



**PARK CITY PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
January 26, 2022**

MEETING CALLED TO ORDER AT 5:30 PM.

Notice of Electronic Meeting and How to Comment Virtually

The Chair issued a written determination that because of the public health emergency, conducting a meeting with an anchor location presents a substantial risk to the health and safety of those who may attend in person. This determination is based on the ongoing risks and infection rates statewide and in Summit County. For these reasons, this meeting will be an electronic meeting without an anchor location.

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

1. ROLL CALL

2. PUBLIC COMMUNICATIONS

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

- 3.A. Pickleball Court Land Management Code Amendments
[Staff Communication Report](#)

4. REGULAR AGENDA

- 4.A. 1660 & 1700 Three Kings Drive - Payday Condominiums - Plat Amendment - The Applicant is Requesting to Amend the Existing Plat to Rectify Inconsistencies and Clarify Developable Private Residential Space for Condominium Owners.
A) Public Hearing B) Possible Recommendation to the City Council on March 3, 2022
[Payday Condominiums Plat Amendment Staff Report](#)
[Exhibit A: Draft Ordinance Payday Condominiums Amended](#)
[Attachement 1: Proposed Payday Plat Amendment](#)
[Exhibit B: Applicant Narrative](#)
[Exhibit C: 3D Drawings](#)
[Exhibit D: Original 1972 Payday Plat](#)
[Exhibit E: June 8, 1972 Planning Commission Meeting minutes](#)
[Exhibit F: 1972 Zoning Regulations](#)
[Exhibit G: Road Dedication of Three Kings Drive](#)

Exhibit H: Current Parking Plan

Exhibit I: 1972 LMC Chapter 17 Planned Unit Development 67-17-2.1

- 4.B. 1961 Venus Court - Conditional Use Permit - The Applicant Proposes To Make an Improved Concrete Pad Into a Pickleball and Sport Court, a Private Recreation Facility, in the Single Family (SF) Zoning District. PL-21-05072.
(A) Public Hearing; (B) Action
Staff Report
Exhibit A: Draft Final Action Letter
Exhibit B: Applicant Statement
Exhibit C: Building Permit and Site Plan
Exhibit E: Letter from Neighbors at 2003 Venus Court
Exhibit F: Letter from Brian Schiller
Exhibit G: Park Meadows Subdivision No 5 Plat
- 4.C. 2089 Equestrian Court - Conditional Use Permit - The Applicant Requests a Conditional Use Permit for an Existing Sports Court, a Private Recreation Facility, in the Single Family (SF) Zoning District. PL-21-05021
A) Public Hearing; B) Action
Staff Report
Exhibit A-Draft Final Action Letter
Exhibit B: Applicant Statement and Site Plan
Exhibit C: SBWRD Easement Letter dated June 2, 2021
Exhibit D: January 4, 2022, Planning Director Determination for Unusual Lot Configuration
Exhibit E: June 3, 2021, Approved Landscape Plan
Exhibit F: Approval Letter from SBWRD
Exhibit G: Public Input

5. ADJOURN

A majority of City Council members may meet socially after the meeting. If so, the location will be announced by the Mayor. City business will not be conducted. Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the City Recorder at 435-615-5007 at least 24 hours prior to the meeting. Wireless internet service is available in the Marsac Building on Wednesdays and Thursdays from 4:00 p.m. to 9:00 p.m. Posted: See: www.parkcity.org

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

Planning Commission Staff Communication

Subject: Pickleball Courts
Author: Planning Department
Date: January 26, 2022
Type of Item: Informational



Pickleball Popularity

According to the [USA Pickleball Association](#), pickleball was invented in 1965 on Bainbridge Island, Washington by three dads, Joel Pritchard, Bill Bell, and Barney McCallum, who wanted to entertain bored kids. Pritchard's wife stated she started calling the game pickleball because "[t]he combination of different sports reminded me of the pickle boat in crew where oarsmen were chosen from the leftovers of other boats." McCallum, however, claims the sport is named after the Pritchards' dog Pickles who would retrieve errant balls and run away with them.¹

While the origin of the name is not decided, one thing is certain: pickleball is rising in popularity, as evidenced by the pickleball community in the greater Park City area. Nationwide, "[p]ickleball grew in 2020 to 4.2 million players in the US, an incredible growth rate of 21.3% from 2019 per the Sports & Fitness Industry Association's (SFIA) 2021 Topline Participation Report, released in Feb. 2021."²

To accommodate this rise in popularity, the Park City Recreation Department and Recreation Advisory Board (RAB) are evaluating temporary and permanent public indoor and outdoor courts to meet the increased demand ([City Council November 18, 2021 Staff Report](#); [Minutes](#), p. 5).

Land Management Code Amendments to Mitigate Pickleball Impacts

While some community input to City Council has been in support of more pickleball facilities, some concerns have been raised about pickleball impacts. The USA Pickleball Association describes the sport as follows:

A pickleball court is 20' x 44' for both singles and doubles. The net is hung at 36" at the ends and hangs 34" in the middle. A non-volley zone extends 7' back from the net on each side, commonly called "the kitchen."

The sport is played with wooden or composite paddles and a perforated plastic ball, which has led to noise complaints. Currently, pickleball courts require a Conditional Use Permit and Planning Commission review and approval prior to their use in certain

¹ USA Pickleball Association [2021 Pickleball Fact and Media Sheet](#), p. 1

² USA Pickleball Association [2021 Pickleball Fact and Media Sheet](#), p. 2

residential zones to ensure impacts like noise are sufficiently mitigated. However, due to the unique impact of pickleball courts and increased interest in constructing them on private residential lots, staff has looked to other communities to establish best practices and will consider Land Management Code amendments for Planning Commission and City Council review, including:

- Requiring an Administrative Permit, public notice to adjacent properties, and a public hearing for pickleball courts
- Modifying the definition of Private Recreation Facilities to identify pickleball courts as a type of facility that requires additional mitigation due to the noise associated with the sport
- Adding a new Land Management Code Section specific to mitigation strategies for pickleball courts:
 1. Establishing a minimum required lot size of 0.5 acres (21,780 square feet) for pickleball courts
 2. Requiring a minimum 100-foot setback from lot lines of adjacent residential properties for pickleball courts with no noise mitigation
 3. Requiring a minimum 50-foot setback from lot lines of residential properties for courts that include a twelve-foot-tall noise reducing fence, noise reduction floor panels, and the recommended use of “quiet” paddles
 4. Limiting pickleball court use to daylight hours and prohibiting outdoor lighting of the court
 5. Prohibiting on-street parking for properties with permitted pickleball courts
 6. Requiring Homeowner Association approval for properties that are part of a Homeowner Association
 7. Requiring further mitigation if three noise complaints are filed within a one-year period of permit issuance

Staff will bring the proposed amendments for the Planning Commission’s review on February 23, 2022, with a possible recommendation to City Council on March 3, 2022.

Public Input Encouraged

Staff appreciates public input as it helps inform staff recommendations to the Planning Commission and City Council. Please take a few minutes to complete the Pickleball Survey on www.engageparkcity.org. The survey is open through February 16, 2022. Public input can also be emailed to planning@parkcity.org.

‘Planning Commission Staff Report

Subject: Payday Condominiums Amended Plat
Address: 1660 and 1700 Three Kings Dr.
Application: PL-20-04725
Author: Makena Hawley, Planner II
Date: January 26, 2022
Type of Item: Administrative – Subdivision



Recommendation

Staff recommends the Planning Commission (1) review the requested Payday Condominiums Amended Plat Amendment, (2) conduct a public hearing, and (3) consider forwarding a positive recommendation for City Council’s consideration on March 3, 2022, subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft Ordinance No. 2022-XX (Exhibit A).

Description

Applicant: Payday HOA represented by Susan L. Philipp
Location: 1660 and 1700 Three Kings Drive
Zoning District: Residential Development (RD)
Adjacent Land Uses: Golf Course, Residential (Spiro Condominiums, Temptation Condominiums)
Reason for Review: Plat amendments require Planning Commission review and recommendation and City Council review and action

Abbreviations

COA	Conditions of Approval
FE	Forest Estate
HOA	Homeowners Association
LMC	Land Management Code
MPD	Master Planned Development
RD	Residential Development
ROW	Right-Of-Way

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

Summary

The Payday Condominium Plat contains a total of 51 units (Units 157 through 207) configured in primarily Triplex Buildings (15 total) with six (6) stand-alone units, on an approximately 5.6-acre site in the Residential Development (RD) Zone, abutting the Park City Golf Course. The Applicant proposes to amend the condominium plat to clarify areas where condominium owners may convert or enclose interior and exterior spaces for private residential use within their existing building footprints and to rectify prior area expansions that were made outside of platted private residential space. In addition to

private residential space, the applicant intends to clarify areas for enclosed storage space for condo owners within portions of unused breezeway corridors on the ground level of buildings. Finally, the plat will show the dedicated Three Kings Drive Right-of-Way (ROW).

Background

In 1972 the location of Payday's parcel was in what was known as the Forest Estate Zone(F-E). A Planned Unit Development was a Conditional Use in this zone, providing it met the requirements of the Land Management Code.

On June 8, 1972, the Planning Commission approved a Conditional Use Permit for the Payday Condominiums for 21 buildings on 5.26 acres with 51 condominium units and 62 parking spaces (please see Exhibit E). The Payday Condominium plat was recorded with Summit County on May 30, 1972, by the Treasure Mountain Corporation (Entry No. 116009, See Exhibit D).

Within the F-E Zone, height regulations allowed up to two and one-half stories (2.5) or thirty-five feet (35') (Exhibit F, p. 4). In addition, under the 'Planned Unit Developments' portion of the code, additional height was allowed, explaining how portions of the Payday Condominiums were approved to be built to thirty-seven feet (37') (Exhibit F, p. 7). Based on information available through the County Assessors page, Staff confirmed the Payday Condominiums were constructed in 1972 and that the development complied with the LMC in effect at the time it was built.

Today, the Payday Condominiums are located in the Residential Development zone (RD) which has different zoning regulations than the former F-E Zone. Per LMC [Section 15-9-3\(B\)](#), "A Non-Complying Structure that was lawfully constructed with a permit prior to a contrary change in this Code may be used and maintained, subject to the standards and limitations of [Chapter 15-9]."

In 2018, an owner of one of the Payday Condominium units applied for a Building Permit to remodel their unit and add a small addition. Planning Staff at the time flagged the application because the proposed addition fell outside the platted private residential area for the unit. Upon further research, Staff discovered that the City had approved numerous remodels and additions over the years for other units which fell outside of the individual unit's platted private residential area. The applicant was advised that the best course of action would be to amend the plat to address the existing plat conflicts and to clarify the entire building envelope (building pad, footprint, height) within which remaining units may expand or enclose additional private residential space within their platted building pad.

On October 4, 2019, the Payday Condominium Association completed a vote of the owners for the filing of a Plat Amendment with 72.12% of votes in favor of the amendment. This exceeds the requirement of 67% of ownership approval required in the by State law.

On December 16, 2020, the applicant submitted an application for a Plat Amendment. Following discussions with the applicant and revised draft plat materials, Staff deemed the application complete on February 16, 2021.

On May 12, 2021, the Planning Commission reviewed the Plat Amendment and continued the item to a date uncertain ([Staff Report](#); [Minutes](#), p. 15). The Commission requested additional information from Staff and the Applicant to better understand the extent of the amendment. After further review, Staff found four (4) areas of nonconformities that would require mitigation and approval with the proposed plat amendment. The four (4) areas include, density, setback requirements, height exceptions, and parking requirements. The Analysis Section addresses each area and the extent of the non-conformity and recognizes areas of remediation. In addition, the applicant has submitted 3-D drawings to illustrate the potential expansions to the triplex and stand-alone buildings.

On October 13, 2021, the Planning Commission again reviewed the Plat Amendment in a Work Session ([Staff Report](#); [Minutes](#), p.10). The Commission requested a better understanding of the height exceptions within setback areas, the possibility of adding Conditions of Approval including Nightly Rental license requirements and specifying no further encroachments into the setbacks would be permitted past the existing footprint.

- Since the last meeting, the President of the HOA Board agreed to affirmatively emphasize the need for residents to obtain up to date Nightly Rental Licenses at Board meetings.
- A COA was also added to the Draft Ordinance (COA #6) stating “The Payday HOA shall provide all Unit owners affirmative notice of City nightly rental regulations and use reasonable business efforts to ensure compliance with the requirement for City Nightly rental licenses.”

Planning Staff have been supportive of the proposed Plat Amendment so long as the proposed areas for expanded residential space are contained within the existing platted building pad, which is what the applicant proposes with the current application. Benefits of the Plat Amendment include:

- The proposed Plat Amendment rectifies existing discrepancies within the plat for units that have already expanded and achieves substantial compliance with today's LMC.
- The amendment clearly defines where, what, and how much can be added to the existing units.
- The plat amendment eliminates the need to otherwise approve piecemeal incremental plat amendments for each unit moving forward when condo owners wish to expand their living space.
- The amendment will provide for a predictable and transparent process for remodels and additions within the condominium moving forward.
- The Payday HOA board finds the proposal equitably allocates developable space to those who have not yet expanded their condo units.
- The amendment updates the Payday Condominium to show the dedication of a portion of Three Kings Road that was recorded with the County in 1972 (Entry

No. 116020, Exhibit G).

Analysis

Note – a summary table of Analysis items is directly below Analysis Section.

The Planning Commission reviews and recommends Plat Amendments to City Council for final action.

(I) The proposal complied with the Forest Estate Zoning requirements at the time the Payday Condominiums were constructed. The Payday Condos currently are located in the Residential Development Zone and are existing Non-Complying Structures.

The additional square footage that the Applicant is requesting is approximately 760 sq. ft. per unit at full build-out. The square footage of the original Triplex Building units range from 1,422 sq. ft. to 1,928 sq. ft. The proposed addition(s) would allow for the triplex units to range from a max build-out of 2,182 sq. ft. to 2,688 sq. ft.

The single-unit buildings were originally platted for 1,355 sq. ft. With the roughly 760 proposed additional square feet, this would allow the single units to max out the floor area at 2,115 sq. ft.

Unit/Building Type	Approx. Existing sq. ft.	Approx. proposed addition per plat amendment	Approx. max floor area allowed at full unit build-out	Number of Units in this category
Triplex	1,442 sq. ft.	760	2,182 sq. ft.	30
Triplex	1,928 sq. ft.	760	2,688 sq. ft.	15
Single Unit	1,355 sq. ft.	760	2,115 sq. ft.	6

The purpose of the RD Zoning District in LMC [§ 15-2.13-1](#) includes *“providing a variety of residential uses that are compatible with the City’s development objectives, design standards, and growth capabilities; clustering of development to preserve Open Space; minimizing automobile impacts on design; promoting pedestrian connections; and providing opportunities for variation in architectural design and housing types.”*

Triplex Dwellings and Multi-Unit Dwellings are Conditional Uses in the RD zone. As mentioned above, the Planning Commission approved a Conditional Use Permit for the construction of the Payday Condos in 1972 (Exhibit E, p. 2, Conditional Use Permits). The project was processed as a Planned Unit Development, the predecessor to Master Planned Developments under the current LMC, which allowed for *“diversification in locating the various buildings, structures, housing types, open space and allowable heights of buildings as related to their sites and to encourage new and imaginative concepts in the design of housing and other type projects in the community”* (Exhibit F, p. 7).

Since the Payday Condos were constructed based on the regulations of a previous LMC; **Density**, **Setbacks**, and **Height** do not necessarily conform to the RD Zoning requirements of today's code. LMC [Section 15-15-1](#) defines a Non-Complying Structure as:

A Structure that:

1. legally existed before its current zoning designation; and
2. because of subsequent zoning changes, does not conform to the zoning regulations that now govern the land.

LMC [Section 15-9-6](#) states “[a]ny Non-Complying Structure may be repaired, maintained, altered, or enlarged, provided that such repair, maintenance, alteration, or enlargement shall neither create any new non-compliance nor shall increase the degree of the existing non-compliance of all or any part of such Structure.”

The two below images display the plat amendment proposals in regard to the structures or decks encroaching into the RD setback requirement and the portions of height proposed that are above the RD height requirement:

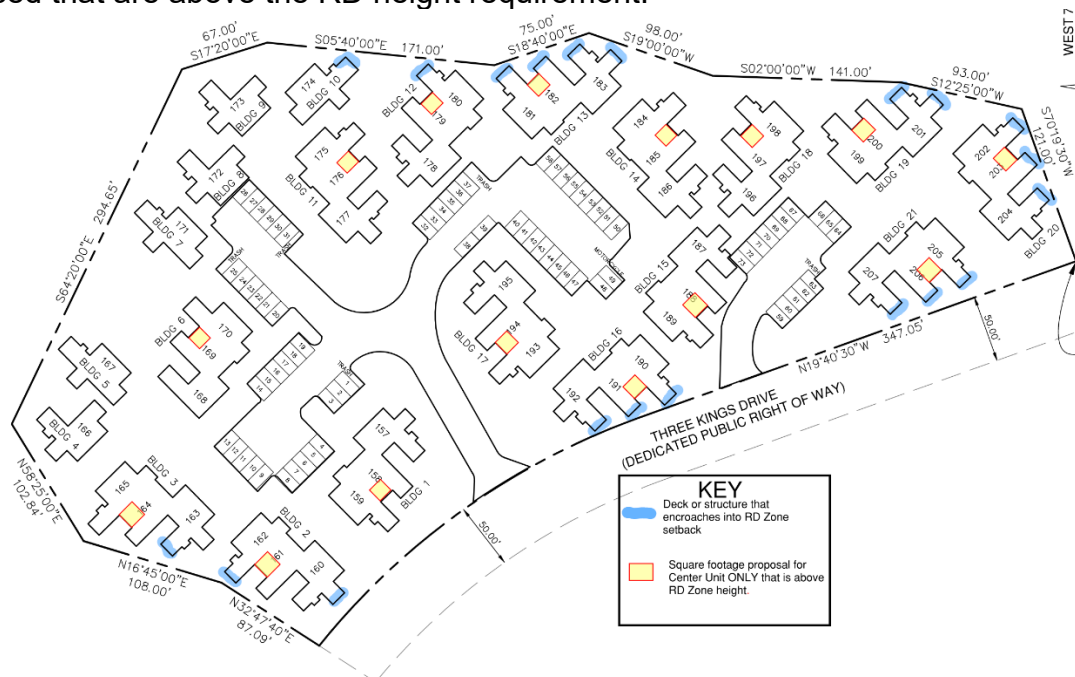


Figure 1- Overhead figure displaying the decks/structures that encroach into the setbacks and proposed square footage proposal that is over RD height.



Figure 2- Same representation as above - this image show the same display but in the context of Paydays location next to the golf course.

The current Lot and Site Requirements specifying maximum Density, Height, and Setbacks for the RD Zone are regulated under LMC [§ 15-2.13-3](#).

Density

The maximum Density in the RD Zone is three (3) units per acre and (5) units per acre for Master Planned Developments.

With 51 units and 5.6 acres, the average density is 9.1 Units per acre. The applicant is not proposing an increase to the total number of units nor unit footprint; therefore, Staff finds no increase in degree of non-conformity.

Setbacks

While the structures fronting Three Kings Dr. maintain an average setback of approximately 25' from the *front lot line*, the condominium units have building foundations located as close as 7.4' from the *side and rear lot lines*, with decks abutting the lot line in some instances. Additionally, showing the dedication of Three Kings Dr. on the condominium plat will create setback issues along the ROW. As the road and the Payday units have existed without negative consequence for almost 50 years, it is important to recognize that although the structures will be technically out of compliance with the current LMC –

- The structures were built legally.
- The location of these buildings and roads are not changing or expanding in any way.
- No negative impacts have required mitigation during the time they have existed.

The proposed Plat Amendment will not allow extensions into the setbacks past what currently exists. Proposed additions are required to fit within the existing building pad and not allowed be expanded further into the setbacks (Condition of Approval #4).

When the Payday plat was proposed in 1972 it was approved under a Conditional Use Permit as well as a Planned Unit Development. Both processes mandate site requirements but in terms of specific setbacks, the project was reviewed holistically with a provided development plan versus exact specifications in terms of setbacks. The development plan would indicate items such as “dimensions and locations of buildings and structures on the site, parking areas, and perspective drawings demonstrating the design and character of uses and the physical relationship of the uses and the surrounding area” (1972 LMC Chapter 17 Planned Unit Development 67-17-2.1, Exhibit I). As the Zone changed, the structures are now considered Non-Complying in the Residential Development (RD) Zone that uses specific setback requirements and does not recognize Planned Unit Developments in this context. In the RD Zone the required setbacks are as follows:

Current RD Setback Requirements:	
Front	20 feet
Side	12 feet
Rear	15 feet

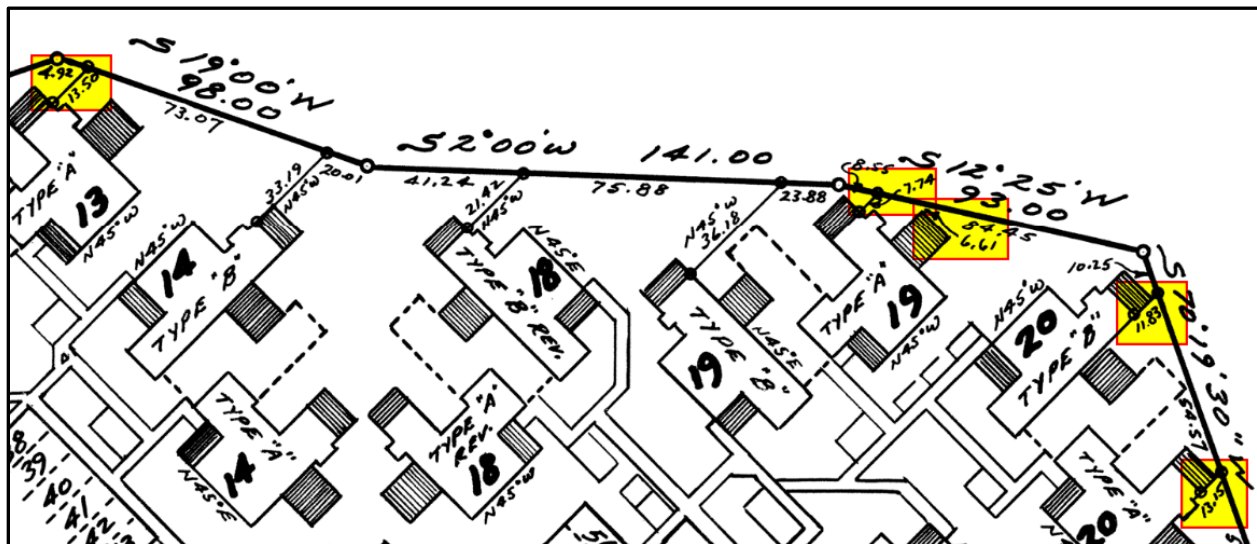


Figure 3 - Highlighted areas of decks or portions of units located less than 15' from the existing property line (See Exhibit J). Note- the Side yard setback is 12 feet, so some are still in compliance.



Figure 4 - Highlighted areas of decks or units less than 15' from property line. Note the PC Golf Course is the neighboring property which will not experience impacts since the buildings are not proposed to be expanded past their existing Building Pad.

Payday Condos is adjacent to Three Kings Drive which could be recognized as 'front facing' and the Park City Golf Course surrounds the rest of the property. The existing Non-Complying Structures abutting the property lines are shared with the Park City Golf Course. Besides the stray golf ball that is to be expected by all who live near a golf course, no issues have presented themselves with the close proximity and according to the HOA, both parties have maintained good relationships in regard to property line and maintenance. The following decks and/or units are located less than fifteen (15) feet from the existing property line (the larger of the two setback requirements):

Example of all non-compliant structure nearness to property lines.		
Unit Number	Feet from property line	Complies with RD Side yard Setback (12')
204	13.15'	✓
202	11.83'	
201	6.61'	
201	7.74'	
183	13.5'	✓
181	3.61'	
180	9.75'	
174	11.59'	
168	14.79'	✓
162	7.40'	

190	4.25'	
191	7'	
192	6.9'	

This Plat Amendment does not propose to allow these specific decks to be enclosed or enlarged. The plat also shows that none of these units within the setback area have been modified to expand the existing non-conformity. **The units are not expanding beyond their existing footprint.** Staff finds compliance with the existing Non-Complying Structures as they are not creating new non-compliance or increasing the degree of non-conformity.

All deck extensions must comply with RD Zone setbacks and if they are currently non-complying with the setback requirement, they will not be permitted to enlarge their deck. Several units will require extra attention when reviewing proposals for deck extensions, which are noted in COA #5.

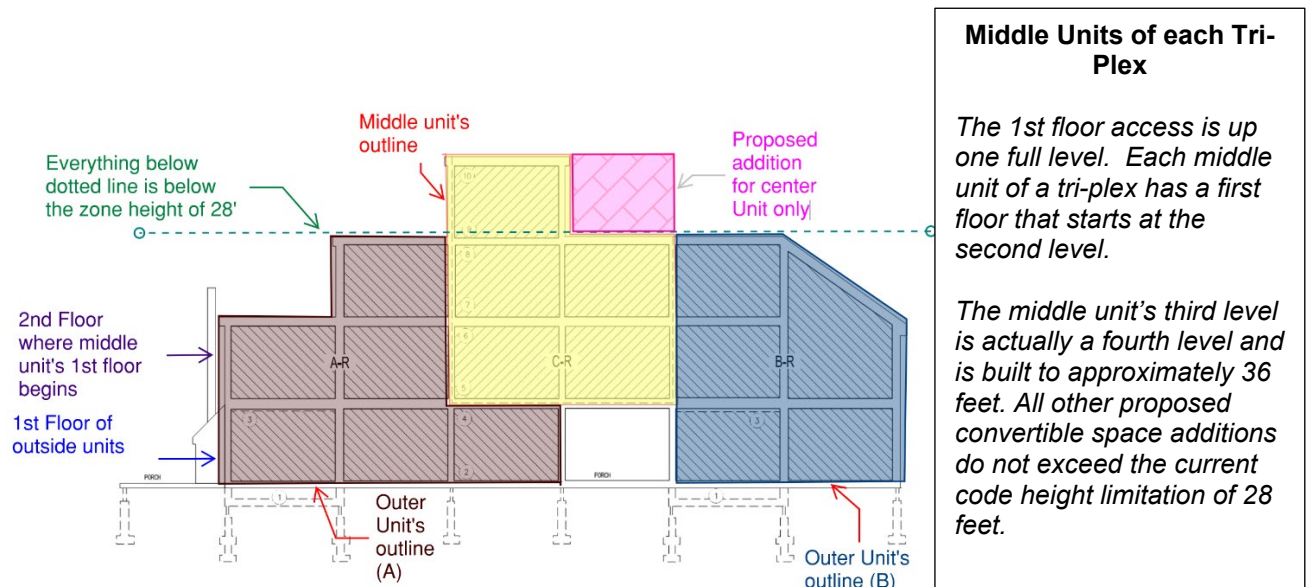
Height

The proposed amendments increase square footage for limited portions of the units that were built to the 1972 height allowance. However, there is no change or expansion of the existing footprint (Exhibit C).

The RD Zone limits height to 28' with an exception, allowing five (5) feet above Zone height with a 4:12 (or greater) pitched roof. Out of the 21 buildings, there are six (6) standalone buildings and fifteen (15) Triplex Buildings. **The six (6) standalone buildings are all compliant with the current RD Zone height and are not proposing additional height.**

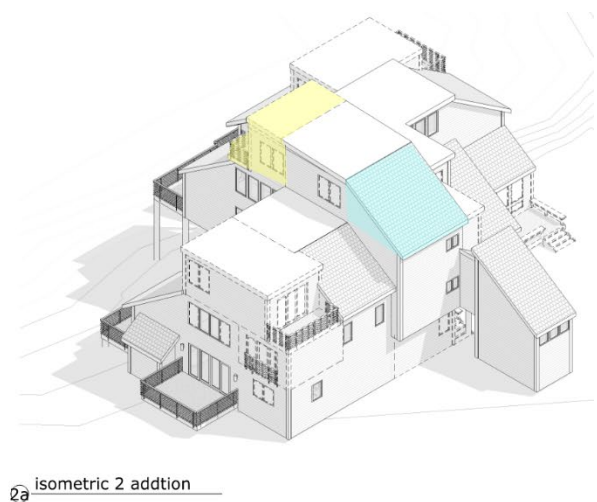
The Triplex Buildings reach a maximum height of **37 feet, only for the center units, which extend above the outer units by one level.** The Triplex Buildings complied with height established under the F-E Zone (35 feet) for which the area was zoned at the time the buildings were constructed (Exhibit F, p. 4). Additionally, the project was processed as a Planned Unit Development, which provided the Planning Commission with discretion regarding the building height, which explains why some of the units are at 37 feet above final grade (Exhibit F, p. 7).

The units in each Triplex Building are more or less the same layout and size with the middle unit being raised a level to allow for additional light. There is a stairwell leading from grade to the unit's first level which begins at the surrounding unit's second level.



Out of the fifteen (15) triplex units, the only portion that exceeds the height requirement in the RD is the **top level of the center unit**. Out of the 51 units on the property, 15 center units could potentially expand the top-level square footage. The applicants have reviewed many ways to add square footage to the center units to allow equitable dispersion of assets to the Payday community, but the original design of the building proves too difficult to add usable space that does not include the top level for the middle unit. The proposed addition to the upper level is adding roughly 144 square feet to the 4th floor.

Below are examples of the upper floor addition (highlighted) in comparison with what currently exists (left). The portion shaded yellow is the proposed addition, and the portion shaded blue is the additional square footage that will not change the existing roof line. The revision proposes a holistic look at the building. It attempts to accommodate the middle unit in the full build-out design for an end product that reads harmoniously across all three units.

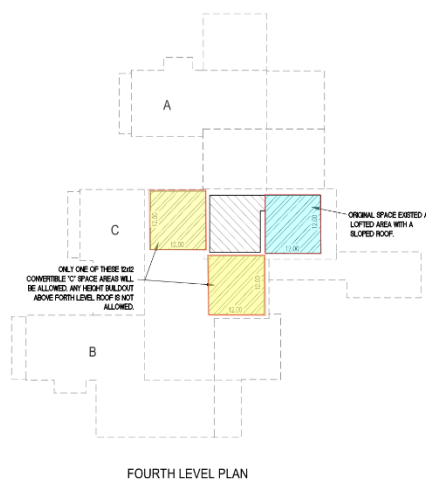
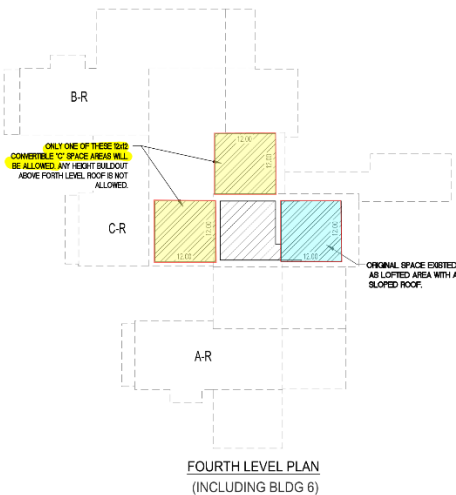




① isometric 1 existing



①a isometric 1 addition



The yellow and blue colored spaces are the proposed Center Unit expansion areas shown on both the illustration of the buildings (above) and the plat (left).

The yellow boxes show the areas that the Center Unit may add square footage to their unit. These are the only additions proposed on the plat that are above RD Zone height.

It notes on the plat, that only one (1) of the two (2) spaces may be allowed to be converted.

Parking Requirements

From the 1968 LMC, the Payday Condos were required to provide 51 spaces for 51 units:

67-6-2. PARKING SPACE FOR DWELLINGS.

In all zones there shall be provided space for the parking of one (1) automobile for each dwelling unit in a new dwelling, or each dwelling unit added in the case of the enlargement of an existing building.

Over time, the development added spaces for a total of 72 parking spots. The current parking threshold for Multi-Unit Dwellings that are 2,000 sq. ft. or greater is 2 parking spaces per unit. Per LMC [Section 15-3-6 Parking Ratio Requirements for Specific Land Use Categories](#) a Multi-Unit Dwelling has different requirements based on Apartment/Condominium size seen in the table below:

Use		Parking Ratio (Number of Spaces)
Multi-Unit Dwelling	Apartment/Condominium not greater than 1,000 sq. ft. floor Area	1 per Dwelling Unit
	Apartment/Condominium greater than 1,000 sf and less than 2,000 sq. ft. floor Area	1.5 per Dwelling Unit
	Apartment/Condominium 2,000 sq. ft. floor Area or greater	2 per Dwelling Unit

In the RD zone, the purpose includes intentions for “growth capabilities”, “clustering of residential units”, and “minimizing impacts of the automobile on architectural design” ([LMC § 15-2.13](#)). With the added parking spaces over time, the applicant attests that there are no issues with parking and no more would be anticipated as the use and the density is not increasing - only the square footage. HOA regulations state that each owner may have one (1) space per unit and there are twenty-two (22) additional spaces for owner and guest use.

According to the HOA, there have never been any complaints to the HOA regarding parking and the only time the development has had issues was during Sundance in which the HOA has remediated with managed parking and car hang tags, during this time. The existing non-conformity with the Plat Amendment will not be expanded because no additional units will be added and it is in keeping with the purpose of the RD zone, as well as the City’s transit first, car optional philosophy. The area is also dense with bus stops (three bus stops within a 5-minute walk) and amenities such as hiking and biking trails, a restaurant, and a ski lift.



Summary of Analysis Items

Item	Existing Conditions	Proposed Conditions with Plat Amendment	Staff Analysis
Density	RD Zone max Density: - 3 units per acre - 5 units per acre for MPDs	Pay day Condos is comprised of 51 units and 5.6 acres. 9.1 Units per acre. conformity.	The applicant is not proposing an increase to the total number of units; therefore, Staff finds no increase in non-conformity. <i>Complies.</i>
Setbacks	RD Setback Regulations: Front - 20 feet Side - 12 feet Rear - 15 feet Payday Status: Existing Non-Complying Structures, meaning the structures were legally approved and built within the requirements of the existing code at time of construction.	The structures are not moving any further into the setbacks nor are expanding into the setbacks. All expansions of square footage are proposed within the existing footprint.	The units are not expanding beyond their existing footprint. The existing Non-Complying Structures are not creating new non-compliance or increasing the degree of non-conformity. <i>Complies.</i>
Height	The RD Zone limits height to 28'. Payday Status: Existing Non-Complying Structures, meaning the structures were legally approved and built within the requirements of the existing code at time of construction.	The 15 center units of the triplexes are proposing a 12x12 maximum, square footage increase, added on to the top level. These are the only units that are proposing additional square footage above the existing current RD Zone height. All other units are under the 28' Zone height and	The proposal creates an equitable solution basis for consent to support the majority vote in support of the plat amendment. For regulatory purposes, the Plat Amendment achieves a significant degree of compliance compared to the existing situation. <i>Complies.</i>

	Currently, 15 units out of 51 are above the height limit.	are not proposing height additions.	
Parking	51 parking spaces were approved for 51 units. LMC parking requirements require 102 parking spaces per square footage calculation.	72 Parking Spaces exist.	The number of units is not increasing; there will be the same number of parking spaces for the same number of units, therefore, Staff finds substantial compliance with the LMC. No complaints recorded regarding parking. The area provides amenities and public transportation. The proposal to keep existing parking without expansion is in keeping with the RD Zone Purpose. <i>Complies.</i>

(II) The proposal complies with the Payday Condominium Plat requirements.

The Payday Condominium Plat established building envelopes for each platted unit. The applicant has provided draft plat maps which demarcate the locations of the original private residential floor area approved with the 1972 plat (Private Ownership Area 'A'), locations within which condominium homeowners have converted interior loft space or outdoor decks/porches (Private Ownership Area 'B'), locations within which condominium owners may expand within the future (Convertible Space Area 'C'), and locations of existing and proposed storage. The applicant provides the following explanation to the Plat legend:

1. **Private Ownership 'A'** means and refers to all the previously existing privately-owned property as shown on the original Map or Maps, property privately owned prior to the Private Ownership Area B Effective Date.

Explanation: Specifically, this is referring to all the private ownership areas documented on the original 1972 plat for Payday.

2. **Private Ownership Area 'B'** means and refers to the property changed from Common Area, or Limited Common Area to Private Ownership which, hereafter, shall for all purposes be considered part of each Unit, as shown on this Amended Map, including by way of illustration but not limitation, private ownership, taxes, assessments, insurance, liability, maintenance, repair and replacement.

*Explanation: Ownership 'B' is any area **currently existing** which was expanded from the time of the original 1972 plat up to the date of this new amended plat. Many units back in the late '80s and early '90s expanded their units onto Common Area grounds, Limited Common Area decks, plus expanded within the boundary of their private ownership building area (such as, creating useable living space over lofted dining areas and capturing useable storage space at sloped roof areas.) As part of this amended plat submittal, we show record of our HOA approval to plat these areas as part of the proposed amended plat.*

3. **Convertible Space Area 'C'** means and refers to all of the previously existing property (Common Area or Limited Common Area) as shown on the Amended Plat, and changed to Private Ownership at some point in the future.

Explanation: This shows that some Common and Limited Common areas which are within the building pad as shown on the original 1972 plat can be modified to Private Ownership property at some point in the future to the limits specified within the building envelope provided on this amendment. By showing these areas on the amended plat now it simplifies future plat and building permit processes as homeowners are able to remodel. The City Planning Department requested that Payday document and show all possible future convertible space on the amended

plat for each unit. This convertible space shall transfer forward to current and future homeowners.

4. Storage – Existing (As Shown on Sheets 5,6 & 7)

*Explanation: **These storage areas are existing storage areas that, once again, were built in the late '80s – early '90s** and sit on Common Area and/or Limited Common Area. No record for approval exists with the City, County, or Payday HOA. Again, these areas have now been approved by the HOA under this Plat Amendment submittal.*

5. Storage – Convertible (As shown on Sheets 10,11 & 12)

*Explanation: These storage areas are **proposed storage areas** which are located:*

- under a portion of the breezeways for each tri-plex unit.*
- underneath various tri-plex units with adequate overhead clearance (Payday units are built on a pier system, whereas there are large open areas beneath some units. These are the areas where we are proposing for storage, so long as reasonable vertical clearances are met for storage, and the areas are integrated architecturally into the building)*
- Single Units (Payday has six single units with no common walls). Four of these units do not have either of the above options for storage. In addition, two single units have existing storage beneath or alongside their units. We propose that four of the single units, without existing storage, be allowed to add a storage area alongside an exterior wall, which would be integrated architecturally into the building.*

6. Decks -

The applicant is proposing to allow decks (below 30" from final grade) to be built within common area pending HOA approval. This is consistent with Staff protocol unless stated otherwise within plat notes **and** if the deck proposal complies with all LMC requirements. For clarity, Staff proposes a plat note stating "Bottom level patio deck extensions that are LMC compliant and receive Payday board approval may be approved without a plat amendment. The deck will be in common area perpetually which keeps in the ownership of the Payday HOA. No decks will be permitted to expand into the setbacks"

As the applicant has explained, and as demonstrated on the draft plat maps, the proposed additional private residential spaces, both Private Ownership Areas B and Private Ownership Areas C, as well as proposed storage locations, are contained within the original platted building pads for the units as described on the various sheets.

(III) The proposal complies with LMC § 15-7.1-3(B).

The amendment of a plat or platted elements requires (a) a finding of Good Cause and

(b) a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.

(a) Good Cause

LMC § 15-15-1 defines *Good Cause* as “[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include such things as: providing public amenities and benefits, resolving existing issues and non-conformities, addressing issues related to density, promoting excellent and sustainable design, utilizing best planning and design practices, preserving the character of the neighborhood and of Park City and furthering the health, safety, and welfare of the Park City community.”

Staff has determined there is Good Cause for the Plat Amendment due to several items:

1. The proposed Plat Amendment resolves existing issues and non-conformities while enhancing the degree of compliance on the property. Further, the plat ensures compatibility, and offers a straightforward process for additions to the Payday owners and City Staff in the future.
2. The amendment will allow greater equity amongst residents so all Payday owners can enjoy the same allowances without imposing unreasonable hardships on a certain few owners that inhabit Non-Complying Structures.
3. The amendment will provide benefits to the owners while mitigating the impacts by only utilizing space already within the building pad and by creating a definitive building envelope in which to expand.
4. The Plat Amendment furthers the health, safety, and welfare of the Park City community.
5. The Plat Amendment will show the road dedication of Three Kings Drive.

(b) No Right-of-Way is Vacated and Easements Must be Shown on the Final Plat

Staff finds that the proposed plat amendment complies as the existing Right-of-Way is shown on the amended plat, as well as the relevant easements.

Department Review

The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application with no issues.

Notice

Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on January 11, 2022. Staff mailed courtesy notice to property owners within 300 feet on January 11, 2022. The *Park Record* published notice on January 12, 2022.

Public Input

No public input was received prior to the publication of this Staff report.

Alternatives

- The Planning Commission may forward a positive recommendation for the Payday Condominium Amended Plat for City Council's consideration on March 3, 2022;
- The Planning Commission may forward a negative recommendation for the Payday Condominium Amended Plat for City Council's consideration on March 3, 2022, and direct Staff to make findings for the negative recommendation;
- The Planning Commission may continue the Payday Condominium Amended Plat to a date certain.

Exhibits

Exhibit A: Draft Ordinance and Proposed Plat

Exhibit B: Applicant Narrative

Exhibit C: 3D Drawings

Exhibit D: Original Plat from 1972

Exhibit E: June 8, 1972, Planning Commission Meeting Minutes

Exhibit F: 1968 Zoning Regulations

Exhibit G: Road Dedication of Three Kings Drive

Exhibit H: Current Parking Plan

Exhibit I: 1972 LMC Chapter 17 Planned Unit Development 67-17-2.1

Exhibit J: Setback Non-Compliance Review

Ordinance No. 2022-XX

**AN ORDINANCE APPROVING THE PAYDAY CONDOMINIUM AMENDED PLAT,
LOCATED AT 1660 AND 1700 THREE KINGS DRIVE, PARK CITY, UTAH.**

WHEREAS, the representative of the owners of the property known as the Payday Condominiums has petitioned the City Council for approval of a request for an amendment to the plat to clarify developable private residential space within Payday Condominium units by allowing for the conversion or acknowledgement of previously converted Limited Common Areas and Common Areas to Private Ownership as specified on the amended plat by unit type and location; and

WHEREAS, on January 11, 2022, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, courtesy notice was sent to all affected property owners on January 11, 2022 and legal notice was published in the Park Record and Public Notice Website; and

WHEREAS, the Planning Commission held a public hearings on May 12, 2021, October 13, 2021 and January 26, 2022 to receive input on the amended plat;

WHEREAS, the Planning Commission, on January 26, 2022, forwarded a ----- recommendation to the City Council; and,

WHEREAS, on March 3, 2022, the City Council held a public hearing on the amended plat; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the Payday Condominium Amended Plat to reflect as-built conditions and allow owners to expand private residential space without increasing the building pad or parking requirements beyond existing conditions; and

WHEREAS, Staff finds that the plat will not cause undue harm to adjacent property owners.

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 Payday Condominium Amended Plat, as shown in Attachment 1, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 1660 and 1700 Three Kings Drive.
2. On June 8, 1972, the Planning Commission approved a Conditional Use Permit for the Payday Condominiums.
3. The Payday Condominium plat was recorded with Summit County on May 30, 1972.
4. In 1972 the Payday Condominiums were located in the Forest Estate (F-E) zone.
5. Planned Unit Developments were considered a Conditional Use in the F-E zone and the Payday Condos met all zone requirements at the time of approval.
6. The Payday Condominiums subdivision contains 21 buildings and 51 units.
7. In 2018 Planning Department staff informed representatives of the Payday Condominiums Association that a plat amendment would be required in order to rectify existing inconsistencies and clarify locations for future expansion in units which had not expanded.
8. The Payday Condos are now located in the Residential Development (RD) zone.
9. The proposed amendment is consistent with the purpose statements of the RD zoning district.
10. All additions to units are proposed within the existing building footprint.
11. The discussion and findings in the Staff Reports dated 1/26/22, 10/13/21 and 5/12/21 are incorporated herein.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. No building permit application may be submitted until after this plat amendment has been recorded.
4. Proposed additions are required to fit within the existing building pad and not allowed be expanded further into the setbacks.
5. All deck extensions must comply with Residential Development Zone setbacks. If the unit's deck is currently non-complying with the setback requirement, the unit owner shall not enlarge their deck. The plat amendment shall include a note outlining the following:
"The units identified below may only extend if the deck fully complies with

Residential Development Zone setbacks.

- a. Building 2 – Units 160, 161, 162
 - b. Building 3 – Units 163, 164, 165
 - c. Building 4 – Unit 174
 - d. Building 10 – Unit 174
 - e. Building 12 – Unit 180
 - f. Building 13 – Unit 181, 182, 183
 - g. Building 16 – Unit 190, 191, 192
 - h. Building 19 – Unit 201
 - i. Building 20 – Unit 202, 203, 204
 - j. Building 21 – Unit 205, 206, 207”
6. Deck extensions, less than 30” above final grade, that are LMC compliant and receive Payday board approval, may be approved without a plat amendment. The deck will be in common area perpetually which keeps in the ownership of the Payday HOA.
7. The Payday HOA shall provide all Unit owners affirmative notice of City nightly rental regulations and use reasonable business efforts to ensure compliance with the requirement for City Nightly rental licenses.

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

PASSED AND ADOPTED this 3rd day of March, 2021.

PARK CITY MUNICIPAL CORPORATION

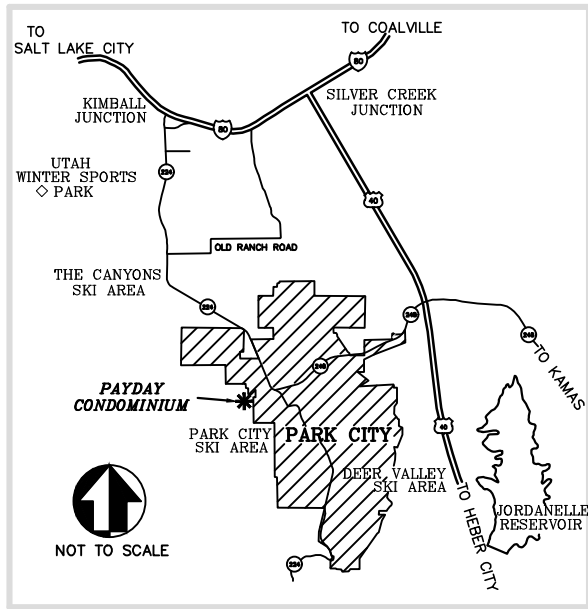
Nann Worrel, MAYOR

ATTEST:

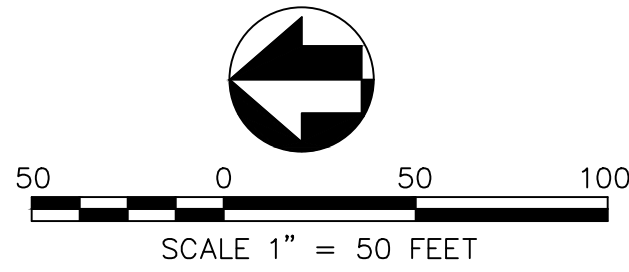
City Recorder

APPROVED AS TO FORM:

City Attorney's Office



VICINITY MAP

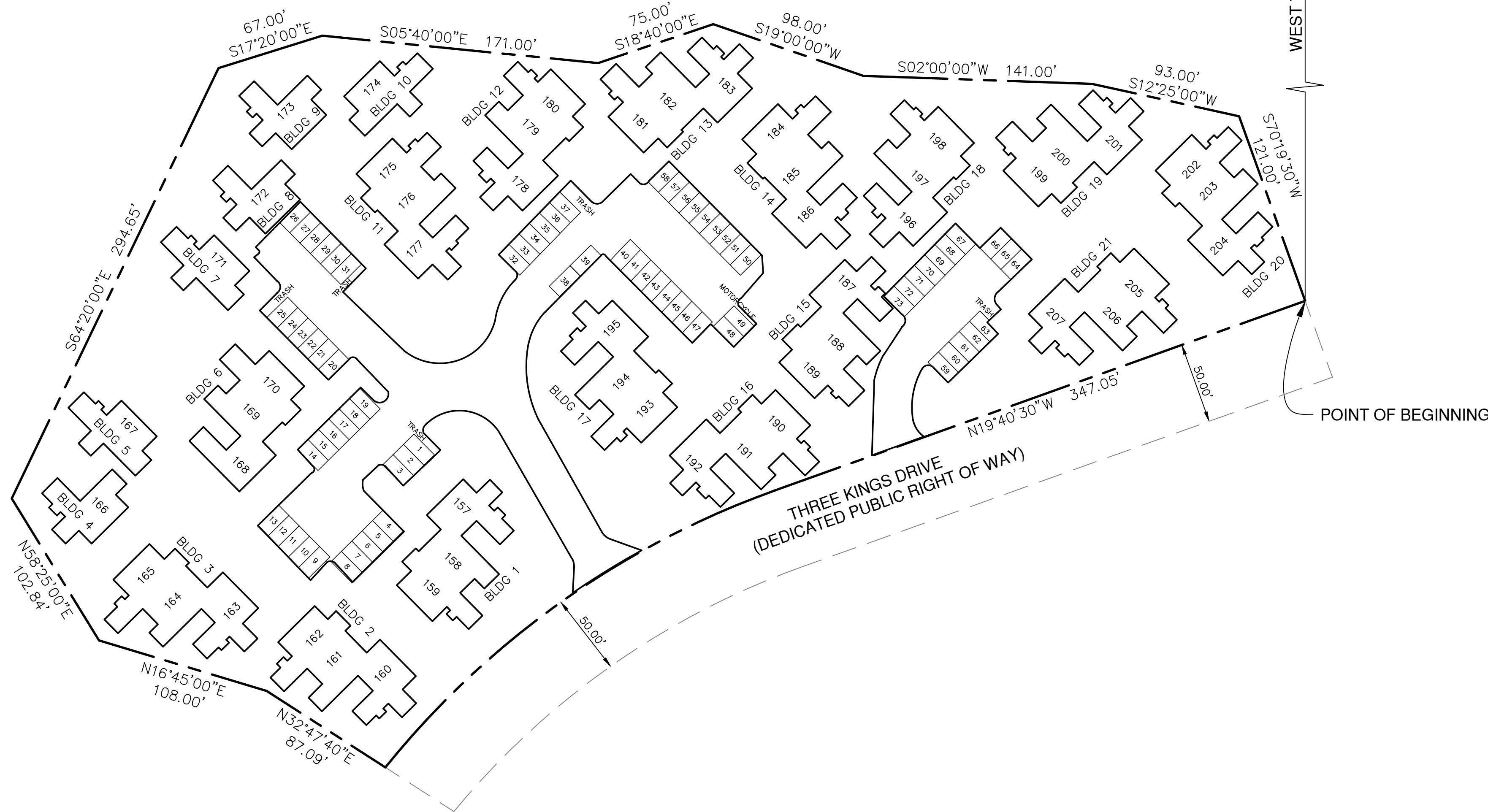


PAYDAY CONDOMINIUM—AMENDED

LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SOUTHEAST CORNER
SECTION 8, T2S, R4E
SALT LAKE BASE AND MERIDIAN

PARK CITY MUNICIPAL
CORPORATION
PARCEL #PCGCBNS-1



PARK CITY MUNICIPAL
CORPORATION
PARCEL #PCGCBNS-1

NOTES:

- This Amended Record of Survey Map is an Amendment of sheets 1, 2, 3, 4, and 5 of the PAYDAY CONDOMINIUM, recorded June 2, 1972, as Entry #116125 in the Summit County Records Office. Sheet 1, shall remain intact.
- All other conditions of approval of the PAYDAY CONDOMINIUM project continue to apply.
- Recorded concurrently herewith the Corrected Amendment to the Condominium Declaration for PAYDAY CONDOMINIUM. This Amended Record of Survey Map has been prepared in connection with said Amended Declaration which provides for, but not limited to, the following:
"Private Ownership Area A" means and refers to all of the previously existing privately-owned property as shown on the original Map or Maps, property privately owned prior to the Private Ownership Area B Effective Date.
"Private Ownership Area B" means and refers to the property changed from Common Area, or Limited Common Area to Private Ownership which, hereafter, shall for all purposes be considered part of each Unit, as shown on this Amended Map, including by way of Illustration but not limitation private ownership, taxes, assessments, insurance, liability, maintenance, repair and replacement.
"Convertible Space Area C" means and refers to the property to be changed in the future from limited common and/or Private interior areas to be expanded within the original existing building footprint.
- The dimensions of the private spaces and square footage calculations are based on the Record of Survey Map of "PAYDAY CONDOMINIUM" (see Note 1), and on measurements in the field. Minor variations may occur. It is the intent that the private ownership area of the units will be as constructed. In all cases where necessary in the opinion of the Community Development Department, a certified survey will be required prior to issuance of a building permit to verify setbacks or other Land Management Code regulations.
- The conversion of Common Area and/or Limited Common Area to Private Ownership Area B was approved on October 4, 2019 by more than two-thirds of the PAYDAY CONDOMINIUM unit owners. Record of the unit owners approval is on file with the PAYDAY Homeowners Association, Inc.
- SNYDERVILLE BASIN WATER RECLAMATION DISTRICT REQUIREMENTS. No Management Committee approval shall be issued for any proposed structural alteration within the Private Ownership Area B unless and until a receipt from the Snyderville Basin Reclamation District (the "SBWRD") is submitted. This receipt must indicate payment of additional Impact Fees required as a result of the alteration, or if no additional fees are required, written evidence of SBWRO review.
- CROSS EASEMENTS. Private Ownership Area B is subject to described easements and rights of way, together with on easement or right of way for laterals which may cross said Area affecting more than one Owner, and other similar easements, rights of way, appurtenances to or accompanying the authorized improvement of sold Area, which rights are hereby expressly reserved.
- Refer to the original plat recorded June 2, 1972 as Entry No. 116125 in the office of the Summit County Recorder for building ties to property boundary.

SURVEYOR'S CERTIFICATE

I, Craig E. Ahrens, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 270814 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 unit owners(s), at the PAYDAY CONDOMINIUM PROJECT acting as a group in accordance with the Declaration of Covenants, Conditions, and Restrictions for PAYDAY CONDOMINIUM, a Utah Condominium Project, this Amended Record of Survey Map of PAYDAY CONDOMINIUM, which consists of sheets 1 thru 7, in accordance with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act. I further certify the information shown hereon is accurate and correct.

Craig E. Ahrens, LS #270814

DATE

LEGAL DESCRIPTION

PAYDAY CONDOMINIUM, according to the official plat thereof recorded June 2, 1972 as Entry No. 116125 of the official records in the office of the Summit County Recorder, being more particularly described as follows less the dedicated public right of way of Three Kings Drive:

BEGINNING at a point North 1077.84 feet and West 766.13 feet from the Southeast corner of Section 8, Township 2 South, Range 4 East, Salt Lake Base and Meridian, and running thence North 19°40'30" West 347.05 feet to a point of a curve to the left the center of which is South 70°19'30" West 545.00 feet; thence Northwesterly along the arc of said curve 298.93 feet; thence North 32°47'40" East 87.09 feet; thence North 16°45' East 108.00 feet; thence North 58°25' East 102.84 feet; thence South 64°20' East 294.65 feet; thence South 17°20' East 67.00 feet; thence South 5°40' West 171.00 feet; thence South 18°40' East 75.00 feet; thence South 19°00' West 98.00 feet; thence South 2°00' West 141.00 feet; thence South 12°25' West 93.00 feet; thence South 70°19'30" West 121.00 feet to the point of beginning.

Contains 211,356 square feet or 4.852 acres.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS THAT, the undersigned owner(s) of the herein as described tract of land, hereby certify that they have caused this survey to be made and this Amended Record of Survey Map to be prepared consent to the recordation of this Amended Record of Survey Map.

Susan Philipp, President

PAYDAY CONDOMINIUM Homeowners Association, Inc.

Date

ACKNOWLEDGMENT

State of _____ ;
County of _____ ss:

On this _____ day of _____, 2022, personally appeared before me, the undersigned Notary Public, in and for said County and State, Susan Philipp, being duly sworn, acknowledged to me that she is the president of the PAYDAY CONDOMINIUM Homeowners Association, Inc., and that she signed the above Owner's Dedication and Consent to Record for, on, and in behalf of all the unit owners at the PAYDAY CONDOMINIUM Project acting as a group (under the name PAYDAY CONDOMINIUM Homeowners Association, Inc.) in accordance with the Utah Condominium Ownership Act, U.C.A., Section 57-1-1 et seq. (1963) as amended and supplemented, and Declaration of Covenants, Conditions, and Restrictions for PAYDAY CONDOMINIUM.

Notary Public

Residing in: _____

My commission expires: _____

RECORD OF SURVEY MAP
PAYDAY CONDOMINIUM—AMENDED
A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 1 OF 7

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

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

DAY OF _____, 2022 A.D.

BY _____
S.B.W.R.D.

PLANNING COMMISSION

APPROVED BY THE PARK CITY PLANNING COMMISSION
THIS _____, DAY OF _____, 2022.

BY _____
CHAIR

CITY ENGINEER

THIS PLAT IS IN ACCORDANCE WITH INFORMATION ON
FILE IN THE PARK CITY ENGINEERING DEPARTMENT.
THIS _____, DAY OF _____, 2022.

CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM
THIS _____, DAY OF _____, 2022.

BY _____
PARK CITY ATTORNEY

CERTIFICATE OF ATTEST

I CERTIFY THIS RECORD OF SURVEY
MAP WAS APPROVED BY PARK CITY COUNCIL
THIS _____, DAY OF _____, 2022.

BY _____
PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE

APPROVED AND ACCEPTED BY THE PARK CITY
COUNCIL THIS _____, DAY OF _____, 2022.

MAYOR

RECORDED

ENTRY NO. _____ BOOK _____ PAGES _____

STATE OF UTAH

COUNTY OF SUMMIT

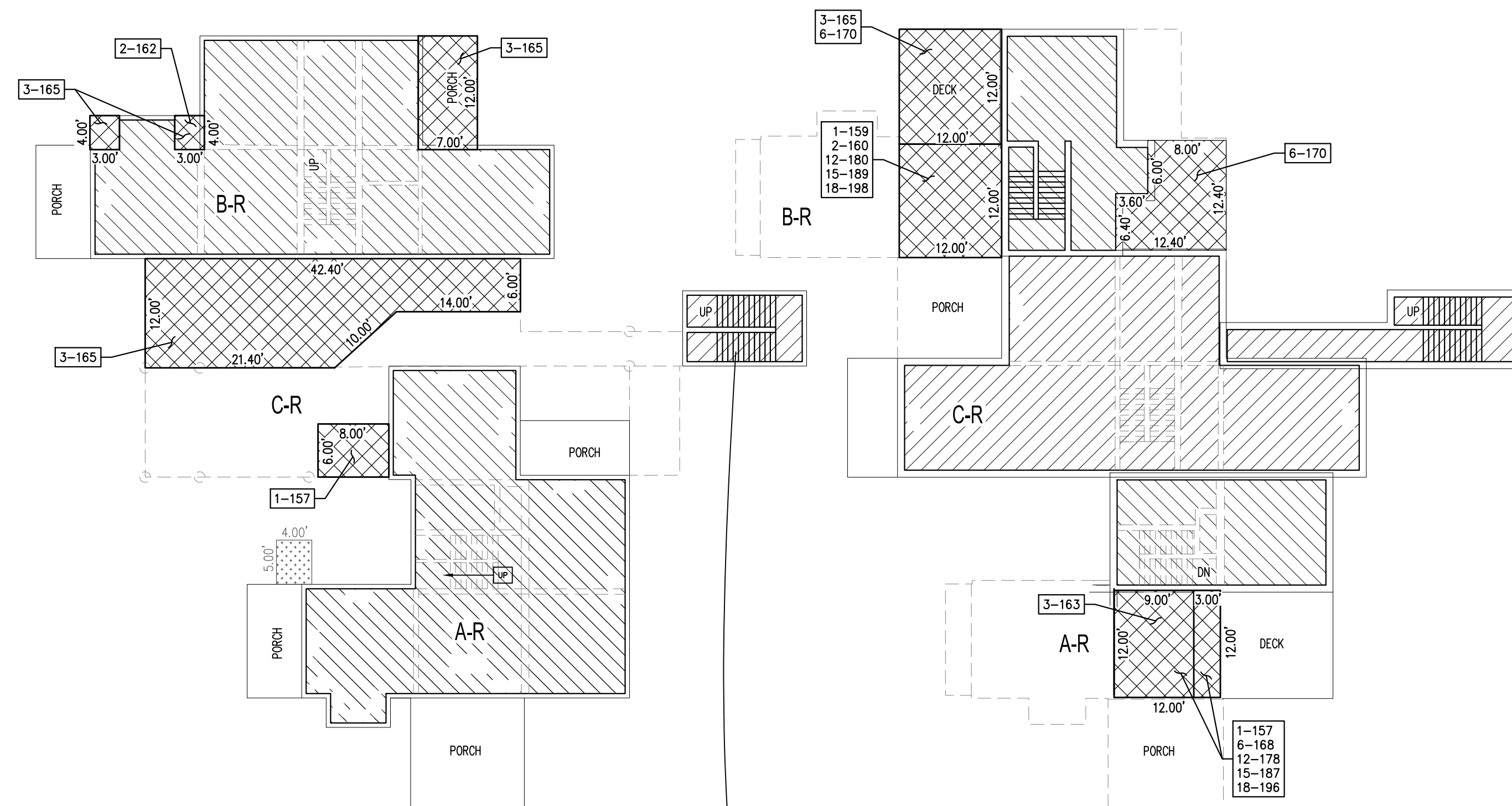
RECORDED AND FILED AT THE REQUEST OF:

COUNTY RECORDER

P S O M A S

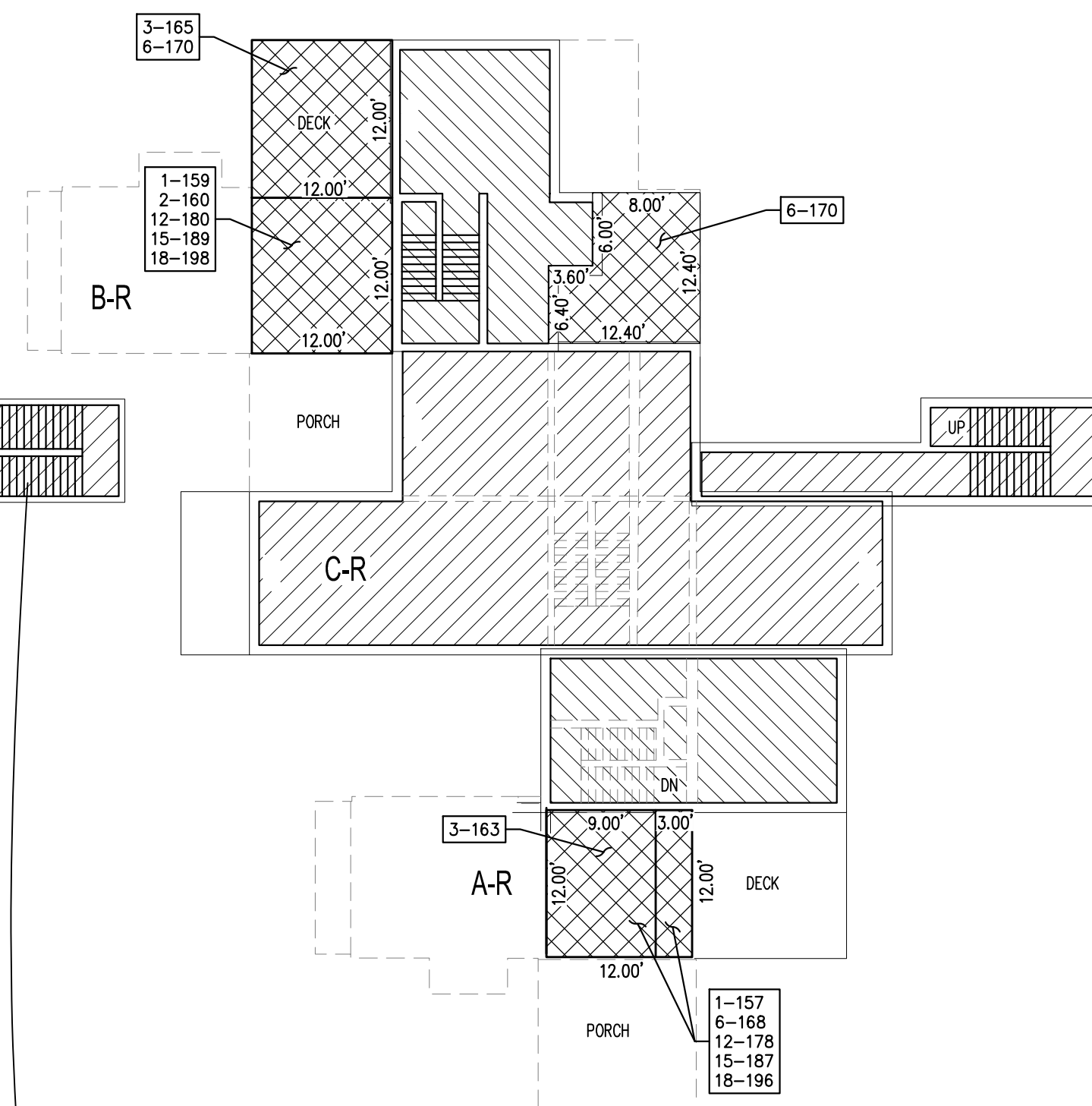
4179 South Riverboat Road, Suite 200
Salt Lake City, Utah 84123
(801) 270-5777 (801) 270-5782 (FAX)

DECEMBER 17, 2021



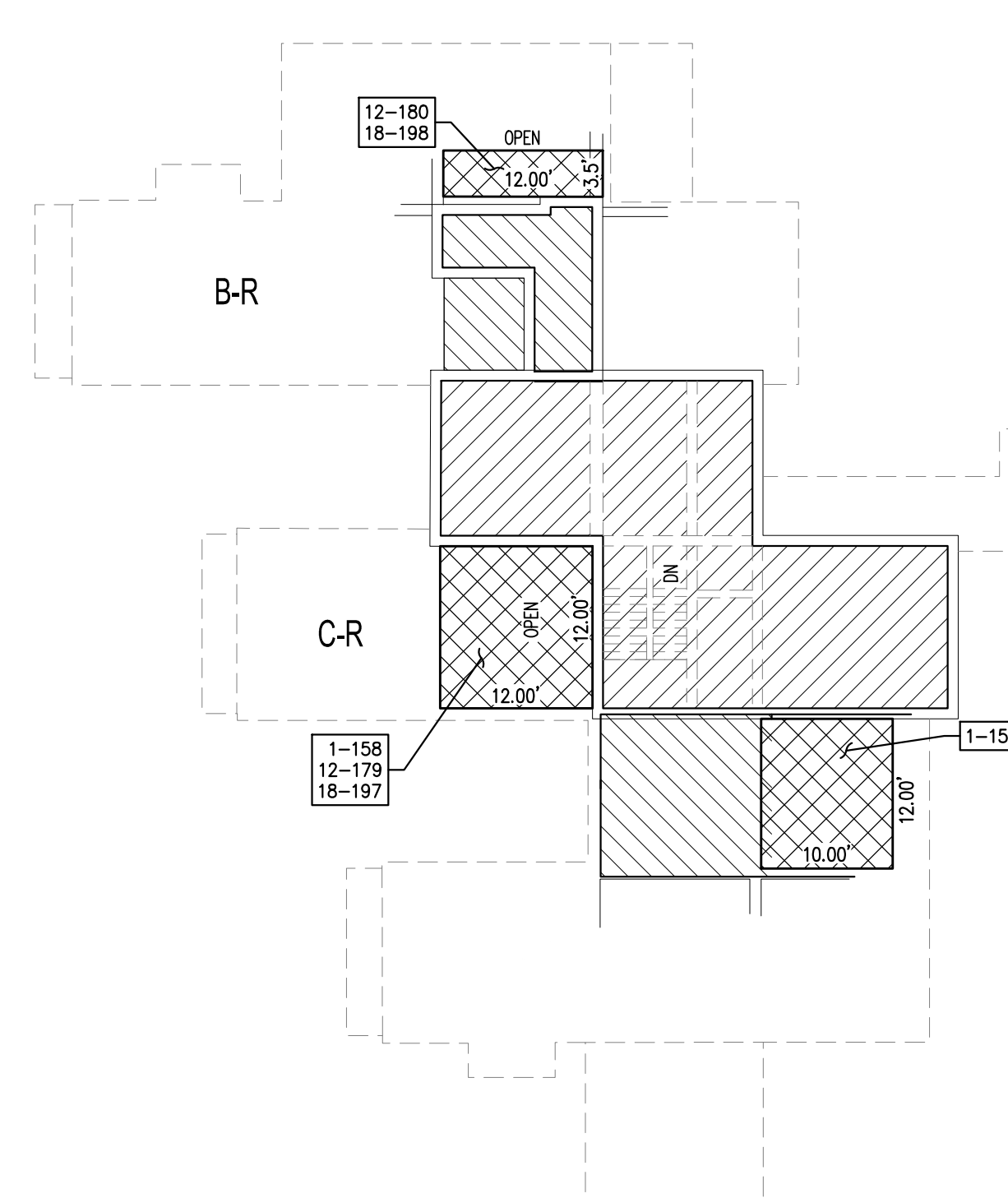
FIRST LEVEL PLAN - LAYOUT 1

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ FT
1	157	48
2	162	12
3	165	412
3	165	84
3	165	(2) X 12



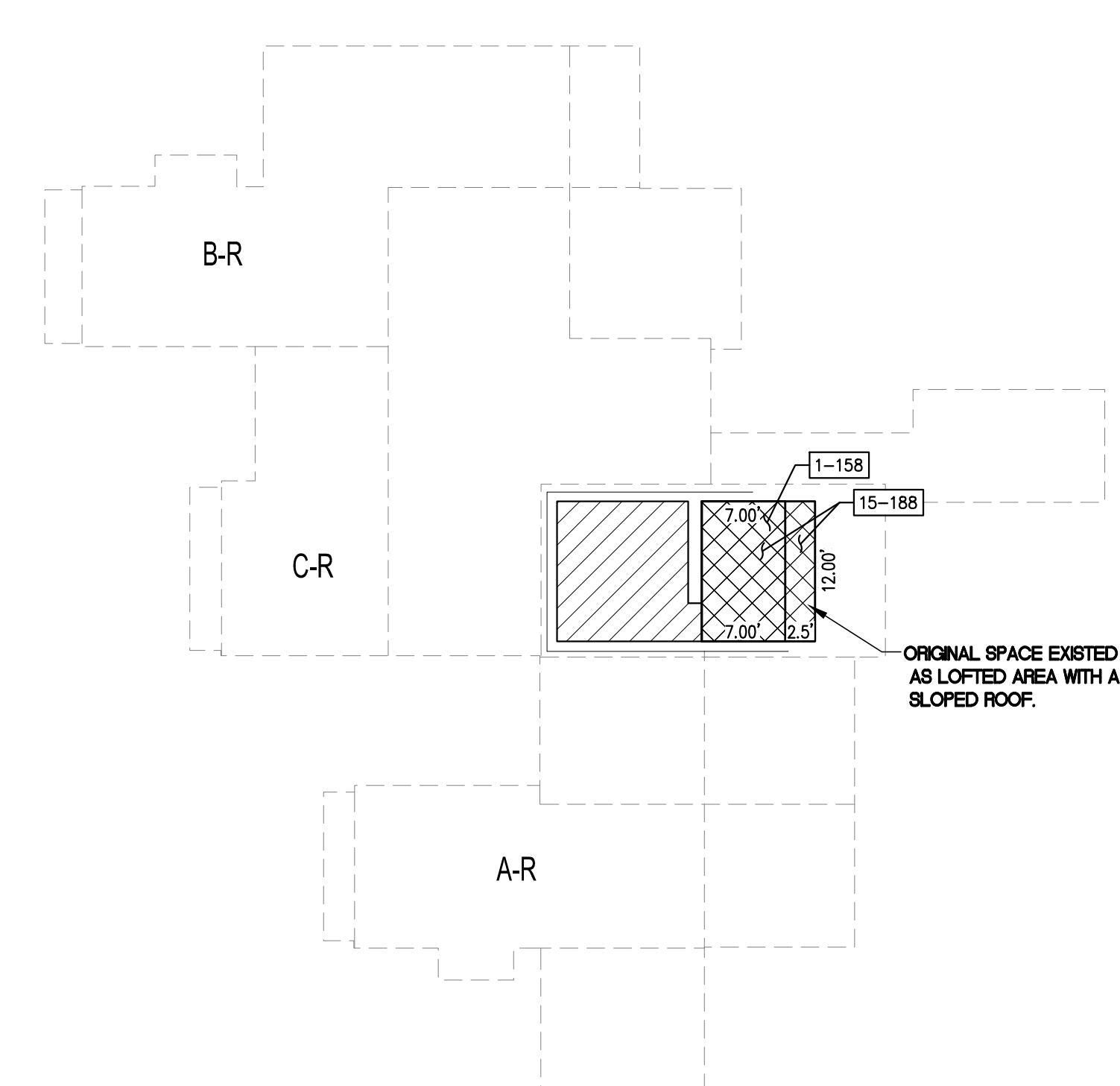
SECOND LEVEL PLAN

OWNERSHIP		AREA "B" INFORMATION	
BLDG	UNIT NO.	SQ FT	
1	157	144	
1	159	144	
2	160	144	
3	165	144	
6	168	144	
6	170	144	
6	170	133	
12	180	144	
12	178	144	
15	187	144	
15	189	144	
18	198	144	
3	163	108	
18	196	144	



THIRD LEVEL PLAN - LAYOUT 1

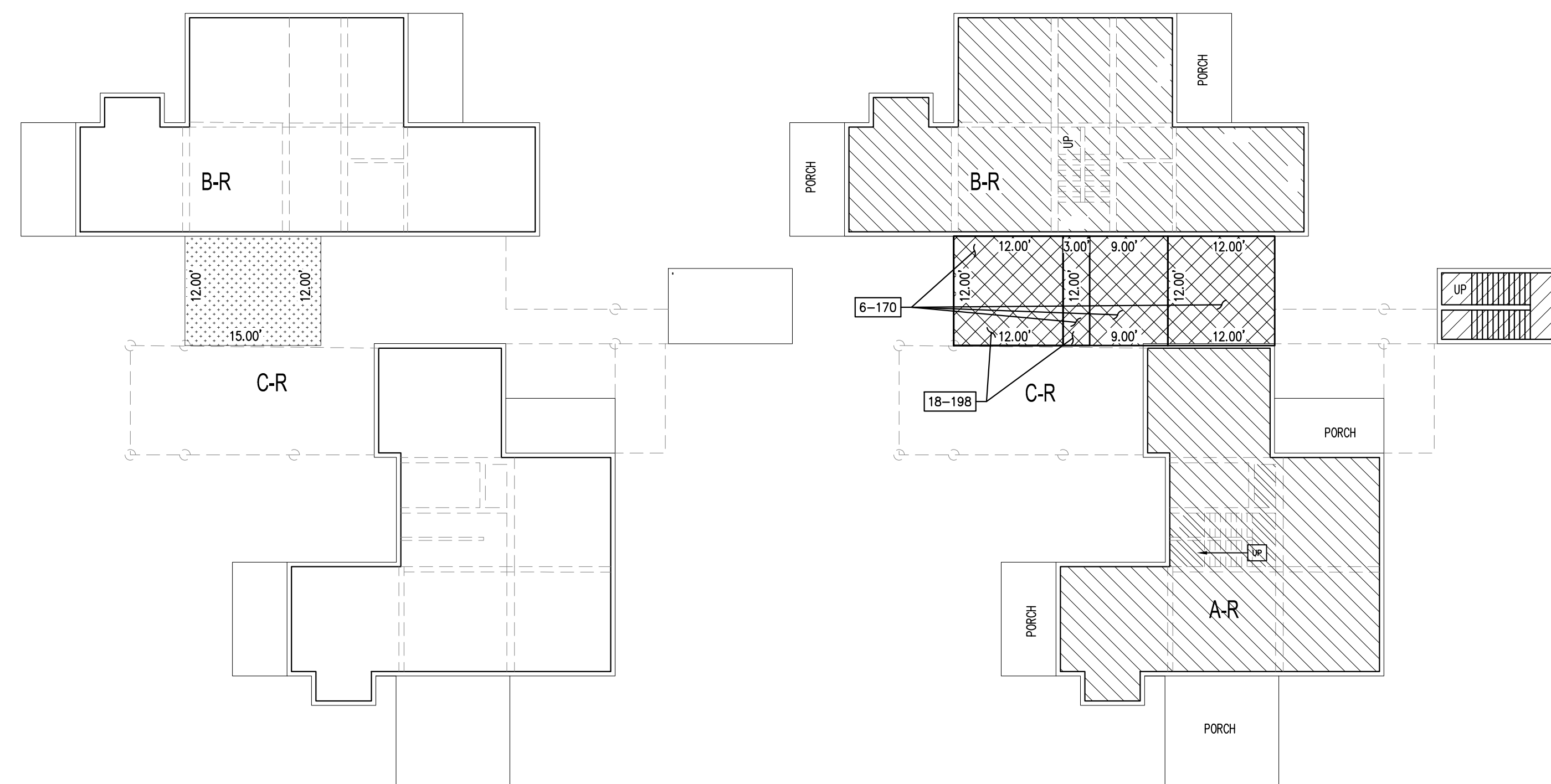
OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
1	157	120
1	158	144
12	179	144
12	180	42
18	197	144
18	198	42



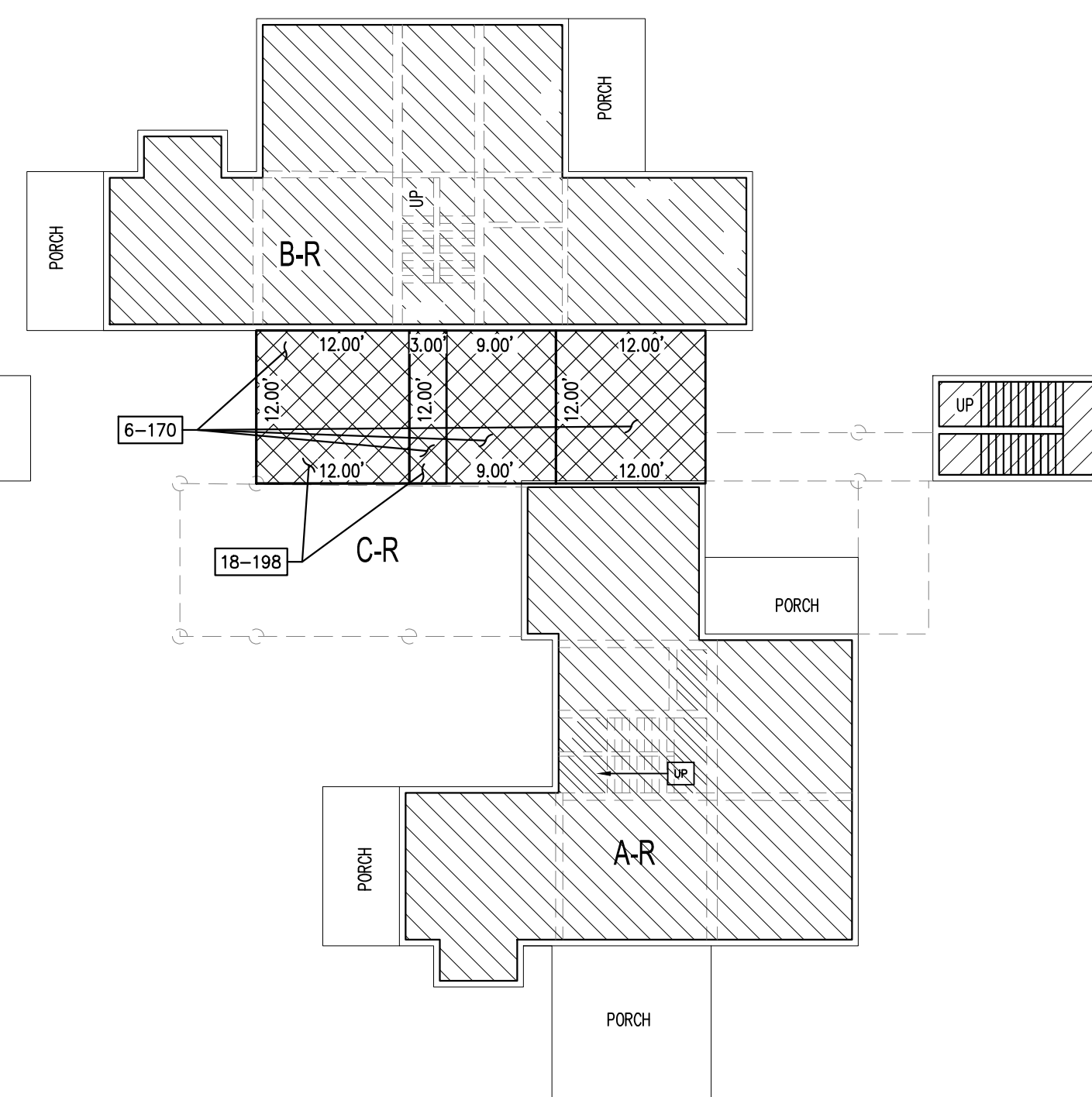
FOURTH LEVEL PLAN
(INCLUDING BLDG 6)

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
1	158	84
15	188	114

ORIGINAL SPACE EXISTED
AS LOFTED AREA WITH A
SLOPED ROOF.

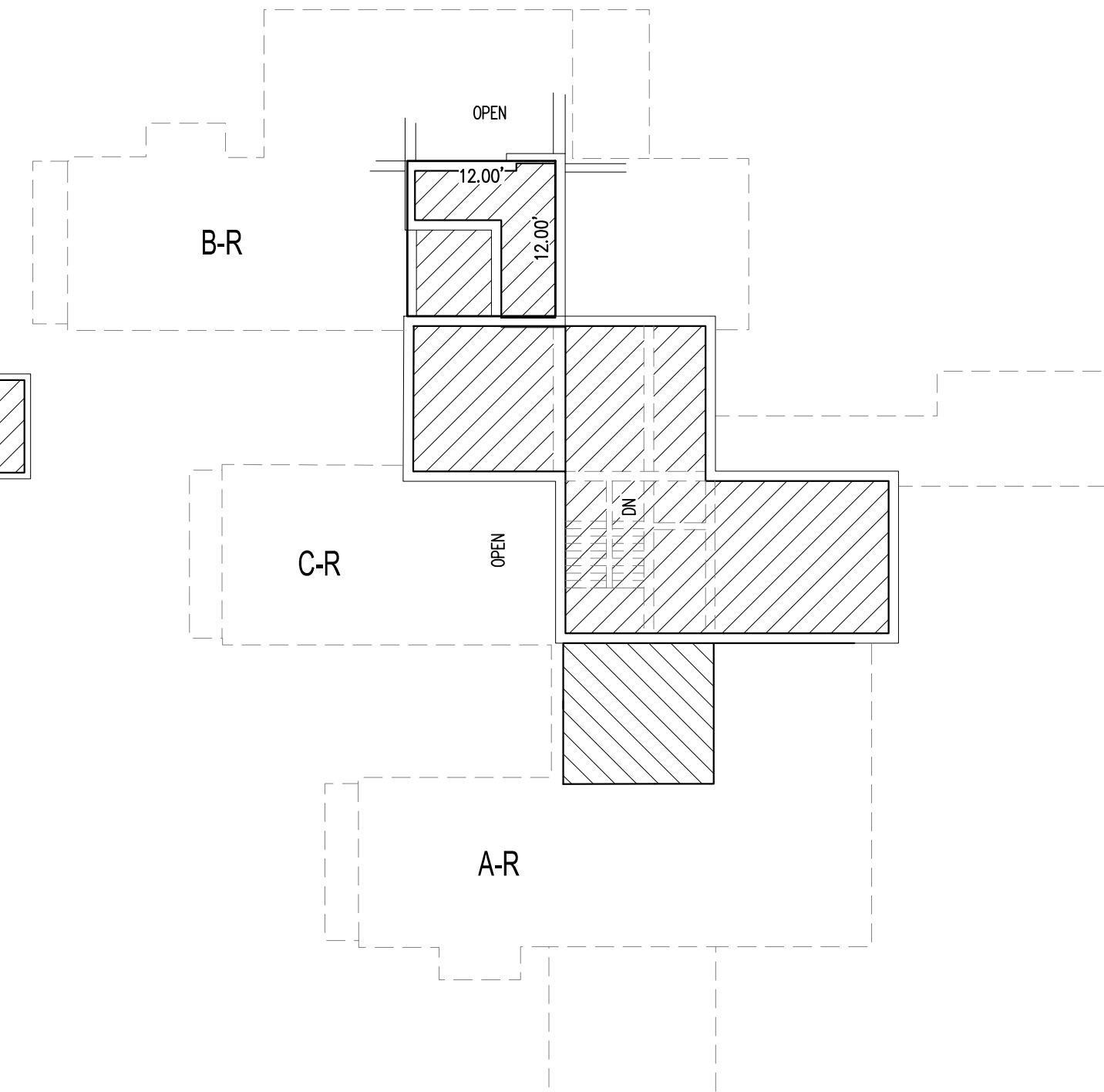


BASEMENT LEVEL PLAN



FIRST LEVEL PLAN - LAYOUT 2

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
6	170	432
18	108	180



THIRD LEVEL PLAN - LAYOUT 2

TRI-PLEX BUILDING TYPE "A-R","B-R","C-R"
(REVERSE) BUILDINGS NO. 1,2,3,6,12,15 & 18

PAYDAY CONDO / ORIGINAL DRAWINGS (CALCULATED)				
TYPE	FIRST LEVEL	SECOND LEVEL	THIRD LEVEL	FOURTH LEVEL
B-R	962.0 SF	316.0 SF	144.0 SF	--
C-R	97.0 SF	1076.0 SF	611.0 SF	144.0 SF
A-R	908.0 SF	280.0 SF	144.0 SF	--

LEGEND:
(SEE NOTE 3, PG 1 FOR EXPLANATION)

- | | |
|---|--|
|  | PRIVATE OWNERSHIP AREA "A" |
|  | PRIVATE OWNERSHIP AREA "B" |
|  | EXISTING STORAGE AREAS
(SHEETS 2, 3, & 4) |
|  | COMMON OWNERSHIP |

AMENDED
RECORD OF SURVEY MAP
PAYDAY CONDOMINIUM

A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 2 OF 7

DELINEATES EXISTING OWNERSHIP A, B, AND STORAGE

RECORDED

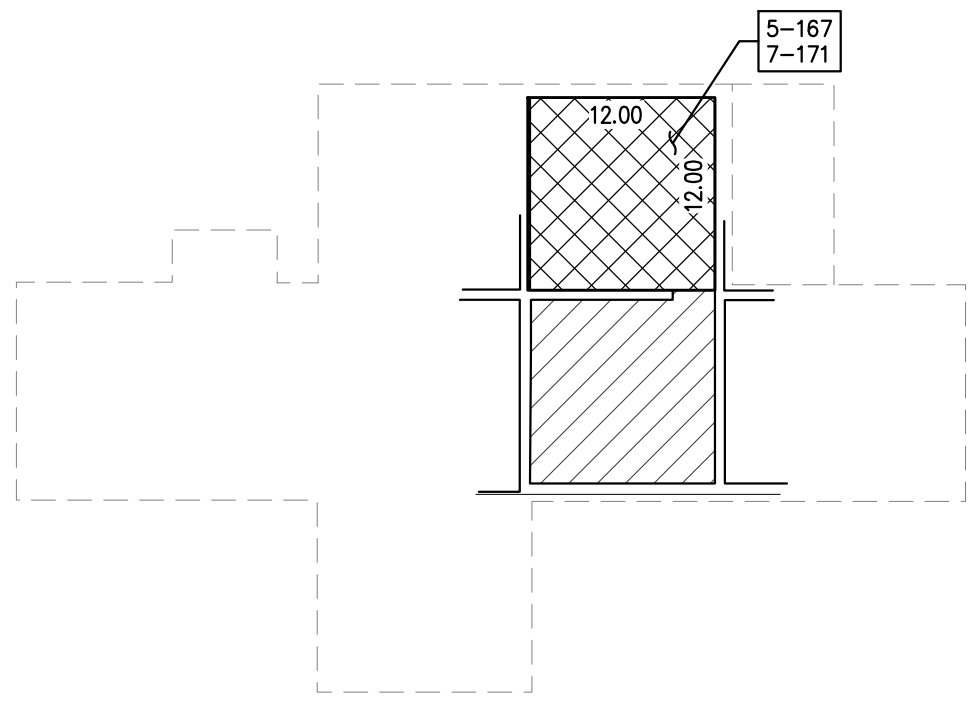
ENTRY NO. _____ BOOK _____ PAGES _____

STATE OF _____

COUNTY OF _____
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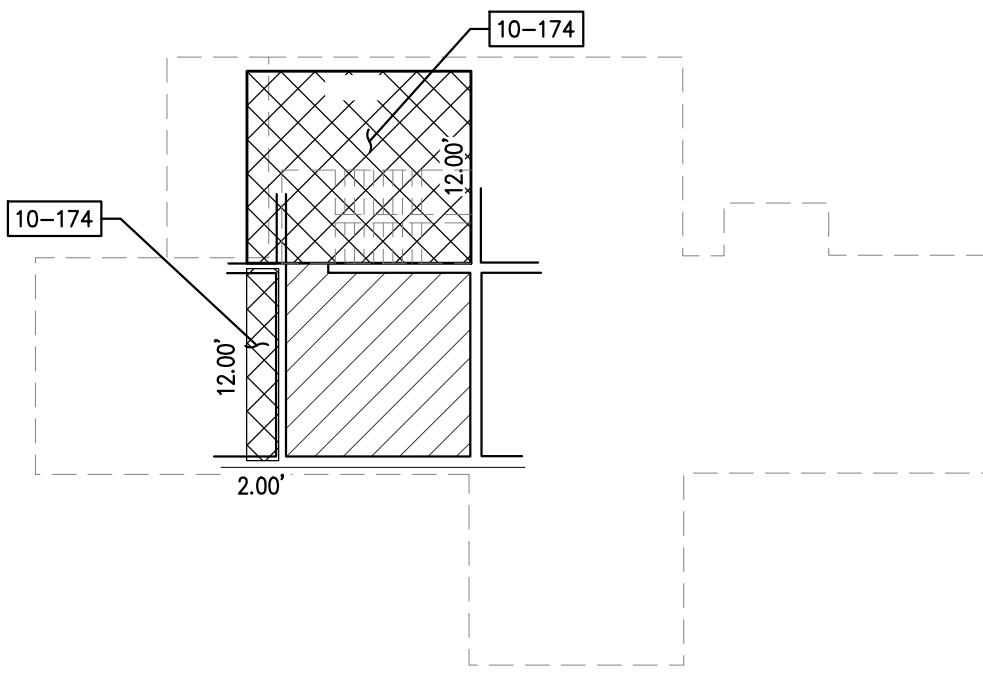
COUNTY RECORDER

NOT TO SCALE



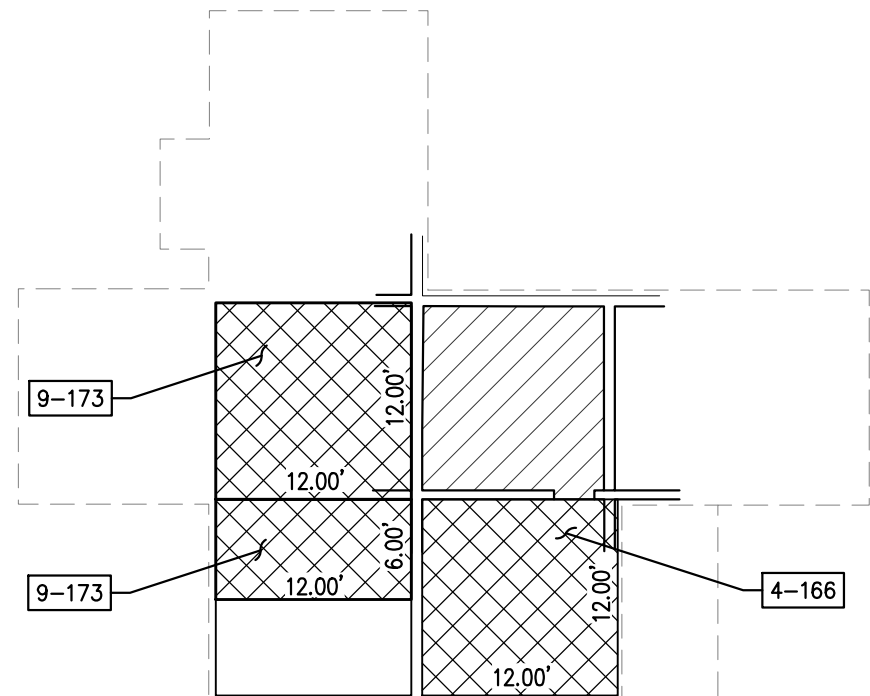
THIRD LEVEL PLAN

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
5	167	144
7	171	144



THIRD LEVEL PLAN

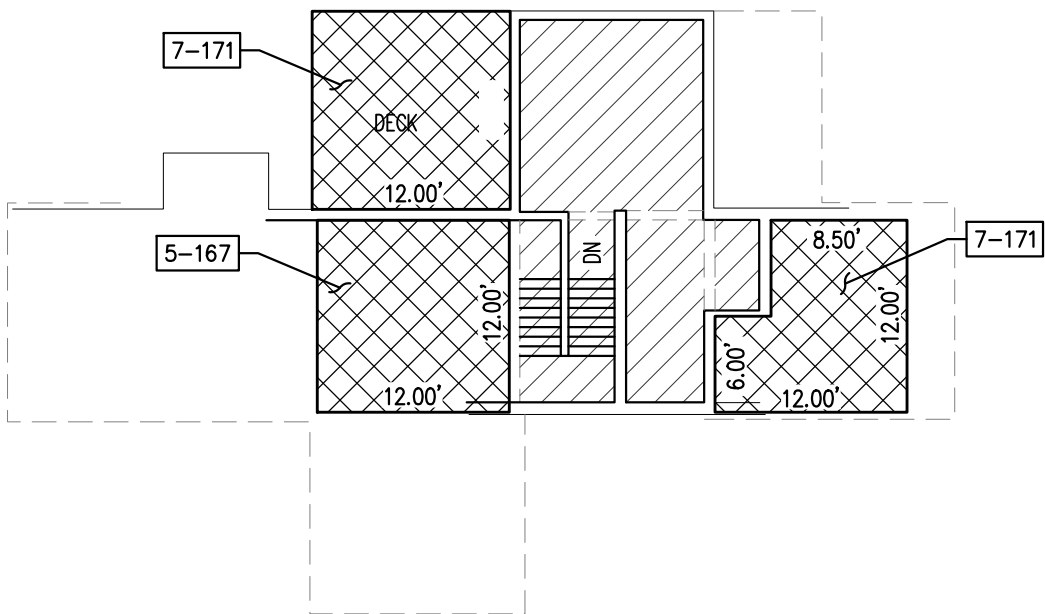
OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
10	174	168
10	174	24



THIRD LEVEL PLAN

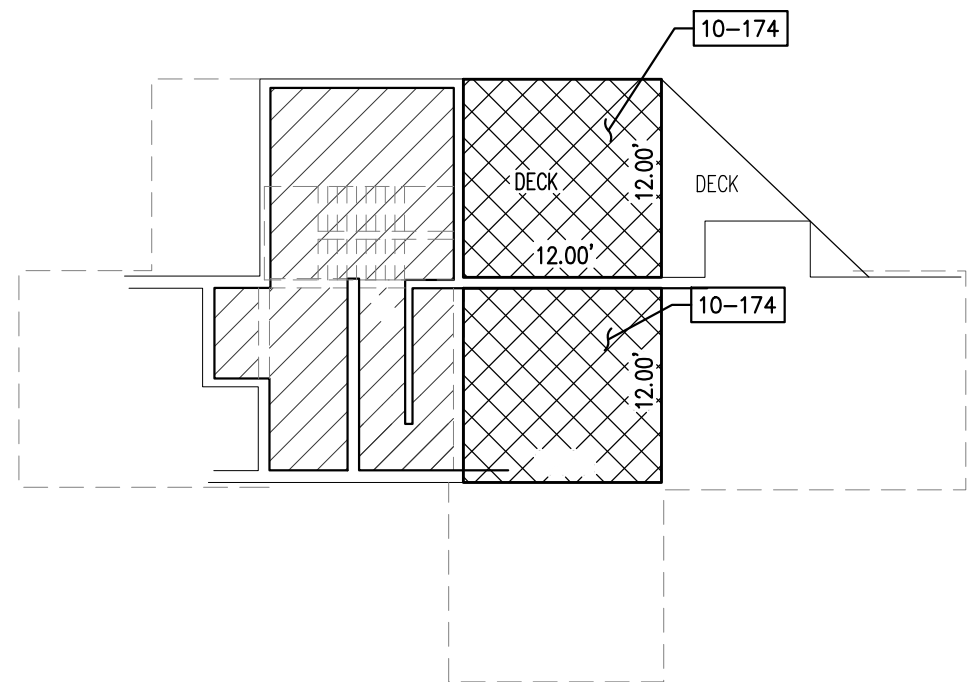
OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
4	166	144
9	173	144
9	173	72

PAYDAY CONDO / ORIGINAL DRAWNGS (CALCULATED)			
TYPE	FIRST LEVEL	SECOND LEVEL	THIRD LEVEL
B-R (5,7)	926.0 SF	294.0 SF	144.0 SF
B (10)	926.0 SF	294.0 SF	144.0 SF
A-R (4,8,9)	926.0 SF	285.0 SF	144.0 SF



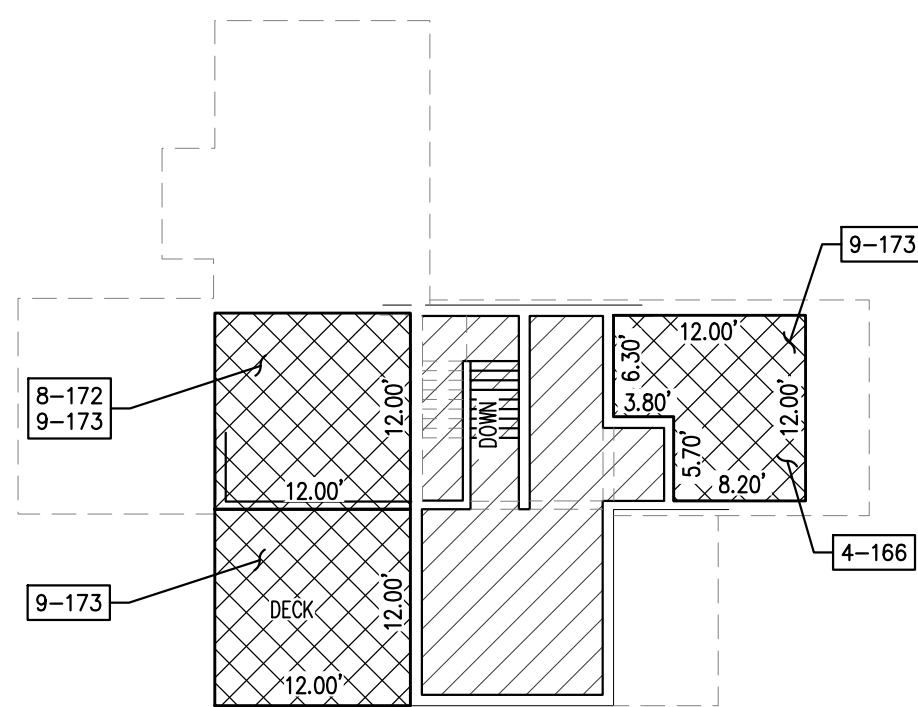
SECOND LEVEL PLAN

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
5	167	144
7	171	123
7	171	144



SECOND LEVEL PLAN

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
10	174	144
10	174	144

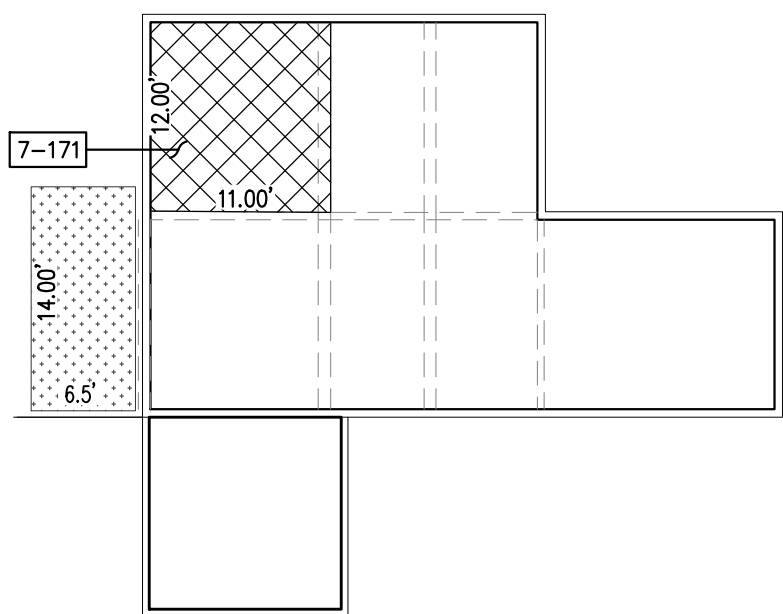


SECOND LEVEL PLAN

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
4	166	120
8	172	144
9	173	120
9	173	144
9	173	144

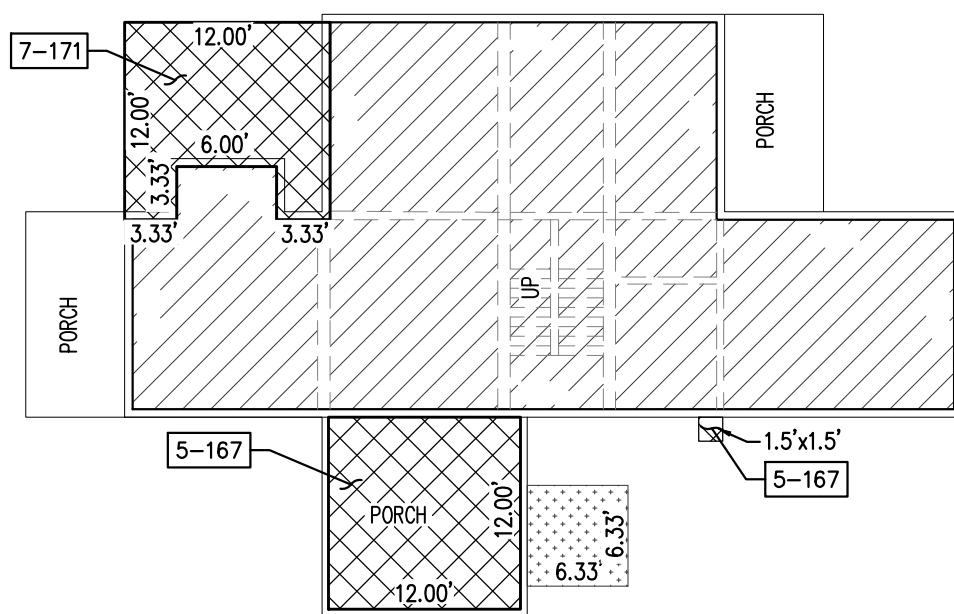
LEGEND:
(SEE NOTE 3, PG 1 FOR EXPLANATION)

- PRIVATE OWNERSHIP AREA "A"
- PRIVATE OWNERSHIP AREA "B"
- EXISTING STORAGE AREAS (SHEETS 2, 3, & 4)
- COMMON OWNERSHIP



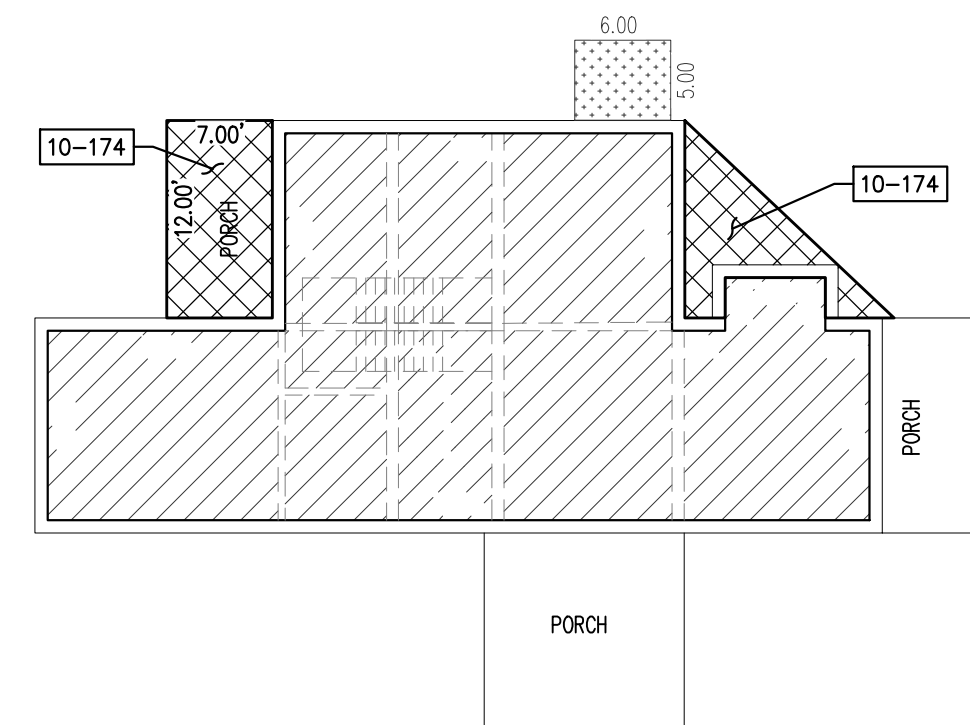
BASEMENT LEVEL PLAN

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
7	171	132



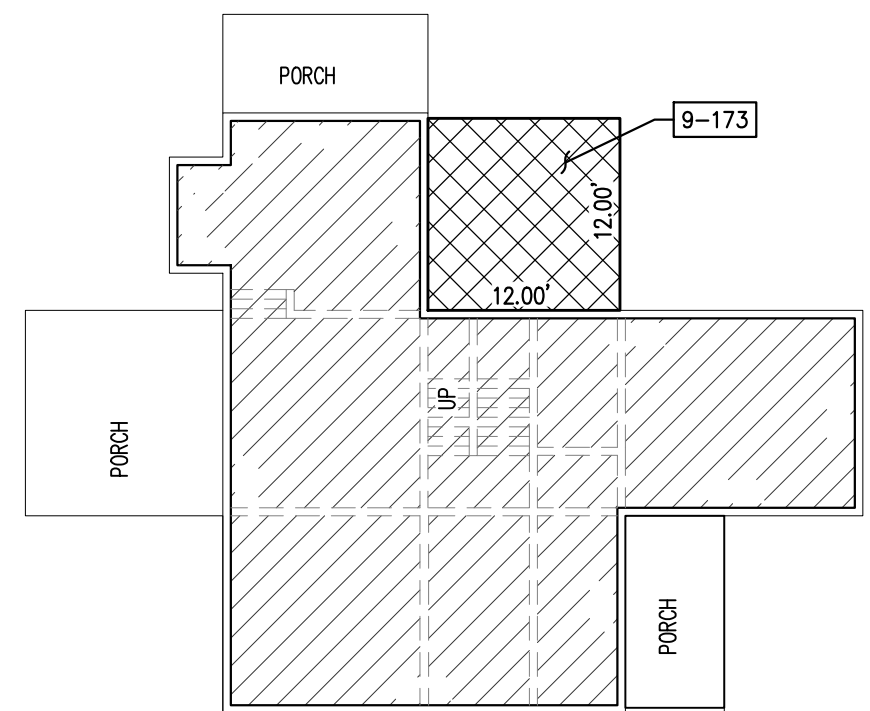
FIRST LEVEL PLAN

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
5	167	144
5	167	2
7	171	138



FIRST LEVEL PLAN

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
10	174	84
10	174	64



FIRST LEVEL PLAN

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ SF
9	173	144

TYPE "A" (REVERSE)

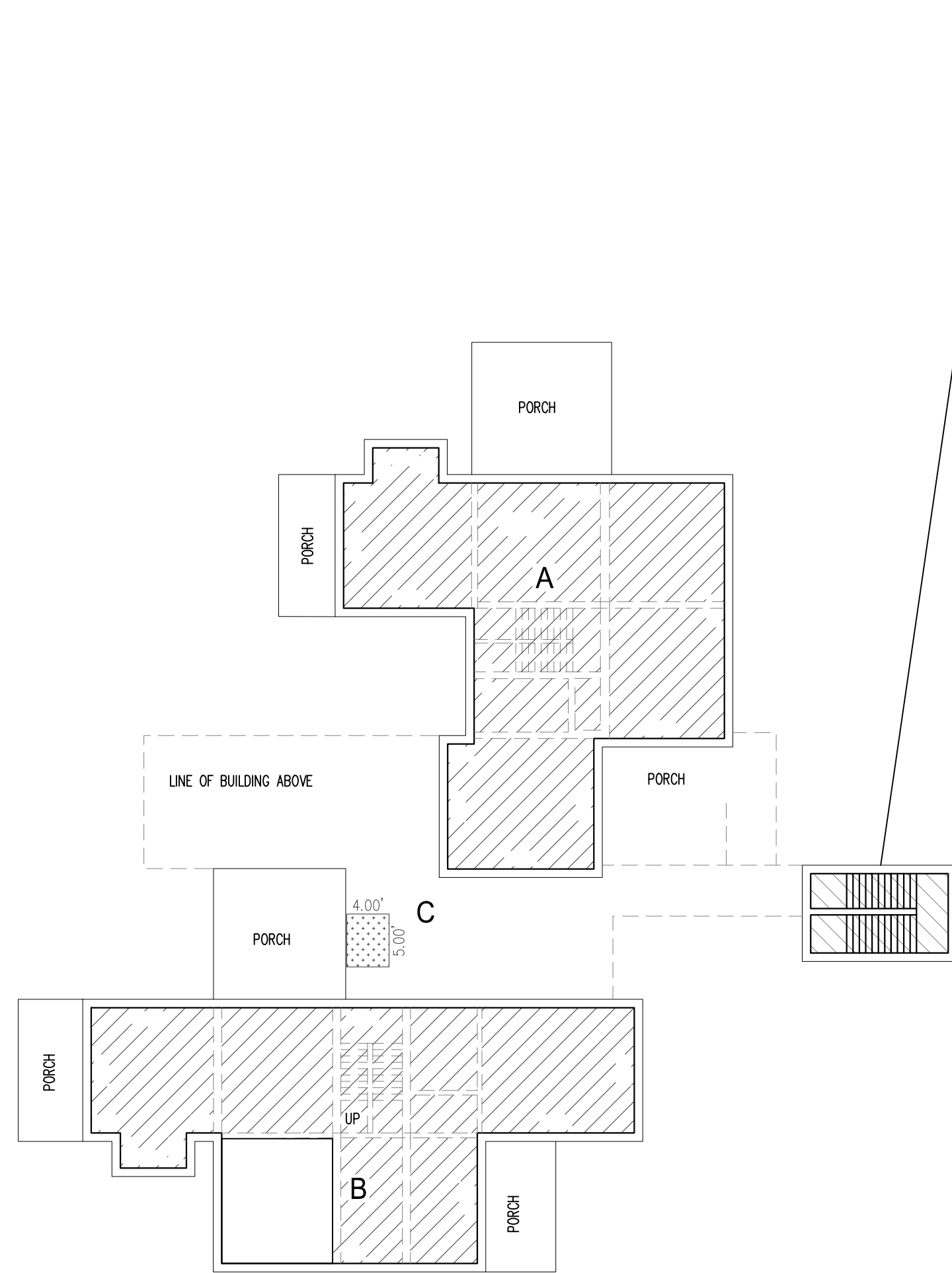
BUILDINGS NO. 4 - UNIT 166
BUILDINGS NO. 8 - UNIT 172
BUILDINGS NO. 9 - UNIT 173

AMENDED
RECORD OF SURVEY MAP
PAYDAY CONDOMINIUM
A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

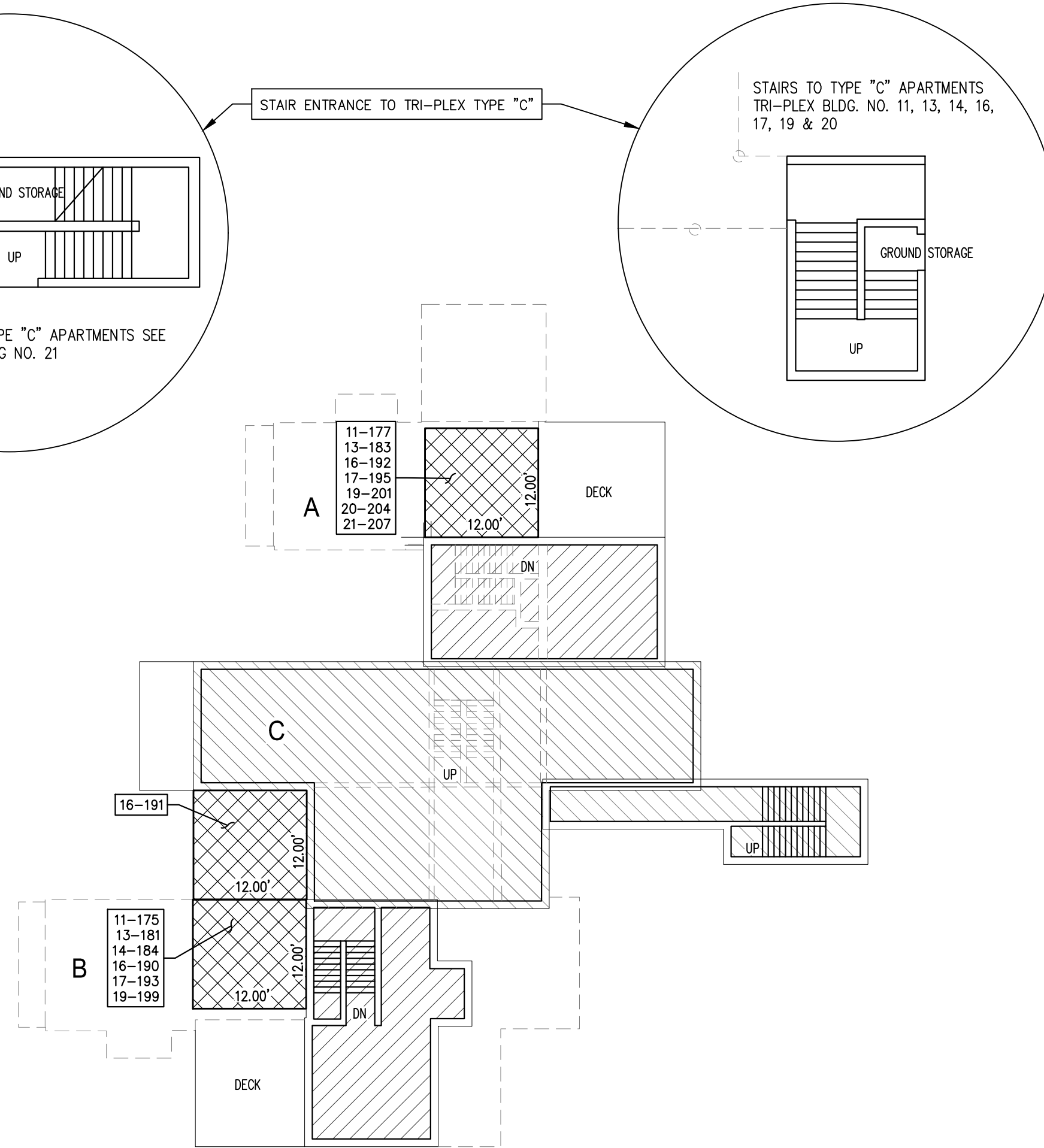
SHEET 3 OF 7
DELINEATES EXISTING OWNERSHIP A, B, AND STORAGE

RECORDED
ENTRY NO. _____ BOOK _____ PAGES _____
STATE OF _____
COUNTY OF _____
RECORDED AND FILED AT THE REQUEST OF: _____
COUNTY RECORDER

NOT TO SCALE

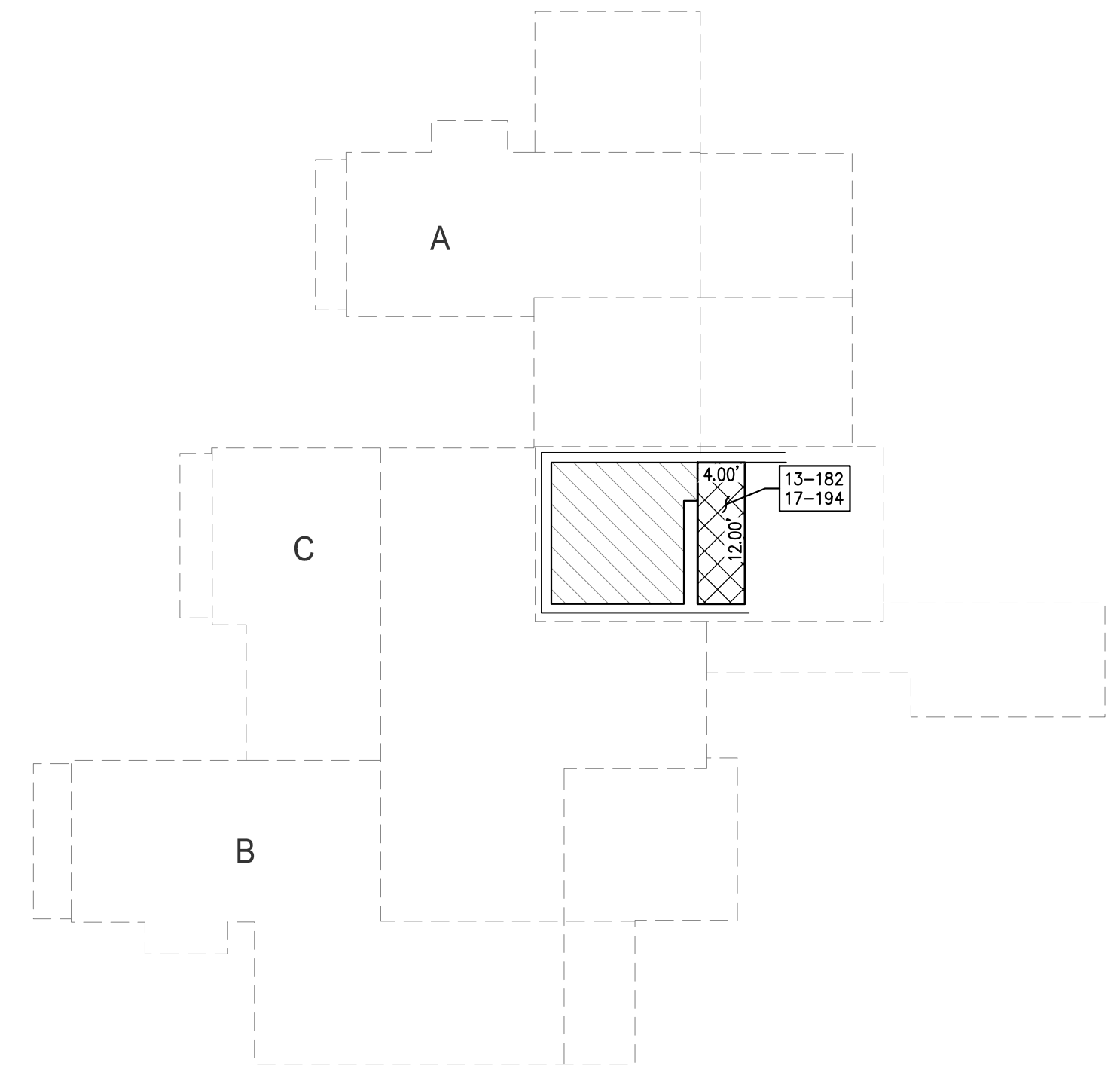


FIRST LEVEL PLAN



SECOND LEVEL PLAN

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ. SF
11	175	144
11	177	144
13	181	144
13	183	144
14	184	144
16	190	144
16	191	144
16	192	144
17	193	144
17	195	144
19	199	144
19	201	144
20	204	144
21	207	144

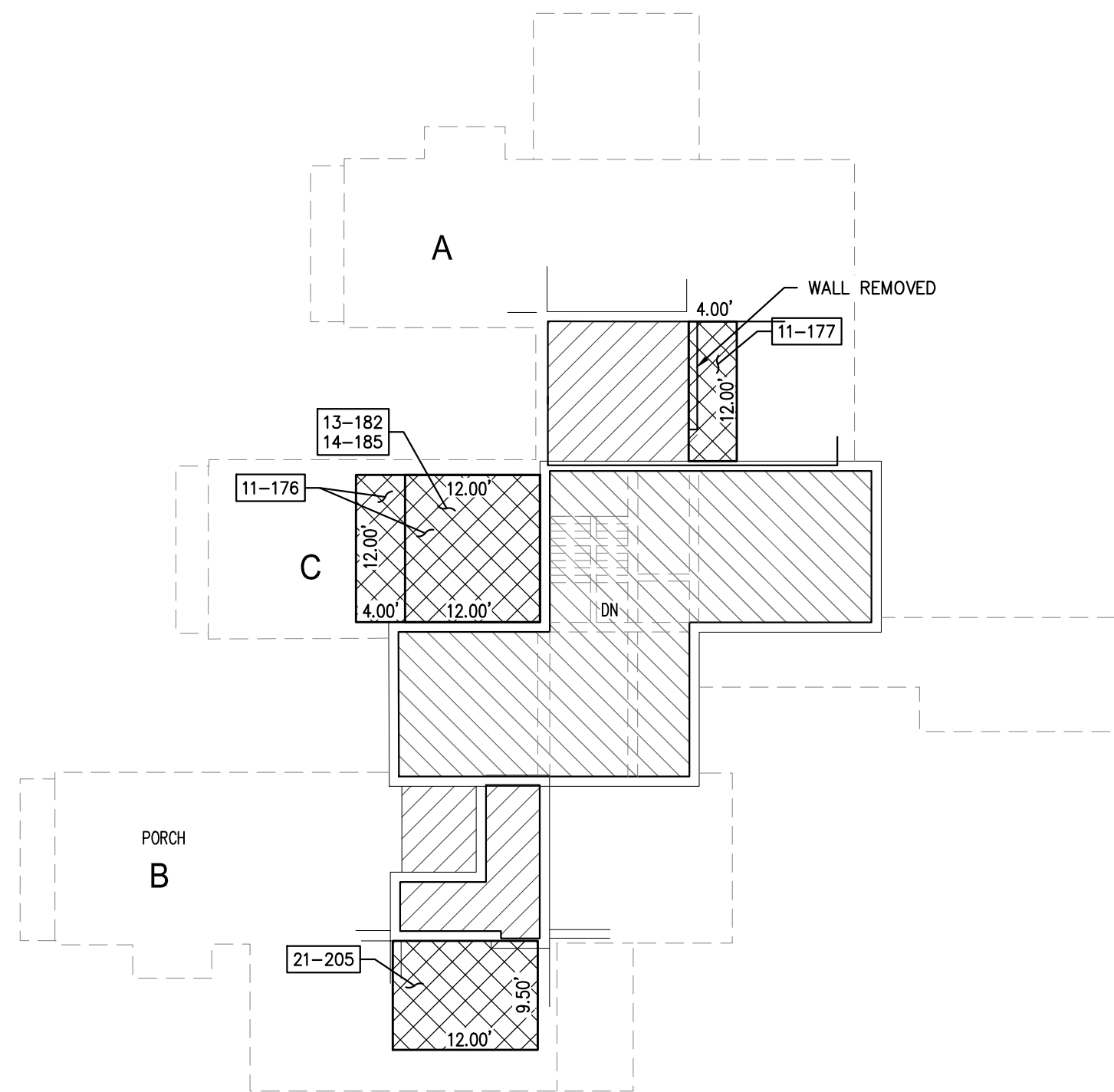


FOURTH LEVEL PLAN

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ. SF
13	182	48
17	194	48

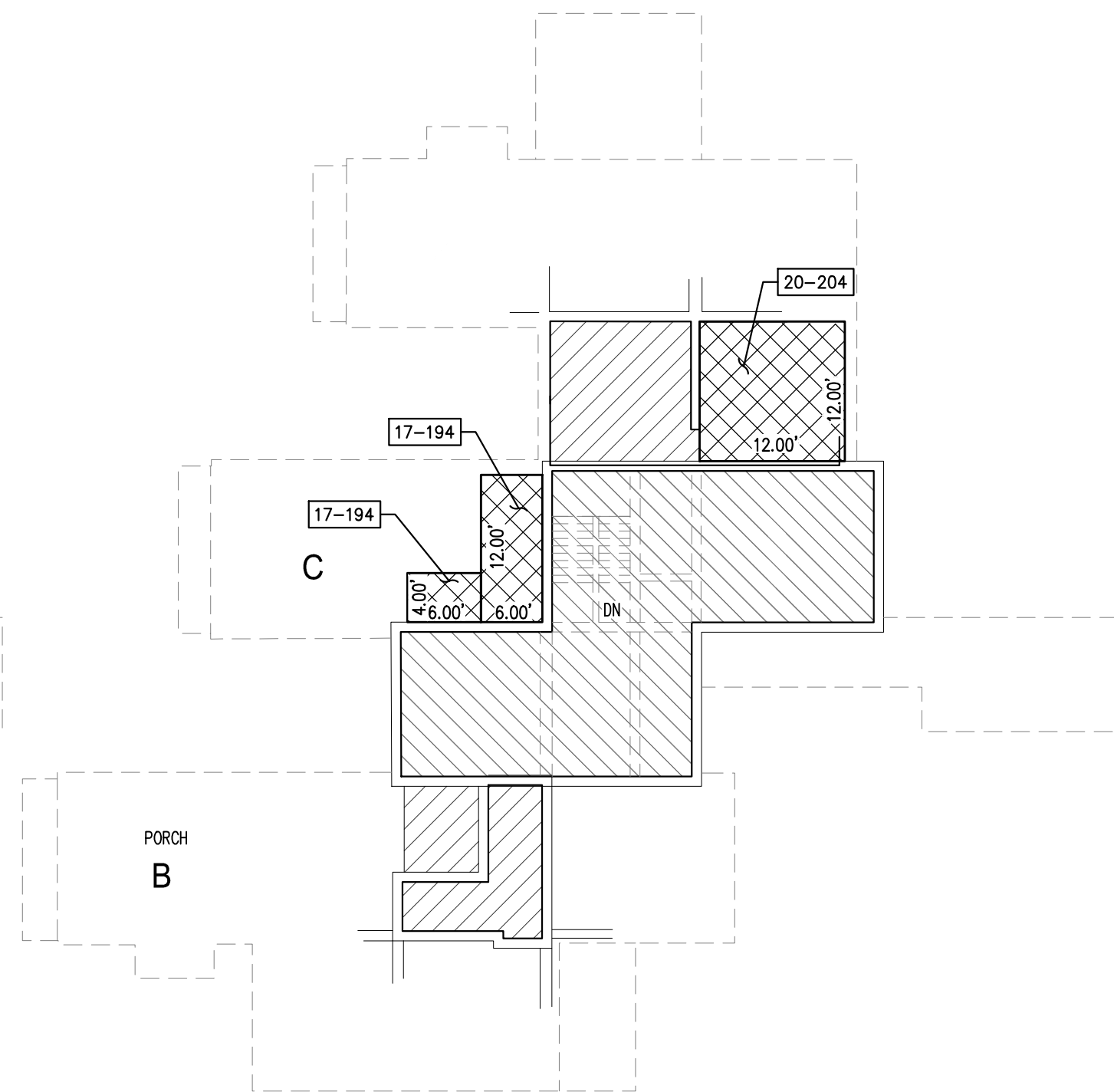
TRI-PLEX BUILDING TYPE "A", "B" & "C" BUILDINGS
NO. 11, 13, 14, 16, 17, 19, 20 & 21

PAYDAY CONDO / ORIGINAL DRAWINGS (CALCULATED)				
SHEET 5	TYPE	FIRST LEVEL	SECOND LEVEL	THIRD LEVEL
	A	908.0 SF	280.0 SF	144.0 SF
	C	97.0 SF	1076.0 SF	611.0 SF
	B	926.0 SF	314.0 SF	144.0 SF



THIRD LEVEL PLAN - LAYOUT 1

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ. SF
11	177	48
11	176	192
13	182	144
14	185	144
21	205	114



THIRD LEVEL PLAN - LAYOUT 2

OWNERSHIP AREA "B" INFORMATION		
BLDG	UNIT NO.	SQ. SF
17	194	72
17	194	24
20	204	144

LEGEND:
(SEE NOTE 3, PG 1 FOR EXPLANATION)

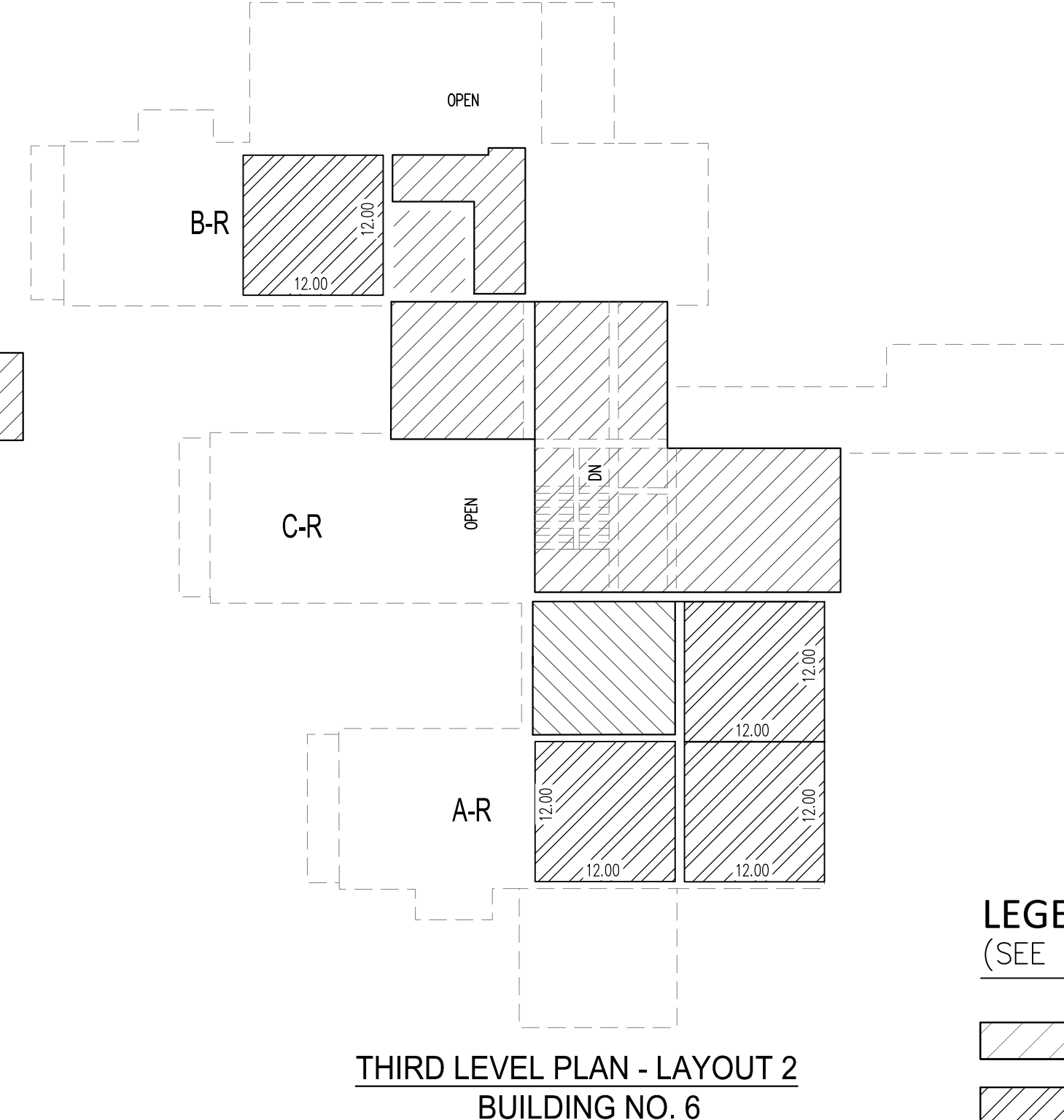
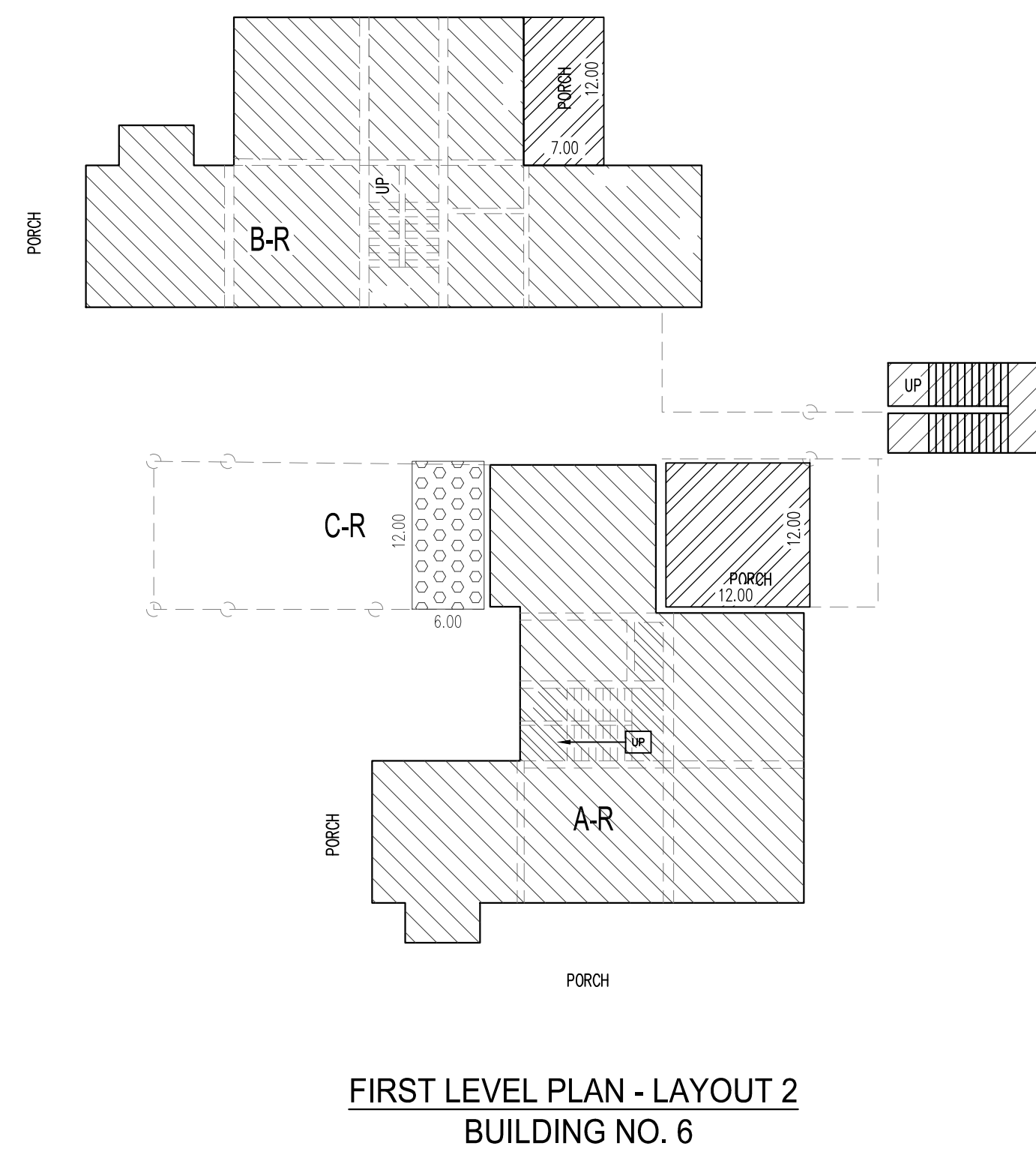
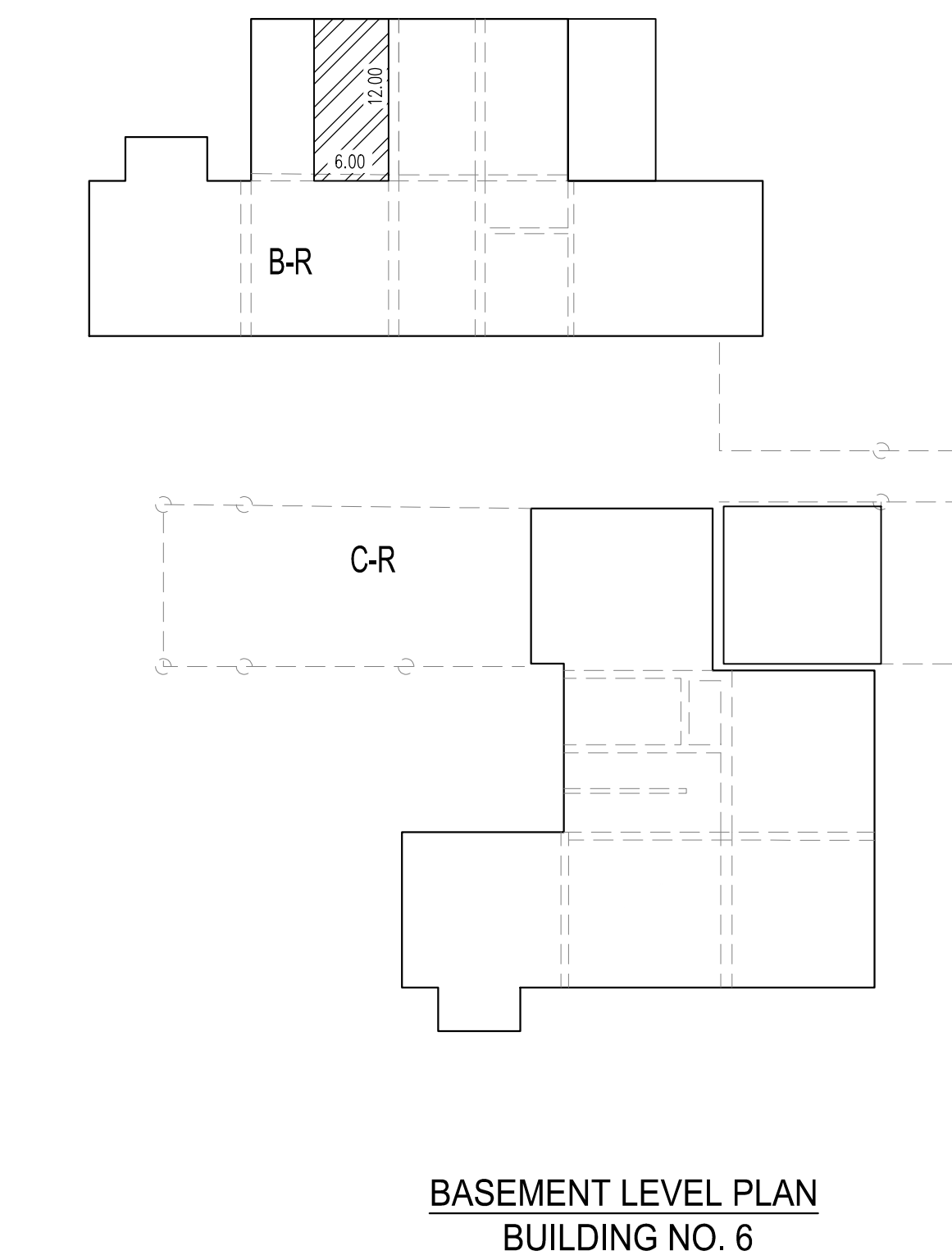
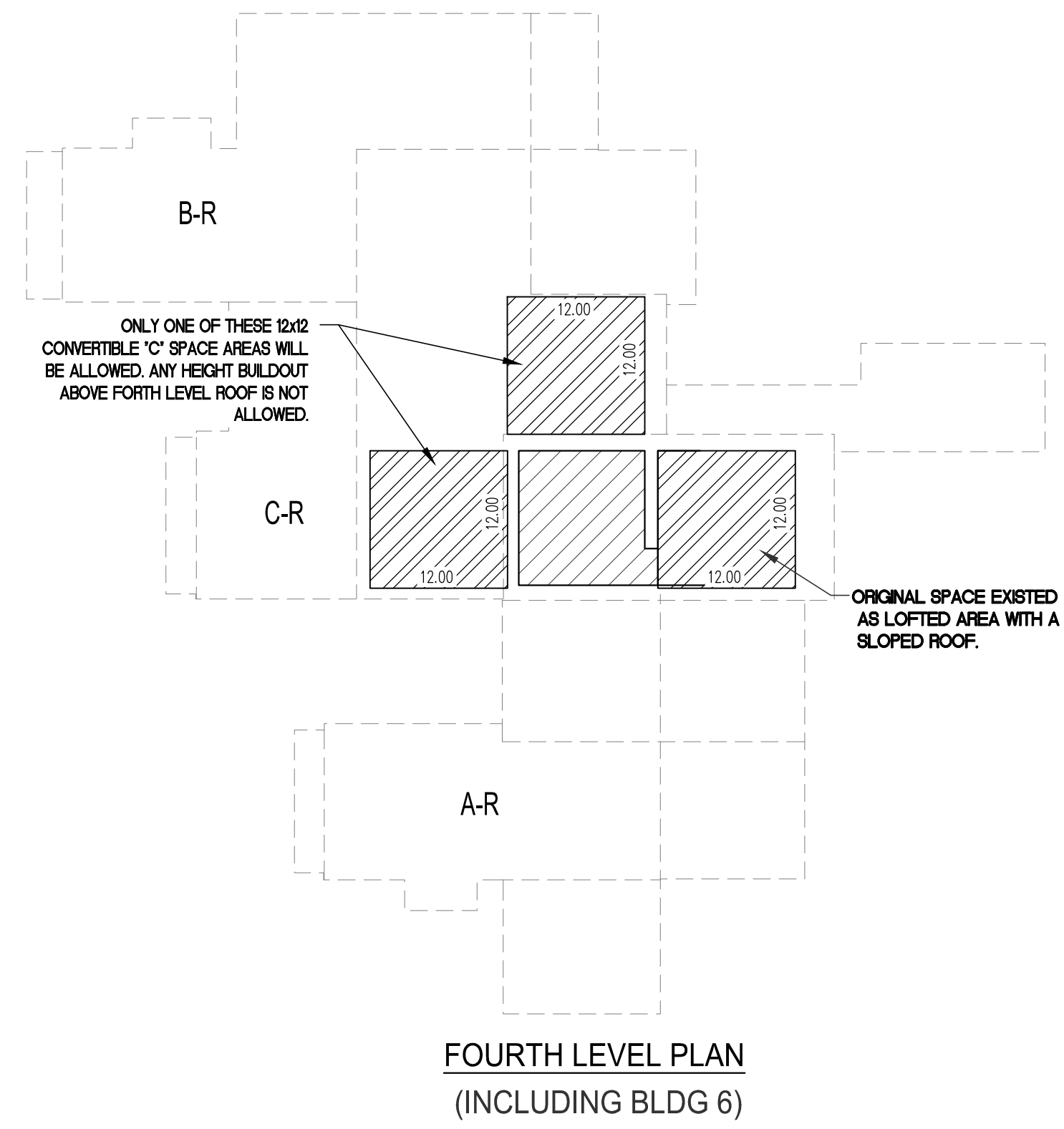
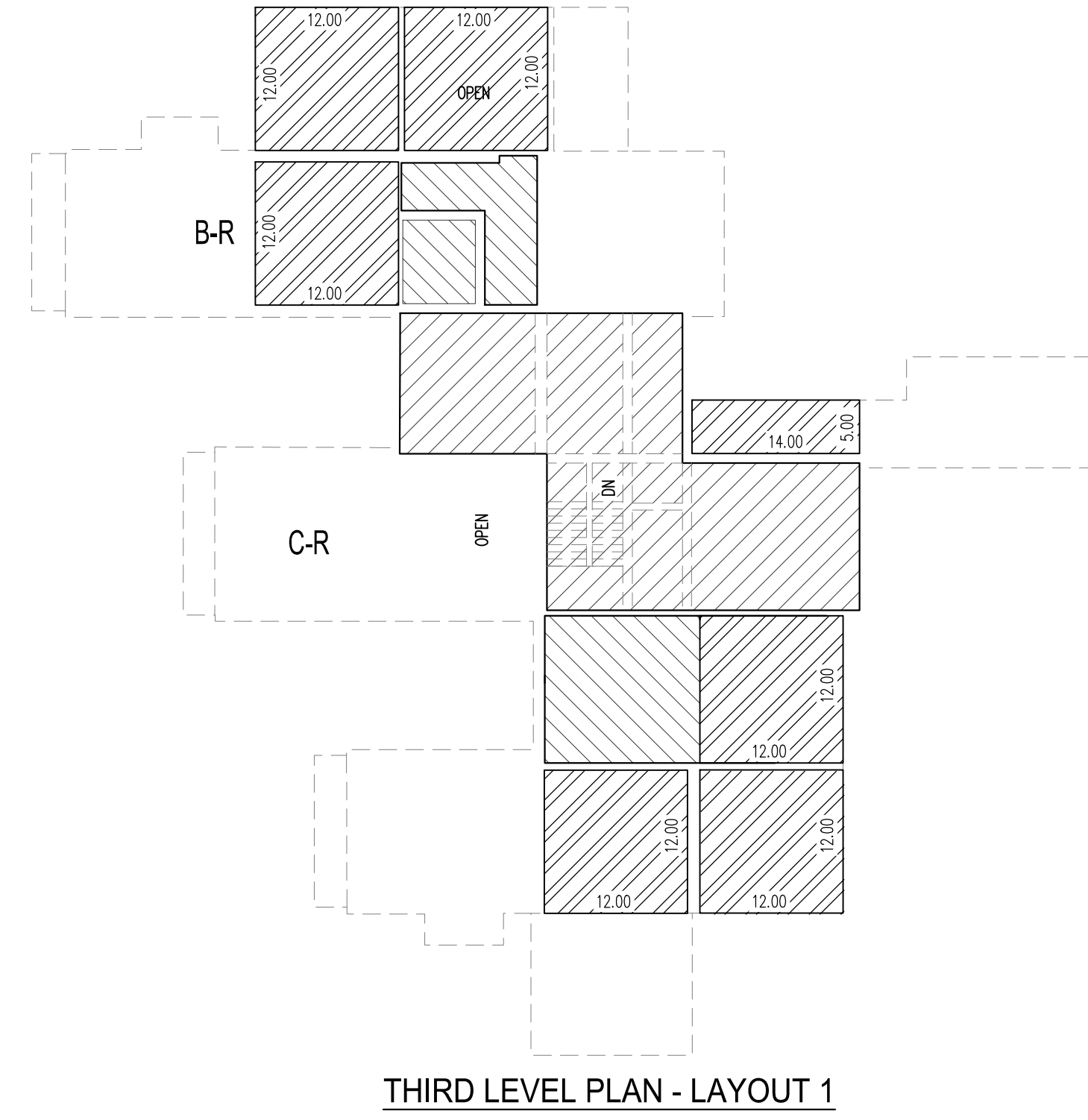
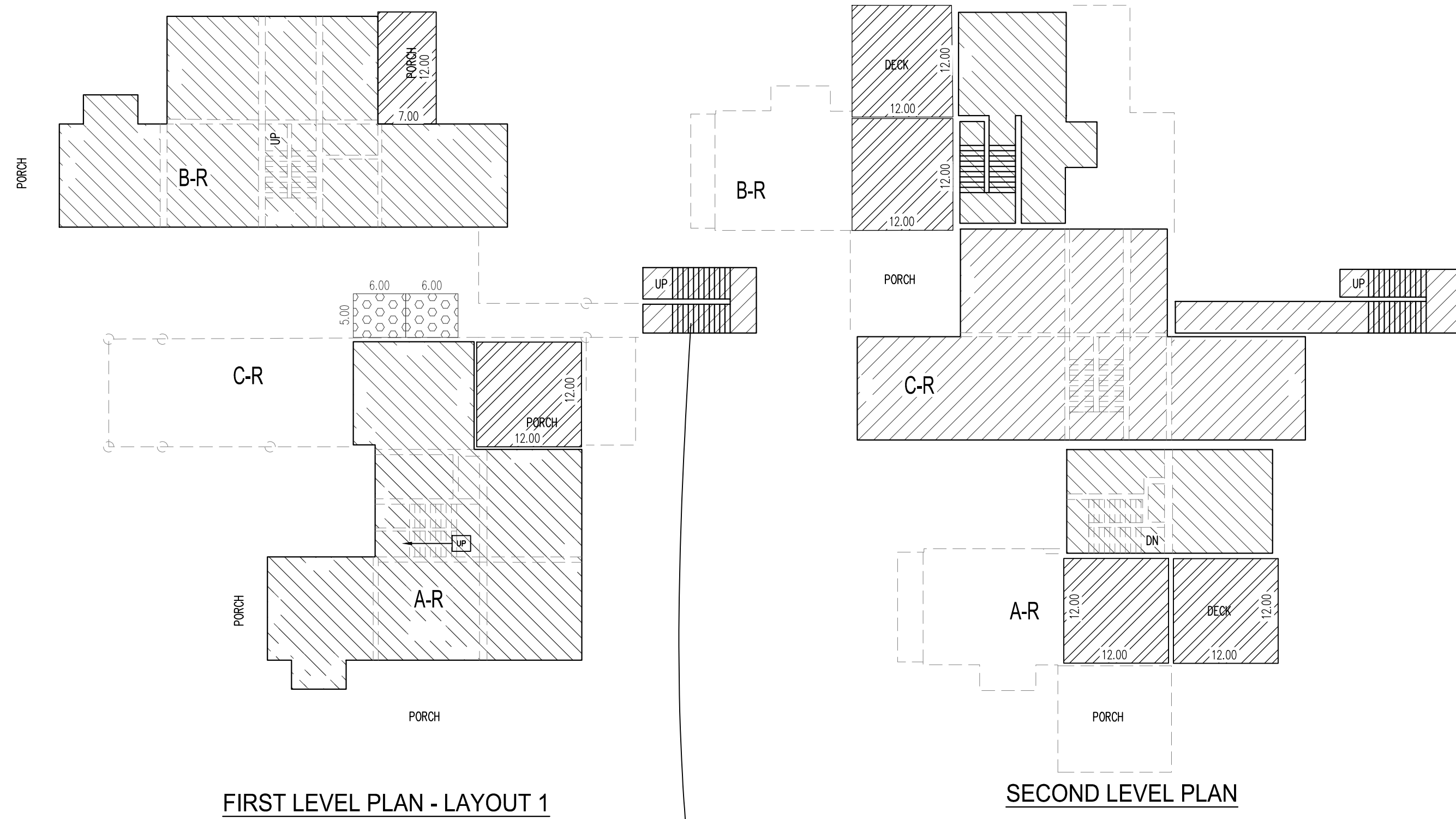
- PRIVATE OWNERSHIP AREA "A"
- PRIVATE OWNERSHIP AREA "B"
- EXISTING STORAGE AREAS (SHEETS 2, 3, & 4)
- COMMON OWNERSHIP

AMENDED
RECORD OF SURVEY MAP
PAYDAY CONDOMINIUM
A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 4 OF 7
DELINEATES EXISTING OWNERSHIP A, B, AND STORAGE

RECORDED
ENTRY NO. _____ BOOK _____ PAGES _____
STATE OF _____
COUNTY OF _____
RECORDED AND FILED AT THE REQUEST OF: _____
COUNTY RECORDER

NOT TO SCALE



TRI-PLEX BUILDING TYPE "A-R", "B-R", "C-R"
(REVERSE) BUILDINGS NO. 1,2,3,6,12,15 & 18

AMENDED
RECORD OF SURVEY MAP
PAYDAY CONDOMINIUM
A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

LEGEND:
(SEE NOTE 3, PG 1 FOR EXPLANATION)

- PRIVATE OWNERSHIP AREA "A"
- CONVERTIBLE SPACE AREA "C"
- STORAGE — CONVERTIBLE SPACE
(SHEETS 5, 6, & 7)

SHEET 5 OF 7
DELINEATES CONVERTIBLE SPACE AREA C AND CONVERTIBLE STORAGE

NOT TO SCALE

RECORDED

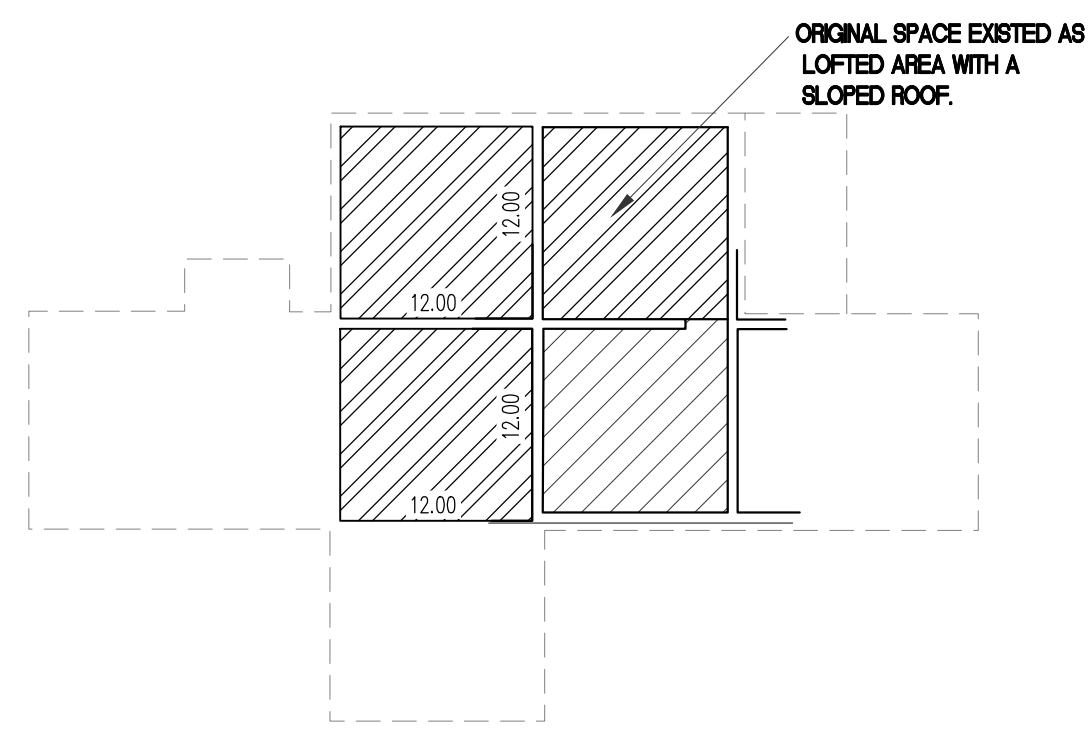
ENTRY NO. _____ BOOK _____ PAGES _____

STATE OF _____

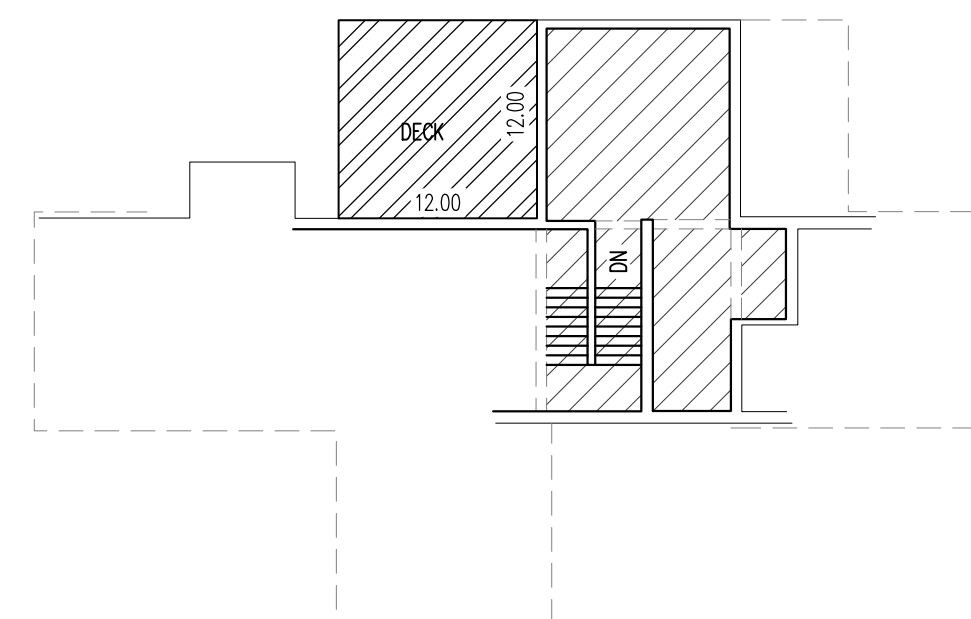
COUNTY OF _____

RECORDED AND FILED AT THE REQUEST OF: _____

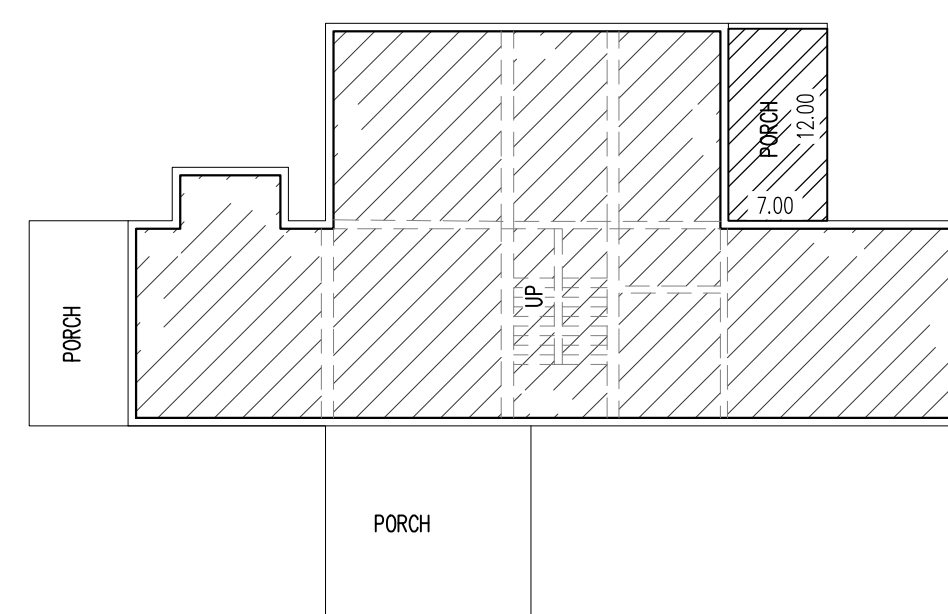
COUNTY RECORDER



THIRD LEVEL PLAN

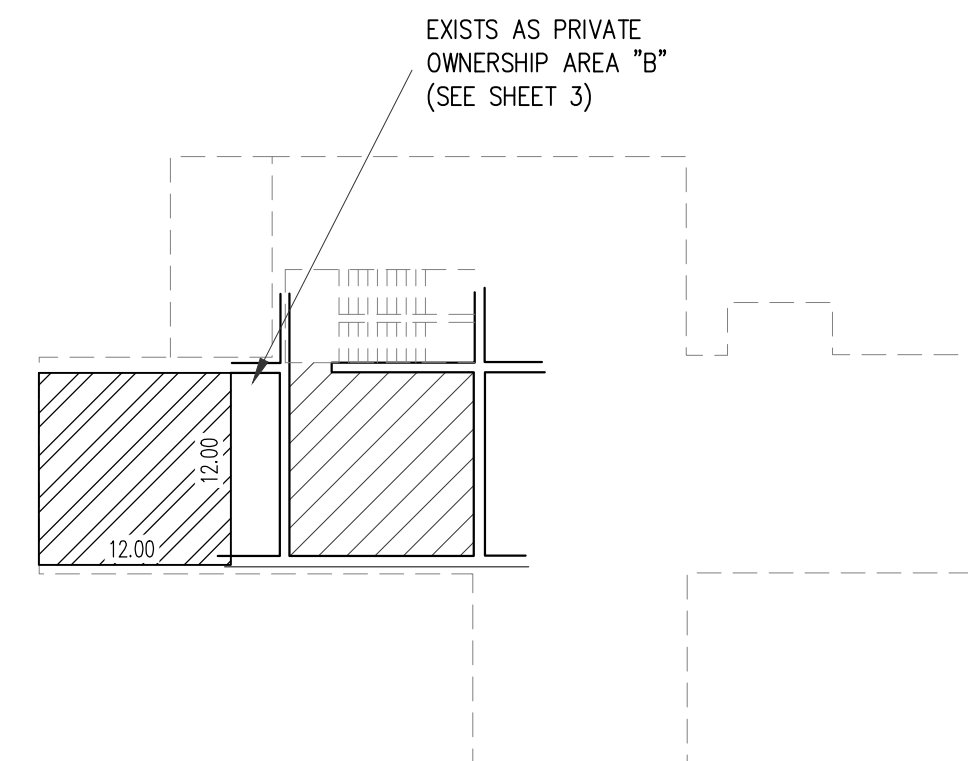


SECOND LEVEL PLAN



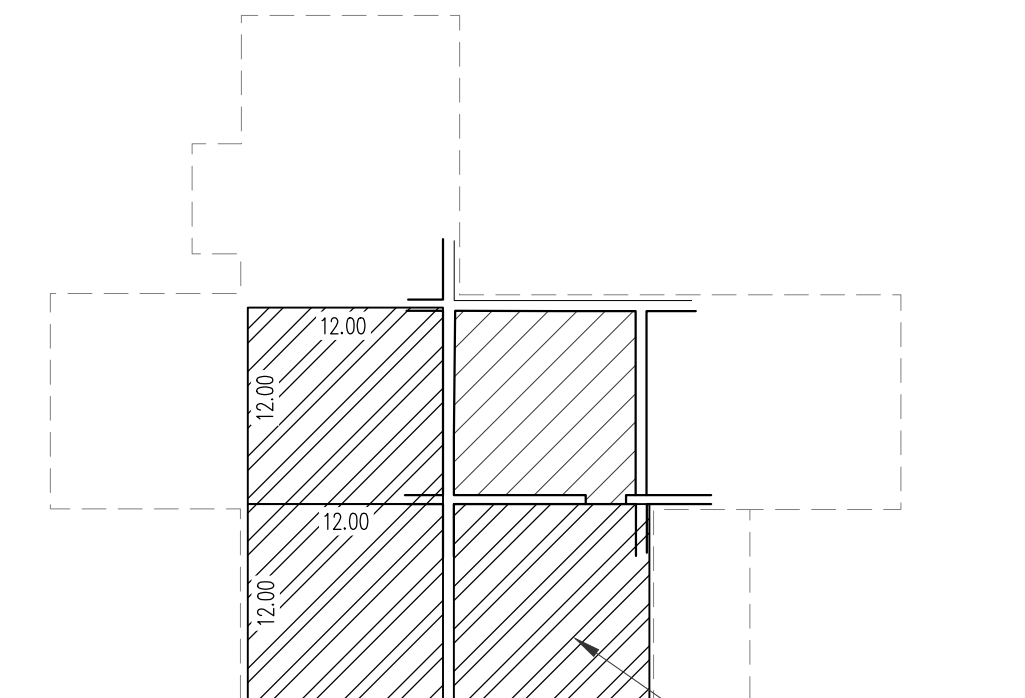
FIRST LEVEL PLAN

TYPE "B" (REVERSE)
BUILDING NO. 5 - UNIT 167
BUILDING NO. 7 - UNIT 171



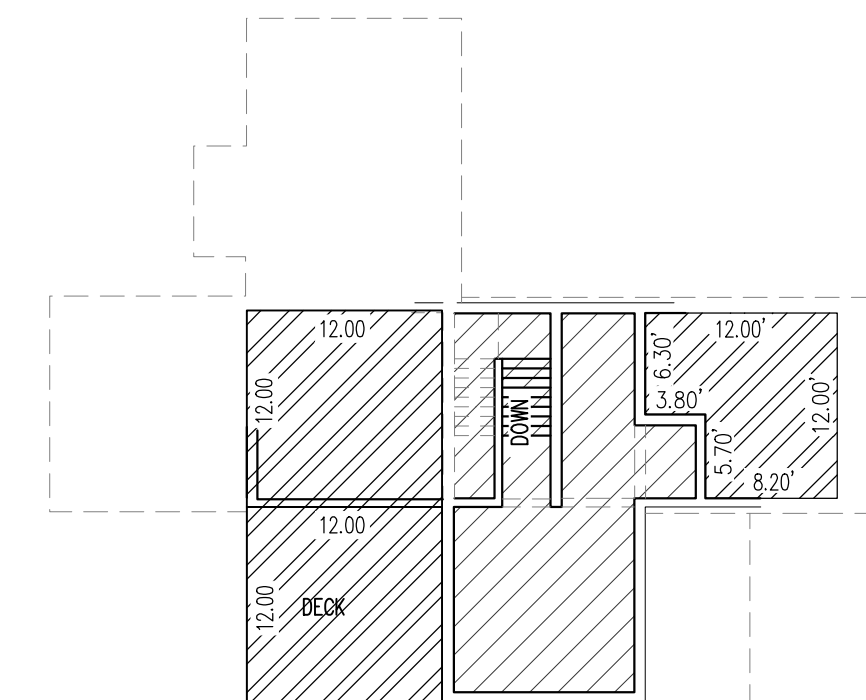
THIRD LEVEL PLAN

TYPE "B"
BUILDING NO.10 - UNIT 174

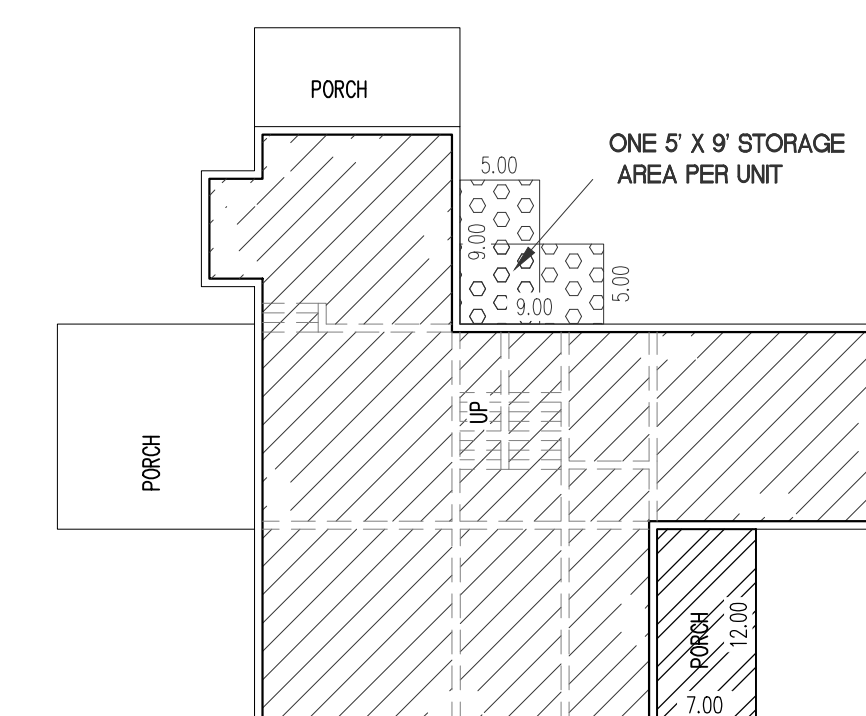


THIRD LEVEL PLAN

ORIGINAL SPACE EXISTED AS
LOFTED AREA WITH A
SLOPED ROOF.



SECOND LEVEL PLAN



FIRST LEVEL PLAN

TYPE "A" (REVERSE)
BUILDINGS NO. 4 - UNIT 166
BUILDINGS NO. 8 - UNIT 172
BUILDINGS NO. 9 - UNIT 173

LEGEND:
(SEE NOTE 3, PG 1 FOR EXPLANATION)

-  PRIVATE OWNERSHIP AREA "A"
-  CONVERTIBLE SPACE AREA "C"
-  STORAGE – CONVERTIBLE SPACE
(SHEETS 5, 6, & 7)

AMENDED
RECORD OF SURVEY MAP
PAYDAY CONDOMINIUM

A UTAH CONDOMINIUM PROJECT
LOCATED IN THE SOUTHEAST QUARTER OF SECTION 8,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

SHEET 6 OF 7

DELINEATES CONVERTIBLE SPACE AREA C AND CONVERTIBLE STORAGE

RECORDED

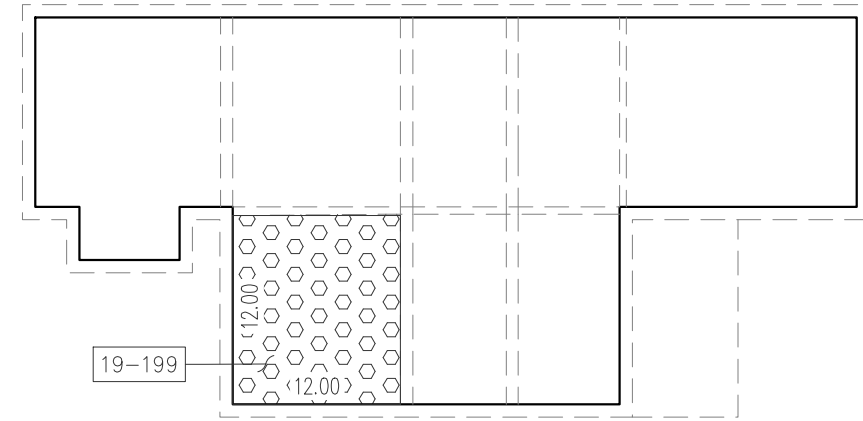
ENTRY NO. _____ BOOK _____ PAGES _____

STATE OF _____

COUNTY OF _____

COUNTY RECORDER

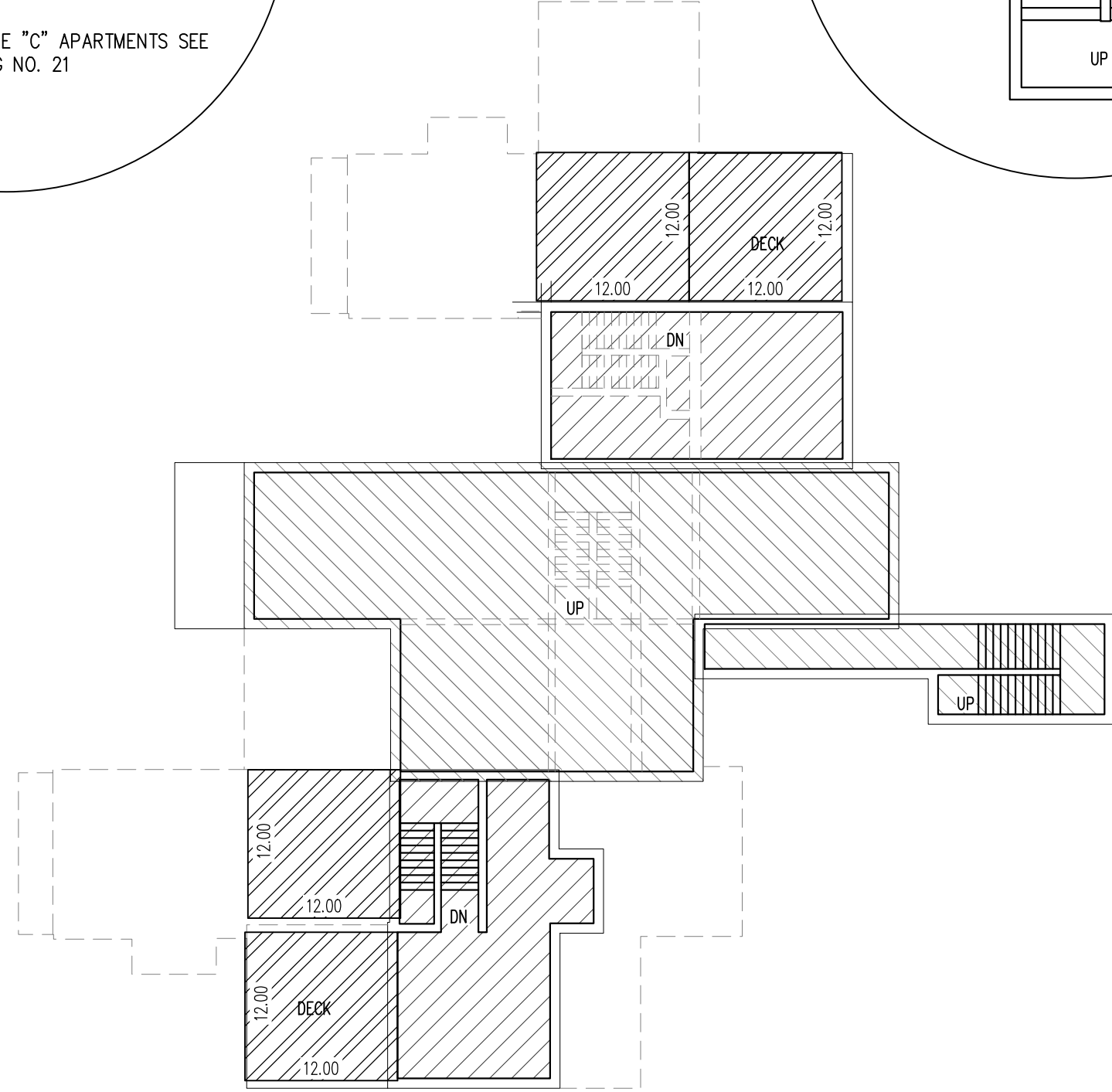
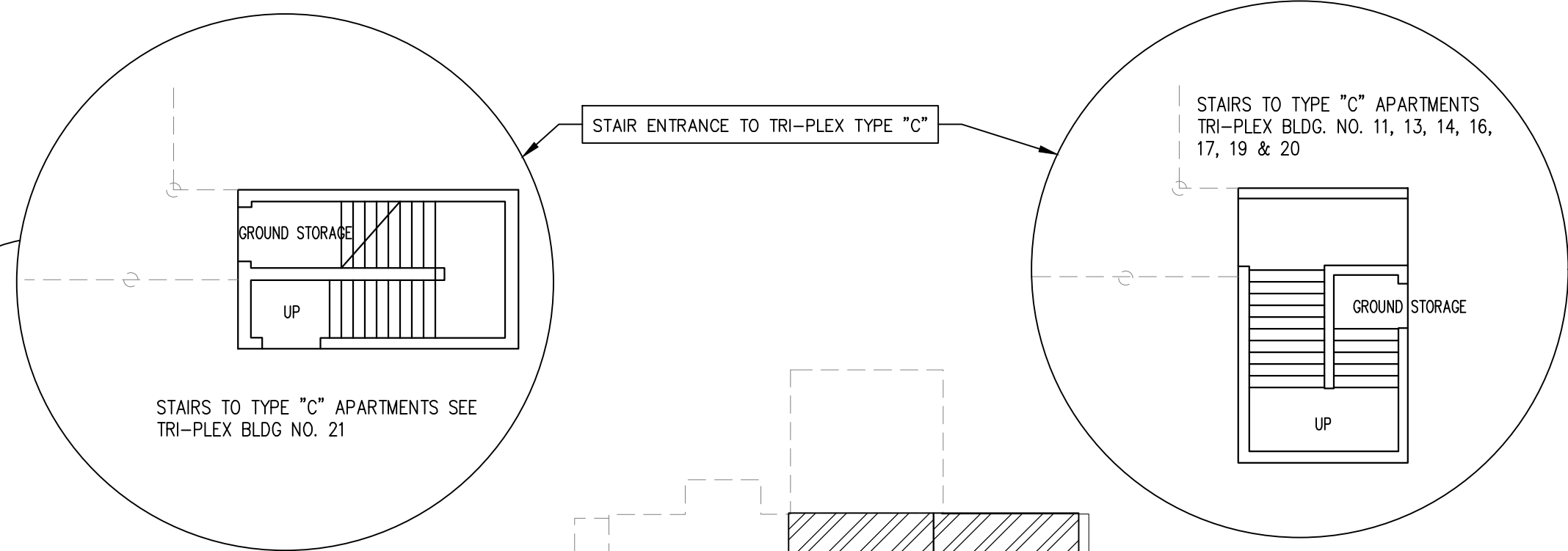
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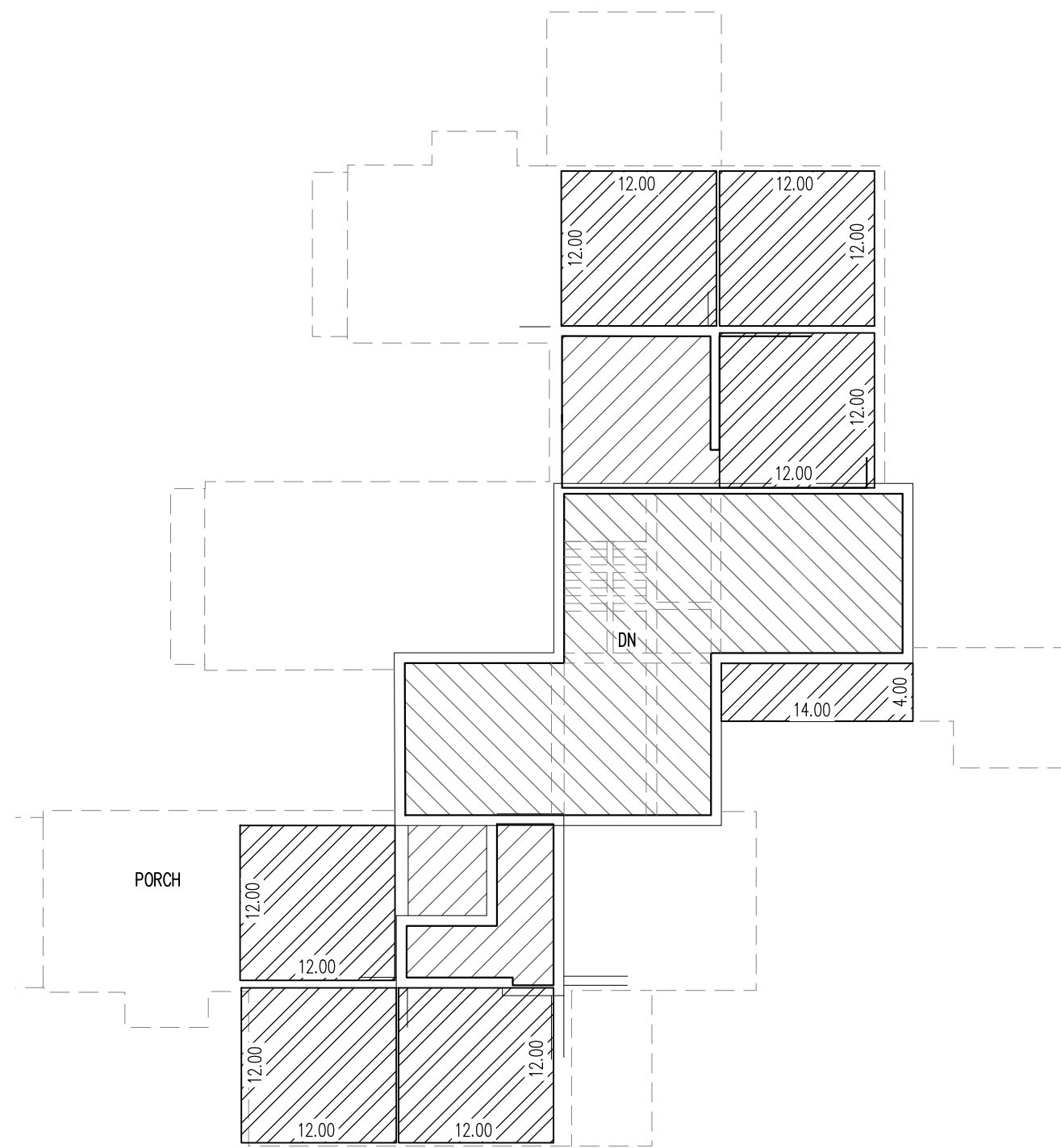
BASEMENT LEVEL PLAN



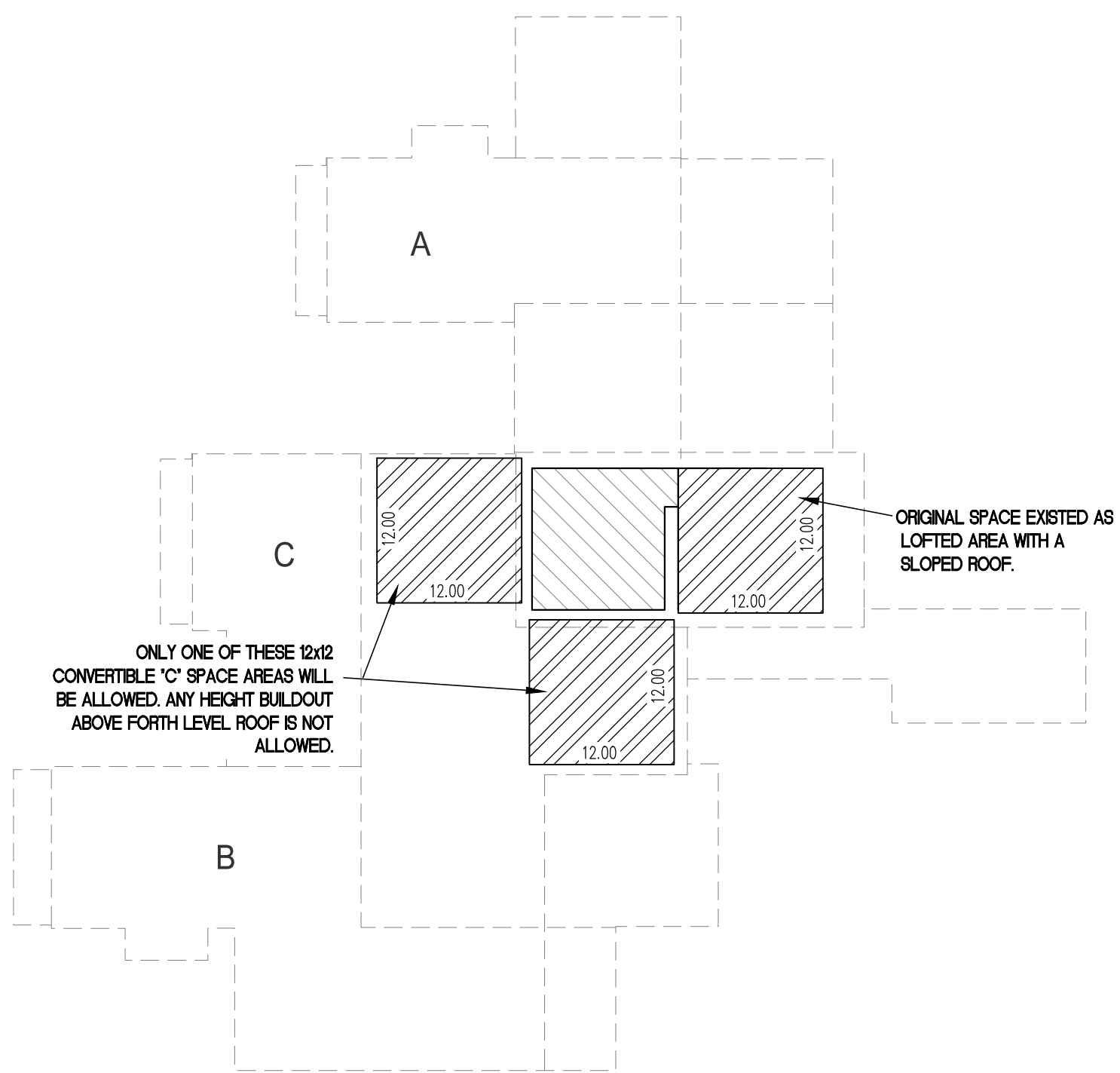
FIRST LEVEL PLAN



SECOND LEVEL PLAN



THIRD LEVEL PLAN - LAYOUT 1



FOURTH LEVEL PLAN

TRI-PLEX BUILDING TYPE "A", "B" & "C" BUILDINGS
NO. 11, 13, 14, 16, 17, 19, 20 & 21

LEGEND:
(SEE NOTE 3, PG 1 FOR EXPLANATION)

- PRIVATE OWNERSHIP AREA "A"
- CONVERTIBLE SPACE AREA "C"
- STORAGE - CONVERTIBLE SPACE (SHEETS 5, 6, & 7)

AMENDED
RECORD OF SURVEY MAP
PAYDAY CONDOMINIUM
A UTAH CONDOMINIUM PROJECT
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PARK CITY, SUMMIT COUNTY, UTAH

SHEET 7 OF 7
DELINEATES CONVERTIBLE SPACE AREA C AND CONVERTIBLE STORAGE

NOT TO SCALE

RECORDED
ENTRY NO. _____ BOOK _____ PAGES _____
STATE OF _____
COUNTY OF _____
RECORDED AND FILED AT THE REQUEST OF: _____
COUNTY RECORDER

PAYDAY CONDOMINIUM PLAT AMENDMENT

Project Intent & Summary

January 18, 2022

SUMMARY FROM PLANNING COMMISSION WORK SESSION

Payday Condominiums presented the plat amendment before Planning Commission for a second work session on October 13, 2021 to address Commission questions and provide additional visual documents to best illustrate the minimal impact for the proposed convertible spaces. The Commission found the proposal to be favorable. The two main discussion points were setback encroachment and height for future convertible spaces. Payday Condominiums would like to clarify the following points.

Setbacks:

The existing setbacks at Payday for decks and buildings meet all code requirements as they were instituted in 1972. With current code changes, it is impossible to enforce deconstruction of property. Payday Condominiums is not proposing, in the amended plat proposal, any future expansion beyond the current existing building boundaries for the convertibles spaces as it meets the 1972 building codes.

Height:

The only height exemption which Payday Condominiums proposes, is a small area at the 4th level for the tri-plex middle units, whereas their 1st floor is accessed via a full flight of stairs to an actual 2nd level.

All Payday units have a three-level configuration. Original, third level spaces in Payday Condominiums were accessed via a ladder. This third level area was only large enough for a couple twin beds, and was an open-air loft over the Master Bedroom. As today's code is written, these types of spaces would not be allowed due to extreme safety hazards. The middle units would realize unfair hardship if a small addition would be dis-allowed. The small expansion ensures that a code safe stair would access the upper level, plus provide adequate usable living space.

All other proposed convertible space additions do not exceed the current code height limitation of 28 feet.

HISTORY

Payday Condominiums was notified by the City in 2018 that one particular condo unit submitted for building permit review showed discrepancies between existing conditions and conditions documented on the original plat. During this period of correspondence with the City, it was discovered that several other units with such noted conditions existed. Payday was instructed by the City to file an amended plat to update the existing conditions where past homeowners had remodeled private ownership space onto common area. No prior HOA approvals or amended plats existed for these remodels onto common area, thus it can be assumed that there was no HOA vote process in the past. There were years of building permits being issued, whereas there was no cross reference by the City of proposed remodels areas to the original 1972 plat.

Since condominium ownership has cycled several times for most of the condos since the early 1970's, it became apparent to Payday Board of Trustees that there could be contention among homeowners who now owned these expanded condos and homeowners who owned condos with original square footage. In 2019, Payday Board of Trustees presented to the city the concept to allow remodel additions for various

homeowners at specific areas. The city communicated that they would be open to such an idea so long as the building additions did not expand beyond the original platted building pad. Thus, Payday proceeded with hiring an engineer to document the existing conditions, plus present the future remodel additions (referenced as Convertible Space), on the proposed amended plat.

PROPOSED ADDITION AREAS

Payday has several areas where homeowners might successfully add remodel areas to their units. These areas have been identified as Convertible Space in the proposed Amended Plat on pages 10 – 12. These areas consist of the following:

- Two-story vaulted interior spaces
- Covered Entryways
- 2nd Story Deck over Kitchens adjacent to the Master Bedroom
- Flat and/or sloped roof areas (Payday has steep roof slopes and some of these conditions could be modified to allow for better usable living space so long as the modifications do not exceed maximum building height allowance and obstruct views from adjoining units)

SUMMARY OF CURRENT ADDITIONS FROM ORIGINAL 1972 PLAT

- 9 Units out of 51 Units have expanded additions onto Limited Common and/or Common Area
- 16 Units out of 51 Units have expanded interior vaulted space and converted it to useable area.
- There are potential addition opportunities for approximately 50 out of 51 Units at Payday. Units with already expanded additions at what Payday proposes on the Plat Amendment will obviously have limited addition opportunities.

ADDITION LONG-TERM PLAN

The proposed convertible space allowance could transfer now, and in the future to homeowners with no deadline for build-out. This allows the City Planning and Building Department process to be streamlined, whereas all considerations for future building applications would be referenced to the amended plat. In addition, there are so many unforeseen circumstances for setting a timeline for build-out. This past year with the pandemic is a perfect example.

GOOD CAUSE PLAT PROPOSAL

Payday HOA supports the proposed plat amendment since it allows an equitable and fair opportunity for all homeowners to balance the past building expansions, whereas some units built their additions onto limited common and common area. The proposed plat does not allow homeowners moving forward to take common area compared to past taking, but to allow for additions within each unit's footprint/pad area.

The middle units at each tri-plex are built in an unusual manner, whereas first floor access is up one full level. So essentially each middle unit of a tri-plex has a first floor that starts at the second level. Because of this condition, these unit's third level, is actually a fourth level, and is built to approximately 36 feet. Opportunities for additions at these middle units are more limited. The only addition opportunities for the middle tri-plex units are:

- The area over their hallway from the stairs to the front door (which is actual 3rd Level), and
- Their third level (actual 4th level).

Payday recognizes that the current code today has a height limit of 28 feet, yet we request an exception for a minimal expansion, which complied with 1972 height limits, for these Payday middle tri-plex units. The plat indicates a small addition at the fourth level for these units, which will allow for a code safe stair for access, plus the possibility of a small bath and closet. Unreasonable hardship and unequal opportunity would be significant if the middle units at the tri-plex buildings were not allowed the opportunity for an addition as we have indicated on the proposed plat amendment.

OUTLOOK FOR PAYDAY FUTURE

Payday Condominiums was one of the earliest Park City developments, and we have been told that it was likely part of the Park City golf course PUD. Payday is located on the bus route and steps to the slopes, hiking and golf course which places it in a premier location within Park City proper. Payday Homeowner's Association is very intent on continuing its goal to improve the property with integrity, which in turn builds real estate values and quality enjoyment for residents.

The original developer and builder(s) for Payday back in the very early 1970's clearly could not forecast that Park City would be the signature resort town it is today, hence their foresight for functional use at Payday condos falls short of today's modern needs.

1. The original units had lofted Master Bedrooms on the 2nd Level with ladders to a small 3rd level loft. Most of these 3rd level areas are now accessed by stairs, but do not have the square footage for a bathroom or a closet, whereas occupants must navigate 2 flights of stairs to use the restroom. Not only is this inconvenient, but dangerous at night. Looking forward, we recognize that the addition of a bath and closet, or enlarging a twin bedroom to fit a queen/king as we consider the convertible/addition areas, would not strain the existing parking conditions at Payday. Payday has 74 parking spaces for 51 units. Payday is on the bus route, and in the winter, nightly rental guests typically use the Public Transportation system since we are across from the bus stop. In addition, during summer months, we know many people are using their bicycles for local transportation, particularly with the now, new electric bikes.
2. There is no covered parking or garages at Payday, and also no storage for any of the units. The challenge which Payday faces constantly is storage for bicycles and other seasonal items. The square footage of Payday units is small; on pages 10 – 12 we show various areas where we could construct storage areas for homeowners. Most of these proposed areas are in the breezeways below Upper-Level units, and under some of the units which are raised above ground where there exists adequate head room for storage. The breezeways and areas under the raised units are dead zones at Payday. Nothing will grow in these dark covered areas, and they are undesirable spaces for any recreation. Storage at these areas is an ideal use of space. We propose that the storage areas would be integrated into the buildings versus free-standing, and constructed to match existing Payday architecture and exterior materials.

PAYDAY ARCHITECTURAL REVIEW COMMITTEE

Many years ago, Payday recognized the need for a committee to oversee proposed remodels and any changes to any building. We have had a process in place with a fee submittal to the management company for review processing, plus an additional fee which is held as a deposit to ensure compliance

with Payday ARC Specifications. All applications are reviewed by the HOA Committee which has experience in both design and building. Attached is a copy of our Payday Architectural Change Application. Payday also has strict written Architectural Specifications which homeowners must adhere to, as well as, Rules and Regulations.

As Payday proceeds with the plat amendment there will be very strict review and application processes in place to ensure compliance with the amended plat and Payday ARC specifications.

DECKS

During our initial meetings and conversations with the city, we inquired about the ability to enlarge some of the 6' x 12' decks to accommodate spas and better circulation. The city was open to allow for deck expansions within limitations as decided by the HOA, so long as it was reasonable. We have not indicated deck areas on the amended plat drawings since this was not requested, nor necessary for an amended plat. We propose that deck additions would be handled through the Payday Architectural Review Committee process and approved by the City Building Department.

We thank the City Planning Departments for their consideration to the Payday Condominium Amended Plat submittal, and for their acknowledgment of past years' oversight by the City to cross reference remodel additions to the original 1972 plat.

Thank you,

Payday Board of Trustees

PAYDAY CONDOMINIUM HOMEOWNER'S ASSOCIATION

P.O. Box 680876

Park City, Utah 84068

ARCHITECTURAL CHANGE APPLICATION

According to the Architectural Change Guidelines adopted by the Board of Trustees of the Payday Condominium Homeowners Association (PCHA), an owner must get approval from the PCHA Architectural Review Committee (ARC), prior to making any change to the exterior of that owner's unit and prior to applying for a Park City building permit with respect to any proposed changes to owner's unit. Filling out this application does not guarantee that the change will be approved. Failure to complete this form and submit it to the ARC may result in a fine assessed against the unit owner. If a change is made without the written approval of the ARC, the ARC may require that the change be restored to its original state at owner's expense.

Once construction has been approved by the ARC, owner recognizes that final acceptance of construction must be obtained from the ARC. Owner must provide signed/approved building permits to ARC once permitted construction has been inspected by Park City building officials. Owner must notify ARC/HOA management company of final construction stage. ARC and/or Payday designated representative shall review the construction and submit an Architectural Change Acceptance letter to the owner. Only then shall owner assume construction meets PCHA requirements. Once construction has been accepted and all terms of the Application met, the \$750.00 deposit payment will be reimbursed to the owner.

Please return this application to: Eric Runions, P.M.A., P.O. Box 680876, Park City, Utah 84068. Telephone: 435-645-7888. FAX 435-645-7890

PLEASE ENCLOSE YOUR **\$250.00 NON-REFUNDABLE APPLICATION FEE** PLUS THE \$750 DEPOSIT PAYMENT WITH THIS SUBMITTAL. MAKE CHECKS PAYABLE TO PAYDAY HOMEOWNER'S ASSOCIATION. THANK YOU!

Date: _____

Condominium Unit Number: _____

Owner Name(s): _____

Mailing Address:

Street: _____

City, State, Zip: _____

Telephone #'s: **Home:** _____ **Work:** _____

Cellular: _____ **Other:** _____

E-Mail Address (es): _____

Architectural Change Application

page two

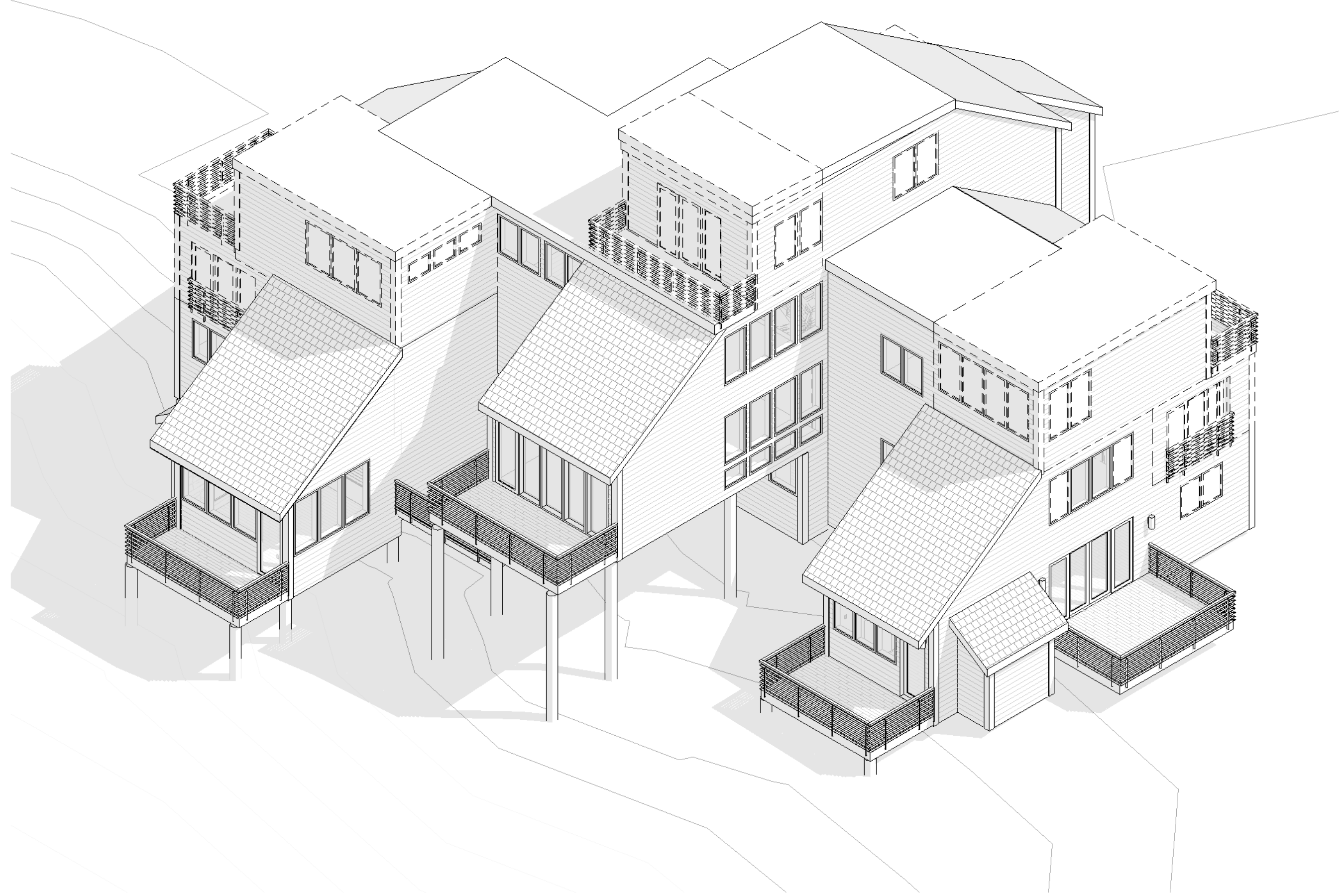
Proposed Change (s):

Please describe the change in as much detail as possible below to included composition of construction materials, paint, location and dimensions of all proposed changes, any structural changes, etc. Use additional pages as necessary.

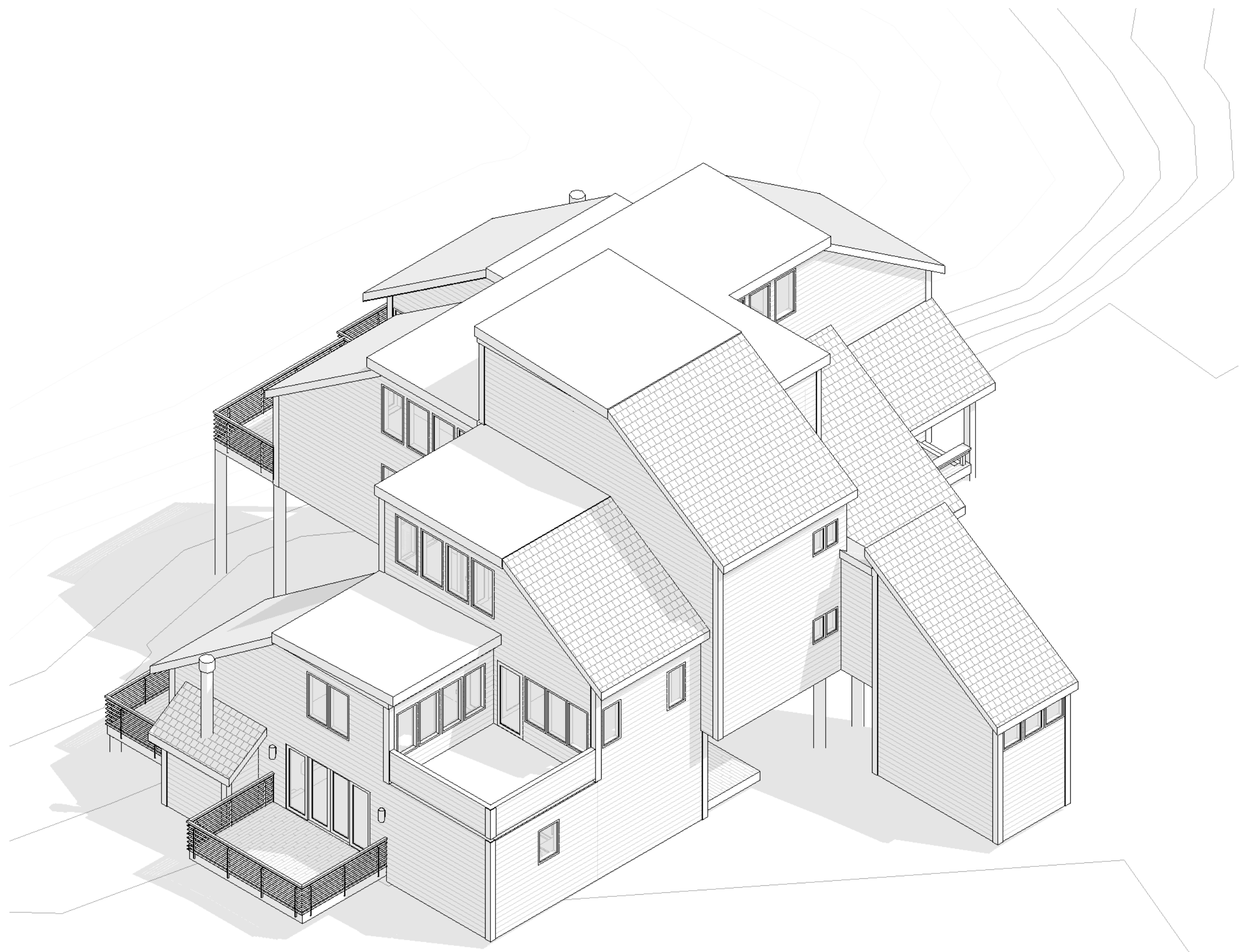
INCLUDE DRAWINGS WHICH SHOW THE CHANGE FROM PLAN VIEW, ELEVATION VIEWS AND OTHER VIEWS AS REQUIRED TO CLEARLY DESCRIBE THE REQUESTED CHANGE. ALSO INCLUDE PHOTOS OF THE EXISTING CONDITION TO BE REVISED.



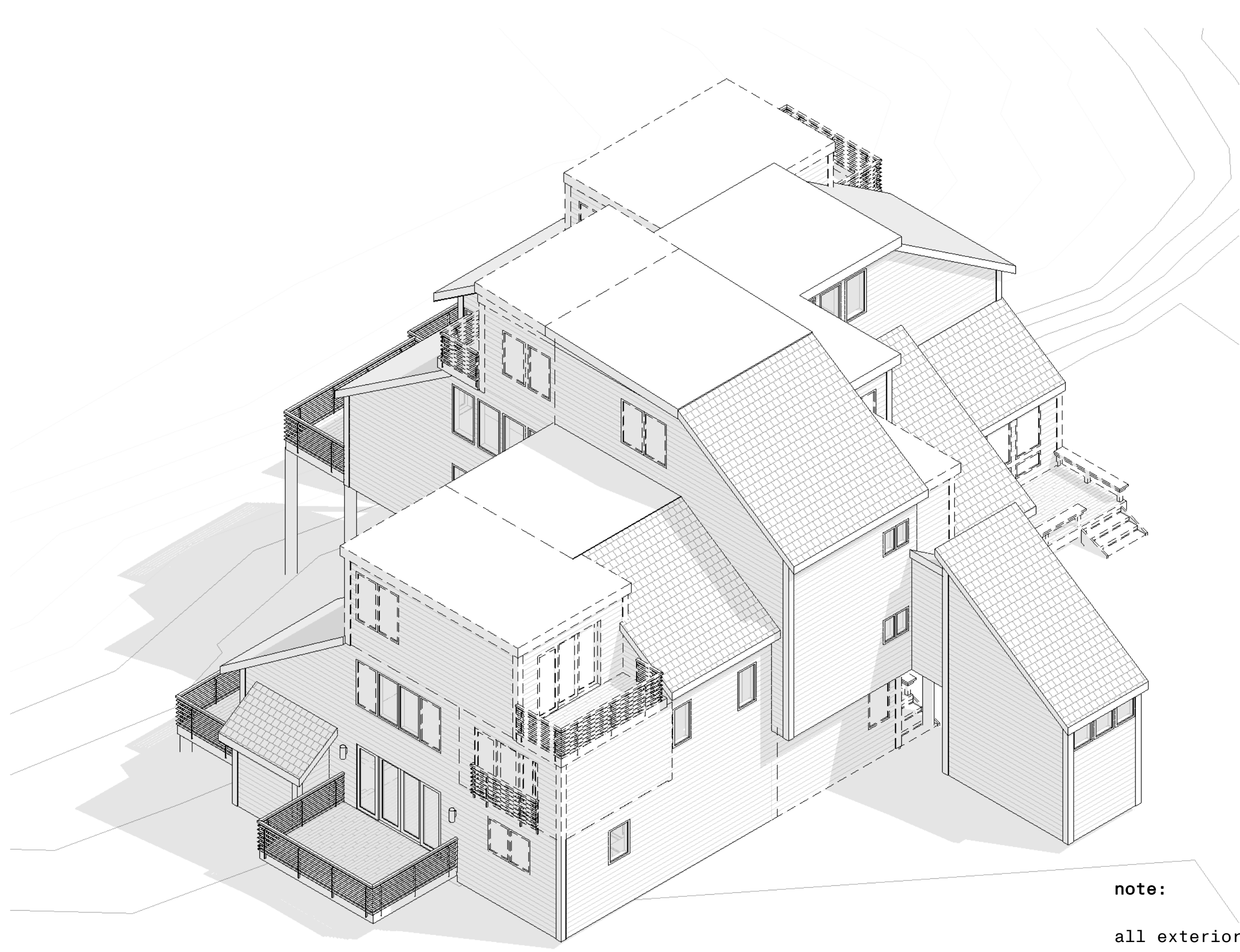
1 isometric 1 existing



1a isometric 1 addition



2 isometric 2 existing



2a isometric 2 addition

note:
all exterior finishes, deck
modifications, & window
size/placement are to be
reviewed by the Design
Review Committee



research
architects
4005 westshire drive
salt lake city utah 84119

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payday units
1700 three kings drive
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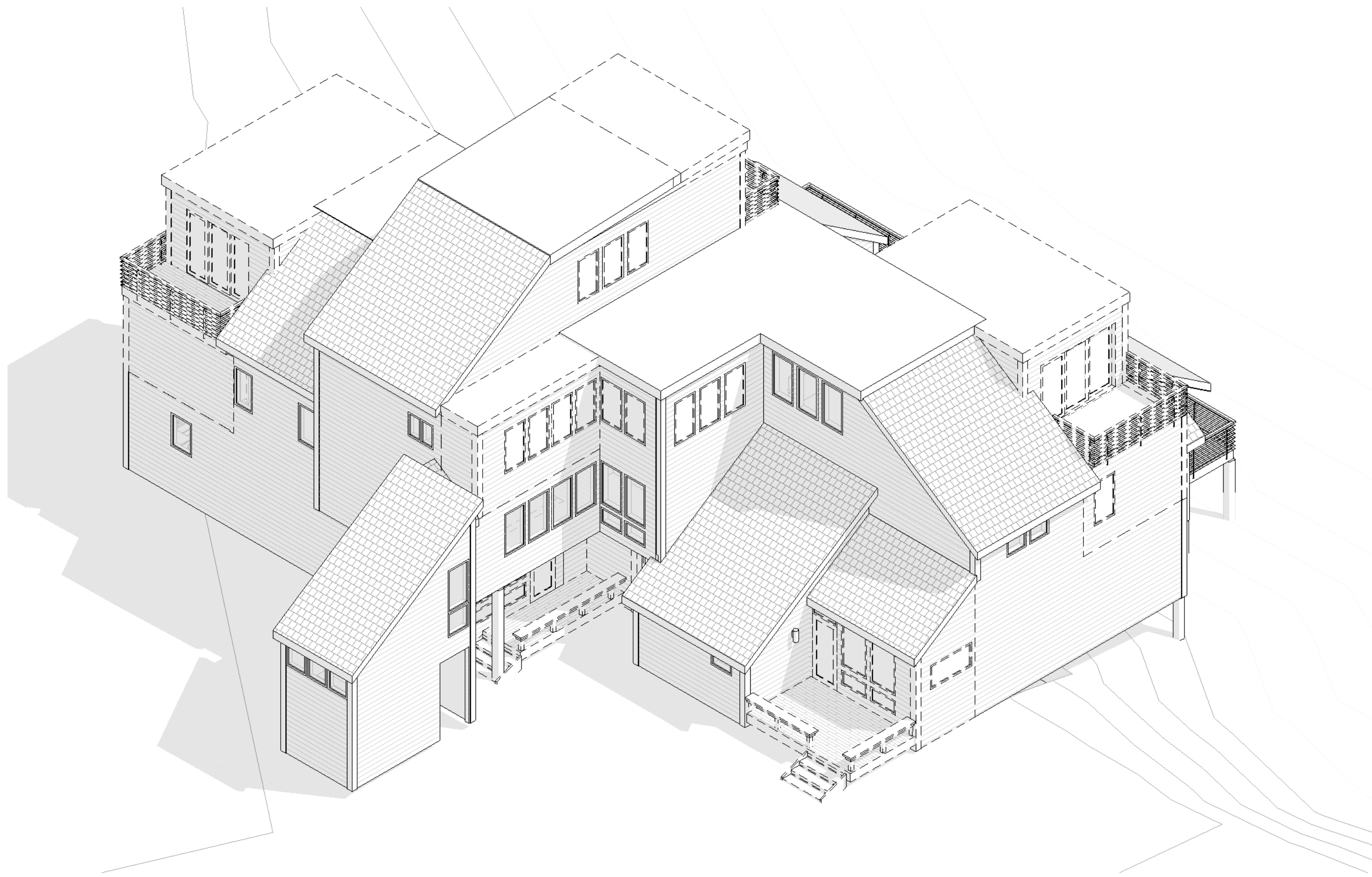
tri-plex 3d
views

REVISIONS
PROJECT NO:
-

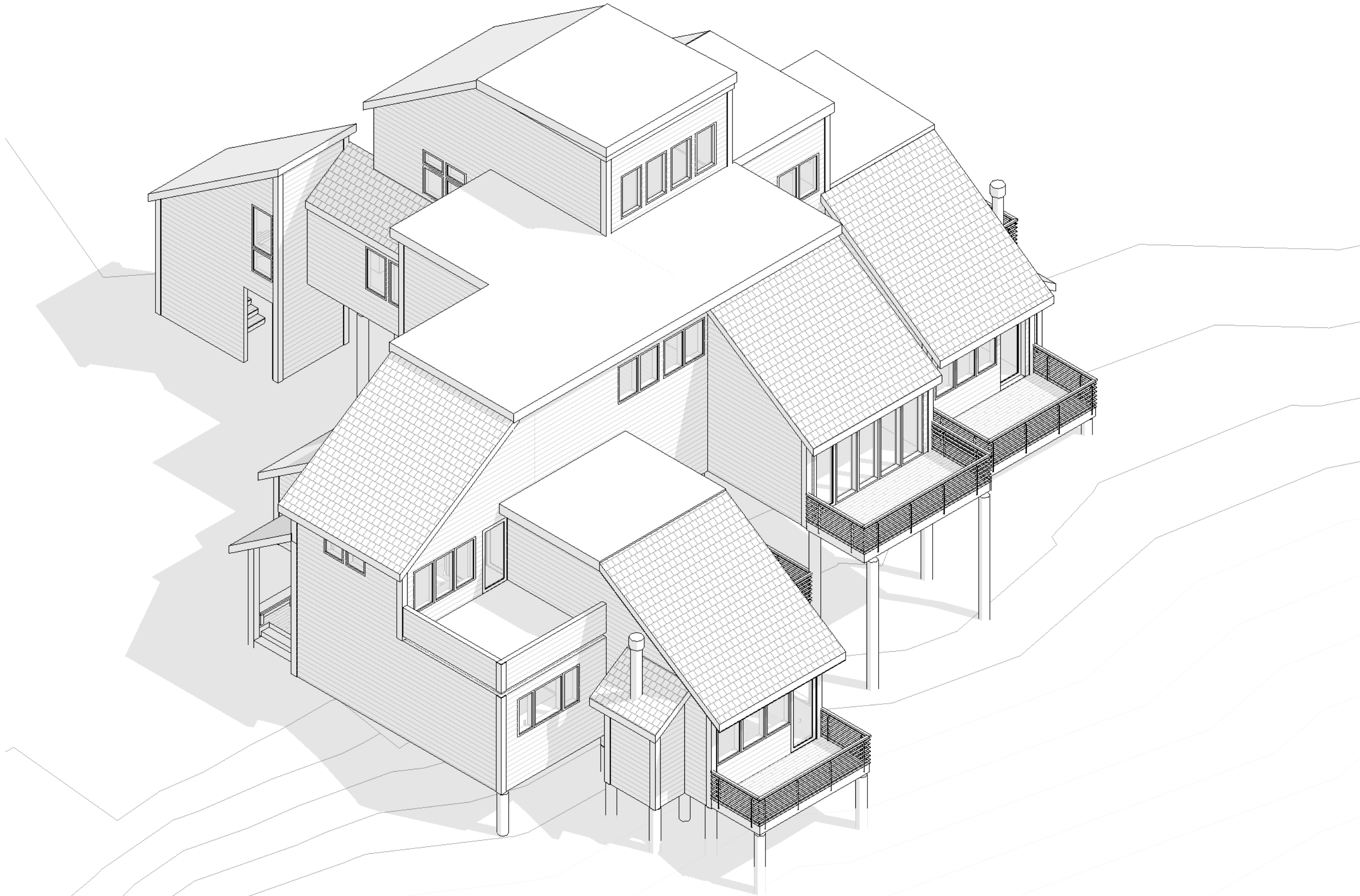
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DRAWN BY: ss
SCALE:



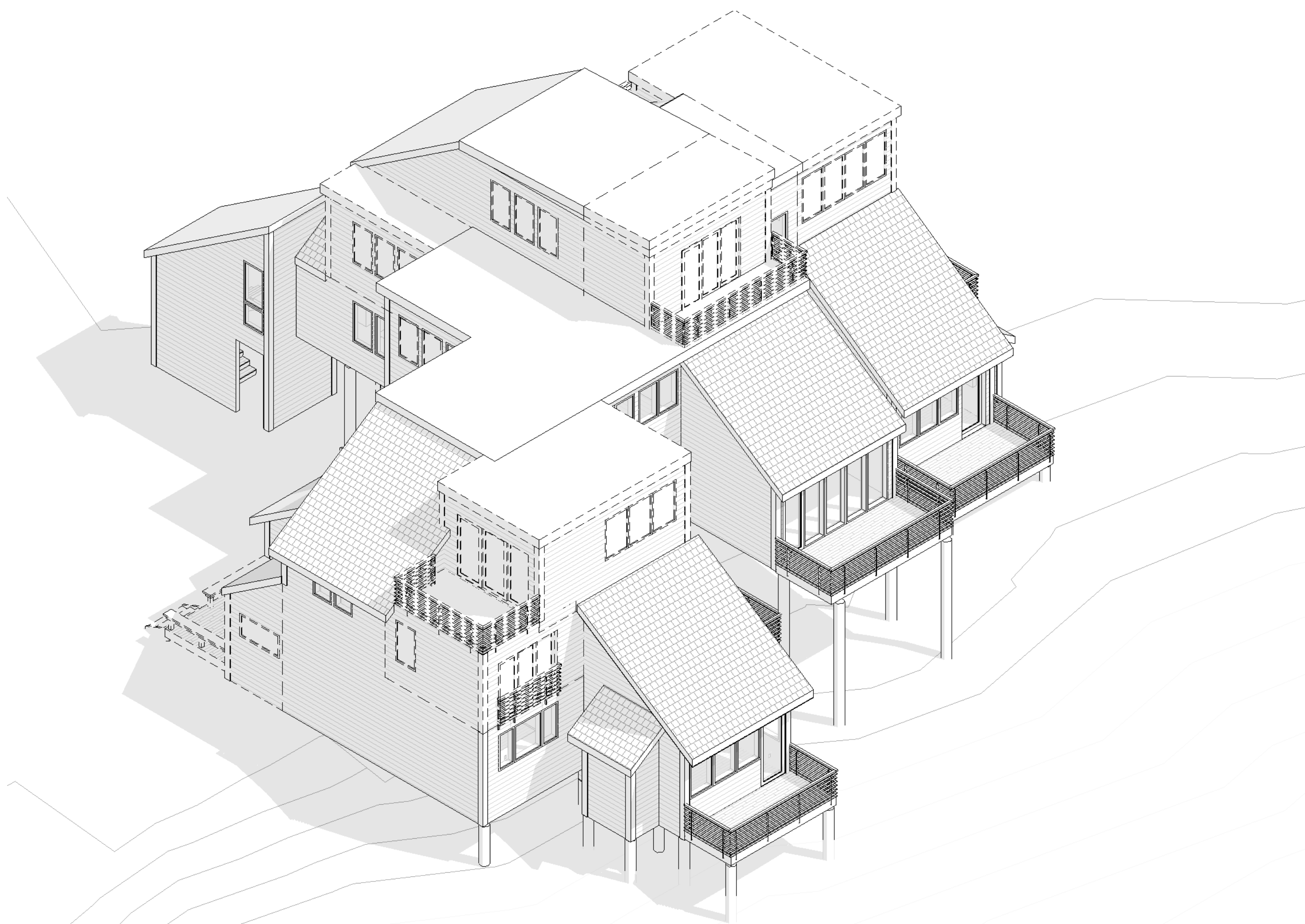
③ isometric 3 existing



3a isometric 3 addition



④ isometric 4 existing



4a isometric 4 addition



**research
architects**
4005 westshire drive
salt lake city utah 84119

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1700 three kings drive
park city utah 84060

**tri-plex 3d
views**

REVISIONS
PROJECT NO: -

A901
DATE: 08.19.2021
DRAWN BY: ss
SCALE:



① 3d view 1 existing



1a 3d view 1 addition



② 3d view 2 existing



2a 3d view 2 addition



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tri-plex 3d
views

REVISIONS

A902

DATE: 08.19.2021
DRAWN BY: ss
SCALE:

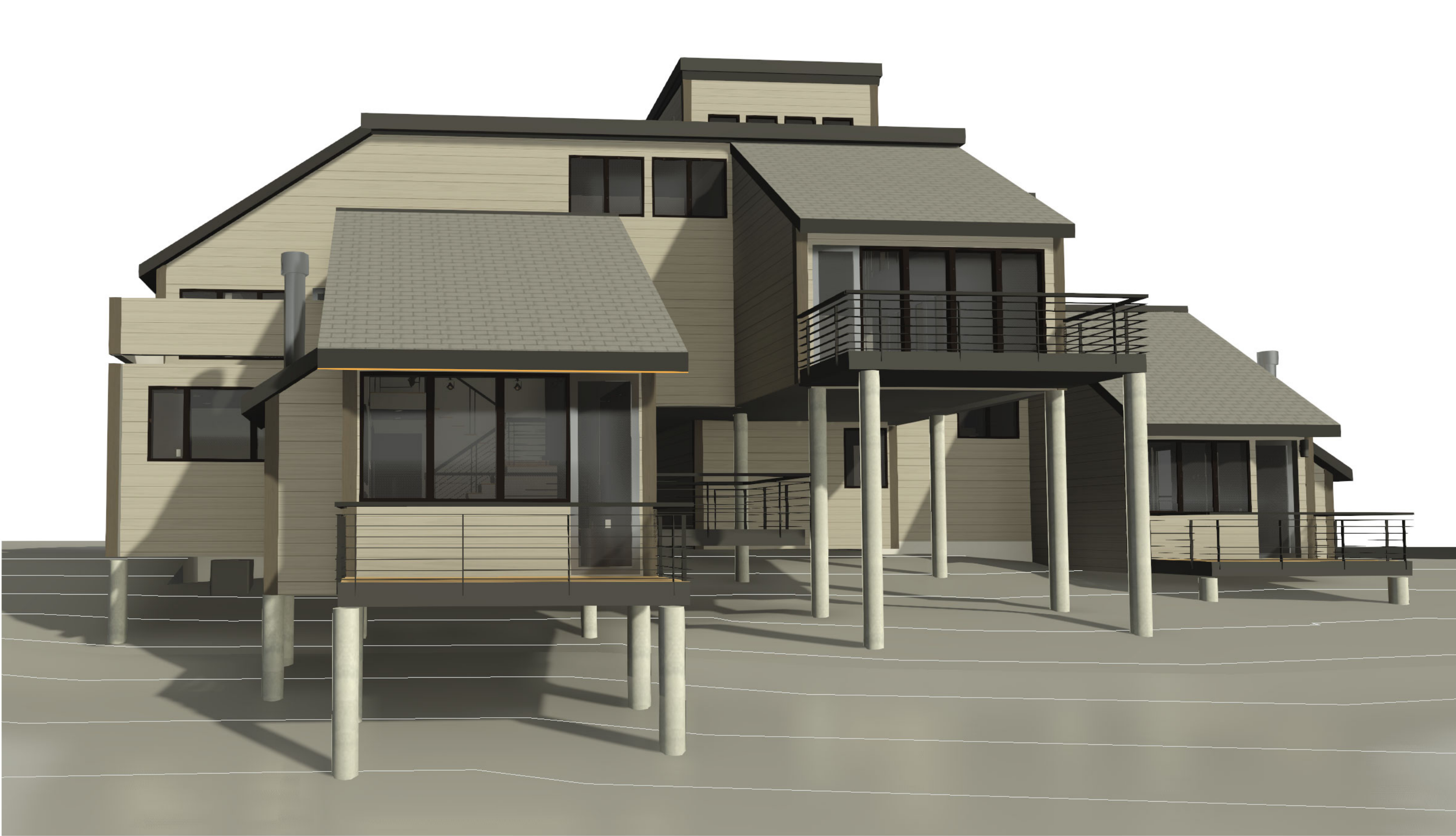
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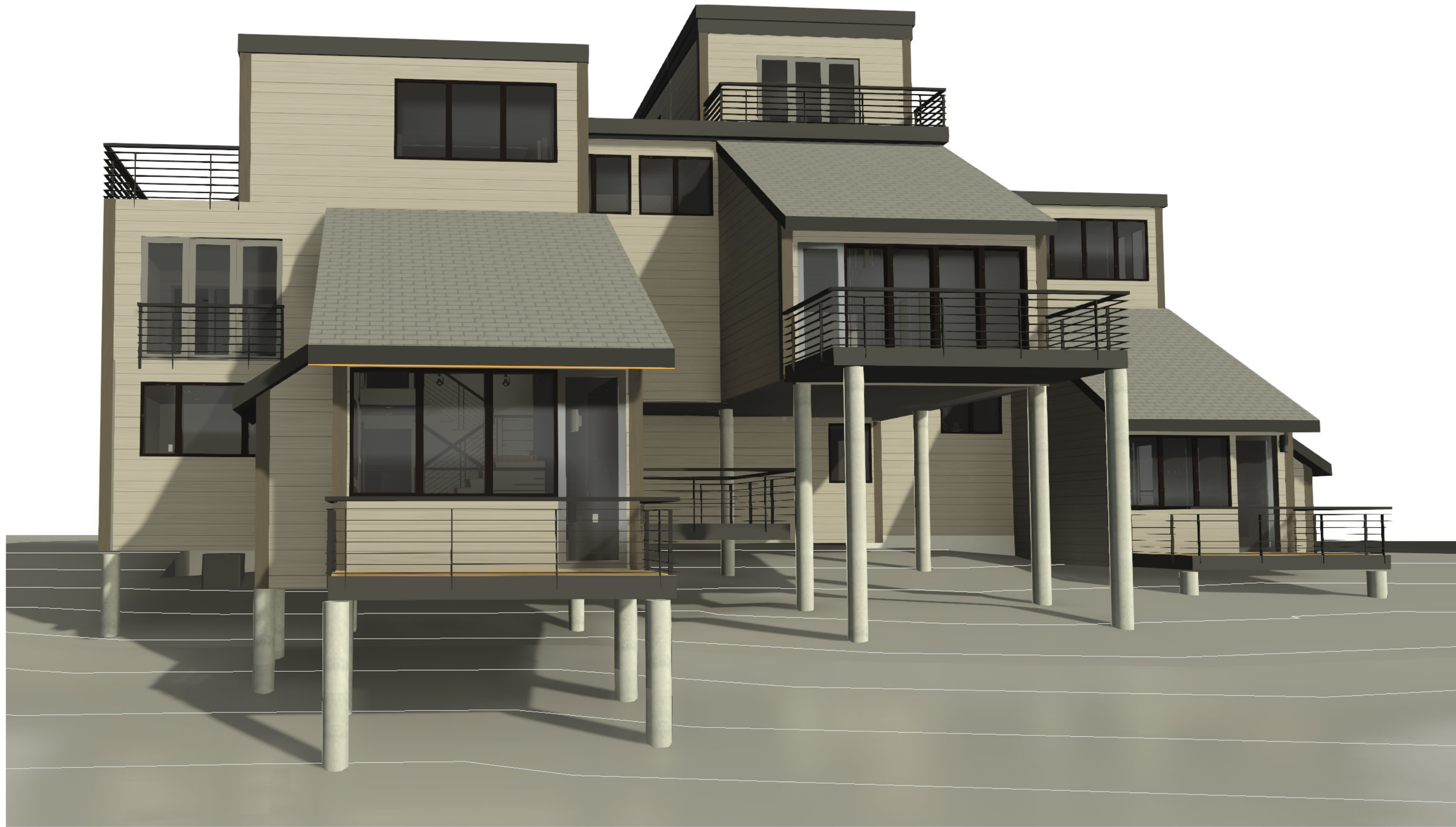
③ 3d view 3 existing



3a 3d view 3 addition



④ 3D View 4 existing



4a 3D View 4 addition



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tri-plex 3d
views

REVISIONS

A903

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SCALE:

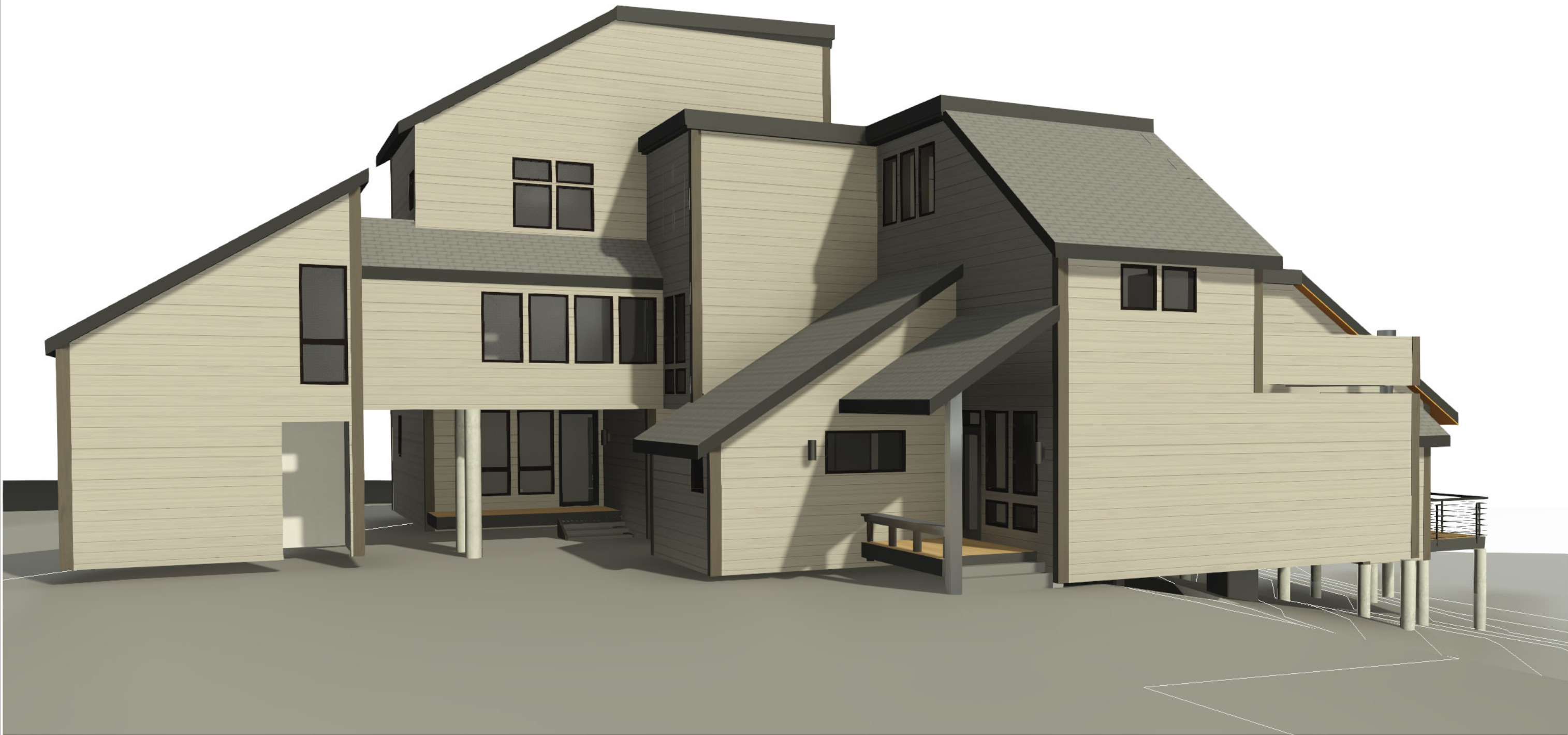
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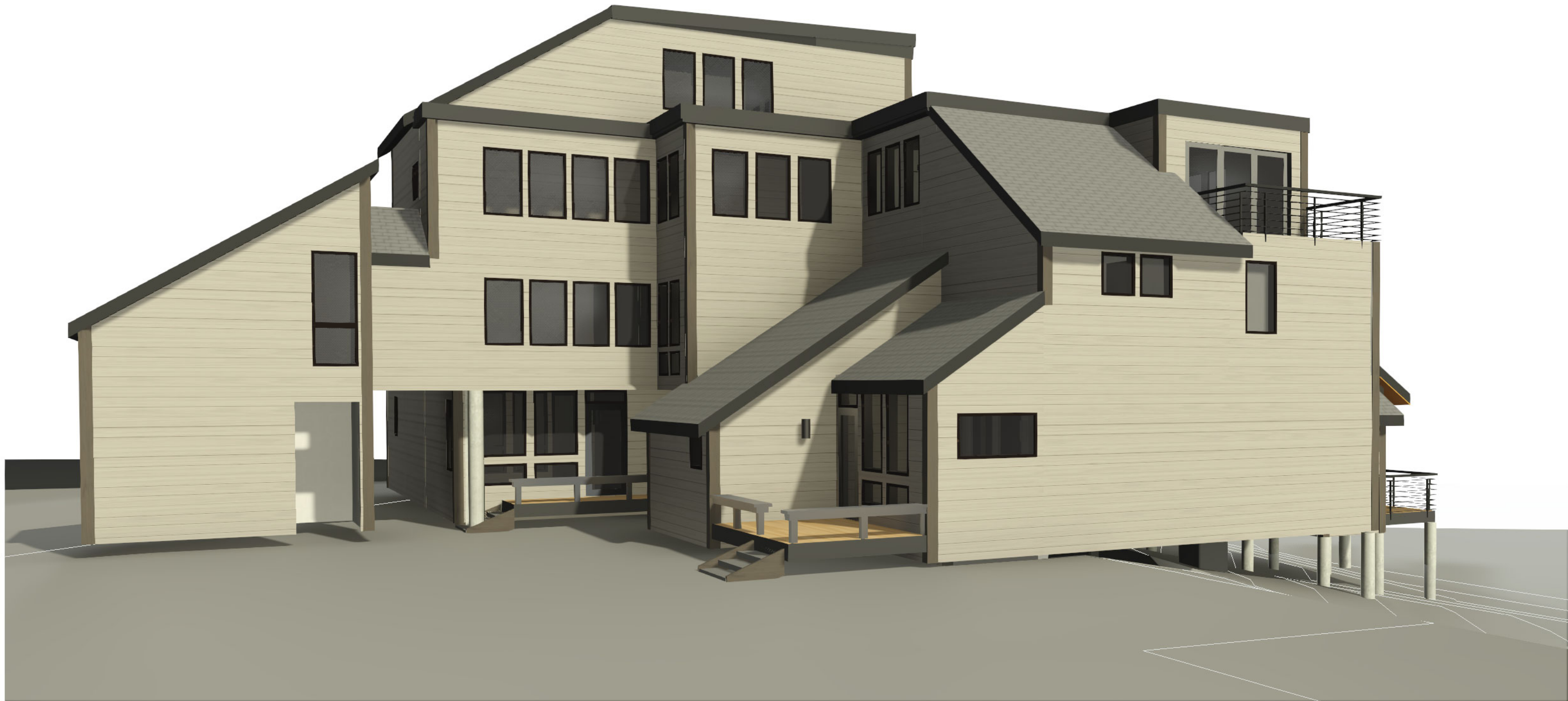
⑤ 3D View 5 existing



5a 3D View 5 addition



⑥ 3D View 6 existing



6a 3D View 6 addition



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architects

4005 westshire drive
salt lake city utah 84119

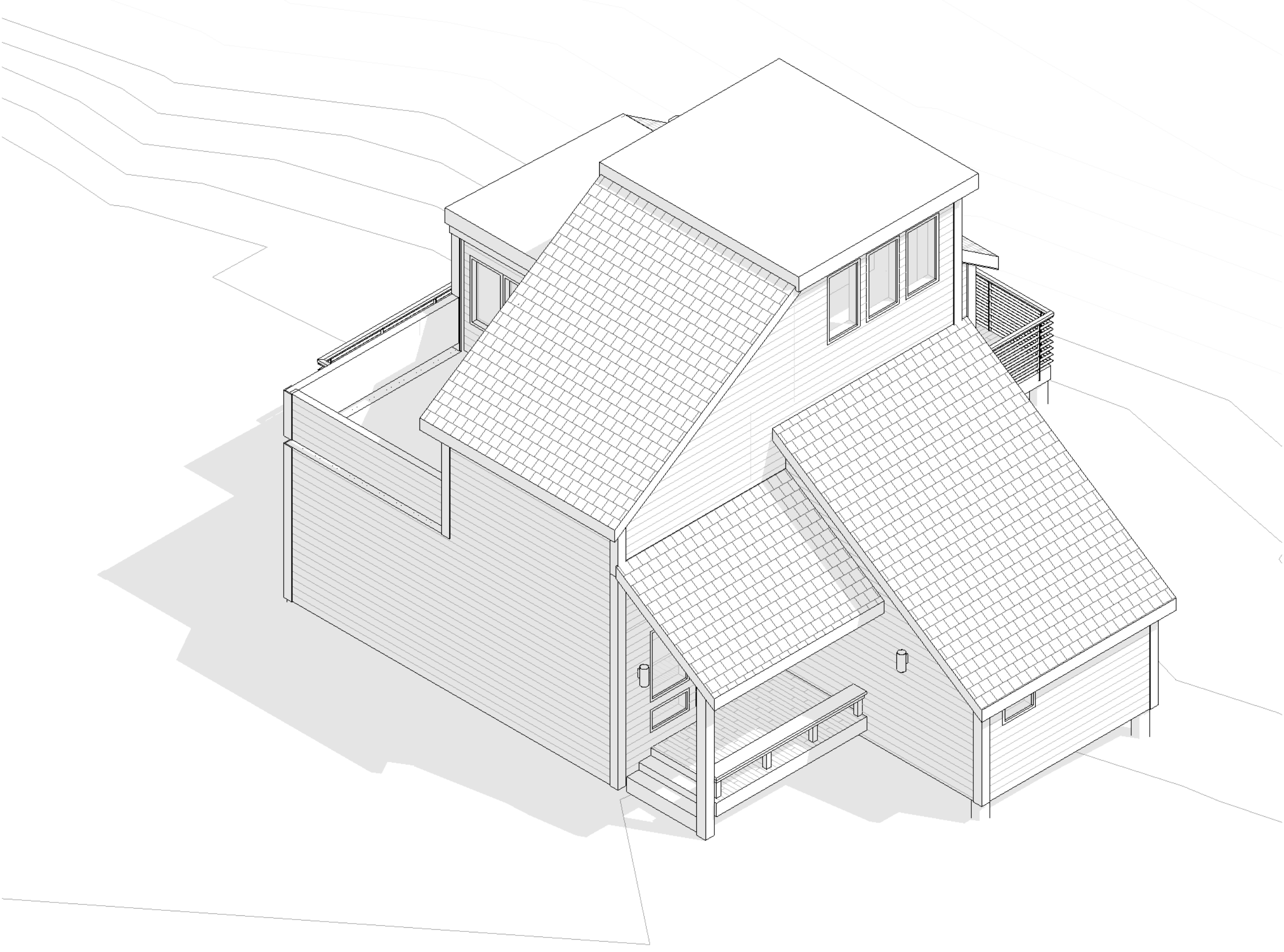
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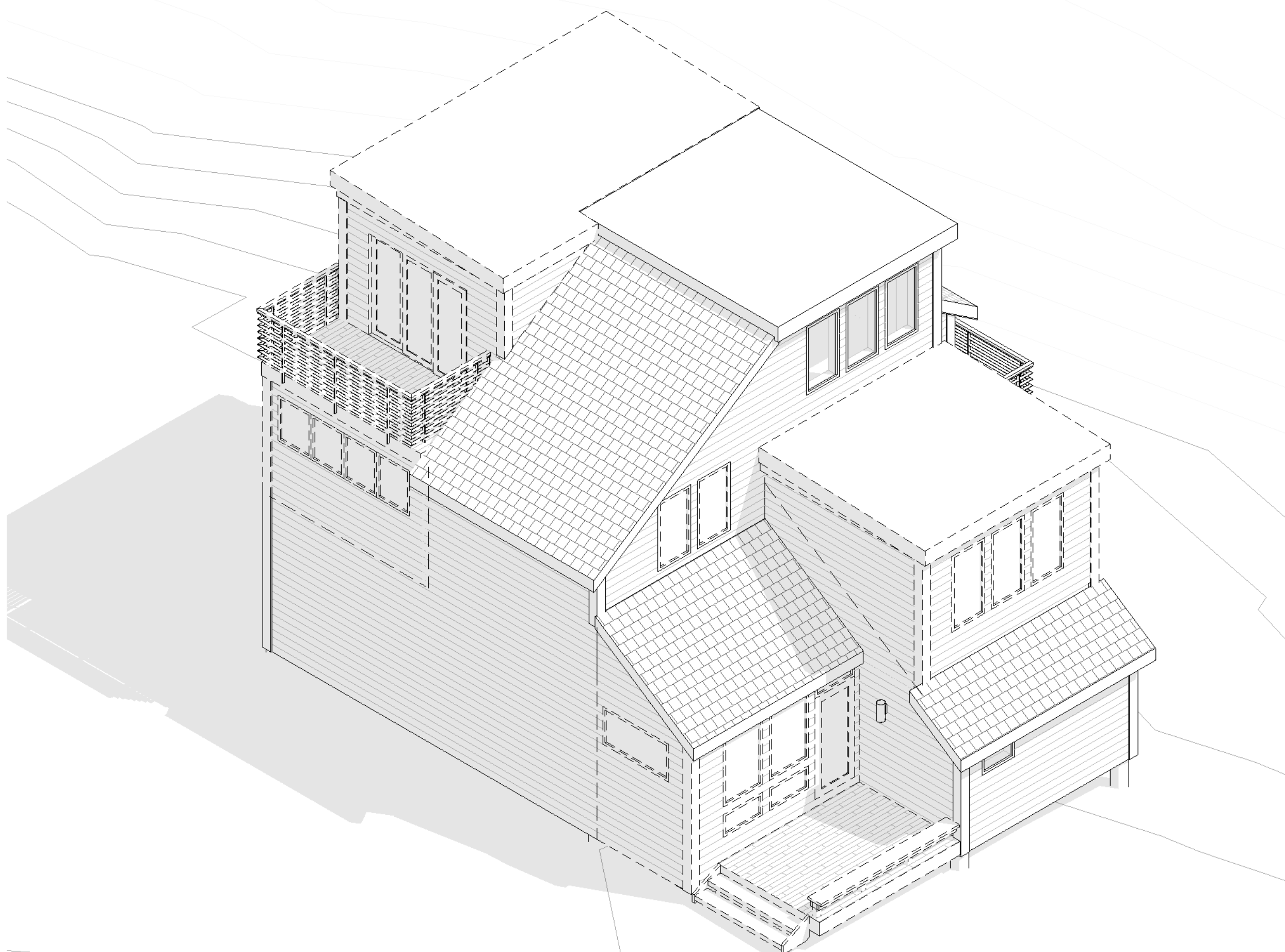
tri-plex 3d
views

REVISIONS
PROJECT NO:
-

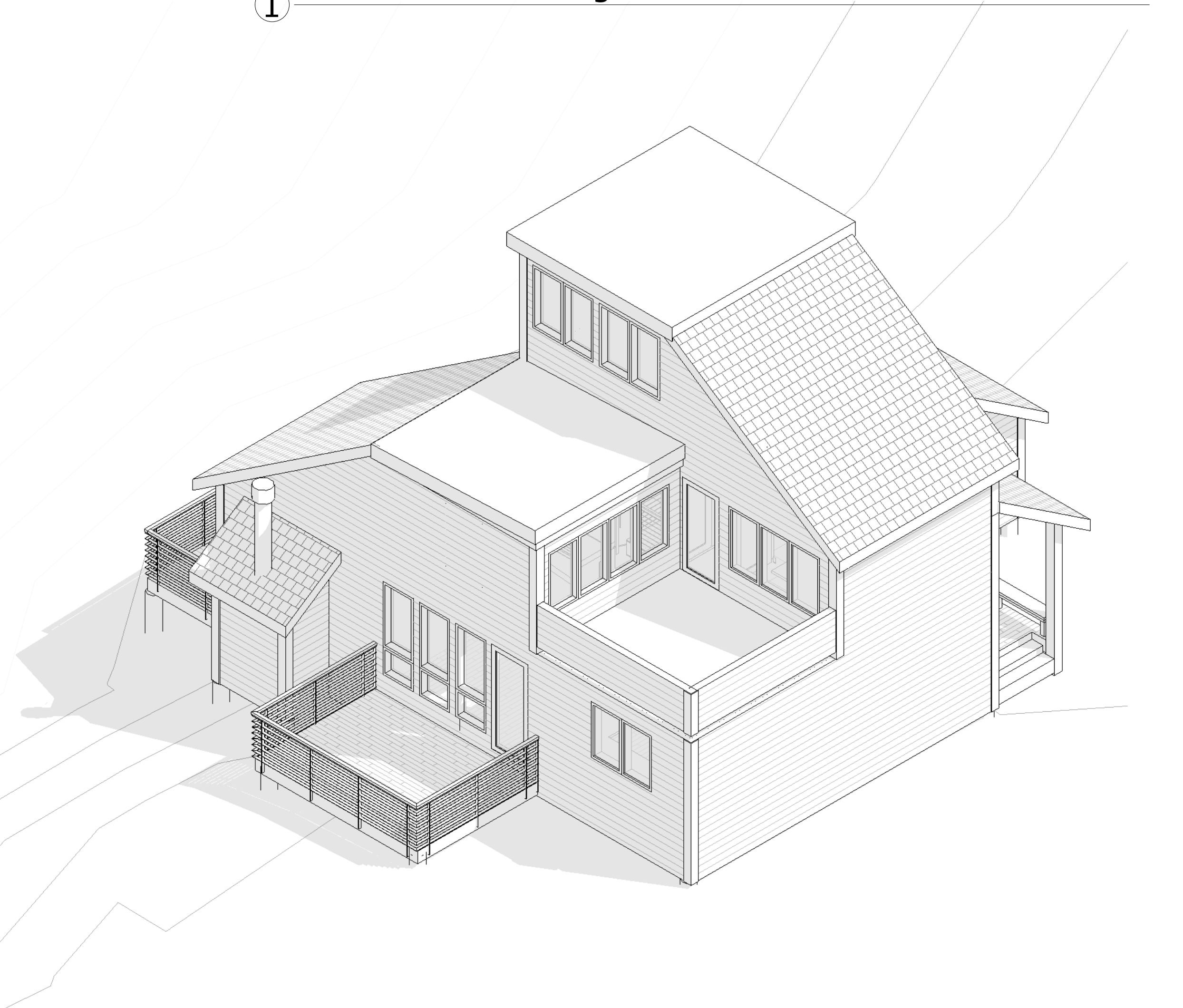
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DATE: 08.19.2021
DRAWN BY: ss
SCALE:



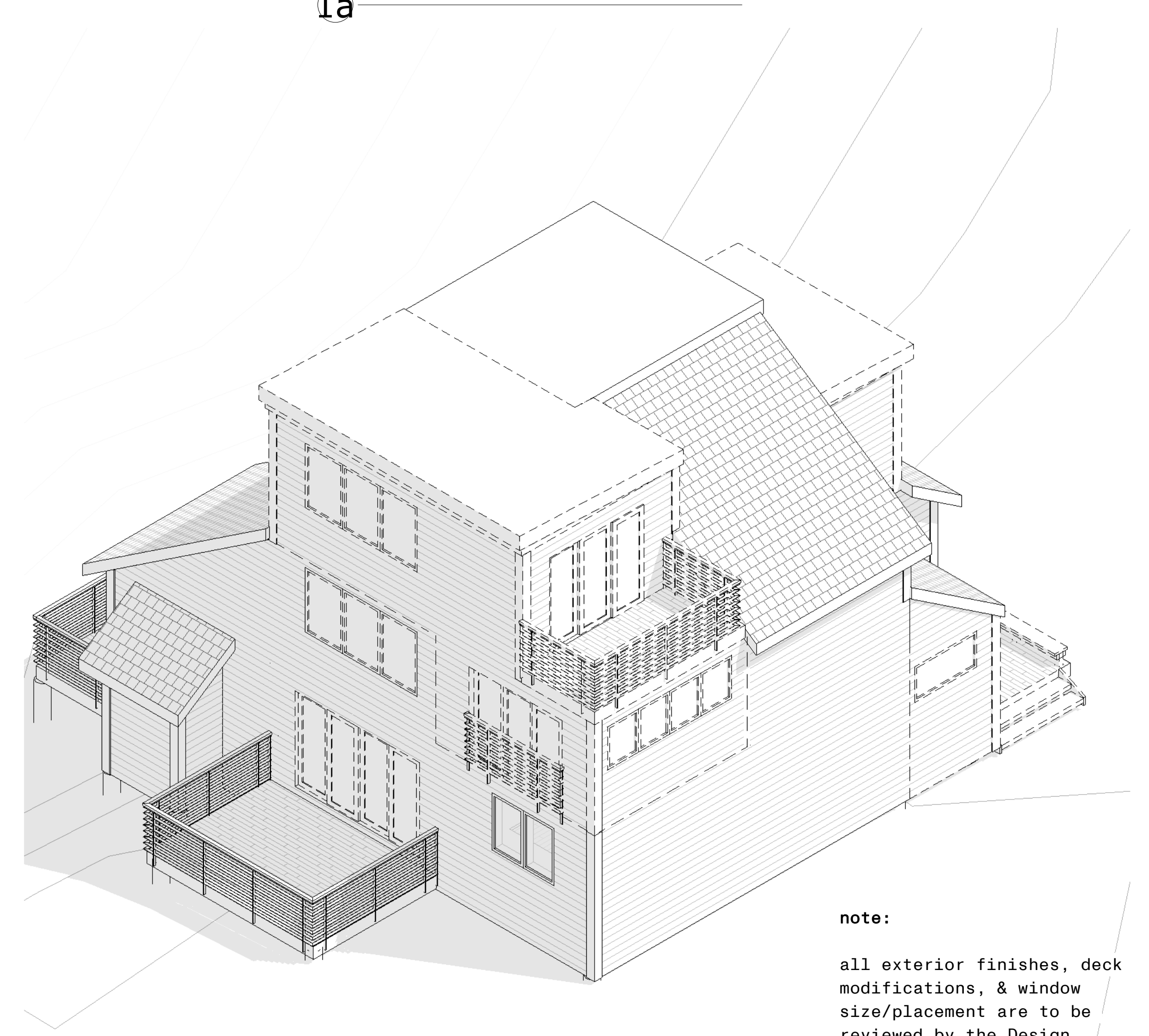
1 isometric 1 existing



1a isometric 1 addition



2 isometric 2 existing



2a isometric 2 addtion

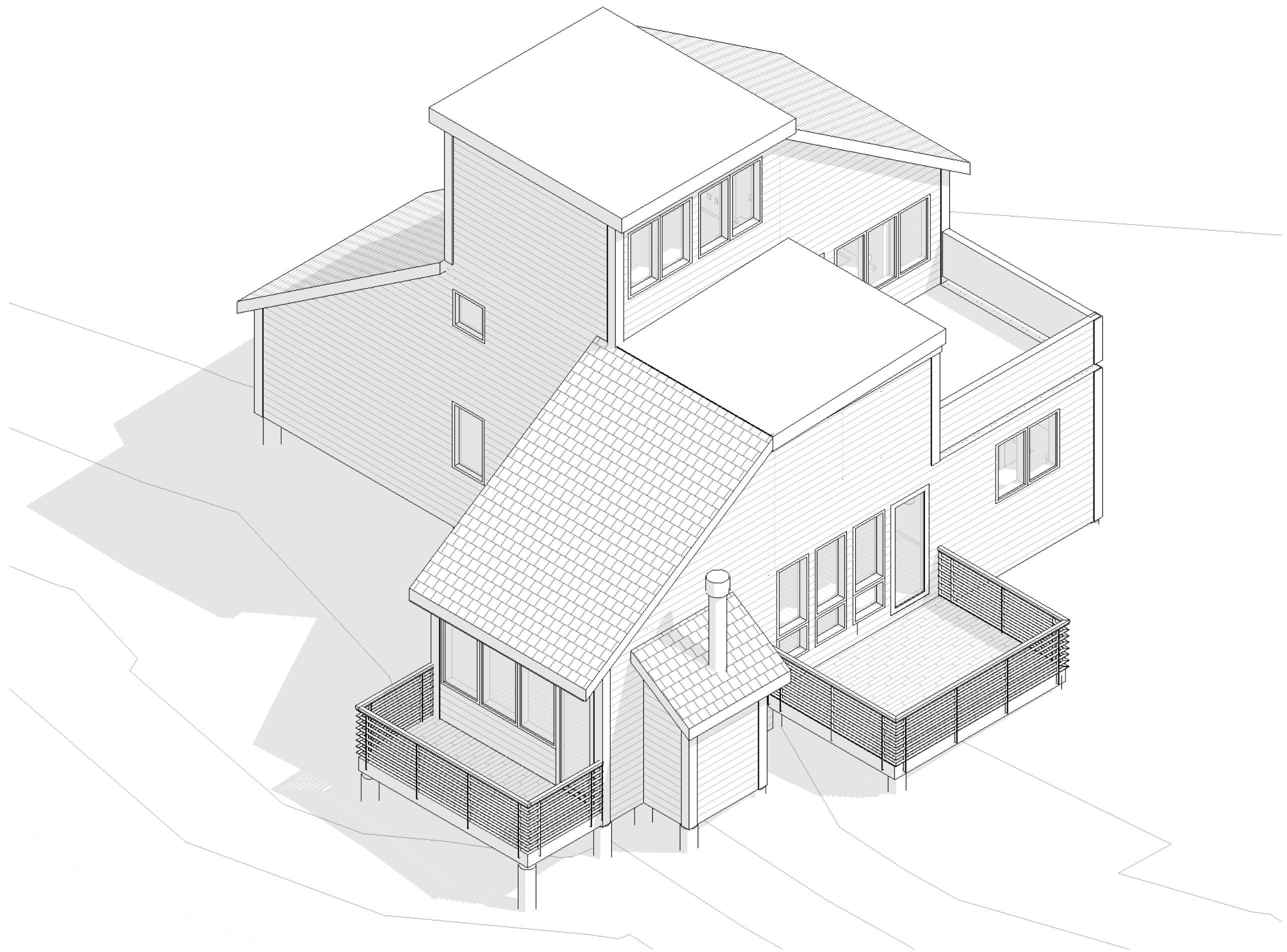
note:
all exterior finishes, deck
modifications, & window
size/placement are to be
reviewed by the Design
Review Committee



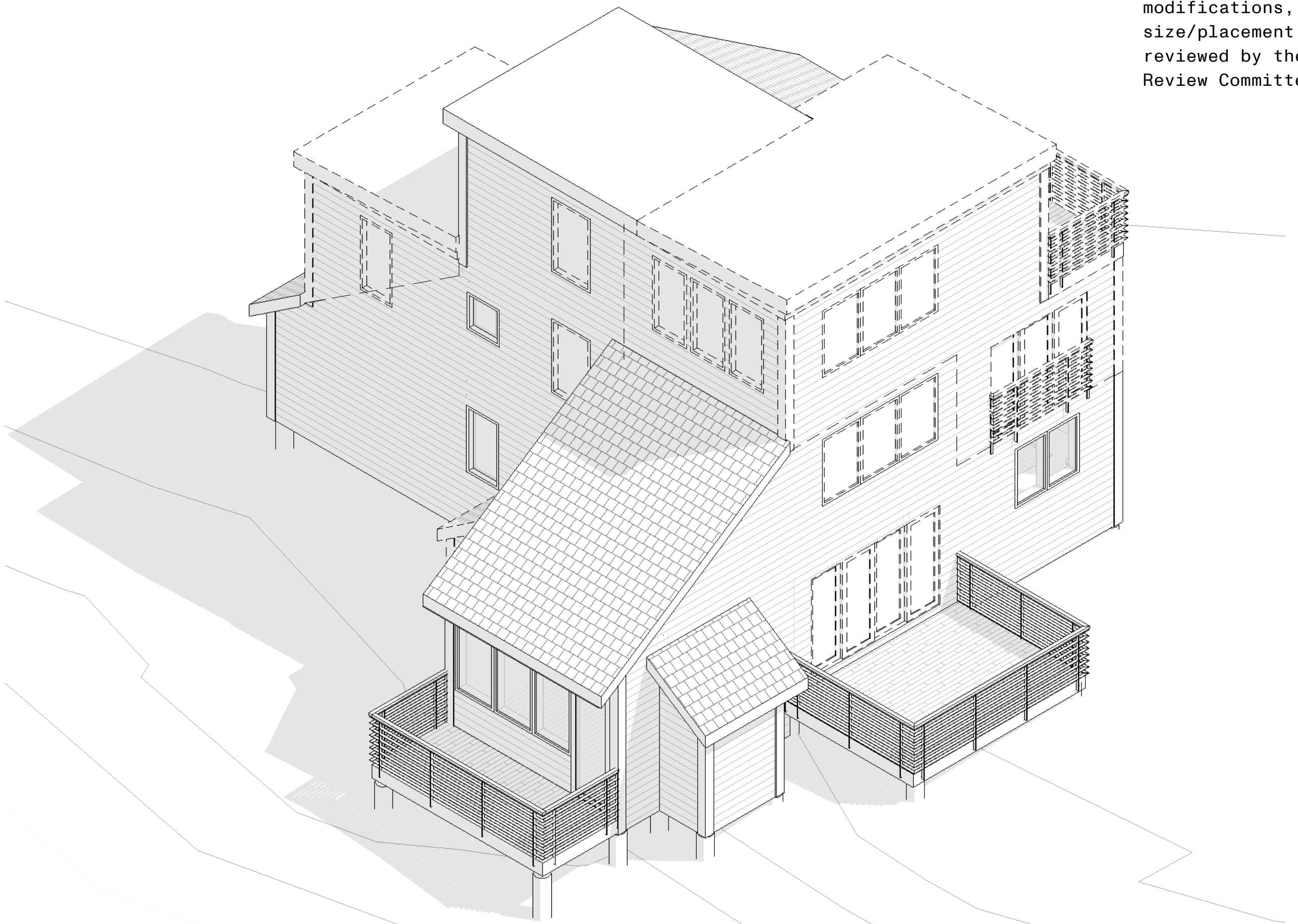
A905		payday units		research architects	
DATE: 08.12.2021		1700 three kings drive		4005 westshire drive	
DRAWN BY: ss		park city utah 84060		salt lake city utah 84119	
PROJECT NO: -		3d views		WARNING: DESIGNS, IDEAS, ARRANGEMENTS AND PLANS INDICATED OR REPRESENTED ARE THE SOLE PROPERTY OF RESEARCH ARCHITECTS AND ARE SUBJECT TO THE COPYRIGHT OF RESEARCH ARCHITECTS, & OF ITS ASSIGNS. THEY WERE CREATED AND DEVELOPED FOR USE ON, AND IN CONJUNCTION WITH THE SPECIFIED PROJECT. ANY USE OF THE DRAWINGS, DESIGNS, MATERIAL OR INFORMATION CONTAINED HEREIN, WHICH IS NOT EXPRESSLY AUTHORIZED BY RESEARCH ARCHITECTS IS STRICTLY PROHIBITED AS AN INFRINGEMENT OF ITS COPYRIGHT AND MAY RESULT IN LIABILITY. Copyright © RESEARCH ARCHITECTS LLC	
REVISIONS		3d views			

note:

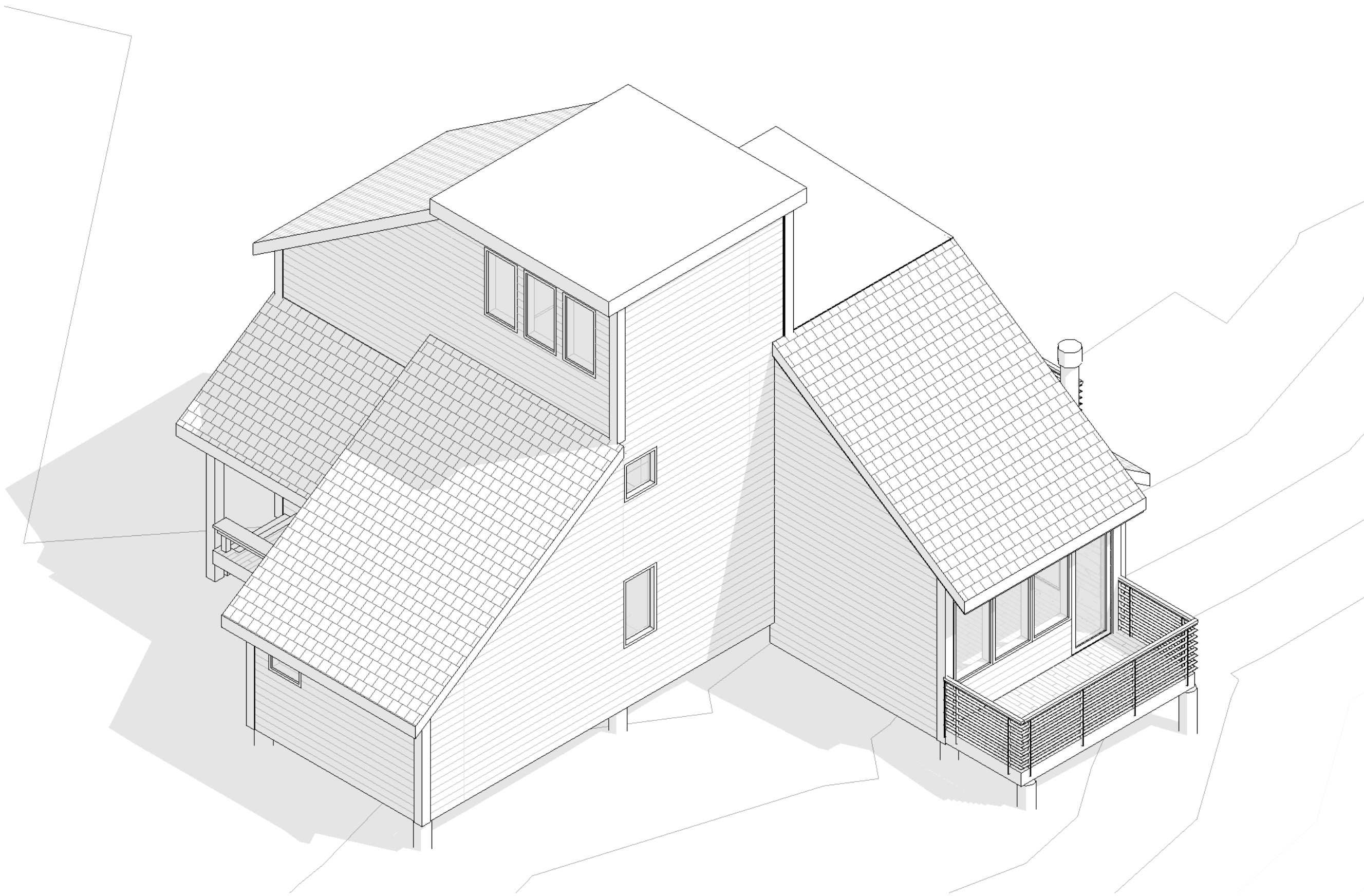
all exterior finishes, deck
modifications, & window
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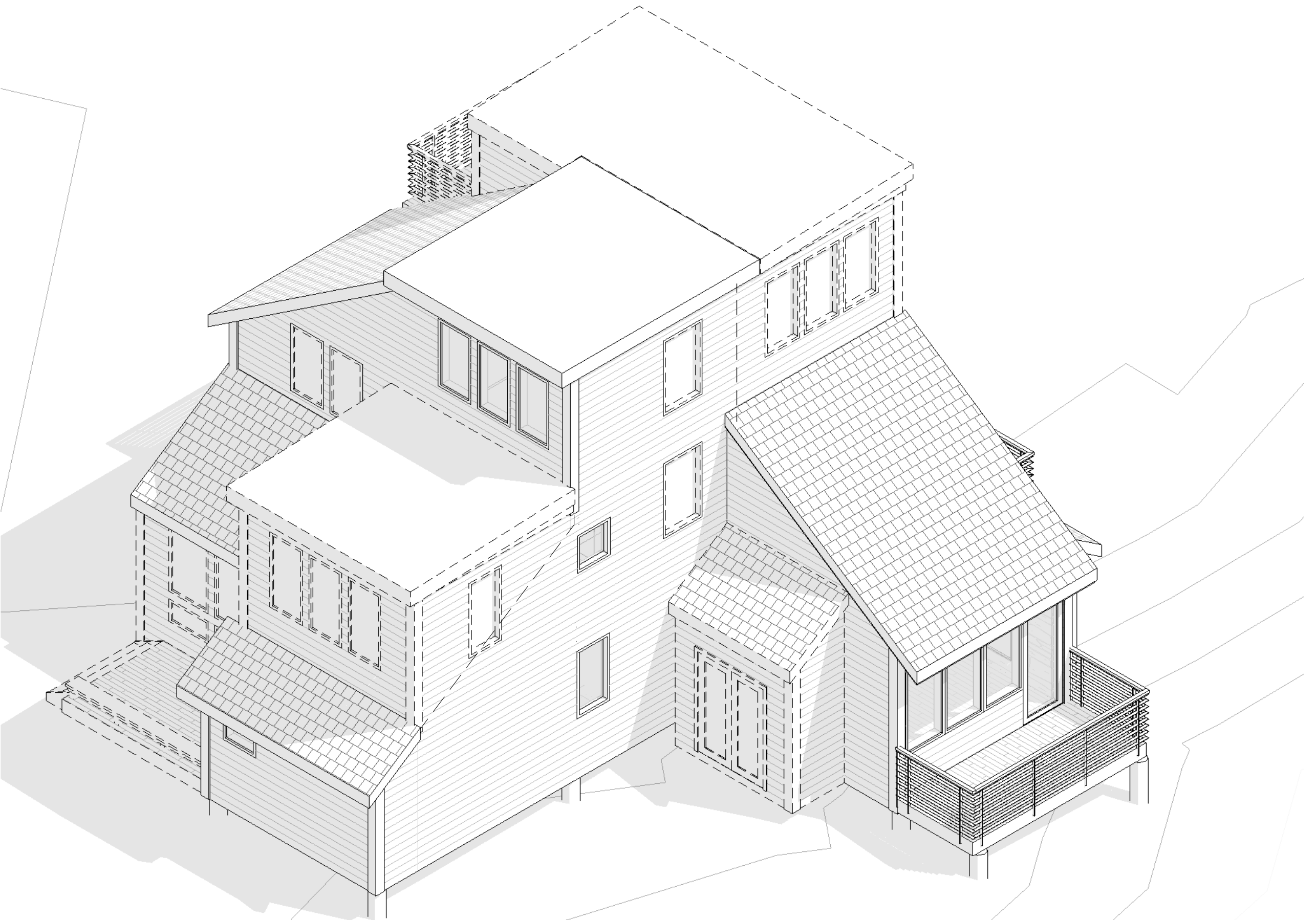
3 isometric 3 existing



3a isometric 3 addition



4 isometric 4 existing



4a isometric 4 addition

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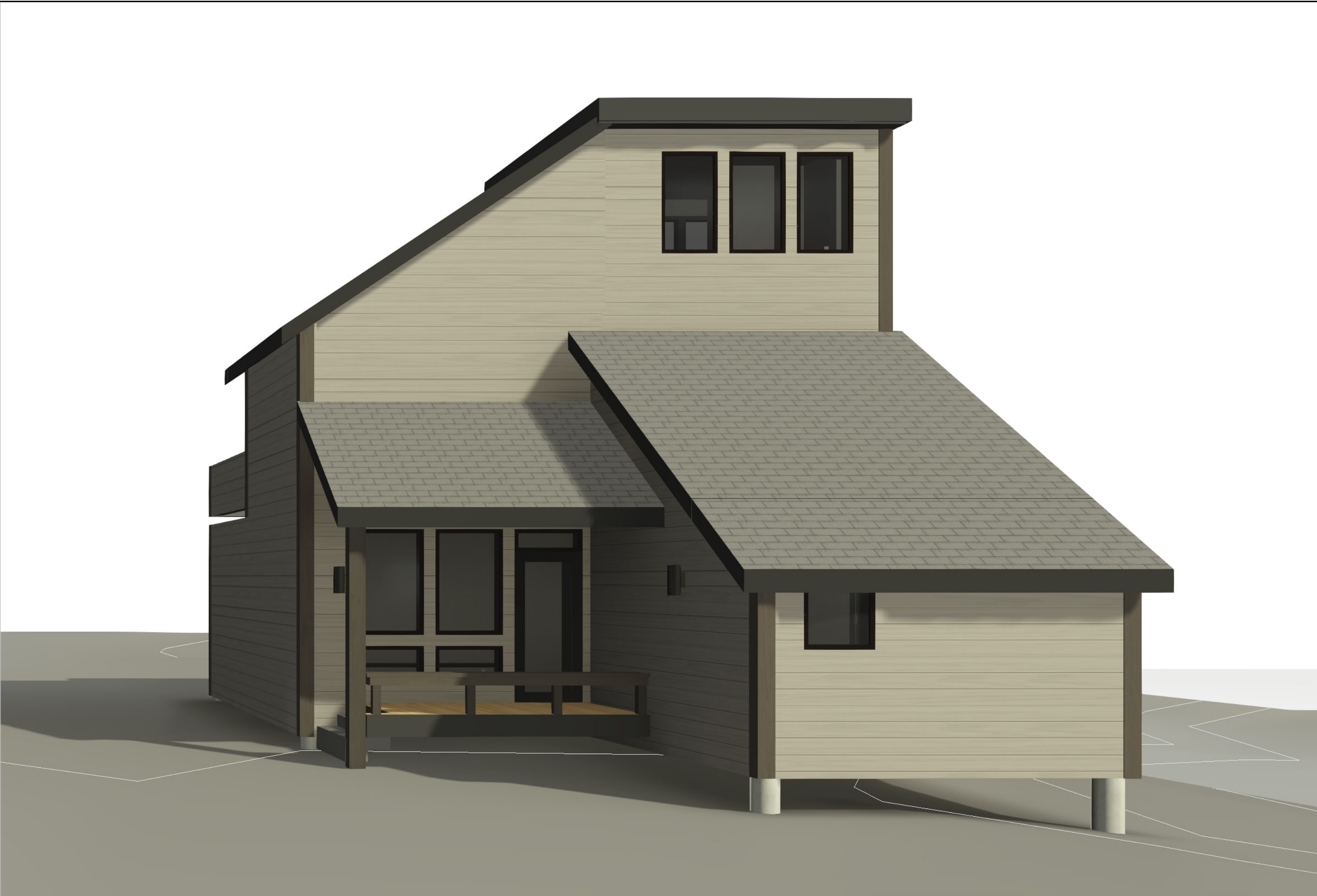
3d views

REVISIONS

A906

DATE: 08.12.2021
DRAWN BY: ss
SCALE:

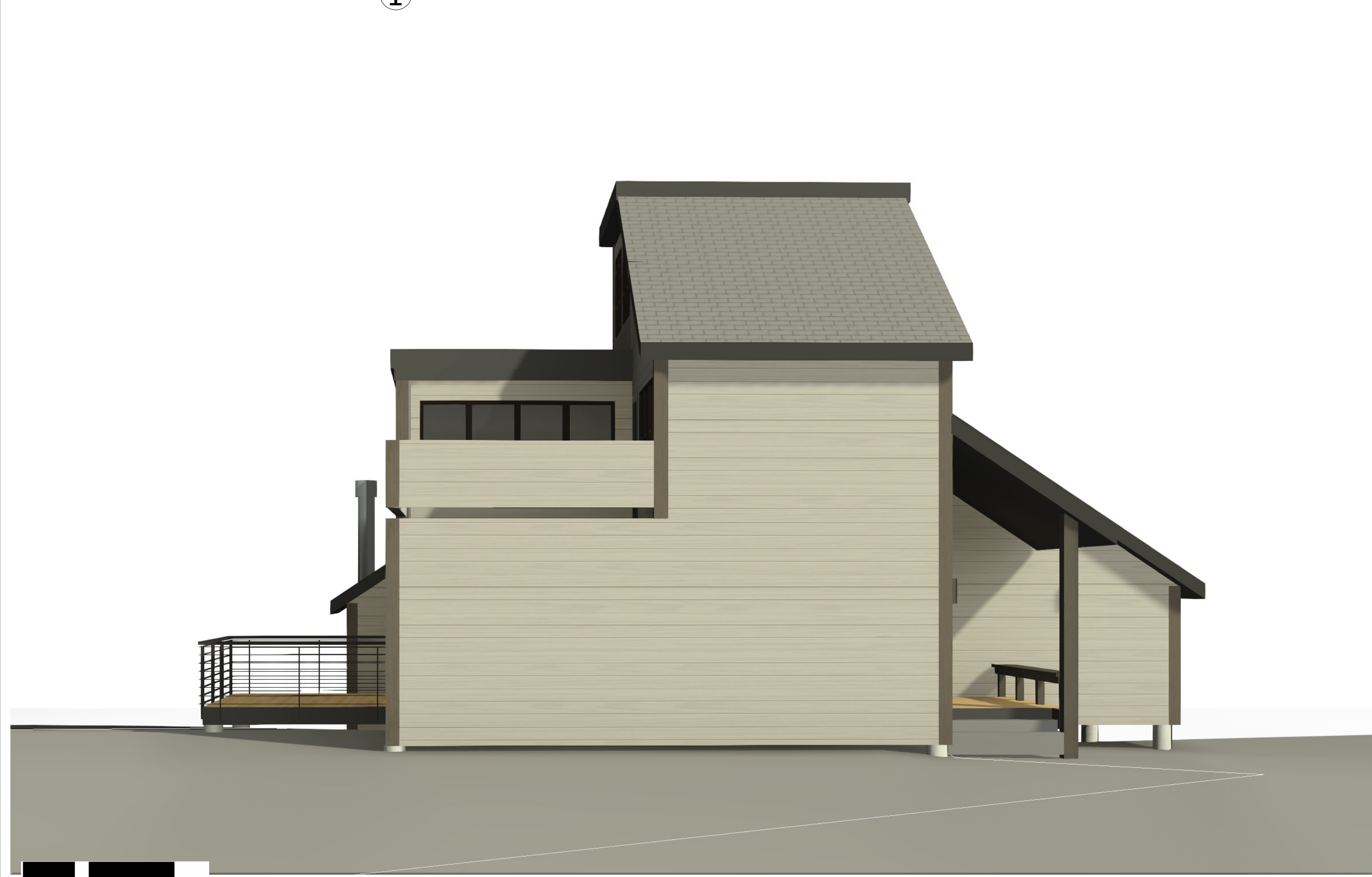
PROJECT NO: -



① 3d view 1 existing



1a 3d view 1 addition



② 3d view 2 existing



2a 3d view 2 addition

note:

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modifications, & window
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3d views

REVISIONS

A907

DATE: 08.12.2021
DRAWN BY: ss
SCALE:

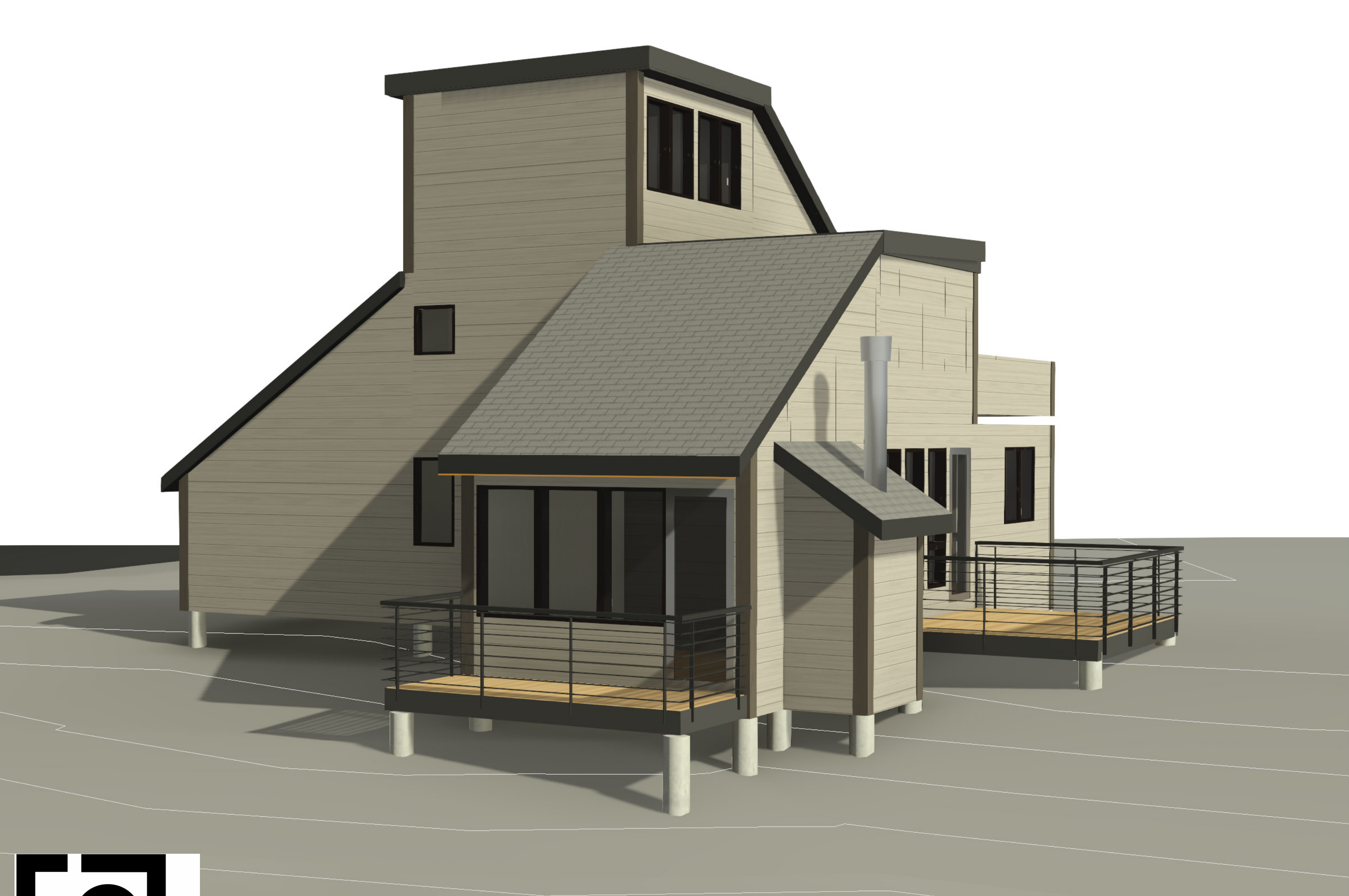
PROJECT NO: -



③ 3d view 3 existing



③a 3d view 3 addition



④ 3D View 4 existing



④a 3D View 4 addition

note:
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modifications, & window
size/placement are to be
reviewed by the Design
Review Committee

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3d views

REVISIONS

A908

DATE: 08.12.2021
DRAWN BY: ss
SCALE:

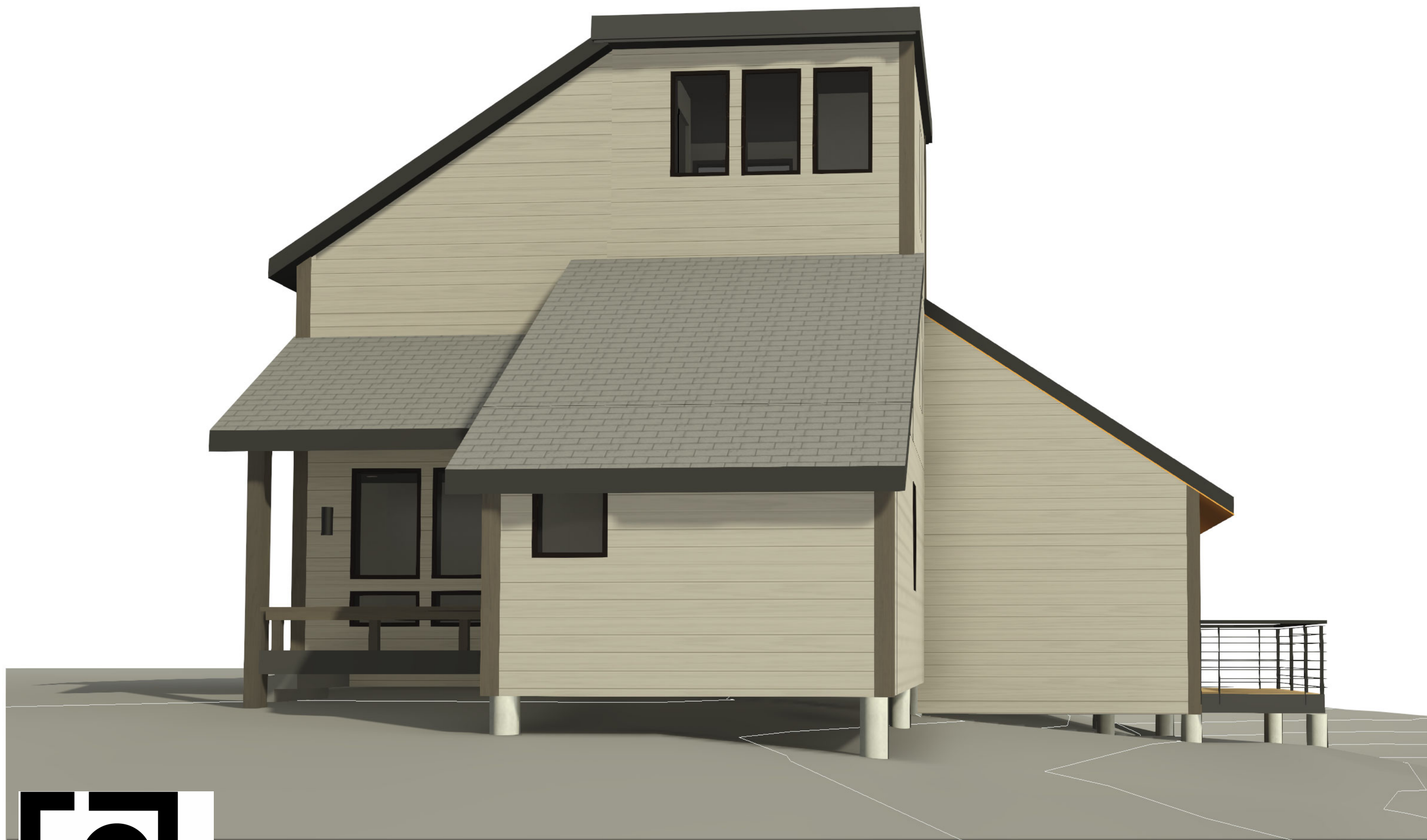
PROJECT NO: -



⑤ 3D View 5 existing



5a 3D View 5 addition



⑥ 3D View 6 existing



6a 3D View 6 addition

note:

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modifications, & window
size/placement are to be
reviewed by the Design
Review Committee

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3d views

REVISIONS

A909

DATE: 08.12.2021
DRAWN BY: ss
SCALE:

PROJECT NO: -

SURVEYOR'S CERTIFICATE

I, ROBERT B. JONES, A REGISTERED UTAH LAND SURVEYOR, HOLDING CERTIFICATE (LICENSE) N° 1525, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE FOLLOWING DESCRIBED TRACT OF LAND:

BEGINNING AT A POINT NORTH 1061.01 FEET AND WEST 813.22 FEET FROM THE SOUTHEAST CORNER OF SECTION 8, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, AND RUNNING THENCE NORTH 19°40'30" WEST 347.05 FEET TO A POINT OF A CURVE TO THE LEFT THE CENTER OF WHICH IS SOUTH 70°19'30" WEST 495.00 FEET; THENCE NORTHWESTERLY ALONG THE ARC OF SAID CURVE 266.155 FEET; THENCE NORTH 32°47'40" EAST 137.21 FEET; THENCE NORTH 16°45' EAST 108.00 FEET; THENCE NORTH 58°25' EAST 102.84 FEET; THENCE SOUTH 64°20' EAST 294.65 FEET; THENCE SOUTH 17°20' EAST 67.00 FEET; THENCE SOUTH 5°40' WEST 171.00 FEET; THENCE SOUTH 18°40' EAST 75.00 FEET; THENCE SOUTH 18°00' WEST 98.00 FEET; THENCE SOUTH 2°00' WEST 141.00 FEET; THENCE SOUTH 12°25' WEST 93.00 FEET; THENCE SOUTH 70°19'30" WEST 171.00 FEET TO THE POINT OF BEGINNING. CONTAINS 5.26 ACRES.

I FURTHER CERTIFY THAT THE ABOVE DESCRIPTION DESCRIBES THE LAND SURFACE UPON WHICH HAS BEEN OR WILL BE CONSTRUCTED PAYDAY CONDOMINIUM, IN ACCORDANCE WITH THE UTAH CONDOMINIUM OWNERSHIP ACT. I FURTHER CERTIFY THAT THE REFERENCE MARKERS AS SHOWN ON THIS PLAT ARE OR WILL BE LOCATED AS SHOWN, AND ARE OR WILL BE SUFFICIENT TO READILY RETRACE OR RE-ESTABLISH THIS SURVEY.

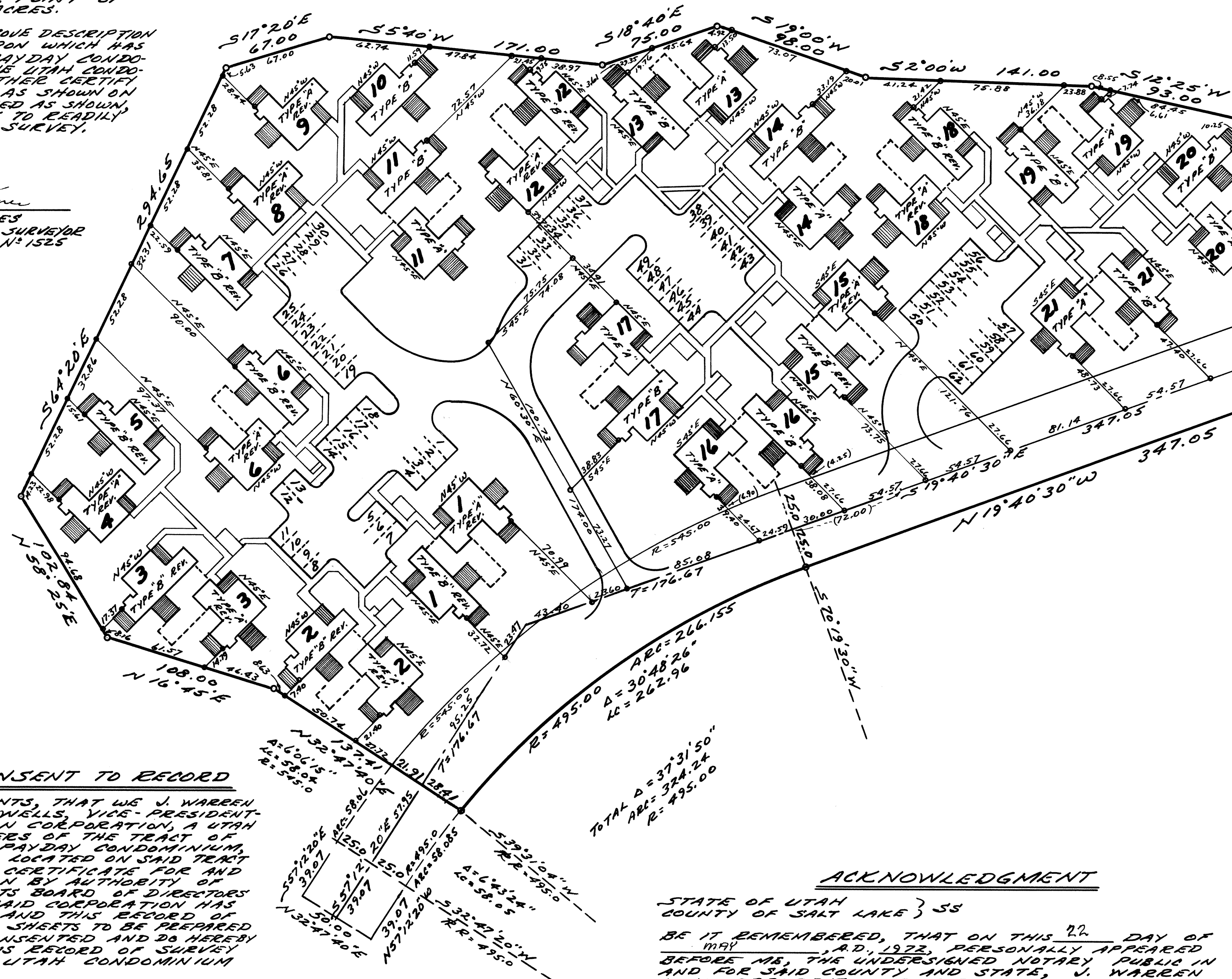
May 23, 1972
DATED
SALT LAKE COUNTY, UTAH

ROBERT B. JONES
UTAH REGISTERED LAND SURVEYOR
CERTIFICATE (LICENSE) N° 1525

NOTE: ALL DISTANCES SHOWN FROM BUILDINGS TO PROPERTY LINES ARE EITHER PERPENDICULAR TO THE PROPERTY LINES OR ON THE BEARING OF THE BUILDING EXTENDED TO THE PROPERTY LINE.
NOTE: ALL BUILDING TIES ARE 45° BEARING.

I, ROBERT B. JONES, DO HEREBY CERTIFY THAT THE BUILDING FOUNDATIONS AND FRAMEWORK ARE IN OR UNDER CONSTRUCTION AS SHOWN.
May 23, 1972
DATE
ROBERT B. JONES
SURVEYOR

Scale 1"=50'



OWNER'S CERTIFICATE OF CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS, THAT WE J. WARREN KING, PRESIDENT AND ROBERT W. WELLS, VICE-PRESIDENT-TREASURER OF TREASURE MOUNTAIN CORPORATION, A UTAH CORPORATION, WHO ARE THE OWNERS OF THE TRACT OF LAND DESCRIBED HEREBY AND PAYDAY CONDOMINIUM, A UTAH CONDOMINIUM PROJECT, LOCATED ON SAID TRACT OF LAND, DO HEREBY MAKE THIS CERTIFICATE FOR AND ON BEHALF OF SAID CORPORATION BY AUTHORITY OF DULY PASSED RESOLUTIONS BY ITS BOARD OF DIRECTORS OF SAID CORPORATION, THAT SAID CORPORATION HAS CAUSED A SURVEY TO BE MADE AND THIS RECORD OF SURVEY MAP CONSISTING OF 5 SHEETS TO BE PREPARED AND SAID CORPORATION HAS CONSENTED AND DO HEREBY CONSENT TO RECORDATION OF THIS RECORD OF SURVEY MAP IN ACCORDANCE WITH THE UTAH CONDOMINIUM OWNERSHIP ACT.

IN WITNESS WHEREOF WE HAVE HEREUNTO SET OUR HANDS THIS 22 DAY OF MAY, A.D., 1972.

TREASURE MOUNTAIN CORPORATION
(A UTAH CORPORATION)

J. Warren King
PRESIDENT

Robert W. Wells
VICE-PRESIDENT - TREASURER

ACKNOWLEDGMENT

STATE OF UTAH }
COUNTY OF SALT LAKE } SS
BE IT REMEMBERED, THAT ON THIS 22 DAY OF MAY, A.D., 1972, PERSONALLY APPEARED BEFORE ME, THE UNDERSIGNED NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, J. WARREN KING, PRESIDENT, AND ROBERT W. WELLS, VICE-PRESIDENT-TREASURER OF TREASURE MOUNTAIN CORPORATION, A UTAH CORPORATION, WHO BEING BY ME DULY SWORN DID SAY THAT THEY ARE THE PRESIDENT AND VICE-PRESIDENT-TREASURER OF SAID CORPORATION, AND THAT THE WITHIN AND FOREGOING OWNER'S CERTIFICATE OF CONSENT TO RECORD WAS SIGNED FOR AND IN BEHALF OF SAID CORPORATION BY AUTHORITY OF ITS BY-LAWS AND A RESOLUTION DULY PASSED BY ITS BOARD OF DIRECTORS, AND J. WARREN KING AND ROBERT W. WELLS DULY ACKNOWLEDGED TO ME THAT SAID CORPORATION EXECUTED THE SAME.

MY COMMISSION EXPIRES: June 15, 1975
DATE

J. Warren King
NOTARY PUBLIC
RESIDING IN SALT LAKE COUNTY, UTAH

PREPARED BY
BUSH & GUDGELL, INC.
ENGINEERS & SURVEYORS
555 SOUTH 3RD EAST ST.
SALT LAKE CITY, UTAH
84111
BEG# 25356 B.R. DATE MARCH 72

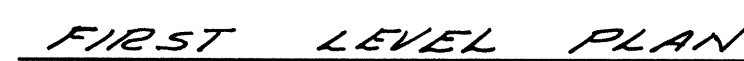
SHEET
1
OF
5
SHEETS

RECORDED N° 116009
STATE OF UTAH, COUNTY OF SUMMIT; RECORDED AND FILED AT THE REQUEST OF:
Treasure Mountain Corp
DATE May 30, 1972 TIME 3:21 P.M. BOOK - PAGE -
16.30
Wanda Y. Spriggs
SUMMIT COUNTY RECORDER

Entry No. 116125 Book Filed
RECORDED 6-2-73 at 11:43 AM Page Filed
REQUEST of Treasure Mt. Corp
FEE \$ 16.30 Wanda Y. Spriggs, SUMMIT CO. RECORDER
INDEXED ABSTRACT

EXHIBIT "A"
RECORD OF SURVEY MAP OF
**PAYDAY
CONDOMINIUM**
"A UTAH CONDOMINIUM PROJECT"

LOCATED IN THE SE 1/4 OF
SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN



NOTES OR REMARKS

-
- STAIRS TO TYPE C REVERSE APARTMENTS BLDG NOS 1, 2, 6, 12 AND 18
- 14.75
- 8.33
- GROUND SURFACE
- 14.75

Diagram of a rectangular structure with dimensions and labels:

- Top width: 8.33
- Left height: 14.58
- Right height: 14.58
- Bottom width: 8.33
- Internal labels: "UP" (top right), "DOWN" (bottom right), "GROUND" (bottom center), "70° 26"
- External labels: "STAIRS TO TYPE 'C' REVERSE APARTMENT BLDG NO'S 3 AND 15"



I CERTIFY THAT THE BUILDING SPECIFICATIONS OF THE
TRI-PLEX BUILDINGS, NUMBERS 1, 2, 3, 6, 12, 15 AND 18, (EACH
BUILDING INCLUDES TYPE-A-REVERSE, TYPE-B-REVERSE AND TYPE
C-REVERSE, EACH TYPE CONSISTS OF ONE APARTMENT WITH TWO
POSSIBLE RENTAL UNITS EACH) OF DAYDRA CONDOMINIUM, A
UTAH CONDOMINIUM PROJECT, ARE OR WILL BE AS SHOWN
ON THIS PLAN.

Robert B. Jones
ROBERT B. JONES
REGISTERED UTAH LAND SURVEYOR
UTAH CERTIFICATE (LICENSE) N°1525

EXHIBIT "A"
RECORD OF SURVEY MAP OF

LOCATED IN THE SE 1/4 OF
SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN

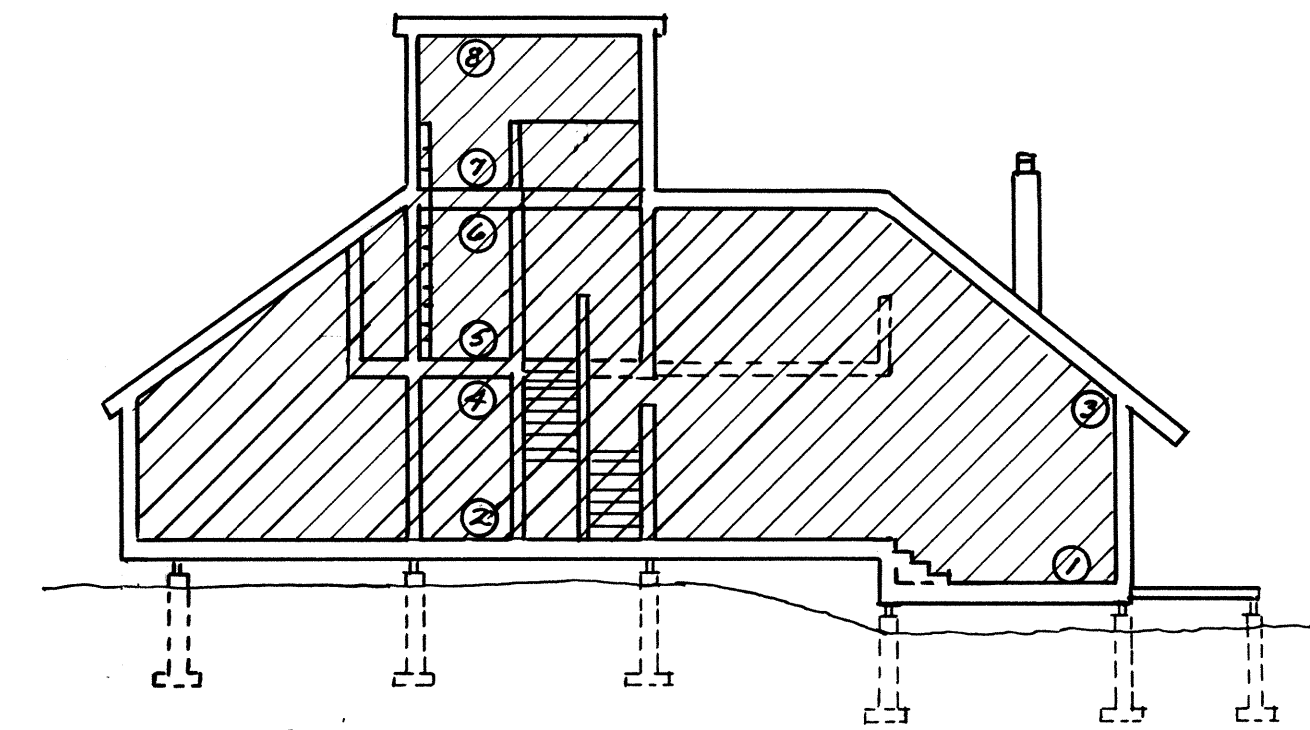
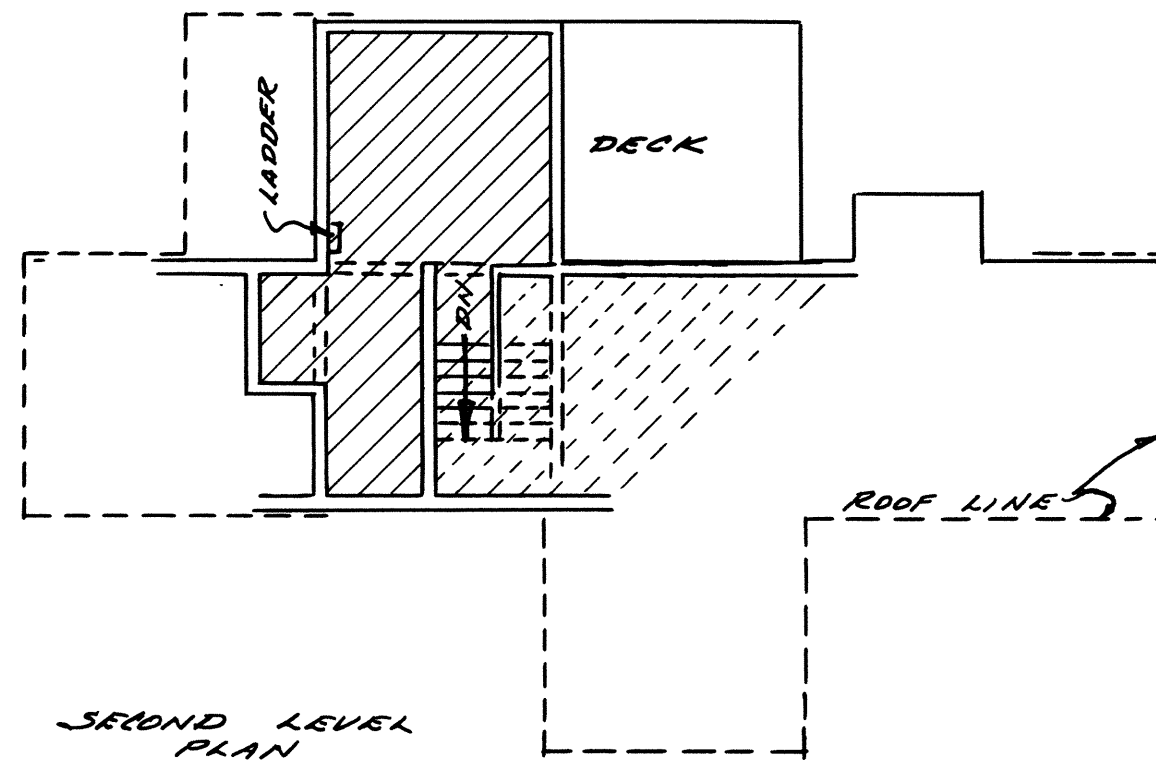
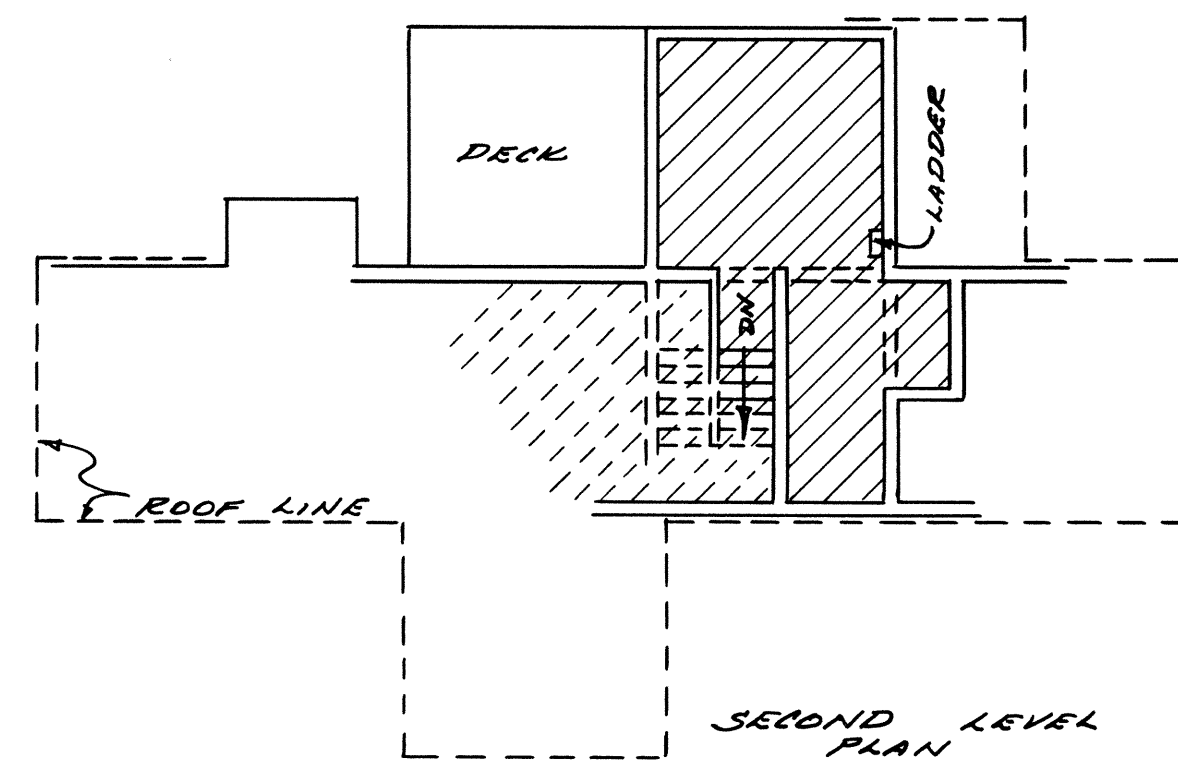
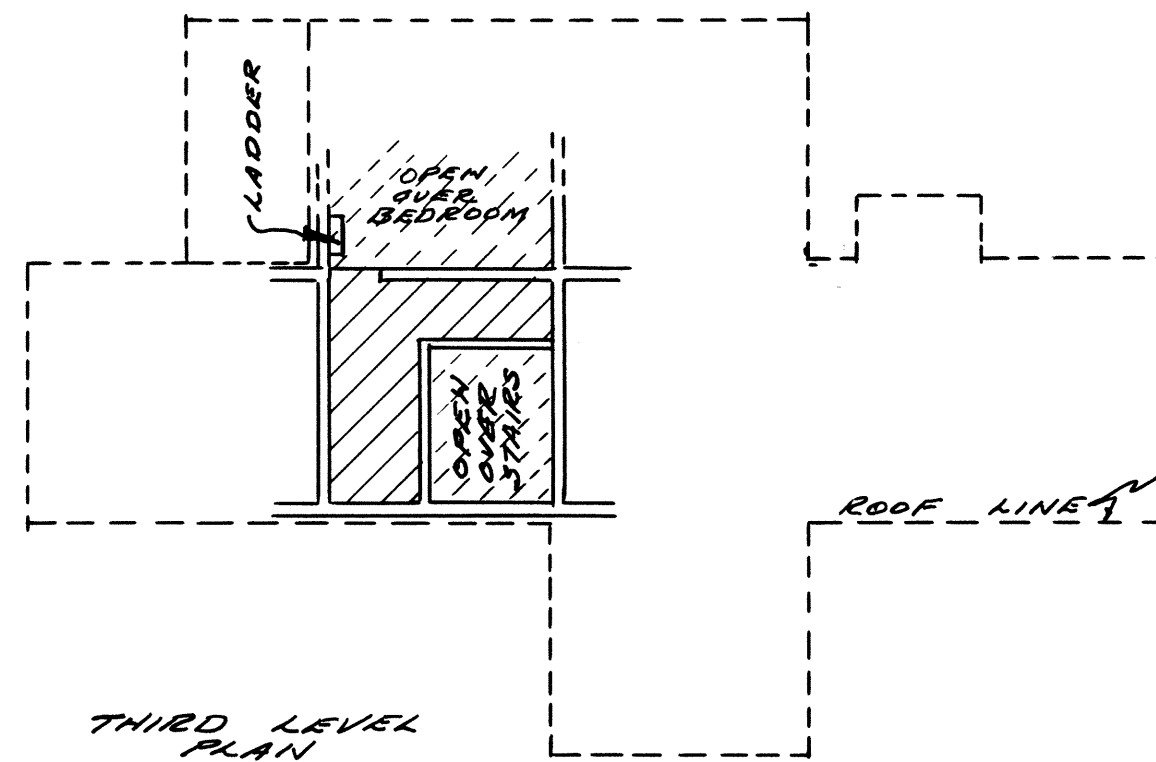
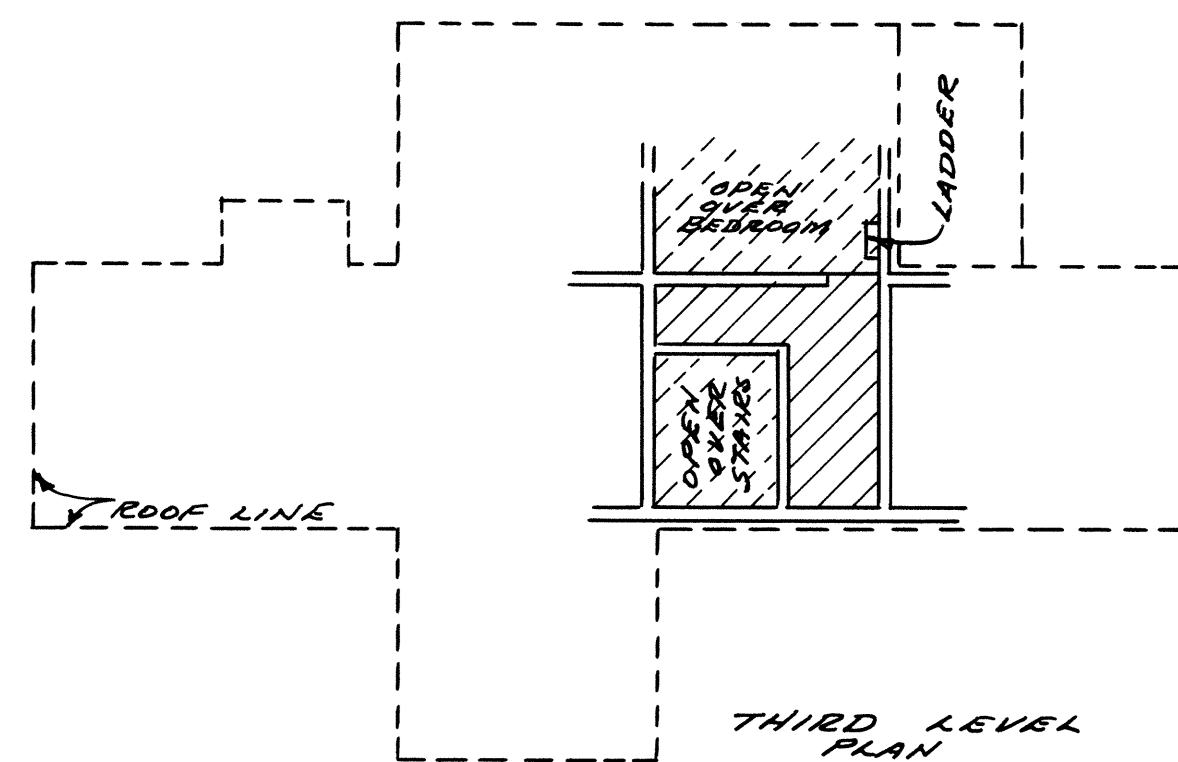
4-27-72 C.R.D.

PREPARED BY
BUSH & GUDGELL, INC.,
ENGINEERS & SURVEYORS
555 SOUTH 3RD EAST ST.
SALT LAKE CITY, UTAH
364-7775 84111
BEG.# 25356 C.R. Data APRIL '72

SHEET
2
OF
5
SHEETS

RECORDED N^o 116007 # 116125
STATE OF UTAH, COUNTY OF SUMMIT; RECORDED
AND FILED AT THE REQUEST OF;

DATE _____ TIME _____ BOOK _____ PAGE _____
FEE 3 SUMMIT COUNTY RECORDER



FRONT ELEVATION

SEE TABLE FOR ELEVATIONS NOTED BY NUMBERS FOR EACH BUILDING.

NO.	LOCATION OF ELEVATION	TYPE "B"	TYPE "B" REVERSE	
		BUILDING N° 10	BUILDING N° 5	BUILDING N° 7
1	FLOOR	6822.00	6822.00	6822.00
2	DATUM FLOOR	6824.00	6824.00	6824.00
3	CEILING	6831.90	6831.90	6831.90
4	CEILING	6832.00	6832.00	6832.00
5	FLOOR	6833.00	6833.00	6833.00
6	CEILING	6841.00	6841.00	6841.00
7	FLOOR	6842.00	6842.00	6842.00
8	CEILING	6850.00	6850.00	6850.00

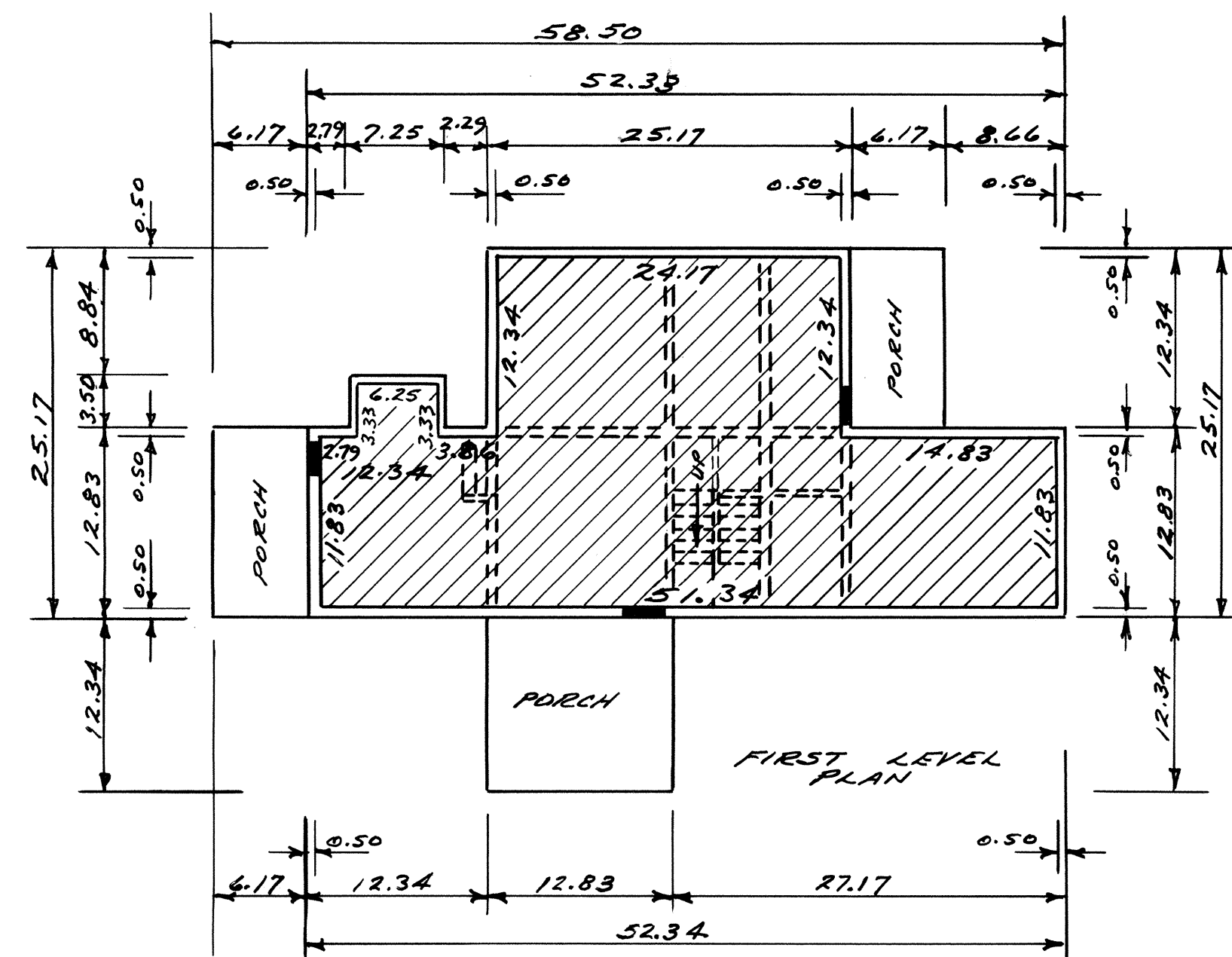
I CERTIFY THAT THE BUILDING SPECIFICATIONS OF OF TYPE "B" AND TYPE "B" REVERSE CONSISTING OF BUILDINGS 5, 7 AND 10 (WITH ONE APARTMENT EACH), (2 POSSIBLE RENTAL UNITS) OF PAYDAY CONDOMINIUM, A UTAH CONDOMINIUM PROJECT ARE OR WILL BE AS SHOWN ON THIS PLAN.

May 23, 1970
DATE

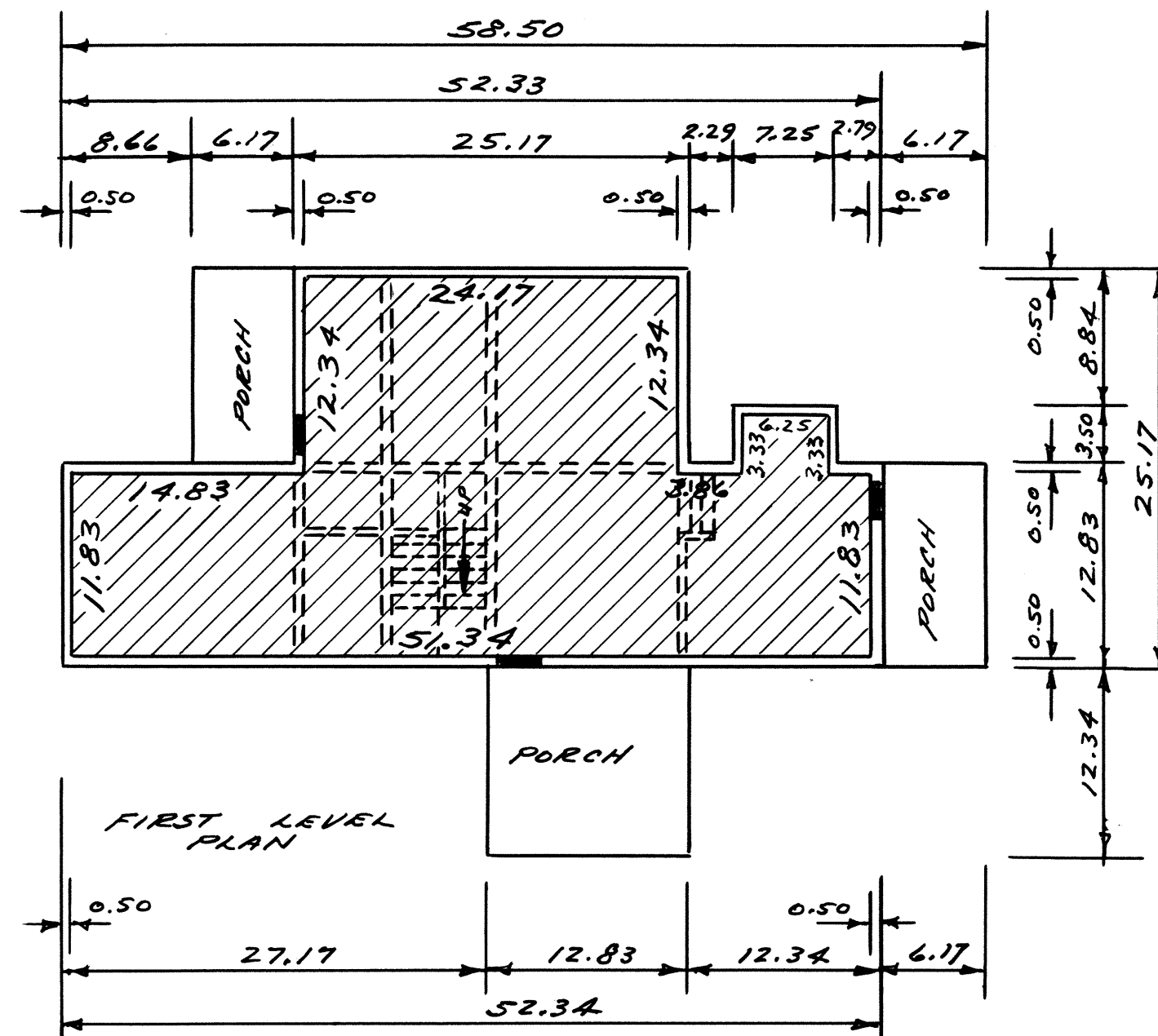
Robert B. Jones
REGISTERED UTAH LAND SURVEYOR
UTAH CERTIFICATE (LICENSE) N° 1525

NOTES OR REMARKS

- 1- ALL INTERIOR DIMENSIONS ARE TO FINISHED SURFACES
- 2- ALL CROSS-HATCHED AREAS ON THIS SHEET TO BE PRIVATE OWNERSHIP.
- 3- ALL AREAS NOT CROSS HATCHED ON THIS SHEET TO BE COMMON OWNERSHIP.



TYPE "B" (REVERSE)
BUILDING N° 5 & 7



TYPE "B"
BUILDING N° 10

5/24/72 C.R.D.

4-27-72 C.R.D.

PREPARED BY
BUSH & GUDDELL, INC.
ENGINEERS & SURVEYORS
555 SOUTH 300 EAST ST.
SALT LAKE CITY, UTAH
364-7775 84111
B46 #25356 C.R.D. MARCH 72

SHEET
3
OF
5
SHEETS

EXHIBIT "A"
RECORD OF SURVEY MAP OF
**PAYDAY
CONDOMINIUM**
"A UTAH CONDOMINIUM PROJECT"

LOCATED IN THE SE 1/4 OF
SECTION 8
TOWNSHIP 2 SOUTH RANGE 4 EAST
SALT LAKE BASE & MERIDIAN

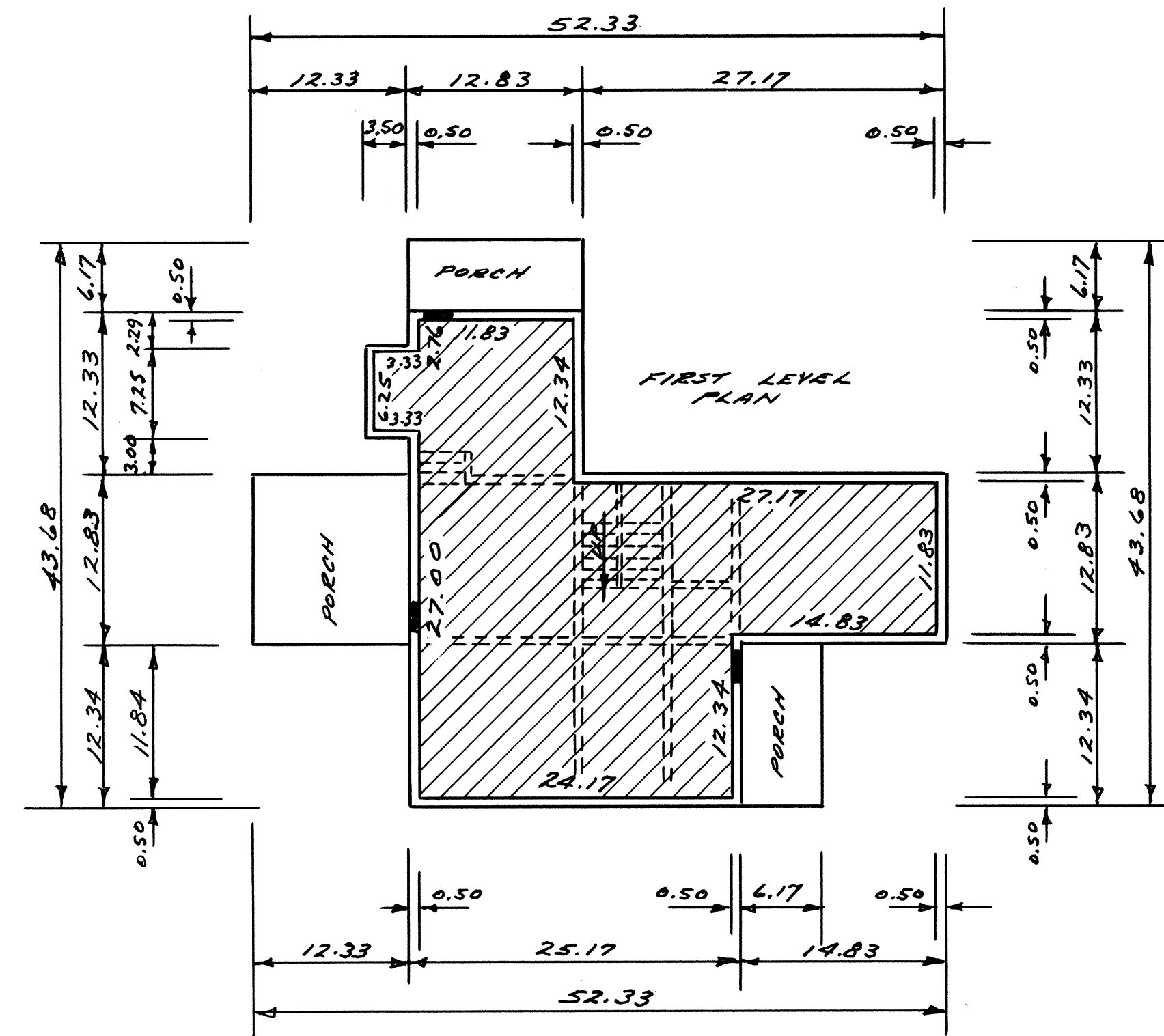
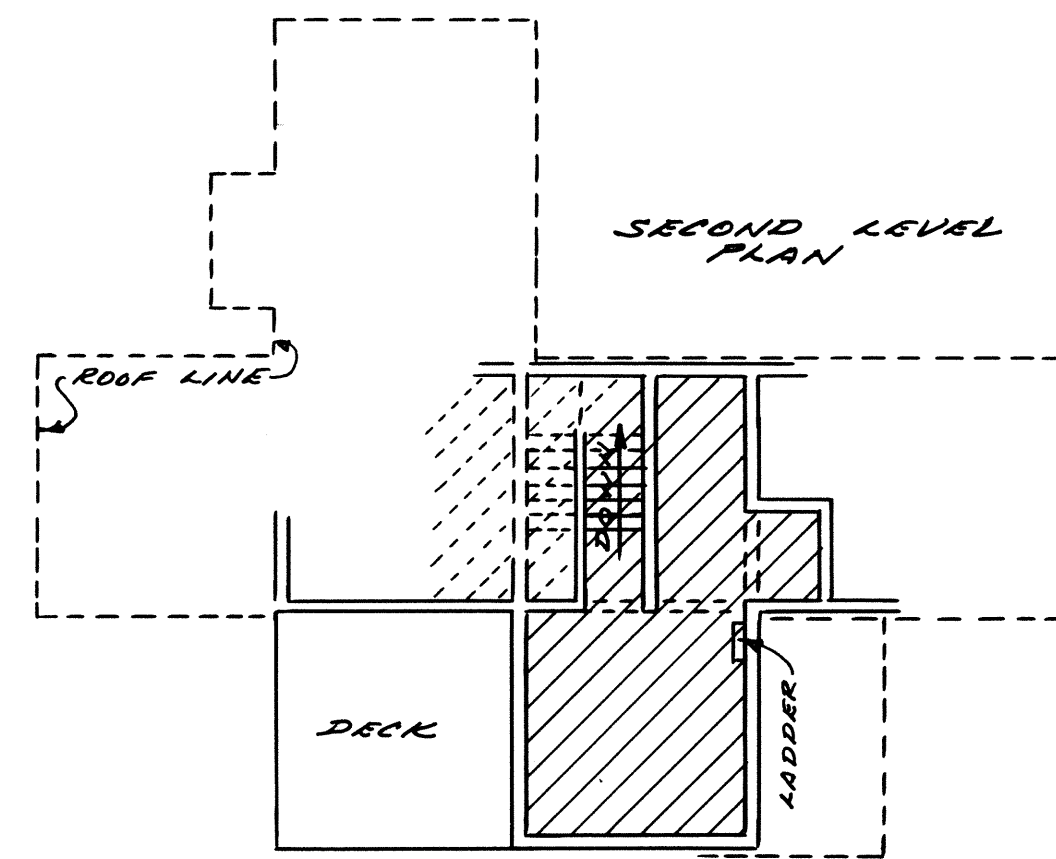
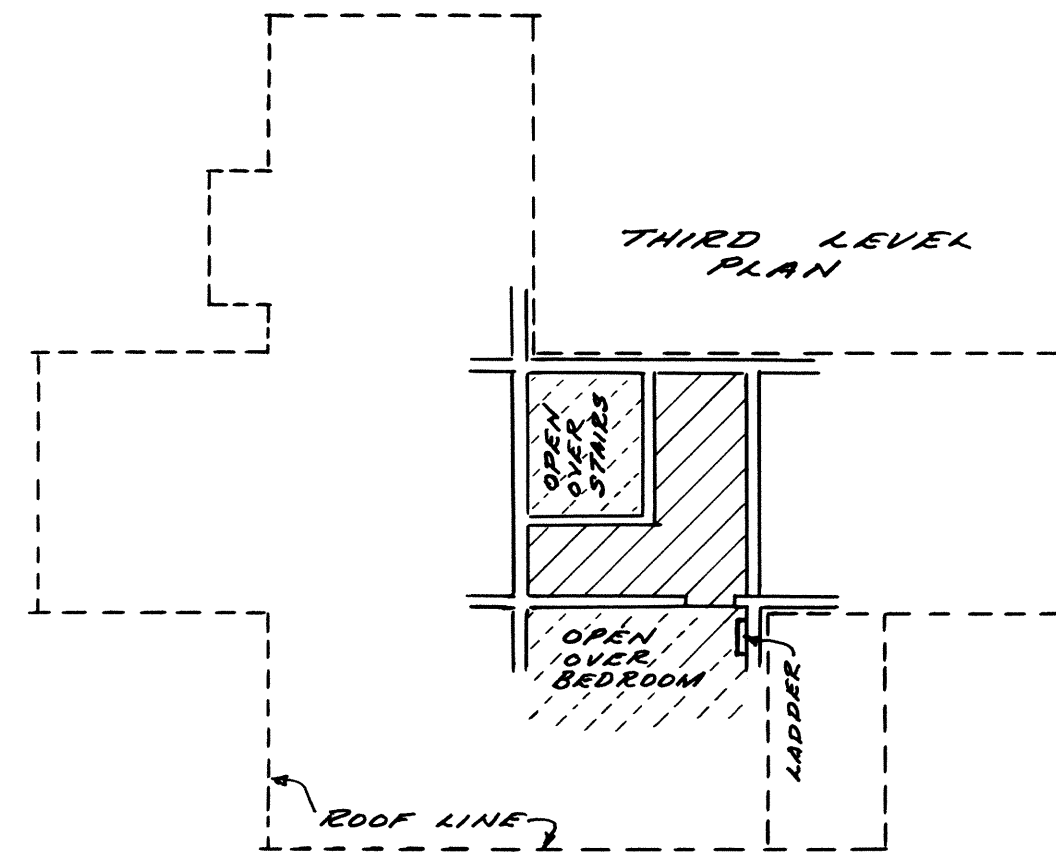
#116125

RECORDED N° 116007

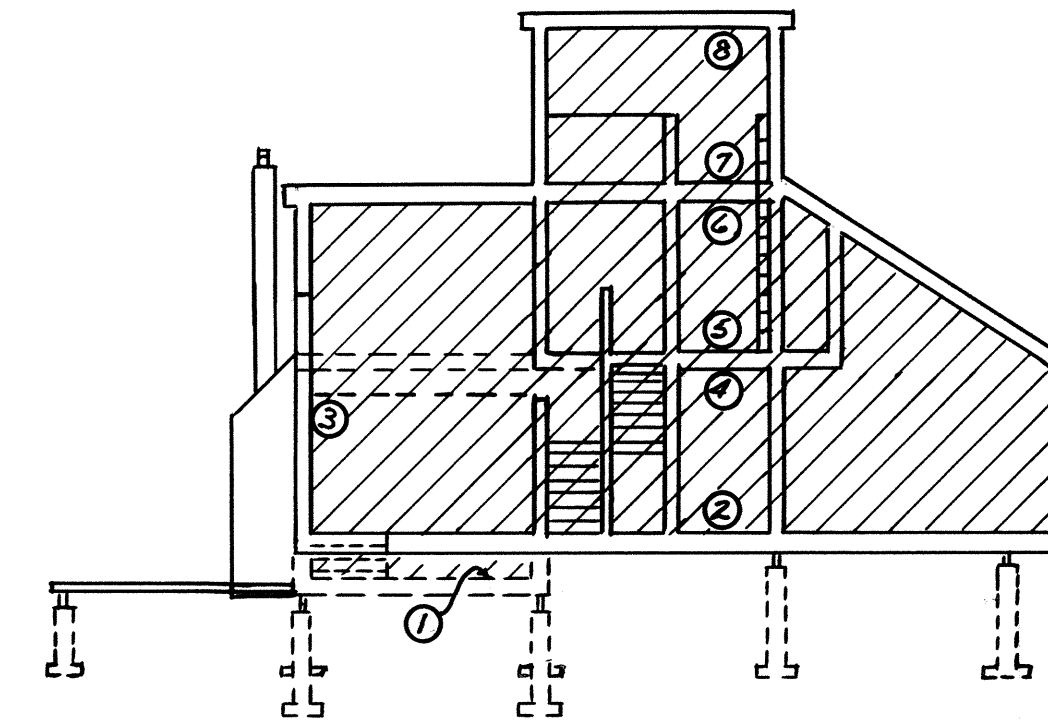
STATE OF UTAH, COUNTY OF SUMMIT; RECORDED
AND FILED AT THE REQUEST OF:

DATE _____ TIME _____ BOOK _____ PAGE _____

FEE \$ _____ SUMMIT COUNTY RECORDER



TYPE "A" (REVERSE)
BUILDINGS N° 4, 8 & 9



SEE TABLE FOR ELEVATIONS
NOTED BY NUMBERS FOR EACH
BUILDING.

No.	LOCATION OF ELEVATION	TYPE "A" (REVERSE)		
		BUILDING N° 4	BUILDING N° 8	BUILDING N° 9
1	FLOOR	6824.00	6822.00	6822.00
2	DATUM FLOOR	6826.00	6824.00	6824.00
3	CEILING	6833.90	6831.90	6831.90
4	CEILING	6834.00	6832.00	6832.00
5	FLOOR	6835.00	6833.00	6833.00
6	CEILING	6843.00	6841.00	6841.00
7	FLOOR	6844.00	6842.00	6842.00
8	CEILING	6852.00	6850.00	6850.00

I CERTIFY THAT THE BUILDING SPECIFICATIONS OF TYPE "A" (REVERSE) CONSISTING OF BUILDINGS 4, 8 & 9 (WITH ONE APARTMENT EACH) (2 POSSIBLE RENTAL UNITS EACH) OF PAYDAY CONDOMINIUM, A UTAH CONDOMINIUM PROJECT ARE OR WILL BE AS SHOWN ON THIS PLAN.

MAY 23, 1992
DATE

ROBERT B. JONES
REGISTERED UTAH LAND SURVEYOR
UTAH CERTIFICATE (LICENSE) N° 1525

NOTES OR REMARKS

- 1.- ALL INTERIOR DIMENSIONS ARE TO FINISHED SURFACES.
- 2.- ALL CROSS-HATCHED AREAS ON THIS SHEET TO BE PRIVATE OWNERSHIP.
- 3.- ALL AREAS NOT CROSS HATCHED ON THIS SHEET TO BE COMMON OWNERSHIP.

EXHIBIT "A"
RECORD OF SURVEY MAP OF
**PAYDAY
CONDOMINIUM**
"A UTAH CONDOMINIUM PROJECT"

LOCATED IN THE SE 1/4 OF
SECTION 8
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE & MERIDIAN

#116125

PREPARED BY
BUSH & GUDGELL, INC.,
ENGINEERS & SURVEYORS
555 SOUTH 380 EAST ST.
SALT LAKE CITY, UTAH
84111
364-7775
B&G #25356 C.R.D. APRIL '72

SHEET
4
OF
5
SHEETS

RECORDED N° 116007
STATE OF UTAH, COUNTY OF SUMMIT; RECORDED
AND FILED AT THE REQUEST OF:
DATE _____ TIME _____ BOOK _____ PAGE _____
FEE \$ _____ SUMMIT COUNTY RECORDER

5/24/72 C.R.D.

4-27-72 C.R.D.

REGULAR MEETING OF THE
PLANNING COMMISSION
PARK CITY MUNICIPAL CORPORATION

The Regular Meeting of the Planning Commission was called to order at 7:30 P. M.
on Thursday, June 8, 1972. The following members were present:

Councilman Bob Burns
Mrs. Odessa Nelson
Mr. Bob Jones
Mr Victor Buck

Mr. Phil Hughes was also present.

Mr. David Davidson, Skivations, appeared before the Commission to present preliminary plans for an Edelweiss # 2 - an additional 68 units, 35 units having cooking facilities. There will be a two point rental plan for both Edelweiss # 1 and # 2 with a Manager's Office. Phil Hughes pointed out that a "kitchen" determined the number of units in a particular piece of property according to previous interrupting by the Commission and in essence, Skivations would have too many units. It was also discussed as to whether or not Skivations can add on top of a non-conforming building. The garage in which Skivations plans to build on top of is not within the designated 20 foot set-back in accordance with the Park City Ordinance. It was decided that to build the additional units on the garage, a variance would have to be obtained. Further discussion covered the problem as to whether or not apartment/hotel has the same requirements as an apartment, and that the 35 units would have to be considered as apartment units. Mr. Davidson's architect, Jim Christopher, stated that they are not really building "dwelling units" even though there are kitchens and could possibly be considered as "Resort/Hotel". It was resolved that Skivations would contact the City Attorney - Jerry Turner.

The following Business Licences were approved for correct zone: -

1. Elwood L. Nielsen, Nielsen's Realtors, 434 Main Street.
Motion made by Odessa Nelson, seconded by Victor Buck and
unanimously passed.

June 8, 1972

Page Two

2. Ralph C. Emery, Park City Golf Shop, Intersection of A-248 and Thaynes Canyon Drive. Motion made by Victor Buck; seconded by Odessa Nelson and unanimously passed.
3. Richard E. Stare, William E. Groves, Kerry Kern, Indian Summer, 511 & 513 Main Street, for leather clothing, indian jewelry, and indian gifts and hand crafts. Motion made by Victor Buck; seconded by Odessa Nelson and unanimously passed.
4. Greater Park City Company, Summit Construction Company, Offices: 1284 Empire Avenue. Motion was made, seconded and unanimously passed.

The following sign permit applications were approved:

1. State of Utah, State Liquor Commission at Earl's Market. Motion was made; seconded and unanimously carried.

The following Conditional Use Permits were approved in full:

1. Treasure Mountain Corporation, Payday Condominiums along Three Kings Drive, for 51 condominium units and 51 parking spaces. There will be a total of 21 buildings on 5.26 acres. Motion made by Victor Buck; seconded by Odessa Nelson and unanimously passed.
2. Clifford & Betty Roach, for Apartment Hotel at 1235 Norfolk. Parking provided. The Roach's purchased four additional lots so that the building can be set back the necessary 20 feet from the property line. Motion made by Victor Buck; seconded by Bob Jones and unanimously passed.

The following sign permit applications were not approved:

1. Deseret Federal Savings & Loan application not approved as it was not acceptable according to Park City Ordinances.
2. Standard Oil Company (address shown at corner of Park & Heber Street) was not approved for sign application as sign was non-conforming.

The following sign permit application was approved with stipulations:

1. Richard Miller and Bill Coleman, Tricky Dick's. The sign was approved on the basis of the judgement of the Sign Chairman who will contact the owners to make the sign smaller to comply with the sign ordinance and that the Sign Chairman will have the full discretion in approval of the sign. Motion was made by Odessa Nelson; seconded by Bob Jones and unanimously passed.

June 8, 1972
Page Three

The following Conditional Use Permits were not approved and are pending further additional information:

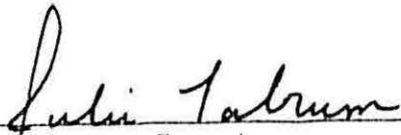
1. Wendell Paulsen, Indian Summer. No action was taken pending more details concerning awnings, plans on changing door and changing of glass. Motion was made by Victor Buck and seconded by Odessa Nelson that a building permit could be issued on the interior cosmetics, but not on the exterior until the approval of A/PA has been done and subject further to the approval of the Planning Commission.
2. Treasure Mountain Corporation, Employee Housing. Motion was made by Odessa Nelson approved Conditional Use only in limitation that Treasure Mountain Corporation can only excavate, do footings, and foundation; further approval subject to detailed plans on renderings, landscaping and architectural specs to next meeting and also subject to approval of A/PA before submitted to Planning Commission. The motion was seconded by Bob Jones. Victor Buck opposed the motion. The motion carried.
3. Don & Rhoda Waldman, The Eating Establishment, Lots 4 & 5, Block 11, on Main Street. It was decided that any changes on the original sidewalk should be submitted to the City Council. Also, the Commission felt that the paneled wood on the windows should be changed back to the original drawings which showed decorative wood on both windows and doors. Also, the treatment on the patio fronting the street is subject to approval. All of the above points are subject to A/PA and also the Planning Commission. The motion was made by Odessa Nelson; seconded by Bob Jones and unanimously carried.
Correction 6/22/72 → Conditional Use was approved.
4. A.B. Potter, for commercial building on 591 Main Street. Full Conditional Use Permit is still subject to finished architectural and exterior plans which must be submitted and approved by A/PA before next Planning Commission meeting for Commission approval.

Sign violations which have exceeded the 30 days notice was turned over to the Zoning Administrator to issue complaints. They were:

Mt. Air Market
Claim Jumper
Miner's Find
Christopher

June 8, 1972
Page Four

There being no further business to come before the Planning Commission,
the meeting was adjourned at 11:45 P. M.


Julie Fabrum, Secretary

APPROVED: ^corrected 6/22/72

PARK CITY, UTAH

ORDINANCE

1968

ZONING

Page 1

SUBDIVIDING

Page 28

MOBILE HOME

Page 34

this Ordinance applies is divided into seven (7) zones as follows:

Forest Estate Zone	F-E
Residential Zone	R-1
Multiple Residential Zone	R-M
Recreational Commercial Zone	C-R
Highway Commercial Zone	C-H
Business District Commercial Zone	C-B
Manufacturing Zone	M-1

67-8-2. BOUNDARIES OF ZONES.

The boundaries of each of the said zones are hereby established as described herein or shown on the map entitled "Zoning Map of Park City," which map is attached to this ordinance and all boundaries, notations and other data shown thereon are made by this reference as much a part of this ordinance as if fully described and detailed herein, said map being on file and available for public inspection at the office of the City Recorder of Park City, Utah.

67-8-3. FILING OF ORDINANCE AND MAP.

This Ordinance and Map shall be filed in the custody of the City Recorder of Park City and may be examined by the public subject to any reasonable regulations established by the City Recorder.

67-8-4. RULES FOR LOCATING BOUNDARIES.

Where uncertainty exists as to the boundary of any zone, the following rules shall apply:

(1) Wherever the zone boundary is indicated as being approximately upon the center line of a street, alley or block, or along a property line, then, unless otherwise definitely indicated on the map, the center line of such street, alley or block, or such property line, shall be construed to be the boundary of such zone.

(2) Whenever such boundary line of such zone is indicated as being approximately at the line of any river, irrigational canal or other waterway or railroad right-of-way, or public park or other public land or any section line, then in such case the center of such stream, canal or waterway, or of such railroad right-of-way or the boundary line of such public land or such section line shall be deemed to be the boundary of such zone.

(3) Where the application of the above rules does not clarify the zone boundary location, the Board of Adjustment shall interpret the map.

CHAPTER 9. FOREST ESTATE ZONE F-E.

67-9-1. PERMITTED USES.

- (1) Agriculture.
- (2) Animals and fowl for family food production.

- (3) One-family dwelling.
- (4) Accessory uses and buildings customarily incidental to a main use.
- (5) Signs, identification, name plate, property, public information, temporary.

67-9-2. CONDITIONAL USES.

- (1) Cemetery.
- (2) Farms for raising of chickens, turkeys, rabbits, chinchilla and nutria.
- (3) Golf course and Golf driving range.
- (4) Nursery or greenhouse.
- (5) Mines and mining structures and uses.
- (6) Public and semi-public buildings and uses.
- (7) Planned unit development meeting provisions of Chapter 17 of this Ordinance.
- (8) Private recreational grounds and facilities.
- (9) Raising and grazing of horses, cattle, sheep or goats not conducted in conjunction with a livestock feed yard or livestock sales yard.
- (10) Recreation center.
- (11) Riding stables, club or academy.
- (12) Two-family dwelling.
- (13) Theater, outdoor.
- (14) Uses similar to the above.

67-9-3. AREA REGULATIONS.

The minimum lot area for any dwelling, church, or the keeping of animals and fowl for family food production shall be seven thousand (7,000) square feet. The minimum lot area for all other uses shall be twenty thousand (20,000) sq. ft.

67-9-4. WIDTH REGULATIONS.

The minimum width of any lot required to contain a minimum area of seven thousand (7,000) square feet shall be seventy (70) feet. The minimum width for all other uses shall be one hundred (100) feet.

67-9-5. SIDE YARD REGULATIONS.

(1) The minimum side yard for any dwelling or other main building shall be six (6) feet and the total width of the two required side yards shall be sixteen (16) feet.

(2) The minimum side yard for a private garage or other accessory building located at least six (6) feet in the rear of the main building shall be one (1) foot.

(3) On corner lots, the side yard which faces on a street for both main and accessory buildings shall not be less than twenty (20) feet.

67-9-6. FRONT YARD REGULATIONS.

The minimum depth of the front yard for all buildings shall be twenty-five (25) feet.

67-9-7. REAR YARD REGULATIONS.

The minimum depth of the rear yard for all main buildings shall be twenty (20) feet, and for all accessory buildings one (1) foot except on corner lots which rear on the side of another lot, accessory buildings shall not be located closer than six (6) feet.

67-9-8. HEIGHT REGULATIONS.

No building shall be erected to a height greater than two and one-half (2-1/2) stories or thirty-five (35) feet and no dwelling shall be erected to a height of less than one (1) story.

CHAPTER 10. RESIDENTIAL ZONE R-1

67-10-1. PERMITTED USES.

- (1) Agriculture.
- (2) Single-family dwelling.
- (3) Two-family dwelling.
- (4) Accessory buildings and uses customarily incidental to the main use.
- (5) Signs, identification, name plate, property, public information, temporary.

67-10-2. CONDITIONAL USES.

- (1) Animal and fowl grazing, pasturing or housing.
- (2) Cemetery.
- (3) Child nursery.
- (4) Golf Course.
- (5) Home occupation.
- (6) Planned unit development meeting the provisions of Chapter 17 of this Ordinance.
- (7) Private recreational grounds and facilities.
- (8) Private educational institutions.
- (9) Public and semi-public buildings and uses.
- (10) Temporary buildings and uses incidental to construction work.

67-10-3. AREA REGULATIONS.

The minimum lot area shall be three thousand (3,000) square feet.

67-10-4. WIDTH REGULATIONS.

The minimum width of any lot shall be thirty-seven and one-half (37-1/2) feet, at a distance of twenty (20) feet back from the front lot line.

67-10-5. SIDE YARD REGULATIONS.

- (1) The minimum side yard for any dwelling or other building shall be

- (2) Animal hospital.
- (3) Assembling of products.
- (4) Building material sales yard.
- (5) Carpentry shop.
- (6) Construction equipment yards.
- (7) Laundry.
- (8) Lumber yard.
- (9) Machine shop.
- (10) Machinery sales.
- (11) Mines and related mining structures.
- (12) Printing shop.
- (13) Public garage.
- (14) Sand and gravel yards.
- (15) Tire and retreading shop.
- (16) Transfer company.
- (17) Warehouse.
- (18) Wholesale business.
- (19) Welding shop.
- (20) Manufacture of non-objectionable products.
- (21) Uses similar to the above.
- (22) Signs, business, identification, property, public information, temporary.

67-15-2. AREA, WIDTH AND YARD REQUIREMENTS.

None, except that the minimum depth of the front yard for all buildings or the side yard which faces on a street shall be ten (10) feet.

67-15-3. HEIGHT REGULATIONS.

No building or structure shall be erected to a height greater than four (4) stories or sixty (60) feet.

CHAPTER 16. CONDITIONAL USES

67-16-1. PURPOSE.

To allow compatible integration into various areas in Park City of uses which may be suitable only in certain locations within a particular zone or only upon certain conditions or only if such uses are designed or laid out on the proposed site in a particular manner.

67-16-2. CONDITIONAL USE PERMIT.

A conditional use permit shall be required for all uses listed as conditional uses in the zone regulations. A conditional use permit may be revoked upon failure to comply with the conditions imposed with the original approval of the permit.

67-16-3. REVIEW PROCEDURE.

(1) Application for a conditional use permit shall be made to the Zoning Inspector.

(2) Detailed location, site and building plans drawn to scale shall accompany the completed application forms provided by the City.

(3) The Zoning Inspector shall present the application together with all pertinent information to the Planning Commission for consideration at its next regularly scheduled meeting.

(4) The Planning Commission may call a special public hearing on any application after adequate notice if it is deemed in the public interest.

(5) A record of the hearing denial or issuance of the conditional use permit and conditions of approval or reasons for denial shall be kept.

67-16-4. DETERMINATION.

The Planning Commission may permit a conditional use to be located within any zone in which the particular conditional use is permitted by the Use Regulations of that zone. In authorizing any conditional use, the Planning Commission shall impose such requirements and conditions necessary for the protection of adjacent properties and the public welfare.

67-16-5. BASIS FOR ISSUANCE OF CONDITIONAL USE PERMIT.

The Planning Commission shall not authorize a conditional use permit unless evidence is presented to establish:

(1) That the proposed use of the particular location is necessary or desirable to provide a service or facility which will contribute to the general well-being of the community, and

(2) That such use will not, under the circumstances of the particular case and the conditions imposed, be detrimental to the health, safety and general welfare of persons nor injurious to property or improvements in the community, and

(3) That the proposed use will comply with the regulations and conditions specified in this Ordinance for such use, and

(4) That the proposed use conforms to the goals, policies and governing principles and emerging land use of the Master Plan for Park City.

67-16-6. ARCHITECTURAL AND HISTORICAL CONSIDERATION.

The Planning Commission, in considering the issuance of a conditional use permit may impose conditions to assure that the proposal:

(1) Complies with the approved character of the community to be preserved, and

(2) Is in harmony with and furthers the architectural and aesthetic qualities of the community to be achieved, and

(3) By reason of its physical design partakes of the historical tradition of the City that has been agreed to be preserved.

67-16-7. RIGHT OF APPEAL.

(1) Any person shall have the right to appeal any decision rendered by the Planning Commission, to the City Council or if so designated, to a Review Board appointed by the City Council. Such Review Board shall consist of three (3) members of the City Council and two (2) members of the Planning Commission.

(2) Such appeal shall be filed in writing with the City Recorder within fourteen (14) days of the Planning Commission's decision and shall include statements to substantiate the claim that the Planning Commission's decision and reasons therefore, is in error.

(3) The City Council or the Review Board if so designated after proper review, may affirm, reverse, alter or remand for further review and consideration any action taken by the Planning Commission and its decision shall be final.

67-16-8. BUILDING PERMIT.

Following the issuance of a conditional use permit by the Planning Commission, the Zoning Inspector shall approve an application for a building permit pursuant to Chapter 3 of this ordinance and shall insure that development is undertaken and completed in compliance with said permits and conditions pertaining thereto.

67-16-9. TIME LIMIT.

Unless there is a substantial action under a conditional use permit within a maximum period of one (1) year of its issuance, the conditional use permit shall expire. The Planning Commission may grant a maximum extension of six (6) months under exceptional circumstances.

CHAPTER 17. PLANNED UNIT DEVELOPMENT

67-17-1. PURPOSE.

The purpose of a Planned Unit Development is to allow flexibility and diversification in locating various buildings, structures, housing types, open spaces and allowable heights of buildings as related to their sites and to encourage new and imaginative concepts in the design of housing and other type projects in the community.

To this end, the development should be planned as a complex rather than a mere aggregation of individual buildings.

67-17-2. GENERAL REQUIREMENTS.

(1) An overall development plan of the Planned Unit Development shall accompany the application and shall show the proposed use or uses, dimensions and locations of buildings and structures on the site, areas for vehicular and pedestrian movement, parking areas, landscaping and open spaces and architectural sketches and perspective drawings demonstrating the design and character of uses and the physical relationship of the uses and surrounding area.

(2) Such other pertinent information shall be included to establish that the contemplated arrangement of uses makes it desirable to apply regulations and requirements different from those ordinarily applicable under this ordinance.

67-17-3. AREA REGULATIONS.

(1) The minimum area for a Planned Unit Development shall be one (1) acre.

(2) The average lot area per residential unit, exclusive of streets and lots for non-residential purposes, may be decreased to, but not less than twenty (20) percent lower than the lot area per residential unit requirement that applies to the zone in which the project is located.

67-17-4. PLANNING COMMISSION REVIEW.

(1) An application for a Planned Unit Development shall be made by filing the necessary documents with the Zoning Inspector who shall present the material to the Planning Commission for consideration at its next regularly scheduled meeting.

(2) In considering the proposal, the Planning Commission shall consider:

(a) The architectural design of buildings and their relationship on the site and to development abutting the boundaries in terms of the determined character of the community and the historical tradition of the city that has been agreed upon to be preserved.

(b) The provisions for internal and external traffic circulation and design and off-street parking, etc.

(c) The landscaping, fencing and screening as related to the several uses within the site and as a means of integrating the proposed development into its surroundings.

67-17-5. TIME LIMIT.

Unless there is substantial development under a conditional use permit within one (1) year of its issuance, the conditional use permit for a Planned Unit Development shall expire. The Planning Commission may grant a maximum extension of six (6) months under exceptional circumstances.

67-17-6. GUARANTEE OF PRIVATE OPEN SPACE MAINTENANCE.

Ownership and maintenance of common open space, areas and facilities in Planned Unit Developments shall be governed by the Condominium Ownership Act of 1963, Title 57, Chapter 8, Utah Code Annotated, 1963, as amended.

67-17-7. CONSTRUCTION LIMITATIONS.

Upon approval of a Planned Unit Development, by the issuance of a conditional use permit and building permit, construction shall proceed only in accordance with the plans and specifications approved by the Planning Commission and in conformity with any conditions attached to its approval.

CHAPTER 18. SUBDIVIDING OF LAND

67-18-1. PROVISIONS TO BE APPLICABLE TO ALL SUBDIVIDING OF LAND.

No person shall subdivide any tract of land which is located wholly or in part in the City except in compliance with this ordinance. No person shall sell or exchange or offer to sell or exchange any parcel of land which is any part of a subdivision of a larger tract of land, nor offer for recording in the office of the County Recorder any deed conveying such parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this ordinance; provided that this ordinance shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to March 15, 1966.

67-18-2. PURPOSE AND INTENT.

The underlying purpose and intent of this ordinance is to promote the health, safety, convenience and general welfare of the inhabitants of Park City in the matter of the subdivision of land and related matters affected by such subdivision. Any proposed subdivision and its ultimate use shall be in the best interests of the public and shall be in harmony with good neighborhood development of the area concerned and the subdivider shall present evidence to this effect when requested to do so by the Planning Commission.

67-18-4. DEFINITIONS.

The following terms as used in this ordinance shall have the respective meanings hereinafter set forth.

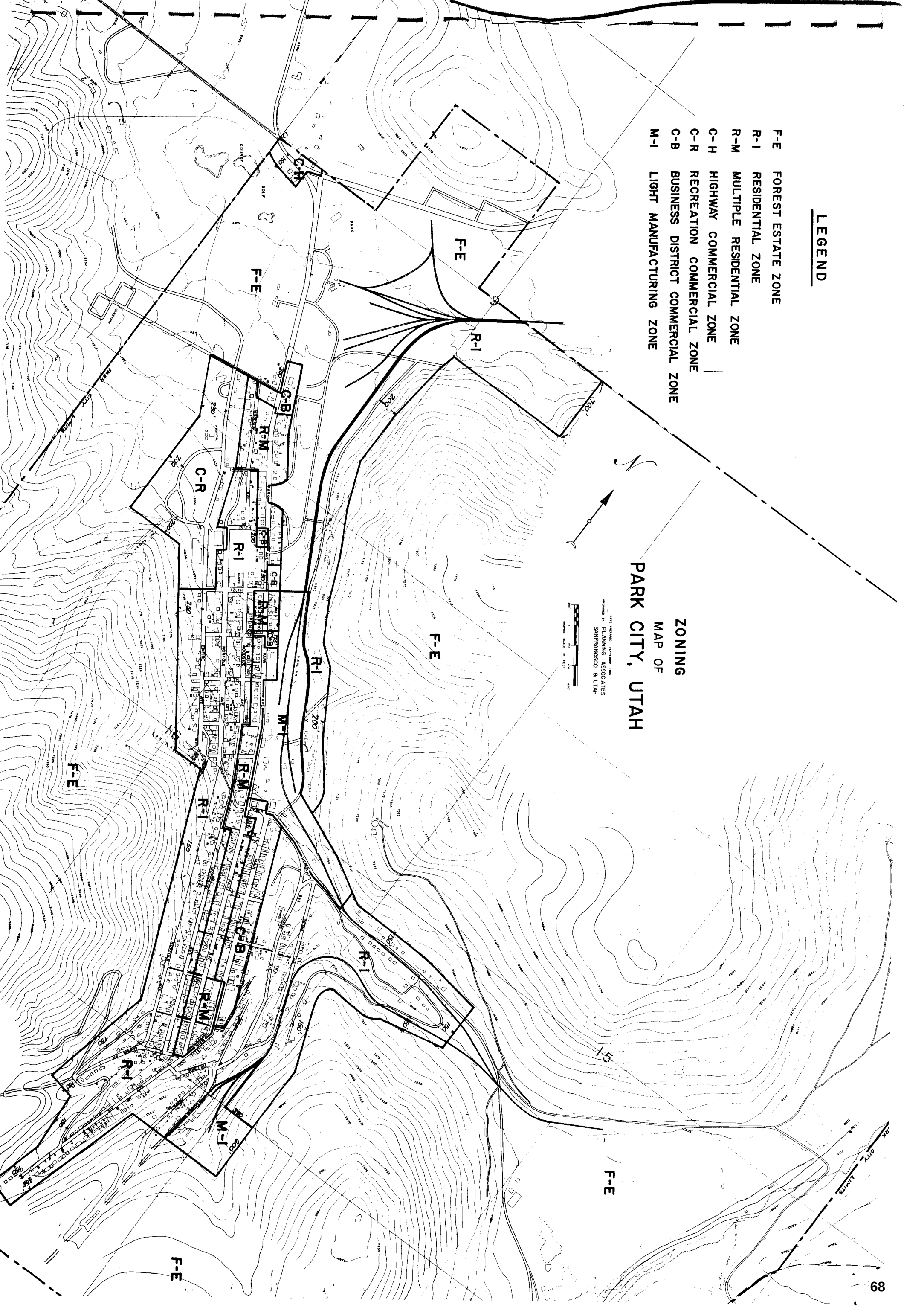
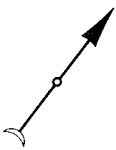
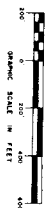
(1) SUBDIVISION: The division of any tract, lot or parcel of land as an undivided tract by one individual or by joint tenants or tenants in common or by the entirety, into three or more lots, plots, sites or other divisions of land for the purpose, whether immediate or future, of sale or building development. The word "subdivide" and any derivative thereof, shall have reference to the term "subdivision" as herein defined.

LEGEND

- F-E FOREST ESTATE ZONE
- R-I RESIDENTIAL ZONE
- R-M MULTIPLE RESIDENTIAL ZONE
- C-H HIGHWAY COMMERCIAL ZONE
- C-R RECREATION COMMERCIAL ZONE
- C-B BUSINESS DISTRICT COMMERCIAL ZONE
- M-I LIGHT MANUFACTURING ZONE

ZONING
MAP OF
PARK CITY, UTAH

DATE PREPARED: SEPTEMBER 1964
PREPARED BY: PLANNING ASSOCIATES
SAN FRANCISCO & UTAH

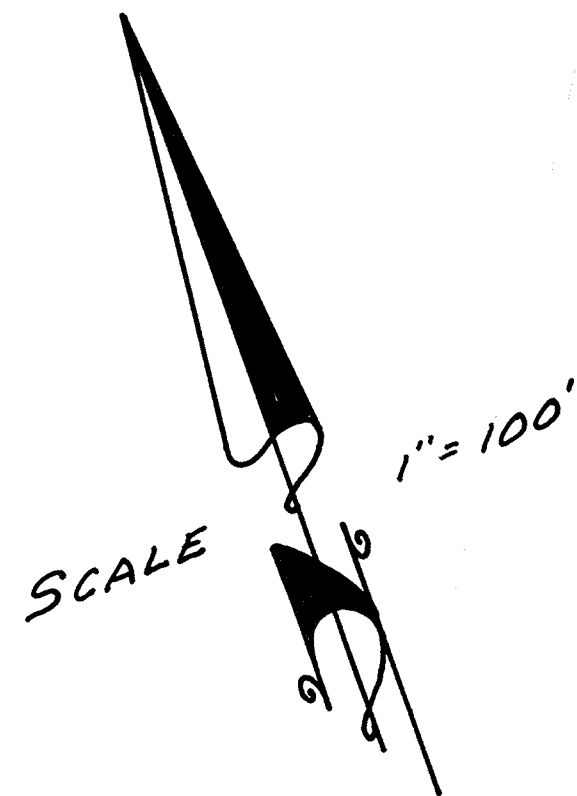


SURVEYORS CERTIFICATE

I ROBERT B JONES a Registered Land Surveyor as prescribed under the laws of the State of Utah and holding Certificate No 1525 do hereby certify that the Right of Way shown on this plat and owned by Greater Park City Company is bounded and described as follows

Beginning at a point South 142.98 feet and West 382.55 feet from the Southeast Corner of Section 8, Township 2 South Range 4 East Salt Lake Base and Meridian and running thence 548°00'W 50.00 feet to a point on a curve to the right the radius point of which is N48°00'E 200.00 feet; thence Northwesterly along the arc of said curve 68.94 feet to a point of tangency; thence N22°15'W 112.00 feet to a point of a 115.00 foot radius curve to the left thence Northwesterly along the arc of said curve 74.26 feet to a point of tangency; thence N59°15'W 60.00 feet to a point of a 137.00 foot radius curve to the right; thence Northerly along the arc of said curve 203.72 feet to a point of tangency; thence North 144.00 feet to a point of a 245.00 foot radius curve to the left; thence Northerly along the arc of said curve 74.83 feet to a point of tangency; thence N17°30'W 97.00 feet to a point of a 183.00 foot radius curve to the left; thence Northwesterly along the arc of said curve 202.815 feet to a point of a reverse curve to the right the radius point of which is N9°00'E 110.85 feet; thence Northwesterly along the arc of said curve 118.50 feet to a point of tangency; thence N19°45'W 51.24 feet to a point of a 417.00 foot radius curve to the left; thence Northerly along the arc of said curve 110.99 feet to a point of a reverse curve to the right; the radius point of which is N55°00'E 105.00 feet; thence Northerly, Easterly and Southerly along the arc of said curve 378.43 feet to a point of tangency; thence S8°30'E 31.49 feet to a point of a 54.94 foot radius curve to the left; thence Southerly and Easterly along the arc of said curve 115.99 feet (continued at right)

to a point of a compound curve to the left; the radius point of which is N39°28'W 15.00 feet; thence Easterly and Northerly along the arc of said curve 22.24 feet to a point of a reverse curve to the right; the radius point of which is N55°35'10"E 439.15 feet; thence Northerly along the arc of said curve 112.97 feet to a point of tangency; thence N19°40'30"W 385.45 feet to a point of a 495.00 foot radius curve to the left; thence Northwesterly along the arc of said curve 324.24 feet to a point of tangency; thence N57°12'20"W 39.07 feet; thence N32°47'40"E 50.00 feet; thence 557°12'20"E 39.07 feet to a point of a 545.00 foot radius curve to the right; thence Southeasterly along the arc of said curve 356.99 feet to a point of tangency; thence S19°40'30"E 385.45 feet to a point of a 389.15 foot radius curve to the left; thence Southeasterly along the arc of said curve 221.27 feet to a point of tangency; thence S52°15'12"E 115.50 feet; thence S33°36'13"W 50.13 feet; thence N52°15'12"W 119.12 feet to a point of a 439.15 foot radius curve to the right; thence Northwesterly along the arc of said curve 59.255 feet to a point of a reverse curve to the left; the radius point of which is S45°28'40"W 15.00 feet; thence Northerly and Westerly along the arc of said curve 22.24 feet to a point of a reverse curve to the right; the radius point of which is N39°28'W 104.94 feet; thence Westerly and Northerly along the arc of said curve 221.555 feet to a point of tangency; thence N8°30'W 31.49 feet to a point of a 55.00 foot radius curve to the left; thence Northerly, Westerly and Southerly along the arc of said curve 198.225 feet to a point of a reverse curve to the right the radius point of which is S55°00'W 467.00 feet; thence Southerly along the arc of said curve 124.30 feet to a point of tangency; thence S19°45'E 51.26 feet to a point of a 60.85 foot radius curve to the left; thence Southeasterly along the arc of said curve 65.05 feet to a point of a reverse curve to the right; the radius point of which is S9°00'W 233.00 feet; thence Southeasterly along the arc of said curve 258.23 feet to a point of tangency; thence S17°30'E 97.00 feet to a point of a 295.00 foot radius curve to the right; thence Southerly along the arc of said curve 90.10 feet to a point of tangency; thence South 144.00 feet to a point of a 147.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 152.01 feet to a point of tangency; thence S59°15'E 60.00 feet to a point of a 165.00 foot radius curve to the right; thence Southeasterly along the arc of said curve 106.55 feet to a point of tangency; thence S22°15'E 112.00 feet to a point of a 150.00 foot radius curve to the left; thence Southeasterly along the arc of said curve 51.705 feet to the point of beginning.



OWNER'S DEDICATION

Know all men by these presents that we the undersigned owners do hereby Quit Claim and dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use, said Right of way widths are as shown and described in the Surveyor's Certificate

GREATER PARK CITY COMPANY,
A UTAH CORPORATION

Warren King
U Warren King
President

Robert W. Wells
Robert W. Wells
Vice Pres - Treasurer

TREASURE MOUNTAIN CORP.,
A UTAH CORPORATION

Warren King
U Warren King
President

Robert W. Wells
Robert W. Wells
Vice Pres - Treasurer

ACKNOWLEDGMENT'S

STATE OF UTAH } ss
County of Summit }
On this 22 day of MAY AD 1972,
personally appeared before me the undersigned
Notary Public in and for said State and County
Warren King & Robert W. Wells, who being
by me duly sworn did say that they are the
President and Vice President-Treasurer of Treasure
Mountain Corp., a Utah Corporation and
that they have full authority to sign for said
Corporation and the accompanying instrument
was signed by them in behalf of said
Corporation

My Commission expires
6/14/75
Date Julia Tatum
Notary Public
Residing in Summit County

STATE OF UTAH } ss
County of Summit }
On this 22 day of MAY AD 1972,
personally appeared before me the undersigned
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Greater Park City Company a Utah Corporation
and they have full authority to sign for said
corporation and the accompanying instrument
was signed by them in behalf of said Corp-
oration

My Commission Expires
6/14/75
Date Julia Tatum
Notary Public
Residing in Summit County

THREE KINGS
CONDOMINIUMS

Date MARCH 22, 1972
Robert B Jones
Surveyor License No 1525

DEDICATION PLAT OF THREE KINGS DRIVE AND CRESENT ROAD

LOCATED IN
SE 1/4 SECTION 8 & NE 1/4 SECTION 17
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN

PREPARED BY
BUSH & GUDGELL INC.
ENGINEERS-SURVEYORS
555 SOUTH 3RD EAST
SALT LAKE CITY, UTAH
84111
PHONE 364-7775

CERTIFICATE OF ATTEST
DATE- THIS 27th DAY OF
May AD 1972.
Violet Terry
PARK CITY RECORDER

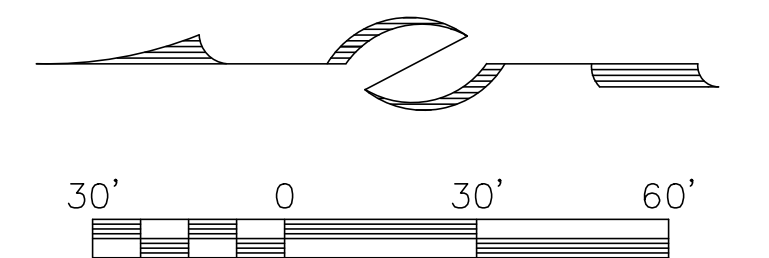
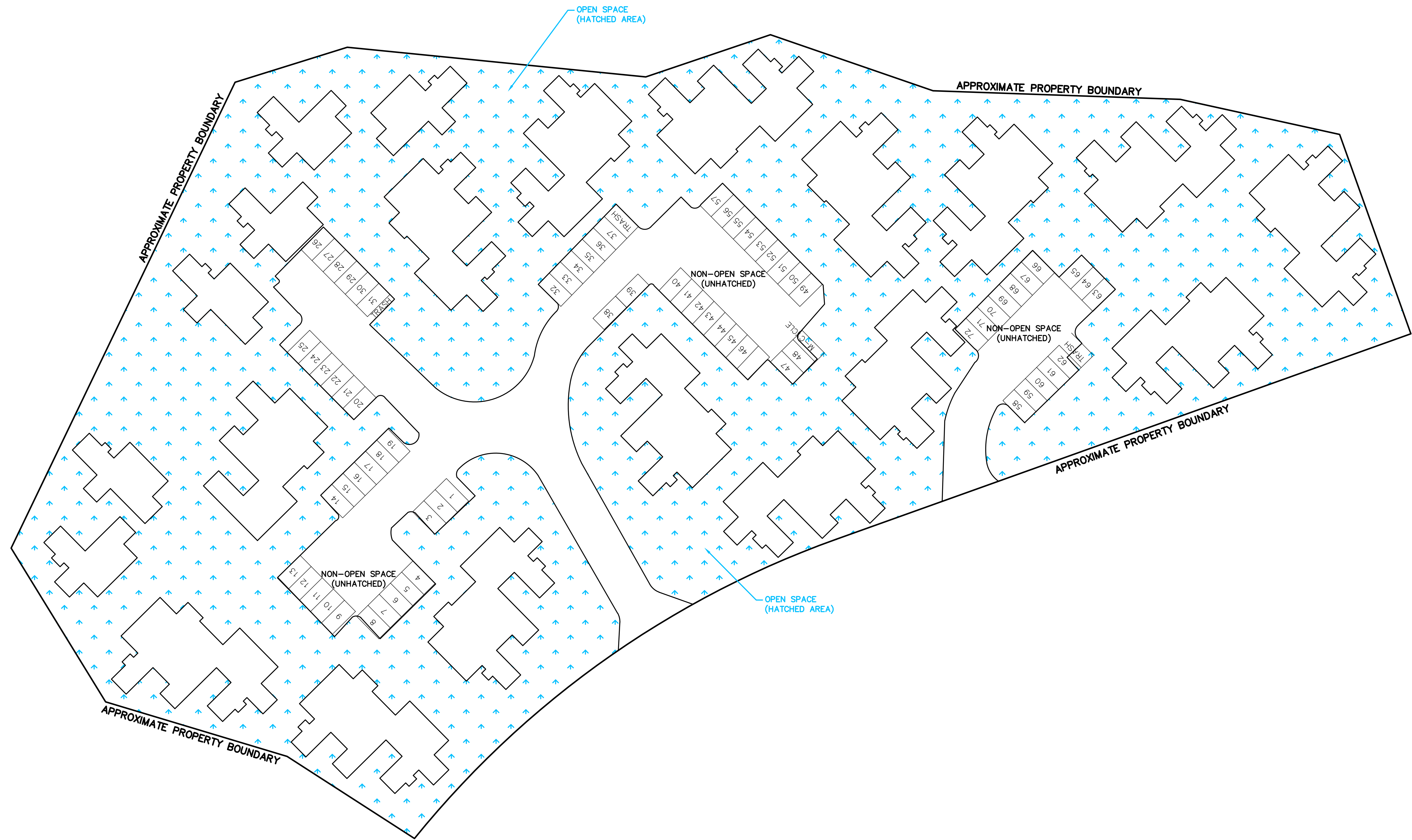
CITY PLANNING COMM.
APPROVED THIS 26th DAY OF
May AD 1972 BY THE
PARK CITY PLANNING COMMISSION
Robert E. Burrows Jr.
CHAIRMAN PLANNING COMM.

ENGINEER'S CERTIFICATE
I HEREBY CERTIFY THAT THIS OFFICE
HAS EXAMINED THIS PLAT AND IT IS
CORRECT IN ACCORDANCE WITH
INFORMATION ON FILE IN THIS
OFFICE
5/25/72
DATE John A. Probasco
CITY ENGINEER

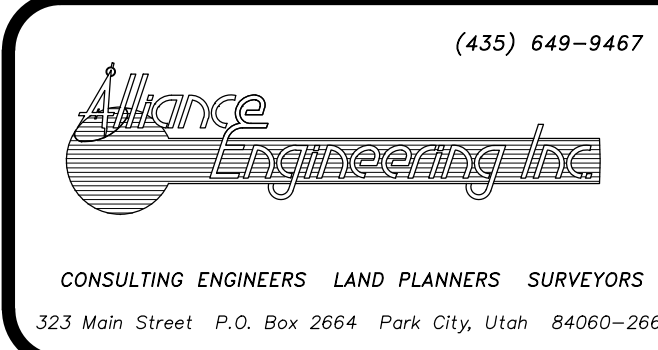
APPROVAL AS TO FORM
APPROVED AS TO FORM
THIS 25th DAY OF May
AD 1972
Richard W. Perkins
PARK CITY ATTORNEY

CITY COUNCIL APPROVAL
APPROVED AND ACCEPTED BY THE
PARK CITY COUNCIL THIS 29
DAY OF May AD 1972
William P. Sullivan
MAYOR

RECORDED # 116010
STATE OF UTAH COUNTY OF SUMMIT
RECORDED AND FILED AT THE REQUEST OF
Treasure Mountain Corp.
DATE 30-1972 ME 3-23 BOOK - PAGE -
3-50
FEE \$ 1.00 Wanda J. Spang
SUMMIT COUNTY RECORDER



	AREA (ACRES)	PERCENT AREA
TOTAL AREA (APPROXIMATE)	4.85	100%
OPEN SPACE AREA	2.81	58%
BUILDINGS/DRIVEWAYS/PARKING (NON-OPEN SPACE)	2.04	42%



STAFF:
 RYAN BETZ
 MARSHALL KING
 JESSICA HALL

DATE: 10/11/18

OPEN SPACE CALCULATIONS EXHIBIT
 PAYDAY CONDOMINIUMS

FOR: PAYDAY CONDOMINIUMS
 JOB NO.: 15-8-18
 FILE: X:\Spirox\dwg\exhibits\Payday Condos\open-space-calc.dwg

SHEET
 1
 OF
 1

(2) Is in harmony with and furthers the architectural and aesthetic qualities of the community to be achieved, and

(3) By reason of its physical design partakes of the historical tradition of the City that has been agreed to be preserved.

67-16-7. RIGHT OF APPEAL.

(1) Any person shall have the right to appeal any decision rendered by the Planning Commission, to the City Council or if so designated, to a Review Board appointed by the City Council. Such Review Board shall consist of three (3) members of the City Council and two (2) members of the Planning Commission.

(2) Such appeal shall be filed in writing with the City Recorder within fourteen (14) days of the Planning Commission's decision and shall include statements to substantiate the claim that the Planning Commission's decision and reasons therefore, is in error.

(3) The City Council or the Review Board if so designated after proper review, may affirm, reverse, alter or remand for further review and consideration any action taken by the Planning Commission and its decision shall be final.

67-16-8. BUILDING PERMIT.

Following the issuance of a conditional use permit by the Planning Commission, the Zoning Inspector shall approve an application for a building permit pursuant to Chapter 3 of this ordinance and shall insure that development is undertaken and completed in compliance with said permits and conditions pertaining thereto.

67-16-9. TIME LIMIT.

Unless there is a substantial action under a conditional use permit within a maximum period of one (1) year of its issuance, the conditional use permit shall expire. The Planning Commission may grant a maximum extension of six (6) months under exceptional circumstances.

CHAPTER 17. PLANNED UNIT DEVELOPMENT

67-17-1. PURPOSE.

The purpose of a Planned Unit Development is to allow flexibility and diversification in locating various buildings, structures, housing types, open spaces and allowable heights of buildings as related to their sites and to encourage new and imaginative concepts in the design of housing and other type projects in the community.

To this end, the development should be planned as a complex rather than a mere aggregation of individual buildings.

67-17-2. GENERAL REQUIREMENTS.

(1) An overall development plan of the Planned Unit Development shall accompany the application and shall show the proposed use or uses, dimensions and locations of buildings and structures on the site, areas for vehicular and pedestrian movement, parking areas, landscaping and open spaces and architectural sketches and perspective drawings demonstrating the design and character of uses and the physical relationship of the uses and surrounding area.

(2) Such other pertinent information shall be included to establish that the contemplated arrangement of uses makes it desirable to apply regulations and requirements different from those ordinarily applicable under this ordinance.

67-17-3. AREA REGULATIONS.

(1) The minimum area for a Planned Unit Development shall be one (1) acre.

(2) The average lot area per residential unit, exclusive of streets and lots for non-residential purposes, may be decreased to, but not less than twenty (20) percent lower than the lot area per residential unit requirement that applies to the zone in which the project is located.

67-17-4. PLANNING COMMISSION REVIEW.

(1) An application for a Planned Unit Development shall be made by filing the necessary documents with the Zoning Inspector who shall present the material to the Planning Commission for consideration at its next regularly scheduled meeting.

(2) In considering the proposal, the Planning Commission shall consider:

(a) The architectural design of buildings and their relationship on the site and to development abutting the boundaries in terms of the determined character of the community and the historical tradition of the city that has been agreed upon to be preserved.

(b) The provisions for internal and external traffic circulation and design and off-street parking, etc.

(c) The landscaping, fencing and screening as related to the several uses within the site and as a means of integrating the proposed development into its surroundings.

67-17-5. TIME LIMIT.

Unless there is substantial development under a conditional use permit within one (1) year of its issuance, the conditional use permit for a Planned Unit Development shall expire. The Planning Commission may grant a maximum extension of six (6) months under exceptional circumstances.

67-17-6. GUARANTEE OF PRIVATE OPEN SPACE MAINTENANCE.

Ownership and maintenance of common open space, areas and facilities in Planned Unit Developments shall be governed by the Condominium Ownership Act of 1963, Title 57, Chapter 8, Utah Code Annotated, 1963, as amended.

67-17-7. CONSTRUCTION LIMITATIONS.

Upon approval of a Planned Unit Development, by the issuance of a conditional use permit and building permit, construction shall proceed only in accordance with the plans and specifications approved by the Planning Commission and in conformity with any conditions attached to its approval.

CHAPTER 18. SUBDIVIDING OF LAND

67-18-1. PROVISIONS TO BE APPLICABLE TO ALL SUBDIVIDING OF LAND.

No person shall subdivide any tract of land which is located wholly or in part in the City except in compliance with this ordinance. No person shall sell or exchange or offer to sell or exchange any parcel of land which is any part of a subdivision of a larger tract of land, nor offer for recording in the office of the County Recorder any deed conveying such parcel of land, or any interest therein, unless such subdivision has been created pursuant to and in accordance with the provisions of this ordinance; provided that this ordinance shall not apply to any lot or lots forming a part of a subdivision created and recorded prior to March 15, 1966.

67-18-2. PURPOSE AND INTENT.

The underlying purpose and intent of this ordinance is to promote the health, safety, convenience and general welfare of the inhabitants of Park City in the matter of the subdivision of land and related matters affected by such subdivision. Any proposed subdivision and its ultimate use shall be in the best interests of the public and shall be in harmony with good neighborhood development of the area concerned and the subdivider shall present evidence to this effect when requested to do so by the Planning Commission.

67-18-4. DEFINITIONS.

The following terms as used in this ordinance shall have the respective meanings hereinafter set forth.

(1) SUBDIVISION: The division of any tract, lot or parcel of land as an undivided tract by one individual or by joint tenants or tenants in common or by the entirety, into three or more lots, plots, sites or other divisions of land for the purpose, whether immediate or future, of sale or building development. The word "subdivide" and any derivative thereof, shall have reference to the term "subdivision" as herein defined.

Planning Commission Staff Report

Subject: 1961 Venus Court
Application: PL-21-05072
Author: Browne Sebright
Date: January 26, 2022
Type of Item: Conditional Use Permit



Recommendation

Staff recommends that the Planning Commission review the request for a Conditional Use Permit (CUP) for a Private Recreation Facility, conduct a public hearing, and review the CUP based on the findings of fact, conclusions of law, and conditions of approval found in the Draft Final Action Letter (Exhibit A).

Description

Applicant: Michelle Denton
Location: 1961 Venus Court
Zoning District: SF – Single-Family
Adjacent Land Uses: Single-Family Residential
Reason for Review: Planning Commission reviews CUP requests for the construction of Private Recreation Facilities in the Single-Family Zoning District¹

CUP Conditional Use Permit
LMC Land Management Code
SF Single-Family

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

Background

On November 15, 2021, the Planning Department received an application from the Applicant for a CUP to convert an existing concrete pad into a sports court, including pickleball as a recreational use among other uses (hereafter referred to as the “sports court”). Staff deemed the application complete on December 15, 2021.

1961 Venus Court is Lot 38 of the Park Meadows Subdivision, No. 5, which was recorded with Summit County in February of 1978.

A sports court or pickleball court is considered to be a Private Recreation Facility and a Structure in Land Management Code [§ 15-15-1](#) *Definitions*:

Recreation Facilities, Private. Recreation facilities operated on private Property and

¹ LMC § [15-12-15](#).

not open to the general public. Including Recreation Facilities typically associated with a homeowner or Condominium association, such as pools, tennis courts, playgrounds, spas, picnic Areas, similar facilities for the Use by Owners and guests.

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

Analysis

(I) The proposal complies with the Single-Family Zoning District requirements.

1961 Venus Court is in the SF Zoning District. Private Recreation Facilities are Structures that require a Conditional Use Permit² and must meet the following Lot and Site requirements:³

Zoning Requirement	Analysis of Proposal
Density – maximum Density is three (3) units per acre	Complies Lot contains one unit on a 0.33-acre Lot.
Front Setback – twenty feet (20')	Complies Twenty feet (20'), no changes proposed
Rear Setback – fifteen feet (15')	Complies The sports court is twenty-five (25') from the rear Lot Line.
Side Setbacks – twelve feet (12') each	Condition of Approval 1 The existing concrete pad is five feet (5') from the east Side Lot Line. The Applicant has agreed to paint the sports court on the western portion of the concrete pad so that it maintains a twelve-foot (12') setback from the eastern Side Lot Line. Seven (7') feet of concrete flat work will remain outside the sports court as permitted within the side yard setback exception. ⁴ However, staff recommends in the pending ordinance revisions that this condition is not allowed in the future.

² LMC § [15-2.11-2 \(B\)](#).

³ LMC § [15-2.11-3](#).

⁴ LMC § [15-2.11-3 \(G\)](#).

Structure Height – Accessory Structures shall not exceed a maximum height of eighteen feet (18').	Condition of Approval 6 The proposed Structure height (the pickleball net) is three feet (3'). The Applicant will be required to install a twelve foot (12') tall noise reducing fence around the sports court with a minimum noise reduction coefficient (NRC) of approximately 0.75.
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Figure 1. Zoning District Analysis

The proposed Structure, as conditioned, meets lot and site requirements of the SF Zoning District.

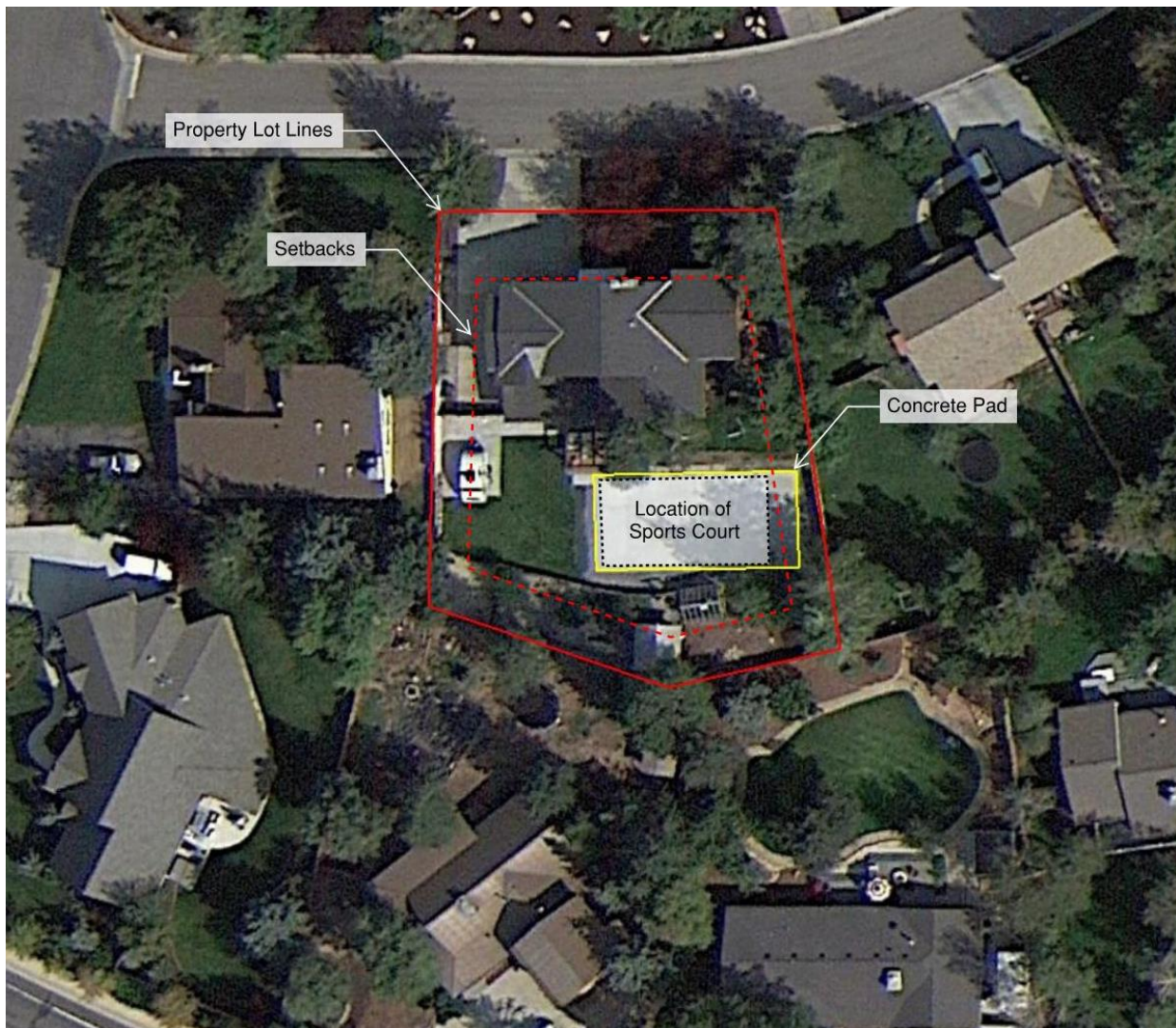


Figure 2. Lot and site characteristics of 1961 Venus Court. Image from Google Earth Pro. Staff added property lot lines in red, and the concrete pad to be used as a sports court in yellow.

(II) Staff recommends the Planning Commission evaluate conditions to mitigate noise and nuisances in accordance with LMC § 15-1-10(E), Conditional Use Permit criteria.

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](#).

This proposal must be weighed against the CUP review criteria found in LMC [§15-1-10\(E\)](#), #1-16.

LMC [§15-1-10](#) Conditional Use Review Criteria

E. REVIEW. *The Planning Commission must review each of the following items when considering whether or not the proposed Conditional Use mitigates impacts of and addresses the following items:*

Criteria	Analysis of Proposal
Size and Location of Site	No unmitigated impacts 1961 Venus Court is 0.33 acres/14,374 square feet. The size of the concrete pad is 28' by 60'. The proposed sports court will be located in the rear of the property, behind the primary structure and measures 20' by 40'. The sports court will be located on the western portion of the concrete pad.
Traffic capacity	No unmitigated impacts No additional traffic will be generated by the addition of this Private Recreation Facility.
Utility capacity	No unmitigated impacts The sports court is located outside of utility easements and does not increase the utility demand for the property.

Emergency vehicle access	Not applicable No change in property access is proposed.
Off-street parking	Condition of Approval 2; Condition of Approval 7 LMC § 15-3-6(B) requires one (1) parking space per four (4) persons maximum rated capacity for a Private Recreation Facility. Pickleball is a game that is played with 2-4 players, and the Applicant has indicated that the sports court will be used by no more than four (4) players at a time. LMC § 15-3-6(A) requires two (2) parking spaces per Dwelling Unit for a Single Family Dwelling. A total of four (4) off-street parking spaces are provided. Two enclosed in a garage, and two located on the driveway. Parking for the sports court shall be provided on site. Parking on Venus Court is prohibited.
Internal vehicle and pedestrian circulation	No unmitigated impacts The sports court is for the use of the residents of 1961 Venus Court and will not change the internal pedestrian circulation of the Lot.
Fencing, screening, landscaping to separate use from adjoining properties	See Analysis III. The rear yard contains half a dozen mature trees, landscaping, and a six foot (6') tall wooden fence to mitigate impacts on adjacent neighbors.
Structure mass, bulk, and orientation	No unmitigated impacts The project conforms to all applicable sections of the LMC regulating mass, bulk, orientation, and location of the Structure on the Site.
Usable open space	Not applicable There are no open space requirements for a Single-Family Dwelling Use. The addition of the sports court does not change the amount of usable Open Space on the Lot.

Signs and lighting	Condition of Approval 5 No outdoor lighting is proposed or approved under the CUP.
Physical design and compatibility with surrounding structures	No unmitigated impacts There is other Recreation Equipment, including basketball stands, on other properties in Venus Court. The project is similar in design and scale to surrounding Structures.
Noise, vibration, odors, steam, or other mechanical factors ⁵	See Analysis III
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.
Expected ownership	No unmitigated impacts No change in ownership is proposed.
Environmentally Sensitive Lands, Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, Steep Slope	Not applicable The property is not located in Overlay Zones, Environmentally Sensitive Lands, Park City Soils Ordinance Parcels, or Steep Slopes.
General Plan consistency	Complies The project site is located within the Park Meadows neighborhood of Park City. The General Plan calls out the importance for developing a Sense of Community for those that choose to live in Park City full-time. Goal 7 (page 70) of the General Plan shows that the City strives to create a diversity of primary housing opportunities, allowing full-time residents to have local options for work and play.

Figure 3. Conditional Use Permit Criteria Analysis

(III) Staff recommends the Planning Commission evaluate conditions for mitigation in accordance with LMC § 15-1-10(E)(7) and LMC § 15-1-10(E)(12), fencing, screening, and noise.

⁵ Municipal Code of Park City Title [6-3-9](#).

As part of this application's analysis, staff reviewed studies related to pickleball courts and noise ordinances to assess whether additional mitigation measures should be required for the proposed development. Staff reviewed eight (8) pickleball noise studies conducted by municipalities to evaluate how pickleball courts compared to adopted noise ordinances and what mitigation measures would be most effective.

A study from Scottsdale, AZ showed that general background noise for a residential neighborhood was around 35 dBA.⁶ Typical recreation facilities, including basketball and tennis, had noise levels between 35 dBA and 54 dBA, with the loudest noises recorded being attributed to players talking. Pickleball was the loudest sport measured, with noise levels ranging between 39 dBA and 65 dBA, with the loudest noise being attributed to the impact of the ball with paddles. Because of potential noise nuisances, many municipalities require additional sound mitigation for recreation facilities that are used for pickleball.

In Park City, between 10:00 p.m. and 6:00 a.m., the Maximum Permissible Sound Level for a Residential Use District is 50 dBA. Between 6:00 a.m. and 10:00 p.m., the Maximum Permissible Sound Level for a Residential Use District is 55 dBA.

A study from Pacific Grove, CA showed that pickleball games produce general noise that registered 55 dBA or louder in a radius from sixty-feet (60') to one-hundred-feet (100') from a game.⁷ The study from Scottsdale, AZ found that a solid noise barrier up to twelve feet (12') in height could reduce the noise level from a pickleball game between 10 dBA to 21 dBA. Scottsdale, which has the same daytime maximum permissible sound level for a residential district of 55 dBA, found that the addition of solid noise barriers would be effective for meeting the residential noise impact requirements.

1961 Venus Court Proposal

The sports court is approximately fifty feet (50') from the nearest neighboring residential structure (2003 Venus Ct.), and between sixty feet (60') and ninety feet (90') from the other adjacent homes. The rear yard is currently screened from neighboring single-family residential uses by a six foot (6') tall wooden fence. No change to fencing is proposed.

The Applicant has agreed to limit the use of the sports court to daylight hours, which are set as 8:00 a.m. to 8:00 p.m. MT (Condition of Approval 2). The sports court will be used by no more than four (4) players at a time (Condition of Approval 3).

Staff recommends that the Applicant install a twelve foot (12') tall noise reducing fence around the sports court with a minimum noise reduction coefficient (NRC) of approximately 0.75.

⁶ Development Review Board Report, Terravita Pickleball and Bocce Courts 1–40 (2021). Scottsdale, AZ.

⁷ Gho, D., Susic, K., & Schneider, C., Morris Dill Courts Monitoring Matrix, Noise Assessment and Policy Recommendations 1–30 (2019). Pacific Grove, CA.

Staff also recommends that Planning Commission review the proposed sports court in the context of the noise ordinance and the known setbacks from other residential uses and suggest additional Conditions of Approval to ensure adequate noise mitigation.

Department Review

On January 11, 2022, the Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application.

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on January 12, 2022. Staff mailed courtesy notice to property owners within 300 feet on January 12, 2022. LMC [§ 15-1-21](#).

Public Input

Two public comments have been submitted relating to the proposed sports court at 1961 Venus Court, one in favor and one opposed.

The Applicant has provided a letter from a neighbor (Exhibit E) stating that there are trees and fencing that buffer their property from the proposed sports court, and that they have no objection to the proposed use.

In August of 2021, an adjacent neighbor submitted a public comment against the proposed sports court, stating that while they have solid fencing between their property and the neighbor's concrete pad, they are concerned that the existing fencing will be unable to mitigate the sound of the pickleball noise (Exhibit F).

Exhibits

Exhibit A: Draft Final Action Letter

Exhibit B: Applicant Statement

Exhibit C: Building Permit and Site Plan

Exhibit E: Letter from Neighbors at 2003 Venus Court

Exhibit F: Letter from Brian Schiller

Exhibit G: Park Meadows Sub. No. 5 Subdivision Plat



January 26, 2022

Michelle Denton
1961 Venus Court
Park City, UT 84060
mimimdenton@gmail.com

NOTICE OF PLANNING COMMISSION ACTION

Description

Address: 1961 Venus Court

Zoning District: Single Family (SF)

Application: Private Recreation Facility Conditional Use Permit

Project Number: PL-21-05072

Action: Approved with Conditions

Date of Final Action: January 26, 2022

Project Summary: The proposal is to convert an existing concrete pad into a pickleball and sport court (a Private Recreation Facility).

Action Taken

On January 26, 2022, the Planning Commission conducted a public hearing and approved the conversion of an existing concrete pad into a private recreation facility according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. The property is located at 1961 Venus Court.
2. On November 15, 2021, the Planning Department received the Conditional Use Permit Application for the conversion of an existing concrete pad into a Private Recreation Facility at 1961 Venus Court.

3. On December 13, 2021, the Planning Department determined that the Conditional Use Permit application was complete.
4. The property is located in the Single Family (SF) District.
5. The lot contains 14,375 square feet (0.33 acres).
6. Access to the property is from Venus Court, a public street.
7. The neighborhood is characterized of single-family homes. The streetscape is dominated by homes setback from the street. The homes are a mix of one- to two-story residential houses.
8. The proposal complies with LMC 15-2.11-2(B) as a Private Recreation Facility is a Conditional Use in the SF zone.
9. The proposal complies with LMC 15-2.11-3(A) as the maximum Density for Subdivisions is three (3) units per acre. The property has one unit and is 14,375 square feet (0.33 acres).
10. The proposal complies with LMC 15.2.11-3(D) Rear Setbacks, as the sport court maintains a rear setback of twenty feet (20'). The minimum Rear Setback required is fifteen feet (15').
11. The proposal complies as conditioned with LMC 15.2.11-3(F) Side Setbacks, as the sport court maintains side setbacks of twelve feet (12') to the eastern Lot Line, and forty-five feet (45') to the western Lot Line, as stipulated in Condition of Approval 2.
12. The proposal complies with LMC 15.2.11-4 Building Height, as the maximum height of an Accessory Structure is eighteen feet (18'), and the proposed sport court is three feet (3') in height.
13. The proposal complies with LMC 15-3-6 as the applicant has proposed a total of four (4) covered parking spaces.
 - a. LMC 15-3-6(A) Single-Family Dwelling requires two (2) parking spaces per Dwelling Unit, and LMC § 15-3-6(B) requires one (1) parking space per four (4) persons maximum rated capacity. Pickleball is a game that is played with 2-4 players, and the Applicant has indicated that the sport court will be used by no more than four (4) players at a time.
14. The proposal complies with LMC 15-1-10(E)(7) Fencing, Screening and landscaping as conditioned, and the rear yard contains half a dozen mature trees, landscaping, and a six foot (6') tall wooden fence to mitigate impacts on adjacent neighbors.
15. The proposal complies with LMC 15-1-10(E)(12) noise, vibration, odors, steam, or other mechanical factors as the Applicant has agreed to limit the use of the sport court to daylight hours, which are set as 8:00 a.m. to 8:00 p.m. MT.
16. The findings in the Analysis section of this report are incorporated herein.

Conclusions of Law

1. The CUP, as conditioned, is consistent with the Park City Land Management Code, specifically sections 15-1-10(E), 15-2.11, and 15-3-6.
2. The Use is consistent with the Park City General Plan.
3. The effects of any differences in use of scale have been mitigated through careful planning.

Conditions of Approval

1. Prior to, or at the time of Application for a permit for any Development, the Applicant shall file with the City evidence of notification to the appropriate registered Owners association(s).
2. The Applicant shall limit the Use of the sports court to daylight hours (8:00 A.M. – 8:00 P.M.)
3. Activity is limited to no more than four (4) players at any time.
4. Within one (1) year of this approval, if the Planning Department receives three (3) noise complaints, then the Applicant will meet with the Planning Commission to review further mitigations.
5. The Applicant will not install outdoor lighting on or near the sports court.
6. The Applicant shall install a twelve foot (12') tall noise reducing fence around the sports court with a minimum noise reduction coefficient (NRC) of approximately 0.75.
7. Parking for the sports court shall be provided on site. Parking on Venus Court is prohibited.
8. Plans submitted for a Building Permit must substantially comply with the plans reviewed and approved by the Planning Commission on January 26, 2022.
9. The sports court may not encroach within the side yard setback. No additional improvements may be made to the existing concrete pad which shall be limited to patio use only.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5063 or email browne.sebright@parkcity.org.

Sincerely,

John Phillips
Planning Commission, Chair

CC: Browne Sebright, Planner II

Michelle Denton
1961 Veus Court, PC UT 84060

- (1). Proposed use will align with surrounding uses as it will foster outside, physical activity and a healthy lifestyle.
- (2). This pickleball court will help to alleviate the high demand in the Park City community for pickleball court time at the PCMARC and other public facilities.
- (3). The proposed use is consistent with the current zoning district and with the General Plan.
- (4). The proposed use is similar or compatible with tennis courts and basketball courts in the same area.
- (5). The proposed use of a Pickleball court is suitable for the proposed site and fits the existing concrete pad site that specifications are located on approved Building Permit # 21-843
- (6). The court will only be used during daylight hours; between 8:00 AM MT and 8:00 PM MT. No lighting will be installed. The proposed use will not emit glare dust, pollutants or odors.
- (7). The pickleball court will be used during daylight hours by no more than 4 players at a time. There will be no employees.
- (8). Special issues may include the close proximity to the neighbors yard at 2003 Venus Court, PC UT 84060. I am attaching a letter written by Bruce and Carol Peasley that pertains to this issue.

PARK CITY

1881

Park City Building Permit

Application Accepted Date: 07/01/2021
 Type of Improvement: Grading/Landscaping
 Description: Removing my grass and putting in a 28 ft x 60 ft c
 Bldg. Address: 1961 VENUS CT
 City: Park City State: UT Zip: 84060
 Subdivision: Park Meadows Sub. No. 5 Phase:
 Block: Lot #: 38 Parcel #: PKM-5-38
 Property Owner: DENTON MICHELLE TRUSTEE P: (435) 640-3517
 City: PARK CITY State: UT Zip: 84060
 Permit Contact: Michelle Denton P: (435) 640-3517
 Email: mimimdenton@gmail.com

CONTACT INFORMATION

General Contractor:
 License #: P:
 City: State: Zip:
 Email:

Electrical Contractor:
 License #: P:
 City: State: Zip:

Plumbing Contractor:
 License #: P:
 City: State: Zip:
 Email:

Mechanical Contractor:
 License #: P:
 City: State: Zip:
 Email:

APPLICATION DETAILS

Const. Material: Concrete, re.. # of Units: 1680

Construction Valuation	\$	5,500.00
Electrical Valuation	\$	0.00
Plumbing Valuation	\$	0.00
Mechanical Valuation	\$	0.00

PERMIT FEES

Grading Permit Fee	\$	125.25
Total Fees:	\$	125.25

APPROVALS

	DATE	INFO
Plan Review Finalized:	Yes	07/08/21 Crystal Kaufman

Setbacks	Front:	Rear:	Left:	Right:
Min.				
Actual:				

APPLICATION NUMBER: TEMP21-843

This permit becomes null and void if work or construction authorized is not commenced within 180 days, or if construction or work is suspended or abandoned for a period of 180 days at any time after work is commenced. I hereby certify that I have read and examined this application and know the same to be true and correct. All provisions of laws and ordinances governing this type of work will be complied with whether specified herein or not the granting of a permit does not presume to give authority to violate or cancel the provisions of any other state or local law regulating construction or the performance of construction and that I make this statement under penalty of perjury.

Applicant Name: Michelle Denton

Signature of Builder/Authorized Agent or Owner: Date:

Application Approved By: Date:
 Crystal Kaufman 07/08/2021

Permit Issued By: Date:

Receipt #: Date:

☐ Cash ☐ Check # [] ☐ Credit Card

Permit #: 21-754 / Lot 38 / Park Meadows Sub. No. 5 / 1961 VENUS CT
Submitted By: Michelle Denton
Accepted Date: 07/02/2021
Accepted By: Crystal Kaufman
Finalized Date: 07/08/2021
Finalized By: Crystal Kaufman
Issued By: Dena Boniface



21-754

Plan Review Documents

07/08/21 Equipment Specifications

07/08/21 Site Plan

07/08/21 Landscape Plan

07/08/21 Construction Mitigation Plan (CMP)

Last Inspection Completed:

By:

Permit History

07/02/21 - Crystal Kaufman - Flagged - No Inspections Allowed No Reminder

- Please provide bid sheet for work to be completed prior to issuance. Please contact the Building Dept. 435-615-5101 for any questions or concerns. Thank you..

07/07/21 - Crystal Kaufman - Flagged - No Inspections Allowed No Reminder

- LOD inspection required prior to issuance. Please contact the Building Dept. 435-615-5101 for any questions or concerns. Thank you..

Notes

Attachments

07/06/21 Owner Builder Agreement

Current Status: active

Date: 07/08/2021



PLAN REVIEW REPORT

DENTON MICHELLE TRUSTEE

TEMP21-843

Permit #: TEMP21-843 / Lot 38 / Park Meadows Sub. No. 5 / 1961 VENUS CT

Building Plan Review			
Item	Date Approved	Approval	Final Comments
Plans	07/02/21	Approved	07/02/21 - Scott Olsen - Approved
Equipment Specifications	07/06/21	Not Applicable	07/02/21 - Scott Olsen - N/A 07/06/21 - Crystal Kaufman - N/A
Site Plan	07/02/21	Approved	07/02/21 - Scott Olsen - Approved
HOA Subdivision Notification	07/02/21	Not Applicable	07/02/21 - Crystal Kaufman - N/A
Condo/PUD Approval	07/02/21	Not Applicable	07/02/21 - Crystal Kaufman - N/A

Planning			
Item	Date Approved	Approval	Final Comments
Plans	07/06/21	Approved	07/06/21 - Heather Wasden - Approved - See the conditions on the plans
Grading & Drainage Plan	07/06/21	Not Applicable	07/06/21 - Heather Wasden - N/A
Site Plan	07/06/21	Approved	07/06/21 - Heather Wasden - Approved - See the conditions on the plans
Signed/Stamped Survey	07/06/21	Not Applicable	07/06/21 - Heather Wasden - N/A
Landscape Plan	07/06/21	Approved	07/06/21 - Heather Wasden - Approved - See the conditions on the plans
Irrigation Plan	07/06/21	Not Applicable	07/06/21 - Heather Wasden - N/A

Code Enforcement			
Item	Date Approved	Approval	Final Comments
Construction Mitigation Plan (CMP)	07/07/21	Approved	07/07/21 - Jordan Whittaker - Approved - Please Acknowledge Attached CMP.
Site Plan	07/07/21	Approved	07/07/21 - Jordan Whittaker - Approved - Please Acknowledge Attached CMP. 07/07/21 - Jordan Whittaker - Approved - Contractor Signage must be Displayed, A Portable t - See additional Notes

Date of Final Approval: 07/08/21 Approved By: Crystal Kaufman



Additional Comments

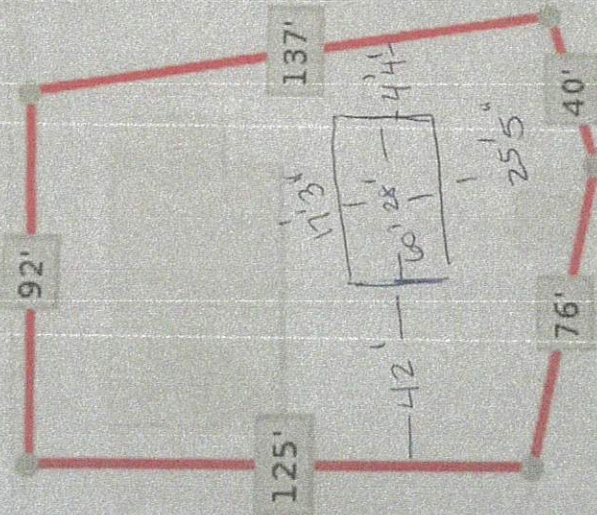
DENTON MICHELLE TRUSTEE

Permit #: TEMP21-843 / Lot 38 / Park Meadows Sub. No. 5 / 1961 VENUS CT

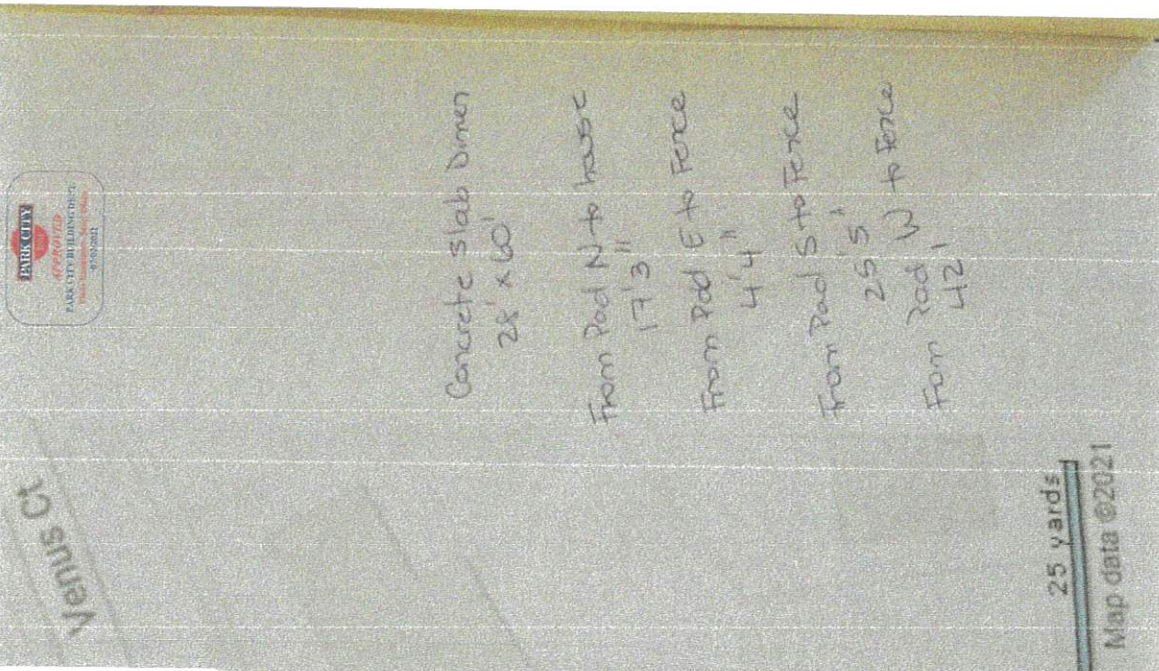
TEMP21-843

Code Enforcement	
Item	Comments
Site Plan	07/07/21 - Jordan Whittaker - Approved - Contractor Signage must be Displayed, A Portable t - See additional Notes
Contractor Signage must be Displayed, A Portable toilet or access to a Restroom must be provided, and a Dumpster or a Dumpster/Trailer is Required. Will need to Provide an updated site plan Showing LOD Fencing and necessary erosion control measures, Necessary LOD Fencing and Erosion Control Measures will be Required to be in place BEFORE the LOD Inspection, LOD Inspection is Required. At No Time will building materials be allowed to be stored/staged in the public roadway. Please Acknowledge Attached CMP.	

- 1) Per the applicant only grass was removed for this project; LMC 15-5-5(N) states that Significant Vegetation must be replaced in equivalency, all disturbed vegetation shall be replaced to existing or improved conditions
- 2) LMC 15-2.11-3 patios, decks, pathways and steps shall be less than 30" in height and at least 1' from the Side Lot Line and at least 5' from the Rear Lot Line
- 3) No other scope is included in this permit except the concrete patio



25 yards
 Map data ©2021

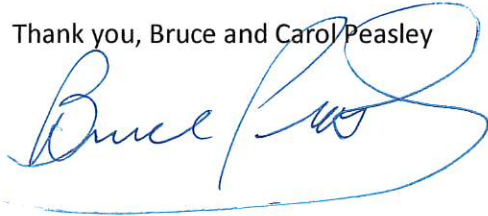


10/15/2021

Dear Planning Department,

We are the owners of 2003 Venus Court. Michelle Denton reached out to us to advise us that the concrete pad for her pickle ball court at 1961 Venus Court has been placed in her yard closer than the required 12-foot setback to our property line. We are writing to let you know that we have no issue with the court being less than 12 feet from our property line, and 5 feet 4 inches from our property line at its closest point. Our house is approximately 18 feet or so to the fence line with trees blocking the view and noise. Should you have any further questions or concerns, please do not hesitate to contact us at (435)-659-6577. We only hope that Michelle invites us over to play.

Thank you, Bruce and Carol Peasley

A handwritten signature in blue ink, appearing to read "Bruce Peasley", with a large, stylized flourish extending from the end of the name.

18 January 2022

Dear Members of the Park City Planning Commission:

Please accept this letter in opposition to the application for a conditional use permit for a private recreational facility (pickleball court) submitted by Mimi Denton residing at 1961 Venus Court, Park Meadows 5.

The application for an exception is part of an evident pattern by the individual in question used to having her way. Currently there are two recreational vehicles parked in the backyard at 1961 Venus Court. They are not there on a temporary basis, rather, long term permanent storage. As I compose this letter the two resident canines are loose in the back yard and have been barking up a storm for over 90 minutes with another several hours likely to go. As neighbors, we work hard not to complain! But a private pickleball court with concomitant issues is too much! Hence, please accept this letter in opposition to the granting of a conditional use permit.

What are the issues?

-Construction initiated before posting of building permit in late summer 2021.

-A building permit obtained for a concrete patio. The residence already has a large wood deck attached to the rear of the home. The construction workers told us openly and directly that the work they were doing was for a pickleball court. With notification of the Planning Commission hearing set for 26 January 2022, we now know officially that the intended use is in fact a pickleball court. The lack of candor is disheartening and should be an issue during deliberations about the conditional use permit.

-The property owner did not contact us or, as far as we know, any neighbors about the noise from large excavators and dump trucks employed in the back yard during construction.

-It appears that zoning requirements concerning minimum setbacks have been violated on the east property line at 1961 Venus Court. Given the potential zoning violation, a conditional use request is abrogated in advance and should not be allowed. The Planning Commission and City Council should not knowingly violate their own zoning laws.

-Amenities will likely be needed to complete the existing court-lighting, fencing, seating for non-playing guests, possible restroom, etc. Must any such amenities also be part of any approval?

-What about parking for fellow players? Pickleball cannot be played by one person, usually four players are involved. Where will four or more guests park their vehicles? In front of the homes of neighbors? The inconvenience and nuisance for neighbors continues.

-The elephant in the room is noise. Pickleball is played with a solid paddle using a hard plastic ball, akin to a whiffle ball. There is a loud noise each time the paddle strikes the ball and each time the ball strikes the hard surface of the court. The loud noises are virtually continuous. Sound engineers confirm that the sounds of pickleball carry at least 600 feet. Short of containing a pickleball court in a

building, sound engineers find that there is no known mitigation for pickleball noises within a radius of 100 feet. This means that the pickleball court at 1961 Venus Court will directly affect seven contiguous property owners on Venus Court, Evening Star Drive, Little Kate and Lucky John and may well affect another 15 or so nearby residences and neighbors residing within 600 feet.

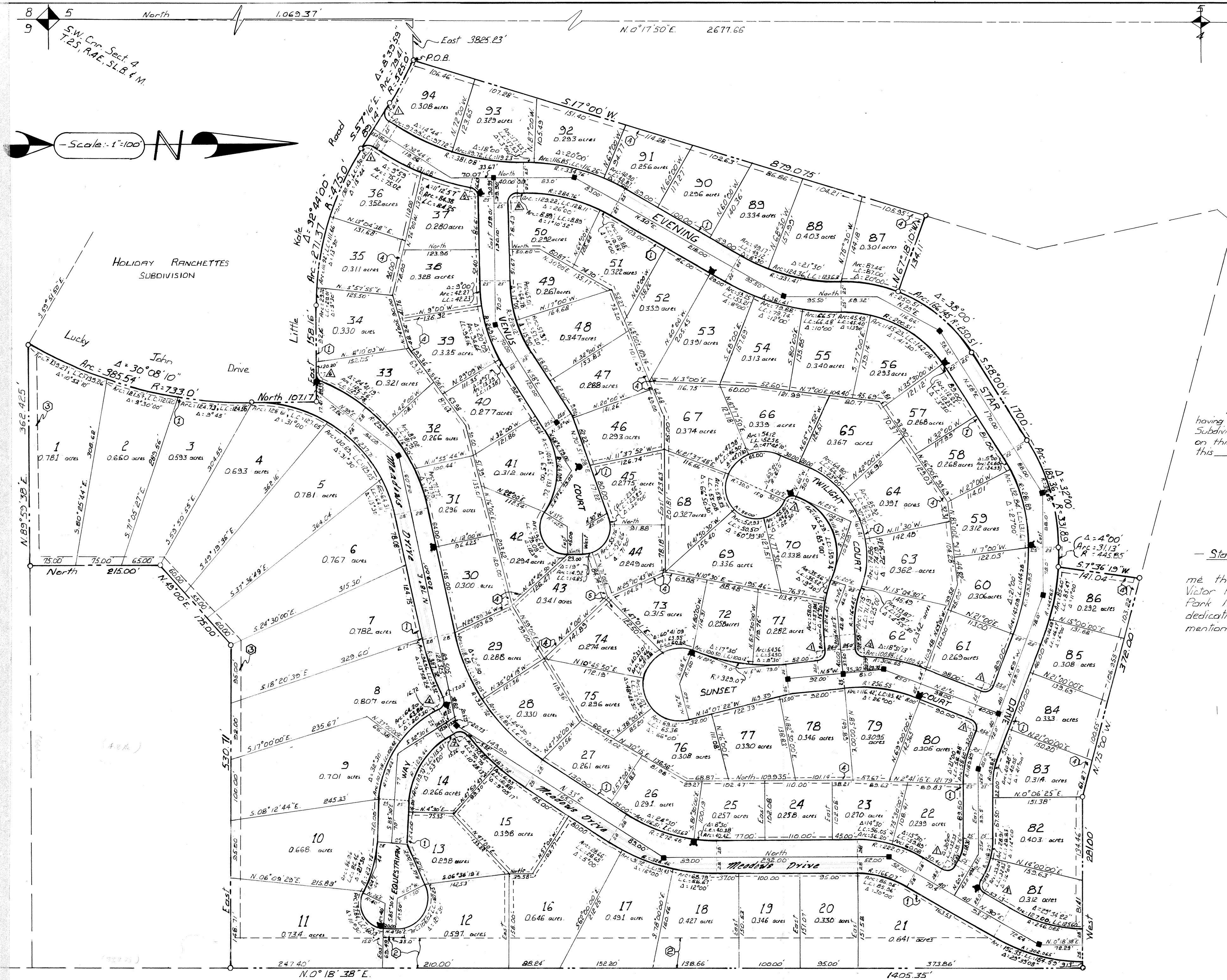
-Should the conditional use permit be approved, will reasonable limits be placed on usage hours-not after 8:00 PM in the evening or before 8:00 AM?

Given the history of complaints with the pickleball courts at the City owned MARC, it behooves the Planning Commission and City to **not approve** a conditional use permit for a private recreational facility that likely violates city ordinance and will adversely affect those of us who live near 1961 Venus Court. One individual, who wants her own way, should not be allowed to inflict real damage on so many others!

Thank you for reading and for your consideration.

Sincerely,

Brian Schiller
P.O. Box 2035
Park City, Utah 84060
schillerbt@aol.com
801-209-6845



Surveyor's Certificate
I, Jack J. Johnson do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 4496 as prescribed under the Laws of the State of Utah. I further certify that by authority of the owners I have made a survey of the tract of land shown on this plat and described below and have subdivided said tract of land into lots and streets, hereafter to be known as Park Meadows Subdivision No. 5 and that same has been correctly surveyed and staked on the ground as shown on this plat.
Beginning at a point on the North line of Little John Road, said point being North 1069.37 feet and East 3825.23 feet from the Southwest corner of Section 4, Township 2 South, Range 4 East, Salt Lake Base and Meridian, the radius point of which bears South 24° 04' 00" West 525.00 feet and running thence Southeasterly along the arc of said curve and said North line 79.41 feet to a point of tangency, thence South 57° 16' 00" East 89.14 feet to a point of a 475.00 foot radius curve to the left, thence Southeasterly along the arc of said curve 271.37 feet to a point of tangency, thence East 158.16 feet, thence South 107.17 feet to a point of a 733.00 foot radius curve to the right, said curve being the East line of Lucky John Drive, thence Southwesterly along the arc of said curve 385.54 feet, thence North 89° 59' 38" East 362.42 feet, thence North 215.00 feet, thence North 49° 00' 00" East 175.00 feet, thence East 330.71 feet, thence North 0° 18' 38" East 1405.35 feet, thence West 281.00 feet, thence North 75° 00' 00" West 372.00 feet, thence South 7° 36' 19" West 141.04 feet to a point on a curve, the radius point of which bears South 4° 00' 00" West 445.85 feet, thence Southwesterly along the arc of said curve 311.3 feet to the point of a compound curve to the left the radius point of which bears South 33° 00' 00" West 170.00 feet, thence Southwesterly along the arc of said curve 185.36 feet, thence South 38° 00' 00" West 170.00 feet to a point of a 250.51 foot radius curve to the left, thence Southwesterly along the arc of said curve 166.45 feet, thence North 67° 18' 10" West 134.11 feet, thence South 17° 00' 00" West 879.07 feet to the point of beginning.
Contains: 42.418 acres

Jack J. Johnson
Jack J. Johnson
Date 7/27/77

Owners Dedication
Know all men by these presents that we the undersigned owners of the herein described tract of land having caused same to be subdivided into lots and streets to be hereafter known as Park Meadows Subdivision No. 5 do hereby dedicate for perpetual use of the public all parcels of land shown on this plat as intended for public use. In witness whereof we have hereunto set our hands this 27th Day of July A.D. 1977.
Enoch R. Smith General Partner
Victor R. Ayers General Partner
Park Meadows Development Company.

Acknowledgement
- State of Utah -
On this 27th Day of July A.D. 1977 personally appeared before me the undersigned Notary Public, in and for said state and county, Enoch R. Smith and Victor R. Ayers who after being duly sworn, acknowledged to me that they are partners of Park Meadows Development Company a Utah partnership, that they signed the owners dedication freely and voluntarily for and in behalf of said Company for the purposes therein mentioned and that said Company executed same.
Gloria M. Johnson My Commission Expires May 1, 1981
Notary Public Residing in Summit County, Utah.

Park Meadows Subdivision No. 5

A Subdivision located in the East 1/4 Section 4, Township 2 South, Range 4 East, Salt Lake Base & Meridian.

Curve Data

No.	R.	Δ	Arc	L.C.
1	15.00'	90°00'00"	23.56'	21.21'
2	15.00'	83°28'24"	21.85'	19.97'
3	15.00'	82°51'13"	21.63'	19.85'
4	15.00'	91°10'52"	23.87'	21.43'
5	15.00'	78°27'37"	20.54'	18.97'
6	15.00'	66°41'19"	17.46'	16.49'
7	15.00'	85°07'30"	22.25'	20.25'

- Legend**
- ① 5' wide nonexclusive utilities and drainage easement
 - ② 50' wide nonexclusive utilities, drainage and access easement
 - ③ 15' wide nonexclusive utilities, drainage and access easement
 - ④ 10' wide nonexclusive utilities and drainage easement
 - ⑤ 20' wide non-exclusive utilities and drainage easement
- Symbols Legend**
- Monuments
 - Fire Hydrants

Prepared By:
J.J. Johnson & Associates
Civil Engineering Planning Surveying
1700 Park Avenue P.O. Box 1661
Park City, Utah 84060

City Planning Commission
Approved & Accepted by the Park City Planning Commission this 27th Day of July A.D. 1977
Burnis Butts
Chairman

Engineers Certificate
Approved & Accepted by the Park City Engineering Department this 11th Day of July A.D. 1977
Johnny L. Probasco
Park City Engineer

Approval as to Form
Approved as to Form this 19th Day of July A.D. 1977
Michael G. McElroy
Park City Attorney

Certificate of Attest
Attest this 27th Day of July A.D. 1977
Linda W. Leatham
Park City Recorder

Council Approval & Acceptance
Approved & Accepted by the Park City Council this 16th Day of Aug. A.D. 1977
John C. French
Mayor

Recorded
No. _____
State of Utah, County of Summit, Recorded and Filed at the request of:
Date _____ Time _____
Fee _____
Summit County Recorder

Planning Commission Staff Report

Subject: 2089 Equestrian Court
Application: PL-21-05021
Author: Spencer Cawley, Project Planner
Date: January 26, 2022
Type of Item: Conditional Use Permit



Recommendation

Staff recommends the Planning Commission (I) review the request for a Conditional Use Permit (CUP) for a Recreational Facility, Private, (II) hold a public hearing, and (III) consider approving the CUP based on the findings of fact, conclusions of law, and conditions of approval found in the Draft Final Action Letter (Exhibit A).

Description

Applicant: Joe & Kelly Cronley
Location: 2089 Equestrian Court
Zoning District: Single-Family
Adjacent Land Uses: Single-Family Residential; Recreation Open Space
Reason for Review: The Planning Commission must review CUP requests for the construction of Recreation Facilities, Private, in the Single-Family Zoning District.¹

CUP Conditional Use Permit
LMC Land Management Code
SF Single-Family Zoning District

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

Background

On October 11, 2021, the Planning Department received a Conditional Use Permit (CUP) application for recreational use of an existing sports court at 2089 Equestrian Court. Staff determined the application was complete on October 18, 2021.

2089 Equestrian Court is Lot 12 of the Park Meadows Subdivision, No. 5. The City Council approved the Park Meadows Subdivision, No. 5 on August 18, 1977. The subdivision Plat does not restrict the Use of sports courts in the Park Meadows neighborhood.

Sports courts are considered Private Recreation Facilities by the Land Management Code (LMC). The sports court is also considered a Structure.

¹ LMC § [15-12-15](#).

LMC Defined Terms

Recreation Facilities, Private: Recreation Facilities operated on private Property and not open to the general public. Including Recreation Facilities typically associated with a homeowner or Condominium association, such as pools, tennis courts, playgrounds, spas, picnic Areas, [and] similar facilities for the Use by Owners and guests.

Structure: Anything constructed, the Use of which requires a fixed location on or in the ground, or attached to something having a fixed location on the ground and which imposes an impervious material on or above the ground; definition includes "Building".

On May 12, 2020, the Applicant submitted a building permit application which includes plans for landscaping. The landscaping plans identified the sports court.

On June 2, 2021, the Snyderville Basin Water Reclamation District (SBWRD) submitted a letter to the Park City Engineering Department in support of a proposed landscape plan which encroaches a 50' utility easement (Exhibit C). The letter states:

"The plan also includes an on-grade sports court, putting green and other grass and planting areas within the easement. The Plan also indicates that no additional trees will be placed in the easement area. Based on this landscape plan, the proposed reconstruction project is acceptable to SBWRD."

On June 3, 2021, the Building, Engineering, and Planning Departments approved the Applicant's landscape plan. The plan identifies the addition of the sports court in the side yard, east of the Property's main Structure. The plan illustrated the sports court as a concrete pad, built at grade, with no improvements. Exhibit E shows the review notes made on the landscape plan which state "Per LMC 15-2.11-3 patios, decks, pathways, steps, and similar structures must be at least 1' from the Side Lot Line and less than 30" in height above Final Grade." For this reason, the sports court was approved and built one foot (1') from the easternmost side Lot line.

2089 Equestrian Court has the benefit of an existing land buffer to the Property's immediate east. A small berm separates the Property from a paved trail. Beyond the trail is a vast green space owned by the Park City School District that is used for outdoor recreation activities.

The following image taken from Google Earth shows the Property in context with the surrounding area.

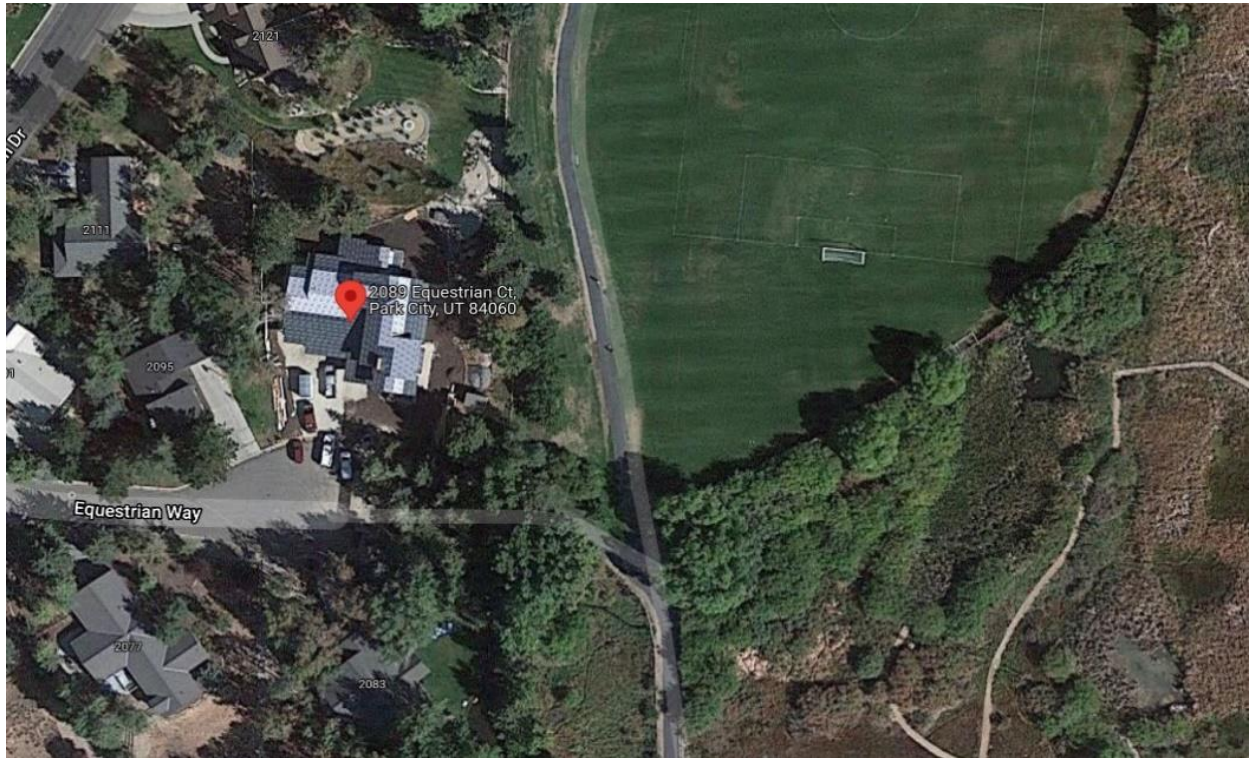


Figure 1: 2089 Equestrian Court shown in context with the surrounding area.

When viewing the Property from the Equestrian Court Right-of-Way, the sports court is visibly subordinate to the Property's surroundings.



Figure 2: Looking east toward the Side Yard of the Property.

The sports court is built at grade, which gives the facility a low profile as seen in the following photo.



Figure 3: Looking northeasterly toward the neighboring recreation fields.

The Lot at 2089 Equestrian Court has more than four (4) sides. Side Yards are identified on either side of the Front Yard. The third side may be specified as a Side Yard or Rear Yard by the Planning Director.² On January 4, 2022, the Planning Director determined that the Lot has three side Setbacks, one front Setback, and one rear Setback (Exhibit D).

² LMC § [15-4-17](#).

Staff has visualized these Setbacks in the image below.

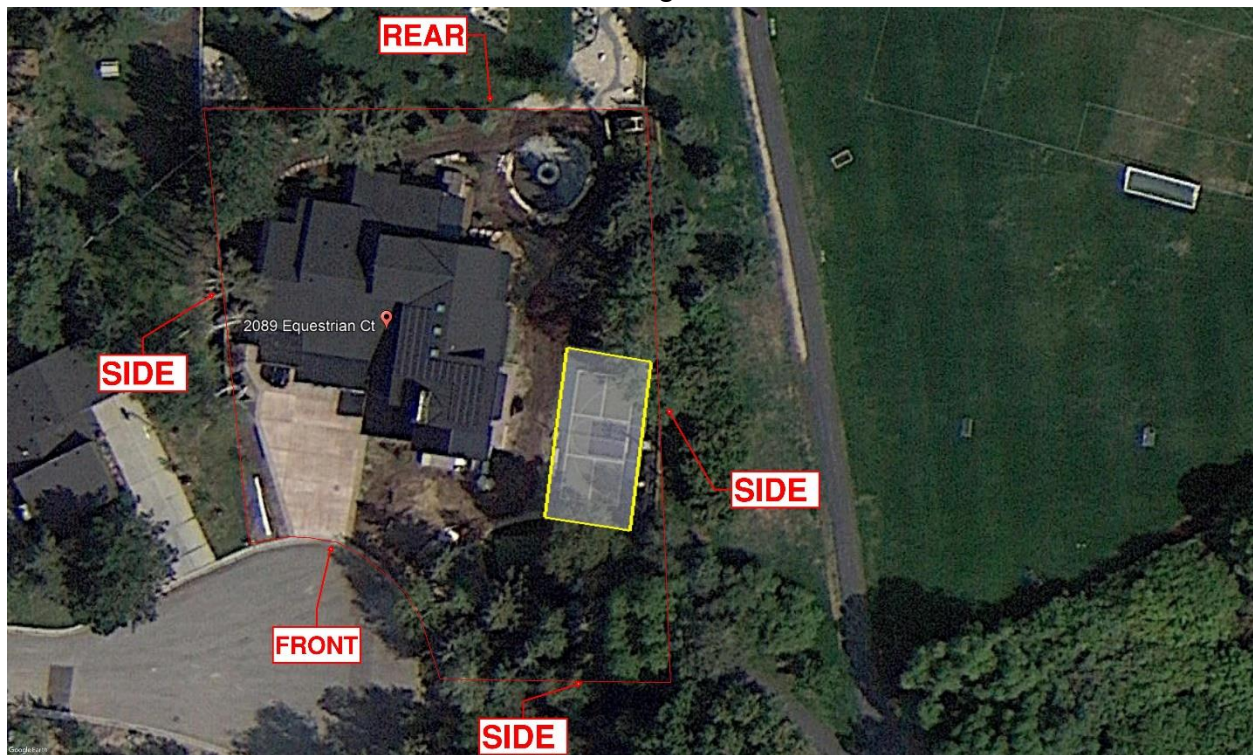


Figure 4: Property boundaries shown in red, sports court in yellow, and setbacks called out.

The Applicant has an outstanding Administrative CUP application to approve the height of removeable netting around the sports court. The height exceeds the allowed nine feet (9') of height in the SF Zone. Approval of the Administrative CUP is contingent upon approval of this CUP.

Analysis

(I) The proposal complies with the Single-Family (SF) Zoning District Lot and Site requirements.

2089 Equestrian Court is in the SF Zoning District. Private Recreation Facilities are a Conditional Use in the SF Zoning District³ and require the following Lot and Site requirements:⁴

SF Zoning Requirements	Analysis of Proposal
Density – maximum Density is three (3) units per acre.	Complies Lot contains one unit on a 0.597-acre lot.
Front Setback – twenty feet (20')	Complies

³ LMC § [15-2.11-2\(B\)](#).

⁴ LMC § [15-2.11-3](#).

	No changes proposed.
Rear Setback – fifteen feet (15')	Complies No changes proposed.
Side Setbacks – twelve feet (12') each	See Analysis II
Structure Height – Accessory Structures shall not exceed a maximum height of eighteen feet (18')	Condition of Approval 2 The Structure height does not exceed ten feet (10'), including the removable netting and a basketball standard. The Applicant shall obtain approval for the net through an Administrative CUP.

(II) The proposal meets the less restrictive Side Setback requirements for Patios in the Single-Family Zoning District.

In the Park Meadows Subdivision, the minimum Side Setback requirement for all Single-Family Lots is twelve feet (12'). The Background section of this report states that the City interpreted the sports court as a concrete pad, built at grade, with no improvements during the building permit review process. Because of this interpretation, the Applicant constructed the sports court according to the approved plans (Exhibit E). However, the clarification of the proposed Use as a sports court triggered the CUP for Private Recreation Facility. This existing pad is allowed under LMC §15-2.11-3, but in this case, staff supports the sports court Use remaining within the setbacks given the site conditions and mitigation resulting from the adjacent open space (**Condition of Approval 3**). Pending LMC amendments will propose prohibiting this circumstance moving forward, unless otherwise directed by the Planning Commission following the public process.

(III) Staff recommends the Planning Commission evaluate conditions to mitigate noise and nuisances in accordance with the Conditional Use Permit criteria as 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
1. Size and Location of Site	No unmitigated impacts The Lot is 0.597 acres. The sports court is in the side yard of the Property, east of the main Structure. This portion of the Property abuts Recreation Open Space.
2. Traffic capacity	No unmitigated impacts No additional traffic will be generated by the Private Recreation Facility.
3. Utility capacity	No unmitigated impacts The sports court sits atop a 50' wide utility easement. However, the Snyderville Basin Water Reclamation District notes these are surface improvements only and will not impact existing utilities or increase utility demands (Exhibit F).
4. Emergency vehicle access	Not applicable No changes to property access are proposed.
5. Off-street parking	Condition of Approval 4 and 5 LMC § 15-3-6(B) requires one (1) parking space per four (4) persons maximum rated capacity for a Private Recreation Facility. The Applicant has indicated that the sports court will be used by no more than four (4) players at a time. LMC § 15-3-6(A) requires two (2) parking spaces per Dwelling Unit for a Single Family Dwelling. A total of four (4) off-street parking spaces are provided. Two enclosed in a garage, and two located on the driveway. Parking for the sports court shall be provided on site. Parking on Equestrian Court is prohibited.
6. Internal vehicle and pedestrian circulation	No unmitigated impacts The sports court will be used primarily by the residents of 2089 Equestrian Court and their invited guests which will not change the Lot's vehicle and pedestrian circulation.
7. Fencing, screening, landscaping, to separate use from adjoining properties	See Analysis IV

8. Structure mass, bulk, and orientation	No unmitigated impacts The project conforms with all applicable sections of the LMC regulating mass, bulk, and orientation.
9. Useable open space	Not applicable There are no open space requirements for a Single-Family Dwelling. The addition of the sports court does not change the amount of useable Open Space on the Lot.
10. Signs and lighting	Condition of Approval 6 No signs or outdoor lighting are proposed or approved under this CUP. The Applicant shall not install outdoor lighting on or near the sports court.
11. Physical design and compatibility with surrounding structures	No unmitigated impacts Recreation Equipment improvements to the sports court, including netting and a basketball standard, are similar in design and scale in this Subdivision.
12. Noise, vibration, odors, steam, or other mechanical factors	See Analysis IV
13. 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, trash, and recycling management.
14. Expected ownership	No unmitigated impacts No change in ownership is proposed.
15. Environmentally Sensitive Lands Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, Steep Slope	Not applicable The Property is not located in any Overlay Zones, Environmentally Sensitive Lands, Park City Soil Ordinance Parcels, or Steep Slopes.
16. General Plan Consistency	Complies The Property is located within the Park Meadows Subdivision and is the Applicant's primary residence. The General Plan calls out the importance of developing a Sense of Community for those that choose to live in Park City full-time. Goal 7 (page 70) of the General Plan shows that the City strives to create a diversity of primary housing opportunities, allowing full-time residents to have local options for work and play.

(IV) Staff recommends the Planning Commission evaluate conditions for mitigation in accordance with LMC § 15-1-10(E)(7) and LMC § 15-1-10(E)(12), fencing, screening, and noise.

As part of this application's analysis, staff reviewed studies related to pickleball courts and noise ordinances to assess whether additional mitigation measures should be required for the proposed development. Staff reviewed eight (8) pickleball noise studies conducted by municipalities to evaluate how pickleball courts compared to adopted noise ordinances and what mitigation measures would be most effective.

A study from Scottsdale, AZ showed that general background noise for a residential neighborhood was around 35 dBA.⁵ Typical recreation facilities, including basketball and tennis, had noise levels between 35 dBA and 54 dBA, with the loudest noises recorded being attributed to players talking. Pickleball was the loudest sport measured, with noise levels ranging between 39 dBA and 65 dBA, with the loudest noise being attributed to the impact of the ball with rackets. Because of potential noise nuisances, many municipalities require additional sound mitigation for recreation facilities that are used for pickleball.

In Park City, between 10:00 p.m. and 6:00 a.m., the Maximum Permissible Sound Level for a Residential Use District is 50 dBA. Between 6:00 a.m. and 10:00 p.m., the Maximum Permissible Sound Level for a Residential Use District is 55 dBA.

A study from Pacific Grove, CA showed that pickleball games produce general noise that registered 55 dBA or louder in a radius from sixty-feet (60') to one-hundred-feet (100') from a game.⁶ The study from Scottsdale, AZ found that a solid noise barrier up to twelve feet (12') in height could reduce the noise level from a pickleball game between 10 dBA to 21 dBA. Scottsdale, which has the same daytime maximum permissible sound level for a residential district of 55 dBA, found that the addition of solid noise barriers would be effective for meeting the residential noise impact requirements.

2089 Equestrian Court Proposal

Fencing and Screening: The Property is adjacent to the fields used by Treasure Mountain Junior High School. This area is zoned Recreation Open Space. The nearest neighboring structure is over 100 feet from the sports court. Existing mature trees help partially shield the sports court from neighboring properties. An existing split-rail fence demarks the Lot line, and the Applicant has indicated no changes to the fencing is proposed.

Noise: The Applicant agrees to limit the Use of the sports court to daylight hours (8:00 A.M. – 8:00 P.M.). No more than four players will use the sports court at any time

⁵ Development Review Board Report, Terraviva Pickleball and Bocce Courts 1–40 (2021). Scottsdale, AZ.

⁶ Gho, D., Susic, K., & Schneider, C., Morris Dill Courts Monitoring Matrix, Noise Assessment and Policy Recommendations 1–30 (2019). Pacific Grove, CA.

(Condition of Approval 4 & 6).

The Applicant installed specialty tiles that help absorb excess noise better than unimproved concrete. The Applicant agrees to maintain these tiles to further mitigate noise disturbance **(Condition of Approval 7)**.

Staff recommends that the Planning Commission review the proposed sports court in the context of the Noise Ordinance and the known setbacks from surrounding Uses and suggest additional Conditions of Approval to ensure adequate noise mitigation.

Department Review

On October 19, 2021, the Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application. SBWRD submitted a letter of approval and advised that “structures and retaining walls that will have footings as well as new trees must not be placed within the easement” (Exhibit F).

Notice

Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the Property on January 12, 2022. Staff mailed courtesy notice to property owners within 300 feet on January 12, 2022. LMC [§ 15-1-21](#).

Public Input

Staff received public input and it is attached to this report as Exhibit G.

Alternatives

- The Planning Commission may approve the Conditional Use Permit;
- The Planning Commission may deny the Conditional Use Permit and direct staff to make Findings for the denial; or
- The Planning Commission may request additional information and continue the discussion to a date uncertain.

Exhibits

Exhibit A:	Draft Final Action Letter
Exhibit B:	Applicant Statement and Site Plan
Exhibit C:	Snyderville Basin Water Reclamation District, dated June 2, 2021.
Exhibit D:	January 4, 2022, Planning Director Determination of Setbacks for Unusual Lot Configurations
Exhibit E:	June 3, 2021, Approved Landscape Plan
Exhibit F:	Approval Letter from Snyderville Basin Water Reclamation District, dated October 12, 2021
Exhibit G:	Public Input



Planning Department

January 26, 2022

Joe & Kelly Cronley
2089 Equestrian Court
Park City, UT 84060
(435) 640-0391

CC: Ariel Vernell

NOTICE OF PLANNING COMMISSION ACTION

Description

Address: 2089 Equestrian Court

Zoning District: Single-Family

Application: Conditional Use Permit

Project Number: PL-21-05021

Action: APPROVED WITH CONDITIONS (See Below)

Date of Final Action: January 26, 2022

Project Summary: The Applicant Requests a Conditional Use Permit for an Existing Sports Court, a Private Recreation Facility, in the Single-Family (SF) Zoning District.

Action Taken

Staff reviewed the Conditional Use Permit (CUP) Application for compliance with the Land Management Code (LMC) §15-2.11-3, *Lot and Site Requirements* and LMC §15-1-10(E), *Conditional Use Review Process*. On January 26, 2022, the Planning Commission held a public hearing and approved the Applicant's request for a Conditional Use Permit to use an existing sports court as a Private Recreation Facility according to the following findings of fact, conclusions of law, and conditions of approval.

Findings of Fact

1. The property is located at 2089 Equestrian Court, Lot 12 of the Park Meadows Subdivision, No. 5.
2. The property is in the Single Family (SF) District and is adjacent to an area zoned as Recreation Open Space.

3. The Lot contains 0.597 acres.
4. Private Recreation Facilities are a Conditional Use in the SF Zoning District and require Planning Commission review and approval.
5. On October 11, 2021, the Planning Department received a Conditional Use Permit Application to use an existing sports court as a Private Recreation Facility.
6. On October 18, 2021, 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.
10. 2089 Equestrian Court has an unusual Lot configuration with more than four (4) sides. On January 4, 2022, the Planning Director determined that the Lot has three side Setbacks, one front Setback, and one rear Setback.
11. The sports court is one foot (1') from the east Lot Line and sits within the Side Setbacks.
12. The Structure height does not exceed 18 feet, the maximum height for an Accessory Structure.
13. 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 0.597 acres. The sports court is in the side yard of the property, east of the main Structure. This portion of the property abuts Recreation Open Space.
 - b. Traffic capacity—No unmitigated impacts. No additional traffic will be generated by the Private Recreation Facility.
 - c. Utility capacity—No unmitigated impacts. The sports court sits atop a 50' wide utility easement. However, the Snyderville Basin Water Reclamation District notes these are surface improvements only and will not impact existing utilities or increase utility demands.
 - d. Emergency vehicle access—Not applicable. No changes to property access are proposed.
 - e. Off-street parking—Condition of Approval 4 and 5. LMC § 15-3-6(B) requires one (1) parking space per four (4) persons maximum rated capacity for a Private Recreation Facility. The Applicant has indicated that the sports court will be used by no more than four (4) players at a time. LMC § 15-3-6(A) requires two (2) parking spaces per Dwelling Unit for a Single-Family Dwelling. A total of four (4) off-street parking spaces are provided. Two enclosed in a garage, and two located on the driveway. Parking for the sports court shall be provided on site. Parking on Equestrian Court is prohibited.

- f. Internal vehicle and pedestrian circulation—No unmitigated impacts. The sports court will be used primarily by the residents of 2089 Equestrian Court and their invited guests which will not change the Lot's vehicle and pedestrian circulation.
- g. Fencing, screening, landscaping, to separate use from adjoining properties—No unmitigated impacts. The property is adjacent to the fields used by Treasure Mountain Junior High School. This area is zoned Recreation Open Space. Existing mature trees help partially shield the sports court from neighboring properties. An existing split-rail fence marks the Lot line. No change to the fencing is proposed.
- h. Structure mass, bulk, and orientation—No unmitigated impacts. The project conforms with all applicable sections of the LMC regulating mass, bulk, and orientation.
- i. Useable open space—Not applicable. There are no open space requirements for a Single-Family Dwelling. The addition of the sports court does not change the amount of useable Open Space on the Lot.
- j. Signs and lighting—Condition of Approval 6. No signs or outdoor lighting are proposed or approved under this CUP.
- k. Physical design and compatibility with surrounding structures—No unmitigated impacts. Recreation Equipment improvements to the sports court, including netting and a basketball standard, are similar in design and scale in this Subdivision.
- l. Noise, vibration, odors, steam, or other mechanical factors—Condition of Approval No. 4 and 5. Between 10:00 p.m. and 6:00 a.m., the Maximum Permissible Sound Level for a Residential Use District is 50dBA. Between 6:00 a.m. and 10:00 p.m., the Maximum Permissible Sound Level for a Residential Use District is 55dBA.
- 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, trash, and recycling management.
- n. Expected ownership—No unmitigated impacts. No change in ownership is proposed.
- o. Environmentally Sensitive Lands Physical Hazards, Historic Mining Waste, Park City Soils Ordinance, Steep Slope—Not applicable. The property is not located in any Overlay Zones, Environmentally Sensitive Lands, Park City Soil Ordinance Parcels, or Steep Slopes.
- p. General Plan Consistency—Complies. The property is located within the Park Meadows Subdivision and is the Applicant's primary residence. The General Plan calls out the importance for developing a Sense of

Community for those that choose to live in Park City full-time. Goal 7 of the General Plan shows that the City strives to create a diversity of primary housing opportunities, allowing full-time residents to have local options for work and play.

Conclusions of Law

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

Condition(s) of Approval

1. Within one (1) year of this approval, if the Planning Department receives three (3) noise complaints, then the Applicant will meet with the Planning Commission to review further mitigations.
2. The Applicant shall obtain approval for the net through an Administrative CUP.
3. No additional Uses or improvements to the sports court are allowed without a permit application and review. No improvements are allowed in the side yard setback, unless this CUP is amended by the Planning Commission following public hearing, and such improvements comply with the LMC in effect at the time of application.
4. Activity is limited to no more than four (4) players at any time.
5. A total of four (4) off-street parking spaces are provided. Two enclosed in a garage, and two located on the driveway. Parking for the sports court shall be provided on site. Parking on Equestrian Court is prohibited.
6. The Applicant shall limit the Use of the sports court to daylight hours (8:00 A.M. – 8:00 P.M.).
7. The Applicant shall not install outdoor lighting on or near the sports court.
8. The Applicant shall maintain specialty tiles that help absorb excess noise better than unimproved concrete.

If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5065 or email spencer.cawley@parkcity.org.

Sincerely,

John Phillips
Planning Commission Chair

CC: Spencer Cawley, Project Planner

2089 Equestrian Court
Park City, Utah 84060

Joe and Kelly Cronley
Private, full time residence, SF zoned.

PARK CITY
PLANNING DEPT.

OCT 11 2021

RECEIVED

Cronley Residence has currently built a new home at 2089 Equestrian court.
Built by H&S Builders. Active Permit 20-456

The landscaping was demolished, as the house footprint changed. The new landscape was submitted for permitting, also submitted to SWWRD. All approved.

Joe and Kelly Cronley, want to put in a Sports Court in the side yard.

Due to the 50' sewer easement that runs the length of the property, limited plantings can be installed.

Sports court is 1' front side property line (set back requirements). Also, far from the front and rear set back requirements.

Sports court is on grade, built on a concrete base. Similar to a patio on grade.

Basketball hoop, tennis and pickle ball court included in this sports court. No additional lighting will be installed for the sports court.

Size of final footprint is 30'x 60'.

Additional plantings have been installed to hide the court from the road. The court is in the lowest part of the side yard.

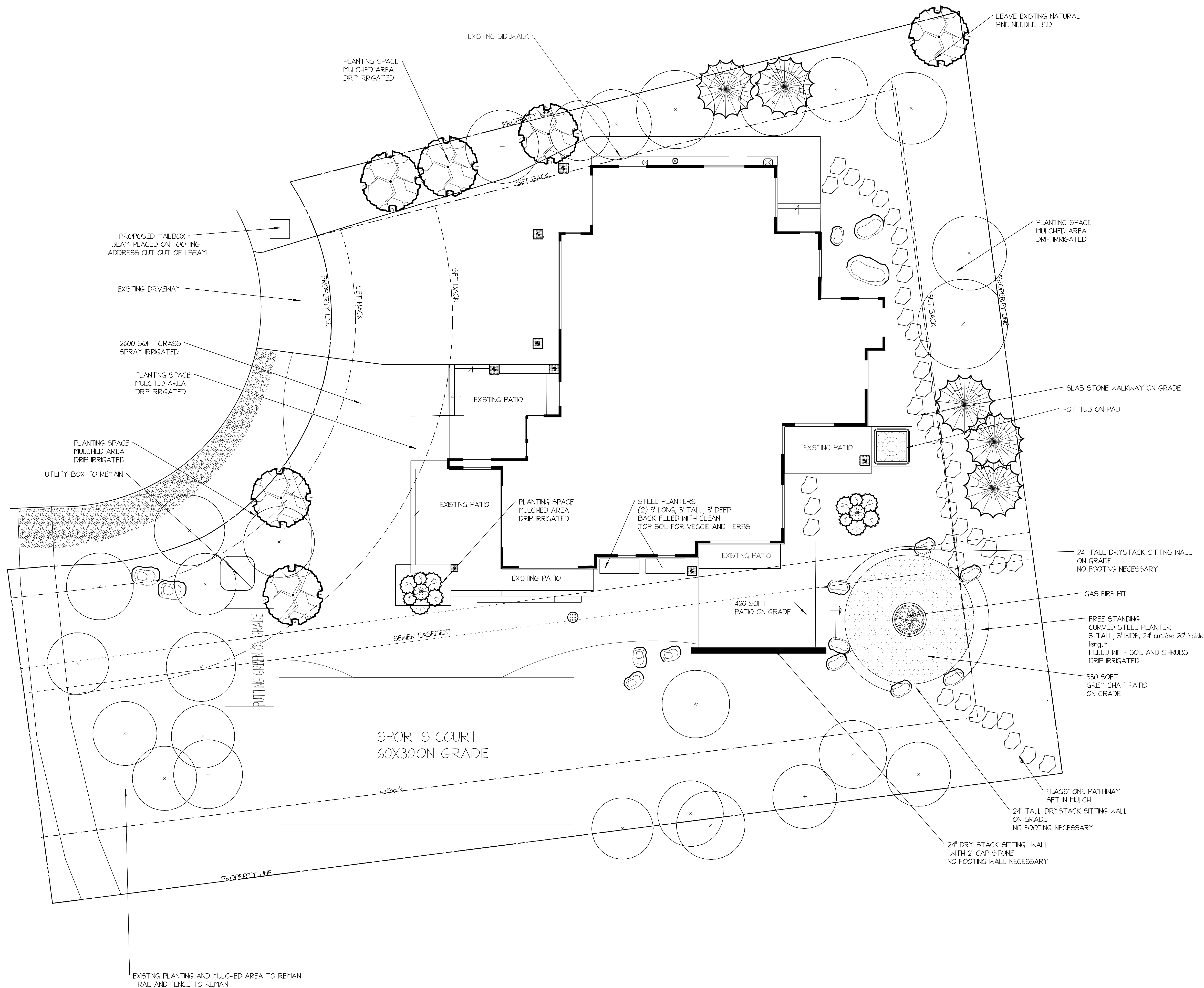
Ariel Vernell
Landscape Designer on the project
435-659-4877
ariel@divinedesignnpc.com

10-7-2021

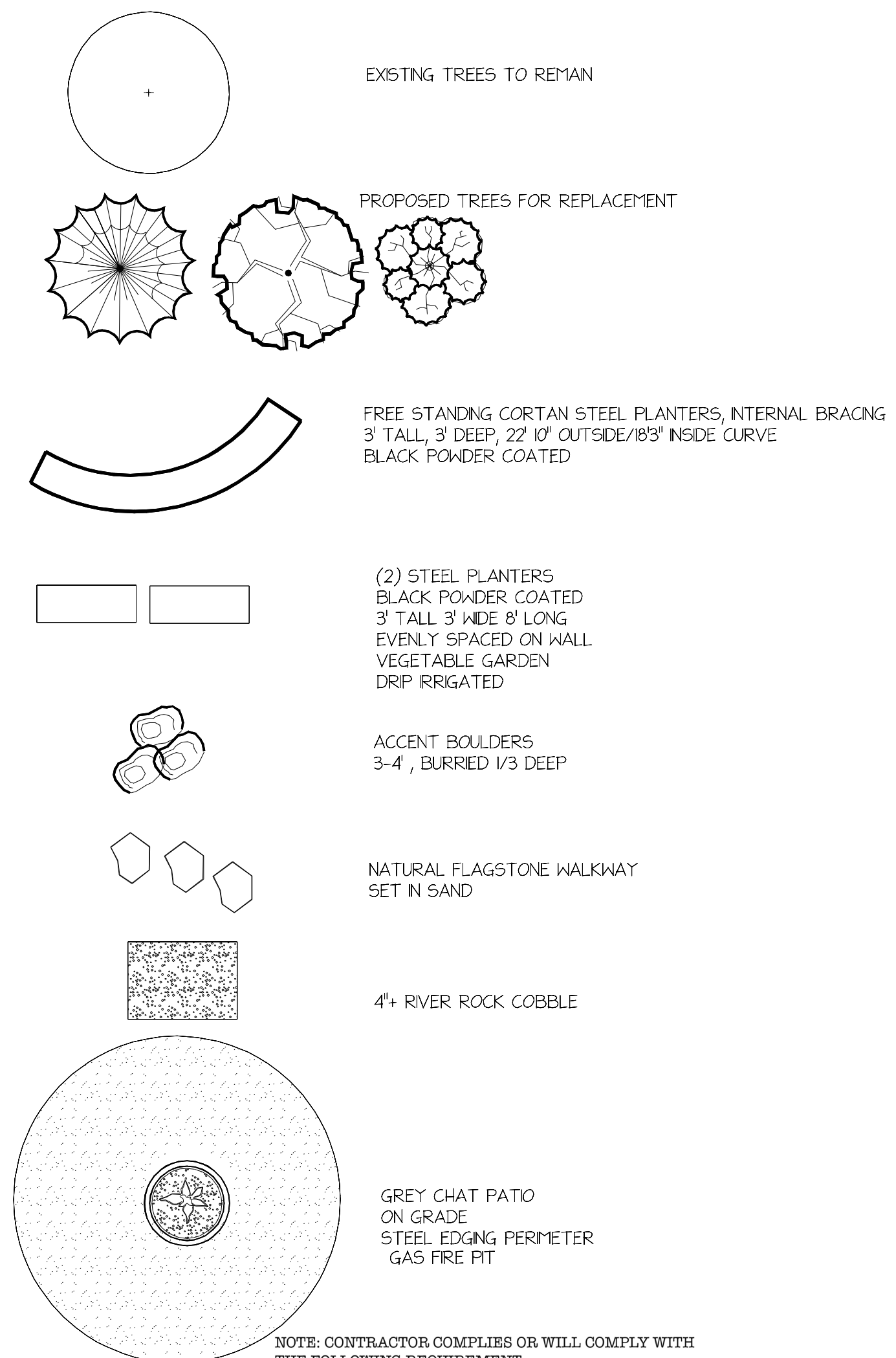
RECEIVED

OCT 11 2021

PARK CITY
PLANNING DEPT.



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NOTE: CONTRACTOR COMPLIES OR WILL COMPLY WITH THE FOLLOWING REQUIREMENT:
HOME HARDENING: #1-4, #8, #9
IMMEDIATE IGNITION ZONE: #1-#3
INTERMEDIATE IGNITION ZONE: #1-4

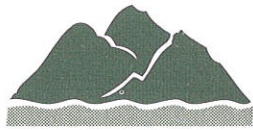
CRONLEY RESIDENCE
2089 EQUESTRIAN COURT
PARK CITY UTAH

1/4/2022

435.659.4877
WWW.DIVNEDESIGN.COM
WWW.DIVNEDESIGN.CO

0 5 10 20
SCALE IN FEET

CONCEPTUAL LANDSCAPE PLAN



SNYDERVILLE BASIN

WATER RECLAMATION DISTRICT

2800 HOMESTEAD RD, PARK CITY, UT 84098

WWW.SBWRD.ORG

T 435-649-7993

F 435-649-8040

June 2, 2021

Mr. Corey Legge
Park City Engineering Dept.
P.O. Box 1480
Park City, Ut 85060

RE: Park Meadows Subdivision, Phase 5, Lot 12
Easement Encroachment – Landscape Plan Update

Dear Corey.

The Snyderville Basin Water Reclamation District has received an updated Site Landscaping Plan for the referenced project with a revision date of 5/1/2021. The plan includes an on-grade flag stone patio area, fire pit, planters and 24" high dry-stack sitting walls within the 50' wide sanitary sewer easement. The plan also includes an on-grade sports court, putting green and other grass and planting areas within the easement. The plan also indicates that no additional trees will be placed in the easement area. Based on this landscape plan, the proposed reconstruction project is acceptable to SBWRD.

Please let me know if you have any questions.

Sincerely,

Bryan D. Atwood, P.E.
District Engineer

cc: Mike Buchholz, Architect
Ariel Vernell, Landscape Designer
Project File



Planning Department

January 4, 2022

Joe & Kelly Cronley
2089 Equestrian Court
Park City, UT 84060
(435) 640-0391

NOTICE OF PLANNING DIRECTOR DETERMINATION

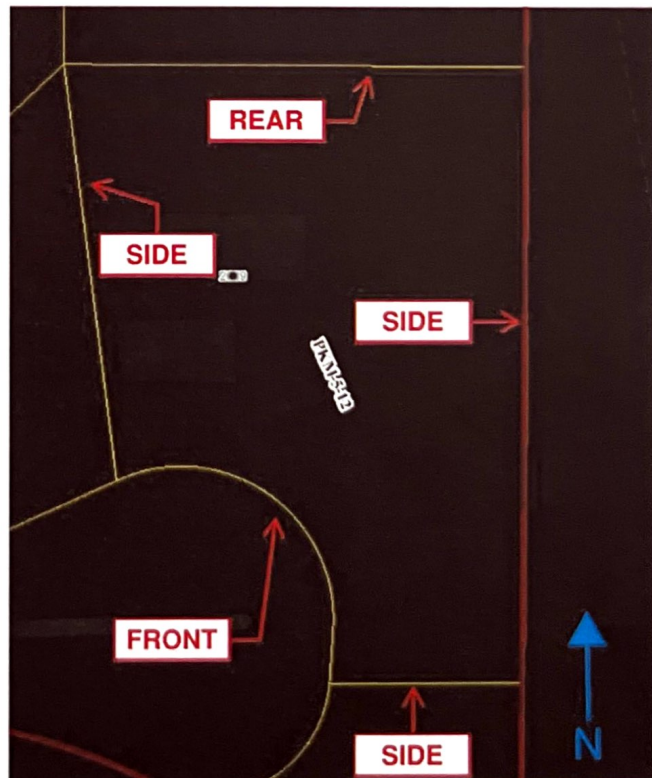
RE: Determination of Setbacks for an Unusual Lot Configuration at 2089 Equestrian Court, Park City, UT

Dear Joe & Kelly Cronley,

The Lot at 2089 Equestrian Court has more than four (4) sides and is considered a Lot with an unusual configuration. Land Management Code §15-4-17 states, "Lots with more than four (4) sides shall have a Side Yard on either side of the Front Yard. The third Side Yard and Rear Yard may be specified by the Planning Director".

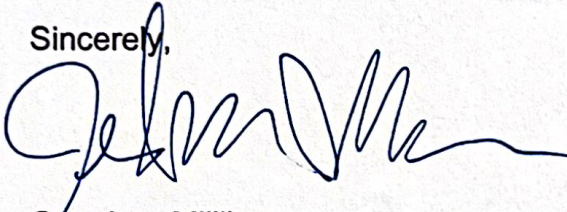
The Planning Director determines this Lot has the following Setback configuration:

- Three (3) side Setbacks (west, east, and south Lot Lines);
- One (1) front Setback (southwest Lot Line); and,
- One (1) rear Setback (north Lot Line).



If you have questions or concerns regarding this Final Action Letter, please do not hesitate to contact us.

Sincerely,



Gretchen Milliken
Planning Director
(435) 615-5008
gretchen.milliken@parkcity.org

CC: Spencer Cawley, Project Planner

January 4, 2023

Joe & Kelly Cronley
2089 Equestrian Court
Park City, UT 84080
(435) 640-0391

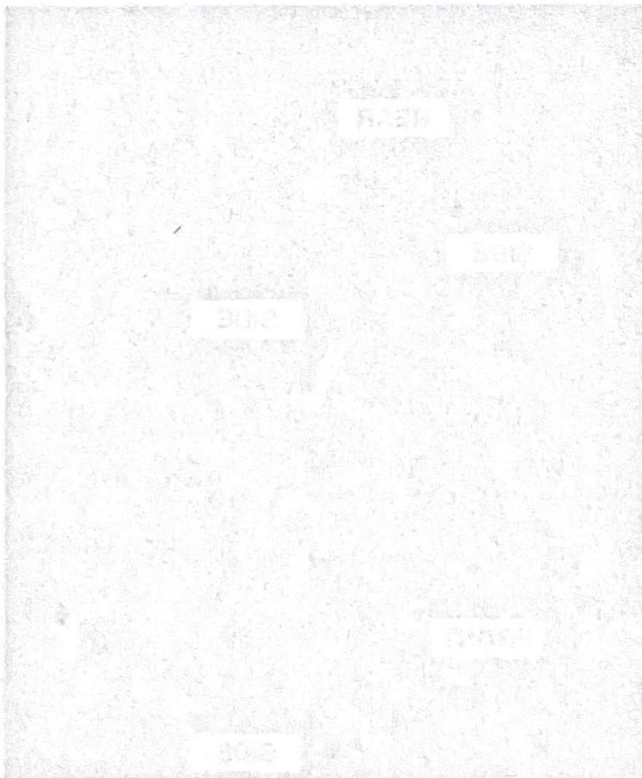
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RE: Determination of Setbacks for an Unusual Lot Configuration at 2089 Equestrian Court, Park City, UT

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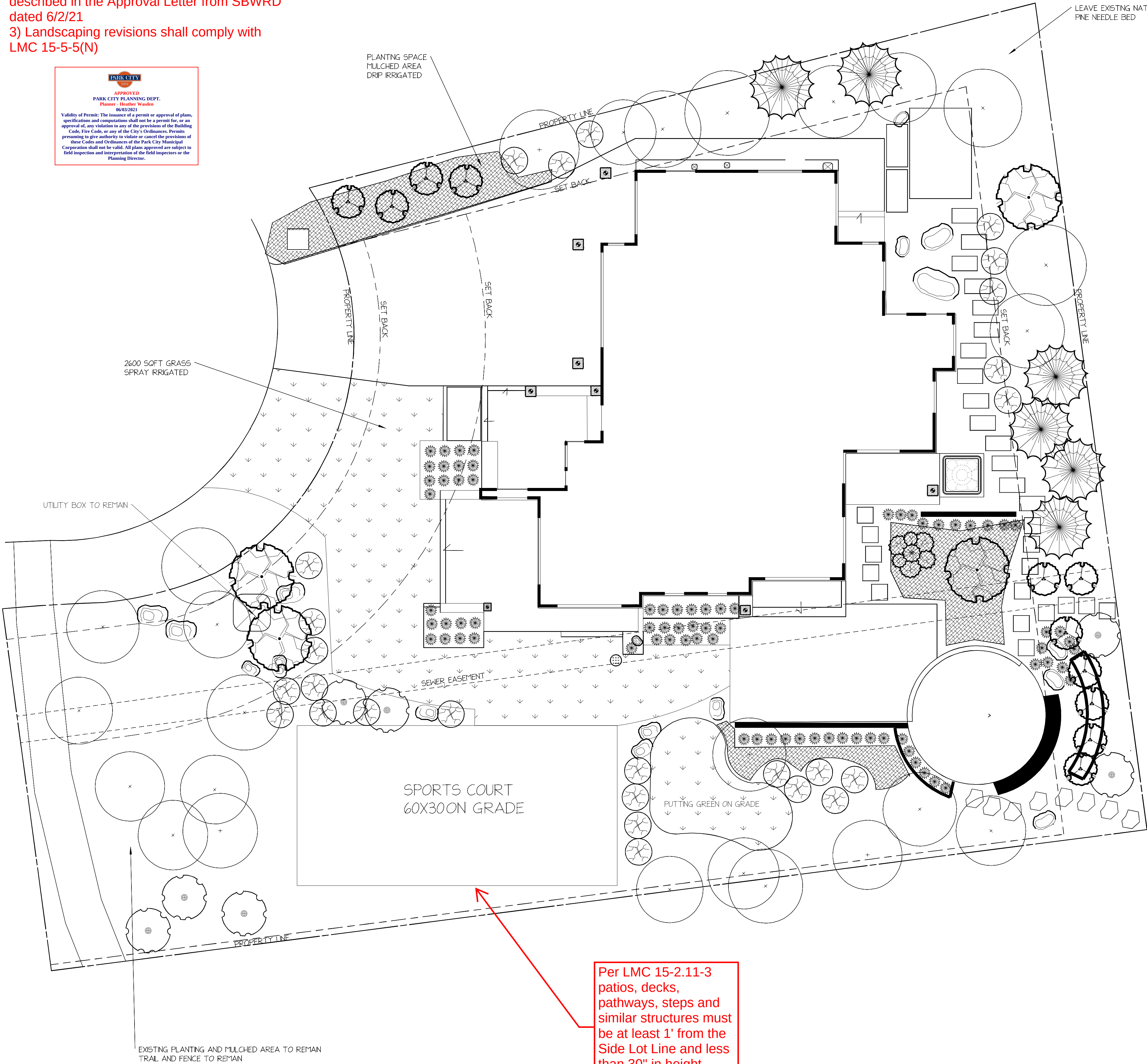
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The Planning Director determines this lot has the following setback configuration:

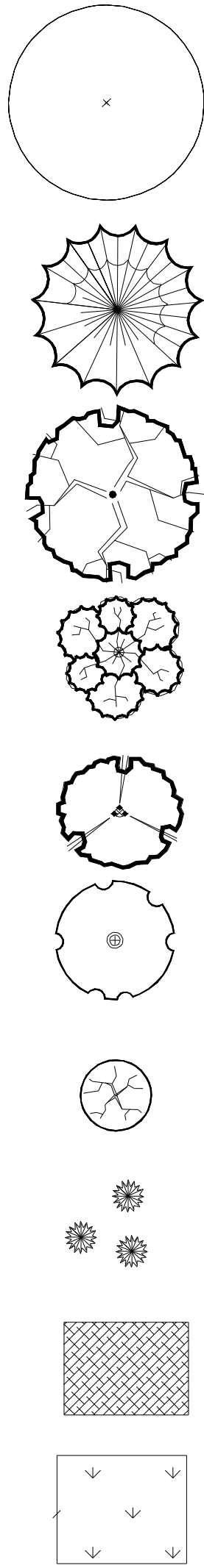


- One (1) rear Setback (north lot line).
- One (1) front Setback (southwest lot line); and
- Three (3) side Setbacks (west, east, and south lot lines).

- 1) All previous Conditions of approval still apply
2) All approval conditions must be met as described in the Approval Letter from SBWRD dated 6/2/21
3) Landscaping revisions shall comply with LMC 15-5-5(N)



Per LMC 15-2.11-3 patios, decks, pathways, steps and similar structures must be at least 1' from the Side Lot Line and less than 30" in height above Final Grade



EXISTING TREES TO REMAIN

COLORADO BLUE SPRUCE

CANADA RED CHOKECHERRY, ASPEN, MOUNTAIN ASH, FLAME MAPLE, FLOWERING CRAB TREE
COLORADO BLUE SPRUCE

BRISTLE CONE PINE

AMUR MAPLE

SIBERIAN PEA SHRUB, BLACK LACE ELDERBERRY, INDIAN CURRANT, LLAC

RUSSIAN SAGE, BARBERRY, SPREA

ORNAMENTAL GRASS

PERENNIALS
CORAL BELL, HELIOTROP,
CAT MINT, VAREGATED IRIS, SALVA, WHITE SWAN ECHINACEA,
GROUND COVERS
CREEPING MYRTLE, CREEPING JENNY, CREEPING PHLOX, ETC

TURF

NOTE: CONTRACTOR COMPLIES OR WILL COMPLY WITH THE FOLLOWING REQUIREMENT:
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IMMEDIATE IGNITION ZONE: #1-#3
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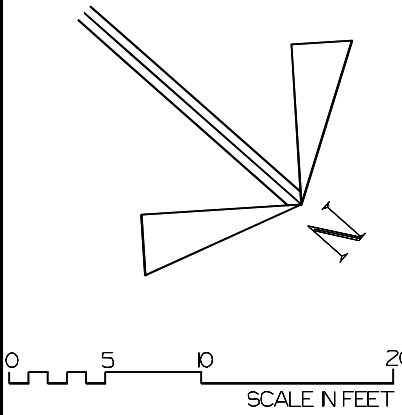
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CRONLEY RESIDENCE

2089 EQUESTRIAN COURT
PARK CITY UTAH

5/1/21 REVISION

CONCEPTUAL PLANTING PLAN



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WWW.DYNEDSIGN.COM

city



SNYDERVILLE BASIN

WATER RECLAMATION DISTRICT

2800 HOMESTEAD RD, PARK CITY, UT 84098

WWW.SBWRD.ORG

T 435-649-7993

F 435-649-8040

October 22, 2021

Spencer Cawley
Park City Municipal Corporation
445 Marsac Ave.
Park City, UT 84060

RE: Park Meadows #5, Lot 12
CUP Approval

Dear Mr. Cawley,

Per your request, Snyderville Basin Water Reclamation District (SBWRD) is providing this approval for the proposed CUP, which will include the placement of a sports court and other surface improvements over an existing SBWRD main line and easement. Structures and retaining walls that will have footings as well as new trees must not be placed within the easement.

Please contact Kevin Berkley with any questions.

Sincerely,

for Bryan D. Atwood, P.E.
District Engineer

cc: Project File

From: Kevin Lontz <kevinlontz@gmail.com>
Sent: Monday, January 10, 2022 10:41 AM
To: Gretchen Milliken
Cc: Spencer Cawley; Julie Caldwell
Subject: [External] Cronley home Sport Court (2089 Equestrian Ct, Park City) CUP

[CAUTION] This is an external email.

Dear Gretchen & Spencer:

I am a neighbor to Joe & Kelly Cronley and reside directly across the cul de sac from them at 2077 Equestrian Ct, Park City, UT 84060. I understand that they have requested a CUP regarding their sport court which has been constructed and which we fully support.

Notwithstanding the apparent fact that the home and landscaping plan (including the sport court) to my knowledge were all previously approved by the city which seems to me would negate the need for any "after the fact" discussion as we're currently having, I wanted to provide my 100% support for this CUP. (I really fail to understand why this is coming up now????)

On the other hand, considering (for permit) something after having already been constructed provides a *unique* perspective (vs most plans which must be approved - or otherwise - while only on paper and in theory are based on "code"). My perspective is that this sport court, and more importantly, the Cronley's entire landscape design, does nothing but provides value to the street and community as a whole. It is beautifully installed, discreet in its placement, and it almost makes "perfect" sense as it adjoins one of the community's largest recreation facilities - the North Forty fields. (Heck, its even the same color as the fields and the grass that immediately surround it in the summer.) It just feels "right"!

So, I applaud the fact that it could be built first and then "questioned" later - it's superb and fitting for both the home and the community!

Also, let me add this point: to my knowledge, my home is the only home that has direct view access to the sport court even though I'm not technically the closest neighbor (residing directly across the circle from the subject home). Other homes - because of their site situation, sight line blockage, trees, etc. - don't have such a direct view of the sport court. I feel the fact that I am specifically a vocal supporter of the CUP is highly relevant.

Lastly, I'll add this. Not all permits are created equally. Sometimes even if particular items are not "to code" they should be approved because they "make sense" for the owner, neighbors, and community. I think that all too often, in my experience Park City gets caught up in "the code" to the detriment of what's really "right". On the other hand, we can sometimes see egregious examples of code exceptions (or requests) which are clearly and obviously "wrong" - particularly in commercial applications.

I appreciate the opportunity to provide my full support of the Cronley plan and hope you'll seriously consider my thoughts for the reasons stated above.

I am happy to discuss further if you would like,

Sincerely,

Kevin Lontz & Julie Caldwell
2077 Equestrian Drive, Park City Utah 4060
Cell: 770-329-1915

From: Emil Carazo <ecarazo@comcast.net>
Sent: Monday, January 10, 2022 12:02 PM
To: Gretchen Milliken
Cc: Spencer Cawley
Subject: [External] Neighbors CUP

[CAUTION] This is an external email.

Gretchen and Spencer:

We are writing this letter of support for our neighbors, the Cronleys, in their request for a CUP for sports court. We have no concerns of any negative impact that said court would cause to our neighborhood or quality of life. Their property and court is adjacent to recreation fields and school area that is used for all types of sporting activities and outdoor recreation, so noise is not an issue. We walk by their property daily and the trees and landscaping shields any visual impact so that too is not an issue.

The opportunity for their family and friends to have a fun activity on private property is a welcome addition to the neighborhood. Having young people playing outside is a healthy alternative, and is this not what Park City promotes and encourages?

In closing, we see no adverse effect that this sport court would cause and ask that it be approved.

Respectfully,
Emil and Pamela Carazo
2126 Lucky John Drive

Sent from my iPad

From: jlr@jessreidrealestate.com
Sent: Monday, January 10, 2022 3:47 PM
To: Gretchen Milliken
Cc: Spencer Cawley
Subject: [External] Conditional Use Permit for Cronley Residence

[CAUTION] This is an external email.

Dear Gretchen,

I have been neighbors with the Cronley's since they moved into the neighborhood. They have informed me about the need for the Conditional Use Permit for their new sport court. We live right next door to them. I am surprised that there is a need for this permit. As long as I can recall, having a basket ball court in your driveway or yard is pretty standard. I have seen them play pickleball and none of this bothers me or my partner. Any noise associated with it, is far less than any noise that we hear from the playing fields behind our houses.

I urge you to grant this Conditional Use Permit and not unreasonably penalize good people who are doing what most house holds do.

Thank you,



Jess Reid
C: 435.640.0804
PO Box 682080
Park City, Ut 84068

From: Judy Glauser <judyglauser@bhhsutah.com>
Sent: Saturday, January 15, 2022 4:53 PM
To: Spencer Cawley; Gretchen Milliken
Subject: [External] Cronley Sports Court - Equestrian Court

[CAUTION] This is an external email.

To: Gretchen Milliken & Spencer Cawley:
Re: Cronley Sports Court – Equestrian Way

I am writing in full support of the Cronley's sports court – its design, its location and how it blends into their yard. I am the next door neighbor, to the west, and I want you to know that it is barely visible and I hear nothing from my home. You can tell that the location and design was thoughtful and handsome and blends into the landscaping. I hear every school announcement from Treasure Mountain School; I hear soccer games and events from the North-40; but I have never heard any noise from the Cronley sports court. I am so curious how this approved plan is now an issue with Park City Municipal Corp. The Cronleys even shared their plans and designs with the neighbors well before the demolition of their old home began. We were all in support of their plans, including the sports court and its location. I consider this sports court to be no more than a patio or a basketball court, which many of us have in Park Meadows. Will you be asking me to take my basketball hoop down?

Please notify me when there is public review – I would like to be at that meeting.

Sincerely,
Judy Glauser
2095 Equestrian Way



Judy Glauser
Associate Broker, CSP, GRI, MA

Berkshire Hathaway HomeServices Utah Properties

Ph: 435-640-5800 | Fax: 435-608-6374

Email: judyglauser@bhhsutah.com

Website: ParkCityRealEstateExpert.com

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From: Duna Strachan <duna@soaringwings.org>
Sent: Monday, January 17, 2022 12:39 PM
To: Gretchen Milliken
Cc: Spencer Cawley; King Bruce
Subject: [External] Cronley Sport Court

[CAUTION] This is an external email.

Ms. Milliken -

We would like to thank you for looking at this issue in the interest of preserving the peaceful nature of our neighborhood. We are directly across the street from the Cronleys and it was months before we noticed they had installed the sport court. It is beautifully landscaped and set back from nearby properties and lowered so that you don't notice it from any perspective unless you are in the Cronleys' yard. The soccer fields and PCSD events held on the North 40 generate considerably more noise than could possibly be produced on the sport court. We love their sport court and think they were brilliant to create a space where their family will enjoy the outdoors for many years to come. Equestrian Court was established to allow for horse properties but only two horses ever lived here. We think a sport court is the next best thing to having horses as neighbors. We are happy to have such considerate neighbors who moved to town and immediately began contributing their talents to our little town.

Namaste'

Duna Strachan, MEd & Bruce W. King, MEd
2083 Equestrian Court
Park City UT USA 84060

