maximum height that the retaining walls will reach is 12 feet from Final Grade and will span the length of the Parking Area, approximately 288 feet across. The proposed retaining wall will be constructed of rocks. The design of the Parking Area will be graded to match the existing grade of Marsac Avenue and will be screened from Marsac Avenue with a low landscaped berm with small boulders approximately 3-5 feet in diameter to discourage parking within the landscaped area.
Noise, Vibration, Odors, Steam, or Other Mechanical Structures	**Complies:** The applicant proposes installing a 110-square-foot singular pit toilet on the east side of the Parking Area, to be maintained by the Trails and Open Space Department. See Condition of Approval 4.
Control of Delivery and Service Vehicles; Loading and Unloading; Screening of Trash and Recycling Pickup Areas	**Complies:** The Applicant proposes one trash can, that will be screened with existing vegetation.
Expected Ownership	**Complies:** Parcel PCA-S-98-SD-1A is owned by REDUS LLC. The Applicant obtained approval by UDOT for the proposed work adjacent to Marsac Avenue. Condition of Approval 7: The Applicant shall obtain a Conditional Access Permit from UDOT prior to building permit issuance Condition of Approval 4: The Applicant shall obtain a license agreement, subject to City Attorney's Office approval, which ensures the City's ability to operate, manage and maintain the Mid-Mountain parking lot (snow removal to remain within the EPMOA) prior to Building Permit Issuance
Environmentally Sensitive Lands, Physical Hazards, Historic Mining Waste, Park	**Complies:**

City Soils Ordinance, or Steep Slopes	The proposed Parking Area improvement plans were evaluated and presented as part of the Sommet Blanc MPD/CUP Approval. The Planning Commission reviewed the proposed location and plans for the Mid-Mountain Trailhead improvements attached as Exhibit X to the March 9, 2022, Planning Commission packet. Staff determined at that time "The MPD Conclusion of Law #10 notes that the Flagstaff Annexation was not included in the Sensitive Lands Overlay. The MPD does not assert why this is, but it may be because at the time of annexation, the City and Applicant strategically chose specific development pods and donated the other acreage to preservation. Fourteen (14) technical reports were required and submitted with the annexation agreement that covered detailed reports of the area including a mine soil mitigation plan, open space management plan, a trails master plan, historic preservation, and wildlife management plan (amongst others). Again, these plans were utilized to suggest the least sensitive areas for development while preserving 826 acres as Open Space. The 2004 Village at Empire Pass MPD Conclusion of Law #10 noted "The Sensitive Lands (overlay) Zone did not specifically apply to the Empire Pass Large-Scale MPD annexation; however, the locations of the development pods are based on Sensitive Lands principles." See March 9, 2022 Planning Commission Staff Report, Minutes. The Applicant proposes retaining walls to stabilize the slope surrounding the Parking Area. The proposed retaining walls are appropriate for the site and necessary to stabilize the surrounding hillside for the Parking Area improvements. Condition of Approval 3 requires the Applicant to provide engineered plans and a geotechnical report to be reviewed by the Engineering Department prior to Building Permit issuance. The proposed Parking Area improvements do not conflict with any Physical Mine Hazards, and it is outside the Soils Ordinance

	Boundary. No wetlands, ridgelines, stream corridors, or wildlife habitat will be impacted. The Flagstaff technical report number 13 “Wildlife Management Plan” does not mention the Mid-Mountain Trailhead as a Sensitive Wildlife Area. The Open Space Management plan does not specifically mention the Mid-Mountain Trailhead, but it could be inferred that the “trailhead” mentioned is referring to the Mid-Mountain Trailhead. “Deer Valley and UPK have historically cooperated with the Utah Department of Transportation (UDOT) in providing a base parking area and snowmobile route through the Deer Valley ski area for use by property owners in Wasatch County in accessing cabins and/or lots outside the boundaries of Deer Valley ski resort. This route is the same as that referred to under the commercial snowmobile operations section, above. While the parking area and trailhead will ultimately be relocated, Deer Valley and UPK will continue to work with UDOT in providing winter access to Wasatch County landowners.” The proposal includes parallel parking stalls for vehicles with trailers. There are no additional technical reports that mention the Mid-Mountain Trailhead.
General Plan Consistency	**Complies:** Goal 4 of the General Plan states: “Conserve a connected, healthy network of open space for continued access to and respect for the Natural Setting.” The proposed Parking Area improvements will increase access and connectivity in Open Space areas. Goal 9 of the General Plan states: “Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors.” The proposed Parking Area improvements will provide residents and visitors with improved access to recreational opportunities.

(V) The Development Review Committee reviewed the proposal on June 4, 2024 and requires Conditions of Approval.[4]

[4] The Development Review Committee meets the first and third Tuesday of each month to review and

The Engineering Department requires the Applicant to provide detailed engineered plans and a geotechnical report for the proposed retaining walls and Parking Area improvements at building permit submittal (Condition of Approval 3).

Department Review

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

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on June 12, 2024. Staff mailed courtesy notice to property owners within 300 feet on June 12, 2024. The *Park Record* published courtesy notice on June 12, 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 Parking Area improvements at the Mid-Mountain Trailhead;
- The Planning Commission may deny the Parking Area improvements at the Mid-Mountain Trailhead 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: Proposed Plans
Exhibit C: Trailhead Kiosk Sign
Exhibit D: Applicant's Narrative

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).

[5] LMC § 15-1-21

Planning Department

June 26, 2024

Douglas Ogilvy
Parcel: PCA-S-98-SD-1A

CC: Sommet Blanc, LLC

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	Parcel: PCA-S-98-SD-1A
Zoning District:	Residential Development
Application:	Conditional Use Permit
Project Number:	PL-24-06159
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	June 26, 2024
Project Summary:	The Applicant Proposes Parking Area Improvements at the Mid-Mountain Trailhead, Consistent with the Sommet Blanc Plat and Conditional Use Permit Approvals.

Action Taken

On June 26, 2024, the Planning Commission conducted a public hearing and approved the Parking Area improvements according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The Applicant proposes improvements to the existing Mid-Mountain Trailhead parking to increase the Parking Spaces from 15 to 29 with two that are ADA compliant. The current paved parking area requires vehicles to back onto Marsac Avenue. The improved Parking Area will be horizontally separated from Marsac Avenue with a low landscaped berm and includes angle-in parking with a one-way entrance and exit, and parallel parking for vehicles with trailers.

2. The Applicant proposes retaining walls greater than six feet in height and the removal of Significant Vegetation to construct the Parking Area improvements.
3. The Mid-Mountain Trailhead and Parking Area along Marsac Avenue in the Empire Pass area near the Sommet Blanc site has been an unofficial Parking Area for many years and is popular for recreational users.
4. Parking Areas greater than five Parking Spaces require a CUP in the RD Zoning District.
5. The Sommet Blanc Conditional Use Permit (CUP) was approved by the Planning Commission March 9, 2022, for the development of 49 residential units and a 3,600-square-foot restaurant
6. The Mid-Mountain Trailhead was considered as part of the 2022 Sommet Blanc approvals and CUP Condition of Approval 24 states.
    a. Condition of Approval 24 from the CUP Final Action Letter states: "Applicant shall construct a parking lot at the Mid-Mountain location and reroute the Mid-Mountain trail, which shall be reviewed and approved by the City Trails & Open Space Manager."
    b. Condition of Approval 25 states: "Applicant shall obtain a license agreement, subject to City Attorney's Office approval, which ensures the City's ability to operate, manage and maintain the Mid-Mountain parking lot (snow removal to remain within the EPMOA)."
    c. Condition of Approval 18 from the Sommet Blanc plat approval states: "The Mid-Mountain Trailhead parking lot shall be constructed by 10/15/24."
7. On June 6, 2024, the Applicant submitted a CUP for the required improvements to the Mid-Mountain Trailhead.
8. On June 11, 2024, staff determined the Application was complete.
9. The proposal complies with the Residential Development Zoning District requirements found in LMC Chapter 15-2.13
    a. Front Setback
        i. Parking Areas are listed as a Front, Side and Rear Setback exception in the RD Zoning District. The Proposed Parking Area is approximately 13 feet from the property line along Marsac Avenue.
    b. Side Setback
        i. The proposed Parking Area improvements are greater than 12 feet from any side property line.
    c. Rear Setback

i. The proposed Parking Area improvements are greater than 15 feet from the rear property line.

d. Vegetation Protection
   i. The Applicant proposes to remove seven trees with a diameter of 6" inches or greater.
   ii. LMC § 15-5-5(N)(4)(i)(2) establishes exceptions where the Forestry Board and Planning Director may approve the removal of Significant Vegetation "if upon their review it is found that equivalent replacement is impossible, would be detrimental to the site's existing and/or proposed vegetation, or violates Chapter 11-21 Utah Wildland-Urban Interface Code."
   iii. On June 6, 2024, the Forestry Board reviewed the proposal and determined the replacement of Significant Vegetation would be detrimental to the site's existing vegetation and approved the removal of seven trees with a diameter of 6" inches or greater.

10. The proposal, as conditioned, complies with LMC § 15-3-4 Specific Parking Area Standards for Parking Areas With 5 of More Spaces.
    a. All Parking Lots shall maintain the required Front and Side Setbacks as would be required for any Structure.
       i. LMC § 15-15-1 defines Parking Lot, Commercial: "A Parking Lot in which motor vehicles are parked for compensation or for Commercial Uses."
       ii. Parking Area is defined: "An unenclosed Area or Lot other than a Street used or designed for parking."
       iii. The Applicant proposes a Parking Area at the Mid Mountain Trailhead. Parking Areas are listed as a Front, Side and Rear Setback exception in the RD Zoning District.
    b. A geotechnical report must be submitted to the City Engineer providing recommendations on Parking Lot design and construction parameters. The City Engineer may approve minor spacing and width deviations.
       i. On June 4, 2024, the City Engineer reviewed the proposed plans. The Engineering Department requires the Applicant to provide detailed engineered plans and a geotechnical report for the proposed retaining walls and Parking Area improvements at building permit submittal.

11. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).
    a. Size and Location of Site
        i. The proposed Parking Area improvements will help increase pedestrian and vehicle safety at the Mid-Mountain Trailhead because vehicles will no longer be required to back into Marsac Avenue, and there is a one-way entrance and exit.
    b. Traffic Capacity
        i. The proposed Parking Area improvements will help alleviate vehicular traffic and conflict surrounding the Mid-Mountain Trailhead by removing the need for parked cars to back into Marsac Avenue.
    c. Utility Capacity
        i. The Development Review Committee reviewed the proposal on June 4, 2024, and confirmed the proposal conforms with their requirements.
    d. Emergency Vehicle Access
        i. The Park City Fire District reviewed the proposal on June 4, 2024, and confirmed the proposal conforms with their requirements.
    e. Off-Street Parking
        i. The proposed Parking Area improvements will increase the amount of Off-street parking for recreation uses from 15 Parking Spaces to 29.
    f. Internal Vehicular and Pedestrian Circulation System
        i. The proposed Parking Area improvements will help increase pedestrian and vehicle safety at the Mid-Mountain Trailhead because pedestrians and users of the Parking Area will be located off Marsac Avenue and will be separated by a landscaped berm.
    g. Fencing, Screening, and Landscaping
        i. The Applicant proposes retaining walls greater than six feet along the hillside to stabilize the slope surrounding the Parking Area. The maximum height that the retaining walls will reach is 12 feet from Final Grade and will span the length of the Parking Area, approximately 288 feet across. The proposed retaining wall will be constructed of rocks.

ii. Retaining walls greater than six feet in the RD Zoning District require an Administrative Conditional Use Permit (ACUP). The Applicant submitted an ACUP for the retaining walls with the Planning Department.

h. Structure Mass, Bulk, and Orientation
   i. The total square footage for the proposed improvements will be approximately 18,000 square feet. Vegetation must be protected during development activity, and disturbed areas must be replaced to existing or improved conditions.
   ii. The proposed Parking Area improvements will be similar in design to other Trailheads in Park City. On May 27, 2024, the Trails and Open Space Department approved the design for the proposed Parking Area improvements.

i. Useable Open Space
   i. The proposed Parking Area will increase the accessibility to Open Space for the community.

j. Signs and Lighting
   i. Municipal Code of Park City § 12-8-1 lists exceptions from the Sign Code requirements: “Signs located inside open-air recreational facilities that are not oriented to public streets, such as signs in ski resorts, skateboard parks, and golf courses, are exempt from the requirements of this Title.”
   ii. The Applicant proposes a trailhead kiosk sign that is four feet wide by four feet tall and approximately eight feet tall and is not oriented to Marsac Avenue, similar to other kiosk signs at Park City trailheads.
   iii. There will be six signs, approximately seven square feet each, oriented towards Marsac Avenue.
   iv. The Sign Code states the following in § 12-8-1(A): “CITY SIGNS. Signs erected by or at the direction of the Park City Municipal Corporation are exempt from the requirements of this Title.”
   v. The Trails and Open Space and Engineering Department requires the Applicant to install entrance and exit signs, trail crossing warning signs, a stop sign at the Parking Area exit, and trail stop signs for trail users.

k. Physical Design and Compatibility with Surrounding Structures

i. The Applicant proposes retaining walls greater than six feet along the hillside to stabilize the slope surrounding the Parking Area. The maximum height that the retaining walls will reach is 12 feet from Final Grade and will span the length of the Parking Area, approximately 288 feet across. The proposed retaining wall will be constructed of rocks.
ii. The design of the Parking Area will be graded to match the existing grade of Marsac Avenue and will be screened from Marsac Avenue with a low landscaped berm with small boulders approximately 3-5 feet in diameter to discourage parking within the landscaped area.

l. Noise, Vibration, Odors, Steam, or Other Mechanical Structures
    i. The applicant proposes installing a 110-square-foot singular pit toilet on the east side of the Parking Area, to be maintained by the Trails and Open Space Department.

m. Control of Delivery and Service Vehicles; Loading and Unloading; Screening of Trash and Recycling Pickup Areas
    i. No trash or recycling areas are proposed with this application.

n. Expected Ownership
    i. Parcel PCA-S-98-SD-1A is owned by REDUS LLC. The Applicant obtained approval by UDOT for the proposed work adjacent to Marsac Avenue.

o. Environmentally Sensitive Lands, Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, or Steep Slopes
    i. The proposed Parking Area improvements plans were evaluated as part of the Sommet Blanc MPD/CUP Approval. The Planning Commission reviewed the proposed location and plans for the Mid-Mountain Trailhead improvements attached as Exhibit X to the March 9, 2022, Planning Commission packet.
    ii. Staff determined at that time “The MPD Conclusion of Law #10 notes that the Flagstaff Annexation was not included in the Sensitive Lands Overlay. The MPD does not assert why this is, but it may be because at the time of annexation, the City and Applicant strategically chose specific development pods and donated the other acreage to preservation. Fourteen (14) technical reports were required and submitted with the annexation agreement that covered detailed reports of the area including a mine soil mitigation plan,

open space management plan, a trails master plan, historic preservation, and wildlife management plan (amongst others). Again, these plans were utilized to suggest the least sensitive areas for development while preserving 826 acres as Open Space. The 2004 Village at Empire Pass MPD Conclusion of Law #10 noted "The Sensitive Lands (overlay) Zone did not specifically apply to the Empire Pass Large-Scale MPD annexation; however, the locations of the development pods are based on Sensitive Lands principles."

iii. The Applicant proposes retaining walls to stabilize the slope surrounding the Parking Area. The proposed retaining walls are appropriate for the site and necessary to stabilize the surrounding hillside for the Parking Area improvements. Condition of Approval 3 requires the Applicant to provide engineered plans and a geotechnical report to be reviewed by the Engineering Department prior to Building Permit issuance.

iv. The proposed Parking Area improvements do not conflict with any Physical Mine Hazards, and it is outside the Soils Ordinance Boundary. No wetlands, ridgelines, stream corridors, or wildlife habitat will be impacted.

v. The Flagstaff technical report number 13 "Wildlife Management Plan" does not mention the Mid-Mountain Trailhead as a Sensitive Wildlife Area. The Open Space Management plan does not specifically mention the Mid-Mountain Trailhead, but it could be inferred that the "trailhead" mentioned is referring to the Mid-Mountain Trailhead. "Deer Valley and UPK have historically cooperated with the Utah Department of Transportation (UDOT) in providing a base parking area and snowmobile route through the Deer Valley ski area for use by property owners in Wasatch County in accessing cabins and/or lots outside the boundaries of Deer Valley ski resort. This route is the same as that referred to under the commercial snowmobile operations section, above. While the parking area and trailhead will ultimately be relocated, Deer Valley and UPK will continue to work with UDOT in providing winter access to Wasatch County landowners."

vi. The proposal includes parallel parking stalls for vehicles with trailers. There are no additional technical reports that mention the Mid-Mountain Trailhead.

p. General Plan

i. Goal 4 of the General Plan states: “Conserve a connected, healthy network of open space for continued access to and respect for the Natural Setting.” The proposed Parking Area improvements will increase access and connectivity in Open Space areas.

ii. Goal 9 of the General Plan states: “Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors.” The proposed Parking Area improvements will provide residents and visitors with improved access to recreational opportunities.

12. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on June 12, 2024.
13. Staff mailed courtesy notice to property owners within 300 feet on June 12, 2024. The Park Record published courtesy notice on June 12, 2024.

Conclusions of Law

1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.13 *Residential Development Zoning District*, Chapter 15-3 *Off-Street Parking*, and Section 15-1-10, *Conditional Use Review Process*.
2. The Use will be compatible with surrounding Structures in use, scale, mass, and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the final plans dated June 7, 2024, submitted to the Planning Department and reviewed June 26, 2024, by the Planning Commission.
2. The Applicant is responsible for notifying the Planning Department prior to making any changes from the approved plans. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director prior to construction.

3. The Applicant shall provide detailed engineered plans and a geotechnical report for the proposed retaining walls and Parking Area improvements at building permit submittal.
4. The Applicant shall obtain a license agreement, subject to City Attorney's Office approval, which ensures the City's ability to operate, manage and maintain the Mid-Mountain parking lot (snow removal to remain within the EPMOA) prior to Building Permit Issuance.
5. The Mid-Mountain Trailhead parking lot shall be constructed by 10/15/24.
6. All disturbed vegetation must be replaced to existing or improved conditions and shall comply with LMC § 15-5-5(N). Seeded areas shall have at least 80% or more germination prior to site completion.
7. The Applicant shall obtain a Conditional Access Permit from UDOT prior to building permit issuance.

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

MID MOUNTAIN TRAIL PARKING PLAN

MARSAC AVENUE
PARK CITY, UT 84060

VICINITY MAP

SHEET INDEX

1. EXISTING CONDITIONS & TOPOGRAPHIC MAP
2. GRADING PLAN
3. GRADING PROFILE
4. DESIGN PLAN
5. CONSTRUCTION MITIGATION PLAN

CIVIL ENGINEER

Alliance Engineering Inc.
(435) 649-9467-PHONE
(435) 649-9475-FAX
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
06/13/24
STATE OF UTAH

GENERAL NOTES

G-1 ALL WORK PERFORMED SHALL BE DONE IN ACCORDANCE WITH THE FOLLOWING PLANS & SPECIFICATIONS:

A. PARK CITY Design Standards, Construction Specifications, and Standard Drawings, Latest Edition.

D. Manual of Uniform Traffic Control Devices 2003 Edition, Revision #1 November 2004, Revision #2 December 2007.

C. UDOT Standard Specifications for Road and Bridge Construction, latest edition. (for improvements in the UDOT right of way)

D. Special conditions of approval and/or permits as required and/or issued by regulatory bodies.

E. Approved construction plans and details.

F. Approved Traffic Control Plan.

G. Storm Water Pollution Prevention Plan. (SWPPP)

G-2 Contractor/Bidder shall obtain a copy of the specifications, at his cost. Copies of the specifications shall be kept at the job site by the contractor and be available for the contractor, subcontractor, owner or his agent, design engineer, city engineer, and their designated representatives and inspectors.

G-3 The Contractor shall be responsible for ground and surface water control during construction. This requirement shall include, but not be limited to the installation of utilities, manholes, vaults, catch basins, earthwork operations, and road construction.

G-4 Prior to any excavation work, the contractor shall contact Blue Stakes for location of existing utilities. The contractor shall be responsible for determining the location of utilities, whether shown on the plans or not, and protecting the utilities during construction. If existing utility lines conflict in location with new construction, the contractor shall notify the engineer in order to resolve the conflict.

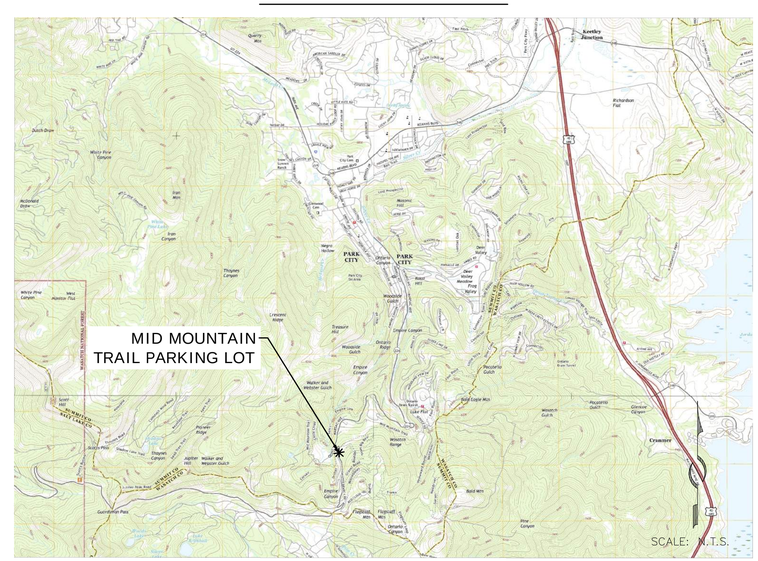
G-5 The contractor shall have a qualified representative to handle grade determination, drainage flow, and connections to existing features using proper grade setting techniques such as, but not limited to, string line, rod and level, GPS, or Surveying.

G-6 All work performed shall be guaranteed by the contractor and/or his surety against all defects in materials and workmanship of whatever nature for a period of one (1) year from the date of final acceptance of the work by the project owner.

G-7 The contractor shall be responsible for the installation and maintenance of adequate signs, traffic devices, and warning devices to inform and protect the public during all phases of construction. The contractor shall submit to the Owner and Design Engineer for approval.

G-8 Compaction testing shall be an integral part of the project. Compaction testing shall include, but shall not be limited to earthwork, trench back-fill, base course, and asphalt pavement. Compaction testing shall be performed by a qualified, independent testing company retained by the contractor.

VICINITY MAP



PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
06/13/24
STATE OF UTAH

10' 0 10' 20'

(435) 649-9467

Alliance Engineering Inc.

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

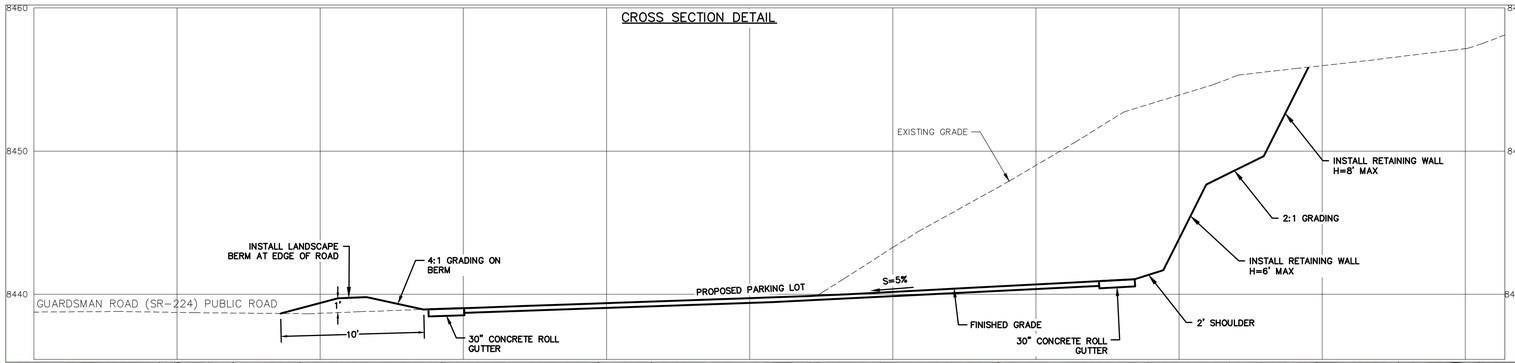
STAFF: MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 06/13/2024

EXISTING CONDITIONS
MID MOUNTAIN TRAIL PARKING PLAN
SOMMET BLANC DEVELOPMENT

FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\mid mtn trail\B2 East-Civil - Mid Mt Trail.dwg

SHEET 1 **OF** 5



NOTES:
1. PROPOSED PARKING LOT TO MATCH SLOPE OF EXISTING GUARDSMAN ROAD, S=10% TO 12%
2. CONFIRM WITH OWNER & DEER VALLEY FOR LOCATION/ALIGNMENT OF RELOCATED MID-MOUNTAIN TRAIL

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
06/13/24
STATE OF UTAH

10' 0 10' 20'

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

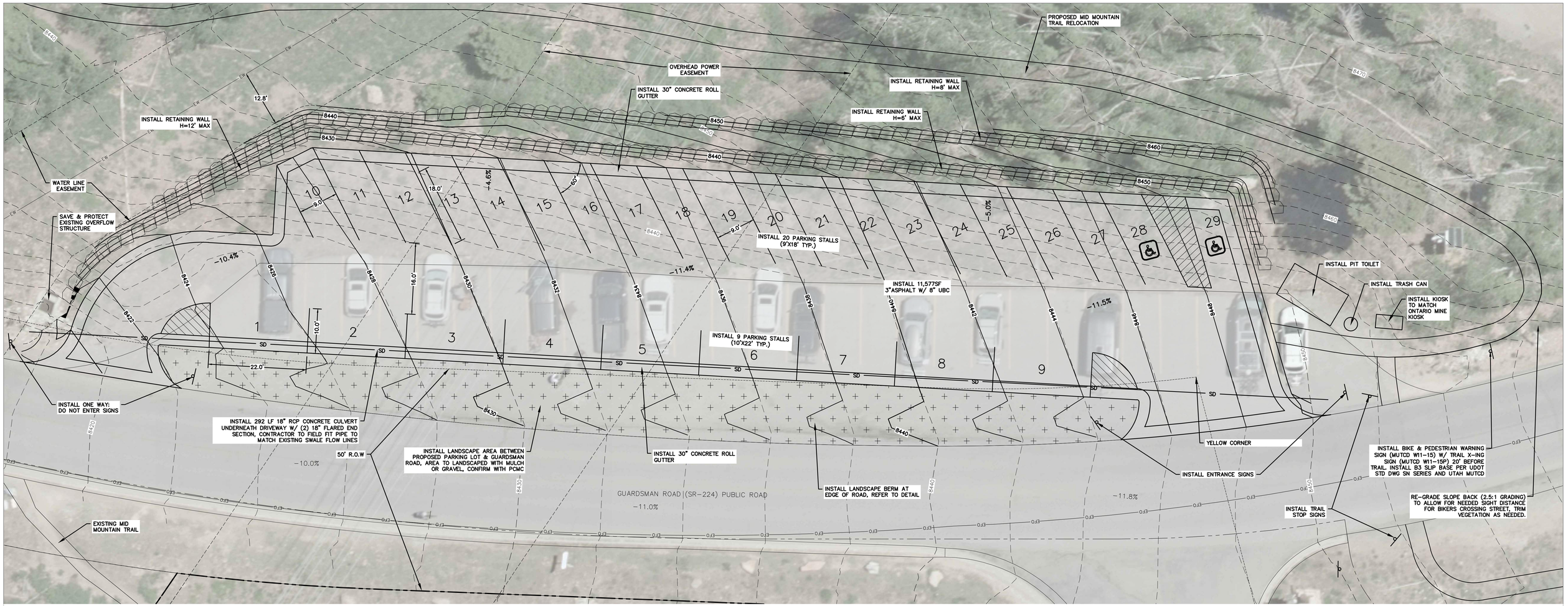
STAFF: MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 06/13/2024

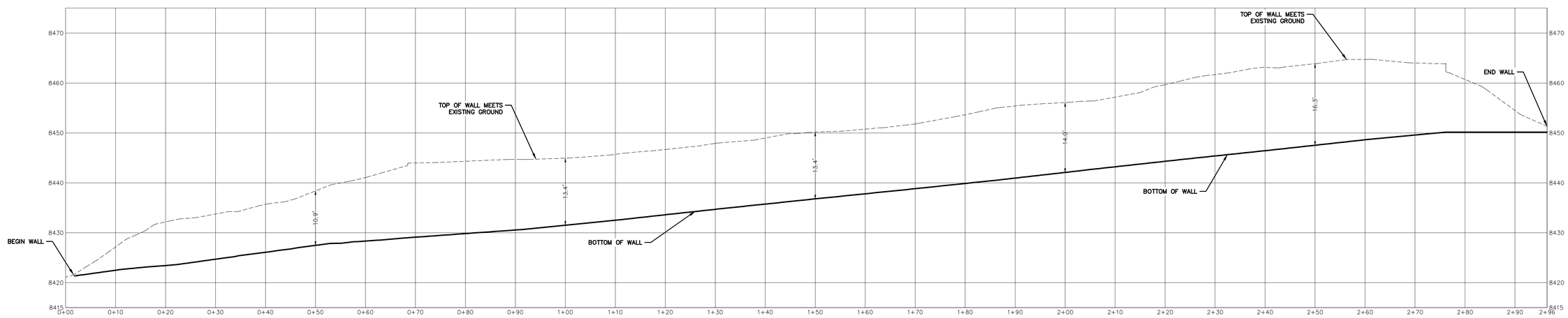
GRADING & SITE PLAN
MID MOUNTAIN TRAIL PARKING PLAN
SOMMET BLANC DEVELOPMENT

FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\mid mtn trail\B2 East-Civil - Mid Mt Trail.dwg

SHEET 2 **OF** 5



ROCK WALL PROFILE



NOTES:
1. PROPOSED PARKING LOT TO MATCH SLOPE OF EXISTING GUARDSMAN ROAD, S=10% TO 12%
2. CONFIRM WITH OWNER & DEER VALLEY FOR LOCATION/ALIGNMENT OF RELOCATED MID-MOUNTAIN TRAIL

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
06/13/24
STATE OF UTAH

10' 0 10' 20'

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

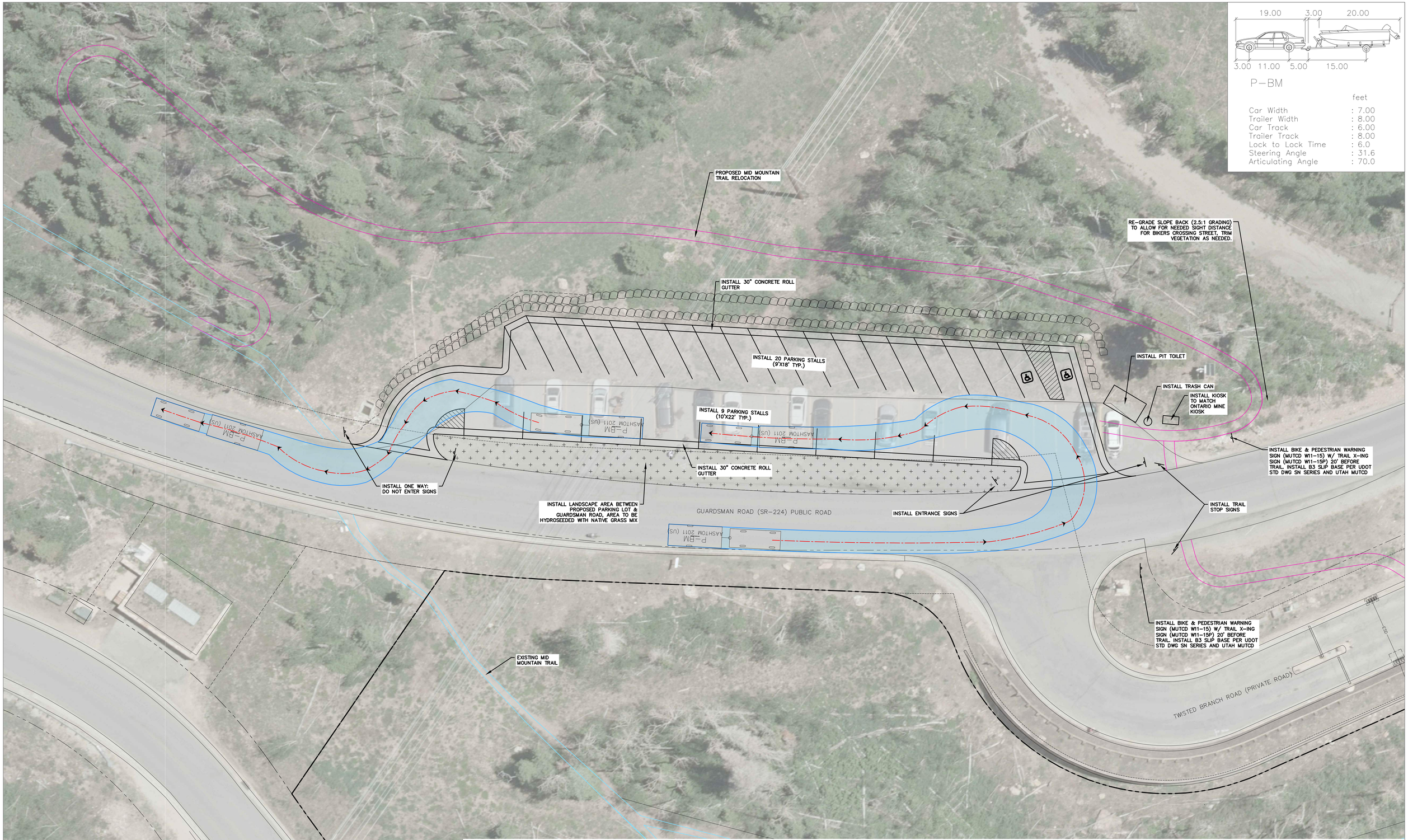
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 06/13/2024

ROCK WALL PLAN AND PROFILE
MID MOUNTAIN TRAIL PARKING PLAN
SOMMET BLANC DEVELOPMENT

FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\mid mtn trail\B2 East-Civil - Mid Mt Trail.dwg

SHEET 3 OF 5



NOTES:
1. PROPOSED PARKING LOT TO MATCH SLOPE OF EXISTING GUARDSMAN ROAD, S=10% TO 12%
2. CONFIRM WITH OWNER & DEER VALLEY FOR LOCATION/ALIGNMENT OF RELOCATED MID-MOUNTAIN TRAIL

15' 0 15' 30'

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

STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

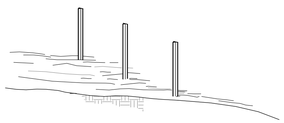
DATE: 06/13/2024

AUTO TURN DETAIL
MID MOUNTAIN TRAIL PARKING PLAN
AUTOTURN EXHIBIT

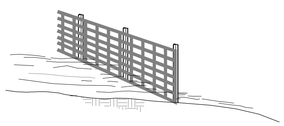
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\mid mtn trail\B2 East-Civil - Mid Mt Trail.dwg

SHEET 4 OF 5

1. SET METAL T–POSTS @ 8' O.C. MAX.



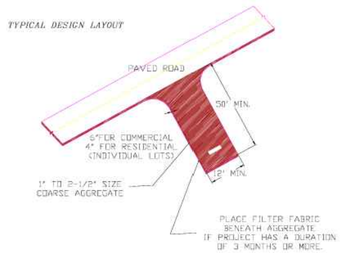
2. ATTACH ORANGE CONSTRUCTION FENCING TO THE T–POSTS.



STANDARD DRAWING	CONSTRUCTION FENCE DETAIL
	ALLIANCE ENGINEERING — dtl\parkcity\const fence

STABILIZED CONSTRUCTION ENTRANCE

TYPICAL DESIGN LAYOUT

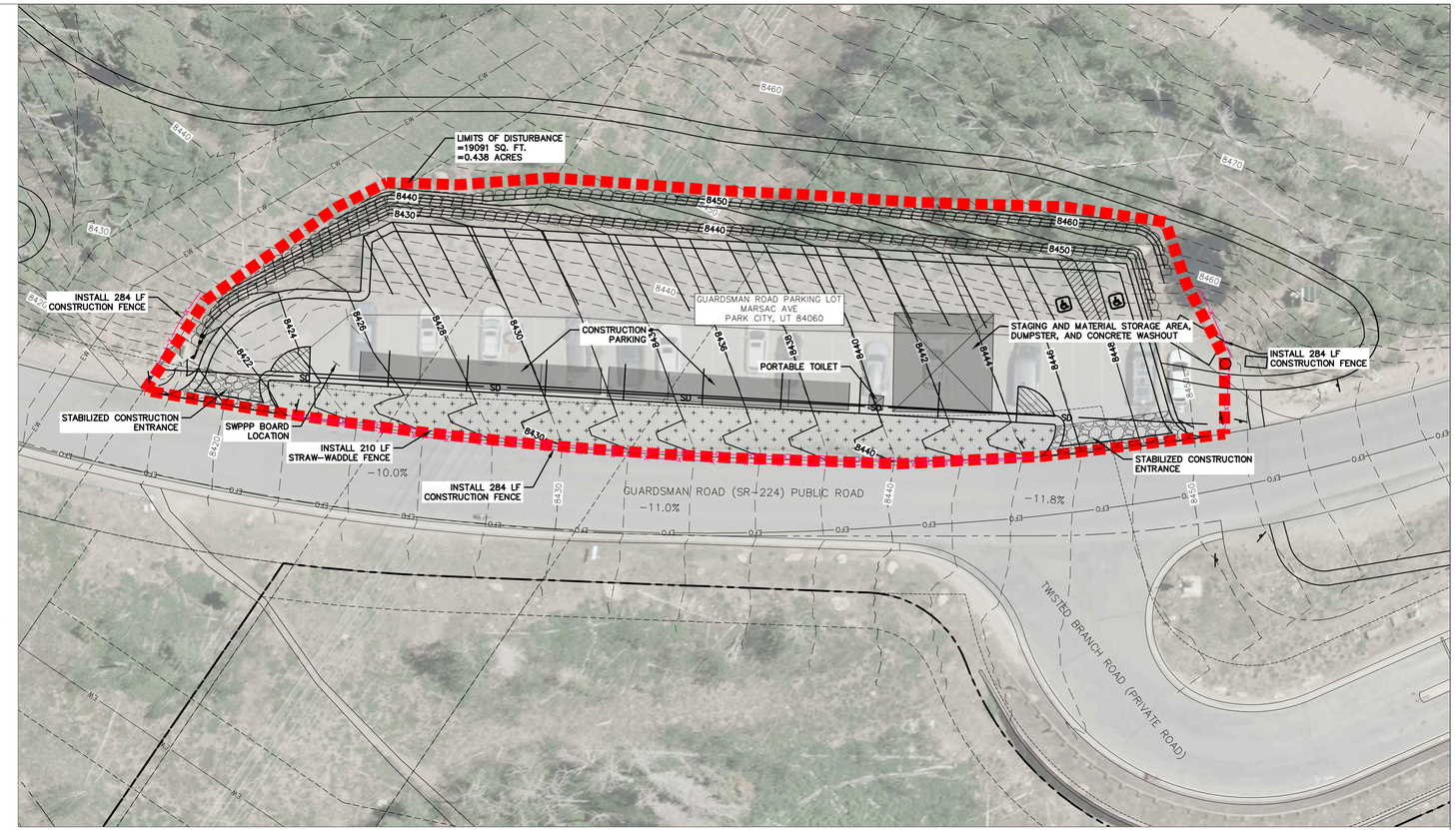


INSTALLATION:

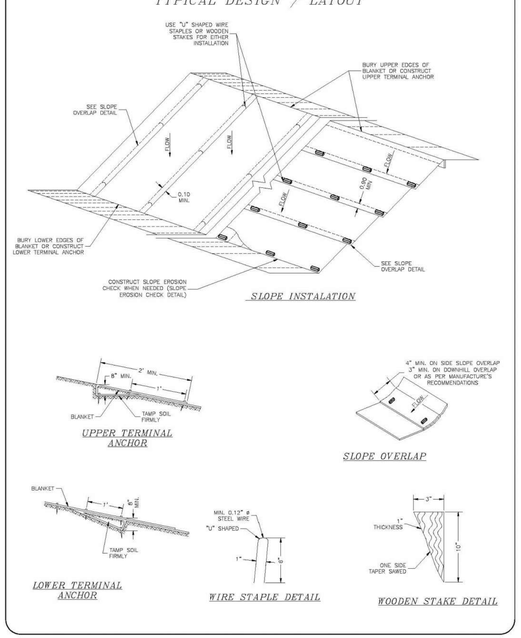
1. Install at any point of ingress or egress at a construction site where adjacent traveled way is paved.
2. Clear and grub area and grade to provide slope shown for driveway, or access/intersection. If adjacent to waterway, use a maximum slope of 2%.
3. Compact subgrade and place filter fabric if required.
4. Place coarse aggregate, 1 to 2 ½ inches size, to a minimum depth of 6 inches for commercial projects, and 4 inches for residential projects.

MAINTENANCE:

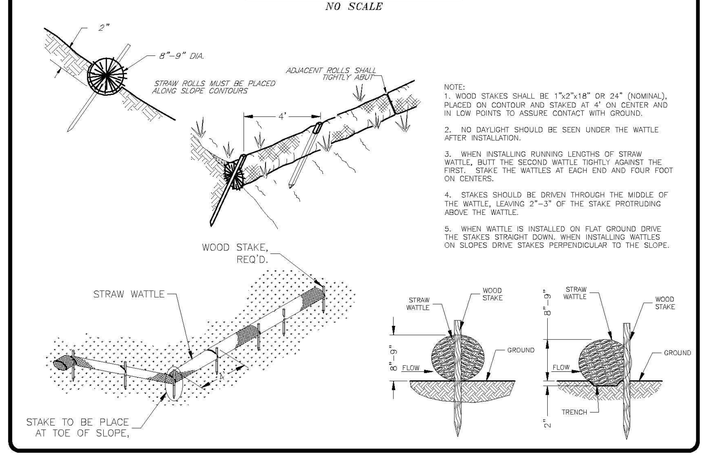
1. Inspect daily for loss of gravel or sediment buildup.
2. Inspect adjacent roadway for sediment deposit and clean by sweeping or shoveling.
3. Repair entrance and replace gravel as required to maintain control in good working condition.
4. Expand stabilized area as required to accommodate traffic, and off site street parking and prevent erosion at driveway.



GEOTEXTILES–
TYPICAL DESIGN / LAYOUT



STRAW WATTLE DETAIL
NO SCALE



NOTE:
1. WOOD STAKES SHALL BE 1"x2"x18" OR 24" (NOMINAL), PLACED ON CONTOUR AND STAKED AT 4' ON CENTER AND IN LOW POINTS TO ASSURE CONTACT WITH GROUND.
2. NO DAYLIGHT SHOULD BE SEEN UNDER THE WATTLE AFTER INSTALLATION.
3. WHEN INSTALLING RUNNING LENGTHS OF STRAW WATTLE, BUTT THE SECOND WATTLE TIGHTLY AGAINST THE FIRST. STAKE THE WATTLES AT EACH END AND FOUR FOOT ON CENTERS.
4. STAKES SHOULD BE DRIVEN THROUGH THE MIDDLE OF THE WATTLE, LEAVING 2"–3" OF THE STAKE PROTRUDING ABOVE THE WATTLE.
5. WHEN WATTLE IS INSTALLED ON FLAT GROUND DRIVE THE STAKES STRAIGHT DOWN. WHEN INSTALLING WATTLES ON SLOPES DRIVE STAKES PERPENDICULAR TO THE SLOPE.

NOTES:

1. CONSTRUCTION PARKING/TRAFFIC MAY NOT BLOCK THE STREET WITHOUT A PERMIT (AVAILABLE FORM THE ENGINEERING DIVISION).
2. MUD TRACKED OUT ONTO THE STREET MUST BE CLEANED PRIOR TO THE END OF THE WORK DAY.
3. THE CONSTRUCTION SITE MUST BE MAINTAINED IN A NEAT MANNER. TRASH AND OTHER DEBRIS MAY NOT ACCUMULATE OUTSIDE THE SITE.
4. ROADSIDE PARKING IS NOT ALLOWED.
5. ANY DISTURBED AREA LEFT EXPOSED FOR A PERIOD GREATER THAN 14 DAYS SHALL BE STABILIZED WITH MULCH OR TEMPORARY SEEDING.
6. EROSION CONTROL MEASURES WILL BE MAINTAINED AT ALL TIMES. IF FULL IMPLEMENTATION OF THE APPROVED PLAN DOES NOT PROVIDE FOR EFFECTIVE EROSION CONTROL, ADDITIONAL EROSION AND SEDIMENT CONTROL MEASURES SHALL BE IMPLEMENTED TO CONTROL OR TREAT THE SEDIMENT SOURCE.
7. THE ESCAPE OF SEDIMENT FROM THE SITE SHALL BE PREVENTED BY THE INSTALLATION OF EROSION CONTROL MEASURES AND PRACTICES PRIOR TO, OR CONCURRENT WITH, LAND DISTURBING ACTIVITIES.

PROFESSIONAL ENGINEER
No. 12275305
MARTIN CONNOR DINSMORE
06/13/24
STATE OF UTAH

10' 0 10' 20'

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

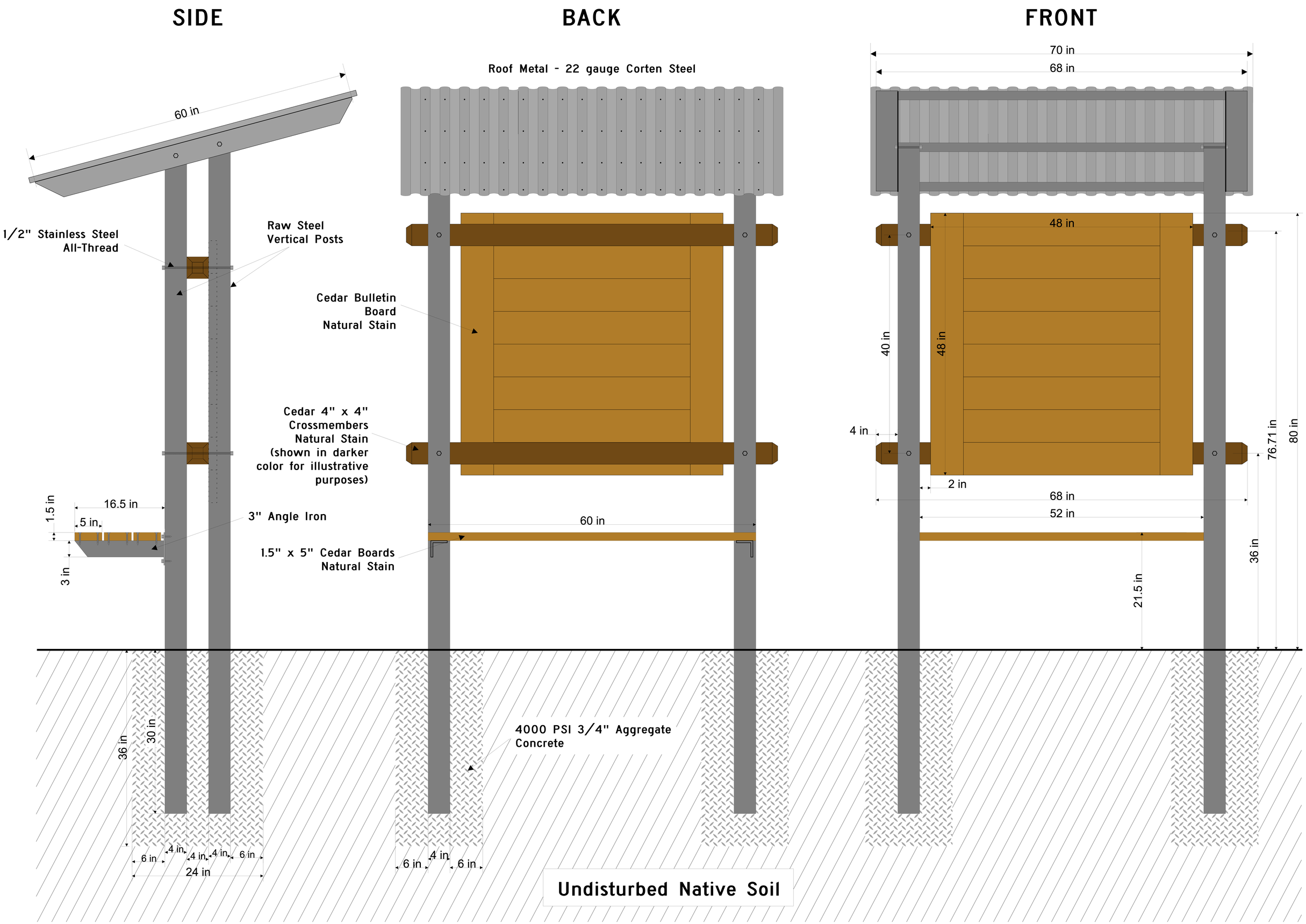
STAFF: MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 06/13/2024

CONSTRUCTION MITIGATION PLAN / SWPPP
MID MOUNTAIN TRAIL PARKING PLAN
SOMMET BLANC DEVELOPMENT

FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1–11–18
FILE: X:\Empire\dwg\B2 East Design\mid mtn trail\B2 East–Civil – Mid Mt Trail.dwg

SHEET 5 **OF** 5


SIDE
BACK
FRONT
60 in
1/2" Stainless Steel All-Thread
Raw Steel Vertical Posts
1.5 in
16.5 in
5 in
3 in
3" Angle Iron
Roof Metal - 22 gauge Corten Steel
Cedar Bulletin Board Natural Stain
Cedar 4" x 4" Crossmembers Natural Stain (shown in darker color for illustrative purposes)
60 in
1.5" x 5" Cedar Boards Natural Stain
70 in
68 in
48 in
40 in
48 in
4 in
2 in
68 in
52 in
21.5 in
76.71 in
80 in
36 in
36 in
30 in
4000 PSI 3/4" Aggregate Concrete
6 in
4 in
4 in
4 in
6 in
24 in
6 in
4 in
6 in
Undisturbed Native Soil

Mid Mountain Trailhead Parking Improvements
Project Narrative

This CUP Application is for a grading permit to reconstruct the Mid Mountain Trailhead parking lot adjacent the start of Twisted Branch Road. This project is a requirement of prior approvals for the Sommet Blanc project.

CUP Approval
The Sommet Blanc project at 9300 Marsac Avenue was granted a Conditional Use Permit on March 9, 2022.

Condition of Approval 24 states:

> *Applicant shall construct a parking lot at the Mid-Mountain location and reroute the Mid-Mountain trail, which shall be reviewed and approved by the City Trails & Open Space Manager.*

Condition of Approval 25 states:

> *Applicant shall obtain a license agreement, subject to City Attorney's Office approval, which ensures the City's ability to operate, manage and maintain the Mid-Mountain parking lot (snow removal to remain within the EPMOA).*

Plat Approval
The Sommet Blanc project received plat approval on September 1, 2022.

Condition of Approval 18 states:

> *The Mid-Mountain Trailhead parking lot shall be constructed by 10/15/24.*

Conditional Use Permit
The current application is for a CUP to construct the improvements required by the prior CUP and plat approvals. The current drawing dated 5-09-24 are consistent with the drawing dated March 1, 2022 reviewed by Planning Commission as part of the Sommet Blanc CUP approval.

The property owner (REDUS Park City, LLC) has approved the submission of this application.

Parking Lot
The new 29 stall parking lot is horizontally separated from SR-224 by a low landscaped berm. It includes angle in parking plus parallel parking for vehicles

with trailers. While the cross slope is steeper than generally desired for a parking lot, during public hearings for the Sommet Blanc project, the public expressed a strong preference for the layout shown since it permits vehicles with trailers easy access in and out. This parking lot is very popular with skiers, snowmobilers and mountain bikers. The Trails & Open Space Manager was consulted and in agreement on the parking lot design. The plans are being tweaked to add a second ADA parking space as requested by Engineering.

Mid-Mountain Trail

Mid Mountain Trail will be reconstructed above the parking lot in the general area shown. Final alignment will be staked in the field and reviewed and approved by the Trails & Open Space Manager prior to construction.

Trailhead Facilities

The Applicant will install a Missoula Concrete Construction vault toilet on the property, as recommended by the Trails & Open Space Manager. Park City has similar facilities at other trailheads. The Applicant will also construct a trailhead kiosk by Woodproduct Designs as recommended by Trails & Open Space.. The plans are being tweaked as shown to better orient the trailhead facilities as discussed with Trails & Open Space.

UDOT

The existing condition is a ~300' long curb cut with vehicles backing up directly onto SR-224. The new parking lot closes all but the entrance and exit dramatically improving safety. Proposed parking lot changes have been reviewed and positively received by UDOT.

License Agreement

Applicant and Property Owner are working on a long term license agreement for the parking lot and will coordinate with City attorney before finalizing. This will be in place by 10/15/24 deadline for completion of parking lot.

Planning Commission
Staff Report

Subject: **Moonshadow Condos**
Application: **PL-24-06084**
Author: **Virgil Lund, Planner I**
Date: **June 26, 2024**
Type of Item: **Administrative – Condominium Plat Amendment**

Recommendation

(I) Review the proposed First Amended and Restated Moonshadow Condominium Plat to define private areas and limited common areas for Units A, B, C, D, F, and H, required by the Village at Empire Pass Master Planned Development and Ordinance No. 2018-54, and to revise easements, (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

Applicants:	Snow Country Lodging, LLC Odfam West, LLC Marcia and Dennis Seremet Moonshadow Mountain, LLC Applicant Representative: Marshall King, Alliance Engineering
Location:	8903 Moonshadow Court (Unit H) 8915 Moonshadow Court (Unit F) 8927 Moonshadow Court (Unit D) 8933 Moonshadow Court (Unit C) 8939 Moonshadow Court (Unit B) 8945 Moonshadow Court (Unit A)
Zoning Districts:	Residential Development Recreation Open Space
Adjacent Land Uses:	Recreation Open Space, Multi-Unit Dwellings
Reason for Review:	The Planning Commission reviews and takes Final Action on Condominium Plat Amendments.[1]

LMC	Land Management Code
MPD	Master Planned Development
PUD	Planned Unit Development

[1] LMC § 15-7.1-2

RD Residential Development
ROS Recreation Open Space

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

The proposed First Amended and Restated Plat of Moonshadow Condominiums modifies an easement along Moonshadow Court and removes a snow storage easement bordering Marsac Avenue as well as adds several sewer easements that were recorded after the original Moonshadow Condominium plat. The Applicant's Representative will provide a presentation to the Planning Commission outlining the proposed modifications to the easements (please see Exhibit F).

Additionally, the proposed plat defines the private ownership area of Units A, B, C, D, F, and H, and defines the limited common area surrounding each residence. See Exhibit B, Applicant's Narrative and Attachment 1 to Exhibit A, the Proposed Plat.

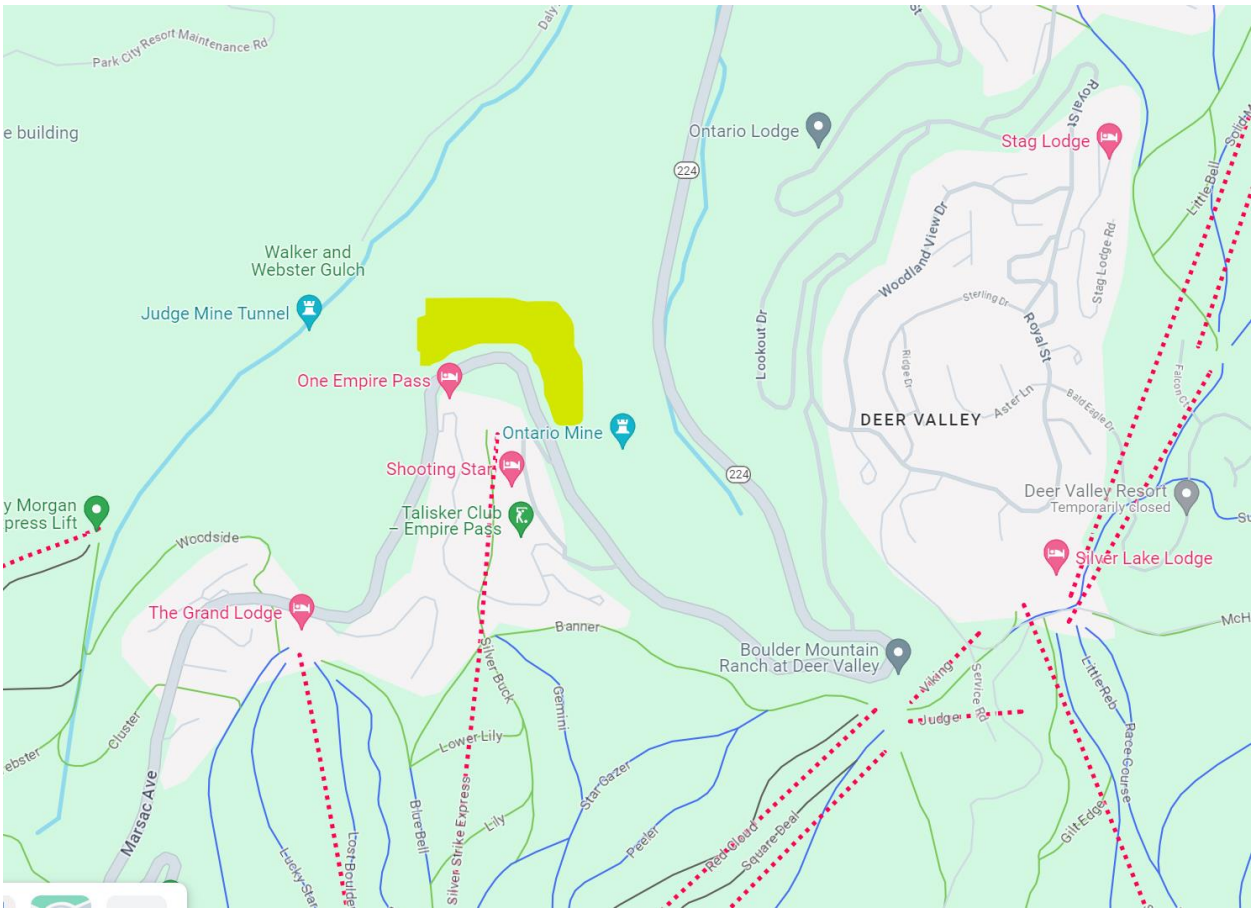


Figure 1 Approximate Moonshadow Condominium Location, Highlighted by Staff in Yellow

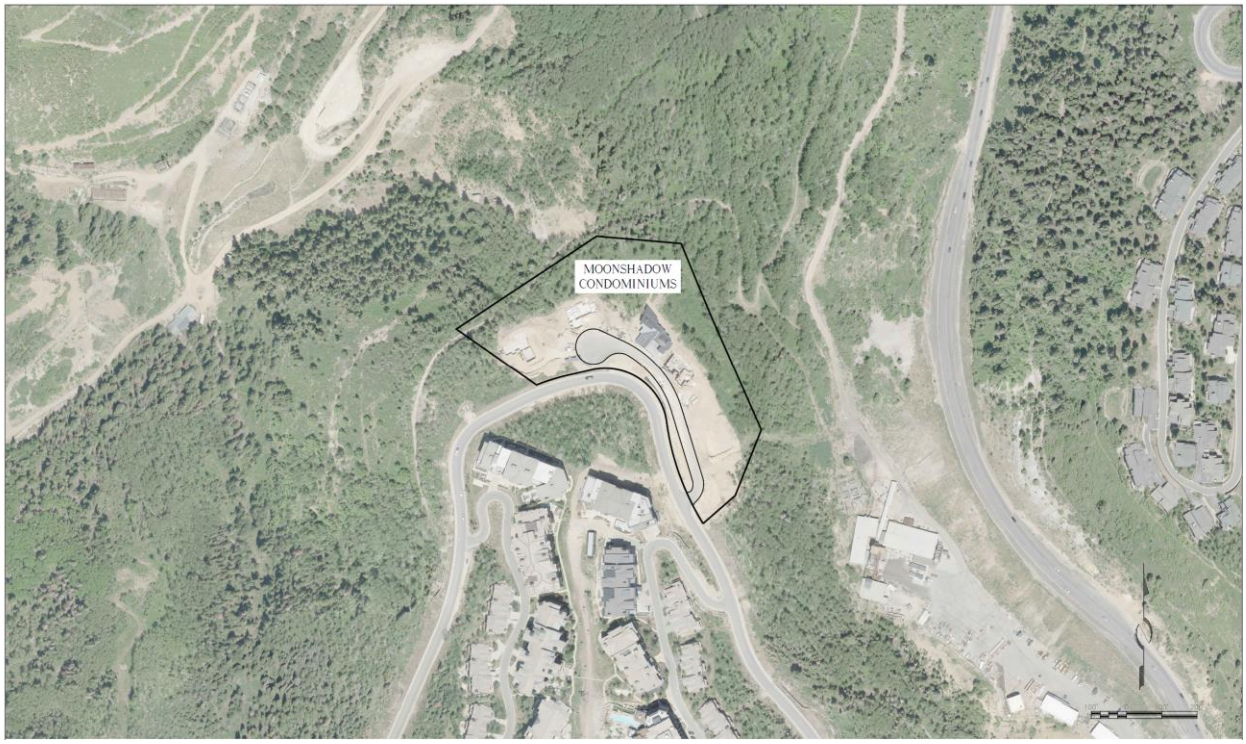


Figure 2 Applicant's Aerial Photograph

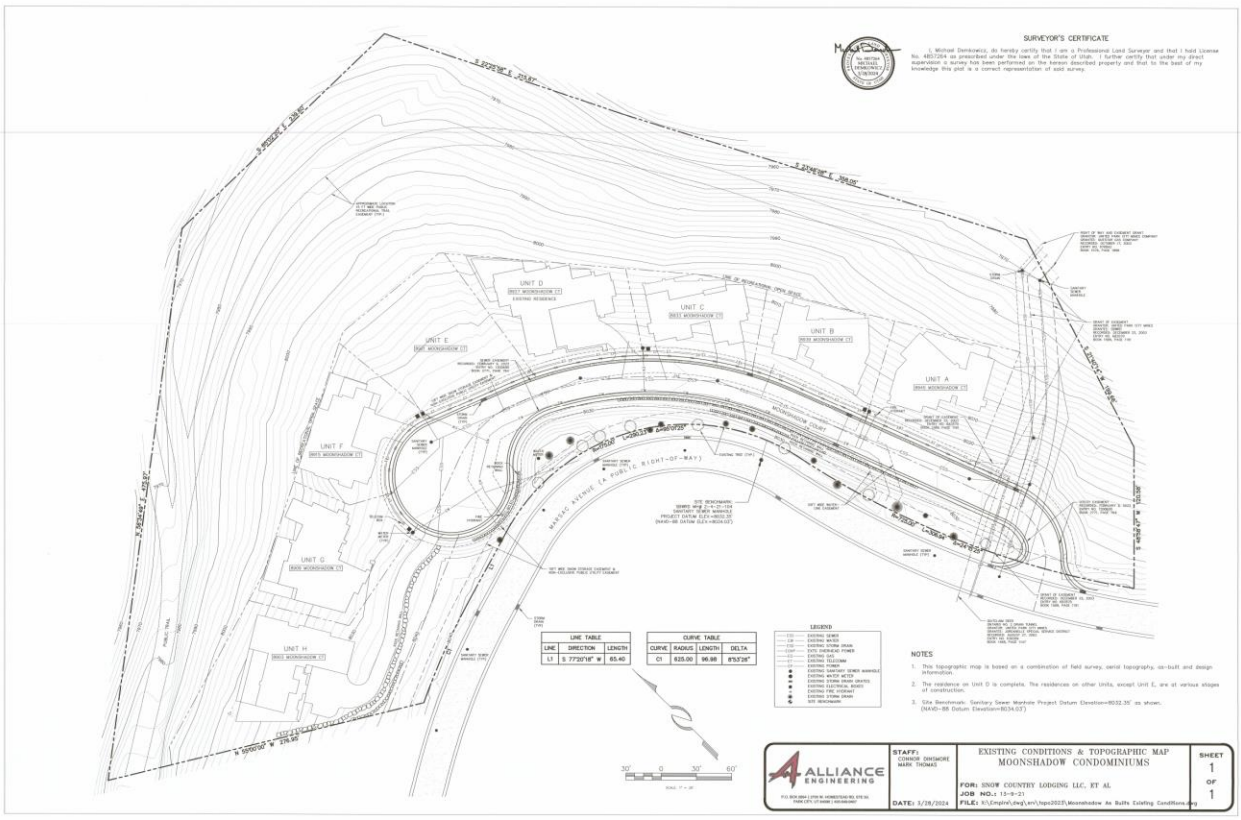


Figure 3 Applicant's Existing Conditions Submittal

MOONSHADOW CONDOMINIUMS

Figure 4 Applicant's Photo

MOONSHADOW CONDOMINIUMS

Figure 5 Applicant's Photo

MOONSHADOW CONDOMINIUMS

Figure 6 Applicant's Photo

MOONSHADOW CONDOMINIUMS

Figure 7 Applicant's Photo

Figure 8 Applicant's Photo

Figure 9 Applicant's Photo

Background

The Moonshadow Condominiums are part of the Flagstaff Annexation Area, governed by the Flagstaff Development Agreement, the Village at Empire Pass Master Planned Development (VEP MPD), within the Residential Development (RD) and Recreation Open Space (ROS) Zoning Districts.

The Moonshadow Condominiums contain eight PUD-style units. The 2007 Amended Flagstaff Development Agreement describes PUD-style units as "clustered, detached, single-family or duplex units with common open space and coordinated architecture."

The City Council adopted Ordinance 2018-54 approving the Moonshadow Condominiums on October 25, 2018 (Exhibit C). On July 1, 2019, the Moonshadow Condominiums Plat was recorded with Summit County, Summit County Recorder Entry No. 111351. The Plat created an eight-unit condominium. As part of the Village at Empire Pass Master Planned Development Approval and the Amended Flagstaff

Development Agreement, the Planning Commission approved no more than 31 Unit Equivalents (UEs) of residential density (62,000 square feet) for the Moonshadow Condominiums (2018 Moonshadow Condominiums Staff Report).

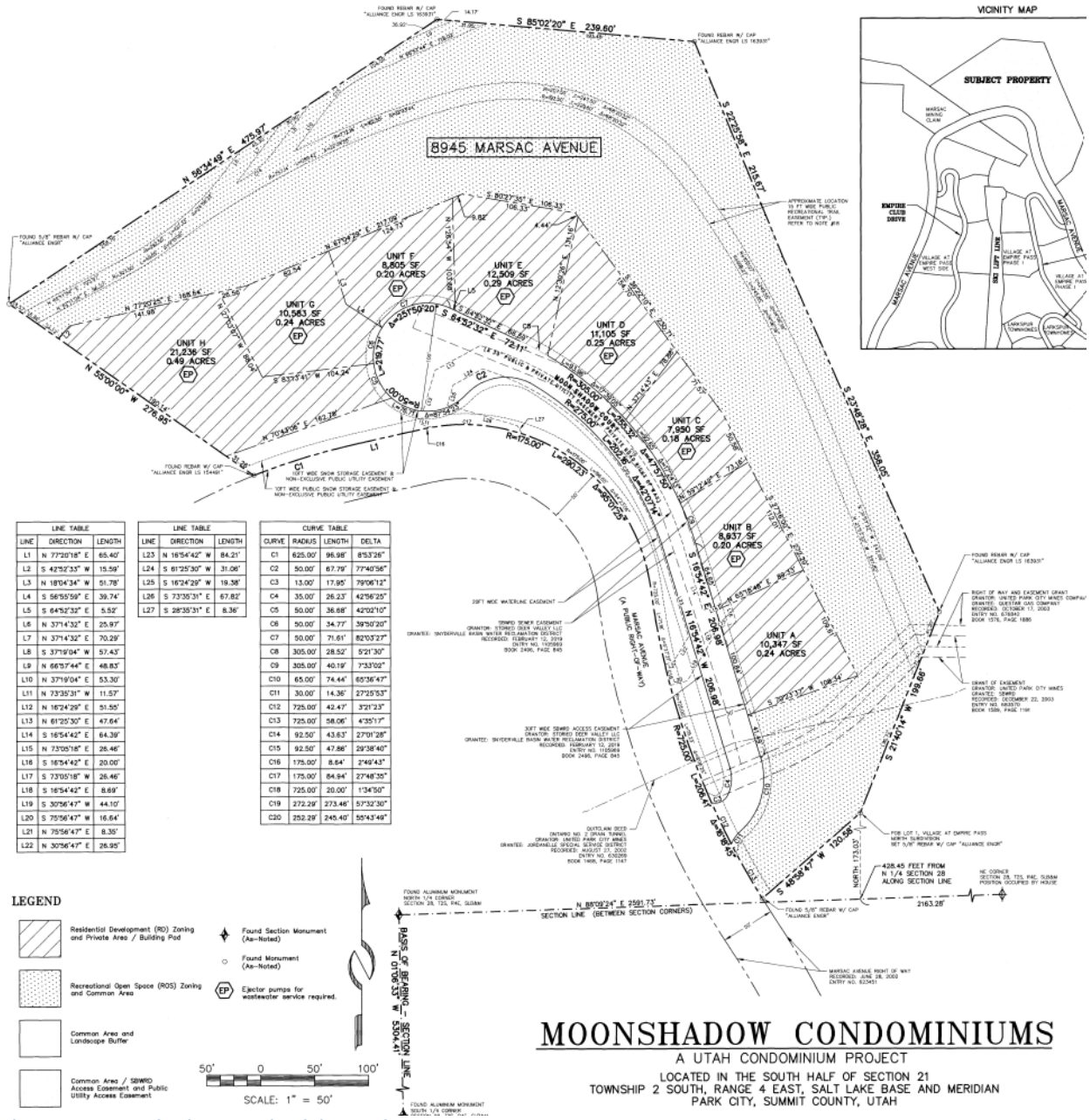


Figure 10 Moonshadow Condominiums Plat

Condition of Approval 7 from Ordinance 2018-54 states: “Administrative Conditional Use Permits (ACUP) are required prior to building permit issuance for the Moonshadow Condominiums.” Units A, B, C, D, F, and H have approved ACUPs and have been issued Building Permits. Ordinance 2018-54, Condition of Approval 9 states “[t]he plat

shall note that . . . a supplemental condominium plat for each unit shall be approved and recorded at Summit County prior to issuance of a certificate of occupancy. Supplemental plats may be combined." The Applicant requests approval of the supplemental condominium plat.

On March 6, 2024, the Empire Pass Master Owners Association issued a letter stating 100% of the owners of the Moonshadow Condominiums voted to approve the proposed Plat Amendment (Exhibit E).

Analysis

(I) The First Amended and Restated Moonshadow Condominiums Plat complies with the City Council's Moonshadow Condominium requirements.

The City Council approved the Moonshadow Condominiums with the following Setbacks: "Fifteen foot (15') front setbacks (20' to the front of the garage) are approved to cluster units closer to the private street in order to decrease cut and fill, decrease driveway area, increase the separation from areas of 40% and greater slope, and to protect additional existing vegetation." The proposed plat amendment complies with the 15-foot (20-foot to the front of the garage) Front Setback requirement for all proposed Units.

Side Setback Requirement: The Side Setbacks are 12 feet between structures. For units that abut the Subdivision Lot lines, the Structures must maintain a minimum Side Setback of 12 feet. The proposed condominiums comply with the 12-foot Side Setback requirement.

Rear Setback Requirement: The Rear Setback is zero feet (0') which is the RD/ROS Zoning District line. No structures are proposed in the ROS zoned portion of the plat. See Condition of Approval 6.

(II) The First Amended and Restated Moonshadow Condominiums Plat complies with the Recreation and Open Space Zoning District Requirements.

No structures are proposed or approved to be constructed in the ROS portion of the Plat. Each unit has Limited Common Area that is located within the ROS Zoning District. Staff recommends a Condition of Approval that the Limited Common Area that is within the ROS Zoning District of each unit must comply with the ROS requirements and Ordinance 2018-54 Condition of Approval 20: "Construction disturbances within ROS portions are subject to the Amended Development Agreement and associated Technical Reports."

(III) The First Amended and Restated Moonshadow Condominiums Plat complies with the Village at Empire Pass Master Planned Development and the Amended Flagstaff Development Agreement.

As part of the Village at Empire Pass Master Planned Development Approval and the

Amended Flagstaff Development Agreement, the Planning Commission approved no more than 31 Unit Equivalents (UEs) of residential density (total of 62,000 square feet) for the Moonshadow Condominiums, with no individual unit exceeding 7,750 square feet of floor area. The Amended Development Agreement requires PUD style units to include all floor area, including all basement areas, in the UE calculations. 600 square feet of garages are excluded.

The Applicant proposes a combined 40,746 square feet of floor area for all units included in this Plat Amendment, and no individual unit exceeds 7,750 square feet. The Applicant has a remaining 21,254 square feet of floor area for Units E and G. However, each individual Unit may not exceed 7,750 square feet of floor area consistent with the Amended Development Agreement. See Condition of Approval 7.

(IV) The First Amended and Restated Moonshadow Condominiums Plat complies with Chapter 15-3, Off-Street Parking.

Condominium units greater than 2,000 square feet in floor area require two Parking Spaces per unit.[2] Double car garages must be at least twenty feet (20') wide by twenty feet (20') deep.[3] All proposed units have interior garages measuring at least 20 feet wide by 20 feet deep and accommodate two Parking Spaces per unit.

(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 § 15-7-1.3(B) 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, 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 is required as part of Ordinance 2018-54, Condition of Approval 9: “The plat shall note that . . . a supplemental condominium plat for each unit shall be approved and recorded at Summit County prior to issuance of a certificate of occupancy. Supplemental plats may be combined.” The proposed Plat Amendment combines six of eight Plat Amendments for efficiency, is compliant with the Village at Empire Pass MPD and Amended Flagstaff Development Agreement, and does not create any non-conformities. No Public Street or Right-of-Way is vacated or amended.

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[2] LMC § 15-3-6(A)
[3] LMC § 15-3-4(A)

(VI) The Development Review Committee reviewed the proposal on April 16, 2024, and does not require Conditions of Approval.[4]

Department Review

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

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on June 12, 2024. Staff mailed courtesy notice to property owners within 300 feet on June 12, 2024. The *Park Record* published courtesy notice on June 12, 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 First Amended and Restated Moonshadow Condominium Plat;
- The Planning Commission may deny the First Amended and Restated Moonshadow 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
    Attachment 1 - Proposed Plat
Exhibit B: Applicant's Narrative
Exhibit C: Ordinance No. 2018-54
Exhibit D: Moonshadow Condominium Plat
Exhibit E: Empire Pass Master Owner's Association Approval

[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).
[5] LMC § 15-1-21

Planning Department

June 26, 2024

Marshall King, Alliance Engineering
Moonshadow Condominiums

CC: Snow Country Lodging, LLC; Odfam West LLC; Marcia and Dennis Seremet; Moonshadow Mountain, LLC

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	8903 Moonshadow Court (Unit H) 8915 Moonshadow Court (Unit F) 8927 Moonshadow Court (Unit D) 8933 Moonshadow Court (Unit C) 8939 Moonshadow Court (Unit B) 8945 Moonshadow Court (Unit A)
Zoning Districts:	Residential Development Recreation Open Space
Application:	Condominium Plat Amendment
Project Number:	PL-24-06084
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	June 26, 2024
Project Summary:	The Applicant Proposes the First Amended and Restated Moonshadow Condominium Plat to define private areas and limited common areas for Units A, B, C, D, F, and H.

Action Taken

On June 26, 2024, the Planning Commission conducted a public hearing and approved the Moonshadow Condominium Plat Amendment according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. The Moonshadow Condominiums are part of the Flagstaff Annexation Area, governed by the Flagstaff Development Agreement, the Village at Empire Pass Master Planned Development, within the Residential Development (RD) and Recreation Open Space (ROS) Zoning Districts.
2. The Moonshadow Condominiums contain eight PUD-style units. The 2007 Amended Flagstaff Development Agreement describes PUD-style units as "clustered, detached, single-family or duplex units with common open space and coordinated architecture."
3. The City Council adopted Ordinance 2018-54 approving the Moonshadow Condominiums on October 25, 2018. On July 1, 2019, the Moonshadow Condominiums Plat was recorded with Summit County, Summit County Recorder Entry No. 111351. The Plat created an eight-unit condominium.
4. As part of the Village at Empire Pass Master Planned Development Approval and the Amended Flagstaff Development Agreement, the Planning Commission approved no more than 31 Unit Equivalents (UEs) of residential density (62,000 square feet) for the Moonshadow Condominiums.
5. Ordinance 2018-54 Condition of Approval 7 states: "Administrative Conditional Use permits (ACUP) are required prior to building permit issuance for the Moonshadow Condominiums." Units A, B, C, D, F, and H have approved ACUPs and have been issued Building Permits. Condominium plat approvals memorializing private, common, and limited common area of each unit are required prior to issuance of Certificates of Occupancy.
6. The proposed plat amendment complies with the City Council approvals for the Condominiums:
    a. The City Council approved the Moonshadow Condominiums with the following Setbacks: "Fifteen foot (15') front setbacks (20' to the front of the garage) are approved to cluster units closer to the private street in order to decrease cut and fill, decrease driveway area, increase the separation from areas of 40% and greater slope, and to protect additional existing vegetation."
    b. The proposed plat amendment complies with the 15-foot (20-foot to the front of the garage) Front Setback requirement for all proposed Units.
    c. Side Setback Requirement: The Side Setbacks are 12 feet between structures. For units that abut the Subdivision Lot lines, the Structures must maintain a minimum Side Setback of 12 feet.

i. The proposed condominiums comply with the 12-foot Side Setback requirement.

d. Rear Setback Requirement: The Rear Setback is zero feet (0') which is the RD/ROS Zoning District line.

i. No structures are proposed in the ROS zoned portion of the plat.

7. The proposed plat amendment complies with the ROS Zoning District Requirements.
   a. No structures are proposed or approved to be constructed in the ROS Zoned portion of the Plat. Each unit has Limited Common Area that is located within the ROS Zone. Staff recommends a Condition of Approval that the Limited Common Area that is within the ROS zone of each unit must comply with the ROS zoning district requirements and comply with Ordinance 2018-54 Condition of Approval 20: "Construction disturbances within ROS portions are subject to the Amended Development Agreement and associated Technical Reports."
8. The proposed plat amendment complies with the Village at Empire Pass Master Planned Development and the Amended Flagstaff Development Agreement.
   a. As part of the Village at Empire Pass Master Planned Development Approval and the Amended Flagstaff Development Agreement, the Planning Commission approved no more than 31 UEs of residential density (total of 62,000 square feet) for the Moonshadow Condominiums, with no individual unit exceeding 7,750 square feet of floor area. The Amended Development Agreement requires PUD style units to include all floor area, including all basement areas, in the UE calculations. 600 square feet of garages are excluded.
   b. The Applicant proposes a combined 40,746 square feet of floor area for all units included in this Plat Amendment, and no individual unit exceeds 7,750 square feet. The Applicant has a remaining 21,254 square feet of floor area for Units E and G. However, each individual Unit may not exceed 7,750 square feet of floor area consistent with the Amended Development Agreement.
9. The proposed plat amendment complies with Chapter 15-3, Off-Street Parking
   a. Condominium units greater than 2,000 square feet in floor area require two Parking Spaces per unit. Double car garages must be at least twenty feet (20') wide by twenty feet (20') deep. All proposed units have interior

garages measuring at least 20 feet wide by 20 feet long and accommodate two Parking Spaces.

10. The proposed plat amendment 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.
    b. Plat Amendments shall be reviewed according to the requirements of LMC § 15-7-1.6 and approval shall require a finding of Good Cause.
    c. 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."
    d. Staff finds Good Cause for this plat amendment because this amendment is required as part of Ordinance 2018-54 Condition of Approval 9: "The plat shall note that . . . . a supplemental condominium plat for each unit shall be approved and recorded at Summit County prior to issuance of a certificate of occupancy. Supplemental plats may be combined."
    e. The Condominium Plat Amendment is compliant with the Village at Empire Pass MPD and Amended Flagstaff Development Agreement and does not create any non-conformities.
    f. No Public Street or Right of Way is vacated or amended.
11. The Development Review Committee reviewed the proposal on April 16, 2024 and does not require Conditions of Approval.
12. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on June 12, 2024.
13. Staff mailed courtesy notice to property owners within 300 feet on June 12, 2024. The Park Record published courtesy notice on June 12, 2024.

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.
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. Conditions of Approval of the Village at Empire Pass Master Planned Development and the Village at Empire Pass North Subdivision plat continue to apply.
4. Conditions of approval of the Amended Flagstaff Development Agreement and all related Technical Reports continue to apply.
5. An Administrative Conditional Use Permit for each of the remaining two Units (Unit E and Unit G) is required prior to issuance of any building permits for the units.
6. The Limited Common Area that is within the ROS Zoning District of each unit must comply with the ROS requirements and Ordinance 2018-54: “Construction disturbances within ROS portions are subject to the Amended Development Agreement and associated Technical Reports.”
7. Each individual Unit may not exceed 7,750 square feet of floor area consistent with the Amended Development Agreement.

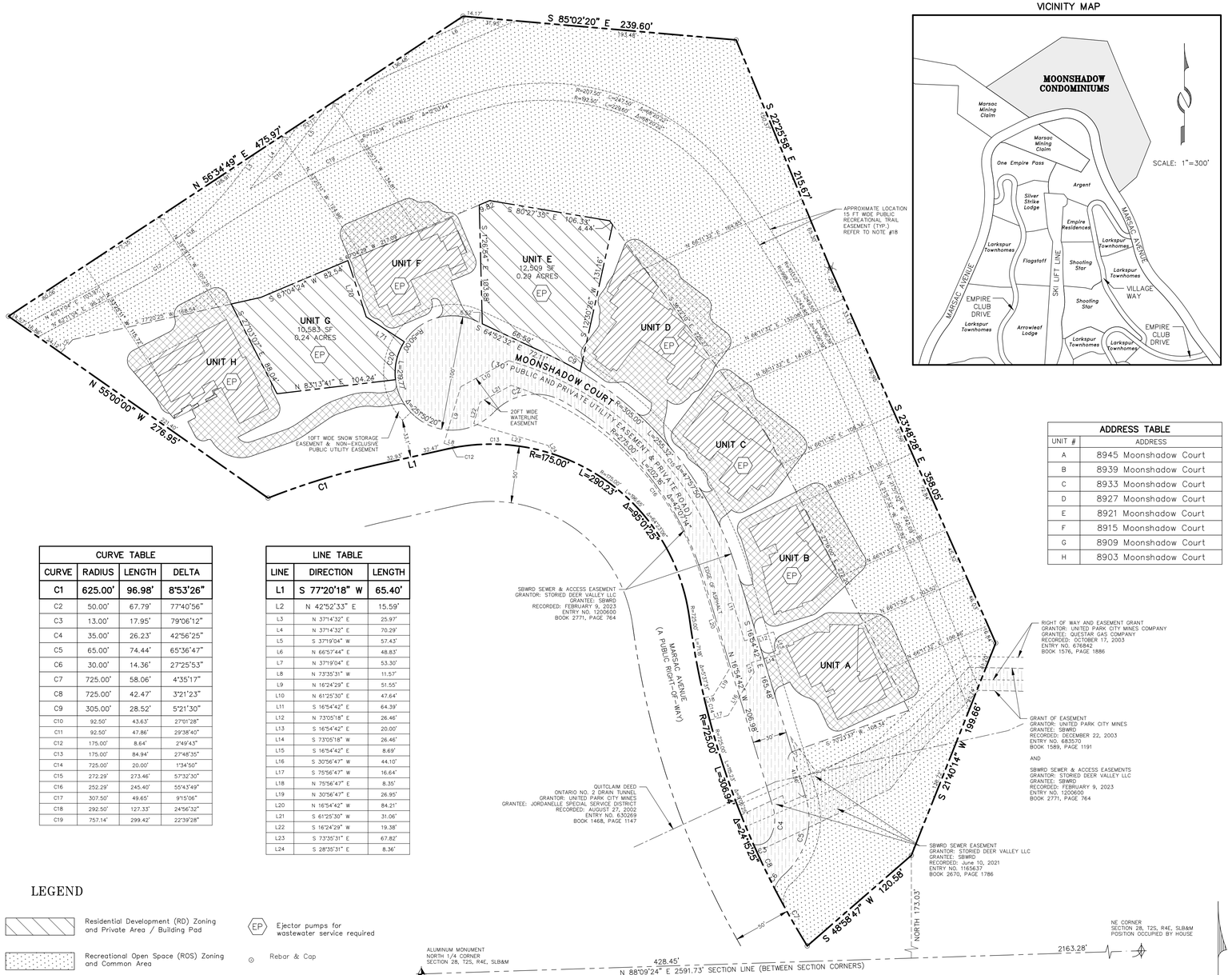
If you have questions or concerns regarding this Final Action Letter, please call 385-481-2036 or email virgil.lund@parkcity.org

Sincerely,

Sarah Hall
Planning Commission Chair

CC: Virgil Lund

Attachment 1 – Proposed Plat



VICINITY MAP

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	625.00'	96.98'	8°53'26"
C2	50.00'	67.79'	77°40'56"
C3	13.00'	17.95'	79°06'12"
C4	35.00'	26.23'	42°56'25"
C5	65.00'	74.44'	65°36'47"
C6	30.00'	14.36'	27°25'53"
C7	725.00'	58.06'	4°35'17"
C8	725.00'	42.47'	3°21'23"
C9	305.00'	28.52'	5°21'30"
C10	92.50'	43.63'	27°01'28"
C11	92.50'	47.86'	29°38'40"
C12	175.00'	8.64'	2°49'43"
C13	175.00'	84.94'	27°48'35"
C14	725.00'	20.00'	1°34'50"
C15	272.29'	273.46'	57°32'30"
C16	252.29'	245.40'	55°43'49"
C17	307.50'	49.65'	9°15'06"
C18	292.50'	127.33'	24°56'32"
C19	757.14'	299.42'	22°39'28"

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	S 77°20'18" W	65.40'
L2	N 42°52'33" E	15.59'
L3	N 37°14'32" E	25.97'
L4	N 37°14'32" E	70.29'
L5	S 37°19'04" W	57.43'
L6	N 66°57'44" E	48.83'
L7	N 37°19'04" E	53.30'
L8	N 73°35'31" W	11.57'
L9	N 16°24'29" E	51.55'
L10	N 61°25'30" E	47.64'
L11	S 16°54'42" E	64.39'
L12	N 73°05'18" E	26.46'
L13	S 16°54'42" E	20.00'
L14	S 73°05'18" W	26.46'
L15	S 16°54'42" E	8.69'
L16	S 30°56'47" W	44.10'
L17	S 75°56'47" W	16.64'
L18	N 75°56'47" E	8.35'
L19	N 30°56'47" E	26.95'
L20	N 16°54'42" W	84.21'
L21	S 61°25'30" W	31.06'
L22	S 16°24'29" W	19.38'
L23	S 73°35'31" E	67.82'
L24	S 28°35'31" E	8.36'

ADDRESS TABLE	
UNIT #	ADDRESS
A	8945 Moonshadow Court
B	8939 Moonshadow Court
C	8933 Moonshadow Court
D	8927 Moonshadow Court
E	8921 Moonshadow Court
F	8915 Moonshadow Court
G	8909 Moonshadow Court
H	8903 Moonshadow Court

LEGEND

- Residential Development (RD) Zoning and Private Area / Building Pad
- Recreational Open Space (ROS) Zoning and Common Area
- Common Area and Landscape Buffer
- Common Area / SBWRD Access Easement
- Private Ownership
- Limited Common Ownership
- EP — Ejector pumps for wastewater service required
- Rebar & Cap

MOONSHADOW CONDOMINIUMS

FIRST AMENDED AND RESTATED

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

50' 0 50' 100'
SCALE: 1" = 50'

SURVEYOR'S CERTIFICATE

PROFESSIONAL LAND SURVEYOR No. 4857264 MICHAEL DEMKOWICZ STATE OF UTAH

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 or directly supervised a survey of the hereon described property 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 the following amended plat, containing two single family, residential lots, hereafter to be known as MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED.

LEGAL DESCRIPTION

Unit A, B, C, D, E, F, G and H, contained within MOONSHADOW CONDOMINIUMS, a Utah Condominium Project, as the same is identified in the Plat filed in the office of the Summit County Recorder, Utah, on July 1, 2019 as Entry No. 1113512 and in the declaration recorded July 1, 2019 as Entry No. 1113513 in Book 2515 at Page 1703 (as said declaration may have been subsequently restated, amended and/or supplemented).

Together with the undivided ownership interest in and to the Common Areas and Facilities defined under said declaration.

NOTES:

1. This plat is subject to the Conditions of Approval in the Final Action Letter dated _____, 2024, on file with the planning department. (PL-24-_____)
2. The Conditions Approval of the Village at Empire Pass North Subdivision plat, recorded January 23, 2018, Entry No. 1085414, Conditions of Approval in Ordinance 2018-54, approved October 23, 2018, and the Village at Empire Pass Master Planned Development (POD A), approved July 28, 2004, shall continue to apply.
3. Administrative Conditional Use Permit (ACUP) approval will be required prior to issuance of building permits for each of the eight dwelling units shown hereon. ACUP may be combined. All ACUP applications and approvals are subject to the Amended Development Agreement and Technical Reports as approved or amended. A construction mitigation plan, including truck routing, final grading and utility plan, including storm water and drainage plans, shall be submitted with each conditional use permit application and in advance of issuing building permits. The design for development on Moonshadow Condominiums requires approval by the City Engineer and Snyderville Basin Water Reclamation District ("SBWRD"). No building permits shall be issued until all necessary utility easements are recorded.
4. An amendment to the Declaration of Condominium and a supplemental condominium plat for each unit to be constructed is required and shall be approved by Park City Municipal Corporation and recorded at Summit County prior to issuance of a certificate of occupancy. Supplemental condominium plats may be combined. The supplemental condominium plat shall be recorded by the Owner at such time as the Owner's dwelling is designed to memorialize and document the conditions of the constructed dwelling and to identify Common Area and Limited Common Area for each unit. Upon the completion of a Dwelling on the land underlying a Unit, there shall be Limited Common Areas and Facilities surrounding each Unit that extend thirty (30') feet from the rear boundary of each Unit and ten (10') feet on the sides and front boundary of each Unit (the "Buffer Areas"). The private ownership as shown on sheet 1 is a general depiction. See sheets 3 through 9 for specific private ownership of each unit.
5. All applicable conditions, regulations, requirements, and stipulations of the Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel, and Iron Mountain recorded at Summit County on March 2, 2007 as Entry No. 00806100 in Book 1850, Page 1897 (the "Development Agreement"), and associated technical reports and agreements shall continue to apply. Requirements and obligations of the Development Agreement, as applicable to the lots, shall be completed, or bonded for completion, prior to issuance of certificates of occupancy for any approved development located on Moonshadow Condominiums unless otherwise noted. This includes number of shuttles in operation, provision of affordable housing units, collection mechanism for reinvestment fees, and all other such obligations as are outlined in the Development Agreement, some of which are triggered by the number of certificates of occupancy issued.
6. At the time of final construction and re-platting with supplemental condominium plats, all floor area including basement area and any garage space greater than 600 square feet will be counted towards the Unit Equivalents as allowed by the Flagstaff Development Agreement. A maximum of 31 Equivalent Units of residential density may be utilized for the eight units and each unit shall not exceed 7,750 total square feet, including all floor area, including all basement areas and excluding 600 square feet of garage area. No more than eight residential PUD style units are allowed on this property. No commercial density is allocated to this property with this plat.
7. Moonshadow Condominiums has no on-site affordable housing obligations. Refer to Note 5, Village at Empire Pass North Subdivision Plat.
8. The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass, as amended ("Master Declaration"), requires the membership of each lot or unit owner. Members are subject to the terms of its articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein. Building designs are subject to review by the Empire Pass Design Review Board.
9. Owners and potential buyers of any unit or land within the lots depicted on this plat are given notice that they own or are buying property in a resort area in which all-season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, mountain bikers and other resort patrons, equipment, machine-made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such owner or agreements with such owner.
10. At the time of plat recording, Moonshadow Condominiums includes lands within the Empire Village MPD in the RD Zone and additional lands within the ROS Zone. The ROS zoning line shall be indicated on plans submitted with the administrative conditional use permit applications. All construction of units shall be restricted to the RD zoned portion. Construction disturbances within ROS portions are subject to the Amended Development Agreement and associated Technical Reports (e.g. for trails, ski runs and ski lifts, utilities, access roads, etc.). Construction on Moonshadow Condominiums shall conform to all applicable Land Management Code requirements in effect at the time of submittal of application. Setback exceptions allow a minimum front setback of fifteen (15) feet with a minimum front setback to a front facing garage of twenty (20) feet. All other Land Management Code setbacks, setback exceptions and building height requirements of the RD Zone apply. The rear yard setback is coincident with the RD/ROS Zone line for all units.
11. This plat also depicts the following easements, each of which may be amended, relocated or revised, without amendment hereto, in accordance with each such easement's terms:
    a. Right-of-Way and Easement Grant, recorded October 17, 2003, Entry No. 676842, Summit County Recorder's Office.
    b. Grant of Nonexclusive Easement (Sewer Utility), recorded December 22, 2003, Entry No. 683570, Summit County Recorder's Office.
    c. Quit Claim Deed Ontario No. 2 Drain Tunnel, recorded August 27, 2002, Entry No. 630269, Summit County Recorder's Office.
    d. Abandonment of Easements and Grant of Easement and Access Easement, recorded February 9, 2023, Entry No. 1200600, Summit County Recorder's Office.
    e. Sanitary Sewer Easements, recorded June 10, 2021, Entry No. 1165637, Summit County Recorder's Office.
11. Public safety access and public utility easements are hereby dedicated for all public and private streets. Moonshadow Court is a private road and shall be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass at Deer Valley in accordance with the Master Declaration. Moonshadow Court (a private street) shall be dedicated as "Public Utility Access" for purpose of operation, maintenance and repair. Moonshadow Court is not a public road or right-of-way.
12. Any proposed curb cuts for access directly to Marsac Avenue, a state highway (SR-224), must be approved by the City Engineer and Utah Department of Transportation ("UDOT"). Prior to building permit issuance for Moonshadow Condominiums, documentation from UDOT showing a valid, non-expired Conditional Access Permit and Encroachment Permit approval for access to Lot 1 Village at Empire Pass North Subdivision, also known as Moonshadow Condominiums off Marsac Avenue is required. This approval shall be submitted to the City Engineer.
13. Units B through H require privately owned and operated wastewater ejector pumps for wastewater service. At the time of any resurfacing of Moonshadow Court, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District (SBWRD) standards. Prior notification of adjustments and inspection by SBWRD is required. Trees, structures and retaining walls shall not be located within SBWRD easements.
14. A fire protection plan is a submittal requirement for each building permit and shall include fire protection in the form of the residential sprinklers and landscaping that complies with Urban Wildland Interface requirements of the Park City Building Department at the time of building permit issuance. Fire sprinklers will be required for new construction on the lots per the Chief Building Official at the time of review of a building permit.
15. A landscape plan, including provisions for water-efficient irrigation systems and drought tolerant plantings with limited turf, is a submittal requirement for each administrative conditional use permit application and building permit. An arborist report, identifying trees and the general condition of any trees located outside of the building pad that are proposed to be removed, is required to be submitted with the landscape plans. Final landscape plans, including plans to remove trees outside of the building pad, are subject to review by the Design Review Board prior to building permit issuance.
16. This development is part of a common plan of development and a MS4 Storm Water Permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance. Utility structures such as ground sleeves, transformers and other dry utility boxes must be located on the lots.
17. The Private Area/Building Pad shall be considered the Limits of Disturbance for each condominium unit. An additional disturbance area within 20 feet of the building foundation shall be allowed, consistent with the Arborist reports and visual analysis. Driveways and utility installation are exempt. Construction of units, patios, retaining walls and other permanent structures, such as gazebos, hot tubs, fire pits, etc. are not allowed in the ROS zoned area.
18. Public trails constructed and or re-constructed shall be within a fifteen foot public trail easement.
19. A twenty foot (20') wide waterline easement and access easement is dedicated to Park City Water Service District for the purpose of operating, maintaining, repairing, eventual replacement and upgrade of one or more underground pipelines and appurtenances for conveyance, distribution, and/or transmission of water.
20. A ten foot (10') wide snow storage easement along the private street frontage of all units shall be dedicated to the Empire Pass Master Owners Association.
21. This first amended and restated plat of Moonshadow Condominiums defines the private and limited common ownership of units A, B, C, D, F and H. This plat amendment also reflects changes in easements that have occured since the recording of the original plat.

THIS FIRST AMENDED AND RESTATED PLAT SUPERSEDES MOONSHADOW CONDOMINIUMS, RECORDED JULY 1, 2019, AS ENTRY NO. 1113512 AT THE SUMMIT COUNTY RECORDER'S OFFICE.

SHEET 1 OF 8

5/1/24 JOB NO.: 13-9-23 FILE: X:\Empire\dwg\srv\plat2023\Moonshadow\130921amd.dwg

435-649-9467
ALLIANCE ENGINEERING
CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS
P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

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 _____
PARK CITY ATTORNEY

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. _____

UNIT A, B, C, G & H
OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that Snow County Lodging, LLC, a Utah limited liability company, as to Units A, B, C, G and H, does hereby certify that it has caused this plat amendment to be prepared, to be known hereafter as MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED, and does hereby consent to the recordation of this Plat.
ALSO, the owner or its representative, hereby irrevocably offers for dedication to the city of Park City and Snyderville Basin Water Reclamation District all the easements and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this _____ day of _____, 2024.

Snow County Lodging, LLC, a Utah limited liability company

By: _____
Name: Trent Timmons
Title: Manager

ACKNOWLEDGEMENT

State of Utah:
ss:
County of Summit:

On this _____ day of _____, 2024, Trent Timmons personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Chief Executive Officer of Snow County Lodging, 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 MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED.

_____
A Notary Public commissioned in _____

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No._____

UNIT D
OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that, Marcia C. Seremet and Dennis M. Seremet, Trustees of the Marcia C. Seremet Qualified Personal Residence Trust U/A dated November 30, 2009, as to Unit D, the undersigned owner with 50% interest in the herein described Moonshadow Condominiums Unit, hereby certify that they have caused this plat amendment to be prepared, together with easements as set forth to be hereafter known as to be known hereafter as MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED. The undersigned also irrevocably offer for dedication to the city of Park City and Snyderville Basin Water Reclamation District all the easements and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand

this _____ day of _____, 2024.

Marcia C. Seremet Qualified Personal Residence Trust U/A
dated November 30, 2009

By:_____
Marcia Seremet, Trustee

In witness whereof, the undersigned set his hand

this _____ day of _____, 2024.

Marcia C. Seremet Qualified Personal Residence Trust U/A
dated November 30, 2009

By:_____
Dennis Seremet, Trustee

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this _____ day of _____, 2024, Marcia C. Seremet personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is a Trustee of the Marcia C. Seremet Qualified Personal Residence Trust U/A dated November 30, 2009, and that said document was signed by her on behalf of said Trust by authority of the Trust, and she acknowledged to me that she executed MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED.

_____
A Notary Public commissioned in _____

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No: _____

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this _____ day of _____, 2024, Dennis M. Seremet personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Trustee of the Marcia C. Seremet Qualified Personal Residence Trust U/A dated November 30, 2009, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED.

_____
A Notary Public commissioned in _____

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No: _____

UNIT D
OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that, Dennis M. Seremet and Marcia C. Seremet, Trustees of the Dennis M. Seremet Qualified Personal Residence Trust U/A dated November 30, 2009, as to Unit D, the undersigned owner with 50% interest in the herein described Moonshadow Condominiums Unit, hereby certify that they have caused this plat amendment to be prepared, together with easements as set forth to be hereafter known as MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED. The undersigned also irrevocably offer for dedication to the city of Park City and Snyderville Basin Water Reclamation District all the easements and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand

this _____ day of _____, 2024.

Dennis M. Seremet Qualified Personal Residence Trust U/A
dated November 30, 2009

By:_____
Dennis Seremet, Trustee

In witness whereof, the undersigned set his hand

this _____ day of _____, 2024.

Dennis M. Seremet Qualified Personal Residence Trust U/A
dated November 30, 2009

By:_____
Marcia Seremet, Trustee

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this _____ day of _____, 2024, Dennis M. Seremet personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is a Trustee of the Dennis M. Seremet Qualified Personal Residence Trust U/A dated November 30, 2009, and that said document was signed by him on behalf of said Trust by authority of the Trust, and he acknowledged to me that he executed , to be known hereafter as MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED.

_____
A Notary Public commissioned in _____

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No: _____

ACKNOWLEDGMENT

State of _____)
: ss.
County of _____)

On this _____ day of _____, 2024, Marcia C. Seremet personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is a Trustee of the Dennis M. Seremet Qualified Personal Residence Trust U/A dated November 30, 2009, and that said document was signed by her on behalf of said Trust by authority of the Trust, and she acknowledged to me that she executed, to be known hereafter as MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED.

_____
A Notary Public commissioned in _____

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No: _____

UNIT E
OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that Moonshadow Mountain, LLC, an Arizona limited liability company, as to Unit E, does hereby certify that it has caused this Plat to be prepared, to be known hereafter as MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED, and does hereby consent to the recordation of this Plat.
ALSO, the owner or its representative, hereby irrevocably offers for dedication to the city of Park City and Snyderville Basin Water Reclamation District all the easements and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this _____ day of _____, 2024.

Moonshadow Mountain, LLC, an Arizona limited liability company

By: _____
Name: Scott McDonald
Title: Manager

ACKNOWLEDGEMENT

State of Utah:
ss:
County of Summit:

On this _____ day of _____, 2024, Scott McDonald 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 _____ of Moonshadow Mountain, LLC, an Arizona 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 MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED.

_____
A Notary Public commissioned in _____

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No._____

UNIT F
OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that ODFAM West, LLC, a Utah limited liability company, as to Unit F, does hereby certify that it has caused this plat amendment to be prepared, to be known hereafter as MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED, and does hereby consent to the recordation of this Plat.
ALSO, the owner or its representative, hereby irrevocably offers for dedication to the city of Park City and Snyderville Basin Water Reclamation District all the easements and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this _____ day of _____, 2024.

ODFAM West, L.L.C., a Utah limited liability company

By: _____
Name: Lindsay N. O'Donnell
Title: Manager

ACKNOWLEDGEMENT

State of _____:
ss:
County of _____t:

On this _____ day of _____, 2024, Lindsay N. O'Donnell personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is the Manager of ODFAM West, LLC, a Utah limited liability company, and that said document was signed by her on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that she executed MOONSHADOW CONDOMINIUMS FIRST AMENDED AND RESTATED.

_____
A Notary Public commissioned in _____

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No._____

MOONSHADOW CONDOMINIUMS
FIRST AMENDED AND RESTATED

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

435-649-9467

ALLIANCE ENGINEERING

CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS

P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

5/1/24

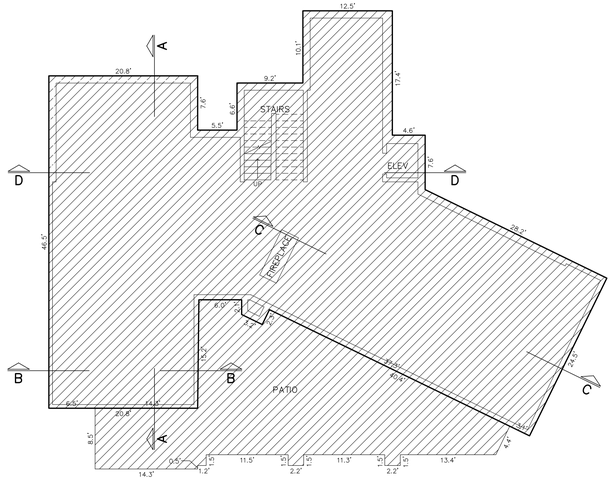
JOB NO.: 13-9-21 FILE: X:\Empire\dwg\srv\plat2023\Moonshadow\130921amd.dwg

RECORDED

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

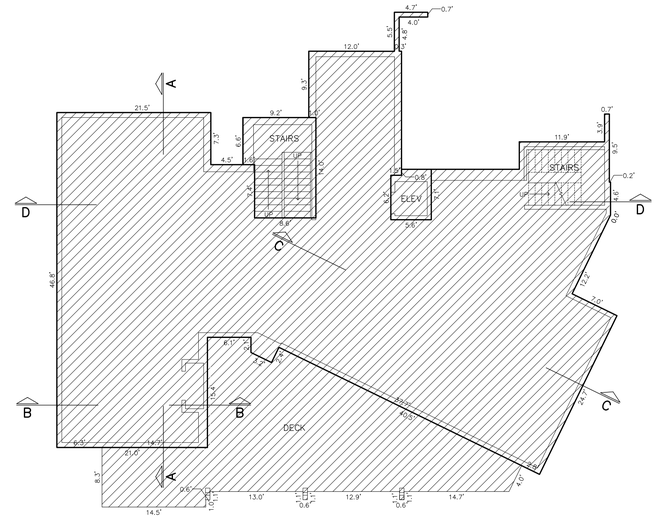
_____ _____
FEE RECORDER

DATE _____ TIME _____ ENTRY NO. _____



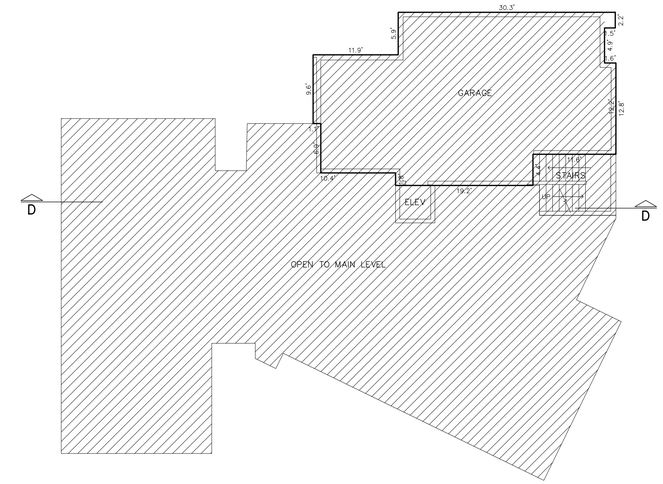
LOWER LEVEL

SCALE: 1" = 10'



MAIN LEVEL

SCALE: 1" = 10'



UPPER LEVEL

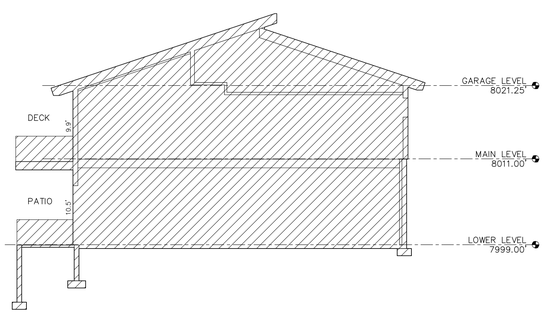
SCALE: 1" = 10'

COMMON AREA OWNERSHIP

PRIVATE OWNERSHIP

UNIT AREA TABLE

LEVELS	AREA (SQ FT)
LOWER	2,688
MAIN	2,921
TOTAL	5,609
GARAGE	761
PATIO	739
DECK	729



SECTION A–A

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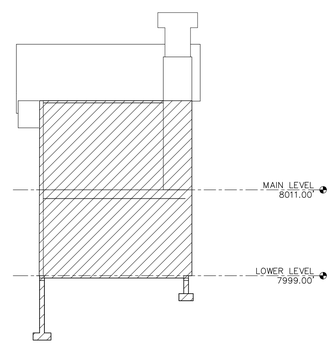
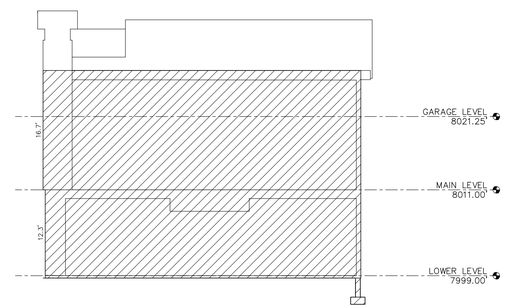


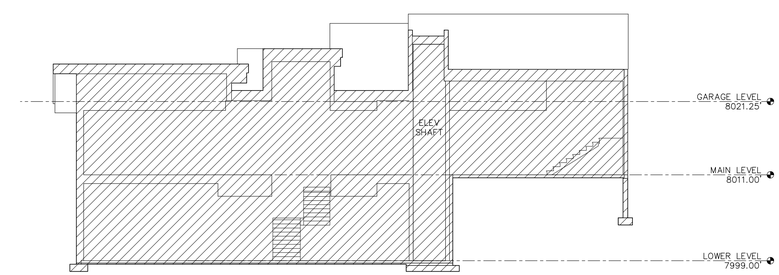
SECTION B–B

SCALE: 1" = 10'



SECTION C–C

SCALE: 1" = 10'



SECTION D–D

SCALE: 1" = 10'

UNIT A

MOONSHADOW CONDOMINIUMS

FIRST AMENDED AND RESTATED

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

435-649-9467
ALLIANCE ENGINEERING
CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS
P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

SHEET 3 OF 8

JOB NO.: 13-9-21 FILE: X:\Empire\dwg\srv\plat2023\Moonshadow\130921amd.dwg

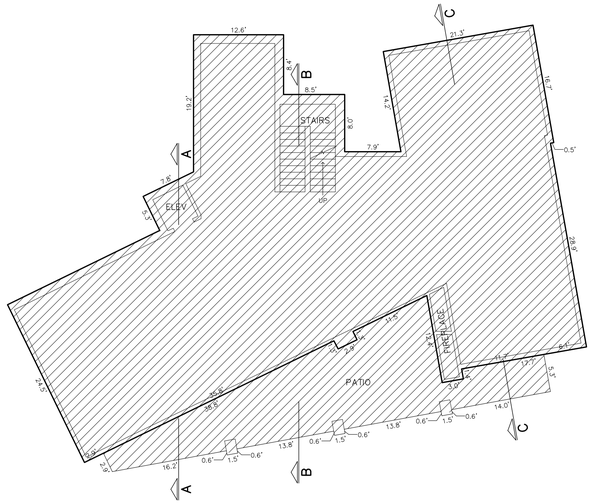
RECORDED

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

_____ _____
FEE RECORDER

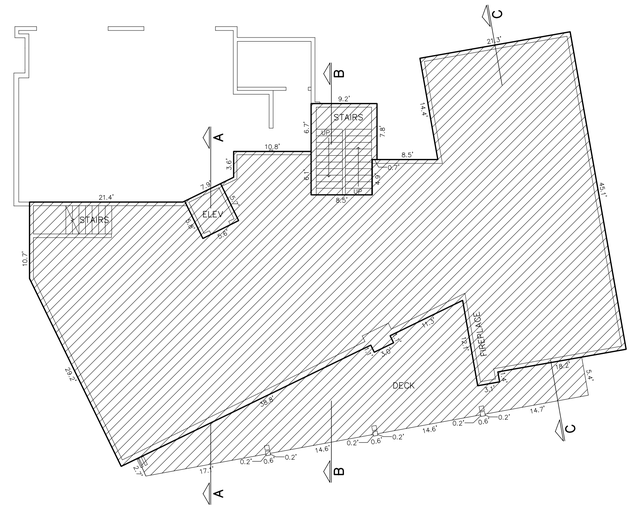
DATE _____ TIME _____ ENTRY NO. _____

5/1/24



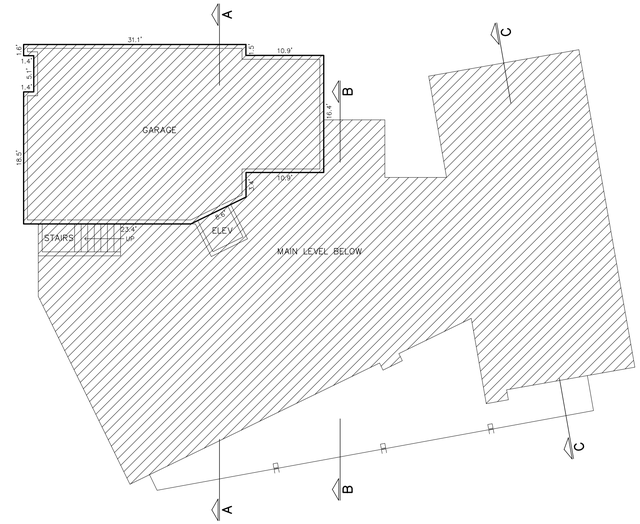
LOWER LEVEL

SCALE: 1" = 10'



MAIN LEVEL

SCALE: 1" = 10'



UPPER LEVEL

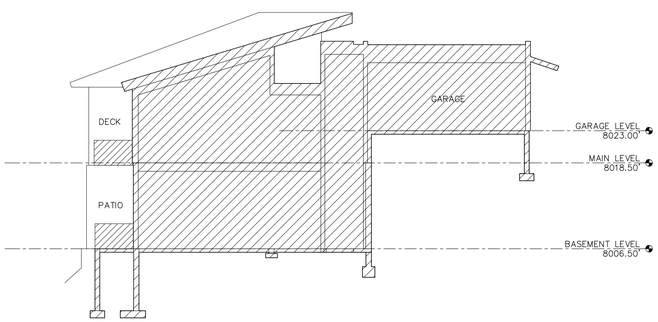
SCALE: 1" = 10'

COMMON AREA OWNERSHIP

PRIVATE OWNERSHIP

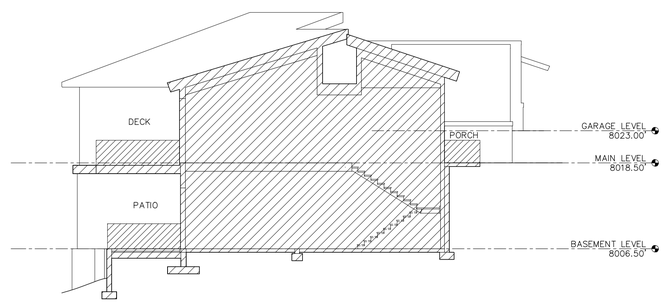
UNIT AREA TABLE

LEVELS	AREA (SQ FT)
LOWER	2,711
MAIN	2,589
TOTAL	5,300
GARAGE	936
PATIO	533
DECK	531



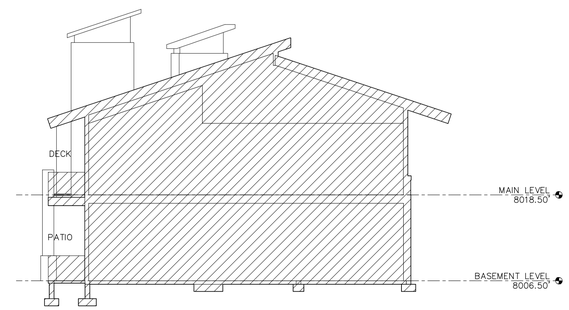
SECTION A–A

SCALE: 1" = 10'



SECTION B–B

SCALE: 1" = 10'



SECTION C–C

SCALE: 1" = 10'

UNIT B

MOONSHADOW CONDOMINIUMS

FIRST AMENDED AND RESTATED

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

435-649-9467
ALLIANCE ENGINEERING
CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS
P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

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RECORDED

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AT THE REQUEST OF _____

_____ FEE _____ RECORDER

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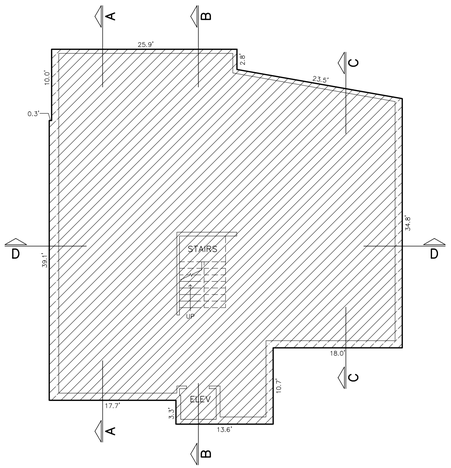
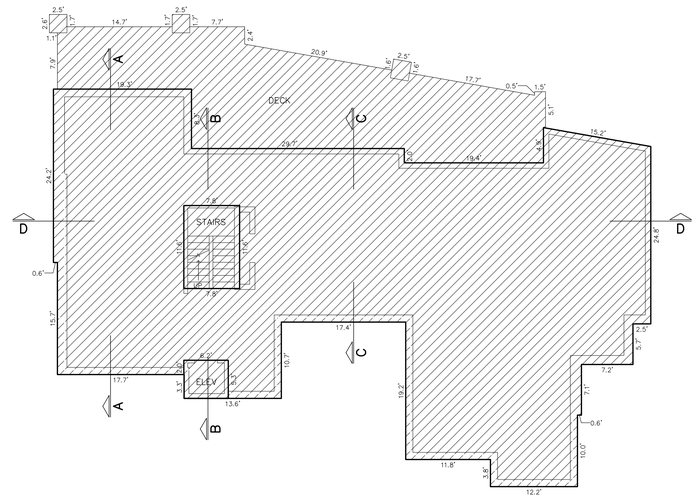
5/1/24



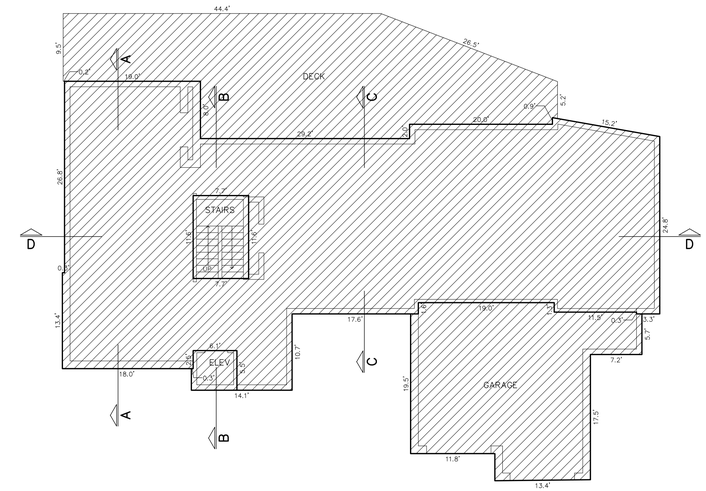
BASEMENT

SCALE: 1" = 10'



LOWER LEVEL

SCALE: 1" = 10'



MAIN LEVEL

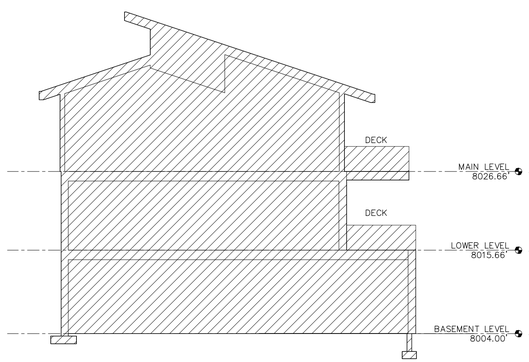
SCALE: 1" = 10'

COMMON AREA OWNERSHIP

PRIVATE OWNERSHIP

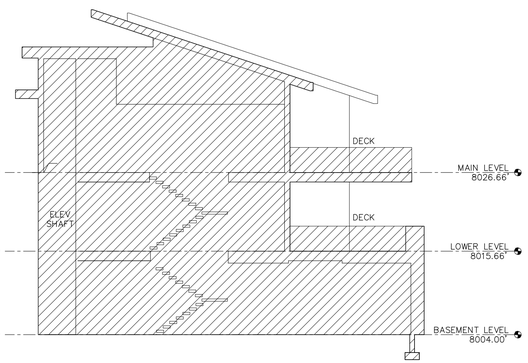
UNIT AREA TABLE

LEVELS	AREA (SQ FT)
BASEMENT	2,218
LOWER	2,875
MAIN	2,387
TOTAL	7,480
GARAGE	613
LOWER DECK	800
MAIN DECK	894



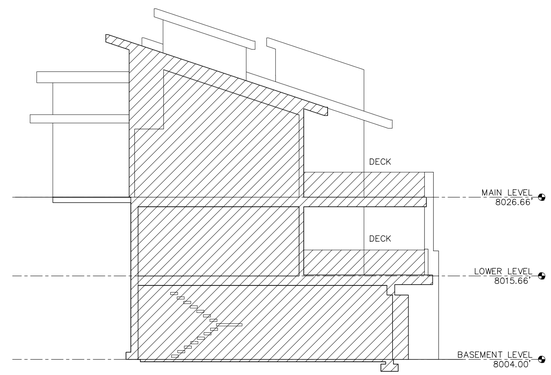
SECTION A–A

SCALE: 1" = 10'



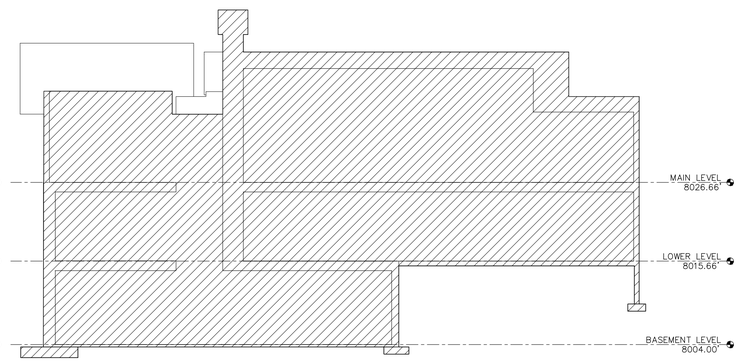
SECTION B–B

SCALE: 1" = 10'



SECTION C–C

SCALE: 1" = 10'



SECTION D–D

SCALE: 1" = 10'

UNIT C

MOONSHADOW CONDOMINIUMS

FIRST AMENDED AND RESTATED

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

435-649-9467

ALLIANCE ENGINEERING

CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS

P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

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RECORDED

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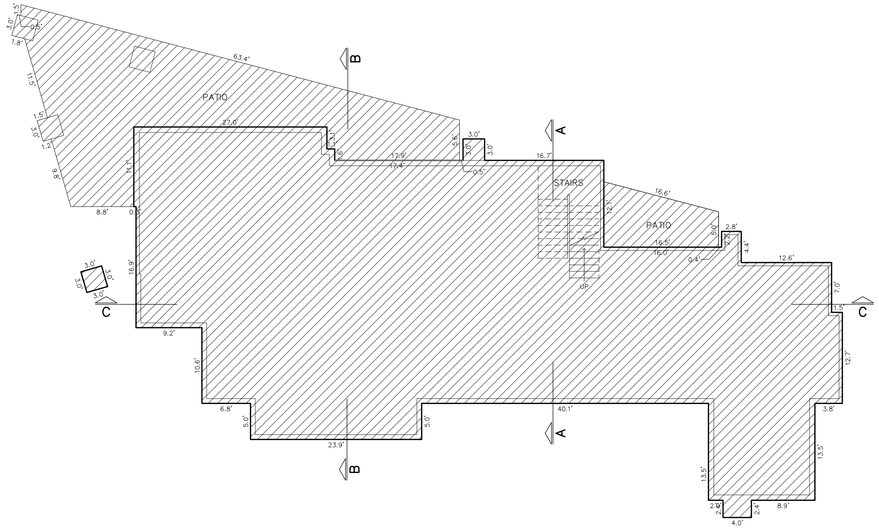
_____ _____
FEE RECORDER

DATE _____ TIME _____ ENTRY NO. _____

5/1/24

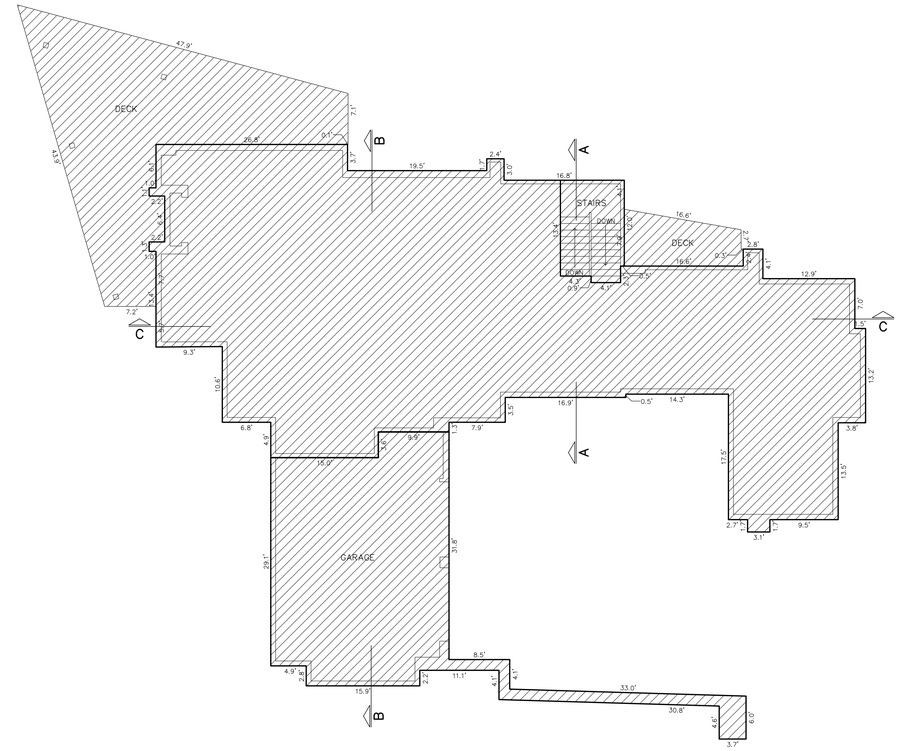


LOWER LEVEL

SCALE: 1" = 10'

COMMON AREA OWNERSHIP

PRIVATE OWNERSHIP

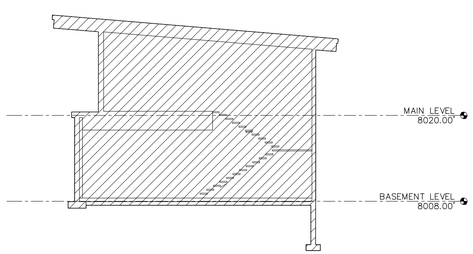


MAIN LEVEL

SCALE: 1" = 10'

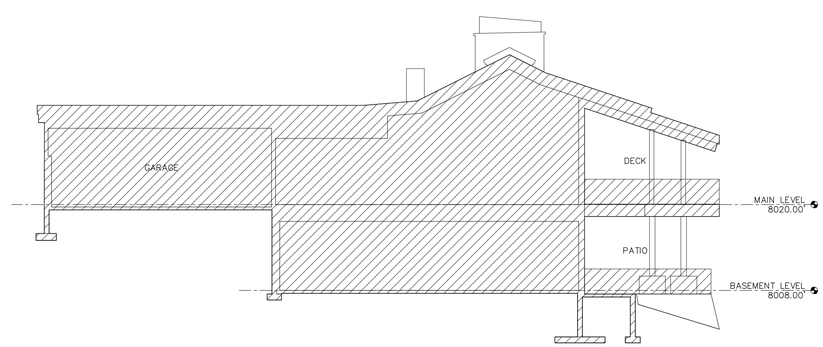
UNIT AREA TABLE

LEVELS	AREA (SQ FT)
LOWER	3,286
MAIN	3,049
TOTAL	6,335
GARAGE	809
PATIOS	845
DECKS	910



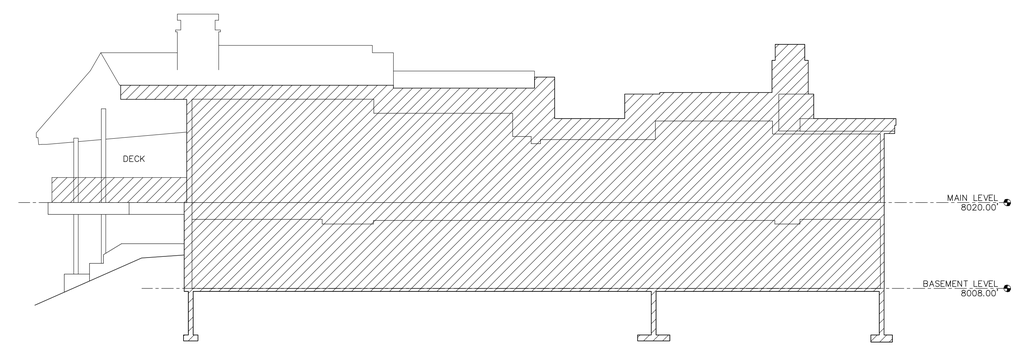
SECTION A–A

SCALE: 1" = 10'



SECTION B–B

SCALE: 1" = 10'



SECTION C–C

SCALE: 1" = 10'

UNIT D

MOONSHADOW CONDOMINIUMS

FIRST AMENDED AND RESTATED

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

435-649-9467
ALLIANCE ENGINEERING
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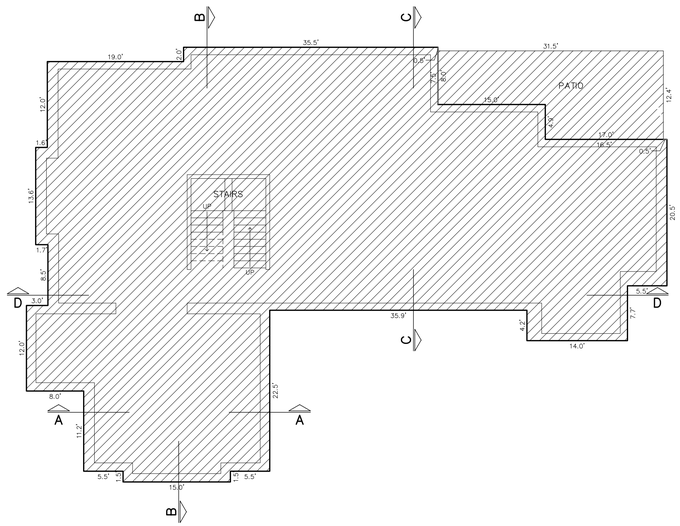
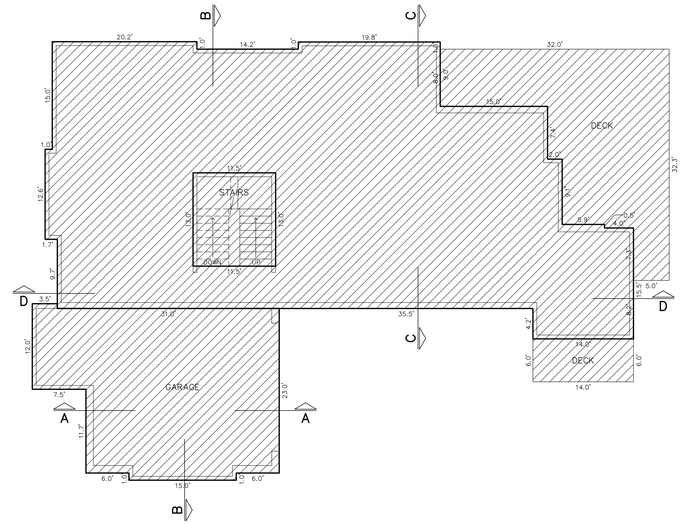


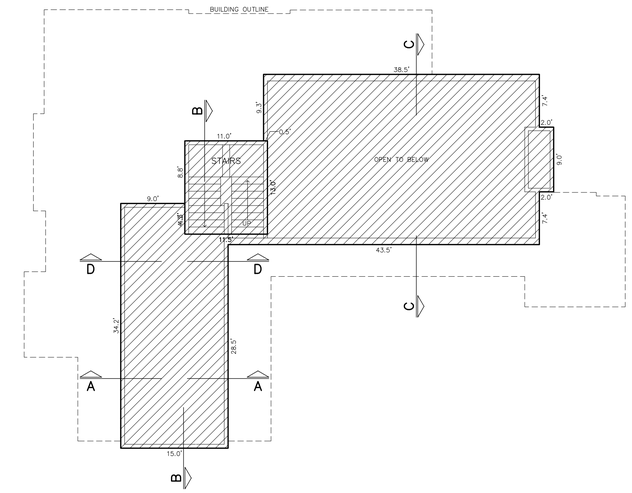
LOWER LEVEL

SCALE: 1" = 10'



MAIN LEVEL

SCALE: 1" = 10'



UPPER LEVEL

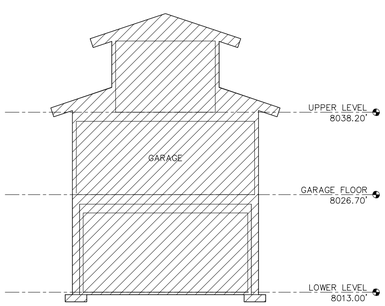
SCALE: 1" = 10'

UNIT AREA TABLE

LEVELS	AREA (SQ FT)
LOWER	3,567
MAIN	2,502
UPPER	1,422
TOTAL	7,491
GARAGE	723
PATIO	317
DECKS	643

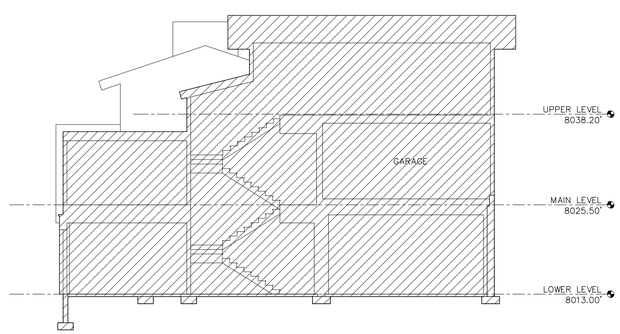
COMMON AREA OWNERSHIP

PRIVATE OWNERSHIP



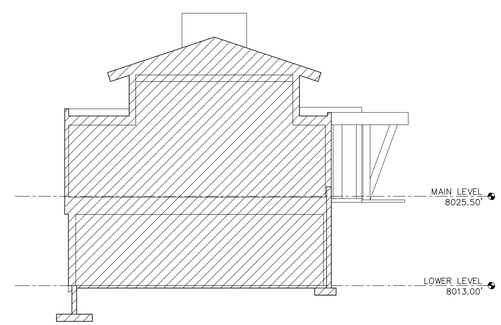
SECTION A–A

SCALE: 1" = 10'



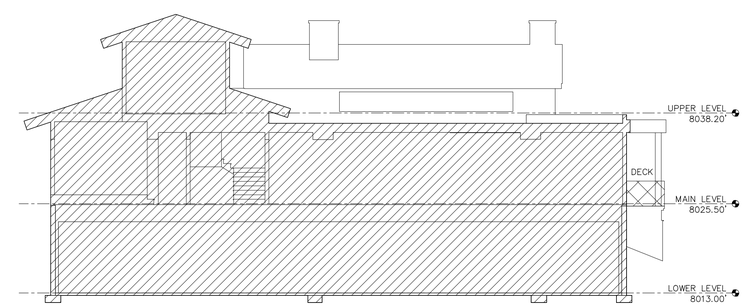
SECTION B–B

SCALE: 1" = 10'



SECTION C–C

SCALE: 1" = 10'



SECTION D–D

SCALE: 1" = 10'

UNIT F

MOONSHADOW CONDOMINIUMS

FIRST AMENDED AND RESTATED

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

435-649-9467

ALLIANCE ENGINEERING

CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS

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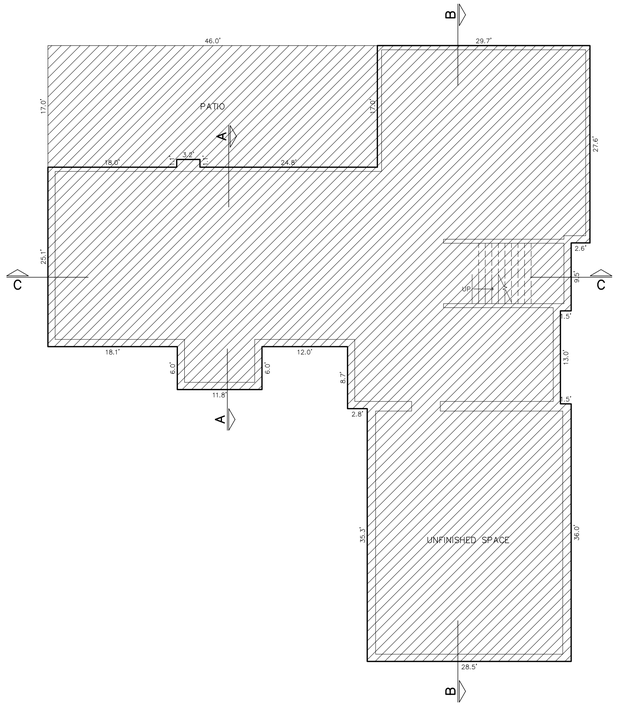
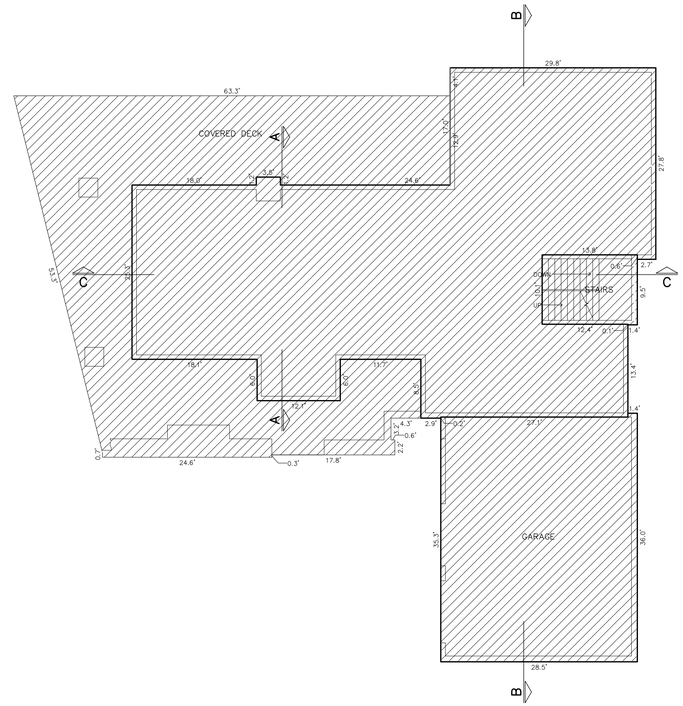
FEE RECORDER

DATE _____ TIME _____ ENTRY NO. _____



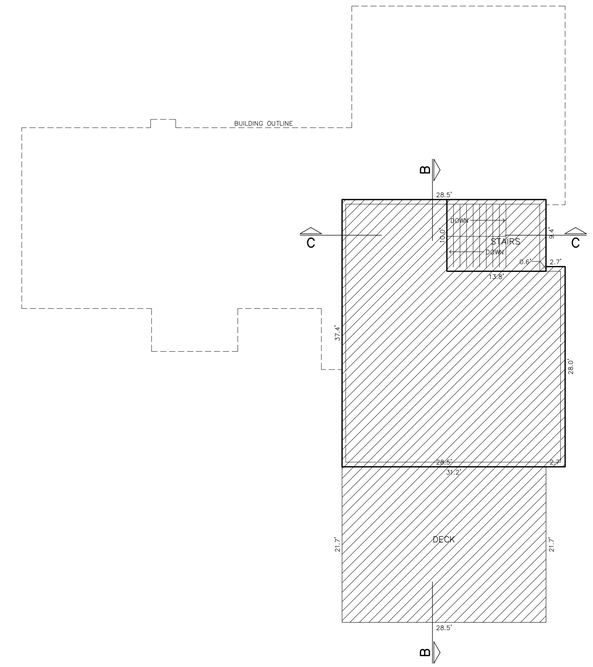
LOWER LEVEL

SCALE: 1" = 10'



MAIN LEVEL

SCALE: 1" = 10'



UPPER LEVEL

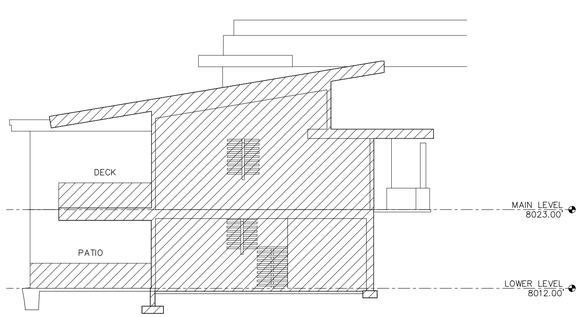
SCALE: 1" = 10'

COMMON AREA OWNERSHIP

PRIVATE OWNERSHIP

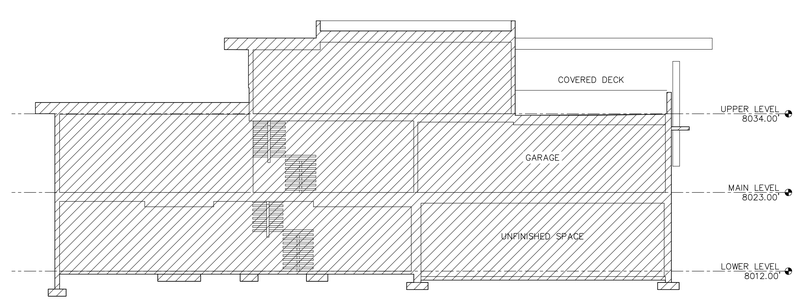
UNIT AREA TABLE

LEVELS	AREA (SQ FT)
LOWER	2,700
MAIN	3,576
UPPER	1,001
TOTAL	7,277
GARAGE	1,012
PATIO	779
MAIN DECK	1644
UPPER DECK	620



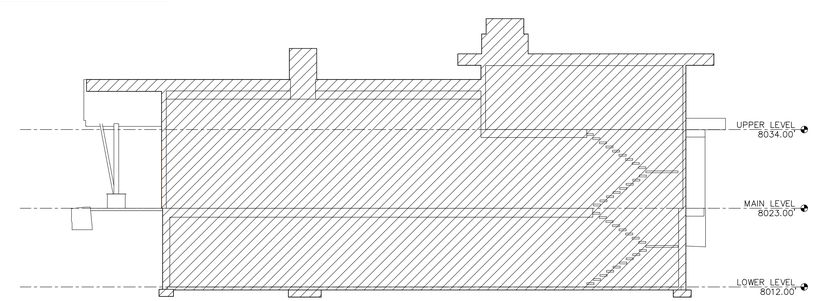
SECTION A–A

SCALE: 1" = 10'



SECTION B–B

SCALE: 1" = 10'



SECTION C–C

SCALE: 1" = 10'

UNIT H

MOONSHADOW CONDOMINIUMS

FIRST AMENDED AND RESTATED

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

435-649-9467
ALLIANCE ENGINEERING
CONSULTING ENGINEERS | LAND PLANNERS | SURVEYORS
P.O. Box 2664 | 2700 West Homestead Road
Suite 50, 60 | Park City, Utah 84098

SHEET 8 OF 8

JOB NO.: 13-9-21 FILE: X:\Empire\dwg\srv\plat2023\Moonshadow\130921amd.dwg

RECORDED

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

_____ _____
FEE RECORDER

DATE _____ TIME _____ ENTRY NO. _____

5/1/24

AMENDED AND RESTATED PLAT OF MOONSHADOW CONDOMINIUMS

May 1, 2024

PROJECT INTENT

Moonshadow Condominiums, recorded July 1, 2019, as Entry No. 1113512, created an 8-unit condominium project in the Empire Pass development of Park City.

The proposed First Amended and Restated Plat of Moonshadow Condominiums modifies an easement along Moonshadow Court and deletes a snow storage easement bordering Marsac Avenue as well as adds several sewer easements that were recorded after the original Moonshadow Condominium plat. In addition, the proposed plat defines the private ownership area of Units A, B, C, D, F and H, and defines the limited common area surrounding each residence.

The residence on Unit D is complete and the residences on Units A, B, C, F and H are under construction.

Unit E and Unit G are included in the current application in order for the original plat to be superseded by this proposed amended and restated plat. An additional supplemental condominium plat showing the private and limited common areas of the residence on Unit E and Unit G will be submitted at a future date.

Ordinance No. 2018-54

AN ORDINANCE APPROVING THE MOON SHADOW CONDOMINIUMS PLAT, LOCATED ON LOT 1 OF THE VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, PARK CITY, UTAH.

WHEREAS, the owners of the property known as Lot 1 of the Village at Empire Pass North Subdivision, have petitioned the City Council for approval of the Moon Shadow Condominiums plat; and

WHEREAS, the property was properly noticed and posted on September 12, 2018, according to the requirements of the Land Management Code; and

WHEREAS, proper legal notice was published on September 8, 2018, according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on September 26, 2018, to receive input on the Moon Shadow Condominiums plat; and

WHEREAS, the Planning Commission, on September 26, 2018, forwarded a unanimous positive recommendation to the City Council; and,

WHEREAS, the City Council held a public hearing on October 23, 2018, to receive input on the Moon Shadow Condominiums plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the Moon Shadow Condominiums plat.

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Moon Shadows Condominiums plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law and Conditions of Approval:

Findings of Fact:

1. Moon Shadow Condominiums plat for eight (8) units and a private cul-de-sac is located at 8945 Marsac Avenue on the 6.77 acre Lot 1 of the Village at Empire Pass North subdivision.
2. Lot 1 is located in the RD-MPD and ROS-MPD zoning districts.
3. The City Council approved the Flagstaff Mountain Development Agreement/Annexation Resolution 99-30 on June 24, 1999. The Agreement was amended in 2007. The Amended Agreement is the equivalent of a Large-Scale Master Plan and sets forth maximum densities, location of densities, and developer-offered amenities, requirements and obligations.

4. The Amended Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village. The Mountain Village is further constrained to a maximum density of 785 unit equivalents (UE) configured in no more than 550 dwelling units as multi-family, hotel, or PUD units, provided the number of PUD units does not exceed 60.
5. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass that identified the area of this proposed plat for multi-family condominium units, subject to density limitations of the Amended Flagstaff Development Agreement.
6. On June 15, 2017, the City Council approved the Village at Empire Pass North Subdivision creating four lots of record. Lot 1, the subject lot of this condominium plat, is 6.77 acres in area, and sufficient in size to cluster the proposed eight PUD style units accessing a private cul-de-sac.
7. Only RD zoned portions of the property are designated as private area and no units are allowed to be constructed in the ROS zoned portions.
8. The private cul-de-sac has access to Marsac Avenue (aka SR 224) and the applicant has obtained a conditional access permit and encroachment permit from UDOT for a secondary access for construction of the private street. The private cul-de-sac, to be known as Moon Shadow Court, is designed with the Fire District required total width of thirty feet (30') (roadway plus 24" roll gutters on both sides) as well as the required cul-de-sac diameter of ninety-six (96') feet.
9. No affordable housing units are required as part of this condominium plat. Final on-mountain affordable housing obligations are to be incorporated into the remaining Village at Empire Pass MPD Lodge Buildings 1, 3 and 4, as well as future condominium buildings at B2 East Subdivision (Parcel B2 MPD Phase 2), as noted on the respective subdivision plats.
10. At the time of final construction and re-platting, all floor area including basement area and garage space greater than 600 square feet, will be counted towards the Unit Equivalents as allowed by the Flagstaff Development Agreement.
11. Applicant submitted Architectural Design Guidelines for the Moon Shadow Condominiums that reflect a unified architectural character, as well as consistency with the Empire Pass Design Guidelines.
12. The proposed pattern of development and this condominium plat are consistent with the approved Village at Empire Pass MPD and the Village at Empire Pass North Subdivision in terms of density, unit type, location and layout of units.
13. A total of 60 PUD style units are allowed within Pods A, B1 and B2 subject to the Amended Agreement. Fifty-two (52) PUD style units are currently platted and/or constructed within the Mountain Village in Pods A and B1, not including these units. There are no PUD style units platted in Pod B2.
14. Up to <u>thirty (31) Unit Equivalents (62,000 sf) are proposed to be divided between the eight (8) PUD style units</u>, subject to all requirements of the 2007 Amended Flagstaff Development Agreement.
15. This parcel was identified as 19 multi-family attached units. While the MPD did not call out a specific density, multi-family townhouses have been approved with density ranging from 2,500 to 5,000 sf of floor area (Larkspur Townhouses in Pod A range

from 3,250 sf to 3,450 sf per unit and average 3,350 sf). The 19 multi-family attached units of the concept plan would have resulted in between 47,500 sf to 95,000 sf of residential floor area (or 63,650 sf if each unit was on average 3,350 sf similar to the nearby Larkspur units).

16. The proposed density (in terms of number of units, traffic, and general activity) is reduced from 19 to 8 units. The proposed density in terms of total square feet and UE (up to 62,000 sf (31 UE) is between the 47,500 sf and 95,000 sf that the 19 multi-family attached concept would have resulted in, had the units been between 2,500 sf and 5,000 sf. By comparison, nineteen (19) multi-family units at the 3,350 sf Larkspur average size would have resulted in a total of 63,650 sf (31.83 UE).
17. The proposed project results in one less road intersection with Marsac Avenue, less site grading due to the reduction of road and driveway areas and less than the floor area of the VEP MPD planned townhouse units. The net square footage of the proposed project is less than or consistent with the townhouses planned in the VEP MPD.
18. The PUD concept is similar to the Nakoma Condominium PUDs which are predominately second homes. The skier bridge is not part of this application and only one permanent entrance to Marsac has been approved by UDOT.
19. The proposed 8 unit PUD style plat is consistent with the approved VEP MPD, the Village at Empire Pass North subdivision and the Amended Flagstaff Development Agreement.
20. Two parking spaces are required for each unit.
21. Maximum Building Height in the RD District is 28' (33' allowed with a minimum 4:12 pitched roof).
22. Fifteen foot (15') front setbacks (20' to the front of the garage) are approved to cluster units closer to the private street in order to decrease cut and fill, decrease driveway area, increase the separation from areas of 40% and greater slope, and to protect additional existing vegetation. Building pads are located a minimum of 10' from slopes 40% and greater, with the exception of topographic slope anomalies located on units A and D that are under the minimum threshold measurements of 25' rise and 50' run.
23. The MPD requires Construction Mitigation Plans to be submitted with each ACUP and building permit addressing all requirements of the Amended Agreement and Technical Reports.
24. Additional Recreational Trail Easements are dedicated outside of those identified in the existing Flagstaff Development Agreement. Easements for both existing and proposed trails are dedicated on the plat.

<u>Conclusions of Law:</u>

1. There is good cause for this condominium plat.
2. The condominium plat is consistent with the Amended Flagstaff Annexation and Development Agreement, the Village at Empire Pass North Subdivision, the Park City Land Management Code and applicable State laws regarding condominium plats.
3. Neither the public nor any person will be materially injured by the proposed condominium plat.

4. Approval of the condominium plat, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the condominium plat for compliance with State law, Land Management Code, 2007 amended Flagstaff Development Agreement, the Village at Empire Pass MPD, and these conditions of approval, prior to recordation of the plat.
2. The applicant will record the condominium plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void unless an extension is requested prior to expiration and is granted by the City Council.
3. City Engineer and SBWRD approval of the final infrastructure and utility plans is a condition precedent to plat recordation.
4. A non-expired UDOT conditional access permit and encroachment permit shall be obtained prior to construction of the private road that accesses from Marsac Avenue (aka SR 224).
5. SBWRD shall be included in the Owner's Dedication.
6. Conditions of approval of the Village at Empire Pass MPD (Pod A) and the Village at Empire Pass North Subdivision plat continue to apply.
7. An administrative Conditional Use Permit for each of the eight dwellings is required prior to issuance of any building permits for the units. ACUPs maybe combined.
8. All administrative Conditional Use Permit applications and approvals are subject to the Amended Development Agreement and Technical Reports as approved or amended.
9. The plat shall note that a declaration of condominium and a supplemental condominium plat for each unit shall be approved and recorded at Summit County prior to issuance of a certificate of occupancy. Supplemental plats may be combined.
10. The plat shall note that a Construction Mitigation Plan, including truck routing, is a submittal requirement for each administrative Conditional Use Permit and building permit.
11. The plat shall note that a final grading and utility plan, including storm water and drainage plans shall be submitted with each administrative Conditional Use Permit application. No building permits shall be issued until all necessary utility easements are recorded.
12. Building designs are subject to review by the Empire Pass Design Review Board.
13. The plat shall note that a landscape plan, including provisions for water-efficient irrigation systems and drought tolerant plantings with limited turf, is a submittal requirement for each administrative CUP application and building permit. An arborist report, identifying trees and the general condition of any trees located outside of the building pad that are proposed to be removed, is required to be submitted with the landscape plans. Final landscape plans, including plans to remove trees outside of the building pad, are subject to review by the Design Review Board prior to building permit issuance.

14. The plat shall note that a fire protection plan is a submittal requirement for each building permit and shall include fire protection in the form of residential sprinklers and landscaping that complies with Urban Wildland Interface requirements of the Park City Building Department at the time of building permit issuance.
15. The plat shall note that fire sprinklers will be required for new construction on the lots per the Chief Building Official at the time of review of building permits.
16. The plat shall note that at the time of final construction and re-platting with supplemental condominium plats, all floor area including basement area and any garage space greater than 600 square feet will be counted towards the Unit Equivalents as allowed by the Flagstaff Development Agreement.
17. The plat shall note that a maximum of 31 Unit Equivalents of residential density may be utilized for the eight units and each unit shall not exceed 7,750 total square feet, including all floor area, including all basement areas and excluding 600 square feet of garage area.
18. The plat shall note that no more than eight residential PUD style units are allowed on this property.
19. The plat shall note that no commercial density is allocated to this property with this plat.
20. The plat shall note that at the time of plat recordation, Moon Shadow Condominiums includes land within the RD Zone and additional lands within the ROS Zone. The ROS zoning line shall be indicated on plans submitted with the administrative conditional use permit applications. All construction of units shall be restricted to the RD zoned portion. Construction disturbances within ROS portions are subject to the Amended Development Agreement and associated Technical Reports.
21. The plat shall note that setback exceptions allow a minimum front setback of 15' with a minimum front setback to a front facing garage of 20'. All other LMC setbacks, setback exceptions and building height requirements of the RD Zone apply.
22. A financial guarantee, in a form and amount acceptable to the City and in conformance with these conditions of approvals, for the value of all required public and private improvements, shall be provided to the City prior to plat recordation. All public and private improvements shall be completed according to City standards prior to release of this guarantee. Ten percent of the guarantee shall be held by the City for the warranty period and until such improvements are accepted by the City.
23. All required easements for trails will be provided prior to plat recordation.
24. A ten foot (10') wide snow storage easement shall be dedicated to the Empire Pass Master Owners Association along the private street frontage of the lots.
25. All existing and required easements, based on review by the City Engineer, Department of Public Utilities and SBWRD will be shown on the plat prior to recordation, including utilities, storm drainage, access (public, utility and emergency), and snow storage.
26. The plat shall note that utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lots.
27. The plat shall note that this development is part of a common plan development and an MS4 storm water permit is required for all land disturbance activities, prior to building permit issuance.
28. The plat shall note that public safety access and public utility easements are hereby

dedicated for all public and private streets.

29. The plat shall note that trees, structures and retaining walls shall not be located within SBWRD easements.
30. A plat note shall state that all Units will require privately owned and operated wastewater ejector pumps for wastewater service.
31. The plat shall note that the private street shall be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass at Deer Valley in accordance with the Master Declaration.
32. The plat shall note that prior to building permit issuance, documentation from UDOT showing a valid, non-expired approval of access to Lot 1 off Marsac Avenue is required. Approval of the location of permanent access shall also be approved by the City Engineer.
33. Additional Recreational Trail Easements will be dedicated outside of those identified in the existing Flagstaff Development Agreement. Easements for both existing trails and a proposed new trail will be identified on the plat prior to recordation and a plat note shall indicate that once constructed and or re-constructed these public trails will be considered to be within a fifteen foot public trail easement.
34. Moon Shadow Court (a private street) shall also be dedicated as "Public Utility Access for purposes of operation and maintenance.
35. There shall be 30' wide public utility easements dedicated as Park City Water Service District easements for the purpose of operating, maintaining, repairing, eventual replacement and upgrade of one or more underground pipelines and appurtenances for conveyance, distribution, and/or transmission of water. The exact location of these easements shall be approved by the City Engineer prior to recordation of the plat.
36. The Building Pad shall be considered the Limits of Disturbance for each condominium unit. Forest health restoration and landscaping consistent with the Arborist reports and visual analysis, similar to the Red Cloud Subdivision conditions, that allows an additional disturbance area within 20 feet of the building foundation. Driveways and utility installation are exempt. Construction of units, patios, retaining walls and other permanent structures, such as gazebos, hot tubs, fire pits, etc. are not allowed in the ROS zoned area.
37. The CC&Rs shall provide notice and process for the tracking and collection of the Real Estate Transfer Fee as required and defined by the Flagstaff Mountain Development Agreement, as amended.

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

PASSED AND ADOPTED this 23rd day of October, 2018.

PARK CITY MUNICIPAL CORPORATION

Andy Beerman, MAYOR

ATTEST:

Michelle Kellogg, City Recorder

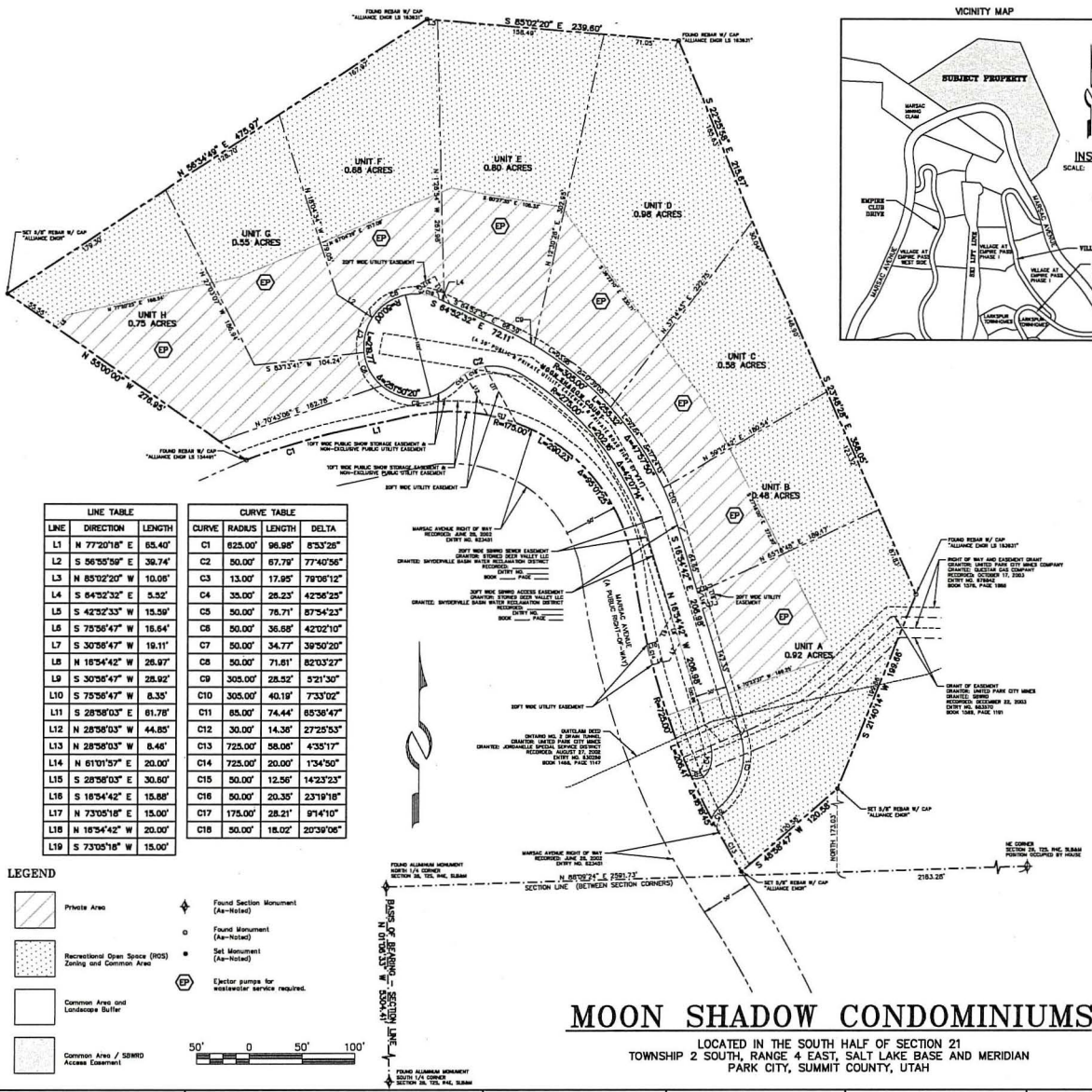
APPROVED AS TO FORM:

Mark Harrington, City Attorney

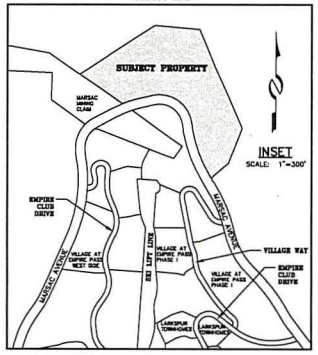
Exhibits

Exhibit A – Moon Shadow Condominium plat

EXHIBIT



VICINITY MAP



PROFESSIONAL LAND SURVEYOR No.7248891 CHARLES GALATI State of Utah

SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 7248891, as prescribed under the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and streets, together with easements, hereafter to be known as Horseshoe Condominiums and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

Lot 1, Village at Empire Pass North Subdivision, according to the official plat recorded January 23, 2018, as Entry No. 1085414 in the Summit County Recorder's Office.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Storied Deer Valley, LLC, a Delaware limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as Moon Shadow Condominiums, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat.
ALSO, the owner or its representative, hereby irrevocably offers for dedication to the city of Park City and Snyderville Basin Water Reclamation District all the easements and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this _____ day of _____, 2018.

Storied Deer Valley, LLC,
a Delaware limited liability company

By: SDBP Utah I, LLC, a Delaware limited liability company
its sole Member

By: SDBP Manager, LLC, a Delaware limited liability company
its Manager

By: Storied Development LLC, a Delaware limited liability company
its sole Member

By: _____
Mark Enderle, Managing Member

ACKNOWLEDGMENT

State of _____
County of _____ ss:

On this _____ day of _____, 2018, Mark Enderle personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Managing Member of Storied Development, LLC, a Delaware limited liability company, sole member of SDBP Manager, LLC, a Delaware limited liability company, the manager of SDBP Utah I, LLC, a Delaware limited liability company, the sole member of Storied Deer Valley, LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed MOON SHADOW CONDOMINIUMS.

_____
A Notary Public commissioned in _____

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No. _____

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 77°20'18" E	65.40'
L2	S 56°55'59" E	39.74'
L3	N 85°02'20" W	10.06'
L4	S 64°52'32" E	5.52'
L5	S 42°52'33" W	15.59'
L6	S 75°56'47" W	16.64'
L7	S 30°56'47" W	19.11'
L8	N 16°54'42" W	26.97'
L9	S 30°56'47" W	28.92'
L10	S 75°56'47" W	8.35'
L11	S 28°58'03" E	61.78'
L12	N 28°58'03" W	44.85'
L13	N 28°58'03" W	8.46'
L14	N 61°01'57" E	20.00'
L15	S 28°58'03" E	30.60'
L16	S 16°54'42" E	15.88'
L17	N 73°05'18" E	15.00'
L18	N 16°54'42" W	20.00'
L19	S 73°05'18" W	15.00'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	625.00'	96.98'	8°53'26"
C2	50.00'	67.79'	77°40'56"
C3	13.00'	17.95'	79°06'12"
C4	35.00'	26.23'	42°56'25"
C5	50.00'	76.71'	87°54'23"
C6	50.00'	36.68'	42°02'10"
C7	50.00'	34.77'	39°50'20"
C8	50.00'	71.61'	82°03'27"
C9	305.00'	28.52'	5°21'30"
C10	305.00'	40.19'	7°33'02"
C11	65.00'	74.44'	65°36'47"
C12	30.00'	14.36'	27°25'53"
C13	725.00'	58.06'	4°35'17"
C14	725.00'	20.00'	1°34'50"
C15	50.00'	12.56'	14°23'23"
C16	50.00'	20.35'	23°19'18"
C17	175.00'	28.21'	9°14'10"
C18	50.00'	18.02'	20°39'06"

LEGEND

- Private Area
- Recreational Open Space (ROS) Zoning and Common Area
- Common Area and Landscape Buffer
- Common Area / SBWRD Access Easement
- Found Section Monument (As-Noted)
- Found Monument (As-Noted)
- Set Monument (As-Noted)
- EP Ejector pumps for wastewater service required.

50' 0 50' 100'

NOTES:

1. This plat is subject to the Conditions of Approval in Ordinance 2018-__. The conditions of approval of the Village at Empire Pass Master Planned Development (PDD A), approved July 25, 2004, shall continue to apply.
2. Conditional use permit approval will be required prior to issuance of building permits on each of the development lots shown hereon. A construction mitigation plan shall be submitted with conditional use permit applications and in advance of issuing building permits. A final grading and utility plan, including storm water and drainage plans, shall be submitted with the conditional use permits for development on Moon Shadow Condominiums approved by the City Engineer and Snyderville Basin Water Reclamation District ('SBWRD'). No building permits shall be issued until all necessary utility easements are recorded.
3. A declaration of condominium and a record condominium map will be required prior to of the sale of individual units within the development lots shown hereon.
4. All applicable conditions, regulations, requirements, and stipulations of the Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel, and Iron Mountain recorded at Summit County on March 2, 2007 as Entry No. 00806100 in Book 1850, Page 1897 (the 'Development Agreement'), and associated technical reports and agreements shall continue to apply. Requirements and obligations of the Development Agreement, as applicable to the lots, shall be completed, or bonded for completion, prior to issuance of certificates of occupancy for any approved development located on Moon Shadow Condominiums unless otherwise noted. This includes number of shuttles in operation, provision of affordable housing units, collection mechanism for reinvestment fees, and all other such obligations as are outlined in the Development Agreement, some of which are triggered by the number of certificates of occupancy issued.
5. Moon Shadow Condominiums has no on-site affordable housing obligations. All deed restricted units shall be identified on the final condominium plats prior to recording of such plats. Phasing and certificates of occupancy for the affordable housing units shall be commensurate with the certificates of occupancy for the market rate units. All affordable units and Affordable Unit Equivalents shall comply with all requirements of the Flagstaff Affordable Housing Mitigation Plan, as amended, and Park City Housing Resolution 17-99. All requirements of the affordable housing mitigation plan shall be addressed with the conditional use permit and condominium plat. On-site affordable units shall have prorated and reduced home owner association fees, to be described in the applicable declaration of covenants, conditions, and restrictions.
6. The Empire Pass Master Owners Association, Inc. (the 'Master Association') together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass, as amended ('Master Declaration'), requires the membership of each lot or unit owner. Members are subject to the terms of its articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein.
7. Owners and potential buyers of any unit or land within the lots depicted on this plat are given notice that they own or are buying property in a resort area in which all-season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, mountain bikers and other resort patrons, equipment, machine-made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such owner or agreements with such owner.
8. At the time of plat recording, Moon Shadow Condominiums includes lands within the Empire Village MPD in the RD Zone and additional lands within the ROS Zone. The ROS zoning line shall be indicated on plans submitted with the conditional use permit application. All construction of units on Moon Shadow Condominiums shall be restricted to the RD zoned portion. Construction disturbances within ROS portions of the Flagstaff Annexation area are subject to the Development Agreement and associated technical reports (e.g. for trails, ski runs and ski lifts, utilities, access roads, etc.). Construction on Moon Shadow Condominiums shall conform to all applicable Land Management Code requirements in effect at the time of submittal of application.
9. This plat also depicts the following easements, each of which may be amended, relocated or revised, without amendment hereto, in accordance with each such easement's terms:
   a. Right-of-Way and Easement Grant, recorded October 17, 2003, Entry No. 678642, Summit County Recorder's Office.
   b. Grant of Nonexclusive Easement (Sewer Utility), recorded December 22, 2003, Entry No. 683570, Summit County Recorder's Office.
10. Public safety access and public utility easements are hereby dedicated for all public and private roadways and emergency access roads.
11. Moon Shadow Court is a private road to be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass at Deer Valley in accordance with the Master Declaration. Moon Shadow Court is not a public road or right-of-way.
12. Any proposed curb cuts for access directly to Marsac Avenue, a state highway, must be approved by the City Engineer and Utah Department of Transportation ('UDOT'). Prior to building permit issuance for Moon Shadow Condominiums, documentation from UDOT showing approval of access to Moon Shadow Condominiums off Marsac Avenue is required. If documentation does not exist, a new application shall be submitted to UDOT for approval of the curb cut location. This approval shall be submitted to the City Engineer.
13. All units will require privately owned and operated wastewater ejector pumps for wastewater service. Unit A may submit to SBWRD a gravity wastewater service design for approval.
14. At the time of any resurfacing of Moonshadow Court, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District (SBWRD) standards. Prior notification of adjustments and inspection by SBWRD is required.
15. Fire sprinklers will be required for new construction on the lots per the Chief Building Official at the time of review of a building permit.
16. Utility structures such as ground sleeves, transformers and other dry utility boxes must be located on the lots.
17. This development is part of a common plan of development and a MS4 Storm Water Permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance.

MOON SHADOW CONDOMINIUMS

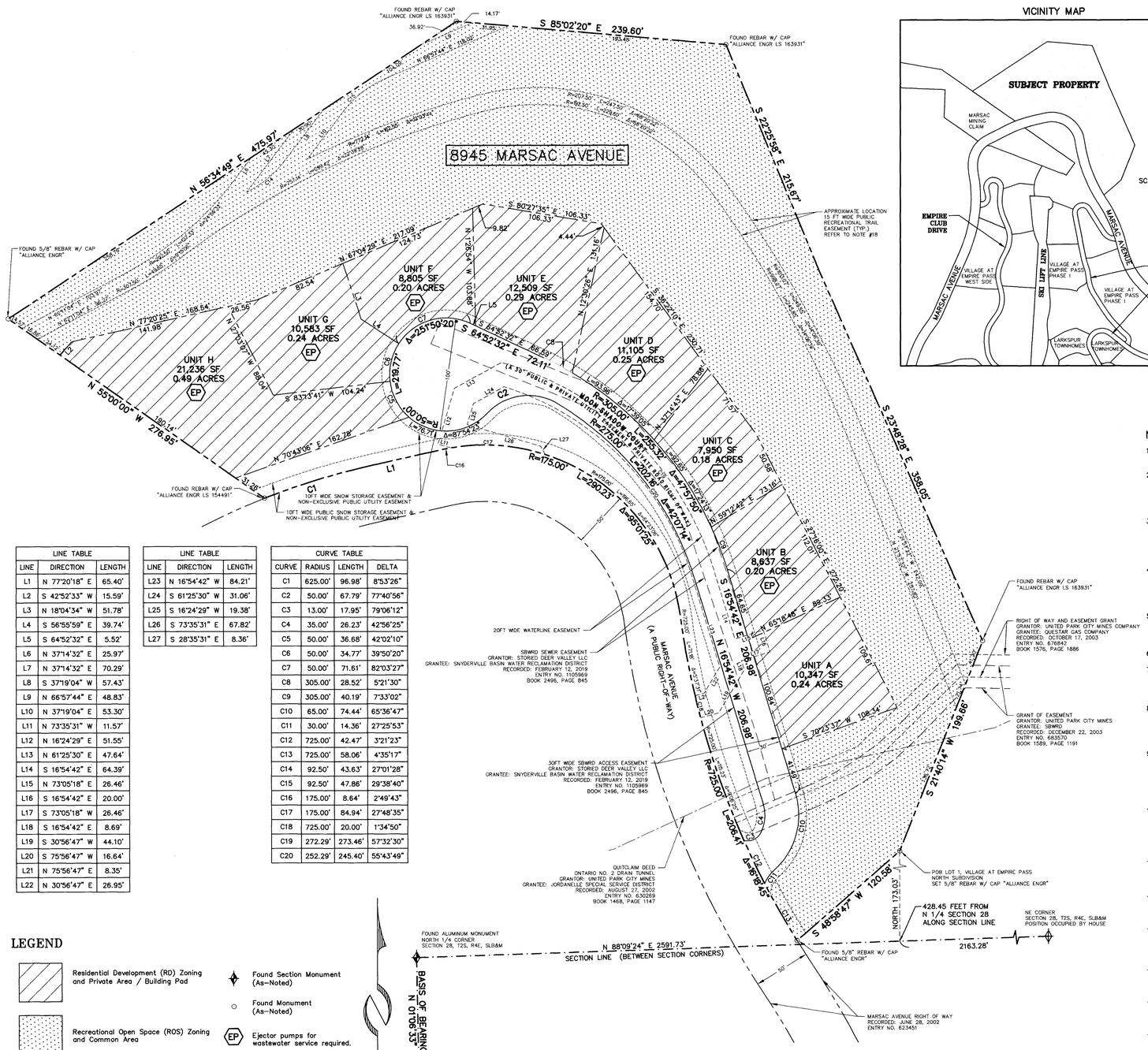
LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

9/28/18 JOB NO.: 15-2-18 FILE: X:\Empire\dwg\srv\plat2018\150218.dwg

Alliance Engineering Inc (435) 649-9467
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2984 Park City, Utah 84060-2984

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2018 BY _____ S.B.W.R.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2018 BY _____ CHAIR	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 2018 BY _____ PARK CITY ATTORNEY	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____, 2018 BY _____ MAYOR	I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____, 2018 BY _____ PARK CITY RECORDER	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ FEE _____ RECORDER DATE _____ TIME _____ ENTRY NO. _____

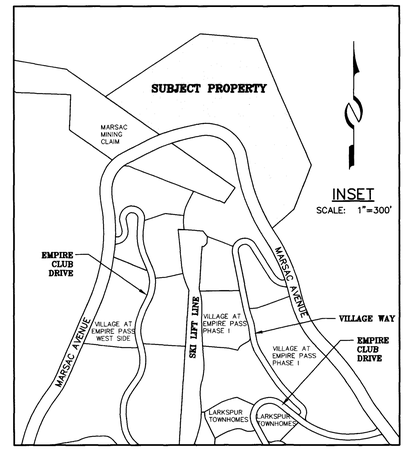


LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 77°20'18" E	65.40'
L2	S 42°52'33" W	15.59'
L3	N 18°04'34" W	51.78'
L4	S 56°55'59" E	39.74'
L5	S 64°52'32" E	5.52'
L6	N 37°14'32" E	25.97'
L7	N 37°14'32" E	70.29'
L8	S 37°19'04" W	57.43'
L9	N 66°57'44" E	48.83'
L10	N 37°19'04" E	53.30'
L11	N 73°35'31" W	11.57'
L12	N 16°24'29" E	51.55'
L13	N 61°25'30" E	47.64'
L14	S 16°54'42" E	64.39'
L15	N 73°05'18" E	26.46'
L16	S 16°54'42" E	20.00'
L17	S 73°05'18" W	26.46'
L18	S 16°54'42" E	8.69'
L19	S 30°56'47" W	44.10'
L20	S 75°56'47" W	16.64'
L21	N 75°56'47" E	8.35'
L22	N 30°56'47" E	26.95'

LINE TABLE		
LINE	DIRECTION	LENGTH
L23	N 16°54'42" W	84.21'
L24	S 61°25'30" W	31.06'
L25	S 16°24'29" W	19.38'
L26	S 73°35'31" E	67.82'
L27	S 28°35'31" E	8.36'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	625.00'	96.98'	8°53'26"
C2	50.00'	67.79'	77°40'56"
C3	13.00'	17.95'	79°06'12"
C4	35.00'	26.23'	42°56'25"
C5	50.00'	36.68'	42°02'10"
C6	50.00'	34.77'	39°50'20"
C7	50.00'	71.61'	82°03'27"
C8	305.00'	28.52'	5°21'30"
C9	305.00'	40.19'	7°33'02"
C10	65.00'	74.44'	65°36'47"
C11	30.00'	14.36'	27°25'53"
C12	725.00'	42.47'	3°21'23"
C13	725.00'	58.06'	4°35'17"
C14	92.50'	43.63'	27°01'28"
C15	92.50'	47.86'	29°38'40"
C16	175.00'	8.64'	2°49'43"
C17	175.00'	84.94'	27°48'35"
C18	725.00'	20.00'	1°34'50"
C19	272.29'	273.46'	57°32'30"
C20	252.29'	245.40'	55°43'49"

VICINITY MAP



SURVEYOR'S CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor, and that I hold License No. 4857264, as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the owner, MOONSHADOW CONDOMINIUMS, a Utah Condominium Project, in accordance with the provisions of the Utah Condominium Ownership Act. I further certify that the information shown hereon is correct.

PROFESSIONAL LAND SURVEYOR No. 4857264 MICHAEL DEMKOWICZ 5/20/19 STATE OF UTAH

BOUNDARY DESCRIPTION

Lot 1, VILLAGE AT EMPIRE PASS NORTH SUBDIVISION, according to the official plat thereof on file and of record in the office of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Storied Deer Valley, LLC, a Delaware limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as Moonshadow Condominiums, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat.

ALSO, the owner or its representative, hereby irrevocably offers for dedication to the city of Park City and Snyderville Basin Water Reclamation District all the easements and required utilities and easements shown on the plat in accordance with an irrevocable offer of dedication.

In witness whereof, the undersigned set his hand this 21st day of May, 2019.

Storied Deer Valley, LLC
a Delaware limited liability company
By: _____
Name: Mark Enderle
Title: Chief Executive Officer

ACKNOWLEDGEMENT

State of Utah
County of Wasatch ss:

On this 21st day of May, 2019, Mark Enderle personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Managing Member of Storied Development, LLC, a Delaware limited liability company, sole member of SDBP Manager, LLC, a Delaware limited liability company, the manager of SDBP Utah I, LLC, a Delaware limited liability company, the sole member of Storied Deer Valley, LLC, a Delaware limited liability company, and that said document was signed by him on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed MOONSHADOW CONDOMINIUMS.

A Notary Public commissioned in Utah
Lorrie J. Hoggan
Printed Name
Residing in: Oakley, Utah
My commission expires: May 16, 2022
Commission No. 700445

LORRIE J. HOGGAN Notary Public, State of Utah Commission # 700445 My Commission Expires On May 16, 2022

NOTES:

1. This plat is subject to the Conditions of Approval in Ordinance 2018-54. The conditions of approval of the Village at Empire Pass North Subdivision plat, recorded January 23, 2018, Entry No. 1085414, and the Village at Empire Pass Master Planned Development (POD A), approved July 28, 2004, shall continue to apply.
2. Administrative Conditional Use Permit (ACUP) approval will be required prior to issuance of building permits for each of the eight dwelling units shown hereon. ACUP may be combined. All ACUP applications and approvals are subject to the Amended Development Agreement and Technical Reports as approved or amended. A construction mitigation plan, including truck routing, final grading and utility plan, including storm water and drainage plans, shall be submitted with each conditional use permit application and in advance of issuing building permits. The design for development on Moonshadow Condominiums requires approval by the City Engineer and Snyderville Basin Water Reclamation District ("SBWRD"). No building permits shall be issued until all necessary utility easements are recorded.
3. A declaration of condominium and a supplemental condominium plat for each unit to be constructed is required and shall be approved by Park City Municipal Corporation and recorded at Summit County prior to issuance of a certificate of occupancy. Supplemental condominium plats may be combined. The supplemental condominium plat shall be recorded by the Owner at such time as the Owner's dwelling is designed to memorialize and document the conditions of the constructed dwelling and to identify Common Area and Limited Common Area for each unit. Upon the completion of a Dwelling on the land underlying a Unit, there shall be Limited Common Areas and Facilities surrounding each Unit that extend thirty (30') feet from the rear boundary of each Unit and ten (10') feet on the sides and front boundary of each Unit (the "Buffer Areas").
4. All applicable conditions, regulations, requirements, and stipulations of the Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel, and Iron Mountain recorded at Summit County on March 2, 2007 as Entry No. 00806100 in Book 1850, Page 1897 (the "Development Agreement"), and associated technical reports and agreements shall continue to apply. Requirements and obligations of the Development Agreement, as applicable to the lots, shall be completed, or bonded for completion, prior to issuance of certificates of occupancy for any approved development located on Moonshadow Condominiums unless otherwise noted. This includes number of shuttles in operation, provision of affordable housing units, collection mechanism for reinvestment fees, and all other such obligations as are outlined in the Development Agreement, some of which are triggered by the number of certificates of occupancy issued.
5. At the time of final construction and re-plotting with supplemental condominium plats, all floor area including basement area and any garage space greater than 600 square feet will be counted towards the Unit Equivalents as allowed by the Flagstaff Development Agreement. A maximum of 31 Equivalent Units of residential density may be utilized for the eight units and each unit shall not exceed 7,750 total square feet, including all floor area, including all basement areas and excluding 600 square feet of garage area. No more than eight residential PUD style units are allowed on this property. No commercial density is allocated to this property with this plat.
6. Moonshadow Condominiums has no on-site affordable housing obligations. Refer to Note 5, Village at Empire Pass North Subdivision Plat.
7. The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass, as amended ("Master Declaration"), requires the membership of each lot or unit owner. Members are subject to the terms of its articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein. Building design are subject to review by the Empire Pass Design Review Board.
8. Owners and potential buyers of any unit or land within the lots depicted on this plat are given notice that they own or are buying property in a resort area in which all-season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, mountain bikers and other resort patrons, equipment, machine-made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such owner or agreements with such owner.
9. At the time of plat recording, Moonshadow Condominiums includes lands within the Empire Village MPD in the RD Zone and additional lands within the ROS Zone. The ROS zoning line shall be indicated on plans submitted with the administrative conditional use permit applications. All construction of units shall be restricted to the RD zoned portion. Construction disturbances within ROS portions are subject to the Amended Development Agreement and associated Technical Reports (e.g. for trails, ski runs and ski lifts, utilities, access roads, etc.). Construction on Moonshadow Condominiums shall conform to all applicable Land Management Code requirements in effect at the time of submittal of application. Setback exceptions allow a minimum front setback of fifteen (15) feet with a minimum front setback to a front facing garage of twenty (20) feet. All other Land Management Code setbacks, setback exceptions and building height requirements of the RD Zone apply. The rear yard setback is coincident with the RD/ROS Zone line for all units.
10. This plat also depicts the following easements, each of which may be amended, relocated or revised, without amendment hereto, in accordance with each such easement's terms:
    a. Right-of-Way and Easement Grant, recorded October 17, 2003, Entry No. 676842, Summit County Recorder's Office.
    b. Grant of Nonexclusive Easement (Sewer Utility), recorded December 22, 2003, Entry No. 683570, Summit County Recorder's Office.
    c. Quit Claim Deed Ontario No. 2 Drain Tunnel, recorded August 27, 2002, Entry No. 630269, Summit County Recorder's Office.
11. Public safety access and public utility easements are hereby dedicated for all public and private streets. Moonshadow Court is a private road and shall be owned, operated, maintained and repaired by the Master Association for the use and benefit of the owners of property in Empire Pass at Deer Valley in accordance with the Master Declaration. Moonshadow Court (a private street) shall be dedicated as "Public Utility Access" for purpose of operation, maintenance and repair. Moonshadow Court is not a public road or right-of-way.
12. Any proposed curb cuts for access directly to Marsac Avenue, a state highway (SR-224), must be approved by the City Engineer and Utah Department of Transportation ("UDOT"). Prior to building permit issuance for Moonshadow Condominiums, documentation from UDOT showing a valid, non-expired Conditional Access Permit and Encroachment Permit approval for access to Lot 1 Village at Empire Pass North Subdivision, also known as Moonshadow Condominiums off Marsac Avenue is required. This approval shall be submitted to the City Engineer.
13. All units will require privately owned and operated wastewater ejector pumps for wastewater service. Unit A may submit to SBWRD a gravity wastewater service design for approval. A gravity wastewater service shall be allowed within the ROS Zone. At the time of any resurfacing of Moonshadow Court, the Master Association shall be responsible to adjust wastewater manholes to grade according to Snyderville Basin Water Reclamation District (SBWRD) standards. Prior notification of adjustments and inspection by SBWRD is required. Trees, structures and retaining walls shall not be located within SBWRD easements.
14. A fire protection plan is a submittal requirement for each building permit and shall include fire protection in the form of the residential sprinklers and landscaping that complies with Urban Wildland interface requirements of the Park City Building Department at the time of building permit issuance. Fire sprinklers will be required for new construction on the lots per the Chief Building Official at the time of review of a building permit.
15. A landscape plan, including provisions for water-efficient irrigation systems and drought tolerant plantings with limited turf, is a submittal requirement for each administrative conditional use permit application and building permit. An arborist report, identifying trees and the general condition of any trees located outside of the building pad that are proposed to be removed, is required to be submitted with the landscape plans. Final landscape plans, including plans to remove trees outside of the building pad, are subject to review by the Design Review Board prior to building permit issuance.
16. This development is part of a common plan of development and a MS4 Storm Water Permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance. Utility structures such as ground sleeves, transformers and other dry utility boxes must be located on the lots.
17. The Private Area/Building Pad shall be considered the Limits of Disturbance for each condominium unit. An additional disturbance area within 20 feet of the building foundation shall be allowed, consistent with the Arborist reports and visual analysis. Driveways and utility installation are exempt. Construction of units, patios, retaining walls and other permanent structures, such as gazebos, hot tubs, fire pits, etc. are not allowed in the ROS zoned area.
18. Public trails constructed and or re-constructed will be within a fifteen foot public trail easement.
19. A twenty foot (20') wide waterline easement and access easement is dedicated to Park City Water Service District for the purpose of operating, maintaining, repairing, eventual replacement and upgrade of one or more underground pipelines and appurtenances for conveyance, distribution, and/or transmission of water.
20. A ten foot (10') wide snow storage easement along the private street frontage of all units shall be dedicated to the Empire Pass Master Owners Association.

LEGEND

- Residential Development (RD) Zoning and Private Area / Building Pad
- Recreational Open Space (ROS) Zoning and Common Area
- Common Area and Landscape Buffer
- Common Area / SBWRD Access Easement and Public Utility Access Easement
- Found Section Monument (As-Noted)
- Found Monument (As-Noted)
- EP Ejector pumps for wastewater service required.

MOONSHADOW CONDOMINIUMS

A UTAH CONDOMINIUM PROJECT

LOCATED IN THE SOUTH HALF OF SECTION 21
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 1

5/20/19 JOB NO.: 15-2-18 FILE: X:\Empire\dwg\srv\plat2018\150218.dwg

(435) 649-9467
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 21st DAY OF May, 2019
BY _____ S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 26TH DAY OF SEPTEMBER, 2018
BY _____ CHAIR

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 11TH DAY OF June, 2019
BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 18TH DAY OF JUNE, 2019
BY _____ PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 23RD DAY OF OCTOBER, 2018
BY _____ MAYOR

PARK CITY SUMMIT COUNTY, UTAH CORPORATE Seal MARCH 1, 1884

CERTIFICATE OF ATTEST
I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS 23RD DAY OF OCTOBER, 2018
BY _____ PARK CITY RECORDER

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Metro National Title
FEE $16.00 RECORDER C Willoughby - deputy
DATE 7/1/2019 TIME 3:29 pm ENTRY NO. 1113512

MOONSHADOW CONDOMINIUMS

EMPIRE PASS
MASTER OWNERS ASSOCIATION

March 6, 2024

Park City Planning Dept
445 Marsac Ave
Park City, UT 84060

Re: Moonshadow Plat Amendment

To: Park City Planning Department

The Empire Pass Master Association has recently completed a vote to approve the First Amended and Restated Plat of Moonshadow Condominiums. The association's board of trustees has requested that I contact you regarding the result of this vote.

I hereby affirm that 100% of the owners of the Units of Moonshadow Condominiums have voted to approve the application of the First Amended and Restated Plat of Moonshadow Condominiums.

Sincerely,

Jeff Butterworth

Jeff Butterworth
Vice President
Empire Pass Master Owners Association

Alliance Engineering Inc.

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

June 21st, 2024

Ms. Rebecca Ward
Planning Director
Park City Municipal Corporation
445 Marsac Avenue, PO Box 1480
Park City, UT 84060
435-615-5046
rebecca.ward@parkcity.org

RE: Moonshadow – Snow Storage Easement Removal

Dear Ms. Ward:

The purpose of this memo is to provide insight and reasoning for the removal of the existing 10-foot-wide snow storage and public utility easement (PUE) within the Moonshadow property along the UDOT right-of-way. The easement was originally added to the Moonshadow Condominiums plat recorded July 1st, 2019, entry number 1113512, from a request by the city as a standard practice to have a 10' wide snow storage easement along side of the ROW. The purpose of removing this easement is due to the need for retaining walls and landscaping falling within this easement. The retaining walls were installed to retain the berm separating Marsac Ave and Moonshadow Court providing privacy for the proposed homes. Safety is improved due to the berm acting as a barrier between Marsac Ave and Moonshadow Court. Marsac Ave has major curves in this area. The additional landscaping is for privacy for the proposed homes and to provide a separation of the roads. The Empire Pass Master Owners Association (EMPOA) is contracted with UDOT to do the snow plowing operations in this area. Marsac Avenue is a 30' wide road with 10' shoulders on each side of the road all falling within the UDOT right-of-way. The project team has met with Steve Sovinski (EMPOA) who does the snow removal for Marsac Ave and he is not concerned with this easement being removed due to there being 10' of shoulder off the road that is within the right-of-way. Also, when snow accumulation is heavy, he uses a snow blower to blow the snow up the hill on the south side of the road opposite of the Moonshadow property. After doing research of the surrounding areas, we have found no other properties have a snow storage and PUEs on the North side of Marsac Ave in this area. The properties on the south side of the UDOT R.O.W include a 10' snow storage/PUE, so the need for additional utilities would most likely be installed on the south side of the road. Lastly, the city requested that the project team contact UDOT about removing this easement. After meetings and discussions with UDOT, it was determined that UDOT cannot legally provide any input on this matter, but confirmed UDOT has no interest in the easement and does not acknowledge any entitlement to the easement. The team met with city engineers and it was determined that the snow storage and public utility easement can be removed from the plat so that the Moonshadow property can retain the berm and landscaping between Marsac Ave and Moonshadow Court.

Sincerely,
ALLIANCE ENGINEERING, INC.

Connor Dinsmore, PE

X:\Empire\dwg\Storied Development\Lot 1 VEPNS\Civil\Landscape Permit\Permit Drawings\Support

2700 W Homestead Road STE 50 & 60 Park City, Utah 84098 435-649-9467

Planning Commission
Staff Report

Subject: **218 Sandridge Road**
Application: **PL-24-06076**
Author: **Planning Team**
Date: **June 26, 2024**
Type of Item: **Plat Amendment**

Recommendation

(I) Review the proposed 218 Sandridge Road Plat Amendment to create a 0.13-acre Lot for a Significant Historic Site, (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:	Dennis Hranitzky, represented by Molly Guinan
Location:	218 Sandridge Road
Zoning District:	Historic Residential – 1
Adjacent Land Uses:	Residential
Reason for Review:	The Planning Commission holds a public hearing and takes Final Action on Plat Amendments.[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 proposes a Plat Amendment to create a 5,612-square-foot Lot for 218 Sandridge Road, also known as the Ingrid Parsons House, a Significant Historic Site on Park City's Historic Sites Inventory.[2] Public Stairs run along the northern edge of the property between Sandridge Road and Swede Alley and the site slopes downward toward Swede Alley. As part of the Plat Amendment, the Applicant proposes dedicating 223 square feet as Sandridge Road right-of-way.

[1] LMC Section 15-1-8(H)
[2] LMC § 15-11-10(D)(2)(fj)

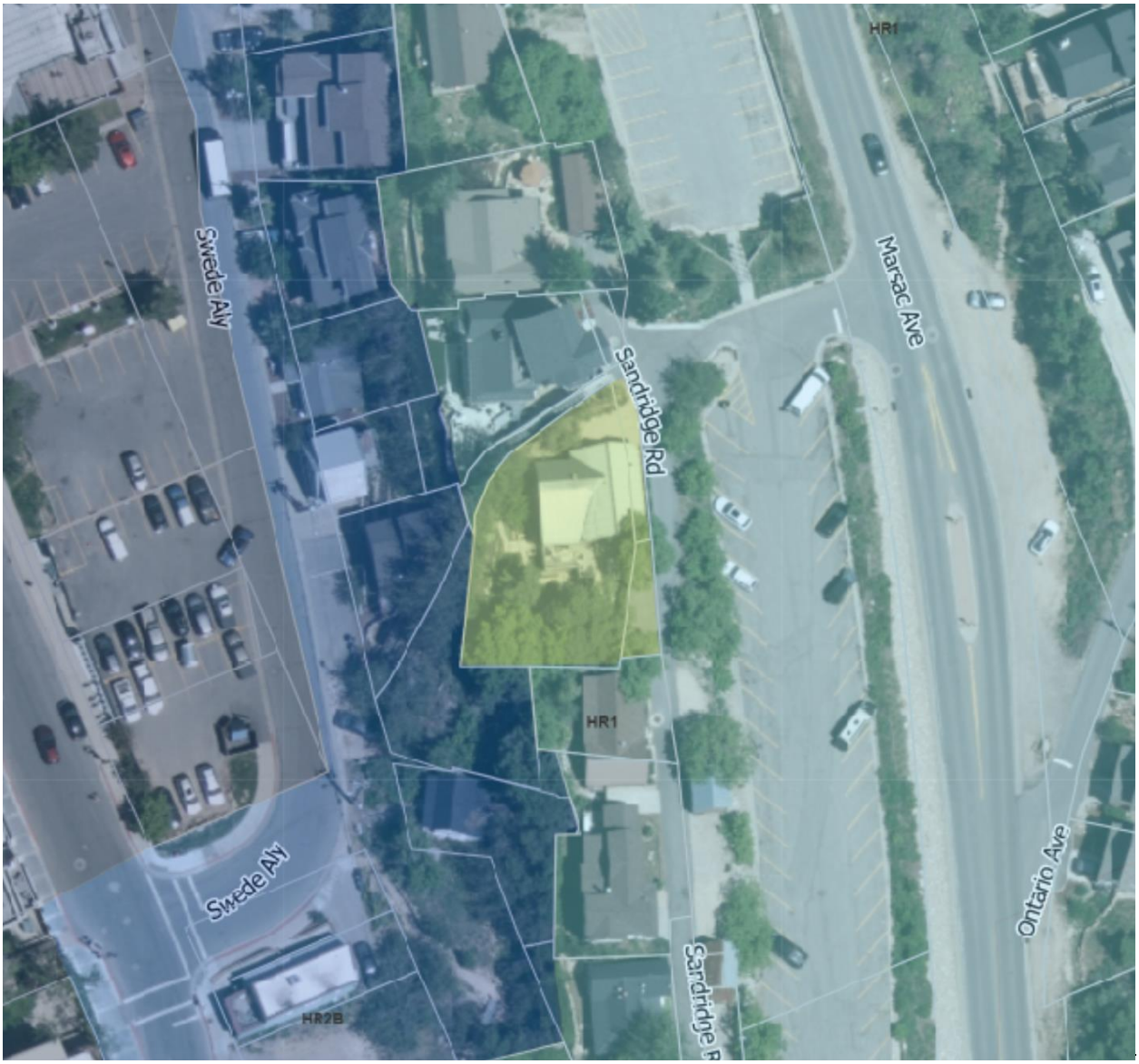


Figure 1 - 218 Sandridge Avenue is highlighted on the Zoning Map in yellow, showing its location west of the Sandridge Parking Lots

According to the Historic Site Form, the Significant Historic Structure was constructed during the Mature Mining Era (1894 – 1930). Modifications have been made to the site over the years and it is not considered eligible for listing on the National Register of Historic Places, but it retains its essential historic form and local designation.

Figure 2 - 1940s Tax Photo from the Historic Site Form.

Figure 3 - Image taken from 2024 Google Maps showing the porch that was later enclosed.

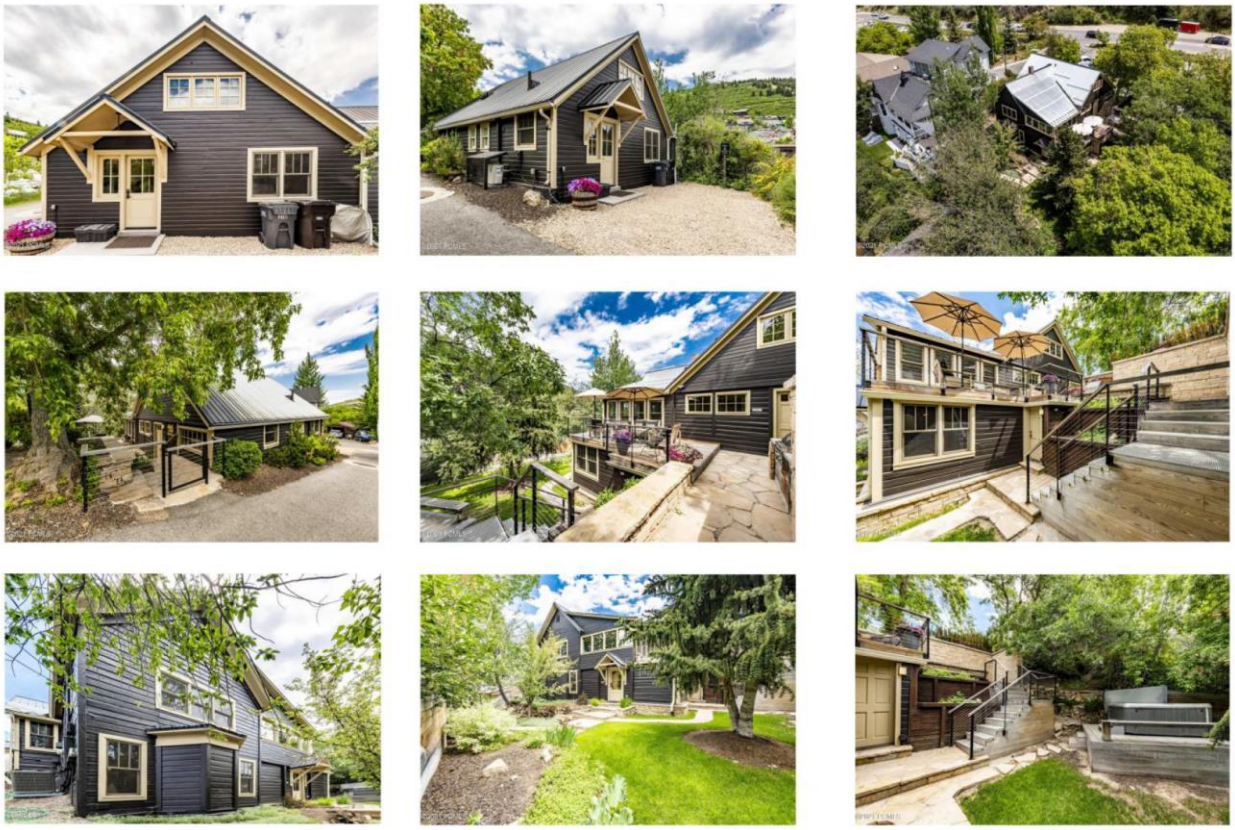


Figure 4 – Site photos from the Applicant's Submittal Materials.

Analysis

(I) The proposal to create a Lot for the Significant Historic Site complies with Land Management Code Chapter 15-2.2 *Historic Residential – 1 Zoning District*.

The purpose of the HR-1 Zoning District is to:

- Preserve present land uses and character of the Historic residential areas of Park City.
- Encourage preservation of Historic Structures.
- Encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods.
- Define development parameters consistent with the General Plan for the Historic core.
- Establish development review criteria for new development on Steep Slopes to mitigate impacts to mass and scale and the environment.[3]

Single-Family Dwellings are an allowed use in the Historic Residential – 1 (HR-1)

[3] LMC Section 15-2.2-1

Zoning District.[4]

The HR-1 Zoning District Lot and Site requirements outlined in LMC Section 15-2.2-3 are as follows:

HR-1 Requirement	**Proposal**
The maximum Lot Area for a Single-Family Dwelling is 3,750 square feet.	**Complies** – The Applicant requests the creation of a 5,612-square-foot Lot for the Significant Historic Site. LMC Section 15-2.2-4 exempts Historic Sites from the maximum Lot Area.
The minimum Lot width is 25 feet.	**Complies** – The Lot is 103 feet wide.
The maximum Building Footprint is: MAXIMUM FP = (A/2) x $0.9^{A/1875}$	**Condition of Approval 3** – A plat note shall state the maximum Building Footprint is 2,048 square feet.

(II) There is Good Cause for the Plat Amendment.

LMC Section 15-7.1-3(B) states the Planning Commission shall find Good Cause and that no Public Street, Right-of-Way, or easement is vacated or amended. LMC Section 15-15-1 defines Good Cause:

> 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.

The purpose of the HR-1 Zoning District includes preserving present land uses and Historic Structures. Creating a Lot for the Significant Historic Site preserves the present land use and allows for the rehabilitation of the Structure. The Plat Amendment dedicates 223 square feet as Sandridge Avenue right-of-way and resolves non-conformities – a Significant Historic Structure that straddles portions of Lot 21 and Lot 22 of Block 12 of the Park City Survey.

[4] LMC Section 15-2.2-2(A)(1)

(III) The Development Review Committee reviewed the proposal on October 3, 2023, and May 7, 2024.[5]

The Summit County Recorder required the Applicant to update the Plat Amendment and the Applicant completed the required changes. Condition of Approval 4 will require a snow storage easement on the final Plat Amendment prior to recordation.

Department Review

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

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on June 12, 2024. Staff mailed courtesy notice to property owners within 300 feet on June 12, 2024. The *Park Record* published courtesy notice on June 12, 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 Plat Amendment.
- The Planning Commission may deny the Plat Amendment and direct staff to make Findings for the denial.
- The Planning Commission may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Final Action Letter

Attachment 1 – 218 Sandridge Road Plat Amendment

[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

June 26, 2024

Molly Guinan
Elliott Workgroup

CC: Dennis Hranitzky

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	218 Sandridge Avenue
Zoning District:	Historic Residential – 1
Application:	Plat Amendment
Project Number:	PL-24-06076
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	June 26, 2024
Project Summary:	The Applicant proposes a Plat Amendment to create a 5,612-square-foot Lot for 218 Sandridge Road, also known as the Ingrid Parsons House, a Significant Historic Site on Park City's Historic Sites Inventory.

Action Taken

On June 26, 2024, the Planning Commission conducted a public hearing and approved the 218 Sandridge Road Plat Amendment according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. 218 Sandridge Road is a Significant Historic Site on the Park City Historic Sites Inventory, constructed during the Mature Mining Era (1894-1930).
2. The property is 5,835 square feet and the Applicant proposes dedicating 233 square feet as Sandridge Road right-of-way, creating a 5,612-square-foot Lot.
3. 218 Sandridge Road is in the Historic Residential – 1 Zoning District, which establishes a maximum Lot size of 3,750 square feet. However, pursuant to Land

DRAFT

Management Code Section 15-2.2-4, Historic Sites are exempt from the maximum Lot size regulations.

4. The Historic Residential – 1 Zoning District requires a minimum Lot width of 25 feet. The proposed Lot is 103 feet wide.
5. The Historic Residential – 1 Zoning District establishes a maximum Building Footprint of 2,048 square feet for a 5,612-square-foot Lot.
6. On June 12, 2024, staff duly noticed a Planning Commission public hearing for June 26, 2024.

Conclusions of Law

1. The 218 Sandridge Avenue Plat Amendment complies with Land Management Code Chapter 15-2.2 *Historic Residential – 1 Zoning District* and Chapter 15-7 *Subdivisions*.
2. There is Good Cause for the Plat Amendment because it creates a Lot for a Significant Historic Site, dedicates 223 square feet at Sandridge Avenue right-of-way, and resolves non-conformities – the Significant Historic Structure straddles portions of Lots 21 and 22 of Block 12 of the Park City Survey, and the Plat Amendment resolves the non-conformity.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer shall review and approve the final form and content of the Plat Amendment for compliance with State law, the Land Management Code, and these Conditions of Approval prior to recordation of the plat.
2. The Applicant shall record this Plat Amendment at the County within one year from the date of Planning Commission approval. If recordation has not occurred within one 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 Planning Director.
3. A plat note shall state the maximum Building Footprint is 2,048 square feet.
4. A 10-foot snow storage easement along Sandridge Road in a form approved by the Engineering Department shall be added to the plat prior to recordation.

DRAFT

Planning Department

If you have questions or concerns regarding this Final Action Letter, please call Jaron Ehlers or email jaron.ehlers@parkcity.org.

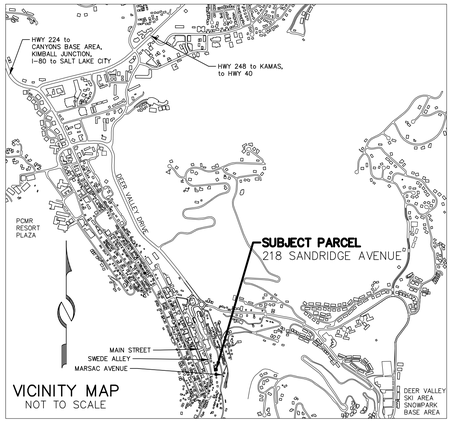
Sincerely,

_____

Sarah Hall, Planning Commission Chair

CC: Jaron Ehlers

DRAFT



VICINITY MAP
NOT TO SCALE

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 26°56'04" E	7.71'
L2	N 43°45'13" E	13.27'
L4	S 80°34'58" W	10.65'
L5	S 7°06'13" W	4.95'
L6	N 85°37'21" W	20.21'
L7	S 80°03'58" W	16.81'
L8	N 5°48'16" W	3.65'
L9	N 87°31'31" W	21.18'
L12	N 81°26'33" W	7.60'
L11	N 0°21'15" E	15.86'
L13	N 18°37'05" W	2.77'

LEGAL DESCRIPTION

PARCEL 1

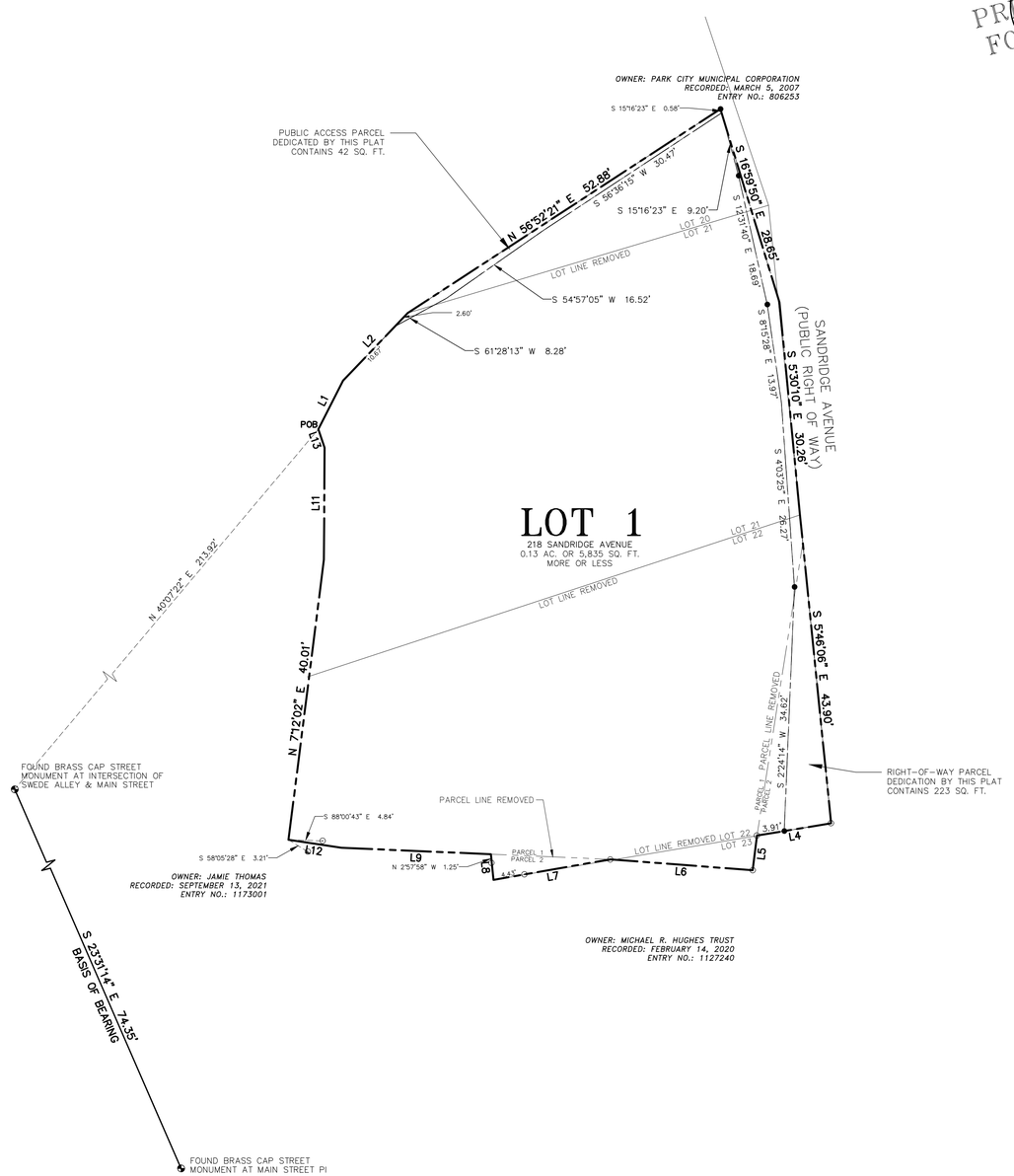
BEGINNING AT A POINT DUE SOUTH 210.37 FEET AND DUE EAST 327.83 FEET FROM THE NORTHEAST CORNER OF LOT 16, BLOCK 12, PARK CITY SURVEY PARK CITY UTAH, AND THENCE RUNNING NORTH 26°56'04" EAST 7.71 FEET ALONG THE SOUTH EASTERLY HAND RAILING OF AN EXISTING WOODEN STAIRWAY; THENCE NORTH 43°45'13" EAST 13.27 FEET; THENCE NORTH 56°52'21" EAST 52.88 FEET TO THE WESTERLY EDGE OF SAND RIDGE ROAD; THENCE SOUTH 16°59'50" EAST 28.65 FEET; THENCE SOUTH 05°02'33" EAST 34.13 FEET; THENCE SOUTH 07°17'37" WEST 45.44 FEET; THENCE NORTH 85°50'10" WEST 21.5 FEET TO AN EXISTING FENCE CORNER; THENCE NORTH 85°50'10" WEST 39.39 FEET; THENCE NORTH 01°51'09" WEST 56.72 FEET ALONG THE TOP OF AN EXISTING ROCK RETAINING WALL TO THE POINT OF BEGINNING.

LESS AND EXCEPTING THEREFROM ANY PORTION LYING WITHIN THE FOLLOWING DESCRIBED PARCEL OF LAND:

BEGINNING AT A POINT DUE SOUTH 210.37 FEET AND DUE EAST 327.83 FEET FROM THE NORTHEAST CORNER OF LOT 16, BLOCK 12, PARK CITY SURVEY AND RUNNING THENCE NORTH 26°56'04", EAST ALONG THE SOUTHEASTERLY HAND RAILING OF AN EXISTING WOODEN STAIRWAY (7.71 FEET); THENCE NORTH 43°45'13" EAST 13.27 FEET; THENCE NORTH 56°52'21" EAST 52.88 FEET TO THE WESTERLY EDGE OF SANDRIDGE AVENUE; THENCE SOUTH 16°59'50" EAST 28.65 FEET; THENCE SOUTH 5°02'33" EAST 29 FEET MORE OR LESS TO THE SOUTHERLY LOT LINE OF LOT 21, BLOCK 72, PARK CITY SURVEY; THENCE EAST 4 FEET MORE OR LESS TO THE SOUTHEAST CORNER OF SAID LOT 21; THENCE NORTH 5°47' WEST 52.2 FEET; THENCE NORTH 19°43' WEST 18 FEET MORE OR LESS, TO A POINT 26 FEET NORTH OF SOUTHERLY LOT LINE OF LOT 20, BLOCK 72; THENCE WESTERLY 17 FEET MORE OR LESS, ALONG THE NORTHERLY PROPERTY LINE TO THE INTERSECTION WITH THE WESTERLY PROPERTY LINE OF A PARCEL CONVEYED TO TRINIDAD M. JARAMILLO AND RECORDED IN BOOK M-229, PAGE 126-C IN THE OFFICIAL RECORDS OF THE SUMMIT COUNTY RECORDER'S OFFICE; THENCE SOUTH 28° EAST 11 FEET MORE OR LESS, TO THE SOUTHEAST CORNER OF SAID JARAMILLO PROPERTY; THENCE SOUTH 53° WEST ALONG A WOODEN STAIRWAY 63 FEET; THENCE SOUTH 39°03' WEST 6 FEET MORE OR LESS TO A PROPERTY LINE; THENCE SOUTH 13°35'30" EAST 23 FEET MORE OR LESS, THENCE NORTH 1°51'09" NORTH 18 FEET MORE OR LESS TO THE POINT OF BEGINNING.

PARCEL 2

THE EAST HALF OF LOT 22, BLOCK 72, MILLSITE PARK CITY LESS THE FOLLOWING DESCRIBED PARCEL: A PART OF TRACT BEGINNING AT A POINT DUE SOUTH 210.37 FEET AND DUE EAST 327.83 FEET FROM THE NORTHEAST CORNER OF LOT 16, BLOCK 12, PARK CITY SURVEY; AND THENCE RUNNING NORTH 26°56'04" EAST ALONG THE SOUTH EASTERLY HAND RAILING OF AN EXISTING WOODEN STAIRWAY; THENCE NORTH 43°45'13" EAST 13.27 FEET; THENCE NORTH 56°52'21" EAST 52.88 FEET TO THE WESTERLY EDGE OF SAND RIDGE ROAD; THENCE SOUTH 16°59'50" EAST 28.65 FEET; THENCE SOUTH 5°02'33" EAST 34.13 FEET; THENCE SOUTH 7°17'37" WEST 45.44 FEET: THENCE NORTH 85°50'10" WEST 21.5 FEET TO AN EXISTING FENCE CORNER; THENCE NORTH 85°50'10" WEST 39.39 FEET; THENCE NORTH 1°51'09" WEST 56.72 FEET ALONG THE TOP OF AN EXISTING ROCK RETAINING WALL TO THE POINT OF BEGINNING.



PRELIMINARY FOR REVIEW

PROFESSIONAL LAND SURVEYOR
No. 7248891
CHARLES GALATI
State of Utah

SURVEYOR'S CERTIFICATE

I, Charles Galati, do hereby certify that I am a Professional Land Surveyor in the State of Utah and that I hold license number 7248891 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 subdivided said property into a single lot with rights-of way, hereafter to be known as 218 SANDRIDGE AVENUE PLAT AMENDMENT.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be combined into a lot and rights-of-way as set forth to be hereafter known as 218 SANDRIDGE AVENUE PLAT AMENDMENT and do hereby dedicate to the public all rights-of-way shown on this plat as intended for public use.

In witness whereof, the undersigned set his/her hand this _____ day of _____, 2024.

By: _____
DENNIS H. HRANITZKY, OWNER

ACKNOWLEDGEMENT

STATE OF _____)
:ss.
COUNTY OF _____)

On this _____ day of _____, 2024, DENNIS H. HRANITZKY personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence.

Notary Public

_____
Printed Name

Residing in: _____

My commission expires:_____

Commission No._____

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance _____.
2. See Record of Survey S-10675 performed by Alliance Engineering, recorded September 10, 2021 on file and of record in the Office of the Summit County Recorder.

LEGEND

- To be set upon recordation of plat 5/8" rebar w/cap "ALLTERRA UTAH" (Unless noted otherwise)
- Found Monument (As-Noted)
- Found Street Monument (As-Noted)

10' 0 10' 20'
1" = 10' – (24"x36")

PROFESSIONAL LAND SURVEYING AND CONSULTING
ALLTERRA UTAH, LLC
435-640-4200
463 SCENIC HEIGHTS ROAD, FRANCIS, UTAH 84036

218 SANDRIDGE AVENUE PLAT AMENDMENT

AMENDING A PORTION OF LOTS 20, 21, 22 & 23, BLOCK 72, PARK CITY AMENDED SURVEY

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

5/30/24 SHEET 1 OF 1

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	PUBLIC SAFETY ANSWERING POINT APPROVAL	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS___DAY OF _____, 20__	RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS___DAY OF _____, 20__	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS___DAY OF _____, 20__	APPROVED AS TO FORM THIS ___DAY OF _____, 20__	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ___ DAY OF _____, 20__	I CERTIFY THIS PLAT WAS APPROVED BY THE PARK CITY COUNCIL THIS ___ DAY OF _____, 20__	APPROVED ON THIS___DAY OF _____, 20__	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
BY_____ SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	BY_____ CHAIR	BY_____ PARK CITY ENGINEER	BY_____ PARK CITY ATTORNEY	BY_____ MAYOR	BY_____ PARK CITY RECORDER	BY_____ SUMMIT COUNTY GIS COORDINATOR	____ FEE _____ RECORDER
							TIME _____ DATE _____ ENTRY NO. _____

Planning Commission
Staff Report

Subject: **220 King Road**
Application: **PL-22-05319, Plat Amendment**
Author: **Rebecca Ward, Planning Director**
Date: **June 26, 2024**
Type of Item: **Remand by the Appeal Panel**

Recommendation

(I) Consider the questions remanded to the Planning Commission by the Appeal Panel regarding the appeal of the Planning Commission's approval of the Second Amendment for the Lot 2, Phase I Treasure Hill Subdivision (220 King Road), (II) conduct a public hearing, and (III) determine:

- Whether the Sensitive Land Overlay applies due to Sweeney Master Planned Development vesting.
- If the Sensitive Land Overlay Applies, whether it can bisect a Lot.
- If the Sensitive Land Overlay applies, what is staff's Sensitive Land determination, recommendation, and mitigations.

Description

Appellants:	Adjacent property owners Eric Hermann and Susan Fredstone Hermann, joined by eight residents: David Bennett David Constable Ed DeSisto James Doilney Martiena Lewis Nicholas Schapper Ginger Tolman John Vrabel The Appellants are collectively represented by Justin Keys, Hoggan Lee Hutchinson. However, Justin Keys is only legal counsel for the Hermanns.
Location:	220 King Road
Zoning District:	HR1-MPD
Adjacent Land Uses:	Residential, Open Space

HR – 1	Historic Residential – 1
LMC	Land Management Code
MPD	Master Planned Development

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

220 King Road is Lot 2 of the Treasure Hill Subdivision Phase I First Amended Plat, part of the Sweeney Master Planned Development (Sweeney MPD) approved in 1986 and amended in 1987.

In 2022, the Applicant proposed demolishing an existing Single-Family Dwelling and Guest House to construct:

- A new Single-Family Dwelling with:
  - Approximately 7,461 square feet of finished space.
  - Approximately 5,898 square feet of unfinished space.
  - Approximately 1,690 square feet of terrace/patio area.
- A 1,103-square-foot Accessory Building.
- A 243-square-foot outdoor pool.
- A 4,794-square-foot underground parking area.

On February 14, 2024, the Planning Commission voted four to two to approve the Second Amendment for the Lot 2, Phase 1 Treasure Hill Subdivision to remove a portion of the eastern Building Area Limits facing Old Town and to shift the Building Area Limits to the west behind the Single-Family Dwelling with a 490-square-foot total increase.

The Planning Commission voted three to three with the Chair breaking the tie to approve Conditional Use Permits for the construction of the new Single-Family Dwelling and Accessory Buildings (Planning Commission Packet, Item 6.A; Minutes, p. 3). On February 21, 2024, the Planning Commission ratified the Final Action Letter approving the project (Planning Commission Packet, Item 4.B; Minutes, p. 2).

On March 1, 2024, the Appellants appealed the Planning Commission's approval. On April 30, 2024, the Appeal Panel denied the appeal of the Planning Commission's approval of the Conditional Use Permits and Steep Slope Conditional Use Permit for the new Single-Family Dwelling and Accessory Buildings (Appeal Panel Packet, Item 6.A; Minutes, p. 2). The Appeal Panel remanded the following questions to the Planning Commission regarding the Plat Amendment:

- Whether the Sensitive Land Overlay applies due to Sweeney Master Planned Development vesting.
- If the Sensitive Land Overlay Applies, whether it can bisect a Lot.
- If the Sensitive Land Overlay applies, what is staff's Sensitive Land determination, recommendation, and mitigations.

To review the Applicant's response, please see Exhibit AB. To see the Appellant's response, please see Exhibit AC.

Background

1985-1986
The Planning Commission Approved the Sweeney Master Planned Development.

On December 18, 1985, the Planning Commission approved the Sweeney Land Company Large Scale Master Planned Development (Sweeney MPD), allocating 277 units of density through several locations in the Historic Districts and the Treasure Mountain area (Exhibit A).

On October 14, 1987, the Planning Commission approved an amendment to the Sweeney MPD and reallocated 12 Unit Equivalents to accommodate extended ski trails (Exhibit B). The amended Sweeney MPD relocated two Unit Equivalents along King Road – 200 and 220 King Road. These two properties and five others became part of the eight-Lot Treasure Hill Subdivision, approved in three phases:

Phase I

- Lot 1 – 200 King Road
- Lot 2 – 220 King Road
- Lot 3 – 425 Norfolk Avenue
- Lot 4 – 375 Norfolk Avenue
- Lot 5 – Open Space (Exhibit C)

Phase II

- Lot 6 – 503 ½ Woodside Avenue
- Lot 7 – 503 Woodside Avenue (Exhibit D)

Phase III

- Lot 8 – 445 King Road (Exhibit E)

1990
The City Council zoned 220 King Road Historic Residential 1 – Master Planned Development (HR1-MPD).

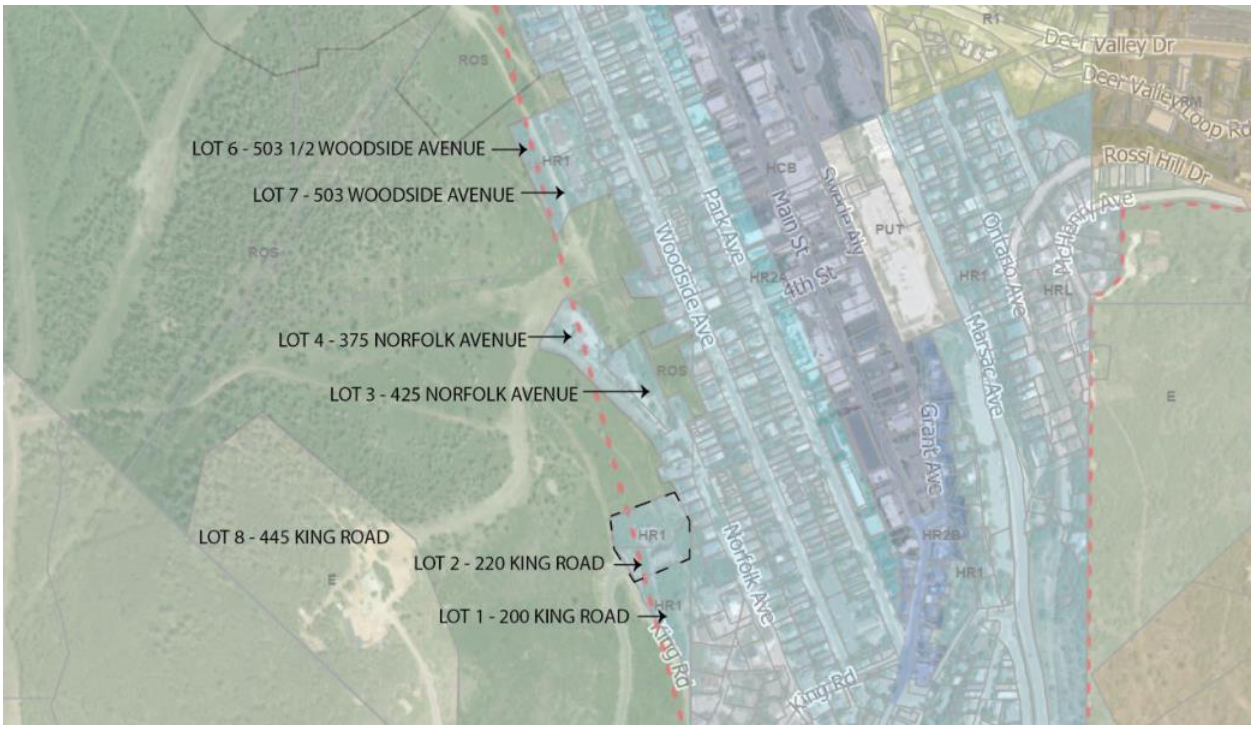
On August 23, 1990, the City Council adopted Ordinance No. 90-24, rezoning six of the Treasure Hill Lots, including 220 King Road, from Historic Residential – 1 to Historic Residential 1 – Master Planned Development (HR1-MPD) (Exhibit F).

1992
The City Council adopted the Sensitive Land Overlay.

On October 10, 1991, the City Council passed Resolution No. 30-91 *Establishing Principles for the Protection of Sensitive Lands in the Park City Planning Area*, authorizing a study of sensitive lands within the community (Exhibit G).

On September 24, 1992, the City Council enacted Ordinance No. 92-17 *Adopting the Sensitive Area Overlay Zone Regulations and Amending the Official Zoning Map of Park City, Utah to Include the Sensitive Area Overlay Zone and Amending the Land Management Code of Park City, Utah to Better Regulate Development of Sensitive Lands* (Exhibit H).

The image below, taken from the digital Zoning Map, shows the Treasure Hill Subdivision Lots in the context of the Sensitive Land Overlay, which is indicated by the red dashed line. Properties to the west of the dashed line are within the Overlay.



Based on this digital Zoning Map, portions of Lot 1 (200 King Road), Lot 2 (220 King Road), Lot 4 (375 Norfolk Avenue), Lot 6 (503 ½ Woodside Avenue), and Lot 7 (503 Woodside Avenue), and the entirety of Lot 8 (445 King Road) are within the Overlay. Lot 3 (425 Norfolk Avenue) is the only Treasure Hill Lot that is not partially or completely within the Sensitive Land Overlay. However, as demonstrated below, the Sensitive Land Overlay has not been applied to any Sweeney MPD Treasure Hill Lots, even though the Overlay was enacted prior to the platting of the Lots.

Analysis

(I) Whether the Sensitive Land Overlay applies due to Sweeney Master Planned Development vesting.

Staff Response: Research confirms the Sweeney properties were considered vested unless a substantive change to the Sweeney Master Planned Development

was proposed. Additionally, slight changes to the location of Sensitive Land Overlay line do not appear to have intentionally bifurcated the Lot.

The 1992 Sensitive Land Overlay regulations state:

There are a number of existing, valid Master Plans which have been approved. Requests for site specific approval for parcels within Large Scale Master Plans which are located within the Sensitive Area Overlay Zone shall be required to go through the Sensitive Lands Analysis and the development will be required to be placed on the least sensitive portion of the parcels. In general, the site design criteria shall apply to these proposals.

If there is a request to change the form of density for a part or all of a Master Plan or a request to substantially modify the plan, the total permitted density will be reevaluated based upon the criteria in these provisions.

A determination regarding the applicability of this provision to the Sweeney MPD was issued by the City Attorney in 1992. The February 14, 2024 Planning Commission packet included a September 22, 1992 letter to Michael Sweeney from City Attorney James Carter, providing the following (Exhibit I):

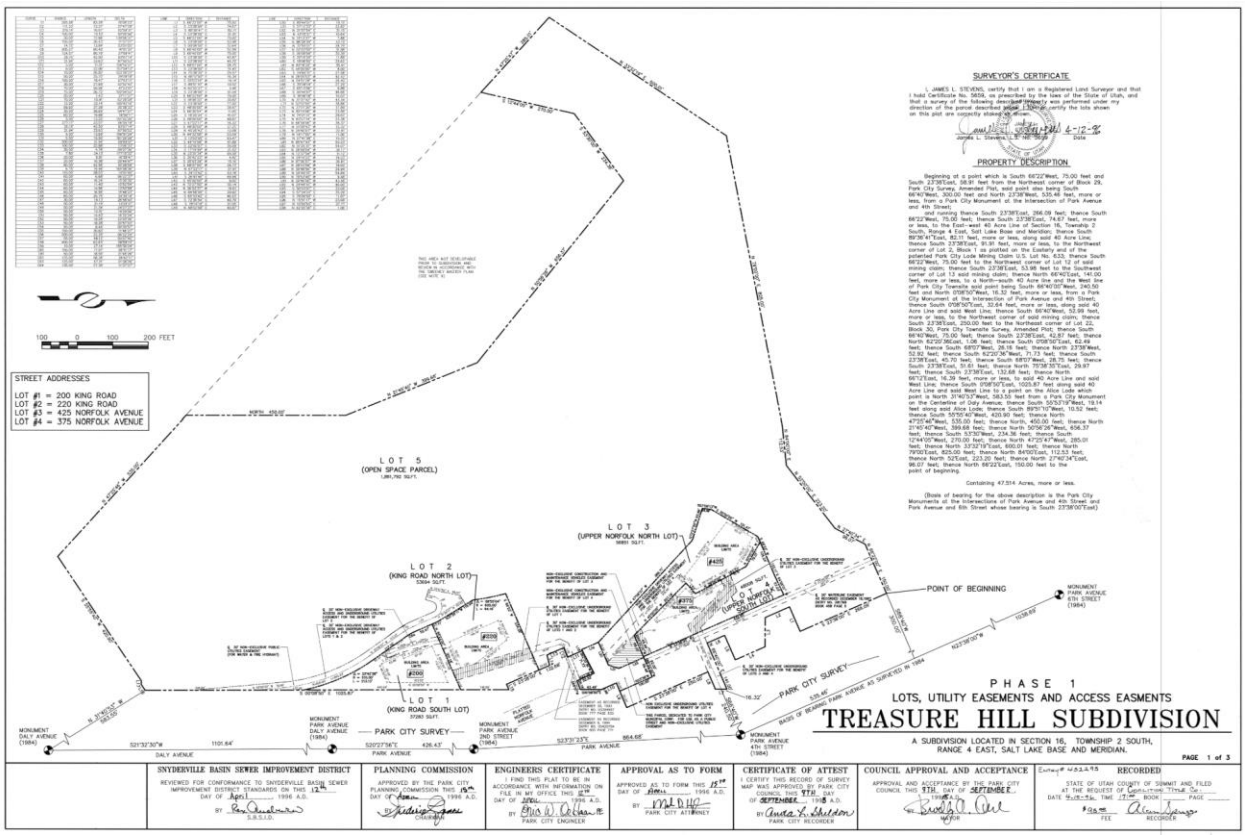
> 1. Will the Sensitive Lands Overlay Zone apply to the Sweeney property's master plan hillside portion (Treasure Hill)? Yes. However, Land Management Code § 3.14(c)(2) Length of Approval, provides, in pertinent part, "Zone changes occurring while the approval is in effect shall not effect the approval. Changes in the master plan requested by the developer will be reviewed and approved as a revision to the master plan by the Planning Commission. A change will be defined as any change in concept, unit type, configuration or number. At that time, the Planning Commission shall review the entire MPD, even if only one parcel or phase is involved in the modification, under the regulations in effect at the time of review. Modifications shall act as an extension of the approval." The Sensitive Lands Ordinance is being adopted in the form of an overlay zone, and so would not, by itself, affect the approved Sweeney Master Plan. If, however, a change in the master plan is requested, as defined in the LMC, the provisions of the Sensitive Lands Ordinance would be applied.

As mentioned above, the Sweeney MPD was approved, and 220 King Road (and other Treasure Hill Properties) were zoned HR1-MPD by the City Council, prior to enactment of the Sensitive Land Overlay in 1992. The Treasure Hill properties within the Sweeney MPD were platted and the plats amended after enactment of the Sensitive Land Overlay. However, as indicated in City Attorney James Carter's 1992 letter, the Sensitive Land Overlay was not applied to the properties because a comprehensive amendment to the Sweeney MPD was not proposed.

1995
The City Council Approved the Treasure Hill Subdivision Phase I.

On September 7, 1995, the City Council adopted Ordinance No. 95-50 approving the

Treasure Hill Phase I Subdivision (Exhibit J). This established Lot 1 (200 King Road), Lot 2 (220 King Road), Lot 3 (425 Norfolk Avenue), and Lot 4 (375 Norfolk Avenue) within the HR1-MPD Zoning District and dedicated Lot 5, over 40 acres of Open Space, to Park City Municipal (Exhibit C).



The 1995 City Council staff report states the plat is consistent with the Sweeney MPD and plans approved by the Planning Commission but does not mention the Sensitive Land Overlay or Sensitive Land Analysis in establishing the Building Area Limits for the four Single-Family Lots within the Treasure Hill Phase I Subdivision. Regarding significant impacts, the report states “[t]he plans are consistent with the intent of the Sweeney Master Plan and formalizes the agreement between MPE Inc. and the City which provides for development of larger single family homes with a substantial contribution to the City’s open space.” The City Council Staff Report references the Planning Commission approval of the preliminary plat on September 22, 1993, wherein the Commission reviewed the subdivision for compliance with the Sweeney MPD and required the following:

9. Prior to final plat approval, the staff and developer shall recommend ways to deal with the mass and scale of development on the lots and will consider building pad variations reflecting preservation of vegetation buffers, facade variations and stepping the building height which would be shown on the plat.

(Exhibit K, Staff Reports and Exhibits; Exhibit L, Meeting Minutes).

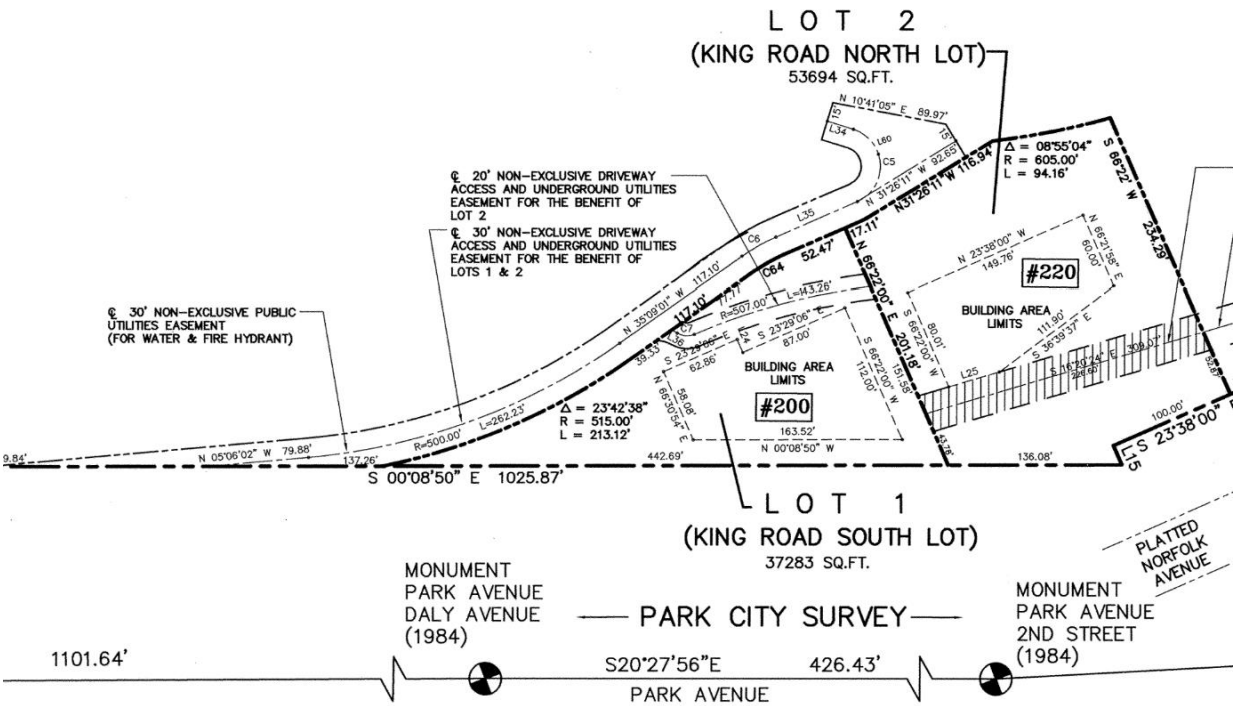
If the Sensitive Land Overlay had been applied in 1995, the regulations in effect at that time would not have allowed the Building Area Limits for Lot 2. Development on or within 50 feet of slopes in excess of 40% has been prohibited since the Sensitive Land Overlay was adopted in 1992 (Exhibit H, p. 16). The Building Area Limits for Lot 2 contains Very Steep Slopes, slopes in excess of 40%, shown in the Applicant's Slope Map below with the proposed Single-Family Dwelling superimposed over the existing Building Footprint:

1997
The City Council approved a Plat Amendment for 220 King Road.

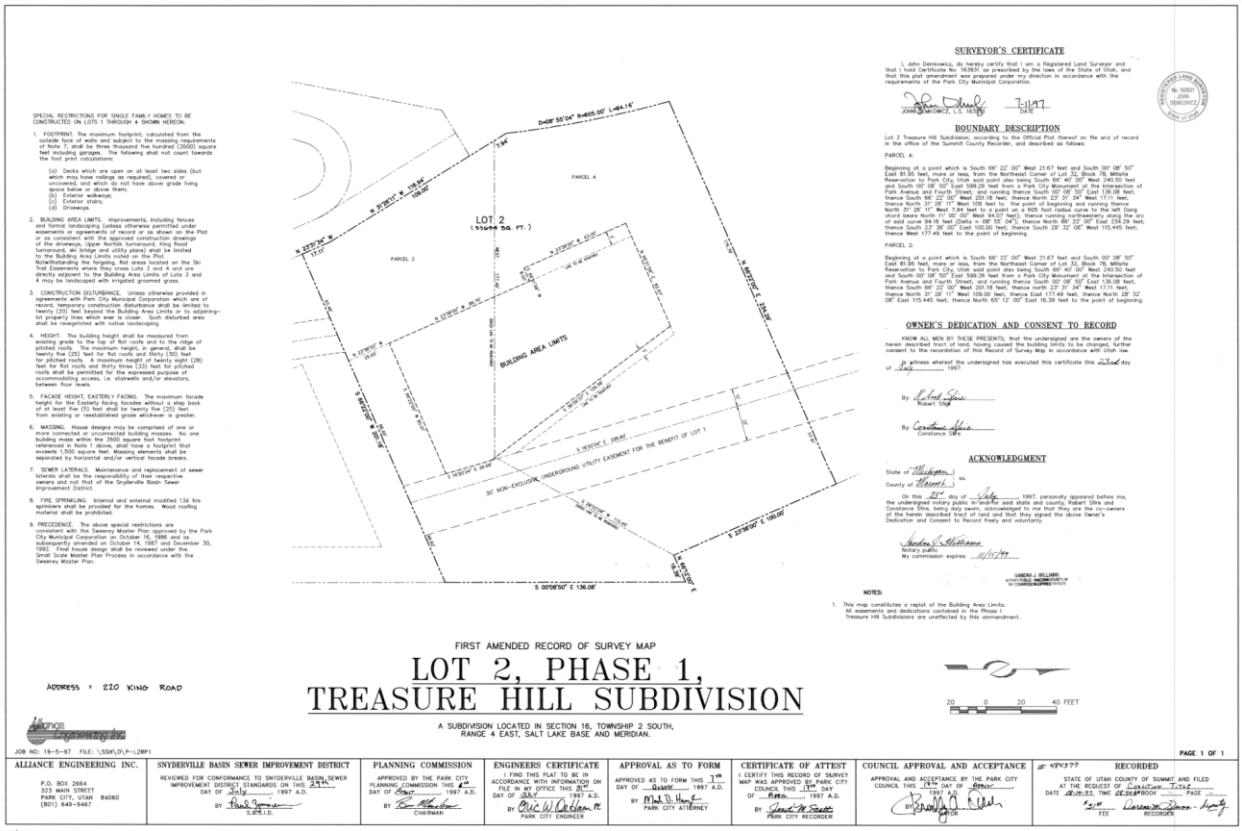
On April 10, 1997, the City Council adopted Ordinance No. 97-19, approving an amendment to Lot 2 of the Treasure Hill Subdivision (220 King Road) to shift the

Building Area Limits (Exhibit M).

The image below shows the Building Area Limits for Lot 2 established in 1995 through the Treasure Hill Phase I Subdivision:

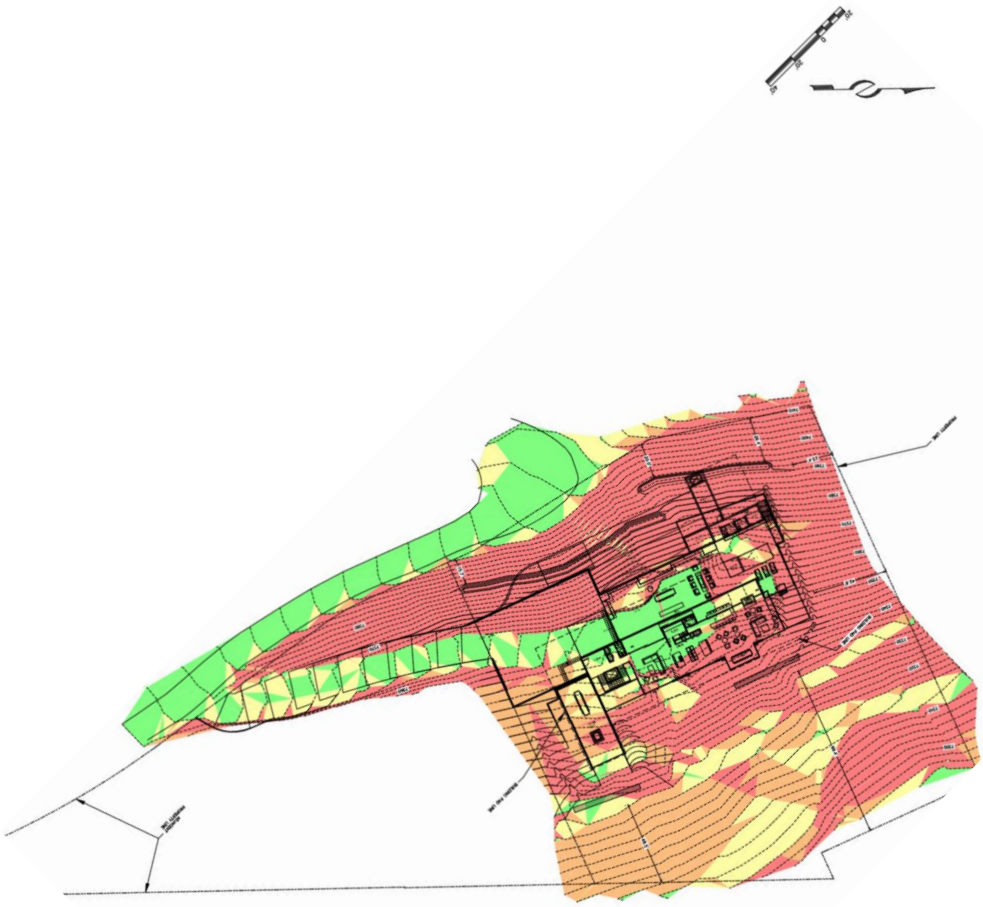


The image below shows the amended Building Area Limits for Lot 2 established in 1997 through the Plat Amendment:



The image below, the Applicant's Slope Map rotated so the north arrow is consistent with the above plats, indicates the site is predominantly Steep Slopes and Very Steep Slopes:

Slopes Table				
Number	Minimum Slope	Maximum Slope	Area	Color
1	0.00%	15.00%	26854.72	
2	15.00%	30.00%	30493.23	
3	30.00%	40.00%	44227.74	
4	40.00%	1000.00%	81565.54	



The 1997 Plat Amendment shifted the Building Area Limits in an area with Very Steep Slopes, yet the Sensitive Land Overlay was not applied, nor a Sensitive Land Analysis contemplated as part of staff, the Planning Commission, or City Council review[1] (Exhibit N). Instead, the staff report notes the following:

Under any use scenario, the project will result in a structure that significantly impacts the terrain.

[1] If the Sensitive Land Overlay had been applied in 1997, the regulations in effect at that time would not have allowed the Plat Amendment. Development on or within 50 feet of slopes in excess of 40% has been prohibited since the Sensitive Land Overlay was adopted in 1992 (Exhibit H, p. 16).

2000
The City Council Approved the Treasure Hill Phase II Subdivision.

On June 15, 2000, the City Council adopted Ordinance No. 00-40 approving the Treasure Hill Phase II Subdivision (Lot 6, 503 ½ Woodside Avenue and Lot 7, 503 Woodside Avenue) (Exhibit O). There is no mention of the Sensitive Land Overlay or a Sensitive Land Analysis in the establishment of the Building Area Limits (Exhibit P).

2003
The City Council Approved the Treasure Hill Phase III Subdivision.

Of all the Treasure Hill properties for which the Sensitive Land Overlay would apply, it is 445 King Road, which is undisputedly and entirely within the Overlay. Yet, the Sensitive Land Overlay was never considered for any of the platting processes.

On July 31, 2003, the City Council adopted Ordinance No. 03-37 approving the 445 King Road Subdivision and rezoning the property Estate-Master Planned Development (Exhibit Q). There is no evaluation of the Sensitive Land Overlay in the establishment of the Building Area Limits for the site (Exhibit R).

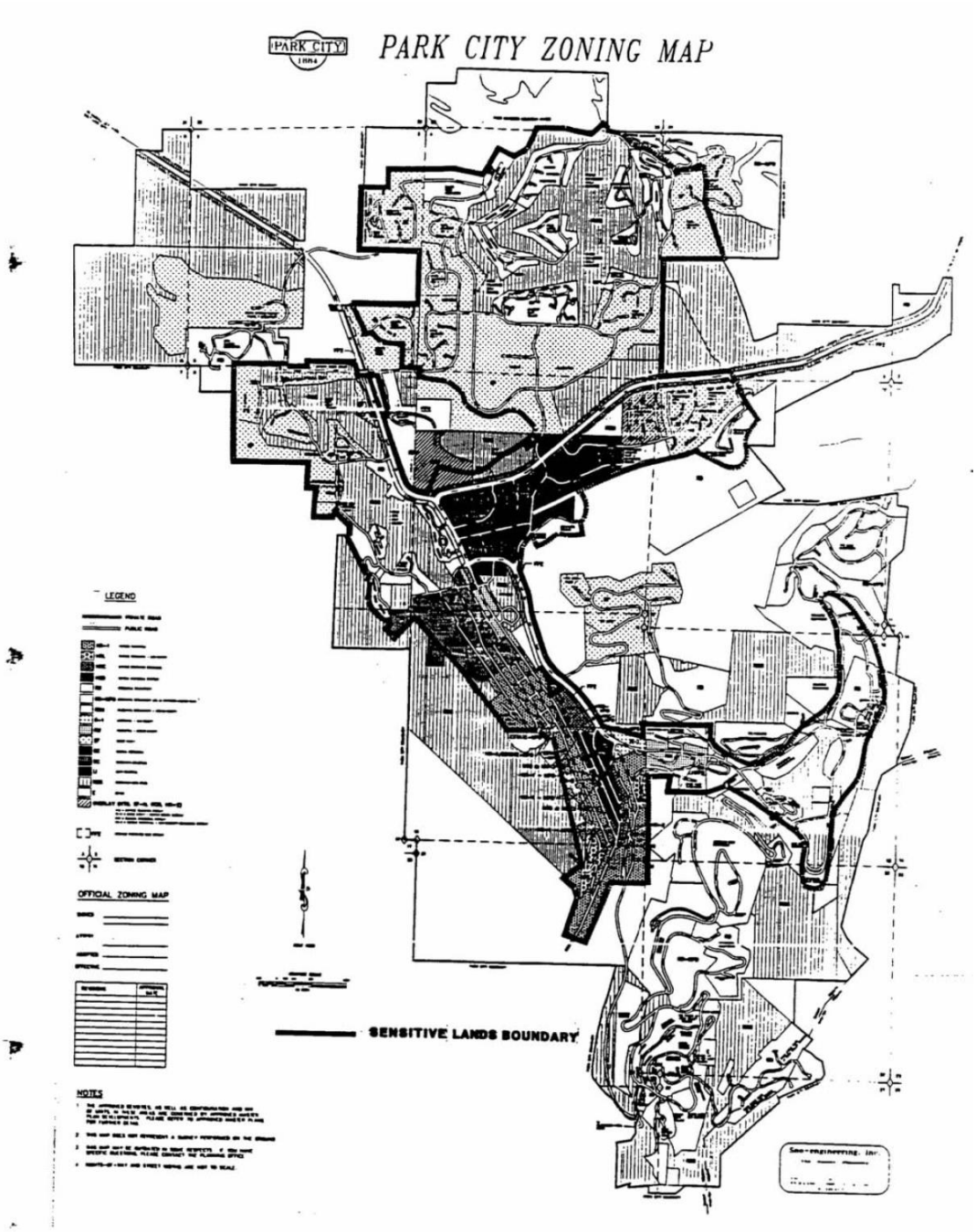
2009
The City Council Approved the Treasure Hill Phase III Subdivision, First Amended.

On May 28, 2009, the City Council adopted Ordinance No. 09-18 approving a plat amendment for 445 King Road to shift the platted Building Zone (Exhibit S). Again, the Sensitive Land Overlay was not referenced, nor a Sensitive Land Analysis completed, even though the property is fully within the Sensitive Land Overlay (Exhibit T, May 13, 2009 Planning Commission Staff Report; Exhibit U, May 28, 2009 City Council Staff Report).

(II) If the Sensitive Land Overlay Applies, can it bisect a Lot.

Staff Response: Slight changes to the location of Sensitive Land Overlay line do not appear to have intentionally bifurcated the Lot.

When the City Council adopted Ordinance No. 92-17, enacting the Sensitive Land Overlay in 1992, the Overlay was represented on the following map:

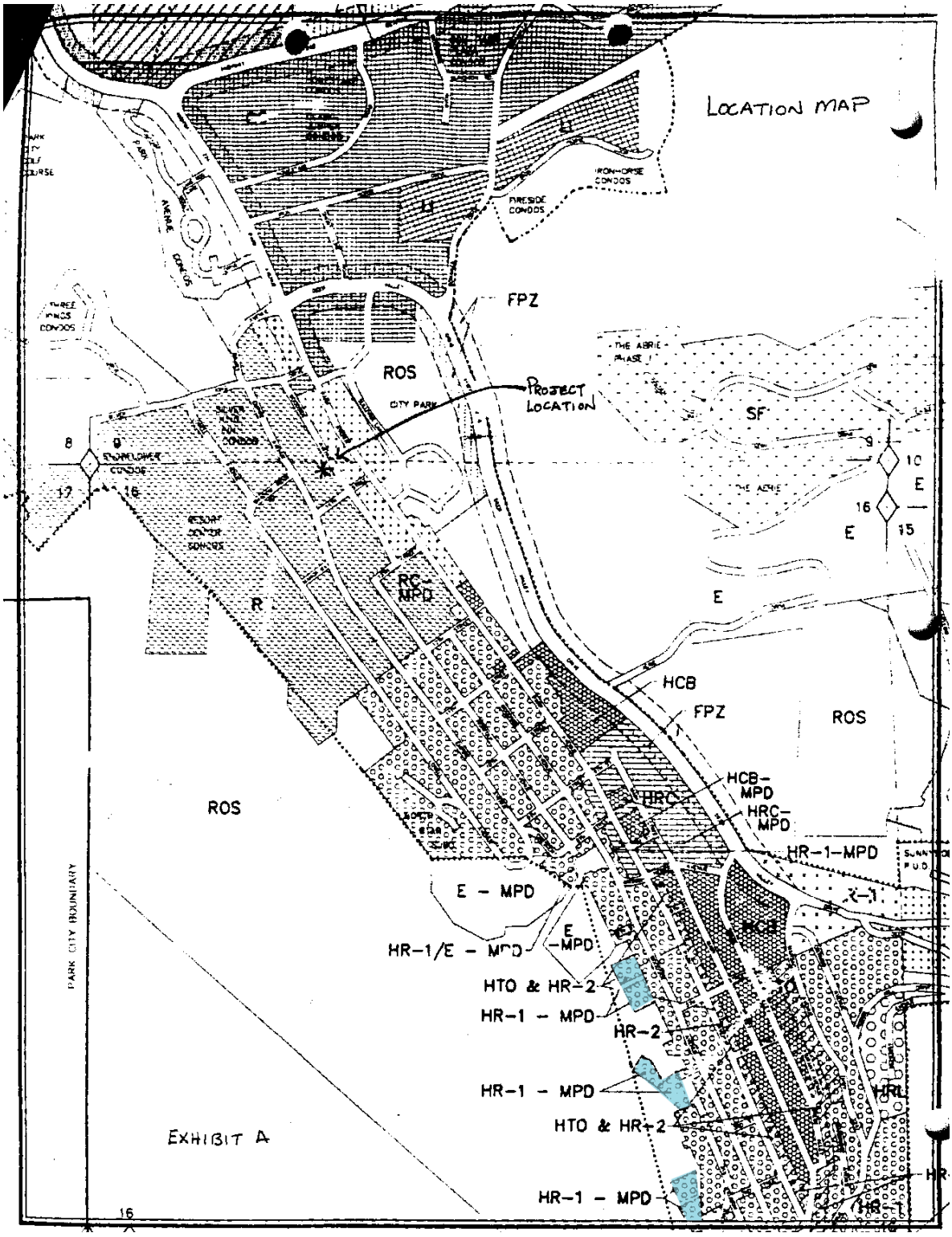


Land Management Code (LMC) Section 15-1-6(B) states:

> Where the Zoning District lines appear to have intentionally divided a Lot or Parcel between two (2) or more districts, the applicable zoning for each portion of the Lot or Parcel must be determined by using the scale shown on the map.

In reviewing the 220 King Road applications, staff interpreted the Sensitive Land Overlay to be an intentional divide of the property into two districts, determined by using the scale shown on the digital Zoning Map. However, in reviewing the history of the Treasure Hill platting processes for these Sweeney MPD properties, there may be another reason staff, the Planning Commission, and City Council did not review the Treasure Hill Subdivisions through the lens of the Sensitive Land Overlay when evaluating the HR1-MPD properties.

While it is difficult to clearly identify where the Sensitive Land Overlay boundary is in relation to the Sweeney MPD Treasure Hill properties, an attachment to a 1995 staff report may provide clarity on why the Sensitive Land Overlay and Sensitive Lands Analysis were not completed for the HR1-MPD properties within the Treasure Hill Subdivision or the subsequent Plat Amendments. The map below from the 1995 staff report (Exhibit V, page 12) highlights the Treasure Hill HR1-MPD properties in teal in relation to the Sensitive Land Overlay established by the dotted line to the left:


LOCATION MAP
FPZ
ROS
CITY PARK
PROJECT LOCATION
SF
E
RC-MPD
R
HCB
FPZ
ROS
HCB-MPD
HRC
HRC-MPD
HR-1-MPD
ROS
E - MPD
HR-1/E - MPD
E -MPD
HTO & HR-2
HR-1 - MPD
HR-2
HR-1 - MPD
HTO & HR-2
HR-1 - MPD
PARK CITY BOUNDARY
EXHIBIT A

Since the 1992 adoption of the Sensitive Land Overlay, there have been several amendments:

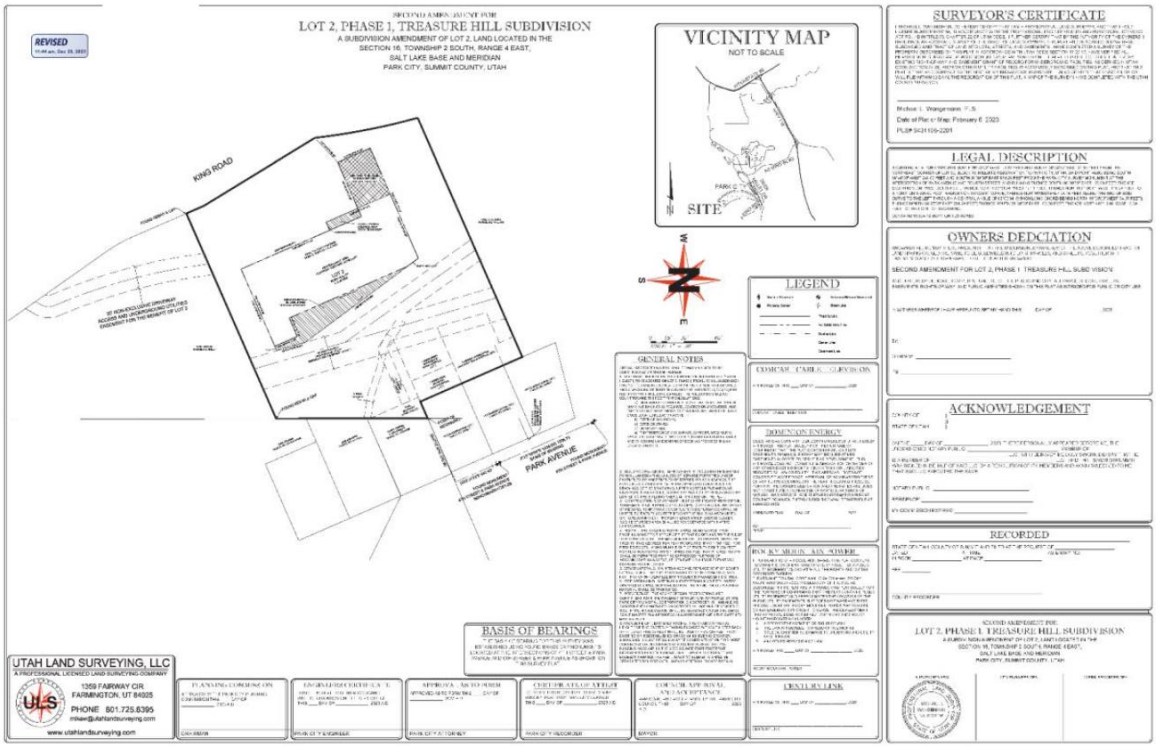
- On February 3, 2000, the City Council adopted Ordinance No. 00-4 to adjust the Sensitive Land Overlay boundary along Deer Valley Drive East (Exhibit W).
- On July 7, 2007, the City Council adopted Ordinance No. 05-40, establishing exceptions to prohibitions of development on Very Steep Slopes (Exhibit X).
- On December 6, 2007, the City Council adopted Ordinance No. 07-81 to reduce repetitive reviews by the Building and Planning Departments (Exhibit Y).
- On April 27, 2023, the City Council adopted Ordinance No. 2023-18 to update the Sensitive Land Overlay to establish designated ridge line areas and vantage points that include acreage annexed into Park City since 1992, to clarify steep slope regulations, and to establish a comprehensive Sensitive Land Analysis review process for the Trails Master Plan (Exhibit Z).

The only change to the boundary of the Sensitive Land Overlay since enactment in 1992 is the 2000 modification to the boundary along Deer Valley Drive East, and it may be an unintentional shift of the Sensitive Land Overlay from a paper Zoning Map to the digital Zoning Map platform.

(III) If the Sensitive Land Overlay applies, what is staff's Sensitive Land determination, recommendation, and mitigations.

Staff Response: If Planning Commission agrees the project is vested and/or the Sensitive Land Overlay did not intentionally bisect the Lot, no additional Sensitive Land Overlay review is necessary, and the Steep Slope Conditional Use Permit and Conditional Use Permit appropriately considered the applicable standards.

For construction of the new Single-Family Dwelling, the 220 King Road Applicant proposed reducing the Building Area Limits along the Very Steep Slopes on the eastern portion of the property—the area most visible from Old Town—and shifting the Building Area Limits to the west of the site behind the Single-Family Dwelling with a 490-square-foot total increase to include a subterranean Accessory Building. The exchange of Building Area Limits involved Very Steep Slopes – regardless of where the Sensitive Land Overlay line is or is not intentionally indicated. The Plat Amendment is shown below:



The Planning Commission properly considered Steep Slopes and mitigation as part of the prior review and approval pursuant to the Steep Slope Conditional Use Permit criteria outlined in LMC Section 15-2.2-6 and the Final Action Letter:

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.

The Planning Commission then required Conditions of Approval specific to Steep Slopes, outlined in the Final Action Letter:

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 as applied pursuant to the Amended Sweeney Properties MPD, 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:

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 § 15-2.2-3. 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.

Staff requests the Planning Commission please review the staff report, exhibits, Applicant's submittal, and Appellant's submittal and determine:

- Whether the Sensitive Land Overlay applies due to Sweeney Master Planned

Development vesting.
- If the Sensitive Land Overlay Applies, whether it can bisect a Lot.
- If the Sensitive Land Overlay applies, what is staff's Sensitive Land determination, recommendation, and mitigations.

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

Notice
Staff published notice on the City's website and the Utah Public Notice website on June 12, 2024. The *Park Record* published courtesy notice on June 12, 2024. Staff posted courtesy notice to the property and mailed courtesy notice to property owners within 300 feet on June 17, 2024.

Public Input
Please see Exhibit AA.

Exhibits
A: 1985 Sweeney Master Planned Development
B: 1987 Sweeney Master Planned Development Amendment
C: Treasure Hill Phase I Subdivision
D: Treasure Hill Phase II Subdivision
E: Treasure Hill Phase III Subdivision
F: Ordinance No. 90-24 Zoning 220 King Road HR1-MPD
G: Resolution No. 30-91 Authorizing Study of Sensitive Lands
H: Ordinance No. 92-17 Adopting the Sensitive Land Overlay
I: 1992 City Attorney Letter
J: Ordinance No. 95-50 Approving the Treasure Hill Subdivision
K: September 7, 1995 Staff Reports and Exhibits
L: September 7, 1995 City Council Minutes
M: Ordinance No. 97-19 Amending Lot 2 of the Treasure Hill Subdivision
N: April 10, 1997 Staff Reports and Exhibits
O: Ordinance No. 00-40 Approving the Treasure Hill Phase II Subdivision
P: June 15, 2000 City Council Staff Report and Exhibits
Q: Ordinance No. 03-37 Approving the 445 King Road Subdivision
R: July 31, 2003 City Council Staff Report and Exhibits
S: Ordinance No. 09-18 Approving a Plat Amendment for 445 King Road
T: May 13, 2009 Planning Commission Staff Report
U: May 28, 2009 City Council Staff Report
V: 1995 Staff Report with Zoning Map Attachment
W: Ordinance No. 00-4 Adjusting the Sensitive Land Overlay Boundary
X: Ordinance No. 05-40 Establishing Very Steep Slope Exceptions
Y: Ordinance No. 07-81 Removing Repetitive Sensitive Land Reviews
Z: Ordinance No. 2023-18 Updating the Sensitive Land Overlay
AA: Public Input

AB: Applicant’s Response
AC: Appellant’s Response

PARK CITY PLANNING DEPARTMENT
REVISED Staff Report

TO: Planning Commission
FROM: Planning Staff
DATE: December 18, 1985
RE: SWEENEY PROPERTIES MASTER PLAN

I. PROJECT STATISTICS:

Applicant:	MPE, Inc. Sweeney Land Company, owner
Proposal:	Large Scale Master Planned Development
Location:	Various parcels throughout Historic District
Parcel Size:	125.6 acres
Existing Zoning:	Historic Residential (HR-1); Estate (E); and, Historic Recreation Commercial (HRC) currently, although Historic Commercial Business (HCB) at the time of formal application
Comprehensive Plan:	Historic Residential and Estate
Surrounding Uses:	Ski area, residential, vacant
Application Date:	May 21, 1985

II. STAFF'S RECOMMENDATION and FINDINGS

The Planning Department Staff recommends that the Planning Commission APPROVE, and forward a positive recommendation to the City Council on the proposed height variation required and rezoning of the hillside (approximately 110 acres) to Recreation Open Space, the proposed Sweeney Properties Large Scale Master Planned Development. The project has been considered in accordance with the review procedures and criteria outlined in Sections 1 and 10 of the Park City Land Management Code, effective January 1, 1984, as amended. The following plans and exhibits, in addition to this report and the project file, constitute the complete development permit.

1. Sweeney Properties Master Plan, sheets 1-16, 19-26, and 38-43 prepared by DelaMare, Woodruff, Stepan Associates, Inc.

2. Sweeney Properties Master Plan document and Fact Sheet, dated May 15, 1985, and subsequent amendments.

3. Sweeney Properties Master Plan Application.

4. Sweeney Properties Master Plan Phasing Exhibit.

5. Sweeney Properties Master Plan Density Exhibit.

6. Sweeney Properties Master Plan Development Restrictions and Requirements Exhibit.

In support of our recommendation to the Planning Commission to approve the proposed Large Scale Master Planned Development, the staff has made the

following Findings based upon the information submitted in conjunction with this application.

1. The proposed clustered development concept and associated projects are consistent with both the Park City Comprehensive Master Plan and the underlying zoning.

2. The uses proposed and general design of the project is or will be compatible with the character of development in the surrounding area.

3. The open space preserved and conceptual site planning attributes resulting from the cluster approach to the development of the hillside is sufficient justification for the requested height variation necessary, and that the review criteria outlined in Section 10.9 (e) have been duly considered.

4. The commercial uses proposed will be oriented and provide convenient service to those residing within the project.

5. The required parking can readily be provided on-site and in enclosed structures.

6. The proposed phasing plan and conditions outlined will result in the logical and economic development of the project including the extension of requisite utility services.

7. The proposed setbacks will provide adequate separation and buffering.

8. The anticipated nightly/rental and/or transient use is appropriate and compatible with the surrounding area.

9. The provision of easements and rights-of-way for existing utility lines and streets is a benefit that would only be obtained without cost to the residents of Park City through such a master planning effort.

10. The site planning standards as set forth in Section 10.9(g) of the Land Management Code have either been satisfied at this stage of review or practical solutions can be reasonably achieved at the time of conditional use review/approval.

III. DEVELOPMENT PARAMETERS and CONDITIONS

The staff's recommendation that the Sweeney Properties Large Scale Master Planned Development be approved by the Planning Commission, and subsequently by the City Council, is predicated upon the following terms and conditions. Upon approval, MPE Inc./Sweeney Land Company, its successors or assignees, shall become bound by and obligated for the performance of the following:

1. The Sweeney Properties Master Plan is approved based upon the information and analysis prepared and made a part hereof. While most of the requirements imposed will not be imposed until individual parcels are created or submitted for conditional use approval, certain specific obligations are also identified on the approved phasing plan. At the time of 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.

2. Upon final approval of the proposed Master Plan, a recordable document (in accordance with the Land Management Code) shall be prepared and submitted. The Official Zone Map will be amended to clearly identify those properties included within the Master Plan, and the hillside property not included within either the Town Life Mid-Station or Creole Gulch sites (approximately 110 acres) shall be rezoned to Recreation Open Space. At the time of conditional use review, final building configurations and heights will be reviewed in accordance with the approved Master Plan, applicable zoning codes and related ordinances. A minimum of 70% open space shall be provided within each of the development parcels created except for the Coalition properties.

3. The approved densities are those attached as an Exhibit, and shall be limited to the maximums identified thereon. Parking shall be provided on-site in enclosed structures and reviewed in accordance with either the table on the approved Restrictions and Requirements Exhibit or the adopted ordinances at the time of project approval. All support commercial uses shall be oriented and provide convenient service to those residing within the project and not designed to serve off-site or attract customers from other areas.

4. Access to the Town Lift and Creole sites shall be provided by a private roadway with acceptable emergency access and utility easements provided. No city maintenance of these streets is expected. All utility lines shall be provided underground with private maintenance required wherever located in inaccessible locations or outside approved easements.

5. Building heights shall be limited to the maximum envelope described on the Restrictions and Requirements Exhibit. At the time of conditional use approval, projects shall be reviewed for conformance with the heights prescribed thereon, and the following:

   (a) The various parcels located within the Historic Residential (HR-1) zone district shall abide by the Land Management Code and no height exceptions will be considered. Maximum building height on the single

family lots shall be limited to 25' in order to reduce potential visibility.

(b) The Coalition East sites are limited to a maximum building height of 55', subject to compliance with the stepped facade (as shown on the applicable plans) concept submitted and the setbacks provided.

(c) The Coalition West properties are limited to a 35' maximum building height adjacent to Park Avenue and a 28' height along Woodside Avenue; subject to the footprints defined, common underground parking and access, and no commercial uses allowed.

* Reflects City Council 10.16.86 modifications. *

(d) The Town Lift Mid-Station development is restricted to a maximum height of 35' for at least 90% of the total unit equivalent volume of all above-grade buildings (exclusive of elevator shafts, mechanical equipment, and non-habitable areas) and an overall average height of less than 25' measured from natural, undisturbed grade. Additionally, no portion of any building shall exceed the elevation of 7240' above mean sea level.

(e) The Creole Gulch site shall be limited to a maximum building height of 75' for at least 83% of the total unit equivalent volume of all above-grade buildings combined. An average overall height of less than 45' shall be provided and no portion of any building shall exceed either elevation 7250' for the eastern-most building or the elevation of 7275' for the balance of the project (above mean sea level). *

The above building height restrictions are in accordance with the approved Restrictions and Requirements Exhibits submitted, and are in addition to all other codes, ordinances, and standards.

6. At the time of project review and approval, all buildings shall be reviewed for conformance with the Historic District Design Guidelines and related architectural requirements. No mechanical equipment or similar protuberances (i.e: antennae, flags, etc.) shall be permitted to be visible on any building roof-tops or shall any bright or flashing lights be allowed.

7. All easements, deeds, and/or rights-of-way shall be provided without cost to the city and in accordance with the master plan documents and phasing plan approved. Likewise, it shall be the developer's sole responsibility to secure all easements necessary for the provision of utility services to the project.

8. Master Planned Development approval only conceptually established the ability of local utility service providers to supply service to the projects. It does not constitute any formal approval per se. The applicant has been notified that substantial off-site improvements will be necessary and that the burden is on the future developer(s) to secure various easements and upsize whatever utility lines may be necessary in order to serve this project. Prior to resale of this property in which this MPD approval is carried forward, or prior to any conditional use application for any portion of the MPD, a utility plan addressing water, fire flows, and sanitary sewer, storm drainage, cable utilities, and natural gas shall be prepared for review and approval by City Staff and the

Snyderville Basin Sewer Improvement District. Part of the plan shall be cost estimates for each item of utility construction as it is anticipated that major costs for these utilities will be necessary. All such costs shall be paid by the developer unless otherwise provided. If further subdivision of the MPD property occurs, the necessary utility and access improvements (see below) will need to be guaranteed in accordance with city subdivision ordinances. Public utilities, roads, and access questions which will need to be resolved or upgraded by the developers at their cost (in addition to impact fees, water development and connection fees, and all other fees required by city ordinances) are as follows:

(a) Empire Avenue and Lowell Avenue will be the main access routes to the Creole Gulch site. As such, during construction these roads will need to carry heavy traffic, probably in the vicinity of up to 300 heavy trucks per day. At the present time and until the Creole Gulch site develops, Empire and Lowell south of Manor Way are and will be low-volume residential streets, with a pavement quality, width, and thickness that won't support that type of truck traffic. The City will continue to maintain the streets as low-volume residentials streets, including pavement overlays and/or reconstruction. None of that work will be designed for the heavy truck traffic, but in order to save money for the developer of the Creole Gulch site, he or she is encouraged to keep the City Public Works Director notified as to the timetable of construction at Creole Gulch. If the City is notified that the construction is pending such that an improved pavement section can be incorporated into normal City maintenance projects, then it is anticipated that the incremental additional cost of the additional pavement thickness (which is likely to be in the vicinity of 3 additional inches of asphalt over the entire 4,6000 linear feet [25-foot asphalt width] of Lowell/Empire south of Manor Way, or approximately $80,000 additional cost in 1986 dollars) could be paid by the developer with said amount deducted from future impact fees paid to the City as long as it did not exceed the total future impact fees. However, if the increased pavement section is not coordinated with the City by the developer such that the pavement of Lowell and Empire south of Manor Way remains inadequate at the time the Creole Gulch site is developed, then the developer shall essentially reconstruct the entire 4,600-foot length of Lowell and Empire south of Manor Way at his or her cost, which with excavation and reconstruction of an anticipated 6-inch asphalt thickness on top of 10 inches of roadbase, plus all other normal construction items and costs, would be in the approximate cost range of $300,000 to $400,000 in 1986 dollars. Further, because that reconstruction would be inconvenient to residents and the City, and because delays, impacts, and potential safety hazards would be created over and above normal City maintenance of existing streets, that action by the developer would be a new impact on City residents and the cost therefore would not be deductible from any developer impact fees.

(b) Contribute to the Park City Village, or other water tanks, determined to be necessary by the City Engineer in order to serve the project with culinary and fire storage. Based on a Type 1 fire resistive construction, it is assumed that the contribution would be on the order of 500,000 gallons at a cost of approximately $300,000.00,

although the exact figures would need to be determined in a detailed study using adopted City standards.

(c) Construct pumped pressure system(s) with backup emergency power to provide a means of delivery of fire flows to the project. Construct a meter vault at the edge of the road adjacent to the project, beyond which all water facilities would be privately maintained. It is anticipated that in the vicinity of 2,500 feet of 12-inch water line with appurtenances may be required. Such pipe would cost about $70,000 in 1986 dollars exclusive of the pumps and backup power, which are even more expensive.

(d) Provide an easement, or pay all costs related to condemnation by Park City of an easement, suitable for construction and maintenance of a storm drain from the project site to Silver Creek or McLeod Creek. All City streets and any public utility drainage easements normally provided in the course of other private development shall be available for utility construction related to this MPD subject to reasonable construction techniques and City standards.

(e) Pay for downstream detention basin construction costs in accordance with the ratio of increased runoff from the project during the 50-year flood event to the total design volume of the basin.

(f) Construct a storm drain line to Silver Creek or McLeod Creek adequate to contain the runoff running through and off the site during the 50-year flood event. It is assumed that a minimum of 36-inch concrete storm drain line will need to be installed solely for Creole Gulch drainage. It is further assumed that special cleanout boxes and inlet boxes will need to be designed to address difficult hydraulic problems. Such boxes are expensive.

(g) Provide revegetation over all on-site and off-site areas disturbed for project-related utilities.

(h) Sanitary sewer improvements are assumed to involve replacing in the vicinity of 3,000 feet of sewer line, with new manholes included. Such construction will cost in the vicinity of $100,000, is subject to the approval of SBSID, and is further subject to all District fees and agreements necessary for extension of lines.

9. To minimize additional construction traffic impacts, on-site material stockpiling/staging and parking shall be provided during the course of construction. Similarly, cut and fill shall be balanced and distributed on-site whenever practicable, with any waste material to be hauled over City specified routes. Also at the time of conditional use review/approval, individual projects or phases shall provide detailed landscaping, vegetation protection, and construction staging plans.

10 As projects are submitted for conditional use approval, the city shall review them for required employee housing in accordance with adopted ordinances in effect at the time of application.

IV. BACKGROUND

An application for Large Scale Master Planned Development was submitted on May 21, 1985, in accordance with Sections 1 and 10 of the Park City Land Management Code. The applicant requested that only general development concept and density be approved at this juncture. Final unit configuration and mix may be adjusted by future developers at the time of conditional use review. A legal description of the total property involved in the area being master planned shall be recorded with Summit County. The general nature of the development and pertinent details of the transferring of densities from one area to another shall be adequately described and of sufficient depth to apprise potential land purchasers or developers that the property has been included within a Master Plan.

A variety of development concepts were submitted during the course of reviewing the proposed Master Plan. A total of eight distinct approaches to the development of the Hillside Properties were evaluated. The alternative concepts ranged from a "conventional" subdivision approach involving the extension of Norfolk Avenue, to a modern high-rise concept. The staff, Planning Commission and general public have all favored the clustering of development as opposed to spreading it out. Several of the alternatives prepared were in response to specific concerns expressed relative to the scale and mass of buildings necessary to accommodate the density proposed. The latest concept developed represents a refined version of the cluster approach originally submitted.

V. NARRATIVE

The Sweeney Properties Master Plan involves a number of individual development parcels. Combined, a total of 277 unit equivalents are proposed; including, 258 residential and 19 unit equivalents worth of support commercial space. Based upon the zoning in effect at this time, in excess of 450 units could be requested. While this may be somewhat misleading due to certain physical and technical constraints (i.e: access, slope, utilities), it does reveal that a significant reduction in total density proposed has been incorporated into the project. Each area proposed for development has been evaluated on its own merits. During the course of review, numerous concepts were considered with densities shifted around.

The various parcels of land included within the Sweeney Properties Master Plan are scattered about the Historic District and are detailed on the attached Exhibit. For additional clarity a brief narrative description of each development area follows:

Coalition Properties

The three sites comprising the Coalition Properties are located adjacent to the new Town Lift base station on Park Avenue at 8th Street, and contain a total of 1.73 acres (1.46 acres HRC, .27 acres HR-1).

The Coalition East North and South parcels are separated by an easement granted for the ski liftway. Although this property was included within the recent rezoning of the Depot Area from Historic Commercial Business (HCB) to Historic Recreation Commercial (HRC), the application was submitted prior to this action and the former zoning is thereby "grandfathered" (if, in fact, the

application is approved). The development concept proposed entails a predominantly residential project with some ground level commercial uses anticipated. In an effort to reduce densities elsewhere within the Master Plan, the originally proposed density has been increased from 37 to 40 unit equivalents. Preliminary building footprints and massing drawings show structures with a stepped facade reaching a maximum height of fifty-five feet. Parking will be provided within an enclosed structure beneath the buildings and in accordance with the Table on the Restrictions and Requirements Exhibit or the Land Management Code (to be determined at the time of conditional use approval).

The Coalition West property is located south of and adjacent to 8th Street in the Historic Recreation Commercial (HRC) zone recently created. The concept for this particular site is in keeping with the previous zoning (Historic Residential, HR-1) and provides a buffer for properties located to its west. Also in response to preferred reductions in density elsewhere in the Master Plan, the originally proposed ten unit equivalents have been increased to thirteen total. In order to accommodate this additional density, a floor was added to several of the buildings. Building heights adjacent to Park Avenue have been shown at 35', while those abutting Woodside Avenue will be restricted to a 28' height. Individual structures have been conceptually designed in keeping with the scale of the Historic District will all code required parking to be provided below the buildings and accessed from a single common driveway.

HR-1 Properties

These project parcels consist of the MPE and Carr-Sheen properties and total less than ½ acre (.45) in size. Zoned HR-1 at present, the Master Plan proposes to limit densities on these sites to 2 and 3 unit equivalents accordingly, or a reduction of 44% (i.e: 4 units total). In addition, easements shall be provided for a stairway connecting the Empire-Lowell switchback to the Crescent walkway. The Fletcher parcel included within the Master Plan will be preserved as open space in addition to several quit claim deeds provided to the city for existing streets located outside platted rights-of-way.

Hillside Properties

By far the largest area included within the proposed Master Plan, the Hillside Properties involve over 123 acres currently zoned HR-1 (approximately 15 acres) and Estate (108 acres). The development concept proposed would cluster the bulk of the density derived into two locations; the Town Lift Mid-Station site and the Creole Gulch area. A total of 197 residential and an additional 19 commercial unit equivalents are proposed between the two developments with over 90% of the hillside (locally referred to as Treasure Mountain) preserved as open space. As part of the Master Plan, the land not included within the development area boundary will be rezoned to Recreation Open Space (ROS).

The Town Lift Mid-Station site contains roughly 3.75 acres and is located west of Woodside Avenue at approximately 6th Street. The majority of the developable area is situated southeast of the mid-station loading area. A total of 35.5 residential unit equivalents are proposed with 3.5 equivalents worth of support commercial space as well. The concept plan shows a number of low profile buildings located on the downhill side of the access road containing 9 unit equivalents. Two larger buildings are shown above the road with 9.5 and 17

units envisioned. The average building height for the Town Lift site is less than 25' with over 85% of the building volume fitting within a 35' height envelope. Parking will be provided within enclosed structures, accessed via a private road originating from the Empire-Lowell switchback. The closest neighboring residence is currently located in excess of 200 feet away.

The Creole Gulch site is comprised of 7.75 acres and situated basically south of the Empire-Lowell switchback at approximately 8th Street. The majority of the property is currently zoned Estate (E). A total of 161.5 residential unit equivalents are proposed. In addition, 15.5 unit equivalents of support commercial space is included as part of the Master Plan. Average building heights are proposed to be less than 45' with a maximum of 95' for the highest point. As conceptually proposed, in excess of 80% of the building volume is within a 75' height envelope measured from existing grade. It is expected that the Creole Gulch site will be subdivided into specific development parcels at some future date. Parking is accessed directly from the Empire-Lowell switchback and will be provided within multi-level enclosed structures. Depending upon the character of development and unit configuration/mix proposed at conditional use approval, the actual numbers of parking spaces necessary could vary substantially. Buildings have been set back from the adjacent road approximately 100' and a comparable distance to the nearest adjoining residence.

Miscellaneous Properties

In addition to the development areas described above, the proposed Master Plan identifies three distinct single-family lots; one of which is located above Woodside Avenue adjacent to and north of platted 5th Street, a second to be accessed from Upper Norfolk, and a third lot to be situated up on top of Treasure Mountain (possible future access predicated on United Park City Mines Company's plans for development off of King Road). Development would be restricted to single-family homes with no greater than 3500 square foot footprints and maximum building heights of 25 feet.

VI. MAJOR ISSUES

Many concerns were raised and issues identified through the review process. A project of this scale and complexity would pose similar and considerable consternation no matter where it was proposed to be built. Because this particular site is located both within and adjacent to the Historic District, many of the concerns expressed related to the more subjective kinds of considerations. The Master Planned Development procedure attempts to deal with the general concept of the proposed development and defer or relegate the very detailed project review elements to the conditional use stage of review. At conditional use review, the following issues will be examined in considerable detail with technical solutions sought.

Comprehensive Plan - The city's Comprehensive Master Plan identifies the Hillside property as a key scenic area and recommends that development be limited to the lower portions of the mountain. The existing HR-1 ground included in the Sweeney Master Plan is shown as being retained for residential use similar to the existing pattern of development. The Coalition West site is also recommended for Historic Residential use with the East parcels included within a Historic Commercial area. The proposed Sweeney

Properties MPD is in conformance with the land use designations outlined in the Park City Comprehensive Master Plan.

Scale - The overall scale and massiveness of the project has been of primary concern. Located within the Historic District, it is important for project designed to be compatible with the scale already established. The cluster concept for development of the hillside area, while minimizing the impacts in other areas, does result in additional scale considerations. The focus or thrust of the review process has been to examine different ways of accommodating the development of the property while being mindful of and sensitive to the surrounding neighborhood. The relocation of density from the Town Lift site was partly in response to this issue. The concentration of density into the Creole Gulch area, which because of its topography and the substantial mountain backdrop which helps alleviate some of the concern, and the requested height variation necessary in order to reduce the mass perceived (higher versus lower and wider), have greatly improved the overall scale of the cluster approach. The sites along Park Avenue have been conceptually planned to minimize scale and have provided stepped facades and smaller-scale buildings to serve as a transition.

Zoning - Currently, the land involved in the proposed MPD is comprised of three (actually four) distinct zoning designations. The Coalition East parcel is currently zoned Historic Recreation Commercial (HRC) although it was zoned (and is therefore, technically "grandfathered" or vested) Historic Commercial Business at the time the application was submitted. The West site is also now zoned HRC. The Hillside Properties (i.e: Town Lift Mid-Station and Creole Gulch sites) are zoned Historic Residential (HR-1) and Estate (E). The Carr-Sheen, MPE, and two of the three single-family lots are all zoned HR-1 as well. The single-family lot adjacent to property owned by United Park City Mines is zoned Estate.

The current zoning will basically remain unaltered as a result of the proposed Master Plan except that over 110 acres of the mountain will be rezoned to Recreation Open Space (ROS), and the hillside properties will be designated as being subject to a Master Planned Development document/approval (i.e: E/HR1-MPD).

Neighborhood Compatibility - In reviewing the general compatibility of a project of this scale, an evaluation of possible alternative approaches was undertaken. In light of those other development concepts and associated impacts, the proposed clustering approach was deemed the most compatible. Rather than spread the density out and thereby impact the entire old town area, the cluster concept afforded the ability to limit the impacts to smaller areas. Efforts to minimize scale have been directed toward this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space. The non-hillside project sites have also been planned in accordance with both the Historic District guidelines and in keeping with the scale of existing residences. The long build-out period envisioned will also enable a more detailed review at the time when specific project proposals are developed. A number of the staff's recommended conditions are directed toward minimizing the potential conflicts related to neighborhood compatibility considerations.

Open Space - A key element of the proposed cluster approach is to preserve usable open space in perpetuity. A total of 97% (120 acres) of the hillside will be maintained as open space as a part of the proposed Master Plan. In excess of 110 acres will actually be rezoned to Recreation Open Space (ROS) in addition to 70% open space provided within each of the development parcels. Alternative concepts reviewed involving the extension of Norfolk Avenue would significantly have reduced the amount of open space retained. The potential for the subdivision and scattered development of the hillside would also have drastically affected the goal of preserving the mountain substantially intact and pristine.

Access - All of the different concepts reviewed would result in similar access concerns. The Coalition properties along Park Avenue have excellent access as a result and efforts were, therefore, limited to combining driveways to minimize the number of curb cuts (i.e: ingress/egress points). The development of the Hillside Properties will undoubtedly impact not only Empire and Lowell Avenues but other local streets as well. While certain assumptions could be made as to the type or character of development proposed and possible corresponding differences in traffic patterns, many of the questions raised would remain unanswered. While it is true that the Norfolk Avenue extended alternative would best deal with the current problem of poor access to that area, it would not have solved all of the access issues. The proposed Master Plan will provide sufficient ground, to be dedicated to the city, for purposes of developing a reasonable turnaround for Upper Norfolk.

Visibility - The issue of visibility is one which varies with the different concepts proposed and vantage or view points selected. The very detailed visual analyses prepared graphically demonstrated how the various proposals might look from key points around town. The cluster approach, although highly visible from certain areas, does not impose massive structures in the most prominent areas. Instead, the tallest buildings have been tucked into Creole Gulch where topography combines with the densely vegetated mountainside to effectively reduce the buildings' visibility. The height and reduction in density at the Mid-Station site has been partly in response to this concern. The staff has included a condition that an exhibit be attached to the Master Plan approval that further defines building envelope limitations and architectural considerations.

Building Height - In order to minimize site disturbance and coverage, the clustering of density necessitated consideration of building heights in excess of that which is permitted in the underlying zoning (28' to the mid-point of a pitched roof with a maximum ridge height of 33'). The various iterations submitted for review demonstrated the trade-offs between height and site coverage. The proposed concept for the Mid-Station area results in buildings that would average only 18' above grade with portions (primarily the elevator access shafts likely to be required) approaching 75' in the worst-case situation. The concept reviewed for the Creole Gulch area entails portions of buildings as high as 100', but with an overall average of less than 40'. The Coalition East property, as a result of transferring additional density to it, is proposed to go as high as 55'; whereas, the Coalition West site approaches 35' along the Park Avenue frontage and 28' adjacent Woodside Avenue. As a part of the Master Planned Development process, height variations can be approved in light of other

planning considerations (see Section 10.9(e) of the Land Management Code). Throughout the review, considerable effort has been directed at minimizing overall building height and related impacts while still accommodating the proposed density in a cluster type of development.

These recommendations were approved by City Council *

The staff has developed a number of recommended conditions in response to the concerns expressed over building heights. An exhibit defining building "envelopes" has been developed to define areas where increased building heights can be accommodated with the least amount of impact. It is our recommendation that maximum building heights be restricted to 35' and 75' at the Town Lift Mid-Station and Creole Gulch sites, respectively, for the bulk of (at lease 83%) the building volumes. Similarly, we recommend that the building envelope proposed for the Coalition properties be limited in accordance with the exhibits prepared and made a part of the approval documents.

Overall Concept - The concept of clustering densities on the lower portion of the hillside with some transferring to the Coalition properties has evolved from both previous proposals submitted and this most recent review process. The Park City Comprehensive Master Plan update that was recently enacted encourages the clustering of permitted density to those areas of the property better able to accommodate development. In order to preserve scenic areas in town and mitigate potentially adverse impacts on the environment, the Master Planned Development concept was devised. The Sweeney Properties MPD was submitted after a number of different development concepts had been reviewed; including, several versions of the Silver Mountain proposal and various designs that were predicated on the extension of Norfolk Avenue through to the Empire-Lowell Avenues area. After considerable staff discussion and input, the cluster concept was developed. Because of the underlying zoning and resultant density currently in place, the cluster approach to developing on the hillside has been favored throughout the formal review and Hearing process.

Land Uses - The predominant land uses envisioned at this time are transient-oriented residential development(s) with some limited support commercial. The building forms and massing as well as location lend themselves to hotel-type development. Although future developers of projects within the Master Plan have the flexibility to build a variety of unit types in different combinations or configurations, the likelihood is that these projects will likely be geared toward the visitor looking for more of a destination-type of accommodation. The property involved in the Master Plan is directly connected to the Park City Ski Area and as such can provide ski-to and ski-from access. A number of smaller projects in the area are similarly oriented to the transient lodger. Although certainly a different kind of residential use than that which historically has developed in the old town area, it is still primarily residential in nature. The inclusion of attached townhomes serving to buffer between the existing residences and the denser areas of development will also help provide a transition of sorts. The amount of commercial space included within the Master Plan will be of the size and type to provide convenient service to those residing within the project, rather than possibly be in competition with the city's existing commercial areas.

Traffic - Any form of development proposed in this area of town would certainly impact existing streets. Although the majority of traffic generated will use Empire and Lowell Avenues, other roads will also be affected. The concept of extending Norfolk Avenue would have improved access to the south end of old town, but would also have added additional traffic to Empire and Lowell as a result. It is expected that both Empire and Lowell will be improved in several years in order to facilitate traffic movement in general. Even without this project, some upgrading has been planned as identified through the development of the Streets Master Plan.

In evaluating traffic impacts, both construction and future automobile demand are considered. Many related issues also come into play, such as efforts to minimize site grading and waste export. The Master Plan review process affords the opportunity to address these issues in considerable detail whereas other reviews would not. Several of the conditions proposed deal with the issue of traffic and efforts directed at mitigating the impacts created. Traffic within the project will be handled on private roadways with minimal impact.

Utilities - The various utility providers have all reviewed the proposed development concept and do not oppose granting Master Plan approval. Substantial improvements to existing infrastructure will be necessary, however, and the developer has been apprised of his responsibility. Considerable off-site work will be required, the details of which will be resolved at the time of conditional use approval. Depending upon the timing of actual development or the possible subdivision of the property, participation in upgrading existing utility lines and roadway improvements may be required ahead of schedule. A number of parameters/conditions recommended further detail these issues and serve to verify the nature of MPD concept approval.

Fiscal - The proposed dense clustering of development is by far the most economic to service. In contrast to other concepts proposed involving the extension of Norfolk Avenue and possible scattered development of the hillside, the cluster approach represents a positive impact on the city's and other public entities budgets. The nature of development anticipated and lack of additional roadway and utility line extensions requiring maintenance will not create significant additional demands for service.

Tenancy - The likely occupancy and tenancy of the projects comprising the Master Plan will be transient in nature. Rather than housing significant numbers of year-round permanent residents, it is expected that the orientation will instead be toward the short-term visitor.

Circulation - Circulation within the primary development sites will be on foot. Private roadways/drives access the project parking areas with vehicular circulation provided between projects and for service/delivery, construction, and emergency purposes. Pedestrian circulation within the projects will be provided via walkways and plazas with off-site improvements made to facilitate area-wide access. Several nearby stairways will be (re)constructed in accordance with the approved phasing and project plans.

Easements/Rights-of-Way - The Sweeneys have included the dedication and and/or deeding of several easements and sections of rights-of-way to improve the city's title. As a part of the Master Plan, several roadway sections and utility/access corridors will be deeded over. In addition, a right-of-way will be supplied for the construction of a hammerhead-type turnaround for Upper Norfolk Avenue.

Norfolk Avenue - Although several staff members supported the idea of extending Norfolk Avenue through to Empire-Lowell, the consensus was in support of the clustering approach to development. Technical as well as fiscal concerns were discussed relative to the access benefits that would result. Similarly, although the resultant scale of HR-1 development that would have been likely is closer to that prevalent in the Historic District today, the spreading-out of the impacts of road and development construction would have been exacerbated. In lieu of extending Norfolk Avenue, the Sweeney's have consented to deed to the city sufficient land for a turnaround and to participate in the formation of a special improvement district for roadway improvements (in addition to providing an easement for the existing water line).

Grading - The proposed cluster concept will result in less grading than the alternatives considered. The MPD review enabled the staff, Planning Commission, and developer the opportunity to consider this kind of concern early in the project design process. The concept plans developed have examined the level of site work required and how potential impacts can be mitigated. Various conditions supported by staff have been suggested in order to verify the efforts to be taken to minimize the amount of grading necessary and correlated issues identified.

Disturbance - The eight distinct development scenarios presented each had a varying degree of associated site disturbance. The current concept results in considerably less site clearing and grading than any of the others presented (except the total high-rise approach). A balance between site disturbance and scale/visibility has been attained through the course of reviewing alternate concepts. General development parameters have been proposed for Master Plan approval with the detailed definition of "limits of disturbance" deferred until conditional use review.

Density - The proposed densities are well within the maximum allowed and actually about one-half of that which the underlying zones would permit. While it would not be practical or feasible to develop to the full extent of the "paper density", the proposed Master Plan does represent a considerable reduction from that which could be proposed. During the course of review, numerous comparables were presented which demonstrated that the overall density proposed (1.77 unit equivalents per acre of the Hillside Properties and 2.20 for the entire MPD) is the lowest of any large scale project recently approved. The net densities proposed for the hillside properties, while seemingly quite high, are in actuality lower than the density of the surrounding area. Thus, even though a transferring and congregation of development density is occurring, the overall gross and net densities are well within ranges approved for other projects.

Phasing - The build-out of the entire Master Plan is expected to take somewhere between 15-20 years. The Coalition properties will likely be

developed within 5-10 years with development of the Hillside area not expected for at least 10 years. Because of the scope of the project and the various related improvements necessary to accommodate a project of this nature, a detailed time line has been developed as an attachment to the MPD approval documents. While some flexibility is built-into the approved Master Plan, any period of inactivity in excess of two years would be cause for Planning Commission to consider terminating the approval.

Setbacks - All of the development sites provide sufficient setbacks. The Coalition properties conceptually show a stepped building facade with a minimum 10' setback for the West site (in keeping with the HRC zoning) and a 20' average setback for the East sites. The Hillside properties provide substantial 100'+ setbacks from the road, with buildings sited considerably farther from the closest residence.

Fire Safety - The clustering of development proposed affords better overall fire protection capabilities than would a more scattered form. Buildings will be equipped with sprinkler systems and typical "high-rise" fire protection requirements will be implemented. The proposed development concept locates buildings in areas to avoid cutting and removing significant evergreens existing on the site. Specific parameters have been recommended by the staff with actual details proposed to be deferred until conditional use review.

Snow Removal/Storage - The cluster approach to development results in less roadway or associated hard-surfaced area and thereby reduces the amount of snow storage/removal necessary. Considerable effort has been devoted in looking at everything from snow melting systems to where pitched roofs will shed. No additional snow removal will be required of the city. At conditional use approval, additional consideration will be appropriate to ensure that snow storage can safely and reasonably be handled on-site.

Employee Housing - At the time of conditional use approval, individual projects shall be reviewed for impacts on and the possible provision of employee housing in accordance with applicable city ordinances in effect.

Landscaping/Erosion Control - Detailed landscaping plans and erosion control/revegetation methodologies for minimizing site impacts will be required at the time of conditional use review. Plantings shall be reviewed for their ability to provide visual interest and blend with existing native materials.

Trails - The proposed phasing plan identifies the timing of construction for summertime hiking trails and related pedestrian connections. Trails, stairways, and sidewalks accessing or traversing the various properties will be required in accordance with both the approved phasing plan and at the time of conditional use review/approval.

SWEENEY PROPERTIES MASTER PLAN DENSITY EXHIBIT

Parcel	Acreage	Residential Unit Equivalents	Commercial Unit Equivalents	Maximum Building Height[2]	Minimum Open Space (%)
Coalition Properties					
East	0.986	40	Maximum Commercial space not to exceed FAR of 1:1	55'	39.8[1]
West	0.543	13	---	35'	54.9
Hillside Properties					
Creole Gulch	7.75	161.5	15.5	~~98'~~[2] * 75	70
Town Lift Mid-Station	3.75	35.5	3.5	~~55'~~[2] * 45	70
Three ½-acre Single Family Lots	1.5	3	---	25'	83.9
Develop HR-1 Properties					
Carr-Sheen	0.288	3	---	28'	60
MPE	0.161	2			
		258 U.E.	19 U.E.		

[1] Does not include Town Lift base facility
[2] Maximum roof height, excludes elevator shaft

* Subject to revised conditions as stated in the Motion by City Council (10/16/8

SWEENEY PROPERTIES MASTER PLAN PHASING EXHIBIT - REVISED

Year	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Improvement/ Development[1]																					
MPD Approval Recorded	———																				
Norfolk Waterline Easement	———																				
Norfolk ROW	———																				
Crescent Walkway	———	———	———	———	———	———	———	———	———	———	———										
Empire-Lowell ROW	———																				
Norfolk Turnaround	———																				
Misc. Deed Restrictions	———																				
Hiking Trails/ Foot Paths	———	———																			
Tramway Towers Dedication	———	———																			
Empire Lowell to Crescent Walkway Connection/ Construction	———																				
6th Street Stairway[2]						———	———	———	———	———	———	———	———	———	———	———	———	———	———	———	———
5th Street Stairway[2]						———	———	———	———	———	———	———	———	———	———	———	———				
4th Street Stairway[2]						———	———	———	———	———	———	———	———	———	———	———	———				

Year	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Project Timeframe																					
Coalition Properties	———	———	———	———	———																
MPE and Carr-Sheen	———	———	———	———	———	———	———	———	———	———	———	———	———	———	———	———	———	———	———	———	———
Town Lift Mid Station						———	———	———	———	———	———	———	———	———	———	———					
Creole Gulch											———	———	———	———	———	———	———	———	———	———	———

[1]For additional clarification, consult the Planning Department Staff Report and the Sweeney Properties Master Plan document and fact sheet dated May 15, 1985.

[2]Stairways to be constructed concurrently with development of Hillside Properties unless already improved by Park City Resort or adjacent projects.

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
OCTOBER 16, 1986

ROLL CALL

Mayor Taylor called the regular meeting of the City Council to order at approximately 6:20 p.m. on Thursday, October 16, 1986 at the Marsac Municipal Building. Members in attendance were Mayor Taylor, Jim Santy, Kristen Rogers, Ann MacQuoid, Jim Doilney, and Tom Shellenberger. Staff present were Arlene Loble, City Manager; J. Craig Smith, Acting City Attorney; Mike Vance, Community Development Director; and Nora Seltenrich, Senior Planner.

PUBLIC INPUT

The Mayor invited the public to comment on any matter of City business not scheduled on the agenda. Hearing nothing, the public input session was closed.

PUBLIC HEARING

None.

MINUTES OF MEETING OF OCTOBER 2, 1986 AND OCTOBER 9, 1986

Ann MacQuoid, "I move approval of both the October 2, and October 9 Minutes". Jim Santy seconded. Motion carried unanimously.

CONSENT AGENDA

Tom Shellenberger, "I move approval of the Consent Agenda". Ann MacQuoid seconded. Motion carried.

1. Approval of Class "B" and Set-Up License for Swiss Mountain Enterprises (Steeps at the Base Restaurant and Disco) Located at Gondola Building at Resort Center

2. Approval of Local Consent for Single Event Permit for Wasatch Mountain Food and Wine Society for Their Noveau Beaugalias Festival to be Held at Snow Park Lodge in Deer Valley on November 23, 1986

3. Approval of Local Consent for Single Event Permit for North American Airlines Ski Federation for Open House to be Held at the Park City Ramada Hotel on January 14 and 15, 1987

PUBLIC COMMUNICATIONS AND PETITIONS

Approval of Waiver of Building Related Fees in the Amount of $2,464.17 for Restoration of 339 Park Avenue (National Historic Register) to David and Edward Cook - Mike Vance explained that the Cooks are in the process of renovating a house which is listed on the historic register and presently have the structure on moving blocks on the lot next door on Park Avenue. All of the restoration is being conducted under with federal guidelines. As consistent with Council action in the past, staff recommends that the building fees be waived. Councilman Shellenberger why the house has been moved.

David Cook - Petitioner, explained that a new foundation had to be installed and in order to accomplish that, the house had to be moved to the adjoining lot. Parking for four cars is intended and by moving the house, excavation under the existing building can be avoided.

Ann MacQuoid, "I move approval of the fee waiver". Tom Shellenberger seconded. Motion carried.

ABE117

Arlene Loble, City Manager clarified that Council approves fee waivers for projects under certain criteria including that the building be on the historic register or that a facade easement be donated to the State Historical Society. This particular renovation is being done under the Federal Standards of Rehabilitation which are extremely difficult.

COMMUNICATIONS AND REPORTS FROM COUNCIL AND STAFF

Jordanelle Project - The City Manager reported that there was a meeting on this project earlier this week which addressed the scope of the recreational uses surrounding the reservoir property and public hearings have been held. There was also discussion of whether the facilities would be maintained by the State or by the Bureau of Reclamations which is still being negotiated. Kristen Rogers expressed her concern that the draw down of the reservoir has been increased to 35 feet and the deadline for comments is tomorrow. (For the record, staff later learned that governmental agencies have until October 28 for response.) Ms. Rogers and Councilman Doilney strongly felt that Council send a letter indicating that the draw down rate be comparable to Deer Creek as it was always Council's intention to support an attraction in the area -- not an empty reservoir. The Chamber/Bureau will also be responding.

REPORTS FROM COMMISSIONS AND BOARDS

None before Council.

RESIGNATIONS AND APPOINTMENTS

None before Council.

ORDINANCES

None

OLD BUSINESS

1. Extension of One Year for a Trust Deed and Note for Drubar Partnership -

Mike Barnes - Representing Drubar Partnership, explained that a trade was accomplished between his partnership and the City last year located on the corner of Kearns Boulevard and Monitor Drive. The intent was to build an office building last spring for J. J. Johnson & Associates. Unfortunately the tenant's growth did not warrant construction and the project has been delayed for one year which was not considered in the trust deed note. As part of the negotiation, Drubar agreed to revegetate the lot on the corner as part of the trade. The security for the revegetation of the lot was $12,000 and was made a part of the trust deed on the property that they hold from the City. Mr. Barnes appealed the Council on the basis that the project was delayed and further that the condition of the lot packed with paving material was caused by construction work commenced by different governmental organizations. He asked that the trust deed be extended for one year as it is their intent to finance the funds for the vegetation of the corner with the construction loan received in the spring.

Jim Doilney stated that at the time the trade was negotiated, he was involved in a business relationship with J. J. Johnson & Associates and abstained at that time. As a matter of consistency, Councilman Doilney disclosed that he will be abstaining on voting on this matter again.

Tom Shellenberger, "I move to extend the one year extention". Ann MacQuoid seconded. Motion carried.

Jim Santy	Aye
Kristen Rogers	Aye
Ann MacQuoid	Aye
Jim Doilney	Abstention
Tom Shellenberger	Aye

Craig Smith emphasized that the one year extension would be until June 1, 1987.

2. Approval of William Reed Settlement - The City Manager reminded Council that this approval of the agreement would clean up the collapsed garage on the entry to Deer Valley. This matter has been held up in lawsuits with respect to squatters right. Kristen Rogers, "I move approval". Jim Santy seconded. Motion unanimously carried.

3. Action on Call-Up Review for Sweeney Master Plan Approval - Arlene Loble stated that City Council called up the Sweeney Master Plan Project in January following its approval by Planning Commission last December. Action on the call-up and the height exception was delayed because of a bankruptcy which was filed with respect to the property involving City approvals to a prior developer. The Sweeneys and the City were cleared from the bankruptcy action and the project was then brought back to a Planning Commission and City Council joint work session held three weeks ago. As a part of the call-up, the Council could deny the total project; approve it as approved by Planning Commission; or make specific revisions to the plan. Action on the height exception is required regardless of the action on the call-up and should be dealt with separately.

Kristen Rogers, "I move that we approve the MPD with modifications: limiting the number of unit equivalents to 170, ~~limiting the height of the hillside properties to 55 feet, and the town view properties to 45 feet~~". Council member Rogers then requested that the height language be stricken. Jim Doilney seconded subject to changing the motion to "158 units and that the Sweeneys present a phasing plan shorter than 20 years and no development at the Mid Station". Kristen Rogers, "I will amend my motion to include those changes". Motion died.

Jim Santy	Nay
Kristen Rogers	Aye
Ann MacQuoid	Nay
Jim Doilney	Aye
Tom Shellenberger	Nay

Tom Shellenberger, "I move to approve the Master Plan as approved by the Planning Commission". Ann MacQuoid seconded.

Jim Doilney stated for the record that if approved, the Council is creating more value than is presently there. If Mr. Horrigan, the elected member of the Council who later resigned, was still in office this 3:2 vote would never occur. He continued that a 20 year approval is creating rights never granted before and memorializing densities that will probably not be achievable. This vote upsets him more than any vote before him in his tenure. Ann MacQuoid added that anticipating what Al Horrigan would have done is strictly speculation and also felt that in terms of the 20 year approval, the approval process is based on a phasing of the project. Within the perimeters of the phasing, the project is only valid as long as the developer is living up to the provisions of that duration. It is important to note that there is nothing specified in the approval that this is a 20

ABE117

year approval and there is only an indication that the master plan will take somewhere between 15 and 20 years. If at any time that phasing is not carried out to the degree indicated in the approval, the developer has to come to the Planning Commission for approval once again for the entire project -- not just failure of the phasing period. Ms. MacQuoid continued that just as has happened with other projects, this project is based on the developer carrying out every two years what he has committed. Completion could, however, take place in two years, ten years, or fifteen years. Ms. MacQuoid added that in review of this project, the Planning Commission arrived at an approval that is within the existing density requirements and has been pointed out, may not be economically realistic or feasible but in today's economy many of the projects here in Park City would not be economically feasible yet at one time were. She felt that there never could have been in excess of 400 units built on the hillside. She did believe that at some point in time the hillside could have been stripped with roadways going up and across the hill and that in her view the reason for approving this master plan development is not creating an economic advantage to anyone, or creating density, or debating whether or not the density was allowed. Clearly it is allowed and whether it is feasible is moot. The property had not been rezoned in previous years, and the trade-out for 110 acres (discussed as 101 but later confirmed by staff as 110) of recreational open space zoning on the vegetated hillside is a valid proposal.

Kristen Rogers urged Council members to consider carefully the vote. She felt that it may be the most important vote that they take in their terms. The project will have the most dramatic effect on the character of Park City in consideration of any project built or approved. It will set a tone for the development of the community that can't be reversed and if the rationale behind its approval is to acquire open space, she emphasized that it may be more costly to acquire open space by allowing these large sky scraper type buildings to be built; than if the City actually bought the land outright. There are other ways to acquire open space that can have less of an affect on the long term of Park City. If the approval would be done in the name of economic development, she would like Council to consider that there are intangibles that are part of economic development not just projects and money. One of the intangibles is the feeling of our town -- the clustering of small houses clinging to hillsides and that these towers will destroy that forever. She again urged Council not to pass the motion.

Tom Shellenberger added that there is a building approved already in a much more visible part of town that is as high as these buildings will be. This project will be in a gulch which will minimize the impact because of the surrounding hillside, and would not have the impact Council member Rogers is visualizing. Kristen Rogers argued that it is her understanding that the referred approved building is 75 feet and the Sweeney building is 90 feet and perched up above the town and is much more visible.

Jim Doilney stated that during the replacement interview process of several City Council candidates, he was one of Jim Santy's strongest supporters. During that process, Council explicitly asked how applicants felt about the Sweeney application. Mr. Doilney emphasized that response on this issue was a critical factor and he recalled that Mr. Santy indicated something as strong as a "building moratorium". Although Councilman Doilney respects Councilman Santy, he felt that there has to be a commitment to follow through on the principles discussed during the process which he made to the Council and one that Mr. Doilney took very seriously. This vote would be the polar

opposite of the philosophies expressed during that interview and although in his mind's eye Jim Santy does not see it that way -- the perception that Mr. Doilney had at least as one individual, couldn't have been stronger that that was where Mr. Santy was philosophically and for that reason Mr. Doilney felt that it was fair to appoint someone with similar views who would replace Al Horrigan. The commitment to development principles is one that isn't subject to change of opinion and he urged Mr. Santy to consider the position he is taking.

Tom Shellenberger reminded Councilman Doilney that as long as he has been on the Council, he couldn't remember anyone who changed his mind more than Al Horrigan. Mr. Shellenberger continued that during the interview process he did recall Jim Santy using the word "moratorium" but interpreted it to be in generalities and didn't feel it was directed at the Sweeney Project. The Mayor called for a vote.

Jim Santy	Aye
Kristen Rogers	Nay
Ann MacQuoid	Aye
Jim Doilney	Nay
Tom Shellenberger	Aye

Motion carried.

4. Approval of Height Exception for Sweeney Master Plan Approval - The City Manager explained that the height exception would pertain to the following parcels: Coalition East on Park Avenue for 40 units for 55 feet (permitted height 28 feet); the Coalition West, zoned for 13 units for 35 feet (HR-1 - permitted height 28 feet); Creole Gulch 161.5 unit equivalents for 95 feet (permitted 28 feet); Town Lift Mid-Station 55.5 unit equivalents for 55 feet (permitted 28 feet). These can be acted on together or individually by Council.

Ann MacQuoid, "I move that with the height exceptions there are four height exceptions requested and that those height exceptions be approved by Council with the following modification. That is that in the what is called the Creole Gulch where the request is for a maximum of 95 feet that that be limited to 75 feet and that specifically the condition that is 5(e) in the conditional permit read:

> "The Creole Gulch site shall be limited to a maximum height of 75 feet. An average overall height of less than 45 feet shall be provided and no portion of any building shall exceed either elevation 7,250 feet for the easternmost building or elevation 7,275 feet for the balance of the project."

The other revision would be that at the Town Lift Mid-Station instead of 55 feet, the height be limited to 45 feet and that condition 5(d) be revised:

> "The Town Lift Mid-Station development is restricted to a maximum height of 45 feet. The maximum height of 35 feet is required for at least 90% of the total unit equivalent volume of all above grade buildings and an overall average height of less than 25 feet measured from natural undisturbed grade. No portion of any building shall exceed the elevation 7,240 feet above main sea level."

And that the rest of the conditions outlined in the height exception request which does specify the rezoning of the 110 acres to ROS zoning be maintained as approved by the Planning Commission."

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Tom Shellenberger seconded. Craig Smith emphasized that at the time of Planning Commission approval, it was unclear when the ROS zoning would take place and felt that language to the motion should be added which he believed to be the intent of the petitions: "that the area designated for ROS zoning take place before a plat, building permit, or conditional use permit is approved by the City". Ann MacQuoid, "I would add that to my motion". Tom Shellenberger amended his second.

Jim Santy	Aye
Kristen Rogers	Nay
Ann MacQuoid	Aye
Jim Doilney	Nay
Tom Shellenberger	Aye

XII NEW BUSINESS

Award of Bid to Intermountain Coach for Elderly/Handicapped Van for Senior Citizens in the Amount of $34,435 (Federal 80%/City 20%) - Bids were received and opened September 19, 1986 for one four-wheel drive elderly/handicapped van for one Park City's senior citizens as follows:

Collins Industries	$31,033
Intermountain Coach	34,435
National Coach	38,000
Hasco Inc.	39,637
Tates Inc.	42,690

Collins Industries is the low bidder, however, they do not meet specifications as to the warranty provision, interior height and aisle width. Staff recommends acceptance of the Intermountain Coach bid subject to specified delivery date of 90 days. Although they are over the $30,000 budgeted ($4,435 over budget), the federal government has concurred with awarding the bid to the second lowest bidder, Intermountain Coach.

Federal participation will occur only if there is an under-run somewherein the other line items of this particular grant. If an under-run does not occur, possibly we will have to pick up the costs with the completion of the overall grant. It is also feasible that UDOT may have money available when they audit to cover it for us at an 80%/20% split on the over-run. Cost factors involve:

	Federal 80%	City 20%
Budgeted $30,000	$24,000	$ 6,000
Bid at 34,435	27,578	6,887

Budget revision:

With federal participation	$ 887
Without federal participation	4,435

The Transportation Department has been working with Park City School District to find a solution to the transportation needs of a paraplegic student at Park City High School. The School District does not have a wheelchair lift-equipped vehicle and has requested to use the City's. All aspects of this arrangement have been determined to the satisfaction of both parties involved, and has been in place on a trial basis until formally approved by Council.

Tom Shellenberger, "I move approval". Jim Santy seconded. Motion carried unanimously.

XIII ADJOURNMENT

With no further business, the regular meeting of the City Council was adjourned and the Municipal Building Authority meeting convened.

MEMORANDUM OF CONVENING CLOSED SESSION

City Council convened in closed session on Thursday, October 16, 1986 at the Marsac Municipal Building at approximately 5 p.m. Members in attendance were Mayor Hal Taylor, Jim Santy, Kristen Rogers, Jim Doilney, Ann MacQuoid, and Tom Shellenberger. Staff present were Arlene Loble, City Manager; and Craig Smith, Acting City Attorney. Jim Doilney, "I move to close the meeting to discuss litigation". Ann MacQuoid seconded. Motion carried unanimously. The meeting opened at the convening of the regular meeting of the City Council at 6:20 p.m.

* * * * * *

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 Jan Scott Freeman

Jan Scott Freeman
Deputy City Recorder

ABE117

PARK CITY
1884

Community Development/Engineering
Building and Planning Departments

October 19, 1987

Patrick J. Sweeney
MPE Inc.
P.O. Box 2429
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

Project Description: Revision to Sweeney MPD, Relocation of 12 units equivalents to accommodate the proposed Ski Run under the Town Lift.

Date of Meeting: October 14, 1987

Action Taken By Planning Commission: APPROVED

Conditions of Approval:

1. The Sweeney MPD approval documents shall be revised to reflect the relocation of 12 units as follows:

   a. Relocating 5 unit equivalents from the lower Town Lift Midstation to the upper Town Lift Midstation. The original height parameters will not be modified, but the footprint of the Town Lift Midstation site will be modified slightly.

   b. Relocating 2 unit equivalents from the Sheen parcel and 2 from the MPE parcel. Two of these units would be relocated off the King Road, one off of Upper Norfolk, and one off of 5th Street.

   c. Relocating 3 unit equivalents from the Buck parcel to Coalition West. The current proposal for Coalition West is based on all residential units. If some commercial unit equivalents were used, consistent with the HRC Zone, the 3 additional units could be absorbed within the existing proposed envelope.

2. That all conditions of the original Sweeney MPD remain in effect (copy enclosed).

3. That the City Engineer approve a preliminary design for the dwellings proposed off of upper Norfolk and King Road, and that the plans fully disclose the potential difficulty and expense in providing vehicular access and utility service to the parcels. The roadways off of upper Norfolk and King road shall be private driveways and will not be maintained or plowed by the City.

   The Planning Commission and Staff shall review these proposals as conditional uses. This shall include review of the design of the structures to insure that they are designed to minimize visual impact. The design shall be consistent with the Historic District Guidelines.

4. The City Engineer has expressed concern over the feasibility of the units proposed above 5th Street. These two dwellings shall be subject to the full conditional use process by the Staff and Planning Commission. The Planning Commission will have the discretion to approve or deny the proposed units. The applicant must demonstrate that all significant impacts which may result from the construction of these units can be adequately mitigated.

Date of Expiration: October 14, 1988

Nora L. Seltenrich 10/20/87

Nora L. Seltenrich
Principal Planner

Date

ACKNOWLEDGEMENT

I the undersigned, hereby acknowledge the conditions by which the project referred to above was approved.

Patrick J. Sweeney 10/24/87

Patrick J. Sweeney

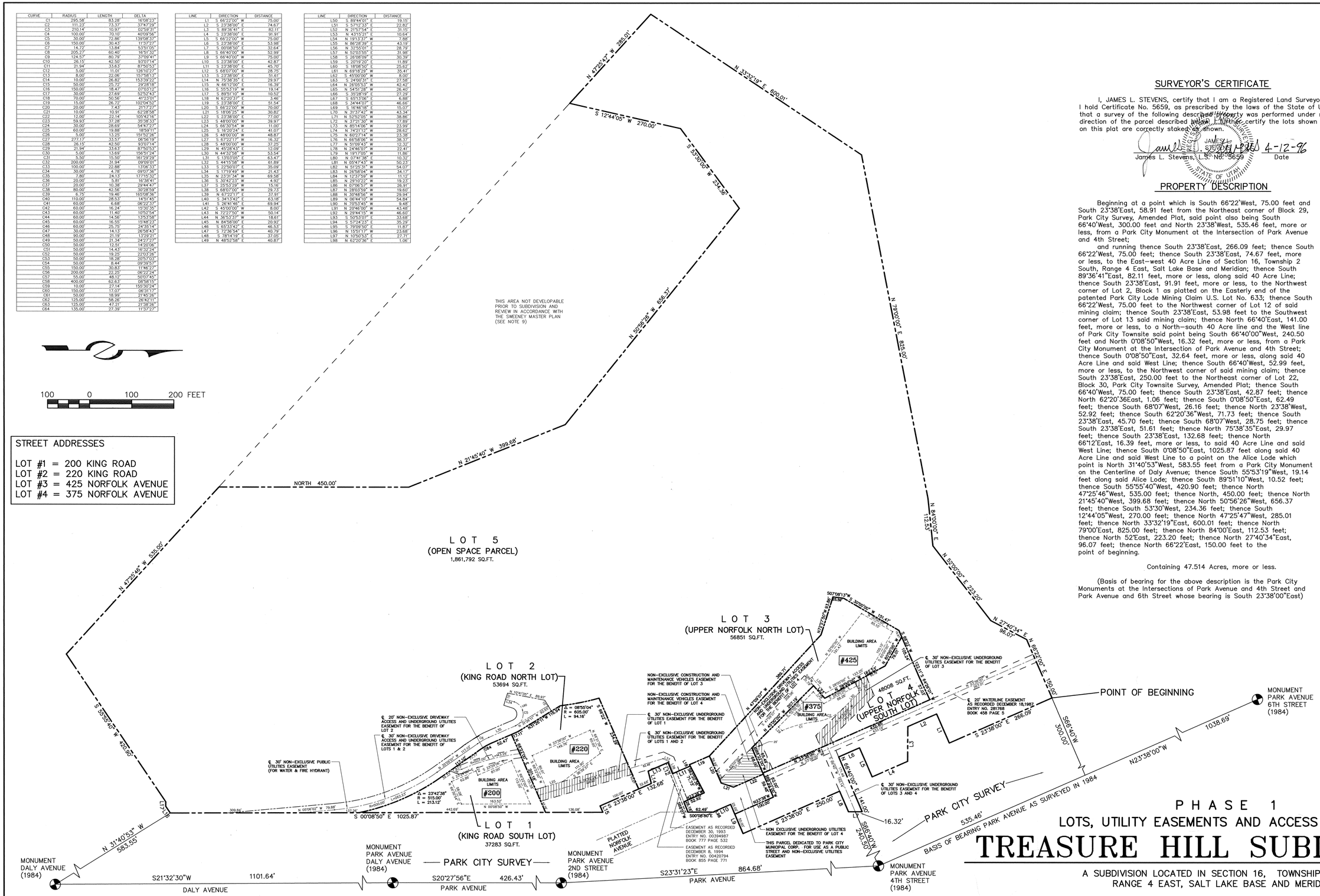
Date

NO CONSTRUCTION SHALL BE PERMITTED UNTIL A SIGNED COPY OF THIS LETTER, SIGNIFYING CONSENT TO THE CONDITIONS OUTLINED ABOVE, HAS BEEN RETURNED TO THE PLANNING DEPARTMENT.

CURVE	RADIUS	LENGTH	DELTA
C1	295.58'	83.28'	16°08'23"
C2	111.23'	73.37'	37°47'59"
C3	210.14'	10.97'	02°59'31"
C4	100.00'	70.10'	40°09'56"
C5	30.00'	72.86'	139°08'37"
C6	150.00'	30.43'	11°37'27"
C7	14.72'	13.84'	53°51'05"
C8	205.27'	60.40'	16°51'33"
C9	124.57'	80.79'	37°09'41"
C10	26.15'	42.50'	93°07'14"
C11	21.94'	33.63'	87°52'53"
C12	5.00'	11.01'	126°10'27"
C13	8.00'	22.06'	157°58'13"
C14	10.00'	26.82'	153°39'22"
C15	50.00'	25.72'	29°28'18"
C16	150.00'	18.47'	07°03'12"
C17	30.00'	27.69'	52°52'43"
C18	70.00'	50.56'	41°23'01"
C19	15.00'	26.72'	102°04'52"
C20	20.00'	7.43'	21°17'29"
C21	10.00'	10.91'	62°28'58"
C22	12.00'	22.14'	105°42'16"
C23	59.93'	37.28'	35°38'33"
C24	30.00'	28.69'	54°47'27"
C25	60.00'	19.88'	18°59'11"
C26	5.00'	13.25'	151°52'28"
C27	277.17'	33.57'	06°56'19"
C28	26.15'	42.50'	93°07'14"
C29	21.94'	33.63'	87°52'53"
C30	5.00'	13.69'	156°51'24"
C31	5.50'	15.50'	161°29'29"
C32	200.00'	31.94'	09°09'01"
C33	100.00'	22.88'	13°06'33"
C34	30.00'	4.78'	09°07'36"
C35	7.80'	24.13'	177°15'35"
C36	20.00'	5.81'	16°38'41"
C37	20.00'	10.38'	29°44'47"
C38	80.00'	42.56'	30°28'59"
C39	6.75'	19.46'	165°08'36"
C40	110.00'	28.53'	14°51'45"
C41	60.00'	6.68'	06°22'37"
C42	60.00'	16.24'	15°30'35"
C43	60.00'	11.40'	10°52'54"
C44	60.00'	14.56'	13°53'58"
C45	60.00'	16.55'	15°48'23"
C46	60.00'	25.75'	24°35'14"
C47	30.00'	14.13'	26°58'43"
C48	90.00'	21.19'	13°29'21"
C49	50.00'	21.34'	24°27'27"
C50	50.00'	12.51'	14°20'06"
C51	50.00'	14.43'	16°32'24"
C52	50.00'	19.25'	22°03'26"
C53	50.00'	18.28'	20°57'03"
C54	50.00'	8.44'	09°39'59"
C55	150.00'	30.83'	11°46'27"
C56	200.00'	22.25'	06°22'24"
C57	15.00'	48.12'	50°07'45"
C58	400.00'	62.63'	08°58'13"
C59	10.00'	27.14'	155°30'24"
C60	150.00'	17.07'	06°31'17"
C61	50.00'	18.99'	21°45'26"
C62	125.00'	58.26'	26°42'11"
C63	125.00'	47.21'	21°38'16"
C64	135.00'	27.39'	11°37'27"

LINE	DIRECTION	DISTANCE
L1	S 66°22'00" W	75.00'
L2	S 23°38'00" E	74.67'
L3	S 89°36'41" E	82.11'
L4	S 23°38'00" E	91.91'
L5	S 66°22'00" W	75.00'
L6	S 23°38'00" E	53.98'
L7	S 00°08'50" E	32.64'
L8	S 66°40'00" W	52.99'
L9	S 66°40'00" W	75.00'
L10	S 23°38'00" E	42.87'
L11	S 23°38'00" E	45.70'
L12	S 68°07'00" W	28.75'
L13	S 23°38'00" E	51.61'
L14	N 75°38'35" E	29.97'
L15	N 66°12'00" E	16.39'
L16	S 55°53'19" W	19.14'
L17	S 89°51'10" W	10.52'
L18	N 62°20'37" E	3.46'
L19	S 23°38'00" E	51.54'
L20	S 66°22'00" W	70.00'
L21	S 18°06'25" W	30.80'
L22	S 23°38'00" E	77.00'
L23	S 48°00'00" W	39.97'
L24	S 66°30'54" W	11.00'
L25	S 16°20'24" E	41.07'
L26	S 48°00'00" W	48.87'
L27	S 67°22'17" W	16.32'
L28	S 48°00'00" W	37.25'
L29	N 45°28'43" E	12.09'
L30	N 44°32'58" W	53.54'
L31	S 13°03'05" E	63.47'
L32	S 44°15'58" W	61.89'
L33	S 22°50'07" E	35.09'
L34	S 17°19'49" W	21.43'
L35	N 23°31'34" W	69.58'
L36	S 30°42'23" W	4.90'
L37	S 25°53'29" W	15.16'
L38	S 68°07'00" W	29.73'
L39	N 67°22'17" E	37.91'
L40	S 34°13'42" E	63.18'
L41	S 26°41'46" E	69.94'
L42	S 45°00'00" W	8.00'
L43	N 72°27'50" W	50.14'
L44	N 36°53'37" W	18.61'
L45	N 84°58'00" E	20.92'
L46	S 65°33'42" E	46.53'
L47	S 72°36'54" W	40.39'
L48	S 78°14'19" E	37.05'
L49	N 48°52'58" E	40.87'

LINE	DIRECTION	DISTANCE
L50	S 89°44'01" E	19.15'
L51	S 57°17'33" E	22.82'
L52	N 21°57'54" E	31.15'
L53	N 43°15'21" E	10.64'
L54	N 19°13'37" W	7.88'
L55	N 86°28'39" E	43.19'
L56	N 32°55'01" E	28.79'
L57	N 52°03'55" E	31.98'
L58	S 26°08'09" E	30.39'
L59	S 20°19'20" E	11.89'
L60	S 18°08'50" E	25.62'
L61	N 69°18'29" W	35.41'
L62	S 45°00'00" W	8.00'
L63	S 24°00'31" E	27.58'
L64	N 26°05'53" W	42.42'
L65	N 54°51'28" W	26.40'
L66	S 35°28'19" E	27.29'
L67	S 65°13'06" E	6.88'
L68	S 34°44'07" E	46.66'
L69	S 16°46'18" E	15.07'
L70	N 31°37'42" W	43.34'
L71	N 52°52'05" W	38.86'
L72	N 37°21'30" W	17.89'
L73	N 85°14'06" W	23.99'
L74	N 74°27'12" W	28.62'
L75	N 60°27'14" W	23.38'
L76	N 66°58'06" W	38.37'
L77	N 51°09'43" W	12.32'
L78	N 24°46'37" W	22.41'
L79	N 19°17'05" W	11.86'
L80	N 07°41'38" E	10.32'
L81	N 09°47'43" W	50.23'
L82	N 51°25'31" W	54.07'
L83	N 26°58'04" W	34.17'
L84	N 12°37'59" W	11.12'
L85	N 29°10'22" W	19.23'
L86	N 07°06'57" W	26.91'
L87	N 28°03'59" W	19.60'
L88	N 30°48'56" W	29.94'
L89	N 06°44'10" W	54.84'
L90	N 70°53'45" W	9.48'
L91	N 26°46'00" W	43.48'
L92	N 29°44'15" W	46.60'
L93	S 50°53'07" E	33.68'
L94	S 57°24'23" E	35.29'
L95	S 79°09'50" E	11.87'
L96	N 15°51'17" W	23.68'
L97	N 10°50'53" E	27.71'
L98	N 62°20'36" E	1.06'



SURVEYOR'S CERTIFICATE

I, JAMES L. STEVENS, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5659, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction of the parcel described below. I further certify the lots shown on this plat are correctly staked as shown.

James L. Stevens, L.S. No. 5659 — Date 4-12-96

PROPERTY DESCRIPTION

Beginning at a point which is South 66°22'West, 75.00 feet and South 23°38'East, 58.91 feet from the Northeast corner of Block 29, Park City Survey, Amended Plat, said point also being South 66°40'West, 300.00 feet and North 23°38'West, 535.46 feet, more or less, from a Park City Monument at the Intersection of Park Avenue and 4th Street;

and running thence South 23°38'East, 266.09 feet; thence South 66°22'West, 75.00 feet; thence South 23°38'East, 74.67 feet, more or less, to the East–west 40 Acre Line of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 89°36'41"East, 82.11 feet, more or less, along said 40 Acre Line; thence South 23°38'East, 91.91 feet, more or less, to the Northwest corner of Lot 2, Block 1 as platted on the Easterly end of the patented Park City Lode Mining Claim U.S. Lot No. 633; thence South 66°22'West, 75.00 feet to the Northwest corner of Lot 12 of said mining claim; thence South 23°38'East, 53.98 feet to the Southwest corner of Lot 13 said mining claim; thence North 66°40'East, 141.00 feet, more or less, to a North–south 40 Acre line and the West line of Park City Townsite said point being South 66°40'00"West, 240.50 feet and North 0°08'50"West, 16.32 feet, more or less, from a Park City Monument at the Intersection of Park Avenue and 4th Street; thence South 0°08'50"East, 32.64 feet, more or less, along said 40 Acre Line and said West Line; thence South 66°40'West, 52.99 feet, more or less, to the Northwest corner of said mining claim; thence South 23°38'East, 250.00 feet to the Northeast corner of Lot 22, Block 30, Park City Townsite Survey, Amended Plat; thence South 66°40'West, 75.00 feet; thence South 23°38'East, 42.87 feet; thence North 62°20'36East, 1.06 feet; thence South 0°08'50"East, 62.49 feet; thence South 68°07'West, 26.16 feet; thence North 23°38'West, 52.92 feet; thence South 62°20'36"West, 71.73 feet; thence South 23°38'East, 45.70 feet; thence South 68°07'West, 28.75 feet; thence South 23°38'East, 51.61 feet; thence North 75°38'35"East, 29.97 feet; thence South 23°38'East, 132.68 feet; thence North 66°12'East, 16.39 feet, more or less, to said 40 Acre Line and said West Line; thence South 0°08'50"East, 1025.87 feet along said 40 Acre Line and said West Line to a point on the Alice Lode which point is North 31°40'53"West, 583.55 feet from a Park City Monument on the Centerline of Daly Avenue; thence South 55°53'19"West, 19.14 feet along said Alice Lode; thence South 89°51'10"West, 10.52 feet; thence South 55°55'40"West, 420.90 feet; thence North 47°25'46"West, 535.00 feet; thence North, 450.00 feet; thence North 21°45'40"West, 399.68 feet; thence North 50°56'26"West, 656.37 feet; thence South 53°30'West, 234.36 feet; thence South 12°44'05"West, 270.00 feet; thence North 47°25'47"West, 285.01 feet; thence North 33°32'19"East, 600.01 feet; thence North 79°00'East, 825.00 feet; thence North 84°00'East, 112.53 feet; thence North 52°East, 223.20 feet; thence North 27°40'34"East, 96.07 feet; thence North 66°22'East, 150.00 feet to the point of beginning.

Containing 47.514 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments at the Intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38'00"East)

PHASE 1

LOTS, UTILITY EASEMENTS AND ACCESS EASMENTS

TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS 12th DAY OF April, 1996 A.D.

BY Ron Gunderson
S.B.S.I.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 15th DAY OF APRIL, 1996 A.D.

BY Frederick Emmons
CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 12TH DAY OF APRIL, 1996 A.D.

BY Eric W. Ostbaan PE
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS 15TH DAY OF APRIL, 1996 A.D.

BY Mark D. Harrington
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 9TH DAY OF SEPTEMBER, 1995 A.D.

BY Anita L. Sheldon
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 9TH DAY OF SEPTEMBER, 1995 A.D.

BY Bradley A. Olch
MAYOR

RECORDED

Entry# 452295

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF Coalition Title Co.
DATE 4-15-96 TIME 17:00 BOOK ____ PAGE ____

$95.00 FEE — Alan Spriggs RECORDER

CURVE	RADIUS	LENGTH	DELTA
C1	295.58'	83.28'	16°08'23"
C2	111.23'	73.37'	37°47'29"
C3	210.14'	10.97'	02°59'31"
C4	100.00'	70.10'	40°09'56"
C5	30.00'	72.86'	139°08'13"
C6	150.00'	30.43'	11°37'27"
C7	14.72'	13.84'	53°51'05"
C8	205.27'	60.40'	16°51'32"
C9	124.57'	80.79'	37°09'41"
C10	26.15'	42.50'	93°07'14"
C11	21.94'	33.63'	87°50'53"
C12	5.00'	11.01'	126°10'27"
C13	8.00'	22.06'	157°58'13"
C14	10.00'	26.82'	153°39'22"
C15	50.00'	25.72'	29°28'18"
C16	150.00'	18.47'	07°03'12"
C17	30.00'	27.69'	52°52'43"
C18	70.00'	50.56'	41°23'01"
C19	15.00'	26.72'	102°04'50"
C20	20.00'	7.43'	21°17'27"
C21	10.00'	10.91'	62°28'58"
C22	12.00'	22.14'	105°42'16"
C23	59.93'	37.28'	35°38'33"
C24	30.00'	28.69'	54°47'22"
C25	60.00'	19.88'	18°59'11"
C26	5.00'	13.25'	151°52'26"
C27	272.17'	33.53'	06°56'19"
C28	26.15'	42.50'	93°07'14"
C29	21.94'	33.63'	87°50'53"
C30	5.00'	13.69'	156°51'24"
C31	5.50'	15.50'	161°29'29"
C32	200.00'	31.94'	09°09'01"
C33	100.00'	22.88'	13°06'33"
C34	30.00'	4.78'	09°07'36"
C35	7.80'	24.13'	177°15'32"
C36	20.00'	5.81'	16°38'41"
C37	20.00'	10.38'	29°44'47"
C38	80.00'	42.56'	30°28'59"
C39	6.75'	19.46'	165°08'36"
C40	110.00'	28.53'	14°51'45"
C41	60.00'	6.68'	06°22'37"
C42	60.00'	16.24'	15°30'35"
C43	60.00'	11.40'	10°52'54"
C44	60.00'	14.56'	13°53'58"
C45	60.00'	16.55'	15°48'23"
C46	60.00'	25.75'	24°35'14"
C47	30.00'	14.13'	26°58'43"
C48	90.00'	21.19'	13°29'21"
C49	50.00'	21.34'	24°27'27"
C50	50.00'	12.51'	14°20'06"
C51	50.00'	14.43'	16°32'24"
C52	50.00'	19.25'	22°03'28"
C53	50.00'	18.28'	20°57'03"
C54	50.00'	8.44'	09°39'53"
C55	150.00'	30.83'	11°46'27"
C56	200.00'	22.25'	06°22'24"
C57	55.00'	48.12'	50°07'45"
C58	400.00'	62.63'	08°58'15"
C59	10.00'	27.14'	155°30'24"
C60	150.00'	17.07'	06°31'17"
C61	50.00'	18.99'	21°45'26"
C62	125.00'	58.26'	26°42'11"
C63	125.00'	47.21'	21°38'18"
C64	135.00'	27.39'	11°37'27"

LINE	DIRECTION	DISTANCE
L1	S 66°22'00" W	75.00'
L2	S 23°38'00" E	74.67'
L3	S 89°36'41" E	82.11'
L4	S 23°38'00" E	91.91'
L5	S 66°22'00" W	75.00'
L6	S 23°38'00" E	53.98'
L7	S 00°08'50" E	32.64'
L8	S 66°40'00" W	52.99'
L9	S 66°40'00" W	75.00'
L10	S 23°38'00" E	42.87'
L11	S 23°38'00" E	45.70'
L12	S 68°07'00" W	28.75'
L13	S 23°38'00" E	51.61'
L14	N 75°38'35" E	29.97'
L15	N 66°12'00" E	16.39'
L16	S 05°53'19" W	19.14'
L17	S 89°51'10" W	10.52'
L18	N 62°20'37" E	3.46'
L19	S 23°38'00" E	51.54'
L20	S 66°22'00" W	70.00'
L21	S 18°06'25" W	30.82'
L22	S 23°38'00" E	77.00'
L23	S 48°00'00" W	39.97'
L24	S 66°30'54" W	11.00'
L25	S 16°20'24" E	41.07'
L26	S 48°00'00" W	48.87'
L27	S 67°22'17" W	16.32'
L28	S 48°00'00" W	37.25'
L29	N 45°28'43" E	12.09'
L30	N 44°32'58" W	53.54'
L31	S 13°03'05" E	63.47'
L32	S 44°15'58" W	61.89'
L33	S 22°50'07" E	35.09'
L34	S 17°19'49" W	21.43'
L35	N 23°31'34" W	69.58'
L36	S 30°42'23" W	4.92'
L37	S 25°53'29" W	15.16'
L38	S 68°07'00" W	29.73'
L39	N 67°22'17" E	37.91'
L40	S 34°13'42" E	63.18'
L41	S 26°41'46" E	69.94'
L42	S 45°00'00" W	8.00'
L43	N 72°27'50" W	50.14'
L44	N 36°53'37" W	18.61'
L45	N 84°58'00" E	20.92'
L46	S 60°33'42" E	46.53'
L47	S 72°38'54" E	40.79'
L48	S 78°14'19" E	37.05'
L49	N 48°52'58" E	40.87'

LINE	DIRECTION	DISTANCE
L50	S 89°44'01" E	19.15'
L51	S 57°12'33" E	22.82'
L52	N 21°57'54" E	31.15'
L53	N 43°15'21" E	10.64'
L54	N 19°13'37" W	7.88'
L55	N 86°28'39" E	43.19'
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L57	N 52°03'55" E	31.98'
L58	S 26°08'09" E	30.39'
L59	S 20°19'20" E	11.89'
L60	S 18°08'50" E	25.62'
L61	N 69°18'29" W	35.41'
L62	S 45°00'00" W	8.00'
L63	S 24°00'31" E	27.58'
L64	N 26°05'53" W	42.42'
L65	N 54°51'28" W	26.40'
L66	S 33°28'19" E	27.29'
L67	S 65°13'06" E	6.88'
L68	S 34°44'07" E	46.66'
L69	S 16°46'18" E	15.07'
L70	N 31°37'42" W	43.34'
L71	N 52°52'05" W	38.86'
L72	N 37°21'30" W	17.89'
L73	N 85°14'06" W	23.99'
L74	N 74°21'12" W	28.62'
L75	N 60°27'14" W	23.38'
L76	N 66°58'06" W	38.37'
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L80	N 07°41'38" E	10.32'
L81	N 05°47'43" W	50.23'
L82	N 51°25'31" W	54.07'
L83	N 26°58'04" W	34.17'
L84	N 12°37'59" W	11.12'
L85	N 29°10'22" W	19.23'
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L88	N 30°46'56" W	29.94'
L89	N 06°44'10" W	54.84'
L90	N 70°53'45" W	9.48'
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L93	S 50°53'07" E	33.68'
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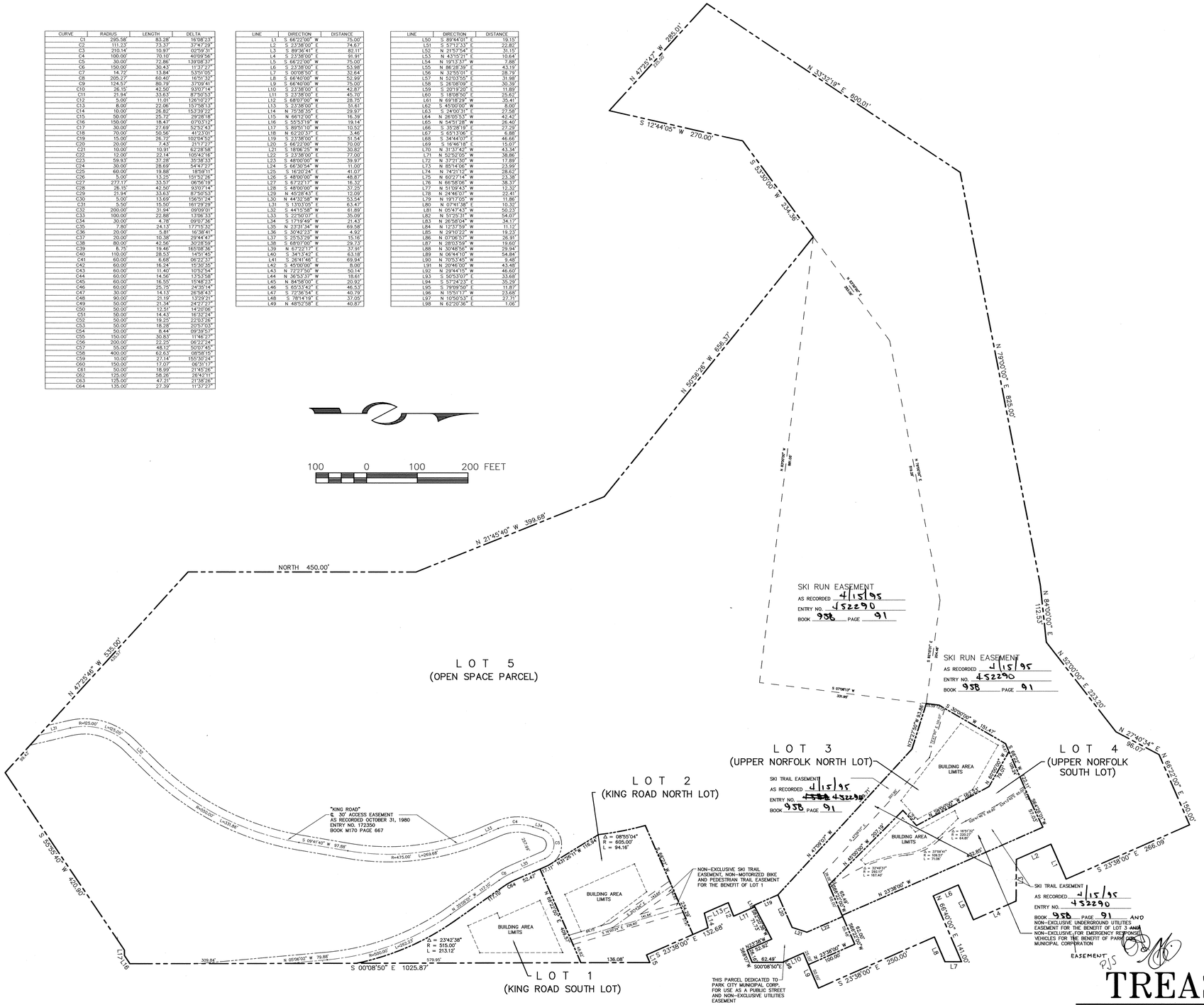

OWNER S DEDICATION AND CONSENT TO RECORD

The owners or their representatives, hereby irrevocably offer for dedication to the City of Park City all the streets, trails right-of-way, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication subject to easements, deeds of record and agreements of record.

IN WITNESS WHEREOF, the undersigned sets their hands this 4TH day of April, 1996

EDMUND J. BEAULIEU

CLYDE CARLIG

SWEENEY LAND COMPANY, a Utah general partnership

By Patrick J. Sweeney
Patrick J. Sweeney
Managing Partner

ACKNOWLEDGEMENT

STATE OF Utah)
: ss.
COUNTY OF Summit)

On this 4TH day of April, 1996, personally appeared before me EDMUND J. BEAULIEU, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC
Residing at: Summit Co Utah

NOTARY PUBLIC
ROBERT C RODMAN
1700 PARK AVE, P.O BOX 2033
PARK CITY, UT 84060
My Commission Expires NOV 27 1997
State of Utah

My Commission Expires:
Nov 27, 1997

ACKNOWLEDGEMENT

STATE OF Utah)
: ss.
COUNTY OF Summit)

On this 4TH day of April, 1996, personally appeared before me CLYDE CARLIG, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC
Residing at: Summit Co Utah

NOTARY PUBLIC
ROBERT C RODMAN
1700 PARK AVE, P.O BOX 2033
PARK CITY, UT 84060
My Commission Expires NOV 27 1997
State of Utah

My Commission Expires:
Nov 27, 1997

ACKNOWLEDGEMENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On the 4TH day of April, 1996, personally appeared before me PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledged to me that said partnership executed the same.

NOTARY PUBLIC
Residing at: Summit Co Utah

NOTARY PUBLIC
ROBERT C RODMAN
1700 PARK AVE, P.O BOX 2033
PARK CITY, UT 84060
My Commission Expires NOV 27 1997
State of Utah

My Commission Expires:
Nov 27, 1997

PHASE 1
SKI TRAIL EASEMENTS

TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

ENTRY # 452295 RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF COALITION TITLE CO.
DATE 4-15-96 TIME 17:00 BOOK ____ PAGE ____
$95.00 FEE
RECORDER

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L12	S 88°07'00" W	28.75'
L13	S 23°38'00" E	51.61'
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L64	N 28°05'53" W	42.43'
L65	N 54°51'28" W	28.40'
L66	S 35°28'19" E	27.29'
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L87	N 28°03'58" W	19.60'
L88	N 30°48'56" W	29.94'
L89	N 06°44'10" W	54.84'
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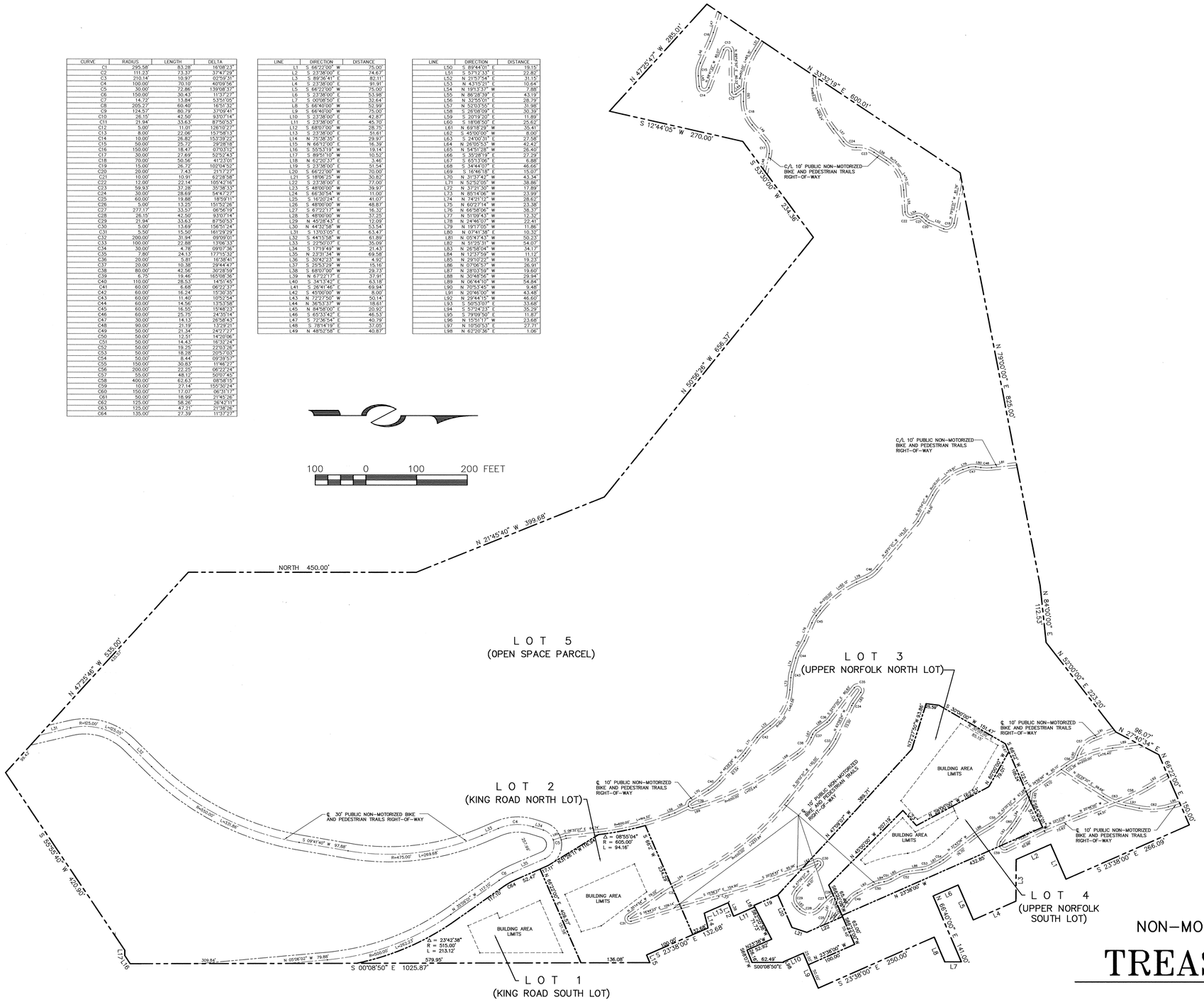


SPECIAL RESTRICTIONS FOR SINGLE FAMILY HOMES TO BE CONSTRUCTED ON LOTS 1 THROUGH 4 SHOWN HEREON:

1. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note 7, shall be three thousand five hundred (3500) square feet including garages. The following shall not count towards the foot print calculations:

   (a) 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;
   (b) Exterior walkways;
   (c) Exterior stairs;
   (d) Driveways.

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. Notwithstanding the forgoing, flat areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated groomed grass.

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 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.

5. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back 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 3500 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 their respective owners and not that of the Snyderville Basin Sewer Improvement District.

8. FIRE SPRINKLING. Internal and external modified 13d fire sprinklers shall be provided for the homes. 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.

PHASE 1
NON-MOTORIZED BIKE AND PEDESTRIAN TRAILS RIGHT-OF-WAY

TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

ENTRY# 452295 RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF COALITION TITLE Co.
DATE 4-15-96 TIME 17:00 BOOK ____ PAGE ____
$95.00 FEE
RECORDER

TREASURE HILL SUB. 3 of 3

TREASURE HILL SUBDIVISION PHASE II

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY

LOT DESCRIPTIONS

5th STREET SOUTH LOT 7

Beginning at a point which is South 66°22' West, 75.00 feet from the Southeast Corner of Block 28, Park City Survey, Amended Plat, said point also being South 23°38' East, 412.75 Feet and South 66°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street; and running thence South 66°22' West, 75.00 feet; thence North 23°38' East, 30.00 feet; thence North 66°22' East, 75.00 feet; thence South 23°38' East, 58.91 feet; thence South 66°22' West, 150.00 feet; thence South 27°40'34" West, 96.08 feet; thence North 23°38' West, 241.94 feet; thence North 66°22' East, 224.99 feet; thence South 23°38 East, 42.50 feet; thence South 66°52' West, 25.00 feet; thence South 23°38' East 25.00 feet; thence North 66°52' East, 25.00 feet; thence South 23°38' East, 25.48 feet to the point of beginning.

Containing 0.93 Acres, more of less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable a law or in equity.

(Basis of bearing for the above description is the Park City Monuments at the Intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38' East.)

5th STREET NORTH LOT 6

Beginning at the point which is South 66°22' West, 75.00 feet and North 23°38' West, 92.97 feet from the Southeast corner of Block 28, Park City Survey, amended Plat, and said point also being South 23°38' East, 319.78 feet and South 66°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street; and running thence South 66°22' West, 224.99 feet; thence North 23°38' West, 153.63 feet; thence North 66°22' East, 224.99 feet; thence South 23°38' East, 153.63 feet to the point of beginning.

Containing 0.79 Acres, more or less.

Subject to and together with any and all easements, right-of-way and restrictions of record or enforceable at law or in equity.

(Basis of bearing for the above description is the Park City Monuments at the Intersections of Park Avenue and 4th Street and Park Avenue and 6th Street, whose bearing is South 23°38' East.)

5th Street Trail Easements

Beginning at a point which is South 66°22' West, 75.00 feet and South 23°38' East 30.00 feet from the Southeast Corner of Block 28, Park City Survey, Amended Plat, said point also being South 23°38' East, 442.75 feet and South 66°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street;
and running thence South 23°38' East, 58.90 feet; thence South 66°22' West, 62.00 feet; thence North 23°38' West, 58.91 feet; thence North 66°22' East, 53.00 feet to the point of beginning.

Containing 0.08 Acres, more of less.

Also, Beginning at a point which is South 66°22' West, 57.00 feet from the Southeast Corner of Block 28, Park city Survey, Amended Plat, said point also being South 23°38' East, 412.75 feet and South 66°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street;
and running thence South 66°22' West, 47.00 feet; thence North 23°38' West, 92.97 feet; thence North 32°08'52" West, 155.34 feet; thence North 66°22' East, 70.00 feet; thence South 23°38' East, 196.13 feet; thence South 66°52' West, 25.00 feet; thence South 23°38' East, 25.00 feet; thence North 66°52' East, 25.00 feet; thence South 23°38' East, 25.48 feet to the point of beginning.

Containing 0.29 Acres, more of less.

Also, Beginning at a point which is South 66°22' West, 225.00 feet and South 23°38' East, 88.91 feet from the Southeast Corner of Block 28, Park city Survey, Amended Plat, said point also being South 23°38' East, 501.66 feet and South 66°22' West, 450.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street;
and running thence South 27°40'34" West, 96.08 feet; thence North 23°38' West, 395.57 feet; feet; thence North 66°22' East, 74.99 feet; thence South 23°38' East, 335.51 feet to the point of beginning.

Containing 0.63 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments at the Intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23 38' East.)

NOTES TO PURCHASERS

A. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note F, shall be three thousand five hundred (3500) square feet including garages. The following shall not count towards the foot print calculations:

(a) 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;
(b) Exterior walkways;
(c) Exterior stairs;
(d) Driveways;

B. 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 driveway, tunnel and utility) plans shall be limited to the Building Area Limits noted on the Plat. Not withstanding the forgoing notes, flat areas located on the Ski Trail Easements directly adjacent to and East of the Building Area Limits of Lots 6 and 7 may be landscaped with irrigated grass.

C. 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 re-vegetated with native landscaping, and a guarantee for the cost of re-vegetation shall be posted with the City at the time of building permit issuance. The adjacent ski trails may be used for construction staging.

D. HEIGHT. The building height shall be measured from existing grade. The maximum height shall be twenty five (25') feet for roofs and roof elements that generally are parallel to natural grade and thirty (30') feet for roof ridges that are generally oriented (in the horizontal plane) perpendicular to existing contour lines, for example, dormers. The Planning Commission may, during the small-scale MPD approval process, grant height exceptions up to a maximum height of thirty three (33') feet for pitched roofs for the expressed propose of accommodating access, ie stairwells and/or elevators between floor levels.

E. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades, without a step back of at least five (5') feet shall be twenty-five (25') feet from existing or re-established grade, whichever is greater.

F. 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 shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks. This requirement shall be interpreted to mean that there will be significant variation of roof heights for the different building masses.

G. ACCESS. The lots shall be accessed by a common underground driveway within the 5th Street right-of-way. Minimum vertical clearance in the tunnel shall be 14 feet. The Historic District Commission shall review the design of the entrance onto Woodside and the driveway. The design shall include provisions for covering the driveway/parking structure with vegetation/sod to maintain as much as possible the current "green-open look" of 5th Street. HDC approval of this design is required prior to issuance of a building permit for the driveway.

H. UTILITIES. Utilities shall be extended from Norfolk Waterline and from Woodside Avenue. Where necessary, utilities for 501 Woodside (Lot 1, Block 28, Park City Survey) shall be replaced as part of the underground driveway at the expense of the developer of Lots 6 and 7. Maintenance and replacement of wastewater laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Water Reclamation District. The approved plan shall include proposed methodology to minimize inconvenience to neighbors during construction.

I. FIRE SPRINKLERS. Residential fire sprinkling and/or other safety features shall be required at the determination of the Chief Building Official at the time of building permit issuance. Wood roofing material shall be prohibited.

J. STAIRWAY. A four foot wide stairway serving the ski run as well as the adjacent properties on Woodside shall be constructed as part of the driveway access construction for the lots in this subdivision.

K. EASEMENTS. These lots are subject to the Town Lift Easements as recorded in Book 01228, pages 213, Summit County Recorder's Office, Summit County, Utah and as shown on Sheet 14 of the SPMPD. These lots are subject to the Norfolk Waterline Easement as recorded in Book 458, pages 5-7, Summit County Recorder's Office, Summit County, Utah and the developer shall pay for any necessary rerouting of such and shall provide a new easement if necessary. These lots are subject to ski/pedestrian easements as described in the SPMPD, Section 4.4 of the Master Plan Summary and as shown on Sheets 1,2, and 4-9 of the SPMPD.

L. PRECEDENCE. The above special restrictions are covenants of and consistent with the Sweeney Properties Master Plan approved by the Park City Council on October 16, 1986 and as subsequently amended on October 14, 1987; December 30, 1992; and November 7, 1996. Final house design shall be reviewed under the Small Scale Master Plan process as a Conditional Use Permit, in accordance with the SPMPD. These lots shall not be further subdivided.

SHEET 1 OF 2

SURVEYOR'S CERTIFICATE

I, James V. Wehde, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No. 334551, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owner(s), I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land in lots and streets, hereafter to be known as

TREASURE HILL SUBDIVISION PHASE II

and that same has been correctly surveyed and staked on the ground as shown on this plat.

Date: May 13th, 2003

James V. Wehde, PLS.
License No. 334551

REGISTERED LAND SURVEYOR No. 334551 JAMES V. WEHDE 5-13-03 STATE OF UTAH

LEGAL DESCRIPTION

A part of the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, more particulary described as follows:

Beginning at a point which is 75.00 feet South 66°22'00" West and 58.91 feet South 23°38" East from the Northeast corner of Block 29, Park City Survey, Amended Plat, said point of beginning also being 300.00 feet South 66°22'00" West and 537.02 feet North 23°38'00" West from a Park City Monument at the Intersection of Park Avenue and 4th Street, said point also being the point of beginning of Treasure Hill Subdivision, as recorded in the Summit County Recorder's Office, and running thence South 66°22'00" West 150.00 feet along the Northerly line of said Treasure Hill Subdivision; thence continuing along said line South 27°40'34" West 96.08 feet; thence North 23°38'00" West 395.57 feet; thence North 66°22'00" East 224.99 feet; thence South 23°38'00" East 196.13 feet to the Southwest corner of Lot 3, Block 28, Park City Survey, Amended Plat; thence South 66°52'00" West 25.00 feet; thence South 23°38'00" East 25.00 feet; thence North 66°52'00" East 25.00 feet to the Northwest corner of Lot 1 of said Block 28; thence South 23°38'00" East 25.48 feet to the Southwest corner of said Lot 1; thence South 66°22'00" West 75.00 feet; thence South 23°38'00" East 30.00 feet; thence North 66°22'00" East 75.00 feet to the Northwest corner of Lot 19 of Block 29, Park City Survey, Amended Plat; thence South 23°38'00" East 58.91 feet to the point of beginning. Contains 1.719 acres, more or less.

BASIS OF BEARINGS

The basis of bearing is South 23°31'23" East along the Monument Line of Park Avenue between the Park City Monuments found at the Intersections of 4th Street and 2nd Street.

OWNERS OFFER OF DEDICATION

The owners or their representatives, hereby irrevocably offer for dedication to the City of Park City all the streets, trails right-of-way, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication subject to easements, deeds of record and agreements of record.

IN WITNESS WHEREOF, the undersigned sets thier hands this _____ day of _____, 20__.

EDMUND J. BEAULIEU

CLYDE CARLIG

SWEENEY LAND COMPANY, a Utah general partnership
By Patrick J. Sweeney
Patrick J. Sweeney
Managing Partner

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
: ss.
COUNTY OF COOK)

On this 13th day of June, 2003, personally appeared before me EDMUND J. BEAULIEU, the signer of the foregoing instrument, who duly acknowledged to me that he executedthe same.

My Commission Expires: 3/26/07

NOTARY PUBLIC
Residing at: 850 N. Milwaukee Vernon Hills

OFFICIAL SEAL D.M. ROMANI NOTARY PUBLIC STATE OF ILLINOIS My Commission Expires 03/26/2007

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
: ss.
COUNTY OF SAN JUAN)

On this 10th day of June, 2003, personally appeared before me CLYDE CARLIG, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

My Commission Expires: Jan 30, 2004

NOTARY PUBLIC
Residing at: Georgetown, Tx. 78628

M. WACHSMANN MY COMMISSION EXPIRES January 30, 2004

ACKNOWLEDGEMENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On this 9 day of July, 2003, personally appeared before me PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledged to me that said partnership executed the same.

My Commission Expires: Nov 29 2005

NOTARY PUBLIC
Residing at: Summit Co Utah

NOTARY PUBLIC ROBERT C. BOLT Park City, Utah 84060 My Commission Expires November 29, 2005 STATE OF UTAH

TREASURE HILL SUBDIVISION PHASE II

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY

PREPARED BY:

DOMINION Engineering Associates, L.C.
5684 South Green Street
Murray, Utah 84123 801-713-3000

NUMBER _____
ACCOUNT _____
SHEET 1
OF 2 SHEETS

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 22nd DAY OF May, A.D. 2003.
BY By D. S.B.W.R.D.

PLANNING COMMISSION
APPROVED THIS 13th DAY OF August, A.D. 2003 BY THE PARK CITY PLANNING COMMISSION
BY Chairman CHAIRMAN

ENGINEERS' CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 18TH DAY OF JULY, A.D. 2003.
BY Doug Daems PE PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 19TH DAY OF AUGUST A.D. 2003.
BY Terry Tubbs PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 15TH DAY OF JUNE, A.D. 2000
BY Jan M. Scott PARK CITY RECORDER

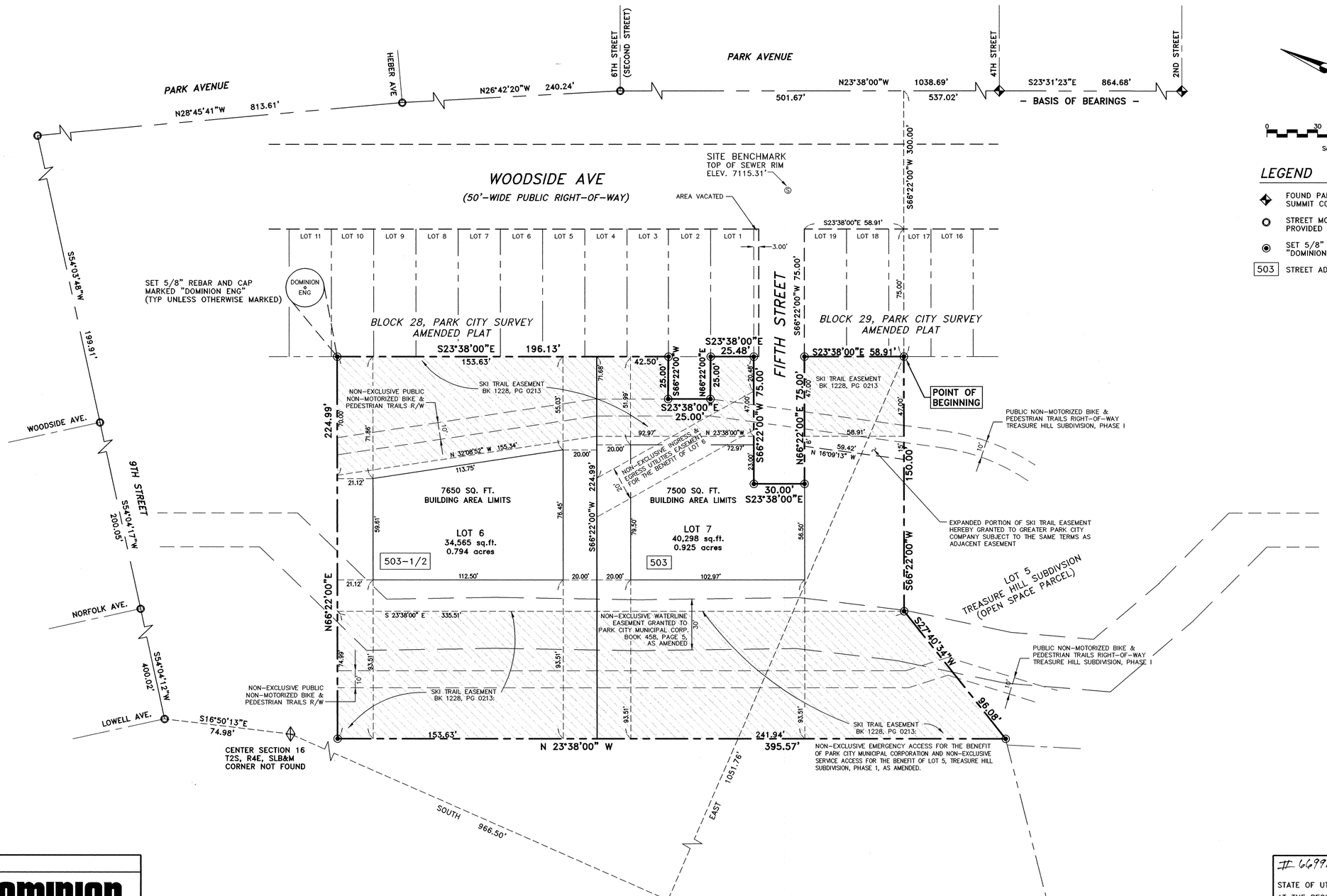
COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 15TH DAY OF JUNE, A.D. 2000
BY Dana Williams MAYOR

RECORDED
#669916
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF Coalition Title
DATE 8-20-2003 TIME 16:46 AM BOOK — PAGE —
$62.00 FEE
Kathryn M. Dunn - Deputy SUMMIT COUNTY RECORDER

PLOT SCALE: 1"=30' 4/8/03 P:\qt-sub\qt-plat2436.dwg

TREASURE HILL SUBDIVISION PHASE II

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY



0 30 60 90
Scale in Feet

LEGEND

- FOUND PARK CITY STREET MONUMENT SUMMIT COUNTY SURVEY
- STREET MONUMENT NOT FOUND PROVIDED FOR REFERENCE ONLY
- SET 5/8" REBAR & CAP MARKED "DOMINION ENG." AT PROPERTY CORNERS
- 503 STREET ADDRESS ON WOODSIDE AVE.

REGISTERED LAND SURVEYOR No. 234551 JAMES V. WEHDE 5-15-03 STATE OF UTAH

SHEET 2 OF 2

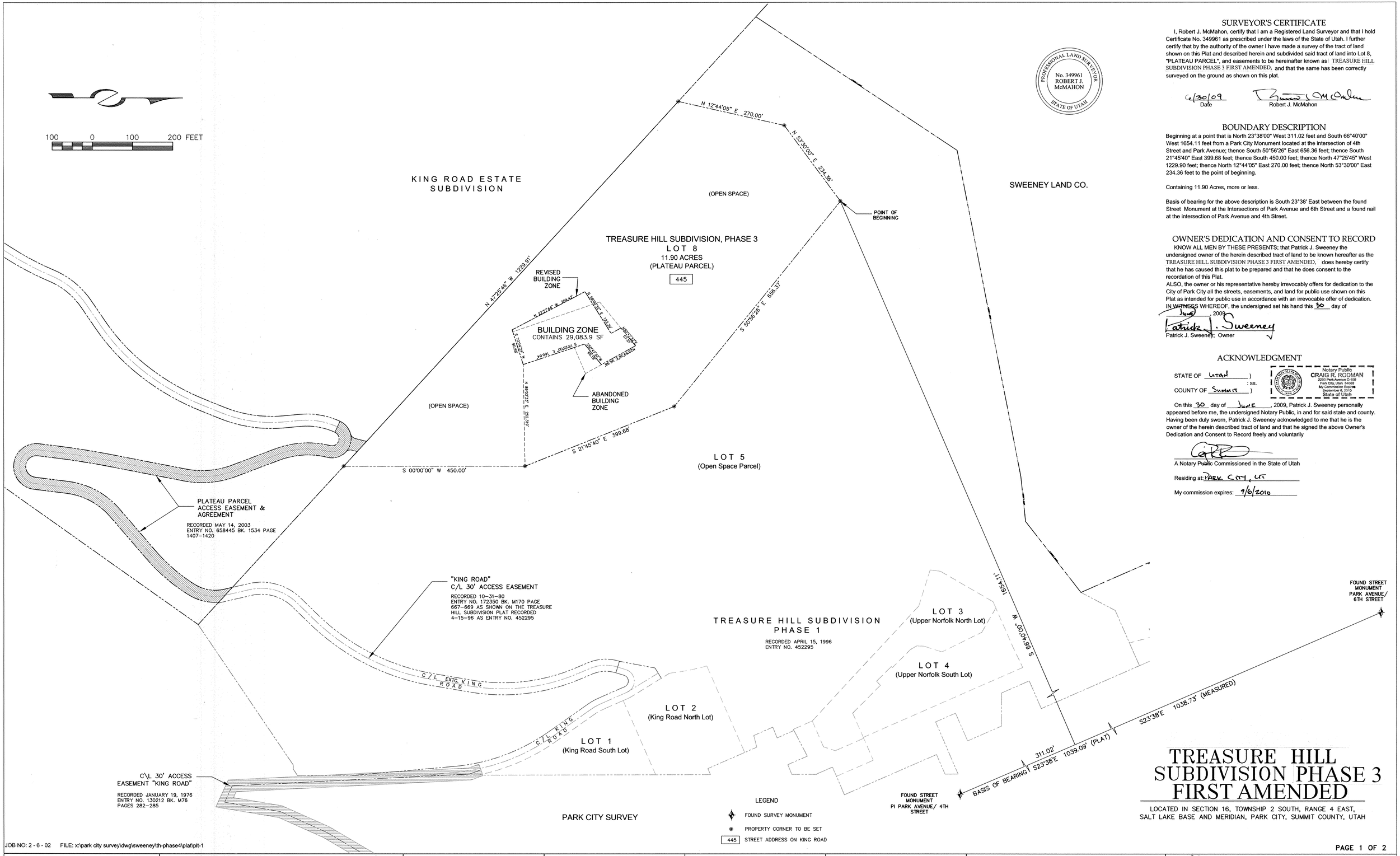
PREPARED BY:

DOMINION Engineering Associates, L.C.
5684 South Green Street
Murray, Utah 84123 801-713-3000

669916 RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED
AT THE REQUEST OF Coalition Title
DATE 8-20-2003 TIME 16:06 PM BOOK — PAGE —
$62.00 FEE
Doreen M. Dunn - Deputy
SUMMIT COUNTY RECORDER

p:\dtsub\gt-plat2436.dwg rev 01/02/03



SURVEYOR'S CERTIFICATE

I, Robert J. McMahon, certify that I am a Registered Land Surveyor and that I hold Certificate No. 349961 as prescribed under the laws of the State of Utah. I further certify that by the authority of the owner I have made a survey of the tract of land shown on this Plat and described herein and subdivided said tract of land into Lot 8, "PLATEAU PARCEL", and easements to be hereinafter known as TREASURE HILL SUBDIVISION PHASE 3 FIRST AMENDED, and that the same has been correctly surveyed on the ground as shown on this plat.

PROFESSIONAL LAND SURVEYOR No. 349961 ROBERT J. McMAHON STATE OF UTAH

6/30/09 Date — Robert J. McMahon

BOUNDARY DESCRIPTION

Beginning at a point that is North 23°38'00" West 311.02 feet and South 66°40'00" West 1654.11 feet from a Park City Monument located at the intersection of 4th Street and Park Avenue; thence South 50°56'26" East 656.36 feet; thence South 21°45'40" East 399.68 feet; thence South 450.00 feet; thence North 47°25'45" West 1229.90 feet; thence North 12°44'05" East 270.00 feet; thence North 53°30'00" East 234.36 feet to the point of beginning.

Containing 11.90 Acres, more or less.

Basis of bearing for the above description is South 23°38' East between the found Street Monument at the Intersections of Park Avenue and 6th Street and a found nail at the intersection of Park Avenue and 4th Street.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS; that Patrick J. Sweeney the undersigned owner of the herein described tract of land to be known hereafter as the TREASURE HILL SUBDIVISION PHASE 3 FIRST AMENDED, does hereby certify that he has caused this plat to be prepared and that he does consent to the recordation of this Plat.

ALSO, the owner or his representative hereby irrevocably offers for dedication to the City of Park City all the streets, easements, and land for public use shown on this Plat as intended for public use in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this 30 day of June, 2009.

Patrick J. Sweeney; Owner

ACKNOWLEDGMENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

Notary Public CRAIG R. RODMAN 2200 Park Avenue C-100 Park City, Utah 84060 My Commission Expires September 6, 2010 State of Utah

On this 30 day of June, 2009, Patrick J. Sweeney personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Patrick J. Sweeney acknowledged to me that he is the owner of the herein described tract of land and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily

A Notary Public Commissioned in the State of Utah

Residing at: Park City, UT

My commission expires: 9/6/2010

TREASURE HILL SUBDIVISION PHASE 3 FIRST AMENDED

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

JOB NO: 2 - 6 - 02 FILE: x:\park city survey\dwg\sweeney\th-phase4\plat\plt-1

ALTA ENGINEERING INC.
CIVIL ENGINEERING · LAND PLANNING
SURVEYING · PROJECT MANAGEMENT
PO BOX 2864 PARK CITY, UTAH 84060 435-649-8191

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 28th DAY OF July, 2009 A.D.
BY S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 13th DAY OF May, 2009 A.D.
BY CHAIRMAN

ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 15TH DAY OF SEPTEMBER, 2009 A.D.
BY PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 23rd DAY OF September, 2009 A.D.
BY PARK CITY ATTORNEY

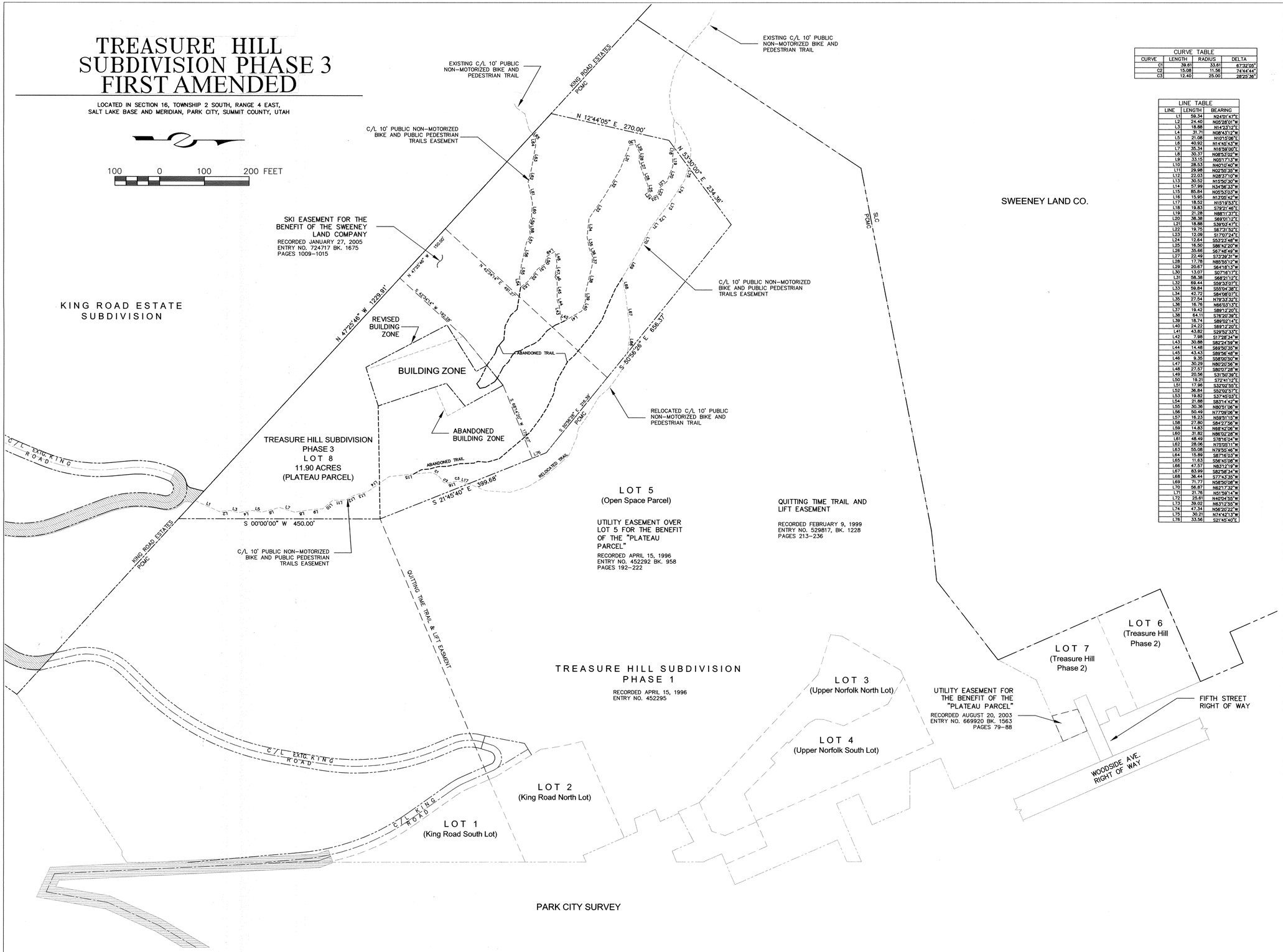
CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 28 DAY OF May, 2009 A.D.
BY PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 28th DAY OF May, 2009 A.D.
BY MAYOR

RECORDED
883780
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF Coalition Title
DATE 10-5-2009 TIME 3:20 pm BOOK — PAGE —
$61.00 FEE — RECORDER

TREASURE HILL SUBDIVISION PHASE 3 FIRST AMENDED

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



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	39.61	33.61	67°32'05"
C2	15.08	11.56	74°44'44"
C3	12.40	25.00	28°25'36"

LINE TABLE		
LINE	LENGTH	BEARING
L1	59.34	N24°01'47"E
L2	24.40	N05°28'01"W
L3	18.88	N14°23'12"E
L4	31.71	N08°43'12"W
L5	21.08	N10°15'06"E
L6	40.92	N14°45'43"W
L7	35.34	N16°59'00"E
L8	30.37	N06°53'02"W
L9	33.15	N05°17'13"W
L10	28.53	N40°10'40"W
L11	29.98	N02°35'35"W
L12	22.03	N28°37'10"W
L13	30.52	N15°50'30"W
L14	57.99	N34°56'33"W
L15	85.84	N05°53'03"W
L16	15.95	N13°05'42"W
L17	18.52	N15°19'53"E
L18	19.83	S79°21'46"E
L19	21.28	N88°11'37"E
L20	38.38	S69°01'12"E
L21	18.88	S36°03'47"E
L22	19.75	S67°31'52"E
L23	12.09	S17°07'24"E
L24	12.64	S53°23'48"W
L25	16.50	S86°42'20"W
L26	35.66	S67°45'49"W
L27	22.49	S73°39'31"W
L28	17.78	N85°55'12"W
L29	20.67	S64°18'13"W
L30	13.07	S07°16'17"E
L31	58.38	S68°21'12"E
L32	69.44	S56°33'07"E
L33	59.84	S55°04'38"E
L34	42.72	S84°06'07"E
L35	27.54	N79°33'32"E
L36	16.76	N56°03'13"E
L37	19.42	S88°12'20"E
L38	64.11	S76°20'39"E
L39	18.74	S89°07'41"E
L40	24.22	S69°12'20"E
L41	43.82	S29°52'33"E
L42	7.98	S17°28'34"W
L43	30.88	S82°24'59"W
L44	14.48	S69°50'35"W
L45	43.43	S89°56'48"W
L46	9.35	S58°00'50"W
L47	30.29	N80°20'56"W
L48	27.57	S80°07'28"W
L49	20.56	S31°50'39"E
L50	19.21	S72°41'12"E
L51	17.96	S32°02'55"E
L52	36.84	S52°02'37"E
L53	19.82	S37°43'03"E
L54	21.88	S83°14'42"W
L55	30.36	N80°51'06"W
L56	50.49	N77°09'06"W
L57	18.23	N59°31'15"W
L58	27.80	S84°27'56"W
L59	14.83	N68°42'06"W
L60	31.82	N86°02'28"W
L61	48.49	S78°15'04"W
L62	28.06	N75°05'11"W
L63	55.08	N79°55'46"W
L64	15.89	S87°16'03"W
L65	11.63	S56°45'08"W
L66	47.57	N83°21'19"W
L67	83.99	S82°58'34"W
L68	36.44	S77°43'35"W
L69	71.77	N58°50'08"W
L70	56.87	N52°17'32"W
L71	21.76	N51°59'14"W
L72	25.61	N40°04'55"W
L73	39.02	N63°12'55"W
L74	47.34	N56°20'22"W
L75	30.21	N74°42'13"W
L76	33.56	S21°45'40"E

PLAT NOTES

1. *FOOTPRINT*. The residential footprint of the dwelling ("Main House"), to be located on Lot 8, Phase IV, Treasure Hill Subdivision (the "Lot"), shall be calculated from the outside face of walls, subject to the massing requirements of Note 6, and a maximum of three thousand five hundred (3,500) square feet footprint including garages. The following shall not count toward the foot print 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 garage 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, or living space that is located below existing natural grade and which has landscaping or deck (as provided in 1(a)) located above it.
   (f) The footprint for up to fifteen hundred (1,500) square feet for an additional attached or detached residence, further provided such residential space is used only for a caretaker's house or guest house, (not to be sold or leased separate from the Main House) and provided that the height of such additional structure from existing natural grade shall not exceed twenty (20) feet, measured from existing natural grade, including all elements other than chimneys, mechanical exhausts, and sanitary sewer vents.

2. *VISIBILITY*. The Main House and Caretaker/ Guest House shall be located and screened by existing vegetation. If necessary, they shall be screened by new vegetation so as to be substantially out of sight from the Historic District as determined solely by the Park City Planning Department.

3. *BUILDING AREA Zone*. Improvements, including fences and formal landscaping (unless otherwise permitted under easements or agreements of record or as shown on this Plat or as consistent with construction drawings approved by the Park City Municipal Corporation ("City") for the driveway and utilities ("Drawings")) shall be limited to the Building Zone noted on this Plat.

4. *BUILDING AREA CONSTRUCTION DISTURBANCE*. Temporary construction disturbance associated with construction of the residence, excluding the driveway and utilities, as shown on construction drawings and the deposit on the Lot of excess excavated material placed in accordance with an approved construction mitigation plan, shall be limited to twenty (20) feet outside the Building Area Zone shown herein subject to Note 2 above. Such disturbed area shall be revegetated with native landscaping, and a guarantee for the cost of revegetation shall be posted with the City at the time of building permit issuance. The adjacent ski trails may be used for construction staging subject to the Town Lift Easements referenced in Note 10 below.

5. *HEIGHT*. The Main House height shall be measured from existing natural grade. The maximum height shall be twenty-five (25) feet for roofs and roof elements that generally are parallel to existing natural grade and thirty (30) feet for roof ridges that are generally oriented (in the horizontal plane) perpendicular to existing contour lines, for example, dormers. Such perpendicularly oriented roof portions located above twenty five (25) feet in height shall comprise less than 20 percent of the roof plan. Planning Commission may, during the Conditional Use approval process, grant height exceptions up to a maximum height of thirty-three (33) feet for pitched roofs for the expressed purpose of accommodating access, i.e. stairwells and/or elevators between floor levels.

6. *MASSING*. Designs may he comprised of one or more connected or unconnected building masses. No one building mass within the 3,500 square foot footprint (referred to in Note 1 above) shall have a footprint that exceeds 2,000 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks. This requirement shall be interpreted to mean that there will be significant variation of roof heights and wall faces for the different building elements.

7. *ACCESS*. The Lot shall be accessed by a minimum of a twelve foot (12) wide driveway as shown on the Drawings. The maximum width shall be 20 feet except for turn around areas approved by the Park City Planning Department.

8. *UTILITIES*. Utilities (water, phone, cable, and power) shall be extended from from Woodside Avenue with the exception that power may come from the North. The water supply lift station and other utilities will be initially installed and perpetually maintained at the owner's expense.

At the request of the owner, Park City allowed emplacement of an individual disposal system (septic tank) on this property. The owner did not request that this property be connected to a Snyderville Basin Water Reclamation District (SBWRD) waste water line. Septic systems can fail. All costs associated with the correction of a failed septic system, including sewer connection from the property to an existing SBWRD waste water line shall be at the sole expense of the property owner. SBWRD shall be in no way responsible for these or any related costs associated with septic system failure.

There is an existing waste water lateral stub for the Plateau Parcel which has been provided on Lot 7 of the Treasure Hill Phase 2 Plat (within the Utility Easement for the benefit of the Plateau Parcel). This lateral passes under a reinforced concrete tunnel. Maintenance and replacement of the waste water lateral shall be the responsibility of the owner of the Plateau Parcel and not that of SBWRD.

9. *FIRE PROTECTION PLAN*. Residential fire sprinkling and other safety features shall comply with the Fire Protection Plan on file with the Chief Building Official at the time of plat recordation. Wood roofing materials shall be prohibited.

10. *EASEMENTS AND AGREEMENTS*. This Lot is subject to the following easements and agreements:

Special Warranty Deed with Possibility of Reverter with certain rights as recorded April 15, 1996, Entry No. 452292, Book 958, Pages 192-222, in the office of the Summit County Recorder, Summit County, Utah.

The Plateau Agreement with covenants and understandings between the Greater Park City Company and Patrick J. Sweeney executed February 1, 1999.

Ski and Pedestrian Easements as described in Section 4.4 of the Sweeney Properties Master Plan ("SPMP") summary and as shown on sheets 1, 2, and 4 through 9 of the SPMP.

Combined Amended Grant of Easements to the Greater Park City Company as recorded February 9, 1999, Entry No. 529817, Book 1228, Pages 213-236, in the office of the Summit County Recorder, Summit County, Utah.

Access Easement Agreement as recorded May 14, 2003, Entry No. 658445, Book 1534, Pages 1407-1420, in the office of the Summit County Recorder, Summit County, Utah.

Utility and Construction Access Easement Agreement as recorded August 20, 2003, Entry No. 669920, Book 1563, Pages 79-88, in the office of the Summit Country Recorder, Summit County, Utah.

11. Lighting on the lot including the interior and exterior of all structures shall be shielded from direct view from all viewpoints within the City Limits with the exception of "seasonal lighting" allowed December 1 through January 15.

12. *PRECEDENCE*. The above special restrictions are covenants of and consistent with the SPMP approved by the Park City Council on October 16, 1986, and as subsequently amended on October 14, 1987; December 30, 1992; and November 7, 1996. Final house design shall be reviewed under the Conditional Use process in accordance with the SPMP. This property shall not be further subdivided.

13. All previous Conditions of Approval of the Sweeney Properties Master Plan (Treasure Hill) continue to apply.

ALTA ENGINEERING INC.
CIVIL ENGINEERING · LAND PLANNING
SURVEYING · PROJECT MANAGEMENT
PO BOX 2864 PARK CITY, UTAH 84060 435-649-8191

RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT ENTRY NO. 00883780
DATE - 10/05/2009 03:20:40 PM B: 2004 P: 1448
Plat PAGE 1/1
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
FEE 61.00 BY COALITION TITLE

Recorded at the request of and return
to: Park City Municipal Corp.
P. O. Box 1480, Park City, UT 84060
ATTN: CITY RECORDER

Ordinance No. 90-24

RED NOTE ___ AB 2/7 C

335573

Park City Municipal Corp

91 JAN 18 AM 9:49

DG NC

ALAN SPRIGGS
SUMMIT COUNTY RECORDER

Fee Exempt per Utah Code Annotated 1953 21-7-2

REC'D BY

An Ordinance zoning portions of the Historic District; specifically 109 acres of hillside on Treasure Mountain from Estate to Recreation Open Space and several development parcels, specifically; two Fifth Street single family lots from HR1 to HR1-MPD; and two upper Norfolk (approximately 400 Upper Norfolk) single family lots from HR1 to HR1-MPD; and two King Road (approximately 200 King Road) single family lots from HR1 to HR1-MPD; and one Lower Norfolk Avenue (approximately 700 Lower Norfolk) single family lot from HR1 to HR1-MPD; and a 3.75 acre condominium/commercial lot at the Town Lift Midstation from HR1 to Estate-MPD; and a 7.75 acre hotel/condo/commercial lot at the Creole Gulch site from Estate to Estate-MPD; and a .543 acre hotel/condo/commercial lot at the Coalition West Site at approximately 775 Park Avenue from HRC to HRC-MPD and from HR-1 to HR-1-MPD; and a 1.57 acre hotel/condo/commercial site at approximately 770 Park Avenue from HRC to HCB-MPD; and amending the Official Zoning Map of Park City, Utah

WHEREAS, the Park City Land Management Code provides the City Council the authority to create zoning designations and amend zoning provisions and the Official Zoning Map; and

WHEREAS, a public hearing was legally noticed and heard before the Planning Commission on August 1, 1990 to receive public input on the rezoning of the parcels described in the above title and more particularly described in Exhibit A.

WHEREAS, on August 1, 1990, the Planning Commission forwarded a recommendation to the City Council to approve the rezoning of such parcels; and

WHEREAS, a public hearing was legally noticed and heard before the City Council on August 16, 1990 to receive public input on the rezoning of the parcels described in the above title; and

WHEREAS, the City Council deems it appropriate that the subject parcels be duly rezoned in consideration of the Planning Commission's findings and conditions and in consideration of the master planned development approval for the subject property, granted in October 1986.

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

SECTION 1. OFFICIAL PARK CITY ZONING MAP AMENDED. The Official Park City Zoning Map shall be amended to apply the zoning

BOOK 593 PAGE 814 -822

designations described above to those portions of the approved Sweeney Master Planned Development described in Exhbiit A hereto.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 23rd day of August, 1990.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Anita Sheldon, City Recorder

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EXHIBIT "A"

SECTION 1 - TREASURE MOUNTAIN HILLSIDE (LESS SECTIONS 2 THROUGH 7 BELOW) - ZONED RECREATION OPEN SPACE

Beginning at the Center of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being South 16°50'13" East, 74.98 feet, more or less, from a Park City Monument at the Intersection of Lowell Avenue and Shepard Street;

and running thence North 89°56'24" East 385.96 feet along 1/4 Section Line; thence South 27°00'12" East, 15.89 feet; thence South 42°57'14" East, 3.40 feet; thence South 55°53'00" West, 93.90 feet; thence South 57°40'08" East, 109.20 feet; thence North 60°08'27" East, 11.21 feet; thence South 38°06'27" East, 39.16 feet; thence North 59°47'16" East, 49.25 feet; thence North 29°10'28" West, 0.70 feet; thence North 63°20'00" West, 20.27 feet; thence South 62°50'00" East, 36.54 feet; thence North 20°02'58" East, 14.48 feet; thence North 23°38'00" West, 10.66 feet; thence North 18°40'48" East, 44.56 feet; thence North 64°51'37" East, 75.03 feet; thence North 57°50'44" East, 58.80 feet; thence South 31°43'29" East, 117.96 feet; thence South 24°05'11" East, 30.00 feet; thence South 66°22'00" West, 13.00 feet; thence North 68°37'59" West, 21.21 feet; thence South 66°22'00" West, 59.27 feet; thence North 69°31'04" West, 21.55 feet; thence South 66°22'00" West, 30.40 feet; thence South 32°43'26" West, 24.33 feet; thence South 14°07'38" West, 27.12 feet; thence South 23°38'00" East, 17.00 feet; thence South 45°11'38" East, 54.42 feet; thence South 23°38'00" East, 404.45 feet; thence North 66°52'00" East, 75.00 feet to the Northwest corner of Lot 14, Block 28 said survey, said point also being South 66°52'00" West, 300.01 feet and South 23°38'00" East, 64.88 feet, more or less, from a Park City Monument at the Intersection of Park Avenue and 6th Street; thence South 23°38'00" East, 300.00 feet to the Southwest corner of Lot 3, Block 28; thence South 66°52'00"West, 25.00 feet; thence South 23°38'00" East, 25.00 feet; thence North 66°52'00" East, 25.00 feet to the Northwest corner of Lot 1, Block 28, said survey; thence South 23°38'00" East, 25.48 feet to the Southwest corner of said Lot 1; thence South 66°22'00" West, 75.00 feet; thence South 23°38'00" East, 30.00 feet; thence North 66°22'00" East, 75.00 feet to the Northwest corner of Lot 19, Block 29, said survey; thence South 23°38'00" East, 325.00 feet to the Southwest corner of Lot 7, Block 29; thence South 66°22'00"West, 75.00 feet; thence South 23°38'00" East, 74.67 feet, more or less, to the East-west 40 Acre Line; thence South 89°36'41" East, 82.11 feet, more or less, along said 40 Acre Line; thence South 23°38'00" East, 91.91 feet, more or less, to the Northwest corner of Lot 2, Block 1 as platted on the Easterly end of the patented Park City Lode Mining Claim U.S. Lot No. 633; thence South 66°22'00" West, 75.00 feet to the Northwest corner of Lot 12 of said mining claim; thence South 23°38'00" East, 53.98 feet to the Southwest corner of Lot 13 said mining claim; thence North 66°40'00" East, 141.00 feet, more or less, to a North-south 40 Acre line and the West line of Park City Townsite said point being South 66°40'00" West, 240.50 feet and

SECTION 1 (CONTINUED)

North 0°08'50" West, 16.32 feet, more or less, from a Park City Monument at the Intersection of Park Avenue and 4th Street; thence South 0°08'50" East, 32.64 feet, more or less, along said 40 Acre Line and said West Line; thence South 66°40'00" West, 52.99 feet, more or less, to the Northwest corner of said mining claim; thence South 23°38'00" East, 250.00 feet to the Northeast corner of Lot 22, Block 30, Park City Townsite Survey, Amended Plat; thence South 66°40'00" West, 50.00 feet; thence North 23°38'00" West, 100.00 feet; thence South 66°22'00" West, 150.00 feet; thence South 23°38'00" East, 151.54 feet; thence North 62°20'36" East, 3.46 feet; thence South 23°38'00" East, 45.70 feet; thence South 68°07'00" West, 28.75 feet; thence South 23°38'00" East, 51.61 feet; thence North 75°38'35" East, 29.97 feet; thence South 23°38'00" East, 132.68 feet; thence North 66°12'00" East, 16.39 feet, more or less, to said 40 Acre Line and said West Line; thence South 0°08'50" East, 1025.87 feet along said 40 Acre Line and said West Line to a point on the Alice Lode which point is North 31°40'53" West, 583.55 feet from a Park City Monument on the Centerline of Daly Avenue; thence South 55°53'19" West, 19.14 feet along said Alice Lode; thence South 89°51'10" West, 10.52 feet; thence South 55°55'40" West, 420.90 feet; thence North 47°25'46" West, 2906.65 feet; thence North 89°56'27" East 845.30 feet; thence North 2°31'24" West, 503.18 feet, more or less, to the 1/4 Section Line; thence North 89°56'30" East, 1081.16 feet, more or less, along said 1/4 Section Line to the point of beginning.

Containing 123.674 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments at the Intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38'00" East.)

LESS AND EXCEPTING THEREFROM PARCELS DESCRIBED BELOW AS SECTION 2 THRU SECTION 7 INCLUSIVE

SECTION 2 - FIFTH STREET SINGLE-FAMILY LOTS - ZONED HR1-MPD

Beginning at a point which is South 66°22' West, 75.00 feet from the Southeast Corner of Block 28, Park City Survey, Amended Plat said point also being South 23°38' East, 412.75 feet and South 66°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street;

and running thence South 66°22' West, 75.00 feet; thence South 23°38' East, 30.00 feet; thence North 66°22' East, 75.00 feet; thence South 23°38' East, 58.90 feet; thence South 66°22' West, 150.00 feet; thence North 23°38' West, 164.38 feet; thence North 66°22' East, 150.00 feet; thence South 23°38'East, 25.00 feet; thence South 66°22' West, 25.00 feet; thence South 23°38' East, 25.00 feet; thence North 66°22' East, 25.00 feet; thence South 23°38' East, 25.48 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

(Basis of bearing for the above description is the Park City Monuments at the intersection of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38' East.)

ALSO:

Beginning at a point which is South 66°22' West, 75.00 feet and North 23°38' West, 110.48 feet from the Southeast Corner of Block 28, Park City Survey, Amended Plat, said point also being South 23°38' East, 302.27 feet and South 66°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street;

and running thence South 66°22' West, 160.00 feet; thence North 23°38' West, 136.13 feet; thence North 66°22' East, 160.00 feet; thence South 23°38' East, 136.13 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

(Basis of bearing for the above description is the Park City Monuments at the intersection of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38' East.)

SECTION 3 - UPPER NORFOLK SINGLE-FAMILY - ZONED HR1-MPD

Beginning at a point which is South 66°40' West, 192.12 feet and North 22°00' West, 88.60 feet from the Northeast Corner Block 30, Park City Survey, Amended Plat, said point also being South 66°40' West, 416.70 feet and North 22°00' West, 73.57 feet from a Park City Monument at the Intersection of Park Avenue and 4th Street;

and running thence South 22°00' East, 238.99 feet; thence South 66°22' West, 56.07 feet; thence North 45°00' West, 207.19 feet; thence North 48°00' East, 145.80 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

(Basis of bearing for the above description is the Park City Monuments at the intersection of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38' East.)

ALSO:

Beginning at a point which is South 66°40' West, 285.85 feet and North 28°00' West, 54.88 feet from the Northeast Corner Block 30, Park City Survey, Amended Plat, said point also being South 66°40' West, 512.00 feet and North 28°00' West, 39.82 feet from a Park City Monument at the Intersection of Park Avenue and 4th Street;

and running thence South 48°00' West, 60.00 feet; thence North 52°00' West, 200.00 feet; thence North 30°00' East, 115.20 feet; thence South 60°00' East, 79.01 feet; thence South 28°00' East, 162.24 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

(Basis of bearing for the above description is the Park City Monuments at the intersection of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38' East.)

SECTION 4 - KING ROAD SINGLE-FAMILY LOTS - ZONED HR1-MPD

Beginning at a point on the North-South 40 Acre Line of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian which is South 66°12' West, 21.69 feet and South 0°08'50" East, 292.35 feet along said 40 Acre Line from the Northeast Corner of Lot 32, Block 78, Millsite Reservation to Park City, Utah said point also being South 23°38' East, 739.75 feet and South 66°12' West, 563.18 feet from a Park City Monument at the Intersection of Park Avenue and 4th Street;

and running thence South 0°08'50" East, 230.00 feet along said 40 Acre Line; thence West, 59.10 feet; thence North 28°00' West, 187.80 feet; thence North 66°22' East, 160.10 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

(Basis of bearing for the above description is the Park City Monuments at the intersection of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38' East.)

ALSO:

Beginning at a point which is South 66°12' West, 51.72 feet and South 0°08'50" East, 106.81 feet from the Northeast Corner of Lot 32, Block 78, Millsite Reservation to Park City, Utah said point also being South 23°38' East, 569.80 feet and South 66°12' West, 519.29 feet from a Park City Monument at the Intersection of Park Avenue and 4th Street;

and running thence South 0°08'50" East, 160.44 feet; thence South 66°22' West, 116.05 feet; thence North 23°38' West, 147.15 feet; thence North 66°22' East, 179.99 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

(Basis of bearing for the above description is the Park City Monuments at the intersection of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38' East.)

SECTION 5 - LOWER NORFOLK AVENUE SINGLE-FAMILY LOT - ZONED HR1-MPD

Beginning at a point which is North 23°38' West, 11.10 feet and South 66°22' West, 30.00 feet from the Southwest Corner of Block 26, Park City Survey, Amended Plat said point also being South 23°38' East, 193.16 feet and South 66°22' West, 5.00 feet from a Park City Monument at the intersection of Norfolk Avenue and 8th Street;

and running thence South 33°32'19" West, 86.58 feet; thence North 57°40'08" West, 94.35 feet; thence North 59°47'16" East, 49.25 feet; thence North 29°10'28" West, 0.71 feet; thence North 63°20'00" East, 20.27 feet; thence North 62°50'00" East, 36.54 feet; thence North 66°22'00" East, 20.00 feet; thence South 23°38' East, 40.92 feet to the point of beginning.

Containing 0.157 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments at the intersection of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38' East.)

SECTION 6 - 3.75 ACRE CONDOMINIUM/COMMERCIAL LOT, TOWN LIFT MIDSTATION - ZONED ESTATE-MPD

Beginning at a point which is South 23°38'00" East, 102.53 feet from the Southwest corner of Block 26, Park City Survey, Amended Plat also being North 28°45'41" West, 103.34 feet and South 66°22'00" West, 352.88 feet, more or less, from a Park City Monument at the Intersection of Park Avenue and Heber Avenue;

and running thence South 23°38'00" East, 404.44 feet; thence South 33°32'19" West, 70.00 feet; thence South 49°11'31" West, 259.21 feet; thence North 41°38'27" West, 359.96 feet; thence North 33°32'19" East, 422.65 feet; thence North 66°22'00" East, 42.60 feet; thence South 23°38'00" East, 1.90 feet; thence South 45°11'38" East, 54.42 feet to the point of beginning.

Containing 3.750 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments at the Intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38'00" East.)

SECTION 7 - 7.75 ACRE HOTEL/CONDO/COMMERCIAL LOT, CREOLE GULCH SITE - ZONED ESTATE-MPD

Beginning at the Center of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being South 16°50'13" East, 74.98 feet, more or less, from a Park City Monument at the Intersection of Lowell Avenue and Shepard Street;

and running thence South 35°16'39" East, 42.58 feet to a point of curvature of a 125.00 foot radius curve to the left (radius point bears North 54°04'32" East); thence Northwesterly along the arc of said curve 275.37 feet (Delta=126°13'13") to a point on the 1/4 Section Line of said Section 16; thence North 89°56'24" East 141.17 feet along 1/4 Section Line; thence South 27°00'12" East, 15.89 feet; thence South 42°57'14" East, 3.40 feet; thence South 55°53'00" West, 93.90 feet; thence South 57°40'08" East, 109.20 feet; thence North 60°08'27" East, 11.21 feet; thence South 38°06'27" East, 39.16 feet; thence South 57°40'08" East, 89.35 feet; thence South 33°32'19" West, 113.12 feet; thence South 55°27'36" West, 281.96 feet; thence North 89°33'30" West, 129.16 feet; thence South 7°26'30" West, 58.60 feet; thence South 77°26'30" West, 131.17 feet; thence North 60°33'30" West, 235.00 feet; thence North 35°33'30" West, 250.00 feet; thence North 3°05'27" East, 221.16 feet; thence North 89°56'30" East, 378.23 feet to the point of beginning.

Containing 7.750 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments at the Intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38'00" East.)

SECTION 8 - .543 ACRE HOTEL/CONDO/COMMERCIAL LOT, COALITION WEST SITE, APPROXIMATELY 775 PARK AVENUE - ZONED HR1-MPD

Beginning at the Northeast corner of Lot 2, Block 1, Snyder's Addition to Park City said point being North 28°45'41" West, 468.78 feet and South 55°56'30" West, 28.61 feet, more or less, from a Park City Monument at the intersection of Park Avenue and Heber Avenue;

and running thence South 28°45'41" East, 200.00 feet along the East line of Lot 2; thence South 61°14'19" West, 99.30 feet, more or less, to the East-West 1/4 Section line of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 89°56'24" West, 21.66 feet, more or less, along said 1/4 Section line to the West line of Lot 2; thence North 31°44'30" West, 176.86 feet along the West line of Lot 2 to the Northwest corner of Lot 2; thence North 55°56'30" East, 128.03 feet along the North line of Lot 2 to the point of beginning.

Containing 0.543 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments at the intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38'00" East.)

NOTE: THE EASTERLY HALF OF THIS PARCEL IS ZONED HRC-MPD. THE WESTERLY HALF IS ZONED HR1-MPD

RESOLUTION NO. 30-91

RESOLUTION ESTABLISHING PRINCIPLES FOR THE PROTECTION OF SENSITIVE LANDS IN THE PARK CITY PLANNING AREA

WHEREAS, the City Council of the City of Park City recognizes that the community's economic well being is dependent on the appeal as a year-round resort destination; and

WHEREAS, the protection of Park City's unique natural resources, view corridors, and mountain environment is directly related to Park City's attractiveness for tourists and the quality of life of its residents; and

WHEREAS, the Park City Comprehensive Plan expresses this concern in its goal to **"Preserve and enhance the natural features such as: ridgelines, hillsides, meadows, streams, flood plains, and significant vegetation which form the sensitive alpine environment that makes Park City so appealing"**, and

WHEREAS, one of the objectives of the Comprehensive Plan is to develop a "sensitive lands" ordinance which will guide development in sensitive areas and further, that another objective of the Comprehensive Plan is to protect ridges from development which would be visible on the skyline from prominent areas of the City.

NOW, THEREFORE BE IT RESOLVED, that the City Council authorizes a study of sensitive lands within the community and establishes the following principles to serve as a guide for that study:

1. A balance must be maintained between development and Park City's natural habitat.

2. The development process must recognize and respect our natural landforms and vegetative patterns.

3. A balance must be achieved between the public's desire to preserve the natural alpine environment and the rights of private property owners to develop their land.

4. As development occurs, significant, contiguous areas of natural habitat should be left undisturbed.

5. The natural ridgelines must be retained as a backdrop to the City.

6. Stream corridors, flood plains, and wetland should be preserved as natural areas.

7. Developed areas should relate in scale, texture, color and density to the particular landscape in which they are located.

8. A thorough analysis of the environmental impacts of developing a site, including aesthetic impacts should be performed prior to approval of development of land.

9. Road development and other disturbance to natural habitat on the sides of mountains and hills should be limited or designed in such a way as to minimize their visual impact.

10. The removal or modification of natural earth forms such as rock outcroppings and minor ridges should be kept to a minimum as development occurs.

PASSED AND ADOPTED this 10th day of October, 1991.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Ordinance No. 92-17

AN ORDINANCE ADOPTING THE SENSITIVE AREA OVERLAY ZONE REGULATIONS AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY, UTAH TO INCLUDE THE SENSITIVE AREA OVERLAY ZONE AND AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH TO BETTER REGULATE DEVELOPMENT ON SENSITIVE LANDS

WHEREAS the Park City Comprehensive Plan states as a goal: "Preserve and enhance the natural features such as: ridge lines, meadows, streams, flood plains and significant vegetation, which form the sensitive, alpine environment that makes Park City so appealing"; and

WHEREAS, the City Council stated its commitment by adopting Resolution No. 30-91, adopted October 10, 1991, identifying principles for protecting sensitive lands; and

WHEREAS, the City has conducted an extensive public process which included many interest groups and held numerous public hearings and meetings to discuss the protection of sensitive lands; and

WHEREAS, amendments to the Comprehensive Plan have been adopted which support amendments to the Park City Land Management Code and the amendments to the Code are consistent with the Comprehensive Plan for Park City;

NOW, THEREFORE BE IT ORDAINED that the Land Management Code of Park City is amended as follows:

SECTION 1. SENSITIVE AREA OVERLAY ZONE REGULATIONS AND MAP ADOPTED. The Sensitive Area Overlay Zone Regulations are hereby adopted and the Official Zoning Map of Park City, Utah is hereby amended to reflect the boundaries of the Sensitive Area Overlay Zone. A copy of the Regulations and Map are attached hereto and made a part of this Ordinance.

SECTION 2. AMENDMENTS TO THE LAND MANAGEMENT CODE:

The following revisions are hereby added as subsections in Chapter 1, General Provisions/Procedures, of the Land Management Code:

1.13(l) Sensitive Lands Review. If a conditional use approval is located within the Sensitive Area Overlay Zone, additional requirements and regulations may apply. See the Sensitive Lands Provisions.

1.14(c) Sensitive Lands Review. If a master planned development is located within the Sensitive Area Overlay Zone,

additional requirements and regulations may apply. See the Sensitive Lands Provisions.

The following additions and deletions are hereby made to the following subsections in Chapter 3, Planning Commission, of the Land Management Code:

3.14((d)(1) conditional user permits;

3.14(1) Sensitive Lands Review. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in the Sensitive Area Overlay Zone Regulations.

The following is hereby added as a subsection in Chapter 8, Supplementary Regulations, of the Land Management Code:

8.26. SENSITIVE LANDS REVIEW. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in the Sensitive Area Overlay Zone Regulations.

The following is hereby added as a subsection in Chapter 9, Architectural Review, of the Land Management Code:

9.9. SENSITIVE LANDS REVIEW. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in the Sensitive Area Overlay Zone Regulations.

The following revisions are hereby made to the following subsections in Chapter 10, Master Planned Developments, of the Land Management Code:

10.3. LAND USE INTENSITY ALLOWANCE. The density and type of development permitted on a given site will be finally determined as a result of impact and site plan analysis, the following table for absolute maximum densities in Master Planned Developments is provided:

GROSS DENSITY ALLOWED
(Total Site)

Zone	Maximum Allowable Density
Residential Development (RD)	Density up to 5 unit equivalents per acre
Residential Development, Medium Density (RDM)	Density up to 8 unit equivalents per acre

Sensitive Area Overlay Zone	Density established by Sensitive Area Overlay Zone regulations
All other zones	Density established by Chapter 7

10.6. THE APPLICATION. The Master Planned Development application must be submitted with a completed application form on a form supplied by the City. Additional application requirements may apply for projects within the Sensitive Area Overlay Zone. The application shall be supported by the following (seven sets required).

10.9. GENERAL CRITERIA FOR REVIEW. A Master Planned Development shall implement the purposes of this ordinance and of this section ~~and~~. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in The Sensitive Area Overlay Zone Regulations. ~~i~~In addition, Master Planned Developments shall meet the following standards and requirements.

10.17 SENSITIVE LANDS REVIEW. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in the Sensitive Area Overlay Zone Regulations.

The following revisions are hereby made to the following subsections in Chapter 15, Subdivision Regulations, of the Land Management Code:

15.2.1.
(c)1. It is the intent of these regulations that subdivision review be carried out simultaneously with the review of Master Planned Developments. Required applications shall be submitted in a form to satisfy both the requirements of the subdivision regulations and master planned development provisions of the Land Management Code. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulation as outlined in the Sensitive Area Overlay Zone Regulations.

3.(ii) Referral Back for Zoning Approval. The Planning Department and city staff shall thereupon refer the sketch plat and preliminary plat with its recommendation of approval, conditional approval, or disapproval, together with such recommendations and reviews of use, density and bulk standards as it was required to make under the master planned development and Sensitive Area Overlay Zone regulations of the Land Management Code, to the Planning Commission as authorized under the Land Management Code to approve the application. Application

shall then be made to the Planning Commission and City Council for final plat approval. No building permits or certificates of occupancy shall be issued for the project until the zoning application for the MPD has been finally approved and final subdivision plat approval has been given and the subdivision plat is recorded with the County Recorder.

15.4.1.
(a)2. The Land Management Code, Sensitive Area Overlay Zone, Uniform Building and related Codes, and all other applicable laws of the appropriate jurisdictions.

15.4.10 Preservation of Natural Features and Amenities.

(a) General. Existing features which add value to the community shall be retained. Buildings shall be sited in a manner that preserves significant views. Ridges should be protected from development which would be visible on the sky line from prominent areas in Park City. Existing vegetation should also be retained as much as possible. Vegetation protection shall be required during construction so that disturbance is limited. Existing features such as water courses, wetlands, historic sites, critical meadowlands, important vistas, and other irreplaceable assets shall be preserved in the design of the subdivision. All trees on the plat required to be retained shall be preserved, and all trees where required shall be welled and protected against change of grade. The sketch plat shall show the number, size, and location of existing trees as required by these regulations and shall further indicate all those marked for retention, and the location of all proposed trees along the street side of each lot. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in The Sensitive Area Overlay Zone Regulations.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 24th day of September, 1992.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch

Bradley A. Olch

Attest:

Anita L. Sheldon

Anita L. Sheldon, City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

SENSITIVE AREA OVERLAY ZONE REGULATIONS

Final Draft
September 24, 1992

Park City Municipal Corporation
Park City, Utah

SENSITIVE AREA OVERLAY ZONE REGULATIONS
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SENSITIVE AREA OVERLAY ZONE REGULATIONS

INTRODUCTION AND OVERVIEW

A. Conditions and Development Pressures Leading to Action

For many years, Park City has discussed the need to develop more comprehensive regulations to deal with development on sensitive lands within Park City. The need for new regulations has intensified with increasing development pressures and with the continued buildout of areas within Park City.

The City Council adopted a resolution in October of 1991 that directed the staff to update the current ordinances to include additional regulations for sensitive lands. A citizens focus group was formed and draft Comprehensive Plan amendments and implementation strategies were formulated. This document proposes changes to the Land Management Code to address development in the sensitive areas of Park City.

The basis for these regulations is the Comprehensive Plan for which amendments are proposed to stress the importance of protecting the characteristics that make Park City unique and desirable:

> "The long-term viability of the community depends on its success as a year-round tourist destination and as a desirable place to live and work. Park City must maintain its identity to preserve and enhance its appeal."

The primary intent of the regulations included in this document is to restrict development in aesthetically and environmentally sensitive areas. This is done by requiring open space on hillsides, prohibiting development on ridgeline areas and wetlands and strictly regulating development in entry corridors. The intent is that these regulations will encourage large expanses of open space and the clustering of development while still allowing a reasonable use of property.

There are several different categories of land to which these regulations apply. Much of the property within the existing city limits of Park City is subdivided or master planned. Additionally, there is land within the City which is zoned but undeveloped, and land within the Annexation Policy Declaration which is unzoned and not within the current City Limits.

The regulations will apply to land only within the Sensitive Area Overlay Zone and will have a different level of application for each of these situations. A matrix is included (Appendix B) as a part of these regulations to better understand how requirements apply to these different categories of land:

1. Unannexed, Unzoned Land - The City currently has a significant amount of negotiating power in these situations, but these regulations will provide a minimum basis for those negotiations and will set forth the intent so that new development can be made consistent with that intent.

2. Land within the City Limits and Zoned - All of the proposed regulations would apply to this category of land including the density transfer provisions.

3. Land within the City Limits which is Master Planned but not Subdivided - As site specific plans come before the City, these regulations shall be used for site planning and final density determinations. The building design standards and tree/vegetation protection regulations shall apply.
4. Land within the City Limits which is Subdivided - The building design standards and tree/vegetation protection regulations shall apply to these areas.

It is the intent of this ordinance that the sensitive area regulations will also apply to unique or special developments like public works and utility projects, ski resorts, and industrial activities. However, given the special nature of these developments, the ordinance applies the regulations through special procedures.

These regulations are a beginning point. Because of limited staff resources, there has been an attempt to address the most vital issues relating to development on sensitive lands. Other future regulations may be appropriate as time and staffing allows.

B. Basic Regulatory Approach

The city staff and sensitive lands consultants analyzed a range of regulatory approaches and specific tools to deal with the development pressures on sensitive lands. For example, the team explored options such as a complete rewrite of the city's zoning ordinance to emphasize protection of sensitive lands. They examined innovative growth management systems involving performance zoning and development point systems that are being utilized in other fast-growing communities.

Based on this analysis and an assessment of the pros and cons of each option, the city staff and consultants concluded that given the need to act expeditiously, the best approach was to

adopt a special overlay zoning protection district for all lands containing sensitive environmental areas (importantly, defined to include both sensitive visual and natural environmental areas). Such overlay protection districts are used frequently in localities throughout the United States, and in fact, Park City already utilizes this technique under its Land Management Code.

The overlay protection zone will work as follows. Within the new district, all existing land-use and building regulations now in place will continue to apply except to the extent the regulations contained in the protection district are stronger or more restrictive. In a few instances, new regulations are proposed that would amend existing zoning regulations (for example, the limits of disturbance regulations or building design standards would apply to all development, including residential and commercial, etc.). The overlay district regulations would also serve as minimum standards of review to guide annexation negotiations, but could be applied with a greater degree of discretion given the flexibility inherent in the annexation process.

The overlay review process, described in greater detail in the proposed regulations, will have four primary steps:

1. Sensitive area analysis and delineation: All applicants for development (defined as including applications for subdivision or other development permits, including significant changes in existing Master Planned Developments (MPD), and for annexation) whose property has been identified as being within the sensitive area overlay zone, will be required to undertake an analysis of their property to identify sensitive environmental and aesthetic areas such as steep slopes, ridgeline areas, wetlands, and stream corridors. The regulations set forth criteria for the staff delineation of sensitive environmental areas.

2. Application of overlay zone regulations: Once the staff delineates sensitive areas on a site, regulatory standards will apply depending on the type of area involved (for example, a setback from a crest of a hill or wetlands or a prescribed amount of open space and existing vegetation that must be retained).

3. Site Development Suitability Review: The site will be analyzed and the most appropriate location for development will be determined based upon criteria for suitability outlined in Sections 2.1.9.c and 2.2.3.c. The staff shall review the Sensitive Area Determination and the proposed locations for development

at this time. A report shall be given to the Planning Commission which shall discuss appropriate areas for development and road restrictions. The Community Development Director may require that an application be reviewed by the Planning Commission prior to the master plan or subdivision review based upon size, location, and complexity of the project. A proposal will then continue with the design phase and will be reviewed and approved by the Planning Commission according to the process required in the Land Management Code. The MPD or Subdivision approval shall include density bonuses which may be appropriate as well as the open space requirement within the developed portion of an MPD site.

4. Hardship relief: Application of the sensitive area regulations may in a few cases, particularly involving smaller parcels, give rise to substantial economic hardship. Special procedures are recommended to obviate such hardship. If the applicant can demonstrate that the regulations would deny all reasonable use of the property, administrative steps are specified to provide relief through a special hearing process.

C. Effect on Existing Master Plans

There are number of existing, valid Master Plans which have been approved. Requests for site specific approval for parcels within Large Scale Master Plans which are located within the Sensitive Area Overlay Zone shall be required to go through the Sensitive Lands Analysis and the development will be required to be placed on the least sensitive portion of the parcels. In general, the site design criteria shall apply to these proposals.

If there is a request to change the form of density for a part or all of a Master Plan or a request to substantially modify the plan, the total permitted density will be reevaluated based upon the criteria in these provisions.

D. Changes in Existing Ordinance Provisions

In some instances, adoption of the sensitive area overlay zone regulations will require changes in existing city land development regulations to ensure consistency and compatibility. These provisions are identified in general terms.

E. Future Ordinance Revisions

In addition to recommendations for new sensitive area overlay regulations that should be adopted immediately, possible future revisions to the city's land development regulations are identified for consideration.

SENSITIVE AREA OVERLAY ZONE ORDINANCE PROVISIONS

SECTION 1: APPLICATION AND ANALYSIS REQUIREMENTS

In the Sensitive Area Overlay Zone as depicted in the accompanying map, the following application and analysis requirements and standards shall apply. The map requires that the following analysis be conducted to determine the exact boundaries of the sensitive areas and does not in and of itself define the sensitive areas.

1.1. Sensitive Area Analysis and Determination

Any applicant for any development approval must produce a sensitive lands analysis performed by qualified professionals that identifies and delineates all the following features and conditions.

1.1.1 Slope/topographic map, which shall be based on a certified boundary survey and depict contours at an interval of five (5) feet or less. Additionally, the map shall highlight areas of high geologic hazard, areas subject to landsliding, and all significant steep slopes in the following categories: (1) greater than fifteen (15) percent but less than or equal to thirty (30) percent; (2) greater than thirty (30) percent but less than or equal to forty (40) percent; and (3) over forty (40) percent. Steep slopes shall be defined as all areas within a parcel with a slope of greater than fifteen (15) percent. Slope determinations shall be made upon areas at least twenty-five (25) feet vertically and fifty (50) feet horizontally.

1.1.2 Ridgeline areas, which shall include all crests of hills or steep slopes as defined in Section 4.

1.1.3 Vegetative cover, generally by type and density of vegetation, including: 1) deciduous trees, 2) coniferous trees, 3) gamble oak or high shrub, and 4) sage, grassland, and agricultural crops. The Community Development Department shall have the discretion to require a more detailed tree/vegetation survey if the site has significant or unusual vegetation, stands of trees, or woodlands.

1.1.4 All designated entry corridors and designated vantage points present within or adjacent to the site, including Utah Highway 248 east of Wyatt Earpp Way and Utah Highway 224 north of Holiday Ranch Loop Road and Payday Drive.

1.1.5 Wetlands as established by using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, dated January 10, 1989. Although the Federal Manual may change in the future, the City will use this referenced manual as a basis for wetlands determination.

1.1.6 Stream corridors as defined by their ordinary high-water mark.

1.2 Additional Information and Study Requirements

In addition to the analysis required by the preceding subsection, the Community Development Department may require the applicant to undertake the following studies and submit the following information and assessments to ensure that the City has adequate information to comprehensively assess all development proposals. Such information and studies may include, but are not limited to:

1.2.1 Visual assessment of the subject property from relevant designated vantage points as directed by the Community Development Department, depicting conditions before and after the proposed development, including the proposed location, size, design, landscaping, and other visual features of the project to assist in analyzing the potential aesthetic impact and most advantageous location of structures and other improvements to reduce any adverse impact. The visual assessment shall be conducted using techniques as approved by the Community Development Director, including but not limited to sketches, models, drawings, renderings, hand-enhanced photographs, and computerized images. Selection of the appropriate technique will depend on the size of the development and the visual sensitivity of the proposed development site.

1.2.2 Soil investigation report, including but not limited to shrink-swell potential, elevation of water table, general soil classification and suitability for development, erosion potential, hazardous material analysis, and potential frost action.

1.2.3 Geotechnical report, including but not limited to location of major geographic and geologic features, depth of bedrock, structural features (folds, fractures,

etc.), and potential slide and other high-hazard areas such as mine shafts and avalanche paths.

1.2.4 Additional Slope Information. If the size of the proposed development and visual sensitivity of the site dictate, the Community Development Department may require the submission of a slope/topographic map depicting contours at an interval of two (2) feet.

1.2.5 Fire protection report, including but not limited to identification of potential fire hazards, mitigation measures, access for fire protection equipment, existing and proposed fire flow capability. The fire protection report shall address, as appropriate, the State Forester's Wildfire Hazards and Residential Development Identification Classification and Regulation Report and the Summit County Wildfire Plan.

1.2.6 Hydrologic report, including but not limited to information on groundwater levels, drainage channels and systems, and base elevations in floodplains.

1.2.7 Wetland/stream corridor resource evaluation, including a delineation of wetland and stream corridor boundaries and a determination of resource significance pursuant to Section 2.4.

1.3 Waiver/Modification of Analysis and Study Requirements.

Based upon a preliminary assessment of the development proposal and a site field inspection, the Community Development Director may modify or waive any of the sensitive area analysis requirements upon a determination that the information is not necessary for a full and adequate analysis of the development or is sufficient at a reduced level of detail.

1.4 Sensitive Area Determination.

The Community Development Department shall delineate all sensitive areas on the parcel, including steep slope areas, ridgeline areas, entry corridors, and wetlands and stream corridors based on information submitted pursuant to this section, any other information and data available to or acquired by the Community Development Department, and an analysis thereof. Such delineation shall be used as the basis for all calculations of open space, density, buffers, setbacks, and density transfers permitted or required by this ordinance.

1.5 Density Transfer.

Whenever land within the Sensitive Areas Overlay Zone is subject to more than one density transfer provision, the more restrictive provision shall apply.

1.6 Annexations

Whenever an Annexation Petition is presented to the City, that Annexation shall be required to provide a Sensitive Area Analysis according to this code and may require varying levels of detail based upon existing conditions on the site. The Sensitive Area will be determined based upon that analysis. The analysis may lead to the designation of additional significant ridgelines, wetlands or vantage points which may not have been previously included as a part of this ordinance or of the accompanying maps.

SECTION 2: SENSITIVE AREA REGULATIONS

The following provisions shall apply to all delineated sensitive areas contained in the Sensitive Area Overlay Zone, including steep slopes, ridgeline areas, meadows, entry corridors, wetlands, and stream corridors.

2.1 Slope Protection Regulations

2.1.1 Intent. It is the intent of these regulations to protect Park City's visual character and environmentally sensitive areas on hillsides and slopes. This shall be accomplished by minimizing the visual and environmental impacts of development through careful site planning that maintains the maximum amount of open space, protects existing vegetation, avoids sensitive natural areas, minimizes erosion, recognizes the need for water conservation and locates structures in the least visually sensitive location. These regulations shall apply to all slopes in excess of fifteen (15) percent.

2.1.2 Prohibitions. No development shall be allowed on or within fifty (50) feet of slopes in excess of forty (40) percent, areas subject to landsliding, and other high-hazard geological areas as determined by a geotechnical or soils report produced pursuant to Section 1.2.2 and 1.2.3 herein.

2.1.3 Graded or filled slopes. Cutting and filling to create additional or larger building sites shall be kept to a minimum and avoided to the maximum extent feasible. All proposed grading and filling shall be subject to review by the Community Development Department to ensure minimum visual impact and geotechnical safety. Graded or filled slopes shall be limited to thirty-three a 3 to 1 slope or less. All graded slopes shall be recontoured to the natural, varied contour of surrounding terrain. Exceptions to this provision may be made for grading associated with ski area development based upon Section 3.2.

2.1.4 Benching or terracing to provide additional or larger building sites is prohibited.

2.1.5 Streets and roads. Road construction in hillsides can be the most visually disruptive portion of a development. Development in some areas may not be appropriate if roads cannot be constructed to access it without causing

significant visual impacts. Where streets and roads, public and private, are proposed to be constructed on steep slopes:

(a) Streets and roads that cross slopes of thirty (30) percent or greater shall not be allowed, except that a short run of not more than one hundred (100) feet across slopes greater than thirty (30) percent may be allowed by the Community Development Director upon a favorable recommendation by the Planning Director and the City Engineer that such streets or roads will not have significant adverse visual, environmental, or safety impacts.

(b) Where streets and roads, public and private, are proposed to cross slopes greater than ten (10) percent, the following standards shall apply:

(1) Evidence must be presented that such streets and roads will be built with minimum environmental damage and within acceptable public safety parameters.

(2) Such streets and roads shall, to the maximum extent feasible, follow contour lines, preserve the natural character of the land, and be screened with trees or vegetation.

(3) Cutting and filling shall be held to a minimum and retaining walls employed to help provide planting areas conducive to revegetation. Revegetation plans will be required for all areas disturbed during road construction.

2.1.6 Retaining walls. Use of retaining walls is encouraged to reduce the steepness of man-made slopes and provide planting pockets conducive to revegetation. The use, design, and construction of all retaining walls shall be subject to the approval of the Community Development Department based upon assessment of visual impact, compatibility with surrounding terrain and vegetation, and safety considerations.

2.1.7 Landscaping and revegetation. In order to mitigate adverse environmental and visual effects, slopes exposed in new development shall be landscaped or

revegetated in accord with a revegetation/landscaping plan as provided in Sections 15.4.2 (d) and 10.9 (k) of the Park City Municipal Land Management Code (Limits of Disturbance/Vegetation Protection), as amended. See Appendix B herein. Topsoil from any disturbed portion of a steep slope shall be preserved and utilized in revegetation. Fill soil must be of a quality to support plant growth.

2.1.8 Private development design standards. All development on steep slopes shall comply with the design standards set forth in Chapter 9 of the Land Management Code--Architectural Review (See Appendix A attached hereto.).

2.1.9 Open space and density on delineated portions of sites with steep slopes greater than fifteen (15) percent but less than or equal to forty (40) percent. In addition to the specific development regulations set forth above, the following general open space, limits of disturbance, and density transfer regulations shall apply:

(a) Open space. Seventy-five (75) percent of the steep slope area shall remain in natural open space as defined in the Land Management Code. Twenty five (25) percent may be developed in accordance with the underlying zoning subject to the following conditions.

(1) Maximum development density. The maximum allowable density that may be developed on the portion of the steep slope area not set aside for open space shall be governed by the underlying zoning. However, the maximum allowable density shall be permitted only by approval of the Community Development Department pursuant to the visual and environmental analysis provided for in Sections 1.1 and 1.2, and a finding that development at that density will not have a significant adverse visual or environmental affect on the community as set forth in Section 2.1.9(c).

(2) Location of development within sensitive areas. Any development permitted in steep slope areas pursuant to this section shall be located in such a manner to reduce visual and environmental impacts to the maximum

extent feasible. To determine the most appropriate location for development, the Community Development Department shall require that the applicant conduct a visual and environmental analysis considering visual impact from key vantage points, potential for screening, location of natural drainage channels, erosion potential, vegetation protection, access, and similar site design criteria. Based upon such analysis, the Community Development Department may require any one or a combination of the following measures:

(i) clustering of development within the sensitive area, or

(ii) dispersal of development throughout the sensitive area, or

(iii) transferral of development density to non-sensitive or less sensitive portions of the site not subject to Section 2. In transferring development to less sensitive portions of the site, meadows must also be considered as important visual resources. A low lying meadow area may not always be the most appropriate location for all the development on a site to occur. Development shall be sited to preserve the open meadow vistas which are also desirable.

(b) Density transfer. Up to twenty-five (25) percent of the densities otherwise permitted in the underlying zone attributable to the 75% open space portion of the site may be transferred to other portions of the site. The density transfer shall be subject to a suitability determination as set forth in Section 2.1.9(c). In addition to density transfers permitted above, up to one (100) hundred percent of the remaining preexisting density as set forth in Section 2.1.9(a) is eligible for transfer.

(c) Suitability determination. A suitability determination certifying that a development will have no significant adverse impact on

adjacent properties or development shall be granted by the Planning Commission at the time of master plan or subdivision review if the following conditions are satisfied:

(1) The overall development density of the entire parcel (not limited to the portion of the parcel receiving the transferred densities) is compatible with that of adjacent properties or developments. The fact that individual lot sizes in the receiving area may vary from those of adjacent properties or developments shall not be determinative of incompatibility.

(2) The architecture, height, building materials, and other design features of the development in the receiving area are compatible with adjacent properties or developments.

(3) The applicant has agreed to adopt appropriate mitigation measures such as landscaping, screening, illumination standards, and other design features as recommended by the Community Development Department to buffer the adjacent properties from the receiving area.

2.1.10 Open space and density on portions of sites with very steep slopes (in excess of 40 percent).

(a) One hundred (100) percent of the very steep slope area shall remain in open space. No vegetation within fifty (50) feet of the very steep slope area shall be disturbed.

(b) Up to ten (10) percent of the densities otherwise permitted in the zone may be transferred to other portions of the site, including delineated sensitive areas. The density transfer shall be subject to a suitability determination by the Community Development Department as set forth in Section 2.1.9(c).

2.1.11 Land Management Code Master Planned Development (MPD) Open Space Requirements. The sixty (60) percent open space requirements contained in Chapter 10.9.(c) of the Land Management Code shall continue to apply to the developed portion of an MPD site. However, the Community Development

Department may recommend to the Planning Commission at master plan or subdivision approval to reduce the sixty (60) percent open space requirement on non-sensitive areas on the site receiving a density transfer upon a determination that:

(a) The sensitive area open space set aside is sufficient to provide adequate natural open space for the entire development, and

(b) Sufficient neighborhood and recreational open space is set aside within the developable portion of the site to serve residents of the development.

(c) In no case shall less than twenty (20) percent of the developable portion of the MPD site be set aside for neighborhood and recreational open space.

2.1.12 Density bonuses. In addition to the density transfers permitted pursuant to this Section, the Community Development Department may recommend that the Planning Commission grant, at the MPD or subdivision review, up to a maximum of twenty (20) percent increase in transferrable densities if the applicant:

(a) Donates open space either in fee or a less-than-fee interest to either the City or another unit of government or nonprofit land conservation organization approved by the City. Such density bonus shall only be granted upon a finding by the Director that such donation will ensure the long-term protection of a significant environmentally or visually sensitive area; or

(b) Provides public access other than trails normally required through the development process and as shown on the Trails Master Plan; or

(c) Restores degraded wetlands or stream areas on the site or makes other significant environmental improvements.

2.2 Ridgeline Area Protection Regulations

2.2.1 Intent. The intent of these provisions is to protect the unique visual and environmental character of all designated ridgeline areas within the Sensitive Area Overlay Zone and to ensure that development near ridgeline areas blends in with rather than interrupts or modifies the natural contour elevations of these landforms. Significant ridgeline areas should be retained in a natural state, and development should be sited in such a manner so as not to create a silhouette against the skyline or mountain backdrop as viewed from designated vantage points.

2.2.2 Minimum setback. No building, roof, or other appurtenant device shall encroach upon the ridgeline area, as defined in Section 4.2. Additionally, no roof or other appurtenant device, including mechanical equipment, on any building may visually intrude on the ridgeline area from any of the eight designated vantage points as depicted on the accompanying map, determined by a visual assessment.

2.2.3 Open space and density. In addition to the specific development regulations set forth above, the following general open space, limits of disturbance, and density transfer regulations shall apply to all ridgeline areas in the Sensitive Area Overlay Zone as defined in Section 4.2:

(a) No vegetation within the ridgeline area shall be disturbed. One hundred (100) percent of the ridgeline area shall remain in open space.

(b) Density transfer. Up to twenty-five (25) percent of the densities otherwise permitted in the zone attributable to the ridgeline area may be transferred to portions of the site determined not to be subject to regulations contained in Section 2 herein. The density transfer shall be subject to a suitability determination as set forth below.

(c) Suitability determination. A suitability determination certifying that a development will have no significant adverse impact on adjacent properties or development shall be granted by the Planning Commission at the time of master plan or subdivision review if the following conditions are satisfied:

(1) The overall development density of the entire parcel (not limited to the portion of the parcel receiving the transferred densities) is compatible with that of adjacent properties or developments. The fact that individual lot sizes in the receiving area may vary from those of adjacent properties or developments shall not be determinative of incompatibility.

(2) The architecture, height, building materials, and other design features of the development in the receiving area are compatible with adjacent properties or developments.

(3) The applicant has agreed to adopt appropriate mitigation measures such as landscaping, screening, illumination standards, and other design features as recommended by the Community Development Department to buffer the adjacent properties from the receiving area.

2.2.4 Density bonuses. In addition to the density transfers permitted pursuant to this Section, the Community Development Director may recommend that the Planning Commission grant, at MPD or subdivision review, up to a maximum of twenty (20) percent increase in transferrable densities if the applicant:

(a) Donates open space either in fee or a less-than-fee interest to either the City or another unit of government or nonprofit land conservation organization approved by the City. Such density bonus shall only be granted upon a finding by the Director that the donation will ensure the long-term protection of a significant environmentally or aesthetically sensitive area; or

(b) Provides public access for trails, other than those normally required as a part of the development process and as shown on the Trails Master Plan; or

(c) Restores degraded environmental areas on the site or makes other significant environmental improvements.

2.3 Entry Corridor Protection

2.3.1 Intent. To protect the image of Park City as a mountain community with sweeping, attractive vistas, it is the intent of this section to maintain the visual character of all designated entry corridors into Park City including open space and meadows located in the entry corridor protection areas, views of hillsides and ridgeline areas, and natural areas such as streams and wetlands. This objective can be attained by eliminating or mitigating visually obtrusive development and ensuring that significant portions of meadows remain in open space.

2.3.2 Applicability to property within existing Park City limits. The regulations contained in this subsection shall apply to all structures on lots adjacent to or within two-hundred and fifty (250) feet of the nearest right-of-way of entry corridors within the existing boundaries of Park City including (1) Utah State Highway 224 north of Holiday Ranch Loop Road and Payday Drive, (2) Utah State Highway 224 south of Prospect Avenue, and (3) Utah Highway 248 east of Wyatt Earpp Way.

2.3.3 Applicability to future annexed properties. Upon submission of an annexation petition, the Community Development Department shall identify relevant entry corridors for designation by the City Council and to the maximum extent feasible open vistas and meadows shall be maintained.

2.3.4 Access/traffic. Access points and driveways connecting directly to the entry corridor roadways shall be minimized. Access shall be from existing city streets that join with the corridor roadways rather than direct roadway access. Common driveways between adjoining projects shall be encouraged. Whenever direct driveway access is necessary, it shall be located in such a manner to minimize interference with through traffic on the corridor roadway.

2.3.5 Setbacks.

(a) A setback line shall be established by the Community Development Department based upon a visual assessment of the property. However, in no case shall the setback be less than one-hundred (100) feet from the nearest entry roadway right-of-way. In areas where open meadow vistas are considered important, the required setback may be increased significantly.

The 100 foot standard is intended to be more appropriate for properties currently within the City Limits. Upon Annexation request, the appropriate setback will be determined based upon a site specific visual analysis.

(b) Building setbacks shall vary from structure to structure within any one lot or development. Setbacks shall also vary from those on adjoining roadway-oriented property to avoid creating a walled effect. Buildings shall be located in such a manner to enhance and frame important views as determined in the visual assessment provided for in Section 1.2.1.

(c) Agricultural or stock fences shall be permitted in the setback area subject to approval by the Community Development Department.

2.3.6 Parking lots. Parking lots shall be located to the rear or sides of buildings to the maximum extent feasible.

2.3.7 Berms/earthwork screening. All earthen berms and earthwork screening shall be graded and planted in such a manner so as to permit views of primary uses on the site from the adjacent entry corridor roadway. Additionally, berm crests shall be contoured and varied in height to avoid a straight-line barrier effect.

2.3.8 Fencing. In addition to the requirements contained in Section 8.7 of the Land Management Code, all fences in the entry corridor shall be of one of the following styles:

(a) Wooden rail

(b) Architecturally compatible solid wood and natural stone.

(c) Stock fences

(d) Various forms of steel fencing as determined by the Community Development Department, not including chain link fencing.

2.3.9 Height controls. No building shall exceed the following height limits, as defined in Section 2 of the Land Management Code:

(a) Twenty (20) feet if the entry corridor setback is less than one-hundred fifty (150) feet.

(b) Twenty-five (25) feet if the entry corridor setback is greater than one-hundred fifty (150) feet but less than two-hundred (200) feet.

(c) Up to the maximum height allowed by the underlying zone if the setback is two-hundred (200) feet or greater.

In addition, buildings may be required to be stepped back to preserve and enhance important views defined in the visual assessment as provided in Section 1.2.1.

2.3.10 Pedestrian facilities. Trails and sidewalks shall be provided in all entry corridor developments in accordance with the Park City Trails Master Plan.

2.3.11 Landscaping/vegetation protection. A landscaping plan shall be required for all entry corridor developments, and vegetation protection shall be undertaken pursuant to Chapter 15.4.2.(d) of the Land Management Code as amended (See Appendix B).

2.3.12 Design standards. All development within an entry corridor shall comply with the design standards contained in Chapter 9 of the Land Management Code, as amended. (See Appendix A).

2.4 Wetlands and Stream Corridors

2.4.1 Intent. Park City finds that the wetlands and stream corridors provide important hydrologic, biological and ecological, aesthetic, recreational, and educational functions. Important functional values of wetlands and streams have been lost or significantly impaired as a result of various activities and additional functional values of these important resources are in jeopardy of being lost. The following requirements and standards have been developed to promote, preserve and enhance these valuable resources and to protect them from adverse effects and potentially irreversible impacts.

2.4.2 Jurisdiction. All significant wetlands and stream corridors in the Sensitive Areas Overlay Zone are regulated as provided herein and are subject to the jurisdiction of this ordinance.

2.4.3 Prohibited Activities. No person shall engage in any activity that will disturb, remove, fill, dredge, clear, destroy or alter any area, including vegetation, ("surface disturbance") within significant wetlands and significant stream corridors and their respective setbacks, except as may be expressly allowed herein.

2.4.4 Boundary Delineations. Wetland and stream corridor delineations shall be performed by a qualified professional that has demonstrated experience necessary to conduct site analysis. The qualified professional shall be approved by the Community Development Director and shall perform the work on behalf of Park City Municipal Corporation through a third-party contract where all fees, costs and expenses are borne by the applicant. Delineation of wetlands and stream corridors shall be subject to the approval of the Community Development Director.

(a) Pursuant to Section 1.1.5, boundary delineation of wetlands shall be established using the Federal Manual For Identifying and Delineating Jurisdictional Wetlands, dated January 10, 1989, and jointly published by the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers and the U.S. Soil conservation Service. Subsequent revisions to the Federal Manual shall not be incorporated as part of the methodology. Although the Federal Manual may change in the future, the City will use this referenced manual as a basis for wetlands determination.

(b) Stream corridors shall be delineated at the ordinary high water mark as defined in Section 4.2.

2.4.5 Determination of Significance.

(a) A wetland delineated pursuant to the 1989 Federal Manual shall be found significant based upon the following criteria:

(1) Size. All wetlands that occupy a surface area greater than 1/10 acre or are associated with permanent surface water are significant.

(2) Location. All wetlands that are adjacent to or contiguous with a stream corridor are significant.

(b) All stream corridors are significant. Stream Corridors shall not include ditches which are commonly known to be irrigation ditches and do not contribute to the preservation or enhancement of fisheries or wildlife.

2.4.6 Setbacks. The following setbacks are considered minimum distances:

(a) Setbacks from wetlands shall extend a minimum of 50 feet outward from the delineated wetland edge.

(b) Setbacks from stream corridors shall extend a minimum of 50 feet outward from the ordinary high water mark.

(c) Setbacks from irrigation ditches shall extend a minimum of 20 feet from the ordinary high water mark.

2.4.7 Runoff Control. All projects adjacent to wetlands will provide appropriate temporary and permanent runoff control to minimize sediment and other contaminants to the maximum extent feasible.

2.4.8 Habitat Restoration Projects. The Community Development Department may approve wetland and stream restoration and enhancement projects providing that the project plan has been reviewed by a qualified professional and approved by the appropriate state and federal agencies with jurisdiction. All habitat restoration work shall be performed under the direct supervision of a qualified professional.

2.4.9 Land Management Code Master Planned Development (MPD) Open Space Requirements. The sixty (60) percent open space requirements contained in Chapter 10.9.(c) of the Land Management Code shall continue to apply to the developed portions of an MPD site. However, the Community Development Department may recommend to the Planning Commission at master plan or

subdivision approval to reduce the sixty (60) percent open space requirement in the developed portion of an MPD site upon a determination that:

(a) The sensitive area open space set aside is sufficient to provide adequate natural open space for the entire development, and

(b) Sufficient neighborhood and recreational open space is set aside within the developable portion of the site to serve residents of the development.

(c) In no case shall less than twenty (20) percent of the developable portion of the MPD site be set aside for neighborhood and recreational open space.

SECTION 3: ADMINISTRATIVE PROVISIONS

3.1 Development Approvals For Public Projects/Public Works/Public Utilities

All public development projects and public works that visually impact or otherwise adversely impact sensitive areas, and all public utility installations including but not limited to water and sewer projects, pipelines, electrical supply facilities and wires, roads, and trails, constructed or undertaken within the Sensitive Area Overlay Zone shall be reviewed according to the following process and guidelines. It is the intent of this section that the proposed public utilities projects, both private and public, make all reasonable attempts to comply with the standards and guidelines of the Sensitive Lands regulations. The primary emphasis shall be on reasonable and practical reclamation and revegetation of areas disturbed by major public works and utility projects. In some situations, it may be necessary to encroach upon certain environmentally sensitive lands in order to maintain a desirable level of public service and safety. In those cases, an evaluation of alternatives and possible mitigation shall be required prior to such projects being submitted.

3.1.1 Consultation.

(a) Public Utilities projects. The project sponsor shall notify the Community Development Director of the proposed project. A project plan delineating the location, alignment, and scope of the undertaking shall be submitted with such notification. If the Community Development Director determines that the project may have significant visual and environmental impacts, a consultation meeting shall be scheduled. No development shall occur until after the consultation meeting and compliance with the steps outlined in the following subsections, unless the Community Development Director has determined that no significant visual or environmental impact will result from the proposed project.

(b) Public Works and other public projects. The department director shall notify the Community Development Director of all proposed projects which may have significant visual and environmental impacts and a consultation meeting shall be scheduled. No development shall occur until after the

consultation meeting and compliance with the steps outlined in the following subsections.

Minor projects which are determined by the Community Development Director to have no potential for significant visual or environmental impacts shall be exempt from the process outlined in Sections 3.1.2 through 3.1.6.

3.1.2 Mitigation. The Community Development Director shall review the proposed project and after the consultation meeting may request the project sponsor to prepare a mitigation plan that modifies the project to mitigate the environmental and visual impact of the project. To the maximum extent feasible, the project sponsor shall design the public works to preserve the natural character of the sensitive area and locate it in areas not visible from major public rights-of-way or public property such as parks.

3.1.3 Adoption of Recommendations. The project sponsor shall, before undertaking the project, to the maximum extent feasible, adopt the modifications and mitigation measures recommended by the Community Development Department or state in writing why adoption of such measures is not feasible before the project shall proceed.

3.1.4 Wetlands and Stream Corridors. All public utilities and public works, constructed or undertaken within significant wetlands and significant stream corridors and their respective setbacks, including but not limited to water and sewer projects, pipelines, electrical supply facilities and wires, roads, and trails, shall be governed pursuant to the procedures set forth in Section 3.1. They shall be exempted from the requirements of this Section 2.4 providing that: (a) no practical alternative location exists outside the significant wetland and significant stream corridor and their respective setbacks; and (b) the project meets the technical guidelines defined below.

(a) To the maximum extent feasible, disturbed areas within the setbacks shall be revegetated using native species common to the native vegetation community.

(b) Maintenance access shall be provided at specific access points rather than parallel access roads. To the extent that access roads must be located within a corridor, the roads shall be kept

to a minimum width. Parallel access roads shall be sited contiguous to the utility corridor to minimize disturbance and shall be sited on the outside edge of the utility corridor away from the resource.

(c) Surface materials used for trail construction and other access routes shall be approved by the Community Development Director.

(d) Road construction techniques for stream crossings shall use appropriate methods demonstrated to provide fisheries protection.

3.1.5 Emergency Repairs. In the event of an emergency that requires immediate action to protect the health and safety of the general public, such action may go forward without the immediate consent of the Community Development Director. The Community Development Director shall be consulted at the earliest stage reasonably possible in the construction/repair phase.

3.1.6 Maintenance. Maintenance projects shall proceed only after notification of and approval by the Community Development Director. If the Community Development Director, due to the size or nature of the maintenance activity, determines that it may have a significant adverse impact on the sensitive area, the project shall proceed through the review procedures set forth in Sections 3.1.1 through 3.1.5.

3.2 Development Approvals for Ski Area Construction and Expansion

3.2.1 Consultation. Development of skiing and recreation related facilities within existing ski areas and expansion of ski facilities shall remain a permitted use. The project developer shall notify the Community Development Director of the proposed project. A plan detailing the location, alignment and scope of the undertaking shall be submitted with such notification. If the Community Development Director determines that the project may have significant visual and environmental impacts, a consultation meeting will be scheduled. No development shall occur until after the consultation meeting.

3.2.2 Mitigation. The Community Development Director shall review the proposed project and after consultation may request the project developer to prepare

alternatives for consideration and to prepare a mitigation plan that modifies the project to mitigate the environmental and visual impact of the project. To the maximum extent feasible, the developer shall design the ski facilities to preserve the natural character of the sensitive area. The mitigation plan shall also address revegetation disturbed areas and temporary and permanent erosion control measures.

3.3 Substantial Compliance. To avoid unnecessary review by city agencies and disputes over the application of the Sensitive Area Overlay Zone ordinance provisions, whenever there are practical difficulties over the application of the provisions or whenever the aims of the ordinance can be better achieved through alternatives to strict compliance, the Community Development Director, pursuant to the authority granted under Ordinance No. 83-3, may make specific modifications to strict compliance with the Sensitive Area Overlay Zone ordinance provisions.

3.4 Economic Hardship Relief Provisions.

3.4.1 Hardship Relief Petition. Any applicant for development, after a final decision on its development application is taken by the City Council, may file a Hardship Relief Petition with the Community Development Director seeking relief from the overlay zone regulations on the basis that the denial of the application has created a substantial economic hardship, depriving the applicant of all reasonable use of its property.

3.4.2 Affected Property Interest. The hardship relief petition must provide information sufficient for Community Development Director and the City Attorney to determine that the petitioner possesses a protectable interest in property under Article I, Section 22 of the Constitution of Utah and the Fifth Amendment to the United States Constitution.

3.4.3 Economic Hardship Standard. For purposes of this ordinance, a substantial economic hardship shall be defined as a denial all reasonable use of the property. Upon a finding that the denial of the application has resulted in a denial of all reasonable use of the property, the Park City Municipal Corporation may provide the petitioner with relief from the overlay zone regulations.

3.4.4 Time for Filing Notice of Petition and Petition. No later than ten (10) calendar days from final action by the City Council on any development application, the

applicant shall file a notice of petition in writing with the City Recorder. Within thirty (30) days of filing of a Notice of Petition, the applicant shall file a Hardship Relief Petition with the City Recorder.

3.4.5 Information to be Submitted with Hardship Relief Petition.

(a) The hardship relief petition must be submitted on a form prepared by the Community Development Director, and must be accompanied at a minimum by the following information:

(1) Name of the petitioner;

(2) Name and business address of current owner of the property, form of ownership, whether sole proprietorship, for-profit or not-for-profit corporation, partnership, joint venture or other, and if owned by a corporation, partnership, or joint venture, name and address of all principal shareholders or partners.

(3) Price paid and other terms of sale of the property, the date of purchase, and the name of the party from whom purchased, including the relationship, if any, between the petitioner and the party from whom the property was acquired;

(4) Nature of the protectable interest claimed to be affected, such as, but not limited to, fee simple ownership, leasehold interest;

(5) Terms (including sale price) of any previous purchase or sale of a full or partial interest in the property in the three years prior to the date of application;

(6) All appraisals of the property prepared for any purpose, including financing, offering for sale, or ad valorem taxation, within the three years prior to the date of application;

(7) The assessed value of and ad valorem taxes on the property for the previous three years;

(8) All information concerning current mortgages or other loans secured by the property, including name of the mortgagee or lender, current interest rate, remaining loan balance and term of the loan and other significant provisions, including but not limited to, right of purchasers to assume the loan;

(9) All listings of the property for sale or rent, price asked and offers received, if any, within the previous three years;

(10) All studies commissioned by the petitioner or agents of the petitioner within the previous three years concerning feasibility of development or utilization of the property;

(11) For income producing property, itemized income and expense statements from the property for the previous three years; and

(12) Information from a title policy or other source showing all recorded liens or encumbrances affecting the property;

(b) The Community Development Director or the appointed Hearing Officer may request additional information reasonably necessary, in their opinion, to arrive at a conclusion concerning whether there has been a denial of all reasonable use constituting a substantial economic hardship.

3.4.6 Failure to Submit Information. In the event that any of the information required to be submitted by the petitioner is not reasonably available, the petitioner shall file with the petition a statement of the information that cannot be obtained and shall describe the reasons why such information is unavailable.

3.4.7 Preliminary determination of substantial economic hardship. Prior to the appointment of a hearing officer, and based on a review of documents

submitted by the applicant, the City Council, upon advice of the Community Development Director and City Attorney, shall make a determination whether the applicant has made a prima facie case that the subject property has suffered a serious diminution of value or a denial of all reasonable use that amounts to a substantial economic hardship. If a determination is made that a prima facie case has been established, then the Community Development Director and City Attorney shall recommend whether the hearing shall be formal or informal under the Utah Administrative Procedures Act. Such determination shall be made within thirty (30) days of the filing of a Hardship Relief Petition and submission of all information required by the Community Development Director and City Attorney necessary to make such determination. Upon such showing, the City Council may appoint a hearing officer, elect either formal or informal administrative proceedings, and proceed with a review of the hardship petition. If upon advice of the Community Development Director and the City Attorney, the City Council finds that the applicant has not made a prima facie case of economic hardship as defined above, the petition for hardship relief shall be denied and no hearing officer shall be appointed.

3.4.8 Appointment of Hearing Officer. The Community Development Director shall, within thirty (30) days following a preliminary determination of hardship by the City Council, appoint a Hearing Officer to review information submitted by the petitioner, to hold a hearing to determine whether there is an affected property interest and whether a substantial economic hardship has been created as a result of the final action on the application, and to make a recommendation to the City Council concerning approval or denial of the Hardship Relief Petition.

3.4.9 Qualifications of the Hearing Officer. Every appointed Hearing Officer shall have demonstrated experience in either development, real estate finance, real estate analysis, real estate consulting, real estate appraisal, planning, real estate or zoning law, or in other real estate related disciplines sufficient to allow understanding, analysis and application of the economic hardship standard. Prior to appointment, the hearing officer shall submit a statement of no potential or actual conflict of interest.

3.4.10 Notice of the Public Hearing. Within ten (10) days following appointment of the Hearing Officer, written notice shall be published and posted in accordance with Section 1.15 of the Land Management Code. The hearing shall be held

within thirty (30) days following the final date of written notice, unless a reasonable extension of time is agreed to by both the Community Development Director and the petitioner.

3.4.11 Rules for Conduct of the Hearing. The hearing shall be conducted according to the rules of the Utah Administrative Procedures Act.

3.4.12 Application of the Economic Hardship Standard. In applying the economic hardship standard in Section 3.4.3 above, the Hearing Officer shall consider among other items the following information or evidence.

(a) Any estimates from contractors, architects, real estate analysts, qualified developers, or other competent and qualified real estate professionals concerning the feasibility, or lack of feasibility, of construction or development on the property as of the date of the application, and in the reasonably near future;

(b) Any evidence or testimony of the market value of the property both considering and disregarding the Sensitive Area Overlay Zone designation; and

(c) Any evidence or testimony concerning the value or benefit to the petitioner from the availability of opportunities to transfer density or cluster development on other remaining contiguous property owned by the petitioner eligible for such transfer as provided herein;

3.4.13 Burden of Proof. The petitioner shall have the burden of proving that the denial of the application creates a substantial economic hardship under the standard provided in Section 3.4.3.

3.4.14 Findings of the Hearing Officer. The Hearing Officer shall, on the basis of the evidence and testimony presented, make the following specific findings as part of its report and recommendations to the City Council:

(a) Whether the petitioner has complied with the requirements for presenting the information to be submitted with a hardship relief petition;

(b) Whether the petitioner has a protectable interest in property;

(c) The market value of the property considering the Sensitive Area Overlay Zone designation;

(d) The market value of the property disregarding the Sensitive Area Overlay Zone designation;

(e) The market value of, or benefit accruing from opportunities to transfer density or cluster development on other remaining contiguous property owned by the petitioner eligible for such transfer as provided herein;

(f) Whether it was feasible to undertake construction on or development of the property as of the date of the application, or in the reasonably near future thereafter;

(g) Whether, in the opinion of the Hearing Officer, the denial of the application would create a substantial economic hardship as defined in Section 3.4.3.

3.4.15 Report and Recommendations of the Hearing Officer.

(a) The Hearing Officer, based upon the evidence and findings, shall make a recommendation to the City Council concerning the Hardship Relief Petition.

(b) If the Hearing Officer recommends that the City Council approve the Hardship Relief Petition, then the report of the Hearing Officer shall discuss the type and extent of incentives necessary, in the opinion of the Hearing Officer, to provide an appropriate increase in market value or other benefit or return to the petitioner sufficient to offset the substantial economic hardship. The types of incentives that the hearing officer may consider include, but are not limited to, the following:

(1) An increase in the opportunity to transfer density or cluster development on other property owned by the applicant outside the Sensitive Area Overlay Zone;

(2) A waiver of permit fees;

(3) Development finance assistance on property outside the Sensitive Area Overlay Zone;

(4) Approval of development on some portion of the property within the Sensitive Lands Protection District; and

(5) Acquisition of all or a portion of the property at market value.

(c) The report and recommendation shall be submitted to the City Council and mailed to the petitioner within thirty (30) days following conclusion of the public hearing.

3.4.16 City Council Review and Consideration. The City Council shall review the report and recommendations of the Hearing Officer and approve or disapprove the Hardship Relief Petition within sixty (60) days following receipt of the Hearing Officer's report. The City Council may hold a public hearing and provide notice as provided in the Land Management Code. Only new testimony and evidence shall be presented at any public hearing held by the City Council. The City Council may adopt any incentive reasonably necessary to offset any substantial economic hardship as defined in Section 3.4.3 and may condition such incentives upon approval of specific development plans.

3.4.17 Time Limits/Transferral of Incentives. Any incentives adopted by the City Council pursuant to this section may be transferred and utilized by successive owners of the property or parties in interest, but in no case shall the incentives be valid after the expiration date of the development approval.

SECTION 4: DEFINITIONS

4.1 Definition Usage.

For the purposes of this ordinance, certain terms and words used herein shall be used, interpreted, and defined as set forth in this subsection and the Park City Municipal Corporation Land Management Code.

4.2 Definitions.

Compatible. A development is compatible with an existing development or property if its architectural features, building height and materials, approved uses, intensity of such use and other features are complementary and do not have a significant adverse economic and aesthetic impact on the existing development or property.

Crest of hill. The highest point on a hill or slope as measured continuously throughout the property. Any given property may have more than one hill crest.

Substantial economic hardship. Means denial of all reasonable economic use of the property.

Development Approval Application. Includes any application for any development approval including but not limited to grubbing, grading, an alteration or revision to an approved MPD, conditional use permits, zoning or rezoning, subdivision, or annexation. The term "development approval application" shall not include any building permits associated with construction within an approved subdivision or on an existing platted lot unless otherwise specified.

Land Management Code. The official Park City Municipal Corporation Land Management Code adopted December 22, 1983, and effective January 1, 1984, as amended.

Maximum extent feasible. Means no prudent, practical and feasible alternative exists, and all possible planning to minimize potential harm has been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

Open space. Shall have the meaning set forth in Chapter 2 of the Land Management Code.

Ordinary high water mark. Means the line on the bank to which the high water ordinarily rises annually in season as indicated by changes in the characteristics of soil, vegetation or other appropriate means which consider the characteristics of the surrounding areas. Where the ordinary high water mark cannot be found, the top of the channel bank shall be substituted. In braided channels, the ordinary high water mark or substitute shall be measured so as to include the entire stream feature.

Qualified professional. Means a professionally trained person with the requisite academic degree, experience, and professional certification or license in the field or fields relating to the subject matter being studied or analyzed.

Ridgeline area. Means the crest of a hill or slope plus the land located within one-hundred fifty (150) feet horizontally (map distance) on either side of the crest.

Significant wetland. All wetlands which occupy a surface area greater than 1/10 acre or are associated with permanent surface water or which are adjacent to or contiguous with a stream corridor.

Slope. The level of inclination of land from the horizontal determined by dividing the horizontal run of the slope into the vertical rise of the same slope and converting the resulting figure into a percentage value. For purposes of regulation and measurement, slopes must cover at least twenty five (25) feet vertically and fifty (50) feet horizontally.

Steep slope. Slopes greater than fifteen (15) percent but less than or equal to forty (40) percent.

Stream. Means those streams, excluding ditches and canals constructed for irrigation and drainage purposes, that flow year around or intermittently during years of normal rainfall.

Stream corridor. Means the corridor defined by the stream's ordinary high water mark.

Suitability determination. A determination carried out by the Community Development Director to ascertain if a development at increased densities due to a

density transfer from a sensitive area is compatible with development on surrounding or adjacent property.

Vantage points. A height of five feet above a set reference marker in the following designated vantage points within Park City that function to assist in analyzing the visual impact of development on hillsides and steep slopes:

1. Osguthorpe Barn
2. Treasure Mountain Middle School
3. Intersection of Main Street and Heber Avenue
4. Park City Ski Area Base
5. Snow Park Lodge
6. Park City Golf Course Clubhouse
7. Park Meadows Golf Course Clubhouse
8. Utah Highway 248 at the turn-out one quarter mile west from U.S. Highway 40
9. Highway 224, 1/2 mile south of the intersection with Kilby Road.

APPENDIX A--DESIGN STANDARDS

All private development within the Sensitive Area Overlay Zone shall comply with the following design standards which supplement, and supersede in the case of a conflict, Chapter 9 of the Land Management Code

A.1 Building color and material. All buildings shall be constructed of material of a muted earth tone color that reflects the dominant color of the surrounding vegetation. Building materials shall comply with the provisions of Chapter 9 of the Park City Municipal Land Management Code (Architectural Review).

A.2 Windows and other glass. Glass areas shall be reviewed to avoid highly reflective surfaces. Mirrored glazing is prohibited on any building, except that solar absorption glazing is an acceptable material.

A.3 Parking. Subdivision lots and streets shall be designed so that wherever possible parking is located behind buildings on the uphill lots. Uses other than single-family residences shall break up parking areas into smaller lots that should be located in linear strips running parallel to the slope contours. The perimeter of parking areas shall be screened with vegetation, fencing, or other architectural elements.

A.4 Rooftop mechanical equipment. All rooftop mechanical equipment, including HVAC equipment and similar appurtenances, must be screened so as not to be visible from nearby properties or hillsides above the equipment.

A.5 Roof pitch, color, and materials. The pitch of any roof shall generally parallel the slope upon which the building is located, but in any case shall not exceed a height to horizontal ratio of 9/12 and shall not descend closer than seven (7) feet from the ground. The minimum roof pitch shall be 4/12. Roofs shall be of a dark, muted earth tone color in a shade of dark gray, dark brown, or black that reflects the dominant color of the surrounding vegetation and shall be constructed of materials as set forth in Chapter 9 of the Park City Municipal Corporation Land Management Code (Architectural Review).

A.6 Height controls. Upon review of any subdivision or MPD within the Sensitive Area Overlay Zone, an analysis of appropriate building heights will be conducted. Based upon the visual analysis, building heights may be reduced for all or part of a proposed development.

A.7 Dwelling size. Maximum single-family dwelling size shall be evaluated at the time of project approval taking into consideration visual impact and community character.

A.8 Underground utilities. All utility lines in steep slope developments shall be underground, except that the Community Development Director may allow above-ground utilities if burying would result in severe damage to significant vegetation or sensitive environmental areas.

APPENDIX B--TREE/VEGETATION PROTECTION REGULATIONS

B.1 The following provisions are hereby adopted as amendments to existing limits of disturbance regulations contained in Section 15.4.2(d) and Section 10.9 (k) of the Park City Municipal Corporation Land Management Code and will apply to existing platted subdivisions in the Sensitive Area Overlay Zone, to include the following criteria to be used in establishing limits of disturbance.

B.1.1 Visual impacts of the development, including but not limited to screening from adjacent properties, ridgeline area protection, and protection of critical viewsheds as defined in the Sensitive Area Overlay Zone District Regulations Section 1 herein.

B.1.2 Erosion prevention and control, including but not limited to protection of natural drainage channels.

B.1.3 Fire prevention and safety, including but not limited to location of trees and vegetation near structures.

B.1.3 Irrigation and water conservation.

B.1.4 Wildlife habitat, including but not limited to preservation of critical wildlife habitat and migration routes.

B.1.5 Stream and wetland protection and buffering.

B.2 Tree/vegetation removal. No trees or vegetation within the Sensitive Area Overlay Zone shall be removed for the purpose of providing open views to or from structures on a site.

B.3 Irrigation limits. The amount of irrigated area shall be minimized depending on the amount existing natural vegetation on the site prior to construction and type of irrigation proposed to be used.

B.4 Revegetation plan. All applicants for developments on land subject to Sensitive Area Overlay Zone regulations involving cut and fill and graded slopes shall submit a revegetation/landscaping plan for approval by the Community Development Department. The plan shall depict the type, size, and location of any vegetation and trees being planted and illustrate how the site will be recontoured in such a fashion

and with sufficient topsoil to ensure that revegetation is feasible. The plan shall also indicate a time frame for revegetation which is acceptable to the Community Development Department. Retaining walls shall be used to provide breaks in man-made steep slopes exceeding fifteen (15) percent and to provide planting pockets.

B.5 Violation/Replacement provision. Any applicant who violates the provisions of this subsection by removing trees or vegetation or exceeding the prescribed limit of disturbance shall replace two for one in number all trees/vegetation illegally removed. Size of trees planted in replacement of illegally removed trees must be approved by the Community Development Department.

APPLICATION OF SENSITIVE LANDS PROVISIONS

	Building Design Standards	Limits of Disturbance & Vegetation Protection Standards	Site Planning Standards	Density Limitations
Annexations	Used as a basis for negotiation			
Projects within City Limits, but not Master Planned	YES	YES	YES	YES
Projects within approved Large Scale MPD's	YES	YES	YES	Where changes in concept are proposed
Small Scale MPD's	YES	YES	YES	Where changes in concept are proposed
Building Permits within subdivisions on visually sensitive hillsides	YES	YES	NO	NO

PARK CITY
1884

Legal Department

September 22, 1992

Michael E. Sweeney
2280 S. 2300 East
Salt Lake City, Utah 84109

Re: Status of Sweeney Master Plan

Dear Mike:

I'm in receipt of your letter of September 21st which we received by telefax this morning. In an effort to provide you a timely and succinct response, here are our answers to your three questions:

1. Will the Sensitive Lands Overlay Zone apply to the Sweeney property's master plan hillside portion (Treasure Hill)? Yes. However, Land Management Code § 3.14(c)(2) Length of Approval, provides, in pertinent part, "Zone changes occurring while the approval is in effect shall not effect the approval. Changes in the master plan requested by the developer will be reviewed and approved as a revision to the master plan by the Planning Commission. A change will be defined as any change in concept, unit type, configuration or number. At that time, the Planning Commission shall review the entire MPD, even if only one parcel or phase is involved in the modification, under the regulations in effect at the time of review. Modifications shall act as an extension of the approval." The Sensitive Lands Ordinance is being adopted in the form of an overlay zone, and so would not, by itself, affect the approved Sweeney Master Plan. If, however, a change in the master plan is requested, as defined in the LMC, the provisions of the Sensitive Lands Ordinance would be applied.

2. Is the Sweeney Master Plan in full effect? At this time, Park City is reviewing information being submitted by Pat Sweeney with regard to the progress made to date under the MPD approval to determine compliance with the MPD phasing and the terms of the Land Management Code relating to extension of the approval.

3. Is the City bound by the conceptual approval of the Town Lift project passed by the City Council on September 19, 1991? No. The Town Lift project conceptual approval was granted in order to give guidance to the developer as to what types of applications would be favorably reviewed by the City in the future. Neither the applicants nor the City, however, are bound by the conceptual approval. The City has, however, approved the plat for Phase I of the project, and is bound by that approval.

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (801) 645-5008 • FAX (801) 645-5078

I hope this information is responsive to your request. Please give me a call if you need further information or clarification.

Very truly yours,

James W. Carter
City Attorney

Ordinance No. 95-50

AN ORDINANCE APPROVING THE FINAL PLAT OF TREASURE HILL SUBDIVISION LOCATED AT 200 AND 220 KING ROAD AND 375 AND 425 NORFOLK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property indicated above, MPE Inc., petitioned the City Council for approval of the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on August 30, 1995 and the City Council conducted a public hearing on September 7, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, on August 30, 1995 the Planning Commission forwarded a positive recommendation of approval to the City Council, with conditions regarding building size, public utility, fire protection, trails, the Infrastructure Review Ordinance, and setbacks; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

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 amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The Treasure Hill Subdivision is approved as shown on Attachment A with the following conditions:

1. All original conditions of approval for the Preliminary Plat shall apply (Exhibit B).

2. Prior to final plat recordation, the Community Development Department shall review and approve notes on the plat addressing limits of disturbance, building footprint, building area limits, building height, and massing.

3. Prior to plat recordation, the City Engineer shall review and approve appropriate grading, utilities, water, and access construction plans.

4. Prior to plat recordation, a final site disturbance and re-vegetation plans shall be approved by the Community Development Department. The plans shall include construction staging, erosion control and vegetation protection. A letter of credit shall be posted to cover the costs for re-vegetation and including retaining walls.

5. Prior to plat recordation, final plans for the skier bridge across the Upper Norfolk driveway, all retaining walls, resurfacing of King Road and relocation of the gate shall be reviewed and approved by the Community Development Department.

6. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

7. All Standard Project Conditions shall apply.

8. In conjunction with final plat recordation, an open space agreement in a form approved by the City Attorney shall be entered into and recorded by the applicant which addresses ownership, uses, maintenance and trails.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective immediately.

PASSED AND ADOPTED this 7th day of September, 1995

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

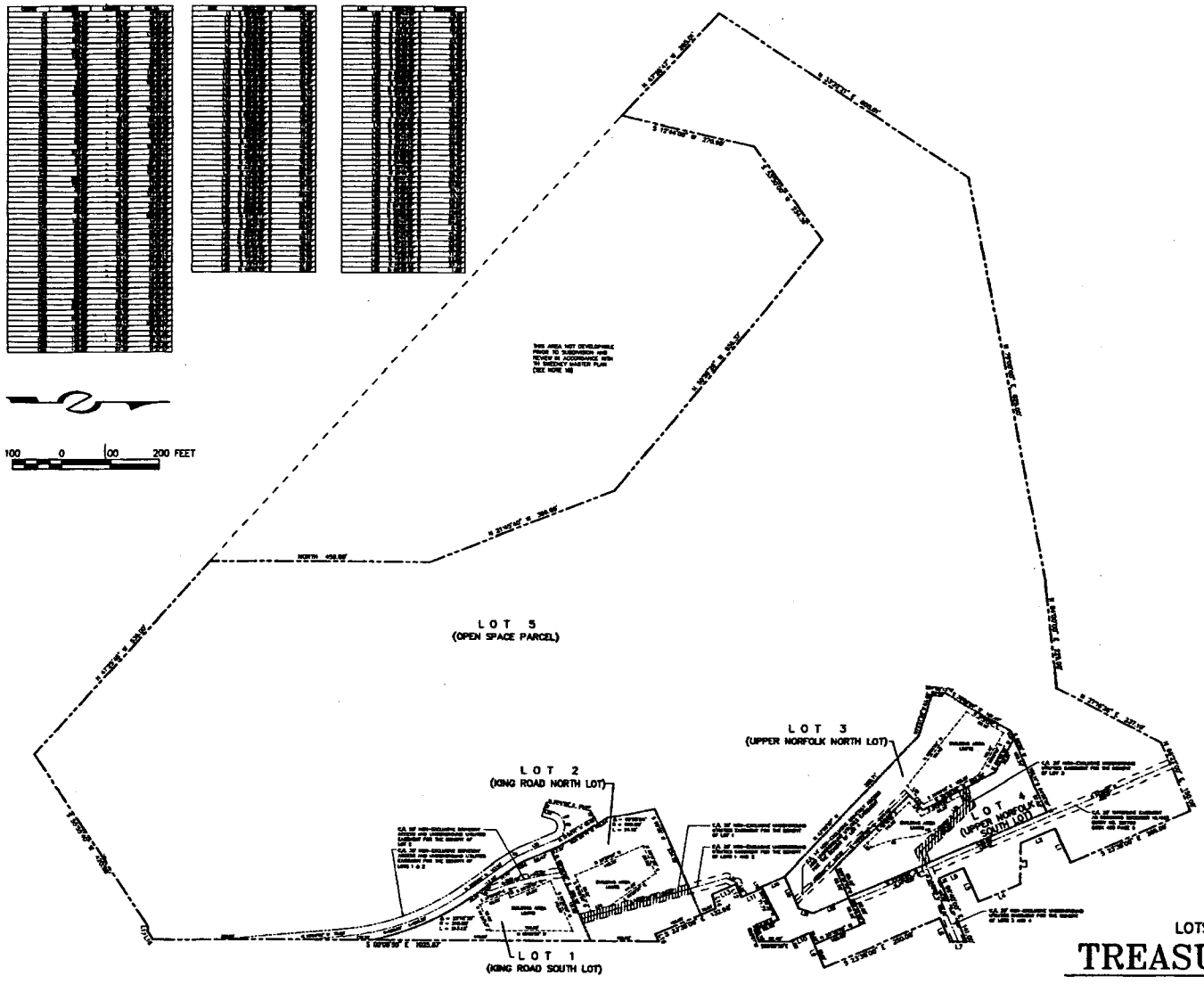
Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884



SURVEYOR'S CERTIFICATE

I, JAMES L. STEVENS, certify that I am a Registered Land Surveyor and that I hold Certificate No. 5650, as prescribed by the laws of the State of Utah, and that a survey of the following described property was performed under my direction of the parcel described below.

James L. Stevens, L.S. No. 5650 — Date

PROPERTY DESCRIPTION

Beginning at a point which is South 66°22'West, 75.00 feet and South 23°38'East, 58.91 feet from the Northeast corner of Block 29, Park City Survey, Amended Plat, said point also being South 66°40'West, 300.00 feet and North 23°38'East, 535.46 feet, more or less, from a Park City Monument at the intersection of Park Avenue and 4th Street;

and running thence South 23°38'East, 284.08 feet; thence South 66°22'West, 75.00 feet; thence South 23°38'East, 74.67 feet, more or less, to the East-west 40 Acre Line of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 89°36'41"East, 82.11 feet, more or less, along said 40 Acre Line; thence South 23°38'East, 91.91 feet, more or less, to the Northwest corner of Lot 2, Block 1 as platted on the Easterly end of the patented Park City Lode Mining Claim U.S. Lot No. 633; thence South 66°22'West, 75.00 feet to the Northwest corner of Lot 12 of said mining claim; thence South 23°38'East, 53.98 feet to the Southwest corner of Lot 13 said mining claim; thence North 66°40'East, 141.00 feet, more or less, to a North-south 40 Acre line and the West line of Park City Townsite said point being South 66°40'00"West, 240.50 feet and North 0°08'50"West, 16.32 feet, more or less, from a Park City Monument at the intersection of Park Avenue and 4th Street; thence South 0°08'50"East, 32.64 feet, more or less, along said 40 Acre Line and said West Line; thence South 66°40'West, 32.98 feet, more or less, to the Northwest corner of said mining claim; thence South 23°38'East, 250.00 feet to the Northeast corner of Lot 72, Block 30, Park City Townsite Survey, Amended Plat; thence South 66°40'West, 75.00 feet; thence South 23°38'East, 42.87 feet; thence North 62°20'38East, 1.08 feet; thence South 0°08'50"East, 82.49 feet; thence South 66°07'West, 28.18 feet; thence North 23°38'West, 52.92 feet; thence South 62°20'38"West, 71.73 feet; thence South 23°38'East, 45.70 feet; thence South 66°07'West, 28.75 feet; thence South 23°38'East, 31.81 feet; thence North 75°38'35"East, 25.97 feet; thence South 23°38'East, 132.68 feet; thence North 66°12'East, 18.39 feet, more or less, to said 40 Acre Line and said West Line; thence South 0°08'50"East, 1025.87 feet along said 40 Acre Line and said West Line to a point on the Alice Lode which point is North 31°40'53"West, 583.56 feet from a Park City Monument on the Centerline of Daly Avenue; thence South 55°37'19"West, 19.14 feet along said Alice Lode; thence South 88°31'10"West, 10.52 feet; thence South 55°25'40"West, 420.90 feet; thence North 47°25'46"West, 535.00 feet; thence North, 450.00 feet; thence North 21°45'40"West, 399.88 feet; thence North 50°56'28"West, 656.37 feet; thence South 53°30'West, 234.38 feet; thence South 12°44'05"West, 270.00 feet; thence North 47°25'47"West, 285.04 feet; thence North 33°32'21"East, 600.01 feet; thence North 79°00'East, 825.00 feet; thence North 84°00'East, 225.00 feet; thence North 27°16'26"East, 237.10 feet; thence North 88°22'East, 150.00 feet to the point of beginning.

Containing 47.350 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments at the intersections of Park Avenue and 4th Street and Park Avenue and 6th Street whose bearing is South 23°38'00"East)

PHASE 1

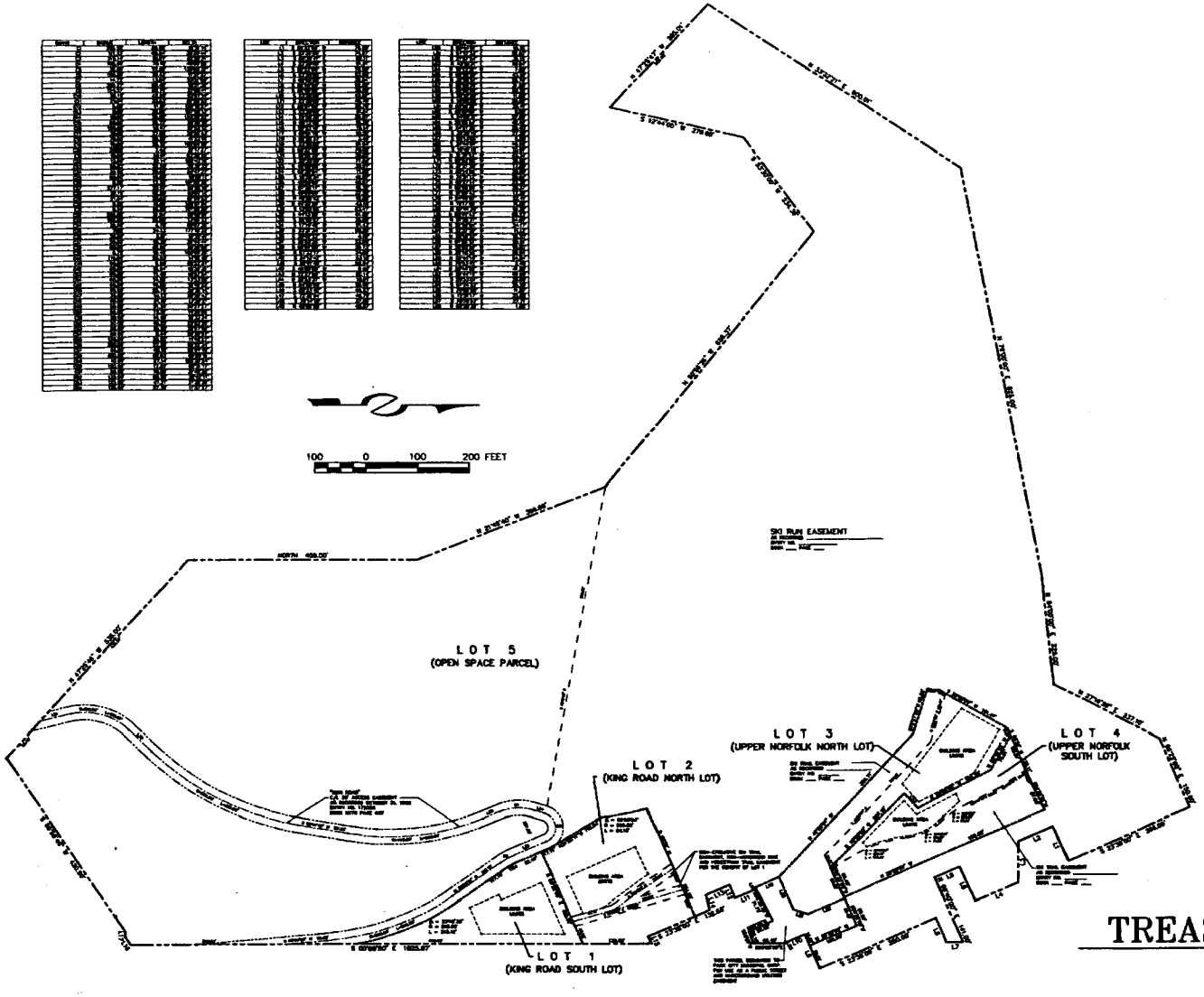
LOTS, UTILITY EASEMENTS AND ACCESS EASMENTS

TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PAGE 1 of 3

SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____, 1995 A.D. BY _____ S.B.S.I.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 1995 A.D. BY _____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 1995 A.D. BY _____ PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 1995 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 1995 A.D. BY _____ MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER



OWNER S DEDICATION AND CONSENT TO RECORD

The owners or their representatives, hereby irrevocably offer for dedication to the City of Park City all the streets, trails right-of-way, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication subject to easements, deeds of record and agreements of record.

IN WITNESS WHEREOF, the undersigned sets their hands this _____day of _____, 1995

_____
EDMUND J. BEAULIEU

_____
CLYDE CARLIG

SWEENEY LAND COMPANY, a Utah general partnership

By_____
Patrick J. Sweeney
Managing Partner

ACKNOWLEDGEMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 1994, personally appeared before me EDMUND J. BEAULIEU, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same

_____
NOTARY PUBLIC
Residing at: _____

My Commission Expires:

_____

ACKNOWLEDGEMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 1994, personally appeared before me CLYDE CARLIG, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

_____
NOTARY PUBLIC
Residing at: _____

My Commission Expires:

_____

ACKNOWLEDGEMENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On the _____ day of _____, 1994, personally appeared before me PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledged to me that said partnership executed the same.

_____
NOTARY PUBLIC
Residing at: _____

My Commission Expires:

_____

PHASE 1
SKI TRAIL EASEMENTS

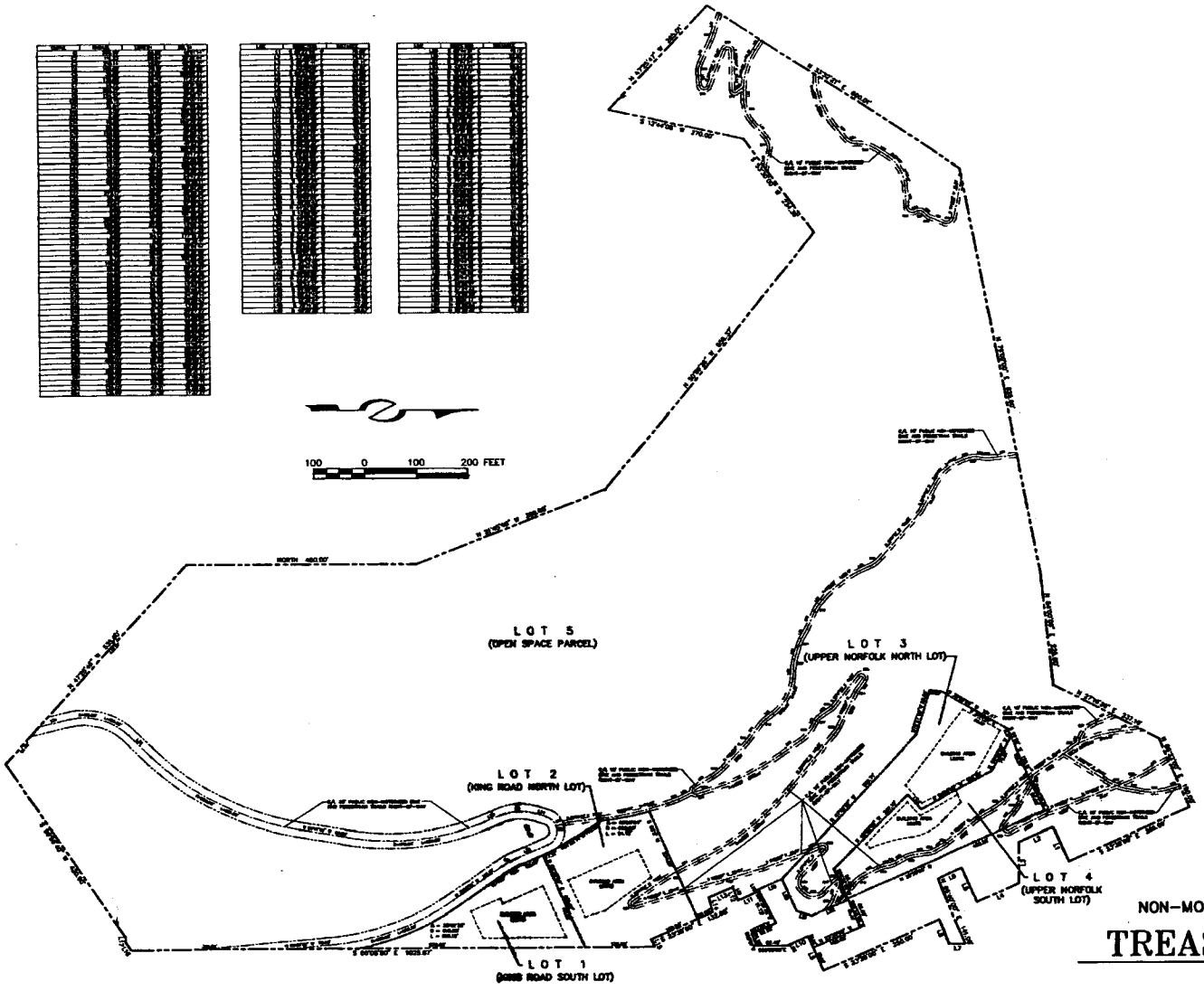
TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

_____ FEE _____ RECORDER



SPECIAL RESTRICTIONS FOR SINGLE FAMILY HOMES TO BE CONSTRUCTED ON LOTS 1 THROUGH 4 SHOWN HEREON:

1. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note 7, shall be three thousand five hundred (3500) square feet including garages. The following shall not count towards the foot print calculations:

   (a) 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;
   (b) Exterior walkways;
   (c) Exterior stairs;
   (d) Driveways.

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. Notwithstanding the foregoing, flat areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated grassed grass.

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.

[redacted]

5. HEIGHT. The building height shall be measured from existing grade to the top of 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.

6. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back of at least five (5) feet shall be twenty five (25) feet from existing or reestablished grade whichever is greater.

7. MASSING. House designs may be comprised of one or more connected or unconnected building masses. No one building mass within the 3500 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.

8. SEWER LATERALS. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Sewer Improvement District.

9. FIRE SPRINKLING. Internal and external modified 13d fire sprinklers shall be provided for the homes. Wood roofing material shall be prohibited.

10. 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.

PHASE 1
NON-MOTORIZED BIKE AND PEDESTRIAN TRAILS RIGHT-OF-WAY

TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ RECORDER _____

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE:	**September 7, 1995**
DEPARTMENT:	**Planning Department**
AUTHOR:	**Janice Lew**
TITLE:	**Treasure Hill Subdivision Final Plat**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS:
Adopt the ordinance approving the Final Plat for the Treasure Hill Subdivision with conditions and formally except the dedication of open space.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant:	MPE Inc.
Location:	Hillside West of Historic District
Zoning:	HR-1 MPD
Adjacent Land Uses:	Historic Residential, Open Space, Ski Area
Date of Application:	August 19, 1994
Project Planner:	Janice Lew

B. Background.

The Sweeney Master Plan was approved by the City Council in October 1986. The Master Plan consists of approximately 125 acres of the hillside west of the Historic District and adjacent to the Park City Ski Area. The Master Plan outlines the densities and development parameters for each of the smaller development parcels within the area. The Master Plan includes two 2-lot subdivisions, one is located to the north of Upper Norfolk Avenue and the other is off King Road. The applicant is now requesting final plat approval for the subdivisions (a.k.a. Treasure Hill Subdivision). The Planning Commission forwarded a

positive recommendation to the City Council on the plat on August 30, 1995.

C. Analysis.

The plat is consistent with the Sweeney MPD and the plans approved by the Planning Commission. MPD Inc. will dedicate approximately 40 acres of the ROS-zoned hillside to the City as open space to be held in perpetuity. In conjunction with final plat recordation an open space agreement will be entered into and recorded by the applicant which addresses ownership, uses and maintenance.

The applicant original proposed a parking requirement be included on the plat which was more restrictive than currently required by the Code for single family dwellings. The proposed development standards (Exhibit D) for the subdivision required a total of 4 spaces be provided for each home. In response to the staff's concerns about minimizing the amount of site disturbance on the lots, the Planning Commission approved the final plat without the parking requirement notation. The elimination of this condition on the plat does not preclude property owners from providing additional parking. As outlined in Chapter 13 of the LMC, a mimimum of two spaces must be provided for each single family dwelling.

D. Department Review.

The Staff Review Team and City Attorney's Office have reviewed this proposal.

ALTERNATIVES:

A. Approve the Final Plat as conditioned by the Planning Commission.
B. Modify the conditions of final plat approval.
C. The Council may continue the hearing for further discussion.

SIGNIFICANT IMPACTS:

The plans are consistent with the intent of the Sweeney Master Plan and formalizes the agreement between MPE Inc. and the City which provides for development of larger single family homes with a substantial contribution to the City's open space.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the Council decides to deny the plat as proposed, it should direct the staff to prepare findings and conclusions of law which support the denial.

RECOMMENDATION:

The staff recommends approval of the Treasure Hill Subdivision based upon the following:

Findings of Fact:

1. The plans are consistent with the Sweeney Master Plan approved by the City Council in October of 1986.

2. The applicant has agreed to dedicate approximately 40 acres of the ROS-zoned hillside and trails to the City.

3. The applicant has agreed to attach notes on the plat indicating building footprint, building area limits, limits of disturbance, building height, and massing.

4. The applicant has agreed to dedicate public right-of-way to provide access to the Sweeney Switchbacks.

5. Emergency and fire equipment access to the lots is currently inadequate because of the substandard width and grade of streets in the area and is a safety concern. The staff therefore recommends that interior and exterior fire sprinklers be required in all new construction on the lots. Prohibiting wood roofs will further mitigate fire hazard.

6. The applicant has resolved fire safety issues to the satisfaction of the Chief Building Official and Fire Marshall.

Conclusions of Law:

1. There is good cause for the amendment.

2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions:

1. All original conditions of approval for the Preliminary Plat shall apply (Exhibit B).

2. Prior to final plat recordation, the Community Development Department shall review and approve notes on the plat addressing limits of disturbance, building footprint, building area limits, building height, and massing.

3. Prior to plat recordation, the City Engineer shall review and approve appropriate grading, utilities, water, and access construction plans.

4. Prior to plat recordation, a final site disturbance and re-vegetation plans shall be approved by the Community Development Department. The plans shall include construction staging, erosion control and vegetation protection. A letter of credit shall be posted to cover the costs for re-vegetation and including retaining walls.

5. Prior to plat recordation, final plans for the skier bridge across the Upper Norfolk driveway, all retaining walls, resurfacing of King Road and relocation of the gate shall be reviewed and approved by the Community Development Department.

6. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

7. All Standard Project Conditions shall apply.

8. In conjunction with final plat recordation, an open space agreement in a form approved by the City Attorney shall be entered into and recorded by the applicant which addresses ownership, uses, maintenance and trails.

EXHIBITS:

Exhibit A - Area Map
Exhibit B - Preliminary Plat Conditions of Approval
Exhibit C - Ordinance and Proposed Subdivision Plat
Exhibit D - Development Parameters

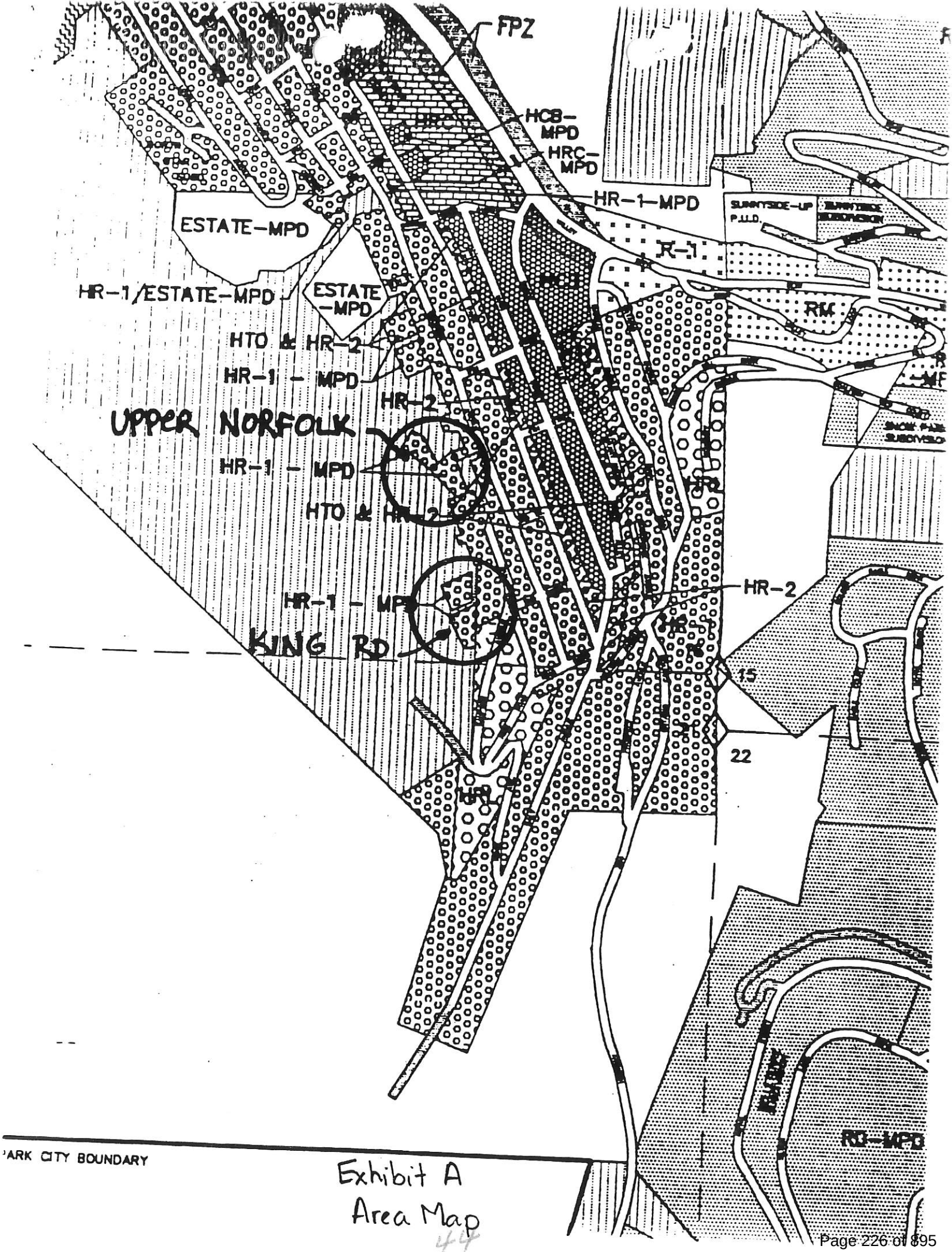


Exhibit A
Area Map

44

PARK CITY
1884

Department of Community Development
Engineering • Building Inspection • Planning

September 23, 1993

MPE, Inc.
P O Box 2429
Park City UT 84060

NOTICE OF PLANNING COMMISSION ACTION

Project Name: Sweeney Subdivisions

Project Description: Preliminary Plat

Date of Meeting: September 22, 1993

Action Taken By Planning Commission: APPROVED

Conditions of Approval:

1. The subdivision shall comply with the conditions set forth in the original MPD approval, titled "Development Parameters and Conditions", and with the Standard Conditions of Approval.

2. Prior to plat recordation, an Open Space Dedication shall be granted to the City in an acceptable form to the City Attorney and Community Development Department. A plan for maintenance of the open space will be required.

3. Prior to plat recordation, the Parks, Recreation and Beautification Board and Planning Commission shall have reviewed the application and made a recommendation to the City Council on the request to waive the Parks Development fees.

4. Prior to plat recordation, the applicant shall have had all utility and construction plans reviewed and approved by the City Engineer.

5. A site disturbance and revegetation plan shall be reviewed and approved by the Community Development Department prior to final plat approval.

6. Prior to plat recordation, all access issues shall have been resolved to the satisfaction of the Community Development Department.

7. All fire safety issues shall have been resolved to the satisfaction of the Chief Building Official and Fire Marshall.

Exhibit B

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Community Development (801) 645-5020 • Engineering 645-5020 • Building 645-5040
Planning 645-5021 • FAX (801) 645-5078

45

A note shall be placed on the plat indicating that interior and exterior fire sprinklers shall be required.

8. A note shall be placed on the plat indicating maximum building footprints.

9. Prior to final plat approval, the staff and developer shall recommend ways to deal with the mass and scale of development on the lots and will consider building pad variations reflecting preservation of vegetation buffers, facade variations and stepping the building height which would be shown on the plat.

Date of Expiration: September 23, 1994

Janice Lew
Janice Lew
Planner I

Date Sept. 29, 1993

ACKNOWLEDGEMENT

I, the undersigned, hereby acknowledge the conditions by which the project referred to above was approved.

Patrick J. Sweeney
Applicant Signature

Date Oct 31, 1993

NO CONSTRUCTION SHALL BE PERMITTED UNTIL A SIGNED COPY OF THIS LETTER, SIGNIFYING CONSENT TO THE CONDITIONS OUTLINED ABOVE, HAS BEEN RETURNED TO THE PLANNING DEPARTMENT.

Ordinance No. 95-

AN ORDINANCE APPROVING THE FINAL PLAT OF TREASURE HILL SUBDIVISION LOCATED AT 200 AND 220 KING ROAD AND 375 AND 425 NORFOLK ROAD PARK CITY, UTAH

WHEREAS, the owners of the property indicated above, MPE Inc., petitioned the City Council for approval of the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on August 30, 1995 and the City Council conducted a public hearing on September 7, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, on August 30, 1995 the Planning Commission forwarded a positive recommendation of approval to the City Council, with conditions regarding building size, public utility, fire protection, trails, the Infrastructure Review Ordinance, and setbacks; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

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 amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. **EFFECTIVE DATE** This ordinance shall become effective immediately.

SECTION 3. **PLAT APPROVAL** The Treasure Hill Subdivision is approved as shown on Attachment A with the following conditions:

1. All original conditions of approval for the Preliminary Plat shall apply (Exhibit B).

2. Prior to final plat recordation, the Community Development Department shall review and approve notes on the plat addressing limits of disturbance, building footprint, building area limits, building height, and massing.

3. Prior to plat recordation, the City Engineer shall review and approve appropriate

Exhibit C
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grading, utilities, water, and access construction plans.

4. Prior to plat recordation, a final site disturbance and re-vegetation plans shall be approved by the Community Development Department. The plans shall include construction staging, erosion control and vegetation protection. A letter of credit shall be posted to cover the costs for re-vegetation and including retaining walls.

5. Prior to plat recordation, final plans for the skier bridge across the Upper Norfolk driveway, all retaining walls, resurfacing of King Road and relocation of the gate shall be reviewed and approved by the Community Development Department.

6. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

7. All Standard Project Conditions shall apply.

8. In conjunction with final plat recordation, an open space agreement in a form approved by the City Attorney shall be entered into and recorded by the applicant which addresses ownership, uses, maintenance and trails.

PASSED AND ADOPTED this 7th day of September, 1995

PARK CITY MUNICIPAL CORPORATION

_____

Mayor Bradley A. Olch

Attest:

_____

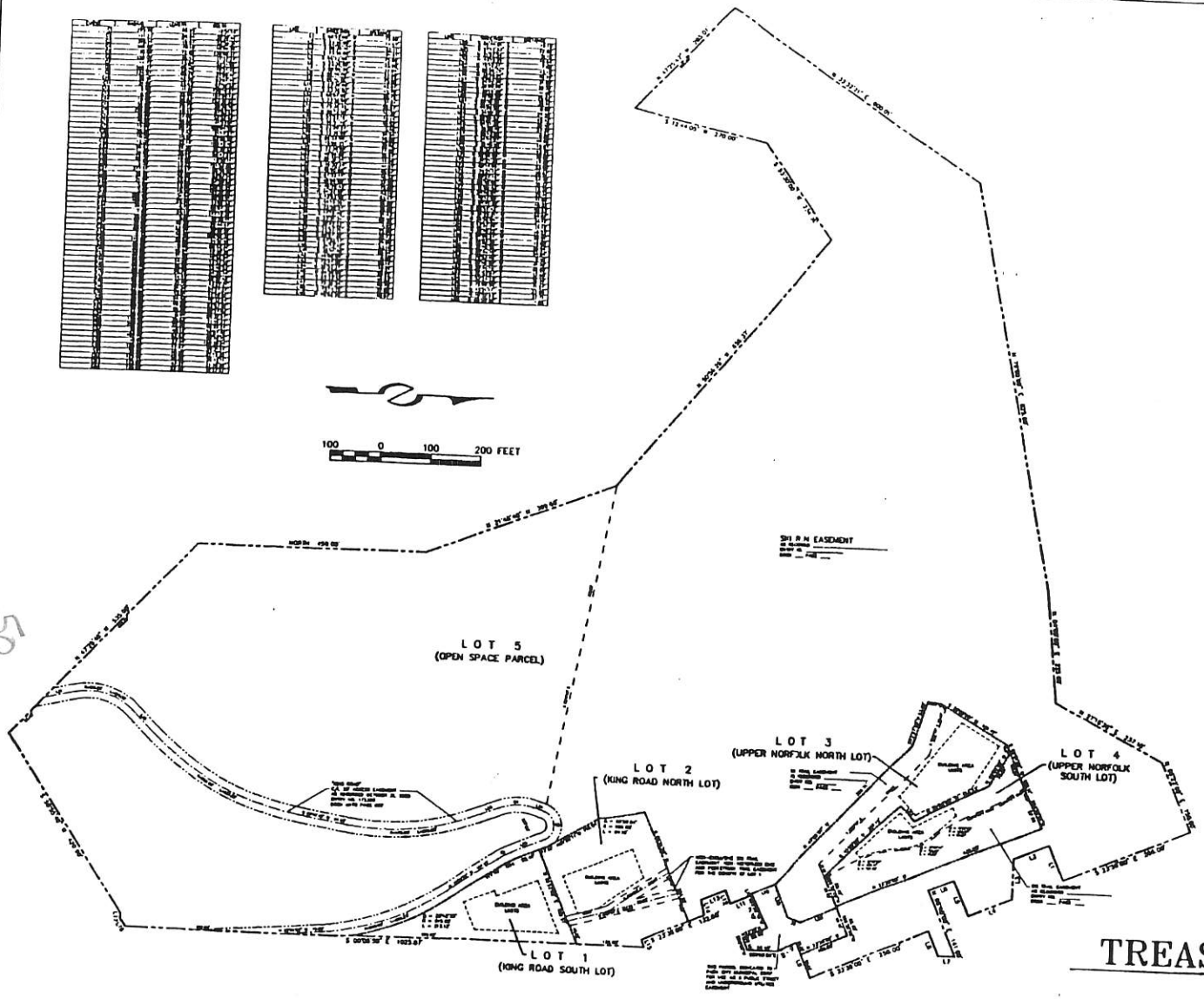
Janet M. Scott, Deputy City Recorder

Approved as to form:

_____

Mark D. Harrington, Assistant City Attorney

48



OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned are the owners of of the herein described tract of land, having caused the same to be subdivided into lots, public right-of-ways, together with easements as set forth on this to be known hereafter as TREASURE HILL SUBDIVISION PHASE 1 and do hereby irrevocably offer for dedication all parcels of land specifically shown on this plat as intended for public use and further consents to the recordation of this Record of Survey Plat in accordance with Utah Law.

ALSO the owners do hereby grant to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

IN WITNESS WHEREOF, the undersigned sets their hands this _____ day of _____, 1995

_____
EDMUND J. BEAULIEU

_____
CLYDE CARLIG

SWEENEY LAND COMPANY, a Utah general partnership

By _____
Patrick J. Sweeney
Managing Partner

ACKNOWLEDGEMENT

STATE OF _____)
COUNTY OF _____) ss

On this _____ day of _____, 1994, personally appeared before me EDMUND J. BEAULIEU, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

_____
NOTARY PUBLIC
Residing at: _____

My Commission Expires:
_____

ACKNOWLEDGEMENT

STATE OF _____)
COUNTY OF _____) ss

On this _____ day of _____, 1994, personally appeared before me CLYDE CARLIG, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

_____
NOTARY PUBLIC
Residing at: _____

My Commission Expires:
_____

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF SUMMIT) ss

On the _____ day of _____, 1994, personally appeared before me PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledges to me that said partnership executed the same.

_____
NOTARY PUBLIC
Residing at: _____

My Commission Expires:
_____

PHASE 1
SKI TRAIL EASEMENTS

TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 18, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

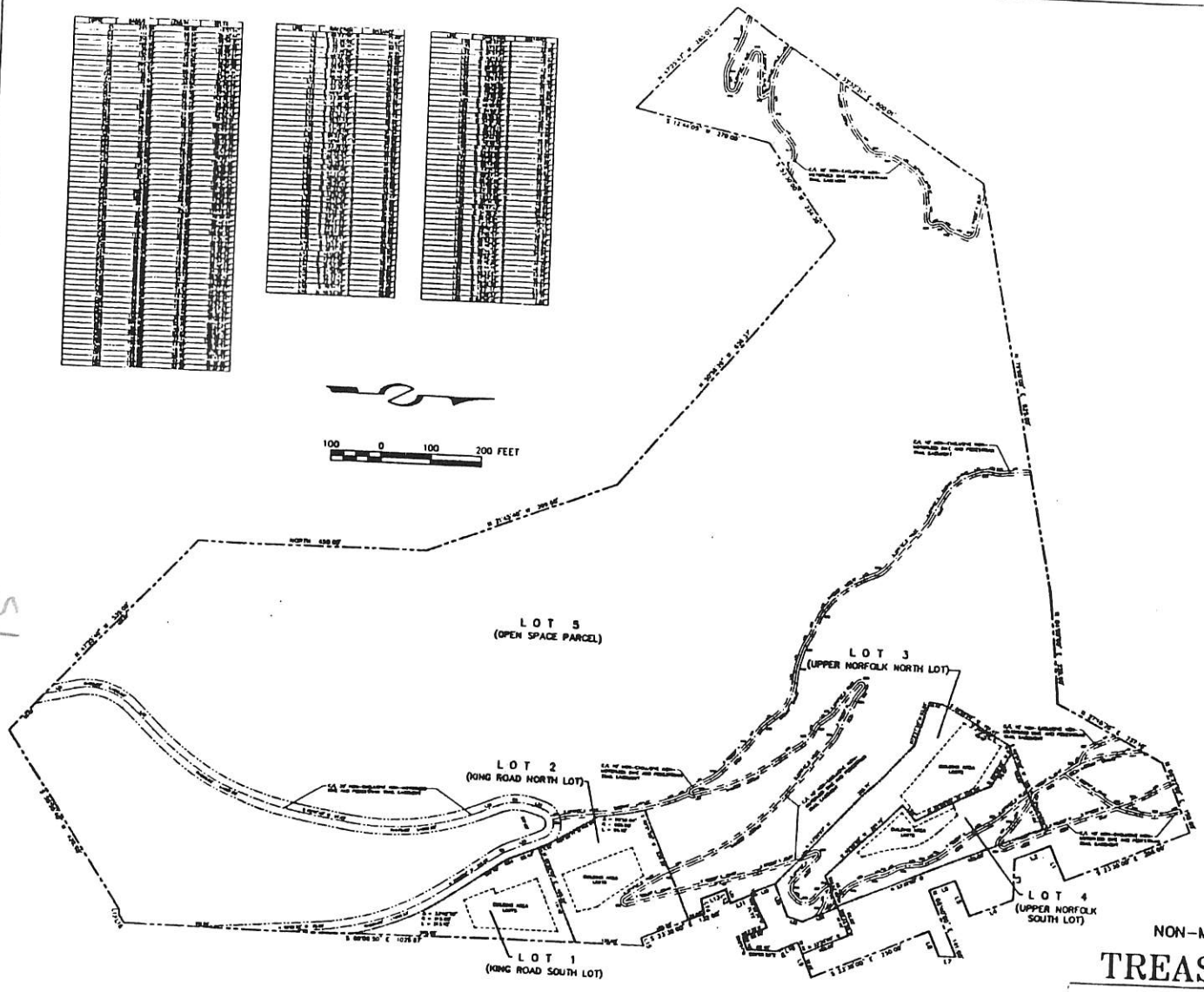
PAGE 2 OF 3

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

_____ FEE _____ RECORDER

50



SPECIAL RESTRICTIONS FOR SINGLE FAMILY HOMES TO BE CONSTRUCTED ON LOTS 1 THROUGH 4 SHOWN HEREON

1. HOUSE SIZE. The maximum footprint, calculated from the outside face of walls, shall be three thousand five hundred (3500) square feet including garages. The following shall not count towards the foot print calculations:

(a) 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.
(b) Exterior walkways.
(c) Exterior stairs.
(d) Driveways.
(e) Garage or living space that is below grade on three sides, i.e. substantially underground, with natural grade reestablished by landscaping or decks above.

2. BUILDING AREA LIMITS. Improvements, including fences and formal landscaping, unless otherwise permitted under easements 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, all bridge and utility plans, shall be limited to the Building Area Limits noted on the Plat. Notwithstanding the foregoing, Bad areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated groomed grass.

3. CONSTRUCTION DISTURBANCE. Temporary construction disturbance may extend twenty (20) feet beyond the Building Area Limits. Such disturbed area shall be revegetated with native landscaping.

4. PARKING. A minimum of two (2) enclosed parking spaces and two (2) open parking spaces shall be provided for each home.

5. HEIGHT. The building height shall be measured from existing grade to the top of 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. Pitched roofs shall be sloped at no less than five vertical to twelve horizontal (5/12) and no greater than nine vertical to twelve horizontal (9/12). The dominant roof plane, defined as a minimum of fifty percent (50%) of sloped roof areas, shall approximately parallel existing grade and be in one plane. Dormers opposed to the dominant roof plane may be counted as part of the dominant roof plane.

6. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back of at least five (5) feet shall be twenty five (25) feet from existing or reestablished grade whichever is greater.

7. MASSING. House designs shall be comprised of one or more connected building masses. Building masses shall be rectilinear except round elements as may be approved by Park City Municipal Corporation which reflect the size, scale and context of historical mining towns. No one building mass shall have a footprint that exceeds 1,500 square feet. "Footprint" shall be defined as in the above Restriction 1. Multiple building masses shall be comprised of major masses and minor masses similar to the historic Park City mining aesthetic. Massing elements shall be separated by horizontal and/or vertical facade breaks.

8. SEWER LATERALS. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Sewer Improvement District.

9. FIRE SPRINKLING. Internal and external fire sprinkling of the homes shall be provided unless this requirement is otherwise waived by the Park City Fire Marshal at his/her sole discretion. Wood roofing material shall be prohibited.

10. 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 16, 1987 and December 30, 1992.

PHASE 1
NON-MOTORIZED BIKE AND PEDESTRIAN TRAIL EASEMENTS

TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 18, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

_____ FEE _____ RECORDER

SPECIAL RESTRICTIONS FOR SINGLE FAMILY HOMES TO BE CONSTRUCTED ON LOTS 1 TROUGH 4 SHOWN HEREON:

1. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note 7, shall be three thousand five hundred (3500) square feet including garages. The following shall not count towards the foot print calculations:

   (a) Decks which are open on at least two sides (but which may have railings as required), covered or uncovered, and which do not have living space below or above them;
   (b) Exterior walkways;
   (c) Exterior stairs;
   (d) Driveways.

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. Notwithstanding the foregoing, flat areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated groomed grass.

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 whichever is closer. Such disturbed area shall be revegetated with native landscaping.

~~4. PARKING. A minimum of two (2) enclosed parking spaces and two (2) open parking spaces shall be provided for each home.~~

5. HEIGHT. The building height shall be measured from existing grade to the top of 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

Exhibit D

Development Parameters

JUN 2 5 2005
PARK CITY
PLANNING DEPT.

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of accommodating access, i.e. stairwells and/or elevators, between floor levels.

6. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back of at least five (5) feet shall be twenty five (25) feet from existing or reestablished grade whichever is greater.

7. MASSING. House designs may be comprised of one or more connected or unconnected building masses. Within the 3,500 square foot footprint referenced in Note 1 above, no one building mass shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks.

8. SEWER LATERALS. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Sewer Improvement District.

9. FIRE SPRINKLING. External and internal modified 13d fire sprinklers shall be provided for the homes. Wood roofing material shall be prohibited.

10. PRECEDENT. 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.

The owners or their representatives, hereby irrevocably offer for dedication to the City of Park City all the streets, trails right-of-way, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication subject to easements, deeds and agreements of record.

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 7, 1995

PUBLIC NOTICE IS HEREBY GIVEN that the City Council of Park City, Utah will hold its regularly scheduled meeting at the Marsac Municipal Building, 445 Marsac Avenue, Park City, Utah for the purposes and at the times as described below on Thursday, September 7, 1995.

AGENDA

Work Session

4:30 p.m.	Council questions and comments
4:45 p.m.	Status of Council priorities
5:15 p.m.	Brookside annexation
5:45 p.m.	Review of regular meeting

Regular Meeting - To Be Held in Work Session Room

6:00 p.m.

I ROLL CALL

II PUBLIC INPUT

III PUBLIC HEARING

An Ordinance approving the amendment to the Millsite Reservation to the Park City Survey for 123, 129, 135 and 201 Ridge Avenue

IV CONSENT AGENDA

1. An Ordinance approving the amendment to the Millsite Reservation to the Park City Survey for 123, 129, 135 and 201 Ridge Avenue

2. An ordinance approving the final pat of Treasure Hill Subdivision located at 200 an 220 King Road and 375 and 425 Norfolk Avenue

3. An ordinance approving the final plat of Snow Creek Crossing, located at Highway 224 and Highway 248, Park City, Utah

4. Renewal of Wyoming Woolens, 524 Main Street, Park City, Utah

5. Award of bid in the amount of $488,374 for construction of fields on the school campus between the high school and the elementary school

6. Authorization to enter contract for construction of public utilities - Northorse Condominiums

V COMMUNICATIONS FROM COUNCIL AND STAFF

VI ADJOURNMENT

Posted: 9/5/95 3 p.m.

PARK CITY COUNCIL MEETING
SUMMIT COUNTY, UTAH
SEPTEMBER 7, 1995

I ROLL CALL

Mayor Brad Olch called the regular meeting of the City Council to order at approximately 6 p.m. at the Marsac Municipal Building on Thursday, September 7, 1995. Members in attendance were Brad Olch, Ruth Gezelius, Lou Hudson, and Shauna Kerr. Roger Harlan and Leslie Miller were excused. Staff present were Toby Ross, City Manager; Janice Lew, Planner; Rick Lewis, Community Development Director; Eric DeHaan, City Engineer; and Jodi Hoffman, City Attorney.

II PUBLIC INPUT

The Mayor invited the public to comment on any item of City business, not scheduled on the agenda. Hearing none, the public input session was closed.

III PUBLIC HEARING

An Ordinance approving the amendment to the Millsite Reservation to the Park City Survey for 123, 129, 135 and 201 Ridge Avenue - Janice Lew explained that the applicant submitted a request to amend a portion of the Millsite Reservation to the Park City Survey which includes property near the intersection of Ridge Avenue and King Road. The property consists of several Old Town lots and an existing single family structure. Three of the proposed lots are located to the west of platted Ridge Avenue. Paved Ridge Avenue does not lie within the platted right-of-way in this location, therefore, access to two of these lots is proposed from a private driveway while the third (Lot 3) is accessed directly from paved Ridge Avenue. The City owns a water tank and line in the vicinity of the applicant's property. The applicant would like to use the lower portion of the tank access road to the Woodside Reservoir facility as the driveway to Lots 1 and 2. The proposed fourth lot is located east of platted Ridge Avenue, but west of paved Ridge Avenue.

Ms. Lew continued that the Planning Commission forwarded a positive recommendation at its August 30 meeting based on the findings, conclusions, and conditions outlined in the staff report. In response to a question from Shauna Kerr, Eric DeHaan described the location of fire hydrants and future needs. Ms. Gezelius stated that she was pleased at the large lot sizes and negotiating a smaller square footage for the homes.

With no further comments or questions, the public hearing was closed.

IV CONSENT AGENDA

Ruth Gezelius, "I move approval of Consent Agenda Items 1 through 6". Shauna Kerr seconded. Motion carried.

Ruth Gezelius	Aye
Roger Harlan	Absent
Lou Hudson	Aye
Shauna Kerr	Aye
Leslie Miller	Absent

1. An Ordinance approving the amendment to the Millsite Reservation to the Park City Survey for 123, 129, 135 and 201 Ridge Avenue - See attached staff report.

2. An ordinance approving the final pat of Treasure Hill Subdivision located at 200 an 220 King Road and 375 and 425 Norfolk Avenue - See staff report.

3. An ordinance approving the final plat of Snow Creek Crossing, located at Highway 224 and Highway 248, Park City, Utah - See attached staff report.

4. Renewal of Wyoming Woolens, 524 Main Street, Park City, Utah - See attached staff report.

5. Award of bid in the amount of $488,374 for construction of fields on the school campus between the high school and the elementary school - See attached staff report.

6. Authorization to enter contract for construction of public utilities - Northorse Condominiums - See attached staff report.

V COMMUNICATIONS FROM COUNCIL AND STAFF

1. Trails - Ruth Gezelius stated that she received a call from Helen Alvarez regarding the Fawngrove trail not being open to the public. Rick Lewis stated that staff has investigated the matter. The minutes and the plat do not indicate it open to the public, although Bob Wells of Deer Valley recalls that the intent was that it be accessible to the public. The poor condition of the trails at Lakeside was discussed and it was pointed out that maintenance is the responsibility of the home owners' association.

2. Storm drain project - Eric DeHaan reported on the storm drain project on Main Street and the temporary traffic interruptions. Completion is anticipated on October 15.

VI ADJOURNMENT

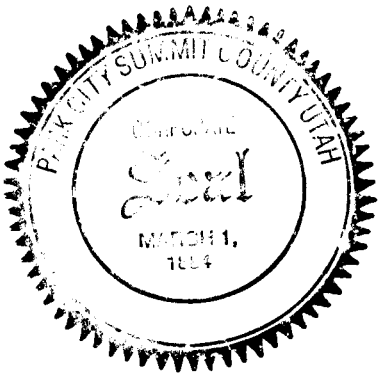
With no further business, the regular meeting of the City Council was adjourned.

* * * * * *

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



PARK CITY COUNCIL WORK SESSION
SUMMIT COUNTY, UTAH
SEPTEMBER 7, 1995

Present: **Mayor Brad Olch, Lou Hudson, Shauna Kerr, Ruth Gezelius, Toby Ross, Rick Lewis, Jodi Hoffman, Kirsten Whetstone, Mark Harrington**

Tom Ellison, counsel for Brookside

Absent: **Roger Harlan and Leslie Miller**

1. **Council questions and comments.** None.

2. **Status of Council priorities.** The City Manager referred to the matrix prepared on Council goals and related programs. He stated that the General Plan is on scheduled but there is concern about the final product. Rick Lewis discussed the draft of the plan, the difficulty in budgeting staff time and described the workload in the Community Development Department.

The City Manager discussed the King Road project which is on schedule but the next phase can be problematic as it is uncertain what may be discovered underground. He addressed the building problems at North Horse as the developer installed unapproved trusses; Toby Ross also pointed out the contract on the agenda for the public improvements for North Horse and added that it has been a difficult project from the onset as there has been some miscommunication from the developer. It is hoped that 42 units will be available by the end of the year, because if there aren't the developer will loose the tax credits. City administration has been paid for assistance on this project, but it is time-consuming. The City Manager discussed the Marsac remodel which involves the bottom floor to accommodate the police. Also windows will be modified on the east side for noise.

The Administrative Services Division is fully staffed and the Leisure Services Division is in good shape. With regard to the parking and transportation study, the Transportation Director noted that the Main Street merchants are very interested and a charette will be held; a public hearing before Council will occur in October.

3. **Brookside annexation.** Rick Lewis reported that the Planning Commission has reviewed this application and is recommending annexation. Through illustration of a map, Mr. Lewis described the property which is located south of the Snowed Inn; it is approximately 71 acres and it abuts the corporate boundary. The proposal is for six lots ranging from 3.3 acres to 6.6 acres and 35 acres would be dedicated to the City as open space. The requested zoning for the homes is RD. There are restrictions on the property because of the wetlands and the sensitive lands ordinance would be applied maintaining a 50 foot buffer from the highway. It is proposed to have shared access with the Snowed Inn. Rick Lewis explained that the property is currently in Tier 2 in Summit County which would imply similar density and environmental restrictions. There may be somewhat looser setback requirements. The City would require conditional use approval for livestock which

would be prohibited from grazing near the stream; specifics on the trail have not been addressed. Ruth Gezelius stated that public access should be emphasized. Rick Lewis explained that the City Council would hold a public hearing on the annexation and there may be a pre-annexation agreement. If approved, the MPD and plat approval would come before the Planning Commission and the City Council. With regard to water service, staff had asked for additional information and the applicant chose not to provide that until the City could indicate if service from a private water company would be acceptable. Mr. Lewis discussed a complicated and expensive looped water system from Aspen Springs. It is uncertain if an agreement can be worked out with the private water company, Summit Water, the developer and the City. Mr. Lewis continued that the Planning Commission favorably reviewed this application because they felt the water issue was not a big problem, and found that controlling the entry corridor, the design of the homes, preserving Quarry Mountain and contiguous open space were desirable.

Attorney Tom Ellison explained that they have been attempting to negotiate various forms of disconnection or wholesaling with Summit Water. Summit Water is a mutual water company not regulated by the Public Service Commission and is required to own all of the facilities that are necessary to convey water to its shareholders and it is required to provide service to its shareholders on exactly the same basis for everyone. In a mutual water company situation, the shareholders will monitor and enforce their respective equal rights. Mr. Ellison clarified that the obligation to provide service and own the facilities precluded them from entering an interim facility ownership arrangement involving any other entity between the ultimate water user and Summit Water for any other wholesale arrangement or a different class of service. A predetermined disconnect agreement has never been negotiated with Summit Water. Brookside will have to install the hard facilities and purchase shares. There is a obligation to repurchase those or condemn them and that represents paying twice for the same facilities if the project is annexed. Fire flow storage was discussed. Toby Ross noted that the likelihood of extending City water service is small for six units, except in the context of a broader annexation plan. Mr. Ellison continued that they wanted to approach the City with an annexation petition and wanting a read on the City accepting outside water service providers in certain annexed areas before conducting additional studies.

For the benefit of Mayor Olch, Rick Lewis stated that the setback of the home fronting the highway would be 100 feet and the house size is 10,000 square feet. The Mayor felt that a ranch style home on one level would be more appropriate. Tom Ellison pointed out that it was proposed that this home be a maximum of 24 feet and the allowable height is 33 feet. Shauna Kerr felt more comfortable with downsizing the homes to 5,500 to 6,000 square feet. Tom Ellison discussed conducting a visual analysis but emphasized that his client has a certain product in mind for the market. Ruth Gezelius stated that she would be concerned about the amount of asphalt for roadways. Access was again discussed. If the project was developed in the County, the open space would probably be turned over to a land trust as it is unbuildable property. The dissenting vote of one Planning Commissioner was clarified, as she felt that the properties beyond the current corporate limits did not fit Park City's standards and annexation was not desirable.

Shauna Kerr felt that the location of Lot 1 should be reconsidered in consideration of the highway noise. Ruth Gezelius voiced her concern about providing City services at this outside location. Toby Ross didn't feel that mass transportation would be expected but snow removal would be provided when it is built-out. He pointed out that crews are already out there because of responsibilities on the highway. He continued that the real advantage is not financial but rather control over the project design and our entry corridor.

Ms. Kerr stated that the water issue is a major one for her and that she must have assurances that if annexed the water system would not become a financial burden to taxpayers when retrofitted to Park City's system. Ruth Gezelius concurred with Ms. Kerr. Toby Ross suggested that perhaps a special improvement district could be formed to clearly shift the responsibility on the property owners.

Shauna Kerr stressed that it is very difficult for Council to give direction on this annexation request when a policy decision on annexation has not been determined and the General Plan is not yet in place; this application would be better received six months from now. Tom Ellison appreciated her comments and responded that his client has been here for a year and a half and would like to develop his property at this point.

4. Review of regular meeting. See regular meeting minutes.

Prepared by Janet M. Scott

Ordinance No. 97-19

AN ORDINANCE APPROVING AN AMENDMENT TO LOT 2 OF THE TREASURE HILL SUBDIVISION PLAT KNOWN AS 220 KING ROAD, PARK CITY, UTAH

WHEREAS, the owners of the property known as 220 King Road petitioned the City Council for approval of a amendment to the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed amendment on March 12, 1997 ; and

WHEREAS, it is in the best interest of Park City to approve the amendment, and

WHEREAS, there is good cause for the revision as the reconfiguration does not affect the development parameters for site; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat revision.

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

SECTION 1. The amendment to the Treasure Hill Subdivision plat, Lot 2 is approved as shown on the attached Exhibit A with the following findings, conclusions and conditions:

Findings:

1. The proposed amendment will shift the building pad by approximately 5' to the west.

2. The proposed amendment will not significantly increase the visual location of the single family structure.

3. The proposed amendment will not significantly increase the impact to existing vegetation.

Conclusions of Law:

1. There is good cause for the amendment because no increase in visual impacts will occur through the building pad shift.

2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions of Approval:

1. The City Attorney and City Engineer's approval of the plat amendment for compliance with State law, the Land Management Code and these conditions of approval is a condition precedent to plat recordation.

2. The amended plat must be recorded prior to building permit issuance and must be recorded within one year of this approval or this approval is considered null and void.

3. The plat shall note that all conditions of approval, notes and restrictions of the Treasure Hill Subdivision are in full force and effect.

SECTION 2. This ordinance shall take effect upon publication.

PASSED AND ADOPTED this the 17 day of April, 1997.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch, Mayor

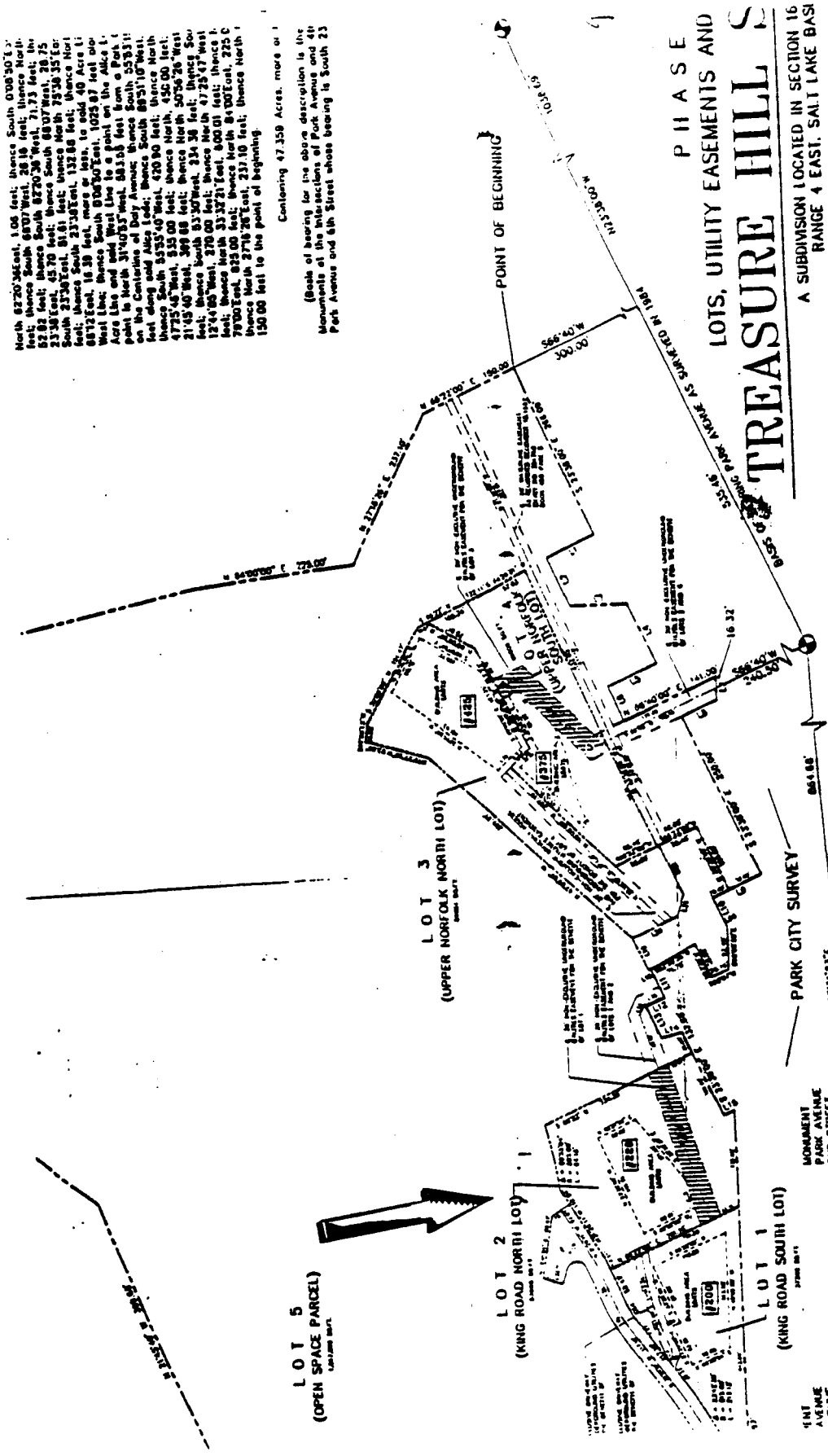
Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark Harrington, Assistant City Attorney

Exhibit A - Existing and Proposed Plat



PARK CITY
1884

CITY COUNCIL STAFF REPORT

DATE:	**April 10, 1997**
DEPARTMENT:	**Planning Department**
AUTHOR:	**Megan B. Ryan**
TITLE:	**220 King Road - Lot 2, Treasure Hill Subdivision, Request for a plat amendment**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS:
Consider recommendations to approve an amendment to the platted building pad of Lot 2 of the Treasure Hill Subdivision Plat.

DESCRIPTION:

A. Topic.

Applicant: Bill Mammen for Robert Sfire
Location: 220 King Road - Lot 2, Treasure Hill Subdivision
Zoning: Historic Residential, (HR-1)
Adjacent Land Uses: Residential, Open Space
Date of Application: May 21, 1996

B. BACKGROUND/PROJECT INFORMATION

The Planning Commission reviewed this project at three public hearings over the course of the last year. The Planning Commission was asked to look at three separate requests:
1. a Small Scale Master Planned Development in accordance with the Treasure Hill Subdivision Plat;
2. a Conditional Use Permit for an Accessory Apartment; and
3. an amendment to the building pad, Lot 2, Treasure Hill Subdivision Plat

m:cdd/cdd/mr/pc97/220krd97

The Planning Commission approved the first two requests at their meeting of March 12,1997. The Commission forwarded a positive recommendation to the City Council on item #3. The project has also been to the Historic District Commission for review and approvals on March 17, 1997.

The request before the Council is an amendment to the building pad for Lot 2. The owner is requesting to shift the platted pad by approximately 5 feet to the west and 8 feet to the east in order to place the house in an L shaped configuration off the driveway. Such a request requires that the pad described on the recorded plat to be changed. Please see Exhibit E for plat.

C. ANALYSIS

Staff has examined the topographical survey provided and believes that the request for a shift in the platted pad does not disturb areas that are significantly worse then the originally platted area. The lot is steep, precarious to build on and will be visually significant with or without the plat amendment. The building design that results from this shift provides a building that minimizes the need for multiple retaining walls as the structure itself will act as retention.

The driveway length will not be affected by this pad change. The driveway is platted and designed to share access between Lot 1 and Lot 2. The cut will be significant and visible. A financial security will be provided to ensure the revegatation of the site. Any cuts that need to occur for utility connections will be specifically identified by the City's Landscape architect prior to building permit issuance and guaranteed for revegatation with a financial security.

D. DEPARTMENT REVIEW

The Community Development Department and City Attorney's office have reviewed this request for compliance with the Land Management Code, Uniform Building Code and State law.

SIGNIFICANT IMPACTS:

Under any use scenario, the project will result in a structure that significantly impacts the terrain.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: If the Council cannot find in favor of the requested building pad shift then the applicant will be permitted to construct one single family house with a footprint of no more than 3,500 square feet within the confines of the existing building pad.

E. PUBLIC INPUT:

This project was noticed to property owners within 300' of the property and within the affected subdivision plat on July 31, 1996, November 19, 1996 and on February 25, 1997. Substantial input has been received at all the prior hearings. Most of the issues focused on the proposed design, compliance with the Platted conditions of approval, the use, and the

impacts of construction. The Planning Commission concluded at their last meeting that the project as conditioned could be approved and that the majority of the community's concerns had been adequately addressed.

F. ALTERNATIVES:

A. Consider adopting the staff's findings, conclusions and conditions and ordinance to amend the platted Lot 2 of the Sweeney Treasure Hill Subdivision plat.

B. Deny the requested applications and direct the staff to prepare appropriate findings.

G. RECOMMENDATION:

The following Findings, Conclusions and Conditions and Ordinance (attached) are provided below if a positive recommendation is supported.

Findings:

Plat Amendment:

1. The proposed amendment will shift the building pad by approximately 5' to the west.
2. The proposed amendment will not significantly increase the visual location of the single family structure.
3. The proposed amendment will not significantly increase the impact to existing vegetation.

Conclusions of Law:

1. There is good cause for the amendment because no increase in visual impacts will occur through the building pad shift.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions of Approval: Plat Amendment:

1. The City Attorney and City Engineer's approval of the plat amendment for compliance with State law, the Land Management Code and these conditions of approval is a condition precedent to plat recordation.
2. The amended plat must be recorded prior to building permit issuance and must be recorded within one year of this approval or this approval is considered null and void.
3. The plat shall note that all conditions of approval, notes and restrictions of the Treasure Hill Subdivision are in full force and effect.

EXHIBITS

Ordinance

Location Map

Exhibit A- Existing and Proposed Plat

Exhibit B - Final staff report from 3/13/97 Planning Commission meeting

Exhibit C - Site plan and Elevations

Exhibit D - Minutes from Planning Commission meetings

m:cdd/cdd/mr/pc97/220krd97

ORDINANCE NO. 97-___

AN ORDINANCE APPROVING AN AMENDMENT TO LOT 2 OF THE TREASURE HILL SUBDIVISION PLAT KNOWN AS 220 KING ROAD, PARK CITY, UTAH

WHEREAS, the owners of the property known as 220 King Road petitioned the City Council for approval of a amendment to the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing to receive input on the proposed amendment on March 12, 1997 ; and

WHEREAS, it is in the best interest of Park City to approve the amendment, and

WHEREAS, there is good cause for the revision as the reconfiguration does not affect the development parameters for site; and

WHEREAS, neither the public nor any person will be materially injured by the proposed plat revision.

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

SECTION 1. The amendment to the Treasure Hill Subdivision plat, Lot 2 is approved as shown on the attached Exhibit A with the following findings, conclusions and conditions:

Findings:
Plat Amendment:
1. The proposed amendment will shift the building pad by approximately 5' to the west.
2. The proposed amendment will not significantly increase the visual location of the single family structure.
3. The proposed amendment will not significantly increase the impact to existing vegetation.

Conclusions of Law:
1. There is good cause for the amendment because no increase in visual impacts will occur through the building pad shift.
2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions of Approval: Plat Amendment:
1. The City Attorney and City Engineer's approval of the plat amendment for compliance with State law, the Land Management Code and these conditions of approval is a condition precedent to plat recordation.
2. The amended plat must be recorded prior to building permit issuance and must be recorded within one year of this approval or this approval is considered null and void.
The plat shall note that all conditions of approval, notes and restrictions of the Treasure Hill Subdivision are in full force and effect.

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SECTION 2. This ordinance shall take effect upon publication.

DATED this the 17 day of April, 1997.

PARK CITY MUNICIPAL CORPORATION

_____

Bradley A. Olch, Mayor

ATTEST:

_____

Jan Scott, City Recorder

APPROVED AS TO FORM:

_____

Mark Harrington, Assistant City Attorney

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220 King Rd. Lot 2

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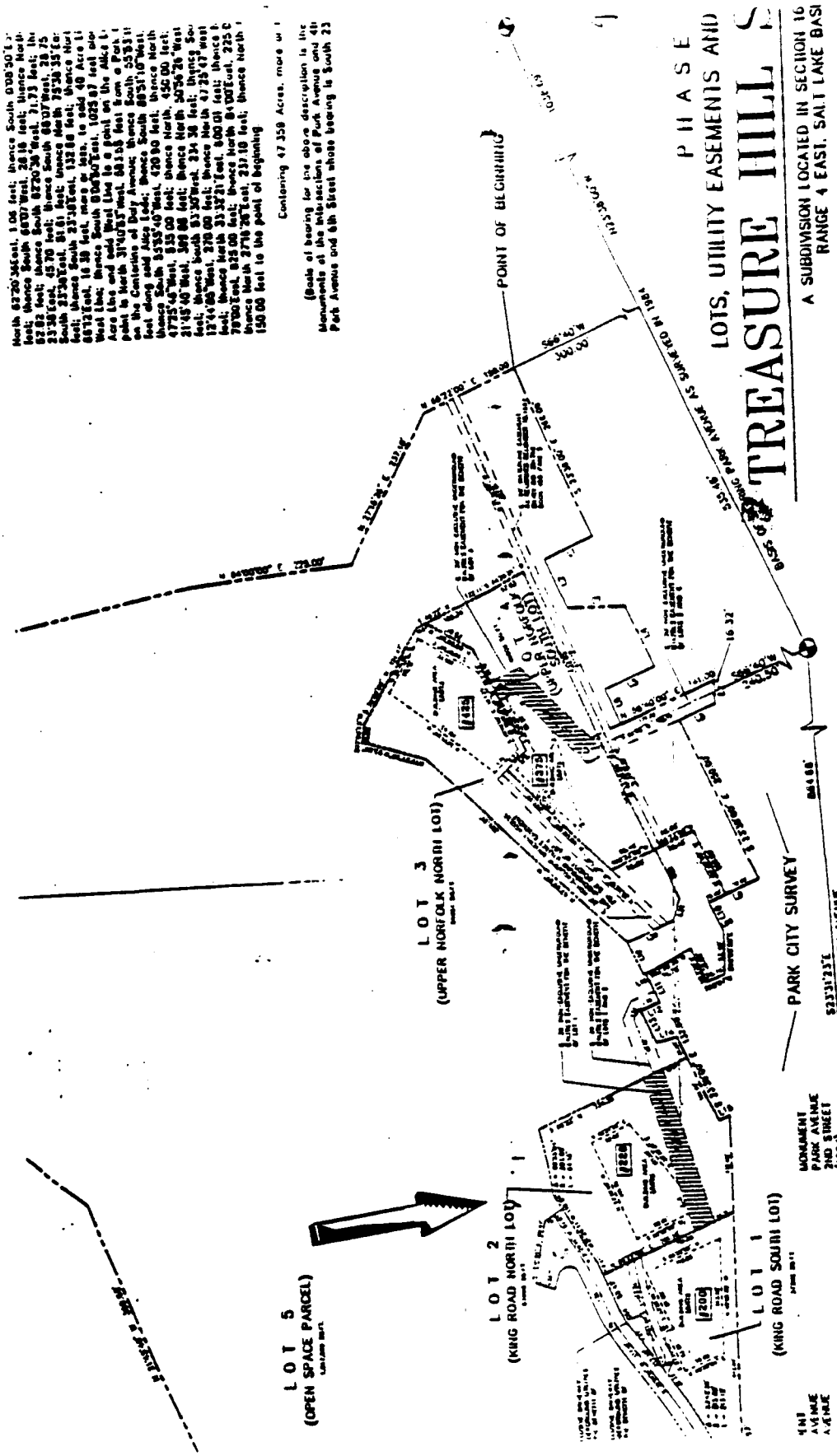
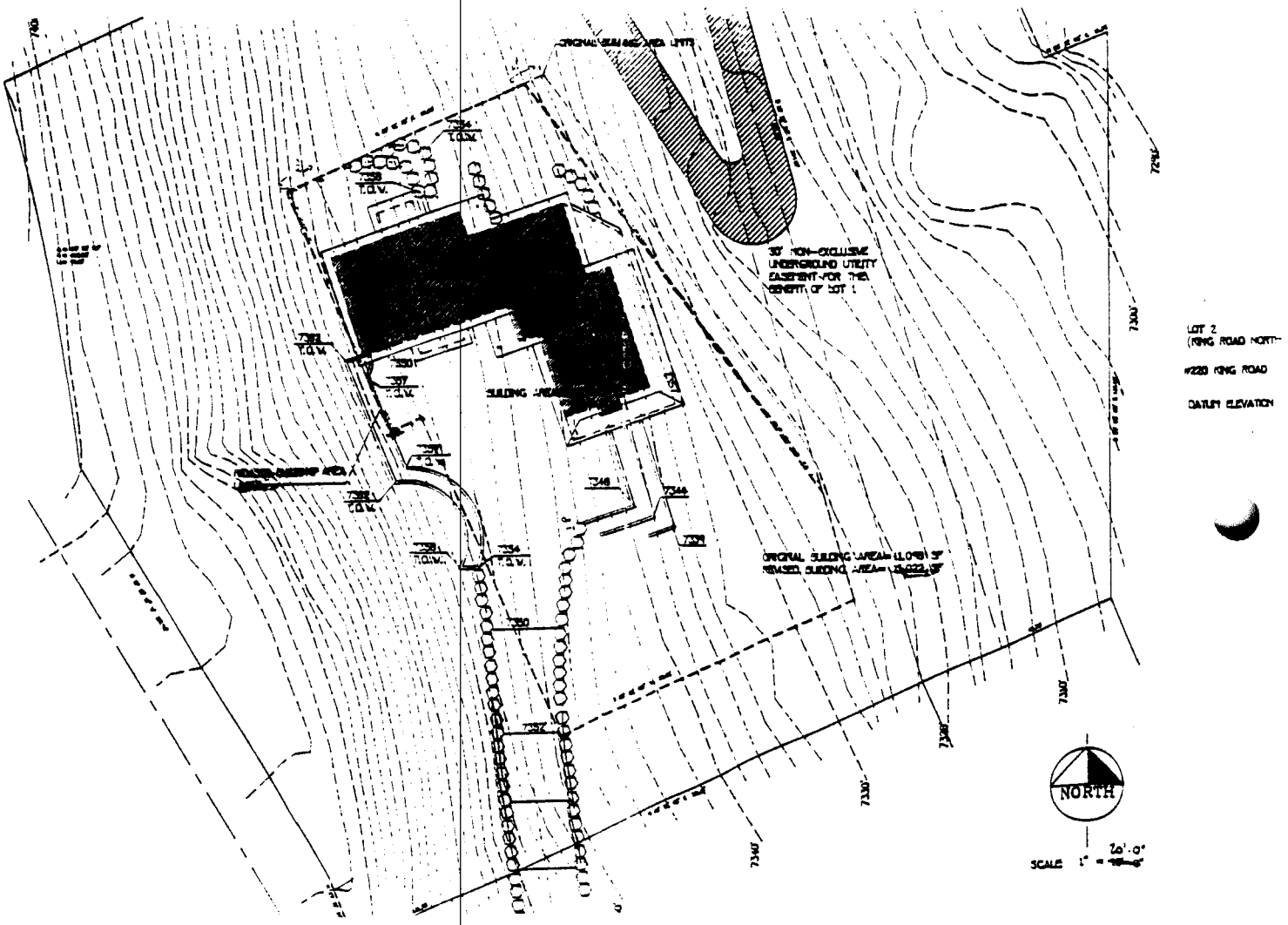
PARK CITY
1884

Vicinity Map

Exhibit A - Existing and Proposed Plat




ORIGINAL SEAL AND AREA LIMITS
35' NON-EXCLUSIVE
UNDERGROUND UTILITY
EASEMENT FOR THE
BENEFIT OF LOT 1
BUILDING AREA
REVISED EASEMENT AREA
ORIGINAL BUILDING AREA= 11,078 SF
REVISED BUILDING AREA= 10,022 SF
LOT 2
(KING ROAD NORTH)
#220 KING ROAD
DATUM ELEVATION
NORTH
SCALE 1" = 20'-0"

48

PARK CITY 1884

REVISED PER 3/12/97 PLANNING COMMISSION MTG. ACTION

PLANNING COMMISSION STAFF REPORT

DATE: March 13, 1997
DEPARTMENT: Planning Department
AUTHOR: Megan B. Ryan
TITLE: 220 King Road - Lot 2, Treasure Hill Subdivision
TYPE OF ITEM:
Request for:
1. A Small Scale Master Planned Development in accordance with the Treasure Hill Subdivision Plat
2. A Conditional Use Permit for an Accessory Apartment and;
3. An amendment to the building pad, Lot 2, Treasure Hill Subdivision Plat

---

SUMMARY RECOMMENDATIONS:

Conduct a public hearing and consider recommendations to approve or forward a positive recommendation the City Council on the following items:
1. A Small Scale Master Planned Development in accordance with the Treasure Hill Subdivision Plat
2. A Conditional Use Permit for an Accessory Apartment and;
3. A positive recommendation to the City Council for an amendment to the building pad, Lot 2, Treasure Hill Subdivision Plat.

DESCRIPTION:

A. Topic.

Applicant: Bill Mammen for Robert Sfire
Location: 220 King Road - Lot 2, Treasure Hill Subdivision
Zoning: Historic Residential, (HR-1)
Adjacent Land Uses: Residential, Open Space

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Date of Application: May 21, 1996

B. BACKGROUND/PROJECT INFORMATION

The Planning Commission is being asked to consider the following three requests for this property:

1. approval for a Small Scale Master Planned Development in accordance with the Treasure Hill Subdivision Plat;
2. a Conditional Use Permit for an Accessory Apartment; and
3. an amendment to the building pad, Lot 2, Treasure Hill Subdivision Plat

The Planning Commission has held public hearing on this project on August 14,1996 and December 4, 1996. Minutes are attached as Exhibit B. The applicant has redesigned the project in order to address public and Commission comments, see Exhibit C. The project has also been to the Historic District Commission for a work session discussion on January 27, 1997.

The Historic Commission conducted an initial review and supported the proposed changes. The project will return to the Historic District Commission on March 17 for final design approvals after Planning Commission review.

The Commissioners may take action on any one of the items requested, a combination of any of the items or none. The process is as follows 1) Planning Commission MPD, Plat Amendment and Accessory Apartment direction and approval on site parameters and then 2) HDC final design approval for new construction and; 3) Building plan submittal.

The first request is for approval of a Small Scale Master Planned Development. Each lot under the Treasure Hill Subdivision plat is required to return to the Planning Commission for review and must meet the ten approval criteria that were recorded for each of the four lots of this subdivision. These criteria are outlined in the analysis section below.

The second request is for a Conditional Use Permit for an Accessory Apartment on Lot 2. The 600 square foot apartment would be located in the basement area with a separate entry. Accessory Apartment regulations are outlined in Chapter 8.19 of the Park City Land Management Code and nine criteria, must be satisfied to grant a Conditional Use Permit for this use in the HR-1 District. Compliance, with these criteria, is outlined in the Analysis Section below.

The third request is an amendment to the building pad for Lot 2. The owner is requesting to shift the platted pad by approximately 5 feet to the west and 8 feet to the east in order to place the house in an L shaped configuration off the driveway. Such a request requires that the pad described on the recorded plat to be changed. Please see Exhibit E for plat.

C. ANALYSIS

I. Treasure Hill Small Scale Master Planned Development (MPD)

The following criteria, as outlined in Section 6.6, King Road Single Family Lots, of the Sweeney Properties Master Plan Approval Summary, dated June 1, 1990, and the recorded Treasure Hill Subdivision plat, must be addressed through the Small Scale MPD review and approval process. Please see Exhibit G for exact plat notes and Sweeney Master Plan approval for King Road properties.

1. Footprint - The maximum footprint shall not exceed 3,500 square feet, including garages. **Compliance:** The proposed footprint, including the Accessory Apartment and garage is at 1,976 square feet and is in compliance with this requirement.

2. Building Area Limits - All building and subsequent landscape disturbance must occur within the pad as described on the plat.
Compliance: The request for a shift in the platted pad does not disturb areas that are significantly worse then the originally platted area. The lot is steep, precarious to build on and will be visually significant with or without the plat amendment. The building area limits will apply to the final configuration decided upon and will be set at time of building permit issuance. The area on the hillside that will need to be disturbed for utility connections will be specifically identified and inspected prior to building permit issuance by the City's Landscape Architect.

3. Construction Disturbance: No construction disturbance shall occur beyond a twenty foot line from the building pad.
Compliance: This requirement will be enforced at time of building permit issuance by fencing of the limits area. A Construction Mitigation and Staging plan will also be required due to the precarious and steep nature of the site.

4. Height: The maximum height shall be 25' for flat roofs and 30' for pitched roofs. A three foot exception will be granted for the express purpose of allowing elevators and access stairwells.
Compliance: Height verification is of particular importance on this steep site and on the other parcels within this subdivision. Staff has received extrapolations of an original survey and will continue to request that a certified survey be submitted for the site. Height compliance is not resolved at this time with certain roof planes and the chimney and will need to be resolved with the applicant prior to the next Historic District Commission review. Final approvals from the Planning and Historic District Commission will ensure enforcement and compliance with this condition.

5. Facade Height, Easterly facing: The maximum facade height (without a five foot stepback) shall be 25'.
Compliance: As currently presented the roof of the balcony area on the easterly facade appears to comply with the 25' height limit. Staff's concern is that balconies are not considered to be part of the building footprint per Condition #1 of the plat. Therefore the exterior building wall on the easterly facade should be in compliance with the 25' requirement. As presented this exterior wall does not meet this requirement. Staff will resolve this issue with the applicant before the next Historic District review. Final

approvals from the Historic District Commission will ensure enforcement and compliance with this condition.

6. Massing: No one building mass shall have a footprint that exceeds 1,500 square feet.
Compliance: Final approvals from the Historic District Commission will ensure enforcement and compliance with this condition. As presented the house footprint is 1,320 s.f. and the garage footprint is 656 s.f.. Staff believes that the redesign complies with intent of this guideline which was to ensure smaller building masses on lots in this plat.

7. Sewer Laterals: Maintenance and replacement is the sole responsibility of the property owner and not that of Snyderville Basin Sewer Improvement District.
Compliance: Each owner is on notice of this responsibility at time of purchase through a plat note.

8. Fire Sprinkling: Wood roofing is prohibited. Interior and Exterior modified 13-D sprinklers are required.
Compliance: Building permits shall not be issued that do not comply with this requirement.

II. Accessory Apartment Use Criteria
The following criteria are reviewed under the Conditional Use Permit process for Accessory
Apartments:
1. Size - 800 s.f. max.- no more than 2 bedrooms, no more than one-fourth of dwelling size.
Compliance: The proposed apartment is 587 square feet and is less than one fourth of the dwelling unit (which is about 2,775 square feet).
2. Parking - one space per bedroom, on site
Compliance: Two bedrooms are proposed. Two spaces are being provided. A total of four parking spaces will be provided on site.
3. Apartments per Lot - no more than one per lot
Complies
4. Density - no more than three within 300' of the property.
Complies - A survey was conducted by the Building Inspection Department to determine compliance with this requirement. The survey revealed several illegal duplexes on Norfolk Avenue but no more than three accessory apartments were found within 300' of the King Road site.
5 . Ownership - one unit to be owner occupied
Compliance: The main unit will be occupied as a second residence.
6. Deed Restriction - restriction to be filed with County
Compliance: Will comply if approved.
7. Nightly rental - not allowed, identified on deed restriction
Compliance: Will comply if approved.
8. Homeowner's Association Notification - must notify any Homeowner's Association
Compliance: None on record - all owners within plat notified on July 31,1996.

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9. One year review.
Compliance: subject to administrative staff review for compliance.

III. Plat Amendment request
Staff has examined the topographical survey provided and believes that the request for a shift in the platted pad does not disturb areas that are significantly worse then the originally platted area. The lot is steep, precarious to build on and will be visually significant with or without the plat amendment.

The driveway length will not be affected by this pad change. The driveway is platted and designed to share access between Lot 1 and Lot 2. The cut will be significant and visible. A financial security will be provided to ensure the revegatation of the site. As mentioned above any cuts that need to occur for utility connections will be specifically identified by the City's Landscape architect prior to building permit issuance and guaranteed for revegatation with a financial security. The applicant can make his case for the change before the Commission at the public hearing.

D. DEPARTMENT REVIEW
The Community Development Department and City Attorney's office have reviewed this request.

SIGNIFICANT IMPACTS:
Under any use scenario, the project will result in a structure that significantly impacts the terrain. The addition of an accessory apartment will not increase the footprint of the building. Parking on site can be provided for both the house and the apartment uses. The Conditional Use Permit alternative provides an opportunity for parking mitigation in the sense that four spaces can be obtained whereas the single family structure itself would only provided two spaces regardless of the number of bedrooms it had.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION: If the Commissioners cannot find in favor of the requested permits then the applicant will be permitted to construct one single family house with a footprint of no more than 3,500 square feet without an accessory apartment in the footprint.

E. PUBLIC INPUT:
This project was noticed to property owners within 300' of the property and within the affected subdivision plat on July 31, 1996, November 19, 1996 and on February 25, 1997. Substantial input has been received at the two prior hearings and staff hopes that the redesign address to the best extent possible most of the public's concerns. No input from the last notice has been received at the time of this staff report.

At the public hearing in July, Kevin King, John Vrable, and Steve Elrich all raised concerns over the proposed project at 220 King Road. King's and Vrable's letter attached as Exhibit H. Elrich's comments were phoned in. At the November hearing the Commission

directed the applicant to respond to the design and plat issues. See Exhibit B, 12/04/97 minutes.

Many of the comments in Kevin's letter focused on design issues and the project has been redesigned in order to address some of Mr. King's and the Commissioners concerns. The revised project has received an initial review by the Historic District Commission and is scheduled for final action on the 17th of March. Staff understands that the applicant's architect has met with Kevin to review the latest site plans.

Mr. King's past comments have focused on the height of the structure, the accessory apartment, and the necessity for the plat amendment. At the last public hearing staff indicated that a certified survey would be required prior to any building permit issuance, that a survey had been done of the area and that no more than three accessory apartments within 300' were on file with this Department. The plat amendment has been reconfigured and staff is not aware of any remaining concerns that Kevin may have on this issue.

In regards to Mr. Vrables concerns the City is unfortunately dealing with a recorded plat that allow for very large home sizes in one of the most visible areas in town. The applicant is at this time proposing to construct a structure that is smaller, even with the proposed Accessory Apartment, than the maximun allowed under the platted parameters. Again, any structure will create an extremely visible impact and there are limited opportunities for the Planning Commission to negotiate on the house size issue. The building pad location however is negotiable. The visual impact is minimized to the best extent possible through the staff and HDC design input.

Mr. Elrich was concerned with dust during construction on the unpaved road. The current obligation under City codes requires paving prior to issuance of a Certificate of Occupancy. The Planning Commission may discuss this issue and timing of the paving with the applicant or direct the Chief Building Official and City Engineer to address it in the Construction Management Plan.

F. ALTERNATIVES:

A. Conduct a public hearing on the proposed MPD, Conditional Use Permit and Plat Amendment and consider adopting the staff's findings, conclusions and conditions that reflect the Commissioners decisions.

B. Deny any of the requested applications and direct the staff to prepare appropriate findings.

G. RECOMMENDATION:

Staff recommends that the Planning Commission take public input and discuss the approval or denial of the following: 1) a Small Scale Master Planned Development; 2) a Conditional Use Permit for an Accessory Apartment; and 3) A recommendation to the City Council for an amendment to the building pad, Lot 2, Treasure Hill Subdivision Plat. The following Findings, Conclusions and Conditions for each action are provided below if a positive recommendation is supported.

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Findings:
Small Scale MPD:

1. The project is for one single family structure of approximately 1, 976 square foot footprint which includes a garage and an approximately 587 square foot Accessory Apartment.

2. The project will provide four parking spaces on site.

3. The project is in the HR-1 Zoning District and is subject to final design review from the Historic District Commission.

4. The project is subject to all conditions as recorded on the final subdivision plat for the Treasure Hill Subdivision plat. HDC final design review will ensure compliance with the recorded plat notes.

5. The project is located on a steep and difficult terrain requiring careful construction planning and mitigation.

6. Considerable excavation and dirt handling may be required with this project, and any off-site dirt storage creates the possibility of erosion and wind borne fugitive dust. Any filling or excavation requires authorization from the property owner and the City and restoration security from the contractor or owner.

7. The Land Management Code and Park City Design Guidelines both address the importance of on-site project lighting, and indicate that all landscape lighting and building lighting shall be off a cut-off type, in order to be shielded from surrounding areas. As such, building and parking lighting specifications and fixture type and style will be reviewed and approved by the Community Development Department.

8. The applicants have stipulated to the Conditions of Approval.

9. **The road accessing this project is currently not paved and is in close proximity to several residential homes. The road is also used by several other property owners.**

Accessory Apartment:

1. The intent and purpose of the Accessory Apartment Ordinance is to encourage and promote affordable housing opportunities while protecting the existing quality of life found in single family zones throughout the community.

2. The owner is a Park City resident and will reside seasonally at 220 King Road in Park City.

3. Two parking spaces are provided on site for the two bedrooms in the Accessory unit

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4. The proposed apartment is approximately 600 square feet and has two bedrooms.

5. Notice was given to everyone within 300' of the property.

6. There are not more than three accessory units within 300' of this project.

7. The Land Management Code, Section 8. 19, requires a deed restriction to be filed with Summit County, a one year review and prohibits nightly rentals.

Plat Amendment:

1. The proposed amendment will shift the building pad by approximately 5' to the west.

2. The proposed amendment will not significantly increase the visual location of the single family structure.

3. The proposed amendment will not significantly increase the impact to existing vegetation.

Conclusions of Law:

Small Scale MPD:

1. The proposal for Lot 2 is in compliance with the criteria as outlined in Section 6.6, King Road Single Family Lots, of the Sweeney Properties Master Plan Approval Summary, dated June 1, 1990, and the recorded Treasure Hill Subdivision plat and Chapters 10 and 13 of the Land Management Code.

2. The Small Scale MPD at 220 King Road is consistent with the general plan and will not be contrary to public interest.

3. The building achieved through this Small Scale MPD will be compatible with surrounding structures in use, scale, mass and circulation.

4. Any differences in use or scale have been mitigated through design solutions, planning and conditions of approval.

Accessory Apartment:

1. The application for an approximately 600 square foot Accessory Apartment at 220 King Road is in compliance with Accessory Apartment regulations are outlined in Chapter 8.19 of the Park City Land Management Code and the nine criteria that must be satisfied to grant a Conditional Use Permit for this use in the HR- 1 District, and;

2. A Conditional Use Permit for an Accessory Apartment at 220 King Road is consistent with the general plan and will not be contrary to public interest.

3. The Accessory apartment will be compatible with surrounding structures in use, scale, mass and circulation.

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4. The effects of any differences in use or scale have been mitigated through design solutions, planning and conditions of approval.

Plat Amendment:

1. There is good cause for the amendment because no increase in visual impacts will occur through the amendment.

2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions of Approval:

Small Scale MPD:

1. Final design review of 220 King Road is subject to Historic District Commission review and approval.

2. All Standard Project Conditions of Approval shall apply.

3. Lighting plans must be reviewed and approved by the Community Development Department with respect to location, light type, and fixtures under the Historic District Design Guidelines and the Land Management Code.

4. The Developer shall provide a detailed Construction Management Plan (CMP) prior to the issuance of any building permits that address at a minimum:

a.) A construction staging, storage, circulation and parking plan shall be submitted prior to issuance of any building permit.

b) If the project is phased, each phase of the project shall be designed in order to construct those portions of the on-site circulation system necessary to provide adequate automobile and emergency equipment circulation, to the extent required by the Community Development Department.

c.) The developer shall instruct the respective contractors that there is to be no wash out of concrete trucks on on-site landscape areas. Further, the developer shall identify any off-site dirt storage site with the respective phase, obtain written permission by the owner and post a financial surety, to the satisfaction of the City, that will provide for the rehabilitation of the storage site.

d.) Landscaping shall be addressed prior any construction activity on site.

e.) Any temporary parking signs, subject to the Public Works Director and City Engineer approval, shall be addressed in the CMP.

f.) The site plans and elevations are subject to final review and approval by the Historic District Commission.

g.) An existing conditions survey that identifies and determines the existing natural grade shall be conducted by the applicant and submitted prior to issuance of a footing and foundation permit. This existing conditions survey shall become part of the final site plans for this project and shall assist the Community Development Department in determining the grade for measurement of height of this project as defined in the Land Management Code. A surveyor's certificate of finished floor, tied to USGS elevations, will be submitted to the Building Department prior to rough framing approval for the purposes of determining height.

h.) The Construction Management Plan shall be reviewed in accordance with these Conditions of Approval and all applicable city codes and approved by the Chief Building Official and City Engineer prior to any building permit issuance

5. **The portion of King Rd. used to access this project shall be paved or surfaced with another method of control that shall be reviewed and approved by the Community Development Department prior to issuance of a footing and foundation permit in order to limit dust and disturbance on nearby residences. Joint dust control agreements on the roads adjacent to this property shall also be reviewed and approved by the Community Development Department.**

Conditions of Approval: Accessory Apartment:
1. Prior to issuance of the building permit for 220 King Road, the applicant shall execute and record a deed restriction in a form approved by the City Attorney.
2. No nightly rentals are allowed.
3. An annual administrative review of the project shall occur one year after this approval.

Conditions of Approval: Plat Amendment:
1. The City Attorney and City Engineer's approval of the plat amendment for compliance with State law, the Land Management Code and these conditions of approval is a condition precedent to plat recordation.

2. The amended plat must be recorded prior to building permit issuance and must be recorded within one year of this approval or this approval is considered null and void.

3. The plat shall note that all conditions of approval, notes and restrictions the Treasure Hill Subdivision are in full force and effect.

<u>EXHIBITS</u>
Exhibit A - Location Map
Exhibit B - Minutes from Planning Commission meetings
Exhibit C - Site plan and Elevations
Exhibit D - Historic District Commission Staff Report 01/27/96
Exhibit E - Existing and Proposed Plat
Exhibit F - Plat notes and Sweeney approvals 6/90
Exhibit G -Public Input from August 12, 1996 meeting
Exhibit H -Standard Project Conditions

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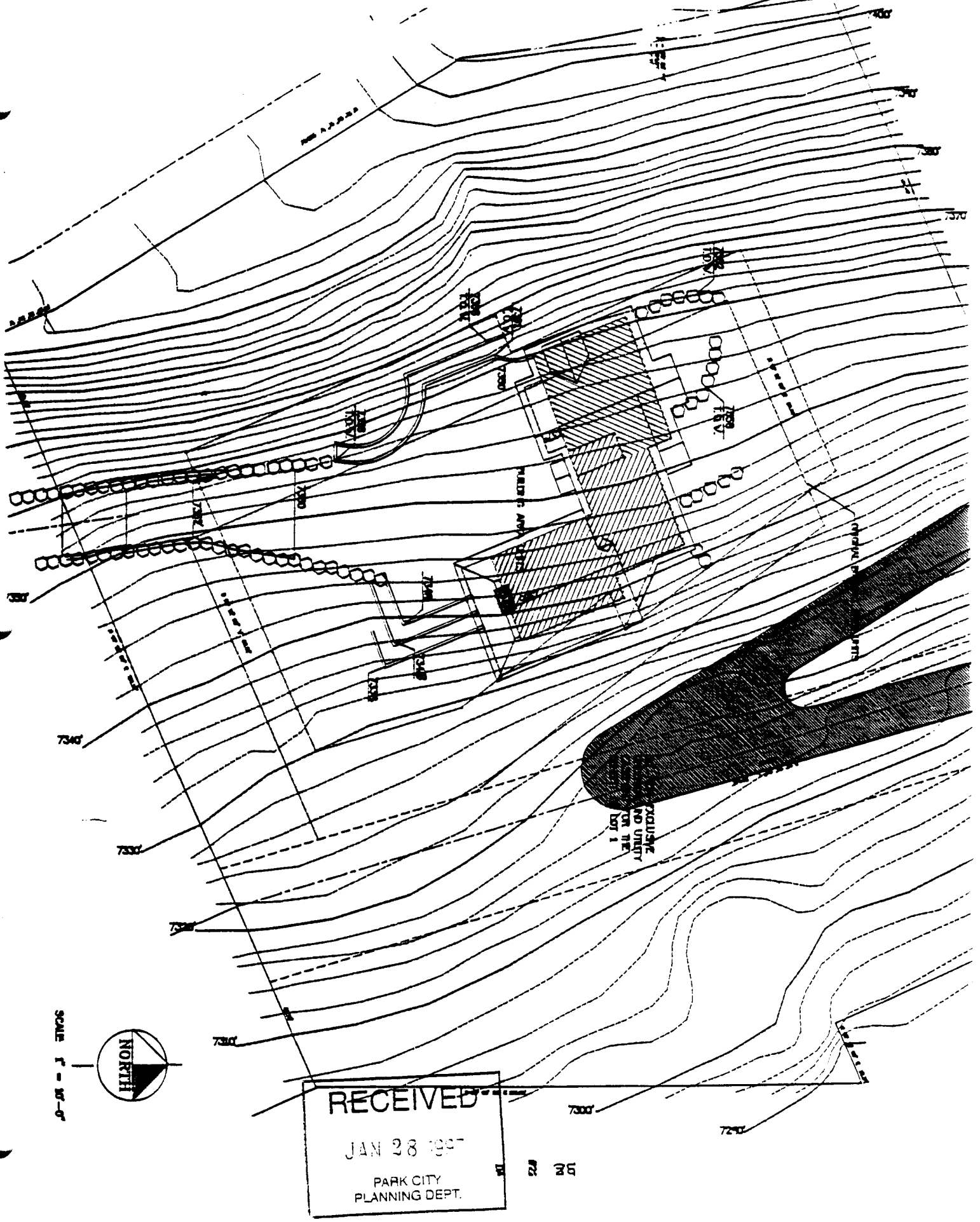
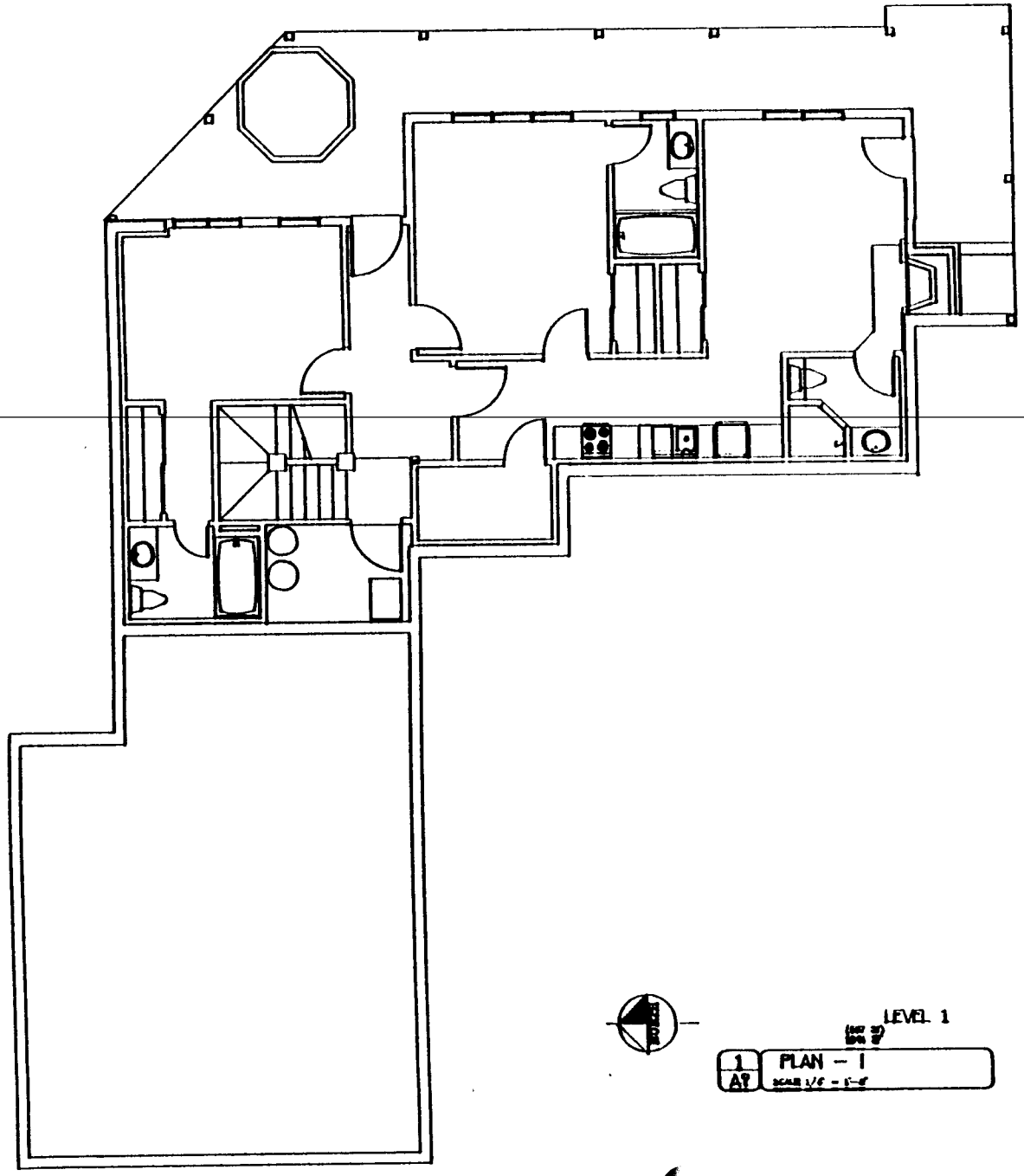
Exhibit C - Site plan and Elevations





LEVEL 1

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A9

PLAN – 1

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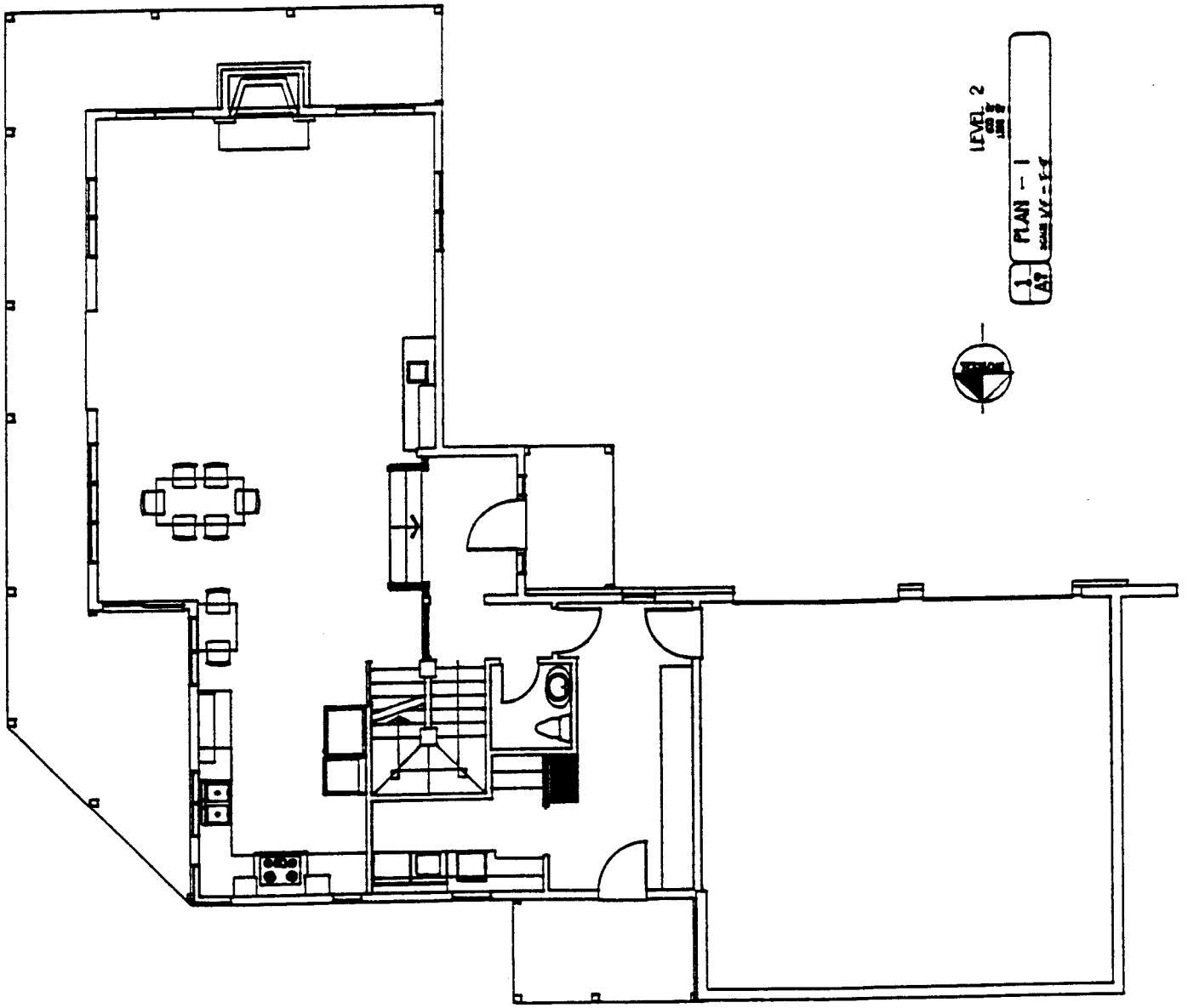

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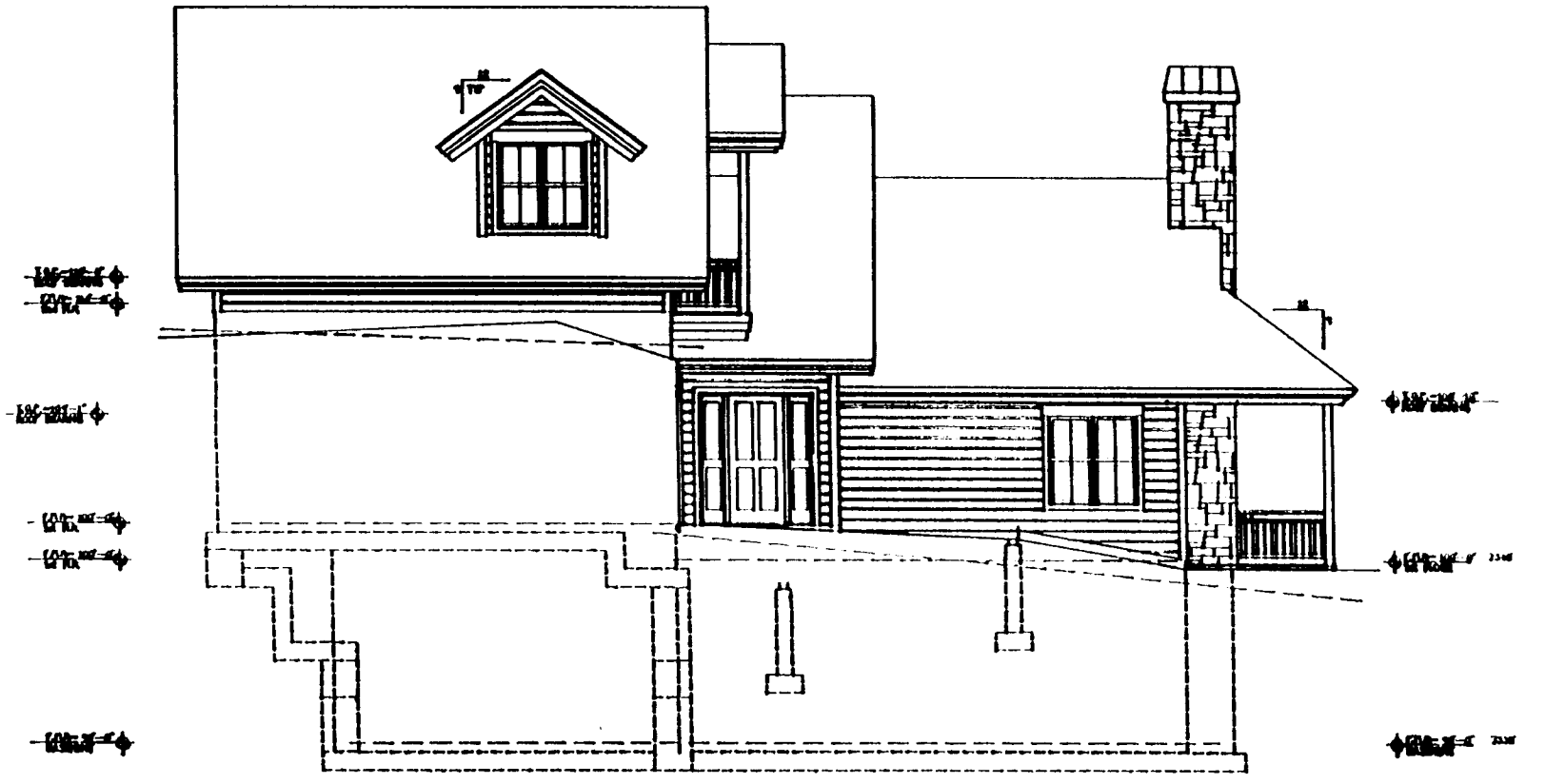

1 A4 WEST ELEVATION

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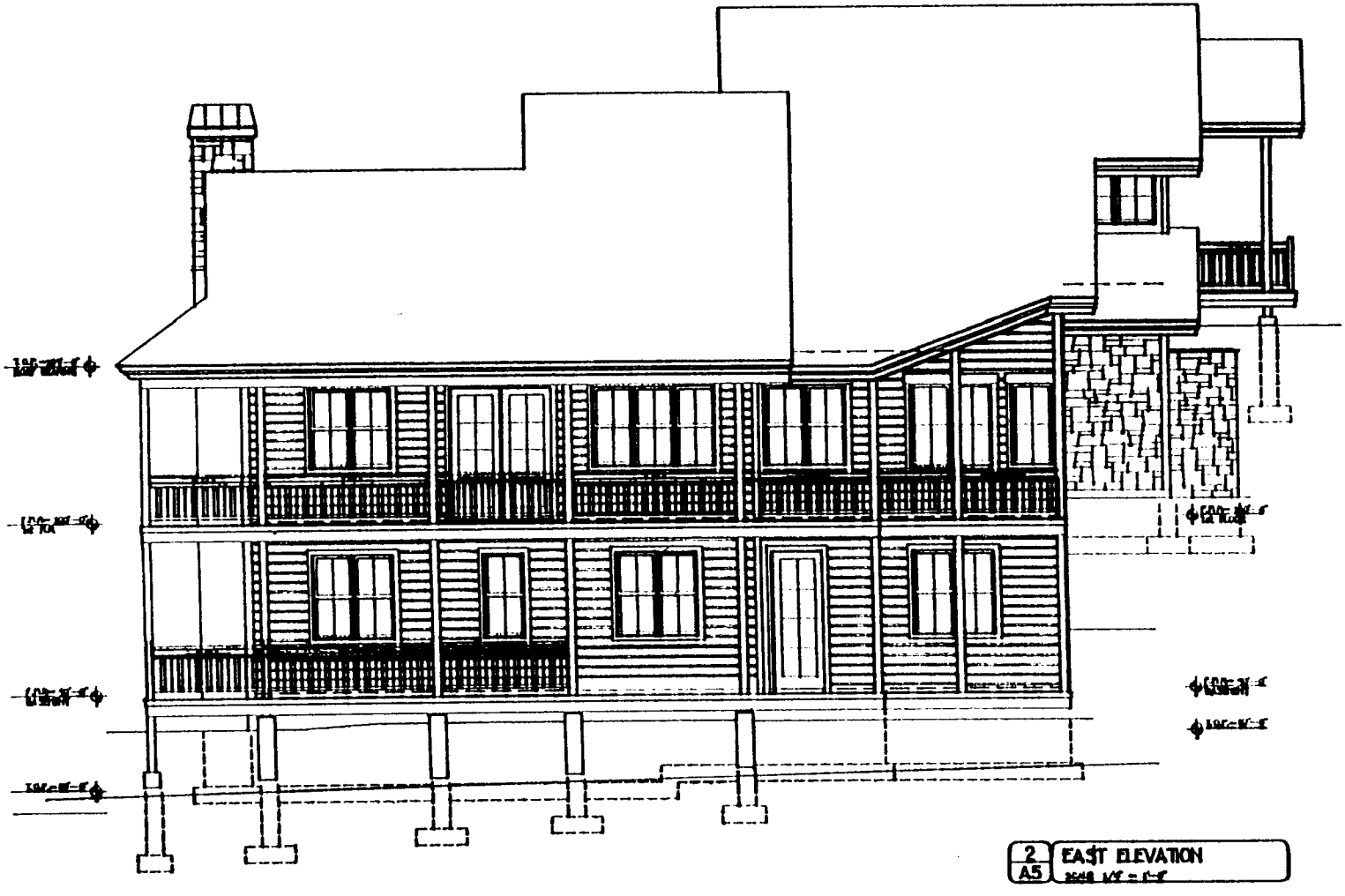
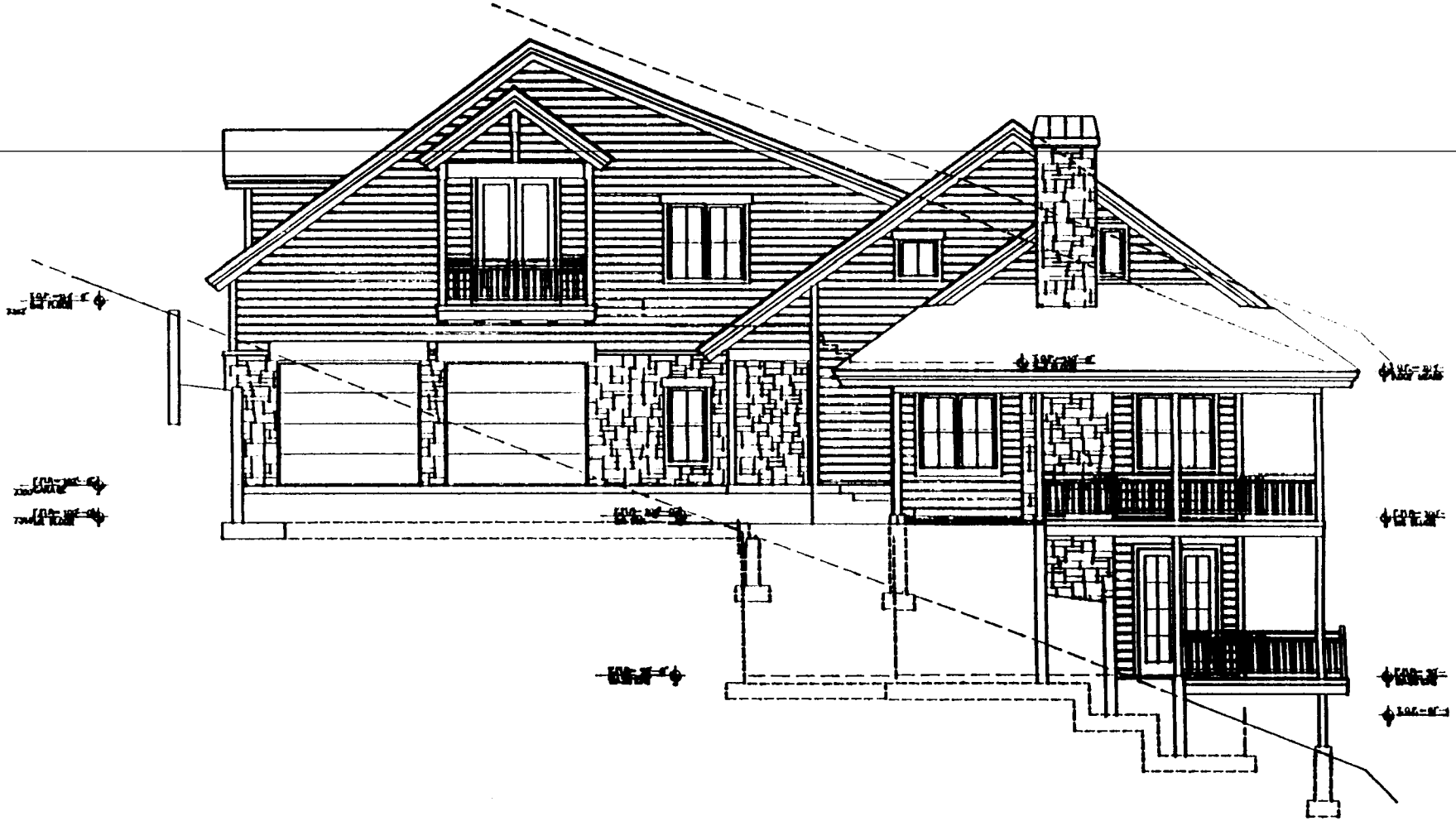
A4
NORTH ELEVATION



2 A5 EAST ELEVATION



2 A4 SOUTH ELEVATION

issuance of any building permits. The plan shall address staging, material storage, construction timelines, special signs, parking, fencing, and any other construction-related details to the satisfaction of the Community Development Department.

6. The exposed interior facades of the garage entryway on Heber Avenue shall use patterned materials and subdued lighting. The final materials and fixtures shall be submitted with the building plans and reviewed and approved by the Planning Staff under the building permit review process.

7. An approximately 220-foot section of the bike path adjacent to the property shall be realigned and widened to a 10' paved standard. The realignment plan shall be submitted to the trails coordinator for review and approval prior to final building permit issuance.

8. Snow shed and roof line forms shall be reviewed and approved for safety compliance by the Chief Building Official prior to building permit issuance.

4. **220 King Road - Lot 2, Treasure Hill Subdivision, Conditional Use Permit for accessory apartment/small scale MPD/plat amendment**

Planner Ryan reported that this matter is scheduled for public hearing this evening and is the third public hearing for this project. The request is for three separate actions:

1. A plat amendment to shift the pad originally approved under the Sweeney Treasure Hill subdivision.

2. A request for a small scale master planned development approval which was a condition of the subdivision plat.

3. A request for an accessory apartment within this proposal.

Planner Ryan noted that much of the public comment expressed concern over the extent of the shift of the plat, the size of the accessory apartment, and the compatibility of the use in the area. Other concerns included height and removal of vegetation in the area. She reported that the Staff has worked diligently with the applicant to address some of the concerns, and the plan being presented this evening is a redesign that is meant to address those concerns. The plat shift has changed based on direction from the Planning Commission to minimize any shift in the plat. The Staff believed the redesign would accommodate a structure that will fit

in the neighborhood and minimize impacts in the area. However, the impacts will be great simply due to the location of the structure. Planner Ryan reported that the revisions were reviewed by the Historic District Commission, and their final action is scheduled for March 17.

Planner Ryan reported on public comments received after the Staff report was prepared. Comments from Carol Sletta echoed Mr. Erlich's comments as identified in the staff report. Both are concerned about construction dust. King Road is not paved, and the concern relates to the significant amount of disturbance that will be created when grading and footings and foundations begin. They felt this would affect them adversely, and they have asked the Planning Commission to look at other types of paving mitigation. Planner Ryan explained that the City usually requires that a road be paved prior to issuance of a certificate of occupancy. These two citizens are requesting that it happen earlier in the process. She noted that Bill Mammen, the architect, brought to her attention that one condition of the Sweeney Master plan calls for a dust free surface. Planner Ryan requested that the Planning Commission discuss the issue in the hope of finding a resolution.

Bill Mammen explained that the revisions to the proposal are large changes, but they might not be immediately visible. The retaining wall is the same in terms of the amount of retaining wall, but it has been shifted so the majority occurs on the west side of the residence. The residence is L-shaped, which puts it in front of the high retaining wall. The north side of the property is almost natural grade, with a minimal amount of retaining for leveling. This is a steep slope which has been leveled off at the entry points only. Maximum grading will be done in areas hidden from everyone except the residents of the house. The shift in the building pad has been refined, and the home is now designed so it should be suitable for everyone. The shift was eight feet into the hillside for the purpose of stairstepping the retaining wall on that side of the house. Without the building pad shift, a 16-foot-high wall would be necessary instead of the proposed eight-foot-high wall stepped by five feet before putting another eight-foot-high wall.

Commissioner Erickson recalled that at a previous meeting the Planning Commission had questioned whether the grading would stay within the limits of disturbance in the building pad area. He felt it would from looking at the new drawings. Mr. Mammen replied that he was correct.

Chair Jones opened the public hearing.

Carol Sletta, a resident at 135 Sampson, was concerned with the massive truck driving up and down one leg of the switchback that currently exists. She was hoping the applicant would be required to pave the road. She referred to comments made by Mr. Mammen and Planner Ryan about making the road dust free and wanted to know how they intend to do that. Ms. Sletta asked how Mr. Sweeney will access his property for construction. Planner Ryan offered to have Planner Whetstone research a response. Ms. Sletta stated that she did not understand why more accessory apartments are necessary in the area. She referred to language in the Staff report and asked what difference it makes if a resident is seasonal or not. Planner Ryan explained that it is neither a positive nor a negative. It is a requirement of the accessory apartment that the landlord be present on the property so the whole unit is not rented out.

Bob Sfire, the property owner, explained that the design was completely different at the last meeting, and because they were turned down twice, they met the following day with Planner Ryan and Planner von Puttkammer to determine exactly what was wanted. The new plan is a result of that meeting and incorporates the requirements of the Planning Commission, the Staff, and the public. He felt it was important for the Planning Commission to understand that the site plan was redesigned and the house was shifted to act as a retaining wall for a visual benefit from town. He noted that this is his third time before the Planning Commission, and he was interested in getting the matter resolved.

Judy Scipioni asked if it would be difficult to require the applicant to pave the road before starting construction or if that is an out-of-the-ordinary request. Chair Jones felt the dust issue could be addressed through a condition of approval since there are several ways of mitigating dust. The disadvantage of paving the road first is that it gets chewed up in the construction process. Ms. Scipioni asked for an explanation of how dust can be controlled. Commissioner Erickson explained that tackifiers and materials that bind the soil together are available. He felt that imposing the burden of paving the road upon one house was an inequitable solution. If the Planning Commission elects to approve the matter, he stated that he would add a condition requiring the applicant to either pave the road or surface it with a material approved by the Community Development Department.

Bill Mammen questioned paragraph 4(f) of the Conditions of Approval for the small scale MPD. Commissioner O'Hara informed him that the Planning Commission will request that 4(f) be deleted because the requirement only applies to parcels 5 acres or larger.

Planner Whetstone responded to the question raised by Ms. Sletta regarding construction access for the Sweeney home by explaining

that there is not a definite construction plan at this time. The Staff is still working with City Engineer Eric DeHaan and Chief Building Official Ron Ivie on the matter. The intention is to have a majority of the larger construction traffic come off the switchback at Empire and Lowell.

Chair Jones closed the public hearing.

Chair Jones noted that this matter has three recommended actions that need to be taken separately.

Plat Amendment

MOTION: Commissioner Erickson moved to APPROVE the amendment to the plat in accordance with the findings of fact, conclusions of law, and conditions of approval relative to the plat outlined in the staff report. Commissioner O'Hara seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - Plat Amendment

1. The proposed amendment will shift the building pad by approximately 5' to the northwest.

2. The proposed amendment will not significantly increase the visual location of the single-family structure.

3. The proposed amendment will not significantly increase the impact to existing vegetation.

Conclusions of Law - Plat Amendment

1. There is good cause for the amendment because no increase in visual impacts will occur through the amendment.

2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions of Approval - Plat Amendment

1. The City Attorney and City Engineer's approval of the plat amendment for compliance with State law, the Land Management Code, and these conditions of approval is a condition precedent to plat recordation.

2. The amended plat must be recorded prior to building permit issuance and must be recorded within one year of this approval, or this approval is considered null and void.

3. The plat shall note that all conditions of approval, notes, and restrictions of the Treasure Hill Subdivision are in full force and effect.

Small Scale MPD in accordance with the Treasure Hill Subdivision

Commissioner Erickson suggested a revision in the language of the small scale MPD conditions of approval by deleting Condition 4(f) relative to compliance with the Utah Water and Air Quality Standards for this project because they do not apply. He also added Finding #9 to state, "The road accessing this project is not currently paved and is in close proximity to several residential homes, and the road is also used by several other property owners." He felt that would support proposed Condition #5 that reads, "The portion of King Road used to access this project shall be paved or surfaced to control dust in a manner approved by the Community Development Department prior to the issuance of a footings and foundation permit in order to limit dust and disturbance on nearby residents. Further, the Community Development Department shall work to facilitate joint control of dust along this segment of the road with adjacent property owners."

Commissioner Erickson did not wish to make the motion as he was uncomfortable with the entire Sweeney Treasure Hills subdivision. He could vote in favor of the action, but he was not willing to recommend a motion for approval.

MOTION: Commissioner Calder moved to forward a POSITIVE recommendation to approve the small scale MPD in accordance with the Treasure Hills Subdivision Plat with the findings of fact, conclusions of law, and conditions of approval incorporating the additions as stated by Commissioner Erickson regarding paving or other surface to control dust and the elimination of Condition 4(f). Commissioner O'Hara seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - Small Scale MPD

1. The project is for one single-family structure of approximately 1,976 square foot footprint which includes a garage and an approximately 587-square-foot Accessory Apartment.

2. The project will provide four parking spaces on site.

3. The project is in the HR-1 Zoning District and is subject to final design review from the Historic District Commission.

4. The project is subject to all conditions as recorded on the final subdivision plat for the Treasure Hill Subdivision plat. HDC final design review will ensure compliance with the recorded plat notes.

5. The project is located on a steep and difficult terrain requiring careful construction planning and mitigation.

6. Considerable excavation and dirt handling may be required with this project, and any off-site dirt storage creates the possibility of erosion and wind-borne fugitive dust. Any filling or excavation requires authorization from the property owner and the City and restoration security from the contractor or owner.

7. The Land Management Code and Park City Design Guidelines both address the importance of on-site project lighting and indicate that all landscape lighting and building lighting shall be of a cut-off type in order to be shielded from surrounding areas. As such, building and parking lighting specifications and fixture type and style will be reviewed and approved by the Community Development Department.

8. The applicants have stipulated to the Conditions of Approval.

9. The road accessing this project is not currently paved and is in close proximity to several residential homes. The road is also used by several other property owners.

Conclusions of Law - Small Scale MPD

1. The proposal for Lot 2 is in compliance with the criteria as outlined in Section 6.6 King Road Single Family Lots, of the Sweeney Properties Master Plan Approval Summary, dated June 1, 1990, and the recorded Treasure Hill Subdivision plat and Chapters 10 and 13 of the Land Management Code.

2. The Small Scale MPD at 220 King Road is consistent with the General Plan and will not be contrary to public interest.

3. The building achieved through this Small Scale MPD will be compatible with surrounding structures in use, scale, mass and circulation.

4. Any differences in use or scale have been mitigated through design solutions, planning and conditions of approval.

Conditions of Approval - Small Scale MPD

1. Final design review of 220 King Road is subject to Historic District Commission review and approval.

2. All Standard Project Conditions of Approval shall apply.

3. Lighting plans must be reviewed and approved by the Community Development Department with respect to location, light type, and fixtures under the Historic District Design Guidelines and the Land Management Code.

4. The Developer shall provide a detailed Construction Management Plan (CMP) prior to the issuance of any building permits that address at a minimum:
   a) A construction staging, storage, circulation and parking plan shall be submitted prior to issuance of any building permit.
   b) If the project is phased, each phase of the project shall be designed in order to construct those portions of the on-site circulation system necessary to provide adequate automobile and emergency equipment circulation to the extent required by the Community Development Department.
   c) The developer shall instruct the respective contractors that there is to be no wash-out of concrete trucks on on-site landscape areas. Further, the developer shall identify any off-site dirt storage site with the respective phase, obtain written permission by the owner, and post a financial surety, to the satisfaction of the City that will provide for the rehabilitation of the storage site.
   d) Landscaping shall be addressed prior to any construction activity on site.
   e) Any temporary parking signs, subject to the Public Works Director and City Engineer approval, shall be addressed in the CMP.
   f) The site plans and elevations are subject to final review and approval by the Historic District Commission.
   g) An existing conditions survey that identifies and determines the existing natural grade shall be conducted by the applicant and submitted prior to issuance of a footings and foundation permit. This existing conditions survey shall become part of the final site plans for this project and shall assist the Community Development Department in determining the grade for measurement of height of this project as defined in the Land Management Code. A surveyor's certificate of finished floor, tied to USGS elevations, will be submitted to the Building

Department prior to rough framing approval for the purposes of determining height.

g) The Construction Management Plan shall be reviewed in accordance with these Conditions of Approval and all applicable City codes and approved by the Chief Building Official and City Engineer prior to any building permit issuance.

5. The portion of King Road used to access this project shall be paved or surfaced to control dust in a manner approved by the Community Development Department prior to the issuance of a footings and foundation permit in order to limit dust and disturbance on nearby residents. Further, the Community Development Department shall work to facilitate joint control of dust along this segment of the road with adjacent property owners.

Accessory Apartment - Conditional Use Permit

MOTION: Commissioner Calder moved to APPROVE the Conditional Use Permit for an Accessory Apartment, giving consideration to the findings of fact, conclusions of law, and conditions of approval. Commissioner Zimney seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - Accessory Apartment

1. The intent and purpose of the Accessory Apartment Ordinance is to encourage and promote affordable housing opportunities while protecting the existing quality of life found in single-family zones throughout the community.

2. The owner is a Park City resident and will reside seasonally at 220 King Road in Park City.

3. Two parking spaces are provided on site for the two bedrooms in the Accessory unit.

4. The proposed apartment is approximately 600 square feet and has two bedrooms.

5. Notice was given to everyone within 300' of the property.

6. There are not more than three accessory units within 300' of this project.

7. The Land Management Code, Section 8.19, requires a deed restriction to be filed with Summit County, a one-year review, and prohibits nightly rentals.

Conclusions of Law - Accessory Apartment

1. The application for an approximately 600-square-foot Accessory Apartment at 220 King Road is in compliance with Accessory Apartment regulations as outlined in Chapter 8.19 of the Park City Land Management Code and the nine criteria that must be satisfied to grant a Conditional Use Permit for this use in the HR-1 District, and;

2. A Conditional Use Permit for an Accessory Apartment at 220 King Road is consistent with the General Plan and will not be contrary to public interest.

3. The Accessory Apartment will be compatible with surrounding structures in use, scale, mass and circulation.

4. The effects of any differences in use or scale have been mitigated through design solutions, planning, and conditions of approval.

Conditions of Approval - Accessory Apartment

1. Prior to issuance of the building permit for 220 King Road, the applicant shall execute and record a deed restriction in a form approved by the City Attorney.

2. No nightly rentals are allowed.

3. An annual administrative review of the project shall occur one year after this approval.

5. 615 Woodside Avenue - Old Miners' Lodge Subdivision

MOTION: Commissioner Erickson moved to CONTINUE this matter until March 26, 1997. Commissioner O'Hara seconded the motion.

VOTE: The motion passed unanimously.

The Park City Planning Commission Meeting adjourned at 7:50 p.m.

Approved by Planning Commission_____

Commissioner O'Hara reported on a phone call he received from Ann Wilson expressing concern about traffic issues. Ms. Wilson felt the City needs to address the current traffic problems before addressing the future of Flagstaff. She was mostly concerned with traffic problems in the area of Bonanza and Shortline and the lack of safety considerations.

Commissioner Karri Hays-Walzer reported on a phone call she received from Kevin King outlining the same issues contained in the letter the Commissioners received this evening.

V. PUBLIC HEARINGS/ACTION ITEMS

1. <u>220 King Road, CUP/Small Scale MPD/Plat Amendment</u>

Planner Megan Ryan reviewed an aerial map depicting Lot 2 of the Treasure Hill Subdivision plat that was platted and recorded in approximately 1990. Four single family homes were platted under this subdivision which has prior agreements from the Sweeney master plan of various dates.

The Planning Commission is asked to look at compliance with the nine criteria recorded on the Sweeney/King Road/Treasure Hill subdivision plat. The nine criteria address footprint, building area limits, construction disturbance, height, facade height, massing, sewer, fire and concurrence with prior approvals.

Planner Ryan noted that a second request is for the inclusion of an accessory apartment which is a conditional use in the Historic Residential Zone. The ordinance allows a maximum of 800 square feet and requires one parking space per bedroom. The applicant proposes to include the accessory apartment within the footprint allowed under the plat. The maximum footprint recorded on the plat is no more than 3500 square feet including garages. The accessory apartment plus the single family residence is proposed at 2,028 square feet, of which 600 square feet would be added as the apartment and garage. Four parking spaces are proposed on site. Two spaces are required to be enclosed per the Sweeney/Treasure Hill subdivision plat and a garage is proposed on site.

Planner Ryan clarified that at this time final design is not being approved. A condition of approval states that the final design of this project requires Historic District Commission review. The plans presented are schematic elevations and in no way constitute final design approval.

Planner Ryan reported on a third request to shift the building pad. When the lots were recorded a specific building pad was set with a note indicating that construction disturbance should only be

allowed for a 20-foot parameter around the building area pad. The applicant is requesting to shift the pad approximately fifteen feet to the northwest.

In addition to the letter from Kevin King, Planner Ryan reported that she had received a letter from John Vrabel and a phone call from Steve Elrick expressing various concerns.

Commissioner Michael O'Hara asked for clarification on the dwelling square footage less the accessory apartment. Planner Ryan explained that the proposed footprint is approximately 2,028 square feet which translates into a house that is approximately 3,077 square feet including garage and accessory apartment. The condition for a maximum footprint rather than a house size was put on the plat. The architect, Bill Mammen clarified that 3,077 square feet does not include the garage. Planner Ryan added an additional 600 square feet for the garage making the square footage approximately 3500.

The owner, Bill Sfire, remarked that he and his family wish to build a home in Park City. After doing a lot of research they chose Bill Mammen as the architect based on his reputation and his credentials. Mr. Sfire lives in Michigan and has served on the Historic Preservation Committee in his community. He is trying to work within the bounds allowed on his lot. He and Mr. Mammen have tried to address all the issues and have tried to comply with everything the City wants for the lot. Instead of building one large massive house they chose to break it down by keeping the garage unattached and using other design factors that make the home look like several smaller homes from a distance. Mr. Sfire explained that the building pad shift is requested because the driveway enters the site at a very northerly section and makes a difficult access into the pad allowance at a grade greater than 12%. Mr. Sfire remarked that the lot is off the beaten path of Old Town and is over an acre in size. He looks forward to living in Park City and noted that he and his family did a lot of research in the Rockies before choosing Park City.

The architect, Bill Mammen, presented a drawing to the Planning Commission showing the fine line of the platted limits of disturbance. Mr. Mammen explained that leaving the plat where it currently exists will allow the Sfire's to build their home but the garage would be on the downhill side of the driveway and the driveway would cross a portion of the lot not included in the limits of disturbance. Shifting the pad puts the limits of disturbance within the area that has to be disturbed and opens up the opportunity to put the garage on the uphill side of the driveway. Shifting the pad puts the garage structure into the hillside and away from the town for less visibility and the height

would be sheltered from property owners down below looking up. It also puts the garage in a location that maximizes view potential for the owner from inside the house. Mr. Mammen feels the project meets the nine criteria of the MPD approval and he intends to meet the design criteria governed by the Historic District Guidelines. Mr. Mammen clarified that the requested shift would be to the west and not the north as reported by Planner Ryan. The purpose of the requested shift is for a functional access given the tight constraints of the driveway. There is no other intent or purpose.

Vice-Chair Erickson opened the public hearing.

Kevin King remarked that the matter involves a host of issues. He stated that the request for a small scale master plan is a moot point in light of the fact that the application is not complete. He was unable to find scalable drawings and other information that was not available. He noted that the small scale master plan development review process is identical to the conditional use permit process as per Chapter 1.4-A of the Land Management Code. He read portions of the chapter to make his point. Mr. Hill remarked that the architectural plans were drawn at a scale that left him unable to tell the exact footprint size of the building. In discussions with Planner Ryan he was informed that the drawings were not submitted for site design approval. Mr. King read a paragraph from the Staff report stating that "There is not a great deal of discretion, beyond design, that the Commissioners have in the review of this platted subdivision". Mr. King interpreted that to mean that design is the issue. Mr. King further read, "no conditional use permit shall be issued unless the Department finds that the application complies with all the requirements of the code." He read the requirements from Chapter 1-13-J and remarked that the Chapter presumes that the project does work within all the requirements. He was prepared to show that the project as proposed does not comply with all requirements. In his opinion, Mr. King felt the project was poorly designed. He appreciated wanting to achieve southern light and southern views and felt they would all be blocked if the structure is built as proposed. Mr. King had a problem with the inconsistencies that make it impossible for the Planning Commission to grant anything relative to the application. The site plan does not show the requested building pad shift and he believes the building will not fit even with a shift. Mr. King remarked that the building elevations falsely shows the relative grade with relation to the building shown on the contour plan and offered to prove it. With regards to the plat amendment, Mr. King noted that in architecture school if you have to change the building pad you failed because you failed to learn the lesson imparted on you. Mr. King was unsure why the Planning Commission would consider the matter because the application is incomplete, the project is poorly designed, and there is no logical basis for

requesting the shift. He did not feel the architect even tried to design the structure on the platted site. Mr. King stated that he could not believe that Alliance Engineering or the Sweeney's would sell a site that did not have several potential solutions for the building pad as platted. Mr. King remarked that building the garage on the downhill side was possible and suggested putting the accessory apartment underneath it to create less of an impact on the entire hillside. Mr. King requested denial of the accessory apartment based on the fact that five units already exist on Upper Norfolk within 300 feet of the proposed project. He feels that one year is not enough for a single annual approval of an accessory apartment. The intent is not to have nightly rentals but there is nothing that legally prohibits an owner from renting on a nightly basis after one year of good service. Mr. King could find no mention of where the off street parking space would be located. If they are located where he presumes they will be the cars will not be able to pull out of the garage. Mr. King requested shelving the accessory apartment portion of the application until the legal department can clear up the issues. Mr. King remarked that the Staff maintains that the plans are only conceptual but he spoke with the owner who said this is exactly what he intends to build. Mr. King summarized his requests to deny the accessory apartment, deny the shift in the lot, request that the architect re-design to the existing lot footpad, and require full design plans for the Historic District Commission before returning to the Planning Commission for master plan approval.

Assistant City Attorney, Mark Harrington responded to Mr. King and recommended modifying the condition of approval to require an annual review of the accessory apartment to be one year from certificate of occupancy of the structure. The code specifically says within one year and the City does not have the discretion to go beyond that recommendation. He has spoken with Mr. King about the possibility of proposing amendments to the code which may make sense in the long term for accessory apartment approvals. The City has only dealt with two accessory apartment requests and Mr. Harrington noted that it is an ongoing learning experience. Mr. Harrington referred to the five other units Mr. Kings alleges are within 300 feet and stated that the Planning Commission has the option to table the matter until Mr. King provides addresses to be verified by the City. He believes Mr. King may be confused about the number and noted that there must be three accessory apartments within 300-feet in order to violate the code. Mr. Harrington remarked on the affordability issue and noted that affordability is a policy statement but it was never intended to incorporate affordable regulations.

Pat Sweeney, Lot owner north of Lot 2 represented himself and his brother Mike who owns the lot South of Lot 2. Mr. Sweeney also

spoke from the perspective of being the person who worked with Mark Harrington and the Planning Staff to compile the rules. He noted the number of controls associated with the property. As members of the four lot subdivision, Mr. Sweeney and his brother have the right to veto Mr. Sfire's effort to move the building area limits. Mr. Sweeney remarked that he intends to move up there and cares a lot about the neighbors. He does feel they did a perfect job of designing the lot and after reviewing what Mr. Sfire wants to do and assuring himself that it conforms with the rules, Mr. Sweeney and his brother support the amendment on the building area limits. Mr. Sweeney noted that moving the house up the hill preserves more vegetation and he believes that the building design tends to bury the buildings into the hillside providing a visual benefit. Mr. Sweeney has reviewed the plans and feels that Mr. Mammen has made an honest effort to be accurate. In summary, Mr. Sweeney and his brother Mike support Mr. Sfire in his application and feel that he has faithfully adhered to all the rules of the master plan with the exception of this request to move the limits. Regarding the accessory apartment, Mr. Sweeney pointed out that according to the CC&R's his brother has the right to object and Mike Sweeney wanted everyone to know that he has no objection.

Mary Ana Cirino, a resident on Upper Norfolk, urged the Planning Commission to look at the plans and exhibits prepared by Kevin King. She asked that they not be discounted because they raise issues of grave concern. Ms. Cirino lives on that side of the hill and is worried about land slides and retaining walls that may be found during excavation. Ms. Cirino questioned the survey done by Alliance Engineering because they incorrectly surveyed the lot next door to her requiring it to be resurveyed. She wondered how the parking would be laid out and asked if it was tandem or four across. Ms. Cirino hopes that the Planning Commission looks at the application carefully with an enormous amount of thought. She wants something that fits in rather than something that is repulsive to look at and chews up the land. Ms. Cirino noted that the Staff report quotes the applicant as not wanting to complete designs if he is not permitted the accessory apartment and building pad shift. This leads her to believe that the designs are not complete and if they are not complete she wants to know what everyone is looking at. If she is looking at one thing and six months later it changes to something else she will be angry for being grossly misled. Ms. Cirino requested an explanation by either the architect or the owner as soon as possible.

Mark Huber, a resident in the area, understood the concerns over parking and traffic on Norfolk but was unsure if the house would even be seen when walking down Norfolk. Mr. Huber was positive that no one will be parking on Norfolk and walking through yards to get to King Road. It is already a gated road and if a parking

problem occurs the resort will probably be more concerned than the community. Mr. Huber remarked that the public is used to small lots and small houses and they are thinking on the wrong scale. The lot is over a full acre with a setback in excess of 50 feet. Mr. Huber felt the community was unclear on how far away the house will be in relation to the size of the lot. He pointed out that Mr. Sfire plans to build the same size house on an acre lot that is commonly built on two Old Town lots. Mr. Huber commented on the number of good people like Mr. Sfire who continue to buy property in Park City only to meet opposition from people who do not want anymore people to build in their community. If that is the feeling of the majority, perhaps Park City should post a sign asking people to buy elsewhere because they are not wanted in Park City. Mr. Huber felt the Planning Commission should allow Mr. Sfire to build his home within the constraints of good design and in compliance with the rules and regulations that apply.

John Vrabel, a resident on 143 Norfolk Avenue did not object to Mr. Sfire building a nice house as long as it is done by keeping to the rules. If an accessory apartment does not qualify because of the other apartments in the neighborhood, Mr. Vrabel requested that the matter be given serious consideration before making a decision. Mr. Vrabel did not feel it was necessary for Mr. Sfire to increase the size of his lot and making the structure larger was not in keeping with the scale and framework of the neighborhood.

Mel Uhl, a resident on Sampson Avenue, felt the house size was acceptable but he was concerned about traffic access if the City sets a precedent with this particular structure. Other lots still to be built will be accessed from King Road or Sampson Avenue and will be eligible for the same thing.

Kevin King submitted the same plat presented by Mr. Mammen drawn to a 1/20 scale. The triplex directly below the property has three units and not shown across the street is Mr. Holbrook's property that houses an additional two units. These units have been in existence since the late 1970's. Mr. King submitted the north and south elevations and remarked that the contours have been falsely represented. He used a site plan to demonstrate his reasons for thinking they are false and inaccurate. Mr. King pointed out that the site plan shows the original line of the limits of disturbance from the platted building pad area. The 15 foot shift is indicated higher but it is not shown on the bottom. Mr. King argued that the structure will not fit within the footprint as designed. Mr. King pointed out other reasons why he felt the design was not a workable site solution.

Bob Sfire clarified that in his earlier discussion with Mr. King he never said the plans were exactly complete because they are not.

He thought the City would prefer a home using a 2,000 square foot footprint broken up into two different segments rather than one large 3500 square foot footprint which he would be allowed to do under the current rules of his property. His intent is to have an attractive home that adds to Park City and looks better in Old Town. Mr. Sfire noted that he spoke with six different architects in Park City before choosing Bill Mammen. Mr. Mammen's integrity and background were partly why he was chosen. Mr. Sfire asked Mr. King if he is an architect and Mr. King replied that he is an architectural intern one exam away from being fully registered. Mr. Sfire asked the Planning Commission to consider the whole picture.

Bill Mammen remarked that his blood pressure rises when he hears words like falsely represented. He stated that the topo is accurate and noted that there are some variations from the plans to where the house is drawn. He presented the plans to the Planning Commission showing the proposed revision in comparison to where the house will sit without the requested shift. Mr. Mammen pointed out that the applicant is not asking for anymore building area. They don't need it nor want it. They merely want to shift the building pad to allow building on the lesser slope. He clarified that the Staff report contains the original site plan that was submitted prior to requesting the actual plat change. Mr. Mammen remarked that holding up a legal application for an accessory apartment because someone claims five illegal accessory apartments exist in the neighborhood is the same as giving a ticket to someone on a the highway going 55 miles in a 55 mile zone because they are holding up traffic. Mr. Sfire is following the rules and hopes the Planning Commission will do the same.

Vice-Chair Erickson closed the public hearing.

Planner Ryan reported that the Staff chose to approach the project by looking at the actual compliance with the MPD and to hear feedback on the accessory apartment and plat shift from the Planning Commission. At the same time, they intend to start with the Historic District Commission design review process. Planner Ryan clarified that the application is complete because Section K of the same section Mr. King referred to remands all conditional use permits within the Historic District to the Historic District Commission for final design review and approval. For further clarification, Planner Ryan noted that a certified topo is part of the final condition for the project in addition to the Historic Design review. The Planning Commission has alternatives and the alternative proposed by the Staff is not the one they need to choose. As indicated in the Staff report, the Planning Commission has the option to remand the project back to the Historic District Commission for further design review, or give an indication on the

accessory apartment and plat that is needed prior to going into the HDC design process.

Planner Ryan referred to accessory apartments and a provision that requires them to be recorded with the County and states that they are not transferrable to another owner. Specific language in Section 8 also indicates that no nightly rentals are allowed. She agreed that monitoring is an issue but nightly rentals are prohibited and the City has the right to enforce it. If the Planning Commission requests, Planner Ryan offered to search out the illegal apartments in the area and make them comply with the ordinance.

Commissioner Calder wanted to know what will happen to existing illegal apartments. Planner Ryan explained that the owners will have to submit an application and the apartment will go through the accessory apartment process and requirements. If it cannot conform with the regulations under the code the apartment will be deemed illegal and the use would be prohibited. Planner Ryan clarified that the code allows for no more than three accessory apartments within 300 feet.

Commissioner O'Hara referred to Condition of Approval 4.f. addressing Air Quality and Water Quality Standards and clarified that those standards only apply to five acre areas or larger. He suggested that they be deleted from the conditions of approval for small areas.

Commissioner O'Hara remarked that he generally favors building the home but he had concerns with the Land Management Code provisions, specifically the size of the apartment. He stressed the importance of making sure the accessory apartment is no greater than one-fourth of the total square footage and he asked for verification. Commissioner O'Hara requested a review of the tandem parking issue and compliance with accessory apartments within 300 feet.

MOTION: Commissioner O'Hara moved to table the matter until the requested information can be provided. Commissioner Hays-Walzer seconded the motion.

Vice-Chair Erickson asked for clarification on the length of the driveway. If the Planning Commission elected to take action, Vice-Chair Erickson requested that the conditions of approval state the final size of the buildings and the final limits of disturbance. He felt they should be provided with a set of drawings that represents the location of the building as proposed. It was unclear from the drawings in the Staff report where the limits of disturbance was moving. He requested that the architect provide accurate drawings showing the revised limits of disturbance.

Mr. Mammen stated that it is impossible to finalize the design without knowing if the Planning Commission will grant them the criteria they can live with. It was established with the Staff and now the Planning Commission is going totally against the Staff recommendation.

Vice-Chair Erickson requested action on the motion to continue and he requested that the conditions of approval find some means of tying the approval to what was applied for.

VOTE: The motion passed unanimously.

2. <u>13 Hidden Splendor - CUP for Garage</u>

Planner Kirsten Whetstone reviewed the request for a conditional use permit to construct a garage at the rear of an existing single family house located at 13 Hidden Splendor Court at the Park City Golf Course. A conditional use permit is required due to a 1977 agreement that gave parts of remnant land from the golf course to these lots. The agreement states that the only uses allowed are for private recreation uses. Garages and other similar uses require a conditional use permit. The Staff reviewed the request under Section 1.13-J, the Standards for Review for Conditional Use Permits that include compatibility in use, mass, scale, circulation, and mitigation of use. The Staff found that the conditional use request met those criteria and recommended approval with the findings of fact, conclusions of law, and conditions of approval outlined in the staff report.

Vice-Chair Erickson opened the public hearing.

There was no input.

Vice-Chair Erickson closed the public hearing.

MOTION: Commissioner Hays-Walzer moved to APPROVE the conditional use permit for the garage at 13 Hidden Splendor with the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Staff report. Commissioner Calder seconded the motion.

VOTE: The motion passed unanimously.

<u>Conditions of Approval - 13 Hidden Splendor</u>

1. Al Standard Project Conditions shall apply.

2. The front of the property, from the front porch to the front property line, shall be designated by this Conditional Use Permit as a permanent no build area (See Site Plan, Exhibit

Ordinance No. 00-40

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR 503 and 503 ½ WOODSIDE AVENUE, KNOWN AS TREASURE HILL SUBDIVISION PHASE II, PARK CITY , UTAH

WHEREAS, the owners of the property at 503 AND 503 ½ Woodside Avenue, known as Treasure Hill Subdivision Phase II, petitioned the City Council for approval of a final subdivision plat; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 24, 2000 to receive input on the proposed subdivision; and

WHEREAS, on June 15, 2000 the City Council reviewed the proposed subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final subdivision plat for 503 and 503 ½ Woodside Avenue.

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

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The property is located in the HR-1-MPD zoning district and is subject to requirements and conditions of the Sweeney Properties Master Plan (SPMPD) (1986, amended in 1987 and 1995).

2. There is an existing structure located at 503 Woodside of which the original southern portion has been determined by the Planning Department and HDC to be historically significant.

3. There are several existing clumps of trees and shrubs on the property. Design of future buildings will need to incorporate a landscape plan preserving existing vegetation to the greatest extent possible and measures to mitigate for any loss of significant vegetation.

4. The proposed subdivision plat creates two platted lots for the purpose of allowing title to be transferred to the applicants and for building permits to be issued on this property for two single family houses.

5. The property is approximately 1.719 acres in area. Open space area of approximately 0.719 acres has been added to the lot areas to incorporate the ski easements as perpetually dedicated open space areas. The actual lots sizes for Lots 1 and 2 are 0.794 and 0.925 acres respectively. Building pads and limits of construction disturbance are indicated on the plat.

6. The project is located off of Woodside Avenue with high intensity residential uses and with minimal construction staging area.

7. A financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

8. The SPMPD states that access to these lots shall be from a common underground driveway within the Fifth Street right-of-way. The master plan also states that construction of single family houses on the Fifth Street lots is subject to review under the Conditional Use review criteria of the LMC. The SPMPD specifically states that the applicant must demonstrate that all significant impacts which result from the construction of these units and access to the units can be adequately mitigated.

9. The SPMPD requires that prior to the sale of individual lots, the site must be considered under and meet the requirements of the Park City Subdivision Ordinance (Chapter 15 of the LMC- February 25, 1998 edition or as amended).

10. The applicant stipulates to the conditions of approval.

11. On May 24, 2000 the Planning Commission conducted a public hearing and forwarded a positive recommendation to the City Council.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat, that neither the public nor any person will be materially injured by the proposed amendment. The final plat is consistent the Park City Land Management Code, the Sweeney Property Master Plan, and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The final subdivision plat for 503 and 503 ½ Woodside Avenue, known as Treasure Hill Subdivision, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the subdivision plat for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. All Standard Project Conditions shall apply.

3. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. Measures to protect existing trees shall be included the Construction Mitigation Plan (CMP). Measures to protect adjacent houses, foundations, utilities, landscaping, and access shall be included in the CMP.

4. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to final plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.

5. The final plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval and the plat shall be considered null and void.

6. In order to ensure compliance with the SPMPD the following notes shall be included on the plat:

   a. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note f, shall be three thousand five hundred (3,500) square feet including garages. The following shall not count towards the foot print calculation:
      - Decks which are open on at least two sides (but may have railings as required), covered or uncovered, and have no above grade living space below or above them;
      - Exterior walkways;
      - Exterior stairs;
      - Driveways.

   b. 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 driveway, ski bridges and utility plans) shall be limited to the Building Area Limits noted on the plat. Notwithstanding the foregoing notes, flat areas located on the Ski Trail Easements directly adjacent to and east of the Building Area Limits of Lots 1 and 2 may be landscaped with irrigated grasses.

c. 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 re-vegetated with native landscaping, and a guarantee for the cost of re-vegetation shall be posted with the City at the time of building permit issuance. The adjacent ski trails may be used for construction staging.

d. HEIGHT. The building height shall be measured from existing grade. The maximum height shall be twenty five (25') feet for roofs and roof elements that generally are parallel to natural grade and thirty (30') feet for roof ridges that are generally oriented (in the horizontal plane) perpendicular to existing contour lines, for example, dormers. The Planning Commission may, during the small-scale MPD approval process, grant height exceptions up to a maximum height of thirty three (33') feet for pitched roofs for the expressed purpose of accommodating access, ie stairwells and/or elevators between floor levels.

e. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades, without a step back of at least five (5') feet shall be twenty-five (25') feet from existing or re-established grade, whichever is greater.

f. 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 shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks. This requirement shall be interpreted to mean that there will be significant variation of roof heights for the different building masses.

g. ACCESS. The lots shall be accessed by a common underground driveway within the 5th Street right-of-way. Minimum vertical clearance in the tunnel shall be 10 feet, or as determined by the Chief Building Official. The Historic District Commission shall review the design of the entrance onto Woodside and the driveway. The design shall include provisions for covering the driveway/parking structure with vegetation/sod to maintain as much as possible the current "green-open look" of 5th Street. HDC approval of this design is required prior to issuance of a building permit for the driveway.

h. UTILITIES. Utilities shall be extended from Norfolk Waterline and from Woodside Avenue. Where necessary, utilities for 501 Woodside (Lot 1, Block 28, Park City Survey) shall be replaced as part of construction of the underground driveway at the expense of the developer of the 2 Lots. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the

Snyderville Basin Sewer Improvement District. The approved plan shall include proposed methodology to minimize inconvenience to neighbors during construction.

i. FIRE SPRINKLERS. Residential fire sprinkling and/or other safety features shall be required at the determination of the Chief Building Official at the time of building permit issuance. Wood roofing material shall be prohibited.

j. STAIRWAY. A four foot wide stairway serving the ski run as well as the adjacent properties on Woodside shall be constructed as part of the driveway access construction for the lots in this subdivision.

k. EASEMENTS. These lots are subject to the Town Lift Easements as recorded in Book 01228, pages 213, Summit County Recorder's Office, Summit County, Utah and as shown on Sheet 14 of the SPMPD. These lots are subject to the Norfolk Waterline Easement as recorded in Book 458, pages 5-7, Summit County Recorder's Office, Summit County, Utah and the developer shall pay for any necessary rerouting of such and shall provide a new easement if necessary. These lots are subject to ski/pedestrian easements as described in the SPMPD, Section 4.4 of the Master Plan Summary and as shown on Sheets 1, 2, and 4-9 of the SPMPD.

l. PRECEDENCE. The above special restrictions are covenants of and consistent with the Sweeney Properties Master Plan approved by the Park City Council on October 16, 1986 and as subsequently amended on October 14, 1987; December 30, 1992; and November 7, 1996. Final house design shall be reviewed under the Small Scale Master Plan process as a Conditional Use Permit, in accordance with the SPMPD. These lots shall not be further subdivided.

7. A summertime easement for construction and service access across the SPMPD ski trails shall be required. Easements for the driveway across the Master Planned open space tract and across Lot 2 for access to Lot 1 are required. All areas disturbed by this construction shall be re-vegetated with native grasses and vegetation.

8. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

9. Prior to issuance of any building permits for the driveway and entrance onto Woodside Avenue, the Historic District Commission shall review and approve the plans for compliance with the Historic District Design Guidelines. The Planning Commission shall review house design for compliance with the Historic District Design Guidelines at the time of review of the small scale MPD.

10. A preliminary landscape plan showing grading and developed landscaping around the houses, as well as grading and re-vegetation proposed for all disturbed areas, including the driveway area and the Fifth Street right-of-way, shall be submitted as part of the small scale MPD for the houses and driveway design. A final landscape plan, consistent with the preliminary plan, shall be submitted for review and approval by the Planning Department, at the time of building permit issuance.

11. The existing historic structure shall be relocated to another lot in the Historic District that has frontage on a Street.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 15 th day of June, 2000.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

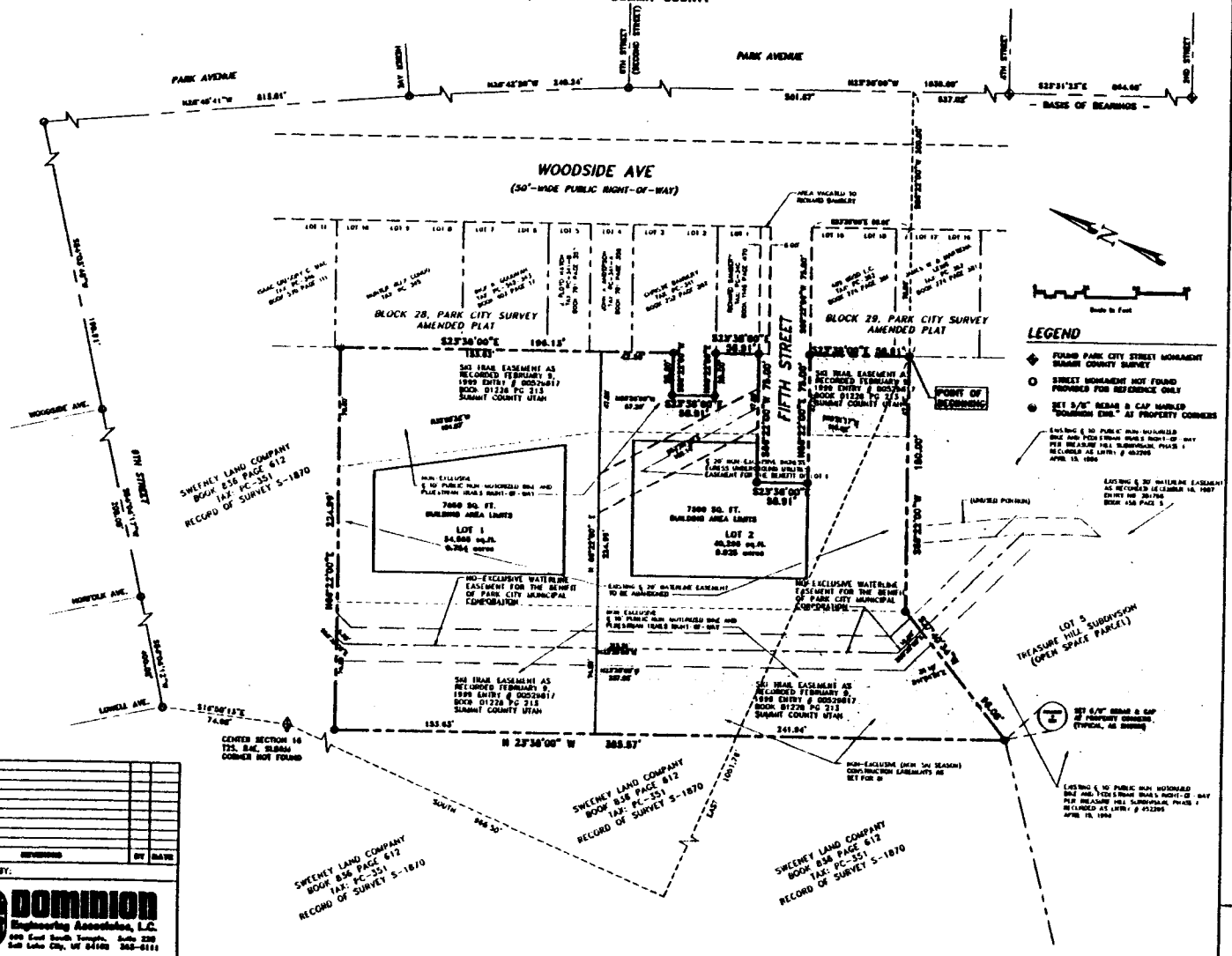
Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY SUMMIT COUNTY UTAH CORPORATE SEAL MARCH 1, 1884

QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY



SURVEYOR'S CERTIFICATE

I, James V. Welsh, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No. 334801, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owner(s), 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

QUITTING TIME SUBDIVISION PHASE II TREASURE HILL SUBDIVISION

and that same has been correctly surveyed and staked on the ground as shown on this plat.

Date

James V. Welsh, PLS
License No. 334801

REGISTERED LAND SURVEYOR No. 334801 JAMES V. WELSH STATE OF UTAH

LEGAL DESCRIPTION

A part of the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which is 78.00 feet South 00°22'00" West and 88.01 feet South 23°36'00" East from the Northeast corner of Block 28, Park City Survey, Amended Plat, said point of beginning also being 305.00 feet South 00°22'00" West and 537.82 feet North 23°36'00" West from a Park City Monument of the intersection of Park Avenue and 4th Street, said point also being the point of beginning of Treasure Hill Subdivision, as recorded in the Summit County Recorder's Office, and running thence South 00°22'00" West 150.00 feet along the Northerly line of said Treasure Hill Subdivision; thence North 77°40'12" West 65.00 feet; thence North 22°36'00" West 365.57 feet; thence North 00°22'00" East 224.00 feet; thence South 23°36'00" East 106.13 feet to the Southwest corner of Lot 5, Block 28, Park City Survey, Amended Plat; thence East 00°22'00" East 25.00 feet; thence South 23°36'00" East 25.00 feet; thence North 00°22'00" East 25.00 feet to the Northwest corner of Lot 1 of said Block 28; thence South 23°36'00" East 25.40 feet to the Southwest corner of said Lot 1; thence South 00°22'00" West 75.00 feet; thence South 23°36'00" East 25.00 feet; thence North 00°22'00" East 75.00 feet to the Northwest corner of Lot 10 of Block 29, Park City Survey, Amended Plat; thence South 23°36'00" East 88.01 feet to the point of beginning. Contains 1.710 acres, more or less.

BASIS OF BEARINGS

The basis of bearing is South 23°31'23" East along the Monument Line of Park Avenue between the Park City Monuments found at the intersections of 4th Street and 2nd Street.

OWNERS OFFER OF DEDICATION

The owners of their representatives, hereby irrevocably offer for dedication to the City of Park City all the streets, trails right-of-way, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication subject to easements, deeds of record and agreements of record.

IN WITNESS WHEREOF, the undersigned sets their hands this _____ day of _____, 2000.

EDWARD J. BEAULIEU

SWEENEY LAND COMPANY, a Utah general partnership
By _____
Patrick J. Sweeney
Managing Partner

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
: ss.
COUNTY OF COOK)

On this _____ day of _____, 2000, personally appeared before me EDWARD J. BEAULIEU, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC
Residing at:_____

My Commission Expires:

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
: ss.
COUNTY OF SAN JUAN)

On this _____ day of _____, 2000, personally appeared before me CLYDE CARLIE, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC
Residing at:_____

My Commission Expires:

ACKNOWLEDGEMENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On this _____ day of _____, 2000, personally appeared before me PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledged to me that said partnership executed the same.

NOTARY PUBLIC
Residing at:_____

My Commission Expires:

NO.	REVISIONS	BY	DATE

PREPARED BY:

DOMINION Engineering Associates, L.C.
600 East South Temple, Suite 230
Salt Lake City, UT 84102 363-0111

PAGE 1 OF 3

QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY

NUMBER _____
ACCOUNT _____
SHEET 1
OF 1 SHEETS

SNYDERVILLE BASIN SEWER IMP. DIST.
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____, A.D. _____
BY _____
S.B.S.I.D.

PLANNING COMMISSION
APPROVED THIS _____ DAY OF _____, A.D. _____ BY THE PARK CITY PLANNING COMMISSION
BY _____
CHAIRMAN

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

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D. _____
BY _____
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. _____
BY _____
PARK CITY RECORDER

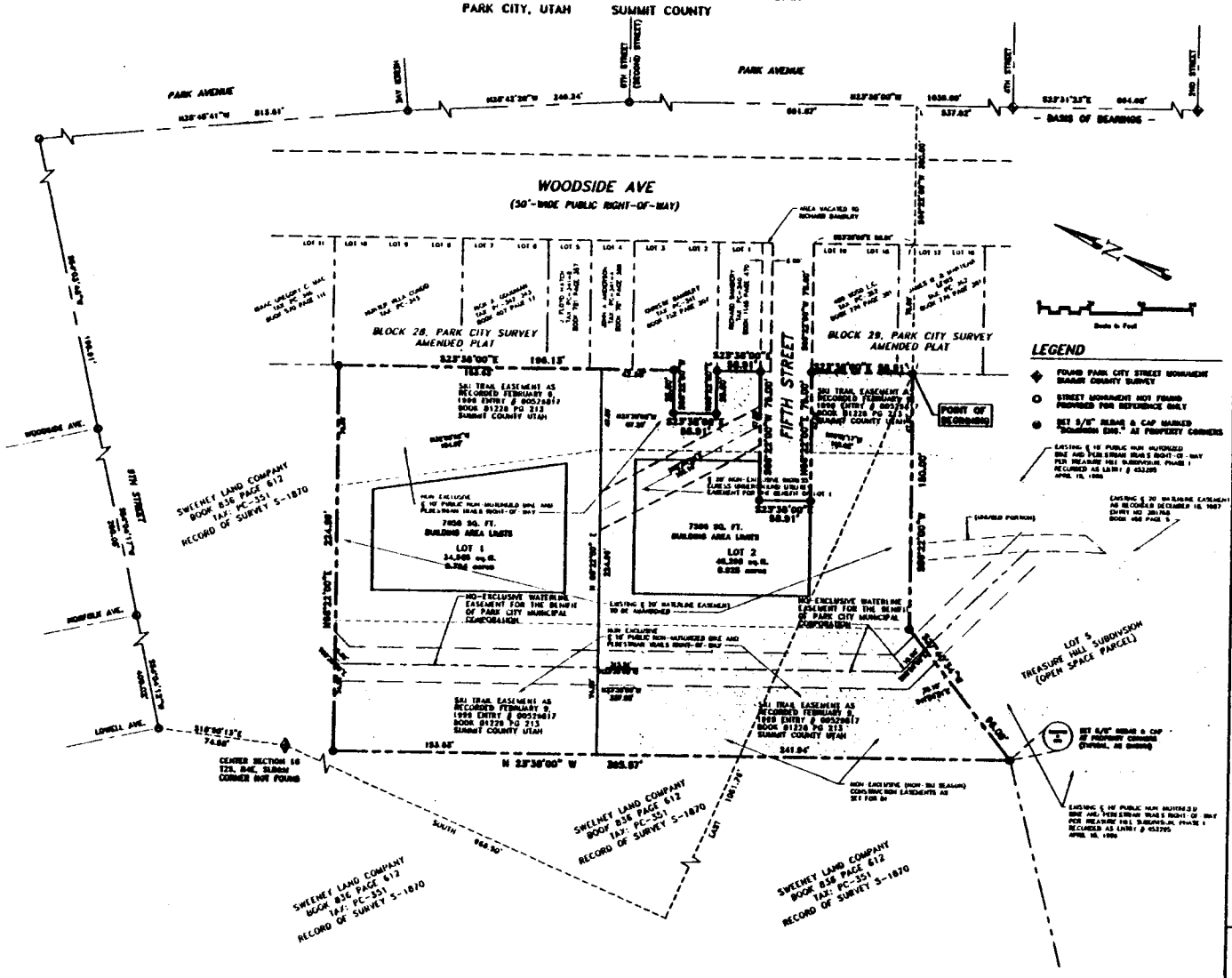
COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. _____
BY _____
MAYOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____
FEE _____
SUMMIT COUNTY RECORDER

RECEIVED
MAY 16 2000
PARK CITY PLANNING DEPT.

QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY



PAGE 2 OF 3

PREPARED BY:

DOMINION Engineering Associates, L.C.
260 East South Temple, Suite 220
Salt Lake City, UT 84102 363-0111

NO.	REVISIONS	BY	DATE

5th STREET SOUTH LOT

Beginning at a point which is South 00°22' West, 75.00 feet from the Southeast Corner of Block 28, Park City Survey, Amended Plat, said point also being South 23°30' East, 412.75 feet and South 00°22' West, 300.00 feet from a Park City Monumental at the Intersection of Park Avenue and 5th Street, and running thence South 00°22' West, 75.00 feet; thence North 23°30' East, 30.00 feet; thence North 00°22' East, 75.00 feet; thence South 23°30' East, 30.01 feet; thence South 00°22' West, 130.00 feet; thence South 27°40'34" West, 96.00 feet; thence North 23°30' West, 241.94 feet; thence North 00°22' East, 224.00 feet; thence South 23°30' East, 42.50 feet; thence South 00°22' West, 30.00 feet; thence South 23°30' East 30.00 feet; thence North 00°22' East, 25.00 feet; thence South 23°30' East, 30.40 feet to the point of beginning.

Containing 0.53 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable a law or in equity.

(Basis of bearing for the above description is the Park City Monumental at the Intersections of Park Avenue and 4th Street and Park Avenue and 5th Street whose bearing is South 23°30' East.)

5th STREET NORTH LOT

Beginning at the point which is South 00°22' West, 75.00 feet and North 23°30' West, 92.07 feet from the Southeast corner of Block 28, Park City Survey, amended Plat, and said point also being South 23°30' East, 310.70 feet and South 00°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 4th Street, and running thence South 00°22' West, 224.00 feet; thence North 23°30' West, 133.63 feet; thence North 00°22' East, 224.00 feet; thence South 23°30' East, 133.63 feet to the point of beginning.

Containing 0.70 Acres, more or less.

Subject to and together with any and all easements, right-of-way and restrictions of record or enforceable of law or in equity.

(Basis of bearing for the above description is the Park City Monumental at the Intersections of Park Avenue and 4th Street and Park Avenue and 5th Street whose bearing is South 23°30' East.)

5th Street Trail Easements

Beginning at a point which is South 00°22' West, 75.00 feet and South 23°30' East 30.00 feet from the Southeast Corner of Block 28, Park City Survey, Amended Plat, said point also being South 23°30' East, 412.75 feet and South 00°22' West, 300.00 feet from a Park City Monument of the Intersection of Park Avenue and 5th Street,
and running thence South 23°30' East, 58.00 feet; thence South 00°22' West, 47.00 feet; thence North 23°30' West, 58.00 feet; thence North 00°22' East, 47.00 feet to the point of beginning.

Containing 0.06 Acres, more or less.

Also, Beginning at a point which is South 00°22' West, 57.00 feet from the Southeast Corner of Block 28, Park city Survey, Amended Plat, said point also being South 23°30' East, 412.75 feet and South 00°22' West, 300.00 feet from a Park City Monumental at the Intersection of Park Avenue and 5th Street,
and running thence South 00°22' West, 47.00 feet; thence North 23°30' West, 92.07 feet; thence North 32°00'32" West, 156.34 feet; thence North 00°22' East, 70.00 feet; thence South 23°30' East, 196.13 feet; thence South 00°22' West, 25.00 feet; thence South 23°30' East, 25.00 feet; thence North 00°22' East, 25.00 feet; thence South 23°30' East, 30.40 feet to the point of beginning.

Containing 0.20 Acres, more or less.

Also, Beginning at a point which is South 00°22' West, 225.00 feet and South 23°30' East, 30.01 feet from the Southeast Corner of Block 28, Park city Survey, Amended Plat, said point also being South 23°30' East, 301.00 feet and South 00°22' West, 300.00 feet from a Pc Monumental at the Intersection of Park Avenue and 4th Street,
and running thence South 27°40'34" West, 96.07 feet; thence North 23°30' West, 3 feet; thence North 00°22' East, 74.00 feet; thence South 23°30' East, 330.51 feet to the beginning.

Containing 0.63 Acres, more or less.

(Basis of bearing for the above description is the Park City Monumental at the Intersections of Park Avenue and 4th Street and Park Avenue and 5th Street whose bearing is South 23°30' East.)

QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY

RECORDED

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

DATE FEE SUMMIT COUNTY RECORDER

RECEIVED
MAY 16 2000
PARK CITY
PLANNING DEPT.

QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION

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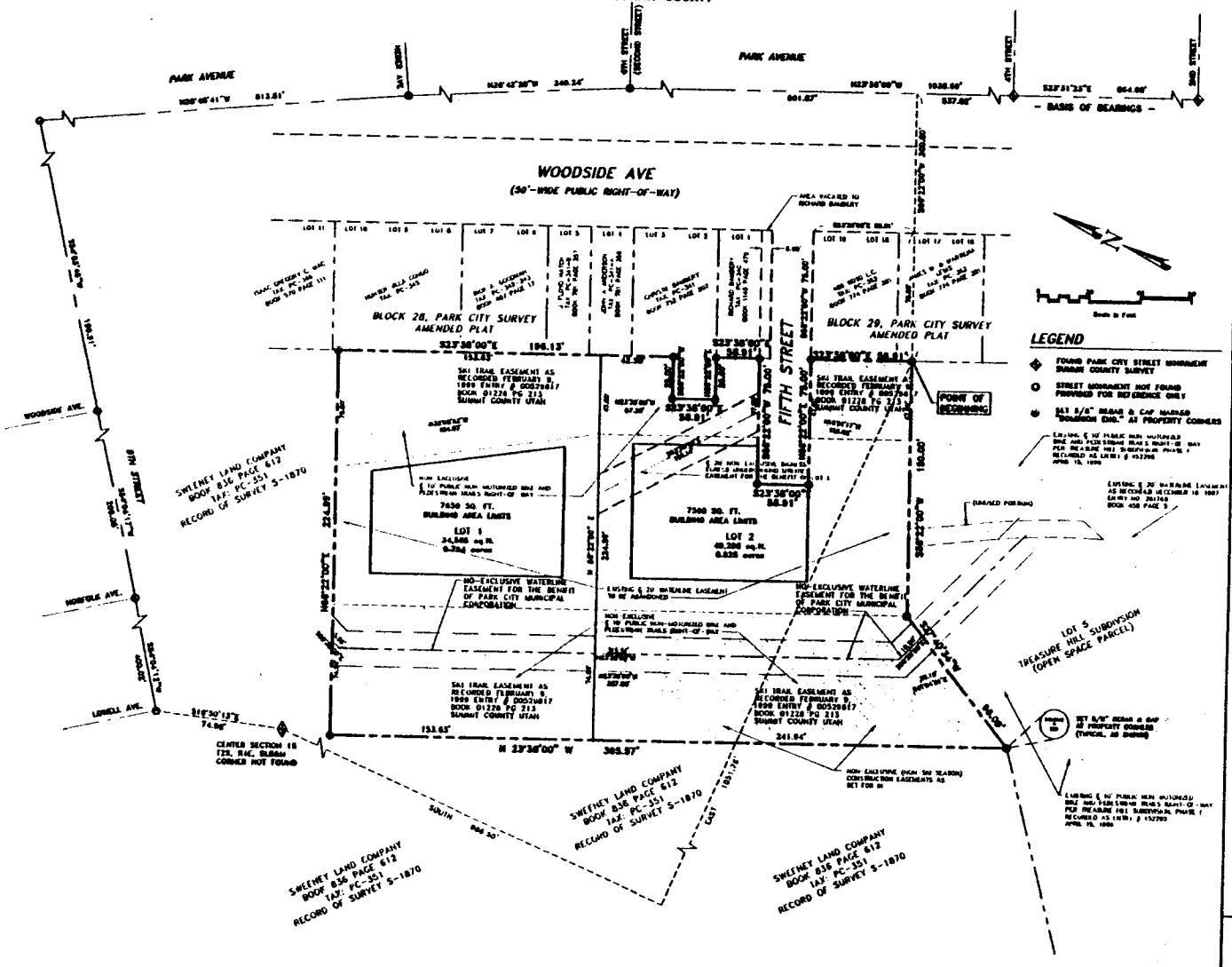
PARK CITY, UTAH SUMMIT COUNTY



LEGEND

- FOUND PARK CITY STREET MONUMENT SUMMIT COUNTY SURVEY
- STREET MONUMENT NOT FOUND PROVIDED FOR REFERENCE ONLY
- SET 5/8" REBAR & CAP MARKED "DOMINION ENG." AT PROPERTY CORNERS

1. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and projected to the exterior perimeters of Lots 1, shall be three thousand five hundred (3500) square feet including garages. The following shall not count towards the foot print calculation:

   (a) Decks which are open on at least two sides (but which may have railings or roofed), covered or uncovered, and which do not have above grade living space below or above them;
   (2) Exterior walkways;
   (3) Exterior stairs;
   (4) Driveways.

2. BUILDING AREA LIMITS. Improvements, including houses 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 driveway and utilities shall be limited to the Building Area Limits noted on the Plat. Said utilities, the foregoing, but areas located on the Ski Trail Easements directly adjacent to and East of the Building Area Limits of Lots 1 and 2 may be landscaped with irrigated grassed grass.

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 exploiting lot property lines which ever is closer. Such disturbed area shall be revegetated with native landscaping. The adjacent old trails may be used for construction staging.

4. HEIGHT. The building height shall be measured from existing grade. The maximum height shall be twenty five (25) feet for roofs whose surfaces are generally located in a plane parallel to natural grade, i.e. below natural grade and thirty (30) feet for elements whose slopes are oriented (in the horizontal plane) generally perpendicular to adjacent contour lines. A maximum height of thirty three (33) feet for pitched roofs shall be permitted for the expressed purpose of accommodating attics, i.e. crawlspaces and or dormers, between floor levels.

5. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back of at least five (5) feet shall be twenty five (25) feet from existing or reconsolidated grade whichever is greater.

6. MASSING. Home designs may be comprised of one or more connected or unconnected building masses. No one building mass within the 3000 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. This means that there will be significant variation of roof heights for the different building masses. The historic (south) portion of the existing 503 1/2 Woodside house shall be restored and relocated on site on the Southeast building mass on lot 1.

7. SEWER LATERALS. Maintenance and replacement of sewer laterals shall be the responsibility of lots responsible owners and not that of the Snyderville Basin sewer Improvement District.

8. FIRE SPRINKLING. Internal and external modified 13d fire sprinklers shall be provided for the houses. Wood roofing material shall be prohibited.

9. PRECEDENCE. The above special restrictions are covenants of and 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. These lots shall not be further subdivided. Final house design shall be reviewed under the Small Scale Master Plan Process in accordance with the Sweeney Master Plan.

PAGE 3 OF 3

PREPARED BY:

DOMINION
Engineering Associates, L.C.
[illegible] East South Temple, Suite 220
Salt Lake City, UT 84102 [illegible]

NO.	REVISIONS	BY	DATE

QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION
A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY

RECEIVED
MAY 16 2000
PARK CITY
PLANNING DEPT.

PARK CITY 1884

CITY COUNCIL STAFF REPORT

DATE: June 15, 2000
DEPARTMENT: Planning Department
AUTHOR: Kirsten A. Whetstone, AICP KAW
TITLE: 503 and 503½ Woodside Avenue- Treasure Hill Subdivision Phase II
TYPE OF ITEM: Preliminary and Final Subdivision plat

SUMMARY RECOMMENDATIONS: Staff requests the City Council hold a public hearing, consider public input, and approve the two lot subdivision plat for 503 and 503 ½ Woodside Avenue with findings of fact, conclusions of law, and conditions of approval as stated in this staff report.

DESCRIPTION:

A. Topic

PROJECT STATISTICS

Applicant:	Floyd Hatch, John R Anderson, and Sweeney Land Company
Location:	503 ½ Woodside Avenue
Zoning:	HR-1- MPD (Sweeney Properties Master Plan)
Adjacent Land Uses:	Single family houses, duplexes, vacant
Date of Application:	February 1, 2000

B. Background

On February 1, 2000 the applicant submitted this request for a subdivision plat to create two legally platted lots from a metes and bounds parcel located at 503 and 503 ½ Woodside (see Exhibit A). The parcel is a portion of the Sweeney Properties Master Planned Development (SPMPD) known as the Fifth Street Single Family Lots parcel. The SPMPD identifies this parcel for two single family units, "if those units can be safely accessed". See Exhibit B, from the SPMPD summary, for specific conditions of approval for this parcel. The following is a summary of these conditions, as approved by the City Council in October of 1987:

1. Each lot was to be 0.5 acres in size and approved for one single family unit each.
2. The lots are zoned HR-1/E-MPD and the Historic District Design Guidelines apply.

3. Access to the lots shall be by a common underground driveway within the 5th Street right-of-way.
4. Utilities shall be extended from Norfolk (water) and Woodside Avenues.
5. Setbacks are 10' from all property lines, at a minimum.
6. Maximum allowable height is 25' (plus height exceptions as stated in the LMC) with some exceptions permitted for access, stairwells, elevators, etc. and non-habitable areas).
7. Two covered parking spaces are required for each dwelling.
8. Conditional Use review, as a small-scale MPD, is required prior to building permit issuance The review will take into consideration access, utilities, drainage, site disturbance, and visual impacts.
9. Building footprints are limited to 3,500 sf, including the garage, but excluding open walks, decks, stairs, and driveways.
10. Careful consideration and mitigation of drainage issues is required.
11. Residential fire sprinkler systems and/or other mitigation measures are likely to be required.
12. Specific design review of the underground driveway, including provisions for covering the driveway and parking with sod to maintain as much as possible the current "green-open look" of 5th Street, is required.
13. Construction of a 4 foot wide stairway from the ski run to Woodside Avenue shall be part of the CUP.
14. Replacement of utilities on the adjacent lot to the north (Lot 1, Block 28) is required where necessary, as part of the driveway construction. (Any adverse impacts on the adjacent lot to the south would need to be carefully considered in the design and construction of the driveway.)
15. The plat needs to document existing easements, such as the recorded Town Lift easements, waterline easements for Norfolk, utility easements as needed from Woodside or Fifth Street, summertime construction and access easements from Norfolk, cross access easements for the driveway, pedestrian and skier access easements, etc.

On May 13, 1999 the applicants submitted an application for a Determination of Significance for the existing structure at 503 Woodside. There is currently inadequate fire and emergency access to the existing structure, by current Building Department standards (there is no frontage on an existing paved street and access is by a rickety set of stairs off of Woodside Avenue). Staff made a determination that the original, south portion of the structure was historic. The north portion was added on in recent years and was deemed to be non-historic. The applicants intend to apply for a historic district design review to remove the non-historic portions and re-locate the historic portion of the house to one of the vacant lots that they own adjacent to 505 Woodside. It may be feasible to restore and add on to the historic portion of 503 Woodside in generally the same location as it exists today (the structure would need to be moved temporarily during to construction of the driveway and utilities). Design of the houses and possible re-location of 503 Woodside requires compliance with the Historic District Design Guidelines.

On May 24, 2000 the Planning Commission held a public hearing and forwarded to the Council a positive recommendation to approve the 2 lot Treasure Hill Phase II Subdivision plat.

C. Project Description

Location

The parcel is located on the west side of Woodside Avenue west of (behind) 501, 505, 521, and 537 Woodside (see Exhibit A). The property (Exhibit B) consists of one 1.719 acre parcel.

Subdivision Plat

The applicant is requesting approval of a minor subdivision plat to create two lots from one un-platted metes and bounds parcel. No new city streets are proposed. A public hearing before the Planning Commission, with final approval by the City Council, is required before the plat may be recorded and final building permits issued. This subdivision plat was reviewed for conformance with Chapter 15 of the Land Management Code.

Small-scale MPD

Planning Commission review and approval of a small scale MPD, reviewed against the conditional use criteria (Section 15-1-10) of the LMC is required before any building permits can be issued for houses or driveways/garages on these lots.

Utility Plan

A utility plan was submitted for the City Engineer to review and approve. Utilities are existing in Woodside and in the Open Space lands of the Sweeney MPD. The applicant's engineering representative met with staff, including the City Engineer, to discuss the proposed plat and utility plan. Issues raised included provisions for adequate access, utility installation obstacles, utility and ski/pedestrian trails easements; and plat notes that will need to be added to satisfy conditions of the MPD as well as details regarding construction mitigation. All outstanding utility issues must be resolved to the satisfaction of the City Engineer and Fire Marshall prior to recording of the final plat. A financial guarantee for all public improvements shall be posted with the City prior to recordation of the plat. All construction shall conform to UBC and Fire Code applicable at the time of building permit application, including provisions for residential fire sprinkler systems. Because of the relocation of the large Norfolk Avenue water line, as well as all the improvements in the Fifth Street right-of-way, the financial guarantee will be higher than normal for a two lot subdivision.

Landscape Plan

A landscape and grading plan shall be submitted with the small-scale MPD (Conditional Use Permit) application for review and approval by the Planning Commission and Staff. As a condition of building permit issuance planning staff will inspect the limits of disturbance orange fencing to ensure that significant vegetation is identified and protected from construction disturbance.

Access

Access to the parcel is from Woodside Avenue via construction of a private driveway within the Fifth Street right-of-way. An encroachment permit, approved by the City Engineer and City Council, is required prior to any construction in the city ROW and prior to issuance of any building permits on the newly created lots. The actual construction will be disruptive to the

existing landscaping within the Fifth Street right-of-way. The area will be re-landscaped at the applicants expense.

Historic District Design Guidelines
Prior to issuance of any building permits for these lots, including construction of the underground driveway, house and driveway plans shall be reviewed for compliance with the Historic District Design Guidelines. All exterior lighting shall conform to the Park City lighting ordinance and regulations. Staff recommends a note be added to the plat stating that as a condition of building permit issuance, the Historic District Commission shall review and approve the architectural design for the underground driveway/garage. Design of the entrance onto Woodside, whether it is a garage facade or a "tunnel opening", is important in the review of this project from a neighborhood compatibility standpoint.

Design of the houses and possible re-location of 503 Woodside requires compliance with the Historic District design guidelines. Staff recommends that the historic portion of 503 Woodside be re-located to another lot in the Historic District with frontage on a Street and be rehabilitated or restored.

Sweeney Properties Master Plan
Staff is recommending additional notes be added to the plat to be consistent with the Sweeney Properties Master Plan and the Treasure Hill Subdivision (Phase I). These notes relate to the footprint, building area limits, construction disturbance limits, height, massing, utilities, etc. Staff has listed these notes in the "Conditions of Approval" section of this staff report. With these plat notes, staff finds the subdivision plat to be consistent with the SPMPD.

D. <u>Analysis</u>
The plat, as conditioned, is consistent with all requisite requirements of the Land Management Code, specifically Chapter 15 (LMC- February 25, 1998) for development of a subdivision, and is consistent with the Sweeney Properties Master Planned Development.

A final utility plan shall be reviewed and approved by the City Engineer prior to plat recordation. A financial guarantee for completion of all required public improvements shall be submitted to the City prior to plat recordation. All required encroachment permits for work within the City right-of-way shall be obtained prior to issuance of any building permits, and shall be so noted on the plat.

A landscape plan shall be reviewed and approved by the Community Development Department prior to issuance of any building permits. A preliminary landscape and grading plan shall be submitted for review and approval by the Planning Commission and staff at the time of the small scale MPD. A note shall be added to the plat regarding Historic District Commission review and approval of the driveway design prior to issuance of any building permits. The houses and driveways shall be reviewed for compliance with the Historic District Design Guidelines.

E. Public Input

Notice of this amendment and the public hearing were properly published and posted. Letters were sent to property owners within 300' of the property on April 11, 2000. As of the date of this report, staff has spoken with an adjacent property owner regarding this subdivision plat. David Belz, a neighbor to the south had concerns about the design of the driveway and wanted to make sure that the plat addressed design review of the driveway so that it would be consistent with the requirements of the SPMPD. These concerns have been addressed by the conditions of approval. The Planning Commission conducted a public hearing on May 24, 2000, there was no public comment.

F. Department Review

City staff reviewed this proposal at the March 7, 2000 staff review meeting. Any issues raised have been mitigated through conditions of approval and plat notes. The City Attorney and City Engineer will review the plat for compliance with the Land Management Code, Utah State Subdivision law, and all conditions of approval prior to recordation of the plat.

ALTERNATIVES:

A. Approve the subdivision plat as conditioned to create two legal lots from one metes and bounds parcel at 503 and 503 ½ Woodside Avenue for the purpose of allowing the applicants to receive title to these lots (from the Sweeney Land Company) and prepare the necessary plans and architectural elevations as required for a Conditional Use Permit and an HDC design review application. Building permits for the two single family homes and underground driveway can only be issued if the Planning Commission approves a small-scale MPD (Conditional Use Permit review) and the Historic District Commission approves the architectural design for the driveway/entrance.

B. Deny the subdivision plat as proposed, and provide direction to staff and the applicant on acceptable alternatives.

C. Continue the item and request further evaluation from the City Staff.

SIGNIFICANT IMPACTS:

The proposed subdivision plat results in two platted lots located west of Block 28 of the Park City Survey at 503 and 503 ½ Woodside. The plat will allow ownership of the property to be conveyed to the two applicant's from the Sweeney Land Company, as specified in the Sweeney MPD documents. Construction of two single family homes and a common underground driveway will require Conditional Use Permit approval from the Planning Commission as well as design approval from the Historic District Commission.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the subdivision plat is not approved as proposed, title to the lots may not be transferred to the applicants and the applicants will not be able to obtain building permits for any use, as a platted lot is required for permits and a subdivision plat is required, according to the SPMPD, prior to selling the parcels.

RECOMMENDATION:

The Planning Commission and Staff recommend the City Council approve the Treasure Hill Phase II Subdivision plat based on the following:

Findings of Fact

1. The property is located in the HR-1-MPD zoning district and is subject to requirements and conditions of the Sweeney Properties Master Plan (SPMPD) (1986, amended in 1987 and 1995).

2. There is an existing structure located at 503 Woodside of which the original southern portion has been determined by the Planning Department and HDC to be historically significant.

3. There are several existing clumps of trees and shrubs on the property. Design of future buildings will need to incorporate a landscape plan preserving existing vegetation to the greatest extent possible and measures to mitigate for any loss of significant vegetation.

4. The proposed subdivision plat creates two platted lots for the purpose of allowing title to be transferred to the applicants and for building permits to be issued on this property for two single family houses.

5. The property is approximately 1.719 acres in area. Open space area of approximately 0.719 acres has been added to the lot areas to incorporate the ski easements as perpetually dedicated open space areas. The actual lots sizes for Lots 1 and 2 are 0.794 and 0.925 acres respectively. Building pads and limits of construction disturbance are indicated on the plat.

6. The project is located off of Woodside Avenue with high intensity residential uses and with minimal construction staging area.

7. A financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

8. The SPMPD states that access to these lots shall be from a common underground driveway within the Fifth Street right-of-way. The master plan also states that construction of single family houses on the Fifth Street lots is subject to review under the Conditional Use review criteria of the LMC. The SPMPD specifically states that the applicant must demonstrate that all significant impacts which result from the construction of these units and access to the units can be adequately mitigated.

9. The SPMPD requires that prior to the sale of individual lots, the site must be considered under and meet the requirements of the Park City Subdivision Ordinance (Chapter 15 of the LMC- February 25, 1998 edition or as amended).

10. Construction of the proposed driveway will occur adjacent to Historic structures. Design and construction of the driveway may have potential impacts on existing Historic structures.

11. The applicant stipulates to the conditions of approval.

Conclusions of Law

1. The subdivision plat is consistent with the Park City Land Management Code (Forty-Sixth Edition) Chapters 7 and 15.

2. The subdivision plat is consistent with State subdivision requirements.

3. As conditioned, neither the public nor any person will be materially injured by the proposed subdivision.

4. As conditioned the plat is consistent with requirements of the Sweeney Properties Master Planned Development.

Conditions of Approval

1. City Attorney and City Engineer review and approval of the subdivision plat for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. All Standard Project Conditions shall apply.

3. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. Measures to protect existing trees shall be included the Construction Mitigation Plan (CMP). Measures to protect adjacent houses, foundations, utilities, landscaping, and access shall be included in the CMP.

4. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to final plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.

5. The final plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval and the plat shall be considered null and void.

6. In order to ensure compliance with the SPMPD the following notes shall be included on the plat:

    a. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note f, shall be three thousand five

hundred (3,500) square feet including garages. The following shall not count towards the foot print calculation:

- Decks which are open on at least two sides (but may have railings as required), covered or uncovered, and have no above grade living space below or above them;
- Exterior walkways;
- Exterior stairs;
- Driveways.

b. 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 driveway, ski bridges and utility plans) shall be limited to the Building Area Limits noted on the plat. Notwithstanding the foregoing notes, flat areas located on the Ski Trail Easements directly adjacent to and east of the Building Area Limits of Lots 1 and 2 may be landscaped with irrigated grasses.

c. 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 re-vegetated with native landscaping, and a guarantee for the cost of re-vegetation shall be posted with the City at the time of building permit issuance. The adjacent ski trails may be used for construction staging.

d. HEIGHT. The building height shall be measured from existing grade. The maximum height shall be twenty five (25') feet for roofs and roof elements that generally are parallel to natural grade and thirty (30') feet for roof ridges that are generally oriented (in the horizontal plane) perpendicular to existing contour lines, for example, dormers. The Planning Commission may, during the small-scale MPD approval process, grant height exceptions up to a maximum height of thirty three (33') feet for pitched roofs for the expressed purpose of accommodating access, ie stairwells and/or elevators between floor levels.

e. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades, without a step back of at least five (5') feet shall be twenty-five (25') feet from existing or re-established grade, whichever is greater.

f. 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 shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks. This requirement shall be interpreted to mean that there will be significant variation of roof heights for the different building masses.

g. ACCESS. The lots shall be accessed by a common underground driveway within the 5th Street right-of-way. Minimum vertical clearance in the tunnel shall be 10 feet, or as determined by the Chief Building Official. The Historic District Commission shall review the design of the entrance onto Woodside and the driveway. The design shall include provisions for covering the driveway/parking structure with vegetation/sod to maintain as much as possible the current "green-open look" of 5th Street. HDC approval of this design is required prior to issuance of a building permit for the driveway.

h. UTILITIES. Utilities shall be extended from Norfolk Waterline and from Woodside Avenue. Where necessary, utilities for 501 Woodside (Lot 1, Block 28, Park City Survey) shall be replaced as part of construction of the underground driveway at the expense of the developer of the 2 Lots. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Sewer Improvement District. The approved plan shall include proposed methodology to minimize inconvenience to neighbors during construction.

i. FIRE SPRINKLERS. Residential fire sprinkling and/or other safety features shall be required at the determination of the Chief Building Official at the time of building permit issuance. Wood roofing material shall be prohibited.

j. STAIRWAY. A four foot wide stairway serving the ski run as well as the adjacent properties on Woodside shall be constructed as part of the driveway access construction for the lots in this subdivision.

k. EASEMENTS. These lots are subject to the Town Lift Easements as recorded in Book 01228, pages 213, Summit County Recorder's Office, Summit County, Utah and as shown on Sheet 14 of the SPMPD. These lots are subject to the Norfolk Waterline Easement as recorded in Book 458, pages 5-7, Summit County Recorder's Office, Summit County, Utah and the developer shall pay for any necessary rerouting of such and shall provide a new easement if necessary. These lots are subject to ski/pedestrian easements as described in the SPMPD, Section 4.4 of the Master Plan Summary and as shown on Sheets 1, 2, and 4-9 of the SPMPD.

l. PRECEDENCE. The above special restrictions are covenants of and consistent with the Sweeney Properties Master Plan approved by the Park City Council on October 16, 1986 and as subsequently amended on October 14, 1987; December 30, 1992; and November 7, 1996. Final house design shall be reviewed under the Small Scale Master Plan process as a Conditional Use Permit, in accordance with the SPMPD. These lots shall not be further subdivided.

7. A summertime easement for construction and service access across the SPMPD ski trails shall be required. Easements for the driveway across the Master Planned open space tract

and across Lot 2 for access to Lot 1 are required. All areas disturbed by this construction shall be re-vegetated with native grasses and vegetation.

8. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

9. Prior to issuance of any building permits for the driveway and entrance onto Woodside Avenue, the Historic District Commission shall review and approve the plans for compliance with the Historic District Design Guidelines. The Planning Commission shall review house design for compliance with the Historic District Design Guidelines at the time of review of the small scale MPD.

10. A preliminary landscape plan showing grading and developed landscaping around the houses, as well as grading and re-vegetation proposed for all disturbed areas, including the driveway area and the Fifth Street right-of-way, shall be submitted as part of the small scale MPD for the houses and driveway design. A final landscape plan, consistent with the preliminary plan, shall be submitted for review and approval by the Planning Department, at the time of building permit issuance.

11. The existing historic structure shall be relocated to another lot in the Historic District that has frontage on a Street.

12. A design for the driveway shall be approved by the Historic District Commission and Community Development Department prior to plat recordation.

EXHIBITS:
Exhibit A- Proposed plat
Exhibit B- Location map
Exhibit C- Sweeney Master Plan Summary sheet for 5th Street lots

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Ordinance No. 2000-

AN ORDINANCE APPROVING A FINAL SUBDIVISION PLAT FOR 503 and 503 ½ WOODSIDE AVENUE, KNOWN AS TREASURE HILL SUBDIVISION PHASE II, PARK CITY , UTAH

WHEREAS, the owners of the property at 503 AND 503 ½ Woodside Avenue, known as Treasure Hill Subdivision Phase II, petitioned the City Council for approval of a final subdivision plat; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 24, 2000 to receive input on the proposed subdivision; and

WHEREAS, on June 15, 2000 the City Council reviewed the proposed subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah to approve the final subdivision plat for 503 and 503 ½ Woodside Avenue.

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

SECTION 1. FINDINGS. The following findings are hereby adopted:

1. The property is located in the HR-1-MPD zoning district and is subject to requirements and conditions of the Sweeney Properties Master Plan (SPMPD) (1986, amended in 1987 and 1995).

2. There is an existing structure located at 503 Woodside of which the original southern portion has been determined by the Planning Department and HDC to be historically significant.

3. There are several existing clumps of trees and shrubs on the property. Design of future buildings will need to incorporate a landscape plan preserving existing vegetation to the greatest extent possible and measures to mitigate for any loss of significant vegetation.

4. The proposed subdivision plat creates two platted lots for the purpose of allowing title to be transferred to the applicants and for building permits to be issued on this property for two single family houses.

5. The property is approximately 1.719 acres in area. Open space area of approximately 0.719 acres has been added to the lot areas to incorporate the ski easements as perpetually dedicated open space areas. The actual lots sizes for Lots 1 and 2 are 0.794 and 0.925 acres respectively. Building pads and limits of construction disturbance are indicated on the plat.

6. The project is located off of Woodside Avenue with high intensity residential uses and with minimal construction staging area.

7. A financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.

8. The SPMPD states that access to these lots shall be from a common underground driveway within the Fifth Street right-of-way. The master plan also states that construction of single family houses on the Fifth Street lots is subject to review under the Conditional Use review criteria of the LMC. The SPMPD specifically states that the applicant must demonstrate that all significant impacts which result from the construction of these units and access to the units can be adequately mitigated.

9. The SPMPD requires that prior to the sale of individual lots, the site must be considered under and meet the requirements of the Park City Subdivision Ordinance (Chapter 15 of the LMC- February 25, 1998 edition or as amended).

10. Construction of the proposed driveway will occur adjacent to Historic structures. Design and construction of the driveway may have potential impacts on existing Historic structures.

11. The applicant stipulates to the conditions of approval.

12. On May 24, 2000 the Planning Commission conducted a public hearing and forwarded a positive recommendation to the City Council.

SECTION 2. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned subdivision plat, that neither the public nor any person will be materially injured by the proposed amendment. The final plat is consistent the Park City Land Management Code, the Sweeney Property Master Plan, and State subdivision requirements.

SECTION 3. PLAT APPROVAL. The final subdivision plat for 503 and 503 ½ Woodside Avenue, known as Treasure Hill Subdivision, is approved as shown on Exhibit A, with the following conditions:

1. City Attorney and City Engineer review and approval of the subdivision plat for compliance with the Land Management Code and conditions of approval is a condition precedent to plat recordation.

2. All Standard Project Conditions shall apply.

3. City approval of a construction mitigation plan is a condition precedent to the issuance of any building permits. Measures to protect existing trees shall be included the Construction Mitigation Plan (CMP). Measures to protect adjacent houses, foundations, utilities, landscaping, and access shall be included in the CMP.

4. A financial guarantee, for the value of all public improvements to be completed, shall be provided to the City prior to final plat recordation. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.

5. The final plat shall be recorded at the County within one year from the date of City Council approval. If recordation has not occurred within the one year time frame, this approval and the plat shall be considered null and void.

6. In order to ensure compliance with the SPMPD the following notes shall be included on the plat:

   a. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note f, shall be three thousand five hundred (3,500) square feet including garages. The following shall not count towards the foot print calculation:
      - Decks which are open on at least two sides (but may have railings as required), covered or uncovered, and have no above grade living space below or above them;
      - Exterior walkways;
      - Exterior stairs;
      - Driveways.

   b. 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 driveway, ski bridges and utility plans) shall be limited to the Building Area Limits noted on the plat. Notwithstanding the foregoing notes, flat areas located on the Ski Trail Easements directly adjacent to and east of the Building Area Limits of Lots 1 and 2 may be landscaped with irrigated grasses.

   c. 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 re-vegetated with native landscaping, and a guarantee for the cost of re-vegetation shall

be posted with the City at the time of building permit issuance. The adjacent ski trails may be used for construction staging.

d. HEIGHT. The building height shall be measured from existing grade. The maximum height shall be twenty five (25') feet for roofs and roof elements that generally are parallel to natural grade and thirty (30') feet for roof ridges that are generally oriented (in the horizontal plane) perpendicular to existing contour lines, for example, dormers. The Planning Commission may, during the small-scale MPD approval process, grant height exceptions up to a maximum height of thirty three (33') feet for pitched roofs for the expressed purpose of accommodating access, ie stairwells and/or elevators between floor levels.

e. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades, without a step back of at least five (5') feet shall be twenty-five (25') feet from existing or re-established grade, whichever is greater.

f. 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 shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks. This requirement shall be interpreted to mean that there will be significant variation of roof heights for the different building masses.

g. ACCESS. The lots shall be accessed by a common underground driveway within the 5th Street right-of-way. Minimum vertical clearance in the tunnel shall be 10 feet, or as determined by the Chief Building Official. The Historic District Commission shall review the design of the entrance onto Woodside and the driveway. The design shall include provisions for covering the driveway/parking structure with vegetation/sod to maintain as much as possible the current "green-open look" of 5th Street. HDC approval of this design is required prior to issuance of a building permit for the driveway.

h. UTILITIES. Utilities shall be extended from Norfolk Waterline and from Woodside Avenue. Where necessary, utilities for 501 Woodside (Lot 1, Block 28, Park City Survey) shall be replaced as part of construction of the underground driveway at the expense of the developer of the 2 Lots. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Sewer Improvement District. The approved plan shall include proposed methodology to minimize inconvenience to neighbors during construction.

i. FIRE SPRINKLERS. Residential fire sprinkling and/or other safety features shall be required at the determination of the Chief Building Official at the time of building permit issuance. Wood roofing material shall be prohibited.

j. STAIRWAY. A four foot wide stairway serving the ski run as well as the adjacent properties on Woodside shall be constructed as part of the driveway access construction for the lots in this subdivision.

k. EASEMENTS. These lots are subject to the Town Lift Easements as recorded in Book 01228, pages 213, Summit County Recorder's Office, Summit County, Utah and as shown on Sheet 14 of the SPMPD. These lots are subject to the Norfolk Waterline Easement as recorded in Book 458, pages 5-7, Summit County Recorder's Office, Summit County, Utah and the developer shall pay for any necessary rerouting of such and shall provide a new easement if necessary. These lots are subject to ski/pedestrian easements as described in the SPMPD, Section 4.4 of the Master Plan Summary and as shown on Sheets 1, 2, and 4-9 of the SPMPD.

l. PRECEDENCE. The above special restrictions are covenants of and consistent with the Sweeney Properties Master Plan approved by the Park City Council on October 16, 1986 and as subsequently amended on October 14, 1987; December 30, 1992; and November 7, 1996. Final house design shall be reviewed under the Small Scale Master Plan process as a Conditional Use Permit, in accordance with the SPMPD. These lots shall not be further subdivided.

7. A summertime easement for construction and service access across the SPMPD ski trails shall be required. Easements for the driveway across the Master Planned open space tract and across Lot 2 for access to Lot 1 are required. All areas disturbed by this construction shall be re-vegetated with native grasses and vegetation.

8. City Engineer review and approval of all appropriate grading, utility installation, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

9. Prior to issuance of any building permits for the driveway and entrance onto Woodside Avenue, the Historic District Commission shall review and approve the plans for compliance with the Historic District Design Guidelines. The Planning Commission shall review house design for compliance with the Historic District Design Guidelines at the time of review of the small scale MPD.

10. A preliminary landscape plan showing grading and developed landscaping around the houses, as well as grading and re-vegetation proposed for all disturbed areas, including the driveway area and the Fifth Street right-of-way, shall be submitted as part of the small scale MPD for the houses and driveway design. A final landscape plan, consistent with the preliminary plan, shall be submitted for review and approval by the Planning Department, at the time of building permit issuance.

11. The existing historic structure shall be relocated to another lot in the Historic District that has frontage on a Street.

12. A design for the driveway shall be approved by the Historic District Commission and Community Development Department prior to plat recordation.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PASSED AND ADOPTED this 15 th day of June, 2000.

PARK CITY MUNICIPAL CORPORATION

_____
Mayor Bradley A. Olch

Attest:

_____
Janet M. Scott, City Recorder

Approved as to form:

_____
Mark D. Harrington, City Attorney

503 Woodside Ave.

PARK CITY 1884

Exhibit A
Vicinity Map

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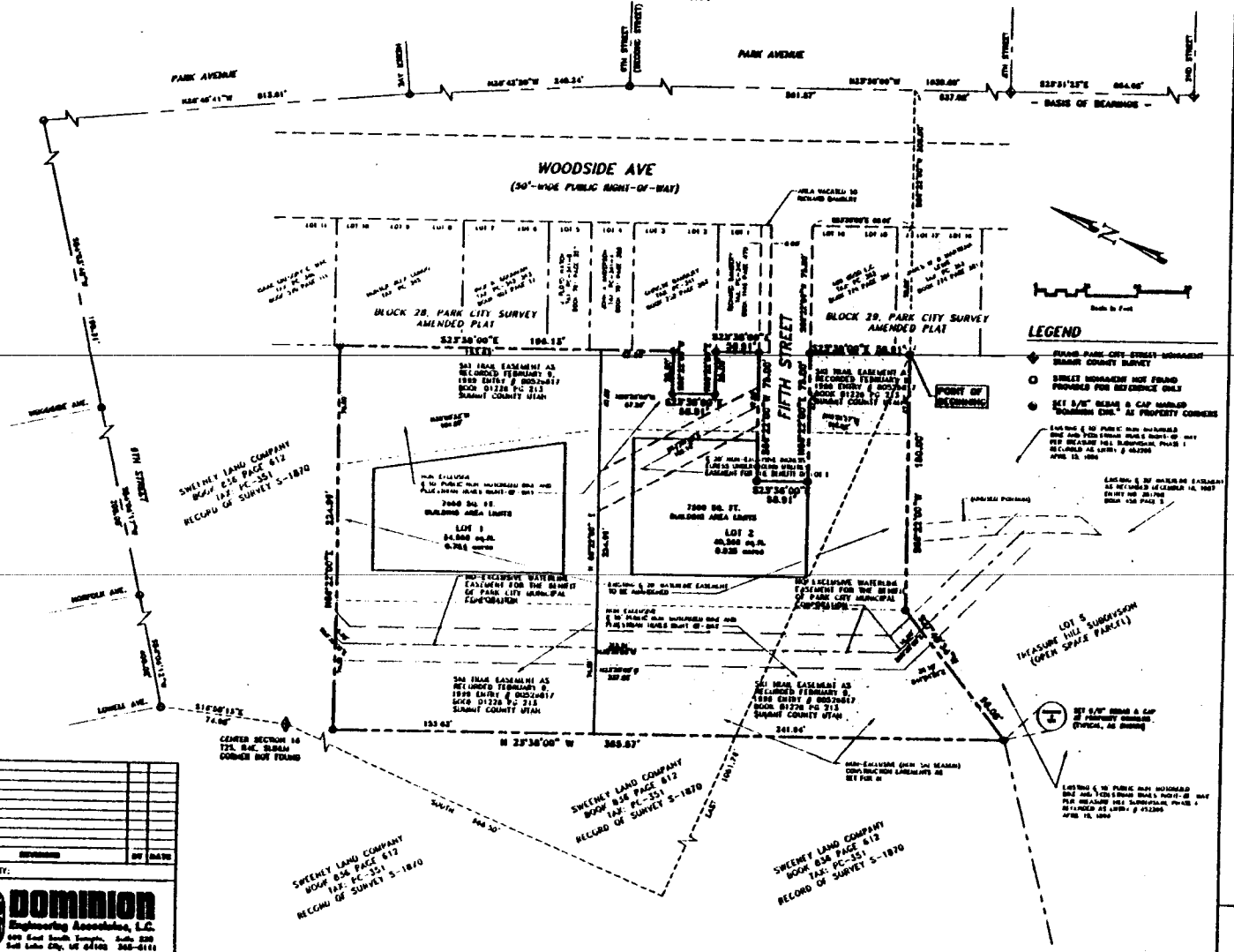
43

QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY



PREPARED BY:

DOMINION Engineering Associates, L.C.
409 East South Temple, Suite 200
Salt Lake City, UT 84102 363-6111

NO.	REVISIONS	BY	DATE

SURVEYOR'S CERTIFICATE

I, James V. Wahlen, do hereby certify that I am a Registered Land Surveyor, and that I hold certificate No. 324551, as prescribed under the laws of the State of Utah. I further certify that by authority of the Owner(s), I have made a survey of the tract of land shown on this plat and described below, and have subdivided said tract of land in like manner as shown on the plat, hereafter to be known as

QUITTING TIME SUBDIVISION PHASE II TREASURE HILL SUBDIVISION

and that same has been correctly surveyed and staked on the ground as shown on this plat.

Date

James V. Wahlen, PLS.
License No. 324551

LEGAL DESCRIPTION

A part of the Southeast Quarter of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point which is 75.00 feet South 00°23'00" West and 88.01 feet South 23°36'00" East from the Northwest corner of Block 29, Park City Survey, Amended Plat, said point of beginning also being 365.00 feet South 00°23'00" West and 637.02 feet South 23°36'00" West from a Park City Monument at the intersection of Park Avenue and 4th Street, said point also being the point of beginning of Treasure Hill Subdivision, as recorded in the Summit County Recorder's Office, and running thence South 00°23'00" West 150.00 feet along the Northwest line of said Treasure Hill Subdivision; thence South 23°36'00" West 94.00 feet; thence North 23°36'00" West 388.57 feet; thence North 00°23'00" East 224.00 feet; thence South 23°36'00" East 106.13 feet to the Southwest corner of Lot 5, Block 28, Park City Survey, Amended Plat; thence East 04°52'00" West 25.00 feet; thence South 23°36'00" East 25.00 feet; thence South 00°52'00" East 25.00 feet to the Northwest corner of Lot 1 of said Block 28; thence South 23°36'00" East 25.00 feet to the Southwest corner of said Lot 1; thence South 00°52'00" East 75.00 feet; thence South 23°36'00" East 30.00 feet; thence North 04°52'00" East 75.00 feet to the Northwest corner of Lot 16 of Block 29, Park City Survey, Amended Plat; thence South 23°36'00" East 86.01 feet to the point of beginning. Contains 1.710 acres, more or less.

BASIS OF BEARINGS

The basis of bearing is South 23°31'23" East along the monumented line of Park Avenue between the Park City Monuments located at the intersections of 4th Street and 2nd Street.

OWNERS OFFER OF DEDICATION

The owners of said representation, hereby irrevocably offer for dedication to the City of Park City all the streets, trails, right-of-way, land for land preservation areas, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication subject to easements, deeds of record and agreements of record.

IN WITNESS WHEREOF, the undersigned sets their hands this _____ day of _____, 2000.

EDWARD J. BEAULIEU

SWEENEY LAND COMPANY, a Utah general partnership

By _____
Patrick J. Sweeney
Managing Partner

ACKNOWLEDGEMENT

STATE OF ILLINOIS)
: ss.
COUNTY OF COOK)

On this _____ day of _____, 2000, personally appeared before me EDWARD J. BEAULIEU, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC
Residing at: _____

My Commission Expires:

ACKNOWLEDGEMENT

STATE OF NEW MEXICO)
: ss.
COUNTY OF SAN JUAN)

On this _____ day of _____, 2000, personally appeared before me CLYDE CARLIE, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

NOTARY PUBLIC
Residing at: _____

My Commission Expires:

ACKNOWLEDGEMENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On this _____ day of _____, 2000, personally appeared before me PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledged to me that said partnership executed the same.

NOTARY PUBLIC
Residing at: _____

My Commission Expires:

QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY

PAGE 1 OF 3

NUMBER _____
ACCOUNT _____
SHEET 1
OF 1 SHEETS

SNYDERVILLE BASIN SEWER IMP. DIST.
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT STANDARDS ON THIS _____ DAY OF _____ A.D. _____
BY _____
S.B.S.I.D.

PLANNING COMMISSION
APPROVED THIS _____ DAY OF _____ A.D. _____ BY THE PARK CITY PLANNING COMMISSION
BY _____
CHAIRMAN

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

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, A.D. _____
BY _____
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. _____
BY _____
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, A.D. _____
BY _____
MAYOR

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE _____ SUMMIT COUNTY RECORDER

RECEIVED
MAY 16 2000
PARK CITY
PLANNING DEPT.

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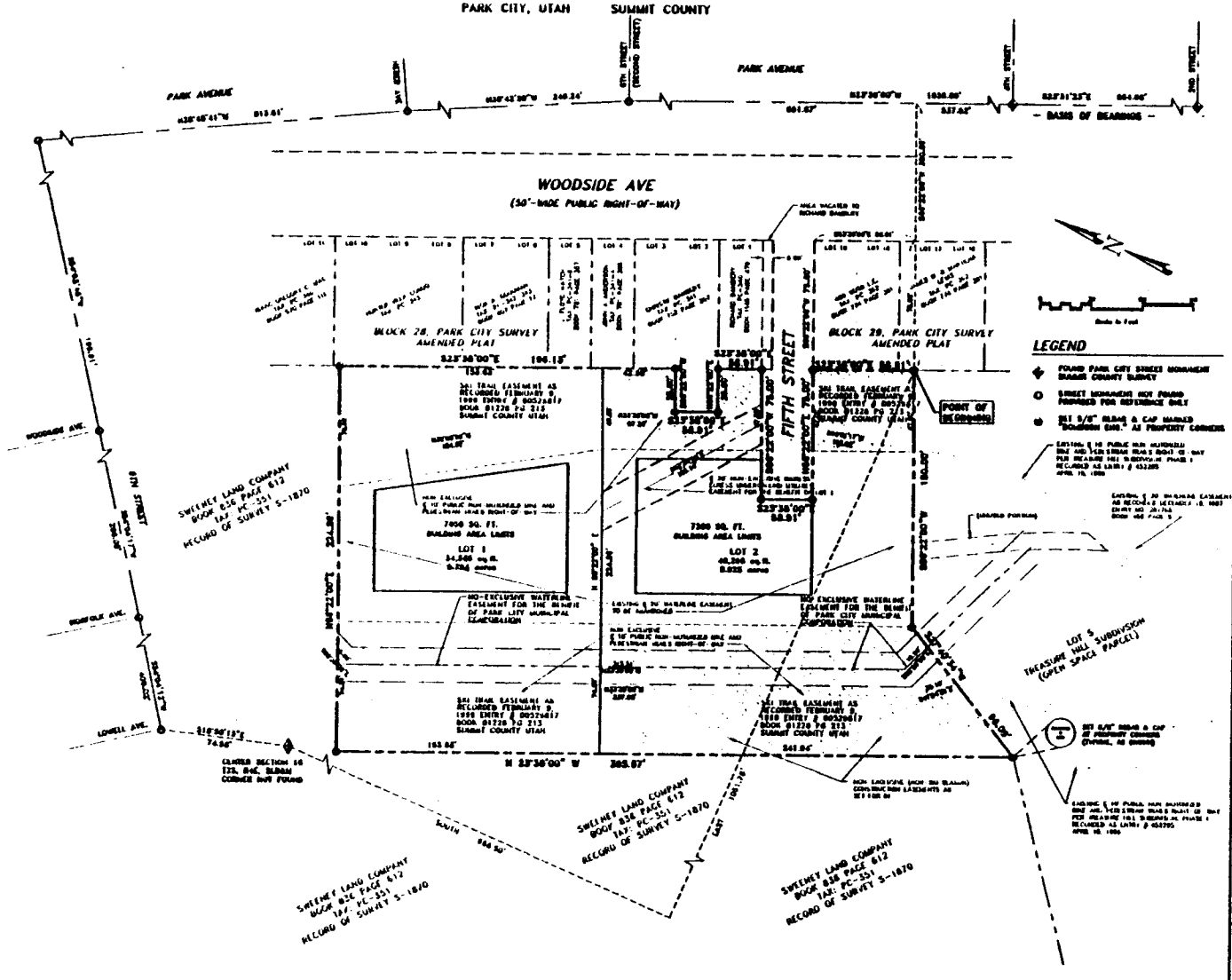
QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY



6th STREET SOUTH LOT

Beginning at a point which is South 00°22' West, 75.00 feet from the Southeast Corner of Block 28, Park City Survey, Amended Plat, said point also being South 23°36' East, 412.75 feet and South 00°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street; and running thence South 00°22' West, 75.00 feet; thence North 23°36' East, 34.00 feet; thence North 00°22' East, 75.00 feet; thence South 23°36' East, 34.01 feet; thence South 00°22' West, 130.00 feet; thence South 23°36'34" West, 96.02 feet; thence North 23°36' West, 241.04 feet; thence North 00°22' East, 221.00 feet; thence South 23°36' East, 42.30 feet; thence South 00°22' West, 20.00 feet; thence South 23°36' East 20.00 feet; thence North 00°22' East, 20.00 feet; thence South 23°36' East, 20.40 feet to the point of beginning.

Containing 0.03 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable a law or in equity.

(Basis of bearing for the above description is the Park City Monuments of the intersections of Park Avenue and 6th Street and Park Avenue and 5th Street whose bearing is South 23°36' East.)

5th STREET NORTH LOT

Beginning at the point which is South 00°22' West, 75.00 feet and North 23°36' West, 02.07 feet from the Southeast corner of Block 28, Park City Survey, amended Plat, said point also being South 23°36' East, 310.75 feet and South 00°22' West, 300.00 feet from a Park City Monument at the intersection of Park Avenue and 6th Street; and running thence South 00°22' West, 224.00 feet; thence North 23°36' West, 153.63 feet; thence North 00°22' East, 224.00 feet; thence South 23°36' East, 153.63 feet to the point of beginning.

Containing 0.79 Acres, more or less.

Subject to and together with any and all easements, right-of-way and restrictions of record or enforceable a law or in equity.

(Basis of bearing for the above description is the Park City Monuments of the intersections of Park Avenue and 6th Street and Park Avenue and 5th Street whose bearing is South 23°36' East.)

5th Street Trail Easements

Beginning at a point which is South 00°22' West, 75.00 feet and South 23°36' East 34.00 feet from the Southeast Corner of Block 28, Park City Survey, Amended Plat, said point also being South 23°36' East, 412.75 feet and South 00°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street;

and running thence South 23°36' East, 34.00 feet; thence South 00°22' West, 47.00 feet; thence North 23°36' West, 34.00 feet; thence North 00°22' East, 47.00 feet to the point of beginning.

Containing 0.00 Acres, more or less.

Also, Beginning at a point which is South 00°22' West, 57.00 feet from the Southeast Corner of Block 28, Park city Survey, Amended Plat, said point also being South 23°36' East, 412.75 feet and South 00°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street;

and running thence South 00°22' West, 47.00 feet; thence North 23°36' West, 02.07 feet; thence North 32°00'31" West, 156.34 feet; thence North 00°22' East, 70.00 feet; thence South 23°36' East, 196.13 feet; thence South 00°22' West, 23.00 feet; thence South 23°36' East, 23.00 feet; thence North 00°22' East, 20.00 feet; thence South 23°36' East, 20.40 feet to the point of beginning.

Containing 0.20 Acres, more or less.

Also, Beginning at a point which is South 00°22' West, 115.00 feet and South 23°36' East, 00.01 feet from the Southeast Corner of Block 28, Park city Survey, Amended Plat, said point also being South 23°36' East, 201.00 feet and South 00°22' West, 400.00 feet from a Pk Monument at the Intersection of Park Avenue and 6th Street;

and running thence South 23°00'34" West, 04.07 feet; thence North 23°36' West, 3 feet; thence North 00°22' East, 74.00 feet; thence South 23°36' East, 330.51 feet to the beginning.

Containing 0.03 Acres, more or less.

(Basis of bearing for the above description is the Park City Monuments of the intersections of Park Avenue and 4th Street and Park Avenue and 5th Street whose bearing is South 23 36' East.)

PAGE 2 OF 3

PREPARED BY:

DOMINION Engineering Associates, L.C.
[illegible] East South Temple, Suite 230
Salt Lake City, UT 84102 363-6111

NO.	REVISIONS	BY	DATE

QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION
A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY

RECORDER

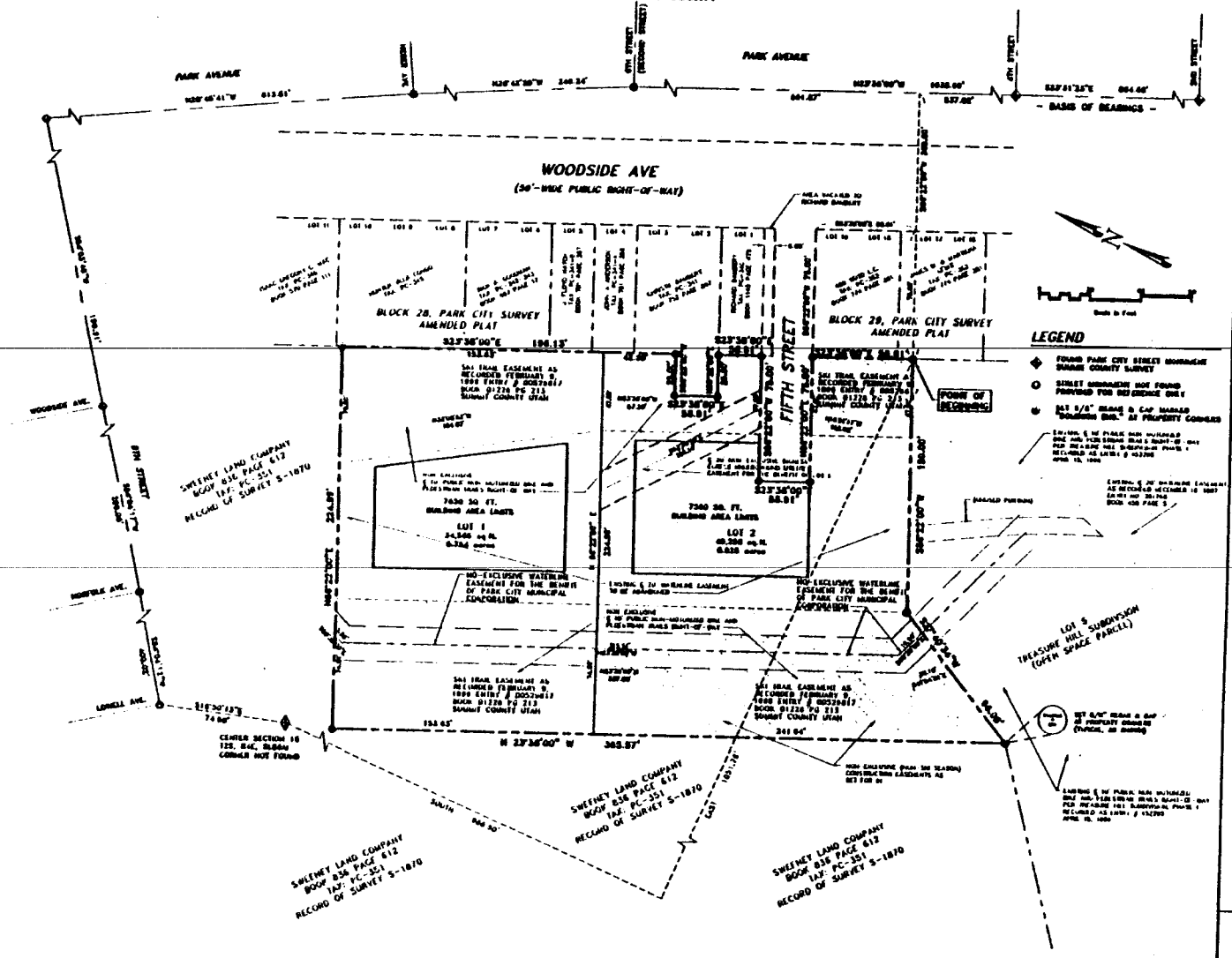
STATE OF UTAH, COUNTY OF SUMMIT, RECORDED AND FILED
AT THE REQUEST OF
DATE TIME BOOK PAGE FEE SUMMIT COUNTY RECORDER

RECEIVED
MAY 16 2000
PARK CITY
PLANNING DEPT.

45

QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY



1. FOOTPRINT. The maximum footprint, calculated from the outside face of walls but subject to the zoning requirements of Note 7, shall be three thousand five hundred (3500) square feet including garages. The footprint shall not exceed towards the front point subdivisions:

(a) Decks which are open on all head two sides (and which may have railings as required), covered or uncovered, and which do not have above grade living space below or above them;
(b) Exterior walkways;
(c) Exterior stairs;
(d) Driveways;

2. BUILDING AREA LIMITS. Improvements, including houses and formal landscaping (unless otherwise permitted under requirements of representation of record or as shown on the Plat or as established with the approved construction drawings of the driveway and utilities shall be limited to the Building Area Limits noted on the Plat. Not withstanding the foregoing, flat areas located on the Old Jeep Easements directly adjacent to and East of the Building Area Limits of Lots 1 and 2 may be landscaped with irrigated ground cover.

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 reconstructed with native landscaping. The adjacent old trails may be used for construction staging.

4. HEIGHT. The building height shall be measured from existing grade. The maximum height shall be twenty five (25) feet for roofs whose surfaces are generally located in a plane parallel to natural grade, i.e. follow natural grade and thirty (30) feet for alternate roofs whose slopes are intended (in the horizontal plane) generally perpendicular to existing contour lines. A maximum height of thirty three (33) feet for pitched roofs shall be permitted for the expressed purpose of accommodating tunnels, i.e. skylights and or elevators, bathroom floor levels.

5. FACADE HEIGHT, EASIERLY FACING. The maximum facade height for the Easterly facing facades without a step back of at least five (5) feet shall be twenty five (25) feet from existing or reconstructed grade whichever is greater.

6. MASSING. Massing designs may be comprised of one or more connected or unconnected building masses. No one building mass within the BDZ exceeds 1,500 square feet footprint as defined 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. This means that there will be significant variation of roof heights for the different building masses. The historic (south) portion of the existing BDZ 1/2 Marbek house shall be replaced and relocated on site on the Southeast building mass on lot 1.

7. SEWER LATERALS. Maintenance and replacement of sewer laterals shall be the responsibility of lot respective owners and not that of the Snyderville Basin sewer Improvement District.

8. FIRE SPRINKLING. Internal and external modified 13d fire sprinklers shall be provided for the homes. Wood roofing material shall be prohibited.

9. PRECEDENCE. The above special restrictions are consistent of and associated with the Sweeney Master Plan approved by the Park City Municipal Corporation on October 14, 1986 and as subsequently amended on October 14, 1987 and December 30, 1992. These lots shall not be further subdivided. Final house design shall be reviewed under the Small Scale Master Plan Process in accordance with the Sweeney Master Plan.

PREPARED BY:

DOMINION Engineering Associates, L.C.
[illegible] East South Temple, Suite 230
Salt Lake City, UT 84102 [illegible]-6111

NO.	REVISIONS	BY	DATE

PAGE 3 OF 3

QUITTING TIME SUBDIVISION
PHASE II TREASURE HILL SUBDIVISION
A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 16,
TOWNSHIP 2 SOUTH, RANGE 4 WEST, SALT LAKE BASE & MERIDIAN
PARK CITY, UTAH SUMMIT COUNTY

RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE _____ SUMMIT COUNTY RECORDER

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PARK CITY
PLANNING

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6.4 5TH STREET SINGLE FAMILY LOTS APPROVAL SUMMARY.

The following in concert with *Sheet 14* defines the specific conditions of approval for the 5th Street Single Families portion of the Sweeney Properties Master Plan as submitted by MPE Inc. and approved by Park City Municipal Corporation on October 14, 1987.

6.4.1 SIZE. Each single family lot shall be .5 acres.

6.4.2 LOCATION. The lot site is located off of 5th Street west of Woodside Avenue.

6.4.3 DENSITY. The site is approved for two single family units if those units can be safely accessed.

6.4.4 ZONE. The lots shall be zoned HR1/Estate MPD. The Historic District architectural guidelines shall apply.

6.4.5 ACCESS. The lots shall be accessed by a common underground driveway up 5th Street.

6.4.6 UTILITIES. Utilities shall be extended from the Norfolk Waterline and Woodside Avenue.

6.4.7 SETBACKS. The minimum setback shall be 10 feet from all property lines.

6.4.8 HEIGHT. In general the maximum allowable building height shall be 25 feet measured from existing grade. Height exceptions to 28 feet may be approved for the expressed purpose of accommodating access, i.e. stairwells and/or elevators, between floor levels. The height provisions of Section 8.17 of the Park City Land Management Code passed December 22, 1983 and as subsequently amended shall apply.

6.4.9 PARKING. The parking requirement for each single family unit shall be a minimum of 2 enclosed spaces.

6.4.10 APPROVAL PROCESS. These two single family units shall be subject to consideration under the full conditional use process by the Park City Planning Staff and Park City Planning Commission. The Planning Commission, using the Conditional Use Process as set forth in Section 1.14 of the Park City Land Management Code passed December 22, 1983 and as subsequently amended, shall have the discretion to approve or deny the proposed units. The applicant must demonstrate that all significant impacts which may result from the construction of these units and the access to these units can be adequately mitigated. Prior to the sell of individual lots this site must be considered under and meet all the requirements of the Park City Subdivision Ordinance.

6.4.11 SPECIAL CONSIDERATIONS.

6.4.11.1 GENERAL UNDERSTANDING. These single family units represent a special challenge in terms of achieving access, providing water and sanitary sewer utilities, controlling drainage, and limiting site disturbance and visual impact, and, therefore, if approved will most likely be very expensive to build.

6.4.11.2 BUILDING FOOTPRINT. The building footprint shall be restricted to 3500 square feet including the garage, but excluding open walks, decks and stairs.

6.4.11.3 DRAINAGE. All reasonable engineering means shall be employed to avoid the concentration and acceleration of water thereby maintaining sheet drainage to the greatest extent possible.

6.4.11.4 FIRE/SAFETY REQUIREMENTS. Fire sprinkling and/or other safety features maybe required.

6.4.11.5 UNDERGROUND DRIVEWAY. The underground driveway and parking shall be covered with sod with the intention to maintain the current green open feeling of 5th Street. Minimum vertical clearance shall be 10 feet. A 4 foot wide stairway serving the ski run as well as adjacent properties shall be constructed as part of the driveway-parking structure.

6.4.11.6 PIRRAGLIO UTILITIES. Where necessary, PIRRAGLIO utilities (Lot 1, Block 28, Park City Survey) shall be replaced as part of the construction of the underground driveway.

6.4.11.7 TOWN LIFT EASEMENTS. The lots are subject to the Town Lift Easements as recorded in Book 441, pages 614-627, Summit County Recorder's Office, Summit County, Utah and as shown on *Sheet 14*.

6.4.11.8 WATERLINE EASEMENT. The lots shall be subject to the Norfolk Waterline Easement as recorded in Book 458, pages 5-7, Summit County Recorder's Office, Summit County, Utah and the developer shall pay for any necessary rerouting of such and provide a new easement.

6.4.11.9 CONSTRUCTION AND SERVICE ACCESS EASEMENT. A summertime easement for construction and service access across the Master Plan ski trails shall be required. The lots shall be subject to an easement for the same.

6.4.11.10 DRIVEWAY EASEMENT. An easement for a driveway across the Master Plan open space shall be required.

6.4.11.11 UTILITY EASEMENTS. An easement for utilities across the Master Plan open space shall be required.

6.4.11.12 TRAIL EASEMENT. The lots shall be subject to an easement along the Master Plan ski trails for a path as described in Section 4.4.

6.5 UPPER NORFOLK SINGLE FAMILY LOTS APPROVAL SUMMARY.

The following in concert with *Sheet 15* defines the conditions of approval for the Upper Norfolk Single Families portion of the Sweeney Properties Master Plan as submitted by MPE Inc. and approved by Park City Municipal Corporation October 14, 1987.

6.5.1 SIZE. Each single family lot shall be .5 acres. Additional open space parcels may be included. These shall be left in their natural state, undisturbed, other than paths and necessary access and utility improvements. Open space parcels shall not affect set back requirements for the actual building lots.

6.5.2 LOCATION. The lot site is located to the north of Upper Norfolk Avenue.

6.5.3 DENSITY. The site is approved for two single family units.

6.5.4 ZONE. The lots shall be zoned HR1/Estate MPD. The Historic District architectural guidelines shall apply.

6.5.5 ACCESS. The lots shall be accessed by a driveway originating off of Upper Norfolk Avenue.

6.5.6 UTILITIES. Water, power, gas, telephone, and cable TV utilities shall be extended from Upper Norfolk Avenue. The sanitary sewer shall connect to Woodside Avenue via 4th Street.

6.5.7 SETBACKS. The minimum setback shall be 10 feet from all property lines.

6.5.8 HEIGHT. In general the maximum allowable building height shall be 25 feet measured from existing grade. Height exceptions to 28 feet may be approved for the expressed purpose of accommodating access, i.e. stairwells and/or elevators, between floor levels. The height provisions of Section 8.17 of the Park City Land Management Code passed December 22, 1983 and as

Ordinance No. 03-37

AN ORDINANCE APPROVING A SINGLE LOT SUBDIVISION AT 445 KING ROAD, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 445 King Road have petitioned the City Council for approval of the Subdivision plat; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on July 23, 2003, to receive input on the subdivision;

WHEREAS, the Planning Commission, on July 23, 2003, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 31, 2003, the City Council held a public hearing and approved the subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the subdivision.

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

SECTION 1. APPROVAL. The subdivision as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 445 King Road and is known as lot 12 of the Treasure Hill Subdivision Phase 4, part of the Sweeney Properties Master Plan. The property is currently zoned Recreation Open Space - RD-MPD with a request for zone change pending. The property is vacant.
2. The Sweeney Properties Master Plan (SPMP) was approved by the City Council on October 16, 1986 and amended on October 14, 1987, December 30, 1992, and November 7, 1996.
3. One lot of record will be created with the subdivision.
4. The Treasure Hill Subdivision Phase 4 plat includes plat notes regarding building footprint, heights, setbacks, massing, building pad footprints, limits of disturbance, access, re-vegetation, utilities, and fire protection.
5. Utilities are available to sustain the anticipated property uses. Utilities will generally tie into Woodside Avenue, follow the Quittin' Time ski run in its lower extent and connect to the Building Pad along a future ski run to the Payday area.
6. The Chief Fire Marshall has reviewed the Fire Protection Plan and has conceptually approved it.

7. A financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
8. The Planning Commission held a public hearing on July 23, 2003 and forwarded a positive recommendation to the City Council.

Conclusions of Law:

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

Conditions of Approval:

1. The Conditions of Approval for the Sweeney Properties Master Planned Development remain in full force and effect.
2. The design of the Main House and any Guest House will follow the Conditional Use Permit process in accordance with the Sweeney Properties Master Plan (SPMP).
3. All standard project conditions shall apply.
4. The Building Pad is 29,084 square feet in which all construction activity must take place, excepting the driveway and utility construction.
5. The Main House footprint is limited to 3500 square feet. A single caretaker's or guest house may have a footprint up to 1500 square feet.
6. The Height of the Main House is 25 feet measured from natural grade for ridges that run parallel to the natural contours and 30 feet from natural grade for ridges perpendicular to the existing contours. Such perpendicular ridges may not comprise more than 20 percent of the roof plan. The Guest House may not exceed 20 feet from natural grade in height.
7. All trails, as indicated on the Treasure Hill subdivision plat, which have not yet been constructed and approved, shall be completed prior to issuance of a certificate of occupancy for the residences. Relocation of said trails shall be reviewed and approved by City Staff.
8. The applicant must record an Open Space Easement, or other instrument of record, for that area outside of the Building Pad to forever preserve the natural state. Ski runs and those public trails dedicated on this plat may be allowed in this open space.
9. The City Engineer shall review and approve appropriate grading, utility, public improvements and drainage plans for compliance with City standards as a condition precedent to permit issuance.
10. Final details of the Fire Protection plan are required to be approved prior to plat recordation.
11. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans.
12. A financial guarantee, for the value of all public improvements, landscaping, re-

vegetation, and trails to be completed, shall be provided to the City prior to building permit issuance. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.

13. Re-vegetation of the disturbed areas, including utility installation areas, shall be done with native species acceptable to the Planning Department Landscape Architect.
14. 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 year's time, this approval and the plat will be void.

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

PASSED AND ADOPTED this 31st day of July, 2003.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

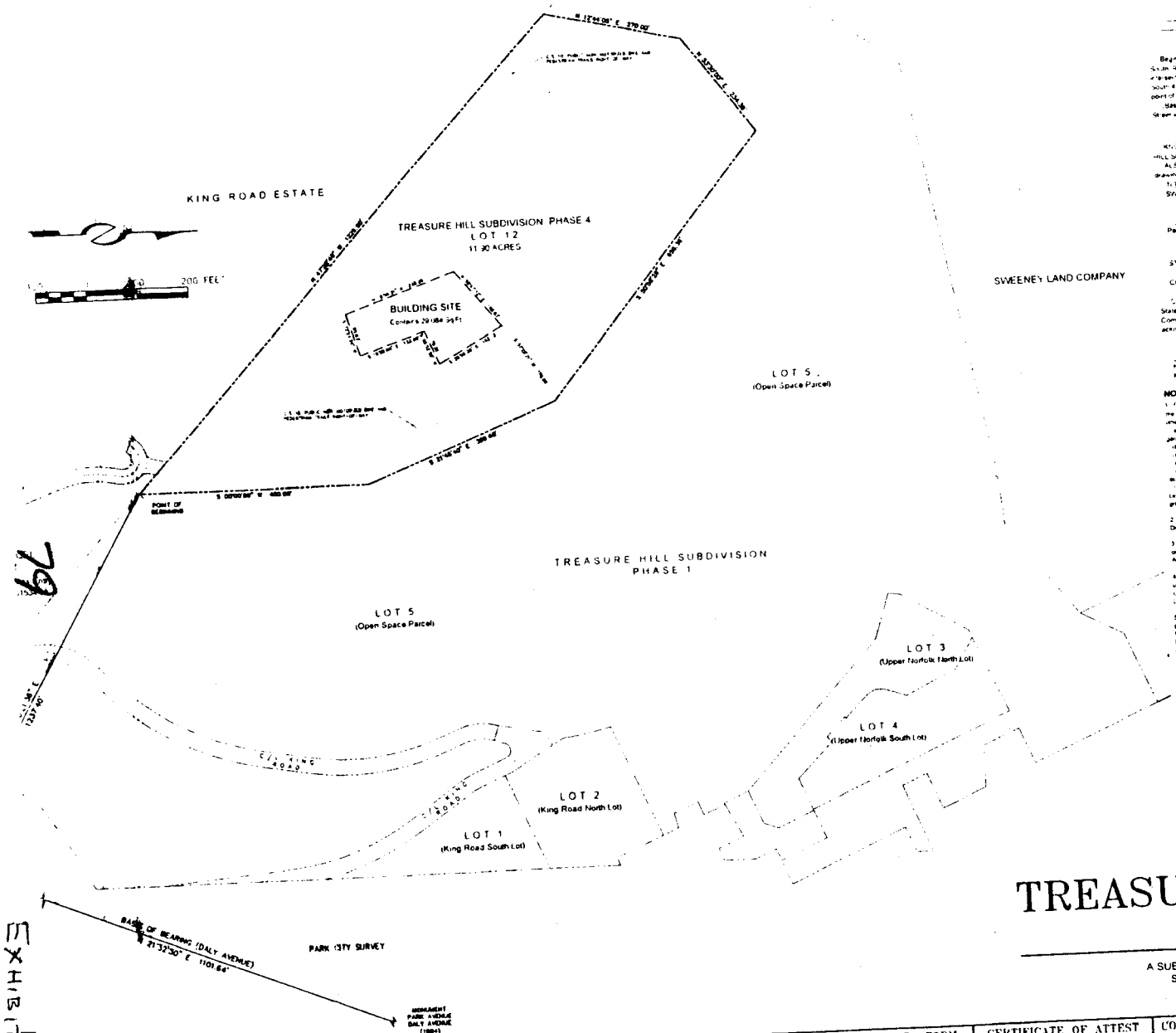
Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884



SURVEYOR'S CERTIFICATE

[illegible] the State of Utah and that a TREASURE HILL SUBDIVISION, PHASE 4 plat was prepared under my direction in accordance with the [illegible] and the Park City Municipal Corporation. I further certify that the plat is an accurate representation of the property.

[illegible] Date

BOUNDARY DESCRIPTION

Beginning at a point which is South 89°18'30" West 701.63 feet and South 17.08 feet more or less from the Center of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running South 11°00'31" East and About 79.91 feet more or less from a Park City Monument at the intersection of Lowes Avenue and 9th Street; and thence South 50°58'9" East 56.58 feet; thence South 27°4[illegible] East [illegible] feet to the South 40.00 feet; thence South 47°25'45" West 1229.90 feet; thence North 12°44'05" East 270.00 feet; thence from 53°[illegible] East [illegible] feet to the point of beginning. Containing 11.30 Acres more or less.

Basis of bearing for the above description is the Park City Monuments at the intersections of Park Avenue and 4th Street and Park Avenue and [illegible] Street whose bearing is South 23°38' East.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: that the undersigned owner of the hereon described tract of land, to be known hereafter as the TREASURE HILL SUBDIVISION, PHASE 4, does hereby certify that he has caused this plat to be prepared, and that he does consent to the execution of the subdivision and the dedication of the streets and easements as shown on the plat and hereby dedicate, grant and convey to the City and County of Park City, Utah, the streets and other public areas

CITY COUNCIL STAFF REPORT

DATE:	**July 31, 2003**
DEPARTMENT:	**Planning**
AUTHOR:	**Brooks T. Robinson**
TITLE:	**445 King Road - Treasure Hill Subdivision, Phase IV and Request for Zone Change from MPD-ROS to MPD-Estate**

SUMMARY RECOMMENDATION: Open the public hearing, take public input, and consider staff's recommendation to approve both the subdivision and the zone change (two separate actions).

DESCRIPTION

Applicant	Sweeney Land Company
Location	445 King Road at upper switchback
Zoning	Recreation Open Space (ROS) as part of the Sweeney Master Planned Development (MPD)
Adjacent Land Uses	Park City Mountain Resort, 555 King Road, Open Space
Type of Application(s)	One lot Subdivision and Zone Change

A. Background

On October 16, 1986 the Sweeney Master Planned Development was approved by the City. The Treasure Hill Phase I subdivision consisting of four building lots (two off of Upper Norfolk and two off of King Road) and one open space lot was recorded in April of 1996.

The Sweeney Master Plan Approval document of 1986 identifies Miscellaneous Properties including, "...a third lot to be situated up on top of Treasure Mountain (possible future access predicated on United Park City Mines Company's plans for development off of King Road). Development would be restricted to single-family homes with no greater than 3500 square foot footprints and maximum building heights of 25 feet." (Exhibit D)

Two applications have been received for this 11.9 acre metes and bounds parcel. One application is for a subdivision to create one lot of record for the entire 11.9 acre site. The second application is to change the zoning from Master Planned Development-Recreational Open Space (MPD-ROS) to MPD-Estate for the entire lot.

On January 22, 2003, the Planning Commission discussed these two applications at the work session and took initial public input during the regular hearing (Minutes attached, Exhibit B). On July 23, 2003 the Planning Commission forwarded positive recommendations on both the Subdivision and the Zone Change.

B. Analysis for the Subdivision

The entire 11.9 acre parcel is proposed as one lot of record. The applicant, Pat Sweeney, explained during the January 22, 2003 work session that the intent of this lot was similar to Phase I in which the Building Pads were approximately one-half acre in size with open space easements granted for the balance of the properties. The City was and is concerned that separate Open Space lots might go into default for non-payment of taxes and there would be an expectation of development. A larger lot will command a higher selling price and tax assessment. With a restrictive Building Pad and an easement over the rest of the lot to preserve the natural open space, the City can be satisfied that the open space will remain. A Building Site of 29,084 square feet is proposed with the rest of the property being left in a natural state. Staff recommends that an Open Space Easement, or other instrument of record, be granted to the City to ensure the continued open space properties of the balance of the lot.

The property is accessed by a private driveway from King Road. A Condition of Approval for the adjacent 555 King Road Conditional Use Permit required an easement to be granted to Sweeney for access from the upper (third) switchback. That easement was recorded with the Summit County Recorders Office on May 14, 2003.

Existing public trails are located on the lot. A minor relocation of John's Trail will be necessary. All trails on the lot will be dedicated to the public as part of this subdivision plat.

The proposed plat has 12 Notes (Exhibit C) that address Building Footprint, Height, Limits of Disturbance, Visibility, and Massing among others. These Notes are substantially the same as were approved on Treasure Hill Phase II (the four lots on Upper Norfolk and King Road).

The Building Footprint for the Main House is proposed at 3,500 square feet with a caretakers or guest house an additional 1,500 square feet. The guest house is not to be sold or leased separately from the Main House. Final house designs will be reviewed as Conditional Use Permits in accordance with the Sweeney Properties Master Plan.

The Height restrictions for the Main House are 25 feet for ridges parallel to the existing contours and 30 feet for ridges perpendicular to the existing contours. These perpendicular ridges cannot comprise more than 20% of the total roof plan. The Guest House is limited to 20 feet in height from existing grade.

A Fire Protection plan has been submitted. The Chief Fire Marshall has reviewed the plan and has conceptually approved it. Final details of the Fire Protection plan are required to be approved prior to plat recordation.

C. Analysis for the Zone Change

At the time of the original MPD approval the Sweeney properties had several zoning designations: HRC, HR-1 and Estate. The Hillside Properties, of which the subject property is one, were zoned Estate. The MPD kept the current underlying zoning except

that over 110 acres of the hillside were rezoned to Recreation Open Space (ROS) and the hillside properties were designated as subject to Master Planned Development approval as E (or HR-1)- MPD (See Exhibit E).

This application is to create the designation of E-MPD for this hillside parcel. The designation is in accordance with the Sweeney Master Plan Development.

D. Department Review

This project has gone through an interdepartmental review. At such time as a final plat is required, the City Engineer and City Attorney will review the plat as to form and compliance with the Land Management Code prior to recordation.

E. Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record.

RECOMMENDATION ON SUBDIVISION

Staff recommends holding a public hearing, take any public comment, and approval of the Treasure Hill Subdivision Phase 4 Plat based on the following findings of fact, conclusions of law and conditions of approval:

Findings of Fact:

1. The property is located at 445 King Road and is known as lot 12 of the Treasure Hill Subdivision Phase 4, part of the Sweeney Properties Master Plan. The property is currently zoned Recreation Open Space - RD-MPD with a request for zone change pending. The property is vacant.
2. The Sweeney Properties Master Plan (SPMP) was approved by the City Council on October 16, 1986 and amended on October 14, 1987, December 30, 1992, and November 7, 1996.
3. One lot of record will be created with the subdivision.
4. The Treasure Hill Subdivision Phase 4 plat includes plat notes regarding building footprint, heights, setbacks, massing, building pad footprints, limits of disturbance, access, re-vegetation, utilities, and fire protection.
5. Utilities are available to sustain the anticipated property uses. Utilities will generally tie into Woodside Avenue, follow the Quittin' Time ski run in its lower extent and connect to the Building Pad along a future ski run to the Payday area.
6. The Chief Fire Marshall has reviewed the Fire Protection Plan and has conceptually approved it.
7. A financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
8. The Planning Commission held a public hearing on July 23, 2003 and forwarded a positive recommendation to the City Council.

Conclusions of Law:

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

Conditions of Approval:

1. The Conditions of Approval for the Sweeney Properties Master Planned Development remain in full force and effect.
2. The design of the Main House and any Guest House will follow the Conditional Use Permit process in accordance with the Sweeney Properties Master Plan (SPMP).
3. All standard project conditions shall apply.
4. The Building Pad is 29,084 square feet in which all construction activity must take place, excepting the driveway and utility construction.
5. The Main House footprint is limited to 3500 square feet. A single caretaker's or guest house may have a footprint up to 1500 square feet.
6. The Height of the Main House is 25 feet measured from natural grade for ridges that run parallel to the natural contours and 30 feet from natural grade for ridges perpendicular to the existing contours. Such perpendicular ridges may not comprise more than 20 percent of the roof plan. The Guest House may not exceed 20 feet from natural grade in height.
7. All trails, as indicated on the Treasure Hill subdivision plat, which have not yet been constructed and approved, shall be completed prior to issuance of a certificate of occupancy for the residences. Relocation of said trails shall be reviewed and approved by City Staff.
8. The applicant must record an Open Space Easement, or other instrument of record, for that area outside of the Building Pad to forever preserve the natural state. Ski runs and those public trails dedicated on this plat may be allowed in this open space.
9. The City Engineer shall review and approve appropriate grading, utility, public improvements and drainage plans for compliance with City standards as a condition precedent to permit issuance.
10. Final details of the Fire Protection plan are required to be approved prior to plat recordation.
11. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans.
12. A financial guarantee, for the value of all public improvements, landscaping, re-vegetation, and trails to be completed, shall be provided to the City prior to building permit issuance. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
13. Re-vegetation of the disturbed areas, including utility installation areas, shall be done with native species acceptable to the Planning Department Landscape

Architect.

14. 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 year's time, this approval and the plat will be void.

RECOMMENDATION ON ZONE CHANGE

Staff recommends holding a public hearing, take any public comment, and consider approval of the Treasure Hill Subdivision Phase 4 lot 12 zone change from Recreation Open Space (ROS) to Estate (E-MPD) based on the following findings of fact, conclusions of law and conditions of approval:

Findings of Fact:

1. The property is located at 445 King Road and is known as lot 12 of the Treasure Hill Subdivision Phase 4, part of the Sweeney Properties Master Plan.
2. The property is currently zoned Recreation Open Space - ROS-MPD. The 11.9 acre property is unimproved.
3. The Sweeney Properties Master Plan (SPMP) was approved by the City Council on October 16, 1986 and amended on October 14, 1987, December 30, 1992, and November 7, 1996.
4. The underlying zoning of the Hillside Parcels, including this one, at the time of MPD approval was Estate.
5. The SPMP approval designated this development parcel as being subject to Estate-MPD approval.
6. The purpose of the Estate zone is to allow very low density, environmentally sensitive residential development which preserves ridge tops, meadows, and visible hillsides, preserves large, cohesive, unbroken Areas of Open Space and undeveloped land, preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development, mitigates geologic and flood hazards, protects views along the City's entry corridors, and decreases fire risk by keeping Development out of sensitive wild land interface Areas, incorporates pedestrian trail linkages between and through neighborhoods; and encourages comprehensive, efficient, Compatible Development which results in distinct and cohesive neighborhoods through application of the Sensitive Lands Ordinance.
7. The entire lot will be zoned Estate. The area outside of the Building Pad will be subject to a Conservation or Open Space Easement.
8. The Planning Commission held a public hearing on July 23, 2003 and forwarded a positive recommendation to the City Council.

Conclusions of Law:

1. The development of this lot is consistent with the E District purpose statements.
2. The change from ROS to E-MPD Zoning is consistent with the Park City General Plan and the Sweeney Properties Master Plan.
3. The rezone from ROS to E is in the best interest of the community.

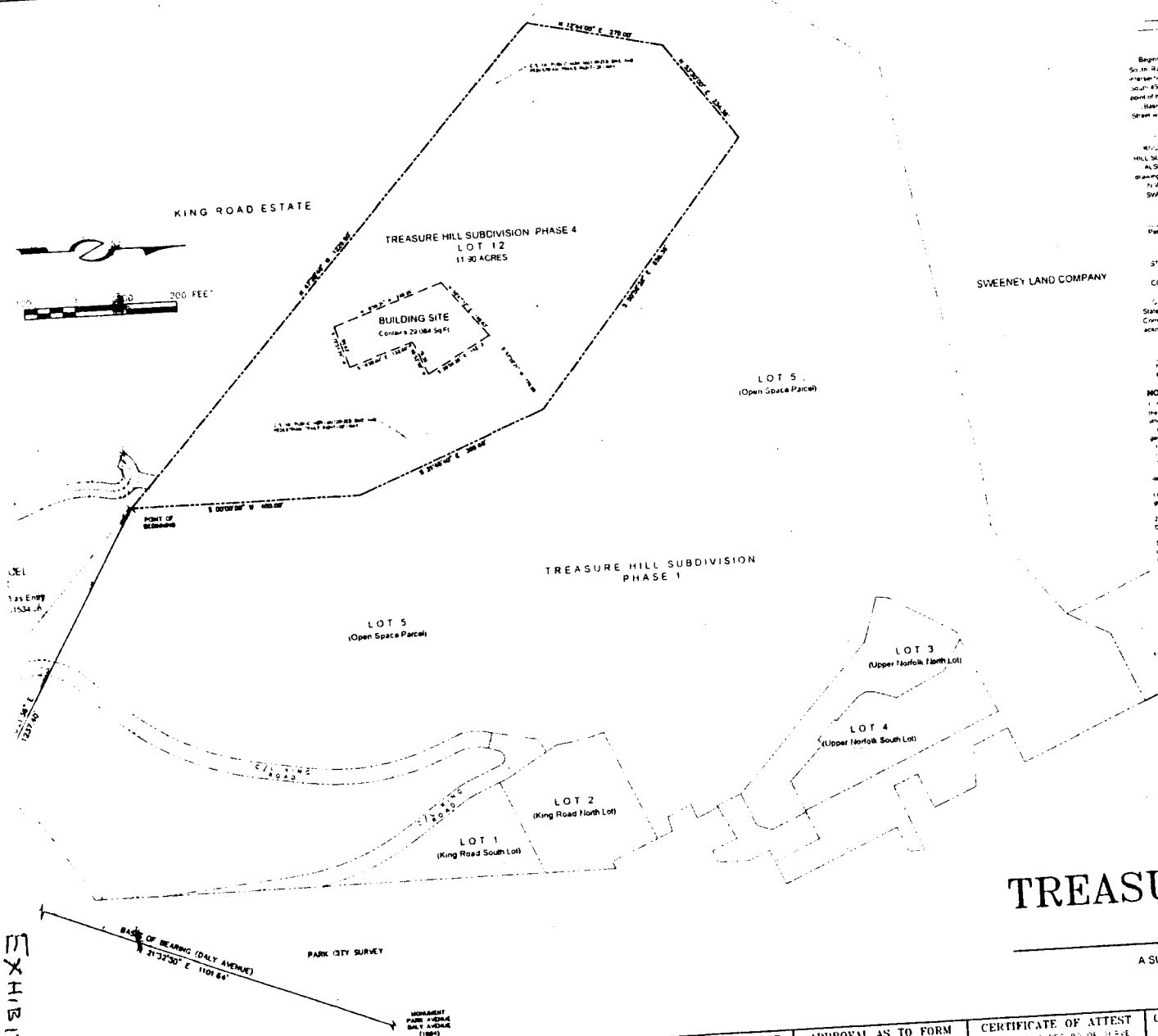
Conditions of Approval:

1. This zone change is contingent upon the recordation of the plat approved concurrently herein.

EXHIBITS

Exhibit A - Development Plans
Exhibit B - Minutes from Planning Commission Work Session and Public Hearing of January 22, 2003
Exhibit C - Plat Notes
Exhibit D - Sweeney MPD "Miscellaneous Properties"
Exhibit E - Sweeney MPD "Zoning"

M:\Brooks\COUNCIL\Council 03\Sweeney Plateau (ph).wpd



SURVEYOR'S CERTIFICATE

I, _____, hereby state that I am a duly licensed Land Surveyor and that I hold Certificate No. _____ as prescribed by the laws of the State of Utah, and that the TREASURE HILL SUBDIVISION PHASE 4 plat was prepared under my direction in accordance with the requirements of the Park City Municipal Corporation. I further certify that this plat is a true and accurate representation of the property.

_____ Date

BOUNDARY DESCRIPTION

Beginning at a point which is South 88°58'30" West 131.63 feet and South 1708.34 feet, more or less, from the Center of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running South 1780.21 feet and West 19.91 feet, more or less, from a Park City Monument at the intersection of Lowell Avenue and 9th Street, and running thence South 50°58'28" East 956.38 feet; thence South 21°32'30" East 38.64 feet; thence South 450.00 feet; thence North 47°25'45" West 1229.90 feet; thence North 12°44'05" East 270.00 feet; thence North 53°50'21" East 354.18 feet to the point of beginning. Containing 11.90 Acres, more or less.

Basis of bearing for the above description is the Park City Monuments at the intersections of Park Avenue and 9th Street and Park Avenue and 9th Street whose bearing is South 23°38' East.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: that the undersigned owner of the herein described tract of land to be known hereafter as the TREASURE HILL SUBDIVISION, PHASE 4, does hereby certify that he has caused this plat to be prepared, and that he does consent to the recordation of this plat.

ALSO, the owner or its representative hereby irrevocably offers for dedication to the City of Park City all the lots shown on this plat and not subject to drainage or other easements in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this _____ day of _____, 2003.

SWEENEY LAND COMPANY, a Utah general partnership

_____
Patrick J. Sweeney, Managing General Partner, SWEENEY LAND COMPANY

ACKNOWLEDGMENT

STATE OF _____)
:ss
COUNTY OF _____)

On this _____ day of _____, 2003, Patrick J. Sweeney personally appeared before me, the undersigned Notary Public, in and for said State and County, having been duly sworn, Patrick J. Sweeney acknowledged to me that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said Patrick J. Sweeney acknowledged to me that said partnership executed the same.

_____
Notary Public
My commission expires _____

NOTES TO PURCHASER

1. FOOTPRINT. The residence footprint of the dwelling (Main House) to be located on Lot 12, Phase IV, Treasure Hill Subdivision (the "Lot") shall be calculated from the outside face of walls, subject to the measuring requirements of Note 5 and a maximum of three thousand five hundred (3,500) square feet including garages, unless otherwise excluded as provided herein. The following shall not count toward the said limit on volume:
   a. Decks which are at least two feet, but which may have railings as required, covered or uncovered, and which does not have above ground living space;
   b. Exterior walkways;
   c. Exterior stairs;
   d. Driveways; and
   e. That portion of any garage, mechanical space, or living space that is located below existing natural grade and which has landscaping or decks as provided for that desired space.
   (1) A footprint up to seven hundred (1,500) square feet for an outbuilding attached or detached residence, further provided such residence space is used only for a caretaker's house or guest house and to be sold or leased separately from the Main House, and provided that the height of such outbuilding shall not exceed forty (30) feet, measured from an average grade, including all elements other than chimneys, machines of earthquake and sanitary sewer vents, grade shall not exceed twenty (20) feet.

2. VISIBILITY. The residence shall be secured and screened by existing vegetation and the necessary new vegetation, so as to be substantially invisible from the nearest District.

3. BUILDING AREA LIMITS. Improvements including fences and barns shall be only within the Building Area Limits, unless otherwise permitted under easements or agreements of record or as shown on the Plat or as conditioned with construction drawings approved by the City of Park City ("City") for the driveway and utilities ("Drawings"). Land to be sold to the Building Area Limits is shown on the Plat.

4. BUILDING AREA CONSTRUCTION DISTURBANCE. Temporary construction disturbance associated with construction of the residence, including the driveway, and utilities as shown on the Drawings, shall be limited to the Building Area Limits. Such disturbed area shall be fully regraded and re-native landscaping and a guarantee for the Lot of revegetation shall be posted with the City at the time of building permit issuance. The disturbed area shall be used for construction staging activities in the Town Lift Easements referenced in Note 10 below.

5. HEIGHT. The Main House height shall be measured from existing natural grade. The maximum height shall be twenty five (25) feet for roofs and roof elements that generally are pitched to existing natural grade and thirty (30) feet for roof ridges that are generally oriented in the horizontal plane (extended due to energy efficiency and for example, dormers). Such perpendicularly oriented roof planes received above twenty five (25) feet height shall comprise less than 25 percent of the roof plan. The Planning Commission may, during the Conditional Use approval process, grant height exceptions up to a maximum height of thirty three (33) feet for pitched roofs for the expressed purpose of accommodating increased ceiling heights and/or elevators between floor levels.

6. MASSING. Designs may be comprised of one or more connected or unconnected building masses. No one building mass within the 1,500 square foot footprint referred to in Note 1 shall have a footprint that exceeds 2,000 square feet. Massing elements shall be separated by horizontal or vertical facade breaks. This requirement shall be interpreted to mean that there will be significant variation of roof heights and wall faces for the different building elements.

7. ACCESS. The Lot shall be accessed by a minimum of a twelve foot (12) wide driveway as shown on the Drawings.

8. UTILITIES. Utilities (water, sewer, phone, cable and power) shall be generated from their respective sources with the exception that power may come from the Town Maintenance and replacement of the sewer lateral shall be the responsibility of the owner of the Lot and not that of the Snyderville Basin Water Reclamation District ("SBWRD") unless otherwise approved by SBWRD.

9. FIRE PROTECTION PLAN. Residential fire sprinkling and/or other fire safety features shall be required at the recommendation of the Chief Building Official at the time of Building permit issuance. Wood roofing materials shall be prohibited.

10. EASEMENTS. This Lot is subject to the Town Lift Easements as recorded in Book 1228, Page 213, in the office of the Summit County Recorder, Summit County, Utah and the Sweeney Properties Master Plan ("SPMP"). These lots are subject to utility easements as shown on Sheets 1, 2 and 3 of the SPMP.

11. ACCESS AND UTILITIES AGREEMENT. This Lot is subject to that certain agreement as recorded in Book _____, Page _____, in the office of the Summit County Recorder, Summit County, Utah.

12. PRECEDENCE. The above special restrictions are covenants of and consistent with the SPMP approved by the Park City Council on October 16, 1986, and as subsequently amended on October 14, 1987, December 10, 1987 and November 7, 1996. Fire hydrant height shall be removed in accordance with the Conditional Use Code, and in accordance with the SPMP. No property shall not be further subdivided.

RECORD OF SURVEY MAP
TREASURE HILL SUBDIVISION PHASE 4

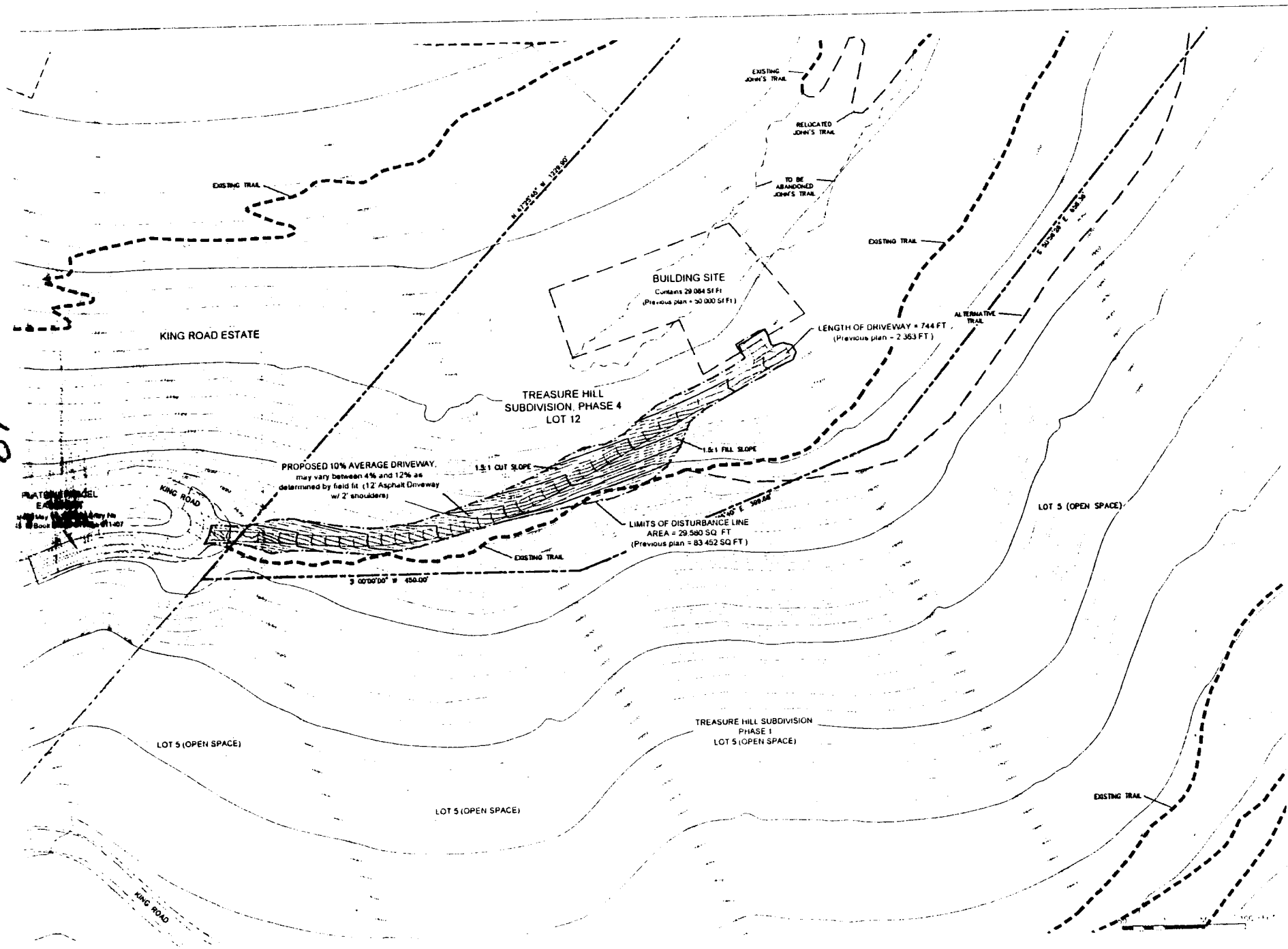
A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

PAGE 1 OF 1

ENGINEERING INC.	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS THIS _____ DAY OF _____, 2003 A.D. BY _____ SBWRD	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2003 A.D. BY _____ CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2003 A.D. BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 2003 A.D. BY _____ PARK CITY ATTORNEY	CERTIFICATE OF ATTEST: I FIND THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2003 A.D. BY _____ PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2003 A.D. BY _____ MAYOR	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ BOOK _____ PAGE _____ FEE _____ RECORDER

EXHIBIT

68



CHECKED
6-3-03

DRIVEWAY GRADING PLAN

TREASURE HILL PHASE 4

Proposed By SWEENEY LAND COMPANY

P.O. Box 2429
Park City, UT 84060
(435) 649-7077
(435) 649-6215 Fax

REVISED
JUNE, 2003

SDI
614 Main Street Suite 404
Post Office Box 4560 Park City, Utah 84060
435-649-4499

NORTH

SCALE
1" = 50'

SHEET NO

69

PARK CITY PLANNING COMMISSION
WORK SESSION NOTES
JANUARY 22, 2003

Present: Chair Chris Larson, Jim Barth, Bruce Erickson, Michael O'Hara, Bob Powers, Andrew Volkman, Rick Lewis, Patrick Putt, Kevin LoPiccolo, Ray Milliner, Brooks Robinson, Eric DeHaan

WORK SESSION ITEMS

445 King Road - Application to rezone an MPD-ROS parcel to MPD-Estate
445 King Road - Application for Treasure Hill Subdivision, Phase IV

Planner Brooks Robinson explained that these two applications are part of the Sweeney Master Plan Phase IV. The MPD restricted the lot to a single-family home no greater than 3,500 square feet with a maximum building height of 25 feet and a maximum lot size of .5 acre. The properties were rezoned to ROS at the time of the MPD with the understanding that each development parcel would receive an appropriate zoning designation when it was developed. The applicant is requesting a single lot of record with one building pad and is trying to obtain access off the upper switchback of King Road. Based on previous discussions with other properties in the area regarding dedication of open space, the Staff believed the remaining 11.4 acres of the parcel should remain as an open space parcel.

Pat Sweeney, the applicant, stated that the intent was to create a lot that would accommodate a house similar to the one across from this parcel in a location that would not be easily seen from the Historic District. He recalled that Treasure Hill Phase I was platted in .5-acre lots with metes and bounds open space easements granted to the City for the balance of each property. That would be the intent for Phase IV, with a similar easement being reserved for Sweeney Land Company to prevent any change in the master plan, and the properties also being under easement to Park City Mountain Resort for skiing. He stated that discussions regarding an easement off of the upper switchback seemed to be progressing well.

Chair Larson stated that he believed the access from King Road through Mr. Luber's parcel would be key to the success of this project. He also believed the visual analysis from McHenry Avenue would be important and recalled that the MPD indicates that the structure will not be visible from anywhere in the Historic District. He stated that he would not have a problem with the 25-foot height as long as it is not visually intrusive. He asked if utilities would come through 555 King Road. Planner Robinson replied that the utilities would go up the ski run, and he did not believe the other parties involved were interested in bringing the utilities off of King Road. Chair Larson stated that he would want to see any modification to the trails system that might occur as part of this project. Planner Robinson explained that part of John's Trail would have to be re-routed, and the Mining Company has already platted that re-routing. Chair Larson verified with the Staff that there would be no impact on the historic towers in the area.

Commissioner Erickson stated that, with the open space easement to the City, he would be comfortable with the proposal. He believed either the 20-foot or 25-foot height would be acceptable so long as the structure is not visually intrusive. He stated that he had no problem with the upper switchback access.

Commissioner Volkman asked why it would not be preferable to have two separate parcels, with one parcel being deeded open space. City Engineer Eric DeHaan explained that when parcels are platted separately, they are recorded as separate lots in Summit County. After five years of non-payment of property taxes, the lot can be sold at tax sale, which causes a large number of Realtors to come to the Staff to ask why nothing can be done on the vacant lot. He explained that there is an advantage to platting a larger parcel with the house on the parcel to provide enough tax value to avoid a Sheriff's sale.

Request to amend the Deer Valley Master Plan to create an additional single family lot in the North Silver Lake area

Planner Kevin LoPiccolo explained that the City has not received an application for this request. Harrison Horn, who developed the North Silver Lake Lodge, is requesting that the Planning Commission consider subdivision of a vacant parcel across the street from the triplexes in Belle Arbor. The parcel is zoned RD with no assigned density.

Bob Wells, representing Deer Valley, explained that Mr. Horn wants to place the 54th unit of the North Silver Lake Lodge project on this parcel across the street from the development, and Deer Valley has agreed to work with the applicant. He recalled that North Silver Lake Lodge was approved by the Planning Commission for 53 units. He noted that the drawing submitted to the Planning Commission is a concept drawing only and does not include specifics. In the original Deer Valley MPD, North Silver Lake was designated as a single-family area and was zoned RD-MPD. In 1982 and 1986, the overall master plan for the Silver Lake area was modified, and no development has been shown on the east side of Silver Lake Drive since 1982. The zoning remains RD-MPD. Mr. Wells noted that the zoning would accommodate the additional unit. He believed it would make sense to clean up the zoning if this proposal moves forward to conform with the reality of the master plan.

Chair Larson commented that, in general, when density is allocated in the Deer Valley MPD, it is a use it or lose it situation. He verified with Mr. Wells that North Silver Lake Lodge was approved for 53 units with an option for 54 and that the 53 units could not be transferred without modifying the MPD.

Planner LoPiccolo recalled that when the Planning Commission approved North Silver Lake Lodge, it was approved for 53 units with the allowance of a 54th unit on site, and that unit was not intended to be transferrable. Jeff Graham, representing the applicant, stated

9. The CUP shall expire one year from the date of Planning Commission approval unless the conditional use has commenced on the property or been extended in accordance with the Land Management Code.
10. CC&R's relating to the affordable housing unit shall be reviewed by the Park City Legal Department.

3. 445 King Road - Application to rezone an MPD-ROS parcel to MPD-Estate

4. 445 King Road - Application for Treasure Hill Subdivision, Phase IV

The Planning Commission discussed this item during work session.

Planner Robinson presented the staff report for a subdivision for a single lot of record and a request for a zone change from MPD-ROS to MPD-Estate. He noted that, during the work session, the Planning Commission requested additional information from the applicant, including a visual analysis, particularly from McHenry Avenue. The applicant is working with the owner of 555 King Road to resolve access issues related to access from the upper switchback of King Road. He stated that the Planning Commission agreed with the zone height of 25 feet or 30 feet for a pitched roof.

Chair Larson recalled that the Planning Commissioners agreed to a 25-foot height and stated that he believed 25 feet should be the absolute height limit.

Planner Robinson reported that the Commissioners were interested in clarification of trails that might be affected. A discussion of open space was held with the City Engineer, and it was suggested that creating one lot of record with easements to the City would be acceptable. Planner Robinson suggested further defining the building pad. Staff recommended continuing the public hearing until February 12, at which time Staff would preparing findings for action.

Chair Larson opened the public hearing.

There was no comment.

Chair Larson closed the public hearing.

MOTION: Commissioner Powers moved to CONTINUE the 445 King Road rezone and subdivision to February 12, 2003. Commissioner Volkman seconded the motion.

VOTE: The motion passed unanimously.

Notary Public
My commission expires:_____

NOTES TO PURCHASER

1. *FOOTPRINT*. The residential footprint of the dwelling "Main House" to be located on Lot 12, Phase IV Treasure Hill Subdivision (the "Lot"), shall be calculated from the outside face of walls, subject to the massing requirements of Note 6, and a maximum of three thousand five hundred (3,500) square feet including garages, unless otherwise excluded as provided below. The following shall not count toward the foot print calculations

(a) Deck which is open on at least two sides, but which may have railings as required, covered or uncovered, and which does not have above existing natural grade garage or living space located below or above it;

(b) Exterior walkways;

(c) Exterior stairs;

(d) Driveway; and

(e) That portion of any garage, 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.

(f) A footprint for up to fifteen hundred (1500) square feet for an additional attached or detached residence, further provided such residential space is used only for a caretaker's house or guest house (not to be sold or leased separate from the Main House) and provided that the height of such additional structure from existing natural grade shall not exceed twenty (20) feet, measured from existing natural grade, including all elements other than chimneys, mechanical exhausts, and sanitary sewer vents

2. *VISIBILITY*. The residence shall be located and screened by existing vegetation and if necessary new vegetation, so as to be substantially invisible from the Historic District.

3. *BUILDING AREA LIMITS*. Improvements, including fences and formal landscaping (unless otherwise permitted under easements or agreements of record or as shown on this Plat or as consistent with construction drawings approved by the city of Park City ("City") for the driveway, and utilities ("Drawings")) shall be limited to the Building Area Limits noted on this Plat.

4. *BUILDING AREA CONSTRUCTION DISTURBANCE*. Temporary construction disturbance associated with construction of the residence, excluding the driveway, and utilities as shown on the Drawings, shall be limited to the Building Area Limits. Such disturbed area shall be revegetated with native landscaping, and a guarantee for the cost of revegetation shall be posted with the City at the time of building permit issuance. The adjacent ski trails may be used for construction staging subject to the Town Lift Easements referenced in Note 10 below.

5. *HEIGHT*. The Main House height shall be measured from existing natural grade. The maximum height shall be twenty-five (25) feet for roofs and roof elements that generally are parallel to existing natural grade and thirty (30) feet for roof ridges that are generally oriented (in the horizontal plane) perpendicular to existing contour lines for example, dormers. Such perpendicularly oriented roof portions located above twenty five (25) feet height shall comprise less than 20 percent of the roof plan. The Planning Commission may during the Conditional Use approval process, grant height exceptions up to a maximum height of thirty-three (33) feet for pitched roofs for the expressed propose of accommodating access, i.e. stairwells and/or elevators between floor levels

6. *MASSING*. Designs may be comprised of one or more connected or unconnected building masses. No one building mass within the 3,500 square foot footprint (referre to in Note 1) shall have a footprint that exceeds 2,000 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks. This requirement sha be interpreted to mean that there will be significant variation of roof heights and wall faces for the different building elements

7. *ACCESS*. The Lot shall be accessed by a minimum of a twelve foot (12) wide driveway as shown on the Drawings

8. *UTILITIES*. Utilities (water, sewer, phone, cable, and power) shall be extended from from Woodside Avenue with the exception that power may come from the North Maintenance and replacement of the sewer lateral shall be the responsibility of the owner of the Lot and not that of the Snyderville Basin Water Reclamation District ("SBWRD") unless otherwise approved by SBWRD.

9. *FIRE PROTECTION PLAN*. Residential fire sprinkling and/or other safety features shall be required at the determination of the Chief Building Official at the time of building permit issuance. Wood roofing materials shall be prohibited.

10. *EASEMENTS*. This Lot is subject to the Town Lift Easements as recorded in Book 1228, Page 213, in the office of the Summit County Recorder, Summit County, Uta and the Sweeney Properties Master Plan ("SPMP"). These lots are subject to ski / pedestrian easements as shown on Sheets 1, 2, and 4 through 9 of the SPMP

11. *ACCESS AND UTILITIES AGREEMENT*. This Lot is subject to that certain agreement as recorded in Book _____, Page _____ in the office of the Summit Count Recorder, Summit County, Utah

12. *PRECEDENCE*. The above special restrictions are covenants of and consistent with the SPMP approved by the Park City Council on October 16, 1986, and as subsequently amended on October 14, 1987; December 30, 1992; and November 7, 1996. Final house design shall be reviewed under the Conditional Use Process in accordance with the SPMP. This property shall not be further subdivided.

RECORD OF SURVEY MAP

SURE HILL SUBDIVISIO
PHASE 4

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

EXHIBIT C

initial envisioned. The average building height for the Town Lift site is less than 25' with over 85% of the building volume fitting within a 35' height envelope. Parking will be provided within enclosed structures, accessed via a private road originating from the Empire-Lowell switchback. The closest neighboring residence is currently located in excess of 200 feet away.

The Creole Gulch site is comprised of 7.75 acres and situated basically south of the Empire-Lowell switchback at approximately 8th Street. The majority of the property is currently zoned Estate (E). A total of 161.5 residential unit equivalents are proposed. In addition, 15.5 unit equivalents of support commercial space is included as part of the Master Plan. Average building heights are proposed to be less than 45' with a maximum of 95' for the highest point. As conceptually proposed, in excess of 80% of the building volume is within a 75' height envelope measured from existing grade. It is expected that the Creole Gulch site will be subdivided into specific development parcels at some future date. Parking is accessed directly from the Empire-Lowell switchback and will be provided within multi-level enclosed structures. Depending upon the character of development and unit configuration/mix proposed at conditional use approval, the actual numbers of parking spaces necessary could vary substantially. Buildings have been set back from the adjacent road approximately 100' and a comparable distance to the nearest adjoining residence.

Miscellaneous Properties

In addition to the development areas described above, the proposed Master Plan identifies three distinct single-family lots; one of which is located above Hillside Avenue adjacent to and north of platted 5th Street, a second to be accessed from Upper Norfolk, and a third lot to be situated up on top of Treasure Mountain (possible future access predicated on United Park City Mines Company's plans for development off of King Road). Development would be restricted to single-family homes with no greater than 3500 square foot footprints and maximum building heights of 25 feet.

VI. MAJOR ISSUES

Many concerns were raised and issues identified through the review process. A project of this scale and complexity would pose similar and considerable consternation no matter where it was proposed to be built. Because this particular site is located both within and adjacent to the Historic District, many of the concerns expressed related to the more subjective kinds of considerations. The Master Planned Development procedure attempts to deal with the general concept of the proposed development and defer or relegate the very detailed project review elements to the conditional use stage of review. At conditional use review, the following issues will be examined in considerable detail with technical solutions sought.

Comprehensive Plan - The city's Comprehensive Master Plan identifies the Hillside property as a key scenic area and recommends that development be limited to the lower portions of the mountain. The existing HR-1 ground included in the Sweeney Master Plan is shown as being retained for residential use similar to the existing pattern of development. The Coalition West site is also recommended for Historic Residential use with the East parcels included within a Historic Commercial area. The proposed Sweeney

EXHIBIT D

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roperties MPD is in conformance with the land use designations outlined in the Park City Comprehensive Master Plan.

Scale - The overall scale and massiveness of the project has been of primary concern. Located within the Historic District, it is important for project designed to be compatible with the scale already established. The cluster concept for development of the hillside area, while minimizing the impacts in other areas, does result in additional scale considerations. The focus or thrust of the review process has been to examine different ways of accommodating the development of the property while being mindful of and sensitive to the surrounding neighborhood. The relocation of density from the Town Lift site was partly in response to this issue. The concentration of density into the Creole Gulch area, which because of its topography and the substantial mountain backdrop which helps alleviate some of the concern, and the requested height variation necessary in order to reduce the mass perceived (higher versus lower and wider), have greatly improved the overall scale of the cluster approach. The sites along Park Avenue have been conceptually planned to minimize scale and have provided stepped facades and smaller-scale buildings to serve as a transition.

Zoning - Currently, the land involved in the proposed MPD is comprised of three (actually four) distinct zoning designations. The Coalition East parcel is currently zoned Historic Recreation Commercial (HRC) although it was zoned (and is therefore, technically "grandfathered" or vested) Historic Commercial Business at the time the application was submitted. The West site is also now zoned HRC. The Hillside Properties (i.e: Town Lift Mid-Station and Creole Gulch sites) are zoned Historic Residential (HR-1) and Estate (E). The Carr-Sheen, MPE, and two of the three single-family lots are all zoned HR-1 as well. The single-family lot adjacent to property owned by United Park City Mines is zoned Estate.

The current zoning will basically remain unaltered as a result of the proposed Master Plan except that over 110 acres of the mountain will be rezoned to Recreation Open Space (ROS), and the hillside properties will be designated as being subject to a Master Planned Development document/approval (i.e: E/HR1-MPD).

Neighborhood Compatibility - In reviewing the general compatibility of a project of this scale, an evaluation of possible alternative approaches was undertaken. In light of those other development concepts and associated impacts, the proposed clustering approach was deemed the most compatible. Rather than spread the density out and thereby impact the entire old town area, the cluster concept afforded the ability to limit the impacts to smaller areas. Efforts to minimize scale have been directed toward this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space. The non-hillside project sites have also been planned in accordance with both the Historic District guidelines and in keeping with the scale of existing residences. The long build-out period envisioned will also enable a more detailed review at the time when specific project proposals are developed. A number of the staff's recommended conditions are directed toward minimizing the potential conflicts related to neighborhood compatibility considerations.

Ordinance No.

AN ORDINANCE APPROVING A SINGLE LOT SUBDIVISION AT 445 KING ROAD, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 445 King Road have petitioned the City Council for approval of the Subdivision plat; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on July 23, 2003, to receive input on the subdivision;

WHEREAS, the Planning Commission, on July 23, 2003, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 31, 2003, the City Council held a public hearing and approved the subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the subdivision.

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

SECTION 1. APPROVAL. The subdivision as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 445 King Road and is known as lot 12 of the Treasure Hill Subdivision Phase 4, part of the Sweeney Properties Master Plan. The property is currently zoned Recreation Open Space - RD-MPD with a request for zone change pending. The property is vacant.
2. The Sweeney Properties Master Plan (SPMP) was approved by the City Council on October 16, 1986 and amended on October 14, 1987, December 30, 1992, and November 7, 1996.
3. One lot of record will be created with the subdivision.
4. The Treasure Hill Subdivision Phase 4 plat includes plat notes regarding building footprint, heights, setbacks, massing, building pad footprints, limits of disturbance, access, re-vegetation, utilities, and fire protection.
5. Utilities are available to sustain the anticipated property uses. Utilities will generally tie into Woodside Avenue, follow the Quittin' Time ski run in its lower extent and connect to the Building Pad along a future ski run to the Payday area.

6. The Chief Fire Marshall has reviewed the Fire Protection Plan and has conceptually approved it.
7. A financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
8. The Planning Commission held a public hearing on July 23, 2003 and forwarded a positive recommendation to the City Council.

Conclusions of Law:

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

Conditions of Approval:

1. The Conditions of Approval for the Sweeney Properties Master Planned Development remain in full force and effect.
2. The design of the Main House and any Guest House will follow the Conditional Use Permit process in accordance with the Sweeney Properties Master Plan (SPMP).
3. All standard project conditions shall apply.
4. The Building Pad is 29,084 square feet in which all construction activity must take place, excepting the driveway and utility construction.
5. The Main House footprint is limited to 3500 square feet. A single caretaker's or guest house may have a footprint up to 1500 square feet.
6. The Height of the Main House is 25 feet measured from natural grade for ridges that run parallel to the natural contours and 30 feet from natural grade for ridges perpendicular to the existing contours. Such perpendicular ridges may not comprise more than 20 percent of the roof plan. The Guest House may not exceed 20 feet from natural grade in height.
7. All trails, as indicated on the Treasure Hill subdivision plat, which have not yet been constructed and approved, shall be completed prior to issuance of a certificate of occupancy for the residences. Relocation of said trails shall be reviewed and approved by City Staff.
8. The applicant must record an Open Space Easement, or other instrument of record, for that area outside of the Building Pad to forever preserve the natural state. Ski runs and those public trails dedicated on this plat may be allowed in this open space.
9. The City Engineer shall review and approve appropriate grading, utility, public improvements and drainage plans for compliance with City standards as a condition precedent to permit issuance.
10. Final details of the Fire Protection plan are required to be approved prior to

plat recordation.

11. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans.
12. A financial guarantee, for the value of all public improvements, landscaping, re-vegetation, and trails to be completed, shall be provided to the City prior to building permit issuance. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
13. Re-vegetation of the disturbed areas, including utility installation areas, shall be done with native species acceptable to the Planning Department Landscape Architect.
14. 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 year's time, this approval and the plat will be void.

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

PASSED AND ADOPTED this 31st day of July, 2003.

PARK CITY MUNICIPAL CORPORATION

_____

Dana Williams, MAYOR

ATTEST:

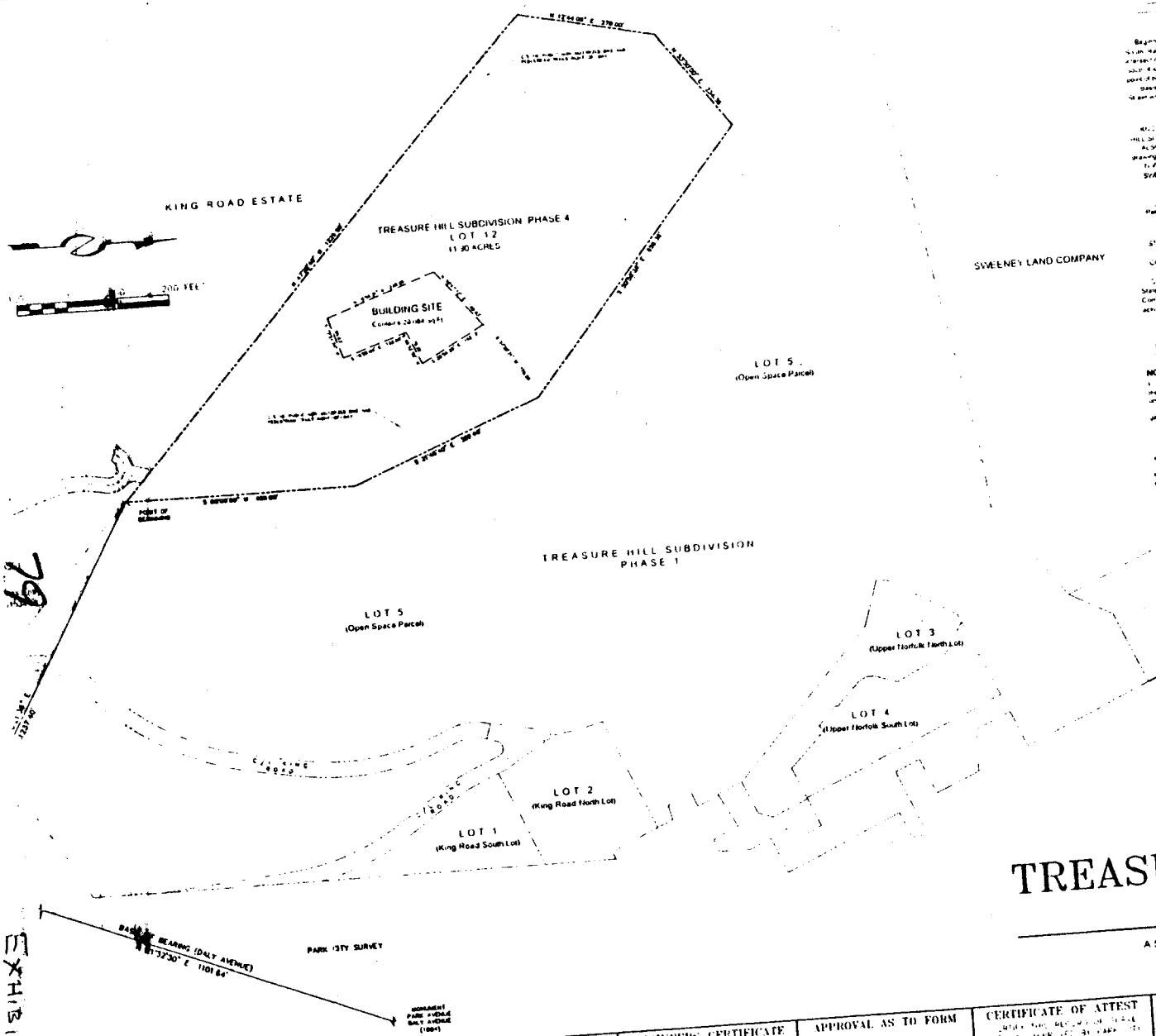
_____

Jan Scott, City Recorder

APPROVED AS TO FORM:

_____

Mark Harrington, City Attorney



BOUNDARY DESCRIPTION

OWNERS DEDICATION AND CONSENT TO RECORD

ACKNOWLEDGMENT

NOTES TO PURCHASER

RECORD OF SURVEY MAP
TREASURE HILL SUBDIVISION PHASE 4

A SUBDIVISION LOCATED IN SECTION 18, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN, PARK CITY, SUMMIT COUNTY, UTAH

PAGE 1 OF 1

ENGINEERING INC	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED

79

Ordinance No.

AN ORDINANCE APPROVING A ZONE CHANGE FROM RECREATIONAL OPEN SPACE (ROS) TO ESTATE (E) AT 445 KING ROAD, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 445 King Road have petitioned the City Council for approval of the zone change; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on July 23, 2003, to receive input on the zone change;

WHEREAS, the Planning Commission, on July 23, 2003, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 31, 2003, the City Council held a public hearing and approved the zone change; and

WHEREAS, it is in the best interest of Park City, Utah to approve the zone change.

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

SECTION 1. APPROVAL. The zone change on the lot as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 445 King Road and is known as lot 12 of the Treasure Hill Subdivision Phase 4, part of the Sweeney Properties Master Plan.
2. The property is currently zoned Recreation Open Space - ROS-MPD. The 11.9 acre property is unimproved.
3. The Sweeney Properties Master Plan (SPMP) was approved by the City Council on October 16, 1986 and amended on October 14, 1987, December 30, 1992, and November 7, 1996.
4. The underlying zoning of the Hillside Parcels, including this one, at the time of MPD approval was Estate.
5. The SPMP approval designated this development parcel as being subject to Estate-MPD approval.
6. The purpose of the Estate zone is to allow very low density, environmentally sensitive residential development which preserves ridge tops, meadows, and

visible hillsides, preserves large, cohesive, unbroken Areas of Open Space and undeveloped land, preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development, mitigates geologic and flood hazards, protects views along the City's entry corridors, and decreases fire risk by keeping Development out of sensitive wild land interface Areas, incorporates pedestrian trail linkages between and through neighborhoods; and encourages comprehensive, efficient, Compatible Development which results in distinct and cohesive neighborhoods through application of the Sensitive Lands Ordinance.

7. The entire lot will be zoned Estate. The area outside of the Building Pad will be subject to a Conservation or Open Space Easement.
8. The Planning Commission held a public hearing on July 23, 2003 and forwarded a positive recommendation to the City Council.

Conclusions of Law:

1. The development of this lot is consistent with the E District purpose statements.
2. The change from ROS to E-MPD Zoning is consistent with the Park City General Plan and the Sweeney Properties Master Plan.
3. The rezone from ROS to E is in the best interest of the community.

Conditions of Approval:

1. This zone change is contingent upon the recordation of the plat approved concurrently herein.

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

PASSED AND ADOPTED this 31st day of July, 2003.

PARK CITY MUNICIPAL CORPORATION

_____

Dana Williams, MAYOR

ATTEST:

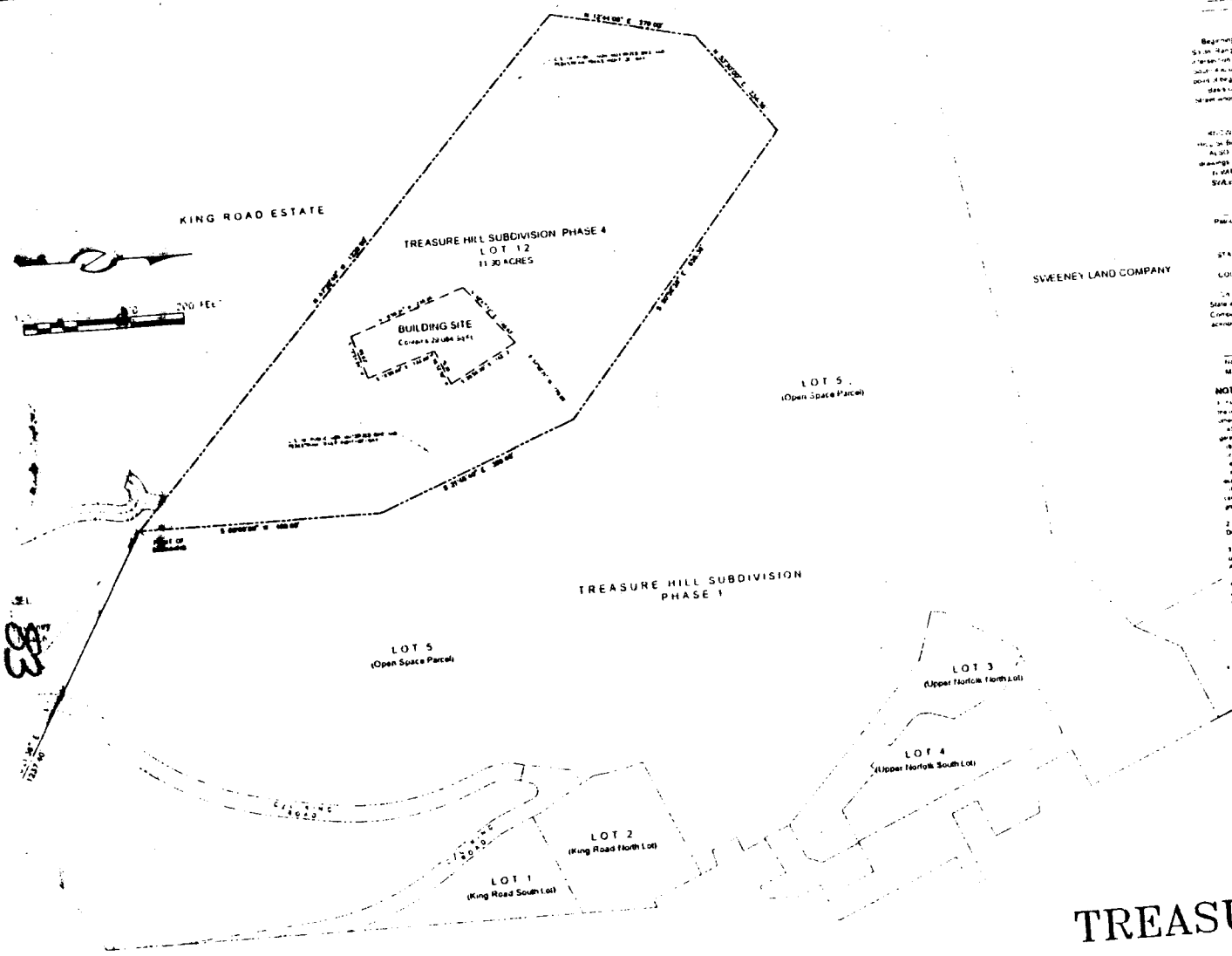
_____

Jan Scott, City Recorder

APPROVED AS TO FORM:

_____

Mark Harrington, City Attorney



SURVEYOR'S CERTIFICATE

BOUNDARY DESCRIPTION

OWNERS DEDICATION AND CONSENT TO RECORD

ACKNOWLEDGEMENT

NOTES TO PURCHASER

RECORD OF SURVEY MAP
TREASURE HILL SUBDIVISION PHASE 4

A SUBDIVISION LOCATED IN SECTION 18 TOWNSHIP 2 SOUTH RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN PARK CITY SUMMIT COUNTY UTAH

PAGE 1 OF 1

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED

Ordinance No. 09-18

AN ORDINANCE APPROVING THE FIRST AMENDED TREASURE HILL SUBDIVISION PHASE 3, LOCATED AT 445 KING ROAD, PARK CITY, UTAH

WHEREAS, the owners of the property known as 445 King Road, have petitioned the City Council for approval of the First Amended Treasure Hill Subdivision Phase 3; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2009, to receive input on the First Amended Treasure Hill Subdivision Phase 3;

WHEREAS, the Planning Commission, on May 13, 2009, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 28, 2009, the City Council held a public hearing on the First Amended Treasure Hill Subdivision Phase 3; and

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Treasure Hill Subdivision Phase 3.

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

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

Findings of Fact:

1. The proposed house is located in the E-MPD zoning district.
2. The City approved the Sweeney Master Planned Development on October 16, 1986.
3. The Sweeney Master Plan Approval document of 1986 identifies Miscellaneous Properties including, "...a third lot to be situated up on top of Treasure Mountain (possible future access predicated on United Park City Mines Company's plans for development off of King Road). Development would be restricted to single-family homes with no greater than 3500 square foot footprints and maximum building heights of 25 feet." Final house designs are required to be reviewed as Conditional Use Permits in accordance with the Sweeney Properties Master Plan.
4. The City Council approved the subdivision plat on July 31, 2003 to create one lot of record for this 11.9 acre metes and bounds parcel. On August 12, 2004 the Council approved a six-month extension to record the plat. The plat has subsequently been recorded.
5. The City received a complete application on March 4, 2009, to amend the platted Building Zone for the Treasure Hill Subdivision Phase 3 plat.
6. The Building Zone remains 29, 083.9 square feet.

7. The Building Footprint for the Main House can be up to 3,500 square feet with a Guest House an additional 1,500 square feet.
8. The Height restrictions for the Main House are 25 feet for ridges parallel to the existing contours and 30 feet for ridges perpendicular to the existing contours. These perpendicular ridges cannot comprise more than 20% of the total roof plan.
9. The property is located in a heavily wooded, remote environment that is prone to wildfire.
10. The Findings in the Analysis are incorporated herein.

Conclusions of Law:

1. There is good cause for this subdivision amendment.
2. The subdivision amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed subdivision amendment.
4. Approval of the subdivision 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 subdivision for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the subdivision at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. All previous Conditions of Approval of the Sweeney Properties Master Plan (Treasure Hill) continue to apply.
4. All previous Conditions of Approval of the 2003 plat approval continue to apply other than the location of the building zone.
5. Final house designs are required to be reviewed as Conditional Use Permits in accordance with the Sweeney Properties Master Plan.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

Janet M. Scott

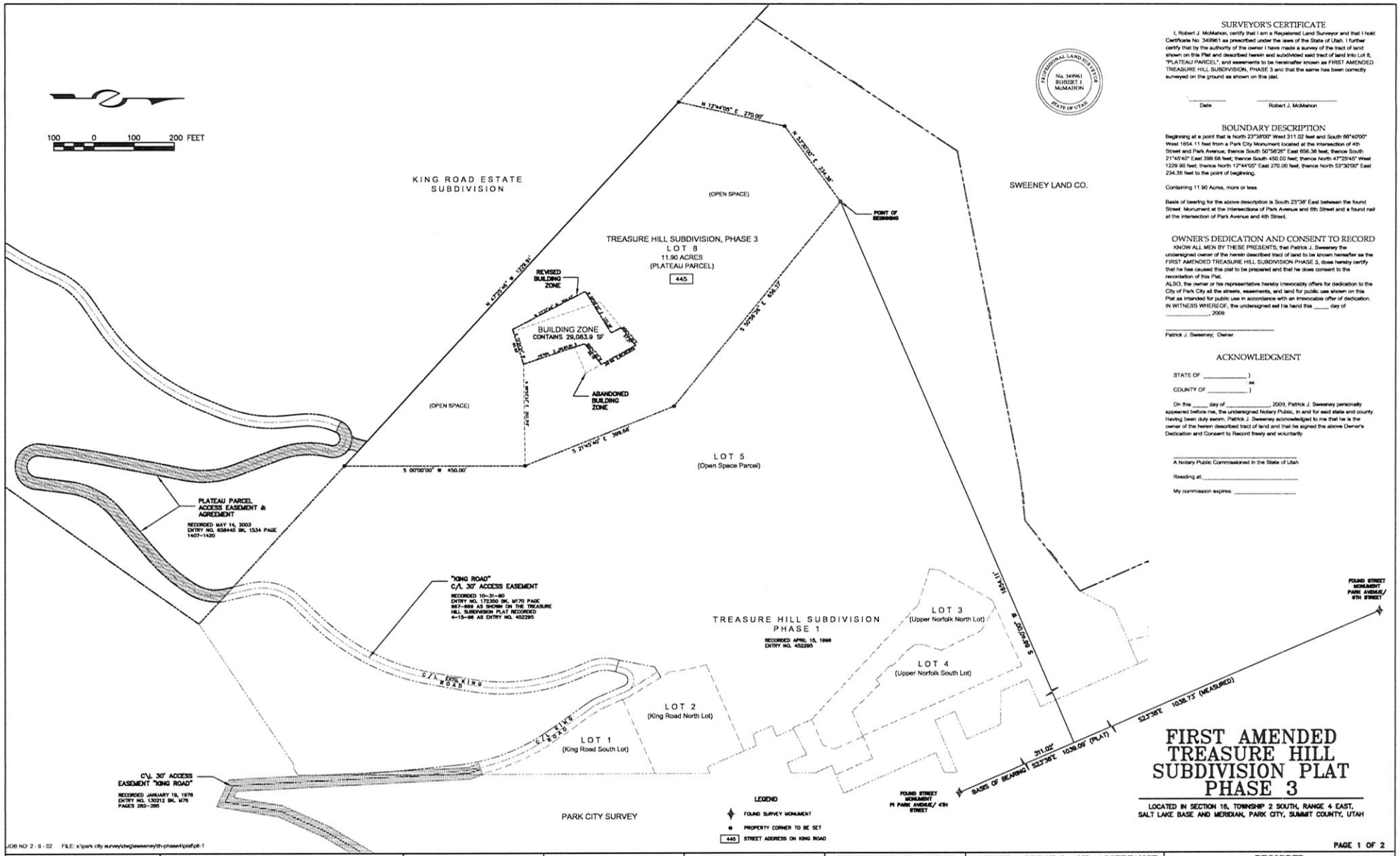
Janet M. Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Approved as to form:

Mark D. Harrington, City Attorney

Tom Daley Dep



JOB NO: 2 - 6 - 02 FILE: x:\park city survey\chg\sweeney\th-phase4\plat\plt-1

SURVEYOR'S CERTIFICATE

I, Robert J. McMahon, certify that I am a Registered Land Surveyor and that I hold Certificate No. 349961 as prescribed under the laws of the State of Utah. I further certify that by the authority of the owner I have made a survey of the tract of land shown on this Plat and described herein and subdivided said tract of land into Lot 8, "PLATEAU PARCEL", and easements to be hereinafter known as FIRST AMENDED TREASURE HILL SUBDIVISION, PHASE 3 and that the same has been correctly surveyed on the ground as shown on this plat.

_____ Date

_____ Robert J. McMahon

BOUNDARY DESCRIPTION

Beginning at a point that is North 23°38'00" West 311.02 feet and South 68°42'00" West 1654.11 feet from a Park City Monument located at the intersection of 4th Street and Park Avenue, thence South 50°56'26" East 656.36 feet; thence South 21°45'40" East 399.68 feet; thence South 450.00 feet; thence North 47°25'45" West 1229.90 feet; thence North 12°44'05" East 270.00 feet; thence North 53°30'00" East 234.36 feet to the point of beginning.

Containing 11.90 Acres, more or less.

Basis of bearing for the above description is South 23°38' East between the found Street Monument at the intersections of Park Avenue and 6th Street and a found nail at the intersection of Park Avenue and 4th Street.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS; that Patrick J. Sweeney the undersigned owner of the herein described tract of land to be known hereafter as the FIRST AMENDED TREASURE HILL SUBDIVISION PHASE 3, does hereby certify that he has caused this plat to be prepared and that he does consent to the recordation of this Plat.

ALSO, the owner or his representative hereby irrevocably offers for dedication to the City of Park City all the streets, easements, and land for public use shown on this Plat as intended for public use in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this _____ day of _____, 2009.

_____
Patrick J. Sweeney; Owner

ACKNOWLEDGMENT

STATE OF _____)
as
COUNTY OF _____)

On this _____ day of _____, 2009, Patrick J. Sweeney personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Patrick J. Sweeney acknowledged to me that he is the owner of the herein described tract of land and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily

_____
A Notary Public Commissioned in the State of Utah

Residing at: _____

My commission expires: _____

FIRST AMENDED TREASURE HILL SUBDIVISION PLAT PHASE 3

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

ALTA ENGINEERING INC.
CIVIL ENGINEERING • LAND PLANNING
SURVEYING • PROJECT MANAGEMENT
PO BOX 2864 PARK CITY, UTAH 84060 435-649-9191

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2009 A.D.

BY _____
S.B.W.R.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2009 A.D.

BY _____
CHAIRMAN

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2009 A.D.

BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM THIS _____ DAY OF _____, 2009 A.D.

BY _____
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2009 A.D.

BY _____
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2009 A.D.

BY _____
MAYOR

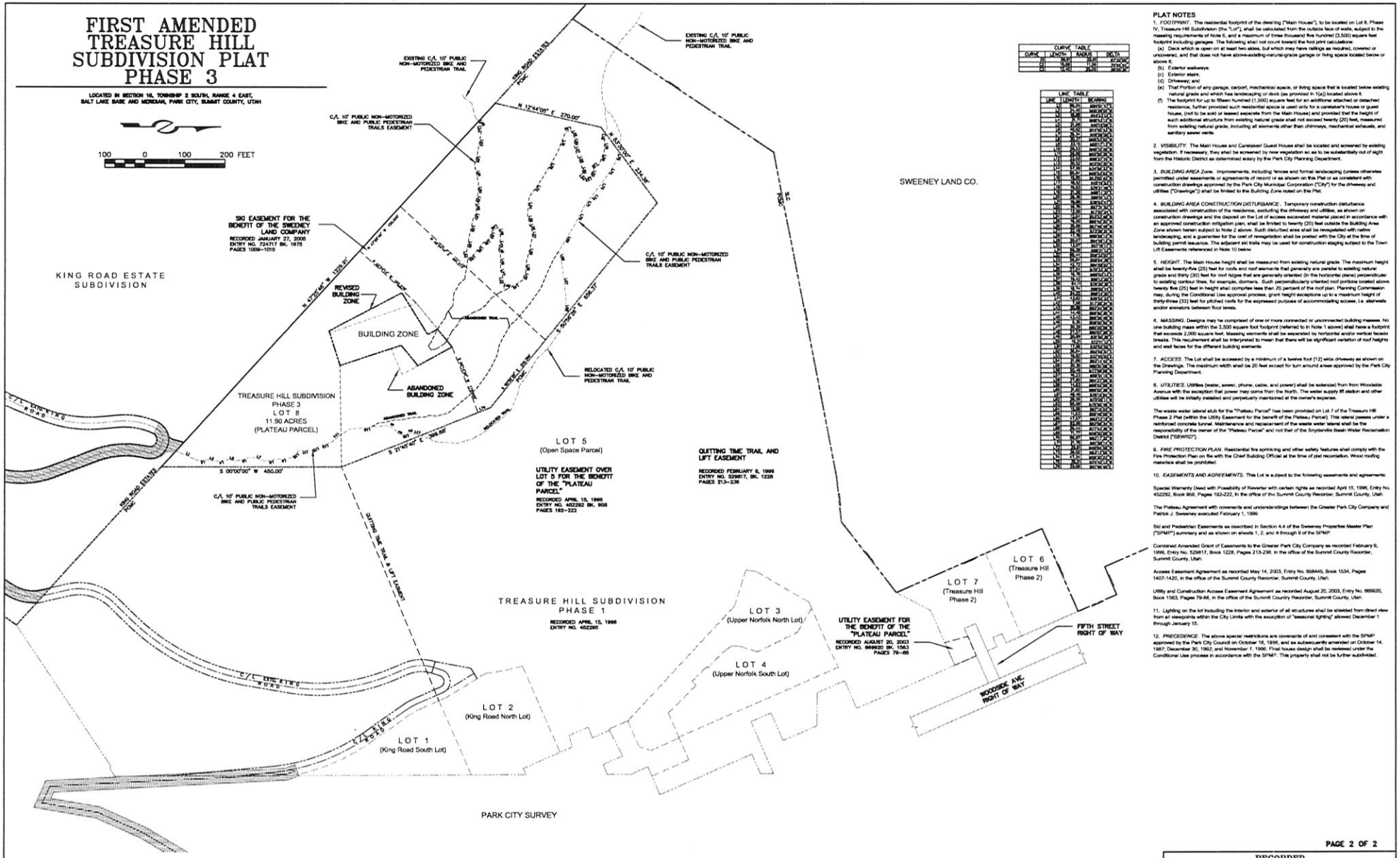
RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

_____ FEE _____ RECORDER

FIRST AMENDED TREASURE HILL SUBDIVISION PLAT PHASE 3

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



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	18.81	15.00	47°40'00"
C2	18.81	15.00	47°40'00"

LINE TABLE		
LINE	LENGTH	BEARING
L1	8.00	N88°00'00"E
L2	8.00	N88°00'00"E
L3	8.00	N88°00'00"E
L4	8.00	N88°00'00"E
L5	8.00	N88°00'00"E

Planning Commission
Staff Report

Subject:	**First Amended Treasure Hill Subdivision Plat Phase 3**
Author:	**Brooks T. Robinson**
Date:	**May 13, 2009**
Type of Item:	**Administrative – Plat Amendment**

PARK CITY 1884
PLANNING DEPARTMENT

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the First Amended Treasure Hill Subdivision Phase 3 plat 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.

Topic

Applicant	Pat Sweeney, owner
Location	445 King Road (lot 8, Treasure Hill subdivision)
Zoning	Estate (E) as part of the Treasure Hill Master Planned Development (MPD)
Adjacent Land Uses	Park City Mountain Resort, King Road Estate lot.

Background

On October 16, 1986 the Sweeney Master Planned Development was approved by the City. The Treasure Hill Phase I subdivision consisting of four building lots (two off of Upper Norfolk and two off of King Road) and one open space lot was recorded in April of 1996.

The Sweeney Master Plan Approval document of 1986 identifies Miscellaneous Properties including, "...a third lot to be situated up on top of Treasure Mountain (possible future access predicated on United Park City Mines Company's plans for development off of King Road). Development would be restricted to single-family homes with no greater than 3500 square foot footprints and maximum building heights of 25 feet." Final house designs are required to be reviewed as Conditional Use Permits in accordance with the Sweeney Properties Master Plan.

The City Council approved the subdivision plat on July 31, 2003 to create one lot of record for this 11.9 acre metes and bounds parcel. On August 12, 2004 the Council approved a six-month extension to record the plat. The plat has subsequently been recorded.

On June 22, 2005, the Planning Commission held a public hearing and approved a Conditional Use Permit (CUP) for construction of a single family house on this lot in accordance with the Sweeney Properties Master Plan. The CUP had an expiration of

one year from the date of approval to institute the use. Although utility installation and some grading have occurred, no building permit or construction of the house has taken place and the CUP for the house has expired.

On March 4, 2009, the City received a completed application for an amendment to the approved plat to shift the platted Building Zone, while maintaining the same square footage. A Conditional Use Permit for construction of a single family home in accordance with the Sweeney Properties Master Plan is being heard concurrently with this application.

Analysis

The approved plat shows a Building Zone of 29,083.9 square feet. The proposed amended plat has the same square footage but shifts the Building Zone in several areas while keeping the bulk of the existing Building Zone intact. The current Building Zone is "L" shaped with the long side running east to west and the short side on the west end running north. The proposed shift maintains the east and most of the north lines while angling the south line further to the south by approximately 40 feet at its western point. The northwest corner remains the same. No significant vegetation or changes in grade are affected by the proposed change in the building pad location.

Note 2 on the plat states that all 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 construction drawings approved by the City for the driveway and utilities) shall be limited to the Building Zone noted on the plat.

The approved plat has 12 Notes that address Building Footprint, Height, Limits of Disturbance, Visibility, and Massing among others. These Notes are substantially the same as were approved on Treasure Hill Phase II (the four lots on Upper Norfolk and King Road). A plat note on lighting was added to the amended plat that requires all interior and exterior lighting to be shielded from all viewpoints in the City with an exception for seasonal lighting from December 1 to January 15. Otherwise, there was no change to the Plat Notes.

The zoning for the subdivision is Estate subject to the following criteria:

	Permitted/Existing Plat	Proposed
Building Pad	29,083.9 square feet	29,083.9 square feet
Footprint	3,500 square feet plus 1,500 for a Guest house	3,500 square feet plus 1,500 for a Guest house
Height	25 feet for ridges parallel to the existing contours and 30 feet for ridges perpendicular to the existing contours. These perpendicular ridges cannot comprise more than 20% of the total roof plan	Same as Permitted/Existing

House size	Limited by Footprint and Height requirements	Unknown at this time
Front setback	25' on all sides	Building Pad is 80 feet from closest property line.
Parking	Two spaces required	2 required for the single family house

Staff finds good cause for this subdivision amendment as the Building Pad remains the same size and substantially in the same location. No other changes are proposed to the approved plat.

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. Legal notice was also put in the Park Record.

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

Future Process
The approval of this subdivision application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. Staff review of a Building Permit is not publicly noticed nor subject to review by the Planning Commission unless appealed. Final house designs are required to be reviewed as Conditional Use Permits in accordance with the Sweeney Properties Master Plan.

Alternatives
- The Planning Commission may forward a positive recommendation to the City Council for the First Amended Treasure Hill Subdivision Phase 3 plat as conditioned or amended, or
- The Planning Commission may forward a negative recommendation to the City Council for the First Amended Treasure Hill Subdivision Phase 3 plat and direct staff to make Findings for this decision, or
- The Planning Commission may continue the discussion on the First Amended Treasure Hill Subdivision Phase 3 plat.

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

Consequences of not taking the Suggested Recommendation
The property would remain a metes and bounds parcel and no structure could be built upon it as the City requires new buildings to be on legal lots of record.

Recommendation
Staff recommends the Planning Commission hold a public hearing for the First Amended Treasure Hill Subdivision Phase 3 plat and forward 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 – Ordinance with plat
Exhibit B – Excerpt from Sweeney Master Plan
Exhibit C – Copy of prior plat approval ordinance.

AN ORDINANCE APPROVING THE FIRST AMENDED TREASURE HILL SUBDIVISION PHASE 3, LOCATED AT 445 KING ROAD, PARK CITY, UTAH.

WHEREAS, the owners of the property known as 445 King Road, have petitioned the City Council for approval of the First Amended Treasure Hill Subdivision Phase 3; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2009, to receive input on the First Amended Treasure Hill Subdivision Phase 3;

WHEREAS, the Planning Commission, on May 13, 2009, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 28, 2009, the City Council held a public hearing on the First Amended Treasure Hill Subdivision Phase 3; and

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Treasure Hill Subdivision Phase 3.

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

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

Findings of Fact:

1. The proposed house is located in the E-MPD zoning district.
2. The City approved the Sweeney Master Planned Development on October 16, 1986.
3. The Sweeney Master Plan Approval document of 1986 identifies Miscellaneous Properties including, "...a third lot to be situated up on top of Treasure Mountain (possible future access predicated on United Park City Mines Company's plans for development off of King Road). Development would be restricted to single-family homes with no greater than 3500 square foot footprints and maximum building heights of 25 feet." Final house designs are required to be reviewed as Conditional Use Permits in accordance with the Sweeney Properties Master Plan.
4. The City Council approved the subdivision plat on July 31, 2003 to create one lot of record for this 11.9 acre metes and bounds parcel. On August 12, 2004 the Council approved a six-month extension to record the plat. The plat has subsequently been recorded.

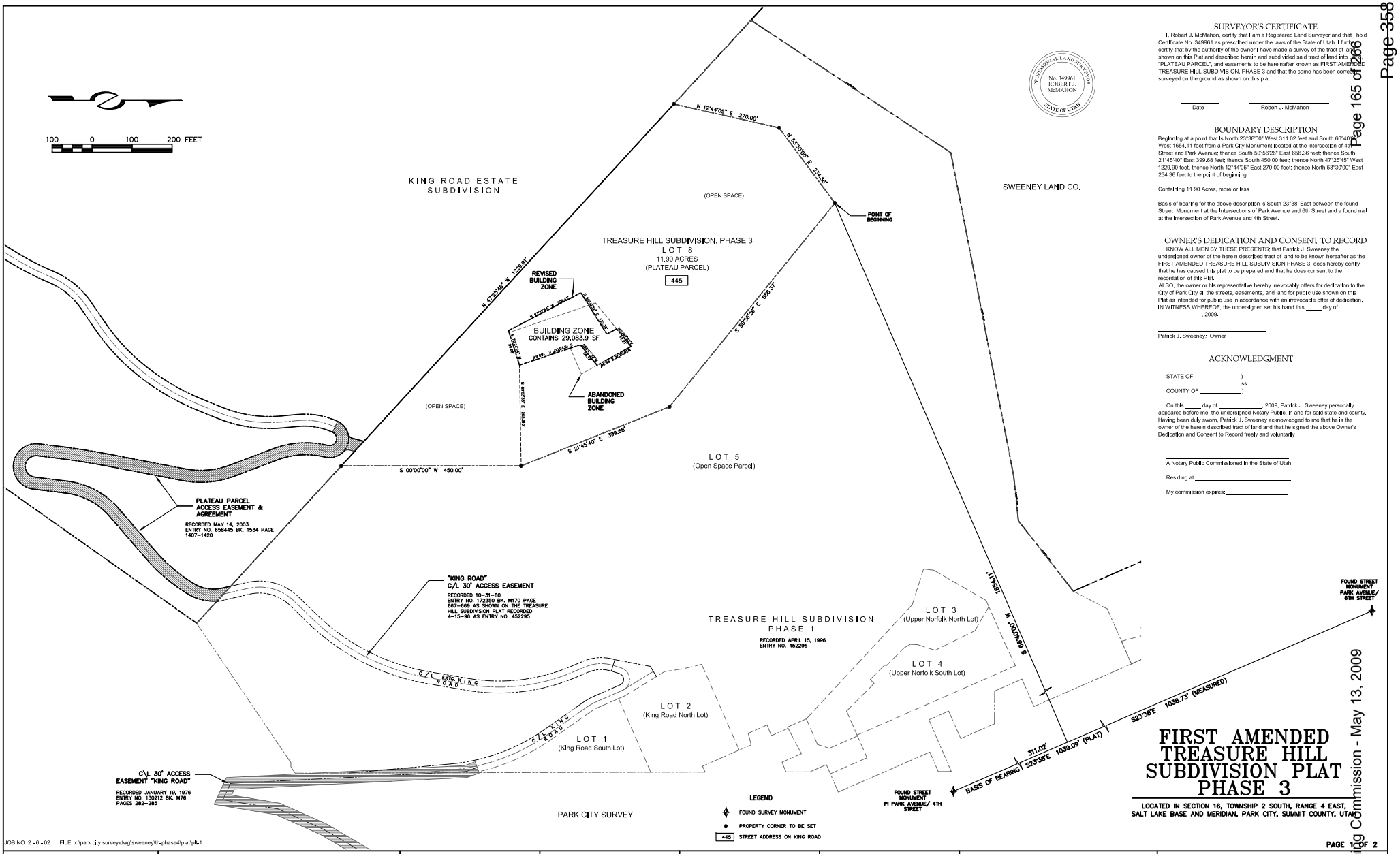
5. The City received an application on March 4, 2009, to amend the platted Building Zone for the Treasure Hill Subdivision Phase 3 plat.
6. The Building Zone remains 29, 083.9 square feet.
7. The Building Footprint for the Main House can be up to 3,500 square feet with a Guest House an additional 1,500 square feet.
8. The Height restrictions for the Main House are 25 feet for ridges parallel to the existing contours and 30 feet for ridges perpendicular to the existing contours. These perpendicular ridges cannot comprise more than 20% of the total roof plan.
9. The property is located in a heavily wooded, remote environment that is prone to wildfire.
10. The Findings in the Analysis are incorporated herein.

Conclusions of Law:
1. There is good cause for this subdivision amendment.
2. The subdivision amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed subdivision amendment.
4. Approval of the subdivision 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 subdivision for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the subdivision at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. All previous Conditions of Approval of the Sweeney Properties Master Plan (Treasure Hill) continue to apply.
4. All previous Conditions of Approval of the 2003 plat approval continue to apply other than the location of the building zone.
5. Final house designs are required to be reviewed as Conditional Use Permits in accordance with the Sweeney Properties Master Plan.

Exhibits
Exhibit A – Amended Plat

I:\Cdd\Brooks\Planning Comm\PC2009\King Road 445 replat 051309.doc



SURVEYOR'S CERTIFICATE

I, Robert J. McMahon, certify that I am a Registered Land Surveyor and that I hold Certificate No. 349961 as prescribed under the laws of the State of Utah. I further certify that by the authority of the owner I have made a survey of the tract of land shown on this Plat and described herein and subdivided said tract of land into "PLATEAU PARCEL", and easements to be hereinafter known as FIRST AMENDED TREASURE HILL SUBDIVISION, PHASE 3 and that the same has been correctly surveyed on the ground as shown on this plat.

_____ Date

_____ Robert J. McMahon

BOUNDARY DESCRIPTION

Beginning at a point that is North 23°38'00" West 311.02 feet and South 66°40'00" West 1654.11 feet from a Park City Monument located at the Intersection of 4th Street and Park Avenue; thence South 50°56'26" East 656.36 feet; thence South 21°45'40" East 399.68 feet; thence South 450.00 feet; thence North 47°25'45" West 1229.90 feet; thence North 12°44'05" East 270.00 feet; thence North 53°30'00" East 234.36 feet to the point of beginning.

Containing 11.90 Acres, more or less.

Basis of bearing for the above description is South 23°38' East between the found Street Monument at the Intersections of Park Avenue and 6th Street and a found nail at the Intersection of Park Avenue and 4th Street.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS; that Patrick J. Sweeney the undersigned owner of the herein described tract of land to be known hereafter as the FIRST AMENDED TREASURE HILL SUBDIVISION PHASE 3, does hereby certify that he has caused this plat to be prepared and that he does consent to the recordation of this Plat.

ALSO, the owner or his representative hereby irrevocably offers for dedication to the City of Park City all the streets, easements, and land for public use shown on this Plat as intended for public use in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this ____ day of _____, 2009.

_____

Patrick J. Sweeney: Owner

ACKNOWLEDGMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 2009, Patrick J. Sweeney personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, Patrick J. Sweeney acknowledged to me that he is the owner of the herein described tract of land and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily

_____

A Notary Public Commissioned In the State of Utah

Residing at: _____

My commission expires: _____

FIRST AMENDED TREASURE HILL SUBDIVISION PLAT PHASE 3

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

JOB NO: 2 - 6 - 02 FILE: x:\park city survey\dwg\sweeney\th-phase4\plat\pll-1

PAGE 1 OF 2

ALTA ENGINEERING INC.
CIVIL ENGINEERING • LAND PLANNING
SURVEYING • PROJECT MANAGEMENT
PO BOX 2864 PARK CITY, UTAH 84060 435-649-9191

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2009 A.D.
BY _____
S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2009 A.D.
BY _____
CHAIRMAN

ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS ____ DAY OF _____, 2009 A.D.
BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS ____ DAY OF _____, 2009 A.D.
BY _____
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS ____ DAY OF _____, 2009 A.D.
BY _____
PARK CITY RECORDER

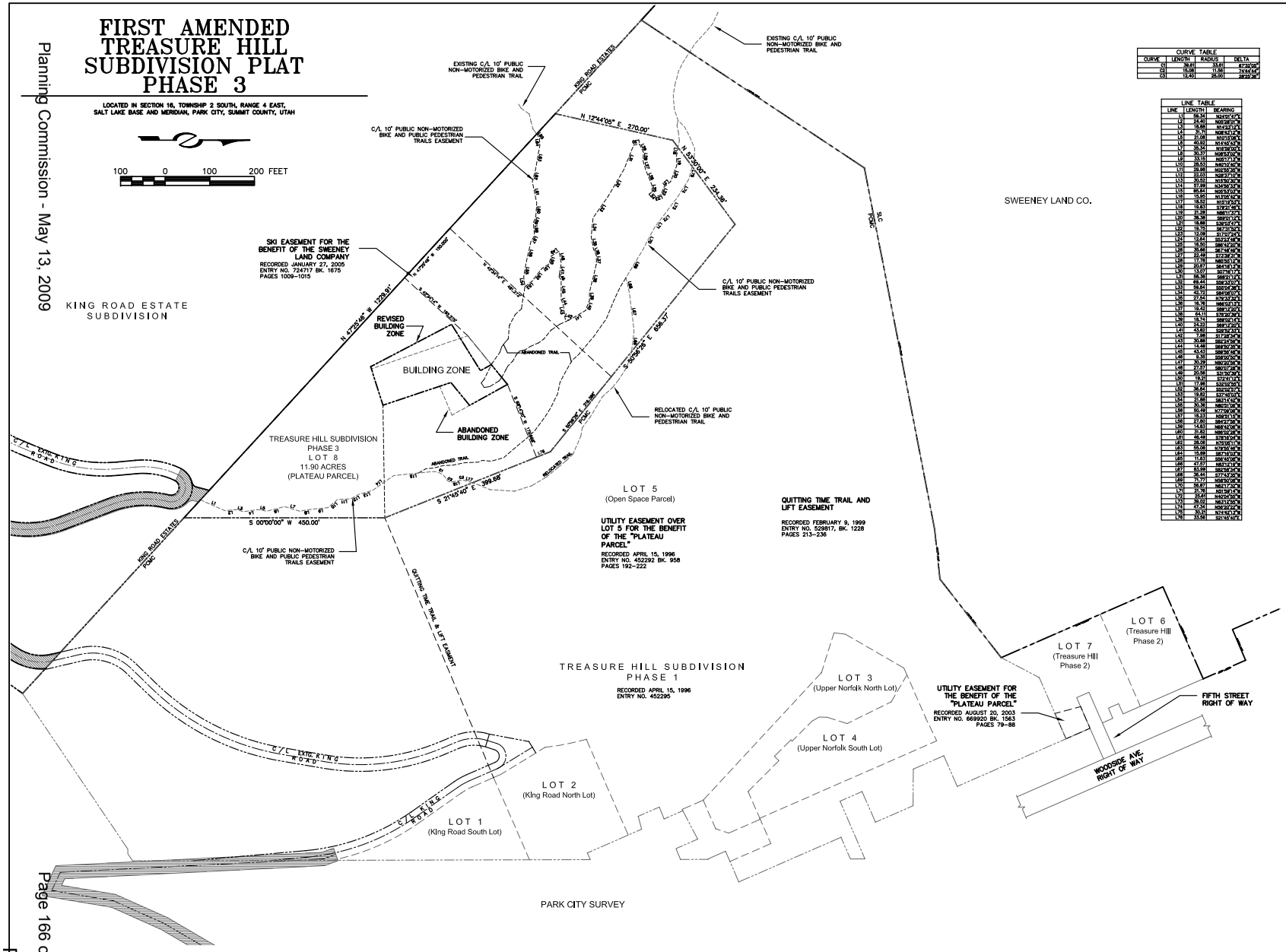
COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS ____ DAY OF _____, 2009 A.D.
BY _____
MAYOR

RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____
_____ FEE
_____ RECORDER

FIRST AMENDED TREASURE HILL SUBDIVISION PLAT PHASE 3

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

100 0 100 200 FEET



CURVE TABLE			
CURVE	LENGTH	RADIUS	DELTA
C1	16.61	33.61	28°30'00"
C2	18.08	11.56	74°44'44"
C3	12.40	25.00	28°42'36"

LINE TABLE		
LINE	LENGTH	BEARING
L1	56.34	N24°05'42"E
L2	24.40	N02°26'00"E
L3	18.60	N14°23'14"E
L4	31.71	N08°43'12"E
L5	21.00	N03°00'00"E
L6	40.92	N16°45'53"W
L7	26.34	N18°36'00"E
L8	30.37	N08°39'00"W
L9	33.15	N05°17'13"W
L10	28.53	N40°01'40"W
L11	24.96	N02°56'30"W
L12	22.03	N08°37'10"W
L13	30.52	N13°50'30"W
L14	57.99	N34°06'33"W
L15	85.84	N06°33'03"W
L16	15.95	N13°06'42"W
L17	18.52	N31°39'33"W
L18	19.83	S79°21'48"W
L19	21.28	N86°11'21"W
L20	36.38	S89°01'14"W
L21	18.60	S30°03'43"W
L22	18.75	S87°31'34"W
L23	12.09	S17°07'24"W
L24	12.64	S53°34'48"W
L25	18.50	S86°14'40"W
L26	35.46	S67°48'49"W
L27	22.49	S12°36'21"W
L28	17.18	N85°36'12"W
L29	20.07	S41°18'12"W
L30	13.07	S07°10'12"W
L31	56.30	S66°21'12"W
L32	49.44	S00°33'12"W
L33	59.64	S03°55'24"W
L34	42.72	S84°08'12"W
L35	27.54	N70°33'12"W
L36	16.76	N88°03'12"W
L37	19.42	S86°12'12"W
L38	64.11	S78°42'36"W
L39	18.71	S86°06'14"W
L40	24.22	S81°12'03"W
L41	43.62	S25°32'03"W
L42	7.08	S17°08'24"W
L43	30.88	S82°34'36"W
L44	14.48	S85°35'36"W
L45	43.43	S88°36'48"W
L46	8.35	S85°30'36"W
L47	30.39	N80°32'36"W
L48	27.57	S80°32'36"W
L49	20.96	S31°36'36"W
L50	18.31	S72°41'12"W
L51	17.66	S33°56'24"W
L52	36.84	S52°42'31"W
L53	19.60	S27°18'31"W
L54	21.88	S83°14'48"W
L55	30.30	N80°31'36"W
L56	50.49	N77°36'36"W
L57	18.23	N59°11'12"W
L58	27.80	S84°37'36"W
L59	14.63	N84°42'36"W
L60	31.82	N86°36'36"W
L61	46.49	S70°19'24"W
L62	28.08	N75°01'11"W
L63	55.06	N76°01'48"W
L64	15.89	S87°16'01"W
L65	11.63	S04°40'48"W
L66	47.57	N83°21'12"W
L67	63.98	S82°36'24"W
L68	38.44	S77°33'36"W
L69	71.77	N84°06'24"W
L70	56.87	N83°12'36"W
L71	21.36	N51°12'48"W
L72	25.41	N40°54'36"W
L73	39.02	N83°31'24"W
L74	47.31	N87°40'24"W
L75	30.21	N74°14'12"W
L76	33.58	S21°45'40"E

PLAT NOTES

1. *FOOTPRINT*. The residential footprint of the dwelling ("Main House"), to be located on Lot 8, Phase IV, Treasure Hill Subdivision (the "Lot"), shall be calculated from the outside face of walls, subject to the massing requirements of Note 6, and a maximum of three thousand five hundred (3,500) square feet footprint including garages. The following shall not count toward the foot print 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 garage 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, or living space that is located below existing natural grade and which has landscaping or deck (as provided in 1(a)) located above it.
   (f) The footprint for up to fifteen hundred (1,500) square feet for an additional attached or detached residence, further provided such residential space is used only for a caretaker's house or guest house, (not to be sold or leased separate from the Main House) and provided that the height of such additional structure from existing natural grade shall not exceed twenty (20) feet, measured from existing natural grade, including all elements other than chimneys, mechanical exhausts, and sanitary sewer vents.

2. *VISIBILITY*. The Main House and Caretaker/ Guest House shall be located and screened by existing vegetation. If necessary, they shall be screened by new vegetation so as to be substantially out of sight from the Historic District as determined solely by the Park City Planning Department.

3. *BUILDING AREA Zone*. Improvements, including fences and formal landscaping (unless otherwise permitted under easements or agreements of record or as shown on this Plat or as consistent with construction drawings approved by the Park City Municipal Corporation ("City") for the driveway and utilities ("Drawings")) shall be limited to the Building Zone noted on this Plat.

4. *BUILDING AREA CONSTRUCTION DISTURBANCE*. Temporary construction disturbance associated with construction of the residence, excluding the driveway and utilities, as shown on construction drawings and the deposit on the Lot of excess excavated material placed in accordance with an approved construction mitigation plan, shall be limited to twenty (20) feet outside the Building Area Zone shown herein subject to Note 2 above. Such disturbed area shall be revegetated with native landscaping, and a guarantee for the cost of revegetation shall be posted with the City at the time of building permit issuance. The adjacent ski trails may be used for construction staging subject to the Town Lift Easements referenced in Note 10 below.

5. *HEIGHT*. The Main House height shall be measured from existing natural grade. The maximum height shall be twenty-five (25) feet for roofs and roof elements that generally are parallel to existing natural grade and thirty (30) feet for roof ridges that are generally oriented (in the horizontal plane) perpendicular to existing contour lines, for example, dormers. Such perpendicularly oriented roof portions located above twenty five (25) feet in height shall comprise less than 20 percent of the roof plan. Planning Commission may, during the Conditional Use approval process, grant height exceptions up to a maximum height of thirty-three (33) feet for pitched roofs for the expressed purpose of accommodating access, i.e. stairwells and/or elevators between floor levels.

6. *MASSING*. Designs may be comprised of one or more connected or unconnected building masses. No one building mass within the 3,500 square foot footprint (referred to in Note 1 above) shall have a footprint that exceeds 2,000 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks. This requirement shall be interpreted to mean that there will be significant variation of roof heights and wall faces for the different building elements.

7. *ACCESS*. The Lot shall be accessed by a minimum of a twelve foot (12) wide driveway as shown on the Drawings. The maximum width shall be 20 feet except for turn around areas approved by the Park City Planning Department.

8. *UTILITIES*. Utilities (water, sewer, phone, cable, and power) shall be extended from from Woodside Avenue with the exception that power may come from the North. The water supply lift station and other utilities will be initially installed and perpetually maintained at the owner's expense.

The waste water lateral stub for the "Plateau Parcel" has been provided on Lot 7 of the Treasure Hill Phase 2 Plat (within the Utility Easement for the benefit of the Plateau Parcel). This lateral passes under a reinforced concrete tunnel. Maintenance and replacement of the waste water lateral shall be the responsibility of the owner of the "Plateau Parcel" and not that of the Snyderville Basin Water Reclamation District ("SBWRD").

9. *FIRE PROTECTION PLAN*. Residential fire sprinkling and other safety features shall comply with the Fire Protection Plan on file with the Chief Building Official at the time of plat recordation. Wood roofing materials shall be prohibited.

10. *EASEMENTS AND AGREEMENTS*. This Lot is subject to the following easements and agreements:

Special Warranty Deed with Possibility of Reverter with certain rights as recorded April 15, 1996, Entry No. 452292, Book 958, Pages 192-222, in the office of the Summit County Recorder, Summit County, Utah.

The Plateau Agreement with covenants and understandings between the Greater Park City Company and Patrick J. Sweeney executed February 1, 1999.

Ski and Pedestrian Easements as described in Section 4.4 of the Sweeney Properties Master Plan ("SPMP") summary and as shown on sheets 1, 2, and 4 through 9 of the SPMP.

Combined Amended Grant of Easements to the Greater Park City Company as recorded February 9, 1999, Entry No. 529817, Book 1228, Pages 213-236, in the office of the Summit County Recorder, Summit County, Utah.

Access Easement Agreement as recorded May 14, 2003, Entry No. 658445, Book 1534, Pages 1407-1420, in the office of the Summit County Recorder, Summit County, Utah.

Utility and Construction Access Easement Agreement as recorded August 20, 2003, Entry No. 669920, Book 1563, Pages 79-88, in the office of the Summit Country Recorder, Summit County, Utah.

11. Lighting on the lot including the interior and exterior of all structures shall be shielded from direct view from all viewpoints within the City Limits with the exception of "seasonal lighting" allowed December 1 through January 15.

12. *PRECEDENCE*. The above special restrictions are covenants of and consistent with the SPMP approved by the Park City Council on October 16, 1986, and as subsequently amended on October 14, 1987; December 30, 1992; and November 7, 1996. Final house design shall be reviewed under the Conditional Use process in accordance with the SPMP. This property shall not be further subdivided.

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

FEE _____ RECORDER _____

ALTA ENGINEERING INC.
CIVIL ENGINEERING • LAND PLANNING
SURVEYING • PROJECT MANAGEMENT
PO BOX 2864 PARK CITY, UTAH 84060 435-649-9191

ts envisioned. The average building height for the Town Lift site is less than 25' with over 85% of the building volume fitting within a 35' height envelope. Parking will be provided within enclosed structures, accessed via a private road originating from the Empire-Lowell switchback. The closest neighboring residence is currently located in excess of 200 feet away.

The Creole Gulch site is comprised of 7.75 acres and situated basically south of the Empire-Lowell switchback at approximately 8th Street. The majority of the property is currently zoned Estate (E). A total of 161.5 residential unit equivalents are proposed. In addition, 15.5 unit equivalents of support commercial space is included as part of the Master Plan. Average building heights are proposed to be less than 45' with a maximum of 95' for the highest point. As conceptually proposed, in excess of 80% of the building volume is within a 75' height envelope measured from existing grade. It is expected that the Creole Gulch site will be subdivided into specific development parcels at some future date. Parking is accessed directly from the Empire-Lowell switchback and will be provided within multi-level enclosed structures. Depending upon the character of development and unit configuration/mix proposed at conditional use approval, the actual numbers of parking spaces necessary could vary substantially. Buildings have been set back from the adjacent road approximately 100' and a comparable distance to the nearest adjoining residence.

Miscellaneous Properties

In addition to the development areas described above, the proposed Master Plan identifies three distinct single-family lots; one of which is located above Woodside Avenue adjacent to and north of platted 5th Street, a second to be accessed from Upper Norfolk, and a third lot to be situated up on top of Treasure Mountain (possible future access predicated on United Park City Mines Company's plans for development off of King Road). Development would be restricted to single-family homes with no greater than 3500 square foot footprints and maximum building heights of 25 feet.

VI. MAJOR ISSUES

Many concerns were raised and issues identified through the review process. A project of this scale and complexity would pose similar and considerable consternation no matter where it was proposed to be built. Because this particular site is located both within and adjacent to the Historic District, many of the concerns expressed related to the more subjective kinds of considerations. The Master Planned Development procedure attempts to deal with the general concept of the proposed development and defer or relegate the very detailed project review elements to the conditional use stage of review. At conditional use review, the following issues will be examined in considerable detail with technical solutions sought.

Comprehensive Plan - The city's Comprehensive Master Plan identifies the Hillside property as a key scenic area and recommends that development be limited to the lower portions of the mountain. The existing HR-1 ground included in the Sweeney Master Plan is shown as being retained for residential use similar to the existing pattern of development. The Coalition West site is also recommended for Historic Residential use with the East parcels included within a Historic Commercial area. The proposed Sweeney

Ordinance No.

AN ORDINANCE APPROVING A SINGLE LOT SUBDIVISION AT 445 KING ROAD, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 445 King Road have petitioned the City Council for approval of the Subdivision plat; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on July 23, 2003, to receive input on the subdivision;

WHEREAS, the Planning Commission, on July 23, 2003, forwarded a positive recommendation to the City Council; and,

WHEREAS, on July 31, 2003, the City Council held a public hearing and approved the subdivision; and

WHEREAS, it is in the best interest of Park City, Utah to approve the subdivision.

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

SECTION 1. APPROVAL. The subdivision as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 445 King Road and is known as lot 12 of the Treasure Hill Subdivision Phase 4, part of the Sweeney Properties Master Plan. The property is currently zoned Recreation Open Space - RD-MPD with a request for zone change pending. The property is vacant.
2. The Sweeney Properties Master Plan (SPMP) was approved by the City Council on October 16, 1986 and amended on October 14, 1987, December 30, 1992, and November 7, 1996.
3. One lot of record will be created with the subdivision.
4. The Treasure Hill Subdivision Phase 4 plat includes plat notes regarding building footprint, heights, setbacks, massing, building pad footprints, limits of disturbance, access, re-vegetation, utilities, and fire protection.
5. Utilities are available to sustain the anticipated property uses. Utilities will generally tie into Woodside Avenue, follow the Quittin' Time ski run in its lower extent and connect to the Building Pad along a future ski run to the Payday area.

6. The Chief Fire Marshall has reviewed the Fire Protection Plan and has conceptually approved it.
7. A financial guarantee for all public improvements is necessary to ensure completion of these improvements and to protect the public from liability and physical harm if these improvements are not completed by the developer or owner.
8. The Planning Commission held a public hearing on July 23, 2003 and forwarded a positive recommendation to the City Council.

Conclusions of Law:

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

Conditions of Approval:

1. The Conditions of Approval for the Sweeney Properties Master Planned Development remain in full force and effect.
2. The design of the Main House and any Guest House will follow the Conditional Use Permit process in accordance with the Sweeney Properties Master Plan (SPMP).
3. All standard project conditions shall apply.
4. The Building Pad is 29,084 square feet in which all construction activity must take place, excepting the driveway and utility construction.
5. The Main House footprint is limited to 3500 square feet. A single caretaker's or guest house may have a footprint up to 1500 square feet.
6. The Height of the Main House is 25 feet measured from natural grade for ridges that run parallel to the natural contours and 30 feet from natural grade for ridges perpendicular to the existing contours. Such perpendicular ridges may not comprise more than 20 percent of the roof plan. The Guest House may not exceed 20 feet from natural grade in height.
7. All trails, as indicated on the Treasure Hill subdivision plat, which have not yet been constructed and approved, shall be completed prior to issuance of a certificate of occupancy for the residences. Relocation of said trails shall be reviewed and approved by City Staff.
8. The applicant must record an Open Space Easement, or other instrument of record, for that area outside of the Building Pad to forever preserve the natural state. Ski runs and those public trails dedicated on this plat may be allowed in this open space.
9. The City Engineer shall review and approve appropriate grading, utility, public improvements and drainage plans for compliance with City standards as a condition precedent to permit issuance.
10. Final details of the Fire Protection plan are required to be approved prior to plat

recordation.

11. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans.
12. A financial guarantee, for the value of all public improvements, landscaping, re-vegetation, and trails to be completed, shall be provided to the City prior to building permit issuance. All public improvements shall be completed according to City standards and accepted by the City Engineer prior to release of this guarantee.
13. Re-vegetation of the disturbed areas, including utility installation areas, shall be done with native species acceptable to the Planning Department Landscape Architect.
14. 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 year's time, this approval and the plat will be void.

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

PASSED AND ADOPTED this 31st day of July, 2003.

PARK CITY MUNICIPAL CORPORATION

_____
Dana Williams, MAYOR

ATTEST:

_____
Jan Scott, City Recorder

APPROVED AS TO FORM:

_____
Mark Harrington, City Attorney

PL-09-00653

Approved

City Council Staff Report

PARK CITY 1884

PLANNING DEPARTMENT

Subject: First Amended Treasure Hill Subdivision Plat Phase 3
Author: Brooks T. Robinson
Date: May 28, 2009
Type of Item: Administrative – Plat Amendment

Summary Recommendations

Staff recommends the City Council hold a public hearing for the First Amended Treasure Hill Subdivision Phase 3 plat and consider approving the amended plat based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Topic

Applicant	Pat Sweeney, owner
Location	445 King Road (lot 8, Treasure Hill subdivision)
Zoning	Estate (E) as part of the Treasure Hill Master Planned Development (MPD)
Adjacent Land Uses	Park City Mountain Resort, King Road Estate lot.

Background

On October 16, 1986 the Sweeney Master Planned Development was approved by the City. The Treasure Hill Phase I subdivision consisting of four building lots (two off of Upper Norfolk and two off of King Road) and one open space lot was recorded in April of 1996.

The Sweeney Master Plan Approval document of 1986 identifies Miscellaneous Properties including, "...a third lot to be situated up on top of Treasure Mountain (possible future access predicated on United Park City Mines Company's plans for development off of King Road). Development would be restricted to single-family homes with no greater than 3500 square foot footprints and maximum building heights of 25 feet." Final house designs are required to be reviewed as Conditional Use Permits in accordance with the Sweeney Properties Master Plan.

The City Council approved the subdivision plat on July 31, 2003 to create one lot of record for this 11.9 acre metes and bounds parcel. On August 12, 2004 the Council approved a six-month extension to record the plat. The plat has subsequently been recorded.

On June 22, 2005, the Planning Commission held a public hearing and approved a Conditional Use Permit (CUP) for construction of a single family house on this lot in

accordance with the Sweeney Properties Master Plan. The CUP had an expiration of one year from the date of approval to institute the use. Although utility installation and some grading have occurred, no building permit or construction of the house has taken place and the CUP for the house has expired.

On March 4, 2009, the City received a completed application for an amendment to the approved plat to shift the platted Building Zone, while maintaining the same square footage. A Conditional Use Permit for construction of a single family home in accordance with the Sweeney Properties Master Plan is being heard concurrently with this application.

The Planning Commission heard this application at its regular meeting on May 13, 2009, and forwards a positive recommendation. There was no public input. At the same meeting, the Planning Commission approved a Conditional Use Permit (CUP) for construction of a single family house for 445 King Road. A CUP for each single family house is required by the Sweeney Properties Master Plan Development.

Analysis

The approved plat shows a Building Zone of 29,083.9 square feet. The proposed amended plat has the same square footage but shifts the Building Zone in several areas while keeping the bulk of the existing Building Zone intact. The current Building Zone is "L" shaped with the long side running east to west and the short side on the west end running north. The proposed shift maintains the east and most of the north lines while angling the south line further to the south by approximately 40 feet at its western point. The northwest corner remains the same. No significant vegetation or changes in grade are affected by the proposed change in the building pad location.

Note 2 on the plat states that all 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 construction drawings approved by the City for the driveway and utilities) shall be limited to the Building Zone noted on the plat.

The approved plat has 12 Notes that address Building Footprint, Height, Limits of Disturbance, Visibility, and Massing among others. These Notes are substantially the same as were approved on Treasure Hill Phase II (the four lots on Upper Norfolk and King Road). A plat note on lighting was added to the amended plat that requires all interior and exterior lighting to be shielded from all viewpoints in the City with an exception for seasonal lighting from December 1 to January 15. Otherwise, there was no change to the Plat Notes.

The zoning for the subdivision is Estate subject to the following criteria:

	Permitted/Existing Plat	Proposed
Building Pad	29,083.9 square feet	29,083.9 square feet
Footprint	3,500 square feet plus 1,500 for a Guest house	3,500 square feet plus 1,500 for a Guest house

Height	25 feet for ridges parallel to the existing contours and 30 feet for ridges perpendicular to the existing contours. These perpendicular ridges cannot comprise more than 20% of the total roof plan	Same as Permitted/Existing
House size	Limited by Footprint and Height requirements	Unknown at this time
Front setback	25' on all sides	Building Pad is 80 feet from closest property line.
Parking	Two spaces required	2 required for the single family house

Staff finds good cause for this subdivision amendment as the Building Pad remains the same size and substantially in the same location. No other changes are proposed to the approved plat.

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. Legal notice was also put in the Park Record.

Public Input
No public input has been received at the time of this report or at the Planning Commission public hearing.

Future Process
The approval of this subdivision application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18. Staff review of a Building Permit is not publicly noticed nor subject to review by the Planning Commission unless appealed. Final house designs are required to be reviewed as Conditional Use Permits in accordance with the Sweeney Properties Master Plan.

Alternatives
- The City Council may approve the First Amended Treasure Hill Subdivision Phase 3 plat as conditioned or amended, or
- The City Council may deny the First Amended Treasure Hill Subdivision Phase 3 plat and direct staff to make Findings for this decision, or
- The City Council may continue the discussion on the First Amended Treasure Hill

Subdivision Phase 3 plat and provide Staff and the Applicant with specific direction regarding additional information that is necessary to find compliance with the review criteria.

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

Consequences of not taking the Suggested Recommendation
The property would remain as platted with the existing Building Zone.

Recommendation
Staff recommends the City Council hold a public hearing for the First Amended Treasure Hill Subdivision Phase 3 plat and consider approving the amended plat based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Exhibits
Exhibit A – Ordinance with plat
Exhibit B – Excerpt from Sweeney Master Plan
Exhibit C – Copy of prior plat approval ordinance.

AN ORDINANCE APPROVING THE FIRST AMENDED TREASURE HILL SUBDIVISION PHASE 3, LOCATED AT 445 KING ROAD, PARK CITY, UTAH.

WHEREAS, the owners of the property known as 445 King Road, have petitioned the City Council for approval of the First Amended Treasure Hill Subdivision Phase 3; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on May 13, 2009, to receive input on the First Amended Treasure Hill Subdivision Phase 3;

WHEREAS, the Planning Commission, on May 13, 2009, forwarded a positive recommendation to the City Council; and,

WHEREAS, on May 28, 2009, the City Council held a public hearing on the First Amended Treasure Hill Subdivision Phase 3; and

WHEREAS, it is in the best interest of Park City, Utah to approve the First Amended Treasure Hill Subdivision Phase 3.

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

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

Findings of Fact:

1. The proposed house is located in the E-MPD zoning district.
2. The City approved the Sweeney Master Planned Development on October 16, 1986.
3. The Sweeney Master Plan Approval document of 1986 identifies Miscellaneous Properties including, "...a third lot to be situated up on top of Treasure Mountain (possible future access predicated on United Park City Mines Company's plans for development off of King Road). Development would be restricted to single-family homes with no greater than 3500 square foot footprints and maximum building heights of 25 feet." Final house designs are required to be reviewed as Conditional Use Permits in accordance with the Sweeney Properties Master Plan.
4. The City Council approved the subdivision plat on July 31, 2003 to create one lot of record for this 11.9 acre metes and bounds parcel. On August 12, 2004 the Council approved a six-month extension to record the plat. The plat has subsequently been recorded.

5. The City received a complete application on March 4, 2009, to amend the platted Building Zone for the Treasure Hill Subdivision Phase 3 plat.
6. The Building Zone remains 29, 083.9 square feet.
7. The Building Footprint for the Main House can be up to 3,500 square feet with a Guest House an additional 1,500 square feet.
8. The Height restrictions for the Main House are 25 feet for ridges parallel to the existing contours and 30 feet for ridges perpendicular to the existing contours. These perpendicular ridges cannot comprise more than 20% of the total roof plan.
9. The property is located in a heavily wooded, remote environment that is prone to wildfire.
10. The Findings in the Analysis are incorporated herein.

Conclusions of Law:

1. There is good cause for this subdivision amendment.
2. The subdivision amendment is consistent with the Park City Land Management Code and applicable State law regarding subdivision plats.
3. Neither the public nor any person will be materially injured by the proposed subdivision amendment.
4. Approval of the subdivision 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 subdivision for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the subdivision at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.
3. All previous Conditions of Approval of the Sweeney Properties Master Plan (Treasure Hill) continue to apply.
4. All previous Conditions of Approval of the 2003 plat approval continue to apply other than the location of the building zone.
5. Final house designs are required to be reviewed as Conditional Use Permits in accordance with the Sweeney Properties Master Plan.

Exhibits

Exhibit A – Amended Plat

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PARK CITY
1884

COUNCIL AGENDA REPORT

DATE:	**August 31, 1995**
DEPARTMENT:	**Planning Department**
AUTHOR:	**Kirsten Whetstone**
TITLE:	**Frandsen Subdivision**
TYPE OF ITEM:	**Plat Amendment, Subdivision Plat and Vacation of right-of-way**

SUMMARY RECOMMENDATIONS

Staff recommends approval of the subdivision and plat amendment with conditions as recommended by the Planning Commission. Staff also recommends approval, with conditions, of the right-of-way vacation for Woodside Avenue in the vicinity of 1439-1445 Woodside Ave.

DESCRIPTION

A. Topic

Project Name:	Frandsen Subdivision
Applicant:	Alan Frandsen
Location:	1439-1445 Woodside Avenue
Proposal:	Three Lot Subdivision with ROW vacation
Zoning:	RC- Recreation Commercial
Adjacent Land Uses:	Residential, Condominiums, Vacant
Date of Application:	March 24, 1995

BACKGROUND

The applicant, Mr. Frandsen, approached the City approximately 13 years ago about resolving property line and right-of-way encroachment issues for his house at 1439 Woodside Avenue. From 1982 to 1985 Mr. Frandsen pursued an option to pay the City for the right-of-way and to construct a hotel/condominium project in accordance with the City's RC, Resort Commercial, zoning requirements. At that time the City Council was not interested in facilitating development of another high density project in this area and the request was turned down.

Approximately a year ago, Mr. Frandsen approached the City with this current request for a three lot subdivision and right-of-way vacation. After several meetings to discuss various options, the applicant submitted a subdivision plat for review in April of this year. The subdivision plat was reviewed by the City Engineer and the City Staff at several Staff Review Meetings in May and June of this year. Staff worked with the applicant for several months to resolve outstanding issues and scheduled the item for a June 28, 1995 Planning Commission worksession and meeting.

At the June 28th meeting a public hearing was held to receive input on the proposed Frandsen Subdivision Plat. The item was continued to the July 26, 1995 meeting where the Planning Commission heard additional public comment and recommended that the City Council approve the subdivision plat, with conditions as outlined in this report. The Planning Commission also made a motion to refer to Council their comments concerning the vacation of a portion of Woodside Avenue.

PROJECT DESCRIPTION

SUBDIVISION

The applicant, Alan Frandsen, is requesting approval of a plat amendment (resubdivision) for a portion of Lot 8 and Lots 9, 10, 11, and 12 of Block 21; and portions of Lots 7 and 8 of Block 22 Snyder's Addition; and a vacation of a portion of the platted Woodside right-of-way (ROW) (**Exhibit A**). Mr. Frandsen is also requesting approval of a subdivision of an unplatted parcel located immediately to the north of the Snyder's Addition lots. In combination, the plat amendments (resubdivision), subdivision, and ROW vacation result in the proposed 3 lot Frandsen Subdivision (**Exhibit B**).

The Frandsen Subdivision creates three legal lots for two existing houses and a future house or duplex. The three lots, Lots A, B, and C , have frontage on paved Woodside Avenue. Lots A and C are 3,475 and 4,927 sq. ft. in area, respectively, and are occupied by existing structures. Lot B is a combination of portions of 4 old town lots and is 9,363 sq. ft. in area. A small accessory structure is located on Lot B.

The applicant proposes to construct one house or duplex on Lot B and has agreed by plat note to limit the size of the structure to 2400 sq. ft. The applicant proposes to restore 1439 Woodside, an historic home, and preserve that home in mass, scale, and facade for all time. The applicant

has proposed a limited addition to the rear of the home to facilitate liveability, although Staff has not reviewed the plans at this time.

Access for parking and utilities for the existing house at 1439 Woodside (Lot A) would be provided by an easement granted to Lot A from Lot B. The subdivision plat is configured such that all setbacks, lot sizes, access, and parking requirements are in conformance with the Park City Land Management Code, with additional conditions as listed in this report. See **Exhibit C** for existing and proposed lot configuration.

Through this subdivision process Mr. Frandsen proposes the functional equivalent of a significant down zone by converting approximately 8 RC lots and associated ROW, with development potential of about 35 hotel/studio units into three single family lots with substantially smaller houses than are typical of new construction in old town.

The applicant is proposing to dedicate a 15' strip of land across the frontage (120') of the three lots for the purposes of utilities, snow storage, and ROW dedication. This amounts to approximately 1,800 sq. ft. dedicated to public purpose (**Exhibit D**). A facade easement, which protects the historic facade from demolition, has been proposed for the historic structure at 1439 Woodside Avenue as well. Based on the current footprint, this amounts to approximately 1,000 sq. ft. of area. The applicant has also agreed to tree preservation easements for the 3 significant evergreen trees and two Maple trees.

VACATION OF RIGHT-OF-WAY

The applicant has submitted a request to the City for vacation of a remnant section of platted Woodside Avenue (**Exhibit E**). A majority of the house located at 1439 Woodside Avenue is situated on platted Woodside Avenue ROW. At this location, existing paved Woodside Avenue is situated to the east of the platted right-of-way (**Exhibit F**). There is no existing ROW to the north of this site and ROW to the south was vacated to the Wildwood Condominiums in the 1980's. There is an 6'- 10' section of ROW adjacent to the south that is not vacated. The ROW to be vacated is approximately 3600- 4250 sq. ft. in area according to the assessor's maps of the Synder's Addition Subdivision. The figure is not exact because there are many discrepancies with the various survey's and control points in this area and the exact location of the Section Line in this area is not known.

The following table is a comparison of ROW being vacated and ROW and easements being dedicated by the Frandsen proposal:

ROW AREA TO BE vacated	NEW ROW TO BE dedicated	SNOW STORAGE EASEMENT- dedicated	FACADE EASEMENT- dedicated	TREE EASEMENT dedicated	NET AREA dedicated
3600- 4250 SQ. FT.	600 SQ. FT.	1200 SQ. FT.	1000 SQ. FT.	900 SQ. FT	**3700 SQ. FT.**

STAFF ANALYSIS

FRANDSEN SUBDIVISION

Staff has reviewed the subdivision request and has determined that the proposal meets requirements for subdivision and resubdivision as stated in the Land Management Code and the State Subdivision Code. The lot sizes, lot configuration, and setbacks are in conformance with the LMC. All lots have frontage on a platted ROW as 5' of land across the front of the lots and adjacent to paved Woodside Avenue is being dedicated as ROW. The applicant is providing a 10' snow storage and utility easement across the fronts. Off-street parking is provided for each lot.

Staff finds that the consolidation and replatting of these six lots and two parcels into three legal lots is in the best interest of the City in that there is a significant reduction of density (35 hotel units to 3 small single family homes), the residential character of the street is preserved, the historic structure is fully restored and preserved, mature and significant vegetation is preserved, ownership lines are cleaned up, and access and parking problems are resolved.

Staff also finds that neither the public nor any person will be materially injured by the proposed subdivision. This is one of the last remaining parcels of platted Woodside in this vicinity (there is another 6' to 10' length of ROW to the south). All other portions of Woodside have already been vacated to adjacent property owners (without a reduction of density or preservation of historic structures achieved).

VACATION OF RIGHT-OF-WAY

Staff has reviewed the ROW vacation request and finds that the request complies with all requirements for vacation as stated in both the City's LMC and the State Code.

The existing house at 1439 Woodside Avenue is situated on the platted ROW of Woodside Avenue. This house is considered an historic structure. The platted ROW ends at the north property line of 1439 Woodside because the Snyders Addition Plat ends at this point. Therefore this remnant of ROW does not connect to ROW to the north. The property to the north, the site of a house at 1445 Woodside, is an unplatted parcel. This parcel is owned by Mr. Frandsen.

According to the City Engineer, it is unlikely that the street would be extended to the north in the platted ROW because there are existing structures in it's path and because the existing paved street lies to the east. He perceives no need for this ROW for future street or utility purposes.

Right-of-way is land set aside for the purposes of providing necessary ingress and egress to private property, as well as for utility and transportation corridors. According to State Law, if a municipality or government entity is not using the land for public purposes, the adjacent property owners may request the ROW be vacated (see **Exhibit G**). If an adjacent property owner petitions for vacation and the City determines that this ROW no longer serves the public interest

for existing or future roads or utilities, the land may, according to State Law, be vacated and returned equally to property owners on either side of the ROW (see **Exhibit H**).

In certain instances in the past, the City has vacated ROW by quit claiming the property to adjacent owners for a nominal fee. The City has also issued revocable encroachment permits at no cost for porches and other improvements which encroach into ROW. In the case of the Wildwood Condominiums located in the 1400 block of Woodside, the City sold a portion of the ROW for fair market value allowing the developer to increase the density of his project because of the additional square footage gained and additional land that could be used for parking.

Mr. Frandsen pursued this option from 1982 to 1985. At that time the Council determined that it did not want another larger condominium project on the Frandsen parcel, and declined to vacate for that purpose. (Staff has no doubt that Mr. Frandsen would be happy to pay cash for the Woodside ROW at this time, if he were allowed to pursue RC development on the property, as the zone currently allows.)

Planning Staff believes that the recommended conditions of approval for this vacation request address concerns that the City has had in the past with infill development. The reduction in density, preservation of historic structures, protection of mature vegetation, limitation on house size, provision of snow storage easements, and ROW dedication for future sidewalks or widening of streets, in combination, will insure the public's interests are maintained, should the ROW be vacated.

The ROW in question is not a platted lot or buildable parcel of ground, but land set aside for the purpose of providing ingress and egress and/or a corridor for utilities and transportation. The land is not being used for ROW and the applicant has asked the City to consider vacation of the ROW. The City Engineer has determined that this ROW no longer serves the public interest for roads or utilities. The City has three options: 1) either use the ROW now, 2) reserve the ROW for a future street or utility, or 3) vacate the ROW. It does not have the option to use the ROW for housing or historic preservation.

According to State Law, if ROW is vacated it is to be given back equally to adjacent property owners on either side of the ROW. Mr. Frandsen owns the property on either side of the ROW in question, therefore, if the ROW in question is vacated, Mr. Frandsen would be the sole recipient.

The Planning Commission discussed the ROW vacation at its meeting on July 26, 1995 (see **Exhibit I**) and requested that staff convey to the City Council the following concerns:

a. The size of ROW being requested for vacation seemed larger than other requests they have seen.

b. They suggested an appraisal of the property to be vacated, to determine the market value. This would be appropriate if staff had not negotiated the significant density reduction; restoration and preservation easements; and dedications detailed above. If the Council would

like to simply sell Mr. Frandsen the ROW without restrictions, an appraisal would be warranted.

Two and a half years ago, the City offered to sell Mr. Frandsen the ROW for $2.50 per sq. ft. without any restrictions and further deed restrictions. This would have allowed him to pursue a condominium of hotel development as per the RC zone. Recently, the City purchased unrestricted RC property on Park Avenue for $10.00 per sq. ft.

If the City would like to vacate Woodside to Mr. Frandsen without restrictions on use, then it would be appropriate to ask Mr. Frandsen to pay somewhere between $2.50 and $10.00 per sq. ft. This amounts to between $5,000 and $25,000 depending on the price negotiated and the net are of ROW vacated. Selling the ROW outright however would likely result in destruction of two small homes and significantly increased density (up to 35 hotel rooms/studio units).

Council must decide if this is the course it would like to pursue. Staff is fairly certain that Mr. Frandsen would welcome this option as it would result in a significant increase in the value of his land, far in excess of the $5,000 to $25,000 he would be required to pay.

c. Ownership of the house and the land it sits upon was not clear and more information was needed. Past and present City Attorneys, the Third District Court, and the Third Circuit Court have each concluded that Mr. Frandsen owns the house.

d. Information was needed on what was done in the past concerning compensation to the City for vacated ROW. (This information has been provided above.)

PUBLIC INPUT

Planning Staff has reviewed the public input, as well as comments from the Planning Commission, and has conducted research on several issues that were raised at the hearing. The primary issues were:

a. ownership
b. setbacks
c. existing vegetation
d. ROW vacation

a. Ownership

City Staff does not dispute the applicant's ownership of the Snyder's Addition lots in question or the improvements to those lots, including improvements in the ROW. According to public records at the County Assessors office, taxes have been paid by the applicant, Alan Frandsen, on the properties in question since early 1970. The right-of-way is City property and the structures are owned by the applicant. The City has a copy of a quit claim deed from the previous owners to the applicant for Lots 9 thru 12, inclusive , Block 21 Snyder's Addition and a

bill of sale for the home at 1439 Woodside, and its contents (see **Exhibit J**). There is also a memorandum from the City Attorney in November of 1993 establishing the City's interests in the property. (see **Exhibit K**).

A current title report will be submitted prior to recording the subdivision plat and the legal description on the plat will be verified against the title report. All owners of record will be required to sign the plat.

b. Setbacks

City Staff has field verified the setbacks and location of existing buildings and has determined that the subdivision plat will not create non-conforming lots or setbacks. Should this application be approved, Staff and the Planning Commission recommend a condition of approval that the non-historic cinder block garage at 1439 Woodside Avenue be removed prior to plat recordation as it would straddle the new property line and block access to Lot B. The cinder block garage is of modern construction and non-contributory to the Historic District. There is an additional accessory structure/shed on the property and setbacks for that structure meet those required by the Code.

c. Existing vegetation

As a result of concerns regarding impacts of this subdivision and vacation on the site's tree cover, City staff conducted a field inspection of the property in question (see **Exhibit L**). There are three significant conifer trees, as located on the plat. There is a fourth conifer tree shown on the plat which is crowded by a retaining wall and may or may not survive in the future. A specimen Big Tooth Maple is located behind the existing house at 1439 Woodside Avenue and another one is located on the property line between 1445 Woodside Avenue and the property to the north. There is a large poplar and several large and small boxelder trees scattered about the site, as well as a fair amount of shrubbery, which provide greenery and shading.

Staff and the Planning Commission recommend a condition of plat approval that there be a tree preservation easement located on the plat to protect these mature trees from disturbance. This includes the maple and large evergreen trees. The poplar and boxelder trees require additional evaluation. The total area of the tree preservation easement amounts to approximately 900 sq. ft. During new construction in Park City, limits of disturbance fencing is required to be in place to protect significant vegetation. Staff will review the limits of disturbance at the time of plan review and building permit issuance to ensure maximum protection of other significant existing vegetation.

d. ROW vacation

A significant portion of the house at 1439 Woodside currently encroaches into the City right-of-way for Woodside Avenue. This is a situation which exists throughout Old Town Park City because the existing paved roadways and the platted street rights-of-way often did not coincide and property owners in the early 20th century built homes from the edge of pavement rather than

from surveyed lot lines. Historically, if the City Engineer determined that such platted right-of-way was unlikely to be used for a street or utilities in the future, then the ROW was vacated to accommodate the encroachment.

e. Other issues

There were other issues raised, such as: historic grants and building permits issued for the property in question, concerns for destruction of public property, and other agreements that the City has entered into with this applicant. Staff has attached information regarding these issues as **Exhibit M**.

ALTERNATIVES

A. Deny the vacation and Frandsen Subdivision, thereby retaining the original configuration of lots. Because Lots 9-12 have frontage on platted Woodside, the applicant could request that Woodside be improved (at his expense) to standards of a City street in order to provide access for development of houses, hotels, or condominiums.

It would be an open question who would be charged with the financial responsibility to remove the cement block garage (the City or Mr. Frandsen), as the garage does not belong in the ROW and blocks access to the platted lots fronting on the ROW. The City may want to issue a revocable encroachment permit to allow the house at 1439 Woodside to remain.

B. Approve the vacation and Frandsen Subdivision as recommended, or with modifications, and allow the new configuration of lots with conditions as recommended by Staff and the Planning Commission.

C. Continue the item and request evaluation and recommendations from Staff.

SIGNIFICANT IMPACTS

Staff believes that the Frandsen Subdivision and related ROW vacation preserves the character of the neighborhood; significantly reduces the potential density, traffic, and congestion on what in many respects is a substandard street; restores and preserves an historic structure and several significant mature trees; resolves property lines; places existing structures on legally platted lots; and removes ROW from beneath an historic structure.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION

If the Council chooses not to approve the Frandsen Subdivision and related ROW vacation, the historic structure will continue to sit upon a dedicated ROW with Mr. Frandsen free to collect rents from the home thereon. The owner of the lots fronting on the platted ROW, currently Mr. Frandsen, (Lots 9 -12) could request that the ROW be improved to provide access to these four

RC, Recreational Commercial, zoned lots. A decision would have to be made about removing the house and trees in order to improve the ROW, and at whose expense those improvements would be made.

In addition, the applicant could combine his existing property and have approximately 13 development credits in the RC zone. This would allow hotel/condominium development of 26 hotel rooms or 6- 12 condo units depending on configuration and size. The maximum building height for hotel/condominium development in the RC zone is 35 feet. Single family or duplex structures in the RC zone must follow restrictions as outlined in the HR-1 zone.

RECOMMENDATION

Staff finds that the proposed subdivision and ROW vacation are consistent with requirements as set forth in the Land Management Code and state statutes as related to subdivision of land and vacation of ROW. The Planning Commission voted to forward a positive recommendation to Council to approve the subdivision request with conditions. Staff relayed the Commission's concerns about the ROW to Council. Staff recommends that Council adopt the following **proposed** findings of fact and conclusions of law if they approve the subdivision and the vacation of ROW.

FINDINGS OF FACT

1. The subdivision proposal is consistent with the Park City Land Management Code and State Statutes relating to vacation of public ROW.

2. The proposed lot configuration meets requirements of the RC Zoning District.

3. The proposed lot configuration will reduce the density from portions of 6 or more lots and a parcel, with RC development potential, to 3 lots with limited single family development potential.

4. The proposed subdivision, with conditions, would preserve the "Old Town" residential character of this section of Woodside Avenue.

5. Historic buildings are valuable assets which contribute to the distinct character of the community. It is therefore desirable to encourage new construction of residential structures which are compatible with the mass and scale of the historic context. The applicant has agreed to dedicate a facade easement for the historic structure and limit the size and mass of any additions.

6. Large trees are valuable to the community for the beauty and shade they offer. The applicant has agreed to dedicate tree preservation easements for the large conifer trees on the property.

7. The owner has agreed to dedicate a 10' snow storage easement across the front of these

lots at the request of the City Engineer.

8. The owner has agreed to dedicate a 5' strip of land across the front of these lots as right-of-way for street widening or sidewalks if deemed necessary in the future.

9. The existing ROW adjacent to lots 9 - 12 does not continue to the north in front of 1445 Woodside Avenue, because the Snyders Addition Subdivision Plat ends between 1439 and 1445 Woodside Avenue.

10. The paved Woodside Avenue is located entirely to the east of the platted Woodside in this location and the portion of platted Woodside that is to be vacated is not adjacent to existing ROW to the north, east, or west and is adjacent to only a remaining sliver of ROW to the south.

11. The applicant has agreed to limit construction on the 9363 sq. ft. Lot B to a single family or duplex house not to exceed 2400 sq. ft. (current zoning would allow approximately 4,000 sq. ft.).

12. Parking will be provided in accordance with the City's Land Management Code.

13. The applicant has requested in writing the vacation of unimproved Woodside Avenue ROW, between Lots 9 - 12, Block 21 and Lots 7 and 8, Block 22 of the Snyder's Addition Subdivision plat.

14. Proper procedure for vacation of ROW was followed and proper notice given to all owners within the Snyder's Addition Subdivision.

15. A public hearing was held on July 26, 1995 by the Planning Commission and on August 31, 1995 by the City Council, to receive public input.

CONCLUSIONS OF LAW

1. There is good cause for this plat amendment and subdivision plat for the reasons outlined in this staff report.

2. There is good cause for the ROW vacation for reasons outlined in this staff report.

3. Neither the public nor any person will be materially injured by the proposed plat amendment, subdivision plat, and ROW vacation.

CONDITIONS OF APPROVAL

1. Approval of the subdivision plat is contingent upon the applicant successfully completing the vacation of Woodside Avenue ROW crossing the subject property.

2. Prior to plat recordation, the City Attorney and City Engineer shall review and approve the plat.

3. Prior to plat recordation, the cinder block garage at 1439 Woodside Avenue shall be removed and the resulting disturbed area graded smooth. All debris shall be removed.

4. All Standard Project Conditions apply.

5. There shall be a note on the plat limiting the maximum house size for Lot B to 2400 square feet, with an additional 600 square feet allowed for a garage.

6. There shall be a note on the plat, and a Grant of Easement submitted, granting a facade easement to Park City for 1439 Woodside Avenue.

7. There shall be a note on the plat granting a tree preservation easement to Park City for the evergreen and maple trees at 1437 and 1439 Woodside Avenue.

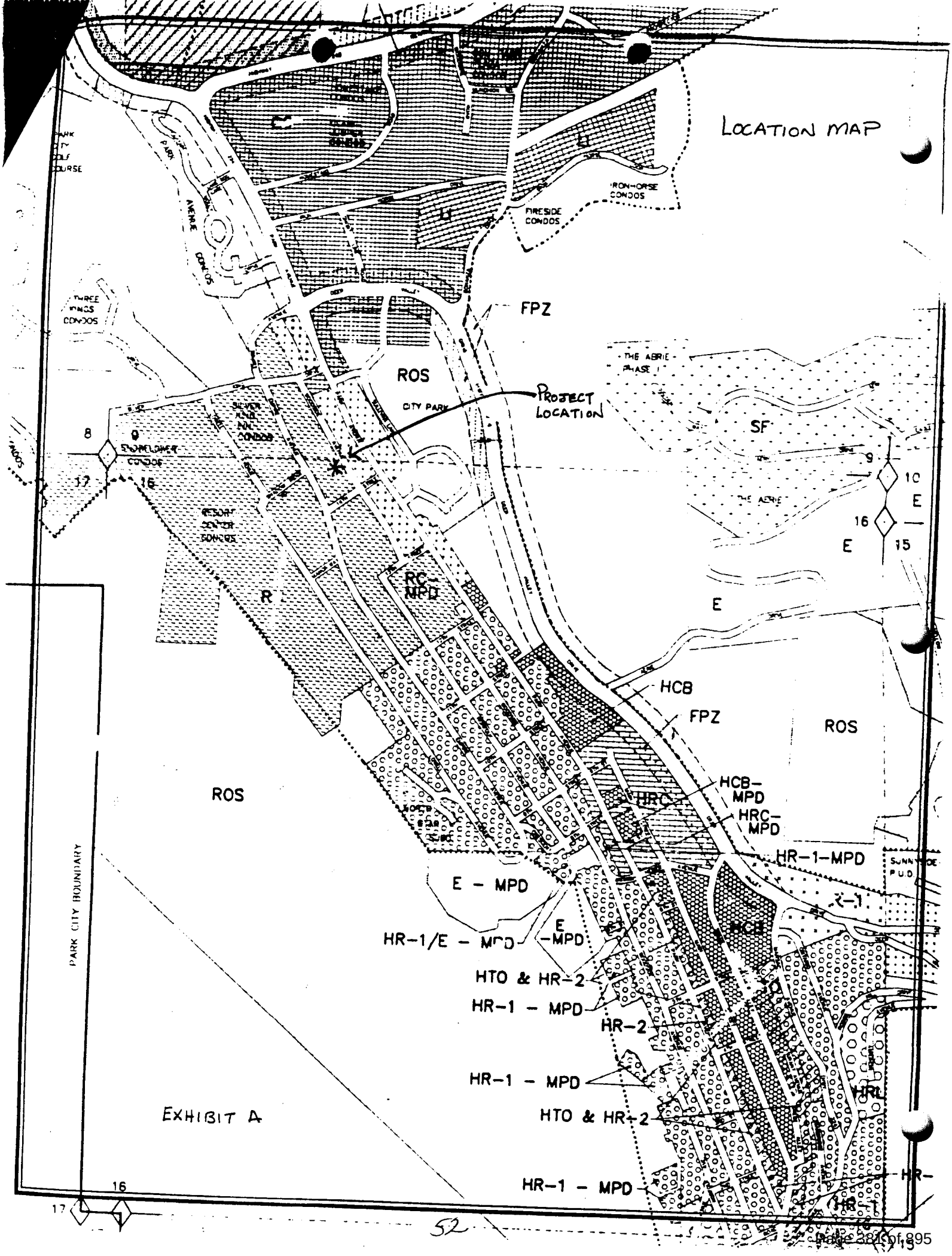
8. There shall be a note on the plat dedicating a 10' snow storage easement to Park City across the frontage of Lots A, B, and C.

9. There shall be a note on the plat dedicating a 5' strip of public right-of-way adjacent to the front property lines for Lots A, B, and C.

10. Prior to recording the subdivision plat, the applicant shall add a note to the plat specifying that no additional subdivision of the property shall occur.

EXHIBITS

A. Location Map
B. Proposed Subdivision Plat
C. Sketch showing existing and proposed lot configuration
D. Sketch showing vacation and dedication areas
E. Applicants vacation of ROW request letter
F. County assessors map
G. Vacation of ROW Procedure Memo
H. State Code regarding Vacation of ROW
I. Quit Claim Deed to Frandsen Property
J. November Memo from City Attorney regarding ROW and Frandsen Property
K. Sketch showing existing vegetation
L. Attachments regarding "Other Issues" related to this property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PARK CITY BOUNDARY
EXHIBIT A
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FIRESIDE CONDOS
THREE KINGS CONDOS
SILVER KING INN CONDOS
SNOWBIRD CONDOS
RESORT CENTER CONDOS
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Ordinance No. 00-04

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF PARK CITY TO ADJUST THE SENSITIVE AREA OVERLAY ZONE BOUNDARY IN THE VICINITY OF DEER VALLEY DRIVE EAST, PARK CITY, SUMMIT COUNTY, UTAH

WHEREAS, the Sensitive Area Overlay Zone boundary was established in 1992 for the purpose of regulating development on ridgetops, hillsides and in wetlands; and

WHEREAS, the Sensitive Area Overlay boundary was drawn to be inclusive, with the understanding that further evaluation may result in some areas not being identified as "sensitive"; and

WHEREAS, it came to the attention of the Planning Department that the boundary in the vicinity of Deer Valley Drive may more appropriately be placed behind the existing development at the toe of the slope; and

WHEREAS, the Planning Commission held a legally noticed public hearing on a proposed boundary adjustment on December 15, 1999 and forwarded a positive recommendation on the boundary line adjustment to the City Council;

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

SECTION 1. ZONING MAP AMENDED. The Official Zoning Map of Park City as adopted by Section 1.9 of the Park City Land Management Code, is hereby amended to adjust the Sensitive Area Overlay Zone boundary as depicted on Exhibit A, based upon the following findings:

1. The Sensitive Areas Overlay Zone was established in 1992. At that time, a boundary was established.

2. The intent of the Sensitive Area Overlay Zone was to protect ridgelines, hillsides and wetlands.

3. The area to the east of Deer Valley Drive East contains development or disturbed area. Beyond this area, the hillside rises consistently.

4. Further site specific review of the zone boundary in the vicinity of Deer Valley East demonstrated that an adjustment to the zone boundary to the toe of the consistently rising slope and excluding the disturbed area immediately to the east of the road is appropriate.

5. The amendment is consistent with the General Plan. The Land Use Element specifically directs development to the toe of slopes, preserving ridgelines, meadows and visible hillsides.

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

PASSED AND ADOPTED this 3rd day of February, 2000.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

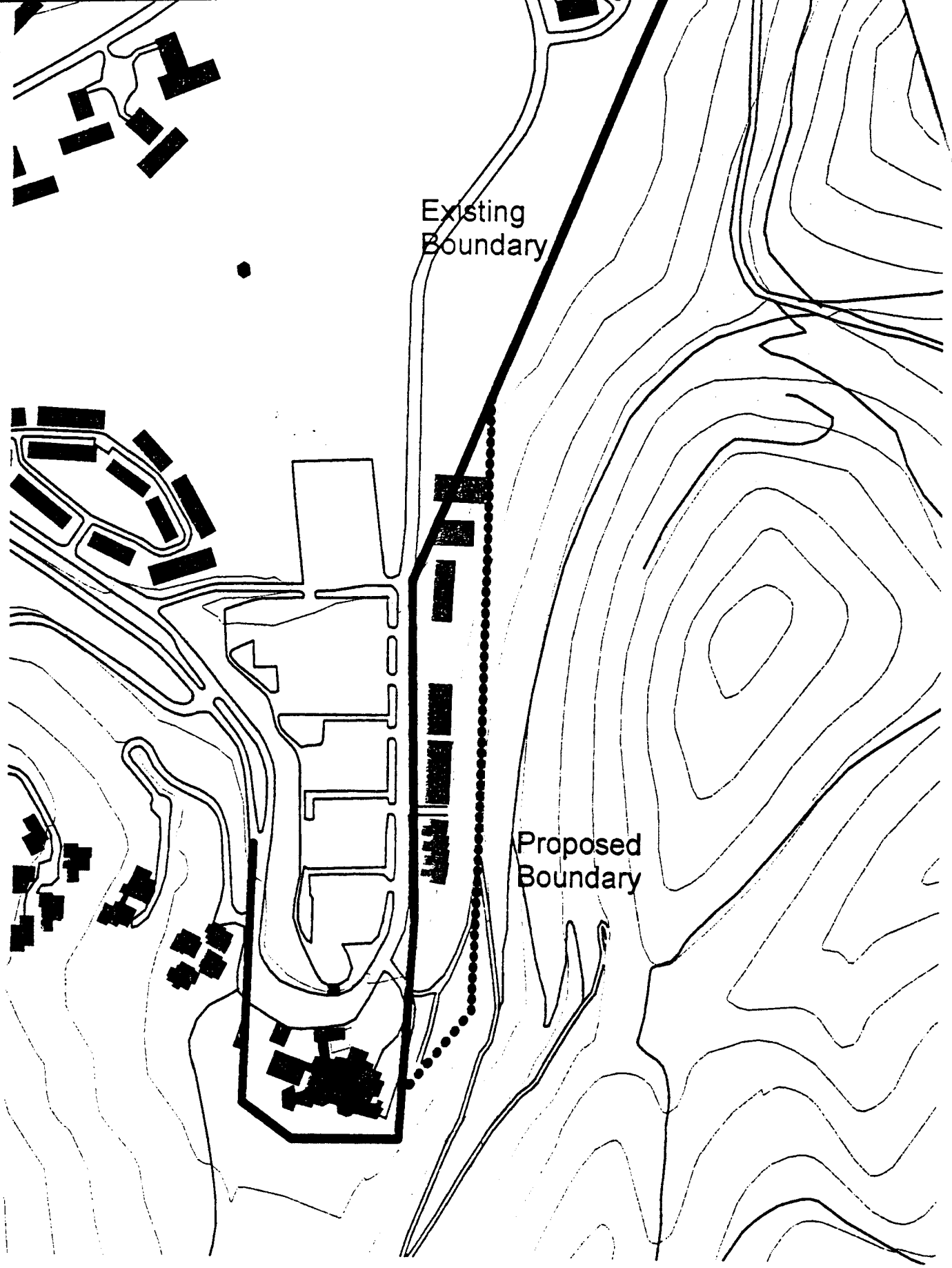
Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884



Sensitive Lands
Boundary Adjustment

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Ordinance No. 05-40

**AN ORDINANCE AMENDING SECTION 15-2.21-4(A)
OF THE LAND MANAGEMENT CODE
RELATING TO THE SENSITIVE AREA REGULATIONS-SLOPE PROTECTION**

WHEREAS, the Land Management Code was adopted by the City Council of Park City, Utah to promote the health, safety and welfare of the residents of Park City; and

WHEREAS, it is in the best interest of the community to periodically amend the Land Management Code to reflect the goals and objectives of the City Council and to align the Code with the Park City General Plan; and

WHEREAS, the City Council finds that the proposed change to the Land Management Code is necessary to provide criteria for reductions to setbacks from Very Steep Slopes within the Sensitive Lands Overlay;

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

SECTION 1. AMENDMENT TO TITLE 15- Land Management Code, 2.21-4(A) – SENSITIVE AREA REGULATIONS-SLOPE PROTECTION

15-2.21-4(A) **Prohibitions.** No Development is allowed on or within fifty feet (50') (map distance) of Very Steep Slopes, Areas subject to landsliding, and other high-hazard geologic Areas. As used herein, an Area of Very Steep Slopes must cover a topographic Area at least twenty-five feet (25') vertically (upslope or downslope) and fifty feet (50') horizontally in any direction to be subject to this prohibition.

The Planning Commission may vary the setback from Very Steep Slopes if the Planning Commission can make all of the following findings during the Suitability Review:

1. Varying the setback does not create an intrusion by buildings into the Ridgeline Area when viewed from LMC designated Vantage Points (15-2.21-3(A) (4)) or other Vantage Points designated by the Planning Staff or Commission (15-2.21-3 (B));
2. Building areas in the setback do not create excessive cut or fill slopes; minimal retaining walls to limit disturbance and meet grade may be required by the Planning Commission subject to sections 15-2.21-4 (B), (C), and (E).
3. Limits of Disturbance around any structure within the setback shall be limited to the minimal area necessary to excavate and backfill the foundation. Decks and patios may not extend more than fifteen feet (15') beyond the foundation walls or the minimal

excavation/backfill area, whichever is greater.

4. No additional erosion, land subsidence, or avalanche hazard is created;
5. The site plan results in an improved organization of units through vegetation avoidance, minimization of changes to the viewshed from public areas, and reduction of site disturbance; and
6. The reduction in setback results in a reduction in overall project density as established by the Planning Commission's Suitability Review.
7. In no case shall additional disturbance be allowed beyond the maximum determined in the Suitability Analysis. See definition of Development.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon publication.

PARK CITY MUNICIPAL CORPORATION

Dana Williams

Mayor Dana Williams

Attest:

Janet M. Scott

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY SUMMIT COUNTY UTAH
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Ordinance No. 07-81

AN ORDINANCE APPROVING AMENDMENTS TO THE LAND MANAGEMENT CODE OF PARK CITY, UTAH, TO REFLECT REVISIONS TO PREVENT REPITION BETWEEN THE PROCESSES OF THE BUILDING DEPARTMENT AND PLANNING DEPARTMENT, TO CREATE A MORE COHESIVE AND COMPREHENSIBLE CODE, TO UPDATE REFERENCED CODES AND ORGANIZATIONS AND TO REFLECT THE NEW S.B. 183 OF THE UTAH CODE, AND TO ADDRESS SUBTANTIVE AMENDMENTS, FOR CHAPTER 2.21 SLO ZONING DISTRICT

WHEREAS, the Land Management Code is designed and enacted to implement the objectives of the Park City General Plan; to protect the general health, safety, and welfare of Park City's citizen's and property owners; to maintain the quality of life and experience for its residents and visitors; and to preserve the community's unique character and values;

WHEREAS, the City is in the process of preparing amendments to the entire Land Management Code to address reorganization of the Community Development Department and to ensure that the Park City Land Management Code comports with revisions to the Utah Code in 2005;

WHEREAS, approval of these amendments to the Land Management Code serve to implement amendments to the City's General Plan and to address substantive amendments to the Land Management Code Sensitive Lands Overly regarding repetition of process between departments, updates to referenced codes and organizations, updates to the State Code, and updates language to create a more cohesive and comprehensible code

WHEREAS, these amendments are changes identified since the 2000 Land Management Code revisions.

WHEREAS, the Planning Commission duly noticed and conducted a public hearing at its regularly scheduled meeting on November 14, 2007 and forwarded to City Council a positive recommendation to the City Council;

WHEREAS, the City Council duly noticed and conducted a public hearing at its regularly scheduled meeting on December 6, 2007; and

WHEREAS it is in the best interest of the residents of Park City, Utah to amend the Land Management Code to be consistent with the Utah State Code and the Park City General Plan, and to be consistent with the values and identified goals of the Park City community to protect health and safety, maintain the quality of life for its residents, and to preserve the community's unique character.

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

SECTION 1. AMENDMENTS TO CHAPTER 2 OF THE LAND MANAGEMENT CODE. Chapter 2.21 is hereby amended as attached hereto as Exhibits A. Any conflicts or cross-references from other provisions of the LMC to Chapter 2.21 shall be resolved by the Planning Director.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED this 6th day of December, 2007.

PARK CITY MUNICIPAL CORPORATION

Mayor Dana Williams

Attest:

Janet M. Scott, City Recorder

Approved as to form:

Mark D. Harrington, City Attorney

PARK CITY MUNICIPAL CODE
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TITLE 15 LAND MANAGEMENT CODE - CHAPTER 2.21

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15-2.21-2. OVERLAY REVIEW PROCESS 1

15-2.21-3. SENSITIVE LAND OVERLAY ZONE ORDINANCE PROVISIONS 2

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TITLE 15 - LAND MANAGEMENT CODE (LMC)
CHAPTER 2.21 - SENSITIVE LAND OVERLAY ZONE (SLO) REGULATIONS

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Chapter adopted by Ordinance No. 00-51

15-2.21-1. PURPOSE.

The purpose of the Sensitive Land Overlay (SLO) is to:

(A) require dedicated Open Space in aesthetically and environmentally sensitive Areas;

(B) encourage preservation of large expanses of Open Space and wildlife habitat;

(C) cluster Development while allowing a reasonable use of Property;

(D) prohibit Development on Ridge Line Areas, Steep Slopes, and wetlands; and

(E) protect and preserve environmentally sensitive land.

15-2.21-2. OVERLAY REVIEW PROCESS.

The overlay review process has four primary steps:

(A) **SENSITIVE LANDS ANALYSIS.** Applicants for Development within the SLO must identify the Property's sensitive environmental and aesthetic Areas such as Steep Slopes, Ridge Line Areas, wetlands, Stream Corridors, Wildland interface, and wildlife habitat Areas and provide at time of Application, a Sensitive Lands Analysis. Every annexation must provide a sensitive lands analysis.

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(B) **APPLICATION OF OVERLAY ZONE REGULATIONS.** Regulatory standards apply to the type of Sensitive Lands delineated.

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(C) **SITE DEVELOPMENT SUITABILITY DETERMINATION.** Staff shall review the Sensitive Lands Analysis, apply the applicable Sensitive Lands Overlay Regulations (15-2.21-4 through 15-2.21-9), and shall prepare a report to the Applicant and the Planning Commission identifying those Areas suitable for Development as Developable Land.

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(D) **HARDSHIP RELIEF.** If the Applicant demonstrates that the regulations would deny all reasonable Use of the Property, the Planning Commission may

modify application of these regulations to provide the Applicant reasonable Use of the Property.

15-2.21-3. SENSITIVE LANDS OVERLAY ZONE- ORDINANCE PROVISIONS.

(A) **SENSITIVE LANDS ANALYSIS.** Any Applicant for Development must produce a Sensitive Lands Analysis performed by a qualified professional(s) that identifies and delineates all the following features and conditions:

(1) **SLOPE/TOPOGRAPHIC MAP.** A Slope and topographic map based on a certified boundary survey depicting contours at an interval of five feet (5') or less. The map must highlight Areas of high geologic hazard, Areas subject to land sliding, and all significant Steep Slopes[1] in the following categories:

(a) Greater than fifteen percent (15%), but less than or equal to thirty percent (30%);

(b) Greater than thirty percent (30%) but less than or equal to forty percent (40%); and

(c) Very Steep Slopes, greater than forty percent (40%).

(2) **RIDGE LINE AREAS.** A map depicting all Crests of Hills and Ridge Line Areas.

(3) **VEGETATIVE COVER.** A detailed map of vegetative cover, depicting the following:

(a) Deciduous trees;

(b) Coniferous trees;

(c) Gamble oak or high shrub; and

(d) Sage, grassland, and agricultural crops.

The Planning Department may require a more detailed tree/vegetation survey if the Site has unusual or Significant Vegetation, stands of trees, or woodlands.

(4) **DESIGNATED ENTRY CORRIDORS AND VANTAGE POINTS.** Designated entry corridors and Vantage Points present within or adjacent to the Site, including Utah Highway 248 east of Wyatt Earp Way and Utah Highway 224 north of Holiday Ranch Loop Road and Payday Drive as identified by Staff.

Typical Vantage Points are:

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[1]Slope determinations shall be made upon Areas with a rise of at least twenty-five feet (25') vertically and a run of at least fifty feet (50') horizontally.

(a) Osguthorpe/McPolin Barn.

(b) Treasure Mountain Middle School

(c) Intersection of Main Street and Heber Avenue

(d) Park City Ski Area Base

(e) Snow Park Lodge

(f) Park City Golf Course Clubhouse

(g) Park Meadows Golf Course Clubhouse

(h) Utah Highway 248 at the turn-out one quarter mile west from U.S. Highway 40

(i) Highway 224, 2 miles south of the intersection with Kilby Road

(5) **WETLANDS**. A map delineating all Wetlands established by using the 1987 *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*, as amended. (See Section 15-2.21-6.)

(6) **STREAM CORRIDORS, CANALS, AND IRRIGATION DITCHES**. A map delineating all stream corridors, canals, and irrigation ditches, defined by the ordinary high-water mark.

(7) **WILDLIFE HABITAT AREAS**. A map depicting all wildlife habitat Areas, as defined by a Wildlife Habitat Report shall be provided by the applicant. The Wildlife Habitat Report shall be prepared by a professional, qualified in the Areas of ecology, wildlife biology, or other relevant disciplines and describe the following:

(a) The ecological and wildlife Use characterization of the Property explaining the species of wildlife using the Areas, the times or seasons the Area is used by those species, and the value, e.g. meaning feeding, watering, cover, nesting, roosting, or perching, that the Area provides for such wildlife species;

(b) The existence of critical wildlife movement corridors;

(c) The existence of special habitat features, including Key nesting Sites, feeding Areas, calving or production Areas, use Areas for migrant song birds and grassland birds, fox and coyote dens, deer and elk winter concentration Areas as identified by the Utah Division of Wildlife, and

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Areas of high terrestrial or aquatic insect diversity.

(d) Areas inhabited by or frequently utilized by any species identified by state or Federal agencies as Threatened or Endangered.

(e) The general ecological functions provided by the Site and its features;

(f) Potential impacts on these existing wildlife species that would result from the proposed movement.

(B) **ADDITIONAL INFORMATION AND STUDY REQUIREMENTS**. The Planning Department may require the Applicant to submit the following information, as applicable:

(1) **VISUAL ASSESSMENT**. A visual assessment of the Property from Vantage Points designated by the Planning Department, depicting conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project.

(2) **SOIL INVESTIGATION REPORT**. A soil investigation report, including but not limited to shrink-swell potential, water table elevation, general soil classification and suitability for Development, erosion potential, hazardous material analysis, and potential frost action. The soils report shall indicate whether the property is 1) within the Prospector Soils Ordinance area and 2) within a Point Source water protection zone.

(3) **GEOTECHNICAL REPORT**. A geotechnical report, which must include the location of major geographic and geologic features, the depth of bedrock, structural features, folds, fractures, etc., and potential land slide and other high hazard Areas such as mine shafts and avalanche paths.

(4) **ADDITIONAL SLOPE INFORMATION**. If the size of the proposed Development and visual sensitivity of the Site dictate, the Planning Department may require the Applicant to submit a Slope/topographic map depicting contours at an interval of two feet (2').

(5) **FIRE PROTECTION REPORT**. A fire protection report that identifies potential Wildland Urban Interface areas. Analysis must include fire hazards, mitigation measures, access for fire protection equipment, existing and proposed fire flow capability and compliance with the International Wildland Urban Interface Code and the Summit County Wildfire Plan.

(6) **HYDROLOGICAL REPORT**. A hydrological report, including information on groundwater levels, drainage

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channels and systems, and base elevations in flood plains.

(C) **SENSITIVE LANDS DETERMINATION**. The Planning Department shall review the information presented in the Sensitive Lands Analysis, as described in Section 15.2-21.3(A) and Section 15.2-21.3(B), and provide a recommendation to the Planning Commission determinating and delineating all Sensitive Lands on the parcel, including Steep Slope Areas, Ridge Lines Areas, Entry Corridors, Wetlands, Stream Corridors, Irrigation Ditches, Wildland and Wildfire Interface Areas, and Critical Wildlife Movement Corridors and Habitat Areas.

(1) **DENSITY TRANSFER**. Whenever land within the Sensitive Area Overlay Zone is subject to more than one (1) Density transfer provision, the more restrictive provision shall apply.

15-2.21-4. SENSITIVE LANDS REGULATIONS - SLOPE PROTECTION.

The following Slope protection provisions apply in the Sensitive Land Overlay Zone:

(A) **PROHIBITIONS**. No Development is allowed on or within fifty feet (50'), map distance, of Very Steep Slopes, Areas subject to land slide activity, and other high-hazard geologic Areas. As used herein, an Area of Very Steep Slopes must cover a topographic Area at least twenty-five feet (25') vertically, upslope or downslope, and fifty feet (50') horizontally in any direction to be subject to this prohibition.

The Planning commission may vary the Setback from Very Steep Slopes if the Planning Commission can make all of the following findings during the suitability review:

(1) Varying the Setback does not create an intrusion by Buildings into the Ridge Line Area when viewed from Land Management Code designated Vantage Points (15-2.21-3(A)(4) or other Vantage Points designated by the Planning staff or Commission (15-2.21-3(B);

(2) Building Areas in the Setback do not create excessive cut or fill Slopes; minimal retaining walls to limit disturbance and meet Grade may be required by the Planning Commission subject to sections 15-2.21-4(B),(C), and (E);

(3) Limits of Disturbance around any Structure within the Setback shall be limited to the minimal Area necessary to excavate and backfill the foundation. Decks and patios, in the area of the Very Steep Slope setback, may not extend more than fifteen feet (15') beyond the foundation walls or the minimal excavation/backfill Areas, whichever is greater;

(4) No additional erosion, land subsidence, or avalanche hazard is created;

Deleted: (7) **WETLAND/STREAM CORRIDOR RESOURCE EVALUATION**. A Wetland/Stream Corridor resource evaluation, including a delineation of wetland and Stream Corridor boundaries and a determination of resource significance. This report shall also identify and describe all canals and irrigation ditches. ¶
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(8) **WILDLIFE AND HABITAT REPORT**. A report prepared by a professional, qualified in the Area ... [1]
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(5) The Site plan results in an improved organization of units through vegetation avoidance, minimization of changes to the viewshed from public Areas, and reduction of Site disturbance;

(6) The reduction in Setback results in a reduction in overall project Density or Development massing as established by the Planning Staff's Site Suitability Determination and

(7) In no case shall additional disturbance be allowed beyond the maximum area determined in the Site Development Suitability Determination (See Section 15-2.21-2(C).

(B) **GRADED OR FILLED SLOPES**. The Applicant must avoid or, to the greatest extent possible, minimize proposed cuts and fills. Cutting and filling to create additional or larger Building Sites shall be kept to a minimum and shall be avoided to the maximum extent feasible. Except for ski Slopes, Graded or filled Slopes shall be limited to a 3 to 1 Slope or less. All Graded Slopes shall be re-contoured to the natural, varied contour of surrounding terrain.

(C) **BENCHING OR TERRACING**. Benching or terracing to provide additional or larger Building Sites is prohibited.

(D) **STREETS AND ROADS**. Streets and roads, proposed for Steep Slopes may not:

(1) Cross Slopes of thirty percent (30%) or greater. A short run of not more than one hundred feet (100') may be allowed to cross Slopes greater than thirty percent (30%) if the Planning Director and the City Engineer conclude that such Streets or roads will not have significant adverse visual, environmental, or safety impacts.

(2) Streets and roads proposed to cross Slopes greater than ten percent (10%) are allowed, subject to the following:

(a) Proof that such Street and/or road will be built with minimum environmental damage and within acceptable public safety parameters; and

(b) Such Street and road design generally follows contour lines to preserve the natural character of the land, and are Screened with trees or vegetation.

(3) Cutting and filling is minimized and appropriately re-vegetated.

(E) **RETAINING WALLS**. The use, design, and construction of all retaining walls is subject to an Administrative Permit based upon assessment of visual impact, Compatibility with surrounding terrain and vegetation, and safety.

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(F) **LANDSCAPING AND REVEGETATION**. An Applicant must commit to landscaping or re-vegetating exposed Slopes. Topsoil from any disturbed portion of a Steep Slope must be preserved and utilized in re-vegetation. Fill soil must be of a quality to support plant growth.

(G) **PRIVATE DEVELOPMENT DESIGN STANDARDS**. All Development on Steeps Slopes shall comply with the design standards set forth in LMC Chapter 15-5.

(H) **OPEN SPACE AND DENSITY ON DELINEATED PORTIONS OF SITES WITH STEEP SLOPES GREATER THAN FIFTEEN PERCENT (15%) BUT LESS THAN OR EQUAL TO FORTY PERCENT (40%)**. In addition to the specific Development regulations set forth above, the following regulations apply:

(1) **OPEN SPACE**. Seventy-five percent (75%) of the Steep Slope Area must remain as Open Space.

(2) **DEVELOPABLE LAND**. Twenty-five percent (25%) of the Steep Slope Area may be Developed in accordance with the underlying zoning subject to the following conditions:

(a) MAXIMUM DENSITY. The maximum Density on Developable Land within a Steep Slope Area is governed by the underlying zoning and proof that the proposed Density will not have a significant adverse visual or environmental affect on the community.

(b) LOCATION OF DEVELOPABLE LAND. The Developable Land in a Steep Slope Area is that Area with the least visual and environmental impacts, as determined by the Sensitive Lands Determination (See Section 15-2-21 (C)), including the Visual Assessment, and considering the visual impact from key Vantage Points, potential for Screening location of natural drainage channels, erosion potential, vegetation protection, Access, and similar Site design criteria. Based upon such analysis, the Planning Department may require the Applicant to Site the Developable Land pursuant to one or more of the following techniques:

(i) Clustered Development, or

(ii) dispersed Development, or

(iii) transfer of Density to the least sensitive portions of the Site.[2]

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(c) DENSITY TRANSFER. Upon proof of a sensitive Site plan, the Applicant may transfer up to twenty-five percent (25%) of the Densities from the Open Space portion of the Site to the Developable Land.

(d) SUITABILITY DETERMINATION. The Applicant must prove that the Development will have no significant adverse impact on adjacent Properties. The Planning Commission shall determine that the Proposal complies with this chapter if the Applicant proves:

(i) The Density is Compatible with that of adjacent Properties.

(ii) The Architectural Detail, height, building materials, and other design features of the Development are Compatible with adjacent Properties.

(iii) The Applicant has adopted appropriate mitigation measures such as landscaping, Screening, illumination standards, and other design features to buffer the adjacent Properties from the Developable Land.

preserve the open meadow vistas.

(I) **OPEN SPACE AND DENSITY ON VERY STEEP SLOPES**.

(1) **REQUIRED OPEN SPACE**. One hundred percent (100%) of the Very Steep Slope Area shall remain in Open Space. No vegetation within fifty vertical feet (50') in elevation of the Very Steep Slope Area shall be disturbed, except as permitted by the Planning Commission per Section 15-2.21-4.

(2) **TRANSFER OF DENSITY**. Up to ten percent (10%) of the Densities otherwise allowed in the zone may be transferred to Developable Land subject to a Suitability Determination (See Section 15-2.21-4(H)(2)(d)).

(J) **MASTER PLANNED DEVELOPMENT (MPD) TDR OPEN SPACE REQUIREMENTS**. The Planning Commission at the time of Master Planned Development or Subdivision review, may reduce the TDR Open Space requirements upon a determination that:

(1) the Sensitive Land Open Space set aside is sufficient for the Development,

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(2) sufficient neighborhood and TDR Open Space is set aside within the Developable Land to serve residents of the Development, and.

(3) not less than twenty percent (20%) of the Developable Land is set aside for TDR Open Space.

(K) **DENSITY BONUSES**. In addition to the Density transfers permitted pursuant to this Section, the Planning Department may recommend that the Planning Commission grant up to a twenty percent (20%) increase in transferable Densities if the Applicant:

(1) offers to preserve Open Space to ensure the long-term protection of a significant environmentally or visually sensitive Area in a manner approved by the City; or

(2) provides public Access as shown on the Trails Master Plan; or

(3) restores degraded wetlands or environmental Areas on the Site or makes other significant environmental improvements.

(Amended by Ord. No. 05-40)

15-2.21-5. SENSITIVE LANDS REGULATIONS - RIDGE LINE AREA PROTECTION.

(A) **INTENT**. The intent of these provisions is to ensure that Development near Ridge Line Areas blends with the natural contour of these land forms. Ridge Line Areas should be retained in a natural state, and Development should be sited in such a manner so as not to create a silhouette against the skyline or mountain backdrop as viewed from designated Vantage Points.

(B) **MINIMUM SETBACK**. No Structure or other appurtenant device, including mechanical equipment may visually intrude on the Ridge Line Area from any of the designated Vantage Points as depicted herein, or as identified by the Planning Commission during review of an Annexation or Master Planned Development.

(C) **OPEN SPACE AND DENSITY**. The following regulations apply to all Ridge Line Areas in the Sensitive Overlay:

(1) **OPEN SPACE**. One hundred percent (100%) of the Ridge Line Area shall remain in Open Space.

(2) **DENSITY TRANSFER**. The Planning Commission may transfer up to twenty-five percent (25%) of the Densities otherwise allowed in the Ridge Line Area to Developable Land Subject to a Suitability Determination. (See Section 15-2.21-4(H)(2)(d))

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(a) SUITABILITY DETERMINATION. The Applicant must prove that the Development will have no significant adverse impact on adjacent Properties. The Planning Commission shall determine that the Proposal complies with this chapter if the Applicant proves:¶
¶
(i) The Density is Compatible with that of adjacent Properties.¶
¶
(ii) The Architectural Detail, height, materials, and other design features of the Development in the receiving Area are Compatible with adjacent Properties.¶
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(iii) The Applicant has adopted appropriate mitigation measures such as landscaping, Screening, illumination standards, and other design features to buffer the adjacent Properties from the Developable Land.

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(D) **DENSITY BONUSES**. In addition to the Density transfers permitted pursuant to this Section, at MPD or subdivision review. The Planning Department may recommend that the Planning Commission grant up to a twenty percent (20%) increase in transferrable Densities if the Applicant:

(1) offers to preserve open space to ensure the long-term protection of a significant environmentally or visually sensitive Areas in a manner approved by the City; or

(2) provides public Access for trails, as shown on the Trails Master Plan; or

(3) restores degraded wetlands or environmental Areas on the Site or makes other significant environmental improvements.

15-2.21-6. SENSITIVE AREA REGULATIONS - WETLANDS AND STREAM PROTECTION.

(A) **INTENT**. The following requirements and standards have been developed to promote, preserve, and enhance wetlands and Stream Corridors and to protect them from adverse effects and potentially irreversible impacts.

(B) **JURISDICTION**. All Wetlands and Stream Corridors are regulated as provided below.

(C) **PROHIBITED ACTIVITIES**. No person shall disturb, remove, fill, dredge, clear, destroy or alter any Area, including vegetation, surface disturbance within Wetlands and Stream Corridors and their respective Setbacks, except as may be expressly allowed herein.

(D) **BOUNDARY DELINEATIONS**. The applicant must provide a wetlands delineation by a qualified professional utilizing the methods of the 1987 Army Corp of Engineers Manual for identifying and delineating Jurisdictional Wetlands, as amended. The boundary of stream corridors and wetlands shall be delineated at the Ordinary High Water Mark as define in Section 15-15.

(E) **DETERMINATION OF WETLANDS, STREAMS, AND IRRIGATION DITCHES.**

(1) **WETLAND CRITERIA**. A wetland that meets the criteria of the *1987 Army Corp of Engineers Manual for Identifying and Delineating Jurisdictional Wetlands is a Wetland.*

(2) **STREAM CORRIDOR**. All Stream Corridors which exist within the property. Irrigation ditches are not Stream Corridors.

(3) IRRIGATION DITCHES. An irrigation ditch that meets the Army Corps of Engineers definition for waters of the Unites States must comply with the regulations of stream corridors, within this section.

(F) **SETBACKS**. The following Setbacks are required:

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(1) Wetlands shall be established using the *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*, dated January 10, 1989. ¶
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(2) Stream Corridors shall be delineated at the Ordinary High Water Mark as defined in Section 15-15.

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(a) SIZE. All wetlands that occupy a surface Area greater than 1/10 acre or are associated with permanent surface water.¶
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(b) LOCATION. All wetlands that are adjacent to, or contiguous with, a Stream Corridor.¶
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(1) Setbacks from wetlands shall extend a minimum of fifty feet (50') outward from the delineated wetland Ordinary High Water Mark.

(2) Setbacks from Stream Corridors shall extend a minimum of fifty feet (50') outward from the Ordinary High Water Mark.

(3) Setbacks from irrigation ditches that meet the Army Corps of Engineers definition for waters of the United States shall extend a minimum of twenty feet (20') from the Ordinary High Water Mark.

(G) **RUNOFF CONTROL**. All projects adjacent to wetlands, Stream Corridors, or irrigation ditches that meet the Army corps of Engineers definition for waters of the United States must apply Best Management Practices for both temporary and permanent runoff control to minimize sediment and other contaminants.

(H) **HABITAT RESTORATION PROJECTS**. The Planning Department may approve wetland and Stream Corridor restoration and enhancement projects if the project plan has been reviewed by a qualified professional, approved by the appropriate state and federal agencies, and performed under the direct supervision of a Qualified Professional.

15-2.21-7. SENSITIVE LAND REGULATIONS - DEVELOPMENT APPROVALS FOR SKI AREA CONSTRUCTION AND EXPANSION.

(A) **CONSULTATION**. The Developer must submit a plan detailing the location, alignment and scope of the undertaking. If the Planning Director determines that the project may have significant visual and environmental impacts, a consultation meeting will be scheduled. No Development shall occur until after the consultation meeting and any required approvals have been granted.

(B) **MITIGATION**. The Planning Director must review the proposed project and after consultation may request the Developer to prepare alternatives for consideration and to prepare a mitigation plan that modifies the project to mitigate the environmental and visual impact of the project. To the Maximum Extent Feasible, the Developer must design the ski facilities to preserve the natural character of the Sensitive Lands. The mitigation plan must also address re-vegetation of disturbed Areas and temporary and permanent erosion control measures.

15-2.21-8. SENSITIVE LAND REGULATIONS - WILDLIFE AND WILDLIFE HABITAT PROTECTION.

(A) **INTENT**. The following requirements and standards have been developed 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.

(B) **JURISDICTION**. All Sensitive or Specially Valued Species, including all species identified by state or federal

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Any specific allowances or requirements for appropriate crossings of wetlands, Stream Corridors, and irrigation ditches? Are these regulations already included in the Subdivision Ordinance… just need to refer to that???¶
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(I) **LMC MASTER PLANNED DEVELOPMENT (MPD) OPEN SPACE REQUIREMENTS**. The Planning Commission may reduce the sixty percent (60%) MPD Open Space requirement in the Developable Land if the Planning Commission determines that: ¶
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(1) Open Space set aside is sufficient to provide adequate natural Open Space for the entire Development;¶
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agencies as Threatened or Endangered Wildlife are regulated as provided below:

(1) **PROTECTION OF WILDLIFE HABITAT AND ECOLOGICAL CHARACTER.**

(a) CONSTRUCTION TIMING. Construction shall be organized and timed to minimize disturbance of Sensitive or Specially Valued Species occupying or using on-Site and adjacent natural Areas.

(b) SENSITIVE AND SPECIALLY VALUED SPECIES. If 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.

(c) CONNECTIONS. If the Development Site contains existing natural Areas that connect to other Off-Site natural Areas, to the Maximum Extent Feasible the Development plan shall preserve such natural Area connections. If natural Areas lie adjacent to the Development Site, but such natural Areas are not presently connected across the Development Site, then the Development plan shall, to the extent reasonably feasible, provide such connection. Such connections shall be designed and constructed to allow for the continuance of existing wildlife movement between natural Areas and to enhance the opportunity for the establishment of new connections for movement of wildlife.

(d) WILDLIFE CONFLICTS. If wildlife that may create conflicts for future occupants of the Development are known to exist in Areas adjacent to or on the Development Site, then the Development plan must include provisions to minimize these conflicts to the extent reasonably feasible.

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Ordinance No. 2023-19

AN ORDINANCE AMENDING LAND MANAGEMENT CODE CHAPTER 15-2.21 *SENSITIVE LAND OVERLAY ZONE REGULATIONS* AND SECTION 15-15-1 *DEFINITIONS*

WHEREAS, the Land Management Code promotes the general health, safety, and welfare of the present and future inhabitants, businesses, and visitors of the City and implements the goals and policies of the General Plan;

WHEREAS, the Park City General Plan recommends protections for sensitive lands and Goal 4 is to conserve a connected, healthy network of open space for continued access to and respect for the natural setting, and Goal 6 states Park City will implement climate adaptation strategies to enhance the City's resilience to the future impacts of climate change and Objective 6C is to support ecosystem health, biodiversity, and natural buffers between development and sensitive lands;

WHEREAS, in 1991, the City Council recognized the City's economic well-being was dependent on the appeal of the year-round resort destination and that protection of the City's natural resources, view corridors, and mountain environment was directly related to the City's appeal for both tourists and the quality of life for residents. On October 10, 1991, the City Council passed Resolution No. 30-91 *Establishing Principles for the Protection of Sensitive Lands in the Park City Planning Area*, authorizing a study of sensitive lands within the community;

WHEREAS, in 1992, the City Council passed Ordinance No. 92-17 *Adopting the Sensitive Area Overlay Zone Regulations and Amending the Official Zoning Map of Park City, Utah to Include the Sensitive Area Overlay Zone and Amending the Land Management Code of Park City, Utah to Better Regulate Development of Sensitive Lands*;

WHEREAS, the Sensitive Land Overlay established in Land Management Code Chapter 15-2.21 requires dedicated Open Space in aesthetically and environmentally sensitive areas, encourages preservation of large expanded of Open Space and wildlife habitat, clusters development while allowing reasonable use of property, prohibits development on Ridge Line Areas, Steep Slopes, and wetlands, and protects and preserves environmentally sensitive land;

WHEREAS, while minor modifications to the Sensitive Land Overlay were enacted over the years, the City has annexed significant acreage and requires updates to Ridge Line Areas and Vantage Points;

WHEREAS, the Sensitive Land Overlay establishes exceptions for ski slopes and exceptions are expanded to the construction of trails if those trails are part of an approved

Trails Master Plan the Planning Commission reviews for Sensitive Land Overlay compliance prior to adoption by the City Council;

WHEREAS, the Sensitive Land Overlay prohibits development within fifty feet of a Very Steep Slope and the proposed amendments require applicants to identify Very Steep Slopes within fifty feet of property boundaries;

WHEREAS, on March 3, 2023, staff posted notice to the Utah Public Notice and City websites, on March 6, 2023, staff mailed courtesy notices to property owners within the Sensitive Land Overlay, and on March 8, 2023 the Park Record published public notice;

WHEREAS, on January 25, 2023, the Planning Commission conducted a work session on the proposed amendments;

WHEREAS, on March 22, 2023, the Planning Commission conducted a public hearing and unanimously forwarded a positive recommendation for City Council's consideration;

WHEREAS, on April 27, 2023, the City Council conducted a public hearing;

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

SECTION 1. AMEND MUNICIPAL CODE OF PARK CITY TITLE 15 LAND MANAGEMENT CODE. The recitals are incorporated herein as findings of fact. Municipal Code of Park City Title 15 Land Management Code Chapter 15-2.21 *Sensitive Land Overlay Zone Regulations* and Section 15-15-1 *Definitions* are hereby amended as outlined in Attachment 1.

SECTION 2. EFFECTIVE DATE. This Ordinance shall be effective upon publication.

PASSED AND ADOPTED THIS 27th day of April 2023.

PARK CITY MUNICIPAL CORPORATION

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Nann Worel
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Nann Worel, Mayor

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Attest:

DocuSigned by:
Michelle Kellogg
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City Recorder

Approved as to form:

DocuSigned by:
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City Attorney's Office

Attachment 1

15-2.21-2 Overlay Review Process

The overlay review process has four primary steps:

A. **SENSITIVE LANDS ANALYSIS**. Applicants for Development within the SLO must identify the Property's sensitive environmental and aesthetic Areas such as Steep Slopes, Ridge Line Areas, Crest of Hills, wetlands, Stream Corridors, Wildland interface, and wildlife habitat Areas and provide at time of Application, a Sensitive Lands Analysis. Every annexation must provide a Sensitive Lands Analysis.

B. **APPLICATION OF OVERLAY ZONE REGULATIONS**. Regulatory standards apply to the type of Sensitive Lands delineated.

C. **SITE DEVELOPMENT SUITABILITY DETERMINATION**. Staff shall review the Sensitive Lands Analysis, apply the applicable Sensitive Lands Overlay Regulations (15-2.21-4 through [~~15-2.21-9~~] 15-2.1-8), and shall prepare a report to the Applicant and the Planning Commission identifying those Areas suitable for Development as Developable Land.

D. **TRAILS MASTER PLAN**. Trails proposed to be constructed in compliance with a Trails Master Plan that has been fully reviewed for compliance with this Chapter by the Planning Commission and adopted by the City Council require an Administrative Permit at the time of trail construction with wetland and Significant Vegetation evaluation only. The Trails Master Plan shall be reviewed for Significant Land Overlay compliance at least once every three years.

E. **HARDSHIP RELIEF**. If the Applicant demonstrates that the regulations would deny all reasonable Use of the Property, the Planning Commission may modify application of these regulations to provide the Applicant reasonable Use of the Property.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 07-81 on 12/6/2007

15-2.21-3 Sensitive Lands Overlay Zone - Ordinance Provisions

A. **SENSITIVE LANDS ANALYSIS**. Any Applicant for Development must produce a Sensitive Lands Analysis performed by a Qualified Professional(s) that identifies and delineates all the following features and conditions:

1. **VISUAL ASSESSMENT**. A visual assessment of the Property from Vantage Points designated by the Planning Department and identified by the Applicant with latitude and longitude coordinates, depicting conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project.
2. **SLOPE/TOPOGRAPHIC MAP**. A Slope and topographic map based on a certified boundary survey depicting contours at an interval of five feet (5') or less. The map must identify Very Steep Slopes within fifty feet (50') of the Property boundary [~~The map~~] and must highlight Areas of high geologic hazard, Areas subject to land sliding, and all [~~significant~~] Steep

Slopes[1] for Areas with a rise of at least twenty-five feet (25') vertically and a run of at least fifty feet (50') horizontally in the following categories:

a. Greater than fifteen percent (15%), but less than or equal to thirty percent (30%);

b. Greater than thirty percent (30%) but less than or equal to forty percent (40%); and

c. Very Steep Slopes, greater than forty percent (40%).

3. **FOR PROPERTIES WITH STEEP SLOPES OR WITH VERY STEEP SLOPES WITHIN FIFTY FEET (50') OF THE PROPERTY, THE FOLLOWING ARE ALSO REQUIRED:**

a. **SOIL INVESTIGATION REPORT**. A soil investigation report, including but not limited to shrink-swell potential water table elevation, general soil classification and suitability for Development, erosion potential, hazardous material analysis, and potential frost action. The soils report shall indicate whether the property is 1) within the Prospector Soils Ordinance area and 2) within a Point Source water protection zone.

b. **GEOTECHNICAL REPORT**. A geotechnical report which must include the location of major geographic and geologic features, the depth of bedrock, structural features, folds, fractures, etc., and potential land slide and other high-hazard Areas such as mine shafts and avalanche paths.

c. **ADDITIONAL SLOPE INFORMATION**. A Slope/topographic map depicting contours at an interval of two feet (2').

4. **RIDGE LINE AREAS**. A map depicting all [~~Crests~~] Crest of Hills and Ridge Line Areas.

5. **VEGETATIVE COVER**. A detailed map of vegetative cover, depicting the following:

   a. Deciduous trees;

   b. Coniferous trees;

   c. Gamble oak or high shrub; and

   d. Sage, grassland, and agricultural crops.

   The Planning Department may require a more detailed tree/ vegetation survey if the Site has unusual or Significant Vegetation, stands of trees, or woodlands.

6. **DESIGNATED [~~ENTRY CORRIDORS AND~~] VANTAGE POINTS**. Designated [~~entry corridors and~~] Vantage Points from which the proposed project is visible [~~present within or adjacent to the Site, including Utah Highway 248 east of Wyatt Earp Way and Utah Highway 224 north of Holiday Ranch Loop Road and Payday Drive~~] as identified by Staff and confirmed by the Applicant with latitude and longitude coordinates. Typical Vantage Points may include but are not limited to locations within or near [~~are~~]:

   a. [~~Osguthorpe/~~]McPolin Barn (3000 S.R. 224)

b. [~~Treasure Mountain Middle School~~] Park City School District Campus

c. Intersection of Main Street and Heber Avenue

d. Park City Ski Area Base

e. Snow Park Lodge

f. [~~Park City Golf Course Clubhouse~~] Intersection of Thaynes Canyon Drive and S.R. 224/Park Avenue

g. Park Meadows Golf Course Clubhouse

h. [~~Utah Highway~~] S.R. 248 at the turn-out one quarter mile west from [~~U.S. Highway~~] HWY 40

i. [~~Highway~~] S.R. 224, [~~2~~] one-half mile south of the intersection with with [~~Kilby Road~~] Ute Boulevard

j. The intersection of S.R. 224 and Holiday Ranch Loop Road

k. The intersection of Queen Esther Drive and Deer Valley Drive

l. City Hall (445 Marsac Avenue)

m. The roundabout at the Park City Hospital (900 Round Valley Drive)

n. The intersection of the Rail Trail and Richardson Flat Road

o. Additional Vantage Points established on a case-by-case basis for evaluation of project impacts on designated Ridge Line Areas

7. **WETLANDS**. A map delineating all Wetlands established by using the 1987 *Federal Manual for Identifying and Delineating Jurisdictional Wetlands*, as amended. (See Section 15-2.21-6).

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8. **STREAM CORRIDORS, CANALS, AND IRRIGATION DITCHES**. A map delineating all stream corridors, canals, and irrigation ditches, defined by the Ordinary High-Water Mark.
9. **WILDLIFE HABITAT AREAS**. A map depicting all wildlife habitat Areas, as defined by a Wildlife Habitat Report shall be provided by the applicant. The Wildlife Habitat Report shall be prepared by a professional, qualified in the Areas of ecology, wildlife biology, or other relevant disciplines and describe the following:
    a. The ecological and wildlife Use characterization of the Property explaining the species of wildlife using the Areas, the times or seasons the Area is used by those species, and the value, e.g. meaning feeding, watering, cover, nesting, roosting, or perching, that the Area provides for such wildlife species;
    b. The existence of critical wildlife movement corridors;
    c. The existence of special habitat features, including Key nesting Sites, feeding Areas, calving or production Areas, Use Areas for migrant song birds and grassland birds, fox and coyote dens, deer and elk winter concentration Areas as identified by the Utah Division of Wildlife, and Areas of high terrestrial or aquatic insect diversity.
    d. Areas inhabited by or frequently utilized by any species identified by state or Federal agencies as Threatened or Endangered.

e. The general ecological functions provided by the Site and its features[~~;~~].

f. Potential impacts on these existing wildlife species that would result from the proposed [~~movement~~] Development.

B. **ADDITIONAL INFORMATION AND STUDY REQUIREMENTS**. The Planning Department may require the Applicant to submit the following information, as applicable:

~~1. **[VISUAL ASSESSMENT**. A visual assessment of the Property from Vantage Points designated by the Planning Department and identified by the Applicant with latitude and longitude coordinates, depicting conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project.~~

~~2. **SOIL INVESTIGATION REPORT**. A soil investigation report, including but not limited to shrink-swell potential water table elevation, general soil classification and suitability for Development, erosion potential, hazardous material analysis, and potential frost action. The soils report shall indicate whether the property is 1) within the Prospector Soils Ordinance area and 2) within a Point Source water protection zone.~~

~~3. **GEOTECHNICAL REPORT**. A geotechnical report which must include the location of major geographic and geologic features, the depth of bedrock, structural features, folds, fractures, etc., and potential land slide and other high-hazard Areas such as mine shafts and avalanche paths.~~

4. ~~**ADDITIONAL SLOPE INFORMATION**. If the size of the proposed Development and visual sensitivity of the Site dictate, the Planning Department may require the Applicant to submit a Slope/topographic map depicting contours at an interval of two feet (2').]~~
5. **FIRE PROTECTION REPORT**. A fire protection report that identifies potential Wildland Urban Interface areas. Analysis must include fire hazards, mitigation measures, access for fire protection equipment, existing and proposed fire flow capability and compliance with the International Wildland Urban Interface Code, the Summit County Wildfire Plan, and the Municipal Code Chapter 11-21, Utah Wildland-Urban Interface Code.
6. **HYDROLOGICAL REPORT**. A hydrological report, including information on groundwater levels, drainage channels and systems, and base elevations in flood plains.

C. **SENSITIVE LANDS DETERMINATION**. The Planning Department shall review the information presented in the Sensitive Lands Analysis, as described in Section 15-2.21-3(A) and Section 15-2.21-3(B), and provide a recommendation to the Planning Commission determining and delineating all Sensitive Lands on the parcel, including Steep Slope Areas, Ridge Lines Areas, Entry Corridors, Wetlands, Stream Corridors, Irrigation Ditches, Wildland and Wildfire Interface Areas, and Critical Wildlife Movement Corridors and Habitat Areas.

1. **DENSITY TRANSFER**. Whenever land within the Sensitive Area Overlay Zone is subject to more than one (1) Density Transfer provision, the more restrictive provision shall apply.

~~[1]Slope determinations shall be made upon Areas with a rise of at least twenty-five feet (25') vertically and a run of at least fifty feet (50') horizontally.~~

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 07-81 on 12/6/2007

Amended by Ord. 2020-35 on 7/9/2020

15-2.21-4 Sensitive Lands Regulations - Slope Protection

The following Slope protection provisions apply in the Sensitive Land Overlay Zone:

A. **PROHIBITIONS**. No Development is allowed on or within fifty feet (50'), map distance, of Very Steep Slopes, Areas subject to land slide activity, and other high-hazard geologic Areas. As used herein, an Area of Very Steep Slopes must cover a topographic Area at least twenty-five feet (25') vertically, upslope or downslope, and fifty feet (50') horizontally in any direction to be subject to this prohibition.

The Planning commission may vary the Setback from Very Steep Slopes if the Planning Commission can make all of the following findings during the suitability review:

1. Varying the Setback does not create an intrusion by Buildings into the Ridge Line Area when viewed from ~~[Land Management Code]~~ designated

Vantage Points, Section 15-2.21-3(A)(4), or other Vantage Points designated by the Planning staff or Commission, Section15-2.21-3(B)(1);

2. Building Areas in the Setback do not create excessive cut or fill Slopes; minimal retaining walls to limit disturbance and meet Grade may be required by the Planning Commission subject to Sections 15-2.21-4(B), (C), and (E);
3. Limits of Disturbance around any Structure within the Setback shall be limited to the minimal Area necessary to excavate and backfill the foundation. Decks and patios in the area of the Very Steep Slope setback, may not extend more than fifteen feet (15') beyond the foundation walls or the minimal excavation/backfill Areas, whichever is greater;
4. No additional erosion, land subsidence, or avalanche hazard is created;
5. The Site plan results in an improved organization of units through vegetation avoidance, minimization of changes to the viewshed from public Areas, and reduction of Site disturbance;
6. The reduction in Setback results in a reduction in overall project Density or Development massing as established by the Planning Staff's Site Suitability Determination[,]; and
7. In no case shall additional disturbance be allowed beyond the maximum area determined in the Site Development Suitability Determination (See Section 15-2.21-2(C)).

B. **GRADED OR FILLED SLOPES**. The Applicant must avoid or, to the greatest extent possible, minimize proposed cuts and fills. Cutting and filling to create

additional or larger Building Sites shall be kept to a minimum and shall be avoided to the maximum extent feasible. Except for ski Slopes and trails approved as part of the adopted Trails Master Plan, Graded or filled Slopes shall be limited to a 3 to 1 Slope or less. All Graded Slopes shall be recontoured to the natural, varied contour of surrounding terrain.

C. **BENCHING OR TERRACING**. Benching or terracing to provide additional or larger Building Sites is prohibited.

D. **STREETS AND ROADS**. Streets and roads, proposed for Steep Slopes may not:

1. Cross Slopes of thirty percent (30%) or greater. A short run of not more than one hundred feet (100') may be allowed to cross Slopes greater than thirty percent (30%) if the Planning Director and the City Engineer conclude that such Streets or roads will not have significant adverse visual, environmental, or safety impacts.
2. Streets and roads proposed to cross Slopes greater than ten percent (10%) are allowed, subject to the following:
    a. Proof that such Street and/or road will be built with minimum environmental damage and within acceptable public safety parameters; and
    b. Such Street and road design generally follows contour lines to preserve the natural character of the land, and are Screened with trees or vegetation.
3. Cutting and filling is minimized and appropriately re-vegetated.

E. **RETAINING WALLS**. The Use, design, and construction of all retaining walls is subject to an Administrative Permit based upon assessment of visual impact, Compatibility with surrounding terrain and vegetation, and safety.

F. **LANDSCAPING AND REVEGETATION**. An Applicant must commit to landscaping or re-vegetating exposed Slopes. Topsoil from any disturbed portion of a Steep Slope must be preserved and utilized in re-vegetation. Fill soil must be of a quality to support plant growth.

G. **PRIVATE DEVELOPMENT DESIGN STANDARDS**. All Development on Steeps Slopes shall comply with the design standards set forth in [~~LMC~~] Chapter 15-5.

H. **OPEN SPACE AND DENSITY ON DELINEATED PORTIONS OF SITES WITH STEEP SLOPES GREATER THAN FIFTEEN PERCENT (15%) BUT LESS THAN OR EQUAL TO FORTY PERCENT (40%)**. In addition to the specific Development regulations set forth above, the following regulations apply:

1. **OPEN SPACE**. Seventy-five percent (75%) of the Steep Slope Area must remain as Open Space.
2. **DEVELOPABLE LAND**. Twenty-five percent (25%) of the Steep Slope Area may be Developed in accordance with the underlying zoning subject to the following conditions:
    a. MAXIMUM DENSITY. The maximum Density on Developable Land within a Steep Slope Area is governed by the underlying zoning and proof that the proposed Density will not have a significant adverse visual or environmental affect on the community.

b. LOCATION OF DEVELOPABLE LAND. The Developable Land in a Steep Slope Area is that Area with the least visual and environmental impacts, as determined by the Sensitive Lands Determination (See Section 15-2.21-2(C)), including the Visual Assessment, and considering the visual impact from key Vantage Points, potential for Screening location of natural drainage channels, erosion potential, vegetation protection, Access, and similar Site design criteria. Based upon such analysis, the Planning Department may require the Applicant to Site the Developable Land pursuant to one or more of the following techniques:

1. Clustered Development, or
2. dispersed Development, or
3. Transfer of Density to the least sensitive portions of the Site.[1]

c. DENSITY TRANSFER. Upon proof of a sensitive Site plan, the Applicant may Transfer up to twenty-five percent (25%) of the Densities from the Open Space portion of the Site to the Developable Land.

d. SUITABILITY DETERMINATION. The Applicant must prove that the Development will have no significant adverse impact on adjacent Properties. The Planning Commission shall determine that the Proposal complies with this [~~chapter~~] Chapter if the Applicant proves:

1. The Density is Compatible with that of adjacent Properties.
2. The Architectural Detail, height, building materials, and other design features of the Development are Compatible with adjacent Properties.
3. The Applicant has adopted appropriate mitigation measures such as landscaping, Screening, illumination standards, and other design features to buffer the adjacent Properties from the Developable Land.

I. **OPEN SPACE AND DENSITY ON VERY STEEP SLOPES**.

1. **REQUIRED OPEN SPACE**. One hundred percent (100%) of the Very Steep Slope Area shall remain in open space. No vegetation within fifty vertical feet (50') in elevation of the Very Steep Slope Area shall be disturbed, except as permitted by the Planning Commission per Section 15-2.21-4.
2. **TRANSFER OF DENSITY**. Up to ten percent (10%) of the Densities otherwise allowed in the zone may be transferred to Developable Land subject to a Suitability Determination (See Section 15-2.21-4(H)(2)(d)).

J. **MASTER PLANNED DEVELOPMENT (MPD) TDR OPEN SPACE REQUIREMENTS**. The Planning Commission at the time of Master Planned Development or Subdivision review, may reduce the TDR Open Space requirements upon a determination that:

1. the Sensitive Land [~~open space~~] Open Space set aside is sufficient for the Development,

2. sufficient neighborhood and TDR Open Space is set aside within the Developable Land to serve residents of the Development, and
3. not less than twenty percent (20%) of the Developable Land is set aside for TDR Open Space.

K. **DENSITY BONUSES**. In addition to the Density Transfers permitted pursuant to this Section, the Planning Department may recommend that the Planning Commission grant up to a twenty percent (20%) increase in Transferable Densities if the Applicant:

1. offers to preserve [~~open space~~] Open Space to ensure the long-term protection of a significant environmentally or visually sensitive Area in a manner approved by the City; or
2. provides public Access as shown on the Trails Master Plan; or
3. restores degraded wetlands or environmental Areas on the Site or makes other significant environmental improvements.

[1]Development shall be Sited to preserve the open meadow vistas.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 05-40 on 7/7/2005

Amended by Ord. 07-81 on 12/6/2007

15-2.21-5 Sensitive Lands Regulations - Ridge Line Area Protection

A. **INTENT**. The intent of these provisions is to ensure that Development near Ridge Line Areas blends with the natural contour of these land forms. Significant Ridge Line Areas should be retained in a natural state, and Development should be

sited in such a manner so as not to create a silhouette against the skyline or mountain backdrop as viewed from designated Vantage Points.

B. **MINIMUM SETBACK**. No Structure or other appurtenant device, including mechanical equipment may visually intrude on the Ridge Line Area from any of the designated Vantage Points as depicted herein, or as identified by the Planning Commission during review of an annexation or Master Planned Development.

C. **OPEN SPACE AND DENSITY**. The following regulations apply to all Ridge Line Areas in the Sensitive Overlay:

1. **OPEN SPACE**. One hundred percent (100%) of the Ridge Line Area shall remain in open space.
2. **DENSITY TRANSFER**. The Planning Commission may Transfer up to twenty-five percent (25%) of the Densities otherwise allowed in the Ridge Line Area to Developable Land subject to a Suitability Determination. (See Section 15-2.21-4(H)(2)(d)).

D. **DENSITY BONUSES**. In addition to the Density Transfers permitted pursuant to this Section, at MPD or subdivision review[~~. The~~], the Planning Department may recommend that the Planning Commission grant up to a twenty percent (20%) increase in Transferrable Densities if the Applicant:

1. offers to preserve open space to ensure the long-term protection of a significant environmentally or visually sensitive Areas in a manner approved by the City; or
2. provides public Access for trails, as shown on the Trails Master Plan; or

3. restores degraded wetlands or environmental Areas on the Site or makes other significant environmental improvements.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 07-81 on 12/6/2007

15-2.21-6 Sensitive Lands Regulations - Wetlands And Stream Protection

A. **INTENT**. The following requirements and standards have been developed to promote, preserve, and enhance wetlands and Stream Corridors and to protect them from adverse effects and potentially irreversible impacts.

B. **JURISDICTION**. All Wetlands and Stream Corridors are regulated as provided below.

C. **PROHIBITED ACTIVITIES**. No person shall disturb, remove, fill, dredge, clear, destroy or alter any Area, including vegetation, surface disturbance within wetlands and Stream Corridors and their respective Setbacks, except as may be expressly allowed herein.

D. **BOUNDARY DELINEATIONS**. The Applicant must provide a wetlands delineation by a qualified professional utilizing the methods of the *1987 Army Corp of Engineers Manual for Identifying and Delineating Jurisdictional Wetlands*, as amended. The boundary of stream corridors and wetlands shall be delineated at the Ordinary High Water Mark as defined in ~~[LMC Chapter 15-15]~~ Section 15-15-1.

E. **DETERMINATION OF WETLANDS, STREAMS AND IRRIGATION DITCHES**.

1. **WETLAND CRITERIA**. A wetland that meets the criteria of the *1987 Army Corp of Engineers Manual for Identifying and Delineating Jurisdictional Wetlands* is a Wetland.
2. **STREAM CORRIDOR**. All Stream Corridors which exist within the property. Irrigation ditches are not Stream Corridors.
3. **IRRIGATION DITCHES**. An irrigation ditch that meets the Army Corps of Engineers definition for waters of the United States must comply with the regulations of stream corridors within this [~~section~~] Section.

F. **SETBACKS**. The following Setbacks are required:

1. Setbacks from wetlands shall extend a minimum of fifty feet (50') outward from the delineated wetland Ordinary High Water Mark.
2. Setbacks from Stream Corridors shall extend a minimum of fifty feet (50') outward from the Ordinary High Water Mark.
3. Setbacks from irrigation ditches that meet the Army Corps of Engineers definition for waters of the United States shall extend a minimum of twenty feet (20') from the Ordinary High Water Mark.

G. **RUNOFF CONTROL**. All projects adjacent to wetlands, Stream Corridors, or irrigation ditches that meet the Army Corps of Engineers definition for waters of the United States, must apply best management practices for both temporary and permanent runoff control to minimize sediment and other contaminants.

H. **HABITAT RESTORATION PROJECTS**. The Planning Department may approve wetland and Stream Corridor restoration and enhancement projects if the project plan has been reviewed by a Qualified Professional, approved by the appropriate

state and federal agencies, and performed under the direct supervision of a Qualified Professional.

HISTORY

Adopted by Ord. 00-51 on 9/21/2000

Amended by Ord. 07-81 on 12/6/2007

15-15-1 Definitions

. . . .

VANTAGE POINTS. A height of five feet (5') above a set reference marker in the following designated Vantage Points within Park City that function to assist in analyzing the visual impact of Development on [~~hillsides and~~] Steep Slopes:

1. [~~Osguthorpe Barn~~] McPolin Barn (3000 S.R. 224);
2. [~~Treasure Mountain Middle School~~] Park City School District Campus;
3. Intersection of Main Street and Heber Avenue;
4. Park City Ski Area Base;
5. Snow Park Lodge;
6. [~~Park City Golf Course Clubhouse~~] Intersection of Thaynes Canyon Drive and S.R. 224/Park Avenue;
7. Park Meadows Golf Course Clubhouse;
8. [~~State Road~~] S.R. 248 at the turn-out one quarter mile west from [~~U.S. Highway~~] HWY 40;
9. [~~State Road~~] S.R. 224, one-half mile south of the intersection with [~~Kilby Road~~] Ute Boulevard;
10. [~~Intersection of Thaynes Canyon Drive and State Road 224; and~~]

11. [~~Across valley view.~~]
12. The intersection of S.R. 224 and Holiday Ranch Loop Road
13. The intersection of Queen Esther Drive and Deer Valley Drive
14. City Hall (445 Marsac Avenue)
15. The roundabout at the Park City Hospital (900 Round Valley Drive)
16. The intersection of the Rail Trail and Richardson Flat Road
17. Additional Vantage Points established on a case-by-case basis for evaluation of project impacts on designated Ridge Line Areas

From: planning
To: Rebecca Ward
Subject: FW: [External] 220 King Road
Date: Monday, June 17, 2024 3:21:47 PM

From: Jim Doilney [redacted]
Sent: Saturday, June 15, 2024 5:50 PM
To: planning <planning@parkcity.org>
Cc: Eric R. Hermann [redacted]; Susan Fredston-Hermann [redacted]
Subject: [External] 220 King Road

Warning: Replies to this message will go to [redacted]. If you are unsure this is correct please contact the helpdesk.

[CAUTION] This is an external email.

Dear Planning Commissioners,

Please do not yield to the extraordinary pressure you face to approve Matthew Prince's proposed excavation plan for 220 King Road. I believe it is abundantly evident that Park City officials have been threatened by state officials to approve Prince's 220 King plans. The fact there is a citizen committee that must approve such matters, you, means you have authority to use common sense in your voting notwithstanding City Attorneys' directions. Please deny this application.

I suggest you keep it simple. 'Maps indicating the plans lie within the sensitive lands overlay (SLO) boundary indicate this application should not be approved.'

I've witnessed Mr. Prince's attorney assert the maps are wrong or, in their opinion, the ordinance intent allows you to approve, or the Sweeney MPD somehow supercedes the LMC, the SLO and common sense. It is not within your purview to consider this assertion.

There are many obvious facts to justify and litigation proof your denial. Please vote no on 220 King.

Jim Doilney
50 Sampson Avenue, Old Town
Former Councilman and 50 year Park City resident

--
Jim Doilney
[redacted]

Snell & Wilmer
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Wade R. Budge, P.C.
(801) 257-1906
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June 21, 2024

VIA E-MAIL

Park City Planning Commission
c/o Rebecca Ward
445 Marsac Avenue
Park City, UT 84060

Re: Steep Slope Conditional Use Application – 220 King Road

Dear Commission:

This firm represents Pesky Porcupine LLC ("**Applicant**") the land use applicant and owner of the real property located 220 King Road, Park City, Utah (the "**Applicant's Property**"). For the reasons discussed below, Applicant respectfully requests that the Planning Commission conclude that Park City's Sensitive Land Overlay ("**SLO**") section of Park City's Land Management Code ("**LMC**") does not apply to the Applicant's Property. Further, and whether the SLO applies or not[1], the Applicant complied with the SLO.

I. BACKGROUND

By way of background, on May 21, 1985, Sweeney Land Company submitted an application to Park City ("**City**") for a Large-Scale Master Planned Development commonly known as the Sweeney Master Planned Development ("**Sweeney MPD**"). The Sweeney MPD was approved on December 18, 1985, and subsequently amended on or about October 14, 1987, and December 30, 1992. Consistent with the Sweeney MPD, the City Council adopted Ordinance No. 95-50 approving the Treasure Hill Subdivision Phase 1 plat, creating four single-family lots within the Sweeney MPD. The Applicant's Property is within the Sweeney MPD.

There are two non-conforming houses currently on the Applicant's Property that the Applicant intends to demolish and to construct a single house in their place ("**Proposed Home**").

[1] We request that the Planning Commission make this compliance finding even if the SLO is not applicable to preempt and foreclose any further appeals on this issue.

To facilitate the approvals for the Proposed Home, the Applicant submitted applications to the City for a plat amendment ("**Amended Plat**"), single family home conditional use permit ("**House CUP**"), and a steep slope conditional use permit ("**Steep Slope CUP**" and together with the House CUP and Amended Plat, the "**Approvals**").

On February 14, 2024, the Park City Planning Commission ("**Planning Commission**") held a public hearing and approved the Amended Plat, the House CUP, and the Steep Slope CUP. Thereafter some members of the public appealed the Planning Commission's decision for several reasons. The Park City Appeal Board affirmed the Planning Commission's decision on all issues raised by the appellants except that the Appeal Board remanded the Steep Slope CUP. The sole issue on remand is for the Planning Commission to determine whether the SLO applies to the Applicant's Property, and if it applies, to review the City staff's "sensitive land determination" in determining whether a portion of the Proposed Home complies with the SLO. No other issue related to the Approvals was remanded, and the Appeal Board was unequivocal that no other issue should be considered by the Planning Commission on this remand.

It is worth noting that, to the extent the SLO applies to the Property, it affects only a minute, subterranean portion of an accessory structure for the Proposed Home and will have little to no visual impact on adjoining users. Nevertheless, the SLO does not apply to the Applicant's Property, and even if it does apply, the Applicant has submitted all the required material.

II. ANALYSIS

A. <u>The SLO Does Not Apply to the Applicant's Property.</u>

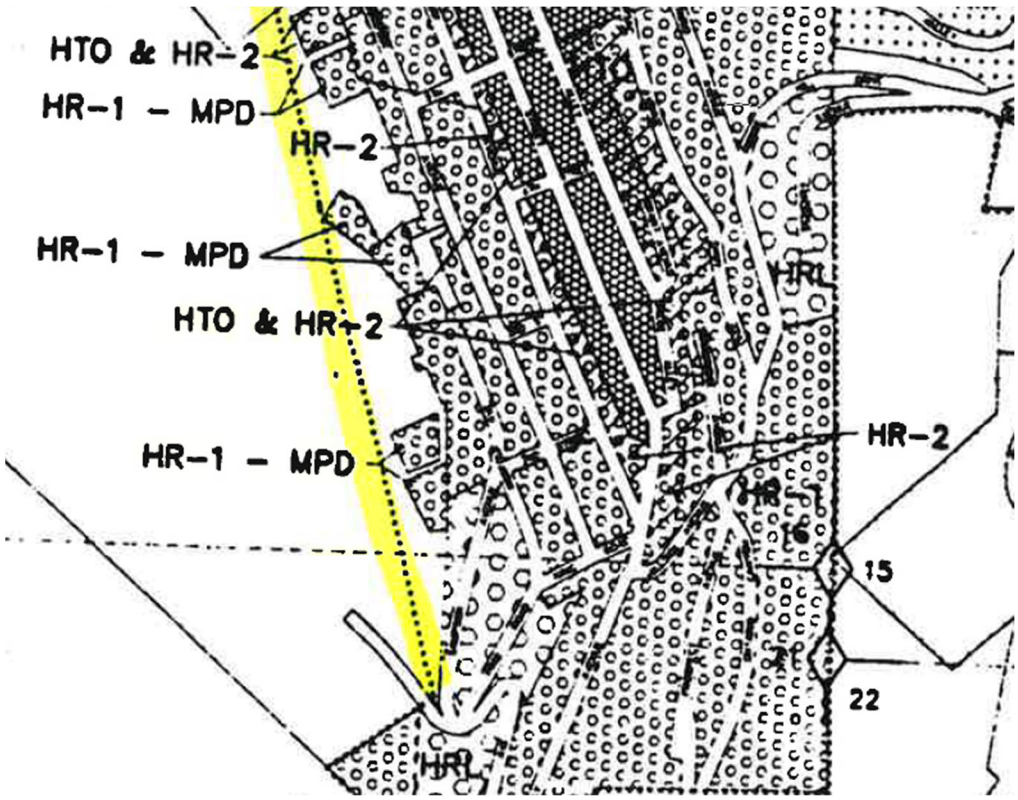
The SLO does not apply, and has never been applied, to property within the Sweeney MPD.

The reasons for this are simple. First, the Sweeney MPD vested development rights for the Sweeney MPD, including the Applicant's Property, prior to the SLO's enactment and Utah law recognizes that "vested rights prevent the retroactive application of changes in zoning or land use law." *See Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388, 390–91 (Utah 1980); *see also* Utah Code § 10-9a-509(1)(a)(ii) ("[a]n applicant is entitled to approval of a land use application if the application conforms to the requirements of the applicable land use regulations, land use decisions, and development standards in effect when the applicant submits a complete application . . . .").

When the Planning Commission granted the other Approvals, it recognized that the Applicant's Property was vested under the Sweeney MPD. The analysis is the same here. The Sweeney MPD was approved on December 18, 1985. The SLO was first adopted on September 24, 1992, by Ordinance 92-17. The Sweeney MPD has not been modified or changed in any way that would divest it from the vested rights attached thereto. Because the Sweeney MPD predates the subsequent SLO, the SLO cannot be retroactively applied to property within the Sweeney MPD. This is consistent with how the City has acted since the Sweeney MPD was approved because it has *never* applied the SLO to property within the Sweeney MPD, even to those properties within the Sweeny MPD which would otherwise clearly fall within the SLO's

boundaries. This is also consistent with the City's prior statements on this issue, including those made by Mr. James Carter, the prior City Attorney, in the letter attached hereto as Exhibit A.

Second, even if the SLO might generally apply within some portions of the Sweeney MPD, it does not apply to the Applicant's Property. The SLO was adopted by Ordinance 92-17 without a legal description or a map. Two years later, the City produced a map purporting to show the SLO boundary. That map, as depicted below, shows a yellow line that purports to generally illustrate the SLO boundary. The Applicant's Property is labeled "HR-1 MPD" and is clearly outside the SLO boundary.



Source: 1994 Park City Zoning Map.

No zoning map that has ever been officially adopted by the City pursuant to the process and requirements of LUDMA shows that the SLO applies to the Applicant's Property. All officially adopted zoning maps depict the Applicant's Property outside the SLO boundary.

The City's current online zoning map has created confusion as it projects the SLO bisecting the Applicant's Property. The online zoning map, however, simply projects an estimated SLO boundary bisecting the Applicant's Property but is not an official representation of the approved SLO boundary. This is because, third, that online map was never officially adopted as a zoning map and is for general, illustrative purpose only.

Fourth, the LMC provides that "zoning boundary lines are intended to conform to existing Property boundary lines . . . unless the lines are located by specific dimension, in which case the dimensions shall control." *See* LMC § 15-1-6.A. There is no evidence showing that the City intended for the SLO boundary to be "located by specific dimensions". Thus, the SLO boundary line must conform to existing boundary lines and not bisect the Applicant's Property.

B. Even if the SLO Applies, the Applicant Submitted all the Required Materials.

Although the SLO does not apply to the Applicant's Property, the Applicant submitted all materials required to develop within the SLO. Importantly, the current SLO requirements are different than the requirements in place when Applicant submitted a complete application for the Steep Slope CUP. Specifically, Applicant submitted its Steep Slope CUP application on February 21, 2023, and the City amended the SLO ordinance to its current form on April 27, 2023. *See* Park City Ordinance No. 2023-19. Nevertheless, despite being vested under the immediately prior SLO ordinance, the Applicant has submitted all materials required under both the prior and current ordinance.

Currently, an application to develop in the SLO must include a "Sensitive Lands Analysis". LMC § 15-2.21-2.A. The City's staff reviews the applicant's Sensitive Lands Analysis materials and prepares a "Sensitive Lands Report" that identifies areas of the property that are suitable for development. LMC § 15-2.21-2.B. Pursuant to LMC § 15-2.21-3, a Sensitive Lands Analysis must include[2] a:

- Visual Assessment
- Slope/Topographic map***
- Soil investigation report
- Geotechnical report
- Ridge Line Area map***
- Vegetation cover map***
- Vantage point assessment***
- Wetlands map***
- Drainage plan***

Applicant submitted all materials required for the Sensitive Lands Analysis as follows:

- On April 26, 2023, Applicant submitted a Visual Assessment;
- On July 8, 2022, as supplemented by submittals on December 28, 2023, February 2, 2024, and February 13, 2024, Applicant submitted slope and topographical maps;
- On February 6, 2024, Applicant submitted a soils report;
- On February 6, 2024, Applicant submitted a geotechnical report;

[2] At the time the Steep Slope CUP application vested only those submittals designated by "***" were required.

- On July 8, 2022, and supplemented on April 26, 2023, Applicant submitted a 3D analysis showing no ridge line encroachments.
- On July 8, 2022 and supplemented on December 28, 2023, February 2, 2024 and February 13, 2014, Applicant submitted a slope and elevation map that showed the elevations for the Applicant's Property;
- On February 5, 2024, Applicant submitted a vegetation plan;
- On July 8, 2022, Applicant submitted a vantage point assessment;
- There are no wetlands on the Applicant's Property; and
- On February 2, 2024, Applicant submitted a drainage plan.

Regardless of whether the current or previous SLO ordinance is applied to the Applicant's Property, the Applicant has fully complied with the LMC's submittal requirements. When reviewing these materials to determine whether the Applicant's Property is suitable for SLO development, it is important to remember that, at most, only a small portion of a subterranean accessory structure is potentially located in the SLO. This subterranean accessory structure will have little to no visual impact on surrounding uses or surface disturbance. To the extent the SLO applies, Applicant's disturbance within the SLO will be extremely limited.

The Planning Commission will recall that the last time it considered this matter the planning staff had provided a Staff Report which concluded that the SLO standards had been met by the Applicant and made similar statements during the hearing. Essentially the only item that was missing according to the Appeal Board was a specific statement from the planning staff that staff had reviewed the Applicant's SLO analysis, and that the analysis complied with the requirements of the SLO. The Applicant believes that it is still true that the Applicant's SLO analysis conforms to the LMC's requirements, and that the Applicant's Property is appropriate for the proposed development under the SLO. The Applicant trusts that the planning staff will provide the Planning Commission with an unequivocal statement to that effect.

In sum, the SLO does not apply to the Applicant's Property because the Sweeney MPD vested prior to the SLO ordinance, and no official zoning map depicts any portion of the Applicant's Property within the SLO. Even if the SLO bisects the Applicant's Property as the City's online zoning map projects, the Applicant has submitted all materials required to develop within the SLO. The Planning Commission can easily reapprove the Steep Slope CUP for the foregoing reasons.

Very truly yours,

SNELL & WILMER

Wade R. Budge, P.C.

EXHIBIT A
James Carter Letter
(Attached)

PARK CITY
1884

Legal Department

September 22, 1992

Michael E. Sweeney
2280 S. 2300 East
Salt Lake City, Utah 84109

Re: Status of Sweeney Master Plan

Dear Mike:

I'm in receipt of your letter of September 21st which we received by telefax this morning. In an effort to provide you a timely and succinct response, here are our answers to your three questions:

1. Will the Sensitive Lands Overlay Zone apply to the Sweeney property's master plan hillside portion (Treasure Hill)? Yes. However, Land Management Code § 3.14(c)(2) Length of Approval, provides, in pertinent part, "Zone changes occurring while the approval is in effect shall not effect the approval. Changes in the master plan requested by the developer will be reviewed and approved as a revision to the master plan by the Planning Commission. A change will be defined as any change in concept, unit type, configuration or number. At that time, the Planning Commission shall review the entire MPD, even if only one parcel or phase is involved in the modification, under the regulations in effect at the time of review. Modifications shall act as an extension of the approval." The Sensitive Lands Ordinance is being adopted in the form of an overlay zone, and so would not, by itself, affect the approved Sweeney Master Plan. If, however, a change in the master plan is requested, as defined in the LMC, the provisions of the Sensitive Lands Ordinance would be applied.

2. Is the Sweeney Master Plan in full effect? At this time, Park City is reviewing information being submitted by Pat Sweeney with regard to the progress made to date under the MPD approval to determine compliance with the MPD phasing and the terms of the Land Management Code relating to extension of the approval.

3. Is the City bound by the conceptual approval of the Town Lift project passed by the City Council on September 19, 1991? No. The Town Lift project conceptual approval was granted in order to give guidance to the developer as to what types of applications would be favorably reviewed by the City in the future. Neither the applicants nor the City, however, are bound by the conceptual approval. The City has, however, approved the plat for Phase I of the project, and is bound by that approval.

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (801) 645-5008 • FAX (801) 645-5078

I hope this information is responsive to your request. Please give me a call if you need further information or clarification.

Very truly yours,

James W. Carter
City Attorney

HOGGAN LEE HUTCHINSON

Justin Keys
Justin@hlhparkcity.com
Direct: 435.731.9195

June 21, 2024

VIA EMAIL

Park City Municipal Corporation
Park City Planning Commission
Attn: Rebecca Ward
rebecca.ward@parkcity.org
PO Box 1480
Park City, Utah 84060

Re: 220 King Road June 26, 2024 Public Hearing

Dear Commissioners,

This firm represents Eric Hermann and Susan Fredston-Hermann—the owners of several Old Town Properties including 200 King Road (Parcel No. THILL-1) and their primary residence at 205 Norfolk Avenue (201-NA-SUB-2) (collectively "1325 Empire"). The Fredston-Hermanns' properties directly adjoin the Applicant's property at 220 King Road (Parcel No. THILL-2-AM), and their property and safety will be put at risk if this project is allowed to proceed as currently contemplated.

The Fredston-Hermanns appealed the February 21, 2024 approvals of Plat Amendment # PL-22-05319 as well as Conditional Use Permit # PL-23-05571 (the "Steep Slope CUP"), Conditional Use Permit #PL-22-05318 (the "Single-Family Dwelling CUP"), and Conditional Use Permit #PL-22-05523 (the "Accessory Uses CUP") (collectively the "CUPs"). The Appeal Panel remanded the issue of whether a Sensitive Lands Overlay ("SLO") analysis is required for this property. The questions you must answer for the Appeal Panel are:

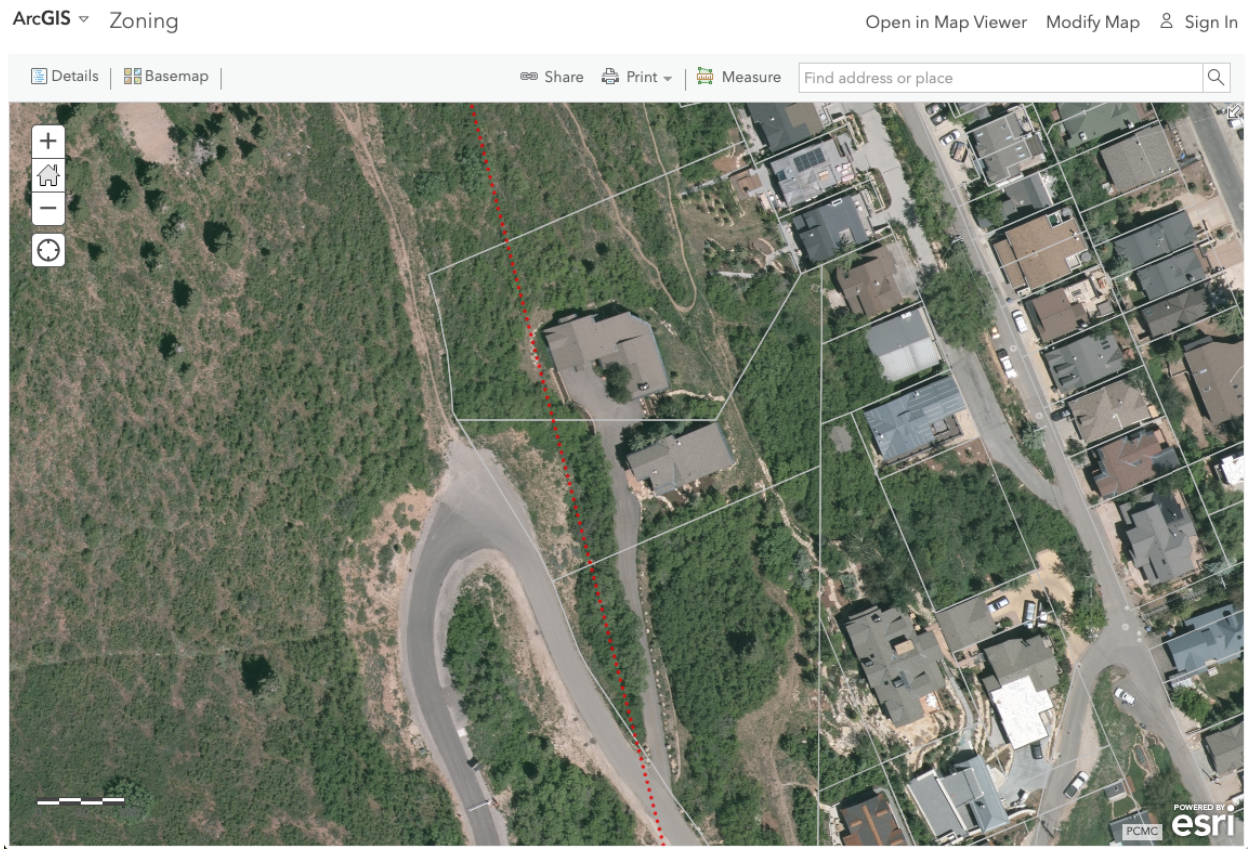
(1) Does the SLO zone include part of this property (i.e., where is the boundary of the SLO zone)?
(2) If part of the property is in the SLO zone, does the SLO zone apply to this project or is it somehow exempt?
(3) If the SLO zoning regulations apply, have the requirements of the SLO zone been met by the applicant?

The answers to these questions are: (1) The SLO zone does include a portion of the subject property; (2) the SLO zone does apply to this project because the building pad has been moved into the portion of the property that is in the SLO zone and any vested rights the applicant has are

limited to the building pad approved by the MPD approval; and (3) the applicant has not (and cannot) meet the requirements of the SLO zone.

1. *The SLO zone applies to a portion of the property.*

The answer to whether part of the property is in the SLO zone is governed by Park City's Official Zoning Map.[1] And that map clearly shows that a portion of the property is within the SLO zone:



The Applicant's counsel will likely present creative arguments about why you should ignore this map (as they did at the Appeal Panel) but those arguments are meritless and should be ignored, as the map clearly shows that this parcel is subject to the SLO zone.

One such argument is that parcels are not supposed to be split between two or more districts unless express reasoning is given for the split. This argument is based on a misinterpretation of LMC § 15-1-6. In fact, Section 15-1-6 expressly contemplates a zoning district intentionally dividing a lot, and it dictates how to determine the applicable zoning for each portion of the divided lot.[2] Here,

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[1] *See* LMC § 15-1-6 ("Zoning Districts have been established as set forth in LMC Chapters 15-2 and as identified on the Official Zoning Map.").

[2] *See* LMC § 15-1-6.B ("Where the Zoning District lines appear to have intentionally divided a Lot or Parcel between two (2) or more districts, the applicable zoning for each portion of the Lot or Parcel must be determined by using the scale shown on the map.").

the SLO overlay zone line was intentionally drawn where it is shown on the Official Zoning Map (copied above).

Regardless, the code provision the Applicant relies on does not apply here because the language concerning lines "intentionally" dividing a lot only governs property divided between two different zoning districts. Here, the property is not divided between two districts. The entirety of the property is in one zoning district: HR-1. A portion of the property is subject to an overlay zone, but overlay zones do not divide properties into multiple zones. Instead, they add supplemental (non-conflicting) requirements to the underlying zone. The primary regulations are those of the underlying zone. LMC § 15-1-6 is directed at properties split between conflicting zones, not properties subject to overlay zones like the SLO zone.

The Applicant ignores this important distinction and argues a zoning district line may bisect a lot like the property at issue only where the bisecting line appears to have been drawn intentionally. Relying on a map that appears to show no bisecting lines on the relevant parcel, the Applicant has argued that the SLO zone line was not intentionally drawn where shown on the Official Zoning Map. The Applicant will likely claim this map is the Official Zoning Map from 1994. In fact, the map is a cropped portion of an exhibit to an ordinance showing a site location for a condominium building.[3]

Ignoring the source and purpose of the map, the Applicant will argue that the map shows the SLO zone border not crossing these parcels. This argument is flawed because the relevant lots did not exist when the map was drawn. These lots were subdivided from the larger Sweeney property in 1996, at least two years after the Applicant's map was created. When the parcels were subsequently subdivided, they were drawn to include areas within the SLO zone as shown on the Official Zoning Map. When the lots were officially created via the subdivision process, the SLO boundary was in place. At that time, the SLO boundary could have been moved by ordinance to avoid the lots or the lots could have been drawn to avoid the SLO. Instead the lot boundaries were drawn to include portions in the SLO. As all parties involved in the subdivision process had notice of the existing zoning regulations and boundaries, one can only conclude that including a portion of the properties in the SLO was intentional. The Applicant's map merely acknowledges that there were contemplated lots in this area, but the only element of these lots that had been decisively drawn at the point this map was created was the building pads. While it may be the case that the line was drawn to avoid the building pads, the lots were drawn to include portions in the SLO, and it is the Applicant who has now chosen to move the building pad into the SLO creating the need for compliance with the SLO.

Importantly, the SLO zone was not drawn in the same manner a typical zone would be drawn. Typically, zones are drawn along parcel and lot lines. This is done so property owners have clarity on which zone applies to them. That prevents the confusion of conflicting zoning regulations granting different permissions to different parts of a lot. As mentioned previously, the SLO, as an overlay zone, does not implicate the same concerns. Further, the SLO zone is designed to protect sensitive lands and was drawn based on the topography of Park City with little regard for property lines to keep Parkites and their properties safe. In other words, it was intentionally drawn exactly where the lines are currently shown on the map. Thus, it meets the "intentionally drawn" standard

[3] *See* Exhibit A, Park City Ordinance 94-46.

for allowing zones to dissect parcels. Put simply, the SLO zone intentionally includes a portion of the property.

2. *Vested rights do not exempt the project from the SLO regulations.*

The Applicant will argue that even if the SLO does cover part of the property, it is exempt from the SLO regulations because it has vested rights that predate the SLO. This argument is based on a 1992 letter from former City Attorney James W. Carter regarding application of the SLO to the Sweeney Master Planned Development ("Sweeney MPD").[4] The Applicant interprets the letter as saying Sweeney MPD vested rights trump the SLO. There are several flaws in this interpretation. First, the Sweeney MPD makes clear that there are no vested rights that exempt the property from future zoning changes.[5]

Second, and most importantly, the ordinance approving the SLO specifically states that applications such as this one are *not* exempt from the SLO even if the MPD governing the application was approved prior to the creation of the SLO:[6]

> C. Effect on Existing Master Plans
>
> There are number of existing, valid Master Plans which have been approved. Requests for site specific approval for parcels within Large Scale Master Plans which are located within the Sensitive Area Overlay Zone shall be required to go through the Sensitive Lands Analysis

The Applicant is well aware of this provision—its representatives have cited the ordinance in the past. Why they're now ignoring the ordinance to push their "MPD trumps the SLO" argument is unclear.[7] What is clear, however, is that the current application is not exempt from the SLO.

Third, even if the property has vested rights exempt from the SLO, the Applicant's ability to exercise those rights depends on compliance with the MPD that created the rights. As Senior City Attorney Mark Harrington said in your February 14, 2024 meeting, the "threshold determination of consistency with the MPD . . . is really critical to the application of the SLO."[8] His point was that any proposed project on the property that is not in strict compliance with the original approval for the property cannot have vested rights dating back to the original approval.

The proposed structure is not compatible with the MPD for a number of reasons, but most importantly for the SLO determination, it is not consistent with the building pad that is required by the MPD. The Sweeney MPD approval specifically states that Sweeney Properties Master Plan

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[4] Exhibit D, James W. Carter 1992 Letter.
[5] Exhibit B, Sweeney Master Plan (II)(1).
[6] Exhibit E, Park City Ordinance 92-17, at 4.
[7] The Applicant cites opinions of city staff. *See* Exhibit F, Applicant's January 24, 2024 letter; and Exhibit D, James W. Carter 1992 Letter. But any city staff opinions are irrelevant in light of the plain language of the ordinance duly passed by City Council specifically countering those opinions.
[8] Exhibit G, Transcript of February 14, 2024 Meeting, at 129-130.

Sheets 1-16 constitute part of the development permit.[9] Sweeney Properties Master Plan Sheet 16 specifically delineates the location of the building pad.[10] Moving the building pad is therefore inconsistent with the Sweeney MPD, and that inconsistency means the project is not protected by vested rights from the date of the Sweeney MPD application, but instead from when this application was submitted (i.e., 2022).

In sum, the plat amendment moving the building pad into the SLO zone is in direct contravention of the Sweeney MPD, which includes a specifically designated building pad for this property. Since the proposed project is not in accordance with the application and approval for the Sweeney MPD, it cannot be reviewed under the vested rights granted by the Sweeney MPD. It must be viewed under the zoning regulations in place in 2022, at the time of the application.[11] While the Sweeney MPD makes up a portion of the zoning regulations in place in 2022 (and this project does not comply with it), so does the SLO zone. And because the building pad is now in the SLO zone, the project must be reviewed for compliance with the SLO zone.

3. *The proposed project does not and cannot comply with the SLO zone.*

The Applicant has made a concerted effort to persuade you that it need not comply with the requirements of the SLO zone because its proposed project does not and cannot comply with those requirements.

Park City's Land Management Code is very clear about the requirements for developing in the SLO. An applicant is required to provide a "Sensitive Lands Analysis" that is then reviewed by Staff who is to issue a "Sensitive Lands Determination."[12] Here, no analysis has been provided and no affirmative determination made.

Additionally, where steep slopes are involved, "[t]he Applicant must prove that the Development will have no significant adverse impact on adjacent Properties."[13] The Planning Commission can only determine that the steep slope requirements are met "if the Applicant proves: (1) [t]he Density is Compatible with that of adjacent Properties; (2) [t]he Architectural Detail, height, building materials, and other design features of the Development are Compatible with adjacent Properties; and (3) [t]he Applicant has adopted appropriate mitigation measures such as landscaping, screening, illumination standards, and other design features to buffer the adjacent Properties from the Developable Land."[14]

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[9] Exhibit B, Sweeney Master Plan (II)(1).
[10] *Id.*
[11] *See Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388, 396 (Utah 1980); *see also* Utah Code § 10-9a-509(1)(a)(ii) ("[a]n applicant is entitled to approval of a land use application if the application conforms to the requirements of the applicable land use regulations, land use decisions, and development standards in effect when the applicant submits a complete application . . . .").
[12] *See* Park City Land Management Code § 15-2.21-2.
[13] LMC § 15-2.21-4 (H)(d).
[14] *Id.*

The Applicant has not and cannot prove any of these elements. The proposed density of more than 20,000 square feet is not compatible with adjacent properties. The industrial architectural design details with its massing, scale, and height are not compatible with the adjoining residential properties. Nor has the Applicant demonstrated how it is taking any mitigation measures to buffer adjoining properties.

The Applicant also cannot establish compliance with the requirements of the SLO because one of the purposes of the SLO zone is to "prohibit Development on Ridge Line Areas, *Steep Slopes*, and wetlands[.]"[15] To accomplish this purpose, development within fifty feet of "Very Steep Slopes" is prohibited under LMC § 15-2.21-4(A):

> A. **PROHIBITIONS.** No Development is allowed on or within fifty feet (50'), map distance, of Very Steep Slopes, Areas subject to land slide activity, and other high-hazard geologic Areas. As used herein, an Area of Very Steep Slopes must cover a topographic Area at least twenty-five feet (25') vertically, upslope or downslope, and fifty feet (50') horizontally in any direction to be subject to this prohibition.

Here, the majority of the property contains Very Steep Slopes (i.e., greater than forty percent) covering a topographic area large enough to meet the above prohibition.[16] Thus, this project is illegal under the LMC and should not be approved.

There are ways around this prohibition, but an application must meet specific requirements to be exempted. The application before you does not come close to meeting those requirements.

For example, an application can seek a variance from the Very Steep Slopes setback. Before the Planning Commission can grant such a variance, however, *all* the following must be met:

1. Varying the Setback does not create an intrusion by Buildings into the Ridge Line Area when viewed from designated Vantage Points, Section 15-2.21-3(A)(4), or other Vantage Points designated by the Planning staff or Commission, Section 15-2.21-3(B)(1);
2. Building Areas in the Setback do not create excessive cut or fill Slopes; minimal retaining walls to limit disturbance and meet Grade may be required by the Planning Commission subject to Sections 15-2.21-4(B),(C), and (E);
3. Limits of Disturbance around any Structure within the Setback shall be limited to the minimal Area necessary to excavate and backfill the foundation. Decks and patios in the area of the Very Steep Slope setback, may not extend more than fifteen feet (15') beyond the foundation walls or the minimal excavation/backfill Areas, whichever is greater;
4. No additional erosion, land subsidence, or avalanche hazard is created;
5. The Site plan results in an improved organization of units through vegetation avoidance, minimization of changes to the viewshed from public Areas, and reduction of Site disturbance;

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[15] LMC § 15-2.21-1(D).
[16] Exhibit H, Applicant's Grading Plan.

6. The reduction in Setback results in a reduction in overall project Density or Development massing as established by the Planning Staff's Site Suitability Determination, and
7. In no case shall additional disturbance be allowed beyond the maximum area determined in the Site Development Suitability Determination (See Section 15-2.21-2(C)).[17]

At the very least, requirements 2 and 4 above are not complied with under the Applicant's current plans and could not be complied with without drastic changes to those plans.

Requirement 2 is not complied with because there are excessive cuts. According to the Applicant's own grading plan, there will be individual cuts up to 46.3 feet in depth and combined cuts after terracing (which itself is prohibited by code[18]) totaling over 80 feet in depth. Given that the house is more than 130 feet wide, these cuts are not only deep, but expansive. In total, the cuts will result in the removal of 11,786 cubic yards of earth from the hillside. For reference, the King's Crown development (which caused a landslide in an area of the same hillside that was *not* a Very Steep Slope) removed a total of roughly 12,000 cubic yards of earth but with much shallower cuts.[19] That project, however, included three large condominium buildings and twenty-six homes and town homes rather than one home. A finding that this is not an excessive cut would be clearly erroneous and not supported by substantial evidence.

Requirement 4 also cannot be met, as additional erosion, land subsidence, and avalanche hazards are created. According to a report by the Utah Department of Natural Resources, this area of Treasure Hill is classified as being a high erosion hazard if vegetation is removed (as will be required for construction of this project).[20] Likewise, it creates land subsidence hazard as it is likely to cause a landslide. One does not need to be an expert to see the obvious danger this project creates, and the Geotech report submitted by the applicant fails to adequately address slide risk. Every Parkite familiar with the town's history knows there are several mineshafts under Treasure Hill that were loosely filled in after they were abandoned. This has created a notoriously unstable mountainside that is susceptible to landslides. As mentioned, on the very same mountain a much shallower cut with a similar amount of earth removed triggered a landslide on a much less steep portion of the mountain. It is apparent that this project will create a significant landslide risk.

It is important to note that even if the requirements of LMC § 15-2.21-4(A) were met, giving you the discretion to grant a variance, Section 4(A) only allows a variance in the setback. It does not give you authority to grant permission to build within Very Steep Slopes, just closer to them. One hundred percent of Very Steep Slope Areas are required to remain open space.[21] And because Very Steep Slopes cover almost all the subject property, building is simply not permitted.

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[17] LMC § 15-2.21-4(A).
[18] LMC § 15-2.21-3(C).
[19] Exhibit J, Kings Crown Response to Planning Commission Questions, August 2, 2017, Part 3(3).
[20] *See* Exhibit I, Engineering Geology of Park City, Summit County, Utah (Utah Geological and Mineral Survey) by Harold E. Gill and William R. Lund (June 1984).
[21] LMC § 15-2.21-4(I).

In most instances, an entire property being off limits for building (as is the case here) would trigger the Hardship Relief provision of LMC § 15-2.21-2(E). Here, however, it does not apply. LMC § 15-2.2-2(E) says:

> **HARDSHIP RELIEF**. If the Applicant demonstrates that the regulations would deny all reasonable Use of the Property, the Planning Commission may modify application of these regulations to provide the Applicant reasonable Use of the Property.

This does not apply because there are reasonable uses for the property. One is to continue using the existing improvements on the property. There are two perfectly usable homes on the property and renovating would not require SLO compliance as they are outside the SLO zone. Likewise, the Applicant could build in the original building pad approved as part of the MPD process as that building pad is outside of the SLO. The Applicant would have to modify the plans to build in the originally platted location, but that does not deny all reasonable use of the property. The Applicant, thus, does not qualify for relief from the strict requirements of the SLO zone. The proposed project, as it is currently contemplated, does not comply and cannot comply with the SLO overlay.

4. *The proposed project is dangerous.*

The proposed project is extremely dangerous. A landslide in this location would be devastating. Regardless of the size of the slide, it would do irreparable damage to the hillside open space that Park City paid $64 million dollars to acquire. A large land slide, which is a very real possibility, would potentially destroy a considerable portion of Old Town, including Main Street, and put many lives at risk. It is unconscionable to waive through this proposed project inside the SLO zone without applying the SLO zone requirements.

We respectfully request that you uphold the law and confirm that the SLO applies and that the proposed project does not meet the requirements of the SLO.

Very Truly Yours,
HOGGAN LEE HUTCHINSON

Justin J. Keys

EXHIBIT A

Ordinance No. 94-46

AN ORDINANCE APPROVING A CONDOMINIUM PLAT FOR THE FLETCHER-KIMBALL TOWN LIFT MASTER PLANNED DEVELOPMENT BEING A PORTION OF BLOCK 7 PARK CITY SURVEY AND BLOCK 53 SNYDERS ADDITION 693 MAIN STREET and 682, 690 PARK AVE, PARK CITY, UTAH

WHEREAS, the owners of the property indicated above, the Park Avenue Associates, petitioned the Planning Commission for approval of a condominium plat for a Master Planned Development, known as Fletcher-Kimball Town Lift MPD, consisting of portions of Block 7 Park City Survey and Block 53 Snyders Addition, Park City, Utah and located at 693 Main Street and 682, 690 Park Avenue.

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on October 26, 1994 and the City Council conducted a public hearing on November 10, 1994 to receive input on the proposed condominium plat; and

WHEREAS, on October 26, 1994 the Planning Commission forwarded a positive recommendation of approval to the City Council, with conditions regarding facade preservation easements, utility service and sidewalk maintenance; and

WHEREAS, it is in the best interest of Park City, Utah to approve the condominium plat; and

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 condominium plat and that neither the public nor any person will be materially injured by the proposed plat.

SECTION 2. DETERMINATION OF FINDINGS FOR CONDITIONS OF APPROVAL.

1. Historic buildings in the core of Park City are valuable assets that contribute to the distinct character of the community. It is desirable to preserve the facades of historic buildings for future generations.

2. Dedication of facade preservation easements was a condition of approval for the Master Planned Development.

3. The Main Street sidewalk is located on private property and is not in the public right-of-way. The City is not responsible for maintenance of this sidewalk.

4. The Snyderville Sewer Improvement District is responsible for providing sewer service to the structures and will determine how servicing and billing of the condominiums will be handled.

SECTION 3. PLAT APPROVAL. The final condominium plat for the Fletcher-Kimball Town Lift MPD is approved as shown on the attached Exhibit A with the following conditions:

1. Prior to plat recordation, the City Engineer, City Attorney, and City Council shall review and approve the plat.

2. Prior to plat recordation, the grant of preservation facade easements for the two historic structures shall be signed, executed, and recorded.

3. A note shall be added to the plat indicating that the Main Street sidewalk is privately owned and shall be privately maintained.

4. Snyderville Sewer Improvement District shall approve sewer servicing and billing requirements.

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

PASSED AND ADOPTED this 10th day of November, 1994.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

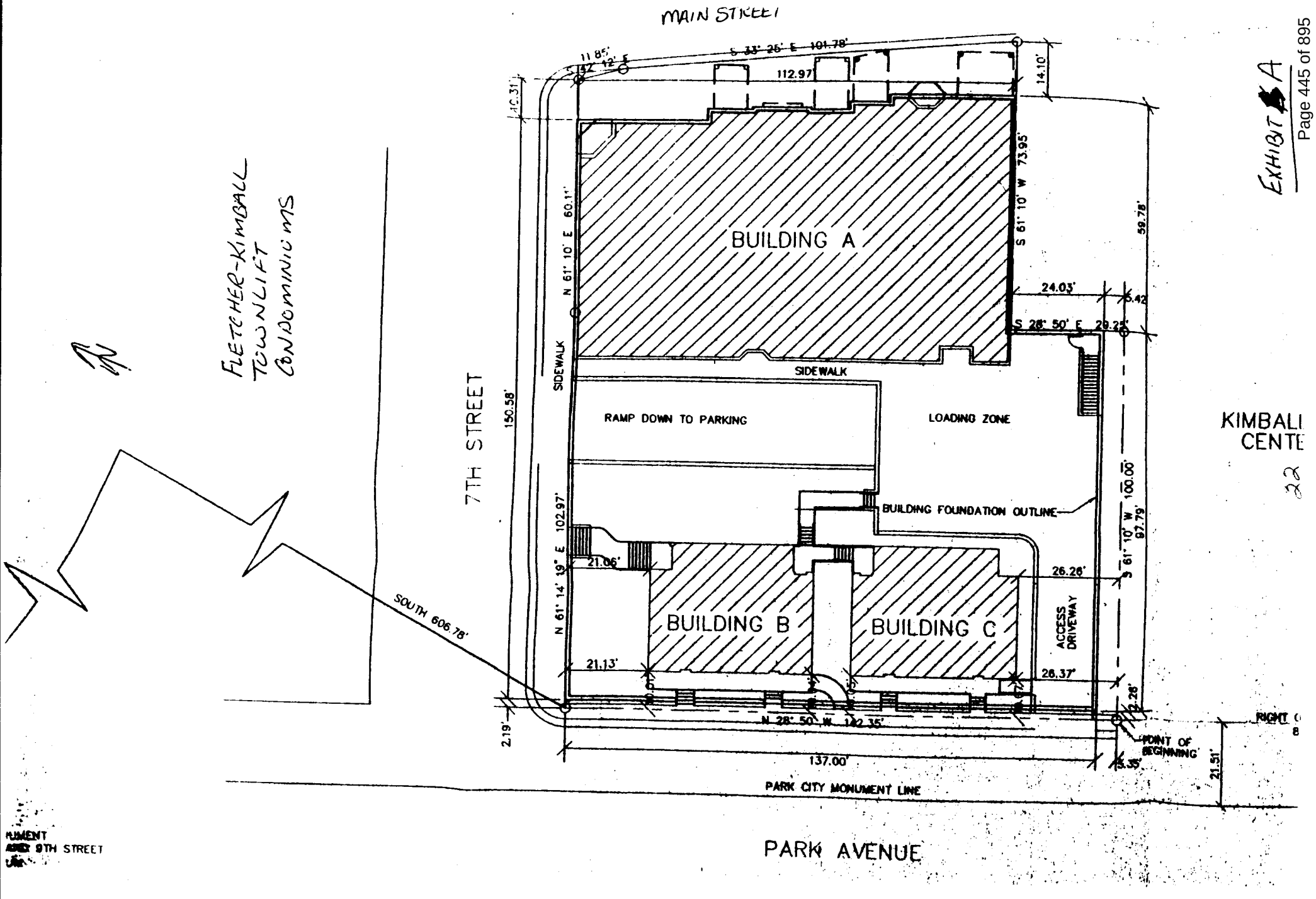
Janet M. Scott, Deputy City Recorder

Approved as to form:

Mark D. Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

EXHIBIT A


MAIN STREET
S 33° 26' E 101.78'
11.85'
S 52° 12' E
112.97'
14.10'
10.31'
BUILDING A
S 61° 10' W 73.95'
59.78'
N 61° 10' E 60.11'
24.03'
5.42
S 28° 50' E 29.25'
SIDEWALK
SIDEWALK
RAMP DOWN TO PARKING
LOADING ZONE
150.58'
7TH STREET
FLETCHER-KIMBALL TOWNLIFT CONDOMINIUMS
BUILDING FOUNDATION OUTLINE
S 61° 10' W 100.00'
97.79'
102.97'
N 61° 14' 19" E
21.06'
26.26'
SOUTH 606.78'
BUILDING B
BUILDING C
ACCESS DRIVEWAY
21.13'
26.37'
N 28° 50' W 142.35'
2.19'
POINT OF BEGINNING
5.35'
21.51'
137.00'
PARK CITY MONUMENT LINE
PARK AVENUE
KIMBALL CENTE
9TH STREET

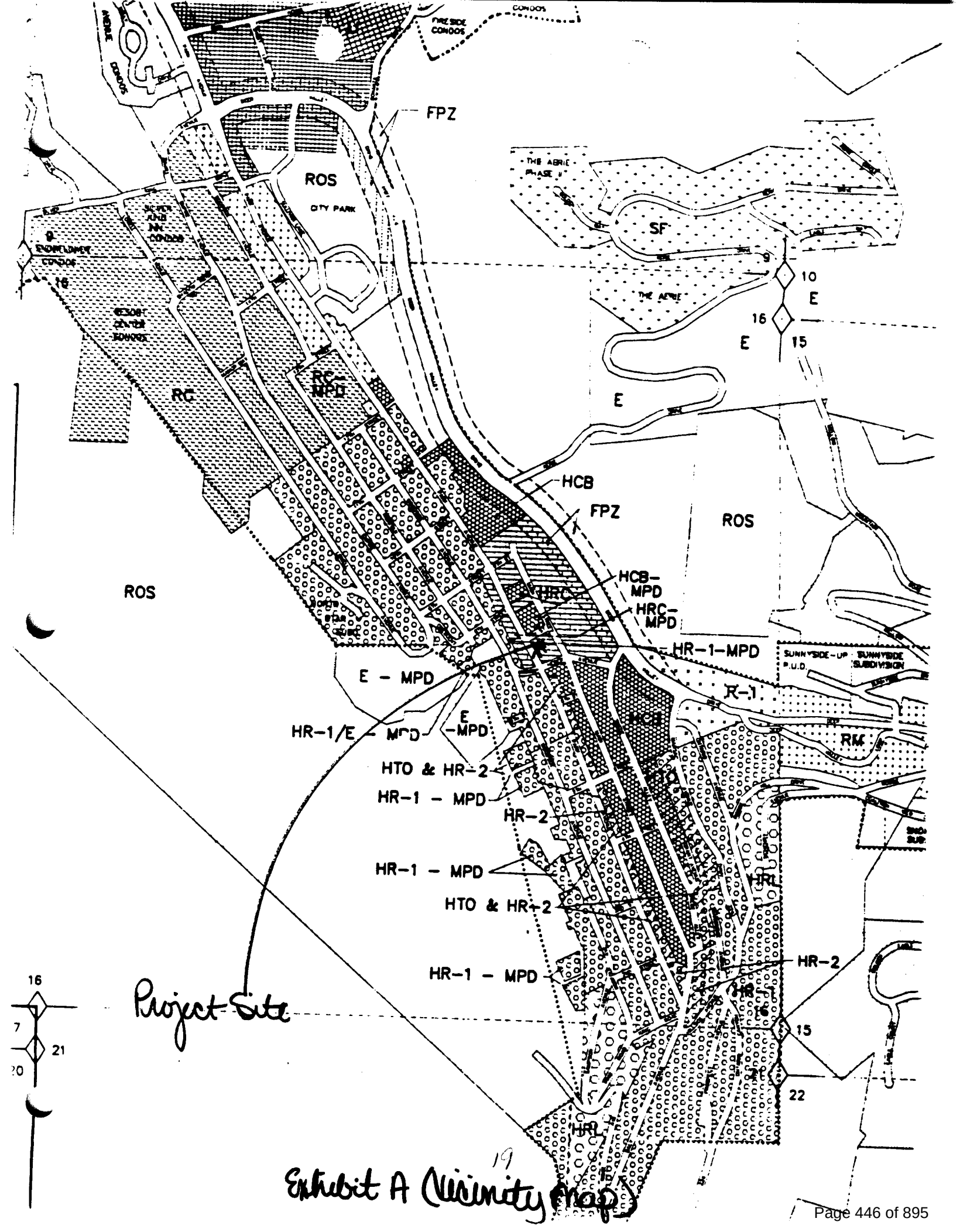


Exhibit A (Vicinity map)

EXHIBIT B

PARK CITY PLANNING DEPARTMENT
REVISED Staff Report

TO: Planning Commission
FROM: Planning Staff
DATE: December 18, 1985
RE: SWEENEY PROPERTIES MASTER PLAN

I. PROJECT STATISTICS:

Applicant:	MPE, Inc. Sweeney Land Company, owner
Proposal:	Large Scale Master Planned Development
Location:	Various parcels throughout Historic District
Parcel Size:	125.6 acres
Existing Zoning:	Historic Residential (HR-1); Estate (E); and, Historic Recreation Commercial (HRC) currently, although Historic Commercial Business (HCB) at the time of formal application
Comprehensive Plan:	Historic Residential and Estate
Surrounding Uses:	Ski area, residential, vacant
Application Date:	May 21, 1985

II. STAFF'S RECOMMENDATION and FINDINGS

The Planning Department Staff recommends that the Planning Commission APPROVE, and forward a positive recommendation to the City Council on the proposed height variation required and rezoning of the hillside (approximately 110 acres) to Recreation Open Space, the proposed Sweeney Properties Large Scale Master Planned Development. The project has been considered in accordance with the review procedures and criteria outlined in Sections 1 and 10 of the Park City Land Management Code, effective January 1, 1984, as amended. The following plans and exhibits, in addition to this report and the project file, constitute the complete development permit.

1. Sweeney Properties Master Plan, sheets 1-16, 19-26, and 38-43 prepared by DelaMare, Woodruff, Stepan Associates, Inc.

2. Sweeney Properties Master Plan document and Fact Sheet, dated May 15, 1985, and subsequent amendments.

3. Sweeney Properties Master Plan Application.

4. Sweeney Properties Master Plan Phasing Exhibit.

5. Sweeney Properties Master Plan Density Exhibit.

6. Sweeney Properties Master Plan Development Restrictions and Requirements Exhibit.

In support of our recommendation to the Planning Commission to approve the proposed Large Scale Master Planned Development, the staff has made the

following Findings based upon the information submitted in conjunction with this application.

1. The proposed clustered development concept and associated projects are consistent with both the Park City Comprehensive Master Plan and the underlying zoning.

2. The uses proposed and general design of the project is or will be compatible with the character of development in the surrounding area.

3. The open space preserved and conceptual site planning attributes resulting from the cluster approach to the development of the hillside is sufficient justification for the requested height variation necessary, and that the review criteria outlined in Section 10.9 (e) have been duly considered.

4. The commercial uses proposed will be oriented and provide convenient service to those residing within the project.

5. The required parking can readily be provided on-site and in enclosed structures.

6. The proposed phasing plan and conditions outlined will result in the logical and economic development of the project including the extension of requisite utility services.

7. The proposed setbacks will provide adequate separation and buffering.

8. The anticipated nightly/rental and/or transient use is appropriate and compatible with the surrounding area.

9. The provision of easements and rights-of-way for existing utility lines and streets is a benefit that would only be obtained without cost to the residents of Park City through such a master planning effort.

10. The site planning standards as set forth in Section 10.9(g) of the Land Management Code have either been satisfied at this stage of review or practical solutions can be reasonably achieved at the time of conditional use review/approval.

III. DEVELOPMENT PARAMETERS and CONDITIONS

The staff's recommendation that the Sweeney Properties Large Scale Master Planned Development be approved by the Planning Commission, and subsequently by the City Council, is predicated upon the following terms and conditions. Upon approval, MPE Inc./Sweeney Land Company, its successors or assignees, shall become bound by and obligated for the performance of the following:

1. The Sweeney Properties Master Plan is approved based upon the information and analysis prepared and made a part hereof. While most of the requirements imposed will not be imposed until individual parcels are created or submitted for conditional use approval, certain specific obligations are also identified on the approved phasing plan. At the time of 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.

2. Upon final approval of the proposed Master Plan, a recordable document (in accordance with the Land Management Code) shall be prepared and submitted. The Official Zone Map will be amended to clearly identify those properties included within the Master Plan, and the hillside property not included within either the Town Life Mid-Station or Creole Gulch sites (approximately 110 acres) shall be rezoned to Recreation Open Space. At the time of conditional use review, final building configurations and heights will be reviewed in accordance with the approved Master Plan, applicable zoning codes and related ordinances. A minimum of 70% open space shall be provided within each of the development parcels created except for the Coalition properties.

3. The approved densities are those attached as an Exhibit, and shall be limited to the maximums identified thereon. Parking shall be provided on-site in enclosed structures and reviewed in accordance with either the table on the approved Restrictions and Requirements Exhibit or the adopted ordinances at the time of project approval. All support commercial uses shall be oriented and provide convenient service to those residing within the project and not designed to serve off-site or attract customers from other areas.

4. Access to the Town Lift and Creole sites shall be provided by a private roadway with acceptable emergency access and utility easements provided. No city maintenance of these streets is expected. All utility lines shall be provided underground with private maintenance required wherever located in inaccessible locations or outside approved easements.

5. Building heights shall be limited to the maximum envelope described on the Restrictions and Requirements Exhibit. At the time of conditional use approval, projects shall be reviewed for conformance with the heights prescribed thereon, and the following:

   (a) The various parcels located within the Historic Residential (HR-1) zone district shall abide by the Land Management Code and no height exceptions will be considered. Maximum building height on the single

family lots shall be limited to 25' in order to reduce potential visibility.

(b) The Coalition East sites are limited to a maximum building height of 55', subject to compliance with the stepped facade (as shown on the applicable plans) concept submitted and the setbacks provided.

(c) The Coalition West properties are limited to a 35' maximum building height adjacent to Park Avenue and a 28' height along Woodside Avenue; subject to the footprints defined, common underground parking and access, and no commercial uses allowed.

* Reflects city council 10.16.86 modifications. *

(d) The Town Lift Mid-Station development is restricted to a maximum height of 35' for at least 90% of the total unit equivalent volume of all above-grade buildings (exclusive of elevator shafts, mechanical equipment, and non-habitable areas) and an overall average height of less than 25' measured from natural, undisturbed grade. Additionally, no portion of any building shall exceed the elevation of 7240' above mean sea level.

(e) The Creole Gulch site shall be limited to a maximum building height of 75' for at least 83% of the total unit equivalent volume of all above-grade buildings combined. An average overall height of less than 45' shall be provided and no portion of any building shall exceed either elevation 7250' for the eastern-most building or the elevation of 7275' for the balance of the project (above mean sea level). *

The above building height restrictions are in accordance with the approved Restrictions and Requirements Exhibits submitted, and are in addition to all other codes, ordinances, and standards.

6. At the time of project review and approval, all buildings shall be reviewed for conformance with the Historic District Design Guidelines and related architectural requirements. No mechanical equipment or similar protuberances (i.e: antennae, flags, etc.) shall be permitted to be visible on any building roof-tops or shall any bright or flashing lights be allowed.

7. All easements, deeds, and/or rights-of-way shall be provided without cost to the city and in accordance with the master plan documents and phasing plan approved. Likewise, it shall be the developer's sole responsibility to secure all easements necessary for the provision of utility services to the project.

8. Master Planned Development approval only conceptually established the ability of local utility service providers to supply service to the projects. It does not constitute any formal approval per se. The applicant has been notified that substantial off-site improvements will be necessary and that the burden is on the future developer(s) to secure various easements and upsize whatever utility lines may be necessary in order to serve this project. Prior to resale of this property in which this MPD approval is carried forward, or prior to any conditional use application for any portion of the MPD, a utility plan addressing water, fire flows, and sanitary sewer, storm drainage, cable utilities, and natural gas shall be prepared for review and approval by City Staff and the

Snyderville Basin Sewer Improvement District. Part of the plan shall be cost estimates for each item of utility construction as it is anticipated that major costs for these utilities will be necessary. All such costs shall be paid by the developer unless otherwise provided. If further subdivision of the MPD property occurs, the necessary utility and access improvements (see below) will need to be guaranteed in accordance with city subdivision ordinances. Public utilities, roads, and access questions which will need to be resolved or upgraded by the developers at their cost (in addition to impact fees, water development and connection fees, and all other fees required by city ordinances) are as follows:

(a) Empire Avenue and Lowell Avenue will be the main access routes to the Creole Gulch site. As such, during construction these roads will need to carry heavy traffic, probably in the vicinity of up to 300 heavy trucks per day. At the present time and until the Creole Gulch site develops, Empire and Lowell south of Manor Way are and will be low-volume residential streets, with a pavement quality, width, and thickness that won't support that type of truck traffic. The City will continue to maintain the streets as low-volume residentials streets, including pavement overlays and/or reconstruction. None of that work will be designed for the heavy truck traffic, but in order to save money for the developer of the Creole Gulch site, he or she is encouraged to keep the City Public Works Director notified as to the timetable of construction at Creole Gulch. If the City is notified that the construction is pending such that an improved pavement section can be incorporated into normal City maintenance projects, then it is anticipated that the incremental additional cost of the additional pavement thickness (which is likely to be in the vicinity of 3 additional inches of asphalt over the entire 4,6000 linear feet [25-foot asphalt width] of Lowell/Empire south of Manor Way, or approximately $80,000 additional cost in 1986 dollars) could be paid by the developer with said amount deducted from future impact fees paid to the City as long as it did not exceed the total future impact fees. However, if the increased pavement section is not coordinated with the City by the developer such that the pavement of Lowell and Empire south of Manor Way remains inadequate at the time the Creole Gulch site is developed, then the developer shall essentially reconstruct the entire 4,600-foot length of Lowell and Empire south of Manor Way at his or her cost, which with excavation and reconstruction of an anticipated 6-inch asphalt thickness on top of 10 inches of roadbase, plus all other normal construction items and costs, would be in the approximate cost range of $300,000 to $400,000 in 1986 dollars. Further, because that reconstruction would be inconvenient to residents and the City, and because delays, impacts, and potential safety hazards would be created over and above normal City maintenance of existing streets, that action by the developer would be a new impact on City residents and the cost therefore would not be deductible from any developer impact fees.

(b) Contribute to the Park City Village, or other water tanks, determined to be necessary by the City Engineer in order to serve the project with culinary and fire storage. Based on a Type 1 fire resistive construction, it is assumed that the contribution would be on the order of 500,000 gallons at a cost of approximately $300,000.00,

although the exact figures would need to be determined in a detailed study using adopted City standards.

(c) Construct pumped pressure system(s) with backup emergency power to provide a means of delivery of fire flows to the project. Construct a meter vault at the edge of the road adjacent to the project, beyond which all water facilities would be privately maintained. It is anticipated that in the vicinity of 2,500 feet of 12-inch water line with appurtenances may be required. Such pipe would cost about $70,000 in 1986 dollars exclusive of the pumps and backup power, which are even more expensive.

(d) Provide an easement, or pay all costs related to condemnation by Park City of an easement, suitable for construction and maintenance of a storm drain from the project site to Silver Creek or McLeod Creek. All City streets and any public utility drainage easements normally provided in the course of other private development shall be available for utility construction related to this MPD subject to reasonable construction techniques and City standards.

(e) Pay for downstream detention basin construction costs in accordance with the ratio of increased runoff from the project during the 50-year flood event to the total design volume of the basin.

(f) Construct a storm drain line to Silver Creek or McLeod Creek adequate to contain the runoff running through and off the site during the 50-year flood event. It is assumed that a minimum of 36-inch concrete storm drain line will need to be installed solely for Creole Gulch drainage. It is further assumed that special cleanout boxes and inlet boxes will need to be designed to address difficult hydraulic problems. Such boxes are expensive.

(g) Provide revegetation over all on-site and off-site areas disturbed for project-related utilities.

(h) Sanitary sewer improvements are assumed to involve replacing in the vicinity of 3,000 feet of sewer line, with new manholes included. Such construction will cost in the vicinity of $100,000, is subject to the approval of SBSID, and is further subject to all District fees and agreements necessary for extension of lines.

9. To minimize additional construction traffic impacts, on-site material stockpiling/staging and parking shall be provided during the course of construction. Similarly, cut and fill shall be balanced and distributed on-site whenever practicable, with any waste material to be hauled over City specified routes. Also at the time of conditional use review/approval, individual projects or phases shall provide detailed landscaping, vegetation protection, and construction staging plans.

10 As projects are submitted for conditional use approval, the city shall review them for required employee housing in accordance with adopted ordinances in effect at the time of application.

IV. BACKGROUND

An application for Large Scale Master Planned Development was submitted on May 21, 1985, in accordance with Sections 1 and 10 of the Park City Land Management Code. The applicant requested that only general development concept and density be approved at this juncture. Final unit configuration and mix may be adjusted by future developers at the time of conditional use review. A legal description of the total property involved in the area being master planned shall be recorded with Summit County. The general nature of the development and pertinent details of the transferring of densities from one area to another shall be adequately described and of sufficient depth to apprise potential land purchasers or developers that the property has been included within a Master Plan.

A variety of development concepts were submitted during the course of reviewing the proposed Master Plan. A total of eight distinct approaches to the development of the Hillside Properties were evaluated. The alternative concepts ranged from a "conventional" subdivision approach involving the extension of Norfolk Avenue, to a modern high-rise concept. The staff, Planning Commission and general public have all favored the clustering of development as opposed to spreading it out. Several of the alternatives prepared were in response to specific concerns expressed relative to the scale and mass of buildings necessary to accommodate the density proposed. The latest concept developed represents a refined version of the cluster approach originally submitted.

V. NARRATIVE

The Sweeney Properties Master Plan involves a number of individual development parcels. Combined, a total of 277 unit equivalents are proposed; including, 258 residential and 19 unit equivalents worth of support commercial space. Based upon the zoning in effect at this time, in excess of 450 units could be requested. While this may be somewhat misleading due to certain physical and technical constraints (i.e: access, slope, utilities), it does reveal that a significant reduction in total density proposed has been incorporated into the project. Each area proposed for development has been evaluated on its own merits. During the course of review, numerous concepts were considered with densities shifted around.

The various parcels of land included within the Sweeney Properties Master Plan are scattered about the Historic District and are detailed on the attached Exhibit. For additional clarity a brief narrative description of each development area follows:

Coalition Properties

The three sites comprising the Coalition Properties are located adjacent to the new Town Lift base station on Park Avenue at 8th Street, and contain a total of 1.73 acres (1.46 acres HRC, .27 acres HR-1).

The Coalition East North and South parcels are separated by an easement granted for the ski liftway. Although this property was included within the recent rezoning of the Depot Area from Historic Commercial Business (HCB) to Historic Recreation Commercial (HRC), the application was submitted prior to this action and the former zoning is thereby "grandfathered" (if, in fact, the

application is approved). The development concept proposed entails a predominantly residential project with some ground level commercial uses anticipated. In an effort to reduce densities elsewhere within the Master Plan, the originally proposed density has been increased from 37 to 40 unit equivalents. Preliminary building footprints and massing drawings show structures with a stepped facade reaching a maximum height of fifty-five feet. Parking will be provided within an enclosed structure beneath the buildings and in accordance with the Table on the Restrictions and Requirements Exhibit or the Land Management Code (to be determined at the time of conditional use approval).

The Coalition West property is located south of and adjacent to 8th Street in the Historic Recreation Commercial (HRC) zone recently created. The concept for this particular site is in keeping with the previous zoning (Historic Residential, HR-1) and provides a buffer for properties located to its west. Also in response to preferred reductions in density elsewhere in the Master Plan, the originally proposed ten unit equivalents have been increased to thirteen total. In order to accommodate this additional density, a floor was added to several of the buildings. Building heights adjacent to Park Avenue have been shown at 35', while those abutting Woodside Avenue will be restricted to a 28' height. Individual structures have been conceptually designed in keeping with the scale of the Historic District will all code required parking to be provided below the buildings and accessed from a single common driveway.

HR-1 Properties

These project parcels consist of the MPE and Carr-Sheen properties and total less than ½ acre (.45) in size. Zoned HR-1 at present, the Master Plan proposes to limit densities on these sites to 2 and 3 unit equivalents accordingly, or a reduction of 44% (i.e: 4 units total). In addition, easements shall be provided for a stairway connecting the Empire-Lowell switchback to the Crescent walkway. The Fletcher parcel included within the Master Plan will be preserved as open space in addition to several quit claim deeds provided to the city for existing streets located outside platted rights-of-way.

Hillside Properties

By far the largest area included within the proposed Master Plan, the Hillside Properties involve over 123 acres currently zoned HR-1 (approximately 15 acres) and Estate (108 acres). The development concept proposed would cluster the bulk of the density derived into two locations; the Town Lift Mid-Station site and the Creole Gulch area. A total of 197 residential and an additional 19 commercial unit equivalents are proposed between the two developments with over 90% of the hillside (locally referred to as Treasure Mountain) preserved as open space. As part of the Master Plan, the land not included within the development area boundary will be rezoned to Recreation Open Space (ROS).

The Town Lift Mid-Station site contains roughly 3.75 acres and is located west of Woodside Avenue at approximately 6th Street. The majority of the developable area is situated southeast of the mid-station loading area. A total of 35.5 residential unit equivalents are proposed with 3.5 equivalents worth of support commercial space as well. The concept plan shows a number of low profile buildings located on the downhill side of the access road containing 9 unit equivalents. Two larger buildings are shown above the road with 9.5 and 17

units envisioned. The average building height for the Town Lift site is less than 25' with over 85% of the building volume fitting within a 35' height envelope. Parking will be provided within enclosed structures, accessed via a private road originating from the Empire-Lowell switchback. The closest neighboring residence is currently located in excess of 200 feet away.

The Creole Gulch site is comprised of 7.75 acres and situated basically south of the Empire-Lowell switchback at approximately 8th Street. The majority of the property is currently zoned Estate (E). A total of 161.5 residential unit equivalents are proposed. In addition, 15.5 unit equivalents of support commercial space is included as part of the Master Plan. Average building heights are proposed to be less than 45' with a maximum of 95' for the highest point. As conceptually proposed, in excess of 80% of the building volume is within a 75' height envelope measured from existing grade. It is expected that the Creole Gulch site will be subdivided into specific development parcels at some future date. Parking is accessed directly from the Empire-Lowell switchback and will be provided within multi-level enclosed structures. Depending upon the character of development and unit configuration/mix proposed at conditional use approval, the actual numbers of parking spaces necessary could vary substantially. Buildings have been set back from the adjacent road approximately 100' and a comparable distance to the nearest adjoining residence.

Miscellaneous Properties

In addition to the development areas described above, the proposed Master Plan identifies three distinct single-family lots; one of which is located above Woodside Avenue adjacent to and north of platted 5th Street, a second to be accessed from Upper Norfolk, and a third lot to be situated up on top of Treasure Mountain (possible future access predicated on United Park City Mines Company's plans for development off of King Road). Development would be restricted to single-family homes with no greater than 3500 square foot footprints and maximum building heights of 25 feet.

VI. MAJOR ISSUES

Many concerns were raised and issues identified through the review process. A project of this scale and complexity would pose similar and considerable consternation no matter where it was proposed to be built. Because this particular site is located both within and adjacent to the Historic District, many of the concerns expressed related to the more subjective kinds of considerations. The Master Planned Development procedure attempts to deal with the general concept of the proposed development and defer or relegate the very detailed project review elements to the conditional use stage of review. At conditional use review, the following issues will be examined in considerable detail with technical solutions sought.

Comprehensive Plan - The city's Comprehensive Master Plan identifies the Hillside property as a key scenic area and recommends that development be limited to the lower portions of the mountain. The existing HR-1 ground included in the Sweeney Master Plan is shown as being retained for residential use similar to the existing pattern of development. The Coalition West site is also recommended for Historic Residential use with the East parcels included within a Historic Commercial area. The proposed Sweeney

Properties MPD is in conformance with the land use designations outlined in the Park City Comprehensive Master Plan.

Scale - The overall scale and massiveness of the project has been of primary concern. Located within the Historic District, it is important for project designed to be compatible with the scale already established. The cluster concept for development of the hillside area, while minimizing the impacts in other areas, does result in additional scale considerations. The focus or thrust of the review process has been to examine different ways of accommodating the development of the property while being mindful of and sensitive to the surrounding neighborhood. The relocation of density from the Town Lift site was partly in response to this issue. The concentration of density into the Creole Gulch area, which because of its topography and the substantial mountain backdrop which helps alleviate some of the concern, and the requested height variation necessary in order to reduce the mass perceived (higher versus lower and wider), have greatly improved the overall scale of the cluster approach. The sites along Park Avenue have been conceptually planned to minimize scale and have provided stepped facades and smaller-scale buildings to serve as a transition.

Zoning - Currently, the land involved in the proposed MPD is comprised of three (actually four) distinct zoning designations. The Coalition East parcel is currently zoned Historic Recreation Commercial (HRC) although it was zoned (and is therefore, technically "grandfathered" or vested) Historic Commercial Business at the time the application was submitted. The West site is also now zoned HRC. The Hillside Properties (i.e: Town Lift Mid-Station and Creole Gulch sites) are zoned Historic Residential (HR-1) and Estate (E). The Carr-Sheen, MPE, and two of the three single-family lots are all zoned HR-1 as well. The single-family lot adjacent to property owned by United Park City Mines is zoned Estate.

The current zoning will basically remain unaltered as a result of the proposed Master Plan except that over 110 acres of the mountain will be rezoned to Recreation Open Space (ROS), and the hillside properties will be designated as being subject to a Master Planned Development document/approval (i.e: E/HR1-MPD).

Neighborhood Compatibility - In reviewing the general compatibility of a project of this scale, an evaluation of possible alternative approaches was undertaken. In light of those other development concepts and associated impacts, the proposed clustering approach was deemed the most compatible. Rather than spread the density out and thereby impact the entire old town area, the cluster concept afforded the ability to limit the impacts to smaller areas. Efforts to minimize scale have been directed toward this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space. The non-hillside project sites have also been planned in accordance with both the Historic District guidelines and in keeping with the scale of existing residences. The long build-out period envisioned will also enable a more detailed review at the time when specific project proposals are developed. A number of the staff's recommended conditions are directed toward minimizing the potential conflicts related to neighborhood compatibility considerations.

Open Space - A key element of the proposed cluster approach is to preserve usable open space in perpetuity. A total of 97% (120 acres) of the hillside will be maintained as open space as a part of the proposed Master Plan. In excess of 110 acres will actually be rezoned to Recreation Open Space (ROS) in addition to 70% open space provided within each of the development parcels. Alternative concepts reviewed involving the extension of Norfolk Avenue would significantly have reduced the amount of open space retained. The potential for the subdivision and scattered development of the hillside would also have drastically affected the goal of preserving the mountain substantially intact and pristine.

Access - All of the different concepts reviewed would result in similar access concerns. The Coalition properties along Park Avenue have excellent access as a result and efforts were, therefore, limited to combining driveways to minimize the number of curb cuts (i.e: ingress/egress points). The development of the Hillside Properties will undoubtedly impact not only Empire and Lowell Avenues but other local streets as well. While certain assumptions could be made as to the type or character of development proposed and possible corresponding differences in traffic patterns, many of the questions raised would remain unanswered. While it is true that the Norfolk Avenue extended alternative would best deal with the current problem of poor access to that area, it would not have solved all of the access issues. The proposed Master Plan will provide sufficient ground, to be dedicated to the city, for purposes of developing a reasonable turnaround for Upper Norfolk.

Visibility - The issue of visibility is one which varies with the different concepts proposed and vantage or view points selected. The very detailed visual analyses prepared graphically demonstrated how the various proposals might look from key points around town. The cluster approach, although highly visible from certain areas, does not impose massive structures in the most prominent areas. Instead, the tallest buildings have been tucked into Creole Gulch where topography combines with the densely vegetated mountainside to effectively reduce the buildings' visibility. The height and reduction in density at the Mid-Station site has been partly in response to this concern. The staff has included a condition that an exhibit be attached to the Master Plan approval that further defines building envelope limitations and architectural considerations.

Building Height - In order to minimize site disturbance and coverage, the clustering of density necessitated consideration of building heights in excess of that which is permitted in the underlying zoning (28' to the mid-point of a pitched roof with a maximum ridge height of 33'). The various iterations submitted for review demonstrated the trade-offs between height and site coverage. The proposed concept for the Mid-Station area results in buildings that would average only 18' above grade with portions (primarily the elevator access shafts likely to be required) approaching 75' in the worst-case situation. The concept reviewed for the Creole Gulch area entails portions of buildings as high as 100', but with an overall average of less than 40'. The Coalition East property, as a result of transferring additional density to it, is proposed to go as high as 55'; whereas, the Coalition West site approaches 35' along the Park Avenue frontage and 28' adjacent Woodside Avenue. As a part of the Master Planned Development process, height variations can be approved in light of other

planning considerations (see Section 10.9(e) of the Land Management Code). Throughout the review, considerable effort has been directed at minimizing overall building height and related impacts while still accommodating the proposed density in a cluster type of development.

These recommendations were approved by City Council *

The staff has developed a number of recommended conditions in response to the concerns expressed over building heights. An exhibit defining building "envelopes" has been developed to define areas where increased building heights can be accommodated with the least amount of impact. It is our recommendation that maximum building heights be restricted to 35' and 75' at the Town Lift Mid-Station and Creole Gulch sites, respectively, for the bulk of (at lease 83%) the building volumes. Similarly, we recommend that the building envelope proposed for the Coalition properties be limited in accordance with the exhibits prepared and made a part of the approval documents.

Overall Concept - The concept of clustering densities on the lower portion of the hillside with some transferring to the Coalition properties has evolved from both previous proposals submitted and this most recent review process. The Park City Comprehensive Master Plan update that was recently enacted encourages the clustering of permitted density to those areas of the property better able to accommodate development. In order to preserve scenic areas in town and mitigate potentially adverse impacts on the environment, the Master Planned Development concept was devised. The Sweeney Properties MPD was submitted after a number of different development concepts had been reviewed; including, several versions of the Silver Mountain proposal and various designs that were predicated on the extension of Norfolk Avenue through to the Empire-Lowell Avenues area. After considerable staff discussion and input, the cluster concept was developed. Because of the underlying zoning and resultant density currently in place, the cluster approach to developing on the hillside has been favored throughout the formal review and Hearing process.

Land Uses - The predominant land uses envisioned at this time are transient-oriented residential development(s) with some limited support commercial. The building forms and massing as well as location lend themselves to hotel-type development. Although future developers of projects within the Master Plan have the flexibility to build a variety of unit types in different combinations or configurations, the likelihood is that these projects will likely be geared toward the visitor looking for more of a destination-type of accommodation. The property involved in the Master Plan is directly connected to the Park City Ski Area and as such can provide ski-to and ski-from access. A number of smaller projects in the area are similarly oriented to the transient lodger. Although certainly a different kind of residential use than that which historically has developed in the old town area, it is still primarily residential in nature. The inclusion of attached townhomes serving to buffer between the existing residences and the denser areas of development will also help provide a transition of sorts. The amount of commercial space included within the Master Plan will be of the size and type to provide convenient service to those residing within the project, rather than possibly be in competition with the city's existing commercial areas.

Traffic - Any form of development proposed in this area of town would certainly impact existing streets. Although the majority of traffic generated will use Empire and Lowell Avenues, other roads will also be affected. The concept of extending Norfolk Avenue would have improved access to the south end of old town, but would also have added additional traffic to Empire and Lowell as a result. It is expected that both Empire and Lowell will be improved in several years in order to facilitate traffic movement in general. Even without this project, some upgrading has been planned as identified through the development of the Streets Master Plan.

In evaluating traffic impacts, both construction and future automobile demand are considered. Many related issues also come into play, such as efforts to minimize site grading and waste export. The Master Plan review process affords the opportunity to address these issues in considerable detail whereas other reviews would not. Several of the conditions proposed deal with the issue of traffic and efforts directed at mitigating the impacts created. Traffic within the project will be handled on private roadways with minimal impact.

Utilities - The various utility providers have all reviewed the proposed development concept and do not oppose granting Master Plan approval. Substantial improvements to existing infrastructure will be necessary, however, and the developer has been apprised of his responsibility. Considerable off-site work will be required, the details of which will be resolved at the time of conditional use approval. Depending upon the timing of actual development or the possible subdivision of the property, participation in upgrading existing utility lines and roadway improvements may be required ahead of schedule. A number of parameters/conditions recommended further detail these issues and serve to verify the nature of MPD concept approval.

Fiscal - The proposed dense clustering of development is by far the most economic to service. In contrast to other concepts proposed involving the extension of Norfolk Avenue and possible scattered development of the hillside, the cluster approach represents a positive impact on the city's and other public entities budgets. The nature of development anticipated and lack of additional roadway and utility line extensions requiring maintenance will not create significant additional demands for service.

Tenancy - The likely occupancy and tenancy of the projects comprising the Master Plan will be transient in nature. Rather than housing significant numbers of year-round permanent residents, it is expected that the orientation will instead be toward the short-term visitor.

Circulation - Circulation within the primary development sites will be on foot. Private roadways/drives access the project parking areas with vehicular circulation provided between projects and for service/delivery, construction, and emergency purposes. Pedestrian circulation within the projects will be provided via walkways and plazas with off-site improvements made to facilitate area-wide access. Several nearby stairways will be (re)constructed in accordance with the approved phasing and project plans.

Easements/Rights-of-Way - The Sweeneys have included the dedication and and/or deeding of several easements and sections of rights-of-way to improve the city's title. As a part of the Master Plan, several roadway sections and utility/access corridors will be deeded over. In addition, a right-of-way will be supplied for the construction of a hammerhead-type turnaround for Upper Norfolk Avenue.

Norfolk Avenue - Although several staff members supported the idea of extending Norfolk Avenue through to Empire-Lowell, the consensus was in support of the clustering approach to development. Technical as well as fiscal concerns were discussed relative to the access benefits that would result. Similarly, although the resultant scale of HR-1 development that would have been likely is closer to that prevalent in the Historic District today, the spreading-out of the impacts of road and development construction would have been exacerbated. In lieu of extending Norfolk Avenue, the Sweeney's have consented to deed to the city sufficient land for a turnaround and to participate in the formation of a special improvement district for roadway improvements (in addition to providing an easement for the existing water line).

Grading - The proposed cluster concept will result in less grading than the alternatives considered. The MPD review enabled the staff, Planning Commission, and developer the opportunity to consider this kind of concern early in the project design process. The concept plans developed have examined the level of site work required and how potential impacts can be mitigated. Various conditions supported by staff have been suggested in order to verify the efforts to be taken to minimize the amount of grading necessary and correlated issues identified.

Disturbance - The eight distinct development scenarios presented each had a varying degree of associated site disturbance. The current concept results in considerably less site clearing and grading than any of the others presented (except the total high-rise approach). A balance between site disturbance and scale/visibility has been attained through the course of reviewing alternate concepts. General development parameters have been proposed for Master Plan approval with the detailed definition of "limits of disturbance" deferred until conditional use review.

Density - The proposed densities are well within the maximum allowed and actually about one-half of that which the underlying zones would permit. While it would not be practical or feasible to develop to the full extent of the "paper density", the proposed Master Plan does represent a considerable reduction from that which could be proposed. During the course of review, numerous comparables were presented which demonstrated that the overall density proposed (1.77 unit equivalents per acre of the Hillside Properties and 2.20 for the entire MPD) is the lowest of any large scale project recently approved. The net densities proposed for the hillside properties, while seemingly quite high, are in actuality lower than the density of the surrounding area. Thus, even though a transferring and congregation of development density is occurring, the overall gross and net densities are well within ranges approved for other projects.

Phasing - The build-out of the entire Master Plan is expected to take somewhere between 15-20 years. The Coalition properties will likely be

developed within 5-10 years with development of the Hillside area not expected for at least 10 years. Because of the scope of the project and the various related improvements necessary to accommodate a project of this nature, a detailed time line has been developed as an attachment to the MPD approval documents. While some flexibility is built-into the approved Master Plan, any period of inactivity in excess of two years would be cause for Planning Commission to consider terminating the approval.

Setbacks - All of the development sites provide sufficient setbacks. The Coalition properties conceptually show a stepped building facade with a minimum 10' setback for the West site (in keeping with the HRC zoning) and a 20' average setback for the East sites. The Hillside properties provide substantial 100'+ setbacks from the road, with buildings sited considerably farther from the closest residence.

Fire Safety - The clustering of development proposed affords better overall fire protection capabilities than would a more scattered form. Buildings will be equipped with sprinkler systems and typical "high-rise" fire protection requirements will be implemented. The proposed development concept locates buildings in areas to avoid cutting and removing significant evergreens existing on the site. Specific parameters have been recommended by the staff with actual details proposed to be deferred until conditional use review.

Snow Removal/Storage - The cluster approach to development results in less roadway or associated hard-surfaced area and thereby reduces the amount of snow storage/removal necessary. Considerable effort has been devoted in looking at everything from snow melting systems to where pitched roofs will shed. No additional snow removal will be required of the city. At conditional use approval, additional consideration will be appropriate to ensure that snow storage can safely and reasonably be handled on-site.

Employee Housing - At the time of conditional use approval, individual projects shall be reviewed for impacts on and the possible provision of employee housing in accordance with applicable city ordinances in effect.

Landscaping/Erosion Control - Detailed landscaping plans and erosion control/revegetation methodologies for minimizing site impacts will be required at the time of conditional use review. Plantings shall be reviewed for their ability to provide visual interest and blend with existing native materials.

Trails - The proposed phasing plan identifies the timing of construction for summertime hiking trails and related pedestrian connections. Trails, stairways, and sidewalks accessing or traversing the various properties will be required in accordance with both the approved phasing plan and at the time of conditional use review/approval.

SWEENEY PROPERTIES MASTER PLAN DENSITY EXHIBIT

Parcel	Acreage	Residential Unit Equivalents	Commercial Unit Equivalents	Maximum Building Height[2]	Minimum Open Space (%)
Coalition Properties					
East	0.986	40	Maximum Commercial space not to exceed FAR of 1:1	55'	39.8[1]
West	0.543	13	---	35'	54.9
Hillside Properties					
Creole Gulch	7.75	161.5	15.5	~~98'~~ * 75	70
Town Lift Mid-Station	3.75	35.5	3.5	~~55'~~ * 45	70
Three ½-acre Single Family Lots	1.5	3	---	25'	83.9
Develop HR-1 Properties					
Carr-Sheen	0.288	3	---	28'	60
MPE	0.161	2			
		258 U.E.	19 U.E.		

[1] Does not include Town Lift base facility
[2] Maximum roof height, excludes elevator shaft

* Subject to revised conditions as stated in the Motion by City Council (10/16/86

SWEENEY PROPERTIES MASTER PLAN PHASING EXHIBIT - REVISED

Year	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Improvement/ Development[1]																					
MPD Approval Recorded	———																				
Norfolk Waterline Easement	———																				
Norfolk ROW	———																				
Crescent Walkway	———	———	———	———	———	———	———	———	———	———	———										
Empire-Lowell ROW	———																				
Norfolk Turnaround	———																				
Misc. Deed Restrictions	———																				
Hiking Trails/ Foot Paths	———	———																			
Tramway Towers Dedication	———	———																			
Empire Lowell to Crescent Walkway Connection/ Construction	———																				
6th Street Stairway[2]						———	———	———	———	———	———	———	———	———	———	———	———	———	———	———	———
5th Street Stairway[2]						———	———	———	———	———	———	———	———	———	———	———	———				
4th Street Stairway[2]						———	———	———	———	———	———	———	———	———	———	———	———				

Year	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006
Project Timeframe																					
Coalition Properties	—	—	—	—	—																
MPE and Carr-Sheen	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—	—
Town Lift Mid Station						—	—	—	—	—	—	—	—	—	—	—					
Creole Gulch											—	—	—	—	—	—	—	—	—	—	—

[1]For additional clarification, consult the Planning Department Staff Report and the Sweeney Properties Master Plan document and fact sheet dated May 15, 1985.

[2]Stairways to be constructed concurrently with development of Hillside Properties unless already improved by Park City Resort or adjacent projects.

EXHIBIT C

DRAWN 8-10-86 RJS
REVISED 10-11-87 RJS
REVISED 6-10-89 RJS
REVISED 10-9-89 RJS
REVISED 11-22-89 RJS

0' 5' 10' 20' 50'
SCALE 1" = 20'

NORTH

SITE, UTILITIES, & GRADING PLAN

EXHIBIT "B"

KING ROAD
BLACK BASE
LARGEST TYPICAL FIRE APPARATUS TURNAROUND
TRAIL
NEW GATE
FIRE DEPT. KEY BOX
DRAINAGE SWALE TO WOODSIDE GULCH
EXISTING ROADBED
FIRE HYDRANT
NO TRESPASS - PRIVATE DRIVE SIGNS ON OLD GATE
WATER LINE
NEW VEGETATION & SNOW STORAGE
STANDING WALL
FAILED HISTORIC WALL
EXISTING LARGE SCRUB OAK
DRAINAGE SWALE
EXISTING ROADBED
DRIVEWAY
12" CULVERT
BUILDING AREA LIMITS
SOUTH LOT
OPEN SPACE PARCEL
SOUTH LOT
.5 ACRES
MAIN LEVEL 7350
LOWER LEVEL 7340
MAXIMUM HEIGHT 25'-0"
MAXIMUM FOOTPRINT 3500 S.F.
20'-0" SETBACK
NORTH LOT
.5 ACRES
MAIN LEVEL 7340
LOWER LEVEL 7330
MAXIMUM HEIGHT 28'-0"
MAXIMUM FOOTPRINT 3500 S.F.
30'-0" SETBACK
SCHNECKLOTH
PARK CITY
SAMPSON AVENUE
NEWLAND
DELUCIA
E. SEWER
CLEAN OUT
6" SEWER LATERAL
SKI-BIKE-FOOT TRAIL FROM QUITTING TIME
M.H. RIM 7314
FL 7309
20'-0" UTILITY EASEMENT
OPEN SPACE
NORTH LOT
OPEN SPACE PARCEL
JOHNSON
HAYES
IANIERI
UPPER NORFOLK CONDO
CURB
NORFOLK AVENUE
EXISTING DRIVEWAY
LOT 28 BLOCK 78
LOT 24, BLOCK 78
7400
7375
7350
7325
7300
7275
7270

REVISED

DWS ARCHITECTS ASSOCIATES INC.
EUGENE J. WOODRUFF, AIA F. KEITH STEPAN, AIA
466 SOUTH 500 EAST SALT LAKE CITY, UTAH 84102 (801) 531-6867

DATE 11-22-89

16

MPE INC.
P.O. BOX 2429
PARK CITY, UT 84060
(801) 649-7077

KING ROAD
SINGLE FAMILY LOTS
SWEENEY PROPERTIES MASTER PLAN

EXHIBIT D

PARK CITY
1884

Legal Department

September 22, 1992

Michael E. Sweeney
2280 S. 2300 East
Salt Lake City, Utah 84109

Re: Status of Sweeney Master Plan

Dear Mike:

I'm in receipt of your letter of September 21st which we received by telefax this morning. In an effort to provide you a timely and succinct response, here are our answers to your three questions:

1. Will the Sensitive Lands Overlay Zone apply to the Sweeney property's master plan hillside portion (Treasure Hill)? Yes. However, Land Management Code § 3.14(c)(2) Length of Approval, provides, in pertinent part, "Zone changes occurring while the approval is in effect shall not effect the approval. Changes in the master plan requested by the developer will be reviewed and approved as a revision to the master plan by the Planning Commission. A change will be defined as any change in concept, unit type, configuration or number. At that time, the Planning Commission shall review the entire MPD, even if only one parcel or phase is involved in the modification, under the regulations in effect at the time of review. Modifications shall act as an extension of the approval." The Sensitive Lands Ordinance is being adopted in the form of an overlay zone, and so would not, by itself, affect the approved Sweeney Master Plan. If, however, a change in the master plan is requested, as defined in the LMC, the provisions of the Sensitive Lands Ordinance would be applied.

2. Is the Sweeney Master Plan in full effect? At this time, Park City is reviewing information being submitted by Pat Sweeney with regard to the progress made to date under the MPD approval to determine compliance with the MPD phasing and the terms of the Land Management Code relating to extension of the approval.

3. Is the City bound by the conceptual approval of the Town Lift project passed by the City Council on September 19, 1991? No. The Town Lift project conceptual approval was granted in order to give guidance to the developer as to what types of applications would be favorably reviewed by the City in the future. Neither the applicants nor the City, however, are bound by the conceptual approval. The City has, however, approved the plat for Phase I of the project, and is bound by that approval.

Park City Municipal Corporation • 445 Marsac Avenue • P.O. Box 1480 • Park City, UT 84060-1480
Phone (801) 645-5008 • FAX (801) 645-5078

I hope this information is responsive to your request. Please give me a call if you need further information or clarification.

Very truly yours,

James W. Carter
City Attorney

EXHIBIT E

Ordinance No. 92-17

AN ORDINANCE ADOPTING THE SENSITIVE AREA OVERLAY ZONE REGULATIONS AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY, UTAH TO INCLUDE THE SENSITIVE AREA OVERLAY ZONE AND AMENDING THE LAND MANAGEMENT CODE OF PARK CITY, UTAH TO BETTER REGULATE DEVELOPMENT ON SENSITIVE LANDS

WHEREAS the Park City Comprehensive Plan states as a goal: "Preserve and enhance the natural features such as: ridge lines, meadows, streams, flood plains and significant vegetation, which form the sensitive, alpine environment that makes Park City so appealing"; and

WHEREAS, the City Council stated its commitment by adopting Resolution No. 30-91, adopted October 10, 1991, identifying principles for protecting sensitive lands; and

WHEREAS, the City has conducted an extensive public process which included many interest groups and held numerous public hearings and meetings to discuss the protection of sensitive lands; and

WHEREAS, amendments to the Comprehensive Plan have been adopted which support amendments to the Park City Land Management Code and the amendments to the Code are consistent with the Comprehensive Plan for Park City;

NOW, THEREFORE BE IT ORDAINED that the Land Management Code of Park City is amended as follows:

SECTION 1. SENSITIVE AREA OVERLAY ZONE REGULATIONS AND MAP ADOPTED. The Sensitive Area Overlay Zone Regulations are hereby adopted and the Official Zoning Map of Park City, Utah is hereby amended to reflect the boundaries of the Sensitive Area Overlay Zone. A copy of the Regulations and Map are attached hereto and made a part of this Ordinance.

SECTION 2. AMENDMENTS TO THE LAND MANAGEMENT CODE:

The following revisions are hereby added as subsections in Chapter 1, General Provisions/Procedures, of the Land Management Code:

1.13(l) Sensitive Lands Review. If a conditional use approval is located within the Sensitive Area Overlay Zone, additional requirements and regulations may apply. See the Sensitive Lands Provisions.

1.14(c) Sensitive Lands Review. If a master planned development is located within the Sensitive Area Overlay Zone,

additional requirements and regulations may apply. See the Sensitive Lands Provisions.

The following additions and deletions are hereby made to the following subsections in Chapter 3, Planning Commission, of the Land Management Code:

3.14((d)(1) conditional user permits;

3.14(1) Sensitive Lands Review. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in the Sensitive Area Overlay Zone Regulations.

The following is hereby added as a subsection in Chapter 8, Supplementary Regulations, of the Land Management Code:

8.26. SENSITIVE LANDS REVIEW. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in the Sensitive Area Overlay Zone Regulations.

The following is hereby added as a subsection in Chapter 9, Architectural Review, of the Land Management Code:

9.9. SENSITIVE LANDS REVIEW. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in the Sensitive Area Overlay Zone Regulations.

The following revisions are hereby made to the following subsections in Chapter 10, Master Planned Developments, of the Land Management Code:

10.3. LAND USE INTENSITY ALLOWANCE. The density and type of development permitted on a given site will be finally determined as a result of impact and site plan analysis, the following table for absolute maximum densities in Master Planned Developments is provided:

GROSS DENSITY ALLOWED
(Total Site)

Zone	Maximum Allowable Density
Residential Development (RD)	Density up to 5 unit equivalents per acre
Residential Development, Medium Density (RDM)	Density up to 8 unit equivalents per acre

Sensitive Area Overlay Zone	Density established by Sensitive Area Overlay Zone regulations
All other zones	Density established by Chapter 7

10.6. THE APPLICATION. The Master Planned Development application must be submitted with a completed application form on a form supplied by the City. Additional application requirements may apply for projects within the Sensitive Area Overlay Zone. The application shall be supported by the following (seven sets required).

10.9. GENERAL CRITERIA FOR REVIEW. A Master Planned Development shall implement the purposes of this ordinance and of this section ~~and~~. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in The Sensitive Area Overlay Zone Regulations. ~~i~~In addition, Master Planned Developments shall meet the following standards and requirements.

10.17 SENSITIVE LANDS REVIEW. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in the Sensitive Area Overlay Zone Regulations.

The following revisions are hereby made to the following subsections in Chapter 15, Subdivision Regulations, of the Land Management Code:

15.2.1.
(c)1. It is the intent of these regulations that subdivision review be carried out simultaneously with the review of Master Planned Developments. Required applications shall be submitted in a form to satisfy both the requirements of the subdivision regulations and master planned development provisions of the Land Management Code. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulation as outlined in the Sensitive Area Overlay Zone Regulations.

3.(ii) Referral Back for Zoning Approval. The Planning Department and city staff shall thereupon refer the sketch plat and preliminary plat with its recommendation of approval, conditional approval, or disapproval, together with such recommendations and reviews of use, density and bulk standards as it was required to make under the master planned development and Sensitive Area Overlay Zone regulations of the Land Management Code, to the Planning Commission as authorized under the Land Management Code to approve the application. Application

shall then be made to the Planning Commission and City Council for final plat approval. No building permits or certificates of occupancy shall be issued for the project until the zoning application for the MPD has been finally approved and final subdivision plat approval has been given and the subdivision plat is recorded with the County Recorder.

15.4.1.
(a)2. The Land Management Code, Sensitive Area Overlay Zone, Uniform Building and related Codes, and all other applicable laws of the appropriate jurisdictions.

15.4.10 Preservation of Natural Features and Amenities.

(a) General. Existing features which add value to the community shall be retained. Buildings shall be sited in a manner that preserves significant views. Ridges should be protected from development which would be visible on the sky line from prominent areas in Park City. Existing vegetation should also be retained as much as possible. Vegetation protection shall be required during construction so that disturbance is limited. Existing features such as water courses, wetlands, historic sites, critical meadowlands, important vistas, and other irreplaceable assets shall be preserved in the design of the subdivision. All trees on the plat required to be retained shall be preserved, and all trees where required shall be welled and protected against change of grade. The sketch plat shall show the number, size, and location of existing trees as required by these regulations and shall further indicate all those marked for retention, and the location of all proposed trees along the street side of each lot. Any project falling within the Sensitive Lands Area Overlay Zone may be subject to additional requirements and regulations as outlined in The Sensitive Area Overlay Zone Regulations.

SECTION 3. EFFECTIVE DATE. This Ordinance shall take effect immediately.

PASSED AND ADOPTED this 24th day of September, 1992.

PARK CITY MUNICIPAL CORPORATION

Bradley A. Olch

Bradley A. Olch

Attest:

Anita L. Sheldon

Anita L. Sheldon, City Recorder

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

SENSITIVE AREA OVERLAY ZONE REGULATIONS

Final Draft
September 24, 1992

Park City Municipal Corporation
Park City, Utah

SENSITIVE AREA OVERLAY ZONE REGULATIONS
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SENSITIVE AREA OVERLAY ZONE REGULATIONS

INTRODUCTION AND OVERVIEW

A. Conditions and Development Pressures Leading to Action

For many years, Park City has discussed the need to develop more comprehensive regulations to deal with development on sensitive lands within Park City. The need for new regulations has intensified with increasing development pressures and with the continued buildout of areas within Park City.

The City Council adopted a resolution in October of 1991 that directed the staff to update the current ordinances to include additional regulations for sensitive lands. A citizens focus group was formed and draft Comprehensive Plan amendments and implementation strategies were formulated. This document proposes changes to the Land Management Code to address development in the sensitive areas of Park City.

The basis for these regulations is the Comprehensive Plan for which amendments are proposed to stress the importance of protecting the characteristics that make Park City unique and desirable:

> "The long-term viability of the community depends on its success as a year-round tourist destination and as a desirable place to live and work. Park City must maintain its identity to preserve and enhance its appeal."

The primary intent of the regulations included in this document is to restrict development in aesthetically and environmentally sensitive areas. This is done by requiring open space on hillsides, prohibiting development on ridgeline areas and wetlands and strictly regulating development in entry corridors. The intent is that these regulations will encourage large expanses of open space and the clustering of development while still allowing a reasonable use of property.

There are several different categories of land to which these regulations apply. Much of the property within the existing city limits of Park City is subdivided or master planned. Additionally, there is land within the City which is zoned but undeveloped, and land within the Annexation Policy Declaration which is unzoned and not within the current City Limits.

The regulations will apply to land only within the Sensitive Area Overlay Zone and will have a different level of application for each of these situations. A matrix is included (Appendix B) as a part of these regulations to better understand how requirements apply to these different categories of land:

1. Unannexed, Unzoned Land - The City currently has a significant amount of negotiating power in these situations, but these regulations will provide a minimum basis for those negotiations and will set forth the intent so that new development can be made consistent with that intent.

2. Land within the City Limits and Zoned - All of the proposed regulations would apply to this category of land including the density transfer provisions.

3. Land within the City Limits which is Master Planned but not Subdivided - As site specific plans come before the City, these regulations shall be used for site planning and final density determinations. The building design standards and tree/vegetation protection regulations shall apply.
4. Land within the City Limits which is Subdivided - The building design standards and tree/vegetation protection regulations shall apply to these areas.

It is the intent of this ordinance that the sensitive area regulations will also apply to unique or special developments like public works and utility projects, ski resorts, and industrial activities. However, given the special nature of these developments, the ordinance applies the regulations through special procedures.

These regulations are a beginning point. Because of limited staff resources, there has been an attempt to address the most vital issues relating to development on sensitive lands. Other future regulations may be appropriate as time and staffing allows.

B. Basic Regulatory Approach

The city staff and sensitive lands consultants analyzed a range of regulatory approaches and specific tools to deal with the development pressures on sensitive lands. For example, the team explored options such as a complete rewrite of the city's zoning ordinance to emphasize protection of sensitive lands. They examined innovative growth management systems involving performance zoning and development point systems that are being utilized in other fast-growing communities.

Based on this analysis and an assessment of the pros and cons of each option, the city staff and consultants concluded that given the need to act expeditiously, the best approach was to

adopt a special overlay zoning protection district for all lands containing sensitive environmental areas (importantly, defined to include both sensitive visual and natural environmental areas). Such overlay protection districts are used frequently in localities throughout the United States, and in fact, Park City already utilizes this technique under its Land Management Code.

The overlay protection zone will work as follows. Within the new district, all existing land-use and building regulations now in place will continue to apply except to the extent the regulations contained in the protection district are stronger or more restrictive. In a few instances, new regulations are proposed that would amend existing zoning regulations (for example, the limits of disturbance regulations or building design standards would apply to all development, including residential and commercial, etc.). The overlay district regulations would also serve as minimum standards of review to guide annexation negotiations, but could be applied with a greater degree of discretion given the flexibility inherent in the annexation process.

The overlay review process, described in greater detail in the proposed regulations, will have four primary steps:

1. Sensitive area analysis and delineation: All applicants for development (defined as including applications for subdivision or other development permits, including significant changes in existing Master Planned Developments (MPD), and for annexation) whose property has been identified as being within the sensitive area overlay zone, will be required to undertake an analysis of their property to identify sensitive environmental and aesthetic areas such as steep slopes, ridgeline areas, wetlands, and stream corridors. The regulations set forth criteria for the staff delineation of sensitive environmental areas.

2. Application of overlay zone regulations: Once the staff delineates sensitive areas on a site, regulatory standards will apply depending on the type of area involved (for example, a setback from a crest of a hill or wetlands or a prescribed amount of open space and existing vegetation that must be retained).

3. Site Development Suitability Review: The site will be analyzed and the most appropriate location for development will be determined based upon criteria for suitability outlined in Sections 2.1.9.c and 2.2.3.c. The staff shall review the Sensitive Area Determination and the proposed locations for development

at this time. A report shall be given to the Planning Commission which shall discuss appropriate areas for development and road restrictions. The Community Development Director may require that an application be reviewed by the Planning Commission prior to the master plan or subdivision review based upon size, location, and complexity of the project. A proposal will then continue with the design phase and will be reviewed and approved by the Planning Commission according to the process required in the Land Management Code. The MPD or Subdivision approval shall include density bonuses which may be appropriate as well as the open space requirement within the developed portion of an MPD site.

4. Hardship relief: Application of the sensitive area regulations may in a few cases, particularly involving smaller parcels, give rise to substantial economic hardship. Special procedures are recommended to obviate such hardship. If the applicant can demonstrate that the regulations would deny all reasonable use of the property, administrative steps are specified to provide relief through a special hearing process.

C. Effect on Existing Master Plans

There are number of existing, valid Master Plans which have been approved. Requests for site specific approval for parcels within Large Scale Master Plans which are located within the Sensitive Area Overlay Zone shall be required to go through the Sensitive Lands Analysis and the development will be required to be placed on the least sensitive portion of the parcels. In general, the site design criteria shall apply to these proposals.

If there is a request to change the form of density for a part or all of a Master Plan or a request to substantially modify the plan, the total permitted density will be reevaluated based upon the criteria in these provisions.

D. Changes in Existing Ordinance Provisions

In some instances, adoption of the sensitive area overlay zone regulations will require changes in existing city land development regulations to ensure consistency and compatibility. These provisions are identified in general terms.

E. Future Ordinance Revisions

In addition to recommendations for new sensitive area overlay regulations that should be adopted immediately, possible future revisions to the city's land development regulations are identified for consideration.

SENSITIVE AREA OVERLAY ZONE ORDINANCE PROVISIONS

SECTION 1: APPLICATION AND ANALYSIS REQUIREMENTS

In the Sensitive Area Overlay Zone as depicted in the accompanying map, the following application and analysis requirements and standards shall apply. The map requires that the following analysis be conducted to determine the exact boundaries of the sensitive areas and does not in and of itself define the sensitive areas.

1.1. Sensitive Area Analysis and Determination

Any applicant for any development approval must produce a sensitive lands analysis performed by qualified professionals that identifies and delineates all the following features and conditions.

1.1.1 Slope/topographic map, which shall be based on a certified boundary survey and depict contours at an interval of five (5) feet or less. Additionally, the map shall highlight areas of high geologic hazard, areas subject to landsliding, and all significant steep slopes in the following categories: (1) greater than fifteen (15) percent but less than or equal to thirty (30) percent; (2) greater than thirty (30) percent but less than or equal to forty (40) percent; and (3) over forty (40) percent. Steep slopes shall be defined as all areas within a parcel with a slope of greater than fifteen (15) percent. Slope determinations shall be made upon areas at least twenty-five (25) feet vertically and fifty (50) feet horizontally.

1.1.2 Ridgeline areas, which shall include all crests of hills or steep slopes as defined in Section 4.

1.1.3 Vegetative cover, generally by type and density of vegetation, including: 1) deciduous trees, 2) coniferous trees, 3) gamble oak or high shrub, and 4) sage, grassland, and agricultural crops. The Community Development Department shall have the discretion to require a more detailed tree/vegetation survey if the site has significant or unusual vegetation, stands of trees, or woodlands.

1.1.4 All designated entry corridors and designated vantage points present within or adjacent to the site, including Utah Highway 248 east of Wyatt Earpp Way and Utah Highway 224 north of Holiday Ranch Loop Road and Payday Drive.

1.1.5 Wetlands as established by using the Federal Manual for Identifying and Delineating Jurisdictional Wetlands, dated January 10, 1989. Although the Federal Manual may change in the future, the City will use this referenced manual as a basis for wetlands determination.

1.1.6 Stream corridors as defined by their ordinary high-water mark.

1.2 Additional Information and Study Requirements

In addition to the analysis required by the preceding subsection, the Community Development Department may require the applicant to undertake the following studies and submit the following information and assessments to ensure that the City has adequate information to comprehensively assess all development proposals. Such information and studies may include, but are not limited to:

1.2.1 Visual assessment of the subject property from relevant designated vantage points as directed by the Community Development Department, depicting conditions before and after the proposed development, including the proposed location, size, design, landscaping, and other visual features of the project to assist in analyzing the potential aesthetic impact and most advantageous location of structures and other improvements to reduce any adverse impact. The visual assessment shall be conducted using techniques as approved by the Community Development Director, including but not limited to sketches, models, drawings, renderings, hand-enhanced photographs, and computerized images. Selection of the appropriate technique will depend on the size of the development and the visual sensitivity of the proposed development site.

1.2.2 Soil investigation report, including but not limited to shrink-swell potential, elevation of water table, general soil classification and suitability for development, erosion potential, hazardous material analysis, and potential frost action.

1.2.3 Geotechnical report, including but not limited to location of major geographic and geologic features, depth of bedrock, structural features (folds, fractures,

etc.), and potential slide and other high-hazard areas such as mine shafts and avalanche paths.

1.2.4 Additional Slope Information. If the size of the proposed development and visual sensitivity of the site dictate, the Community Development Department may require the submission of a slope/topographic map depicting contours at an interval of two (2) feet.

1.2.5 Fire protection report, including but not limited to identification of potential fire hazards, mitigation measures, access for fire protection equipment, existing and proposed fire flow capability. The fire protection report shall address, as appropriate, the State Forester's Wildfire Hazards and Residential Development Identification Classification and Regulation Report and the Summit County Wildfire Plan.

1.2.6 Hydrologic report, including but not limited to information on groundwater levels, drainage channels and systems, and base elevations in floodplains.

1.2.7 Wetland/stream corridor resource evaluation, including a delineation of wetland and stream corridor boundaries and a determination of resource significance pursuant to Section 2.4.

1.3 Waiver/Modification of Analysis and Study Requirements.

Based upon a preliminary assessment of the development proposal and a site field inspection, the Community Development Director may modify or waive any of the sensitive area analysis requirements upon a determination that the information is not necessary for a full and adequate analysis of the development or is sufficient at a reduced level of detail.

1.4 Sensitive Area Determination.

The Community Development Department shall delineate all sensitive areas on the parcel, including steep slope areas, ridgeline areas, entry corridors, and wetlands and stream corridors based on information submitted pursuant to this section, any other information and data available to or acquired by the Community Development Department, and an analysis thereof. Such delineation shall be used as the basis for all calculations of open space, density, buffers, setbacks, and density transfers permitted or required by this ordinance.

1.5 Density Transfer.

Whenever land within the Sensitive Areas Overlay Zone is subject to more than one density transfer provision, the more restrictive provision shall apply.

1.6 Annexations

Whenever an Annexation Petition is presented to the City, that Annexation shall be required to provide a Sensitive Area Analysis according to this code and may require varying levels of detail based upon existing conditions on the site. The Sensitive Area will be determined based upon that analysis. The analysis may lead to the designation of additional significant ridgelines, wetlands or vantage points which may not have been previously included as a part of this ordinance or of the accompanying maps.

SECTION 2: SENSITIVE AREA REGULATIONS

The following provisions shall apply to all delineated sensitive areas contained in the Sensitive Area Overlay Zone, including steep slopes, ridgeline areas, meadows, entry corridors, wetlands, and stream corridors.

2.1 Slope Protection Regulations

2.1.1 Intent. It is the intent of these regulations to protect Park City's visual character and environmentally sensitive areas on hillsides and slopes. This shall be accomplished by minimizing the visual and environmental impacts of development through careful site planning that maintains the maximum amount of open space, protects existing vegetation, avoids sensitive natural areas, minimizes erosion, recognizes the need for water conservation and locates structures in the least visually sensitive location. These regulations shall apply to all slopes in excess of fifteen (15) percent.

2.1.2 Prohibitions. No development shall be allowed on or within fifty (50) feet of slopes in excess of forty (40) percent, areas subject to landsliding, and other high-hazard geological areas as determined by a geotechnical or soils report produced pursuant to Section 1.2.2 and 1.2.3 herein.

2.1.3 Graded or filled slopes. Cutting and filling to create additional or larger building sites shall be kept to a minimum and avoided to the maximum extent feasible. All proposed grading and filling shall be subject to review by the Community Development Department to ensure minimum visual impact and geotechnical safety. Graded or filled slopes shall be limited to thirty-three a 3 to 1 slope or less. All graded slopes shall be recontoured to the natural, varied contour of surrounding terrain. Exceptions to this provision may be made for grading associated with ski area development based upon Section 3.2.

2.1.4 Benching or terracing to provide additional or larger building sites is prohibited.

2.1.5 Streets and roads. Road construction in hillsides can be the most visually disruptive portion of a development. Development in some areas may not be appropriate if roads cannot be constructed to access it without causing

significant visual impacts. Where streets and roads, public and private, are proposed to be constructed on steep slopes:

(a) Streets and roads that cross slopes of thirty (30) percent or greater shall not be allowed, except that a short run of not more than one hundred (100) feet across slopes greater than thirty (30) percent may be allowed by the Community Development Director upon a favorable recommendation by the Planning Director and the City Engineer that such streets or roads will not have significant adverse visual, environmental, or safety impacts.

(b) Where streets and roads, public and private, are proposed to cross slopes greater than ten (10) percent, the following standards shall apply:

(1) Evidence must be presented that such streets and roads will be built with minimum environmental damage and within acceptable public safety parameters.

(2) Such streets and roads shall, to the maximum extent feasible, follow contour lines, preserve the natural character of the land, and be screened with trees or vegetation.

(3) Cutting and filling shall be held to a minimum and retaining walls employed to help provide planting areas conducive to revegetation. Revegetation plans will be required for all areas disturbed during road construction.

2.1.6 Retaining walls. Use of retaining walls is encouraged to reduce the steepness of man-made slopes and provide planting pockets conducive to revegetation. The use, design, and construction of all retaining walls shall be subject to the approval of the Community Development Department based upon assessment of visual impact, compatibility with surrounding terrain and vegetation, and safety considerations.

2.1.7 Landscaping and revegetation. In order to mitigate adverse environmental and visual effects, slopes exposed in new development shall be landscaped or

revegetated in accord with a revegetation/landscaping plan as provided in Sections 15.4.2 (d) and 10.9 (k) of the Park City Municipal Land Management Code (Limits of Disturbance/Vegetation Protection), as amended. See Appendix B herein. Topsoil from any disturbed portion of a steep slope shall be preserved and utilized in revegetation. Fill soil must be of a quality to support plant growth.

2.1.8 Private development design standards. All development on steep slopes shall comply with the design standards set forth in Chapter 9 of the Land Management Code--Architectural Review (See Appendix A attached hereto.).

2.1.9 Open space and density on delineated portions of sites with steep slopes greater than fifteen (15) percent but less than or equal to forty (40) percent. In addition to the specific development regulations set forth above, the following general open space, limits of disturbance, and density transfer regulations shall apply:

(a) Open space. Seventy-five (75) percent of the steep slope area shall remain in natural open space as defined in the Land Management Code. Twenty five (25) percent may be developed in accordance with the underlying zoning subject to the following conditions.

(1) Maximum development density. The maximum allowable density that may be developed on the portion of the steep slope area not set aside for open space shall be governed by the underlying zoning. However, the maximum allowable density shall be permitted only by approval of the Community Development Department pursuant to the visual and environmental analysis provided for in Sections 1.1 and 1.2, and a finding that development at that density will not have a significant adverse visual or environmental affect on the community as set forth in Section 2.1.9(c).

(2) Location of development within sensitive areas. Any development permitted in steep slope areas pursuant to this section shall be located in such a manner to reduce visual and environmental impacts to the maximum

extent feasible. To determine the most appropriate location for development, the Community Development Department shall require that the applicant conduct a visual and environmental analysis considering visual impact from key vantage points, potential for screening, location of natural drainage channels, erosion potential, vegetation protection, access, and similar site design criteria. Based upon such analysis, the Community Development Department may require any one or a combination of the following measures:

(i) clustering of development within the sensitive area, or

(ii) dispersal of development throughout the sensitive area, or

(iii) transferral of development density to non-sensitive or less sensitive portions of the site not subject to Section 2. In transferring development to less sensitive portions of the site, meadows must also be considered as important visual resources. A low lying meadow area may not always be the most appropriate location for all the development on a site to occur. Development shall be sited to preserve the open meadow vistas which are also desirable.

(b) Density transfer. Up to twenty-five (25) percent of the densities otherwise permitted in the underlying zone attributable to the 75% open space portion of the site may be transferred to other portions of the site. The density transfer shall be subject to a suitability determination as set forth in Section 2.1.9(c). In addition to density transfers permitted above, up to one (100) hundred percent of the remaining preexisting density as set forth in Section 2.1.9(a) is eligible for transfer.

(c) Suitability determination. A suitability determination certifying that a development will have no significant adverse impact on

adjacent properties or development shall be granted by the Planning Commission at the time of master plan or subdivision review if the following conditions are satisfied:

(1) The overall development density of the entire parcel (not limited to the portion of the parcel receiving the transferred densities) is compatible with that of adjacent properties or developments. The fact that individual lot sizes in the receiving area may vary from those of adjacent properties or developments shall not be determinative of incompatibility.

(2) The architecture, height, building materials, and other design features of the development in the receiving area are compatible with adjacent properties or developments.

(3) The applicant has agreed to adopt appropriate mitigation measures such as landscaping, screening, illumination standards, and other design features as recommended by the Community Development Department to buffer the adjacent properties from the receiving area.

2.1.10 Open space and density on portions of sites with very steep slopes (in excess of 40 percent).

(a) One hundred (100) percent of the very steep slope area shall remain in open space. No vegetation within fifty (50) feet of the very steep slope area shall be disturbed.

(b) Up to ten (10) percent of the densities otherwise permitted in the zone may be transferred to other portions of the site, including delineated sensitive areas. The density transfer shall be subject to a suitability determination by the Community Development Department as set forth in Section 2.1.9(c).

2.1.11 Land Management Code Master Planned Development (MPD) Open Space Requirements. The sixty (60) percent open space requirements contained in Chapter 10.9.(c) of the Land Management Code shall continue to apply to the developed portion of an MPD site. However, the Community Development

Department may recommend to the Planning Commission at master plan or subdivision approval to reduce the sixty (60) percent open space requirement on non-sensitive areas on the site receiving a density transfer upon a determination that:

(a) The sensitive area open space set aside is sufficient to provide adequate natural open space for the entire development, and

(b) Sufficient neighborhood and recreational open space is set aside within the developable portion of the site to serve residents of the development.

(c) In no case shall less than twenty (20) percent of the developable portion of the MPD site be set aside for neighborhood and recreational open space.

2.1.12 Density bonuses. In addition to the density transfers permitted pursuant to this Section, the Community Development Department may recommend that the Planning Commission grant, at the MPD or subdivision review, up to a maximum of twenty (20) percent increase in transferrable densities if the applicant:

(a) Donates open space either in fee or a less-than-fee interest to either the City or another unit of government or nonprofit land conservation organization approved by the City. Such density bonus shall only be granted upon a finding by the Director that such donation will ensure the long-term protection of a significant environmentally or visually sensitive area; or

(b) Provides public access other than trails normally required through the development process and as shown on the Trails Master Plan; or

(c) Restores degraded wetlands or stream areas on the site or makes other significant environmental improvements.

2.2 Ridgeline Area Protection Regulations

2.2.1 Intent. The intent of these provisions is to protect the unique visual and environmental character of all designated ridgeline areas within the Sensitive Area Overlay Zone and to ensure that development near ridgeline areas blends in with rather than interrupts or modifies the natural contour elevations of these landforms. Significant ridgeline areas should be retained in a natural state, and development should be sited in such a manner so as not to create a silhouette against the skyline or mountain backdrop as viewed from designated vantage points.

2.2.2 Minimum setback. No building, roof, or other appurtenant device shall encroach upon the ridgeline area, as defined in Section 4.2. Additionally, no roof or other appurtenant device, including mechanical equipment, on any building may visually intrude on the ridgeline area from any of the eight designated vantage points as depicted on the accompanying map, determined by a visual assessment.

2.2.3 Open space and density. In addition to the specific development regulations set forth above, the following general open space, limits of disturbance, and density transfer regulations shall apply to all ridgeline areas in the Sensitive Area Overlay Zone as defined in Section 4.2:

(a) No vegetation within the ridgeline area shall be disturbed. One hundred (100) percent of the ridgeline area shall remain in open space.

(b) Density transfer. Up to twenty-five (25) percent of the densities otherwise permitted in the zone attributable to the ridgeline area may be transferred to portions of the site determined not to be subject to regulations contained in Section 2 herein. The density transfer shall be subject to a suitability determination as set forth below.

(c) Suitability determination. A suitability determination certifying that a development will have no significant adverse impact on adjacent properties or development shall be granted by the Planning Commission at the time of master plan or subdivision review if the following conditions are satisfied:

(1) The overall development density of the entire parcel (not limited to the portion of the parcel receiving the transferred densities) is compatible with that of adjacent properties or developments. The fact that individual lot sizes in the receiving area may vary from those of adjacent properties or developments shall not be determinative of incompatibility.

(2) The architecture, height, building materials, and other design features of the development in the receiving area are compatible with adjacent properties or developments.

(3) The applicant has agreed to adopt appropriate mitigation measures such as landscaping, screening, illumination standards, and other design features as recommended by the Community Development Department to buffer the adjacent properties from the receiving area.

2.2.4 Density bonuses. In addition to the density transfers permitted pursuant to this Section, the Community Development Director may recommend that the Planning Commission grant, at MPD or subdivision review, up to a maximum of twenty (20) percent increase in transferrable densities if the applicant:

(a) Donates open space either in fee or a less-than-fee interest to either the City or another unit of government or nonprofit land conservation organization approved by the City. Such density bonus shall only be granted upon a finding by the Director that the donation will ensure the long-term protection of a significant environmentally or aesthetically sensitive area; or

(b) Provides public access for trails, other than those normally required as a part of the development process and as shown on the Trails Master Plan; or

(c) Restores degraded environmental areas on the site or makes other significant environmental improvements.

2.3 Entry Corridor Protection

2.3.1 Intent. To protect the image of Park City as a mountain community with sweeping, attractive vistas, it is the intent of this section to maintain the visual character of all designated entry corridors into Park City including open space and meadows located in the entry corridor protection areas, views of hillsides and ridgeline areas, and natural areas such as streams and wetlands. This objective can be attained by eliminating or mitigating visually obtrusive development and ensuring that significant portions of meadows remain in open space.

2.3.2 Applicability to property within existing Park City limits. The regulations contained in this subsection shall apply to all structures on lots adjacent to or within two-hundred and fifty (250) feet of the nearest right-of-way of entry corridors within the existing boundaries of Park City including (1) Utah State Highway 224 north of Holiday Ranch Loop Road and Payday Drive, (2) Utah State Highway 224 south of Prospect Avenue, and (3) Utah Highway 248 east of Wyatt Earpp Way.

2.3.3 Applicability to future annexed properties. Upon submission of an annexation petition, the Community Development Department shall identify relevant entry corridors for designation by the City Council and to the maximum extent feasible open vistas and meadows shall be maintained.

2.3.4 Access/traffic. Access points and driveways connecting directly to the entry corridor roadways shall be minimized. Access shall be from existing city streets that join with the corridor roadways rather than direct roadway access. Common driveways between adjoining projects shall be encouraged. Whenever direct driveway access is necessary, it shall be located in such a manner to minimize interference with through traffic on the corridor roadway.

2.3.5 Setbacks.

(a) A setback line shall be established by the Community Development Department based upon a visual assessment of the property. However, in no case shall the setback be less than one-hundred (100) feet from the nearest entry roadway right-of-way. In areas where open meadow vistas are considered important, the required setback may be increased significantly.

The 100 foot standard is intended to be more appropriate for properties currently within the City Limits. Upon Annexation request, the appropriate setback will be determined based upon a site specific visual analysis.

(b) Building setbacks shall vary from structure to structure within any one lot or development. Setbacks shall also vary from those on adjoining roadway-oriented property to avoid creating a walled effect. Buildings shall be located in such a manner to enhance and frame important views as determined in the visual assessment provided for in Section 1.2.1.

(c) Agricultural or stock fences shall be permitted in the setback area subject to approval by the Community Development Department.

2.3.6 Parking lots. Parking lots shall be located to the rear or sides of buildings to the maximum extent feasible.

2.3.7 Berms/earthwork screening. All earthen berms and earthwork screening shall be graded and planted in such a manner so as to permit views of primary uses on the site from the adjacent entry corridor roadway. Additionally, berm crests shall be contoured and varied in height to avoid a straight-line barrier effect.

2.3.8 Fencing. In addition to the requirements contained in Section 8.7 of the Land Management Code, all fences in the entry corridor shall be of one of the following styles:

(a) Wooden rail

(b) Architecturally compatible solid wood and natural stone.

(c) Stock fences

(d) Various forms of steel fencing as determined by the Community Development Department, not including chain link fencing.

2.3.9 Height controls. No building shall exceed the following height limits, as defined in Section 2 of the Land Management Code:

(a) Twenty (20) feet if the entry corridor setback is less than one-hundred fifty (150) feet.

(b) Twenty-five (25) feet if the entry corridor setback is greater than one-hundred fifty (150) feet but less than two-hundred (200) feet.

(c) Up to the maximum height allowed by the underlying zone if the setback is two-hundred (200) feet or greater.

In addition, buildings may be required to be stepped back to preserve and enhance important views defined in the visual assessment as provided in Section 1.2.1.

2.3.10 Pedestrian facilities. Trails and sidewalks shall be provided in all entry corridor developments in accordance with the Park City Trails Master Plan.

2.3.11 Landscaping/vegetation protection. A landscaping plan shall be required for all entry corridor developments, and vegetation protection shall be undertaken pursuant to Chapter 15.4.2.(d) of the Land Management Code as amended (See Appendix B).

2.3.12 Design standards. All development within an entry corridor shall comply with the design standards contained in Chapter 9 of the Land Management Code, as amended. (See Appendix A).

2.4 Wetlands and Stream Corridors

2.4.1 Intent. Park City finds that the wetlands and stream corridors provide important hydrologic, biological and ecological, aesthetic, recreational, and educational functions. Important functional values of wetlands and streams have been lost or significantly impaired as a result of various activities and additional functional values of these important resources are in jeopardy of being lost. The following requirements and standards have been developed to promote, preserve and enhance these valuable resources and to protect them from adverse effects and potentially irreversible impacts.

2.4.2 Jurisdiction. All significant wetlands and stream corridors in the Sensitive Areas Overlay Zone are regulated as provided herein and are subject to the jurisdiction of this ordinance.

2.4.3 Prohibited Activities. No person shall engage in any activity that will disturb, remove, fill, dredge, clear, destroy or alter any area, including vegetation, ("surface disturbance") within significant wetlands and significant stream corridors and their respective setbacks, except as may be expressly allowed herein.

2.4.4 Boundary Delineations. Wetland and stream corridor delineations shall be performed by a qualified professional that has demonstrated experience necessary to conduct site analysis. The qualified professional shall be approved by the Community Development Director and shall perform the work on behalf of Park City Municipal Corporation through a third-party contract where all fees, costs and expenses are borne by the applicant. Delineation of wetlands and stream corridors shall be subject to the approval of the Community Development Director.

(a) Pursuant to Section 1.1.5, boundary delineation of wetlands shall be established using the Federal Manual For Identifying and Delineating Jurisdictional Wetlands, dated January 10, 1989, and jointly published by the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers and the U.S. Soil conservation Service. Subsequent revisions to the Federal Manual shall not be incorporated as part of the methodology. Although the Federal Manual may change in the future, the City will use this referenced manual as a basis for wetlands determination.

(b) Stream corridors shall be delineated at the ordinary high water mark as defined in Section 4.2.

2.4.5 Determination of Significance.

(a) A wetland delineated pursuant to the 1989 Federal Manual shall be found significant based upon the following criteria:

(1) Size. All wetlands that occupy a surface area greater than 1/10 acre or are associated with permanent surface water are significant.

(2) Location. All wetlands that are adjacent to or contiguous with a stream corridor are significant.

(b) All stream corridors are significant. Stream Corridors shall not include ditches which are commonly known to be irrigation ditches and do not contribute to the preservation or enhancement of fisheries or wildlife.

2.4.6 Setbacks. The following setbacks are considered minimum distances:

(a) Setbacks from wetlands shall extend a minimum of 50 feet outward from the delineated wetland edge.

(b) Setbacks from stream corridors shall extend a minimum of 50 feet outward from the ordinary high water mark.

(c) Setbacks from irrigation ditches shall extend a minimum of 20 feet from the ordinary high water mark.

2.4.7 Runoff Control. All projects adjacent to wetlands will provide appropriate temporary and permanent runoff control to minimize sediment and other contaminants to the maximum extent feasible.

2.4.8 Habitat Restoration Projects. The Community Development Department may approve wetland and stream restoration and enhancement projects providing that the project plan has been reviewed by a qualified professional and approved by the appropriate state and federal agencies with jurisdiction. All habitat restoration work shall be performed under the direct supervision of a qualified professional.

2.4.9 Land Management Code Master Planned Development (MPD) Open Space Requirements. The sixty (60) percent open space requirements contained in Chapter 10.9.(c) of the Land Management Code shall continue to apply to the developed portions of an MPD site. However, the Community Development Department may recommend to the Planning Commission at master plan or

subdivision approval to reduce the sixty (60) percent open space requirement in the developed portion of an MPD site upon a determination that:

(a) The sensitive area open space set aside is sufficient to provide adequate natural open space for the entire development, and

(b) Sufficient neighborhood and recreational open space is set aside within the developable portion of the site to serve residents of the development.

(c) In no case shall less than twenty (20) percent of the developable portion of the MPD site be set aside for neighborhood and recreational open space.

SECTION 3: ADMINISTRATIVE PROVISIONS

3.1 Development Approvals For Public Projects/Public Works/Public Utilities

All public development projects and public works that visually impact or otherwise adversely impact sensitive areas, and all public utility installations including but not limited to water and sewer projects, pipelines, electrical supply facilities and wires, roads, and trails, constructed or undertaken within the Sensitive Area Overlay Zone shall be reviewed according to the following process and guidelines. It is the intent of this section that the proposed public utilities projects, both private and public, make all reasonable attempts to comply with the standards and guidelines of the Sensitive Lands regulations. The primary emphasis shall be on reasonable and practical reclamation and revegetation of areas disturbed by major public works and utility projects. In some situations, it may be necessary to encroach upon certain environmentally sensitive lands in order to maintain a desirable level of public service and safety. In those cases, an evaluation of alternatives and possible mitigation shall be required prior to such projects being submitted.

3.1.1 Consultation.

(a) Public Utilities projects. The project sponsor shall notify the Community Development Director of the proposed project. A project plan delineating the location, alignment, and scope of the undertaking shall be submitted with such notification. If the Community Development Director determines that the project may have significant visual and environmental impacts, a consultation meeting shall be scheduled. No development shall occur until after the consultation meeting and compliance with the steps outlined in the following subsections, unless the Community Development Director has determined that no significant visual or environmental impact will result from the proposed project.

(b) Public Works and other public projects. The department director shall notify the Community Development Director of all proposed projects which may have significant visual and environmental impacts and a consultation meeting shall be scheduled. No development shall occur until after the

consultation meeting and compliance with the steps outlined in the following subsections.

Minor projects which are determined by the Community Development Director to have no potential for significant visual or environmental impacts shall be exempt from the process outlined in Sections 3.1.2 through 3.1.6.

3.1.2 Mitigation. The Community Development Director shall review the proposed project and after the consultation meeting may request the project sponsor to prepare a mitigation plan that modifies the project to mitigate the environmental and visual impact of the project. To the maximum extent feasible, the project sponsor shall design the public works to preserve the natural character of the sensitive area and locate it in areas not visible from major public rights-of-way or public property such as parks.

3.1.3 Adoption of Recommendations. The project sponsor shall, before undertaking the project, to the maximum extent feasible, adopt the modifications and mitigation measures recommended by the Community Development Department or state in writing why adoption of such measures is not feasible before the project shall proceed.

3.1.4 Wetlands and Stream Corridors. All public utilities and public works, constructed or undertaken within significant wetlands and significant stream corridors and their respective setbacks, including but not limited to water and sewer projects, pipelines, electrical supply facilities and wires, roads, and trails, shall be governed pursuant to the procedures set forth in Section 3.1. They shall be exempted from the requirements of this Section 2.4 providing that: (a) no practical alternative location exists outside the significant wetland and significant stream corridor and their respective setbacks; and (b) the project meets the technical guidelines defined below.

(a) To the maximum extent feasible, disturbed areas within the setbacks shall be revegetated using native species common to the native vegetation community.

(b) Maintenance access shall be provided at specific access points rather than parallel access roads. To the extent that access roads must be located within a corridor, the roads shall be kept

to a minimum width. Parallel access roads shall be sited contiguous to the utility corridor to minimize disturbance and shall be sited on the outside edge of the utility corridor away from the resource.

(c) Surface materials used for trail construction and other access routes shall be approved by the Community Development Director.

(d) Road construction techniques for stream crossings shall use appropriate methods demonstrated to provide fisheries protection.

3.1.5 Emergency Repairs. In the event of an emergency that requires immediate action to protect the health and safety of the general public, such action may go forward without the immediate consent of the Community Development Director. The Community Development Director shall be consulted at the earliest stage reasonably possible in the construction/repair phase.

3.1.6 Maintenance. Maintenance projects shall proceed only after notification of and approval by the Community Development Director. If the Community Development Director, due to the size or nature of the maintenance activity, determines that it may have a significant adverse impact on the sensitive area, the project shall proceed through the review procedures set forth in Sections 3.1.1 through 3.1.5.

3.2 Development Approvals for Ski Area Construction and Expansion

3.2.1 Consultation. Development of skiing and recreation related facilities within existing ski areas and expansion of ski facilities shall remain a permitted use. The project developer shall notify the Community Development Director of the proposed project. A plan detailing the location, alignment and scope of the undertaking shall be submitted with such notification. If the Community Development Director determines that the project may have significant visual and environmental impacts, a consultation meeting will be scheduled. No development shall occur until after the consultation meeting.

3.2.2 Mitigation. The Community Development Director shall review the proposed project and after consultation may request the project developer to prepare

alternatives for consideration and to prepare a mitigation plan that modifies the project to mitigate the environmental and visual impact of the project. To the maximum extent feasible, the developer shall design the ski facilities to preserve the natural character of the sensitive area. The mitigation plan shall also address revegetation disturbed areas and temporary and permanent erosion control measures.

3.3 Substantial Compliance. To avoid unnecessary review by city agencies and disputes over the application of the Sensitive Area Overlay Zone ordinance provisions, whenever there are practical difficulties over the application of the provisions or whenever the aims of the ordinance can be better achieved through alternatives to strict compliance, the Community Development Director, pursuant to the authority granted under Ordinance No. 83-3, may make specific modifications to strict compliance with the Sensitive Area Overlay Zone ordinance provisions.

3.4 Economic Hardship Relief Provisions.

3.4.1 Hardship Relief Petition. Any applicant for development, after a final decision on its development application is taken by the City Council, may file a Hardship Relief Petition with the Community Development Director seeking relief from the overlay zone regulations on the basis that the denial of the application has created a substantial economic hardship, depriving the applicant of all reasonable use of its property.

3.4.2 Affected Property Interest. The hardship relief petition must provide information sufficient for Community Development Director and the City Attorney to determine that the petitioner possesses a protectable interest in property under Article I, Section 22 of the Constitution of Utah and the Fifth Amendment to the United States Constitution.

3.4.3 Economic Hardship Standard. For purposes of this ordinance, a substantial economic hardship shall be defined as a denial all reasonable use of the property. Upon a finding that the denial of the application has resulted in a denial of all reasonable use of the property, the Park City Municipal Corporation may provide the petitioner with relief from the overlay zone regulations.

3.4.4 Time for Filing Notice of Petition and Petition. No later than ten (10) calendar days from final action by the City Council on any development application, the

applicant shall file a notice of petition in writing with the City Recorder. Within thirty (30) days of filing of a Notice of Petition, the applicant shall file a Hardship Relief Petition with the City Recorder.

3.4.5 Information to be Submitted with Hardship Relief Petition.

(a) The hardship relief petition must be submitted on a form prepared by the Community Development Director, and must be accompanied at a minimum by the following information:

(1) Name of the petitioner;

(2) Name and business address of current owner of the property, form of ownership, whether sole proprietorship, for-profit or not-for-profit corporation, partnership, joint venture or other, and if owned by a corporation, partnership, or joint venture, name and address of all principal shareholders or partners.

(3) Price paid and other terms of sale of the property, the date of purchase, and the name of the party from whom purchased, including the relationship, if any, between the petitioner and the party from whom the property was acquired;

(4) Nature of the protectable interest claimed to be affected, such as, but not limited to, fee simple ownership, leasehold interest;

(5) Terms (including sale price) of any previous purchase or sale of a full or partial interest in the property in the three years prior to the date of application;

(6) All appraisals of the property prepared for any purpose, including financing, offering for sale, or ad valorem taxation, within the three years prior to the date of application;

(7) The assessed value of and ad valorem taxes on the property for the previous three years;

(8) All information concerning current mortgages or other loans secured by the property, including name of the mortgagee or lender, current interest rate, remaining loan balance and term of the loan and other significant provisions, including but not limited to, right of purchasers to assume the loan;

(9) All listings of the property for sale or rent, price asked and offers received, if any, within the previous three years;

(10) All studies commissioned by the petitioner or agents of the petitioner within the previous three years concerning feasibility of development or utilization of the property;

(11) For income producing property, itemized income and expense statements from the property for the previous three years; and

(12) Information from a title policy or other source showing all recorded liens or encumbrances affecting the property;

(b) The Community Development Director or the appointed Hearing Officer may request additional information reasonably necessary, in their opinion, to arrive at a conclusion concerning whether there has been a denial of all reasonable use constituting a substantial economic hardship.

3.4.6 Failure to Submit Information. In the event that any of the information required to be submitted by the petitioner is not reasonably available, the petitioner shall file with the petition a statement of the information that cannot be obtained and shall describe the reasons why such information is unavailable.

3.4.7 Preliminary determination of substantial economic hardship. Prior to the appointment of a hearing officer, and based on a review of documents

submitted by the applicant, the City Council, upon advice of the Community Development Director and City Attorney, shall make a determination whether the applicant has made a prima facie case that the subject property has suffered a serious diminution of value or a denial of all reasonable use that amounts to a substantial economic hardship. If a determination is made that a prima facie case has been established, then the Community Development Director and City Attorney shall recommend whether the hearing shall be formal or informal under the Utah Administrative Procedures Act. Such determination shall be made within thirty (30) days of the filing of a Hardship Relief Petition and submission of all information required by the Community Development Director and City Attorney necessary to make such determination. Upon such showing, the City Council may appoint a hearing officer, elect either formal or informal administrative proceedings, and proceed with a review of the hardship petition. If upon advice of the Community Development Director and the City Attorney, the City Council finds that the applicant has not made a prima facie case of economic hardship as defined above, the petition for hardship relief shall be denied and no hearing officer shall be appointed.

3.4.8 Appointment of Hearing Officer. The Community Development Director shall, within thirty (30) days following a preliminary determination of hardship by the City Council, appoint a Hearing Officer to review information submitted by the petitioner, to hold a hearing to determine whether there is an affected property interest and whether a substantial economic hardship has been created as a result of the final action on the application, and to make a recommendation to the City Council concerning approval or denial of the Hardship Relief Petition.

3.4.9 Qualifications of the Hearing Officer. Every appointed Hearing Officer shall have demonstrated experience in either development, real estate finance, real estate analysis, real estate consulting, real estate appraisal, planning, real estate or zoning law, or in other real estate related disciplines sufficient to allow understanding, analysis and application of the economic hardship standard. Prior to appointment, the hearing officer shall submit a statement of no potential or actual conflict of interest.

3.4.10 Notice of the Public Hearing. Within ten (10) days following appointment of the Hearing Officer, written notice shall be published and posted in accordance with Section 1.15 of the Land Management Code. The hearing shall be held

within thirty (30) days following the final date of written notice, unless a reasonable extension of time is agreed to by both the Community Development Director and the petitioner.

3.4.11 Rules for Conduct of the Hearing. The hearing shall be conducted according to the rules of the Utah Administrative Procedures Act.

3.4.12 Application of the Economic Hardship Standard. In applying the economic hardship standard in Section 3.4.3 above, the Hearing Officer shall consider among other items the following information or evidence.

(a) Any estimates from contractors, architects, real estate analysts, qualified developers, or other competent and qualified real estate professionals concerning the feasibility, or lack of feasibility, of construction or development on the property as of the date of the application, and in the reasonably near future;

(b) Any evidence or testimony of the market value of the property both considering and disregarding the Sensitive Area Overlay Zone designation; and

(c) Any evidence or testimony concerning the value or benefit to the petitioner from the availability of opportunities to transfer density or cluster development on other remaining contiguous property owned by the petitioner eligible for such transfer as provided herein;

3.4.13 Burden of Proof. The petitioner shall have the burden of proving that the denial of the application creates a substantial economic hardship under the standard provided in Section 3.4.3.

3.4.14 Findings of the Hearing Officer. The Hearing Officer shall, on the basis of the evidence and testimony presented, make the following specific findings as part of its report and recommendations to the City Council:

(a) Whether the petitioner has complied with the requirements for presenting the information to be submitted with a hardship relief petition;

(b) Whether the petitioner has a protectable interest in property;

(c) The market value of the property considering the Sensitive Area Overlay Zone designation;

(d) The market value of the property disregarding the Sensitive Area Overlay Zone designation;

(e) The market value of, or benefit accruing from opportunities to transfer density or cluster development on other remaining contiguous property owned by the petitioner eligible for such transfer as provided herein;

(f) Whether it was feasible to undertake construction on or development of the property as of the date of the application, or in the reasonably near future thereafter;

(g) Whether, in the opinion of the Hearing Officer, the denial of the application would create a substantial economic hardship as defined in Section 3.4.3.

3.4.15 Report and Recommendations of the Hearing Officer.

(a) The Hearing Officer, based upon the evidence and findings, shall make a recommendation to the City Council concerning the Hardship Relief Petition.

(b) If the Hearing Officer recommends that the City Council approve the Hardship Relief Petition, then the report of the Hearing Officer shall discuss the type and extent of incentives necessary, in the opinion of the Hearing Officer, to provide an appropriate increase in market value or other benefit or return to the petitioner sufficient to offset the substantial economic hardship. The types of incentives that the hearing officer may consider include, but are not limited to, the following:

(1) An increase in the opportunity to transfer density or cluster development on other property owned by the applicant outside the Sensitive Area Overlay Zone;

(2) A waiver of permit fees;

(3) Development finance assistance on property outside the Sensitive Area Overlay Zone;

(4) Approval of development on some portion of the property within the Sensitive Lands Protection District; and

(5) Acquisition of all or a portion of the property at market value.

(c) The report and recommendation shall be submitted to the City Council and mailed to the petitioner within thirty (30) days following conclusion of the public hearing.

3.4.16 City Council Review and Consideration. The City Council shall review the report and recommendations of the Hearing Officer and approve or disapprove the Hardship Relief Petition within sixty (60) days following receipt of the Hearing Officer's report. The City Council may hold a public hearing and provide notice as provided in the Land Management Code. Only new testimony and evidence shall be presented at any public hearing held by the City Council. The City Council may adopt any incentive reasonably necessary to offset any substantial economic hardship as defined in Section 3.4.3 and may condition such incentives upon approval of specific development plans.

3.4.17 Time Limits/Transferral of Incentives. Any incentives adopted by the City Council pursuant to this section may be transferred and utilized by successive owners of the property or parties in interest, but in no case shall the incentives be valid after the expiration date of the development approval.

SECTION 4: DEFINITIONS

4.1 Definition Usage.

For the purposes of this ordinance, certain terms and words used herein shall be used, interpreted, and defined as set forth in this subsection and the Park City Municipal Corporation Land Management Code.

4.2 Definitions.

Compatible. A development is compatible with an existing development or property if its architectural features, building height and materials, approved uses, intensity of such use and other features are complementary and do not have a significant adverse economic and aesthetic impact on the existing development or property.

Crest of hill. The highest point on a hill or slope as measured continuously throughout the property. Any given property may have more than one hill crest.

Substantial economic hardship. Means denial of all reasonable economic use of the property.

Development Approval Application. Includes any application for any development approval including but not limited to grubbing, grading, an alteration or revision to an approved MPD, conditional use permits, zoning or rezoning, subdivision, or annexation. The term "development approval application" shall not include any building permits associated with construction within an approved subdivision or on an existing platted lot unless otherwise specified.

Land Management Code. The official Park City Municipal Corporation Land Management Code adopted December 22, 1983, and effective January 1, 1984, as amended.

Maximum extent feasible. Means no prudent, practical and feasible alternative exists, and all possible planning to minimize potential harm has been undertaken. Economic considerations may be taken into account but shall not be the overriding factor in determining "maximum extent feasible."

Open space. Shall have the meaning set forth in Chapter 2 of the Land Management Code.

Ordinary high water mark. Means the line on the bank to which the high water ordinarily rises annually in season as indicated by changes in the characteristics of soil, vegetation or other appropriate means which consider the characteristics of the surrounding areas. Where the ordinary high water mark cannot be found, the top of the channel bank shall be substituted. In braided channels, the ordinary high water mark or substitute shall be measured so as to include the entire stream feature.

Qualified professional. Means a professionally trained person with the requisite academic degree, experience, and professional certification or license in the field or fields relating to the subject matter being studied or analyzed.

Ridgeline area. Means the crest of a hill or slope plus the land located within one-hundred fifty (150) feet horizontally (map distance) on either side of the crest.

Significant wetland. All wetlands which occupy a surface area greater than 1/10 acre or are associated with permanent surface water or which are adjacent to or contiguous with a stream corridor.

Slope. The level of inclination of land from the horizontal determined by dividing the horizontal run of the slope into the vertical rise of the same slope and converting the resulting figure into a percentage value. For purposes of regulation and measurement, slopes must cover at least twenty five (25) feet vertically and fifty (50) feet horizontally.

Steep slope. Slopes greater than fifteen (15) percent but less than or equal to forty (40) percent.

Stream. Means those streams, excluding ditches and canals constructed for irrigation and drainage purposes, that flow year around or intermittently during years of normal rainfall.

Stream corridor. Means the corridor defined by the stream's ordinary high water mark.

Suitability determination. A determination carried out by the Community Development Director to ascertain if a development at increased densities due to a

density transfer from a sensitive area is compatible with development on surrounding or adjacent property.

Vantage points. A height of five feet above a set reference marker in the following designated vantage points within Park City that function to assist in analyzing the visual impact of development on hillsides and steep slopes:

1. Osguthorpe Barn
2. Treasure Mountain Middle School
3. Intersection of Main Street and Heber Avenue
4. Park City Ski Area Base
5. Snow Park Lodge
6. Park City Golf Course Clubhouse
7. Park Meadows Golf Course Clubhouse
8. Utah Highway 248 at the turn-out one quarter mile west from U.S. Highway 40
9. Highway 224, 1/2 mile south of the intersection with Kilby Road.

APPENDIX A--DESIGN STANDARDS

All private development within the Sensitive Area Overlay Zone shall comply with the following design standards which supplement, and supersede in the case of a conflict, Chapter 9 of the Land Management Code

A.1 Building color and material. All buildings shall be constructed of material of a muted earth tone color that reflects the dominant color of the surrounding vegetation. Building materials shall comply with the provisions of Chapter 9 of the Park City Municipal Land Management Code (Architectural Review).

A.2 Windows and other glass. Glass areas shall be reviewed to avoid highly reflective surfaces. Mirrored glazing is prohibited on any building, except that solar absorption glazing is an acceptable material.

A.3 Parking. Subdivision lots and streets shall be designed so that wherever possible parking is located behind buildings on the uphill lots. Uses other than single-family residences shall break up parking areas into smaller lots that should be located in linear strips running parallel to the slope contours. The perimeter of parking areas shall be screened with vegetation, fencing, or other architectural elements.

A.4 Rooftop mechanical equipment. All rooftop mechanical equipment, including HVAC equipment and similar appurtenances, must be screened so as not to be visible from nearby properties or hillsides above the equipment.

A.5 Roof pitch, color, and materials. The pitch of any roof shall generally parallel the slope upon which the building is located, but in any case shall not exceed a height to horizontal ratio of 9/12 and shall not descend closer than seven (7) feet from the ground. The minimum roof pitch shall be 4/12. Roofs shall be of a dark, muted earth tone color in a shade of dark gray, dark brown, or black that reflects the dominant color of the surrounding vegetation and shall be constructed of materials as set forth in Chapter 9 of the Park City Municipal Corporation Land Management Code (Architectural Review).

A.6 Height controls. Upon review of any subdivision or MPD within the Sensitive Area Overlay Zone, an analysis of appropriate building heights will be conducted. Based upon the visual analysis, building heights may be reduced for all or part of a proposed development.

A.7 Dwelling size. Maximum single-family dwelling size shall be evaluated at the time of project approval taking into consideration visual impact and community character.

A.8 Underground utilities. All utility lines in steep slope developments shall be underground, except that the Community Development Director may allow above-ground utilities if burying would result in severe damage to significant vegetation or sensitive environmental areas.

APPENDIX B--TREE/VEGETATION PROTECTION REGULATIONS

B.1 The following provisions are hereby adopted as amendments to existing limits of disturbance regulations contained in Section 15.4.2(d) and Section 10.9 (k) of the Park City Municipal Corporation Land Management Code and will apply to existing platted subdivisions in the Sensitive Area Overlay Zone, to include the following criteria to be used in establishing limits of disturbance.

B.1.1 Visual impacts of the development, including but not limited to screening from adjacent properties, ridgeline area protection, and protection of critical viewsheds as defined in the Sensitive Area Overlay Zone District Regulations Section 1 herein.

B.1.2 Erosion prevention and control, including but not limited to protection of natural drainage channels.

B.1.3 Fire prevention and safety, including but not limited to location of trees and vegetation near structures.

B.1.3 Irrigation and water conservation.

B.1.4 Wildlife habitat, including but not limited to preservation of critical wildlife habitat and migration routes.

B.1.5 Stream and wetland protection and buffering.

B.2 Tree/vegetation removal. No trees or vegetation within the Sensitive Area Overlay Zone shall be removed for the purpose of providing open views to or from structures on a site.

B.3 Irrigation limits. The amount of irrigated area shall be minimized depending on the amount existing natural vegetation on the site prior to construction and type of irrigation proposed to be used.

B.4 Revegetation plan. All applicants for developments on land subject to Sensitive Area Overlay Zone regulations involving cut and fill and graded slopes shall submit a revegetation/landscaping plan for approval by the Community Development Department. The plan shall depict the type, size, and location of any vegetation and trees being planted and illustrate how the site will be recontoured in such a fashion

and with sufficient topsoil to ensure that revegetation is feasible. The plan shall also indicate a time frame for revegetation which is acceptable to the Community Development Department. Retaining walls shall be used to provide breaks in man-made steep slopes exceeding fifteen (15) percent and to provide planting pockets.

B.5 Violation/Replacement provision. Any applicant who violates the provisions of this subsection by removing trees or vegetation or exceeding the prescribed limit of disturbance shall replace two for one in number all trees/vegetation illegally removed. Size of trees planted in replacement of illegally removed trees must be approved by the Community Development Department.

APPLICATION OF SENSITIVE LANDS PROVISIONS

	Building Design Standards	Limits of Disturbance & Vegetation Protection Standards	Site Planning Standards	Density Limitations
Annexations	Used as a basis for negotiation			
Projects within City Limits, but not Master Planned	YES	YES	YES	YES
Projects within approved Large Scale MPD's	YES	YES	YES	Where changes in concept are proposed
Small Scale MPD's	YES	YES	YES	Where changes in concept are proposed
Building Permits within subdivisions on visually sensitive hillsides	YES	YES	NO	NO

EXHIBIT F

Snell & Wilmer
15 WEST SOUTH TEMPLE
SUITE 1200
GATEWAY TOWER WEST
SALT LAKE CITY, UT 84101
801.257.1900 P
801.257.1800 F

Wade R. Budge
wbudge@swlaw.com

January 24, 2023

Park City Planning Commission
Park City Municipal Corporation
445 Marsac Avenue
Park City, UT 84060

Re: 220 King Road items in advance of 1/24/2024 work session. PL-22-05319; PL-22-05318; PL-23-05571

Dear Commission,

This firm represents Pesky Porcupine, LLC ("**Pesky Porcupine**"), the owner of the real property located at 220 King Road, Park City, Utah, known as Lot 2 in the Treasure Hill Subdivision ("**Lot 2**"). As you know from our October 11th work meeting, our client has two pending applications—a plat amendment and another for conditional use permit[1] for a home[2] ("**Applications**"). These Applications, once approved, will improve the neighborhood. This is because the Applications propose one architecturally significant residence to replace two architecturally insignificant homes built in 1997 and 2000, that had previously been used as nightly rentals.

This letter has two main parts. First, the letter offers a brief preview of important items for our upcoming January 24th work session and second, the letter sets forth a summary of corrections to some of misstatements in the January 19th staff report. We will follow up directly with the planning staff and the legal department regarding the misstatements after today's work session and in advance of the February 14th public hearing. As such, we would like to focus our discussion this evening on understanding the site that is Lot 2 and the details related to the new home itself.

[1] According to the Lot 2, Phase I, Treasure Hill Subdivision plat note #9, "[f]inal house design shall be reviewed under the Small Scale Master Plan Process in accordance with the Sweeney Master Plan." Because the city no longer has a Small Scale Master Plan process, we understand we are required to have the house approved through this conditional use permit.

[2] A third application is also pending for a steep slope conditional use permit, which we would anticipate would be rolled into the conditions for approval for the home. The steep slope conditional use permit is numbered PL-23-05571.

A. The Neighborhood.

Lot 2 is one of the seven residential lots in the Treasure Hill subdivision which subdivision was approved by and is included within the Sweeney Large Scale Master Plan Development approved in December 1985. Six lots have residences and one remains vacant. Below is a comparative table that helps orient the Commission to the neighborhood. Of note, the blue field is for the subject Lot 2. The green blocks are the proposed changes to Lot 2 according to the Applications. The Commission will note that our proposal is to reduce the size of the building area by nearly 500 square feet. We also are proposing to reduce the footprint size of the existing structures from 3,936 square feet to the 3,500 square feet. This size of 3,500 square feet meets the requirement in Plat Note 1 of the Lot 2 plat, which notes are attached to this letter as **Exhibit A**.

Plat	Lot #	Building Area Limits (sq ft)	Lot Area (acres)	Building Footprint (approx. sq ft)	Building size (sq ft)
Treasure Hill Subdivision Phase 1 - 1996	Lot 1 (200 KING RD)	12,700	0.86	NA	NA
	Lot - 2 (220 King Rd)	Existing Total - 14,716	1.23	Existing - 3,936 sq ft (survey)	Existing Total - 6,965 sq ft (Summit County Tax Info- both homes)
		Proposed Total - 14,226		Proposed - 3,500 sq ft	Proposed – 7,531 sf (finished) 5,901 sf (unfinished)
	Lot -3 (425 NORFOLK AVE)	17,000	1.31	2,620 sq ft	Total - 3,881 sq ft (Summit County Tax Info)
	Lot - 4 (375 NORFOLK AVE)	7,500	1.1	5,178 sq ft	Total - 10,813 sq ft (Summit County Tax Info)
Treasure Hill Subdivision Phase II - 2003	Lot - 6 (503 1/2 WOODSIDE AVE)	7,650	0.79	4,268 sq ft	Total - 9,161 sq ft (Summit County Tax Info)
	Lot - 7 (503 WOODSIDE AVE)	7,500	0.92	4,182 sq ft	Total 9,214 sq ft (Summit County Tax Info)
Treasure Hill Subdivision Phase III Amd 1 -2009	Lot - 8 (445 KING RD)	29,083.90	11.9	4,280 sq ft	Total - 8,738 sq ft (Summit County Tax Info)

The proposed footprint for the new Lot 2 home is smaller than all but one lot, Lot 3, in the Sweeney MPD. The proposed finished space is smaller than all homes except for one lot, Lot 3. The unfinished space is larger than the other homes, but there is no restriction (as described below) on unfinished space. As for height, the issue of what standard applies is stated in the plat, which clearly states in plat Note 4 that a home on this lot may have a total height, measured from existing grade, of "thirty (30) feet." Finally, with respect to plat Note 6, which requires massing to be broken up into areas no larger than 1,500 square feet, the proposed home for Lot 2 achieves this

by including (5) five massing units, the largest one of which is 1,110 square feet and the smallest of which is 345 square feet.

We will present at the work session additional data on the neighborhood so as to assist the Commission's review.

B. Issues Raised by Staff Report

The January 19th staff report attempts to identify issues with the Applications. But, what the report fails to account for is that this home is located in an approved Master Plan Development. This is not a home on a historic, HR-1 lot. Critically, the report does not take into account that the Applications seek, at their essence, to allow a remarkable home, the design of which has garnered written support from significant stakeholders and neighbors, to be built to replace potentially non-conforming homes that all would agree are not architecturally significant. The report also fails to take into account that the new home eliminates existing issues associated with the existing nightly rental of homes on Lot 2. In short, the Applications seek to mitigate the negative impacts associated with bad architecture, bad siting, and bad use and replace it with a conforming, single home with an impeccable design.

Missing from the staff report is the acknowledgment that any item raised as a concern can be fully addressed by this body, the Commission, sitting as the land use authority for these Applications. In both the Sweeney MPD itself, and in plat Note 9 of the Lot 2 plat, it clearly contemplates that each home would be processed using a small scale MPD. But, because small scale MPDs no longer exist in the code, the interpretation, consistent with what was approved first in 1985, is that individual homes would be approved as conditional uses. This is why the Applications here include a conditional use application. Further, with the plat application, we are requesting to modify, and in fact shrink, the buildable area, the Commission is able to make the adjustments to accommodate the design proposed in the Applications.

Another overarching point is that the Sweeney MPD must mean something. It is true that Section III (1) of the MPD states in part that "[a]t the time of conditional use or subdivision review, the staff and Planning Commission shall review projects for compliance with the adopted codes and ordinance in effect at the time, in addition to ensure conformance with the approved Master Plan." The misunderstanding that is arising, as is reflected in the some of the staff report's comments, is that if the Land Management Code has changed, which it has since 1986, the most restrictive interpretation must apply. This reasoning is circular. The rule of interpretation is that the specific controls. Otherwise, the MPD would have no meaning. Further, as the city has acknowledged with the Treasure settlement, and other actions, the Sweeney MPD includes vested rights on which a party may rely. The language in the actual Sweeney MPDs clearly address height, address footprint, address massing, and address the area appropriate for development. Later adopted rules can apply. But later adopted rules do not apply if they conflict with express approvals in the Sweeney MPD and the plat. Here's a brief summary of the items we intend to address with planning staff and the legal department.

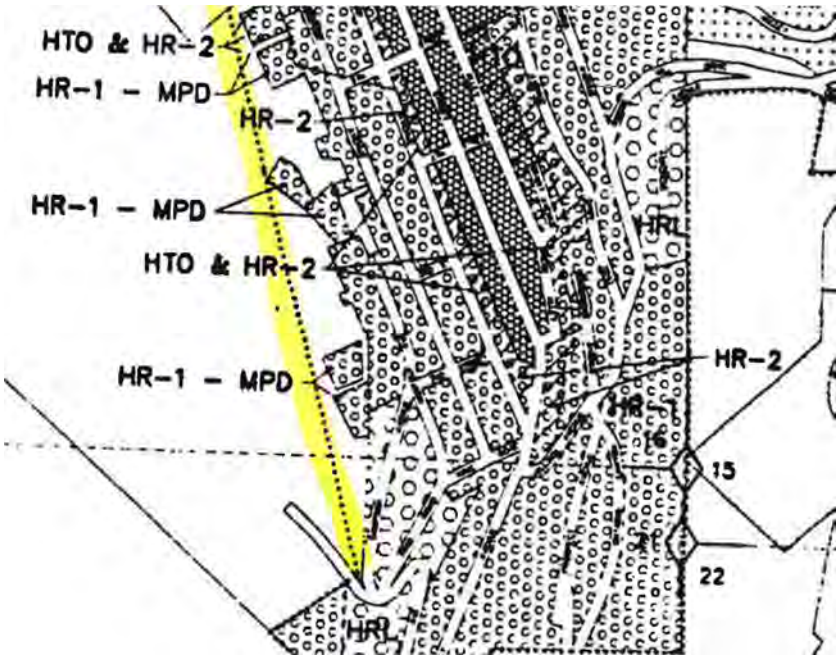
1. **Sensitive Land Overlay (SLO).**

For the very first time, the January 19th staff report raised the supposed issue that some of Lot 2 may be subject to restrictions found in the sensitive lands overlay zone. Specifically, the report states that "a portion of the west side of the Lot is within the Sensitive Land Overlay (SLO)." This statement is incorrect for two reasons. First, nearly two years ago, when the Applications were being prepared, the applicant's team consulted with planning staff on this issue. In February of 2022, Gretchen Milliken (former Planning Director) provided the following in an email to a representative of the applicant regarding the SLO:

> *Additionally, because the MPD (and subsequent amendments) considered the Sensitive Lands Overlay, I don't think we need to request additional SLO materials at the time of application. There does not appear to have been this requirement for other Treasure Hill properties with small portions of the lots within the SLO.*

This analysis was discussed with current planning staff over the last two years. At no point did staff change is previously announced view that the SLO is not implicated here. And even if it does touch a small portion of the site, the SLO does not apply because of the approvals granted in the Sweeney MPD and the associated plat approval govern.

Second, the SLO Boundary did not include the single family lots of the Sweeney MPD when adopted. Specifically, by Ordinance 92-17 the City Council adopted the SLO, without a legal description or a map. The map produced two years later, and depicted below, confirms it does not apply to these lots. See below, yellow line purports to be the SLO boundary, and Lots 1 and 2 are labeled "HR-1 MPD":



Source: 1994 Park City Zoning Map.

No one has produced a zoning map showing that the SLO applies to Lot 2. What has been attached to the staff report are two depictions, Figure 7 and Figure 8, both of which attempt to project an SLO line on the property, but outside of the building area limits. Moreover, even if the SLO were to apply it at most would apply to a small corner where an accessory structure is contemplated, not the area of the main residence. There are two other things to keep in mind. The SLO does not prohibit development. It merely requires additional consideration. Further, the code plainly states that the SLO boundary should not bisect properties. See LMC Section 15-1-6. The boundaries should follow property lines unless there is an express reason for the SLO to bisect a property. There is no such intent or purpose identified here. In other words, the SLO has never applied to the property and even if it does, it would not impact the main residence or frankly the ultimate inclusion of an accessory structure. Finally, the LMC does not support the SLO applying to just a portion of this lot.

2. **Plat Building Footprint Requirements:**

a. The current LMC definition for Building Footprint uses the furthest exterior wall of the Structure projected to Natural Grade. The Planning Department calculates the Applicant's actual building footprint at approximately 11,300 square feet, using the LMC.

We believe the above analysis is incorrect. The Treasure Hill Subdivision, Phase 1 plat includes "Special Restriction for Single Family Homes to be Constructed on Lots 1 Through 4", or "**Plat Notes**". Plat Note 1, attached as Exhibit A-1, states that: "FOOTPRINT. the maximum

footprint, calculated from the outside face of walls and subject to the massing requirements of Note 7, shall be three thousand five hundred (3,500) square feet including garages….". Based on this language, which provides specific instruction on how the footprint is measured, the Project meets the square foot limitation placed on it by the plat. A later adopted rule does not change this right and obligation set forth in the plat. The area of the lowest floor is below 3,500 sq ft. See Exhibit A-2. Additionally, the area of the cantilevered floor is below 3,500 sq ft. See Exhibit A-2. In other words, the Applications carry forward this same 3,500 sq ft maximum to all levels.

The staff report seems to make a claim that the parking area needs to be included within the buildable area. This is not accurate. And this interpretation is contrary to the MPD and its associated plat notes. For example, the area for subgrade access and parking has not been included in the footprint calculation of any other lots in the Sweeney MPD. For instance, the development of the Upper Norfolk lots (Lots 3 and 4) included an area of disturbance over 45,000 sq ft to accommodate the underground access tunnel and subgrade parking. The development of Woodside Ave lots (Lots 6 and 7) included an area of disturbance on 55,250 sq. ft. for the underground access tunnel. The staff report does not account for this fact in its calculations. And as such, the parking area, because it is underground, should not count towards the 3,500 square foot footprint restriction.

b. The primary Structure has been modulated into 4 segments, each under 1,500 square feet, however, 2 of the 4 segments exceed 25 feet in width.

The Project is broken up into multiple massing elements, all of which are under 1,500 square feet, as required by Plat note #6 of the Treasure Hill Subdivision, Phase 1. The footprint includes Level 2 of the portion of the building that runs mainly north/south and Level 1 of the massing element that runs more east/west. The total footprint is measured at 3,370 square feet, as shown in Exhibit A-2. That footprint is broken up into five (5) different massing elements. These massing elements are separated using vertical façade breaks as required by the plat Note 6. There is not a requirement that the massing elements be limited to twenty-five feet. The staff report references an additional restriction applicable in the zone but outside of the Sweeney MPD. That additional restriction is found in LMC Subsection 15-13-8(B)(2)(a)(9) and is intended to apply to the historic twenty-five foot (25') lots in the city. Again, this requirement does not apply to the Sweeney MPD. And if they were to apply, the code permits greater width, in certain circumstances. As such, even if the width criteria were to apply (which it does not), the LMC in Subsection 15-13-8(B)(2)(a)(9) states – "Modules on a primary façade **should generally** not exceed eleven (11) feet to twenty-five (25) feet in width.) (emphasis added). This generally comment recognizes that in some instances the width restriction may not apply. The Sweeney MPD certainly would be one of those instances.

3. **LMC Building Height Requirements:**

Exterior Building Height Complies however the interior Building Height measures 53.5 ft and does not comply.

The topic of height is clearly addressed in plat Note 4. Notably, that note does not give an internal height restriction. Rather, it says height is measured from "existing grade". The staff has chosen to read the plat note narrowly to argue that existing grade is only for exterior height. This is not a fair reading. Had the city wanted to limit interior height it could have done so in approving the Sweeney MPD and its plat. It did not.

Nevertheless, if one were to assume that the interior height restriction were to apply, the applicant here has modified its Applications to have the bottom level unfinished. This is because the interior height limit, which only came into existence in November 21, 2013, specifically states that interior height is measured from the "lowest finish floor plane." The phrase "lowest first floor plane" is not a defined term. This means that if two meanings are available, the one that supports the land owner's request must be followed. U.C.A. 10-9a-306(2). Here, the Applications have been updated to leave the below ground level unfinished. We think this is a non sensical result given the plat note is specific on items of height and does not require an interior limit. But if the city believes it can apply this later adopted interior restriction on the same topic covered by the Sweeney MPD and the plat to this site, then leaving the bottom level unfinished means the planning staff is measuring the interior height from the wrong beginning point. The applicant's interpretation is bolstered in that the phrase "lowest finish floor plane" must mean the floor of the "First Story", which is a defined term[3]. To achieve another result means one must ignore the words "finish floor" and also ignore the relevant definition of "First Story."

In short, the interior height restriction does not apply to this MPD or plat. If it were to apply, leaving the bottom floor unfinished addresses any issue. The planning staff interpretation is not supportable. And this issue can be addressed in the approval of the Applications.

4. **Sub-Grade Development:**

"The Planning Department is concerned that the proposed amendments promote sub-grade development inconsistent with the MPD's intent . . ."

This comment in the report is problematic for a number of reasons as well. First, sub-grade development is allowed in the Sweeney MPD. Lots, 3, 4, 6 and 8 all have subgrade development, including a tunnels, parking areas, and basements, to name a few. Second, the planning department is aware that a land use regulation must plainly restrict a use to be enforceable. Even if there were an intent to prevent sub-grade development, which there is not, an intent is not controlling unless a land use regulation or control is created that specifically restricts a use. Here, there is no such control.

[3] Park City LMC 15-15: FIRST STORY. The lowest Story in a Building provided the floor level is not more than four feet (4') below Final Grade for more than fifty percent (50%) of the perimeter. Can include habitable or uninhabitable Floor Area.

Finally for your consideration, we have attached a table as Exhibit B showing the Applications meet all of the requirements in the code. We ask that you review these before the February 14th hearing.

We are happy to schedule a time to sit down and meet to walk through the plans for the Project to ensure all of the concerns that have been identified are resolved. We would like to involve the architect and other representatives as needed. Please coordinate such a meeting with Jason Boal.

As always, thank you for your professionalism and attention to this matter.

Very truly yours,

SNELL & WILMER

Wade R. Budge, P.C.

WRB:jcb

Cc: Rebecca Ward
Mark Harrington
Client
Jason Boal
Bruce Baird

Exhibit A-1

FIRST AMENDED RECORD OF SURVEY MAP

LOT 2, PHASE 1, TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 16, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

SPECIAL RESTRICTIONS FOR SINGLE FAMILY HOMES TO BE CONSTRUCTED ON LOTS 1 THROUGH 4 SHOWN HEREON:

1. FOOTPRINT. The maximum footprint, calculated from the outside face of walls and subject to the massing requirements of Note 7, shall be three thousand five hundred (3500) square feet including garages. The following shall not count towards the foot print calculations:

   (a) 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;
   (b) Exterior walkways;
   (c) Exterior stairs;
   (d) Driveways.

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. Notwithstanding the forgoing, flat areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated groomed grass.

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 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.

5. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back 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 3500 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 their respective owners and not that of the Snyderville Basin Sewer Improvement District.

8. FIRE SPRINKLING. Internal and external modified 13d fire sprinklers shall be provided for the homes. 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.

Exhibit A-2

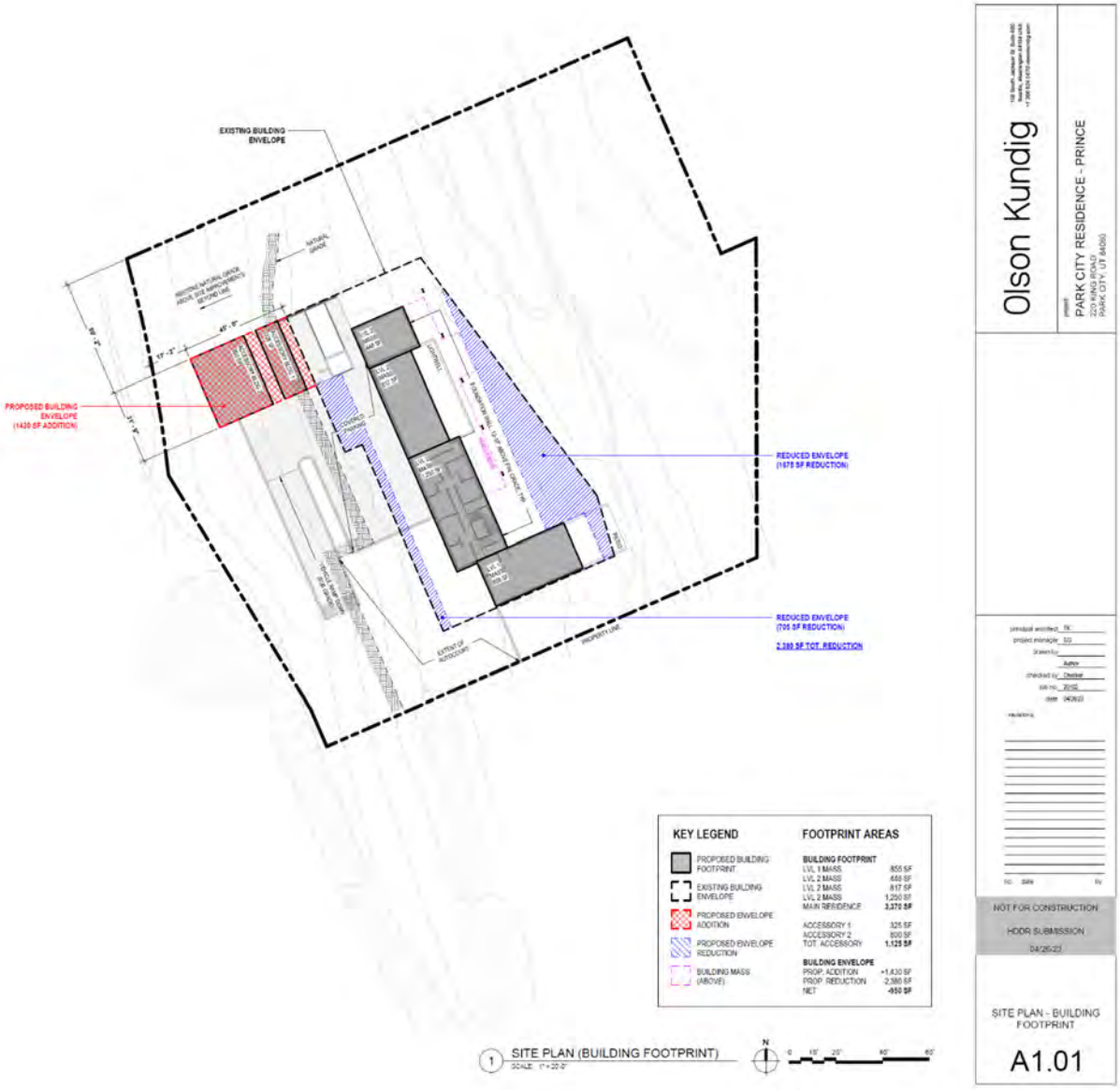

EXISTING BUILDING ENVELOPE
PROPOSED BUILDING ENVELOPE (1430 SF ADDITION)
REDUCED ENVELOPE (1675 SF REDUCTION)
REDUCED ENVELOPE (705 SF REDUCTION)
2,380 SF TOT. REDUCTION
KEY LEGEND
PROPOSED BUILDING FOOTPRINT
EXISTING BUILDING ENVELOPE
PROPOSED ENVELOPE ADDITION
PROPOSED ENVELOPE REDUCTION
BUILDING MASS (ABOVE)
FOOTPRINT AREAS
BUILDING FOOTPRINT
LVL 1 MASS 855 SF
LVL 2 MASS 488 SF
LVL 2 MASS 817 SF
LVL 2 MASS 1,250 SF
MAIN RESIDENCE 3,370 SF
ACCESSORY 1 325 SF
ACCESSORY 2 800 SF
TOT. ACCESSORY 1,125 SF
BUILDING ENVELOPE
PROP. ADDITION +1,430 SF
PROP. REDUCTION 2,380 SF
NET -950 SF
1 SITE PLAN (BUILDING FOOTPRINT)
Olson Kundig
PARK CITY RESIDENCE - PRINCE
NOT FOR CONSTRUCTION
HDDR SUBMISSION
04/26/23
SITE PLAN - BUILDING FOOTPRINT
A1.01

EXHIBIT B

Single Family CUP Compliance		
Code Section	**Review Item**	**Owner's Explanation of Compliance**
15-1-10.E.1	size and location of the Site;	**Complies** Existing on the site today are two Single-Family Dwellings, one of which was permitted as a guesthouse. The application is for one Single-Family Dwelling on a 1.24-acre Lot (Lot 2 of the treasure Hill Subdivision, Phase 1). It has already been determined that this location is appropriate for this use, through the MPD, plat review and previous CUP approval. It should be noted that the Lot on which the development is proposed, is much larger than the other lots/parcels in the vicinity. Due to the size of the lot, the structure will be more than adequately setback and buffered from the surrounding properties. The nearest adjacent residence is approximately 120 feet away, on Norfolk Avenue. The size and location of the Site is consistent with other Single-Family Lots in the Sweeney MPD which generally range from 0.79- 1.31 acres and are also located towards the top of the Historic District.
15-1-10.E.2	traffic considerations including capacity of the existing Streets in the Area	**Complies** The new home will utilize the same access point, 220 King Road. There will be no additional traffic or traffic impacts from what is being proposed. The capacity of existing streets in the area is sufficient to accommodate the proposed development and the new development does not meet the Engineering Department's threshold to warrant a Traffic Impact Study.
15-1-10.E.3	utility capacity, including Storm Water run-off;	**Complies** All utilities to the Site were installed during construction of the existing Dwellings. It is anticipated that utility usage will be decreased with- i) the construction of a newer home, ii) the removal of a dwelling on the property, and iii) the removal of the use of the property as a short-term rental. Proposed Condition- All Storm Water runoff from new impervious surfaces must be contained

		on-site and the Applicant must submit a Soil Investigation Report and a Geotechnical Report prior to the Application being considered complete.
15-1-10.E.4	emergency vehicle Access	**Complies** The proposed development meets fire turnaround and driveway slope requirements.
15-1-10.E.5	location and amount of off-Street parking;	**Complies** The site will meet the requirements of LMC § 15-3-6(A) Off-Street Parking Requirements for Residential Uses (2 parking stalls).
15-1-10.E.6	internal vehicular and pedestrian circulation system;	**Complies** Vehicle Circulation: Vehicles accessing the site will utilize the exiting access point on King Road. The Site is designed to allow vehicles to turn around and park via the private driveway, as it has been done in the past. Pedestrian Circulation: King Road does not have sidewalks and is not ideal road for pedestrians. There is a ten foot (10') public non-motorized bike and pedestrian trail and a ski and pedestrian easement exist on this Property for the benefit of a neighboring lot, per the Amended Treasure Hill Subdivision, Phase 1 Plat. That trail will continue to be on the property; no change to the easements are proposed with this Application.
15-1-10.E.7	Fencing, Screening, and landscaping to separate the Use from adjoining Uses;	**Complies** No additional Fencing is being proposed on the site at this time. The landscaping and revegetation is proposed to be native grasses to blend in with existing vegetation, foliage and trees. The existing vegetation on and around the perimeter of the lot will be maintained and managed with Firewise principles. The perimeter vegetation provides and will continue to provide a visual barrier of the Site and/or structure and assists in mitigating the visual impact.
15-1-10.E.8	Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots;	**Complies** 1. The structure has been broken up into separate massing elements to break up the perceived mass, as required by the plat notes. The most visible side of the house is the rear of the house, not the front facade of the home. The footprint of the home meets the requirement found on the plat. 2. Building and site design shall respect the existing topography, the

		character-defining site features, including existing trees and vegetation, and shall minimize cut, fill, and the use of retaining walls, by locating the retaining wall and hillside cut behind the house, so that it is not visible. 3. Building Height of structure meets the limitation placed on the plat; 30 feet measured from Existing Grade. Additionally, the roof has been reduced and secondary roof form has been incorporated in the design. 4. The proposed Structure is consistent with other Single-Family Lots in the Sweeney MPD. The MPD, plat and previous CUP approvals never considered this lot as a "historic lot".
15-1-10.E.9	usable Open Space;	**Complies** The proposed Single-Family Dwelling does not substantially change the Site's Open Space. The area proposed to be added to the "Buildable Area" is on the up-hill side of the Dwelling and not visible from King Rd, or across the valley. The lot will be restored after construction to existing grade and is proposing native grass, shrubs, Pine, and Aspen trees. There are existing trail easements on the Lot and proposed development does not disturb any of these trail easements. There are also several landscape easements on the east side of the property which will be maintained.
15-1-10.E.10	signs and lighting;	**Complies** No signs are proposed for the Single Family Lot. The site will be required to comply with LMC § 15-5-5(J), Outdoor lighting.
15-1-10.E.11	physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;	**Complies** The proposed Structure is consistent with other Single-Family Lots in the Sweeney MPD.
15-1-10.E.12	noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;	**Complies**The proposed Single-Family Dwelling is not expected to generate noise or other factors that will affect people and Property Off-Site.
15-1-10.E.13	control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas;	**Complies** The Vehicle Control Gate will control delivery and service vehicles. The Applicant will provide plans where trash and recycling bins will be stored.
15-1-10.E.14	expected Ownership and management of the project as primary residences, Condominiums,	**Complies** The Lot will continue to be owned as a Single Family Lot.

	time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities;	
15-1-10.E.15	within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site; and	**Complies** The site has already been graded for the existing Dwellings. The intent is to utilize the existing site, so that grading will be minimized . Steep Slope CUP information, including a grading plan has been submitted. This Site is not within the Soil Ordinance boundary or within the Sensitive Lands Overlay (SLO). The location and construction of the existing structures was previously approved. It is anticipated this location provides minimal impact on the Slope and Ridge Line of the Site, overall hillside, and adjacent properties and neighborhoods. The height and building size limitations placed on the Plat, along with the existing screening preserve the view from surrounding Sites. There are no wetlands or streams on the Site. This Site includes a trail and/or ski connection for human activity all year long, so impact on wildlife would not be greatly varied by the construction of a new Single-Family Dwelling. The Site is already utilized by the Property owner and the “Building Zone” does not have environmentally sensitive lands. Visibility of the site was contemplated at the time of the MPD and the Plat approval.
15-1-10.E.16	reviewed for consistency with the goals and objectives of the Park City General Plan; however such review for consistency shall not alone be binding	**Complies** The site and structure are not historically significant. The proposed design complies with design criteria as contemplated during the MPD approval.

Steep Slope CUP Compliance		
Code Section	**Review Item**	**Owner's Explanation of Compliance**
15-2.2-6.B.1	LOCATION OF DEVELOPMENT. Development is located and designed to reduce visual and environmental impacts of the Structure.	**Complies** The lot does contain Very Steep Slopes, which the CUP was submitted for. The location of the Lot is visible, however the cuts to the hillside and impact to the very steep slopes will be located behind the house and not visible from downtown. The SLO is not applicable to this lot. The lots in the Sweeney MPD have not been limited to site improvements only in the "Building Area Limits".
15-2.2-6.B.2	VISUAL ANALYSIS. The Applicant must provide the Planning Department	**Complies** A visual analysis was submitted. The site is visible with the current development. A

	with a visual analysis of the project from key Vantage Points: a) To determine potential impacts of the proposed Access, and Building mass and design; and b) To identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities	landscaping plan that identifies additional plantings has been submitted. The impacts to the hillside will be behind the home and not visible from downtown.
15-2.2-6.B.3	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.	**Complies** Access to the Site is not changing and the existing driveway will be used and improved. Improvements include widening the driveway to approximately 27 feet and retaining walls not to exceed eight feet (8'). Submitted plans indicate the grade of the driveway will not exceed 14%, in compliance with LMC § 15-3-3(A)(4).
15-2.2-6.B.4	TERRACING. The project may include terraced retaining Structures if necessary to regain Natural Grade.	**Complies** The proposed residence is going through Historic District Design Review. Conceptual grading and drainage plans from Alliance Engineering have been submitted.
15-2.2-6.B.5	BUILDING LOCATION. Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.	**Complies** The "perceived natural topography" of the site will remain as it is today. The cuts to the hillside will be located behind the home and will not be visible. The design, including the footprint, meet the criteria identified on the plat and in the Sweeney MPD.
15-2.2-6.B.6	BUILDING FORM AND SCALE. Where Building masses orient against the Lot's existing contours, the	**Complies** Proposed home is divided into several massing elements. Portions of the home are located below grade in order to reduce visibility and reduce the perceived bulk.

	Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Commission may require a garage separate from the main Structure or no garage.	
15-2.2-6.B.7	SETBACKS. The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a “wall effect” along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures.	**Complies** There will not be any development along a road frontage.
15-2.2-6.B.8	DWELLING VOLUME. The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.	**Complies** The volume and/or massing requirements for home in the Sweeney MPD were established when the MPD and Plat were approved. These requirements included footprint, façade height, and massing. The proposed design meets each of the requirements.
15-2.2-6.B.9	BUILDING HEIGHT (STEEP SLOPE). The Zone Height in the HR-1 District is twenty-seven feet (27')	**Complies** The proposed design meets the height requirements identified in the Sweeney MPD and Treasure Hill Subdivision plat approvals.

	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.	

EXHIBIT G

EXHIBIT G

In the Matter Of:

In Re: Park City Planning Commission Meeting

COMMISSION MEETING

February 14, 2024

JD Legal Support

2901 W. Bluegrass Blvd., Ste. 200

Lehi, Utah 84043

Park City, Utah
Planning Commission Meeting
February 14, 2024

MS. HALL: All right. Motion carries. All right. Now moving on to our regular agenda for 220 King Road. It is my understanding that staff is going to present on the first three items in summary together.

MS. WARD: Rebecca Ward with the planning department joined, um, with Caitlyn Tubbs, also our senior historic preservation planner. We also have John Robertson, the city engineer, and Becky Gutknecht with the engineering department joining us this evening.

So this item as, uh, Commissioner Hall stated, includes several applications, a plat amendment, conditional use permit, and steep slope conditional use permit, and we will address all items in -- in one presentation before turning it over to the applicant.

Um, much of the background regarding these properties has been discussed with the planning commission in an October work session in 2023 and then the January work session last month. So we will highlight some of the updates since that last meeting.

Uh, in summary, the proposal is to demolish a 4,235 square-foot single-family dwelling and 4,189 square-foot, uh, guest house to construct a single-family dwelling. There is approximately 7,500 square feet of finished space, about, uh, 5 -- 5,900 square

1 feet of unfinished space.
2 There's terrace, a patio area, um, 1,000 square-
3 foot accessory building, a pool, and a 4,794 square-
4 foot underground parking area that is proposed as part
5 of this application. The applicant has updated their
6 request to amend plat notes 1, 4, 5 and then also to
7 add plat notes 10, 11 and 12 and we'll provide more
8 information on those.
9 This is one of the applicant's submitted
10 renderings of the proposed structure. Uh, just as a --
11 an overview, this is Lot 2 of the Treasure Hill
12 subdivision. This was part of the Sweeney Master Plan
13 Development.
14 Um, there are plat notes restricting the future
15 development on the lots within this subdivision and
16 this map here highlights the -- the single-family
17 properties that are part of the Sweeney Master Plan
18 Development.
19 That involves Lot 1, which is 200 King Road, a
20 vacant lot, Lot 2, the lot under review, 220 King
21 Road. Uh, Lot 3 and 4 are along Norfolk Avenue, and
22 then lots 6 and 7 along Woodside Avenue. Lot 5 is open
23 space and Lot 8 is the one property within the Sweeney
24 Master Plan Development that is under estate zoning.
25 Uh, the other single-family homes are all under

1 the Historic Residential 1 zoning regulations. The red
2 dashed line indicated on this, um, excerpt from the
3 zoning map shows the sensitive land overlay. So
4 everything to the left of that red dashed line is
5 within that sensitive land overlay.
6 MS. TUBBS: Good evening, commissioners. So as
7 Rebecca mentioned, there are multiple requests that
8 are incorporated into the proposed, um, plat amendment
9 CUP and steep slope CUP, the first of which is an
10 amendment to the plat note that governs the footprints
11 of the structure. So currently, um, plat note 1 reads
12 as follows on the screen.
13 Um, it outlines a maximum building footprint of
14 3,500 square feet on this property, and the applicant
15 has proposed the amendment of this plat note to
16 include, let's see -- sorry. To separate the
17 calculation of the square footage area of the garage
18 from that maximum footprint and also to exclude the
19 underground improvements from that footprint
20 calculation.
21 The applicant's proposal is to calculate this
22 building footprint separately at each level and, um,
23 as the commission is aware, the -- a portion of the
24 structure is cantilevered over, um, some grade or is
25 somewhat offset from levels that are below it.

1 However, that is the applicant's proposal to address -
2 - um, address that footprint.
3 So we have some screenshots from the animation
4 video that was provided to the commission by the
5 applicant during our last meeting and this just goes
6 to show the footprint of the -- of one of the levels,
7 as shown in red here. And then a portion of the area
8 that is proposed to be excluded from that footprint
9 calculation.
10 Um, so the area that is shown in red would count
11 towards the footprint. The area that is shown in the
12 lighter gray would be that, um, underground
13 improvement area and would not be calculated per this
14 request.
15 And again, this is just another -- um, sorry.
16 Another, uh, view of the proposed structure showing
17 areas that would be calculated towards that
18 footprint's areas that would not.
19 MS. SUESSER: Caitlyn, can you just address
20 whether or not we've ever calculated, um, a square
21 footage like as being proposed in the past?
22 MS. TUBBS: So the way that footprint has been
23 calculated on other structures in the HR-1 zone is
24 through what is called a [inaudible] in, um, Title 15,
25 Chapter 2.2, Section 6 I think it is. Excuse me.

MS. WARD: It's, uh, yeah. In -- in the definition section, it's what -- the footprint, um, is what is, uh, basically constructed over the existing grade and then measured from the furthest wall area of the structure.

MS. SUESSER: And this is -- and what's being proposed is a departure from that traditional calculation; correct?

MS. WARD: The proposed plat note here outlines that, yes. The proposed plat note is to determine the square -- the building footprint based on any single level, um, and then you can see from the, uh, subsection E here to exclude what is, uh, below grade.

MS. SUESSER: Mm-hmm. Thanks.

MS. WARD: Uh, and just highlighting, uh, plat note 11, the -- the accessory buildings would also be proposed to be excluded from that footprint. Um, the next item, there have been some updates to the -- the roof form as the planning commission discuss -- discussed in January.

So just a review of the height. The plat notes for this Treasure Hill subdivision establishes a maximum height for flat roofs and then what the applicant is proposing, a pitched roof at 30 feet.

Um, there is another plat note about façade

height easterly facing where the maximum façade height, um, is required to have a step back of at least 5 feet, um, and be, uh, 25 feet, uh, within that step back.

So under the current land management code for this Historic Residential 1 zoning district, there are four elements to height. That final grade must be within 4 vertical feet of existing grade. That's for the property, um, to -- to preserve natural property -- na- -- the natural grade and then to minimize disturbances to that, um, so that it's -- it's in no more than 4 feet. Uh, that applies to retaining walls and -- and other structures beyond the main structure.

Uh, maximum interior height is 35 feet. This is measured from the lowest finished floor plane to the point of highest wall top plate and then there's this 10-foot minimum horizontal step in the downhill façade. And this is required to happen, um, at a maximum height of 23 feet from where the footprint meets the -- the lowest point of the downhill, uh, portion of the property.

And then roof pitch, which is, um, between 7:12 and 12:12. So there -- the single-family homes within the Sweeney MPD were constructed prior to 2009 as outlined in the staff report. Prior to this time, the

1 land management code stated that no structure could be
2 higher than 27 feet from existing grade.
3 Since that time, there have been amendments. So
4 in 2009, the city council adopted ordinance 914, which
5 established a maximum of three stories, each 10
6 vertical feet, counting the basement as the first.
7 The 2009 amendments were the first to require a
8 10-foot minimum horizontal step in the downhill façade
9 and this set the roof pitch. Uh, in 2013, this section
10 was further amended and this is where we get that
11 maximum internal height of 35 feet from the lowest
12 finished floor plane to the top wall plate.
13 And the specification in 2013 was that this
14 horizontal step, um, happen at the -- the 23 feet, uh,
15 of height from the -- the downhill façade. So these
16 are taken from the applicant's submittal showing, um,
17 that they are proposing to be within the 30-foot
18 height.
19 There have been some roof modifications that
20 exceed that but, um, this illustrates here, to the
21 right, um, a -- a -- what the applicant is calling an
22 inverted step, uh, where they are stepping out instead
23 of stepping back.
24 So staff has added, uh, the pink line here and
25 the green to highlight. What is proposed to, um,

1 cantilever is highlighted in green. Uh, what is shown
2 in pink would be, uh, if the structure were required
3 to have the step back, it would be in the other
4 direction under the current HR-1 zoning district
5 regulations.
6 Um, in response to the commission's input in
7 January, the applicant did, uh, make some
8 modifications to the roof form. There was discussion
9 of the expanse of the roof form and so what is highl-
10 -- staff has highlighted in green, uh, the proposed
11 modifications to that -- that roof form. Um, that does
12 exceed the 30-foot height, um, and -- but that is what
13 is proposed at this time.
14 So the plat notes that the applicant is proposing
15 would, uh, amend the building height regulations and
16 it would establish the Sweeney MPD and the -- the
17 height regulations that were in effect at the time
18 that that MPD was approved and it would also allow for
19 the step out.
20 Uh, for the accessory buildings, uh, we have the
21 -- the applicant's submittal for their, uh, steep
22 slope analysis of the site. This is a -- a, um, steep
23 slope predominantly for much of the site, um, and so
24 there is currently a plat note that regulates the
25 building area limits where -- where the structures can

be constructed.

Um, this shows the existing plat for Lot 2 and highlighted by staff in this green is the existing building area limit. Um, the proposal is to readjust this building area limit to shift this area to the west, uh, which is now, uh, partially, uh, including the sensitive land overlay and reducing -- the applicant is proposing to reduce the overall building area limits by shifting some of that limit from the east façade to the -- the west façade.

Through this, um, the underground parking area is excluded from the building area limits. So this is showing, uh, in -- this is showing the proposed shift to the -- the top of the building area limit, um, to accommodate the accessory buildings.

And just as a reminder, everything west of the -- everything left of the red dash line is within the current sensitive land overlay. Um, and this red dash line is superimposed over the -- the proposed building area limit, so you can see that overlap.

So the Sweeney MPD was approved prior to the adoption of the sensitive land overlay in 1991 but the Treasure Hills subdivision was approved after the adoption of SLO and that established the building area limits for this property.

1 Um, so currently the -- the way that this is
2 platted, it does not encroach into the sensitive land
3 overlay and the applicant is proposing to amend the
4 building area limit to extend that western portion
5 into that overlay.
6 Um, and just a reminder of the steep slope
7 criteria and the analysis that was provided in the
8 staff report, um, in January of, uh -- January 24th.
9 The -- the considerations that the planning commission
10 evaluates, the location of the development, the visual
11 analysis, access, terracing, building location, the
12 building form and scale, setbacks, the volume overall
13 of the dwelling and the building height.
14 Um, the applicant's excavation section view does
15 provide the -- the total excavation that is proposed
16 to accommodate what, um -- what is proposed for the
17 site and then the grading plan does illustrate
18 retaining walls, uh, retaining walls for the driveway
19 easement, the vehicle ramp, um, the planting area and
20 then the accessory buildings that are proposed to be
21 built into the hillside and also, um, the -- the
22 parking area entrance into the hillside.
23 So these are additional screenshots from the --
24 the video that the applicant shared in the last
25 meeting just highlighted in, uh, green where the

1 parking area, uh, entrance is proposed to be located
2 and then, um, also highlighting here in green the
3 accessory building, uh, façade.
4 So there have been some discussions about other,
5 um, underground tunnels or entryways within the
6 Sweeney MPD. So to provide some background, the
7 accessory structures, there was -- uh, there is a
8 shared tunnel for lots 3 and 4. Those are the Norfolk
9 properties, um, that the red, uh, dot here indicating
10 where those are located and then a screenshot, uh,
11 just showing, uh, what was built there.
12 Um, and then again, there was an accessory
13 structure for, um, this particular structure for the
14 Woodside properties was part of that subdivision
15 review, uh, for an underground -- a common underground
16 driveway within the 5th Street right-of-way.
17 Um, and so that was a platted element there. Uh,
18 those properties are shown here in red, uh, and with a
19 shared entry. Um, so the applicant is proposing the
20 changes to the plat notes as we've outlined.
21 Additionally, they proposed plat notes for exterior
22 lighting, limiting glazing, um, the -- the glass along
23 the façade to 60 percent on the eastern portion of the
24 façade.
25 Um, and then as we've -- we've mentioned, the

1 exceptions for the accessory buildings. The -- as
2 indicated by the applicant in the last work session,
3 they are proposing a plat note that this would be, um,
4 used as a single-family residence. There would be no,
5 um, condominium time interval ownership, fractional
6 ownership, or nightly rentals for the property.
7 Um, so before the planning commission this
8 evening is the review of the conditional use permits.
9 The standard is whether reasonable conditions are
10 proposed or can be imposed to mitigate the reasonably
11 anticipated detrimental effects. Um, and then the plat
12 amendment, the standard is whether there is good
13 cause. And good cause is defined in the land
14 management code.
15 It's established on a case-by-case basis and it
16 may include things like providing public amenities and
17 benefits, resolving existing issues in
18 nonconformities, addressing issues related to density,
19 promoting excellent and sustainable design, utilizing
20 best planning and design practices, and then
21 preserving the character of the neighborhood and of
22 Park City, and furthering the health, safety and
23 welfare of the Park City community.
24 So, um, I know the -- the applicant has a
25 presentation for the planning commission. We'll bring

this slide back up after, uh, but our recommendation this evening is to open and close a public hearing on all of the applications.

Um, that includes agenda items 6.A, 6.B and 6.C, and then to discuss whether there's good cause to amend the plat notes, uh, and to shift the building area limits and then to determine whether reasonable conditions are proposed or can be proposed to mitigate reasonably anticipate -- anticipated detrimental effects.

And then finally to direct staff to draft a final action letter outlining the findings of fact, conclusions of law, and conditions of approval for ratification on February 21st.

MS. HALL: Thank you. And I believe the applicant -- uh, do you have anything to present tonight? Um, yeah. If each of you could just, uh, introduce yourself for the record, that'd be great.

MS. PRINCE: Uh, I'm Tatiana Prince and, uh, I have actually yet to, uh, really interact at all with, uh, anyone here in this commission so wanted to be sure to introduce myself and, um, also give a bit of -- a bit of my view, uh, to how -- how we got here.

Um, and -- and -- and quite in a -- quite in a literal sense because while, uh, Matthew is very much

1 a Park City native, I'm, uh, definitely -- definitely
2 newer -- newer to town, um, but since a big part I
3 think of the reason that Matthew agreed to marry me is
4 that we agreed we were going to spend most of our
5 spare time skiing, um, we originally bought a home
6 here, uh, shortly after we got married.
7 And, uh, it's the home that we currently live in
8 now on Norfolk and, uh, since then, it just became a -
9 - I think a gradual story of us spending more and more
10 of our free time here until it brings us to maybe late
11 2019, early 2020, where we kind of looked at each
12 other and realized that we were ready to make a change
13 and, um, had fallen in love with Park City to the
14 degree that we actually wanted to -- wanted to make it
15 our permanent home.
16 And that was really around the time that we got
17 to know our neighbors much better and -- and think
18 about a deeper -- a deeper involvement in the
19 community and really start -- um, really start to --
20 to count the, uh -- the -- the closeknit residents of
21 Old Town amongst our -- amongst some of our -- our
22 closest friends.
23 And so when we, uh -- when we started to really
24 think about putting down roots here, this was before
25 our daughter was born and as we started to think about

1 sort of our forever home and expanding our family,
2 that was really when this all started to, um -- to
3 talk to our neighbors about our vision for our life
4 here and the home that we wanted to build.
5 And, uh, it -- it really -- it really kind of
6 grew from there. In fact, it was one of our neighbors
7 who, uh -- who introduced us to the Flyers [ph] who we
8 ended up purchasing the 220 King Road property from.
9 And, uh, it's -- it's -- it's been a very ongoing
10 conversation really, uh -- really going back years.
11 And as I said, these are people we've come to consider
12 fairly dear -- uh, fairly dear friends right now and
13 so we're quite -- we're -- we're really pleased that
14 we've come to a point where, um, so many of them have
15 taken the time to write in in support of -- of what --
16 of what we're trying to do here.
17 Because, uh, as I said, it was -- is -- it was a
18 -- it was a fairly, um, iterative and collaborative
19 process I would say and -- and many of them actually
20 sort of inspired us and had a lot of input into what -
21 - in -- into what we hope to -- to put down as our
22 roots here for -- for our family.
23 So, uh, let's see. We have, um -- so that's, uh,
24 Joel and Carol, uh, at the top. Um [inaudible] yeah.
25 Joel and Carol, then, uh, Jen and John. Uh, yep. And,

uh, is that -- that -- that's -- that's -- is that [inaudible] um, and, uh, and then of course -- and then of course Pat Sweeney who, um, obviously knows this hillside really better than any of us.

And -- and is, uh -- is wor- -- is worth mentioning and we want to thank him for -- for being, you know, one of the -- one of the people who -- who voiced some very honest early concerns about the project when we started -- when we started to first discuss it about it.

But through -- through conversations over the last couple of years and getting to know him better and learning more about their intentions for the Treasure Hill area has actually, uh, become a very -- a very staunch supporter of what we're trying to do. And -- and we, uh -- we're quite proud of that fact. We really appreciate, uh -- we really appreciate their willingness to -- to get to know us.

So -- um, so as I said, uh, the -- the green areas are really -- uh, all but one of our -- of our immediate neighbors to the lot has, you know, written in -- in support of the project. Uh, we're very -- very proud of that fact. So, um, you know, more details of what they had to say in -- in everyone's packet. But, uh -- uh, yeah.

And -- and -- and, uh, we -- as I said, we've -- we're sa- -- we've said this many times, but we're, um, very proud of the relationships we've been able to build and we're very excited to make, uh, this part of Old Town our -- our long -- our long-term home and, um, want to thank everybody for being part of the discussion and, um, also especially want to thank, uh, the planning commission and city hall staff.

Uh, I want to acknowledge it's been probably about four years now since we -- since we -- since we started to engage with them and there was a lot of wading -- wading through -- wading through documents and talking to people and back and forths to really, uh, figure -- figure out what is allowed for these like truly very special -- very special lots.

So want to acknowledge the -- the work -- the work of a lot of people and, um, thank everybody for coming in on Valentine's Day as well. Um, so I think with that, I'm going to turn it over to Wade, who's going to talk more specific about the -- the application itself. Thank you very much.

MS. HALL: Thank you.

MR. BUDGE: Thank you, Tatiana. And, uh, my name is Wade Budge and I'm here with Jason Boal. I'm also here with Bruce Baird and then Matthew Prince is right

1 behind me. And we're here to talk about just about
2 eight more slides and then, um, we'll obviously answer
3 questions at any point in this process. But then we're
4 anxious to hear from the public as well.
5 So if we go to the very next slide, there was a
6 discussion at our last meeting about the roof and
7 about what might be some options to break up that 117
8 foot length of the roof. And so this is the image that
9 we displayed last, uh, meeting last month.
10 And so this was, um -- there was a comment about
11 how we might be able to adjust this. And so if you go
12 to the next slide, we have a proposal for you. We're
13 fine with either of these two proposals. In fact, I
14 believe the owners prefer this revised one, but we
15 would be willing to go whichever route the planning
16 commission is willing to pursue here.
17 We would note that if we were to do this what
18 we're calling the roof option B, which is to break it
19 up with about a 20-foot, um, shed area that breaks up
20 that roof line, then we would have to, um, reflect
21 that height allowance within the plat note, which
22 allows for, uh, a 30-foot height.
23 But then there's an allowance for more height if
24 there's an access or a similar type item and so we'd
25 want to just make it explicit that it's accommodating

1 this design item. And if the decision of the planning
2 commission is that that's not something that would
3 work, then I think going with the original, which is
4 at the 30-foot line all the way across, would be
5 another way to, uh, address this.
6 And so we wanted to present to you what we
7 thought -- what we believe are two ways to have a
8 conforming height but one that addresses the concern
9 relative to that long, uh, length that was discussed.
10 Happy to ta- -- take any questions on this item before
11 we move on to the next.
12 MS. VAN DINE: How much is the increased height?
13 That wasn't in the packet.
14 MR. BUDGE: Three feet. And when we get to the
15 plat notes, I can talk a little bit about the
16 language. Um, if we go to the next slide, this is
17 important because there's been some discussion, and
18 it's referenced in the staff report, about what are
19 the influences for this site.
20 And I think this is important for purposes of
21 confirming for this body that this design is -- is
22 reflective and respectful of the historic themes that
23 exist already in this -- in this community. And that's
24 why we like this slide, because this slide is
25 identifying the areas of influence that are already

1 described in other city planning documents.
2 We obviously have the commercial zone that we all
3 know on Main Street and we have a residential zone.
4 Then we have an expanded residential zone. And then
5 this particular property, as well as the other Sweeney
6 properties, are above that.
7 But we are close to what would be considered the
8 industrial area and so what we are doing is we're
9 drawing influence from the Ontario Mine and some of
10 these other mine structures that were once more
11 prominent in the community and having the themes that
12 would be incorporated into this home reflect that
13 history.
14 And I believe it is that design that got it to
15 the point where the historic society was endorsing of
16 this proposal. And so we wanted to just share that
17 item so you could understand that there's been a very
18 deliberate and conscious effort to make sure that
19 we're paying homage, if you will, to the historic, um,
20 structures of the community.
21 Next is the accessory building. And Mr. Johnson
22 had some questions about, um, how we were addressing
23 the SLO at our last meeting and if I'm misstating from
24 my notes who had their primary concern, I don't mean
25 to exclude the others, but that's who I remember

1 raising this issue. So what we did is we took what we
2 understand to be the estimated SLO line. There's been
3 some discussion about whether or not it's on the
4 property.
5 But given that we are moving forward with an
6 application for a steep slope CUP and because we are
7 going be meeting the same kind of criteria that you
8 would have to meet for developing in the SLO, we
9 thought, why don't we just go ahead and assume that
10 the SLO does apply to this accessory structure and
11 make sure that the findings we're proposing and the
12 re- -- conditions that we're proposing meet the
13 requirements of the SLO.
14 And so what we have here is a slide that depicts
15 for you how the SLO gets -- is impacted and then how
16 it is that we're intending to meet those criteria
17 found in the code. And so there are two elements here.
18 One is to show the -- the terrace. The other is
19 to show the accessory building but then to show how
20 we're going to make sure that there's no ridgeline
21 impact associated with this accessory use and that
22 we're minimizing the limits of disturbance and that
23 we're not creating any additional hazards.
24 And then when we get into the conditions that
25 we've submitted and are part of the packet, you'll

1 note that we have a proposal for respect -- with
2 respect to vegetation and making sure that vegetation
3 is accounted for and that the landscaping is
4 respectful of those themes that are identified in the
5 SLO. Any comments or questions on that one? Okay.
6 MR. JOHNSON: How -- how do you interpret the --
7 the retaining walls for this -- there -- there would
8 be exposed retaining walls. How tall are those?
9 MR. BUDGE: So some of the retaining walls are 6
10 feet for -- some are 4, some are 6, some are 8 and --
11 and taller up to 12. At -- but the item in that we
12 went back and -- and carefully analyzed the city's
13 land management code with respect to retaining walls,
14 and the requirement is that if you have a retaining
15 wall within the setbacks, then it cannot be any taller
16 than 4 feet.
17 And so we have made sure that we can meet that
18 standard. Now, this body, the planning commission, can
19 provide an exception for retaining walls within the
20 setbacks, but we -- and our plans do show, in our
21 plans that you reviewed at our last meeting, some
22 retaining walls at 8 feet within the setbacks.
23 But since then, we've gone back with Alliance
24 Engineering and had them analyze it, and we can
25 achieve a 4-foot terrace and then a -- and then a 4-

1 foot landing and then another 4-foot terrace for
2 those, um, retaining walls that are within the
3 setback.
4 As for the other retaining walls, they're not --
5 they are going to be the height that is needed in
6 order to accommodate the grade and the structure but
7 that's consistent with what's allowed in the land
8 management code. And if you want to see that depicted,
9 we do have a depiction we can show on that.
10 MR. JOHNSON: I mean, we don't have -- if -- if
11 other commissioners would like to see it, I --
12 MS. HALL: Um, when we get to the steep slope
13 CUP, maybe we can hone in on that.
14 MR. BUDGE: That'd be great.
15 MR. JOHNSON: Okay.
16 MR. BUDGE: Okay.
17 MR. JOHNSON: And --
18 MR. BUDGE: And then the next item is the
19 landscaping plan. We want to just show the commission,
20 and this has been made part of the application, the
21 landscape plan. And right now, the vegetation on the
22 site is sparser than what was planted. There's not a
23 lot of native vegetation.
24 However, the -- the -- the Princes have been very
25 conscious about making sure they have a landscape plan

that will beautify the area and that affects some of the screening that was discussed at our last meeting. And certainly if there are any comments on this, we'd be happy to take those relative to the site.

But this -- this is actually a very important matter and -- and I don't want to gloss over this. Because in speaking to the owner, when they first engaged Olson Kundig, they provided criteria, musts, if you will, that have to be included into the design and must be accommodated by the site, and landscaping was a primary listed item.

So this is something, an area of emphasis that will be done well and be done to achieve screening and it'd be done further to make sure that it's just a beautified area of -- of our community.

MS. SUESSER: Um, along those lines, um, when they purchased the site, they understood the building area limits on the site; correct? As they were platted. And that it -- the building area limits didn't encroach on the SLO, on the sensitive land overlay, or into the very steep slopes. And -- and the adjustment that they're asking for here is to encroach into that SLO and go beyond the, um, building area limits that were clearly identified on the plat.

MR. BUDGE: Yes, Commissioner. Let me -- let me

1 try to answer your question this way.
2 MS. SUESSER: Mm-hmm.
3 MR. BUDGE: When we -- when -- when our clients
4 purchased it, they knew that the building area limits
5 had been moved once before because that's in the
6 record and in the staff report.
7 MS. SUESSER: Mm-hmm.
8 MR. BUDGE: The -- we did not know that the
9 adjustment that we had proposed, both in terms of
10 moving the building area limits uphill but then also
11 reducing the building area limits, because you'll
12 recall that our element of our proposal is to reduce
13 the building area limits by 500 feet. We did not know
14 it was going to be impacting the SLO.
15 And the reason is, is because the map we had from
16 1994 showed that these two lots are -- Lot 1 and Lot 2
17 -- were outside of the SLO. We've since come to
18 understand frankly, since our meeting last -- that we
19 had in -- in January, in talking with staff, that
20 further updates to the SLO map have -- have either
21 shifted or adjusted but the location is now such that
22 it does clip the accessory building.
23 And so that's why on the prior slide we showed
24 how it would be clipping that accessory building. But
25 because we're going through that steep slope process,

we're believing we can mitigate those detrimental impacts associated with the adjustment.

And then we would also ask that the planning commission take into account the fact that by reducing the building area limits, we're -- we're achieving another goal of making sure that that -- the -- the -- the area of disturbance on site or a building will be lessened by 500 feet.

MS. SUESSER: Okay. Thanks.

MR. FRONTERO: I have a question about -- a question about the landscaping while the slide's up --

MR. BUDGE: Yes.

MR. FRONTERO: -- if I may. I -- I can't read the small print, uh, on the right.

MR. BUDGE: Yeah. Sorry about -- sorry about that.

MR. FRONTERO: That's okay. Um, is there a view -- is there a view from the east looking west? I guess what I'm trying to understand is will -- will the trees -- I assume -- I assume that those are trees on the right. Will they act as a buffer from the valley looking up towards the house?

MR. BUDGE: That's exactly right.

MR. FRONTERO: Because from this, it's hard to see that.

MR. BUDGE: The plan -- it is hard. You're right. An elevation would be better for --

MR. FRONTERO: Yeah.

MR. BUDGE: -- purposes of projecting that. Um, we can get that detail for you. If anyone wants to -- we can -- we can get that detail for you, Mr. Frontero -- Commissioner Frontero.

MR. FRONTERO: Okay.

MR. BUDGE: But --

MR. PRINCE: Intent is to screen. We don't -- we -- the intent is to screen and provide privacy for us. We -- we -- one of the very first things that we asked was, how can we make sure that the -- the building is as private as possible?

And so we would like to plant as large, uh, and screen trees as possible and because we're -- you're looking up the valley as those trees grow, it should make -- um, it should both break up the mass of the building significantly and we hope obscure the building as much as possible. That's in our interest and -- and I think in the public's.

MR. SHAND: Is -- is the photo on page three representative of your landscaping plan? Page three of the, um, presentation or -- or our packet? It's --

MALE: The staff --?

MR. BUDGE: I would say --

MR. SHAND: The staff report.

MR. BUDGE: I would say that it's -- it was certainly inspired by the landscape plan. The landscape plan has been more carefully refined since then. Yeah.

MR. SIGG: This is Commissioner Sigg and I would like to add that I think it would be very helpful that we could see an elevation showing, you know, what the -- uh, the as-built of the landscape plan.

Uh, and I think what would be helpful, uh, to the applicant would be perspective, uh, not only sort of from what we might call Marsac, but, uh, from, uh, directly more in a westerly direction, uh -- uh, across the valley as if it was a full front on view.

Uh, yeah. Something more like this. So is this what we're perceiving to be the -- the as-built land -- landscape plan? Because it looks to me like there's a lot of deciduous in there and a lot -- not a lot of conifer.

MR. BUDGE: Yeah. The -- the landscape plan includes more conifer which provides that screening that Mr. Prince just indicated. And so what this shows is -- is the deciduous so that you could see the structure more and evaluate it.

MR. SIGG: And I understand, you know, what we're trying to convey here but I think for the purposes of, you know, the analysis of screening of, uh, the structure, it -- it might be helpful, uh, for this group -- I don't know. I can't speak for the others, but to see -- see it in the context of the actual conifers.

For example, like you see on the slope side, uh, where you see the -- the conifers and maybe add some scale to what those look like. Well, are those -- are those, you know, 10 footers, 12 footers, 16 footers, uh -- uh -- uh, and that. And -- and I think that would go a long way to, um -- to the visual analysis, at least for me. Thank you.

MR. BUDGE: Thank you, Commissioner Sigg. We're reaching out to the architect for that right now, as we're presenting. Fortunately, they're an hour behind us, so in -- in Seattle, something [inaudible] great increase our chances. Um, and then we can also, um, zoom in and give you more detail on the planning plan so you could see the con- -- the conif- -- the conifer versus deciduous mix.

All right. If you want to go back to the PowerPoint, we'll go to the next slide. I think, um, the staff already did a good job of explaining, um,

1 some of the changes and these are in this -- in the,
2 um, staff report. I think it's worth just highlighting
3 briefly these proposed plat notes.
4 So these are intended to -- as we said last week,
5 we talked about how with the MPD, we have something
6 unique, because what we have is the MPD contemplates
7 that when a house is brought forward, that it's going
8 to be processed as CUP.
9 Back in -- when it was in the 80s, it was a
10 small-scale MPD but we now do it through a CUP. So
11 what that then means, when we couple this CUP with
12 this plat amendment, we can achieve the set of
13 restrictions that this body determines, in its
14 discretion, meet the various values that are -- are --
15 are intended for this area.
16 And so what we have here in red is the proposed
17 language of -- which would be the plat notes. You'll
18 note that, um, the outside face of the walls on any
19 single level is just to remove any question on the
20 footprint. That was indicated by staff.
21 We believe we've honored it because we don't have
22 a single level greater than 3,500 square feet and that
23 was the footprint restriction put into the plat.
24 Relative to foot, um, 1(e), that is a plat note from
25 another plat within the same MPD 445.

And so we are added that here to just clarify that the parking area, which again is not a garage because it's not enclosed, um, will be located underground and will be treated as not counting towards the footprint calculation. If we move to the next --

MR. JOHNSON: Did they -- did they have living space included in their plat note as well?

MR. BUDGE: That wa- --

MR. JOHNSON: I was just curious on that.

MR. BUDGE: Yeah. We just pulled this from -- we pulled this from 445.

MR. JOHNSON: Interesting. Okay. Thank you.

MR. BUDGE: Next is height on the next slide. And you'll note, as staff accurately indicated, the maximum height is 28 feet for flat, 33 feet for pitched, and shall be permitted with the express -- well, I -- I've -- I've jumped over it. You'll notice -- you can read the whole thing. I was just going to highlight the changes which are in red.

And what we say is that in accordance with the Sweeney MPD, and we give the dates of approval, building height shall be measured as outlined in the note and there are no interior height restrictions.

And the intent for that is so that we don't have

1 to get into this. We're -- we're not creating a
2 precedent where someone else maybe in an HR-1 zone may
3 try to say, well. You didn't apply the interior height
4 and we don't have to get into this debate as to
5 whether it's intended to go to the very lowest floor,
6 or as we contended at our last meeting, the lowest
7 unfinished floor or the lowest finished floor. Excuse
8 me. So we thought we would solve that with this plat
9 note.
10 MR. FRONTERO: Does this plat note also solve
11 your issue with regard to unfinished versus finished?
12 MR. BUDGE: Yeah. This would solve the -- the
13 issue as to unfinished versus finished. Now, our plans
14 that are submitted show that as being unfinished but
15 this would make it so that there wouldn't be a limit
16 on the interior height. We wouldn't have to deal with
17 that item. And so, we have not proposed a plat note
18 saying that -- that, um, you could never finish those
19 bottom levels, but on the plans that you're reviewing,
20 they are unfinished.
21 MR. FRONTERO: So on your current plans -- well,
22 let me ask it a different way. Initially, I was
23 looking at your application from last, uh, meeting.
24 MR. BUDGE: Yes.
25 MR. FRONTERO: 7,400 finished, almost 6,000

unfinished.

MR. BUDGE: Correct.

MR. FRONTERO: Is that still the plan?

MR. BUDGE: That's the plan. Correct. That is what we're asking for you to approve. Correct.

MR. FRONTERO: Okay. Thanks for that clarification.

MS. SUESSER: And --

MR. BUDGE: And --

MS. SUESSER: -- could you just, um, clarify the, um -- the, um, interior height as proposed? Is it 53 feet?

MR. BUDGE: I'm sorry?

MS. SUESSER: 53 feet? Is that --?

MR. BUDGE: We haven't measured from the lowest floor but I don't have a reason to dispute what the staff determined. We know that if from the finished floor we're less than 35 feet.

MS. SUESSER: So staff included the unfinished floor in its measurement of 53 feet. Okay. Thanks.

MR. SHAND: This question may be for Rebecca. Uh, what is the intent of the height -- maximum height of the interior space?

MS. WARD: So as we outlined, in 2009, there was the limitation for the stories in, um -- in these

1 historic residential zones. As the commission --
2 MS. SUESSER: Three. Yeah. Sorry.
3 MS. WARD: To three. Yes. As the commission is
4 well aware, there are many properties on -- on steep
5 slopes and so, uh, addressing an interior height helps
6 to, um -- uh, otherwise as -- as the height was
7 originally written, it was 27 feet above the existing
8 grade.
9 So when you're going up a slope, that -- that
10 could continue up the slope to help mitigate that, uh,
11 and create, uh, an int- -- an internal measurement so
12 that, um, these homes in the historic residential zone
13 that have that stepping up effect but only to a
14 certain limit. And also you see the -- the horizontal
15 step back, um, to help for, um, homes that are at the
16 base of a steep slope to have a compatible height
17 that's reflective of -- of the historic, uh, heights.
18
19 MR. SHAND: Okay. Thank you.
20 MR. BUDGE: And Commissioner Shand, I don't want
21 to, um, belabor the point, but just from an owner's
22 perspective, when we see that into your height, where
23 I've seen it most correctly applied is, you know,
24 you're dealing with a -- a subdivision, maybe 25-foot
25 wide lots, and you don't want to have a home climb too

1 far up this -- the -- the -- that particular lot,
2 particularly when you're in proximity to adjoining
3 neighbors.
4 This one, because of the MPD, its history, its
5 specificity and uniqueness with respect to height, we
6 felt that we were coming forward with a proposal that
7 was suitable for the site. I did probably belabor the
8 point so apologies.
9 Um, I'll now go to the final slide we have. Um,
10 we -- we are cognizant that, um, there's a dy- -- dark
11 sky requirement. We wanted to make it explicit and on
12 the plat, and so we wanted to say that we -- all the
13 lighting that is exterior should be fully shielded and
14 -- and that's the purpose of that.
15 And then relative to, uh -- um, the glazing, we
16 wanted to make sure that, um, we had some parameters,
17 if you will, relative to that, and then we added a
18 requirement relative to how interior lighting would be
19 handled. And that's in the last two lines of this plat
20 note 11.
21 And then 11 -- I mean, we have two 11s. I
22 apologize for that. So it's 10, 11, 12, and 13. It's
23 probably a printing error by printing this too quickly
24 so apologies for that. Uh, as for the second 11,
25 detached below grade accessory buildings, this is to,

1 uh, confirm that it doesn't count towards the
2 footprint. This is really a belt to a suspender.
3 So whether -- this is why we put that in there,
4 um, just so that there's no confusion as to that
5 accessory structure. We already think that that's
6 achieved by plat note 1 but that's the intent. And
7 then the last comment, of course, is falling through
8 on the owner's commitment to make sure that this is
9 not a nightly rental property, fractional interest, or
10 some other. This is a home or a home for a single
11 family.
12 With that, we are, um -- that -- those are our
13 points of -- uh, for presentation and then we'll be
14 happy to answer questions that may arise after the
15 public comment, Chair.
16 MS. HALL: Thank you so much. Um, yes. This is
17 more people we've had for an application for a single-
18 family residence in a very long time, if not ever for
19 me, um, and it's Valentine's Day.
20 So I think we'll just start with opening the
21 public hearing, uh, for, uh, 6.A, 6.B and 6.C. Um, can
22 I get a show of hands who's wishing to speak just from
23 like my time management standpoint?
24 Okay. Thank you. Um, yeah. So if you would like
25 to, um, step forward, sign in, state your name for the

record, and then we will take, um, some online as well. Yes. And, uh, just a friendly reminder, uh, to reiterate what Rebecca Ward had said at the beginning of the meeting, that there will be a three-minute time limit. All right. Happy Valentine's Day. Come on up. Or if there's a hand raised online, we can start there as well.

MALE: Sue. Um, Sue Barsamian, you have been promoted. Please unmute yourself and state your name for the record.

MS. BARSAMIAN: Oh. Can you hear me?

MALE: We can.

MS. HALL: Hi.

MS. BARSAMIAN: Great. Hi. This is Sue Barsamian and I'm a Park City local and I go by Treasure Hill every day and I would like to express my support for the project. Uh, as many others have already stated, um, I find this to be a really refreshing design that combines, you know, a -- a nice combination of modern with a real -- I think it was noted a real homage to Park City's mining history.

Um, I -- I think this is very nicely done and I would like to see more people in Park City as they build new modern structures to -- to adopt this approach because I think it's -- it's really exciting.

Um, I also really do appreciate -- it's -- it's obviously a larger structure, but I appreciate the care that's been given to tucking it into the hillside and the ridgeline. Um, I've learned more tonight in this meeting about the extensive expansion to the natural landscaping, which I think does provide a very nice buffer zone. So I believe that this will be a real attribute to the hillside and I'm fully supportive. So thank you.

MS. HALL: Thank you, Sue. Anyone in chambers wishing to step forward or if we have a raised hand on Zoom?

MR. SWEENEY: All right. Good evening. Pat Sweeney. I live at 445 King Road. I appreciate, uh, your time and would like to wish everybody a good evening. How do you fit 45 years of experience in three minutes? I'm going to try it and do it in less than that.

I represent myself, my brothers Ed and Mike, and the various Sweeney entities, uh, that are either owned or con- -- uh, all of the master plan and also which currently have interest in -- or to the master plan.

To be clear, we fully support the application. I think the architecture is stunning. The function is

1 impressive and it meets the requirement of appropriate
2 infill in a historic district. In particular, the
3 tenet that it reflect but not replicate and that it be
4 contemporary.
5 With respect to a couple items, I want to make it
6 clear that I think everything with regarding the plat
7 notes that they propose is fine and most of it
8 basically clears up the way it has been handled
9 historically.
10 There is no difference in the way that, uh, the
11 lots on -- or the houses on 3 and 4, 6 and 7 and 8
12 have been treated differently. There is space that
13 doesn't count if it's not above grade and has
14 landscaping on it or deck.
15 With respect to the notion that there's some
16 limit on interior height, then I am personally in
17 gross violation of the code right now, and I don't
18 have a final CO on my current house, and I think I
19 might outdo Matthew in the amount of space that I
20 built under the ground. And some of it doesn't count
21 because it has landscaping on it.
22 With respect to the people behind me, um, I
23 appreciate the public comment so far. I totally agree
24 with them.
25 But if there's a concern about what Matthew is --

1 and Tatia -- I'm sorry, not Tatia, Tatiana, uh, are
2 wanting to build, um, there -- I think the thing to do
3 -- everybody should focus on what's around those
4 homes. If you look at the picture on the wall to my
5 right, five of those homes were built in that picture.
6 MS. HALL: Thank you. Do I have anyone else in
7 chambers who'd like to step forward?
8 MR. HERMANN: Good evening. I'm Eric Hermann, zip
9 code 84060, and my wife, Susan, is here with me. We
10 are immediate neighbors of 220 King Road and have
11 owned our home in Old Town since 2006.
12 We treasure the unique character of our
13 community, and would never initiate conflict with a
14 neighbor. We support the Princes' right to build a
15 home, and look forward to the Princes completing their
16 home as well as meeting the building codes.
17 Unfortunately, the current staff report and the
18 so-called findings of fact are so unprecedented that
19 we feel compelled to state our concerns.
20 We built a home in Old Town that was approved
21 subject to meeting LMC and HR-1 rules and guidelines.
22 We wanted more east-facing windows, a larger
23 footprint, and a more contemporary look, but that
24 would have violated code. And we obtained approval and
25 built according to the strict requirements of the HR-1

1 code.
2 We are shocked to see staff findings of fact that
3 recommend approval of a structure not by requiring the
4 design to conform to Old Town rules and guidelines,
5 but instead recommending that the rules and guidelines
6 be changed or removed to allow the applicants' design
7 to be approved.
8 As citizens, we all agree to restrict ourselves
9 for the common good. We all abide by laws and
10 regulations. The Old Town building code maintains Old
11 Town's unique character.
12 Planning staff has determined that the proposed
13 structure does not comply with rules and regulations
14 regarding: height, roof pitch, massing, window style,
15 percentage of glazing, steep slope, sensitive lands,
16 and footprint. If these rules are discarded, as they
17 are in this application, how will the city enforce the
18 HR-1 zone requirements in the future? Every project
19 will have good cause to demand whatever exceptions it
20 seeks to the rules.
21 We ask the commissioners: if we choose to remodel
22 our property in Old Town by expanding the footprint
23 and installing floor-to-ceiling glazing that
24 purportedly echoes industrial mining buildings, can we
25 count on you to approve our plan, or would you require

us to change our design and build elsewhere?

We depend upon you, Commissioners, to apply the rules equally to all of us in Old Town. We have a large family spanning four generations, and while Old Town is not always the easiest place to live in Park City, we embrace its unique historic character and sense of community. We count on you, Commissioners, to ensure that it is preserved, today and in the future. Thank you very much.

MS. HALL: Thank you. Do we have any hands raised online?

MR. EHLERS: Not currently.

MS. HALL: Okay. Do we have anyone else in chambers who'd like to speak on this agenda item, 6A, 6B, or 6C?

MR. DAHL: Hi there. My name is Ben Dahl. Um, I'm one of the neighbors that was listed on the map there on Sampson Avenue, so 84060, I guess, since I need to state my zip code.

Uh, I'm fully in support of the Princes' applications for plat amendments here, um, and for their design. Uh, I think it is an inspired design; they have been extremely collaborative with their neighbors as it relates to the impact of the design, what it will mean for all of us.

Um, I, in particular, given that I, uh, have bought Lot 1, um, am concerned about the, um, wildfire risk, and the ability to have fire access and fire truck turnaround that they are proposing is something that I think is an extreme upgrade for the neighborhood generally, uh, and for my home specifically.

Um, I think the design as it relates to being inspired by, uh, the old Park City mining history is something that, uh, is, uh, certainly an upgrade to the homes that exist there now, and from my perspective is a really nice hat tip to the, uh, history of this town.

So, from my perspective, uh, we do not have concerns about, uh, the Princes building their property. We, of course, will be impacted by that construction, and no one looks forward to having construction in your backyard.

Uh, at the same ti- -- at the same time, I think the positive impacts on the neighborhood and the way the Princes have approached this is something that, uh, I wish every neighbor would, uh -- would learn from that -- uh, that example.

So I -- I would encourage you all to, um, support the Princes' application and we, uh, as neighbors that

are, uh, really adjacent to it, are extremely supportive and encourage you to -- to vote for it. Thanks very much.

MS. HALL: Thank you.

MR. EHLERS: Could you please sign in?

MR. DAHL: Okay.

MR. EHLERS: Thank you.

MS. LEWIS: Hello. I'm Tina Lewis, zip code 84060. Uh, I have lived in Park City for 50 years this year. In the early 1980s, I served on the city council, and I w- -- I was a member of the team that wrote Park City's Modern Land Management Code, established the historic district, wrote the historic district guidelines, established the Historic District Commission, now called the Historic Preservation Board, restored the Miners Hospital and established in it the first professional library, restored City Hall, and founded the Park City Museum that occupies it today.

I 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. I served for decades on the board of the Utah Heritage Foundation, now called Preservation Utah, and my husband and I restored a

1 wonderful 1884 miners cottage up on Woodside Avenue,
2 and we lived there for 27 years.
3 But at this moment in time, you are in charge:
4 the planning commission, the planning department, the
5 city council, the city manager, the city attorney, and
6 the mayor of Park City. You are the stewards of Park
7 City's fragile historic district and the visionaries
8 for Park City's future.
9 You are the protectors of Park City's
10 international brand that attracts visitors and
11 businesses and organizations and events and residents
12 from around the globe because of the unique magic of
13 this place. You have been elected, or hired, or
14 appointed to protect that magic.
15 The unbelievable success of Park City's
16 transformation from a mining town to an actually
17 documented ghost town, to a world-renowned
18 destination, came about because of the magnetic allure
19 of the spectacular mountain peaks surrounding a tiny
20 little historic town, and because of the strong,
21 passionate citizens who valued its preservation and
22 were determined that it develop with quality and
23 integrity.
24 Your responsibility is to make sure that anyone
25 who walks through these doors and wants to add

1 something or change something to our town respects our
2 codes, our rules, our vision. You are the gatekeepers.
3 You know, we all live with the consequences of
4 our actions. Park City lives with the consequences of
5 your actions. Thank you very much.
6 MS. HALL: Thank you.
7 MR. KEYS: Good evening. Oh, good evening, Chair,
8 Commissioners. Justin Keys. I'm here on behalf of Eric
9 and Susan, who own, uh, Lot 1, the Sweeney
10 development, and also the home right below it; Eric
11 spoke a minute ago.
12 Um, it's somewhat unusual for me to be here on
13 this side of the aisle; as you probably know, I'm
14 usually here representing applicants, um, not
15 neighbors. Um, but the reason I'm here today is
16 because when I'm representing clients, when they come
17 to my office, right away, when I talk about
18 developing, particularly in Old Town but really
19 anywhere in Park City, the first thing I tell them is,
20 you know, whatever you're proposing, first off, it
21 must either comply with the code on space.
22 If it doesn't comply with the code on space, we
23 need to find one of the exceptions within the code and
24 see if you can qualify under one of those exceptions,
25 and I've been here vigorously arguing for those

1 exceptions, right, where I can. Or, if you can't fit
2 into either of those boxes, you've got to lobby,
3 right? You've got to show why your vision is so great
4 that you need to modify the code so that it can allow
5 what you're building.
6 The staff report today was a little bit unusual
7 for me; I came into this recently, um, and I read the
8 staff report on Friday and over the weekend. And I was
9 surprised because, typically, the way the staff report
10 works is they'll have, you know, 30 pages in this case
11 of analysis, and then a very helpful chart, right,
12 that you can kind of click through and say -- and I'm
13 always going for it -- I -- I sit down with the
14 planners; I want to get that comply, right? Because it
15 either says, comply, does not comply, which you don't
16 want to see, or request discussion.
17 That report, or -- or that chart is in the 20 --
18 uh -- uh, the January 24th staff report, but it was
19 not in the staff report leading up to this one. And,
20 interestingly, when I look at the one from January
21 24th and then kind of generated my own -- and I'm
22 happy to hand it out; I sent it earlier but maybe you
23 didn't get it because I did just send it today, I
24 apologize on the last minute. But if you march through
25 it, there's a lot of does not complies, right?

1 And I actually kind of heard them concede that
2 today; there's a lot of does not comply, because this
3 home is in the HR-1 zone. Now the -- what the -- what
4 they want to tell you is, well, it's also in the
5 Sweeney development, and so that means something
6 different. Well, it doesn't comply with the Sweeney
7 MPD, either. What they're here to do today, all the
8 red you saw on the page, is to rewrite the rules of
9 the game, right? Let us change the notes on the plat
10 so that we can build what we want to build.
11 I want to tell you, as the guy that's usually on
12 the other side of the aisle, let's be careful about
13 precedent, right? Because everything has a plat, and
14 everything has plat notes, right? So if you can just
15 use a plat note to upend the HR-1 zone, for example,
16 first one, building footprint, right? It's -- the
17 definition of how to measure a building footprint is
18 very straightforward; it's in the code, right?
19 Commissioner Suesser spoke to it.
20 According to the January 24th staff report, if
21 you use that definition, the footprint on this
22 building is 11,300 square feet, where the allowance is
23 somewhere between 3,500 to 4,500, whether you go the
24 MP- -- the more strict is the MPD, right? That's the
25 first one.

Building height. They admit today it doesn't comply. Commissioner Frontero wanted to see the massing broke up. Oh my goodness [sic], right, on -- on the -- so what do they propose? An even taller roof, right?

That roof's already got problems. If you look at the code in the HR-1 zone, it's a shall, "The roof shall be 712 to 1,212." This one's 312, right? I could go on and on, right? There are all of these.

What I would encourage you -- I -- I -- I really appreciated the comment that was just made: you are the gatekeepers to what's allowed, and here I think they should comply with the code. I love the home; it's probably just better suited in maybe some other neighborhoods in Park City and not the historic district. Thank you.

MS. HALL: Thank you.

MR. M SWEENEY: Mike Sweeney, and I'm going to yield my time to my brother. Pat. Pat?

MR. P SWEENEY: Pat Sweeney. I guess I didn't make it in three minutes, but neither did the previous gentleman.

It's important that th- -- there is an erroneous, uh, statement in the staff report, and that is that this lot is subject to HR-1. It is subject to HR-

1/MPD. That was a zone specifically passed unanimously by the council in 1990 at the suggestion of Jodi Hoffman to moralize -- uh, to memorialize the understanding with the Sweeneys.

When we first were asked to engage with a clustering master plan with the staff after seven years and, uh, seven previous iterations, Tom Clyde wrote a letter to my brother saying we would be vested under the existing zoning. All this business about subsequent codes applying to the master plan is nonsense, other than fire and safety, which we would fully respect.

MS. HALL: Thank you. Is anyone online with a raised hand?

MR. EHLERS: There are no hands raised.

MS. HALL: All right.

MR. ANDERSON: Hi. My name's Michael Anderson. I live in Park Meadows, uh, 84060 is my, uh, area code. Before tonight, I don't think I ever heard the word plat note; uh, I'll look it up after.

Um, I'm here in support of the Princes and the house they'd like to build; I think it's beautiful. I think all the details are certainly beyond me, but I respect that that's your job and you're, um, pursuing it, uh, very carefully.

Um, I moved here from California about three and a half years ago; we were part of the Covid invasion. We lived about six feet from the Princes in Old Town; they're wonderful neighbors, uh, extremely considerate.

And if anything, Matthew, uh, was encourage me -- encouraging me to go to more museums about the Park City history than -- than I was ready to sign up for. He has a ton of history with this town, very much respects it, and, in my view, the house is very much in keeping with Park City.

And I think we should really encourage this kind of investment in the neighborhood. I think to discourage it is, in my view, kind of going the opposite direction. I love what they're trying to do; I love the investment in the community and the neighborhood. I think it's a wonderful thing, and I think the opposite, to discourage it, would really be a big mistake. Thank you.

MS. HALL: Thank you. Yes, please come up.

MS. FONTANA: My name is Carole Fontana, 84060. I live on the Margarita side of the canyon, and the architectural design is really good. I agree with everything everyone has said: the scale is too much. I think, from my point of view, it's going to look more

like a small resort than a family dwelling, and I'd like you all to maybe scale it down a bit, if you can work with the owners.

MS. HALL: Thank you. Is there anyone online, Jaron?

MR. EHLERS: Yes. There are currently two hands raised.

MS. HALL: Well, let's take someone from online.

MR. EHLERS: Kristin Parker, you have been promoted. Please unmute yourself and state your name for the record.

MS. PARKER: Hi. Uh, my name is Kristin Parker, and I live in 84098 with my husband, TJ, as well as our three young children. Uh, previously to being in the Old Ranch area, we lived in Aerie, uh, directly across the valley, uh, from the Princes' home.

Um, and we -- I have spent a lot of time looking at the landscape plans, the architecture plans; I really do think it's a very beautiful home. Um, I think that the, uh, details that have been -- and the thought that is put into the home, uh, plays a beautiful homage to our mining history.

Um, beyond that, I am, uh, a beekeeper and a farmer, and I care a lot about the impact to the land, and I think that they've done a really good job with

the native species selection, um, and really just trying to keep their lot fitting in with the natural surroundings. So I have no concerns, um, and we're in, uh, huge support of their plans. Thank you.

MS. HALL: Thank you. Jaron, do you want to take the next one that's online with a raised hand?

MR. EHLERS: Yes. Erin Kryzak, you have been promoted. Please unmute yourself and state your name for the record. We cannot hear you currently.

MS. KRYZAK: Hi. I am Erin Kryzak. I own a house on Prospect Avenue. I've lived in Park City on and off since the 1980s.

Um, I've -- I've listened to everything tonight. I just -- one thing about me is -- is the environment, and, um, the one thing that stood out was how important it was for the landscaping to kind of shield the -- the mass and the glazing of the windows.

We live in a mountain environment; we have limited resources. I just -- you know, the water is something that I think about. And if -- if we're going to use landscaping as a way to kind of shield the hugeness of this house, I just wanted to bring up the fact that that landscaping will take water, something that we have a limited resource with. So that's it.

MR. EHLERS: Thank you. Uh, is there anyone in

chambers who'd like to step forward?

MS. TOLMAN: Hi. My name is Ginger Tolman, and it's 84060. I live directly below, on -- on upper Norfolk, so I'm very close to where this will be built.

Um, with everyone else, I feel what I've been hearing is it is -- I've looked at the design, I think it is beautiful; it's a lovely architecture and there's some good thought going into it.

But in terms of the size of that and the height of that in a neighborhood that I've lived in for 25 years, it just doesn't fit. And according to what I've been reading and hearing, it also doesn't fit with the codes that have been, um, implemented, and, um, that's what I have to say. Thank you.

MS. HALL: Thank you. Is there anyone else in chambers? Is there anyone else online? No. Yeah.

MS. PRINCE: Hi. My name's Pamela Prince, I'm Matthew's mother. And we have been in Park City for a long, long time, probably since the late 60s, before Matthew was even born. And, uh, I'm -- I'm really -- I'm really happy that Matthew has reestablished himself and wants to have Park City be his home.

I've actually been -- I'm living up on one of the houses in King Road; I had moved away from Park City

about six years ago, missed it a lot, I came back. And, uh, I -- I'm -- I was allowed to li- -- I -- you know, I've been living up in that house.

And -- but I believe that what Matthew and Tatiana want to build is far superior to what's there. I'm sure I'm prejudiced, but I think he's -- they've done a great job of putting the plan together. And I'm -- I'm so happy that they are going to be in Park City and raise their family and I can be here to -- to be around them and enjoy them.

And I'm sure they're doing a lot for the community. And I -- I brought a picture with Matthew on the Alpine Slide with me when we built the Alpine Slide years ago, and I thought that you ought to see. Anyway, thank you very much. I'm very proud of my son.

MS. HALL: Thank you for that. Additional hands online?

MR. EHLERS: Yes. Emma, you have been promoted. Please unmute yourself and state your full name for the record.

MS. SOPKO: Good evening. Can you hear me okay?

MR. EHLERS: We can.

MS. SOPKO: Thank you. This is Emma Sopko. I own a home in the Old Town historic district directly across from the proposed property. And I believe that

an 11,000 square foot home is well suited to Deer Valley, or The Colony, or Park Meadows, or Thaynes Canyon, or the Aerie, or many of the other large development communities that are in our midst around the Old Town historic district.

I think this is a critical moment for the planning commission because I think what you decide in the coming days will open the floodgates to large-scale building that will forever change the face of our historic treasured town and everything that makes it unique and special. And I think we will have future resort-scale properties built, I think others will do the same thing; they will combine lots, they will, um, build large-scale properties that are better suited to Deer Valley, The Colony, and many, many, many of the surrounding properties.

Um, so I would encourage the planning commission to take into consideration why we have the codes and the zoning that we have, and how current residents have had to, um, you know, do special things to make sure we fit into keeping the historic treasured town the way that it is. So I would please ask you to think about the future implications and the precedent that this sets, and I thank everyone for their time, and Happy Valentine's Day.

MS. HALL: Thank you. Do we have anyone else in chambers? Please step forward.

MS. BRANSFORD: My name is Anne Bransford. I'm a property owner in 84060. I am going to just -- um, I've served on a few boards, not nearly as many as Tina Lewis; I'm very impressed, and thank you for your service.

Um, and I'm just really going to echo what she came up here and said to you all. Um, I -- I don't have any skin in this game, um, but I think what she said here tonight is something that you -- it -- the ball is in your court; you are to make a decision on how this is -- this will set a precedent of some sort in our community.

And my family has owned property here, and still does, for 99 years, so that's the only skin in the game I have, is -- is in respect for you as a board, as a commission, to make what decision your heart tells you to do for our community. Thank you.

MS. HALL: Thank you.

MR. EHLERS: Could you please sign in? Thank you.

MS. HALL: Is there anyone online with a raised hand?

MR. EHLERS: There are currently no hands raised.

MS. HALL: Okay, thank you. Is there anyone else

in chambers? All right. With that, I will close the public hearing.

MR. EHLERS: Wait.

MS. HALL: Uh --

MR. EHLERS: A --

MS. HALL: Oh.

MR. EHLERS: -- hand just came up.

MS. HALL: All right.

MR. EHLERS: Nick, you have been promoted. Please unmute yourself and state your full name for the record.

MR. SHAFFER: Can you hear me all right?

MS. HALL: Hi, Nick.

MR. EHLERS: Yes.

MS. HALL: Yes.

MR. SHAFFER: Uh, N- -- Nicholas Shaffer. Uh, I no longer liver in 84060; I live in 84098 as a -- a lot of us old-time Park City folks get pushed further out. Um, however, I did go to elementary school in the building that you all I think are in.

Um, but I -- I -- I just want to echo the sentiment of -- you know, having been a -- a participant in many of these, uh, meetings, every time a decision is made, it sets a new precedent.

And the -- the comment of being a gatekeeper is,

if you're going to pursue this application, it needs to be binned under either the existing code or the Sweeney Master Plan Development; you can't mix and match those because anybody that comes in behind is going to leverage it, as was -- was said earlier.

So I would ask that, you know, as guardians of Old Town, which, you know, originally was, uh, miner shacks and now we've got something more, every time you make a decision, you open that door a little wider for something new, I've heard the term modern.

And -- and -- and it's an amazing project, but like as others said, it -- it -- it would be very appropriate in many other locations. So I -- I would just ask you just at least bin this, if you're going to process a go, you know, say it's going to be under the Sweeney, uh, Master Plan, um, but don't mix and match. Thank you.

MS. HALL: Thank you. Right, with that, I will close the public hearing on our 6A, 6B and C agenda items, and we'd love to hear some questions from the commissioners, uh, for the staff and/or the applicant. Does someone want to jump in first?

Um, I was thinking that we could -- there is significant overlap with the plat amendment and both conditional use permits. Um, I know Rebecca has a

slide, um, or a couple slides that could maybe guide the discussion since it is complicated with the three applications, um, being done at once. But maybe we could look at the plat amendment first for discussion and then move to the other CUPs, if that make sense to you guys?

FEMALE 1: Sure.

FEMALE 2: Sure.

MR. BUDGE: Two quick comments first. I don't want to interfere with your deliberations, and -- and your questioning. But I -- I thought I --

MR. HARRINGTON: And b- -- before you do, and just I think it would be fair to give both staff and the applicant an opportunity to address any points that were raised either before one another's, um, presentations or the public comment prior to opening up for council questions.

MS. HALL: Okay.

MR. BUDGE: Would you like me to go first? Thank you.

MS. HALL: Sure. Go for it.

MR. BUDGE: Thank you, Chair. Appreciate that. I -- I -- I want to address the comments that were made. Uh, first of all, I'm very heartened to see so many positive comments.

1 Those that had questions, I can put into two
2 categories. I would say that those who were talking
3 about the size or its -- uh, how it may look when
4 compared to other HR-1 lots, they probably weren't at
5 our meeting last month.
6 And what was important at our meeting last month
7 is we did a study of the other five homes that are in
8 the MPD, and we compared and contrasted this design to
9 that. And we are happy to take the pu- -- any member
10 of the public that wants to see those slides, but we
11 commissioned -- we had a drone take an image and do a
12 study and do an analysis, and we did a table.
13 And so, when we're talking about precedent, we're
14 very cognizant of that; we want to make sure we're
15 acting within the rules and what was intended, and
16 that's what we are doing. We compare ver- -- we
17 compare in terms of size when you compare us to what
18 has been built on Lots 3, 4, 6, 7, and, frankly, 8,
19 and those details were all put up.
20 But for the benefit of the public, we could -- we
21 -- we're happy to show you those slides and anyone who
22 has a question on that, we're happy to discuss that,
23 but our size compares very favorably to that.
24 Second of all, the s- -- and this bleeds into the
25 second. We're not looking for a code amendment, so

1 when Mr. Keys indicates we're looking for some sort of
2 exception or change to the code, we're not. We are
3 working within the framework that was intended when
4 the MPD was adopted.
5 And this intent was reflected in our specific
6 plat, in Plat Note 9, which we're not touching. And
7 what Plat Note 9 talks about is that how this body is
8 the one who reviews the house design and reviews the
9 request for the home, and that is the process we're
10 seeking to have this approved through.
11 And so, if someone were to come that is outside
12 of the MPD, and, ironically, our -- one of our
13 opponents, who spoke twice, is the -- owns the only
14 unbuilt home in this, um, MPD, so there's really
15 precedent only being set for one other home, and that
16 is Lot 1. That is the only, um, lot that could come
17 forward and talk about anything that was done here and
18 try to have that applied to its property.
19 If I'm in the HR-1 zone, or if I'm representing
20 someone on Sampson, or something else, an item that
21 was allowed for Mr. Prince's home was not applied to
22 that lot because those lots are not within the MPD for
23 Sweeney.
24 And so, we are very aware that it's important to
25 the community and important that the way we approach

an application is that it be processed according to what was intended by the MPD and by its plat notes.

And then Matthew just has one brief comment and then we'll be done and we'll yield to the staff and -- and answer questions. Thank you.

MR. PRICE: Thank you. I'm Matthew Prince. Um, I'm, uh, the worst, um, husband to have brought his wife on Valentine's Day to a planning commission meeting with her mother-in-law.

Um, so, but I appreciate -- I appreciate everyone's time. And I want to first of all really thank the staff. Um, we have been working with the staff now, uh, for almost four years on this, and it's been a very iterative process.

Uh, there are a ton of changes that we've made. Uh, we've changed the glazing, we've changed the actual type of glass that we've used, we've -- we've, uh, pushed the property back, uh, a way to make it, uh, more hidden from the hillside.

That's all feedback that we got from the staff over that four years, and I really appreciate, uh, all of their effort and all their time, and it's been a very collaborative process as we've worked with them, uh, figuring this out.

I also wanted to say really thank you to our

1 neighbors. Um, you know, my wife walked through, said
2 every neighbor except one, uh, signed off on -- on
3 this parti- -- every immediate neighbor but one signed
4 off. Um, I'm really honored that many of them took
5 time on their Valentine's Days to be here.
6 Uh, and even the Hermanns, I think -- um, I think
7 are -- we've tried to work with them. We've -- we've,
8 uh, met with them, we've talked with them, we talked
9 with what their specific concerns are. One of the
10 things they really wanted was to make sure that the
11 trail wasn't impacted, and so we've moved the home
12 back and further away from the trail to what is
13 existing and there.
14 I think the important thing to say is that what
15 we're building is smaller, it's lower, it has less
16 footprint than what is existing on that home, on that
17 site, right now. There are buildings that are there,
18 and we're just asking to make sure that -- not that we
19 get special treatment, but that we get the exact same
20 treatment that the Sweeneys originally negotiated.
21 I -- I -- I -- again, I -- I grew up in Park
22 City. I appreciate precedent; I want Old Town to stay
23 what Old Town is. But there's another precedent that I
24 think is important for you all to consider, and that
25 is the precedent of what the city negotiated with the

1 Sweeneys.
2 Um, no family has done more to preserve open
3 space, to maintain the trails, to build what is the
4 town lift infrastructure and the town runs than the
5 Sweeneys have, and we would not have all of those
6 things without -- uh, without that.
7 And part of what the Sweeneys had the right to do
8 was build 250 homes up the side of Treasure Hill, and
9 they negotiated with the city in order to do that. One
10 of the points of that negotiation was that there would
11 be these seven lots that were created that were
12 special and that were different and that have
13 different rules that apply to them.
14 And if you look across every single one of them,
15 then every single one of them has a larger home than
16 you see somewhere else, and we're just asking to have
17 the exact same treatment that the other Sweeney lots
18 get.
19 What I would caution is that if you go back here
20 today and renegotiate the deal that the Sweeneys
21 struck with you, then you're setting a very dangerous
22 other precedent, which is that the deal that is
23 documented by the letters that Pat Sweeney has
24 submitted, that says what previous commissions, what
25 previous city attorneys have said, to say that these -

- the rules that applied at that time, when that was negotiated, those were the rules that were intended to be there -- if you go back and renegotiate effectively that, then it's very difficult for anyone else to trust the city that their word means what their word means over the long term.

And so I'd be cautious of that precedent as well. We want to make sure that we're building something that's respectful; I really appreciate all the comments, uh, on this. We've -- we've again worked on this for four years; I'm happy that this is coming, uh, to a close, uh, tonight.

Uh, I'm hopeful, and again I -- uh, I really appreciate, first and foremost, uh, all of our neighbors, and -- and secondly all the time of the staff. So thank you.

MS. HALL: Thank you. Um, staff, would you like an opportunity to address anything that was recently discussed?

MS. WARD: Y- -- yes, please. Thank you. Um, one point that I think is very important to clarify on the record is that, um, as indicated in the staff report, staff has not drafted fin- -- uh, findings of fact. Uh, as indicated in the staff report, it is the applicant that submitted those that are attached.

The second is that the January 24th report is incorporated into the current report; there is no change to staff findings. Uh, the -- the report for tonight provides the updated information on the background of the Sweeney MPD and the code regulations that were discussed last time.

Um, also, regarding the analysis of the five homes that were presented by the applicant, um, in the January 24th work session, the staff report does go through and provide the documentation that we have on record for what the building permit, CUPs, HDDRs, all -- all of the approval process that were, um -- that were completed for the other lot. So I just wanted to make those few clarifications.

Um, the last item is I -- I understand that there is an updated landscape, uh, rendering. Um, the applicant is not able to receive that, but they're working to e-mail that to us so we could share that. Um, we don't have that yet but that is something that -- that they have updated.

MR. BAIRD: Madam Chair, Mr. Bruce Baird, Co-Counsel. We just sent it to Rebecca, and if we can provide a, uh, link, you got -- you can get it? We can also show it on Zoom if you can allow, uh, Quinn [inaudible] or Steve to be a participant and unmute

them and promote them so they can show it on Zoom.

MALE 1: Yeah. We've got it. Yeah, this is the head-on view that you asked for; it is not the -- the ground view. Obviously, if you take this down about 20 degrees, you're going to see that those trees are blocking essentially everything from the -- the lower level. But this is the one we could get to really, really quickly.

MS. HALL: Thank you.

MS. SUESSER: I have some follow-up questions for Rebecca.

MS. HALL: Um, just one sec. Rebecca, are you finished, uh -- Rebecca, are y- -- are you guys finished with the -- both of you? Okay. Sure.

MS. SUESSER: Rebecca, can you just clarify, um, there are some comments about -- um, about, um, this property not being an HR-1 zone, um, and it's my understanding that it is. Is there some unique zone that this property is in or is it considered within the HR-1 zone?

MS. WARD: So one of the -- the original conditions of approval when the Sweeney Master Plan Development was approved, um, it was Condition of Approval 3 that says, "The planning commission and staff shall review these proposals as conditional

uses." This is specific to the single-family homes. "This shall include 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."

And then another, um -- Condition of Approval 1, um, "At the -- 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."

Um, what the applicant indicated is there is a Plat Note 9, um, which references precedents -- uh, "The above special restrictions are consistent with the master -- the Sweeney Master Plan," uh, and then it lists the -- the deeds of approval, "Final house design shall be reviewed under the small scale master plan process," or our CUP process, "in accordance with the Sweeney Master Plan."

MS. SUESSER: And the -- the phrase, um, from Condition of Approval number 1 says, "Shall review projects for compliance with the codes," mea- -- that's a reference to Land Management Code?

MS. WARD: Yes.

MS. SUESSER: "And ordinances in effect at the time," that -- that's a reference to current -- not at the time of the MPD but in effect at the time meaning present day, now?

MS. WARD: And with the final sentence, "In addition to ensuring conformance with the approved master plan." Yes.

MS. SUESSER: Thanks.

MR. SIGG: So can I get some -- this is Commissioner Sigg. Can you give me some, um, better clarification of, "At the time?" Uh, I -- I'm still a little confused; is -- are we at the time that the Sweeney Master Plan is adopted or is at the time of the a- -- current application? Because it's kind of vague on that point; um, y- -- you could interpret that two ways, and so I -- I think that's very important to understand.

MS. WARD: And as was outlined in the staff report, um, the background for it, the changes that have happened, um, since the single family lots were constructed. There have been s- -- changes to the way that height is regulated within the Historic Residential 1 zoning district.

The -- what the applicant is requesting is that the planning commission consider review of this with

1 the codes that were in effect at the time of the
2 Sweeney Master Plan Development. The information the
3 staff has provided is the analysis under today's
4 Historic Residential 1 zoning district code.
5 MR. SIGG: So were the h- -- other houses within
6 the, uh, Sweeney Master Plan, they were reviewed in
7 the context of the code at the time that they were
8 reviewed, or they were reviewed i- -- in the context
9 of the code at the time that the Sweeney Master Plan
10 was established?
11 MS. WARD: They were reviewed at the time, under
12 the code. The code at that time had not changed since
13 the time of the Sweeney MPD.
14 MR. BUDGE: Sir, if I just may make a brief
15 comment on that. Mr. Sweeney, in his written comments,
16 since our last meeting, detailed all that from his
17 experience and view.
18 My perspective, as representing the owner, is
19 that at the ti- -- applies unless it's a topic
20 addressed in the MPD, in which case we're governed by
21 the MPD. And so that's why we're making sure that
22 there's removing any ambiguity or -- or question by
23 proposing plat notes that unders- -- that clarify as
24 to why we are where we are relative to these elements.
25 And if you look at Plat Note 9 as it's written right

now, it reflects the fact that there have been multiple updates. And then if you look at the plat, the plat itself has been updated.

And so what all of this means is that, when we talk about the Sweeney MPD, we have a set of values, we have a set of principles, and then the pr- -- entity, the body, the land authority that decides whether we're staying within that range described in the MPD, is this body, the planning commission. And that's why we're bringing these applications to you. So we're not looking for anything other than what was contemplated when the MPD was approved.

MS. HALL: All right. Um, I guess we had discussed kind of, uh, separating the -- since there's three applications and kind of moving forward with, uh, trying to focus on the plat amendment portion before taking into consideration the two CUPs, especially since, um, the steep slope conditional use permit has some very specific requirements that maybe don't overlap as much with the plat amendment.

Um, and since this is a complicated application and we are statutorily, um, required to vote tonight, um, I think if we could maybe pull up the plat notes, that would be a good first step, um, to trigger some discussion by the commissioners. And then if people

have questions or comments, we can discuss, um, with targeting the plat amendment --

MR. JOHNSON: Can --?

MS. HALL: -- for efficiency's sake. Yes, [inaudible].

MR. JOHNSON: I was just thinking, for the -- the plat amendment itself, do we have a -- do you have an updated -- do you have a comparison of the existing building area limits versus what's being proposed? And maybe we could pull that up just for a visual.

MS. HALL: Yeah.

MR. JOHNSON: If that's all right.

MS. HALL: Yeah.

MR. BUDGE: Excuse me. That top cross hatch area is the extension and then the bottom grayed area is where it's being removed, meaning the building limits are being adjusted to mirror what is the -- the black line or the black dash line that I've shown. That explains it well enough, but the net effect is a reduction of about 500 feet.

MR. JOHNSON: Not without the accessory building. Is that what you --

MR. BUDGE: Correct. Excuse me.

MR. JOHNSON: If you -- without the --

MR. BUDGE: Right.

MS. HALL: So, lot 2 in the white includes the accessory structure and the -- the dwelling.

MR. BUDGE: So, that -- the cross hatched area at the top, which reads, um, 2 buildable area contains 1,434 square feet, that is where the accessory use will be located --

MS. HALL: Under --

MR. BUDGE: Underground, right.

MS. HALL: Okay.

MR. BUDGE: And -- and just to note, to get back to Commissioner Suesser's earlier question about moving into the SLO, in fact, prior representatives of the staff last year told us we weren't in the SLO back then. But I think that's a moot point at this point because we're going to comply with the SLO.

MR. JOHNSON: Well, I have a question on that, because I -- so maybe you can clarify on that, because -- so anything that's -- that's -- so, the -- the hatched area for the assessor unit, we'll look at that for a second.

MR. BUDGE: Right.

MR. JOHNSON: So, that, however arbitrary the line is where the SLO is --

MR. BUDGE: Correct.

MR. JOHNSON: How -- pardon me?

MR. BUDGE: No, that's correct. I was saying correct.

MR. JOHNSON: Um, how -- so, but we have the 15-2-21-4a, we have no development is allowed on or within 50 feet map distance of a very steep slope, and that's on a steep slope. So, I'm trying to -- because that section, anything new where you're proposing to expand into would be subject to that provision in the code.

MR. BUDGE: Which allows the planning commission to approve that development. So, that's why we're here before the planning commission.

MR. JOHNSON: Okay.

MR. BUDGE: And then if there's a mitigation or element that needs to be added to address any impact, that's what we've tried to anticipate with the red [inaudible] additions.

MR. JOHNSON: Okay. I think I understand now. Thank you.

MS. HALL: Uh, does anyone else have any questions regarding the map since it's up, or it was?

MS. SUESSER: I do. Following up on Commissioner Johnson's remarks, I was curious as to why staff hasn't provided a site suitability determination or a sensitive land determination, depending on where it's

1 referenced the code. With respect to building in the
2 slow, I think that we need that information before we
3 could reach a determination.
4 MS. WARD: And as Commissioner Johnson noted, for
5 the analysis that's provided, right now the building
6 area limits do not encroach into the sensitive land
7 overlay. It's the -- the applicant's proposal if there
8 is good cause to realign the building area limits to
9 allow for that.
10 Um, as the staff report indicates, the accessory
11 building is included in what would be the proposed
12 expanded building area limits. There are, um,
13 exceptions from what is being proposed with not only
14 the underground parking area, but also what would be
15 appearing within the slope to access that underground
16 parking area. That is not included in the building
17 area limits.
18 MS. SUESSER: Based on the way the applicant is
19 calculating?
20 MS. WARD: Based on what is proposed, yes.
21 MS. SUESSER: That's why we haven't gotten a site
22 stability determination?
23 MS. WARD: So, what would comply with the
24 sensitive land overlay is what is currently the
25 building area limit.

MR. SHAND: But that's proposed to be amended.
MS. WARD: Yes. And so, under the current sensitive land overlay, as Commissioner Johnson indicated, it would not be allowed unless the planning commission determines there's good cause and that it -- it improves the disturbance for the site.
MS. SUESSER: But that's the analysis that I thought the staff would provide to us rather than us make that determination.
MS. WARD: So, that the building area limits as they are plotted right now conforms with the sensitive land overlay because that was established at the time of the subdivision. So, leaving the building area limits complies with the sensitive land overlay.
MR. BUDGE: And we've identified in what we submitted as part of the staff report, and we can hand out paper copies, we have them right there by Mark, is five basis for good cause for moving it.
And so, based on that, we believe you're within your authority to go ahead and reflect the adjustment, move the buildable area that allows lessening of the impact of the structure, and it further affects a reduction in the buildable area. But real quick, just -- you can read the 5, there in the staff report, but we’re reducing the nonconformity of having two

1 residential structures.
2 We're preserving the character of the
3 neighborhood as amended and more consistent with the
4 Sweeney MPD. We're reducing the buildable area. We're
5 facilitating the construction of single residents and
6 removing two residences, and it's associated impacts
7 with having 2 residents as opposed to 1.
8 And then we're also furthering the health
9 welfare, you know, the standard health welfare and
10 safety, and we have some comments relative to that.
11 MR. JOHNSON: Um, so back to the A -- 15-2-2.1-4,
12 the prohibition section. So, it gives us a list of 7
13 items that we have to review in order to -- to -- to
14 find -- find that suitability for anything on a very
15 steep slope.
16 Perhaps you can pull up the retaining wall
17 document you referred to earlier, so we can address
18 number 2, which is building areas and the setback do
19 not create excessive cut or fill slopes, minimal
20 retaining walls to limit disturbance and meet grade.
21 MR. BUDGE: You bet. And in the staff -- well,
22 while that's being pulled up, let me just orient you
23 as to how we're addressing those specific criteria.
24 So, what we're doing is, is we have findings that
25 reflect that in the staff report, we have an existing

1 conditions -- a conceptual grading plan, a drainage
2 plan, a steep slope map, a stormwater management plan
3 and an excavation section view.
4 And then what this plan is going to do is going -
5 - is going to help you see how, where we're going to
6 have these walls and how they relate to the site. So,
7 what you have here is in the dark black are the -- are
8 the walls that are shown. This is what Alliance
9 prepared for us relative to the site.
10 And you'll see that when you're in the areas of
11 the setback, the walls are no taller than 4 feet
12 because when you're in the setback, unless the
13 planning commission gives permission, they can't be
14 more than 4 feet.
15 So, we have this reflected to allow for 4 feet.
16 And then you do have walls that are, um, excavating --
17 holding back excavation in the area of the accessory
18 structure. And MR. Johnson, I think that's the area
19 you're focused on, and that's the bottom left of the -
20 - of what's on the screen.
21 MR. JOHNSON: And that would be section C of the
22 excavation plan as well, right?
23 MR. BUDGE: Right.
24 MR. JOHNSON: And so, the 45.9 feet. Is that
25 correct?

MR. BUDGE: I'm sorry.

MR. JOHNSON: It says for section C, the deepest shoring we'll call it, for lack of a better word, is 45.9 feet.

MR. BUDGE: That would be -- that would -- if that -- that detail would be underground. That's not a wall.

MR. JOHNSON: Okay. No. But you'd be excavating underground 45.9 feet. I see. Okay.

MR. BUDGE: Yeah, that's a good point. There aren't retaining walls in the SLO themselves. That's an important point, I think, to take into account. The only thing that is in the SLO would be the underground portion of the accessory structure.

MR. JOHNSON: But it has it. I mean, how --

MR. BUDGE: What was that?

MR. JOHNSON: If -- if a section of the accessory building is in the SLO, is that what you're confirming?

MR. BUDGE: I’m saying that a portion of the building is, but there's not a retaining wall in the SLO.

MR. JOHNSON: Okay.

MR. BUDGE: Yes.

MR. JOHNSON: So, that'll just be a -- a footing

with --

MR. BUDGE: That's right.

MR. JOHNSON: Okay. Thank you. That's perfect.

MS. HALL: Does anyone have any other questions related to the photo that's on the screen or request to pull up additional slides? Um, do we want to pull up --

MS. SUESSER: Yes.

MS. HALL: The proposed plat notes. Um, kind of take them one at a time and go through them. Uh, in regards to the footprint of the building, anyone have any questions or comments for the staff or applicant for question or, uh, pat note one?

MS. SUESSER: Just for clarification, Rebecca, the, um, the rest of the HR-1, there's a -- it's only a 400 square foot allowance for garages, correct?

MS. WARD: So, the -- the HR-1, the code that Caitlyn was referring to earlier, what is in our definition section? I'm pulling that up. Um, there -- there is an exception from gross, uh, gross floor area.

MS. SUESSER: Okay.

MS. WARD: That's specific in the historic that's not related to the building footprint.

MS. SUESSER: Okay.

MS. WARD: Um, the way the building footprint is regulated, um, under the current code is that it's the total area of the foundation of the structure.

MS. SUESSER: Yup, to the X.

MS. WARD: Or the furthest exterior wall of the structure projected to natural grade.

MS. SUESSER: Right.

MS. WARD: Um, and there are some exceptions from that exterior stairs, patios, decks, um, and if the accessory building is designated historic.

MS. SUESSER: Right.

MS. HALL: And then, do you have the, uh, 445, uh, King Road, uh, flat map. So, that is just taken straight from the plat? It's in the exact same language for the same MPD?

MS. WARD: Yes. And to clarify, the 445 King Road is the only single family dwelling in the Sweeney MPD within the estate zoning district. Um, would you like me to pull up the 445 King plat?

MS. HALL: I feel like confirmation that it's the exact same wording is sufficient for me, but if other commissioners would like to see it. Further discussion on the footprint or would you guys like to kind of move on to --

MS. SUESSER: I -- I have a concern about, um,

1 the proposed language here because, um, um, the
2 initial original language in the paragraph says that
3 it includes, that the 3500 square feet footprint
4 includes garages. And then the exception that's added
5 is, um, um, uh, excludes, um, parking area, um,
6 located below grade. Right? So, um, I find that, um,
7 troublesome and -- and --
8 MS. HALL: Internally contradictory.
9 MS. SUESSER: Mm-Hmm.
10 MS. HALL: Um, I would agree with that statement
11 as well. Um, yeah, are you, I guess what would be your
12 proposed, uh, amendment? Um, yeah, just within the
13 body -- the main body of the footprint where it says
14 including garages would be superfluous or internally
15 contradictory to, uh, subsection E, which excludes
16 garage?
17 MS. WARD: So, I would -- I would edit, um, the
18 exception, not the, um, the original language.
19 MR. SHAND: I agree if a -- if a garage is in an
20 enclosed space with a door, then it should not be
21 included in E.
22 MS. HALL: I'm sorry, enclosed space with a door?
23 MR. SHAND: The differential between, uh,
24 referring to E, uh, parking area versus garage. A
25 garage has a door on it, a parking area does not, so

1 the internal conflict is the word garage in E as
2 opposed to the main body of the plat note.
3 MS. WARD: Fair enough.
4 MS. HALL: Yep. Mm-Hmm.
5 MS. HALL: Of the plat note fair enough. Yep.
6 MR. WILSON: I struggle with living space there,
7 but maybe you guys can help me. Why is that there?
8 That's included in the proposed E.
9 MS. WARD: And just to -- sorry to answer the
10 question while you're -- you're reviewing that, we did
11 review. So, 445 King, it is the same language except
12 for the, um, working area.
13 MS. TUBBS: So, the language on the recorded plat
14 4445 King Road is that portion of any garage, carport,
15 mechanical space, or living space that is located
16 below existing natural grade and which has landscaping
17 or deck as provided in 1A located above it.
18 MS. SUESSER: I'm sorry, Chair Hall. The -- the
19 importance of comparing it to 445 King Road, given the
20 fact that it's in a different zone, I'm not sure why
21 we're focused on that.
22 MS. HALL: Oh, just because it was recently done
23 by our commission.
24 MS. SUESSER: Okay.
25 MS. HALL: And it's in the Sweeney MPD. So, just

for consistency for the MPD, since I think for the most part, we're looking at this under the lens of consistency with the MPD, since it's a unique MPD.

MS. SUESSER: If we go down that road, I would like to make that, um, very clear in any determination that we make that that would -- that it would be, um, through the lens of the Sweeney MPD and not setting any precedent for the HR-1 district, so. But I don't think we're there yet in terms of, you know, making that distinction, so. Okay, thanks.

MR. SIGG: Should we add unfinished space somewhere in here, because this house has a large amount of unfinished space that -- that's below the existing grade, and should that be excluded, included?

MR. BUDGE: Uh, Commissioner Sigg, would that be, uh, the phrase in section E where it refers to living space that is located below existing grade? Would that satisfy your -- your question as far as unfinished space?

MR. SIGG: Yeah, I mean, this -- this house proposes a large amount of unfinished lower level, uh, below grade space, and I'm assuming that's included, uh, obviously within the footprint, or is it not?

MS. HALL: Yeah, I think that's an important distinction that we can discuss.

MR. SIGG: We talked about it as mechanical space and, you know, it's just going to be a big void or a big mechanical room, or something, you know, could happen. It could be a great place for an accessory office. Um, just saying, uh, but I think we'd -- I'd like to see some sort of reference to -- to that, uh, as part of the footprint.

And then also, as it relates to, um, parking, carport, parking area, does that include, uh, things like cliché, uh, circulation, turnaround, uh, that kind of space as well?

MS. HALL: My assumption would be yes, but I don't know if the applicant it would like to clarify what their intentions are.

MR. BUDGE: Yeah, it's -- this is intended to apply to those items underground. I've never seen a [inaudible] underground, so I would say no to that.

MR. SIGG: Turnaround area.

MR. BUDGE: Yeah, it will have a turnaround area.

MR. SIGG: Particular turnaround area.

MR. BUDGE: Well, yeah, we will have -- we will have that in the underground area because that's something the fire department has requested.

MS. HALL: Okay. Comments questions on this note? Did we want to move on to the next one and we can

always circle back? I just want to be cognizant of time since it is 7:30 and we still have three more agenda items, and we are statutorily required to vote, so I'm just trying to move it along so that we --

MS. SUESSER: I have a bit of an issue with approaching, um, the applications this way, because, um, you know, talking about the C -- without the CEPs appropriate here, rather than, you know, um, wordsmithing the plat notes doesn't, um, seem, um, the best approach here to me, but, um.

MS. HALL: I guess just high level looking at the plat notes.

MS. SUESSER: And we haven't discussed good cause like whether or not any of these are appropriate.

MS. HALL: Okay. Do you want to --

MS. SUESSER: Made it binding of good cause, so that might be a better way to get into this, um, the plat amendments rather than just wordsmithing it, but.

MS. HALL: Okay. Do you want to dive in on good cause?

MR. FRONTERO: Well, I think the applicant should provide good cause. We shouldn't have to draw it out. So, why don't we ask the team? Let's go through all the red items. And if you could give us the good cause, your version of good cause for each of your

amendments on the plat, that would be great.

MS. HALL: Are they changed since the staff report?

MR. BUDGE: The changes are shown.

MS. HALL: Okay.

MR. BUDGE: Commissioner Frontero, relative to good cause, we've looked at the definition of -- the Park City land management code provides, which is nice, because if you look at the case law, the case law says, good cause is whatever a city ends up determining.

It's very wide in latitude. Park City's gone through the effort of defining it and giving a number of criteria, which were very useful in the recent actions that were taken last year, relative to roads and the like. But at any rate, if you look on the page 3 of what I've just handed out, we have under E, in Roman it’s I, II, III, IV and V, a reference to good cause that we believe supports the plat.

And it's really for you to judge how we've proposed those. Um, we believe that the evidence that we've submitted not only today, but in the prior meetings, all support this and that you would be acting within your authority to find good cause here.

MS. HALL: Laura, do you want to jump in first

1 for good cause related to the plat amendment?
2 MS. SUESSER: Well, you know, the initial
3 definition of good cause is providing positive
4 benefits and mitigating negative impacts. And there's,
5 you know, an emphasis in the Sweeney MPD and in our
6 land management code about the visual impact that this
7 -- this proposed structure, um, would have.
8 And we had the city consultants, um, weigh in on
9 that impact on the, um, various established vantage
10 points in town and set the mass scale and, um, with
11 out of -- out of proportion to what's appropriate in
12 the historic district.
13 So -- and that was from an outside consultant
14 weighing in and stating that, that's not my opinion.
15 So, um, um, how do you mitigate that negative impact?
16 MR. BUDGE: Well, we believe we have because in
17 April was the last time an outside consultant provided
18 comments on our plan and we have made significant
19 changes, including now we've proposed this roof change
20 tonight. And so, those have addressed and mitigated
21 those impacts.
22 Whenever you're looking at mitigation, you have
23 to look in the context of are we complying with the
24 requirements relative to the dimensions and the like?
25 And we are -- we're meeting the height, we're meeting

1 the dimension -- the requirements relative to massing.
2 And then to address the consultant's ideas, we've
3 reduced the glazing, we've added additional material,
4 and then we've adjusted the roof and now we adjusted
5 it again. So, previously there was an even larger roof
6 section that was referenced in that April report. So,
7 we believe we've mitigated those impacts.
8 And then you'll recall that from our last month's
9 meeting, we showed how our -- our building compares to
10 those 2 existing structures, and it's actually lower
11 in terms of height relative to those 2 existing
12 structures. And then it's also occupying roughly the
13 same space, so. Go ahead, Commissioner Suesser.
14 MS. SUESSER: Staff report -- the staff report
15 references the existing buildings is one being about
16 60 ft wide and the guest house being about 30 ft wide,
17 and the proposed structure is 133 ft wide. So how is
18 that not -- how's that -- how’s that less than the --
19 the dimensions of the --
20 MR. BUDGE: Well, yeah, when it was -- when it
21 was -- when the MPD was approved, it was contemplated
22 there could be a footprint of 3,500 feet and that's
23 what we're building to and not over. In fact, we are
24 technically below 3,500 feet, like 3,495 on one of the
25 levels. And then all the rest of the levels are less

1 than 3,500.
2 So, um, we're -- we're mitigating impacts in
3 terms of responding to comments as they come in. We're
4 not going to have a, um, 2 structures. So we're not
5 going to replace 2 structures with 2 structures. We're
6 going to replace 2 structures with 1 structure, but --
7 MS. SUESSER: Plus the accessory building?
8 MR. BUDGE: Plus the accessory building that is
9 concealed and into the hillside. But the, um, the --
10 the purpose for that is that we are doing it though
11 within what was contemplated when the MPD was
12 approved.
13 MS. SIGG: I think if I can just weigh in, this
14 is Commissioner Sigg, on, uh, some of the comments
15 that the consultants made. And as I read through them,
16 you know, although they -- they did say that some of
17 the materials, uh, were consistent, there was -- they
18 were somewhat inconclusive as to how, uh, this
19 project, uh, fits to the unity and context of the
20 mining era, so to speak.
21 And where I appreciate the changes that have been
22 made and the fact that, you know, it's got some, um,
23 some elements that could be construed to look like a
24 mine, um, you know, I don't see conveyors and stacks
25 and ordinance sheds and smelters and divided light

1 glazing and elements like that.
2 So, for me, one of the important aspects is, you
3 know, I -- I've seen some comments by the consultants,
4 uh, from the historic district, but I haven't seen a
5 full fledged report, just like we haven't seen a full-
6 fledged sensitive lands analysis. And you know, the
7 statutory requirement to -- to vote, um, puts a lot of
8 pressure on everybody, right?
9 We have basically two ways we can go. And I think
10 the more complete information, the better. Um, while
11 I'm just on the subject of the statutory requirement
12 is, you know, notice is going out on the 31st with a
13 public hearing, uh, on, uh, 2 weeks later.
14 Um, that seems like short trigger to me, and I
15 just want to ensure that the applicant is getting, um,
16 the review that it deserves. Okay? In terms of, uh,
17 being forced into a vote that, uh, could go in an
18 opposite, uh, direction that the applicant wants.
19 MR. BUDGE: We're not, and I think this goes back
20 to your comment and Commissioner Suesser's, we are not
21 looking for an HDR approval tonight. That's not this
22 bodies.
23 And we -- we tried to do that initially and we're
24 not trying to short change that, but what we got to in
25 the process was a point where clarity needed to be

given on the actual structure itself before we could go and complete that process, which will involve some future discussion, and I imagine another report from the consultant about this design.

And so, we respect that, but this isn't the end of the road, so to speak, relative to items related to design.

MR. SIGG: I appreciate that, um, that, you know, we're not that body, but, uh, for us to make such an important decision and not have that information, it's a little bit the cart leading the horse.

MS. SUESSER: And Rebecca, could you just clarify that in under, uh, more usual circumstances, the HDR report is, um, they review it before we do?

MS. WARD: No, no. As the staff report indicates, in this -- for the Sweeney MPD and in general, when we review a historic district design review, our first review is what is the underlying zoning regulations, what are the plat regulations, what is -- what governs this site? And when there's compliance with that, then we look at the design elements.

As indicated in the staff report, the process for all of the single family homes in the Sweeney MPD has been to go through the planning commission first through a conditional use permit and then the design

elements are refined through the historic district design review.

In the conditional use permit criteria, the planning commission has discretion to review building mass, bulk and orientation and the location of buildings on the site, including 2 buildings on adjoining lots, and then another criteria is physical design and compatibility with surrounding structures in mass scale, style, design and architectural detailing.

So, the planning commission, um, through the conditional use permit is really establishing what the mass and what the structure allowed on this site will be and the historic district design review ensures that it complies with the materials, the solid -- the glass, the windows in comparison to the solid facade. Those details are worked through the historic district design review process.

MS. SUESSER: Thanks for that clarification.

MS. HALL: So, anyone else want to jump in on the good cause portion? Laura, do you have additional comments?

MS. SUESSER: Um, just that, um, um, the element of whether or not it preserves the character and the neighborhood of Park -- of Park City, um, um, again,

1 the historic design consultants did not find that
2 compatibility, so I just, um, uh, I'm concerned that,
3 um, that there are some -- there are some problems
4 with finding good cause here based on sort of the
5 framework that the city set up to consider good cause.
6 MS. HALL: Anybody else have any comments about
7 good cause or about, um --
8 MR. FRONTERO: Um, yeah, I have a comment about a
9 plat note for the amendment that's being proposed. So,
10 the applicant is proposing to remove the interior
11 height restriction, why is that good cause?
12 MR. BUDGE: Um, good cause is a separate item,
13 but the reason we're wanting this to be removed is we
14 don't believe that that ordinance was ever intended to
15 apply to the Sweeney MPD. I've heard that from people
16 who are involved with the Sweeney MPD back from the
17 beginning and rather than leave it for a potential
18 future question, why not answer it here?
19 And so, that's what's intended by that note. Good
20 cause is, again, you only have to find one item of
21 good cause and the list is very long. We've provided
22 five basis, and what jumps to us is removing the
23 nightly rental, which jumps to us is removing two
24 homes.
25 What jumps to us is those other items identified,

1 but you don't have to agree with each of them, you
2 could remove whichever ones you didn't agree with or
3 add.
4 MR. FRONTERO: Okay. Um, the roof, I'm trying to
5 stick to a plat note for -- which is height. Um, I --
6 I did request at the last meeting I thought the roof
7 straight line was not compatible with, right. And I
8 see that you did come back with a plan B, I think you
9 refer to it as. Um, I have to say I'm disappointed
10 that plan B includes higher than what's allowed.
11 I would have thought you would have come back
12 with something a little more compatible. Break up the
13 mass without then giving yourself a little extra, um,
14 height. So -- so, I don't like plan B and I don't like
15 plan A. So, now, what do we do? Because there's no
16 time to change it now. Right?
17 MR. BUDGE: Well, so on plan B, I think there's
18 one thing to look at. Right before the red language in
19 the existing height, there's already the concept built
20 in that says that, uh, that -- that 28 feet for flat
21 roofs and 33 feet, which were within 33 feet for pitch
22 roof shall be permitted for the express purposes of
23 accommodating access.
24 This is an access, but this is certainly
25 providing a differentiation in design and providing

for in a small area. So, you could say for purposes of accommodating a light access or a light feature, which is what this does. That's no longer than one fifth the length of that, um, particular, um, roof edge, then it could be accommodated.

So, I'm sorry that you're not pleased with the design or the look of it. We endeavored to find something that wouldn't break up that line that was not agreeable.

MR. FRONTERO: Okay. I understand. I mean, that's what you came back with. I'm just -- I'm letting you know it accomplished one item, but I think it, uh, it created another. So -- so, that's going to be a little bit of a challenge on the height. That's all I have on the height. Do you want to just move through this one? It's kind of hard. I'm not sure how you want to --

MS. HALL: Yeah, I don't know if the commission has a preference for like wrapping up good cause and then going to the plat notes before we look at the CUPs. I mean, it is a -- a large application. I'm open to suggestions on how the commission wants to move through. If we want to just move through the good cause first and then continue going through all the footnote or the plat notes.

MS. SUESSER: Um, I'll address some, because I

bring -- I brought up good cause. Um, um, the one positive benefit is that fire turnaround and possible fire mitigation ability, uh, that I see from the project. But in terms of, um, I don't think it -- I don't think the project, um, mitigates the negative impacts -- the visual impacts of, uh, of the size and scale of the project.

Um, there are no public amenities being proposed, um, except again for that fire turnaround that could conceivably consider an amenity that would help the public. Um, uh, the two homes that are up there, I, uh, I don't -- I don't see this larger home being, uh, resolving, um, an existing nonconformity there.

Um, again, I don't -- the historic design consultants didn't agree that it preserved the character of the neighborhood. And, um, further the health, safety and welfare of Park City, other than, again, that fire issue, I don't see how, um, the application, um, meets any of those, you know, suggested criteria and finding good cause. So, I think there's some challenges there.

MS. VAN DINE: I think when -- when we look at good cause, I mean, we're always -- we don't have to meet all of them. Um, and I -- I think it's hard to say that any private residence is going to meet public

1 benefit really. Like how many -- how many -- how many
2 ever held another house to providing public benefit.
3 Um, and then --
4 MS. SUESSER: Trails and stuff sometimes.
5 MS. VAN DINE: And they're -- well, they're
6 preserving trails. I will say that. I mean, it's not
7 going to be a compatible house necessarily with Old
8 Town. The houses that are up there aren't compatible
9 with Old Town.
10 And I think that it’s location is more to be
11 compatible with the other houses in the MPD, um, which
12 it is if we look at the other five houses, we look at
13 their -- their width, their heights, it is compatible
14 with those. And I am definitely struggling with how we
15 give this many exceptions to a code that we've stuck
16 really -- really to everywhere else.
17 But I do understand the fact that we -- I think
18 that the code was meant for Old Town lots like there
19 are 25 x 75 or the two lot combinations, and these are
20 very, very different lots. I think to in combination
21 with that, like the -- the pitch roof, I appreciate
22 this roof better than a roof like the houses that are
23 up there now.
24 I think those roofs -- roof lines stand out more
25 on that hill and are more obtrusive than the three to

one that they've come up with. And these are just -- I think for good cause, I just, I'm struggling because I don't necessarily want to have good cause.

But I do understand like some of these things do and can fit, um, in that -- in that setting of not like, yeah, we're not going to get public benefit, we're not going to get these specific things that we try and piece all of them in and just pulling out some that fit if that's the direction we're going to go. I'm just throwing that out there. That is a totally for it, but if that makes sense.

MS. HALL: Do you guys have anything on good cause?

MR. SHAND: Good cause on item number 4, plat note 4.

MS. HALL: Just on the plat and [inaudible]. Do you just need --

MR. SHAND: Yeah, I -- I find -- I find good cause, um, uh, for -- for a number of reasons. I think the -- the proposed house is architecturally significant. I think that, uh, as one of the online or online callers came in, I believe his name was Nick, this is -- this location is really caught between HR-1 and, um, the Sweeney MPD.

Um, we try to apply the Sweeney MPD in some

1 instances and we're trying to also apply HR-1 code in
2 other instances. And in fact, what I struggle with, it
3 does lie within the HR-1 code, but as, uh,
4 Commissioner Van Dine pointed out, the HR-1 code, I
5 think -- I feel is geared predominantly towards 25 x
6 75 lots.
7 Um, there was a comment, uh, made earlier during
8 the public comments about the roof pitch. Um, I think
9 any steeper of a roof pitch would create more of an
10 impact, uh, from the visibility across -- across the
11 valley, uh, on the Margarita side of the, uh, whole
12 town.
13 Um, I think that there are definitely concerns
14 and I -- I hear my fellow commissioners loud and
15 clear, but I do think that there is -- there is some
16 good cause, um, for -- for this project, just in
17 general. Um, architecturally significant, uh, single
18 family home versus rental, um, I think it, uh, it
19 creates -- it creates some architectural interest in
20 town.
21 MS. HALL: Bill, do you have anything to add or?
22 All right. Okay. Um, do you guys want to move on to
23 the plat notes then, or do we want to have consensus
24 on whether or not we find good cause for it first?
25 MR. SHAND: I do, uh, do have one, um,

Commissioner Frontero, I know that you did request the, uh, that some alteration be made to the roof so that we eliminate the linear portion of that roof. I think it was about 114 feet or something like that.

I guess you mentioned you don't like either, uh, plan A or plan B. I do see plan B as improving that linear visual that we see. Um, you know, I guess I would ask -- well, you already stated that you don't like either one of them.

MR. FRONTERO: Well, I like the breakup.

MR. SHAND: Yeah.

MR. FRONTERO: I don't like that they went up. Would it be possible to take that shed -- that -- that one portion of the shed roof tilted down to become in compliance with the -- with the building height?

MR. BUDGE: So, we looked at a number of different options. We tried everything we could to fit in. The challenge with it going down is you create -- it creates just a very, um, unstable structure in terms of how the -- how the roof is held up. It creates a huge possibility for additional leaks and other problems.

Um, we've -- we've tried a bunch of ways to -- to overcome this. Again, I think that what we were trying to say is there's already a concept in the existing

1 plat note that there can be exceptions to get up to
2 that 33 feet. That's where we would put it. If you
3 would be more comfortable, we'd be happy to take that
4 down.
5 So, instead of 3 feet, it was 2 feet. Again,
6 we're trying to break it up. The other thing that I
7 think we haven't talked about as much as the other
8 change that we made was to the materiality where we
9 varied the materiality of that roof to also camouflage
10 and break it up more in the past. And this is actually
11 hard to show in the renderings, because the rendering
12 software doesn't support it very well.
13 But we wanted it to be like the front of that
14 Ontario mine where there's a little bit of old court
15 and steel. There's a little bit of sort of the zinc
16 that shows as a -- as that, and that that would be an
17 additional way of breaking it up. So, we really did
18 hear the feedback that we broke it up. We tried a
19 number of different things in terms of just keeping
20 the architectural integrity, keeping the structural
21 integrity.
22 This was the best outcome that we came with. We
23 make that lower, but again, I think that what we're
24 trying to do and what the advice that we got was, was
25 there's an existing concept that you can actually go

1 up to 33 feet, so let’s -- let's let's keep within
2 that window and break up the roof line.
3 But we're happy either way and no matter what, we
4 will definitely vary the -- the materiality, which I
5 think does visually break that -- that solid line up,
6 and I think the landscaping where we've added
7 additional trees, those trees will grow and those will
8 also break up that -- that roof line as well.
9 MR. FRONTERO: Thank you.
10 MS. VAN DINE: I think that in my initial
11 question, asking how much that variance was what I was
12 getting into, I actually think the 3 feet is -- is
13 fine. I think when we look at what we asked for it’s -
14 - it's accomplishing that without on a -- without
15 going to a huge scale of trying to reaccommodate it.
16 It's 3 feet on a 20 foot line span. Well, this section
17 that your --
18 MR. BUDGE: It’s about 15 feet.
19 MS. VAN DINE: 15 feet. Um, the other, um,
20 Rebecca, the current houses that are there, so it’s 60
21 feet, 40 feet in between, and then the 30 foot width
22 house that we see up on the east facade. Correct?
23 MS. WARD: Uh, we can verify the distance
24 between, uh, we can do a rough estimate right now, but
25 for the width of the existing structures, one is

1 approximately 60 feet in width. The other is
2 approximately 30.
3 MS. VAN DINE: And there's, yeah, and about 40 in
4 between. So, the width of this home would be kind of
5 that combined. Just for kind of picturing that across
6 the hill.
7 MS. WARD: I believe it is close to the current
8 footprints.
9 MR. BUDGE: And the -- and the advice that we've
10 got from staff was to the extent that we could follow
11 the existing footprint of the building, and that's
12 what we tried to do so we're not going down further,
13 we're not going wider than those buildings are. We're
14 basically just connecting those buildings together,
15 which is actually also contemplated by the original
16 plat note.
17 MS. SUESSER: Not taking into consideration the
18 accessory building again, but with -- with regard to,
19 um, um, plat note for it, I don't think that the --
20 the red line, um, um, brings the, um, proposal into
21 compliance because again, it's 30 -- you have the 33
22 foot height roof and the language only allows that,
23 um, to accommodate access.
24 MR. BUDGE: Commissioner Suesser, so we would
25 have to add the words where it says accommodating

1 access, i.e., stairwells. We say accommodating access
2 or a light feature or a window feature no longer than
3 one fifth of the linear length of the roof. We -- we -
4 -
5 MS. SUESSER: Where specifically --
6 MR. BUDGE: Presuppose you'd like plat B. I mean,
7 plan B, you know?
8 MS. SUESSER: Well, it's a very specific, um, you
9 know, plat note, you know, that -- that very clearly
10 restricts the height and -- and you're asking to just
11 -- let’s just change the language here.
12 MR. BUDGE: And it has been done before. So,
13 that's why I don't feel like I'm being cavalier,
14 because it was done before. This isn't the original
15 set of plat notes. This is the second set of plat
16 notes. The third, sorry, let me clarify.
17 MS. SUESSER: What's the third?
18 MR. BUDGE: This is the third set. Hopefully the
19 last because if I heard Mr. Prince indicate, this will
20 be a home his daughter will be married in. So, it's
21 going to be around longer than me.
22 MS. SUESSER: Um, I just was struck to this note
23 the last phrase about there being no interior height
24 restrictions. Um, um, given the way you've proposed to
25 measure the interior height of the structure, I don't

1 know why we would need that language.
2 MR. BUDGE: You can strike it. We feel like it's
3 appropriate. We feel like it's consistent, but you're
4 right, we have measured it from the finish floor and
5 we're within that -- that level. But we -- we have,
6 you know, heard a lot from those who know this plan
7 since our last meeting, and we thought we would add
8 what we think is the clarified result, but.
9 MS. SUESSER: And you have that language there so
10 that when you finish that unfinished floor, you won't
11 be in violation of the height -- the interior height
12 restriction.
13 MR. BUDGE: We're resolving the issue
14 definitively. When I say we, meaning you, because you
15 all are the ones who have that authority, not us.
16 MR. SIGG: Uh, Commissioner Sigg here, uh, about
17 the unfinished area, is there objection to making a
18 plat note that that would remain unfinished?
19 MS. SUESSER: Yes. Yes, there is. That's why they
20 have that language here in note 4. Well, that's what I
21 heard earlier by the applicant. Yeah.
22 MR. SIGG: And where -- can you show me where
23 that's memorialized?
24 MS. SUESSER: I'm sorry, Henry, um, I'm sorry if
25 I jumped in there, but, um, they are not -- they are

not committing to not finishing that, um, floor. In fact, um, they want to add the language in note 4, the last phrase that there'll be no interior height restrictions so that when that unfinished floor is finished, they're not in violation of the interior.

MR. SIGG: So that -- so that bodes the question, uh, is there an objection to a plat note that would establish that that unfinished area cannot be finished space.

MR. FRONTERO: Or why don't we just remove the last phrase and there are no interior height restrictions.

MR. BUDGE: We're fine with that Mr. Frontero.

MR. FRONTERO: I would like to strike that, and I think that solves the future potential issue of the unfinished floor. Would you agree?

MR. BUDGE: Yeah.

MR. FRONTERO: Anyone else think that makes sense? Do we have consensus on that?

MS. HALL: I think that makes sense, but I think that, um, the applicant's clearly indicating that they intend to -- to finish that floor, that it's not going to remain unfinished. I don't think that that's a stretch to-- to state that, so, um, I think we --

MR. JOHNSON: Could we add another plat note that

1 would require them to come back to, like any -- the --
2 converting, the unfinished -- unfinished living space
3 would require a new plat.
4 MS. SUESSER: A conditional use permit?
5 MR. JOHNSON: No. No. A new plat plat amendment
6 application. No, a new plat note, sorry. Just a
7 suggestion.
8 MR. SIGG: I'd like the strike the no interior. I
9 think that's a middle ground.
10 MR. JOHNSON: Okay. Thank you. I think let's move
11 in that direction. Then if anyone has any objections
12 or is that okay?
13 MR. SHAND: No objections.
14 MR. JOHNSON: Okay.
15 MS. HALL: All right. Um, do you want to continue
16 going down the plat notes or back up?
17 MR. JOHNSON: Yes.
18 MS. HALL: Yeah.
19 MR. JOHNSON: I think let's continue down.
20 MS. HALL: Yeah, it is getting late and we do
21 start to, um --
22 MR. JOHNSON: Step out.
23 MS. HALL: Yeah, I do -- sorry. Does anyone need
24 a break? Or would we like to continue this segment and
25 then -- okay. All right, let's continue this segment

and then we'll take a short recess. Um, if you wouldn't mind continuing scrolling.

MS. WARD: Nothing on this step out. Uh, plat note 5, the facade height.

MR. FRONTERO: And that's intended to address the cantilever.

MS. WARD: That's correct.

MR. FRONTERO: Okay. How do we feel about that?

MS. HALL: Anyone want to weigh in on the cantilever of the portion of the house?

MR. HARRINGTON: Mark Harrington, senior city attorney. And this would be one where I think that your prior comments about not being very clear that you're not creating precedent are very important, and that this is unique to this particular master plan in terms of the facade variation, allowing the step out that we do not want to set a precedent for in the rest of HR-1.

And so, I think that can be sufficiently addressed should you decide it's appropriate, but I think you would want to augment the applicant's proposed bindings with directing staff to add language so that it doesn't create a precedent if you determine it's appropriate.

MS. HALL: Can we actually add just an entire,

uh, note that says for the entire thing --

MR. HARRINGTON: But this one in particular, I just wanted to call out.

MS. HALL: Okay. Um, I don't know how people feel about that, but I feel like we have been processing this as a Sweeney, at least my understanding when I make notes to myself, it is a Sweeney MPD specific and it is not applicable to apply to any HR-1.

MR. FRONTERO: I agree, but where would we put this -- something like this?

MS. HALL: Just add it as a --

MR. HARRINGTON: Just general direction when it comes back, we would have it.

MR. JOHNSON: I think we're in agreement on that.

MS. HALL: Okay. Um, so that would also cover that specific portion, but would cover all aspects because that is how I've been also processing this myself. Rebecca will add something to that as well.

MS. WARD: Yes, similar. It's, uh, plat note 9 right now, uh, about the -- the precedence, um, we can work to -- to come up with something, uh, for your review that would clarify that this is specific to these Treasure Hills subdivision properties only within the Sweeney MPD. Thanks.

MS. HALL: And then when we update that for under

1 the small scale master plan, since we don't use that
2 terminology anymore?
3 MS. WARD: For conditional use permit, yes.
4 MS. HALL: Okay, great.
5 MR. BUDGE: And Madam Chair, we just ask that
6 that be moved to the very bottom because it says in
7 precedence, it says the above special restrictions,
8 and so we might as well capture all to the extent any
9 of the below ones are found to be appropriate.
10 MS. HALL: That makes sense. Yes.
11 MS. SUESSER: And then I think we need to be
12 careful about including that reference to the Sweeney
13 MPD, um, in individual ones, um, um, and not all of
14 them.
15 So, I think we want that, um, that general
16 statement at the bottom rather than indicating each
17 one of the -- of the notes. Mark, how do you feel
18 about that? Like, I -- I'm just -- I don't want to
19 specify like, in the one we just discussed.
20 MR. HARRINGTON: Well, I think it can exist in
21 two ways, because I think your specific findings in
22 your action letter can distinguish that the ones
23 you're making for this or for this. And then in terms
24 of this amendment only applies to this plat, and so I
25 do agree that it should go down to the bottom.

MS. SUESSER: Yes.

MR. HARRINGTON: And this precedence actually talks about precedence within the MPD, so we'd actually be addressing a different situation for the HR-1, just to be clear. Um, so we would change the context of that no altogether.

MS. WARD: And maybe, could we add that as the very first note, but referencing all of the notes below so that's the first thing that's called to attention.

MR. FRONTERO: Yeah, that's a good suggestion. Rather than putting it at the bottom, put it at the top and say everything below. That makes a little more sense, a little clearer. That's a good suggestion, Rebecca.

MS. HALL: All right, moving right along. Um, exterior lighting. Um --

MS. WARD: May I just clarify just to combine what was in the staff report that we would recommend that this be modified to reflect the dark sky code, which also includes additional shielding of exterior lights when it's on a steep slope. Um, so we would recommend that language.

MS. HALL: That was exactly what I was going to put in there. I was like, why aren't we referencing

dark sky? So, yeah, great. I think we have, uh, consensus on that. Um, moving to the glazing. Rebecca, where else in town do we see like this glazing on windows? Like, is there an example you can think of? I know we talked about like the River Horse. Wait, is it, like, just for my reference, is there somewhere I can --

MS. WARD: In Old Town specifically or --

MS. HALL: Anywhere.

MS. WARD: Or a city -- anywhere. A lot of the new residences that we're seeing Airy Mountain, Upper Deer Valley, um, have more of the -- the glazing for the facade.

MS. HALL: Okay. And they're all kind of at the 60 percent. Is that kind of like the standard or what?

MS. WARD: No. Um, so for the historic district specifically, um, the -- the historic district design guidelines recommend that the solid void ratio, meaning the windows to the facade be similar to the scale of historic residences. So, the floor -- the floor to ceiling glazing is not something as was indicated by [inaudible] report that is compatible with the historic district.

So, minimizing I, um -- we -- 60 percent still does allow for, um, some -- for extensive glazing. One

of the additional conditions of approval that we recommended in the staff report, the, um, lower level has the floor to ceiling glazing through the landscaping and berms. There are ways to mitigate that. And as you've discussed the type of vegetation that's -- that’s planted.

So, there are additional ways that we can further reduce that impact. So, our -- our recommendation in the staff would be to, um, also include the vegetation requirements for mitigating this.

MS. HALL: Yes. So, we want to insert that, but -- well, between the 11th or at the end, whatever your preference. And I think we do get into that, uh, if and when we get to the steep slope conditional use permit when we get into more detail with a vegetation plan as well, but I think it's good for that to be inserted in here as well.

MS. SUESSER: Yes, I'd like to see it in here too, because I'm concerned that we're going to have a plat note that -- and then we're going to have a condition of approval, and we're not going to know which one the applicant has to abide by, so I'd like to see that conditional approval that you recommended with respect to the glazing in number 11, so.

MS. HALL: Consensus on that? Yes.

MS. SUESSER: Yeah.
MR. FRONTERO: Yes. Agree.
MS. HALL: Um, all right.
MR. JOHNSON: I'll dig in on 12. I think I'm still stuck on this section of the SLO that is relevant to the application.
So I am just going to ask the applicant would you be because I don't -- I don't find -- I cannot find the findings that consist every single -- so as I have to make all the findings during the suitability review all through seven need to be found. And I don't see two, four, um, or five based on an initial review.
Now we're just in the plat amendment process but I'm asking would you be willing to take the accessory unit out of the buildable area limit, since it is on a very steep slope. It has a risk of landslide, um, and potential erosion in land subsidence or other hazards, essentially above.
MS. PRINCE: Yeah. I think the first thing that I would look to is -- back to the Sweeney letters that they're submitted where very specifically the city attorney, uh, said when a question came up about whether SLO applied to the Sweeney lots, the explicit answer was no it did not.
MR. JOHNSON: What year was that letter written?

MS. PRINCE: That was written in 19 or no 20 -- 2016.

MR. JOHNSON: That's the Tom Clyde one you're referencing or was --

MS. PRINCE: It wasn't Tom.

MS. SUESSER: But the buildable lots are not in the SLO but you're -- you're amending the buildable lot area into the SLO.

MS. PRINCE: But if you look again at the history of the SLO, the SLO has crept down and there is ambiguity about where the SLO looks at. If you look at the 1994 the time the plats were created, the SLO is not in the -- in the lot two, our lot, at all.

MR. JOHNSON: But it is -- but still going back to the Code it's within 50 feet of a very steep slope that is in the SLO, right? So, however arbitrary --

MS. PRINCE: But again I believe that they -- consistent with what was found by the -- the, uh, the Planning Commission in 2016 was that the steep slope conditions did not apply to these particular lots.

MR. JOHNSON: Okay.

MALE 2: And I just think the one thing just real quickly is the trade of taking a structure which is [inaudible] you can have an accessory and putting it up into the hillside in this instance in this

1 particular area because it shields it from view and
2 makes it so that there's no impact, particularly where
3 we're committing to comply with the requirements
4 relative to disturbing that area and then
5 rehabilitating it and having it covered with soils and
6 then vegetation. So, I mean --
7 MR. JOHNSON: No, I understand the concern. I
8 think what we've had, you know, through our, you know,
9 our process here in Park City recently we've had a
10 landslide where we noticed snow storage actually and
11 it's -- it's arguable how that landslide was caused.
12 But you could argue that the snow storage caused it
13 and it was a major -- it caused major damage to
14 adjacent properties and it was a health risk to the
15 public.
16 There was -- that vegetation wasn't actually
17 planted so yes we can take into consideration, you
18 know, vegetation and such but I mean that's -- this is
19 where I'm coming from. And I'm looking at the Code and
20 I'm trying to get there, right? I'm not trying to be
21 adversarial in any way. I love the design --
22 APPLICANT. No, I hear you. I appreciate it. I
23 will say the thing again that I think differentiates
24 this property from others is the scale and the size.
25 If there's a landslide, it's a slide into our

1 particular -- our particular home and so we've worked
2 very carefully with the best engineers in town to make
3 sure that we can do this in a way that meets all of
4 the requirements of what is being developed in this.
5 And again I think that the good cause of doing
6 this was in us trying to move this out of the view of
7 the Herman's, us trying to move the home further away
8 from the trails. I was trying to give us a bit -- to
9 make it so that it isn't impacted otherwise. And so I
10 -- I -- I -- I -- I want to get this built. I
11 understand what your concerns are.
12 What I -- having lived this now for four years,
13 what is somewhat frustrating about this is I think
14 even -- even Mark has said that the -- the SLO
15 boundaries are extremely fluid and -- and that there's
16 nothing that is really clear about that. What's
17 strange about this particular location of where the
18 SLO is there's no difference from one inch forward to
19 one inch back. The road -- King Road sits right above
20 that.
21 MR. JOHNSON: Yeah.
22 MS. PRINCE: So, I -- so I think that -- that --
23 that I look to the precedent that was, um, articulated
24 in 2016 and I think that that's the -- that's the --
25 that's the safest place to look to and that we've got

1 the best engineers in town who have said we can do
2 this and we can do it in a responsible way.
3 MR. JOHNSON: Yeah, and I think look I'm fully
4 receptive to where you're coming from as well. I but I
5 do, you know, we just worked on an amendment to the
6 SLO which hadn't been updated since 1993 or 2, um, and
7 we're still working on further amendments too. So we
8 know it needs to be tweaked and -- and we're learning
9 those lessons. But I'm just merely looking at the Code
10 and I'm looking at not just that it's going to slide
11 into your home --
12 MS. PRINCE: Yep.
13 MR. JOHNSON: -- but I'm also the King Road or
14 the public trail adjacent to it --
15 MS. PRINCE: Yeah.
16 MR. JOHNSON: -- that is an easement on somebody
17 else's property. So looking at the health and welfare
18 standpoint and looking at the size of the structure
19 itself, um, just, you know, it seemed to me like, you
20 know, do we really need the accessory structure, you
21 know, as part of this -- this building area limit the
22 owner? Because everything -- because otherwise the SLO
23 is irrelevant to this application without the
24 accessory building essentially because we're -- the
25 rest of the structures are within the existing

building area. So, it basically gets checked off my list.

MS. PRINCE: Right.

MR. JOHNSON: I have no concerns but right now I'm having a hard time getting there by looking at the Code.

MS. PRINCE: Yep. And again I -- I would, um, I would -- I would point and I would invite, um, not my place to do so but I think the Sweeneys are the real experts on what has gone on here. They've lived through this.

They know what -- they know what -- they know what has gone on and again I think that what's challenging about this is that that SLO line could have been arbitrarily anywhere and there's nothing that we can point to that says this particular area is sensitive in any way.

That line has moved over time; it's moved away; it's moved in; it's moved out and -- and so what I look to is this area has been disturbed. It was disturbed when the original building that are there were built.

There's actually -- it abuts right now where the -- there's a -- there's a retaining wall there that is that we're actually going to be taking out to be able

1 to build this into the -- into the hillside.
2 So I -- I understand that that's the point but if
3 we just again if we arbitrarily let a line get drawn
4 without any real basis for it, it's, um, becomes very
5 hard to -- to comply with it and this is all in
6 response to -- originally we were outside of this
7 area.
8 We were further down and the staff asked us to
9 push the hill -- the home lower and further back into
10 the hillside. So we kind of feel like we've been
11 pushed in this direction. We're trying to be
12 responsive to it.
13 MR. JOHNSON: No, and I --
14 MS. PRINCE: And I get --
15 MR. JOHNSON: I mean I don't want to -- I don't
16 mean to cut you off. I want to clearly state that I
17 appreciate that how the design has transformed. Um, I
18 just kind of like list, you know, that hillside which
19 is very steep and has some old Gamble Oaks and
20 whatever else is right there, um --
21 MS. PRINCE: And putting it behind us, we could
22 move it but then the moving it starts to be more
23 impact visually to the rest of the hillside. So I'm
24 happy to move it slightly more to one side or the
25 other.

1 We can move it further to the side to get us out
2 of the SLO but now -- but now we've got more impact
3 across Valley which is something that again we don't -
4 - we don't -- makes the view better. It's -- I would
5 prefer that but we're trying to balance all of the
6 different -- I know you're looking --
7 MR. JOHNSON: But we still have the same problem,
8 right, because unfortunately for your -- your parcel,
9 it's entirely very steep.
10 MS. PRINCE: For sure. The whole --
11 MR. JOHNSON: So, that section, at least that
12 what we're going to call I'm going to say the King
13 Road side of your driveway, your existing driveway,
14 right, that's extremely steep with old vegetation and
15 so you can really move it anywhere there if I'm basing
16 it on this determination, right? Again, I'm --
17 MS. PRINCE: We could actually move it, um,
18 further north but that would then have a much higher
19 visual impact which is -- which again if we're
20 balancing the equities here, um, when we sit down with
21 engineers and say can we do this responsibly? Can we
22 do this safely?
23 When we look at the history of how arbitrary,
24 again talking with even the city's attorney about how
25 arbitrary where that line has been, we think that we

should be, uh, compliant with what the engineers say we can do responsibly and reasonably with the precedent that was set in 2016 and with minimizing any of the cross valley, uh, views of this particular structure.

MR. JOHNSON: Okay.

MS. SUESSER: I'd just -- I'd like to make a comment, um, based on that discussion that, um, just that the, um, that we're not just talking about an, you know, an arbitrary SLO -- SLO line. Um, we're talking about very steep slopes and those haven't moved.

Those are still there and that's what's being contemplated to be excavated to build this accessory building into. Um, so it's -- it's -- it's not just the -- where the SLO line is identified but it's also the very steep slopes that, um, are within that, um, area.

And also, um, it's my understanding from the staff report and it was a recommendation by the staff that, um, the building area is limited to portions of the site that have previously been disturbed and that doesn't include, um, the area where the proposed accessory building is -- is in the plans. So, um, I just wanted to, um, mention that.

MS. PRINCE: That would then be holding us to a standard that even Pat Sweeney is not meeting on his own land. Um, so just -- I think we -- I understand the concern, um, but these are -- the 2016 specific language was that the very steep slopes and the SLO requirements do not apply to these eight lots and that they were contemplated in that way.

MR. HARRINGTON: Mark Harrington, senior city attorney. I want to try and give some simple clarification to this very simple issue which the Planning Commission has been asked to solve.

Um, a little bit of oversimplifications are occurring here but I think the last public speaker probably actually captured it best in terms of the MPD versus the, um, existing Code and I think where the Commission was last time you did -- when you were focusing on just the house analysis and not the accessory structure, you're appropriately going through that exercise.

Um, it is not, uh, I don't think I've ever used the word arbitrary or capricious affirmatively as you guys know, um, in response to city action and I do not believe that's what occurred here. So I take the line that -- that is reflected on the zoning map as what it is and it's not that the sensitive lane ordinance does

not apply to pre-existing MPDs.

Um, it doesn't apply to change existing rights under existing MPDs unless, um, there's an affirmative application to substantively modify the MPD and so I think the -- the legal opinion from Jim Carter in 1992 as Exhibit AA more succinct -- more directly captures the accurate focus and that is if -- if and I think the question is do the proposed changes rise to the level of, you know, a change in units?

There's -- there's three or four different clarifications in there in terms of what would trigger an SLO review within the Sweeney MPD specifically.

And so if you pull back and say hey prior to any of the seven lots being developed if the Sweeney's came in and proposed an amendment to shift the seven lots to a new location, the -- the SLO would likely prohibit because of the steep slopes on this entire lot a new -- new application of a single-family home on this site at that time.

And if they wanted to move the whole unit, they probably couldn't put it here but that's not where we are. They've got plotted. The unit is in this lot.

You're looking at whether the proposed changes rise to the level of the incompatible expectation that was originally approved and I think where you were

1 last time was clearly with the house changes, most of
2 you anyway were pretty close to saying as long as
3 these other things are addressed, we may be okay with
4 the home.
5 Now you're shifting to based on the additional
6 information you got in the interim that you requested,
7 whether the same is true for the accessory space and
8 the parking area as it's an excavation.
9 From a staff perspective, they give you a middle
10 path that says if you do find it under the MPD track,
11 you still have 15-2.2-6, as Laura has pointed out, the
12 steep slope criteria, to get at 90 percent of the same
13 analysis. Is the placement meeting the steep slope
14 best practices criteria in the steep slope CUP for the
15 siting of that?
16 It's not prohibited by the 50-foot rule because
17 that's not applied because they're not changing the
18 whole MPD or unit density or configuration. It's
19 whether the siting of that new disturbance meets the
20 steep slope CUP is pretty much the same analysis you
21 can get at and whether that is mitigatable. And you
22 have proposals to take soils uphill instead of
23 downhill.
24 You have no retaining walls and you have -- are
25 those enough or is the site disturbance and your

1 public safety concerns and your design and visual
2 impacts from the east outweigh -- outweigh that
3 mitigation to a measure that you find it not
4 compliant?
5 Not like, don't like, prefer, want to see, not
6 compliant with those standards in 15-2.2-6? And so I
7 don't think you need the -- if you agree that there's
8 no fundamental shift in the MPD like you did last
9 time, that answers Commissioner Johnson's question.
10 You don't need the additional site suitability
11 information. You're looking at the grading and site-
12 specific information more towards where Commissioner
13 Suesser was and does it meet the steep slope CUP or
14 not.
15 Uh, but you have to get over that first hurdle
16 first or otherwise you are back in Commissioner
17 Johnson's swim lane and you're -- if you -- if you
18 find that the proposed change to the building area
19 restrictions and the other notes do implicate the MPD
20 as a significant change, then you're back to a broader
21 steep slope analysis.
22 You may get to the same place or you may get to
23 the words prohibited but then you're really back to
24 none of this works perhaps as well. So that's really
25 why that threshold determination of consistency with

the MPD where you appropriately focused in the first meeting is really critical to the application of the SLO. Hopefully did that mostly make sense?

MS. HALL: Yes. Thank you, Mark. Uh, Laura or Bill, do you have any more follow-up after Mark's discussion? No. Or any other Commissioners? Yes, sorry, or other Commissioners as well. I don't want to leave anyone out.

Um, in terms of, uh, making people comfortable, would, uh, an addition that for number 12 since we are doing these in a bifurcated plot amendment and then we're going to do a more thorough analysis of the steep slope within the CUP saying simply that this is contingent upon a steep slope CUP and then we will get into that discussion at a later point in the evening?

Because I think that there is a lot. Within a steep slope I just don't know how to kind of separate them so that we can work through this application. It's rather complicated. Would that make you guys comfortable?

FEMALE: I guess I appreciate, un, the applicant [inaudible] um, addressed how the application, um, um, accessory building complies with the MPD.

MS. HALL: Okay.

FEMALE: That would be helpful.

MS. HALL: Yeah or not mutually exclusive. Like we can have both the addition of the steep slope conditional use permit as required in order for 12 along the lines of what we should get into later and then also we can discuss separately the MPD.

FEMALE: Yeah.

MS. PRINCE: So, just for clarity are you suggesting putting in -- at the end of the -- at the beginning of the first sentence number 12 subject to a steep slope CUP as applicable, below grade accessory structures --

MS. HALL: That was what I'm proposing but I just want to make sure everyone else is comfortable with that.

MS. PRINCE: Just want to make sure people are clear what she's proposing.

MS. HALL: Yeah, just so that we can have that discussion separate just from like a [inaudible] yeah.

MS. PRINCE: Yes, I agree with that solution.

MS. HALL: Okay. Sorry. And then back to Commissioner Suesser, um, Wade if you want to --

MS. PRINCE: Yes, I'd be happy to. So, we have a set of findings for the steep slope CUP and we called out the specific -- each and every one of the nine criteria for a steep slope CUP and have it tied that

to evidence and I will hand that out because those are the blue sheets. There are different colors so we don't get turned around.

MALE: Well, yeah we can do that on the break.

MS. HALL: Yeah, sorry. I was trying to just separate them a little bit because there's a lot of them --

MALE: When you come back from break, you'll have a blue sheet and that will help you with the SLO.

MS. HALL: Yeah, I would like to separate them a little bit because I feel like there's so much within the steep slope but I would like to preserve that so do we want to move along to number 13 which I feel like we're all pretty happy about.

MALE: Thirteen looks fine.

MS. HALL: Okay.

MALE: Good for me.

MS. HALL: All right. I feel like we're anxious for a break but before we do that, does anyone have anything else that they would like to add to this or are we ready for a motion or how would you like to recommend we proceed?

MALE: Well, can you just go back to the first one because I'm not -- I think you've moved off the first one to go to good cause and I just want to make

sure you get --

MS. HALL: For plat number one?

MALE: Yeah.

MS. HALL: You're correct. Sorry. Um, Rebecca would you mind pulling up number one?

MS. PRINCE: We can -- I heard strike garage. We're fine striking that if that helps the Commissioners because that was an addition. I mean we're not having a garage.

MALE: So, you're referring to E?

MS. PRINCE: I'm referring to E but that's in one, 1E.

MS. HALL: Okay.

FEMALE: So, your, um, your below grade parking area is not going to have a door?

MS. PRINCE: Correct. We will not have a door.

MS. HALL: And that is standard within Sweeney and MPD because there are other subterranean parking areas --

MS. PRINCE: That's correct. It will not have a door.

FEMALE: And then there was the other, um, note, um, that needed some additional language so that, um, now I don't remember what it was but we discussed --

MS. PRINCE: A light feature.

FEMALE: [inaudible] so that it would be compliant.

MS. PRINCE: A light feature.

FEMALE: Yep.

MS. PRINCE: Okay.

MALE: What do we think about striking garage?

MS. HALL: I think they volunteered to strike it.

MALE: Okay. So, that's fine. Let's do that and then and then we're back to the height. So, in general and we have -- is there more consensus towards plan B on the roof and then therefore we would need to create a 33-foot height allowance?

MS. HALL: I think they have --

FEMALE: [inaudible] access.

MALE: It doesn't -- the way it's written, it doesn't fit. You'd have to amend it slightly so [inaudible] would you rather just keep it a straight roof at 30 or do you like the break but we have to concede 15 feet wide is going to go three feet higher?

MALE 2: What gives the historic design view more flexibility? I like the break.

MALE: You like the --

MALE 2: Even though it's only three feet higher. I don't think it's that significant even though it does exceed the maximum height but I like the break.

MS. HALL: So, could we --

MALE 3: I like the break too instead of the long linear roof.

MALE 4: I like the break too. It just, you know, I think I've stated what I was a little concerned about but I do like the break better than a straight line.

MS. HALL: So, can we just add for architectural variation?

MALE: Not to exceed 20 feet or 15 feet in width.

MALE 4: In width.

MS. HALL: In width.

REBECCA: And light features I think would be [inaudible] I like Mr. Budge's -- I think that that's too broad. I think we should just write a light feature. Make it real specific.

MALE: Yeah, light feature no greater -- no longer -- no greater than 20 feet in length and put it right where the -- it says accommodating access right?

MALE: Yep. That's right.

MALE: Thank you, Rebecca.

REBECCA: Okay.

MS. HALL: Okay. Do we want one final review of this? Do you want to just keep scrolling down? I felt -- I feel like we had consensus on the remaining items

1 but yeah just at the very end was read --
2 REBECCA: So, just adding the light [inaudible]
3 compliant. And all covered.
4 MS. HALL: Ah yes, as Commissioner Frontero
5 suggested.
6 MS. SUESSER: I thought we want to put it at the
7 bottom.
8 MALE: I think we want to put it at the top and
9 say everything below is applicable to its -- the
10 Sweeney's MPD.
11 MS. HALL: And then a slight tweak within that
12 one as well for this CUP rather than the small-scale
13 MPD?
14 MS. SUESSER: We've got to say below.
15 MALE: Right.
16 MS. HALL: Yes. Okay. Um, then scrolling down I
17 feel like I know that I have faith that Rebecca will
18 polish this to make it look much better. And then for
19 12 contingent upon a steep slope CUP.
20 FEMALE: What is the rationale for not including
21 the accessory building, um, footprint for the overall
22 count?
23 MS. HALL: Because the original -- am I correct,
24 the original Sweeney's didn't require that. The
25 original Sweeney's MPD did not require, um, accessory

1 buildings to be included.
2 MS. PRINCE: Hence the guest house.
3 MS. HALL: All right. All right. I's been a
4 while. I'm ready for a break but before we get there,
5 what? Oh, do we -- would we like to -- I feel that we
6 can separate these from the other ones so would we
7 like to make -- would someone like to make a motion on
8 this portion, the 6a before we get into the analysis
9 for both of the CUPs or do we want to wait?
10 FEMALE: [inaudible]
11 MS. HALL: Yes.
12 FEMALE: [inaudible]
13 MS. HALL: Okay. Sorry. I misunderstood. I
14 thought there was consensus that there was good cause
15 before we started going back to all of the plat notes
16 so can I take a poll? Do we have -- would people like
17 to talk more about good cause or weigh in whether or
18 not they --
19 FEMALE: [inaudible]
20 MS. HALL: No, like I said before, we need one --
21 MALE: Yeah, you either can incorporate either
22 staff suggestions in the staff report or the
23 suggestions from the applicant's draft findings or
24 make your own and or modify or make your own
25 individual ones and -- but --

MS. HALL: Okay.

MALE: -- and then we would -- we would modify -- that's why we would come back with a proposed action letter that captures the basis of the majority finding and it doesn't necessarily have to be every individual person has to make singular ones. I think but the Commission as collectively needs to express consensus on a finding of good cause and you can say I agree with the other statements or the statements put forth by the applicant or staff.

MS. HALL: Okay. Yeah, I heard different, uh, pros and cons for different proposed pieces of good cause, things that I heard a public benefit such as preserving trails and fire turnaround, compatibility with the MPD, single-family dwelling without rentals, architectural variation, decrease in density and a decrease in the building area. I could be --

FEMALE: [inaudible] with the Sweeney MPD and --

MS. HALL: But I heard from Laura specifically also like a lack of good cause in terms of preserving the character of the neighborhood but that would be like a subjective -- I don't know.

MALE: No, I think her point had to do more with HDR review and consistency and, um, the lack of, um, structural separation that was contemplated originally

--

MS. HALL: From the --

MALE: -- in fairness.

MS. HALL: Sorry.

MALE: As echoed in the consultant report so again not subjective, not --

MS. HALL: Sorry. I was summarizing that too quickly. I'm getting a little anxious here.

FEMALE 2: And while we look at good cause and how that discussion the applicant just indicated that just so that this is clear, in plat note four, the area of the roof that the shed roof that's been raised is 24 feet in length, just so that is on the record. So, they are proposing to amend from the 20 feet in length to 24 feet in length.

MS. HALL: Um, we're having a proposal of 25. So, I guess at this time we'll take a poll on whether or not each commission -- after what, um, our city attorney has said, that we don't have to find the same good cause but do individuals find sufficient good cause?

MR. SHAND: I find sufficient good cause.

MS. VAN DINE: I'm with Commissioner Shand.

MS. SUESSER: I don't find good cause.

MS. HALL: And then Henry, are you with us?

MR. SIGG: I'm listening. I have a problem with the compatibility and don't find good cause.

MS. HALL: We've heard from Commissioner Shand and Commissioner Van Dine that they found good cause and from Commissioner Suesser and Sigg that they have not found good cause which is a requirement for the plat amendment so I'll be looking to Commissioner Johnson and Frontero for input into this requirement for the plat map, plat amendment.

MR. JOHNSON: I find good cause.

MR. FRONTERO: I have compatibility issues as well but I -- I think that I can also find good cause on the plat amendment.

MS. HALL: Okay. Um, would you want to take that poll and make it an official, uh, vote for the plat amendment or how --

MALE: Yeah, just for clarity --

MS. HALL: It's for good cause and not a motion for the plat amendment.

MALE: Well no, I can be direction to prepare, you know, this isn't the final vote. You'd be a ratifying final action letter pursuant to the changes that you've requested and the opportunity to review the final findings that we would modify pursuant to your discussion and so motion would be we would direct

1 staff to prepare finding action -- final action letter
2 for the plat amendment -- approving the plat
3 amendment, um, with modifications as discussed at the
4 meeting.
5 And that would probably be sufficient. Rebecca
6 would you need anything more specific than that at
7 this time?
8 REBECCA: No, I think it's been clear.
9 MS. HALL: Okay. Does everyone sound good on
10 that? All right. With that, let's take a short recess.
11 Oh sorry, the vote. Commission, would you prefer to
12 take the vote now? At the end? Okay. At the end. We
13 have a couple for the end?
14 FEMALE: The end.
15 MS. HALL: All right. All right. Um, so a quick
16 recess.
17 MR. SIGG: Hey Sarah would you screenshot the
18 blue sheet handout and, uh, text it to me so I can
19 follow along from here?
20 SARAH: Sure. We haven't gotten it yet.
21 MS. HALL: Yeah, we haven't gotten it yet but I
22 think we will --
23 MR. SIGG: Just so I have it in front of me.
24 MS. HALL: Yeah.
25 MR. SIGG: Thank you.

MS. HALL: This meeting on Valentine's Day. Do we have Henry Sigg on Zoom? We have all commissioners who are in the room are present. We have Henry Sigg on zoom?

MR. SIGG: Yes I'm here.

MS. HALL: Hey there.

MR. SIGG: Hello.

MS. HALL: Just making sure the gang's all here.

MR. SIGG: Okay. Thanks.

MS. HALL: All right. Um, before we get started, um, with this portion, um, we are running very behind and I do apologize. I do really try to stay within my time limits for the agenda items and I have blown past this one.

Um, with that being said, I think that we do not have sufficient time to, uh, properly give the last item on the agenda a work session, which is scheduled for 45 minutes, um, adequate time.

I don't know who is the applicant if they're in the room, um, so sorry for making you guys wait so long and not being on time. I think that the best protocol would be to just schedule you, uh, have Rebecca work with you to schedule the work session at a later date unless you would like to stay and, you know, hear the rest.

1 MS. PRINCE: We would actually rather get it done
2 today if that was possible.
3 MS. HALL: Okay. We can see where we're going and
4 then the same thing also for the two other applicants.
5 I also apologize for the two other regular agenda
6 items.
7 If you would like to go home on Valentine's Day,
8 we can reschedule you and otherwise we can see where
9 we get in the agenda tonight. And I don't know who
10 those individual applicants are in the room. I hope so
11 too but no promises.
12 Okay. Sorry about that. I do try to run a tight
13 ship and I'm failing so with that, let's resume, um,
14 and move on to our CUPs which we also received some
15 new information from the applicant. Are these the same
16 items that are in our staff report or are they --
17 MALE: They are except for -- except for the
18 separate two things I'd like to note. The yellow is
19 the house. There -- the two things I'd like to know is
20 we have an entire page on the SLO on page five which
21 we should just strike because what that is is where we
22 were talking about why it didn't apply and since we're
23 conceding and we're going to say it's there, what --
24 why have that page?
25 And then lastly to answer your question, Chair,

1 the only thing we added was to, um, the conditions
2 which are started on page six and we added conditions
3 that were in the staff report that we hadn't
4 addressed.
5 And so obviously the body can decide where it
6 wants to look but I think if I were to prioritize, I
7 think that the conditions starting on page six
8 including those additions are the most important. And
9 then that blue is the steep slope and we can show on
10 the steep slope how we called out each of the nine
11 criteria when we're ready for that.
12 MS. HALL: Okay. Great. Um, well let's get into,
13 um, Item 6b, um, since that's next on the agenda. Um,
14 officially since we're moving on to that agenda item,
15 I'm going to open the public hearing and incorporate
16 all public comment that was made in the first session
17 of the, um, public comment and incorporate those into
18 the record.
19 And then we're going to proceed with does staff
20 of anything specific for this CUP that we want to
21 address?
22 REBECCA: Um, the recommended conditions of
23 approval are outlined in the staff report which have
24 been incorporated.
25 MS. HALL: Okay. And then yeah does anyone want

1 to chime in first?
2 MS. SUESSER: I have a question for Rebecca.
3 MS. HALL: Mm-hmm.
4 MS. SUESSER: So you said earlier that the
5 January 24th staff report, um, where you laid out
6 whether or not the application complies or doesn't
7 comply, um, was referenced in tonight's staff report.
8 And, um, so based on that are you saying that,
9 um, those findings that the staff made in that staff
10 report, um, continue or are still applicable? They
11 have not changed given the additional changes that the
12 applicant made and the additional information
13 provided?
14 REBECCA: So, it depends. So, if the findings are
15 under the Sweeney master plan development as been
16 discussed with the proposed plat notes, the findings
17 that staff would recommend would be based on the
18 review under the Sweeney MPD.
19 MS. SUESSER: And you found compliance then with
20 the Sweeney MPD when you -- when you when you review
21 each of those, um, contrasted with the criteria for
22 the CUP or?
23 REBECCA: As conditioned.
24 MS. SUESSER: As conditioned. It would have been
25 very helpful to see that breakdown in the staff report

and I'm -- I would -- I would, uh, I know that we have an alternative of requesting further information before we, um, vote on the application here and I would think that that analysis would be very helpful for us to consider. So just an idea there. Seeing how laying out each of the elements and how it's -- what's required under the Sweeney MPD, um, and seeing if it complies but something that the Commission could consider I think requesting.

MS. HALL: Uh, and that would be in addition to what is included in the staff report from -- because the applicant has a chart, sorry, I don't know which pages now.

MR. HARRINGTON: Well, this is Mark Harrington, senior city attorney, another way to approach Laura's question is to ask which issues remain assuming that the plat amendment notes have model -- have clarified prior compliance issues.

And so the ones I've heard that are in this issue still remain that -- did the glazing way -- is the glazing language sufficiently addressed and or not? Is the -- is the, um, is there consistency with the, um, I can't remember if it's in this one or than or the green one or blue one, sorry.

There still seems to be an issue regarding which,

1 um, retaining walls need to be modified further
2 because I heard the applicant say just the ones within
3 the setback and the staff proposed condition of
4 approval is all east west and north. Is it my ballpark
5 correct in that?
6 REBECCA: All of the retaining walls that are
7 not, uh, affiliated with the accessory buildings.
8 MR. HARRINGTON: Okay. So, I think focusing on
9 getting in the weeds and the CUPs this or the -- the
10 design issue compliance and those final site elements
11 is probably worth spending some time on, um, unless
12 you want to jump to the steep slope one first because
13 that may dictate some of your analysis as it relates
14 to the parking area and accessory structure.
15 MS. HALL: Laura, do you have a -- or do any of
16 the Commissioners have a preference on hearing the
17 steep slope CUP first versus the single-family
18 dwelling CUP first?
19 MS. SUESSER: I don't have a preference.
20 MS. HALL: Okay. Okay. Um, then yeah, let's just
21 go with the 6b and then kind of along the lines of
22 what Mark was discussing, um, just kind of narrowing
23 our scope a little bit. Does anyone have any comments?
24 Yes, no, no, 6b is the the single-family dwelling. I
25 was going to do a single-family home but if you guys

want to do steep slope, we can do that too. All right. Let's do 6b, the CUP for the second family dwelling. Does anyone have any comments, questions?

FEMALE: Um, on page four, under let's see additional findings 10 three, the residents meets the 30-foot patient stated on the Treasure Hill subdivision plat or at 33 feet.

MS. HALL: Can we just incorporate the plat in itself rather than the specifics of it so that we don't have any discrepancies, yeah inconsistencies, and just refer to it? Yeah. And then for w, the lighting, I assume this is just from the dark skies? Is that correct?

REBECCA: Uh, yes, that's correct.

MS. HALL: Okay.

MS. SUESSER: Well, okay, because the fully shielded ground level fixtures are encouraged. Could we make them required? Just a thought.

REBECCA: Yeah.

MS. SUESSER: Rebecca?

REBECCA: Yes.

MS. SUESSER: That's okay? Change that to required.

REBECCA: If that's okay with the applicant.

MS. SUESSER: Fully shielded ground level

fixtures are required rather than encouraged.

MS. PRINCE: [inaudible]

MS. SUESSER: Sure.

MALE: Okay. Thank you.

MS. HALL: Yeah, it should be in there.

MS. SUESSER: Do you have a problem with number nine, that SLO doesn't apply to the residents.

MALE: I think that's striked.

MS. PRINCE: Yeah, I said to strike all of page four because of what we said earlier. So, are you on Q?

MS. SUESSER: I was on [inaudible] number nine.

MS. PRINCE: Oh yes, that's right. That's a good catch, so nine as well. It's in addition to Q. So, nine on page one.

MALE: Strike nine?

MS. PRINCE: Yeah.

MR. HARRINGTON: And just for clarity, staff will be tweaking like the findings because that you're not adopting these tonight.

MS. HALL: Yeah --

MR. HARRINGTON: We'll have further refinements. They won't be -- so you'll see that final revision for the 21st so I think the focus is on the conditions of approval. If you're inclined to move towards

1 affirmative approval, um, or any as a [inaudible] if
2 there's something you definitely don't want to point
3 that out as well.
4 MS. HALL: Yeah.
5 MALE: Uh, does this conditional use that we're
6 currently reviewing include the proposal that's being
7 proposed? Did you point that out, uh, what page can I
8 find that on? [inaudible]
9 MALE 2: I don't think your mic's on.
10 MS. PRINCE: Apologies. So, on X, we say the
11 proposed mechanical equipment and/or hot tub shall be
12 screened. I think we should just add the word pool.
13 MALE: Okay. Good.
14 MS. HALL: Um --
15 MALE: Can we just add a reference to the plans
16 in number seven that it's clarified?
17 MS. PRINCE: Yeah. And we -- yeah.
18 MS. HALL: All right. Do you want to go over the
19 summary of what's already been stricken or modified in
20 the first step or does anyone have any proposed
21 modifications? I find them generally consistent with
22 the LMC, the MPD and with the proposed plat amendment.
23 Um, so Rebecca, I have we're striking, uh,
24 proposed to strike number nine, to modify, uh, h3 to
25 say plat notes rather than the specific height, um, to

1 strike Q and to modify that any ground level fixtures
2 would be required rather than encouraged. And then for
3 X slash pool and one that you have as well.
4 MR. HARRINGTON: Just for clarity in the white
5 picture I think it was modify to say any ground level
6 fixtures shall be fully shielded.
7 REBECCA: Yes.
8 MS. HALL: Sorry.
9 REBECCA: And as a recommendation for review for
10 finding of fact seven, if we could have the applicant
11 submit the most updated plans that include the
12 landscaping plans that were presented to the
13 Commission tonight and date those so that we have one
14 exhibit that contains everything that we can attach so
15 that finding of fact seven would say that it is the
16 plans.
17 And then we can insert the date that was reviewed
18 by the Planning Commission so that that's clarified
19 moving forward.
20 MS. HALL: Okay. So, um, all submitted materials
21 dated February 14th or --
22 REBECCA: Once they have been submitted, yes.
23 MS. HALL: Has everyone had, uh, sufficient
24 opportunity to review it and if anyone has any
25 proposed additions?

MALE: I don't think your mic's on, Commissioner.
MALE: Just a clarification on W for the exterior lighting.
MS. HALL: Was that any exterior, uh, fixtures shall rather than encouraged be fully shielded.
MALE: Thank you.
MS. PRINCE: I -- for you, any disturbed -- any area disturbed during construction shall be restored to the original state after the proposed residence is completed. I get that in theory like I know we put that and everything but --
MR. JOHNSON: Is there like 11,000 cubic feet of soil being removed from the site?
MS. PRINCE: Right. Um, should -- do we -- because it's in the area -- area referenced the landscaping plan does -- see -- see what I'm getting at?
MS. HALL: Yeah.
MS. PRINCE: Like I don't want to restore it to the original. I want it to be done --
MS. HALL: Improved?
MS. PRINCE: -- improved by the proposed landscaping plan --
MS. HALL: Yes.
MS. PRINCE: -- because it's worse now.

MS. HALL: Yes.
MS. PRINCE: Does that make sense? Yeah, reference the code, uh, something just to make that more than restoring it to what it looks like. I know they [inaudible].
MALE 2: Importance with the plans and --
MS. HALL: I -- I have faith that you --
MALE 2: -- and the code. Yeah.
MS. HALL: Yeah. I have faith that you will just speed that --
MALE 2: Yep.
MS. HALL: -- up a little bit.
MALE 2: That's -- that make sense.
MS. PRINCE: I think that is all good.
MR. JOHNSON: I mean, you could do the same thing on M too, just add like backup. You, you want a little bit more. You want to add a code to that as well just to reference it to make sure there's more.
MR. FRONTERO: Which one? M?
MR. JOHNSON: M.
MS. HALL: M.
MR. JOHNSON: Rebecca, how is O going to work? How is that process going to work given what's going on tonight?
REBECCA: So, um, once the planning commission

1 takes final action on the conditional use permit, we
2 can then go through and schedule the historic district
3 design review for a public hearing. Uh, that report
4 takes again, uh, all of the underlying regulations
5 that will be approved by the planning commission
6 tonight. And then, um, we'll further go through and
7 work through the details of materials.
8 And, uh, for example, we were just noticing one
9 of the conditions of approval that did not carry over
10 but that we would evaluate is, um, we had proposed
11 that -- that the applicant shall demonstrate the
12 proposed metal siding and roofing materials, have a
13 solarary [ph] flextivity indexer, SRI of 35 or less,
14 prior to this middle of the building per- -- permit
15 going through, all of these details with the
16 materials, um, the --
17 MR. JOHNSON: The -- the -- the -- it sounds like
18 there's been so many chances since the initial review.
19 You're going to have to go back through and you'll be
20 looking at the cocessor [ph] use and everything else
21 associated with it.
22 REBECCA: Correct.
23 MR. JOHNSON: And so, it's sub -- still subject
24 to their approval, the design of the -- the house, the
25 structure itself.

REBECCA: Yes.

MR. JOHNSON: And this is pretty -- we feel like this is signi, um -- this has enough -- enough strength mark as written. We want to reference guidelines.

MR. FRONTERO: Well, those apply. You don't have to because there -- their analysis is already subject to what's codified --

MR. JOHNSON: Right.

MR. FRONTERO: -- as is, so unless Rebecca needs something more I think there is -- before you finish the next color, I want to circle back and make sure that you've either consciously incorporated all of staff's recommended conditions of approval or agreed not to include them because I think there's still a couple more as I said would be the setbacks to CMP. There's still a few more I think we need to address, which are probably more relevant to the next, the next CUP.

MR. JOHNSON: We're really to make sure, you know, apply the amendments kind of a separate piece but we do have those guidelines in place and we want to respect them. And we want that review to still happen based on this design. So, you know, just because we are looking at the plat, separating that

process and making sure that it gets re-evaluated.

MR. FRONTERO: No. But I think both parties desire a degree of clarity that -- that the guidelines alone are going to kind of reflect that final review and let them, the outstanding issues such as the glazing and the, um -- and -- and whatever the third one was or kind of -- you're in an alignment that -- what's been addressed by virtue of this approval isn't revisited during the HDR, and HDR is refining those -- that typical guideline and material review but not going back to like requiring four separate structures.

REBECCA: Right.

MR. FRONTERO: You're -- you're accepting this. Your design review on the CUP is accepting the main massing they're -- they're refining, the -- the HDR just like the other lots went through. Is that a good characterization?

MR. JOHNSON: Okay.

REBECCA: Okay. Um, do you have proposed language for that suggestion for O?

MR. FRONTERO: I just -- I don't -- I don't Commissioner Johnson's statement to just go beyond that. There's also a revisiting of issues that you're resolving.

REBECCA: Right.

MR. FRONTERO: But I don't think you need additional language.

REBECCA: Okay.

MR. FRONTERO: I just want that clear on your record.

REBECCA: Okay.

MS. HALL: All right. Um, does anyone have anything further on this or should we move to the next colored packet?

REBECCA: Um, can I --

MS. HALL: Yes.

REBECCA: -- just ask the -- the applicants a clarifying question? Were there, uh, any conditions of approval in the staff report that, um, you would not agree to incorporate just as we go --

MR. JOHNSON: No.

REBECCA: -- through review? Okay.

MR. JOHNSON: We -- we agree with them; however, we want to make a clarification and we may have something we need to iron out. So if I could just identify that if that's all right.

So, um, one of the items in the staff report, we've numbered to -- I don't think it's numbered in the staff report, um, talks about, um, making sure that the returning walls within the driveway easement

are located within the driveway easement.

And we are going to make sure that all of our retaining walls are within our driveway easement. So we don't -- what we don't like is the comment saying you have to get property owner approval. What we want to do is we already have that; it's in the easement.

So what we've proposed is all improvements associated with our driveway must be contained within the driveway easement. I think that's a fine comment. I just wanted to make that clarification.

MR. FRONTERO: Right.

MR. JOHNSON: We already -- we -- we include it. I'll -- I'll address that in just one sec. The other one, Rebecca in -- is the retaining walls. So what we've said is that we have to make sure that the site work and restoration must comply with LMC15-2. -- .2-5 regarding the difference between existing and finished grade.

And I think what I had -- had seen in the staff recommended plat note was visible retaining walls to the north -- northeast south and structure shall be terraced so that no more than four feet of existing grade is manipulated.

And the -- the problem we're having is on the backside where no one can see. There will be more than

1 four feet of retaining wall. And so that's why at the
2 very beginning of the presentation we were saying you
3 have retaining walls that are greater than four feet
4 except if they're in the setbacks because it
5 contemplates they are limited at four feet in the
6 setbacks.
7 So Rebecca, um, that's -- that's just a
8 clarification. So I think we can iron it out in the
9 process that, um, Mark described that would happen
10 afterwards. But to the extent anyone thinks that it's
11 important that there not be a retaining wall taller
12 than four feet, we should talk about that.
13 And then the last item -- because here -- here
14 that's a fair point -- there -- there are existing
15 retaining walls on the site that are greater than four
16 feet. But -- but the last item is on the windows. The
17 windows shall be aluminum clad wood. And what we have
18 is that the windows will be -- we -- we haven't picked
19 our windows out. They're certainly not going to be
20 vinyl. We're -- we're certain of that. In fact, we've
21 added that already in the plat note.
22 MR. FRONTERO: Yeah.
23 MR. JOHNSON: Um, what we would like to do is
24 work through the HDDR to make sure because they may be
25 aluminum clad wood, which I have, and it's great,

Mathew but, um, it may be a different material.
MR. FRONTERO: Yeah.
MR. JOHNSON: Yeah. It could be steel or some other item like that.
REBECCA: Okay. So --
MR. JOHNSON: I think the -- the good basis for that is that you can get much higher environmental sensitivity, and we're actually going to try and make this elite building. So we want it to be as -- we're not going to -- we're not going to skimp on the windows. I promise you that. They're going to be triple plain high-quality window. So, Rebecca, I hope that answers your question about that -- those.
MS. HALL: Yes. Thank you. Okay. So we're striking aluminum and living vinyl or just leaving it up the HDDR?
REBECCA: Uh, and under -- we'll leave it up to the HDDR.
MS. HALL: That's okay.
MR. FRONTERO: Thank you.
MS. HALL: Okay.
MR. JOHNSON: So the -- the -- the tallest retaining walls that you're -- you're referring though are for the entrance to the parking area, right? That's the only place where it exceeds four feet.

MR. FRONTERO: No. [Inaudible].
MR. JOHNSON: [Inaudible] building?
MALE 2: [Inaudible] by the accessory. Correct. Which --
MR. JOHNSON: We're back at the accessory facility. Chance to [inaudible].
MALE 2: Uh, direct chance [inaudible] to you, Mr. Johnson. Yes.
MS. HALL: So is this all in the blue packet though for this, right?
MALE 2: The blue packet talks about the SLL.
MS. HALL: Okay. So, yeah, that's, uh -- I think if we argue -- I mean, I -- I assume that there are many questions related to the steep slopes, so maybe we should move to the blue packet?
MR. JOHNSON: Sure.
MS. HALL: People are ready? We can always come back to the yellow packet. Um, I don't know if any of the commissioners have any questions for the staff or the applicant or proposed, uh, modifications.
Um, I feel like we haven't really talked in depth about the steep slopes since you're res- -- reserving it to the end, um, in terms of [external ?] water and all of that. Didn't want to --
MR. JOHNSON: External water is part -- is part

of the CUP 2 criteria.

MS. HALL: Yeah.

MR. JOHNSON: But they did provide it. I mean, we could pull that slide up. I thought that that was -- so that's old. Are there -- uh, do -- do you anticipate any real amendments to what you've put in front of us?

MR. FRONTERO: [Inaudible].

MALE 2: So by way of orientation of the blue, page 2 has each and everyone of the nine criteria for being at a steep slope, and we tie it to the plan, which are listed on the first page. And then I think to make sure that we're meeting -- and we love your judgement, of course, on the conditions, and we've added based on the staff report, a new condition, Condition G, which came straight out of the staff report. So that might be a good area to focus for a time on those conditions.

MS. HALL: Okay.

MALE 2: Should we --

MR. JOHNSON: [Inaudible].

MS. HALL: Yeah. [Inaudible].

MR. JOHNSON: [Inaudible].

MALE 2: Commissioner Johnson, you found the issue. The issue is the one that is right there, the

accessory building. That's taller than four feet and then the other one that you identified previously by the parking area.

MR. JOHNSON: [Inaudible].

MALE 2: Twelve exposure and what? That's right. And then by the parking area, they range but --

MR. JOHNSON: Six feet.

MALE 2: That's right. And needed for cla- -- it's for the fire track, so that's why we have a little bit more height than we otherwise would. And so, what we've done there though is it's on the backside so it wouldn't be visible. So we were trying to reflect the locations by making that first comment. The ones that would be visible are the four-foot ones, which are by the setbacks.

MR. JOHNSON: So, in the 12 feet retaining walls for the accessory building are on the side?

MALE 2: That's right.

MR. JOHNSON: But you're saying that the back is actually onto the hill side is going to be a footing with steel or metal studs?

MALE 2: That's right.

MR. JOHNSON: And that's strong enough I guess?

MALE 2: I guess, yeah, [inaudible].

MR. JOHNSON: The engineering is [inaudible]

engineering --

MALE 2: Yeah. Unfortunately, we're not near the setback and we'll have to likely have nails or something in that light. [Inaudible].

MR. JOHNSON: So those are exceptions to our code, both of those retaining walls. How does everybody feel about that?

MS. HALL: I mean, is that like --

REBECCA: May --

MS. HALL: -- for the fire turnaround?

MR. JOHNSON: I -- yeah -- no -- I -- I -- I think that's kind of what I'm landing to. I -- again it all comes back to the accessory building that continuously is ask- -- asking for exceptions. I understand why it's down into the hill side. So, um, but I don't want to just [inaudible] all night. So if you guys have, you know -- if other commissioners have concerns, voice them now and --

REBECCA: Um, may I add one clarification? The four-foot, uh, regulation comes into the height amendments in the HR1 zoning district. Just -- just to clarify. So if it's the -- if those height regulations are not applying and it's the height that was in a fact of the time of the MPD approval, that will change, that four-foot, uh requirement.

MALE 2: And then we could seek and exception but we're not, Mr. -- Commissioner Johnson. We could seek and except as to the retaining walls in the setback, and there's criteria in -- the planning commission has given the power but we're not seeking it.

MS. HALL: Any commissioners have any other comments or questions related to the --

MR. FRONTERO: Yeah. I --

MS. HALL: -- steep slope?

MR. FRONTERO: Just -- just one quick question on the accessory building retaining wall. Is the wall exposed just on one side, on the interior side?

MALE 2: That's right.

MR. FRONTERO: Okay. Out, the outside of the wall would be -- so -- well --

MALE 2: Retaining.

MR. FRONTERO: Oh.

MALE 2: Yes.

MR. JOHNSON: Mark, you're saying that essentially because this is, uh, part of the MPD and it's not a substantial change that since the SLL ordinance like 15.2.2153 number 3 for properties with steep slopes or very steep slopes within 50 feet of the property, the following are also required soil investing -- soil investigation report, GO technical

1 report and additional slope information, which they've
2 provided one of those. Right? So, we're just not --
3 that's if it was a brand-new development or they were
4 shipping to a separate parcel within that MPD?
5 MR. FRONTERO: Right.
6 MR. JOHNSON: So the SLL doesn't really apply
7 then. Okay.
8 MR. FRONTERO: Not the standalone ordinance but
9 the SLL site specific criteria in this -- in the HR1 -
10 -
11 MR. JOHNSON: In the [SLL ?].
12 MR. FRONTERO: -- steep slope CUP section due. So
13 you -- that's where you still have --
14 MR. JOHNSON: Correct.
15 MR. FRONTERO: -- mitigation review criteria and
16 one -- so if the commissioner wanted to close the gap
17 between sort of the general language you've seen with
18 some of the retaining walls and what was the original
19 staff commissioner of approval, it seems like you
20 could batch in a condition of approval regarding any
21 retaining wall in excess of four feet that is not
22 screened by the home, shall have additional mitigation
23 such as either --
24 MS. HALL: Mm-hmm. Landscape.
25 MR. FRONTERO: -- additional landscaping, uh,

1 shall be reviewed by the -- during the HDDR for
2 additional mitigation, you know, something that gives,
3 you know, an -- an ability to kind of, like the whole
4 project, bridge the gap between what's vested verses
5 the intent is to not have those exposed [inaudible].
6 MS. HALL: So, any new retaining wall that's
7 east-facing and not concealed by --
8 MR. FRONTERO: Correct.
9 MS. HALL: -- the home should have a vegetation?
10 MR. FRONTERO: Well, should -- should be --
11 MS. HALL: Or other [inaudible].
12 MR. FRONTERO: -- should -- I think you want to
13 focus on the same purpose of having the four feet
14 terracing. Can that -- can the purpose of that visual
15 --
16 MR. JOHNSON: Achievement.
17 MR. FRONTERO: -- breakup be achieved through a
18 different mechanism that a- -- allows the physically
19 required height of -- of the retaining wall and just
20 max -- especially -- and -- and I think the -- the
21 garage entr- -- entrance or entrances or the -- excuse
22 me -- parking area, you know, that may be, not be
23 screened as much from the east. Anything on that side
24 might be even more relevant. I don't -- I differ to
25 staff than the stuff on the north for the accessory

structure.

MS. HALL: Yeah, I like having the, um, vegetation more specifically -- vegetation plan more specifically conceal the parking area and incorporating some of those elements within the retaining wall that's exposed to the east.

MALE 2: Yeah. Yeah. Condition E is the one that sounds like it needs to be beefed up to reflect that, because that why we attempted to describe screening of the walls, but I hear with staffing has indicated and commissioners.

MR. FRONTERO: And, Rebecca, didn't you originally have a proposed condition regarding a construction mitigation plan and the -- is that somewhere?

REBECCA: So, that was in the yellow.

MR. FRONTERO: Is that in -- still yellow.

REBECCA: But we would recommend that that also be included in the steep slope CUP conditions of approval. And that is, the applicant shall include in its construction mitigation plan, um, a proposal to direct excavated clean soils for use in Park City Mountain Resort.

Uh, they've reworded it a bit. Um, we would recommend just confirming with the chief building

1 official, uh, before coming forward with the rock, uh,
2 final proposed condition of approval but that, um, the
3 original proposal I can pull up. Um, yeah --
4 MR. FRONTERO: But why don't we just -- why don't
5 we work on modifying it for their final action letter.
6 And so for clarity purposes, this would be condition
7 number D on page 6 of the yellow. We've beefed up --
8 REBECCA: Yellow one.
9 MR. FRONTERO: -- and transferred to a new
10 condition of approval on page four and blue.
11 REBECCA: Uh, updated as, uh, indicated --
12 recommended by staff and approved by -- or reviewed by
13 the chief building official.
14 MS. HALL: Henry, we haven't heard from you. Do
15 you have any --
16 MALE 4: I'm following.
17 MS. HALL: Okay. I don't want to leave you out.
18 MALE 4: No.
19 MS. HALL: Do you have any comments or questions?
20 MALE 4: No.
21 MS. HALL: Okay. All right. Um, don't know if I
22 officially opened the public hearing and incorporate
23 it into the record, all public comments that were made
24 at the initial portion of the regular agenda, so I'm
25 going to do that now and close the public hearing for

6C. Then I still see some people reviewing their packet. So --

MS. HALL: All right. Does anyone have any further for the steep slope for the staff or the applicant or -- or for the single-family dwelling CUP? Um, if not, um, yeah, we have three agenda items and [structurally ?], we are supposed to take a vote on the three items. Are people prepared to take a vote on that? All right. Um, --

MS. PRINCE: I -- I just have one -- one question about, um, the residence, uh, CUP. Um, there -- there -- it's -- the additional findings, um, all, um, referenced compliance with the LMC rather than the Sweeny MPD. And how is that consistent?

I mean, I think -- I think it's pretty clear that, um, what's being proposed is not consistent with the LMC and maybe we are prepared to give them exception, um, to -- because -- because we're finding that it complies with the Sweeny MPD. Why are -- why is all of these findings geared then toward findings under the LMC?

MS. HALL: Is there like a specific one that you're looking at? Because, I mean, some of them might, you know, adequate street -- off-street parking.

1 MS. PRINCE: Right.
2 MS. HALL: I mean, I'm just kind of looking --
3 like some of them I feel like they are going to be
4 compliant, but I agree we could clarify if there are
5 certain ones that are Sweeny MPD specific.
6 MR. FRONTERO: When -- when we -- this might --
7 MS. HALL: And --
8 MR. FRONTERO: -- this might [inaudible], when we
9 come back we -- as stated we will -- been requested by
10 Commissioner Hall, is we will add references to -- for
11 the present.
12 MS. HALL: What are we making findings on?
13 REBECCA: And to --
14 MS. HALL: Findings on [inaudible] --
15 MR. FRONTERO: Well, no, you're making findings -
16 -
17 MS. HALL: -- complies with the previous issue?
18 MR. FRONTERO: -- well, it complies with the
19 existing -- yeah, because you're still making findings
20 with the existing CUP criteria as -- as, um, conformed
21 by the pre-established MPD regulations.
22 And -- and that's sort of consistent with, um,
23 the first six homes you -- you would -- or at least
24 the five that are in each one where you would have
25 certain regulations that may not have -- wouldn't have

1 allowed those homes to be what they were originally,
2 but they -- they're making a design -- they're making
3 sure the design is incompatible as opposed to, um,
4 purely compatible with a 25 by 75 design.
5 So we can add some of that precedent language
6 that Commissioner Hall requested for all three to make
7 it clear that there's a distinction between what is
8 flowing from the MPD [vesting ?] verses the LMC. So I
9 think I'm a -- I'm following you halfway that there
10 needs to be some separation of the references to ones
11 that, um -- it's like height, for example. But if any
12 of these references have current plate but --
13 MS. HALL: Perfect size, yeah.
14 MR. FRONTERO: Yeah. Those --
15 MS. HALL: Okay.
16 MR. FRONTERO: -- we -- we can modify those to
17 reflect and eliminate the LMC reference and insert the
18 MPD reference or just -- and you can double check that
19 when we bring it back on the 21st.
20 MS. HALL: Yeah. Because I feel like some of them
21 we do want to keep the LMC references like no signs
22 and the noise, the lights.
23 MR. FRONTERO: Yeah, there's -- there are things
24 which are not in conflict with the vesting.
25 MS. HALL: Like 50/50, or I don't know which ones

1 [inaudible].
2 MS. PRINCE: But a lot of the main, you know,
3 appropriate size and, um -- and appropriately massed
4 and, um -- and bulk and oriented and, uh, physically
5 designed to be compatible with surrounding structures
6 and appropriately situated on existing [gepography ?]
7 and consistent with the goals and objections of -- of
8 Park City, uh, general plan. Like all those things I
9 think could, um, maybe don't fit.
10 Um, I -- I don't know -- think we can find
11 compliance on all those things but perhaps under the
12 Sweeny MPD and HUD houses and commission, um, may find
13 it acceptable. But, um, just having trouble finding
14 compliance with the LMC on a number of these items.
15 MS. HALL: Um, is that something we want to go
16 through now then or, I mean, we can do this -- how
17 about I be the direction for the staff to -- if
18 there's --
19 MR. FRONTERO: We have two separate issues. One
20 is where there's a -- the consensus decision whether
21 there is or isn't a compliance with the items that
22 you're reviewing as not sort of dropped by the
23 [inaudible] development, or I think you have a couple
24 members that are still trying to convince a couple of
25 you to go with them, which you certainly still can

1 have that discussion on which items those are --
2 MS. HALL: Yeah.
3 MR. FRONTERO: -- versus clarification on the
4 record that the references shouldn't -- where they
5 don't apply, you're not putting in the record that
6 they do comply with things, which we -- we've
7 suggested that the plat notes take -- take out,
8 because the plat notes do conf- -- conform, is the
9 word I -- I used before in terms of the -- like the
10 height is the perfect example.
11 Like you don't want to reference that the first
12 comment was more clarifying the findings so that
13 there's no height reference to current code because
14 the plat note take -- clarifies that that's not
15 applicable or shouldn't -- in the CUP, there shouldn't
16 be a note that it complies with current height. That's
17 one issue.
18 MS. HALL: Yes.
19 MR. FRONTERO: But discussing the merits, which
20 is the second part, Commissioner [inaudible] comment
21 in terms of whether the structural size and some --
22 revisiting some of the same things and whether she's
23 able to convince a couple of you. But there is still a
24 compliance, so she -- that's a separate discussion.
25 And so I just want to clarify those two points.

MS. PRINCE: All right. Thank you.
MS. HALL: Okay. Yeah, I guess from a high level when we say compliance with the LMC, the LMC also ask for a mass plan development, which also allows for general exceptions to specific requirements. So that's kind of where I was seeing the little bit of the overlap, but I'm, uh, well --
MS. PRINCE: I think the way Mark laid it out, --
MS. HALL: Yeah.
MS. PRINCE: -- um, was a little different than saying, oh, it complies with the LMC because the LMC allows for, um, MPD, uh, uh, uh, specifications.
MS. HALL: So, just like high le- -- high level generically speaking, because we allow for exceptions within MPDs. That should, you know --
MS. PRINCE: I think the -- the process that, um, the commissioners are required to go through and -- and analyzing whether or not an application complies with the CUP, is better not complies with the requirements, you know, specifically laid out in the LMC.
MS. HALL: Uh-huh.
MS. PRINCE: No, um, less exceptions that are in MPD. But -- so, I --
MR. FRONTERO: Well, the other option,

Commissioner [inaudible] is to put up a header like, uh -- to clarify that similar to the plat note that we -- we had an introduction subject to the conditions of approval and the, um, plat amendment, um, notes, uh, consistent with the MP- -- original MPD approval, the commission adopts the following, um, so that --

MS. HALL: That are in compliance with the LMC?

MR. FRONTERO: -- that ties in. Yeah, because it is -- it does. Most of the references, the LMC in this section refer to the CUP section, not the stuff that was in the compliance section for the zoning code. Like -- like I don't see a specific height reference --

MS. HALL: Yep.

MR. FRONTERO: -- su- -- subsection.

MS. HALL: Mm-hmm.

MR. FRONTERO: It says compliance with the overall CUP section. And, and that is, you know, what you're being asked to decide in terms of whether it's out there, in terms of like the steep -- the mitigation criteria in the steep slope CUP and then your -- the design conditions of approval, you've added to -- to ensure that the HDR conforms as best as possible with the plat amendment notes that you've agreed -- that the majority has ag- -- agreed to

1 modify. So there's a bit of a not -- it's --
2 MS. HALL: It's convoluted.
3 MR. FRONTERO: Yeah, it's convoluted. But that's
4 a good clarification but I just -- I also want to
5 bifurcate the clarification for the references versus
6 if you still want to make subsidive [ph] -- have a
7 subsidive discussion on certain particular issues,
8 which is certainly [inaudible].
9 MS. HALL: Yeah. So, I guess I'm happy to talk
10 more some civilly but I think regardless, we should
11 incorporate what Mark said to the front of this.
12 MS. PRINCE: Yes.
13 MS. HALL: Okay. Okay.
14 MS. PRINCE: I agree. Subject to -- yeah.
15 MS. HALL: All of Mark's words nothing. All
16 right. Well, it's already 9:30, so I'm definitely not
17 doing my job of staying on task. Um, we have three
18 agenda items we are supposed to be voting tonight. Um,
19 do we have anything further to discuss on any of these
20 agenda items or is anyone ready to make a motion?
21 MS. PRINCE: Yes, could you just clarify then,
22 um, what we're voting on since there's, um, quite a
23 bit of, uh, changes that, um, have been proposed?
24 MS. HALL: So my understanding is that we would
25 be voting to approve and make recommendations to staff

to draft a final action letter?

MS. PRINCE: Make findings. Yeah.

MS. HALL: And make findings consistent with our discussion. And then the final review of all of those items would be in the February 21st meeting, which, uh, there will be an online portion available since that will --

MR. FRONTERO: But you would not continue the public hearing but you would be able to make changes to the red lines that would appear, uh, to the -- to the draft findings and conditions of approval?

MS. HALL: And that would be emailed to us on Friday as a regular staff packet, and then we will have a hybrid meeting on the 21st where people could attend virtually or in person to review, um, everything that we've discussed.

MALE 2: And is this one collected vote on the collective matters or individual [inaudible]?

MR. FRONTERO: No. I -- I would recommend you do each one individually because you may have different commissioners with different votes and diff- -- on different applications.

MS. HALL: Um, yeah. So I guess, um, along the lines of, uh, what Mark said, uh, I would just point to 6A if there's further discussions on the Plat

Amendment or if we have a motion and then we'll go through he 6B, and we'll have another opportunity to have a discussion or motion, and then we'll go to 6C before we move to the rest of our agenda. So for 6A, do we have --

MR. JOHNSON: [Inaudible].

MS. HALL: Is there a consensus one way or another to draft the final action letter consistent with the majority of the commissioners?

MS. PRINCE: I'd just like to go on the record with some of my, uh, um, objections to the finds, judicial findings in the residence CUP. Um, um, I object -- I object to the finding 10A, 10G, 10H, 10K, 10O, 10P.

MS. HALL: Uh, can you report that one more time?

MS. PRINCE: Sure. Um, I don't find compliance with, um, the, uh, additional -- with the LMC or the additional findings listed in the proposed additional findings, um, 10A, 10G, 10H, 10K, 10O, 10P. That's it.

MS. HALL: Okay.

MS. PRINCE: Thanks.

MS. HALL: Um, the majority of commissioners or any commissioners want to go in and discuss, um, these ones? Sorry, that was -- what did you say, Bill?

MR. JOHNSON: [Inaudible].

MS. HALL: A and B.
MS. PRINCE: Oh, Q was taken out, correct?
MS. HALL: Okay.
MS. PRINCE: Completely, yes. A and B [inaudible].
MS. HALL: And for K, is it -- sorry, for -- um, this will be for both of you. Is it, uh, both portions of K? So it's incompatible with the starting structures per LMC. And then it's also inconsistent with the other single-family residences with any amended Sweeny. Just the first section. And, Laura, are you for both sections or -- because that's like the -- that's the code for version for the CUP and the analysis underneath it.
MS. PRINCE: [Inaudible].
MS. HALL: So we're saying that the -- the analysis is that -- it is consistent with the other, uh --
MS. PRINCE: I object to the whole -- the entire 10K.
MS. HALL: Okay. So it's inconsistent with the Sweeny MPD, not just --
MS. PRINCE: Yes.
MS. HALL: -- and then the surrounding areas beyond that essentially. Are we getting it -- MS.

PRINCE: And in compliance with --

MS. HALL: -- I guess that's all we're getting?

MS. PRINCE: -- and -- and not in compliance with the LMC on that.

MS. HALL: So then it --

MS. PRINCE: Yeah.

MS. HALL: Okay. So it doesn't comply with the LMC because it's inconsistent with the single-family residences within the Sweeny MPD or are you wanting to add something more to that?

MS. PRINCE: No.

MS. HALL: Okay. Um, all right guys. Sorry, it's getting late. Um, I guess, do we have, uh, a majority for the O or P as well? I guess I'm taking a poll to look for -- if we would like to discuss this more for the -- for the CUP for the single-family dwelling if people feel like it doesn't meet the criteria. Okay. I'm going to table that and go back to the Plat Amendment.

Uh, we took a poll initially, but we had no formal motion. We are statutorily needing to take a motion for the [inaudible] item. So --

MR. FRONTERO: Just for clarity, on this Plat Amendment, we need this evening to -- we need to move -- make a motion to draft the final action letter, um,

--

MS. HALL: To direct staff.

MR. FRONTERO: -- to direct staff to come up with the final action letter to be reviewed February 21.

MALE 2: Yeah. I would like you to specify either approve or deny in the motion.

MR. FRONTERO: In the motion. Yeah. Okay. Oh, okay, I'll make a motion to approve a final action letter on 20, uh -- 220. Is that right? So 220 King Road Plat Amendment.

MALE 2: Sorry -- sorry, Commissioner Frontero, the motion is, um -- we move to direct staff to prepare a -- prepare a final action letter from approval --

MR. FRONTERO: Move staff to direct.

MALE 2: -- of Item 6A subject [inaudible].

MR. FRONTERO: -- final action letter or Agenda Item 6A on February 21, 2024.

MS. HALL: All right, we have first by Commissioner Frontero.

MS. VAN DINE: Second.

MS. HALL: And a second by Commissioner Van Dine. All in favor?

MR. FRONTERO: Aye.

MALE 2: Aye.

MS. PRINCE: Aye.
MS. HALL: All apposed?
MS. PRINCE: Nay.
MR. FRONTERO: Nay.
MS. HALL: All right. Motion carries. Uh, 6B 220 King Road conditional use permit, we're looking for a similar motion one way or another to the di- -- direct staff for a final action letter related to 6B.
MR. JOHNSON: [Inaudible].
MR. FRONTERO: [Inaudible]. I move to direct staff, uh, or a final -- to create a final action letter on 220 King Road conditional use permit for final review, February 21, 2024.
MALE 2: For approval or denial?
MR. FRONTERO: Uh, for approval.
MS. HALL: We have a first by Commissioner Frontero.
MALE 2: Second.
MS. HALL: And a second by Commissioner Shan. All in favor?
MALE 2: Aye.
MS. PRINCE: Aye.
MS. HALL: All apposed?
MALE 2: Nay.
MS. PRINCE: Nay.

MR. FRONTERO: Nay.
MS. HALL: All right. So we have three in support and three against. Um, and this is a unique situation, which has never happened in my very long time here, in which there's a tie that goes to the chair and I will say I in support of the motion to approve. So motion carries. Moving on to 6C 220 King Road steep slope conditional use permit.
MR. FRONTERO: Okay. I'll, um, make a motion to direct staff to create a fine -- a final action letter approving the conditional use permit steep slope for 220 King Road on February 21, 2024.
MS. VAN DINE: Second.
MS. HALL: We have a first by Commissioner Frontero and a second by Commissioner Van Dine. All in favor?
MR. FRONTERO: Aye.
MS. VAN DINE: Aye.
MS. HALL: All opposed?
MR. JOHNSON: Nay.
MALE 2: Nay.
REBECCA: Nay.
MS. HALL: All right. And in the unique situation where there is a tie, I will again vote and I will vote I in favor of the approval. All right, 10:00,

guys. Hear the bell. Um, we'll just powered through real fast for these next two adg- -- agenda items.

MR. FRONTERO: Sure.

MS. HALL: Is the staff -- or sorry -- is the staff and the commission willing to stay on longer than our normally scheduled 9:30? Okay. Um, I'm going to stand and stretch for a moment while the, um, applicants and staff maybe change seats.

I, Chris Naaden, a transcriber, hereby declare under penalty of perjury that to the best of my ability the above 185 pages contain a full, true and correct transcription of the tape-recording that I received regarding the event listed on the caption on page 1.

I further declare that I have no interest in the event of the action.

April 18, 2024
Chris Naaden

(Park City Planning Commission meeting, 2-14-24)

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EXHIBIT H

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

1153 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

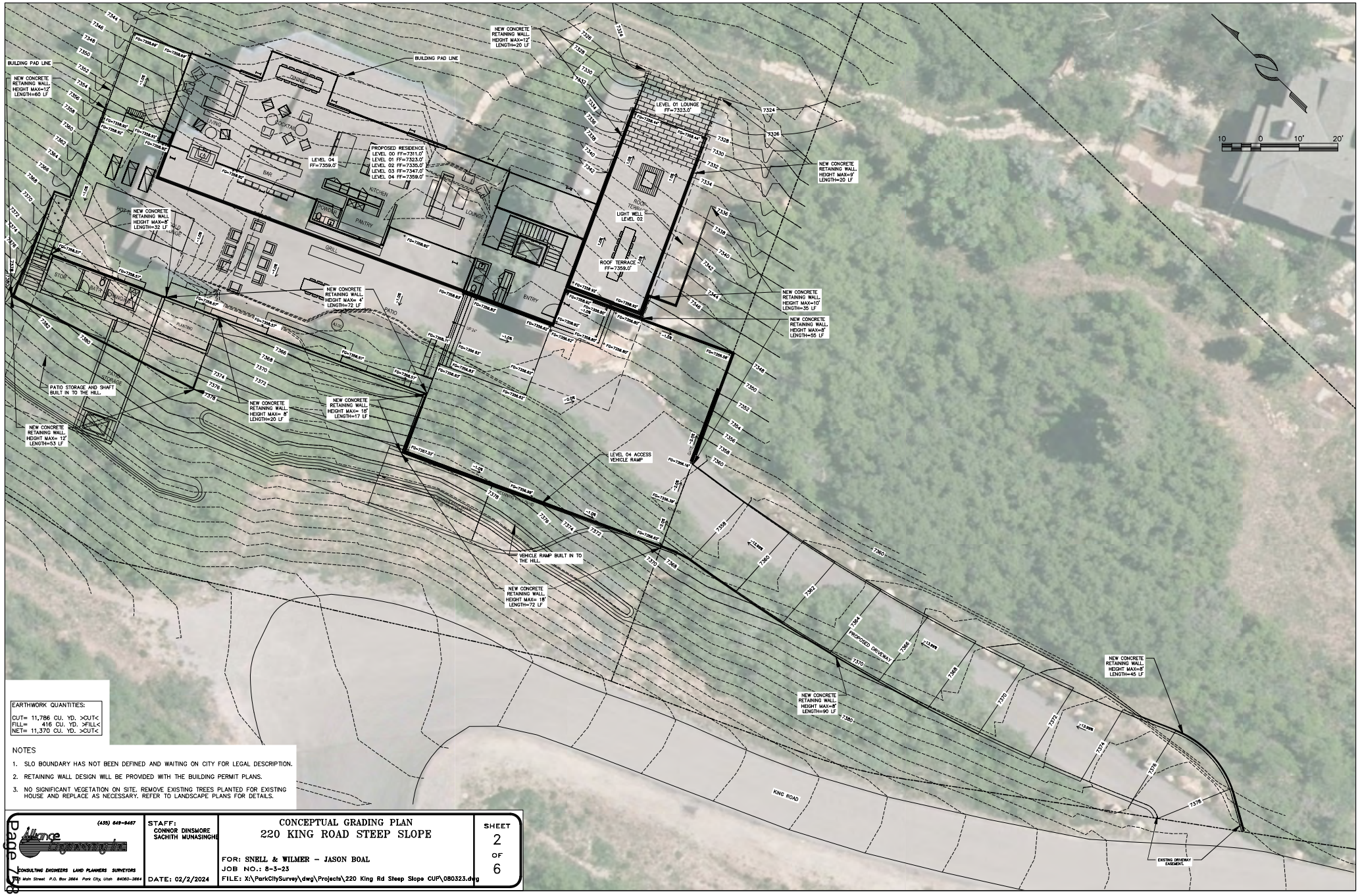
DATE: 02/2/2024

EXISTING CONDITIONS
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 1 OF 6

NOTES:
1. EXISTING CONDITION SURVEY IS DONE BY UTAH LAND SURVEYING, LLC.



EARTHWORK QUANTITIES:

CUT= 11,786 CU. YD. >CUT<
FILL= 416 CU. YD. >FILL<
NET= 11,370 CU. YD. >CUT<

NOTES

1. SLO BOUNDARY HAS NOT BEEN DEFINED AND WAITING ON CITY FOR LEGAL DESCRIPTION.
2. RETAINING WALL DESIGN WILL BE PROVIDED WITH THE BUILDING PERMIT PLANS.
3. NO SIGNIFICANT VEGETATION ON SITE. REMOVE EXISTING TREES PLANTED FOR EXISTING HOUSE AND REPLACE AS NECESSARY. REFER TO LANDSCAPE PLANS FOR DETAILS.

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

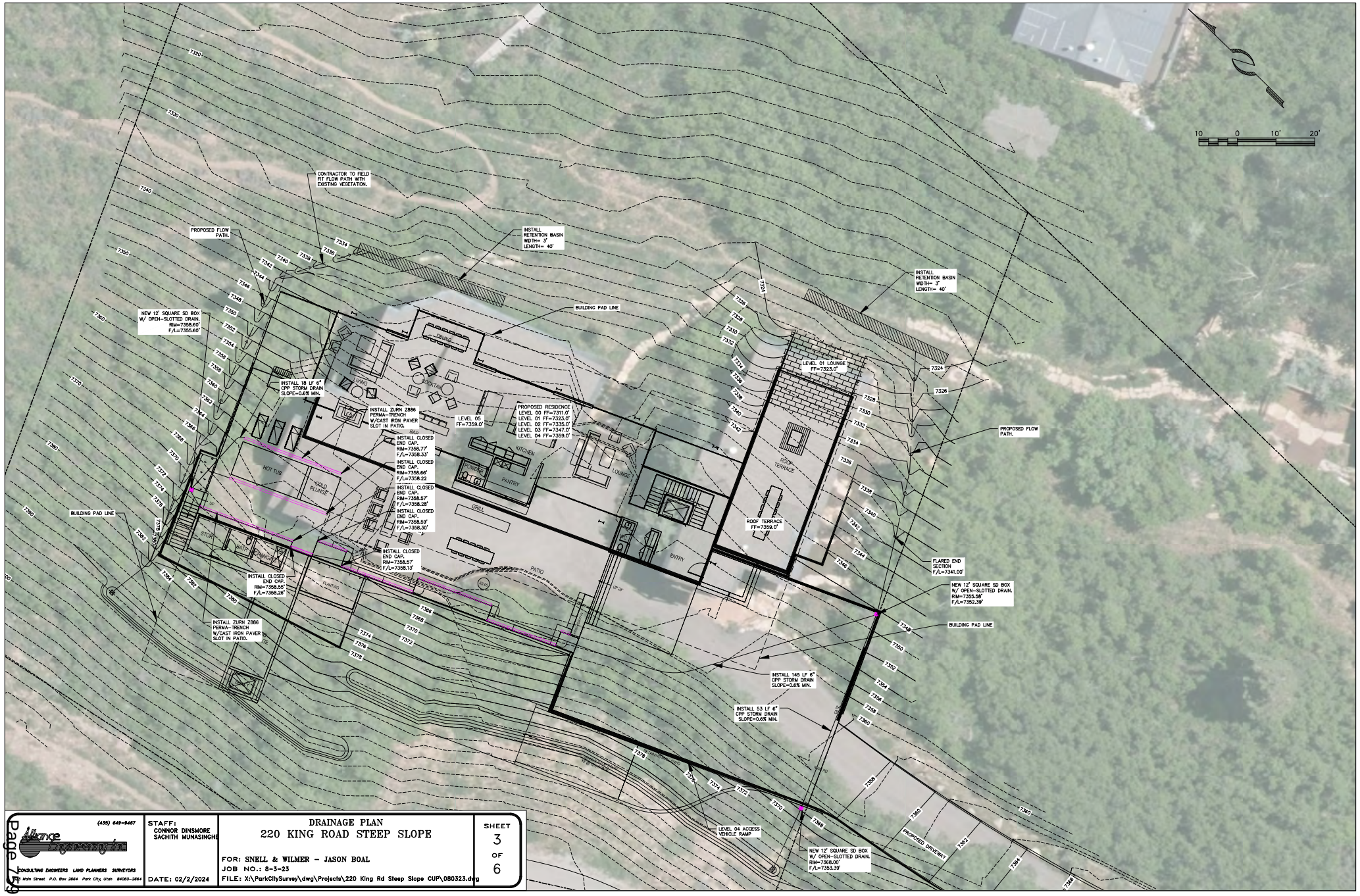
STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/2/2024

CONCEPTUAL GRADING PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 2 OF 6



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Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

1168 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

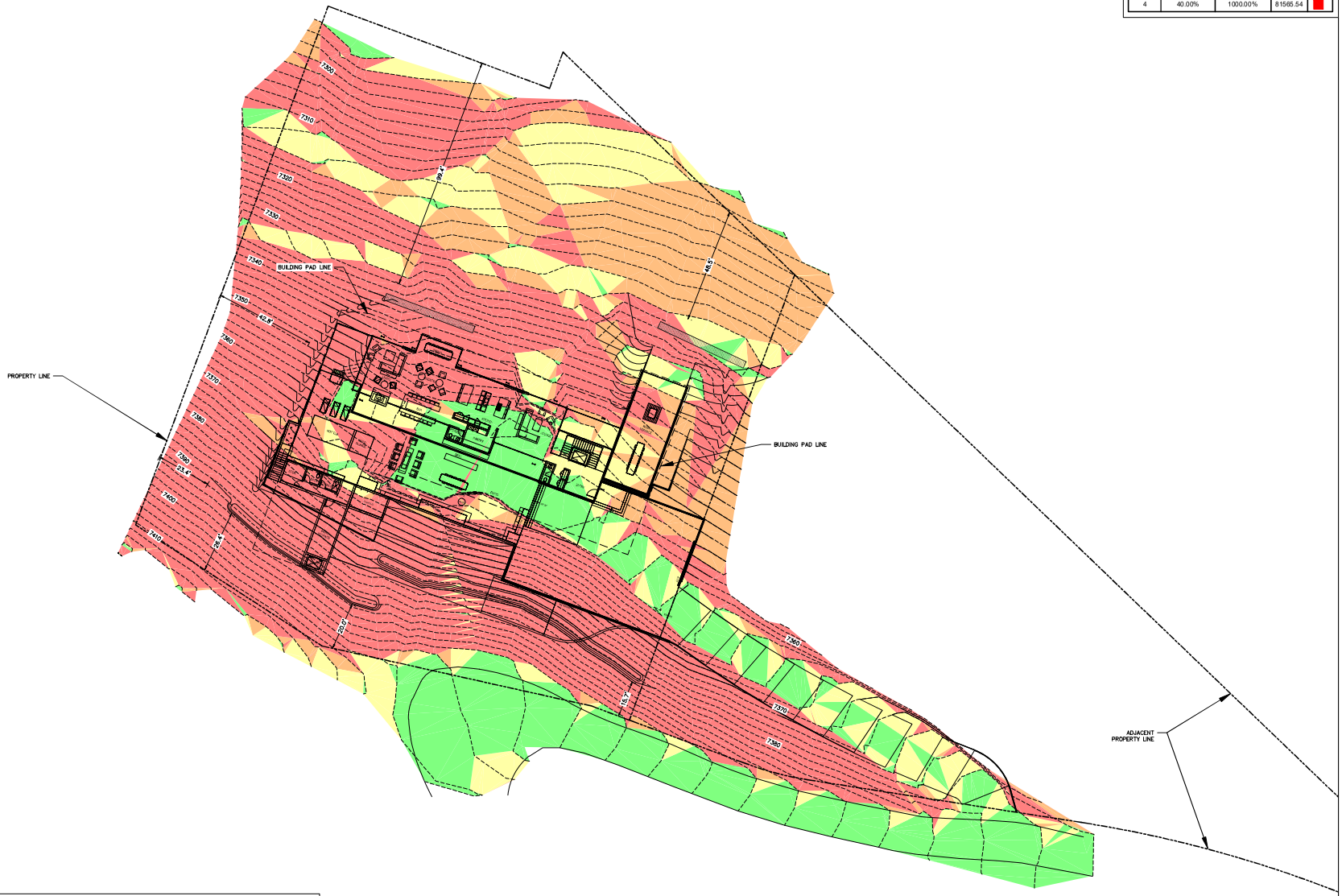
DATE: 02/2/2024

DRAINAGE PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 3 OF 6

Slopes Table				
Number	Minimum Slope	Maximum Slope	Area	Color
1	0.00%	15.00%	26854.72	
2	15.00%	30.00%	30493.23	
3	30.00%	40.00%	44227.74	
4	40.00%	1000.00%	81565.54	



20' 0 20' 40'

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

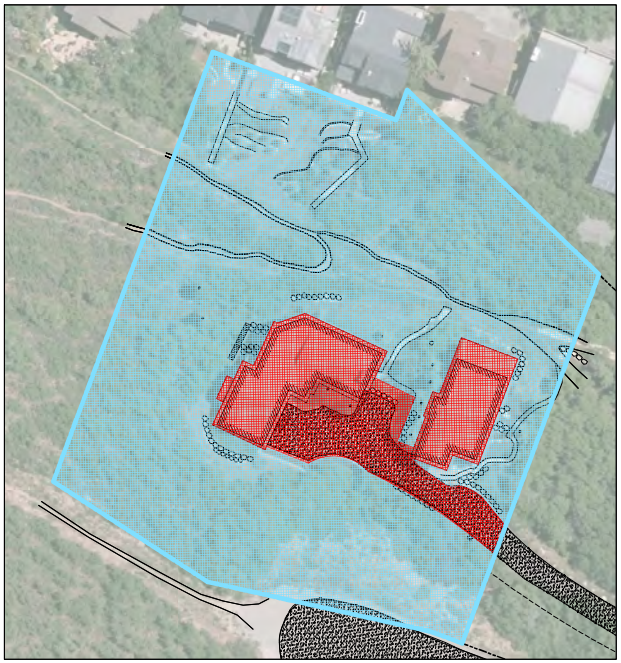
STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

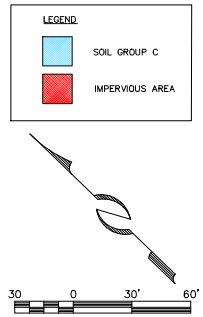
DATE: 02/2/2024

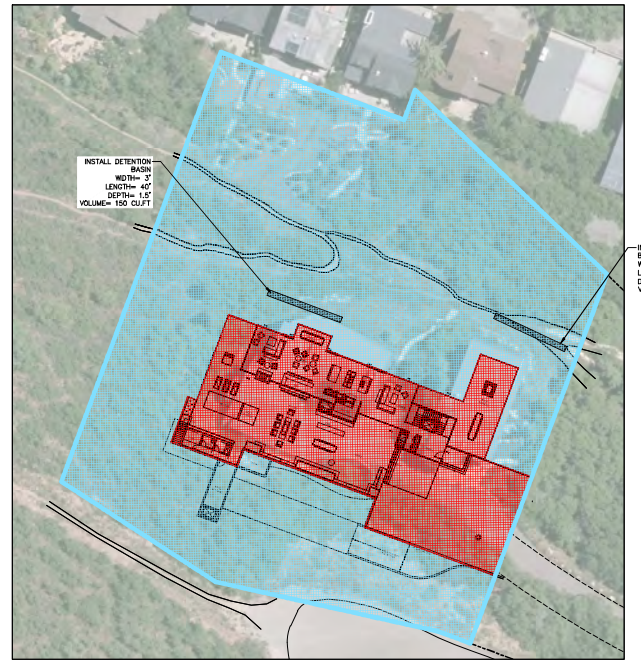
SLOPE MAP
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 4 OF 6







WATER QUALITY VOLUME CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: $WQ_v = CiTA$

DESIGN STORM: 90TH PERCENTILE EVENT

NOTE: INTENSITY = 0.60 IN/HR FOR SUMMIT COUNTY BASE.

VARIABLES

Q = RUNOFF FLOWRATE (CUBIC FEET/SEC)

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	0.07	0.10	0.14	0.18
AVERAGE (2-6%)	0.12	0.15	0.19	0.23
STEEP (>6%)	0.16	0.21	0.27	0.33
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE	0.78		0.90	

i = STORM INTENSITY (FT/HR)

T= STORM DURATION (HR)

NOTE: T= 2 HR PER SUMMIT COUNTY ORDINANCE SEC 6.

A = AREA (FT^2)

PRE-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)			45,298	
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE			1,859	

A= 53,807 FT^2

C= 0.37

i= 0.05 FT/HR

t= 1.00 HR

ΔWQ_v = 1,005 CU FT

POST-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)			41,322	
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE			12,485	

A= 53,807 FT^2

C= 0.42

i= 0.05 FT/HR

t= 1.00 HR

ΔWQ_v = 1,135 CU FT

GROUNDWATER RECHARGE VOLUME

ΔWQ_v = 130 CU FT

PEAK RUNOFF CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: RATIONAL METHOD Q=CiA

STORM RETURN PERIOD: 100 YEARS

NOTE: FOR THE 100 YR RECURRANCE INTERVAL, THE COMPOSITE "C" VALUES ADJUSTED BY A FACTOR OF 1.25 BEFORE DIMENSIONING.

STORM DURATION: 10 MIN.

SOUCE: NOAA ATLAS 14 - PARK CITY RADIOSTATION 42-6588

VARIABLES

Q = RUNOFF FLOWRATE (CUBIC FEET/SEC)

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	0.07	0.10	0.14	0.18
AVERAGE (2-6%)	0.12	0.15	0.19	0.23
STEEP (>6%)	0.16	0.21	0.27	0.33
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE	0.78		0.90	

i = STORM INTENSITY (INCHES/HR)

A = AREA (ACRES)

t = TIME OF CONCENTRATION (SEC.)

V = EXCESS RUNOFF VOLUME (CU FT) = ΔQ×t

PRE-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	–	–	–	–
AVERAGE (2-6%)	–	–	–	–
STEEP (>6%)	–	–	1.04	–
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE			2.20	

A= 1.24 ACRES

C= 0.37

C_{100} = 0.47

i= 5.00 IN/HR

Q= 2.88 CFS

POST-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	–	–	–	–
AVERAGE (2-6%)	–	–	–	–
STEEP (>6%)	–	–	0.95	–
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE			3.28	

A= 1.24 ACRES

C= 0.42

C_{100} = 0.53

i= 5.00 IN/HR

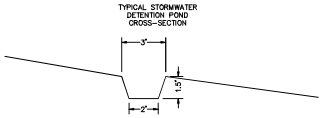
Q= 3.27 CFS

EXCESS RUNOFF STORAGE VOLUME

ΔQ= 0.39 CFS

t= 600 SEC.

V= 232 CU FT



STORMWATER DETENTION REQUIRED = 232 CU. FT.
STORMWATER DETENTION PROVIDED = 300 CU. FT.

NOTES:

1. PEAK RUNOFF VOLUME OF 232 CU. FT. IS TO BE 100% DETAINED IN PROPOSED POND. THE DIMENSIONS OF THE DETENTION BASIN IS NOTED ON THE ABOVE PLAN. CUMULATIVE DETENTION VOLUME = 300 CU. FT.
2. OUTLET ROOF DRAINS SO THAT THE STORM WATER FLOWS FROM HOUSE DOWN GRADING AND INTO DETENTION BASIN.
3. STORMWATER DETENTION POND ALIGNMENT MAY VARY, FOLLOW EXISTING CONTOUR.
4. THE DETENTION POND HAVE BEEN SIZED TO DETAIN 100% OF THE WATER QUALITY VOLUME (PER SUMMIT COUNTY ORDINANCE NO. 381-A, APPENDIX F) MEETING THE COUNTY REQUIREMENTS FOR TSS REMOVAL AND GROUNDWATER RECHARGE.

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STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/2/2024

STORMWATER MANAGEMENT PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
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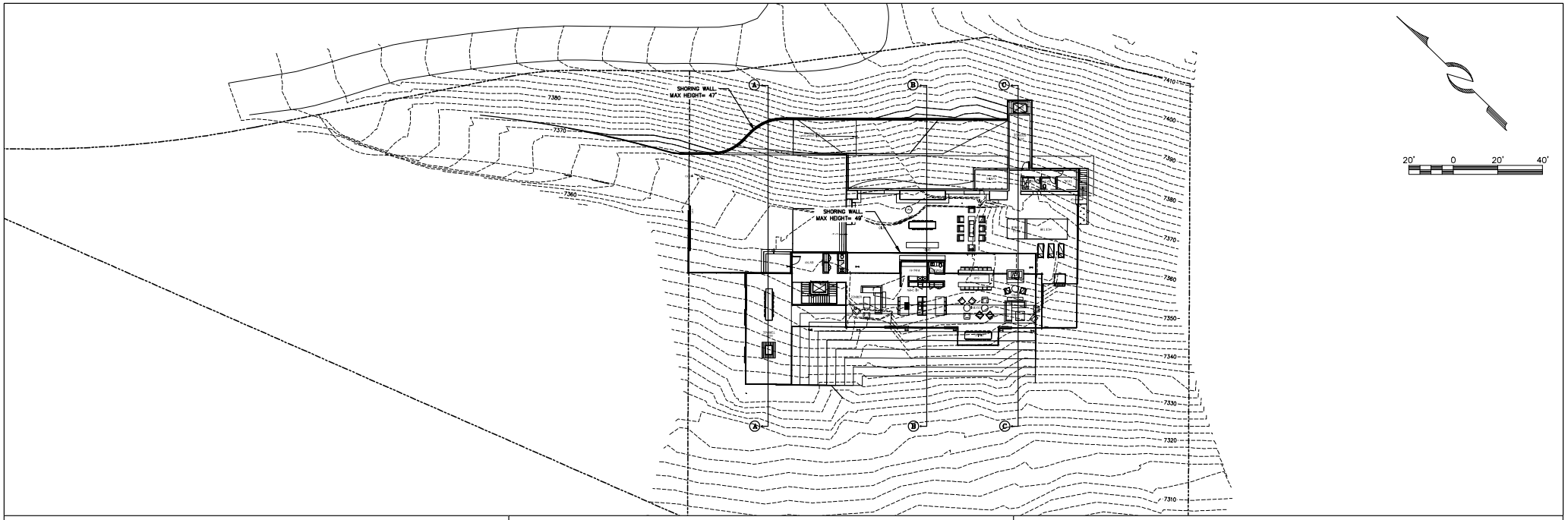

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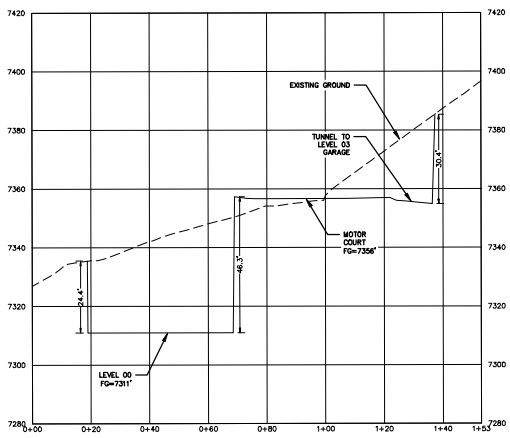

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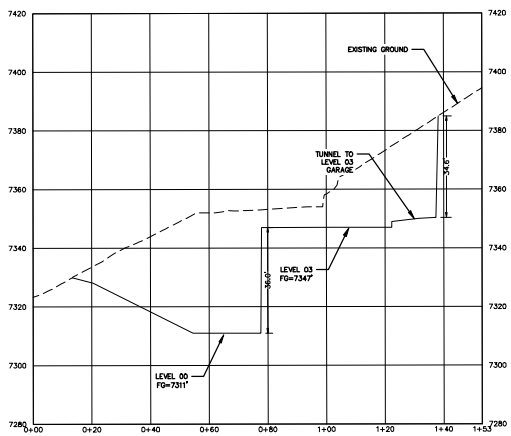

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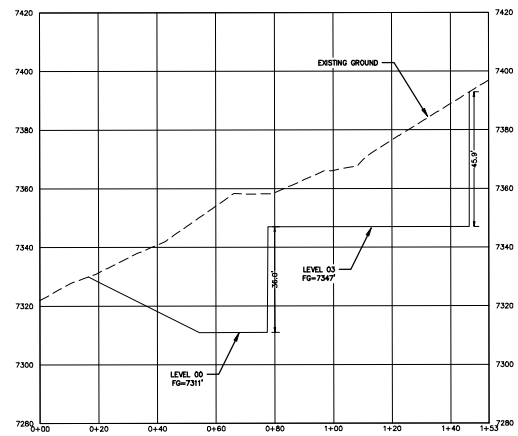

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DATE: 02/2/2024

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SHEET 6 OF 6

EXHIBIT I

ENGINEERING GEOLOGY OF PARK CITY, SUMMIT COUNTY, UTAH

By Harold E. Gill and William R. Lund

UTAH GEOLOGICAL AND MINERAL SURVEY
a division of
Utah Department of Natural Resources

Special Studies 66 **June 1984**

Gill and Lund — Engineering Geology of Park City, Summit County, Utah
Special Studies 66

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ENGINEERING GEOLOGY OF PARK CITY, SUMMIT COUNTY, UTAH

By Harold E. Gill and William R. Lund

UTAH GEOLOGICAL AND MINERAL SURVEY
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Utah Department of Natural Resources

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ENGINEERING GEOLOGY OF PARK CITY, SUMMIT COUNTY, UTAH

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ENGINEERING GEOLOGY OF PARK CITY, SUMMIT COUNTY, UTAH

By Harold E. Gill [1] and William R. Lund [2]

ABSTRACT

Park City began as a mining community in the late 1860s and mining continued actively in the area for more than 100 years. In the 1970s skiing surpassed mining as the major industry in the area. Due to a rapid increase in population and tourism, and subsequent need for additional facilities, pressure for development in possible problem areas, such as flood plains and steep hillsides, has increased. Development in these relatively hazardous areas requires early recognition of geologic constraints on construction. It is the purpose of this report to provide general information on geologic conditions and hazards in Park City for use in making planning decisions.

Park City is on the eastern slope of the Wasatch Range in north-central Utah. Bedrock in the study area consists of Pennsylvanian to Jurassic quartzite, limestone, sandstone, shale, siltstone, mudstone, and conglomerate, as well as Tertiary volcanic and intrusive rocks. The area is on the north flank of the westward extension of the Uinta arch, and beds dip gently to the north-northwest. Quaternary glacial and alluvial deposits (gravel, sand, silt, and clay) cover approximately 25 percent of the area. The major structural features in Park City are the north-trending Park City anticline on the west and the Frog Valley thrust fault on the east. Numerous northeast-southwest trending normal faults are found in the southern half of the study area.

Soils are predominantly gravelly, but fine-grained materials (silts and clays) are found in valley bottoms and along drainage channels. Expansive clays occur locally in the alluvium-filled valleys. Rock materials are resistant quartzite and limestone in the south and less resistant shale, siltstone, and mudstone in the north. Flood-prone areas are limited to land adjacent to stream channels and to valley bottoms such as Deer Valley and Park Meadows, where both flood and shallow ground-water hazard are high. To the present time, slope failure and erosion have not been major problems. However, as development continues, especially on steeper slopes, care should be taken to assure that grading and wetting of the slopes, as well as removal of natural ground cover, do not increase the hazard.

The rapid development of Park City as a recreational area has resulted in the urbanization of mined areas. Hazards associated with mining include open shafts and adits, increased loading on slopes due to waste piles, contamination of soil and water by toxic elements in old mill tailings, and subsidence resulting from collapse of abandoned underground workings.

Park City lies within a north-south trending belt of seismicity known as the Intermountain seismic belt. Although the city has not experienced a large earthquake in historic time, an earthquake of Richter magnitude 6 is considered possible.

Snow avalanches occurred in the Park City area between 1884 and 1897, primarily because trees which stabalize snow on slopes were removed for use by the mining industry. At present, the slopes have revegetated and no avalanches have been reported on slopes near the city since Park City Resort opened in 1963.

INTRODUCTION

Background and purpose

Park City is located on the eastern slope of the Wasatch Range in north-central Utah, about 20 miles (32 km) east of Salt Lake City (fig. 1). It originated as a silver mining community in the late 1860s. Mining activity peaked in 1929 and has decreased since that time (Economics Research Associates, 1981). However, considerable ore remains and may be mined in the future. The first ski resort was devel-

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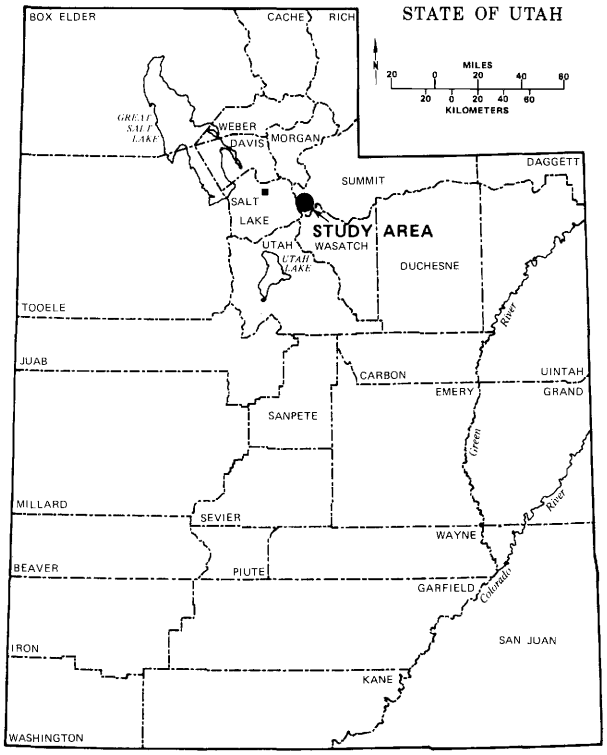


FIGURE 1.—Location of study area.

oped in 1963 (Park City Ski Resort), and during the 1970s skiing replaced mining as the major industry in Park City. All mines are idle at present, but Park City and the Snyderville Basin are experiencing renewed growth with the opening of additional winter recreational facilities such as Park West Ski Resort and most recently Deer Valley Resort. The mild summer climate and spectacular mountain scenery attract many summer visitors and full-time residents as well.

The 1980 census shows that the population of Park City increased from 1193 in 1970 to 2823 in 1980. It is estimated that the population will nearly quadruple between 1980 and the year 2000 (Economics Research Associates, 1981). The number of full-time residents, however, is not an accurate indication of the importance of Park City as a growing Utah community. During a peak month of the winter recreation season, the average population of the Park City and Snyderville Basin area was reported as 14,400 in 1981/1982, and is estimated to reach 23,470 by 1985/1986 and 47,180 by the year 2000 (Economics Research Associates, 1981). On a percentage basis, the number of housing units is expected to increase faster than resident population due to rapid construction of condominiums for visiting skiers.

Portions of Park City are characterized by steep mountain slopes, expansive soils with moderate to high shrink/swell potential, and shallow ground water. As population grows, land suitable for development will become more scarce and expansion into possible problem areas is likely. For this reason, the Utah Geological and Mineral Survey entered into a cooperative agreement with Park City to investigate engineering geologic conditions within the established boundaries of the town which may have an effect on future growth and development. This was accomplished by preparing a series of maps that identify geologic, hydrologic, and soil conditions of importance to development, and provide an assessment of slope stability, erosion, flood, seismic, and mining-related hazards. The maps and accompanying text are intended for general planning purposes, and do not preclude the necessity for site-specific investigations. A geologic time scale and glossary of terms is included in the appendix.

Previous work

Since the discovery of silver in the late 1800s, the Park City area has been of interest to geologists. Boutwell (1912) published the first extensive geologic study of the Park City mining district and it remains the standard reference for the area. Published reports by Wilson (1959), Eardley (1968), and Bromfield (1968) also discuss the geology of the Park City mining district. The U.S. Geological Survey has mapped the geology of the Park City East and West and Heber 7.5 minute topographic quadrangles, portions of which cover the study area (Bromfield and others, 1970, 1971; Crittenden and others, 1966). A great deal of geologic and hydrologic information has been gathered by various mining companies, but these data are available only through a contract/fee arrangement with United Park City Mines. Baker (1970) published the only hydrologic report pertaining to the study area. The U.S. Geological Survey is currently studying surface and ground-water hydrology in the Park City area, but the report will not be complete for several years. A map of flood-prone areas in Park City has been prepared by the U.S. Department of Housing and Urban Development Federal Insurance Administration (1976) which shows the extent of the 100-year flood (flood with a one percent chance of occurring annually) on major streams. A more comprehensive study, including newly developed areas, is scheduled to begin during the summer of 1984, with completion in about 16 months (James Harvey, oral commun., 1984). The USDA Soil Conservation Service and others (1977) have mapped soils in the area and have made engi-

neering interpretations regarding erosion hazard, slope stability, and land-use.

Scope of work

To accomplish the objectives of this study the following work was undertaken:

1. Review of available published and unpublished reports, well and test pit logs, and maps pertaining to geology, hydrology, and soils.
2. Contact with planners, building inspectors, homeowners, and geologists familiar with local conditions and hazards.
3. Monitoring of surface hydrology and flooding between early spring and late summer 1983.
4. Detailed field mapping using 1:12,000 and 1:20,000 scale black and white stereo aerial photographs and 1:2,400 scale photo enlargements.
5. Field inspection of existing excavations with description of 20 soil profiles to gather data on soil types, erosion hazard, and slope stability.
6. Inspection of adits, shafts, and waste piles at 49 mine workings.
7. Drilling of ten 4-inch (10 cm) diameter auger holes from 2 to 11 feet (0.6 - 3.4 m) deep in the Prospector Square area of Park City to determine depth and lateral extent of mill tailings. Soil samples collected were analyzed for toxic elements.
8. Analysis of data and preparation of maps and accompanying text.

GENERAL GEOLOGY

Physiography and Climate

The study area lies in the Wasatch Range section of the Middle Rocky Mountains physiographic province in north-central Utah (Stokes, 1977). The Wasatch Range trends north-south through central Utah and includes high alpine terrain with peaks above 10,000 feet (3050 m). Much of the higher elevations were glaciated during the Pleistocene. Elevations in Park City range between 6760 and 8495 feet (2062-2591 m) above sea level. Silver Creek (also known as Poison Creek), which heads in Empire Canyon, is the principal drainage in Park City. It flows from the southern boundary of the study area northward to Masonic Hill where it turns to the northeast, eventually joining the Weber River at Wanship about 12 miles (19 km) north of Park City.

Terrain in the study area ranges from broad alluvial valley bottoms and low hills in the north to steep, rugged mountains cut by deep valleys in the south. Most of the mountainous area is underlain by resistant quartzite and limestone bedrock. Deep canyons such as Woodside Gulch, Empire Canyon, and Ontario Canyon have been cut where faulting and folding have made the bedrock less resistant to erosion. These canyons were glaciated and show evidence of scour by glacial ice. To the north, hills are rounded with gentle slopes and low relief because of the less-resistant bedrock (shale, mudstone, and siltstone) found there. Alluvium and glacial outwash from the mountains to the south were deposited along streams forming broad alluvial valleys.

The climate is sub-humid, with annual precipitation ranging from 20 to 25 inches (51-64 cm) in the valley to 25 to 30 inches (64-76 cm) in the mountains (Baker, 1970). The majority of precipitation falls as snow during November through April. The dryest period is generally May through September, when less than 8 inches (20 cm) of precipitation falls.

Stratigraphy

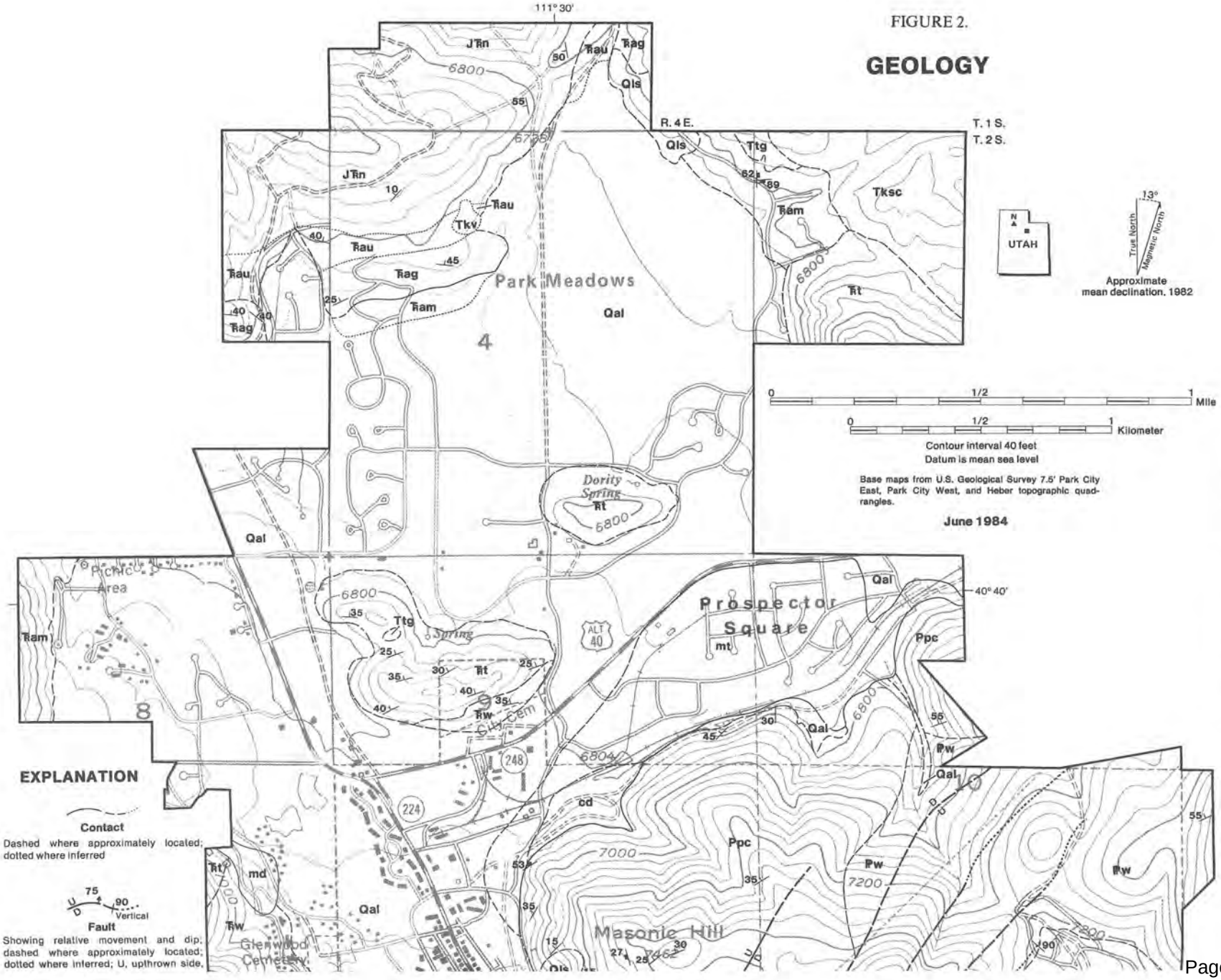
Geologic units range in age from Pennsylvanian to Holocene in the study area (geologic time scale, appendix). Bedrock consists of Pennsylvanian to Jurassic quartzite, limestone, sandstone, siltstone, mudstone, and shale, and Tertiary volcanic and intrusive rocks. Unconsolidated materials consist of Tertiary gravels and Quaternary glacial deposits, landslide deposits, alluvium, and colluvium. A geologic map of the area is shown in figure 2.

Pennsylvanian — The oldest rock unit in the Park City area is the Weber Quartzite. It crops out in the southern half of the study area where numerous resistant ridges consisting of medium- to thin-bedded, pale gray, tan-weathering, fine-grained quartzite and sandstone are found. The character of the rock indicates a shoreline deposit, and its homogeneity shows that conditions remained constant during its deposition (Boutwell, 1912). Limestone forms a subordinate but significant part of the formation. The Weber Quartzite is the principal water source in mines of the Park City mining district (Baker, 1970, p. 18).

Permian — The Park City Formation is a sequence of limestone, chert, sandstone, and phosphatic shale. The formation was deposited during a transitional period between stable conditions during the Pennsylvanian period and the more erratic conditions associated with deposition of the overlying Triassic red beds. The most extensive and characteristic exposures trend southwest-northeast across the center of the study area and form portions of Treasure Hill and

FIGURE 2.

GEOLOGY



D, downthrown side

Thrust fault

Dashed where approximately located, dotted where inferred. Sawteeth on upper plate. R denotes reverse fault and upthrown side

Anticline

Showing direction of plunge

Strike and dip of bedding

Strike and dip of joints

Vertical

Mine dump

md

Dashed where approximately located

Mill tailings

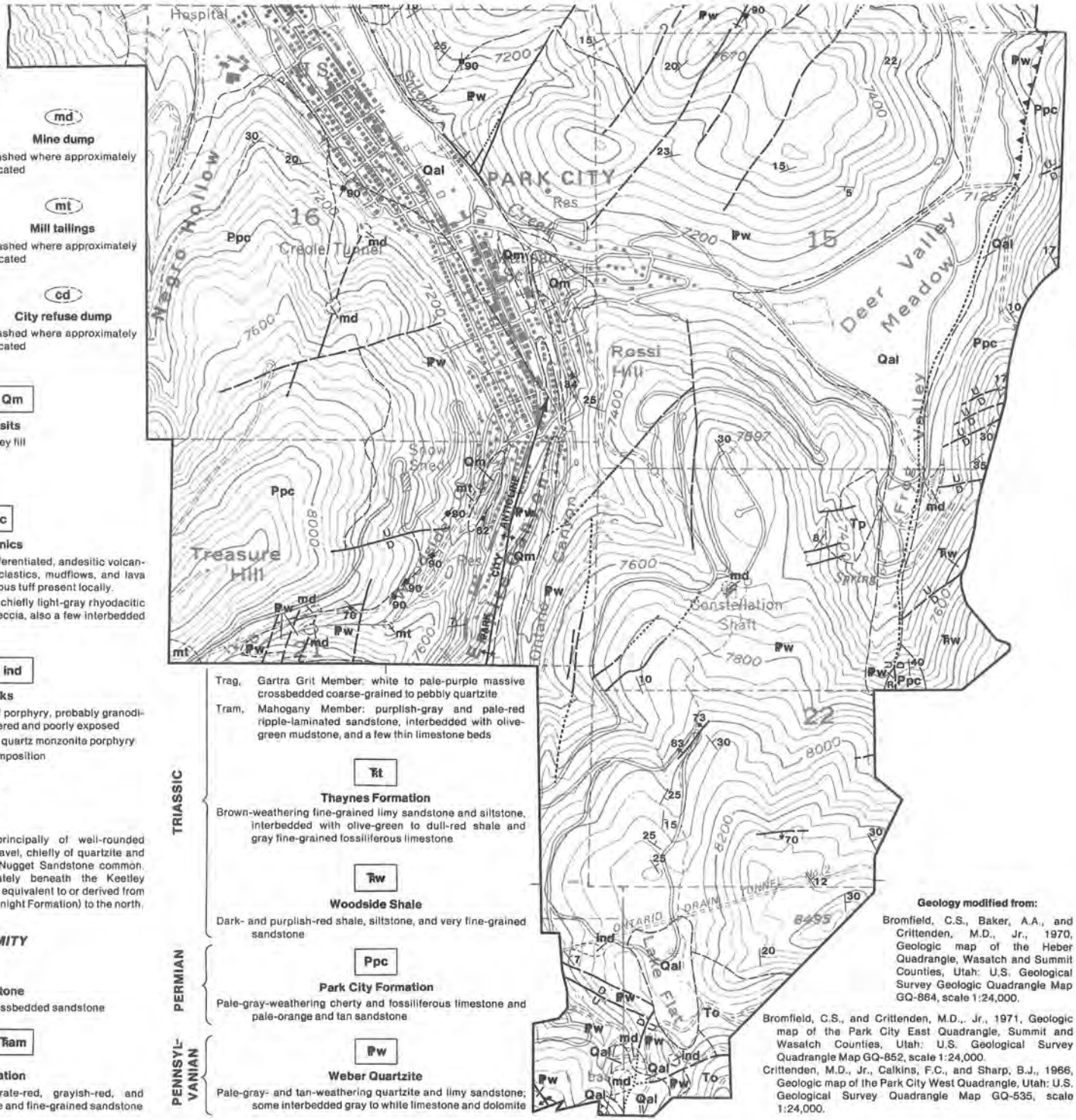
mt

Dashed where approximately located

City refuse dump

cd

Dashed where approximately located



QUATERNARY

Qal	Qls	Qm

Surficial deposits

Qal, stream deposits and valley fill

Qls, landslide deposits

Qm, glacial moraine

TERTIARY

Tkv	Tksc

Keetley Volcanics

Tkv, Keetley Volcanics undifferentiated, andesitic volcanic rocks, includes pyroclastics, mudflows, and lava flows. Pale-gray pumiceous tuff present locally.

Tksc, breccia of Silver Creek, chiefly light-gray rhyodacitic to andesitic volcanic breccia, also a few interbedded tuffs.

Tp	To	ind

Intrusive rocks

Tp, small intrusive bodies of porphyry, probably granodioritic in composition; altered and poorly exposed

To, Ontario stock; light-gray quartz monzonite porphyry

ind, dikes of intermediate composition

Ttg

Gravel

Gravelly deposit composed principally of well-rounded boulders, cobbles and gravel, chiefly of quartzite and sandstone; boulders of Nugget Sandstone common. Occurs locally immediately beneath the Keetley Volcanics. In part may be equivalent to or derived from the Wasatch Formation (Knight Formation) to the north.

UNCONFORMITY

TRIASSIC(?) and JURASSIC(?)

JTRn

Nugget Sandstone

Pale-orange medium-grained crossbedded sandstone

TRIASSIC

TRau	TRag	TRam

Ankareh Formation

TRau, upper member: moderate-red, grayish-red, and grayish-purple mudstone and fine-grained sandstone

TRag, Gartra Grit Member: white to pale-purple massive crossbedded coarse-grained to pebbly quartzite

TRam, Mahogany Member: purplish-gray and pale-red ripple-laminated sandstone, interbedded with olive-green mudstone, and a few thin limestone beds

TRt

Thaynes Formation

Brown-weathering fine-grained limy sandstone and siltstone, interbedded with olive-green to dull-red shale and gray fine-grained fossiliferous limestone

TRw

Woodside Shale

Dark- and purplish-red shale, siltstone, and very fine-grained sandstone

PERMIAN

Ppc

Park City Formation

Pale-gray-weathering cherty and fossiliferous limestone and pale-orange and tan sandstone

PENNSYLVANIAN

Pw

Weber Quartzite

Pale-gray- and tan-weathering quartzite and limy sandstone; some interbedded gray to white limestone and dolomite

Geology modified from:

Bromfield, C.S., Baker, A.A., and Crittenden, M.D., Jr., 1970, Geologic map of the Heber Quadrangle, Wasatch and Summit Counties, Utah: U.S. Geological Survey Geologic Quadrangle Map GQ-864, scale 1:24,000.

Bromfield, C.S., and Crittenden, M.D., Jr., 1971, Geologic map of the Park City East Quadrangle, Summit and Wasatch Counties, Utah: U.S. Geological Survey Quadrangle Map GQ-852, scale 1:24,000.

Crittenden, M.D., Jr., Calkins, F.C., and Sharp, B.J., 1966, Geologic map of the Park City West Quadrangle, Utah: U.S. Geological Survey Quadrangle Map GQ-535, scale 1:24,000.

Masonic Hill. No single exposures of the entire formation can be found in the study area and only the upper Franson Member was observed in outcrop. That member consists of light gray, buff-weathering limestone and dolomite and tan calcareous sandstone. The Park City Formation is one of the major ore-bearing units in the Park City mining district (Boutwell, 1912).

Triassic — The majority of rocks exposed in the northern half of the study area are of Triassic age. They include, from oldest to youngest; the Woodside Shale, Thaynes Formation, and Ankareh Formation.

The Woodside Shale is a sequence of interbedded red shale, siltstone, and fine-grained sandstone representing an offshore deposit laid down during a period of relative tectonic quiescence. The unit contains no ore, but its capacity for ground-water storage reportedly makes it an important factor in mining operations (Boutwell, 1912). The formation crops out in a northeast-southwest band approximately through the center of the study area in the vicinity of the Glenwood Cemetery and the new City Cemetery.

The Thaynes Formation is a calcareous sequence of marine limestone, sandstone, and clastic sedimentary rocks. It is comprised of an upper interbedded limestone, limy sandstone, and siltstone unit; a middle red shale and siltstone unit; and a lower green micaceous shale. Its deposition was probably characterized by crustal instability with frequent marine transgressions and regressions. Only the upper limestone and sandstone sequence and middle red shale unit are in the study area. Some units within the Thaynes Formation are fossiliferous and the fossils plus the middle red shale unit distinguish the Thaynes Formation from the otherwise similar Park City Formation. The unit occurs in two small hills immediately north of Utah State Alternate Highway 40 in the north-central portion of the study area. Dority Spring and two unnamed springs discharge from this formation.

The Ankareh Formation overlies the Thaynes Formation in the far northern portion of the study area and is comprised of three members; the lower Mahogany Member, the middle Gartra Grit Member, and the upper (unnamed) red member. The formation is comprised of shallow-water detrital sediments representing flood-plain, mud flat, and channel deposits. The Mahogany Member consists of purplish-gray and pale-red, ripple-laminated, fine-grained sandstone and purplish mudstone. Rock from this unit has been used for landscaping in the Park City area. The middle Gartra Grit Member consists of a white to pale-purple, massive, crossbedded, coarse-grained to pebbly quartzite and conglomeratic sandstone. The member occurs in channels in the underlying Mahogany Member, indicating a period of erosion after deposition of the lower unit. The contact between the Gartra Grit and the upper red beds is gradational. Due to its extent and characteristic appearance, the Gartra Grit is considered an excellent marker unit for stratigraphic studies. The upper member consists of red and grayish-purple mudstone and fine-grained sandstone. This member weathers to gentle slopes and few outcrops can be found.

Triassic - Jurassic — The Nugget Sandstone overlies the Ankareh Formation in the northwest corner of the study area where it caps Quarry Mountain. The age of the unit is uncertain, and is considered to be transitional between the Triassic and Jurassic (Bromfield, 1968). The Nugget Sandstone consists of fairly uniform pale-red to reddish-orange, fine-grained to very fine-grained sandstone. Large-scale crossbeds occur throughout the unit, indicating an eolian dune depositional environment. The formation has been utilized for landscaping and as building stone.

Tertiary — Tertiary gravel deposits consisting of well-rounded boulders, cobbles, and gravels, chiefly of quartzite and sandstone, unconformably overlie the Ankareh Formation. The deposits are localized and very thin. Cobbles of Nugget Sandstone are common and the unit may be equivalent to or derived from the Wasatch (Knight) Formation to the north (Bromfield and Crittenden, 1971).

Oligocene intrusive rocks are found in the southern portion of the study area. A small granitic intrusive is located immediately east of the Deer Valley Resort lower lodge, at the southern end of Frog Valley (fig. 2). A much larger intrusive, the Ontario Stock, is located immediately east of the Deer Valley upper lodge at Lake Flat. This intrusive consists of light-gray quartz monzonite porphyry. Small dikes of intermediate composition are also found near this location (Bromfield and Crittenden, 1971).

The Keetley Volcanics of Oligocene age unconformably overlie sedimentary rocks at the north end of the study area. Rock types include flows, tuffs, and volcanic breccias of andesitic to rhyodacitic composition. Residual soils have attained thicknesses of several feet in many locations and outcrops of unweathered rock are rare.

Quaternary — Glacial moraines comprised of boulders, cobbles, gravel, and finer material underlie Ontario Ridge and are also found at the mouth of Woodside Gulch and at the northwest end of Rossi Hill (fig. 2). Apparently only in Empire Canyon did

ice reach the canyon mouth (Boutwell, 1912). The moraines in Park City have not been dated, but possible correlation with glacial deposits mapped by Madsen and Currey (1978) in Little Cottonwood Canyon approximately 7 miles (11 km) southwest of Park City across the Wasatch Range indicates a late Pleistocene age.

Two landslides of Quaternary age (fig. 2) are found in Park City. The largest is located near the northeast corner of the study area on a moderate slope underlain by the Ankareh Formation. It appears to have involved both residual soil and weathered bedrock. The smaller landslide is on the west slope of Masonic Hill and is an earth slump in colluvium on a steep slope. The failure is underlain by the Park City Formation. A series of mudflows and debris flows of late Pleistocene to Holocene age occurred in Iron Canyon immediately west of the study area (Schroder, 1971). The toe of the flow deposits, termed the Iron Canyon landslide, terminates near the picnic area north of Snow Summit Ranch. Failure occurred in the argillaceous upper red member of the Ankareh Formation.

Holocene sediments are found over much of the study area (fig. 2). The deposits consist chiefly of alluvial gravel, sand, silt, and clay. Fine-grained sediments in Park Meadows and Deer Valley Meadow reach a maximum thickness of about 100 feet (31 m) and an average thickness of approximately 60 feet (18 m) (Baker, 1970). These sediments represent alluvial material and local residual soil of silt and clay derived from shale, siltstone, and mudstone bedrock. Silt and clay are also found adjacent to stream channels where they were deposited during periods of overbank flooding. Holocene silty and sandy gravels cover much of the remaining area. They occur predominantly as colluvium and alluvium at the base of mountain slopes, and as clean gravel in stream channels.

Structure

The Park City region lies on the north side of a broad east-west trending uplift, generally considered to be the westward extension of the Uinta arch. This structure cuts across the north-south orientation of the Wasatch Range (Bromfield, 1968). The dip of bedding in the study area is generally to the north-northwest, but has been altered by folding and faulting in the southern part. The dominant structural feature in the area is the Park City anticline, which is transverse to the east-trending Uinta arch. The axis of the anticline plunges to the north and trends parallel with and immediately east of Ontario Ridge. It terminates slightly north of the mouth of Empire Canyon (fig. 2). In the study area the limbs of the anticline dip gently northeast and west at angles between 15 and 25 degrees. The anticline and associated folding are thought to be of Tertiary age and may be associated with the intrusion of porphyries in late Eocene or Oligocene time (Wilson, 1959).

A major structural feature on the east side of the study area is the Frog Valley thrust fault which trends north-south along the east side of Frog Valley and Deer Valley Meadow (fig. 2). On the ridge north of McHenry Canyon (south of the study area) the fault is mapped as a reverse fault placing Weber Quartzite on the west against beds of Woodside Shale on the east (Bromfield and others, 1970; Bromfield and Crittenden, 1971). North of Frog Valley, the fault trace is concealed by alluvium where it runs along the east side of Deer Valley Meadow. No evidence for displacement of the alluvium was observed. The fault is again exposed north of Deer Valley Meadow where the Weber Quartzite has been thrust along a low-angle fault over the Park City Formation (Bromfield, 1968). Weber Quartzite north of the fault strikes northeast and dips northwest while the Park City Formation and the Woodside Shale south of the fault strike north and northwest and dip eastward (Bromfield, 1968). The Frog Valley thrust fault is believed to be contemporaneous with other thrusting in the area (F. Davis, oral commun., 1984) which has been dated as late Cretaceous and early Tertiary (Crittenden, 1976).

A number of southwest-northeast trending normal faults found almost exclusively in the Park City Formation and Weber Quartzite were observed in the southern half of the study area. No evidence of Quaternary offset along those faults has been identified. The nearest fault on which offset during the Quaternary is known is the Wasatch fault located approximately 16 miles (26 km) to the west (Anderson and Miller, 1979).

ENGINEERING GEOLOGY

Various geologic considerations are important in the location, design, construction, and maintenance of engineered structures. These include rock type and structure, soil characteristics and thickness, topography, hydrology (both surface and groundwater conditions), and seismicity. These factors were used to evaluate slope stability, foundation conditions, erosion hazard, seismic hazard, and mining-related hazards that affect the Park City area.

Soils

Soils in the area range from relatively thin colluvial gravel usually found on or at the base of mountain slopes to thick, fine-grained alluvial soil generally restricted to valley bottoms. The soil units identified by the USDA Soil Conservation Service and others (1977) in Park City have been modified based on geologic mapping, air photo interpretation, and boring/test pit logs. They have been combined on the basis of soil type and engineering characterestics into four major groups (fig. 3). The groups are further subdivided into deep and shallow soils based on a depth to bedrock of 60 inches (152 cm). The major soil groups consist of (a) gravel, silty gravel, and clayey gravel (Group I), (b) silty clay and clay (Group II), (c) a mixture of clay, silt, and gravel (Group III), and (d) a layer of silty clay overlying silty and clayey gravel (Group IV). An "r" attached to the group number designates an area of shallow bedrock (e.g. Ir). Soil descriptions conform to the Unified Soil Classification System (table 1).

Gravelly soils consist primarily of silty, clayey, and sandy gravels (GM, GC, GP). Silty and clayey gravels have permeabilities ranging from 0.6 to 6.0 inches/hour (4.2×10^{-4} to 4.2×10^{-3} cm/sec), while clean gravels can have permeabilities as high as 20 inches/hour (1.4×10^{-2} cm/sec). Fines forming the matrix for the clayey gravels exhibit low to moderate shrink-swell characteristics and may have low shear strengths (USDA Soil Conservation Service and others, 1977). Gravelly soils occur on or near the base of mountain slopes or as clean sandy gravel in stream channels.

Fine-grained soils consist of silt and clay (ML, CL, CH). These soils have permeabilities of 0.06 to 2.0 inches/hour (4.2×10^{-5} to 1.4×10^{-3} cm/sec), low to high shrink-swell characteristics, and low shear strength (USDA Soil Conservation Service and others, 1977). Fine-grained soils are found primarily in valley bottoms and along some stream channels where they represent overbank flood deposits.

Both gravelly and fine-grained materials have developed as residual soils over bedrock. Resistant formations such as the Weber Quartzite and the limestone of the Park City Formation generally have only a thin residual soil cover. Less resistant rock units in the northern half of the study area develop variable thicknesses of residual soil depending on rock type and slope. The Woodside Shale and Ankareh Formation have the deepest residual soils, commonly up to several feet thick. Soil texture (grain size) depends on the rock type from which the soil is derived. Residual soil on quartzite will be sandy or gravelly,

TABLE 1.—Unified Soil Classification System.

MAJOR DIVISIONS			GROUP SYMBOLS	TYPICAL NAMES
COARSE-GRAINED SOILS More than 50% retained on No. 200 seive*	GRAVELS 50% or more of coarse fraction retained on No. 4 seive	CLEAN GRAVELS	GW	Well-graded gravels and gravel-sand mixtures, little or no fines
			GP	Poorly graded gravels and gravel-sand mixtures, little or no fines
		GRAVELS WITH FINES	GM	Silty gravels, gravel-sand-silt mixtures
			GC	Clayey gravels, gravel-sand-clay mixtures
	SANDS More than 50% of coarse fraction passes No. 4 seive	CLEAN SANDS	SW	Well-graded sands and gravelly sands, little or no fines
			SP	Poorly graded sands and gravelly sands, little or no fines
		SANDS WITH FINES	SM	Silty sands, sand-silt mixtures
			SC	Clayey sands, sand-clay mixtures
FINE-GRAINED SOILS 50% or more passes No. 200 seive*	SILTS AND CLAYS Liquid limit 50% or less		ML	Inorganic silts, very fine sands, rock flour, silty or clayey fine sands
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
			OL	Organic silts and organic silty clays of low plasticity
	SILTS AND CLAYS Liquid limit greater than 50%		MH	Inorganic silts, micaceous or diatomaceous fine sands or silts, elastic silts
			CH	Inorganic clays of high plasticity, fat clays
			OH	Organic clays of medium to high plasticity
HIGHLY ORGANIC SOILS			PT	Peat, muck, and other highly organic soils

*Based on the material passing the 3-in. (75-mm) seive.

while soil developed on shale and siltstone will normally be fine grained.

Hydrology

Surface water and flooding — The principal drainage in Park City is Silver Creek (fig. 4). The stream course has been altered by man at several locations to accomodate the railroad and city expansion. Most tributaries to Silver Creek are small, but thick alluvial fans have formed at the mouths of the larger tributary canyons. At present most surface drainage is collected in storm drains that empty into Silver Creek. In addition, several surface water impoundments used as retention basins for excess surface runoff have been constructed in the study area. In Deer Valley Meadow, the impoundments are small lakes and ponds used for landscaping in and around residential structures (fig. 5). Excess surface water from the ponds flows along Heber Avenue and eventually empties into Silver Creek. At Park Meadows and the Park City Golf Course, impoundments are used as water hazards on the golf courses. Excess surface water from the city golf course flows to the north along Utah State Highway 224. Surface flow from Park Meadows enters a canal which eventually empties into Silver Creek east of Prospector Square.

Only four historical floods have been recorded in Park City since the late 1800s (Wooley, 1946; Butler and Marsell, 1972; Utah Division of Comprehensive Emergency Management, 1981). The most damaging (July, 1913) occurred when heavy rains flooded homes and streets, crippled the electrical system, and washed mud and boulders from the hillsides into the town. The other instances of flooding were relatively minor with heavy rain and hail causing road damage and severe sedimentation in streams (Butler and Marsell, 1972). In 1983 flood damage occurred in Empire Canyon where Silver Creek overflowed its banks (fig. 6). The bridge over Silver Creek at Heber Avenue was also damaged, and a thick layer of debris was deposited on the road. The flooding observed during 1983 resulted from the rapid melt of an extremely heavy snowpack. Flood control improvements have been made since publication of the map of flood-prone areas in Park City outlining the extent of a 100-year flood on major streams. In particular, a large diameter storm drain has been installed in Empire Canyon to handle excess flow from Silver Creek.

Ground water — Nearly all rock units and unconsolidated basin-fill deposits in the study area yield water to springs (fig. 4). Major exceptions are the Nugget Sandstone, the Keetley Volcanics, and Tertiary gravel deposits that cap ridges in the area. Two large springs discharge from the Thaynes Formation in the northern half of the study area (Dority Spring and an unnamed spring). During periods of snowmelt, numerous small springs and seeps appear, especially in the highly fractured Weber Quartzite. A detailed discussion of aquifer characteristics of rock units in the Park City area is presented by Baker (1970).

During this study, emphasis was placed on the occurrance of shallow ground water because of its importance to construction. Structures built in areas of shallow ground water run the risk of flooding and foundation instability, especially near springs on steep slopes and/or in clayey soils that exhibit high shrink-swell characteristics.

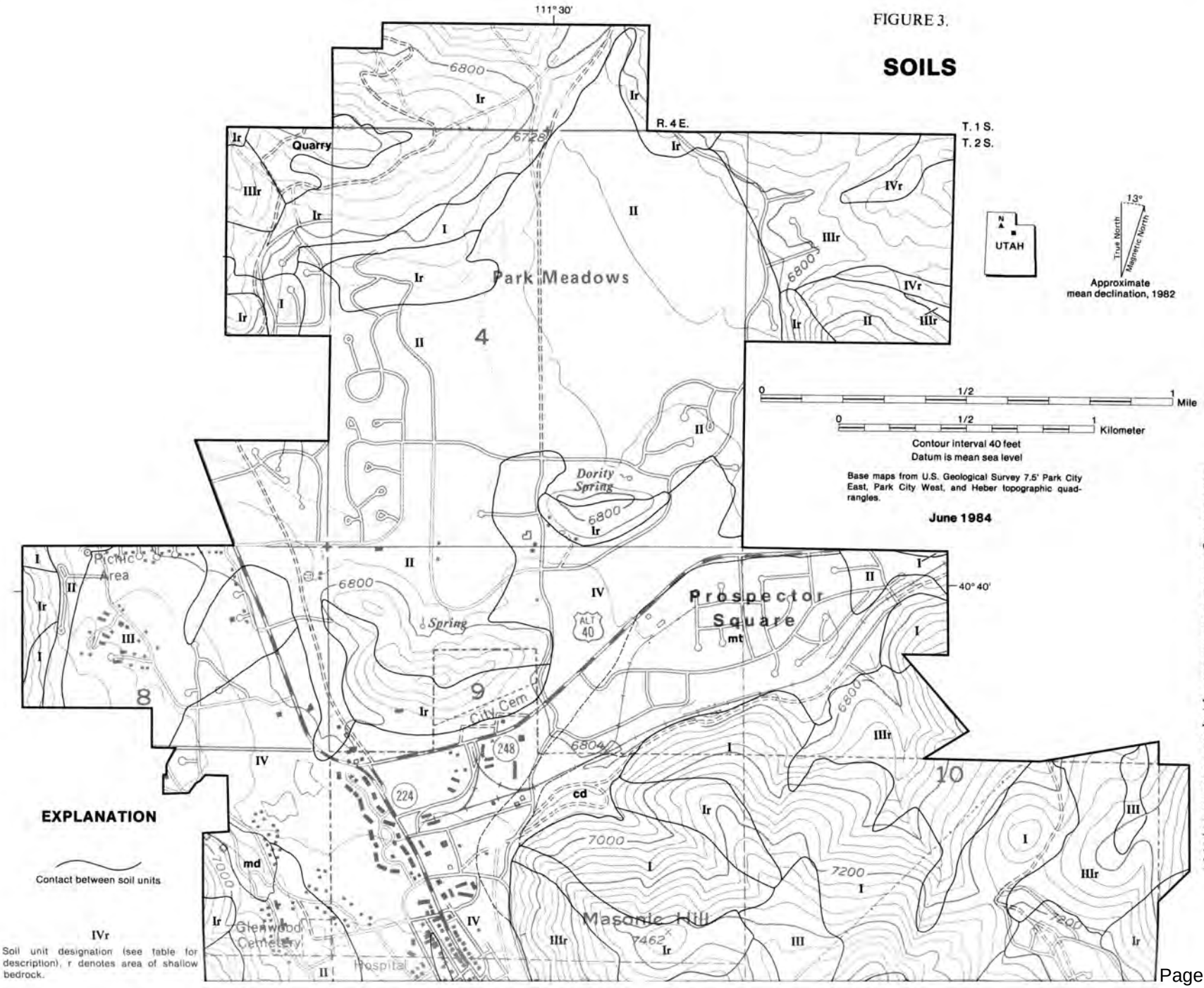
Areas of shallow ground water were identified from boring and test pit logs covering a 10-year period (1972-82) and from field observations. Figure 4 shows those areas where the estimated seasonal high stand of the shallow water table is from 0 to 10 feet (3 m) below ground surface. High ground water occurs principally in alluvium in valley bottoms and in colluvium at the base of slopes where springs discharge and large areas of marshy or boggy ground are found. Two such areas are Park Meadows and Deer Valley Meadow. At the northern end of Deer Valley Meadow several marsh and pond areas fed by ground water are quite large and standing water remains throughout the year (fig. 7, p. 16). Surface water impoundments in low areas further increase the water table by trapping runoff which then infiltrates into shallow aquifers. Site-specific investigations of ground-water levels, including consideration of seasonal variations, should be performed prior to construction in areas shown on figure 4 as subject to shallow ground water.

Slope stability

Natural slope stability depends on material type, slope angle, spacing and attitude of discontinuities (e.g. faults, joints, bedding, soil fissures), and moisture content. Dynamic processes such as erosion, ground vibration, and human activity also affect the stability of slopes. Slope failures result from either a reduction of the resisting forces (shear strength) that hold an earth mass in place, or an increase in the driving forces (shear stresses) that promote failure. Expansive soils, rock/soil discontinuities, high pore pressures, frost action, and breakdown of intergranular cement (weathering) are all factors that contribute to decreased shear strength. Increased shear stress may result from undercutting or removal of lateral

FIGURE 3.

SOILS



mt

Mill tailings

Soils highly variable, may contain elevated levels of toxic elements; recommend thorough site investigation prior to development. Contact dashed where approximately located.

md

Mine dump

Rock fragments and crushed rock from underground workings. Angular, loose, range in size from sand to boulders. Contact dashed where approximately located.

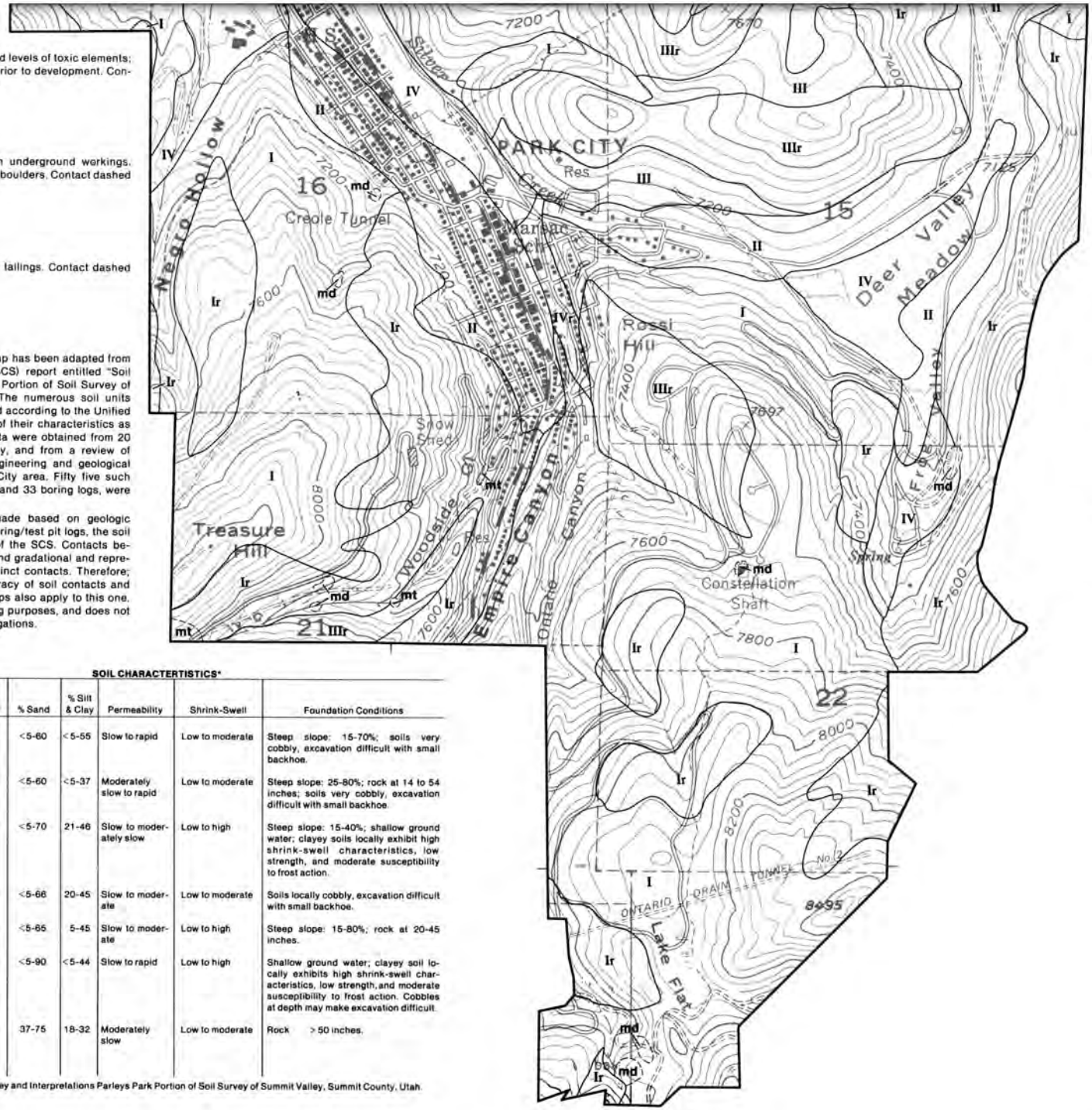
cd

City refuse dump

Old dump site possibly underlain by mill tailings. Contact dashed where approximately located.

The soils information shown on this map has been adapted from the USDA Soil Conservation Service (SCS) report entitled "Soil Survey and Interpretations Parleys Park Portion of Soil Survey of Summit Valley Summit County, Utah." The numerous soil units identified by the SCS have been grouped according to the Unified Soil Classification System on the basis of their characteristics as engineering materials. Additional soil data were obtained from 20 soil profiles described during this study, and from a review of soil/foundation reports prepared by engineering and geological consultants for structures in the Park City area. Fifty five such reports, including a total of 352 test pit and 33 boring logs, were examined.

Although modifications have been made based on geologic mapping, air photo interpretation, and boring/test pit logs, the soil boundaries shown are primarily those of the SCS. Contacts between soil units are generally irregular and gradational and represent zones of transition rather than distinct contacts. Therefore; the same cautions concerning the accuracy of soil contacts and included soil units that apply to SCS maps also apply to this one. This map is intended for general planning purposes, and does not preclude the need for site-specific investigations.



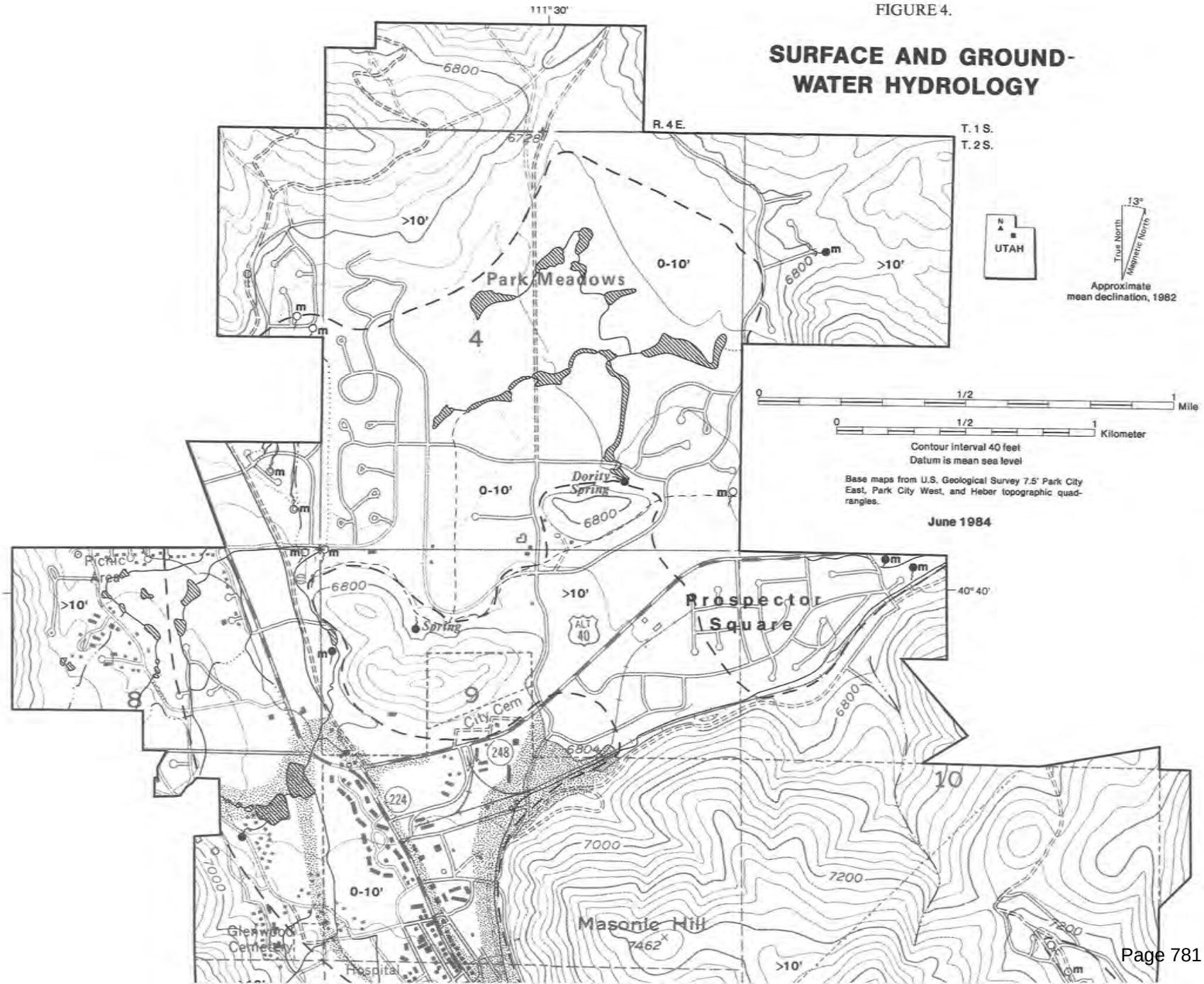
SOIL CHARACTERTISTICS*

Soil Grp	USCS Group Symbol	% Gravel	% Sand	% Silt & Clay	Permeability	Shrink-Swell	Foundation Conditions
I	GM,GP,GC	10-70	<5-60	<5-55	Slow to rapid	Low to moderate	Steep slope: 15-70%; soils very cobbly, excavation difficult with small backhoe.
Ir	GM,GP,GC	10-40	<5-60	<5-37	Moderately slow to rapid	Low to moderate	Steep slope: 25-80%; rock at 14 to 54 inches; soils very cobbly, excavation difficult with small backhoe.
II	CL,CH	<5-45	<5-70	21-46	Slow to moderately slow	Low to high	Steep slope: 15-40%; shallow ground water; clayey soils locally exhibit high shrink-swell characteristics, low strength, and moderate susceptibility to frost action.
III	CH,CL,ML, GC,GM	10-75	<5-66	20-45	Slow to moderate	Low to moderate	Soils locally cobbly, excavation difficult with small backhoe.
IIIr	CH,CL,ML, GC,GM	5-50	<5-65	5-45	Slow to moderate	Low to high	Steep slope: 15-80%; rock at 20-45 inches.
IV	CL at 30-48 inches over GM, GC at 60-75 inches	<5-65	<5-90	<5-44	Slow to rapid	Low to high	Shallow ground water; clayey soil locally exhibits high shrink-swell characteristics, low strength, and moderate susceptibility to frost action. Cobbles at depth may make excavation difficult.
IVr	CL at 26 inches over GM at 50 inches	<5-45	37-75	18-32	Moderately slow	Low to moderate	Rock > 50 inches.

*Adapted from SCS Soil Survey and Interpretations Parleys Park Portion of Soil Survey of Summit Valley, Summit County, Utah.

FIGURE 4.

SURFACE AND GROUND-WATER HYDROLOGY



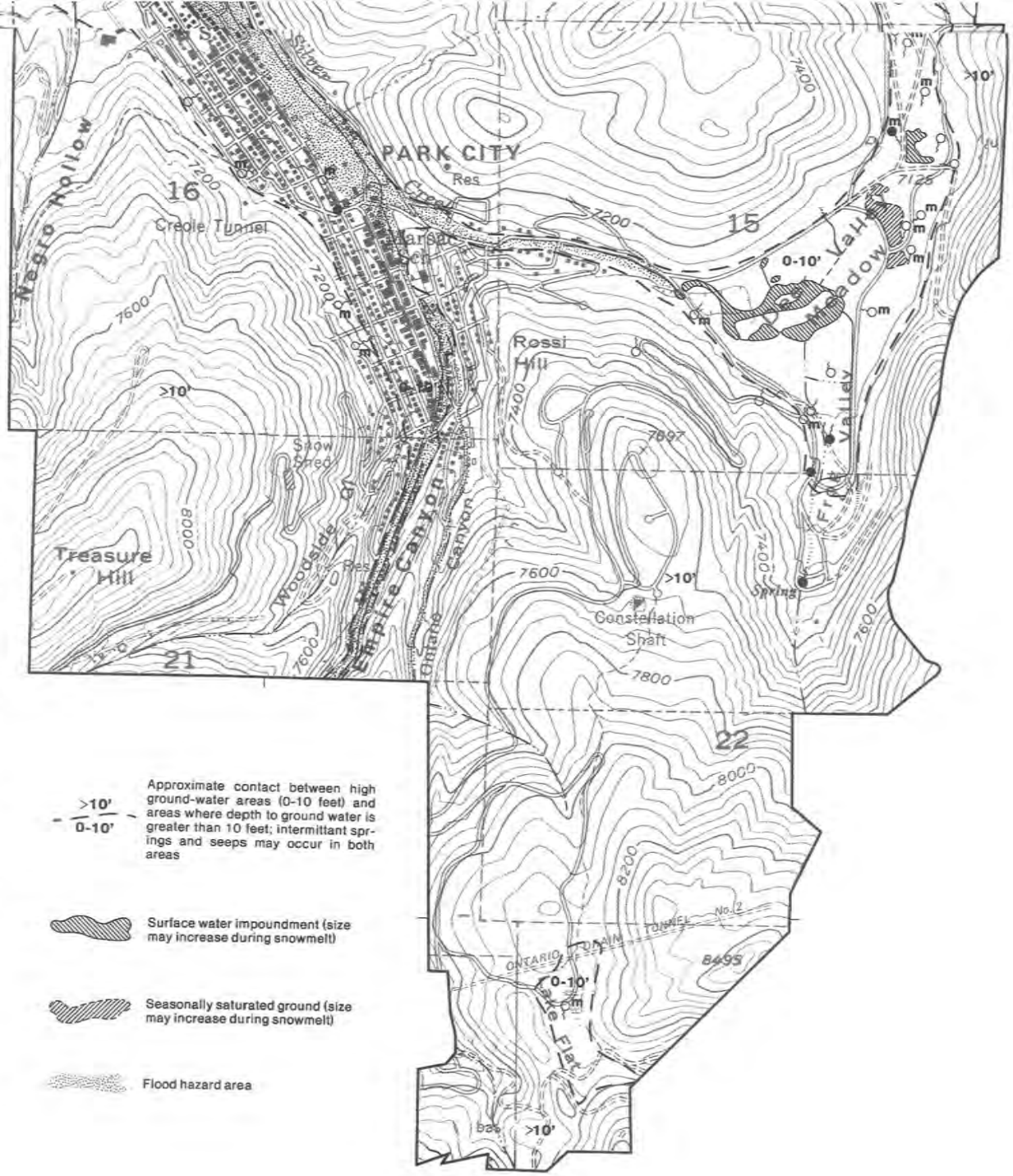
EXPLANATION

This map depicts surface hydrology, flood hazard, and estimated seasonal high stand of the shallow water table in Park City. Streams were monitored from late March through August 1983 to differentiate base flow from runoff, and flood conditions were observed from late March through mid-July. The observations were incorporated with data from the 1976 U. S. Department of Housing and Urban Development Federal Insurance Administration map, which outlines the extent of a 100-year flood (flood with a one percent chance of occurring annually) on major streams. Field observations during 1983, and analysis of data from boring logs and test pits covering a ten-year period (1972-1982), allowed identification of shallow (0-10 feet) ground-water areas. The 1982-1983 water year (October 1 through September 1) is the wettest on record for Utah; conditions shown on this map may not be encountered in a normal year but can be reasonably expected to recur.

Extensive flood damage occurred in Empire Canyon where the creek overflowed its banks and inundated nearby structures. The bridge over Silver Creek (Poison Creek) at Heber Avenue was also damaged, and a thick layer of debris was deposited on the road. The flooding observed during the monitoring period is considered exceptional for Park City, and resulted from the rapid melt of an extremely heavy snowpack.

Shallow ground water has affected construction in the study area. However, most problems have been mitigated by: (a) installation of underground drains, (b) utilization of underground space for parking areas rather than living quarters, (c) construction of homes without basements, or with split-level design, and (d) use of seasonally flooded areas as recreational sites (i.e. a golf course).

Basements and other underground facilities may become flooded in recognized high ground-water areas. Flood hazard and depth to shallow ground water should be determined by site investigations prior to construction.



Perennial spring or seep, m denotes area of marshy or boggy ground

Intermittant spring or seep, m denotes area of marshy or boggy ground

Perennial stream, dotted where piped

Intermittant stream, dotted where piped

Irrigation ditch or canal

>10' / 0-10' — Approximate contact between high ground-water areas (0-10 feet) and areas where depth to ground water is greater than 10 feet; intermittant springs and seeps may occur in both areas

Surface water impoundment (size may increase during snowmelt)

Seasonally saturated ground (size may increase during snowmelt)

Flood hazard area

FIGURE 5.—Surface water impoundments in Deer Valley Meadow, used for landscaping in and around residential structures.

support by erosion or man-made cuts, loading by fills or structures, increased weight from water, and ground vibrations.

Natural slopes in Park City are stable under present conditions. Two prehistoric slope failures were identified (fig. 8) but neither shows evidence of recent movement. Both appear to be slump-earth flow failures (Varnes, 1978), but their surface morphology has been modified by erosion and vegetative cover. One failure occurred in weathered shale bedrock and residual clay soil; the other in deep colluvial soils. Soil creep is active to varying degrees in colluvium on steep slopes throughout Park City. It is most rapid during the spring snowmelt when near surface soils are saturated.

Numerous small slope failures related to construction activity have occurred throughout the study area (fig. 8). The largest was an earth slump involving several hundred cubic yards of material in a road cut excavated for Deer Valley Drive (fig. 9). The cut is almost 1000 feet (300 m) long and passes through a combination of bedrock (Weber Quartzite) and colluvium. The colluvium is thickest at the south end of the cut and it was there that the failure occurred. Excavated at a steep angle (1:1 or greater), the cut was nearly 30 feet (9 m) high and had been standing for approximately a year before it failed. Undercutting of the slope and increased weight due to pore water are thought to have caused the failure. Extensive regrading of the slope and construction of a retaining wall were undertaken to correct the problem. Other construction-related slope failures have been small (tens of cubic yards or less) and have occurred in colluvium in road cuts and in fill placed for roads and building lots. One small earth slump developed in a road cut excavated in the toe of the larger of the two prehistoric slope failures (fig. 10). There is no evidence to indicate that either the cut or the earth slump have caused the older failure to reactivate, but additional uncontrolled development there may lead to slope stability problems.

Stability of cuts in bedrock largely depends on the number and orientation of discontinuities in the rock mass. Numerous closely spaced faults in portions of Park City (fig. 2) have fractured the surrounding bedrock to a high degree. Fracture intensity is greatest near the fault and decreases outward away from the fault trace. Figure 8 shows the faults in Park City along which considerable rock fracturing has occurred. The widths indicated for the fracture zones are estimated from limited exposures in outcrops and road cuts and should be confirmed by trenching if development is planned for those areas. Where faults are closely spaced their fracture zones may overlap. Bedding planes and major joint sets also control rock cut stability. Rock fall, rock topple, and rock slide fail-

FIGURE 6.—Flood damage in Empire Canyon from Silver Creek. Note damaged sidewalk, gravel and cobble deposits, and abandoned structures.

ures (Varnes, 1978) occur where bedding or joint planes dip toward and are exposed in cuts. For a discussion of slope stability problems related to mining activity, see the Mining-related hazards section (page 26).

Results of the field investigation show a correlation between material type and slope failures in Park City. The slope stability map of the study area (fig. 8) groups hillsides steeper than 15 percent into one of three categories based on underlying material type. The groups are:

1. slopes comprised of unconsolidated material (alluvium, colluvium, residual soil),
2. slopes underlain by soft bedrock (shale, mudstone, siltstone, poorly cemented sandstone, volcanic breccia, and tuff), and
3. slopes underlain by hard rock (limestone, sandstone, quartzite and igneous intrusives).

The greatest number of slope failures in Park City have occurred in unconsolidated materials on slopes steeper than 15 percent. The smaller of the two prehistoric slope failures developed on a steep slope in colluvium. The majority of construction-related slope failures that are not in artifical fill are either in colluvium or residual soils. Most slopes in Park City are covered by a layer of loose unconsolidated material of variable thickness. Only slopes where depth to bedrock is more than 5 feet (1.5 m) are shown on figure 8 as being comprised of unconsolidated material. Thick unconsolidated deposits too small to be shown on the map exist in other areas, and may be subject to slope failure if not recognized and accounted for in project planning and design.

The Ankareh Formation, Thaynes Formation, Woodside Shale, and some tuffs and breccias of the Keetley Volcanics are relatively soft (less resistant) bedrock formations. Mudstone, siltstone, and shale are common rock types in most of these formations and are interbedded with more resistant strata of limestone, sandstone, and quartzite. The fine-grained rocks generally have lower shear strength and weather more quickly than the more resistant layers, and as a result form planes of weakness in the rock mass.

FIGURE 7.—High water table creates a large area of marshy ground at the north end of Deer Valley Meadow. Fill is placed on the wet area and structures are constructed without dewatering the site.

The larger of the two prehistoric failures probably occurred along such a plane of weakness in the upper red member of the Ankareh Formation. In addition, the large (5 million cubic yard, 3.8×10^6 m^3) Iron Canyon landslide immediately west of the study area is also in the weathered upper member of the Ankareh Formation (Schroder, 1971). Failure is most likely to occur when the planes of weakness dip toward and are exposed in excavation cuts. Failure types include rock fall, rock topple, or rock slide, and the size of the failed mass will be influenced by the presence of other joints and discontinuities in the rock. When highly weathered, the rock begins to assume the characteristics of soil and there will be a continual gradation from fresh rock at depth to weathered residual soil at the ground surface. Slope failures in such material display features typical of both soil and rock. Rock slump, earth slump, soil creep, and debris flow are possible failure types.

Because soft bedrock is less resistant to erosion, the areas of Park City where it occurs are characterized by low rounded hills and generally subdued topography. The absence of steep slopes accounts for the generally low number of slope failures found there. However, site conditions in areas of soft bedrock can be extremely variable over short distances, and grading for roads or building lots may cause stability problems unless construction slopes are designed to accommodate natural conditions.

Slopes underlain by hard rock are usually steep and covered by a thin veneer of colluvium. Hard rock has high shear strength and is susceptible to large slope failures only where extensively fractured by faulting and folding. Areas of highly fractured hard rock are found in Park City (fig. 8) but no large slope failures have been identified. Road cuts through those areas experience rockfall problems. The most common type of failure observed in hard rock areas does not involve rock at all, but the thin colluvial material that overlies it. Road cuts in hard rock can stand at steep angles, but the colluvial soils exposed at the top of the cuts cannot, and often fail after short periods of time. The resulting debris slides are small, but represent a continuing maintenance problem for the roads.

The areas of most concern regarding slope stability in Park City are the two prehistoric slope failures (fig. 8). Both show evidence of long term stability, but a potential exists for renewed movement if they are disturbed. Detailed studies will be required before development to ensure that these slopes are not destabilized. Elsewhere in Park City a slope stability analysis is needed for all construction sites and rights of way on slopes steeper than 15 percent. Factors affecting slope stability on a site-specific level are many and varied, and for that reason, slope design must be

based on individual site investigations. Because conditions vary from site to site, no recommendation is made for a slope angle beyond which development should not take place. Conditions at one location may be such that maintainance of slope stability for a construction site on 15 percent slopes is prohibitive; while at another location, hard unfractured rock produces slopes stable at twice that grade.

Foundation conditions

The structural integrity and longevity of engineering works depends to a large extent on how well they are adapted to their geologic surroundings. A critical factor for all structures is the nature of the material on which they are founded. The factors that determine the suitability of soil and rock materials for foundations include bearing capacity, settlement and uplift, ease of excavation, stability, and ground water.

Bearing capacity is the ability of the foundation material to support a load without failing. It is usually evaluated in terms of shear strength and compressibility, and can be increased by mechanical compaction of the soil. Soils are all compressible to some degree, and are weak when compared to rock. Therefore, some settlement should be expected for all structures not founded on solid rock, and accommodations made in the foundation design. Methods used to reduce settlement include compacting subgrade materials to a predetermined optimum density and moisture content and spreading the base or footings of the structure so the foundation pressures are small and evenly applied. Where settlement-prone foundation materials exist it may be necessary to support the structure on piles, or to overexcavate and recompact the unsuitable material. Settlement caused by collapse of underground mine workings is discussed in the Mining-related hazards section (p. 26). Uplift of foundations may result from hydrostatic pressure, expansive soils, and frost action. Preventive measures include careful control of subgrade moisture and density, overexcavating and recompacting unsuitable material, directing surface drainage away from structures, and using special foundation designs. Ease of excavation has a direct bearing on construction costs. Excavation difficulty in bedrock depends on hardness, degree of weathering, and fracture spacing. Textural (grain size) characteristics are the most important consideration for soil excavatability. Stability refers to the foundation material's ability to stand in an open cut, either temporary or permanent, without failing. Cut slope stability is a function of material type, slope angle, and cut height. Ground water increases pore pressure and reduces shear strength, both of which are detrimental to slope stability. Water's ability to alter the physical and chemical nature of soil and rock makes it a primary factor in most types of ground movement. It initiates swelling of expansive soils, is essential to frost heaving, causes hydrocompactive soils to collapse, and is a major factor in slope instability. A high ground-water table limits land use and may require special construction techniques to prevent basement flooding and foundation damage.

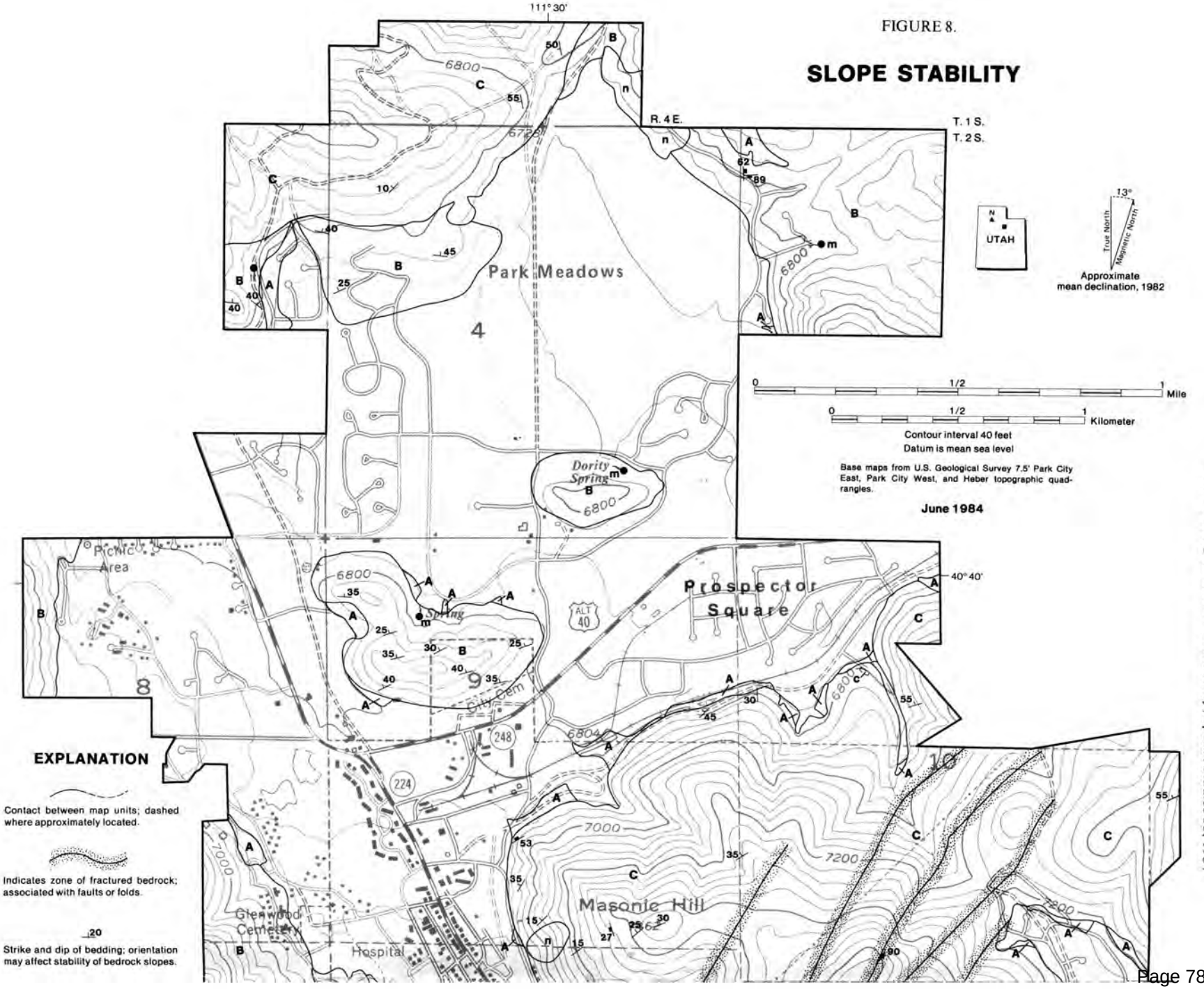
The most common foundation problems encountered in Park City are: (a) expansive soils with moderate to high shrink/swell potential, (b) frost susceptible soils, (c) difficult excavation conditions, (d) shallow ground water, and (e) soil creep. Soils exhibiting moderate to high shrink/swell potential are widespread in Park City. Most are located in Deer and Frog Valleys and in Park Meadows where clay and clayey silt soils are common (fig. 3). However, coarse-grained soils containing as low as 15 percent clay may also be expansive. When recognized during the planning and design phase of a project, expansive soils can be adequately managed and are usually not a factor in land-use decisions.

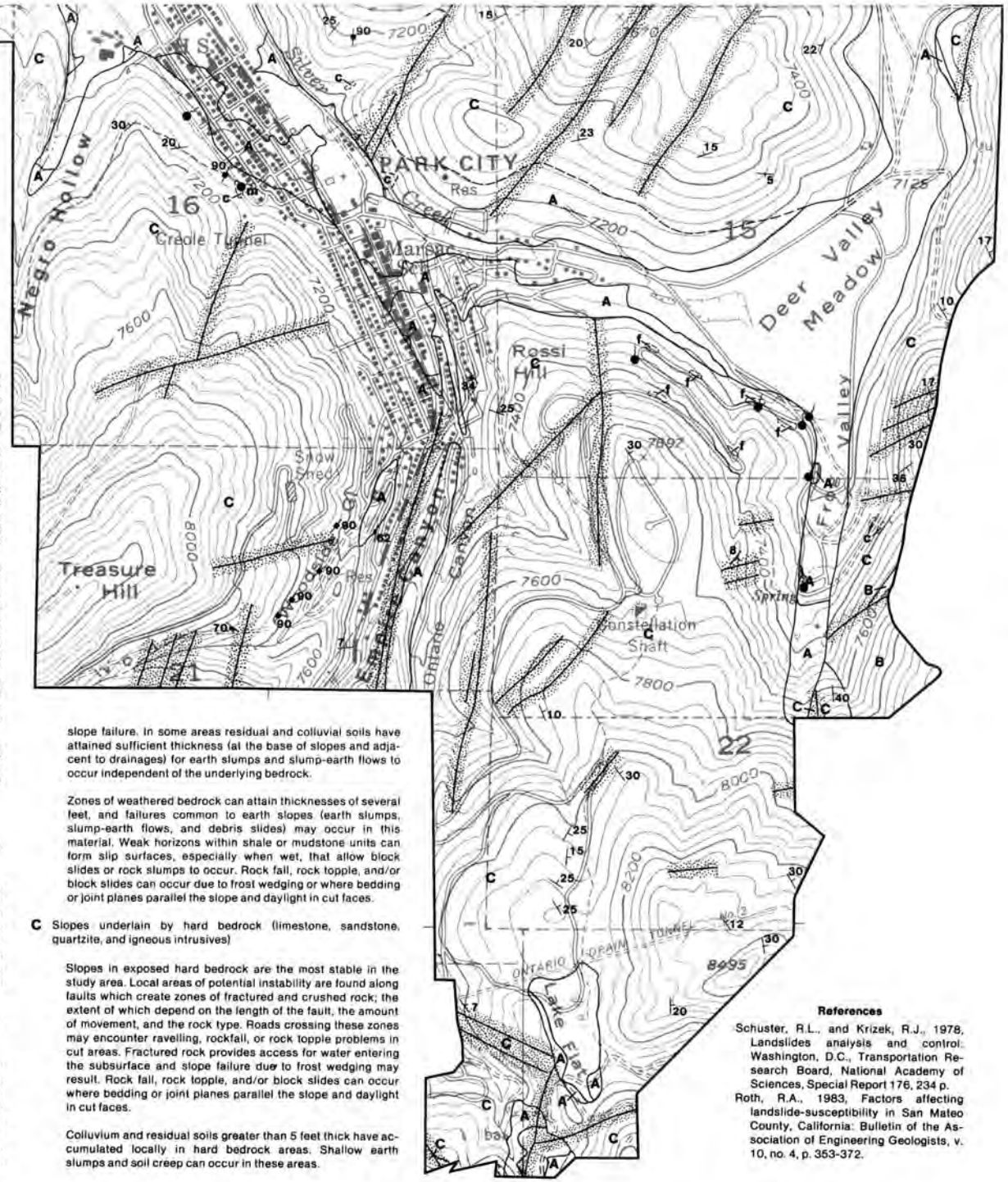
Frost action causes uplift of subgrade soils that can be particularly damaging to roads and lightly loaded structures. The susceptibility of soil to frost action depends on soil texture, temperature conditions, and water supply. Most soils are affected to a greater or lesser degree, with only coarse-grained clean sands and gravels (SW, SP, GW, GP) being immune. The soils in Park City are generally susceptible (USDA Soil Conservation Service, 1970) and when combined with the cold temperatures and wet conditions that prevail during the winter months create a high potential for frost-related problems. The most severe problems can be expected where soils receive a continuous supply of water to feed growing ice lenses and where the proportion of silt in the soil is high compared to other size fractions (U.S. Bureau of Reclamation, 1974).

Bedrock crops out or lies close to the ground surface in many areas of Park City. Unweathered rock generally has high shear strength and low compressibility, making it an excellent foundation material. The primary foundation problem associated with bedrock is difficulty of excavation. Resistant rock units in the study area include granitic intrusives, the Nugget Sandstone, limestone of the Park City Formation, and quartzite and sandstone of the Weber Quartzite. Unweathered rock from those formations is very hard and, unless highly fractured, requires blasting to excavate. The Ankareh and

FIGURE 8.

SLOPE STABILITY





40 90 Vertical

Strike and dip of joints; orientation may affect stability of bedrock slopes

m

Spring or seep; m denotes area of marshy or boggy ground; wet conditions may affect slope stability, particularly during seismic shaking.

Existing slope failures

n Failure of natural slope.

c Failure of cut slope; dashed where approximately located.

f Failure in artificial fill; dashed where approximately located.

This map shows existing slope failures and areas of potential slope instability. Two landslides were identified on natural slopes in the study area; the remaining failures occurred in artificial fill or man-made cuts where grading has removed support from the slope. Although landslide potential on natural slopes in Park City is low, uncontrolled lot grading and/or road building could reactivate old landslides or generate new ones.

For purposes of this study, only slopes greater than 15 percent were evaluated. Slopes have been grouped on the basis of underlying material into three categories: slopes comprised of unconsolidated material (alluvium, colluvium or residual soil), slopes underlain by soft bedrock (shale, mudstone, siltstone, poorly cemented sandstone, volcanic breccia and tuff), and slopes underlain by hard bedrock (limestone, sandstone, quartzite, and igneous intrusives). Fracture zones, strike and dip of bedding and joints, and spring or seep locations are shown to identify areas where potential for slope failure may be increased.

Field observation has shown that the greatest number of slope failures in the study area have occurred on slopes underlain by thick unconsolidated materials. All of those failures are associated with construction activity and demonstrate the need for pre-construction slope stability analyses in those areas. The largest of the two landslides on natural slopes is located in an area underlain by shale (soft) bedrock. Although test borings were beyond the scope of this study, it appears that the slide involved both residual soil and weathered bedrock. The second landslide was a shallow earth slump in colluvium that accumulated near the base of a steep slope underlain by hard bedrock. In general, slopes underlain by hard bedrock show little evidence of instability except where the rock has been fractured by faulting and folding. In those areas, raveling of cut slopes and rock fall present maintenance problems along roads. Such problems are particularly acute where bedding or joint planes parallel the slope and daylight in cut faces.

Due to the large number of site-specific factors that can effect slope stability, and the tendency for slope failures to occur in colluvial materials even over shallow bedrock, a slope stability analysis is recommended for all construction sites (including road rights-of-way) where slopes exceed 15 percent.

A Slopes comprised of unconsolidated material (alluvium, colluvium, or residual soil)

These slopes have the greatest potential for failure in the study area. The potential increases with removal of vegetation, grading, or other disturbance. The addition of water may cause both an increase in shear stress (added weight) and a decrease in strength (increased pore pressure). Therefore, sites near springs or seeps should be evaluated carefully. Removal of lateral support (i.e. by road construction) is the most common cause of instability and has produced the greatest number of earth slumps in this unit.

B Slopes underlain by soft bedrock (shale, mudstone, siltstone, poorly cemented sandstone, volcanic breccia, and tuff)

Slopes underlain by soft bedrock exhibit a wide range of slope stability characteristics; some similar to those in unconsolidated materials and others similar to those in hard bedrock. The residual soils derived from soft bedrock commonly have a high clay content. When saturated, increased pore pressure can weaken intergranular bonds within the soil and reduce shear strenth. Lateral pressure caused by swelling of the clay can further reduce soil strength and lead to slope failure. In some areas residual and colluvial soils have attained sufficient thickness (at the base of slopes and adjacent to drainages) for earth slumps and slump-earth flows to occur independent of the underlying bedrock.

Zones of weathered bedrock can attain thicknesses of several feet, and failures common to earth slopes (earth slumps, slump-earth flows, and debris slides) may occur in this material. Weak horizons within shale or mudstone units can form slip surfaces, especially when wet, that allow block slides or rock slumps to occur. Rock fall, rock topple, and/or block slides can occur due to frost wedging or where bedding or joint planes parallel the slope and daylight in cut faces.

C Slopes underlain by hard bedrock (limestone, sandstone, quartzite, and igneous intrusives)

Slopes in exposed hard bedrock are the most stable in the study area. Local areas of potential instability are found along faults which create zones of fractured and crushed rock; the extent of which depend on the length of the fault, the amount of movement, and the rock type. Roads crossing these zones may encounter ravelling, rockfall, or rock topple problems in cut areas. Fractured rock provides access for water entering the subsurface and slope failure due to frost wedging may result. Rock fall, rock topple, and/or block slides can occur where bedding or joint planes parallel the slope and daylight in cut faces.

Colluvium and residual soils greater than 5 feet thick have accumulated locally in hard bedrock areas. Shallow earth slumps and soil creep can occur in these areas.

References

Schuster, R.L., and Krizek, R.J., 1978, Landslides analysis and control: Washington, D.C., Transportation Research Board, National Academy of Sciences, Special Report 176, 234 p.

Roth, R.A., 1983, Factors affecting landslide-susceptibility in San Mateo County, California: Bulletin of the Association of Engineering Geologists, v. 10, no. 4, p. 353-372.

FIGURE 9.—Large earth slump in road cut excavated for Deer Valley Drive. Failure probably caused by undercutting of the slope and increased weight due to pore water. Extensive regrading is underway in an attempt to correct the problem.

FIGURE 10.—Small earth slump developed in a road cut excavated in the toe of a prehistoric slope failure. The remainder of the older failure has not been reactivated. Note outline of prehistoric slope failure.

Thaynes Formations, Woodside Shale, and tuff and volcanic breccia of the Keetley Volcanics contain alternating hard and soft layers that make excavatability of fresh rock highly variable. When weathered, these formations normally can be ripped and removed without blasting. Difficult excavation conditions may also be encountered in areas of very coarse- and fine-grained soils (fig. 3). Coarse-grained soils in the study area commonly contain cobbles and boulders. While not a major consideration in large excavations where heavy earthmoving equipment can be used, boulders may cause problems in smaller utility excavations. High plasticity clay soils are very hard when dry and can be nearly as difficult to excavate as shale bedrock. Clays also pose problems when wet because they are difficult to work and almost impossible to compact.

All known springs and seeps and areas of shallow ground water in Park City are shown in figure 4. Projects proposed for these areas should determine what effect the ground water will have on foundation materials. A second important consideration is the effect that the project will have on ground water. Changes accompanying development that may either raise or lower the water table include concentration and ponding of roof and pavement runoff, land grading, installation of sewers and other underground utilities, landscaping, and irrigation of lawns. Unanticipated changes in the shallow ground-water table can result in flooded basements, foundation settlement or uplift, soil collapse, and water system failure.

Soil creep is the gradual but steady downhill movement of soil and loose rock material on a slope. It is manifested by the tipping of fence posts and other rigid objects embedded in the soil, and signifies a quasi-equilibrium state that can be easily upset and turned into a landslide by construction activities such as a deep cut or heavy fill. Creep is active on many of the steeper slopes in Park City underlain by colluvial material. Its effect on retaining wall and building foundations is particularly evident along Woodside and Norfolk Avenues south of Sixth Street. Creep cannot be completely stopped, but its rate of movement can be materially decreased by providing adequate drainage to increase soil strength and prevent periodic swelling and shrinking. The absence of storm sewers and an integrated surface drainage system in much of Park City contributes directly to soil creep.

Two special foundation conditions affect small areas of Park City. They are old mill tailings and municipal refuse. Development has occurred on both materials. The primary concern with mill tailings is the possible presence of chemical residues which may be detrimental to concrete and other construction materials. The concern with municipal refuse is that it is a low density material which is difficult to compact and subject to deterioriation over time. Excessive settlement may be a problem under moderate to heavy foundation loads, and special construction techniques (piles, cassions, removal of refuse) may be required. Methane gas produced by decomposition of organic matter in the refuse also poses a hazard to enclosed structures placed over such material.

Foundation conditions in Park City are variable and need to be investigated on a site-specific basis for all major construction projects. A complete soils/foundation investigation should include:

1. nature of the deposits (geology, recent history of filling or excavation on site),
2. depth, thickness, composition, and areal extent of soil and rock strata,
3. depth, location, and seasonal/annual fluctuations of ground water,
4. location and description of any underground workings,
5. engineering properties of soil and rock strata affecting the proposed project,
6. site preparation and foundation design recommendations (including mitigation of frost action, high ground-water conditions, and soil creep) where appropriate, and
7. stability evaluation of natural and construction slopes.

Soils/foundation reports should be submitted to the city for review and approval before building permits are issued and construction is allowed to proceed.

Erosion hazard and erodibility

Background — Erosion and associated sedimentation can damage construction sites, degrade water quality, carry polluting chemicals, reduce the capacity of water conveyance and storage structures, and cover downstream areas with layers of unwanted sediment. Water is the primary erosional process active in Park City. Erosion and sedimentation by water involve the processes of detachment, transportation, and deposition of sediment by raindrop impact and flowing water. The force of raindrops falling on bare or sparsely vegetated soil detaches soil particles (raindrop erosion). Water running as a thin sheet across the ground surface picks up the particles

and carries them along as it flows (sheet erosion). As the water gains velocity and becomes concentrated, it detaches more soil particles, cutting first narrow and then wider channels in the ground surface (rill and gully erosion) and adding to its load of sediment. When runoff reaches a stream, it increases the stream's volume and velocity and may cause erosion of the banks and channel (stream bank and bed erosion). Sediment is deposited when the water is slowed sufficiently to allow the soil particles to settle out.

The susceptibility of a soil to erosion independent of vegetative cover, topography, and rainfall energy, is termed erodibility. Erodibility is determined by size and gradation of soil particles, percentage of organic matter, soil structure, and soil permeability (USDA Soil Conservation Service, 1977). Clean, well-drained, granular soils that allow runoff to infiltrate rapidly usually have low erodibility. Clayey soils also have low erodibility because the clay acts as a binder to prevent detachment. Soils containing high percentages of silt and fine sand are generally the most erodible because the small, noncohesive particles are easily detached and transported.

Factors other than soil erodibility which are important to erosion are vegetative cover, topography, and climate. Vegetation inhibits erosion by shielding the soil from raindrop impact and reducing runoff velocity. Root systems help maintain the capacity of soil to absorb water and hold soil particles in place. Slope length and steepness (gradient) directly affect runoff. As length and gradient increase, the amount and rate of runoff also increase. Slope orientation influences vegetation type and density, depth of snowpack, and rate of snowmelt. The frequency, intensity, and duration of precipitation events are fundamental to determining runoff amounts. Seasonal changes of temperature also help define periods of high erosion risk. During the winter, precipitation falls mostly as snow and little erosion takes place. In the spring, the melting snow adds to runoff at a time when the ground is still frozen and its absorptive capacity reduced.

These factors (soil erodibility, vegetation, topography, and climate) taken together determine susceptibility to erosion and therefore define erosion hazard. Erosion hazard is not a static condition, but changes as the factors that influence it change. For example, removal of vegetation and above-normal precipitation both tend to increase erosion hazard and may lead to serious erosion problems in formerly stable areas. Conversely, slope terracing reduces slope length and gradient and decreases erosion hazard. It is the ability to manipulate the factors affecting erosion hazard that makes the control of erosion possible.

Erosion potential in Park City — The erosion hazard and soil erodibility map of Park City (fig. 11) presents erosion hazard at the ground surface both with and without vegetative cover. The map was developed by grouping the 41 soil types identified in the study area by the USDA Soil Conservation Service and others (1977) according to similarities in their erosion hazard and soil erodibility ratings. Because soil erodibility, and particularly erosion hazard, are determined by a variety of factors, the map units shown on figure 11 do not necessarily coincide with soil map units on figure 3. Because of the many variables involved, the effect of site grading on erosion hazard is not shown on the map. However, removing vegetation, disturbing the ground surface, increasing slope gradient, and exposing deeper, possibly more erodible soils, all serve to increase the hazard from erosion.

Soils in Park City exhibit low to moderate erodibility. No high erodibility soils were identified in the study area (USDA Soil Conservation Service and others, 1977). Coarse-grained gravelly soils (GP, GM-GC) generally have low erodibility ratings. Clayey silt and clay soils (CL-ML, CL) are moderately erodible. In many areas of Park City mixed profile soils containing both coarse- and fine-grained horizons are common. In those areas, the erodibility of the surface horizon is shown on figure 11, but because the soil characteristics change with depth, the soil erodibility ratings also change. Such changes can be significant where extensive site grading is planned.

The erosion hazard for Park City soils was evaluated with natural vegetative cover, and with vegetation removed (USDA Soil Conservation Service and others, 1977). With vegetative cover, erosion hazard for all soils ranked low to moderate. Coarse-grained soils protected by vegetation generally have low erosion hazard. Moderate hazard occurs only on steep slopes (25 to 60 percent) where sufficient silt and clay are present to reduce permeability and increase runoff. Most fine-grained soils in the study area are found where slopes are gentle or nearly flat (fig. 3). The combination of subdued topography, cohesive soil, and vegetative cover produces low to nearly nonexistent erosion hazard in those areas. Where fine-grained soils occur on steeper slopes (greater than 15 percent), their lower permeability results in increased runoff and erosion hazard becomes moderate.

When vegetation is removed, the erosion hazard for Park City soils ranges from low to high. Most

coarse-grained soils without vegetative cover have a high erosion hazard. Moderate hazard is found only where enough clay is present to act as a binder, or where the proportion of 3-inch (8 cm) plus material (cobbles) is high enough (50 percent or greater) to inhibit erosion. When vegetation is removed from fine-grained soils, the erosion hazard ranges from low to high and is directly related to slope gradient. The steeper the slope, the greater the erosion hazard.

For mixed profile soils, the erosion hazard rating represents the soil type at the ground surface both with and without vegetative cover. Where bedrock is very shallow (15 inches or less, 38 cm), it often acts as an impermeable horizon increasing both the amount and rate of runoff, and the erosion hazard is correspondingly increased for all soil types and vegetative conditions. Erosion hazard from mine waste piles and mill tailings are disscussed in the Mining-related hazards section (p. 26).

Erosion and sediment control — Erosion and sedimentation can be controlled in urbanizing areas if certain principles and practices are adhered to as the land is developed. Five basic principles for minimizing soil erosion from construction sites identified by the USDA Soil Conservation Service (1970) are: (a) use soils that are suited for development and avoid those that are not, (b) leave soil bare for the shortest time possible, (c) reduce the velocity and control the flow of runoff, (d) detain runoff on site to trap sediment, and (e) release runoff slowly and safely to downstream areas. General practices that have proven effective in applying these principles include:

1. selecting land where drainage, topography, and soil are favorable for the intended use, and then carefully fitting the development to the site,
2. using areas not suited for urban development for open space and recreation,
3. developing large tracts in small units to keep grading and vegetation removal at a minimum,
4. scheduling construction activities to minimize the time bare soils are exposed, and to avoid site grading during high precipitation or snowmelt periods,
5. controlling runoff and conveying it in a manner that does not erode the land surface,
6. constructing sediment basins on site to trap sediment and then safely releasing runoff to off-site areas,
7. utilizing mulch, temporary cover crops, and engineered structures to protect critical areas during construction, and
8. establishing permanent vegetation and erosion control structures as soon as possible following construction.

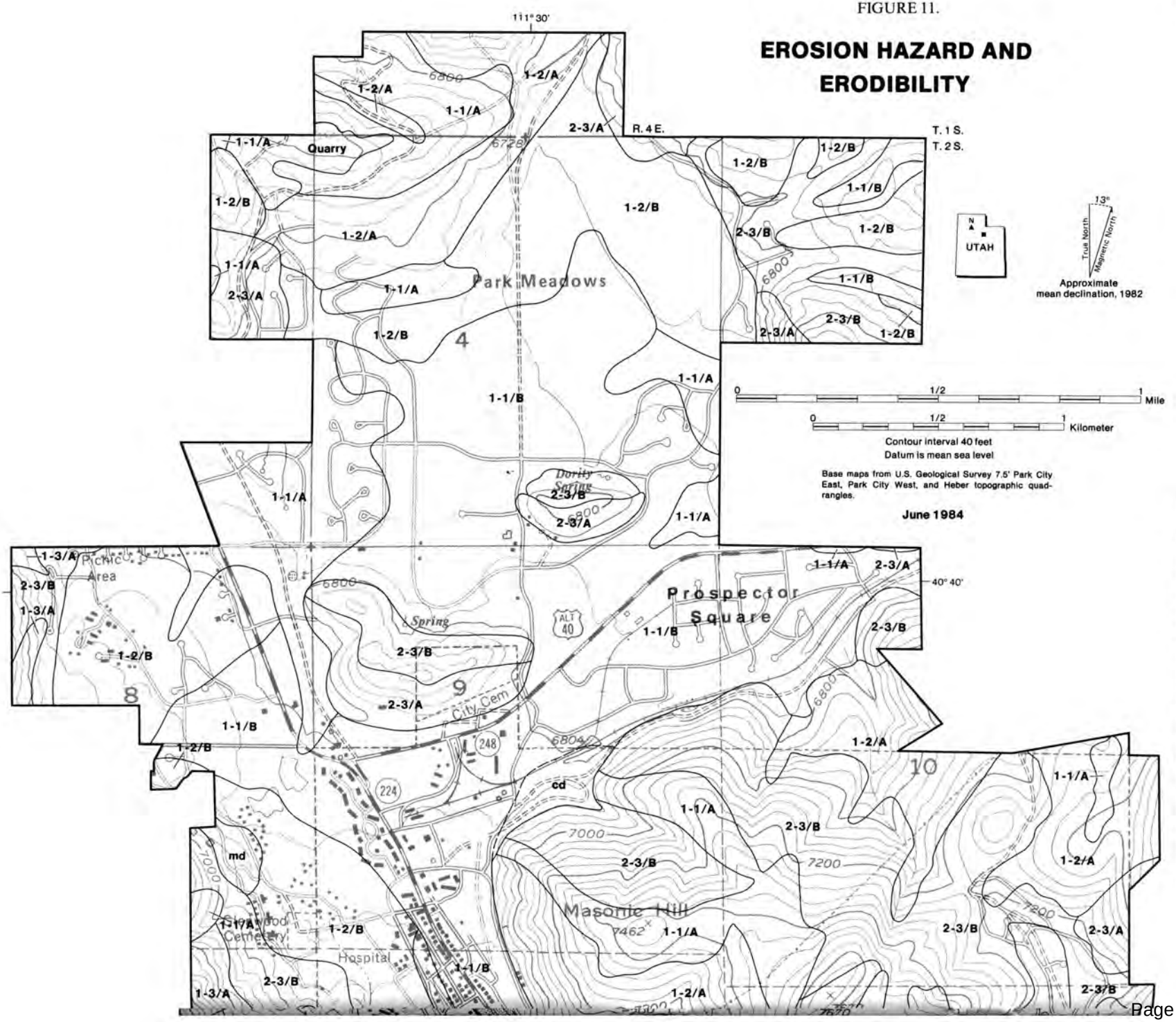
The methods and techniques used to control erosion and sedimentation on construction sites are varied and often complex. It is not the intent of this report to examine them in detail, except to note that they fall into two broad categories, mechanical (engineered) and vegetative (agricultural) (USDA Soil Conservation Service, 1970). Mechanical measures include special land grading, bench terraces, subsurface drains, storm sewers, diversions, berms, lined channels, waterway stabilization structures, and sediment basins. Vegetative measures include mulching and planting temporary or permanent cover crops. A combination of mechanical and vegetative techniques are often required to effectively control erosion and sedimentation in developing areas.

The erosion hazard and erodibility map shown in figure 11 is intended to serve as a general planning guide for future development in Park City. However, before erosion control measures can be effectively applied on a site-specific basis, the actual factors contributing to the erosion hazard for the site must be accurately assessed and a plan developed to guide the control effort. An erosion control report should be prepared and submitted to the City for review and approval prior to issuing building permits for new construction projects. The requirement could be waived for projects involving minimal site grading and for projects proposed in areas having low erodibility and erosion hazard ratings (fig. 11, map unit 1-1/A). The erosion control plan should include the following information:

1. General location map; showing the site in relation to nearby features such as waterbodies, drainages, structures, roads, and utilities. Recommended scale 1:1000 or larger.
2. Existing conditions site plan; showing topographic contours, drainage, bodies of water, soil types and distribution, vegetation, and cultural features on the site. Scale would vary with size of site, but generally not smaller than 1:100.
3. Grading plan and construction time schedule; showing final as-graded topographic contours, limits of proposed soil disturbance, limits of cut and fill areas, areas of various construction phases, location of proposed structures and utilities, and a chart detailing the construction time schedule.
4. Erosion control site plan and time schedule; showing location of areas to be seeded or mulched, type

FIGURE 11.

EROSION HAZARD AND ERODIBILITY



EXPLANATION

This map depicts erosion hazard and erodibility. It was compiled using data from the USDA Soil Conservation Service and others (1977), field observations, and air photo interpretation

Erosion hazard is an evaluation of erosion potential that takes into consideration the inherent soil erodibility, rainfall energy, topography, and vegetative cover. Soil erosion is directly related to permeability of the soil. If permeability is high, excess moisture passes through rather than over the soil. Any restriction or impedance of this flow, such as an increase in clay content, compacted layers, or shallow soil over bedrock, increases erosion potential. Surface erosion in sheet, rill, or gully form can take place only where overland flow occurs. Removal of vegetation and/or presently stable topsoil may accelerate soil loss depending on soil characteristics in the subsurface (Bailey, 1974).

Erodibility is the ability of the soil to resist detachment and transport by rainfall and/or runoff. Some soil properties affecting soil erodibility are: texture (grain size), percent sand greater than 0.10 mm diameter, organic content, permeability, clay mineralogy, and coarse fragments in the soil.

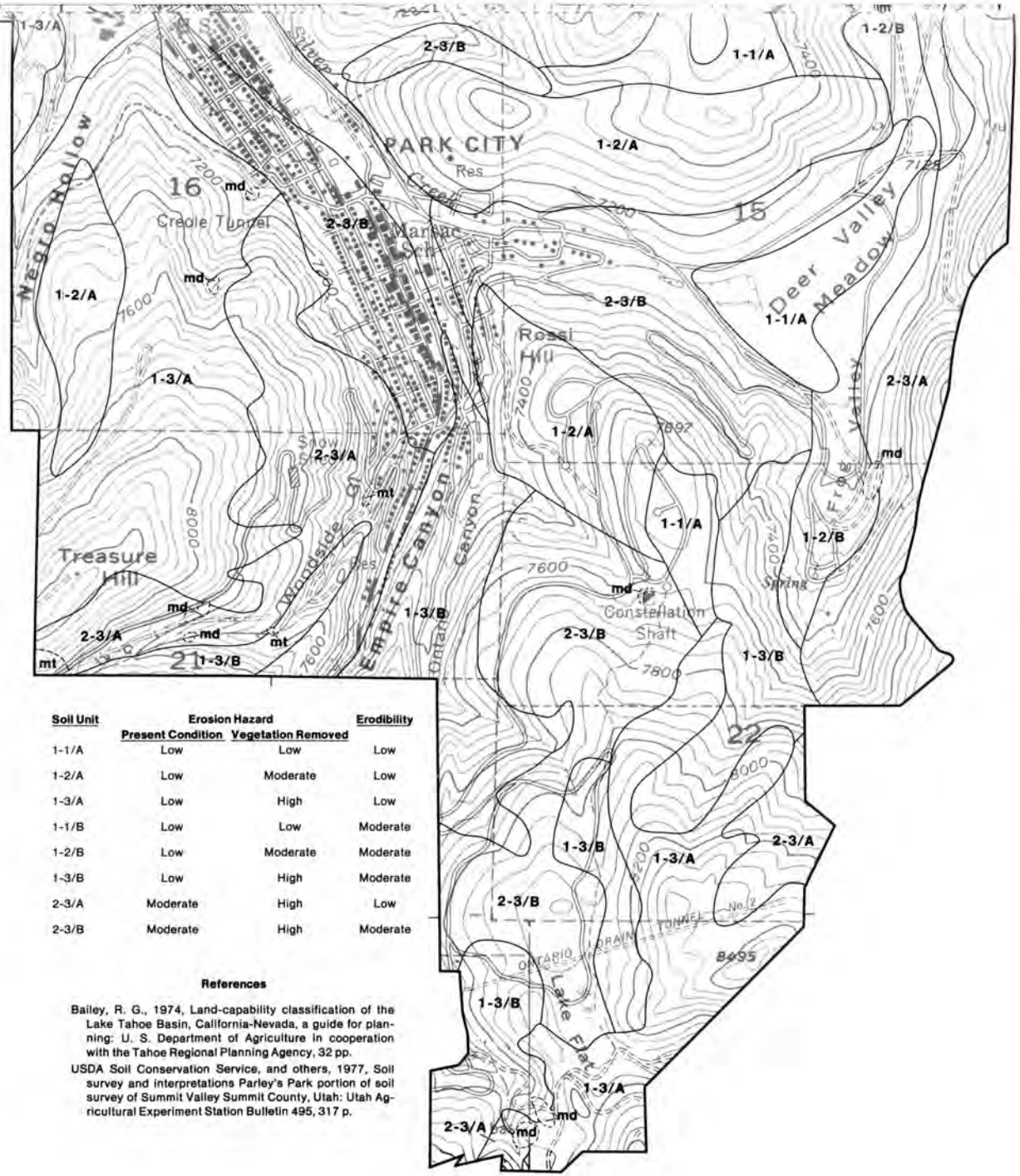
A dual classification system has been developed to show both erosion hazard and erodibility on a single map. Erosion hazard is given a rating of 1, 2, or 3, which equates to low, medium, or high hazard. Two hazard ratings are assigned to each map area, the first represents the hazard with vegetative cover and the second with vegetation removed. Erodibility is assigned a rating of A for low or B for medium; there are no highly erodible soils in the study area. A typical ranking would be 1-3/A, which represents a soil with a low erosion hazard prior to vegetation removal and a high hazard after, and in both cases low erodibility. Because erosion hazard may increase with removal of vegetation and both erosion hazard and erodibility may change with removal of upper soil layers, an erosion hazard assessment should be performed on a site by site basis, except in areas designated 1-1/A.

Contact between soil units

cd

City refuse dump
Dashed where approximately located

mt — **Mill tailings**
md — **Mine dump**
Dashed where approximately located; for information on erosion hazard refer to Underground Workings map



Soil Unit	Erosion Hazard: Present Condition	Erosion Hazard: Vegetation Removed	Erodibility
1-1/A	Low	Low	Low
1-2/A	Low	Moderate	Low
1-3/A	Low	High	Low
1-1/B	Low	Low	Moderate
1-2/B	Low	Moderate	Moderate
1-3/B	Low	High	Moderate
2-3/A	Moderate	High	Low
2-3/B	Moderate	High	Moderate

References

Bailey, R. G., 1974, Land-capability classification of the Lake Tahoe Basin, California-Nevada, a guide for planning: U. S. Department of Agriculture in cooperation with the Tahoe Regional Planning Agency, 32 pp.

USDA Soil Conservation Service, and others, 1977, Soil survey and interpretations Parley's Park portion of soil survey of Summit Valley Summit County, Utah: Utah Agricultural Experiment Station Bulletin 495, 317 p.

and location of all mechanical erosion control measures, and a chart sequencing implementation of erosion control measures with the construction schedule.

5. Narrative text; providing details of the erosion hazard at the site and proposed erosion control measures.

The erosion control plan should be prepared in sufficient detail to allow the City to evaluate its effectiveness, for contractors to implement the required control measures, and for City inspectors to determine compliance in the field.

Mining-related hazards

The Park City area has been the site of underground mining since 1869, and recent rapid development as a recreation area has resulted in urbanization of many mined areas. There are four principal hazards associated with these areas: (a) subsidence or sinkhole development resulting from collapse of abandoned underground workings, (b) slope failure resulting from undercut slopes or increased surcharge from mine dumps, (c) sedimentation in stream channels, debris basins, and storm drains by mine wastes and mill tailings, and (d) potential health hazards due to contamination of ground water and soils by toxic elements in mill tailings.

A comprehensive study of mining-related hazards requires specific information on underground workings including their age, condition, depth, length, and location of adits and shafts. The Utah Geological and Mineral Survey requested this information from United Park City Mines and their response was that the data is considered proprietory but can be obtained through a contract/fee arrangement with the mining company. This study includes a detailed field reconnaissance of adits and shafts in the area. Available topographic, geologic, and mine maps and aerial photographs were utilized to locate the workings. Several shafts and adits were discovered that were not on the maps, and it is possible that others exist that could not be identified from the sources used. During the field reconnaissance each site was inspected and the condition of the portal or opening, as well as any evidence of surface subsidence or collapse was documented. Each waste pile was measured to estimate the volume of material, and evidence of erosion was noted. The results of the field reconnaissance are shown in figure 12.

Collapse, subsidence, or sinkhole development — Many older shafts were capped 50 to 80 years ago and four of those caps have failed within the past two years. Age, quality of construction, and ground saturation likely have contributed to the failures. One collapse occurred during construction of the Silver King Lodge (fig. 12, S15) immediately north of Park City Resort, and nearly resulted in the loss of heavy construction equipment. A second collapse occurred during site clearing operations at Stein's Lodge (fig. 12, S 9) in Deer Valley Resort, and once again construction equipment was nearly lost. At both locations a new cap was installed and the lodges were constructed on the site. The most spectacular collapse occurred in Empire Canyon approximately one mile (1.6 km) southwest of the study area in August 1983. A shaft 45 feet (14 m) in diameter and 1400 feet (427 m) deep was exposed (fig. 13). A chain link fence was placed around the hazardous area and backfilling is underway. This location was under consideration for future development. The fourth collapse was 45 feet (14 m) wide and 40 feet (12 m) deep and is located near the western boundary of the study area, west of Creole Shaft (fig.12, S14). The collapse is approximatly 1500 feet (458 m) from a residential area and is easily accessible. At the time of inspection only colored plastic ribbon had been strung around the opening.

In the past, the portals of many adits were purposely collapsed following closure of the mine. This resulted in ground subsidence at the entrance, and many such abandoned adits are found in residential areas in Park City. Not all adits have been closed in this manner, and some present a hazard because they are still accessible. The possibility also exists for collapse during construction above underground workings. However, to date there have been no reports of damage due to such subsidence. Because most mines are in competent rock and because they were driven into steep hillsides, where they rapidly become quite deep, the potential for collapse affecting the surface is considered low.

Slope Stability — Slope instability induced by mining activity remains a problem long after mining has ceased. Loading of slopes by mine waste piles may induce slope failure, especially on slopes subject to seasonal saturation. The waste piles themselves may fail due to saturation or undercutting (fig. 12, A-1 and A-13). Larger mine dumps, located on steep slopes, may become unstable during seismically induced ground shaking. Poorly designed roads also pose slope stability problems. Evidence of slumping and rock fall is apparent in the study area where old mine roads had removed support from the slope.

FIGURE 13.—Failure of mine shaft cap possibly caused by age and quality of construction. Collapse occurred southwest of study area in August 1983, and is 45 feet (14 m) in diameter and 1400 feet (427 m) deep.

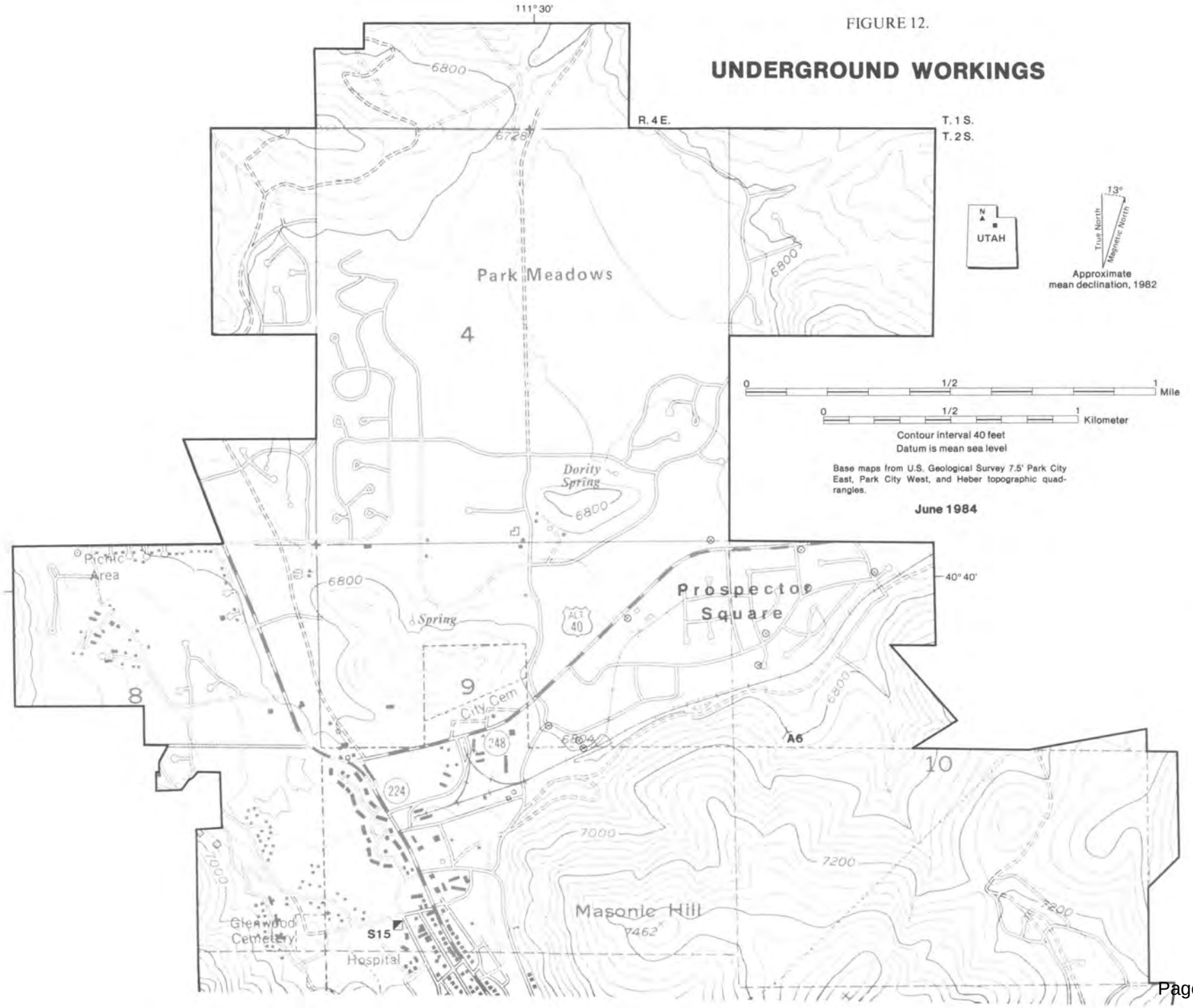
Erosion and sedimentation — Erosion of waste piles and mill tailings may greatly increase sediment loads delivered to streams and result in sedimentation in stream channels, debris basins, and storm drains. Mill tailings pose the greatest problem because they are fine grained and more readily eroded and transported by streams than the coarse-grained materials in mine waste piles. Extensive erosion of two tailings piles and one mine dump is occurring in Woodside Gulch (fig. 14). The sediment is entering the city's storm sewer system at the mouth of the canyon, but there has been no report of sediment-related flooding to date.

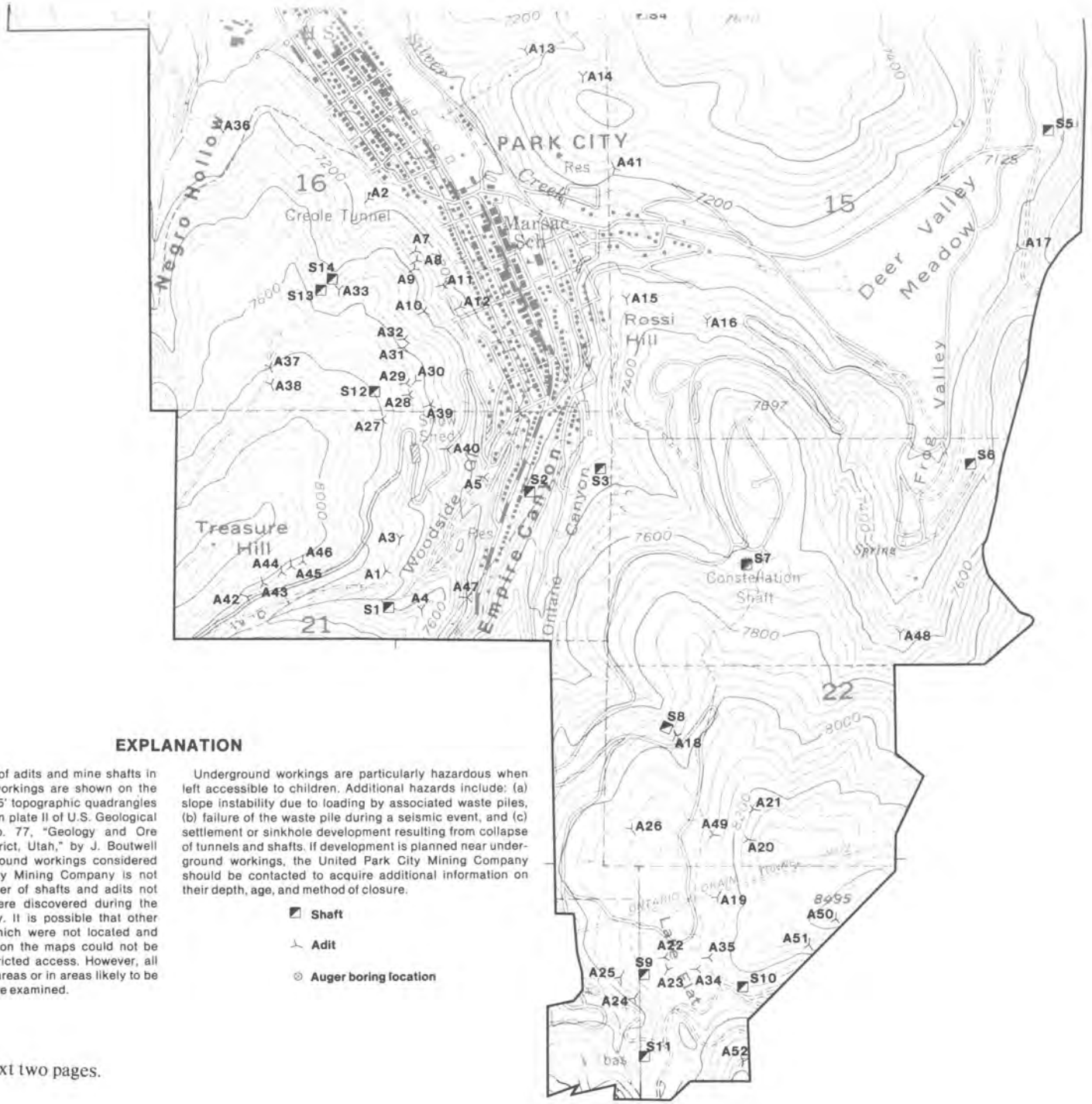
Contamination of ground water and soil — Mill tailings associated with mining activity characteristically contain high levels of heavy metals and other toxic elements. The Prospector Square development near the eastern boundary of the study area is sited almost entirely on old mill tailings. A drilling program was undertaken by the Utah Geological and Mineral Survey (UGMS) to determine if toxic elements existed in these sediments. Ten 4-inch (10 cm) diameter auger borings, from 2 to 11 feet (0.6 to 3.4 m) deep, were drilled on the site (fig. 12). At each location samples were taken at 1-foot (0.3 m) intervals and then combined into a single sample representative of the entire boring. Chemical analyses were run on five of the composite samples, and high concentrations of arsenic, cadmium, mercury, and lead were found. The Utah Department of Health collected and tested samples taken from the upper 2 inches (5 cm) of soil and from a depth of 12 inches (30 cm) below the ground surface. These horizons were selected because children are more likely to come in contact with surface soils, and a comparison of analyses at depths of 2 and 12 inches (5 and 30 cm) gives an indication of the leaching that has occurred in the upper horizon. Surface water samples from Silver Creek both upstream and downstream from the Prospector Square tailings were also collected and tested. The test results on the soil samples confirmed the high concentrations of toxic elements found earlier in samples taken by UGMS, and the water samples from below Prospector Square showed elevated levels of lead. Table 2 compares the results of the UGMS and Health Department testing with the average concentration of the same elements in soils as reported by the U.S. Geological Survey (1979).

Although levels of toxic elements are high, the potential hazard to residents is unknown. The State and Summit County health departments are proceeding with additional soil and water sampling and with blood tests on residents. Their findings will assist in grading and ranking the area for possible inclusion on

FIGURE 12.

UNDERGROUND WORKINGS





EXPLANATION

This map shows the location of adits and mine shafts in Park City. Most underground workings are shown on the three U.S. Geological Survey 7.5' topographic quadrangles which cover the study area or on plate II of U.S. Geological Survey Professional Paper No. 77, "Geology and Ore Deposits of the Park City District, Utah," by J. Boutwell (1912). Information on underground workings considered proprietory by United Park City Mining Company is not included on this map. A number of shafts and adits not shown on the above maps were discovered during the field-work portion of this study. It is possible that other underground workings exist which were not located and described. A few adits shown on the maps could not be found or were in areas of restricted access. However, all mine workings near developed areas or in areas likely to be developed in the near future, were examined.

Underground workings are particularly hazardous when left accessible to children. Additional hazards include: (a) slope instability due to loading by associated waste piles, (b) failure of the waste pile during a seismic event, and (c) settlement or sinkhole development resulting from collapse of tunnels and shafts. If development is planned near underground workings, the United Park City Mining Company should be contacted to acquire additional information on their depth, age, and method of closure.

- Shaft
- Adit
- Auger boring location

Figure 12 tables on next two pages.

FIGURE 12.—Underground workings (continued).

MINE SHAFTS

	Condition of opening	Evidence of surface subsidence	Approx. waste pile volume	Remarks
S1	Open, 50-75 ft (15-23 m) deep		10 yd^3 (8 m^3)	
S2	Closed	Possible sinkhole	No measurement taken.	Rock fall hazard above opening.
S3	Open		Waste pile removed.	Old mill site; shaft enclosed by metal shed with gate.
S4	Open, approx. 30 ft deep (9 m)		90 yd^3 (69 m^3)	Minor soil creep over edge of opening.
S5	Closed		103 yd^3 (100 m^3)	15 ft (5 m) to concrete plug.
S6	Closed		40 yd^3 (30 m^3)	
S7	Closed		Waste pile disturbed, no measurement taken.	Located on SE corner of subdivision lot.
S8	Closed		5 yd^3 (4 m^3)	
S9	Closed		No waste pile.	Stein's Lodge built over shaft.
S10	Closed	Evidence of settling, concentric cracks extend outward from opening.	No waste pile.	Standing water in opening, origin unknown; shaft 300 ft (92 m) deep, plugged at 10 ft (3 m).
S11	Closed		Extensive waste pile, no measurement taken.	Waste pile failure may occur during seismically induced ground shaking; deep gulleys cut into face of waste pile, shaft 820 ft (250 m) deep.
S12	Open, 20 ft (6 m) deep	Partially collapsed or settled.	150 yd^3 (115 m^3)	Minor soil creep over edge of opening.
S13	Open, 20 ft (6 m) deep	Appears to have collapsed or settled.	480 yd^3 (367 m^3)	Extensive waste pile in steep canyon, potential for failure during seismically induced ground shaking, minor gullying down face of waste pile.
S14	Open, 40 ft (12 m) deep	Shaft has recently collapsed; 40 ft (12 m) deep, 45 ft (14 m) in diameter; extensive sloughing of sides, entire north side appears unstable.	21,815 yd^3 (16,680 m^3)	Extensive waste pile in steep canyon, potential for failure during seismically induced ground shaking, minor gullying down face of waste pile.
S15	Closed, approx. 800 ft (244 m) deep		No waste pile.	Silver King Lodge built over shaft.

ADITS

	Condition of portal	Evidence of surface subsidence
A1	Open into hill approx. 30 ft (9 m)	
A2	Closed	Roof collapse, extends upslope from portal approx. 70 ft (21 m); 10 ft (3 m) wide, 3-6 ft (.9-2 m) deep.
A3	Closed	Sinkholes extend upslope from portal 150-200 ft (46-61 m); 5-30 ft (2-9 m) long, 3-10 ft (.9-3 m) deep.
A4	Closed	Collapse approx. 15 ft (5 m) to west and east of portal.
A5	Closed	
A6	Closed	
A7	Open	
A8	Open	
A9	Closed	
A10	Closed	
A11	Open into hill approx. 30 ft	
A12	Closed	
A13	Closed	
A14	Open	Partially closed
A15	Closed	
A16	Open	Partially closed
A17	Closed	
A18	Closed	Settlement extends 15 ft (5 m) upslope.
A19	Closed	Possible settlement in several locations.
A20	Closed	
A21	Closed	
A22	Closed	
A23	Closed	

Approx. waste pile volume	Remarks
10 yd^3 (8 m^3)	Toe of waste pile has been removed by roadcut, sloughing onto road has occurred.
1450 yd^3 (1109 m^3	Soil moist, abundant vegetation; possibly wet in spring.
310 yd^3 (237 m^3)	
110 yd^3 (84 m^3)	Minor soil creep observed.
No measurement taken	Within 1000 ft (305 m) of residence; waste dump eroded by creek.
350 yd^3 (268 m^3)	Minor soil creep observed.
30 yd^3 (23 m^3)	Minor gullying down face of waste pile.
30 yd^3 (23 m^3)	
90 yd^3 (69 m^3)	Minor soil creep observed.
30 yd^3 (23 m^3)	
15 yd^3 (11 m^3)	Located close to existing homes.
30 yd^3 (23 m^3)	Minor soil creep observed.
30 yd^3 (23 m^3)	Road removed toe of waste pile; sloughing has occurred; minor erosion around portal.
90 yd^3 (69 m^3)	
15 yd^3 (11 m^3)	Abundant vegetation, possibly wet in spring.
90 yd^3 (69 m^3)	Soil creep has obscured portal; abundant vegetation, may be wet in spring.
10 yd^3 (8 m^3)	Minor gullying down face of waste pile; animal burrows around portal.
15 yd^3 (11 m^3)	
Waste pile removed	
110 yd^3 (84 m^3)	
5 yd^3 (4 m^3)	Prospect
60 yd^3 (46 m^3)	
55 yd^3 (42 m^3)	

ADITS (cont.)

	Condition of portal	Evidence of surface subsidence	Approx. waste pile volume	Remarks
A24	Closed		Waste pile removed by erosion.	Minor soil creep near portal; slope above cut possibly unstable.
A25	Closed		15 yd^3 (11 m^3)	
A26	Closed	Settlement to within 30 ft (9 m) of a residence.	20 yd^3 (15 m^3)	Minor erosion north of portal.
A27	Closed		15 yd^3 (11 m^3)	
A28	Closed		270 yd^3 (206 m^3)	
A29	Closed		90 yd^3 (69 m^3)	
A30	Open 30 ft (9 m) into hill	Portal partially collapsed.	30 yd^3 (23 m^3)	
A31	Closed		20 yd^3 (15 m^3)	
A32	Open		30 yd^3 (23 m^3)	
A33	Closed		310 yd^3 (237 m^3)	Extensive waste pile in steep canyon, potential for seismically induced failure; minor soil creep upslope from portal.
A34	Closed	Collapsed by mining company, no surface expression observed.	Waste pile removed.	Shaft originally 1400 ft (427 m) long.
A35	Closed	Collapsed by mining company, no surface expression observed.	Waste pile removed.	Shaft originally 800 ft (244 m) long.
A36				Could not locate.
A37				Restricted access
A38				Restricted access
A39				Could not locate, possibly removed by road construction.
A40				Removed by road construction
A41				Could not locate
A42				Restricted access
A43				Restricted access
A44				Restricted access
A45				Restricted access
A46				Restricted access
A47				Could not locate
A48				Restricted access
A49				Could not locate, possibly removed by road construction.
A50				Restricted access
A51				Restricted access
A52				Restricted access

FIGURE 14.—Extensive erosion of mine waste pile in Woodside Gulch. Fine-grained sediment carried downstream enters the city's storm sewer system and may cause sediment-related flooding in the future.

the Environmental Protection Agency (EPA) Super Fund Hazardous Waste Site list. If the site is included, the EPA will institute a comprehensive study of the Park City area during which all mill tailing sites would be identified and a decision made as to their disposition (John Brink, EPA, oral communication, 1983).

Seismicity

Park City lies within a north-south trending belt of seismicity known as the Intermountain seismic belt - a zone of pronounced earthquake activity extending from northwestern Montana to southwestern Utah (Sbar and others, 1972). Although Park City has not experienced a large earthquake in historic time, an earthquake of Richter magnitude 6 is considered possible (Arabasz and others, p. 41, 1983). The complete record of historical earthquakes, within a 14- by 18-mile (23 by 29 km) rectangle centered on Park City, of Richter magnitude 2.0 or greater compiled from the University of Utah Seismograph Stations (1983) is shown in table 3. This record covers the period 1850 to September, 1983, and records 17 events, some of which consisted of more than one shock within a relatively short time period. Location of these events are shown in figure 15.

The largest magnitude events near the study area occurred in May 1953 and October 1972. Both had estimated Richter magnitudes of 4.3 with Modified Mercalli intensities (appendix) of V and VI, respectively (University of Utah Seismograph Stations, 1983). The 1953 event was located approximately 10 miles (16 km) south of Park City, and the 1972 earthquake was about 12 miles (19 km) to the south-southeast. The 1972 earthquake was felt over a large area with minor damage reported at Midway, Heber City, Wallsburg, and along the east bench of Salt Lake City (Langer and others, 1979). A maximum intensity of VI was assigned at Midway where bricks were shaken from chimneys and some cracking of plaster occurred. A total of 28 aftershocks were identified, five of which ranged from 2.0 to 2.5 estimated Richter magnitudes. The earthquake was felt in Park City but there was no damage reported (J. Wilking, publisher Park Record, oral commun., 1984). No surface faulting has been recorded during any earthquakes in the Park City area, and no faults with geologic evidence of offset during the Quaternary have been identified. However, the area is only 16 miles (26 km) east of the Wasatch fault which has a history of recurrent Holocene surface faulting accompanying moderate to large earthquakes (Langer and others, 1979), and is thought capable of generating an earthquake of magnitude 7.5 (Arabasz and others, 1979). Other faults on which Quaternary offset has occurred are found 32 miles (51 km) to the

TABLE 2.—Toxic element concentrations at Prospector Square development.

Element	Concentration (ppm - parts per million, ppb - parts per billion)				
	Prospector Square			Average soils U.S. Geological Survey (1979)	Utah public drinking water standards
	Utah Geological and Mineral Survey samples	Utah State Dept. of Health samples			
		Soil*	Water** (Silver Creek)		
Arsenic	160-550 ppm	A 250-440 ppm B 270-360 ppm	A 2 ppb B 6 ppb	less than 1-40 ppm	50 ppb
Cadmium	100-185 ppm	A 43-89 ppm B 46-85 ppm	A 5 ppb B 8 ppb	0.15-0.2 ppm	10 ppb
Mercury	0.47-1.78 ppm	A 3.9-7.4 ppm B 1.6-13.3 ppm	A 0.1 ppb B 0.2 ppb	0.071 ppm	2 ppb
Lead	approximately 10,000 ppm	A 1340-4000 ppm B 1170-2500 ppm	A 5 ppb B 112 ppb	less than 1 ppm	50 ppb

*A, surface; B, 12″ below surface.
**A, upstream from tailings; B, downstream from tailings.

southeast in Strawberry Valley. Exploration of the late Pleistocene Strawberry Valley fault by the U.S. Bureau of Reclamation has uncovered evidence which may show a history of repeated fault movement with 3.3 to 9.8 feet (1 to 3 m) of stratigraphic displacement on individual fault breaks. At least one and possibly two surface displacement events have occurred during the Holocene, the larger occurring about 3 thousand years ago (Arabasz and others, p. 51, 1983).

Earthquake hazard — In discussing earthquake hazards, it is important to differentiate between the terms risk and hazard. An earthquake hazard refers to a source of danger such as a geologic process accompanying an earthquake; whereas earthquake risk refers to the probability that peril or loss will occur in the event of an earthquake. Earthquake hazards such as ground shaking and faulting are beyond man's control, but earthquake risk can be mitigated by human intervention such as avoiding hazardous zones or engineering structures to withstand hazards.

The absence of faults showing evidence of Quaternary movement indicates that the principal earthquake hazard in Park City would be due to ground shaking caused by an earthquake outside the area. Hazards from ground shaking are produced by propagation of large-amplitude seismic waves at the earth's surface. Damage occurs to materials and structures that deform or fail from excessive strain produced by passage of the seismic waves through the material beneath the structure. If a building has a natural vibration frequency that is about the same as that of the passing wave, the building may develop natural resonance which results in amplified ground motion that can be destructive (Arabasz and others, 1979).

Other earthquake effects that may occur due to ground shaking are differential ground settlement that can deform or break building foundations; liquefaction of saturated soils that reduce their strength as foundation supports; and slope movements and snow avalanches. In the Park City area, special seismic hazards exist due to past mining activity. Ground shaking may cause collapse of underground workings and subsequent surface subsidence or sinkhole

TABLE 3.—Earthquakes of Richter magnitude 2.0 or greater in the Park City area, 1850 to September 1983.

Index to numbers in fig. 15	Date	Magnitude	Maximum intensity	Epicenter Location	
				Latitude(N)	Longitude(W)
1	11/11/32	3.7	IV	40°31′04″	111°28′27″
2	5/24/53	4.3	V	40°30′00″	111°30′00″
3	1/23/69	2.5	—	40°43′62″	111°37′92″
4	9/22/69	2.0	—	40°33′45″	111°34′54″
5	10/1/72	4.3	VI	40°30′36″	111°20′91″
6	10/1/72	2.2	—	40°37′09″	111°19′02″
7	10/1/72	2.5	—	40°36′35″	111°20′37″
8	10/1/72	2.1	—	40°32′56″	111°21′77″
9	10/3/72	2.4	—	40°26′35″	111°21′04″
10	12/24/72	2.0	—	40°26′10″	111°24′53″
11	12/19/74	2.0	—	40°26′27″	111°26′73″
12	1/19/75	2.0	—	40°50′35″	111°39′90″
13	7/7/75	2.5	—	40°47′98″	111°35′25″
14	10/22/75	2.6	—	40°45′42″	111°37′36″
15	12/10/78	2.3	—	40°48′40″	111°33′22″
16	12/10/78	2.7	—	40°48′72″	111°33′91″
17	2/3/80	2.3	—	40°53′33″	111°36′45″

Source: University of Utah Seismograph Stations (1983).

development. Shaking could also cause downslope movement of larger mine waste piles located on steep slopes.

Due to the level of seismicity in the area, Park City is in seismic zone 3 of the Uniform Building Code (UBC) and the Utah Seismic Safety Advisory Council (USSAC) statewide seismic zonation. Utah is divided into three (UBC) or four (USSAC) seismic zones, with zone 1 being least hazardous (lowest projected earthquake probability and magnitude) and zones 3 and 4 being most hazardous (highest projected earthquake probability and magnitude). Earthquake hazard near Park City is thus considered high, with an expected Modified Mercalli intensity of VIII or higher (appendix) in UBC zone 3.

Avalanche hazard

Information on avalanche hazard in the study area was obtained through interviews with avalanche control personnel at Park City and Deer Valley Resorts, and through personal communication with long-time residents of the area (Lund, 1979). Numerous snow avalanches occurred in the Park City area between 1884 and 1897, primarily because trees which stabalize snow on slopes were removed for use by the mining industry. At least one destructive avalanche is known to have occurred on the hillside immediately west of Park City between Woodside Gulch and Creole Tunnel. It destroyed a large shed and damaged a house on Woodside Avenue in either 1910 or 1911 (Lund, 1979). At present, the slopes have revegetated and no avalanches have been reported on slopes near the city since Park City Resort opened in 1963 (limit of accurate record).

Slopes in the populated areas of Park City do not pose an imminent danger from large avalanches (Mike Spurlock, oral commun., Chief of Avalanche Hazard, Park City Resort, 1983; ski patrol personnel, oral commun., Deer Valley Resort, 1983). However, small point or slab avalanches may occur on steep slopes under extreme snow and weather conditions. Several avalanches have occurred on slopes within

FIGURE 15.—Location of earthquake epicenters listed in Table 3 (1850 to September 1983) in the Park City area.

the Park City ski area, but the location of the slides precludes any danger to the city. The slope nearest Park City with the greatest avalanche potential is located just outside the study area on the west side of Negro Hollow. An extremely heavy snowfall with a prolonged southwest wind would be required to develop an avalanche hazard there. However, there is no record of a failure at this location since the opening of Park City Ski Resort, and if one did occur it is unlikely that it could affect any area other than the ski resort (Mike Spurlock, oral commun., 1983).

CONCLUSIONS AND RECOMMENDATIONS

Growth in Park City is expected to continue at a rapid rate, and proposals for construction in areas where geologic conditions are undesirable for development are likely to increase. Development can proceed safely and efficiently if geologic constraints are recognized and incorporated into the planning process. Use of information provided in this report during initial site planning will assist in early recognition of potentially hazardous geologic conditions and mitigating measures can be instituted where appropriate. However, the data presented in this report are for general planning purposes only and do not preclude the necessity for site investigations. It is recommended that all proposed subdivisions and major construction projects include a geologic/soils report addressing all relevant site conditions. The following geotechnical conditions in Park City are of greatest importance to planners:

1. Flood hazard adjacent to major drainages and in some valley bottoms.
2. High ground water in valley bottoms and adjacent to stream channels.
3. Generally stable natural slopes, however, with a potential for instability under changed conditions resulting from development.
4. Area of fine-grained soils with high shrink-swell potential and low shear strengths.
5. Chemical residues in old mill tailings which may be detrimental to concrete and other construction materials.
6. Low density materials in the old city refuse dump which may settle under moderate to heavy loads.
7. Low to moderate soil erodibility and erosion hazard under existing conditions, and high erosion hazard on some steeper slopes if vegetation is removed.
8. Possible subsidence or sinkhole development resulting from collapse of abandoned shafts and adits.
9. Potential for failure on slopes loaded by mine dumps and of the dumps themselves, or on slopes undercut by mining activities.
10. Sedimentation due to erosion of mill tailings and mine waste piles.
11. Possible health hazards from contamination of ground water and soil by toxic elements in mill tailings.

The following recommendations are made based on the results of this study:

1. Ground-water levels, including seasonal variations, should be determined prior to construction in areas of shallow ground water.
2. Development in flood prone areas should be avoided or measures taken to mitigate the hazard.
3. Installation of surface drainage systems in developed areas and as new development proceeds to accomodate runoff and help mitigate soil creep.
4. Construction should not be allowed on prehistoric slope failures until it is demonstrated that development will not cause renewed movement.
5. Slope stability analyses should be required for all construction sites and rights-of-way on slopes steeper than 15 percent.
6. Foundation investigations should be performed on a site-specific basis for all proposed construction.
7. An erosion control report should be prepared and reviewed by the City before building permits are issued for new construction.
8. Removal of vegetation, especially trees, from steep slopes should be avoided to limit avalanche hazard.
9. Negotiations should be entered into with United Park City Mines and other relevent parties to obtain all existing data on underground workings in Park City.
10. Erosion control measures should be initiated to protect the city's storm drain system from sedimentation resulting from the erosion of mine waste piles and mill tailings.

11. Development on mill tailings and mine dumps should be prohibited until a determination is made regarding the content and possible health effects of toxic substances contained in them.
12. All construction should conform to specifications listed in the Uniform Building Code for structures in seismic zone 3.

ACKNOWLEDGEMENTS

The authors wish to acknowledge Michael Vance, Park City Community Development Director, and Ron Ivey, Chief Building Official, for their technical assistance during this study. Particular thanks to Jennifer Harrington, Park City Planner, for her invaluable help throughout the project. We also wish to thank the geotechnical consulting firms of Bush and Gudgell and J. J. Johnson and Associates for supplying site investigation reports done over the past 10 years in the Park City area. We gratefully acknowledge Gary Christenson for his critical and helpful suggestions in the review of this manuscript.

SELECTED REFERENCES

Anderson, L. W., and Miller, D. G., 1979, Quaternary fault map of Utah: Long Beach, California, Fugro, Inc., 13p, 1:500,000.

Arabasz, W. J., Smith, R. B., and Richins, W. D., eds., 1979, Earthquake studies in Utah, 1850 to 1978: University of Utah Seismograph Stations, Department of Geology and Geophysics, 548 p.

Arabasz, W. J., Jahns, R. H., and Peck, R. B., 1983, Review and analysis of geologic, seismotectonic, and design data for the proposed Jordanelle Dam, Bonneville Unit, Central Utah Project, Utah: consultant review to U.S. Bureau of Reclamation, Denver, Colorado, 93 p.

Atwood, W. W., 1909, Glaciation of the Uintah and Wasatch Mountains: U.S. Geological Survey Professional Paper 61, 96 p.

Bailey, R. G., 1974, Land-capability classification of the Lake Tahoe Basin California-Nevada a guide for planning: Forest Service, U.S. Department of Agriculture in cooperation with the Tahoe Regional Planning Agency, 32 p.

Baker, C. H., Jr., 1970, Water resources of the Heber-Kamas-Park City area north-central Utah: Utah Department of Natural Resources Technical Publication No. 27, 79 p.

Boutwell, J. M., 1912, Geology and ore deposits of the Park City district, Utah: U.S. Geological Survey Professional Paper 77, 231 P.

Boysen, S. M., 1977, Erosion and sediment control in urbanizing areas: National Symposium on Soil Erosion and Sedimentation by Water, Chicago, Illinois, December 12-13, 1977: St. Joseph, Michigan, American Society of Agricultural Engineers, ASAE Publication 4-77, p. 125-136.

Bromfield, C. S., 1968, General geology of the Park City region, Utah: Utah Geological Society Guidebook to the Geology of Utah No. 22, p. 10-29.

Bromfield, C. S., Baker, A. A., and Crittenden, M. D., Jr., 1970, Geologic map of the Heber Quadrangle, Wasatch and Summit Counties, Utah: U.S. Geological Survey Geologic Quadrangle Map GQ-864, scale 1:24,000.

Bromfield, C. S., and Crittenden, M. D., Jr., 1971, Geologic map of the Park City East Quadrangle, Summit and Wasatch Counties, Utah: U.S. Geological Survey Geologic Quadrangle Map GQ-852, scale 1:24,000.

Butler, E., and Marsell, R. E., 1972, Developing a state water plan, cloudburst floods in Utah, 1939-1969: U.S. Geological Survey in cooperation with Utah Department of Natural Resources Division of Water Resources, Cooperative Investigations Report No. 2, 103 p.

Costa, J. E., and Baker, V. R., 1981, Surficial geology building with the earth: New York, John Wiley and Sons, 498 p.

Christenson, G. E., 1983, Engineering geology for land-use planning Smithfield, Utah: Utah Geological and Mineral Survey Report of Investigation No. 181, 37 p.

Christenson, G. E., and Deen, R. D., 1983, Engineering geology of the St. George area, Washington County, Utah: Utah Geological and Mineral Survey Special Studies 58, 32 p.

Crittenden, M. D., Jr., 1976, Stratigraphic and structural setting of the Cottonwood area, Utah, in Hill, J. G., ed., Symposium on Geology of the Cordilleran Hingeline: Rocky Mountain Association of Geologists, p. 363-379.

Crittenden, M. D., Jr., Calkins, F. C., and Sharp, B. J., 1966, Geologic map of the Park City West Quadrangle, Utah: U.S. Geological Survey Geologic Quadrangle Map GQ-535, scale 1:24,000.

Eardley, A. J., 1968, Regional geologic relations of the Park City District: Utah Geological Society Guidebook to the Geology of Utah No. 22, p. 3-9.

Economics Research Associates, 1981, The outlook for growth Park City/Snyderville Basin a market perspective: San Francisco, 57 p.

Erickson, A. J., 1973, Aids for estimating soil properties significant to engineering interpretations, Utah: Salt Lake City, U. S. Department of Agriculture Soil Conservation Service, 23 p.

———1973 (revised 1977), Aids for estimating soil erodibility-"K"value class and soil loss tolerance: Salt Lake City, U. S. Department of Agriculture Soil Conservation Service, 20 p.

Foster, G. R., and Meyer, L. D., 1977, Soil erosion and sedimentation by water - an overview: National Symposium on Soil Erosion and Sedimentation by Water, Chicago, Illinois, December 12-13, 1977: St. Joseph, Michigan, American Society of Agricultural Engineers, ASAE Publication 4-77, p. 1-13.

Gill, H. E., 1982, Geologic and hydrologic evaluation of Mt. Pleasant watershed Sanpete County, Utah: Utah Geological and Mineral Survey Report of Investigaion No. 169, 18 p.

Gough, L. P., and others, 1979, Element concentrations toxic to plants, animals, and man: U.S. Geological Survey Bulletin 1466, 80 p.

Griggs, G. B., and Gilchrist, J. A., 1983, Geologic hazards, resources, and environmental planning (2d ed.): Belmont, California, Wadsworth Publishing Company, 502 p.

Hawkes, H. E., and Webb, J.S., 1962, Geochemistry in mineral exploration: New York, Harper and Row, 415 p.

Hunt, C. B., 1972, Geology of soils: San Francisco, W. H. Freeman and Company, 344 p.

Israelson, G. E., and others, 1980, Erosion control during highway construction, manual on principles and practices: Washington D. C., National Research Council, National Cooperative Highway Research Program Report 221, 103 p.

Langer, C. J. and others, 1979, A study of the aftershocks of the October 1, 1972 $M_B = 4.7$, Heber City, Utah, earthquake, in Arabasz, W. J. and others, 1979, Earthquake studies in Utah, 1850 to 1978: University of Utah Seismograph Stations, Department of Geology and Geophysics, 548 p.

Lund, W. R., 1979, Preliminary engineering geologic report to Park City on the proposed Quittin Time development: Utah Geological and Mineral Survey unpublished data, 24 p.

———1981, Engineering geology for land-use planning Perry, Utah: Utah Geological and Mineral Survey Report of Investigation No. 165, 12 p.

Madsen, D. B., and Currey, D. R., 1979, Late Quaternary glacial and vegetation changes, Little Cottonwood Canyon area, Wasatch Mountains, Utah: Quaternary Research, v. 12, p. 254-259.

Mathewson, C. C., 1981, Engineering geology: Columbus, Ohio, Charles E. Merrill Publishing Company, 410 p.

Mears, A. I., 1976, Guidelines and methods for detailed snow avalanche hazard investigations in Colorado: Colorado Geological Survey Bulletin 38, 126 p.

———1979, Colorado snow-avalanche area studies and guidelines for avalanche-hazard planning: Colorado Geological Survey Special Publication 7, 123 p.

National Science Foundation, 1980, A report on flood hazard mitigation: Washington, D. C., 253 p.

O'Leary, D. W., and others, 1976, Lineament, linear, lineation: some proposed new standards for old terms: Geological Society of America Bulletin, v. 87, p. 1463-1469.

Sbar, M., and others, 1972, Tectonics of the intermountain seismic belt, western United States: microearthquakes seismicity and composite fault plane solutions: Geological Society of America Bulletin, v. 83, p. 13-28.

Robinson, G. D., and Spieker, A. M., editors, 1978, "Nature to be commanded..." earth-science maps applied to land and water management: U.S. Geological Survey Professional Paper 950, 95 p.

Roth, R. A., 1983, Factors affecting landslide - susceptibility in San Mateo County, California: Bulletin of the Association of Engineering Geologists, v. 10, no. 4, p. 353-372.

Schroder, J. F., 1971, Landslides of Utah: Utah Geological and Mineral Survey Bulletin 90, 51 p.

Schuster, R. L., and Krizek, R. J., editors, 1978, Landslides analysis and control: National Academy of Sciences Transportation Research Board Special Publication 176, 234 p.

Shelton, D. C., and Prouty, D., 1979, Nature's building codes - geology and construction in Colorado: Colorado Geological Survey Special Publication 12, 72 p.

Stokes, W. L., 1977, Subdivisions of the major physiographic provinces in Utah: Utah Geology, v. 41, no. 3, p. 441-465.

USDA Soil Conservation Service, 1970, Controlling erosion on construction sites: Agriculture Information Bulletin 347, 31 p.

———1976, Universal soil loss equation: Salt Lake City, 29 p.

———1977, Guidelines for soil and water conservation in urbanizing areas on Massachusetts: Amherst, Massachusetts, 292 p.

USDA Soil Conservation Service and others, 1977, Soil survey and interpretations Parleys Park portion of soil survey of Summit Valley Summit County, Utah: Utah Agricultural Experiment Station Bulletin 495, 317 p.

U.S. Department of Housing and Urban Development Federal Insurance Administration, 1976, Flood hazard boundary map, City of Park City, Utah: map no. H-01 and H-03.

U.S. Department of Interior Bureau of Reclamation, 1974, Earth manual (2nd ed.): Washington D. C., U.S. Government Printing Office, 810 p.

University of Utah Seismograph Stations, 1983, Unpublished earthquake epicenter data, 1850 - September 1983: Department of Geology and Geophysics, Salt Lake City, Utah.

Utah Division of Comprehensive Emergency Management, 1981, History of Utah floods, 1847 to 1981: Floodplain Management Status Report.

Wilson, C. L., 1959, Park City mining district: Intermountain Association of Petroleum Geologists Guidebook to the Geology of the Wasatch and Uinta Mountains, Tenth Annual Field Conference, p. 182-188.

Varnes, D. J., 1974, The logic of geological maps, with reference to their interpretation and use for engineering purposes: U.S. Geological Survey Professional Paper 837, 48 p.

———1978, Slope movement types and processes, in Schuster, R. L., and Krizek, R. J., eds., 1978, Landslides analysis and control: National Academy of Sciences Transportation Research Board Special Publication 176, 234 p.

Vermont Geological Survey, 1982, Erosion control-Vermont handbook for soil erosion and sediment control on construction sites: Special Publication No. 3, 115 p.

Wooley, R. R., 1946, Cloudburst floods in Utah, 1850-1938: U.S. Geological Survey Water-Supply Paper 994, 128 p.

APPENDIX

GEOLOGIC TIME SCALE

ERA	PERIOD	EPOCH	Age estimate of beginning (millions of years ago)
Cenozoic	Quaternary	Holocene	0.01
		Pleistocene	1.6
	Tertiary	Pliocene	5.0
		Miocene	22.5
		Oligocene	37.5
		Eocene	53.5
		Paleocene	65
Mesozoic	Cretaceous		135
	Jurassic		190-195
	Triassic		225
Paleozoic	Permian		280
	Pennsylvanian		320
	Mississippian		345
	Devonian		395
	Silurian		430-440
	Ordovician		500
	Cambrian		570
Precambrian			4500

GLOSSARY

Adit: Horizontal or nearly horizontal passage from the surface from which a mine is entered.

Alluvial fan: A cone-shaped deposit of alluvium deposited by a stream where it runs out onto a level plain or meets a slower stream.

Alluvium: A general term for clay, silt, sand, gravel or similar unconsolidated material deposited during comparatively recent geologic time by a stream or other body of running water.

Anticline: A fold in rock strata that is convex upward.

Aquifer: Stratum or zone below the surface of the earth capable of producing water as from a well.

Colluvium: Loose, heterogeneous, incoherent mass of soil material and/or rock fragments deposited chiefly by mass-wasting.

Compaction: Instantaneous reduction in pore space by mechanical means.

Compressibility: Time-dependent reduction in pore space as a result of loading.

Dike: Tabular igneous intrusion that cuts across planar bedding or foliation of the surrounding rock.

Eolian: Resulting from the action of wind.

Moraine: Mound, ridge, or other distinct accumulation of unsorted, unstratified glacial material, deposited chiefly by direct action of glacier ice.

Normal fault: A fault, with an angle usually between 45-90 degrees, at which the hanging wall (upper block) has moved downward relative to the footwall (lower block).

Permeability: Capacity of a rock or soil material to transmit a fluid.

Regressive sea: Retreat of the sea from land areas.

Residual soil: Unconsolidated or partly weathered material, presumed to have developed in place (by weathering) from the consolidated rock on which it lies.

Reverse fault: Fault with a dip greater than 45 degrees at which the hanging wall (upper block) appears to have moved upward relative to the footwall (lower block).

Shear strength: The internal resistance of a material to shear stress (movement of one part of the body relative to another part).

Shrink-swell: The capacity of a soil material to increase or decrease in volume with changes in moisture content, generally a function of type and percentage of clay.

Surcharge: Vertical pressure caused by the weight of overlying material, as a result of gravity alone.

Thrust fault: Fault with a dip of 45 degrees or less in which the hanging wall (upper block) appears to have moved upward relative to the footwall (lower block).

Transgressive sea: Spread or encroachment of the sea over land areas.

Tuff: Consolidated pyroclastic (volcanic material explosively ejected from a volcanic vent) deposit of volcanic ash and dust.

Unconformity: Surface of erosion or nondeposition that separates younger from older rocks.

Volcanic breccia: Pyroclastic rock that consists of angular volcanic fragments that are larger than 64 mm in diameter and may or may not have a matrix.

MODIFIED MERCALLI INTENSITY SCALE OF 1931
(Abridged)

I. Not felt except by a very few under especially favorable circumstances.

II. Felt only by a few persons at rest, especially on upper floors of buildings. Delicately suspended objects may swing.

III. Felt quite noticeably indoors, especially on upper floors of buildings, but many people do not recognize it as an earthquake. Standing motor cars may rock slightly. Vibration like passing of truck. Duration estimated.

IV. During the day felt indoors by many, outdoors by few. At night some awakened. Dishes, windows, doors disturbed; walls made cracking sound. Sensation like heavy truck striking building; standing motor cars rocked noticeably.

V. Felt by nearly everyone; many awakened. Some dishes, windows, etc., broken; a few instances of cracked plaster; unstable objects overturned. Disturbance of trees, poles and other tall objects sometimes noticed. Pendulum clocks may stop.

VI. Felt by all; many frightened and run outdoors. Some heavy furniture moved; a few instances of fallen plaster or damaged chimneys. Damage slight.

VII. Everybody runs outdoors. Damage negligible in buildings of good design and construction; slight to moderate in well-built ordinary structures; considerable in poorly built or badly designed structures; some chimneys broken. Noticed by persons driving motor cars.

VIII. Damage slight in specially designed structures; considerable in ordinary substantial buildings with partial collapse; great in poorly built structures. Panel walls thrown out of frame structures. Fall of chimneys, factory stacks, columns, monuments, walls. Heavy furniture overturned. Sand and mud ejected in small amounts. Changes in well water. Disturbed persons driving motor cars.

IX. Damage considerable in specially designed structures; well designed frame structures thrown out of plumb; great in substantial buildings, with partial collapse. Buildings shifted off foundations. Ground cracked conspicuously. Underground pipes broken.

X. Some well-built wooden structures destroyed; most masonry and frame structures destroyed with foundations; ground badly cracked. Rails bent. Landslides considerable from river banks and steep slopes. Shifted sand and mud. Water splashed (slopped) over banks.

XI. Few, if any (masonry), structures remain standing. Bridges destroyed. Broad fissures in ground. Underground pipe lines completely out of service. Earth slumps and land slips in soft ground. Rails bent greatly.

XII. Damage total. Waves seen on ground surfaces. Lines of sight and level distorted. Objects thrown upward into the air.

Source: Earthquake Information Bulletin; 6 (5), 1974, p. 28.

UTAH GEOLOGICAL AND MINERAL SURVEY

606 Black Hawk Way
Salt Lake City, Utah 84108-1280

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Appropriation No. 6120
Archive No. 840091

August 3, 2017

Mr. Bruce Ericksen, Planning Director
Mr. Francisco Astorga, Senior Planner
Park City Planning Department
PO Box 1450
445 Marsac Avenue
Park City, UT 84060

RE: Planning Commission and Staff Questions and Concerns

Dear Bruce and Francisco,

Thank you for the opportunity to continue to discuss our King's Crown proposal with the Staff and the Planning Commission. We have prepared this submittal to address the concerns and questions that have been raised to date by the Staff and Planning Commission relative to the plan we have submitted for the project. There are three parts to this current submittal. The first addresses the comments and concerns of the Staff and Commission for all issues except for Traffic and Construction impacts. The second part addresses the Traffic impacts and mitigations and the third part addresses Construction impacts and mitigations. Since Traffic impacts and Construction impacts are likely the most significant concerns on the surrounding neighborhood raised to date, they warranted their own analysis independent of the rest of the questions.

Part 1. General Concerns and Questions

1. Would the applicant produce a digital model that shows not only the multi-family structures but also the single-family structures and the surrounding buildings to put the proposal in context with the neighborhood? **Yes. This 3D modeling for the King's Crown proposal is submitted along with this report as a cloud document with the Park City Planning Department.**
2. Will the applicant consider adding community gathering areas as a project amenity? **Yes. We have added a pool/hot tub area adjacent to the affordable housing building and we have added an owner's locker room and sitting area for the ski experience at the top of the stairs adjacent to the ski run. In addition, we have added a gathering area on the top of the affordable housing building. These areas are shown in attached Exhibit A.**
3. Can we produce an Exhibit for cross-canyon views? **Yes. We have included cross-canyon views which are attached as Exhibit B. We were not able to include all of the new house designs by the submittal date, however we will have them in the drawings by early next week.**
4. Please explain the hammerhead cuts and fills. **A detailed plan for the hammerhead cuts and fills is included along with this submittal in attached Exhibit C.**

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5. Show in detail the intersection including stop sign, project sign, snow removal and site triangle. **That information is contained in Exhibit C.**
6. Provide the dimensions and house sizes for the single-family lots. **Those calculations are attached as Exhibit D. to this proposal.**
7. Please examine in detail questions the Commission has recently raised with other projects that are currently being proposed. **We have read all of the Planning Commission minutes over the last year and examined all of the pertinent questions that we believe related to the King's Crown proposal. They are included in this report.**
8. Provide an accurate outline of the affordable housing specifically the AMI target. **We have included a full affordable housing proposal report in attached Exhibit E.**
9. Provide a sustainability analysis. **The following are some of the sustainability goals and plans that are to be incorporated into the King's Crown proposal: double the affordable housing requirements, walkability within 100 meters of transit center, walkability within 0.2 miles to Main St., walkability ski access, preservation of 85% open space, minimize the construction footprint, Water Sense fixtures, we hope to achieve a goal of 50% solar power, dedicated recycling, minimum 10% recycled construction content, minimum 10% regional materials, use of wood rather than steel frame (rapidly renewable materials), low VOC requirements, extension of county bike program, electric vehicle charging stations in garages, Energy Star appliances.**
10. Provide a plan and exhibit for moving pedestrians within the project. **The internal pedestrian plan is attached as Exhibit A. to this report. There is both an internal and adjacent set of sidewalks on the project. There are stairs that connect the sidewalks and also connect to the ski run. The ski run will also act as a pedestrian pathway to and from the resort area. Finally, there are several trails on the property that disperse towards the mountain and south towards Main Street.**
11. Will the ski run have snowmaking and be groomed? **The applicant plans to groom the ski run as part of the HOA operations. The question of snowmaking is one we had not previously considered. Ideally, we would prefer snowmaking. We are currently in conversations with two private snowmaking company, SMI (Midland, MI) and Snowlogic (SLC, UT), to better understand the needs of the system and the impacts of noise and installation.**
12. Will the single-family lots be required to back onto Lowell during the winter? **Yes. The four single-family lots on Lowell will have to either back onto Lowell or back into their respective garages. This is the same circumstance for almost every driveway in Old Town. It is not ideal, but there simply isn't enough room to provide a turn-around on the lots.**
13. Will the façade for Building D be broken up so that it is not one continuous wall? **Yes. The new schematic and elevations for Building D is provided as Exhibit F.**
14. Provide building elevations in conjunction with road excavations. **Those cross-sections are provided in Exhibit G.**
15. Provide a detailed grading plan. **The grading plan is provided in Exhibit H.**
16. Identify any construction displacement zones that are under consideration. **The construction displacement zones are located in attached Exhibit I. It is important to note that the land we are considering for the placement of fill is not the applicants. We are currently discussing this possibility with the adjoining landowner.**
17. Is the subdivision of the adjacent Nastar property to be included with this submittal? **Yes. The representatives of the adjacent Nastar property have agreed to allow us to proceed with a**

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formal subdivision of that property from the remaining property that is included in this submittal. Their affirmation is included as Exhibit J.

18. Will the applicant include a sidewalk in the plan? **Our intention is to include the sidewalk along the Lowell Avenue in front of our project at a minimum across the front of the multi-family units. The sidewalk is proposed to be radiant heated offset through renewables located on the roof of the multi-family units. The final decision regarding the inclusion of the sidewalk in the overall plan is the City Engineer's.**
19. Mitigation for public safety for pedestrians in a snowstorm. **We believe that the inclusion of a sidewalk along the uphill part of Lowell will serve to separate pedestrians from automobiles during snowstorms. This effectively widens the road, as space previously taken up by pedestrians on the road is now transferred to the adjacent sidewalk. Radiant heating the sidewalk will allow it to be operational even during storm periods when snowplowing is in progress. The HOA will have the responsibility to remove and truck snow from the sidewalk if that becomes necessary. We support no public parking on Lowell due to the impacts this creates during winter conditions.**
20. Provide utility will-serve letters from all necessary providers. **The will-serve letters are provided in Exhibit K of this report.**
21. Provide a landscaping plan/buffer to the neighbors. **A complete landscaping plan has been provided in the original submittal documents. A copy is attached as Exhibit L to this report. The exact number of trees/bushes are identified as are their locations and their respective calipers (size of trunks). Where it is practical and advisable by the Staff, we would offer to plant the buffer strip vegetation (identified as being adjacent to the Marriott Mountainside Hotel and also adjacent to the Smith properties at the south end of the property) prior to construction to help minimize the effects of construction. The fencing required by the Park City Building Department will also help to screen and mitigate the impacts of construction.**
22. Provide screening fencing around the perimeter of the construction zone to reduce impacts neighbors. **This mitigation measure is required of all projects in Old Town by the Building Department.**
23. Provide a detailed snow removal plan. **This document was provided in the original submittal and is attached to this report as Exhibit M.**
24. What noise, vibrations, steam or odor generating activities will take place on the property? **The only potential noise inducing activity would be the pool and, possibly, snowmaking.**
25. Explain the mass and scale of the project and how it fits into the neighborhood. **The King's Crown project was designed to integrate in to the existing neighborhood by mirroring what is adjacent and across from it. Where there are hotels and large multi-family structures, we have placed multi-family structures across from those. None of the proposed buildings in King's Crown need height exceptions. Where single family homes exist, we have placed lots across from them of the same size. In fact, all of the lots are designed to be similar in size to the current vernacular of Old Town. Where townhomes exist on the upper side of Lowell, we have continued the townhome pattern. The project has pulled all of the density from the very visible ridgeline and placed it where it would be the least visibly intrusive. We believe that we have gone to great lengths to blend the mass and scale of the project with what is surrounding it.**

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26. What is the type of ownership? **All of the units will be whole-ownership, residential units. Time-share, fractional, commercial, "club", service commercial, hotel and any other use other than whole-ownership residential will be not be allowed under the HOA.**
27. Will parking be allowed on the streets in front of the project? **The decision to allow public parking on Lowell Avenue is the purview of PCMC, not the applicants. We support no public parking be allowed by PCMC on Lowell due to the impact it creates on pedestrians, particularly during winter conditions. Public parking will not be allowed on any property owned or controlled by the King's Crown HOA. This will be strictly enforced by the HOA.**
28. Will buildings be "stepped" with the topography? **Yes. There are no height exceptions requested as part of this application.**
29. Will there be "cliff-scapes"? **No.**
30. What is the timing of landscaping? **We would plant the buffer strips in the project's in the beginning of construction, which should help to buffer the construction impacts from the adjacent properties.**
31. Explain garbage pick-up in detail. **The garbage will be placed in the standard containers used throughout Park City and lined up for removal in front of the multi-family buildings. No large dumpsters are required or planned. The single-family homes will have their garbage removed in the same manner as other single-family homes in Park City. The garbage truck will use the hammerhead turn-around on the access road.**
32. Where are the locations and heights of retaining walls? **There are three areas that have retaining walls. The first is the project entrance which has 6' high walls, the second is the back of the townhomes, which have 6' high walls behind them and the third is the hammerhead area, which has a 9' wall which is offset and stepped to allow for stair access.**
33. Explain how snow is removed behind the townhomes. **The area directly behind the townhomes will have radiant heating to allow for snow removal and pedestrian access to the lift.**

Part 2. Traffic Impacts and Mitigation

1. What are the impacts of the additional traffic that results from the proposed King's Crown project? **The proposal has included two traffic studies, both at the direction of the City Engineer. The first study, carried out by InterPlan Transportation Planning in April, 2015, at the request of PCMC, showed the Kings Crown site with 286,000 square feet of density. This density number reflects the total possible density of the site and was undertaken to better understand the impact of a neighboring project. In order to understand the project as it has been proposed, a second study was commissioned, this time by Triton Engineering in June, 2017, again at the behest of the City Engineer, which studied the current proposed site plan with significantly reduced density. The Triton study is posted on the City's Planning website and can be viewed in its entirety. According to the study, at full build-out, the project is expected to add 66 AM vehicle trips at peak hour and 75 PM vehicle trips at peak hour. This does not account for any public transit, pedestrian activity or ski access. Without mitigation, this amounts to approximately one vehicle trip per minute during peak hours.**
2. How much will the proposal affect the current traffic situation? **The Park City Resort has had significant traffic issues for over a decade. There are two times during the day when traffic**

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becomes extremely difficult, the peak morning hour when the skiers/employees are arriving and the peak afternoon hour when skiers/employees are leaving. The Triton study identified two intersections that fail during these periods. They are the Empire/Silver King intersection and the Lowell/Silver King intersection which fails as a function of the former. Due to one-way traffic patterns, the Lowell/Silver King intersection will likely not be affected.

3. What mitigation measures can be made to improve the current situation. **The Triton study outlines the need for a traffic light at the Empire/Silver King intersection to address the current and future traffic congestion at this intersection.**
4. How was the traffic information generated? **Triton was utilized to do this study at the direction of the City Engineer due to Triton's high level of understanding of the area. Triton had carried out previous studies in the area and is a highly regarded transportation engineering firm. Triton used the "ITE Trip Generation Model" to get its findings. The ITE Model is a standard traffic generation model that does not take into account pedestrian, bike, skiing or, most importantly, public transportation use.**
5. What is the impact of the nearby transit center, the pedestrian access and the ski access to the above projected trips? **It is not possible at this time to place precise figures on how the aforementioned mitigation factors will impact the trip generation figures. It is commonly accepted that tourists, being mostly from urban areas, readily use the public transit opportunities that Park City offers. King's Crown is approximately 100 meters from a very active public transit hub. The easy pedestrian access to the resort and other amenities creates a situation where it would likely be considerably less difficult to simply walk to resort restaurants and shops rather than drive. Additionally, the ski access will definitely eliminate some of these trips. One of the major reasons why owners are willing to pay a premium to purchase ski-in, ski-out properties is the fact that the need for transportation to and from ski slopes is eliminated. Finally, the ITE Model is based on typical commuter trips and does not take into account resort factors which may significantly impact the accepted peak hours.**
6. What are the ongoing delivery/service load/unload impacts? **There is no commercial proposed, so there are no ongoing delivery/service impacts.**
7. What are the employee impacts? **There are no hotel or commercial elements proposed, so there are no employee impacts.**
8. What are the public access impacts**? There is no public parking at the site.**
9. What are the impacts of hotel registration or valet parking? **There are no hotel uses planned and so there are no hotel registration or valet impacts.**
10. Outline fire access, public safety and emergency vehicle issues. **Attached as Exhibit N is a statement from Kurt Simister, the Park City Fire Marshall, that addresses the early concerns for the fire access, public safety and emergency vehicle issues associated with the proposal. His statement acknowledges that the site plan, as proposed, meets the minimum standards set by IBC Code.**
11. What other significant measures are being taken by the applicant to address its traffic issues? **It is important to note that the applicant is voluntarily reducing its allowable density. The applicant is also not proposing commercial or hotel uses in a property where that activity is allowed by the zoning in place. These are both significant and actual measures that reduce the potential traffic impact of the proposed project. Also, the construction of a sidewalk on the uphill side of Lowell will substantially improve the existing pedestrian/automobile conflict that takes place currently on Lowell.**

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Part 3: Construction Impacts and Mitigation.

1. What is the duration of construction? **The project is divided into three phases. The construction for the first phase of the project is proposed to take 22-24 months from beginning until completion. The first phase would begin on or around April 1st of a given year and would consist of the construction of the access road, the townhomes, the condominium buildings and the affordable housing. Each individual portion of the project is intended to be carried out with the other portions. The road will take 6-8 months to complete, depending on weather. The affordable housing building will take between 12 and 14 months to complete. The townhomes will take between 12 to 14 months to complete and the condominiums will take between 16-18 months to complete. The first building season will see the road completed, the affordable housing building completed or nearly so and the townhomes in full enclosure. The second phase is the single-family homes and they are more difficult to place an accurate timeline due to the fact they may have multiple owners. The single-family home sites may be sold individually. Construction on these home sites may begin as early as upon the completion of the access road and may extend somewhat into the future. The home site projects will be significantly less impactful than the larger projects but, due to their nature as individual projects, are not readily categorized relative to timing.**
2. How does the project propose to accommodate the busy resort season of December 21st through April 1st? **King's Crown is offering to exclude any excavation work or foundation work during that time period. It would be very difficult for a project in such close proximity to the resort area to operate large fleets of trucks simultaneously with resort activities. That, combined with the limitations imposed by winter conditions, would cause the project to have an undue impact on its neighbors and on the resort operations. This concession would eliminate much of the concerns imposed by large truck traffic during the winter season. The project could readily accommodate vertical construction work during these periods as all staging and activity would take place on site and off of public roads.**
3. What is the total estimated amount of excavation? **Our initial estimates of excavation are 12,000 cubic yards of material. With swell, the amount of material generated will be 14,400 cubic yards of material. With the construction displacement zones currently under consideration, we hope to have enough capacity to potentially eliminate excavation truck trips on the adjacent streets.**
4. What heavy truck trip mitigation measures are being considered? **The Kings Crown project is large enough to accommodate a truck turnaround on site. This not only eliminates the annoying back-up beepers, it keeps the traffic off of Lowell Avenue from 12th street south and off of Empire Avenue altogether. Additionally, the applicant is exploring excavation displacement zones located on and adjacent to King's Crown ski run. There is a great opportunity to eliminate excavation truck trips altogether from the neighboring streets and discussions are on-going with the adjacent property owner. The King's Crown property has been certified as contamination-free by its Phase 1 Environmental Report carried out by Stantec Engineering. The material generated is clean and could be placed with no special restrictions.**
5. Worker transportation and parking. **It is anticipated that the applicant will work out a parking plan with the resort during the beginning of the first construction phase which will not begin**

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until April 1st of a given year. Once the access road is completed, all construction workers will be required to park on site. If it is allowable by the landowner and permitted by PCMC, we would agree to shuttle workers from the Richardson Flats parking area. This action would cut down on construction traffic during the build period.

6. Road closures. **The only period that the area of Lowell Avenue in front of the project will be closed will be the period when the road is scarified and the pavement relayed. While there may be periods of time when flaggers are present for safety as work is being carried out in the front of the project, the road will remain open.**
7. Construction Screening. **As per existing Park City Municipal Corporation Building Department policy, all areas under construction will be enclosed with fencing that is covered with Park City-oriented graphic designs.**
8. Special Lighting (Klieg Lights). **Special lighting is not proposed for the King's Crown project.**
9. Fugitive Dust Control Plan. **The project falls under the authority not only of the Park City Building Department, but also the Utah State Department of Environmental Quality relative to fugitive dust control. The site is greater than one acre in size and therefore must submit and have approved a Fugitive Dust Control Plan with DEQ. Dust control will be a significant concern and at a minimum the site will have a 2,000-gallon water truck with a Monarch-type pump with a Bertolini spray head. This assembly can suppress many times the amount of disturbance proposed on the King's Crown site. The impact will be of most concern during the road construction period and the truck will spray the site as needed so that fugitive dust is not released from the site. The truck will remain on site and perform its duties from the onset of excavation until the road is road-based. The applicant will implement any mitigation measures the Staff or the Commission suggest to address the fugitive dust control concern.**
10. Utilities-Water. **According to Mr. Roger McClain of the Park City Water Department, in order to adequately meet the water pressures needed for fire suppression, the proposed project will require the extension of a 12" water main from the intersection of Manor Way and Lowell Avenue up to the entrance of the access road. The distance is approximately 1,000 linear feet. The applicant is prepared to install this water main as part of its overall utility improvements and the location and specifications of this water line have been approved by the Water Department and the City Engineer.**
11. Utilities-Sewer. **Initial conversations with Mr. Bryan Atwood of SBWRD have indicated that sewer service is available to the project. A Line Extension Agreement as well as other conditions must be met in order to have SBWRD service the project.**
12. Utilities-Gas. **Questar will be providing service to the project. Initial conversations with the Questar Gas official (Mr. Whit Sargent, 800-323-5517) have indicated that there is sufficient capacity in Lowell Avenue to accommodate the proposed projects. Questar requires Construction Drawing level plan detail to officially review and analyze the natural gas requirements of the site. Questar has provided a will-serve letter that indicates the natural gas availability.**
13. Utilities-Power. **There are no special power requirements in the current King's Crown proposal and the applicant expects that Rocky Mountain Power will serve the project.**
14. Swell/expansion rate of soils. **We expect a swell rate of 20% of the total amount of excavation.**
15. Blasting/Jack-Hammering. **We do not anticipate either blasting or jack-hammering. Extensive conversations with area excavators have given us a reasonable idea regarding what to expect from our site conditions. The geotechnical/soil study carried out by AGEC for the site found**

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general refusal for a track-hoe at approximately 15 feet of depth. The substrate is fractured quartzite bedrock. Our deepest foundation is approximately 32 feet. Our conversations with area excavators indicate that we can likely remove the quartzite with a ripper bucket. This is a specialized attachment that allows the excavator to remove bedrock material without any other additional methods. Should we come across bedrock that is unusually hard, jack-hammering is the next preferred option in the Park City area. Jack-hammering is noisy and produces a lot of dust, but the next alternative, blasting, is not preferred in the Park City limits. That is not to say it does not occur; rather the Building Department is reluctant to issue permits due to the perceived effects of blasting. The primary problem is that there is a vast difference between a good blaster and a poor one. A good blaster can blast within 10 feet of an existing structure and there will be no ground vibration damage whatsoever. There will be very little noise and there will be no flying debris. The rock simply gets loosened, not thrown clear of the hole. However, since the public perception of blasting is very poor, the Building Department is generally reluctant to approve a blasting plan unless all other possibilities are exhausted. Although the possibility cannot be discounted entirely, the chances of having to blast are remote.

16. SWPPP. **The Storm Water Pollution Prevention Plan is a Utah State Department of Environmental Quality administered program that requires any development that is an acre or more in size to submit a SWPPP to adequately demonstrate an understanding of and adherence to the accepted storm water control measures. A project may not discharge improperly controlled storm water into the environment. This is standard building practice and is enforced, typically, by the local building department. The requirements include adequate temporary storm water retention, silt fences and controls where necessary along steep grades and at concrete/soil interfaces, silt controls around drainage boxes, vegetation matting in any disturbed areas, truck tire wash-offs and cement truck clean-out areas. This is all required and monitored by the Park City Building Department. Any additional measures desired by the Building Department will be implemented into the construction operations. The applicant is open to any suggestions in this regard and will implement any mitigation measures that may be desired by Staff or the Commission.**

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Planning Commission
Staff Report

Subject: **1800 Park Avenue**
Applications: **PL-22-05476 Master Planned Development**
PL-22-05475 Conditional Use Permit
Author: **Rebecca Ward, Planning Director**
Date: **June 26, 2024**
Type of Item: **Public Hearing**

Recommendation

(I) Review the updated Building Height for the Park and Kearns Master Planned Development; (II) conduct a public hearing; and (III) continue the item to a date uncertain.

Description

Applicant:	Seth Singerman, Yarrow Hotel Owner, LLC
Applicant Representatives:	Peter Tomai Craig Elliott, Elliott Workgroup, LLC
Location:	1800 Park Avenue
Zoning District:	General Commercial Frontage Protection Zone
Adjacent Land Uses:	North – Olympic Welcome Plaza and Reid Office Building East – Commercial South – Fresh Market West – Park Avenue Condos
Reason for Review:	The Planning Commission reviews, conducts a public hearing, and takes Final Action on Conditional Use Permits and Master Planned Developments.[1]

CUP	Conditional Use Permit
LMC	Land Management Code
MPD	Master Planned Development

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

Constructed in 1977, the DoubleTree by Hilton Hotel (formerly "The Yarrow") at 1800 Park Avenue has 182 rooms with restaurant and meeting room facilities on a prominent

[1] LMC § 15-1-8

entry corridor at the corner of SR 224 (Park Avenue) and SR 248 (Kearns Boulevard):

The Applicant proposes redeveloping the 4.47-acre parcel[2] with a mixed-use project including:

Total Units	
- Block A:	(12) studios, (18) 1 bed,(09) 2 bed
- B-C:	(02) studios,(05) 1 bed
- Block B:	(12) studios, (17) 1 bed,(09) 2 bed, (4) 3+bed
- Block C:	(12) studios, (17) 1 bed, (08) 2 bed,(4) 3+bed
- C-D:	(00) studios, (03) 1 bed
- Block D:	(14) studios, (16) 1 bed, (08) 2 bed,(4) 3+bed
- Block E:	(18) studios, (42) 1 bed
Total.....	*(70) studios, (118) 1 bed, (34) 2 bed, (12) 3+ bed*
	234 Units

Total Building Areas	
- Level -1:	(110,208 SF)
- Level 1:	84,703.0 SF
- Level 2:	58,899.0 SF
- Level 3:	57,087.0 SF
- Level 4:	47,726.0 SF
Total.....	*248,415.0 SF*

[2] The property is a metes-and-bounds parcel and will require a subdivision application.

Background

On January 24, 2024, the Planning Commission conducted a work session regarding the Applicant's plans and expressed concerns regarding the requested Building Height exceptions within a sensitive corridor (Planning Commission Packet, Item 4.B; Meeting Minutes, p. 19).

On February 28, 2024, the Planning Commission conducted another work session on modifications to the Applicant's plans and again expressed concerns regarding the proposed Building Height exceptions within this important entry corridor and the Frontage Protection Zone (Planning Commission Packet, Item 4.B; Meeting Minutes, p. 20).

Since the February meeting, the Applicant revised the proposed plans and seeks input on Building Height. Once the Building Height is determined, the Applicant and staff can work through site design details and the Conditional Use and Master Planned Development criteria and bring the project to the Planning Commission for comprehensive review.

Analysis

1800 Park Avenue is in the General Commercial Zoning District with a maximum Building Height of 35 feet from Existing Grade.[3] Additionally, 1800 Park Avenue is partially within the Frontage Protection Zone along Kearns Boulevard and Park Avenue. Planning Commission approval of a Conditional Use Permit is required for any development of the site within the 100-foot Frontage Protection Zone setback.

The purposes of the Frontage Protection Zone are to:

- Preserve Park City's scenic view corridors.
- Preserve and enhance the rural resort character of Park City's entry corridor.
- Provide a significant landscape buffer between development and highway uses.
- Minimize curb cuts, driveways, and access points to highways.
- Allow for future pedestrian and vehicular improvements along the highway corridors.[4]

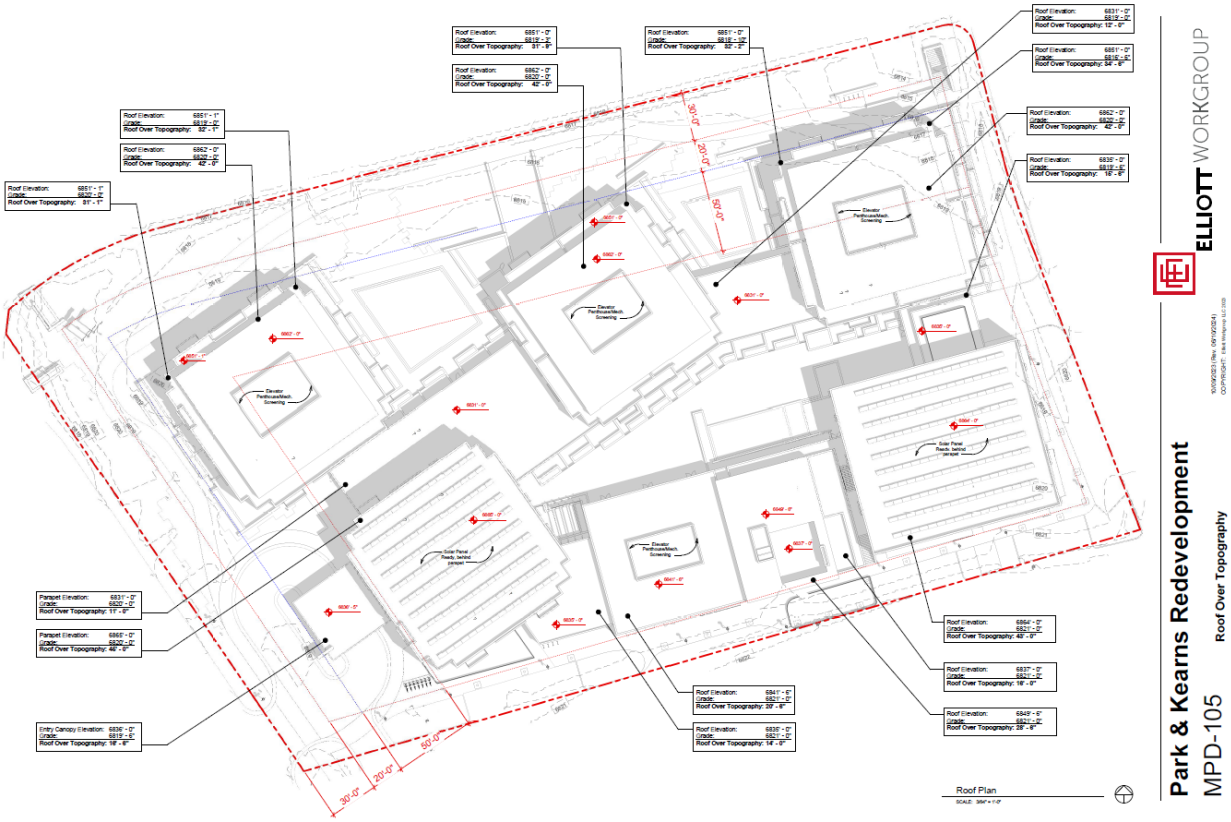
The Conditional Use Permit criteria include Planning Commission evaluation of building mass, bulk, and orientation, and the location of buildings on the site and orientation to buildings on adjoining lots, as well as physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing.[5]

Applicants may request a Building Height exception through the Master Planned Development process. Land Management Code (LMC) § 15-6-5(F) states, "[t]he Applicant must request a Site-specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings for an increase in Building

[3] LMC § 15-2.18-4
[4] LMC § 15-2.20-1
[5] LMC § 15-1-10(E)

Height can be made."

The Applicant revised their plans and requests Building Heights up to 45 feet within the Frontage Protection Zone with an exception for solar panels and parapets, and a 45-foot-tall building at the southeast corner of the site (the office/affordable housing building), shown below. For details, please see Exhibit A, page 31.



To grant a Building Height exception, the Planning Commission must find the Applicant meets six requirements outlined below:

1. **The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone-required Building Height and Density, including requirements for Facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits.**

Please see the Applicant's Site Suitability Analysis, Exhibit A, page 5.

2. **Buildings have been positioned to minimize visual impacts on adjacent**

Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site-specific analysis.

Please see the Applicant's Solar Study, Exhibit A, page 20.

3. There is adequate Landscaping and buffering from adjacent Properties and Uses.

The Applicant's Planting Plan includes vegetation along Kearns Boulevard within the Frontage Protection Zone, and Autumn Purple Ash and Amur Maples planted along the east and south perimeters. Building heights along the east and south perimeters are proposed to range from 14 feet in height (the commercial space along the southern perimeter) to 45 feet (the office/affordable housing building along the southern and easter perimeter). The Planning Commission should determine whether the proposed landscaping within the required 25-foot MPD perimeter setback is adequate to buffer adjacent properties impacted by an up to 10-foot Building Height exception with no stepback.

4. Increased Setbacks and separations from adjacent projects are proposed.

The Applicant proposes slight increases to the 25-foot MPD perimeter setback along the

east perimeter. Please see the Applicant's Site Plan, Exhibit A, page 7.

5. The additional Building Height results in more than the minimum Open Space required and results in Open Space that is publicly accessible.

LMC § 15-6-5(D) requires a minimum of 30% Open Space for MPDs in the General Commercial Zoning District. LMC § 15-6-5(D)(3) states:

TYPE OF OPEN SPACE. The Planning Commission shall designate the preferable type and mix of Open Space for each Master Planned Development. The Commission's determination shall be based on the guidance given in the General Plan. Landscaped Open Space may be utilized for project amenities such as gardens, greenways, pathways, plazas, and other similar Uses. Open Space may not be utilized for Streets, roads, driveways, Parking Areas, Commercial Uses, or Buildings requiring a Building Permit.

The General Plan identifies Bonanza Park as an important part of the Park City entry experience. "Due to its location along both of the entry corridors to Park City, the Bonanza Park & Snow Creek Neighborhood is geographically tied to the Park City entry experience. The scenic views that are currently afforded to those entering the City are a defining characteristic of our town and should be preserved and enhanced. Currently, three sides of the Bonanza Park & Snow Creek Neighborhood are located within the Frontage Protection Zone (FPZ). The FPZ helps to preserve scenic view corridors by providing a significant landscaped buffer between development and highway uses and by restricting the location and height of structures in the zone. The FPZ also allows for future pedestrian and vehicular improvements along the highway corridors. In addition to investigating measures that would strengthen the FPZ, the City should also look at ways to enhance the entry experience. This might include installing public art, improving lighting, or adding other elements that would improve the entry corridors."

LMC § 15-15-1 defines three types of Open Space:

1. **Open Space, Landscaped**. Landscaped Areas, which may include local government facilities, necessary public improvements, and playground equipment, recreation amenities, public landscaped and hard-scaped plazas, and public pedestrian amenities, but excluding Buildings or Structures.
2. **Open Space, Natural**. A natural, undisturbed Area with little or no improvements. Open space may include, but is not limited to, such Areas as Ridge Line Area, Slopes over thirty percent (30%), wetlands, Stream Corridors, trail linkages, Subdivision or Condominium Common Area, or view corridors.
3. **Open Space, Transferred Development Right (TDR)**. That portion of a Master Planned Development, PUD, Cluster Plan or other Development plan from which Density is permanently Transferred. This Area may be either Natural or Landscaped Open Space.

The Applicant proposes 19.9% Landscaped Open Space with 18.2% sidewalks, for a total of 38.1% Landscaped Open Space. The project includes 23,689 square feet of private open space within the core of the project and has limited Open Space along the eastern and southern project boundaries.

Proposed Building Open Space

SCALE: 1" = 80'-0"

Property.....194,652 sq. ft. (100%)

Surface Parking & Driveways.....16,919 sq. ft. (8.7%)

Propose Building Footprint.....79,957 sq. ft. (41.0%)

Private Open Space.....23,689 sq. ft. (12.2%)

Sidewalks.....35,416 sq. ft. (18.2%)

Landscaped Area.....38,701 sq. ft. (19.9%)

PROPOSED OPEN SPACE: 74,117 (38.1%)

6. **The additional Building Height is designed in a manner that provides a transition in roof elements in compliance with Chapter 15-5, Architectural Review.**

The first project iteration included five-story massing in two blocks separated by a north-

south pedestrian paseo. The Applicant's latest revision includes angled structures to break up the massing along Park Avenue and Kearns Boulevard. LMC § 15-5-8 requires structures greater than 60 feet in length to include a prominent shift in the façade of the structure. As the Applicant has gone through the revision process, the massing of the structures and the proposed façade variation are coming into compliance with LMC Chapter 15-5.

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

Department Review

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

Notice

Staff published notice on the City's website and the Utah Public Notice website and mailed courtesy notice to property owners within 300 feet on June 12, 2024. The *Park Record* published courtesy notice on June 12, 2024.[6]

Public Input

Please see Exhibit C.

Exhibit

A: Applicant's Updated Plans
B: Applicant's Community Outreach
C: Public Input

[6] LMC § 15-1-21

Singerman Real Estate

Park & Kearns Redevelopment

(Yarrow Mixed Use)

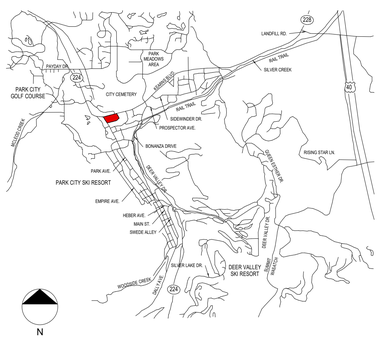
1800 Park Avenue, Park City, UT 84060

EWG Project # 2023-31

MPD & CUP

10/09/2023 (Rev. 06/10/2024)

VICINITY MAP



PROJECT CONTACT INFORMATION

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TRANSPORTATION ENGINEER

HALES ENGINEERING
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PHONE: 801.766.4343

LMC ANALYSIS

Existing Zone
General Commercial (GC)

Total Site Area
- 194,713 SF / 4.47 Acres

Master Plan Requirements

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

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

* Set Backs per LMC 15-2.18-3 & 15-2.20-4:
Front Set Back: 30' (FPZ)
Side and Back: 25' (MPD)

* Building Height per LMC 15-2.18-4:
Building Height: 35'
Building Height Gable Roof: 40'
Building Height Mechanical Screening: +5'
Building Height Elevator: +8'

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

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

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

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

* Bicycle Parking per LMC 15-3-9:
Outdoor Bicycle
10 % of Required Off Street Parking
-Required Parking Stalls: 382 stalls
-Required Outdoor Bicycle Parking: 38.2
-Provided Outdoor Bicycle Parking: 40 (Refer to MPD-100 & 101)

Enclose Bicycle Storage
1 Bike per 3 Dwellings & 1 Bike every 10 Employees
-Required Bicycle Storage: 86 stalls (258 Dwelling Units/3)
-Provided Bicycle Stalls: 932 SF Bike Storage (Refer to MPD-101)

DRAWING INDEX

MPD-001	Cover Sheet
MPD-002	Existing Conditions / Survey
MPD-002.1	Survey
MPD-003	Aerial View
MPD-004	Site Suitability Analysis (30' FPZ)
MPD-004.1	Site Suitability Analysis (100' FPZ)
MPD-005	Site Plan
MPD-006	Grading Plan
MPD-007	Planting Plan
MPD-008	Tree Demo
MPD-009	Uitlity Plan
MPD-010	Open Space
MPD-011	FPZ Analysis
MPD-011.1	Kearns Blvd. FPZ Section Analysis
MPD-011.2	Park Ave. FPZ Section Analysis
MPD-011.3	FPZ Encroachments Ave. Analysis
MPD-012	Snow Storage Plan
MPD-013	Contextual Analysis
MPD-014	Contextual Analysis
MPD-015	Photometric Study
MPD-016	Lighting Cut Sheet
MPD-017	Solar Study
MPD-018	Walk/Bike/Childcare Study
MPD-019	Public Transportation
MPD-020	Historic Site Report
MPD-021	Parking Analysis
MPD-022	Unit Equivalent Calculations
MPD-100	Parking Level -1
MPD-101	Level 1
MPD-102	Level 2
MPD-103	Level 3
MPD-104	Level 4
MPD-105	Roof Over Topography
MPD-106	Unit Floor Plans
MPD-107	Affordable Unit Floor Plans
MPD-201	Elevations
MPD-202	Elevations
MPD-203	Height Analysis
MPD-204	Height Analysis
MPD-205	Facade Variation
MPD-206	Facade Variation
MPD-301	Rendered Elevations
MPD-302	Rendered Elevations
MPD-303	Renderings
MPD-304	Renderings
MPD-305	Renderings

Total Units
- Block A: (12) studios, (18) 1 bed,(09) 2 bed
- B-C: (02) studios,(05) 1 bed
- Block B: (12) studios, (17) 1 bed,(09) 2 bed, (4) 3+bed
- Block C: (12) studios, (17) 1 bed, (08) 2 bed,(4) 3+bed
- C-D: (00) studios, (03) 1 bed
- Block D: (14) studios, (16) 1 bed, (08) 2 bed,(4) 3+bed
- Block E: (18) studios, (42) 1 bed

Total.....(70) studios, (118) 1 bed, (34) 2 bed, (12) 3+ bed
234 Units

Total Building Areas
- Level -1: (110,208 SF)
- Level 1: 84,703.0 SF
- Level 2: 58,899.0 SF
- Level 3: 57,087.0 SF
- Level 4: 47,726.0 SF

Total.....248,415.0 SF

PROJECT DESCRIPTION

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

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

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

The project as planned accommodates the tunnel studies that were developed at the Kearns Boulevard and Snow Creek drive intersection. When and if the City decides to move forward with the tunnel project(s) the current concepts can be executed with this design. The design also envisions a new pedestrian and bicycle trail along Park and Kearns. This will remove the minimal sidewalk along both streets and create a more attractive and safer pedestrian experience.

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

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

As proposed, the building is developed as five building blocks that are connected at the first floor. Four of the building blocks contain nightly rental condominiums and the fifth block is comprised of rental affordable housing units. Creation of these building blocks reduces the visual mass of the project by creating substantial openings along the perimeter of the project. The improved building massing and increased setbacks are made possible through the use of a height exception allowed within the LMC MPD section of the code. The three blocks along Kearns Boulevard Protection Zones are designed at three stories with a forth story that is set back ten feet from the primary building facades including Block B that is located on the corner of Kearns Boulevard and Park Avenue. Block A which contains the main entrance to the building is almost entirely outside of the 100' Frontage Protection Zone at four stories with a fifth story that is set back ten feet from the primary building facade.

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

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

ELLIOTT WORKGROUP

10/09/2023 (Rev. 06/10/2024)
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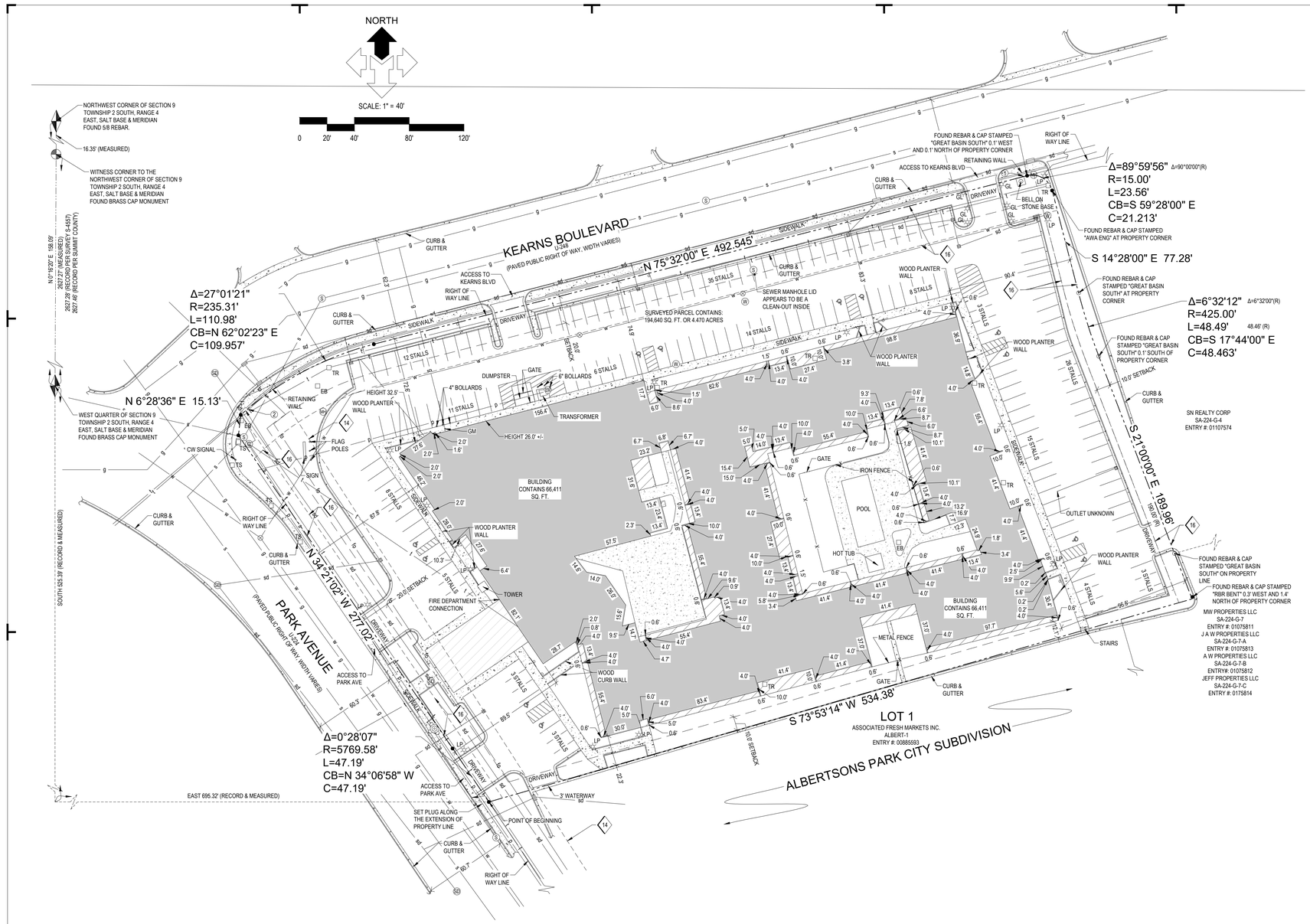
Cover Sheet

MPD-001



TITLE INFORMATION

THIS SURVEY DOES NOT CONSTITUTE A TITLE SEARCH BY THE SURVEYOR. ALL INFORMATION REGARDING RECORD EASEMENTS, ADJOINERS AND OTHER DOCUMENTS THAT MIGHT AFFECT THE QUALITY OF TITLE TO TRACT SHOWN HEREON WAS GAINED FROM TITLE COMMITMENT NO. 1244369 PREPARED BY STEWART TITLE GUARANTY COMPANY. EFFECTIVE DATE: MAY 21, 2021, AT 8:00 AM.

DESCRIPTION PER TITLE REPORT

THE FOLLOWING DESCRIBED REAL PROPERTY IS LOCATED IN SUMMIT COUNTY, STATE OF UTAH:

BEGINNING AT A POINT ON THE EASTERLY RIGHT OF WAY LINE OF PARK AVENUE (STATE HIGHWAY U-224), SAID POINT BEING SOUTH 525.39 FEET AND EAST 695.32 FEET FROM THE WEST QUARTER CORNER OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN; THENCE NORTHWESTERLY, ALONG SAID RIGHT OF WAY, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 5769.58 FEET, THROUGH A CENTRAL ANGLE OF 0°28'07", A DISTANCE OF 47.19 FEET TO A POINT(CHORD BEARS NORTH 34°06'58" WEST, 47.19 FEET) ; THENCE NORTH 34°21'02" WEST ALONG SAID RIGHT OF WAY A DISTANCE OF 277.02 FEET TO A POINT ON THE SOUTHERLY RIGHT OF WAY LINE OF KEARNS BOULEVARD (STATE HIGHWAY U-248); THENCE NORTH 6°28'36" EAST ALONG SAID RIGHT OF WAY, A DISTANCE OF 15.13 FEET TO A POINT OF NON-TANGENCY; THENCE NORTHEASTERLY ON A CURVE TO THE RIGHT, ALONG SAID RIGHT OF WAY, HAVING A RADIUS OF 235.31 FEET, THROUGH A CENTRAL ANGLE OF 27°01'21", A DISTANCE OF 110.98 FEET TO A POINT OF NON-TANGENCY (CHORD BEARS NORTH 62°02'23" EAST, 109.957 FEET); THENCE NORTH 75°32'00" EAST, ALONG SAID HIGHWAY, A DISTANCE OF 492.545 FEET TO A POINT OF TANGENCY; THENCE SOUTHEASTERLY, ON A CURVE TO THE RIGHT, HAVING A RADIUS OF 15 FEET , THROUGH A CENTRAL ANGLE OF 90°00'00", A DISTANCE OF 23.56 FEET TO A POINT OF TANGENCY (CHORD BEARS SOUTH 59°28'00" EAST, 21.213 FEET); THENCE SOUTH 14°28'00" EAST A DISTANCE OF 77.28 FEET TO A POINT OF TANGENCY; THENCE SOUTHEASTERLY, ON A CURVE TO THE LEFT, HAVING A RADIUS OF 425.00 FEET, THROUGH A CENTRAL ANGLE OF 6°32'00", A DISTANCE OF 48.46 FEET TO A POINT OF TANGENCY (CHORD BEARS SOUTH 17°44'00" EAST, 48.463 FEET); THENCE SOUTH 21°00'00" EAST, A DISTANCE OF 190.00 FEET TO A POINT; THENCE SOUTH 73°53'14" WEST 534.38 FEET TO THE POINT OF BEGINNING.

SCHEDULE B-2 EXCEPTIONS

(14) AN EASEMENT FOR RIGHT OF WAY (WIDTH NOT DISCLOSED) FOR ELECTRIC TRANSMISSION AND DISTRIBUTION FACILITIES AS CREATED IN FAVOR OF UTAH POWER AND LIGHT COMPANY BY INSTRUMENT RECORDED JULY 18, 1938, AS ENTRY NO. 62920 IN BOOK V OF MISCELLANEOUS AT PAGE 520 OF OFFICIAL RECORDS.
SURVEY FINDINGS: SHOWN HEREON

(15) RESERVATIONS CONTAINED IN THAT CERTAIN SPECIAL WARRANTY DEED EXECUTED BY UNITED PARK CITY MINES COMPANY DATED AUGUST 8 1972, AS ENTRY NO. 116520 IN BOOK M-40 AT PAGE 52.
SURVEY FINDINGS: SURVEYED PARCEL FALLS WITHIN CITED DOCUMENT, BLANKET IN NATURE

(16) RESERVATIONS CONTAINED IN THAT CERTAIN SPECIAL WARRANTY DEED AND AGREEMENT BY AND BETWEEN GREATER PARK CITY COMPANY, UTAH CORPORATION AND COMSTOCK ASSOCIATES, A UTAH GENERAL PARTNERSHIP, RECORDED JUNE 21, 1974, AS ENTRY NO. 123544 IN BOOK M-57 AT PAGE 405 OF OFFICIAL RECORDS, SET FORTH, IN PART, AS FOLLOWS:
SURVEY FINDINGS: SHOWN HEREON

SURVEY NARRATIVE

THE PURPOSE OF THIS SURVEY IS TO PROVIDE AN "ALTANSPS LAND TITLE SURVEY" ON THE SUBJECT PROPERTY PER CLIENTS REQUEST. THE BASIS OF BEARING FOR THIS SURVEY IS NORTH 00°16'20" EAST ALONG THE SECTION LINE BETWEEN THE FOUND BRASS CAP MONUMENT AND A FOUND 5/8 REBAR MARKING THE WEST QUARTER AND THE NORTHWEST CORNER RESPECTIVELY OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE & MERIDIAN, AS SHOWN ON THIS SURVEY. THE SURVEYED PROPERTY LINES WERE ESTABLISHED PER DEED. THIS VERIFIED ALONG THE EASTERLY PROPERTY LINES BY A SURVEY PREPARED BY GREAT BASIN SOUTH, ON FILE WITH THE OFFICE OF THE SUMMIT COUNTY RECORDER AS S0004557 AND ALONG THE SOUTH BY THE RECORDED PLAT FOR ALBERTSON'S PARK CITY SUBDIVISION.

SURVEYOR'S CERTIFICATE

TO YARROW HOTEL OWNER, LLC, A DELAWARE LIMITED LIABILITY COMPANY, YARROW RESORT TRS, LLC, A DELAWARE LIMITED LIABILITY COMPANY, STEWART TITLE GUARANTY COMPANY, MIDCAP FINANCIAL TRUST, A DELAWARE STATUTORY TRUST, AS AGENT, ITS SUCCESSORS AND ASSIGNS AS THEIR INTEREST MAY APPEAR:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTANSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1, 2, 3, 4, 6(A), 6(B), 7(A), 7(B)(1), 7(C), 8, 9, 10, 13, 14, 16, 17, AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON MAY 24, 2021.

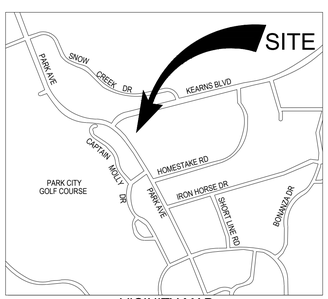
DATE OF PLAT OR MAP: JUNE 10, 2021

DAVID B. DRAPER
LICENSE NO. 6861599

PROFESSIONAL LAND SURVEYOR
DAVID B. DRAPER
No. 6861599
06/10/21
STATE OF UTAH

TABLE "A" ITEMS

1. SEE GENERAL NOTE 2
2. SHOWN HEREON
3. BY SCALED MAP LOCATION AND GRAPHIC PLOTTING ONLY, THE SUBJECT PARCEL LIES WITHIN ZONE X PER FLOOD INSURANCE RATE MAP 49043C0917D, EFFECTIVE 3-23-2021.
4. SHOWN HEREON
6(A). INFORMATION SHOWN HEREON PER PRIOR MCNEIL SURVEY, NO UP TO DATE INFORMATION PROVIDED
6(B). INFORMATION SHOWN HEREON PER PRIOR MCNEIL SURVEY, NO UP TO DATE INFORMATION PROVIDED
7(A). SHOWN HEREON
7(B)(1). SHOWN HEREON
7(C). SHOWN HEREON
8. SUBSTANTIAL FEATURES OBSERVED IN THE PROCESS OF CONDUCTING THE FIELDWORK SHOWN HEREON.
9. 156 REGULAR STALLS, 12 ADA STALLS, TOTALING 168 PARKING STALLS ON SITE.
10. NOT APPLICABLE
13. ADJOINING OWNERS SHOWN HEREON.
14. SITE IS AT THE INTERSECTION OF KEARNS BOULEVARD AND PARK AVENUE
16. NONE OBSERVED
17. NO OBSERVED RECENT STREET OR SIDEWALK REPAIR. NO PROPOSED CHANGES TO STREET RIGHT OF WAY LINES HAVE BEEN MADE AVAILABLE BY THE CONTROLLING JURISDICTION



VICINITY MAP
SCALE: N.T.S.

LEGEND

	ADJOINING PROPERTY LINE		FIRE HYDRANT
	ADJOINING LOT LINE	W	WATER MANHOLE
	PROPERTY LINE		WATER VALVE
	MONUMENT LINE	EB	ELECTRIC BOX
	EASEMENT LINE	CB	COMMUNICATION BOX
	SET BACK LINE	EM	ELECTRIC METER
X	EXISTING FENCE	LP	LIGHT POLE
P	POWER LINE	GL	GROUND LIGHT
T	TELEPHONE LINE	CO	CLEAN OUT
W	WATER LINE	S	SANITARY SEWER MANHOLE
S	SANITARY SEWER LINE	GM	GAS METER
SD	STORM DRAIN LINE	C	COMMUNICATION MANHOLE
	CONCRETE		STORM DRAIN CATCH BASIN
	BUILDING	SD	STORM DRAIN MANHOLE
	BUILDING OVERHANG	MH	MANHOLE
	PROPERTY CORNER (SEE GENERAL NOTE 2)	ICV	IRRIGATION CONTROL VALVE
TR	TELEPHONE RISER	TS	TRAFFIC SIGNAL BOX
	SIGN		

SIGNIFICANT OBSERVATIONS

(1) ROCK BASE OF BELL 0.2' NORTHWESTERLY OF PROPERTY LINE

(2) END OF RETAINING WALL 1.0' SOUTHEASTERLY OF PROPERTY LINE

GENERAL NOTES

1. McNEIL ENGINEERING OR McNEIL ENGINEERING - SURVEYING L.C., MAKES NO REPRESENTATIONS AS TO THE EXISTENCE OF ANY OTHER RECORD DOCUMENTS THAT MAY AFFECT THIS PARCEL OTHER THAN THOSE SHOWN IN THE EXCEPTIONS OF SCHEDULE B-2 AS SHOWN HEREON.

2. CORNER MONUMENTS WERE SET WITH 5 / 8 REBAR & CAP OR NAIL & WASHER STAMPED "MCNEIL ENG" UNLESS OTHERWISE NOTED HEREON.

3. THIS MAP MAKES NO ASSUMPTIONS AS TO ANY UNWRITTEN RIGHTS THAT MAY EXIST BY AND BETWEEN THE ADJOINING LANDOWNERS.

4. COURSES AND DISTANCES SHOWN ON THIS MAP ARE MEASURED DIMENSIONS UNLESS SHOWN WITHIN PARENTHESIS, INDICATING A RECORD COURSE OR DISTANCE. RECORD INFORMATION IS TAKEN FROM CITED TITLE COMMITMENT, DEEDS OF RECORD, SUBDIVISION PLATS, ROADWAY DEDICATION PLATS, CITY ATLAS PLATS, FILED SURVEYS OR OTHER SOURCES OF RECORD INFORMATION.

5. NO OBSERVED EVIDENCE OF CEMETERIES OR BURIAL GROUNDS.

6. THERE IS DIRECT VEHICULAR AND PEDESTRIAN ACCESS TO AND FROM KEARNS BOULEVARD AND PARK AVENUE, EACH A DEDICATED PUBLIC RIGHT-OF-WAY.

ZONING INFORMATION

ZONE = "GC" GENERAL COMMERCIAL DISTRICT

SETBACKS:
FRONT: 20 FEET MINIMUM; 20 FT FRONT SETBACK MAY BE REDUCED TO 10 FEET, PROVIDED ALL ON-SITE PARKING IS AT THE REAR OF THE PROPERTY OR UNDERGROUND.
SIDE INTERIOR: 10 FEET MINIMUM (INTERIOR); ON CORNER LOTS, THE SIDE YARD THAT FACES A STREET IS CONSIDERED A FRONT YARD AND THE SETBACK MUST NOT BE LESS THAN 20 FEET.
REAR: 10 FEET MINIMUM
PARKING SET BACK: 5 FEET MINIMUM, UNLESS A DRIVEWAY EXCEPTION IS USED, UNENCLOSED PARKING AREAS SHALL GENERALLY INCLUDE LANDSCAPING ON ALL PERIMETER PROPERTY LINES.

SITE AREA:
SITE AREA: NO MINIMUM LOT AREA OR LOT WIDTH REQUIREMENT.

BUILDING HEIGHT:
MAXIMUM HEIGHT: 35 FEET FROM EXISTING GRADE.
EXISTING HEIGHT: 2 STORIES (PER CLIENT)

DENSITY:
DENSITY REQUIREMENTS: NO REQUIREMENT LISTED.
EXISTING BUILDING FOOT PRINT: SQUARE FOOTAGE OF THE GROUND BUILDING FLOOR AREA WAS NOT PROVIDED ON THE SURVEY.

OFF-STREET PARKING:
PARKING FORMULA(S): HOTEL, MINOR AND MAJOR - 1 SPACE PER ROOM OR SUITE, AND 1 SPACE PER 200 SF OF SEPARATELY LEASABLE COMMERCIAL SPACE. PER SPENCER CAWLEY, PLANNER, IF THE RESTAURANT OR RETAIL SHOP LEASES THE SPACES FROM THE HOTEL, THEN IT WOULD COMMERCIAL SPACE. THE HOTEL'S LICENSE (NOT A SEPARATE BUSINESS) SO THAT WOULD NOT BE CONSIDERED "LEASABLE COMMERCIAL SPACE."
REQUIRED PARKING SPACES: (182 X 1) = 182 TOTAL PARKING SPACES (FOR PURPOSE OF THIS REPORT, IT WAS ASSUMED THAT THE SUBJECT HOTEL DOES NOT HAVE SEPARATE LEASABLE COMMERCIAL SPACE)
EXISTING PARKING SPACES: 168 TOTAL PARKING SPACES (INCLUDING 12 HANDICAPPED)

ALL ABOVE ZONING INFORMATION IS PER ZONING REPORT PREPARED BY NATIONAL ZONING ASSOCIATES, LLC DATED MAY 27, 2021, SUPPLIED BY CLIENT .

McNEIL ENGINEERING™
Economic and Sustainable Designs, Professionals You Know and Trust
8610 South Sandy Parkway, Suite 200 Sandy, Utah 84070 801.255.7700 mcneilengineering.com
Civil Engineering • Consulting & Landscape Architecture
Structural Engineering • Land Surveying & HDS

DOUBLE TREE HOTEL

1800 PARK AVENUE
PARK CITY, UTAH
LOCATED IN THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST, S.L.B & M.

REVISIONS

REV	DATE	DESCRIPTION
1.	6/1/2021	COMMENTS AND UPDATED TITLE REPORT
2.	6/4/2021	COMMENTS AND ZONING REPORT
3.	6/9/2021	REVISE PARKING COUNT & COMMENTS

PROJECT NO:	21328
CAD FILE:	21328 ALTA
DRAWN BY:	KSL
CALC BY:	DBD
FIELD CREW:	HBD
CHECKED BY:	DBD
DATE:	6/10/2021

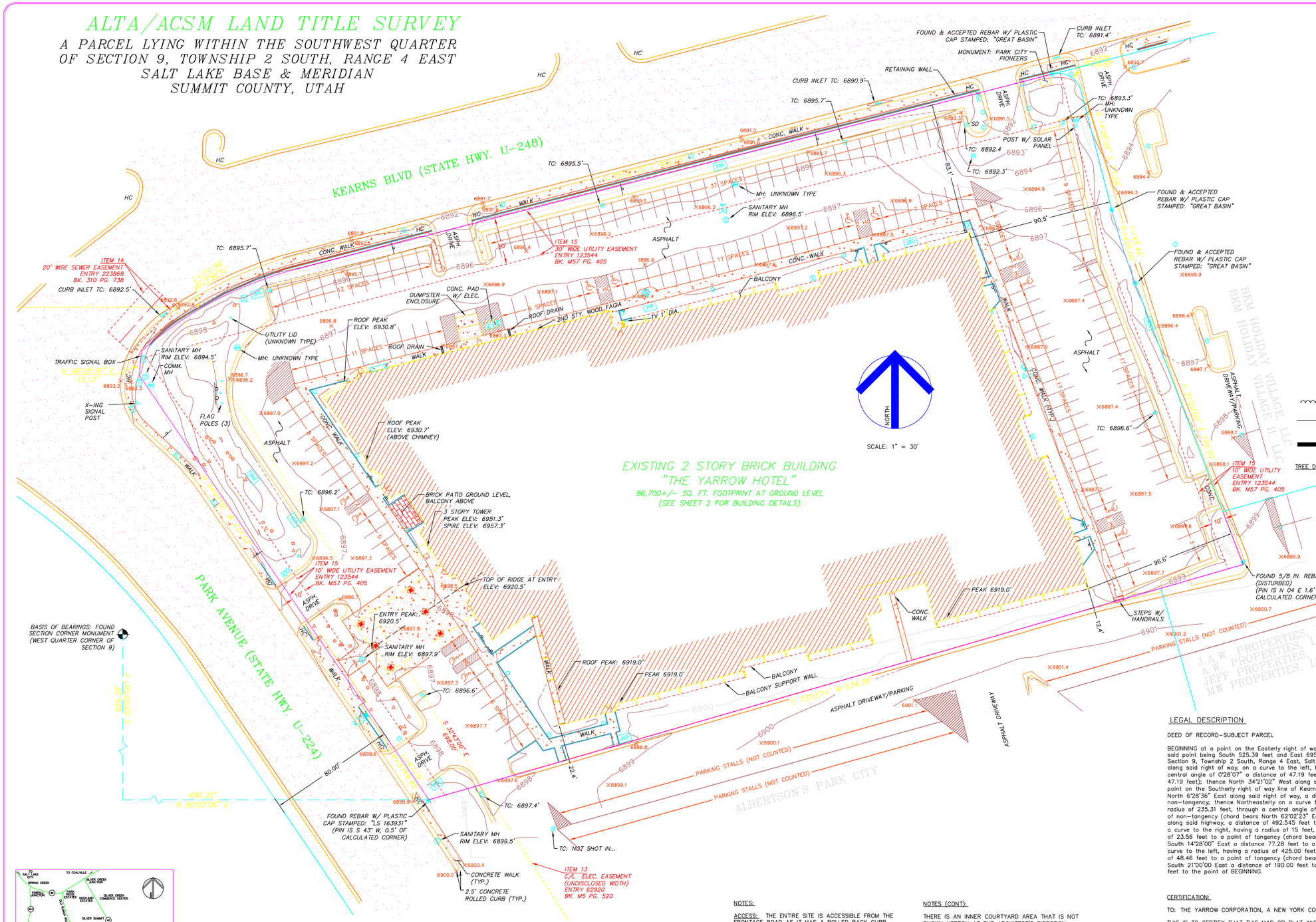
ALTA/NSPS LAND TITLE SURVEY

1 of 1

S:\2021Files\21328\Survey\Prod Dwg\21328 Alta.dwg Dwg: Jun 10, 2021 - 9:59am

ALTA/ACSM LAND TITLE SURVEY

A PARCEL LYING WITHIN THE SOUTHWEST QUARTER
OF SECTION 9, TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN
SUMMIT COUNTY, UTAH

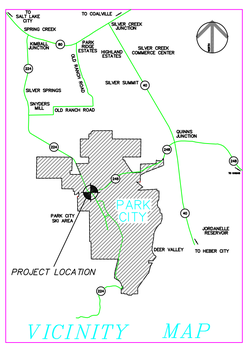


LEGEND

- FOUND OR SET REBAR W/ CAP (AS DESCRIBED)
- FIRE HYDRANT
- WATER VALVE
- WATER MANHOLE
- SANITARY SEWER MANHOLE
- SANITARY SEWER STUB
- ELECTRIC METER
- ELECTRIC BOX OR OUTLET
- ELECTRIC VAULT
- OUTDOOR ELEC. OUTLET
- LAMP POST
- FLOOD LIGHT
- TELEPHONE PEDESTAL
- IRRIGATION BOX
- GAS METER
- GUARD POST
- TRAFFIC LID
- GAS VALVE
- UTILITY POLE
- 6932.2 SPOT ELEVATION
- HANDICAP PARKING SPACE
- HC HANDICAP ACCESS
- CURB INLET
- CATCH BASIN
- SIGN
- LANDSCAPING
- FENCE
- 6" x 6" WOOD RETAINING WALL

TREE DIAMETER ANNOTATED TO EDGE OF DRIP LINE

- 12' CONIFEROUS TREE
- 12' DECIDUOUS TREE
- ROUNDED CONC. LANDSCAPING CURB



VICINITY MAP

NARRATIVE:

THE PURPOSE OF THIS SURVEY IS TO CONDUCT AN ALTA/ACSM LAND TITLE SURVEY ON THE PROPERTY DESCRIBED IN THE PROVIDED TITLE REPORT ISSUED BY HIGH COUNTRY TITLE, FILE NO. 24108, EFFECTIVE DATE AUGUST 21, 2007 AT 8:00 AM.

EXISTING SURVEY MONUMENTS ON THE SUBJECT LOT AND THE FOUND SECTION CORNER WERE USED TO REESTABLISH THE PROPERTY CORNERS. EVIDENCE FOR THIS SURVEY WAS TAKEN FROM SAID TITLE REPORT, RECORDED DEEDS, RECORDS OF SURVEYS, PLATS AND PHYSICAL EVIDENCE OBTAINED IN THE FIELD. ALL EVIDENCE HAS BEEN CONSIDERED IN THE ESTABLISHMENT OF THE BOUNDARY AS SHOWN HEREON.

THE BASIS OF BEARING IS BETWEEN FOUND CORNERS AS SHOWN HEREON. ALL BEARINGS AND DISTANCES SHOWN ARE THE EQUIVALENT OF RECORD UNLESS NOTED.

SURVEY COMPLETED: 09/27/2006

THE SURVEYOR HAS FOUND NO OBVIOUS EVIDENCE OF EASEMENTS, ENCROACHMENTS, OR ENCUMBRANCES ON THE PROPERTY SURVEYED, EXCEPT AS SHOWN HEREON.

NOTES:

ACCESS: THE ENTIRE SITE IS ACCESSIBLE FROM THE FRONTAGE ROAD AS IT HAS A ROLLED BACK CURB AND GUTTER. THERE ARE NO SPECIFIC CURB CUTS OR ENTRANCES DESIGNATED.

FLOOD ZONE DESIGNATION: THE PARCEL IS DESIGNATED AS "ZONE X" ON THE FEMA MAP# 49043C0917C EFFECTIVE DATE MARCH 16, 2006.

ZONING: THE PARCEL RESIDES IN THE "GENERAL COMMERICAL" ZONE AS DEFINED BY PARK CITY CODE.

NO OBSERVABLE EVIDENCE OF EARTHWORK OR CONSTRUCTION HAS BEEN SEEN WITH THE EXCEPTION OF THE NEW SIDEWALK AND RETAINING WALL ALONG THE NORTHERLY BOUNDARY, ADJACENT TO KEARNS BOULEVARD. IN CONJUNCTION WITH THIS, THERE HAVE BEEN NO CHANGES IN RIGHT OF WAYS ADJACENT TO THE SUBJECT PROPERTY.

NO OBSERVABLE EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.

THERE ARE 162 STANDARD PARKING STALLS AND 12 HANDICAP ACCESSIBLE STALLS WITHIN THE BOUNDARY OF THE PROPERTY.

NOTES (CONT):

THERE IS AN INNER COURTYARD AREA THAT IS NOT SHOWN HEREON AT THE ARCHITECT'S DIRECTION. IT CONTAINS AN IN GROUND POOL AND PERTINENT CONCRETE PATIO AREAS.

TITLE COMMITMENT

SCHEDULE B, PART II, EFFECTIVE DATE AUGUST 21, 2007 AT 8:00 A.M.

ITEM 12. SAID PROPERTY LIES WITHIN THE BOUNDARIES OF THE PROSPECTOR LANDSCAPING AND MAINTENANCE OF SOIL COVER ORDINANCE, ENTRY NO. 311124, BOOK 529, PAGE 755 OF THE OFFICIAL RECORDS .

ITEM 13. SHOWN HEREON.

ITEM 14. SHOWN HEREON.

ITEM 15. SHOWN HEREON.

ITEM 16 THROUGH 22: NOT SHOWN HEREON.

LEGAL DESCRIPTION

DEED OF RECORD-SUBJECT PARCEL

BEGINNING at a point on the Easterly right of way line of Park Avenue (State Highway U-224), said point being South 525.39 feet and East 695.32 feet from the West quarter corner of Section 9, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence Northwesterly, along said right of way, on a curve to the left, having a radius of 5769.58 feet, through a central angle of 0°28'07" a distance of 47.19 feet to a point (chord bears North 34°06'58" West 47.19 feet); thence North 34°21'02" West along said right of way a distance of 277.02 feet to a point on the Southerly right of way line of Kearns Boulevard (State Highway U-248); thence North 6°28'36" East along said right of way, a distance of 15.13 feet to a point of non-tangency; thence Northeasterly on a curve to the right, along said right of way , having a radius of 235.31 feet, through a central angle of 27°01'21", a distance of 110.98 feet to a point of non-tangency (chord bears North 62°02'23" East 109.957 feet); thence North 75°32'00" East along said highway, a distance of 492.545 feet to a point of tangency; thence Southeasterly, on a curve to the right, having a radius of 15 feet, through a central angle of 90°00'00 a distance of 23.56 feet to a point of tangency (chord bears South 59°28'00" East 21.213 feet); thence South 14°28'00" East a distance 77.28 feet to a point of tangency; thence Southeasterly on a curve to the left, having a radius of 425.00 feet, through a central angle of 6°32'00" a distance of 48.46 feet to a point of tangency (chord bears South 17°44'00" East 48.463 feet); thence South 21°00'00 East a distance of 190.00 feet to a point; thence South 73°53'14" West 534.38 feet to the point of BEGINNING.

CERTIFICATION:

TO: THE YARROW CORPORATION, A NEW YORK CORPORATION AND HIGH COUNTRY TITLE:

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH "MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/ACSM LAND TITLE SURVEYS," JOINTLY ESTABLISHED AND ADOPTED BY ALTA, ACSM AND NSPS IN 2005, AND INCLUDES ITEMS 1, 2, 3, 4, 5, 6, 7(a), 7(b), 8, 9, 10, 11(a),(AS TO UTILITIES, SURFACE MATTERS ONLY), 13, 14, 16, 17 AND 18 OF TABLE A THEREOF. PURSUANT TO THE ACCURACY STANDARDS AS ADOPTED BY ALTA, NSPS AND ACSM AND IN EFFECT ON THE DATE OF THIS CERTIFICATION, UNDERSIGNED FURTHER CERTIFIES THAT THE POSITIONAL UNCERTAINTIES RESULTING FROM THE SURVEY MEASUREMENTS MADE ON THE SURVEY DO NOT EXCEED THE ALLOWABLE POSITIONAL TOLERANCE.

CHRISTOPHER R. BRAUN

REGISTRATION NO. PLS 5152604

DATE: OCTOBER 15, 2007

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

DATE	BY	REVISIONS COMMENTS

SURVEYED BY: GC/TM
DRAWN BY: MN
DATE: SEPTEMBER 2007

FOR: YARROW CORPORATION

ALTA/ACSM LAND TITLE SURVEY
1800 PARK AVENUE PARK CITY, UTAH

DWG: YARROW ALTA.dwg

SHEET 1 OF 2

Park & Kearns Redevelopment

MPD-003

Aerial View

10/09/2023 (Rev. 06/10/2024)

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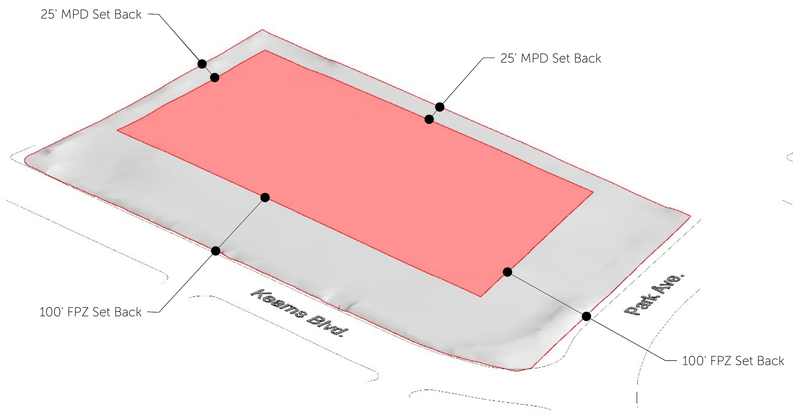
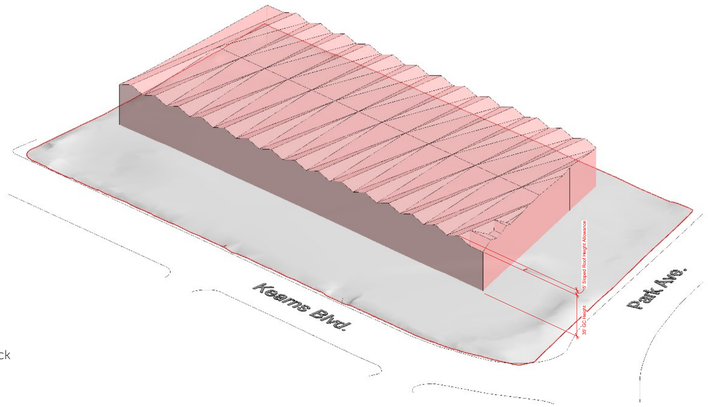
Property

194,649.5 SQ FT (4.46 ACRES)



Buildable Area

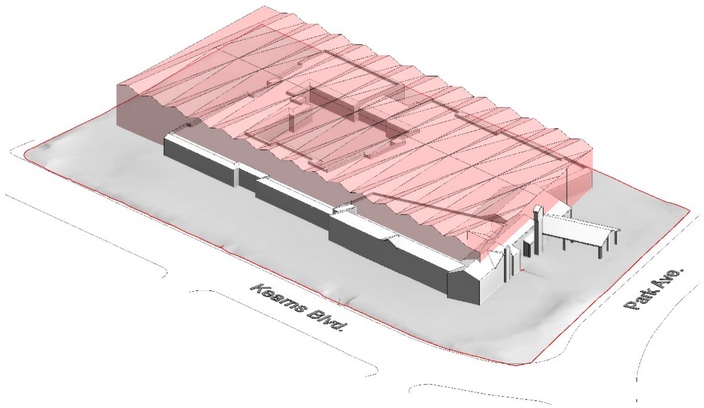
92,626 SQ FT (2.13 ACRES)



Buildable Volume

324,191 SQ FT (3.5 Above Grade Floor Plates)

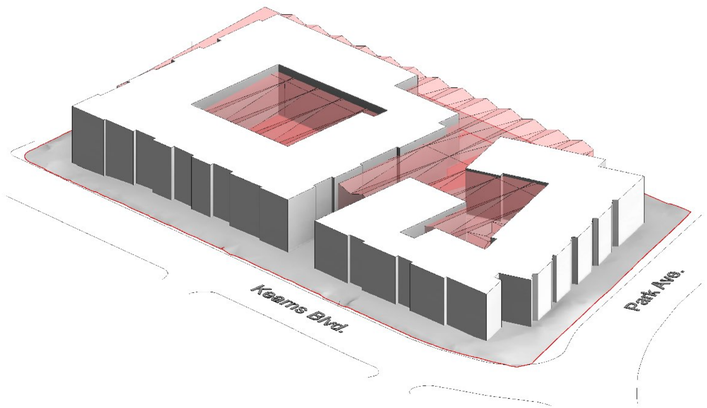
4,099,213 CF



Existing Building

132,330 SF

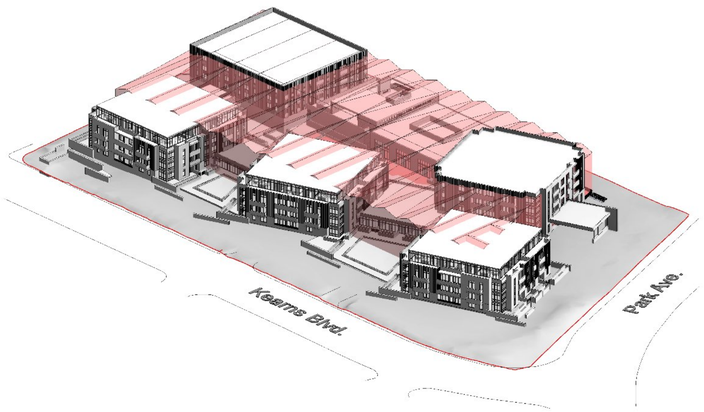
2,468,051 CF



Previously Proposed Development

341,604 SF

3,983,485 CF



Current Proposed Development

251,860 SF

2,744,132 CF

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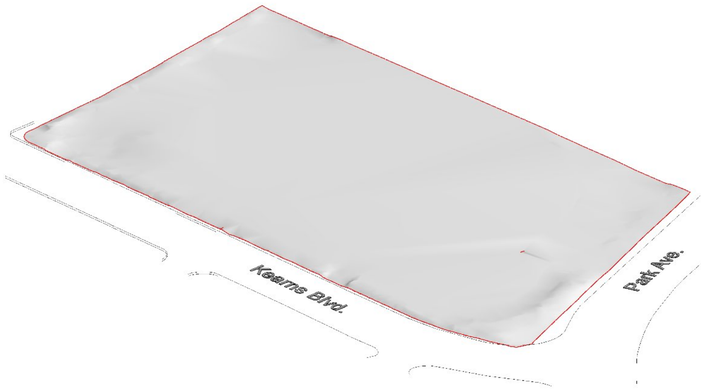
Park & Kearns Redevelopment

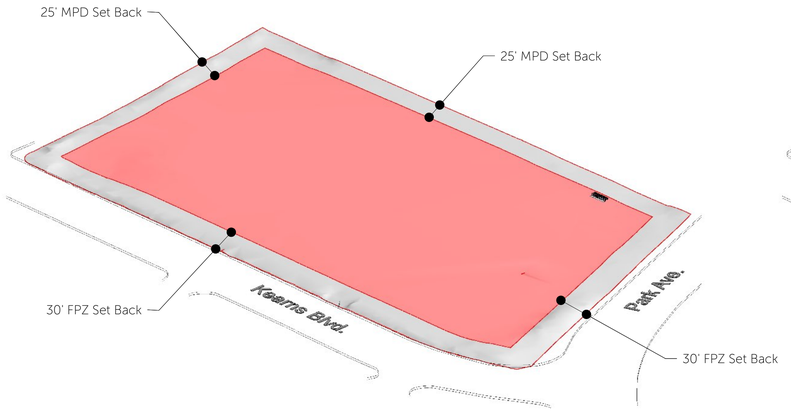
MPD-004.1

Site Suitability Analysis (100' FPZ)



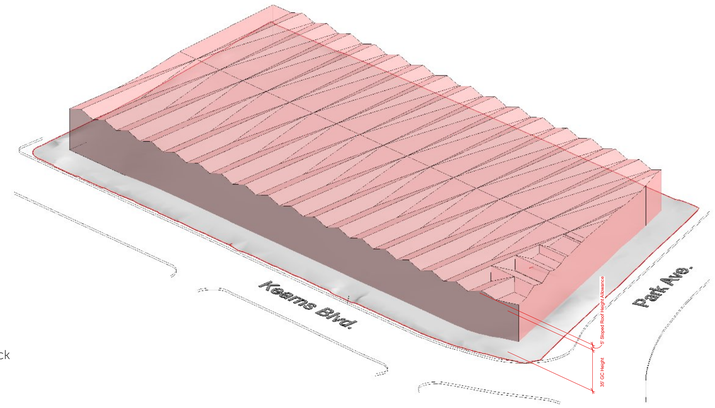
Property

194,649.5 SQ FT (4.46 ACRES)



Buildable Area

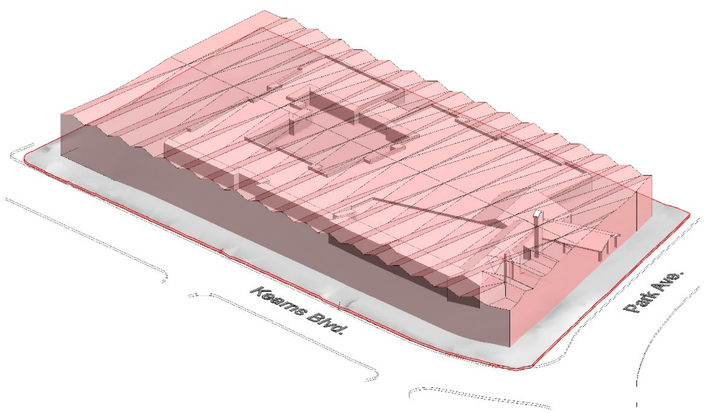
147,177 SQ FT (3.37 ACRES)



Buildable Volume

515,119 SQ FT (3.5 Above Grade Floor Plates)

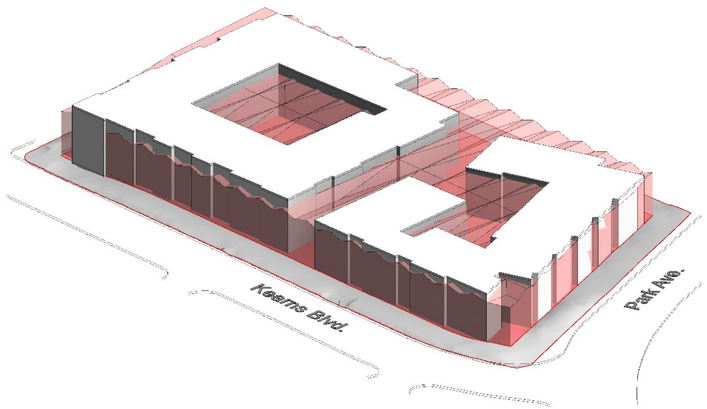
6,499,553 CF



Existing Building

132,330 SF

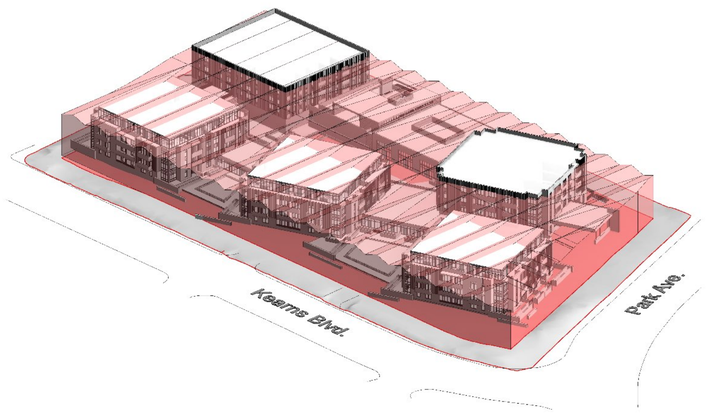
2,468,051 CF



Previously Proposed Development

341,604 SF

3,983,485 CF



Current Proposed Development

251,860 SF

2,744,132 CF

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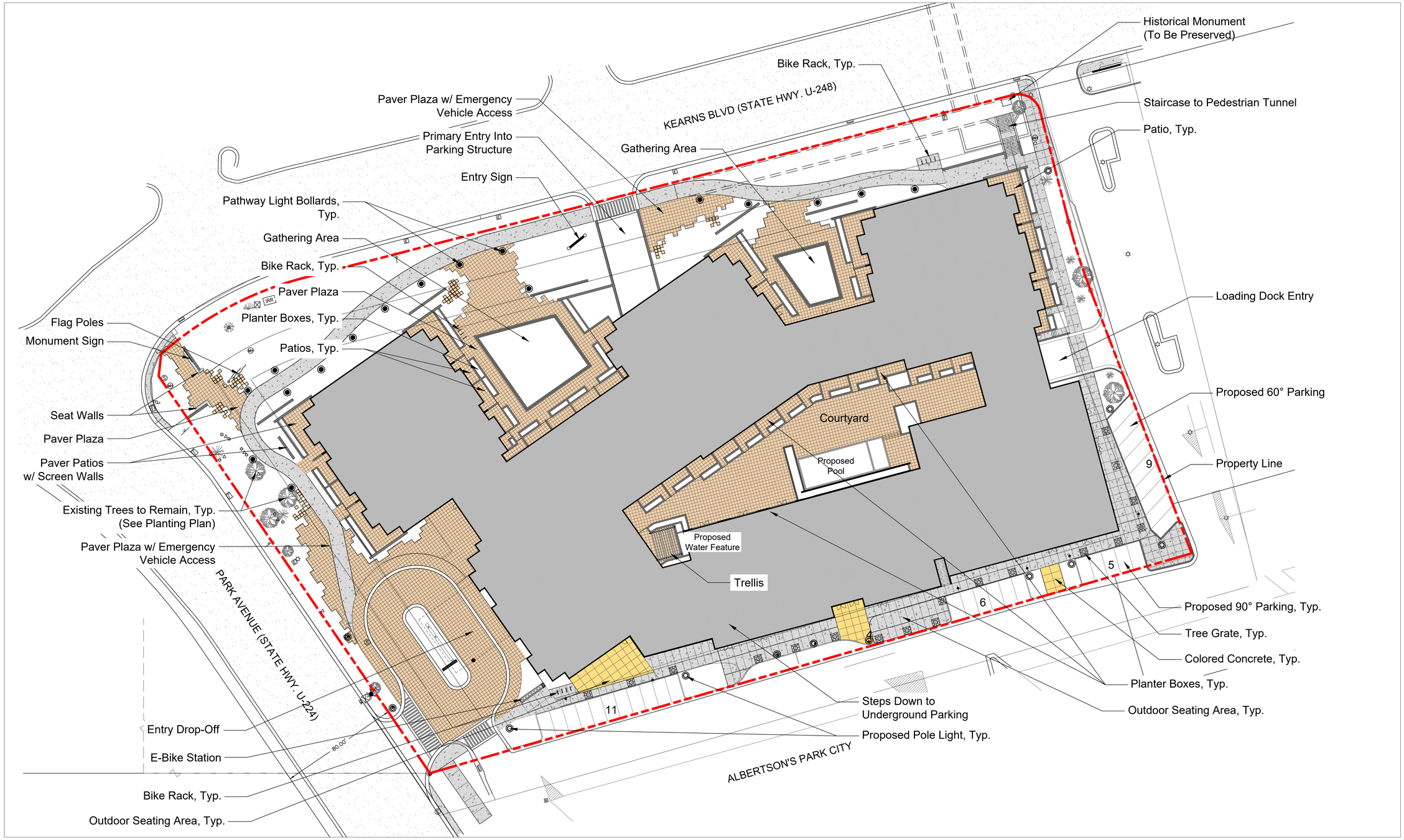
Park & Kearns Redevelopment

MPD-004

Site Suitability Analysis (30' FPZ)



SCALE: 1" = 30'-0"

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Park & Kearns Redevelopment

MPD-005

Site Plan

05/22/24

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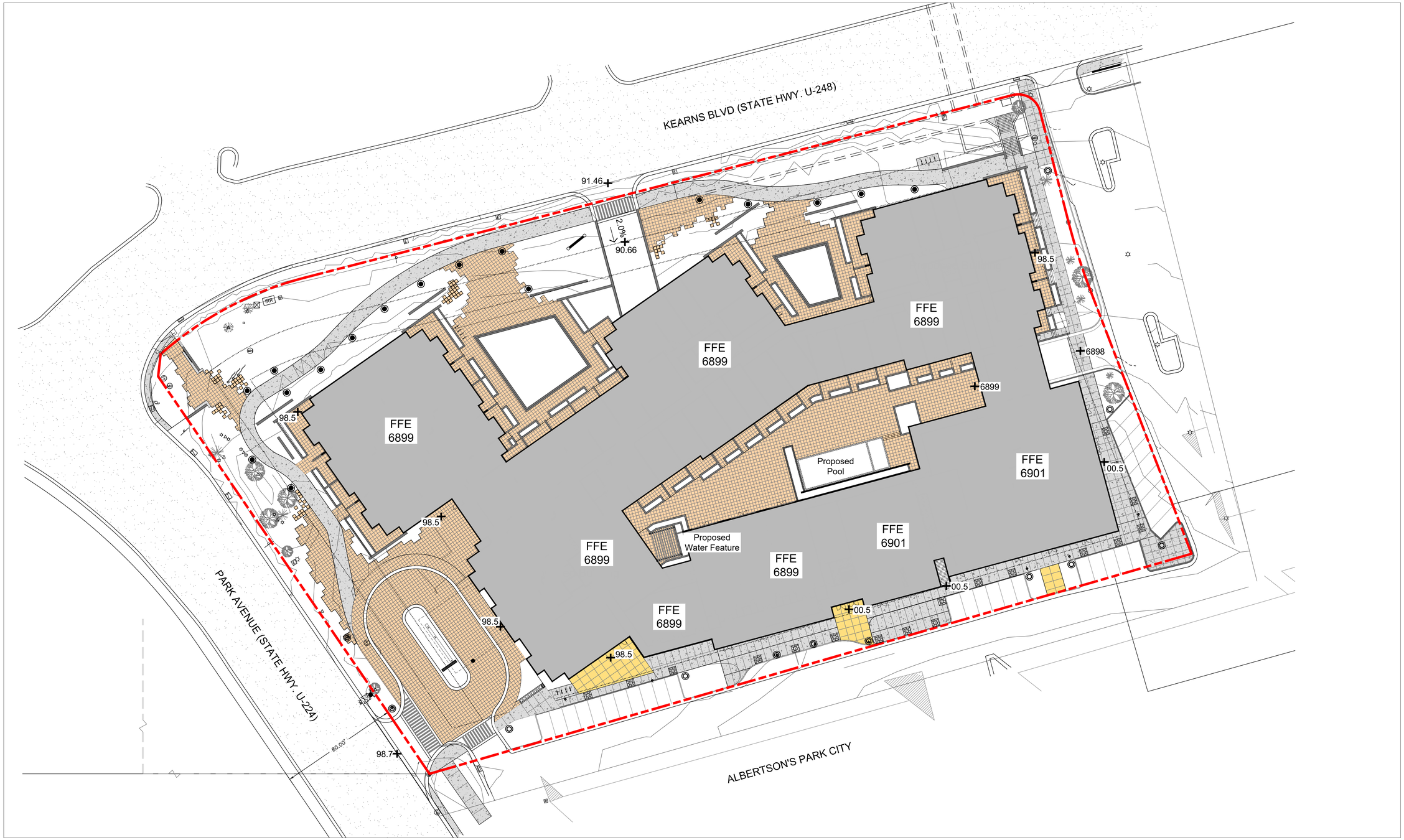

SCALE: 1" = 30'-0"

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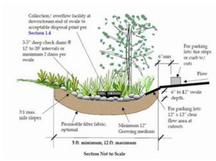
Park & Kearns Redevelopment

MPD-006

Grading Plan



Bioswale Images

PLANTING SCHEDULE

SYMBOL	SCIENTIFIC NAME	COMMON NAME	SIZE
TREES			
	Abies lasiocarpa	Sub Alpine Fir	8-10' Tall
	Amlanchier x grandiflora 'Autumn Brilliance'	Serviceberry Tree	25 Gal.
	Acer ginnala 'Flame"	Amur Maple	2" Cal.
	Acer x freemanii 'Jeffersred'	Autumn Blaze Maple	2" Cal.
	Fraxinus mandshurica 'Mancana'	Autumn Purple Ash	2" Cal.
	Picea pungens	Green Colorado Spruce	8-10' Tall
	Pinus flexilis 'Vanderwolf's Pyramid'	Limber Pine	8-10' Tall
	Populus tremuloides	Quaking Aspen	2" Cal.
	Populus tremula 'Erecta'	Columnar Swedish Aspen	10-12' Tall
SHRUBS			
	Arctostaphylos uva ursi 'Massachusetts'	Kinnikinnick	5 Gal.
	Aronia melanocarpa 'Ground Hug'	Chokeberry	5 Gal.
	Pinus mugo 'Slowmound'	Mugo Pine	5 Gal.
	Physocarpus opulifolius 'Donna May'	Ninebark	5 Gal.
	Rhus aromatica 'Gro-Low'	Fragrant Sumac	5 Gal.
	Ribes alpinum 'Greenmound'	Alpine Currant	5 Gal.
GRASSES			
	Deschampsia cepitosa 'Pixie Fountain'	Dwarf Tufted Hairgrass	1 Gal.
	Schizachyrium scoparium 'Carousel'	Little Blue Stem	1 Gal.
	Schizachyrium scoparium 'Smoke Signal'	Little Blue Stem	1 Gal.
	Sporobolus heterolepis	Prairie Dropseed	1 Gal.
	Turf	Bio Grass	
PERENNIALS - DIVIDE UP PLANTS EQUALLY, 24" O.C. TRIANGULAR SPACING			1 Gal.
	Achillea millefolium 'Summerwine'	Yarrow	
	Aster alpinus	Alpine Aster	
	Campanula carpatica Blue Chips	Bellflower	
	Echinacea purpurea	Purple Coneflower	
	Gaillardia aristata 'Arizona Sun'	Blanket Flower	
	Hemerocallis 'Chicago Apache'	Red Daylily	
	Heuchera 'Firefly'	Coral Bells	
	Oenothera missouriensis	Missouri Evening Primrose	
	Phlox subulata 'Drummond Pink'	Creeping Phlox	
	Rudbeckia x American Gold Rush	Black Eyed Susan	
	Salvia nemorosa 'May Night'	Salvia	
	Scabiosa columbaria 'Rose Pink'	Pincushion Flower	

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

Streetscape and Store Frontage

Trees

Ornamental Grasses

Shurbs and Perennials

SCALE: 1" = 30'-0"

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05/22/24

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Park & Kearns Redevelopment

MPD-007

Planting Plan

SCALE: 1" = 30'-0"

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Park & Kearns Redevelopment

Tree Demo Plan

MPD-008

05/22/24

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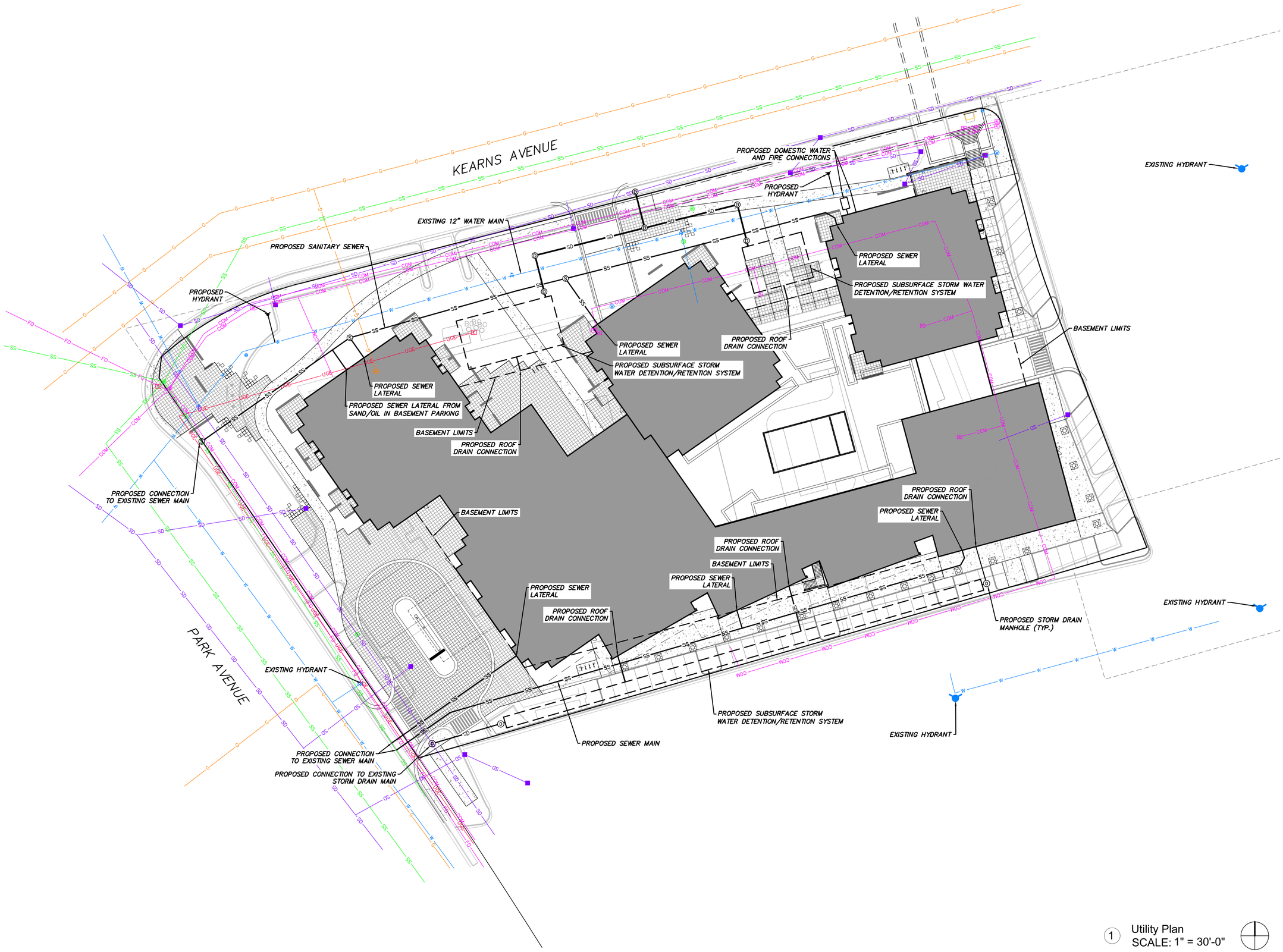

1 Utility Plan
SCALE: 1" = 30'-0"

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

ELLIOTT WORKGROUP

10/09/23

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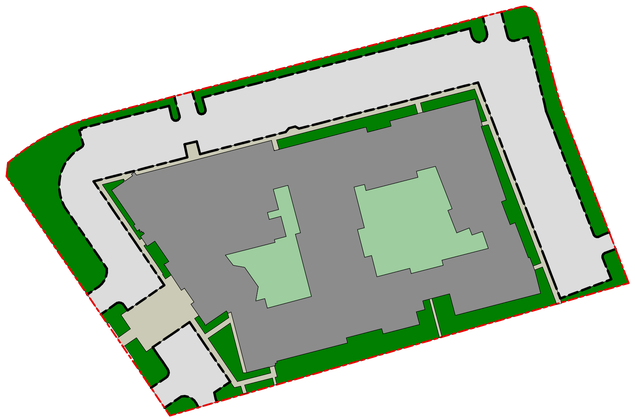
Park & Kearns Redevelopment

MPD-009

Utility Plan

Existing Building Open Space

SCALE: 1" = 80'-0"



Property.....194,652 sq. ft. (100%)

Surface Parking & Driveways.....59,414 sq. ft. (30.5%)

Existing Building Footprint.....70,516 sq. ft. (36.3%)

Private Open Space.....16,228 sq. ft. (8.3%)

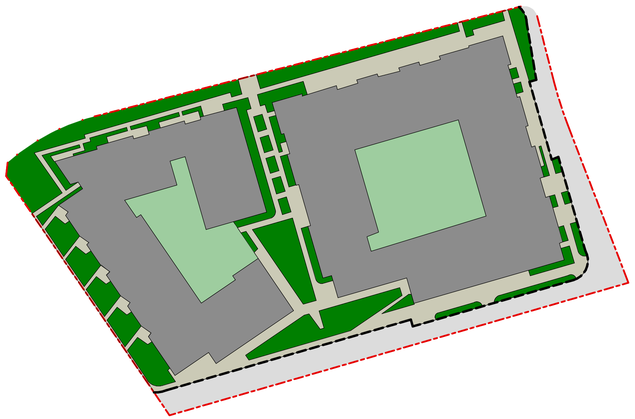
Sidewalks.....10,758 sq. ft. (5.5%)

Landscaped Area.....37,639 sq. ft. (19.3%)

EXISTING OPEN SPACE: 48,397 (24.8%)

Previously Proposed Building Open Space

SCALE: 1" = 80'-0"



Property.....194,652 sq. ft. (100%)

Surface Parking & Driveways.....20,821 sq. ft. (10.7%)

Proposed Building Footprint.....88,522 sq. ft. (45.5%)

Private Open Space.....23,412 sq. ft. (12.0%)

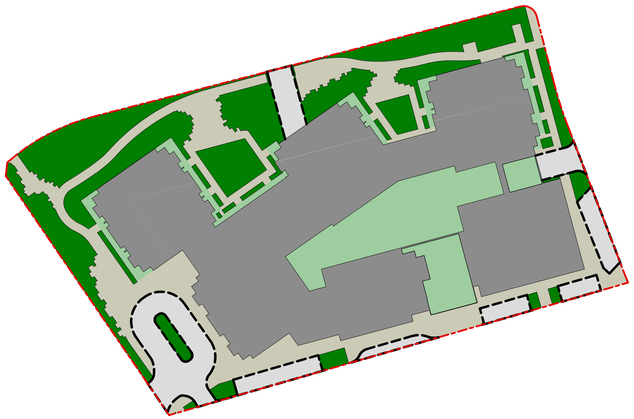
Sidewalks.....29,609 sq. ft. (15.2%)

Landscaped Area.....32,288 sq. ft. (16.6%)

PROPOSED OPEN SPACE: 61,897 (31.8%)

Proposed Building Open Space

SCALE: 1" = 80'-0"



Property.....194,652 sq. ft. (100%)

Surface Parking & Driveways.....16,919 sq. ft. (8.7%)

Propose Building Footprint.....79,957 sq. ft. (41.0%)

Private Open Space.....23,689 sq. ft. (12.2%)

Sidewalks.....35,416 sq. ft. (18.2%)

Landscaped Area.....38,701 sq. ft. (19.9%)

PROPOSED OPEN SPACE: 74,117 (38.1%)

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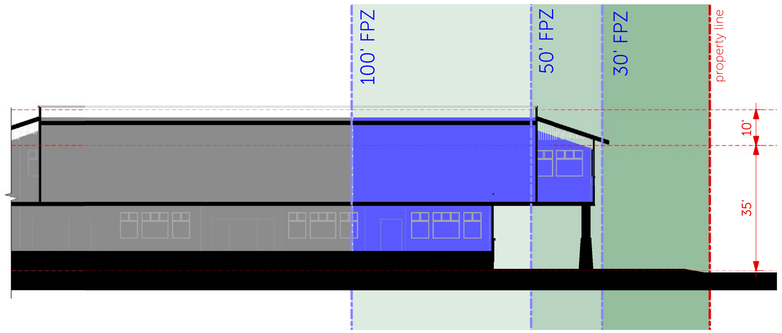
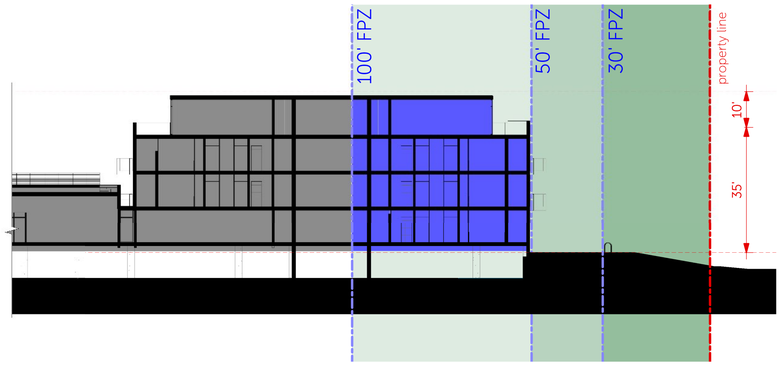
Park & Kearns Redevelopment

MPD-010

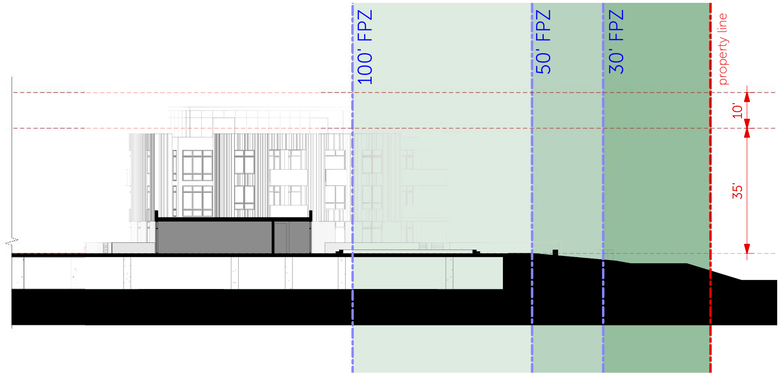
Open Space



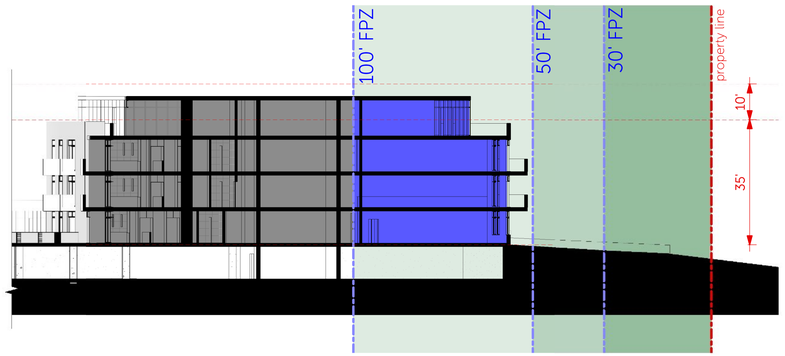
1. Existing Holiday Village Section - Kearns Blvd.
SCALE: 1" = 20'-0"



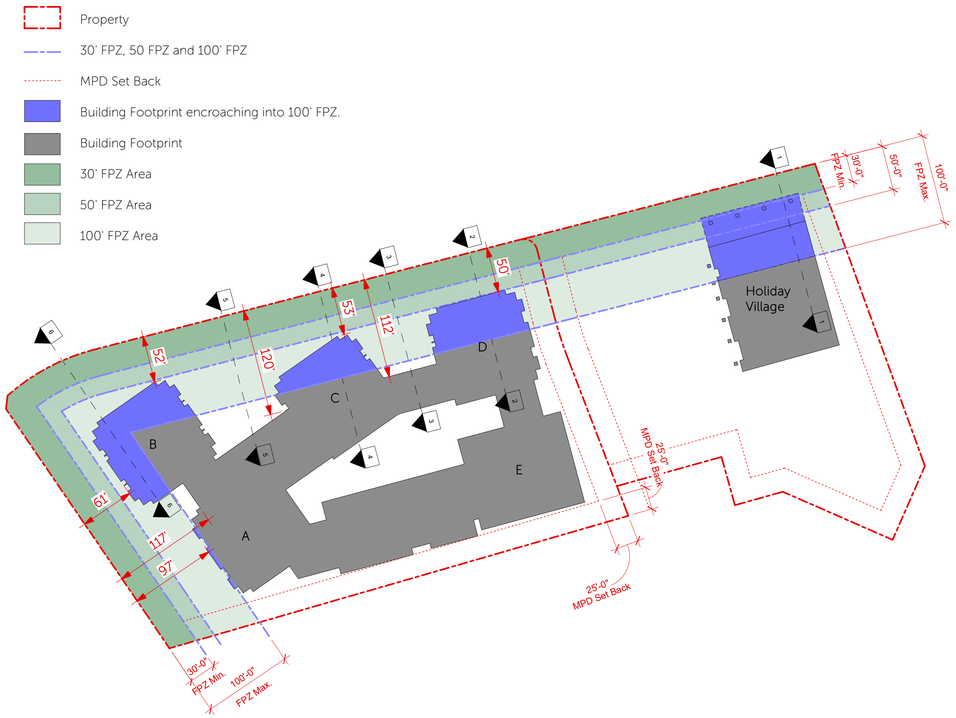
2. Proposed Block D Section - Kearns Blvd.
SCALE: 1" = 20'-0"

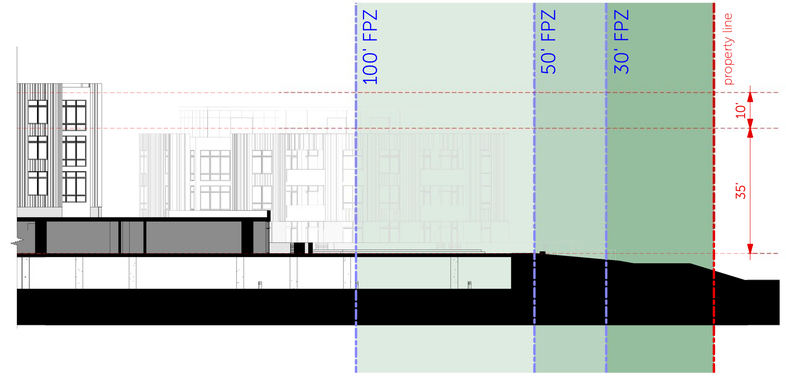


3 Proposed Connector D/C Section - Kearns Blvd.
SCALE: 1" = 20'-0"

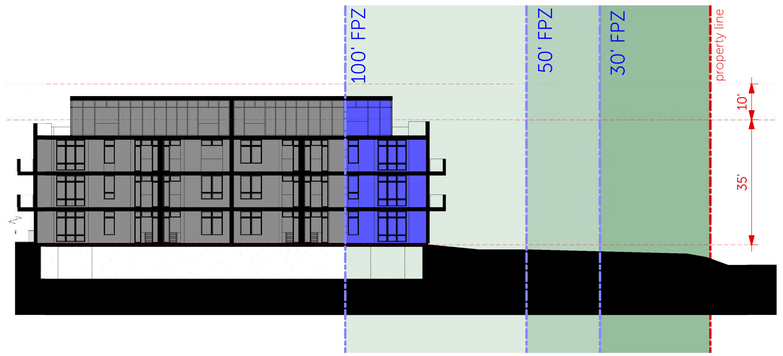


4 Proposed Block C Section - Kearns Blvd.
SCALE: 1" = 20'-0"





5 Proposed Connector C/B Section - Kearns Blvd.
SCALE: 1" = 20'-0"



6 Proposed Block B Section - Kearns Blvd.
SCALE: 1" = 20'-0"

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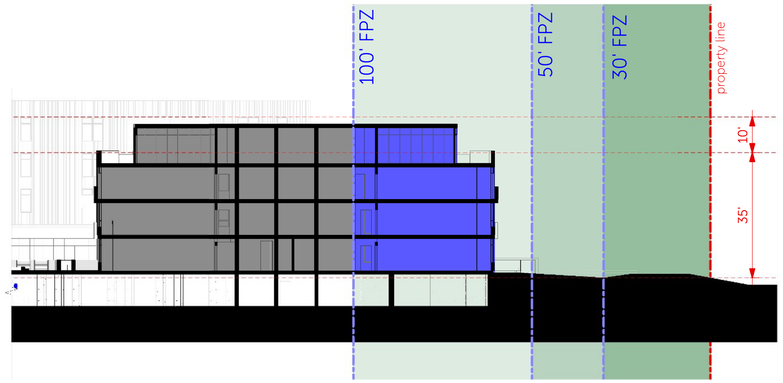
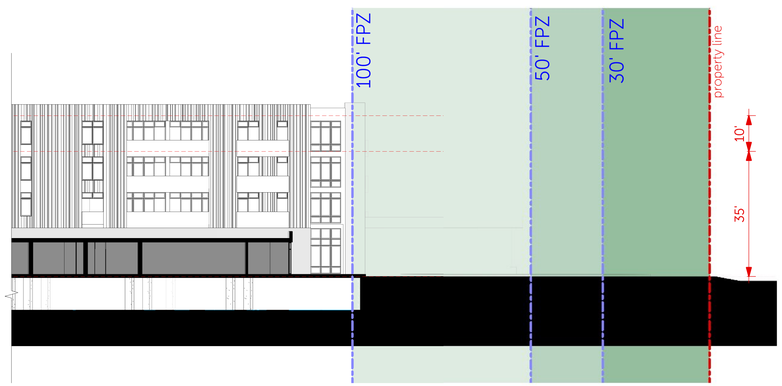
Park & Kearns Redevelopment

MPD-011.1

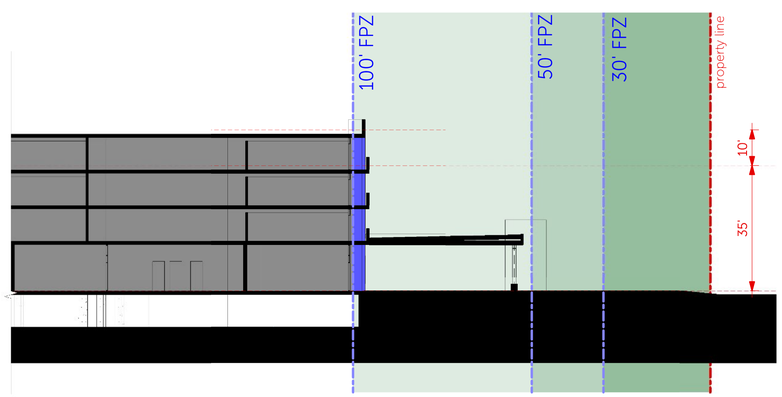
Kearns Blvd. FPZ Section Analysis



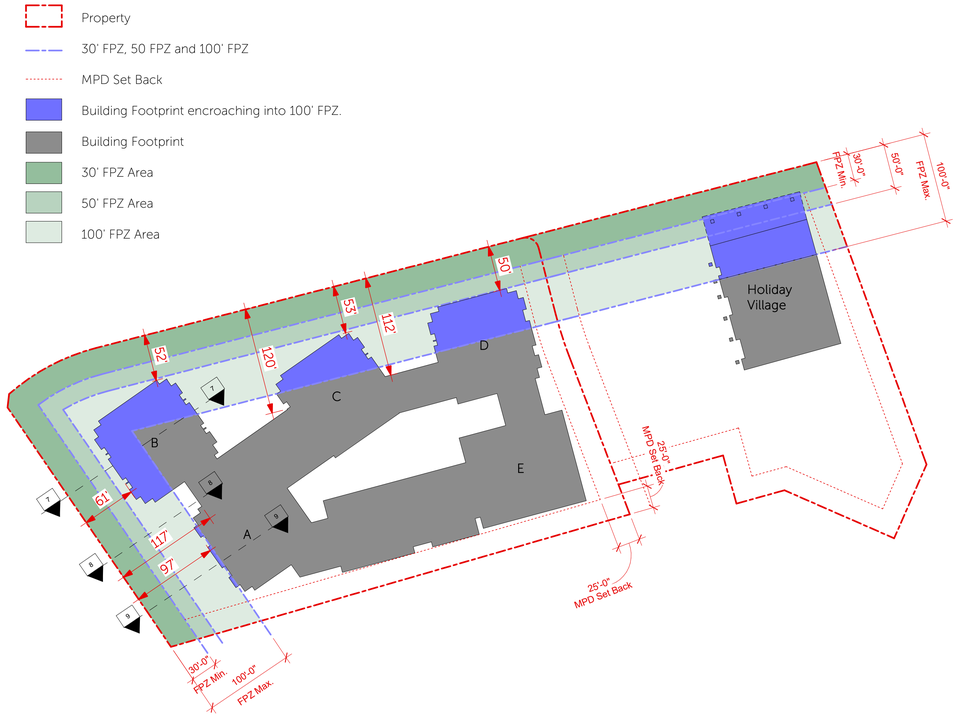
7 Proposed Block B Section - Park Ave.
SCALE: 1" = 20'-0"



8 Proposed Connector B/A - Park Ave.
SCALE: 1" = 20'-0"



9 Proposed Block A Section - Park Ave.
SCALE: 1" = 20'-0"



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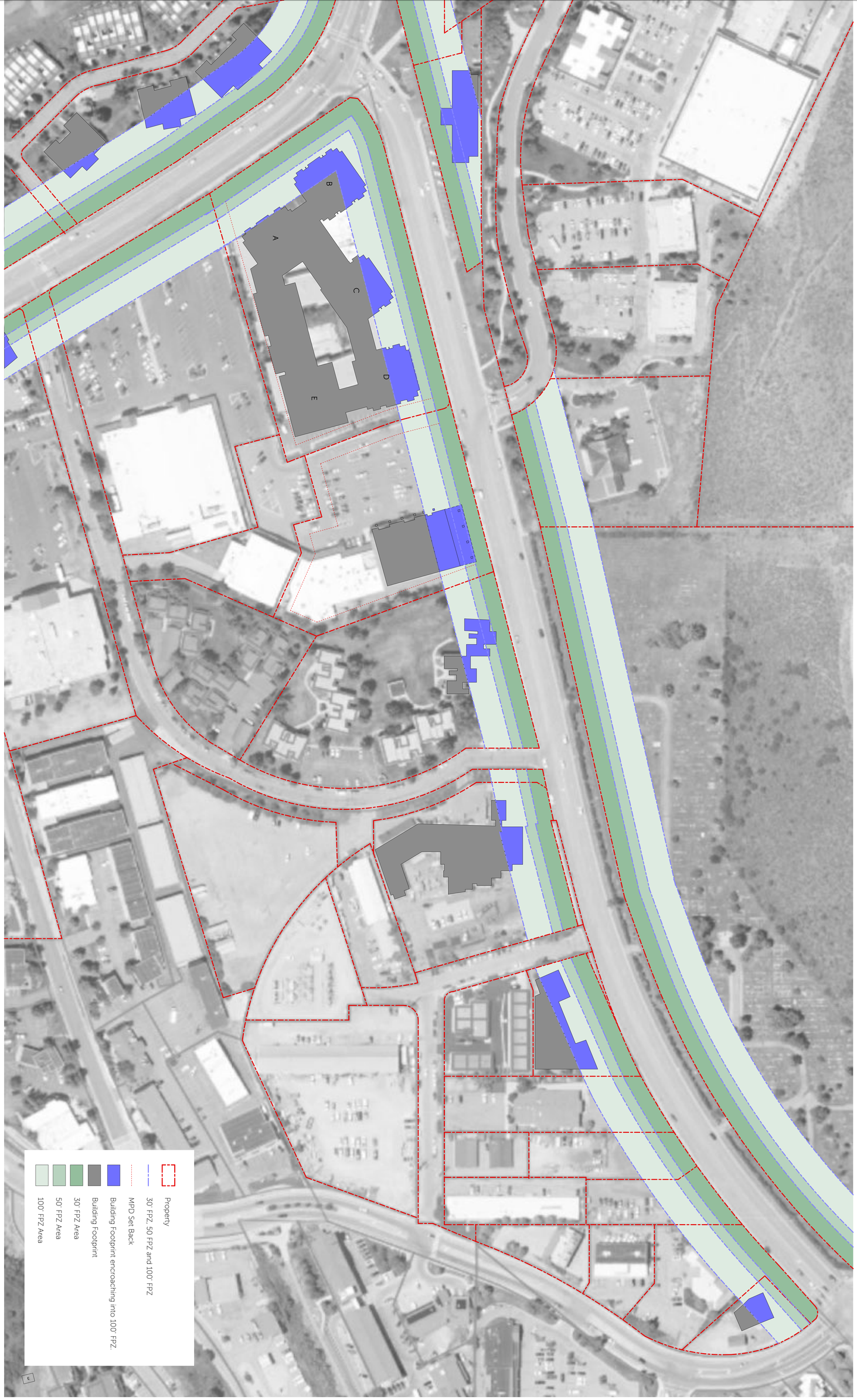
Park & Kearns Redevelopment

MPD-011.2

Park Ave. FPZ Section Analysis



Park & Kearns Redevelopment

MPD-011.3

FPZ Encroachments Ave. Analysis

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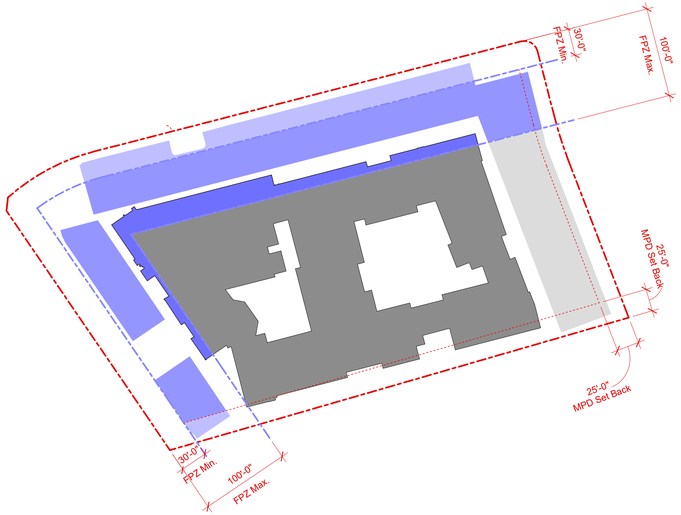


Property.....194,652 sq. ft.

30' FPZ and 100' FPZ

Required MPD Set Backs - 25'

Building Footprint encroaching into 100' FPZ.....9,917 sq. ft.

Existing Building Footprint inside Set Backs.....60,599 sq. ft.

Existing Parking Structure encroaching into 100' FPZ....30,771 sq. ft.

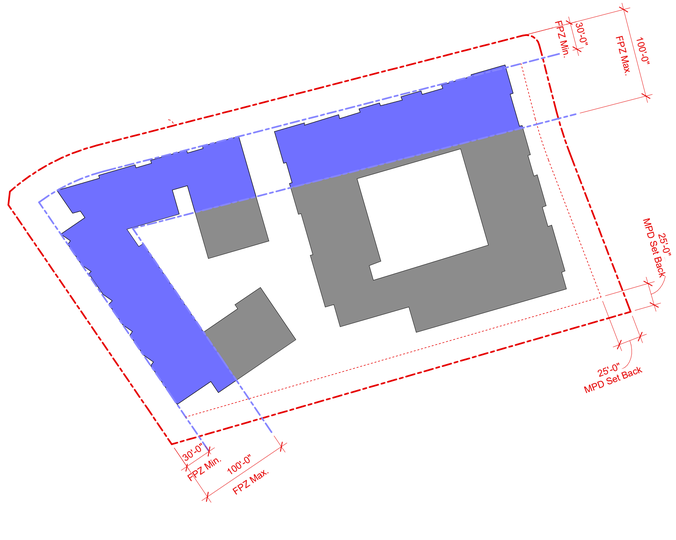
Existing Parking Structure encroaching into 30' FPZ.....10,047 sq. ft.

Existing Parking Structure inside Set Backs.....13,342 sq. ft.

EXISTING STRUCTURE FOOTPRINT: 124,676 sq. ft.

Existing Building Setback Analysis

SCALE: 1" = 80'-0"



Property.....194,652 sq. ft.

30' FPZ and 100' FPZ

Required MPD Set Backs - 25'

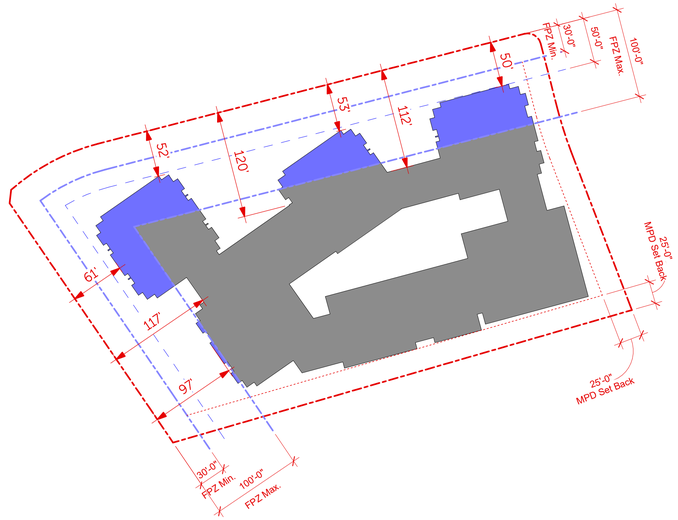
Building Footprint encroaching into 100' FPZ.....47,236 sq. ft.

Existing Building Footprint inside Set Backs.....41,286 sq. ft.

PREVIOUS DESIGN STRUCTURE FOOTPRINT: 88,522 sq. ft.

Proposed Building (MPD 2022) Setback Analysis

SCALE: 1" = 80'-0"



Property.....194,652 sq. ft.

30' FPZ and 100' FPZ

Required MPD Set Backs

Frontage Propteccion Zone 50' Set Back (Small Area Plan)

Building Footprint encroaching into 100' FPZ.....15,741 sq. ft.

Existing Building Footprint inside Set Backs.....69,464 sq. ft.

PROPOSED STRUCTURE FOOTPRINT: 85,205 sq. ft..

Proposed Building Setback Analysis

SCALE: 1" = 80'-0"

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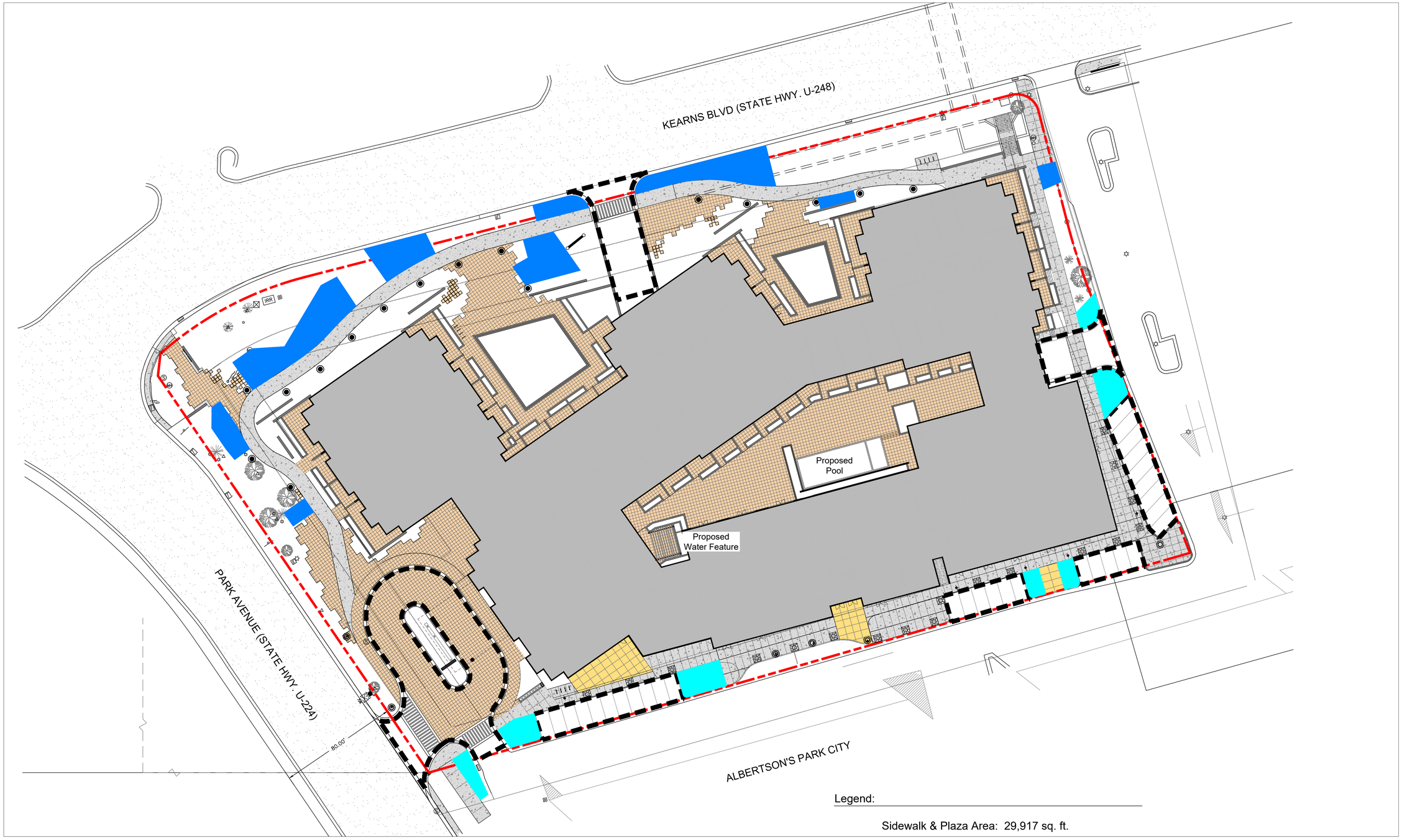
Park & Kearns Redevelopment

MPD-011

FPZ Analysis



Legend:

Sidewalk & Plaza Area: 29,917 sq. ft.

Sidewalk & Plaza Snow Storage Area: 6,488 sq. ft. (21.6%)

Parking Lot Area: 17,612 sq. ft.

Parking Snow Storage Area: 2,409 sq. ft. (13.6%)

SCALE: 1" = 30'-0"

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05/22/24

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Park & Kearns Redevelopment

MPD-012

Snow Storage Plan

GENERAL NOTES

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

N

1 SITE PHOTOMETRIC PLAN
EG001 SCALE: 3/8"=1'-0"

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

Label	Image	Quantity	Manufacturer	Catalog Number	Description	Number Lamps	Lumens Per Lamp	Light Loss Factor	Wattage
AL1		10	Holophane	GELF3 P20 30K XXXXX ASY	GlassWerks Luminescent LED Halfbrook Extended, P20 Performance Package, 3000K CCT, Asymmetric distribution	1	6359	1	51
DL1		9	Juno Lighting	JSFSQ 14IN 18LM 30K 90CRI 120 FRPC WH	14" Square Edgelit (Slimform) Surface Mount, 3000K, 90CRI, 120V	1	1839	1	20.4
BL1		26	LIGMAN	LI-10021-T2-W30	Light Linear PT 1 Bollards	1	2950	1	27.7
WL1		6	BEGA Converted by LUMCalV 09.02.2017 / H.R.		24203K3	1	473	1	7
BL2		6	LIGMAN	LI-10021-T4-W30	Light Linear PT 1 Bollards	1	2957	1	27.7
DL2		18	Juno Lighting	JSFSQ 7IN 10LM 30K 90CRI MVOLT ZT WH	7" Square Edgelit (Slimform) Surface Mount, 3000K, 90CRI, MV	1	1097	1	12.9

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PARK CITY, UTAH 84068
(435) 649-2918

DATE	BY	REVISIONS COMMENTS

PROFESSIONAL ENGINEER
Lewis Wong
No. 9075170
10/09/2023
STATE OF UTAH

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

FOR: YARROW CORPORATION

DWG: YARROW ALTA.dwg

ALTA/ACSM LAND TITLE SURVEY
1800 PARK AVENUE PARK CITY, UTAH

SHEET 1 OF 2

LIGMAN

Outdoor | Bollards | LIGHT LINEAR PT

LIGHT LINEAR PT 1 (L 10021)

IP65 IK10

BL1, BL2

Product description

200x80 mm - 1000 mm - 1 side

Luminaire Structure

- Die-cast aluminium housing
- Extruded aluminium column
- Pre-treated before powder coating ensuring high corrosion resistance
- Single cable entry
- One IP68 connector supplied with 0.2 m of 3x1.0 sqmm outdoor cable
- Stainless steel fasteners in grade 304 with zinc flake coating (ZFC)
- Durable silicone rubber gasket
- Clear toughened glass
- High-efficiency PMMA lens
- Integral control gear

Optic

T2 T3 T4

We reserve the right to make technical and design changes.

08/03, 09-10-2023

https://www.ligman.com/light-linear-pt-1-lt-10021/

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

HOLOPHANE®
LEADER IN LIGHTING SOLUTIONS

Catalog Number	
Notes	Type AL1

GELF3

GlasWerks® Luminescent
LED Hallbrook® Extended

LED IP66 c SP us DLC Buy American

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

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

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

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

Electrical Assembly
The cast aluminum electrical housing has a smooth domed contour. A (3) station terminal block is provided to accept #14 through #2 size wire. The electrical housing is hinged with a tool-less latch to provide easy access to the gear assembly. The unitized electrical assembly, containing the electronic driver and other electrical components, plugs into the quick disconnect receptacle. The pendant mount version has a welded stem (Quick Lock Stem Mounting), which aides in installation speed. The arm mount version is provided with two U-bolts with washers and nuts and two leveling set screws that lock the housing to a 2 inch nominal (2-3/8" O.D.) horizontal arm and allow a ±5° degree adjustment from horizontal to the cover.

Electrical System
Programmable LED driver with 0-10V dimming. Optional DALI dimming. Driver life is rated to at least 100,000 hours. Luminaire surge protection rating of 20kV/10kA per ANSI/IEEE C62.41.2.

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

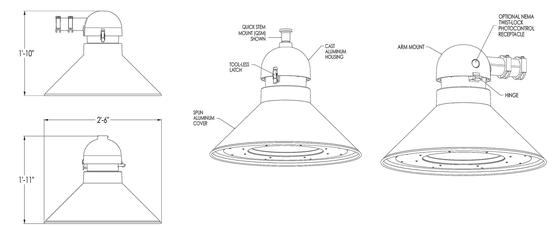
Listing
The luminaire is CSA certified to US and Canadian standards. IP55 rated electrical chamber, IP66 rated LED optic chamber. 20kV/10kA extreme surge protection per ANSI/IEEE C136.2. Suitable for operation in ambient temperatures from -40°C to 40°C.
DesignLights Consortium® (DLC) qualified product. Not all versions of this product may be DLC qualified. Please check the DLC Qualified Products List at www.designlights.org/QPL to confirm which versions are qualified.

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

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

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

DIMENSIONAL DATA



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

IC1JB JSFSQ

JUNO

JUNO SLIMFORM™ LED IC RATED LED NEW CONSTRUCTION JUNCTION BOX SURFACE MOUNT DOWNLIGHT

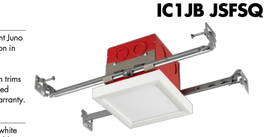
FOR INSTALLATION INTO FIRE RATED CEILING ASSEMBLIES

IC1JB JSFSQ

Project:
Fixture Type: DL1, DL2
Location:
Contact/Phone:

Air-Loc Title 24 UL CSA

PRODUCT DESCRIPTION



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

PRODUCT SPECIFICATIONS – TRIM

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

Optics Light quide technology combined with diffusing lens conceals the LEDs from direct view and provides uniform lens luminance.

LED Light Engine LEDs mounted directly to heatsink designed to provide superior thermal management and ensure long life • 2700K, 3000K, 3500K or 4000K LED color temperature • LEDs binned for 4-step MacAdam ellipse color consistency • 90 CRI minimum.

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

Electrical Connections Trim features quick connect plug installed as standard for installation into IC1JB with quick connect whip.

Life Rated for 50,000 hours at >70% lumen maintenance.

PRODUCT SPECIFICATIONS – HOUSING

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

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

INSTALLATION

Installs directly to industry standard junction boxes. The IC1JB junction box housing must be installed per the International Building Code Section 714 guidelines to maintain up to a 2 hour ceiling fire rating. Precise ceiling cutout required. For use with ½" – 1-1/4" ceiling thickness.

Mounting option JSFMTGPLT 4X4 is required for installation.

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

LISTINGS

Labels ENERGY STAR® certified • Certified to the high efficacy requirements of California T24 JA8-2016 • Assembly ETL listed to UL1598 for US and Canadian through branch wiring, damp location • Suitable for wet locations (covered ceilings) • ETL listed to UL514A.

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

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

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

Recessed wall luminaire - shielded

BEGA

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

Materials
Luminaire housing and faceplate constructed of die-cast marine grade, copper free (≤0.3% copper content) A360.0 aluminum alloy
Clear safety glass with optical texture
Silicone applied robotically to casting, plasma treated for increased adhesion
High temperature silicone gasket
Mechanically captive stainless steel fasteners
Stainless steel screw clamps
Composite installation housing

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

Electrical

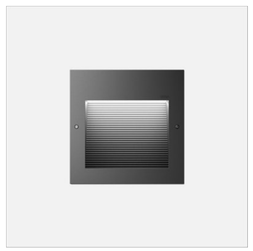
Operating voltage	120-277VAC
Minimum start temperature	-30° C
LED module wattage	4.8W
System wattage	7.0W
Controllability	0-10V dimmable
Color rendering index	Ra> 80
Luminaire lumens	488 lumens (4000K)
LED service life (L70)	50,000 hours

LED color temperature
☐ 4000K - Product number + **K4**
☐ 3500K - Product number + **K35**
☐ 3000K - Product number + **K3**
☐ 2700K - Product number + **K27**

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

Finish
All BEGA standard finishes are matte, textured powder coat with minimum 3 mil thickness. BEGA Unidure® finish, a fluoropolymer technology, provides superior fade protection in Black, Bronze, and Silver. BEGA standard White, as well as optionally available RAL and custom colors, are a polyester powder.
Available colors ☐ Black (BLK) ☐ White (WHT) ☐ RAL:
☐ Bronze (BRZ) ☐ Silver (SLV) ☐ CUS:

Type: WL1
BEGA Product:
Project:
Modified:



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

BEGA 1000 BEGA Way, Carpinteria, CA 93013 (805) 684-0533 info@bega-us.com

Due to the dynamic nature of lighting products and the associated technologies, luminaire data on this sheet is subject to change at the discretion of BEGA North America. For the most current technical data, please refer to bega-us.com
© copyright BEGA 2020 Updated 11/20/20

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PARK CITY, UTAH 84068
(435) 649-2918

DATE	BY	REVISIONS COMMENTS

PROFESSIONAL ENGINEER
Lewis Wong
No. 9075170
10/09/2023
STATE OF UTAH

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

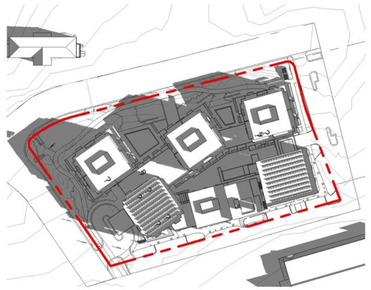
FOR: YARROW CORPORATION

ALTA/ACSM LAND TITLE SURVEY
1800 PARK AVENUE PARK CITY, UTAH

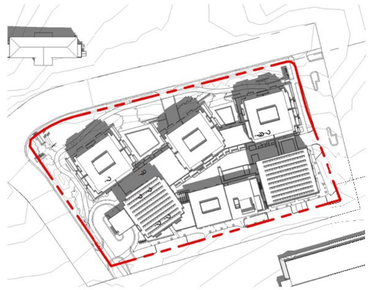
DWG: YARROW ALTA.dwg

SHEET 1 OF 2

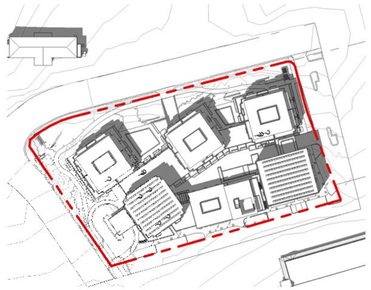
Spring Equinox - 6AM



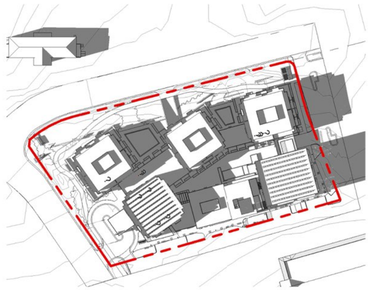
Spring Equinox - 9AM



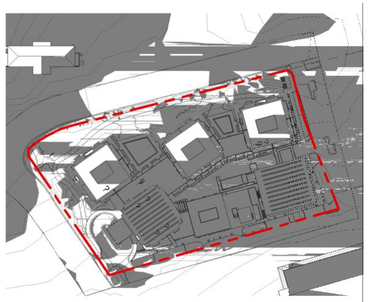
Spring Equinox - 12PM



Spring Equinox - 3PM

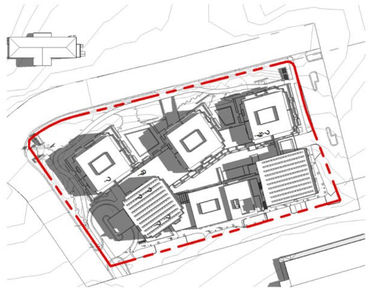


Spring Equinox - 6PM

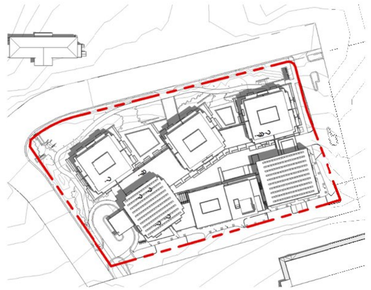


Spring Equinox - 9PM

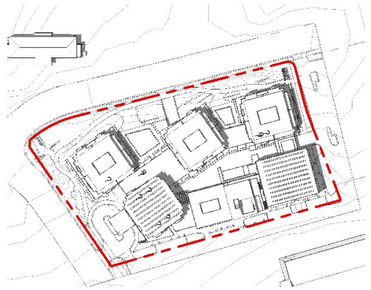
Summer Solstice - 6AM



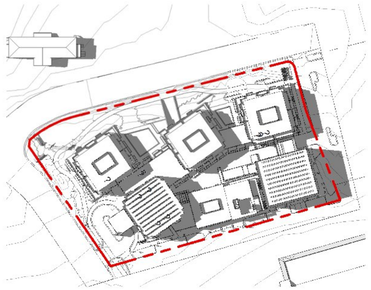
Summer Solstice - 9AM



Summer Solstice - 12PM



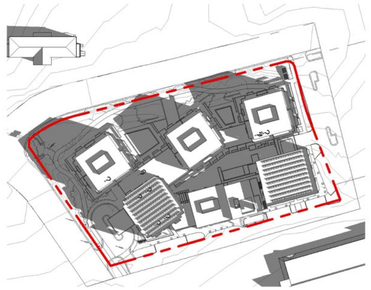
Summer Solstice - 3PM



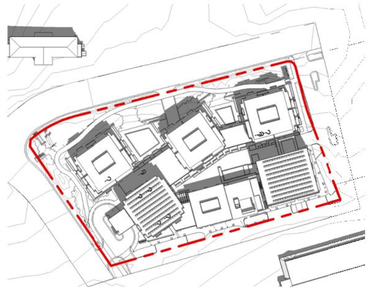
Summer Solstice - 6PM

Summer Solstice - 9PM

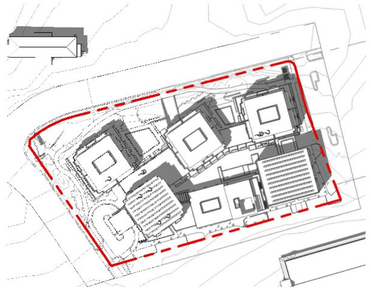
Autumn Equinox - 6AM



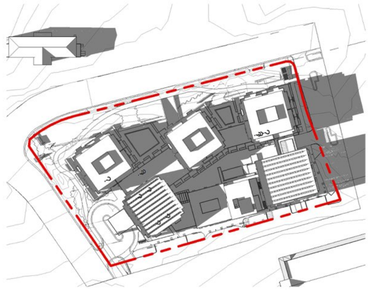
Autumn Equinox - 9AM



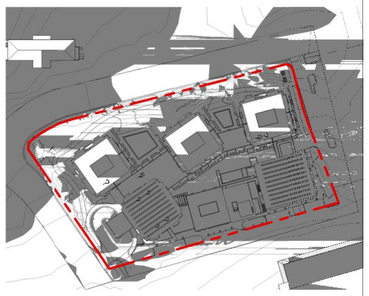
Autumn Equinox - 12PM



Autumn Equinox - 3PM



Autumn Equinox - 6PM



Autumn Equinox - 9PM

Winter Solstice - 6AM

Winter Solstice - 9AM

Winter Solstice - 12PM

Winter Solstice - 3PM

Winter Solstice - 6PM

Winter Solstice - 9PM

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Park & Kearns Redevelopment

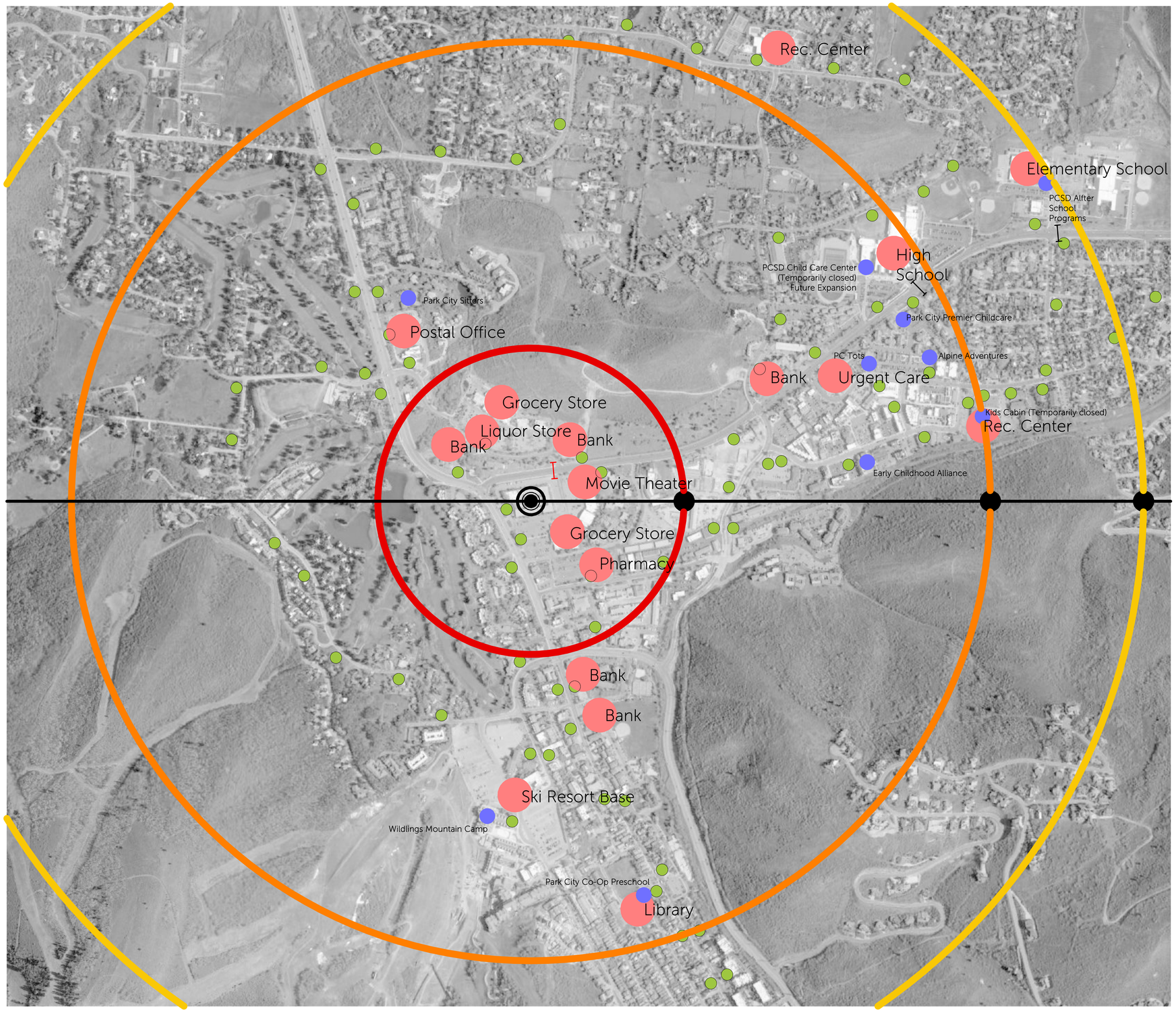
MPD-017

Solar Study

1/4 mi
5 Minutes
2 Minutes

3/4 mi
15 Minutes
3 Minutes

1 mi
20 Minutes
5 Minutes



Site Location
Amenities
Bus Stops
Child Care
Underpass
Future Underpass

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

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

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Park & Kearns Redevelopment
MPD-018
Walk/Bike/Childcare Study

Existing Bus Stop

Existing Bus Stop

Existing Bus Stop

Existing Bus Stop, under Construction

Existing Bus Stop

Existing Bus Stop

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Park & Kearns Redevelopment

MPD-019

Public Transportation

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CHRONICLE™ HERITAGE

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info@paleowest.com

PHOENIX HQ
319 East Palm Lane
Phoenix, AZ 85004

October 5, 2023

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

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

INTRODUCTION

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

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

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

ABOVE-GROUND RESOURCES

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

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

DUP Marker No. 128

This marker was placed by the DUP in 1948, to commemorate the location where the first family of settlers in Park City raised their home-made flag. The marker consists of a tan brick base that measures about 4 ft square and 3 to 4 ft tall. There is a bronze plaque on the front of the marker and a 3 ft diameter bell placed on top of the base. The bell was moved from its original location at the town hall and appears to have been painted numerous times. The plaque reads:

> Daughters of Utah Pioneers
> No. 128,
> Erected 1948,
> PARK CITY PIONEERS
>
> At this site, the first settlers entered Park City. George G. Snyder, his wife Rhoda, and their three children had cleared their way through the forest to arrive at their destination on May 25, 1872. On July 4, 1872, a celebration was held, a U.S. flag flown to the breeze, and the name Park City given officially to the town. Mrs. Snyder and daughters made the flag from a bed-sheet, a red flannel baby blanket and blue silk handkerchief. The bell hung atop the City Hall from 1902 to 1948.

RECOMMENDATIONS

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

> *The quality of significance in American history, architecture, archaeology, and culture is present in districts, sites, buildings, structures, and objects that possess integrity of location, design, setting, materials, workmanship, feeling, and association, and:*
>
> *(A) that are associated with events that have made a significant contribution to the broad patterns of our history; or*
> *(B) that are associated with the lives of persons significant in our past; or*
> *(C) that embody the distinctive characteristics of a type, period, or method of construction or that represent the work of a master; or that possess high artistic values; or that represent a significant and distinguishable entity whose components may lack individual distinction; or*
> *(D) that have yielded, or may be likely to yield, information important in prehistory or history.*

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

DUP Marker No. 128 NRHP Recommendation

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

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

HISTORIC SITE SHORT FORM

(11/17)

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

1 IDENTIFICATION

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

2 EVALUATION

Evaluation (select one)

☐ *The property is considered* **Eligible** *at this time because it is already listed in the National Register* **or**
- is at least 50 years old **and** retains its historic integrity (minimal alterations to key features), and has potential significance.

☑ *The property is considered* **Not Eligible** *at this time because it:*
- is less than 50 years old, **or** is 50 years or older but there have been major alterations to key features.

3 DOCUMENTATION

Required
☑ *Upload two photos*
☐ *site sketch map (optional)*
☐ *other:*

Research Sources (optional, check all sources consulted, whether useful or not)
☐ *abstract of title*
☐ *tax card & photo*
☐ *building permit*
☐ *Sanborn Maps*
☑ *other:*

4 ARCHITECTURAL DESCRIPTION AND HISTORY

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

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

DUP Marker No. 128

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

5 PROPOSED ACTION

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

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

Form completed by: Wendy Simmons Johnson *Date (mo/yr):* 92023

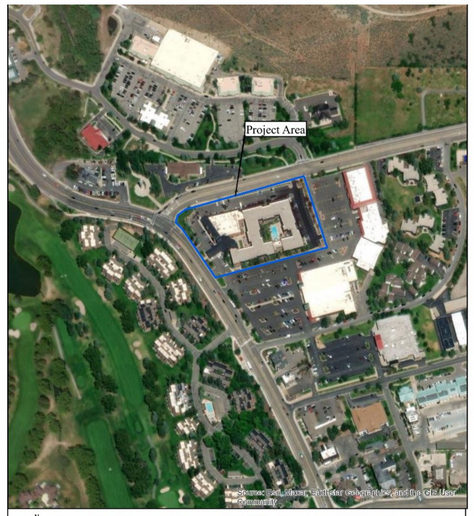

Figure 1. Location of the 1800 Park Ave Study Area in Park City, Utah.

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

6 PHOTO UPLOAD

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

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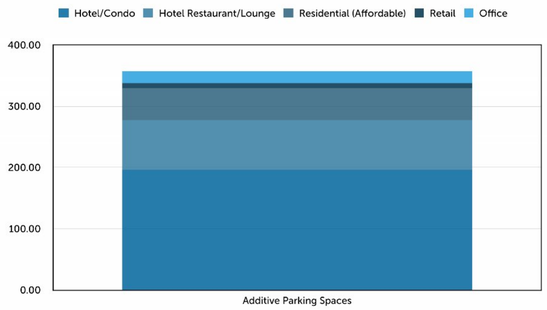
Park & Kearns Redevelopment
MPD-020
Historic Site Report

1 Parking Calculation - Hotel

	quantities		parking required		spaces required
Hotel/Condo	174				197.00
studio	52	units	1	per unit	52.00
1 bedroom	76	units	1	per unit	76.00
2 bedroom	34	units	1.5	per unit	51.00
3 bedroom	12	units	1.5	per unit	18.00
Hotel Restaurant/Bar	8,143	square feet	1	per 100 sf	81.43
Residential (Affordable)	60				51.00
studio	18	units	0.5	per unit	9.00
1 bedroom	42	units	1	per unit	42.00
Retail, Multi-tenant	2,543	square feet	3.5	per 1,000 sf	8.90
Office	6,500	square feet	3	per 1,000 sf	19.50
					357.83
	234	units			

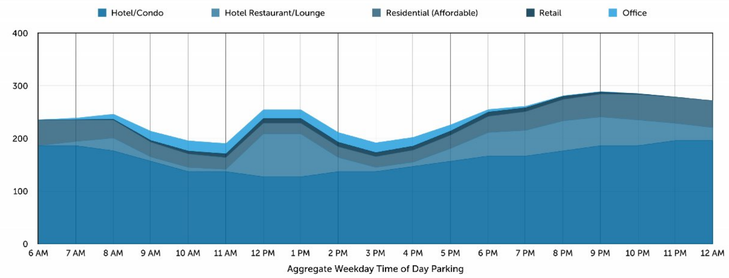
*Adjustments based on Shared Parking Third Edition, Data - Published by ICSC, NPA, and ULI



2 Weekday Time of Day Adjustments (100% Occupancy)

Land Use	User	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Hotel/Condo	Combined	95%	95%	90%	80%	70%	70%	65%	65%	70%	70%	75%	80%	85%	85%	90%	95%	95%	100%	100%
		187	187	177	158	138	138	128	128	138	138	148	158	167	167	177	187	187	197	197
Hotel Restaurant/Bar	Combined	0%	10%	30%	10%	10%	5%	100%	100%	33%	10%	10%	30%	55%	60%	70%	67%	60%	40%	30%
		0	8	24	8	8	4	81	81	27	8	8	24	45	49	57	55	49	33	24
Residential (Affordable)	Resident	95%	80%	67%	55%	50%	45%	40%	40%	40%	40%	45%	50%	60%	70%	80%	85%	95%	97%	100%
		48	41	34	28	26	23	20	20	20	20	23	26	31	36	41	43	48	49	51
Retail, Multi-tenant	Combined	1%	5%	15%	35%	60%	75%	100%	100%	95%	85%	85%	85%	90%	80%	65%	45%	15%	5%	0%
		0	0	1	3	5	7	9	9	8	8	8	8	8	7	6	4	1	0	0
Office	Combined	3%	15%	50%	90%	100%	100%	85%	85%	95%	95%	85%	60%	25%	15%	5%	3%	1%	0%	0%
		1	3	10	18	20	20	17	17	19	19	17	12	5	3	1	1	0	0	0
Totals		236	239	247	214	196	191	255	255	212	193	203	227	256	262	282	290	286	279	272

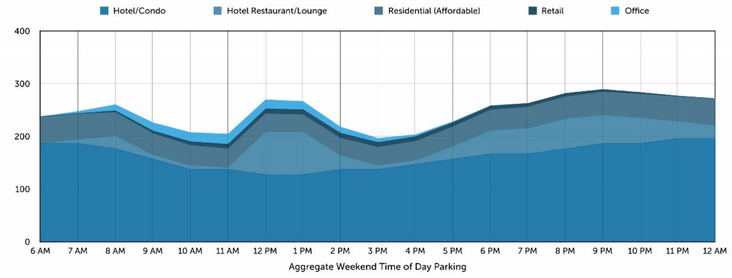
*Adjustments based on Shared Parking Third Edition, Data - Published by ICSC, NPA, and ULI



3 Weekend Time of Day Adjustments (100% Occupancy)

Land Use	User	6 AM	7 AM	8 AM	9 AM	10 AM	11 AM	12 PM	1 PM	2 PM	3 PM	4 PM	5 PM	6 PM	7 PM	8 PM	9 PM	10 PM	11 PM	12 AM
Hotel/Condo	Combined	95%	95%	90%	80%	70%	70%	65%	65%	70%	70%	75%	80%	85%	85%	90%	95%	95%	100%	100%
		187	187	177	158	138	138	128	128	138	138	148	158	167	167	177	187	187	197	197
Hotel Restaurant/Bar	Combined	0%	10%	30%	10%	10%	5%	100%	100%	33%	10%	10%	30%	55%	60%	70%	67%	60%	40%	30%
		0	8	24	8	8	4	81	81	27	8	8	24	45	49	57	55	49	33	24
Residential (Affordable)	Resident	100%	95%	88%	80%	75%	70%	68%	65%	65%	68%	71%	74%	77%	80%	83%	86%	89%	92%	100%
		51	48	45	41	38	36	35	33	33	35	36	38	39	41	42	44	45	47	51
Retail, Multi-tenant	Combined	1%	5%	30%	50%	70%	90%	95%	100%	100%	95%	90%	80%	75%	70%	65%	50%	30%	10%	0%
		0	0	3	4	6	8	8	9	9	8	8	7	7	6	6	4	3	1	0
Office	Combined	0%	20%	60%	80%	90%	100%	90%	80%	60%	40%	20%	10%	5%	0%	0%	0%	0%	0%	0%
		0	4	12	16	18	20	18	16	12	8	4	2	1	0	0	0	0	0	0
Totals		238	248	261	227	208	205	270	267	219	197	204	229	259	263	282	290	284	277	272

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



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

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

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

Sheet MPD-021 Item 1 provides the Parking Calculation based on the LMC by use. Note, the worse case condition has been used by classifying the nightly rental condominium units as a hotel. The restaurant and lounge have also been included as being available to the public and parking has been included for this use in the calculation. The total cumulative or additive parking requirement is 356 parking spaces.

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

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

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

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

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

Sheet MPD-021 Items 2 & 3 provide an analysis of time periods of use for both Weekdays and Weekends calculated at 100% Occupancy for the nightly rental condominiums and the affordable housing. The result shows the highest parking demand occurs at 9PM on the weekend. The demand shown is 290 parking spaces. The percentages of use are from the "Shared Parking, Third Edition" published jointly by ICSC, National Parking Association, and the Urban Land Institute.

As Park City has seasonal uses we have also provided Monthly Occupancy Adjustments on Sheet MPD-021 Item 4. We have used maximum occupancy rates by percentage from the current hotel occupancy numbers from November 2022 through October 2023 which had been a record year for occupancy. The uses breakdown occupancy by High Season, Low Season, and Shoulder Season. The highest demand is in High Season during January and February and the demand shown is 284 parking spaces.

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

The best way to discourage the use of motorized vehicles is to encourage alternative forms of transportation by making them easy to use. Sheet MPD-021 Item 5 shows Monthly Modal Adjustment based on alternative transportation use. This site is adjacent to a bus stop on both sides of Park Avenue that has a significant number of stop counts within the city limits. Additionally, the bike and pedestrian trails have been increased and improved, and additionally, significant storage and parking for bicycles for both residents and visitors has been included in the proposed design. A minimal 5% reduction has been applied to the analysis and coordinated with our traffic engineer. The ULI Shared Parking publication shows a significantly larger reduction for transit. The highest demand after applying the highest use for modal adjustments is 269 parking spaces.

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

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

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

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

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

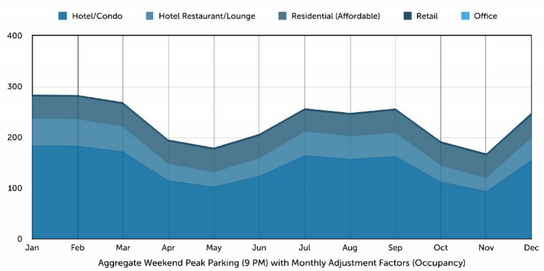
- LMC Parking Calculation.....358 Stalls
- Parking Analysis Adjustment.....269 Stalls
- Parking Provided.....289 Stalls

4 Monthly Occupancy Adjustments Factors at 9PM

Land Use	User	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Hotel/Condo	Combined	98.1%	97.9%	91.9%	61.5%	54.8%	66.0%	87.8%	84.0%	86.8%	60.0%	50.0%	83.2%
	9PM WKND	184	183	172	115	103	124	164	157	162	112	94	156
Hotel Restaurant/Bar	Combined	98.1%	97.9%	91.9%	61.5%	54.8%	66.0%	87.8%	84.0%	86.8%	60.0%	50.0%	83.2%
	9PM WKND	54	53	50	34	30	36	48	46	47	33	27	45
Residential (Affordable)	Resident	100%	100%	100%	100%	100%	100%	95%	95%	100%	100%	100%	100%
	9PM WKND	44	44	44	44	44	44	42	42	44	44	44	44
Retail, Multi-tenant	Combined	59%	61%	70%	67%	72%	72%	70%	73%	66%	69%	76%	100%
	9PM WKND	3	3	3	3	3	3	3	3	3	3	3	4
Office	Combined	100%	100%	100%	100%	100%	100%	95%	95%	100%	100%	100%	100%
	9PM WKND	0	0	0	0	0	0	0	0	0	0	0	0
Totals		284	283	269	195	180	207	257	248	257	192	168	249

*Adjustments based on Shared Parking Third Edition, Data - Published by ICSC, NPA, and ULI
*Hotel Adjustments based on Actual Maximum Occupancy during each Month (November 2022 through October 2023)

High Season
Low Season
Shoulder Season

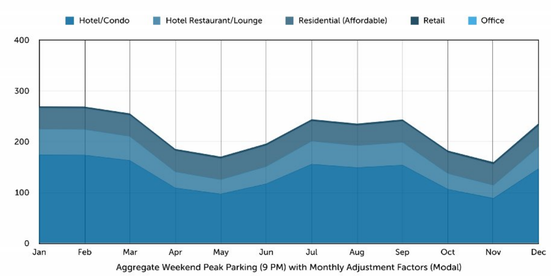


5 Monthly Modal Adjustments Factors at 9PM

Land Use	User	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec
Hotel/Condo	Combined	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
	9PM WKND	174	174	163	109	97	117	156	149	154	107	89	148
Hotel Restaurant/Bar	Combined	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
	9PM WKND	51	51	48	32	28	34	46	44	45	31	26	43
Residential (Affordable)	Resident	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
	9PM WKND	42	42	42	42	42	42	40	40	42	42	42	42
Retail, Multi-tenant	Combined	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
	9PM WKND	2	3	3	3	3	3	3	3	3	3	3	4
Office	Combined	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%	95%
	9PM WKND	0	0	0	0	0	0	0	0	0	0	0	0
Totals		269	269	256	186	171	196	244	236	244	182	160	237

*Adjustment Reflect Alternative Transportation Use. Hotel Employees are Frequent Users of Free Bus Transit and Large Bus Transit Stop is Adjacent to the Site. Hotel Visitors Frequently use Alternative Transportation such as Ride Share, Car Service, and Multiple Visitors Carpooling in a Rental Car. Retail and Office Users are able to use Both Transit Stop and Pedestrian/Bike Pathways wich are On and Adjacent to the Site. The Site is also Adjacent to Other Retail and Office Spaces that may Result in Single Trip Multiple Visits. Retail and Office have been Adjusted based on Weather Conditions which Coincides with the High, Low, and Shoulder Seasons. *The reduction of 5% is very conservative and is significantly less than suggested in "Shared Parking Third Edition".

High Season
Low Season
Shoulder Season



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Park & Kearns Redevelopment

MPD-021

Parking Analysis

EXISTING HOTEL EMPLOYEE GENERATION & UNIT EQUILVALENT CALCULATION

Existing Yarrow Hotel		quantities	employee rate	employees	mitigation rate	workers per household
Hotel		room/suite	per room		20%	1.5
Guest Rooms		182	0.6	109.2	21.84	14.56
		182		109.2	21.84	14.56
	total area	unit equivalent	employee rate	employees	mitigation rate	workers per household
Commercial		1,000.0			20%	1.5
Hotel Restaurant/Lounge	5,000	5.0	6.5	32.50	6.50	4.33
Meeting Space	9,437	9.4	1.3	12.27	2.45	1.64
		14.4		44.77	8.95	5.97
Total Existing Yarrow Hotel Affordable Unit Equivalents						20.53

HOTEL EMPLOYEE GENERATION & UNIT EQUILVALENT CALCULATION

Proposed Redevelopment		quantities	employee rate	employees	mitigation rate	workers per household
Hotel/Condo		room/suite	per room		20%	1.5
studio a		44	0.6	26.4	5.28	3.52
ADA studio (exempt)		1		0	0	0.00
studio corner		2	0.6	1.2	0.24	0.16
studio b		2	0.6	1.2	0.24	0.16
studio c		3	0.6	1.8	0.36	0.24
1 bedroom		54	0.6	32.4	6.48	4.32
ADA 1 bedroom (exempt)		1		0	0	0.00
1 bedroom corner		9	0.6	5.4	1.08	0.72
1 bedroom suite a		8	0.6	4.8	0.96	0.64
1 bedroom suite b		1	0.6	0.6	0.12	0.08
1 bedroom suite c		2	0.6	1.2	0.24	0.16
1 bedroom suite d		1	0.6	0.6	0.12	0.08
2 bedroom		33	0.6	19.8	3.96	2.64
ADA 2 bedroom (exempt)		1		0	0	0.00
3 bedroom Top Floor		12	0.6	7.2	1.44	0.96
ADA 3 bedroom Top Floor (exempt)		0		0	0	0.00
		174		102.6	20.52	13.68
	total area	unit equivalent	employee rate	employees	mitigation rate	workers per household
Commercial		1,000.0			20%	1.5
Hotel Restaurant/Lounge	4,840	4.8	6.5	31.46	6.29	4.19
Rooftop Bar	3,303	3.3	6.5	21.47	4.29	2.86
Retail	2,543	2.5	3.3	8.39	1.68	1.12
Office (Prof. Services)	6,500	6.5	3.7	24.05	4.81	3.21
Lobby Retail	2,207	2.2		0.00	0.00	0.00
Spa & Fitness	3,933	3.9	1.3	5.11	1.02	0.68
Breakout Rooms	1,415	1.4	1.3	1.84	0.37	0.25
Meeting Hall	5,051	5.1	1.3	6.57	1.31	0.88
Pool Locker(exempt)	350	0.0	0.0	0.00	0.00	0.00
Ski/Bike Locker (exempt)	932	0.0	0.0	0.00	0.00	0.00
Total Exempt	13,888					
10% of Residential UE	15,034 ***					
		17.2		85.37	17.07	13.19
Total Proposed Redevelopment Affordable Unit Equivalents						26.87

Proposed Affordable	quantities	area	total area	affordable unit equivalent	additional aue proposed	required
Residential (Affordable)	60			900		
studio	18	332.0	5,976	6.64		
1 bedroom	42	435.0	18,270	20.30		
Total Proposed Affordable			24,246	26.94	0.07	26.87

MULTI-FAMILY EMPLOYEE GENERATION & UNIT EQUIVALENT CALCULATION

Proposed Redevelopment		quantities	area	total area	unit equivalent	aue required
Hotel/Condo		room/suite			2,000	20%
studio a		44	450	19,800	9.9	1.98
ADA studio (exempt)		1	450	0	0	0.00
studio corner		2	476	952	0.476	0.10
studio b		2	489	978	0.489	0.10
studio c		3	535	1,605	0.8025	0.16
1 bedroom		54	571	30,834	15.417	3.08
ADA 1 bedroom (exempt)		1	571	0	0	0.00
1 bedroom corner		9	476	4,284	2.142	0.43
1 bedroom suite a		8	594	4,752	2.376	0.48
1 bedroom suite b		1	610	610	0.305	0.06
1 bedroom suite c		2	645	1,290	0.645	0.13
1 bedroom suite b		1	648	648	0.324	0.06
2 bedroom		33	1,187	39,171	19.5855	3.92
ADA 2 bedroom (exempt)		1	1,187	0	0	0.00
3 bedroom Top Floor		12	1,580	18,960	9.48	1.90
ADA 3 bedroom Top Floor (exempt)		0	1,580	0	0	0.00
		174		123,884	61.94	12.39
	total area	unit equivalent	employee rate	employees	mitigation rate	workers per household
Commercial		1,000.0			20%	1.5
Hotel Restaurant/Lounge	4,840	4.8	6.5	31.46	6.29	4.19
Rooftop Bar	3,303	3.3	3.3	10.90	2.18	1.45
Retail	2,543	2.5	3.3	8.39	1.68	1.12
Office (Prof. Services)	6,500	6.5	3.7	24.05	4.81	3.21
Lobby Retail	2,207	2.2		0.00	0.00	0.00
Spa & Fitness	3,933	3.9	1.3	5.11	1.02	0.68
Breakout Rooms	1,415	1.4	1.3	1.84	0.37	0.25
Meeting Hall	5,051	5.1	1.3	6.57	1.31	0.88
Pool Locker(exempt)	350	0.0	0.0	0.00	0.00	0.00
Ski/Bike Locker (exempt)	932	0.0	0.0	0.00	0.00	0.00
Total Exempt	13,888					
10% of Residential UE	15,034					
		17.2		74.80	14.96	11.78
Total Proposed Redevelopment Affordable Unit Equivalents						24.16

Proposed Affordable	quantities	area	total area	affordable unit equivalent	additional aue proposed	required
Residential (Affordable)	60			900		
studio	18	332.0	5,976	6.64		
1 bedroom	42	435.0	18,270	20.30		
Total Proposed Affordable			24,246	26.94	2.78	24.16

- Existing Building.....20.53 AUEs
- Proposed Building (Hotel).....26.87 AUE's Required
- Proposed Building (Multi-Family).....24.16 AUE's Required
- AH Units Provided.....26.94 AUEs (60 units)

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Park & Kearns Redevelopment

MPD-022

Unit Equivalent Calculations

Level -1 - MPD

SCALE: 1" = 20'-0"

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MPD-100

Parking Level -1

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

Level 1 - MPD

SCALE: 1" = 20'-0"

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MPD-101

Level 1

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

Level 2 - MPD

SCALE: 1" = 20'-0"

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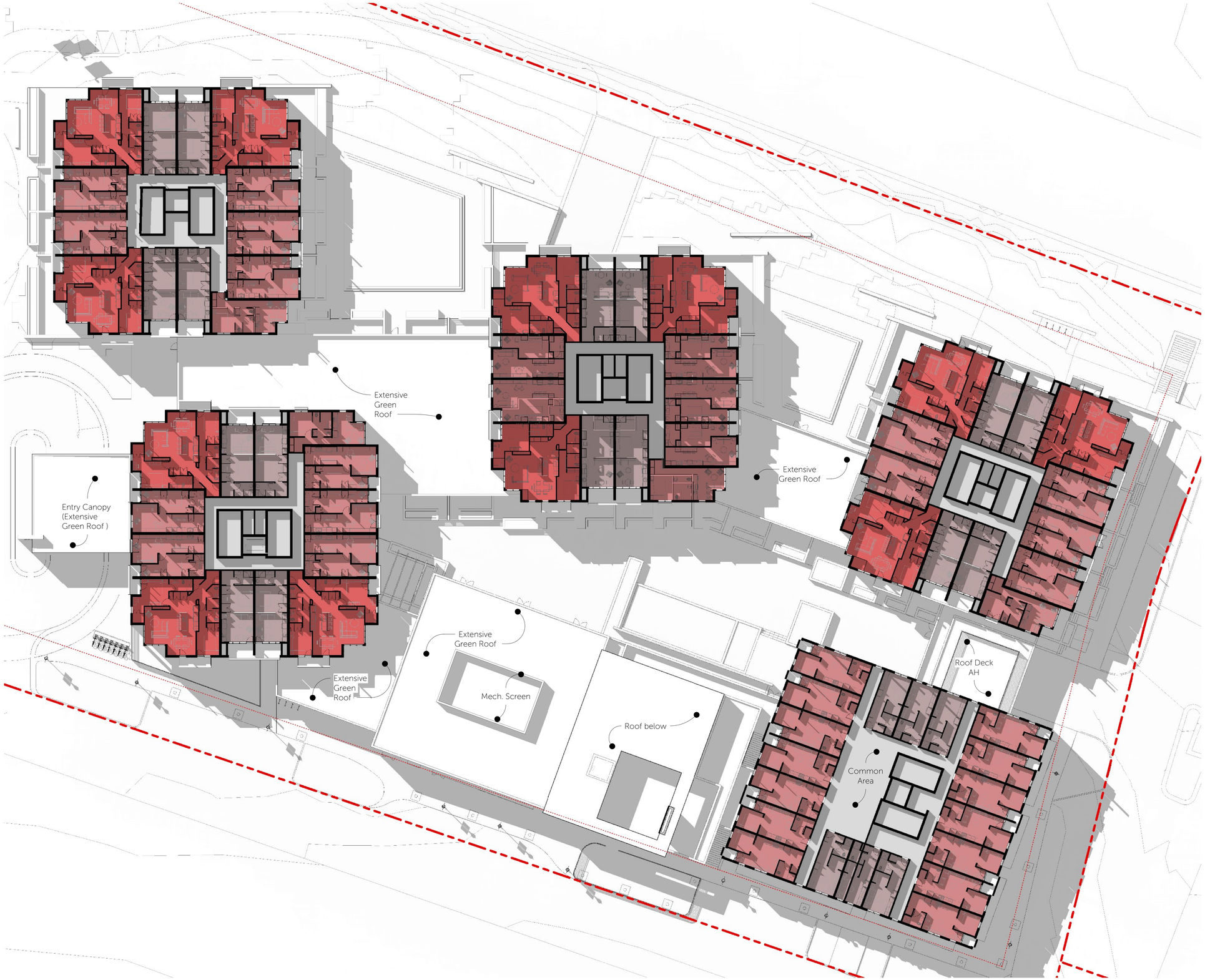
Level 2



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

Level 3 - MPD

SCALE: 1" = 20'-0"

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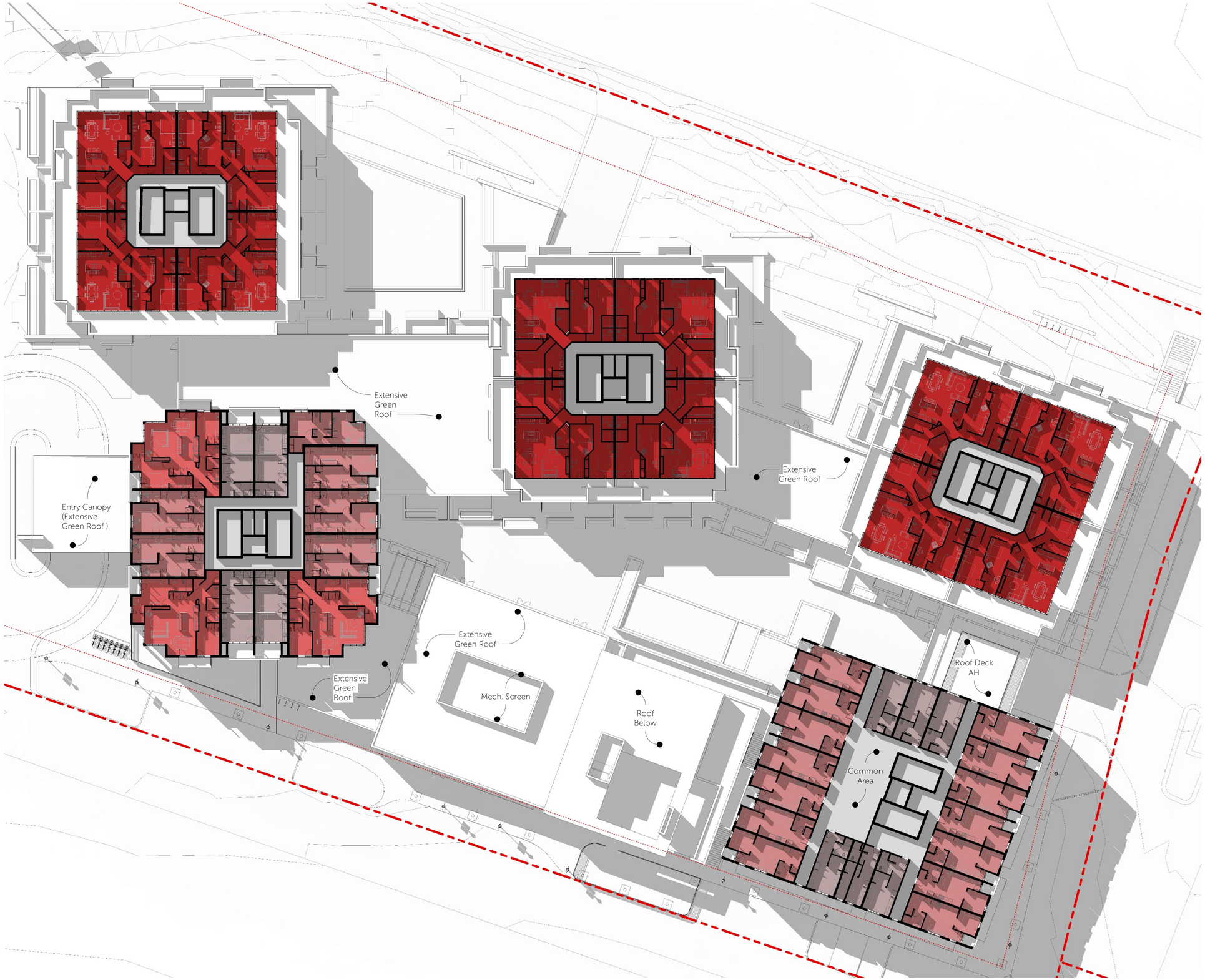
Level 3



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

Level 4 - MPD

SCALE: 1" = 20'-0"

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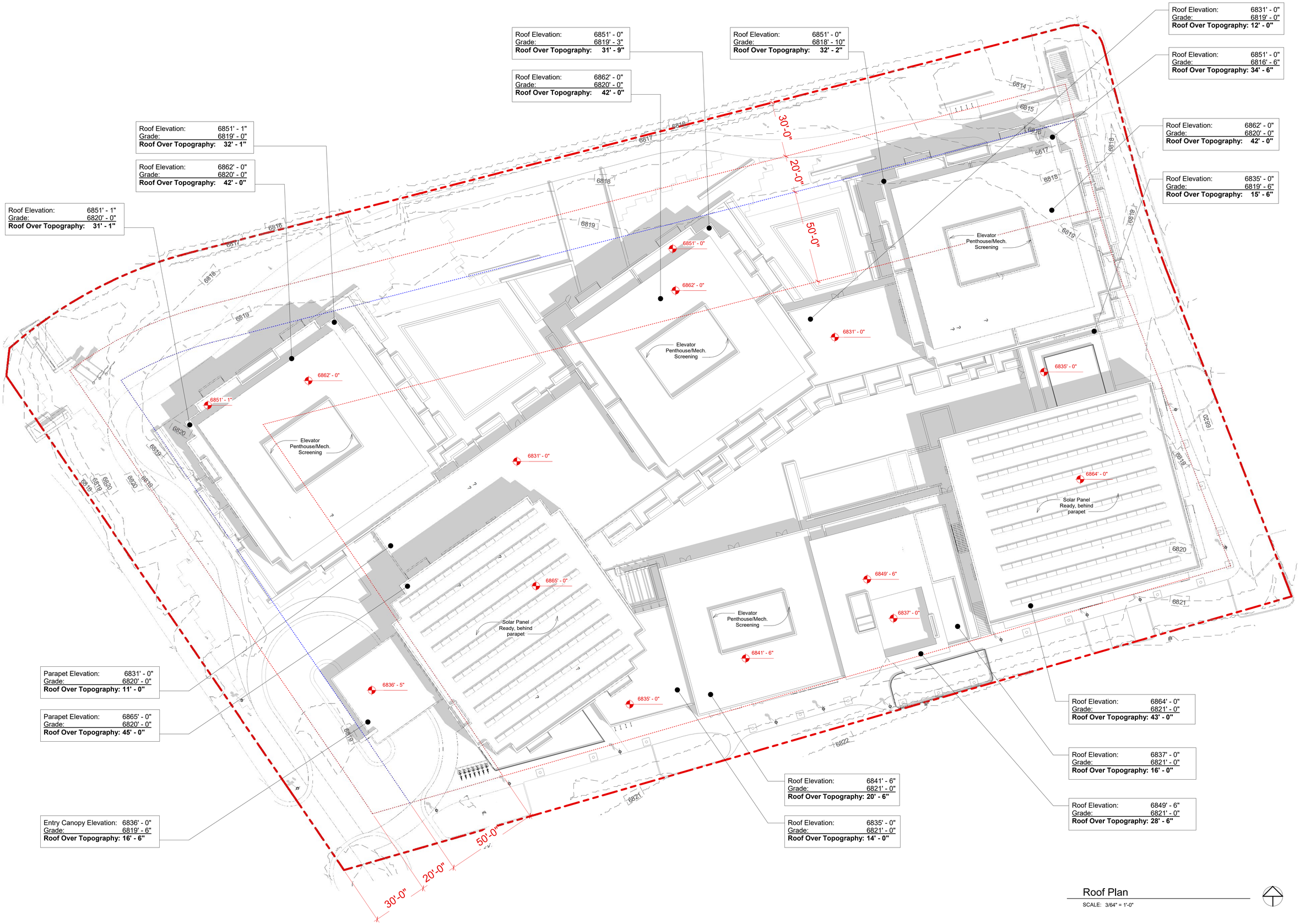
Level 4



Roof Plan

SCALE: 3/64" = 1'-0"

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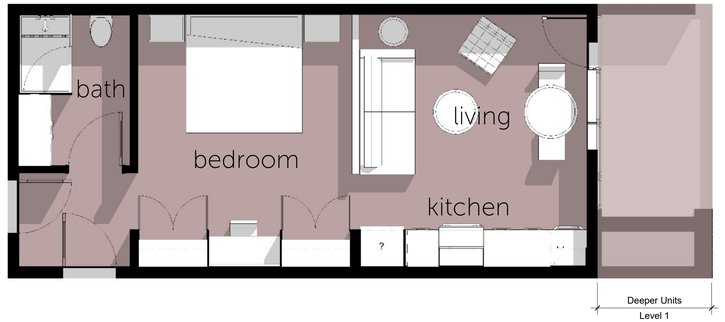
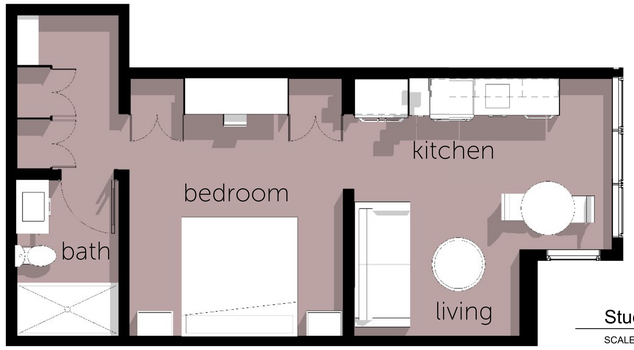
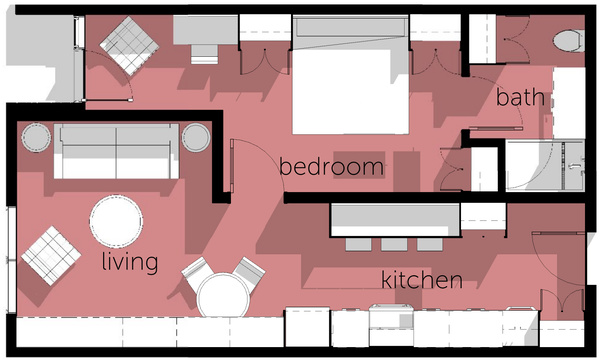
Roof Over Topography



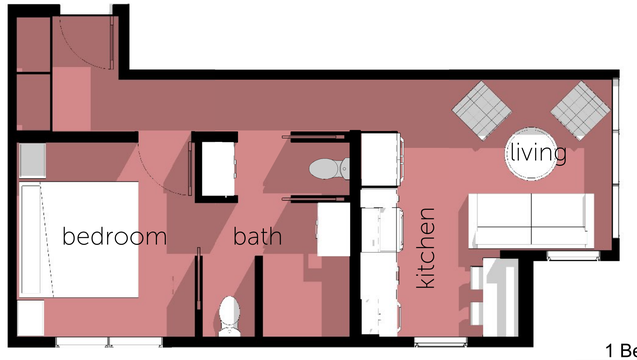
Studio 450 / 535 SF
SCALE: 1/4" = 1'-0"



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



1 Bedroom 571 SF
SCALE: 1/4" = 1'-0"



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

2 Bedroom 1187 SF
SCALE: 1/4" = 1'-0"

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

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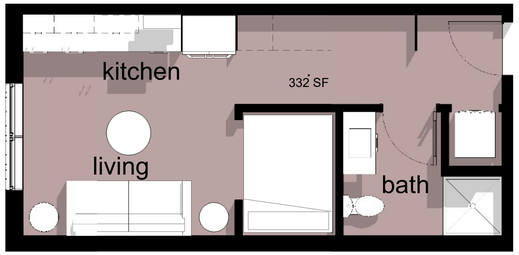
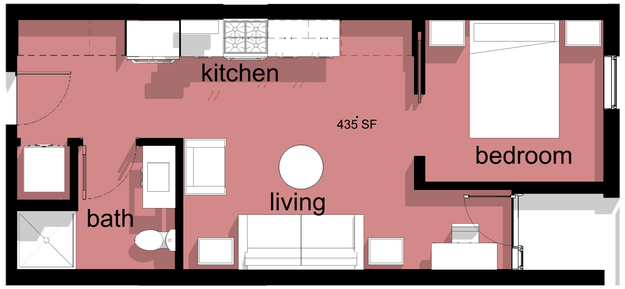
Unit Floor Plans



Studio A - Affordable **332 SF**

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



1 Bedroom A - Affordable **435 SF**

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

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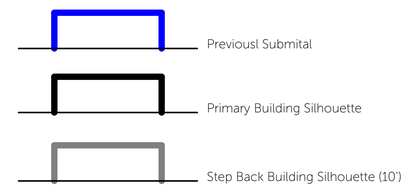
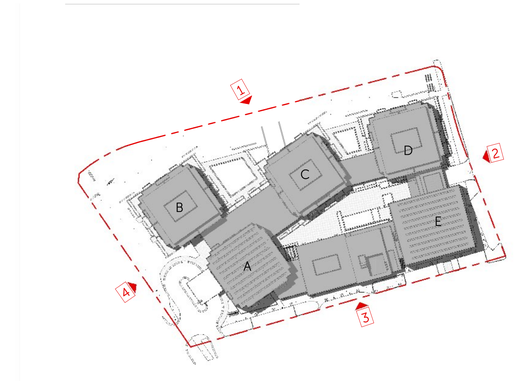
Affordable Unit Floor Plans

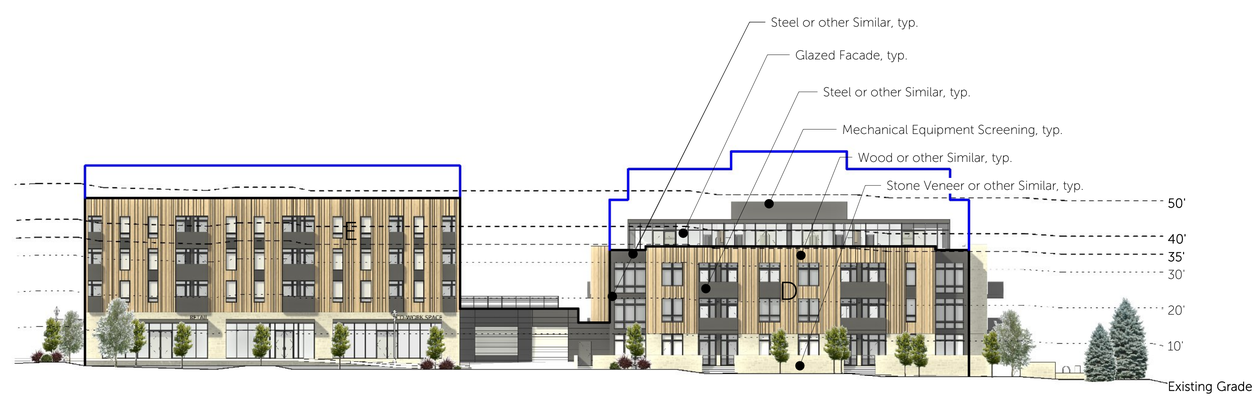
Street Elevation Graphic Legend





Elevation 1.

SCALE: 1" = 20'-0"



Elevation 2.

SCALE: 1" = 20'-0"

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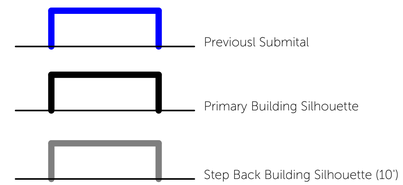
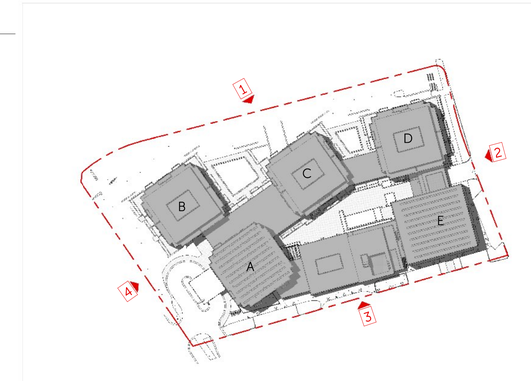
Park & Kearns Redevelopment

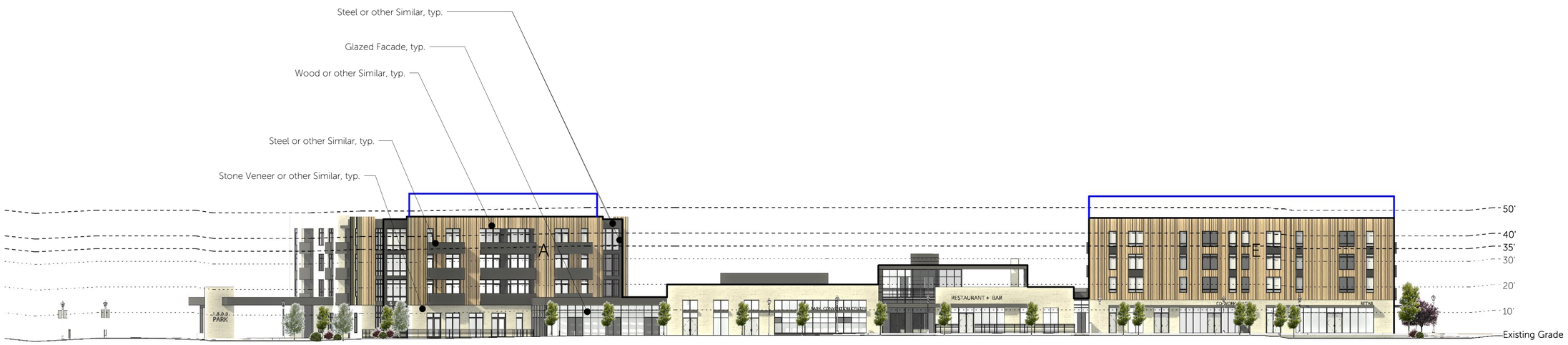
MPD-201

Elevations

Street Elevation Graphic Legend

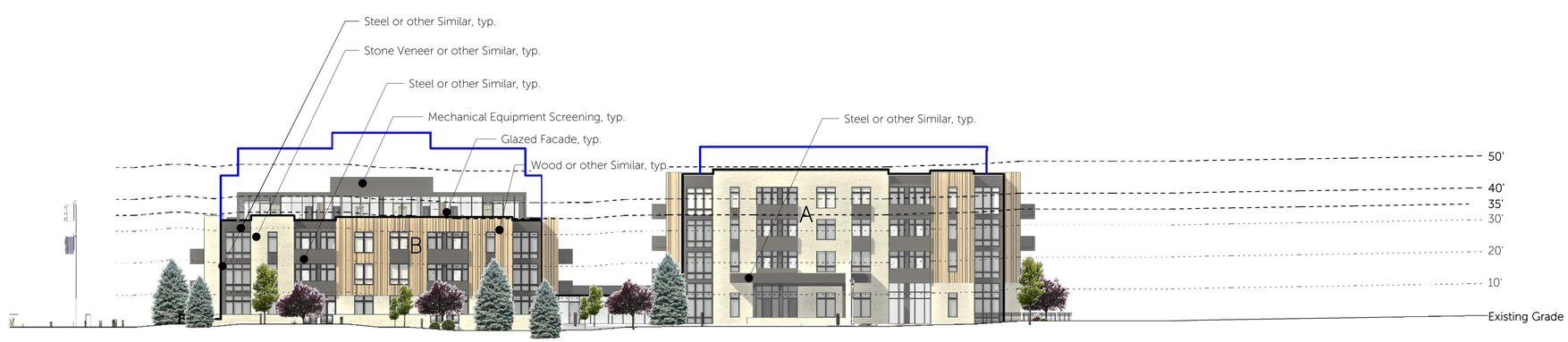






Elevation 3.

SCALE: 1" = 20'-0"



Elevation 4.

SCALE: 1" = 20'-0"

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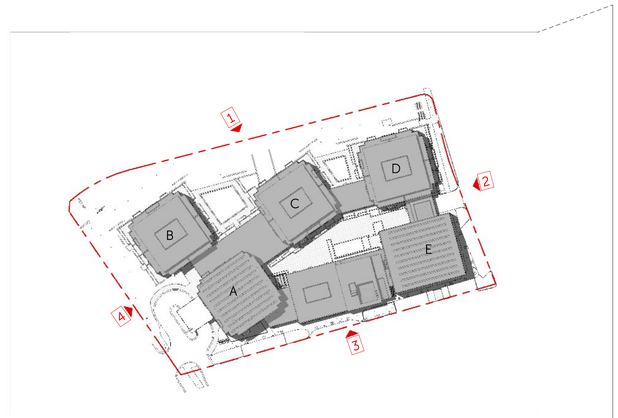
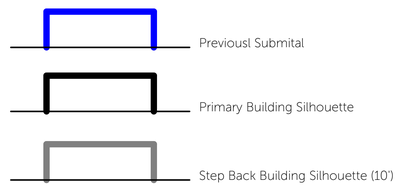
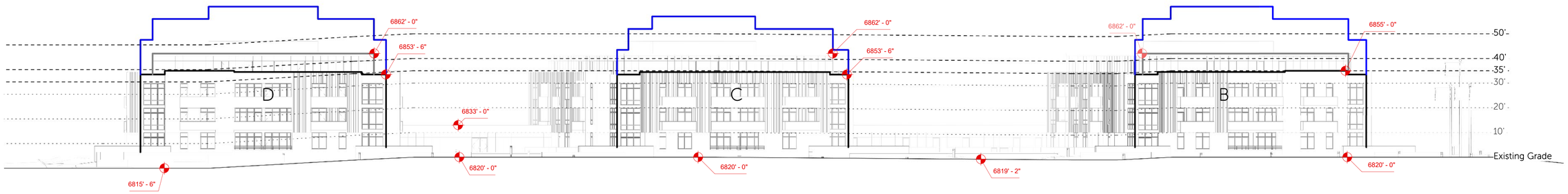
MPD-202

Elevations

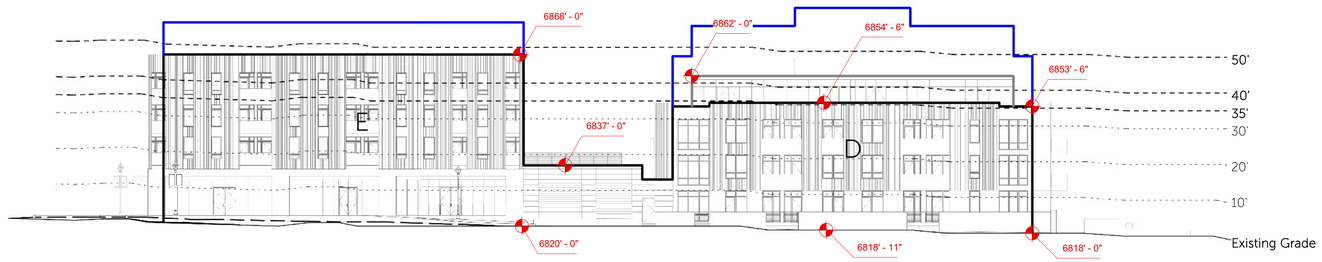


Street Elevation Graphic Legend





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



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

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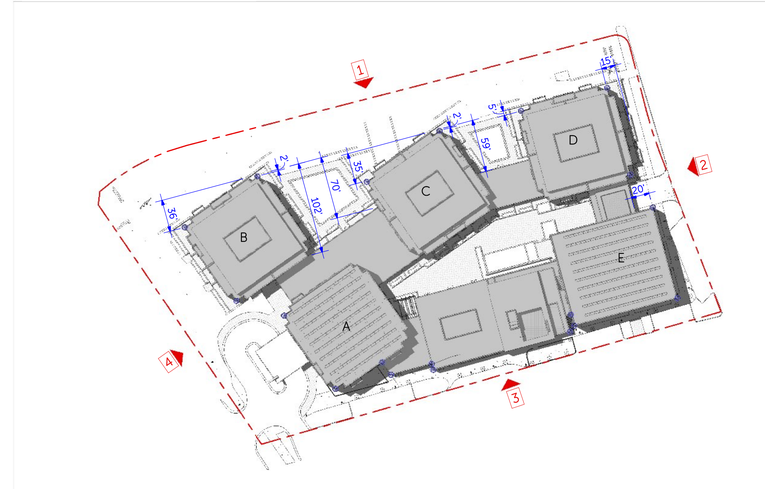
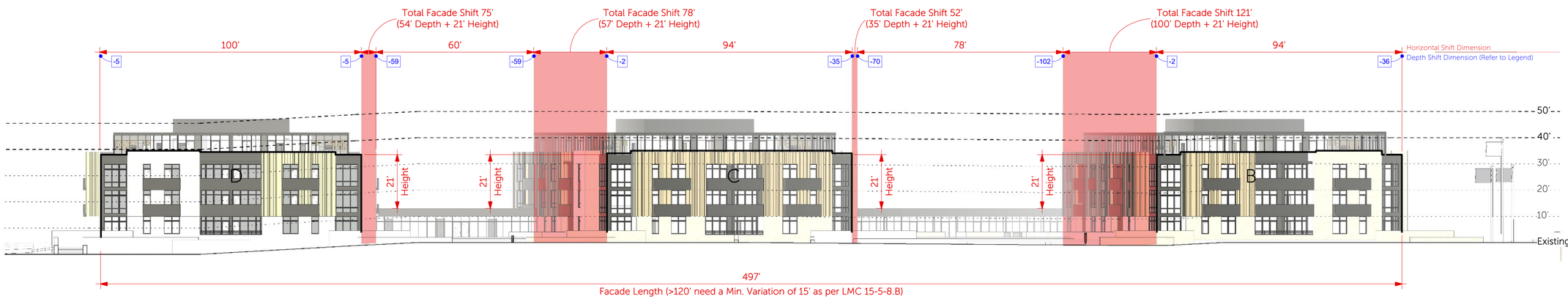
MPD-203

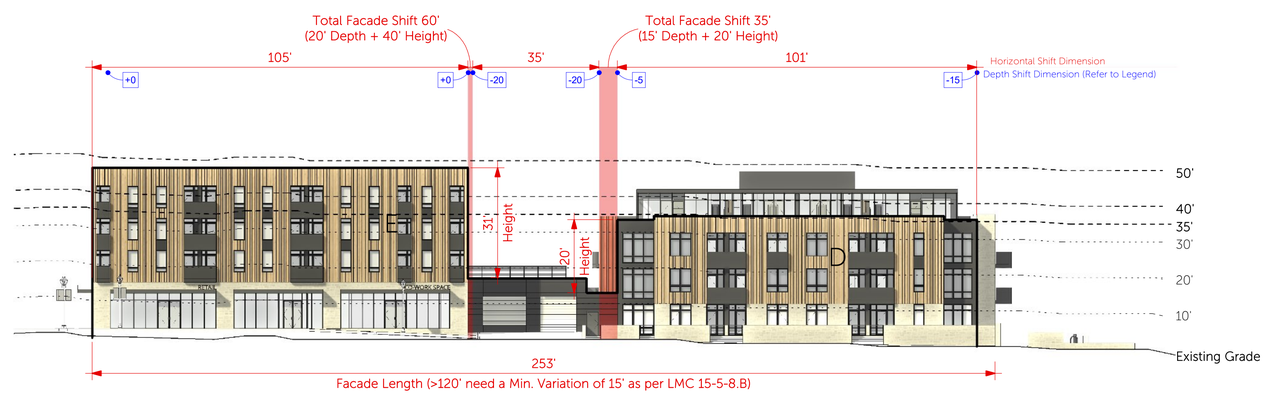
Height Analysis





Elevation 1 - Facade Variation

SCALE: 1" = 20'-0"



Elevation 2 - Facade Variation

SCALE: 1" = 20'-0"

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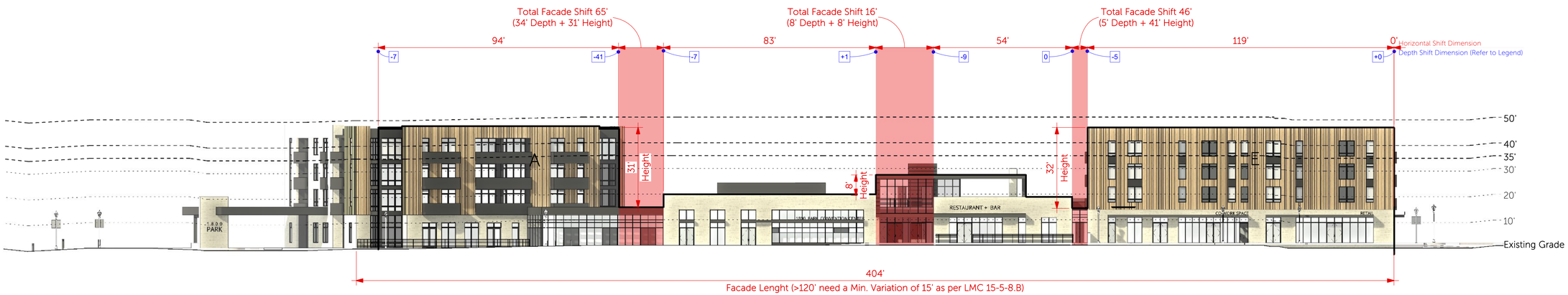
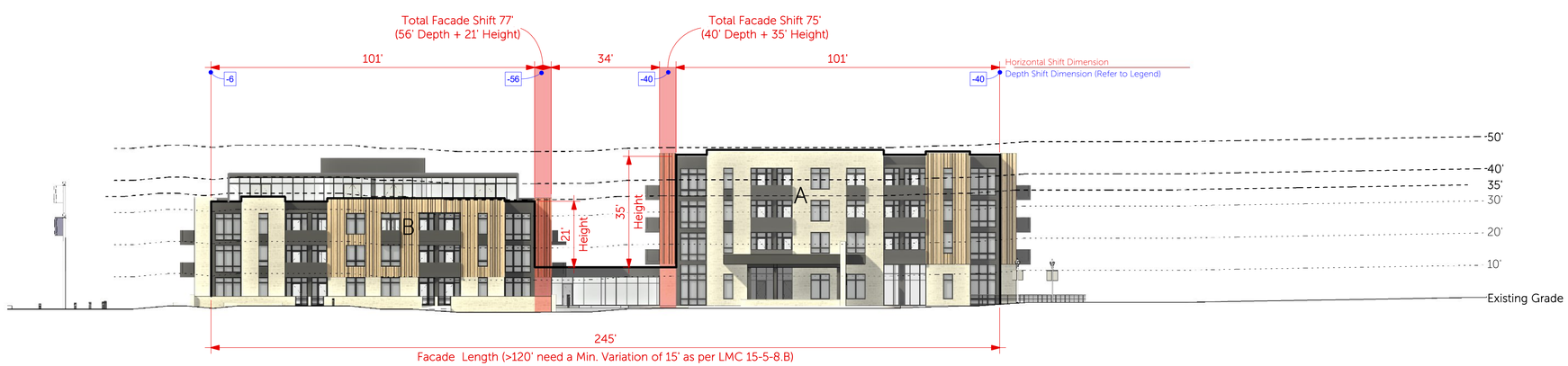
MPD-205

Facade Variation



Elevation 3 - Facade Variation

SCALE: 1" = 20'-0"



Elevation 4 - Facade Variation

SCALE: 1" = 20'-0"

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MPD-206

Facade Variation

South Elevation

SCALE: 1" = 20'-0"

East Elevation

SCALE: 1" = 20'-0"

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Park & Kearns Redevelopment

MPD-301

Rendered Elevations

North Elevation

SCALE: 1" = 20'-0"

West Elevation

SCALE: 1" = 20'-0"

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Park & Kearns Redevelopment

MPD-302

Rendered Elevations

Park & Kearns Redevelopment

MPD-303

Renderings

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Park & Kearns Redevelopment

MPD-304

Renderings

Park & Kearns Redevelopment

MPD-305

Renderings

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Open House hosted on 06/18/2024

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Park & Kearns Redevelopment

MPD-023.

Public Outreach

From: planning
To: Rebecca Ward
Subject: FW: [External] Yarrow Replacement
Date: Friday, June 21, 2024 8:28:44 AM

From: Joe Backer [redacted]
Sent: Thursday, June 20, 2024 9:35 PM
To: planning <planning@parkcity.org>
Cc: Joe Backer [redacted]
Subject: [External] Yarrow Replacement

Warning: Replies to this message will go to joe.backer@gmail.com. If you are unsure this is correct please contact the helpdesk.

[CAUTION] This is an external email.

I have lived in Park City for 20 years and have watched the need for affordable housing escalate annually as housing cost continues to rise.
I support the mixed use development to replace the Yarrow that includes 60 affordable units.

Planning Commission
Staff Report

Subject: **2656 Aspen Springs**
Application: **PL-24-06160**
Author: **Rebecca Ward, Planning Director**
Date: **June 26, 2024**
Type of Item: **Modification to a Conditional Use Permit**

Recommendation

(I) Review the amendment to a Guest House Conditional Use Permit approved by the Planning Commission on April 13, 2022 to include an outdoor pool, (II) conduct a public hearing, and (III) consider approving the modification based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft Final Action Letter (Exhibit A).

Description

Applicant:	Snavelys and Planning Department
Location:	2656 Aspen Springs Drive
Zoning District:	Single Family Sensitive Land Overlay
Adjacent Land Uses:	Residential Open Space
Reason for Review:	The Planning Commission conducts a public hearing and takes Final Action on Conditional Use Permits.[1]

LMC Land Management Code

Terms that are capitalized as proper nouns throughout this staff report are defined in LMC § 15-15-1.

Summary

On October 15, 2021, the Applicant submitted Building Permit 22-047 for the construction of a new Single-Family Dwelling at 2656 Aspen Springs Road, Lot 47 of the Aspen Spring Ranch Phase 2 Subdivision. On January 12, 2022, the Planning Department approved Building Permit 22-047. An outdoor pool was included in the approved plans, but the Planning team missed this and did not require a Conditional Use Permit. Construction for the Single-Family Dwelling and pool began in 2022.

On April 13, 2022, the Planning Commission approved a Conditional Use Permit for a

[1] LMC Section 15-1-8(G)

Guest House at 2656 Aspen Springs Drive (Planning Commission Packet Item 6.C; Minutes, p. 13). The Site Plan reviewed by the Planning Commission for the Guest House included the outdoor pool, but the pool was once again overlooked by staff. The pool is highlighted on the Guest House Site Plan in green:

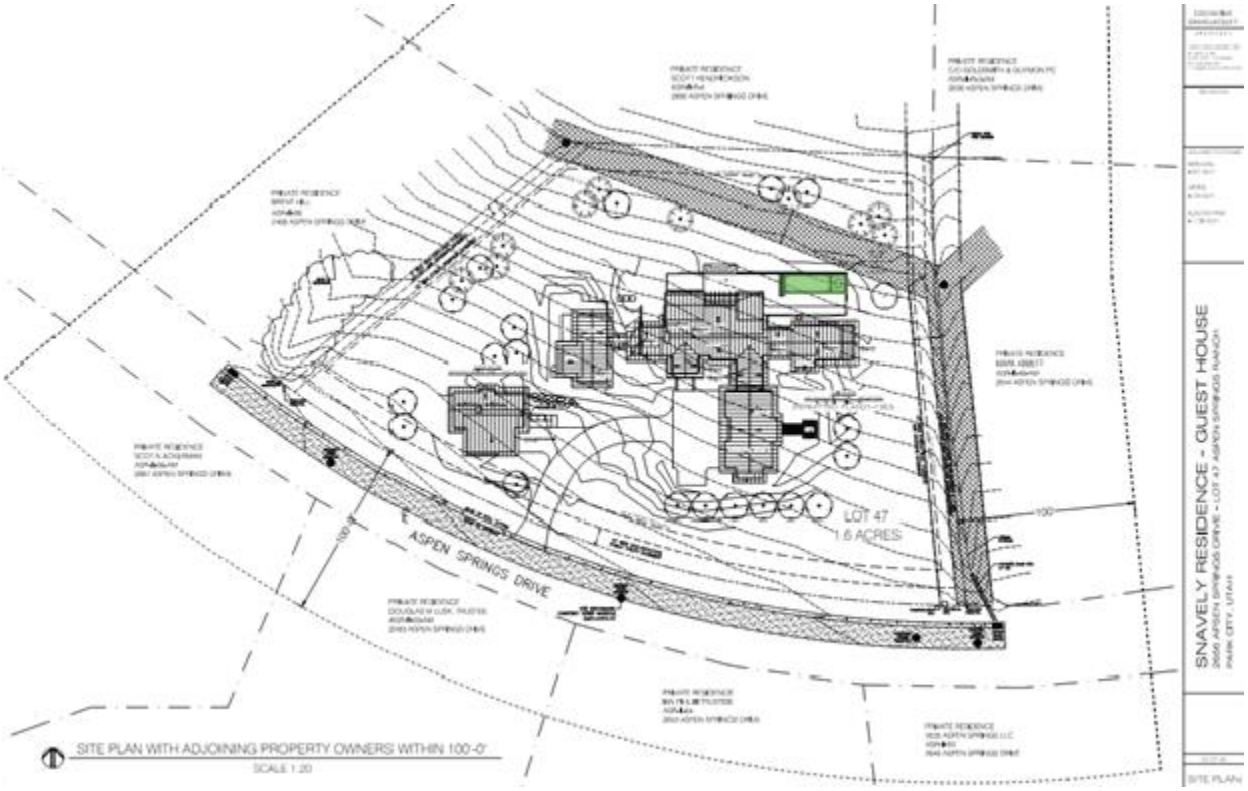

Figure 1: Site Plan Reviewed and approved by the Planning Commission on April 13, 2022.

On July 28, 2022, the Planning Department approved Building Permit 22-814 for the construction of the Guest House.

The project is nearly complete and upon inspection, the Planning team realized the outdoor pool Conditional Use process was missed during the Building Permit and Guest House review. As a result, the Planning team updated the Building Permit checklists to ensure this does not happen moving forward. In the meantime, the Planning team is appreciative of the property owner who has worked with staff on a path forward – to amend the Guest House Conditional Use Permit to include the outdoor pool that was included in the 2022 Site Plan reviewed and approved by the Planning Commission, with the pool shifted westward, closer to the Single-Family Dwelling (Exhibit B).

While the project is nearly complete (shown in the photo below taken from the McPolin Barn area), the Applicant is still working to finalize the landscaping and proposes significant landscaping to screen and buffer not only the rear patio and outdoor pool, but the Single-Family Dwelling.

Figure 2: June 2024 photo showing rear of 2656 Aspen Springs Drive from the McPolin Barn area, including the already-constructed pool.

On June 13, 2024, Mike Thomas, on behalf of the Aspen Springs Ranch Homeowner Association, submitted an email indicating the Homeowner Association approves the plans for 2656 Aspen Springs Road, and calls attention to outdoor pools as a permitted use subject to Homeowner Association approval. Mike concludes the outdoor pool complies with the required Aspen Springs Ranch Design Guidelines and Covenants, Conditions, and Restrictions (Exhibit B).

On June 28, 2023, the Planning Commission approved a Conditional Use Permit for a 680-square-foot outdoor pool on the adjacent property, 2644 Aspen Springs Drive (Planning Commission Packet Item 6.B; Minutes, p. 57).

Analysis

(I) The outdoor pool complies with the requirements of the Single-Family Zoning District, pending approval of the modified Conditional Use Permit.

Private Recreation Facilities in the Single-Family Zoning District, which include pools,[2]

[2] LMC Section 15-15-1

require a Conditional Use Permit.[3] The Lot and Site requirements for the Single-Family Zoning District outlined in Land Management Code (LMC) Section 15-2.11-3 are described below:

Requirement	Analysis of Proposal
Front Setback – 20 feet	The outdoor swimming pool is set back 170 feet from the front property line.
Rear Setback – 15 feet	The outdoor swimming pool is set back 36 feet from the rear property line.
Side Setback – 12 feet	The outdoor swimming pool is set back more than 100 feet from the west side property line and more than 130 feet from the east side property line.

(II) Reasonable conditions are proposed to mitigate the reasonably anticipated detrimental effects of the outdoor swimming pool in accordance with the applicable standards.

There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.

The Planning Commission shall approve a Conditional Use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards. The Planning Commission may deny the Conditional Use if the proposed Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards. LMC § 15-1-10.

Below are the 16 CUP criteria and analysis:

CUP Review Criteria	Analysis of Proposal
Size and Location	The pool is approximately 460 square feet with a 175-square-foot hot tub area and is located within the rear patio of the Single-Family Dwelling.

[3] LMC Section 15-2.11-2(B)(13)

Traffic	The outdoor pool is for the property owner and guests only. No additional traffic beyond the residents and their guests will be generated by the outdoor pool. The Applicant has a three-car garage on site and parking for the Guest House. As a result, vehicles servicing the pool will be able to park on site.
Utility capacity	The application went through the utility review and approval at the Building Permit phase and no additional Conditions of Approval are recommended.
Emergency Vehicle Access	No changes to Emergency Vehicle Access are proposed and the Park City Fire District reviewed the proposed Site Plan as part of the initial 2022 Guest House Conditional Use Permit and at the Building Permit phase.
Internal vehicular and pedestrian circulation	The outdoor swimming pool is located on the rear patio area of the Single-Family Dwelling and does not impact pedestrian circulation. Due to parking exceeding the requirements of two spaces for a Single-Family Dwelling and one space for the Guest House, vehicles servicing the pool will be able to park on site.
Fencing, screening, and landscaping	Within the northeast rear yard, the Applicant proposes planting 13 Spring Snow Crabapple trees, three Isanti Dogwood shrubs, and eight Regent Serviceberry shrubs to screen the rear patio area and outdoor pool. Along the northwest rear yard, the Applicant proposes installing landscaping boulders and Alpine Currant shrubs to screen the rear patio area and outdoor pool.
Building mass, bulk, and orientation, and location of building on site, including orientation to buildings on adjoining lots	The outdoor pool is within the rear patio area with minimal retaining walls exposed to the rear yard, indicated in the photos below. Once the landscaping is complete, the landscaping will screen the pool from the vantage point of the McPolin Barn.
Usable open space	There are no open space requirements for the Single-Family Dwelling. The outdoor swimming pool within the rear patio provides recreation activation of the back yard.

Signs and lighting	No signs or lighting are proposed as part of this project.
Physical design and compatibility with surrounding structures in mass, scale, style, design, and architectural detailing	The Applicant has incorporated the outdoor pool into the rear patio area for the Single-Family Dwelling. The Applicant proposes landscape boulders, trees, and shrubs to screen the outdoor pool. Please see the Applicant's photos below taken from the McPolin Barn.
Noise, vibration, odors, steam, or other mechanical factors that might affect people and property off-site	The use of the outdoor pool must comply with the City's noise ordinance in Municipal Code of Park City Chapter 6-3.
Control of delivery and service vehicles, loading and unloading zones, and screening of trash and recycling pickup areas	Vehicles for service and maintenance of the outdoor swimming pool will access the property from Aspen Springs Road and will be able to park on site.
Expected ownership and management of the project	The property is privately owned and is within the Single-Family Zoning District. Nightly Rentals are prohibited within this neighborhood.
Environmentally sensitive lands, physical mine hazards, historic mine waste, Park City Soils Ordinance, Steep Slopes, and appropriateness of proposed structure to the existing topography of the site	The property is within the Sensitive Land Overlay. Staff outlined the Sensitive Land Overlay analysis as part of the April 13, 2022 Conditional Use Permit approval. As noted above – the outdoor swimming pool was included on the site plan reviewed by the Commission but was not included in the scope of the Conditional Use Permit due to staff oversight. The site does not have Steep Slopes, is not near a Crest of Hill or Ridge Line Area, does not impact Significant Vegetation, but rather includes a landscape plan with new vegetation, is visible from the McPolin Barn and SR 224, but visibility is mitigated through landscaped screening, and there are no streams, canals, or wetlands on or near the site. Please see the Applicant's photos below taken from the McPolin Barn.

Consistency with the goals and objectives of the Park City General Plan	2656 Aspen Springs Drive is within the Thaynes Neighborhood and is a primary residence. Goal 7 of the General Plan states the City strives to create a diversity of primary housing opportunities, allowing full-time residents local options for work and play.

Figure 3: Photo taken in June 2024. Landscaping is not yet installed.

Figure 4: June 2024 photo from McPolin Barn area.

Figure 5: June 2024 photo from McPolin Barn area.

Figure 6: June 2024 photo from McPolin Barn area.

Figure 7: June 2024 photo from the McPolin Barn area.

Figure 8: June 2024 photo from the McPolin Barn area.

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

Notice
Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on June 12, 2024. Staff mailed courtesy notice to property owners within 300 feet on June 12, 2024. The *Park Record* published courtesy notice on June 12, 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 amendment to the Conditional Use Permit.

[4] LMC § 15-1-21

- The Planning Commission may deny the amendment to the Conditional Use Permit and direct staff to make Findings for the denial.
- The Planning Commission may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Amended Final Action Letter
Exhibit B: Applicant's Site and Landscaping Plans
Exhibit C: Aspen Springs Ranch Homeowner Association Approval

Planning Department

April 13, 2022, amended June 26, 2024

Jonathan and Leslie Snavely
3356 Buckboard Drive
Park City, UT 84098

CC: George N. Bishop

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	2656 Aspen Springs Drive
Zoning District:	Single-Family
Application:	Conditional Use Permit
Project Number:	PL-22-05160
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	April 13, 2022
Project Summary:	The Applicant Requests a Conditional use Permit to Construct a Detached Guest House, an Accessory Structure, and an outdoor pool in the Single-Family (SF) Zoning District.

Action Taken

Staff reviewed the Conditional Use Permit (CUP) Application for compliance with Land Management Code (LMC) § 15-2.11.3, *Lot and Site Requirements*, LMC § 15-1-10(E), *Conditional Use Review Process*, and LMC Chapter 15-2.21, *Sensitive Land Overlay (SLO) Zone Regulations*. On April 13, 2022, and June 26, 2024, the Planning Commission held a public hearing and approved the Applicant's request for a Conditional Use Permit to construct a Detached Guest House and outdoor pool according to the following Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. The property is located at 2656 Aspen Springs Drive, Lot 47 of the Aspen Springs Ranch Subdivision Phase II.

DRAFT

2. The property is in the Single-Family (SF) Zoning District and a portion of the Lot's rear is zoned as Recreation Open Space.
3. Lot 47 contains 1.6 acres.
4. A Detached Guest House, an Accessory Structure, is a Conditional Use in the SF Zoning District and require Planning Commission review and approval.
5. On February 7, 2022, the Planning Department received a Conditional Use Permit Application to construct a Detached Guest House at 2656 Aspen Springs Drive.
6. On February 15, 2022, the Planning Department determined the Conditional Use Permit Application complete.
7. The minimum front Setback for the SF Zoning District is 20 feet.
8. The minimum rear Setback for the SF Zoning District is 15 feet.
9. The minimum side Setback for the SF Zoning District is 12 feet, each side.
10. The site plan indicates the southwest corner will touch the Front Setback.
11. The maximum height for an Accessory Structure is 18 feet.
12. The Plat states the maximum Limits of Disturbance (LOD) for Lot 47 if 10,000 sq. ft.
13. The Plat states the maximum Floor Area is 8,250 sq. ft.
14. The ROS zoned portion of Lot 47 is a non-disturbance zone.
15. Conditional Use Permits require review pursuant to the criteria outlined in Land Management Code § 15-1-10(E).
    a. Size and Location of Site – No unmitigated impacts. The Lot is 1.6 acres. The Detached Guest Hose is proposed to be outside the ROS zoned portion of the property. The proposal complies with size, height, setback, and location criteria for Guest House as found in the LMC.
    b. Traffic Capacity – No unmitigated impacts. Traffic generated by occupants of the Guest House will have minimal impact to traffic capacity.
    c. Utility Capacity – No unmitigated impacts. All utility requirements will be reviewed during the Building Permit review phase.
    d. Emergency Vehicle Access – No unmitigated impacts. Emergency vehicles can access the site from Aspen Springs Drive.
    e. Off-Street Parking – Complies. LMC § 15-3-6 requires a Guest House provide one (1) Off-Street parking space in addition to the required two (2) parking spaces for the main Structure. The Applicant proposes to build an additional garage with the Guest House to meet this requirement.
    f. Internal Vehicle and Pedestrian Circulation – No unmitigated impacts. The Use of the Detached Guest House will not change vehicle or pedestrian circulation.
    g. Fencing, Screening, Landscaping, to Separate Use from Adjoining Properties – Condition of Approval 5.

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h. Structure Mass, Bulk, and Orientation – Condition of Approval 6.
i. Useable Open Space – No unmitigated impacts. There are no open space requirements for a Single-Family Dwelling. The addition of the Detached Guest House does not encroach into the ROS Zone nor change the amount of useable Open Space in the Subdivision.
j. Signs and Lighting – Condition of Approval 7.
k. Physical Design and Compatibility with Surrounding Structures – No unmitigated impacts. The Detached Guest House is similar in design and scale in the Subdivision.
l. Noise, Vibration, Odors, Steam, or Other Mechanical Structures – No unmitigated impacts. There is no change in use that will result in additional noise, vibration, odors, steam, or other mechanical factors. All exterior mechanical equipment will be screened and comply with the Setback requirements.
m. Control of Delivery and Service Vehicles; Loading and Unloading; Screening of Trash and Recycling Pickup Areas – Not applicable. No changes are proposed for delivery and service vehicles or trash and recycling management.
n. Expected Ownership – Not applicable. No change in ownership is proposed.
o. Environmentally Sensitive Lands, Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, or Steep Slope – Complies. The project is compliant with the Sensitive Lands Overlay (SLO).
p. General Plan Consistency – Complies. The General Plan calls out the importance of developing a Sense of Community. Goal 7 of the General Plan shows that the City strives to create a diversity of housing opportunities.

16. The findings in the Analysis section of the April 12, 2023 and June 26, 2024 Staff Report are incorporated herein.

Conclusions of Law

1. This Conditional Use Permit, as conditioned, is consistent with the Park City Land Management Code.
2. The Use is consistent with the Park City General Plan.
3. The effects of any differences in Use or scale have been mitigated through careful planning.

Condition(s) of Approval

1. The Applicant shall ensure that the roof overhang does not project more than three feet (3') into the Front Setback.

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2. The Applicant Shall ensure that the Detached Guest House does not exceed the allowed Maximum Floor Area as indicated on the Aspen Springs Ranch Subdivision Phase II Plat.
3. The Applicant shall ensure construction activity is confined to the LOD and the portion of Lot 74 zoned single-family.
4. The Detached Guest House shall not exceed a maximum height of 18 feet.
5. Fences and Retaining Walls shall comply with LMC § 15-4-2, *Fences and Retaining Walls*
6. The project shall conform with the applicable sections of the LMC regulating Accessory Structure mass, bulk, and orientation.
7. No signs or outdoor lighting are proposed or approved under this CUP. The Applicant shall ensure all outdoor lighting is compliant with LMC § 15-5-5(J).
8. Prior to issuance of a certificate of occupancy, the Property Owner shall record with the Summit County Recorder's Office a deed restriction "Notice to Purchaser" stating the Guest House may not be sold or leased separately from the main house, nor used for Nightly Rentals.
9. The outdoor pool and landscaping shall substantially comply with Building Permit 22-814 and the Site and Landscaping Plans dated June 6, 2024, and reviewed by the Planning Commission on June 26, 2024.

If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5065 or email spencer.cawley@parkcity.org.

Sincerely,

Sarah Hall
Planning Commission Chair

CC: Spencer Cawley, Project Planner

DRAFT

PROJECT OWNER

LOT 47 ASPEN SPRINGS RANCH
PARK CITY, UT

BUILDER

ELEVATED BUILDERS
GEORGE N. BISHOP
1790 BONANZA DRIVE, SUITE 250
PARK CITY, UT 84060
(435) 214-3100

ARCHITECT

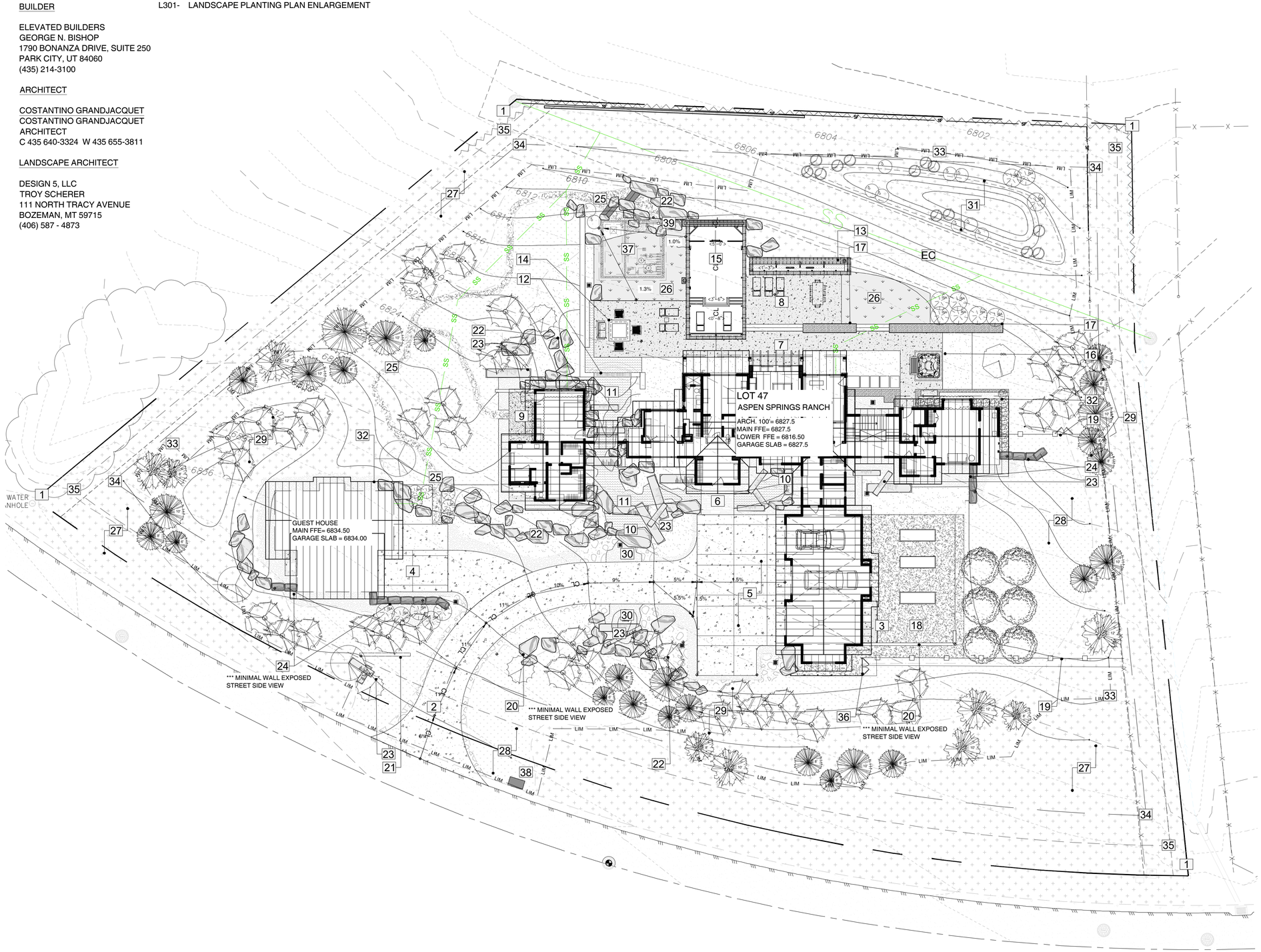
COSTANTINO GRANDJACQUET
COSTANTINO GRANDJACQUET
ARCHITECT
C 435 640-3324 W 435 655-3811

LANDSCAPE ARCHITECT

DESIGN 5, LLC
TROY SCHERER
111 NORTH TRACY AVENUE
BOZEMAN, MT 59715
(406) 587 - 4873

SHEET INDEX

L000- LANDSCAPE SITE PLAN
L100- LANDSCAPE GRADING / WALL SPOT ELEVATION PLAN
L300- LANDSCAPE PLANTING PLAN
L301- LANDSCAPE PLANTING PLAN ENLARGEMENT



1 L000 Landscape Site Plan
1/16" = 1'-0"

0 8 16 32

N

KEYNOTES

1 PROPERTY LINE
2 DRIVE ENTRANCE
3 STEEL CONDENSER SCREEN TO MATCH ARCH
4 CONCRETE GUEST HOUSE DRIVE - SNOWMELTED
5 CONCRETE MOTOR-COURT- SNOWMELTED
6 STONE ENTRY WALKWAY - SNOMELTED
7 CONCRETE PATIO- MAIN LEVEL-SNOWMELT
8 CONCRETE PATIO- LOWER LEVEL-SNOWMELT
9 CONCRETE PATIO- MASTER BEDROOM-SNOWMELT
10 WATER FEATURE -STARTING PONDS
11 WATER FEATURE - MAIN BODY
12 WATER FEATURE FALLS
13 WATER FEATURE - SCUPPER FALLS - SEE WATER DESIGN PLANS
14 GAS FIRE-PIT
15 SWIMMING POOL-WITH SAFETY AUTO COVER -SEE WATER DESIGN
16 SELF CONTAINED SPA- 18" ABOVE GRADE
17 STEEL ACCENT PLANTERS
18 VEGETABLE GARDEN AREA WITH (3) 18" RAISED STEEL PLANTERS
19 GARDEN FENCE AND GATE - APPROVED STYLE PER HOA
20 LANDSCAPE WALL-BOARD-FORM (WOOD GRAIN DETAIL)
21 ADDRESS MARKER- BOARD-FORM WALLS AND STEEL
22 ACCENT BOULDERS - TUMBLE - OUT CROPPING NATURAL SETTING
23 LINEAR ACCENT BOULDERS-TILLING MARKINGS
24 BOULDER WALLS
25 LOOSE PATHWAY-PERMEABLE SURFACE
26 LAWN- SYN LAWN TYPE TBD
27 NATIVE GRASS AND WILD FLOWERS
28 NATIVE MEADOW GRASS AND WILD FLOWERS
29 TREE PLANTINGS- USE APPROVED TREE LIST PER WUI ZONES
30 DRY STREAM FEATURE - REVIEW MATERIALS
31 RETENTION POND
32 ROOF EDGE
33 LOD
34 SETBACKS,SEE SITE PLAN
35 UTILITY EASEMENT,SEE SITE PLAN
36 6' UTILITY STEEL SCREEN AND GATE- MATCH ARCH
37 LANDSCAPE EQUIPMENT. VAULT- SEE WATER DESIGN PLANS
38 MAIL BOX
39 WIRE RAILING / PLANTING BED / BOULDER ACCENTS
EC EROSION CONTROL FABRIC (APPROX. SF)

HATCH PATTERN AND LINE TYPE LEGEND

ASPHALT DRIVE
CONCRETE DRIVE- SNOWMEALTED
CONCRETE PATHS AND PATIOS- SNOWMELTED
CONCRETE STEPS
STONE PAVERS
PERMEABLE WALKING SURFACE
1"-2" GRAY DECORATIVE ROCK
1.5" MEXICAN BEECH PEBBLES
4" GRAY GRANITE RIP-RAP
WATER FEATURE- COBBLE BLEND
PERENNIAL BED WITH FINE SHREDDED BARK DUST
LAWN- LOCAL SOD BLEND
MEDOW GRASS SOD BLEND
NATIVE RECLAIM GRASS & WILDFLOWERS BLEND SEE MIX
LIMITS OF DISTURBANCE
PROPANE GAS LINE
SEWER LINE
WATER LINE
UNDERGROUND POWER
TELEPHONE
SILT FENCING
PROPERTY LINE
PROPOSED MAJOR CONTOUR
PROPOSED MINOR CONTOUR
EXISTING MAJOR CONTOUR
EXISTING MINOR CONTOUR

Snavely Residence
Park City,Utah

DESIGN.5 landscape architecture
design5la.com
406.587.4873

date	issue
04/18/23	HOA REVIEW
10/13/23	PERMIT REVIEW
06/06/24	REV PERMIT REVIEW

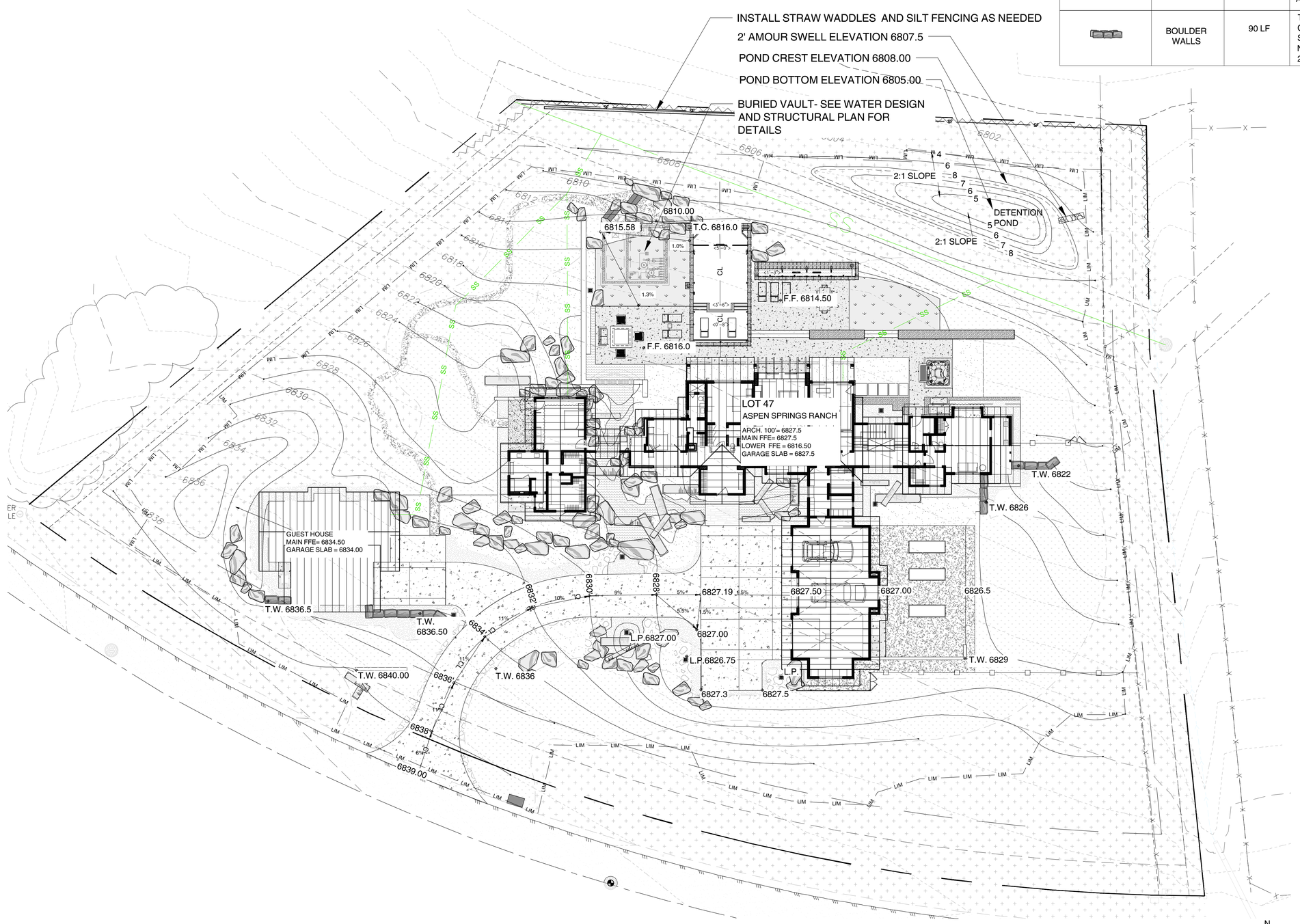
Landscape Site Plan

L 000

drawn by: KHM/HU checked by: TMS filename: z:\pc snavely\autocad\01_sheets\l000_snavely_landscape.dwg

STONE SCHEDULE

SYMBOL	PRODUCT	QUANTITY	DESCRIPTION	CONTACT
	ACCENT BOULDER	89 EA.	TYPE: GRAY GRANITE COLOR: GRAYS SIZE: 2.5-5 TON NOTES: HEIGHT RANGE FROM 24"-48" ABOVE GRADE	ROCK UTAH
	SPECIMEN BOULDER	18 EA.	TYPE: GRANITE QUARRY TAILINGS COLOR:GRAYS WEIGHT:5-12 TON NOTES: LENGTHS PER PLAN HEIGHT RANGE FROM 24"-36" ABOVE GRADE	STONE CURATORS 76 STATE STREET, SUITE 205 NEWBURRYPORT, MA 01950 US 978-255-1444 GAVIN@STONECURATORS.COM
	BOULDER WALLS	90 LF	TYPE: GRAY GRANITE COLOR: GRAYS SIZE: 2.5-5 TON NOTES: HEIGHT RANGE FROM 24"-48" ABOVE GRADE	ROCK UTAH



1 L100 Landscape Grading / Wall Spot Elevations
1/16" = 1'-0"

HATCH PATTERN AND LINE TYPE LEGEND

- ASPHALT DRIVE
- CONCRETE DRIVE- SNOWMEALTED
- CONCRETE PATHS AND PATIOS- SNOWMELTED
- CONCRETE STEPS
- STONE PAVERS
- PERMEABLE WALKING SURFACE
- 1"-2" GRAY DECORATIVE ROCK
- 1.5" MEXICAN BEECH PEBBLES
- 4" GRAY GRANITE RIP-RAP
- WATER FEATURE- COBBLE BLEND
- PERENNIAL BED WITH FINE SHREDDED BARK DUST
- LAWN- LOCAL SOD BLEND
- MEDOW GRASS SOD BLEND
- NATIVE RECLAIM GRASS & WILDFLOWERS BLEND SEE MIX
- LIM — LIMITS OF DISTURBANCE
- PG — PROPANE GAS LINE
- SS — SEWER LINE
- WTR — WATER LINE
- UE — UNDERGROUND POWER
- TE — TELEPHONE
- SILT FENCING
- PROPERTY LINE
- 8615 — PROPOSED MAJOR CONTOUR
- PROPOSED MINOR CONTOUR
- EXISTING MAJOR CONTOUR
- EXISTING MINOR CONTOUR

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Park City,Utah

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date	issue
04/18/23	HOA REVIEW
10/13/23	PERMIT REVIEW
06/06/24	REV PERMIT REVIEW

Landscape Grading / Wall Spot Elevation Plan

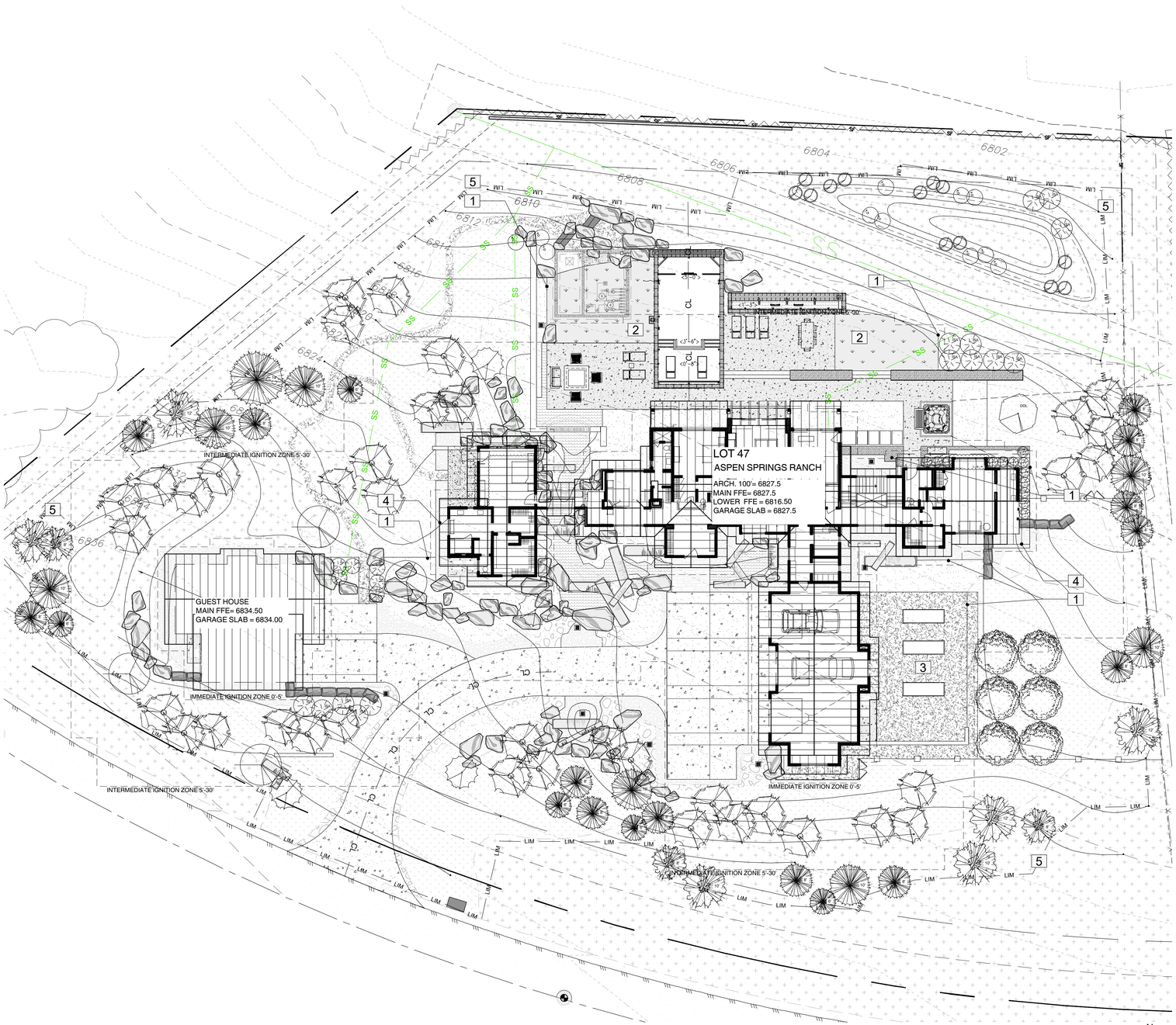
L 100

filename: z:\pc snavely\autocad\01_sheets\000_snavely_landscape.dwg
checked by: TMS
drawn by: KHM/HU

KEYNOTES

1. NATURAL STEEL EDGING
2. LAWN AREA
3. GARDEN AREA
4. ROOF LINE
5. LIMIT OF DISTURBANCE

EC EROSION CONTROL FABRIC (APPROX. SF), SEE PLANT SCHEDULE



1 L300 Landscape Planting Plan
1/16" = 1'

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME / COMMON NAME
	TREES
	ABIES LASIOCARPA SUBALPINE FIR
	ACER GLABRUM ROCKY MOUNTAIN MAPLE
DOL	MALUS "SPRING SNOW" SPRING SNOW CRABAPPLE
	PICEA PUNGENS COLORADO SPRUCE
	PINUS ARISTATA BRISTOL CONEPINE
	POPULUS TREMULOIDES QUAKING ASPEN - MULTI-STEM
	POPULUS TREMULOIDES QUAKING ASPEN -SINGLE STEM
	FRUIT TREES TBD
	SHRUBS
	AMELANCHIER SERVICEBERRY REGENT "REGENT" SERVICBERRY
	CORNUS SERICEA 'ISANTI' ISANTI DOGWOOD
	RIBES ALPINUM ALPINE CURRANT
	SALIX PURPUREA 'NANA' DWARF ARCTIC BLUE WILLOW
	SPIRAEA BETULIFOLIA 'TOR' TOR SPIREA
	PERENNIALS & ORNAMENTAL GRASSES
	ATHYRIUM FILIX-FEMINA LADY FERN
	ARTEMISIA SILVERMOUND SILVERMOUND SAGE
	ASTILBE CHINENSIS 'VISIONS' VISIONS ASTILBE
	BOUTELOUA GRACILIS 'BLONDE AMBITION'** BLONDE AMBITION BLUE GRAMA
	CALAMAGROSTIS X ACUTIFLORA KARL FOERSTER FEATHER REED GRASS
	CAREX PENSYLVANICA PENNSYLVANIA SEDGE
	DESCHAMPSIA CESPITOSA** TUFTED HAIRGRASS
	ECHINACEA PURPUREA PURPLE CONEFLOWER
	FESTUCA GLAUCA 'ELIJAH BLUE' ELIJAH BLUE FESCUE
	HELICTOTRICHON SEMPERVIRENS*** BLUE OAT GRASS
	LANANDULA ANGUSTIFOLIA MUNSTEAD LAVENDER
	NEPETA RACEMOSA 'WALKER'S LOW'** WALKER'S LOW CATMINT
	SALVIA NEMOROSA 'CARADONNA' CARADONNA PERENNIAL SAGE
	SALVIA X SYLVESTRIS 'SCHNEEHUGEL' SNOW HILL PERENNIAL SAGE
	SESLERIA AUTUMNALIS AUTUMN MOOR GRASS

PERENNIALS & ORNAMENTAL GRASSES
NOT SHOWN AT THIS SCALE, SEE SHEET L301 & 302

HATCH PATTERN AND LINE TYPE LEGEND

	ASPHALT DRIVE
	CONCRETE DRIVE- SNOWMEALTED
	CONCRETE PATHS AND PATIOS- SNOWMELTED
	CONCRETE STEPS
	STONE PAVERS
	PERMEABLE WALKING SURFACE
	1"-2" GRAY DECORATIVE ROCK
	1.5" MEXICAN BEECH PEBBLES
	4" GRAY GRANITE RIP-RAP
	WATER FEATURE- COBBLE BLEND
	PERENNIAL BED WITH FINE SHREDDED BARK DUST
	LAWN- LOCAL SOD BLEND
	MEDOW GRASS SOD BLEND
	NATIVE RECLAIM GRASS & WILDFLOWERS BLEND SEE MIX
LIM LIM	LIMITS OF DISTURBANCE
PG PG PG PG	PROPANE GAS LINE
SS SS SS SS	SEWER LINE
WTR WTR WTR WTR	WATER LINE
UE UE UE UE	UNDERGROUND POWER
TE TE TE TE	TELEPHONE
	SILT FENCING
	PROPERTY LINE
6615	PROPOSED MAJOR CONTOUR
	PROPOSED MINOR CONTOUR
	EXISTING MAJOR CONTOUR
	EXISTING MINOR CONTOUR

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Landscape Planting Plan

L 300

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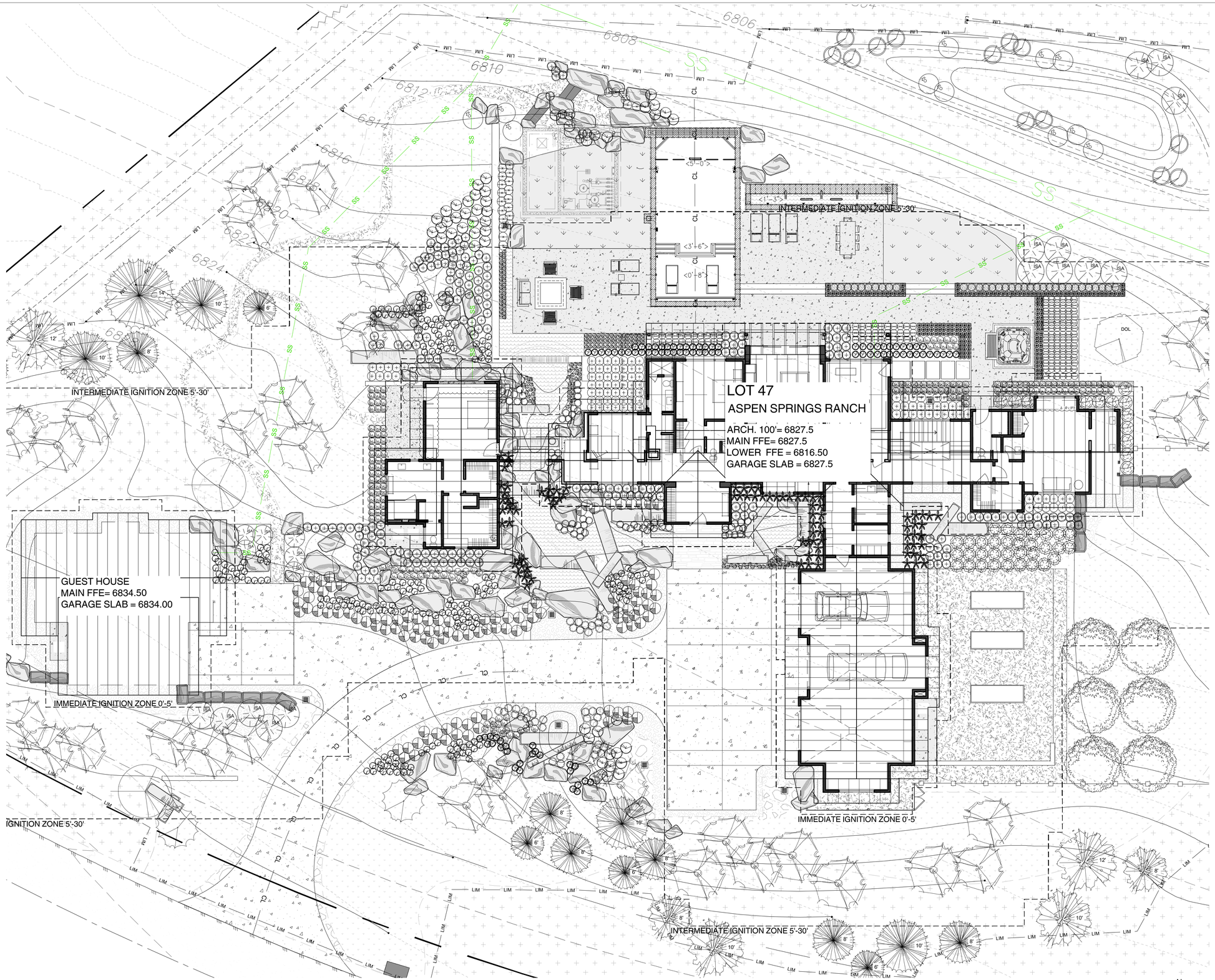
checked by: TMS
drawn by: KHM/HU



1
L301
Landscape Enlargement Planting Plan
1" = 10'

0 5 10 20

N

PLANT SCHEDULE

SYMBOL	BOTANICAL NAME COMMON NAME
	TREES
	ABIES LASIOCARPA SUBALPINE FIR
	ACER GLABRUM ROCKY MOUNTAIN MAPLE
	MALUS "SPRING SNOW" SPRING SNOW CRABAPPLE
	PICEA PUNGENS COLORADO SPRUCE
	PINUS ARISTATA BRISTOL CONEPINE
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	ATHYRIUM FILIX-FEMINA LADY FERN
	ARTEMISIA SILVERMOUND SILVERMOUND SAGE
	ASTILBE CHINENSIS 'VISIONS' VISIONS ASTILBE
	BOUTELOUA GRACILIS 'BLONDE AMBITION'** BLONDE AMBITION BLUE GRAMA
	CALAMAGROSTIS X ACUTIFLORA KARL FOERSTER FEATHER REED GRASS
	CAREX PENSYLVANICA PENNSYLVANIA SEDGE
	DESCHAMPSIA CESPITOSA** TUFTED HAIRGRASS
	ECHINACEA PURPUREA PURPLE CONEFLOWER
	FESTUCA GLAUCA 'ELIJAH BLUE' ELIJAH BLUE FESCUE
	HELICTOTRICHON SEMPERVIRENS*** BLUE OAT GRASS
	LANANDULA ANGUSTIFOLIA MUNSTEAD LAVENDER
	NEPETA RACEMOSA 'WALKER'S LOW'** WALKER'S LOW CATMINT
	SALVIA NEMOROSA 'CARADONNA' CARADONNA PERENNIAL SAGE
	SALVIA X SYLVESTRIS 'SCHNEEHUGEL' SNOW HILL PERENNIAL SAGE
	SESLERIA AUTUMNALIS AUTUMN MOOR GRASS

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Landscape Enlargement Planting Plan

L 301

filename: z:\pc snavely\autocad\01_sheets\000_snavely_landscape.dwg
checked by: TMS
drawn by: KHM/HU

Begin forwarded message:

From: Mike Thomas <mthomas@seatoskiproperties.com>
Subject: HOA Approval letter for 2656 Aspen Springs Drive Landscape Plans
Date: June 13, 2024 at 3:47:08 PM MDT
To: George Bishop <bishop@buildelevated.com>, Jonathan Snavely <jon.snavely@gmail.com>

Jon,

The Aspen Springs Ranch HOA approves these incrementally modified plans, as they are in compliance with the LOD for lot 2656, per the Aspen Springs Ranch HOA CC'Rs. This approval pertains to both the original submission as well as the minor landscape changes included in the updated plan. Specifically pools are a permitted use with HOA approval in Aspen Springs and this plan incorporates that feature with deference to the design guidelines in our CCR's.

Respectfully,.

Sea To Ski HOA Management

As Agent and on behalf of;
Aspen Springs Ranch HOA

sea TO SKI

Mike Thomas

HOA Manager