PARK CITY REGULAR PLANNING COMMISSION MEETING
SUMMIT COUNTY, UTAH
February 9, 2022

PUBLIC NOTICE IS HEREBY GIVEN that the Planning Commission of Park City, Utah will hold its Regular Meeting electronically on Zoom, through www.parkcity.org/public-meetings for the purposes and at the times as described below on Wednesday, February 9, 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.MINUTES APPROVAL

2.A. Consideration to Approve the Planning Commission Meeting Minutes from January 12, 2022
01.12.2022 Minutes - Pending Approval

3.PUBLIC COMMUNICATIONS

4.STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5.CONTINUATIONS

5.A. 2300 Deer Valley Drive E - St. Regis Deer Valley – Modification to a Conditional Use Permit –The Applicant Proposes to Install an Additional Temporary Tent for Winter Months. PL-21-05095 (5 mins.)
(A) Public Hearing; (B) Continuation to February 23, 2022
2300 Deer Valley Drive Staff Report Continuation

6.WORK SESSION

6.A. Deer Valley Snow Park Proposal - Work Session With A Focus On the Applicant's Transportation Analysis, Proposed Site Circulation and Request for Reductions to the Required Number of Parking Stalls. PL-21-04811.
A) Work Session - No Action is Expected.
Questions and public input may be taken at the end of the meeting if time allows.
Questions may be emailed in advance to alexandra.ananth@parkcity.org.
Snow Park Work Session Staff Report
Exhibit A: Project Overview and Background and Information
Exhibit B: Snow Park Parking LMC Analysis 1.21.22
Exhibit C: Snow Park TDM Plan 1.21.22
Exhibit D: Snow Park Parking Management Plan 1.21.22
Exhibit E: Snow Park Traffic and Transportation Access Exhibits 1.21.22
Exhibit F: Snow Park Updated Snow Storage Exhibit 1.21.22
Exhibit G: Snow Park Vehicle Control Gate Analysis 1.21.22
Exhibit H: WCG's Deer Valley Update Review Summary 2022-01-28
Exhibit I: Public Input

7.REGULAR AGENDA

7.A. 9300 Marsac Ave (Sommet Blanc/B2East Parcel) - Applicant is Requesting Amendments to the Approved Master Planned Development and a Conditional Use Permit for Proposed Development of 49 Residential Units Above Underground Parking, and a 3,600-Square-Foot Public Restaurant. PL-21-04771 & PL-20-04702 (75 mins.)
A) Public Hearing B) Possible Action
Sommet Blanc CUP MPD and DA Amendment Staff Report
Attachment 1: DRAFT Final Action Letter
Exhibit A: Applicant Narrative
Exhibit B: Sommet Blanc CUP- MPD Proposal Packet
Exhibit C: Background
Exhibit D: B2 East Subdivision
Exhibit E: 2007 Amended Flagstaff DA
Exhibit F: 2007 Empire Pass B-2 Master Planned Development
Exhibit G: Ordinance 99-30 Flagstaff Annexation
Exhibit H: Resolution 20-99 Large Scale Flagstaff MPD
Exhibit I: Village at Empire Pass Map
Exhibit J: Link to Technical Reports
Exhibit K: 2004 Village at Empire Pass MPD
Exhibit L: Hill Glazier Plans
Exhibit M: Development Covenants 3.6.18
Exhibit N: Parcel B-2 Empire Village Subdivision
Exhibit O: B2 East Sub. Ordinance 2017-07
Exhibit P: B2- East Subdivision "Working Copy"
Exhibit Q: EPA Notice of Completion Mazepah Mine Site
Exhibit R: 2007 Hill Glazier Plan and Approved Volumetrics 4-24-2006
Exhibit S: Admin CUP for Retaining Walls Greater than 6' in height Action Letter 6-18-21

Exhibit T: Admin CUP for Temp. Sales Trailer Approval Letter
Exhibit U: Hales Engineering Sommet Blanc Trip Generation Study
Exhibit V: Preliminary Construction Mitigation Plan
Exhibit W: B2 East Access Easement with Redus Park City re. access to Villas
Exhibit X: Civil Drawings for Mid Mountain Trailhead Parking Lot
Exhibit Y: UDOT Conditional Access Permit for Curb Cut for Villa Units, Roundabout & Ped Crossing
Exhibit Z: Elevation Heat Map
Exhibit 1: Overall Grading Plan
Exhibit 2: Housing Mitigation Plan
Exhibit 3: Public Comment
Exhibit 4: Guardsman Pass and Mid Mountain Trial Parking Lot Proposal
Exhibit 5: Empire Pass Design Guidelines – Book V
Exhibit 6: Empire Pass Design Review Board Preliminary Approval 6.11.21
Exhibit 7: Empire Pass Design Review Board Preliminary Approval 7.28.21
Exhibit 8: Analysis of Sommet Blanc CUP Hill Glazier Challenges
Exhibit 9: Overall Retaining Wall Plans and Renderings
Exhibit 10: Flagstaff Annexation and Empire Pass Units and Unit Equivalents Analysis Table
Exhibit 11: 9.8.21 Height Proposal
Exhibit 12: B2 East Recorded Sewer Access Easement
Exhibit 13: Arborist Report 10.31.21
Exhibit 14: DV Lucky Jack Tree Island Letter 2021
Exhibit 15: Hales Engineering Sommet Blanc Trip Generation Study 1/252/2
Exhibit 16: Attorney Letter from Applicant Regarding Twisted Branch Road

7.B. 3099 Mountain Ridge Court - Plat Amendment - The Applicant Proposes to Amend the Mountain Ridge Subdivision Plat to Modify the Limitations on Maximum Building Square Feet. PL-21-04950 (20 mins.)
(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on March 3, 2022.
Staff Report
Exhibit A: Draft Ordinance No. 2022-XX
Exhibit B: Ordinance 90-12
Exhibit C: Mountain Ridge Subdivision Plat
Exhibit D: 2013 Building Permit
Exhibit E: Applicant Statement
Exhibit F: Site Photos
Exhibit G: Proposed Plans
Exhibit H: September 27, 1989 Planning Commission Meeting Minutes
Exhibit I: February 14, 1990 Planning Commission Meeting Minutes
Exhibit J: Public Comments

7.C. 3805 Fox Tail Trail - Rezone - The Applicant Proposes Reallocating the Estate and Recreation Open Space Zoning for Parcel PCA-S-98-SEC-11 to Create an 8.84-Acre Area in the Estate Zoning District for the Construction of a Single-Family Dwelling Outside of the Ridge Line Area and a 23.89-Acre Area in the Recreation Open Space Area to be

Dedicated to Park City Pursuant to a Conservation Easement. PL-21-04865. (25 mins.)
(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on March 3, 2022
Staff Report
Exhibit A: Draft Ordinance
Exhibit B: Applicant's Statement
Exhibit C: Hidden Meadow Subdivision
Exhibit D: Hidden Meadow Annexation Plat
Exhibit E: Hidden Meadow CC&Rs
Exhibit F: Aerial Maps and Civil Drawings
Exhibit G: Visual Analysis from SR 248 Vantage Point
Exhibit H: Visual Analysis from Treasure Mountain Junior High School
Exhibit I: Map of Site Lines from Vantage Points
Exhibit J: Fox Tail Height Cap Visual Analysis
Exhibit K: Public Comment Compiled
Exhibit L: Amended Zoning Map

7.D. 3805 Fox Tail Trail - Subdivision - The Applicant Proposes Creating One Lot from Parcel PCA-S-98-SEC-11 for a Single-Family Dwelling in the Estate Zoning District and One Parcel in the Recreation Open Space Zoning District. PL-21-04826. (20 mins.)
(A) Public Hearing; (B) Possible Recommendation for City Council's Consideration on March 3, 2022
Staff Report
Exhibit A: Ordinance No. 2022-XX
Attachment 1: Fox Tail Subdivision
Exhibit B: Hidden Meadow Annexation Plat
Exhibit C: Applicant's Statement
Exhibit D: Existing Conditions
Exhibit E: Aerial Maps and Civil Drawings
Exhibit F: Slope Constraints Map
Exhibit G: Hidden Meadow Subdivision
Exhibit H: Hidden Meadow CC&Rs
Exhibit I: Fox Tail Height Cap Visual Analysis
Exhibit J: Public Comment Compiled

8.ADJOURN

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Planning Department at 435-615-5060 or planning@parkcity.org at least 24 hours prior to the meeting.

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

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
January 12, 2022

COMMISSIONERS IN ATTENDANCE: Chair John Phillips, John Kenworthy, Sarah Hall, Laura Suesser, Doug Thimm, Bill Johnson, Christin Van Dine

EX OFFICIO: Gretchen Milliken, Planning Director; Rebecca Ward, Assistant Planning Director; Alexandra Ananth, Senior City Planner; Jason Glidden, Housing Program Manager; David Everett, Deputy City Manager; Mark Harrington, City Attorney

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1. ROLL CALL

Chair Phillips called the meeting to order at approximately 5:30 p.m. Chair Phillips confirmed the presence of all Commissioners.

The following written determination was read:

> 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.
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> 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.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from December 8, 2021.
Consideration to Approve the Planning Commission Meeting Minutes from December 15, 2021.

MOTION: Commissioner Doug Thimm moved to APPROVE the Planning Commission Meeting Minutes from December 8, 2021. Commissioner Bill Johnson seconded the motion.

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

PENDING APPROVAL

MOTION: Commissioner Thimm moved to APPROVE the Planning Commission Meeting Minutes from December 15, 2021. Commissioner Christin Van Dine seconded the motion.

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

3. PUBLIC COMMUNICATIONS

Deb Rentfrow commented on the article in *The Park Record* that stated that the Planning Commission would possibly consider implementing a curfew for future meetings during the January 2022 calendar year. She noted that all of her information comes from the referenced article.

She thanked each Commissioner for their time and dedication. She also felt that attendees generally come to each meeting informed and do their best to ensure that things move forward with purpose.

Ms. Rentfrow agreed that the meetings have become quite lengthy and a curfew of some sort might be warranted. She asked the Commission to consider time limits for all involved and felt that Staff does a good job of highlighting the information in the Staff Reports. She also felt that the applicants generally take up a bulk of the time, which in most cases is how it should be. Ms. Rentfrow stated, however, that the applicant for the Park City Mountain Resort ("PCMR") project should not be allowed to cut into time set aside for public input. She noted that on more than one occasion, after PCMR's presentation and Commissioner discussion, the applicant managed to re-take the floor and it becomes quite late by the time they get to public input.

Chair Phillips thanked Ms. Rentfrow and noted that this issue would be discussed later in the meeting. He took Ms. Rentfrow's comments at this time in the event that she had to leave the meeting. Planning Director, Gretchen Milliken confirmed that this issue would be addressed as part of the Staff Communications agenda item.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

A. Southeast Quinn's Junction Annexation Petition.

Director Milliken stated that the Commission would be provided with an update on the Petition and noted that Staff was not necessarily seeking Commission input or feedback. She introduced Deputy City Manager, David Everett to provide the update. Mr. Everett shared a graphic showing the subject territory located in the southeast area of Quinn's Junction. He explained that the formal process began in October 2021 when the City filed a Petition to annex approximately 1,200 acres in the area that lies along U.S. Highway 40 and SR-248. The Petition proposed to zone the entire area Recreation Open Space.

In October, the City Council accepted the Petition for further review. Once the Petition was accepted, it triggered a proscribed State process that includes highly detailed elements and requirements that they have endeavored to follow to the letter. Mr. Everett presented a map of the Annexation area and explained that the green line depicted on the map shows the City's Annexation Expansion Area that was designated by the Council for future expansion. The light green areas shown on the map illustrated the parcels being considered as part of the Annexation Petition. He explained that this matter has had a long protracted history before the City reached the point of submitting the Petition for Annexation. It dates back to 1994 when United Park City

PENDING APPROVAL

Mines ("UPCM") filed an application to annex the area initially referred to as Flagstaff Mountain. The area is now known as the Empire Pass Annexation Area.

In 1999, the City approved annexation of approximately 1,750 acres for that development proposal. Mr. Everett stated that the agreement also authorized certain development considerations for Flagstaff Mountain, Richardson Flat, and the Iron Mountain Area between UPCM and Park City. He explained that the Development Agreement speaks to the agreement to annex the private parcels that were controlled at the time by UPCM. The Development Agreement also included an agreement to restrict development on certain parcels to certain uses. He stated that the City was following up on its agreement to move forward with the annexation of those parcels.

Mr. Everett illustrated the Clark Ranch parcels, which are parcels that the City acquired in 2014. These parcels were always contemplated as Open Space preservation, with the caveat that there might be a small portion that could be developed for affordable housing at some point in the future. He added that at this point, development is not occurring. He clarified that the City's proposal stated that the entire area would be zoned Recreational Open Space at the outset.

Mr. Everett explained that the proposed Annexation must be consistent with the General Plan and the Quinn's Junction Joint Planning Commission Principles that the City and County developed. He stated that the Petition details how the Annexation and zoning proposal fits well with both of those plans. He stated that it is possible and legal for different jurisdictions to have overlapping designated Expansion Areas and referenced the issue involving the Town of Hideout. Mr. Everett stated that there is a City process that occurs to move the Petition along that includes a comprehensive regulatory evaluation. That process has begun internally in which different regulatory agencies participated in evaluating the impacts of annexation.

The next step would be a formal Work Session presentation to the Planning Commission to secure a recommendation to move the Petition to the City Council, at which point the City Council would make a decision on the Petition. He explained that the Planning Commission's review would include a public hearing in addition to the public hearing before the City Council, so there would be plenty of opportunity for public input.

Mr. Everett explained that there is also a County element to this process as a result of the protests filed to this Petition. He reported that the County determined that of the four protests filed, one was considered an eligible protest that could be heard by the Boundary Commission. He explained that the Boundary Commission was assembled by the County, and was currently missing one member. The County Council would likely re-convene to fill that vacancy. He reported that the Boundary Commission was scheduled to meet in February 2022 to work through the protest that was deemed eligible for adjudication. Mr. Everett commented that they look forward to coming back to the Commission to evaluate the Petition and make a recommendation to the Council.

Commissioner Suesser asked about the identity of the entity that submitted the protest scheduled to be considered by the Boundary Commission. Mr. Everett stated that the protest to be considered was not the one submitted by the Town of Hideout because they were not deemed to be an "affected entity," as defined by State law.

The petition that would be considered was filed by a property owner that owns a small amount of acreage within the area contemplated for annexation. That property owner contended that their

PENDING APPROVAL

property should be considered "rural property," which would allow them to protest. He explained that if the Boundary Commission deems this protest valid, they could alter the City's Petition to reflect the concerns raised by the protest. Mr. Everett recalled that the owner of that property is Hideout Community Advancement and Development, LLC ("HCAD").

Commissioner Suesser requested an update on the protest filed by the Town of Hideout. Mr. Everett explained that the County deemed that pursuant to State law, the Town of Hideout is not an entity that can legitimately protest. He highlighted that State law contains very specific requirements to allow an entity to protest and two primary requirements were land ownership and standing as an "affected entity." He explained that a jurisdiction within the annexation area would be an example of an "affected entity." Because Hideout is not within the area included in this Petition, it could not be considered an "affected entity."

Mr. Everett further noted that the Town of Hideout had undertaken efforts to annex property into its Town, and the courts have ruled that those efforts were void. He stated that from the City's perspective, there was no conflict or argument supporting any jurisdictional nexus between the Town of Hideout and the Annexation Petition.

Chair Phillips added his belief that the area included in this Petition did not overlap with what Hideout attempted to annex. Mr. Everett could not speak to that at this time; however, he reiterated that whatever Hideout attempted to annex was determined to be void. Chair Phillips requested that the City's next presentation include a brief history on the original annexation into Quinn's Junction that included the Film Studio. He was looking at it in terms of the entire area and felt that background would be helpful. He lauded Staff's attention to detail on this Petition. He mentioned that early in the process, he was provided a binder that included the Annexation Petition and offered it to the Commissioners for their review in preparation for the Work Session.

It was noted by Mr. Everett that the Petition was also posted in its' entirety on the Engage Park City page. He further explained that this matter would likely not be back before the Commission until the spring or summer.

B. 2022 Planning Commission Agendas.

Director Milliken reported that a number of Commissioners reached out with concerns about the preparation packets as well as the length and frequency of the meetings. She noted that 2021 was a heavy year. In response to these concerns, Staff derived recommendations they believe will result in more efficient meetings with more concise agendas to potentially alleviate pressures and heaviness of meetings moving forward. Director Milliken explained that Staff suggested creating a detailed agenda with estimated timeframes for each item. They would avoid stacking meetings with items that they know will extend beyond a certain time limit. The agenda itself will specify the timing of the agendas depending on what is scheduled. She felt that Staff has an understanding of the reasonable time frames for most of these agenda items. She stressed that these were recommendations only and if issues come up that will extend the timeframe on a particular matter, they could be addressed at the meeting. Director Milliken further explained that Staff suggested a meeting timeframe of four (4) hours and Staff would schedule the agenda items to fit within that four-hour period. They recommended that if the meeting timeframe of 5:30 p.m. to 9:30 p.m. was to be exceeded, the Commissioners would take a vote on whether to extend the meeting.

PENDING APPROVAL

Chair Phillips confirmed his understanding that the Commission would still retain authority to keep meetings running efficiently and continue items or move items to the end of the agenda. Director Milliken confirmed this authority and reiterated that this would also allow Staff to not have to stack an agenda with numerous items and hope that it could be covered in one meeting.

Director Milliken referenced the PEG application and stated that Staff felt that three meetings per month was a lot for the Commissioners and Staff to handle. They, therefore, recommended returning to two meetings per month. The current 2022 Meeting Agenda includes three meetings through June 2022. She invited input from the Commissioners and added that three meetings might be necessary to address the PEG Proposal, however they could go back to two meetings per month at any time. Staff's final recommendation was to focus public comment on the agenda item at hand, rather than allowing comment on anything related to the project. She noted that the public would have the opportunity to comment on other issues during other meetings. Staff recommended a three to five-minute cap on each comment.

Chair Phillips commented that the three to five-minute cap had been the norm, however, lately, they have given extra time in certain situations due to the importance of certain issues. He noted that the City Council has the same general time limit.

Commissioner Van Dine stated that recently the Commission has not been enforcing the time limit on public comment and felt it was important to enforce it to allow the Commission to get through meetings. Chair Phillips added that it would also help them to fit the public comment time into the agendas. He recalled that there have been meetings where they have not been able to take public input. If they could make the entire agenda more concise it would hopefully allow them to fit public input in as often as possible. Chair Phillips emphasized that they were not changing anything; rather, they were just trying to create a framework so that Staff could stack the meetings properly to help keep the meetings on track. He also felt that the 9:30 p.m. stop time was appropriate.

Commissioner Hall wanted to immediately return to the historical norm of two meetings per month. She did not object to having meetings dedicated to the PEG application but did not want to add a meeting each month to accommodate it. She referenced the size of the packets and preparation time. Commissioner Van Dine agreed and also wanted to immediately return to two meetings per month. She explained that it has been a big imposition with trying to keep up with the workload for these meetings as well as each Commissioner's other obligations. Chair Phillips agreed. Commissioner Hall added that in addition to the number of meetings, the size of the packets has impacted the ability to review them in detail before the meetings.

Commissioner Thimm agreed to return to two meetings per month after the next month or two, as there might already be agenda items scheduled in contemplation of three meetings per month. He liked the recommendations that will help them focus public input on the agenda items before the Commission at any given meeting. When topics go far afield, they lose sight of the focus for that evening.

Chair Phillips added that this would not only help them stay on task but the comments from the public can get lost when they are not on topic to the meeting at hand. Moving forward he would like to create a prepared statement specifying how meetings would proceed. Commissioner Thimm agreed that allowing information that is not the focus of a given meeting could detract from the task at hand.

PENDING APPROVAL

Chair Phillips asked if there was a way to include a statement on the Agenda or in the Staff Report that would help the public understand the process as they are preparing for the meeting. Director Milliken stated that Chair Phillips' suggestion was something that could be included in the Staff Report so that it would be clear for both the Commission and the public. Chair Phillips added his belief that this structure would help the public in terms of its own preparation for the meetings. He cautioned against the unintended consequence of the framework as a hard and fast schedule and wanted to make sure that people would understand that the meeting might not line up perfectly with the agenda in terms of timing. Director Milliken stated that they would include a disclaimer that any indicated times are estimates only.

Commissioner Suesser did not mind having three meetings per month but stated that if the majority of the Commission wants to return to two meetings per month, she would be agreeable. She wanted to ensure that they are careful to not restrict public input and stated that it is critically important to the Commission's decision-making process. She had felt that, at times, people have been cut off too soon to give the applicant and Commissioners more time to speak.

Chair Phillips expressed support for three meetings for two more months but felt it was important to get back on track. He asked each Commissioner to state their position on the number of meetings so that Staff can prepare going forward. He agreed that waiting until July 2022 to return to two meetings per month was too much to ask of the Commission and Staff. He expressed hope that the PEG application would reach an end point, which would to some degree relieve the workflow.

Commissioner Kenworthy supported transitioning to two meetings per month and supported the Planning Director's recommendations as to the timing of that transition. He lauded Staff for the detailed packages, as well as Director Milliken who came in under a difficult situation. Commissioner Kenworthy remarked that he learns a great deal from public comment and does not want it to be compromised. He felt it could be more concise and could be monitored by the Commission. He imagined that they would have hours and hours of public comment on the PEG application before the vote and would not want to cut that public comment short. Chair Phillips agreed with Commissioner Kenworthy's comments.

Commissioner Johnson supported going to two meetings per month beginning in March or April 2022 and deferred to the Planning Director as to what would be feasible. He agreed with Commissioner Kenworthy's comments regarding public comment. He wanted to ensure that the Commission incorporates public comment to the extent possible on the larger projects.

Commissioner Hall reiterated her position to return to two meetings per month as soon as possible. She agreed that public comment is important and especially liked the written public comment included in the packet or provided prior to the start of each meeting. She would like to advertise or encourage written comments. Chair Phillips agreed that written comments are very helpful.

Commissioner Thimm suggested that the schedule on page 82 of the packet be revised to eliminate the center meeting starting in March. In terms of public comment, Commissioner Thimm takes notes on all of the commentaries and appreciates it. He reviews his notes prior to subsequent meetings, and having the meetings organized and being on task helps him be more prepared.

PENDING APPROVAL

Commissioner Van Dine agreed with Commissioner Hall and would like to go back to two meetings per month as soon as possible, preferably by March at the latest. She also agreed with the other Commissioners' statements regarding public comment, which drives much of what they do. She did not want to see that compromised. It would be helpful to keep public comments on task but she would not want people to think that they were not being heard.

Commissioner Suesser agreed to go back to two meetings per month and felt that the schedule laid out by Commissioner Thimm would be acceptable.

Chair Phillips stated that they have been placing a limit of five minutes for public comment. He would continue to use that time frame. He added that he has been planning on allowing for a substantial amount of time for the public as they reach the end of the PEG application or any large project. He stated that it is at that time when the comments help them round everything out.

Chair Phillips stated that he uses a stopwatch but he has often allowed people to go exceed the five-minute limit. He supported maintaining the five-minute limit for public comment. He stated that telling people to wrap up their comments is a difficult position to be in.

Director Milliken thanked the Commission for their feedback and stated that they could probably manage the March deadline to return to two meetings per month. She then introduced Jaron Ehlers, a part-time employee in the Planning Department who has agreed to take on Planning Commission Meetings. He could potentially put a timer on his screen during public comment that Chair Phillips could use as a guidepost. She suggested that could help not only the Commissioners but also the public speaker.

Director Milliken also raised the prospect of in-person meetings. Given the current situation, it was Staff's recommendation to maintain virtual meetings for the time being. Chair Phillips stated that as long as there is a mask mandate in Summit County, he did not see returning to in-person meetings. Director Milliken stated that Staff would adjust the Regular Meeting Agenda for 2022 and remove the third meeting from March, April, May, and June. She asked if the Commission needed to officially approve the revised dates. City Attorney, Mark Harrington confirmed that the Commission does not need to vote on the revised Agenda and that the Commission's direction and consent were sufficient.

Deb Rentfrow agreed with the suggestion of having a timer that the public could see so that they could gauge how much time they had as they speak. She added that when the packet is published, there is often the information contained therein that is not specific to the specified agenda items. She felt that because that information is in the packet, it gives her leeway to discuss it. Ms. Rentfrow also mentioned Commissioner discussion that goes off-topic, which she felt opens the door for the public to comment on that issue. She stated that she goes through the Staff Reports in detail before each meeting and outlines her comments based on what is on the agenda and what is in the Staff Report. If the subject matter goes another direction, she takes notes and comments on those discussions as well. She stated she would do her best to stay on topic and would encourage the RAD members to streamline their comments as well so that they could be more productive moving forward.

Chair Phillips agreed that the timer is a great idea. He added that the comments they have been receiving have been largely on topic. Commissioner Suesser added that it is not just the public that sometimes goes off-topic. She liked the reforms being suggested to help the meetings move along more efficiently. Chair Phillips confirmed that the Commission was agreeable to the

PENDING APPROVAL

schedule as amended by the discussions during this meeting. Director Milliken confirmed that the third meeting would remain on the schedule for January and February. The third meeting will be removed from March onward.

Mr. Harrington explained that a motion to approve the Consent Agenda could reference the changes as discussed during the Staff Communications portion of this meeting.

5. CONSENT AGENDA

A. Adoption of 2022 Planning Commission Meeting Dates.

MOTION: Commissioner Thimm moved to APPROVE the Consent Agenda regarding the 2022 Meeting Schedule, as amended with two monthly meetings beginning in March 2022. Commissioner Suesser seconded the motion.

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

6. REGULAR AGENDA

A. 4001 Kearns Boulevard (SR-248) – Park City Film Studios First Amended Subdivision – Request to Subdivide the Current Park City Film Studios Plat Into Two (2) Lots of Record. The Applicant Will Also Give the Planning Commission an Overview of the Proposed Studio Crossing Project for Questions and Feedback. PL-21-05035.

Senior City Planner, Alexandra Ananth was joined by Housing Program Manager, Jason Glidden as well as the applicant's team. Ms. Ananth explained that this item involved a proposal to subdivide the current Film Studio Plat into two lots of record. She noted that all of the existing plat notes were recommended to run with the new subdivision. The Annexation and the existing Master Planned Development ("MPD") would still apply to both lots until they might be amended.

Planner Ananth stated that the applicant was seeking a recommendation on the Subdivision only, and would come back to the Planning Commission with applications to modify the Annexation and the MPD. The applicant would be introducing the potential project to the Planning Commission at this meeting for high-level comment only. She provided some background on the project and referenced the Staff Report that laid out its complicated history. This project was subject to an Annexation Agreement as well as a Development Agreement and MPD specifically for a Film Studio campus. This property was also part of a Settlement Agreement with the County.

Planner Ananth explained that last year the applicant proposed to modify the Phasing Plan and during those discussions, the Council decided to designate two liaisons to provide a high-level assessment of whether the City might want to entertain amendments to the Annexation Agreement and MPD for a more mixed-use development on the undeveloped portion of the site. She reported that the Mayor and the City Council designated Council Members Steve Joyce and Nann Worel to review the owner's new Concept Plan. Several meetings were held with the liaisons, Staff, and the applicant, as well as consultations with the Affordable Housing Staff. The applicant was asked to return to the City Council to present the Concept Plan for the remaining density on-site prior to filing applications with the Planning Commission for review.

PENDING APPROVAL

Planner Ananth explained that the applicant updated the City Council on December 9, 2021, and the City Council was unanimously supportive of potential amendments that would include a strong affordable housing component at an average of 80% Area Median Income ("AMI") and a density consistent with the MPD. She presented a graphic that showed the existing plat and explained that the entire Park City Film Studio Subdivision consisted currently of one lot of approximately 29 acres. The applicant was seeking a recommendation to divide the lot into two separate parcels. Lot 1A would contain the existing Film Studio Campus and Lot 1B, which is completely undeveloped, would be addressed by the applicant during this meeting.

Chair Phillips asked about the carve-out at the Highway. Planner Ananth explained that the area was dedicated to public access to the site; she believed that it also contained some infrastructure for the light. She confirmed that this parcel, which is just under ½ acre, would become its own parcel. Planner Ananth reported that Staff found good cause for this proposed Plat Amendment and that it complied with the existing zoning for the site, which is Community Transition with Regional Commercial Overlay and Entry Corridor Protection Overlay. The proposal also complied with the Annexation Agreement and MPD for the Film Studio and Media Campus. She reiterated that the existing plat notes would continue to apply and the Subdivision would not preclude development in the future, remaining consistent with the Annexation Agreement and the MPD, unless they are amended.

No public streets or right-of-ways would be vacated with the proposed Plat Amendment. She referenced the Conditions of Approval as set forth in the Ordinance and noted that they would carry forward the prior Conditions as well as a few new Conditions including the Entry Corridor Overlay protection applicable to Lot 1B. Staff recommended that the Commission review the Subdivision, hold a public hearing on the Plat Amendment, hear from the applicant on the proposal and consider forwarding a positive recommendation on the Subdivision only for the City Council's consideration on February 3, 2022.

Chair Phillips clarified that the Plat Amendment was the action item before the Planning Commission at this meeting. He understood they would be provided more high-level information on what might potentially be proposed, but emphasized that the focus of the Commission would be on the Plat Amendment. He noted that the Commission would be provided additional information that was not necessarily required at this point but was being given to allow the Commission to better understand the project.

Justin Keyes, Attorney for the applicant, Quinn Capital Partners, LLC, and Trent Smith, AIA were introduced. Mr. Keyes explained that the Crandall Family owns the Quinn's Junction development, which is the subject of tonight's application. He explained that they would be moving to the application stage to amend the MPD. Mr. Keyes explained that this application has been in the works for several years. The Crandall Family has operated the Film Studio for several years; however, they are not the original developer. They have used the Film Studio with great success, and Mr. Keyes referenced productions such as *Yellowstone* and others over the years.

Mr. Keyes explained that the owners have been considering for some time what to do with the remaining density. The Film Studio itself only takes up a small portion of the 30 acres. In addition to the Film Studio, there is also another 284,000 square feet of density to be constructed. That density was originally entitled as a 100 key hotel, as well as support commercial.

He recalled attending a prior Planning Commission meeting where there was discussion about why the City was not meeting its affordable housing goals. At that time, the applicant was in the

PENDING APPROVAL

midst of constructing The Commons, an affordable housing and mixed-used project. Around that same time, the 2020 Envision Park City Study was published where affordable housing was identified as one of the key issues to be addressed in the City. He referenced the slogan "Embrace Bold Action."

Afterward, Mr. Keyes approached the Crandall Family and asked if they would consider affordable housing at Quinn's Junction rather than a hotel. He noted that what is currently entitled for the parcel is a closed-campus concept that would be internally directed and mostly fenced. It would not provide any community benefits. He suggested that the Crandall Family construct something similar to The Commons and accomplish many of the City's needs. He reported that the Crandall Family was receptive to this idea, so they met with a number of community stakeholders who all agreed that this type of development would be beneficial. Mr. Keyes reported that this prompted discussions with Staff and ultimately a proposal to the City.

Mr. Keyes explained that the applicant proposes to take the existing commercial and hotel density and convert it to mixed-use, which would include 100 market-rate units and 120 affordable housing units with approximately 60,000 square feet of commercial property to complement those uses. He felt that this concept would take a project that had very little community benefit and create a project that would be primarily driven by community benefit. He expressed appreciation for the feedback and input from Planning Staff as well as the Affordable Housing Director and stated that they have developed a Site Plan and proposal that would be brought before the Commission in an application to amend the MPD. Mr. Keyes reported that the first step is the Subdivision, which is currently before the Commission. He noted that subdividing the parcel would still provide the needs for the Film Studio and work well with the proposed plan.

Mr. Smith presented the design concept for the plan and presented a graphic showing the original Film Studio and the Subdivision Plat that follows along the roadway to separate the Film Studio from the proposed community. He reiterated that they looked at creating an enormous amount of change and community benefit for this parcel as compared to what was originally proposed. Mr. Smith presented an overall Site Plan and explained the various elements to the Commission using the Building Legend. The proposal would include market-rate condominiums and a Transit Hub or Bus Turnaround. He also highlighted a series of retail development within this site, which would include coffee shops, small restaurants, small grocery stores, and clinics. He explained that they contemplated that the commercial would be within one-story buildings, with a large plaza that would become the heart of this community.

He pointed out the two three-story buildings with mixed-use on the first floor and two stories of affordable 80% AMI housing. He next pointed out the building that would contain two stories of affordable housing, with no commercial. Mr. Smith explained that based on feedback from Staff regarding creating opportunities for rentals, they created a series of for-sale townhome units.

Mr. Smith explained that the applicant was requesting some initial high-level feedback from the Commission on this proposed plan. He added that the applicant was looking at phasing the project, with Phases 1 and 2 setting a strong foundation for a true community. He presented a graphic to the Commission that illustrated the proposed phasing for this development and highlighted that Phases 1 and 2 would create the hub for the community.

He explained that the mixed-use and affordable housing proposed to be part of Phase 1 would consist of two three-story buildings with 15,000 square feet of retail at the lower level, and 30,000 square feet of 80% AMI housing above. The total square footage for these two buildings would

PENDING APPROVAL

be 90,000 square feet. Mr. Smith reiterated that the applicant was neither adding nor requesting any additional density; they were using the density already allotted as part of the current MPD.

With respect to Community Focused Commercial, Mr. Smith stated that they took a lot of inspiration from developments in Colorado and Idaho that have great water features as part of a hub as well as great four-season development for a plaza piece that does not exist in Quinn's Junction. They hope to tie the plaza in with some of the commercial to activate the plaza and the development as a whole. Mr. Smith reported that they performed a Traffic Study and the proposed development will substantially reduce the amount of traffic versus the original proposal because much of the traffic would be inside the development. An important aspect to the applicant was to keep some of the commercial component focused on the immediate community so that they would not create more traffic.

He next addressed the Transit Hub, which they have included in Phase 2. The goal would be to tie into the existing trail systems, including Round Valley Trail and the Historic Rail Trail. They created a small roundabout at the entrance to this development to provide a great opportunity for the Round Valley System as well as the Historic Rail Trail System. It would provide a safe means to cut through the property, but also allow one to experience the development. Mr. Smith explained that their goals for the market rate townhomes would be to create a strong family-oriented development piece to this project. They contemplate 48 townhomes. He explained that while they originally contemplated 36 townhomes, after consultation with Staff and work on the plaza, they found a way to add some townhomes to create a better piece to this development. They felt that 48 townhomes would provide a better balance mix for family-oriented development.

The market-rate condominiums would be for-sale units, which could accommodate seniors who wanted to downsize and have the amenities to support that lifestyle. The footprint of the building would replace the original footprint for the original hotel. He explained that they would want a strong architectural feature to orient the development, but also keep it separate enough so that it would be its own structure as a for-market rate parcel.

Mr. Smith next turned to the affordable housing, which would be located near a Sports Court as well as a trail connection. He added that the Historic Rail Trail is actually part of this development, and the applicant has put up the money and worked with the City to create a connection between the Historic Rail Trail System and this site. He stressed the importance of creating a hub that connects to the trail system to promote the great outdoor lifestyle in Park City. He explained that this property is located in the hub of Quinn's Junction and highlighted the user groups that this development would be focused on for affordable housing and worker housing.

Mr. Smith reported that they were looking at a rich mix of affordable housing types, ranging from studios to three-bedrooms. He stated that a significant portion of the density is geared towards affordable housing and is a significant component of this development. He added that they also focused on open space and whether they could improve open space over the original design. He felt that they were successful in this regard by creating nearly a 20% growth in open space from the original 2012 development. He highlighted the open space that would allow the indoor/outdoor lifestyle for this community. Mr. Smith addressed the original development and noted that the commercial portion had a strong plaza component that the applicant worked with Staff to maintain. Instead of an amphitheater or movie cinema, they bookended the site with townhomes and more open space, and a strong trail connection.

PENDING APPROVAL

Mr. Keyes added that the advantage they have with having developed another affordable housing project was that this applicant brings experience to this project. The applicant has worked closely with Staff as to how this mix should work. The average of 80% AMI was what the applicant used at The Commons at the recommendation of the County. For that project, the County felt that it would provide the flexibility to allow the County to put people below the 80% AMI into a unit while filling the next unit with a slightly higher AMI. He noted that the average 80% AMI model used at The Commons has been very successful.

He added that the mix was also driven by their experience in constructing The Commons and seeing the demand for units. He reported that there are 38 affordable housing units in The Commons, and it is fully leased with a waitlist of 34 people. He offered that this showed the demand in this area for this type of product. He would assume that they would have a waterfall provision that would prioritize local residents similar to what they have at The Commons. Mr. Keyes stated that the applicant looks forward to providing a housing opportunity that is needed and not available. Mr. Smith added that the scale of this development would be similar to The Commons.

Chair Phillips expressed appreciation to the applicant for looking to provide affordable housing and for being collaborative with City Staff. He felt that this discussion was more fitting for a Work Session, but acknowledged that they were trying to assist applicants in streamlining the process for affordable projects. He offered that due to lack of details, he would be cautious in his comments and keep them at a very high level. He sought input from the Commission on this approach.

Commissioner Thimm felt that this seemed like two agenda items with one being the Subdivision and the other being a Work Session to discuss some future application for an MPD modification. He felt that they should look at the Subdivision and act on that before addressing the proposed MPD modification as a separate item for discussion. Chair Phillips supported the suggestion made by Commissioner Thimm.

Commissioner Kenworthy asked the applicant if they explored using the existing Film Studio in this redevelopment effort rather than keeping it as a stand-alone entity. Mr. Keyes responded that they had not considered that, as they had been fairly successful in keeping the Film Studio booked. He noted that they felt that the Film Studio could continue to operate as a stand-alone quite well within this development in a way that would be symbiotic to the proposed development.

Commissioner Kenworthy referenced major ancillary components within the MPD when this was approved a decade ago. He imagined the City Council and Planning Commission looked at those ancillary uses approved within the MPD that mitigated a lot of the production elements. He added that if they were to address these as two separate agenda items, they would want to ensure that the ultimate Film Studio use would not spill over into the proposed community and/or the other City efforts for that community.

Mr. Keyes stated that the Development Agreement originally contemplated a Film School and other ideas for this property, some of which were not financially viable. There was broad language in the Agreement regarding what type of density would be allowed. Mr. Keyes noted that it was a lot of what is not needed. He reported that when they talked with production as to what they needed on-site, they indicated that they needed affordable housing for their employees as well as affordable places to eat. The productions were housing their large crews in Salt Lake County

PENDING APPROVAL

and driving them up every day to work. He added that having operated the Film Studio for the past five to seven years, the proposed development would better serve its existing needs.

Commissioner Kenworthy noted that the housing element was his primary concern and asked about restrictions on the hotel. Mr. Keyes confirmed that the hotel had no restrictions, and they had a deal with Marriott before this concept was presented to the Crandall family. He added that there was some restrictive language on some of the commercial uses, but no restrictive language on the hotel use.

Commissioner Kenworthy noted that the Community Good Cause would be affordable housing. He did not think the Community Good Cause would be as interesting if it were being utilized by some of the Film Studio employees and added that studio employees were fairly transient. Mr. Keyes stated that when *Yellowstone* was committed to the Film Studio for a number of years, people started buying housing. He noted their lead carpenter bought in Heber City and still lives there and commutes. He explained that while there might be some people housed on a short-term basis, they would not be constructing anything short-term, so they would have to qualify through Affordable Housing like any other local worker.

Chair Phillips expressed concern that they were getting into detailed Work Session discussions before acting on the Agenda Item for the Plat Amendment; therefore, any member of the public who saw the Plat Amendment on the Agenda was missing out on these discussions.

Commissioner Kenworthy expressed concern over separating the two parcels. Chair Phillips understood that with the proposed Plat Amendment, everything that exists now with respect to the parcel was not changing. Mr. Keyes confirmed this understanding and explained that the applicant would have moved to subdivide regardless of whether they wanted to amend the MPD because they would have needed to subdivide for financing purposes to construct the hotel. Commissioner Kenworthy stated that the Subdivision Plat Amendment was intended to create a stand-alone property and wanted to know about any mitigation efforts and whether this stand-alone property would be the highest and best use for the applicant going forward. Mr. Keyes confirmed those discussions and stated that this would be the highest and best use for that building.

Chair Phillips reiterated his concern that the public was missing out on these discussions. He stated that it was good to have some information on the bigger picture. He suggested discussions on the application before them and then, time permitting, provide high-level comments. He felt that more detailed discussions should be held during a Work Session.

Planner Ananth commented that the notice stated that the applicant would be taking time to provide an overview of the future project. She agreed with Commissioner Thimm's assessment and suggestion to address the action item and then hold a "mini" Work Session. She added that it would provide the Commission with an opportunity to give some feedback that the applicant could use when they return. Mr. Harrington stated that the suggestion to bifurcate the discussions was appropriate.

Commissioner Suesser pointed out that in approving the Subdivision and finding Good Cause, there must be an understanding of the public benefit and the public amenities. Because the Commission was being asked to separate these parcels, it needs a good reason to do that; she questioned how the Commission could determine "good cause" without going into the proposed use for that parcel. She was conflicted about whether the Subdivision was appropriate at this

PENDING APPROVAL

juncture because they had not been provided the details of the project. Commissioner Suesser expressed that the Film Studio uses and adjoining uses were tightly conceived, and what the applicant presented represented a significant change in the use of this property. She felt that the Commission needed to understand that difference, and the first stage in this process would be subdividing the property.

Commissioner Suesser stated that while she supported the idea of the affordable housing component, the density was tied to Film Studio amenities and that is all that is permitted to be built other than the hotel. By contemplating the Film Studio as a stand-alone parcel she felt that they were separating the Film Studio uses from the rest of the property.

Chair Phillips stated that what was presented by the applicant was a potential amendment to the MPD. He liked the idea of bifurcating the discussion to address the Plat Amendment because right now, there is an existing MPD and Agreement. He asked the applicant whether they would still seek this Plat Amendment even if there were no contemplated change of use from what currently exists.

Mr. Keyes confirmed that the applicant would have requested this Subdivision regardless of whether they would seek an amendment to the MPD at some future date. They would have needed to create the same separation of the property to construct the hotel. He added that while the applicant needs "good cause," the "good cause" is that the applicant was complying with the Code. They have "good cause" for the Subdivision because they comply with the Code whether they maintain the current MPD or amend the MPD. Mr. Keyes confirmed that this application was made under the existing MPD and, as indicated by Staff, it complies. Mr. Keyes recalled his prior experience with Subdivisions of this sort, and the "good cause" was complying with the Code. Additional ancillary community benefits beyond what the Code requires is not necessary.

Chair Phillips added that "good cause" also includes consistency with zoning and the MPD and might allow for future uses with more community benefits. The Subdivision does not preclude compliance with the existing MPD. He commented that the action item for this meeting was the Plat Amendment, and felt that there was "good cause" for the Plat Amendment on its' own merit.

Commissioner Thimm echoed the comments of Chair Phillips. He had not considered any proposed changes to the MPD as part of this Action Item. His focus was looking at this application in terms of whether it was in compliance with the Land Management Code ("LMC") and the creation of legal lots.

Commissioner Suesser referenced the definition of "good cause" contained in the Staff Report that the purpose of the Subdivision under the LMC is to provide the most beneficial relationship between the use of land and buildings with a number of different reasons to support the "good cause" Subdivision. She felt that they were simplifying it too much to just say that this application complied with the Code. She opined that they needed to look at the significant restrictions in place on this property before they could move forward with the Subdivision.

Chair Phillips noted that the restrictions would remain in place after the Commission's action on this application. Commissioner Thimm added that there was nothing in this division of land that would preclude the improvements outlined by the original MPD, and he could not see any reason that this lot line would change what was contemplated by the original MPD. Whether the modifications to the MPD that are contemplated by the applicant would be appropriate under the LMC would entail an entirely different discussion.

PENDING APPROVAL

Commissioner Thimm stated that the lot line could be drawn through the existing MPD and the improvements proposed in the original development could be accomplished with this lot line.

Commissioner Kenworthy agreed with Commissioner Thimm. He clarified that his questions addressed the Work Session portion of this discussion to make sure that the applicant had looked at this holistically. He emphasized that he was not taking a position on the appropriateness of the proposed Plan; but he agreed with the comments regarding the Plat Amendment that the MPD, including its restrictions, would not be changed by this Subdivision. He stressed to the applicant that approval of the Subdivision would not mean that the Commission would approve the applicant's Concept Plan. Mr. Keyes confirmed that the applicant had not even filed an application for the plan.

Commissioner Kenworthy recalled a prior discussion about a 60% AMI and questioned the 80% AMI presented. Mr. Keyes stated that the 60% AMI came up in the context of being able to reach 60% by having an average. The applicant, however, has always contemplated an 80% AMI.

Chair Phillips encouraged the applicant to bring the Work Session forward as soon as possible so that the Commission could begin providing feedback.

Chair Phillips opened the public hearing and noted that they would accept public comment on anything discussed on this item.

Angela Moschetta echoed Commissioner Suesser's concerns and stated that she was not as inclined to just trust the developer. She felt that although the Subdivision might seem standard, it was in the best interests of the developer and worthy of more scrutiny to ensure that there were no loopholes. She highlighted the discussion regarding the AMI as a basis for her concern. She listened to the last presentation and was excited about it, but heartbroken that the City did not work with the County to buy the Film Studio and turn it into a massive Transit Center with affordable and workforce housing. This proposal seemed like a great Plan B, and many referenced the 60% AMI during those prior discussions. She did not understand the current explanation about the AMI. Ms. Moschetta offered that most in the community would support the notion that 80% AMI would not be nearly enough. She felt that broad community support for this project would need an AMI closer to or at 60 percent.

Ms. Moschetta added that there are extremely wealthy individuals in this community who throw the numbers off; someone could own a $200,000 Sprinter Van and qualify under an 80% AMI. To benefit the community and the workforce, the average must come down and there must be more authenticity in the discussions going forward. She felt that this seemed like a "bait and switch."

There were no further public comments. Chair Phillips closed the public hearing and turned to the Commission for comments on the Plat Amendment.

Commissioner Thimm clarified that the Commission would come back to Commission feedback on the applicant's project proposal after its action on the Plat Amendment. He had no further comments with regards to the proposed Subdivision modification. Commissioners Van Dine and Kenworthy agreed with Commissioner Thimm.

PENDING APPROVAL

Commissioner Hall asked about the "good cause" referenced by Commissioner Suesser and whether they required this with the intended "good cause" knowing what the applicant intended to propose in the future.

Mr. Harrington stated that Commissioner Suesser correctly cited the "good cause" definition in the LMC; however, that is qualified by the context of the application. He referenced the Staff Report, which stated that Section 1.4.6 of the original MPD contemplated breaking out sales or subdivisions for planning purposes much like what occurred at Deer Valley. In the case of Deer Valley, the subdivisions allowed the different development pods to come forward at different times, subject to the overall restrictions in the MPD. These subdivisions did not create separate developable lots. He explained that the Ordinance is conditioned by Planner Ananth to make it expressly clear that there is no separate developable rights on this Subdivision; rather, this would only enable the subsequent applications. He noted that this layout would have been contemplated had they gone forward with the existing MPD, or should they go seek an amendment to the MPD. Mr. Harrington stated that, as conditioned, Staff was comfortable with this intermediary step that would allow either path to go forward.

Commissioner Hall commented that given the information in the Staff Report where the "good cause" is the loosely proposed affordable housing, she would like to see that as part of the ordinance. Mr. Harrington responded that the Commission had more discretion to make that decision during the re-zone than they do as part of this application because affordable housing is not permitted under the existing zoning. The Commission could not condition today's approval on something that is not approved in the current zoning.

Commissioner Suesser was comfortable moving forward with the Subdivision as proposed given Mr. Harrington's clarifications, particularly with regard to the rezone, as well as how the ordinance is conditioned.

Chair Phillips invited the Commission to provide high-level comments on the applicant's Concept Plan. One of his concerns was getting the AMI as low as possible as it would weigh in on his ultimate decision. He felt that there was a larger need for a lower AMI and that has been one of the shortcomings of the City's Affordable Housing. He also looked at some of the other impacts and whether this development would draw in customers or visitors to the area. He would assume that the applicant would provide Traffic Studies to help the Commission understand those issues.

Chair Phillips noted the separate entrance near the townhomes and expressed concern about having to cross over traffic upon exiting the development at that location. He acknowledged the traffic issues that exist along that corridor and preliminarily would like to see that as a one-way entrance and not an exit.

Commissioner Johnson echoed Chair Phillips' comments and reiterated that he would like to see the applicant reduce the AMI to the extent possible. He referenced his experience with affordable housing and the jump that has occurred that is impacting affordability for the people that need housing. He felt that the applicant's tier system needed to be set in place so that there would be no questions.

The applicant, Matthew Crandall from Quinn Capital Partners, LLC, addressed the comments about the 60% AMI versus the 80% AMI. He stated that Staff could verify that the applicant has been consistent from the outset in representing that they would propose an 80% AMI. With respect to the comment about trusting the developers, Mr. Crandall noted that developers were

PENDING APPROVAL

not rushing to build affordable housing and switching their current entitlements to deed-restricted entitlements. He relayed that his father, who has been very involved in the community, has shown that he is the type of person who does things with a handshake; he referenced his raising millions of dollars for the Peace House. Mr. Crandall stressed that they were not doing a bait and switch and stated that they have been consistent and are open to discussions. He wanted to clarify the issue given the questions raised about the developer's character.

Commissioner Thimm expressed that overall he liked the connectivity shown in the Concept Plan and felt that the creation of a trail system would be an enhancement. He wondered if there could be some consideration about bringing the plaza space to make it part of the gateway into the City. Based on his involvement in other projects over the years, he has found that opening plaza spaces to the south seemed to create more magic for those spaces. He would like the parking areas around the plaza area to be looked at a bit closer.

Commissioner Thimm commented that he would like to see a range of affordable housing from 40-50% AMI and graduating up to 80% AMI so that they could have multi-generational families within this development. He felt that this would go a long way towards achieving some of the City's goals. He expressed that understanding the impacts to the traffic that would come with the changes in use should be carefully evaluated. This would include any changes in curb cuts that would necessitate discussions with The Utah Department of Transportation ("UDOT").

Commissioner Hall sought clarification as to whether the community-focused mixed-commercial use would pull people from outside the community. She would like more information on the Transit Hub and whether it would be user-friendly for those outside the community. She did not see anything in the layout for a bus pickup. She would also like to see lower AMI units. Of greater concern to her were the affordable rental units, which are sorely lacking in the City's current affordable housing units. Commissioner Hall also wanted more information on the heights given the proposed exemptions to the existing MPD.

Commissioner Kenworthy agreed with the prior comments, and highlighted Commissioner Hall's comments regarding the Transit Hub and whether there would be a place for the public to access the trails. He was open to seeing a proposal from the applicant that would include re-use of the Film Studio building. He stated that given the desperate housing situation in the City, the more housing they can provide for employees, the better. Commissioner Kenworthy added that the Crandall Family has always been a good community member and suggested they look at a way to re-use the Film Studio. He referenced distilleries in San Francisco that have been turned into beautiful artists' lofts.

Commissioner Suesser concurred with the comments of Commissioners Hall and Kenworthy. She requested clarification on whether there would be a nightly rental restriction on the units and whether attainable units would be in the mix. She would also like further information on the retail component and whether it would be meant to serve only this community. She noted that if the Film Studio intends to use some of the housing that is being proposed, she imagined that would be on a short-term basis; she would like a better understanding of how the Film Studio would be symbiotic with this project. She would also like more information on whether or if there is a potential change in use of the Film Studio.

Commissioner Van Dine agreed with the comments of Commissioners Hall, Kenworthy, and Suesser.

PENDING APPROVAL

Chair Phillips imagined that the last couple of years had made the Affordable Housing Director's job difficult and invited Mr. Glidden to provide an update and overall view of housing in the City at a future Work Session.

Mr. Glidden stated that he would be happy to provide an update to the Commission. He replied to the comments of Mr. Crandall and wanted to confirm that the proposal had always been an 80% AMI. Currently, there is no housing requirement to be had on that approved development. He added that they were still working through the details with the applicant, and there were still conversations to be had on these issues. Mr. Glidden appreciated the comments provided and expressed that the Crandall family and their team would agree. He stated that there have been discussions to add additional affordability; they are at the beginning stages and the Commission's feedback would be helpful moving forward.

Chair Phillips acknowledged the complexities of where they are in the process. He appreciated the additional information provided by the applicant at this meeting and understood that this proposal would likely change significantly as they work through the details. He hoped that the Commission's feedback would help the applicant understand some of the issues. Chair Phillips expressed appreciation to the applicant, and their willingness to work with the City on this future growth and provide for these dire needs of the community.

MOTION: Commissioner Thimm moved that the Commission forward a positive recommendation to the City Council for their consideration on February 3, 2022, for the Park City Film Studio First Amended Subdivision. Commissioner Kenworthy seconded the motion.

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

The Commission took a short break before reconvening.

B. Founders Place (formerly Deer Hollow) Parcel 00-0021-01977 – Substantive Master Planned Development Modification, Conditional Use Permit, Subdivision, and Condominium Plat – The Applicant Proposes Constructing Approximately 350,000 Square Feet in the Deer Crest area with 199,200 Square Feet for 78 Residential Units in Four Buildings with 3,327 Square Feet of Support Commercial, 97,589 Square Feet of Residential Accessory Uses, and 45,289 Square Feet for 123 Parking Spaces for a Ski-In Ski-Out Village Developed in Three Phrases in the Recreation Commercial Zoning District.

Assistant Planning Director, Rebecca Ward, reported that the above item involves a Substantive Modification to the MPD, as well as a Conditional Use Permit ("CUP") for construction of multi-unit dwellings. In addition, the Planning Commission would consider the Subdivision Plat and Condominium Plat as part of the next Agenda Item. She introduced the Applicant's Representatives, Bill Fiveash, and Carter Lamb; the Project Architect, Seth Striple, AIA; and the Applicant's Attorney, Thomas Bennett. She reported that the Founders Place Project is located in the Deer Crest area, west of Highway 40 and east of the St. Regis Project in Wasatch County. Access to the project is via a private road with two gates including the Queen Esther Gatehouse located in Park City and the Jordanelle Gatehouse in Wasatch County.

The project dates back to 1989 when the project owner applied to develop in Wasatch County, which was approved. A lawsuit involving development and infrastructure resulted in a Settlement Agreement reached in 1995 that outlined a process for this area to be annexed into Park City.

PENDING APPROVAL

She added that subsequent agreements served as the governing documents for this site, including the First Amended Density Determination in Wasatch County and an Interlocal Agreement between Park City and some Wasatch County districts.

Ms. Ward stated that overall, the site has no more than 83 units at 2,400 square feet per unit, 60% in a primary structure with some supporting commercial up to 5% of the gross square footage of the project. Appropriate amenities are also part of the site. She explained that the applicant has proposed 78 residential units in four buildings, six employee housing units, support commercial that includes a café for the residents, residential accessory uses, and underground parking. This project is to be developed in three phases; Phase I would be the Condominium Plat that the Commission would consider in the next Agenda Item.

Ms. Ward stated that the Planning Commission reviewed and visited the site, and conducted a public hearing on December 8, 2021. The project has also been reviewed in collaboration with Wasatch County. She explained that since the last meeting, some changes were made as a result of the applicant's continued work with the Wasatch County Fire Department. The applicant added a second access for Phases I and II along Deer Hollow Road and updated the Site Disturbance for the overall project. She noted the 1995 Site Disturbance that the applicant had calculated for limits of disturbance and then showed the updated Site Disturbance depicting the additional access road required by the Wasatch County Fire District. She referenced the revised Site Disturbance calculations prepared by the applicant and included in the Staff Report. The referenced table showed the current percentage decrease with the second access.

Ms. Ward explained that Finding of Fact No. 44 was therefore updated to reflect these changes. She stated that the density was previously approved for no more than 83 units at 2,400 square feet. The applicant has proposed a cap at 78 units, with six affordable units on-site that are exempt from density. She reported that the project complied with setbacks, the 25-foot perimeter setback overall, as well as the internal setbacks. There would be a common wall between Lots 1 and 2, which is allowed in this zone as long as there is a Party Wall Agreement; they have included this as a Condition of Approval in the Ordinance for the plats. Ms. Ward further stated that the project meets and exceeds the Open Space requirement and explained that 60% of the project must be open space; with the updated numbers referenced earlier, 72% of the 30-acre parcel would be open space.

The applicant proposed reduced parking to include 128 parking spaces on-site, mostly underground; five parking spaces would be uncovered. She explained that the First Amended Density Determination requires 166 parking spaces; therefore, the applicant proposed a 23% reduction. If this project were governed by the current LMC, 159 parking spaces would be required, which would translate to a 20% reduction.

She reminded the Commission that the applicant submitted a Transportation Demand Management Plan, a Parking Study, and a Trip Generation Study. To reduce parking requirements, the Commission is to look at the proposed number of vehicles required by the project. She reported that the Parking Study concluded that the demand for the project would be 104 spaces.

In addition, there must be a parking comparison with projects of similar size and occupancy. Ms. Ward stated that the applicant completed a comparison with several similar developments in the Empire Pass area under the Flagstaff Development Agreement that averaged 1.5 stalls per unit. With respect to parking needs for non-dwelling uses and traffic attracted to the site, she noted

PENDING APPROVAL

that this was a gated community and not accessible to public vehicles. In addition, the supporting commercial would be limited to a small restaurant for the residents. She explained that the applicant's Trip Generation Study for residents, employees, and guests showed that there would not be a significant increase to the area.

The applicant's Transportation Demand Management Plan outlined the ski-in/ski-out access to Deer Valley, public trail connections to the Village and Pipeline Trail, reduced parking, shared-ride services, property management grocery delivery services, on-site ski valet, and activities for residents.

Ms. Ward explained that no overflow parking during peak periods was proposed as part of this project, but Wasatch County requires a Condition of Approval that would prohibit parking in unincorporated Wasatch County and require that the parking be satisfied on-site. In terms of adverse impacts on the surrounding neighborhood, she noted that this project is quite distant from other developments in the area and is surrounded by open space. She highlighted some of the recommended Conditions of Approval, including those requiring Founders Place Homeowner Association to finance and operate the ongoing ride-share service, the installation of bike racks, and the prohibition of parking on Deer Hollow Road and in unincorporated Wasatch County. Additionally, the project would be required to comply with the Electric Vehicle Charging Station Code.

Ms. Ward highlighted the change proposed by the applicant during the December 8, 2021 meeting regarding the requirement to finance the ongoing ride-share service; instead of offering service to the Salt Lake Airport, the Agreement would encourage the use of shared services from Salt Lake City Airport through pre-arrival assistance and by notifying owners and guests of the availability of on-site alternatives.

The Site Plan would be a reduction from the 1995 Site Plan and she referenced an overlay of the difference. She noted that the applicant's proposal included some development on portions of Steep Slopes. There would be Conditions of Approval required by the Code for the overall site and management of snow storage, trash and recycling facilities, and delivery and service vehicle access. She reported that the Engineering Department reviewed this project because of the Steep Slopes, and recommended a series of Conditions of Approval, as discussed on December 8, 2021, to ensure that mitigations were provided on-site.

Ms. Ward stated that the Affordable Housing proposed for this MPD would be an increase from the 1995 Settlement Agreement that required 4% of the units to be affordable. The applicant and the Housing Department met and agreed to a draft Affordable Housing Mitigation Plan, which would provide for six on-site affordable units for managers, full-time and seasonal employees. In addition, it provides for a net purchase price fee for market-rate units to be transferred to the City's Affordable Housing Budget. She noted that this fee is estimated to be $1.5 million with initial sales and approximately $37,500 per year for subsequent sales through 2035. She explained that four of the units were proposed for Phase I, followed by one unit in Phase II and one unit in Phase III.

The Conditions of Approval would require that deed restrictions be recorded against the affordable units, that the Founders Place Declarations and CC&R's include the affordable housing obligations, and that no certificate of occupancy for any market-rate unit could be issued until the affordable employee units were completed and the deed restrictions recorded.

PENDING APPROVAL

Ms. Ward next addressed the height of the retaining walls. She stated that the applicant updated the Site Plan with the additional access that would add some retaining walls to the project. Phase I retaining walls would reach a maximum height of 20 feet just south of Deer Hollow Road where the site slopes significantly; and 14 feet and 5 feet along the road with other minor retaining walls.

The retaining walls in Phase II would reach a maximum height of 13 feet, and then 7 feet along Deer Hollow Road. She noted the applicant incorporated the Planning Commission's recommendation of an additional retaining wall at the base of the Phase II building, with landscaping along the exposed concrete. The applicant also removed a section of retaining wall based on the changes to site access. She explained that in Phase III, the significant retaining walls to the north of the building would reach a maximum height of 16 feet.

She addressed the Planning Commission's direction to amend Condition of Approval No. 17 and explained that it would approve the retaining wall heights presented to the Planning Commission, with the requirement that landscaping, as approved by Planning Staff, would shield any of the retaining walls that exceed 8 feet and which are visible from Deer Hollow Road.

Ms. Ward stated that the applicant requested a change that would allow for a vertical wall more than three levels in height. She explained that the proposal complied with the requirement that the upper level be 50% or less than the overall building footprint. She added that the applicant would comply with the overall 70-foot height cap for the site. With respect to the different roof forms and designs discussed during the December 8, 2021 meeting, Ms. Ward stated that the "Current Design" was best for snow shedding on the site and was selected by the applicant for approval.

As far as Sustainability, she noted that the applicant added an additional feature wherein they proposed no gas fireplaces or cooking appliances in residential units. The Conditions of Approval were updated to reflect that addition, as well as to require review by the Sustainability Department at the building permit phase. The Conditions of Approval also require that the applicant achieve the certification within 18 months of the issuance of the Certificate of Occupancy as each Phase is completed.

She next turned to Deer Hollow Road and the 2017 Amendment to the Settlement Agreement. She explained that the 1995 Settlement Agreement included a requirement that the project disconnect Deer Hollow Road; however, that requirement was removed in 2017 at the recommendation of the Planning Commission and approval of City Council. Through that amendment, there is still access for emergency vehicles; otherwise, it is a private road for exclusive use by owners, guests, and invitees. She added that the public might use Deer Hollow Road during an evacuation.

The Deer Crest Master Association would maintain and operate the Queen Esther and Jordanelle Gates that maintain the privacy of the road.

She reported that Staff provided the additional information requested by the Planning Commission. Ms. Ward stated that while the Planning Commission was the body that would take final action on the MPD and CUP, as part of the recommendation on the Subdivision and Condominium Plat, it could include a Condition of Approval that the City Council preserves the future reconsideration for potential expansion of public use of Deer Hollow Road.

PENDING APPROVAL

Ms. Ward referenced the inclusion of public input received from the adjacent property owner, SITLA, and Gary Heintz attached as Exhibit S to the Staff Report. She also referenced an email from the developer of the MIDA Project voicing concern about increased public access on Deer Hollow Road; she reported that this email was forwarded to the Commission just prior to this meeting.

She stated that Staff was recommending that the Commission conduct a public hearing and consider approving the Substantive Modifications to the MPD. Staff also recommended the Commission conduct a separate public hearing specific for the Multi-Unit Dwelling CUP as outlined in the Draft Final Action Letter.

Bill Fiveash from Deer Crest Associates I, LC introduced Mr. Lamb from East West Partners, Mr. Striple, AIA, and Tom Bennett, Esq. He thanked Ms. Ward for her presentation. He explained that he did not prepare any information in addition to that presented by Ms. Ward and would answer any questions from the Commission.

Commissioner Suesser pointed the applicant to the Housing Mitigation Plan and asked that the applicant walk the Commission through the units proposed on-site and the new model of the fee-in-lieu on the net sales price of the units as they are sold.

Mr. Fiveash explained that the 1995 Settlement Agreement required a 4% inclusionary housing requirement that was very specific to units rather than unit equivalents. Therefore, this project would have only been required to provide approximately 3.8 units. Based on discussions with the Housing Authority, there was some disagreement as to where that should settle out, so the applicant submitted a proposal that would be good for the community. He offered that Mr. Glidden agreed with this approach.

Mr. Fiveash stated that they did not want to put too much housing on-site, as it is a remote location and not intended to be a ski-in/ski-out residential community. They understood, however, the importance of, and need for employee housing. As a result, they arrived at six on-site employee-housing units, which they felt represented a good match for the 78-unit condominium development. He commented that the employee housing would be for ski valets, housekeepers, front desk personnel, and the like.

To fulfill the balance of being a good contributor, Mr. Fiveash stated that they proposed to Mr. Glidden a one-half point benefit fee covenant on the development that would begin with the first transaction and go into perpetuity. They projected the fees on the initial transactions will total $1.5 million over the next 2 to 5 years, depending upon how the market absorbs the inventory. They also proposed that the covenant fee run with the property in perpetuity and offered an additional portion of that at half of the initial fee until 2035. He explained that the intent is that the rest of the fee is there for the future homeowners to be good citizens and contribute to other needs in the community; they proposed taking half of those fees and applying them to the most important need.

Mr. Fiveash stressed that these fees would go on forever and every time there is a sale of a property, ½ point would go to the Founders Place Community Foundation. The Foundation would have a Board of Directors comprised of homeowners and community-wide members who, until 2035, would direct half of those monies to other needs, which could include housing. After 2035, the Foundation would have discretion on the full amount to benefit the community.

PENDING APPROVAL

Mr. Fiveash stated that as progress is made on the housing front, the money could also be allocated to things like schools, Peace House, and other community needs. He added that early on, they wanted to allocate these funds to the more pressing needs of housing. He explained that the Housing Mitigation Plan was originally submitted in October and has been part of the application for quite some time. Mr. Glidden would present that Plan to the City Council for their approval. While at this point it is a proposal, Mr. Fiveash expressed hope that with Mr. Glidden's support, it would be approved.

Commissioner Kenworthy asked about the meaning of the word "net sales." Mr. Fiveash explained that there would be a covenant recorded against the future plat that would generate the fee requirement to the new Foundation that would have its own Articles of Incorporation. The Foundation would then enter into an agreement through the year 2035 with the City in which they would agree to dedicate that money. He explained that the "net" exists in the covenant and would allow for a deduction for any value of personal items. For example, if a property were transferred with furniture, the value of the furniture could be deducted; real estate commissions or other similar items could not be deducted. Mr. Fiveash commented that they included "net" because many times these high-end properties transfer fully furnished, and if a buyer wanted to take an exemption for the personal property, they could file a personal articles exemption. The fee is based only on the full value of the real property.

Commissioner Kenworthy clarified that "net" would mean the gross sale price, less any personal property purchases. Mr. Fiveash agreed and added that based on his experience, it was very rare that anyone in this community takes a deduction for any personal property. In response to an inquiry from Commissioner Suesser, Mr. Fiveash clarified that the covenant would direct the initial fees to the Foundation; the Foundation would sign an agreement to contribute to the City. Therefore, the Foundation would become a middleman in those early years but would become the authority and recipient in later years. He stressed that there would be a document between the City and the Foundation that would guarantee that the City would collect that money. Mr. Fiveash added that the proposed agreement provides that the Foundation would have 30 days to transfer that money once received.

Mr. Glidden emphasized that normally these covenants were put in place after the developer has made the initial sale; here, the applicant included this agreement as part of the initial sale, which is why there would be such a big bump in the first couple of years. He confirmed that the estimated fees from the initial sales would be $1.5 million.

Commissioner Suesser agreed that including more affordable housing beyond the six units did not make sense in that location. She asked whether the City had a plan to put that money into affordable housing to ensure that housing is constructed as soon as possible.

Mr. Glidden restated that this plan was not yet approved and would be presented to the City Council; however, Staff supports this plan for a number of reasons. He agreed that more than six affordable units would likely not be beneficial at this time. He added that these fees would allow more flexibility for the Housing Authority in how they could be used and stated that they are looking at some new programming. He explained that the bond money they have for housing is very restrictive, so they could not necessarily use that funding for something like a Deed Restriction Program. Fees-in-lieu typically has similar types of restriction. He stated that they are hopeful that they could utilize these funds for programs such as the Deed Restriction Program and Rental Assistance.

PENDING APPROVAL

Mr. Glidden stated that while the money from this agreement might not lead directly into the development of another home, it could lead to more deed restrictions of primary residences in the future.

Commissioner Suesser liked the flexibility of this fee and agreed that additional affordable housing did not belong on-site in this instance.

Chair Phillips asked the applicant to walk through the changes with regard to the retaining walls. Mr. Fiveash presented a graphic and explained that the only change is at the switchback. The applicant worked with the Park City Fire Marshall and the Chief Building Officer and initially felt this second access was not required. It was after the presentation on December 8, 2021, that they learned that the Wasatch County Fire Marshall wanted input into this plan.

They learned that the Wasatch County Fire Department has different equipment than the Park City Fire Department, and there was concern about blocking access out of the site from the two garage entrances. He stated that including the second access was not easy to accomplish because the elevation difference from Phase I to the road is 30 to 40 feet.

Mr. Fiveash lauded the design team for making this second access point work but noted that it added lineal feet to the driveway. He offered that they would like to limit this as much as possible to emergency access only, and have been working with Wasatch County Fire Department to see if they could potentially make this road more of a trail. The graphic for the Commission was drawn in the biggest form that it might need to be, but they would continue to negotiate with the Fire Department in hopes of reducing it as much as possible between now and construction.

He added that with the inclusion of the second access, they were required to increase their retainage to access Deer Hollow Road and get the slopes to work. It is that retainage that increased from the plan presented in December, but they will do their best to minimize it. Mr. Fiveash added that this added retaining wall would not be seen from the road, and only has an impact on the homeowners, so they would do their best to cover it with landscaping.

In response to an inquiry from Commissioner Suesser, Mr. Fiveash stated that the second access was part of the prior plan, although it was designed differently. The prior plan showed the road coming in along the ski run and then winding through the units.

Commissioner Hall asked about Wasatch County's request regarding parking. Ms. Ward explained that they have been collaborating with the Wasatch County Planning Department and the rest of the Wasatch County Development Review Team, and they brought up the parking requirement early on in the discussions; it was included in the December 8, 2021 Conditions of Approval that no parking be satisfied on-site. She mentioned public input regarding parking in unincorporated Wasatch County that is pending construction and would be built once an additional project is constructed at the base. She clarified that within the Park City side of the Deer Crest Development, all parking would be satisfied within the project.

Mr. Fiveash added that the Deer Crest Master Association also includes a requirement that there would be no parking on the roads inside the Master Association so that Condition of Approval was agreeable to the applicant.

Commissioner Hall sought clarification regarding the restaurant, which Mr. Fiveash confirmed would be closed to the general public.

PENDING APPROVAL

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

Commissioner Thimm commented that with the additional Conditions of Approval, he did not need any further information. He added that he spent some time reviewing the Parking Analysis and the Traffic Demand Management Plan and agreed with the proposals therein.

Chair Phillips requested guidance from Mr. Harrington on opening the public hearing for Agenda Item 6.C. Mr. Harrington suggested taking a motion on the Substantive Modification for the MPD and CUP first and then move to open the public hearing for Item 6. C. He noted that there might be a small presentation on Item 6. C.

MOTION: Commissioner Kenworthy moved to approve modifications to the Master Planned Development and Multi-Unit Dwelling Conditional Use Permit, according to the Findings of Fact, Conclusions of Law and Conditions of Approval outlined in the Draft Final Action Letter on Founders Place, attached to the Staff Report as Exhibit A. Commissioner Van Dine seconded the motion.

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

C. Founders Place (formerly Deer Hollow) Parcel 00-0021-01977 – Subdivision – The Applicant Proposes the Founders Place Subdivision to Create a 6.93-acre Lot 1, a 2.50-acre Lot 2, a 2.93-acre Lot 3, and an 18.88-acre Open Space Parcel for the Founders Place Development, a Ski-In Ski-Out Village in the Deer Crest Master Planned Development. PL-21-04914.

Ms. Ward reported that the above application involves the Subdivision and Condominium Plat for Phase I. The Subdivision would create three separate lots for the three separate Phases of the project. There would be a common wall crossing Lots 1 and 2, with the Open Space parcel. The Condominium Phase I would include four affordable employee-housing units as well as the amenity building for the site. This Phase has approximately 160,000 square feet with construction proposed to begin in the spring of 2022. Staff found good cause for the Subdivision based on the increased affordable housing contributions and reduced Site Disturbance, as explained earlier. Even with the slight changes to the site, the impacts were decreased in comparison to what was originally approved in 1995.

As part of this Subdivision, there would be a Party Wall Agreement that would be recorded at the time that the Condominium Plat is recorded for Phase II. A Phasing Plan would be submitted as part of the Development Agreement, which would then come back to the Planning Commission for ratification. She reported that Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation for City Council's consideration on January 27, 2022. She added that at the Planning Commission's request, they could include as a Condition of Approval in both ordinances a recommendation to preserve the possible future reconsideration of expanding public use of Deer Hollow Road.

Chair Phillips asked if not including the aforementioned Condition of Approval would preclude the future reconsideration regarding Deer Hollow Road. Mr. Harrington explained that the Commission was split on this issue during the last meeting, so Staff did not feel it was appropriate to suggest it as an affirmative Condition of Approval. An alternative could be to include it in the

PENDING APPROVAL

motion as a recommendation. He added that the scope would be intended to ask the City Council to consider working with the applicant on additional language in the final plat that would preclude the owner or subsequent Homeowners' Association from vetoing any subsequent re-opening or reconsideration of the settlement terms as they currently exist.

Mr. Harrington added that the current owner of this property has neither the ability nor legal rights to modify the existing Settlement Agreement; however, if such Agreement were ultimately made, this recommendation would ensure that a future Owner's Association or owner of this project could not have veto authority.

He opined that it made sense to ensure that no one party can veto or otherwise prevent a broader solution should that emergency access exemption get re-evaluated. Based on discussions with the applicant's attorney, he understood that the applicant would not have concerns.

Commissioner Thimm observed that the redlined language did not seem to include the provision regarding the non-veto language mentioned by Mr. Harrington. Mr. Harrington felt that he did not want it included without a majority consensus. He further stated that he was open to including the language he just referenced and the motion could reference conforming written language in a form approved by the City Attorney.

Commissioner Thimm suggested that if they could add that language, it would satisfy the concerns he expressed during the last meeting. Commissioner Suesser stated that she was in favor of adding that additional language. Commissioner Kenworthy and Chair Phillips also expressed their agreement.

The Applicant's Counsel, Thomas Bennett, was uncertain what the redline language had to do with the item before the Commission. He argued that the City Council has the right to reconsider any expanded public use of Deer Hollow Road at any time, and that right is not tied to this plat. He stated that if the intent is to simply make it clear that the owners of Founders Place would not have a veto right or a unilateral right to prohibit expanded public use of the road, he suggested just stating that instead. He had concerns that this language suggests that the Planning Commission was recommending that there be a reconsideration of expanding the public use of Deer Hollow Road and did not believe the Planning Commission went that far. Absent that kind of position by the Planning Commission, he could not see the purpose of including that language in the recommendation.

Commissioner Kenworthy stated that if the major stakeholders agreed that there need to be even the minor adjustments suggested, the individual developments along this corridor that are not present today should not get in the way. He felt that employee access and some of the other suggestions for use of Deer Hollow Road would be something that the major stakeholders might want to revisit in the future. They do not want Founders Place to go against that position. Mr. Bennett agreed that that was fair. He stressed that at the end of the day, they must remember that this is a private road that is owned and controlled by the Deer Crest Master Owners' Association. Founders Place simply has a vote in what actions the Master Association might take, and these issues are separate from the development of this project.

Commissioner Thimm commented that the Commission has weighed in on this issue. Mr. Fiveash added that it seemed like everyone was saying the same thing, and the applicant was agreeable with working with the Planning Department between now and January 27, 2022, to arrive at a Condition of Approval that these homeowners would not object to. He offered that

PENDING APPROVAL

trying to involve all of the stakeholders would be a long process; if Founders Place simply gets out of the way, then it could move forward. Commissioner Kenworthy stated that this was consistent with the agreement of the Commission. Chair Phillips agreed.

Commissioner Suesser clarified her understanding that there was a consensus among the Commission that it would recommend that the City Council meet with the other stakeholders to look at the potential expansion of the use of Deer Hollow Road. Chair Phillips disagreed and clarified that he was agreeable with adding this Condition with the veto language as discussed. He did not view this as a recommendation for the City Council to actively engage with the stakeholders at this point.

Mr. Harrington suggested that another option might be that in conjunction with further work with the City Council regarding affordable housing, the Planning Commission could suggest including both Deer Hollow Road and Twisted Branch Road as part of a broader transportation priority in a future joint meeting that would allow Commissioner discussion directly with the City Council. That would split the difference between getting the veto Condition through on this application and keeping the remainder of the discussion on the City Council's radar for future proactive discussions.

Commissioner Kenworthy liked that idea, and supported only including the veto language in the action on this item. Chair Phillips and Commissioners Thimm, Suesser, and Van Dine agreed.

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

Commissioner Suesser asked if the calculations were updated to reflect the new access road. Ms. Ward confirmed that the calculations were updated in the Ordinance.

MOTION: Commissioner Kenworthy moved to forward a positive recommendation to the City Council for its consideration on January 27, 2022, based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Founders Place Subdivision Ordinance:

Findings of Fact

1. Founders Place (formerly known as Deer Hollow and Slalom Village) is in the Deer Crest area east of Deer Valley Resort and west of HYW 40 along Deer Hollow Road, a private road accessed from Park City through the Queen Esther Gatehouse to the west or from HWY 40 through the Jordanelle Gatehouse to the east.

2. The Applicant proposes constructing 199,200 square feet for 78 residential units in four buildings, 5,400 square feet for six affordable employee units, 3,299 square feet of support commercial, 100,857 square feet of residential accessory uses, and 45,578 square feet for 123 underground parking spaces, five uncovered parking spaces, and parking circulation.

3. The area was originally within unincorporated Wasatch County and the proposed project started the land use review process with Wasatch County in the late 1980s.

PENDING APPROVAL

4. In 1989, the property owner applied for a Density Determination from Wasatch County to develop what was then called the Telemark Park Resort.

5. In 1991, the Wasatch County Commissioners approved the Density Determination.

6. However, due to the project's location in several jurisdictions, a lawsuit ensued regarding development and services.

7. In 1995, Park City Consolidated Mines Company, Trans-Wasatch Company, and Park City Municipal Corporation entered into the Telemark Settlement Agreement.

8. The 1995 Settlement Agreement ¶ 2.2 describes the location of the Deer Crest property, which straddles several jurisdictions: A portion of the Property lies within Park City city limits, and another portion of the Property lies within the annexation boundary of Park City. Of the approximately 678 acres, 524 acres lie within unincorporated Wasatch County, approximately 84 acres lie within unincorporated Summit County and approximately 70 acres lie within the Park City Municipal Corporation city limits.

9. The 1995 Settlement Agreement outlined the process and conditions for annexing portions of the Deer Crest property into Park City, as well as development parameters. The 1995 Settlement Agreement established the following regarding Founders Place within what was then identified as the Slalom Village development envelope:

    a. No more than 83 Multi-Unit Dwellings at 2,400 square feet per unit (totaling 199,200 square feet).

    b. 60% of the Multi-Unit Dwellings concentrated in a primary village structure.

    c. Four Single-Family Dwellings.

    d. A 20,000-square-foot ski academy.

    e. A ski chairlift located within a 1,100-foot radius of the primary village structure.

    f. Support commercial up to 5% of the gross square footage and appropriate amenities.

10. The 1995 Settlement Agreement required the property owners to amend the 1991 Wasatch County Density Determination. In 1996, the First Amended Density Determination was recorded with Wasatch County. The First Amended Density Determination increased the single-family dwellings from four to five and included 83 townhouse/cottages (units not to exceed 2,400 square feet, totaling 199,200 square feet).

PENDING APPROVAL

11. In 1997, the parties amended the 1995 Settlement Agreement, transferring the 20,000-square-foot ski academy to Telemark Park (also known as the Jordanelle Village Resort).

12. On December 17, 1998, the City Council approved Ordinance No. 98-53, annexing 253 acres of the Deer Crest property into Park City.

13. Also on December 17, 1998, the City Council approved Ordinance No. 98-51, amending the Zoning Map to include the Deer Crest annexation area.

14. Founders Place is in the Recreation Commercial within a Master Planned Development Zoning District.

15. On December 23, 1998, Deer Crest Associates I, LC recorded the Deer Hollow Village Subdivision at Deer Crest, creating five single-family lots pursuant to the Founders Place density allocation.

16. In 2021, the Applicant submitted Conditional Use Permit, Modification to a Master Planned Development, Subdivision, and Phase I Condominium Plat applications to construct the remaining Multi-Unit Dwelling density.

17. The Founders Place Subdivision creates a 6.93-acre Lot 1, a 2.50-acre Lot 2, a 2.93-acre Lot 3, and an 18.88-acre Open Space Parcel.

18. The Applicant proposes developing the project in three phases:

    a. Phase I: Buildings 1 and 2, amenity space, and the pool/ski deck.

        i. Housing unit count: 32
        ii. Gross square footage: 158,813
        iii. Construction start date: spring 2022

    b. Phase II: Building 3

        i. Housing unit count: 19
        ii. Gross square footage: 89,422
        iii. Construction start date: spring 2023

    c. Phase III: Building 4 and associated pedestrian bridge

        i. Housing unit count: 27
        ii. Gross square footage: 114,222
        iii. Construction Start Date: spring 2024

19. On October 19, 2021, the Park City Development Review Committee evaluated the project and did not identify issues or concerns.

20. On October 27, 2021, the Planning Commission conducted a work session on the project.

PENDING APPROVAL

21. On November 4, 2021, the Wasatch County Development Review Committee evaluated the project and provided input and recommended Conditions of Approval.

22. On November 10, 2021, the Planning Commission visited the site.

Conclusions of Law

1. There is Good Cause for the Founders Place Subdivision because the Founders Place proposal improves the development for the site compared to the 1995 Site plan and reduces the overall Site disturbance by decreasing the Limit of Disturbance by 40%, the driveway square footage by 53%, the gross building footprint square footage by 8%, the linear retaining wall square footage by 4%, and the exposed retaining wall face square footage by 34%. Additionally, the Applicant will provide affordable employee housing for 10% of the project.

2. The Founders Place Subdivision is consistent with the Land Management Code Chapter 15-2.16 Recreation Commercial Zoning District, Chapter 15-6 Master Planned Developments, and Chapters 15-7 Subdivisions.

3. Neither the public nor any person will be materially injured by the Founders Place Subdivision.

4. Approval of the Founders Place Subdivision, subject to the conditions below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. Approval of the Founders Place Subdivision is contingent upon Planning Commission approval of the Founders Place modifications to the Deer Crest Master Planned Development and the Founders Place Conditional Use Permit for Multi-Unit Dwellings.

2. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the Founders Place Subdivision Plat for compliance with State law, the Land Management Code, and the Conditions of Approval, prior to recordation of the plat.

3. The Applicant shall record the plat with Wasatch County within one year from the date of City Council approval. If recordation has not occurred within one year, this approval for the Subdivision will be void, unless a request for an extension is made in writing prior to the expiration date and extension is granted by the City Council.

4. The property is not located within the Park City Soil Ordinance Boundary and therefore is not regulated by the City for mine related impacts. However, if the property owner encounters mine waste or mine waste impacted soils the property owner must handle the material in accordance with state and federal law.

PENDING APPROVAL

5. The City Engineer review and approval of all lot grading, utility installations, public improvements, and drainage plans is required for compliance with City standards and is a condition precedent to building permit issuance.

6. The Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.

7. The Applicant shall coordinate with Park City and Wasatch County entities regarding public improvements as outlined in the Deer Crest Interlocal Agreement.

8. Within six months of the modification to the Master Planned Development approval, the Applicant shall submit a phasing plan as part of the Development Agreement in a form approved by the City Attorney's Office and Mayor.

9. The City Engineer shall review and approve the final Subdivision mylar prior to recordation with Wasatch County for compliance with Park City Design Standards, Construction Specifications, and Standard Drawings.

10. The Applicant shall work with the Engineering Department to address subsurface drainage and storm water drainage, prior to submitting a building permit.

11. Slope stability analysis completed by a geotechnical engineer prior to submitting a building permit, to be reviewed and approved by the Engineering Department.

12. The Applicant shall dedicate the four-foot soft-surfaced Pipeline and Village Trails for public use on the subdivision plat, as approved by the Trails & Open Space Manager and City Attorney's Office.

13. No Certificate of Occupancy shall be issued until Final Grading is completed and Lots are recovered with top soil an average depth of at least six inches, which shall contain no particles over two inches in diameter over the entire area of the Lot, except that portion covered by buildings or included in Streets, or where the Grade has not been changed or natural vegetation damaged.

14. All disturbed areas on Lots shall be covered with topsoil and re-vegetated at a minimum with seed sown at not less than four pounds to each one thousand square feet. In the spring, seed shall be sown between March 15 and May 15; in the fall, seed shall be sown between August 15 and September 30. The seed shall be a native grass seed mix approved by the City and shall have been tested for germination within one year of the date of seeding.

15. Interior and exterior fire sprinkler systems may be required of all projects based upon an analysis of the size of the Structures, vegetation surrounding the Structures, and location of the project as it relates to Fire District response time, to be determined with the Wasatch County Fire District.

16. No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left deposited on any Lot or

PENDING APPROVAL

road at the time of issuance of a Certificate of Occupancy and removal shall be required prior to issuance of any Certificate of Occupancy.

17. The Applicant shall submit a draft Founders Place Homeowner Association Declaration that includes the affordable housing obligations outlined in the approved Housing Mitigation Plan for review and approval by the Planning, Housing, and Legal Departments prior to submitting a subdivision mylar. The Declaration shall be approved, executed, and recorded simultaneously with the condominium plat.

18. The Applicant shall change the name of the Subdivision Plat during the redline process from Deer Hollow to Founders Place to reflect the renaming of the project prior to printing to final mylar.

and The Founders Place Phase I Condominium Plat as follows:

Findings of Fact

1. Founders Place (formerly known as Deer Hollow and Slalom Village) is in the Deer Crest area east of Deer Valley Resort and west of HYW 40 along Deer Hollow Road, a private road accessed from Park City through the Queen Esther Gatehouse to the west or from HWY 40 through the Jordanelle Gatehouse to the east.

2. The Applicant proposes constructing 199,200 square feet for 78 residential units in four buildings, 5,400 square feet for six affordable employee units, 3,299 square feet of support commercial, 100,857 square feet of residential accessory uses, and 45,578 square feet for 123 underground parking spaces, five uncovered parking spaces, and parking circulation.

3. The area was originally within unincorporated Wasatch County and the proposed project started the land use review process with Wasatch County in the late 1980s.

4. In 1989, the property owner applied for a Density Determination from Wasatch County to develop what was then called the Telemark Park Resort.

5. In 1991, the Wasatch County Commissioners approved the Density Determination.

6. However, due to the project's location in several jurisdictions, a lawsuit ensued regarding development and services.

7. In 1995, Park City Consolidated Mines Company, Trans-Wasatch Company, and Park City Municipal Corporation entered into the Telemark Settlement Agreement.

8. The 1995 Settlement Agreement ¶ 2.2 describes the location of the Deer Crest property, which straddles several jurisdictions: A portion of the Property lies within Park City city limits, and another portion of the Property lies within the annexation boundary of Park City. Of the approximately 678 acres, 524 acres lie within unincorporated Wasatch County, approximately 84 acres lie within unincorporated

PENDING APPROVAL

Summit County and approximately 70 acres lie within the Park City Municipal Corporation city limits.

9. The 1995 Settlement Agreement outlined the process and conditions for annexing portions of the Deer Crest property into Park City, as well as development parameters. The 1995 Settlement Agreement established the following regarding Founders Place within what was then identified as the Slalom Village development envelope:

   a. No more than 83 Multi-Unit Dwellings at 2,400 square feet per unit (totaling 199,200 square feet).

   b. 60% of the Multi-Unit Dwellings concentrated in a primary village structure.

   c. Four Single-Family Dwellings.

   d. A 20,000-square-foot ski academy.

   e. A ski chairlift located within a 1,100-foot radius of the primary village structure.

   f. Support commercial up to 5% of the gross square footage and appropriate amenities

10. The 1995 Settlement Agreement required the property owners to amend the 1991 Wasatch County Density Determination. In 1996, the First Amended Density Determination was recorded with Wasatch County. The First Amended Density Determination increased the single-family dwellings from four to five and included 83 townhouse/cottages (units not to exceed 2,400 square feet, totaling 199,200 square feet).

11. In 1997, the parties amended the 1995 Settlement Agreement, transferring the 20,000-square-foot ski academy to Telemark Park (also known as the Jordanelle Village Resort).

12. On December 17, 1998, the City Council approved Ordinance No. 98-53, annexing 253 acres of the Deer Crest property into Park City.

13. Also on December 17, 1998, the City Council approved Ordinance No. 98-51, amending the Zoning Map to include the Deer Crest annexation area.

14. Founders Place is in the Recreation Commercial within a Master Planned Development Zoning District.

15. On December 23, 1998, Deer Crest Associates I, LC recorded the Deer Hollow Village Subdivision at Deer Crest, creating five single-family lots pursuant to the Founders Place density allocation.

PENDING APPROVAL

16. In 2021, the Applicant submitted Conditional Use Permit, Modification to a Master Planned Development, Subdivision, and Phase I Condominium Plat applications to construct the remaining Multi-Unit Dwelling density.

17. The Founders Place Subdivision creates a 6.93-acre Lot 1, a 2.50-acre Lot 2, a 2.93-acre Lot 3, and an 18.88-acre Open Space Parcel.

18. The Applicant proposes developing the project in three phases:

    a. Phase I: Buildings 1 and 2, amenity space, and the pool/ski deck.

        i. Housing unit count: 32
        ii. Gross square footage: 158,813
        iii. Construction start date: spring 2022

    b. Phase II: Building 3

        i. Housing unit count: 19
        ii. Gross square footage: 89,422
        iii. Construction start date: spring 2023

    c. Phase III: Building 4 and associated pedestrian bridge

        i. Housing unit count: 27
        ii. Gross square footage: 114,222
        iii. Construction Start Date: spring 2024

19. On October 19, 2021, the Park City Development Review Committee evaluated the project and did not identify issues or concerns.

20. On October 27, 2021, the Planning Commission conducted a work session on the project.

21. On November 4, 2021, the Wasatch County Development Review Committee evaluated the project and provided input and recommended Conditions of Approval.

22. On November 10, 2021, the Planning Commission visited the site.

23. The Founders Place Phase I Condominium Plat includes 32 units, four affordable employee units, and associated Founders Place Homeowner Association owned and controlled amenities.

Conclusions of Law

1. There is Good Cause for the Founders Place Phase I Condominium Plat because the Applicant will provide four affordable employee housing units within the Condominium.

PENDING APPROVAL

2. The Founders Place Phase I Condominium is consistent with the Land Management Code Chapter 15-2.16 Recreation Commercial Zoning District, Chapter 15-6 Master Planned Developments, and Chapters 15-7 Subdivisions.

3. Neither the public nor any person will be materially injured by the Founders Place Phase I Condominium.

4. Approval of the Founders Place Phase I Condominium Plat, subject to the conditions below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. Approval of the Founders Place Phase I Condominium Plat is contingent upon Planning Commission approval of the Founders Place modifications to the Deer Crest Master Planned Development and the Founders Place Conditional Use Permit for Multi-Unit Dwellings.

2. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the Founders Place Phase I Condominium Plat for compliance with State law, the Land Management Code, and the Conditions of Approval, prior to recordation of the plat.

3. The Applicant shall record the Founders Place Phase I Condominium Plat with Wasatch County within one year from the date of City Council approval. If recordation has not occurred within one year, this approval for the Condominium Plat will be void, unless a request for an extension is made in writing prior to the expiration date and extension is granted by the City Council.

4. The property is not located within the Park City Soil Ordinance Boundary and therefore is not regulated by the City for mine related impacts. However, if the property owner encounters mine waste or mine waste impacted soils the property owner must handle the material in accordance with state and federal law.

5. The City Engineer review and approval of all lot grading, utility installations, public improvements, and drainage plans is required for compliance with City standards and is a condition precedent to building permit issuance.

6. The Site plans and Building design must resolve snow release issues to the satisfaction of the Chief Building Official.

7. The Applicant shall coordinate with Park City and Wasatch County entities regarding public improvements as outlined in the Deer Crest Interlocal Agreement.

8. Within six months of the modification to the Master Planned Development approval, the Applicant shall submit a phasing plan as part of the Development Agreement in a form approved by the City Attorney's Office and Mayor.

PENDING APPROVAL

9. The City Engineer shall review and approve the final Founders Place Phase I Condominium Plat mylar prior to recordation with Wasatch County for compliance with Park City Design Standards, Construction Specifications, and Standard Drawings.

10. The Applicant shall work with the Engineering Department to address subsurface drainage and storm water drainage, prior to submitting a building permit.

11. Slope stability analysis completed by a geotechnical engineer prior to submitting a building permit, to be reviewed and approved by the Engineering Department.

12. The Applicant shall dedicate the four-foot soft-surfaced Pipeline and Village Trails for public use on the subdivision plat, as approved by the Trails & Open Space Manager and City Attorney's Office.

13. No Certificate of Occupancy shall be issued until Final Grading is completed and Lots are recovered with top soil an average depth of at least six inches, which shall contain no particles over two inches in diameter over the entire area of the Lot, except that portion covered by buildings or included in Streets, or where the Grade has not been changed or natural vegetation damaged.

14. All disturbed areas on Lots shall be covered with topsoil and re-vegetated at a minimum with seed sown at not less than four pounds to each one thousand square feet. In the spring, seed shall be sown between March 15 and May 15; in the fall, seed shall be sown between August 15 and September 30. The seed shall be a native grass seed mix approved by the City and shall have been tested for germination within one year of the date of seeding.

15. Interior and exterior fire sprinkler systems may be required of all projects based upon an analysis of the size of the Structures, vegetation surrounding the Structures, and location of the project as it relates to Fire District response time, to be determined with the Wasatch County Fire District.

16. No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left deposited on any Lot or road at the time of issuance of a Certificate of Occupancy and removal shall be required prior to issuance of any Certificate of Occupancy.

17. Prior to submitting a condominium plat mylar for Phase II, the Applicant shall submit a party wall agreement for the shared wall between Lots 1 and 2 in a form approved by the City Attorney and Chief Building Official.

18. The on-site affordable housing obligations outlined in the approved Housing Mitigation Plan shall be satisfied prior to City issuance of a Certificate of Occupancy within each phase of the project.

19. The Applicant shall submit draft deed restrictions in compliance with the approved Housing Mitigation Plan for review and approval by the Planning, Housing, and Legal Departments prior to submitting a subdivision or condominium mylar. The

PENDING APPROVAL

deed restrictions shall be approved, executed, and recorded simultaneously with the condominium plat.

20. The Applicant shall submit a draft Founders Place Homeowner Association Declaration that includes the affordable housing obligations outlined in the approved Housing Mitigation Plan for review and approval by the Planning, Housing, and Legal Departments prior to submitting a condominium mylar. The Declaration shall be approved, executed, and recorded simultaneously with the condominium plat.

21. No Certificate of Occupancy for any market rate unit shall be issued by the City until the affordable employee units required for that phase of development are complete and deed restrictions, in a form approved by the City Attorney's Office, are recorded.

The motion was also to include the veto language presented by the City Attorney during this meeting. Commissioner Johnson seconded the motion.

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

7. ADJOURN

MOTION: Commissioner Thimm moved to adjourn.

The meeting adjourned at approximately 9:30 p.m.

PENDING APPROVAL

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject:	**2300 Deer Valley Drive East – St. Regis Deer Valley**
Application:	**PL-21-05095**
Author:	**Lillian Lederer, Planner I**
Date:	**February 9, 2022**
Type of Item:	**Modification to a Conditional Use Permit**

Recommendation

Staff recommends the Planning Commission conduct a public hearing for the proposed plan to modify an existing Conditional Use Permit to construct a temporary tent for more than 60 days, consider continuing a Modification to a Conditional Use Permit to February 23, 2022.

Background

The Applicant proposes to construct an indoor and outdoor deck, with a 40 foot by 40-foot snow-load tent covering, for additional outdoor seating during winter months. The tent will be built on The Grand Lawn at the St. Regis Deer Valley Hotel, and accessed via the Hotel and surrounding ski areas. The St. Regis Deer Valley Hotel is in the Recreation Commercial Zone of Park City, but resides in Wasatch County.

On March 9, 2011, the Planning Commission approved a Conditional Use Permit (CUP) for multiple temporary tent installations for the property (see Exhibit C). Under this CUP, the Applicant is allowed to install a temporary tent up to 15 times per year, with one tent being allowed to stay up for 60 days. Due to the time length for this proposal (exceeding 60 days), it does not meet the requirements of the tents under the existing CUP.

Therefore, per LMC § 15-4-16, the Planning Commission must approve this CUP Modification. The Applicant is proposing to include the additional tent for winter months (December 17th through April 17th) to be added to the existing CUP. The Applicant will be required to submit a building permit each year for the tent to make sure it complies with the Municipal Code of Park City (see Condition of Approval 10).

The Applicant is continuing to collect items for final submission, and therefore Planning Staff recommends a continuation of the item to February 23, 2022, for a complete analysis of the proposal.

Planning Commission Work Session Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: Deer Valley Snow Park Base Area Development
Project #: PL-21-04811
Author: Alexandra Ananth – Senior Planner
Date: February 9, 2022
Type of Item: Work Session – MPD Modification, CUP Phase 1

Recommendation

Hold a Work Session on the Snow Park Base Area project with a focus on the applicant's updated Transportation Analysis, proposed site circulation, and request for a reduction in the required number of parking stalls. This Staff Report attempts to address all transportation, circulation, and parking issues prior to a public hearing on the project. The applicant is hoping the Commission can identify and discuss any remaining transportation related issues that require further review or analysis prior to scheduling a public hearing.

See Exhibit A, for a summary of the project and additional background information including goals and objectives of the City's General Plan for the Lower Deer Valley Neighborhood.

Description

Applicant	Deer Valley Resort
Location	2250 Deer Valley Drive South
Parcels	PC-745-11 (Parking Lots); PC-745 (ponds); PC-900-4 (Snow Park Lodge Parel); PC-900-3 (Snow Park Lodge Parcel)
Zoning District	Residential Development (RD), within the Deer Valley Resort MPD (DV MPD)
Adjacent Land Uses	Residential, Resort, Open Space
Reason for Review	CUPs require Planning Commission review and approval

Abbreviations

Conditional Use Permits (CUP)
Deer Valley Resort (DVR)
Development Agreement (DA)
Land Management Code (LMC)
Master Planned Development (MPD)
Park City Municipal Corporation (PCMC)
Parking Management Plan (PMP)
Residential Development (RD)
Recreational Open Space (ROS)
Right-Of Way (ROW)

Transportation Analysis (TA)
Transportation Network Companies (TNCs)
Transportation Demand Management Plan (TDM)
Vehicle Miles Traveled (VMT)

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

Project Overview and Background Information

The Planning Commission held Work Sessions for this project on the following dates:

1. July 28, 2021 (Staff Report; Minutes p. 25-37)
2. August 25, 2021 (Staff Report; Minutes p. 2-13)
3. September 22, 2021 (Staff Report; Minutes p. 2-13)
4. October 27, 2021 (Staff Report; Minutes p. 9-15)
5. December 8, 3032 (Staff Report; Minutes p. 3-11)

See Exhibit A for additional background information including the City's goals for the site with respect to transportation.

Analysis

Since the December 8, 2021, Work Session the applicant submitted the following transportation related documents:

1. A Revised Transportation Analysis (TA) dated January 2022 including updated trip generation estimates for the Snow Park Village Traffic Impact Study
2. A revised parking analysis and request for a reduction to the number of LMC required Off-Street Parking stalls dated January 21, 2022 (Exhibit B)
3. Snow Park Transportation Demand Management Plan (TDM) dated January 2022 (Exhibit C)
4. Snow Park Parking Management Plan (PMP) dated January 21, 2022 (Exhibit D)
5. Snow Park Traffic and Transportation Access Exhibits dated January 21, 2022 (Exhibit E)
6. Snow Park Updated Snow Storage Exhibit dated January 21, 2022 (Exhibit F)
7. Snow Park Vehicle Control Gate Analysis dated January 21, 2022 (Exhibit G)

Planning staff finds that in general the proposed plan meets the City's transit first philosophy with increased public transit amenities, improved transportation level of service, and different mode accommodation. The applicant's proposal provides a dedicated bus lane to and from the resort and provides a new transit hub for up to six buses and can accommodate electric bus charging, bus driver amenities, and articulated buses in an Olympic event type situation. In addition to the dedicated bus lane, the applicant is proposing improvements to multi-use trails along the various roadway corridors to improve active transportation opportunities in the area.

However, the proposed circulation pattern increases the amount of day skier traffic on Deer Valley Drive East and the applicant is still working with the City to evaluate and mitigate this impact to the surrounding neighborhood.

To accommodate the circulation pattern as proposed, it is necessary to dedicate private property to the City and vacate public right-of-way to allow for the construction of these transportation elements and accommodate portions of their site plan (the applicant is proposing Doe Pass Road become a public right-of way and Deer Valley Drive West south of Royal Street become a gated private road).

LMC 15-7-7, Vacation, Alteration or Amendment of Plats, allows the City Council, pursuant to a petition and public hearing, to approve or amend changes to the ownership of right-of-way through a formal re-platting process. The proposed changes are a significant matter that will impact the traffic study assumptions and circulation pattern if not approved by the City Council, following public hearing and recommendation from the Planning Commission. Staff recommends the Planning Commission consider a joint work session with the City Council, possibly in March 2022 to discuss the proposes circulation and right-of way alterations.

The applicant would like to go into the March 2022 Council Work Session with the preliminary support of the Planning Commission for the proposed transportation and circulation pattern. ***At the Planning Commission's February 9, 2022, Work Session, the Commission should: 1) express concerns they have with the proposed transportation and circulation pattern prior to the Council scheduling a Work Session on the proposed roadway vacation; 2) whether the March meeting should be a joint work session with the Council; and 3) whether additional opportunities for public engagement and comment should be part of the preliminary Work Session discussion of the roadway vacation.***

Conversely, the Commission could recommend that the proposed plat go through the initial review and public hearing process before the Planning Commission, with a formal recommendation to City Council prior to the Council conducting a Work Session.

MPD Requirements Related to Transportation

In addition to compliance with the General Plan and the City's adopted Transportation Plans, LMC Sections 15-6-5(E),15-6-5(G)(5) and (G)(8) read as follows:

> 15-6-5(E) - The number of Off-Street Parking Spaces in each Master Planned Development shall not be less than the requirements of the Land Management Code, except that the Planning Commission may increase or decrease the required number of Off-Street Parking Spaces based upon a Parking analysis submitted by the Applicant at the time of Master Planned Development submittal. The Parking analysis shall contain, at a minimum, the following information:
>
> a) The proposed number of vehicles required by the occupants of the project based upon the proposed Use and occupancy.

b) A Parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy Parking.
c) Parking needs for non-dwelling Uses, including traffic attracted to Commercial Uses from Off-Site.
d) An analysis of time periods of Use for each of the Uses in the project and opportunities for shared parking by different Uses. This shall be considered only when there is Guarantee by Use covenant and deed restriction.
e) A plan to discourage the Use of motorized vehicles and encourage other forms of transportation.
f) Provisions for overflow Parking during peak periods.
g) An evaluation of potential adverse impacts of the proposed Parking reduction and Density increase, if any, upon the surrounding neighborhood and conditions of approval to mitigate such impacts.

15-6-5(G)(5) - Adequate internal vehicular, pedestrian, and bicycle circulation shall be provided. Pedestrian and bicycle circulations shall be separated from vehicular circulation and shall provide safe travel within the boundaries of the Master Planned Development and safe travel to adjoining public sidewalks, trails, and Rights-of-Way. Private internal Streets may be considered for Condominium projects if they meet the minimum emergency and safety requirements.

15-6-5(G)(8) - The Site plan for a Master Planned Development shall include transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.

MPD Required Findings Related to Transportation
In addition to the above noted MPD Requirements, the Planning Commission must make the following Findings, as related to Transportation, in order to approve an MPD.

The Master Planned Development, as conditioned:

15-6-6(J) - promotes the Use of non-vehicular forms of transportation through design and by providing trail connections;

15-6-6(P) - addresses and mitigates traffic.

Site Circulation
As described in earlier staff reports, the applicant is proposing significant changes to existing transportation and circulation patterns in the Lower Deer Valley neighborhood and is effectively creating two dead-end roads for general purpose traffic (although there will be an emergency vehicle connection across the ski beach and plaza). The applicant is proposing that Deer Valley Drive West will serve as the primary route for transit to the proposed Transit and Mobility Hub and will also provide access to Royal Street. Deer Valley Drive East would then serve as the primary vehicular access for all other vehicles looking for access to the general Deer Valley residential neighborhoods and the base area, including the proposed parking structure for day skier parking.

A bus only lane is proposed around the Deer Valley Drive loop with a new transit station located on Doe Pass Road. The bus-only lane will operate counter-clockwise, but buses would have the ability to operate clockwise in the general traffic lane. The bus-only lane will also serve to enhance emergency vehicle access.

Three traffic lanes fit within the existing roadway right-of-way but eliminate the ability for a separated bike lane. Due to the elimination of a separate bike lane ***the City is requiring a 10-12-foot-wide multi-use path for pedestrian and bicycle circulation around the Deer Valley Drive loop.***

The proposed change in circulation will be indicated with roadway signage prior to the Y-intersection. ***The applicant has submitted a preliminary wayfinding signage plan which will be finalized prior to the issuance of any building permits if this project is approved***. The proposed new circulation pattern would add approximately 673 vehicles to Deer Valley Drive East during the AM peak hour and approximately 479 vehicles to Deer Valley Drive East during the PM peak hour. While the roadway is designed to handle the proposed amount of vehicular traffic, mitigation for residents of the neighborhoods along Deer Valley Drive East, such as Solamere and Deer Crest, remains to be evaluated.

The City's Third-Party Transportation Engineer, WCG, reviewed the applicant's updated Transportation Analysis and other submittals and notes several concerns in their Technical Review Memorandum dated January 28, 2022 (Exhibit H), with the primary concerns being as follows:

1. ***WCG notes a few updates to the TA that need to me made;***
2. ***The TA does not analyze the internal intersections, garage accesses, drop off areas, etc.;***
3. ***The TA does not discuss measures to mitigate the impacts of increased traffic volume to adjacent neighborhoods along Deer Valley Drive East;***
4. ***Staff requests a plan showing the width of the multi-use path around the entire Deer Valley Drive loop.***
5. ***Staff requests a plan showing emergency vehicle access connecting Deer Valley Drive East and West across the plaza and ski beach area.***

The applicant expects to address these remaining issues prior to the February 9, 2022, Planning Commission Work Session.

Subject to the two plans requested above being submitted (4 & 5), staff expects to find that there is adequate internal vehicular, pedestrian, and bicycle circulation, and that pedestrian and bicycle circulation is separated from vehicular circulation on a 10-12-foot-wide multi-use path. 15-6-5(G)(5). If approved by City Council, a portion of Deer Valley Drive West will be vacated and become a private road and Doe Pass Road will be dedicated to the City.

The site plan includes a new transit station for up to six bus bays and accommodates both City buses and articulated buses for any future large-scale events. The site plan includes a drop off area for vans and shuttle service on Doe Pass Road as well as a general purpose drop off area at the end of Deer Valley Drive East in front of the Snow Park Lodge. 15-6-5(G)(8).

Parking

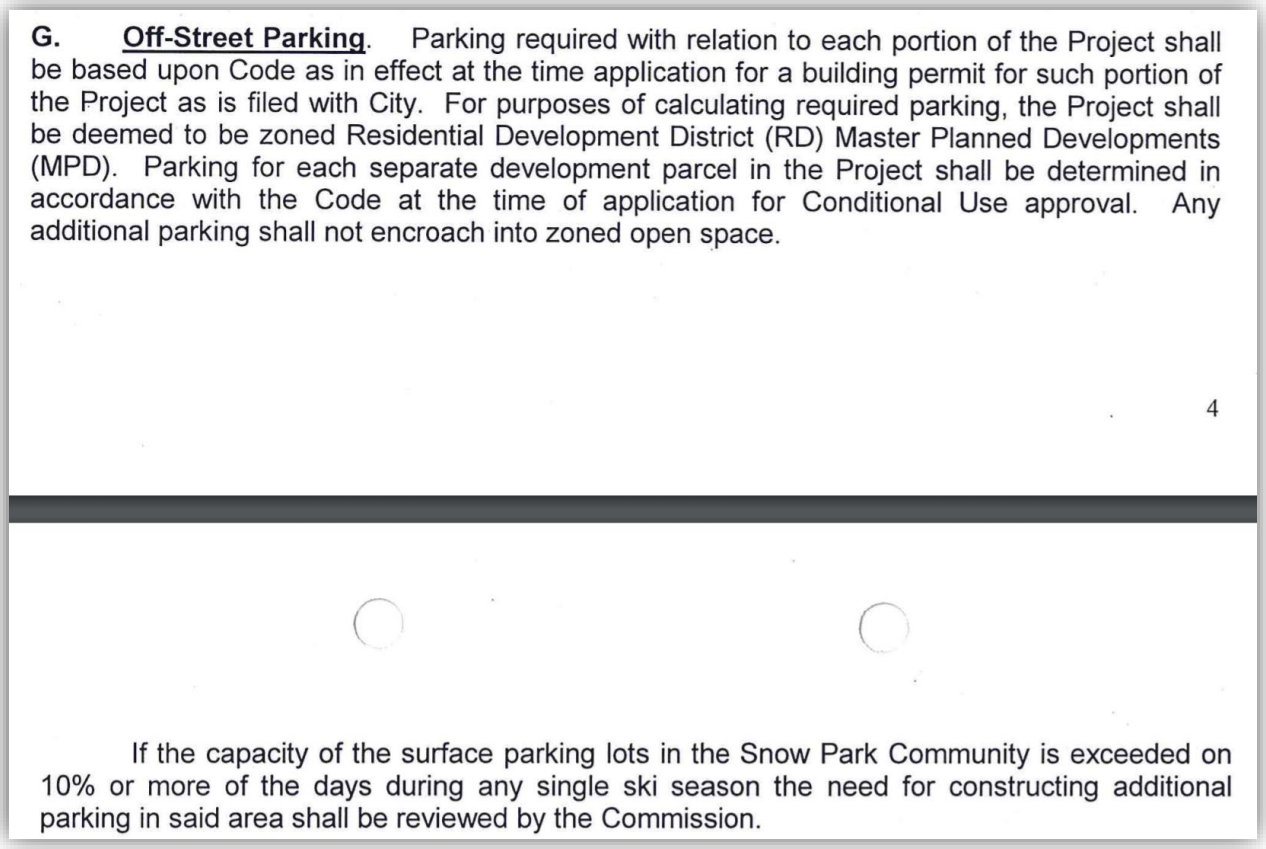
The applicant is proposing structured paid parking with variable pricing based on season and demand. A Parking Management Plan (PMP) was submitted and will be implemented including parking availability information for guests as they approach the development, as well as within the parking garage. ***The applicant has stated that they are willing to agree to a Condition of Approval to meet with the City bi-annually to ensure that the goals of the PMP and TA are realized, and that parking pricing incentivizes transit and carpooling.***

The proposed Phase 1 garage includes four levels of parking with each level having a prescribed function. Parking ingress will be managed level by level utilizing guest services staff and E-messaging. The primary entrance to the garage is from Deer Valley Drive East. There are no internal garage connections between levels, which allows each level to serve as an independent programmable parking resource. ***Staff has recommended the applicant connect at least some of the garage levels internally to reduce the number of entrance/exit interruptions to the active transportation infrastructure. The applicant has not made this accommodation because internal ramping necessitates the loss of some parking stalls.***

At the December work session staff expressed concerns that the garage entrances on Doe Pass Road may conflict with the Transit Station. The applicant has adjusted the location of the garage entrances to meet LMC requirements and decreased the number of lanes in and out of the garage along Doe Pass Road.

LMC Parking Requirements

Ski area parking is determined by parking, traffic, and transportation plans consistent with the LMC 15-4-18(B)(6). The approval of the original Special Exception Permit accepted the existing parking areas and provides as follows:



G. **Off-Street Parking**. Parking required with relation to each portion of the Project shall be based upon Code as in effect at the time application for a building permit for such portion of the Project as is filed with City. For purposes of calculating required parking, the Project shall be deemed to be zoned Residential Development District (RD) Master Planned Developments (MPD). Parking for each separate development parcel in the Project shall be determined in accordance with the Code at the time of application for Conditional Use approval. Any additional parking shall not encroach into zoned open space.

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If the capacity of the surface parking lots in the Snow Park Community is exceeded on 10% or more of the days during any single ski season the need for constructing additional parking in said area shall be reviewed by the Commission.

Staff recommends eliminating the need for on street overflow parking with the development of the Snow Park lots while at the same time promoting a modal shift from general purpose vehicles to transit and other forms of transportation.

The LMC required number of Off-Street Parking stalls for the proposed Snow Park mixed-use project is 762 parking stalls. If 1,500 day-skier parking stalls are added to this (1,340 existing parking stalls plus the amount of overflow parking) the total parking requirement is 2,262 stalls for the proposed uses including day-skier parking stalls.

The applicant proposes 1,810 stalls (including day-skiers) and is therefore, requesting a reduction of 452 Off-Street Parking stalls, which equates to a total parking reduction of 20%, including day skier parking. The applicant is justifying the requested reduction with paid parking, a TDM, a new Transit and Mobility Hub and shared parking for the proposed development and Resort day-skiers, as new commercial uses will be ancillary and in support of day skier visitors, as well as hotel and residential guests. Staff notes that the applicant's TA calculates that paid parking is estimated to reduce parking by up to 17% and that TDM measures, shared parking, and modal adjustments results in up to an additional 9% reduction in parking demand.

Snow Park Village Parking Table

Proposed Use	Parking Stalls Required	Reduction due to Shared, Paid, and other Measures	Proposed Total Parking	% Reduction
Event Center	251	50	201	20%
General Commercial	107	21	86	20%
Hotel	206	41	165	20%
Residential	198	40	158	20%
Subtotal	**762**	**152**	**610**	**20%**
Day Skier Parking ***(no LMC Requirement)***	1500 (existing plus overflow)	300	1,200	20%
Total	**2,262**	**452**	**1,810**	**20%**

MPD Parking Requirements Analysis (Exhibit B)

The Planning Commission may decrease the required number of Off-Street Parking Spaces based upon a Parking analysis submitted by the applicant at the time of Master Planned Development submittal. The Parking analysis shall contain, at a minimum, the following information:

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

As noted above, the proposed uses require 762 parking stalls plus day skier parking for which there is no LMC requirement. The applicant is proposing 610 parking stalls plus 1,200 day-skier stalls, and is thus requesting a parking reduction of 20%, or 452 parking stalls in total.

The applicant's submittal contends that the mitigation proposed will all serve to support the requested 20% parking reduction and that with mitigation the proposed Snow Park Village will have sufficient parking for the proposed uses and day skier parking demand. Mitigation proposed includes commercial uses that are ancillary, support skier guests, and do not create additional parking demand during peak ski hours on their own; a new transit and mobility hub and dedicated bus lane around Deer Valley Drive; shared use parking; a Transportation Demand Management and Parking Operations Plan; and the transition to paid parking.

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

The applicant uses Palisades Tahoe (formerly Squaw Valley) as a parking comparison, as well as parking occupancy from the Stein Erickson Lodge and Montage, and actual Deer Valley parking counts from the past several seasons. Their data appears to show that a significant percent of skiers do not arrive by private car, that vehicle occupancy

rates are high, and that the implementation of paid parking and collaboration with the City and transit agencies support the requested parking reduction.

c) Parking needs for non-dwelling Uses, including traffic attracted to Commercial Uses from Off-Site.

As mentioned above, the applicant believes that traffic attracted to the commercial uses will be from visitors who are already on-site as Resort guests and will create a very little net new parking demand, partially due to the implementation of paid parking.

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

The applicant states that an analysis of time periods of Uses for the proposed different uses is not applicable as the parking will be owned and managed by a single entity.

e) A plan to discourage the Use of motorized vehicles and encourage other forms of transportation.

The applicant is proposing a transit and mobility hub that will accommodate six buses and is proposing a transit only lane on both sections of Deer Valley Drive and Doe Pass Road from the Y-intersection to prioritize transit use. Transit will also be prioritized at the newly proposed signalized intersections. The applicant's TDM supports visitor and employee transportation options, and there is dedicated area for drop-off and for TNCs. Bike racks will be provided, and the applicant is proposing to maintain or improve the multi-purpose trails on both sides of Deer Valley Drive around the loop.

f) Provisions for overflow Parking during peak periods.

As noted earlier, the applicant intends to eliminate on-street parking on Deer Valley Drive during normal ski day operations with this application. Under existing operations, Deer Valley directs overflow parking demand to utilize parking lots at the Treasure Mountain Middle School. During the Covid impacted ski season of 2020-2021 the Resort used Treasure on five individual days and the maximum number of vehicles parked at the school was 92 vehicles. To date, the Resort has not utilized Treasure for the 2021-2022 ski season.

As the school may be redeveloped in the future, the Resort is working with the City to determine acceptable alternatives should the school no longer be available. So far Richardson Flats may be the best alternative location.

The Planning Commission should discuss what level of alternative proposal or conditions of approval the Planning Commission expects from the Resort regarding an alternative location and mitigation for overflow parking and transportation, should Deer Valley Resort no longer be able to utilize the middle school for overflow parking.

Should the Planning Commission choose to approve this project staff recommends a Condition of Approval that the Resort work with the City to determine an acceptable location and mitigation for overflow parking and transportation, consistent with the criteria used in the PEG project, should Deer Valley Resort no longer be able to utilize the middle school for overflow parking. Alternatively, the Resort could move all employee parking to Richardson Flats, like the PEG project.

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

As noted above, parking will no longer be allowed along Deer Valley Drive with the development of the Snow Park Village.

Based on the above and including staff recommended Conditions of Approval, the Planning Department is initially supportive of the applicant's submitted parking analysis demonstrating the requested 20% decrease to the required number of parking spaces. 15-6-5(E)(a-g)*.*

However, overflow parking and more information on employee parking must be discussed further with City staff.

Staff notes that a 20% parking reduction is consistent with other projects in the City including projects within the Flagstaff Development Agreement which requires a 25% parking reduction, and the recently approved Founders Place, which received a 20% parking reduction. Staff concurs that most commercial uses within the Snow Park development will be ancillary and will not create additional parking demand during peak ski hours. The proposed reduction in parking supply is also seen as a key strategy in incentivizing the use of transit, is supported by the proposed on-site mobility hub and the applicant's TDM and aligns with the City's Transit First philosophy. Parking at Snow Park will be managed, tracked, and communicated to visitors and the applicant's Transportation Analysis shows that the implementation of paid parking will increase carpooling and AVO and incentivize a modal shift to transit.

Applicant's Parking Management Plan (Exhibit D)
The proposed redevelopment of the Snow Park Base Area will change the parking experience in three significant ways:

- Parking will be in structures
- Paid Parking will be implemented with variable pricing based on season and demand
- Managed parking will include parking, pricing, and availability information to visitors as they approach the development and be aided by the Resorts customer service staff.

The proposed Phase 1 parking garage contains four levels and loading will be managed level by level with staff and electronic messaging. The applicant's Parking Management Plan notes that prominent wayfinding will direct day-skiers to use Deer Valley Drive

Ease to enter the garages while shuttle vehicles and transit will be directed to Deer Valley Drive West and Doe Pass Road.

Paid parking will be implemented and technology will be used to ensure that inbound traffic does not cause delays which could impact adjacent streets.

Parking information will be made available on Deer Valley's website and integrated into any platforms through which ski passes might be purchased. Parking communication may also be integrated into various phone and web apps operated by the Resort. Hotel and condominium uses will be expected to incentivize arrival options that do not require parking on-site.

Applicant's Transportation Demand Management Plan (Exhibit C)
The applicant's TDM describes the Resort's existing and proposed approaches to reduce the total number of vehicle trips at the Snow Park Village project. The goal of the applicant's TDM is to shift the travel behavior from single occupant vehicles to options other than driving alone, and to significantly reduce traffic during the peak AM and PM hours.

The applicant's TDM program includes approaches to reduce the total number of vehicle trips at the Snow Park Village project including:

1. A new Mobility Hub and Transit Station with easy access to the development and Resort
2. Coordination with PC Transit and HV Transit to ensure local and regional transit service is well coordinated
3. Bike racks at several locations
4. A TDM Plan that outlines policies and programs to support visitors and employee's transportation options
5. Areas dedicated to TNCs

The Resort notes that they will establish a TDM Coordinator as a central source of information. This coordinator will meet with Park City staff as part of their proposed monitoring program.

Deer Valley Resort provides many employees with housing in and around Park City and Heber which are served by public transit or private shuttles. In addition, Deer Valley provides subsidized Utah Transit Authority passes to employees. Deer Valley uses a mobile app to allow employees to organize ride sharing and the Resort offers incentives for not driving alone to work. The TDM states that the Resort will encourage all ski area businesses to further emphasize their transportation offerings that allow guests to rely less on private vehicles and more on shared mobility services.

Resort guests will receive real time traffic and information messaging which will help with efficient parking.

A new transit and mobility hub with six bus bays and a dedicated bus lane from the Y-intersection will incentivize increased transit use. Day lockers on site will also encourage transit use. A separate TNC area will help create efficient pickup and drop off.

Finally, bicycle parking meeting LMC requirements, a bike share station and bike repair stand will be located within the new Snow Park Village.

Staff is generally satisfied with the applicant's Parking Management Plan and TDM as well as the applicant's proposed monitoring program and agreement for ongoing collaboration including at least bi-annual meeting with PCMC staff to ensure that TDM and Parking Goals are met. Should this project be approved staff will draft Conditions of Approval to memorialize the PMP and TDM. Staff is generally satisfied that the implementation of paid parking, a bus only lane and new Transit and Mobility Hub, and the applicant's TDM promotes the Use of non-vehicular forms of transportation through design and by providing multi-use trail connections and addresses and mitigates traffic. 15-6-6(J) and (P)

However, staff believes that further discussion is needed related to overflow and employee parking.

Vehicle Control Gate

As noted earlier, the applicant has submitted a right-of-way vacation application requesting the City vacate a portion of Deer Valley Drive West, south of Royal Street. The applicant is proposing a portion of this road be made private and that a vehicle control gate would be installed to demarcate the section of roadway that would be private. The private portion of the road will include a service access to the proposed project, would provide access to the Trails End Condominium development, and would be accessible to emergency vehicle.

The Planning Commission may approve Vehicle Control Gates on private streets in the RD zoning district as a Conditional Use subject to LMC 15-4-19, Review Criteria for Vehicle Control Gates, and all applicable findings and review standards as required for a Conditional Use Permit are met. In addition, the Commission must find the following review criteria for Vehicle Control Gates are met:

A. The Applicants demonstrated a need for a Vehicle control Gate to effectively control an ongoing health, safety, and welfare situation or in unique circumstances, to mitigate traffic, parking congestion, or through traffic on Streets within a neighborhood.

The intent of the proposed gate is to limit vehicular access and potential drop-offs on the western side of the plaza and ski beach area. The gate will also protect the transit-first priority on Deer Valley Drive West and encourage skiers and Resort guests to utilize Deer Valley Drive East which provides garage access and skier drop off areas.

B. The private Street is a cul-de-sac and not a through Street. The proposed Vehicle Control Gate does not impact traffic circulation through the neighborhood.

If the right-of-way vacation is approved by Council later this spring that will create a private street. The Trails End Condominium is in support of the proposed change to a private road and Vehicle Control Gate.

C. The private Street serves primarily single family or duplex residences with individual or shared driveways.

The private street, if approved, will serve the Trails End at Deer Valley and the Pine Inn, which is a condominium project with one shared driveway on Deer Valley Drive West. It will also serve one service driveway into the proposed project.

D. There is a major traffic or parking generator or Use, such as the ski area base at lower and upper Deer Valley Resort and Park City Mountain Resort, within a nine hundred foot (900') walking distance of the private Street entrance and there is evidence of spill over parking or other vehicular activity on a regular basis throughout the season.

The proposed Vehicle Control Gate is a proactive measure to address likely traffic, parking or other vehicular activity including skier drop-off that may occur if not implemented.

E. The Vehicle Control Gate is located outside of the City Right-of-Way and maintains all Setbacks of the zone.

If City Council approved the proposed vacation the Gate will be located outside of City right-of-way and will meet all RD-MPD setbacks.

F. The Vehicle Control Gate does not impact existing utility easements.

It does not appear that the proposed Gate will impact any utility infrastructure.

G. The Vehicle Control Gate is designed to permit unimpeded pedestrian, bicycle and equestrian Access through the neighborhood and to existing public trails and walkways. A minimum gap of four feet (4') shall be allowed for these non-vehicular Uses.

The proposed Gate does not impede pedestrian, bicycle, or other active transportation access through the neighborhood and the minimum gap is provided.

H. The Vehicle Control Gate is designed to be minimal in height, scale, and mass to accomplish the goal of preventing unauthorized vehicle traffic, parking, and/or other impacts on the neighborhood. There shall be a minimum bottom clearance

of two feet (2') from the bottom of the gate rail to the road surface. A diagonal structural support may cross through the two foot (2') opening to provide additional structural strength for the cantilevered gate (see illustration) and keep the overall gate mass to a minimum. The gate shall be no more than thirty-six inches (36") in height from the bottom rail to the top rail, although allowance may be made for decorative elements. Design and materials shall result in a visually open gate. Any walls associated with the entry gate shall be pedestrian in scale and shall generally not exceed a height of five feet (5'). Column elements may be added for architectural interest, but these column elements shall not exceed a height of nine feet (9').

Complies.

I. The method of Access for emergency, service, and delivery vehicles shall meet all requirements of the Planning, Engineering, and Building Departments and the Fire Marshall prior to issuance of a Building Permit for the gate construction.

A sound operation system will open the gate automatically if a siren is detected. A traditional knock box with a universal key for all emergency providers will serve as a backup system or for nonemergency situations. Service and Delivery vehicles, as well as Trails End residents will be provided with a remote pass and will also have a traditional keypad passcode.

J. Vehicle Control Gates on private Streets are not permitted in all zones. Gates on private Streets are allowed as a Conditional Use in the following Zoning Districts: ROS, E-40, E, and RD.

The proposed Gate is located in the RD zone and is allowed as a Conditional Use subject to the applicable review criteria.

K. Any signs associated with the gate and/or walls are subject to the Park City Sign Code and require a separate sign permit.

Any signage will comply with the City Sign Code in effect at the time of building permit and will be reviewed by the Planning, Engineering, and Building Departments and the Fire District.

L. A Vehicle Control Gate management plan shall be submitted for Planning Commission approval to address times and situations when the gate will be closed. Applicants shall agree to leave the gate open at all times, except as specified in the approved management plan.

The applicant is proposing that the Gate will be closed at all times to prevent non-resident vehicle access and limit Resort guest drop-off. Access will be allowed with a remote keycard or passcode for residents, service and delivery vehicles and emergency vehicles only.

The Planning Department finds the proposed Vehicle Control Gate, if allowed by the Planning Commission meets all relevant criteria. The Planning Department recommends Conditions of Approval that 1) the Vehicle Control Gate only be allowed if both the right-of-way vacation is approved by City Council and the proposed MPD Modification and CUP for Phase 1 is approved by the Planning Commission; 2) The Gate shall meet all Vehicle Control Gate requirements and 3) a final signage plan shall be reviewed by the Planning, Building, and Engineering Departments and Fire District prior to the issuance of any building permits.

Summary

At the Planning Commission's February 9, 2022, Work Session, the Commission should: 1) express concerns they have with the proposed transportation and circulation pattern prior to the Council scheduling a Work Session on the proposed roadway vacation; 2) whether the March meeting should be a joint work session with the Council; and 3) whether additional opportunities for public engagement and comment should be part of the preliminary Work Session discussion of the roadway vacation.

Conversely, the Commission could recommend that the proposed plat go through the initial review and public hearing process before the Planning Commission, with a formal recommendation to City Council prior to the Council conducting a Work Session.

The Planning Commission should also discuss what level of alternative proposal or conditions of approval the Planning Commission expects from the Resort regarding an alternative location and mitigation for overflow parking and transportation, should Deer Valley Resort no longer be able to utilize the middle school for overflow parking.

The applicant should be prepared to address the five issues raised by WCG and staff on page 5 of this Staff Report and submit information for final review as necessary.

Exhibits

Exhibit A – Project Overview and Background Information
Exhibit B – Applicant's Parking Analysis
Exhibit C – Applicant's Transportation Demand Management Plan
Exhibit D – Applicant's Parking Management Plan
Exhibit E – Applicant's Traffic and Transportation Access Exhibits
Exhibit F – Applicant's Snow Storage Exhibit
Exhibit G – Applicant's Vehicle Control Gate Analysis
Exhibit H – WCG's Updated Transportation Review Summary
Exhibit I – Public Input

Link to Applicant's Updated Transportation Analysis

Exhibit A

Project Overview and Background Information

On April 13, 2021, Deer Valley Resort (DVR) submitted a Conditional Use Permit (CUP) application for the expansion and redevelopment of the Snow Park Base Area. The CUP application is for Phase 1 of a proposed 3 phase redevelopment plan for the Snow Park base area and surface parking lots. Specifically, the 3 phases include:

- Phase 1: Overall Site Plan, South Parcel Parking Structure, and a proposed Transit and Mobility Hub (current CUP application). The proposal includes redirecting traffic and prioritizing transit on Deer Valley Drive, separating transit from general-purpose vehicles, as well as relocating the arrival and departure experience for parking and drop-off. The applicant is also proposing the City vacate a significant portion of Deer Valley Drive West Right-Of-Way for the project, and the applicant would dedicate a new 60-foot Right-Of-Way to the City for Doe Pass Road. The new garage includes day skier parking and parking for future hotel, residential and commercial uses on four levels.
- Phase 2: South Parcel Residential and Commercial Development (future CUP for development on top of the Phase 1 South Parcel Parking Structure including hotel and residential lodging, retail, dining, and entertainment uses). Also proposed is an addition to Snow Park Lodge.
- Phase 3: North Parcel Parking Structure with Residential and Commercial Development (future CUP).

The applicant has stated that they do not anticipate seeking additional density beyond what is allocated to the Snow Park Parcels in the Twelfth Amended and Restated Large Scape Master Planned Development Permit (MPD), which is 209.75 Residential Unit Equivalents, and approximately 22,000 square feet of Commercial and Support Commercial Uses. The application requests a reduction in the number of required Off-Street Parking stalls per the LMC. The entire development triggers the requirement of 2,262 parking spaces and 227 bicycle parking spaces. Deer Valley Resort is seeking a reduction to 1,800 parking spaces, a total parking reduction of ~20%.

Governing Documents

The following documents govern the Deer Valley Snow Park Base Area:

1. 1977 Special Exception Permit, amended multiple times;
2. Deer Valley Twelfth Amended and Restated Large Scale MPD Permit (MPD/DA) dated November 30, 2016. ***Currently in place****;*
3. Park City's Land Management Code (LMC);
4. Park City's current Affordable Housing Resolution 25-2020;
5. Park City's 2014 General Plan including the Lower Deer Valley Neighborhood;
6. Park City's Adopted Transportation Plans, as prioritized by the

Park City Vision 2020 and the five Strategic Pillars.

Background

Deer Valley Resort (previously known as Royal Street Land Company) was originally issued a Special Exception Permit in 1977, which has since been amended twelve times. The Deer Valley MPD authorizes Densities for the nine multi-unit parcels that surround the base area, the 2,110 residential units within the MPD, and the Snow Park Village Parcel which currently consist of surface parking lots.

The Snow Park Village parcel is 14.93 acres and is zoned RD-MPD. The Snow Park Village Parcel is currently authorized for 209.75 Unit Equivalents, although this has changed over time.

History of the Resort
Deer Valley Resort opened in December 1981, with five chairlifts, 35 ski runs on Bald Eagle and Bald Mountain, and two day lodges, Snow Park and Silver Lake. Over the years the mountain has expanded to 21 chairlifts including one gondola and 103 ski runs, three-day lodges, and over 2,800 staff members.

Deer Valley takes pride in the concept of providing an overall high-quality and customer-service-oriented resort experience. Deer Valley now includes summer activities including lift-served mountain biking and hiking, scenic chair lift rides, and summer adventure camps for children. The Snow Park Outdoor amphitheater offers regular community concerts.

No formal site plan has been established or approved for the Snow Park Village development site. Density is assigned on a parcel-by-parcel basis in the MPD.

Requirements of the Current DV MPD
The MPD notes that for projects within the DV MPD, the density limitations of the Sensitive Area Overlay Zone do not apply because Master Planned Developments approved prior to the adoption of the Sensitive Area Overlay Zone are vested in terms of density. Limits of disturbance, vegetation protection, and building design standards apply.

Required Off-Street Parking for each parcel or portion of the MPD is based on the City's Land Management Code in effect at the time of application for a building permit for the respective portion of the project. Parking may not encroach into zoned open space.

Exhibit 2 of the MPD lists commercial and support space allotted to the project. Support Commercial shall be permitted and used as defines in the Code as amended at the time of application.

The MPD's affordable housing requirements and current status are under review by Housing staff and will be presented in a subsequent report.

The applicant must submit updated technical reports with regard to traffic monitoring, water systems, and sewer systems for review by the Commission as needed for specific project review.

Pedestrian and bicycle paths are required and the Deer Valley Trails Master Plan must be updated as necessary. Paths and Trails shall tie into the bus system that serves Deer Valley and shall form a year-round system. With the exception of the parcels identified in Exhibits 1 and 2, all remaining property is designated “landscaped open space”.

The MPD acknowledges that the applicant shall be obligated to construct and convey to the City any water storage, pumping, and transmission lines necessary to store and transmit culinary water, irrigation water, and water for fire flows to all the buildings as required by the City.

The MPD permits 209.75 Authorized Unit Equivalents of Density to the Snow Park Village Parcel, subject to the Conditional Use Review, and notes that the permittee shall file a completed application form supported by the information set forth in Section 15-6 of the City’s LMC. Parking is also based on the Code in effect at the time of application.

As noted earlier, there is no approved site plan associated with the Snow Park development parcels other than when the Deer Valley Sixth Amended and Restated Large Scale MPD was approved subject to the rezone of the north 1.48 acres of the Sports Facility Parcel from RD-MPD to ROS, which effectively created a pool of Commercial Density for designated parcels and resulted in the change from Figure 2 below to Figure 1 below.

Figure 1: Snow Park Hotel Parcel after the 1991 Zone Change.

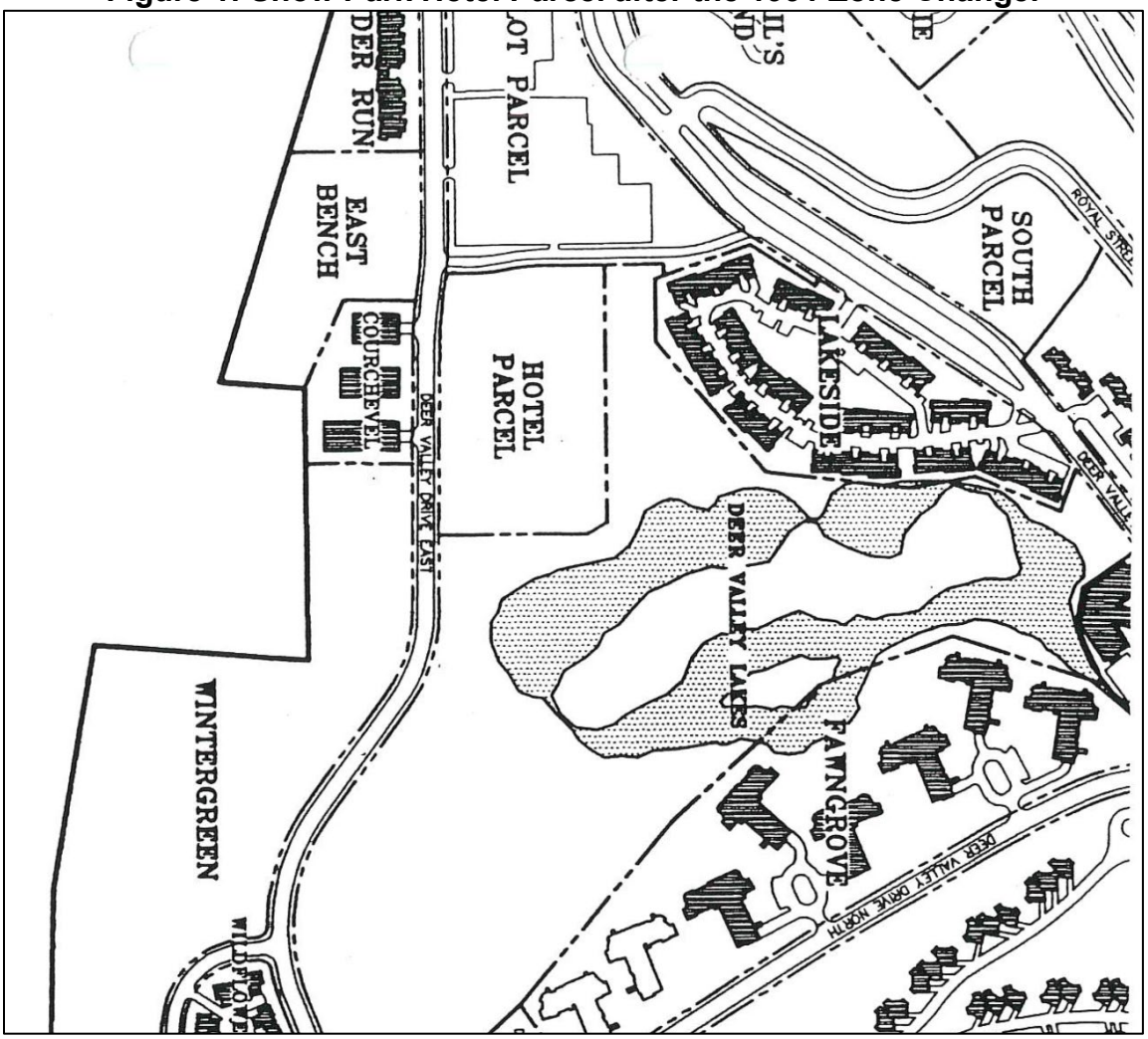
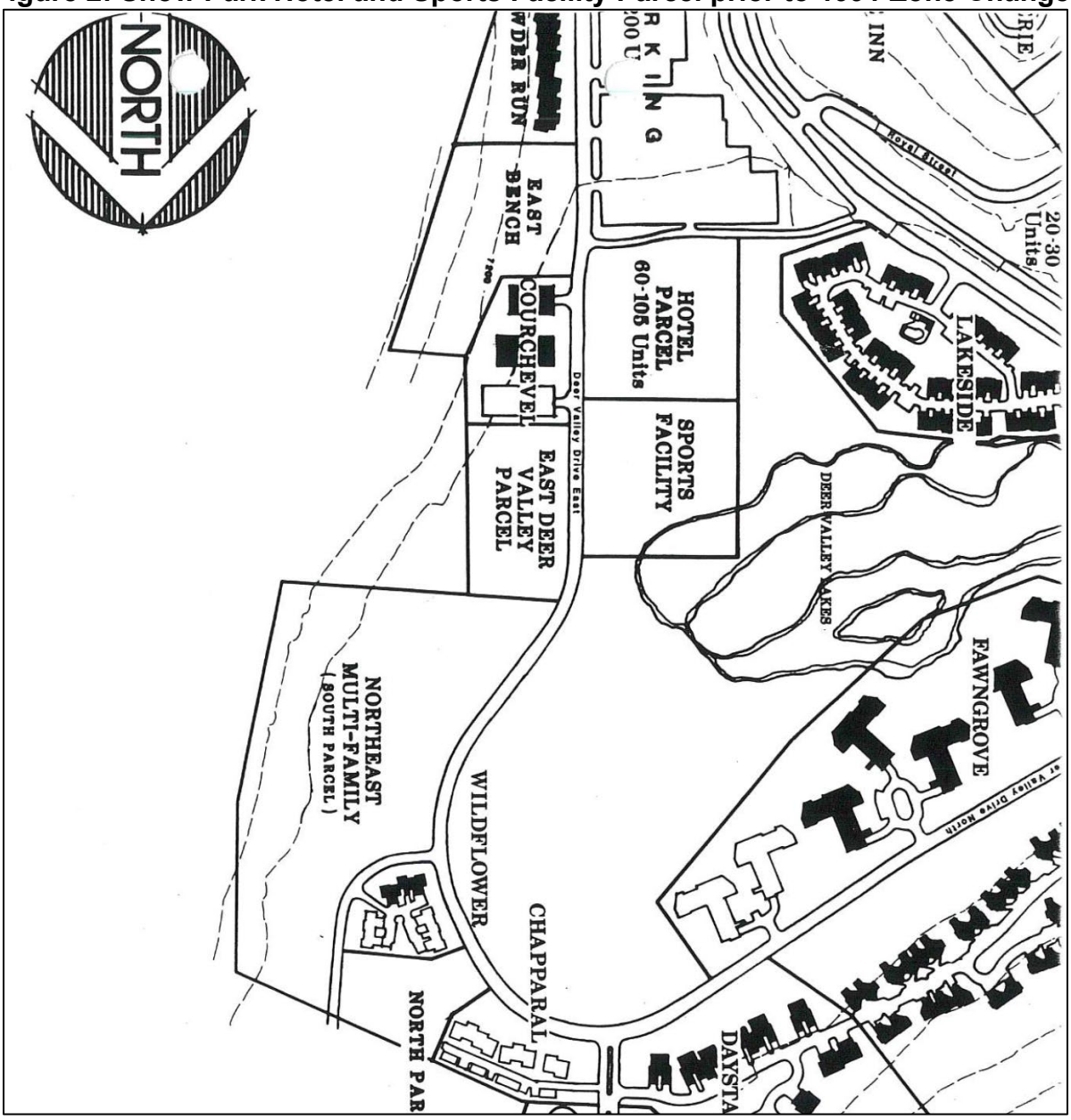


Figure 2: Snow Park Hotel and Sports Facility Parcel prior to 1991 Zone Change.



This Zone Change was approved by the City Council on February 7, 1991.

The Planning Department notes that the expansion of the Snow Park Lodge, which is located on two separate parcels across Deer Valley Drive South from the parking lot parcels, is also proposed as part of this project.

Park City's General Plan for the Lower Deer Valley Neighborhood
The Lower Deer Valley neighborhood is dominated by nine large multi-family condominiums authorized by the DV MPD for 383.5 Dwelling Units. Single-family homes exist along the northern edge in subdivisions including Solamere, Morning Star, the Oaks, and Hidden Meadows. Many of these residential units are second homes,

although this is changing as more homeowners have begun living full-time in their second homes during the Covid-19 pandemic. Nightly rentals are allowed by most HOAs.

Park City's General Plan for the Lower Deer Valley Neighborhood notes that future planning should be directed towards maintaining the world-class resort experience and that the arrival experience should be preserved.

The development of the Snow Park Parking Lots will be a tremendous impact on the character of the Lower Deer Valley neighborhood and it is noted in the General Plan that "the opportunity exists for a true 'village' base area to be built that is complementary to the surrounding multifamily condominiums set around the periphery of the parking lots... compatibility, view corridors circulation and connectivity is a priority for the future design….[a]nd that development "could add to the Apres Ski experience of dining and shopping, while providing an opportunity to divert load out traffic at the end of the ski day. This may also provide Lower Deer Valley residents increased local amenities that improve walkability and the visitor experience." [General Plan p. 239]

The Lower Deer Valley area hosts major events at the resort such as the Freestyle Championships, mountain bike races, and concerts, which support the Resort and Hospitality industries of Park City.

The General Plan notes that other issues critical to Deer Valley's continued success include:

1. Improved traffic flow and emergency egress to US-40 including priority given to alternative modes of transportation;

2. Housing opportunities for all;

3. World-class hiking and biking trails connecting Deer Valley to the rest of Park City. Gondola transportation should also be explored as a means of decreasing Vehicle Miles Traveled (VMT).

At the October 27, 2021, Planning Commission Work Session staff introduced the City's Third-Party Transportation Engineer, Wall Consulting Group (WCG) including Gary Horton, Project Manager, and Jeremy Searle, PE, PTOE, who are assisting City staff with the transportation analysis.

Staff discussed the City's larger transportation goals informed by the General Plan for the Lower Deer Valley Neighborhood and the City's adopted Transportation Plans including the City's Modal Hierarchy for Decision Making, Transit First philosophy, and priority for alternative modes of transportation to encourage greater use of public and active transportation and less dependency on personal automobiles. These goals are also part of the MPD requirements outlined in Land Management Code (LMC) Sections

15-6-5(G)(5) and 15-6-5(G)(8), which address separated pedestrian and bike circulation as well as enhanced transit amenities.

The City's goals for the site with respect to transportation include:

1. Prioritizing and incentivizing transit with dedicated bus lanes between the Y-intersection and the Resort; (15-6-5(G)(8))
2. Prioritizing safe pedestrian and bike access and connectivity to and around the site, including the popular "Deer Valley Loop;" (15-6-5(G)(5))
3. Right sizing parking and using paid parking as a tool to support this strategy; (15-6-5(E))
4. An actionable Transportation Demand Management program for the Resort that prioritizes transit and ensures a modal shift is achieved and annually reviewed; (City's Adopted Transportation Demand Management Plan) and
5. Adequate mitigation for increased traffic on Deer Valley Drive East. (15-6-6(P))

Since the October Work Session City Staff and Deer Valley representatives have met on five occasions (November 3, 11, and 18, December 16, and January 13) to work towards an agreement on the best transportation and circulation scenario for the site that meets both the City's and the applicant's goals. This resulted in the applicant presenting a "Transit Loop" to the City that provides a one-way dedicated bus-only lane in a counterclockwise loop from the Y-intersection on Deer Valley Drive West to Doe Pass Road, and around Deer Valley Drive East back to the Y-intersection. This alternative also includes a 12-foot-wide separated multi-use path (for pedestrians and bicyclists) along portions of the same loop. The proposed Transit Loop was shared with the Planning Commission at the December 8, 2021, Work Session.

FEHR PEERS

MEMORANDUM

Date: January 21, 2022

To: Rich Wagner, Deer Valley

From: Fehr & Peers

Subject: Snow Park Village MPD Parking Analysis per LMC 15-6-5(E)

UT20-2245

As required by Park City Land Management Code 15-6-5(E), the following parking analysis provides support of the Snow Park Village MPD application. This memorandum provides a point-by-point analysis of the applicable requirements identified in Land Management Code 15-6-5(E)(a-g).

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

The proposed parking structure provides off-street parking for uses within the Snow Park development. Most commercial uses within the Snow Park development will be ancillary uses that are in support of day skier visitors. Additional uses are proposed as part of the project include hotel and residential. The proposed number of off-street parking stalls provided is reduced from what is required by LMC 15-3 based on demand reductions due to an aggressive transit component of the project and the complementary commercial components, supported by a shared use parking analysis, as shown in **Table 1.**

Table 1: Snow Park Village Proposed Parking Supply and Required Rates

Proposed Use	Parking Required	Reduction Due to Shared, Paid, and Other Measures	Proposed Total Parking
Deer Valley Resort	1,500	300	1,200
Event Center	251	50	201
General Commercial	107	21	86
Hotel	206	41	165
Residential	198	40	158
Subtotal	**2,262**	**452**	**1,810**
Total			***1,810***

Source: Deer Valley, Park City Municipal Corporation, Fehr & Peers.

The transit component includes a multi-modal mobility hub, and a Transportation Demand Management (TDM) Plan based in large part on the already-approved Park City Transportation Demand Management Plan (2016) and existing TDM operations administered by Deer Valley. The proposed reduction in parking supply is seen as a key strategy in incentivizing the use of non-SOV modes in traveling to and from Deer Valley. This aligns with the City's *Transit First* policy and is further supported by the proposed on-site mobility hub.

The mix of land uses is intended to complement each other and provide support to the primary ski and summer resort use. The proposed uses will share patrons, and hence parking; the uses provide a comprehensive suite of services to visitors. It is anticipated that a ski visitor will park for their ski day and will likely patronize the commercial uses within Snow Park throughout their ski day. It is highly unlikely during the ski season that a visitor will arrive at the Snow Park development solely to patronize one of the commercial uses. The parking at Snow Park will be comprehensively managed, meaning parking availability by structure level will be tracked and communicated to all visitors, and includes the implementation of a paid parking program to further manage demand and incentivize mode shift.

b. A parking comparison of projects of similar size with similar occupancy type to verify the demand for occupancy parking.

Among ski resorts in the United States, Snow Park is genuinely unique in that it is located within Park City, that is a 40-minute drive from a major metropolitan area and international airport. Within Park City, Deer Valley is located on a large loop roadway about one mile from the denser Old Town area.

Almost all ski resorts are much further from major metropolitan areas (and international airports) which limit the number of "day trippers" that frequent those resorts. Because of this, there are very few, if any, peer ski resort developments to which Snow Park can be compared.

Other ski areas in Park City, namely Park City Mountain Resort and the Canyons, are good comparable destinations. However, given that both are owned by a different resort entity, and the closely guarded nature of parking data for such resorts, using either as a reference is infeasible for the purposes of validating proposed parking supply at Snow Park.

The concept of a resort or entertainment development with supporting commercial uses can be found in many environments, including sports arenas and upscale malls. While we acknowledge that Snow Park is not in an urban environment, and is not a sports arena or upscale mall, many

studies have been published that identify demand in developments that have an anchor use (Deer Valley Resort) with support uses (support commercial and hotel/residential uses). We believe that the behavioral parallels of the end users can be extrapolated from these types of studies in addition to our own experience in resort management and that of our hotel partners. Based on this research and our experience, we have drawn the following conclusions for parking comparisons and demand for parking.

Skier Uses: One of the few similar areas for which there is access to data is Palisades Tahoe (PT) (formerly known as Squaw Valley) in the Lake Tahoe area of California. Transportation-related surveys (Winter 2011) of skiers at that area show some similarities.

- Of those arriving from outside the Palisades Tahoe area, 82% arrived by car;
- Of those, 5% were dropped off. The balance parked (note – this data was collected prior to widespread use of Uber/Lyft services);
- Average Vehicle Occupancy was 3.1 persons per car;
- Of all skiers, 18% started and ended their day at Squaw.

While not a "like-for-like" comparison, these survey results demonstrate close to 20% of all skiers did not arrive by private car. Also, skier vehicle occupancy is higher than typical commute trips, meaning required parking rates likely overstate the need. Last, a well-planned resort base with a variety of guest amenities demonstrates that many skiers do not need a car, and therefore not a parking spot.

To better inform local parking demand, Deer Valley has recorded daily parking counts over the past several seasons to identify average, median, and 85th percentile parking demand as shown below in **Table 2**. Note that parking data for the 2017-2018 ski season was not available for the purposes of this analysis.

Table 2: Historic Parking Demand at Deer Valley Snow Park Base Area

Ski Season	Season-Long Total Vehicles Parked	Daily Average Vehicles Parked	Daily Median Vehicles Parked	Daily 85th Percentile Vehicles Parked
2015-2016	97,003	836	842	1,124
2016-2017	98,174	892	891	1,220
2018-2019	105,033	982	1,039	1,295
2019-2020	96,551	1,038	1,074	1,343
Average	**101,042**	**940**	**940**	**1,246**

Source: Deer Valley

85th percentile parking demand is presented here to not substantially overstate the need for parking at Snow Park. Providing parking based on maximum demand often leads to an over-provision of parking, which is seen as one strategy through which the built environment can induce demand for driving. Relying instead on 85th percentile demand excludes outliers at the higher end of recorded parking demand while still capturing a relatively conservative level of parking demand.

The proposed day-skier parking supply of 1,200 stalls will require that Deer Valley work with Park City to support non-single occupancy vehicle trips to and from Snow Park through the implementation of paid parking, continuation of its Transportation Demand Management plan, and collaboration with transit agencies to incentivize transit use.

Residential and Hotel Uses: Data collected from two nearby hotels (containing both hotel units and residential units) support the occupancy type and demand specifically for those uses:

- At Stein Erickson Lodge, during the winter only about 10% of the guests will rent a car, 70% will use private/shuttle/taxi, and 20% use Uber/Lyft. In the summer, the car rentals are higher: 35% rent a car, 35% will use private/shuttle/taxi, and 30% use Uber/Lyft. While guests are on the property, more than 90% use the shuttle service for in-city use, such as trips to Old Town.
- At Montage, the numbers are similar with about 30% of the guests bringing their own vehicles (rental or otherwise). Due to better weather and regional side trips such as visiting national parks, the number of private cars is closer to 50% of all guests during the summer season.

Similar conclusions can be drawn from this data: a large number of guests prefer to not drive, or park, at hotels in the Snow Park area.

c. Parking needs for non-dwelling uses, including traffic attracted to commercial uses from off-site.

The current and future Snow Park area provides the vast majority of parking for visitors of Deer Valley. These visitors have been and will continue to be patrons of non-dwelling uses. Traffic attracted to the commercial uses will be from those visitors who are already on-site, meaning very few net new parking demands, as discussed in the Snow Park Village Transportation Analysis report. Section 12 of the report discusses the methodology and results of applying the Urban Land Institute's (ULI) *Shared Parking Manual* and associated analysis tool. This report also incorporates a reduction of trips due to the proposed paid parking at Snow Park.

Data collected by the Roaring Fork Transportation Authority (RFTA) suggested that after two years of implementation of paid parking at the resorts in Aspen, an increase of up to 35% was experienced in transit ridership. This is well above the 20% parking demand reduction due to paid parking assumed for Snow Park and implies that the proposed parking will be sufficient for the demand with the implementation of paid parking. Expected mode shift due to paid, constrained parking at Snow Park will replace some drive-alone trips with trips made by a combination of carpooling, transit use, Uber and Lyft-type services, and bicycling or walking when conditions permit.

d. An analysis of time periods of use for each of the uses in the project and opportunities for shared parking by different uses. This shall be considered only when there is guarantee by use covenant and deed restriction.

This analysis is not applicable as there will be no use covenants or deed restrictions because all parking will be owned and managed by a single entity.

e. A plan to discourage the use of motorized vehicles and encourage other forms of transportation.

The specifics of these elements is discussed in great detail in the Transportation Analysis. The Snow Park project as proposed has several elements to meet this criterium. This includes:

- A mobility hub located in the heart of the project, that includes easy walking access to the development and the main gondola and space to accommodate six public buses;
- Ongoing coordination with Park City Transit and Hi Valley Transit to ensure transit service is well-coordinated and transit is prioritized at newly proposed signalized intersections;

- Bicycle racks in several locations along with a plan to ensure cyclists are able to use high-quality off-street facilities that connect the site to the broader Park City active transportation network;
- A TDM plan that outlines policies and programs to support visitors and employee's transportation options in support of the City's *Transit First* policy
- The design of Snow Park has designated curbspace for TNCs (Uber/Lyft)

f. Provisions for overflow parking during peak periods.

Deer Valley has provided overflow parking during specific ski days in the past by managing on-street parking along Deer Valley Drive on busy days. This is by agreement with PCMC in the existing Development Agreement. The proposed project will eliminate on-street parking on Deer Valley Drive during normal resort ski day operations. Therefore, should overflow parking be required, Deer Valley Resort will work with the City to provide overflow parking at remote locations, with accompanying transit/shuttle service, unless otherwise approved by City Council through the Special Event process.

Under existing operations, Deer Valley has directed overflow parking demand to utilize parking lots at the Treasure Mountain Middle School. With the understanding that this site is due for redevelopment in the future, Deer Valley will work with PCMC, UDOT, and Summit County to identify other off-site parking options for the handful of days on which demand exceeds supply. During the 2020-2021 ski season this occurred on five individual days. The maximum number of parked vehicles at Treasure Mountain Middle School on a single day was 92.

g. An evaluation of potential adverse impacts of the proposed parking reduction and density increase, if any, upon the surrounding neighborhood and conditions of approval to mitigate such impacts.

As stated in item 6 above, Deer Valley will no longer use Deer Valley Drive for overflow parking during the normal resort ski day operations. In the event of overflow parking, Deer Valley Resort will utilize their intuitive wayfinding system, in coordination with the City, to direct day skiers to designated overflow parking areas at remote locations. Deer Valley Resort will not direct skiers to the surrounding neighborhoods. Parking concerns in the surrounding neighborhood would be enforced by Park City Municipal parking enforcement.

Snow Park Village

TDM Plan

Prepared for:
Deer Valley

January 2022

UT20-2245

FEHR PEERS

Table of Contents

1. Project Description and TDM Approach 4
1.1 Project Description 4
1.2 TDM Approach 6
2. Snow Park Village TDM Program 8
2.1 Primary TDM measures 8
3. Program Monitoring and Adaptation 14
3.1 Monitoring Program 14

Table of Figures

Figure 1: Project Location 5
Figure 2: Deer Valley Traveler Origins and Destinations 7

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1. Project Description and TDM Approach

This Transportation Demand Management (TDM) Plan describes the proposed approach to reduce the total number of vehicle trips at the Snow Park Village project at Deer Valley Resort in Park City, Utah. The Park City Municipal Corporation (PCMC), through its planning department review of the project application, has requested that a standalone TDM Plan be developed for the project. In addition, the City adopted a TDM Plan in 2016 that specifies how the City seeks to reduce vehicle trips through TDM strategies. A reduction in vehicle trips will reduce local pollution, greenhouse gas emissions and improve the quality of life for all who live and work in Park City by reducing vehicle traffic.

This document describes how Deer Valley intends to reduce the number of single-occupancy vehicle (SOV) trips to Snow Park Village using a variety of TDM options. This plan is based heavily on PCMC's existing TDM plan and strategies therein, adopted in August 2016.

Additionally, this plan formalizes TDM offerings that are already provided by Deer Valley to guests and employees for some time. In addition to describing existing offerings, this plan includes new TDM measures to help reduce SOV trips and monitor program effectiveness through ongoing collaboration with PCMC staff and other major destinations in Park City.

1.1 Project Description

Snow Park Village proposes to repurpose the existing surface parking lots of the Snow Park base area at Deer Valley Resort for a mixed-use development including hotel, residential, retail and events center uses. Snow Park Village is approximately 1.5 miles from downtown Park City and approximately 2.5 miles from the Pak City Mountain Resort base area. Snow Park Village's location in Park City is shown in **Figure 1**.

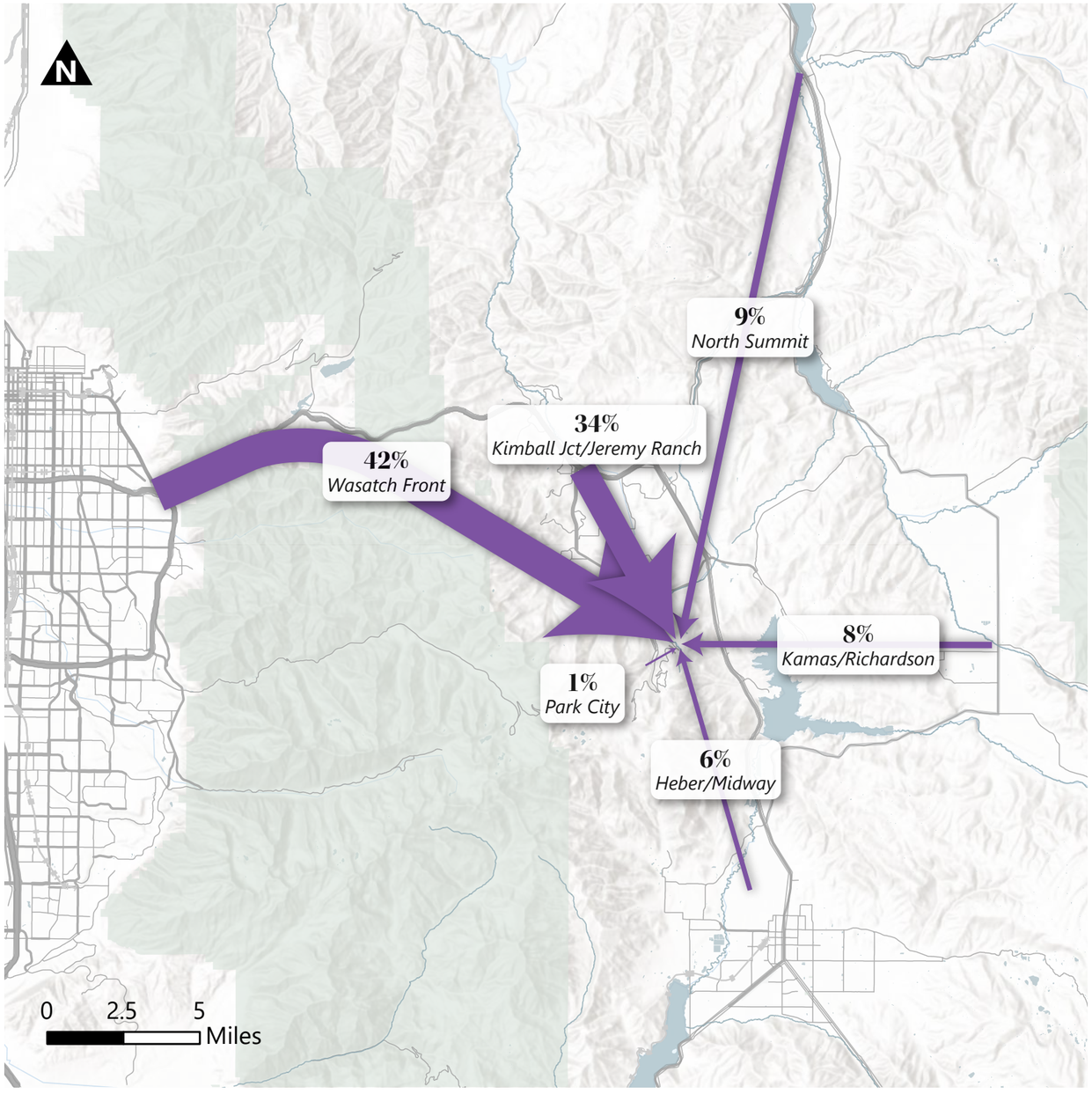
The bulk of activity at the Snow Park Village is expected to take place during normal business hours. Parking at the site will be priced and include standard and ADA-compliant spaces. Central to the success of the project, a multimodal mobility hub is proposed on Deer Valley Drive, will facilitate non-automobile connections to key destinations in Park City, elsewhere in Summit County, and the Salt Lake Valley. Full build-out of Snow Park Village will include a network of dedicated pedestrian paths within the project, as well as connections to area cycling and pedestrian facilities.



Project Location

1.2 TDM Approach

The success of a TDM program relies on creating a system to manage travel demand that shifts the behavior of those traveling to and from Snow Park from using single occupant vehicles to options other than driving alone. The following sections describe the menu of transportation choices that will make it easier and more convenient to use modes other than driving alone. Through an evaluation of anonymized mobile phone data, provided by a third-party vendor, this Plan has been assembled with the knowledge that a substantial portion of those traveling to and from Deer Valley do so from points around the region. The origins and destinations of Deer Valley's guests and employees are dispersed throughout northern Utah, with the largest share traveling to and from points along the Wasatch Front, as shown in **Figure 2.** This variety of travel patters requires a robust and diverse program to reduce drive alone trips. A diverse and flexible TDM program will allow Deer Valley to match the transportation services to the travel needs of all traveling to and from Snow Park Village. The TDM Plan described in the following sections supports the project's commitment to managing vehicle traffic to and from Snow Park Village while maintaining flexibility in response to changing travel behavior and regional transportation investments.



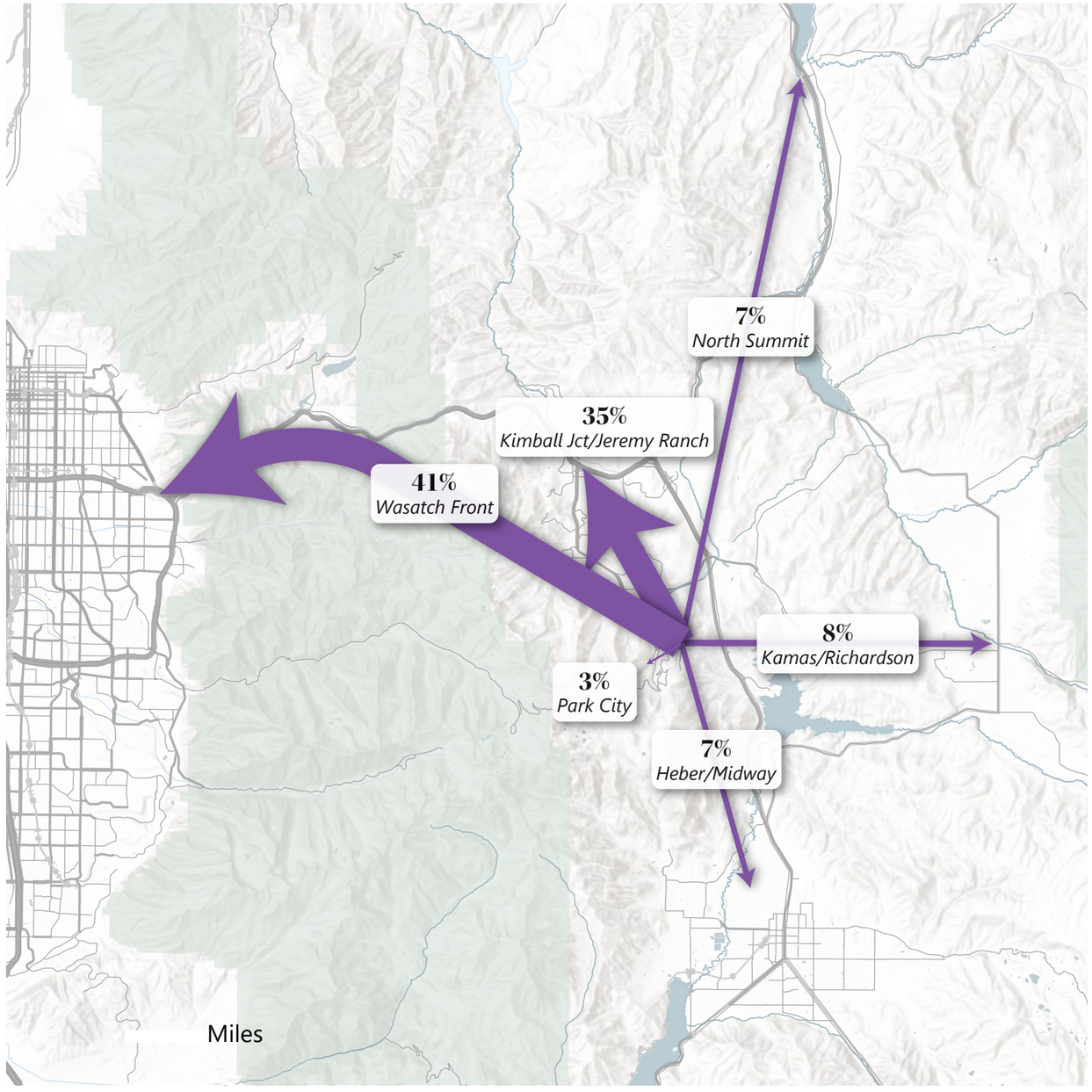


Figure 2

Deer Valley Origin-Destination AM Incoming - PM Outgoing Trends

2. Snow Park Village TDM Program

2.1 Primary TDM measures

Deer Valley will provide a variety of opportunities for those traveling to and from Snow Park to choose travel modes that are not driving alone. These are categorized as incentivizing using transit, riding a bicycle, sharing a car, or some combination thereof. A summary of the Primary TDM measures can be found in **Table 1**.

Table 1: Primary TDM Measures

Measure	Status	Description
Transit pass subsidy	Existing Program	Subsidized UTA transit passes for Deer Valley employees living in Salt Lake Valley and Utah Valley
Bicycle Amenities and Perks	New Program	Bicycle repair tools and dedicated bicycle parking at key locations
Education and Promotion	Existing Program	Educational and promotional events to encourage travelers to use by modes other than driving alone.
Parking Management	New Program	Efficient, constrained, and priced parking to discourage drive-alone trips
Employee Transit	Existing Program	Operate designated employee transit to facilitate efficient employee commutes through an appealing alternative
Real-Time Messaging	New Program	Communicate traffic conditions in real time to travelers
Appoint a TDM Coordinator	New Program	Identify a staff member to oversee the TDM program

Source: Deer Valley

More detailed descriptions of the Primary TDM Measures can be found below.

To incentivize traveling by bicycle, Deer Valley plans to implement the bicycling-based TDM strategies listed in **Table 2**.

Table 2: Bicycling and Walking TDM Strategies

Biking/Walking Strategies	Status	Target User Groups	Description
Implement Bicycle Parking at Key Destinations and Transit Stops	New Program	Day Guests Commuters Employees	Snow Park Village's site plan includes the provision of safe and convenient locations to park bicycles, encouraging their use and removing barriers such as frustration in finding secure parking and bicycle theft. This includes the proposed mobility hub on Deer Valley Drive, a key connecting point for trips to and from Snow Park.
Expand e-Bike Share	New Program	Day Guests Commuters Employees	Snow Park Village will include a relocated PCMC e-bike-share station with direct access to the mobility hub. This will expand coverage of the existing e-bike share service in Park City and enable more non-automobile trips for people traveling to and from Snow Park Village.
Install Bicycle Repair Stand	New Program	Day Guests Commuters Employees	Deer Valley will install two do-it-yourself bicycle repair stands: one at the proposed mobility hub on Deer Valley Drive, and another seasonal stand at the Silver Lake Express base. The repair stands may include an air pump and basic tools to make minor bicycle repairs. Additional repair options include full-service bike shop(s) during the summer season and on-mountain assistance from Bike Patrol.

Source: Deer Valley

To incentivize traveling by modes other than driving alone, Deer Valley plans to implement the parking-based TDM strategies listed in **Table 3.**

Table 3: Demand Management TDM Strategies

Demand Management Strategies	Status	Target User Groups	Description
Implement Real-Time Information Messaging	New Program	Day Skiers Employees	Deer Valley plans to work with the City, UDOT, and Summit County to deploy VMS boards and other messaging systems at key locations, including approach roads, parking areas, and ski lift bases, to inform those traveling to and from Snow Park Village of current traffic and parking conditions. Additionally, Deer Valley will use its website, social media platforms, and mobile application to notify guests in real time. This will enable

			visitors to make more informed transportation choices allowing for better demand management.
Provide Additional Evening Recreation Opportunities/Amenities:	New Program	Day Skiers Employees Overnight Guests	Providing additional activities, food and beverage options, and/or entertainment for visitors after the ski day has ended is an essential element of the Snow Park Village proposal. Providing opportunities for day skiers to linger at the base area longer will better distribute peak-hour outbound vehicle trips.

Source: Deer Valley

To incentivize traveling by modes other than driving alone, Deer Valley plans to implement the parking-based TDM strategies listed in **Table 4.**

Table 4: Policy-Based TDM Strategies

Policy Strategies	Status	Target User Groups	Description
Provide Employee Housing	Existing Program	Employees	Deer Valley has and will continue to provide subsidized housing for its employees in and around Park City. The locations of this housing allow for shorter commutes with access to public transit or shuttles, and increases the likelihood of ridesharing among employees. Any active, full-time staff member is eligible for employee housing. Employee housing is distributed throughout Park City and Heber City in areas that are served by public and employee transit.
Provide Employee Amenities	Existing Program	Employees	Deer Valley employees are able use various on-site amenities that will be provided at Snow Park Village, including employee dining rooms that offer discounted meals, and employee locker rooms that allow for storage of personal items to reduce the need for trips off-site during shift changes and during mealtimes.
Childcare	Existing Program	Day Skiers Employees Overnight Guests	Parents managing childcare are among those who are most attached to private vehicles for personal travel, and providing on-site childcare in the form of both nursery/day care programs, and on-mountain options for active childcare will reduce the need for parents to make multiple local trips and enable their use of non-SOV modes by collocating services. Deer Valley employees are eligible for discounted childcare programs.

Source: Deer Valley

To incentivize traveling by modes other than driving alone, Deer Valley plans to implement the parking-based TDM strategies listed in **Table 5.**

Table 5: Parking TDM Strategies

Parking Strategies	Status	Target User Groups	Description
Implementation of Efficient Parking Schemes	Existing Program	Day Skiers Employees	Deer Valley will continue to assess the need for remote or satellite parking areas for days on which parking demand requires additional capacity beyond that which is provided at the base area itself. The only designated off-site parking location that has been used by Deer Valley is Treasure Mountain Middle School, and is used solely on days of particularly high demand.
Implement Parking Demand Management	New Program	Day Skiers Employees	A fundamental aspect of Snow Park Village's proposed parking system is to charge for parking, a direct incentive to those traveling to Deer Valley to more efficiently utilize vehicle capacity, specifically for day skiers. The cost of parking at Snow Park Village will be set at a level that will incentivize higher-occupancy vehicles when traveling to and from Snow Park, a direct disincentive to drive alone. While many Deer Valley patrons are likely less price sensitive to additional charges such as paid parking, available data suggests that a substantial portion of day traffic originates from points along the Wasatch Front, from where patrons are expected to be more price sensitive to parking fees, increasing their likelihood of mode shift.

Source: Deer Valley

To incentivize traveling by modes other than driving alone, Deer Valley plans to implement the programmatic TDM strategies listed in **Table 6.**

Table 6: Program-Based TDM Strategies

Programmatic Strategies	Status	Target User Groups	Description
Establish a TDM Coordinator	New Program	Employees Day Skiers Overnight Guests	Deer Valley will identify an existing staff member to act as the TDM coordinator, a central source for TDM program information. The TDM coordinator may fill many roles, but may be responsible for: real-time messaging of traffic conditions to travelers, distribute information on new or adapted TDM program offerings, and evaluate the effectiveness and use of TDM program elements. The TDM coordinator will also continue to explore new TDM options that best serve Deer Valley guests and/or employees. The TDM coordinator will be the main point of contact with the City and will facilitate communication in connection with the proposed monitoring program. This coordinator will meet with Park City staff on a regular basis to discuss on-going adjustments to the TDM measures.
Provide Tailored Information and Promotions	Existing Program	Employees Day Skiers Overnight Guests	Deer Valley will develop and distribute targeted messaging and promotions to ensure that different user groups are aware of the TDM measures most relevant to their needs. These promotions may include gamification to further incentivize non-drive alone trips. Deer Valley supports a mobile app used by employees that allows them to organize rides sharing, and identify transit, bike and walking options for their commute. The application also offers incentives to Deer Valley employees for not driving alone to work. Deer Valley will encourage all ski area-serving businesses (namely hotels and other lodging) to further emphasize their transportation offerings that allow guests to rely less on private vehicles and more on shared mobility.

Source: Deer Valley

To incentivize traveling to and from Snow Park by transit, Deer Valley plans to implement the transit-based TDM strategies listed in **Table 7.**

Table 7: Transit TDM Strategies

Transit Strategies	Status	Target User Groups	Description
Provide Employee Transit	Existing Program	Employees	To complement public transit service and supplement in certain areas where public transit may not yet exist, Deer Valley will continue to provide private employee transit to and from Snow Park to allow Deer Valley employees to travel longer distances (such as from Heber City) on employee shuttles. Deer Valley contracts through Le Bus to operate full-sized coach buses for their employees. In a typical (non-Covid) year, Deer Valley provides three AM peak-period and two PM peak-period shuttle runs to serve their employees living in River's Edge and Heber City.
Subsidize Transit Passes for Inter-City Commuters	Existing Program	Employees	Deer Valley provides subsidized Utah Transit Authority passes to employees commuting to Deer Valley from Utah and Salt Lake Valleys.

Source: Deer Valley

3. Program Monitoring and Adaptation

Deer Valley has a strong interest in making trips to and from Snow Park Village as efficient and enjoyable as possible. Doing so is not only a way to improve the overall experience for all who visit Snow Park, but it also allows Deer Valley to contribute to shared goals for reducing traffic impacts within Park City and Summit County.

3.1 Monitoring Program

Deer Valley will conduct internal monitoring to best understand how various user groups are getting to Snow Park, how best to improve their experiences, and how to optimize their experience while minimizing their impact on area traffic and the environment. Elements of the TDM program may be adapted, added, or eliminated over time as Deer Valley strives to achieve maximum effectiveness with its TDM program. The Snow Park TDM program will change over time as travel behaviors change and the transportation context around Snow Park evolves.

The TDM coordinator will be responsible for ongoing collaboration and coordination with PCMC staff to ensure that goals are shared and TDM measures managed by Deer Valley are complementing those enacted by the City. To that end, semiannual meetings will take place among Deer Valley, PCMC staff, and other TDM coordinators:

- Prior to each ski season, relevant parties will gather to share relevant updates for the upcoming season, and identify potential opportunities for collaboration, share expectations for the coming months, and discuss performance metrics to be tracked
- Following each ski season, the same parties will meet to share lessons learned and review program performance as recorded by agreed-upon performance metrics, and establish potential action items during the off-season

With ongoing updates to local transit service operated by both Park City Transit and High Valley Transit, Deer Valley will strive to avoid duplication of transit service offerings. Deer Valley's TDM program is intended to support the use of public transit among the public rather than act as an alternative to public transit service. As public transit coverage expands, Deer Valley will adapt its program to support local transit agencies.

FEHR PEERS

MEMORANDUM

Date: January 21, 2022

To: Rich Wagner, Deer Valley

From: Fehr & Peers

Subject: Snow Park Village MPD Parking Response

UT20-2245

The current parking experience at Deer Valley follows a well-established surface parking scenario, typical of ski resorts. There are five large surface lots that hold approximately 1,340 cars. There is also a long-standing agreement with Park City to allow for overflow parking on parts of Deer Valley Drive on peak visitation days.

Parking Layout

The proposed redevelopment of the base area (Snow Park) will change the parking experience in three significant ways:

- Parking will be in structures;
- There will be a paid parking program, with variable pricing based on season and demand;
- There will be a robust parking management program that includes parking and availability information to visitors as they approach the development, parking garages, and once within, and will rely heavily on Deer Valley's high-quality customer service provided by trained staff.

For phase 1, the proposed parking garages will be on four levels. Each level will have a prescribed function as outlined below. Parking loading will be managed level by level, utilizing guest services staff and electronic messaging. To help ensure that the majority of traffic coming to Snow Park does not conflict with transit on Doe Pass Road, signing, striping, and prominent wayfinding will direct the majority of personal vehicles to use Deer Valley Drive East to enter the garages, while transit and shuttle vehicles will be directed to Deer Valley Drive West and/or Doe Pass Road. The primary entrances to the garages, for levels P2, P3, and P4, will be from Deer Valley Drive East. There are no internal garage connections between levels allowing each level of the garage to serve

as an independent programmable parking resource. The layout and uses are shown in the attached *Parking Allocation* figure.

P1 Parking – this level will be divided between two user groups with a total of 406 stalls. Hotel/condo uses will have 202 stalls. The other 204 stalls may be utilized by valet parking and/or credentialed access users. Access to this area is from Doe Pass near the intersection Deer Valley Drive west. Due to its restricted uses, demand for spaces on P1 is expected to be relatively low, with hotel patrons parking vehicles for multiple days at once. In addition, it is unlikely that all hotel patrons will need to park at times that coincide with peak day skier arrival, further reducing the expected number of vehicles on Doe Pass Road during peak hours.

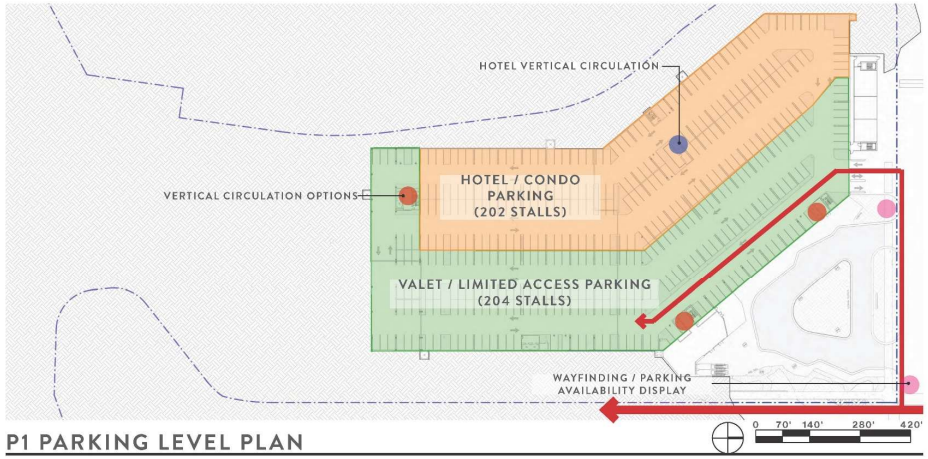
P2 Parking – this level will have 368 stalls. It will primarily be used for winter day skiers and summer resort guests during those seasons, transient parking and special event parking during event periods. Access is provided on Deer Valley Drive East, however an auxiliary exit is provided accessing Doe Pass to add flexibility in managing egress and minimize potential congestion during periods of peak parking demand and special events.

P3 Parking – the primary users for this level will be similar to P2; day users, transient parking, special event parking as well as space dedicated to ski school drop-off/pick-up. There are 375 stalls for these uses. There are an additional 80 stalls for hotel/condo use, for a total of 455 stalls. Access is primarily to/from Deer Valley Drive, however an auxiliary entrance/exit is provided accessing Deer Valley Drive West/Royal Street intersection, which will be dedicated to hotel and condominium uses.

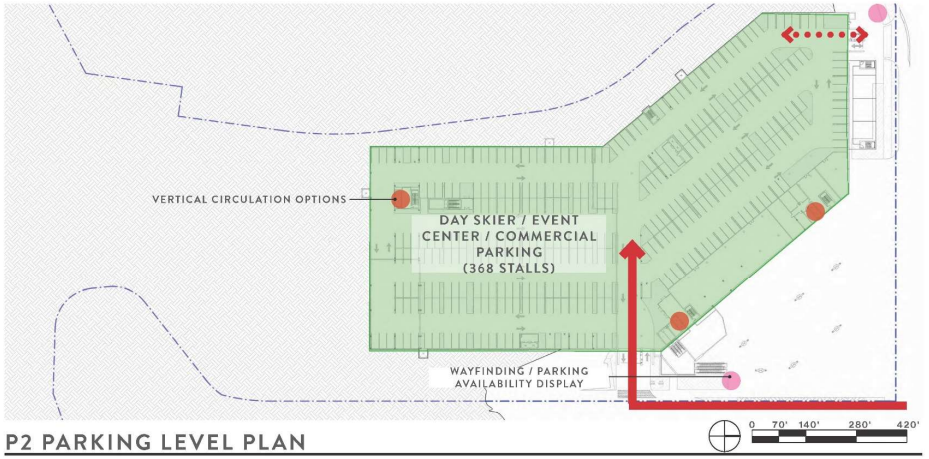
P4 Parking – there are 90 stalls for ski school, valet, and short-term parking on this level. "Short-term" means for visitor parking less than 30 minutes for such purposes as pick-up/drop-off, kiss 'n' ride, and so on. The balance of the parking on this level is 41 for hotel/condo uses.

North Parcel – The north parcel will consist of an additional 450 stalls. These will initially remain surface parking. This area will eventually consist of two levels, NP1 and NP2, and the total parking stalls will remain at 450. The north parcel will have the same level of parking management, including paid parking, and parking management technology, communications via multiple platforms, and high-touch customer service.

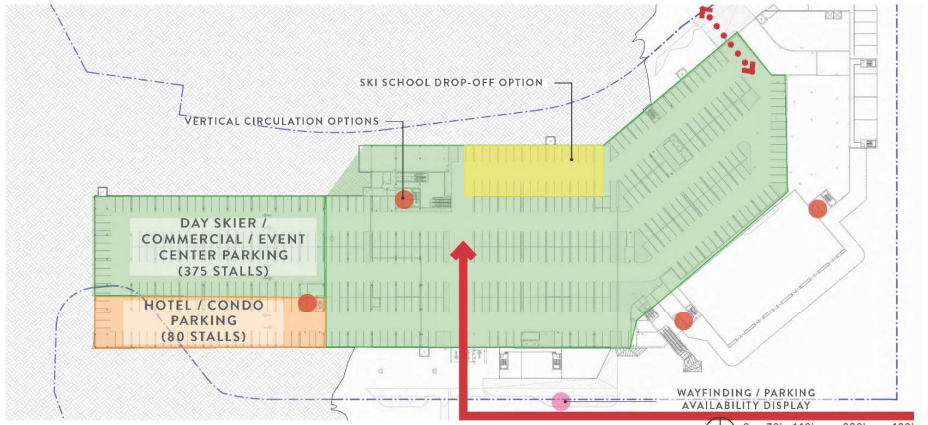
Structured parking layouts ae shown below in **Figure 1**.



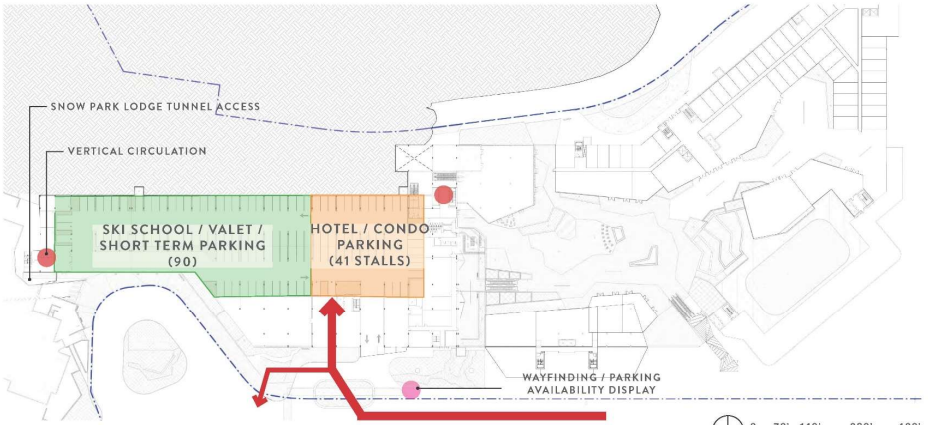
P1 PARKING LEVEL PLAN



P2 PARKING LEVEL PLAN



P3 PARKING LEVEL PLAN



P4 PARKING LEVEL PLAN

Source: IBI Group

Figure 1

Parking Level Layouts

Paid Parking

A paid parking scheme will be implemented in a manner that ensures transactions for inbound traffic do not cause delays which could impact adjacent streets. The price will vary by season and is an important tool to encourage all visitors to travel by modes other than driving alone. Signs and parking processes will be designed to maximize efficiency and minimize congestion.

Recognizing that the much of the typical clientele of Deer Valley are less price-sensitive than many potential parkers, pricing may be adjusted following initial implementation to ensure that the preferred reductions in peak parking demand are achieved.

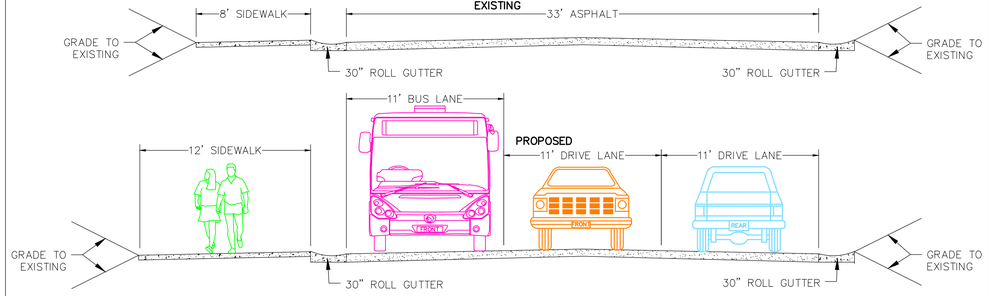
Communications

To achieve the smoothest parking operations possible, parking information will be made available on Deer Valley's website and integrated into any platforms through which ski passes might be purchased. Additionally, hotel and condominium uses will be expected to incentivize arrival options that do not require parking on-site.

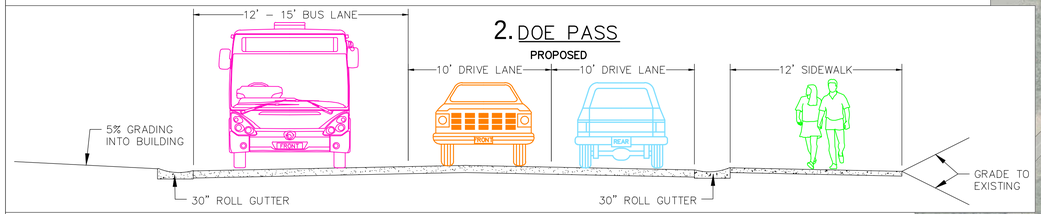
Parking availability by level will be integrated into the design of Snow Park. Parking information will be part of the dynamic wayfinding program included in the development. This information will be available to the visitor via electronic messaging at key decision points along Deer Valley Drive East, including at the newly-configured "Y" intersection of Deer Valley Drives East and West, and as the driver approaches the garage entrances. Parking communication may also be integrated into various phone and web apps operated by the resort, city, county, etc.

Once inside the parking levels, parking availability and general internal wayfinding will be incorporated into the design to improve access rates, guiding visitors to available spaces. The exact technologies and vendors have not been determined at this point, but it will employ the most appropriate and technologically advanced parking and transportation systems to ensure an efficient and user-friendly parking experience with minimal impact on adjacent streets.

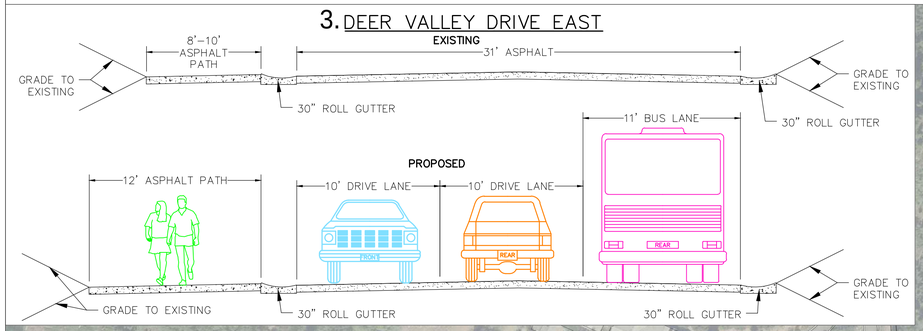
1. DEER VALLEY DRIVE WEST



2. DOE PASS



3. DEER VALLEY DRIVE EAST



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STAFF:
MICHAEL DEMKOWICZ
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CONNOR DINSMORE

DATE: 01/19/2022

OVERALL EXHIBIT
SNOW PARK VILLAGE

FOR: DEER VALLEY
JOB NO.: 11-1-19
FILE: X:\SnowParkVillage\dwg\Snow Park Development\exhibits\Acess Exhibit\AccessExhibit.dwg

SHEET C1

120' 0 120' 240'

DEER VALLEY DRIVE

PINNACLE AT DEER VALLEY

AMBER ROAD

ROCK WALL REQUIRED ALONG EDGE OF RELOCATED ROAD

RELOCATE EXISTING POWER BOXES

PROPOSED STREET LIGHTS @ INTERSECTION

PROPOSED MERGE LEFT SIGN

PROPOSED BUS & VEHICLE MERGE AHEAD SIGN

PROPOSED WAY–FINDING SIGN

DEER VALLEY DRIVE

BUS ONLY

STONEBRIDGE CIRCLE

BUS ONLY

PROPOSED "BUS ONLY" SIGN

PROPOSED DEER VALLEY MONUMENT SIGN

RELOCATE EXISTING SIDEWALK TO CONNECT TO CROSSWALK @ INTERSECTION

REFER TO DEER VALLEY DRIVE WEST – BRIDGE SECTION

DEER VALLEY PLAZA

REMOVE SIDEWALK CONNECTING FROM DEER VALLEY PLAZA TO BRIDGE

8' SIDEWALK ACROSS BRIDGE

BUS ONLY

DEER VALLEY DRIVE

TAPER SIDEWALK FROM 8' TO 12' FOR MULTI–USE PATH

20' 0 20' 40'

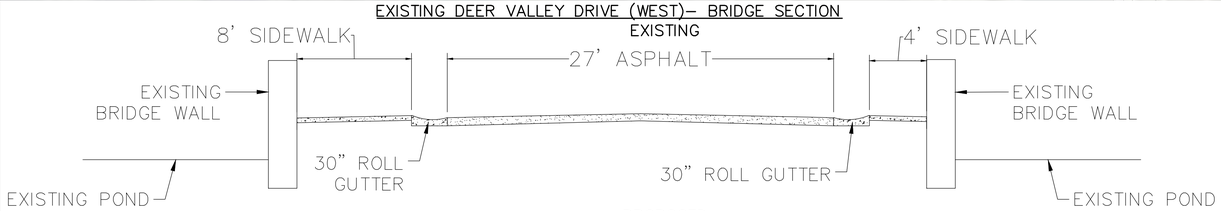
WAY–FINDING SIGN DETAIL

- DEER VALLEY RESORT ALL VEHICLES
- RESIDENTS ONLY ROYAL STREET ACCESS
- BUS LANE ONLY AHEAD

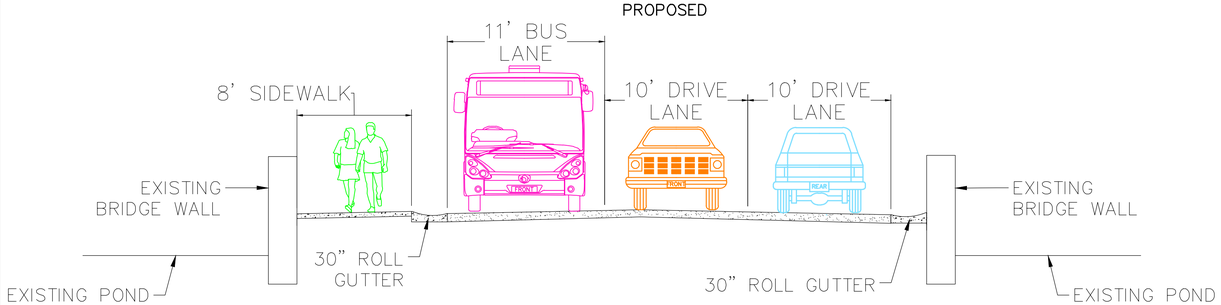
- BUS CIRCULATION
- COUNTER CLOCKWISE VEHICLE CIRCULATION
- CLOCKWISE VEHICLE CIRCULATION
- MULTI–USE PEDESTRIAN PATH

EXISTING DEER VALLEY DRIVE (WEST)– BRIDGE SECTION

EXISTING



PROPOSED



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CONNOR DINSMORE

DATE: 01/19/2022

DEER VALLEY DRIVE Y INTERSECTION EXHIBIT
SNOW PARK VILLAGE

FOR: DEER VALLEY
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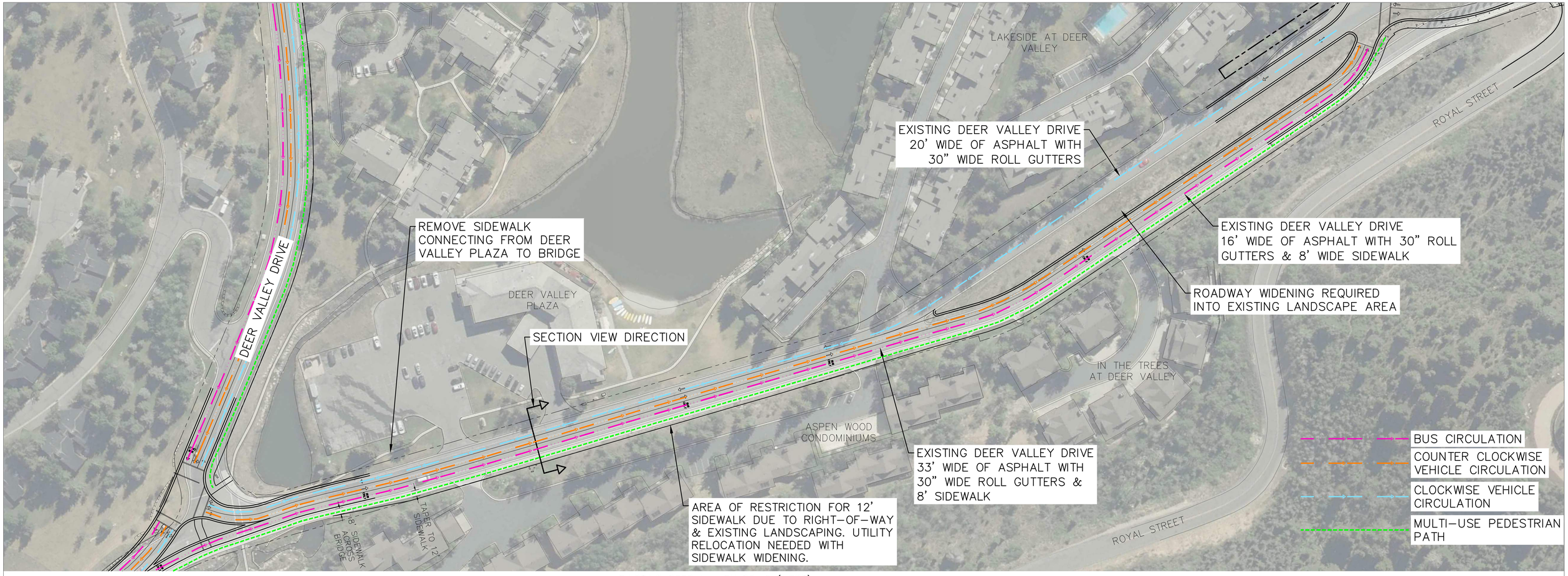
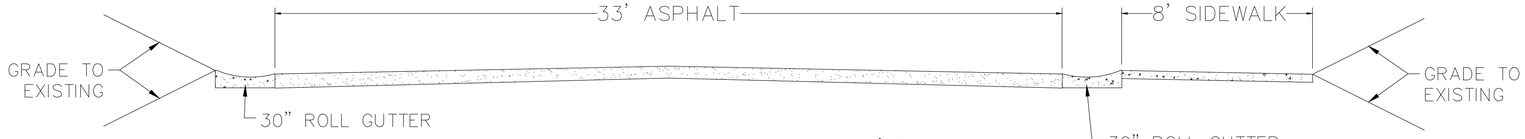
SHEET C2

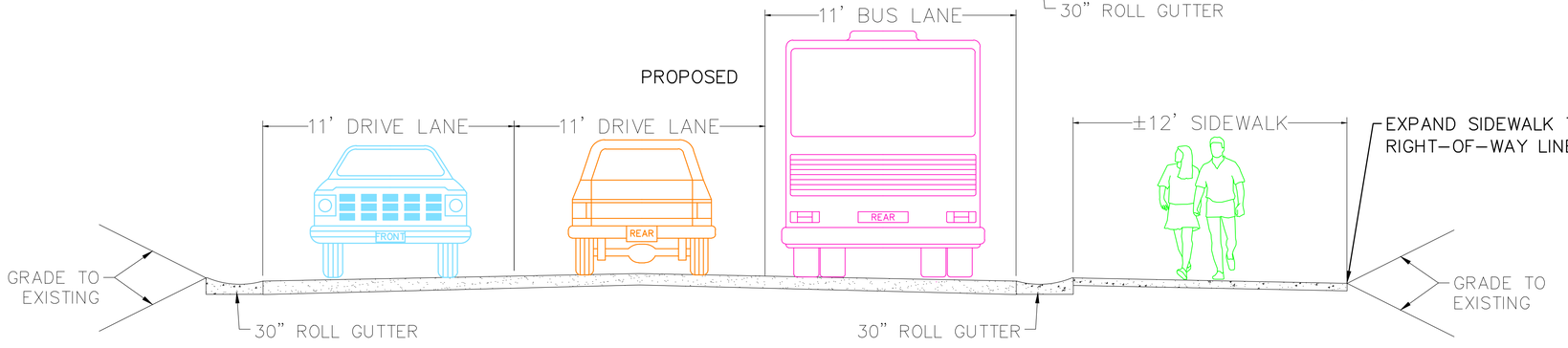


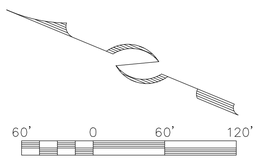
EXISTING DEER VALLEY DRIVE (WEST)

EXISTING



PROPOSED





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CONNOR DINSMORE

DATE: 01/19/2022

EXISTING DEER VALLEY DRIVE WEST
SNOW PARK VILLAGE

FOR: DEER VALLEY
JOB NO.: 11-1-19
FILE: X:\SnowParkVillage\dwg\Snow Park Development\exhibits\Acess Exhibit\AccessExhibit.dwg

SHEET C3

RELOCATE ROLL GUTTER & PROVIDE ADDITIONAL LANDSCAPE AREA

SECTION VIEW DIRECTION

32'–35' WIDE ASPHALT WITH 30" ROLL GUTTERS

12' WIDE SIDEWALK

LOADING/UNLOADING ZONE

PROPOSED STOP BAR

PROPOSED WAY–FINDING SIGN

FUTURE TRAFFIC SIGNAL TO BE PROPOSED AT DOE PASS AND DEER VALLEY DRIVE EAST INTERSECTION

BUS CHARGING STATION

104'

89'

75'

P2 PARKING GARAGE ELEV: 7163

P1 PARKING GARAGE ELEV: 7150

SERVICE ACCESS & P3 PARKING GARAGE ELEV: 7176

MOBILITY HUB ELEVATION 7150

PARKING GARAGE

DEER VALLEY DRIVE (WEST)

DEER VALLEY DRIVE (EAST)

WAY–FINDING SIGN DETAIL

SKIER PARKING GARAGE ACCESS/DROP OFF

MOBILITY HUB

SHUTTLE LOADING/UNLOADING

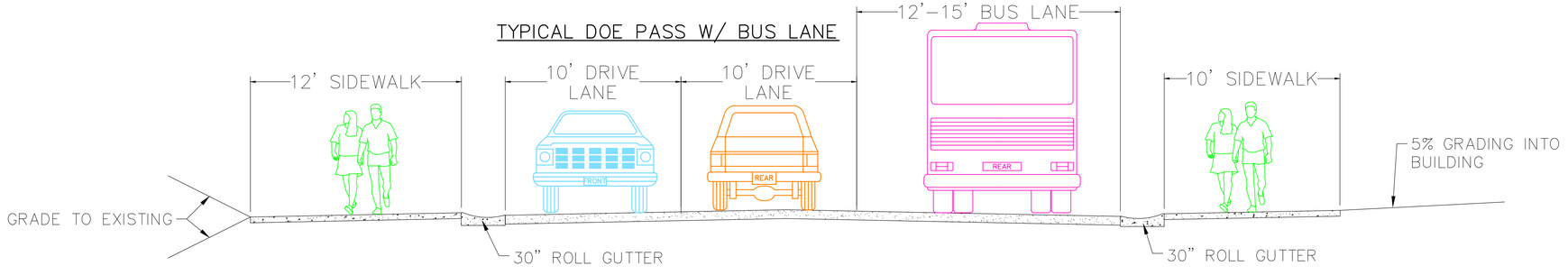
BUS CIRCULATION

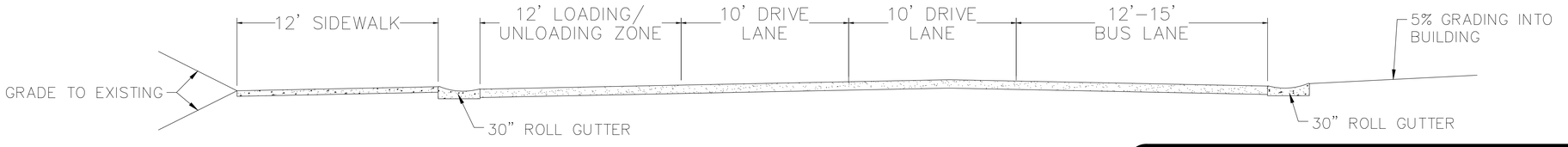
COUNTER CLOCKWISE VEHICLE CIRCULATION

CLOCKWISE VEHICLE CIRCULATION

MULTI–USE PEDESTRIAN PATH

TYPICAL DOE PASS W/ BUS LANE





40' 0 40' 80'

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CONNOR DINSMORE

DATE: 01/19/2022

DOE PASS ROAD EXHIBIT
SNOW PARK VILLAGE

FOR: DEER VALLEY
JOB NO.: 11–1–19
FILE: X:\SnowParkVillage\dwg\Snow Park Development\exhibits\Acess Exhibit\AccessExhibit.dwg

SHEET C4

WAY–FINDING SIGN DETAIL

- SKIER PARKING GARAGE ACCESS/DROP OFF
- MOBILITY HUB
- SHUTTLE LOADING/UNLOADING

EXISTING DEER VALLEY DRIVE
31' WIDE OF ASPHALT WITH
30" WIDE ROLL GUTTERS

PROPOSED
WAY–FINDING SIGN

12' WIDE SIDEWALK

32'–35' WIDE ASPHALT
WITH 30" ROLL GUTTERS

LOADING/UNLOADING ZONE

DOE PASS

16'

16'

PROPOSED STOP BAR

FUTURE TRAFFIC SIGNAL TO BE
PROPOSED AT DOE PASS AND DEER
VALLEY DRIVE EAST INTERSECTION

PROPOSED CROSSWALK (TYP.)

MOBILITY HUB
ELEVATION 7150

SIDEWALK TO MOBILITY
HUB/ESCALATORS

75'

10' WIDE
SIDEWALK

BUS CHARGING STATION

DEER VALLEY DRIVE (EAST)

36' WIDE ASPHALT WITH
30" CURB & GUTTER

10' 0 10' 20'

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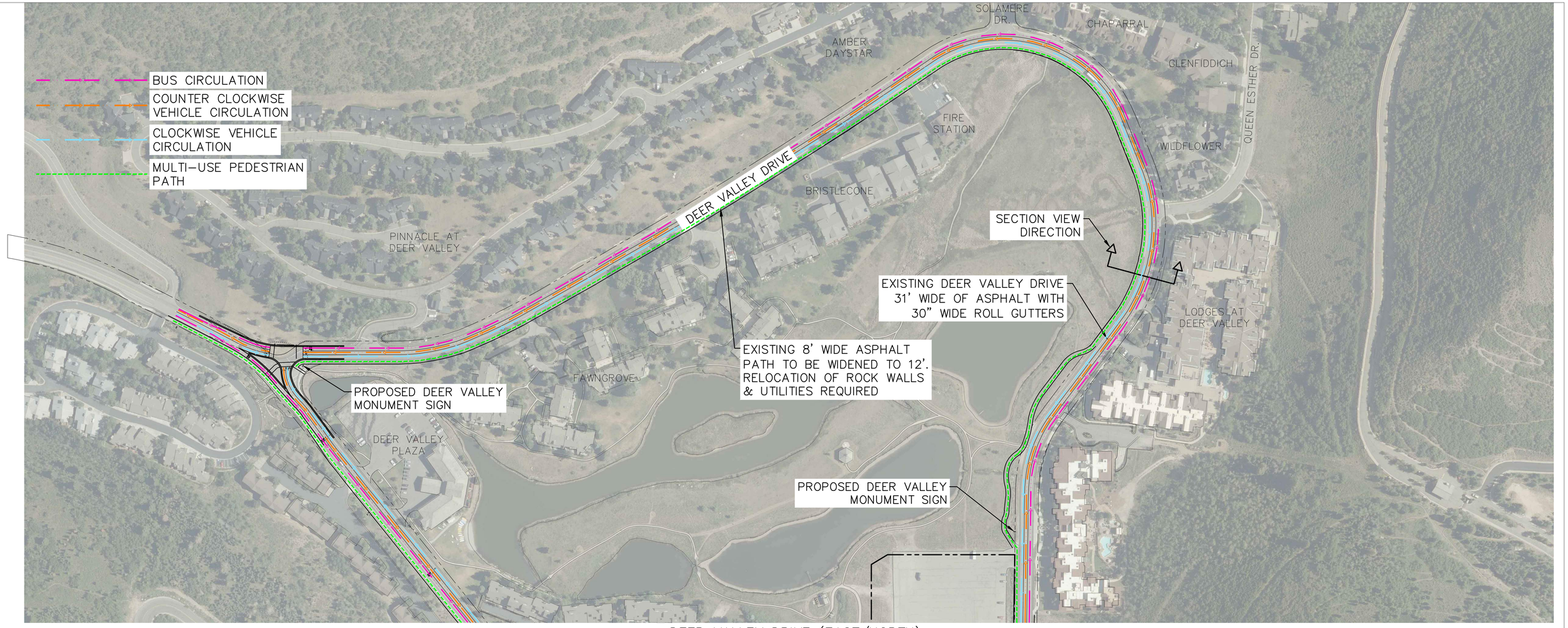
DATE: 01/12/2022

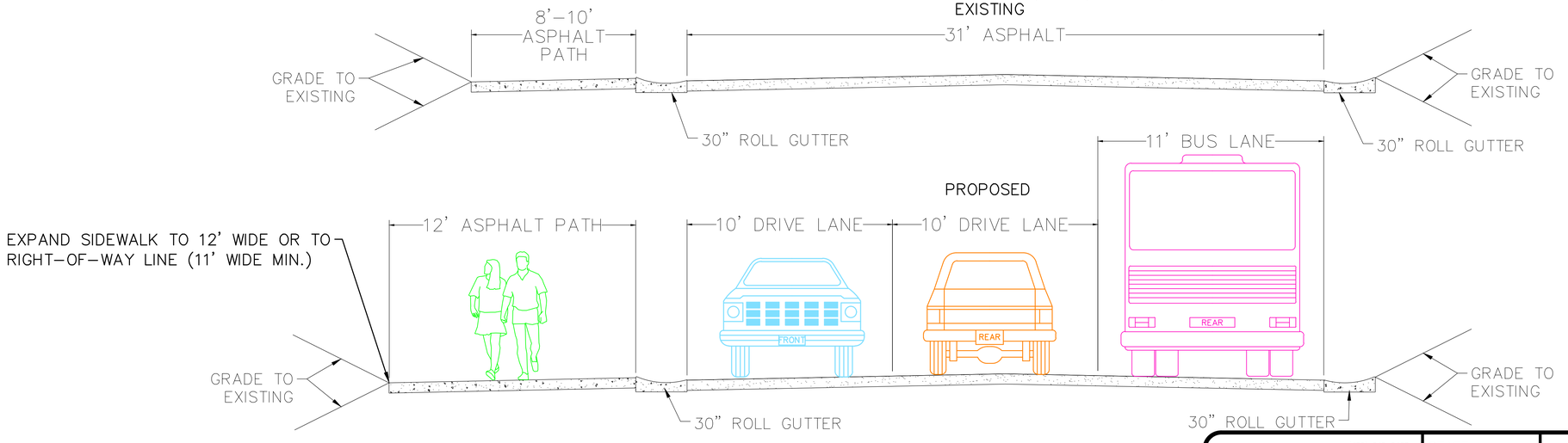
DOE PASS/DEER VALL DRIVE EAST INT. EXHIBIT
SNOW PARK VILLAGE

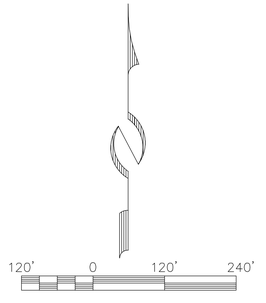
FOR: DEER VALLEY
JOB NO.: 11–1–19
FILE: X:\SnowParkVillage\dwg\Snow Park Development\exhibits\Acess Exhibit\AccessExhibit.dwg

SHEET
C5



DEER VALLEY DRIVE (EAST/NORTH)





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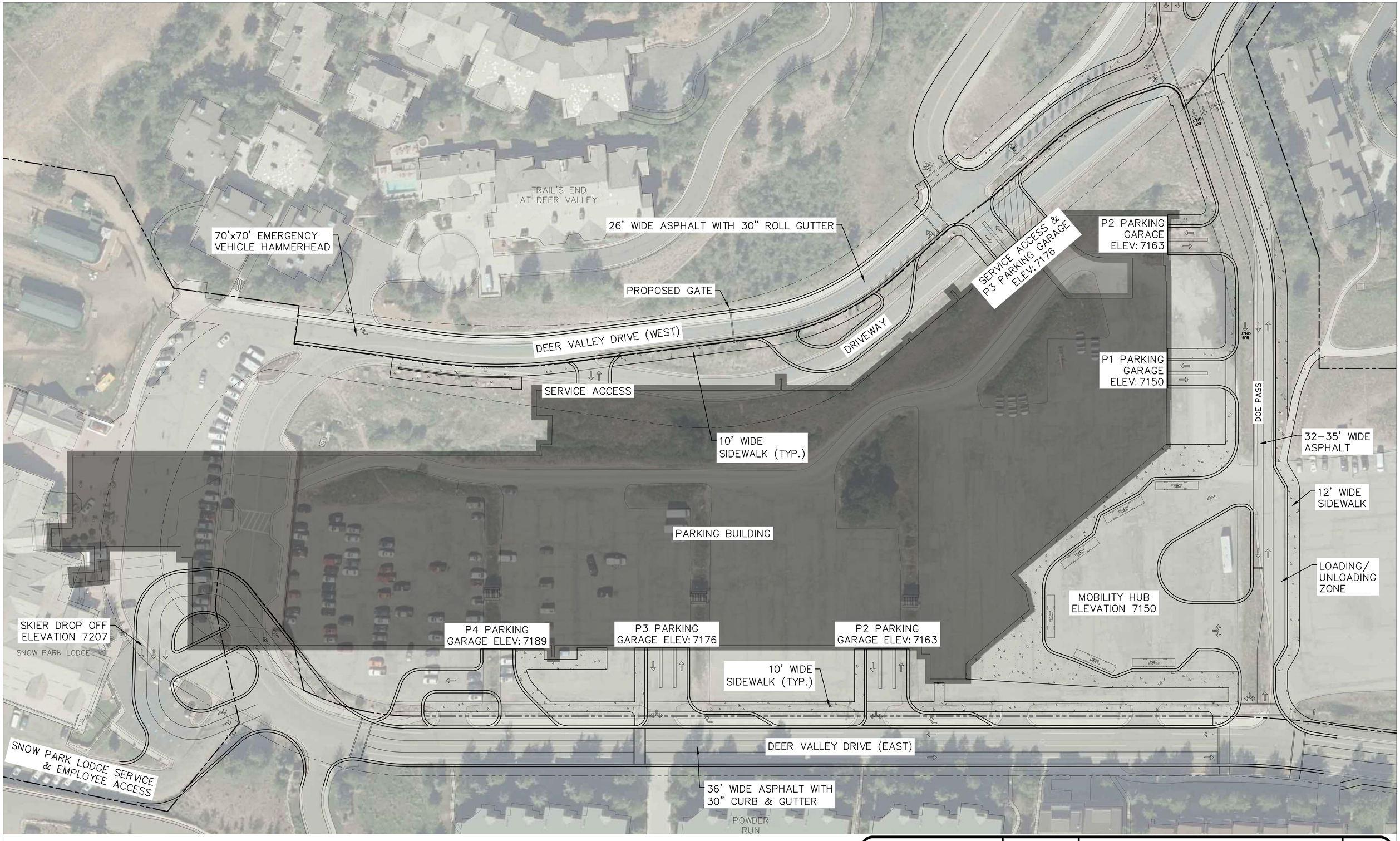
CONNOR DINSMORE

DATE: 01/19/2022

EXISTING DEER VALLEY DRIVE EAST/NORTH
SNOW PARK VILLAGE

FOR: DEER VALLEY
JOB NO.: 11-1-19
FILE: X:\SnowParkVillage\dwg\Snow Park Development\exhibits\Acess Exhibit\AccessExhibit.dwg

SHEET C6



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DATE: 01/19/2022

OVERALL PARKING GARAGE EXHIBIT
SNOW PARK VILLAGE

FOR: DEER VALLEY
JOB NO.: 11-1-19
FILE: X:\SnowParkVillage\dwg\Snow Park Development\exhibits\Acess Exhibit\AccessExhibit.dwg

SHEET C7

BUS CIRCULATION

COUNTER CLOCKWISE VEHICLE CIRCULATION

CLOCKWISE VEHICLE CIRCULATION

MULTI-USE PEDESTRIAN PATH

REMOVE PORTION OF EXTG SIDEWALK

PROPOSED 10' WIDE SIDEWALK

RELOCATE ROLL GUTTER & PROVIDE ADDITIONAL LANDSCAPE AREA

RE-GRADE PORTION OF ROYAL STREET

SECTION VIEW DIRECTION

26' WIDE ASPHALT

32-35' WIDE ASPHALT

TRAIL'S END AT DEER VALLEY

70'x70' EMERGENCY VEHICLE HAMMERHEAD

26' WIDE ASPHALT WITH 30" ROLL GUTTER

PROPOSED GATE

SERVICE ACCESS & P3 PARKING GARAGE ELEV: 7176

P2 PARKING GARAGE ELEV: 7163

DEER VALLEY DRIVE (WEST)

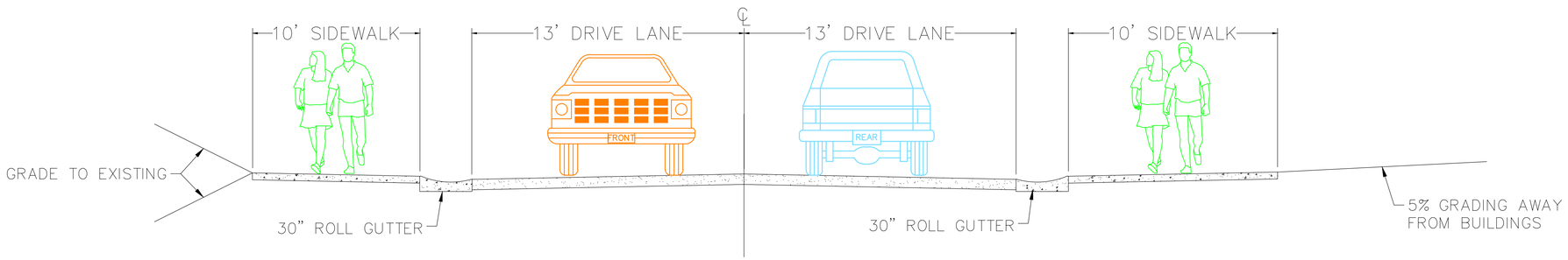
DRIVEWAY

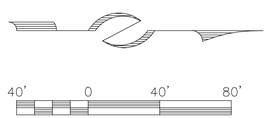
P1 PARKING GARAGE ELEV: 7150

SERVICE ACCESS

PROPOSED 10' WIDE SIDEWALK

TYPICAL DEER VALLEY DRIVE (WEST)





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DATE: 01/19/2022

DEER VALLEY DRIVE WEST EXHIBIT
SNOW PARK VILLAGE

FOR: DEER VALLEY
JOB NO.: 11-1-19
FILE: X:\SnowParkVillage\dwg\Snow Park Development\exhibits\Acess Exhibit\AccessExhibit.dwg

SHEET C8

BUS CIRCULATION

COUNTER CLOCKWISE VEHICLE CIRCULATION

CLOCKWISE VEHICLE CIRCULATION

MULTI–USE PEDESTRIAN PATH

PARKING BUILDING

DOE PASS

MOBILITY HUB ELEVATION 7150

PROPOSED STOP BAR

BUS CHARGING STATION

12' WIDE LANES (TYP.)

SKIER DROP OFF ELEVATION 7207

SNOW PARK LODGE

P4 PARKING GARAGE ELEV: 7189

P3 PARKING GARAGE ELEV: 7176

P2 PARKING GARAGE ELEV: 7163

10' WIDE SIDEWALK (TYP.)

10' WIDE LANDSCAPE

11.5' WIDE RIGHT TURN LANES (TYP.)

PROPOSED WAY–FINDING SIGN

DEER VALLEY DRIVE (EAST)

SNOW PARK LODGE SERVICE & EMPLOYEE ACCESS

ST. REGIS & BLACK DIAMOND DRIVEWAY

SOUTH BOUND SHARED BIKE LANE

NORTH BOUND SHARED BIKE LANE

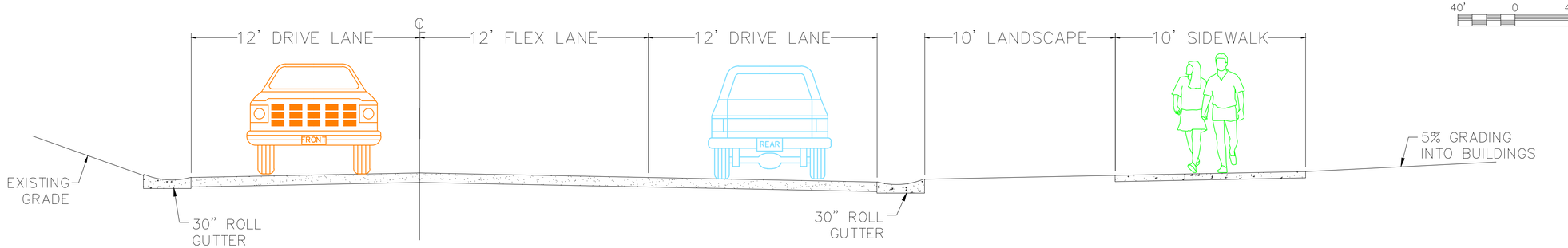
36' WIDE ASPHALT WITH 30" CURB & GUTTER

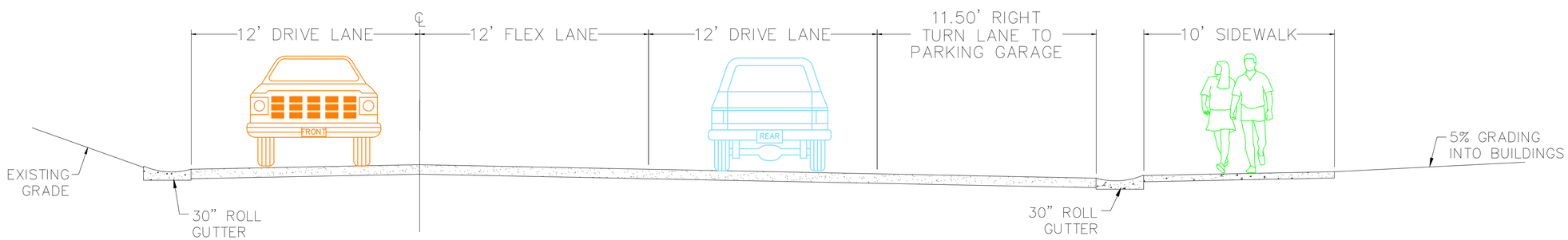
SECTION VIEW DIRECTION

FUTURE TRAFFIC SIGNAL TO BE PROPOSED AT DOE PASS AND DEER VALLEY DRIVE EAST INTERSECTION

TYPICAL DEER VALLEY DRIVE (EAST)

40' 0 40' 80'





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BRAYLON ROSE
CONNOR DINSMORE

DATE: 01/19/2022

DEER VALLEY DRIVE EAST EXHIBIT
SNOW PARK VILLAGE

FOR: DEER VALLEY
JOB NO.: 11-1-19
FILE: X:\SnowParkVillage\dwg\Snow Park Development\exhibits\Acess Exhibit\AccessExhibit.dwg

SHEET C9

MULTI-USE PEDESTRIAN PATH



AREA OF RESTRICTION FOR 12' SIDEWALK DUE TO RIGHT-OF-WAY & EXISTING LANDSCAPING

8' SIDEWALK ACROSS BRIDGE

TAPER FROM 8' SIDEWALK TO 12' SIDEWALK

EXISTING DEER VALLEY DRIVE (WEST)

12' SIDEWALK, RELOCATION OF ROCK WALLS & UTILITIES REQUIRED

12' ASPHALT PATH, RELOCATION OF ROCK WALLS & UTILITIES REQUIRED

EXISTING DEER VALLEY DRIVE (EAST)

10' SIDEWALK

CROSSWALK (TYP.)

CROSSWALK (TYP.)

PROPOSED GATE

DEER VALLEY DRIVE (WEST)

12' SIDEWALK

DOE PASS

10' SIDEWALK

PARKING BUILDING

MOBILITY HUB

SKIER DROP OFF

12' ASPHALT PATH

12' ASPHALT PATH, RELOCATION OF ROCK WALLS & UTILITIES REQUIRED

CROSSWALK (TYP.)

DEER VALLEY DRIVE (EAST)

EXTEND SIDEWALK FROM SILVER BARON LODGE TO INTERSECTION OF DVDE & DOE PASS

ASPEN WOOD CONDOMINIUMS

DEER VALLEY PLAZA

PINNACLE AT DEER VALLEY

IN THE TREES AT DEER VALLEY

FAWNGROVE

LAKESIDE AT DEER VALLEY

ROYAL STREET

TRAIL'S END AT DEER VALLEY

DEER VALLEY RESORT

SNOW PARK LODGE

DEER CREST HOTEL SUBDIVISION (ST. REGIS)

POWDER RUN

RED STAG LODGE

COMSTOCK

COURCHEVEL

SILVER BARON LODGE AT DEER VALLEY

BRISTLECONE

AMBER DAYSTAR

FIRE STATION

CHAPARRAL

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DATE: 01/19/2022

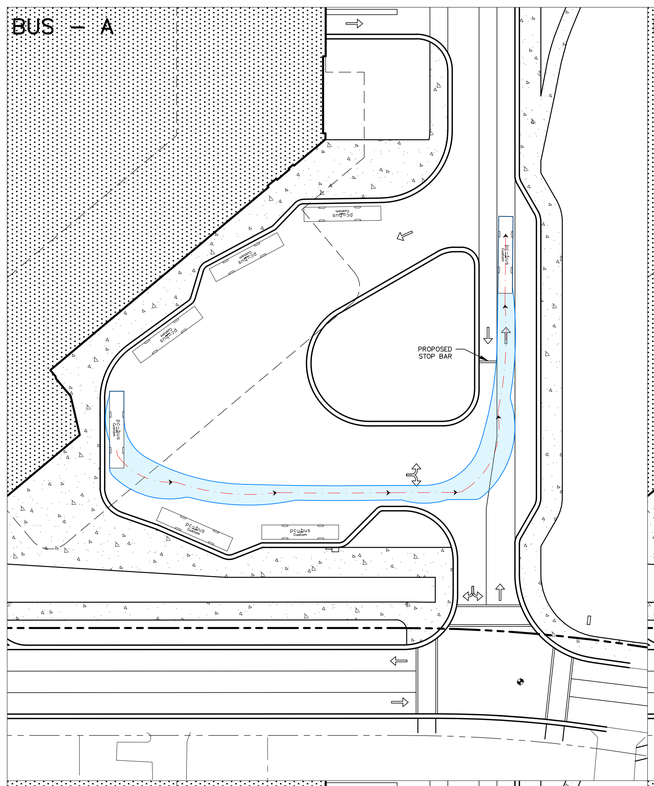
PEDESTRIAN EXHIBIT
SNOW PARK VILLAGE

FOR: DEER VALLEY
JOB NO.: 11-1-19
FILE: X:\SnowParkVillage\dwg\Snow Park Development\exhibits\Acess Exhibit\AccessExhibit.dwg

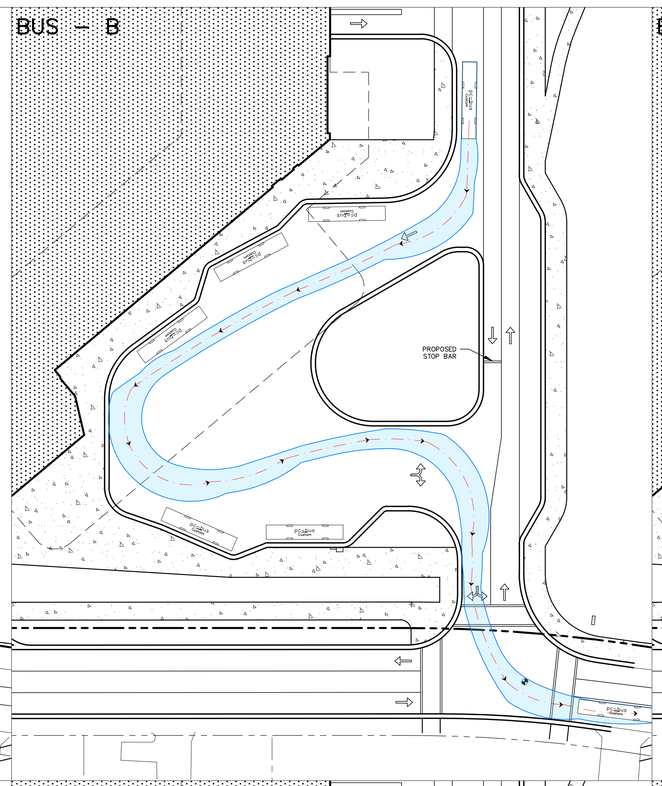
SHEET C10

120' 0 100' 200'

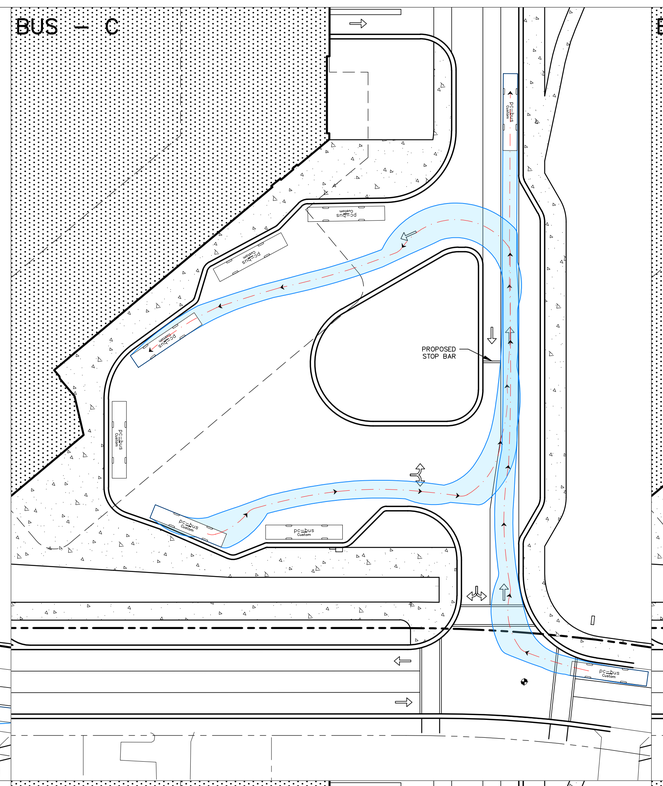
BUS – A



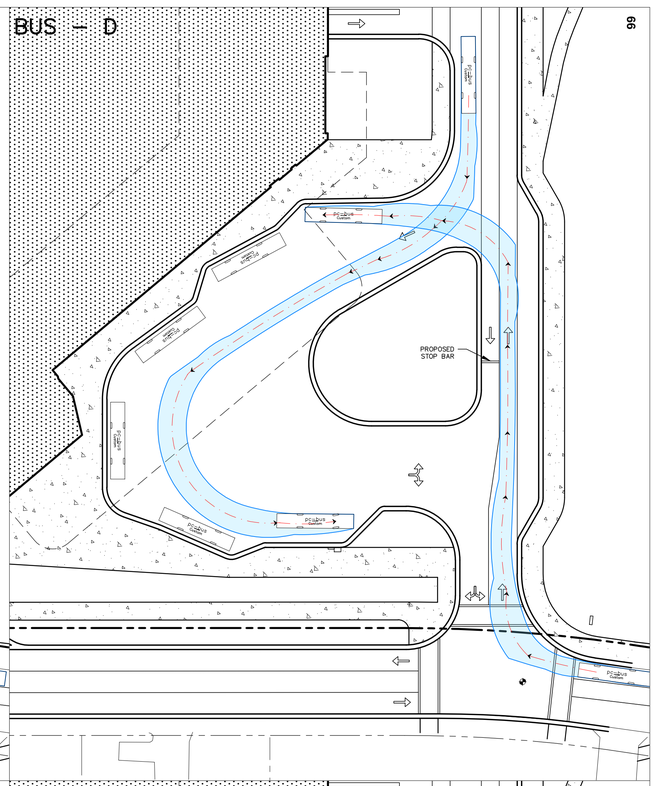
BUS – B



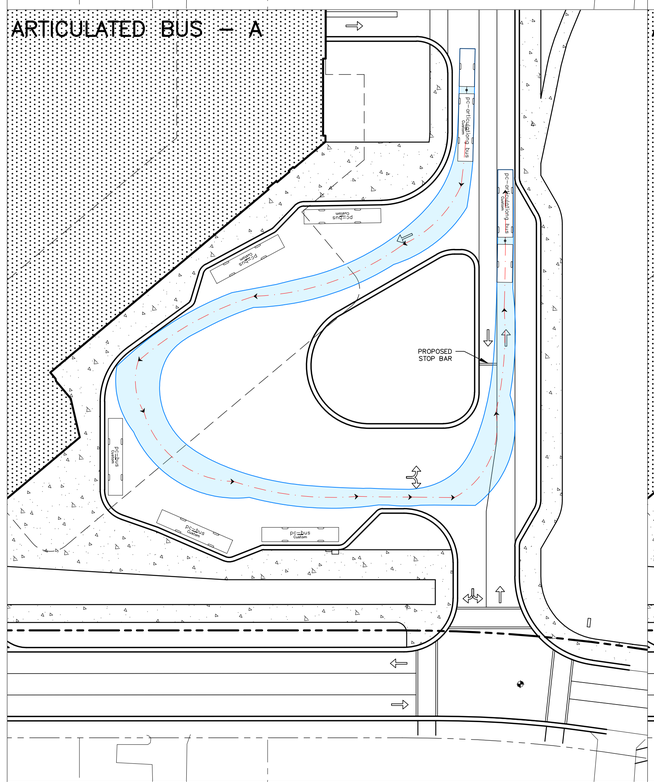
BUS – C



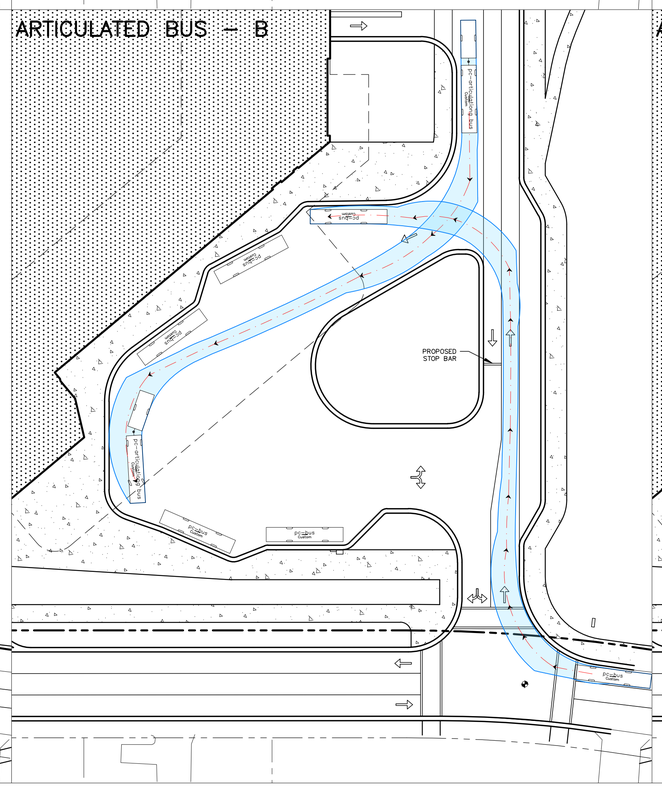
BUS – D



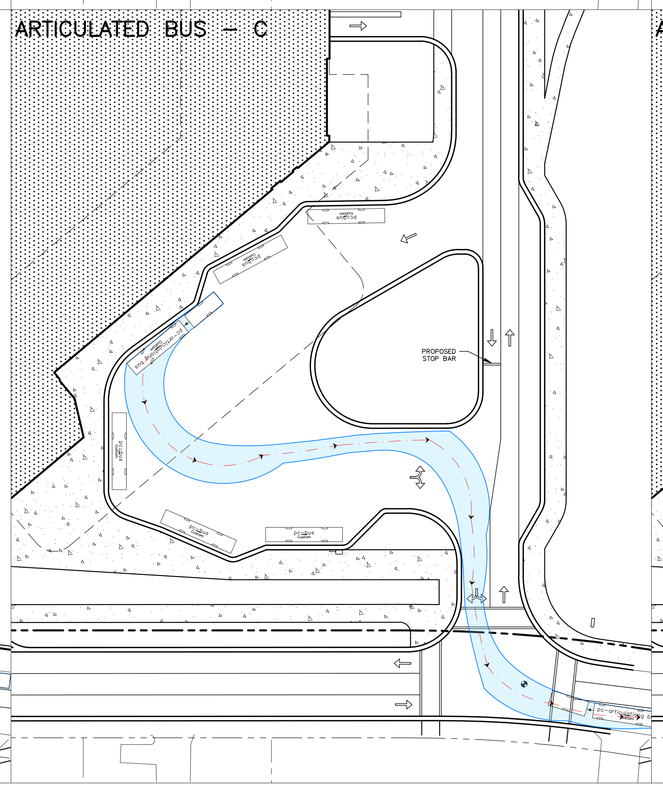
ARTICULATED BUS – A



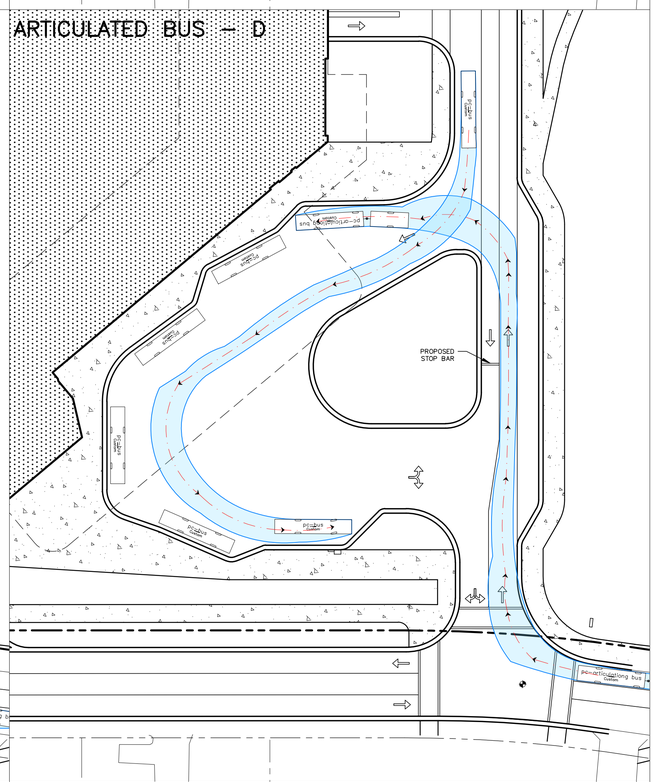
ARTICULATED BUS – B

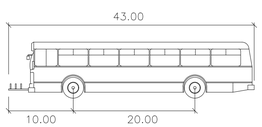


ARTICULATED BUS – C



ARTICULATED BUS – D

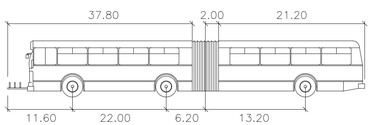




BUS

feet

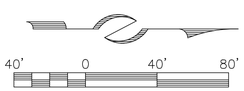
Width	: 8.00
Track	: 8.00
Lock to Lock Time	: 6.0
Steering Angle	: 34.4



ARTICULATED BUS

feet

Width	: 8.50	Lock to Lock Time	: 6.0
Track	: 8.50	Steering Angle	: 38.3
		Articulating Angle	: 50.0



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DUSTIN CARRISH
CONNOR DINSMORE

DATE: 01/20/22

DEER VALLEY RESORT
SNOW PARK VILLAGE
VEHICLE SIMULATION

FOR: DEER VALLEY RESORT

JOB NO.: 11-1-19

FILE: X:\SnowParkVillage\dwg\Snow Park Development\110119-snowpark vehicle simulation.dwg

SHEET 1 **OF** 1

SNOW STORAGE PLAN



Deer Valley Resort Snow Park Redevelopment Phase I

Conditional Use Permit Supplemental Submittal
Vehicle Control Gate Analysis

January 21, 2022

Included herein is a supplemental submittal to the Deer Valley Resort Snow Park Phase I Redevelopment Conditional Use Permit concerning a Vehicle Control Gate.

Overview

Deer Valley Resort is proposing a Vehicle Control Gate on the western flank of the Snow Park redevelopment at the termination of the City Right-of-Way for Deer Valley Drive West located beyond the Royal Street intersection. Deer Valley Resort has submitted a Right-of-Way Vacation application to the City Council which vacates a portion of Deer Valley Drive West and would establish this section of roadway as a private street held and maintained by Deer Valley Resort. The private street section of Deer Valley Drive West provides access to Trail's End Condominium development.

The following site plan and renderings identify the Vehicle Control Gate and the delineation between the Public Right-of-Way and the Private Road section of Deer Valley Drive West.

Vehicle Control Gate Analysis

Per LMC 15-15 Defined Terms, a Vehicle Control Gate is defined as:

> *VEHICLE CONTROL GATE. Any gate, barrier, or other mechanism to limit vehicular Access on or across a Street.*

Vehicle Control Gates are subject to LMC 15-4-19 Review Criteria for Vehicle Control Gates. An analysis of each review criterion has been provided below in regular font while the Land Management Code text has been provided in italicized font.

> *15-4-19 Review Criteria For Vehicle Control Gates*
> *The Planning Commission may approve Vehicle Control Gates on private Streets, in the ROS, E-40, E, and RD zoning districts, as a Conditional Use. In order to approve a Conditional Use for a Vehicle Control Gate the Commission must find that all applicable findings and review standards as required for a Conditional Use Permit in Section 15-1-10 are met. In addition, the Commission must find that the following review criteria for Vehicle Control Gates are met:*
>
> 1. *The Applicants demonstrated a need for a Vehicle control Gate to effectively control an ongoing health, safety, and welfare situation or in unique circumstances, to mitigate traffic, parking congestion, or through traffic on Streets within a neighborhood.*

The intent of the Vehicle Control Gate is to support the overall traffic and transportation plan of Deer Valley Resort's Snow Park Redevelopment. Carefully coordinated vehicular circulation is essential to the success of the arrival and departure sequence. The Vehicle Control Gate will limit resort guest vehicles from accessing the westerly portion of the new base area and plaza. The concern that's being addressed is that resort guest vehicles may attempt to drive on the westerly portion of the base area and plaza to quickly drop off skiers instead of using Deer Valley Drive East which is intended to be the resort guest drop-off area and parking garage access points. The Vehicle Control Gate will allow for: (1) the mitigation of traffic by requiring that guest traffic use Deer Valley Drive East; (2) the reduction in overall parking congestion by funneling traffic into proper parking garage and drop-off queues; and, (3) protection of the transit-first access and exiting strategies established by the proposed transit only-lanes without impediment by resort guest vehicles accessing portions of the development that are outside of the overall traffic and transportation plan.

2. *The private Street is a cul-de-sac and not a through Street. The proposed Vehicle Control Gate does not impact traffic circulation through the neighborhood.*

Deer Valley Resort has submitted a Right-of-Way Vacation application to the City Council. The proposed Right-of-Way Vacation would vacate the portion of Deer Valley Drive West in question and create a private Street. The site plan terminates Deer Valley Drive West at the Trails End Condominium development, therefore the private street is considered a cul-de-sac and is not a through Street. The proposed Vehicle Control gate does not impact traffic circulation and the Trails End Condominium Homeowner's Association is in support of the Vehicle Control Gate concept.

3. *The private Street serves primarily single family or duplex residences with individual or shared driveways.*

The private Street serves the Trails End Condominium development which is comprised of townhome residences accessed via a shared driveway.

4. *There is a major traffic or parking generator or Use, such as the ski area base at lower and upper Deer Valley Resort and Park City Mountain Resort, within a nine hundred foot (900') walking distance of the private Street entrance and there is evidence of spill over parking or other vehicular activity on a regular basis throughout the season.*

As indicated in Criterion #1, the proposed Vehicle Control Gate is intended to support the overall traffic and transportation plan of Deer Valley Resort's Snow Park Redevelopment. The Vehicle Control Gate is a proactive measure to address potential traffic and access concerns.

5. *The Vehicle Control Gate is located outside of the City Right-of-Way and maintains all Setbacks of the zone.*

The proposed Vehicle Control Gate will be located on a private street outside of the City Right-of-Way. All applicable Setbacks of the zone will be maintained.

6. *The Vehicle Control Gate does not impact existing utility easements.*

The proposed Vehicle Control Gate does not impact existing utility easements. All utility infrastructure required to support the proposed Snow Park Development and Trails End Condominium development will not be impacted by the proposed Vehicle Control Gate.

7. *The Vehicle Control Gate is designed to permit unimpeded pedestrian, bicycle and equestrian Access through the neighborhood and to existing public trails and walkways. A minimum gap of four feet (4') shall be allowed for these non-vehicular Uses.*

As indicated in the site plan and the overall circulation plans for the entire Snow Park redevelopment, pedestrian and bicycle access will be accommodated by the 12 foot trail system that surrounds the proposed development. The proposed Vehicle Control Gate does not impede this access.

8. *The Vehicle Control Gate is designed to be minimal in height, scale, and mass to accomplish the goal of preventing unauthorized vehicle traffic, parking, and/or other impacts on the neighborhood. There shall be a minimum bottom clearance of two feet (2') from the bottom of the gate rail to the road surface. A diagonal structural support may cross through the two foot (2') opening to provide additional structural strength for the cantilevered gate (see illustration) and keep the overall gate mass to a minimum. The gate shall be no more than thirty-six inches (36") in height from the bottom rail to the top rail, although allowance may be made for decorative elements. Design and materials shall result in a visually open gate. Any walls associated with the entry gate shall be pedestrian in scale and shall generally not exceed a height of five feet (5'). Column elements may be added for architectural interest, but these column elements shall not exceed a height of nine feet (9').*

The proposed vehicle control gate will comply with the design requirements outlined in requirement #8 and as illustrated in the attached exhibits.

9. *The method of Access for emergency, service, and delivery vehicles shall meet all requirements of the Planning, Engineering, and Building Departments and the Fire Marshall prior to issuance of a Building Permit for the gate construction.*

The method of Access for emergency, service, and delivery vehicles will comply with all requirements as follows:

- Emergency vehicle access will be facilitated through two methods: (1) A sound operation system that will open the gate automatically if a siren is detected. This system reduces delays for emergency vehicles by opening the gate in advance of the emergency vehicle arrival; and (2) A traditional emergency knock box that has a universal key for all emergency service providers. This works as a backup to the sound operation system and provides access in non-emergency situations where sirens are not being used.

- Service and Delivery vehicle access will be facilitated through two methods: (1) A keyless entry remote, commonly referred to as a FOB, type system; and, (2) A traditional keypad with a passcode.

10. *Vehicle Control Gates on private Streets are not permitted in all zones. Gates on private Streets are allowed as a Conditional Use in the following Zoning Districts: ROS, E-40, E, and RD.*

The proposed Vehicle Control Gate is located within the Residential Development (RD) Zoning District.

11. *Any signs associated with the gate and/or walls are subject to the Park City Sign Code and require a separate sign permit.*

Any signs that trigger a Sign Permit will comply with the Park City Sign Code. At this time, no signs are anticipated and signs warning of the dead-end (or gate entrance) will be located near the Royal Street intersection with the intent of warning motorists well before they reach the Vehicle Control Gate. All signs associated with the intersection are included in the overall wayfinding and right-of-way sign plan for the overall Snow Park Development.

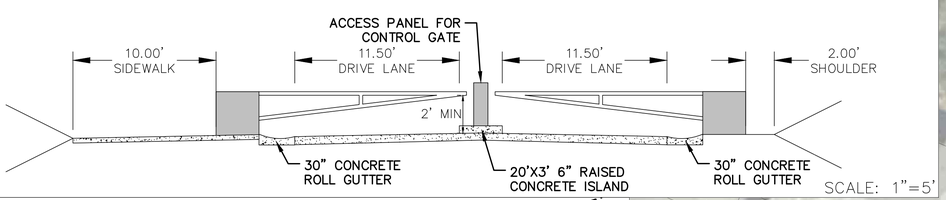
12. *A Vehicle Control Gate management plan shall be submitted for Planning Commission approval to address times and situations when the gate will be closed. Applicants shall agree to leave the gate open at all times, except as specified in the approved management plan.*

The Vehicle Control Gate will be closed at all times to prevent non-resident vehicular access that will affect the overall traffic and transportation plan of Deer Valley Resort's Snow Park Redevelopment. Carefully coordinated vehicular circulation is essential to the success of the arrival and departure sequence. The Vehicle Control Gate will limit resort guest vehicles from accessing the westerly portion of the new base area and plaza. Access through the gate will be permitted for residents and guests of the Trails End Condominium Development in addition to necessary deliveries or emergency vehicle access. Residents and guests of the Trails End Condominium development will be equipped with keyless entry remote access (also known as a FOB) and a passcode system for a gate keypad.

Attachments:

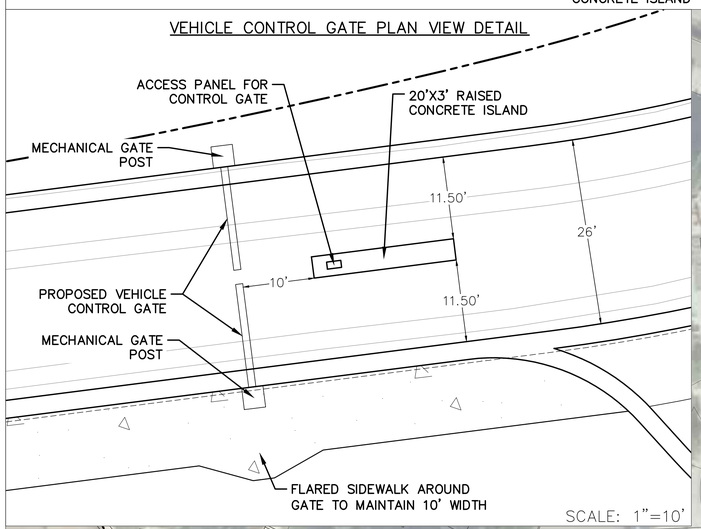
Exhibit 1: Vehicle Control Gate Location and Specifications

VEHICLE CONTROL GATE CROSS SECTION



SCALE: 1"=5'

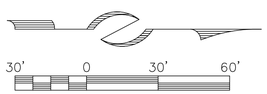
VEHICLE CONTROL GATE PLAN VIEW DETAIL



SCALE: 1"=10'

NOTE:

1. THERE SHALL BE A MINIMUM BOTTOM CLEARANCE OF TWO FEET (2') FROM THE BOTTOM OF THE GATE RAIL TO THE ROAD SURFACE. A DIAGONAL STRUCTURAL SUPPORT MAY CROSS THROUGH THE TWO FOOT (2') OPENING TO PROVIDE ADDITIONAL STRUCTURAL STRENGTH FOR THE CANTILEVERED GATE (SEE DETAIL) AND KEEP THE OVERALL GATE MASS TO A MINIMUM. THE GATE SHALL BE NO MORE THAN THIRTY-SIX INCHES (36") IN HEIGHT FROM THE BOTTOM RAIL TO THE TOP, ALTHOUGH ALLOWANCE MAY BE MADE FOR DECORATIVE ELEMENTS. DESIGN AND MATERIALS SHALL RESULT IN A VISUALLY OPEN GATE. ANY WALLS ASSOCIATED WITH THE ENTRY GATE SHALL BE PEDESTRIAN IN SCALE AND SHALL GENERALLY NOT EXCEED A HEIGHT OF FIVE FEET (5'). COLUMN ELEMENTS MAY BE ADDED FOR ARCHITECTURAL INTEREST, BUT THESE COLUMN ELEMENTS SHALL NOT EXCEED A HEIGHT OF NINE FEET (9').
2. SOS GATE TO BE INSTALLED WITH REDUNDANT KNOX BOX. CONFIRM WITH PARK CITY FIRE DISTRICT.



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

STAFF:
MICHAEL DEMKOWICZ
BRAYLON ROSE
CONNOR DINSMORE

DATE: 01/21/2022

VEHICLE CONTROL GATE EXHIBIT
SNOW PARK VILLAGE

FOR: DEER VALLEY
JOB NO.: 11-1-19
FILE: X:\SnowParkVillage\dwg\Snow Park Development\exhibits\Acess Exhibit\AccessExhibit.dwg

SHEET 1

WALL CONSULTANT GROUP
2139 South 1260 West, Salt Lake City, UT 84119-1464

TECHNICAL MEMORANDUM

Date: Friday, January 28th, 2022

To: John Robertson, City Engineer

Cc: Alexandra Ananth, Senior Planner

From: Jeremy Searle, PE, PTOE and Gary Horton, SE

Subject: Snow Park Village 2nd Submittal Review Summary

Purpose

WCG was asked to review the updated submitted materials for the proposed Snow Park Village Redevelopment project at Deer Valley. The proposed development is located at the Deer Valley Resort Lodge and extends north through the existing parking lots and is bounded by Deer Valley Drive on either side. A future phase of this project could occur on the large parking area north of Doe Pass Road. The following documents were submitted for review:

- Snow Park Village Transportation Analysis (TA), dated January 2022
- Snow Park Village MPD Parking Analysis per LMC 15-6-5(E), dated January 21, 2022
- Snow Park Village MPD Parking Response, dated January 21, 2022
- Snow Park Village TDM Plan, Dated January 2022
- Snow Park Traffic & Transportation Access Exhibits, dated January 21, 2022
- Snow Park Updated Snow Storage Exhibit, dated January 21, 2022
- Snow Park Vehicle Control Gate Analysis, dated January 21, 2022

Each of these submissions were reviewed and a summary of our comments and observations are provided in the following section. In addition, the comments from our previous review were checked to see if they have been addressed in the latest submittals. If it was not addressed, it is listed again and marked with the following symbol: ».

Review

After completing our review of the updated submission materials, WCG has the following observations, comments, and questions:

Snow Park Village Transportation Analysis (TA), dated January 2022

1. The discussion on LOS in section 3.4 for the TA is from the previous report. This analysis has several additional intersections with poor level of service. Most of the sections discussing LOS for each scenario have not been updated and still have the previous text that doesn't mention the new intersections that were analyzed. This is confusing when reading the report.
2. The study indicates that Saturday daily roadway counts were collected on Feb. 15, 2020 at 4 locations on Deer Valley Drive East and Deer Valley Drive West. The results of these

counts are never discussed or shared. Please include these counts to provide insight into the amount of traffic each road carries on a typical Saturday in ski season.

3. » A previous comment noted that the study does not analyze "the proposed accesses, the mobility hub, drop off areas, or internal circulation. Please include these in the analysis and identify any mitigations measures needed at these locations."
    a. Please include analysis on the mobility center, circular drop off, hotel drop off and ride share drop off areas, including peak demand, dwell times, queuing, operations, etc. to ensure that these areas are designed adequately and will not result in excessive queuing and operational issues.
4. » A previous comment requested the following "Please discuss what measures will be implemented to mitigate traffic volume increases and impacts to adjacent residences along Deer Valley Drive East." This has not yet been done. Residents from the Solamere neighborhood have expressed concern about the increased traffic on Deer Valley Drive East, congestion at the Solamere Drive intersection, and access to transit.
5. Based on the traffic analysis there will be queue lengths on Deer Valley Drive that will impact the ability for left turn movements into Amber Road. What is the proposed mitigation for this impact? There is a concern that a motorist waiting to turn left could back up traffic and the operations of the traffic signal.
6. » A previous comment: "Please submit a roadway signage plan."
7. The dedication of the right-of-way on Deer Valley Drive West to a private street is a significant item that will impact the traffic study assumptions if not approved.

Snow Park Village MPD Parking Analysis per LMC 15-6-5(E), dated January 21, 2022

WCG has no new comments on this submittal and previous comments related to parking were addressed.

Snow Park Village MPD Parking Response, dated January 21, 2022

8. One of the biggest variables that could seriously impact congestion on Deer Valley Drive East is the smooth operation of the paid parking ingress transaction. If this takes too long, traffic could easily back up and impact other intersections. Should there be a commitment to keep the average ingress transaction times to a certain number of seconds? Will this be monitored as it is implemented to make sure there aren't other impacts? Egress transactions are also a concern, but impacts will primarily be confined to the interior of the parking garage.

Snow Park Village TDM Plan, Dated January 2022

9. The Transportation Demand Management (TDM) section of the TA report acknowledges Park City's stated goal to reduce traffic by 20 percent. The TDM plan identifies several strategies that will be used to help accomplish this goal. How will progress on this goal be measured? Are there specific objectives that will be identified and progress that can be measured to show progress on this goal?

Snow Park Traffic & Transportation Access Exhibits, dated January 21, 2022

10. Does Park City Transit require a 12' wide bus lane on Deer Valley Drive West and East or is 11' acceptable?
11. The plans indicate that the sidewalk on Deer Valley Drive West and East will be an 11' minimum depending on ROW. Is this acceptable or is 12' required regardless?
12. Stop bars should be added at all of the intersections.
13. At the intersection of Deer Valley Drive East and Doe Pass Road need to add the new traffic signal. This needs to identify how busses will get a priority signal in order to enter the traffic stream from the exit of the Mobility Hub due to the short distance between the Mobility Hub and the Deer Valley Drive East and Doe Pass Road intersection.
14. Can the egress from the parking garage across from the Powder Run Condominiums be lined up to improve the safety of turning movements?
15. The skier drop off goes has three lanes that merges to one lane on Deer Valley Drive East. This is not a safe traffic operation and needs to be resolved.
16. The service access adjacent to the parking garage access across from Royal Street needs to be removed or relocated to another location with appropriate spacing from intersection and other access points.
17. On the typical sections the slope of the trail needs to drain towards the road and a storm drain analysis will need to verify sufficient capacity for the additional drainage impacts.

Snow Park Updated Snow Storage Exhibit, dated January 21, 2022

18. The snow storage in the median of the Mobility Hub appears that it will impact visibility of bus drivers as they attempt to exit.
19. Verify site triangles as well for the snow storage areas located adjacent to the exit of the parking garages.

Snow Park Vehicle Control Gate Analysis, dated January 21, 2022

20. The Control Gate summary in point 7 indicates that there are 12-foot sidewalks through that pedestrians can travel past the gate. However, the drawings only show 10-foot sidewalks.

Alexandra Ananth

From: planning
Sent: Monday, December 13, 2021 8:44 AM
To: Alexandra Ananth
Subject: FW: [External] Deer Valley Parking lot/Gondola Project

Julie Schultz
Executive Office Administrator
Park City Municipal - Planning Department
445 Marsac Avenue, PO Box 1480
Park City, UT 84060
o: 435.615.5061
www.parkcity.org

From: Chris <phxwilsonschris@aol.com>
Sent: Sunday, December 12, 2021 6:53 AM
To: planning <planning@parkcity.org>
Subject: [External] Deer Valley Parking lot/Gondola Project

[CAUTION] This is an external email.

Hi,

I'm very interested in the Deer Valley plan to change the parking lot and offer a Gondola transport to alleviate traffic. My main concern as you discuss the gondola and the terminus of it, I'm wondering what all the mountain bikers will do in the summer? Will their bikes fit on the gondola? Sometimes the parking lots are pretty full, especially on the day when DV offers evening mountain biking or there's an overlap of bikers and concert goers. Many of the bikers come in RV's and spend their nights in the parking lot, too.

We rent a Powder Run Condo for 3.5 months every summer and do not ski. We are walkers and often ride the free bus back up the hill after dinner on Main Street. We are disappointed in how many buses make the loop from the Main Street Terminal to Snow Park every hour and how most of them are empty except during the 4th of July parade. And this year the buses weren't loaded with passengers because the parade was on 7/2. I'm hoping this gondola is truly needed in the winter because the buses are full of skiers and their gear.

More transportation options may be a good idea, but will people use it? Maybe this winter you might poll the skiers and do a feasibility study.

I just wanted to share the concern about mountain bikers using a gondola.

~Chris Wilson
480-236-6207

Alexandra Ananth

From: PRISCILLA WATSON <billpris@aol.com>
Sent: Monday, January 24, 2022 5:46 PM
To: Gretchen Milliken; Alexandra Ananth
Cc: Charles Haggerty
Subject: [External] Fwd: Snow Park Village

[CAUTION] This is an external email.

Thanks for the meeting this afternoon and discussing our concerns about the traffic flow. Attached is a copy of the first email handed out. The second email will be forwarded shortly.

Again thanks, Bill Watson

Sent from my iPhone

Begin forwarded message:

> **From:** Priscilla Watson <billpris@aol.com>
> **Date:** January 17, 2022 at 2:57:23 PM MST
> **To:** chuckhaggerty@icloud.com
> **Subject: Snow Park Village**
> **Reply-To:** Priscilla Watson <billpris@aol.com>
>
> Chuck,
>
> We all purchased our properties in the Solamere area realizing that Deer Valley had approval to develop the parking area at Snow Park Village. The meeting with Alterra several weeks ago prompted me to take a closer look at the project. As residents in this area our major concern should be the ability to get in and out of our neighborhood including a reasonable way to Deer Valley. There are a number of problems with what is being proposed and believe it is not being done properly. Most of the problems stem from the Fehr Peers Transportation Analysis of April 2021. Some of the concerns are:
>
> 1. This was done and paid for by Deer Valley and appears to come to a conclusion very beneficial to Deer Valley with no alternatives or discussion of alternatives.
>
> 2. For the Deer Valley Roundabout and Deer Valley Drive/Bonanza Drive average vehicle delay was reported. Whereas the Deer Valley Drive North/Deer Valley Drive South the worst movement delay is reported. All the reports should be on the same basis to have any creditably.
>
> 3. The report showed that it was faster to take a left turn rather than a right one when going from Deer Valley Drive North onto Deer Valley Drive South. This could only happen if traffic is backed up from Bonanza around the roundabout. Conveniently traffic was never analysed at the worst movement delay for both the roundabout and Bonanza and the study never mentioned the delay at Park Ave.
>
> 4. The conclusion drawn (which we believe is invalid as mentioned above) is that the Deer Valley Drive North/Deer Valley Drive South intersection is the problem and almost all of the traffic should be routed to Deer Valley North and a light be placed on Deer Valley Drive South for buses and vans.

5. The proposed route to the parking structure is twice as far to the parking structure, goes through a congested area with condo developments on both sides of the road, makes it almost impossible to take a left hand turn out of Solamere and Queen Ester Drives. During peek times it would make it difficult as well as unsafe for those taking public transportation to cross the road in the morning or afternoon when going or returning to their units. Why bring the traffic around the circle? Seems much better to send it directly to Deer Valley using Deer Valley Drive South or Doe Pass although it may be more expensive because of the utilities in that roadway.

6. None of the exhibits mention the five hundred or so housing units north of Deer Valley Drive North let alone address the traffic from these homes.

7. Although public free transportation is mentioned it never mentions that our area and most residents of Park City do not have access to this transportation.

8. Deer Valley is a very well run facility and and does this using a high staff to guest ratio which adds to the traffic problem. The study does not break out staff and guests.

9. The study shows where most of the traffic is originating and returning but does not offer a solution to reducing or mitigating some of this traffic.

We need to address the problems this Transportation Analysis poses to us and get it done correctly for the residents even if it is not what Deer Valley desires.

Alexandra Ananth

From: PRISCILLA WATSON <billpris@aol.com>
Sent: Monday, January 24, 2022 5:52 PM
To: Gretchen Milliken; Alexandra Ananth
Cc: Charles Haggerty
Subject: [External] Fwd: DV Base Development

[CAUTION] This is an external email.

Attached is the other email addressing the entrances and exits along each section of Deer Valley Drive.

Thanks, Bill Watson

Sent from my iPhone

Begin forwarded message:

> **From:** Charles Haggerty <chuckhaggerty@icloud.com>
> **Date:** January 20, 2022 at 4:18:22 PM MST
> **To:** Bill Watson <billpris@aol.com>
> **Subject: Fwd: DV Base Development**
>
> OK. We need to figure out next steps.
>
> More "facts"
>
> South DV Drive .5 mi from intersection to Snow Park Lodge
> 8 ingress, 9 egress points (one way road across parking lot makes one less ingress)
>
> North DV Drive 1.2 mi from intersection to Snow Park Lodge
> 19 ingress, egress points (did not count existing parking lot ingress, egress. add 5)
>
> Chuck

> Begin forwarded message:
>
> **From:** Nann Worel <nann.worel@parkcity.org>
> **Subject: DV Base Development**
> **Date:** January 20, 2022 at 3:45:40 PM MST
> **To:** Gretchen Milliken <gretchen.milliken@parkcity.org>
> **Cc:** Charles Haggerty <chuckhaggerty@icloud.com>
>
> Hi Gretchen!

Please allow me to introduce by way of email Chuck Haggerty, President of the Solamere HOA. He has reviewed the webpage on the proposed development at the base of Deer Valley and has some comments, questions and concerns about the project he'd like to discuss.

I have cc'd him on this email so you will have his email address to connect with him.

thanks!

Nann Worel
Park City Mayor
Nann.worel@parkcity.org
435-513-9955

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: Sommet Blanc/B2 East Conditional Use Permit and Amendments to Pod B2 Master Planned Development and Flagstaff Development Agreement
Application: PL-20-04702, PL-21-04771
Author: Makena Hawley, Planner II
Date: February 9, 2022
Type of Item: Administrative – Conditional Use Permit, MPD Amendment & Development Agreement Amendment

Recommendation

Staff recommends the Planning Commission hold a public hearing and consider approving 1) an Amendment to the 2007 Pod B2, Empire Pass MPD; and 2) an amendment to the 2007 Flagstaff Development Agreement; and 3) a Conditional Use Permit for Pod B2 East, Sommet Blanc Residences, at 9300 Marsac Avenue, amending the findings of fact, conclusions of law, and conditions of approval as outlined in the Draft Final Action Letter (Attachment 1).

Description

Applicant:	Sommet Blanc Residences I LLC / Douglas Ogilvy and Hannah Tyler
Location:	9300 Marsac Avenue
Zoning District:	Residential Development (RD) within a Master Planned Development (MPD)
Adjacent Land Uses:	Empire Day Lodge, Montage Deer Valley, Deer Valley Ski Resort
Reason for Review:	The Planning Commission takes final action on Conditional Use Permits and Amendments to Master Planned Developments and Development Agreements

Abbreviations

AUE	Affordable Unit Equivalent
CC&R	Covenants, Conditions, and Restrictions
COA	Conditions of Approval
CUP	Conditional Use Permit
DA	Development Agreement
DRB	Design Review Board
EPA	Environmental Protection Agency
EPMOA	Empire Pass Master Owners Association
HG	Hill Glazier
JSSD	Jordanelle Special Service District
LMC	Land Management Code

MPD	Master Planned Development
PUD	Planned Unit Development
RD	Residential Development
SB	Sommet Blanc
SF	Square Feet
TBR	Twisted Branch Road
UE	Unit Equivalent
VMPD	Village Master Planned Development

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

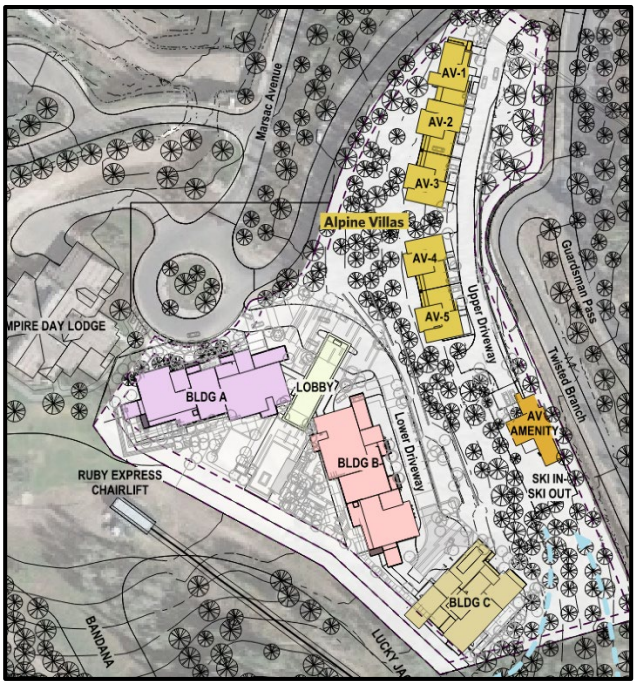
Summary

The proposed development site is Lot 1 of the B2 East Subdivision (Parcel B2 East, Exhibit D), located at 9300 Marsac Avenue, adjacent to the Deer Valley Empire Day Lodge and the Montage Deer Valley. The Lot is located in the Residential Development (RD) zone a Multi-Unit Dwelling is a Conditional Use and is subject to the requirements of the 2007 Empire Pass B-2 Master Planned Development (MPD, Exhibit F) and the 2007 Amended Flagstaff Development Agreement (Development Agreement or DA, Exhibit E).



In November 2020

The Applicant submitted an application for a Conditional Use Permit (CUP) for three (3) condominium lodges (Multi-Unit Dwellings) with 44 residential units above underground parking, a 3,600-square-foot public restaurant, six (6) townhome villas within three (3) duplexes, and a detached ancillary ski locker building located adjacent to the villa duplexes on the hillside above the condominium lodges. The requests within the CUP require amendments to both the DA and the MPD.





February 22, 2021
The Applicant submitted a Modification of Approval application for amendments to both the DA and the MPD.

July 15, 2021
The Applicants submitted updated plans utilizing feedback from the previous Planning Commission work sessions. The submittal proposed **three (3)** condominium buildings with **43** residential units above underground parking, a 3,600-square-foot public restaurant, **four (4)** townhome villas within **two (2)** duplex buildings, and a detached ancillary ski locker building.





The Applicant and the Planning Commission continued to work through the proposal mitigations and design in several meetings:

Meeting Date	Meeting Type	Links
March 24, 2021	Work Session	Staff Report; Minutes, p.3
June 9, 2021	Work Session	Staff Report; Minutes, p.3
September 8, 2021	Work Session	Staff Report; Minutes, p.3
October 27, 2021	Regular Agenda	Staff Report; Minutes, p.17
December 8, 2021	Regular Agenda	Staff Report; Minutes, p.11

December 8, 2021
At the Planning Commission meeting, the Applicant proposed a new design in response to the Planning Commission's earlier concerns over extensive site disturbance and retaining site vegetation by eliminating the two (2) duplex buildings and the ancillary ski building and incorporating the density into the three (3) larger multi-unit buildings in the proposal. The Commission expressed interest in discussing this further as the proposed changes minimizes the site disturbance and eliminates the curb cut on 224 despite resulting in a greater height accommodation of one story each on Building B (94' above USGS 8362') and C (106' above USGS 8376.5').

January 20, 2022
The Applicant submitted modified plans displaying the updates discussed at the previous meeting. The submittal proposes three **(3) condominium buildings with 49 residential units above underground parking, and a 3,600 square foot public restaurant** (Exhibit B).





In the latest version, the Applicant requests the following approvals, modifications, and amendments:

1. Conditional Use Permit:
   The Applicant is requesting approval of **49 residential units** above underground parking in three (3) multi-unit condominium buildings labeled A, B, and C on the lower portion of the property adjacent to the Ruby Chair with a **3,600-sf public restaurant** utilizing available Resort Support Commercial space.

   With 49 total residential units, the project includes less units than entitled under the 2007 MPD (Maximum of 70) however the Applicant is proposing to utilize the same 81 Unit Equivalents (UEs) of residential Density (one Residential Unit Equivalent is equal to 2,000 square feet, totaling 162,000 square feet of residential development).

   In the Residential Development (RD) zone a Multi-Unit Dwelling is a Conditional Use. A Multi-Unit Dwelling is defined as "*a Building containing four (4) or more Dwelling Units*". Due to the number of units, this project is also subject to the provisions of LMC Chapter 15-6, Master Planned Development.

2. Pod B2 MPD – Amendment to Approved Volumetrics and Height
   The Applicant is requesting approval to modify the Conditions of Approval #1 and #2 regarding the allowed Volumetrics and Building Height within Pod B2 MPD pursuant to LMC Chapter 15-6, Master Planned Developments. This requires consideration of the natural features of the site, site planning that clusters units in the most developable and least visually sensitive portions of the site, minimization of grading and the need for large retaining structures, adequate internal vehicular, pedestrian, and bicycle circulation, and transportation amenities including drop-off areas for van and shuttle service, and a bus stop, if applicable.

   - COA #1 (of MPD) "The building plans and volumetrics for the project shall meet substantial compliance with the drawings dated April 24, 2006, and

as reviewed by the Planning Commission."

- COA #2 (of MPD) "A height exception for the Montage to 114 feet above a benchmarked grade (USGS 8346') is granted with the Master Plan. A height exception for the east side condominiums to 82 feet above benchmarked grades (USGS 8330' for north datum point and 8380' for south datum pint) is granted with the Master Plan. Datum points are indicated on the site plans reviewed by the Planning Commission." (Pg. 9 of Exhibit H)

The benchmark grade was chosen to measure height for these Pods due to the heavy disturbance within the development Pods from mining activity that took place around the Mazepah Mine Shaft and the Daly West Head Frame and the subsequent soil remediation and infill of clean soil.

The approved design and volumetrics, referred to as the 'Hill-Glazier Plan' (Exhibit L) originally limited the condominiums to 33 feet in height from final grade (Noted in MPD Action Letter, Exhibit F) but was increased to 82 feet in the MPD's COAs. The Applicant is proposing to set a height limit of **94 feet above a "benchmark grade" location, for Building B and 106 feet above a "benchmark grade" location, for Building C**, as was done with the Montage. At the Montage, height was measured from the 'benchmark' location of 114' above the entry lobby. The proposed benchmark locations for the condominium buildings at Sommet Blanc is the grade of the entry level for Building A, and the skier entry/amenity level for Buildings B and C. Building A is compliant with the MPD conditioned exception of 82' above benchmark (at 82'). Such a height determination would result in varying heights from different portions of the building relative to the benchmark.

3. Amendment to Flagstaff Development Agreement 2.1.2 Design Guidelines
   The Applicant proposes to amend the current Empire Pass Design Guidelines by creating a new section specific to the B2East property to reflect the more "mountain modern" design aesthetic. Recent examples of this more mountain modern style of architecture include One Empire Pass, and the new Goldener Hirsch Residences.

   The process to amend the Design Guidelines requires review and approval from the Empire Pass Design Review Board as well as approval by the City, as conditioned by the DA (in this case the Planning Commission).

   The Applicant has provided preliminary design approval from the Board which are included in the exhibits from June 11, 2021, and July 28, 2021 (Exhibits 6 and 7).

4. Mid Mountain Trail
   The Mid Mountain Trail is an iconic, world-class mountain bike and hiking trail.

The trail crosses the subject Property parallel to Twisted Branch Road and across Parcel A of the B2 East Subdivision Plat. The Applicant has worked to temporarily reroute and re-grade the trail as part of mitigation requirements for sewer line implementation. As noted by the City's Trails & Open Space Manager, a portion of this detour is steeper than ideal for a permanent trail alignment. Upon completion of the sewer line, the Applicants propose to address the deficiencies in the current detour to bring it up to a standard suitable for permanent use. The City's Trails & Open Space Manager has indicated that he will work with the Applicant to make the trail acceptable.

Condition of Approval #25: The final proposed parking lot and Mid Mountain Trail re-route will require approval from the City's Trails and Open Space Manager.

In addition, the Applicants propose to reroute Mid Mountain Trail between SR-224 and the Upper Tour de Suds bike trail with a new crossing over SR-224 immediately south of the trailhead parking lot. Pedestrian/cyclist safety will be well served by the improved sight lines at the new road crossing and visitor orientation and safety will be improved by the updates to the existing parking area and with an added, adjacent trailhead kiosk (Exhibit 4).

The Applicant has remained willing to improve the parking lot, however the Applicant is also willing to post a $150,000 public improvement guarantee for construction of trailhead parking lot improvements should Planning Commission and the City prefer to explore alternate designs.

Background

Due to the lengthy history of the property, the Background section can be found as Exhibit C.

General Plan

The proposed development is located within Neighborhood 9: Upper Deer Valley of the General Plan, which is characterized by resort-oriented development, prioritization of open space, an emphasis on transportation and improved connectivity, environmentally responsible second homes, and a focus on the aesthetics of massing and design of new development.

Analysis

Documents that govern the site include, but are not limited to, the following:

- The 2007 Empire Pass B-2 Master Planned Development (MPD, Exhibit F);
- The 2007 Amended Flagstaff Development Agreement (DA, Exhibit E); including the 14 specific technical reports (Exhibit J);
- The 2017 B2 East Subdivision approval (Ordinance 2017-07, Exhibit D);
- The Land Management Code § 15-1-10 Conditional Use Permit; and
- The Land Management Code Chapter 15-6 Master Planned Development Requirements.

Substantive Modification to the B-2 East Master Planned Development

Per LMC § 15-6-4(K), MPD Modifications require the Planning Commission to determine whether the amendment is Minor or Substantive. The criteria for MPD amendments are set forth in LMC § 15-6-4. A key issue for a substantive modification is whether it creates additional impacts, and that would require a review of the entire MPD. The triggers include, but are not limited to, a change to a condition of approval or a finding of fact, a change in use, or a change in floor area that triggers additional off-street parking, additional floor area, or an increase in traffic.

During the March 24, 2021 meeting (See Minutes here) the Planning Commission determined the Applicant's proposed modifications are a Substantive Modification, requiring Planning Commission review and approval.

As written above, the Applicant is requesting the following modification:

Pod B2 MPD	
Existing:	**Proposed:**
COA #1 "The building plans and volumetrics for the project shall meet substantial compliance with the drawings dated April 24, 2006, and as reviewed by the Planning Commission."	**COA #1** ""The building plans and volumetrics for the project shall meet **substantial compliance with the drawings dated February 9, 2022**, and as reviewed by the Planning Commission."."
COA #2 "A height exception for the Montage to 114 feet above a benchmarked grade (USGS 8346') is granted with the Master Plan. A height exception for the east side condominiums to 82 feet above benchmarked grades (USGS 8330' for north datum point and 8380' for south datum pint) is granted with the Master Plan. Datum points are indicated on the site plans reviewed by the Planning Commission." (Pg. 9 of Exhibit H)	**COA #2** "A height exception for the Montage to 114 feet above a benchmarked grade (USGS 8346') is granted. A height exception for the east side condominiums above benchmarked grades is granted as follows: **Building A** **82' above USGS 8345'** **Building B** **94' above USGS 8362'** **Building C** **106' above USGS 8376'6**""

All Master Planned Developments shall contain the following minimum requirements in accordance with LMC § 15-6-5. The Applicant is requesting an amendment to the MPD to update the drawings, the site plan, volumetrics, and height, discussed in detail below.

(A) DENSITY. *Type of Development, number of units, and Density permitted on a given Master Planned Development Site based on a Site Suitability Analysis. The Master Planned Development shall not exceed the maximum Density in the Zoning District, except as otherwise provided in this Section. The Site shall be looked at in its entirety.*

Requires an Amendment to the MPD.
Per the 2007 DA the Mountain Village was granted a maximum density of 785 Unit Equivalents in a maximum of 550 dwelling units. Following the DA amendment, the Pod B2 MPD approval allotted the east side of B2 81 Unit Equivalents (Per LMC § 15-6-8, one UE equates to 2,000 sf of Multi-family dwelling floor area or 1,000 sf of commercial or office floor area). Therefore, 81 UEs would be considered 162,000 sf. Finally, the 2018 B2 East subdivision approval confirmed the 81 UEs but added the restraint that they must be constructed in a maximum of 70 units' total.

The DA included a total of 75,000 sf of Resort Support Commercial uses. Out of the total granted Resort Support Commercial square footage, B2 East was allotted 3,600 sf.

Currently, the Applicant proposes the following:

	Approved:	Proposed:	Complies:
Residential Units:	70	49	Complies
Residential UEs:	81	81	Complies
Residential SF:	162,000 sf	162,000 sf	Complies
Resort Support Commercial:	3,600 sf	3,559 sf	Complies
Affordable Units:	4.2	6	Complies. Per LMC § 15-6-8 on-site AUEs do not count towards the residential UEs of the MPD and the Applicant exceeds the required AUEs for the project.
Affordable UEs:	(Only number of units were required)	5.9	
Accessible Units:	Not required	2	Complies Per LMC § 15-6-8 "Required ADA units do not count towards the residential UEs of the MPD." See ADA analysis below.

In terms of number of units and allotted Unit Equivalents, the Sommet Blanc development complies with the density permitted under the 2007 Amended DA and MPD. Staff finds that the proposal complies with the maximum amount of square footage which is lower than the allotted 70 unit maximum. The density is in line with previous approvals on the property.

ADA Units
The Applicant proposes that Sommet Blanc intends to meet the Americans with Disabilities Act definition of a 'Place of Public Accommodations', and they are therefore required to provide the proposed two ADA dwelling units. The Applicant argues the two units are exempt under LMC Sec. 15-6-8(F) because they are required for the certification

and are therefore exempt from density. As a result, the units would not count towards the 81 UE limit / 162,000 sf of salable square footage as they will be owned by the HOA and provided for guests who require such accommodations. This has been the case with previous development at Empire Pass such as One Empire Pass and The Argent at Empire Pass. These units will be Common Property of the HOA, and available for guests requiring accessible accommodations.

This is a voluntary measure taken by the developer. The LMC does not require ADA units to be constructed per the code however to gain an accreditation such as 'Place of Public Accommodations', has its own requirements that the Applicant has proposed to meet and has been reviewed by the Planning Department and the Building Department.

Condition of Approval #43: The two (2) ADA units will be owned, maintained and kept in perpetuity as ADA units, by the HOA and provided for guests who require such accommodations.

Site Plan

The Applicant proposes amending the Site Plan for the following reasons:

1. The Hill Glazier (HG) plan was an afterthought when reviewing the development with the Montage. The Applicant reports the HG plans had little or no engineering documents provided with the approved drawings thus making it difficult to consider the feasibility of the HG plans. From reviewing City documents, only the conceptual drawings with some measurements were found, which supports this claim (Exhibit L).
2. The HG plan would not comply with the International Fire Code:
   D105.3 Proximity to Building
   One or more of the required access routes meeting this section shall be located not less than 15 feet and not greater than 30 feet from the building and shall be positioned parallel to one entire side of the building. The side of the building on which the aerial fire apparatus access road is positioned shall be approve by the fire code official.
3. In the 2018 Subdivision Plat, the subdivision created one lot and one parcel. Lot 1 is 6.91 acres in area and Parcel A is 0.94 acres in area. Per the approved plat, no density was assigned to Parcel A, and the parcel would be expected to be used in connection with Deer Valley Resort and similar activities in the future.

The Applicant provided a comparison study prepared by the architect showing the footprint of the HG site plan from 2006 and the current proposal. The comparison study is limited to building footprints and is not a gross square footage comparison for each development.

	Total Site Area:	Proposed Footprint:	Area percentage of Footprint:
Hill Glazier	300,857 sf.	57,601 sf.	19%
Sommet Blanc	300,857 sf.	41,817 sf.	12%

(B) MAXIMUM ALLOWED BUILDING FOOTPRINT FOR MASTER PLANNED

DEVELOPMENTS WITHIN THE HR-1 DISTRICT (Not applicable)

(C) SETBACKS. *The minimum Setback around the exterior boundary of a Master Planned Development shall be twenty-five feet (25') for Parcels greater than two (2) acres.*

Complies.

Per the MPD Analysis Section (C) (incorporated in the Findings of Fact #14) "*the annexed area of Flagstaff Mountain was granted a large-scale MPD at the time of annexation with specific development pods. The Planning Commission and Staff have consistently maintained that the setback requirement is fulfilled at the annexation boundary and does not need to be met within the defined development pods."* (Exhibit F)

Lot 1 adheres to minimum RD zone setbacks including (See Exhibit B):

Front Setbacks	Minimum 25 feet to front facing garage, 20 feet to building. Proposed front setback is 20 feet (garage is setback approximately 35 feet). **Complies.**
Rear Setbacks	Minimum 15 feet rear setbacks. Proposed minimum rear setback is 15 feet. **Complies.**
Side Setbacks	Minimum 12 feet side setbacks. Proposed minimum setback is 12 feet. **Complies.**

(D) OPEN SPACE. *All Master Planned Developments shall contain a minimum of sixty percent (60%) open space.*

Complies. Additional Open Space proposed with new proposals.

Per the MPD in Analysis section (D) (incorporated in the Findings of Fact #14): *"As with the setback requirement in (C) above, the annexation area contains more than the minimum 60% requirement. The development of the Village (pods A, B-1 and B-2) is limited to 87 acres, as amended, within the original 1550 acres or 5% of the land area."* (Exhibit F)

Per the change in site plan and the elimination of the villas, the Applicant is also proposing to record a Conservation Easement on 3.06 acres (out of a total of 6.91 acres) of Lot 1. This is an additional 44.3% of Open Space located on the Lot itself.

(E) OFF STREET PARKING.

Complies. (Evaluated in CUP Staff Analysis Off Street Parking Section Below.)

(F) BUILDING HEIGHT.

The Applicant requests modifications to approvals.

During the Flagstaff Mountain MPD and Pod-B2 MPD the Planning Commission determined that, both the Montage and the "east side condominiums" (aka current Sommet Blanc) warranted height exceptions of 114 feet and 82 feet (respectively) above specified benchmark grades (Exhibit F).

The UEs are consistent, so the only square footage that is not counted in either plan is the Residential Accessory Use. The Applicant states they cannot provide a volumetric

comparison with the 2006 HG plans because the Residential Accessory Use square footage was not identified at that time.

For MPD applications the Planning Commission may consider an increase in Building Height based on a **Site-Specific** analysis. LMC § 15-6-5(F) states the Applicant must request a Site-Specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings for an increase in Building Height can be made according to the Subsections below (Applicant's review can be found in Exhibit A – Applicant Narrative – Pages 9 & 10):

1. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone-required Building Height and Density, including requirements for Facade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building volume is from the Transfer of Development Credits;
2. Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site specific analysis;
3. There is adequate Landscaping and buffering from adjacent Properties and Uses;
4. Increased Setbacks and separations from adjacent projects are proposed;
5. The additional Building Height results in more than the minimum Open Space required and results in Open Space that is publicly accessible

The maximum Building Height proposal of 94 and 106 feet above benchmark grade for Buildings B and C is a change requested by the Applicant in response to Planning Commission feedback on the design, including the elimination of the villas, the elimination of the ancillary ski building, and the additional curb cut for a preferred site plan. The design requests height exceptions but decreases the Limits of Disturbance (LOD) and increases the amount of Open Space on the parcel, as well as Significant vegetation and was looked upon favorably during the December 8, 2022, meeting. The increase in height on the southeast end of the property gradually decreases by lowering the building heights on the northwest end of the property closest to the road and the Empire Day Lodge. Staff finds the proposed Building Height appropriate for the site as the height increase provides desired architectural variation with appropriate façade variation without increasing square footage. In addition, Staff notes that the proposed building heights will have no negative impacts on adjacent properties in terms of shadows, loss of solar access, or air circulation because adjacent buildings are too far from the proposed development. Additionally, building height will not exceed the height of Twisted Branch Road and block an important view corridor.
Below are a few examples of the solar access and shadows to be expected with relative changes (These samples were submitted in April 2021, so they do not exhibit the full expectation for the new proposal – important main differences include: Building B and C are one floor higher and the villas and ski ancillary building do not exist). The below photos are to provide a general expectation for the buildings impact on the solar activity of and around the site:

SPRING / FALL EQUINOX

- Orientation of building massing maximizes solar exposure for landscape courtyard and restaurant patio
- No impact on solar exposure for Empire Day Lodge



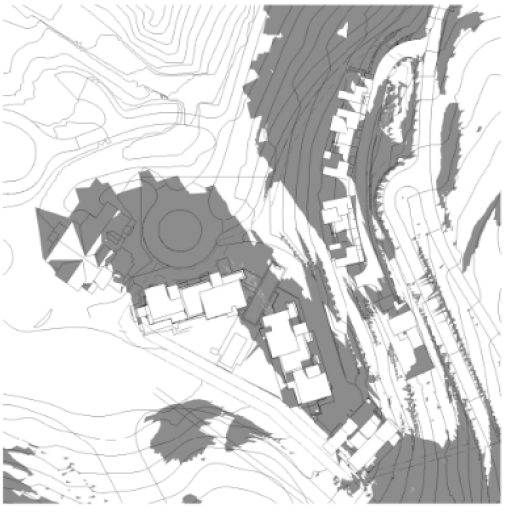
10AM



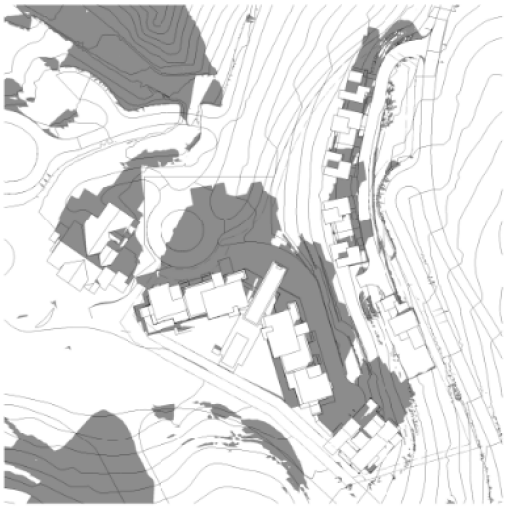
2PM

WINTER SOLSTICE

- Orientation of building massing maximizes solar exposure for landscape courtyard and restaurant patio
- No impact on solar exposure for Empire Day Lodge



10AM



2PM

SPRING / FALL EQUINOX

- Orientation of building massing maximizes solar exposure for landscape courtyard and restaurant patio
- No impact on solar exposure for Empire Day Lodge



10AM



2PM

SUMMER SOLSTICE

- Orientation of building massing maximizes solar exposure for landscape courtyard and restaurant patio
- No impact on solar exposure for Empire Day Lodge

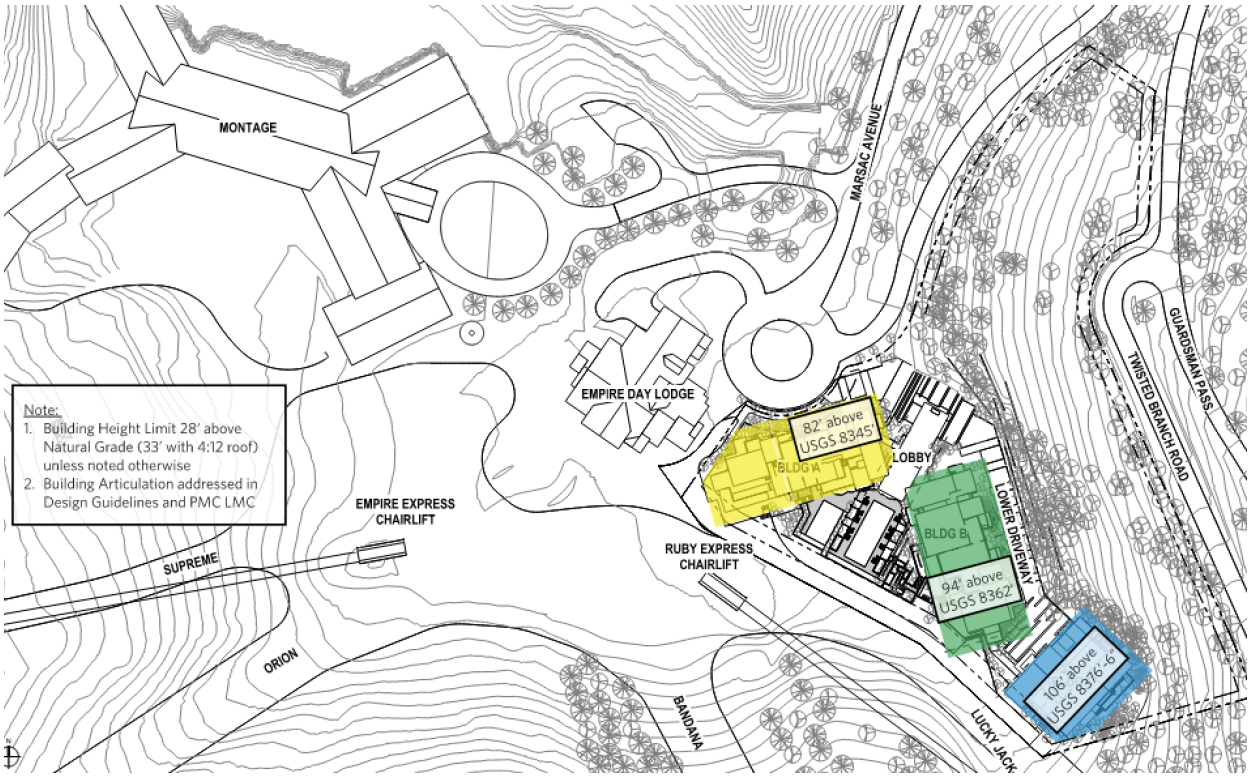


10AM



2PM

Below are Height and visual analysis renderings submitted by the Applicant, also available in larger versions in Exhibit B.



EMPIRE PASS - BUILDING HEIGHT STUDY / COMPARISON

Existing condominium lodge building heights:

	Ridge Height Above Road	Ridge Height Above Slopeside Patio	Ridge Height Other
Montage	114'	102'	165' above Event Lawn
One Empire Pass	110'	85'	97' above Pool Deck
Talisker Tower Residences	103'	78'	
Empire Residences	95'	88'	
Argent	91'	85'	131' above Marsac

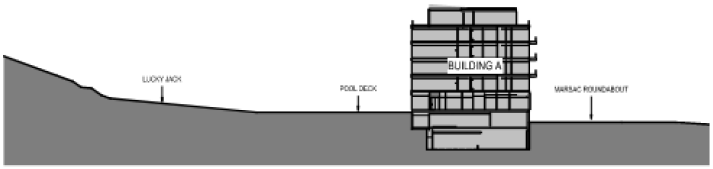
The following are proposed maximum building heights for the three condominium lodges:

	Height	Benchmark	Location
Building A	82'	8,345'	Entry Lobby
Building B	94'	8,362'	Skier Lobby/Amenity Level
Building C	106'	8,376' 6"	Skier Lobby/Amenity Level

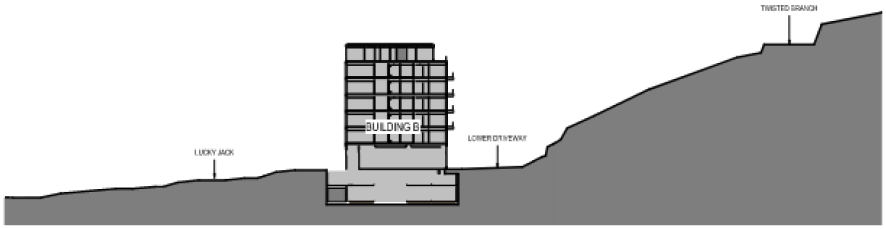
With the proposed volumetrics and design, maximum building heights relative to roads, driveways and slopeside patios will be as follows:

	Ridge Height Above Road	Ridge Height Above Slopeside Patio	Ridge Height Other
Building A	89' (Marsac)	79' (Pool Deck)	80' (Arrival)
Building B	100' (Driveway)	98' (Après Patio)	110' (Pool Deck)
Building C	116' (End Driveway)	105' (Lounge Patio)	

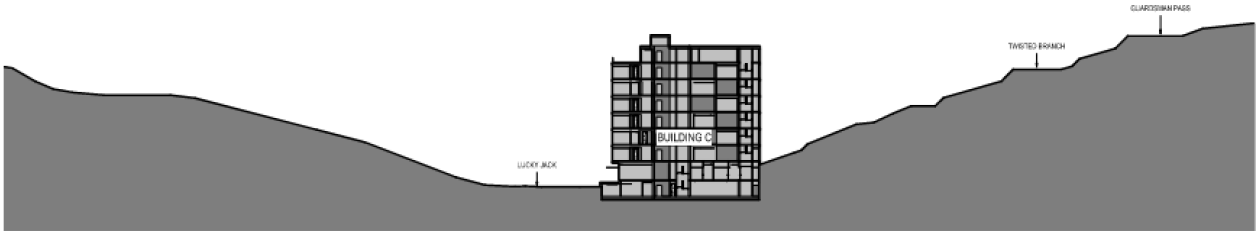
SITE SECTIONS



A DRB - SITE SECTION A

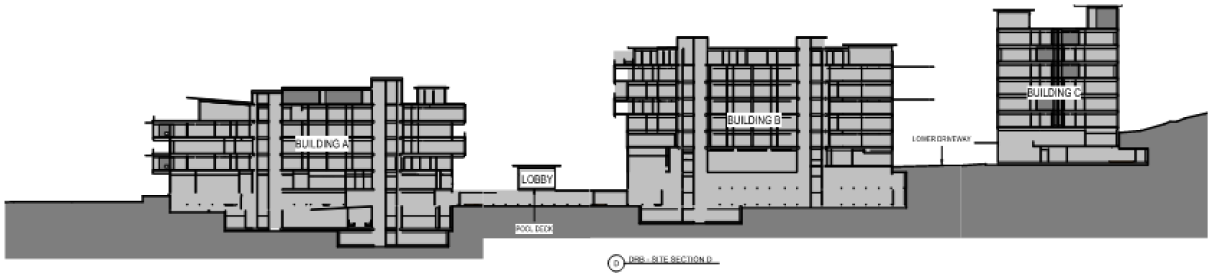


B DRB - SITE SECTION B



C DRB - SITE SECTION C

SITE SECTIONS



D DRB - SITE SECTION D



(G) SITE PLANNING. *An MPD shall be designed to take into consideration the characteristics of the Site upon which it is proposed to be placed. The project should be designed to fit the Site, not the Site modified to fit the project. The Applicant shall address the following in the Site planning for a Master Planned Development.*

Complies.

- Clustering of the buildings to retain 44% more Open Space on the site is preferable rather than spreading out with the 4 villas, ancillary ski building, and access road.
- One less street and curb cut proposed compared to December 2021 proposal.
- The area of proposed development under the three (3) buildings is historically a heavily disturbed area.
    - Mazepah Mine-Shaft Operations
    - Mine Remediation
    - Previous site of Real Estate offices
    - Improved safety with one less road and curb cut off of SR-224 compared to December proposal.
    - Reduces site disturbance significantly and retains much more Significant vegetation than previous plans (compared to HG and December proposal with 4 villas)
    - Reduced all the retaining walls proposed to support the street to the villas.

The Sommet Blanc proposal is located over the now demolished Discovery Gallery sales office and East-West development office. Additionally, the site includes the concrete covered shaft of the old Mazepah mine shaft, sealed in 2016. Significant excavation was required for health and safety reasons as well as governed by the DA. The site is already heavily disturbed from previous mining activity and subsequently the cleanup and refill of clean soil in the area per the DA.

Although much of the Development Pod has been disturbed to create SR-224 and Twisted Branch Road, it's preferable to keep the highest amount of disturbance in an area that has already been disturbed, thus causing less development stress and impact on the vegetation, soils, root activity, and habitat of the area.

(H) Landscape and Lighting
Complies.
Please see review under CUP Staff analysis Review item #7.

(I) Sensitive Lands Compliance
Complies.
Please see review under CUP Staff analysis Review item #9.

(J) Employee/Affordable Housing
Complies.
The total on-mountain remaining requirement for the Flagstaff DA is 4.03 Affordable Unit Equivalents (AUEs). Following feedback from the Planning Commission during the past Work Sessions, the Applicant has increased the on-site Affordable units to a total proposal of eight (8) Affordable housing units (Six Studio apartments and two, two-bedroom units), totaling 4,683 square feet.

Per 2.10.5 in the DA, one AUE equals 800 square feet.
Per Resolution 05-2021 Affordable Housing Guidelines, one AUE equals 900 square feet of net livable space.
The proposed square footage of the AUE net livable space is 4,683 sf. This is a total of 5.9 AUEs per the DA and a total of 5.2 AUEs per the Housing Resolution, both scenarios being larger than 4.03. The floor plans can be viewed in Exhibit B (pages 40, 41, 49 and 58).

Condition of Approval #45: The Applicant will be required to meet the 4.03 AUEs with a total of 5.9 AUEs (a total of 4,683 sq.ft) to meet the Affordable Housing obligation.

(K) Child Care
Complies.
Staff does not recommend that a Child Care center be provided on-site. Limited permanent Child Care demands will be generated by the condominiums and nightly rentals.

(L) Mine Hazards
Complies.
The property is the site of the historic Mazepah mine shaft. In September 2016, the Applicant began working under an Administrative Settlement and Order on Consent for Removal Action with the EPA permit to remediate and remove mine soil on the site and to close an old mine shaft on the property. The mine shaft was permanently closed in 2016 under geotechnical supervision. Significant amounts of soil downstream from the mineshaft was contaminated and had to be

removed.

In August of 2018, the EPA confirmed that all work performed on site was in accordance with EPA requirements (Exhibit Q). Following cleanup of the site the grade at the center of the development site on the property was approximately 15-20' below grade of the adjacent *Lucky Jack* ski trail, according to the Applicant.

Due to environmental cleanup required for the mine tailing remediation, clean fill was imported from sites elsewhere within the Flagstaff Annexation area. The grade on site is still well below the adjacent ski trail in anticipation of underground parking. (Exhibit B)

(M) Historic Mine Waste Mitigation
Complies.
Please see review above.

(N) General Plan Overview
Complies.
Please see review under CUP Staff analysis item #16.

(O) Historic Sites
Complies.
There are no designated Historic Sites on the B2-East development Lot per the in-depth analysis included in the Historic Preservation Technical Report completed with the DA (Exhibit J).

(P) Land Management Code Review
Complies.
The proposal complies with the RD Zoning District Requirements outlined in LMC § 15-2.13.

Zoning Requirement	Analysis of Proposal
Lot Size	No minimum lot size. Lot 1 is approximately 6.91 acres (300,999.6). **Complies.**
Front Yard Setbacks	Please see Review C under the MPD analysis above. **Complies.**
Rear Yard Setbacks	
Side Yard Setbacks	
Residential Accessory Uses (Guest Amenities)	Common residential amenity areas are provided on site, including skier lounges, ski/boot, fitness facilities, yoga and massage rooms, swimming pool and hot tubs, board room and concierge desk. Total Guest Amenity area is approximately 29,167 sf. (Exhibit B, Page 37).

Conditional Use Permit for a Multi-Use Dwelling in the RD Zone

Underlying Zoning
LMC § 15-2.13-1, Residential Development (RD) District notes that the purpose of the RD District is to:

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

Pursuant to Land Management Code Section 15-1-10, 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 Department evaluates proposed Conditional Uses and may recommend conditions of approval to preserve the character of the zone, and to mitigate potential adverse effects of the Conditional Use.

A Conditional Use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards.

If the reasonable anticipated detrimental effects of a proposed Conditional Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards, the Conditional Use may be denied.

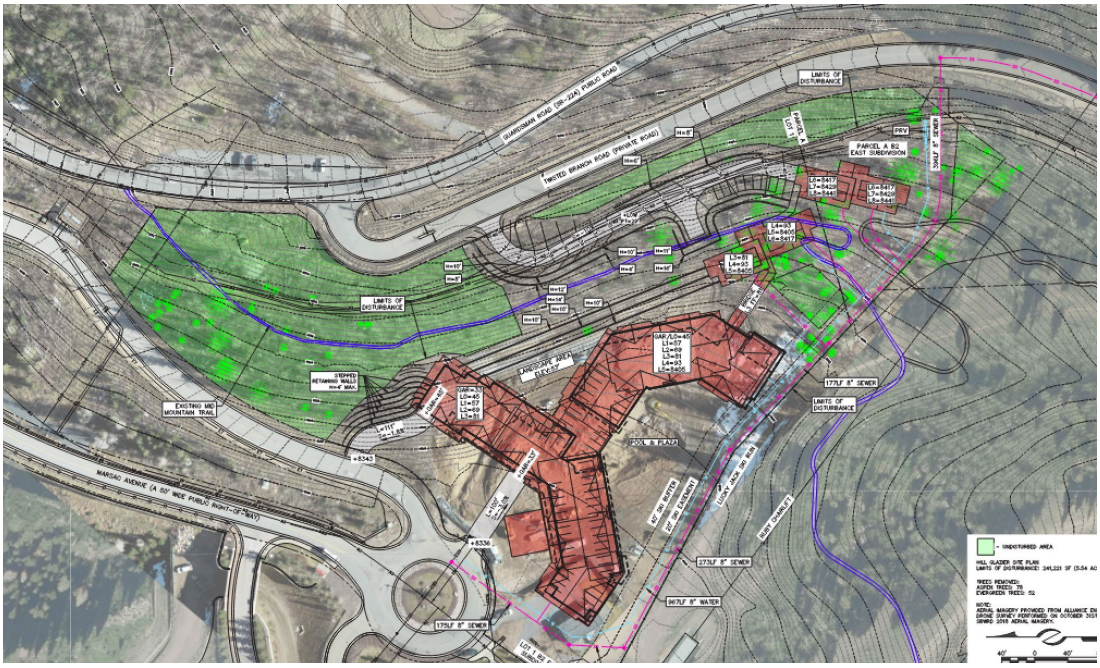
The Planning Commission must review all proposed Conditional Uses according to the following procedure, unless a subsequent provision of this LMC specifically sets forth an administrative approval process for a specific Conditional Use, in which case that section shall control. The 16 criteria the Planning Commission evaluates for Conditional Use Permit review are outlined below:

1. **Size and location of the Site;**
   No unmitigated impacts.

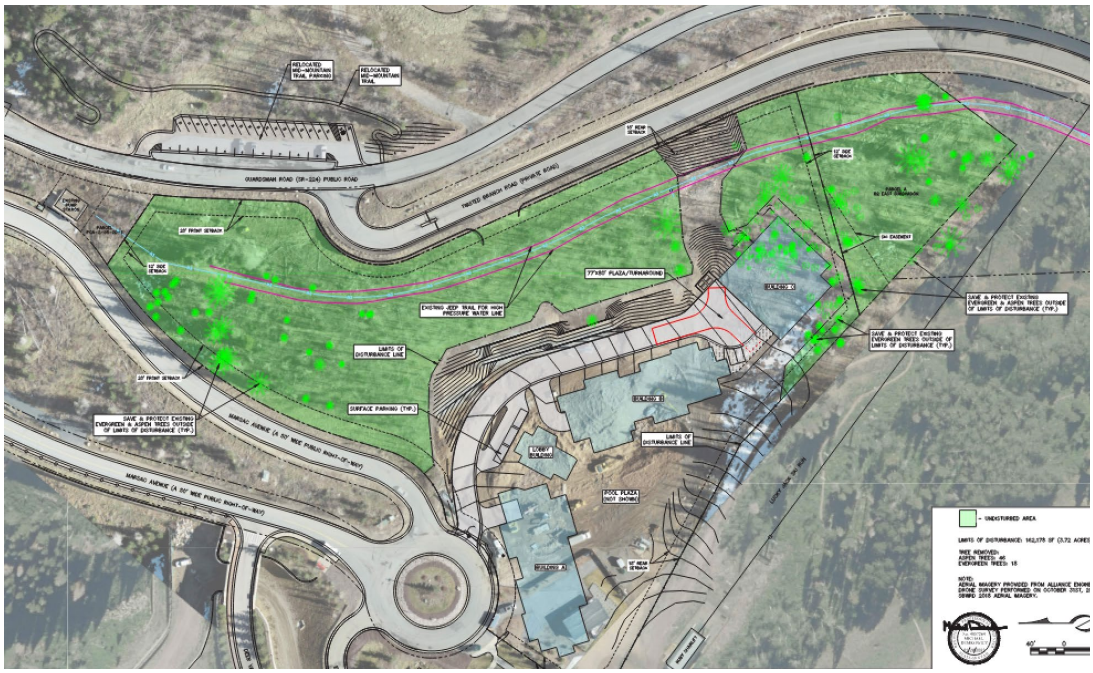
The Applicant is proposing a new arrangement and design for Lot 1 of the B2 East Subdivision in the RD zone under the Flagstaff DA. The chosen location is within the one of the three development Pods (A, B1 and B2) known as the Mountain Village of the Flagstaff DA. Out of the 1,750 acres of the annexation, the Pods constrained development to stay within the 87 acres. Staff finds that the current Sommet Blanc proposal is within the prescribed development pod.

Renderings created by the architect indicate the previously approved footprint of the HG plan in comparison with the SB proposal. The footprint calculation exhibited a reduction of the building footprint from 19% proposed for HG to 14both being proposed at 12%.

Site Plan for Hill Glazier:



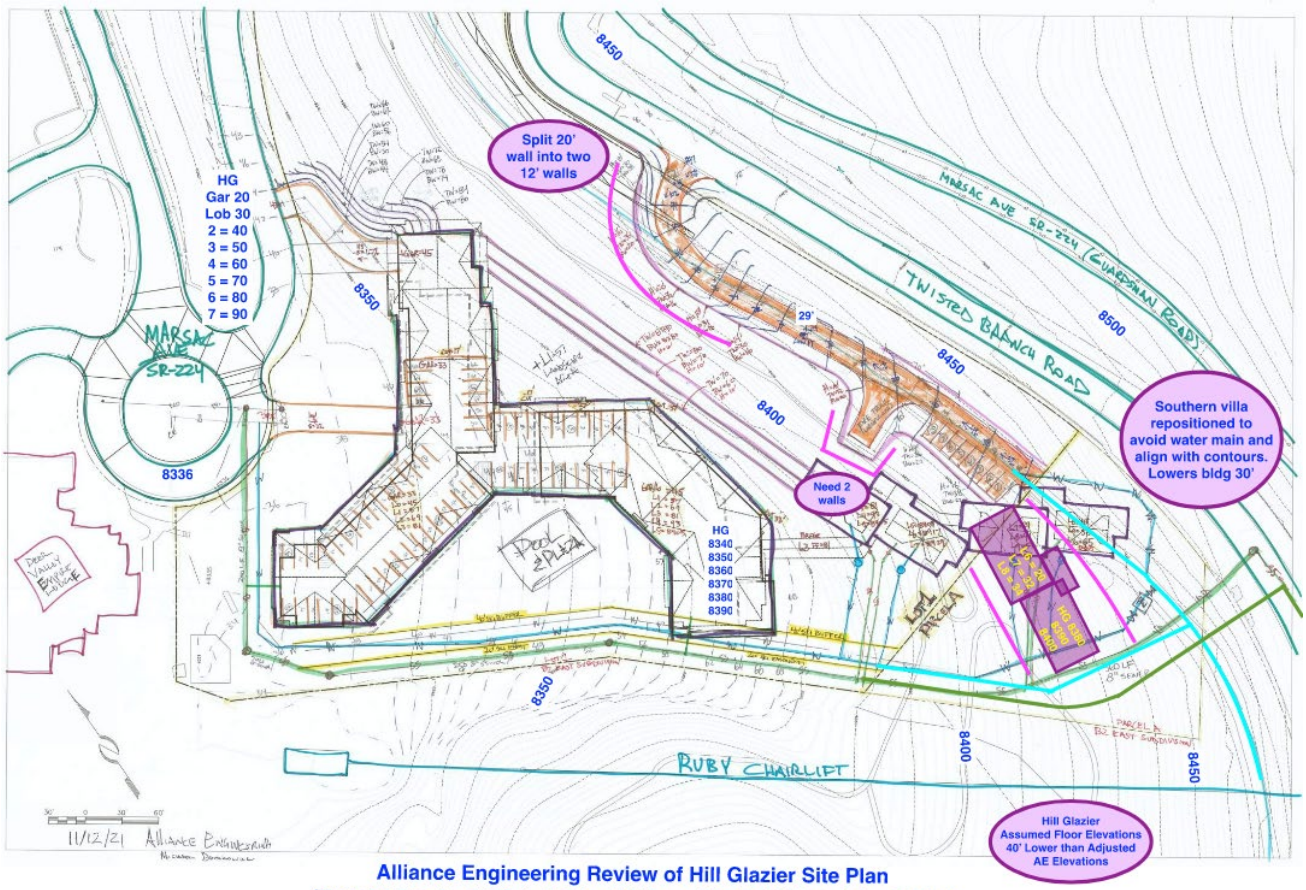
Site plan for Sommet Blanc:



The differences between the site plans include:

1. A single curb cut proposed off the round-about compared to three proposed by the HG.
2. A change in location of the structure: a portion of the previous HG plan that had tailed toward the south-west has been proposed to be re-configured into three buildings around the similar area of development.

To analyze differences regarding the overall limits of disturbance area, the Applicant commissioned Alliance Engineering to provide engineered drawings of what the HG plan would potentially require in terms of disturbance to build the HG plan. This was an important step because as approved with the MPD, the HG plan did not provide engineered drawings and did not have the same potential to compare with the current SB plan. The below renderings show the comparison plans, including retaining walls, road access for fire trucks to reach certain portions of the building, the midmountain trail re-route, utilities, as well as tree retention. The comparisons are shown below:



Alliance Engineering Review of Hill Glazier Site Plan
(Tweaked to Avoid Exist Water Main and Split 20' Retaining Walls)

Additional details can be seen in Exhibit B.

What was not possible to see previously with the 2007 HG plans was the solutions for fire access, re-routing the Mid-mountain trail, and retaining that the HG plan would require. The above renderings also aim to provide visuals on the amount of tree retention that the site could allow with each development proposal. The Applicant points out that the required retaining walls are taller on the HG plan verses SB, the HG plan would require three (3) walls with narrow benches between them. The midmountain trail would be more affected than proposed now as the HG building climbs up the southwest end of the site and a similar driveway would still be required to grant access for fire trucks.

2. <u>Traffic considerations including capacity of the existing Streets in the Area;</u>
No unmitigated impacts.
Traffic considerations were discussed and debated when density was allocated to this site and the roadway has sufficient capacity to accommodate the density.

The Applicant appointed Hales Engineering to perform a Trip generation study, completed October 6, 2021 (Exhibit U). The report addresses the trip generation by Sommet Blanc, reporting that an average of 442 trips would be anticipated on a weekday, including 28 trips during the morning peak hour and 48 trips during evening peak hour. As a comparison with the HG plan, the report states "*With the anticipated patronage, the morning peak hour trips generated will be reduced by 36% under the new plan, the*

evening peak hour trips generated will be reduced by 11%, and the daily trips will be reduced by 24%."

Due to concerns brought up by the Commissioners regarding traffic on SR-224 the Applicant submitted an additional traffic study, completed on January 25, 2022. This study focused on traffic operations at key intersections for existing 2022 conditions with and without the proposed project. This report noted that the project would likely generate 514 weekday daily trips, including 42 trips in the morning peak hour and 53 trips in the evening peak hour (Exhibit 15). As the results are similar to the first traffic study completed in October the SB project (with 21 less units proposed then HG) will still result in a reduced number of trips. Overall, the traffic study concluded there would still be a high level of service available during peak hours on SR-224 with the addition of the density at SB.

The Applicant completed a traffic study as were the wishes of the Commission at the December 8th, 2022 meeting. The traffic expected with the new development, though less than expected from the previous approved development for B2E, does not necessarily address the Commission's concerns over the safety of SR-224 in the summer nor accessibility for a wider diversity of users in the winter.

Twisted Branch Road

SR-224 is a state-maintained, seasonal, public roadway. Above the Lot of proposed SB lies the access to the private, gated, Twisted Branch Road (TBR). TBR is owned by the company REDUS, maintained by Empire Pass MOA, and Park City Municipal Corporation maintains an easement over the road for maintenance and emergency access to Bonanza Flats property.

Sections 2.8.2 and 2.8.3 of the Amended Agreement allowed for the construction of a private controlled access road between Flagstaff Mountain and the Bonanza Flats area provided that such private road is properly controlled to prevent through access to adjacent properties. The DA Technical Report titled Private Road Access Limitation Procedures for Flagstaff Mountain, notes "The primary goal and objective of these procedures is to preserve the existing limited wintertime public access to Park City from Wasatch County by continuing the seasonal closure of Guardsman Pass Road through the Resort."

Section 2.8.5 of the DA directly addresses Controlled Snowmobile Access and states "Winter snowmobile access to Brighton States and to Bonanza Flats is presently available over portions of SR 224. Developer and Deer Valley shall allow seasonal snowmobile access to property owners and renters in Brighton Estates over those portions of SR 224 within the Project that are presently used, or alternatively over similar portions of SR 224 as may be relocated. Developer and Deer Valley shall otherwise prevent wintertime motorized vehicular access to the extent such action is consistent with the policy of the public entity that owns SR 224…."

The Amended Agreement stipulates that should the private road be converted to a

public road; SR 224 shall no longer be used as a public road. It notes that the "developer shall support and shall not undermine seasonal closure… of SR 224 and shall control motorized vehicular access from SR 224 to the private road system to prevent vehicular through traffic."

The applicant maintains that as they do not hold ownership over TBR and it is not in their ability to control or facilitate. To mitigate the project's impacts on upper use of SR 224, within SB owners' ability, the Applicant has proposed that owners and guests of SB will be directed to use TBR to access Wasatch County, subject to operating hours and easement rights. Furthermore, the newly proposed Site Plan creates less traffic conflict without the additional curb cut off SR 224 that was originally proposed to reach the four (4) villas which alleviates one more safety concern.

To date Park City Municipal Corporation has no indication that UDOT plans to abandon SR 224 as a seasonal public right of way and any such discussions will need to be directly with the current property owner of Twisted Branch and other stakeholders/easement grantees.

Condition of Approval #48: If the City and the owner of Twisted Branch Road and other parties later agree to allow expanded public use of Twisted Branch Road, Sommet Blanc developers and Sommet Blanc Homeowners [Sub]Association shall not object to, or veto expanded public use.

3. Utility capacity, including Storm Water run-off;
Condition of Approval Recommended.
The Empire Pass utilities were all sized assuming 81 UEs of development at B2 East. As such, there is ample sewer, water, electricity, and gas available for the proposed project.

Storm water detention for Empire Canyon was designed on a community wide basis, including a large detention basin in Empire Canyon just upstream of the Park City Water Tank accessed from the Ontario Mine Bench. From a storm water runoff perspective, the proposed Sommet Blanc development is not materially different than the Hill Glazier development concept.

The Applicant will be required to provide engineering plans to be approved by the City Engineer, including drainage calculations, a grading and drainage plan identifying the retention pond for storm drainage storage for a 100-year 24-hour event, and plans to address pre and post-development drainage conditions.

Condition of Approval #4: A final water efficient landscape and irrigation plan that indicates required storm water facilities and snow storage areas, and that meets the defensible space requirements and mitigates for removal of significant vegetation, shall be submitted with the building permit application for approval by the Planning, Building, and Engineering Department, and shall be in substantial conformance with the plans reviewed by the Planning Commission on February 9, 2022.

Condition of Approval #9: All utility facilities must be located on site unless specific easements have been provided on the recorded plat. A plan must be provided at the time of the building permit application showing all utility locations, including dry utilities. The Applicant shall provide verification that the utility plan is viable, and the utility boxes can be screened with landscaping and/or fencing.

Condition of Approval #22: The plat shall note that this development is part of a common plan development and an MS4 storm water permit is required for all land disturbance activities, prior to building permit issuance.

Condition of approval #31: A final approved storm water plan, as well as final utility and grading plans, are required prior to issuance of a building permit.

The Development Review Committee has reviewed the project on the following dates, although items have been brought up by the Building, Engineering and Fire Department, these items have the ability to be worked out at the Building Permit stage and will not require immediate attention with this approval and will not cause major Site Design changes of any kind.

- December 15, 2020
- March 3, 2021
- August 31, 2021

4. Emergency Vehicle Access;
Condition of Approval Recommended.
The Park City Fire Department has reviewed the most recent proposal and requires standards and conditions of the Fire Code to be met. The changes required to bring the design up to Fire Code have the ability to be addressed later on in the process, noted by the District Fire Marshal. The changes required will not affect the building footprint or height. Minor redesigns will be proposed to meet Fire Code compliance, mainly regarding to paths around the structure and the walkway between building B and C. It's not essential at this time for these requirements to be resolved as they will be addressed in detail during the Building Permit review and the Permit cannot gain approval without the satisfied conditions of the Fire Code.

The lower Driveway provides Emergency Vehicle Access to Lodge Buildings A, B & C, with hammerhead designed into cul-de-sac adjacent Bldg. C as shown on Civil Sheet 3 of 13. The Lower Driveway is set back from face of Bldgs. A & B to ensure adequate room for ladder access to buildings as required by Fire Code.

Condition of Approval #35: Before the building permit is issued, the Applicant will be required to gain approval from the Fire Department with fully compliant plans.

5. Location and amount of off-Street parking;
No unmitigated impacts.

The Transit and Parking Management Plan approved with the MPD and the DA requires a 25% reduction in parking from what would be normally required by the LMC. Per LMC, Buildings A, B & C require 142.6 off street parking spaces for residential and restaurant uses(See table below). Included in this calculation, each market rate and affordable unit will have one parking stall assigned to the unit. Per Flagstaff DA, the parking stall requirement is reduced by 25% to 107.1 rounding to 107 parking spaces.

The 2007 MPD permits *up to* 75 parking spaces on the B2 East site for the benefit of Deer Valley's adjacent Fireside Dining operation in the Empire Day Lodge (Section 2.5 of DA Exhibit F and Section (E) of the MPD Off Street Parking). Per agreement between Deer Valley and the Applicant, the Sommet Blanc project includes 60 tandem parking spaces within a parking deck dedicated for valet parking by Deer Valley.

Applicant Analysis - (Exhibit B, Page 33 Parking Summary table)

PARKING SUMMARY - BUILDING A&B P2, BUILDING C P1					
	UNITS	STALLS/UNIT	REQ'D STALLS	25% REDUCTION	TYPE
Type A Units (ADA)	2	1	2	1.5	ADA
Affordable 2 Bed Housing Units	2	1.5	3	2.3	Standard
Affordable Studio Housing Units	4	1	4	3	Standard
Buildings AB Residential	36	2	72	54	Standard
Buildings C Residential	13	2	26	19.5	Standard
Restaurant (10 stalls/1,000sf)	3.56	10	35.6	26.7	Tandem
TOTAL			142.6	107.0	
PARKING SPOTS PROVIDED:				**107**	

Staff Analysis -

Sommet Blanc Parking Item and Total	**LMC 15-3 Parking Requirement**
Six units less than 1,000 square feet *Required: 1 per Dwelling Unit*	6 Spaces
Two units between 1,000 and 2,000 square feet *Required: 1.5 per Dwelling Unit*	3 Spaces
49 units 2,000 square feet or greater *Required: 2 per Dwelling Unit*	98 Spaces
Restaurant totaling 3,559 square feet *Required: 1 per every 100 sf*	35.6 Spaces
Total:	142.6
25% Reduction per DA:	107.1
Addition of Empire Day Lodge Parking (Required per DA and MPD):	56 Tandem spaces
Total Parking Spaces:	163 Spaces

In addition to the parking spaces, Sommet Blanc will be included in the Empire Pass MOA (EPMOA) Empire Express transportation system. This is an app and on demand, door to door service that provides shuttles to Empire Pass and Greater Park City limits.

Electric Vehicle Charging Stations (LMC § 15-3-11):
Ordinance 2020-48 was adopted on 11/19/2020 and requires applicants to "provide Electric Vehicle Charging Station Infrastructure for twenty percent (20%) of the first one hundred (100) required Off-Street parking spaces for Multi-Unit Dwellings and non-Residential Development and for five percent (5%) of required Off-Street parking spaces above one hundred (100)."

Additionally, 15-3-11 states: "An Applicant shall install Electric Vehicle Charging Stations for five percent (5%) of required Off-Street parking spaces for Multi-Unit Dwellings and non-Residential Development for the first 200 parking spaces."

Therefore, the Applicant will be required to provide electric vehicle charging infrastructure for at least 23 spaces out of the 163 spaces and they are required to build and at least eight (8) charging stations.

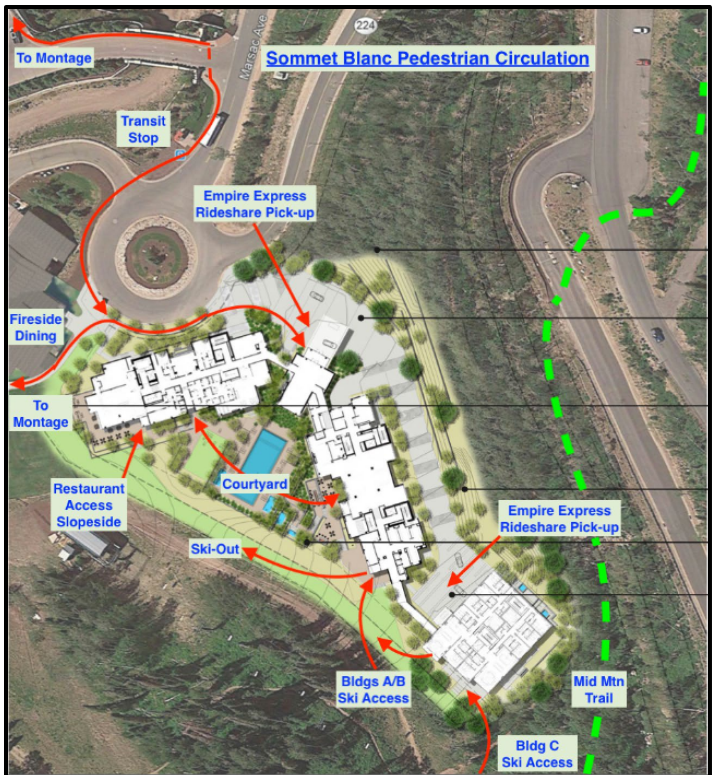
Condition of Approval #39: Per 15-3-11(B) Applicant must provide Electric Vehicle Charging Station Infrastructure for twenty percent (20%) of the first one hundred (100) required Off-Street parking spaces and 5% for the spaces above one hundred (100).

Condition of Approval #40: Applicant shall provide information in the CC&Rs or other documents governing a homeowner or master owners association for the Development regarding notice of the Electric Vehicle Charging Station infrastructure that exists on site.

Condition of Approval #41: Electric Vehicle Charging Stations shall be installed for 5% of required Off-Street parking spaces (5 spaces in this case). The first charging station installed shall be dual port with one Charging Station that is ADA accessible.

6. **Internal vehicular and pedestrian circulation system;**
No unmitigated Impacts.
The lodge buildings are accessed from the Lower Driveway with a proposed curb cut off the roundabout at SR 224. Ski lockers and the skier lounge for the lodge units are in the central B Bldg.

The Applicant provided the following Pedestrian Circulation Exhibit:



7. <u>Fencing, Screening, and landscaping to separate the Use from adjoining Uses;</u> *Condition of Approval Recommended.*

The project's only fencing is security fencing around the pool as required by safety codes.

The project includes a 20' easement for widening Lucky Jack ski trail plus an additional 20' "buffer easement" which will include soft landscape elements between the public ski trail and private Sommet Blanc courtyard area. Trees adjacent the Marsac roundabout will soften the project's appearance from Marsac Avenue. There is a portion of trees along the Lucky Jack ski trail that will be maintained, which the Applicant has noted on their own plans and Deer Valley has provided a letter of support to keep the tree island outside the LOD (Exhibit 14).

Condition of Approval #47 – The Applicant shall submit an arborist report to the Planning Director prior to submitting a building permit application that identifies Significant Vegetation impacted by development and plans to replace Significant Vegetation with like vegetation, as approved by the Planning Director.

As COA, a final landscape plan is required as a condition precedent to Building Permit as well as Final Design approval from the Empire Pass Design Review Board (DRB). Landscaping and irrigation must be water efficient, utilizing drought tolerant planting, limited turf area, and drip irrigation. The Applicant has also utilized the retaining walls to provide planting benches to revegetate after development.

The Applicant has provided a Forest Health Assessment for B2East/Sommet Blanc (Exhibit 13). The report describes a native fungal pathogen infecting some trees on site

and suggests recommendations for optimal removal and the healthiest process possible for the trees that will not be disturbed by development.

A plan shall be provided indicating mitigation for removal of identified significant trees and replacement in kind of these trees. A Limits of Disturbance area will require fencing to keep disturbance away from trees that are not to be affected by development and all significant trees to be removed will be required to be replaced in kind. The arborist suggested that providing the same amount of diameter worth of trees removed but in increments of trees with a diameter less than 2.75 Diameter at Breast Height (DBH) which will fare better than more mature trees. The requirement for removal and replacement of significant trees is reflected in Condition of Approval 47.

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

No unmitigated impacts.

The building mass, bulk, orientation, and location of the buildings on the site have been reviewed during several previous Planning Commission meetings. This is the first meeting that the proposal eliminates the villas. The PUDS have been eliminated and the height of Buildings B and C has been reconfigured in response to feedback from the Commission. The proposal is similar in mass, bulk, and location as the previously approved HG plans; however, the density has been consolidated in height rather than a larger building footprint. The buildings will be much taller than the neighboring Empire Day Lodge. but the architecture has been manipulated to create a more harmonious transition for the height on the overall site, creating a slope downwards in elevation of the tops of the buildings leading down to the shortest elevation of Building A before dropping lower to meet their neighboring structure Empire Day Lodge. The SB project is smaller in bulk, height and mass compared to the site's other neighbor, the Montage, and there are no other developments on the adjoining lots.

As stated above, the Applicant is requesting a height exception granting an allowance of 94 feet and 106 feet above benchmark grade for Building B and C (respectively). A zone height exception had been previously granted within the 2007 MPD to allow an 82-foot height above benchmark grade. Please see the analysis on Building Height in Section F) of the MPD review above.









9. <u>Open Space;</u>

No unmitigated impacts.

The Open Space requirements for the MPD were far exceeded as the annexation and DA specified the development pods to be the only areas of allowed development and 826 acres were covered by specific conservation easements. One of the Open Space parcels was deeded to Deer Valley and the other to the Summit Land Conservancy. Per the Subdivision plat, Parcel A has also been excluded as developable area.

Additionally, the new design proposal, which eliminates the villas on the southern end of the Lot, now offers the possibility of decreasing the Limits of Disturbance for the building footprint. Out of the 6.91 acres on the Lot the Applicant is proposing to record a Conservation Easement on 3.06 acres of the property.

A re-route for the Mid-Mountain trail is proposed to allow for the development of SB but also to accommodate the changes to the parking lot and increase site visibility for pedestrians, bikers, and cars on SR 224. The current proposal for the parking lot and trail relocation has been deemed appropriate and, in some cases, a major improvement by the Trails and Open Space manager. At the time of building permit for the parking lot improvements, the project will require additional permitting through Planning, as its own entity.

Although Pod B2 was not included in the SLO, during the 2007 MPD review, there was one locally rare native plant that had been previously identified by the Utah Native Plant Society. The Applicant will be required to identify the location of the plant colony and to take steps to preserve it. According to the 2007 MPD, the plant is not located within the development area.

10. Signs and lighting;
Condition of Approval Recommended.
No signs have been proposed at this time and all lighting will need to comply with Ordinance 2021-05.

Condition of Approval #5: All exterior lights must conform to the City lighting ordinance. Exterior lights must be Fully Shielded and down directed with bulbs that do not exceed 3,000 degrees Kelvin. Individual outdoor lights shall not exceed 2,500 Lumens and the total lighting shall not exceed 100,000 Lumens per acre. Proposed lighting shall be approved by Staff prior to issuance of a certificate of occupancy.

Condition of Approval #6: All exterior signs require an approved sign permit prior to installation.

11. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;
No unmitigated impacts.

The Applicant has provided a comprehensive set of Design Guidelines for the B2 East site and worked with the Empire Pass Design Review Board (DRB). The DRB wanted to ensure the changes would not impact built neighborhoods within Empire Pass. The final product of the “redlines” was an addition of “Book V” to the overall Design Guidelines. “Book V – Site, Landscape, and Architectural Design Guidelines for Pod B2 East” (Exhibit 5).

“Book V”, is an addition to the Empire Pass Design Guidelines specific to the B2 East

site. This does not change the Design Guidelines in effect for the rest of Empire Pass.

The roofs contain 27% green roofs. The Applicant has created renderings in the presentation packet of the Sommet Blanc development in its proposed location to be viewed in context with the Day Lodge and the Montage (Exhibit B).



Within the DA, under Section II, it states that it is the Developers responsibility to submit and ultimately obtain City approval for items such as mine/soils mitigation plans, transit plans, etc. Included in this list, mentioned at 2.1.2 is “Detailed Design Guidelines” which were submitted and accepted along with the 2007 DA. Further in the agreement under 2.9 Flagstaff Mountain Mitigation/Amenities and more specifically 2.9.9 Neighborhood-Specific Design Guidelines, it states the Design Guidelines must emphasize strong, common architectural themes and be enforceable by one or more of the Associations mentioned in the Agreement – namely the Master Resort Association for Flagstaff and a Project-specific Property Owners Association or the Mountain Village which now is regarded as the Empire Pass Design Review Board.

The process to amend the Design Guidelines would require review and approval from the Design Review Board of Empire Pass as well as approval by the City (the Planning Commission) as an Addendum to the technical reports connected to the Annexation.

The Applicant asserts that the Flagstaff CC&Rs allow the Design Review Board to modify, adopt, and establish Design Guidelines. The Applicant has sought several reviews and provided preliminary design approval from the Board which are included in the exhibits from June 11, 2021 and July 28, 2021 (Exhibits 6 and 7).

12. <u>Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;</u>

No unmitigated impacts.

The plans as submitted do not indicate issues of vibration, odors, steam, or other mechanical factors that might affect people and Property Off-site or On-site. Most mechanical equipment will be located below the residences and the mechanical equipment required to be located on the roof, such as chillers, are required to be screened to avoid noise or vibrations.

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

No unmitigated impacts.

Trash

There are trash/recycling enclosures in the parking garage under Buildings A & B. There is also an outdoor fully enclosed, trash enclosure directly outside Building C as shown on architectural plans. Trash and recycling pickup days will be staggered with the trash and recycling wheeled out to the outdoor trash enclosure for pickup.

Delivery & Service Vehicles

With 8'6" clearance, garage provides ample headroom for most service providers driving pick-ups and standard vans. Larger vehicles (cube vans) will stage on the parking garage driveway aprons and load supplies in through the garage.

Loading/Unloading

Pedestrian loading and unloading for Buildings A & B will be under the porte cochere at the lobby building. There is also the opportunity for pick-up and drop-off by the Bldg. C front door.

Deer Valley Fireside Dining

Deer Valley will continue to have guests arrive at the existing pullout on Marsac Roundabout adjacent Empire Day Lodge with valets running guest vehicles to Bldg. B for parking in the dedicated upper parking level.

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

No unmitigated impacts.

The Applicant anticipates roughly 50% of the units to be short term rental, roughly 5% used as full-time residences, and the remainder as second homes.

The project will be platted as a condominium with a prohibition on time share ownership. It is expected that the HOA Manager will offer nightly rental management services to those owners wishing to participate in the HOA Manager's program; the HOA Manager has not yet been selected. The public restaurant will be platted as a separate commercial condominium.

Condition of Approval #46: Nightly Rentals require compliance with City Code, including a business license.

A relevant COA regarding transfer of ownership from the 2017 Subdivision plat which will also be included for this application for emphasis is as follows:

Condition of Approval #32: "The CC&Rs shall provide notice and process for the tracking and collection of the Real Estate Transfer Fee as required and defined by the Flagstaff Mountain Development Agreement, as amended."
This will be added as a COA for this application as well for emphasis.

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

No unmitigated impacts.
During the DA stage, 14 technical reports were created to review the annexation area. Historic Mine waste and Mine hazards were identified on the site and in 2016 the Applicants began soil remediation, mine closure and cleanup of the site including infill of clean soil back onto the site.

The MPD Conclusion of Law #10 notes that the Flagstaff Annexation was not included in the Sensitive Lands Overlay. The MPD does not assert why this is, but it may be because at the time of annexation, the City and Applicant strategically chose specific development pods and donated the other acreage to preservation. Fourteen (14) technical reports were required and submitted with the annexation agreement that covered detailed reports of the area including a mine soil mitigation plan, open space management plan, a trails master plan, historic preservation, and wildlife management plan (amongst others). Again, these plans were utilized to suggest the least sensitive areas for development while preserving 826 acres as Open Space. The 2004 Village at Empire Pass MPD Conclusion of Law #10 noted "The Sensitive Lands (overlay) Zone did not specifically apply to the Empire Pass Large-Scale MPD annexation; however, the locations of the development pods are based on Sensitive Lands principles".

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

No unmitigated impacts.
Upper Deer Valley is a resort neighborhood with a mix of ski runs, open space, resort-oriented housing, and visitor amenities. The proposed project is in keeping with the General Plan for this neighborhood.

The Applicant anticipates roughly 50% of the units to be short term rental, roughly 5% used as full-time residences, and the remainder as second homes/condominiums. This is consistent with the General Plan 9.2 - "Housing in this neighborhood will remain oriented toward second-homes and/or nightly rental use."

Department Review

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 26, 2022. Staff mailed courtesy notice to property owners within 300 feet on October 12, 2021, since then the item has been continued to date's certain which does not require additional mailings. The *Park Record* published notice on January 26, 2022 LMC.

Public Input

Public Input in writing is attached as Exhibit 3.

Alternatives

- The Planning Commission may approve the Modification to the MPD, an Amendment to the Flagstaff Development Agreement and the Conditional Use Permit;
- The Planning Commission may deny the Modification to the MPD, the Amendment to the Flagstaff Development Agreement and 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 certain.

Exhibits and Attachments

Attachment 1 – Draft Final Action Letter

Exhibit A – Applicant Narrative
Exhibit B – Sommet Blanc CUP Proposal Packet
Exhibit C – Background of the Property
Exhibit D – B2 East Subdivision
Exhibit E – 2007 Amended Flagstaff Development Agreement
Exhibit F – 2007 Empire Pass B-2 Master Planned Development
Exhibit G – Ordinance 99-30 Flagstaff Annexation
Exhibit H – Resolution 20-99 Large Scale Flagstaff MPD
Exhibit I – Village at Empire Pass Map
Exhibit J – Link to Technical Reports
Exhibit K – 2004 Village at Empire Pass MPD
Exhibit L – Hill Glazier Plans
Exhibit M – Development Covenants 3-6-18
Exhibit N – Parcel B-2 Empire Village Subdivision
Exhibit O – B2 East Sub. Ordinance 2017-07
Exhibit P – B2- East Subdivision "Working Copy"
Exhibit Q – EPA notice of completion of Removal action for Mazepah Mine Waste Site
Exhibit R – 2007 Hill Glazier Plan and Approved Volumetrics 4-24-2006
Exhibit S – Admin CUP for Retaining Walls Greater than 6' Action Letter 6-18-21
Exhibit T – Admin CUP for temp. Sales Trailer Action Letter 10-6-19
Exhibit U – Hales Engineering Sommet Blanc Trip Generation Study 10/6/21

Exhibit V – Preliminary Construction Mitigation Plan
Exhibit W – B2 East Access Easement with Redus Park City re. access to Villas
Exhibit X – Civil Drawings for Mid Mountain Trailhead Parking Lot
Exhibit Y – UDOT Conditional Access Permit for Curb Cut for Villa Units, Roundabout & Ped Crossing
Exhibit Z – Elevation Heat Map
Exhibit 1 – Overall Grading Plan
Exhibit 2 – Housing Mitigation Plan
Exhibit 3 – Public Comment
Exhibit 4 – Guardsman Pass and Mid Mountain Trial Parking Lot Proposal
Exhibit 5 – Empire Pass Design Guidelines – Book V
Exhibit 6 – Empire Pass Design Review Board Preliminary Approval 6/11/21
Exhibit 7 – Empire Pass Design Review Board Preliminary Approval 7/28/21
Exhibit 8 - Analysis of Sommet Blanc CUP Hill Glazier Challenges
Exhibit 9 – Overall Retaining Wall Plans and Renderings
Exhibit 10 – Flagstaff Annexation and Empire Pass Units and UE Analysis Table
Exhibit 11 – 9.8.21 Height proposal
Exhibit 12 – B2 East Recorded Sewer Access Easement
Exhibit 13 – Arborist Report on B2-East/Sommet Blanc
Exhibit 14 – DV Lucky Jack Tree Island Letter of Consent
Exhibit 15 – Hales Engineering Sommet Blanc Trip Generation Study 1/25/22
Exhibit 16 – Attorney Letter from Applicant Regarding Twisted Branch Road

February 9, 2022

Sommet Blanc Residences
9300 Marsac Avenue
Park City, UT 84060

NOTICE OF PLANNING COMMISSION ACTION

Application #	PL-20-04702 & PL-21-04771
Subject	Lot 1, B2 East Subdivision
Address	9300 Marsac Avenue
Description	Master Planned Development Amendments, and Conditional Use Permit
Action Taken	Approved
Date of Action	February 9, 2022

On February 9, 2022, the Planning Commission held a public hearing and Approved Amendments to the Empire Pass Pod B2- Master Planned Development and a Conditional Use Permit based on the following:

Findings of Fact:

1. Site Location
   A. Sommet Blanc Residences LLC., is Lot 1 of the B2 East Subdivision, located at 9300 Marsac Avenue. The site is located within Pod B2 of the Village at Empire Pass Master Planned Development MPD, and of the 2007 Flagstaff Amended Development Agreement, adjacent to the Deer Valley Empire Day Lodge.
2. Site Zoning
   A. The site is zoned Residential Development (RD-MPD) as part of the Flagstaff Annexation and Master Planned Development.
   B. In the RD zone a Multi-Unit Dwelling isa Conditional Use.
3. Controlling Documents
   A. The property was originally part of the Flagstaff Mountain Annexation and Development Agreement approved by City Council per Resolution No. 99-30 on June 24,1999 and amended on March 2, 2007.
   B. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location

of densities, and development approval process; as well as development conditions, restrictions, obligations, and amenities for each parcel.

C. On July 28, 2004, the Planning Commission approved a Master Planned Development for the Village at Empire Pass (Village MPD) (Pods A and B1) within the Flagstaff Mountain Annexation and Development area. The MPD (known as Mountain Village) was amended to include Pod B2 (Montage). The Mountain Village (Pods A, B1 and B2) was approved for a maximum of 785 UE of multi-family (550 multifamily units) and 16 single family units. A maximum of 60 PUD style units (i.e. Belles, Paintbrush, and Nakoma) were approved as part of the overall multi-family units.

4.Application

A. In November 2020, the applicant submitted an application for a Conditional Use Permit which was amended on July 15, 2021, for three (3) condominium lodges (Multi-Unit Dwellings) buildings with 43 residential units above underground parking, a 3,600-square-foot public restaurant, and four (4) townhome villas within two (2) duplexes, and a detached ancillary ski locker building located on the hillside above the condominiums.

B. On January 20, 2022 the applicant submitted modified plans for the Conditional Use Permit which includes three (3) condominium lodges (Multi-Unit Dwellings) buildings with 49 residential units above underground parking, a 3,600-square-foot public restaurant.

C. The property is known as Lot 1 of the B2East Subdivision, approved by Council on March 9, 2017.

D. The subdivision plat entails a 7.85 acre metes and bounds parcel. The subdivision consists of a 6.91 acre ‘Lot 1’, and a 0.94 acre ‘Parcel A’, for anticipated Deer Valley Resort ski related activities and infrastructure (potential ski bridge). Parcel A has no assigned density and is not developable in terms of residential units or UEs. The applicant recorded a Development Covenant which allocates 3,600 sf of Resort Support Commercial (from MPD maximum of 75,000 sf), and 81 UEs, to be located within a maximum of 70 multi-family dwelling units.

E. With 49 residential units the project includes less units than entitled under the 2007 MPD (Maximum of 70) but is proposing to utilize the same 81 Unit Equivalents (UEs) of residential Density.

F. The applicant is requesting to modify the Conditions of Approval #1 and #2 regarding the allowed Volumetrics and Building Height within Pod B2 MPD pursuant to LMC Chapter 15-6, Master Planned Developments.

G. Through the 2007 MPD process for Pod B2 Empire pass, the Empire Pass Design Guidelines had approved a plan referred to as the Hill Glazier plan regarding volumetrics and design.

5.Compliance with CUP Criteria

A. Size and location of the site;

   a. Staff finds that the current Sommet Blanc proposal is within the prescribed development pod. Subdivision. (15-1-10(E)1).

B. Traffic considerations including capacity of the existing Streets in the Area;

1. Hales Engineering performed a Trip generation study, completed October 6, 2021. The report addresses the trip generation by Sommet Blanc, reporting that an average of 442 trips would be anticipated on an average weekday, including 28 trips during the morning peak hour and 48 trips during evening peak hour.
2. As a comparison with the previous HG plan, the report states “With the anticipated patronage, the morning peak hour trips generated will be reduced by 36% under the new plan, the evening peak hour trips generated will be reduced by 11%, and the daily trips will be reduced by 24%.”
3. The second Hales Engineering Traffic Study completed on January 25, 2022 produced similar results to the initial Traffic Study. The Conclusion stated there would still be a reduced number of trips compared to the Hill Glazier plans and that there would still be a high level of service available during peak hours on SR-224.

C. Utility Capacity
    1. The Empire Pass utilities were all sized assuming 81 UEs of development at B2 East. As such, there is ample sewer, water, electricity, and gas available for the proposed project.
    2. Lot 1 of the B2 East subdivision is included in the storm water detention for the Empire Canyon community, which includes use of the large detention basin.
    3. A final Storm Water Plan is required for review and approval prior to the issuance of a building permit (15-1-10(E)3).
D. Emergency vehicle Access;
    1. Before the building permit is issued, the Applicant will be required to gain approval from the Fire Department with fully compliant plans. (15-1-10(E)4)
E. Location and amount of off-Street parking;
    1. Per the Flagstaff DA, the residential parking stall requirement is reduced by 25% to 107.1which rounds to 107 parking stalls. Each residential condo unit will have one assigned parking space.
    2. Per an agreement between Deer Valley and the Applicant, the Sommet Blanc project includes 56 tandem parking spaces within a parking deck dedicated for valet parking by Deer Valley for the Fireside Dining operation in the Empire Day Lodge. (15-1-10(E) 5).
F. Internal vehicular and pedestrian circulation system;
    1. The lodge buildings are accessed from the Lower Driveway with a proposed curb cut off the roundabout at SR 224. (15-1-10(E)6)
G. Fencing, Screening, and landscaping to separate the Use from adjoining Uses;
    1. Sufficient screening and landscaping separate the use from adjoining uses.
    2. A final landscape plan is required as a condition precedent to Building Permit (15-1-10(E)7).

H. Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots;
    1. The project is smaller in bulk, height and mass compared to its neighbor the Montage and there are no other developments on the adjoining lots with the exception of the Empire Day Lodge (15-1-10(E)8.
I. Usable Open Space;
    1. Both passive and active Open Space are provided in excess of 88% within the Flagstaff Annexation boundary and individual lots were not required to provide open space.
    2. The Applicant proposes to record a Conservation Easement on 3.06 acres on the upper portion of the site
J. Signs and lighting;
    1. Signs and lighting must be in conformance with the LMC and the Flagstaff Mountain Resort Design Guidelines. (15-1-10(E)10).
K. Physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing;
    1. Amended Building articulation and massing are consistent with approved lodge buildings and meet the intent of the Flagstaff DA. The applicant has received preliminary Design Approval from the Empire Pass Design Review Board and will require final approval by Building Permit stage.
L. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site;
    1. All uses except the outdoor plaza area are inside the building and there are no expected impacts on residents, visitors or abutters. (15-1-10(E)12).
M. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas;
    1. Trash is located inside the garage and 4 parking spaces in the front provide for sufficient loading and unloading (15-1-10(E)13).
N. Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities;
    1. The project will be platted as a Condominium and Nightly Rental is a permitted use within the RD zone. (15-1-10(E)14).
O. Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site;
    1. There are no environmentally sensitive lands within or adjoining the site.
    2. The building is located on a sloping lot within Pod B2 and is appropriate for the topography of the site with the garage below grade (15-1-10(E)15).

P. Review for consistency with the goals and objectives of the Park City General Plan;
    1. This property was annexed, zoned, master planned and platted to be consistent with the goals and objectives of the Park City General Plan in providing resort based lodging and guest amenities in close proximity to Deer Valley Resort, affordable housing, reduction in traffic generation, with clustered development in the Village, shuttle service within the development and within Park City, significant open space and trails, as well as attention to mitigation of past and present environmental impacts. (15-1-10(E)16).

6.Compliance with the Amended and Restated Development Agreement for Flagstaff Mountain

A. Per the 2007 DA the Mountain Village was granted a maximum density of 785 Unit Equivalents in a maximum of 550 dwelling units.
B. The Pod B2 MPD approval allotted the east side of B2, 81 Unit Equivalents.
C. Per LMC § 15-6-8, One UE equates to 2,000 sf of Multi-family dwelling floor area or 1,000 sf of commercial or office floor area
D. 81 UEs is equal to 162,000 sf.
E. The 2018 B2 East subdivision approval confirmed the 81 UEs but added the restraint that they must be constructed in a maximum of 70 unit's total.
F. The DA included a total of 75,000 sf of Resort Support Commercial uses. Out of the total granted Resort Support Commercial square footage, B2 East was allotted 3,600 sf.
G. The applicant is proposing 81 UEs in 49 units for a total of under 162,000 square feet.
H. The applicant is proposing under 3,600 square feet Resort Support Commercial.
I. The applicant is proposing two ADA units.
J. Sommet Blanc is meeting the Americans with Disabilities Act definition of a 'Place of Public Accommodations' which is requiring the project provide two ADA dwelling units. Since the units are required, they do not count towards the 81 UE limit.
K. The ADA units will be owned by the HOA and provided for guests who require such accommodations.
L. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum densities, location of densities, and developer-offered amenities for the annexation area.
M. The application is in compliance with the location, density, volumetrics, parking, design and affordable housing requirements of the Development Agreement as they apply to this lot.

7.Compliance with the Amended Pod B-2 Empire Pass Master Planned Development

A. On July 28, 2004, the Planning Commission approved a Master Planned Development (MPD) for the Village at Empire Pass (Pod A), known as the Village Master Planned Development (VMPD) Pod A.

B. On March 14, 2007, the Planning Commission approved a Master Planned Development (MPD) for Pod B2 at Empire Pass as an amendment to the July 28, 2004 Village at Empire Pass MPD (VMPD).
C. Building volumetric diagrams were approved with the Pod B2 MPD known as the Hill Glazier plans.
D. The Pod B2 MPD approved 192 hotel rooms utilizing 69.6 Unit Equivalents (UEs) and 94 hotel condominiums utilizing 114 UEs, on the west side parcel (aka Montage Deer Valley).
E. 81 UEs of residential condominiums were assigned to the east side parcel, aka B2 East.
F. Condition of Approval #1 of the MPD states: “The building plans and volumetrics for the project shall meet substantial compliance with the drawings dated April 24, 2006, and as reviewed by the Planning Commission.
G. As amended, the MPD will update COA #1 to state: “The building plans and volumetrics for the project shall meet substantial compliance with the revised Sommet Blanc drawings dated 1/20/2022 as reviewed by the Planning Commission.”
H. Condition of Approval #2 of the MPD states: “A height exception for the Montage to 114 feet above a benchmarked grade (USGS 8346') is granted with the Master Plan. A height exception for the east side condominiums to 82 feet above benchmarked grades (USGS 8330' for north datum point and 8380' for south datum pint) is granted with the Master Plan. Datum points are indicated on the site plans reviewed by the Planning Commission.”
I. Buildings B and C are granted an exception for building height of up to 94 feet above the benchmark grade and 106 feet above the benchmark grade, respectively, stated in the MPD.
J. This building height was approved based on a site-specific analysis made by the Planning Commission.
K. As amended, the MPD will update COA #2 to state: “A height exception for the Montage to 114 feet above a benchmarked grade (USGS 8346') is granted with the Master Plan. A height exception for the east side condominiums to 82 feet and an allowance of 94 feet for Building B and 106 feet for Building C above benchmarked grades (USGS 8330' for north datum point and 8380' for south datum pint) is granted with the Master Plan. Datum points are indicated on the site plans reviewed by the Planning Commission.”
L. Lot 1 adheres to minimum RD zone setbacks.
M. Per the MPD: “As with the setback requirement in (C) above, the annexation area contains more than the minimum 60% requirement. The development of the Village (pods A, B-1 and B-2) is limited to 87 acres, as amended, within the original 1550 acres or 5% of the land area.” Lot 1 complies with the open space requirements.
N. The Applicant will record a Conservation Easement on 3.06 acres of the Lot to count towards Open Space.
O. The total On-Mountain remaining requirement for the Flagstaff DA is 4.03 Affordable Unit Equivalents (AUEs).

P. The applicant proposes six (6) Affordable housing units (Four Studio apartments and two, two-bedroom units). This is a total of 5.9 AUEs or 4,683 sf.
Q. Staff does not recommend that a Child Care center be provided on-site.
R. The Mazepah mine shaft, located on Lot 1, was permanently closed in 2016 under geotechnical supervision.
S. In August of 2018, the EPA confirmed that all mine soil remediation work performed on site was in accordance with EPA requirements.
T. There are no Historic Sites on the B2-East development Lot.
U. The proposal complies with the RD Zoning District Requirements outlined in LMC § 15-2.13.
V. The MPD, as conditioned, complies with all the requirements of the Land Management Code;
W. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 herein, except as noted in Findings of Fact 6(M), 6(O), 7(G), 7(J), & 7(L);
X. The MPD, as conditioned, provides the highest value of Open Space, as determined by the Planning Commission. As previously approved in the DA, the applicant is proposing the Sommet Blanc development within the development Pod B2-E, specifically set aside to ensure that 826 acres of the Flagstaff Annexed land were deeded to Open Space;
Y. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
Z. The MPD, as conditioned, is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood compatibility, and protects residential neighborhoods and Uses;
AA. The MPD, as conditioned, provides amenities to the community so that there is no net loss of community amenities, such as transportation amenities, a public restaurant, skier lounges, fitness and yoga rooms, and bike storage;
BB. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the application was filed; The applicant is providing 5.9 AUEs totaling 6 units;
CC. The MPD, as conditioned, meets the Sensitive Lands requirements of the Land Management Code. The project has been designed to place Development on the most developable land and least visually obtrusive portions of the Site;
DD. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; Sommet Blanc will be part of the EPMHOA which offers on demand shuttle service to Main Street area and back; and
EE. The MPD has been noticed and public hearing held in accordance with this Code.
FF. The MPD, as conditioned, incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy

and Green Building program codes adopted by the Park City Building Department in effect at the time of the application;

GG. The MPD, as conditioned, addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies.

HH. The MPD, as conditioned, addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance.

II. The MPD, as conditioned, addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan.

JJ. The MPD, as conditioned, addresses and mitigates traffic expected with the development.

KK. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone-required Building Height and Density, including requirements for Facade variation and design, but rather provides desired architectural variation; the proposal distributes previously allocated density on the site and meets the LMC Section 15-5-8 façade length and variation requirements;

LL. The buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site specific analysis;

MM. The MPD, as conditioned, permits adequate Landscaping and buffering from adjacent Properties and Uses;

NN. The MPD follows required setbacks and separations from adjacent projects;

OO. The additional Building Height results in more than the minimum Open Space required and results in Open Space that is publicly accessible per the previously approved 2007 MPD;

PP. The additional building height is designed in a manner that provides a transition in roof elements in compliance with Chapter 5 Architectural Guidelines.

8. Other Findings of Fact

A. The building complies with RD District zone setbacks maintaining a 20’ front setback, 12’ side setbacks and 15’ rear setbacks. LMC exception to the side yard setback allows screened mechanical equipment to have a five foot setback from the Side Lot Line.

B. A Master Homeowners Association document and Maintenance Agreement for the Mountain Village were reviewed and approved by the City prior to issuance of building permits for buildings within the Mountain Village. This property is also subject to these documents, in addition to any declaration of condominium and CCRs recorded with the condominium plat.

C. Excavated soil will remain within the Flagstaff Annexation area as required by the Annexation Agreement with a location to be identified on the final Construction Mitigation Plan submitted with the building permits.
D. The property is part of a common development that exceeds one acre and thus has MS4 requirements to meet.

Conclusions of Law:

1. The application, as conditioned, is consistent with the Village at Empire Pass Master Planned Development and Flagstaff Mountain Resort Master Planned Development, the Park City Land Management Code, and the General Plan.
2. The proposed CUP, as conditioned, will be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. All standard conditions of approval apply to this Conditional Use Permit.
2. This Conditional Use Permit shall expire one year from the date of Planning Commission approval if a building permit has not been issued prior to this date unless an extension is requested in writing prior to expiration date and the extension is granted by the Planning Director.
3. Final building plans and construction details submitted with the building permit application shall substantially comply with the plans reviewed by the Planning Commission on February 9, 2022.
4. A final water efficient landscape and irrigation plan that indicates required storm water facilities and snow storage areas, and that meets the defensible space requirements and mitigates for removal of significant vegetation, shall be submitted with the building permit application for approval by the Planning, Building, and Engineering Department, and shall be in substantial conformance with the plans reviewed by the Planning Commission on February 9, 2022.
5. All exterior lights must conform to the City lighting ordinance and the Flagstaff Mountain Resort Design Guidelines. Final compliance with the City's Lighting Ordinance will be verified at the time of building permit plan review and prior to issuance of a certificate of occupancy. Exterior lighting shall be shielded and down directed.
6. All exterior signs require an approved sign permit prior to installation.
7. Materials, color samples and final design details shall be approved by staff prior to building permit issuance and shall be in substantial compliance with the elevations reviewed by the Planning Commission on February 9, 2022.
8. All exterior mechanical equipment shall be located out of required setbacks and screened and shielded from public streets. Screening with landscaping and fencing/grating materials is allowed. All wall and roof top vents and protruding mechanical shall be painted to match the adjacent wall or roof to minimize impacts on public view.

9. All utility facilities must be located on site unless specific easements have been provided on the recorded plat. A plan must be provided at the time of the building permit application showing all utility locations, including dry utilities. The applicant shall provide verification that the utility plan is viable, and the utility boxes can be screened with landscaping and/or fencing.
10. The applicant shall record a Condominium Plat for the site prior to selling individual units.
11. Affordable housing provided with this Conditional Use Permit shall comply with all requirements of the City's affordable housing resolution in effect at the time of the Development Agreement. The affordable units shall be indicated on the final condominium plat prior to recordation of such plat and shall be completed prior to issuance of a certificate of occupancy for the building.
12. Deed restrictions for the six (6) affordable units, approved by the City in accordance with the applicable Housing Resolution, shall be recorded prior to plat recordation. The deed restrictions shall outline and resolve any issues or concerns that may have come up on other affordable units platted as private. The plat shall note that the affordable units are subject to a deed restriction.
13. The CCRs shall limit the HOA dues related to the deed restricted affordable units in order to ensure the Units remains affordable. The CCRs shall reflect a lower par-value to reflect the reduced cost of the unit (or exempt the unit from HOA fees) to ensure that the unit doesn't lose its affordability due to HOA fees.
14. The CCRs shall be submitted with the condominium plat for review and approval by the City prior to final condominium plat recordation.
15. All conditions of approval of the Village at Empire Pass MPD shall continue to apply.
16. All conditions of approval of the Flagstaff Annexation and Development Agreement shall continue to apply, including the restrictions on solid wood burning fireplaces (Flagstaff DA 2.9.4), removal of excavated materials, construction of pedestrian connections to the transit hub within the Village, and provision of any required ADA and affordable housing units.
17. A Final Construction Mitigation Plan (CMP) shall be submitted for approval by the Planning, Building, and Engineering Departments prior to issuance of a building permit. The CMP shall indicate where and how excavated soils will be hauled and/or stored, hours of construction, truck routes, phasing of construction, road closures, and other items required by the Building Department.
18. Interior fire sprinklers are required for new construction and shall meet requirements of the Chief Building Official at the time of review of the building permit.
19. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
20. All requirements and conditions of the Snyderville Basin Water Reclamation District shall be met prior to building permit issuance.
21. The deed restricted units shall meet the plat note requirement of 4.2 AUEs for this lot. One AUE is equivalent to 800 sf according to the Development Agreement.
22. The plat shall note that this development is part of a common plan development and an MS4 storm water permit is required for all land disturbance activities, prior to building permit issuance.

23. Prior to building permit issuance, the applicant shall verify that capacity exists in the existing detention pond utilized by Pod A and shall demonstrate that sufficient run-off will remain on site to support existing tree stands.
24. Development of this property is subject to the conditions of approval, plat notes, easements and restrictions of the Village at Empire Pass North Subdivision plat.
25. The final proposed parking lot and Mid Mountain Trail re-route will require approval from the City's Trails and Open Space Manager.
26. The final proposed parking lot shall propose amendments to the license agreement in a form approved by the City Attorney's Office.
27. The UDOT Conditional Access Permit expired on 12/17/2021. The applicant will need to request an extension or submit a new CAP to UDOT.
28. A final landscape plan is required as a condition precedent to Building Permit as well as Final Design approval from the Empire Pass Design Review Board (DRB).
29. Landscaping and irrigation must be water efficient, utilizing drought tolerant planting, limited turf area, and drip irrigation. The plan shall indicate mitigation for removal of identified significant trees.
30. A plan shall be provided indicating mitigation for removal of identified significant trees and replacement in kind of these trees.
31. A final approved storm water plan, as well as final utility and grading plans, are required prior to issuance of a building permit.
32. The CC&Rs shall provide notice and process for the tracking and collection of the Real Estate Transfer Fee as required and defined by the Flagstaff Mountain Development Agreement, as amended.
33. All applicable conditions, regulations, requirements, and stipulations of the Amended and Restated Development Agreement for Flagstaff Mountain, the 2007 Empire Pass B2-East MPD, B2-East Subdivision plat, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel, and Iron Mountain (recorded at Summit County on March 2, 2007), and associated technical reports and Agreements, continue to apply.
34. Requirements and obligations of the Flagstaff Mountain Development Agreement, as amended and recorded at Summit County in March of 2007, as apply to this Property, shall be completed, or bonded for completion, prior to issuance of certificates of occupancy for any approved development located on Lot 1, unless otherwise conditioned herein. This includes gondola payments, number of shuttles in operation, provision of affordable housing units, collection mechanism for real estate transfer fees, and all other such obligations as are outlined in the March 2007 Agreement, some of which are triggered by the number of certificates of occupancy issued.
35. Before the building permit is issued, the Applicant will be required to gain approval from the Fire Department with fully compliant plans. (15-1-10(E)4)
36. Sufficient screening and landscaping separate the use from adjoining uses.
37. The applicant must receive Final Design Approval from the Empire Pass Design Review Board.

38. Prior to building permit issuance, documentation from UDOT showing approval of any curb cuts or modifications to existing curb cuts onto Marsac Avenue, a state highway, is required.
39. Per 15-3-11(B) Applicant must provide Electric Vehicle Charging Station Infrastructure for twenty percent (20%) of the first one hundred (100) required Off-Street parking spaces and 5% for the spaces above one hundred (100).
40. Applicant shall provide information in the CC&Rs or other documents governing a homeowner or master owners association for the Development regarding notice of the Electric Vehicle Charging Station infrastructure that exists on site.
41. Electric Vehicle Charging Stations shall be installed for 5% of required Off-Street parking spaces (5 spaces in this case). The first charging station installed shall be dual port with one Charging Station that is ADA accessible.
42. The Applicant shall include bike racks for securing at least 10 bicycles on the site plan submitted for building permit review. Bike racks must provide for both the bike frame and wheels to be locked by the user and must be designed to prevent damage to the bike and to facilitate easy and secure storage without interference from or to adjacent bikes. Bike racks must be anchored and be of solid construction, resistant to rust, corrosion, hammers, and saws. Bike racks shall be in convenient, highly visible, active, well-lit areas, and shall not interfere with pedestrian movements or snow storage. Bike racks shall be installed prior to City issuance of a Certificate of Occupancy.
43. The two (2) ADA units will be owned, maintained and kept in perpetuity as ADA units, by the HOA and provided for guests who require such accommodations.
44. The Applicant will record a Conservation Easement on 3.06 acres on the upper portion of the site
45. The Applicant will be required to meet the 4.03 AUEs with a total of 5.9 AUEs (a total of 4,683 sq.ft) to meet the Affordable Housing obligation.
46. Nightly Rentals require compliance with City Code, including a business license.
47. The Applicant shall submit an arborist report to the Planning Director prior to submitting a building permit application that identifies Significant Vegetation impacted by development and plans to replace Significant Vegetation with like vegetation, as approved by the Planning Director.
48. If the City and the owner of Twisted Branch Road and other parties later agree to allow expanded public use of Twisted Branch Road, Sommet Blanc developers and Sommet Blanc Homeowners [Sub]Association shall not object to, or veto expanded public use.

Prior to building permit issuance, documentation from UDOT showing approval of any curb cuts or modifications to existing curb cuts onto Marsac Avenue, a state highway, is required.

Please be aware that this approval in no way exempts the property from complying with other requirements that may be in effect on the property, and building permit

regulations, as applicable. It is the responsibility of the property owner and applicant to ensure compliance with these regulations.

As the Applicant, this letter is intended as a courtesy to document the status of your request. The official minutes from the Planning Commission meeting are available in the Planning Department office and online.

If you have questions regarding your application or the action taken, please don't hesitate to contact Makena Hawley at 435-615-5059 or Makena.hawley@parkcity.org. She will continue working with you through the Building Permit and Certificate of Occupancy process.

Sincerely,

John Phillips
Planning Commission, Chair
Cc: Makena Hawley, Planner II

Empire Pass Pod B2 East - Sommet Blanc & Alpine Villas

- **MPD Amendment (Volumetric Guidelines)**
- **CUP**

Follow Up to 12/8/21 Planning Commission Meeting and Public Hearing

February 1st, 2022

On 12/8/21, Planning Commission held a Meeting and Public Hearing on the proposed Sommet Blanc project. At the Public Hearing, Planning Commission asked for additional information on several issues and encouraged the Applicant to further develop an alternate site plan presented by the Applicant that eliminates the previously proposed "villas". No comments were received during the Public Hearing portion of the meeting.

12/8 PLANNING COMMISSION MEETING AND PUBLIC HEARING

Alpine Villas Height

The Applicant presented visual impact and fog plane studies showing height limits for the proposed Villas consistent with application as first submitted in 2020. Planning Commission expressed reservations about granting any additional height for the Villas.

Tree Removal/Retention - Site Disturbance

In response to prior Planning Commission concerns about site disturbance, the Applicant presented comparisons of site disturbance between the 2007 Hill Glazier plan and the current Application. Although these comparisons show that the current Application has less site disturbance than the prior plan, and notwithstanding the vast areas of open space preserved elsewhere within the Flagstaff Annexation Area, Planning Commission was not convinced that including development on the upper portion of the property is the best approach for the site.

Mid Mountain Trailhead Parking

The Applicant presented updates to the proposed reconstruction of the Mid Mountain Trailhead parking lot. The updates were developed to improve circulations for vehicles towing trailers and to provide for easier snow removal. Planning Commission was generally supportive of the updated parking lot design.

Twisted Branch Road
Planning Commission remains concerned about traffic safety issues on the Guardsman Pass Road. While the Applicant has previously submitted a Trip Generation Study showing that the proposed project will generate less traffic than a project developed in accordance with the Hill Glazier plan approved in the 2007 MPD, Planning Commission requested a Traffic Impact Study for the proposed project.

Alternate Site Plan
In response to ongoing Planning Commission concern about site disturbance on the upper portion of the site, the Applicant presented an alternate site plan that eliminates the villas and moves the associated density onto an additional floor on each of Buildings B and C. The alternate site plan will result in a significant reduction in site disturbance. Planning Commission responded favorably to the alternate site plan and requested the Applicant further develop the concept for further review.

AMENDED APPLICATION ELIMINATING VILLAS

Summary of Changes
Based on Planning Commission response to alternate site plan, Applicant has amended Application to eliminate the villas. The amended Application proposes maximum Building Heights above benchmarks as follows:

Building A	82’	above 8,345’
Building B	94’	above 8,362’
Building C	106’	above 8,376’6”

The Amended Application results in significant reduction in building footprint and site disturbance relative to prior submissions and relative to the 2007 Hill Glazier Plan:

	Footprint	Site Disturbance
2022 Olson Kundig Plan	41,925 sf	3.70 ac
2021 Olson Kundig Plan	55,023 sf	5.54 ac
2007 Hill Glazier Plan	57,601 sf	~5.54 ac

The site plan for the lower portion of the property remains as previously submitted and the upper portion remains undisturbed open space (except for the sewer/waterline corridor that has already been accommodated.) **As an additional community benefit, the Applicant is proposing to record a Conservation Easement on 3.06 acres of the property.**

Architecturally, the lodge buildings are virtually unchanged except for the addition of a typical floor mid-building in each of Building B and C. Further details on the amended application are provided below.

Twisted Branch Road

At the most recent Planning Commission Meeting, commissioners expressed concern with public safety on the Guardsman Pass Road (SR-224) and suggested the possibility of somehow associating Twisted Branch Road ("TBR") with the Sommet Blanc project.

The owners of the Sommet Blanc property have no ownership interest in TBR nor any control in how it is operated. The access to the Sommet Blanc project is from a UDOT approved curb cut on the Marsac Roundabout one quarter mile before the start of TBR. The Sommet Blanc project entails less dwelling units and bedrooms than are currently entitled on the site. Development of the Sommet Blanc project will have no impact on the safety of the Guardsman Pass Road. A Traffic Impact Study has been provided showing a Level of Service A at the Montage driveway (the busiest intersection in the vicinity) after construction of the project. **There is no nexus between the impact of the proposed Sommet Blanc project and the operational status of Twisted Branch Road.**

TBR is a private road which starts above and to the east of the Sommet Blanc site. In accordance with former municipal approvals, public access is not provided to TBR and the road stops 114' shy of the Wasatch County boundary. Any changes to the private status of TBR will require the involvement of multiple parties, none of which is the Applicant. **Counsel for the Applicant previously submitted a letter dated 10-24-21 clearly stating the Applicant's legal objections to any association between Twisted Branch Road and the Application.**

As a community benefit, the Applicant is proposing improvements to the Mid Mountain Trail parking lot on private land east of the Sommet Blanc property with the goal of improving traffic safety on the Guardsman Pass Road as described further below.

In addition, Sommet Blanc owners and guests and HOA operated shuttles will be directed to use Twisted Branch Road for access to Wasatch County when feasible based on operating hours and easement rights. Empire Pass MOA currently closes the connection at the top of Twisted Branch during winter months, with evening/nightime closures in the summer months.

Tree Removal/Replacement

As discussed above, the Amended Application dramatically reduces site disturbance and tree removal. As noted on the most recent civil drawings, construction of the proposed project will require removal of 18 conifers and 46 aspens, a dramatic reduction from the tree removal associated with the 2007 Hill Glazier plan. The final landscape plan (to be reviewed at Building Permit) will including tree plantings as required under the LMC.

As previously encouraged by Planning Commission, the grading plan has been tweaked to preserve an island of healthy spruce trees between Building C and the Lucky Jack ski trail.

Mid Mountain Trailhead Parking

Early in the review process of the Sommet Blanc project, City Staff encouraged the Applicant to explore improvements to the Mid Mountain Trailhead Parking Lot adjacent the start of Twisted Branch Road. The Applicant has since made arrangements with the owner of the land under the parking lot to permit construction of parking lot improvements. The Applicant has worked with Staff on plans to reconstruct the parking lot with a buffer between parking and the Guardsman Pass Road. The design has been tweaked to respond to concerns for users with trails. The proposed changes would also include rerouting the trail above the parking lot to a pedestrian crossing at the start of Twisted Branch Road. **Rerouting the trail and reconstructing the parking lot are not required to construct the Sommet Blanc project.**

As a community benefit, the Applicant remains willing to construct the parking lot improvements substantially as currently designed, including construction of a trailhead kiosk and composter toilet. In the alternate, the Applicant is willing to post a $150,000 letter of credit for construction of trailhead parking lot improvements should Planning Commission and the City prefer to explore alternate designs.

Affordable Housing

The 2018 B2 East Plat includes a requirement for 4.2 Affordable Unit Equivalents (AUEs). The Flagstaff DA requires a total of 118.9 AUEs. All off-mountain housing (94.175 AUEs) was satisfied in 2018 with the transfer of the 100 Marsac parcel to Park City. Following completion of the Argent project, 4.05 on-mountain AUEs are required to satisfy the remaining Empire Pass requirements.

In response to Planning Commission comments, the Applicant revised and increased the on-site Affordable Housing program for the Project. The proposed development includes six (6) Affordable Housing Units (5.8 AUEs) providing almost 50% more AUEs than the remaining requirement for Empire Pass.

APPROVAL PROCESS

Elimination of the villas simplifies the approvals required to proceed with the Sommet Blanc project. The following Planning Commission approvals are required:

1. Amendment to Pod B2 MPD approved Volumetrics permitting building heights as shown on current plans.

2. Ratification of amendment to Empire Pass Design Guidelines creating Book V with site specific contemporary mountain architecture design guidelines for the B2 East (Sommet Blanc) site.

3. Conditional Use Permit

PROJECT SUMMARY

Residential Units

The Sommet Blanc project proposed for the Property includes three condominium lodges with 49 residential units over underground parking on the lower portion of the property adjacent Ruby Chair.

With a total of only 49 condominium units, the Project includes far fewer dwelling units than the 81 entitled under the 2007 MPD (reduced to 70 dwelling units under 2017 plat), but the same 81 Unit Equivalents of residential density (162,000 sf salable space).

Residential Accessory

The Flagstaff DA does not limit residential amenity space. Such amenities are classified as Residential Accessory space. The project includes residential amenities as expected in a premier ski-in/ski-out property including:

- Skier Lounges
- Ski/Boot Storage
- Fitness Facilities
- Yoga & Massage Rooms
- Swimming Pool and Hot Tubs
- Board Room
- Registration & Concierge Desks

Residential Accessory also includes circulation, restrooms, back-of house, storage, etc. Total Residential Accessory space is as follows:

Amenities	28,963 sf
Circulation	33,800 sf
BOH	3,474 sf
Restrooms	1,103 sf
Storage	12,025 sf
MEP	8,941 sf
Total	88,306 sf

Resort Support Commercial - Public Restaurant

A 3,559 sf public restaurant is planned in the condominium lodge adjacent Deer Valley's Empire Day Lodge and Ruby Chair lift queue. The restaurant will utilize Resort Support Commercial ("RSC") density allocated to the Property by the master developer. The public restaurant was anticipated in the master developer's allocation of remaining RSC density between the Talisker Tower and the Property.

Affordable Housing

Project is governed by the 2007 Flagstaff DA which has a requirement of 800 sf/AUE. Subsequent amendments to the LMC (increasing AUE size to 900 sf) are not applicable to the Flagstaff DA Housing Mitigation Plan. Affordable housing will be provided in each building at time of completion.

4 - Studio Units	424 sf	1,692 sf	
2 - Two Bedroom Units	1,458 sf	2,916 sf	
Total		4,608 sf	5.8 AUEs

Parking

Project includes required parking for residential and restaurant along with additional parking for Deer Valley's Fireside Dining at Empire Day Lodge. Deer Valley parking is permitted under Flagstaff DA and Pod B2 MPD. It is not a requirement. The CCRs will assign one parking stall for each affordable unit.

Residential Parking Req'd	80.3 Stalls		
Restaurant Parking Req'd	26.7 Stalls		
Total Required Parking	107 Stalls	Provided	107
Deer Valley Parking	0 Required	Provided	56

Transit

The Property is part of the Empire Pass MOA. Residents and guests have full access to the Empire Express app-based shuttle service which operates on demand service between Empire Pass and other Park City destinations. A Park City Transit stop on the Marsac roundabout is directly opposite the lower driveway entrance.

Fire Protection

The Project has been reviewed by PCFD for conformance with fire fighting requirements. The cul-de-sac on the lower driveway serves as a hammerhead meeting PCFD requirements. The proposed site plan provides clear fire truck and ladder access to all buildings. The project is now considered a high-rise since ladder access cannot be provided to the top floors. Treated wood siding is no longer a feasible exterior material. Project siding will have the appearance of natural wood while meeting fire retardant requirements as determined by the Chief Building Officer.

Pod B2 MPD - Amendment to Approved Volumetrics

The current amended project application has been developed in response to Planning Commission feedback. The proposed project now has a smaller footprint and considerably less site disturbance than the 2007 approved Hill Glazier plan. Approval of the proposed project requires approval of an amendment to the volumetrics included within the 2007 MPD.

At the time of the prior volumetric approval for Development Pod B2, the main focus was on B2 West, now the site of the Montage Deer Valley. Architectural study of the B2 East site was limited, and the volumetrics approved at that time created a sub-optimal relationship between the buildings, the ski trail, and the hillside behind the buildings. The Hill Glazier Plan also included stacked townhome buildings at the steep southern end of the Property climbing onto what is now B2 East Parcel A.

Amending the volumetric to permit additional height on the lower portion of the property is necessary to leave Parcel A and the upper portion of the site undisturbed.

Given the extensive alterations to grade on the Property during previous mining, construction, and environmental clean-up there is no Natural Grade to reference for establishing building height. The proposed finished grade of the landscaped courtyard is set at an appropriate level relative to the adjacent *Lucky Jack ski trail* with Building A six stories above this pool courtyard. Building B is seven stories above the apres-ski patio and Building C is eight stories above its adjacent patio. Maximum building heights reference benchmark elevations following the Montage precedent.

With the low pitched roofs and contemporary architecture, building heights relative to adjacent roads and finished grade are similar to those on projects in the Empire Pass Village, and much lower than those at the nearby Montage.

Following are proposed maximum building heights for the three condominium lodges:

	Height	**Benchmark**	**Location**
Bldg A	82’	8,345’	Entry Lobby
Bldg B	94’	8,362’	Skier Lobby/Amenity Level
Bldg C	106’	8,376’6”	Skier Lobby/Amenity Level

Note: Elevator overruns (appurtenance) extend above the maximum building height.

Rationale for Approval of Amended Volumetrics

The Land Management Code grants the Planning Commission the authority to allow additional building height based upon a site-specific analysis and determination that the following findings can be made:

a. *The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone required Building Height and Density, including requirements for façade variation and design, but rather provides desired architectural variation, unless the increased square footage or Building Volume is from the transfer of Development Credits;*

   This application does not increase square footage or Building Volume over that approved in the 2007 MPD Amendment.

   The proposed buildings provide significant variations in facades as demonstrated in the architectural renderings.

b. *Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss of air circulation have been mitigated as determined by the Site Specific analysis and approved by the Planning Commission;*

   The front entry of the Montage is over 500' from the property, with the nearest building corner approximately 400' away. At its closest point, Deer Valley's Empire Day Lodge is approximately 70' west of the adjacent B2 condo building. The Empire Lodge will continue to enjoy excellent solar exposure from the south with ample air circulation.

c. *There is adequate landscaping and buffering from adjacent Properties and Uses. Increased Setbacks and separations from adjacent properties are being proposed;*

The southwest boundary of B2 East follows Deer Valley's Lucky Jack ski trail. Proposed buildings are set back a minimum of 20' from this property line and 12' from the Empire Day Lodge property line. These setbacks provide adequate buffering and opportunity for landscaping.

2) *The additional Building Height has resulted in more than the minimum open space required and has resulted in the open space being more usable and included Publicly Accessible Open Space;*

The Flagstaff Large Scale MPD approval clustered the majority of the Project density in the Mountain Village, which resulted in open space on the order of 88%. The vast majority of this open space provides passive recreation, trails, ski terrain, wildlife habitat and viewsheds. Increasing permitted building height makes it possible to create a 3.06 acre Conservation Easement on the upper portion of the property.

3) *The additional Building Height shall be designed in a manner that provides a transition in roof elements in compliance with Chapter 5 Architectural Guidelines or the Design Guidelines for Park City's Historic Districts if within the Historic District;*

The proposed buildings shown in the architectural renderings include significant steps and other variations in the roofline.

The proposed amendment to the B2 East volumetrics will result in a project that has improved relationships with the ski trail in the foreground and the hillside beyond. The adjacent and nearby Deer Valley and Montage properties are not materially impacted by the proposed building massing.

SOMMET BLANC

CONTENTS

Exhibit 1 - Civil & Landscape Design	*1*
Exhibit 2 - Condo Lodge Plans and Elevations	*31*
Exhibit 3 - Visual Impact	*74*
Exhibit 4 - Height Study and New Volumetrics	*82*
Exhibit 5 - Mid Mountain Trail	*92*

Sommet Blanc (B2 East) - CUP & MPD Amendment

Exhibit 1 - Civil & Landscape Design

February 9, 2022

MARSAC AVENUE (A 50' WIDE PUBLIC RIGHT-OF-WAY)

EXISTING MID MOUNTAIN TRAIL

NORTHSIDE CHAIRLIFT

PROPOSED CONSERVATION EASEMENT AREA=3.06 ACRES

PROPOSED MID MOUNTAIN TRAIL RELOCATION

PROPOSED MID MOUNTAIN TRAIL PARKING LOT

THE MONTAGE DEER VALLEY

DEER VALLEY MONTAGE DRIVEWAY

EMPIRE LODGE DRIVEWAY

DEER VALLEY EMPIRE DAY LODGE

MARSAC AVENUE

PROPERTY LINE

PROPERTY LINE

GUARDSMAN ROAD (SR-224) PUBLIC ROAD

TWISTED BRANCH ROAD (PRIVATE ROAD)

WATER TANK

LOBBY BUILDING OUTLINE

BUILDING A OUTLINE

BUILDING B OUTLINE

BUILDING C OUTLINE

ORIGINAL MID MOUNTAIN TRAIL

PROPERTY LINE

LUCKY JACK SKI RUN

RUBY CHAIRLIFT

CHAIRLIFT TOWER

EMPIRE CHAIRLIFT

EXISTING MID MOUNTAIN TRAIL

RELOCATED (2020) MID MOUNTAIN TRAIL

EXISTING PAYROLL TRAIL

100' 0 100' 200'

PROPOSED/RELOCATED BIKE TRAIL

EXISTING BIKE TRAIL

EXISTING BIKE TRAIL TO BE REMOVED

PROPOSED CONSERVATION EASEMENT

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

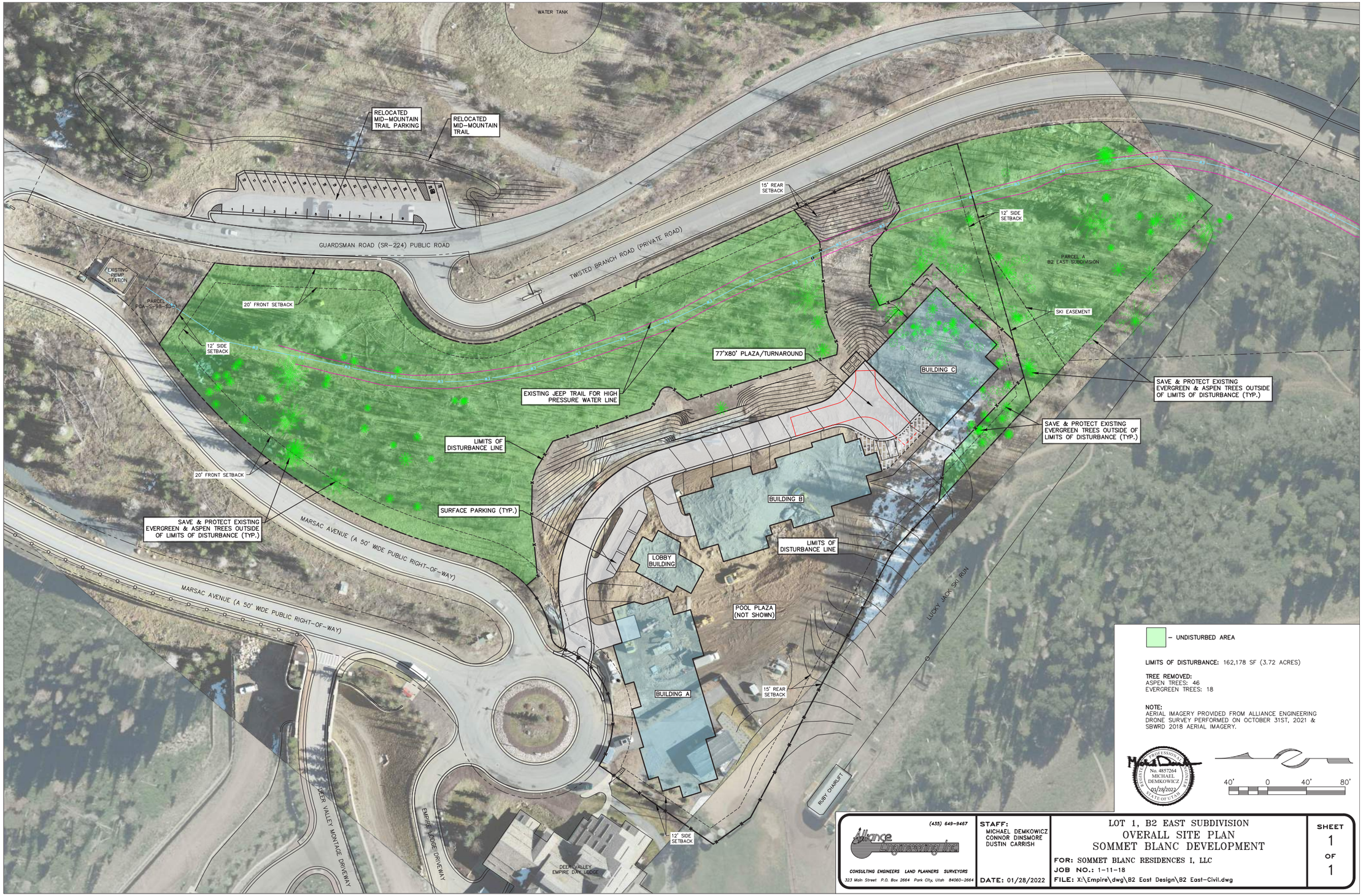
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

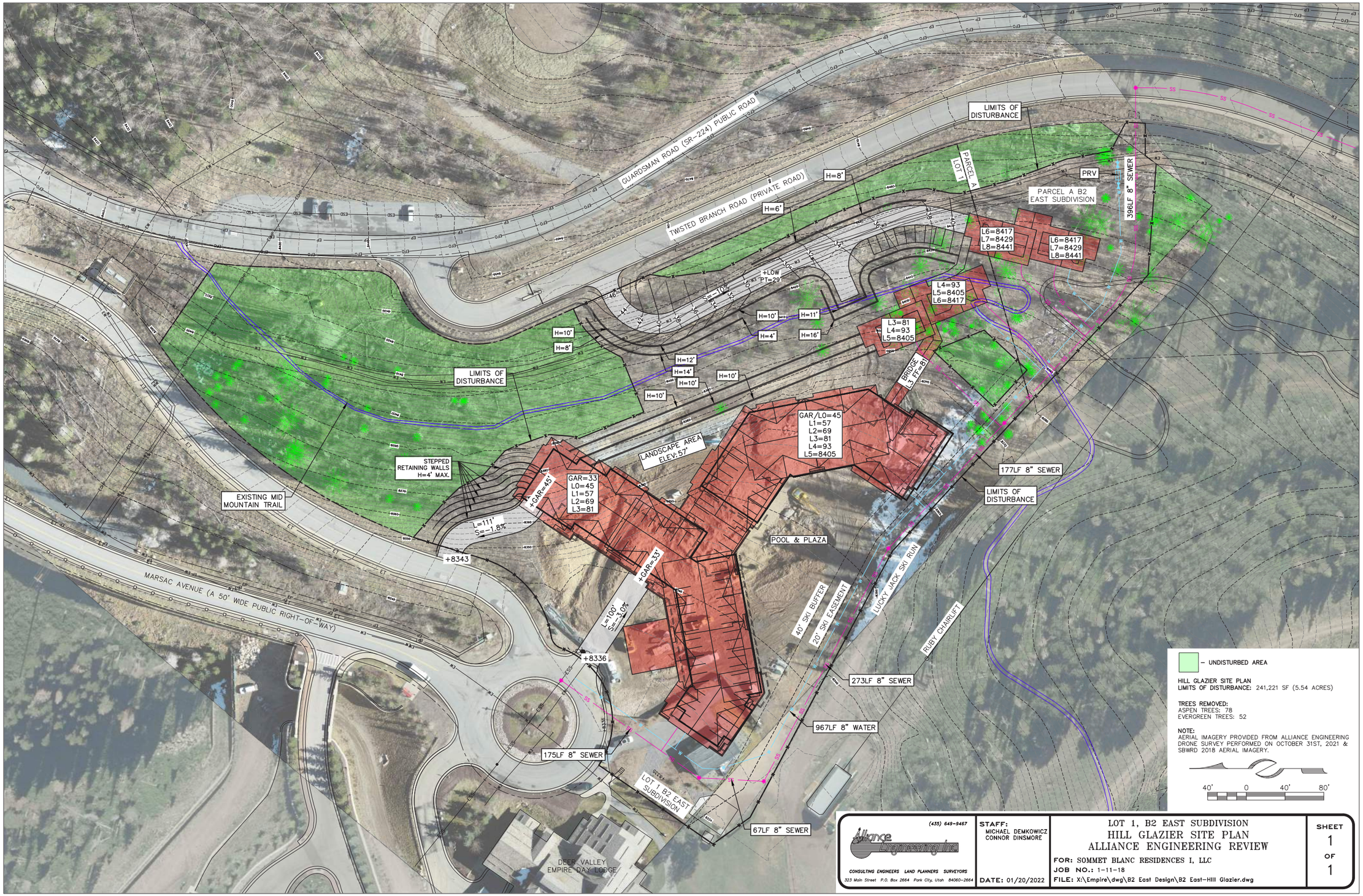
DATE: 01/20/2022

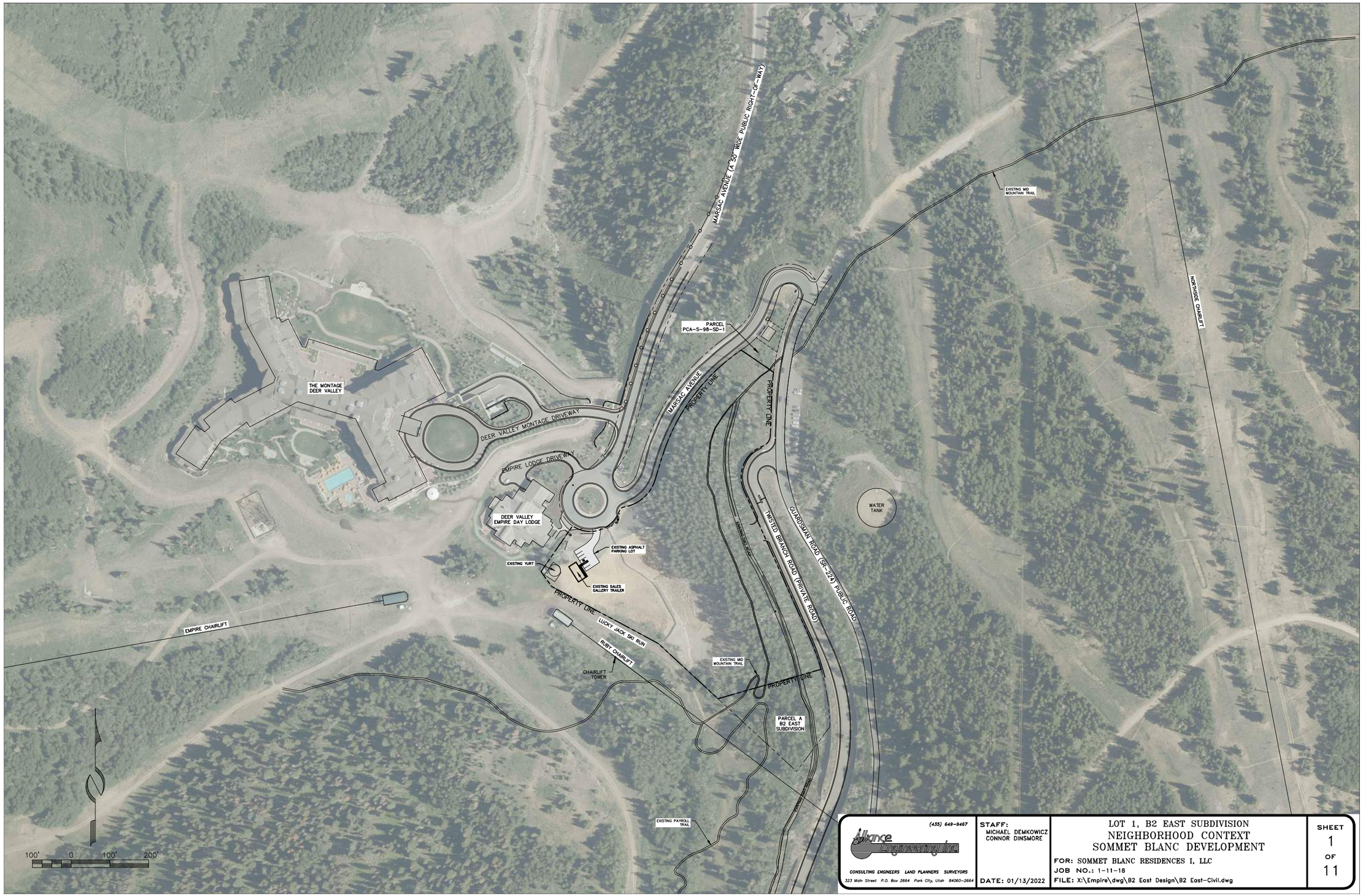
LOT 1, B2 EAST SUBDIVISION
BIKE TRAIL NETWORK &
CONSERVATION EASEMENT

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

SHEET 1 OF 1


WATER TANK
RELOCATED MID-MOUNTAIN TRAIL PARKING
RELOCATED MID-MOUNTAIN TRAIL
GUARDSMAN ROAD (SR-224) PUBLIC ROAD
TWISTED BRANCH ROAD (PRIVATE ROAD)
EXISTING PUMP STATION
PARCEL POA-S-98-59-A
20' FRONT SETBACK
12' SIDE SETBACK
15' REAR SETBACK
PARCEL A B2 EAST SUBDIVISION
SKI EASEMENT
77'X80' PLAZA/TURNAROUND
BUILDING C
EXISTING JEEP TRAIL FOR HIGH PRESSURE WATER LINE
SAVE & PROTECT EXISTING EVERGREEN & ASPEN TREES OUTSIDE OF LIMITS OF DISTURBANCE (TYP.)
LIMITS OF DISTURBANCE LINE
SURFACE PARKING (TYP.)
BUILDING B
LOBBY BUILDING
POOL PLAZA (NOT SHOWN)
BUILDING A
MARSAC AVENUE (A 50' WIDE PUBLIC RIGHT-OF-WAY)
DEER VALLEY MONTAGE DRIVEWAY
EMPIRE LODGE DRIVEWAY
DEER VALLEY EMPIRE DAY LODGE
LUCKY JACK SKI RUN
RUBY GHARLIFT
- UNDISTURBED AREA
LIMITS OF DISTURBANCE: 162,178 SF (3.72 ACRES)
TREE REMOVED:
ASPEN TREES: 46
EVERGREEN TREES: 18
NOTE:
AERIAL IMAGERY PROVIDED FROM ALLIANCE ENGINEERING DRONE SURVEY PERFORMED ON OCTOBER 31ST, 2021 & SBWRD 2018 AERIAL IMAGERY.
No. 4857264 MICHAEL DEMKOWICZ 01/28/2022
40' 0 40' 80'
(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
DUSTIN CARRISH
DATE: 01/28/2022
LOT 1, B2 EAST SUBDIVISION
OVERALL SITE PLAN
SOMMET BLANC DEVELOPMENT
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil.dwg
SHEET 1 OF 1


GUARDSMAN ROAD (SR-224) PUBLIC ROAD
TWISTED BRANCH ROAD (PRIVATE ROAD)
LIMITS OF DISTURBANCE
PARCEL A LOT 1
PRV
PARCEL A B2 EAST SUBDIVISION
396LF 8" SEWER
L6=8417
L7=8429
L8=8441
L4=93
L5=8405
L6=8417
L3=81
L4=93
L5=8405
H=8'
H=6'
H=10'
H=11'
H=4'
H=16'
H=12'
H=14'
H=10'
+LOW PT=29
S=-10%
BRIDGE L3 FF=81
GAR/L0=45
L1=57
L2=69
L3=81
L4=93
L5=8405
LANDSCAPE AREA ELEV.57'
STEPPED RETAINING WALLS H=4' MAX.
EXISTING MID MOUNTAIN TRAIL
+GAR=45'
GAR=33
L0=45
L1=57
L2=69
L3=81
L=111'
S=-1.8%
+8343
+GAR=33'
L=100'
S=-4.0%
+8336
MARSAC AVENUE (A 50' WIDE PUBLIC RIGHT-OF-WAY)
177LF 8" SEWER
LIMITS OF DISTURBANCE
POOL & PLAZA
40' SKI BUFFER
20' SKI EASEMENT
LUCKY JACK SKI RUN
RUBY CHAIRLIFT
273LF 8" SEWER
967LF 8" WATER
175LF 8" SEWER
LOT 1 B2 EAST SUBDIVISION
67LF 8" SEWER
DEER VALLEY EMPIRE DAY LODGE
– UNDISTURBED AREA
HILL GLAZIER SITE PLAN
LIMITS OF DISTURBANCE: 241,221 SF (5.54 ACRES)
TREES REMOVED:
ASPEN TREES: 78
EVERGREEN TREES: 52
NOTE:
AERIAL IMAGERY PROVIDED FROM ALLIANCE ENGINEERING DRONE SURVEY PERFORMED ON OCTOBER 31ST, 2021 & SBWRD 2018 AERIAL IMAGERY.
40' 0 40' 80'
(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
DATE: 01/20/2022
LOT 1, B2 EAST SUBDIVISION
HILL GLAZIER SITE PLAN
ALLIANCE ENGINEERING REVIEW
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Hill Glazier.dwg
SHEET 1 OF 1


MARSAC AVENUE (A 30' WIDE PUBLIC RIGHT-OF-WAY)
EXISTING MID MOUNTAIN TRAIL
NORTHSIDE CHAIRLIFT
PARCEL PCA-S-98-SD-1
THE MONTAGE DEER VALLEY
DEER VALLEY MONTAGE DRIVEWAY
MARSAC AVENUE
PROPERTY LINE
EMPIRE LODGE DRIVEWAY
DEER VALLEY EMPIRE DAY LODGE
WATER TANK
TWISTED BRANCH ROAD (PRIVATE ROAD)
GUARDSMAN ROAD (SR-224) PUBLIC ROAD
EXISTING ASPHALT PARKING LOT
EXISTING YURT
EXISTING SALES GALLERY TRAILER
PROPERTY LINE
LUCKY JACK SKI RUN
RUBY CHAIRLIFT
EMPIRE CHAIRLIFT
CHAIRLIFT TOWER
EXISTING MID MOUNTAIN TRAIL
PROPERTY LINE
PARCEL A B2 EAST SUBDIVISION
EXISTING PAYROLL TRAIL
100' 0 100' 200'
(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
DATE: 01/13/2022
LOT 1, B2 EAST SUBDIVISION
NEIGHBORHOOD CONTEXT
SOMMET BLANC DEVELOPMENT
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil.dwg
SHEET 1 OF 11

THE MONTAGE DEER VALLEY

DEER VALLEY MONTAGE DRIVEWAY

EMPIRE LODGE DRIVEWAY

DEER VALLEY EMPIRE DAY LODGE

MARSAC AVENUE (A 50' WIDE PUBLIC RIGHT-OF-WAY)

PROPERTY LINE

EXISTING WATER PUMP STATION

PARCEL PCA-S-98-SD-1

12' SIDE SETBACK

UTAH POWER AND LIGHT 40' WIDE EASEMENT

20' FRONT SETBACK

10FT WIDE GAS AND WATERLINE EASEMENT PLAT ENTRY NO: 188753M

10FT WIDE SNOW STORAGE EASEMENT AND NON-EXCLUSIVE PUBLIC UTILITY EASEMENT

EXISTING MID MOUNTAIN TRAIL

EXISTING DIRT ROAD

EXISTING WOOD RETAINING WALL

EXISTING GATE

QUESTAR GAS COMPANY GAS LINE EASEMENT RECORDED: OCTOBER 17, 2001 ENTRY NO.: 600844 BOOK 1402, PAGE 582

EXISTING RIP-RAP DETENTION BASIN

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT PERMANENT EASEMENT RECORDED: JUNE 6, 2003 ENTRY NO.: 715384 BOOK 2578, PAGE 1501

TWISTED BRANCH ROAD (PRIVATE ROAD)

GUARDSMAN ROAD (SR-224) PUBLIC ROAD

WATER TANK

EXISTING MID MOUNTAIN TRAIL

12' SIDE SETBACK

EXISTING ASPHALT PARKING LOT

EXISTING YURT

EXISTING SALES GALLERY TRAILER

SKIWAY BUFFER EASEMENT GRANT OF EASEMENT RECORDED: OCTOBER 25, 2018 ENTRY NO.: 1100594 BOOK 2484, PAGE 0435

SKI RESORT EASEMENT GRANT OF EASEMENT RECORDED: OCTOBER 25, 2018 ENTRY NO.: 1100594 BOOK 2484, PAGE 0435

30' WIDE SKI RESORT EASEMENT

NOTE: THIS AREA OF SITE HAS BEEN HEAVILY & FREQUENTLY DISTURBED OVER RECENT YEARS. TOPO NOT SURVEYED.

15' REAR SETBACK

RUBY CHAIRLIFT

20' WIDE SKI RESORT EASEMENT

LUCKY JACK SKI RUN

CHAIRLIFT TOWER

EXISTING MID MOUNTAIN TRAIL

SKI RUN EASEMENT

EXISTING PAYROLL TRAIL

PARCEL A B2 EAST SUBDIVISION

50' 0 50' 100'

No. 4857264 MICHAEL DEMKOWICZ 01/20/2022 STATE OF UTAH

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CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

STAFF: MICHAEL DEMKOWICZ CONNOR DINSMORE

DATE: 01/20/2022

LOT 1, B2 EAST SUBDIVISION
EXISTING CONDITIONS
SOMMET BLANC DEVELOPMENT

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

SHEET 1 OF 10

WATER TANK

RELOCATED MID-MOUNTAIN TRAIL PARKING

RELOCATED MID-MOUNTAIN TRAIL

GUARDSMAN ROAD (SR-224) PUBLIC ROAD

TWISTED BRANCH ROAD (PRIVATE ROAD)

15' REAR SETBACK

12' SIDE SETBACK

PARCEL A
B2 EAST SUBDIVISION

EXISTING PUMP STATION

PARCEL
PCA-S-98-SD-1

20' FRONT SETBACK

12' SIDE SETBACK

SKI EASEMENT

DUMPSTER ENCLOSURE LOCATION

BUILDING C
DRIVEWAY ACCESS

77'X80' PLAZA/TURNAROUND

BUILDING C

FIRETRUCK TURNAROUND

UPPER LEVEL GARAGE DRIVEWAY ACCESS

20' FRONT SETBACK

NEW 26FT WIDE ROAD W/ 6" CURB & 30" ROLL GUTTER

LOBBY DRIVEWAY ACCESS

MARSAC AVENUE (A 50' WIDE PUBLIC RIGHT-OF-WAY)

BUILDING B

LOBBY BUILDING

POOL PLAZA
(NOT SHOWN)

LOWER LEVEL GARAGE DRIVEWAY ACCESS

BUILDING A

15' REAR SETBACK

LUCKY JACK SKI RUN

RUBY CHAIRLIFT

12' SIDE SETBACK

DEER VALLEY MONTAGE DRIVEWAY

EMPIRE LODGE DRIVEWAY

DEER VALLEY
EMPIRE DAY LODGE

PROFESSIONAL ENGINEER
No. 4857264
MICHAEL DEMKOWICZ
01/20/2022
STATE OF UTAH

40' 0 40' 80'

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

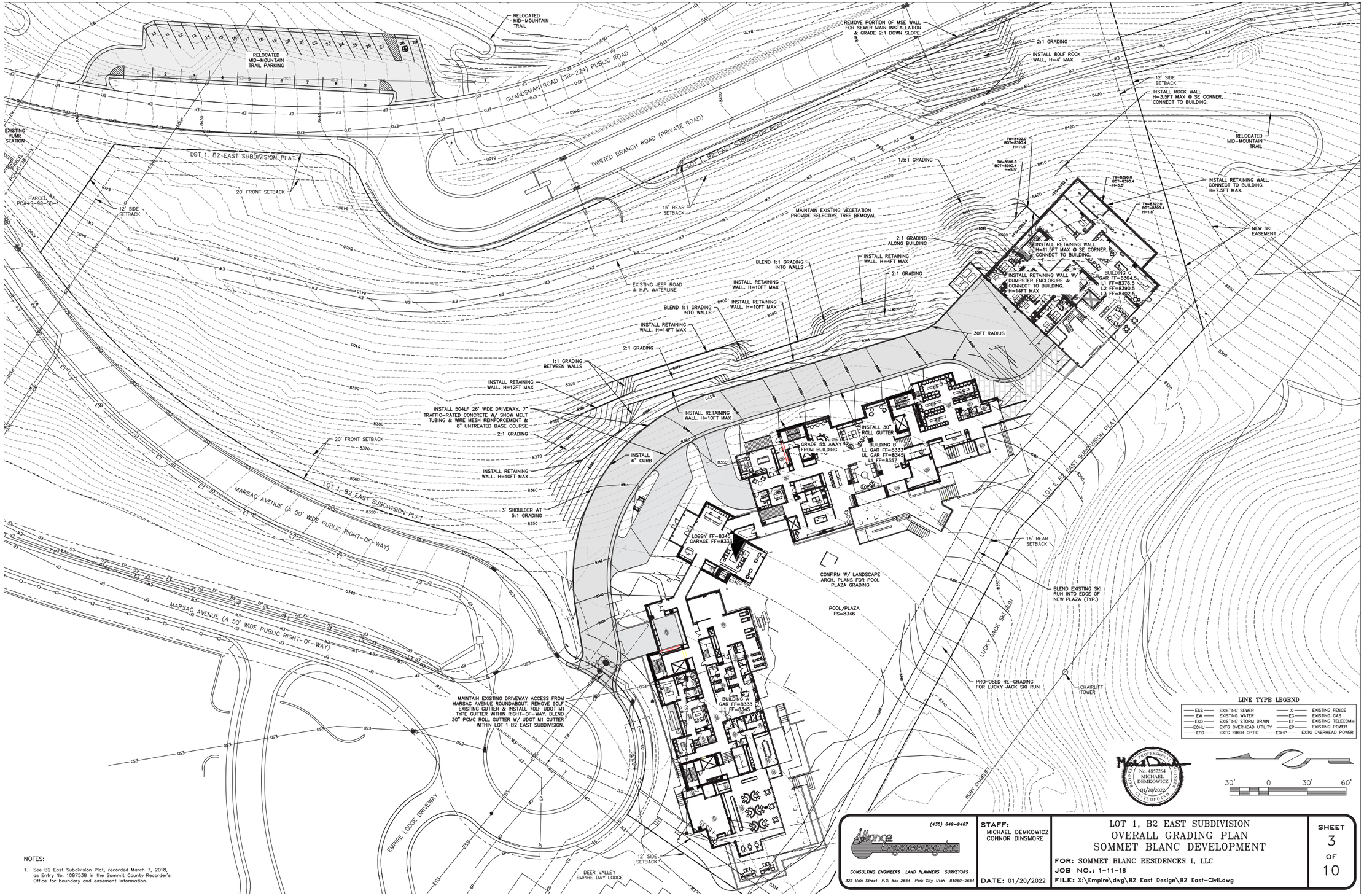
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
DUSTIN CARRISH

DATE: 01/20/22

LOT 1, B2 EAST SUBDIVISION
OVERALL SITE PLAN
SOMMET BLANC DEVELOPMENT

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

SHEET 2 OF 10



NOTES:

1. See B2 East Subdivision Plat, recorded March 7, 2018, as Entry No. 1087538 in the Summit County Recorder's Office for boundary and easement information.

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

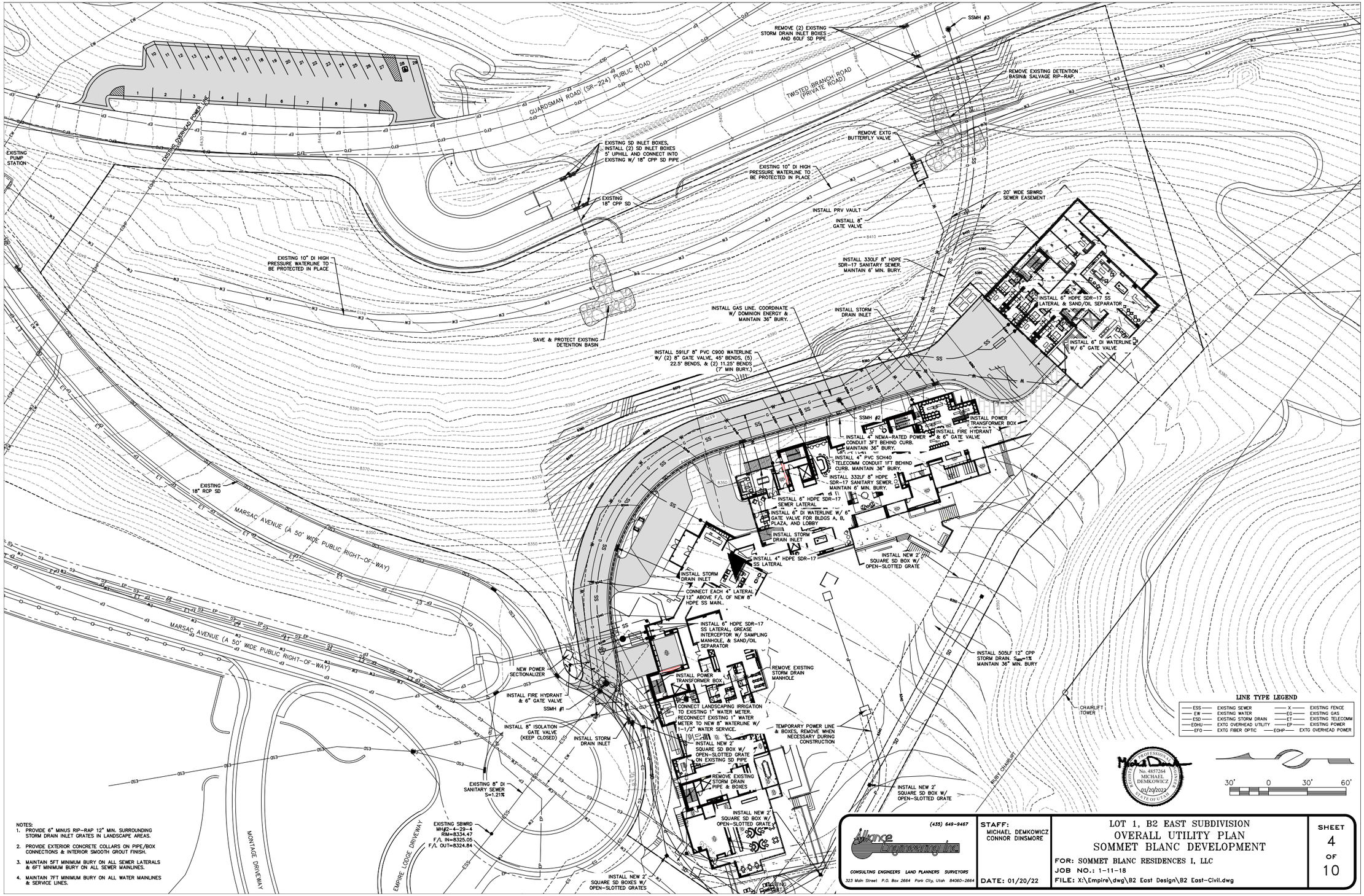
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 01/20/2022

LOT 1, B2 EAST SUBDIVISION
OVERALL GRADING PLAN
SOMMET BLANC DEVELOPMENT

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

SHEET 3 OF 10



NOTES:
1. PROVIDE 6" MINUS RIP-RAP 12" MIN. SURROUNDING STORM DRAIN INLET GRATES IN LANDSCAPE AREAS.
2. PROVIDE EXTERIOR CONCRETE COLLARS ON PIPE/BOX CONNECTIONS & INTERIOR SMOOTH GROUT FINISH.
3. MAINTAIN 5FT MINIMUM BURY ON ALL SEWER LATERALS & 6FT MINIMUM BURY ON ALL SEWER MAINLINES.
4. MAINTAIN 7FT MINIMUM BURY ON ALL WATER MAINLINES & SERVICE LINES.

PROFESSIONAL ENGINEER No. 4857264 MICHAEL DEMKOWICZ 01/20/2022 STATE OF UTAH

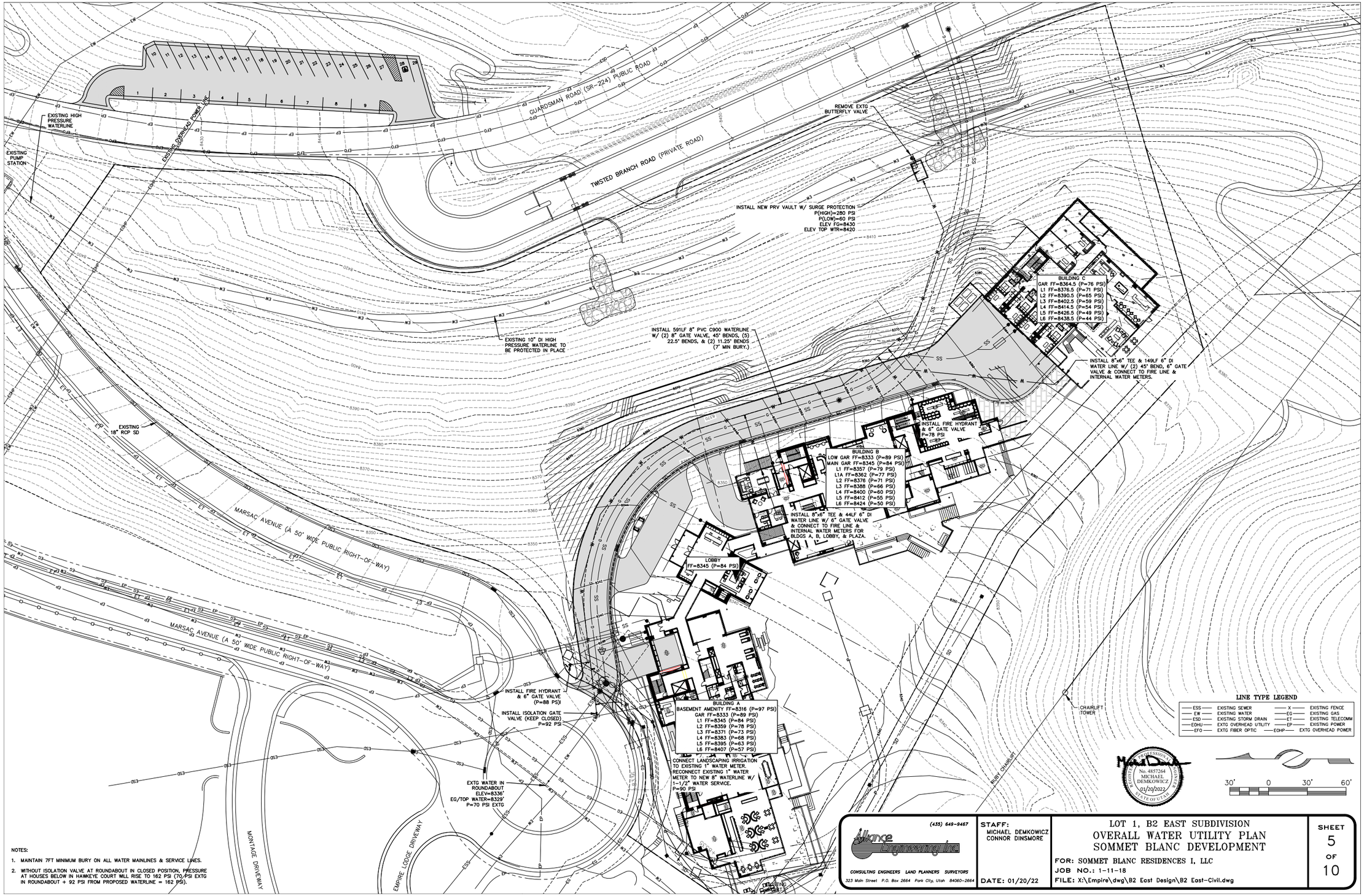
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664
(435) 649-9467

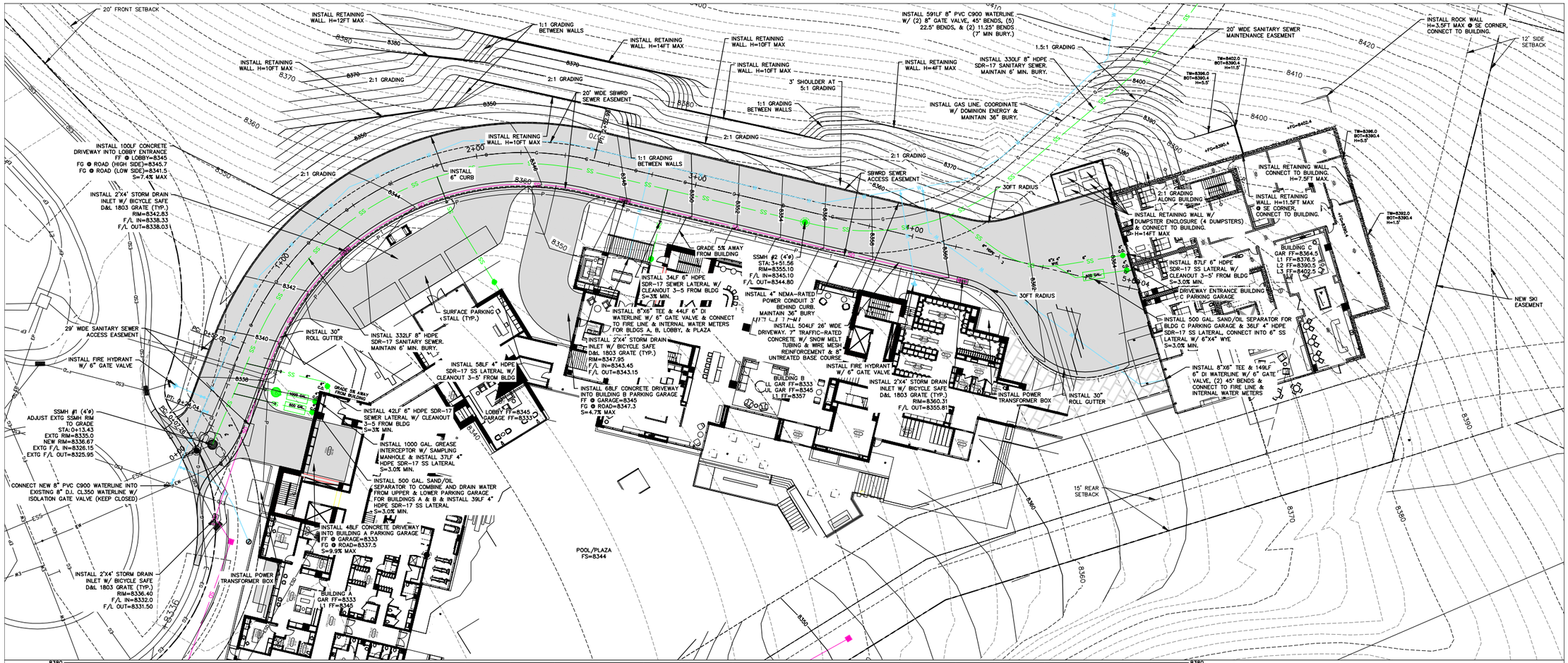
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

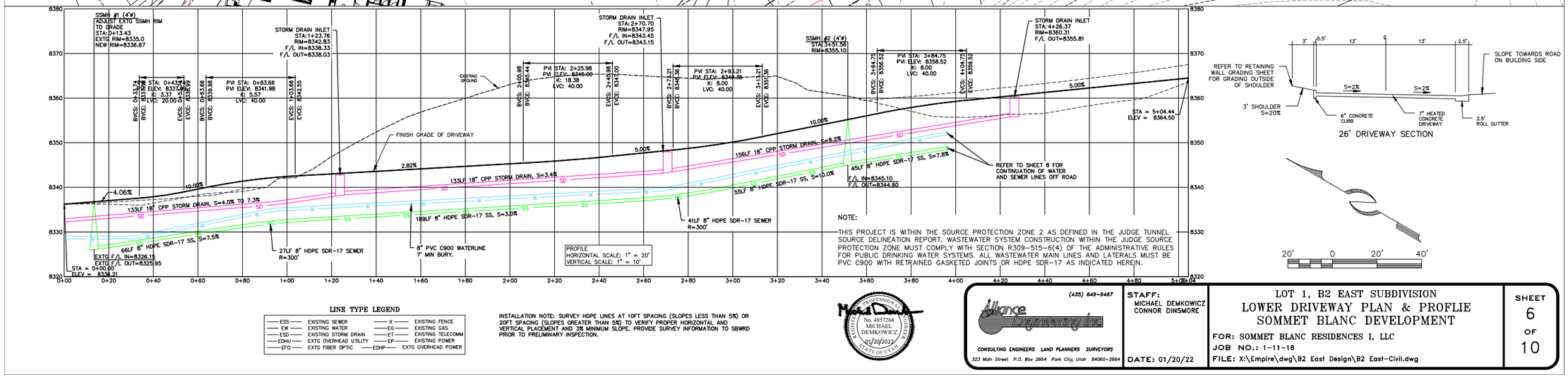
DATE: 01/20/22

LOT 1, B2 EAST SUBDIVISION
OVERALL UTILITY PLAN
SOMMET BLANC DEVELOPMENT
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil.dwg

SHEET 4 OF 10


GUARDSMAN ROAD (SR-224) PUBLIC ROAD
TWISTED BRANCH ROAD (PRIVATE ROAD)
MARSAC AVENUE (A 50' WIDE PUBLIC RIGHT-OF-WAY)
MARSAC AVENUE (A 50' WIDE PUBLIC RIGHT-OF-WAY)
MONTAGE DRIVEWAY
EMPIRE LODGE DRIVEWAY
RUBY CHAIRLIFT
CHAIRLIFT TOWER
EXISTING HIGH PRESSURE WATERLINE
EXISTING PUMP STATION
EXISTING OVERHEAD POWER LINE
EXISTING 18" RCP SD
EXISTING 10" DI HIGH PRESSURE WATERLINE TO BE PROTECTED IN PLACE
REMOVE EXTG BUTTERFLY VALVE
INSTALL NEW PRV VAULT W/ SURGE PROTECTION
P(HIGH)=280 PSI
P(LOW)=60 PSI
ELEV FG=8430
ELEV TOP WTR=8420
INSTALL 591LF 8" PVC C900 WATERLINE W/ (2) 8" GATE VALVE, 45° BENDS, (5) 22.5° BENDS, & (2) 11.25° BENDS (7' MIN BURY.)
BUILDING C
GAR FF=8364.5 (P=76 PSI)
L1 FF=8376.5 (P=71 PSI)
L2 FF=8390.5 (P=65 PSI)
L3 FF=8402.5 (P=59 PSI)
L4 FF=8414.5 (P=54 PSI)
L5 FF=8426.5 (P=49 PSI)
L6 FF=8438.5 (P=44 PSI)
INSTALL 8"x6" TEE & 149LF 6" DI WATER LINE W/ (2) 45° BEND, 6" GATE VALVE & CONNECT TO FIRE LINE & INTERNAL WATER METERS.
INSTALL FIRE HYDRANT & 6" GATE VALVE P=78 PSI
BUILDING B
LOW GAR FF=8333 (P=89 PSI)
MAIN GAR FF=8345 (P=84 PSI)
L1 FF=8357 (P=79 PSI)
L1A FF=8362 (P=77 PSI)
L2 FF=8376 (P=71 PSI)
L3 FF=8388 (P=66 PSI)
L4 FF=8400 (P=60 PSI)
L5 FF=8412 (P=55 PSI)
L6 FF=8424 (P=50 PSI)
INSTALL 8"x6" TEE & 44LF 6" DI WATER LINE W/ 6" GATE VALVE & CONNECT TO FIRE LINE & INTERNAL WATER METERS FOR BLDGS A, B, LOBBY, & PLAZA.
LOBBY FF=8345 (P=84 PSI)
BUILDING A
BASEMENT AMENITY FF=8316 (P=97 PSI)
GAR FF=8333 (P=89 PSI)
L1 FF=8345 (P=84 PSI)
L2 FF=8359 (P=78 PSI)
L3 FF=8371 (P=73 PSI)
L4 FF=8383 (P=68 PSI)
L5 FF=8395 (P=63 PSI)
L6 FF=8407 (P=57 PSI)
CONNECT LANDSCAPING IRRIGATION TO EXISTING 1" WATER METER. RECONNECT EXISTING 1" WATER METER TO NEW 8" WATERLINE W/ 1-1/2" WATER SERVICE. P=90 PSI
INSTALL FIRE HYDRANT & 6" GATE VALVE (P=88 PSI)
INSTALL ISOLATION GATE VALVE (KEEP CLOSED) P=92 PSI
EXTG WATER IN ROUNDABOUT ELEV=8336' EG/TOP WATER=8329' P=70 PSI EXTG
NOTES:
1. MAINTAIN 7FT MINIMUM BURY ON ALL WATER MAINLINES & SERVICE LINES.
2. WITHOUT ISOLATION VALVE AT ROUNDABOUT IN CLOSED POSITION, PRESSURE AT HOUSES BELOW IN HAWKEYE COURT WILL RISE TO 162 PSI (70 PSI EXTG IN ROUNDABOUT + 92 PSI FROM PROPOSED WATERLINE = 162 PSI).
LINE TYPE LEGEND
ESS EXISTING SEWER
EW EXISTING WATER
ESD EXISTING STORM DRAIN
EOHU EXTG OVERHEAD UTILITY
EFO EXTG FIBER OPTIC
X EXISTING FENCE
EG EXISTING GAS
ET EXISTING TELECOMM
EP EXISTING POWER
EOHP EXTG OVERHEAD POWER
No. 4857264 MICHAEL DEMKOWICZ 01/20/2022 REGISTERED PROFESSIONAL ENGINEER STATE OF UTAH
30' 0 30' 60'
(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
DATE: 01/20/22
LOT 1, B2 EAST SUBDIVISION
OVERALL WATER UTILITY PLAN
SOMMET BLANC DEVELOPMENT
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil.dwg
SHEET 5 OF 10





LINE TYPE LEGEND

ESS	EXISTING SEWER	X	EXISTING FENCE
EW	EXISTING WATER	EG	EXISTING GAS
ESD	EXISTING STORM DRAIN	ET	EXISTING TELECOMM
EOHU	EXTG OVERHEAD UTILITY	EP	EXISTING POWER
EFO	EXTG FIBER OPTIC	EOHP	EXTG OVERHEAD POWER

INSTALLATION NOTE: SURVEY HDPE LINES AT 10FT SPACING (SLOPES LESS THAN 5%) OR 20FT SPACING (SLOPES GREATER THAN 5%) TO VERIFY PROPER HORIZONTAL AND VERTICAL PLACEMENT AND 3% MINIMUM SLOPE. PROVIDE SURVEY INFORMATION TO SBWRD PRIOR TO PRELIMINARY INSPECTION.

PROFESSIONAL ENGINEER No. 4857264 MICHAEL DEMKOWICZ 01/20/2022 STATE OF UTAH

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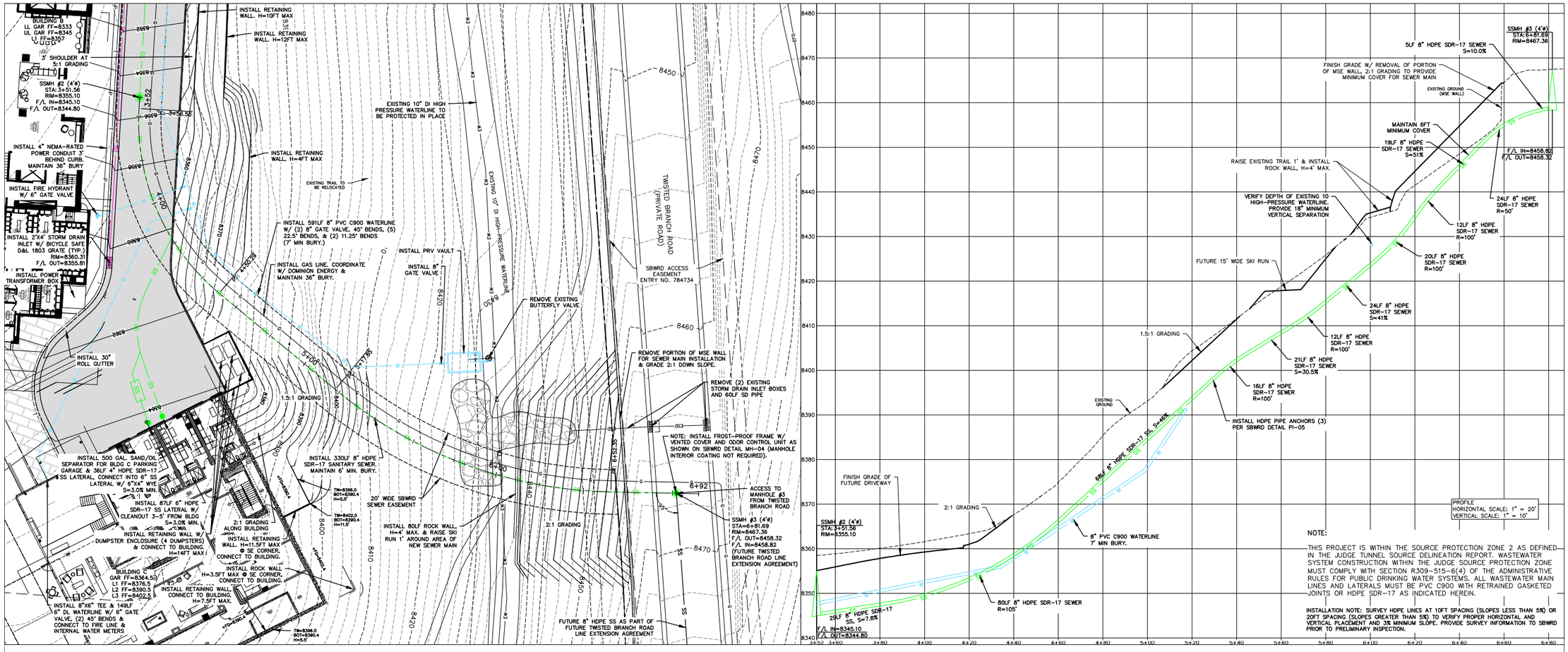
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

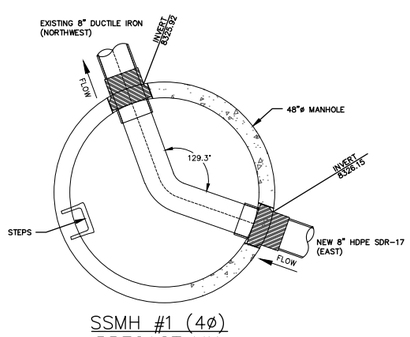
STAFF: MICHAEL DEMKOWICZ CONNOR DINSMORE

DATE: 01/20/22

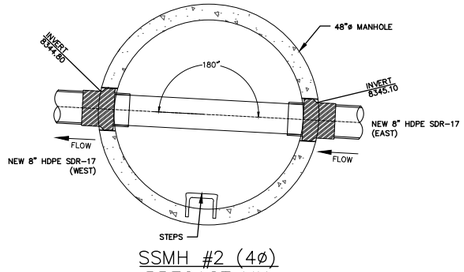
LOT 1, B2 EAST SUBDIVISION
LOWER DRIVEWAY PLAN & PROFILE
SOMMET BLANC DEVELOPMENT
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil.dwg

SHEET 6 OF 10

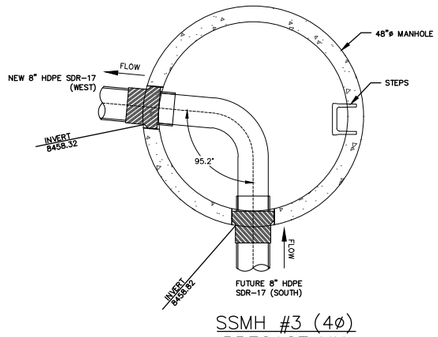




SSMH #1 (4ø)
PRECAST MH

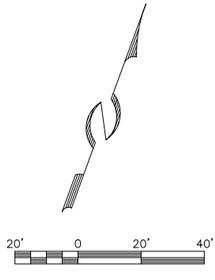


SSMH #2 (4ø)
PRECAST MH



SSMH #3 (4ø)
PRECAST MH

NOTES:
1. PROVIDE EXTERIOR CONCRETE COLLARS ON PIPE/BOX CONNECTIONS & INTERIOR SMOOTH GROUT FINISH.
2. MAINTAIN 5FT MINIMUM BURY ON ALL SEWER LATERALS & 6FT MINIMUM BURY ON ALL SEWER MAINLINES.
3. MAINTAIN 7FT MINIMUM BURY ON ALL WATER MAINLINES & SERVICE LINES.
4. MAINTAIN 36" MINIMUM BURY ON ALL STORM DRAIN.
5. MAINTAIN 18" MINIMUM VERTICAL SEPARATION BETWEEN NEW WATER & SEWER.



LINE TYPE LEGEND

ESS	EXISTING SEWER	X	EXISTING FENCE
EW	EXISTING WATER	EG	EXISTING GAS
ESD	EXISTING STORM DRAIN	ET	EXISTING TELECOMM
EOHU	EXTG OVERHEAD UTILITY	EP	EXISTING POWER
EFO	EXTG FIBER OPTIC	EOHP	EXTG OVERHEAD POWER

No. 4857264 MICHAEL DEMKOWICZ 01/20/2022 REGISTERED PROFESSIONAL ENGINEER STATE OF UTAH

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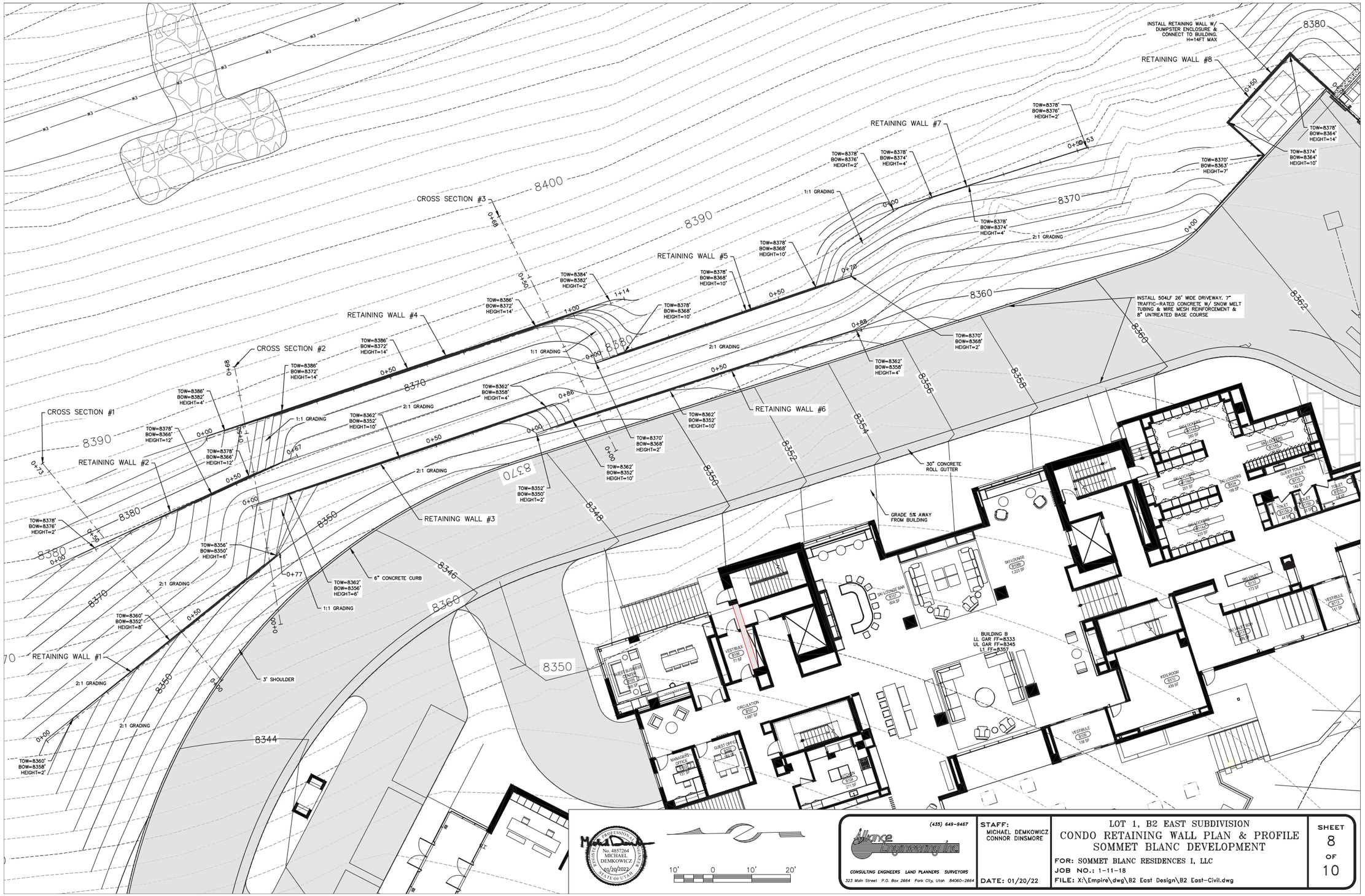
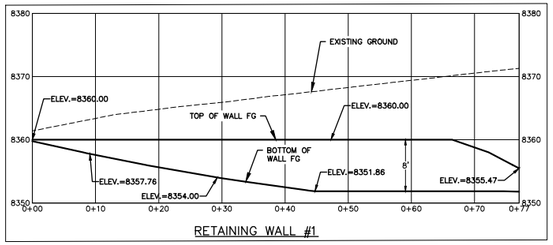
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 01/20/22

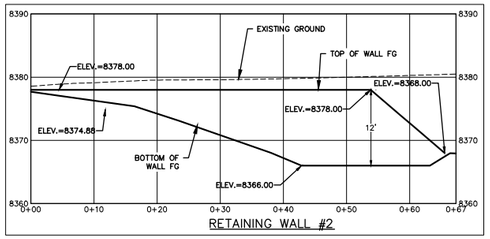
LOT 1, B2 EAST SUBDIVISION
OFF ROAD SEWER PLAN & PROFILE
SOMMET BLANC DEVELOPMENT
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil.dwg

SHEET 7 OF 10

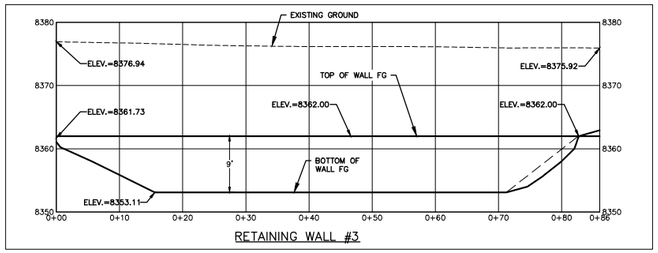

RETAINING WALL #1
RETAINING WALL #2
RETAINING WALL #3
RETAINING WALL #4
RETAINING WALL #5
RETAINING WALL #6
RETAINING WALL #7
RETAINING WALL #8
CROSS SECTION #1
CROSS SECTION #2
CROSS SECTION #3
INSTALL RETAINING WALL W/ DUMPSTER ENCLOSURE & CONNECT TO BUILDING. H=14FT MAX
INSTALL 504LF 26' WIDE DRIVEWAY. 7" TRAFFIC-RATED CONCRETE W/ SNOW MELT TUBING & WIRE MESH REINFORCEMENT & 8" UNTREATED BASE COURSE
30" CONCRETE ROLL GUTTER
GRADE 5% AWAY FROM BUILDING
6" CONCRETE CURB
3' SHOULDER
2:1 GRADING
1:1 GRADING
BUILDING B
LL GAR FF=8333
UL GAR FF=8345
L1 FF=8357
SKI LOCKERS
SKI LOUNGE
SKI LOUNGE BAR
GUEST TOILETS VESTIBULE
SKI LOCKERS
SKI LOCKERS
SKI LOCKERS



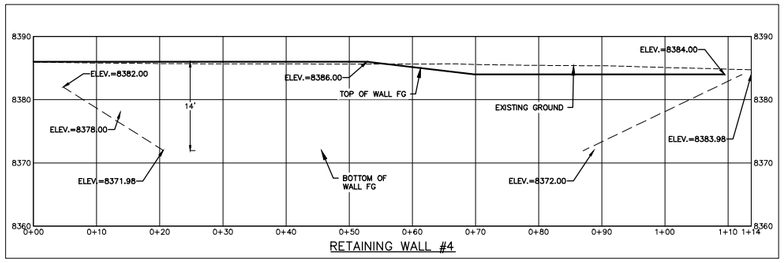
RETAINING WALL #1



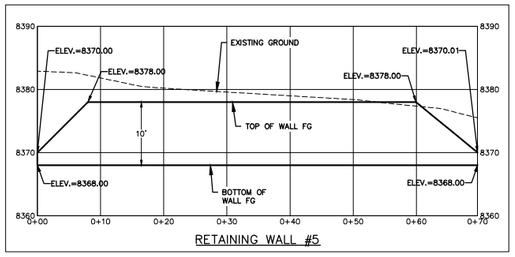
RETAINING WALL #2



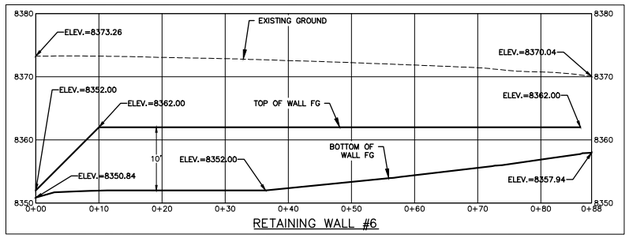
RETAINING WALL #3



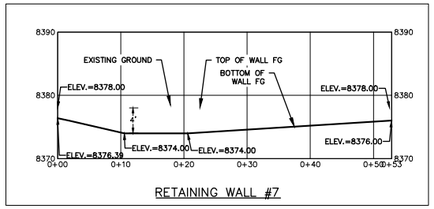
RETAINING WALL #4



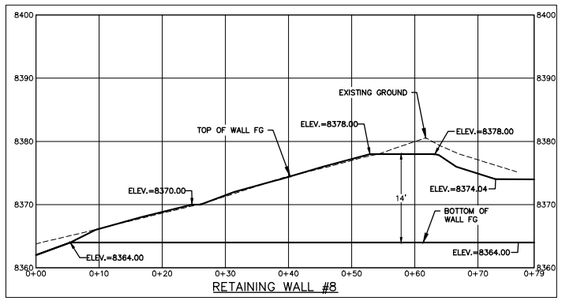
RETAINING WALL #5



RETAINING WALL #6



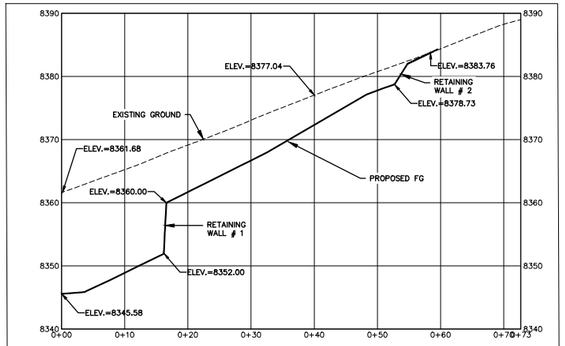
RETAINING WALL #7



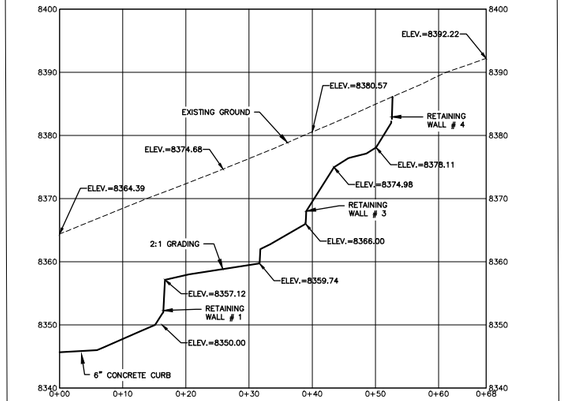
RETAINING WALL #8

NOTE:

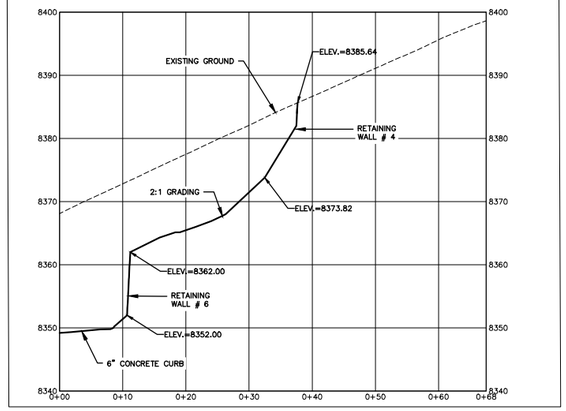
1. BOTTOM OF WALL GRADING TO BE SMOOTH 2:1 OR 1:1 GRADING, REFER TO GRADING PLAN SHEET.
2. DASHED LINE ON PROFILES TO REPRESENT SMOOTH BOTTOM OF WALL GRADING.



CROSS SECTION #1



CROSS SECTION #2



CROSS SECTION #3

10' 0 10' 20'

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STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

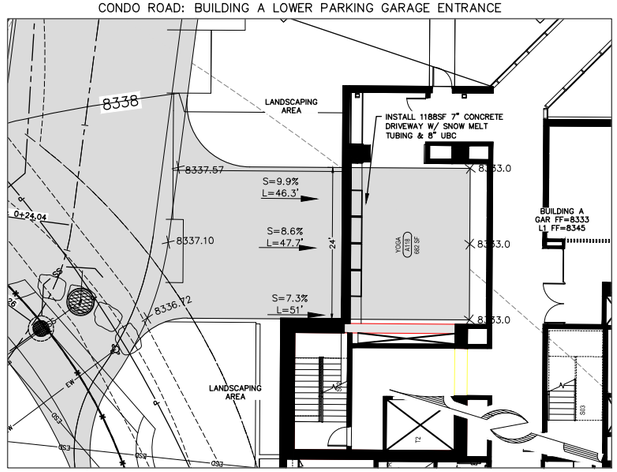
DATE: 01/20/22

LOT 1, B2 EAST SUBDIVISION
RETAINING WALL PLAN & PROFILE
SOMMET BLANC DEVELOPMENT

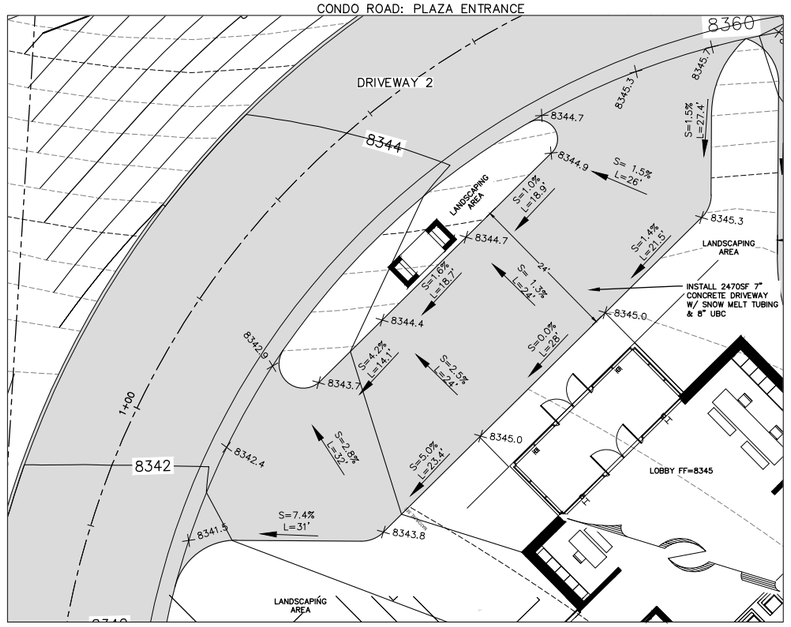
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil.dwg

SHEET 9 OF 10

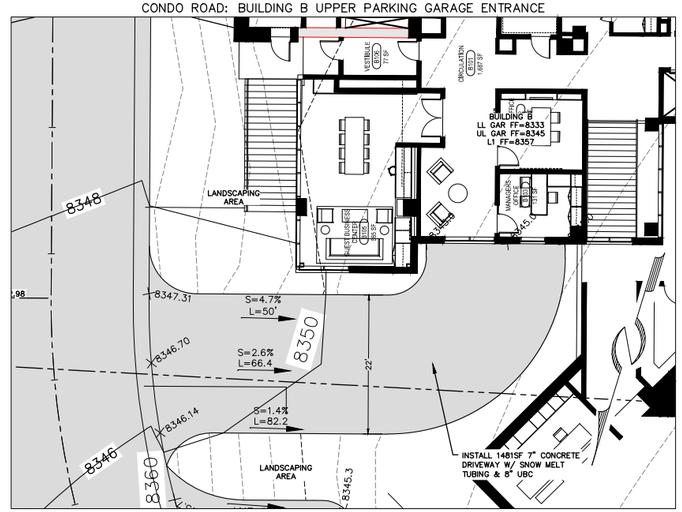
CONDO ROAD: BUILDING A LOWER PARKING GARAGE ENTRANCE



CONDO ROAD: PLAZA ENTRANCE



CONDO ROAD: BUILDING B UPPER PARKING GARAGE ENTRANCE



10' 0 10' 20'



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

STAFF:
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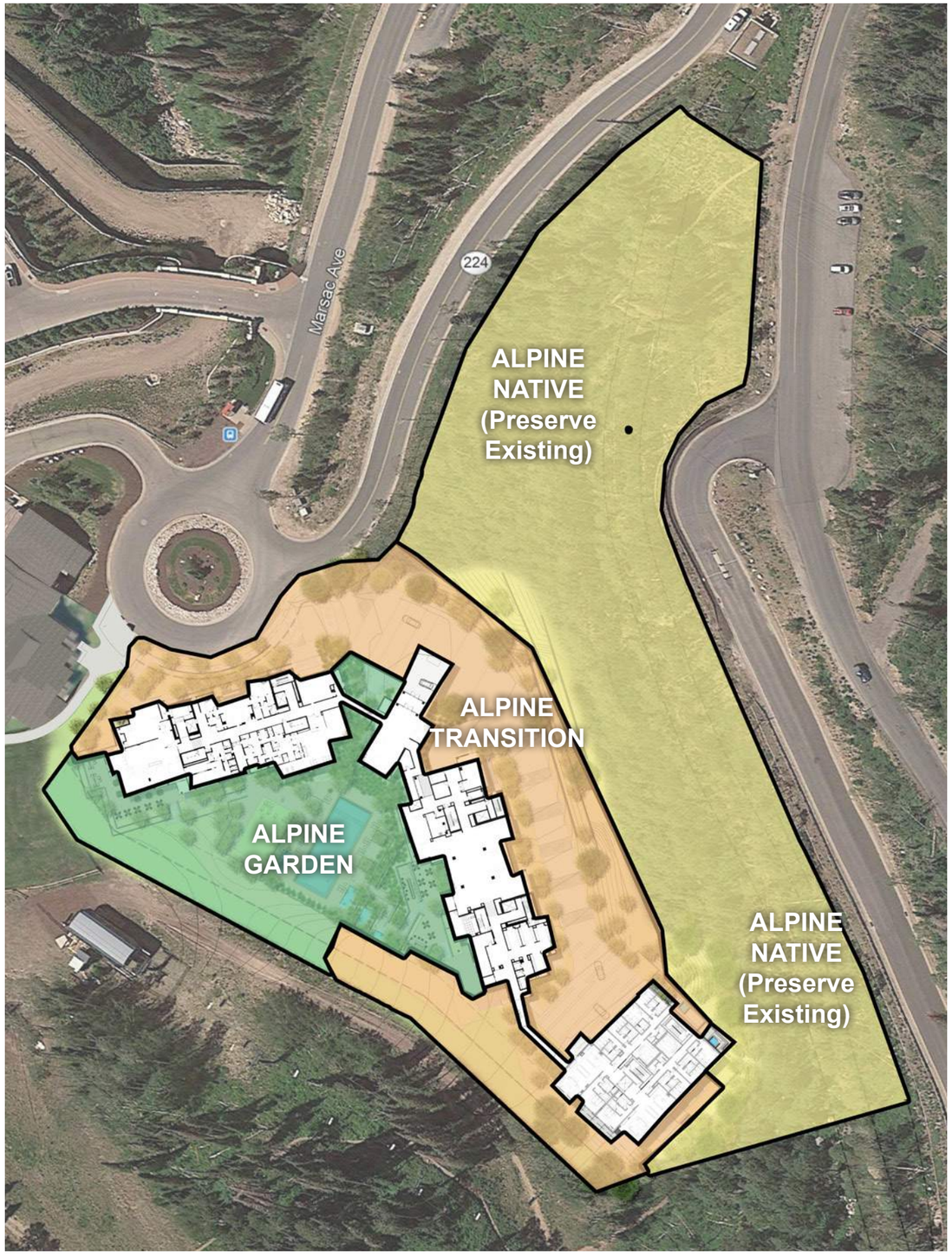
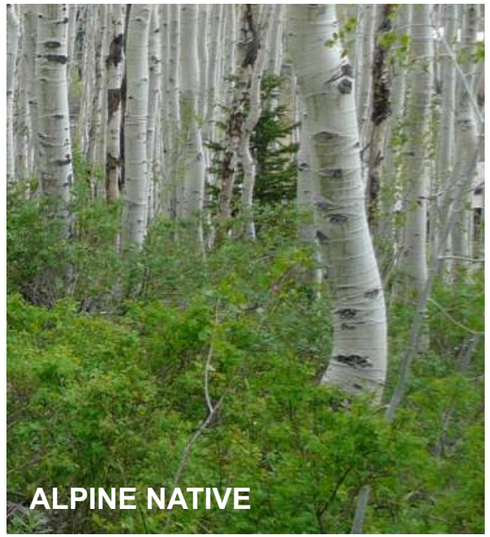
CONNOR DINSMORE

DATE: 01/20/2022

LOT 1, B2 EAST SUBDIVISION
ADDITIONAL DRIVEWAY GRADING
SOMMET BLANC DEVELOPMENT
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil.dwg

SHEET 10 OF 10


Marsac Ave
224
ALPINE NATIVE (Preserve Existing)
ALPINE TRANSITION
ALPINE GARDEN
ALPINE NATIVE (Preserve Existing)


ALPINE NATIVE


ALPINE NATIVE


ALPINE TRANSITION


ALPINE GARDEN

PRELIMINARY SITE PLANTING LISTS

ALPINE NATIVE PLANT LIST

Largely undisturbed portions of the site. Leave existing vegetation. Maintain and clean up the large monoculture swaths of native vegetation only as needed. Fell dead timbers and cultivate nursing logs for next phases of the forest vegetation.

In areas where utilities and site walls require the removal of existing vegetation, it will be replaced with planting to match the existing context vegetation.

Plants will consist of the following:

TREES
- *Juniperus scopulorum* - Rocky Mountain Juniper
- *Picea pungens* - Colorado Green Spruce
- *Populus tremuloides* - Quaking Aspen

SHRUBS
- *Amelanchier alnifolia* - Saskatoon Serviceberry
- *Artemisia tridentata* - Big Sage
- *Chrysothamnus nauseosus* - Rubber Rabbitbrush
- *Symphoricarpos occidentalis* - Western Snowberry

GRASSES
- *Bromus marginatus* - Mountain Brome
- *Elymus lanceolatus spp.* - Streambank Wheatgrass
- *Pascopyrum smithii* - Western Wheatgrass

ALPINE TRANSITION PLANT LIST

Create a blending zone to transition from the native area to the more gardensque areas of the project. These inlclude drive lane planting, the ski beach landing and more naturalized building base planting. Large swaths and monocutures will be used to match in with the existing context in a simple and elegant form. Some additional plants added to each category to tie in the the garden areas of the site. Plants will consist of the following:

TREES
- *Acer ginnala* - Amur Maple
- *Acer glabrum* - Rocky Mountain Maple
- *Juniperus scopulorum* - Rocky Mountain Juniper
- *Picea pungens* - Colorado Green Spruce
- *Picea omorika* - Siberian Spruce
- *Populus tremuloides* - Quaking Aspen
- *Rhus glabra* - Smooth Sumac

SHRUBS
- *Amelanchier alnifolia* - Saskatoon Serviceberry
- *Artemisia tridentata* - Big Sage
- *Chrysothamnus nauseosus* - Rubber Rabbitbrush
- *Cornus sericea* - Redtwig Dogwood
- *Mahonia repens* - Creeping Oregon Grape
- *Paxistima myrsinites* - Mountain Lover
- *Salix spp.* - Willow
- *Symphoricarpos occidentalis* - Western Snowberry

GRASSES
- *Bromus marginatus* - Mountain Brome
- *Elymus lanceolatus spp.* - Streambank Wheatgrass
- *Pascopyrum smithii* - Western Wheatgrass

ALPINE GARDEN PLANT LIST

Utilize many of the same plants found in the Native and Transition portions of the design, but create organization and form in the landscape that responds to the architectural site walls and features. Perrenials added for seasonal color. Plants will consist of the following:

TREES
- *Acer ginnala* - Amur Maple
- *Acer glabrum* - Rocky Mountain Maple
- *Juniperus scopulorum* - Rocky Mountain Juniper
- *Populus tremuloides* - Quaking Aspen
- *Rhus glabra* - Smooth Sumac
- *Picea pungens* - Colorado Green Spruce
- *Picea omorika* - Siberian Spruce

SHRUBS
- *Amelanchier alnifolia* - Saskatoon Serviceberry
- *Arctostaphylos uva-ursi* - Kinnikinnick
- *Artemisia tridentata* - Big Sage
- *Chrysothamnus nauseosus* - Rubber Rabbitbrush
- *Cornus sericea* - Redtwig Dogwood
- *Mahonia repens* - Creeping Oregon Grape
- *Paxistima myrsinites* - Mountain Lover
- Ribes alpinum - Alpine Currant
- *Salix spp.* - Willow
- *Symphoricarpos occidentalis* - Western Snowberry

GRASSES
- *Bromus marginatus* - Mountain Brome
- *Elymus lanceolatus spp.* - Streambank Wheatgrass
- *Festuca ovina* - Sheep Fescue
- *Pascopyrum smithii* - Western Wheatgrass
- *Miscanthus spp.* - Maidengrass
- *Poa alpina* - Alpine Bluegrass
- *Poa pratensis spp.* - Kentucky Bluegrass

PERENNIALS
- *Agastache rupestris* - Hyssop
- *Alcea rosea* - Hollyhock
- *Aquilegia caerulea* - Columbine
- *Lavendula spp.* - Lavender
- *Rudbeckia spp.* - Black-eyed Susan



MID MOUNTAIN TRAIL PARKING

ALPINE NATIVE LANDSCAPE PROTECT IN PLACE AND RESTORE TO NATIVE

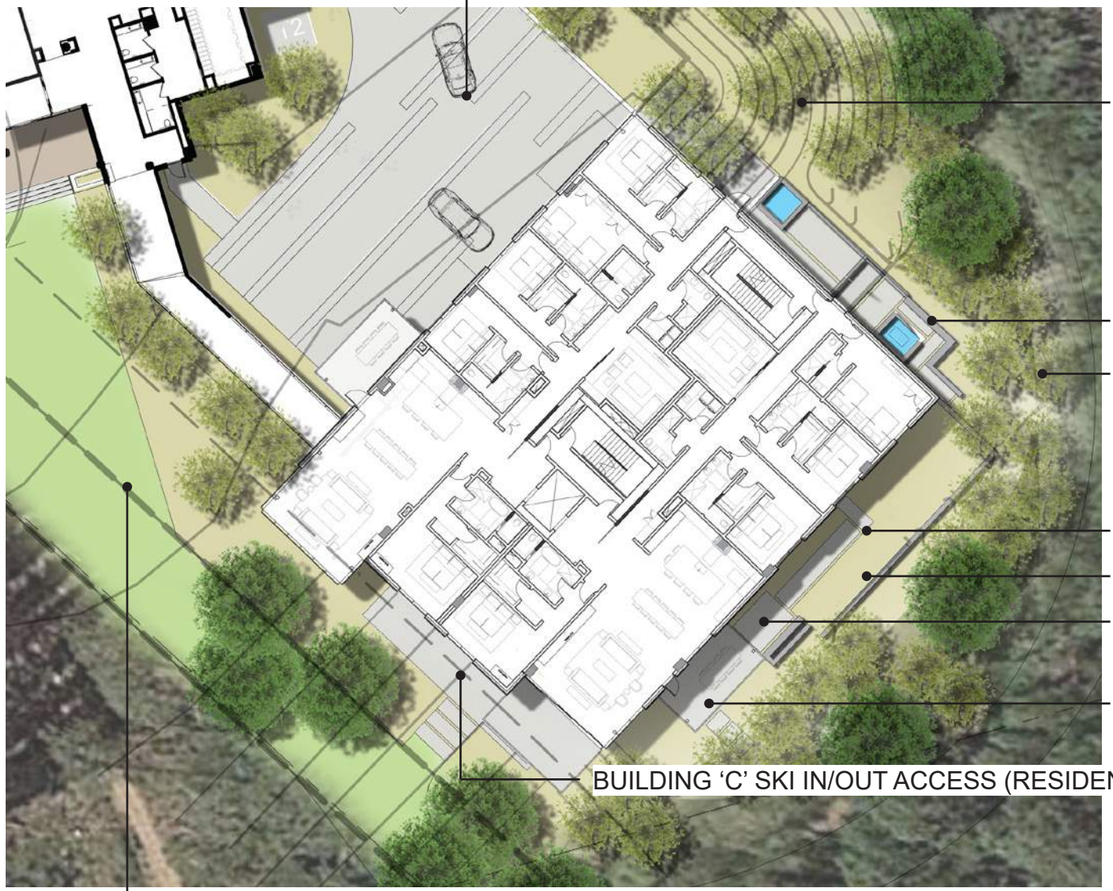
LOWER ROAD DECORATIVE PAVING AND STREETSCAPE

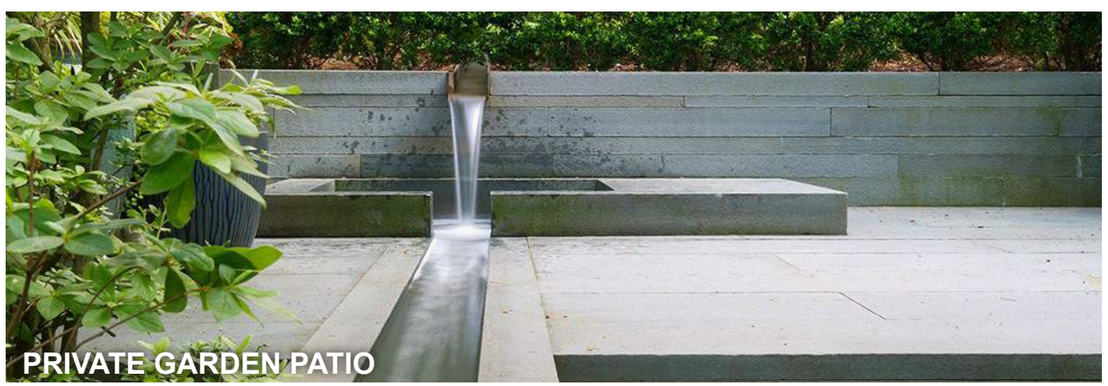
EXISTING LANDSCAPE AND PATIO AT EMPIRE PASS

ALPINE TRANSITION LANDSCAPE DECORATIVE RETAINING WALLS AND SLOPE STABILIZATION STRATEGIES

ALPINE GARDEN AREA SEE AMENITY ENLARGEMENT PLAN

BUILDING C PLAZA AND TURN AROUND AREA




PRIVATE GARDEN PATIO

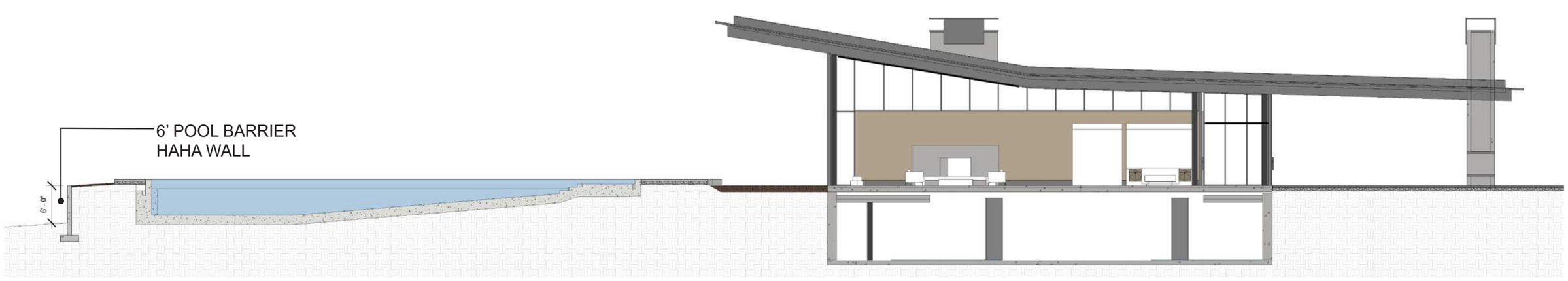

ALPINE GARDEN


ALPINE GARDEN


B
A
C
T2



RESTAURANT SECTIONS

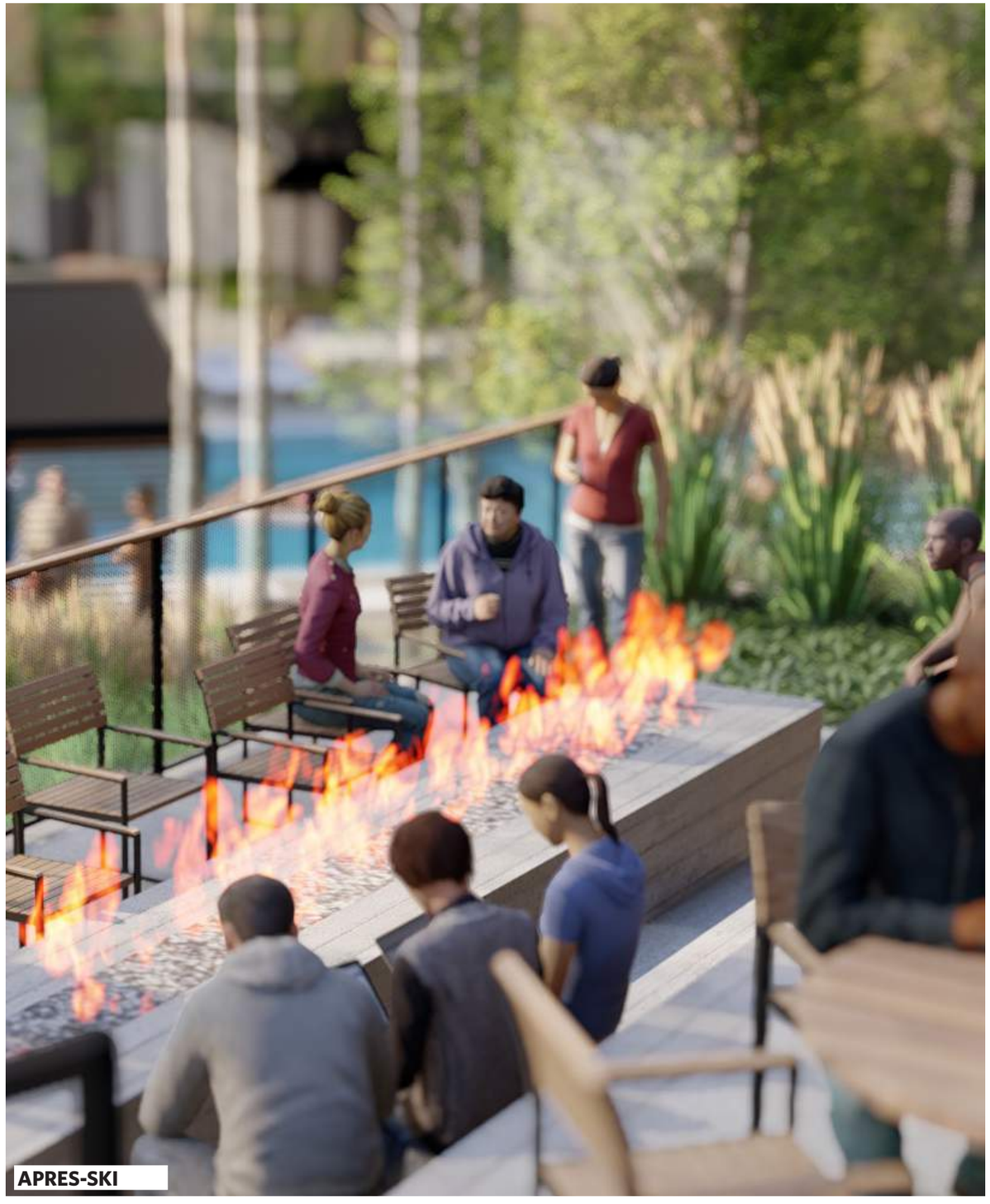


C

POOL BARRIER SECTION



RESTAURANT



APRES-SKI



POOL


STONE DECK AT POOL AREA


LONG UNIT C.I.P. CONC DRIVEWAY


ALPINE NATIVE LANDSCAPE


ALPINE GARDEN LANDSCAPE


ASPEN TREES IN PAVING AREA'S


VIEW OF POOL FROM LOBBY


BRIM FULL POOL AND WHITE CONC


ALPINE NATIVE


ALPINE GARDEN

OVERVIEW

The lighting design strategy for this project is minimal and restrained. Ceilings are kept as clean as possible with flanged square recessed downlights placed strategically throughout the project in gypsum and wood ceilings supported by key decorative luminaires.

All permanently installed interior and exterior lighting shall be LED technology with a standard Correlated Color Temperature (CCT) of 2700 Kelvin and a Color Rendering Index (CRI) greater than 80. All front of house and saleable unit lighting shall be dimmable and be controlled to meet local energy code compliance and life and safety requirements.

Saleable Units: Recessed downlights provide ambient and focal point lighting. Decorative pendants are located over select kitchen islands and/or dining tables. Vanity sconces are located at each mirror. Undercabinet lighting is provided in all upper cabinets. Portable floor and table lamps add soft ambient illumination and flexibility for the owner. Exterior decks are sparsely lit with fully shielded sources to meet Dark Sky Compliance. All larger back of house areas including the garage are lit with wall or ceiling mounted linear led strips while smaller spaces are equipped with surface mounted flat panel downlights.

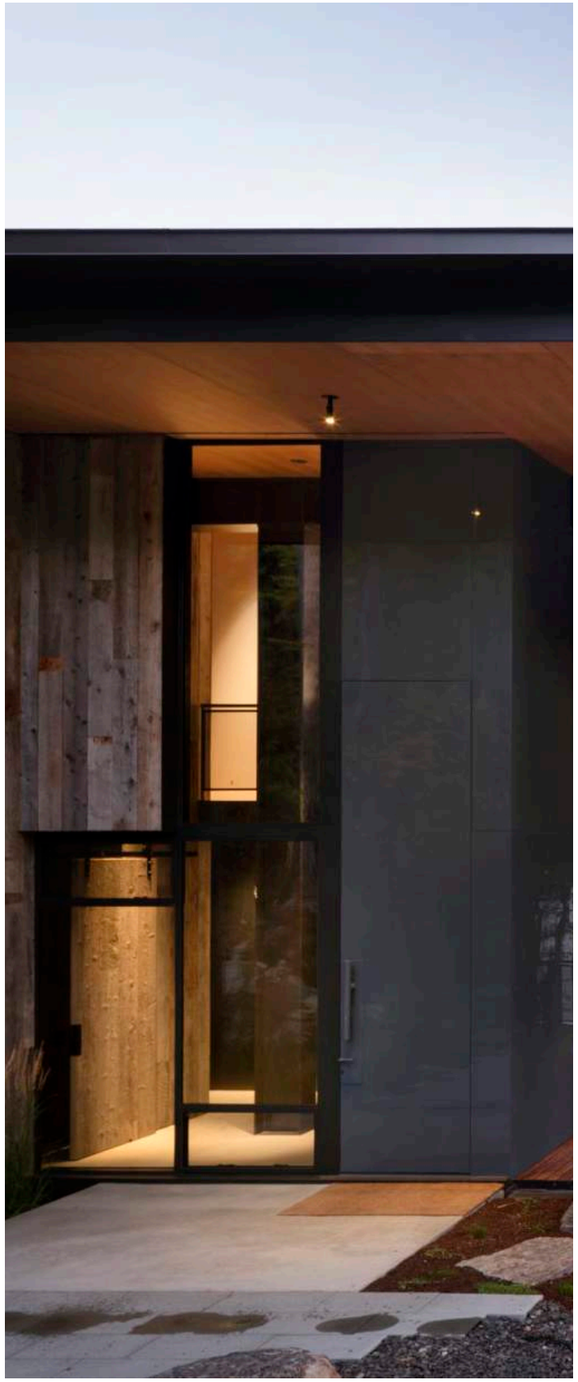
Lighting Controls: Provide pricing for conventional wall box lighting controls and alternative pricing for a lighting and shade control system as an upgrade package.

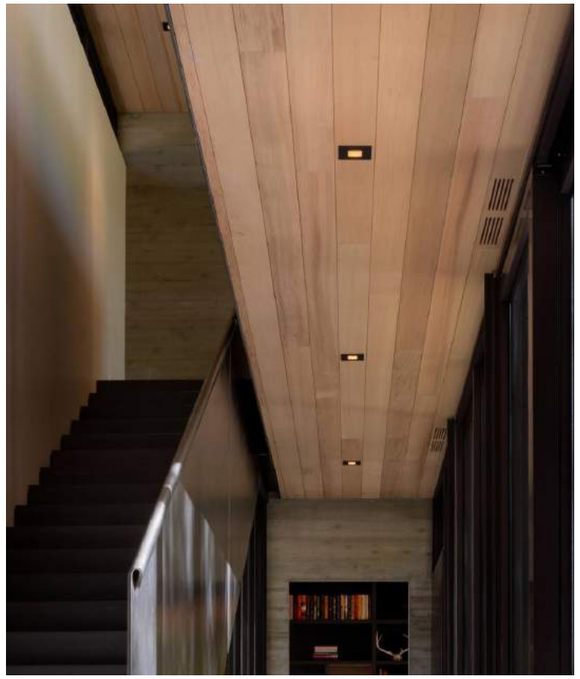
Public Spaces: Recessed downlights provide ambient and focal point lighting. Downlight locations are designed to deliver egress lighting and will be used as emergency lighting per generator [preferred] or inverter. In addition, each lobby has a custom decorative chandelier. Any mirrors in lockers and public bathrooms are equipped with flanking decorative sconces. Portable floor and table lamps are placed in all public and amenity seating areas.

Interior back of house staircases are lit with one wall sconce per landing. Lighting for all larger back of house areas is provided by wall or ceiling mounted linear LED strips. Smaller spaces are equipped with surface mounted flat panel downlights.

Parking levels are lit with wet location rated linear led strips.

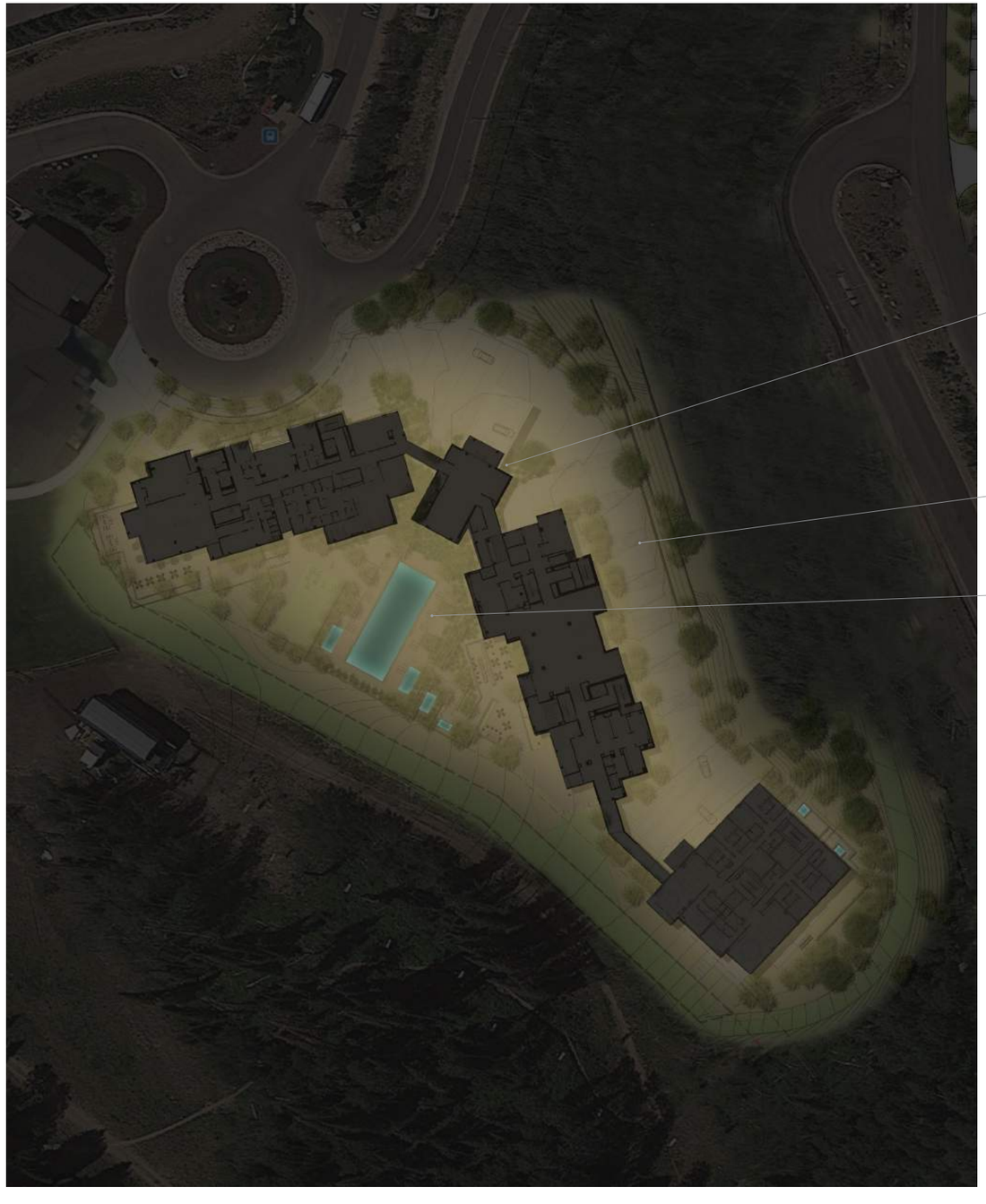
Exterior Lighting: is designed to provide no more than egress illuminance where required by code and follows Dark Sky Compliance with fully shielded direct only luminaires. Stumbling hazards like stairs and edges will require step or pathlights to provide safe conduct. Paths are lit with hip high fully shielded bollards at every twelve feet and private roads and parking are lit with ten foot high poles every thirty feet. Lighting at pool deck and hot tubs is provided by bollards placed at the edge of the deck at no more than twelve feet mounting distance.











OVERVIEW

EXTERIOR LIGHTING IS DESIGNED TO PROVIDE NO MORE THAN EGRESS ILLUMINANCE WHERE REQUIRED BY CODE AND FOLLOWS DARK SKY COMPLIANCE WITH FULLY SHIELDED DIRECT ONLY LUMINAIRES. STUMBLING HAZARDS LIKE STAIRS AND EDGES WILL REQUIRE STEP OR PATHLIGHTS TO PROVIDE SAFE CONDUCT.

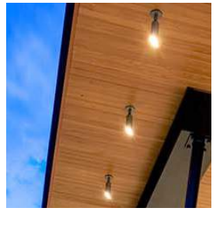
EGRESS ILLUMINANCE NO LESS THAN 1 FC
RECESSED DOWNLIGHTS
WALL MOUNTED FULLY SHIELDED SCONCES
FACADE MOUNTED ADJUSTABLE FULLY SHIELDED FLOOD LIGHTS
FULLY SHIELDED BOLLARDS EVERY 12 FEET
STEP LIGHTS

PARKING & ROAD ILLUMINANCE 1 FC AVG, CONTRAST RATIO 4:1
10 FOOT POLE LIGHTS EVERY 30 FEET FOLLOWING HARDSCAPE DETAILS

POOL AREA ILLUMINANCE NO LESS THAN 3 FC
FULLY SHIELDED BOLLARDS EVERY 12 FEET
STEP LIGHTS
IN-POOL LIGHTING (PROVIDED BY OTHERS)







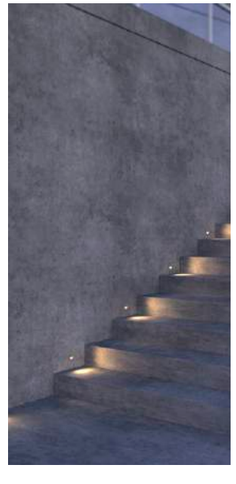




IMAGE	TYPE	DESCRIPTION	LOCATION	MANUFACTURER	MODEL	QUANTITY	URL
	X01	WALL MOUNTED SCONCE WET FULLY SHIELDED	EXTERIOR GARAGE	HK LIGHTING	ZX20-WM	ONE PER EXTERIOR DOOR	https://www.hklightinggroup.com/spec/wm/28-HK%20Spec%20Sheets%20Concepts-ZX20-WM%2BZX20-WM-SOi.pdf
	X02	FACADE MOUNTED CYLINDER DOWNLIGHT FULLY SHIELDED	POOL AREA	HK LIGHTING	ZX30-WM-LOCK-WITH 45 DEGREE SNOOT	PER MARKUPS	https://www.hklightinggroup.com/spec/aa/39-HK%20Spec%20Sheets%20Concepts-ZX30%2BZX30-SOi.pdf
	X03	RECESSED WALL MOUNTED STEPLIGHT WET	LANDSCAPE STAIRS	BK LIGHTING	MINI MICRO	PER MARKUPS	https://bklighting.com/collaterals/specs/specs-731.pdf
	X04	BOLLARD	POOL AREA AND PATHLIGHTING	BEGA US	99058	EVERY TWELVE FEET ON PATHS AND AT EDGE OF POOL DECK	https://bega-static.s3.us-east-2.amazonaws.com/userfiles/files/99058_BEGA_Spec.pdf
	X05	POLE	ROADS AND EXTERIOR PARKING	BEGA US	88978	EVERY THIRTY FEET ALONG ROADS AND PARKING	https://bega-static.s3.us-east-2.amazonaws.com/userfiles/files/Download_Documents/88978/88978_BEGA_Spec.pdf





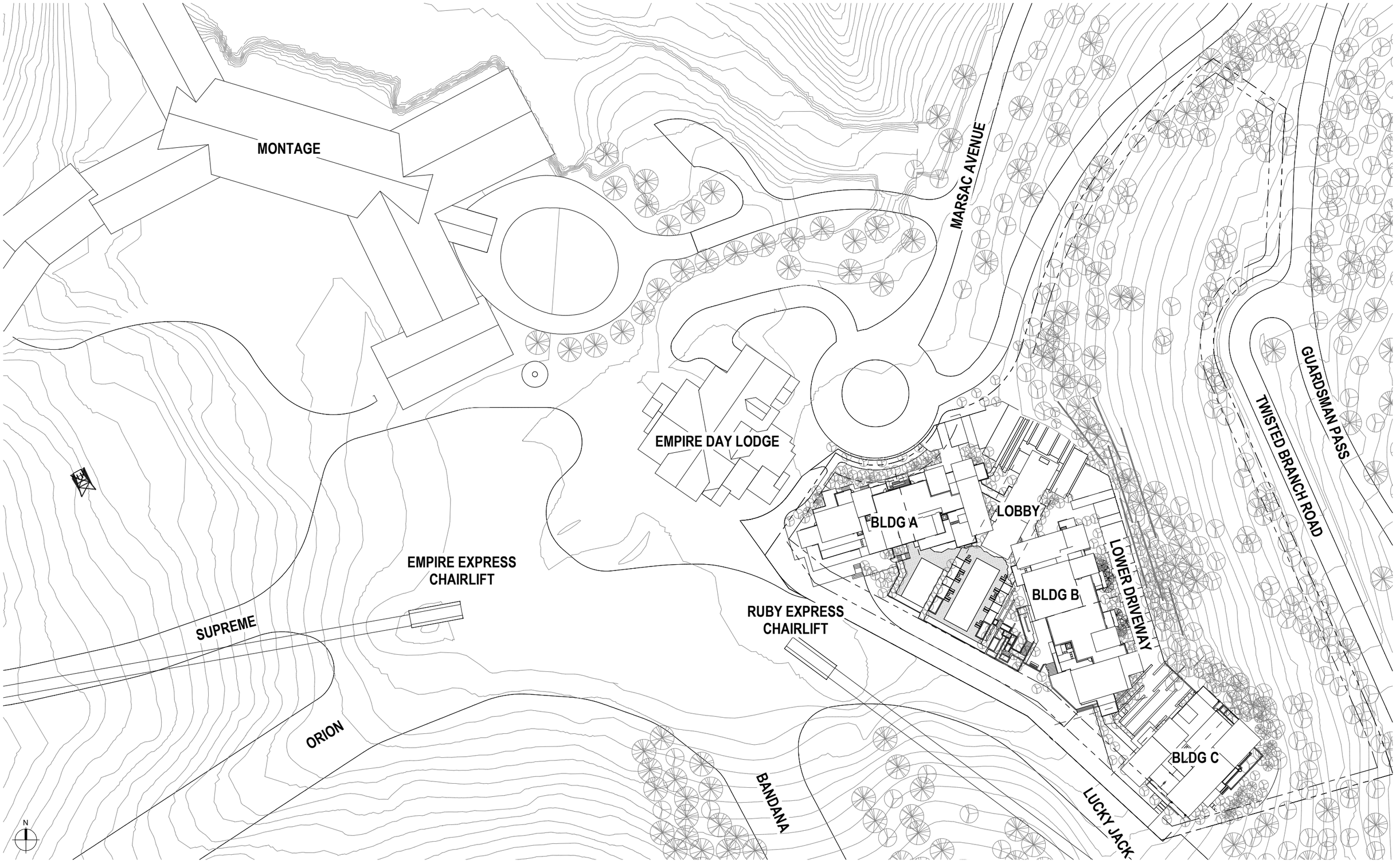
Olson Kundig February 9, 2022

Sommet Blanc (B2 East) - CUP & MPD Amendment Graphic Site Plan
Exhibit 1 - Civil & Landscape Design

0 50' 100' 150'



Sommet Blanc (B2 East) - CUP & MPD Amendment
Exhibit 2 - Condo Lodge Plans and Elevations
February 9, 2022


MONTAGE
MARSAC AVENUE
EMPIRE DAY LODGE
BLDG A
LOBBY
BLDG B
BLDG C
LOWER DRIVEWAY
TWISTED BRANCH ROAD
GUARDSMAN PASS
EMPIRE EXPRESS CHAIRLIFT
RUBY EXPRESS CHAIRLIFT
SUPREME
ORION
BANDANA
LUCKY JACK
N

GROSS AREA SCHEDULE

Area Type	Area
ACCESSIBLE & AFFORDABLE	6,228 SF
AMENITY	28,963 SF
BOH	3,474 SF
CIRCULATION	33,800 SF
MEP	8,941 SF
PARKING	53,354 SF
RESIDENTIAL SALEABLE	162,000 SF
RESTAURANT	3,559 SF
RESTROOMS	1,103 SF
STORAGE	12,025 SF
GRAND TOTAL	313,447 SF

PARKING SUMMARY - BUILDING A&B P2, BUILDING C P1

	UNITS	STALLS/UNIT	REQ'D STALLS	25% REDUCTION	TYPE
Type A Units (ADA)	2	1	2	1.5	ADA
Affordable 2 Bed Housing Units	2	1.5	3	2.3	Standard
Affordable Studio Housing Units	4	1	4	3	Standard
Buildings AB Residential	36	2	72	54	Standard
Buildings C Residential	13	2	26	19.5	Standard
Restaurant (10 stalls/1,000sf)	3.56	10	35.6	26.7	Tandem
TOTAL			142.6	107.0	
PARKING SPOTS PROVIDED:				**107**	

DEER VALLEY PARKING - BUILDING B P1

	REQUIRED		PROVIDED		TYPE
Empire Day Lodge Parking	0		56		Tandem

UNIT SCHEDULE - BLDG C

Number	Name	Area	Type	Unit Type
C 201	BLDG C UNIT 201	4,211 SF	5BR	M
C 202	BLDG C UNIT 202	3,898 SF	4BR	O
C 301	BLDG C UNIT 301	4,176 SF	5BR	N
C 302	BLDG C UNIT 302	4,211 SF	5BR	M
C 401	BLDG C UNIT 401	4,211 SF	5BR	M
C 402	BLDG C UNIT 402	4,176 SF	5BR	N
C 501	BLDG C UNIT 501	4,176 SF	5BR	N
C 502	BLDG C UNIT 502	4,211 SF	5BR	M
C 601	BLDG C UNIT 601	4,211 SF	5BR	M
C 602	BLDG C UNIT 602	4,176 SF	5BR	N
C 701	BLDG C UNIT 701	4,176 SF	5BR	N
C 702	BLDG C UNIT 702	4,211 SF	5BR	M
C 801	BLDG C UNIT 801	5,003 SF	PH	P
GRAND TOTAL: 13		55,048 SF		

UNIT SCHEDULE - TYPE A (ADA)

Number	Name	Area	Type	Unit Type
A 21	BLDG A UNIT 21	810 SF	1BR - Type A (ADA)	L
B 21	BLDG B UNIT 21	810 SF	1BR - Type A (ADA)	L
GRAND TOTAL: 2		1,620 SF		

UNIT SCHEDULE - AFFORDABLE

Number	Name	Area	Type	Unit Type
A 22	BLDG A UNIT 22	1,458 SF	2BR - Affordable	K
B 22	BLDG B UNIT 22	1,458 SF	2BR - Affordable	K
C22	BLDG C UNIT 22	423 SF	1 Bed - Affordable	Q
C23	BLDG C UNIT 23	424 SF	1 Bed - Affordable	Q
C24	BLDG C UNIT 24	422 SF	1 Bed - Affordable	Q
C25	BLDG C UNIT 25	424 SF	1 Bed - Affordable	Q
GRAND TOTAL: 6		4,609 SF		

PROPERTY ENTITLEMENTS

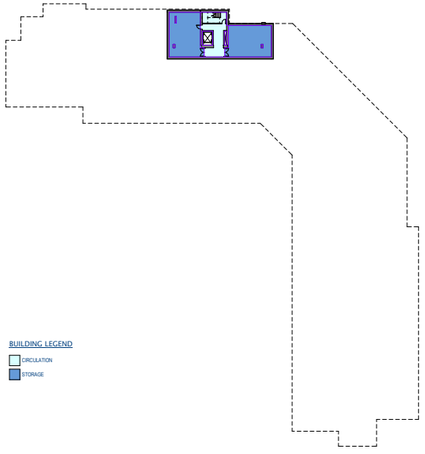
Residential Saleable Permitted	81 ERUS	162,000 SF
Residential Saleable Provided		**162,000 SF**
Affordable Housing Required		3,360 SF
Affordable Housing Provided		**4,609 SF**
Residential Units Permitted		81
Residential Units Provided		**49**
Resort Support Commercial Permitted		3,600 SF
Resort Support Commercial Provided		**3,559 SF**

UNIT SCHEDULE - BLDG A

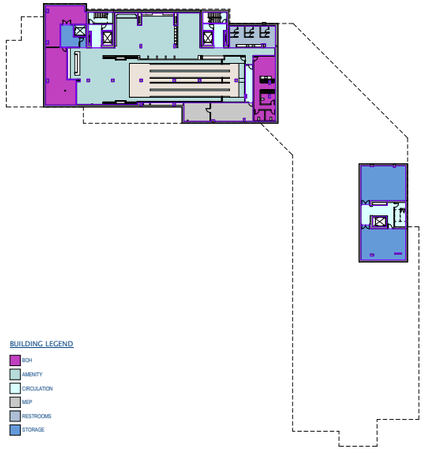
Number	Name	Area	Type	Unit Type
A 202	BLDG A UNIT 202	2,650 SF	3BR	C
A 203	BLDG A UNIT 203	2,555 SF	3BR	D
A 204	BLDG A UNIT 204	3,234 SF	4BR	H
A 301	BLDG A UNIT 301	2,732 SF	3BR	F
A 302	BLDG A UNIT 302	2,650 SF	3BR	C
A 303	BLDG A UNIT 303	2,555 SF	3BR	D
A 304	BLDG A UNIT 304	3,202 SF	4BR	G
A 401	BLDG A UNIT 401	2,546 SF	3BR	E
A 402	BLDG A UNIT 402	2,650 SF	3BR	C
A 403	BLDG A UNIT 403	2,555 SF	3BR	D
A 404	BLDG A UNIT 404	3,234 SF	4BR	H
A 501	BLDG A UNIT 501	2,732 SF	3BR	F
A 502	BLDG A UNIT 502	2,650 SF	3BR	C
A 503	BLDG A UNIT 503	3,942 SF	PH	R
A 602	BLDG A UNIT 602	5,326 SF	PH	S
GRAND TOTAL: 15		45,211 SF		

UNIT SCHEDULE - BLDG B

Number	Name	Area	Type	Unit Type
B 202	BLDG B UNIT 202	2,650 SF	3BR	C
B 203	BLDG B UNIT 203	2,555 SF	3BR	D
B 204	BLDG B UNIT 204	2,986 SF	4BR	G
B 301	BLDG B UNIT 301	2,546 SF	3BR	E
B 302	BLDG B UNIT 302	2,650 SF	3BR	C
B 303	BLDG B UNIT 303	2,555 SF	3BR	D
B 304	BLDG B UNIT 304	3,202 SF	4BR	H
B 401	BLDG B UNIT 401	2,732 SF	3BR	F
B 402	BLDG B UNIT 402	2,650 SF	3BR	C
B 403	BLDG B UNIT 403	2,555 SF	3BR	D
B 404	BLDG B UNIT 404	3,223 SF	4BR	G
B 501	BLDG B UNIT 501	2,546 SF	3BR	E
B 502	BLDG B UNIT 502	2,650 SF	3BR	C
B 503	BLDG B UNIT 503	2,555 SF	3BR	D
B 504	BLDG B UNIT 504	3,199 SF	4BR	H
B 601	BLDG B UNIT 601	2,732 SF	3BR	F
B 602	BLDG B UNIT 602	2,650 SF	3BR	I
B 603	BLDG B UNIT 603	2,555 SF	3BR	D
B 604	BLDG B UNIT 604	3,223 SF	4BR	J
B 702	BLDG B UNIT 702	4,502 SF	PH	F
B 703	BLDG B UNIT 703	4,827 SF	PH	D
GRAND TOTAL: 21		61,741 SF		



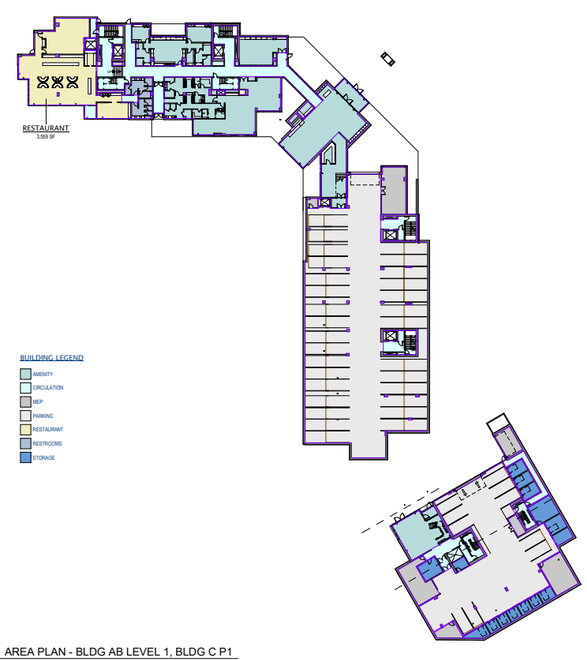
6 AREA PLAN - LEVEL B2
SCALE: 1/32" = 1'-0"



1 AREA PLAN - LEVEL B1
SCALE: 1/32" = 1'-0"



2 AREA PLAN - LEVEL P2
SCALE: 1/32" = 1'-0"



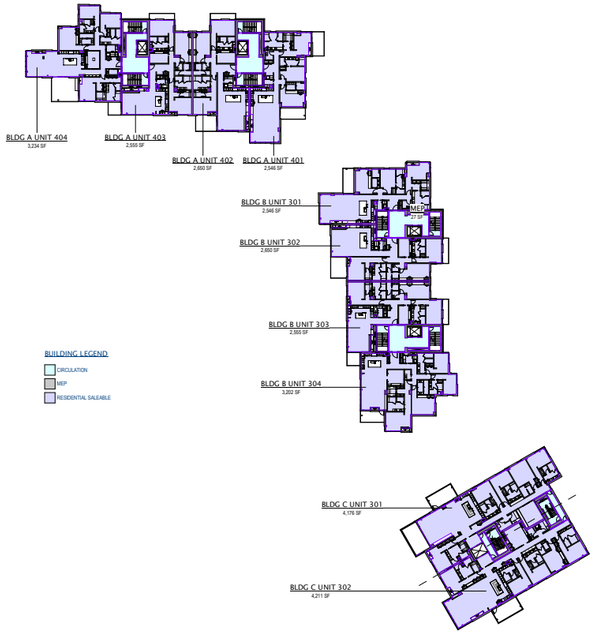
3 AREA PLAN - BLDG AB LEVEL 1, BLDG C P1
SCALE: 1/32" = 1'-0"



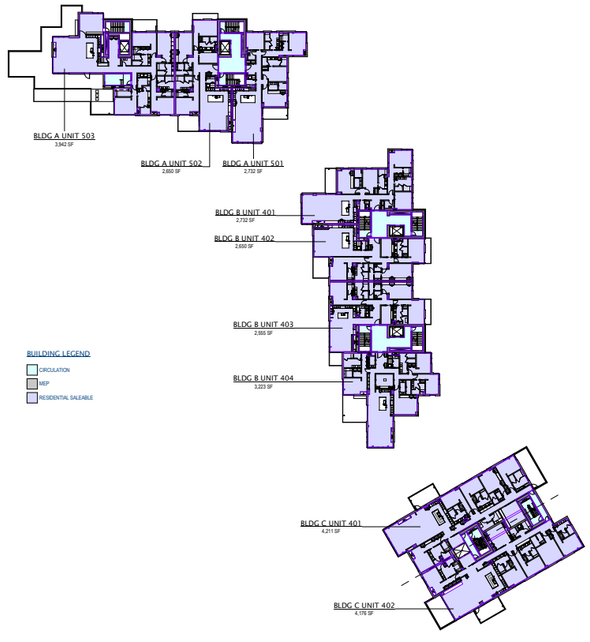
4 AREA PLAN - BLDG A L2, BLDG B L1, BLDG C L1
SCALE: 1/32" = 1'-0"



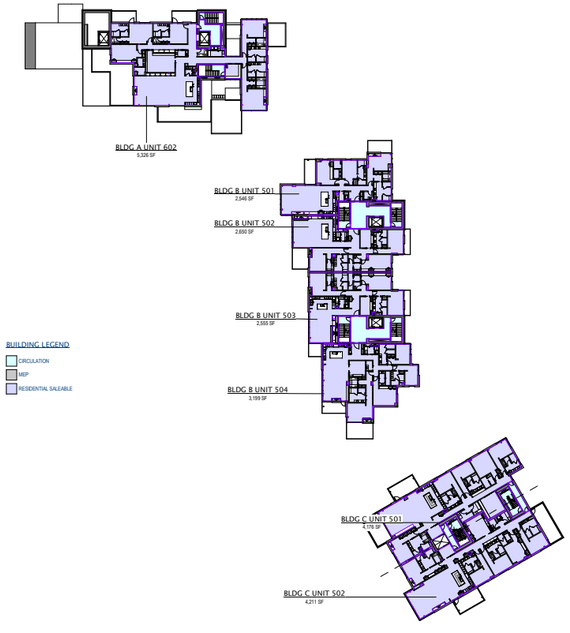
5 AREA PLAN - BLDG A L3, BLDG B L2, BLDG C L2
SCALE: 1/32" = 1'-0"



5 AREA PLAN - BLDG A L4, BLDG B L3, BLDG C L3
SCALE: 1/32" = 1'-0"



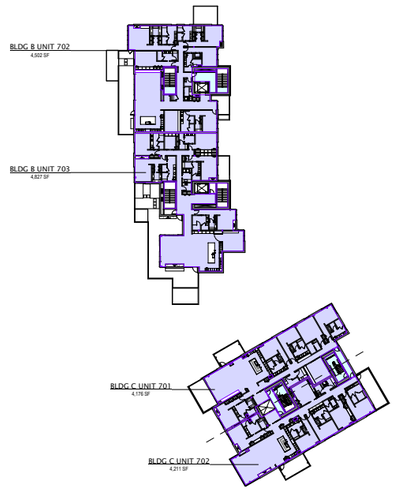
1 AREA PLAN - BLDG A L5, BLDG B L4, BLDG C L4
SCALE: 1/32" = 1'-0"



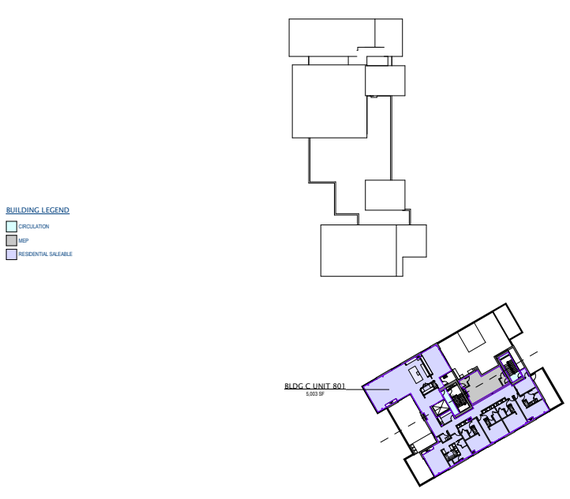
2 AREA PLAN - BLDG A L6, BLDG B L5, BLDG C L5
SCALE: 1/32" = 1'-0"



3 AREA PLAN - BLDG B L6, BLDG C L6
SCALE: 1/32" = 1'-0"

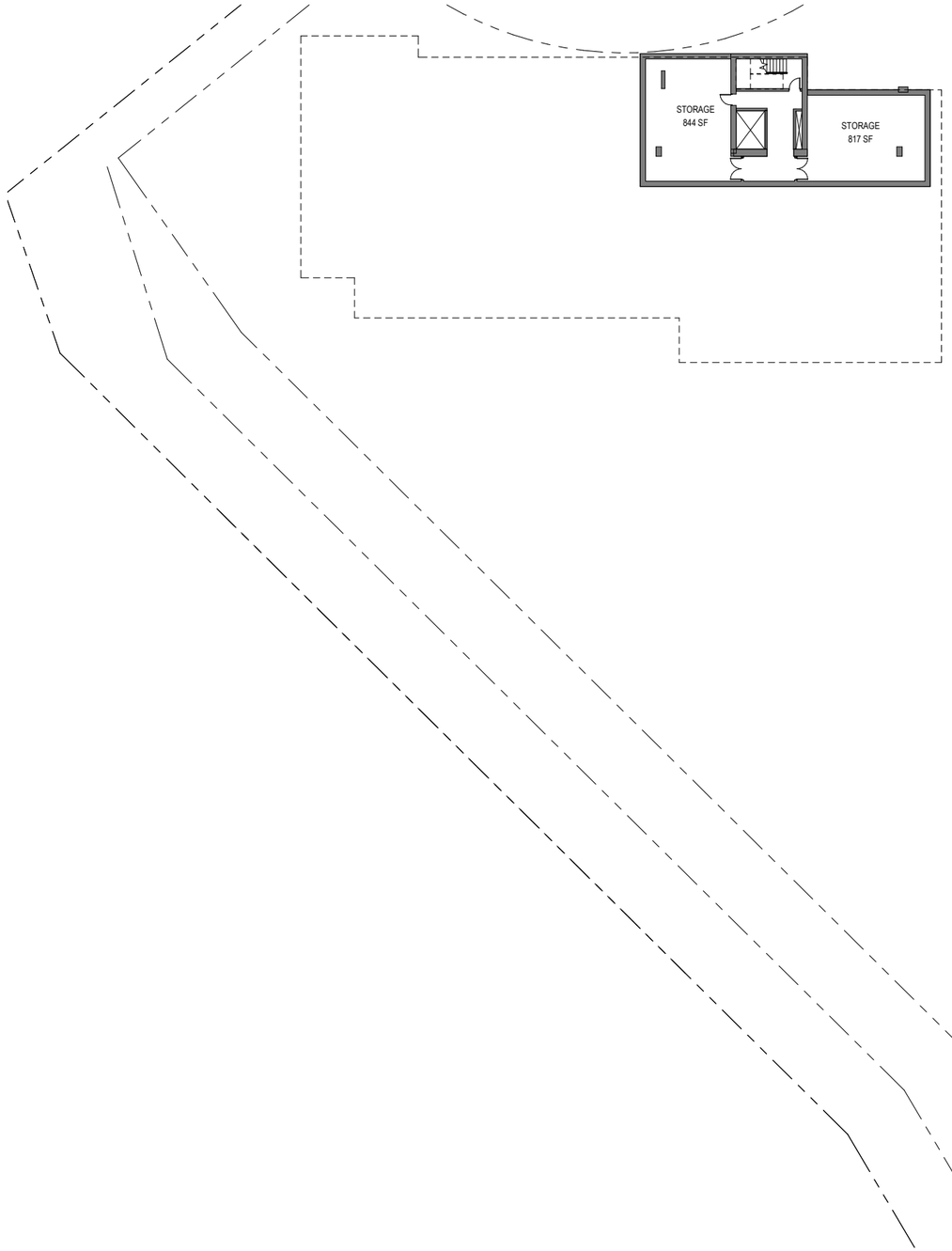


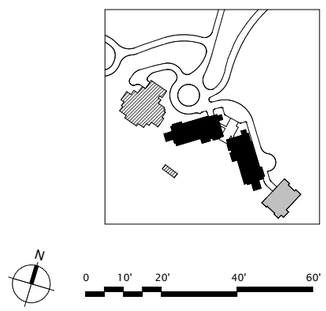
4 AREA PLAN - BLDG B L7, BLDG C L7
SCALE: 1/32" = 1'-0"



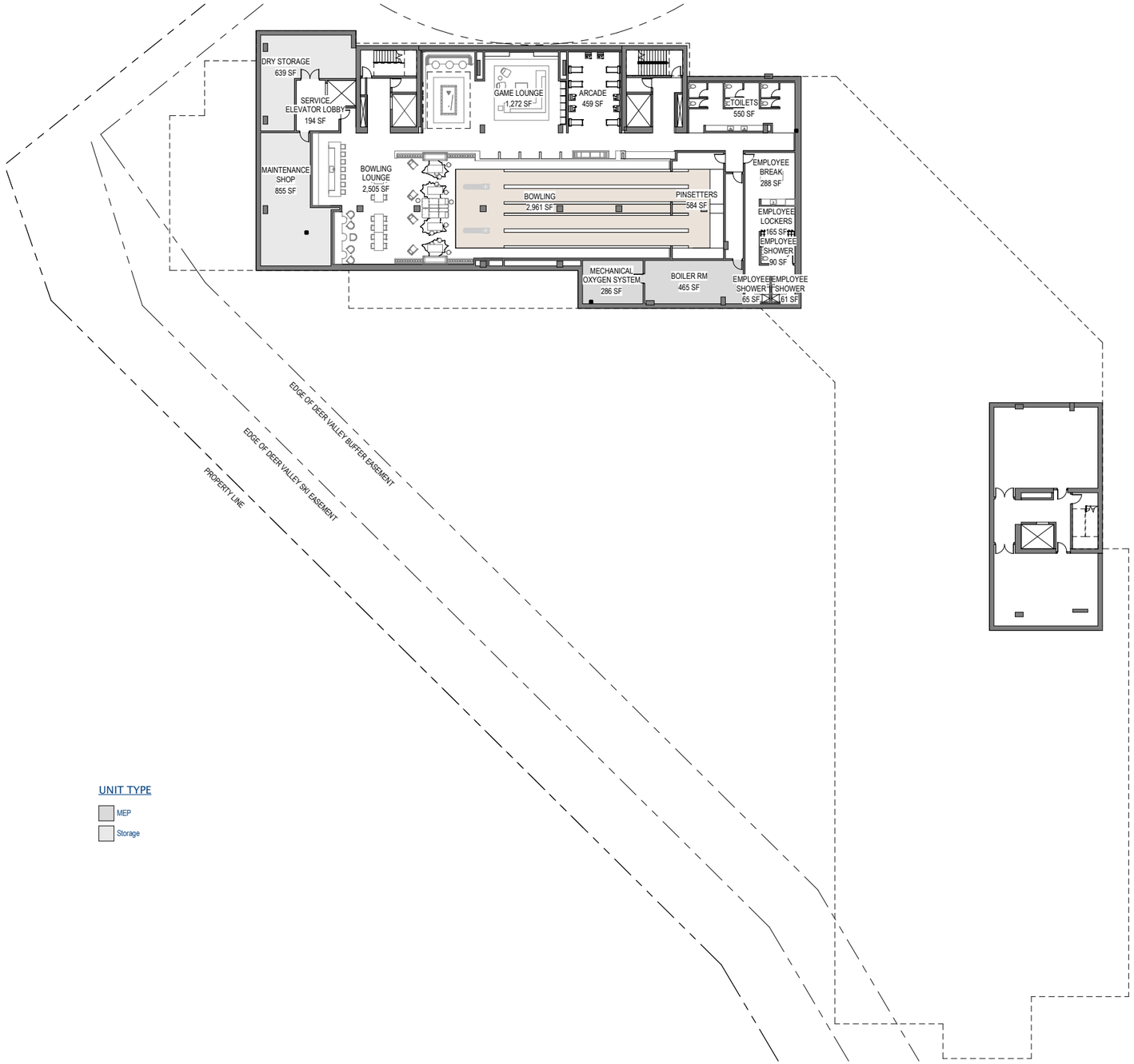
6 AREA PLAN - BLDG C L8
SCALE: 1/32" = 1'-0"

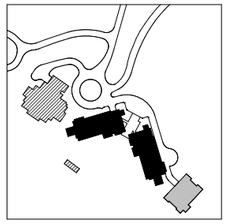
BLDG A - BASEMENT STORAGE





BLDG A - BASEMENT AMENITY LEVEL



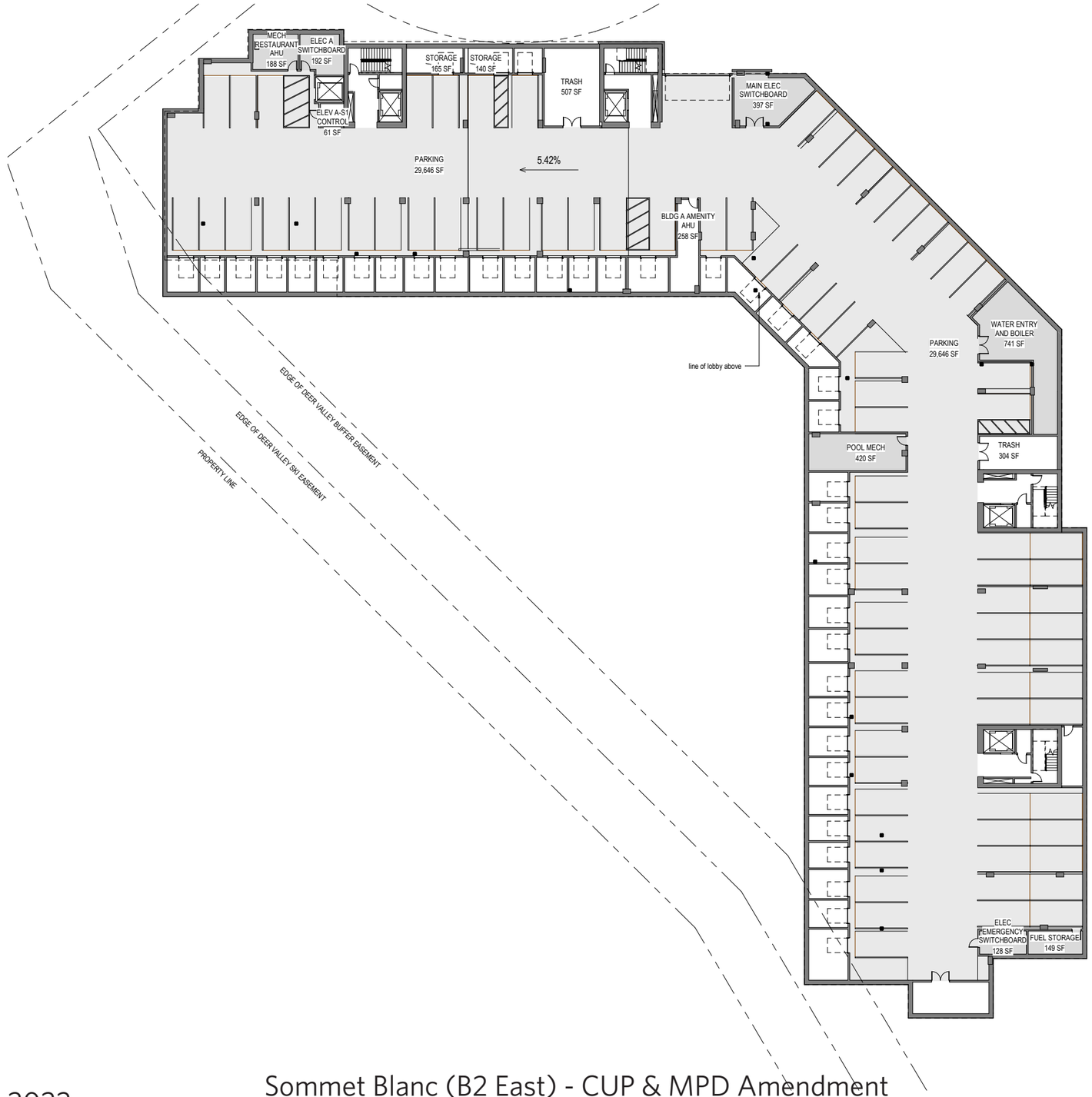


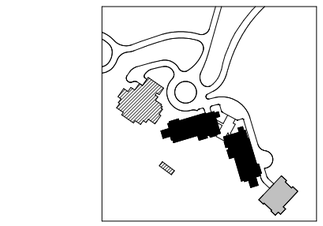
UNIT TYPE
- MEP
- Storage

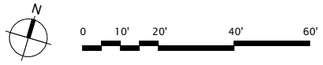
N

0 10' 20' 40' 60'

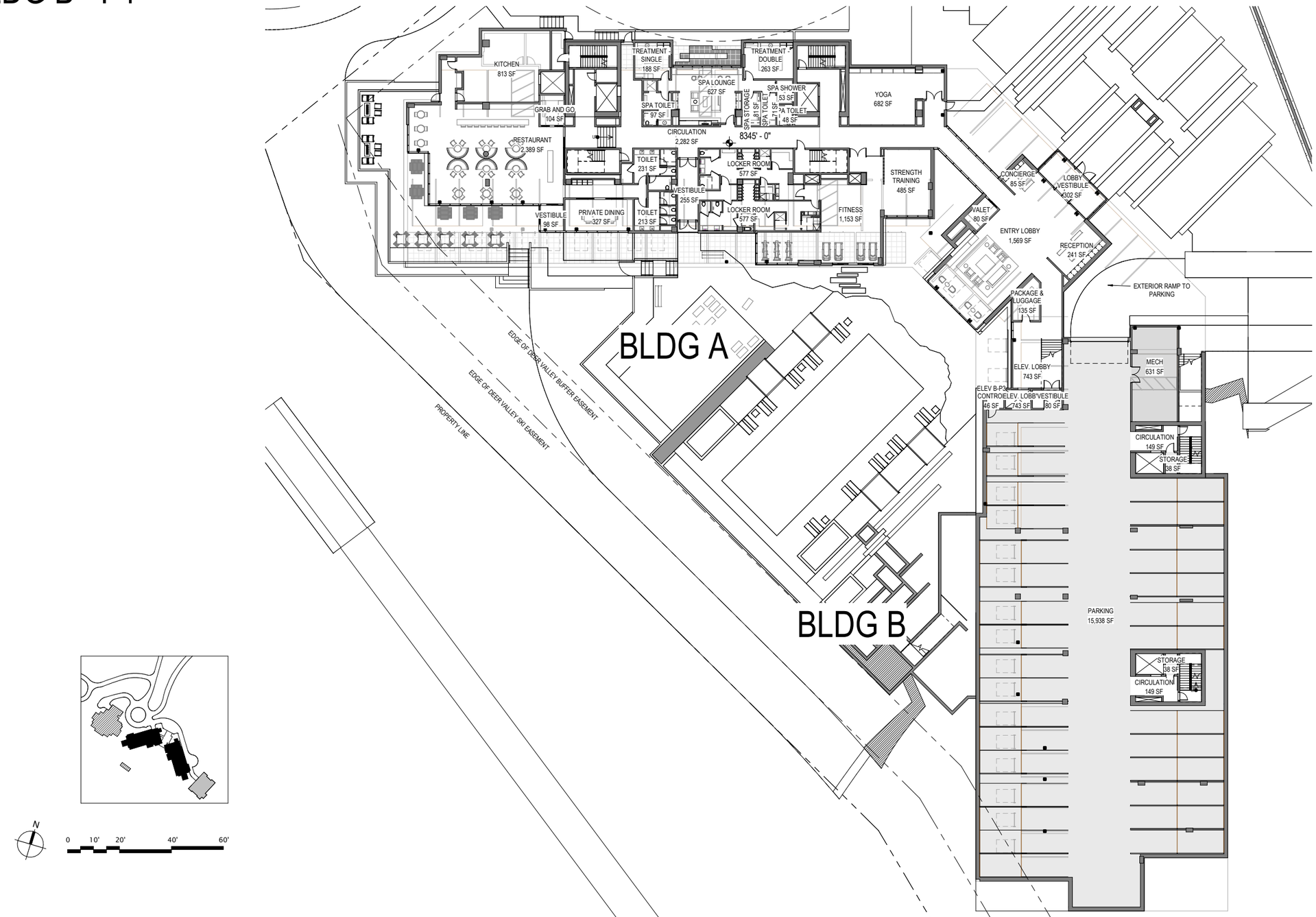
BLDG AB - P2


MECH RESTAURANT AHU
188 SF
ELEC A SWITCHBOARD
192 SF
ELEV A-S1 CONTROL
61 SF
STORAGE
165 SF
STORAGE
140 SF
TRASH
507 SF
MAIN ELEC SWITCHBOARD
397 SF
PARKING
29,646 SF
5.42%
BLDG A AMENITY AHU
258 SF
line of lobby above
EDGE OF DEER VALLEY BUFFER EASEMENT
EDGE OF DEER VALLEY SKI EASEMENT
PROPERTY LINE
PARKING
29,646 SF
WATER ENTRY AND BOILER
741 SF
POOL MECH
420 SF
TRASH
304 SF
ELEC EMERGENCY SWITCHBOARD
128 SF
FUEL STORAGE
149 SF



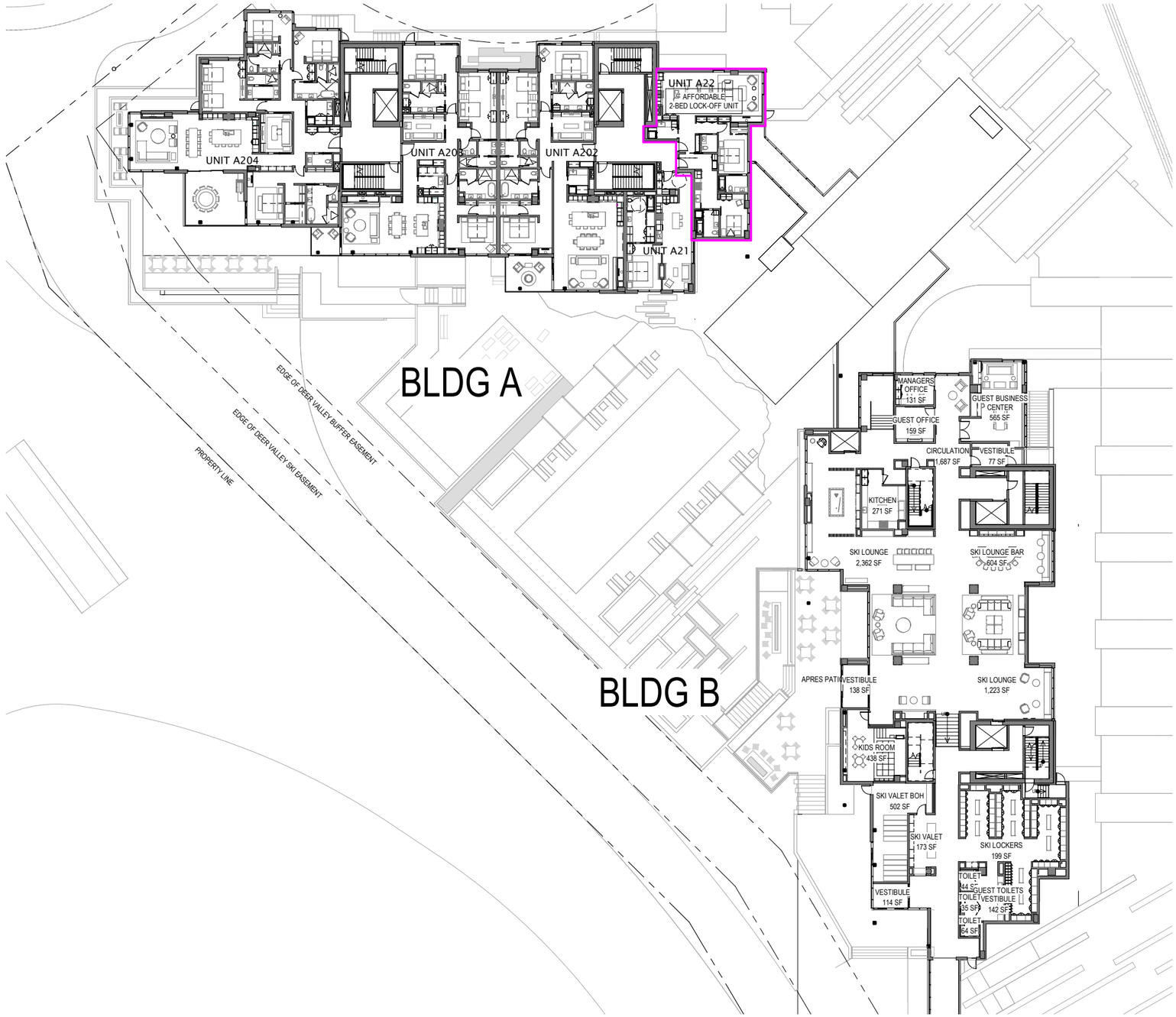

N
0
10'
20'
40'
60'

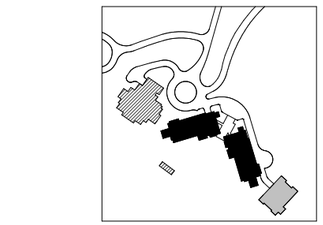
BLDG A - L1
BLDG B - P1

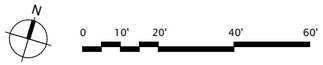


BLDG A - L2
BLDG B - L1

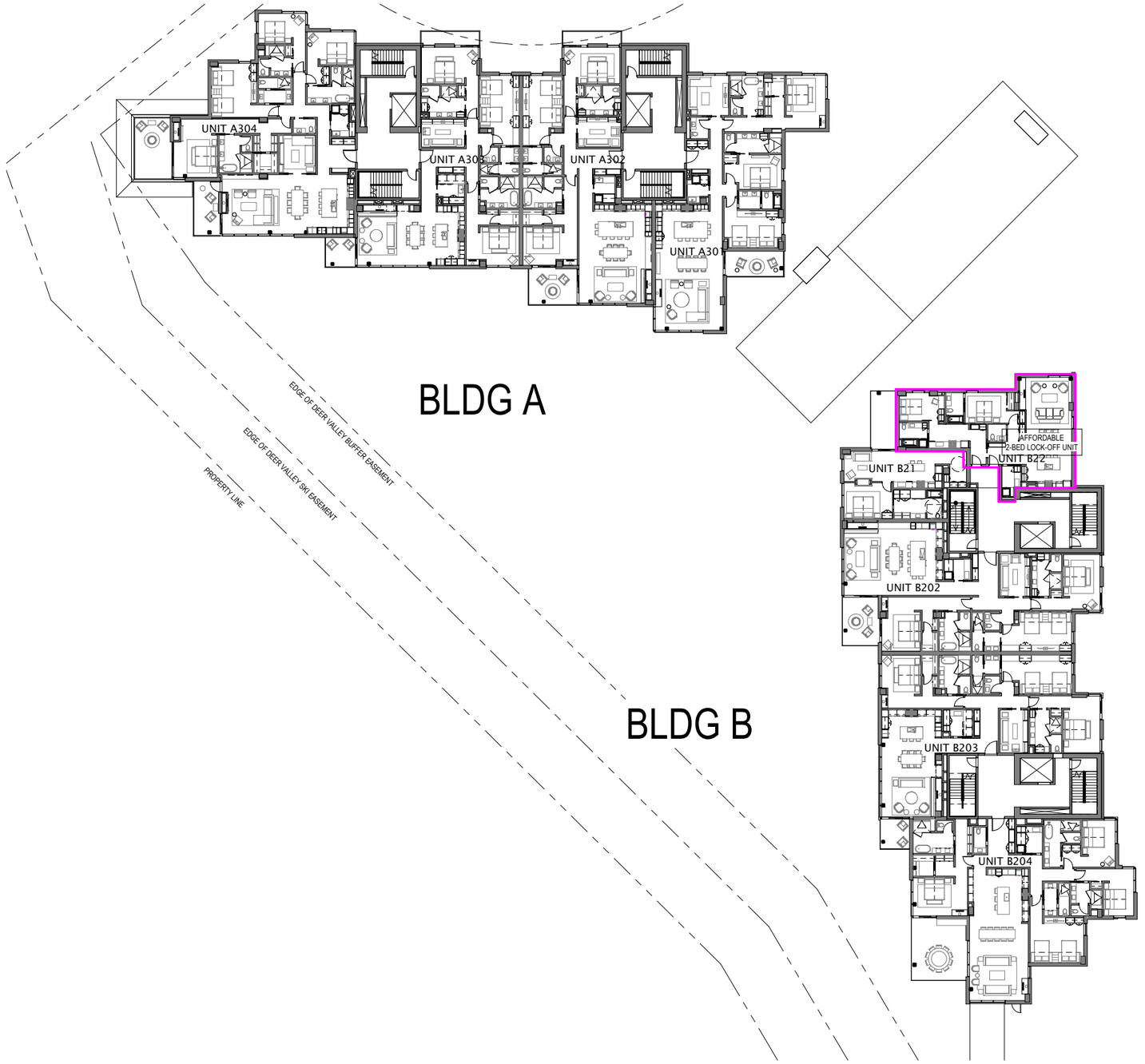
1 AFFORDABLE
2 BED-LOCK OFF UNIT



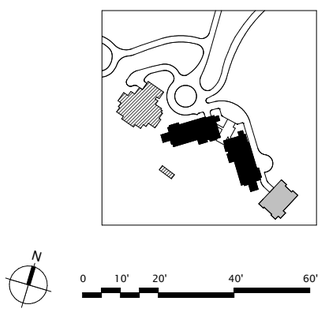




BLDG A - L3
BLDG B - L2

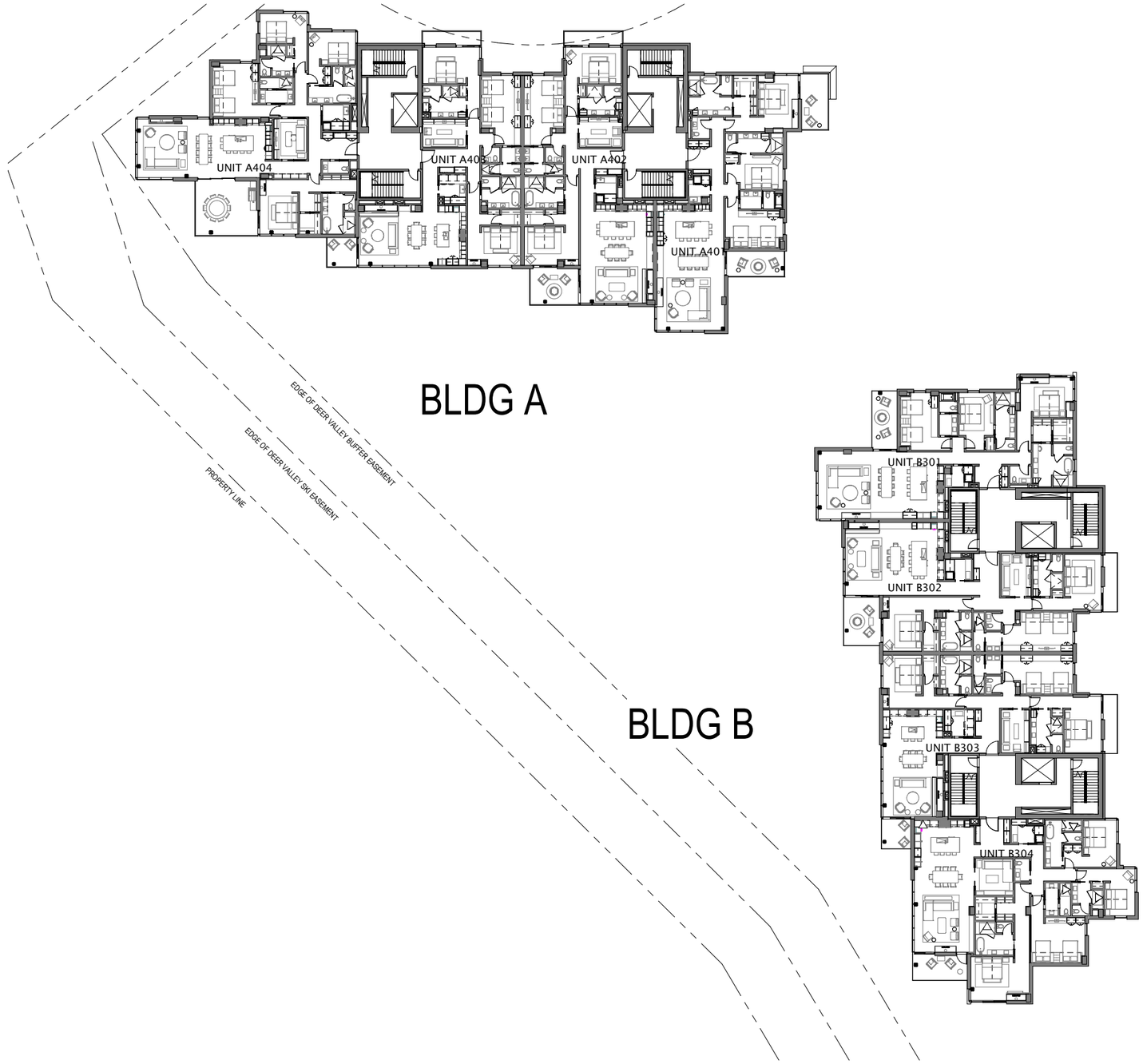


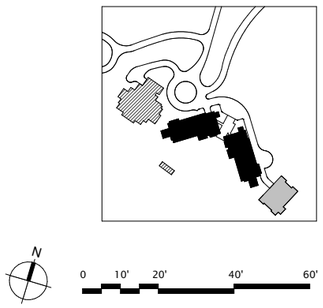
1 AFFORDABLE
2 BED-LOCK OFF UNIT



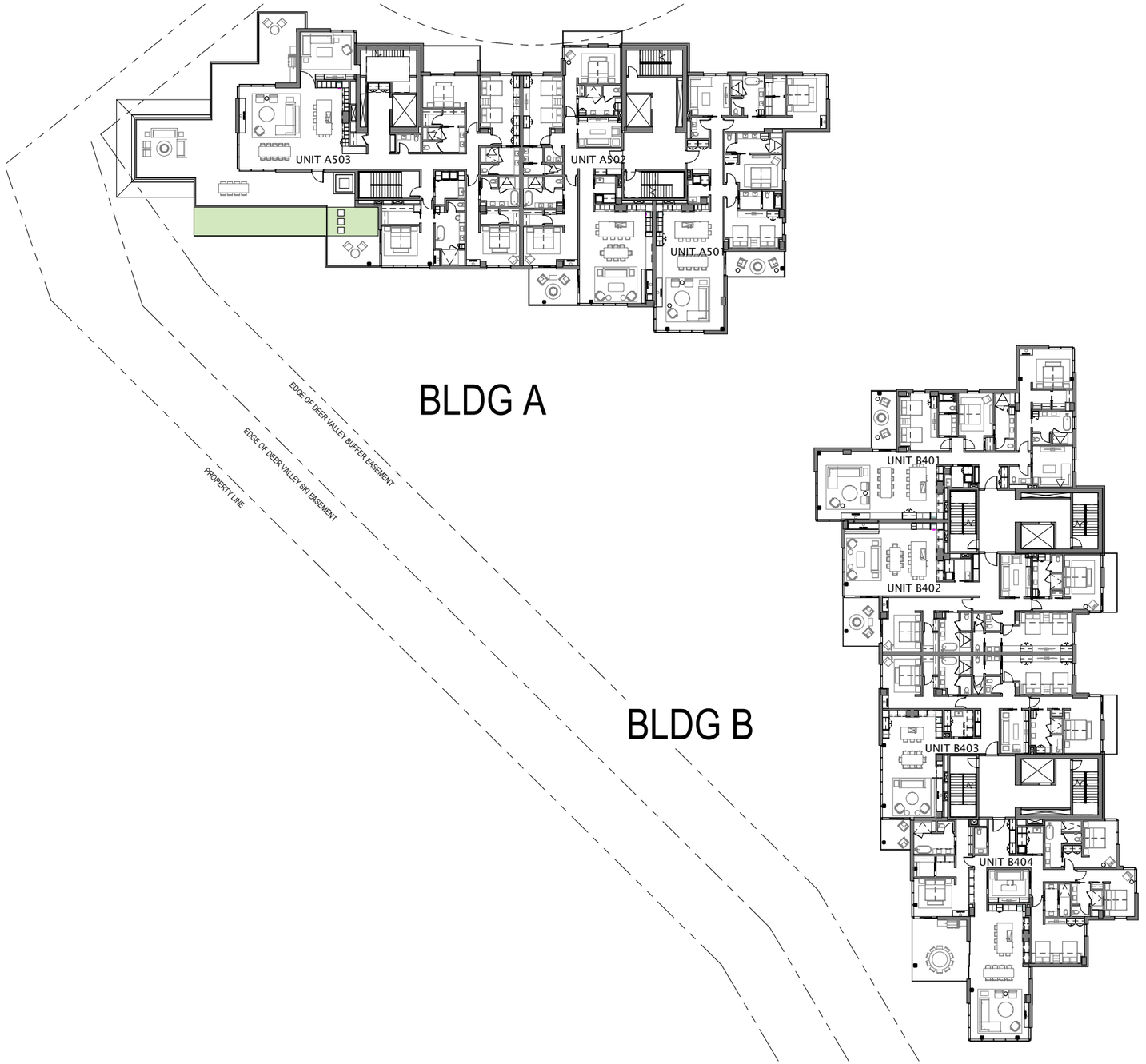
BLDG A - L4

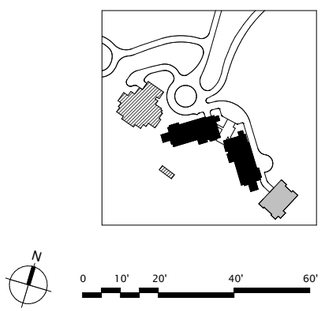
BLDG B - L3



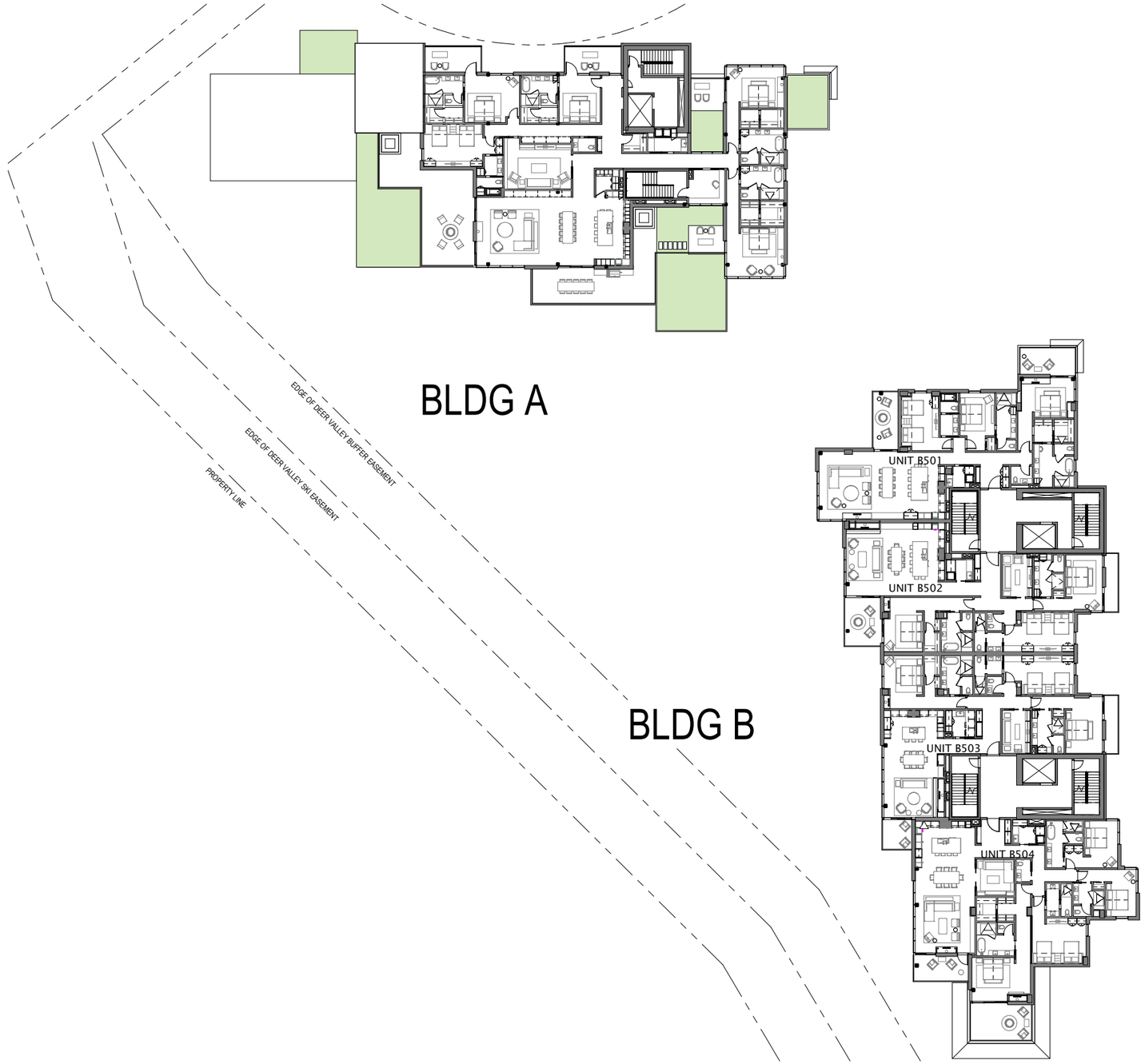


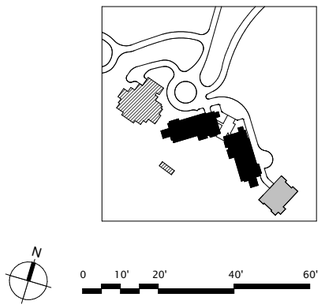
BLDG A - L5
BLDG B - L4



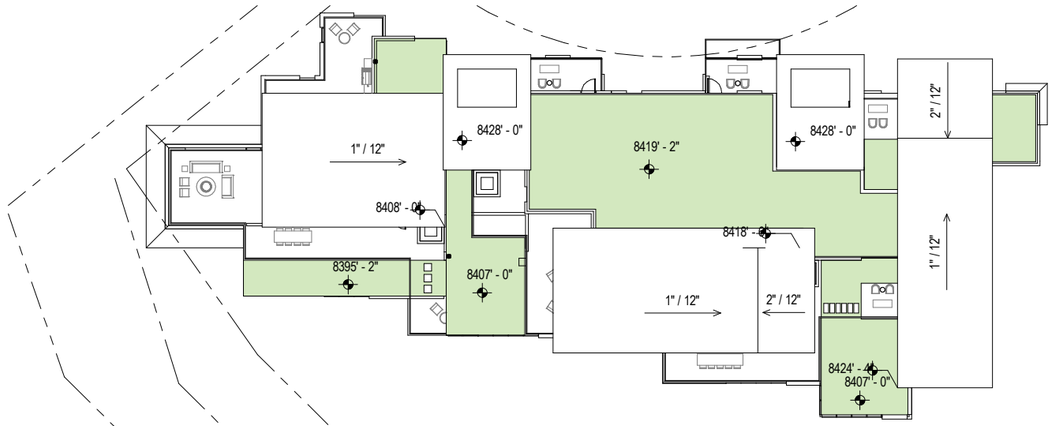


BLDG A - L6
BLDG B - L5





BLDG A - ROOF
BLDG B - L6



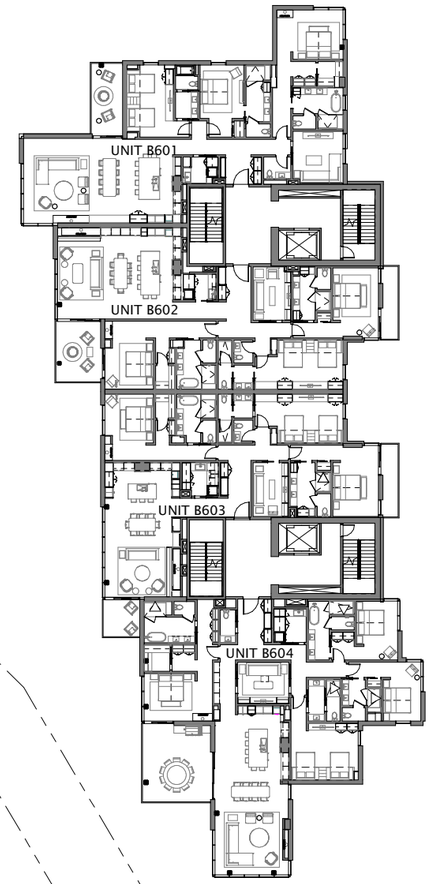
BLDG A

BUILDING A BENCHMARK ELEVATION: 8,345 ft
BUILDING A MAXIMUM PERMITTED ELEVATION: 8,427 ft

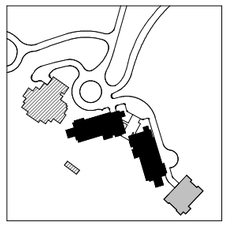
EDGE OF DEER VALLEY BUFFER EASEMENT

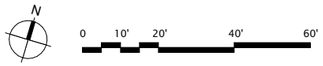
EDGE OF DEER VALLEY SKI EASEMENT

PROPERTY LINE

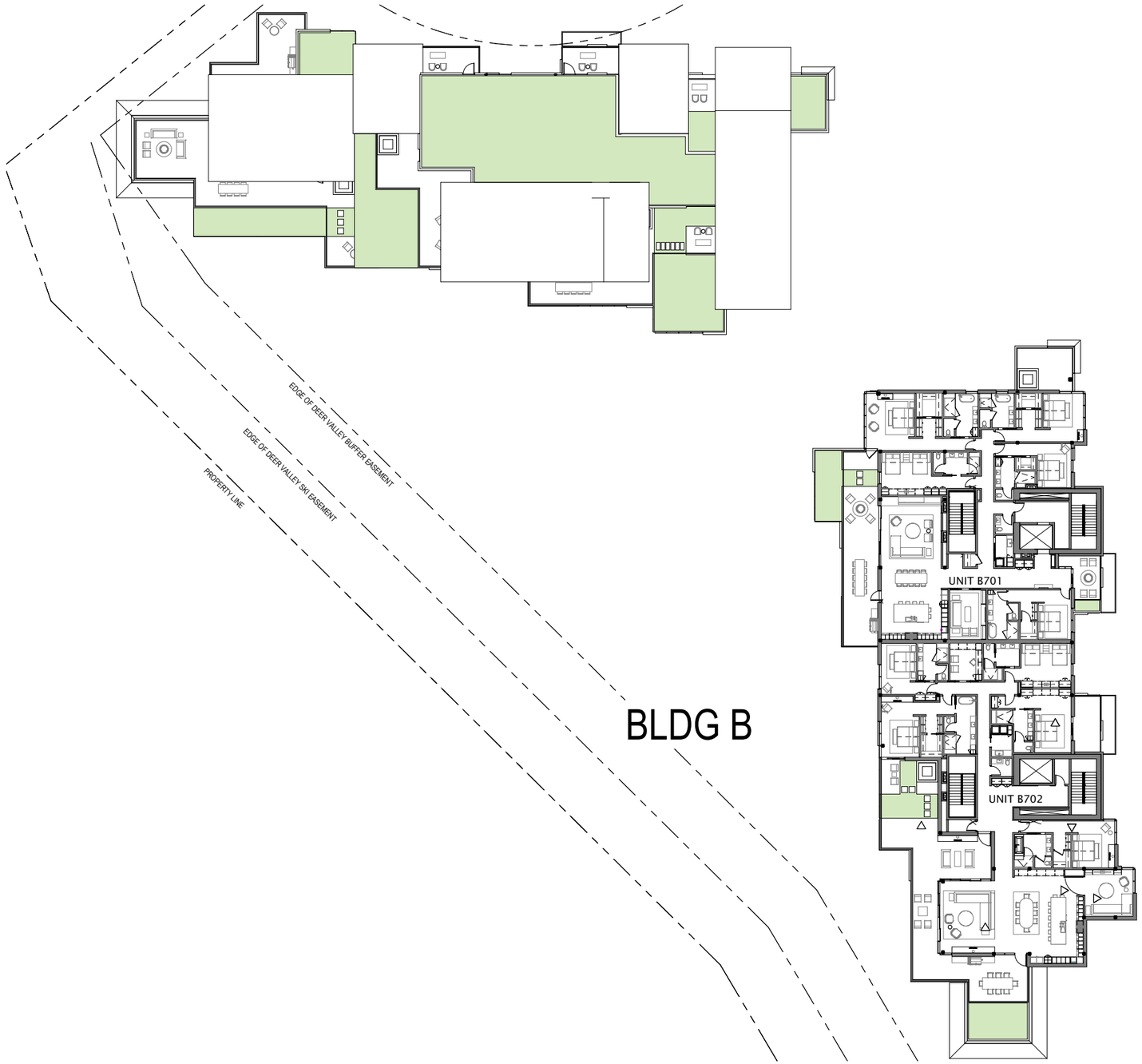


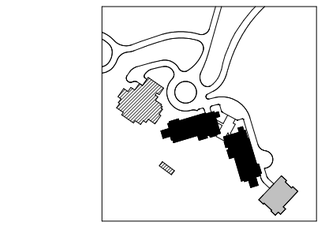
BLDG B



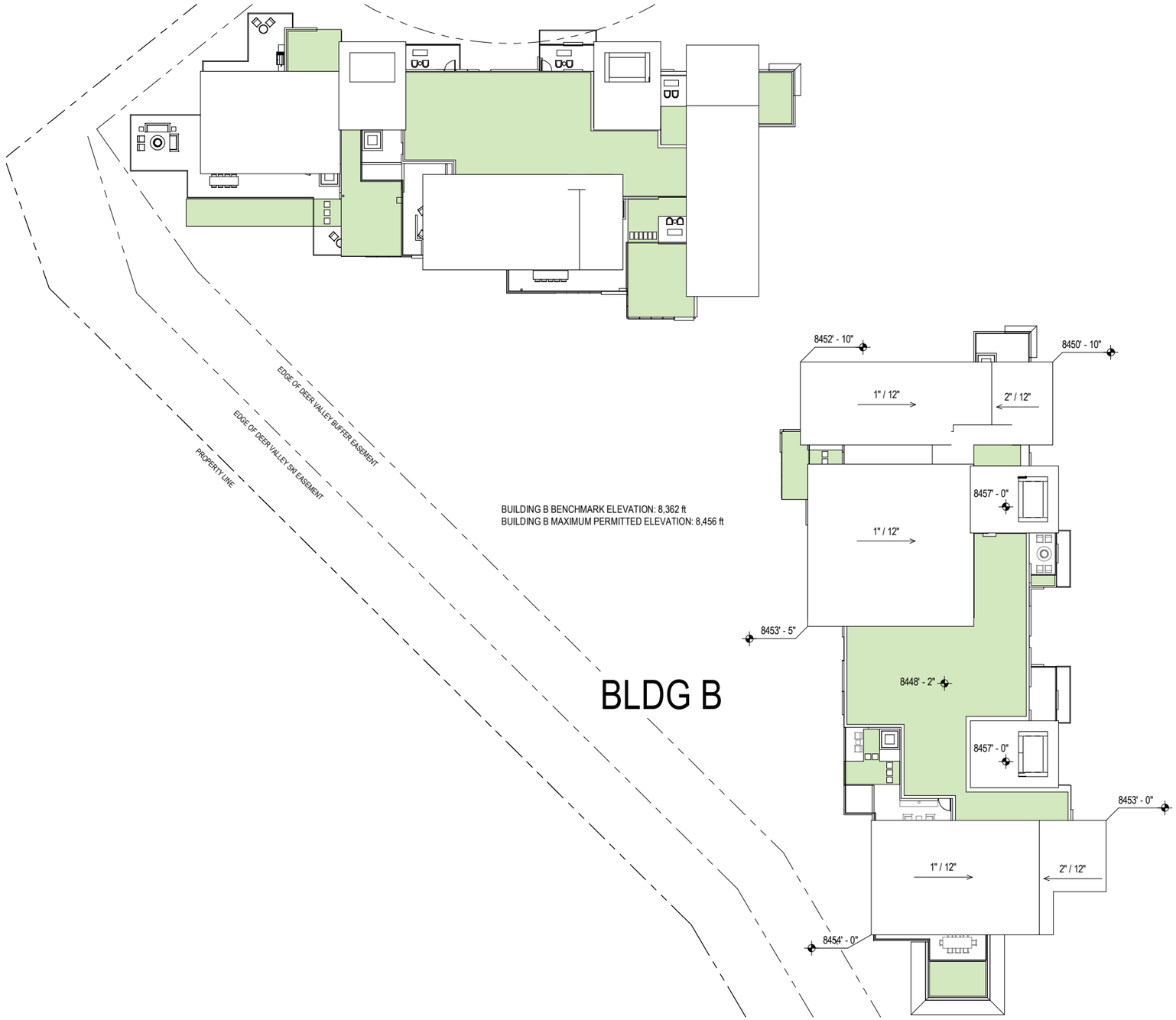


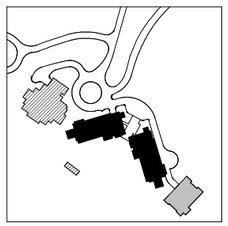
BLDG B - L7

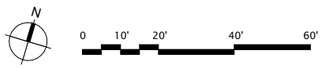

EDGE OF DEER VALLEY BUFFER EASEMENT
EDGE OF DEER VALLEY SKI EASEMENT
PROPERTY LINE
BLDG B
UNIT B701
UNIT B702


N
0
10'
20'
40'
60'

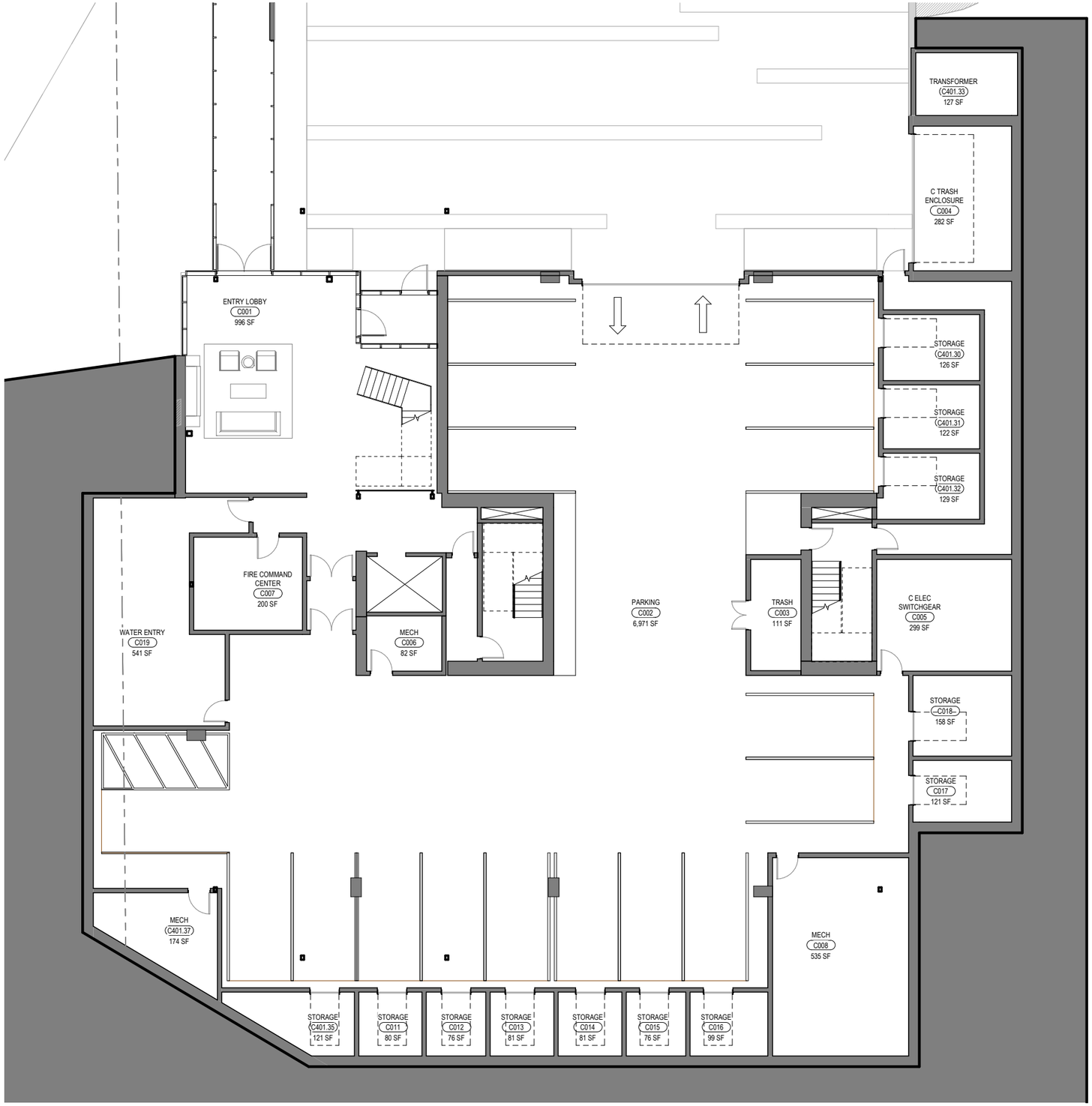
BLDG B - ROOF

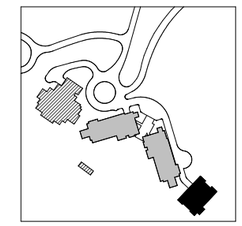

EDGE OF DEER VALLEY BUFFER EASEMENT
EDGE OF DEER VALLEY SKI EASEMENT
PROPERTY LINE
BUILDING B BENCHMARK ELEVATION: 8,362 ft
BUILDING B MAXIMUM PERMITTED ELEVATION: 8,456 ft
BLDG B
8452' - 10"
8450' - 10"
1" / 12"
2" / 12"
8457' - 0"
1" / 12"
8453' - 5"
8448' - 2"
8457' - 0"
8453' - 0"
1" / 12"
2" / 12"
8454' - 0"

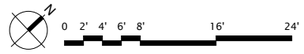



N
0
10'
20'
40'
60'

BLDG C - PARKING

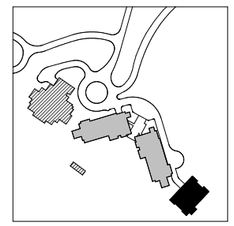


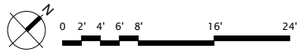




BLDG C - L1

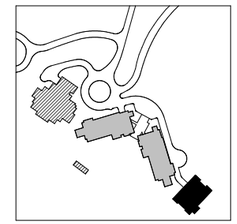

4 AFFORDABLE
1 BED UNITS
UNIT 22 - Q 1BR
UNIT 23 - Q 1BR
UNIT 24 - Q 1BR
UNIT 25 - Q 1BR
open to below
SKIER LOUNGE
C 100
922 SF
deck
TOILET
C401.27
81 SF
TOILET
C401.28
81 SF
CIRCULATION
C102
1,023 SF
MAIDS
C401.26
320 SF
STORAGE
C109
115 SF
GOLF SIMULATOR
C108
459 SF
snack bar
snack bar
GOLF SIMULATOR
C107
459 SF
LOUNGE
C29
1,293 SF
MEP
C 209
738 SF
MECH OXYGEN
C47
210 SF
MAIDS
C702
282 SF

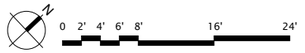



N
0
2'
4'
6'
8'
16'
24'

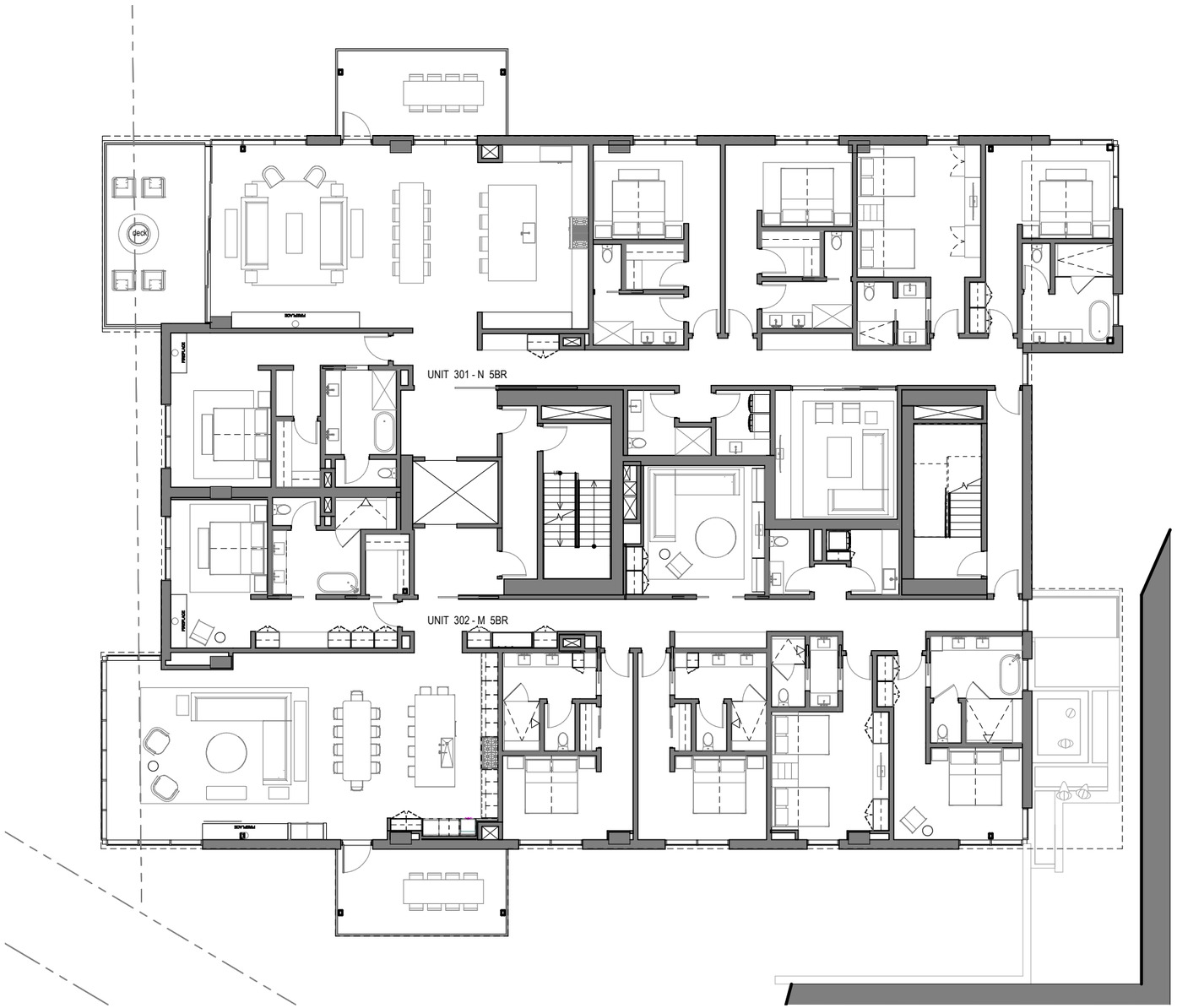
BLDG C - L2

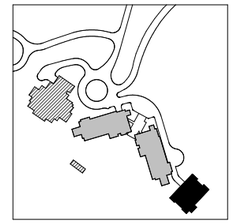

UNIT 201 - T 5BR
UNIT 202 - O 4BR
FIREPLACE
FIREPLACE

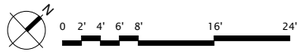



N
0 2' 4' 6' 8' 16' 24'

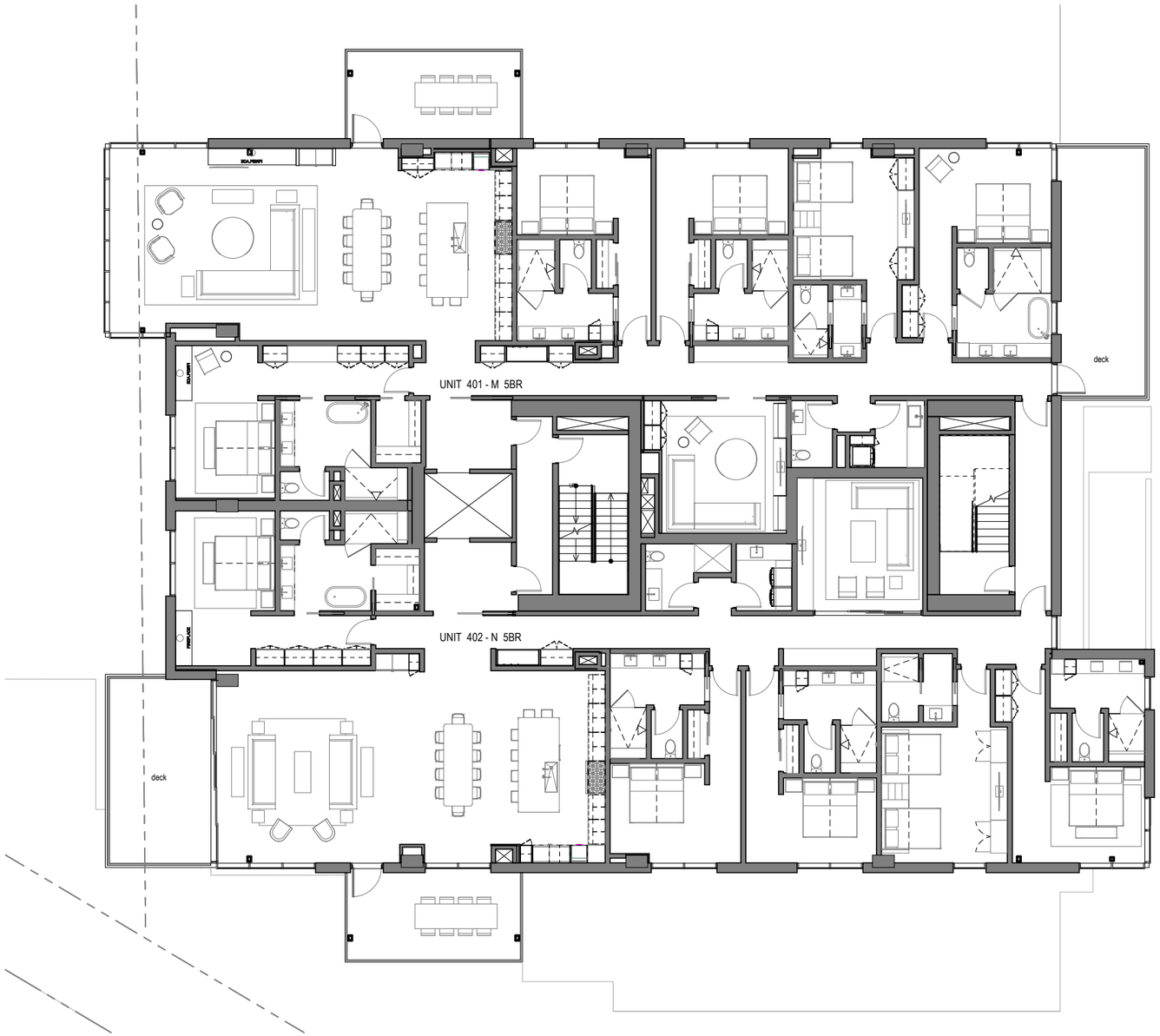
BLDG C - L3

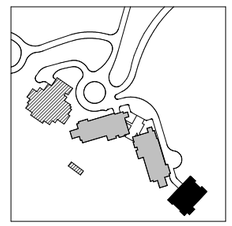


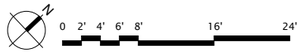




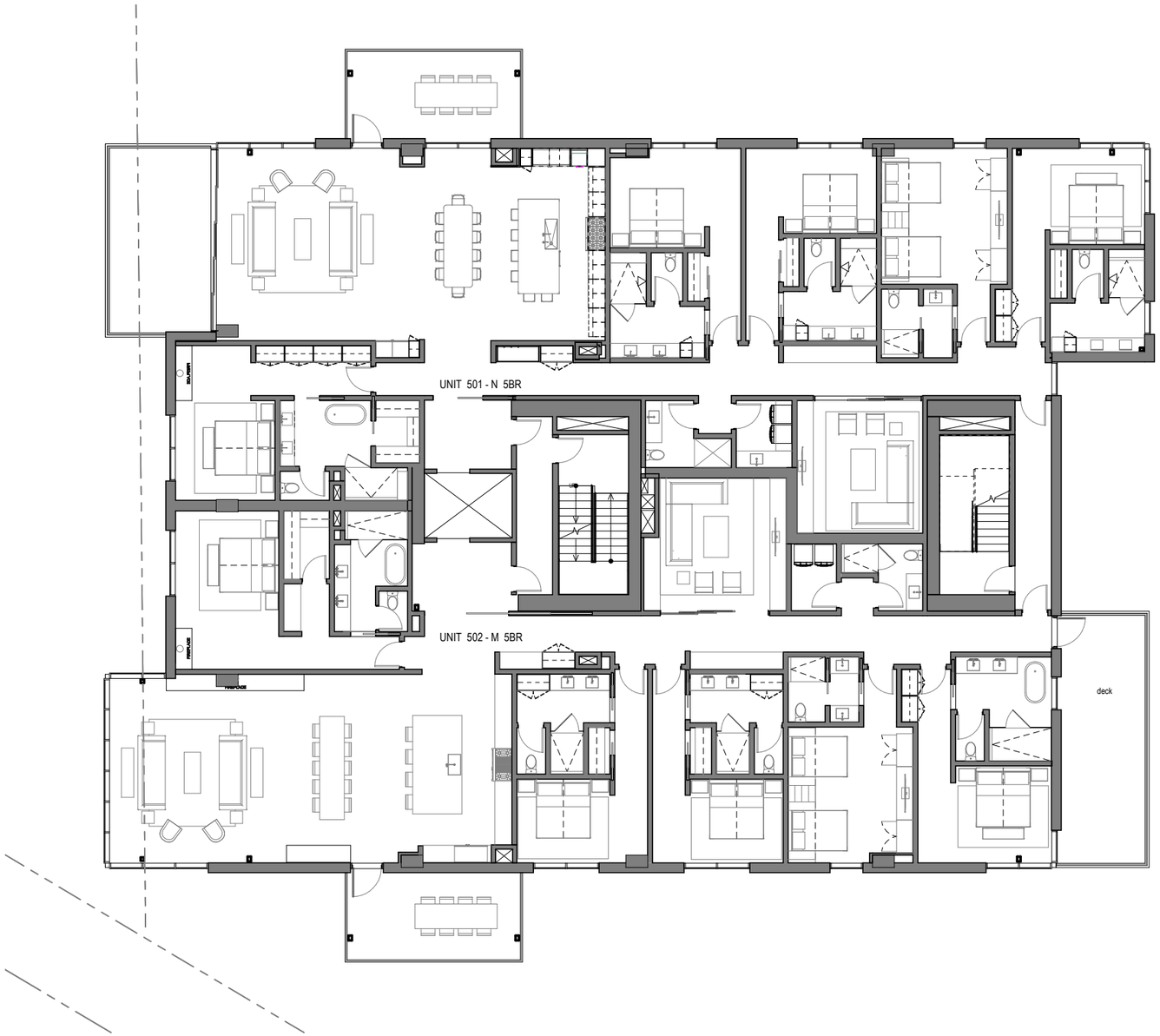
BLDG C - L4

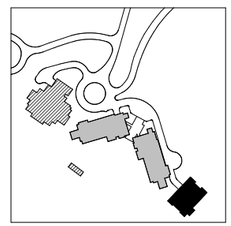

UNIT 401 - M 5BR
UNIT 402 - N 5BR
deck
deck
fireplace
fireplace

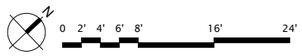



N
0
2'
4'
6'
8'
16'
24'

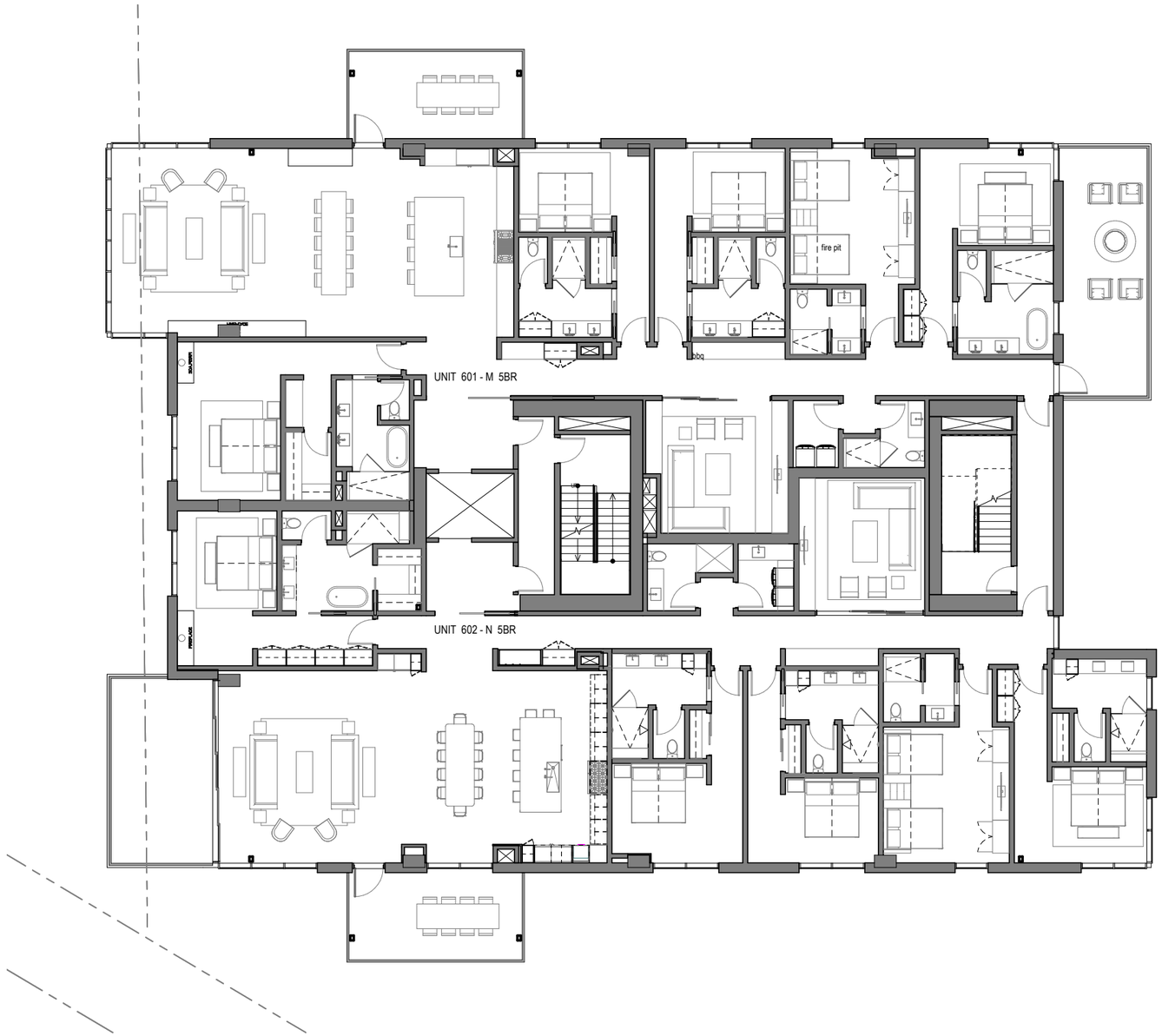
BLDG C - L5

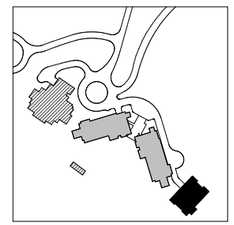


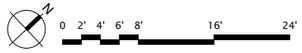




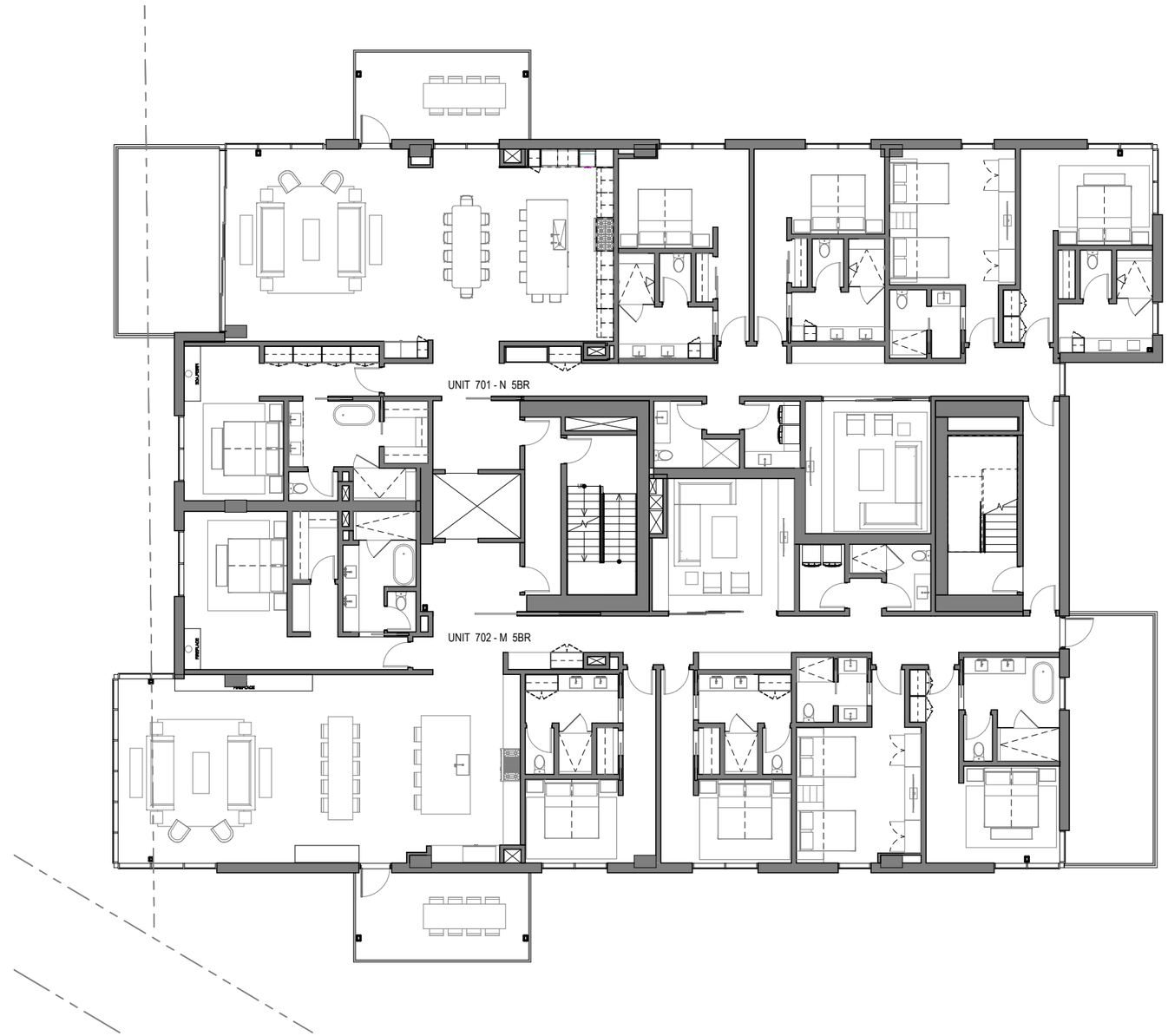
BLDG C - L6

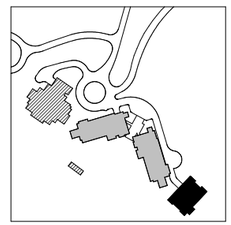


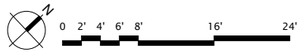




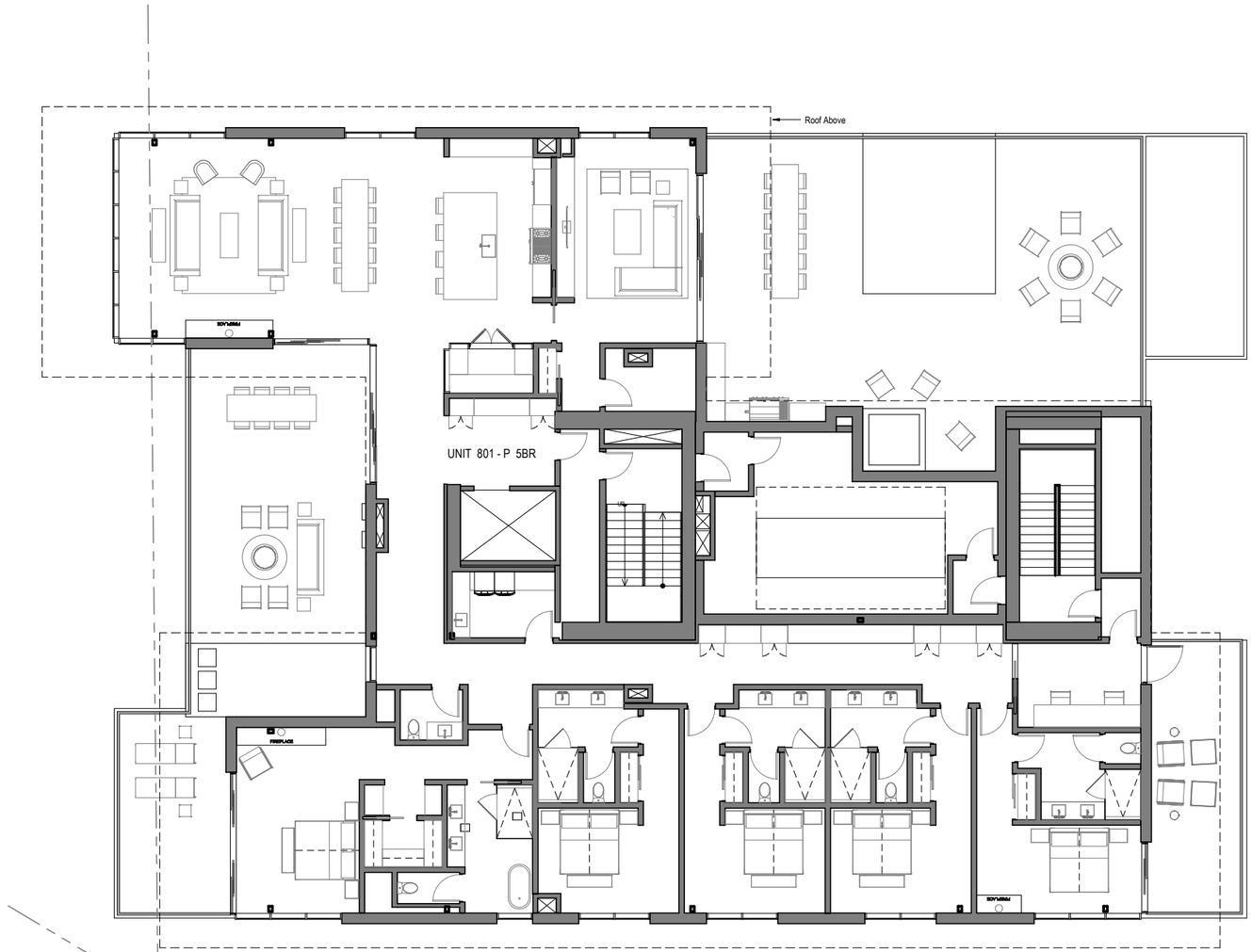
BLDG C - L7

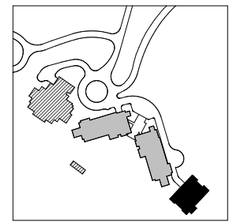


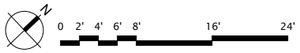




BLDG C - L8

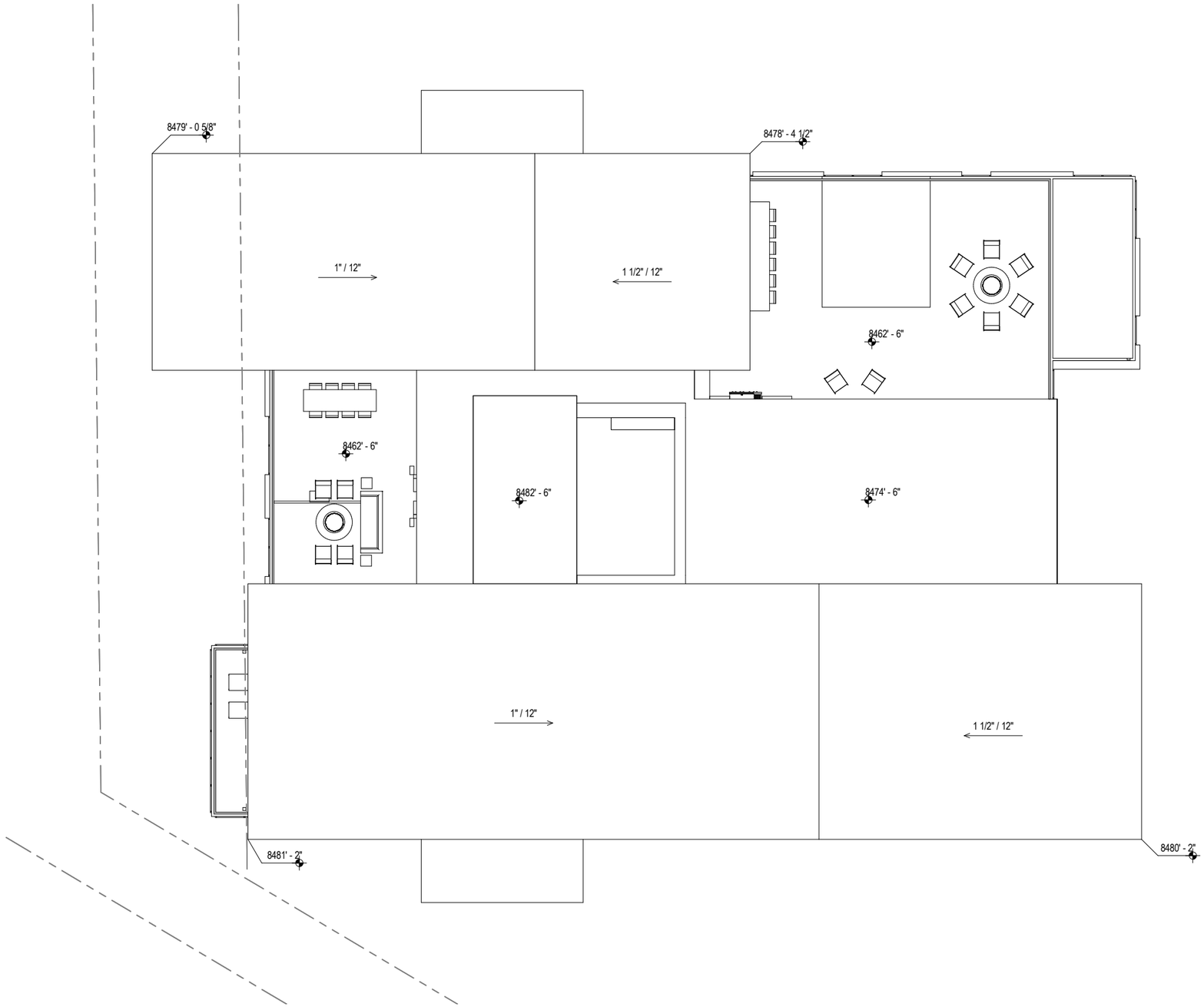


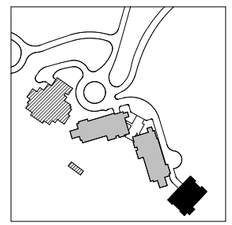


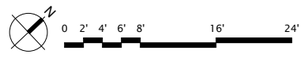


BLDG C - ROOF

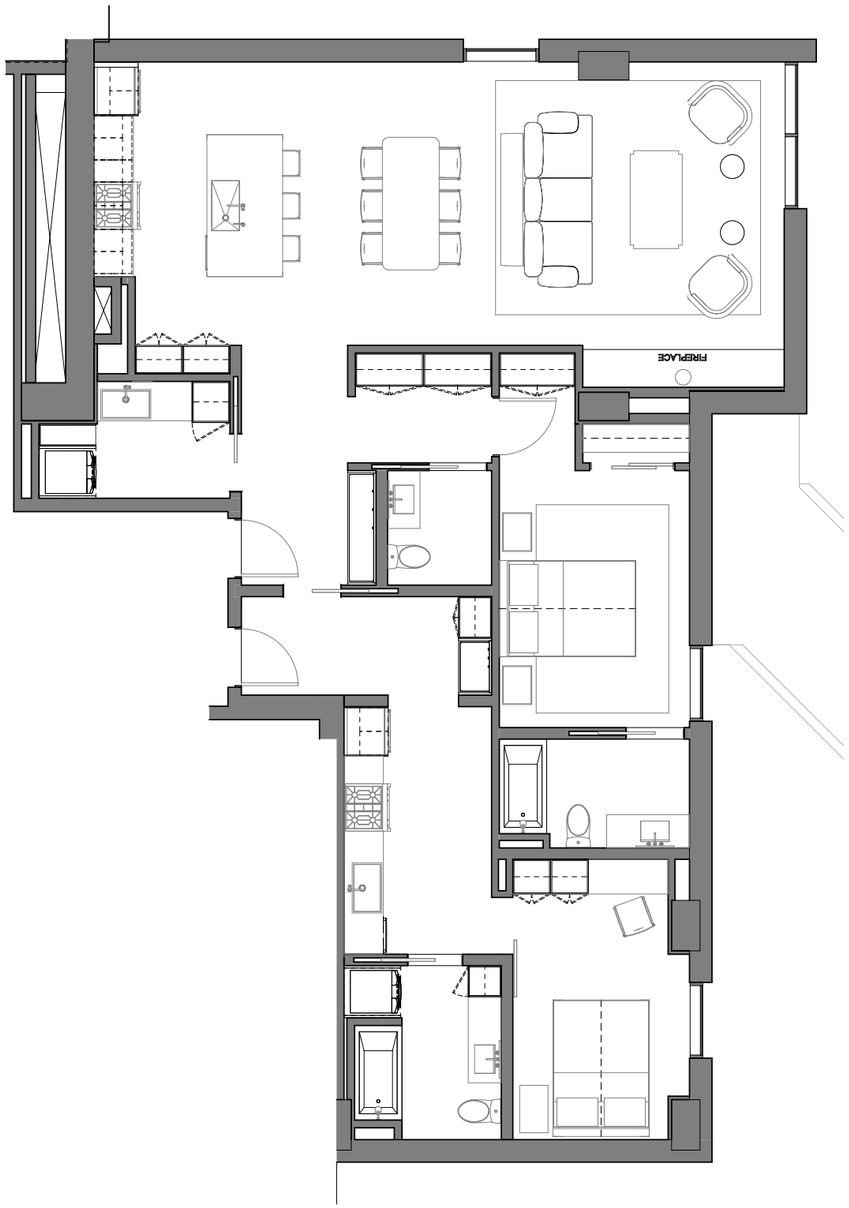
BUILDING C BENCHMARK ELEVATION: 8,376' - 6"
BUILDING C MAXIMUM PERMITTED ELEVATION: 8,482' - 6"

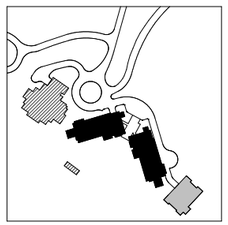






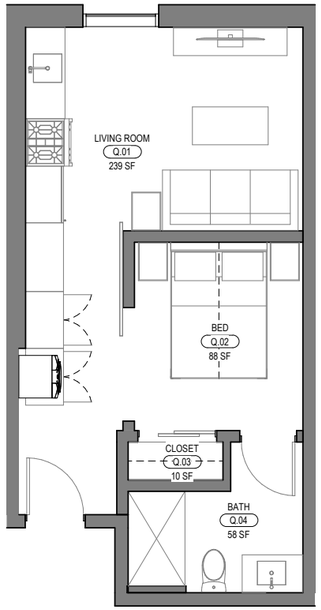
BLDG A & B
AFFORDABLE 2 BED LOCK-OFF UNIT PLAN
TOTAL QUANITITY: 2

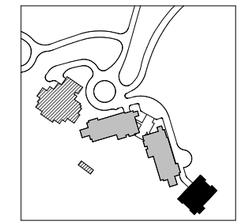






BLDG C
AFFORDABLE 1 BED UNIT PLAN
TOTAL QUANTITY: 4

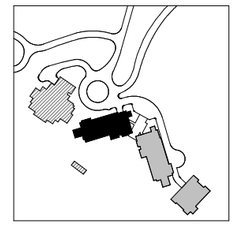




0 1' 2' 3' 4' 8' 12'

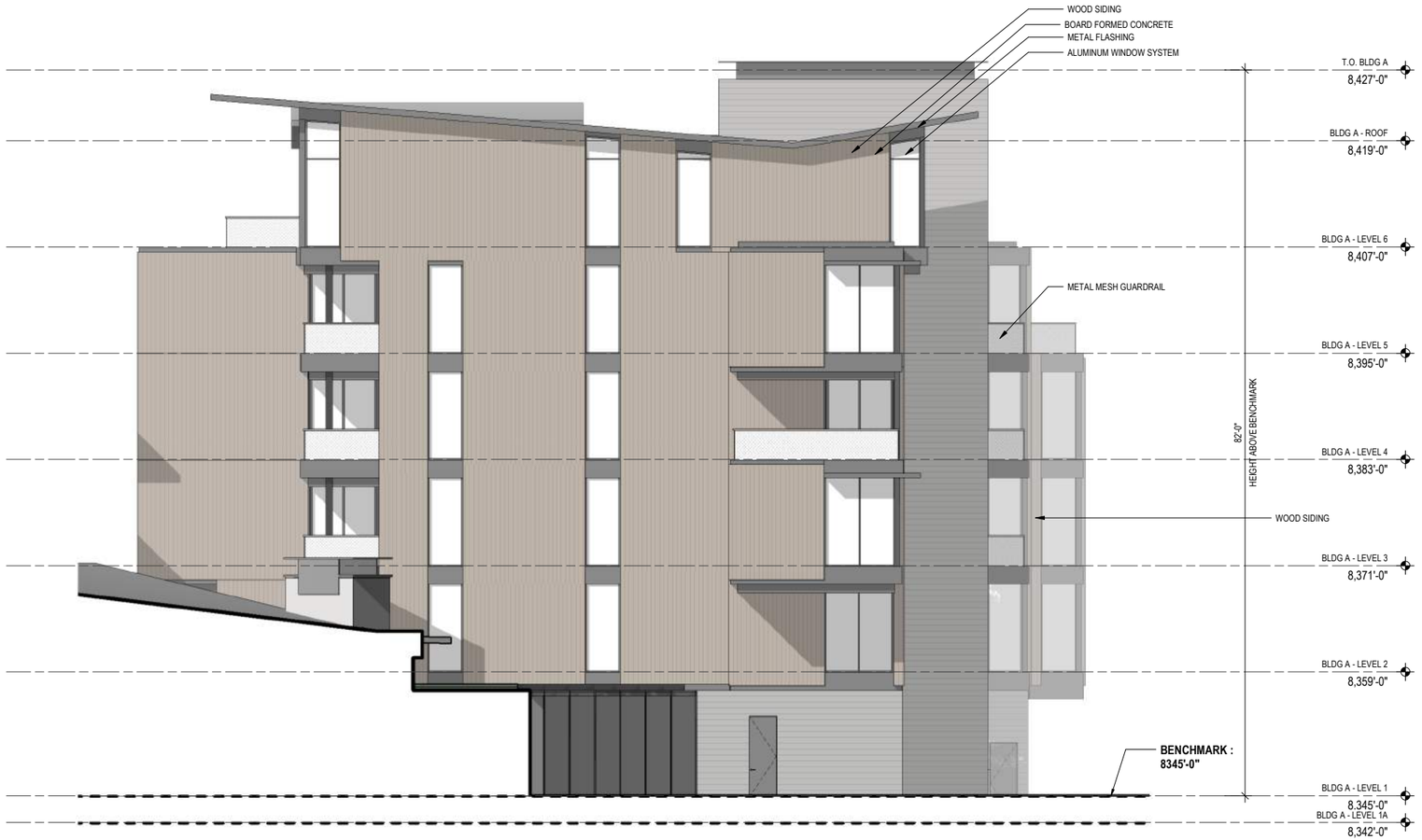
BLDG A - NORTH ELEVATION

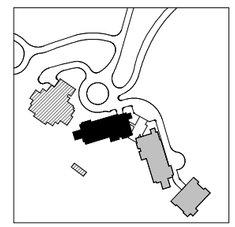




0 2' 4' 6' 8' 16' 24'

BLDG A - EAST ELEVATION

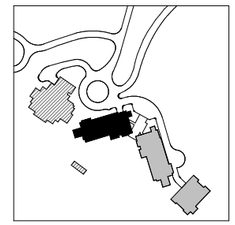




0 2' 4' 6' 8' 16' 24'

BLDG A - SOUTH ELEVATION

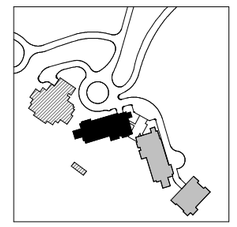




0 2' 4' 6' 8' 16' 24'

BLDG A - WEST ELEVATION

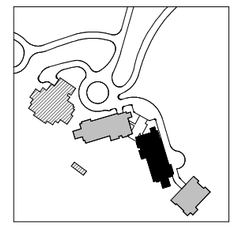




0 2' 4' 6' 8' 16' 24'

BLDG B - NORTH ELEVATION

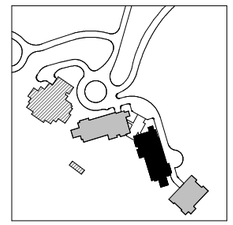




0 2' 4' 6' 8' 16' 24'

BLDG B - EAST ELEVATION

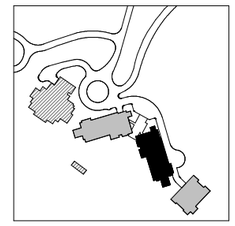




0 2' 4' 6' 8' 16' 24'

BLDG B - SOUTH ELEVATION

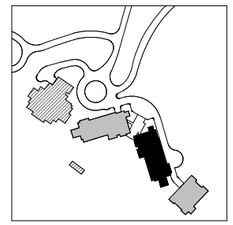




0 2' 4' 6' 8' 16' 24'

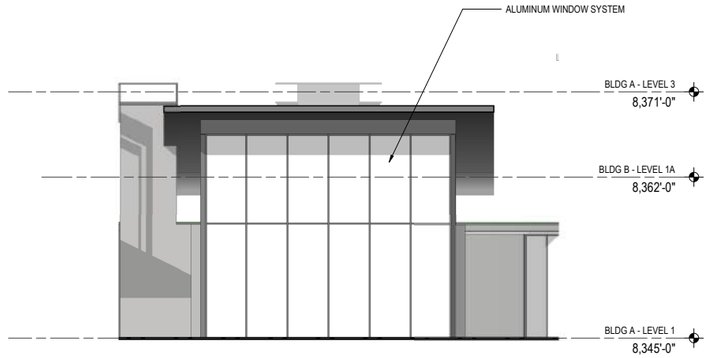
BLDG B - WEST ELEVATION



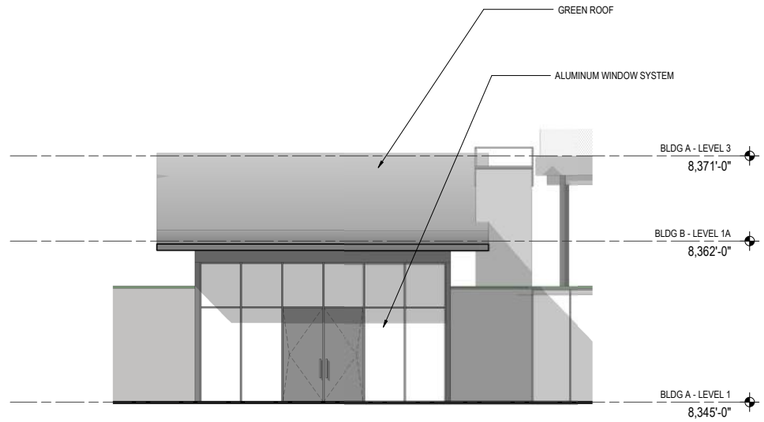


0 2' 4' 6' 8' 16' 24'

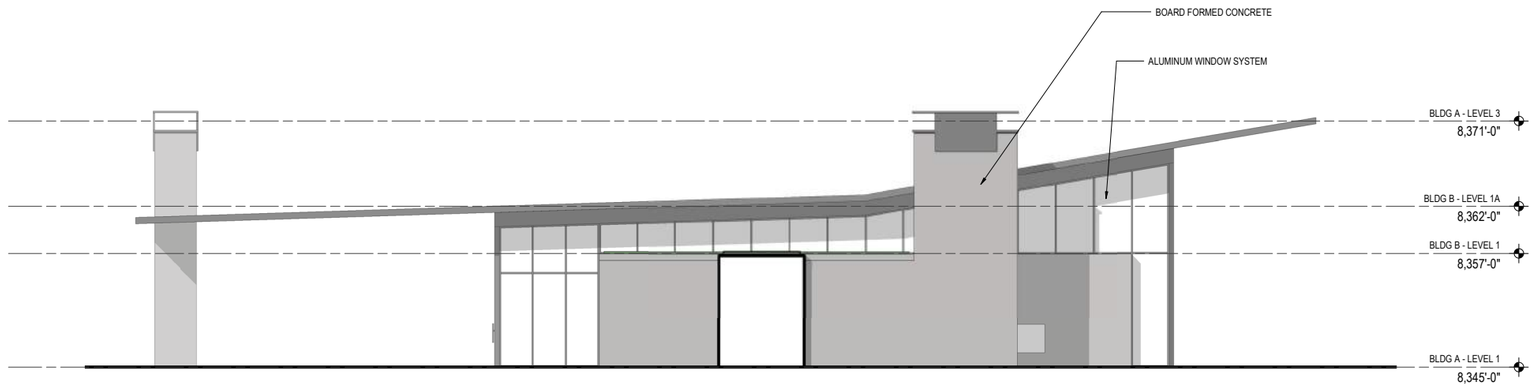
BLDG AB LOBBY ELEVATIONS



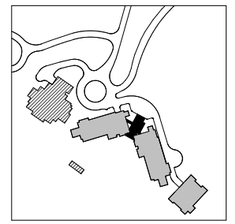
1 LOBBY ELEVATION BACK
SCALE: 1/8" = 1'-0"



2 LOBBY ELEVATION FRONT
SCALE: 1/8" = 1'-0"



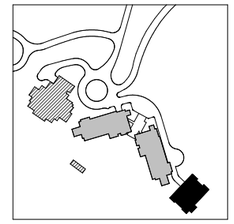
3 LOBBY ELEVATION SIDE
SCALE: 1/8" = 1'-0"



0 2' 4' 6' 8' 16' 24'

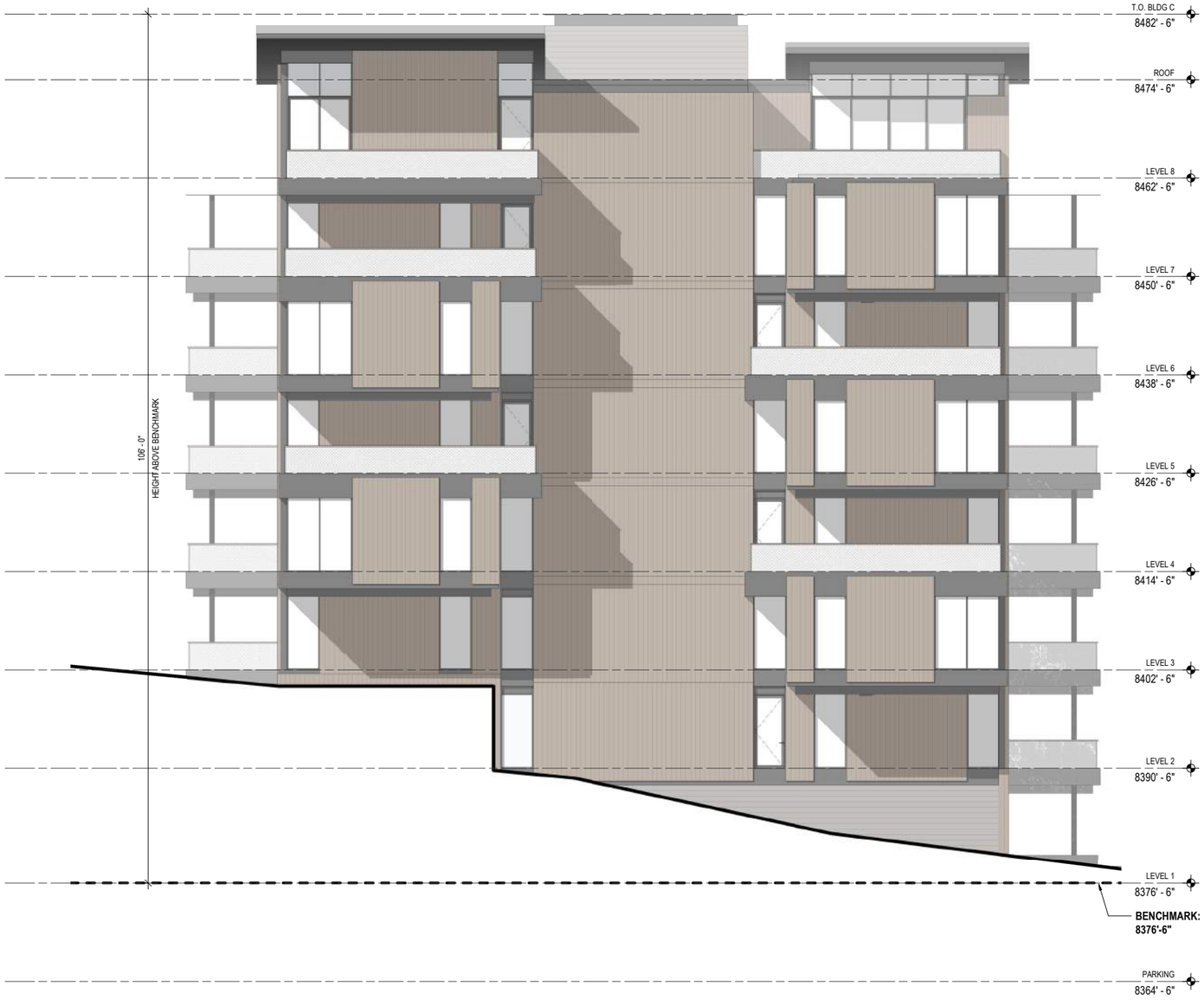
BLDG C - NORTH ELEVATION

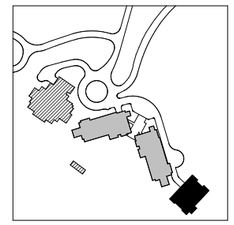




0 2' 4' 6' 8' 16' 24'

BLDG C - EAST ELEVATION

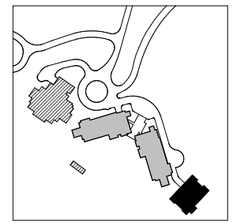




0 2' 4' 6' 8' 16' 24'

BLDG C - SOUTH ELEVATION

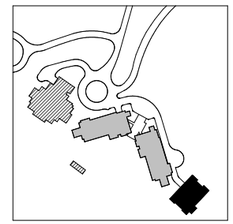




0 2' 4' 6' 8' 16' 24'

BLDG C - WEST ELEVATION



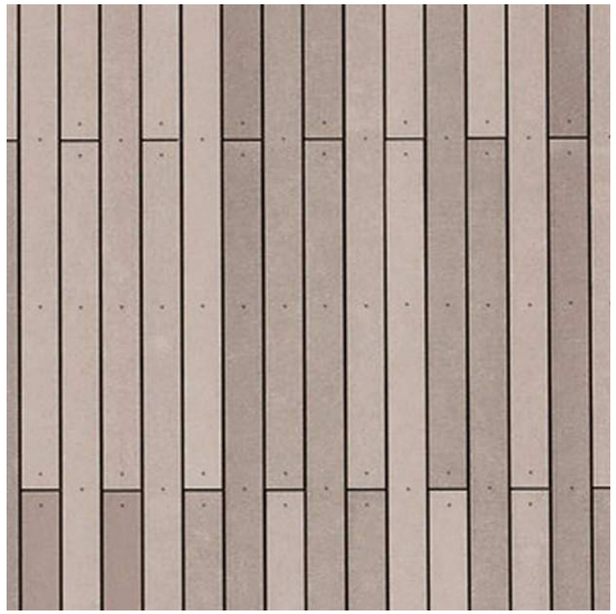


0 2' 4' 6' 8' 16' 24'

MATERIAL PALETTE



INSPIRATION



VERTICAL PLANK SIDING



ALUMINUM WINDOW SYSTEM



CAST IN PLACE CONCRETE



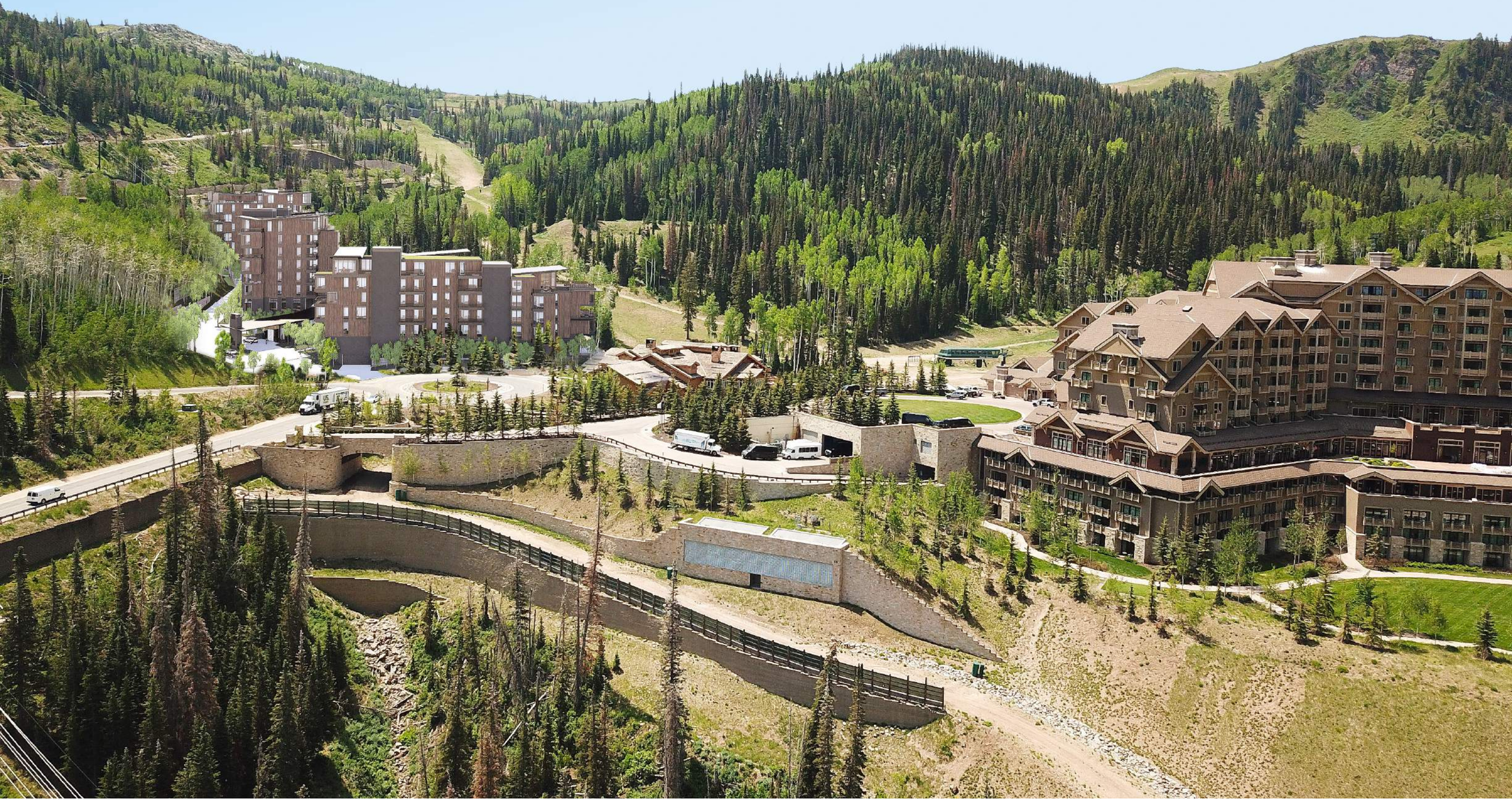
PAINTED METAL

Sommet Blanc (B2 East) - CUP & MPD Amendment

Exhibit 3 - Visual Impact

February 9, 2022











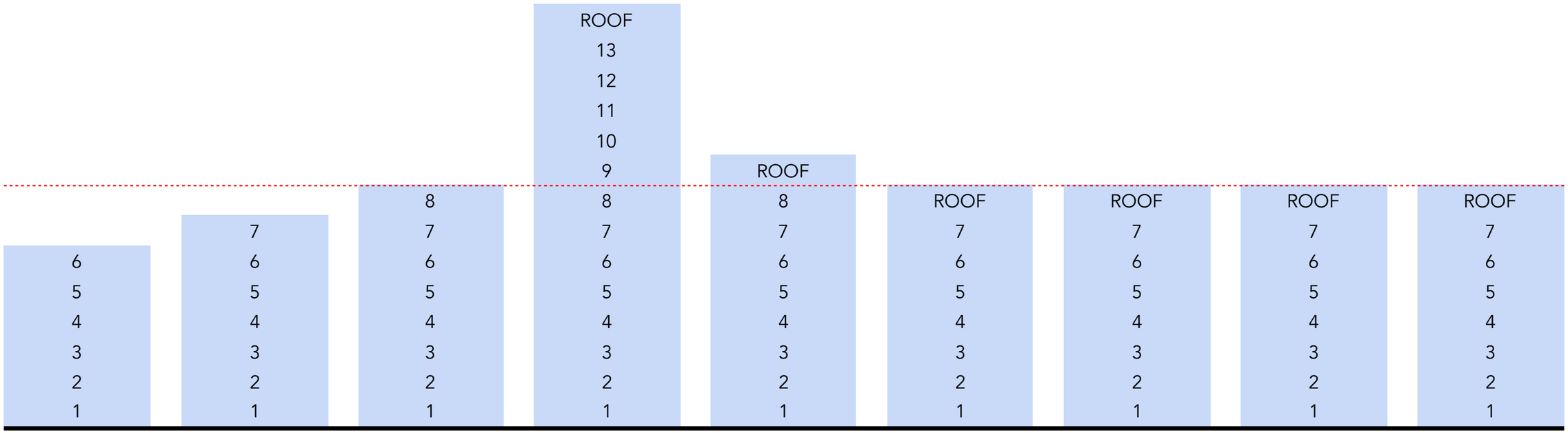


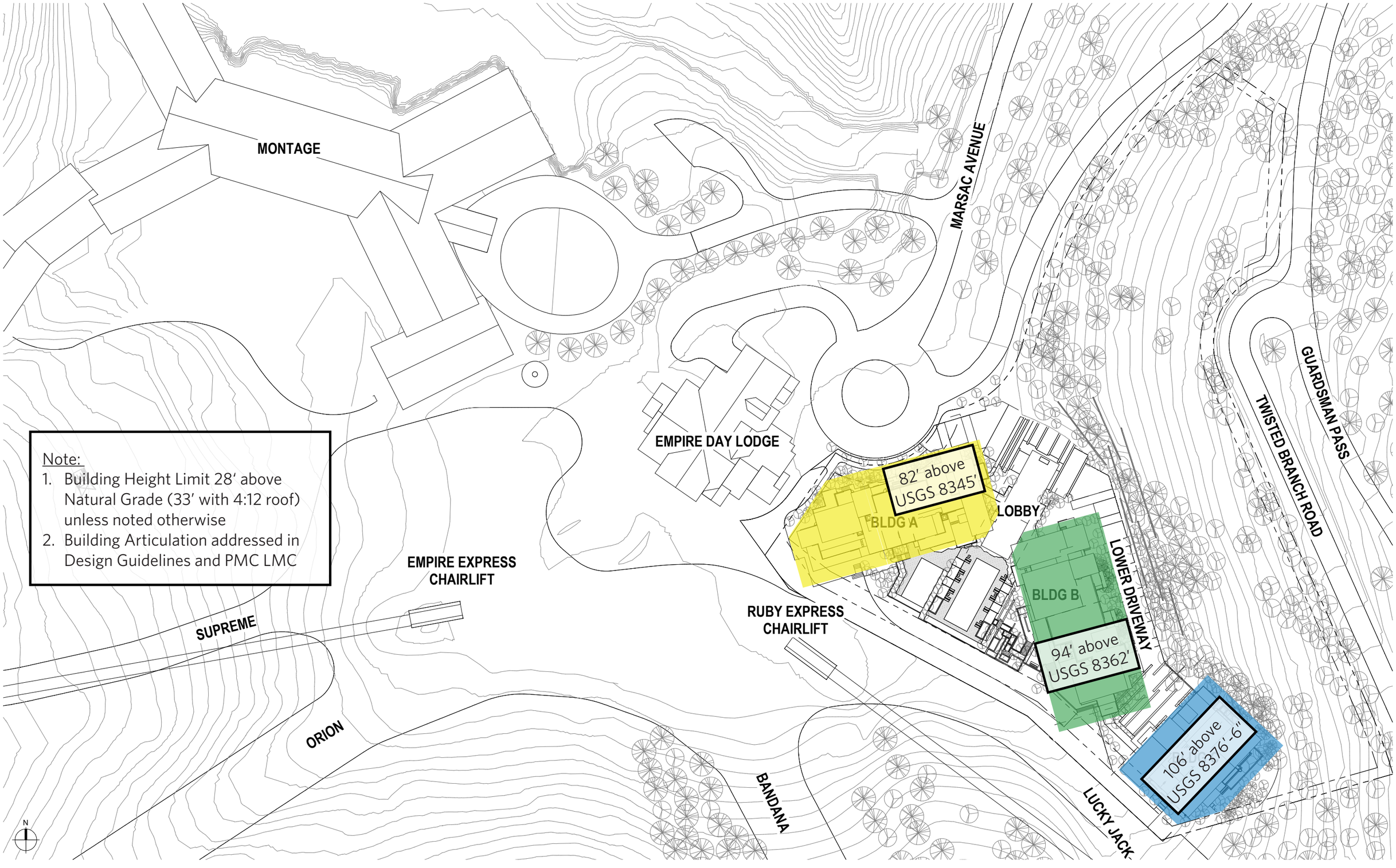


Sommet Blanc (B2 East) - CUP & MPD Amendment

Exhibit 4 - Height Study and New Volumetrics

February 9, 2022


ROOF
13
12
11
10
9
8
7
6
5
4
3
2
1
Sommet Blanc Bldg: A
Sommet Blanc Bldg: B
Sommet Blanc Bldg: C
Montage
Argent
Talisker Tower
One Empire
Flagstaff
Silver Strike



Note:
1. Building Height Limit 28' above Natural Grade (33' with 4:12 roof) unless noted otherwise
2. Building Articulation addressed in Design Guidelines and PMC LMC

Existing condominium lodge building heights:

	Ridge Height Above Road	Ridge Height Above Slopeside Patio	Ridge Height Other
Montage	114’	102’	165’ above Event Lawn
One Empire Pass	110’	85’	97’ above Pool Deck
Talisker Tower Residences	103’	78’	
Empire Residences	95’	88’	
Argent	91’	85’	131’ above Marsac

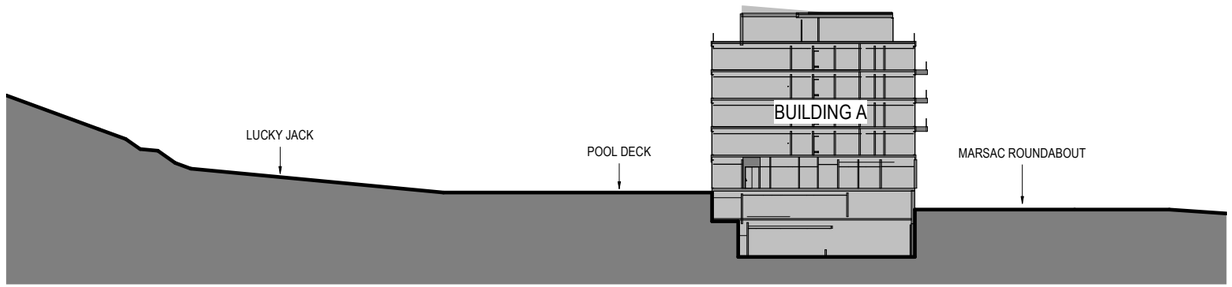
The following are proposed maximum building heights for the three condominium lodges:

	Height	Benchmark	Location
Building A	82’	8,345’	Entry Lobby
Building B	94’	8,362’	Skier Lobby/Amenity Level
Building C	106’	8,376’ 6”	Skier Lobby/Amenity Level

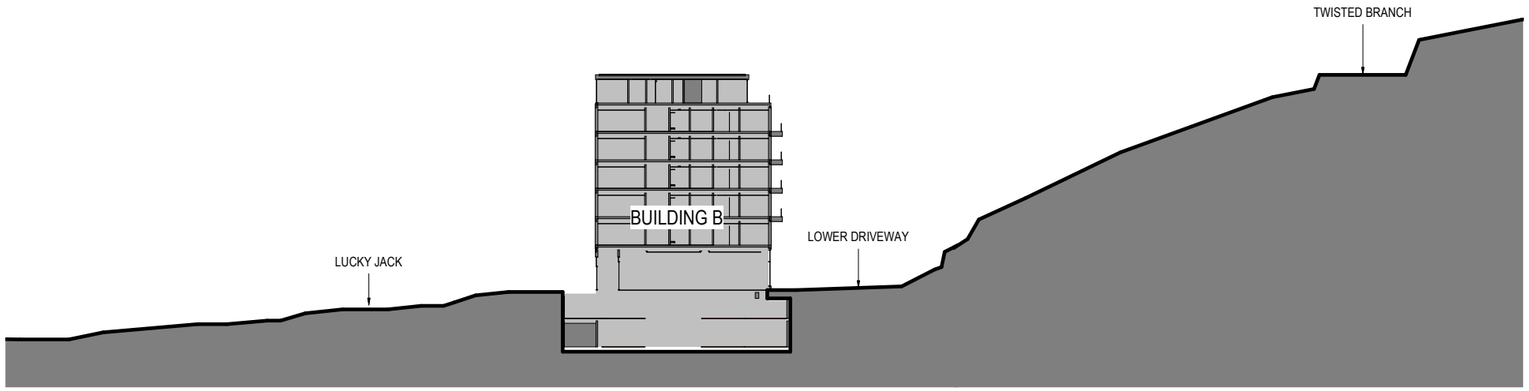
With the proposed volumetrics and design, maximum building heights relative to roads, driveways and slopeside patios will be as follows:

	Ridge Height Above Road	Ridge Height Above Slopeside Patio	Ridge Height Other
Building A	89’ (Marsac)	79’ (Pool Deck)	80’ (Arrival)
Building B	100’ (Driveway)	98’ (Après Patio)	110’ (Pool Deck)
Building C	116’ (End Driveway)	105’ (Lounge Patio)	

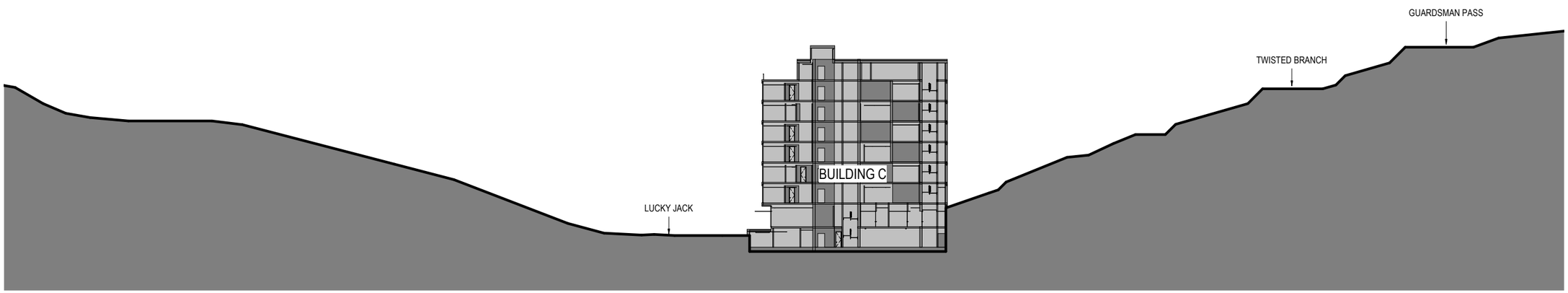
SITE SECTIONS



A DRB - SITE SECTION A

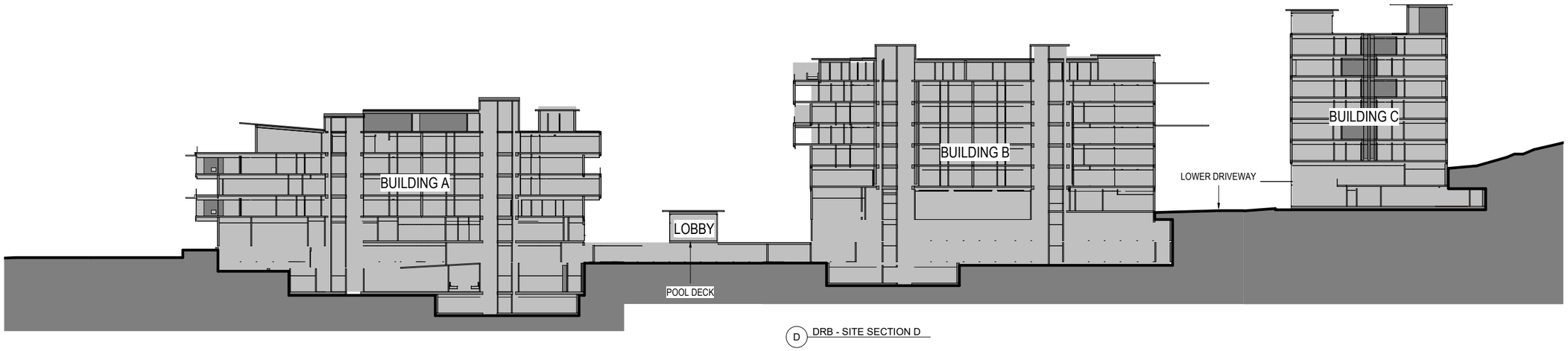


B DRB - SITE SECTION B



C DRB - SITE SECTION C

SITE SECTIONS

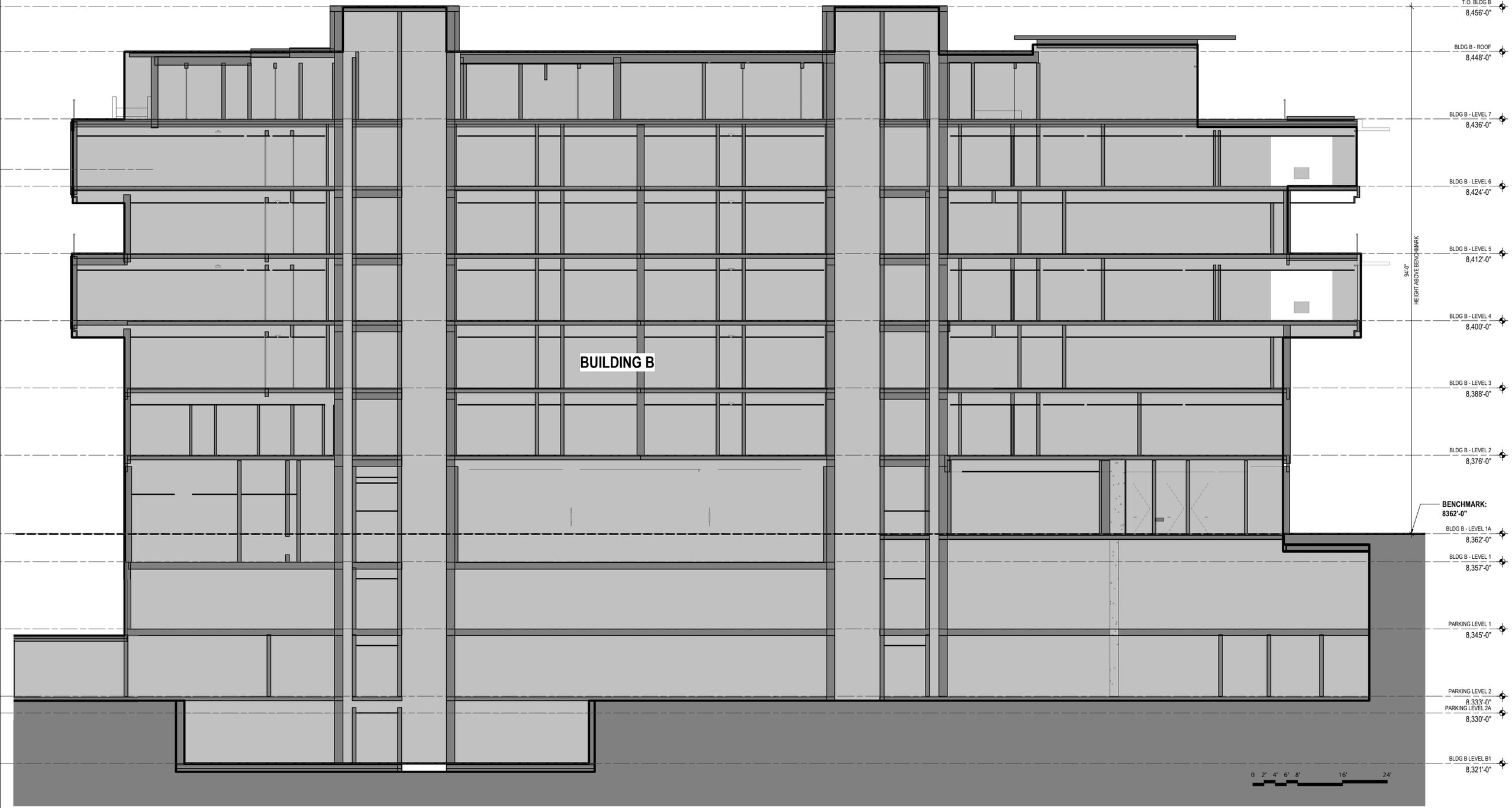


D DRB - SITE SECTION D

BUILDING A SECTION



BUILDING B SECTION



BUILDING C SECTION

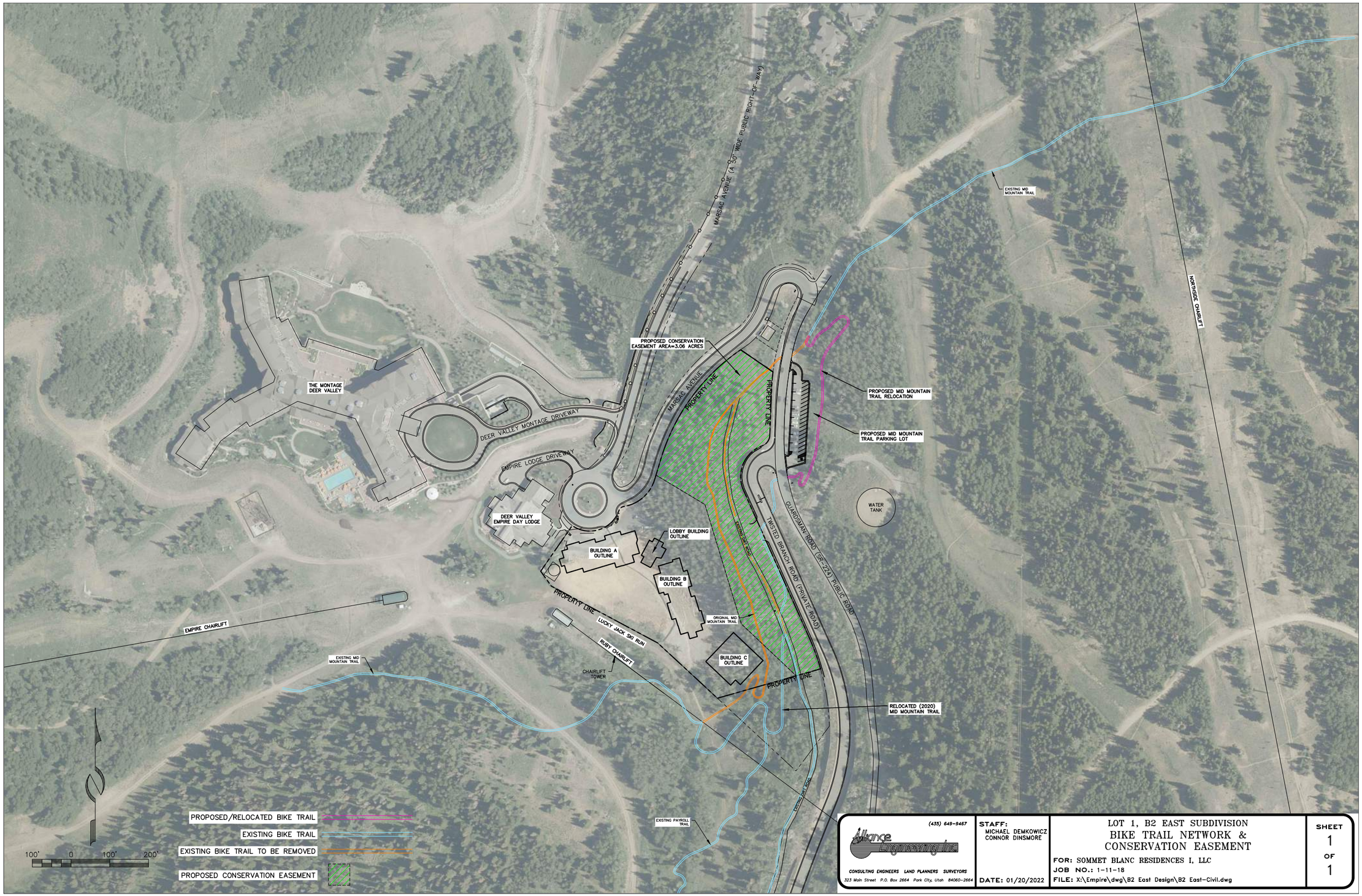


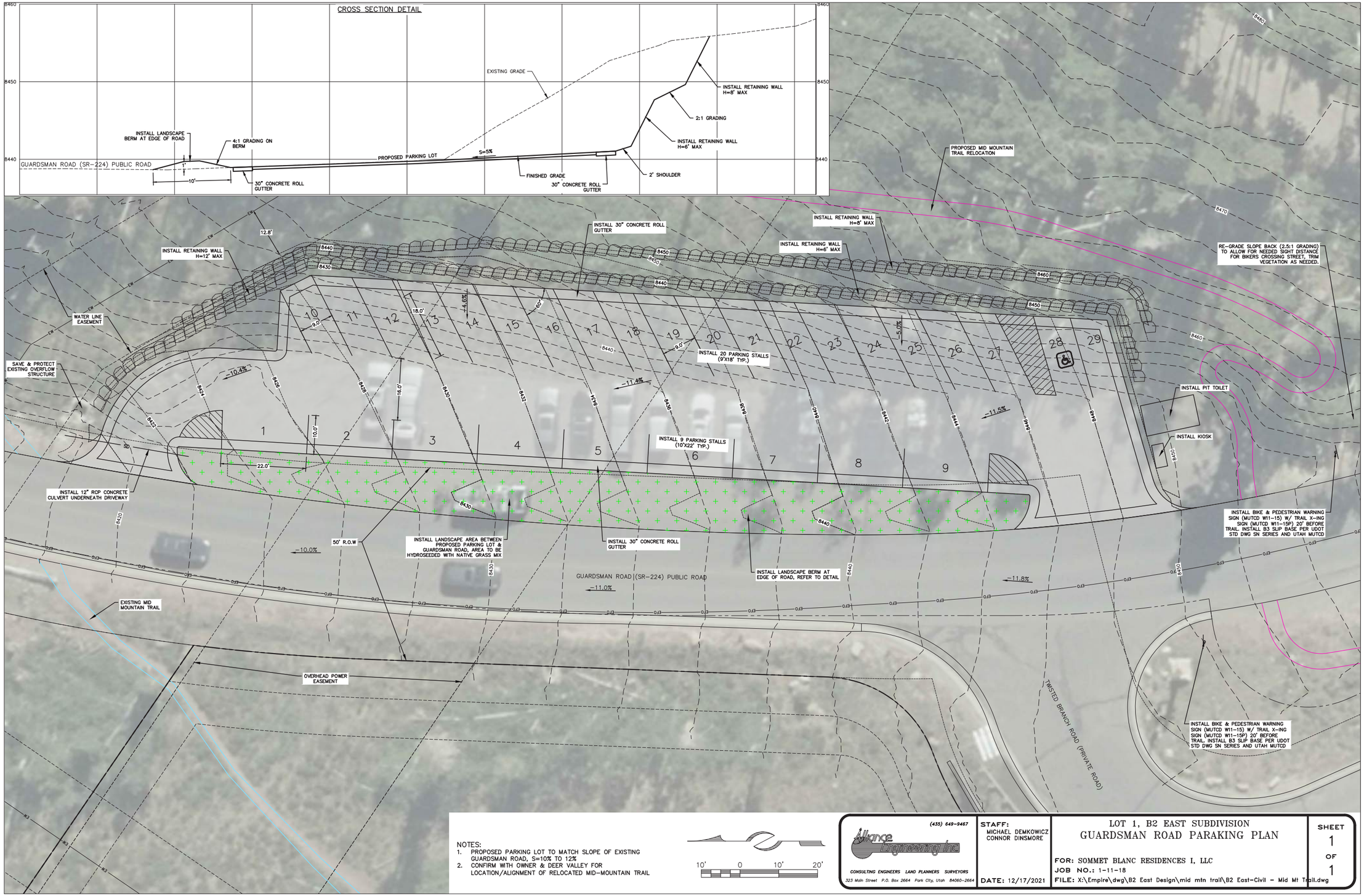

82′-0″
94′-0″
106′-0″

Sommet Blanc (B2 East) - CUP & MPD Amendment

Exhibit 5 - Mid Mountain Trail

February 9, 2022


MARSAC AVENUE (A 30' WIDE PUBLIC RIGHT-OF-WAY)
EXISTING MID MOUNTAIN TRAIL
NORTHSIDE CHAIRLIFT
PROPOSED CONSERVATION EASEMENT AREA=3.06 ACRES
PROPOSED MID MOUNTAIN TRAIL RELOCATION
PROPOSED MID MOUNTAIN TRAIL PARKING LOT
THE MONTAGE DEER VALLEY
DEER VALLEY MONTAGE DRIVEWAY
EMPIRE LODGE DRIVEWAY
MARSAC AVENUE
PROPERTY LINE
DEER VALLEY EMPIRE DAY LODGE
LOBBY BUILDING OUTLINE
BUILDING A OUTLINE
BUILDING B OUTLINE
BUILDING C OUTLINE
ORIGINAL MID MOUNTAIN TRAIL
EXISTING BIKE TRAIL
TWISTED BRANCH ROAD (PRIVATE ROAD)
GUARDSMAN ROAD (SR-224) PUBLIC ROAD
WATER TANK
EMPIRE CHAIRLIFT
LUCKY JACK SKI RUN
RUBY CHAIRLIFT
CHAIRLIFT TOWER
EXISTING MID MOUNTAIN TRAIL
RELOCATED (2020) MID MOUNTAIN TRAIL
EXISTING PAYROLL TRAIL
CONNECTOR TRAIL
100' 0 100' 200'
PROPOSED/RELOCATED BIKE TRAIL
EXISTING BIKE TRAIL
EXISTING BIKE TRAIL TO BE REMOVED
PROPOSED CONSERVATION EASEMENT
(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
DATE: 01/20/2022
LOT 1, B2 EAST SUBDIVISION
BIKE TRAIL NETWORK &
CONSERVATION EASEMENT
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil.dwg
SHEET 1 OF 1



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

10' 0 10' 20'

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

STAFF: MICHAEL DEMKOWICZ, CONNOR DINSMORE

DATE: 12/17/2021

LOT 1, B2 EAST SUBDIVISION
GUARDSMAN ROAD PARAKING PLAN

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

SHEET 1 OF 1

Background

Flagstaff Annexation

On June 24, 1999, Council adopted Ordinance 99-30 (Exhibit G) and Resolution 20-99 (Exhibit H) approving the annexation and Development Agreement for the Flagstaff Mountain area, of which the subject property is part of. Resolution 20-99 granted the equivalent of a" large-scale" Master Planned Development (MPD) and set forth the types and locations of land Uses; maximum Densities; timing of development; development approval process; as well as development conditions, restrictions, obligations, and amenities for each parcel. The Flagstaff Development Agreement (Agreement) was amended and recorded in March 2007 (Exhibit F- link to Amended Agreement).

The 2007 Amended Agreement specifies that a total of 87 acres, within three (3) development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village. The Mountain Village is further constrained to a maximum density of 785 residential unit equivalents (UE) configured in no more than 550 dwelling units as multi-family, hotel, townhouse or PUD units, provided the number of PUD units does not exceed 60.

The Mountain Village is also allowed 16 single family home sites. At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A). The development pods are linked by transit, mainly on-demand shuttle vans. A fourth pod, pod D is allowed 30 single family lots (this area was platted with the Red Cloud Subdivision for 30 single family home sites). The subject property is located within Pod B2, also known as the B2 East Subdivision (Exhibit I - Pod Map and Exhibit D - B2 East Subdivision).

The Development Agreement required the original developer (United Park City Mines Company) to submit 14 specific technical reports for review and approval by the City. The 14 studies, along with the Land Management Code and the amended Development Agreement form the standards under which the subject Conditional Use Permit and subsequent MPD and Agreement Amendments, are reviewed (Exhibit J – Link to Technical Reports).

Pod B2 at Empire Pass Master Planned Development

On July 28, 2004, the Planning Commission approved a Master Planned Development (MPD) for the Village at Empire Pass (Pod A), known as the Village Master Planned Development (VMPD) Pod A. The VMPD was the first step in the development process for Pod A. A separate MPD for Pod B1 was approved in May 2002 and amended in 2008. On March 14, 2007, the Planning Commission approved a Master Planned Development (MPD) for Pod B2 at Empire Pass as an amendment to the July 28, 2004 Village at Empire Pass MPD (VMPD) (See Exhibit K).

The purpose of the VMPD was to establish unit mix and density for the Mountain Village, as well as addressing overall project infrastructure throughout the Annexation Area. The VMPD established building volumetric diagrams, including

specific height exceptions, density, and development location. Building volumetric diagrams were approved with the Pod B2 MPD ("Hill Glazier Plans", Exhibit L).

The Pod B2 MPD approved 192 hotel rooms utilizing 69.6 Unit Equivalents (UEs) and 94 hotel condominiums utilizing 114 UEs, on the west side parcel (aka Montage Deer Valley). An additional 81 UEs of residential condominiums were assigned to the east side parcel, aka B2 East. The applicant requested a plat note identifying the maximum density allowed on Lot 1 as 81 UEs configured in no more than 70 residential condominium units.

The Pod B2 MPD approved Resort Support Commercial uses for 35,000 sf of Spa floor area and 28,059 sf for restaurants, bar, and retail space within the Montage Deer Valley building (Exhibit 10). The MPD approved 15,000 sf of meeting/conference space and lounge area based on the total floor area of the building, not including the parking garage. The MPD describes findings and conditions for development of Pod B2.

Concurrent with the MPD, the Planning Commission approved a Conditional Use Permit (CUP) for Phase I of the MPD for the Montage. The Montage is complete and has full occupancy permits for 174 hotel rooms and 84 condominium units were constructed with the Montage as recorded with the Hotel and Residences at Empire Canyon Resort Condominium plat, utilizing a total of 182 UEs.

Subdivisions

On March 29, 2007, the City Council approved the Parcel B-2 Empire Village Subdivision creating three lots of record for Parcel B-2 (West) (Exhibit D). The Parcel B-2 Empire Village Subdivision amended and consolidated parcel A of the previous Empire Village Subdivision for the Empire Day Lodge, created Lot B, site of the Daly West head frame and access to JSSD underground mine tunnels, and created Lot C, site of the Montage. Parcel B-2 Empire Village Subdivision plat was recorded on May 23, 2007. The Staff report for the Parcel B-2 Subdivision indicates that a future subdivision would encompass the 81 UE condominiums to the southeast of the Empire Day Lodge (B2 East Lot), which is the subject of this Staff Report.

On March 9, 2017, the City Council approved the B2 East Subdivision creating a lot of record for the 81 multi-family UEs, in not more than 70 condominium units, as identified by the Pod B-2 Master Planned Development and Subdivision. The subdivision plat entails a 7.85 acre metes and bounds parcel (Exhibit D). The subdivision consists of a 6.91 acre 'Lot 1', and a 0.94 acre 'Parcel A', for anticipated Deer Valley Resort ski related activities and infrastructure (potential ski bridge). Parcel A has no assigned density and is not developable in terms of residential units or UEs. The applicant recorded a Development Covenant which allocates 3,600 sf of Resort Support Commercial (from MPD maximum of 75,000 sf), and the 81 UEs, to be located within a maximum of 70 multi-family dwelling units (Exhibit M)

Staff notes that the working copy of the B2 East Subdivision plat contains hand-

drawn parcels consisting of Parcels B2EAST-1-A, B2EAST-1-B, B2EAST-1-C, and B2EAST-1-D, which have been assigned new Tax ID numbers and are shown on the Summit County Parcel Viewer (Exhibit P). According to the applicant, the project will be phased and for the purposes of financing, the ownership group holds title with different entities for each phase. These internal boundary lines have **not been reviewed or approved by the City**. The internal boundary lines are not recognized by the City and have no legal standing in terms of the plat, which is why they only appear on the working copy. The County Recorder's office has their own set of requirements for recordation which includes items such as owners' signatures under a notary and proper legal descriptions which is why these changes are only reflected on the Working Copy not the Original plat. Since owners can feasibly record items on a plat that have not been assessed or approved by Park City Municipal, the "original" plat is what the City recognizes as the reviewed and approved recorded plat. For the sake of this application, staff aims to clarify that the valid plat is the original B2 East Subdivision plat (Exhibit D).

Mine Soil Removal

The property is the site of the historic Mazepah mine shaft. In September 2016, the applicant began working under an Administrative Settlement and Order on Consent for Removal Action with the EPA permit to remediate and remove mine soil on the site and to close an old mine shaft on the property. The mine shaft was permanently closed in 2016 under geotechnical supervision. Significant amounts of soil downstream from the mineshaft was contaminated and had to be removed.

In August of 2018, the EPA confirmed that all work performed on site was in accordance with EPA requirements (Exhibit Q). Following cleanup of the site the grade at the center of the development site on the property was approximately 15-20' below grade of the adjacent *Lucky Jack* ski trail, according to the applicant.

As a result of environmental cleanup and importing clean fill from sites elsewhere within the Flagstaff Annexation area the grade on site is still well below the adjacent ski trail in anticipation of underground parking. (Exhibit B).

Current Approvals on the Lot

Permit Type:	**Description:**	**Approval Date:**	**Relevant Conditions of Approval:**
Administrative Conditional Use Permit **PL-19-04372**	Temporary Sales Trailer: For the sale of the units staffed by a licensed realtor.	12/6/2019	Applicant has submitted an Admin CUP Extension that is currently being processed.
Administrative Conditional	Seven (7) Retaining walls six (6) to ten (10) feet in height to	11/13/2020 **Revised:**	Applicant has submitted an Admin

Use Permit **PL-20-04677**	support a new sanitary sewer line servicing the proposed Hot Creek restaurant in addition to addressing Fire Department access requirements for future plans.	6/18/2021	CUP Extension that is currently being processed.
Temporary Sign Permit **PL-20-04575**	Temporary Real Estate Sign.	8/24/2020	
Grading Permit **20-749**	Install sewer line through B2-East Lot 1 to Twisted Branch Road.	7/22/2020	
Grading Permit **BD-16-13406**	Clear for geotechnical soils investigation.	8/16/16	
Flatwork **BD-16-23272**	Seal Mazepah mine shaft in accordance with AGEC 9/14/16 closure	9/14/16	
Flatwork BD-16-26240	Concrete pad to move yurt location.	10/31/18	
Grading Permit **BD-18-13505**	Place fill to replace removed contaminated soils	10/26/18	

The site has had on-going disturbance with appropriate permitting measures including work such as mine tailings mitigation, temporary buildings on the site that have since been demolished, and currently, utility implementation and retaining walls. The “Hot Creek Restaurant” and B2East project are allowed under the Flagstaff Development Agreement and the Empire Pass B2 MPD (Exhibit E and F). The developers of those projects coordinated between themselves and with Deer Valley Resort to locate the sewer line that will serve both projects and recorded a sewer line easement on 6/29/2020 (Exhibit 12).

The Empire Pass Design Review Board submitted a letter that they had reviewed and approved the proposed retaining walls and the City's Development Review Committee reviewed the project as well. The project was reviewed by the Planning Department in accordance with the LMC Criteria for Conditional Use Permits and approved on November 13, 2020. A subsequent revision to the location of the sewer line was also reviewed and approved in June of 2021.

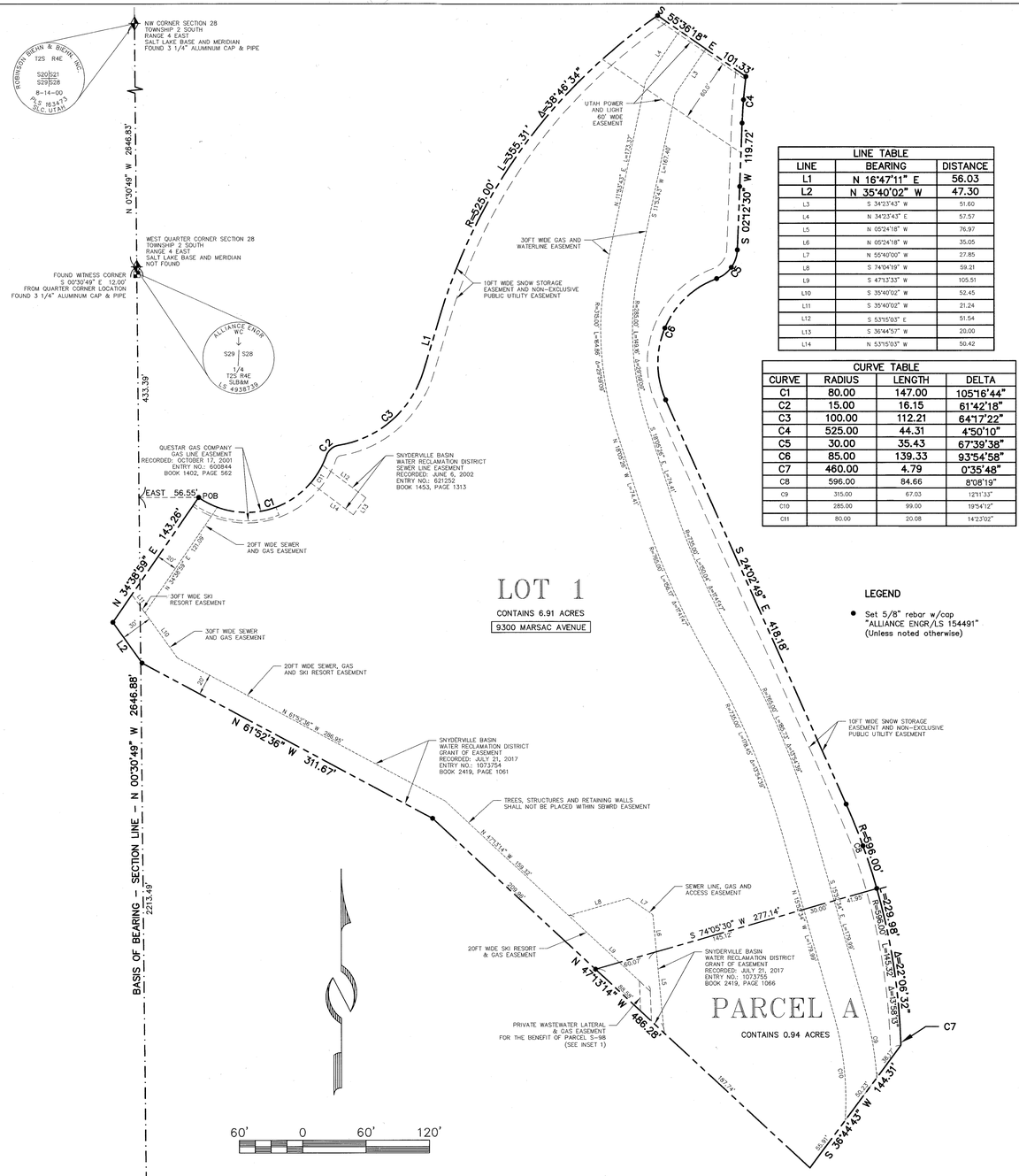
Retaining walls in the RD zone that are greater than six feet (6’) from final grade and not in the setbacks require an Administrative CUP. The B2East developer submitted an Administrative CUP application for a series of retaining walls on their property to accommodate the proposed sewer line. A project notification sign was posted on the property and abutters were noticed. No public input was received for this project. The Admin CUP for retaining walls was approved 11/13/2020 (Exhibit S) and the Admin

CUP for a temporary Sales Trailor was approved December 6, 2019 (Exhibit T).

There is generous separation between the walls to allow for planting of trees and shrubs to mitigate the visual impact of the walls. Walls will be faced with stone veneer over formed concrete and the proposed veneer is a dry stack natural stone. Approval for landscaping will come at the time of project approvals for the proposed B2 East project currently under review by the Planning Commission.

NOTES:

1. This plat is subject to the Conditions of Approval in Ordinance 2017-07.
2. All applicable conditions, regulations, requirements, and stipulations of the Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel, and Iron Mountain recorded at Summit County on March 2, 2007, as Entry No. 00806100 in Book 1850, Page 1897 (the 'Development Agreement"), and associated technical reports and agreements, continue to apply.
3. Conditions of approval of the Village at Empire Pass Master Planned Development, approved July 28, 2004, and the Pod B-2 at Empire Pass Master Planned Development, approved March 14, 2007, shall continue to apply.
4. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lots.
5. Fire sprinklers are required for new construction per the Chief Building Official at the time of review of the building permit.
6. No building permits shall be issued on Lot 1 or Parcel A until the mine shaft has been fully closed and mine soil remediation under EPA supervision has been completed. Prior to issuance of any building permits, documentation certifying the work is complete shall be presented to the Chief Building Official and Planning Director. As part of any building permit submission, property owner shall submit a closure plan for the adit, approved by a geotechnical engineer, and detailing any additional work required in conjunction with building construction in the vicinity of the adit.
7. Prior to building permit issuance, documentation from UDOT showing approval of any curb cuts or modifications to existing curb cuts onto Marsac Avenue, a state highway, is required.
8. A conditional use permit approval is required prior to issuance of a building permit for any residential building proposed on Lot 1. A construction mitigation plan shall be submitted with the conditional use permit application and in advance of issuing building permits. Parcel A is not a development lot.
9. A declaration of condominium and a record of condominium plat are required prior to the sale of individual units within the development.
10. Lot 1 is subject to the Declaration of Development Covenants, recorded 2/6/18 as Entry No. 968497 in the official records of the Summit County Recorder. Lot 1 has an on-site affordable housing obligation of 4.2 Affordable Unit Equivalents as defined in the Development Agreement. All deed restricted units shall be identified on the final condominium plat prior to recordation of such plat. Phasing of affordable housing units shall be commensurate with the certificates of occupancy for the buildings.
11. Wastewater service to B2 East Subdivision shall be provided by the Snyderville Basin Water Reclamation District ("SBWRD"). A Line Extension Agreement approval letter was provided by SBWRD on January 24, 2017, in connection with that certain Line Extension Agreement for Public Wastewater System dated January 23, 2017 (the 'Line Extension Agreement"). The owner shall be responsible for extending the public wastewater system within Lot 1 according to requirements of the Line Extension Agreement. Easements associated with the Line Extension Agreement are depicted on the plat.
12. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
13. This development is part of a common plan development and a MS4 storm water permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance.
14. The Empire Pass Master Owners Association, Inc. (the 'Master Association"), together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass (as amended the 'Master Declaration") requires the membership of each lot or unit owner. Members are subject to the terms of the Master Association's articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein.
15. Requirements and obligations of the Development Agreement, as applicable to this property, shall be completed, or bonded for to completion, prior to issuance of certificates of occupancy for any approved development located on Lot 1, unless otherwise conditioned herein. This includes number of shuttles in operation, collection mechanism for real estate reinvestment fees, and all other such obligations as are outlined in the Development Agreement. Per that certain Acknowledgement and Waiver [Marsac 100] dated November 30, 2017 by Park City Municipal Corporation, a political subdivision of the State of Utah ("PCMC") and that certain Acknowledgement and Waiver [Mine Bench] dated November 30, 2017 by PCMC, obligations under the Development Agreement for off-site affordable housing and gondola payments have been deemed satisfied, terminated, and fulfilled.
16. Owners and potential buyers of any parcel, unit or land within the lot or parcel depicted on this plat are given notice that they own or are buying property in a resort area in which all-season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, snowboarders, mountain bikers and other resort patrons, equipment, machine-made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such owner or agreements with such owner.


NW CORNER SECTION 28
TOWNSHIP 2 SOUTH
RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN
FOUND 3 1/4" ALUMINUM CAP & PIPE
ROBINSON BRIAN & BIEN, INC
T2S R4E
S20|S21
S29|S28
8-14-00
S.S. 163477
P.C. UTAH
N 0°30'49" W 2646.83'
WEST QUARTER CORNER SECTION 28
TOWNSHIP 2 SOUTH
RANGE 4 EAST
SALT LAKE BASE AND MERIDIAN
NOT FOUND
FOUND WITNESS CORNER
S 00°30'49" E 12.00'
FROM QUARTER CORNER LOCATION
FOUND 3 1/4" ALUMINUM CAP & PIPE
ALLIANCE ENGR
S29 S28
1/4
T2S R4E
SUBM
LS 4938139
433.39'
QUESTAR GAS COMPANY
GAS LINE EASEMENT
RECORDED: OCTOBER 17, 2001
ENTRY NO.: 650844
BOOK 1402, PAGE 562
SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
SEWER LINE EASEMENT
RECORDED: JUNE 6, 2002
ENTRY NO.: 621252
BOOK 1453, PAGE 1313
EAST 56.55'
POB
N 34°38'59" E 143.26'
20FT WIDE SEWER
AND GAS EASEMENT
30FT WIDE SKI
RESORT EASEMENT
30FT WIDE SEWER
AND GAS EASEMENT
20FT WIDE SEWER, GAS
AND SKI RESORT EASEMENT
N 61°52'36" W 286.95'
N 00°30'49" W 2646.88'
N 61°52'36" W 311.67'
SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
GRANT OF EASEMENT
RECORDED: JULY 21, 2017
ENTRY NO.: 1073754
BOOK 2419, PAGE 1061
TREES, STRUCTURES AND RETAINING WALLS
SHALL NOT BE PLACED WITHIN SBWRD EASEMENT
N 27°37'14" W 159.37'
209.98'
20FT WIDE SKI RESORT
& GAS EASEMENT
SEWER LINE, GAS AND
ACCESS EASEMENT
S 74°05'30" W 277.14'
145.12'
SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
GRANT OF EASEMENT
RECORDED: JULY 21, 2017
ENTRY NO.: 1073755
BOOK 2419, PAGE 1066
N 47°13'14" W
486.28'
PRIVATE WASTEWATER LATERAL
& GAS EASEMENT
FOR THE BENEFIT OF PARCEL S-98
(SEE INSET 1)
BASIS OF BEARING - SECTION LINE - N 00°30'49" W 2213.49'
S 55°36'18" E 101.33'
R=525.00'
L=355.31'
Δ=38°46'34"
UTAH POWER
AND LIGHT
60' WIDE
EASEMENT
30FT WIDE GAS AND
WATERLINE EASEMENT
10FT WIDE SNOW STORAGE
EASEMENT AND NON-EXCLUSIVE
PUBLIC UTILITY EASEMENT
S 02°12'30" W 119.72'
R=30.00'
Δ=22°06'32"
C7
S 24°02'49" E 418.18'
R=460.00'
Δ=22°06'32"
S 36°44'43" W 144.31'
R=596.00'
Δ=4°09'00"
L=43.19'
R=596.00'
Δ=4°09'00"
L=43.19'
R=596.00'
Δ=4°09'00"
L=43.19

Recorded at the request of and return to: Park City Municipal Corp.
Attn: City Recorder
P.O. Box 1480, Park City, UT 84060

Recorded this ___ day of _____, 2007
at Book #___ Page #___

ENTRY NO. 00806100
03/02/2007 02:42:51 PM B: 1850 P: 1897
Agreement PAGE 1 / 49
ALAN SPRIGGS, SUMMIT COUNTY RECORDER
FEE $ 0.00 BY PARK CITY MUNICIPAL CORP

AMENDED AND RESTATED DEVELOPMENT AGREEMENT FOR FLAGSTAFF MOUNTAIN, BONANZA FLATS, RICHARDSON FLATS, THE 20-Acre QUINN'S JUNCTION PARCEL AND IRON MOUNTAIN

THIS AMENDED AND RESTATED DEVELOPMENT AGREEMENT ("Agreement") is entered into as of the 2nd day of March, 2007, by and between UNITED PARK CITY MINES COMPANY, ("UPCM" or "DEVELOPER"), DEER VALLEY RESORT COMPANY, ("DEER VALLEY"), and PARK CITY MUNICIPAL CORPORATION, a third class city of the State of Utah ("City") (collectively, the "Parties").

RECITALS

A. WHEREAS, DEVELOPER and DEER VALLEY own approximately: 1,600 of 1,750 acres of patented mining claims located in the unincorporated Flagstaff Mountain area of Summit County, more particularly described and depicted in Exhibit A attached hereto (hereafter, "Flagstaff Mountain"); approximately 106 acres of patented mining claims located on Iron Mountain within an unincorporated area of Summit County more particularly described and depicted in Exhibit B attached hereto (hereafter, "the Iron Mountain Parcels"); approximately 1,500 acres of patented mining claims, constituting all of UPCM's land located in the unincorporated Bonanza Flats area of Wasatch County more particularly described and depicted in Exhibit C attached hereto (hereafter, "Bonanza Flats"); all of UPCM's land east of U.S. 40 and south of S.R. 248 constituting approximately 650 acres of real property owned in fee simple located immediately east of U.S. 40 and south of S.R. 248 within an unincorporated area

of Summit County more particularly described and depicted in Exhibit D attached hereto (hereafter, "Richardson Flats"); and approximately 20-Acres of real property owned in fee simple located west of U.S. 40 and south of S.R. 248 within an unincorporated area of Summit County more particularly described and depicted in Exhibit E attached hereto (hereafter, "the 20-Acre Quinn's Junction Parcel");

B. WHEREAS, on May 17, 1994 DEVELOPER filed an application for annexation to Park City of Flagstaff Mountain, consisting of DEVELOPER's, DEER VALLEY's and Northside Neighborhood Property Owners' land, together totaling an area of approximately 1,750 acres;

C. WHEREAS, on May 10, 1997 the Park City Council unanimously resolved by Resolution 10-97 to annex Flagstaff Mountain under certain Development Parameters;

D. WHEREAS, on July 8, 1998 DEVELOPER requested reconsideration by the City of Resolution 10-97 and offered certain incentives for limiting development of the Bonanza Flats, Richardson Flats and the Iron Mountain Parcels;

E. WHEREAS, on September 10, 1998 the Park City Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats and the Iron Mountain Parcels, as set forth in this Agreement;

F. WHEREAS, in the intervening months since the City Council adopted the September 10, 1998 development parameters, the DEVELOPER further refined its proposal by offering to move 16 single family homes from the sensitive Prospect Ridge area to the Mountain Village and to constrain development in the Northside Neighborhood to reduce site disturbance and to facilitate sale to a conservation buyer for a time certain;

G. WHEREAS, the Parties intended to enter into the original Agreement to establish new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels and to establish a time certain for annexation of Flagstaff Mountain (now referred to generally as Empire Pass) into the City;

H. WHEREAS, the Parties in fact entered into the original Agreement on or about June 24, 1999; and

I. WHEREAS, the Parties desire to amend and restate the original Agreement in connection with the development of a project known as the Montage Resort & Spa which is presently planned to include 192 hotel rooms and suites, with spa, restaurant and conference facilities, and a residential component that consists of resort condominiums.

NOW, THEREFORE, in consideration of the foregoing recitals and the covenants hereafter set forth, the sufficiency of which the Parties hereby acknowledge, the Parties agree as follows:

SECTION I. DEFINITIONS

Unless the context requires a different meaning, any term or phrase used in this Agreement that has its first letter capitalized shall have that meaning given to it by the Park City Land Management Code (LMC) in effect on the date of a complete application or, if different, by this Agreement. Certain such terms and phrases are referenced below; others are defined where they appear in the text of this Agreement.

1.1 **"Annexation Property"** means that approximately 1,750 acres of property known as Flagstaff Mountain, described and depicted on Exhibit A.

1.2 **"Bonanza Flats"** means that approximately 1,500 acres of UPCM property commonly referred to as Bonanza Flats, consituting all of UPCM's holdings in Bonanza Flats and described and depicted on Exhibit C.

1.3 **"DEER VALLEY"** means the Deer Valley Resort Company, a Utah limited Partnership and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEER VALLEY shall cause its employees and agents to act in accordance with the terms of this Agreement.

1.4 **"DEVELOPER"** means United Park City Mines Company, a publicly traded Delaware corporation, and each of its assigns, joint venture partners, and successors in interest, whether in whole or in part. DEVELOPER shall cause its employees and agents to act in accordance

with the terms of this Agreement.

1.5 **"Inaction"** provisionally[1] means (a) DEVELOPER's failure to pursue a sequential permit (i.e. Small Scale MPD permit, conditional use permit, subdivision application, or building permit) by failing to submit a complete application for such a permit or by failing to respond to the City's written requests for information which the City deems is necessary to process the application; or (b) DEVELOPER's failure to sustain permitted construction such that the permit under which construction is allowed, expires or is otherwise suspended or revoked.

1.6 **"Meeting Accessory Uses"** provisionally[2] means uses normally associated and necessary to serve meeting and banquet space. Meeting Accessory Uses do not require the use of Unit Equivalents and include:

1.6.1 Administrative and Banquet Offices

1.6.2 Banquet Storage Areas

1.6.3 Banquet Prep Areas Storage Areas

1.6.4 Common A/V Storage Areas

1.6.5 Coat Check Areas

1.6.6 Public Restrooms

1.6.7 Public Telephone Areas

1.6.8 Public Hallways

1.6.9 Public Circulation Areas.

1.7 **"Mountain Village"** means that mixed-use portion of Flagstaff Mountain described and depicted as the Mountain Village in Exhibit A attached hereto and limited to a total of 87 acres, within three development Pods (A, B_1, and B_2) and maximum densities, unit equivalencies and configuration more fully described herein.

[1] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

[2] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.8 **"Northside Neighborhood"** means that 63-acre portion of Flagstaff Mountain described and depicted as the Northside Neighborhood in Exhibit A attached hereto and limited to the maximum density, unit equivalency, and configuration more fully described herein.

1.9 **"Northside Neighborhood Property Owners"** means, in addition to UPCM and DEER VALLEY, Park City Star Mining Company, Inc., a Utah corporation, Bransford Land Company, representing the interests of Anne Bransford Newhall, Mary Bransford Leader and Carolyn Bransford MacDonald, and Stichting Beheer Mayflower Project, a legal entity representing the interests of Stichting Mayflower Recreational Fonds and of Stichting Mayflower Mountain Fonds.

1.10 **"Pedestrian Village"** means an area configured within Pod A of the Mountain Village for the mixed use of residential, Residential Accessory, Resort Support Commercial, Resort Accessory, meeting and Meeting Accessory Uses within which at least fifty percent (50%) of the residential properties are clustered within walking distance (5 minutes) of a Transportation Hub for such residential properties, which can be directly accessed by pathways or sidewalks.

1.11 **"Planned Unit Development"** or **"PUD"** means a master planned development consisting of clustered, detached, single family or duplex units with common open space and coordinated architecture.

1.12 **"Pod Z"** means that area, depicted on Exhibit F that is limited for ski-related uses as further defined herein.

1.13 **"Project"** means the residential, recreational and commercial real estate development to be constructed within Flagstaff Mountain.

1.14 **"Residential Accessory Uses"** provisionally[3] means uses that are for the benefit of the residents of a commercial residential use, such as a hotel or nightly rental condominium project. Residential Accessory Uses do not require the use of Unit Equivalents. Residential Accessory Uses include:

[3] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.14.1 Common Ski Lockers

1.14.2 Common Lobbies

1.14.3 Registration

1.14.4 Concierge

1.14.5 Bell Stand/Luggage Storage

1.14.6 Common Maintenance Areas

1.14.7 Mechanical Rooms

1.14.8 Common Laundry Facilities and Common Storage Areas

1.14.9 Employee Facilities

1.14.10 Common Pools, Saunas and Hot Tubs

1.14.11 Public Telephone Areas

1.14.12 Public Restrooms

1.14.13 Administrative Offices

1.14.14 Public Hallways and Circulation Areas

1.15 **"Resort Accessory Uses"** provisionally[4] means uses that are clearly incidental to and customarily found in connection with the principal resort building or use and are operated for the convenience of the owners, occupants, employees, customers or visitors to the principal resort use. Resort Accessory Uses do not require the use of Unit Equivalents. They include such uses as:

1.15.1 Information

1.15.2 Lost and Found

1.15.3 Mountain Patrol

1.15.4 Mountain Administration

1.15.5 Mountain Maintenance and Storage Facilities

1.15.6 Mountain Patrol and Emergency Medical Facilities

1.15.7 Public Lockers

1.15.8 Public Restrooms

1.15.9 Employee Lockers

1.15.10 Ski School/Day Care

[4] This definition has been inserted in anticipation of its inclusion in a new revision of the Land Management Code. This definition will be superceded by an LMC definition of the term.

1.15.11 Ticket Sales Areas

1.15.12 Ski Check Areas

1.15.13 Public Circulation Areas and Hallways

1.16 **"Richardson Flats"** means all of UPCM's property at the southeast corner of U.S. 40 and S.R. 248, more fully described and depicted on Exhibit D.

1.17 **"Transportation Hub"** means the terminus of a public and/or private transportation system that is located at a convenient location within the Mountain Village.

1.18 **"Unit Equivalent,"** with respect to commercial structures and multifamily and PUD structures, has the meaning set forth in the LMC.[5] Each single family residential structure (excluding PUDs) approved by the City pursuant to this Agreement for construction within the Project shall have a Unit Equivalent of 1.00, regardless of the size or the location of the single family residential structure. Each commercial structure or portion thereof (as such may be determined in applicable MPD approvals) shall consume 1 Unit Equivalent for each 1000 square feet. Each multifamily and PUD residential structure shall consume 1 Unit Equivalent for each 2000 square feet.

SECTION II. LARGE SCALE MPD—FLAGSTAFF MOUNTAIN

2.1. DEVELOPER is hereby granted the equivalent of a Large Scale Master Planned Development (Large Scale MPD) for Flagstaff Mountain. This Large Scale MPD sets forth maximum densities, location of densities and DEVELOPER-offered amenities and is subject to all normally-applicable City processes, and in addition thereto, such processes defined below, including DEVELOPER's responsibility, prior to or concurrent with the Small Scale MPD process, to submit and ultimately to obtain (upon modification, if necessary) City approval, of satisfactory plans detailed below:

[5] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent.

2.1.1. Mine/Soil Hazard Mitigation Plan--which plan shall include an inventory of all mine sites, potential sources of release of hazardous materials into the environment, and a plan and schedule for their remediation;

2.1.2. Detailed Design Guidelines, with strong architectural themes, for the entire Flagstaff Mountain Project;

2.1.3. Specific Transit Plan;

2.1.4. Parking Management Plan;

2.1.5. Detailed Open Space Management Plan;

2.1.6. Historic Preservation Plan;

2.1.7. Emergency Response Plan, including DEVELOPER's commitments to provide infrastructure necessary to serve the Project and Bonanza Flats and phasing therefor;

2.1.8. Trails Master Plan setting forth trail locations, specifications, phasing and timing of public easements;

2.1.9. Private Road Access Limitation Procedures;

2.1.10. Construction Phasing Plan—including construction milestones for project amenities, including Richardson Flats development;

2.1.11. General Infrastructure and Public Improvements Design and Phasing Plan, which calls for the efficient extension of services, concentrating initial infrastructure development in the Mountain Village, and secondarily in the Northside Neighborhood. Such plan shall allow for the construction of a variety of housing types in each phase;

2.1.12. Utilities Master Plan—including the timing, alignment and service strategy for water and sewer service, as well as storm water management throughout the Project and Bonanza Flats;

2.1.13. Wildlife Management Plan; and

2.1.14. Affordable Housing Plan, including phasing.

2.2. **Maximum Development Parameters--Flagstaff Mountain.** Flagstaff Mountain is composed of the Mountain Village, the Northside

Neighborhood; various ski related improvements, and the Silver Mine Adventure. Upon annexation, Flagstaff Mountain will be zoned as shown on the zoning map attached hereto as Exhibit P. The following maximum development parameters apply to Flagstaff Mountain:

2.2.1 **Mountain Village:** The Mountain Village is constrained as follows:

2.2.1.1 **Small Scale MPD.** Site specific volumetrics and configuration will be established in the Small Scale MPD process.

2.2.1.2. **Maximum Development Area.** In the Small Scale MPD process, the entire Mountain Village development shall be constrained within a total of 87 acres.

2.2.1.3. **Maximum Density.** The maximum density within the Mountain Village is 785 Unit Equivalents configured in no more than 550 dwelling units.[6] Such density shall be configured as multi-family, hotel, or PUD units, provided the PUD units do not exceed 60. PUD units consume Unit Equivalents in the same respect as multifamily units. Additionally, the Mountain Village may contain up to 16 detached single family home sites.

2.2.1.4. **Pedestrian Village.** At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A), and must be located within a five-minute walk of the Transportation Hub. All three development pods (Pods A, B_1, and B_2) within the Mountain Village must be linked by transit.

2.2.1.5. **Commercial.** The Mountain Village may additionally include up to 75,000-sq. ft. of Resort Support Commercial uses, which shall include Neighborhood

[6] Hotel rooms of 500 square feet or less constitute ¼ Unit Equivalent. In the case of the Montage, the 192 Montage hotel rooms shall count as Unit Equivalents at the rate of 1 Unit Equivalent per 2,000 square feet of hotel rooms, but such hotel rooms shall not have kitchens and shall not count as dwelling units.

Convenience Commercial uses for residents and visitors such as groceries and sundries.

2.2.1.6. **Mine Site Reclamation**. To the greatest extent possible, DEVELOPER shall locate density in disturbed areas. This provision applies primarily to potential density at the Daly West site. Additionally, DEVELOPER shall reclaim[7] all mining and mining overburden sites within Flagstaff Mountain, in accordance with state and federal regulatory agency review.

2.2.1.7. **Public Trails.** DEVELOPER shall construct and dedicate public trails designated on an accepted Trails Master Plan. Many trails will be constructed on land ultimately owned by DEER VALLEY. In those areas, DEER VALLEY shall be responsible for trail maintenance and for enforcing reasonable rules and regulations for public trail use. Such rules may not exclude free public access to the public trail systems identified on the Trails Master Plan.

2.2.1.8. **Deed Restricted Open Space.** Within 30 days of issuance of a Small Scale MPD, DEVELOPER and/or DEER VALLEY shall execute for the benefit of the City perpetual covenants and restrictions with respect to all designated open space associated with the Small Scale MPD and which, at a minimum, shall prevent the construction thereon of residential, commercial and retail structures but shall provide for ski-related uses consistent with paragraph 2.5 herein.

2.2.1.9. **Parking.** Each Small Scale MPD submittal shall include a parking management plan with respect to the portion of the property covered by such Small Scale MPD submittal.

[7] Reclamation shall include, at a minimum, revegetation of exposed areas.

The goal of the plan is to design the Mountain Village in such a way as to reduce parking demand by 25%. DEVELOPER shall plan and encourage within the Mountain Village portion of the Project programs such as parking management, paid parking for commercial uses, shuttles and other programs designed to reduce the demand for private vehicles and parking. DEVELOPER shall provide for shared parking in all commercial, short-term residential and mixed-use buildings. Assigned or reserved spaces within commercial, short-term residential and mixed-use buildings are prohibited except that in the case of the Montage, one parking space may be assigned for each dwelling unit (excluding the 192 hotel rooms). The majority of the required parking areas will be fully enclosed and/or constructed underground.

2.3 **Prospect Ridge.** DEVELOPER considers the Prospect Ridge area depicted in Exhibit K to be a critical viewshed area for Old Town.

2.3.1 **Public Trails.** Consistent with the Trails Mater Plan, DEVELOPER shall construct and dedicate to the City public trails designated within the Prospect Ridge area.

2.3.2 **Deed Restricted Open Space.** Within 30 days of issuance of the first Small Scale MPD, DEVELOPER shall cause to be recorded a document, approved by the City, which shall impose perpetual covenants and use restrictions for that portion of Prospect Ridge depicted as "Recreation Open Space Dedication" on Exhibit K which shall prevent the construction thereon of residential, commercial and/or retail structures, ski lifts, and developed alpine ski runs.

2.4. **Northside Neighborhood.** The Northside Neighborhood is composed of property owned by five separate Northside Neighborhood Property Owners and, upon their written acceptance of the terms of this Agreement,

PARK CITY
1884
PLANNING DEPARTMENT

March 15, 2007

The DV Luxury Resort LLC
136 Heber Avenue, Suite 204
Park City UT 84060

Sent via email

NOTICE OF PLANNING COMMISSION ACTION

Project Name	Pod B-2, Empire Pass
Project Description	Master Planned Development
Date of Meeting	March 14, 2007

Action Taken By Planning Commission: The Planning Commission APPROVED the proposed Empire Pass B-2 Master Planned Development based on the following:

Analysis

All Master Planned Developments shall contain the following minimum requirements in accordance with Section 15-6-5 of the Land Management Code.

(A) ***DENSITY****. The type of Development, number of units and Density permitted on a given Site will be determined as a result of a Site Suitability Analysis and shall not exceed the maximum Density in the zone, except as otherwise provided in this section. The Site shall be looked at in its entirety and the Density located in the most appropriate locations.*

Complies

During the Olympic break in 2002, a subcommittee consisting of the applicant's design team, staff, and Commissioners Chris Larson, Bruce Erickson, and Michael O'Hara focused on a review of the preliminary road layout for the mountain village (Pods A, B-1, and B-2) and a building height analysis for the project build-out using the base RD-zone 33-foot height limit. These items were reviewed at a work session and a public hearing on March 27, 2002. No public comment was received. The Commission concluded that:

The base RD-zone height analysis demonstrates that the maximum project densities set forth in Ord. 99-30 could potentially be constructed within the approved

development pods without the necessity of a height increase above the 33-foot RD zone height limit; and

Building height increases for specific multi-family/resort-related buildings may be considered based on site-specific reviews and compliance with the standards set forth in the Master Planned Development section of the Land Management Code (LMC).

The additional 80 Unit Equivalents proposed for B-2 can be absorbed within the Empire Pass project in Code compliant 33-foot height buildings as shown on Exhibit A. The total number of units approved with this MPD are 192 hotel rooms using 69.6 Unit Equivalents (UEs) and 94 hotel condominiums (114 UEs) in the west side and 81 condominiums (81 UEs) on the east side.

(B) ***MAXIMUM ALLOWED BUILDING FOOTPRINT FOR MASTER PLANNED DEVELOPMENTS WITHIN THE HR-1 DISTRICT****. (Not applicable)*

(C) ***SETBACKS****. The minimum Setback around the exterior boundary of an MPD shall be twenty five feet (25') for Parcels greater than one (1) acre in size.*
Complies
The annexed area of Flagstaff Mountain was granted a large-scale MPD at the time of annexation with specific development pods. The Planning Commission and staff have consistently maintained that the setback requirement is fulfilled at the annexation boundary and does not need to be met within the defined development pods.

(D) ***OPEN SPACE****. All Master Planned Developments shall contain a minimum of sixty percent (60%) open space.*
Complies
As with the setback requirement in (C) above, the annexation area contains more than the minimum 60% requirement. The development of the Village (pods A, B-1 and B-2) is limited to 87 acres, as amended, within the original 1550 acres or 5% of the land area.

(E) ***OFF-STREET PARKING****. The number of Off-Street Parking Spaces in each Master Planned Development shall not be less than the requirements of this Code, except that the Planning Commission may increase or decrease the required number of Off-Street Parking Spaces based upon a parking analysis submitted by the Applicant at the time of MPD submittal.*
Complies

The Flagstaff Development Agreement stipulates that parking will be reduced by 25% below the Code requirements. The parking plan submitted meets this requirement and exceeds it. Based on the proposed residential unit sizes, hotel rooms and commercial spaces, the parking at B-2 West (west of the Empire Day Lodge, the site for the Montage Hotel) would require 742 spaces, reduced 25% to

561. The applicant is proposing a further reduction at B2 West to 530 stalls because valet parking will be mandatory for guests. The valet parking will be in a tandem configuration. The Planning Commission will need to make a finding that tandem parking for 192 spaces is acceptable with a valet program. Parking at B-2 East (east of the Empire Day Lodge and site of 81 condominiums and two employee housing units) would require by Code 165 spaces plus the 75 for the Empire Day Lodge. The 165 would be reduced 25% to 124 spaces. Each of the residential condominium units will be allowed to have one space assigned to the unit.

(F) ***BUILDING HEIGHT****. The height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in height based upon a Site specific analysis and determination. The Applicant will be required to request a Site specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings can be made. In order to grant Building height in addition to that which is allowed in the underlying zone, the Planning Commission is required to make the following findings:*

(1) The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone required Building Height and Density, including requirements for facade variation and design, but rather provides desired architectural variation;

Complies

Please refer to section (A) Density above for discussion on the density built at the 33-foot zone height. Exhibit B is the applicant's narrative on each of the criteria for additional height. Square footage is governed by the Development Agreement, as amended. Code requirements for façade and roof variation will apply. The applicant is requesting a maximum building height of 114 feet above the USGS datum at the entry to the Montage and a maximum building height of 82 feet for the east side condominiums. As each of these sites have been or will be heavily disturbed for the mine soils mitigation, no "natural grade" can be established.

(2) Buildings have been positioned to minimize visual impacts on adjacent Structures. Potential problems on neighboring Properties caused by shadows, loss of solar Access, and loss or air circulation have been mitigated to the extent possible as defined by the Planning Commission;

Complies

The only existing structure is the Empire Day Lodge. The lodge is situated between the Montage Hotel to the west and the additional residential condominiums to the east. Neither of the proposed buildings will have an effect on the solar access to the day lodge. The major controlling factor in B2 is the ridgelines to the east, south, and west. Proposed are greater setbacks from the buildings to the day lodge than would be allowed by the LMC thereby allowing greater air flow through the project area.

(3) There is adequate landscaping and buffering from adjacent Properties and Uses. Increased Setbacks and separations from adjacent projects are being proposed;

Complies
The Montage hotel to the west of the day lodge is approximately 170 feet away; the condominium buildings to the east are approximately 70 away from the day lodge. The RD zone requirement is 12 feet for side yard setbacks. The conceptual landscape plan has significant landscaping between these buildings.

(4) The additional Building Height has resulted in more than the minimum open space required and has resulted in the open space being more usable;
Complies
The Flagstaff Annexation clustered the development of the project into several development pods, leaving 88% of the area as open space. Most of this open space is used for ski terrain, other recreation, and wildlife habitat.

(5) MPD's which include the additional height shall be designed in a manner so as to provide a transition in roof elements in compliance with Chapter 9 Architectural Guidelines or Historic District Design Guidelines if within the Historic District; and
Complies
The applicant has provided conceptual renderings and detailed volumetrics for the Montage hotel and east side condominiums. The roof elements are substantially stepped and provide architectural interest.

(6) Structures within the HR-1 District which meets the standards of development on Steep Slopes, may petition the Commission for additional height per criteria found in Section 15-2.2-6.
This section is not applicable.

If and when the Planning Commission grants additional height due to a Site specific analysis and determination, that additional height shall only apply to the specific plans being reviewed and approved at the time. Additional Building Height for a specific project will not necessarily be considered for a different, or modified, project on the same Site.

(G) ***SITE PLANNING****. An MPD shall be designed to take into consideration the characteristics of the Site upon which it is proposed to be placed. The project should be designed to fit the Site, not the Site modified to fit the project. The following shall be addressed in the Site planning for an MPD:*

(1) Units should be clustered on the most developable and least visually sensitive portions of the Site with common open space separating the clusters. The open space corridors should be designed so that existing Significant Vegetation can be maintained on the Site.
Complies
The Montage hotel on the west side is placed within a heavily disturbed site. The east side condos are sited over the existing sales office and East-West development office. This area has significant regulated soils that are required to be removed and would necessitate the removal of the aspens in this area. There is significant space

between the Montage and the Empire Lodge and the Lodge and the condo buildings to the east. These gaps provide visual corridors to the ridgeline behind.

(2) Projects shall be designed to minimize Grading and the need for large retaining Structures.

Complies

Significant excavation will be required; however, the buildings will fill the excavated areas with underground parking and service facilities. There are several retaining structures and a bridge into the entry court to the Montage. Generally, the buildings step with the site without the need of large or numerous retaining structures. The outdoor amenities to the buildings will flow at grade into the existing landscape. The ski run around the east and north side of the Hotel will require substantial grading; however, this is already a disturbed site from previous mining and remediation activities.

(3) Roads, utility lines, and Buildings should be designed to work with the Existing Grade. Cuts and fills should be minimized.

Complies

Minimal road work is required. An access road to the Montage is proposed to intersect State Route 224 just before the traffic circle. A bridge will span the drainage gully in this area. The buildings will step with the grade requiring minimal walls and cut/fill slopes.

(4) Existing trails should be incorporated into the open space elements of the project and should be maintained in their existing location whenever possible. Trail easements for existing trails may be required. Construction of new trails will be required consistent with the Park City Trails Master Plan.

Complies

The Mid-Mountain trail loops behind (south) of the project site. Although not a specifically identified trail on the Mountain Trails Foundation 2006 Tail Map, the emergency access road up Empire Canyon from the top of Daly Avenue is used by hikers and bikers. The site plan shows a proposed ski trail to the future pod Z lift in the area as well.

(5) Adequate internal vehicular and pedestrian/bicycle circulation should be provided. Pedestrian/ bicycle circulations shall be separated from vehicular circulation and may serve to provide residents the opportunity to travel safely from an individual unit to another unit and to the boundaries of the Property or public trail system. Private internal Streets may be considered for Condominium projects if they meet the minimum emergency and safety requirements.

Complies

No new streets are being created except for the short access road into the project site.

(6) The Site plan shall include adequate Areas for snow removal and snow storage. The landscape plan shall allow for snow storage Areas. Structures shall be set back

from any hard surfaces so as to provide adequate Areas to remove and store snow. The assumption is that snow should be able to be stored on Site and not removed to an Off-Site location.

Complies

There are minimal hard surfaces as all parking is underground. The hard surfaces proposed (entry drives, porte cochere, and patios) will be heated eliminating the need for snow storage.

(7) It is important to plan for refuse storage and collection and recycling facilities. The Site plan shall include adequate Areas for dumpsters and recycling containers. These facilities shall be Screened or enclosed. Pedestrian Access shall be provided to the refuse/recycling facilities from within the MPD for the convenience of residents and guests.

Complies

All refuse storage facilities will be underground in the garages of the buildings. Hotel staff will handle refuse and recycling collection.

(8) The Site planning for an MPD should include transportation amenities including drop-off Areas for van and shuttle service, and a bus stop, if applicable.

Complies

The Flagstaff Mountain annexation included 15 Technical Reports, one of which is the Transit Plan. The Transit Plan has been amended and updated with the inclusion of the Montage. The Montage project has additional transportation elements for guests and employees as found in the November 27, 2006 Technical Memorandum submitted by Fehrs and Peers, Transportation Consultants, on behalf of the developer.. Both the east and west phases will have drop-off/pick-up areas outside of the circulation pattern for the garages.

(9) Service and delivery Access and loading/unloading Areas must be included in the Site plan. The service and delivery should be kept separate from pedestrian Areas.

Complies

Service and delivery, particularly for the Montage hotel, are located within the garage level. The garage door and loading areas can accommodate a semi-truck.

(H) ***LANDSCAPE AND STREETSCAPE****. To the extent possible, existing Significant Vegetation shall be maintained on Site and protected during construction. Where landscaping does occur, it should consist primarily of appropriate drought tolerant species. Lawn or turf will be limited to a maximum of fifty percent (50%) of the Area not covered by Buildings and other hard surfaces and no more than seventy-five percent (75%) of the above Area may be irrigated. Landscape and Streetscape will use native rock and boulders. Lighting must meet the requirements of LMC Chapter 15-5, Architectural Review.*

Complies

Minimal vegetation currently exists due to the mining activities associated with the site. Landscaping will be accomplished using native and other appropriate drought-

tolerant plant materials in accordance with the Flagstaff Design Guidelines. A small formal lawn area is proposed on the south side of the Montage. Irrigation will be principally by drip.

(I) ***SENSITIVE LANDS COMPLIANCE****. All MPD Applications containing any Area within the Sensitive Areas Overlay Zone will be required to conduct a Sensitive Lands Analysis and conforms to the Sensitive Lands Provisions, as described in LMC Section 15-2.21.*

Complies

The Flagstaff Annexation is not included in the Sensitive Lands Overlay. However, there is one locally rare native plant that has been identified by the Utah Native Plant Society. The applicant has been in contact with the UNPS to identify the location of the plant colony and to take steps to preserve it. The plant is not located within the development area.

(J) ***EMPLOYEE/AFFORDABLE HOUSING****. MPD Applications shall include a housing mitigation plan which must address employee Affordable Housing as required by the adopted housing resolution in effect at the time of Application.*

Complies

Additional employee/affordable housing is required with the increased 80 Unit Equivalents. The mitigation rate in the original Development Agreement would increase the housing requirement by 5.7 Affordable Employee Units (AEUs). In accordance with the Development Agreement, 25% of the required housing must be on-mountain. The Montage is programming 10 units on-site which include the 5.7 and additional AEUs for the rest of Empire Pass.

(K) ***CHILD CARE****. A Site designated and planned for a Child Care Center may be required for all new single and multi-family housing projects if the Planning Commission determines that the project will create additional demands for Child Care.*

Complies

Staff does not recommend that a Child Care Center be provided on-site. Limited permanent Child Care demands will be generated by the hotel and condominiums.

Approval: The Planning Commission based their decision on the Analysis, above, and the following:

Findings of Fact

1. The Master Planned Development (MPD) is for Pod B-2 of the Flagstaff Mountain Resort Annexation area, know known as Empire Pass.
2. The MPD is located in the RD-MPD zoning district.
3. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.

4. The City Council approved an amendment to the Development Agreement on February 1, 2007, that increased the allowable density by 80 Unit Equivalents, 192 hotel rooms (included in the 80 UEs) and the allowable units by 77.5, to be located in the B-2 MPD.
5. Concurrent with this application and approval, the Planning Commission approved the Conditional Use Permit for Phase I of this MPD on March 14, 2007. Phase I is the Montage Hotel to be located on the west side of the Empire Day Lodge (B-2 West).
6. Concurrent with this application, the Planning Commission forwards a positive recommendation to the City Council for the amended Pod B-2 Empire Village Subdivision.
7. The total number of units approved with this MPD are 192 hotel rooms using 69.6 Unit Equivalents (UEs) and 94 hotel condominiums (114 UEs) in the west side of the Empire Day Lodge (B-2 West) and 81 condominiums (81 UEs) on the east side of the Empire Day Lodge (B-2 East). In addition, there is 35,000 square feet of spa space, 28,059 square feet of bar/restaurant/retail space and approximately 15,000 square feet of meeting/conference space and lounge areas.
8. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof). A height exception to 114 feet above a benchmarked grade (USGS 8346') is requested.
9. The volumetrics as shown in the exhibits dated April 24, 2006, and reviewed by the Planning Commission provide the façade shifts and roof shifts necessary to create architectural interest and break the building into smaller components.
10. The setbacks within the RD zone are twenty feet (20') in the front (25 feet to front facing garage), fifteen feet (15') to the rear and twelve feet (12') on the side. Setbacks are the minimum distance between the closest of the following: property line, platted street, or existing curb or edge of street.
11. The elevation and climate of Flagstaff creates a harsh environment for utilities and their maintenance.
12. The Development Agreement requires the Master Developer to provide water source capacity.
13. The Flagstaff Mountain Resort Development Agreement, as amended, requires reclamation of mine hazards.
14. The **Analysis** section of this staff report is incorporated herein.

Conclusion of Law:

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code.
2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code.
3. The MPD, as conditioned, is consistent with the Park City General Plan.
4. The MPD, as conditioned, provides the highest value of open space, as determined by the Planning Commission.
5. The MPD, as conditioned, strengthens and enhances the resort character of Park City.

6. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible.
7. The MPD, as conditioned, is Compatible in Use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility.
8. The MPD provides amenities to the community so that there is no net loss of community amenities.
9. The MPD, as conditioned, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.
10. The MPD, as conditioned, meets the provisions of the Sensitive Lands provisions of the Land Management Code. The project has been designed to place Development on the most Developable Land and least visually obtrusive portions of the Site.
11. The MPD, as conditioned, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections.
12. The MPD has been noticed and public hearing held in accordance with this Code.
13. The MPD, as conditioned, is consistent with the approved Flagstaff Mountain Resort Development Agreement, as amended.

Conditions of Approval:

1. The building plans and volumetrics for the project shall meet substantial compliance with the drawings dated April 24, 2006, and as reviewed by the Planning Commission.
2. A height exception for the Montage to 114 feet above a benchmarked grade (USGS 8346') is granted with the Master Plan. A height exception for the east side condominiums to 82 feet above benchmarked grades (USGS 8330' for north datum point and 8380' for south datum point) is granted with the Master Plan. Datum points are indicated on the site plans reviewed by the Planning Commission.
3. City Engineer approval of a utility and infrastructure plan is a condition precedent to the issuance of any building permits within the B-2 Master Planned Development area. The utility plan may include temporary utilities that must be removed (not just abandoned) upon completion of permanent utilities.
4. All regulated soils will be removed from the site and transported via SR 224 and SR 248 to the engineered repository at Richardson Flats. A specific hauling plan, similar to the previous soils hauling operation, must be approved by the Chief Building Official and will incorporate safety inspections, daily reports, and coordination between the City Police and Utah Highway Patrol.
5. Prior to issuance of any building permits for that unit or building which causes overall water consumption at Empire Pass to exceed 150 gallons per minute (approximately 75 units), the Master Developer shall have provided adequate water source capacity satisfactory to the City Attorney and Public Works Director.
6. A revised Mine Soils Hazard Remediation Technical Report (Exhibit 1 of the Technical Reports) shall be submitted to the Chief Building Official. Approval of the revised plan shall have been made by the Building Official prior to any building permit being issued. Prior to vertical construction of the project, UPCM

shall provide acknowledgement from the State of compliance with State mining regulations regarding operation, reclamation, surety, and post-mining land use permit requirements.

7. A revised Emergency Response Plan (Exhibit 7 of the Technical Reports) shall be submitted to the Chief Building Official. Approval of the revised plan shall have been made by the Building Official prior to any building permit being issued. The fire protection component of the plan shall ensure that Park City's ISO rating is not negatively affected by construction of the Montage.
8. The revised Transit Plan dated November 27, 2006, as submitted by Fehr and Peers, Transportation Consultants, on behalf of the applicant will be implemented at Certificate of Occupancy for the Montage Hotel.
9. The $1.8 million bond for the Richardson Flats Park and Ride, in a form approved by the City Attorney, shall be posted prior to any building permit issuance.
10. The 30 acres at Richardson Flats for the Park and Ride and future recreation facilities will be dedicated to the City (unless the City agrees to a lease), in a form approved by the City Attorney, prior to building permit issuance.
11. The additional 20 Employee Housing Units will begin construction within 24 months from the effective date of the amended Development Agreement (March 2, 2007) or post a financial guarantee in a form acceptable to the City Attorney equal to 10 percent of the estimated construction costs of the additional Affordable Units.

Sincerely,

Brooks T. Robinson
Principal Planner

Recorded at the request of and return to: Park City Municipal Corp. Attn: City Recorder P. O. Box 1480, Park City, UT 84060

Fee Exempt per Utah Code Annotated 1953 21-7-2

PARK CITY 1884

00545109 Bk01277 Pg00553-00555

ALAN SPRIGGS, SUMMIT CO RECORDER
1999 JUL 28 13:11 PM FEE $.00 BY MAT
REQUEST: PARK CITY MUNICIPAL CORP

Ordinance No. 99-30

AN ORDINANCE ANNEXING APPROXIMATELY 1750 ACRES KNOWN AS FLAGSTAFF MOUNTAIN INTO THE CORPORATE LIMITS OF PARK CITY, UTAH AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY TO INCLUDE THE ANNEXED AREA

WHEREAS, on May 17, 1994, United Park City Mines Company (UPCM) filed an application for annexation to Park City of certain UPCM holdings within the Ontario and Daly Canyons, along with property held by several other mining companies and/or families; and

WHEREAS, the Planning Commission reviewed the proposal several times throughout 1994 and 1995, provided feedback, an d based on Planning Commission feedback, the applicant submitted a revised annexation plan on June 14, 1995; and

WHEREAS, the Planning Commission and a special Flagstaff Task Force held several meetings on the revised plan throughout the remainder of 1995 and the balance of 1996 and held public hearings on the revised plan on October 25, 1995 and November 13, 1996; and

WHEREAS, on March 26, 1997, the Planning Commission recommended annexation of the Flagstaff area, with certain development parameters; and

WHEREAS, the Council began its consideration of the Planning Commission recommendations on April 17, 1997 and continued to take staff, applicant, and public input on April 24, 25, 28 and 29 and May 1, 6, and 8, 1997; and

WHEREAS, on April 24, 1997, the Council opened a public hearing for over 350 attendees, and took testimony from 46 participants. The public sentiment revealed support for annexation, but concerns regarding the development parameters; and

WHEREAS, the City mailed and published notice of the proposed annexation and annexation policy declaration to all affected entities and received no protest to the annexation; and

WHEREAS, on May 10, 1997, the Council concluded in Resolution No. 10-97 that annexation was appropriate and that many, but not all, of the proposed development parameters could be accommodated in the Flagstaff area; and

WHEREAS, without withdrawing its annexation petition, the applicant rejected the Council's 1997 development parameters, and began to pursue development in unincorporated Summit and Wasatch Counties; and

WHEREAS, on July 8, 1998, the applicant approached the Council with a renewed desire to annex and with additional offers of on and off-site transportation facilities, utilities, enhancements, and recreation amenities; and

WHEREAS, the Council convened several work sessions, an additional public meeting, and facilitated interest group meetings to consider new development parameters; and

WHEREAS, on August 27, 1998, approximately 100 people attended, and over 20 individuals commented on new draft development parameters; and

WHEREAS, based on public input, Council further negotiated improved development parameters; and

WHEREAS, on September 10, 1998, the Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Flats, Richardson Flats, the 20-Acre Quinn's Junction Parcel, and the Iron Mountain Parcels; and

WHEREAS, a Development Agreement has been negotiated between the City and the Developer setting forth the terms of the September 10, 1998 resolution and further terms and conditions; and

WHEREAS, the City Council has held several public meetings on the proposed Development Agreement and has taken public input at those meetings; and

WHEREAS, the Property is not included within any other municipal jurisdiction and there have been no protests filed by any other jurisdictions;

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

SECTION 1. ANNEXATION. The property is hereby annexed to the corporate limits of Park City, UT according to the annexation plat executed in substantially the same form as it is attached hereto as Exhibit A. The property so annexed shall enjoy the privileges of Park City and shall be subject to all City levies and assessments including those described in the Development Agreement, attached hereto as Exhibit B. The property shall be subject to all City laws, rules, and regulations.

SECTION 2. COMPLIANCE WITH STATE LAW AND THE PARK CITY GENERAL PLAN. The annexation meets the standards for annexation set forth in Title 10, Chapter 2, of the Utah Code and the Park City General Plan.

SECTION 3. ZONING MAP AMENDMENT. The Official Zoning Map of Park City, as adopted by Section 1.9 of the Park City Land Management Code, is hereby amended to include the Flagstaff Annexation as depicted in Exhibit A.

SECTION 4. EFFECTIVE DATE. This Ordinance shall take effect upon recordation of the annexation plat.

PASSED AND ADOPTED this 24th day of June, 1999.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884

Approved as to form:

Jodi Hoffman, City Attorney

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FLAGSTAFF MOUNTAIN AT DEER VALLEY

Boundary Description

Beginning at a point identified as County Line Monument Number 2343, said point on the line common to Summit and Wasatch counties and also on the demarcation line between the Park City Ski Area and the Deer Valley Resort, said point lying on the ridge and hilltop above the Anchor Mine Shaft and also being North 04°39'13" East 1303.92 feet, more or less, from the Southwest corner of Section 29, Township 2 South Range, 4 East, Salt Lake Base and Meridian and running Northeasterly along said demarcation and ridge line :

North 44°09'00" East 1236.63 feet; thence North 35°07'44" East 548.54 feet; thence North 37°33'27" East 779.84 feet; thence North 49°33'13" East 616.72 feet; thence North 71°34'40" East 644.26 feet; thence North 30°09'00" East 354.14 feet; thence North 20°48'44" East 698.015 feet; thence North 10°48'36" East 569.75 feet; thence North 23°55'00" East 604.00 feet; thence North 87°35'00" East 778.00 feet; thence North 77°17'18" East 735.40 feet; thence North 82°14' East 672.44 feet more or less to a point on the Westerly boundary line of the "Anchor Tunnel Portal Mining Reservation", said point being North 39°17'38" East 942.39 feet more or less from the Southwest corner of Section 21 Township 2 South, Range 4.East, Salt Lake Base and Meridian, said point also lying along the ridge line between Empire Canyon and Walker and Webster Gulch; thence along said ridgeline the following eight courses: thence North 64°44'13" East 136.79 feet; thence North 67°45'58" East 149.28 feet; thence North 81°11'10" East 122.88 feet; thence North 77°19'44" East 85.84 feet; thence North 77°48'30" East 79.25 feet; thence North 86°11'16" East 94.42 feet; thence South 72°54'27" East 85.42 feet; thence South 71°42'35" East 163.49 feet more or less to a point on the westerly right -of-way line of the Judge Tunnel/Empire Canyon Water Tank Supply Line Easement, said point lying North 79°18'06" West 5.00 feet more or less, from Map Point A-1 as described in that certain Reservoir Easement dated April 19, 1978 and Recorded as Entry No. 147912 in the Records of the of the Recorder for Summit County, Utah; thence along said westerly right-of-way the following fifteen (15) courses: North 10°41'54" East 76.70 feet; thence North 15°21'41" East 116.20 feet; thence North 56°44'38" East 142.80 feet; thence North 46°47'25" East 123.00 feet; thence North 35°09'16" East 88.70 feet; thence North 32°14'53" East 101.60 feet; thence North 32°00'03" East 159.20 feet; thence North 33°26'55" East 136.00 feet; thence North 38° 27'54" East 138.00 feet; thence North 27°54'51" East 126.00 feet; thence North 31°30'07" East 96.20 feet; thence North 40°35'50" East 110.80 feet; thence North 50°15'25" East 92.50 feet; thence North 56°00'00" East 94.90 feet; thence North 50°23'25" East 105.09 feet; thence North 47°29'30" East 405.07 feet more or less to a point on the westerly edge of Daly Avenue; thence along said Daly Avenue the following three courses: North 32°04'00" East 296.25 feet; thence North 29°09'57" East 315.97 feet; thence North 28°18'45" East 186.56 feet, more or less, to the East-West center line of Section 21 Township 2 South, Range 4 East, Salt Lake Base and Meridian, said Section Line also being the southerly

boundary line for the corporate limits of Park City, Utah; thence South 89°59'59" East 940.12 feet, more or less, along said Section line 940.12 feet to a point on the easterly right-of-way line for Utah State Highway 224 as located in Ontario Canyon; thence along said highway the following 12 courses; South 00°15'34" West 115.59 feet to a point on a 1,482.39 foot radius curve to the left; thence Southwesterly along the arc of said curve through a central angle of 15°23'33"398.24 feet more or less; thence South 15°39'07" West 559.69 feet to a point on a 5,679.58 foot radius curve to the left; thence Southwesterly along the arc of said curve, through a central angle of 06°11'23", a distance of 613.57 feet; thence South 09°27'44" West 368.77 feet to a point on a 1,382.39 foot radius curve to the left; thence southerly along the arc of said curve, through a central angle of 16°06'55", a distance of 388.82 feet; thence South 6°39'11" East 217.32 feet to a point on a 586.62 foot radius curve to the left; thence southeasterly along the arc of said curve, through a central angle of 48°51'38", a distance of 500.26 feet; thence South 55°30'59" East 87.30 feet to a point on a 686.62 foot radius curve to the right; thence along the arc of said curve, through a central angle of 30°23'53", a distance of 364.28 feet; fhence South 25°06'53" East 397.14 feet to a point on a 508.37 foot radius curve to the right; fhence along the arc of said curve, through a central angle of 21°36'53", a distance of 191.78 feet; thence South 3°30'00" East 63.08 feet to a point on a 220.00 foot radius curve to the left; thence along the arc of said curve, through a central angle of 55°51'14", a distance of 214.46 feet; thence South 31°30'00" West 68.20 feet; thence South 79°38'18"West 45.49 feet to a point on the southeasterly boundary of the Ontario Number 3 Shaft Mining Reservation; thence South 79°59'46" West 300.78 feet more or less along the southeastern edge of said Mining Reservation; thence South 17°09'45" East 88.76 feet more or less to a point on a piece of property that is the subject of Entry Number 158551 of the Summit County Records; thence along said parcel the following five courses: South 955.96 feet; thence North 69° East 360.00 Feet; thence South 29°20' West 117.60 feet; thence North 78°10' East 714.30 feet; thence East 1,106.71 feet more or less to a point the Wasatch-Summit County line: thence along said Wasatch – Summit County line. The following thirty courses: South 04°15'00" East 1,028.07 feet; thence South 25°30'30" East 2,521.90 feet to County Line Point 51;thence South 29°50'00" West 1,398.30 Feet to County Line Point 55; thence South 4°19'00" West 1,320.70 feet to County Line Point 58; thence South 47°05'00" West 369.50 feet to a County Line Point; thence South 83°34'00" West 69.10 feet to County Line Point 59; thence South 47°42'00" West 1,207.40 feet to County Line Point 62A; thence North 39°53'30" West 1,352.50 feet to County Line Point 64; thence North 72°50'00" West 317.30 feet to County Line Point 65; thence North 46°45'00" West 87.90 feet to County Line Point 66; thence North 70°57'00" West 502.00 feet to County Line Point 67; thence North 51°56'00" West 481.90 feet to County Line Point 68; thence North 55°53'00" West 466.80 feet to County Line Point 69 feet; thence North 21°49'00" West 317.40 feet to County Line Point 70; thence North 59°57'00" West 360.50 feet to County Line Point and Triangulation Point; thence North 33°22'30" West 467.10 feet to County Line Point 71; thence South 85°10'30" West 492.30 feet to County Line Point 72; thence South 54°42'30" West 453.20 feet to County Line Point 73; thence South 88°55'30" West 344.00 feet to County Line Point 74; thence North 82°52'30" West 1,132.30 feet to

County Line Point 77; thence North 59°43'30" West 1,074.55 feet to County Line Point 2338; thence North 79°07'30" West 494.73 feet to County Line Point 80; thence North 70°28'30" West 339.90 feet to County Line Point 81; thence North 60°14'30" West 550.10 feet to County Line Point 82 and Triangulation Point 2339; thence North 64°07'00" West 727.60 feet to County Line Point 83; thence South 77°44'00" West 966.80 feet to County Line Point 85; thence North 77°28'00" West 161.00 feet to a County Line Point and Triangulation Point 2340 which is also Judge Triangulation Point Q; thence South 85°36'00" West 219.10 feet to County Line Point 86; thence North 46°44'00" West 384.70 feet to County Line Point 87; thence North 34°37'00" West 1,077.30 feet, more or less to county Line Point 2343 the point of beginning. Said Parcel contains 1,655.4 acres more or less.

Resolution No. 20-99

A RESOLUTION AUTHORIZING THE FLAGSTAFF MOUNTAIN DEVELOPMENT AGREEMENT

WHEREAS, on May 17, 1994, United Park City Mines Company (UPCM) filed an application for annexation to Park City of certain UPCM holdings within the Ontario and Daly Canyons, along with property held by several other mining companies and/or families; and

WHEREAS, the Planning Commission reviewed the proposal several times throughout 1994 and 1995, provided feedback, and based on Planning Commission feedback, the applicant submitted a revised annexation plan on June 14, 1995; and

WHEREAS, the Planning Commission and a special Flagstaff Task Force held several meetings on the revised plan throughout the remainder of 1995 and the balance of 1996 and held public hearings on the revised plan on October 25, 1995 and November 13, 1996; and

WHEREAS, on March 26, 1997, the Planning Commission recommended annexation of the Flagstaff area, with certain development parameters; and

WHEREAS, the Council began its consideration of the Planning Commission recommendation on April 17, 1997, and continued to take staff, applicant, and public input on April 24, 25, 28 and 29, and May 1, 6, and 8, 1997; and

WHEREAS, on April 24, 1997, the Council opened a public hearing for over 350 attendees, and took testimony from 46 participants. The public sentiment revealed support for annexation, but concerns regarding the development parameters; and

WHEREAS, the City mailed and published notice of the proposed annexation and annexation policy declaration to all affected entities and received no protest to the annexation; and

WHEREAS, on May 10, 1997, the Council concluded in Resolution No. 10-97 that annexation was appropriate and that many, but not all, of the proposed development parameters could be accommodated in the Flagstaff area; and

WHEREAS, without withdrawing its annexation petition, the applicant rejected the Council's 1997 development parameters, and began to pursue development in unincorporated Summit and Wasatch Counties; and

WHEREAS, on July 8, 1998, the applicant approached the Council with a renewed desire to annex and with additional offers of on and off-site transportation facilities, utilities, enhancements, and recreation amenities; and

WHEREAS, the council convened several work sessions, an additional public meeting, and facilitated interest group meetings to consider new development parameters; and

WHEREAS, on August 27, 1998, approximately 100 people attended, and over 20 individuals commented on new draft development parameters; and

WHEREAS, based on public input, Council further negotiated improved development parameters; and

WHEREAS, on September 10, 1998, the Council unanimously adopted a resolution to rescind Resolution No. 10-97 and to adopt new development parameters for Flagstaff Mountain, Bonanza Mountain, Richardson Flats, the 20-Acre Quinn's Junction Parcel and the Iron Mountain Parcels; and

WHEREAS, a Development Agreement has been negotiated between the City and the Developer setting forth the terms of the September 10, 1998 resolution and further terms and conditions; and

WHEREAS, it is in the best interests of the City to authorize the Mayor to execute the Development Agreement;

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

SECTION 1. AUTHORIZATION TO EXECUTE. The Mayor is hereby authorized to execute the Development Agreement in substantially the same for attached hereto as Exhibit A which sets forth, *inter alia*, the terms and conditions of annexation of Flagstaff Mountain.

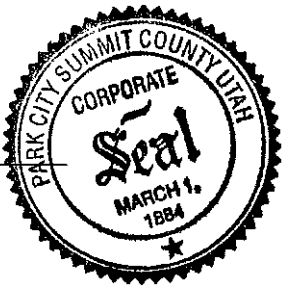
SECTION 2. EFFECTIVE DATE. This Resolution shall take effect immediately.

PASSED AND ADOPTED this 24th day of June, 1999.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:



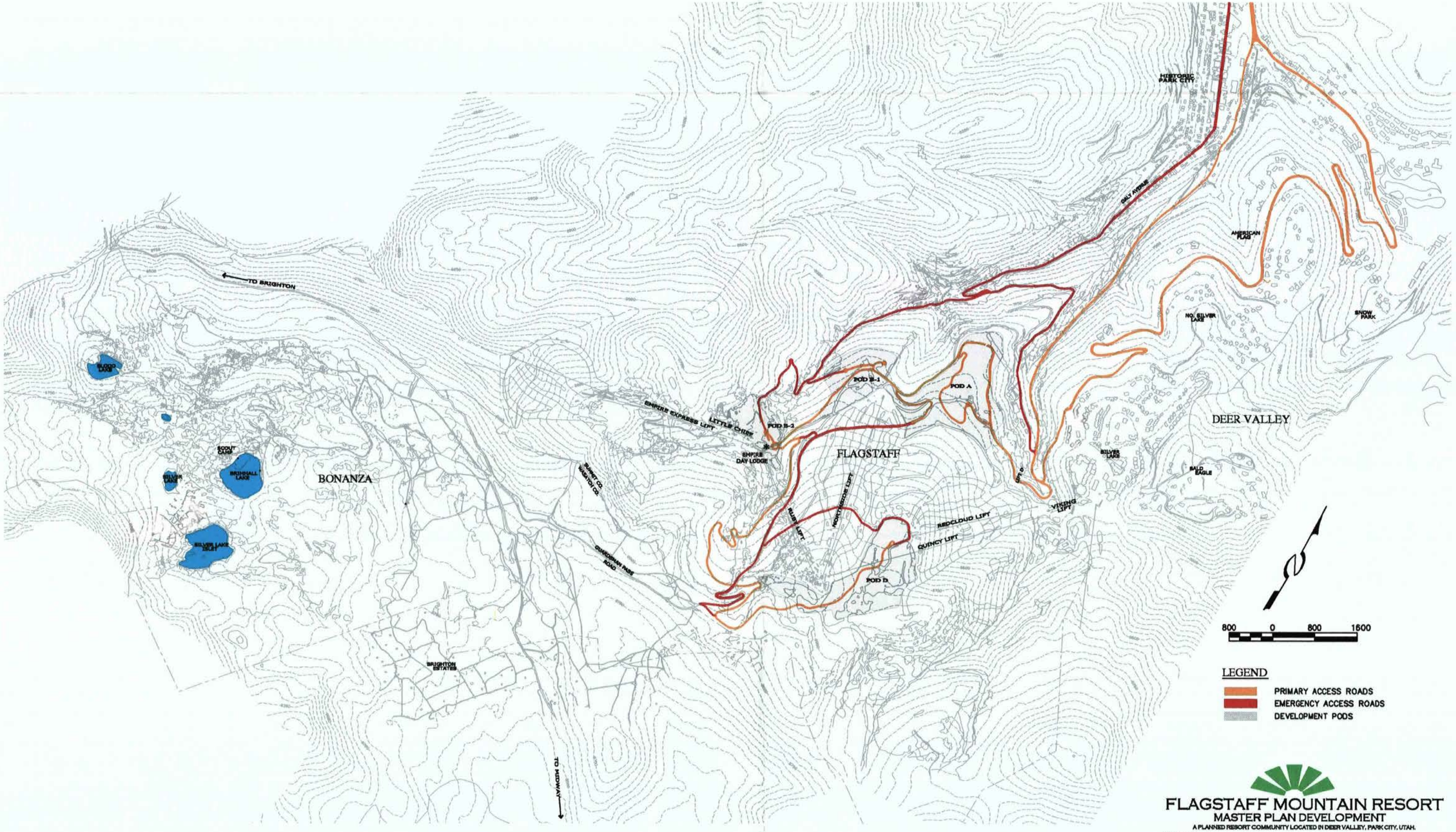
Janet M. Scott, City Recorder

Approved as to form:

Jodi Hoffman, City Attorney

EXHIBIT A

REFER TO RECORDER FILE 99-0624



EMERGENCY RESPONSE PLAN

REVISED AUGUST 30, 2004

SECONDARY EMERGENCY ACCESS PLAN
EXHIBIT "J" WINTER

FLAGSTAFF MOUNTAIN RESORT
MASTER PLAN DEVELOPMENT
A PLANNED RESORT COMMUNITY LOCATED IN DEER VALLEY, PARK CITY, UTAH.

DEVELOPED BY:
UNITED PARK CITY MINES COMPANY
P.O. BOX 1450 PARK CITY, UTAH 84060
PHONE (435) 649-8011 FAX (435) 649-8035

PLANS PREPARED BY:
ALLIANCE ENGINEERING INC. ENGINEERS, SURVEYORS, & PLANNERS
DOUGLAS CLYDE, PLANNING, PERMITTING, & ENTITLEMENTS

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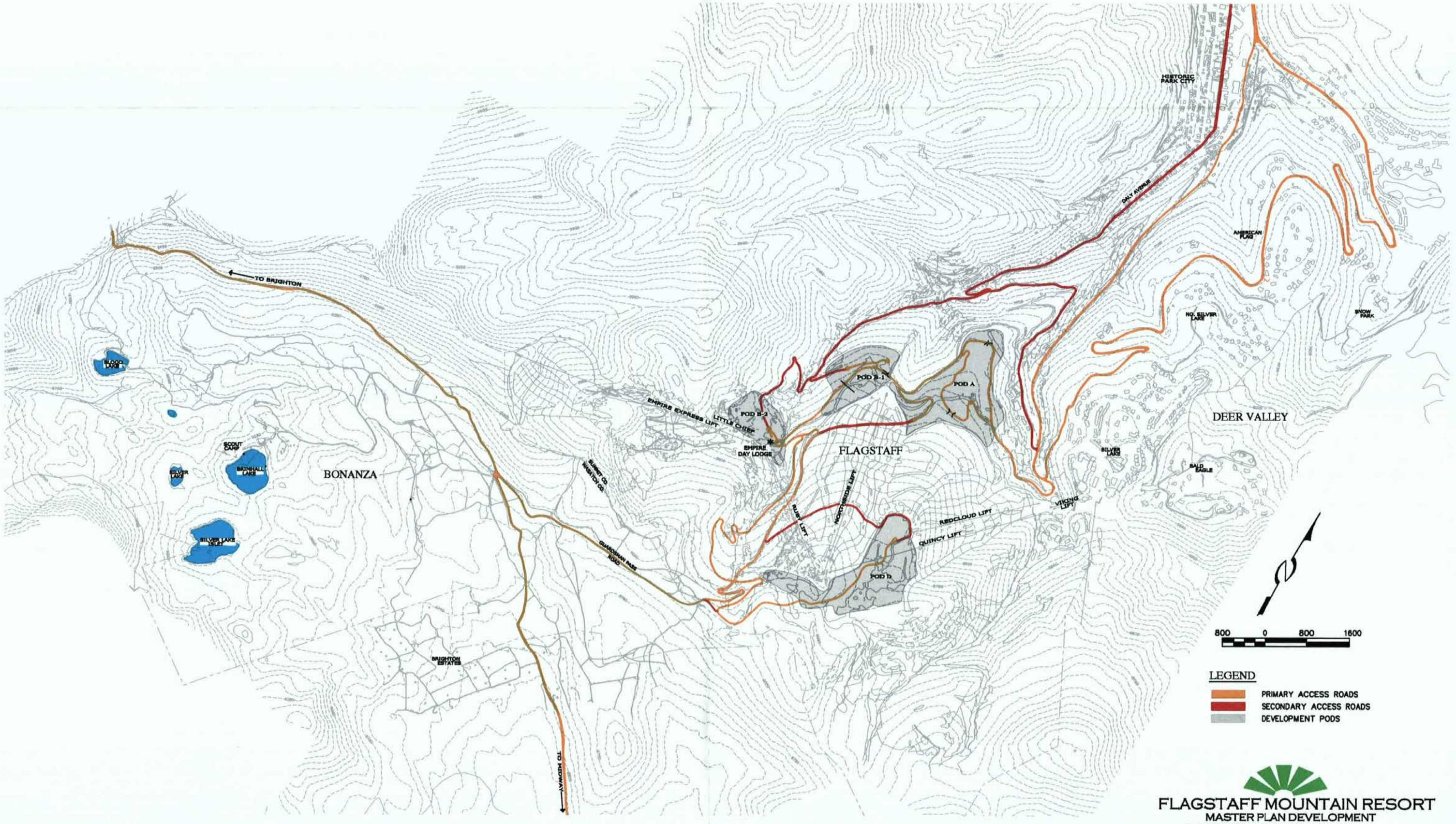

EMERGENCY RESPONSE PLAN

REVISED AUGUST 30, 2004

SECONDARY EMERGENCY ACCESS PLAN
EXHIBIT "J" SUMMER

FLAGSTAFF MOUNTAIN RESORT
MASTER PLAN DEVELOPMENT
A PLANNED RESORT COMMUNITY LOCATED IN DEER VALLEY, PARK CITY, UTAH.

DEVELOPED BY:
UNITED PARK CITY MINES COMPANY
P.O. BOX 1450 PARK CITY, UTAH 84060
PHONE (435) 649-8011 FAX (435) 649-8035

PLANS PREPARED BY:
ALLIANCE ENGINEERING INC. ENGINEERS, SURVEYORS, & PLANNERS
DOUGLAS CLYDE, PLANNING, PERMITTING, & ENTITLEMENTS

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EMPIRE PASS

THE VILLAGE MASTER PLAN

A PLANNED RESORT COMMUNITY LOCATED IN DEER VALLEY, PARK CITY, UTAH.

DEVELOPED BY:

UNITED PARK CITY MINE COMPANY
P.O. BOX 1450
PARK CITY, UTAH 84060
PHONE (435) 649 - 8011
FAX (435) 649 - 8035

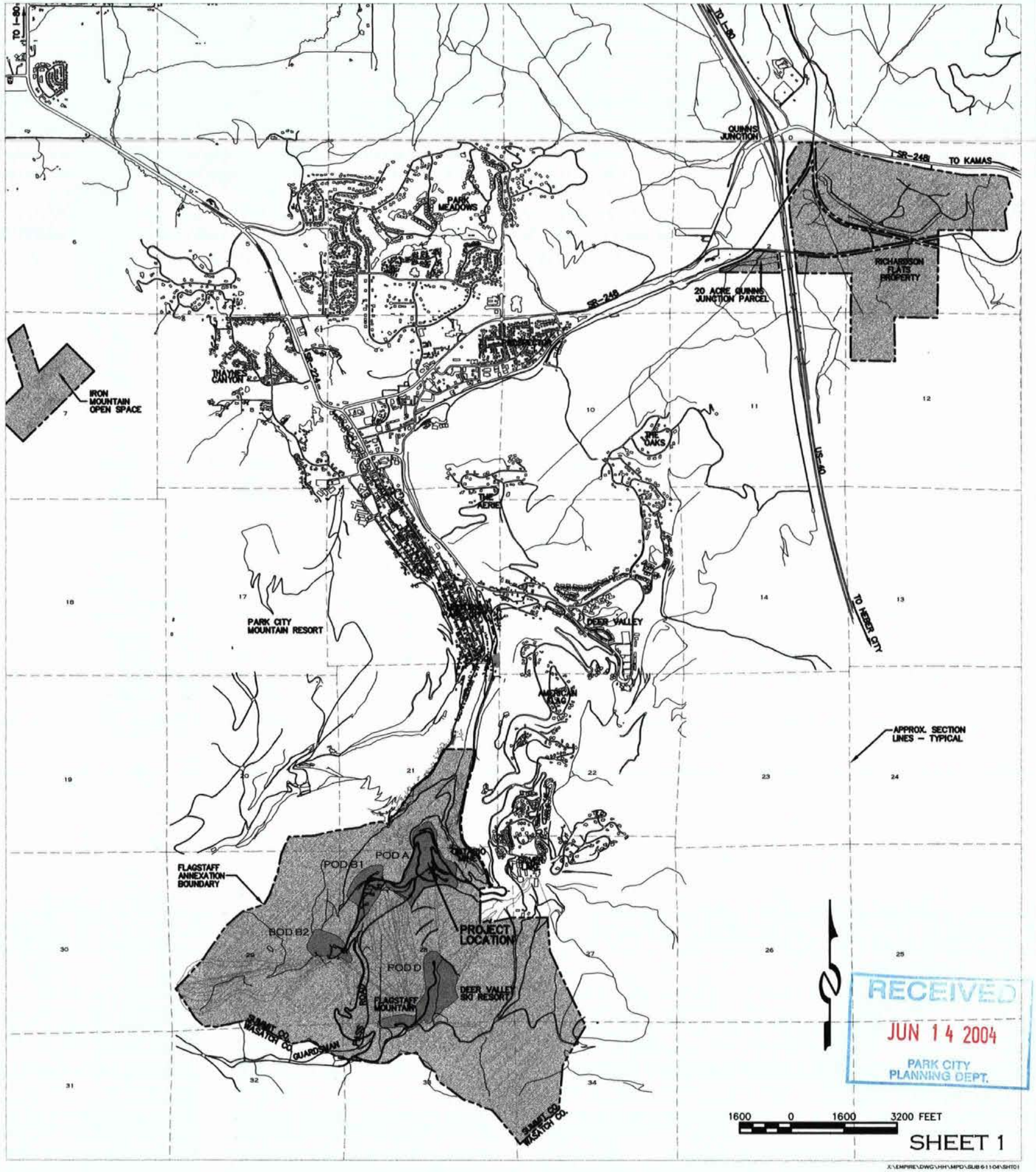
PLANS PREPARED BY:

ALLIANCE ENGINEERING INC.: ENGINEERS, SURVEYORS, & PLANNERS
DOUGLAS CLYDE: PLANNING, PERMITTING, & ENTITLEMENTS
HART HOWERTON, PLANNERS: ARCHITECTS, LANDSCAPE ARCHITECTS
SEGERBERG, MAYHEW & ASSOCIATES ARCHITECTS, P.C.
GWATHMEY PRATT SCHULTZ ARCHITECTS, P.C.
OZ ARCHITECTURE

SHEET INDEX

1. SHEET INDEX / VICINITY MAP
2. EXISTING CONDITIONS ORTHOGRAPHIC
3. SITE / GRADING PLAN
4. CONCEPT WATER PLAN
5. CONCEPT SEWER PLAN
6. CONCEPT STORM DRAIN PLAN
7. LIMITS OF DISTURBANCE PLAN
8. LIMITS OF DISTURBANCE PLAN WITH ORTHOGRAPHICS
9. PRELIMINARY PLAT
10. SETBACK EXHIBIT

June 11, 2004



RECEIVED
JUN 14 2004
PARK CITY
PLANNING DEPT.

Exhibit J – Link to Technical Reports

Volume 1 of 2

Volume 2 of 2

Open Space Management Plan

Historic Preservation Plan

Planning Commission
Staff Report

Note changes

PARK CITY 1884

Author: Brooks T. Robinson
Subject: Village at Empire Pass, Master Planned Development
Date: July 28, 2004
Type of Item: Administrative

PLANNING DEPARTMENT

Summary Recommendations:
The Planning Department recommends the Planning Commission re-open the public hearing and take public comment. Staff has prepared Findings of Fact, Conclusions of Law and Conditions of Approval.

Topic

Applicant	**United Park City Mines / Talisker Corp.**
Location	**Village at Empire Pass (formerly known as Flagstaff Mountain Resort)**
Zoning	**Residential Development (RD) as part of the Flagstaff Master Planned Development (MPD)**
Adjacent Land Uses	**Deer Valley Resort ski terrain, State Route 224**

Background
On June 24, 1999, Council adopted Ordinance 99-30 approving the annexation and development agreement for the 1,655 acre Flagstaff Mountain area. Ordinance 99-30 granted the equivalent of a" large-scale" master planned development (MPD) and set forth the types and locations of land use; maximum densities; timing of development; development approval process; as well as development conditions and amenities for each parcel.

The Development Agreement specifies that only 147 acres of the 1,655 acre annexation may be developed. The remainder of the annexation area is to be retained as passive and recreational open space.

Prior to construction, the applicant must receive site-specific MPD and final plat approval from the City. The Planning Commission takes action on MPD applications and forwards a recommendation to Council on subdivision plats.

Ordinance 99-30 also required that the applicant submit 14 specific technical reports for review and approval by the City. The 14 studies, along with the Land Management Code and the Development Agreement (99-30) form the standards under which the subject MPD and preliminary/final plat will be reviewed.

During the Olympic break a subcommittee consisting of the applicant's design team, staff, and Commissioners Chris Larson, Bruce Erickson, and Michael O'Hara focused on a review of the preliminary road layout for the mountain village (Pods A, B-1, and B-2) and a building height analysis for the project build-out using the base RD-zone 33 foot height limit. These items were reviewed at a work session and a public hearing on March 27, 2002. No public comment was received. The Commission concluded that:

1. The base RD-zone height analysis demonstrates that the maximum project densities set forth in Ord. 99-30 could potentially be constructed within the approved development pods without the necessity of a height increase above the 33-foot RD zone height limit; and

2. Building height increases for specific multi-family/resort-related buildings may be considered based on site-specific reviews and compliance with the standards set forth in the Master Planned Development section of the Land Management Code (LMC).

Proposal

The applicant seeks Master Planned Development (MPD) approval for the Mountain Village (Pods A, B-1, and B-2), now called the Village at Empire Pass. Pod B-1 was previously approved in May 2002. B-2 is not far enough along in the planning process to have a clear idea of that part of the development. However, residual units and unit equivalents remain for a future B-2 MPD.

The Development Agreement constrains the mixed-use development in the Mountain Village area (Pods A, B-1, and B-2) to:

- The Mountain Village is to be contained within 84 acres.
- No more than 705 Unit Equivalents (2,000 square feet each) in no more that 470 residential units (including not more than 60 PUD-style units) and no more than 16 single-family home sites.
- 65% of the residential units (306) must be within Pod A.
- No more than 75,000 square feet of resort support commercial.
- A maximum 35,000 square foot day skier lodge in Pod B-2 with no public road access, no day skier parking, and limited parking to meet service and administrative requirements.

On May 22, 2002, the Planning Commission approved an MPD and final plats for portions of the Mountain Village including:

Lot	Unit Equivalents	Actual Units	Acres
Ten single family homes	Does not count towards 705 total		6.40 acres in Pod B-1

A: Empire Day Lodge	None currently. Commercial activities outside of Day Skier use may require use of Commercial UEs.		1.33 acres in Pod B-2
B: PUD-style homes	27 UEs_	18	16.99 acres in Pod B-1
C: Ironwood Townhomes	37.5 UEs	25	3.63 acres in Pod B-1
D: Building H	33 UEs plus 1UE Support Commercial	22	1.34 acres in Pod A
Larkspur Townhomes (currently approved is a tri-plex and a duplex)	7.1 UEs or 14,052 sf	5	Pod A
Paintbrush PUD-style SFD	18.1 UEs or 36,139 sf	7	Pod A
TOTAL: 77 units (10 SFD homes do not count towards total)	**123.7**	**77** -	**28.35 acres outside of Pod A**

Proposed Pod A Village (excludes Building H which is in Pod A; includes already approved Paintbrush and Larkspur units)

Lot	Unit Equivalents	Actual Units	Units as PUDs	Single Family
Buildings 1-9	225.6 UEs	217 Units		
PUD-style	85.4	30	30	
Townhomes	64	51	8	
Banner SFD				6
Total	**375**	**298**	**38**	**6**

Analysis

Master Planned Development Review

Staff has performed a final review of the proposed Master Planned Development per the Land Management Code Section 15-6-5: Master Planned Developments–MPD Requirements.

Length of Approval
Construction of the approved MPD will be required to commence within two (2) years of the approval date. After construction commences, the MPD remains valid as long as it is consistent with the approved MPD and any phasing plan.

MPD Modifications
Substantive changes to the MPD require a subsequent Planning Commission review and approval of the MPD and Development Agreement.

Site Specific Approvals
Conditional use permit approval including a specific density (square foot) allocation will be required prior to the construction of the PUD-style single-family units and the multi-family units. No conditional use permit is required for the proposed 6 single-family lots. Approval and recordation of the subdivision plat, as well as City Engineer approval of all public improvements is necessary prior to construction of the proposed subdivision.

Density
With the current approvals noted above, Pod A and the development parcel of Pod B-2 outside of the Empire Day Lodge is limited to 55.65 acres, 393 residential units and 563.3 Unit Equivalents. Pod A has 34 units (9 PUDs, 3 townhomes, and 22 condo-lodge units in Building H) already approved of the 306 residential units that are required to be in Pod A. Proposed for Pod A is 321.5 Units, which includes the 34 units, leaving up to 105.5 units unallotted. In addition, the remaining 6 single-family lots of the 16 allowed in the Village are proposed in Pod A.

Marsac Claim/Mayflower
Please refer to the July 14, 2004 report for discussion on the Marsac Claim and Mayflower holdings. The Court issued a ruling in the partition case between Mayflower and Unite Park. Staff will update the Commission as necessary, but it does not impact this application or approval.

Pod B-1
The density table allocates 90,000 square feet or 45 Unit Equivalents to Lot C. The previous MPD approval for these 18 PUD-style homes allocated 27 UEs to this lot, with each unit being up to 5,000 square feet. The footprints and sections that were reviewed by the Planning Commission were concepts of 5,000 square foot units. An amendment to the MPD will be required to adjust this number, however the density table recognizes that up to 90,000 square feet may be assigned to Lot C.

Pod B-2
The developer is unsure what this last development piece may look like. Several alternatives were presented in the Planning Commission binder. An MPD will be required when a UPK has a better idea of how this pod will develop. This MPD approval only applies to Pod A.

Setbacks
The LMC requires a minimum 25-foot setback around the exterior boundary of a master planned development. The proposed Village MPD complies with this standard. Within the Village, the Planning Commission may reduce the RD zone setbacks. Exhibit 10 (Setback Exhibit) shows potential areas for setback reductions based on the conceptual site plans. Specific setbacks will be considered during the Conditional Use Permit process.

Open Space
The Development Agreement limits the overall development to 147 acres out of the 1,655-acre project area. The 88% open space provision exceeds the normal 60% open space requirement set forth in the LMC. Within each of the pods, Conservation Easements will be placed on several lots to restrict development on platted lots. Staff finds that this restriction is consistent with the development acreage restriction and will not count the Conservation Easement areas as part of the development acreage.

Off-Street Parking
The Parking and Transit Management Plans (adopted by the Planning Commission on October 24, 2001) establish specific parking requirements for the project area that include a 25% parking reduction from the normal LMC requirements for multi-family and commercial units. Parking for all single-family and PUD-style single-family units will meet or exceed the two-space/unit requirement. Specific parking requirements for the multi-family units and any commercial area will be subject to more specific analysis during the subsequent conditional use permit review process.

Building Height
The single-family (both PUD and non-PUD) and townhouse units will be constructed pursuant to the 33' RD-zone height limitation. Height exceptions are being requested for the nine stacked-flat condo-lodges including the Empire (Alpine) Club. The applicant's request and discussion of the four required findings for additional height are discussed in the Volumetrics Analysis section of the application binder. The Planning Commission gave a final review of the Visual Analysis and building heights at the July 14, 2004 hearing and preliminarily determined the proposed heights comply with these criteria.

The LMC grants the Planning Commission the authority to allow additional building height based upon site-specific analysis provided the Commission can make the following four findings. The findings are listed below with Staff comments.

1. The increase in building height does not result in an increase in square footage or building volume over what could be allowed under the zone-required building height and density, including requirements for facade variation and design, but rather provides desired architectural variation.

Complies. In January 2002, a Planning Commission subcommittee and staff met with the applicant over the course of several meetings to review a base zone height analysis of the Flagstaff Mountain Resort (now Empire Pass) project. The

analysis was conducted to determine whether or not the density authorized in Development Agreement and Large-Scale MPD could be designed to meet the RD District 33-foot building height limits. Based on this analysis, it was determined that the Mountain Village area (Pods A, B-1, and B-2) could be designed utilizing 2-3 story, relatively-flat roof structures (4:12 roofs) and meet all necessary LMC height, setback, and facade shift requirements without the necessity of height exceptions. The result of such a design approach to the Mountain Village would be significantly greater site disturbance and loss of significant areas of vegetation. At the March 27, 2002 meeting, the Planning Commission reviewed the analysis and concluded that additional building height could be considered for multi-unit dwellings provided that proposal was consistent with the LMC.

Consistent with the base zone height analysis previously reviewed by Staff and the Planning Commission, the proposed buildings 1-9 volumetrics result in a unit count and overall square footage consistent with the density assigned to the Mountain Village area pursuant to the Development Agreement and Large-Scale MPD approval. Therefore, there is no increase in density or square footage as a result of the height increase. The additional height is also offset by increased setbacks that offer opportunities for greater landscape buffers to be established. The proposed roof design, including pitched roofs that step with grade, are consistent with LMC Architectural Design Guidelines, suggestive of pitched/sloping roofs found on historic mine structures originally located in the area, provide increased vertical breaks in the building mass, and increased architectural interest beyond that provided by a relatively flat roof building.

2. Buildings have been positioned to minimize visual impacts on adjacent structures. Potential problems on neighboring properties caused by shadows, loss of solar access, and loss of air circulation, have been mitigated to the extent possible as defined by the Planning Commission.

Complies. No structures currently exist on the neighboring properties. Townhouses and Single Family/PUD-style units are proposed to the south, east and west of the nine building core. The conceptual site plan is designed to orient the multi-family units to the central ski run and to mountain views to the west and east.

3. There is adequate landscaping and buffering from adjacent properties and uses. Increased setbacks and separations from adjacent projects are being proposed.

Complies. The proposed building exceeds the RD District setback requirements. The setback requirements of the RD District are 20 feet for front yards, 15 feet for rear yards, and 12 feet for side yards. The proposed setbacks are 25-55 feet for the front yard setback,15-25 feet for the rear setback, and 15-30 feet for the side yard setback. Staff finds that sufficient building separation between each

structure is provided. A specific landscaping/buffer plan will be required as part of the conditional use permit review for each of the nine buildings.

4. The additional building height has resulted in more than minimum open space required and has resulted in the open space being more usable.

Complies. The Mountain Village design clusters the majority of the Empire Pass density into Pods A, B-1, and B-2 in exchange for larger areas of project open space. The LMC requirement for MPD open space is 60%. Approximately 88% open space is provided pursuant to the Development Agreement. The bulk of the project open space is utilized for passive recreation areas, trails, ski terrain and improvements, wildlife areas, and sensitive terrain preservation.

In addition to the criteria outlined above, the Planning Commission subcommittee identified several vantage points during the Olympic break that are to be used during MPD and subsequent PUD reviews. The vantage points include views from King Road, two points from Stein Eriksen Lodge, the Marsac Building, Guardsman Road/Guardsman Road Connection intersection, the Daly West head frame, and American Flag Subdivision. A visual analysis of the Village from these vantage points has been included with this report as an attachment. As demonstrated by the visual analysis, the nine buildings are partially visible from the subcommittee's vantage points, but are mitigated by the current and potential tree canopy and the backdrop of the mountains behind. The buildings do not break any significant ridgelines.

Site Planning

The nine site planning criteria outlined in the LMC are intended to promote overall design that incorporates the development into the site's natural characteristics. Generally, the location of the proposed development parcels is consistent with the development pods approved as part of Development Agreement and Large-Scale MPD which clustered the development onto less-steep terrain and in the least visually sensitive areas. The open space areas designated in the Development Agreement are respected with this plan.

Roads

The roadway system has been reviewed by staff and is much preferable to the previous configurations. Three roads plus a frontage road on the north end townhouses serve Pod A. The previous configuration had dead-end cul de sacs serving the interior larger buildings. The present configuration allows for greater tree buffer along Marsac Avenue and reduced grading. However, a cul de sac in excess of 650 feet is created in the southwest quadrant. This is in conflict with the general policy and subdivision code of the City to limit the length of dead-end roads. The Chief Fire Marshall finds the plan to comply with the necessary standards for fire access and safety. The end of the cul de sac continues as an emergency access point as part of the Emergency Response Plan. The Commission reviewed this issue at the work session of April 14, 2004 and was

accepting of the Fire Marshall's recommendation. Approval of the proposed cul de sac will require a specific finding of the Planning Commission.

Trails
Existing and new trails are accommodated with the proposed plan. All "back-country" work is to be coordinated with the Mountain Trails Foundation. The proposed trail work is consistent with the Trails Master Plan adopted by the Planning Commission on October 24, 2001.

Overall pedestrian circulation is outlined in the applicant's packet. The internal pedestrian paths are intended to keep users off the roads as much as possible and to link the Empire Club with the outlying areas. There may be instances, particularly at the north and south ends, where sidewalks along the streets would be required in order to meet the subdivision regulations. The Planning Commission discussed this issue on April 14, 2004 and agreed to waive this requirement. Snow storage, landscaping, recycling, delivery access, and ADA access for multi-family units will also be analyzed during the subsequent conditional use permit process.

Landscape and Streetscape
Landscaping, streetscape, and lighting will be reviewed for the multi-family and PUD-style single-family lots during the subsequent conditional use permit process. The applicant will need to clarify the amount and type of street lighting proposed along the residential streets. The lighting must comply with the City Engineer's specifications, the Municipal Lighting Code, and the Design Guidelines adopted by the Planning Commission on October 24, 2001. All streetlights will be privately maintained. Staff has added a Condition of Approval that each CUP application include a preliminary landscape plan with water-efficient irrigation systems.

Sensitive Lands Compliance
The Sensitive Lands (overlay) Zone did not specifically apply to the Empire Pass Large-Scale MPD and annexation; however, the locations of the development pods are based on Sensitive Lands principles.

Employee/Affordable Housing
Pursuant to the Flagstaff Mountain Resort Employee/Affordable Housing Plan, 15 employee/affordable housing units are required to be constructed or in-lieu fees paid with the Certificate of Occupancy of 150 Unit Equivalents. Review of the employee housing units and specific conditions of approval will take place during the conditional use permit review process.

Recommendation: The Planning Department recommends the Planning Commission re-open the public hearing and take public comment. Staff has prepared Findings of Fact, Conclusions of Law and Conditions of Approval for the Village at Empire Pass as follows:

Findings of Fact

1. The Village at Empire Pass (Mountain Village) Master Planned Development is located in the RD-MPD and ROS-MPD Districts.

2. The City Council approved the Development Agreement for Flagstaff Mountain Development Agreement/Annexation Resolution No. 99-30 on June 24, 1999. The Development Agreement is the equivalent of a Large-Scale Master Plan. The Development Agreement sets forth maximum project densities, location of densities, and developer-offered amenities.

3. The Flagstaff Mountain Annexation is approximately 1,655 acres. Mixed-used development is limited to approximately 147 acres in four (4) development areas identified as Pods A, B-1, B-2, and D. The remainder of the annexation area is to be retained as passive and/or recreational open space.

4. The Development Agreement limits development in Pods A, B-1, B-2 to:

   - No more than 705 Unit Equivalents in no more than 470 residential units (including not more than 60 PUD-style units) and no more than 16 single-family home sites.

   - no more than 75,000 square feet of resort support commercial; and

   - a maximum 35,000 square foot day skier lodge in Pod B-2.

5. The Development Agreement required City review and approval of fourteen (14) technical reports/studies. The reports include details on the following information:

   - Mine/Soil Hazard Mitigation
   - Architectural Design Guidelines
   - Transit
   - Parking
   - Open Space Management
   - Historic Preservation
   - Emergency Response
   - Trails
   - Private Road Access Limitations
   - Construction Phasing
   - Infrastructure and Public Improvement Design
   - Utilities
   - Wildlife Management
   - Affordable Housing

6. The Planning Commission completed the review and approval process for the technical reports/studies on December 12, 2001.

7. This Master Plan for Pod A consists of a total of 321.5 units and 435.6 Unit Equivalents, including the previously approved Paintbrush, Larkspur, and Building H; the Transit Hub, ski lift and ski trails, and the location of the Alpine Club.

8. Over 65% of the residential units (minimum 306) are within Pod A and within walking distance of the Transit Hub as required by the Development Agreement.

9. The 14 technical reports/studies, along with the Land Management Code and the Development Agreement (99-30) form the standards which the subject Master Planned Development and Phase 1 preliminary/final plat are reviewed.

10. The applicant has provided supplemental materials including Master Plan Development Project Description (dated July 2004, Exhibit A), Supplemental Project Description and Conditions (dated July 5, 2004, Exhibit B) Volumetric Analysis (dated July 5, 2004, Exhibit D and E), Visual Analysis dated July 4, 2004 (Exhibit F), Architectural Character dated March 19, 2004 (Exhibit G), and Supplemental Plans including Building Height Diagram, Vegetative Buffer, Trails, and Construction Sequencing (Exhibit H), and a Compliance matrix w/ the Tech. Reports (Exh. 5 & 2) together with the Site Plans dated July 21, 2004 (Exhibit C), these Exhibits and this report comprise the Village at Empire Pass MPD. incorporating the revisions of July 28

11. The Village at Empire Pass MPD illustrates conceptual access and street layouts that have not been specifically approved by the City Engineer and City Fire Marshall. Final road layout will be subject to individual Subdivisions and Conditional Use Permits.

12. Conditional Use Permit approval is required prior to any development within the Village at Empire Pass MPD area.

13. The proposed Village at Empire Pass Master Planned Development includes a maximum density assignment and conceptual site design for Thirty (30) detached single-family PUD-style units utilizing 85.4 Unit Equivalents.

14. The proposed Village at Empire Pass Master Planned Development includes a maximum density assignment and conceptual site design for Fifty-One (51) Townhouse units utilizing 64 Unit Equivalents. Eight of these Townhouse units are in a duplex configuration and count towards the PUD limit of 60.

15. The proposed Village at Empire Pass Master Planned Development includes a conceptual site design for Six (6) single-family homes.

16. Conservation Easements are proposed within platted lots. These Conservation Easement areas will not count towards the development acreage.

17. The PUD-style cluster homes and the Townhomes are to be platted as condominiums and not as individual lots.

18. Utility lines and ski trails will be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.

19. The Emergency Response Plan has been reviewed by the Chief Fire Marshall and the Planning Commission in order to allow fire access and safety at the end of the over length cul de sac.

20. The Planning Commission may decrease setbacks within an MPD. Setback variance is shown on Sheet 10 of 10 of Exhibit A, dated June June 15, 2004.

21. The maximum Building Height in the RD District is 28 feet (33 feet with a pitched roof).

22. The Land Management Code, Section 15-6-5(E) allows the Planning Commission to consider increased building height based upon a site specific analysis and determination.

23. The applicant has requested additional building height for the structures proposed as Buildings 1-9, inclusive. The proposed building volumetrics are detailed on Exhibit D dated June 14, 2004.

24. The proposed increase in building height for Buildings 1-9 does not result in an increase in square footage or building volume over what could be allowed under the zone-required building height and density, including requirements for facade variation and design, but rather provides desired architectural variation.

25. Proposed Buildings 1-9 has been positioned to minimize visual impacts on adjacent structures. Potential problems on neighboring properties caused by shadows, loss of solar access, and loss of air circulation, have been mitigated to the extent possible as defined by the Planning Commission.

26. The site plan for proposed Buildings 1-9 on includes adequate landscaping and buffering from adjacent properties and uses.

27. The additional building height for proposed Buildings 1-9 has resulted in more minimum open space than required and has resulted in the open space being more usable.

28. An MPD for pod B-2 will be reviewed under a separate MPD application.

~~29.~~ ~~A compliance~~ Matrix of the Compliance with the Technical Reports is ~~attached~~ as Exhibit I. Add to #10

Conclusions of Law

1. The MPD, as conditioned, complies with all the requirements of the Land Management Code;

2. The MPD, as conditioned, meets the minimum requirements of Section 15-6-5 of this Code;

3. The MPD, as conditioned, is consistent with the Park City General Plan;

4. The MPD, as conditioned, provides the highest value of open space, as determined by the Planning Commission;

5. The MPD, as conditioned, strengthens and enhances the resort character of Park City;

6. The MPD, as conditioned, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;

7. The MPD, as conditioned, is Compatible in use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility;

8. The MPD provides amenities to the community so that there is no net loss of community amenities;

9. The MPD, as conditioned is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed.

10. The MPD, as conditioned, meets the provisions of the Sensitive Lands provisions of the Land Management Code. The project has been designed to place Development on the most Developable Land and least visually obtrusive portions of the Site:

11. The MPD, as conditioned promotes the Use of non-vehicular forms of transportation through design and by providing trail connections; and,

12. The MPD has been noticed and public hearings held in accordance with this Code.

13. The requirements necessary for the Planning Commission to grant additional building height within the MPD pursuant to the Land Management Code Section 15-6-5 have been met.

Conditions of Approval

1. A Conditional Use Permit is required prior to any development within the Village at Empire Pass MPD area. As per the Phasing Plan, only the nine large multi-family buildings require a CUP review by the Planning Commission. All other units are to be reviewed at a Staff level.

2. City Engineer approval of a utility and infrastructure plan is a condition precedent to the issuance of any building permits within the Village Master Planned Development area.

3. Utility lines and ski trails shall be routed in existing clearings and common utility corridors to the greatest extent practical upon the City Engineer's approval.

4. If and when the realigned Guardsman road is dedicated to the City, the Developer will execute an encroachment agreement, in a form acceptable to the City Attorney and City Engineer for the private improvements (ski bridges and/or tunnels) within the rights-of-way.

5. All essential municipal public utility buildings associated with the utility plan for the subdivision require a conditional use permit.

6. The proposed over-length cul de sac that ends in the six single family lots will have a secondary emergency access from the end of the road to Marsac Avenue. The emergency access will continue as a minimum 20-foot wide all-weather surface road.

7. A Construction Mitigation Plan, including truck routing, is a submittal requirement for each Conditional Use Permit.

8. A preliminary landscape plan, including provisions for water-efficient irrigation systems, shall be submitted with each CUP application.

9. All subsequent applications and approvals are subject to the Technical Reports as approved or amended,

Exhibits

A – Master Plan Development Project Description (8 pages)
B – Supplemental Project Description and Conditions (3 pages)
C - Conceptual Plans (10 pages)
D – Volumetric Analysis (3 pages)
E – Volumetrics, Buildings 1-9 (19 pages)
F – Visual Analysis (5 pages)
G – Architectural Character (6 pages)
H – Supplemental Plans
→ I - Compliance Matrix

BE/BP

6-0 Thomas not voting.



Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

C0.01

Montage Resort and Spa at Deer Valley

B-2 MPD Village Master Plan at Empire Pass

PARK CITY, UTAH

April 24, 2006

SHEET INDEX

A	0.01	SHEET INDEX
A	1.01	PERSPECTIVE B2-W AND B2-E FROM SKI AREA
A	1.02	PERSPECTIVE B2-W HOTEL APPROACH
L	1.01	CONCEPTUAL LANDSCAPE PLAN
LW	1.02	SITE SECTION AT HOTEL B2-W
AW	3.01	VOLUMETRICS PLAN HOTEL B2-W
AW	3.02	VOLUMETRICS PLAN VIEW EAST - HOTEL B2-W
AW	3.03	VOLUMETRICS PLAN VIEW NORTH - HOTEL B2-W
AW	3.04	VOLUMETRICS PLAN VIEW WEST - HOTEL B2-W
AW	3.05	VOLUMETRICS PLAN VIEW SOUTH - HOTEL B2-W
AE	3.06	VOLUMETRICS PLAN CONDOMINIUM B2-E
AE	3.07	VOLUMETRICS PLAN VIEW NORTH - CONDOMINIUM B2-E
AE	3.08	VOLUMETRICS PLAN VIEW SOUTH - CONDOMINIUM B2-E
C	1.01	SITE PLAN & VICINITY MAP
C	1.02	B2 WEST & B2 EAST CONCEPT UTILITY PLAN

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

A 001

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PERSPECTIVE B2-W AND B2-E FROM SKI AREA

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PARK CITY, UTAH

Project No.:	03006
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PERSPECTIVE B2-W HOTEL APPROACH

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PARK CITY, UTAH

A102

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CONCEPTUAL LANDSCAPE PLAN

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ARCHITECTS

TERRASAN
PLANNING & LANDSCAPE ARCHITECTURE
1600 GILPIN STREET
DENVER, CO 80218
Tel (303)331-1717
Fax (303)331-1615

Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

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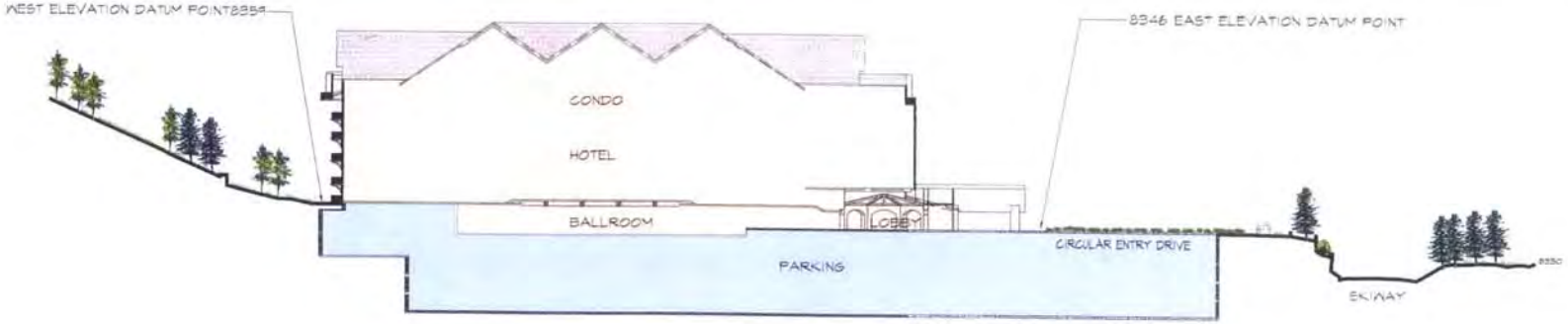
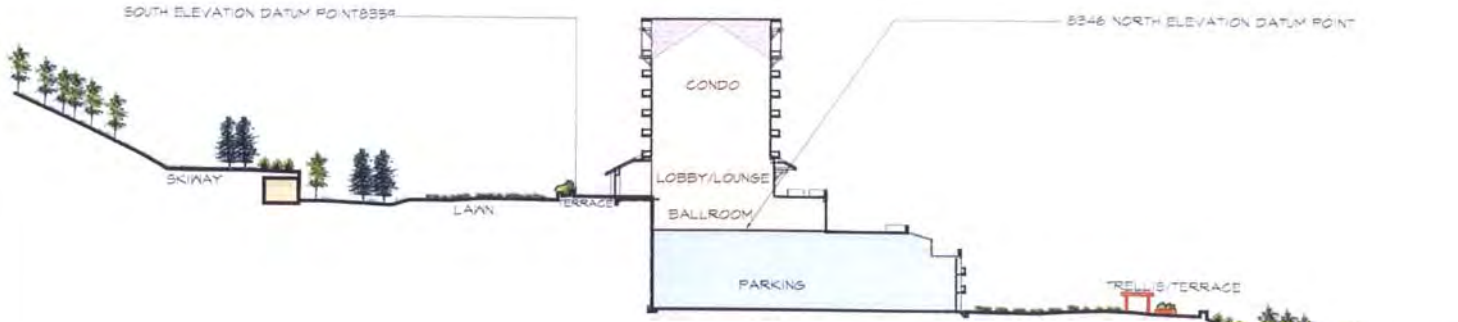


SITE SECTION 1

1" = 30'-0"



SITE SECTION 2

1" = 30'-0"

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TERRASAN
PLANNING & LANDSCAPE ARCHITECTURE
1600 GILPIN STREET
DENVER, CO 80218
Tel (303)331-1717
Fax (303)331-1815

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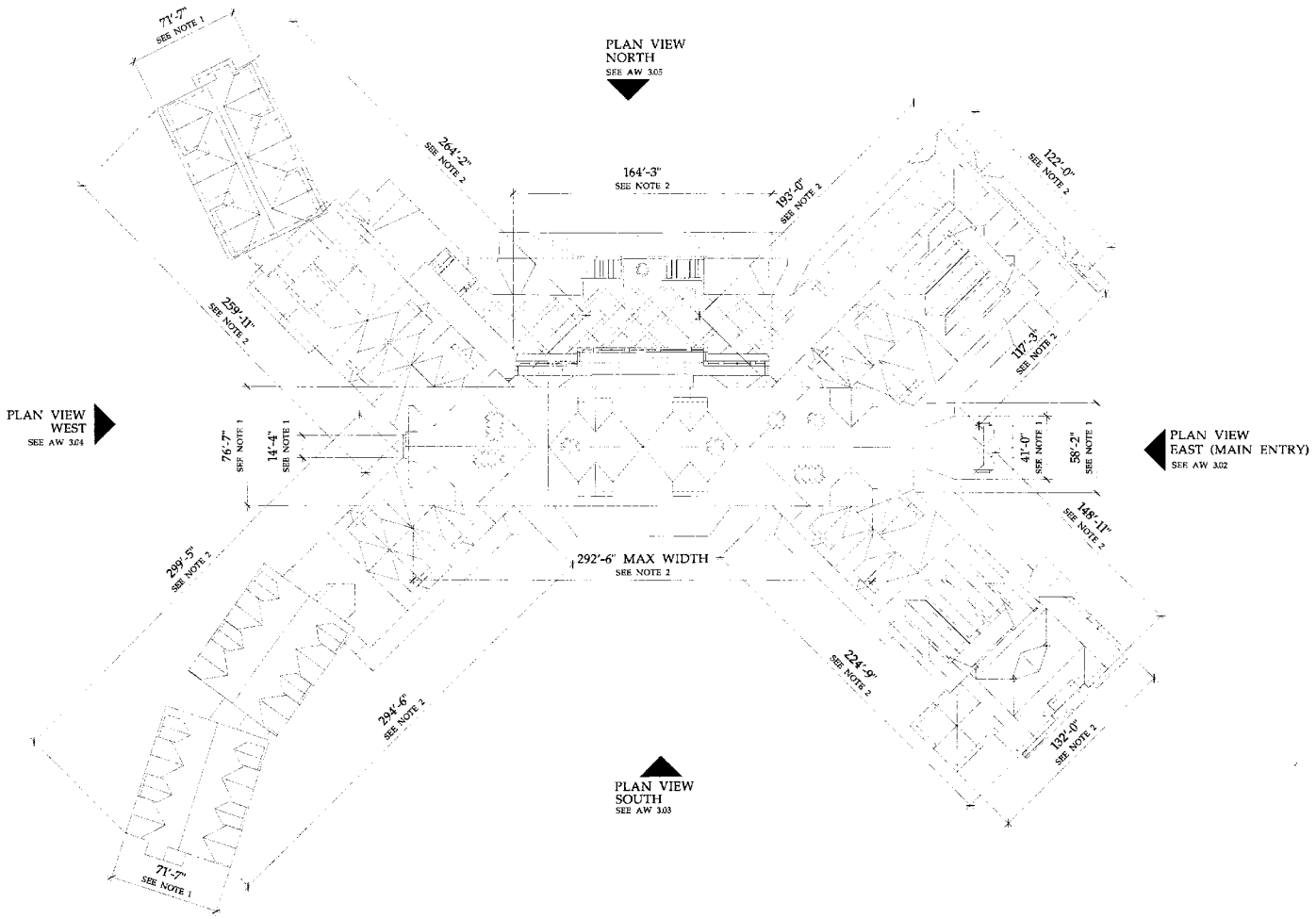
MONTAGE RESORT AND SPA AT DEER VALLEY

PARK CITY, UTAH

LW102



FACADE LENGTH AND VARIATIONS NOTES

1. Structures greater than sixty feet (60'), but less than 120 feet in length must exhibit a prominent shift in the facade of the Structure so that no greater than seventy five percent (75%) of the length of the Building Facade appears unbroken. Each shift shall be in the form of either a ten foot (10') change in Building Facade alignment or a ten foot (10') change in roof line height, or a combined change in facade and roof line totaling ten feet (10').

2. Structures which exceed 120 feet in length on any facade shall provide a prominent shift in the mass of the Structure at each 120 foot interval, or less if the Developer desires, reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Facade alignment or a fifteen foot (15') change in roof line. A combination of both a roof line and facade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.

VOLUMETRICS
OVERALL PLAN VIEW

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No: 0.0608
Date: APRIL 24 2006
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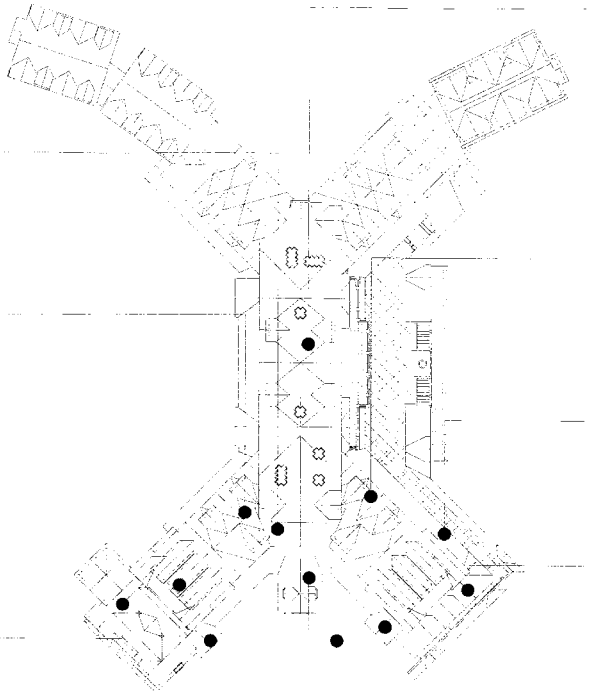

(PERCENT INCLUDED IN LOWER ADJACENT MASSING)
1 LEVEL RESIDENTIAL ROOF
5 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 114')
*ELEVATORS OVERRUN IN THE FORM OF CHIMNEY ELEMENTS AND ARE NOT REPRESENTED IN THE MAX HEIGHT

12% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVEL RESIDENTIAL
2 LEVEL HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 92')

27% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVELS B.O.H. (BELOW GRADE)
3 LEVEL PARKING (BELOW GRADE)
(MAX HT. 85')

27% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 85')

11% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 16')

11% AT MAXIMUM HEIGHT OF
1 LEVEL HOTEL
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 23')
SITS ON HILL, GRADE SLOPES DOWN 45', EFFECTIVE HEIGHT 73'

11% AT MAXIMUM HEIGHT OF
1 LEVEL HOTEL DINING
1 LEVEL B.O.H. (BELOW GRADE)
3 LEVEL PARKING (BELOW GRADE)
(MAX HT. 24')

FACADE LENGTH AND VARIATIONS :
A portion of the ground level is to have architectural elements, such as covered porches, to break down overall scale.

11% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVEL RESIDENTIAL
2 LEVEL HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL B.O.H. (BELOW GRADE)
3 LEVEL PARKING (BELOW GRADE)
(MAX HT. 76')

EAST MASSING
DATUM POINT
(EL. 8346')

NOTE:
Due to the site characteristics, native grade cannot be determined. The maximum heights are measured from a a finished grade datum point at the Entry.

EAST MASSING

VOLUMETRICS
PLAN VIEW EAST

HG
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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No. 13703
Date APRIL 24 2003
Scale AS NOTED
Sheet No. AW 3.02

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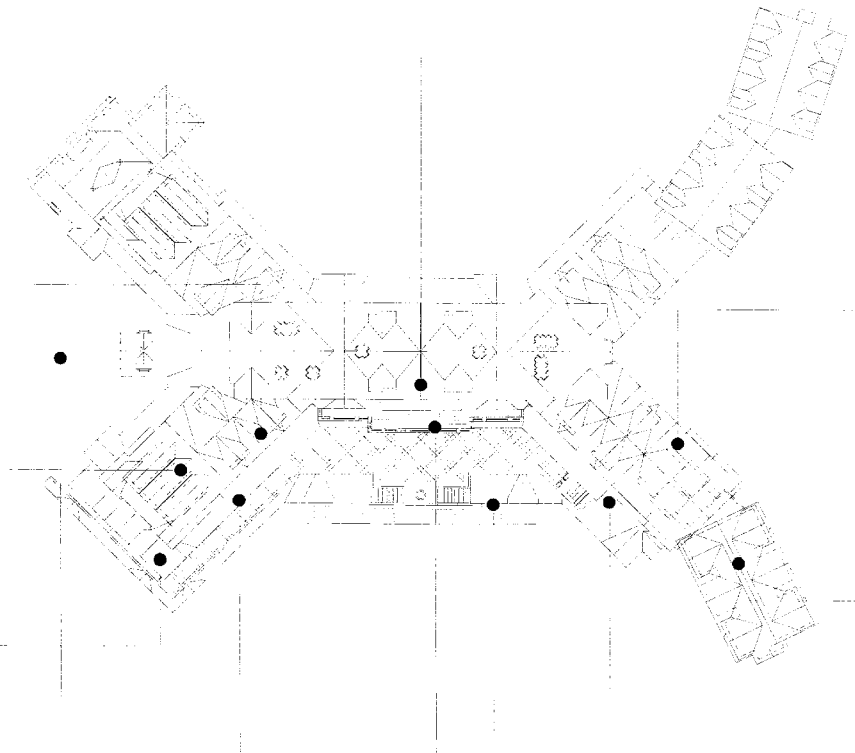
25% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
5 LEVELS RESIDENTIAL
1 LEVEL HOTEL SUITES
2 LEVELS HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA
3 LEVELS HOTEL SUITES
(MAX HT. 114')

20% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
4 LEVELS HOTEL SUITES
(MAX HT. 85')

10% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
4 LEVELS HOTEL SUITES
(MAX HT. 76')

5% AT MAXIMUM HEIGHT OF
1 LEVEL HOTEL PUBLIC AREA
4 LEVELS HOTEL SUITES
(MAX HT. 23')



10% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA
3 LEVELS HOTEL SUITES
(MAX HT. 85')

20% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
4 LEVELS HOTEL SUITE
(MAX HT. 92')

NORTH MASSING
DATUM POINT
(EL. 8346')

NORTH MASSING

FACADE LENGTH AND VARIATIONS:
A portion of the ground level is to have architectural elements, such as covered porches, to break down overall scale.
(Major balconies, Entry gables, Spa skylight)

NOTE:
Due to the site characteristics, native grade cannot be determined. The maximum heights are measured from a a finished grade datum point at the Entry.

VOLUMETRICS
PLAN VIEW NORTH

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

AW 3.03

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(PERCENT INCLUDED IN LOWER ADJCENT MASSING)
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA (BELOW GRADE)
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING, B.O.H (BELOW GRADE)
(MAX HT. 97')

45% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
(MAX HT. 72')

5% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTAIL ROOF
2 LEVEL RESIDENTAIL.
(MAX HT. 72')

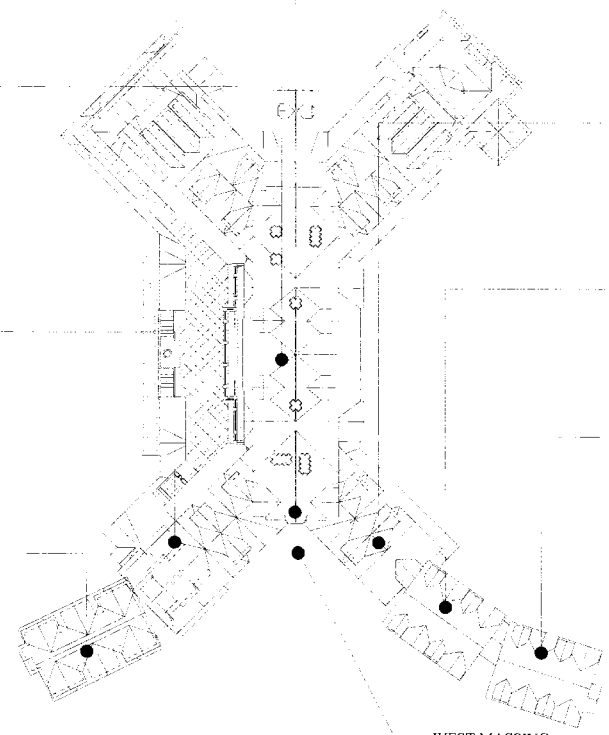
15% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
(MAX HT. 72')

NOTE:
Due to the site characteristics, native grade cannot be determined. The maximum heights are measured from a a finished grade datum point.

(PERCENT INCLUDED IN LOWER ADJACENT MASSING)
AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
5 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
2 LEVELS HOTEL PUBLIC AREA (BELOW GRADE)
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 101')

5% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL SUITES (DOWN SLOPE)
1 LEVEL SPA (BELOW GRADE)
(MAX HT. 72')

30% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
4 LEVELS HOTEL SUITES (DOWN SLOPE)
(MAX HT. 79')



WEST MASSING

WEST MASSING
DATUM POINT
(EL. 8359')

VOLUMETRICS
PLAN VIEW WEST

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

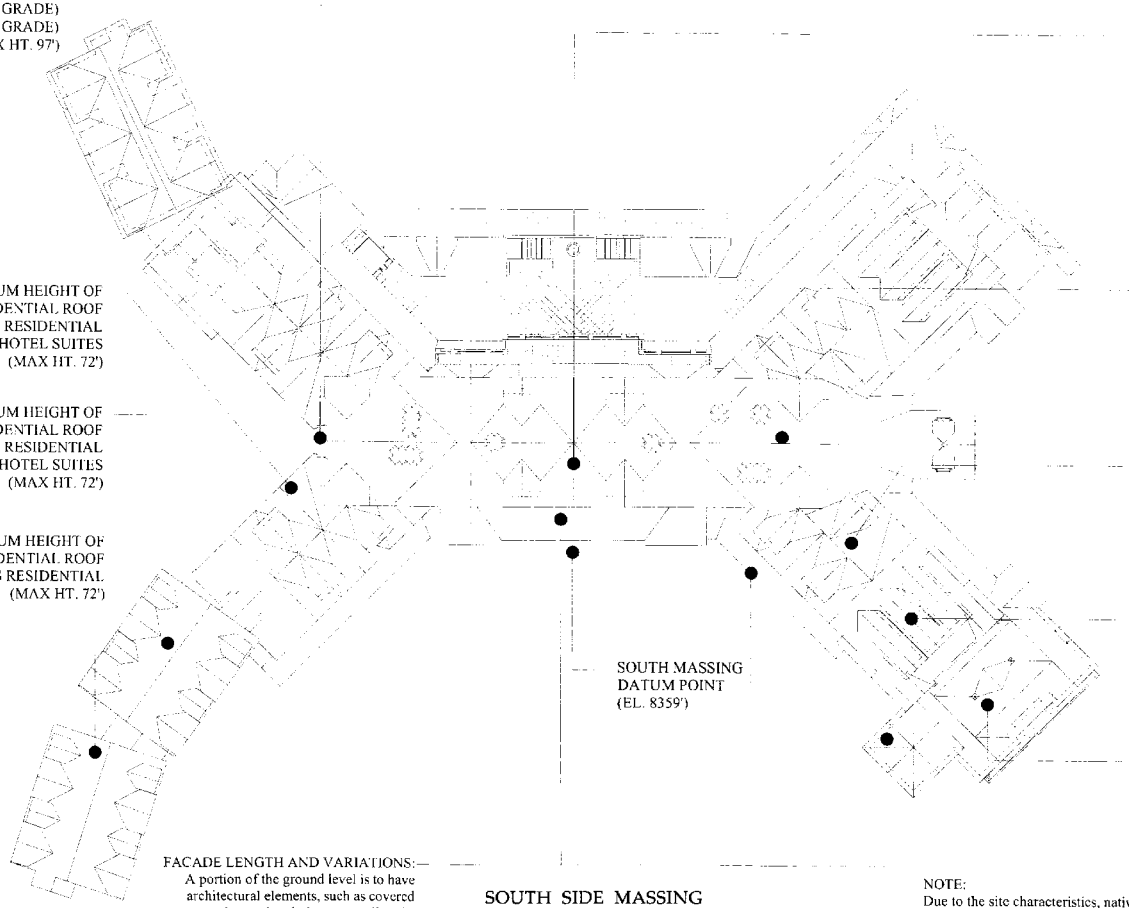
Project No. 02006
Date APRIL 24 2006
Scale AS NOTED
Sheet No. AW 3.04

(PERCENT INCLUDED IN ADJACENT MASSING)
1 LEVEL RESIDENTIAL ROOF
4 LEVELS RESIDENTIAL
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL (BELOW GRADE)
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 97')

25% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
(MAX HT. 72')

15% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
1 LEVEL HOTEL SUITES
(MAX HT. 72')

10% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
(MAX HT. 72')



20% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
5 LEVELS RESIDENTIAL
2 LEVEL HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL (BELOW GRADE)
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVEL PARKING, B.O.H/SUITES (BELOW GRADE)
(MAX HT. 101')
*ELEVATORS OVERRUN IN THE FORM OF CHIMNEY ELEMENTS AND ARE NOT REPRESENTED IN MAX HEIGHTS

(PERCENT INCLUDED IN ADJACENT MASSING)
AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
4 LEVELS RESIDENTIAL
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT.97')

30% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS SUITES
2 LEVELS B.O.H. (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 72')

10% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
2 LEVELS B.O.H. (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 63')

5% AT MAXIMUM HEIGHT OF
1 LEVEL HOTEL DINNING
1 LEVEL B.O.H. (BELOW GRADE)
3 LEVEL PARKING (BELOW GRADE)
(MAX HT. 11')

SOUTH MASSING
DATUM POINT
(EL. 8359')

FACADE LENGTH AND VARIATIONS:—
A portion of the ground level is to have architectural elements, such as covered porches, to break down overall scale.
(Major balconies, Pool house)

SOUTH SIDE MASSING

NOTE:
Due to the site characteristics, native grade cannot be determined. The maximum heights are measured from a a finished grade datum point at the Lobby Terrace

VOLUMETRICS
PLAN VIEW SOUTH

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

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Date APRIL 24 2026
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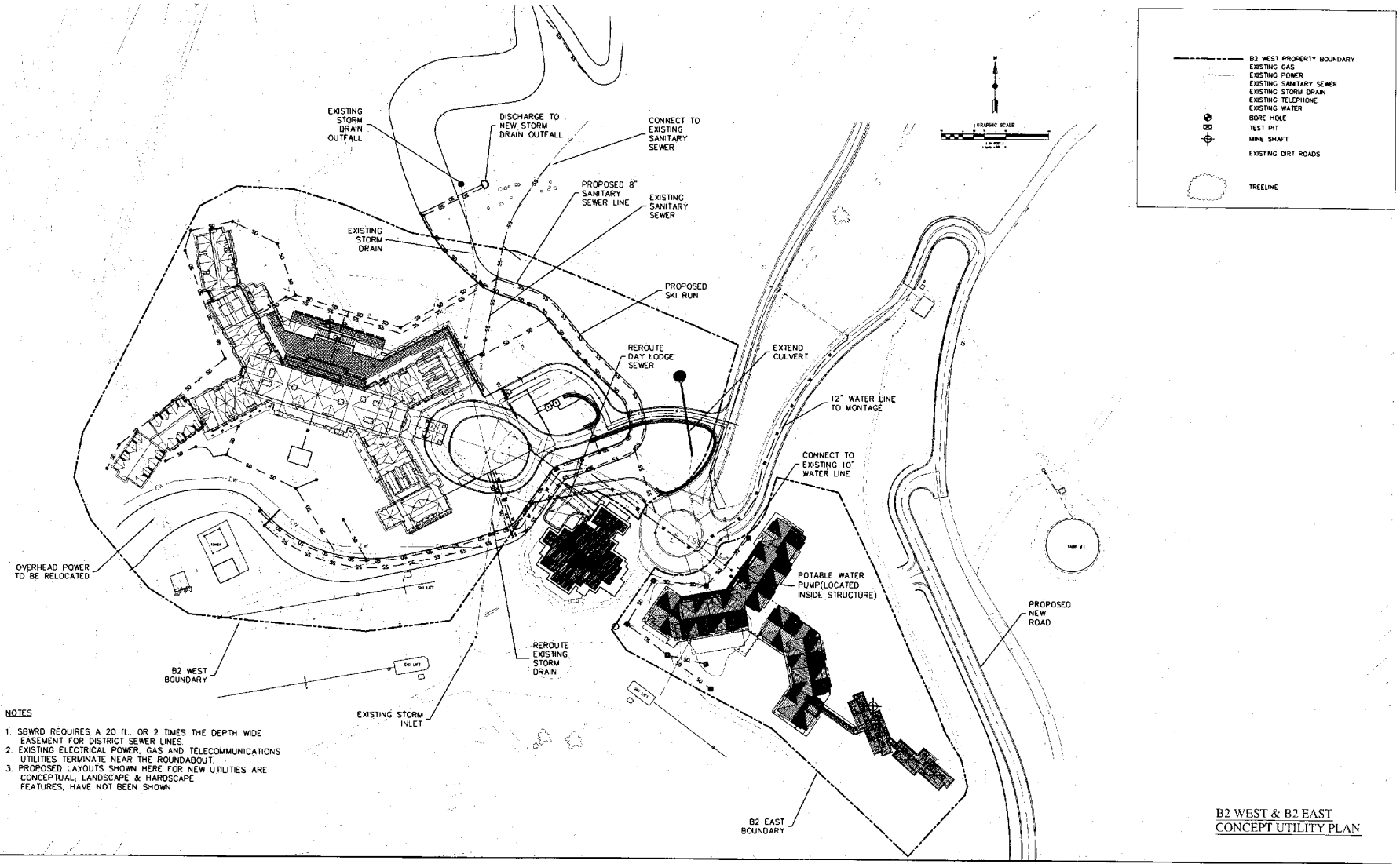

NOTES

1. SBWRD REQUIRES A 20 ft., OR 2 TIMES THE DEPTH WIDE EASEMENT FOR DISTRICT SEWER LINES.
2. EXISTING ELECTRICAL POWER, GAS AND TELECOMMUNICATIONS UTILITIES TERMINATE NEAR THE ROUNDABOUT.
3. PROPOSED LAYOUTS SHOWN HERE FOR NEW UTILITIES ARE CONCEPTUAL, LANDSCAPE & HARDSCAPE FEATURES, HAVE NOT BEEN SHOWN

B2 WEST & B2 EAST
CONCEPT UTILITY PLAN

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Stantec

Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No.:	03008
Date:	APRIL 28, 2006
Scale:	1" = 80'
Sheet No.:	C 1.02

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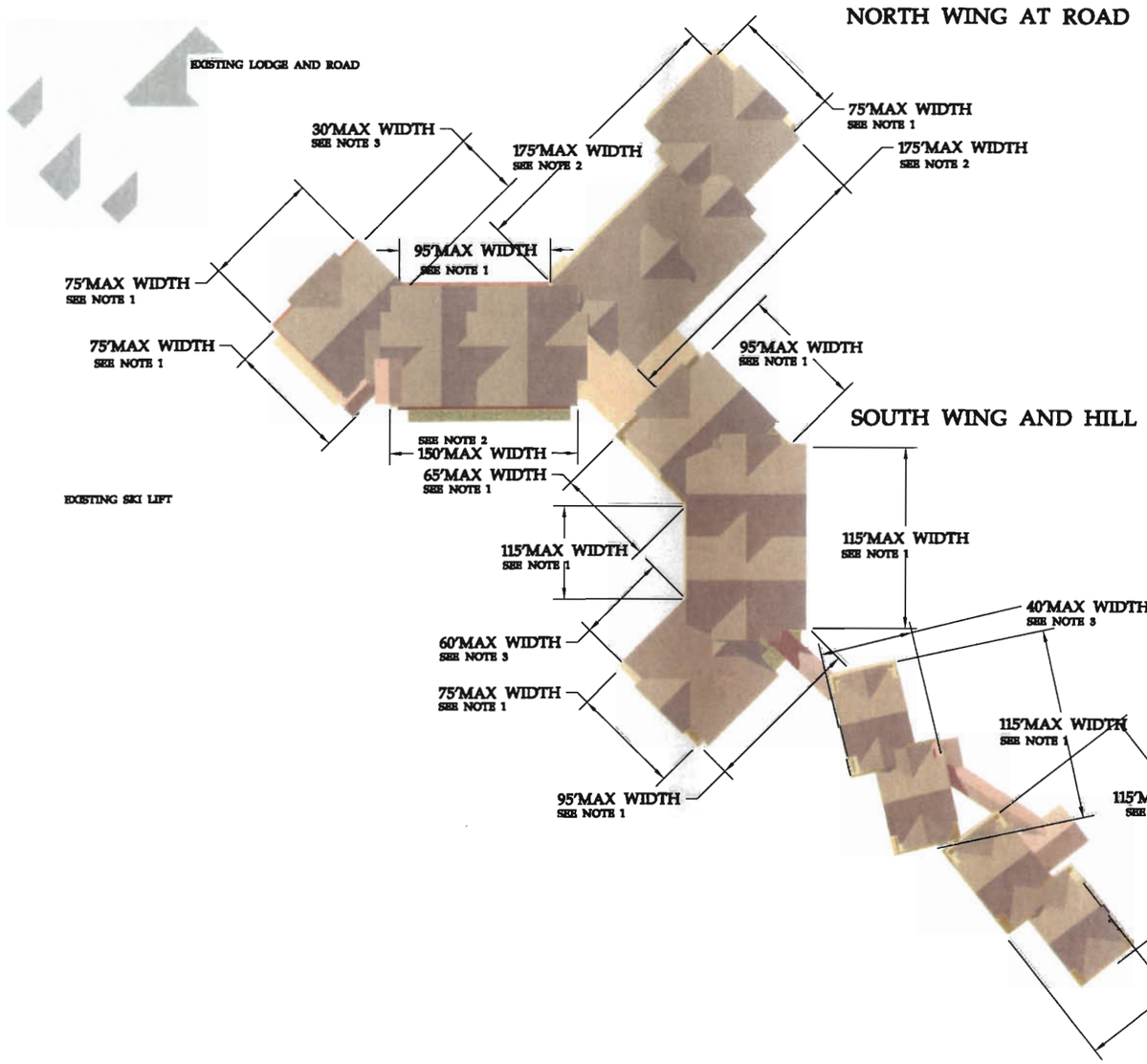

FACADE LENGTH AND VARIATIONS NOTES

1. Structures greater than sixty feet (60'), but less than 120 feet in length must exhibit a prominent shift in the facade of the Structure so that no greater than seventy five percent (75%) of the length of the Building Facade appears unbroken. Each shift shall be in the form of either a ten foot (10') change in Building Facade alignment or a ten foot (10') change in roof line height, or a combined change in facade and roof line totaling ten feet (10').

2. Structures which exceed 120 feet in length on any facade shall provide a prominent shift in the mass of the Structure at each 120 foot interval, or less if the Developer desires, reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Facade alignment or a fifteen foot (15') change in roof line. A combination of both a roof line and facade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.

3. No varation required.

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CONDO VOLUMETRICS
PLAN VIEW

Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

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Project No.:	03008
Date:	June 15, 2005
Scale:	AS NOTED
Sheet No.:	AE 3.06

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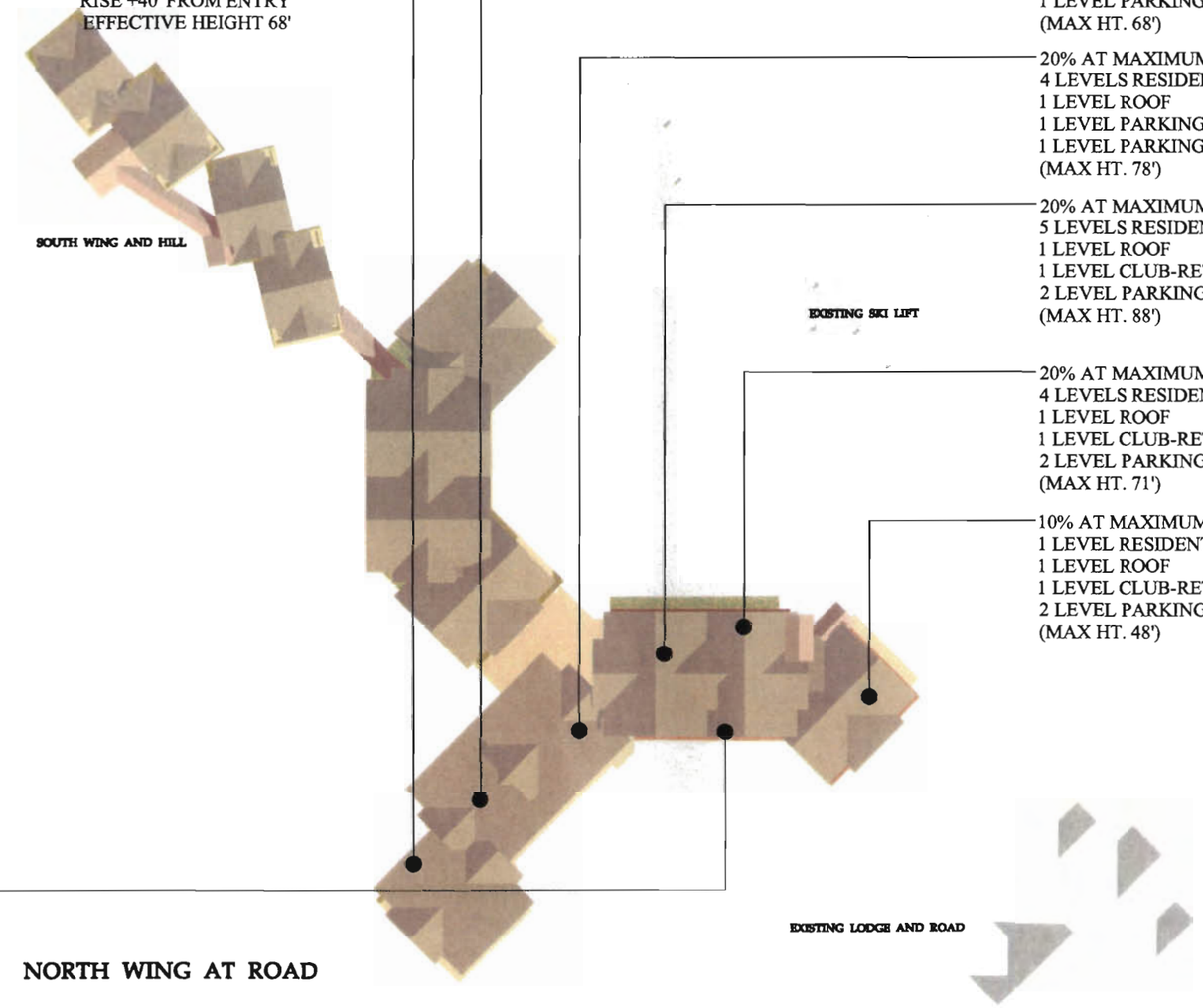

20% AT MAXIMUM HEIGHT OF
3 LEVELS RESIDENTIAL
1 LEVEL ROOF
1 LEVEL PARKING (CUT IN GRADE)
1 LEVEL PARKING (BELOW GRADE)
(MAX HT. 68')

20% AT MAXIMUM HEIGHT OF
4 LEVELS RESIDENTIAL
1 LEVEL ROOF
1 LEVEL PARKING (CUT IN GRADE)
1 LEVEL PARKING (BELOW GRADE)
(MAX HT. 78')

20% AT MAXIMUM HEIGHT OF
5 LEVELS RESIDENTIAL
1 LEVEL ROOF
1 LEVEL CLUB-RETAIL
2 LEVEL PARKING (BELOW GRADE)
(MAX HT. 88')

20% AT MAXIMUM HEIGHT OF
4 LEVELS RESIDENTIAL
1 LEVEL ROOF
1 LEVEL CLUB-RETAIL
2 LEVEL PARKING (BELOW GRADE)
(MAX HT. 71')

10% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL
1 LEVEL ROOF
1 LEVEL CLUB-RETAIL
2 LEVEL PARKING (BELOW GRADE)
(MAX HT. 48')

FACADE LENGTH AND VARIATIONS NOTES

A portion of the ground level is to have architectural elements, such as covered porches, to break down overall scale.

Note:

The "effective height" is the height taken at the lowest point of the grade at the portion of the building under consideration

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CONDO VOLUMETRICS
PLAN VIEW

Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

HG
HILL GLAZIER

Project No.:	03006
Date:	June 15, 2005
Scale:	AS NOTED
Sheet No.:	AE 3.07

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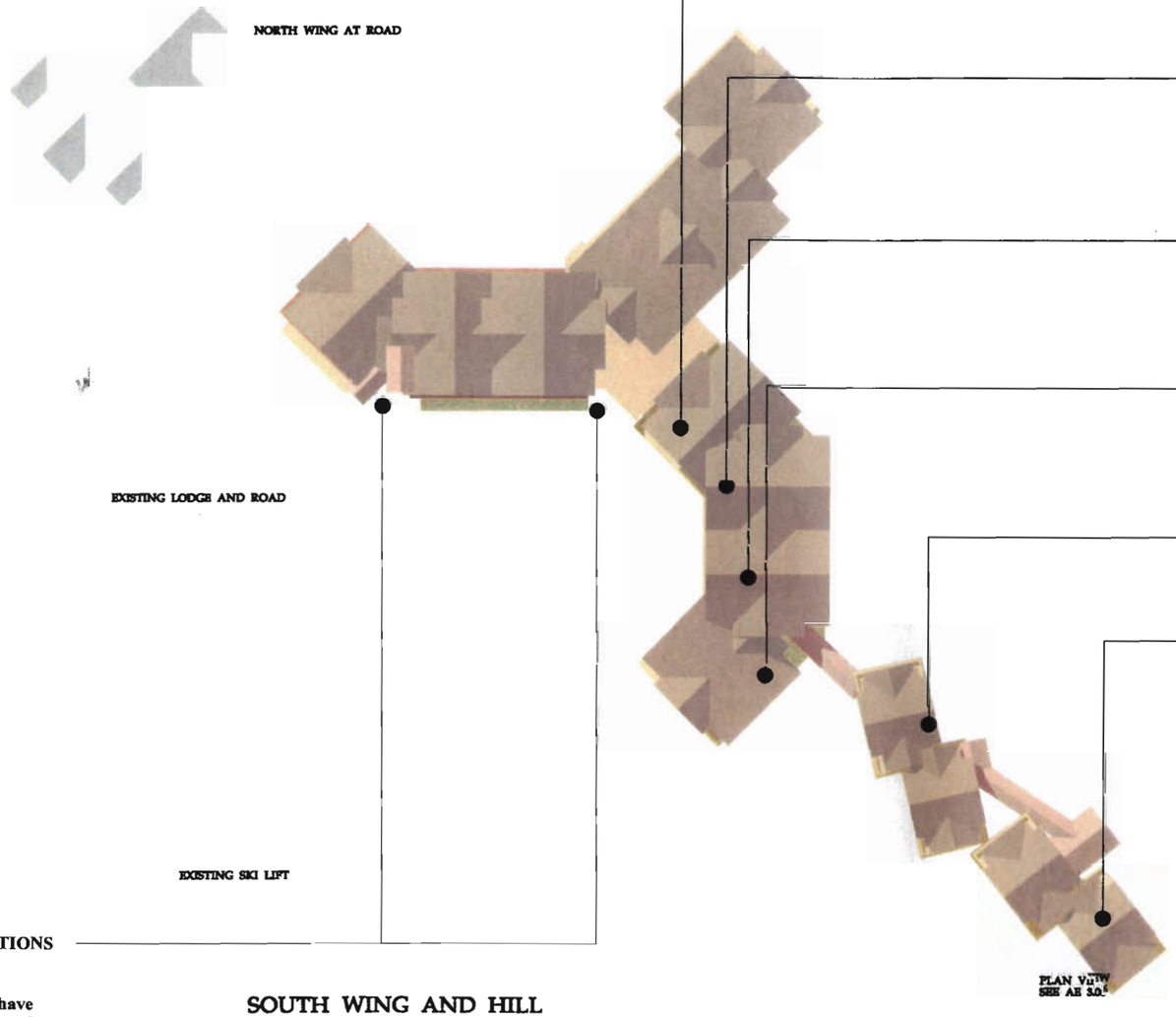

25% AT MAXIMUM HEIGHT OF
4 LEVELS RESIDENTIAL
1 LEVEL ROOF
1 LEVEL PARKING (CUT IN GRADE)
1 LEVEL PARKING (BELOW GRADE)
(MAX HT. 68') RESTS ON HILL

30% AT MAXIMUM HEIGHT OF
5 LEVELS RESIDENTIAL
1 LEVEL ROOF
1 LEVEL PARKING (CUT IN GRADE)
1 LEVEL PARKING (BELOW GRADE)
(MAX HT. 78') RESTS ON HILL

30% AT MAXIMUM HEIGHT OF
5 LEVELS RESIDENTIAL
1 LEVEL ROOF
1 LEVEL PARKING (CUT IN GRADE)
1 LEVEL PARKING (BELOW GRADE)
(MAX HT. 78') RESTS ON HILL

25% AT MAXIMUM HEIGHT OF
4 LEVELS RESIDENTIAL
1 LEVEL ROOF
1 LEVEL PARKING (CUT IN GRADE)
1 LEVEL PARKING (BELOW GRADE)
(MAX HT. 68') RESTS ON HILL

100% AT MAXIMUM HEIGHT OF
2 LEVELS RESIDENTIAL
1 LEVEL ROOF
(MAX HT. 48') RESTS ON HILL

100% AT MAXIMUM HEIGHT OF
2 LEVELS RESIDENTIAL
1 LEVEL ROOF
(MAX HT. 48') RESTS ON HILL

Note:

The "effective height" is the height taken at the lowest point of the grade at the portion of the building under consideration

FACADE LENGTH AND VARIATIONS NOTES

A portion of the ground level is to have architectural elements, such as covered porches, to break down overall scale. (Major balconies, entry clock tower)

CONDO VOLUMETRICS
PLAN VIEW

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Montage Resort and Spa at Deer Valley

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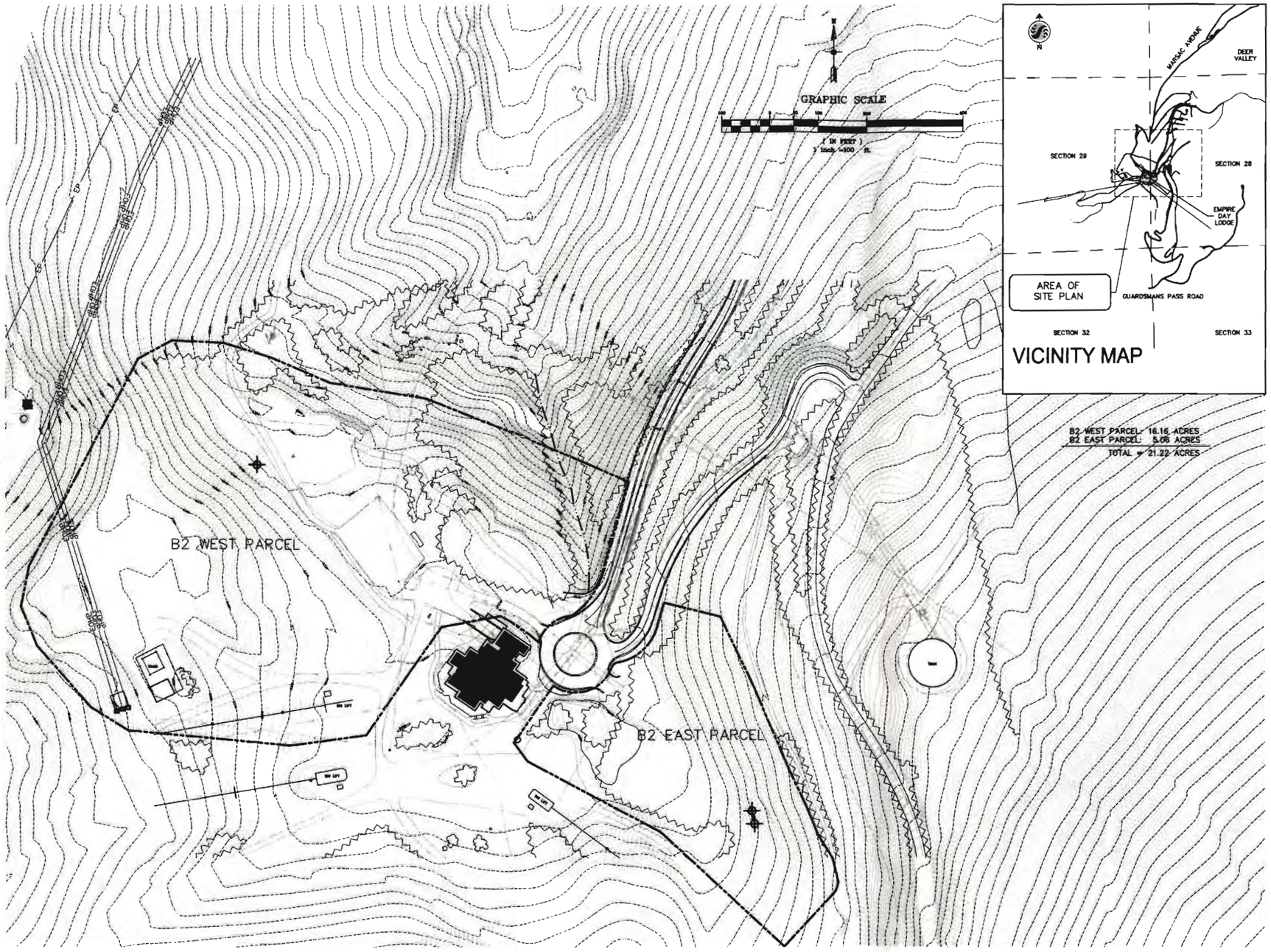

B2 WEST PARCEL: 16.16 ACRES
B2 EAST PARCEL: 5.06 ACRES
TOTAL = 21.22 ACRES

Legend

- B2 WEST PROPERTY BOUNDARY
- EXISTING GAS
- EXISTING POWER
- EXISTING SANITARY SEWER
- EXISTING STORM DRAIN
- EXISTING TELEPHONE
- EXISTING WATER
- BORE HOLE
- TEST PIT
- MINE SHAFT
- EXISTING DIRT ROADS
- TREELINE

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Stantec

Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

HG

Project No.:	03008
Date:	June 15, 2005
Scale:	AS NOTED
Sheet No.:	C 1.01

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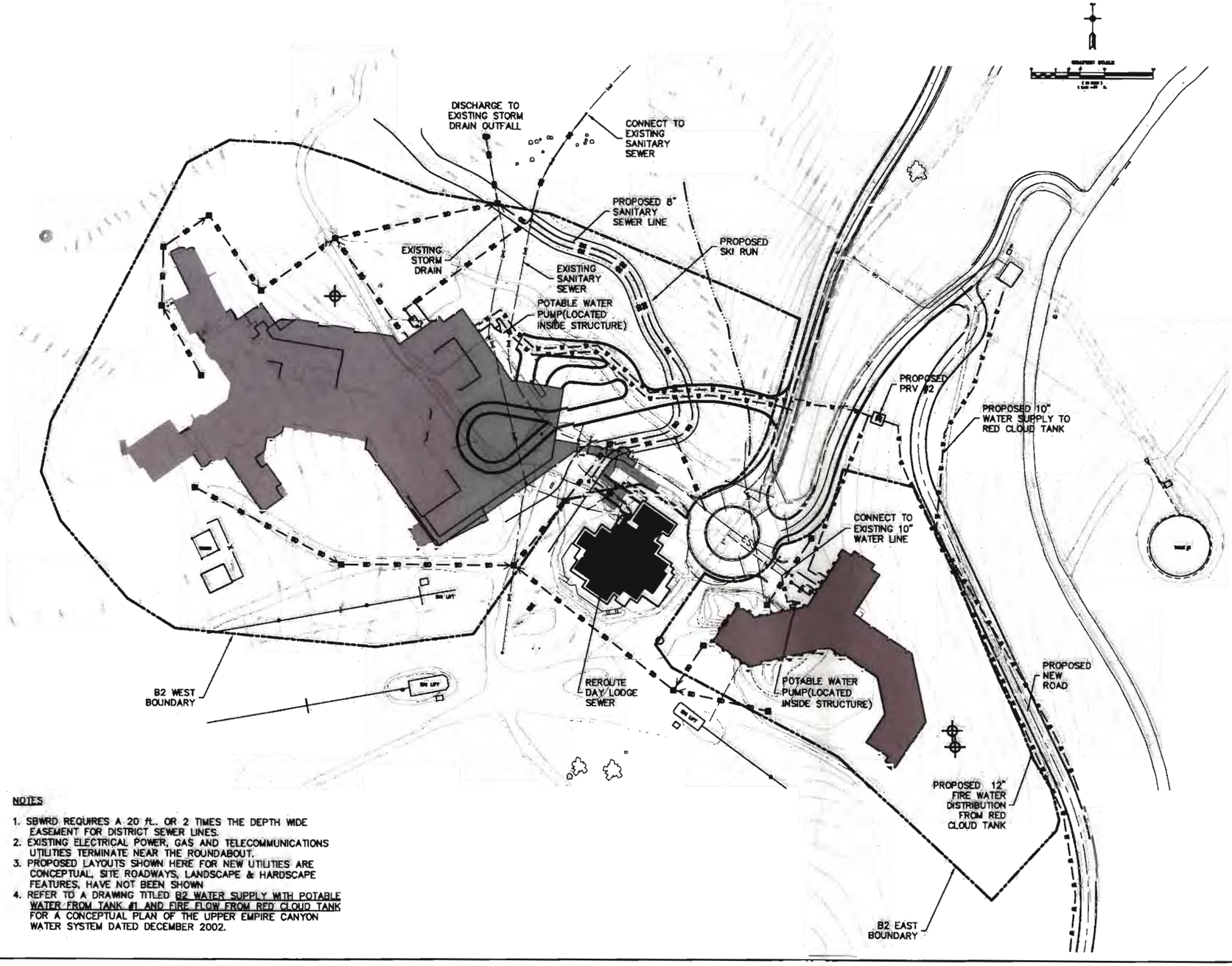

Legend

- B2 WEST/EAST PROPERTY BOUNDARY
- (gas) EXISTING GAS
- (pwr) EXISTING POWER
- (ss) EXISTING SANITARY SEWER
- (sd) EXISTING STORM DRAIN
- (t) EXISTING TELEPHONE
- (w) EXISTING WATER
- PROPOSED SANITARY SEWER
- PROPOSED STORM DRAIN
- PROPOSED WATER LINES
- PROPOSED STORM DRAIN STRUCTURE
- PROPOSED MANHOLE
- BORE HOLE
- TEST PIT
- MINE SHAFT
- EXISTING DIRT ROADS
- TREELINE

NOTES

1. SBWRD REQUIRES A 20 ft. OR 2 TIMES THE DEPTH WIDE EASEMENT FOR DISTRICT SEWER LINES.
2. EXISTING ELECTRICAL POWER, GAS AND TELECOMMUNICATIONS UTILITIES TERMINATE NEAR THE ROUNDABOUT.
3. PROPOSED LAYOUTS SHOWN HERE FOR NEW UTILITIES ARE CONCEPTUAL, SITE ROADWAYS, LANDSCAPE & HARDSCAPE FEATURES, HAVE NOT BEEN SHOWN
4. REFER TO A DRAWING TITLED B2 WATER SUPPLY WITH POTABLE WATER FROM TANK #1 AND FIRE FLOW FROM RED CLOUD TANK FOR A CONCEPTUAL PLAN OF THE UPPER EMPIRE CANYON WATER SYSTEM DATED DECEMBER 2002.

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

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Page 1 of 5
Mary Ann Trussell, Summit County Utah Recorder
03/06/2018 10:37:24 AM Fee $18.00
By Snell & Wilmer LLP
Electronically Recorded

WHEN RECORDED RETURN TO:
Wade R. Budge
SNELL & WILMER L.L.P.
15 West South Temple, Suite 1200
Salt Lake City, UT 84101

Affecting Part of Tax Serial No. PCA-S-98-GG-1

DECLARATION OF DEVELOPMENT COVENANTS

[B2]

This DECLARATION OF DEVELOPMENT COVENANTS (the "**Development Declaration**") is made and entered into this 1st day of March, 2018, by **REDUS PARK CITY LLC**, a Delaware limited liability company ("**Redus**" and sometimes "**Declarant**").

RECITALS:

A. Redus is the owner of certain real property in Summit County, Utah, more particularly described on **Exhibit 1**, attached hereto and made a part hereof (the "**Property**").

B. The Property constitutes a portion of the real property described in, and covered by, that certain Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel and Iron Mountain, dated as of March 2, 2007, and recorded with the Summit County Recorder on March 2, 2007 as Entry No. 00806100 in Book 1850, Page 1897 (the "**Development Agreement**"). Redus is the owner of additional undeveloped real property described in, and subject to, the Development Agreement. The term "**Project**" as used in this Development Declaration shall mean any project Redus pursues within the real property subject to the Development Agreement from time to time.

C. Redus is executing and recording this Development Declaration for the purpose of allocating and confirming certain development rights and obligations with respect to the Property's development, as set forth herein.

AGREEMENT:

NOW, THEREFORE, in consideration of the foregoing premises, Declarant hereby declares and states as follows:

1. **Recitals**. Redus hereby affirms the accuracy of the Recitals.

2. **Property Made Subject to Development Declaration**. The Property is hereby made subject to this Development Declaration, and shall be held, conveyed, transferred, hypothecated, encumbered, leased, occupied, built upon or otherwise used, improved, or developed, in whole or in part, subject to, and consistent with, the terms and conditions of this Development Declaration.

3. **Development Covenants**. By accepting title to the Property, any owner or developer of the Property (a "**Developer**"), agrees and covenants, with respect to the Property, to the following:

a. Development Requirements. If and to the extent that Developer elects to develop the Property or any portion thereof, Developer shall, at Developer's sole cost and expense, develop and improve the Property in compliance with this Development Declaration, the Development Agreement, the Park City Land Management Code, existing development approvals, any future development approvals obtained by Developer, and the restrictions and covenants of record as to the Property, in each case to the extent applicable to the Property.

b. Affordable Housing. Developer shall be responsible to construct four and two tenths (4.2) Affordable Unit Equivalents ("**AUEs**") on the Property as part of satisfying the on-site affordable housing requirements in the Development Agreement.

c. No Opposition. Developer shall not, at any time, oppose any development activities that Redus desires to take with respect to any Project, unless Developer, in good faith, determines that such activity violates the Development Agreement, as may be amended, and will materially and adversely affect the Property or Developer's development, operation, or use thereof.

4. **Allocation of UEs**. Without representation or warranty whatsoever, Redus hereby allocates the right to develop all remaining entitled multifamily residential dwelling units and commercial space on the Property (collectively, the "**Entitlements**"). Redus shall not be obligated to allocate or assign to Developer any additional Entitlements, or Unit Equivalents, as that term is defined in the Development Agreement. The Entitlements do not include an assignment of any PUD units, as defined in and currently permitted under the Development Agreement, it being the intent of Redus to reserve unto itself such PUD units.

5. **Right of Inspection**. Redus and its agents shall have the right, upon reasonable advance written notice and at any reasonable time or times, from and after the date hereof, to enter upon the Property or portions thereof for the purpose of determining whether the use of the Property is in compliance with the provisions of this Development Declaration. The fact that Redus or its agents, exercises or fails to exercise the foregoing inspection rights shall not, in any manner, be deemed to be a waiver by Redus of any of Developer's obligations under this Development Declaration.

6. **Enforcement Rights**. In the event Redus or Developer, as applicable, shall at any time be in default with respect to its obligations under this Development Declaration (such defaulting party, the "**Defaulting Party**"; the non-defaulting party is referred to herein as the "**Non-Defaulting Party**"), the Non-Defaulting Party shall have the right to enforce the provisions of this Development Declaration against the Defaulting Party by an action for specific performance, injunctive relief or other appropriate equitable remedy. The Defaulting' Party's breach or potential breach of the provisions of this Development Declaration shall constitute irreparable harm to the Non-Defaulting Party. Neither Redus nor Developer need provide a bond in connection with obtaining equitable relief under this paragraph. A breach of this Development Declaration may also result in a claim for damages in a court of law, and the existence of a claim for damages shall not limit Redus' or Developer's ability to obtain equitable relief to enforce the provisions of this Development Declaration against the Non-Defaulting Party.

7. **Successors and Assigns**. This Development Declaration shall be binding upon the successors-in-title of Developer and shall inure to the benefit of the successors and assigns of Redus. Any assignment of Developer's rights or obligations under this Development Declaration shall be null and void and of no effect. Redus shall be permitted to assign its interests hereunder. The term "Developer" as used herein shall not mean any owner of a unit in a development or building constructed on the Property.

8. **Covenant Running with Land**. The provisions of this Development Declaration shall run with the Property and shall be binding upon all parties having any right, title, or interest in the Property or any part thereof, their heirs, successors and assigns and shall inure to the benefit of each owner thereof.

9. **Effective Date**. This Development Declaration shall be effective as of the date it is recorded in the Office of the Recorder of Summit County, Utah.

10. **Notices**. All notices, requests, demands or other communications required or permitted under this Development Declaration shall be delivered to a party's respective addresses on file with the Utah Division of Corporations and Commercial Code, or other agency for the state in which the party is incorporated or organized.

11. **Waiver**. No waiver by Redus of any breach by Developer of any term or provision of this Development Declaration shall be construed to be or constitute a waiver of any succeeding breach of the same or any other term or provision of this Development Declaration. No term or provision of this Development Declaration shall be deemed to have been waived by Redus unless such waiver shall be set forth in writing.

12. **Severability**. If any term or provision of this Development Declaration or the application thereof to any person or circumstance shall, to any extent, be invalid or unenforceable, the remainder of this Development Declaration, or the application of such term or provision to persons or circumstances other than those as to which it is held invalid or unenforceable, shall not be affected thereby and each term and provision of this Development Declaration shall be valid and shall be enforced to the fullest extent permitted by law.

13. **Amendment**. This Development Declaration may be amended, restated, revoked or terminated in whole or in part by an instrument in writing executed and acknowledged by Redus (or those obtaining Redus's rights under this Development Declaration under a written assignment) and recorded in the office of the County Recorder, Summit County, Utah.

14. **Time of the Essence**. Time is of the essence of this Development Declaration.

[*Remainder of Page Intentionally Blank*]

IN WITNESS WHEREOF, this instrument has been executed by Redus as of the day and year first above written.

REDUS:

REDUS PARK CITY LLC,
a Delaware limited liability company

By: **REDUS PROPERTIES, INC.**,
a Delaware corporation
Its: Manager

By: _____
Name: David L. Ash
Title: SVP

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF San Francisco)

On March 1, 2018 before me, Auxiliadora Rios, Notary Public
(insert name and title of the officer)

personally appeared David L. Ash, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ (Seal)

AUXILIADORA RIOS
Notary Public – California
San Francisco County
Commission # 2188278
My Comm. Expires Mar 25, 2021

EXHIBIT 1
Legal Description of the Property

B2 EAST SUBDIVISION LOT 1

A parcel of land located in the west half of Section 28 and the southeast quarter of Section 29, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 00°30'49" West 2213.49 feet along Section Line and East 56.55 feet from a GLO stone monument at the southwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian; said point also being on the southerly line of the Marsac Avenue Right of Way, recorded June 28, 2003, as Entry No. 623451 in the office of the Recorder, Summit County, Utah, and on a curve to the left having a radius of 80.00 feet, of which the radius point bears North 34°38'59" East; and running thence along the southerly line of the Marsac Avenue Right of Way the following five (5) courses: 1) easterly along the arc of said curve 147.00 feet through a central angle of 105°16'44" to a point on a reverse curve to the right having a radius of 15.00 feet, of which the radius point bears South 70°37'45" East; thence 2) northeasterly along the arc of said curve 16.15 feet through a central angle of 61°42'18" to a point on a curve to the left having a radius of 100.00 feet, of which the radius point bears North 08°55'27" West; thence 3) northeasterly along the arc of said curve 112.21 feet through a central angle of 64°17'22"; thence 4) North 16°47'11" East 56.03 feet to a point on a curve to the right having a radius of 525.00 feet, of which the radius point bears South 73°12'49" East; thence 5) northeasterly along the arc of said curve 355.31 feet through a central angle of 38°46'34"; thence South 55°36'18" East 101.33 feet to a point on a curve to the left having a radius of 525.00 feet; thence southerly along the arc of said curve 44.31 feet (chord bears South 04°37'35" West 44.30 feet) through a central angle of 4°50'10"; thence South 02°12'30" West 119.72 feet to a point on a curve to the right having a radius of 30.00 feet, of which the radius point bears North 87°47'30" West; thence southerly along the arc of said curve 35.43 feet through a central angle of 67°39'38" to a point of reverse curve to the left having a radius of 85.00 feet, of which the radius point bears South 20°07'52" East; thence southwesterly along the arc of said curve 139.33 feet through a central angle of 93°54'58"; thence South 24°02'49" East 418.18 feet to a point on a curve to the right having a radius of 596.00 feet, of which the radius point bears South 65°57'11" West; thence along the arc of said curve 84.66 feet through a central angle of 08°08'19"; thence South 74°05'30" West 277.14 feet; thence North 47°13'14" West 209.96 feet; thence North 61°52'36" West 311.67 feet; thence North 35°40'02" West 47.30 feet; thence North 34°38'59" East 143.26 feet to the point of beginning.

Description contains 6.91 acres.

(PART OF TAX SERIAL NO. PCA-S-98-GG-1)

SURVEYOR'S CERTIFICATE

I, Robert J. McMahon, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 349961 as prescribed under the laws of the State of Utah. I further certify that by the authority of the owners I have made a survey of the tract of land shown on this plat and described herein and subdivided said tract of land into lots, rights-of-way, and easements to be hereafter known as PARCEL B-2 EMPIRE VILLAGE SUBDIVISION and that the same has been correctly surveyed on the ground as shown on this plat.

PROFESSIONAL LAND SURVEYOR No. 349961 ROBERT J. McMAHON State of Utah

ROBERT J. McMAHON 5/15/07
DATE

BOUNDARY DESCRIPTION 1

ALL of Parcel A of the PARCEL A EMPIRE VILLAGE SUBDIVISION according to the official plat thereof on file in the office of the Summit County Recorder, Summit County, Utah, Recorded 6-28-02 as Entry No. 623454.

BOUNDARY DESCRIPTION 2

A parcel of land located in the southeast quarter of Section 29, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

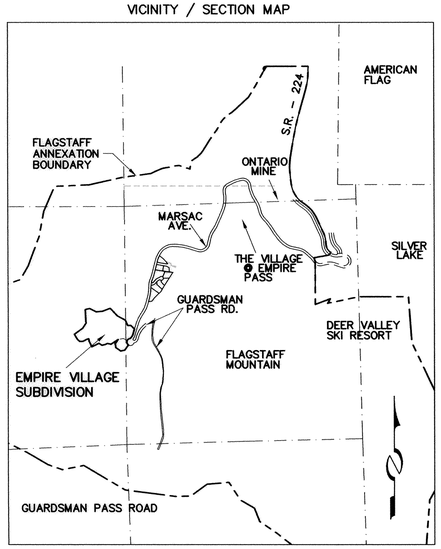
Beginning at a point North 00°30'49" West 2172.54 feet along Section Line and West 763.87 feet from the southeast corner of Section 29, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence North 64°05'11" East 70.70 feet; thence North 25°54'49" West 112.30 feet; thence South 64°05'11" West 70.70 feet; thence South 25°54'49" East 112.30 feet to the point of beginning.

BOUNDARY DESCRIPTION 3

A parcel of land located in the west half of Section 28 and the east half of Section 29, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being more particularly described as follows:

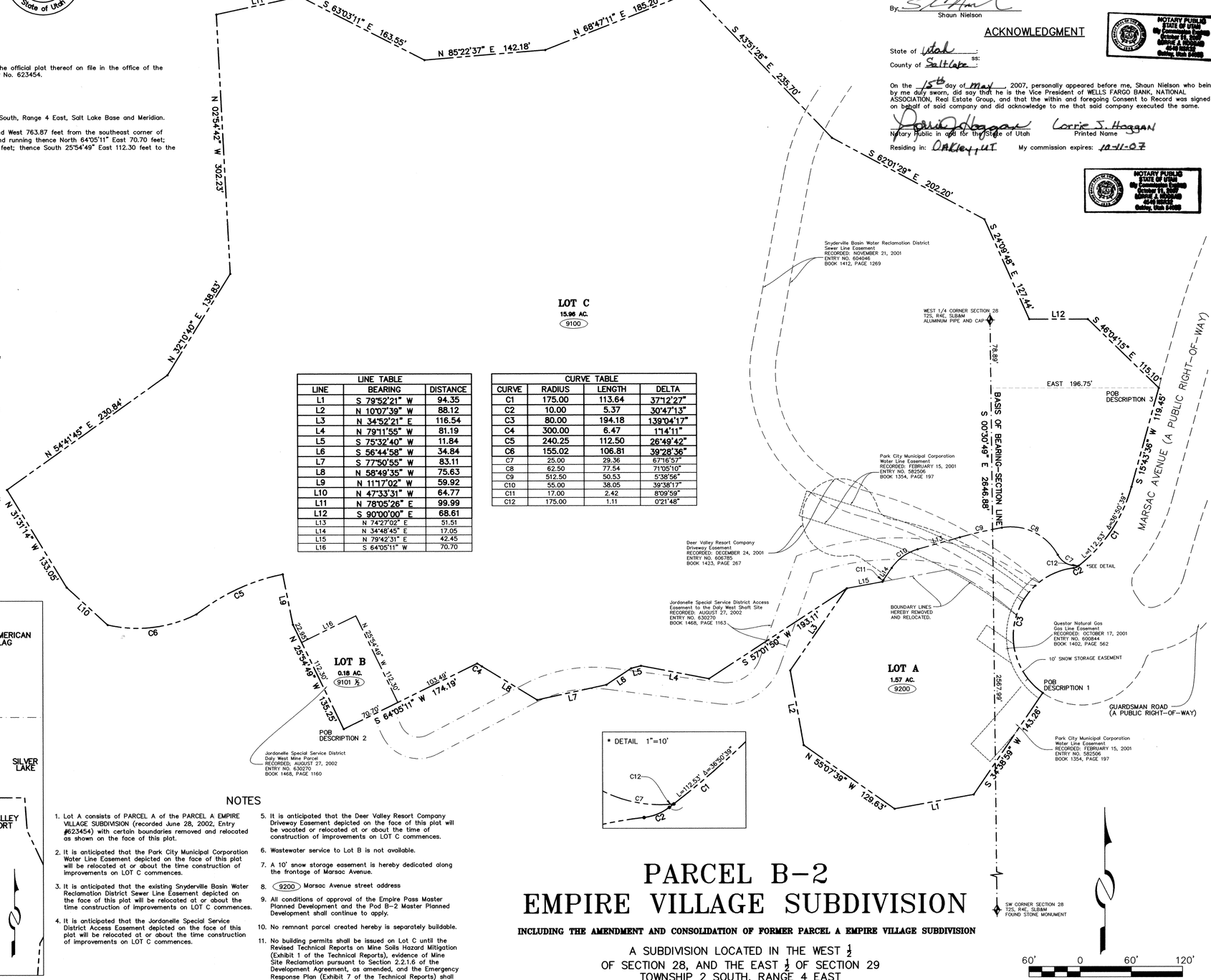
Beginning at a point that is South 00°30'49" East 78.89 feet along section line and East 196.75 feet from the west quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the westerly boundary of Marsac Avenue Right of Way, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah, entry #623451; and running thence along the westerly right-of-way of said Marsac Avenue the following four (4) courses: 1) South 15°43'36" West 119.45 feet to a point on a curve to the right having a radius of 175.00 feet, of which the radius point bears North 74°16'24" West; thence 2) along the arc of said curve 113.64 feet through a central angle of 37°12'27" to a point on a non tangent curve to the right having a radius of 10.00 feet, of which the radius point bears North 37°04'06" West; thence 3) westerly along the arc of said curve 5.37 feet through a central angle of 30°47'13" to a point on a non tangent curve to the left having a radius of 80.00 feet, of which the radius point bears South 06°16'44" East; thence 4) southwesterly along the arc of said curve 91.38 feet through a central angle of 65°26'37" to a point on a non tangent curve to the left having a radius of 360.43 feet, of which the radius point bears South 41°35'39" West; said point being on the northerly boundary of Parcel A, Empire Village Subdivision, according to the official plat thereof on file and of record in the office of the recorder, Summit County, Utah, entry #623454; thence along the northerly boundary of said Parcel A the following two (2) courses: 1) northwesterly along the arc of said curve 95.00 feet through a central angle of 15°06'08"; thence 2) South 79°42'31" West 122.55 feet; thence South 57°01'50" West 193.11 feet; thence North 79°11'55" West 81.19 feet; thence South 75°32'40" West 11.84 feet; thence South 56°44'58" West 34.84 feet; thence South 77°50'55" West 83.11 feet; thence North 58°49'35" West 75.63 feet to a point on a curve to the right having a radius of 300.00 feet, of which the radius point bears North 31°10'25" East; thence along the arc of said curve 6.47 feet through a central angle of 01°14'11"; thence South 64°05'11" West 103.49 feet; thence North 25°54'49" West 112.30 feet; thence South 64°05'11" West 70.70 feet; thence North 25°54'49" West 22.95 feet; thence North 11°17'02" West 59.92 feet to a point on a non tangent curve to the left having a radius of 240.25 feet, of which the radius point bears South 11°17'02" East; thence southwesterly along the arc of said curve 112.50 feet through a central angle of 26°49'42" to a point on a non tangent curve to the right having a radius of 155.02 feet, of which the radius point bears North 26°30'22" West; thence westerly along the arc of said curve 106.81 feet through a central angle of 39°28'36"; thence North 47°33'31" West 64.77 feet; thence North 31°31'14" West 133.05 feet; thence North 54°41'45" East 230.84 feet; thence North 32°10'40" East 138.83 feet; thence North 02°54'42" West 302.23 feet; thence North 78°05'26" East 99.99 feet; thence South 63°03'11" East 163.55 feet; thence North 85°22'37" East 142.18 feet; thence North 68°47'11" East 185.20 feet; thence South 43°51'26" East 235.70 feet; thence South 62°01'29" East 202.20 feet; thence South 24°09'48" East 127.44 feet; thence East 68.61 feet; thence South 46°04'15" East 115.10 feet to the point of beginning.

VICINITY / SECTION MAP



LINE TABLE		
LINE	BEARING	DISTANCE
L1	S 79°52'21" W	94.35
L2	N 10°07'39" W	88.12
L3	N 34°52'21" E	116.54
L4	N 79°11'55" W	81.19
L5	S 75°32'40" W	11.84
L6	S 56°44'58" W	34.84
L7	S 77°50'55" W	83.11
L8	N 58°49'35" W	75.63
L9	N 11°17'02" W	59.92
L10	N 47°33'31" W	64.77
L11	N 78°05'26" E	99.99
L12	S 90°00'00" E	68.61
L13	N 74°27'02" E	51.51
L14	N 34°48'45" E	17.05
L15	N 79°42'31" E	42.45
L16	S 64°05'11" W	70.70

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	175.00	113.64	37°12'27"
C2	10.00	5.37	30°47'13"
C3	80.00	194.18	139°04'17"
C4	300.00	6.47	1°14'11"
C5	240.25	112.50	26°49'42"
C6	155.02	106.81	39°28'36"
C7	25.00	29.36	67°16'57"
C8	62.50	77.54	71°05'10"
C9	512.50	50.53	5°38'56"
C10	55.00	38.05	39°38'17"
C11	17.00	2.42	8°09'59"
C12	175.00	1.11	0°21'48"



NOTES

1. Lot A consists of PARCEL A of the PARCEL A EMPIRE VILLAGE SUBDIVISION (recorded June 28, 2002, Entry #623454) with certain boundaries removed and relocated as shown on the face of this plat.
2. It is anticipated that the Park City Municipal Corporation Water Line Easement depicted on the face of this plat will be relocated at or about the time construction of improvements on LOT C commences.
3. It is anticipated that the existing Snyderville Basin Water Reclamation District Sewer Line Easement depicted on the face of this plat will be relocated at or about the time construction of improvements on LOT C commences.
4. It is anticipated that the Jordanelle Special Service District Access Easement depicted on the face of this plat will be relocated at or about the time construction of improvements on LOT C commences.
5. It is anticipated that the Deer Valley Resort Company Driveway Easement depicted on the face of this plat will be vacated or relocated at or about the time of construction of improvements on LOT C commences.
6. Wastewater service to Lot B is not available.
7. A 10' snow storage easement is hereby dedicated along the frontage of Marsac Avenue.
8. (9200) Marsac Avenue street address
9. All conditions of approval of the Empire Pass Master Planned Development and the Pod B-2 Master Planned Development shall continue to apply.
10. No remnant parcel created hereby is separately buildable.
11. No building permits shall be issued on Lot C until the Revised Technical Reports on Mine Soils Hazard Mitigation (Exhibit 1 of the Technical Reports), evidence of Mine Site Reclamation pursuant to Section 2.2.1.6 of the Development Agreement, as amended, and the Emergency Response Plan (Exhibit 7 of the Technical Reports) shall have been approved by the Chief Building Official.

PARCEL B-2
EMPIRE VILLAGE SUBDIVISION

INCLUDING THE AMENDMENT AND CONSOLIDATION OF FORMER PARCEL A EMPIRE VILLAGE SUBDIVISION

A SUBDIVISION LOCATED IN THE WEST ½
OF SECTION 28, AND THE EAST ½ OF SECTION 29
TOWNSHIP 2 SOUTH, RANGE 4 EAST
SALT LAKE BASE & MERIDIAN

CONSENT TO RECORD

WELLS FARGO BANK, NATIONAL ASSOCIATION, as a Trust Deed Beneficiary, in its capacity as Administrative Agent on behalf of and for the benefit of lenders, hereby consents to the recordation of this plat.

Executed this 15th day of May, 2007.

WELLS FARGO BANK, NATIONAL ASSOCIATION,
Real Estate Group

By: _____
Shaun Nielson

ACKNOWLEDGMENT

State of Utah :
ss:
County of Salt Lake :

On the 15th day of May, 2007, personally appeared before me, Shaun Nielson who being by me duly sworn, did say that he is the Vice President of WELLS FARGO BANK, NATIONAL ASSOCIATION, Real Estate Group, and that the within and foregoing Consent to Record was signed on behalf of said company and did acknowledge to me that said company executed the same.

Notary Public in and for the State of Utah — Corrie J. Hoggan, Printed Name

Residing in: Oakley, UT — My commission expires: 10-11-07

NOTARY PUBLIC STATE OF UTAH My Commission Expires October 11, 2007 CORRIE J. HOGGAN 4549 N5132 Oakley, Utah 84055

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS that the undersigned is an Owner of the herein described tracts of land and hereby causes the same to be divided into lots together with easements and public rights-of-way as set forth on the plat, hereafter to be known as PARCEL B-2 EMPIRE VILLAGE SUBDIVISION.

Also the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Protection District, and dry utilities providers, a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use, and eventual replacement.

The owner or its representative, hereby irrevocably offers for dedication to the City of Park City all the streets land for local government uses, easements, parks, required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication.

In witness whereof the undersigned has set his hand on this 15th day of May, 2007.

MOUNTAIN DEVELOPMENTS I, INC., a DELAWARE CORPORATION
A Delaware corporation

BY: _____ TITLE: AUTHORIZED SIGNING OFFICER
DAVID J. SMITH

ACKNOWLEDGMENT

State of Utah :
ss:
County of Summit :

This instrument was acknowledged before me this 15th day of May, 2007 by DAVID J. SMITH, the AUTHOIZED SIGNING OFFICER of MOUNTAIN DEVELOPMENTS I, Inc, a Delaware Corporation, that he signed the foregoing Owner's Consent to Record on behalf of the corporation with full authority of its bylaws.

A Notary Public commissioned in Utah — Corrie J. Hoggan, Printed Name

Residing in: Oakley, UT — My commission expires: 10-11-07

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS: that the undersigned is the Owner of the herein described tract of land, and hereby causes the same to be divided into lots together with easements and public rights-of-way as set forth on the plat, hereafter to be known as PARCEL B-2 EMPIRE VILLAGE SUBDIVISION.

Also the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Protection District, and dry utilities providers, a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use, and eventual replacement.

The owner, or his/her representative, hereby irrevocably offer for dedication to the City of Park City all the streets land for local government uses, easements, parks, required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication.

In witness whereof the undersigned has set his hand on this 16th day of May, 2007.

DEER VALLEY RESORT COMPANY, a Utah Limited Partnership,
By: ROYAL STREET OF UTAH, a General Partner

Robert W. Wells, Vice President

NOTARY PUBLIC STATE OF UTAH My Commission Expires October 11, 2007 CORRIE J. HOGGAN 4549 N5132 Oakley, Utah 84055

ACKNOWLEDGMENT

State of Utah :
ss:
County of Summit :

This instrument was acknowledged before me this 16th day of May, 2007 by ROBERT W. WELLS, the Vice President of ROYAL STREET OF UTAH, a Utah Corporation, that he signed the foregoing Owner's Consent to Record on behalf of the corporation with full authority of its bylaws.

A Notary Public commissioned in Utah — Corrie J. Hoggan, Printed Name

Residing in: Oakley, Utah — My commission expires: 10-11-07

OWNER'S DEDICATION

KNOW ALL MEN BY THESE PRESENTS: that the undersigned is the Owner of the herein described tract of land, and hereby causes the same to be divided into lots together with easements and public rights-of-way as set forth on the plat, hereafter to be known as PARCEL B-2 EMPIRE VILLAGE SUBDIVISION.

Also the owner hereby dedicates to Park City Municipal Corporation, Snyderville Basin Water Reclamation District, Park City Fire Protection District, and dry utilities providers, a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use, and eventual replacement.

The owner, or his/her representative, hereby irrevocably offer for dedication to the City of Park City all the streets land for local government uses, easements, parks, required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication.

In witness whereof the undersigned has set its hand on this 16 day of May, 2007.

JORDANELLE SPECIAL SERVICE DISTRICT
By: _____

NOTARY PUBLIC STATE OF UTAH My Commission Expires October 11, 2007 CORRIE J. HOGGAN 4549 N5132 Oakley, Utah 84055

ACKNOWLEDGMENT

State of Utah :
ss:
County of Wasatch :

This instrument was acknowledged before me this 16th day of March, 2007 by Dan Matthews, the Manager of JORDANELLE SPECIAL SERVICE DISTRICT and that he signed the foregoing Owner's Consent to Record on behalf of the corporation with full authority of its bylaws.

A Notary Public commissioned in Utah — Corrie J. Hoggan, Printed Name

Residing in: Oakley, Utah — My commission expires: 10-11-07

5/15/07 JOB NO.:1-1-01 FILE:X:\Empire\dwg\Talisker\plat\pod b2_01-23-07.dwg

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

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 15th DAY OF May, 2007 A.D.
BY _____ S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 14th DAY OF MARCH, 2007 A.D.
BY _____ CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 12TH DAY OF MAY, 2007 A.D.
BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 22nd DAY OF May, 2007 A.D.
BY _____ PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 29th DAY OF MARCH, 2007 A.D.
BY _____ PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 29th DAY OF MARCH, 2007 A.D.
BY _____ MAYOR

RECORDED #814198
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Coalition Title
DATE 5-23-07 TIME 3:28 p.m. BOOK ____ PAGE ____
$33.00 FEE _____ RECORDER

Ordinance 2017-07

AN ORDINANCE APPROVING THE B2 EAST SUBDIVISION, LOCATED WITHIN THE POD B-2 EMPIRE PASS MASTER PLANNED DEVELOPMENTAT 9300 MARSAC AVENUE, PARK CITY, UTAH.

WHEREAS, owners of the property known as Pod B2 East, located at 9300 Marsac Avenue in Park City, Utah, have petitioned the City Council for approval of a final subdivision plat; and

WHEREAS, legal notice of the public hearing was published in the Park Record and on the Utah Public Notice website on November 26th and December 28th, 2016, and January 21, 2017, and the property was posted on November 30, 2016, according to the requirements of the Land Management Code; and

WHEREAS, courtesy notice was sent to surrounding property owners on November 30, 2016, according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held public hearings on December 14, 2016, and January 11th and February 8th, 2017, to receive input on the subdivision plat; and

WHEREAS, the Planning Commission, on February 8, 2017, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 9, 2017, City Council held a public hearing on the subdivision plat; and

WHEREAS, it is in the best interest of Park City, Utah, to approve the B2 East Subdivision plat.

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

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

Findings of Fact

1. The property is located at 9300 Marsac Avenue.
2. The zoning is Residential Development (RD) within Flagstaff Mountain Resort Annexation and the Village at Empire Pass B2 MPD (RD-MPD).
3. On June 24, 1999, Council adopted Ordinance 99-30 and Resolution 20-99 approving the annexation and development agreement for the Flagstaff Mountain area.
4. Resolution 20-99 granted the equivalent of a "large-scale" master planned development (MPD) and set forth the types and locations of land use, maximum

densities, timing of development, development approval process, as well as development conditions and amenities for each parcel.

5. The Flagstaff Development Agreement was subsequently amended and recorded in March of 2007.
6. The Development Agreement specifies that a total of 87 acres, within three development pods (A, B1 and B2), of the 1,750 acres of annexation property may be developed for the Mountain Village.
7. The Mountain Village is further constrained to a maximum density of 785 UE configured in no more than 550 dwelling units as multi-family, hotel, or PUD units, provided the number of PUD units do not exceed 60. The Mountain Village is allowed 16 single family home sites. At least 50% of the residential units within the Mountain Village must be clustered within the primary development pod (Pod A).
8. There are currently 588.742 UE (382 multi-family units) platted within the Village at Empire Pass (Pods A, B1 and B2).
9. With approval of 81 UE (and up to a total of 70 multi-family condominium units) on Lot 1 of the B2 East Subdivision, there will be 669.742 UE platted, 452 (or fewer) units platted, and 57% of the units of Pods A, B1 and B2 will be located within Pod A. The numbers for UE and units do not include the UE and units proposed on the Village North Subdivision under concurrent review. There would then be 88.258 UE and 98 units available for the Village North subdivision, as well as for the un-built Tower Residential (Building One of the Village at Empire Pass MPD).
10. On March 14, 2007, the Planning Commission approved a Master Planned Development for Pod B2 at Empire Pass. The MPD approved 192 hotel rooms utilizing 69.6 Unit Equivalents (UE) and 94 hotel condominiums utilizing 114 UE, on the west side parcel (Montage Resort and Spa). An additional 81 UE of residential condominiums were assigned to the B2 East parcel.
11. The Pod B2 MPD approved Resort Support Commercial uses for the 35,000 sf of Spa space and 28,059 sf for restaurants, bar, and retail space. The MPD approved 15,000 sf of meeting/conference space and lounge area based on the floor area of the building, not including the parking garage. The Pod B2 MPD describes findings and conditions for development of Pod B2, and includes language related to the location of allowed parking for the Empire Day Lodge.
12. The Development Agreement allows a total maximum of 75,000 sf of MPD Resort Support Commercial floor area within Pods A, B1 and B2.
13. The Tower Club CUP in Pod A includes 2,264 sf of private dining room, kitchen and store and was approved for an amendment to the CUP for a dining room addition of 1,115 sf. The Tower Club CUP is approved for 3,379 sf of MPD Resort Support Commercial.
14. The Grand Lodge Condominium plat approved a total of 1,275 sf of MPD Resort Support Commercial.
15. There exists a total of 7,287 sf of unallocated Resort Support Commercial that can be allocated within the Village MPD to Pods A, B1, and B2. With approval of the proposed application, 3,600 sf of Resort Support Commercial will be allocated to Lot 1, leaving a balance of 3,687 sf unallocated Resort Support Commercial available under the Flagstaff Development Agreement.
16. Accounting of the support commercial, residential accessory space, and support meeting space is finalized at the time of review of the Conditional Use Permit and

memorialized in the final condominium plat(s).

17. On March 29, 2007, the City Council approved the Parcel B-2 Empire Village Subdivision creating three lots of record for Parcel B-2 (West). The Parcel B-2 Empire Village Subdivision amended and consolidated parcel A of the prior Empire Village Subdivision for the Empire Day Lodge and created Lot B, site of the Daly West head frame and access to JSSD underground mine tunnels, and Lot C, site of the Montage Resort and Spa CUP.
18. Subject property is a metes and bounds parcel and is not part of the Parcel B-2 Empire Village Subdivision plat.
19. The staff report for the Parcel B-2 Empire Village Subdivision indicates that the Parcel B-2 East would have to be platted to create a legal lot for development of 81 UE of residential condominiums.
20. Parcel B-2 Empire Village Subdivision plat was recorded on May 23, 2007.
21. The proposed B2 East Subdivision plat creates one lot and one parcel for the B-2 East parcel. Lot 1 is 6.91 acres in area and Parcel A is 0.94 acres in area. Total property consists of 7.85 acres.
22. Lot 1 has frontage on Marsac Avenue, a State Highway and utilities are available to the lot. A Line Extension Agreement approval letter was issued by SBWRD on January 24, 2017.
23. All existing and required easements will be recorded on the plat, including utilities, storm drainage, access, snow storage, etc. No changes are proposed to existing streets.
24. Final utility plans are required to be submitted with the Conditional Use Permit based on the proposed configuration of units and buildings. Additional off-site utility easements maybe required and will have to be recorded prior to issuance of building permits.
25. There is an existing curb cut off Marsac Avenue. Any relocation of this curb cut for future buildings requires review and approval by the City Engineer and UDOT.
26. There is no minimum or maximum lot size or lot width in the RD District.
27. All applicable requirements of Land Management Code apply, unless otherwise allowed per the Flagstaff Development Agreement and Pod B2 at Empire Pass MPD.
28. A height exception and building volumetric were approved with the Pod B2 at Empire Pass MPD.
29. The final Mylar plat is required to be approved and signed by the Snyderville Basin Water Reclamation District prior to recordation to ensure that requirements of the District are addressed.
30. Snow storage area is required along public streets and rights-of-way due to the possibility of large amounts of snowfall in this location.
31. In September 2016, the applicant began working under an Administrative Settlement and Order on Consent for Removal Action with the EPA permit to remediate and remove mine soil from the property and to close an old mine shaft/adit on the property. After the mine shaft closure was completed, this work was halted in November 2016 on account of the weather. Some contaminated soil remains on site in the area of the former and remaining parking lot. The adit (a gently sloping shallow tunnel) discovered during the mine shaft closure has been temporarily closed but will require further work at time of building construction.

32. On site affordable housing requirements are required by the Flagstaff Development-Affordable Housing Technical Report. This plat identifies an on-site housing obligation of 4.2 AUE (per requirements of the Affordable Housing Mitigation Plan) to be incorporated into the building (s) and noted on the plat.
33. Requirements of the Flagstaff Development Agreement will be reviewed and verified for compliance during the Conditional Use Permit application review for development of Lot 1. This includes transportation, affordable housing, environmental, transfer fees, construction mitigation, and others as may apply. Some of these obligations are triggered by the number of certificates of occupancy issued.
34. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law

1. There is good cause for this subdivision plat.
2. The subdivision plat is consistent with the Park City Land Management Code and applicable State law regarding subdivisions, the Park City General Plan, and the Empire Pass Pod B-2 Master Planned Development.
3. Neither the public nor any person will be materially injured by the proposed subdivision.
4. Approval of the subdivision, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval

1. The City Attorney and City Engineer will review and approve the final form and content of the subdivision plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at Summit County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void unless a written request for an extension is submitted to the City prior to the expiration date and the City Council grants an extension.
3. All applicable conditions, regulations, requirements, and stipulations of the Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel, and Iron Mountain (recorded at Summit County on March 2, 2007), and associated Technical Reports and Agreements, continue to apply.
4. The plat will note that conditions of approval of the Village at Empire Pass Master Planned Development and the Pod B-2 Master Planned Development shall continue to apply.
5. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lots.
6. Non-exclusive public utility easements (PUE) shall be indicated on the plat prior to recordation as approved by the City Engineer and SBWRD, including drainage easements.
7. A financial security to guarantee for the installation of any required public improvements is required prior to plat recordation in a form approved by the City Attorney and in an amount approved by the City Engineer.

8. A ten foot (10') wide public snow storage easement is required along the public street frontage of the Lot and Parcel.
9. Fire sprinklers are required for new construction per the Chief Building Official at the time of review of the building permit. A note stating this shall be on the plat.
10. No building permits shall be issued on Lot 1 or Parcel A until the mine shaft has been fully closed and mine soil remediation under EPA supervision has been completed. Prior to issuance of any building permits, documentation certifying the work is complete shall be presented to the Chief Building Official and Planning Director. As part of any building permit submission, property owner shall submit a closure plan for the adit, approved by a geotechnical engineer, and detailing any additional work required in conjunction with building construction in the vicinity of the adit.
11. Prior to building permit issuance, documentation from UDOT showing approval of any curb cuts onto Marsac Avenue, a state highway, is required. If documentation of the existing curb cut does not exist, a new application shall be submitted to UDOT for approval of the curb cut location. This approval shall be submitted to the City Engineer.
12. Any modifications to existing curb cuts for access to Marsac Avenue, a state highway, must be approved by the City Engineer and UDOT.
13. A Conditional Use Permit approval is required prior to issuance of a building permit for the residential building proposed on Lot 1.
14. A final grading and utility plan, including storm water and drainage plans, shall be submitted with the Conditional Use Permit for development on Lot 1, for approval by the City Engineer and SBWRD. No building permits shall be issued until all necessary utility easements are recorded.
15. A declaration of condominium and a record of condominium plat are required prior to the sale of individual units within the development.
16. Requirements of the affordable housing mitigation plan shall be addressed with the Conditional Use Permit and condominium plat. A note shall be included on the plat indicated that the development of Lot 1 has an on-site affordable housing obligation of 4.2 AUE, to be consistent with all requirements of the Flagstaff Affordable Housing Mitigation Plan. All deed restricted units shall be identified on the final condominium plat prior to recordation of such plat. Phasing of affordable housing units shall be commensurate with the Certificates of Occupancy for the buildings.
17. Wastewater service to B2 East Subdivision shall be provided by the Snyderville Basin Water Reclamation District. A Line Extension Agreement approval letter was provided by SBWRD on January 24, 2017. The Owner shall be responsible for extending the public wastewater system within Lot 1 according to requirements of the Line Extension Agreement. Easements associated with this agreement are to be depicted on the plat.
18. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
19. This development is part of a common plan development and a MS4 storm water permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance.
20. The CC&Rs shall provide notice and process for the tracking and collection of the Real Estate Transfer Fee as required and defined by the Flagstaff Mountain

Development Agreement, as amended.

21. Requirements and obligations of the Flagstaff Mountain Development Agreement, as amended and recorded at Summit County in March of 2007, as apply to this Property, shall be completed, or bonded for completion, prior to issuance of certificates of occupancy for any approved development located on Lot 1, unless otherwise conditioned herein (e.g. soil and mine remediation to be complete prior to building permit issuance). This includes gondola payments, number of shuttles in operation, provision of affordable housing units, collection mechanism for real estate transfer fees, and all other such obligations as are outlined in the March 2007 Agreement, some of which are triggered by the number of certificates of occupancy issued.
22. A Construction Mitigation Plan shall be submitted with the Conditional Use Permit application and in advance of issuing building permits.

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

PASSED AND ADOPTED this 9th day of March, 2017.

PARK CITY MUNICIPAL CORPORATION

Jack Thomas, Mayor

ATTEST:

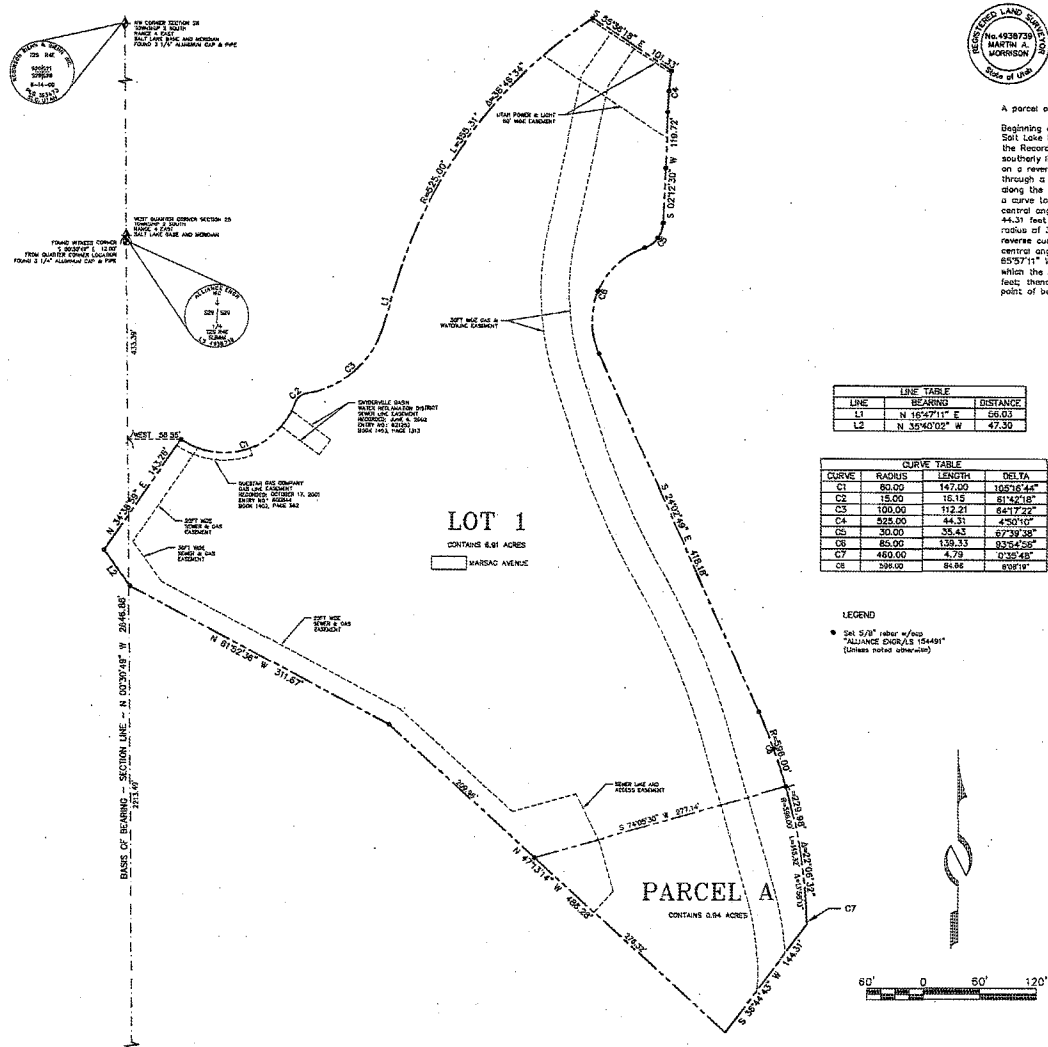
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

Mark Harrington, City Attorney

Exhibits

Exhibit A – Proposed subdivision plat



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 16°47'11" E	56.03
L2	N 35°40'02" W	47.30

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	80.00	147.00	105°16'44"
C2	15.00	16.15	61°42'18"
C3	100.00	112.21	64°17'22"
C4	525.00	44.31	4°50'10"
C5	30.00	35.43	67°39'38"
C6	85.00	139.33	93°54'58"
C7	460.00	4.79	0°35'48"
C8	596.00	84.86	8°09'19"

LEGEND

● Set 5/8" rebar w/cap "ALLIANCE ENGR/LS 154491" (Unless noted otherwise)

B2 EAST SUBDIVISION

LOCATED IN THE WEST HALF OF SECTION 28 & THE SOUTHEAST QUARTER OF SECTION 29
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

REGISTERED LAND SURVEYOR No. 4938739 MARTIN A. MORRISON State of Utah

SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners, this Record of Survey map of B2 EAST SUBDIVISION has been prepared under my direction and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

BOUNDARY DESCRIPTIONS

A parcel of land located in the west half of Section 28 and the southeast quarter of Section 29, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

Beginning at a point that is North 00°30'49" West 2213.49 feet along Section Line and East 56.55 feet from the southwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the southerly line of the Marsac Avenue Right of Way, according to the official plat thereof on file and of record in the office of the Recorder, Summit County, Utah, and on a curve to the left having a radius of 80.00 feet, of which the radius point bears North 54°38'59" East; and running thence along the southerly line of the Marsac Avenue Right of Way the following five (5) courses: 1) easterly along the arc of said curve 147.00 feet through a central angle of 105°16'44" to a point on a reverse curve to the right having a radius of 15.00 feet, of which the radius point bears South 70°37'45" East; thence 2) northeasterly along the arc of said curve 16.15 feet through a central angle of 61°42'18" to a point on a curve to the left having a radius of 100.00 feet, of which the radius point bears North 08°55'27" West; thence 3) northeasterly along the arc of said curve 112.21 feet (chord bears North 48°55'52" East 106.41 feet) through a central angle of 64°17'22", thence 4) North 16°47'11" East 56.03 feet to a point on a curve to the right having a radius of 525.00 feet, of which the radius point bears South 73°12'49" East; thence 5) northeasterly along the arc of said curve 355.31 feet through a central angle of 38°46'34"; thence South 55°36'18" East 101.33 feet to a point on a curve to the left having a radius of 525.00 feet; thence southerly along the arc of said curve 44.31 feet (chord bears South 04°37'35" West 44.30 feet) through a central angle of 4°50'10"; thence South 02°12'30" West 119.72 feet to a point on a curve to the right having a radius of 30.00 feet, of which the radius point bears North 87°47'30" West; thence southerly along the arc of said curve 35.43 feet through a central angle of 67°39'38" to a point of reverse curve to the left having a radius of 85.00 feet, of which the radius point bears South 20°07'52" East; thence southwesterly along the arc of said curve 139.33 feet through a central angle of 93°54'58"; thence South 24°02'49" East 418.18 feet to a point on a curve to the right having a radius of 596.00 feet, of which the radius point bears South 65°57'11" West; thence along the arc of said curve 229.98 feet through a central angle of 22°06'32" to a point of compound curve to the right having a radius of 460.00 feet, of which the radius point bears South 88°03'42" West; thence southerly along the arc of said curve 4.79 feet through a central angle of 00°35'48"; thence South 38°14'43" West 144.31 feet; thence North 47°13'14" West 486.28 feet; thence North 61°52'36" West 311.67 feet; thence North 35°40'02" West 47.30 feet; thence North 54°38'59" East 143.28 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that REDUS Park City LLC, the undersigned owner of the herein described tract of land, to be known hereafter as B2 EAST SUBDIVISION, does hereby certify that it has caused this Plat to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set his hand this _____ day of _____, 2016.

REDUS Park City LLC, a Delaware limited liability company

By: REDUS Properties, Inc., a Delaware corporation
Its: manager

By: _____
Name: _____
Title: _____

ACKNOWLEDGMENT

State of _____
ss:
County of _____:

On this _____ day of _____, 2016, _____ personally appeared before me, the undersigned Notary Public, in and for said state and county. Having been duly sworn, _____ acknowledged to me that he is an authorized signatory of the herein described tract of land, and that he signed the above Owner's Dedication and Consent to Record freely and voluntarily.

_____
A Notary Public commissioned in _____

_____
Printed Name

Residing in: _____

My commission expires: _____

NOTES:

1. This plat is subject to the Conditions of Approval in Ordinance 2016-____.
2. Wastewater service to B2 East Subdivision shall be provided by The Snyderville Basin Water Reclamation District ("District"). A Line Extension Agreement with the District may be required for Lot 1. If necessary, it shall be the responsibility of the Owner to extend the public wastewater system with Lot 1 according to the requirements of the Line Extension Agreement.
3. Conditional use permit approval will be required prior to construction on Lot 1.
4. A declaration of condominium and a recorded condominium map will be required for the purpose of the sale of individual units within the single development lot shown hereon.
5. The lot and parcel described on this plat are subject to the Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel and Iron Mountain dated as of March 2, 2007, and recorded on March 2, 2007 as Entry No. 00806100 in Book 1850, Page 1897 (the "Development Agreement"). By separate Declaration of Development Covenants, recorded _____ as Entry No. _____ in the official records of the Summit County Recorder, Lot 1 has been allocated the right to develop 81 Unit Equivalents within 70 multifamily dwelling units and the obligation to locate 4.2 Affordable Unit Equivalents thereon, as each of those capitalized terms is defined in the Development Agreement. Declaration of Development allocates a maximum of 3,600 square feet (3.6 commercial Unit Equivalents) for Resort Support Commercial within Lot 1. The foregoing confirmation of the allocation of commercial Unit Equivalents does not include the 5% additional support commercial allowed by existing codes, which number shall be determined and added to the entitlement for Lot 1 at such time as the owner of Lot 1 obtains a conditional use permit approval. No Unit Equivalents will be allocated to Parcel A as Parcel A is to be used in connection with resort and similar activities.
6. Owners and potential buyers of any parcel, unit or land within the lot or parcel depicted on this plat are given notice that they own or are buying property in a resort area in which all-season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, snowboarders, mountain bikers and other resort patrons, equipment, machine-made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such owner or agreements with such owner.
7. The Empire Pass Master Owners Association, Inc. (the "Master Association") together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass, as amended ("Master Declaration"), requires the membership of each lot or unit owner. Members are subject to the terms of its articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein.
8. [Utility Easement dedication – await comments from PCMC regarding Waterline]
9. The property is located within a water source protection zone. All sewer construction must comply with the State of Utah drinking water regulations.
10. A 10' snow storage easement is hereby dedicated to the Master Association along the frontage of the single development lot depicted hereon.
11. Fire sprinklers will be required within all dwellings constructed on the single development lot depicted hereon.

SHEET 1 OF 1

JOB NO.: 12-2-16 FILE: X:\Empire\dwg\srv\plat2016\120216-B2 East.dwg

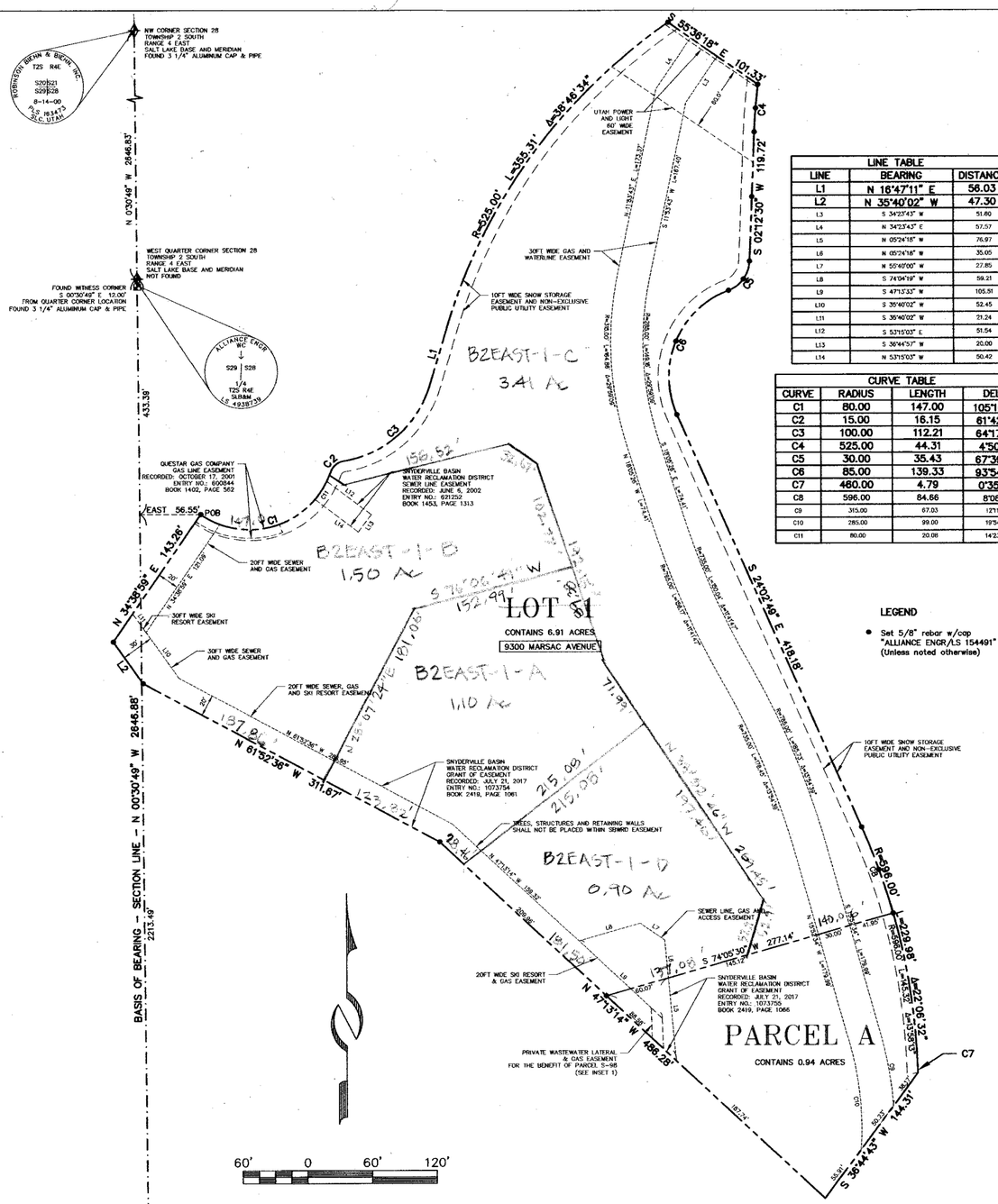
(435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 333 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT: REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2017 BY _____ S.B.W.R.D.	PLANNING COMMISSION: APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2016 BY _____ CHAIR	ENGINEER'S CERTIFICATE: I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM: APPROVED AS TO FORM THIS _____ DAY OF _____, 2017 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE: APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ MAYOR	CERTIFICATE OF ATTEST: I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2017 BY _____ PARK CITY RECORDER	RECORDED: STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ _____ FEE _____ RECORDER

PRIOR SERIAL #'S PCA-D-98-GG-1

NEW SERIAL #'S B2EAST-LOT

NOTES:

1. This plat is subject to the Conditions of Approval in Ordinance 2017-07.
2. All applicable conditions, regulations, requirements, and stipulations of the Amended and Restated Development Agreement for Flagstaff Mountain, Bonanza Flats, Richardson Flats, The 20-Acre Quinn's Junction Parcel, and Iron Mountain recorded at Summit County on March 2, 2007, as Entry No. 00806100 in Book 1850, Page 1897 (the "Development Agreement"), and associated technical reports and agreements, continue to apply.
3. Conditions of approval of the Village at Empire Pass Master Planned Development, approved July 28, 2004, and the Pod B-2 at Empire Pass Master Planned Development, approved March 14, 2007, shall continue to apply.
4. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lots.
5. Fire sprinklers are required for new construction per the Chief Building Official at the time of review of the building permit.
6. No building permits shall be issued on Lot 1 or Parcel A until the mine shaft has been fully closed and mine soil remediation under EPA supervision has been completed. Prior to issuance of any building permits, documentation certifying the work is complete shall be presented to the Chief Building Official and Planning Director. As part of any building permit submission, property owner shall submit a closure plan for the adit, approved by a geotechnical engineer, and detailing any additional work required in conjunction with building construction in the vicinity of the adit.
7. Prior to building permit issuance, documentation from UDOT showing approval of any curb cuts or modifications to existing curb cuts onto Marsac Avenue, a state highway, is required.
8. A conditional use permit approval is required prior to issuance of a building permit for any residential building proposed on Lot 1. A construction mitigation plan shall be submitted with the conditional use permit application and in advance of issuing building permits. Parcel A is not a development lot.
9. A declaration of condominium and a record of condominium plat are required prior to the sale of individual units within the development.
10. Lot 1 is subject to the Declaration of Development Covenants, recorded 3/6/18 as Entry No. 1087491 in the official records of the Summit County Recorder. Lot 1 has an on-site affordable housing obligation of 4.2 Affordable Unit Equivalents as defined in the Development Agreement. All deed restricted units shall be identified on the final condominium plat prior to recordation of such plat. Phasing of affordable housing units shall be commensurate with the certificates of occupancy for the buildings.
11. Wastewater service to B2 East Subdivision shall be provided by the Snyderville Basin Water Reclamation District ("SBWRD"). A Line Extension Agreement approval letter was provided by SBWRD on January 24, 2017, in connection with that certain Line Extension Agreement for Public Wastewater System dated January 23, 2017 (the "Line Extension Agreement"). The owner shall be responsible for extending the public wastewater system within Lot 1 according to requirements of the Line Extension Agreement. Easements associated with the Line Extension Agreement are depicted on the plat.
12. The property is located within a water source protection zone. All sewer construction must comply with State of Utah drinking water regulations.
13. This development is part of a common plan development and a MS4 storm water permit is required for all land disturbance activities for each separate phase of construction, prior to building permit issuance.
14. The Empire Pass Master Owners Association, Inc. (the "Master Association"), together with the Master Declaration of Covenants, Conditions, and Restrictions of Empire Pass (as amended the "Master Declaration") requires the membership of each lot or unit owner. Members are subject to the terms of the Master Association's articles of incorporation, bylaws, rules and regulations and other governing documents that may be established from time to time by the Master Association, including assessments and reinvestment fees as provided therein.
15. Requirements and obligations of the Development Agreement, as applicable to this property, shall be completed, or bonded for completion, prior to issuance of certificates of occupancy for any approved development located on Lot 1, unless otherwise conditioned herein. This includes number of shuttles in operation, collection mechanism for real estate reinvestment fees, and all other such obligations as are outlined in the Development Agreement. Per that certain Acknowledgement and Waiver [Marsac 100] dated November 30, 2017 by Park City Municipal Corporation, a political subdivision of the State of Utah ("PCMC") and that certain Acknowledgement and Waiver [Mine Bench] dated November 30, 2017 by PCMC, obligations under the Development Agreement for off-site affordable housing and gondola payments have been deemed satisfied, terminated, and fulfilled.
16. Owners and potential buyers of any parcel, unit or land within the lot or parcel depicted on this plat are given notice that they own or are buying property in a resort area in which all-season resort activities are conducted and where certain risks are present, including, without limitation, damage to property and improvements and personal injury and death caused by errant skiers, snowboarders, mountain bikers and other resort patrons, equipment, machine-made snow, heavy equipment, construction or improvements of facilities, objects or equipment falling from lifts, water runoff, drainage, heavy snow falls, wind patterns, and other conditions that may affect the properties depicted hereon. The adjacent ski resort and its facilities are not amenities of any master association but are owned by a private resort and access to such lands and facilities is governed by such owner or agreements with such owner.



LINE TABLE		
LINE	BEARING	DISTANCE
L1	N 16°47'11" E	56.03
L2	N 35°40'02" W	47.30
L3	S 34°23'43" W	51.80
L4	N 34°23'43" E	57.57
L5	N 05°24'18" W	76.97
L6	N 05°24'18" W	35.05
L7	N 50°40'00" W	27.85
L8	S 74°04'19" W	59.21
L9	S 47°13'33" W	105.51
L10	S 35°40'02" W	52.45
L11	S 35°40'02" W	21.24
L12	S 53°15'03" E	51.54
L13	S 36°44'57" W	20.00
L14	N 53°15'03" W	50.42

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	80.00	147.00	105°16'44"
C2	15.00	16.15	61°42'18"
C3	100.00	112.21	64°17'22"
C4	525.00	44.31	4°50'10"
C5	30.00	35.43	67°39'38"
C6	85.00	139.33	93°54'58"
C7	460.00	4.79	0°35'48"
C8	596.00	84.66	8°08'19"
C9	315.00	67.83	12°19'33"
C10	285.00	99.00	19°54'12"
C11	80.00	20.08	14°23'02"

B2 EAST SUBDIVISION

LOCATED IN THE WEST HALF OF SECTION 28 & THE SOUTHEAST QUARTER OF SECTION 29
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

PROFESSIONAL LAND SURVEYOR No.7248891 CHARLES GALATI 2/26/2018 State of Utah

SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold Certificate No. 7248891, as prescribed by the laws of the State of Utah. I further certify that by authority of the owners, I have made a survey of the tract of land shown on this plat and described hereon, and have subdivided said tract of land into lots and parcels together with easements, hereafter to be known as B2 EAST SUBDIVISION and that the same has been, to the best of my knowledge, correctly surveyed and monumented on the ground as shown on this plat.

BOUNDARY DESCRIPTION

A parcel of land located in the west half of Section 28 and the southeast quarter of Section 29, Township 2 South, Range 4 East, Salt Lake Base and Meridian, more particularly described as follows:

Beginning at a point that is North 00°30'49" West 2213.49 feet along Section Line and East 56.55 feet from the southwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the southerly line of the Marsac Avenue Right of Way, according to the official plat thereof on file and of record in the office of the Recorder, Summit County, Utah, and on a curve to the left having a radius of 80.00 feet, of which the radius point bears North 34°38'59" East; and running thence along the southerly line of the Marsac Avenue Right of Way the following five (5) courses: 1) easterly along the arc of said curve 147.00 feet through a central angle of 105°16'44" to a point on a reverse curve to the right having a radius of 15.00 feet, of which the radius point bears South 70°37'45" East; thence 2) northeasterly along the arc of said curve 16.15 feet through a central angle of 61°42'18" to a point on a curve to the left having a radius of 100.00 feet, of which the radius point bears North 08°55'27" West; thence 3) northeasterly along the arc of said curve 112.21 feet (chord bears North 48°55'52" East 106.41 feet) through a central angle of 64°17'22"; thence 4) North 16°47'11" East 56.03 feet to a point on a curve to the right having a radius of 525.00 feet, of which the radius point bears South 73°12'49" East; thence 5) northeasterly along the arc of said curve 355.31 feet through a central angle of 38°46'34"; thence South 55°36'18" East 101.33 feet to a point on a curve to the left having a radius of 525.00 feet; thence southerly along the arc of said curve 44.31 feet (chord bears South 04°37'35" West 44.30 feet) through a central angle of 4°50'10"; thence South 02°12'30" West 119.72 feet to a point on a curve to the right having a radius of 30.00 feet, of which the radius point bears North 87°47'30" West; thence southerly along the arc of said curve 35.43 feet through a central angle of 67°39'38" to a point of reverse curve to the left having a radius of 85.00 feet, of which the radius point bears South 20°07'52" East; thence southwesterly along the arc of said curve 139.33 feet through a central angle of 93°54'58"; thence South 24°02'49" East 418.18 feet to a point on a curve to the right having a radius of 596.00 feet, of which the radius point bears South 65°57'11" West; thence along the arc of said curve 229.98 feet through a central angle of 22°06'32" to a point of compound curve to the right having a radius of 460.00 feet, of which the radius point bears South 88°03'42" West; thence southerly along the arc of said curve 4.79 feet through a central angle of 00°35'48"; thence South 36°44'43" West 144.31 feet; thence North 47°13'14" West 486.28 feet; thence North 61°52'36" West 311.67 feet; thence North 35°40'02" West 47.30 feet; thence North 34°38'59" East 143.26 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that REDUS Park City LLC, a Delaware limited liability company, the undersigned owner of the herein described tract of land to be known hereafter as B2 EAST SUBDIVISION, does hereby certify that it has caused this Plat to be prepared and does hereby consent to the recordation of this Plat.

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

In witness whereof, the undersigned set his hand this 26 day of Feb., 2018.

REDUS Park City LLC,
a Delaware limited liability company

By: REDUS Properties, Inc.
a Delaware corporation, its Manager

By: _____
David Ash, Sr. Vice President

ACKNOWLEDGMENT

State of Utah :
ss:
County of Summit :

On this 26 day of Feb., 2018, David Ash personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say the he is the Sr. Vice President of Redus Properties, Inc., a Delaware corporation, and that said document was signed by him on behalf of said corporation by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed the Subdivision Plat.

_____
A Notary Public commissioned in Utah

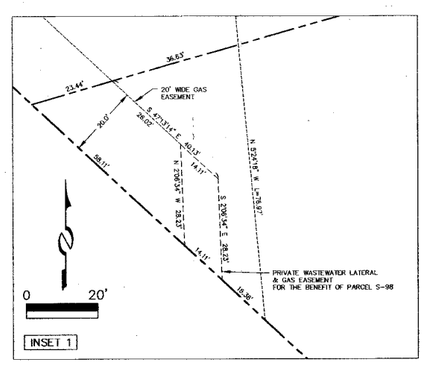
Notary Public
CRAIG R. RODMAN
Commission # 678353
My Commission Expires
August 12, 2019
State of Utah

Craig R. Rodman
Printed Name

Residing in: Park City, UT

My commission expires: 8/12/2019

Commission No. 678353



SHEET 1 OF 1

2/26/18 JOB NO.: 12-2-16 FILE: X:\Empire\dwg\srv\plat2016\120216-B2 East.dwg

(435) 649-9467 Alliance Engineering Inc. CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 323 Main Street P.O. Box 2664 Park City, Utah 84060-2664	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT: REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 6th DAY OF February, 2018 BY S.B.W.R.D.	PLANNING COMMISSION: APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 8TH DAY OF FEBRUARY, 2017 BY _____ VICE - CHAIR	ENGINEER'S CERTIFICATE: I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 2nd DAY OF March, 2018 BY _____ PARK CITY ENGINEER	APPROVAL AS TO FORM: APPROVED AS TO FORM THIS 2nd DAY OF March, 2018 BY _____ PARK CITY ATTORNEY	COUNCIL APPROVAL AND ACCEPTANCE: APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 9TH OF MARCH, 2017 BY _____ MAYOR	CERTIFICATE OF ATTEST: I CERTIFY THIS PLAT MAP WAS APPROVED BY PARK CITY COUNCIL THIS 9TH DAY OF MARCH, 2017 BY _____ PARK CITY RECORDER	RECORDED: STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF REDUS PARK CITY LLC FEE $32.00 RECORDER DATE 3/7/2018 TIME 8:19AM ENTRY NO. 1081638

B2 EAST SUBDIVISION

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 8
1595 Wynkoop Street
Denver, CO 80202-1129
Phone 800-227-8917
www.epa.gov/region08

Ref: EPR-ER

Douglas Ogilvy
Redus Park City, LLC
741 Martingale Lane
Park City, UT 84098

Re: Mazeppah Mine Waste Site – Administrative Settlement Agreement and Order on Consent for Removal Action (CERCLA Docket No. 08-2016-0007) (Settlement Agreement)

August 13, 2018

Dear Sir:

Pursuant to Paragraph 95 of the above-mentioned Settlement Agreement, this letter is provided as a Notice of Completion of the Removal Action at the Mazeppah Mine Waste Site. As stated in Paragraph 95, this letter does not conclude any continuing obligations existing under the Settlement Agreement, including payment of oversight costs. Notwithstanding the continuing obligations, EPA has received and reviewed the Mazeppah Mine Waste Site Final Report dated July 11, 2018. All work at the Site has been fully performed in accordance with the Settlement Agreement and workplan.

It has been a pleasure working with you on this project. If you have any questions regarding the completion notice, please don't hesitate to contact me at 303-312-6963.

Sincerely,

Martin McComb
Federal On-Scene Coordinator
Emergency Response Unit

Printed on Recycled Paper



Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

C0.01

Montage Resort and Spa at Deer Valley

B-2 MPD Village Master Plan at Empire Pass

PARK CITY, UTAH

April 24, 2006

SHEET INDEX

A	0.01	SHEET INDEX
A	1.01	PERSPECTIVE B2-W AND B2-E FROM SKI AREA
A	1.02	PERSPECTIVE B2-W HOTEL APPROACH
L	1.01	CONCEPTUAL LANDSCAPE PLAN
LW	1.02	SITE SECTION AT HOTEL B2-W
AW	3.01	VOLUMETRICS PLAN HOTEL B2-W
AW	3.02	VOLUMETRICS PLAN VIEW EAST - HOTEL B2-W
AW	3.03	VOLUMETRICS PLAN VIEW NORTH - HOTEL B2-W
AW	3.04	VOLUMETRICS PLAN VIEW WEST - HOTEL B2-W
AW	3.05	VOLUMETRICS PLAN VIEW SOUTH - HOTEL B2-W
AE	3.06	VOLUMETRICS PLAN CONDOMINIUM B2-E
AE	3.07	VOLUMETRICS PLAN VIEW NORTH - CONDOMINIUM B2-E
AE	3.08	VOLUMETRICS PLAN VIEW SOUTH - CONDOMINIUM B2-E
C	1.01	SITE PLAN & VICINITY MAP
C	1.02	B2 WEST & B2 EAST CONCEPT UTILITY PLAN

HG
HILL GLAZIER
ARCHITECTS

Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

A 001

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORKS OF THE ARCHITECT AND THE SAME MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT



PERSPECTIVE B2-W AND B2-E FROM SKI AREA

HG
HILL GLAZIER
ARCHITECTS

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No.: 03006
Date: APRIL 24 2006
Scale: AS NOTED
Sheet No.: A101



PERSPECTIVE B2-W HOTEL APPROACH

HG
HILL GLAZIER
ARCHITECTS

Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

A102

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORKS OF THE ARCHITECT AND THE SAME MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT

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CONCEPTUAL LANDSCAPE PLAN

HG
HILL GLAZIER
ARCHITECTS

TERRASAN
PLANNING & LANDSCAPE ARCHITECTURE
1600 GILPIN STREET
DENVER, CO 80218
Tel (303)331-1717
Fax (303)331-1615

Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

L 1.01

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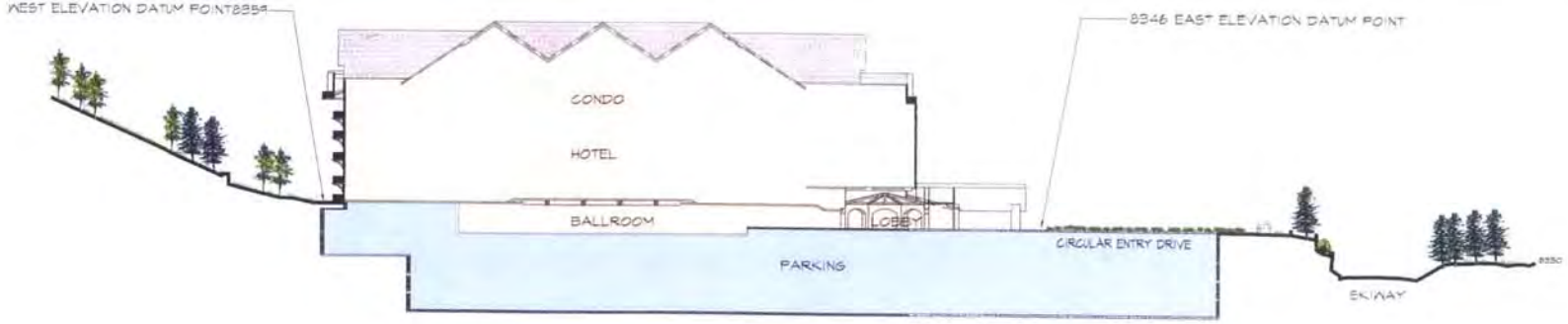
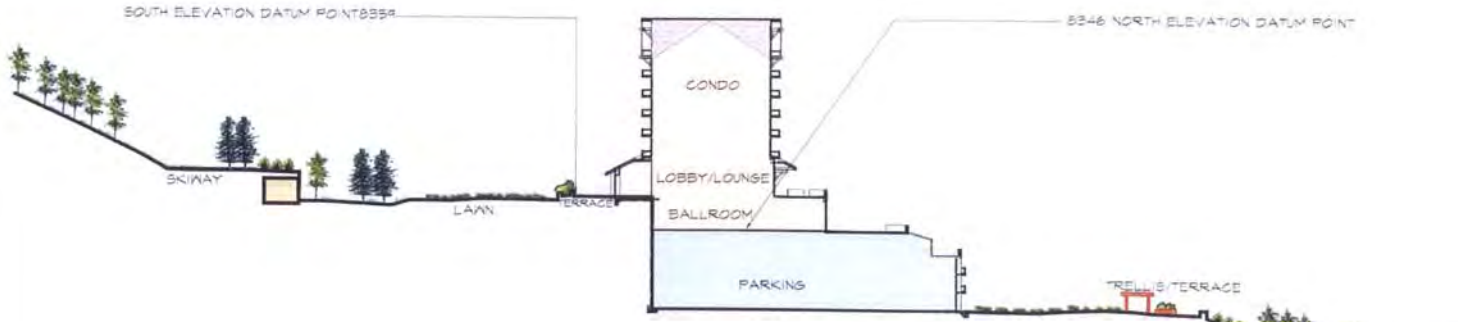


SITE SECTION 1

1" = 30'-0"



SITE SECTION 2

1" = 30'-0"

HG
HILL GLAZIER ARCHITECTS

TERRASAN
PLANNING & LANDSCAPE ARCHITECTURE
1600 GILPIN STREET
DENVER, CO 80218
Tel (303)331-1717
Fax (303)331-1815

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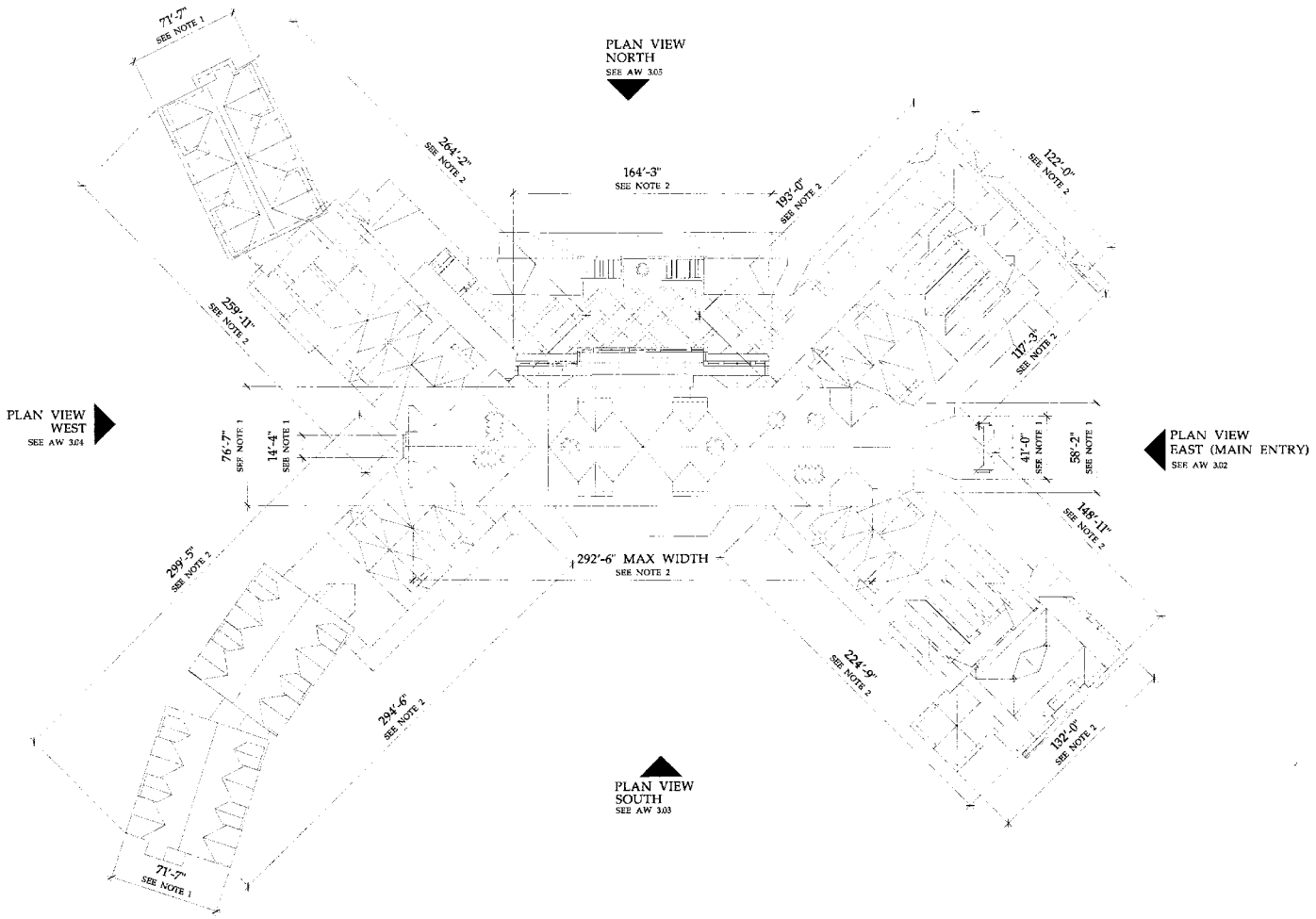
MONTAGE RESORT AND SPA AT DEER VALLEY

PARK CITY, UTAH

LW102



FACADE LENGTH AND VARIATIONS NOTES

1. Structures greater than sixty feet (60'), but less than 120 feet in length must exhibit a prominent shift in the facade of the Structure so that no greater than seventy five percent (75%) of the length of the Building Facade appears unbroken. Each shift shall be in the form of either a ten foot (10') change in Building Facade alignment or a ten foot (10') change in roof line height, or a combined change in facade and roof line totaling ten feet (10').

2. Structures which exceed 120 feet in length on any facade shall provide a prominent shift in the mass of the Structure at each 120 foot interval, or less if the Developer desires, reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Facade alignment or a fifteen foot (15') change in roof line. A combination of both a roof line and facade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.

VOLUMETRICS
OVERALL PLAN VIEW

HG
HILL GLAZIER
ARCHITECTS

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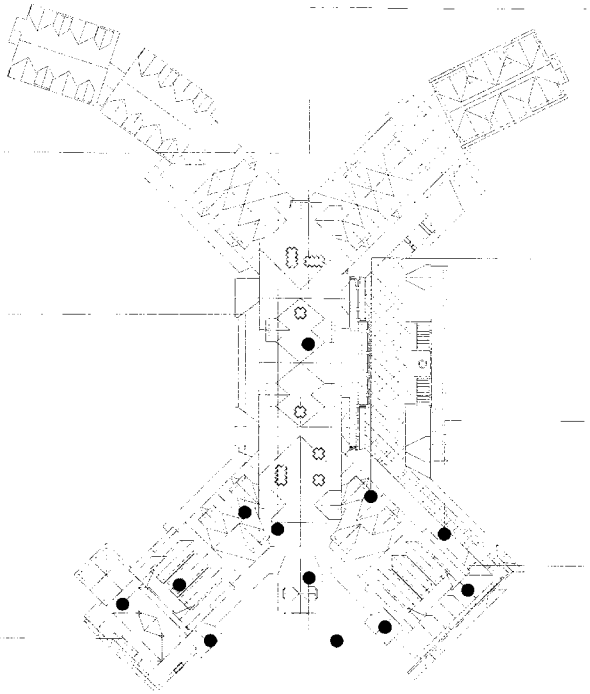
Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No: 0.0608
Date: APRIL 24 2006
Scale: AS NOTED
Sheet No: AW 3.01



12% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVEL RESIDENTIAL
2 LEVEL HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 92')

27% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVELS B.O.H. (BELOW GRADE)
3 LEVEL PARKING (BELOW GRADE)
(MAX HT. 85')

11% AT MAXIMUM HEIGHT OF
1 LEVEL HOTEL DINING
1 LEVEL B.O.H. (BELOW GRADE)
3 LEVEL PARKING (BELOW GRADE)
(MAX HT. 24')

11% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVEL RESIDENTIAL
2 LEVEL HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL B.O.H. (BELOW GRADE)
3 LEVEL PARKING (BELOW GRADE)
(MAX HT. 76')

(PERCENT INCLUDED IN LOWER ADJACENT MASSING)
1 LEVEL RESIDENTIAL ROOF
5 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 114')
*ELEVATORS OVERRUN IN THE FORM OF CHIMNEY ELEMENTS AND ARE NOT REPRESENTED IN THE MAX HEIGHT

27% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 85')

11% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 16')

11% AT MAXIMUM HEIGHT OF
1 LEVEL HOTEL
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 23')
SITS ON HILL, GRADE SLOPES DOWN 45',
EFFECTIVE HEIGHT 73'

FACADE LENGTH AND VARIATIONS :
A portion of the ground level is to have architectural elements, such as covered porches, to break down overall scale.

NOTE:
Due to the site characteristics, native grade cannot be determined. The maximum heights are measured from a a finished grade datum point at the Entry.

EAST MASSING
DATUM POINT
(EL. 8346')

EAST MASSING

VOLUMETRICS
PLAN VIEW EAST

ALL DRAWINGS AND WORK IN MASTER APPLICATION ARE THE PROPERTY OF THE ARCHITECT AND THE SAME MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT WRITTEN CONSENT OF THE ARCHITECT

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

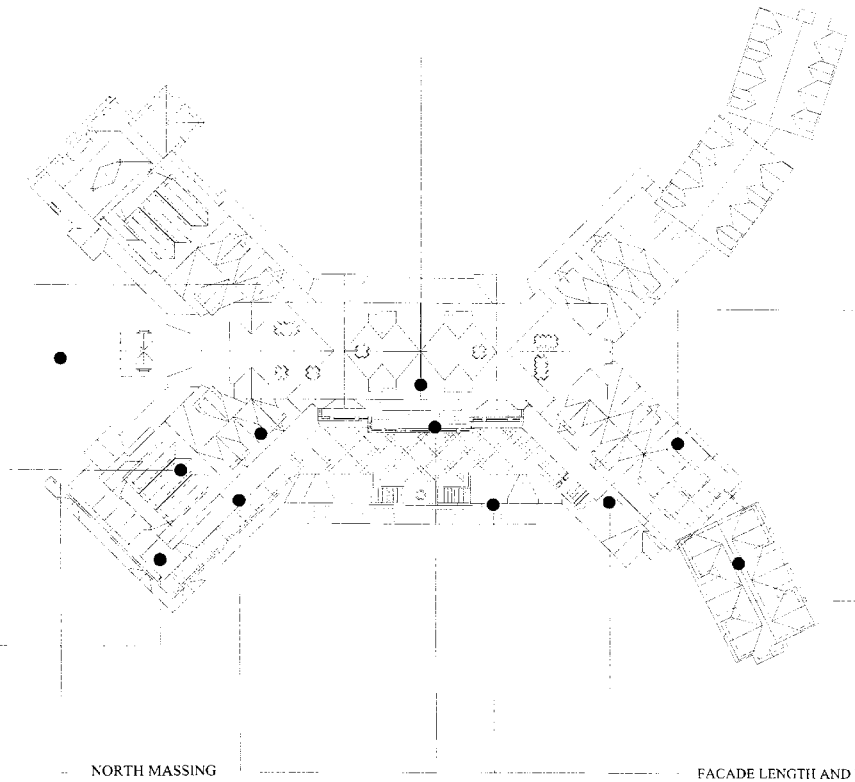
Project No: 10708
Date: APRIL 24 2006
Scale: AS NOTED
Sheet No: AW 3.02

25% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
5 LEVELS RESIDENTIAL
1 LEVEL HOTEL SUITES
2 LEVELS HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA
3 LEVELS HOTEL SUITES
(MAX HT. 114')

20% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
4 LEVELS HOTEL SUITES
(MAX HT. 85')

10% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
4 LEVELS HOTEL SUITES
(MAX HT. 76')

5% AT MAXIMUM HEIGHT OF
1 LEVEL HOTEL PUBLIC AREA
4 LEVELS HOTEL SUITES
(MAX HT. 23')



10% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA
3 LEVELS HOTEL SUITES
(MAX HT. 85')

20% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
4 LEVELS HOTEL SUITE
(MAX HT. 92')

NORTH MASSING
DATUM POINT
(EL. 8346')

NORTH MASSING

FACADE LENGTH AND VARIATIONS:
A portion of the ground level is to have architectural elements, such as covered porches, to break down overall scale.
(Major balconies, Entry gables, Spa skylight)

NOTE:
Due to the site characteristics, native grade cannot be determined. The maximum heights are measured from a a finished grade datum point at the Entry.

VOLUMETRICS
PLAN VIEW NORTH

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

AW 3.03

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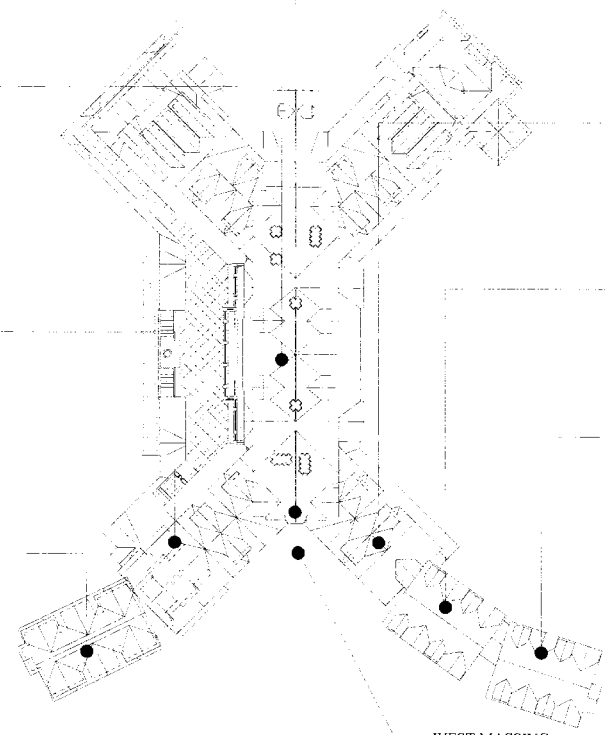
(PERCENT INCLUDED IN LOWER ADJACENT MASSING)
AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
5 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
2 LEVELS HOTEL PUBLIC AREA (BELOW GRADE)
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 101')

5% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL SUITES (DOWN SLOPE)
1 LEVEL SPA (BELOW GRADE)
(MAX HT. 72')

30% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
4 LEVELS HOTEL SUITES (DOWN SLOPE)
(MAX HT. 79')



WEST MASSING

WEST MASSING
DATUM POINT
(EL. 8359')

(PERCENT INCLUDED IN LOWER ADJCENT MASSING)
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA (BELOW GRADE)
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING, B.O.H (BELOW GRADE)
(MAX HT. 97')

45% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
(MAX HT. 72')

5% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTAIL ROOF
2 LEVEL RESIDENTAIL
(MAX HT. 72')

15% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
(MAX HT. 72')

NOTE:
Due to the site characteristics, native grade cannot be determined. The maximum heights are measured from a a finished grade datum point.

VOLUMETRICS
PLAN VIEW WEST

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No. 02005
Date APRIL 24 2006
Scale AS NOTED
Sheet No. AW 3.04

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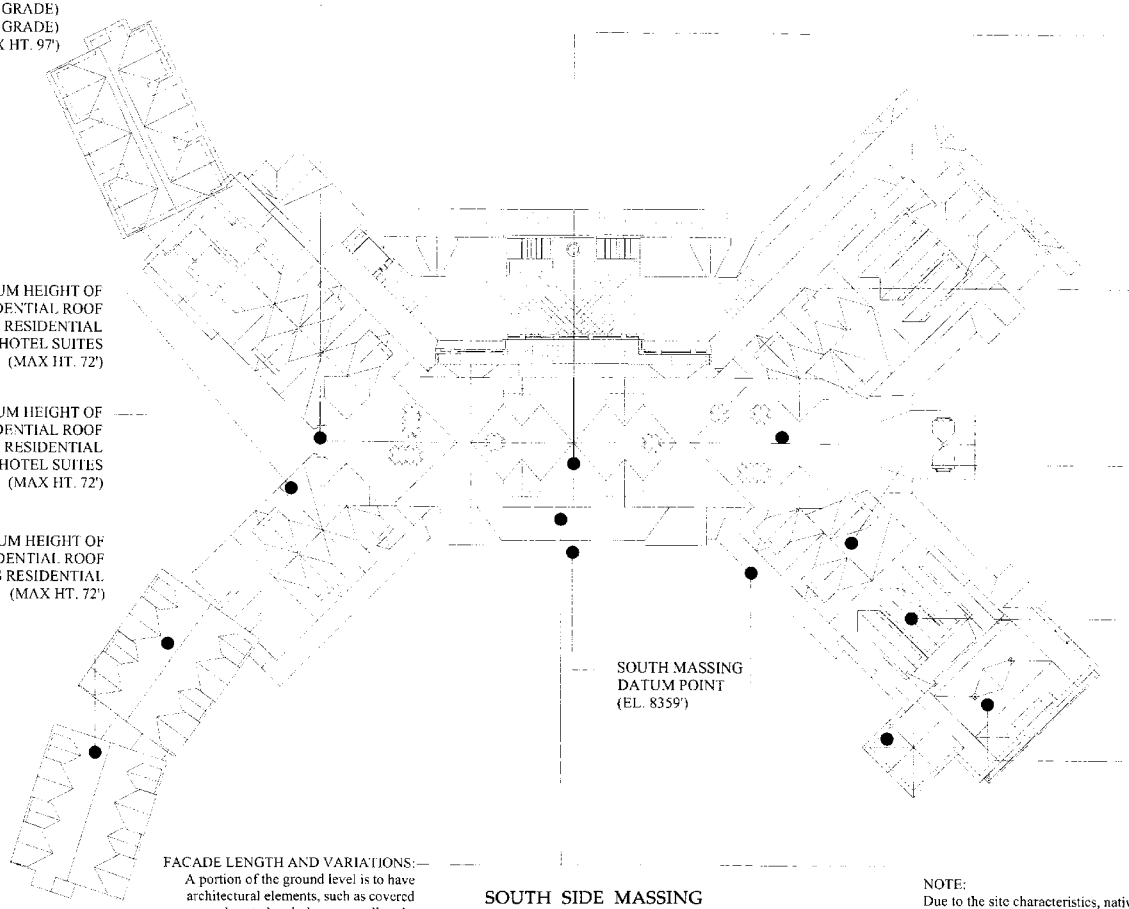
(PERCENT INCLUDED IN ADJACENT MASSING)
1 LEVEL RESIDENTIAL ROOF
4 LEVELS RESIDENTIAL
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL (BELOW GRADE)
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 97')

25% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
(MAX HT. 72')

15% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
1 LEVEL HOTEL SUITES
(MAX HT. 72')

10% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
(MAX HT. 72')



20% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
5 LEVELS RESIDENTIAL
2 LEVEL HOTEL SUITES
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL (BELOW GRADE)
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVEL PARKING, B.O.H/SUITES (BELOW GRADE)
(MAX HT. 101')
*ELEVATORS OVERRUN IN THE FORM OF CHIMNEY ELEMENTS AND ARE NOT REPRESENTED IN MAX HEIGHTS

(PERCENT INCLUDED IN ADJACENT MASSING)
AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
4 LEVELS RESIDENTIAL
1 LEVEL HOTEL PUBLIC AREA
1 LEVEL HOTEL SPA (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT.97')

30% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
2 LEVELS SUITES
2 LEVELS B.O.H. (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 72')

10% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
2 LEVELS RESIDENTIAL
2 LEVELS HOTEL SUITES
2 LEVELS B.O.H. (BELOW GRADE)
3 LEVELS PARKING (BELOW GRADE)
(MAX HT. 63')

5% AT MAXIMUM HEIGHT OF
1 LEVEL HOTEL DINNING
1 LEVEL B.O.H. (BELOW GRADE)
3 LEVEL PARKING (BELOW GRADE)
(MAX HT. 11')

SOUTH MASSING
DATUM POINT
(EL. 8359')

FACADE LENGTH AND VARIATIONS:—
A portion of the ground level is to have architectural elements, such as covered porches, to break down overall scale.
(Major balconies, Pool house)

SOUTH SIDE MASSING

NOTE:
Due to the site characteristics, native grade cannot be determined. The maximum heights are measured from a a finished grade datum point at the Lobby Terrace

VOLUMETRICS
PLAN VIEW SOUTH

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No. [illegible]
Date APRIL 24 2026
Scale AS NOTED
Sheet No. AW 3.05

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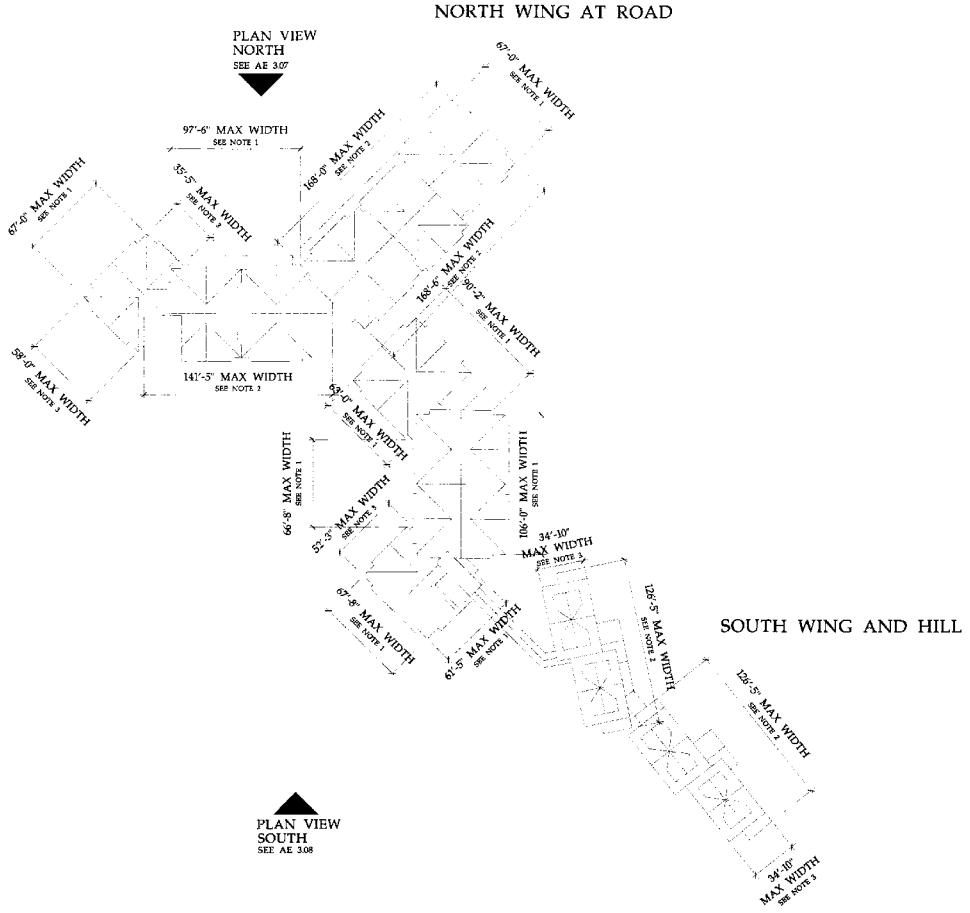

FACADE LENGTH AND VARIATIONS NOTES

1. Structures greater than sixty feet (60'), but less than 120 feet in length must exhibit a prominent shift in the facade of the Structure so that no greater than seventy five percent (75%) of the length of the Building Facade appears unbroken. Each shift shall be in the form of either a ten foot (10') change in Building Facade alignment or a ten foot (10') change in roof line height, or a combined change in facade and roof line totaling ten feet (10').

2. Structures which exceed 120 feet in length on any facade shall provide a prominent shift in the mass of the Structure at each 120 foot interval, or less if the Developer desires, reflecting a change in function or scale. The shift shall be in the form of either a fifteen foot (15') change in Building Facade alignment or a fifteen foot (15') change in roof line. A combination of both a roof line and facade change is encouraged and to that end, if the combined change occurs at the same location in the Building plan, a fifteen foot (15') total change will be considered as full compliance.

3. No varation required.

VOLUMETRICS
OVERALL PLAN VIEW

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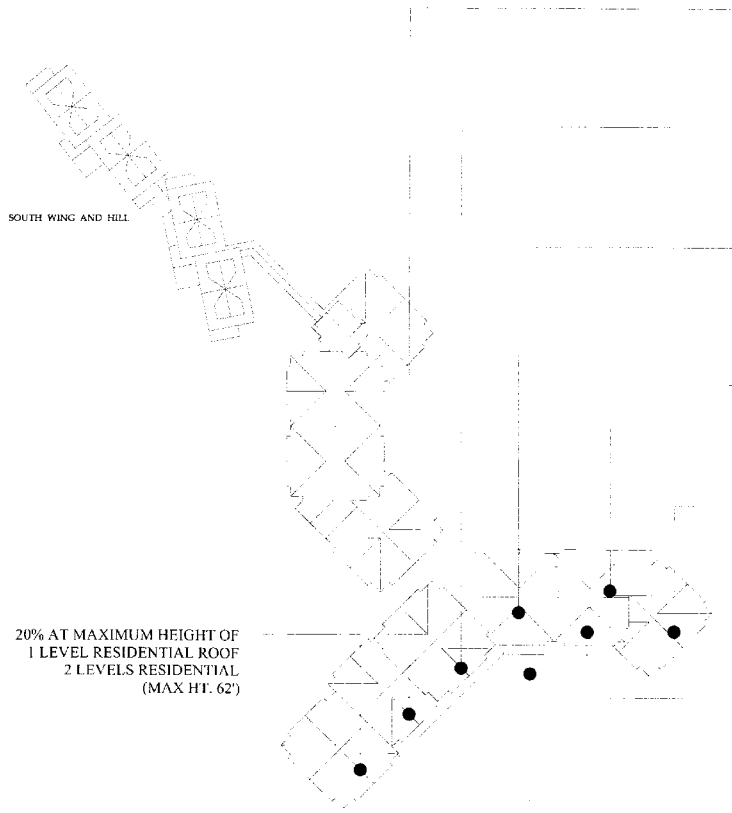
Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No. 04006
Date APRIL 24 2006
Scale AS NOTED
Sheet No. AE 3.06



20% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
3 LEVELS RESIDENTIAL
1 LEVEL ROOF
2 LEVELS PARKING
(MAX HT. 62')

20% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
4 LEVELS RESIDENTIAL
2 LEVELS PARKING (BELOW GRADE)
(MAX HT. 72')

20% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
5 LEVELS RESIDENTIAL
1 LEVEL CLUB-RETAIL
1 LEVEL PARKING (BELOW GRADE)
(MAX HT. 82')

20% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
4 LEVELS RESIDENTIAL
1 LEVEL CLUB-RETAIL
1 LEVEL PARKING (BELOW GRADE)
(MAX HT. 72')

10% AT MAXIMUM HEIGHT OF
1 LEVEL RESIDENTIAL ROOF
1 LEVEL RESIDENTIAL
1 LEVEL CLUB-RETAIL
1 LEVEL PARKING (BELOW GRADE)
(MAX HT. 42')

FACADE LENGTH AND VARIATIONS :
A portion of the ground level is to have architectural elements, such as covered porches, to break down overall scale. (Major balconies, entry clock tower)

NOTE:
Due to the site characteristics, native grade cannot be determined. The maximum heights are measured from a a finished grade datum point at the Entry.

NORTH MASSING

CONDO VOLUMETRICS
PLAN VIEW NORTH

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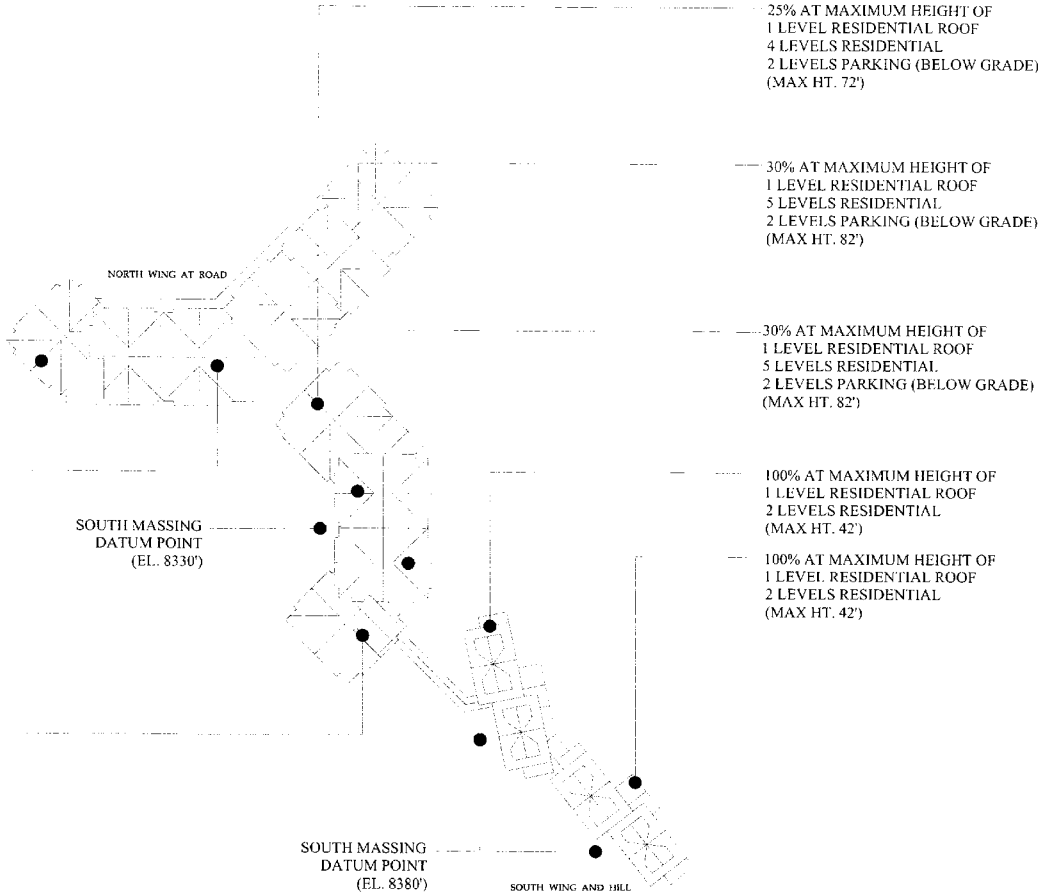
Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No. 03058
Date APRIL 11 2008
Scale AS NOTED
Sheet No. AE 3.07



SOUTH MASSING

CONDO VOLUMETRICS
PLAN VIEW SOUTH

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Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No. 31008
Date. APRIL 21, 2006
Scale. AS NOTED
Sheet No. AE 3.08

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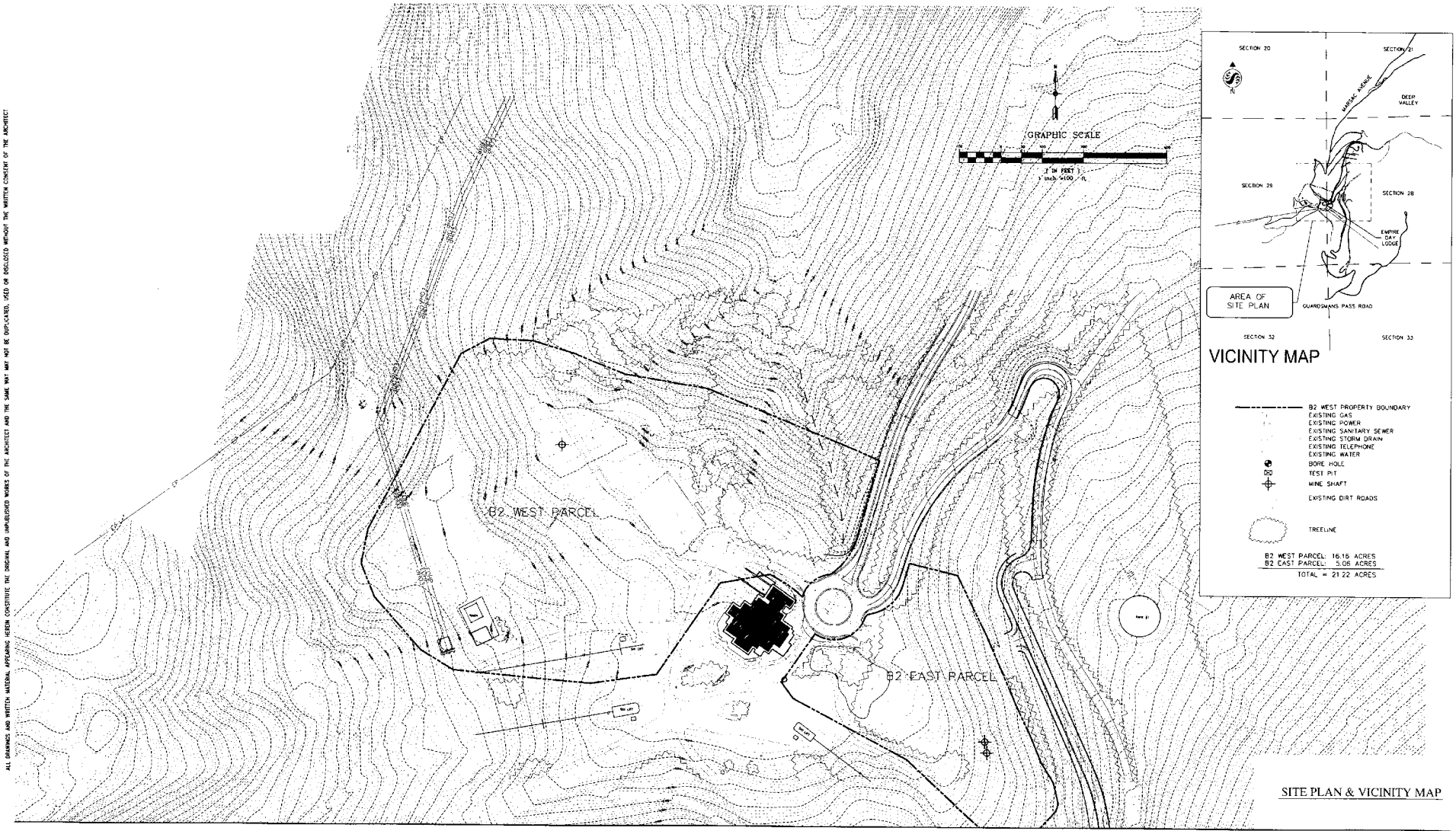

VICINITY MAP

B2 WEST PROPERTY BOUNDARY
EXISTING GAS
EXISTING POWER
EXISTING SANITARY SEWER
EXISTING STORM DRAIN
EXISTING TELEPHONE
EXISTING WATER
BORE HOLE
TEST PIT
MINE SHAFT
EXISTING DIRT ROADS
TREELINE

B2 WEST PARCEL: 16.16 ACRES
B2 EAST PARCEL: 5.06 ACRES
TOTAL = 21.22 ACRES

SITE PLAN & VICINITY MAP

HG
HILL GLAZIER ARCHITECTS

Stantec

Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No.:	03008
Date:	APRIL 28, 2006
Scale:	1" = 80'
Sheet No.:	C 1.01

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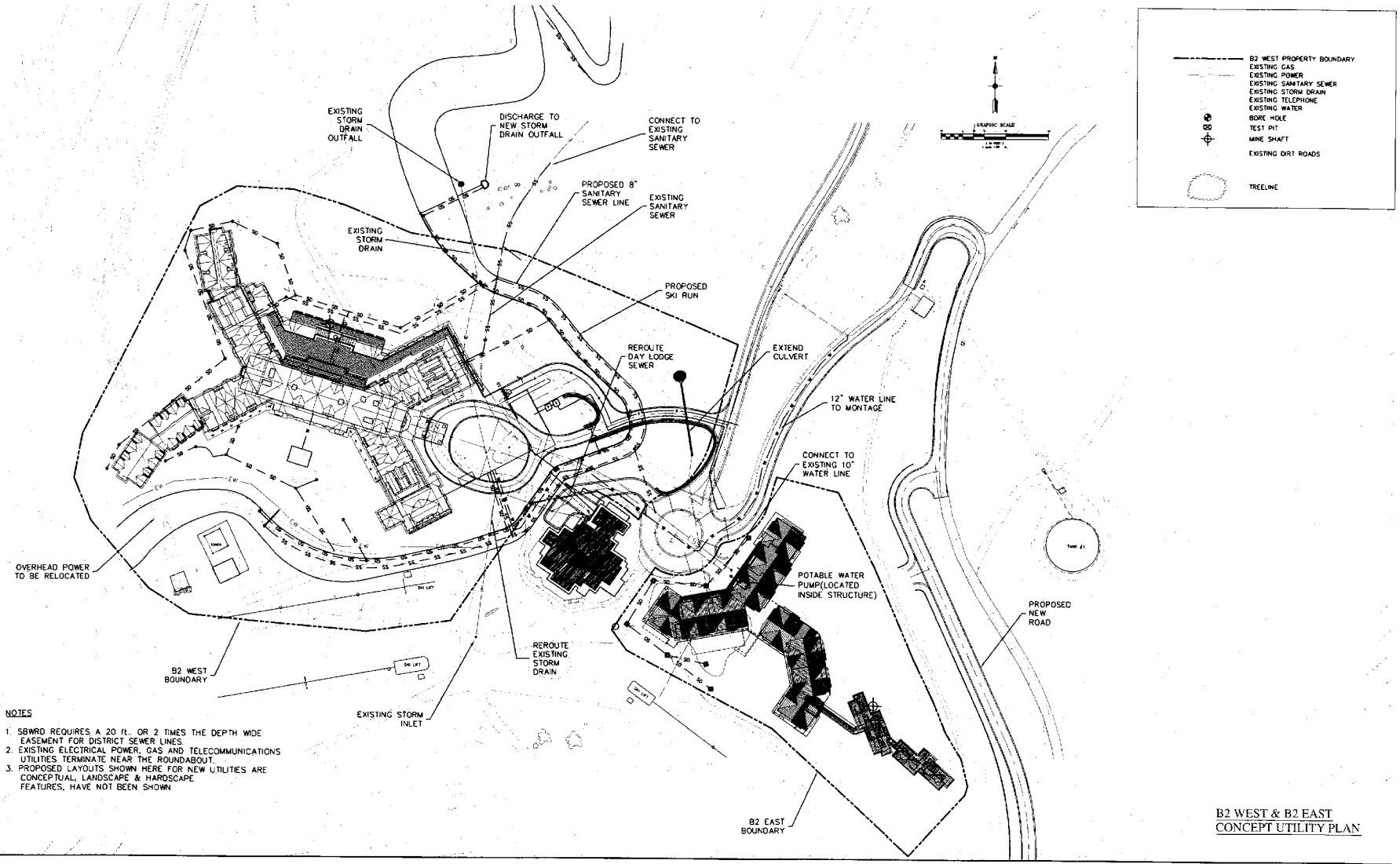

NOTES

1. SBWRD REQUIRES A 20 ft. OR 2 TIMES THE DEPTH WIDE EASEMENT FOR DISTRICT SEWER LINES.
2. EXISTING ELECTRICAL POWER, GAS AND TELECOMMUNICATIONS UTILITIES TERMINATE NEAR THE ROUNDABOUT.
3. PROPOSED LAYOUTS SHOWN HERE FOR NEW UTILITIES ARE CONCEPTUAL, LANDSCAPE & HARDSCAPE FEATURES, HAVE NOT BEEN SHOWN

B2 WEST & B2 EAST
CONCEPT UTILITY PLAN

ALL DRAWINGS AND WRITTEN MATERIAL APPEARING HEREIN CONSTITUTE THE ORIGINAL AND UNPUBLISHED WORKS OF THE ARCHITECT AND THE SAME MAY NOT BE DUPLICATED, USED OR DISCLOSED WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT

HG
HILL GLAZIER
ARCHITECTS

Stantec

Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

Project No.:	03008
Date:	APRIL 28, 2006
Scale:	1" = 80'
Sheet No.:	C 1.02

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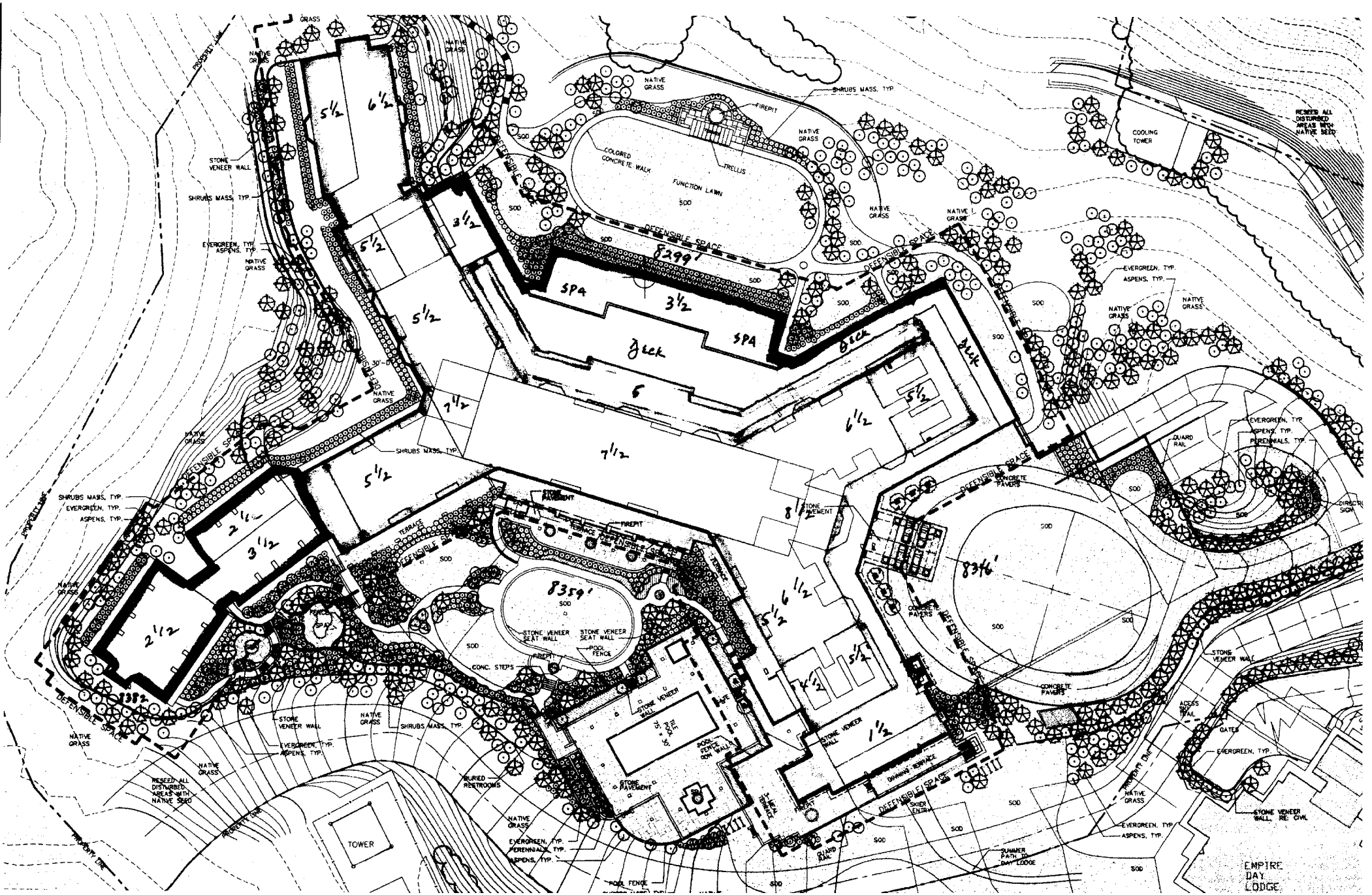


NATIVE GRASS
SHRUBS MASS, TYP.
FIREPIT
COLORED CONCRETE WALK
TRELLIS
FUNCTION LAWN
SOD
DEFENSIBLE SPACE
COOLING TOWER
RESEED ALL DISTURBED AREAS WITH NATIVE SEED
STONE VENEER WALL
EVERGREEN, TYP.
ASPENS, TYP.
PROPERTY LINE
8299'
SPA
Deck
8359'
8346'
8382
TERRACE
STONE PAVEMENT
STONE VENEER SEAT WALL
POOL FENCE
CONC. STEPS
TILE POOL 75' x 30'
POOL FENCE DOM WALL
BURIED RESTROOMS
TOWER
DINNING TERRACE
SKIER ENTRY
GUARD RAIL
CONCRETE PAVERS
PERENNIALS, TYP.
ACESS SKI TRAIL
GATES
SUMMER PATH TO DAY LODGE
EMPIRE DAY LODGE

November 13, 2020
Revised June 18, 2021

Douglas Ogilvy
Representing Sommet Blanc Residences 1 LLC
PO Box 9800022
Park City, UT 84098

Application #	PL-20-04677
Subject	Administrative CUP for Retaining Walls Greater than Six Feet (6') in Height
Address	9300 Marsac Avenue

On November 13, 2020, the Planning Department reviewed and approved your application for an Administrative CUP for seven (7) retaining walls greater than six feet (6') in height, necessary for the construction of a new sanitary sewer line servicing the proposed Hot Creek restaurant site.

On June 18, 2021 the Planning Department reviewed revised plans shifting the driveway, sewer and retaining walls east to address Fire Department ladder access requirements. The Planning Department finds there are no additional impacts that have not been mitigated as a result of the change of plans. These revised plans include the Overall Retaining Wall Plan and Profile, 3 pages, all dated 6/4/21, stamped and signed by Michael Demkowicz, Professional Engineer.

Findings of Fact:
1. The property is located at 9300 Marsac Avenue.
2. The site is located in the Residential Development zoning district, and is part of the Village at Empire Pass MPD (RD-MPD).
3. The site is located within the Sensitive Lands Overlay Zone and outside of the Soils Ordinance Zone.
4. The applicant is proposing to locate eight (8) retaining walls necessary for the construction of a new sewer line servicing the proposed Hot Creek restaurant site, to be located off of Twisted Branch Road.
5. The sanitary sewer line alignment is under the driveway of the proposed B2 East development.
6. The sewer easement was recorded on 6/29/2020.
7. To construct the sewer line Sommet Blanc is proposing retaining walls 3-14 feet high, with generous separation between the walls, to allow for planting of trees and shrubs to mitigate the visual impact of the walls.

8. Walls will be faced with stone veneer over formed concrete. Proposed veneer is a dry stack natural stone.
9. Approval for landscaping will come at the time of project approvals for the proposed B2 East project.
10. The Empire Pass Design Review Board reviewed and approved the proposed retaining walls.
11. Adjacent abutters were noticed of this application and a notice sign was posted on the property on 10/29/2020. No public input was received for this project.
12. The DRC reviewed this project on 11/3/2020.
13. The Engineering Department will need to review the geotechnical report and retaining wall design stamped by a Professional Structural Engineer prior to the issuance of a Building Permit.
14. There were no other concerns raised by any departments.
15. This application was reviewed in accordance with LMC Section 15-1-10(E)(1-16). No impacts need to be mitigated as the sewer line will be below grade and the retaining walls will be landscaped with the construction of the B2 East project.

Conclusions of Law:

1. The application is consistent with requirements of the Park City Municipal Code, specifically Chapter 15, Section 1-10(E).
2. The Use is consistent with the Park City General Plan and is allowed by an Administrative Conditional Use Permit.
3. The Use is compatible with surrounding structures in terms of scale, mass, and circulation.
4. The effects of any differences in use and scale have been mitigated through careful planning.

Conditions of Approval:

1. The ACUP is valid for one (1) year. The applicant can request an extension in writing prior to December 13, 2021.
2. A Building Permit will be required.
3. The Engineering Department will need to review the geotechnical report and retaining wall design stamped by a Professional Structural Engineer prior to the issuance of the Building Permit.
4. The retaining walls shall be constructed consistent with plans prepared by Alliance Engineering Inc., Stamped and Signed by Michael Demkowicz P.E., including Overall Retaining Wall Plan and Retaining Wall Plan and Profile, both dated ~~9/25/2020~~ 6/4/21.

This approval in no way exempts the property from complying with other requirements that may be in effect on the property, and building permit regulations, as applicable. It is the responsibility of the property owner to ensure compliance with these regulations.

If you have questions regarding your application or the action taken please don't hesitate to contact your Planner, Alexandra Ananth at 435-615-5066 or

alexandra.ananth@parkcity.org.

Sincerely,



Gretchen Milliken, Planning Director
Park City

Exhibit A

EMPIRE PASS
DESIGN REVIEW BOARD
Meeting Minutes
June 9, 2021 - 1:45pm to 3:30pm
Meeting Held Onsite & By Zoom

DRB Members Present:
Doug Ogilvy-Clachan Development
Jeff Butterworth - Storied Living
John Shirley-Think Architecture
Steve Issowits - Deer Valley

Staff Present:
Trish Waterman- Talisker HOA
Steve Mair-Talisker HOA

Doug Ogilvy called the meeting to order at 1:45pm

Item #1 Sommet Blanc, Preliminary Review

Preliminary Review is based off plans dated April 16, 2021. The total site of is comprised of 6.91 acres.
There are 2 Villa Buildings:
5 Units total, the total saleable square footage for the Villas is 25,000, the maximum building height for the Villas is 48 feet above natural grade. The driveway width for the villas road coming off of Guardsman Road is 26 feet wide, the first section of grade is 5% with a 10% maximum grade and leveling off at 1%. The villas have 10 enclosed parking spaces. There is a Ski Lounge Building for the Villas (single story)

There are 3 Lodge Buildings:
Building A: 17 units, Building B: 17 units, Building C: 9 units, there is a Lobby Building for the Lodges (single story), the total saleable square footage for the lodges is 137,000, the max square footage per Pod B2 approved MPD is 162,000, the maximum building height for the lodge buildings are 82 feet above datum points, the driveway width for the lodges coming off Marsac Ave is 26 feet wide, with 4% for the first section, 10% maximum and finishing off at 5% grade. The lodges have 155 enclosed parking spaces, 4 at grade totaling 159.

The Lodge's height of ridges at building ends:
Building A

- West End - Level 5 Roof 8,407'
  - Restaurant Patio 8,342'
  - Height from Finished Grade 65'

- East End - Level 6 Roof 8,424'

	- Lobby Driveway	8,345'	
	- Height from Finished Grade		79'
Building B			
• North End-	Level 5 Roof		8,424'
	- Lobby Driveway	8,345'	
	- Height from Finished Grade		79'
• South End-	Level 6 Roof		8,441'
	- Upper Cul de Sac	8,362'	
	- Height from Finished Grade		79'
Building C			
• West End -	Level 6 Roof		8,455'
	- Ski Lounge Patio	8,376'	
	- Height SW corner	79'	
	- Upper Cul de Sac	8,364'	
	- Height NW Corner	91'	
• East End	- Level 6 Roof		8,455'
	- Level 3 Patio		8,402'
	- Height SE corner	53'	
	- Upper Cul de Sac	8,364'	
	- Height NE corner	91'	

The DRB walked the site to review the lot staking of the entire project. The DRB would like to see more details for landscaping and walls on the corner of the property adjacent to the Empire Canyon day lodge. The DRB discussed the preservation of trees above the proposed condo retaining walls and the area below the Villas ski lounge building. To be field verified with applicant when LOD is set. The applicant will provide finish materials for all proposed retaining walls. The DRB granted a variance for retaining walls to have a maximum height of 14 feet to accommodate the Fire Marshall required shift of the lower driveway to meet ladder access requirements.

The flat roofs now have the addition of green roofs. The DRB conceptually approved and favored the proposed exterior materials. All exterior materials are subject to mockup review and approval. The applicant to provide deck and railing details for final review.

Submit color and texture sample for colored concrete drive areas, which requires DRB approval prior to installation. Applicant understand that no faux or manufactured materials may be used as finished exterior product, this would include glue-lam beams, faux stone, bare concrete, vinyl siding, etc. The DRB to review the complete lighting plan, including cut sheets and specifications for all exterior light fixtures proposed with the applicant for final review. Applicant to provide complete landscape plan, including counts and planting specs, for DRB review. Art work specs to be provided for final review. The applicant shall submit a detailed sign program to the DRB for review and approval prior to installation of the same. Building height, volumetrics and square footage calculations to be addressed to the satisfaction of the DRB and the City.

Item #2 Review & Approval of May 19, 2021 Minutes

John made a motion to approve the May 19, 2021 minutes, Jeff seconded, motion carried.

Item #3 Other Items/Adjourn

Jeff made a motion to adjourn, John seconded, meeting adjourned at 3:30pm.

Alexandra Ananth

From: Douglas Ogilvy <douglas.ogilvy@gmail.com>
Sent: Friday, June 11, 2021 3:37 PM
To: Alexandra Ananth
Subject: Fwd: B2 East Retaining Walls - ACUP
Attachments: B2 East - Retaining Wall ACUP 11-13-20.pdf; B2 East-Retaining Wall Plans & Renderings 6-4-21.pdf

Hi Alex,

Digging into the history with Alliance, it was during a meeting with Mike Owens that he advised us that the driveway (and sewer and retaining walls) needed to shift east to address ladder access requirements. (See email below from Connor at Alliance.) SBWRD has approved the revised alignment and we are eager to start work on the sewer project (which means the retaining walls).

We would like to amend our ACUP for the retaining walls issued 11-13-20 to reflect the updated plans dated 6-4-21.

Should you have any questions after you get through next week's Planning Commission, please ping or call me.

Thanks and have a great weekend!

Douglas

Begin forwarded message:

From: Connor Dinsmore <connor@alliance-engr.com>
Subject: B2 East Driveway Shift
Date: June 11, 2021 at 3:20:40 PM MDT
To: "douglas.ogilvy@gmail.com" <douglas.ogilvy@gmail.com>

Hey Doug,

Per the meeting with Mike Owens from the Fire Department on Tuesday February 16, we are going to have to shift the lower Condo Road 15' to the east for the fire trucks to access the site and be able to deploy their ladders in case of a fire. The 15' shift also accounts for the overhanging decks off the buildings so that there is no obstructions for the fire truck ladders.

Thanks,
Connor Dinsmore, P.E.

Civil Engineer

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

connor@alliance-engr.com
Phone: (435) 649-9467
Fax: (435) 649-9475

November 13, 2020

Douglas Ogilvy
Representing Sommet Blanc Residences 1 LLC
PO Box 9800022
Park City, UT 84098

Application # PL-20-04677

Subject Administrative CUP for Retaining Walls Greater than Six Feet (6') in Height

Address 9300 Marsac Avenue

On November 13, 2020, the Planning Department reviewed and approved your application for an Administrative CUP for seven (7) retaining walls greater than six feet (6') in height, necessary for the construction of a new sanitary sewer line servicing the proposed Hot Creek restaurant site.

Findings of Fact:
1. The property is located at 9300 Marsac Avenue.
2. The site is located in the Residential Development zoning district, and is part of the Village at Empire Pass MPD (RD-MPD).
3. The site is located within the Sensitive Lands Overlay Zone and outside of the Soils Ordinance Zone.
4. The applicant is proposing to locate seven (7) retaining walls necessary for the construction of a new sewer line servicing the proposed Hot Creek restaurant site, to be located off of Twisted Branch Road.
5. The sanitary sewer line alignment is under the driveway of the proposed B2 East development.
6. The sewer easement was recorded on 6/29/2020.
7. To construct the sewer line Sommet Blanc is proposing retaining walls 6-10 feet high, with generous separation between the walls of 16-28 feet, to allow for planting of trees and shrubs to mitigate the visual impact of the walls.
8. Walls will be faced with stone veneer over formed concrete. Proposed veneer is a dry stack natural stone.
9. Approval for landscaping will come at the time of project approvals for the proposed B2 East project.
10. The Empire Pass Design Review Board reviewed and approved the proposed retaining walls.
11. Adjacent abutters were noticed of this application and a notice sign was posted on the property on 10/29/2020. No public input was received for this project.
12. The DRC reviewed this project on 11/3/2020.
13. The Engineering Department will need to review the geotechnical report and retaining wall design stamped by a Professional Structural Engineer prior to the issuance of a Building Permit.
14. There were no other concerns raised by any other departments.
15. This application was reviewed in accordance with LMC Section 15-1-10(E)(1-16). No impacts need to be mitigated as the sewer line will be below grade and the

retaining walls will be landscaped with the construction of the B2 East project.

Conclusions of Law:

1. The application is consistent with requirements of the Park City Municipal Code, specifically Chapter 15, Section 1-10(E).
2. The Use is consistent with the Park City General Plan and is allowed by an Administrative Conditional Use Permit.
3. The Use is compatible with surrounding structures in terms of scale, mass, and circulation.
4. The effects of any differences in use and scale have been mitigated through careful planning.

Conditions of Approval:

1. The ACUP is valid for one (1) year. The applicant can request an extension in writing prior to December 13, 2021.
2. A Building Permit will be required.
3. The Engineering Department will need to review the geotechnical report and retaining wall design stamped by a Professional Structural Engineer prior to the issuance of the Building Permit.
4. The retaining walls shall be constructed consistent with plans prepared by Alliance Engineering Inc., Stamped and Signed by Michael Demkowicz P.E., including Overall Retaining Wall Plan and Retaining Wall Plan and Profile, both dated 9/25/2020.

This approval in no way exempts the property from complying with other requirements that may be in effect on the property, and building permit regulations, as applicable. It is the responsibility of the property owner to ensure compliance with these regulations.

If you have questions regarding your application or the action taken please don't hesitate to contact your Planner, Alexandra Ananth at 435-615-5066 or alexandra.ananth@parkcity.org.

Sincerely,

David Everitt, Deputy City Manager
Park City

GUARDSMAN ROAD (SR-224) PUBLIC ROAD

TWISTED BRANCH ROAD (PRIVATE ROAD)

LOT 1, B2 EAST SUBDIVISION PLAT

MARSAC AVENUE (A 50' WIDE PUBLIC RIGHT-OF-WAY)

EMPIRE LODGE DRIVEWAY

DEER VALLEY EMPIRE DAY LODGE

LUCKY JACK SKI RUN

RUBY CHAIRLIFT

CHAIRLIFT TOWER

PARCEL PCA-S-98-SD-1-X

PARCEL PCA-S-98-SD-1

12' SIDE SETBACK

20' FRONT SETBACK

15' REAR SETBACK

SSMH #1

SSMH #2

SSMH #3

INSTALL 332LF 8" HDPE SDR-17 SANITARY SEWER. MAINTAIN 6' MIN. BURY.

INSTALL 330LF 8" HDPE SDR-17 SANITARY SEWER. MAINTAIN 6' MIN. BURY.

20' WIDE SEWRD SEWER EASEMENT

RETAINING WALL #1

RETAINING WALL #2

RETAINING WALL #3

RETAINING WALL #4

RETAINING WALL #5

RETAINING WALL #6

RETAINING WALL #7

RETAINING WALL #8

APPROX. LOCATION OF PROPOSED CONDO

APPROX. LOCATION OF PROPOSED LOBBY

PROPOSED CONDO ROAD

LINE TYPE LEGEND

ESS	EXISTING SEWER	X	EXISTING FENCE
EW	EXISTING WATER	EG	EXISTING GAS
ESD	EXISTING STORM DRAIN	ET	EXISTING TELECOMM
EOHU	EXTG OVERHEAD UTILITY	EP	EXISTING POWER
EFO	EXTG FIBER OPTIC	EOHP	EXTG OVERHEAD POWER

30' 0 30' 60'

REGISTERED PROFESSIONAL ENGINEER No. 4857264 MICHAEL DEMKOWICZ 06/04/2021 STATE OF UTAH

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

STAFF: MICHAEL DEMKOWICZ, CONNOR DINSMORE

DATE: 06/04/21

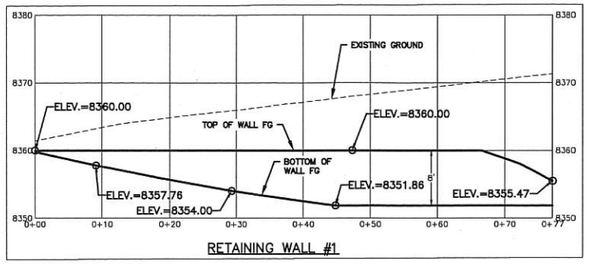
LOT 1, B2 EAST SUBDIVISION OVERALL RETAINING WALL PLAN

FOR: SOMMET BLANC RESIDENCES I, LLC

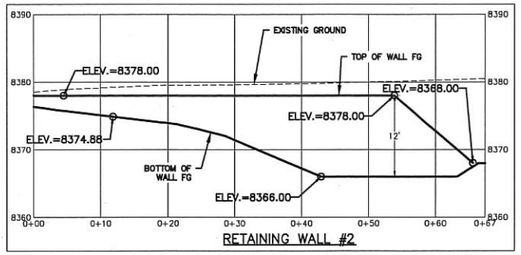
JOB NO.: 1-11-18

FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil_Retaining Wall Exhibits 6--21.dwg

SHEET 1 **OF** 3



RETAINING WALL #1



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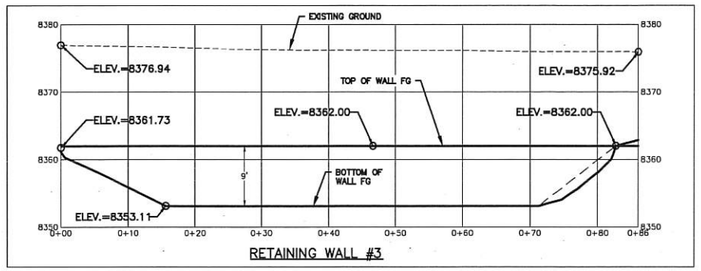

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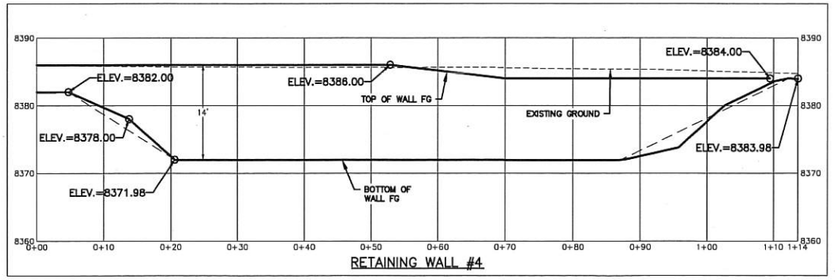

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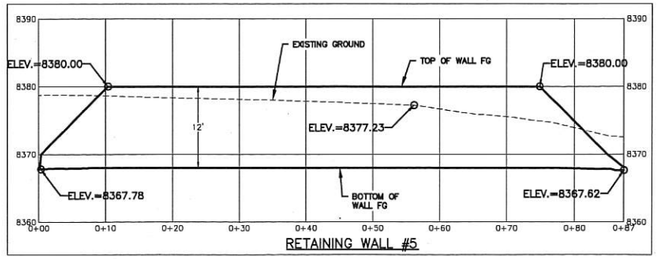

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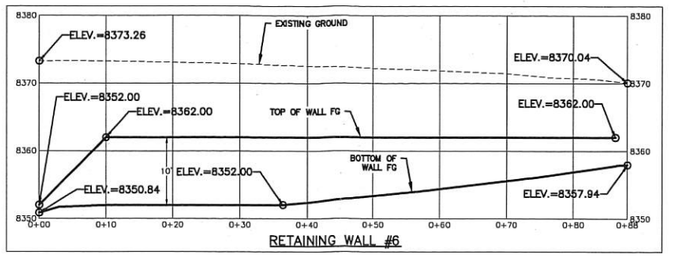

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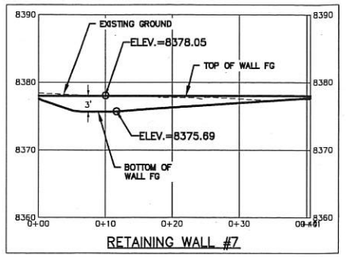
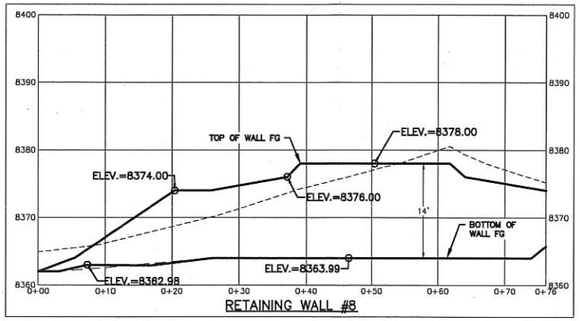


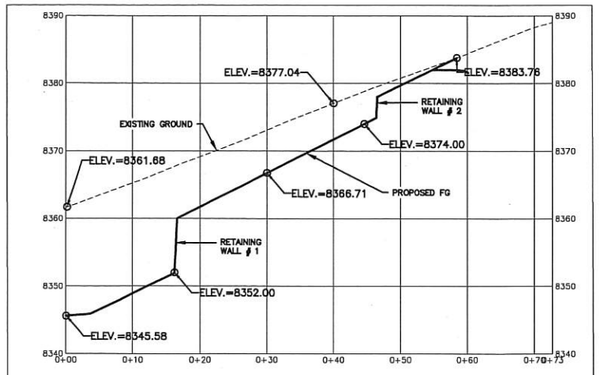
RETAINING WALL #7



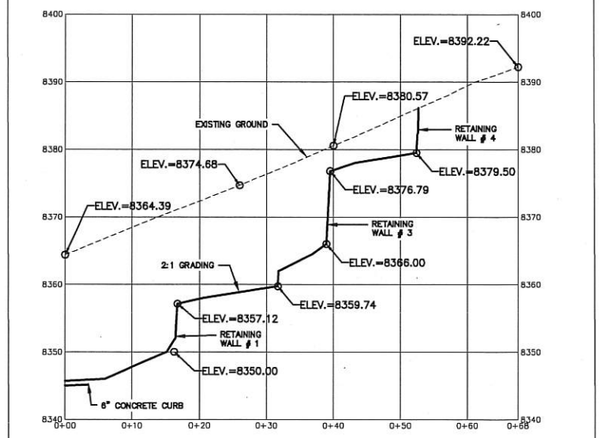
RETAINING WALL #8

NOTE:

1. BOTTOM OF WALL GRADING TO BE SMOOTH 2:1 OR 1:1 GRADING, REFER TO GRADING PLAN SHEET.
2. DASHED LINE ON PROFILES TO REPRESENT SMOOTH BOTTOM OF WALL GRADING.



CROSS SECTION #1



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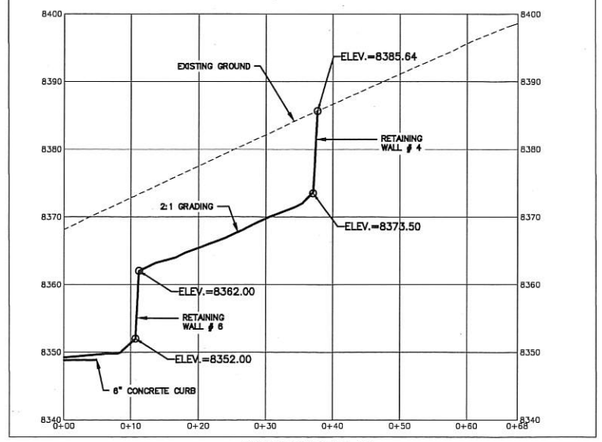


CROSS SECTION #3

10' 0 10' 20'

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

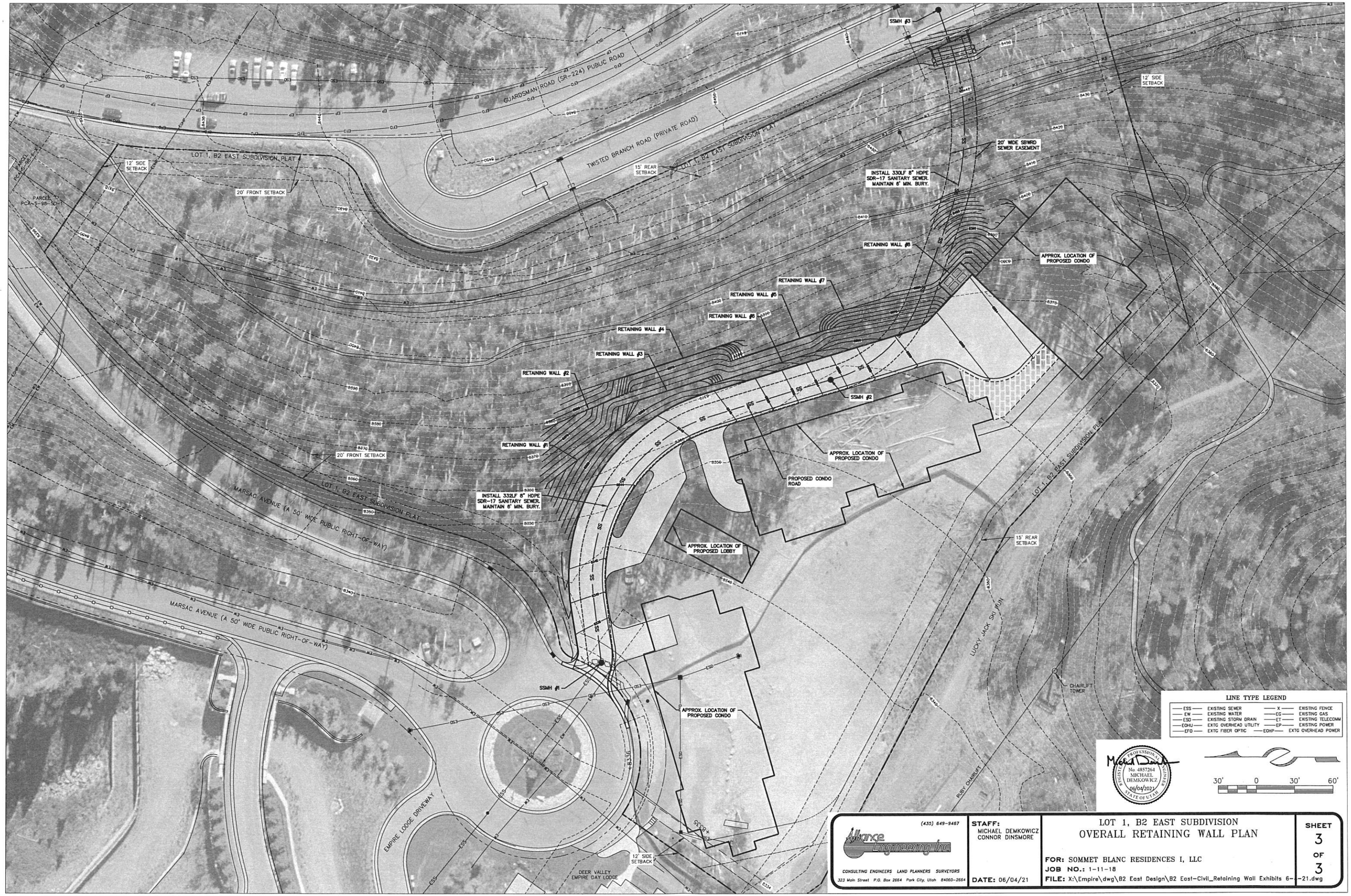
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 06/04/21

LOT 1, B2 EAST SUBDIVISION
RETAINING WALL PLAN & PROFILE

FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil_Retaining Wall Exhibits 6-__-21.dwg

SHEET 2 OF 3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LINE TYPE LEGEND
ESS EXISTING SEWER
EW EXISTING WATER
ESD EXISTING STORM DRAIN
EOHU EXTG OVERHEAD UTILITY
EFO EXTG FIBER OPTIC
X EXISTING FENCE
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EP EXISTING POWER
EOHP EXTG OVERHEAD POWER
No. 4857264 MICHAEL DEMKOWICZ 06/04/2021 REGISTERED PROFESSIONAL ENGINEER STATE OF UTAH
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DATE: 06/04/21
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OVERALL RETAINING WALL PLAN
FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil_Retaining Wall Exhibits 6--21.dwg
SHEET 3 OF 3

PLANNING DEPARTMENT

December 6, 2019

Lynn Padan, Sommet Blanc Residences I, LLC
P.O. Box 980022
Park City, UT 84098

NOTICE OF PLANNING DEPARTMENT ACTION

Project Name:	Sommet Blanc Residences (B2 East) Temporary Sales Trailer
Project Address:	9300 Marsac Avenue
Zoning:	Residential Development (RD) Zoning District
Proposed Use:	Temporary Improvement
Project Description:	Administrative Conditional Use Permit for a Temporary Sales Trailer for the duration of one (1) year, expiring on December 6, 2020.

Action Taken By Planning Department: An Administrative Conditional Use Permit was granted based upon the following:

Findings of Fact:

1. The project is located at 9300 Marsac Avenue on Lot 1 of B2 East.
2. The zoning is Residential Development (RD), part of the Village at Empire Pass MPD (RD-MPD).
3. Temporary Improvements are an Administrative Conditional Use in the RD zone.
4. The property uses adjacent to the proposed project are recreational skiing and residential lodge, and restaurant.
5. The applicant is proposing a Temporary Sales Trailer on the property.
6. The applicant intends to submit a future Conditional Use Permit for a 20-unit residential project on the site (49,000 sf) in December of 2019. The 20-unit residential project will be known as Sommet Blanc Residences. This proposed Temporary Sales Trailer would be for the sale of the units within Sommet Blanc and would be staffed by a licensed Realtor. The Sales Trailer will comply with ADA requirements, contain sanitary facilities, and be connected to water and electricity.
7. The applicant will install an asphalt driveway and asphalt parking area with one (1) ADA Parking Space and 33 Parking Spaces for continued use by Deer Valley Resort under the existing CUP for the Empire Day Lodge. Parking shall not be used for skier parking unrelated to direct use of the Empire Day Lodge.
8. The Temporary Sales Trailer shall not have a height greater than sixteen feet (16') measured from Final Grade.
9. All underlying Zoning Requirements shall be met and confirmed upon submittal of a Building Permit for the proposed Structure and site improvements.
10. A separate sign application shall be required if the temporary structure desires any signage.
11. The temporary sales structure has been reviewed and received approval from the Empire

Pass Design Review Board.
12. The Temporary Sales Trailer will require a Building Permit.

Conclusions of Law:

1. The application is consistent with requirements of the Park City Municipal Code, specifically Chapter 15, Section 1-10.
2. The Use is consistent with the Park City General Plan and is a Temporary Use allowed by an Administrative Conditional Use Permit.
3. The Use is compatible with surrounding structures in terms of scale, mass, and circulation.
4. The effects of any differences in use and scale have been mitigated through careful planning.

Conditions of Approval:

1. The Administrative Conditional Use Permit is valid for one (1) year. The Applicant must request an extension in writing by December 6, 2020.
2. All lighting shall comply with the Park City Land Management and Municipal Codes.
3. The Building Official reviews extension requests for temporary structures and requires an annual inspection prior to approval.
4. No changes to the exterior of the approved temporary structures are permitted.
5. All building plans must meet the satisfaction of the Chief Building Official for year around use.
6. The Park City Water Department will not accept a temporary Water Service. As a part of the Building Permit submittal for the Temporary Sales Trailer, the proposed permanent Water Service shall be identified. How the permanent Water Service will be utilized once the Temporary Sales Trailer use is no longer needed shall also be identified. The proposed Use shall connect to the existing water line near the existing Montage Structure. All water service plans shall be submitted with the Building Permit.
7. Prior to Building Permit issuance, record of approval by the Health Department for the proposed sewage holding tank shall be provided to the Building Department.
8. The Engineering Department will require that not more than one (1) vehicular entrance to be in use at any time on this property. Coordination will be required as plans are developed for the proposed Sommet Blanc Residences, including the Construction Management Plan.
9. Applicant shall contact the Utah Department of Transportation to determine if an Access Permit is needed for this property.

Sincerely,



Hannah M. Tyler, AICP
Senior Planner
Park City Planning Department

CC: Bruce M. Erickson, AICP
Planning Director
Park City Planning Department

MEMORANDUM



Date: October 6, 2021

To: Doug Ogilvy

From: Hales Engineering

Subject: Park City Sommet Blanc Trip Generation Study

UT21-2024

This memorandum discusses the trip generation study completed for the proposed Sommet Blanc project Park City, Utah. A vicinity map of the proposed development is shown in Figure 1.

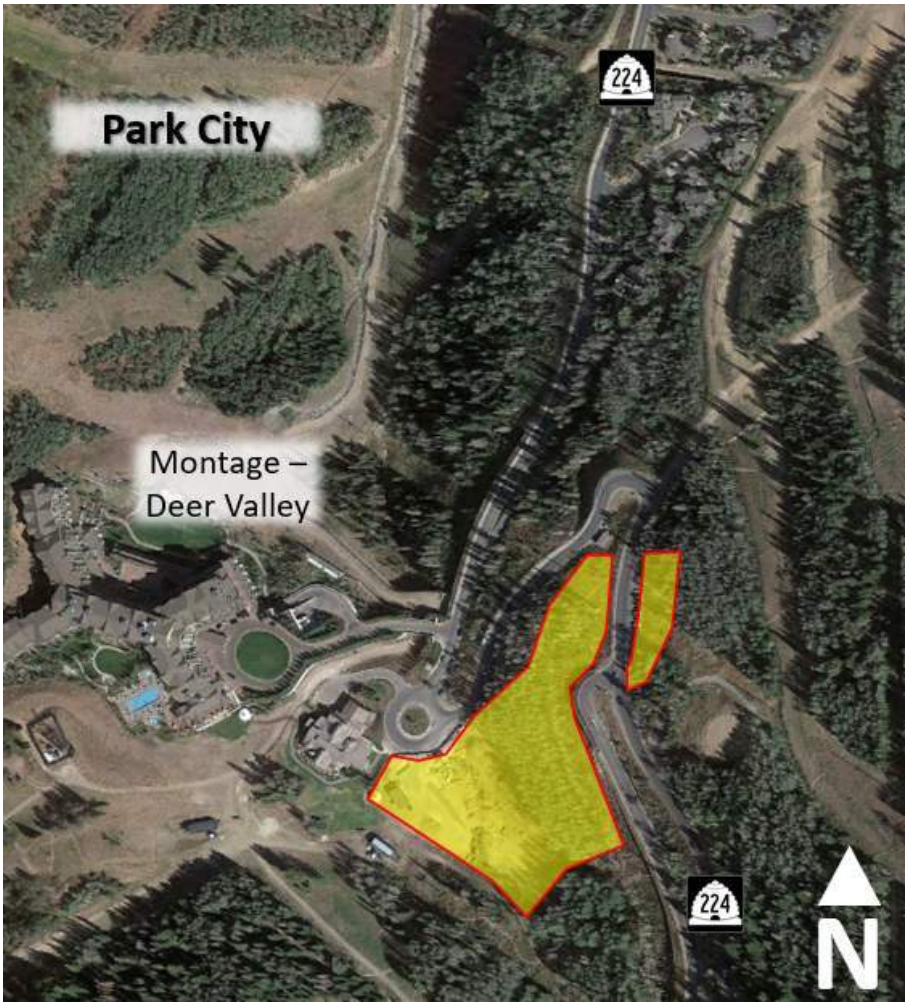


Figure 1: Vicinity map of the proposed development in Park City, Utah

Background

The proposed Sommet Blanc development is located on along SR-224 near the Montage Hotel at Deer Valley Resort in Park City. The project includes 47 residential condominium units, with an additional 6 affordable units for a total of 53 units, and a 3,600 sq. ft. restaurant. Access to the project will be gained at two points along SR-224. The project will also reconstruct the adjacent Mid Mountain Trail parking lot to improve safety. A site plan for the proposed development is included in Appendix A.

The proposed land use for the development has been identified as follows:

- Multi-family Housing (Low-rise) 47 units
- Affordable Multi-family Units (Low-rise) 6 units
- Fine Dining 3,600 sq. ft.

Trip Generation

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE) *Trip Generation (10th Edition, 2017)*. Trip generation for the proposed project is included in Table 1.

As shown in Table 1, it is anticipated that the proposed condominiums and restaurant will generate approximately 442 trips on an average weekday, including 28 trips during the morning peak hour, and 48 trips during the evening peak hour.

Table 1: Trip Generation for Updated Site Plan

Trip Generation Park City - Sommet Blanc											
Weekday Daily Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Reductions	New Trips Entering	New Trips Exiting	**Total New Daily Trips**
Multifamily Housing (Low-Rise) (220)	47	Dwelling Units	316	50%	50%	158	158	0%	158	158	**316**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	6	50%	50%	3	3	0%	3	3	**6**
Quality Restuaruant (931)	3.6	1,000 Sq. Ft. GFA	302	50%	50%	151	151	60%	60	60	**120**
Total			**624**			**312**	**312**		**221**	**221**	**442**
Morning Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Reductions	New Trips Entering	New Trips Exiting	**Total New AM Trips**
Multifamily Housing (Low-Rise) (220)	47	Dwelling Units	24	23%	77%	6	18	0%	6	18	**24**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	4	23%	77%	1	3	0%	1	3	**4**
Quality Restuaruant (931)	3.6	1,000 Sq. Ft. GFA	3	50%	50%	2	1	100%	0	0	**0**
Total			**31**			**9**	**22**		**7**	**21**	**28**
Evening Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Reductions	New Trips Entering	New Trips Exiting	**Total New PM Trips**
Multifamily Housing (Low-Rise) (220)	47	Dwelling Units	31	63%	37%	20	11	0%	20	11	**31**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	5	63%	37%	3	2	0%	3	2	**5**
Quality Restuaruant (931)	3.6	1,000 Sq. Ft. GFA	29	67%	33%	19	10	60%	8	4	**12**
Total			**65**			**42**	**23**		**31**	**17**	**48**

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 10th Edition, 2017.

SOURCE: Hales Engineering, October 2021

It is important to note that the owner anticipates the restaurant usage will be 100% internal in the morning peak hour. For the evening peak, it is anticipated that 30% of restaurant usage will be generated on-site, 30% from the Empire Pass shuttle, and 40% from outside users. With the anticipated usage, the internal and shuttle users would not be contributing to the new trips generated. Therefore, the total new evening peak hour trips generated would be reduced from 65 to 48.

Comparison to Previous Site Plan

Changes have been made to the Sommet Blanc development since the original 2007 site plan. The original plan included 81 residential condominiums plus an additional 6 affordable units for a total of 87 units and no on-site restaurant. The original trip generation is included in Table 2.

The original site plan included the following land uses:

- Multi-family Housing (Low-rise) 81 units
- Affordable Multi-family Units (Low-rise) 6 units

Table 2: Trip Generation for Previous Site Plan

Trip Generation Park City - Sommet Blanc										
Weekday Daily Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	New Trips Entering	New Trips Exiting	**Total New Daily Trips**
Multifamily Housing (Low-Rise) (220)	81	Dwelling Units	572	50%	50%	286	286	286	286	**572**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	6	50%	50%	3	3	3	3	**6**
Total			**578**			**289**	**289**	**289**	**289**	**578**
Morning Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	New Trips Entering	New Trips Exiting	**Total New AM Trips**
Multifamily Housing (Low-Rise) (220)	81	Dwelling Units	40	23%	77%	9	31	9	31	**40**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	4	23%	77%	1	3	1	3	**4**
Total			**44**			**10**	**34**	**10**	**34**	**44**
Evening Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	New Trips Entering	New Trips Exiting	**Total New PM Trips**
Multifamily Housing (Low-Rise) (220)	81	Dwelling Units	49	63%	37%	31	18	31	18	**49**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	5	63%	37%	3	2	3	2	**5**
Total			**54**			**34**	**20**	**34**	**20**	**54**

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 10th Edition, 2017.

SOURCE: Hales Engineering, October 2021

Safety Improvements

The Mid Mountain Trail parking currently has 25 stalls and is accessed directly on SR-224 with vehicles backing out directly onto the roadway. The proposed plan will reconstruct the parking lot with one-way traffic flow and a guard rail separating the parking lot from SR-224. This will reduce conflict points and eliminate the backing of vehicles directly onto SR-224.

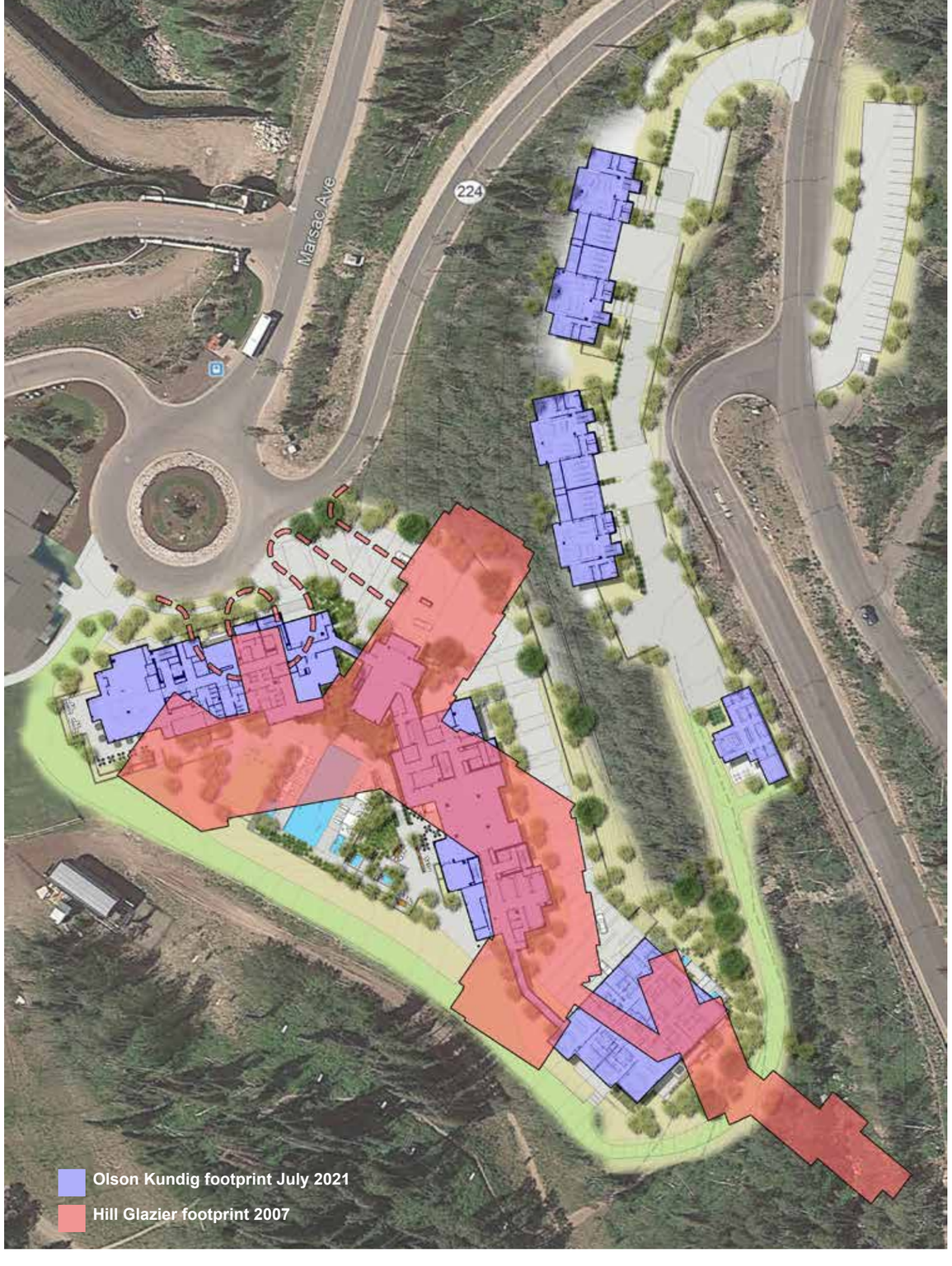
Conclusions

The findings of this study are as follows:

- The proposed development includes 47 residential condominiums with 6 affordable units.
- It is anticipated that the proposed project will generate approximately 442 trips on an average weekday, including 28 trips during the morning peak hour, and 48 trips during the evening peak hour. The owner anticipates internal and shuttle riders to account for the majority of patrons at the restaurant. This will reduce the total number of trips generated. These are the trips that will use the project access points.
- With the anticipated patronage, the morning peak hour trips generated will be reduced by 36% under the new plan, the evening peak hour trips generated will be reduced by 11%, and the daily trips will be reduced by 24%.
- The Mid Mountain Trail parking will be reconstructed to improve safety by eliminating the 90-degree parking and the side friction created by those turning in and backing out of the stalls. The new trail parking will be accessible via a driveway and a parking lot on the northeast side of the road, see site plan in Appendix A.

APPENDIX A

Site Plan


Marsac Ave
224
Olson Kundig footprint July 2021
Hill Glazier footprint 2007

Preliminary Construction Mitigation Plan

Empire Pass Pod B2E – Sommet Blanc & Alpine Villas

1. **Hours of Operation:**
   Typical hours of construction operations are 7:00am to 6:00pm, Monday through Friday, 8:00am to 6:00pm on Saturday, and no work on Sundays. With this structure being primarily cast in place concrete, occasional longer work hours may be needed for critical concrete placements. Contractor will notify the neighboring residents and Park City Building Department, if wanted, ahead of time of these concrete placement durations.

2. **Parking:**
   There is limited onsite parking. This will be reserved for visitors and construction project management personnel. All other construction workers shall park off site and be bused to and from the construction site. The worker parking location is TBD, but could be near the Mine Bench or Richardson Flat. The parking plan assumes there is no on street parking on Marsac Avenue, Twisted Branch Road, or Guardsman Pass Road. Construction equipment, (fork lifts, cranes, backhoes, etc.) is not permitted to be driven or parked on public parking lots, city streets or private property unless otherwise approved.

3. **Deliveries:**
   Deliveries to the site will be only during construction operation hours. Typically, deliveries will be just-in-time for the materials to be incorporated into the ongoing construction progress.

4. **Stockpiling and Staging:**
   Given the site location, access, and building footprint coverage of the site, there is limited area for stockpiling and staging materials. Materials will have to be delivered to the project just-in- time to incorporate into the construction work. This means and method is similar to building a multistory building in a downtown urban setting. It is the contractor's responsibility to coordinate with subcontractors to minimize problems due to the limited staging and stockpiling areas.

5. **Construction Phasing:**
   No construction phasing is planned. Construction is planned to be completed in one continuous time period from Summer 2021 through Summer 2024.

6. **Trash Management & Recycling:**
   The construction debris dumpster shall be located within the fenced construction boundary. Its remaining capacity will be monitored daily and the dumpster emptied on a regular basis to prevent over flowing and accumulation of debris around the construction site.

7. **Dust & Mud Control:**
   The project site has two distinct access points. The Villas will be constructed from an access point on Marsac Avenue above the property. The Lodges will be constructed from access off the Marsac roundabout. Both project access points will be improved as stabilized gravel construction entries to help eliminate dirt and mud from being tracked onto the paved street. Streets will be monitored daily and cleaned as needed to keep them free of dirt and mud. The majority of excavation work will take place in the summer and fall. This work is not expected to generate much dust, but a water source will be available to keep dust down as needed.

8. **Noise:**
   Noisy work shall be kept within the approved project work hours. The developer and contractor will coordinate with Deer Valley to mitigate impact on special events at the Empire Day Lodge.

9. **Grading & Excavation:**
   The mass excavation for this project will generate several thousand cubic yards of export. Excavated materials will be dispersed at the tipping sites identified in the 2018 Amendment to the Flagstaff Construction Mitigation Plan. Other than organics, no excavated material will be hauled outside of the Flagstaff Mountain Development boundary. The planned haul route utilizes Marsac Avenue. Flagmen will be used as required at the roundabout on Marsac Avenue to help manage the truck traffic. The haul hours will be limited to between 7:00am and 6:00pm Monday through Friday and 8:00am to 6:00pm on Saturday. All suitable soils to be re-used for backfill will be stockpiled on site or at one of the designated tipping sites.

10. **Temporary Lighting:**
    Exterior construction lighting will be kept as minimal as possible. The lighting will be turned off as much as possible during non-work hours. Occasional temporary lighting will be needed for morning concrete placements. This lighting will be accomplished by using portable light plants that are set up only for a specific concrete placement, then moved off site. Temporary interior lighting will be used during construction work hours and turned off to leave a minimal amount of lighting for egress and emergency access.

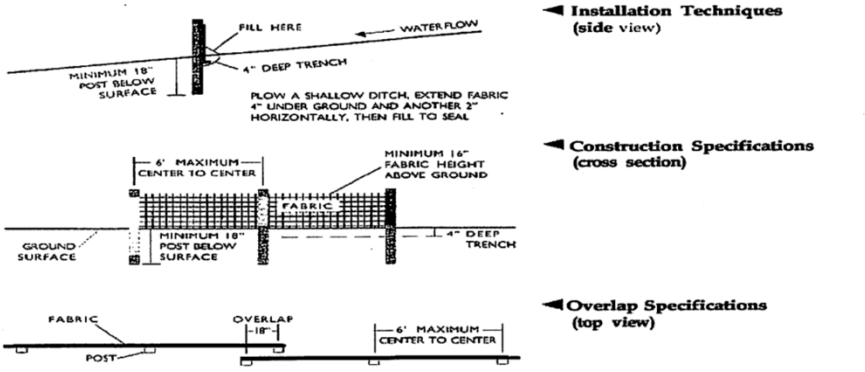
11. **Construction Sign:**
    Project information signs will be posted at the upper and lower entrances to the construction site. Signs will comply with Empire Pass and PCMC requirements. No other construction signs are planned.

12. **Other issues:**
    Dogs or pets are not allowed on site. Firearms, alcohol, and drugs are prohibited as well. Visitors must check in at the construction project office and be authorized to be on site with the proper personal protective equipment (hard hat, safety vest, safety glasses, etc.).

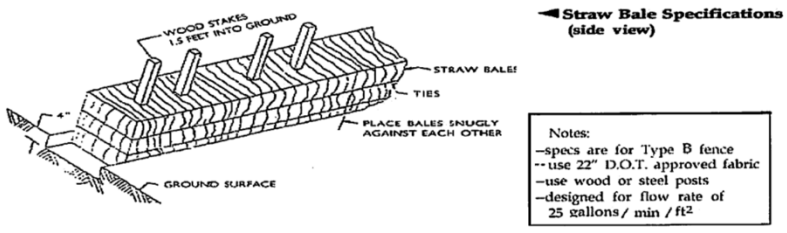
13. **Soils Ordinance:**
    Under EPA oversight, the property was subject to three years of environmental clean-up including extensive export of contaminated soil. The property received a Notice of Completion from the EPA in August 2018 following removal of contaminated soil down to clean native soil.

14. **Erosion Control:**
    The contractor is enlisting the services of Alliance Engineering to help draft and maintain a SWPPP and erosion control program throughout the project duration. This plan will be submitted prior to start of construction. Cut and fill areas and utility trenches will be backfilled and revegetated as soon as practical to help minimize erosion.

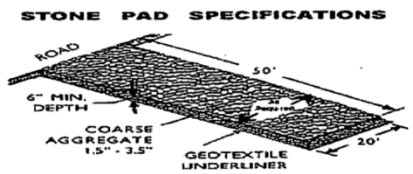
Park City Silt Screen Installation



Park City Straw Bale Specifications



Park City Stone Pad Specifications



01097590 B: 2477 P: 0084
Page 1 of 7
Rhonda Francis Summit County Recorder
08/30/2018 02:23:54 PM Fee $22.00
By Snell & Wilmer LLP
Electronically Recorded

WHEN RECORDED, RETURN TO:

SNELL & WILMER L.L.P.
Attn: Wade R. Budge
15 West South Temple, Suite 1200
Salt Lake City, UT 84101

Affects Summit County Parcel Nos:
Part of PCA-S-98-SD-1
B2EAST-1

DECLARATION OF ACCESS EASEMENT
[TBR – B2 East]

THIS DECLARATION OF ACCESS EASEMENT ("**Declaration**") is made as of the 28th day of AUGUST, 2018 (the "**Effective Date**"), by **REDUS PARK CITY LLC**, a Delaware limited liability company ("**Declarant**").

A. Declarant owns certain real property located in Summit County, State of Utah, commonly referred to as "B2 East" and more particularly described on **Exhibit A** attached hereto ("**Benefitted Property**").

B. Declarant owns certain additional real property located in Summit County, State of Utah, more particularly described on **Exhibit B** and depicted as "Access Easement" on **Exhibit C** attached hereto (the "**Burdened Property**").

C. In advance of transferring the Benefitted Property to a third party, Declarant desires to grant and establish a non-exclusive easement in order to provide pedestrian and vehicular access to and from the Benefitted Property, over the Burdened Property.

NOW, THEREFORE, Declarant executes, and shall cause to be recorded, this Declaration, subject to the following terms, conditions, and provisions:

1. **Access Easement**. Declarant hereby conveys, declares and grants a perpetual, non-exclusive, and continuous easement and right-of-way (the "**Easement**"), for the benefit of and appurtenant to the Benefitted Property, over the Burdened Property for the purposes of providing vehicular and pedestrian ingress and egress to and from the Benefitted Property. Any party utilizing the benefits conferred by the Easement shall be responsible to pay all costs of relocating existing facilities.

2. **Access Gate; Use**. An access gate to Twisted Branch Road ("**TBR Gate**") is located on the Burdened Property. Provided that the Benefitted Property Owner [defined below] is not in default in its obligations under this Declaration, Declarant shall provide Benefitted Property Owner keys or access codes to the TBR Gate. Use of the portion of the Burdened Property located south of the existing TBR Gate shall be limited to access for repair and maintenance purposes only, provided that if Benefitted Property Owner reasonably requires regular vehicular access to the portion of the Burdened Property located south of the TBR Gate, then Benefitted Property Owner may, at its sole cost and expense, and subject to Declarant's prior written approval, which approval shall not be unreasonably withheld, relocate the TBR Gate to the southernmost portion of the Burdened Property. Notwithstanding anything to the contrary herein, Declarant reserves the right at all times to relocate or reconstruct the TBR Gate at its cost

and expense, provided such relocation or reconstruction does not materially diminish the Easement rights declared hereby.

3. **Personal Easement/Assignability**. The Easement and applicable provisions of this Declaration are personal to the record fee owner of the Benefitted Property ("**Benefitted Property Owner**"), and may not be assigned or transferred to another party without the written consent of Declarant, or its successor or assign.

4. **Term of Easement**. The Easement shall remain effective so long as the Easement is being utilized by the Benefitted Property Owner for access to the Benefitted Property.

5. **No Interference; Use**. Except to the extent reasonably necessary (on a temporary basis) for reasonable construction, for repair and maintenance, for traffic regulation and control or to prevent a public dedication or the accrual of any rights to the public, no fence, gate (other than the existing TBR Gate, which may be relocated or reconstructed as set forth in Section 2 above), wall, barricade or other obstruction, whether temporary or permanent in nature, which limits or impairs the free and unimpeded use of the Easement shall be constructed or erected, nor shall any party in any other manner obstruct or interfere with the use of such right-of-way and Easement. For the avoidance of doubt, notwithstanding anything to the contrary herein, Declarant may maintain, or cause to be maintained, gates on or leading to the Burdened Property without violating the provisions of this Declaration. Provided that the Benefitted Property Owner is not in default in its obligations under this Declaration, Declarant shall provide keys or access codes to the Benefitted Property Owner for any such gate(s) leading to or located on the Burdened Property.

6. **Indemnification**. For purposes of this Agreement, "**Permittees**" shall mean Declarant's and Benefitted Property Owner's respective successors and assigns, tenants, subtenants, and licensees, and their respective agents, invitees, members, customers, employees, and contractors. Declarant and Benefitted Property Owner shall indemnify, defend, and hold harmless each other, and their affiliates, members, managers, agents, tenants, and representatives for, from, and against all claims, damages, expenses (including, without limitation, reasonable attorneys' fees and reasonable investigative and discovery costs), liabilities, and judgments on account of injury to persons, loss of life, or damage to property resulting from the negligent or willful act or omission of the indemnifying party or its Permittees, arising out of the performance of any of the obligations set forth in this Declaration or the indemnifying party's or its Permittees' use of the Burdened Property, except to the extent such claims are due solely to the gross negligence or willful act or omission of the other party or its Permittees.

7. **Rights Run With The Land**. Subject to the terms hereof, including Section 2, all provisions of this Declaration, including the benefits and burdens, shall run with the land and are binding upon and shall inure to the benefit of the respective successors and assigns of Declarant and Benefitted Property Owner. If the Benefitted Property is hereafter further divided by further subdivision, lot split, separation of ownership or by lease or other means, all parts shall enjoy the benefit of the Easement hereby created. Any transferee of all or any part of the Benefitted Property or the Burdened Property shall automatically be deemed, by acceptance of title to or the applicable interest in such portion of such property, to have assumed all rights and obligations of this Declaration relating thereto.

8. **No Public Dedication/No Third Party Beneficiaries**. The provisions of this Declaration are not intended to and do not constitute a dedication for public use of the Easement, and the rights herein created are for private use of Benefitted Property Owner and its Permittees, and no other. This Declaration is not intended to confer benefits on any other party.

9. **Miscellaneous**. If any term, provision or condition contained in this Declaration shall to any extent be deemed invalid or unenforceable, the remainder of the Declaration shall not be affected thereby, and each remaining term, provision and condition of this Declaration shall be valid and enforceable to the fullest extent permitted by law. This Declaration shall be governed by the laws of the State of Utah, without giving effect to its conflict of laws principles. All references in this Declaration to exhibits shall, unless otherwise expressly provided, be deemed to be references to the exhibits attached to this Declaration. All such exhibits attached hereto are incorporated into this Declaration as though fully set forth herein. No modification, waiver, or amendment of any provision of this Declaration shall be made except by a written instrument signed by the Benefitted Property Owner, or its successor-in-title, and the owner of the Burdened Property, or its successors or assigns, and recorded in the office of the Summit County Recorder.

[*Signatures and Acknowledgements Follow*]

IN WITNESS WHEREOF, Declarant has executed this Declaration as of the Effective Date.

DECLARANT:

REDUS Park City LLC,
a Delaware liability company

By: REDUS Properties, Inc.,
a Delaware corporation
Its: Manager

By: _____
David Ash, Senior Vice President

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA)
COUNTY OF San Francisco)

On August 28, 2018 before me, Auxiliadora Rios, Notary Public personally appeared **David Ash**, Senior Vice President of REDUS PROPERTIES, INC., a Delaware corporation, as manager of REDUS PARK CITY LLC, a Delaware limited liability company, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/~~are~~ subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature: _____ **(Seal)**

AUXILIADORA RIOS
Notary Public - California
San Francisco County
Commission # 2188278
My Comm. Expires Mar 25, 2021

4813-4374-7181

EXHIBIT A
[Legal Description of the Benefitted Property]

Lot 1, B2 East Subdivision, according to the official plat filed March 7, 2018, as Entry No. 1087538 in the office of the Summit County Recorder.

Tax Serial No. B2EAST-1
(Formerly Part of Tax Serial No. PCA-S-98-GG-1

EXHIBIT B
[Legal Description of the Burdened Property]

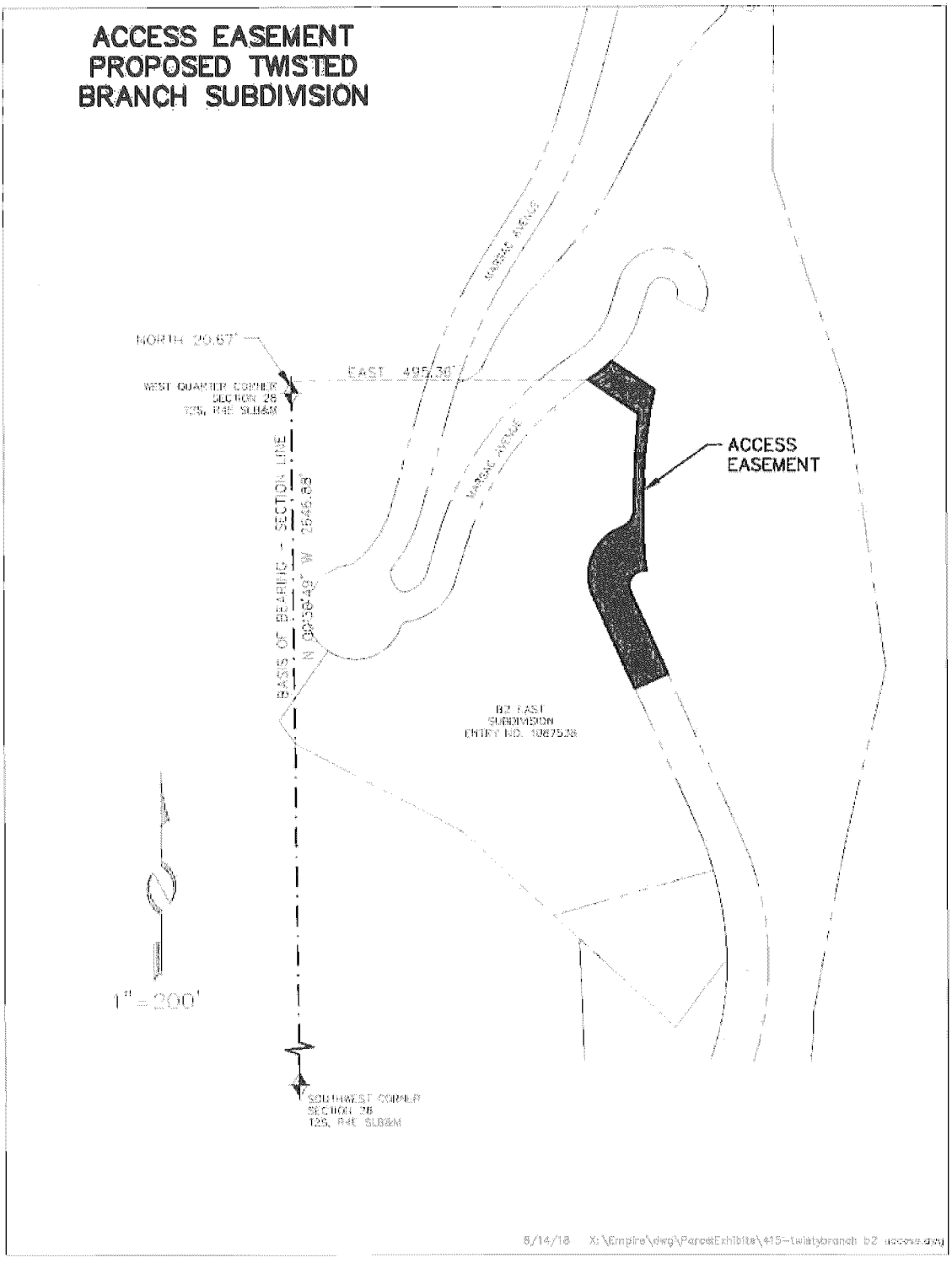
A parcel of land located in the west half of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said parcel being described as follows:

Beginning at a point that is North 20.67 feet and East 495.36 feet from the west quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the boundary of Marsac Avenue Right Of Way, recorded June 28, 2002, as Entry No. 623451 in the Office of the Recorder, Summit County, Utah; and running thence coincident with said Marsac Avenue Right Of Way the following two (2) courses: 1) North 55°33'45" East 12.79 feet to a point on a curve to the left having a radius of 190.00 feet, of which the radius point bears North 34°26'15" West; thence 2) along the arc of said curve 37.54 feet through a central angle of 11°19'17" to a point on that certain Special Warranty Deed, recorded March 19, 2004, as Entry No. 692324 in the Office of the Recorder, Summit County, Utah; thence coincident with said Special Warranty Deed South 55°36'17" East 64.83 feet; thence continuing South 55°36'17" East 20.36 feet to a point on the edge of existing State Road 224, also known as Marsac Avenue, said point being on a non tangent curve to the left having a radius of 792.26 feet, of which the radius point bears South 77°40'42" East; thence coincident with the edge of State Road 224 the following three (3) courses: 1) southerly along the arc of said curve 170.54 feet through a central angle of 12°19'59"; thence 2) South 00°00'41" East 82.64 feet to a point on a curve to the left having a radius of 299.13 feet, of which the radius point bears North 89°59'19" East; thence 3) along the arc of said curve 50.91 feet through a central angle of 09°45'02"; thence South 81°43'09" West 6.62 feet to a point on a curve to the left having a radius of 25.00 feet, of which the radius point bears South 08°16'51" East; thence along the arc of said curve 46.15 feet through a central angle of 105°45'58"; thence South 24°02'49" East 151.13 feet; thence South 65°57'11" West 60.00 feet to a point on the easterly boundary of B2 East Subdivision, recorded March 7, 2018, as Entry No. 1087538 in the Office of the Recorder, Summit County, Utah; thence coincident with said B2 East Subdivision the following six (6) courses: 1) North 24°02'49" West 169.88 feet to a point on a curve to the right having a radius of 85.00 feet, of which the radius point bears North 65°57'11" East; thence 2) along the arc of said curve 139.33 feet through a central angle of 93°54'58" to a point on a reverse curve to the left having a radius of 30.00 feet, of which the radius point bears North 20°07'52" West; thence 3) northeasterly along the arc of said curve 35.43 feet through a central angle of 67°39'38"; thence 4) North 02°12'30" East 119.72 feet to a point on a curve to the right having a radius of 525.00 feet, of which the radius point bears South 87°47'30" East; thence 5) along the arc of said curve 44.31 feet through a central angle of 04°50'10"; thence 6) North 55°36'18" West 101.33 feet to the point of beginning.

Description contains 0.59 acres.

The Basis of Bearing for the above description is North 00°30'49" West 2646.88 feet between the southwest corner and the west quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

EXHIBIT C
[Depiction of the Burdened Property]



4813-4374-7181

WATER LINE EASEMENT

OVERHEAD POWER EASEMENT

PROPOSED MID MOUNTAIN TRAIL RELOCATION

RE-GRADE SLOPE BACK (2.5:1 GRADING) TO ALLOW FOR NEEDED SIGHT DISTANCE FOR BIKERS CROSSING STREET, TRIM VEGETATION AS NEEDED.

INSTALL BIKE & PEDESTRIAN WARNING SIGN (MUTCD W11-15) W/ TRAIL X-ING SIGN (MUTCD W11-15P) 20' BEFORE TRAIL. INSTALL B3 SLIP BASE PER UDOT STD DWG SN SERIES AND UTAH MUTCD

INSTALL RETAINING WALL

INSTALL 20 PARKING STALLS (9'X18' TYP.)

ADA STALL

INSTALL PIT TOILET

INSTALL KIOSK

S=-10.0%

S=-5.0%

INSTALL 9 PARKING STALLS (10'X22' TYP.)

S=-5.0%

22.0'

50' R.O.W

INSTALL 220' GUARDRAIL WITH END TREATMENTS

INSTALL 212' GUARDRAIL WITH END TREATMENT

INSTALL 85' GUARDRAIL WITH END TREATMENT

GUARDSMAN ROAD (SR-224) PUBLIC ROAD

TWISTED BRANCH ROAD (PRIVATE ROAD)

EXISTING MID MOUNTAIN TRAIL

INSTALL BIKE & PEDESTRIAN WARNING SIGN (MUTCD W11-15) W/ TRAIL X-ING SIGN (MUTCD W11-15P) 20' BEFORE TRAIL. INSTALL B3 SLIP BASE PER UDOT STD DWG SN SERIES AND UTAH MUTCD

8420

8418

8416

8414

8412

8410

10' 0 10' 20'

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

STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 09/30/21

LOT 1, B2 EAST SUBDIVISION
GUARDSMAN ROAD PARAKING PLAN

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

SHEET 1 **OF** 1

CONDITIONAL ACCESS PERMIT

UDOT Keeping Utah Moving
Access Management Program

GENERAL INFORMATION			
Issuance Date	Region	Project Name	OLP Application ID
12/17/2020	Region 2	B2 East Development	109246
Physical Address	City	Permit Type	Access Use Type
9300 Marsac Avenue	PARK CITY	New	Residential

PERMITEE INFORMATION			
Property Owner Name	Primary Contact	Primary Phone	Email
Sommet Blanc Residences I, LLC.	Michael Demkowicz	(435) 649-9467	michael@alliance-engr.com

LOCATION, WIDTH, AND ACCESS CATEGORY INFORMATION					
State Route	Milepost Marker	DD Center Latitude	DD Center Longitude	Access Width	Access Category
0224	1.12			30	7 - Community Rural

A Conditional Access Permit is hereby authorized subject to the Utah Department of Transportation's (the Department's) Access Management Rule (Utah Administrative Code R-930-6), the Utility Accommodation Rule (Utah Administrative Code R930-7), the Standard Specifications for Road and Bridge Construction, and any terms, conditions, and limitations set forth herein. Per Utah Administrative Code R930-6-8(6)(g), a Conditional Access Permit shall expire if the access construction is not completed within twelve (12) months of the issuance date as identified at the top left of this document.

By carrying out the activities authorized by this approval the permittee and the permittee's successors in interests and/or assigns agree to accept all terms, conditions, and, limitations, of the approval including any attachments submitted with the Conditional Access Permit Application. In addition, the permittee certifies they will comply with all applicable regulations, properly control and warn the public of said work to prevent accident, and shall defend, indemnify and hold harmless the Department from all damages arising out of any and all operations performed during construction and operation of said access. Per Utah Administrative Code R930-6-8(5)(e), the permittee understands any intentional misrepresentation of existing or future conditions or of information requested for the application for the purposes of receiving a more favorable determination is sufficient grounds for permit revocation. The access allowed under this permit creates a license to only access a state highway to the extent provided in the permit. The access may be closed, modified or relocated by UDOT if, at any time, UDOT determines in its sole discretion that safety, efficiency or other reasons so require. UDOT will not be liable for any costs, losses or damages resulting from UDOT's review and comments on the submitted plan sets for a Conditional Access Permit.

This conditional access permit does NOT allow construction or other activities within a state right-of-way. An encroachment permit must be separately applied for and issued before any construction within a state right-of-way may commence. Work on UDOT's right-of-way is seasonally restricted from October 15 to April 15. Work is not allowed on the right-of-way during the AM/PM peak traffic hours of 6:00 A.M. to 9:00 A.M. and 3:30 P.M. to 6:00 P.M. Some exceptions to this A.M./P.M. peak travel work restriction may be permissible for low AADT routes in rural areas. Any such exception requires special Region approval and must be explicitly stated on the approved encroachment permit.

Authorizing Name (printed)	Nazee Treweek	Authorizing Name (signed)	Nazee Treweek

TERMS, CONDITIONS, AND LIMITATIONS

Special Limiations: Any safety issues that may arise due to this access will bring this access up for review by UDOT.

1. A copy of this permit must be posted in a conspicuous location and be available for immediate review at the location of the permitted activity. No exceptions.
2. This agreement and/or permit is UDOT approval only. The permittee is responsible for obtaining clearances, authorizations, or permits from railroads, private property owners, other utility owners, and other government agencies as may also be required.
3. By the accepting this permit, the permittee acknowledges the hazardous nature of conducting activities within the right-of-way and assumes full responsibility in the event of an accident or other incident involving death, injury, or damages to any party resulting from the permittee's authorized use of the right-of-way.
4. All work performed under this permit must be in accordance with UDOT approved plans and standard drawings unless otherwise stated in writing.
5. The primary function of the highway is for transportation purposes. All other highway purposes are subordinate to this primary purpose. By conducting the activities authorized by this permit, the permittee agrees to timely prosecute the permitted activities in a manner that minimizes transportation-related impacts including but not limited to; ensuring overall site safety as an overarching priority, and by applying systematic efforts to minimize, or shorten, the project schedule.
6. UDOT may cancel, suspend, or revoke this permit due to:

   A) Non-compliance with the permit provisions including terms, conditions, and limitations
   B) Deviating from the approved permit provisions without written authorization

C) Misrepresentation(s) discovered on the originating application, or associated documents
D) Adverse weather or traffic conditions
E) Concurrent transportation construction or maintenance operations in conflict with the permit
F) Any condition deemed unsafe for workers or for the traveling public
G) Any other condition that arises where work stoppage may be warranted for cause

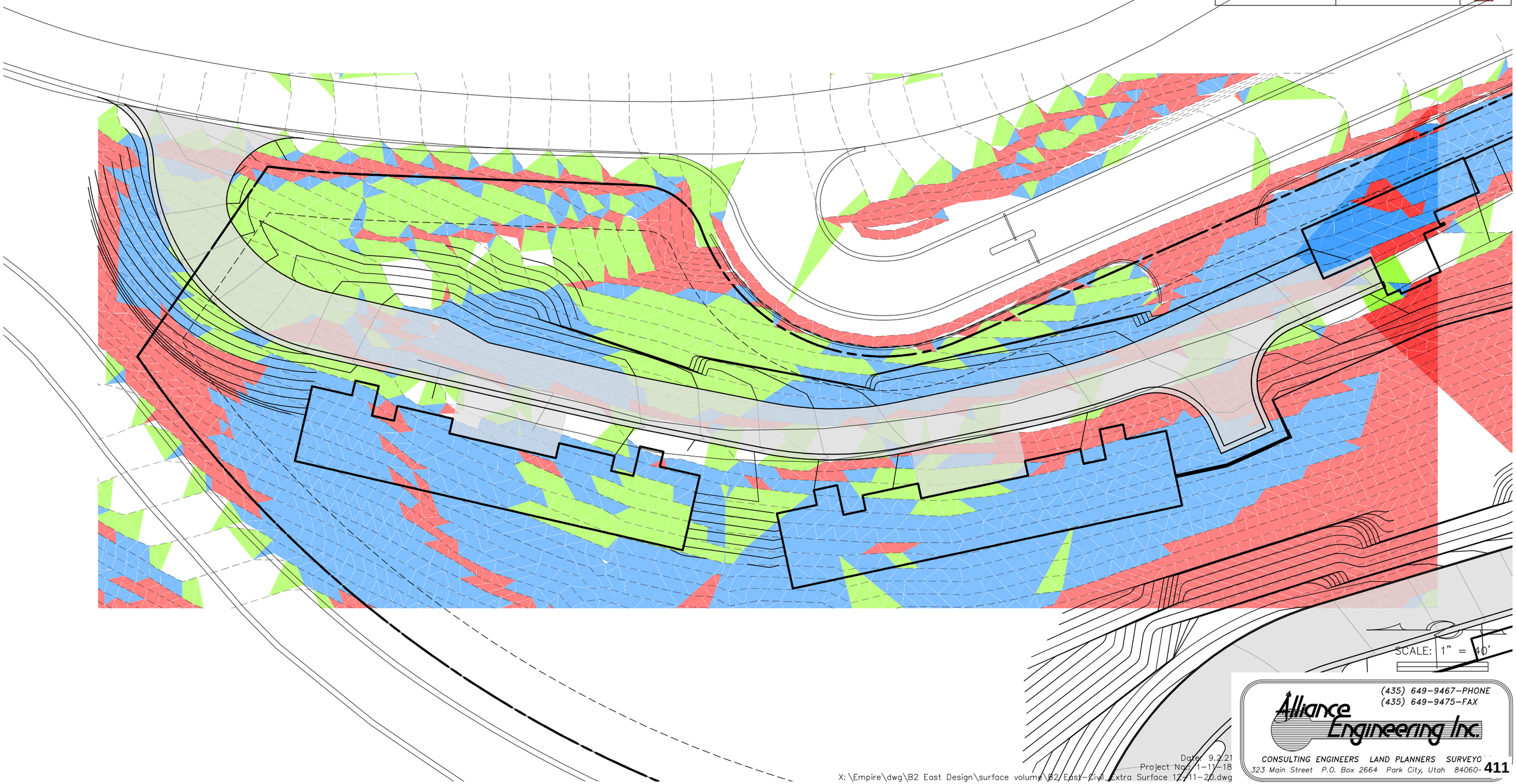
In the event of a cancellation, suspension, or revocation the permittee shall promptly terminate occupancy of the right-of-way.

7. At all times the permittee and all activities authorized under this permit will comply with all applicable federal and state constitutions, law, rules, codes, orders, and regulations, including applicable licensure and certification requirements.
8. Use current edition of UDOT standard drawings for traffic control. Use Utah MUTCD standards for traffic control elements not shown in UDOT standard drawings. Traffic control must be maintained at the encroachment site for the entire encroachment period.
9. Before constructing the access connection authorized by this conditional access permit, an encroachment permit must be secured first.
10. The permittee agrees to maintain the permitted access in a professional workmanlike manner, free from physical defects including but not limited to potholes or other similar substandard conditions for the life of the permit. The permit holder's maintenance-related responsibilities shall extend to UDOT's edge of asphalt where said permitted access physically connects to UDOT's main traveled way and shall be guaranteed in perpetuity. Failure to properly maintain said private access point shall be grounds for permit revocation and for the closure of the permitted access point.

SOMMET BLANC

SLOPE MAP 'B'

Slopes Table		
Minimum Slope	Maximum Slope	Color
0%	15%	
15%	30%	
30%	40%	
40%	100%	



SCALE: 1" = 40'

(435) 649-9467-PHONE
(435) 649-9475-FAX

Alliance Engineering Inc.

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

Date: 9.2.21
Project No: 1-11-18
X:\Empire\dwg\B2 East Design\surface volume\B2 East-Civil Extra Surface 12-11-20.dwg

SOMMET BLANC

SLOPE MAP 'A'

Slopes Table		
Minimum Slope	Maximum Slope	Color
0%	15%	
15%	30%	
30%	40%	
40%	100%	

Approx. limits of excavation for mine closure

X Mazeppah Shaft

Splice line between field and aerial surveys??

SCALE: 1" = 40'

Date: 9.2.21
Project No.: 1-11-18
X:\Empire\dwg\B2 East Design\surface volume\B2 East-Civil_Extra Surface 12-11-20.dwg

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

INSTALL 1.5:1 SLOPE W/ ROCK WALL. H=6-8FT MAX

RELOCATED MID-MOUNTAIN TRAIL PARKING

RELOCATED MID-MOUNTAIN TRAIL

UDOT CONDITIONAL ACCESS PERMIT REQUIRED. PORTION OF NEW DRIVEWAY CROSSES PARCEL D & LOT 3 OF PROPOSED TWISTED BRANCH SUBDIVISION

GUARDSMAN ROAD (SR-224) PUBLIC ROAD

EXISTING PUMP STATION

LOT 1, B2 EAST SUBDIVISION PLAT

TWISTED BRANCH ROAD (PRIVATE ROAD)

12' SIDE SETBACK

20' FRONT SETBACK

15' REAR SETBACK

26FT WIDE DRIVEWAY

2:1 GRADING

INSTALL RETAINING WALL. H=8FT MAX

INSTALL RETAINING WALL. H=10FT MAX

INSTALL 608LF 20FT WIDE DRIVEWAY W/ 2% CROSS-SLOPE & 30" ROLL GUTTER ON WEST SIDE. INSTALL 7" TRAFFIC-RATED CONCRETE W/ SNOW MELT & WIRE MESH REINFORCEMENT & 8" UNTREATED BASE COURSE.

INSTALL RETAINING WALL. H=9FT MAX

SKI LOCKER BUILDING MAIN LEVEL=8424.50

INSTALL 1.5:1 SLOPE W/ ROCK WALL. H=6-8FT MAX

TOWNHOME A
UPPER LEVEL=8417.0
MAIN LEVEL=8405.0
LOWER LEVEL=8394.0

TOWNHOME B
UPPER LEVEL=8417.0
MAIN LEVEL=8405.0
LOWER LEVEL=8394.0

TOWNHOME C
UPPER LEVEL=8427.0
MAIN LEVEL=8415.0
LOWER LEVEL=8404.0

TOWNHOME D
UPPER LEVEL=8427.0
MAIN LEVEL=8415.0
LOWER LEVEL=8404.0

PROVIDE 60'x70' FIRETRUCK TURNAROUND

INSTALL MSE WALL. HEIGHT VARIES, H_{MAX}=13FT

INSTALL RETAINING WALL. H=14FT MAX

INSTALL RETAINING WALL. H=12FT MAX

1:1 GRADING BETWEEN WALLS

INSTALL RETAINING WALL. H=10FT MAX

MAINTAIN EXISTING VEGETATION PROVIDE SELECTIVE TREE REMOVAL

INSTALL 6" CURB

3' SHOULDER AT 5:1 GRADING

MARSAC AVENUE (A 50' WIDE PUBLIC RIGHT-OF-WAY)

MAINTAIN EXISTING DRIVEWAY ACCESS FROM MARSAC AVENUE ROUNDABOUT. REMOVE 90LF EXISTING GUTTER & INSTALL 70LF UDOT M1 TYPE GUTTER WITHIN RIGHT-OF-WAY. BLEND 30" PCMC ROLL GUTTER W/ UDOT M1 GUTTER WITHIN LOT 1 B2 EAST SUBDIVISION.

EMPIRE LODGE DRIVEWAY

DEER VALLEY EMPIRE DAY LODGE

REMOVE PORTION OF MSE WALL FOR SEWER MAIN INSTALLATION & GRADE 2:1 DOWN SLOPE.

INSTALL RETAINING WALL. H=12FT MAX

CONNECT SKI RUN TO EXISTING ROAD, S=12%

INSTALL 15FT WIDE SKI RUN @ 5% CROSS SLOPE W/ 10' SHOULDER @ 2:1 GRADING TO TOP OF WALL

INSTALL RETAINING WALL. HEIGHT VARIES, H_{MAX}=8FT

BLEND 1:1 GRADING INTO WALLS

INSTALL RETAINING WALL. H=10FT MAX

INSTALL RETAINING WALL. H=4FT MAX

2:1 GRADING

2:1 GRADING ALONG BUILDING

30FT RADIUS

INSTALL 30" ROLL GUTTER

GRADE 5% AWAY FROM BUILDING

INSTALL 504LF 26' WIDE DRIVEWAY. 7" TRAFFIC-RATED CONCRETE W/ SNOW MELT TUBING & WIRE MESH REINFORCEMENT & 8" UNTREATED BASE COURSE

BUILDING B
LL GAR FF=8333
UL GAR FF=8345
L1 FF=8357

LOBBY FF=8345
GARAGE FF=8333

BUILDING A
GAR FF=8333
L1 FF=8345

CONFIRM W/ LANDSCAPE ARCH. PLANS FOR POOL PLAZA GRADING

POOL/PLAZA FS=8346

BLEND EXISTING SKI RUN INTO EDGE OF NEW PLAZA (TYP.)

LUCKY JACK SKI RUN

PROPOSED RE-GRADING FOR LUCKY JACK SKI RUN

CHAIRLIFT TOWER

RUBY CHAIRLIFT

INSTALL 80LF ROCK WALL, H=4' MAX.

1.5:1 GRADING

INSTALL ROCK WALL H=3.5FT MAX @ SE CORNER, CONNECT TO BUILDING.

INSTALL 15FT WIDE SKI RUN W/ 5% CROSS SLOPE & SILT FENCE ON NORTH EDGE. S=6.0% TO 20%

INSTALL RETAINING WALL, CONNECT TO BUILDING. H=7.5FT MAX.

TW=8402.0
BOT=8390.4
H=11.5'

TW=8396.0
BOT=8390.4
H=5.5'

TW=8398.0
BOT=8390.4
H=5.5'

TW=8392.0
BOT=8390.4
H=1.5'

INSTALL RETAINING WALL. H=11.5FT MAX @ SE CORNER, CONNECT TO BUILDING.

INSTALL RETAINING WALL W/ DUMPSTER ENCLOSURE & CONNECT TO BUILDING. H=14FT MAX

BUILDING C
GAR FF=8364.5
L1 FF=8376.5
L2 FF=8390.5
L3 FF=8402.5

NEW SKI EASEMENT

2:1 GRADING ALONG BUILDING

LINE TYPE LEGEND

ESS	EXISTING SEWER	X	EXISTING FENCE
EW	EXISTING WATER	EG	EXISTING GAS
ESD	EXISTING STORM DRAIN	ET	EXISTING TELECOMM
EOHU	EXTG OVERHEAD UTILITY	EP	EXISTING POWER
EFO	EXTG FIBER OPTIC	EOHP	EXTG OVERHEAD POWER

30' 0 30' 60'

NOTES:

1. See B2 East Subdivision Plat, recorded March 7, 2018, as Entry No. 1087538 in the Summit County Recorder's Office for boundary and easement information.

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

STAFF: MICHAEL DEMKOWICZ, CONNOR DINSMORE

DATE: 08/04/21

LOT 1, B2 EAST SUBDIVISION
OVERALL GRADING PLAN
SOMMET BLANC DEVELOPMENT

FOR: SOMMET BLANC RESIDENCES I, LLC

JOB NO.: 1-11-18

FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil.dwg

SHEET 4 OF 13

REGISTERED PROFESSIONAL ENGINEER STATE OF UTAH
No. 4857264
MICHAEL DEMKOWICZ
08/04/2021

Sommet Blanc

Housing Mitigation Plan

Governing Documents:

The 2018 B2 East Plat includes a requirement for 4.2 Affordable Unit Equivalents (AUEs). The 2007 Flagstaff Development Agreement requires 118.9 AUEs. All off-mountain housing (94.175 AUEs) was satisfied in 2018 with the transfer of the 100 Marsac parcel to Park City Municipal Corporation. At that time, of the 24.725 required on-mountain AUEs, 16.675 AUEs had been completed. The remaining 8.05 AUEs were assigned on the Village at Empire Pass North and B2 East Plats. With the completion of the Argent project, the total AUEs satisfied at Empire Pass will be:

On-Mountain Requirement		24.725 AUEs
On-Mountain Platted (2021)		
Argent (under construction)	2.0	
Empire Residences	1.1	
Talisker Tower Residences (u/c)	0.92	
One Empire Pass	1.125	
Silver Strike Lodge	1.1	
Flagstaff Lodge	1.6	
Arrow Leaf A	2.85	
Grand Lodge	1.2	
Ironwood	1.0	
Montage	7.8	
Completed or Under Construction (2021)		20.695

Total On-Mountain Remaining Requirement: 4.03 AUEs

Proposed AUEs:

In response to Planning Commission comments, the Applicant has revised and increased the on-site Affordable Housing program for the Project. The proposed development now includes eight (8) Affordable Housing Units providing almost 50% more AUEs than the remaining requirement for Empire Pass:

UNIT SCHEDULE - AFFORDABLE				
Number	Name	Area	Type	Unit Type
A 22	BLDG A UNIT 22	1,495 SF	2BR - Affordable	K
B 22	BLDG B UNIT 22	1,495 SF	2BR - Affordable	K
C22	BLDG C UNIT 22	423 SF	Studio - Affordable	Q
C23	BLDG C UNIT 23	424 SF	Studio - Affordable	Q
C24	BLDG C UNIT 24	422 SF	Studio - Affordable	Q
C25	BLDG C UNIT 25	424 SF	Studio - Affordable	Q
GRAND TOTAL: 6		4,683 SF		

AUEs required: 4.03 AUEs
AUEs proposed: 5.9 AUEs (4,683 SF)

Target AMI, Rental Rate, and Prioritization:

Target AMI:
80% Area Median Income

Proposed Rental Rate:
The proposed annual rental rates will be consistent with the standards established by HUD as approved by the Park City Housing Authority on an annual basis. The following table identifies the rental rates for 2021 and this will be updated annually.

2021 Rent Limits

Family Size ▶ / AMI ▼	One Dorm	One SRO*	One Efficiency/Studio	Two 1-br	Three 2-br	Four 3-br	Five 4-br	Six
80%	$ 685	$ 1,268	$ 1,691	$ 1,933	$ 2,174	$ 2,416	$ 2,609	$ 2,803

Prioritization:
1st tier: Employees working within Flagstaff Annexation Area
2nd tier: Employees working within Deer Valley MPD Boundaries
3rd tier: Employees working anywhere within City limits

Layout and Development Context:

The following floor plans identify the Affordable Housing units located in Buildings A, B, and C.

BLDG A - L2



BLDG B - L2



BLDG C - L2



Jack Thomas AIA
8716 Parleys Lane
Park City, UT 84098
August 11, 2021

To Whom It May Concern:

Re: Sommet Blanc

I have long been an admiring student of Tom Kundig's work as an architect. His buildings have an innate relationship with their surroundings wherever they are. His massing of buildings on larger projects like Sommet Blanc are carefully placed and stepped through the terrain to reduce the visual impact. While he capitalizes on maximizing the views from within he importantly studies the impact those buildings have from the neighbors' perspectives, as one might see the project from its perimeter. The massing offers shifts and steps in plan but also steps down to adjacent properties in elevation. With flat roofs he avoids the heaviness and additional height of massive sloped roofs.

I believe he has met the intent of the code while creating architecture that is of its moment in time – that is it uses sustainable material in an honest way. To continue to create traditional sloped roof design with heavy timbers and logs has a charm when found on smaller projects in quiet settings. However, we need to step away from this type of construction because it is wasteful of materials and inefficient in terms of heating and cooling. Sloped roofs also create ice damming and snow slides that can injure people, and they require heat tape and snow melt that are a huge waste of energy.

We are not a community that is frozen in time like Brigadoon. We evolve and we change. With a project like Sommet Blanc we can be one that also grows in terms of creativity. I gladly support Kundig's design for this magical site. It is a fitting and appropriate use of this treasured land.

Sincerely,

Jack Thomas AIA

From: Kevin Lontz
To: Makena Hawley
Subject: Re: [External] Re: Sommet Blanc Public Comment
Date: Monday, December 13, 2021 4:22:00 PM

Makena:

Thanks for your email. I appreciate your response and the thought that's gone into the parking modifications. I'd seen the engineering draft and took note of the model showing the car + trailer. I might suggest that some or all of the "parallel to road" (west side) parking spots be reserved for trailer use. All it would take is as few as 2 cars parked "strategically" within that 9 space allotment for the entire area to effectively shut down any trailer parking options. I'm not sure I previously mentioned this, but I would encourage no "commercial trailer" parking as has often happened there for trailers looking to service Brighton Estates homes without having gate access.

Sincerely,

Kevin Lontz

On Tue, Dec 7, 2021 at 10:14 AM Makena Hawley <makena.hawley@parkcity.org> wrote:

> Hey Kevin,
>
> Regarding your other questions, I was notified that 10 spots will remain 72 hour parking with the rest utilizing signage for no-overnight parking. Enforcement will remain the same. This could always change depending on the necessity but will have to be reviewed at the time if it seems to become more of an issue.
>
> Your last question was regarding how the truck-trailer parking could be difficult. The last renderings I sent you are the most updated, and the engineers at Alliance ran a model of a car pulling a boat to review angles, turn radius and parking. I can send it again if you would like. Unfortunately, I don't think backing in would still work but there are still options for the vehicles pulling a trailer, and I guess the point of this project is to still allow parking options while making the lot safer and improved for public use up by the mid mountain trail.
>
> I hope that gives you some details on the proposal but of course if you have more questions give me a call or an email.
>
> Thanks, Makena
>
> ---
>
> **From:** Kevin Lontz <kevinlontz@gmail.com>
> **Sent:** Thursday, December 2, 2021 10:03 PM
> **To:** Makena Hawley <makena.hawley@parkcity.org>
> **Subject:** [External] Re: Sommet Blanc Public Comment

[CAUTION] This is an external email.

Makena;

Thanks for your response and i'm glad that PC feels it can be effectively plowed, even if it's not PC maintained and is rather Talisker (though I'm a bit surprised - or at least was unaware - that is the case).

I continue to be interested in my other points raised including the allowance for vehicle + trailer parking in that area as is currently possible in winter following gate closure.

Thanks,

Kevin Lontz

Sent from my iPhone

> On Dec 1, 2021, at 3:54 PM, Makena Hawley <makena.hawley@parkcity.org> wrote:
>
> Hi Kevin,
>
> I just wanted to send a note thanking you for your comments regarding the parking lot! It will be apart of the packet in the public comment portion and additionally I wanted to say I appreciate your perspective and also the practicality of the issues you brought up. It helps me try and find practical solutions to practical problems, so the format you presented your points in was super useful.

I'm working on answers to some of your points, I have been able to research the snow plow issues though. I spoke with our Streets department manager Troy Daley and even though the City does not plow that road (apparently Talisker does, who contracts it out) he stated the following (This is regarding the new plans which I attached):

"From what I can see the snow will be pushed from the island and kiosk to the West and North. A snowplow can back up or plow in circles as needed. We don't want to drive against traffic.

I appreciate the island as it will be beneficial for snow storage from the street plowing. All and all, I have no concerns with the design or layout for snow removal."

Thought you might be interested, hopefully that helps a bit with that, and I'll try and follow up on your other points. In the meantime, please let me know if you have any other questions/concerns and I'm happy to help address them as best I can.

Thanks!

Makena

Makena Hawley

Planner II

Park City Municipal Corporation

Marsac Avenue, PO Box 1480

Park City, UT 84060

o: 435.615.5059

Makena Hawley

From: planning
Sent: Tuesday, November 9, 2021 3:25 PM
To: Makena Hawley
Subject: FW: [External] Mid Mountain Parking Lot changes associated with 9300 Marsac Avenue (Sommet Blanc Development)

Follow Up Flag: Follow up
Flag Status: Completed

FYI

From: Kevin Lontz <kevinlontz@gmail.com>
Sent: Tuesday, November 9, 2021 2:53 PM
To: planning <planning@parkcity.org>
Subject: [External] Mid Mountain Parking Lot changes associated with 9300 Marsac Avenue (Sommet Blanc Development)

[CAUTION] This is an external email.

Park City Planning Commission:

Regarding the proposed realignment of the Mid Mountain Trail Parking Lot associated with the proposed development plans at 9300 Marsac Avenue (Sommet Blanc Development), I feel that the proposed parking lot changes are favorable and - in several ways - an improvement over the current parking lot. However, I feel a couple of points are very important as it relates to winter parking when the Empire Pass gate just above the lot is closed for the winter season:

1. The lot has historically been allowed 72 hour parking - I would want to ensure this continues as the lot is used by overnight travelers into Bonanza Flats area and Brighton Estates development, particularly when poor winter conditions do not allow further car/truck traffic (instead, snowmobile access is sometimes required even by persons having winter access through the gate).

2. While I feel it is important to continue to allow extended (72 hour) parking, it is also important to enforce that parking requirement so that "long term" parking is not taking place. I would hope that this requirement be enforced, including removal of violators.

3. The current lot is contiguous with the roadway, and thus, allows for oversized car+trailer parking without impeding roadway vehicular traffic. I have noted that with the new plan that there are 9 (nine) 10'x22' stall spaces outlined and parallel with the roadway in addition to smaller diagonal parking spaces. Historically, car/trucks + trailers (snow machine users) have not been precluded from parking in this lot for limited winter access. It would seem that this plan would render car/truck + trailer parking difficult, limited, or even impossible (the redesign of the lot prevents easy "back in" trailer parking as has been previously allowed with little difficulty. How

would the Planning Commission propose to allow car/truck + trailer parking given this realignment of the parking area?

4. As the newly proposed lot is unidirectional with specific and separate entry and exit points, it will be even more important (and more challenging) to clear snow from these areas so as to allow for the usage by the number of cars outlined. I would ask that Park City be made aware of this potential issue and provide possibly greater resources for snow clearance during winter weather events.

I appreciate your consideration of my comments,

Sincerely,

Kevin Lontz

CONDITIONAL ACCESS PERMIT

Keeping Utah Moving
Access Management Program

GENERAL INFORMATION			
Issuance Date	Region	Project Name	OLP Application ID
12/17/2020	Region 2	B2 East Development	109246
Physical Address	City	Permit Type	Access Use Type
9300 Marsac Avenue	PARK CITY	New	Residential

PERMITEE INFORMATION			
Property Owner Name	Primary Contact	Primary Phone	Email
Sommet Blanc Residences I, LLC.	Michael Demkowicz	(435) 649-9467	michael@alliance-engr.com

LOCATION, WIDTH, AND ACCESS CATEGORY INFORMATION					
State Route	Milepost Marker	DD Center Latitude	DD Center Longitude	Access Width	Access Category
0224	1.12			30	7 - Community Rural

A Conditional Access Permit is hereby authorized subject to the Utah Department of Transportation's (the Department's) Access Management Rule (Utah Administrative Code R-930-6), the Utility Accommodation Rule (Utah Administrative Code R930-7), the Standard Specifications for Road and Bridge Construction, and any terms, conditions, and limitations set forth herein. Per Utah Administrative Code R930-6-8(6)(g), a Conditional Access Permit shall expire if the access construction is not completed within twelve (12) months of the issuance date as identified at the top left of this document.

By carrying out the activities authorized by this approval the permittee and the permittee's successors in interests and/or assigns agree to accept all terms, conditions, and, limitations, of the approval including any attachments submitted with the Conditional Access Permit Application. In addition, the permittee certifies they will comply with all applicable regulations, properly control and warn the public of said work to prevent accident, and shall defend, indemnify and hold harmless the Department from all damages arising out of any and all operations performed during construction and operation of said access. Per Utah Administrative Code R930-6-8(5)(e), the permittee understands any intentional misrepresentation of existing or future conditions or of information requested for the application for the purposes of receiving a more favorable determination is sufficient grounds for permit revocation. The access allowed under this permit creates a license to only access a state highway to the extent provided in the permit. The access may be closed, modified or relocated by UDOT if, at any time, UDOT determines in its sole discretion that safety, efficiency or other reasons so require. UDOT will not be liable for any costs, losses or damages resulting from UDOT's review and comments on the submitted plan sets for a Conditional Access Permit.

This conditional access permit does NOT allow construction or other activities within a state right-of-way. An encroachment permit must be separately applied for and issued before any construction within a state right-of-way may commence. Work on UDOT's right-of-way is seasonally restricted from October 15 to April 15. Work is not allowed on the right-of-way during the AM/PM peak traffic hours of 6:00 A.M. to 9:00 A.M. and 3:30 P.M. to 6:00 P.M. Some exceptions to this A.M./P.M. peak travel work restriction may be permissible for low AADT routes in rural areas. Any such exception requires special Region approval and must be explicitly stated on the approved encroachment permit.

Authorizing Name (printed)	Nazee Treweek	Authorizing Name (signed)	Nazee Treweek

TERMS, CONDITIONS, AND LIMITATIONS

Special Limiations: Any safety issues that may arise due to this access will bring this access up for review by UDOT.

1. A copy of this permit must be posted in a conspicuous location and be available for immediate review at the location of the permitted activity. No exceptions.
2. This agreement and/or permit is UDOT approval only. The permittee is responsible for obtaining clearances, authorizations, or permits from railroads, private property owners, other utility owners, and other government agencies as may also be required.
3. By the accepting this permit, the permittee acknowledges the hazardous nature of conducting activities within the right-of-way and assumes full responsibility in the event of an accident or other incident involving death, injury, or damages to any party resulting from the permittee's authorized use of the right-of-way.
4. All work performed under this permit must be in accordance with UDOT approved plans and standard drawings unless otherwise stated in writing.
5. The primary function of the highway is for transportation purposes. All other highway purposes are subordinate to this primary purpose. By conducting the activities authorized by this permit, the permittee agrees to timely prosecute the permitted activities in a manner that minimizes transportation-related impacts including but not limited to; ensuring overall site safety as an overarching priority, and by applying systematic efforts to minimize, or shorten, the project schedule.
6. UDOT may cancel, suspend, or revoke this permit due to:

   A) Non-compliance with the permit provisions including terms, conditions, and limitations
   B) Deviating from the approved permit provisions without written authorization

C) Misrepresentation(s) discovered on the originating application, or associated documents
D) Adverse weather or traffic conditions
E) Concurrent transportation construction or maintenance operations in conflict with the permit
F) Any condition deemed unsafe for workers or for the traveling public
G) Any other condition that arises where work stoppage may be warranted for cause

In the event of a cancellation, suspension, or revocation the permittee shall promptly terminate occupancy of the right-of-way.

7. At all times the permittee and all activities authorized under this permit will comply with all applicable federal and state constitutions, law, rules, codes, orders, and regulations, including applicable licensure and certification requirements.
8. Use current edition of UDOT standard drawings for traffic control. Use Utah MUTCD standards for traffic control elements not shown in UDOT standard drawings. Traffic control must be maintained at the encroachment site for the entire encroachment period.
9. Before constructing the access connection authorized by this conditional access permit, an encroachment permit must be secured first.
10. The permittee agrees to maintain the permitted access in a professional workmanlike manner, free from physical defects including but not limited to potholes or other similar substandard conditions for the life of the permit. The permit holder's maintenance-related responsibilities shall extend to UDOT's edge of asphalt where said permitted access physically connects to UDOT's main traveled way and shall be guaranteed in perpetuity. Failure to properly maintain said private access point shall be grounds for permit revocation and for the closure of the permitted access point.

BOOK FIVE
Site, Landscape and Architectural Design Guidelines for Pod B2 East

TABLE OF CONTENTS

PREFACE **4**

1.0 AN INTRODUCTION TO EMPIRE PASS **5**

2.0 SITE AND LANDSCAPE GUIDELINES **8**

2.1 SITE AND LANDSCAPE OBJECTIVES **8**

2.2 SITING CONSIDERATIONS **8**

2.3 DESIGN PARAMETERS AND THE B2 EAST PRELIMINARY PLAN **9**

2.3.1 DESIGN PARAMETERS 9

2.3.2 NATURAL AREA 10

2.4 ENCROACHMENTS **10**

2.5 GRADING AND DRAINAGE **10**

2.5.1 GRADING DESIGN 10

2.5.2 DRAINAGE DESIGN 11

2.6 RETAINING AND SITE WALLS **12**

2.7 NEIGHBORHOOD STREETS AND DRIVEWAYS. **12**

2.7.1 GENERAL CONSIDERATIONS 12

2.7.2 NEIGHBORHOOD DRIVEWAYS 12

2.7.3 INDIVIDUAL DRIVEWAYS 13

2.7.4 DRIVE WAY MATERIALS AND COLORS 13

2.8 GARAGES AND PARKING AREAS **13**

2.8.1 SITING AND DESIGN REQUIREMENTS 13

2.8.2 PARKING SPACE REQUIREMENTS 13

2.9 EXTERIOR HARDSCAPE AND OUTDOOR ROOMS **14**

2.9.1 GENERAL CONSIDERATIONS 14

2.9.2 HARDSCAPE AND OUTDOOR ROOM SITING CONSIDERATIONS 14

2.9.3 NEIGHBORHOOD GATHERING AREAS 14

2.9.4 HARDSCAPE PAVING MATERIALS 15

2.10 PATHS, SIDEWALKS, AND TRAILS **15**

2.11 FENCES AND GATES **15**

2.12 LANDSCAPE STRUCTURES AND SITE FURNISHINGS **18**

2.13 POOLS, SPAS AND WATER FEATURES **18**

2.14 PLANTING DESIGN **19**

2.14.1 GENERAL PLANTING CONSIDERATIONS 19

2.14.2 PLANT QUANTITY AND SIZE REQUIREMENTS 18

2.14.3 PLANTING DESIGN WITHIN THE NATURAL AREA 18

2.14.4 PLANTING DESIGN AT THE NEIGHBORHOOD GATHERING AREA 18

2.15 FOREST PRESERVATION **19**

2.15.1 TREE PROTECTION GUIDELINES 19

2.15.2 TREE REMOVAL GUIDELINES 19

2.16 FIRE SAFETY AND DEFENSIBLE SPACE PROVISIONS **20**

2.17 IRRIGATION AND WATER CONSERVATION **20**

2.18 OUTDOOR ARTWORK 23

2.19 EXTERIOR LIGHTING 23

2.19.1 LIGHTING FIXTURES 23

2.19.2 LOCATION OF LIGHT FIXTURES 23

2.19.3 LIGHT EMISSION 23

2.19.4 SEASONAL AND HOLIDAY OUTDOOR LIGHTING AND DECORATION APPLICABLE TO ALL AREAS EXCLUSIVE OF COMMON AREAS 25

2.20 SERVICE AREAS, STORAGE AND UTILITY LOCATIONS 25

2.21 ENTRY MONUMENTS AND ADDRESS SIGNS 26

2.22 MAIL AND DELIVERY BOXES 26

3.0 ARCHITECTURAL GUIDELINES 27

3.1 ARCHITECTURAL DESIGN OBJECTIVES 27

3.2 BUILDING FORMS 27

3.3 BUILDING MASS, SCALE AND COMPOSITION 28

3.4 BUILDING SIZE 29

3.5 BUILDING HEIGHT 29

3.6. ACCESSORY BUILDINGS 29

3.7 ROOFS 29

3.7.1 ROOF MATERIALS AND COMPOSITIONS 30

3.7.2 ROOF PITCHES AND DIMENSIONS 30

3.7.3 SNOW GUARDS, GUTTERS AND DOWNSPOUTS 30

3.8 EXTERIOR WALL MATERIALS 31

3.8.1 MATERIALS AND FINISHES 31

3.8.2 CONCRETE WALL APPLICATIONS 32

3.8.3 WOOD WALL APPLICATIONS 32

3.9 DOORS AND WINDOWS 32

3.9.1 GENERAL GUIDELINES 32

3.9.2 EXTERIOR DOORS 32

3.9.3 WINDOWS 33

3.10 STRUCTURAL EXPRESSION 33

3.11 CHIMNEYS AND ROOF PROJECTIONS 33

3.12 FIREPLACES 34

3.13 DECKS, BALCONIES AND RAILINGS 34

3.14. DETAILS 34

3.15 APPROVED FINISHES AND COLORS 34

3.16 SKYLIGHTS SOLAR PANELS AND SATELLITE DISHES 35

3.17 IT/TELECOMMUNICATION FACILITIES 35

ATTACHMENT 1: SITE PLAN 35

PREFACE

This document, Book Five: Site, Landscape and Architectural Guidelines for Pod B2 East, constitutes part five of the Design Guidelines ("Guidelines") for Empire Pass.

The Guidelines have been created to ensure that all Improvements at Empire Pass preserve the natural beauty of the surrounding mountain landscape and contribute to a cohesive architectural style. The Guidelines explain the architectural aesthetics and site considerations that are to guide the design and construction of all new buildings, building additions, site work, and landscaping within Empire Pass. The review and approval of all building and site Improvements are subject to the discretion of the Design Review Board (DRB) as described in the Guidelines.

Separate documents (Books I, II & III) exist for each building type (Custom Home, Condominium Lodge and Townhouse/Cluster Home) constructed in other areas of Empire Pass, as described below. In addition, a separate document (Book IV) exists to establish and explain the construction process, organization of the Design Review Board, and the design review process. All five documents are collectively referred to as the Design Guidelines:

Book I:	Site, Landscape and Architectural Design Guidelines for Custom Homes
Book II:	Site, Landscape and Architectural Design Guidelines for Townhouses and Cluster Homes
Book III:	Site, Landscape and Architectural Design Guidelines for Condominium Lodges
Book IV:	Design and Construction Review Process and Appendices for all Building Types
Book V:	Site, Landscape and Architectural Design Guidelines for Pod B2 East

The documents for Pod B2 East are made up of two books: this Book V along with Book IV. The illustrations provided in the Design Guidelines are intended to convey concepts, and not to depict specific plans for construction. Where appropriate, this Book V includes separate guidelines for Townhouse & Cluster Homes ("Villas") distinct from the guidelines for the Condominium Lodges ("Lodges").

The Guidelines will be administered and enforced by the Empire Pass Design Review Board in accordance with the procedures set forth in the Master Declaration of Covenants, Conditions and Restrictions (CC&Rs) for Empire Pass. The Guidelines may be amended from time to time, as deemed necessary by the DRB. In the event of any conflict between the Guidelines and the CC&Rs, the CC&Rs shall govern and control.

It is the Owner's responsibility to ensure they have the most current edition of the Guidelines and have carefully reviewed all applicable sections of the CC&Rs. These Guidelines are binding on any persons, company or firm that intends to construct, reconstruct or modify any permanent or temporary Improvements at Empire Pass.

All capitalized terms used in these Guidelines are defined in Appendix A (Book IV) or within the text of this Book V.

Approved and adopted at Empire Pass MOA Board meeting, _____, 2021.

1.0 AN INTRODUCTION TO EMPIRE PASS

1.1 THE EMPIRE PASS COMMUNITY VISION

Empire Pass is an all-season Mountain Village set in the beautiful Wasatch Mountain Range adjacent to Park City and Deer Valley Resort ®. During the winter, residents and guests may take advantage of skiing, snowshoeing and a variety of other recreational opportunities. The summer offers guests and residents a broad choice of outdoor activities including golfing, boating, swimming, hiking, mountain biking, picnicking and horseback riding. A wide-range of music, art and other cultural events are available in Empire Pass and the greater Park City area year round. These all-season recreational opportunities enhance the vitality of the resort and strengthen the feeling of community among residents and guests.

The Mountain Village consists of a collection of interconnected neighborhoods. A mix of residential building types, including Custom Homes, Condominium Lodges, Townhouses and Cluster Homes, will surround the central ski run, to create the "Village Core". Within the Village Core, the Alpine Club offers members access to fitness and spa facilities, food and beverage services, lounges, a general store and ski valet services. Beyond the core, other mountain neighborhoods offer additional Custom Home, Condominiums, Townhouse and Cluster Home sites. Pod B2 East is one of these distinct neighborhoods. An integrated system of shuttle transportation, ski runs, hiking and biking trails, and pedestrian paths connect individual buildings and neighborhoods to the Village Core, each other and the greater Park City area, allowing residents and guests to leave their cars behind.

The design of all buildings and related Improvements at Empire Pass is to build upon and reinforce the vision of establishing a truly interconnected Mountain Village while addressing the goals and objectives laid forth in these Design Guidelines.

The B2 East site is a distinct neighborhood within Empire Pass, physically separated from the Village Core, Northside and Red Cloud neighborhoods. Nearby buildings include Deer Valley Resort ®'s Empire Canyon Lodge adjacent the property and the much larger Montage Deer Valley ~500' to the north.

The Empire Pass Design Review Board finds this physical separation supports the establishment of this distinct set of Design Guidelines for the B2 East site based on a contemporary mountain architectural vernacular.

1.2 THE B2 EAST DESIGN APPROACH

The natural environment surrounding Empire Pass provides the inspiration for all design. The beauty of the landscape draws residents to the Resort both for the opportunity to live in such an environment and to take advantage of the first-class recreation available throughout the Resort and the surrounding Park City/Deer Valley Resort ® area. Three main objectives, as listed below, have been identified to ensure all Residences and other Improvements are designed in harmony with the goals and overall design approach at Empire Pass. Owners, their Architects and Landscape Architects are to work together through all phases of design and construction to ensure all aspects of the design are consistent with these objectives and those listed throughout the Design Guidelines.

- Architecture and site planning is to preserve and build upon the natural setting. All buildings, structures, landscape and site Improvements are to take their cue from the surrounding natural vegetation patterns and landforms. The lasting impression formed by

visitors to Empire Pass should be of the dominance and beauty of the natural mountain setting, not of buildings and other man-made structures or Improvements. All buildings are to be sited and designed to integrate and enhance features of the site into final design.

- Building and landscape design are to emphasize and reinforce the community-wide circulation system that links and interconnects neighborhoods within Empire Pass as well as the outlying Park City area. Empire Pass is designed as a truly pedestrian-friendly Mountain Village. All Residences at Empire Pass, whether Condominium Lodges, Custom Homes, Townhouses or Cluster Homes are to include building and landscape designs that connect, enhance and support this community-wide system of trails and paths. (Refer to Section 1.1.)

- Building materials shall reflect a palette in harmony with the natural surroundings, but true to their structural function. Generous glazing will bring the natural vistas into indoor spaces. Low reflectivity glazing will be required.

These three objectives form a solid foundation for all design work at B2 East. Owners and their Consultants are to ensure the direction of their work incorporates these principles. Final interpretation and approval regarding a design's compliance with these Guidelines is subject to the sole discretion of the DRB.

1.3 THE EMPIRE PASS STYLE - ARCHITECTURAL CHARACTER

Design at B2 East is not beholden to the architectural traditions of the early 20th century. Architecture will respond to advancements in building materials and construction techniques yet integrate into its surroundings. Described below are general characteristics that are to be incorporated into all design work:

- Buildings use bold forms and spacious volumes that are in scale with the natural mountain setting.

- Exterior materials and details are crisp and clean, celebrating architectural form.

- Broad, sheltering roofs are the dominant building element and provide shade and protection at windows, entries, decks and porches. Roof forms should respond to the structure and shall be simple and straightforward. Additional embellishments such as dormers, should be minimized and approved on a case-by-case basis.

- Roof profiles should step down to reduce overall thickness of assembly. Expressed outriggers and rafter tails should be part of the roofs structure, and not merely decorative.

- Windows and doors should facilitate a connection to outdoor rooms. Covered decks and patios are encouraged. Railings should prioritize view and transparency.

- The Design Guidelines incorporate these basic concepts and explain, in greater detail, the specifics of their application within the B2 East Neighborhood.

1.4 HOW THESE DESIGN GUIDELINES ARE ORGANIZED

This Book V of the Design Guidelines for Empire Pass addresses the siting, landscape and architectural Guidelines for the B2 East Neighborhood while Book IV sets forth the design review process and construction review process. Each document is organized into the chapters and Appendices listed below.

BOOK IV:

- ***Design Review Board Organization*** – Chapter 1 provides a description of how the Design Review Board (DRB) administers the design and construction review process. It describes the composition of the DRB, its function and jurisdiction, as well as its responsibility to uphold, and right to amend, the Empire Pass Design Guidelines.

- ***Design Review Process*** – Chapter 2 outlines the entire procedure required to obtain approval for new building construction, site Improvements or alterations and additions to existing structures. It delineates the submission materials required for each phase of review and describes the process by which approval is granted.

- ***Construction Guidelines*** – Chapter 3 describes the construction review process and outlines various Guidelines intended to assure the preservation of the surrounding landscape and environment throughout the construction process.

- ***Appendices*** – Appendix A contains a list of defined terms, capitalized throughout this document. Appendix B provides an approved native plant list for use within Empire Pass. Appendix C contains a list of prohibited plant species.

BOOK V:

- ***An Introduction to Empire Pass*** – Chapter 1 summarizes the community make-up and design aesthetic, including a brief overview of the architectural traditions that contribute to and identify the Empire Pass style.

- ***Site and Landscape Guidelines*** – Chapter 2 outlines the standards and Guidelines for siting buildings sensitively to the surrounding landscape and environment.

- ***Architectural Guidelines*** – Chapter 3 provides Guidelines and standards for the construction, remodeling, renovation and/or alteration of any building Improvement. This section includes standards on building massing, height, color and exterior finish design.

2.0 SITE AND LANDSCAPE GUIDELINES

The following chapter sets forth Guidelines and standards for all site work relating to each Lot, including grading, planting, siting of structures, design of outdoor areas and preservation and enhancement of the landscape and views.

2.1 SITE AND LANDSCAPE OBJECTIVES

The treatment of the site's natural topography and vegetation is vital to ensuring all Improvements at Empire Pass are made in harmony with the surrounding landscape and are complementary of the overall community design. The following site and landscape objectives have been identified as the basis for integrating buildings with their natural surroundings:

- ***Preserve, maintain and enhance the natural tree and vegetation patterns to anchor buildings to the land.*** Trees provide a valuable backdrop that integrates buildings with the landscape. All buildings are to be sited and designed to integrate and enhance features of the site into final design. Introduced native plant materials are to blend the architecture with the natural landscape. Natural and existing landscape features such as rock outcroppings, vegetation and topography are to be preserved, to the greatest extent feasible, when siting buildings and designing outdoor spaces in order to achieve a seamless transition from the built to the natural environment.

- ***Incorporate site-specific design solutions that respond to the site's unique topography and micro-climate.*** Buildings are to be sited to optimize the relationship between building amenities, landscaped courtyard and adjacent ski trail. Outdoor areas are to be designed to take advantage of sunlight, provide wind and snow protection and capture views.

- ***Build upon, enhance and extend the Mountain Village trail system.*** The B2 East Neighborhood is to incorporate skier and pedestrian paths that connect to the existing trail system throughout the community. Paths and trails are to be designed for use in all seasons.

- ***TheB2 East Neighborhood is to be designed as a pedestrian-oriented "mountain enclave" that is distinguishable from other neighborhoods within Empire Pass by distinctive hardscape, planting and architectural detailing.*** The Villas on the upper portion of the site are to be nestled into the surrounding landscape to create a separate enclave that is distinct from yet related to the Lodges below. Plant materials are to enhance the vegetated buffer around enclaves. Hardscapes and architectural detailing are to create a unique neighborhood identity.

2.2 SITING CONSIDERATIONS

The B2 East Neighborhood has been heavily disturbed over the years due to the presence of the Mazeppah Mine. In recent years, thousands of yards of soil were removed as part of an environmental beautification. Integrating buildings and other Improvements with the adjacent ski experience and the natural landscape beyond is critical to successful site planning. Buildings should pull back from the ski trail to enhance the experience for skiers and residents. A conceptual plan incorporating Villas on the upper portions of the site and Lodges on the lower portion transitions from high density adjacent the ski trail to lower density on the hillside beyond. Building placement should avoid the steepest portions of the site. A spacious landscaped courtyard and pool opens up to the adjacent *Lucky Jack* ski trail, with a public restaurant and patio fronting the ski trail adjacent Deer Valley Resort ®'s Empire Canyon Lodge.

A site plan is to be prepared in concert with the architectural design. The site plan is to illustrate how building siting, orientation, views, grading, neighborhood street access, driveways and other design issues have been addressed. Site plans are to find balance between the needs of preserving and enhancing the natural features of the site and addressing the Owner's design objectives. A Landscape Architect is to be retained from the beginning of conceptual design to collaborate with the Architect in developing the site plan.

The following Guidelines describe how Improvements are to be integrated into the overall landscape setting. Key site design concepts include:

- Buildings on sloping sites are to minimize grading by aligning the long axis of buildings parallel to existing contours and stepping building foundations and ridgelines with the existing topography as it rises and falls.
- Buildings and all site Improvements are to be designed as integral elements of the existing terrain and vegetation so that they recede into and merge with the landscape.
- Significant tree stands, identified during the design review process, are to be preserved and protected during construction.

2.3 DESIGN PARAMETERS AND THE B2 EAST PRELIMINARY PLAN

The Site Plan of April 16, 2021 attached as Exhibit A as approved by the Design Review Board, or subsequent revision, demonstrates how the B2 East Site may successfully accommodate Lodge and Villa buildings. Suggested building locations are shown on the plan to indicate how they may be sited to fit the site's unique attributes. Information provided on the Preliminary Plan includes, but is not limited to, easements of record and recommended design parameters for the following: building locations, Neighborhood Gathering Area locations, building size, unit counts, average unit size, neighborhood street and driveway access, and ski in/ski out trails. In order to discuss the particular attributes associated with the B2 East Neighborhood and proposed construction, Owners are to meet with the DRB at the Pre-Design Conference prior to beginning any design work. (Refer to *Book IV*, Chapter 2 for a description of the design review process and meetings.)

2.3.1 DESIGN PARAMETERS

The recommended design parameters shown on the Preliminary Plan were determined based on Park City setback requirements, the specific characteristics of the site and the planning and design criteria of Empire Pass. These criteria include:

- Preserving the dominance of the natural setting;
- Optimizing views and solar orientation;
- Protecting view corridors;
- Protecting sensitive environments;
- Protecting and utilizing distinctive natural features, such as rock outcroppings, vegetation and topography;
- Reinforcing the system of skier and pedestrian connections within Empire Pass and the

surrounding Park City area.

- Establishing a favorable relationship between project landscaping, outdoor amenities and adjacent ski trail.
- Minimizing vegetation removal;
- Blending man-made Improvements into the topography and forest; and
- Maintaining existing drainage patterns.

2.3.2 NATURAL AREA

Within the B2 East Neighborhood, a significant portion of the property is designated as a "Natural Area" that is to remain in an essentially natural condition. Proposed trees, shrubs and ground covers to be planted within the Natural Area are to blend with adjoining native landscaped areas to create informal, natural screens that obscure built Improvements from off-site views. Good forestry practices, including tree thinning, clearing of fire hazards, and defensible space, are permitted within the Natural Area, subject to the Guidelines described in Section 2.15. All plant materials introduced in this area are to be native species as indicated in the Approved Plant List (see Appendix B). Refer to Section 2.14 for specific Guidelines regarding planting requirements within the Natural Area.

2.4 ENCROACHMENTS

All structures and site Improvements such as driveway turnarounds, parking areas, patios, pools and Accessory Buildings are to be located within the Lot boundaries. The DRB recognizes, however, that each Lot presents its own unique design challenges. Owners and their Consultants may develop design solutions involving minor encroachments outside of the Lot that may be appropriate in certain cases. Such encroachments will be considered by the DRB on a case-by-case basis and only when doing so presents a design solution that better achieves the design intent and objectives outlined in these Guidelines. Upon DRB approval, the Owner is responsible for obtaining all necessary Park City approvals.

2.5 GRADING AND DRAINAGE

Grading and drainage designs are to focus on minimizing impacts to the site, including impacts on existing vegetation, rock formations, water quality and drainage courses.

The Landscape Architect is to collaborate with a professional civil engineer, licensed in the State of Utah, to prepare a full set of drawings, including grading, drainage, sedimentation and erosion control plans for the design of all Improvements within Empire Pass.

2.5.1 GRADING DESIGN

Recommended building locations have been selected to minimize the need for excessive grading. Site grading is to comply with the following Guidelines:

- Grading is to address the historical site disturbance by setting grade to match the adjacent ski trail and creating a generous landscaped forecourt to the Lodges beyond. Driveways are to be situated behind the building hidden from view from the ski trail and Marsac Avenue. Retaining walls are to be stepped with generous planting strips between walls. Refer to Section 2.2 for siting considerations regarding building placement.

- In general, natural slopes are to be used rather than retaining structures. However, retaining walls may at times be appropriate in order to address significant grade changes. Refer to the Section 2.6 for additional Guidelines regarding retaining walls.

- Slopes are not to exceed 2:1, unless it can be demonstrated that a steeper slope will not erode.

- Grading is to blend with the natural contours by feathering cuts and fills into existing terrain.

- If beneficial to ski experience, project grading may be considered to extend onto adjacent ski trail with approval of Deer Valley Resort ®.

- All areas disturbed by grading operations are to be re-vegetated and additional erosion control measures implemented as soon as possible. Erosion control mixes are to utilize native plant materials that establish rapid surface stabilization. The DRB may also require jute matting or other additional stabilization measures.

- Cut and fill quantities are to balance on-site to the extent feasible.

- Fill may be used to raise the landscaped forecourt elevation above the adjacent ski trail, provided that views of the building shall not dominate the skyline and/or project above the tree canopy.

- Ski-in/Ski-out trails shall have a minimum grade of 6% and a maximum grade of 20%.

2.5.2 DRAINAGE DESIGN

- Drainage plans are to locate snow storage and push zones where snow accumulation will not block drains and/or dam melt-water runoff. Drainage designs are to consider where melt-water will go and/or be retained on-site. Use of snow melt in driveways can reduce the need for snow storage areas.

- Drainage is to be dispersed within the Lot to the extent possible through the use of dry creeks, outfalls, french drains, dispersion trenches and/or other means of dispersion.

- Drainage is to be directed away from the adjacent ski slope and from the center of impervious surfaces to avoid ice buildup. Paved or impervious areas are to be sloped a minimum of 2% to increase water flow off of surfaces and to avoid ice accumulation.

- Owners are responsible for controlling drainage resulting from the development of their Lot. Drainage is not to be directed onto other Lots or properties, unless located within a designated drainage easement.

- Culverts are to be used to direct drainage under driveways. Culverts, headwalls, ditches and similar drainage structures are to be cut to match finished grade and constructed of materials similar to that used elsewhere on the site. The maintenance of culverts and stone facing are the responsibility of the Owner.

- Trenching for drainage lines is not to encroach within the dripline of existing trees.

- Impervious surfaces (such as concrete paving) are to be minimized to the extent feasible to encourage water percolation into the ground. The use of more pervious materials such as crushed rock, porous asphalt or open-celled pavers is encouraged.

- Drainage design is to minimize any potential for erosion and consequent downstream water quality impacts per Park City regulations. See Book IV, Section 3.18 for additional erosion control measures.

2.6 RETAINING AND SITE WALLS

Retaining walls and freestanding site walls are to be designed in accordance with those standards established in Section 2.5 as well as with the following Guidelines:

- Walls are to be located adjacent to or in close proximity to other built Improvements and may be constructed of exposed natural cast in-place concrete with finish to be approved by the Design Review Board prior to concrete placement.

- Walls are not to exceed 6 feet in height, except in areas not prominent from off-site where they may extend up to 14 feet in height. Retaining walls are to be stepped with minimum 10-foot wide typical planting terrace between walls. The DRB may approve retaining walls in excess of 6 feet when it is demonstrated that higher walls will result in a more sensitive design solution. If approved, such modifications will be recommended to the appropriate Municipal Authority for approval.

- Walls exceeding 4 feet in height are to be designed by a structural engineer.

- Tops of retaining walls are to be horizontal where feasible. Wall ends are not to stop abruptly, but are to make natural transitions into adjacent landforms and vegetation. Trees, shrubs and vines are to be planted at the base and top of walls to blend them with the site.

2.7 NEIGHBORHOOD STREETS AND DRIVEWAYS.

The Preliminary Plan identifies UDOT approved access points for the B2 East Neighborhood. Unless otherwise approved by the DRB, proposed neighborhood street access is to comply with that indicated on the Preliminary Plan. Additional Guidelines regarding neighborhood streets, driveways, garages and guest parking are noted below:

2.7.1 GENERAL CONSIDERATIONS

- Neighborhood streets, driveways and/or parking areas are to be designed to drain quickly, accommodate snow removal equipment and provide access to snow storage areas.

2.7.2 NEIGHBORHOOD DRIVEWAYS

- The lower neighborhood driveways accessing the Lodges shall maintain a width of 26’ as required by Park City Fire Marshall. The upper neighborhood driveway accessing the Villas shall reduce from 26’ width to 20’ width at a location acceptable to the Fire Marshall.

- Neighborhood driveway curb cuts are to be constructed in accordance with approved UDOT Conditional Access Permits, with street alignments then following a curved alignment that minimizes visibility of homes, garages, paved areas and other Improvements from community roads.

- Gradients of neighborhood driveways are not to exceed 10%.

- The neighborhood driveways may widen as necessary for fire truck turnaround.

2.7.3 INDIVIDUAL DRIVEWAYS

- Individual Villa driveways are to be a maximum of 20 feet wide.
- Driveway gradients are not to exceed 15%. Heated driveways are required for any slopes greater than or equal to 10%.

2.7.4 DRIVE WAY MATERIALS AND COLORS

- Neighborhood driveways, where they come off of community roads, are to be built of asphalt to match Empire Pass roads. Neighborhood driveways may later introduce a different material, such as unit pavers, colored concrete or an approved Empire stone, provided there is a smooth transition from one material to another.
- Curbs, where necessary for drainage or traffic control, are to be constructed of colored concrete as approved by the DRB.
- Colors of finish paving materials are to blend with the surrounding earth colors. Natural concrete finish is permitted.

2.8 GARAGES AND PARKING AREAS

Garage layouts, parking and driveway alignments are to minimize visibility of garage doors and guest parking from off-site. Garage and parking designs are to adhere to the following Guidelines:

2.8.1 SITING AND DESIGN REQUIREMENTS

- Avoid long uninterrupted rows of garage doors and minimize their visibility from off-site through vegetation screening, roof overhangs and/or reorienting doors.
- Parking and turnaround areas are to be located within Lot boundaries. On-street parking is not allowed anywhere within Empire Pass.
- Garage doors are to be recessed a minimum of 12 inches, as measured from the outside face of the wall.
- Recreational vehicles, boat trailers and similar vehicles that do not fit through a standard single-bay garage door (maximum size of 9 feet wide by 9 feet tall) may not be parked on Lots overnight.

2.8.2 PARKING SPACE REQUIREMENTS

- The location and design of parking spaces are to respond to the site's natural topography, setting and vegetation cover.
- The quantity and minimum size of parking spaces is to satisfy all Park City requirements. Both below-ground and at-grade parking spaces will be counted towards the minimum parking space requirement. Carports are not allowed.
- Exterior guest parking spaces are to be designed adjacent to entries and are to be sufficient in number to handle the visitor parking needs of the building.

- Parking will be included for Deer Valley Resort's ® Empire Canyon Lodge as per contractual agreement between Owner and Deer Valley Resort ®.

2.9 EXTERIOR HARDSCAPE AND OUTDOOR ROOMS

Outdoor living spaces may provide an effective transition between buildings and the outdoors, to reinforce the visual connection between buildings and site. Terraces, verandas, patios, porches, courtyards and other similar outdoor spaces are to be an integral component of the building design. The following Guidelines are to be incorporated into exterior hardscape design.

2.9.1 GENERAL CONSIDERATIONS

- Porches and covered outdoor spaces may be created by extending roofs and overhangs. Materials are to be similar to those used in roof framing.
- The transition from outdoor living spaces to the native landscape is to be made gradually with hardscape materials transitioning to more pervious materials as they move away from the building.
- Plant materials, landscape structures and architectural devices are to be incorporated into the design of outdoor spaces in accordance with Sections 2.13 & 2.15.

2.9.2 HARDSCAPE AND OUTDOOR ROOM SITING CONSIDERATIONS

- Paths, outdoor stairs and "outdoor rooms" are to be designed to blend with the natural topography and vegetation, and with associated retaining walls, fences or building foundations.
- Seasonal sun and wind exposure, along with how and when a space is to be used, are to be primary considerations when designing and locating outdoor spaces. For example, outdoor spaces might be placed on the east for protection from prevailing winds, on the south for morning and evening use in the summer or on northern locations for midday use during the summer.
- Outdoor hardscape and landscape designs are to consider requirements for snow removal equipment access, snow storage and melt-water drainage. All areas are recommended to have positive drainage at a minimum of 2% grade to move water off of surfaces quickly and minimize surface cracking and/or icing.
- Locating paths in areas with good sun exposure is recommended to minimize ice accumulation. Recommended gradients on paths are a maximum of 7% with a 2% maximum cross slope. In steeper areas, steps with a minimum 16-inch tread and 6-inch riser are encouraged.

2.9.3 NEIGHBORHOOD GATHERING AREAS

- Neighborhood Gathering Areas, central meeting places and/or potential transportation nodes, are to be incorporated in the landscape design of the Villas enclave to provide a distinctive gathering place for neighborhood residents.

2.9.4 HARDSCAPE PAVING MATERIALS

- Designs are to minimize the use of several types of paving materials in order to produce an understated, unified design. Materials are to augment and complement architectural materials while using proven techniques and applications that are designed to withstand the winter climate.
- The hardscape at Neighborhood Gathering Areas is to introduce special paving material, such as stone pavers or bands, to create an attractive meeting place and potential transportation node where residents connect to adjacent trails and/or pick up shuttles.
- Approved hardscape paving materials for outdoor rooms, paths and stairs include:
    - Local stone
    - Stamped colored, stamped and/or patterned concrete
    - Pre-cast concrete pavers
    - Chipped stone
    - Gravel and/or decomposed granite
    - Natural wood
    - Wood mulch

2.10 PATHS, SIDEWALKS, AND TRAILS

Paths and sidewalks are to connect the B2 East Neighborhood to the Empire Pass trail network to allow Residents to move about the Resort without relying on cars. The iconic Mid Mountain Trail traversing the site shall be realigned while meeting IMBA standards along with a new, safer crossing of Marsac Avenue as reflected in UDOT Conditional Access Permit plans. The following Guidelines apply to the design of all paths, sidewalks and trails:

- Paths, sidewalks and trails are to use an approved paving material as listed in Section 2.9.
- Grading for ski-in/ski-out trails and connections is to follow those Guidelines listed in Section 2.5 and should be designed to preserve significant trees and vegetation.
- Continuations of the community trail and path system are to connect at Neighborhood Gathering Areas.

2.11 FENCES AND GATES

An underlying goal for Empire Pass is to create a sense of continuity throughout the Mountain Village. For this reason, the introduction of fences and gates is limited to that necessary to establish privacy and screening in areas immediately adjacent to buildings. When used, fences and gates are to comply with the following Guidelines:

- Fences may not extend into front yard areas and are to start a minimum of 10 feet behind the main building's front facade.
- Fences are to relate to and extend from the site's architecture while responding to the natural topography and landscape. Perimeter fencing of the property line is not permitted.
- Fences are not to exceed 4 feet in height except in areas not visible from off-site and at pool

enclosures, where they may extend up to 6 feet in height.

- Wrought iron fencing, painted black or green to recede into the landscape, may be used at pool safety enclosures.

- Inappropriate wall and fence materials include, but are not limited to:
  - Railroad ties
  - Concrete block
  - Stucco
  - Pickets
  - Chain link

- Wood fences are to be left to weather, treated and/or stained to blend in with the surrounding trees and vegetation. Refer to Section 3.15 – 'Approved Finishes and Colors'.

- Planting plans are to incorporate tree and shrub plantings adjacent to fences in order to blend them with the surrounding landscape.

- Pool and spa fencing required by code may require additional detailing and landscape treatments, as specified by the DRB, to mitigate off-site visibility. Where allowed, the use of non-fencing solutions, such as locking pool covers should be considered.

- Dog runs and outdoor pet enclosures are not allowed.

- Privacy fencing or extensions of house walls are to be used to block views of utilities, mechanical equipment, trash enclosures and outdoor work areas. Such enclosures may extend up to 6 feet, if the fence is not visible from off-site.

- During winter months, temporary fencing is permitted to encourage skier safety as appropriate.

2.12 LANDSCAPE STRUCTURES AND SITE FURNISHINGS

The design and siting of all landscape structures and furnishings are subject to the following Guidelines:

- The height, color, materials and style of outdoor structures are to be the same or similar to that of the Residence. In general, the same Guidelines that apply to architecture apply to the design of landscape structures (refer to Chapter 3).

- Play structures that do not adversely affect views from off-site may be considered by the DRB provided they are constructed of natural materials and finished to recede into the landscape. Brightly colored play structures or furnishings will not be approved.

- Sport courts and associated equipment will be considered on a case-by-case basis. If approved, they are to be located in areas not visible from off-site.

2.13 POOLS, SPAS AND WATER FEATURES

All pools, spas and water features are to adhere to the following Guidelines:

- Pools, spas and other water features are to be visually connected to the building, and designed as an integral part of its exterior design.

- The introduction of landscaped water features, such as artificial creeks, is not allowed.

Small decorative fountains are permitted within courtyards and/or other outdoor spaces not visible from off-site.

- Pool safety measures are to be taken in accordance with local governmental regulations. Design solutions that eliminate the need for a pool fence while still complying with all safety codes are encouraged. (See Section 2.11 – 'Fences and Gates'.)
- Pools and spas are to be set down into the ground, terraces and/or decks.
- Spa and water feature equipment enclosures are to appear as extensions of the home and/or located in underground vaults to contain noise. Solid noise absorbing covers for equipment will be required after installation if it is discovered that the equipment is audible from adjacent properties.

2.14 PLANTING DESIGN

The underlying goal of landscape design at Empire Pass is to preserve, enhance and continue the natural landscape. The following Guidelines apply for all landscape planting designs:

2.14.1 GENERAL PLANTING CONSIDERATIONS

- Planting clusters are to be planted between individual Villas buildings to provide privacy and to subordinate buildings to the landscape.
- Planting plans are to consider impacts on views from adjacent properties to ensure plant materials do not obscure views at installation and/or at plant maturity.
- Landscape plantings are to define outdoor spaces and entries, frame desirable views, buffer prevailing winds and provide seasonal shade.
- Plant color, texture and form are to visually tie buildings and Improvements to the land and add interest to courtyards and other outdoor areas.
- Areas disturbed by site development or home construction are to be restored to reflect the characteristics of the natural landscape. Areas adjacent to the building and surrounding landscape Improvements are to be enhanced with native plant materials to effectively transition to the Natural Area.
- Landscape materials are to be planted in informal, natural patterns. Planting of trees or shrubs in straight lines, circles or other unnatural patterns is not allowed.
- Owners are responsible for the care and maintenance of all plant materials located in the public right-of-way between sidewalks/paths and the front street curb.
- Introduced plant materials are to be equal in scale (at installation) to the natural existing material surrounding the site using a mix of sizes that blend naturally into existing vegetation.
- Non-native plants, planting beds and gardens may be introduced adjacent to buildings. Plants are to transition to an all-native palette as one moves away from the building towards the Natural Area.
- Temporary irrigation is required for all landscape Improvements. Temporary systems are to be removed or disconnected after two growing seasons or after plant materials have been established.

- Landscape Improvements are to minimize irrigation requirements by grouping plant materials with similar water consumption needs. Refer to Section 2.17 for irrigation requirements.
- In order to minimize the use of water and to reinforce the integration of buildings and Improvements with the natural environment, the introduction of manicured lawns is to be minimized.
- Recommended plant materials are listed in Appendix B – 'Approved Plant List'. These plants are not necessarily native to the alpine regions of Park City and may require supplemental water for peak performance. Prohibited plant species are listed in Appendix C.

2.14.2 PLANT QUANTITY AND SIZE REQUIREMENTS

- Any trees greater than 6 inches in diameter at breast height (DBH) proposed for removal are to be mitigated at a 1:1 ratio. Mitigation trees may be planted anywhere on the Lot, subject to the Guidelines outlined in this section.
- 50% of evergreens required for mitigation are to be a minimum of 10 feet in height; 50% are to be a minimum of 14 feet in height. 50% of deciduous trees required for mitigation are to be a minimum size of 2-inch caliper DBH; 50% are to be a minimum 3-inch caliber DBH.
- All shrub plantings are to utilize a minimum 5-gallon container.
- The DRB may require additional plant materials and/or sizes, as necessary, to adequately filter views from off-site.

2.14.3 PLANTING DESIGN WITHIN THE NATURAL AREA

- Planting within the Natural Area is to be limited to native plant material as specified in Appendix B – 'Approved Plant List'.
- In order to create a uniform edge treatment, plant materials and landscaping in the Natural Area of each Lot is to smoothly interface with and transition into the natural landscape adjacent to the trails and ski runs. The use of mature landscape materials that exceed minimum size requirements is encouraged.

2.14.4 PLANTING DESIGN AT THE NEIGHBORHOOD GATHERING AREA

- Planting design at Neighborhood Gathering Areas is to break up large sections of paving, provide shade during summer months and offer wind protection during winter months. Plantings are to allow for sufficient sun penetration during winter months to prevent ice buildup.
- Special planting accents, such as a central tree island and/or planting area at landscape benches, are to be designed to offer added interest and/or a "landmark" at Neighborhood Gathering Areas.

2.15 FOREST PRESERVATION

To ensure the long-term health and vigor of the surrounding forests, Empire Pass has prepared a forest management plan with the following objectives:

- Encourage a diversity of species.
- Balance a healthy mix of mature trees with vigorous younger trees.
- Thin trees to avoid over-crowding, competition, stress, pests and disease.
- Require the removal of dead and diseased trees and the trimming of dead tree branches. (Refer to Section 2.16 for fire safety and prevention Guidelines.)

2.15.1 TREE PROTECTION GUIDELINES

Tree removal for building construction and Lot maintenance will be managed by the Design Review Board, and further overseen by Park City. Tree retention and health is to be managed using the following Guidelines:

- Tree protection and fertilization measures are to be taken on all large trees (12-inch caliper DBH or greater) within 30 feet of construction activity, including those outside of the Improvement Envelope.
- Tree wells constructed of approved stone are to be used when adding fill under the drip line of major trees. A blanket of porous stone and a network of aeration lines are to be installed at existing grade to allow air to reach the roots and to prevent over-compaction.
- Protective fencing is to be erected around all existing trees during construction. Refer to Book IV, Section 3.20 for tree protection measures during construction.
- Additional Guidelines are provided in the Forest Management Plan available from the DRB.

2.15.2 TREE REMOVAL GUIDELINES

Tree removal is to be done with the approval of the DRB according to the following Guidelines:

- Within the Natural Area, tree removal is to be avoided wherever possible, while still maintaining the health of the trees. In limited instances, the DRB may approve tree removal or thinning within the Natural Area for view corridors or solar exposure, provided it does not unreasonably increase visibility of buildings and other Improvements from off-site.
- The DRB may approve tree removal and/or selective tree thinning within the Improvement Envelope in order to accommodate buildings, driveways, sun exposure and selected views.
- Unauthorized tree removal is subject to fines of up to $5,000 per tree, payable to the Master Association.

2.16 FIRE SAFETY AND DEFENSIBLE SPACE PROVISIONS

Portions of Empire Pass are located in wildfire hazard areas. A number of measures have been implemented to reduce the risk of wildfire, including the design and use of ski runs and roadways as natural fire breaks. Nonetheless, it is important that Owners be aware of the possibility of wildfire. The threat of wildfire can be greatly reduced with the thoughtful planning and maintenance of a defensible space around the home. With this in mind, the following fire safety standards have been implemented:

- Potential fire fuel (such as dead limbs, leaves, needles and other material) is to be removed from areas immediately surrounding built structures.
- Owners are to select building and landscape planting materials that provide low fuel for potential fires.
- The maintenance of a 30-foot safety zone in all directions around all Buildings is strongly encouraged. Within this zone, the following fire prevention actions are recommended:
    - Regularly dispose of slash and debris materials resulting from thinning operations.
    - Periodically mow dry grasses and vegetation.
    - Stack firewood away from the home.
    - Maintain an irrigated area around buildings.
- Exterior wood building materials are to comply with all fire safety standards and procedures established by Park City, other applicable Municipal Authorities and the DRB. Regular observations for ongoing compliance with these standards will be conducted as described in Book IV, Section 2.12.

2.17 IRRIGATION AND WATER CONSERVATION

The following irrigation guidelines apply for Villas and Lodges:

- Permanent underground irrigation systems for lawns and flower gardens are limited to areas adjacent to the building and other built Improvements.
- Automatic irrigation systems are required at all re-vegetation areas (excluding the 30-foot wildfire safety zone). These systems may be abandoned when plantings have been clearly established after a minimum of two growing seasons.
- The use of moisture sensors, drip irrigation and pop-up heads are encouraged to conserve water.
- Backflow preventors are required; manual valves are permitted.
- Trenching for irrigation lines is not to encroach within the dripline of existing trees.
- Mulch all new planting areas, including trees in lawn areas, with a minimum of 3 inches to retain soil moisture, reduce erosion and provide for weed control.

2.18 OUTDOOR ARTWORK

All outdoor artwork is to be reviewed and approved by the DRB, prior to display. If approved, artwork is to be located adjacent to buildings and out of view from off-site. The DRB maintains the right to approve or deny an Applicant's request to display artwork outside of the Residence. Artwork locations shall be selected with skier safety in mind.

2.19 EXTERIOR LIGHTING

The clarity of the night sky in the Park City area is to be preserved. To help preserve the dark nighttime sky the following lighting Guidelines are to be observed:

2.19.1 LIGHTING FIXTURES

- Lighting fixture design is to be consistent with the architectural details of the building.
- Light fixtures at pathways and driveways are to be a maximum height of 36 inches.

2.19.2 LOCATION OF LIGHT FIXTURES

- Light fixtures, with the exception of driveway and address marker lighting, are to minimize impacts on adjacent properties. Light sources are not to be visible from adjacent buildings and/or off-site.
- Recessed light fixtures are to be used at entry monuments and address markers to identify neighborhood entrances and illuminate addresses. Street lamps are not permitted on neighborhood streets.
- Low-level path lighting is to be used at Neighborhood Gathering Areas to provide subtle lighting at path entrances, waiting areas and transportation nodes.
- The following light types and locations are not permitted:
  - Security yard lights
  - Landscape, plant or tree lighting
  - Architectural lighting of buildings with the exception of sign lighting and seasonal holiday lighting, as approved by the DRB.

2.19.3 LIGHT EMISSION

- Exterior night lighting is to be kept to an absolute minimum as required for safety and address identification at entrances, driveways and buildings. All light fixtures are to be activated for short-term use only.
- Exterior lighting is to use downward facing, horizontal cut-off fixtures, which hide the light source. Uplighting is not allowed.
- Lanterns are to use low intensity (25 watt or less) light sources with translucent or frosted glass lenses. Clear glass may be acceptable with low voltage bulbs and clear glass bulbs, subject to the DRB review of visibility from off-site.

- Driveway lighting is to be the minimum required for safety and is not to be spaced at regular intervals. Guardrails with reflectors may be used to help mark the driveway.
- Security lighting for emergency purposes may be permitted by the DRB, provided the sources are not visible from off-site, are fully shielded and are set on a timer or motion detector.
- Light sources are to be a warm, soft color that accurately renders true color. Sources that emit harsh, glaring white light are not permitted.

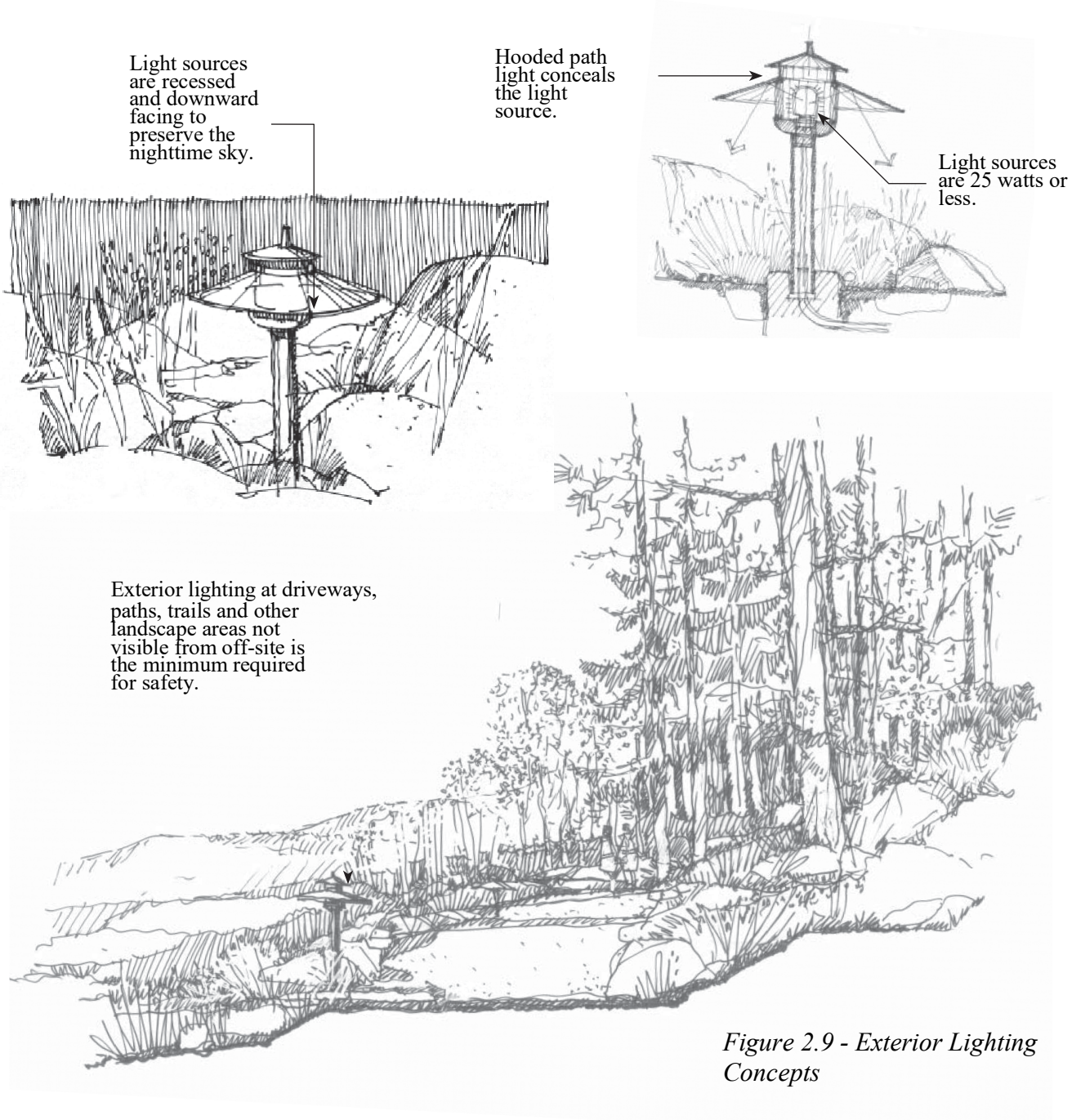


Figure 2.9 - Exterior Lighting Concepts

2.19.4 SEASONAL AND HOLIDAY OUTDOOR LIGHTING AND DECORATION APPLICABLE TO ALL AREAS EXCLUSIVE OF COMMON AREAS

Seasonal/Holiday Outdoor Lighting shall be permitted between November 15 and March 1 of the subsequent year and permitted between the hours (MST) of 5PM and midnight. The specific guidelines for installation in landscaped areas are as follows:

- Trees are permitted to be lighted for the purpose of seasonal lighting and decoration during winter months. Such lighting is to be installed in a manner that allows individual property owners enjoyment of seasonal lighting without causing undue glare or other negative visual impacts to neighboring properties or as viewed from areas outside the resort.

- White, string lights are required. Absolutely no chasing, blinking, or "icicle" lights are permitted.

Seasonal/Holiday Outdoor Lighting shall be permitted between November 15 and March 1 of the subsequent year and permitted between the hours (MST) of 5PM and midnight. The specific guidelines for installation on or around structures are as follows:

- White, string lights, which may decorate porches as well as the main entrance (doorway and associated entryway structure) to the home.

- "Outlining" of a home or individual architectural features of a home by applying stings of lights to run continuously along roof eaves, window trim or other prominent architectural features of a home is not permitted.

- Plastic statuary, inflatable lawn displays and other similar ornate displays containing un-natural, non-indigenous materials are not permitted. However, garland and/or wreaths which simulate, in a life-like manner, true, organic evergreen or deciduous tree boughs will be permitted; garland and wreaths made of organic materials are preferred and encouraged.

2.20 SERVICE AREAS, STORAGE AND UTILITY LOCATIONS

The following Guidelines apply for all outdoor service and storage areas:

- Trash disposal, outdoor work areas, utility meters and connections, transformers, air conditioning units, satellite dishes, pool/spa equipment and similar above- ground devices are to be completely screened from off-site views by the use of architectural devices and/or plant materials. Where feasible, these areas are to be integrated into the building's architecture. The location and screening of such devices will be reviewed by the DRB throughout all stages of the design review process. Noise emission from such devices is to be contained.

- Service and storage areas are to be made inaccessible to wildlife.

- Owners are responsible for providing utility service lines from the property line to the building. Utility easements have been established throughout Empire Pass in order to facilitate the installation and maintenance of utilities.

- In order to minimize site disturbance, all utility lines are to be located underground, and

when feasible, under or along driveways. Utility alignments are to minimize grading and tree removal.

2.21 ENTRY MONUMENTS AND ADDRESS SIGNS

- Entry monuments that identify the Villas and Lodges enclaves are to be located within 20 feet of the intersection of the community road and the neighborhood street.
- Entry monument designs are to be reviewed and approved by the DRB.
- Entry monuments size shall be regulated by Municipal Code.
- An address marker is to be installed and maintained by the Owner.
- The address marker is to be located within 20 feet of the intersection of the driveway and the neighborhood street.
- Entry monuments and address signs are to be illuminated using internally shielded light fixtures.
- Signs containing the name of individual Villas are not permitted.
- Real estate signs are not permitted within Empire Pass.
- Any maintenance work performed on entry monuments and/or address markers by the Master Association will be billed to the Owner.

2.22 MAIL AND DELIVERY BOXES

Individual home mail delivery is not available at Empire Pass. Outdoor mailboxes, newspaper boxes, package tubes and similar delivery containers are not permitted.

3.0 ARCHITECTURAL GUIDELINES

The following chapter sets forth Guidelines and standards for all work relating to the renovation, alteration or addition to the exterior finish of an existing structure and/or new construction of building(s), including Building Heights, Massing, color and materials.

3.1 ARCHITECTURAL DESIGN OBJECTIVES

Buildings in the B2 East Neighborhood are to compliment the existing natural landscape and the overall history of the site. Nestled in a large natural bowl, the site is surrounded by quaking aspens and long-range expansive views. The following design objectives have been identified to help further the overall vision for Empire Pass.

- ***Design buildings that compliment the surrounding natural landscape.*** Like the dramatic surrounding mountains, building masses are to be bold yet in harmony with the natural surroundings. Buildings facades and rooflines are to be articulated with variations and not flat. Building massing shall step with existing topography as the site climbs from north to south.

- ***Design buildings that respond to the local climate and take advantage of the outdoor lifestyle of the Wasatch Mountains.*** Buildings are to be oriented to the outdoor lifestyle available year-round to residents of the Park City region. Decks, balconies and windows are to be located and designed to capture views, maximize sun and shade (depending on season), reduce wind exposure and otherwise take advantage of the spectacular outdoor environment.

- ***Utilize building materials that are true to their structural purpose…. Materials shall clearly fit into a structural or cladding language, architecturally. Efforts should be made to keep this distinction between materials "honest" when possible.. Building massings or trimwork that is purely decorative should be discouraged and will be considered on a case by case basis***

- ***Develop custom detailing designs that tie the Villas on the upper portion of the site to the Lodges on the lower portion of the site.*** Custom detailing at accent features, exposed roof edge details, balconies, railings, chimney caps, colors, materials and other architectural elements are to create a unique architectural character for the B2 East Neighborhood.

3.2 BUILDING FORMS

Building forms are to be designed with three main elements:

1. Foundation walls on the Villas may be recessed behind the residential floors above in order to reduce disturbance of the ground plane and the height of exposed foundation walls. Foundation walls shall be constructed of cast in-place concrete. Foundation walls on the Lodges shall be a maximum one story in height except at garage entries. Foundation walls may seamlessly transition into vertical stair tower elements.

2. Villas Building walls are not to exceed three Stories in height. Lodge Building Walls height shall be limited by Volumetrics approved for B2 East Neighborhood.

3. Articulation of massing through "Ragged Edges" of cantilevered living spaces over decks below at the ends of each Lodge building will be the dominant design element of the Lodges, framing the calmer middle sections of the buildings. The Villas' massing will be broken up by multiple roof elevations stepping down from three stories over the master bedroom to an understated two story element incorporating the garages.

3.3 BUILDING MASS, SCALE AND COMPOSITION

In summary, buildings are to reflect the scale and drama of their mountain setting, have large sheltering roofs and dramatic use of cantilevers as a counterpoint to the rugged surrounding mountains.

- Structures are to utilize a variety of forms, arranged in a hierarchy with one form clearly dominant. For the Villas, roof lines shall step down with the lowest roof height over the garage element between units creating separation of building mass. Lodges buildings shall incorporate multiple roof steps and also incorporate a variety of roof elements. Overall, the Lodges buildings will climb following the grade of the adjacent ski trail.

- Villas Building Massing is to be broken into room-sized volumes, reflective of interior spaces and uses. Building materials, offsets, projections, recessed windows and doors, and balconies are to be used to provide shadow and texture. In order to avoid large bulky masses, Villas garages are to be articulated as a distinct building form, subordinate to the main Residences.

- Lodges Building Massing is to be composed of clusters of building forms so that they appear to be a collection of individual masses and not rows and/or stacks of essentially identical "products".

- Lodges Accent Features (architectural elements that add interest and relief to building elevations) are to be incorporated in order to create the sense that the Lodges consist of a collection of building forms rather than one large unarticulated rectangular mass. Lodges may incorporate the following techniques to create Accent Features:

    - The use of full-height stacked balcony elements or other building projections to break up the perceived building length.

    - The incorporation of building projections of various heights that are approximately the size of a bedroom, living room or large alcove.

    - Variations in building materials at entries, balconies and other building projections.

- Adjacent Lodges buildings are to be designed to blend with and not contrast with each other. This is to be achieved by:

    - Breaking up long horizontal lines at wall and roof planes by introduction vertical elements, such as balconies; and

    - Linking buildings to landscape features and neighboring Lodges buildings by the use of walls, plantings, patios and/or terraces.

- Porte cocheres, entry gables, shed roofs, balconies and other single-story elements are to be introduced to reduce the apparent height and mass of Lodges buildings and to provide shadow and texture.

- Building masses are to use simple, bold forms.

- Roof forms and skylines are to be fragmented with varied roof elements and with roof lines climbing from one building to the next as the site climbs from north to south.

- All Buildings shall conform to PCMC LMC Section 15-5-8 (Facade Length and Variations).

3.4 BUILDING SIZE

In conjunction with building Massing, building size will be evaluated by the DRB to ensure building's are in scale with their surrounding natural setting. Building size is calculated using Saleable Square Feet. (Refer to Appendix A for the definition of Saleable Square Feet.)

- Development on the B2 East site is limited to 162,000 sf Saleable Square Feet, plus 3,600 sf of Resort Support Commercial.
- To reduce the project density adjacent the ski trail, site planning incorporating approximately 25,000 Saleable Square Feet of Villas on the upper portion of the B2 East site is encouraged.
- To break down the project density adjacent the ski trail the remaining development incorporated in the Lodges shall be broken into several distinct buildings.

3.5 BUILDING HEIGHT

Building heights are to be designed according to the following Guidelines in order to create buildings that are pedestrian-friendly and not overwhelming in scale.

Building Height is measured as "the vertical distance under any roof or roof element to existing grade", or as set forth in the most current Park City Land Management Code. Building Height is subject to the more restrictive of the following Guidelines:

- Buildings are to comply with maximum Building Height as specified by Park City.
- Building Heights are to generally be consistent with the Volumetrics as shown on the B2 East Site Plan dated 4/16/2021, or subsequent revisions as approved by Planning Commission.
- The height of chimneys, cupolas and other roof forms will be reviewed on a case- by-case basis.
- Villas Buildings are to remain below surrounding tree canopy levels.

3.6. ACCESSORY BUILDINGS

All Accessory Buildings, such as the entry lobby, detached skier lounge and trash enclosures are subject to the following Guidelines:

- Accessory Buildings are to be subordinate to the main Buildings and similar in detailing and stylistic qualities.
- Accessory Buildings may be freestanding or connected to the main Buildings by outdoor rooms and/or architectural projections such as breezeways or arcades.

3.7 ROOFS

In keeping with the mountain climate, roof designs are to be kept simple. Roofs are to be designed in accordance with the following Guidelines:

3.7.1 ROOF MATERIALS AND COMPOSITIONS

- Roofs are to be large sheltering forms, predominantly flat or very low pitched shed roofs. Clipped gables, conical, and flat roofs are generally discouraged, but may be considered at secondary roofs on a case-by-case basis. A-frame roofs are not allowed.
- Roofs are to use a limited palette of materials in order to present a coherent design image throughout the community. Approved primary roof materials include:
  - Standing seam metal (in a dark color approved by the DRB)
  - Vegetated green roofs on flat roofs are encouraged.
  - Concrete pavers may be used on high flat roofs where vegetated green roofs are not appropriate or practical.
- Flashing, gutters and downspouts are to be constructed of durable materials, such as copper or other pre-finished metals that have the appearance of aged copper. Metals are to weather and/or be treated to blend with the adjacent walls and roofs.
- All exposed metal is to be consistent in appearance and finish.

3.7.2 ROOF PITCHES AND DIMENSIONS

- Roof pitches are to generally be between 0:12 and 2:12. The DRB may consider alternate roof pitches provided the roof relates well to the wall mass below, is well suited to the specific site and presents an overall aesthetic consistent with these Guidelines when viewed from off-site.
- Roofs sharing the same ridge are to have the same pitch. Pitch breaks are permitted when they occur at architecturally appropriate locations such as plate lines or changes in plane.
- Long roof overhangs (minimum of 24 inches) are to be incorporated to give a sense of shelter and enclosure. Deeper overhangs are to be used above large window openings.
- Roofs eaves are not permitted within 7 feet of finished grade.

3.7.3 SNOW GUARDS, GUTTERS AND DOWNSPOUTS

- Roof's are to be designed to retain snow. Pedestrians may be protected from snow shedding by use of snow guards and heating of eaves as appropriate. Either cold roof or super insulated roof construction may be used.
- Snow guards may be used, per Park City building regulations, wherever significant amounts of snow may accumulate over occupied areas, such as entries, patios, decks, balconies or parking areas.
- Snow guards are to be constructed of plate steel vertical supports with steel members that relate to nearby structural members. All exposed steel is to be acid-washed or painted to match the roof or building trim.
- Gutters and downspout are to be used at roofs that partially cover outdoor gathering areas. Where roofs are in constant shadow or have northern exposures, gutters and downspouts

may be more effective when used in conjunction with heat tape.

- Gutters used below snow guards are to be designed to withstand the load of the accumulated snow and ice released from snow guards.
- Approved materials for gutters, downspouts and eavelines include:
  - Copper
  - Galvanized steel, acid-washed
  - Corten steel
  - Pre-finished metal, finished to look like aged copper
  - Coated metal
- Gutter sections may be traditional or half-round.
- Roof drains internal to the building are encouraged.

3.8 EXTERIOR WALL MATERIALS

Exterior wall materials are to use authentic, indigenous and rustic looking materials, such as local stone, rough-sawn wood and hammered metal. The following Guidelines apply to the use of all exterior wall materials at B2 East.

3.8.1 MATERIALS AND FINISHES

- Approved foundation wall finish materials include:
  - Exposed cast in-place concrete with finish to be reviewed and approved by Design Review Board prior to concrete placement.
- Approved building wall finish materials include:
  - Vertical wood siding
  - Cementitious siding, with a texture to simulate natural wood grain
  - Exposed natural concrete with finish to be reviewed and approved by Design Review Board prior to concrete placement.
  - Pre-finished metal panels/flashing
  - Natural metals that develop a living finish, such as zinc, copper, or steel
- Inappropriate exterior wall materials include, but are not limited to:
  - Faux and/or non-local stone
  - Cobblestone and river rock
  - Logs

- Board and batt
- Shingles

- Additional siding materials may be considered by the DRB on a case-by-case basis.
- A maximum of three exterior wall materials and a minimum of two are to be used on any one building.
- Reflective materials or finishes are not allowed. All materials are to utilize staining or natural weathering processes which render them non-reflective within one year of completed construction.

3.8.2 CONCRETE WALL APPLICATIONS

- Exposed board formedconcrete is to be used at building foundations and ground floor levels to give buildings the appearance of having a properly proportioned and load bearing foundation. Concrete may also be used to define three-dimensional elements, such as stair towers or chimney elements. Concrete is not to be used merely as a skirting strip around building bases or as panels within a wood sided wall.
- Concrete walls are to be vertical.

3.8.3 WOOD WALL APPLICATIONS

- Wood siding (and cementitious siding as required by fire code) is to be limited to two types per building. Vertical siding is to be the dominant application, but may be complemented with horizontal siding on accent elements. Transitions between wood siding materials are to take place at offsets in the wall plane, such as at cantilevers and/or building additions, rather than in horizontal layers.

3.9 DOORS AND WINDOWS

Fenestration design is to comply with the following Guidelines:

3.9.1 GENERAL GUIDELINES

- Windows and doors are generally rectangular in shape.
- Fenestration design is to utilize generous expanses of glass with minimal use of mullions.
- Clear glazing is preferred, however, glass may be coated and tinted to control solar heat gain. Mirrored appearance is not acceptable.
- Building facades shall include sufficient solid elements to contrast with and separate the expansive glazing elements.

3.9.2 EXTERIOR DOORS

- Doors are to avoid the danger of shedding snow by placing them under protective roof elements.

- Door massing and sizes are to be appropriately scaled to the size and materials of the wall in which they are placed.
- Exterior doors may be of glass, wood or steel.
- Door wall systems providing for indoor/outdoor living are encouraged.

3.9.3 WINDOWS

- Approved window types include:
  - Fixed - Double-hung
  - Awning - Casement
- Jalousie, glass block and similar window types are not allowed. Pivoting and/or hopper windows will be considered on a case-by-case basis.
- Window proportions are to be based on a vertical or square unit, whether set into a wall or grouped together in horizontal openings.
- The shapes and details of all openings are to be appropriate to the structural expression of the walls within which they are located.
- Window designs are to be consistently applied throughout all elevations of a building through the use of consistent proportions, modular elements and/or similar lite designs.
- Windows are to be clad in maintenance free metals such as copper, powder-coated aluminum or acid-washed galvanized steel. Copper cladding may be left to patina naturally, provided it loses its reflective properties within one year of construction completion. Vinyl cladding is not permitted. Refer to Section 3.15 for approved color selections.
- Window shutters are not permitted.

3.10 STRUCTURAL EXPRESSION

Structural systems may be concealed within floor and roof elements. Exterior columns may be minimized to maintain expansive views and transparency of building between residential decks below and living areas above.

3.11 CHIMNEYS AND ROOF PROJECTIONS

- The sizes and heights of chimneys are to be in scale with the building's architecture.
- Rooftop equipment, including vents and all flues 6 inches in diameter or greater, are to be concealed in chimney-like structures that are an integral part of roof designs.
- Heights of wood-burning chimneys are to comply with all applicable codes. Heights of gas-burning chimneys or boiler flues are to match those of their wood burning counterparts.
- Chimney veneers are to be constructed of stone or concrete to match and/or complement building materials.

- Chimneys may terminate in decorative caps of stone, concrete or metal. Creative designs are encouraged. When flat or pitched stone caps are used, they are to have a minimum thickness of 6 inches. All chimney caps are to have screen spark arrestors per local codes.

- Air conditioning and heating equipment may not be mounted on roofs, unless completely concealed.

3.12 FIREPLACES

Per Park City code, wood-burning fireplaces are not allowed in individual Villas or Lodges units. The quantity of gas burning fireplaces is not restricted.

3.13 DECKS, BALCONIES AND RAILINGS

Decks and balconies are to be used to strengthen the connection between the indoors and the outdoors, subject to the following Guidelines:

- Railing designs are to maximize transparency. Approved railing materials include:
  - Metal mesh or flat bar
  - Metal, non-reflective and similar to metal detailing used elsewhere on the Buildings
- Balcony, deck, porch and railing designs shall be consistent between buildings within the B2 East neighborhood.
- Floors of balconies that are visible from off-site, or from units located above or adjacent to them, are to be finished in wood, stone, or colored, stamped or patterned concrete or concrete pavers.
- Design of balconies, decks and porches is to take into consideration shade, sun, wind, snow shedding and other climatic influences.

3.14 DETAILS

Finish details such as exterior hardware and light fixtures shall reflect the contemporary architectural vernacular.

3.15 APPROVED FINISHES AND COLORS

The color of exterior elements, including roofs, walls, trims and landscape structures, is generally subdued, complementary of and slightly darker than the colors found in the surrounding landscape. Accent colors and trims, however, are to add more vibrancy and warmth to buildings.

- Building elements are to fall within the following general color ranges:
  - Roofs are to be brown, gray, dark green and/or gray-green in hue
  - Wood walls are natural browns or grays
  - Accent and trim colors are dark grays, browns or bronze
  - Fences are to be of dark colors to minimize visibility

- Colors shall be selected to provide contrast between primary building cladding materials. Monochromatic color schemes are discouraged.
- More vibrant accent colors may to be used at entry and first floor levels to add interest and warmth to pedestrian levels.
- Color schemes in the B2 East neighborhood are to be generally consistent between buildings, with no color changes between units in one building.
- Wood walls are to use more transparent stains to emphasize and retain the natural texture, grain and variation of the wood.
- Concrete and wood materials are not to be covered with paints and/or opaque stains.
- Steel vertical supports at snow guards are to be painted black or to match roof colors.

3.16 SKYLIGHTS SOLAR PANELS AND SATELLITE DISHES

Skylights, solar panels and satellite dishes are to be completely screened from off-site and are subject to the following additional Guidelines:

- Satellite dishes and their locations are to be approved by the DRB. An application, application fee and proposed location for all satellite dishes must be submitted to the DRB for review and approval prior to satellite dish installation. (Refer to *Book IV* for design review procedures and application requirements.)
- Satellite dishes are to be a maximum of 24 inches in diameter and colored to blend with the site or building. A maximum of two satellite dishes are permitted per building.
- Skylights and solar panels are permitted only where not visible from off-site.
- Where approved, skylights are to use clear, flat and non-reflective glass. Skylights are to match the pitch of the roof and are not to extend further than 4 inches above the roof plane.
- Interior lights may not be pointed upwards through skylights or cast light onto overarching vegetation.

3.17 IT/TELECOMMUNICATION FACILITIES

All Buildings at Empire Pass have access to high bandwidth infrastructure that delivers high-speed data connection for real-time services such as remote-location teleconferencing, learning, healthcare and entertainment. In order to avoid impacts to off-site views, all wiring and equipment housing is to be incorporated as part of the building design and not as an exterior detached utility closet. Recommended cabling requirements are outlined in the *Multi-Family Residential Pre-Wire Guidelines*, available from the DRB office.

ATTACHMENT 1: SITE PLAN



Olson Kundig April 16th, 2021

Sommet Blanc (B2 East) - CUP & MPD Amendment Graphic Site Plan
Exhibit 1 - Site Plan and Building Massing

0 50' 100' 150'

EMPIRE PASS
DESIGN REVIEW BOARD

June 11, 2021

Sommet Blanc Development, LLC
Mr. Lynn Padan
PO Box 980022
Park City, UT 4098

RE: Sommet Blanc, 9300 Marsac Ave
Empire Pass Development
Preliminary Design Approval

Dear Lynn,

Thank you for your recent application regarding Sommet Blanc, 9300 Marsac Ave to the Empire Pass Design Review Board (the DRB) requesting Preliminary Design approval of the proposed condominiums and townhomes project. At the June 9, 2021 meeting the DRB granted Preliminary Approval with the following conditions:

1. Preliminary Review is based off plans dated April 16, 2021.
2. The total site of is comprised of 6.91 acres.
3. There are 2 Villa Buildings:
   - 5 Units Total
   - The Total Saleable Square Footage for the Villas is 25,000
   - The maximum building height for the Villas is 48 feet above natural grade
   - The driveway width for the villas road coming off of Guardsman Road is 26 feet wide, the first section of grade is 5% with a 10% maximum grade and leveling off at 1%
   - The villas have 10 enclosed parking spaces.
   - There is a Ski Lounge Building for the Villas (single story)
4. There are 3 Lodge Buildings
   - Building A: 17 units
   - Building B: 17 units
   - Building C: 9 units
   - There is a Lobby Building for the Lodges (single story)
   - The Total Saleable Square Footage for the Lodges is 137,000
   - The Max Square Footage per Pod B2 approved MPD is 162,000
   - The maximum building height for the Lodge buildings are 82 feet above datum points
   - The driveway width for the Lodges coming off Marsac Ave is 26 feet wide, with 4% for the first section, 10% maximum and finishing off at 5% grade.
   - The lodges have 155 enclosed parking spaces, 4 at grade totaling 159.

5. The Lodge's height of ridges at building ends:

Building A

• West End	- Level 5 Roof	8,407'
	- Restaurant Patio	8,342'
	- Height from Finished Grade	65'
• East End	- Level 6 Roof	8,424'
	- Lobby Driveway	8,345'
	- Height from Finished Grade	79'

Building B

• North End	- Level 5 Roof	8,424'
	- Lobby Driveway	8,345'
	- Height from Finished Grade	79'
• South End	- Level 6 Roof	8,441'
	- Upper Cul de Sac	8,362'
	- Height from Finished Grade	79'

Building C

• West End	- Level 6 Roof	8,455'
	- Ski Lounge Patio	8,376'
	- Height SW corner	79'
	- Upper Cul de Sac	8,364'
	- Height NW Corner	91'
• East End	- Level 6 Roof	8,455'
	- Level 3 Patio	8,402'
	- Height SE corner	53'
	- Upper Cul de Sac	8,364'
	- Height NE corner	91'

6. The DRB walked the site to review the lot staking of the entire project. The DRB would like to see more details for landscaping and walls on the corner of the property adjacent to the Empire Canyon day lodge.
7. The DRB discussed the preservation of trees above the proposed condo retaining walls and the area below the Villas ski lounge building. To be field verified with applicant when LOD is set.
8. The applicant will provide finish materials for all proposed retaining walls.
9. The DRB granted a variance for retaining walls to have a maximum height of 14 feet to accommodate the Fire Marshall required shift of the lower driveway to meet ladder access requirements.
10. The flat roofs now have the addition of green roofs.

11. The DRB conceptually approved and favored the proposed exterior materials.
12. All exterior materials are subject to mockup review and approval.
13. The applicant to provide deck and railing details for final review.
14. Submit color and texture sample for colored concrete drive areas, which requires DRB approval prior to installation.
15. Applicant understand that no faux or manufactured materials may be used as finished exterior product, this would include glue-lam beams, faux stone, bare concrete, vinyl siding, etc.
16. The DRB to review the complete lighting plan, including cut sheets and specifications for all exterior light fixtures proposed with the applicant for final review.
17. Applicant to provide complete landscape plan, including counts and planting specs, for DRB review.
18. Art work specs to be provided for final review.
19. The applicant shall submit a detailed sign program to the DRB for review and approval prior to installation of the same.
20. Building height, volumetrics and square footage calculations to be addressed to the satisfaction of the DRB and the City.
21. Applicant understands the requirement to provide an on-site mock-up of exterior materials, colors and construction techniques for further DRB review and approval prior to installation of the same.
22. Applicant has provided utility routes, connection points.
23. The DRB to review the construction mitigation plan with the applicant during the final review.
24. Applicant to provide details of the entry monument for final review.
25. Provide for final review: excavation export/import quantities, identify soil storage areas on construction management plan.

Again, we thank you for your Preliminary Design submittal and look forward to working with you and your team as the process continues.

Feel free to contact our office at 435-333-3700 with any questions regarding the Design Review process.

Respectfully,

Trish Waterman

Trish Waterman, Empire Pass MOA Director
On behalf of the Empire Pass Design Review Board

EMPIRE PASS
DESIGN REVIEW BOARD

July 28, 2021

Sommet Blanc Development, LLC
Mr. Lynn Padan
PO Box 980022
Park City, UT 4098

RE: Sommet Blanc, 9300 Marsac Ave
Empire Pass Development
DRB Modified Plan Preliminary Design Approval

Dear Mr. Padan,

Thank you for your re-submittal of Preliminary plans regarding Sommet Blanc, 9300 Marsac Ave to the Empire Pass Design Review Board (the DRB). The DRB previously granted Preliminary approval on June 9, 2021 based off plans dated April 16, 2021. On July 27, 2021 the DRB reviewed modified Preliminary plans dated July 15, 2021 and granted an amended Preliminary approval with the following conditions:

The DRB approved changes to the Buildings on site include:
Building A
1. One floor was dropped on the west side adjacent to the Empire Canyon Day Lodge.
2. The west elevation is now 4 stories at the upper cantilever and climbs to 5 stories for the west penthouse.
3. At the far east end the building is dropped to 5 stories and climbs to 6 stories for the east penthouse.
4. A cantilevered glass element was added the elevation facing the roundabout to increase architectural interest.
5. Area of the green roof increased.
6. The transition from the Day Lodge to the building is now softer.

Building B
1. The penthouse roofs were rotated to face west rather than north/south, which reduced the building height at the ends of the building.
2. Area of the green roof increased.

Building C
1. One floor was added, which increased the height to 92’ above the benchmark.

Villas
1. The number of villas was reduced to 4 units from 5 units.
2. There is now separation between the northernmost villa and Marsac Ave below and allows more landscaping opportunities.
3. The two duplex buildings are not situated on the flattest portion of the upper site.
4. The amenity building and the driveway hammerhead are pulled further north.

Patio Area

1. The restaurant patio was reduced to introduce a landscape buffer between the patio and the ski beach.

Exhibit D shows the updated volumetrics to the height of Building A (west) and the addition of another floor to Building C to accommodate density shifted from Building A and the eliminated villa. The DRB asked the applicant to do their best to preserve the trees between Building C and the villas. The DRB favored the direction of the architecture with the flat roofs, which comply with the B2 East design guidelines.

Again, we thank you for your submittal. Feel free to contact our office at 435-333-3700 with any questions regarding the Design Review process.

Respectfully,

Trish Waterman

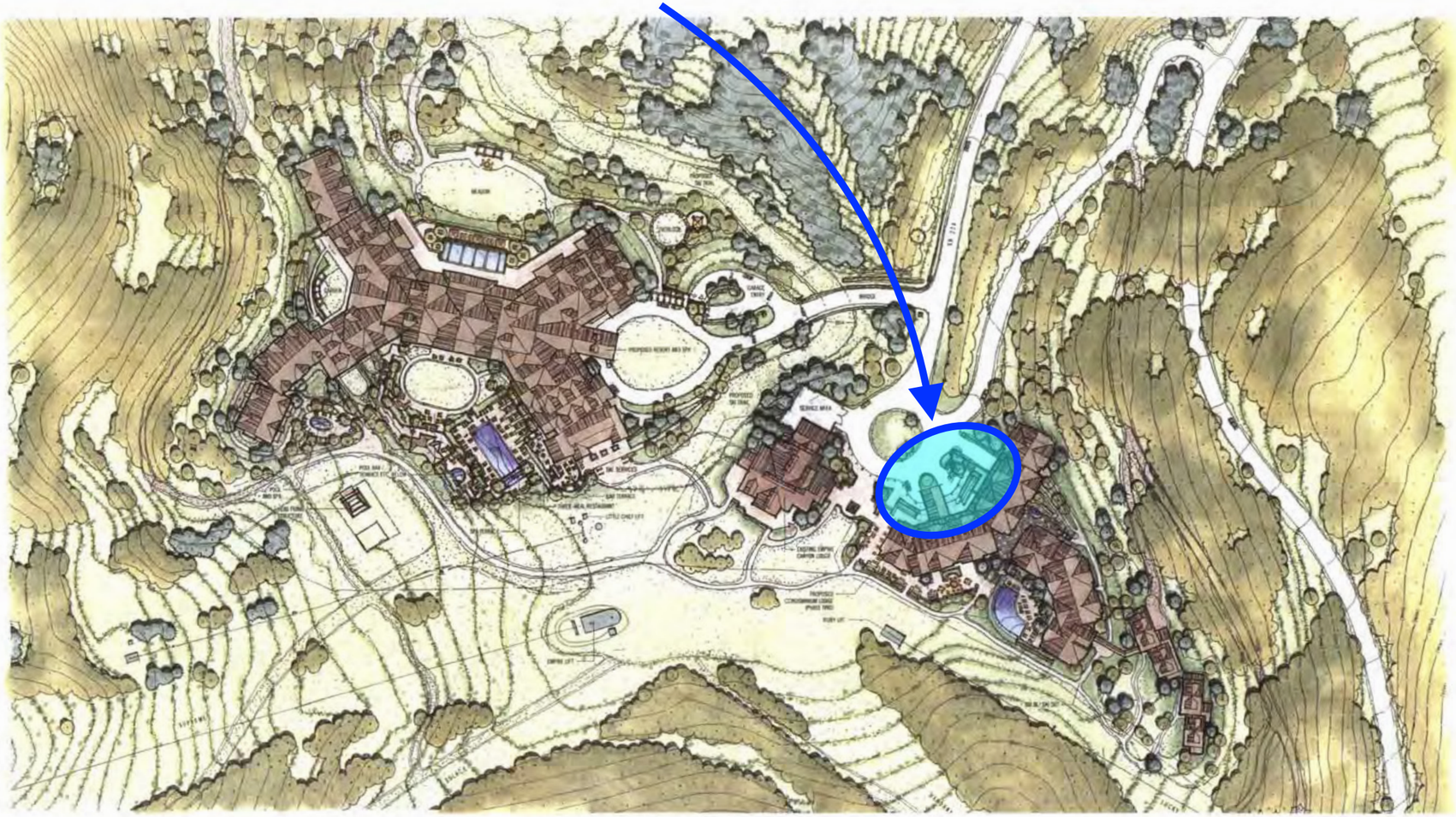
Trish Waterman, Empire Pass MOA Director
On behalf of the Empire Pass Design Review Board

Sommet Blanc (B2 East) - CUP & MPD Amendment

Exhibit 5 - Hill Glazier Challenges

September 2nd, 2021

Three B2 East curb cuts on Marsac roundabout



CONCEPTUAL LANDSCAPE PLAN

HG HILL GLAZIER ARCHITECTS

TERRASAN PLANNING & LANDSCAPE ARCHITECTURE 1660 GILPIN STREET DENVER, CO 80218 Tel (303)331-1717 Fax (303)331-1615

Montage Resort and Spa at Deer Valley

PARK CITY, UTAH

L 1.01

EDGE OF DEER VALLEY BUFFER EASEMENT
EDGE OF DEER VALLEY SKI EASEMENT
PROPERTY LINES

A
B
C

PARCEL A

Potential Future Ski Trail

Ladder Truck Accessible

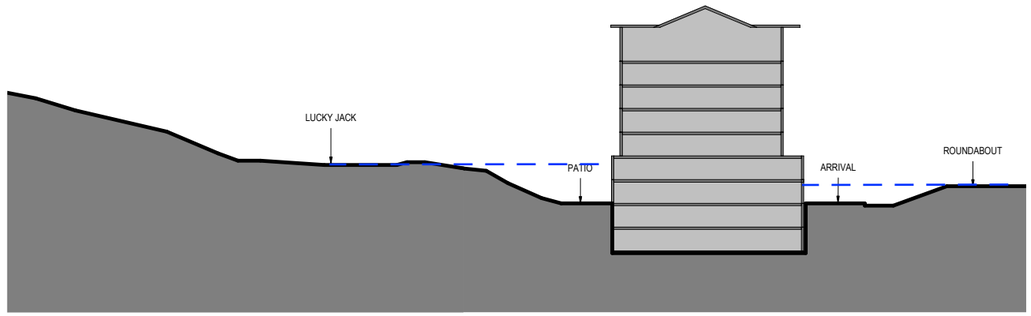
No Fire Access

N

0 50' 100' 150'

Olson Kundig April 16th, 2021

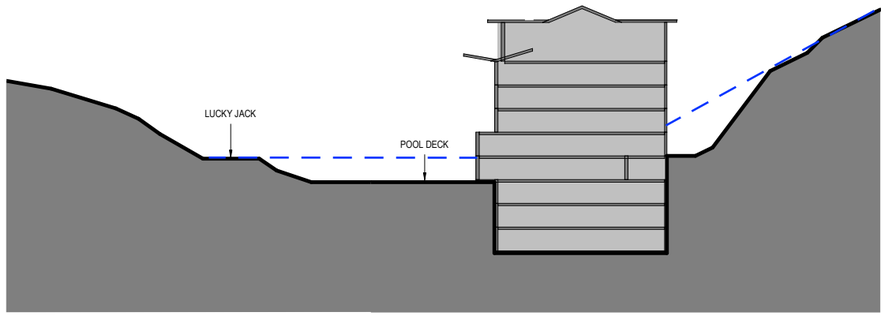
Sommet Blanc (B2 East) - CUP & MPD Amendment
Exhibit 5 - Hill Glazier Plans



Patio well below Lucky Jack

A HILL GLAZIER -SECTION A

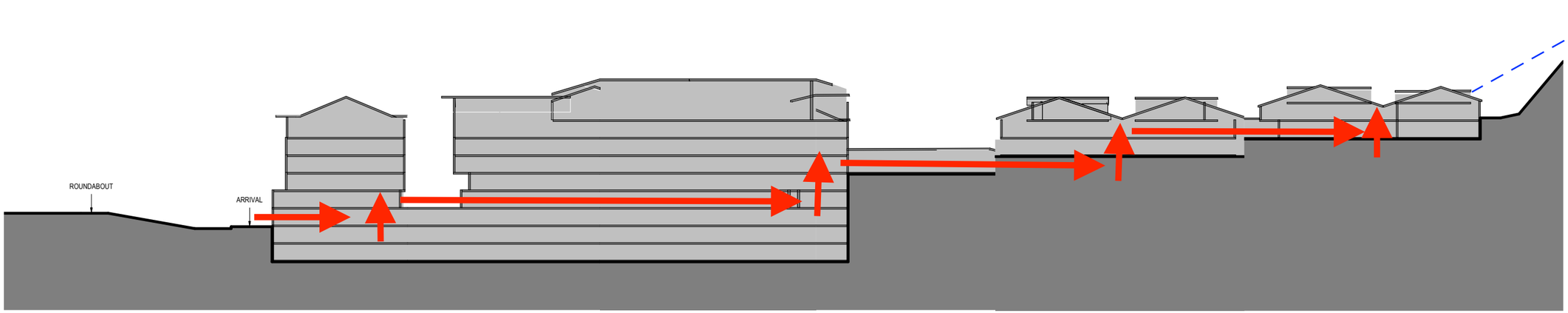
Arrival below roundabout



Pool deck well below Lucky Jack

B HILL GLAZIER -SECTION B

Massive cut slope at rear of building

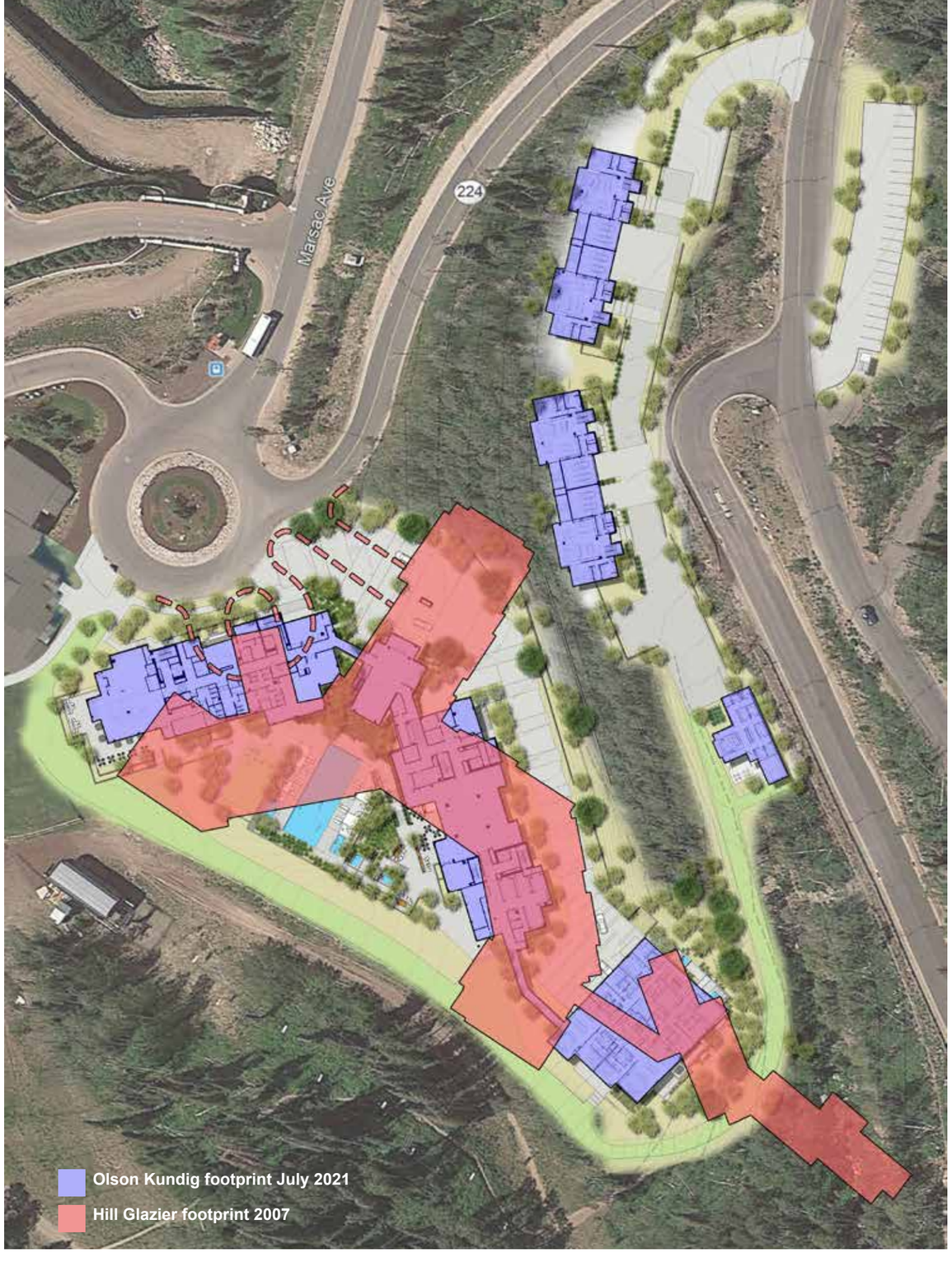


Arrival below roundabout

C HILL GLAZIER -SECTION C

Crazy internal circulation. See red arrows

Massive cut slope above last villa


Marsac Ave
224
Olson Kundig footprint July 2021
Hill Glazier footprint 2007

GUARDSMAN ROAD (SR-224) PUBLIC ROAD

TWISTED BRANCH ROAD (PRIVATE ROAD)

LOT 1, B2 EAST SUBDIVISION PLAT

PARCEL PCA-S-98-SD-1-X

PARCEL PCA-S-98-SD-1

12' SIDE SETBACK

20' FRONT SETBACK

15' REAR SETBACK

SSMH #3

20' WIDE SBWRD SEWER EASEMENT

INSTALL 330LF 8" HDPE SDR-17 SANITARY SEWER. MAINTAIN 6' MIN. BURY.

RETAINING WALL #8

RETAINING WALL #7

RETAINING WALL #5

RETAINING WALL #6

RETAINING WALL #4

RETAINING WALL #3

RETAINING WALL #2

RETAINING WALL #1

APPROX. LOCATION OF PROPOSED CONDO

SSMH #2

PROPOSED CONDO ROAD

APPROX. LOCATION OF PROPOSED LOBBY

INSTALL 332LF 8" HDPE SDR-17 SANITARY SEWER. MAINTAIN 6' MIN. BURY.

SSMH #1

MARSAC AVENUE (A 50' WIDE PUBLIC RIGHT-OF-WAY)

EMPIRE LODGE DRIVEWAY

DEER VALLEY EMPIRE DAY LODGE

LUCKY JACK SKI RUN

CHAIRLIFT TOWER

RUBY CHAIRLIFT

LINE TYPE LEGEND

ESS	EXISTING SEWER	X	EXISTING FENCE
EW	EXISTING WATER	EG	EXISTING GAS
ESD	EXISTING STORM DRAIN	ET	EXISTING TELECOMM
EOHU	EXTG OVERHEAD UTILITY	EP	EXISTING POWER
EFO	EXTG FIBER OPTIC	EOHP	EXTG OVERHEAD POWER

PROFESSIONAL ENGINEER No. 4857264 MICHAEL DEMKOWICZ 06/04/2021 STATE OF UTAH

30' 0 30' 60'

(435) 649-9467

Alliance Engineering Inc.

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

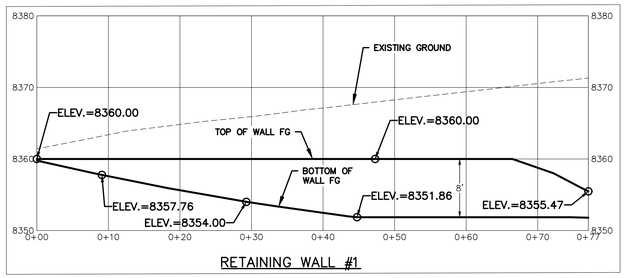
STAFF: MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 06/04/21

LOT 1, B2 EAST SUBDIVISION
OVERALL RETAINING WALL PLAN

FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil_Retaining Wall Exhibits 6-[illegible]-21.dwg

SHEET 1 **OF** 3



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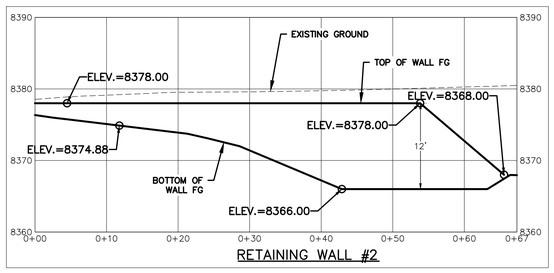

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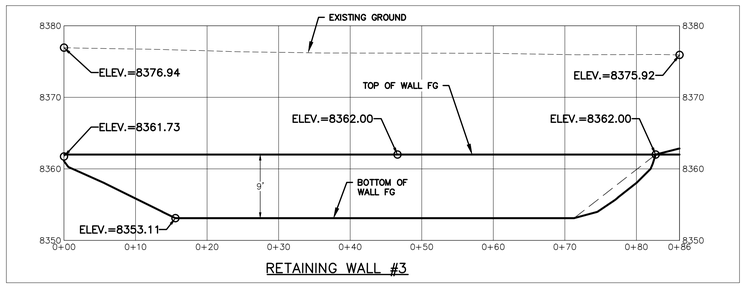

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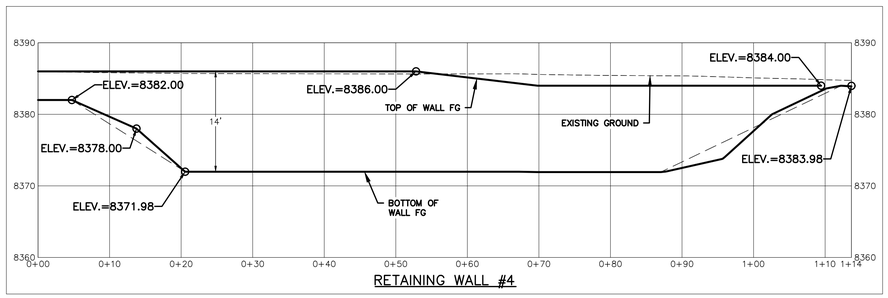

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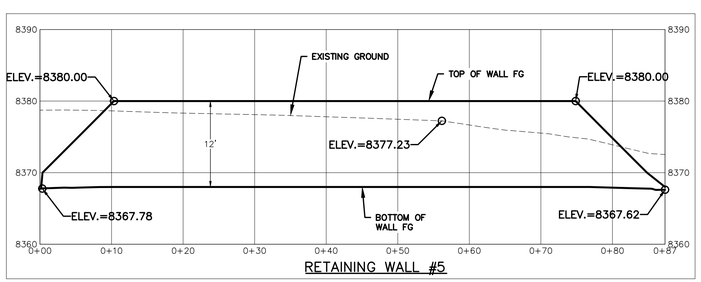

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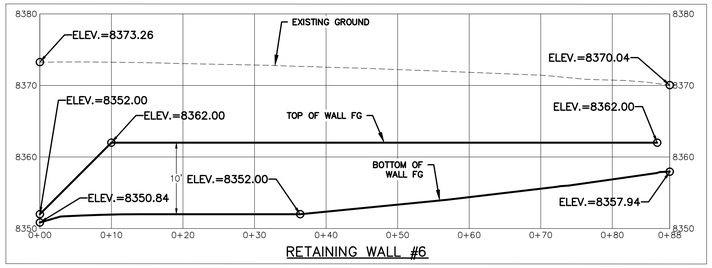

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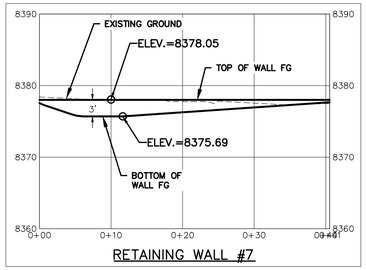

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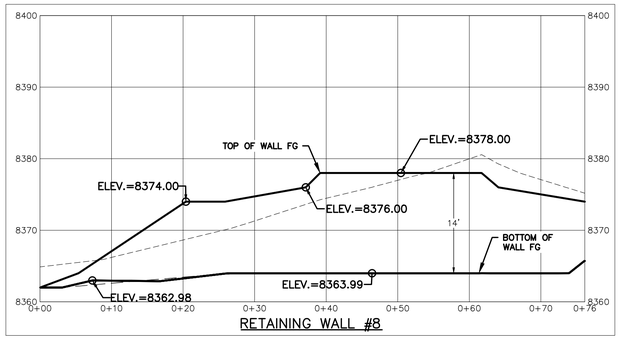
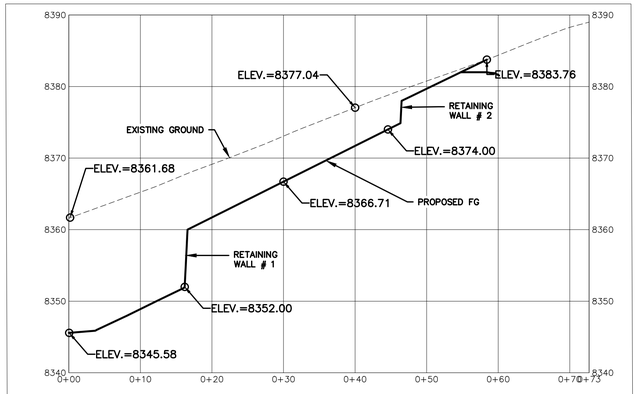


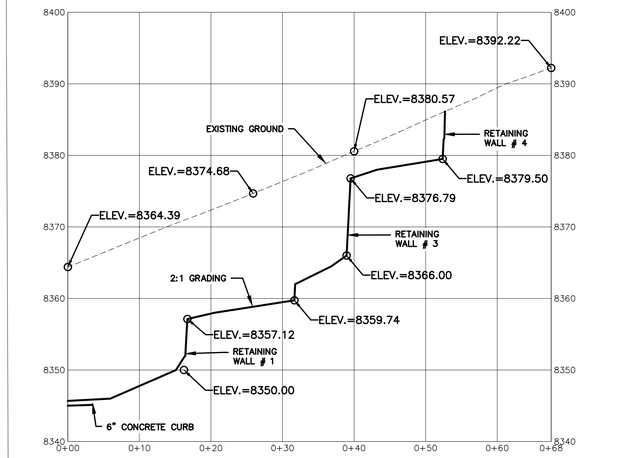
RETAINING WALL #8

NOTE:

1. BOTTOM OF WALL GRADING TO BE SMOOTH 2:1 OR 1:1 GRADING, REFER TO GRADING PLAN SHEET.
2. DASHED LINE ON PROFILES TO REPRESENT SMOOTH BOTTOM OF WALL GRADING.



CROSS SECTION #1



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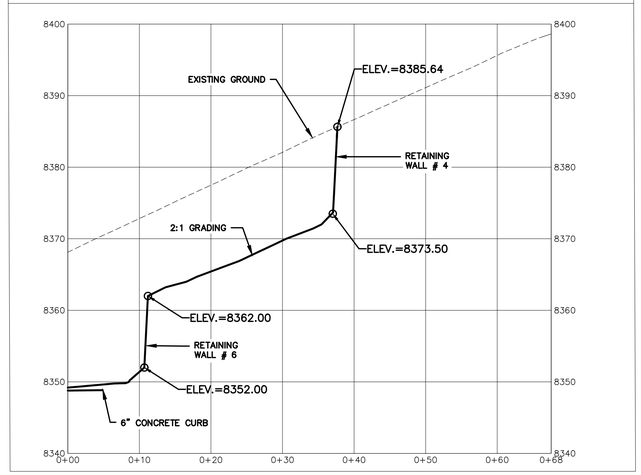


CROSS SECTION #3

10' 0 10' 20'

REGISTERED PROFESSIONAL ENGINEER
No. 4857264
MICHAEL DEMKOWICZ
06/04/2021
STATE OF UTAH

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

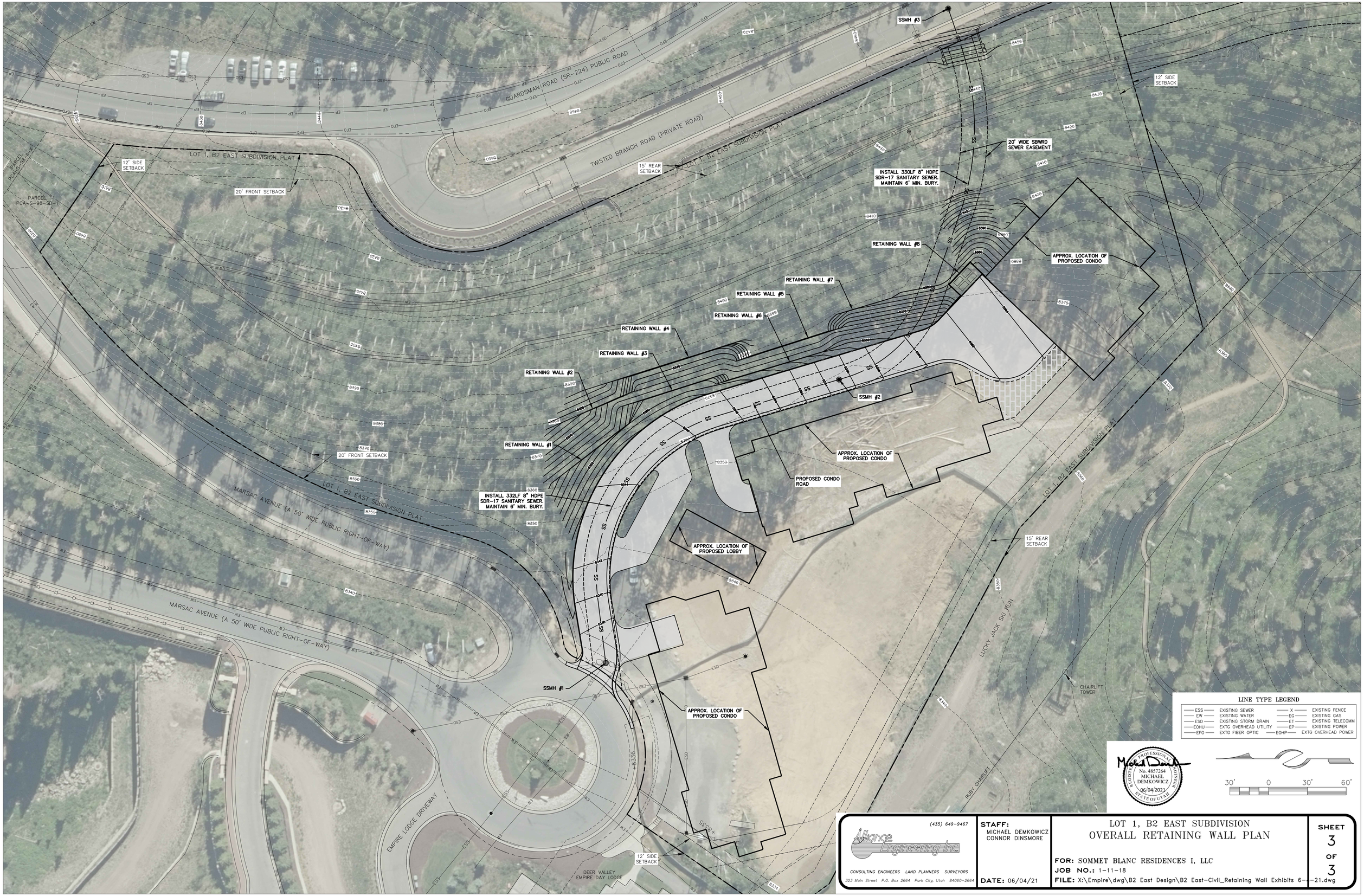
STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE

DATE: 06/04/21

LOT 1, B2 EAST SUBDIVISION
RETAINING WALL PLAN & PROFILE

FOR: SOMMET BLANC RESIDENCES I, LLC
JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil_Retaining Wall Exhibits 6-4-21.dwg

SHEET 2 **OF** 3



LINE TYPE LEGEND

ESS	EXISTING SEWER	X	EXISTING FENCE
EW	EXISTING WATER	EG	EXISTING GAS
ESD	EXISTING STORM DRAIN	ET	EXISTING TELECOMM
EOHU	EXTG OVERHEAD UTILITY	EP	EXISTING POWER
EFO	EXTG FIBER OPTIC	EOHP	EXTG OVERHEAD POWER

PROFESSIONAL ENGINEER — No. 4857264 — MICHAEL DEMKOWICZ — 06/04/2021 — STATE OF UTAH

30' 0 30' 60'

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DATE: 06/04/21

LOT 1, B2 EAST SUBDIVISION
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JOB NO.: 1-11-18
FILE: X:\Empire\dwg\B2 East Design\B2 East-Civil_Retaining Wall Exhibits 6-__-21.dwg

SHEET 3 OF 3

Flagstaff Annexation and Empire Pass Units and Unit Equivalents

As of 10.25.18 Reflects Empire Residences platted, Silver Strike amendment and (Larkspur Townhouse (3 units) , Moonshadow 8 PUD (31 UE), Tower Res (14 units) plats under review)

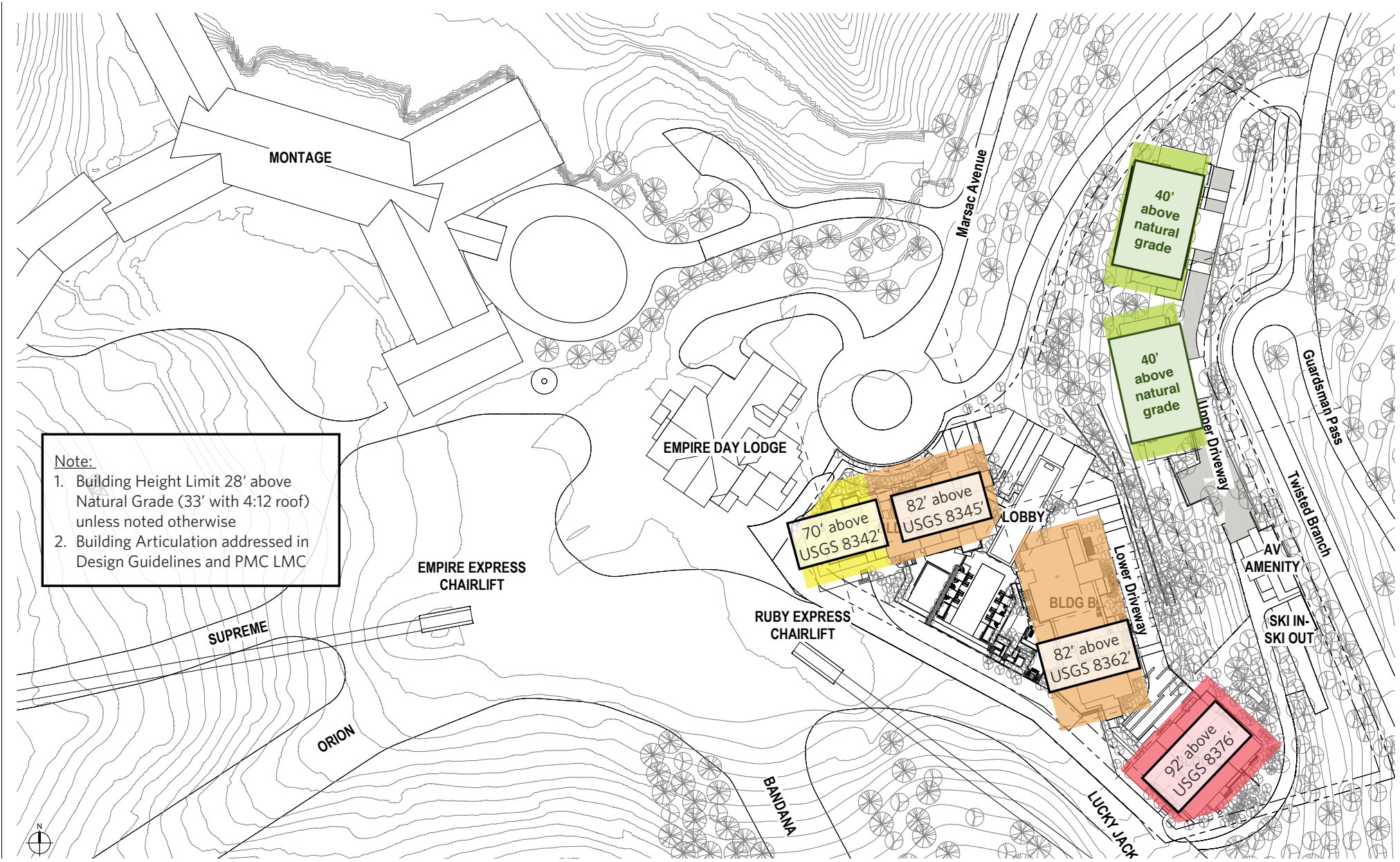
SINGLE FAMILY LOTS

POD	Single Family	Approved SF lots	Cert of Occupancy to date	Remaining lots to CO
A	Banner Wood-platted	6	4	2
B1	Northside-platted	10	10	0
D	Red Cloud-platted	30	11	19
Totals	**(Single Family only)**	**46**	**25**	21
Maximum SF Allowed by Flagstaff Development Agreement		46		
Remaining Units/UE to Plat		0		

MULTI-FAMILY UNITS

POD	Multi-family	Units Approved/Proposed	UE Approved/Proposed	Units Platted or under review	UE Platted or under review	SF Platted or under review	PUD units (SF/duplex use UE)	ADA provided/required	CO UE's to date	CO Units to date
A	Moon Shadow Condo 8 PUD on Lot 1 VEPN apprvd	8	31.00	8	31	62,000	8	0	0	0
A	Lot 3 VEPN plat-(Bldg 3) (Empire Residences approved)	21	24.50	21	24.49	48,981	0	1	0	0
A	**Lot 2 VEPN plat-(Bldg 4) TBD**	**TBD**	**TBD**				0	**TBD**	0	0
A	Lot A VEMP1 3 townhomes condo plat to CC 11/29/18	3	5.75	3	5.75	11,500	0	0	0	0
A	Tower Resid. (Bldg 1)- platted lot/CUP/Condo plat to PC 11/14/18	14	21.23	14	21.226	42,453	0	**1**	0	0
A	Shooting Star-platted lot and condo (Bldg 2)	21	18.30	21	18.055	36,109	0	1	18.1	21
A	One Empire Pass-platted lot and condo (Bldg 5)	27	32.80	27	32.513	65,026	0	1	32.8	27
A	Silver Strike-platted lot and condo (Bldg 6) (subject to plat amend)	34	35.60	34	35.653	71,305	0	2	35.7	34
A	Flagstaff -platted lot and condo (Bldg 7)	37	35.90	37	36.753	73,506	0	2	36.8	37
A	Arrow Leaf A-platted lot and condo (Bldg 8)	28	24.50	28	23.229	46,458	0	2	23.3	28
A	Arrow Leaf B- platted lot and condo (Bldg 9)	28	25.70	28	24.373	48,746	0	2	24.4	28
A	Grand Lodge-platted lot and condo (Bldg H)	27	33.00	27	32.672	65,344	0	2	32.7	27
A	Larkspur East Townhouses-all platted/condo (3 duplex = 6 PUD)	15	24.40	15	24.347	48,693	6	0	24.4	15
A	Larkspur West Townhouses-all platted/condo	12	20.70	12	20.637	41,273	0	0	20.7	12
A	Paintbrush PUDs- all platted /condo	12	31.90	12	31.538	63,076	12	0	32	12
A	Belles PUDs- all platted/condo	17	45.00	17	45	90,000	17	0	37.85	16
B1	Nakoma PUDs- all 17 are platted condo but 5 unbuilt	17	45.00	17	45	90,000	17	0	35	12
B1	Ironwood- all platted/condo	24	37.40	23	36.972	73,944	0	1	37.1	23
B2	B2 West Montage- 174 hotel rooms platted(apprvd 192)	hotel rooms	69.60	n/a (hotel rooms)	72.665		0		72.4	1
B2	B2 West Montage condos- platted (apprvd 94)	94	114.00	84	109.335	218,669	0	5	109.3	84
B2	**B2 East- B2East Subdivision approved/No condo plat yet**	70	81.00				0	**TBD**	0	0
Totals (Multi-family (MF) only)		**509**	**757.28**	**428**	**671.208**	**1,197,083**	**60**	**20**	**572.55**	**377**
Maximum (MF) Allowed by Flagstaff Development Agreement		**550**	**785.00**	**550**	**785**	**n/a**	**60**	**n/a**		
Remaining MF Units/UE (to be approved and/or platted)		**41**	**27.72**	**122**	**113.792**	**n/a**	**0**	**n/a**		

MF Totals by POD- apprvd/platted/proposed, includes PUDs, not SF lot	**Units**	**UE**	**Units Platted (or plat under review)**
A (includes unbuilt Empr Res, Larkspur, Moon Shadow, Tower Residential)	304	410.28	304
B1	41	82.4	40
B2 (plus 174 hotel rooms for units, hotels rooms included in UE)	164	264.60	84
Totals Multi-family (MF)	**509**	**757.28**	**428**
% of MF units total in Pods A, B1 and B2 that are in POD A (MPD requires minimum of 50%)	**59.72%**		**71.03%**


MONTAGE
Marsac Avenue
40' above natural grade
40' above natural grade
Upper Driveway
Guardsman Pass
Twisted Branch
EMPIRE DAY LODGE
70' above USGS 8342'
82' above USGS 8345'
LOBBY
Lower Driveway
AV AMENITY
SKI IN-SKI OUT
BLDG B
82' above USGS 8362'
92' above USGS 8376'
EMPIRE EXPRESS CHAIRLIFT
RUBY EXPRESS CHAIRLIFT
SUPREME
ORION
BANDANA
LUCKY JACK
Note:
1. Building Height Limit 28' above Natural Grade (33' with 4:12 roof) unless noted otherwise
2. Building Articulation addressed in Design Guidelines and PMC LMC

When recorded return to:
Snyderville Basin Water Reclamation District
2800 Homestead Road
Park City, Utah 84098

ENTRY NO. 01135384
06/29/2020 12:50:28 PM B: 2579 P: 1501
Easements PAGE 1/9
RHONDA FRANCIS, SUMMIT COUNTY RECORDER
FEE 0.00 BY SNYDERVILLE BASIN SID

GRANT OF EASEMENT AND ACCESS EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF WASTEWATER COLLECTION AND TRANSPORTATION PIPELINE(S) AND APPURTENANCES

Sommet Blanc Residences I, LLC, a Utah limited liability company; Braunwen Shaye, LLC, a Utah limited liability company; Alpine Villas, LLC, a Utah limited liability company and Vonspar, LLC, a Utah limited liability company, Grantors, do hereby convey and warrant to the Snyderville Basin Water Reclamation District, a local District of the State of Utah, (the District) Grantee, of Summit County, Utah, for good and valuable consideration, the receipt and adequacy of which is hereby acknowledged, a permanent non-exclusive easement and right-of-way for the purpose of constructing, operating and maintaining one or more underground pipelines and appurtenances in the easement granted herein for the collection and transportation of wastewater as permitted by the District in the exclusive discretion of the District, over, across, through and under the premises of the Grantors situated in Summit County, Utah which is more specifically described as follows:

SANITARY SEWER EASEMENT

An easement located in the southwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said easement being described as follows:

Beginning at a point that is South 00°30'49" East 433.50 feet coincident with the section line and East 147.36 feet from the west quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the southerly boundary of Marsac Avenue Right of Way, recorded June 28, 2002, as Entry No. 623451 in the Office of the Recorder, Summit County, Utah, and also being on a curve to the left having a radius of 80.00 feet, of which the radius point bears North 34°30'25" West; and running thence coincident with Marsac Avenue Right of Way and Northeasterly along the arc of said curve 36.13 feet through a central angle of 25°52'29"; thence North 76°29'43" East 48.90 feet to a point on a curve to the right having a radius of 110.00 feet, of which the radius point bears South 13°30'17" East; thence along the arc of said curve 166.78 feet through a central angle of 86°52'08"; thence South 16°38'08" East 132.07 feet to a point on a curve to the left having a radius of 90.00 feet, of which the radius point bears North 73°21'52" East; thence along the arc of said curve 75.05 feet through a central angle of 47°46'37"; thence South 64°24'45" East 59.74 feet to a point on a curve to the left having a radius of 190.00 feet, of which the radius point bears North 25°35'15" East; thence along the arc of said curve 147.43 feet through a central angle of 44°27'35"; thence North 71°07'40" East 18.58 feet to the east boundary of B2 East Subdivision, recorded March 7, 2018, as Entry No. 1087538 in the Office of the Recorder, Summit County, Utah; thence coincident with said east boundary South 24°02'49" East 20.08 feet; thence South 71°07'40" West 20.39 feet to a point on a curve to the right having a radius of 210.00 feet, of which the radius point bears North 18°52'20" West; thence along the arc of said curve 162.95 feet through a central

angle of 44°27'35"; thence North 64°24'45" West 59.74 feet to a point on a curve to the right having a radius of 110.00 feet, of which the radius point bears North 25°35'15" East; thence along the arc of said curve 91.73 feet through a central angle of 47°46'37"; thence North 16°38'08" West 132.07 feet to a point on a curve to the left having a radius of 90.00 feet, of which the radius point bears South 73°21'52" West; thence along the arc of said curve 136.45 feet through a central angle of 86°52'08"; thence South 76°29'43" West 78.62 feet to the point of beginning.

This easement is contained within Parcels B2EAST-1-A, B2EAST-1-B, B2EAST-1-C and B2EAST-1-D.

Also granting to the Snyderville Basin Water Reclamation District a perpetual right of ingress and egress to and from and along said right-of-way and with the right to operate, maintain, repair, replace, augment and/or remove the pipelines and appurtenances deemed necessary by the District for the collection and transportation of wastewater; also the right to trim, clear or remove, at any time from said right-of-way any tree, brush, structure or obstruction of any character whatsoever, which in the sole judgment of the Grantee may endanger the safety of or interfere with the operation of Grantee's facilities. The Grantors and their successors in interest hereby forever relinquish the right to allow or construct any surface or underground improvement which would interfere with the operation, replacement or repair of the pipelines constructed and maintained under the provisions of this easement and covenant and agree that no underground or surface improvement, trees or structures will be constructed under or over the surface of the easement granted herein, without the express written consent in advance of the Grantee, which would interfere with the exercise of the rights of the Grantee to operate, maintain, repair or replace the sewer pipeline constructed by or for the Grantee.

Also granting to the Snyderville Basin Water Reclamation District a perpetual right of ingress and egress to the above described permanent easement over, across, and through the premises of the Grantors situated in Summit County, Utah which is more specifically described as follows:

SANITARY SEWER ACCESS EASEMENT

An easement located in the southwest quarter of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said easement being described as follows:

Beginning at a point that is South 00°30'49" East 436.81 feet coincident with the section line and East 142.07 feet from the west quarter corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being on the southerly boundary of Marsac Avenue Right of Way, recorded June 28, 2002, as Entry No. 623451 in the Office of the Recorder, Summit County, Utah, and also being on a curve to the left having a radius of 80.00 feet, of which the radius point bears North 30°03'21" West; and running thence coincident with Marsac Avenue Right of Way the following two (2) courses: 1) Northeasterly along the arc of said curve 56.65 feet through a central angle of 40°34'24" to a point of reverse curve to the right having a radius of 15.00 feet, of which the radius point bears South 70°37'45" East; thence 2) along the arc of said curve 8.98 feet through a central angle of 34°17'41" to a point on a non tangent curve to the left having a radius of 10.00 feet, of which the radius point bears North 76°10'02" East;

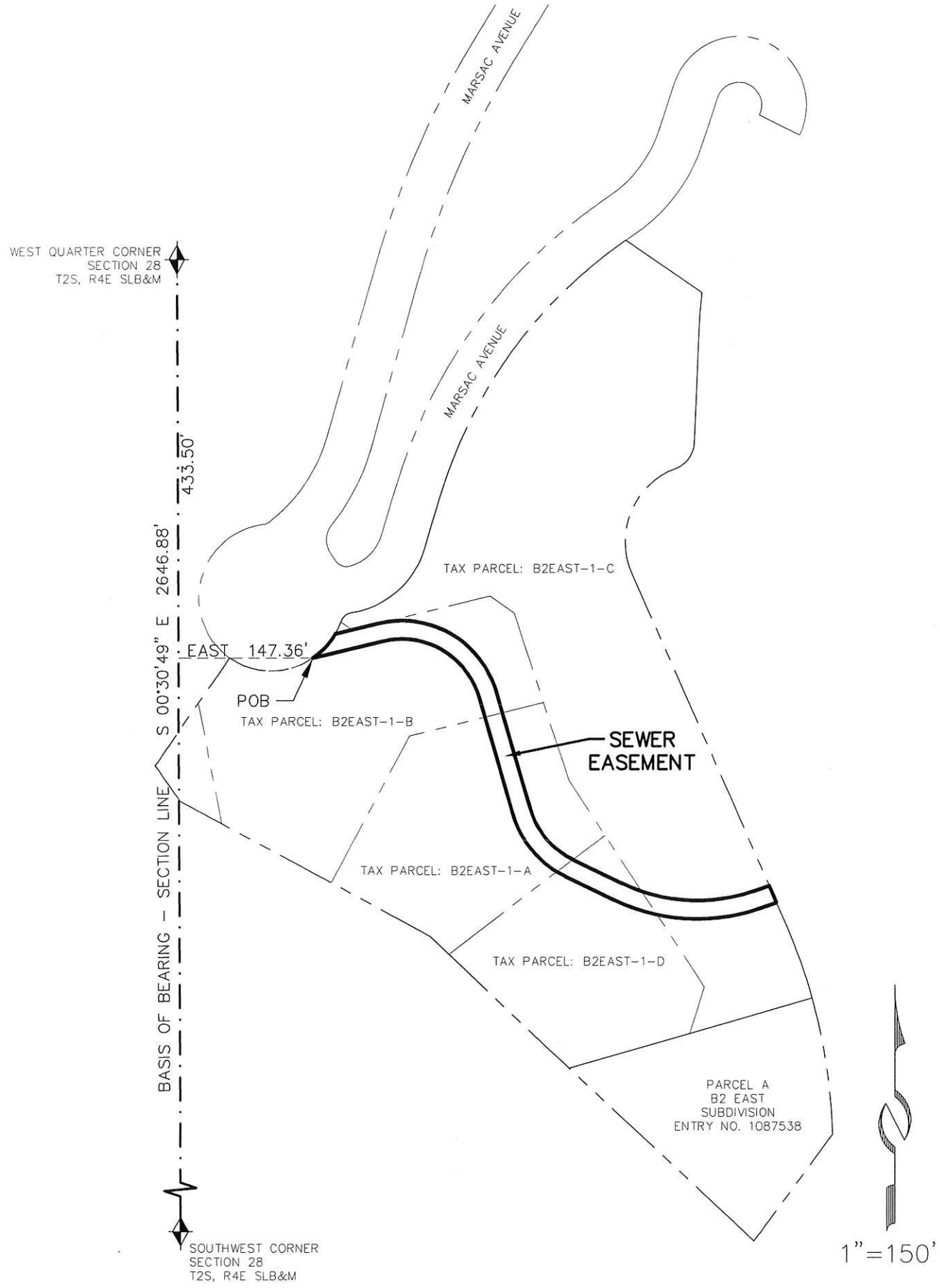
thence along the arc of said curve 15.65 feet through a central angle of 89°40'19"; thence North 76°29'43" East 23.32 feet to a point on a curve to the right having a radius of 117.00 feet, of which the radius point bears South 13°30'17" East; thence along the arc of said curve 177.39 feet through a central angle of 86°52'08"; thence South 16°38'08" East 109.91 feet to a point on a curve to the left having a radius of 35.00 feet, of which the radius point bears North 73°21'52" East; thence along the arc of said curve 40.03 feet through a central angle of 65°31'32" to a point of reverse curve to the right having a radius of 35.00 feet, of which the radius point bears South 07°50'19" West; thence along the arc of said curve 149.98 feet through a central angle of 245°31'32"; thence North 16°38'08" West 173.62 feet to a point on a curve to the left having a radius of 88.00 feet, of which the radius point bears South 73°21'52" West; thence along the arc of said curve 133.42 feet through a central angle of 86°52'08"; thence South 76°29'43" West 84.50 feet to the point of beginning.

The Basis of Bearing for the above description is South 00°30'49" East 2646.88 feet between the west quarter corner and the southwest corner of Section 28, Township 2 South, Range 4 East, Salt Lake Base and Meridian.

This easement is contained within Parcels B2EAST-1-A, B2EAST-1-B, B2EAST-1-C and B2EAST-1-D.

The easements granted herein are subject to the condition that the Grantee shall indemnify and hold harmless, the Grantors, their heirs and successors against any and all liability caused by the acts of the Grantee, its contractors or agents, during the construction, operation or maintenance of the sewer pipeline provided for in this easement; the Grantors' right to indemnification or to be held harmless by the Grantee under the terms of this paragraph are expressly conditioned upon prompt and immediate notice to the Grantee of any claim or demand which would cause a claim against the Grantee and upon the Grantee's right to defend any claim against the Grantors which would cause a claim of indemnification against the Grantors. This provision shall not be interpreted or construed to waive the rights of the Grantee to the affirmative defenses to claims provided under the Utah Governmental Immunity Act.

SANITARY SEWER EASEMENT
B2 EAST SUBDIVISION



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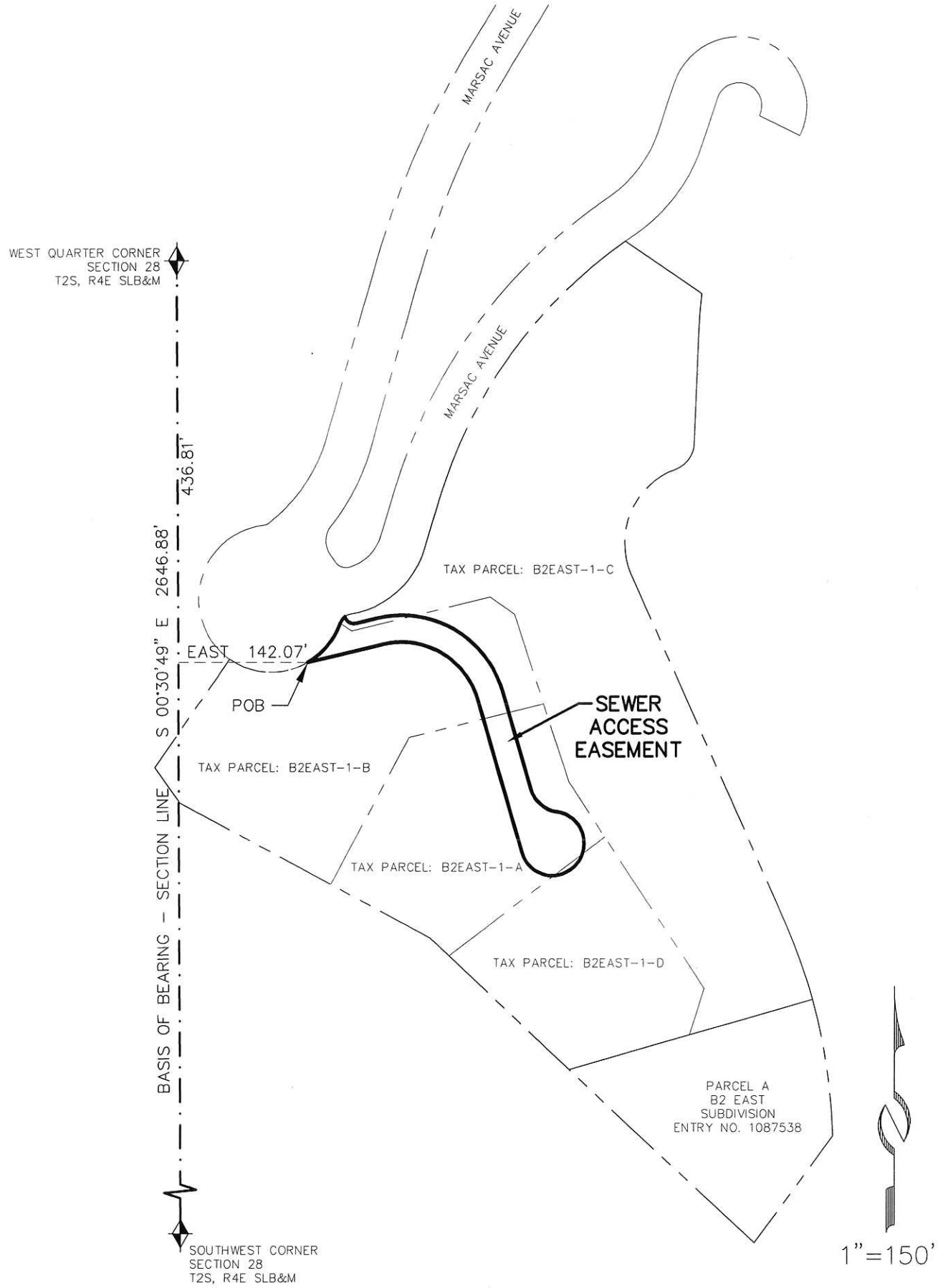
SANITARY SEWER ACCESS EASEMENT
B2 EAST SUBDIVISION



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WITNESS the hand of said Grantor this 26 day of June, 2020.

Sommet Blanc Residences I, LLC
a Utah limited liability company

By: _____
Lynn Padan, Manager

SHANNON IRELAND
Notary Public - State of Utah
Comm. No. 702573
My Commission Expires on
Oct 1, 2022

STATE OF VT)
:ss.
COUNTY OF Summit)

On this 26 day of June, 2020, personally appeared before me, Lynn Padan, who being duly sworn, did say that he is the signer of the within instrument, and that the within and foregoing Grant of Easement was signed on behalf of Sommet Blanc Residences I, LLC, a Utah limited liability company, with actual and requisite authority, and said signer acknowledged to me that he executed the same.

_____
NOTARY PUBLIC
RESIDING AT: Summit

My Commission Expires:

Oct 1, 2022

WITNESS the hand of said Grantor this 26 day of June, 2020.

Braunwen Shaye, LLC
a Utah limited liability company

By: _____
Jeffrey Taylor, Manager

SHANNON IRELAND
Notary Public - State of Utah
Comm. No. 702573
My Commission Expires on
Oct 1, 2022

STATE OF UT)
:ss.
COUNTY OF Summit)

On this 26 day of June, 2020, personally appeared before me, _____, who being duly sworn, did say that he/she is the signer of the within instrument, and that the within and foregoing Grant of Easement was signed on behalf of Braunwen Shaye, LLC, a Utah limited liability company, with actual and requisite authority, and said signer acknowledged to me that he/she executed the same.

_____
NOTARY PUBLIC
RESIDING AT: Summit

My Commission Expires:
Oct 1, 2022

WITNESS the hand of said Grantor this 26 day of June, 2020.

Alpine Villas, LLC
a Utah limited liability company

By: Lynn Padan
Lynn Padan, Manager

SHANNON IRELAND
Notary Public - State of Utah
Comm. No. 702573
My Commission Expires on
Oct 1, 2022

STATE OF UT)
:ss.
COUNTY OF Summit)

On this 26 day of June, 2020, personally appeared before me, Lynn Padan, who being duly sworn, did say that he is the signer of the within instrument, and that the within and foregoing Grant of Easement was signed on behalf of Alpine Villas, LLC, a Utah limited liability company, with actual and requisite authority, and said signer acknowledged to me that he executed the same.

Shannon Ireland
NOTARY PUBLIC
RESIDING AT: Summit

My Commission Expires:
Oct. 1, 2022

WITNESS the hand of said Grantor this 26 day of June, 2020.

Vonspar, LLC
a Utah limited liability company

By: _____
Jeffrey Taylor, Manager

SHANNON IRELAND
Notary Public - State of Utah
Comm. No. 702573
My Commission Expires on
Oct 1, 2022

STATE OF UT)
:ss.
COUNTY OF Summit)

On this 26 day of June, 2020, personally appeared before me, _____, who being duly sworn, did say that he/she is the signer of the within instrument, and that the within and foregoing Grant of Easement was signed on behalf of Vonspar, LLC, a Utah limited liability company, with actual and requisite authority, and said signer acknowledged to me that he/she executed the same.

_____
NOTARY PUBLIC
RESIDING AT: Summit

My Commission Expires:
October 1, 2022

Forest Health Assessment for B-2 East/Sommet Blanc

Prepared by Keith B Clapier
ISA Board Certified Master Arborist #UT-0034B
ASCA Registered Consulting Arborist #546
October, 31, 2021

Prepared for Doug Oglivy

Introduction: This 7.0-acre west-facing parcel sits at approx 8,400 feet. The slope is steep, and the soil is rocky. The overstory is primarily aspen (*Populus tremuloides*) and subalpine fir (*Abies lasiocarpa*). The dominant understory is snowberry (*Symphoricarpos oreophilus*), with associated species of elderberry, chokecherry, wild rose and Engelman aster.

Assignment: 1) Flag all aspen that are dead or dying greater than 4.0 inches DBH[1], 2) write a forest health assessment.

Observations

1) All the flagged 274 dead or dying aspen trees had Sooty bark canker (*Cenangium singulare*)[2] (photo 1), which equates to approx 40 stems per acre. There were some other pests and diseases present, e.g. *Cytospora* canker (photo 3) and Bronze poplar borer, (*Agrilus liragus*) but these appear to be minor.
2) This 7.0-acre parcel is fragmented on three sides, with Marsac Avenue bordering the north and east sides and the current construction bordering the west (photo 5). The result is a long, slender peninsula landform that is still attached to the aspen/fir forest to the south.
3) There is approx. 50% fir encroachment in the understory and the canopies are occupying only 25% of the trunk (see photo 5).
4) Some wind breakage was observed (see photo 6).

Discussion

Sooty bark canker is a native fungal pathogen that isn't much of a problem in landscaped aspen in Park City but is the most damaging canker disease of native aspen stands in the west, and the number one killer in Colorado.[3] It affects mature trees primarily on sites of both high and low quality for aspen growth, and is lethal within several years[4]. Of the 274 dead aspen I flagged, 70% were in the 7-9 inch DBH range, with very few 6" DBH or less affected (12%). Like other canker diseases in aspen, Sooty bark doesn't affect the roots, and infects its host through wounds to the stem/trunk. Being a pioneer species, aspen put most of their resources into growth rather than defense, however they do allocate resources into protecting their root system which is interconnected with all the stems in the clone. Before the construction of Marsac Avenue (State Route 224), this 7.0-acre parcel was connected to a much larger aspen stand, probably where the Hawkeye Ski Trail currently exists, which may have contributed to more photosynthate (and water) available for defense. In addition, Marsac Avenue is situated above the stand, therefore there may be less gravitational water available because the road construction has altered the hydrology on the site. To keep this small, isolated aspen stand viable, two management strategies are recommended: 1) sanitation and 2) preservation (see **Recommendations**).

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[1] DBH=Diameter at Breast Height of 4.5 feet
[2] syn :*Encoelia pruinosa*
[3] USDA Forest Service RMRS-GTR-241
[4] Diseases of Trees and Shrubs, Sinclair, Lyon and Johnson, Cornell Press, 1987

In the absence of a disturbance like wildfire, landslides and avalanches. Shade-tolerant, subalpine fir saplings get established in the understory of the older, seral[5] aspen stands and will eventually replace the aspen until the next disturbance. This is what is currently occurring with this 7-acre aspen stand, with an estimated 50% fir encroachment. In addition, as competition increases for limited resources like water, light and space, the size of the aspen canopies decreases, resulting in less than 25% of trunk area supporting canopy (see photo 5). Because Sooty bark canker tends to attack older, larger trees (>7" DBH), coppicing the standing dead mature aspen snags, will a) rid the source of inoculum and b) provide more water, light and space for aspen ramets[6] to regenerate, creating a healthier, more resilient, age-diverse aspen stand[7]. Growing the dense suckering will keep the younger aspen stems smaller, so that the aspen can be managed in rotation of 80-100 years[8]. This natural process can be augmented by planting more aspen during the final landscaping process.[9] Managing for existing subalpine firs is beneficial because it increases diversity, both structurally and species, which in turn increases wildlife habitat. However, I would caution against growing a monoculture of fir[10], because it could preclude the establishment of other species besides aspen by shading the site and acidifying the soil over time; as well as increasing the fire hazard. Fir trees are extremely flammable. Allowing the growth of aspen helps build the soil and allows sunlight to penetrate the forest floor, providing a rich array of understory species. In addition, aspen are fire-resistant.

Finally, some wind damage was observed (photo 6). Whenever you open up a closed forest stand, you create an "edge". Trees that grow in a closed stand have a different root development than those that grow in open sites. Pay special attention to standing dead aspen flagged along the edge of the parcel, especially those on the north end above Marsac Avenue[11]. Dead stems may be susceptible to decay and because the stand has recently been opened up (approx 10 years), it is now exposed to high wind events that could result in failure on the highway below.

Conclusion All the flagged 274 dead or dying aspen trees had Sooty bark canker, although a fairly aggressive native, fungal pathogen, it can be managed effectively by removing the diseased individual stems (sanitation) and nurturing the remaining healthy aspen stems. This can be accomplished by protecting them from inevitable construction damage by fencing and preventing further stress by supplemental irrigation when roots are severed. A good mix of aspen and subalpine fir, with a diverse age class, is recommended for wildlife habitat and healthy, resilient forest.

---

[5] Seral is a phase in sequential development of a climax community. Some aspen stands are climax aspen, this one is not.
[6] Ramets are genetically identical individuals that originate vegetatively rather than sexually.
[7] Note that approx 3 snags with broken tops approx 20 feet in height were marked as "wildlife" trees.
[8] You may need to fence and protect the young aspen from herbivores like elk.
[9] Note: installing genetically different aspen, seed-grown in a nursery, will not create a problem with the clonal aspen on-site. Eventually their roots will graft.
[10] This includes other conifer species like Blue spruce.
[11] Some dead stems on the north end are very large, 10-12" DBH.



Keith B Clapier
ISA Board Certified Master Arborist #UT-0034B
ASCA Registered Consulting Arborist #546
October 31, 2021

Recommendations

1) Flush cut all 276 dead aspen flagged and remove off-site. Do not remove stumps. This technique is known as **coppice.** Besides stimulating growth, this will remove the source of inoculum. Sanitation is key in controlling this fungal pathogen. There is no fungicide available to control Sooty bark canker.
2) Create TPZs (trunk protection zones) by erecting protective fencing around the aspen stems you're trying to manage. Damaging the trunk with construction equipment may cause an infection court and increase the incidence of sooty bark on the site.
3) Add supplemental irrigation during the hottest, driest time of the year to minimize drought stress. Designate routes for machinery to minimize soil compaction, consolidate and install utilities where the driveways are located to minimize severing roots



Photo 1, Close up photo of Sooty bark canker (*Cenangium singulare*). The black and silver structures are apothecia which attack the inner bark. Curiously, the canker grows faster vertically (>12”/yr) than horizontally (4-6”/yr), therefore, although it’s aggressive, it is relatively slow to girdle the stem (3-10 yrs). Remnants of the outer bark (periderm) are still visible in the upper left hand corner. When the conditions are right, the apothecia will erupt spores.

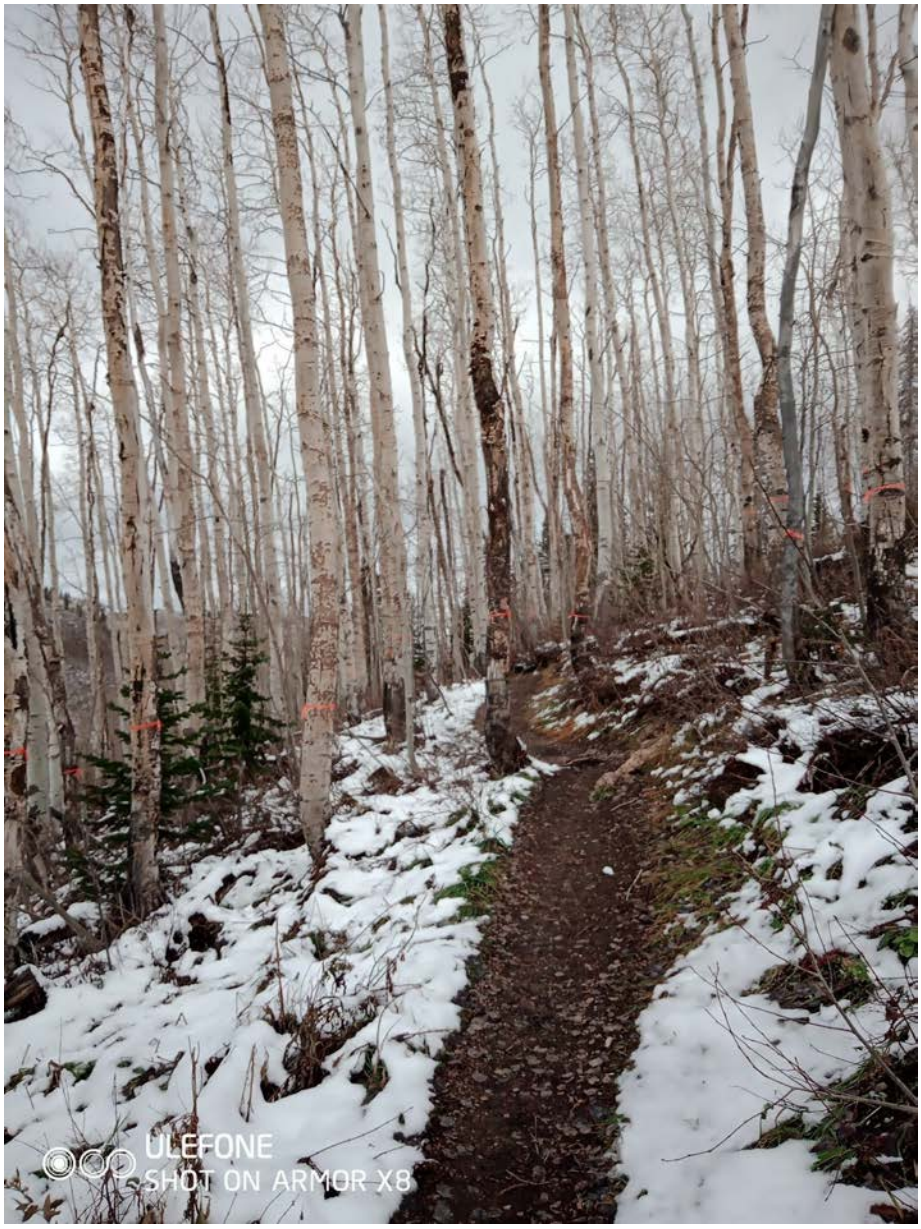


Photo 2. Some areas in the parcel have a higher incidence of infection. This is due to a higher concentration of even-aged mature stems (7-9” DBH). Note the outer bark peels off, exposing the “sooty” infection underneath. The hiking trail probably contributed very little to stress of the clone due to the absence of root severance.



Photo 3. Other pathogens present include *Cytospora* canker. This didn't seem to be much of a problem on this site.



Photo 4. Evidence of old elk gnawing. The sooty bark canker attacked the stem after the elk damage.



Photo 5. Overview of site. Note how the canopy only occupies the top 25% of the trunk, this is indicative of competition. Note subalpine fir encroaching in the understory.



Photo 6.
Aspen trunk snapped off in the wind. This can be a problem along the “edge” of the stand.

DEER VALLEY®

December 2, 2021

Douglas Ogilvy
Clachan Development LLC
douglas.ogilvy@gmail.com

Re: Sommet Blanc Tree Retention

Dear Doug,

We have reviewed the latest plans for Sommet Blanc and fully support the developer's efforts to preserve the tree island SW of Building C, adjacent the Lucky Jack ski trail as shown on the attached site plan. While the proposed tree island is within the Deer Valley ski easement and adjacent Deer Valley owned land, retention of a tree buffer between the building and the ski trail would be much appreciated from a visual and skier safety standpoint and improve the ski experience. This would be the resort's preference as opposed to widening the trail in that location, at this time.

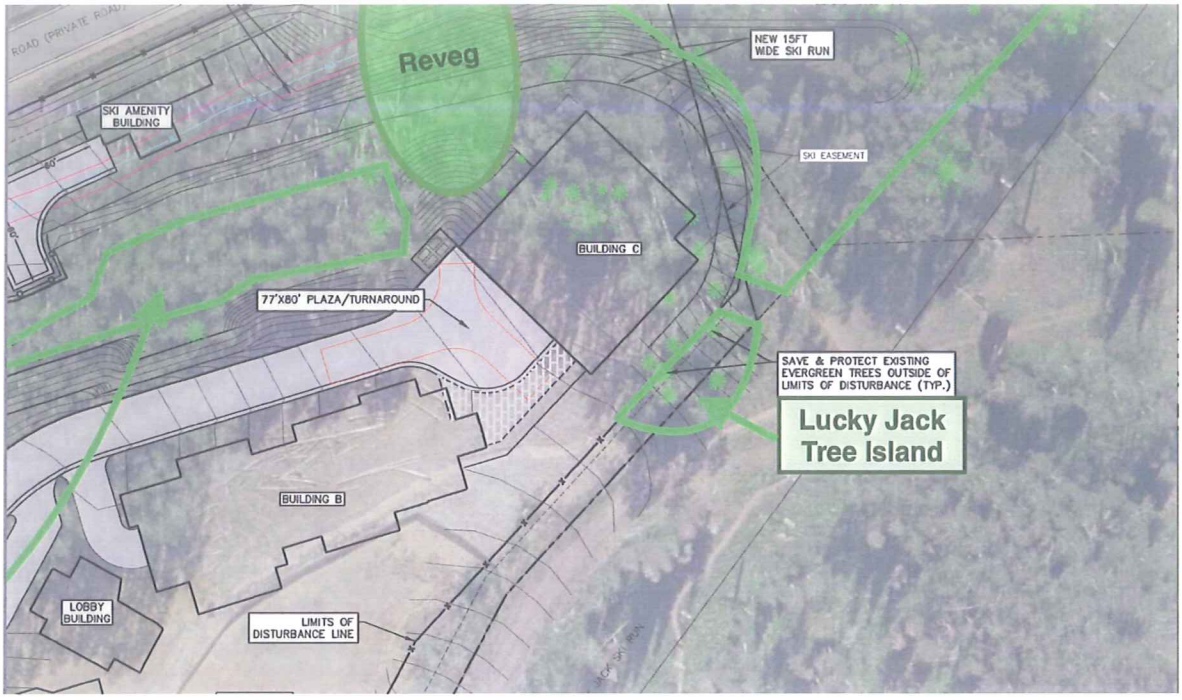
As easement holder and fee owner of the adjacent property, Deer Valley reserves the right to review this matter in the future as may be needed from time to time and as we can later assess how the ski run is functioning in conjunction with the development of Sommet Blanc.

Thank you for working with Deer Valley to maintain the look and feel of the ski experience as it relates to your project.

Regards,

Steve Issowits
Vice President – Real Estate & Resort Planning
Deer Valley Resort Company, LLC

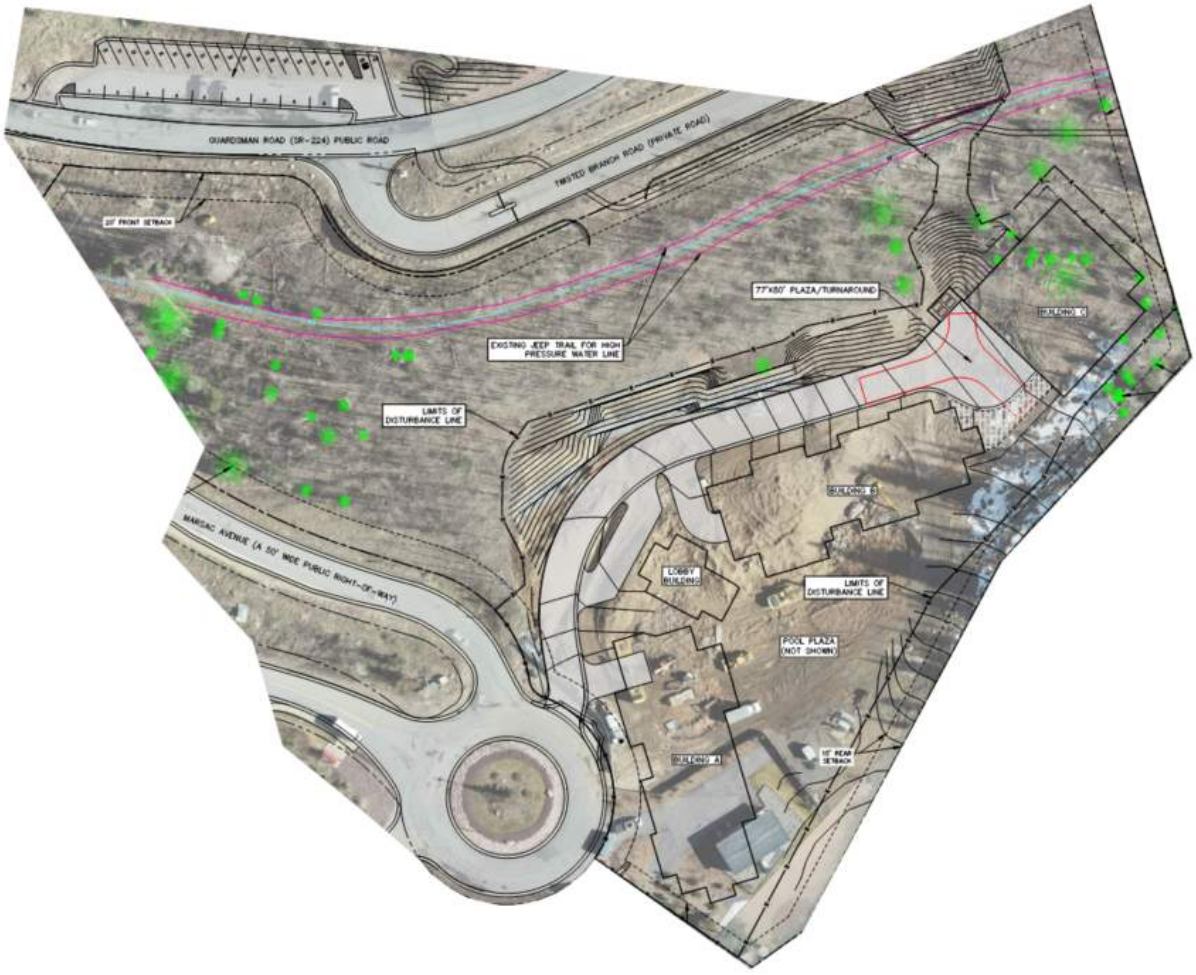
cc. makena.hawley@parkcity.org


Reveg
NEW 15FT WIDE SKI RUN
SKI AMENITY BUILDING
SKI EASEMENT
BUILDING C
77'X80' PLAZA/TURNAROUND
SAVE & PROTECT EXISTING EVERGREEN TREES OUTSIDE OF LIMITS OF DISTURBANCE (TYP.)
Lucky Jack Tree Island
BUILDING B
LOBBY BUILDING
LIMITS OF DISTURBANCE LINE

HALES ENGINEERING
innovative transportation solutions

Sommet Blanc

Traffic Impact Study



Park City, Utah

January 25, 2022

UT21-2024

LICENSED PROFESSIONAL ENGINEER
NO. 295699
RYAN R. HALES
01/25/2022
STATE OF UTAH

1220 North 500 West, Ste. 202 Lehi, UT 84043 p 801.766.4343
www.halesengineering.com

EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed Sommet Blanc development located in Park City, Utah. The Sommet Blanc development is located along SR-224 near the Montage Hotel at Deer Valley Resort in Park City.

The purpose of this traffic impact study is to analyze traffic operations at key intersections for existing (2022) conditions with and without the proposed project and to recommend mitigation measures as needed. The evening peak hour level of service (LOS) results are shown in Table ES-1.

Table ES-1: Evening Peak Hour Level of Service Results

	Intersection	Level of Service	
		Existing (2022)	
		BG	PP
1	Empire Lodge / Project Access / S.R. 224	A	A
2	Montage Access / S.R. 224	a	a

1. Intersection LOS values represent the overall intersection average for roundabout, signalized, and all-way stop-controlled (AWSC) intersections (uppercase letter) and the worst movement for all other unsignalized intersections (lowercase letter)

2. BG = Background (without project traffic), PP = Plus Project (with project traffic)

Source: Hales Engineering, January 2022

SUMMARY OF KEY FINDINGS & RECOMMENDATIONS

Project Conditions

- The development will consist of multi-family residential units and a restaurant
- The project is anticipated to generate approximately 514 weekday daily trips, including 42 trips in the morning peak hour, and 53 trips in the evening peak hour
- The project will also reconstruct the adjacent Mid Mountain Trail parking lot to improve safety

2022	Background	Plus Project
Assumptions	• None	• Transit and internal capture reductions applied
Findings	• Acceptable LOS at all study intersections	• Acceptable LOS at all study intersections

TABLE OF CONTENTS

EXECUTIVE SUMMARY ..... **i**
SUMMARY OF KEY FINDINGS & RECOMMENDATIONS i
TABLE OF CONTENTS ..... **ii**
LIST OF TABLES ..... **iii**
LIST OF FIGURES ..... **iii**
I. INTRODUCTION **1**
A. Purpose 1
B. Scope 2
C. Analysis Methodology 2
D. Level of Service Standards 2
II. EXISTING (2022) BACKGROUND CONDITIONS **4**
A. Purpose 4
B. Roadway System 4
C. Traffic Volumes 4
D. Level of Service Analysis 5
E. Queuing Analysis 5
F. Mitigation Measures 5
III. PROJECT CONDITIONS **7**
A. Purpose 7
B. Project Description 7
C. Trip Generation 7
D. Trip Distribution and Assignment 8
E. Access 10
IV. EXISTING (2022) PLUS PROJECT CONDITIONS **11**
A. Purpose 11
B. Traffic Volumes 11
C. Level of Service Analysis 11
D. Queuing Analysis 11
E. Mitigation Measures 11

Appendix A: Turning Movement Counts
Appendix B: LOS Results
Appendix C: Project Site Plan
Appendix D: Queuing Results

LIST OF TABLES

Table 1: Level of Service Description 3
Table 2: Existing (2022) Background Evening Peak Hour LOS 5
Table 3: Project Land Uses 7
Table 4: Trip Generation 8
Table 5: Trip Distribution 8
Table 6: Existing (2022) Plus Project Evening Peak Hour LOS 11

LIST OF FIGURES

Figure 1: Vicinity map showing the project location in Park City, Utah 1
Figure 2: Existing (2022) background evening peak hour traffic volumes 6
Figure 3: Trip assignment for the evening peak hour 9
Figure 4: Existing (2022) plus project evening peak hour traffic volumes 12

I. INTRODUCTION

A. Purpose

This study addresses the traffic impacts associated with the proposed Sommet Blanc development located in Park City, Utah. The proposed project is located along SR-224 near the Montage Hotel at Deer Valley Resort in Park City. Figure 1 shows a vicinity map of the proposed development.

The purpose of this traffic impact study is to analyze traffic operations at key intersections for existing (2022) conditions with and without the proposed project and to recommend mitigation measures as needed.

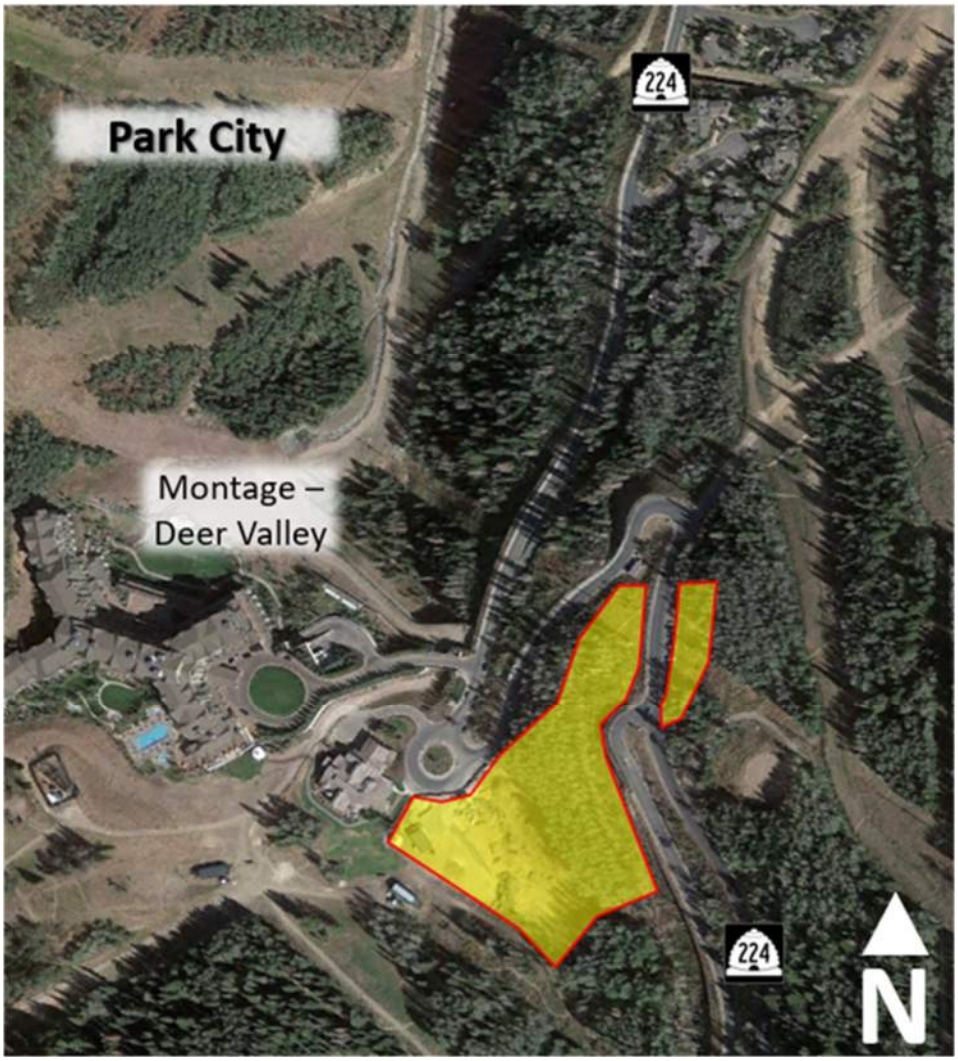


Figure 1: Vicinity map showing the project location in Park City, Utah

B. Scope

The study area was defined based on conversations with the development team. This study was scoped to evaluate the traffic operational performance impacts of the project on the following intersections:

- Montage Access / S.R. 224
- Empire Lodge Accesses / S.R. 224

C. Analysis Methodology

Level of service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. Table 1 provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for both signalized and unsignalized intersections.

The *Highway Capacity Manual* (HCM), 6th Edition, 2016 methodology was used in this study to remain consistent with "state-of-the-practice" professional standards. This methodology has different quantitative evaluations for signalized and unsignalized intersections. For signalized, roundabout, and all-way stop-controlled (AWSC) intersections, the LOS is provided for the overall intersection (weighted average of all approach delays). For all other unsignalized intersections, LOS is reported based on the worst movement.

Using Synchro/SimTraffic software, which follow the HCM methodology, the peak hour LOS was computed for each study intersection. Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. The detailed LOS reports are provided in Appendix B. Hales Engineering also calculated the 95th percentile queue lengths for the study intersections using SimTraffic. The detailed queue length reports are provided in Appendix D.

D. Level of Service Standards

For the purposes of this study, a minimum acceptable intersection performance for each of the study intersections was set at LOS D. If levels of service E or F conditions exist, an explanation and/or mitigation measures will be presented. A LOS D threshold is consistent with "state-of-the-practice" traffic engineering principles for urbanized areas.

Table 1: Level of Service Description

LOS		Description of Traffic Conditions	Average Delay (seconds/vehicle)	
			Signalized Intersections	Unsignalized Intersections
A		Free Flow / Insignificant Delay	≤ 10	≤ 10
B		Stable Operations / Minimum Delays	> 10 to 20	> 10 to 15
C		Stable Operations / Acceptable Delays	> 20 to 35	> 15 to 25
D		Approaching Unstable Flows / Tolerable Delays	> 35 to 55	> 25 to 35
E		Unstable Operations / Significant Delays	> 55 to 80	> 35 to 50
F		Forced Flows / Unpredictable Flows / Excessive Delays	> 80	> 50

Source: Hales Engineering Descriptions, based on the *Highway Capacity Manual* (HCM), 6th Edition, 2016 Methodology (Transportation Research Board)

II. EXISTING (2022) BACKGROUND CONDITIONS

A. Purpose

The purpose of the background analysis is to study the intersections and roadways during the peak travel periods of the day with background traffic and geometric conditions. Through this analysis, background traffic operational deficiencies can be identified, and potential mitigation measures recommended. This analysis provides a baseline condition that may be compared to the build conditions to identify the impacts of the development.

B. Roadway System

The primary roadways that will provide access to the project site are described below:

S.R. 224 – is a state-maintained roadway (classified by UDOT access management standards as a "Community – Rural Importance" facility, or access category 7 roadway). S.R. 224 has one travel lane in each direction. As identified and controlled by UDOT, a "Community – Rural Importance" access classification identifies minimum signalized intersection spacing of one-quarter mile (1,320 feet), minimum unsignalized street spacing of 300 feet, and minimum driveway spacing of 150 feet. The posted speed limit on S.R. 224 is 25 mph.

C. Traffic Volumes

Weekday morning (7:00 to 9:00 a.m.) and evening (4:00 to 6:00 p.m.) peak period traffic counts were performed at the following intersections:

- Montage Access / S.R. 224
- Empire Lodge Accesses / S.R. 224

The counts were performed on Thursday, January 6, 2022. The morning peak hour was determined to be between 7:30 and 8:30 a.m., and the evening peak hour was determined to be between 4:30 and 5:30 p.m. The evening peak hour volumes were approximately 30% higher than the morning peak hour volumes. Therefore, the evening peak hour volumes were used in the analysis to represent the worst-case conditions. Detailed count data are included in Appendix A.

Hales Engineering evaluated potential seasonal adjustments to the observed traffic volumes. Monthly traffic volume data were obtained from a nearby UDOT automatic traffic recorder (ATR) on S.R. 224 (ATR #605) and S.R. 248 (ATR #606) near Park City. In recent years, traffic volumes in January have been above average. The observed traffic volumes were not adjusted for seasonality to remain conservatively high.

Figure 2 shows the existing evening peak hour volumes as well as intersection geometry at the study intersections.

D. Level of Service Analysis

Hales Engineering determined that all study intersections are currently operating at acceptable levels of service during the evening peak hour, as shown in Table 2. These results serve as a baseline condition for the impact analysis of the proposed development during existing (2022) conditions.

Table 2: Existing (2022) Background Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement[1]	Aver. Delay (Sec. / Veh.)	LOS[2]
Empire Lodge / S.R. 224	Roundabout	-	1.6	A
Montage Access / S.R. 224	EB Stop	EBL	4.4	a

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.
2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

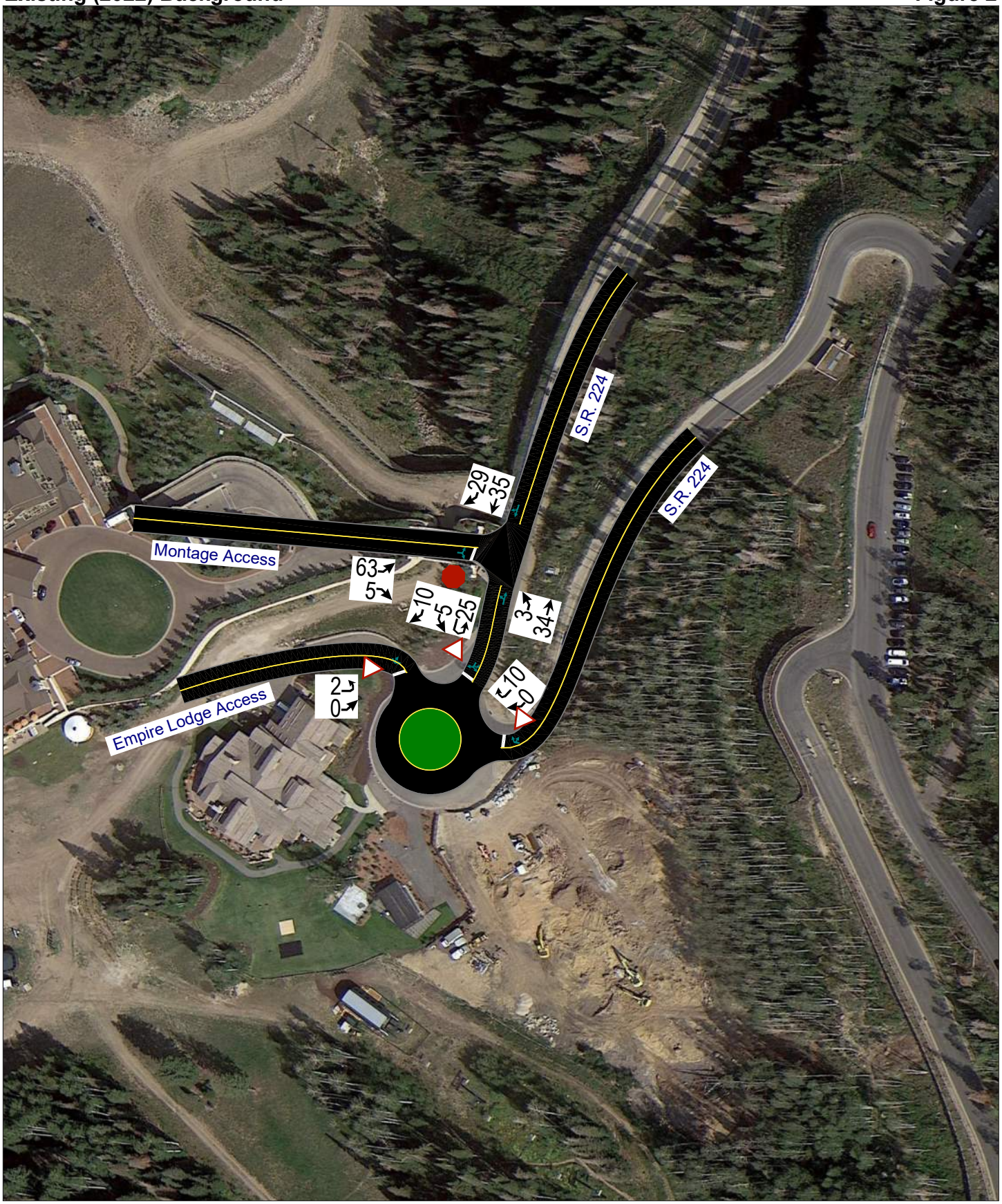
Source: Hales Engineering, January 2022

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing was observed during the evening peak hour.

F. Mitigation Measures

No mitigation measures are recommended.


S.R. 224
S.R. 224
Montage Access
Empire Lodge Access
29
35
63
5
10
5
25
3
34
2
0
10
0

III. PROJECT CONDITIONS

A. Purpose

The project conditions discussion explains the type and intensity of development. This provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in Chapter I.

B. Project Description

The proposed Sommet Blanc development is located along S.R. 224 near the Montage Hotel at Deer Valley Resort in Park City. The development will consist of 49 residential units, 2 ADA suites, 6 affordable housing units, and a 3,600 sq. ft. restaurant. A concept plan for the proposed development is provided in Appendix C. The proposed land use for the development has been identified in Table 3.

Table 3: Project Land Uses

Land Use	Intensity
Multi-family housing (low-rise)	57 Units
Fine Dining Restaurant	3,600 sq. ft.

C. Trip Generation

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE), *Trip Generation*, 11th Edition, 2021. Trip generation for the proposed project is included in Table 4.

It is important to note that the owner anticipates the restaurant usage will be 100% internal in the morning peak hour. For the evening peak, it is anticipated that 30% of restaurant usage will be generated on-site, 30% from the Empire Pass shuttle, and 40% from outside users. With the anticipated usage, the internal and shuttle users would not be contributing to the new trips generated. Therefore, the total new evening peak hour trips generated would be reduced from 76 to 53.

The total trip generation for the development is as follows:

- Daily Trips: 514
- Morning Peak Hour Trips: 42
- Evening Peak Hour Trips: 53

Table 4: Trip Generation

Trip Generation Park City - Sommet Blanc												
Land Use[1]	# of Units	Unit Type	Trip Generation					Reductions	New Trips		
			Total	% In	% Out	In	Out	Internal Capture & Transit	In	Out	Total
Weekday Daily												
Multifamily Housing (Low-Rise) (220)	57	DU	442	50%	50%	221	221	0%	221	221	442
Fine Dining Restaurant (931)	3.6	KSF	302	50%	50%	151	151	60%	36	36	72
TOTAL			**744**			**372**	**372**		**257**	**257**	**514**
AM Peak Hour												
Multifamily Housing (Low-Rise) (220)	57	DU	42	24%	76%	10	32	0%	10	32	42
Fine Dining Restaurant (931)	3.6	KSF	4	50%	50%	2	2	100%	0	0	0
TOTAL			**46**			**12**	**34**		**10**	**32**	**42**
PM Peak Hour												
Multifamily Housing (Low-Rise) (220)	57	DU	46	63%	37%	29	17	0%	29	17	46
Fine Dining Restaurant (931)	3.6	KSF	30	67%	33%	20	10	60%	5	2	7
TOTAL			**76**			**49**	**27**		**34**	**19**	**53**

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 11th Edition, 2021.
SOURCE: Hales Engineering, January 2022

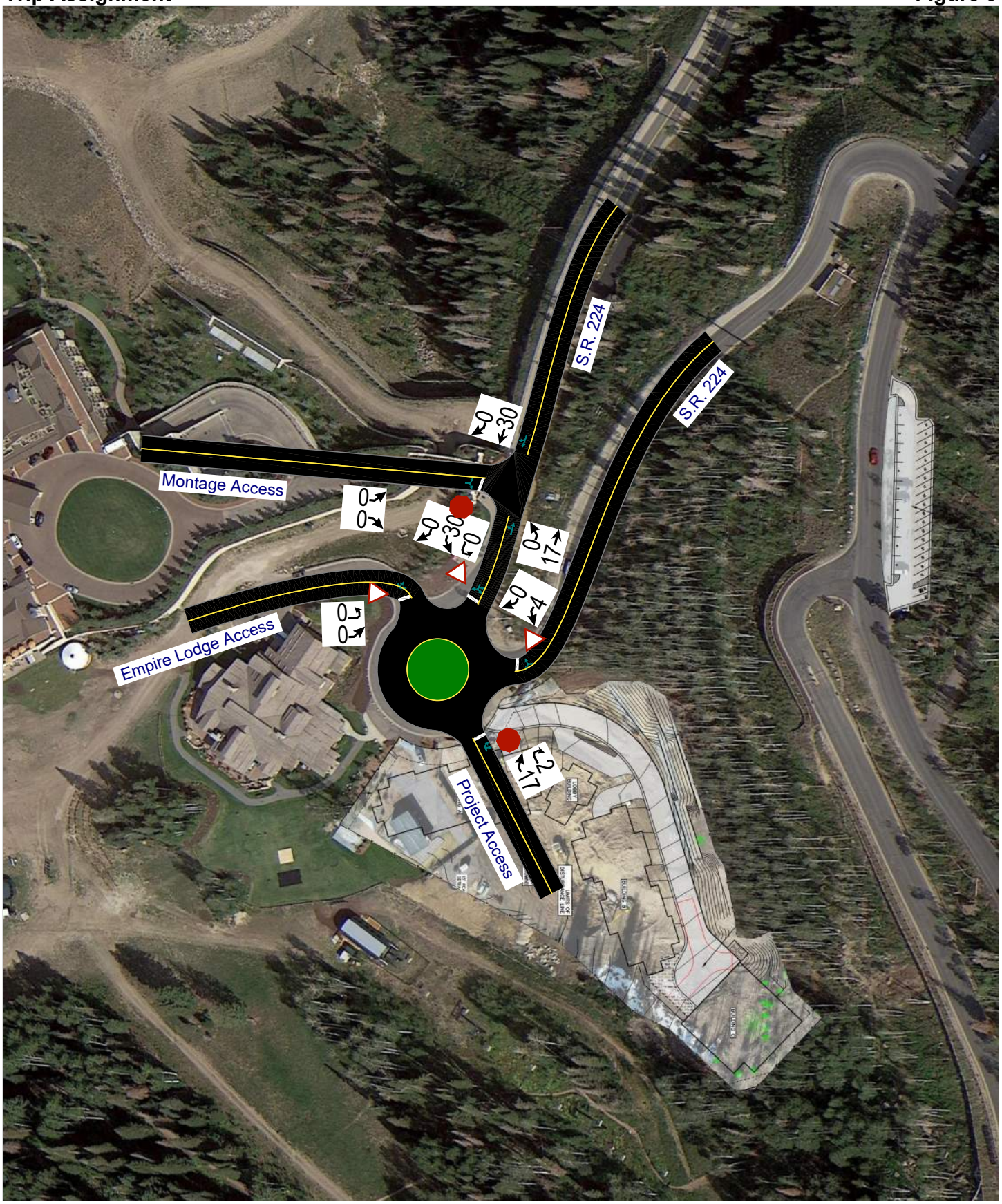
D. Trip Distribution and Assignment

Project traffic is assigned to the roadway network based on the type of trip and the proximity of project access points to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provide helpful guidance to establishing these distribution percentages, especially near the site. The resulting distribution of project generated trips during the evening peak hour is shown in Table 5.

Table 5: Trip Distribution

Direction	% To/From Project
North	90%
South	10%

These trip distribution assumptions were used to assign the evening peak hour generated traffic at the study intersections to create trip assignment for the proposed development. Trip assignment for the development is shown in Figure 3.


S.R. 224
S.R. 224
Montage Access
Empire Lodge Access
Project Access
0
30
0
0
0
30
0
0
17
0
4
2
17

E. Access

The proposed access for the site will be gained at the following locations (see also concept plan in Appendix C):

S.R. 224:

- The Project Access will be located on the southeast side of the Empire Lodge / S.R. 224 roundabout. It is anticipated that the access will be yield-controlled.

IV. EXISTING (2022) PLUS PROJECT CONDITIONS

A. Purpose

The purpose of the existing (2022) plus project analysis is to study the intersections and roadways during the peak travel periods of the day for existing background traffic and geometric conditions plus the net trips generated by the proposed development. This scenario provides valuable insight into the potential impacts of the proposed project on background traffic conditions.

B. Traffic Volumes

Hales Engineering added the project trips discussed in Chapter III to the existing (2022) background traffic volumes to predict turning movement volumes for existing (2022) plus project conditions. Existing (2022) plus project evening peak hour turning movement volumes are shown in Figure 4.

C. Level of Service Analysis

Hales Engineering determined that all intersections are anticipated to operate at acceptable levels of service during the evening peak hour with project traffic added, as shown in Table 6.

Table 6: Existing (2022) Plus Project Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement[1]	Aver. Delay (Sec. / Veh.)	LOS[2]
Empire Lodge / Project Access / S.R. 224	Roundabout	-	2.3	A
Montage Access / S.R. 224	EB Stop	EBL	4.7	a

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.
2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

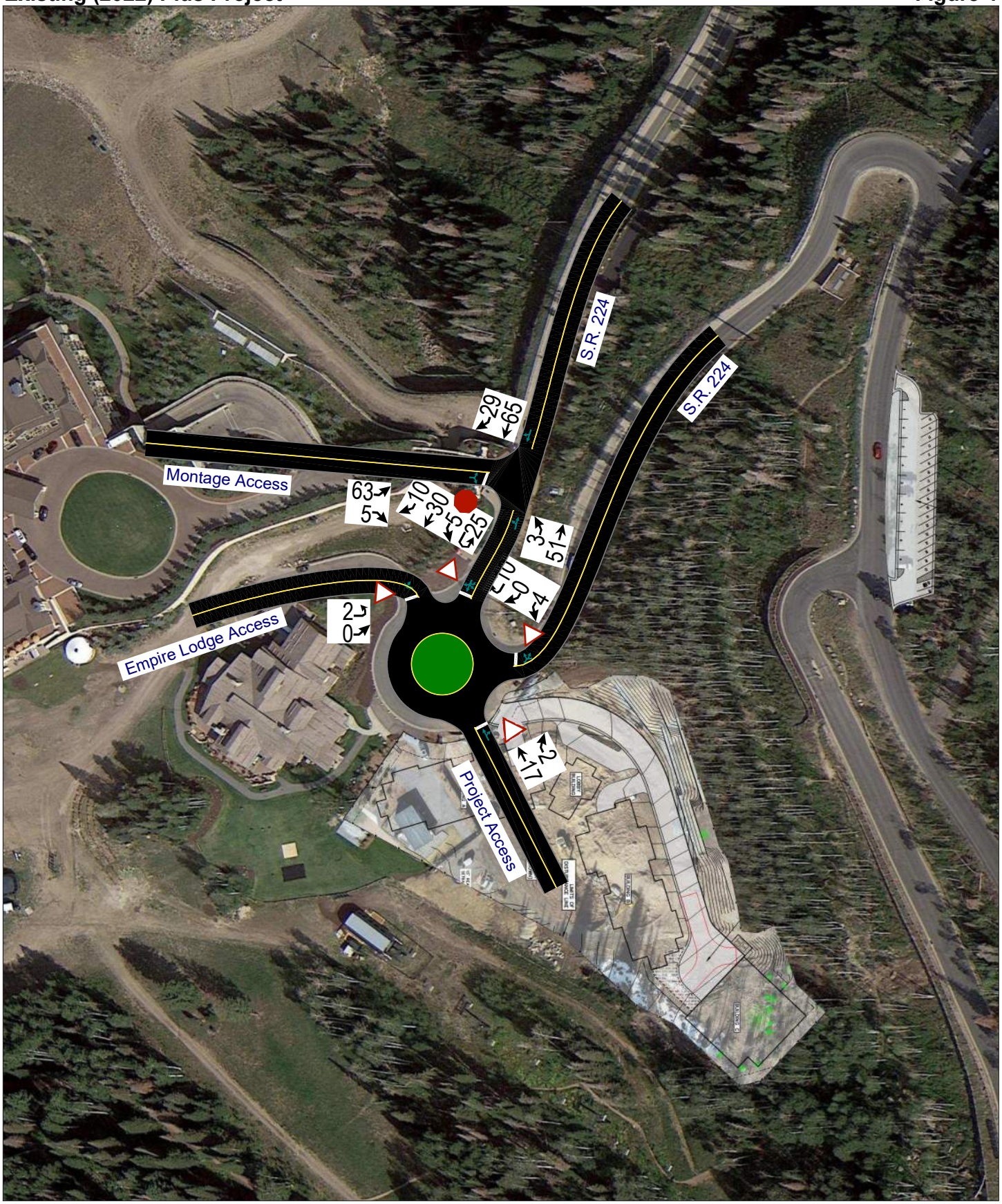
Source: Hales Engineering, January 2022

D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing is anticipated during the evening peak hour.

E. Mitigation Measures

No mitigation measures are recommended.


S.R. 224
S.R. 224
Montage Access
Empire Lodge Access
Project Access
29
65
63
5
10
30
5
25
3
51
10
0
4
2
0
2
17

APPENDIX A

Turning Movement Counts

TrafficCounts
2364 North 1450 East
Lehi, UT 84043
801.636.0891

Intersection Turning Movement Summary

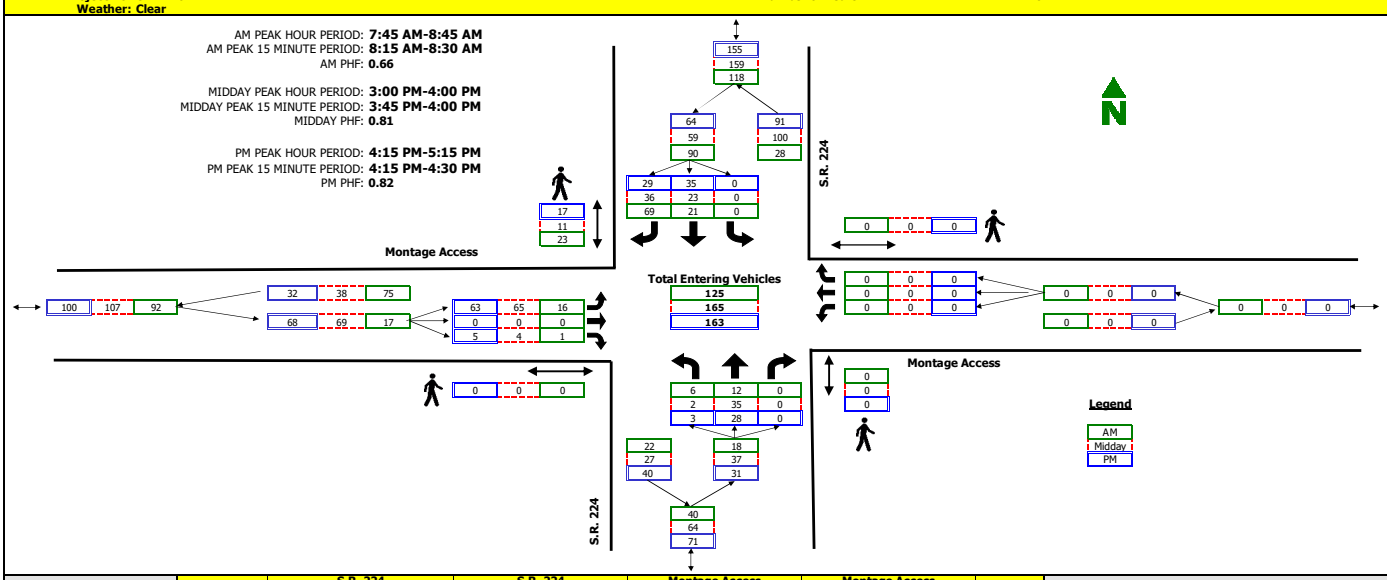
Intersection: S.R. 224 / Montage Access
North/South: S.R. 224
East/West: Montage Access
Jurisdiction: Park City
Project Title: Sommet Blanc TGS
Project No: UT21-2024
Weather: Clear

Date: 1-6-22, Thu 1-7-22, Fri AM
Day of Week Adjustment: 100.0%
Month of Year Adjustment: 100.0%
Adjustment Station #: 0
Growth Rate: 0.0%
Number of Years: 0

AM PEAK HOUR PERIOD: **7:45 AM-8:45 AM**
AM PEAK 15 MINUTE PERIOD: **8:15 AM-8:30 AM**
AM PHF: **0.66**

MIDDAY PEAK HOUR PERIOD: **3:00 PM-4:00 PM**
MIDDAY PEAK 15 MINUTE PERIOD: **3:45 PM-4:00 PM**
MIDDAY PHF: **0.81**

PM PEAK HOUR PERIOD: **4:15 PM-5:15 PM**
PM PEAK 15 MINUTE PERIOD: **4:15 PM-4:30 PM**
PM PHF: **0.82**



RAW COUNT SUMMARIES	S.R. 224 Northbound				S.R. 224 Southbound				Montage Access Eastbound				Montage Access Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	South Int	Left	Thru	Right	Peds	Left	Thru	Right	Peds	

AM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00 - 7:15	1	3	1	0	0	1	11	0	6	0	0	0	0	0	0	0	23
7:15 - 7:30	0	3	0	0	0	6	6	27	5	0	0	0	0	0	0	0	20
7:30 - 7:45	0	3	0	0	0	2	11	1	2	0	0	0	0	0	0	0	18
7:45 - 8:00	0	1	0	0	0	2	22	9	3	0	0	0	0	0	0	0	28
8:00 - 8:15	1	2	0	0	0	3	12	2	5	0	0	0	0	0	0	0	23
8:15 - 8:30	2	4	0	0	0	10	26	8	4	0	1	0	0	0	0	0	47
8:30 - 8:45	3	5	0	0	0	6	9	4	4	0	0	0	0	0	0	0	27
8:45 - 9:00	0	4	0	0	0	3	4	4	2	0	1	0	0	0	0	0	14

MIDDAY PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	5	0	0	0	0	7	1	14	0	2	0	0	0	0	0	28
15:15 - 15:30	1	7	0	0	0	7	9	7	16	0	0	0	0	0	0	0	40
15:30 - 15:45	1	9	0	0	0	7	10	0	17	0	2	0	0	0	0	0	46
15:45 - 16:00	0	14	0	0	0	9	10	3	18	0	0	0	0	0	0	0	51

PM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00 - 16:15	0	2	0	0	0	0	8	0	20	0	0	0	0	0	0	0	30
16:15 - 16:30	2	6	0	0	0	6	8	11	25	0	3	0	0	0	0	0	50
16:30 - 16:45	0	6	0	0	0	2	8	0	12	0	0	0	0	0	0	0	28
16:45 - 17:00	1	8	0	0	0	14	7	1	16	0	1	0	0	0	0	0	47
17:00 - 17:15	0	8	0	0	0	13	6	5	10	0	1	0	0	0	0	0	38
17:15 - 17:30	0	3	0	0	0	7	11	5	10	0	1	0	0	0	0	0	32
17:30 - 17:45	2	6	0	0	0	6	4	0	10	0	1	0	0	0	0	0	29
17:45 - 18:00	0	7	0	0	0	9	12	0	11	0	0	0	0	0	0	0	39

TrafficCounts
2364 North 1450 East
Lehi, UT 84043
801.636.0891

Intersection Turning Movement Summary

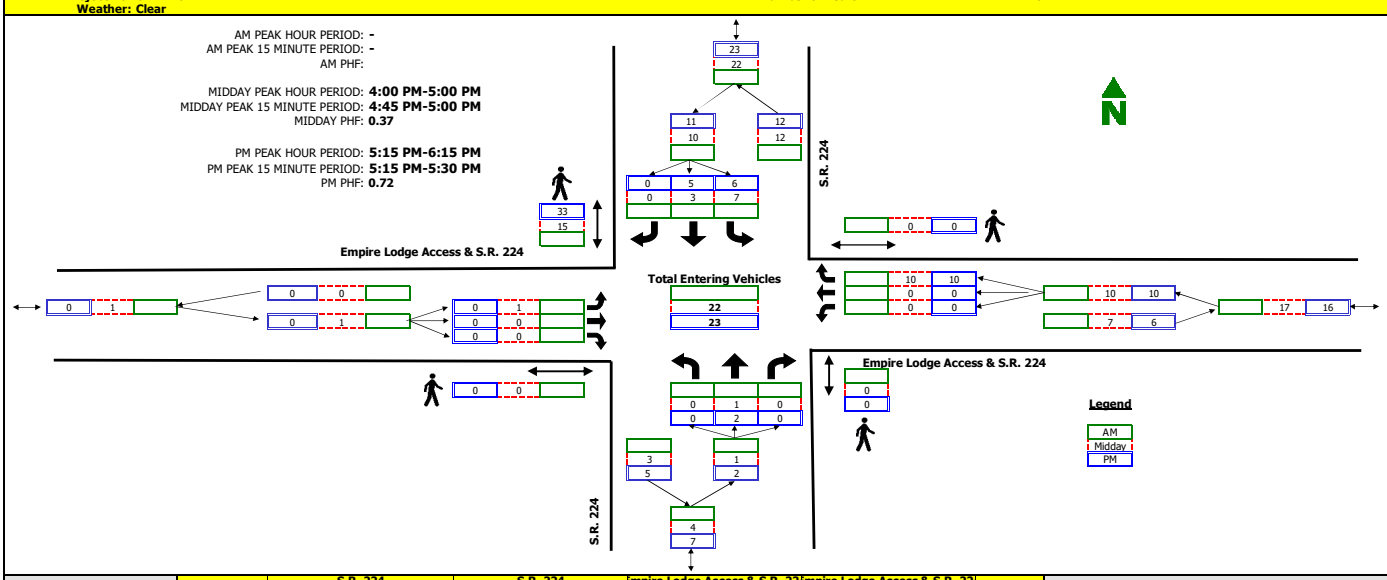
Intersection: S.R. 224 / Empire Lodge Access & S.R. 224
North/South: S.R. 224
East/West: Empire Lodge Access & S.R. 224
Jurisdiction: Park City
Project Title: Sommet Blanc TGS
Project No: UT21-2024
Weather: Clear

Date: 1-6-22, Thu 1-7-22, Fri AM
Day of Week Adjustment: 100.0%
Month of Year Adjustment: 100.0%
Adjustment Station #: 0
Growth Rate: 0.0%
Number of Years: 0

AM PEAK HOUR PERIOD: -
AM PEAK 15 MINUTE PERIOD: -
AM PHF:

MIDDAY PEAK HOUR PERIOD: **4:00 PM-5:00 PM**
MIDDAY PEAK 15 MINUTE PERIOD: **4:45 PM-5:00 PM**
MIDDAY PHF: **0.37**

PM PEAK HOUR PERIOD: **5:15 PM-6:15 PM**
PM PEAK 15 MINUTE PERIOD: **5:15 PM-5:30 PM**
PM PHF: **0.72**



RAW COUNT SUMMARIES	S.R. 224 Northbound				S.R. 224 Southbound				Empire Lodge Access & S.R. 224 Eastbound				Empire Lodge Access & S.R. 224 Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	South Tri	Left	Thru	Right	Peds	Left	Thru	Right	Peds	

AM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00 - 7:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15 - 7:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 - 7:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45 - 8:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 - 8:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 - 8:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 - 8:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 - 9:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

MIDDAY PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:00 - 16:15	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	1
16:15 - 16:30	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	3
16:30 - 16:45	0	0	0	0	2	0	0	6	0	0	0	0	0	0	1	0	3
16:45 - 17:00	0	1	0	0	5	0	0	8	0	0	0	0	0	0	9	0	15

PM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
17:00 - 17:15	0	1	0	0	0	0	1	0	0	0	0	0	0	0	1	0	3
17:15 - 17:30	0	1	0	0	3	0	0	7	0	0	0	0	0	0	4	0	8
17:30 - 17:45	0	0	0	0	0	1	0	2	0	0	0	0	0	0	4	0	5
17:45 - 18:00	0	0	0	0	0	0	0	15	0	0	0	0	0	0	2	0	2
18:00 - 18:15	0	1	0	0	3	4	0	9	0	0	0	0	0	0	0	0	8
18:15 - 18:30	0	1	0	0	2	1	0	8	0	0	0	0	0	0	0	0	4
18:30 - 18:45	0	1	0	0	1	0	0	9	0	0	0	0	0	0	2	0	4
18:45 - 19:00	0	1	0	0	2	1	0	8	0	0	0	0	0	0	3	0	7

APPENDIX B

LOS Results

SimTraffic LOS Report

Project: Park City Sommet Blanc TIS
Analysis Period: *Existing (2022) Background*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2024*

Intersection: S.R. 224 & Empire Lodge Accesses
Type: Roundabout

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SB	L2	2	3	150	1.5	*A*
	Subtotal	2	3	150	1.5	*A*
WB	R2	10	10	103	1.9	*A*
	Subtotal	10	10	100	1.9	*A*
SW	L	5	5	95	1.5	*A*
	T	1	1	100	0.1	*A*
	R	10	11	113	1.5	*A*
	Subtotal	16	17	106	1.4	*A*
Total		52	55	105	1.6	*A*

Intersection: Montage Access & S.R. 224
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	3	3	92	1.1	*A*
	T	34	36	105	0.1	*A*
	Subtotal	37	39	105	0.2	*A*
SB	T	35	34	98	0.3	*A*
	R	29	32	110	0.1	*A*
	Subtotal	64	66	103	0.2	*A*
EB	***L***	***63***	***64***	***102***	***4.4***	***A***
	R	5	7	133	3.0	*A*
	Subtotal	68	71	104	4.3	*A*
Total		169	176	104	1.8	*A*

SimTraffic LOS Report

Project: Park City Sommet Blanc TIS
Analysis Period: *Existing (2022) Plus Project*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2024*

Intersection: Project Access & S.R. 224 & Empire Lodge Access
Type: Roundabout

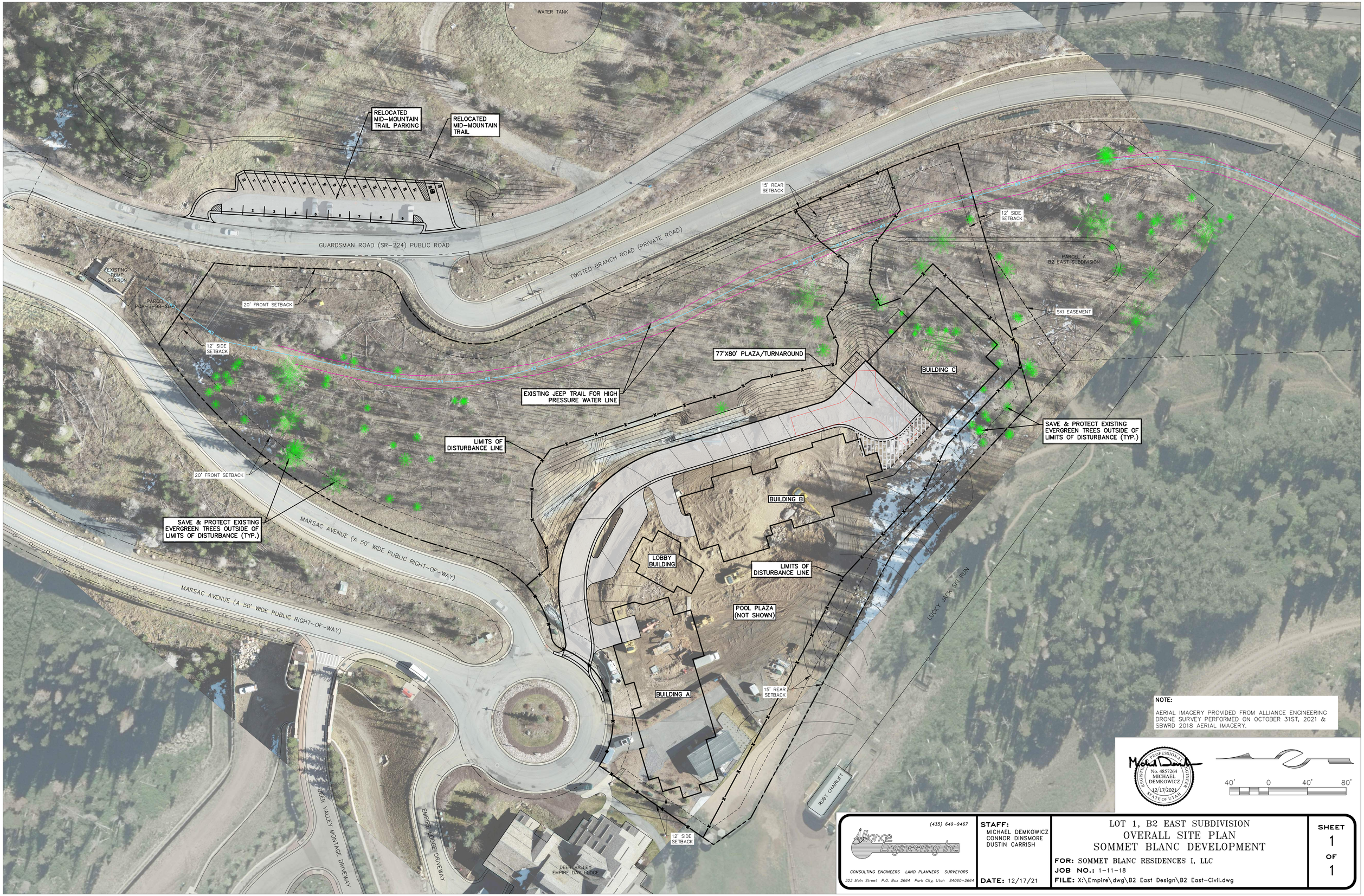
Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	T	17	17	99	4.7	*A*
	R	2	2	100	4.0	*A*
	Subtotal	19	19	100	4.6	*A*
SB	L	5	5	95	1.6	*A*
	T	30	30	99	2.0	*A*
	R	10	10	103	1.5	*A*
	Subtotal	45	45	100	1.8	*A*
WB	L	4	3	71	1.8	*A*
	R2	10	10	103	1.9	*A*
	Subtotal	14	13	93	1.9	*A*
SE	L2	2	2	100	2.0	*A*
	Subtotal	2	2	100	2.0	*A*
Total		105	108	103	2.3	*A*

Intersection: Montage Access & S.R. 224
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	3	3	92	1.1	*A*
	T	52	56	109	0.4	*A*
	Subtotal	55	59	107	0.4	*A*
SB	T	65	69	107	0.2	*A*
	R	29	32	110	0.1	*A*
	Subtotal	94	101	107	0.2	*A*
EB	***L***	***63***	***62***	***99***	***4.7***	***A***
	R	5	5	95	2.7	*A*
	Subtotal	68	67	99	4.6	*A*
Total		216	227	105	1.6	*A*

APPENDIX C

Site Plan



NOTE:

AERIAL IMAGERY PROVIDED FROM ALLIANCE ENGINEERING DRONE SURVEY PERFORMED ON OCTOBER 31ST, 2021 & SBWRD 2018 AERIAL IMAGERY.

PROFESSIONAL ENGINEER
No. 4857264
MICHAEL DEMKOWICZ
12/17/2021
STATE OF UTAH

40' 0 40' 80'

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
DUSTIN CARRISH

DATE: 12/17/21

LOT 1, B2 EAST SUBDIVISION
OVERALL SITE PLAN
SOMMET BLANC DEVELOPMENT

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

SHEET 1 **OF** 1

APPENDIX D

95th Percentile Queue Length Reports

SimTraffic Queueing Report
Project: Park City Sommet Blanc TIS
Analysis: Existing (2022) Background
Time Period: Evening Peak Hour
95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft

HALES ENGINEERING
innovative transportation solutions

Project #: UT21-2024

Intersection	NB	SB	EB	WB
	LT	<L	LR	R>
01: S.R. 224 & Empire Lodge Accesses		25		25
02: Montage Access & S.R. 224	25		50	

SimTraffic Queueing Report
Project: Park City Sommet Blanc TIS
Analysis: Existing (2022) Plus Project
Time Period: Evening Peak Hour
95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft

HALES ENGINEERING
innovative transportation solutions

Project #: UT21-2024

Intersection	NB		EB	WB
	LT	TR	LR	LR>
01: Project Access & S.R. 224 & Empire Lodge Access		50		25
02: Montage Access & S.R. 224	25		75	

safm
SEILER, ANDERSON, FIFE & MARSHALL, LC

Attorneys and Counselors at Law

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Rachel Mabey Whipple
Mark F. Robinson
Norman H. Jackson
Craig Johnson

October 24, 2021

Mark Harrington
Park City Municipal Corporation
445 Marsac Avenue
Park City, UT 84060
Email: mark@parkcity.org

RE: Sommet Blanc CUP Application

Dear Mr. Harrington:

My name is Morgan Fife. I am an attorney representing the owner of the property known as "Sommet Blanc" (9300 Marsac Avenue).

During the course of a Planning Commission work session for Sommet Blanc on September 8, 2021, Mark Fischer made comment regarding certain matters related to the Sommet Blanc project. It has been reported to me that Mr. Fischer is an officer in the owners' association for a Wasatch County community known as Brighton Estates, as well as an owner of real property in Brighton Estates.

Mr. Fischer's comments are largely focused on SR-224 and Twisted Branch Road. The meeting minutes from the September 8, 2021 meeting are attached. While Mr. Fischer mentions certain alleged safety issues with SR-224, his ultimate end game is adequately summarized in the minutes which state: "[Mr. Fischer] concluded that he could not see this project moving forward without resolving the long-term use of Twisted Branch Road …" I have been informed that Brighton Estates has made previous efforts to gain access to the Brighton Estates properties through Twisted Branch Road. Mr. Fischer's comments on September 8 appear to have little to do with Sommet Blanc, but represent an effort to leverage an unrelated private property to obtain access to Brighton Estates via the privately owned Twisted Branch Road.

Significantly, consideration of Sommet Blanc's proposed conditional use permit ("CUP") and amendment to the 2007 Hill Glazier master planned development ("MPD") is not the proper context for addressing Brighton Estates' desire to gain access to the privately owned Twisted Branch Road, nor is it the proper context to address any alleged safety issues related to SR-224 above Sommet Blanc. Among other things,

1) Sommet Blanc has no relationship with or involvement in Red Cloud;
2) Sommet Blanc has no relationship with or involvement in Brighton Estates;
3) Sommet Blanc's project shall make no use of SR 224 on those portions closed during the winter; and

4) Sommet Blanc has no ownership rights in, no control of, no access to, no authority over, and no relationship with Twisted Branch Road.

There is no nexus between the proposed CUP and MPD amendment and the desires of Brighton Estates as they relate to SR 224 and Twisted Branch Road. As a result, any effort to condition the approvals sought by Sommet Blanc would be entirely unreasonable. If Brighton Estates wanted to petition a party for relief, it should look to UDOT, REDUS Park City, Park City Municipal Corporation, the Empire Pass Master Owners Association, and any others who actually have the power and right to make the changes sought by Brighton Estates. Without any right in Twisted Branch Road, Sommet Blanc can offer no redress, and, therefore, conditioning its approvals on the matters identified by Brighton Estates would be an abuse of discretion.

It is important to note that the amendment to the existing MPD sought by Sommet Blanc will decrease the total number of units from 81 to 47, and reduce curb cuts on SR-224 from 4 to 2. Ironically, what Brighton Estates seeks would actually result in an exponential increase in the winter use of Marsac Avenue, SR-224 and the surrounding areas, exacerbating many of the very concerns voiced by Brighton Estates, and to which Sommet Blanc as a property owner would be negatively impacted by.

In light of the lack of any nexus between Sommet Blanc, Twisted Branch Road, and Brighton Estates, the City should move forward without delay in considering and approving Sommet Blanc's proposed CUP and MPD amendment.

Sincerely,

SEILER, ANDERSON, FIFE & MARSHALL, LC



Morgan Fife
Attorney for Sommet Blanc

CC: Makena Hawley, Planner PCMC (makena.hawley@parkcity.org)
Gretchen Milliken, Planning Director PCMC (gretchen.milliken@parkcity.org)

EXHIBIT A
September 8 Minutes

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
SEPTEMBER 8, 2021

COMMISSIONERS IN ATTENDANCE: Chair John Phillips, John Kenworthy, Sarah Hall, Doug Thimm, Bill Johnson, Christin Van Dine

EXCUSED: Commissioner Laura Suesser

EX OFFICIO: Gretchen Milliken, Planning Director; Makena Hawley, City Planner; City Planner, Brown Sebright; Mark Harrington, City Attorney

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1. ROLL CALL

Chair Phillips called the meeting to order at approximately 5:30 p.m. He noted that Commissioner Laura Suesser advised that she would not be in attendance at this meeting.

The following written determination was read:

> 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.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from August 18, 2021.

Commissioner John Kenworthy commented on the second paragraph on page 4 that references tracking ride-on information. He recalled requesting that information if it was available and reiterated that request. In the last paragraph on page 4, he made the following corrections, noted in italics: "Commissioner Kenworthy stated that the intent is to *reduce vehicle traffic and increase the AVO (Average Vehicle Occupancy) as we count on bus ridership to do this."*

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Commissioner Kenworthy also referenced the second paragraph on page 8 which should read "Commissioner Kenworthy commented that in the morning hours 42% of those parking in Snow Park come from Wasatch Front and Salt Lake City using SR-224." He continued by referencing Paragraph 3, which starts with "Ms. Rodriguez verified that CVMA did not receive additional density…" where she thereafter stated that she "was relatively certain that they paid $3 million for 100 spaces, but agreed to provide the exact number…" It should be reflected that Commissioner Kenworthy asked for a copy of this contract and Ms. Rodriguez agreed to provide it.

At the bottom of the third full paragraph on page 8, he noted the following changes, noted in italics: "he [Commissioner Kenworthy] believed that this is something that can be achieved for both locals and visitors, *but this plan falls way short at this current time."*

Commissioner Kenworthy referenced the second to last paragraph on page 9 and reiterated that he requested a copy of the contract and Ms. Rodriguez agreed to provide it.

MOTION: Commissioner Bill Johnson moved to APPROVE the Meeting Minutes from August 18, 2021, as amended. Commissioner Sarah Hall seconded the motion.

VOTE: The motion passed with the unanimous consent of the Commission. Commissioner Doug Thimm noted his absence from that meeting, however, after reviewing the minutes and in deference to the assertions of the other Commissioners, he voted in favor of the motion.

B. Consideration to Approve the Planning Commission Meeting Minutes from August 25, 2021

MOTION: Commissioner John Kenworthy moved to APPROVE the Meeting Minutes from August 25, 2021. Commissioner Christin Van Dine seconded the motion.

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

3. PUBLIC COMMUNICATIONS

There were further no public communications.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

There were no disclosures.

A. Staff Communications Report Regarding Meeting Start Times.

Planning Director, Gretchen Milliken, addressed the request made at a previous meeting to move up the starting time for future meetings to as early as 4:30 p.m. Staff determined that two Commissioners would not be able to meet at the earlier time, so they would continue with the 5:30 p.m. start time.

APPROVED 10.13.2021

5. CONTINUATIONS

A. 1660 and 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.

City Planner, Makena Hawley, stated that there is additional analysis to complete on this item, and would bring it back before the Commission when that analysis has been completed.

Chair Phillips opened the public hearing. There were public comments. Chair Phillips closed the public hearing.

MOTION: Commissioner Doug Thimm moved to Continue 1660 and 1700 Three Kings Drive—Plat Amendment, to October 7, 2021. Commissioner John Kenworthy seconded the motion.

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

6. CONSENT AGENDA

7. WORK SESSION

A. 9300 Marsac Avenue (Sommet Blanc/B2East Parcel) – Applicant is Requesting a Work Session Before the Planning Commission Prior to Public Hearings for a Conditional Use Permit and Amendments to the Approved Master Planned Development and Flagstaff Development Agreement for Proposed Development of 43 Residential Units Above Underground Parking, 4 Townhome Villas within Duplexes on the North-Eastern Portion of the Site, a 3,600 Square-Foot Public Restaurant, and a Detached Ancillary Ski Locker Building. PL-21-04771 and PL-20-04702.

Planner Hawley introduced herself and stated that she is glad to be back. She looked forward to working with the Planning Commission. She reported that the Commission will ultimately be presented with an action item on this application for a Conditional Use Permit ("CUP") and Amendments to the Master Planned Development ("MPD") in the Flagstaff Development Agreement. She explained that Lot 1 is adjacent to the Deer Valley/Empire Day Lodge. The governing documents are the 2007 Amended Flagstaff Development Agreement, the 2007 MPD, and the Land Management Code (LMC) for the residential development and MPD zone.

Planner Hawley recapped the prior presentation and noted that the Planning Commission requested information on the following:

- Residential Accessory space;
- The focus on architecture and roof pitch; and
- Approved volumetrics and building height in comparison to the Hill-Glazier Plan from 2007

She noted that the applicant's team would present some of the changes made to the proposal. Planner Hawley explained that to establish parameters for these discussions, the Commission would, in the future, be looking at the 16 criteria for the Conditional Use Permit, the amendments

APPROVED 10.13.2021

to the Flagstaff Development Agreement to reduce permitted multi-family units by five, and increase of the Planned Unit Developments ("PUD") by two. The Commission would also look at modifications to the Flagstaff Design Guidelines and modifications to the MPD, Conditions of Approval 1 and 2, which address building volumetrics and heights of 82 feet above benchmark grades.

Planner Hawley reported that staff determined that the applicant's proposal for Residential Accessory space is in substantial compliance with the LMC. She clarified that there are several definitions within the Development Agreement and the LMC, but since the Development Agreement incorporates the LMC's definitions, then the LMC would govern. The applicant's current proposal is for 29,625 square feet of Residential Accessory space. The LMC and the Development Agreement do not require the use of Unit Equivalents ("UE") for Residential Accessory space.

Planner Hawley reported that the Meeting Accessory use cannot exceed 5% of the total square footage. The applicant proposed a guest Business Center that totals approximately 565 square feet, far less than the 5% limit. Planner Hawley stated that the LMC requires that any changes in use go back through the Planning Department who could recommend a Condition of Approval for the CUP that any changes in use require approval from the Planning Commission.

Planner Hawley next addressed the architecture and reported that they have obtained Design Review Board approval. She explained that the 2003 Empire Pass Design Guidelines are included within four books. The applicant and the Design Review Board decided that rather than redlining the existing books, it would be better to add a book. Therefore, they proposed Book V for the proposed neighborhood.

She presented information on the Design Guideline review process and explained that with the inception of the MPD, design proposals were submitted through the MPD, which would then be accepted with the design proposals attached. Changes to the design were then submitted to the Empire Pass Design Review Board. Once those changes are accepted, the neighborhood would then take them to the Planning Commission for approval. Planner Hawley reported that the volumetrics were difficult to analyze, primarily because the Hill-Glazier plan does not include everything needed for an accurate comparison. The development is not yet at the stage to allow a straight "apples to apples" comparison. She explained that they could compare UEs, approximate height, approximate footprint, and approximate slope disturbance. They do not have sufficient information to compare Accessory Residential space and they do not have site disturbance from the Hill-Glazier plan.

Planner Hawley explained that pursuant to the Conditions of Approval in the MPD, there is a height exception of 82 feet above benchmark grade due to the heavy site disturbance and increase in elevation on the site. They have been given benchmarks from the USGS datum points between 8330 feet and 8380 feet. The applicant made changes to their proposal by lowering Building A and transferring that level to Building C, which would make Building C six feet above the allowed building height above the benchmark grade.

She reported that while there are some sections where they can provide some detail on grade changes, it would still be an approximation since they do not know the exact grade. She noted that the footprint submitted by the applicant as overlaid over the Hill-Glazier plan showed that it was very similar. The Hill-Glazer footprint was 57,601 square feet, as compared to 55,697 square feet for Sommet Blanc. Planner Hawley also referenced the heat maps provided by the applicant

APPROVED 10.13.2021

that show the different grades as they exist and the projected site disturbance. She also presented a topography map showing the locations of the proposed retaining walls.

The applicant, Douglas Ogilvy from Sommet Blanc Residences I, LLC explained that they have been working with Deer Valley for six years to develop a project concept that is complementary to the Deer Valley guest experience. He noted that through the process they increased the setback from the Lucky Jack Ski Trail from 15 feet to 40 feet. They also carved off Parcel A to create the opportunity for a future direct ski run from the top of Ruby Chair to the bottom of Ruby Chair. Mr. Ogilvy continued by stating that the proposal provides a long-term parking solution and more recently they agreed to relocate the sewer from running adjacent to the property line to running internally through the site. He reported that Deer Valley has been happy with the project and the most recent design changes to step down the building next to the Empire Day Lodge.

Mr. Ogilvy stated that they feel strongly that the mountain contemporary architecture is appropriate. The Design Review Board approved the introduction of the mountain contemporary architecture, and former Mayor Jack Thomas has been complimentary of the approach to contemporary design on the site. He commented that virtually every Master Planned Development in Park City has acknowledged that mountain contemporary architecture has arrived and they do not feel that Empire Pass should be any different. He noted that this development is one mile from Empire Pass Village and the immediate neighbors are the Empire Pass Day Lodge and The Montage. The applicant proffered that they should not be locked into mimicking either of those structures. Mr. Ogilvy also stated that flat roofs are a better design solution in snow country than gabled roofs, which create snow management issues. He also commented that they created some interesting architecture as seen from the pedestrian level.

Mr. Ogilvy noted that their presentation will also respond to comments from the Planning Commission regarding design changes. They have reduced the number of villas from five to four. They lowered the western half of Building A to four stories adjacent to the Day Lodge and stepped the height up into the hillside. He reported that they also added a floor in Building C. They believe that this is a superior design solution over the Hill-Glazier plan.

Mr. Ogilvy introduced the design team from Olson Kundig. Todd Matthes identified himself as the Principal/Project Lead, along with Tom Kundig, who is the Principal Architect on the project. Mr. Matthes explained that contemporary architecture is more appropriate for the site since the texture of the environment would be created through the layering of different architectural styles over time. Architecture has evolved not only due to stylistic preferences but reflects advanced material technologies, construction methods, and a shift in the desire to live and interact in new ways. Mr. Matthes also stated that contemporary architecture aspires to advance the way that space is inhabited and interacts with the natural context. A desirable texture emerges as the natural evolution of the architectural style over time is embraced. He stated that the goals of Sommet Blanc are to integrate with the diverse as-built environment of the area while contributing to and supporting a new way of living for people who appreciate and respect the mountains.

Mr. Matthes reiterated that there are many diverse environments with many architectural styles that co-exist well. Architecture is changing throughout the area and this site is no different as both modern and traditional architectural diversity exists throughout Park City and Deer Valley. He showed the Commission photographs of different neighborhoods in and around Park City. Mr. Matthes presented several renderings that demonstrate how the project fits in the context. The immediate neighbor is the Empire Day Lodge and the project abuts Lucky Jack ski run. There is good separation from The Montage and significant separation from the Village.

APPROVED 10.13.2021

He explained that they took much of the project density and separated it into seven different structures. They have also included complementary color palettes and the materials and textures help fold the project into the landscape. He noted that they stepped down the massing to achieve an appropriate scale and height, which nestles the project into the landscape. Mr. Matthes noted that they are also set back from the Lucky Jack ski run. He commented that this project will be less visible from roads. The tallest building, which is Building C, will be nestled into the hillside and the massing steps down from there. This respects the neighbors and the scale of the area. The villas were designed to nestle into the hillside as well. Mr. Matthes pointed out that they have reduced the number of villas from five to four, which sets them further back from Marsac Avenue and increases the buffer of Aspen trees. He described the project as a seven-acre enclave, neighbored only by Empire Lodge and the Lucky Jack ski run.

Mr. Matthew presented a rendering showing that only Building A is visible from the roundabout, with the step-down massing protects the ridgeline beyond the project. A view from Burgers and Bourbon at The Montage demonstrated that the view impact will not be significant and will not impact the ridgeline beyond. He added that it is very important for the project massing to step down with the topography.

Mr. Matthes next outlined the proposed massing changes that will address some of the prior comments and concerns expressed by the Commission. He presented diagrams showing the original massing and the proposed modifications. He reported that they took the Commission's comments regarding reducing the scale adjacent to Empire Day Lodge and dropped a full story from Building A, moving that density into Building C. In eliminating one villa, they moved that density into Building C as well. These changes add a story to Building C. He explained that they also rotated some penthouses at the rooftop to adjust to the new massing and further articulated the rooflines as seen both from Lucky Jack and Marsac Avenue.

Mr. Matthes added that as part of these changes, they increased the green roof to 33% of the total roof area. He mentioned the porosity of the design, which he described as how one notices the landscape flowing through the buildings. He reiterated that this project is its own enclave, separated significantly from the Village. They also created a generous ski beach with ski-in/ski-out amenities, with an increased setback from the ski run. They reduced the size of the patio to introduce a softer transition from the restaurants to the Deer Valley domain. The villas are nestled into the Aspen trees. Mr. Matthes commented that one of the overall goals for this project was to maximize the indoor/outdoor relationships by using large windows and generous decks that reach out to the landscape. He added that by eliminating one villa they have lowered the driveway grade to a maximum height of 40 feet above grade, which is a nine-foot decrease from the prior plan.

The proposed roofline falls in the line with his prior statements regarding the evolution of architecture and technical improvements. Low sloped and flat roofs with internal drains reflect a snow retention approach rather than a snow shedding approach. This has brought about safety improvements to protect the pedestrians below, as well as snow management improvements. Additionally, the proposed roof overhangs provide cover and covered outdoor space. He highlighted the added public benefit of adding a restaurant that faces Ruby Express and that would be accessible to anyone skiing Deer Valley. Mr. Matthes concluded that they think it appropriate to introduce a more contemporary architecture for this project. He added that this design widens the ski run as a result of the setback of 40' from Lucky Jack ski run and reiterated the benefit of the step-down massing.

APPROVED 10.13.2021

Mr. Ogilvy next presented an updated site plan and noted that the footprint has not changed for Buildings A, B, and C, with the exception of the reduced patio area at the Building A restaurant. The reduction of one villa has allowed them to design wider, shallower units and reduce the height of the driveway by nine feet and pull it back further from Marsac Avenue. He added that the amenities building was also shifted further north. He explained that while there were no significant changes to the site plan, they made changes that they view as improvements. One of the impacts of this project involves the requirement to relocate the Mid Mountain Trail. He explained that the section of Mid Mountain Trail below Twisted Branch Road has already been constructed and accepted. Additionally, they proposed to relocate the Mid Mountain Trail above Guardsman Pass Road, and the engineers suggested a one-way parking lot that would have a second access opposite the project's upper driveway. He reported that this configuration would provide for better traffic flow. While they must still meet with the Utah Department of Transportation ("UDOT") on this issue, they are agreeable to the engineers' recommendations in this regard.

Mr. Ogilvy highlighted the increased setbacks from the Lucky Jack ski run. He referenced other projects in Deer Valley noting that The Montage is the largest at 13 floors plus a roof. Argent, as viewed from Marsac Avenue, has 8 floors plus a roof and most of the Empire Pass Village is seven floors plus a roof. Mr. Ogilvy commented that Sommet Blanc Buildings A and B would both be six floors with no roof. Building C will have seven floors with no roof. He suggested that the proposed heights are commensurate with what already exists in the area and much lower than The Montage.

Mr. Ogilvy stated that the proposed volumetric codification would set a height limit of 70 feet at the west end of Building A, and 82 feet for the eastern portion of Building A and all of Building B. They proposed a height limit of 92 feet for Building C and a 40-foot height limit for the villas. He explained that the building heights will be measured from benchmarks while the villas will be measured from natural grade. He commented that other than these heights, everything else on-site will be limited to a height of 28 feet. Mr. Ogilvy invited questions and comments from the Commission and recalled that the last meeting left off at the issue of whether it was appropriate to introduce the mountain contemporary architecture at this stage of development of Empire Pass. He highlighted the presentation by Mr. Matthes and the endorsement of former Mayor Jack Thomas as support for the appropriateness of this architecture and a better solution than the Hill-Glazier plan.

Chair Phillips sought clarification on the proposed height limits for the villas. Mr. Ogilvy responded that the challenge with the villas is that the driveway will be installed over a high-pressure water main that feeds the Red Cloud neighborhood. Therefore, they proposed to lower the driveway to the extent possible and expressed that the 40-foot building height would fit well and would be of a similar or slightly lower height than that proposed in the Hill-Glazier plan. He also highlighted the fact that the villas would not block any views.

Chair Phillips requested a rough cross-section of the villas to illustrate the need for the 40-foot height limit. He commented that these villas appear to be residential-scale buildings and he would be inclined to limit the height of the villas to match the other residential buildings in the area. He requested clear justification for an exception to the 33' height limit. Mr. Ogilvy clarified that the current allowable height is 28' without exception, given the proposed roof pitch.

Chair Phillips also mentioned the differing tree species in the area noting that if this area were more of an Aspen grove he would be concerned with die-off due to cutting or excavation of the

APPROVED 10.13.2021

ground. He added that language might be required that the developer will replace any trees that die in the future. Mr. Ogilvy stated that the forest in the area is predominantly Aspen, with some younger growth evergreens. He assumed some plantings would be required in different areas of the site. Chair Phillips requested clarification and delineation of the public versus private access points to the buildings, particularly on the ski run side of the project.

In response to a request from Commissioner Kenworthy, Mr. Matthes verified that the rendering depicting the view from Marsac Avenue facing west is to scale, to a reasonable degree. He noted that they utilize drone photography and 3-D models approximated with the view angles to create these renderings.

Commissioner Kenworthy asked about the height of the Lodge. Mr. Ogilvy stated that The Montage is 165 feet above the Event Lawn, and from the Marsac roundabout to the ridge, this project is 89 feet on the eastern side and 75 feet on the western side. Commissioner Kenworthy found this to be a significant improvement in the massing and the comparison between the two developments and wanted assurance that what is depicted is close to scale. Mr. Ogilvy added that the height from the restaurant patio to the roof above is 69 feet.

Commissioner Johnson commented that the step down on Building A looks much better than the previous design and asked why the density was transferred to Building C. Mr. Matthes explained that to maintain target square footage, they relocated the density to Building C while being sensitive to other concerns. Hannah Tyler from Sommet Blanc I, LLC, clarified that change increases the height to six feet higher than the allowed height of 82 feet at the highest benchmark.

In response to a comment from Commissioner Johnson, Mr. Ogilvy stated that it will be difficult to fit that six feet back down into lower levels given floor height dimensions and grading. He noted that the building is built into the hillside so there will already be quite a bit of cut at the southeast corner. He recognized that ultimately, the volumetrics is at the discretion of the Planning Commission and any height above 28 feet will require Planning Commission approval. He added that most of the buildings in the Empire Pass area were approved with a 92-foot height limit, with The Montage being approved at 114 feet above a benchmark and the Hill Glazier Plan approved at 82 feet above benchmark. Mr. Ogilvy explained further that putting the extra density in a location furthest from the Marsac roundabout was the most suitable place to relocate it.

Commissioner Van Dine expressed appreciation for the changes made by the applicant and specifically mentioned the reduction in the number of villas from five to four as well as the parking lot and relocation of the Mid Mountain Trail.

Commissioner Hall asked if there would be further details presented at this meeting on the Mid Mountain Trail relocation, or if it would be addressed in the future. Planner Hawley suggested that the applicant address it now and noted the temporary re-route for a sewer. Mr. Ogilvy presented a concept sketch for the Mid Mountain parking lot noting that it is a work-in-progress that he received just prior to the meeting. He explained that they originally proposed a parking lot that followed the contour lines. When concerns were raised about problems attendant with one-way parking lots and trailers, the concept of a design with one-way traffic flow through the parking lot was recommended. K-rails would separate the Marsac Avenue roadway from the Mid Mountain Trail parking lot.

Mr. Ogilvy continued by explaining that the entrance to the lot would be adjacent to the Twisted Branch Road turnoff, with angled parking on the right and parallel parking on the left. The exit

APPROVED 10.13.2021

would be adjacent to the upper driveway. He explained that the northern limit is impacted by the high-pressure water line. He reported that they have proposed to install composter toilets at the trailhead, as well as a trailhead kiosk. He noted that the applicant does not own this property, but the property owner has agreed to permit these improvements.

Mr. Ogilvy stated that they have received approval from UDOT to install the trail crossing adjacent to the Twisted Branch Road turnoff. He noted that some regrading would be necessary between the parking lot and the driveway up to the water tank in order to improve sightlines for vehicles on Guardsman Pass Road. They would field fit the trail to wrap above the parking lot and tie back into Mid Mountain Trail a little further north. He reported that this lot would abut a UDOT right-of-way, but expressed confidence that UDOT would consider this a dramatic improvement. Ms. Tyler shared an overview of the proposed trail relocation. Commissioner Van Dine commented that the parking lot would be a vast improvement from the current conditions.

Mr. Ogilvy clarified that the parking lot would be configured as a one-way downhill with a grade of approximately 10%, which admittedly allows for some exposure to door dings but would include a K-rail that would provide much safer conditions than what currently exists.

Commissioner Johnson agreed that the parking lot will be an improvement and noted that it would be used primarily during the summer months. In response to an inquiry, Mr. Ogilvy stated that plowing during the winter has not been addressed as of yet, but acknowledged it would need to be plowed in the winter.

Chair Phillips requested a schematic that shows the hairpin turn with the new proposed driveway road as he wondered whether there could be issues with sight and safety. Mr. Ogilvy noted that this concept has been reviewed and approved by UDOT and conditional access permits have been issued for the new curb cut for the lower driveway and the new trailhead crossing. They have not yet requested permission from UDOT to loop the driveway but anticipated that they would approve the one-way plan. Mr. Ogilvy noted that the driveways will align and the traffic speed out of the hairpin turn is low so they utilized sightline studies to obtain the conditional access permit for the upper driveway and the pedestrian crosswalk. These were included in the November submission.

Commissioner Kenworthy stated that he would like to see exactly where the driveway will be located.

Mr. Ogilvy explained that the change in the parking was done at the request of the Engineer who feels that the current parking lot is in a very unsafe condition. In response to Commissioner Kenworthy's request, Mr. Ogilvy shared with the Commission schematics and sightline studies of the proposed driveway into the parking lot that was approved by UDOT. He explained that with the exception of a sightline impact of the hillside between the water tank access road and the parking lot, the existing condition meets all of the criteria for the proposed improvements. He also noted that the sightline impact would be corrected by shaving a portion of that hillside. Mr. Ogilvy added that the upper driveway is serving only four units, so the vehicle counts would be negligible. As there are already 25 parking spots along the road, their proposal seeks to create improved conditions for those 25 stalls.

In response to an inquiry from Commissioner Kenworthy regarding access to the villas off of Twisted Branch Road, Mr. Ogilvy stated that they would not be using that access for anything other than the Mid Mountain Trail.

APPROVED 10.13.2021

Commissioner Doug Thimm addressed the concept plan for the parking lot and commented that it appears the upper driveway into the parking lot is not aligned, which could create an issue with UDOT. Mr. Ogilvy acknowledged that they are not aligned and explained that they are juggling maintaining the current stall count with the engineering. Commissioner Thimm expressed that the proposal is likely the best solution, but stated that alignment would be important due to the number of decisions that would need to be made by drivers going in opposite directions and perpendicular to each other.

Commissioner Hall asked if there was a way to add a buffer zone at the driveway to allow drivers coming from the hairpin turn to pause. Mr. Ogilvy explained that good engineering principles provide that efforts should be made to keep curb cuts aligned because it simplifies things for drivers. He acknowledged that UDOT would have suggestions for improvement at this location. Commissioner Hall expressed that she liked the concept and appreciated the efforts to make the parking lot safer and more user-friendly.

Planning Director, Gretchen Milliken, suggested that due to the complexity of the site, it would be beneficial for the Planning Commission to do a site visit with the engineers and other experts to look at these issues in the field. Chair Phillips agreed and stated that one of his concerns remains the height and proximity to the roundabout. He suggested ballooning the proposed buildings so that they could visualize the proposed heights. The Commissioners agreed that a site visit would be helpful.

Chair Phillips opened the public hearing.

Mark Fischer expressed appreciation for all involved and the thought put into this project over many years. He stated that the Staff Report does not call out as an adjacent land use for notifications to the SR-224 Mid Mountain Trailhead public users. He stated that he only found out about this meeting just prior because there were no public notices on the site and questioned whether the meeting was properly noticed. He stated that what is missing from the discussions thus far is the effect of this project on upper SR-224, UDOT, and Twisted Branch Road. Based on his review of studies, there is currently $1.6 billion in residential construction from the horse corral to the top of the County line, which includes The Montage. In 1998, as part of the development of this project, the public was to be directed to Twisted Branch Road because Deer Valley does not have an active UDOT permit to ski across the public highways. The Bandana ski run goes across SR-224, which, according to state statute, is not a permissible use.

Mr. Fischer noted that the solution was to put the public onto the UDOT designed road and abandon the substandard 15-foot road that goes under the Ruby Chairlift, which Deer Valley wants to make a ski run. He opined that this project should be tied to that decision given the three additional UDOT curb cuts being requested. Mr. Fischer believed that UDOT would use this opportunity to finally resolve the intended use of Twisted Branch Road, which is in reality the substitute for upper SR-248.

Mr. Fischer stated that given the amount of development in the area, he would request that Staff require a Traffic Study if it has not been completed already, up to the Wasatch County line. He would also like to see a Public Safety Analysis due to the multiple uses that occur on this road during the winter months. He noted that the lot is busier in the winter than in the summer, and cars line up down the street to the Empire roundabout.

APPROVED 10.13.2021

He concluded that he could not see this project moving forward without resolving the long-term use of Twisted Branch Road, which was designed to be the replacement for the 15-foot wide road. He emphasized that this issue would not go away, and needed to be addressed. He commented that the public trailhead parking lot is a great start. He would like the Planning Commission's site visit to be publicly announced and open to the public. He added that in 2018, he requested that the Planning Commission conduct a site visit, and the Commissioners at that time all expressed their desire for a site visit. He understood that this site visit has not yet occurred.

Mr. Fischer reminded those present that the public is an important neighbor to be considered, as this project is second in size only to The Montage. He stressed his concern over the public safety issues and hoped that the developer would take his comments into consideration.

Mike Hinckley stated that he is a Park City resident and expressed concern over the safety and the impacts occurring on Marsac Avenue at this time. He has reviewed the Master Plan and the new upper driveway onto Guardsman Pass Avenue and is concerned that they are unaware of the traffic bottlenecks that exist during the winter and the summer. A site visit would be helpful and he would like to be invited as well.

He added that he believes UDOT, and possibly the developer, are not aware of these issues and would expect that they would want their guests to be able to access that road safely. On Marsac Avenue, there are large dumpster trucks and excavation vehicles which are creating safety issues. Mr. Hinckley reported that he spoke with Captain Kirk from the Police Department who commented that the Planning Commission would be the best forum for his concerns to be heard. He stated that Marsac Avenue is a death trap waiting to happen. The curb cuts on Guardsman Pass Road must also be looked at, and he referenced an incident last year when a semi-truck took out the power source on the switchback.

Mr. Hinckley also remarked that addressing responsibility for snow removal in the parking area is important. He echoed the concerns about the narrow roads, steep drop-offs, and conflicts with large vehicles. Mr. Hinckley questioned whether the parking lot was adequately addressed in terms of traffic impacts.

Director Milliken stated that a site visit with the Commission would include a notification to the public so they could attend. Chair Phillips asked about the public noticing for this meeting, and Planner Hawley expressed her belief that a work meeting was not required to be noticed, however notice of this meeting was posted in the newspaper and online. City Attorney, Mark Harrington, confirmed that the public hearing would trigger formal public notice requirements, so there was no legal deficiency in noticing for this work session. The full notice would go out once it is set for a public hearing.

It was confirmed by Director Milliken that if the Commission conducted a site visit, the public would be invited.

Chair Phillips commented that a Traffic Study and Public Safety Analysis would be pertinent to this application to address the increased intense use of the roads and access points in a tight area. It would be useful to understand the additional use being putting on Guardsman Pass Road.

In response to the public comments, Mr. Ogilvy stated that the project does not change anything with regard to the existing conditions on Guardsman Pass Road or Twisted Branch Road. Twisted Branch Road is on land owned by Redus Park City, LLC and the current applicant has no control

APPROVED 10.13.2021

over that roadway. He reported that the applicant obtained permission from Redus to make improvements to the Mid Mountain Trailhead parking lot.

In terms of traffic impacts, the applicant has received UDOT approval for conditional access permits for the two curb cuts in the residential development. There is an existing curb cut on the Marsac roundabout, which they have moved approximately 20 feet. He noted that while the Hill-Glazier plan included three curb cuts, UDOT strongly preferred one curb cut. He explained that there is one curb cut on the Marsac roundabout that has been in place since approximately 2005. The second curb cut on the upper driveway, which has already been approved by UDOT, would serve four residential units. Changes to the parking lot would require UDOT approval, and he anticipated approval with some of the design changes they have discussed.

Mr. Ogilvy reiterated that Twisted Branch Road is not owned by the applicant and is not impacted by this project. The Development Agreement specifically states that Twisted Branch Road shall remain private. He recognized the concerns expressed about safety on Guardsman Pass Road but stressed that any issues on Twisted Branch Road have nothing to do with this project.

Commissioner Kenworthy referenced an issue raised by Commissioner Suesser regarding an Evacuation Plan for Snow Park, which Deer Valley was quick to address. With the recent fire scare, he wanted to know how they have addressed it for this project. Mr. Ogilvy responded that if they used snowcats, they would use the Lucky Jack ski trail. In terms of summer emergency egress from Empire Pass, there is a summer road just north of the Mid Mountain Trailhead, as required by the 1998 Flagstaff Development Agreement. He noted that there are also provisions for emergency vehicle use of Twisted Branch Road.

With regard to the addition of another lift, Mr. Ogilvy reported that Deer Valley has plans for what is currently being called Lift X, which would go from the bottom of Ruby Chair to an area above the Red Cloud water tank. He added that there have been discussions over the course of 20 years about whether Twisted Branch Road should be public or private. Deer Valley has stated their preference that Twisted Branch Road would become a public road, which would create the opportunity for Guardsman Pass Road to become a second ski-out from the top of Lift X. He clarified that none of this is on the applicant's property.

In response to an inquiry from Chair Phillips, Mr. Ogilvy stated that in order to permit duplexes on the villas site, the Development Agreement must be amended to increase the number of Planned Unit Development ("PUD") units and decrease the number of MPD units. They would also look to amend the volumetrics, which are part of the 2007 MPD. He noted that the applicant is also looking for the Planning Commission to endorse the amendment to the Design Guidelines by the creation of Book V. If all of these changes take place, then the Commission would be in a place to grant a Conditional Use Permit for the project.

Chair Phillips requested clarification on this process as compared to the process for the two other MPD amendments they are considering and questioned whether a Traffic Analysis should be required for this project. Planning Director Milliken acknowledged that there are similarities between this project and the base mountain resort project, stating that the latter would have more impacts by virtue of its' location. However, the concerns raised about this area being a pinch point could warrant further traffic studies, especially if they are trying to align ingress and egress to the parking within a short span and its proximity to the hairpin turn. She stated they could require further traffic study on this project.

APPROVED 10.13.2021

Chair Phillips stated he would like to see further traffic studies, especially given the sensitivity of the road, which is likely the most hazardous road in Park City. He reiterated that he is in favor of a site visit.

Mr. Fischer disagreed with the comments made by Mr. Ogilvy and did not believe they were factual. He suggested that Mr. Ogilvy bring his lawyers to future meetings because he does not understand the depth of the issues. Mr. Fischer stated that because the applicant requires an amendment of the Flagstaff Development Agreement, Twisted Branch Road does come into the discussion.

Mr. Fischer also reported that on September 11, 2019, his lawyer was told, "Redus would not get ahead of the City and would take into account what the City says on this Twisted Branch Road item." He stated that the City could require Redus to put the public on Twisted Branch Road to get the amendment to the Flagstaff Development Agreement that this applicant needs.

Chair Phillips stated that he was coming around on the Design Guidelines and noted that the Commission appears to be leaning towards the Design Guideline changes. Mr. Ogilvy noted that the Two Hay Development was sold, so Redus holds a small number of landholdings in town, including Twisted Branch Road.

Chair Phillips liked the design but had been concerned about the design pendulum swinging too far and provided the example of contemporary architecture on 535 Woodside. He also noted that every building with modern architecture in Old Town, as shown in the applicant's presentation, would not be allowed under the current Code. The Design Guidelines for Park City proper were recently revised because they had allowed unlimited flat roofs, which they realized was a swing too far.

Chair Phillips commented that this design is drastically different from any other stand-alone building of this size. Flat roofs along Main Street do not necessarily demonstrate a shift in design because commercial buildings have historically been predominantly flat. The Kimball Building originally was presented with a more modern design, which was not allowed. He opined that what exists there now is more fitting and was a wise decision by the City, despite being widely considered an architectural blunder at the time.

Chair Phillips reiterated his view that while he likes the design, it would represent a fairly radical shift. He was not opposed to contemporary but noted that the flat roof element is the hardest part of contemporary design to accept. Referencing the applicant's presentation, Chair Phillips stated that the Stein Erickson residence would be more in line with what he was hoping to see because it includes a mix of flat and pitched roofs.

Chair Phillips also expressed concern about the size of the glass, especially on the highest levels. While he is amenable to a floor to ceiling windows, this design is drastically different than anything he has seen and he would be inclined to require the applicant to justify the height by comparison with other projects in the area. He reiterated that the buildings are beautiful and is familiar with and respects the architectural firm. He added that this project would be a good improvement on the site.

Commissioner Thimm agreed that a site visit would be helpful. He did not take exception to the Residential Accessory space and agreed that residents and guests would utilize the square footage and not add to the intensity and use in terms of traffic and utilities. As far as the

APPROVED 10.13.2021

architecture, Commissioner Thimm expressed his opinion that the architecture is appropriate. Park City is very much about history and architecture. Architecture and design are a continuum; so not embracing current architecture fails to recognize the heritage and how architecture develops with time. With regard to how the masses are broken down and how the buildings are being looked at in detail, Commissioner Thimm commented that it brings forth what is needed together with timeless and sustainable materials, which would create a bridge with the past.

Commissioner Thimm stated that in terms of volumetrics, he believes they are very much in context with this district. He opined that the change to bring down the mass of Building A and creating a buffer to the Lodge and then taking that mass back up the mountain is an appropriate solution and sensitive to how this site should be developed. Chair Phillips agreed with Commissioner Thimm's comments on the volumetrics. He is generally in favor of the height exception but still needs to be convinced on the PUDs.

Commissioner Hall expressed her general agreement with Commissioner Thimm and liked the aesthetic presented. She requested clarification of the green roofs. Mr. Ogilvy confirmed that 33% of the roof area would be a flat green roof, with the remaining 67% being 1:12 low-sloped roofs. Chair Phillips assumed the flat roofs would not be white membrane roofs, as depicted in some of the photographs. Mr. Matthes agreed and confirmed there are wide selections of available colors for the flat roofs. Mr. Ogilvy added that all of the roofs would either be green or clad with paver stones. Commissioner Hall applauded the use of green roofs.

Commissioners Van Dine and Johnson agreed with the observations of Commissioner Thimm.

Chair Phillips re-opened the public hearing to allow Steven Issowits to comment.

Steven Issowits provided Deer Valley's perspective on this project. He noted that in 2007 when the Development Agreement was amended, certain densities were moved around. The applicant has worked well with Deer Valley Resort in terms of trying to find a better way to fit the density onto the site as compared to the Hill Glazier plan. They also requested that work be undertaken to address the placement of a sewer line and utilities along the Lucky Jack ski run. Redus worked with Deer Valley to create setbacks and included an internal driveway to improve the corridor for utilities. Ideally, he would not like to see something with this mass on top of Empire Lodge but acknowledged that is not for him to decide. He noted that the applicant worked with Deer Valley considerably to shift density and to step back the building. The trade-off was the inclusion of flat roofs, and it helps from both the ski run side and the street side.

Mr. Issowits stated he was never a big fan of modern architecture but has grown to like it. He noted that the palettes and materials used could help with cohesiveness with the surrounding area. He supported the location of the townhomes, noting that it saves quite a few trees. With regard to the comments about the roadway, he has stated publicly that Deer Valley would like to see the roadway change over and they would leave it to the City to determine if this project sparks any discussion on that. Deer Valley would like to see another way for skiers to move out of the Empire area and switching the roadway would allow this to occur.

Mr. Ogilvy responded to the comments regarding traffic. He noted that the Hill-Glazier plan was approved with 81 keys, so intuitively, the reduction from 81 keys to 47 keys entails a reduction in traffic on Marsac Avenue. Also, by having an amenity-rich building there would be less cause for people to be going on and off the property on a regular basis, which also leads to a reduction in traffic. He noted that the restaurant is not large and Empire Pass is well served by the Empire

APPROVED 10-13-2021

Express private Uber service. He offered that most of the patronage of the restaurant would be skiing in, or arriving by Empire Express.

Mr. Ogilvy explained that the foregoing was the rationale behind not engaging in a formal Traffic Study, and UDOT never felt it necessary to approve the curb cuts. He agreed that Guardsman Pass Road is getting busy for the size of the road, but there is no nexus between this project and the current condition on Guardsman Pass Road. That should be a separate discussion between the City and Redus, the owner of Twisted Branch Road.

Chair Phillips directed staff to provide an analysis of the concerns raised during this meeting.

Mr. Ogilvy added that the 2018 site visit likely related to an application to plat the Hot Creek site and the lower portion of Twisted Branch Road, and not this application. Commissioner Thimm recalled that the 2018 site visit did not have anything to do with this application, but agreed that a site visit should be scheduled.

After a brief recess, Chair Phillips confirmed the presence of a quorum to move forward with the next item.

8. REGULAR AGENDA

A. 543 Park Avenue – Hotel, Minor Conditional Use Permit – The Applicant Requests a Minor Hotel Conditional Use Permit to Convert the Washington School Inn, a Landmark Historic Structure on the Park City Historic Sites Inventory in the Historic Residential – 1 Zoning District, from a Bed and Breakfast to a Minor Hotel with Accessory Facilities for Events. PL-20-04477.

City Planner, Browne Sebright, reported that this application is for a Conditional Use Permit for a proposed designation of a minor hotel in the Washington School House. This item was intended to be on the regular agenda but was changed to a continuation item, in part because after a meeting with the Neighborhood Traffic Management Program Committee, Staff decided to conduct a follow-up meeting with some members of the Committee to refine some of the Conditions of Approval and additional feedback. He acknowledged the presence of the applicant and applicant's representatives, Graham Gilbert and Wade Budge.

Chair Phillips opened the public hearing. There were no public comments. Chair Phillips closed the public hearing.

Wade Budge introduced himself and offered to orient the Commission on this matter. He reported that the applicant already has an existing use on the property and is trying to change the designation to reflect what they are doing in terms of operations for the best and most efficient use of the property. He stated that to address that, they have prepared a Management Plan that would be presented to the Commission.

Chair Phillips invited Mr. Harrington to weigh in on how to proceed in light of the continuation. Mr. Harrington stated that because this item was not noticed, the introduction is better suited with the full benefit of the Staff Report and public notice.

Chair Phillips expressed appreciation to the applicant for their work and requested the full presentation be made at the next meeting.

APPROVED 10.13.2021

MOTION: Commissioner Doug Thimm moved to Continue 543 Park Avenue CUP to October 13, 2021. Commissioner Christin Van Dine seconded the motion.

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

B. 91 and 95 King Road – Plat Amendment – The Applicant Proposes Removing Internal Lot Lines and to Dedicate a Portion of the Property for the Ridge Avenue Right-of-Way to Create Two Lots of Record, Amending the Plat to Create Two Lots in the Historic Residential – Low-Density (HRL) Zoning District. PL-21-04775.

Planner Sebright reported that the applicant proposed a two-lot plat amendment to remove internal lot lines for the purpose of enabling future renovation and redevelopment. He explained that both 91 and 95 King Road are improved lots with residences dating back to the 1970s and 1990s. The lots are located in the Historic Residential Low (HRL) zoning district. The application is seeking to remove internal lot lines from three original Old Town-sized lots and to dedicate a portion of Ridge Avenue at the rear of the property to the City.

Planner Sebright stated that 91 and 95 King Road are located at the far southern end of Old Town, which is designated HRL due to the character of the roads that require a slightly larger minimum lot size and other dimensions to reduce density. The two properties are sandwiched between King Road and Ridge Avenue. He presented a photograph of the front of the properties. Staff determined that the proposed plat amendment complies with HRL zoning requirements. The HRL zone establishes larger lot sizes and both properties received variances as they are slightly below the minimum lot size of 3,750 square feet. He noted that the structures comply with rear setback requirements.

He explained that the plat amendment would accommodate the existing structures, but remove the other impediments to future development. Planner Sebright noted that 95 King Road received a variance for lot size, front setback, and side setbacks in 1995. In August 2021, the Board of Adjustment granted variances to 91 King Road for lot size, lot width, and front and side setbacks. He reported that the second analysis conducted by Staff involved looking at the general subdivision requirements of the City and the Land Management Code. Staff found the proposal complies as conditioned.

Planner Sebright noted a point of clarification in the Staff Report regarding compliance with general lot design requirement. He noted that the reference to Condition of Approval 18 for Debris and Waste Requirement should be Condition of Approval 13. He stated that as conditioned, the proposed plat amendment complies with the LMC.

For the fourth analysis, Planner Sebright reported that staff looked at how maximum building footprints would be calculated for these lots given the Ridge Avenue right-of-way. Staff recommended that the Planning Commission establish maximum building footprints for these two properties using the maximum building formula as outlined in the LMC based on the original configuration of the parcels prior to the proposed plat amendment.

He provided the revised calculations to the Commission and stated that Conditions of Approval 14 and 15 would be amended to read as follows:

APPROVED 10.13.2021

"1,015.94 square feet for 91 King Road and 1,386.52 square feet for 95 King Road"

Planner Sebright stated that for the fifth analysis, staff found good cause for the 91 and 95 King Road plat amendment because it removes lot lines, dedicates portions of the property that are on Ridge Avenue to the City, and would allow four snow easements to be recorded for both King Road and Ridge Avenue.

The sixth area of analysis was presented to the Development Review Committee to identify any issues with the right-of-way. They recommended two conditions of approval, one of which is related to the potential realignment of King Road and the requirement that the applicant is responsible for removing any retaining walls or structures in the right-of-way. The Development Review Committee also recommended a condition of approval for snow storage easements on both King Road and Ridge Avenue. Planner Sebright noted that Condition of Approval 18 should also be amended as follows: "The final plat shall show the road dedication to accommodate a 20-foot pavement width for Ridge Avenue, subject to the review and approval of City Engineer for compliance with City standards not to extend beyond the dedicated right-of-way."

Planner Sebright commented that Ridge Avenue is one of the substandard streets in this part of Old Town. At its' narrowest, it is approximately 14 feet wide. Based on discussions with the Engineering Department and Fire District, they understood the ultimate goal was to have a minimum width of 20 feet primarily for fire access. It is anticipated that most of that expansion would occur to the east side.

Planner Sebright presented a graphic of a 10-foot snow storage easement and the proposed 20-foot right-of-way. He reported that Staff found that this proposal complies with the HRL zoning district requirements, the zoning district lot and site requirements, the general subdivision requirements, and general lot design requirements as conditioned. Staff has not received public input prior to this meeting. Staff recommended that the Commission forward a positive recommendation for City Council's consideration on October 7, 2021, for 91 and 95 King Road plat amendment, amending Conditions of Approval 14, 15, and 18.

Commissioner Thimm asked about the jog in the new property line that touches the Parcel B building rather than being drawn to allow for a setback. Planner Sebright stated that the intent of the variance, and of this plat amendment, is to allow redevelopment of this site. Although variances were granted for side setbacks for 91 King Road, they are specific to the existing structure and it is anticipated that the structure would be replaced at some point. All future developments on site would be required to comply with all setback requirements of the zone.

Chair Phillips opened the public hearing. There were no public comments. Chair Phillips closed the public hearing.

Jeff Love, the applicant for 95 King Road, expressed his appreciation to Planner Sebright and the Commission for their time in consideration of this proposal.

MOTION: Commissioner Doug Thimm moved to forward a positive recommendation to the City Council for the 91 and 95 King Road Plat Amendment, according to the Findings of Fact and Conclusions of Law and Amended Conditions of Approval as follows:

Findings of Fact

APPROVED 10.13.2021

1. Zoning History

2. The current configuration of these lots has been in place since 1992.

3. On September 19, 1995, the Board of Adjustments granted 95 King Road Variances for minimum Lot size, Front Setback, and Side Setbacks.

4. On August 24, 2021, the Board of Adjustments granted Variances to 91 King Road for minimum Lot size, Lot width, and Front and Side Setbacks.

5. The Applicant proposes the 91 & 95 King Road Plat Amendment to create a 2,298 square foot Lot and a 3,135 square foot lot in the Historic Residential - Low-Density Zoning District for Single-Family Dwellings.

6. The proposed Plat Amendment complies with the purposes of the Historic Residential - Low-Density Zoning District.

7. The proposed Subdivision complies with the Lot and Site requirements for the Historic Residential - Low-Density Zoning District.

8. The proposed Subdivision complies with Land Management Code Section 15-7.3-2, as outlined in the staff report, and conditioned below.

9. The proposed Subdivision complies with Land Management Code Section 15-7.3-3, as outlined in the staff report, and conditioned below.

Conclusions of Law

1. There is Good Cause for this Subdivision because the removal of the Lot lines resolves existing issues, portions of the property that include Ridge Avenue, a Public Street, are dedicated, and snow easements are dedicated on both King Road and Ridge Avenue.

2. The Subdivision complies with Land Management Code Chapters 15-2.1, as well as Sections 15-7.3-2 and 15-7.3-3.

3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.

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

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

APPROVED 10.13.2021

2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year, this approval will be void, unless the applicant submits a request for an extension in writing prior to the expiration date and an extension is granted by the City Council.

3. The plat shall note that fire sprinklers are required for all new construction, to be approved by the Chief Building Official. Interior and exterior fire sprinkler systems may be required by the Park City Fire District at the time of Building Permit review.

4. A non-exclusive ten-foot public snow storage easement on King Road and Ridge Avenue shall be dedicated on the plat.

5. The property is not located within the Soils Ordinance and therefore it is not regulated by the City for mine-related impacts. However, if the property owner encounters mine waste or mine waste impacted soils, they must handle the material in accordance with State and Federal law.

6. City Engineer review and approval of all lot grading, utility installations, public improvements, and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

7. All Significant Vegetation that is removed shall be replaced in kind.

8. Limits of Disturbance that protect Significant Vegetation shall be approved by the Planning Director and shown on the final plat.

9. Existing natural drainage shall be maintained.

10. Site plans and Building designs shall resolve snow release issues to the satisfaction of the Chief Building Official.

11. Lot drainage shall be laid out to provide positive drainage away from the Single-family Dwelling in accordance with the International Building Code.

12. All disturbed areas on the Lot shall be covered with topsoil and revegetated.

13. No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on the Lot at the time of a Certificate of Occupancy.

14. The plat notes shall state that the Maximum Building Footprint for 91 King Road is 1,015.94 square feet.

15. The plat notes shall state that the Maximum Building Footprint for 95 King Road is 1,386.52 square feet.

16. Prior to Plat recordation, the Applicant shall either remove the existing retaining wall encroachments from the City Right-of-Way or enter into an Encroachment

APPROVED 10.13.2021

Agreement with the City that includes these encroachments conditioned by the City Engineer.

17. If at some point in the future King Road is re-aligned or at the time of redevelopment of the property, the applicant shall be responsible for the removal of retaining walls and other structures in the Right-of-Way at their sole expense and in an expeditious manner (within 90 days of written notice). The Applicant is responsible for securing appropriate City approvals and permits before any work on the encroachments can begin.

18. The Final Plat shall show a road dedication that accommodates a twenty-foot (20') pavement width for Ridge Avenue for the road, subject to review and approval of the City Engineer for compliance with City Standards and not to extend beyond the dedicated right-of-way.

Commissioner Bill Johnson seconded the motion.

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

9. ADJOURN

Commissioner Doug Thimm moved to adjourn.

The meeting adjourned at approximately 8:25 p.m.

APPROVED 10.13.2021

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **Mountain Ridge Subdivision Lot 13 Plat Amendment**
Application: **PL-21-04950**
Author: **Spencer Cawley, Planner I**
Date: **February 9, 2022**
Type of Item: **Administrative – Plat Amendment**

Recommendation

(I) Review the Plat Amendment for 3099 Mountain Ridge Court, (II) hold a public hearing, and (III) consider forwarding a recommendation for City Council's consideration on March 3, 2022, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in Draft Ordinance No. 2022-XX (Exhibit A).

Description

Applicant:	David and Heidi Maya; Represented by Jeff Schindewolf
Location:	3099 Mountain Ridge Court
Zoning District:	Single Family
Adjacent Land Uses:	Single-Family Dwellings
Reason for Review:	Plat amendments require Planning Commission recommendation and City Council action[1]

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.

Summary

On August 4, 2021, the Applicant submitted a complete Plat Amendment application to the Planning Department. The Applicant proposes amending the Mountain Ridge Subdivision Plat to modify the limitation on Maximum Floor Area for Lot 13 from 3,247 square feet to 3,410 square feet, a 163-square-foot increase.

Background

3099 Mountain Ridge Court is in the Mountain Ridge Subdivision, Lot 13, in the Single Family (SF) Zoning District. The Lot is occupied by a Single-Family Dwelling (please see Exhibit F to view site photos).

On March 8, 1990, the Park City Council approved Ordinance No. 90-12 (Page 150), an ordinance rezoning the Mountain Ridge Subdivision from Residential Density-Master Planned Development to Single Family and amending the official zoning map of Park City (Exhibit B).

[1] LMC § 15-7.1-2(B).

In 1991, the Mountain Ridge Subdivision was recorded with Summit County as Entry No. 321514. The subdivision established 21 Lots and designated the building envelope limits, the maximum building size, and the maximum building height for each Lot (Exhibit C). No Lots within the subdivision have been amended from the existing Plat.

On July 29, 2013, the City issued a Building Permit for a Single-Family Dwelling at 3099 Mountain Ridge Court. The Building Department's plan check indicates the main Structure Area measured 4,241 SF, the Basement Area measured 1,663 SF, and the garage Area measured 911 SF (Exhibit D, Page 7).

The Summit County online record and the 2013 Building Permit for 3099 Mountain Ridge Court show the structure's square footage is more excessive than the Subdivision Plat. The Applicant's Representative used these current LMC definitions to calculate the existing square footage:

> ***Basement:*** *Any floor level below the First Story in a Building. Those floor levels in Buildings having only one floor level shall be classified as a Basement unless that floor level qualifies as a First Story as defined herein.*
>
> ***First Story:*** *The lowest Story in a Building provided the floor level is not more than four feet (4') below Final Grade for more than fifty percent (50%) of the perimeter. Can include habitable or uninhabitable Floor Area.*
>
> ***Floor Area, Gross Residential:*** *The Area of a Building, including all enclosed Areas, consisting of the Area of all floors located under a ceiling that is above Final Grade, measure in square feet. Unenclosed porches, Balconies, patios and decks, vent shafts and courts are not calculated in Gross Residential Floor Area. Garages, up to a maximum Area of 600 square feet, are not considered Floor Area. Basement and Crawl Space Areas below Final Grade are not considered Floor Area. Floor Area is measured from the finished surface of the interior of the exterior boundary walls.*

Under these definitions, this Applicant's Representative calculates the total square footage for 3099 Mountain Ridge Court less than 3,247 SF:

GARAGE AREA

- 824 SF
- 50% below final grade
- Plat indicates 600 SF does not count toward total square footage.
- **TOTAL: ZERO SQUARE FEET (0 SF) TOWARD GROSS AREA[2]**

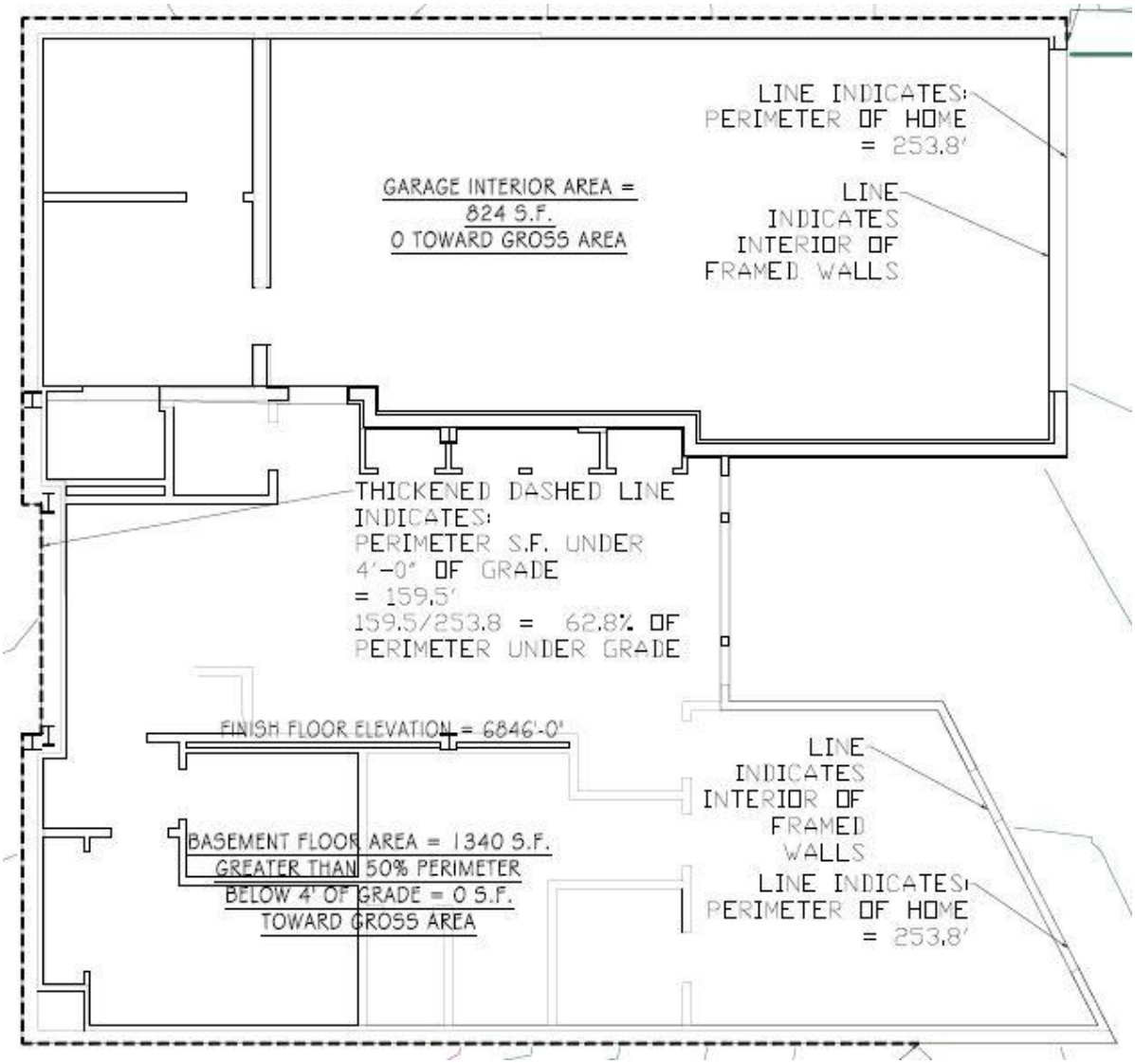
BASEMENT AREA

- 1,340 SF

[2] The Applicant's Representative shows that the garage area is basement area and argues the 824 SF are exempt as a result.

- Great than 50% below final grade
- **TOTAL: ZERO SQUARE FEET (0 SF) TOWARD GROSS AREA**

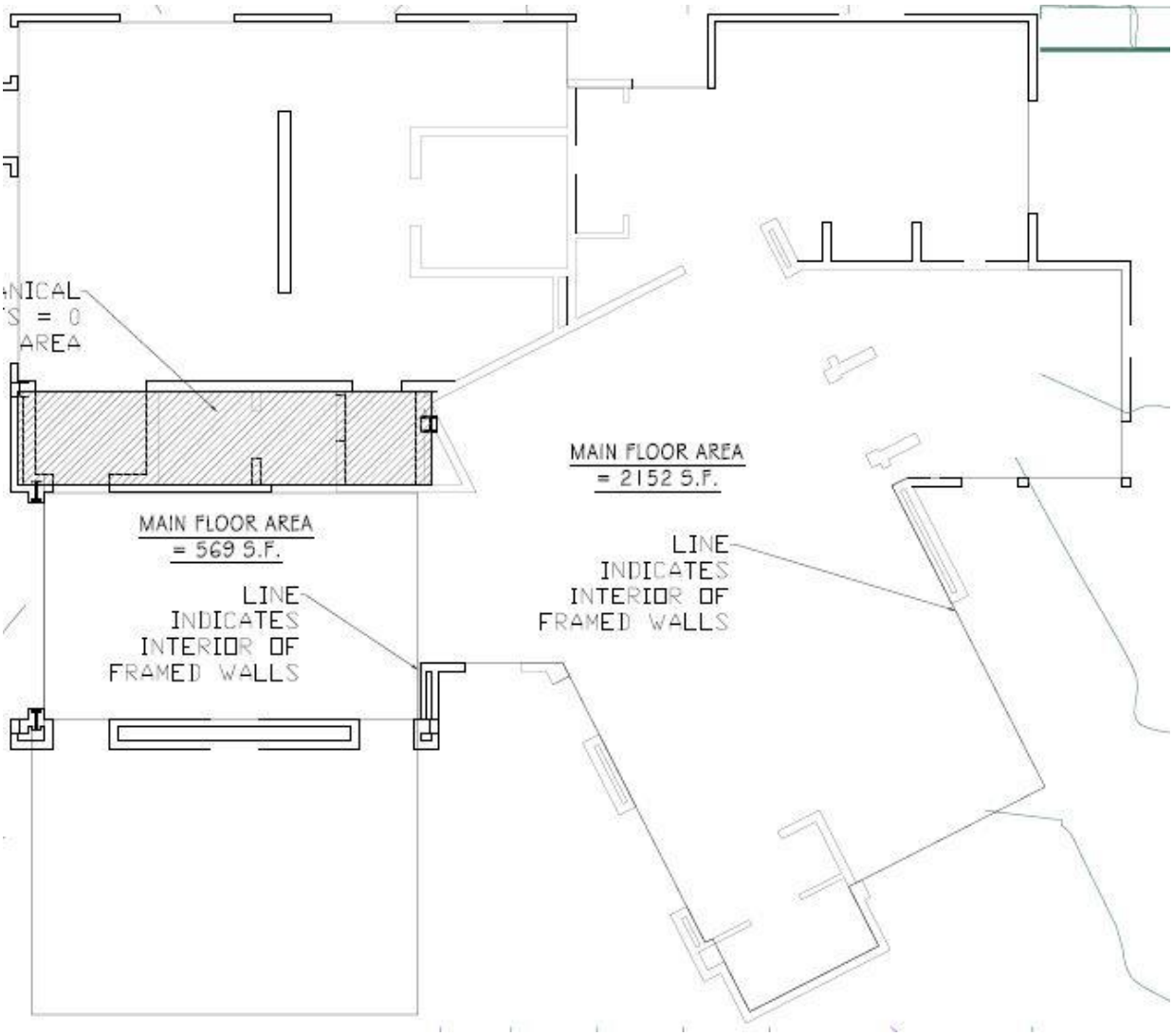
The image below is taken from the CUP Application and shows the Basement Area as determined by the Applicant's Representative.



MAIN & UPPER FLOOR AREA

- Mechanical shafts do not count toward Gross Area
- 2,152 SF for Main Floor
- 569 SF for Upper Floor
- **TOTAL: 2,721 SF TOWARD GROSS AREA**

The image on the next page is taken from the CUP Application and shows the Main Floor Area (right) and the Upper Floor Area (left) as determined by the Applicant's Representative.



On October 13, 2021, the Planning Commission held a public hearing and continued this Application to October 27, 2021. (Staff Report; Meeting Minutes.)

On October 27, 2021, the Planning Commission held a public hearing and continued this Application to a date uncertain. (Continuation Report; Meeting Minutes.)

Analysis

Plat Amendments require Planning Commission review and City Council Final Action.[3] The amendment shall be approved in accordance with the procedures outlined in LMC § 15-7.1-2 and a Final Plat shall be approved in accordance with these regulations.[4]

[3] LMC § 15-12-15(B)(9).
[4] LMC § 15-7.1-3(B)(1).

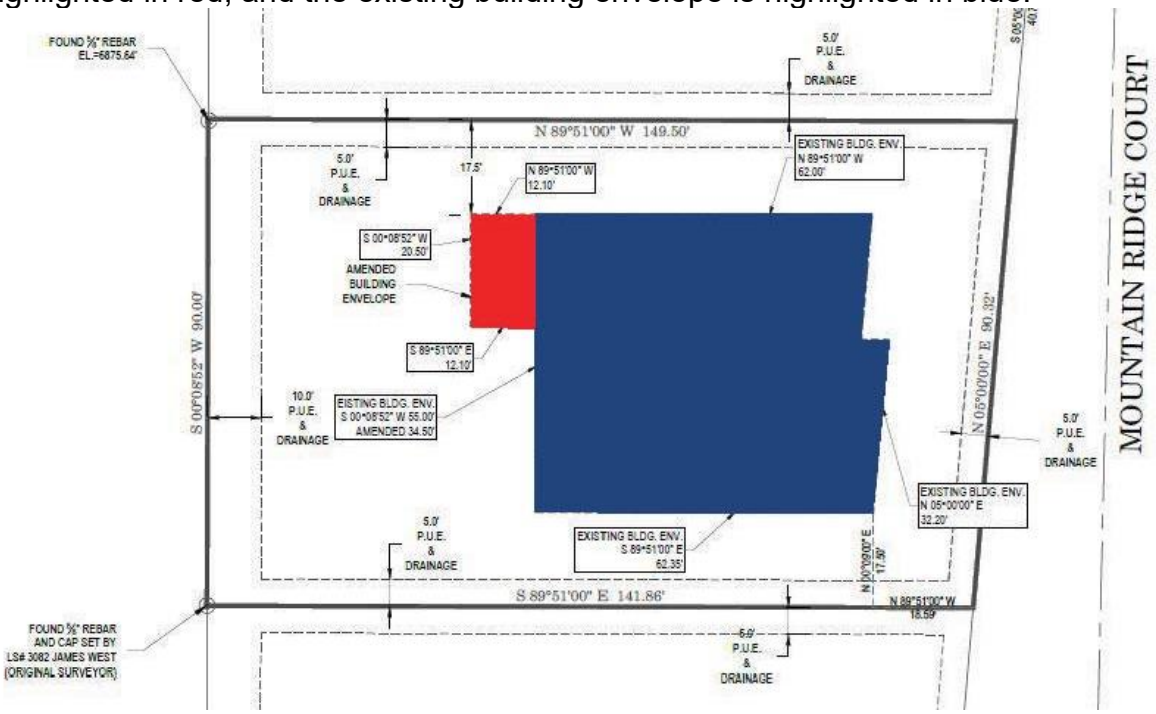
(I) The proposed Plat Amendment will meet the less restrictive Single Family (SF) Zoning District requirements.

The purposes of the SF Zoning District include maintaining existing predominately Single Family detached residential neighborhoods, allowing for Single Family Development Compatible with existing Developments, and maintaining the character of mountain resort neighborhoods with Compatible residential design.[5]

The table below outlines the SF Zoning District Lot Requirements[6] and compares the zone standards with the Subdivision Plat Map requirements.

Requirement	SF Zone	Subdivision Plat Map – Lot 13
Front Setback	Twenty Feet (20')	Twenty Feet (20')
Rear Setback	Fifteen Feet (15')	Not specified
Side Setback	Twelve Feet (12')	Not specified
House Size	Not Specified	3,247 Square Feet

Below is a visual approximation of the proposed changes. The amended portion is highlighted in red, and the existing building envelope is highlighted in blue.



The Applicant proposes to increase the allowed square footage from 3,247 square feet to 3,410 square feet to add an addition to the rear of the existing structure indicated in red above and attached as Exhibit G. The amendment will not change the Setbacks nor the height restrictions as established by the Mountain Ridge Subdivision Plat.

[5] LMC § 15-2.11-1.
[6] LMC § 15-2.11-3.

The following table shows the current allowed maximum square footage and the current Lot size:

Lot Number	Maximum Square Footage	Lot Size
1	3,616	14,649.18 SF
2	4,509	18,371.42 SF
3	4,600	19,572.67 SF
4	4,226	17,193.43 SF
5	4,600	22,794.16 SF
6	4,600	31,849.85 SF
7	4,600	26,948.77 SF
8	4,600	26,585.32 SF
9	3,474	14,057.74 SF
10	3,194	12,891.19 SF
11	3,144	12,684.77 SF
12	3,210	12,959.09 SF
13	**3,247**	**13,111.45 SF**
14	3,344	13,518.52 SF
15	3,169	12,787.22 SF
16	3,695	14,977.86 SF
17	3,803	15,430.28 SF
18	4,600	22,494.55 SF
19	3,628	14,701.23 SF
20	3,579	14,497.55 SF
21	2,800	9,176.11 SF
SUBDIVISION AVERAGE	**3,208**	**17,202.49 SF**

Total square footage of habitable space allowed in the Mountain Ridge Subdivision is approximately 24% of the Lot Area, or 4,600 square feet, whichever is less. The Applicant has petitioned to amend the Plat for a 5% increase to their allowed maximum square footage.

(II) The Planning Commission must make a finding of Good Cause prior to forwarding a positive recommendation for City Council's consideration.

Plat amendments shall require a finding of Good Cause and a finding that no Public Street, Right-of-Way, or easement has been vacated or amended.[7]

The proposed expansion does not vacate or amend a Public Street, Right-of-Way, or easement.

[7] LMC § 15-7.1-3(B)

LMC § 15-15-1 defines Good Cause as:

Providing positive benefits and mitigating negative impacts, determined on a case-by-case basis to include such things as:

- *Providing public amenities and benefits;*
- *Resolving existing issues and non-conformities;*
- *Addressing issues related to density;*
- *Promoting excellent and sustainable design;*
- *Utilizing best planning and design practices;*
- *Preserving the character of the neighborhood and of Park City; and*
- *Furthering the health, safety, and welfare of the Park City community.*

On September 27, 1989, Planning Staff presented the Mountain Ridge Subdivision to the Planning Commission and noted that "buildings should be sited to preserve significant views and so as not to break prominent ridgelines" (Exhibit H). The Planning Commission meeting minutes from February 14, 1990 state that the City Council requested the Subdivision be compatible with the community and that "[…] stringent development controls [are] placed on each lot which include limits of disturbance, revegetation, minimum/maximum square footages, and building heights, […] indicated on eat lot" (Exhibit I). From its inception, the intent of the Mountain Ridge Subdivision is to restrict building size and mass to conform with the natural contour of the land. Furthermore, neighbors have expressed concern that amendments to one Lot will result in future Subdivision amendments and alter the intent of these Subdivision restrictions (Exhibit J).

The Applicant included the following statement with their application regarding Good Cause (Exhibit E):

> *There is Good Cause for the Plat Amendment as the proposal will allow homeowners to construct an addition that is in compliance with the zoning requirements, the new proposed maximum floor area is consistent with many of the other lots of the subdivision. Additionally, no non-conformities will be created and no changes in density will result from the proposed Plat Amendment. Further, the applicant will replace any disturbed vegetation, and the amendment will not result in increased density.*

Department Review

The Development Review Committee reviewed the proposal on September 28, 2021. The 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 26, 2022. Staff mailed courtesy notice to property owners within 300 feet on January 26, 2022.[8]

[8] LMC § 15-1-21.

Public Input

Public input is attached as Exhibit J.

Alternatives

- The Planning Commission may forward a positive recommendation for Ordinance No. 2022-XX, Approving the Mountain Ridge Subdivision Lot 13 Plat Amendment to the City Council for consideration on March 3, 2022; or
- The Planning Commission may forward a negative recommendation for Ordinance No. 2022-XX, Denying the Mountain Ridge Subdivision Lot 13 Plat Amendment to the City Council and direct staff to make Findings for the denial; or
- The Planning Commission may request additional information for Ordinance No. 2022-XX for the Mountain Ridge Subdivision Lot 13 Plat Amendment and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Ordinance No. 2022-XX and Mountain Ridge Subdivision Lot 13 Proposed Amended Plat
Exhibit B: Ordinance No. 90-12
Exhibit C: Mountain Ridge Subdivision Plat
Exhibit D: 2013 Building Permit
Exhibit E: Applicant Statement
Exhibit F: Site Photos
Exhibit G: Proposed Floor Plans
Exhibit H: September 27, 1989 Planning Commission Meeting Minutes
Exhibit I: February 14, 1990 Planning Commission Meeting Minutes
Exhibit J: Public Comments

Ordinance No. 2022-XX

AN ORDINANCE APPROVING THE MOUNTAIN RIDGE SUBDIVISION LOT 13 PLAT AMENDMENT, LOCATED AT 3099 MOUNTAIN RIDGE COURT, PARK CITY, UTAH

WHEREAS, the owners of the property located at 3099 Mountain Ridge Court petitioned the City Council for approval of the Mountain Ridge Subdivision Lot 13 Plat Amendment; and

WHEREAS, on September 29, 2021, notice was published in the *Park Record* and on the City and Utah Public Notice Websites; and

WHEREAS, on September 29, 2021, the property was properly noticed and posted according to the requirements of the Land Management Code; and

WHEREAS, on September 29, 2021, courtesy notice was mailed to property owners within 300 feet of 3099 Mountain Ridge Court; and

WHEREAS, on October 13, 2021, the Planning Commission held a public hearing and continued the proposed plat amendment to October 27, 2021; and

WHEREAS, on October 27, 2021, the Planning Commission held a public hearing and continued the proposed plat amendment and; and

WHEREAS, on February 9, 2022, the Planning Commission held a public hearing and forwarded a positive or negative recommendation for the City Council's consideration on March 3, 2022; and

WHEREAS, on March 2, 2022, the City Council reviewed the proposed plat amendment and held a public hearing; and

WHEREAS, the plat is consistent with the Park City Land Management Code, including §15-7.1-3(B), §15-12-15(B)(9), and Chapters 15-2.11 and 15-7.

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

SECTION 1. APPROVAL. The Mountain Ridge Lot 13 Plat Amendment at 3099 Mountain Ridge Court, as shown in Attachment 1, is approved subject to the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact
Background:

1. The property is located at 3099 Mountain Ridge Court.
2. The property is listed with Summit County as Parcel Number MR-13.
3. The property is in the Single Family (SF) Zoning District.
4. On August 4, 2021, the Applicant submitted a Plat Amendment application to the Planning Department. The application was deemed complete on September 27, 2021.
5. The proposed Plat Amendment increases the maximum square feet for the existing Single-Family Dwelling.
6. No easement is vacated or amended because of the Plat Amendment.
7. The LMC regulates Lot and Site Requirements per LMC § 15-2.11-3.
8. A Single-Family Dwelling is an allowed Use in the SF Zoning District.
9. The SF Zoning District minimum Front Setback is twenty feet (20').

DRAFT

10. The SF Zoning District minimum Rear Setback is fifteen feet (15').
11. The SF Zoning District minimum Side Setback is twelve feet (12').
12. The Mountain Ridge Subdivision requires a minimum Front Setback of twenty feet (20') for Lot 13.
13. The Mountain Ridge Subdivision restricts building height to twenty-five feet (25') as measured from natural, existing grade at the building site. Gable, hip, gambrel, or other pitched roofs may extend up to thirty feet (30').
14. The Mountain Ridge Subdivision restricts the maximum total square footage of Lot 13 to 3,247 square feet. The Applicant proposes to amend the total allowed square footage to 3,410 square feet.

Conclusions of Law

1. There is Good Cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code, including LMC Chapter 15-2.11, *Single Family (SF) District*, and LMC § 15-7.1-6, *Final Subdivision Plat.*
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the Plat for compliance with state law, the Land Management Code, and the conditions of approval, prior to recordation of the Plat.
2. The Applicant shall record the Plat with the County within one (1) year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior the expiration date and an extension is granted by the City Council.
3. The Plat shall note that fire sprinklers are required for all new or renovation construction on this Lot, to be approved by the Chief Building Official.
4. Any new construction shall comply with the Land Management Code.
5. City Engineer review and approval of all Lot grading, utility installations, public improvements, and drainage plans for compliance with City standards is a condition precedent to building permit issuance.

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

PASSED AND ADOPTED this 3rd Day of March 2022.

PARK CITY MUNICIPAL CORPORATION

_____

MAYOR, Nann Worel

DRAFT

ATTEST:

_____
City Recorder, Michelle Kellogg

APPROVED AS TO FORM:

_____
City Attorney, Mark Harrington

Attachment 1: Proposed Plat Amendment

DRAFT

MOUNTAIN RIDGE 13 SUBDIVISION

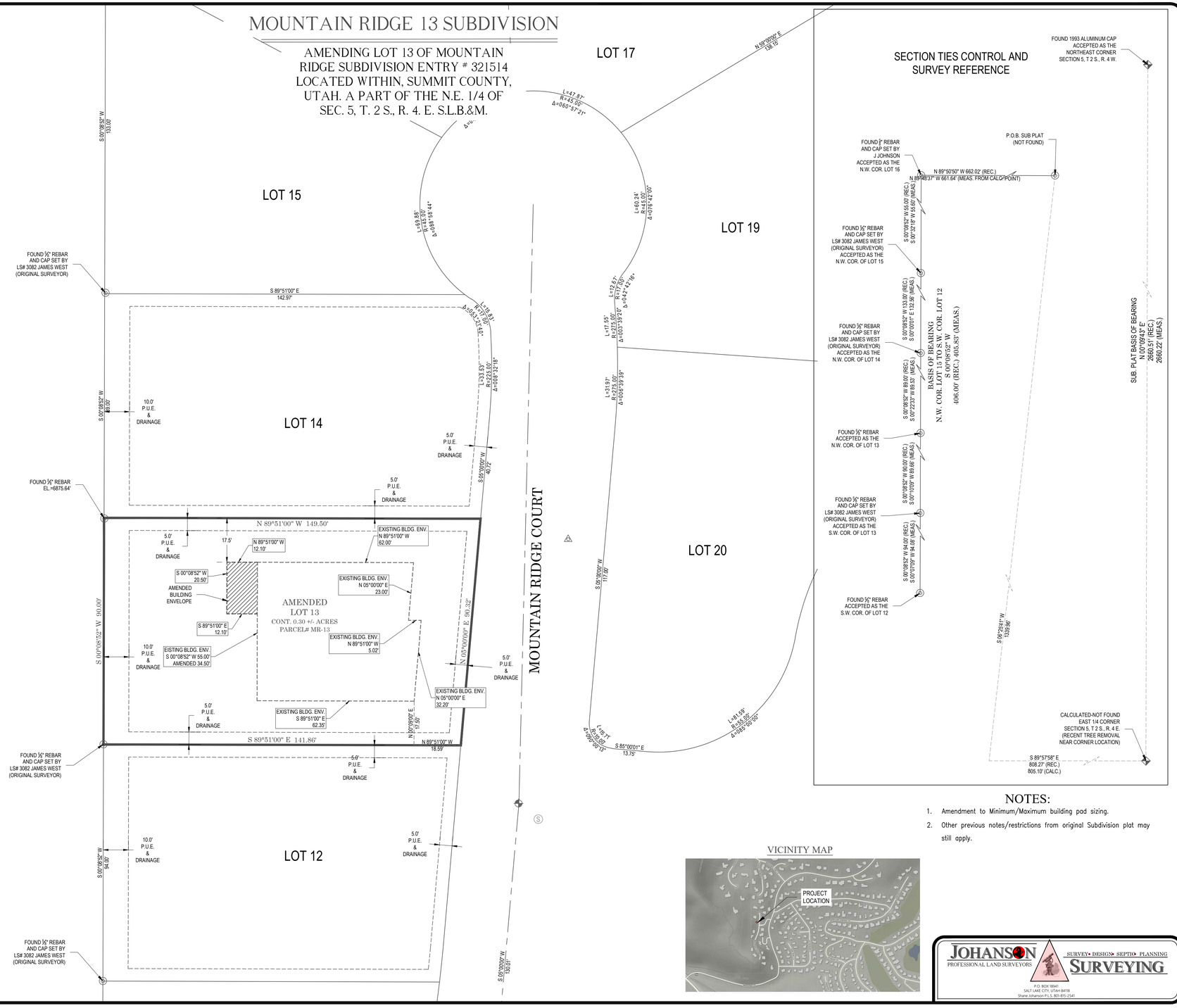
AMENDING LOT 13 OF MOUNTAIN RIDGE SUBDIVISION ENTRY # 321514 LOCATED WITHIN, SUMMIT COUNTY, UTAH. A PART OF THE N.E. 1/4 OF SEC. 5, T. 2 S., R. 4. E. S.L.B.&M.

N

S

LEGEND

- = SECTIONAL CORNER
- = STREET MONUMENT
- = FOUND PROPERTY MARKER
- = SET REBAR AND CAP
- = REPRESENTS PROPERTY LINE
- = SURVEY CONTROL POINT
- = EXISTING FIRE HYDRANT



SECTION TIES CONTROL AND SURVEY REFERENCE

NOTES:

1. Amendment to Minimum/Maximum building pad sizing.
2. Other previous notes/restrictions from original Subdivision plat may still apply.

VICINITY MAP

JOHNSON PROFESSIONAL LAND SURVEYORS — SURVEY• DESIGN• SEPTIC• PLANNING SURVEYING
P.O. BOX 18941 SALT LAKE CITY, UTAH 84118
Shane Johanson P.L.S. 801-815-2141

SURVEYOR'S CERTIFICATE

I, Shane Johanson do hereby certify that I am a Land Surveyor, and that I hold certificate No.7075114, 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, hereafter to be known as __MOUNTAIN RIDGE 13 SUBDIVISION_____and that same has been surveyed and shown on this plat. This survey was performed within the accordance of the minimum accuracy of an urban survey, Class "A", or a linear closure of 1:15,000'.

The purpose of this survey is to locate the boundaries of the described parcel and to create a two lot subdivision, for the eventual purpose of constructing and building future development.

LEGAL DESCRIPTION

Lot 13, Mountain Ridge Subdivision, Entry # 321514, According to the official plat thereof on file and of record in the Summit County Recorder's office.

OWNER'S DEDICATION

Know all men by these presents that, the undersigned owners DAVID R. MAYA AND HEIDI MAYA of the above described tract of land to be hereafter known as

MOUNTAIN RIDGE 13 SUBDIVISION

does hereby certify to have caused this plat to be prepared and does hereby dedicate for the perpetual use of the public all public roads and other areas shown on this plat as intended for public use. The undersigned owner also hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over the public utility easements shown on this plat, the same to be used for the installation, maintenance, and operation of utility lines and facilities. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof the owner has hereunto set this _____ day of _____ A.D., 20_____.

:David R. Maya
Date:

:Heidi Maya
Date:

MOUNTAIN RIDGE 13 SUBDIVISION

AMENDING LOT 13 OF MOUNTAIN RIDGE SUBDIVISION ENTRY # 321514 LOCATED WITHIN, SUMMIT COUNTY, UTAH. A PART OF THE N.E. 1/4 OF SEC. 5, T. 2 S., R. 4. E. S.L.B.&M.

GRAPHIC SCALE
20 0 10 20 40 80
(IN FEET)
1 inch = 20 ft.

PUBLIC SAFETY ANSWERING POINT APPROVAL

APPROVED AS TO FORM
THIS ___ DAY OF
_____, 2021.

_____
JEFF WARD GIS COORDINATOR/
ADDRESSING AUTHRITY

PARK CITY PLANNING COMMISSION

APPROVED BY THE PARK CITY
PLANNING COMMISSION ON THE ____ DAY OF
_____, 2021.

BY _____
date

CERTIFICATE OF ATTEST

I CERTIFY THIS PLAT MAP WAS
APPROVED BY PARK CITY COUNCIL
ON THE _____ DAY OF _____ 2021.

BY _____
PARK CITY RECORDER

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT

REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT STANDARDS
ON THIS _____ DAY OF
_____, 20___.

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

ENGINEERS CERTIFICATE

I FIND THIS PLAT TO BE IN ACCORDANCE
WITH INFORMATION ON FILE IN MY OFFICE
ON THIS _____ DAY OF
_____, 20___.

BY _____
PARK CITY ENGINEER

APPROVAL AS TO FORM

APPROVED AS TO FORM
THIS ___ DAY OF
_____, 20___.

_____
PARK CITY ATTORNEY

COUNCIL APPROVAL AND ACCEPTANCE

APPROVAL AND ACCEPTANCE BY THE PARK
CITY COUNCIL ON THE _____ DAY OF
_____, 2021.

_____
PARK CITY MAYOR

COUNTY RECORDER# _____

State of Utah, County of Summit, recorded and filed at the request of

_____

Date _____ Time _____ Book _____ Page _____

Fee $ _____ _____
County Recorder

NUMBER _____
ACCOUNT _____
SHEET 1
OF 1 SHEETS

Ordinance No. 90-12

AN ORDINANCE REZONING THE MOUNTAIN RIDGE SUBDIVISION FROM RESIDENTIAL DENSITY-MASTER PLANNED DEVELOPMENT (RD-MPD) TO SINGLE FAMILY (SF) AND AMENDING THE OFFICIAL ZONING MAP OF PARK CITY, UTAH

WHEREAS, the Park City Land Management Code provides the City Council the authority to create zoning designations, amend zoning provisions and the Official Zoning Map of Park City, Utah; and

WHEREAS, substantive amendments, more specifically those which affect the uses to be made of land within the City, must be publicly heard before the Planning Commission and the City Council; and

WHEREAS, public hearings were legally noticed and held before the Planning Commission and City Council on February 28, 1990 and March 1, 1990, respectively; to receive public input on the proposed rezoning; and

WHEREAS, the City Council deems it appropriate that this subdivision be duly zoned SF in consideration of adjacent zoning, and as a condition of the final plat approved by City Council on February 22, 1990;

NOW, THEREFORE, BE IT ORDAINED by the City Council that:

SECTION 1. OFFICIAL PARK CITY ZONING MAP AMENDED. The Official Park City Zoning Map shall be amended to rezone the Mountain Ridge Subdivision from RD-MPD to SF.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 8th day of March, 1990.

PARK CITY MUNICIPAL CORPORATION

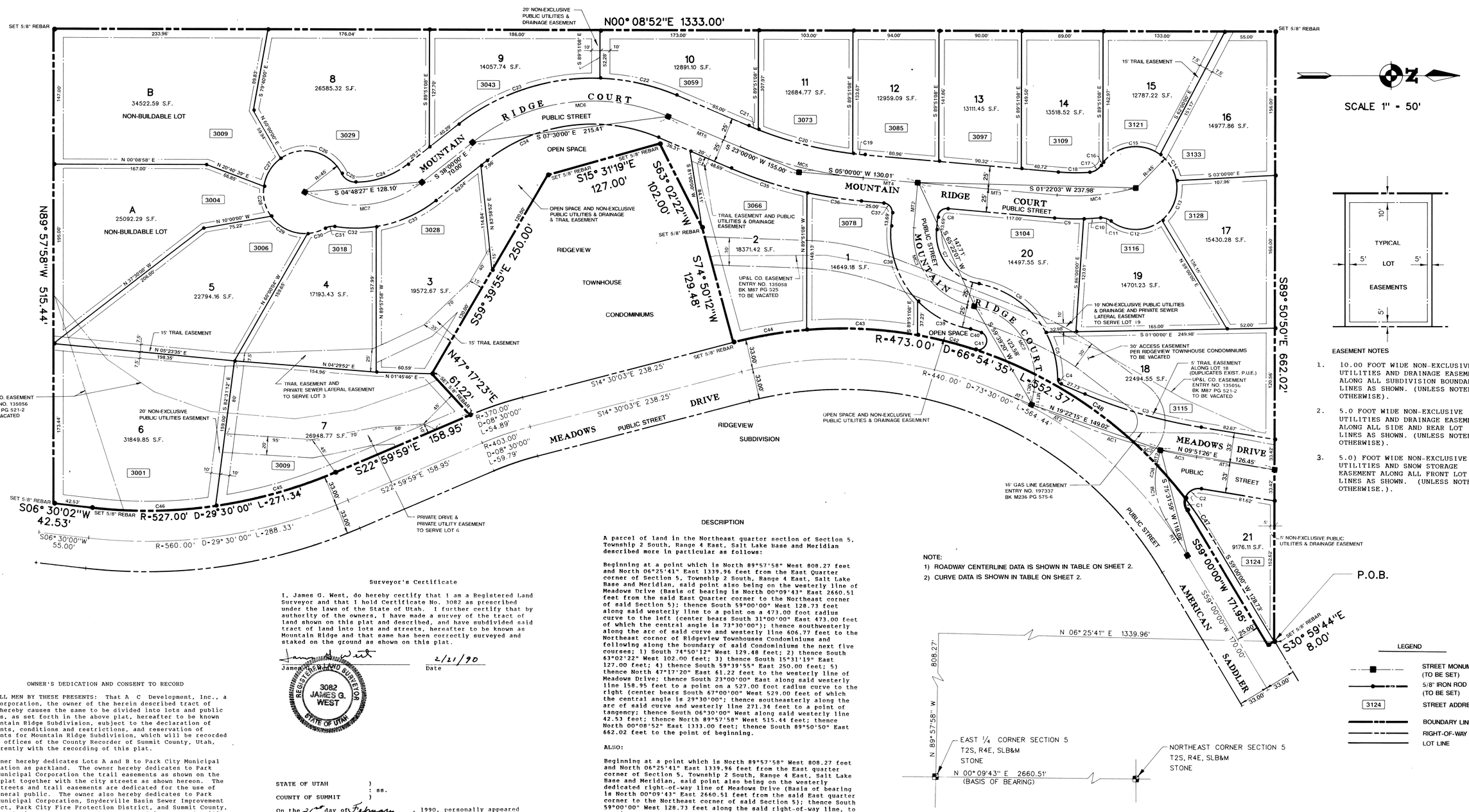
Mayor Bradley A. Olch

Attest:

Anita L. Sheldon

Anita L. Sheldon, City Recorder

PARK CITY SUMMIT COUNTY UTAH CORPORATE Seal MARCH 1, 1884



DESCRIPTION

A parcel of land in the Northeast quarter section of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian described more in particular as follows:

Beginning at a point which is North 89°57'58" West 808.27 feet and North 06°25'41" East 1339.96 feet from the East Quarter corner of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the westerly line of Meadows Drive (Basis of bearing is North 00°09'43" East 2660.51 feet from the said East Quarter corner to the Northeast corner of said Section 5); thence South 59°00'00" West 128.73 feet along said westerly line to a point on a 473.00 foot radius curve to the left (center bears South 31°00'00" East 473.00 feet of which the central angle is 73°30'00"); thence southwesterly along the arc of said curve and westerly line 606.77 feet to the Northeast corner of Ridgeview Townhouses Condominiums and following along the boundary of said Condominiums the next five courses; 1) South 74°50'12" West 129.48 feet; 2) thence South 63°02'22" West 102.00 feet; 3) thence South 15°31'19" East 127.00 feet; 4) thence South 59°39'55" East 250.00 feet; 5) thence North 47°17'20" East 61.22 feet to the westerly line of Meadows Drive; thence South 23°00'00" East along said westerly line 158.95 feet to a point on a 527.00 foot radius curve to the right (center bears South 67°00'00" West 529.00 feet of which the central angle is 29°30'00"; thence southeasterly along the arc of said curve and westerly line 271.34 feet to a point of tangency; thence South 06°30'00" West along said westerly line 42.53 feet; thence North 89°57'58" West 515.44 feet; thence North 00°08'52" East 1333.00 feet; thence South 89°50'50" East 662.02 feet to the point of beginning.

ALSO:

Beginning at a point which is North 89°57'58" West 808.27 feet and North 06°25'41" East 1339.96 feet from the East quarter corner of Section 5, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being on the westerly dedicated right-of-way line of Meadows Drive (Basis of bearing is North 00°09'43" East 2660.51 feet from the said East quarter corner to the Northeast corner of said Section 5); thence South 59°00'00" West 128.73 feet along the said right-of-way line, to a point on a 473.00 foot radius curve to the left (center bears South 31°00'00" East 473.00 feet of which the central angle is 06°35'25"); thence southwesterly along said curve and right-of-way line 54.38 feet to a point on a 15.00 foot radius curve to the left (center bears North 25°00'22" East 15 feet of which the central angle is 47°32'57"); thence northeasterly along said curve 12.45 feet; thence North 59°00'00" East 171.95 feet; thence North 30°59'44" West 8.00 feet to the point of beginning.

Contains 11.81 acres more or less.

NOTE:
1) ROADWAY CENTERLINE DATA IS SHOWN IN TABLE ON SHEET 2.
2) CURVE DATA IS SHOWN IN TABLE ON SHEET 2.

LEGEND
- STREET MONUMENTS (TO BE SET)
- 5/8" IRON ROD (TO BE SET)
- 3124 STREET ADDRESS
- BOUNDARY LINE
- RIGHT-OF-WAY LINE
- LOT LINE

EASEMENT NOTES

1. 10.00 FOOT WIDE NON-EXCLUSIVE UTILITIES AND DRAINAGE EASEMENT ALONG ALL SUBDIVISION BOUNDARY LINES AS SHOWN. (UNLESS NOTED OTHERWISE).
2. 5.0 FOOT WIDE NON-EXCLUSIVE UTILITIES AND DRAINAGE EASEMENT ALONG ALL SIDE AND REAR LOT LINES AS SHOWN. (UNLESS NOTED OTHERWISE).
3. 5.0) FOOT WIDE NON-EXCLUSIVE UTILITIES AND SNOW STORAGE EASEMENT ALONG ALL FRONT LOT LINES AS SHOWN. (UNLESS NOTED OTHERWISE.).

Surveyor's Certificate

I, James G. West, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 3082 as prescribed under the 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, and have subdivided said tract of land into lots and streets, hereafter to be known as Mountain Ridge and that same has been correctly surveyed and staked on the ground as shown on this plat.

James G. West — 2/21/90 Date

REGISTERED LAND SURVEYOR 3082 JAMES G. WEST STATE OF UTAH

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS: That A C Development, Inc., a Utah Corporation, the owner of the herein described tract of land, hereby causes the same to be divided into lots and public streets, as set forth in the above plat, hereafter to be known as Mountain Ridge Subdivision, subject to the declaration of covenants, conditions and restrictions, and reservation of easements for Mountain Ridge Subdivision, which will be recorded in the offices of the County Recorder of Summit County, Utah, concurrently with the recording of this plat.

The owner hereby dedicates Lots A and B to Park City Municipal Corporation as parkland. The owner hereby dedicates to Park City Municipal Corporation the trail easements as shown on the above plat together with the city streets as shown hereon. The city streets and trail easements are dedicated for the use of the general public. The owner also hereby dedicates to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County, a non-exclusive easement over the streets, driveways and utility easements shown on this plat for the purpose of providing access for utility installation, maintenance use and eventual replacement and to provide emergency services to said Mountain Ridge Subdivision.

EXECUTED this 21 day of February, 1990.

A C DEVELOPMENT, INC. a Utah Corporation

by: Evelyn M. Anderson
Evelyn Anderson, President

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

On the 21st day of February, 1990, personally appeared before me Evelyn Anderson who being by me duly sworn did say, that she is the President of AC DEVELOPMENT, INC., a Utah Corporation, and that the within and foregoing instrument was signed in behalf of said corporation by authority of a resolution of its board of directors and said Evelyn Anderson duly acknowledged to me that said corporation executed the same.

Cheryl L. Thomson
NOTARY PUBLIC

Residing at: Summit County, Ut

My Commission Expires: 9/21/91

NOTARY PUBLIC CHERYL L. THOMSON STATE OF UTAH

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF PARK CITY COUNCIL THIS 2ND DAY OF MARCH A.D. 1990. AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED

Bradley A. Olch
MAYOR

Anita L. Sheldon
CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS 7TH DAY OF MARCH A.D. 1990.

Eric W. DeHaan
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 21st DAY OF February A.D. 1990

CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 27th DAY OF February A.D. 1990.

CITY ATTORNEY

RECORDED

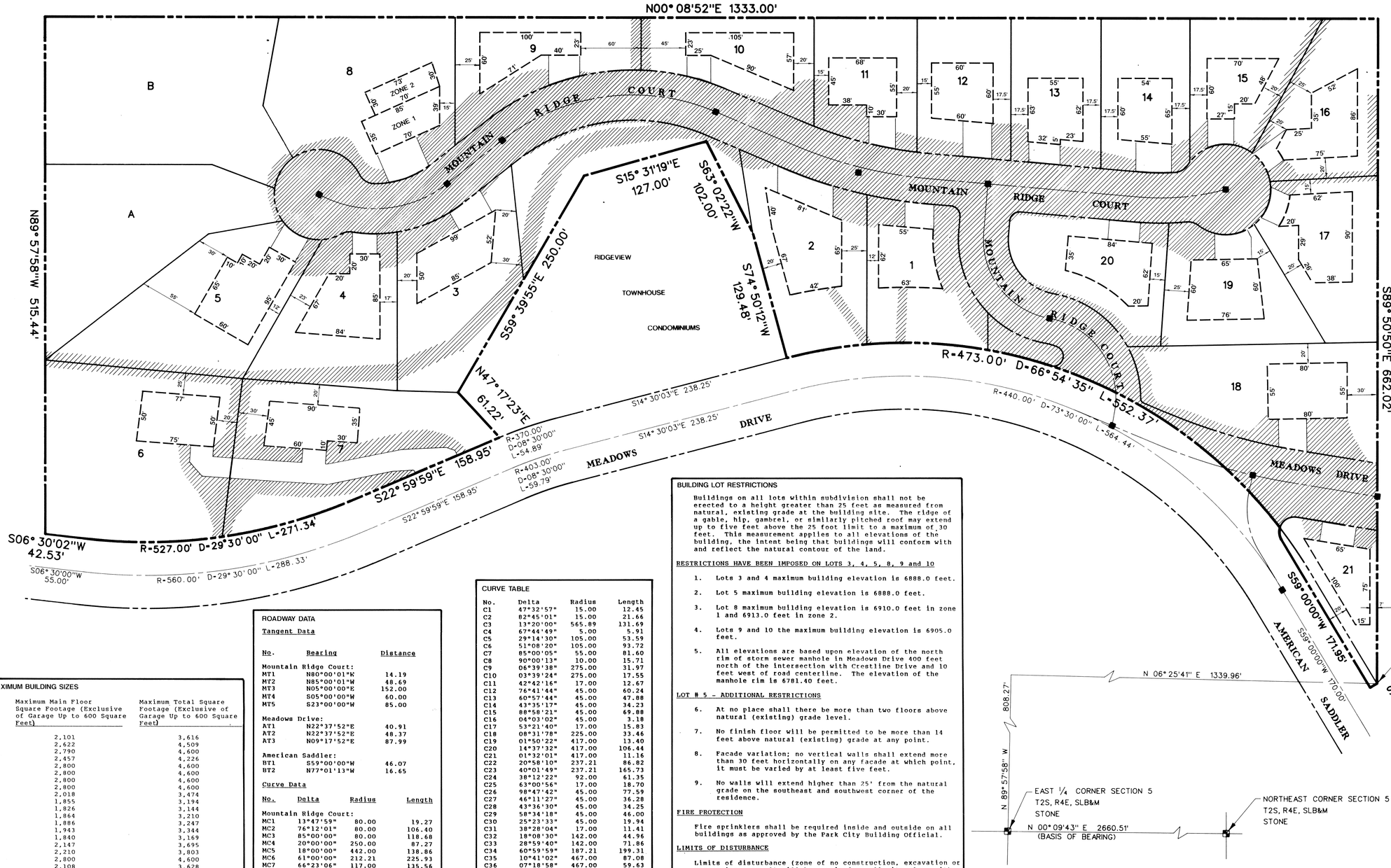
No 321511
STATE OF Utah
COUNTY OF Summit
RECORDED AND FILED AT THE REQUEST OF: Coalition Title Company
52 @ 3.90
8:09 P.M. Mar 9 90
FEES
Alan Spriggs
COUNTY RECORDER

THE SEAR-BROWN GROUP
FULL-SERVICE DESIGN PROFESSIONALS
1351 Deer Valley Rd South, Suite 202 Park City, Utah 84060
(801) 649-9811 FAX (801) 649-7065

MOUNTAIN RIDGE SUBDIVISION

A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 5 TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN PARK CITY, SUMMIT COUNTY, UTAH

JANUARY 1990 PROJECT NO. 6388 SHEET 1 of 2



SCALE 1" = 50'

LEGEND

- AREA OF DISTURBANCE WITHIN SETBACK AND DRIVEWAY ENVELOPE
- UTILITY AND ROAD CONSTRUCTION AND SLOPE EASEMENT
- BUILDING ENVELOPE LIMITS

Lot Number	Required Front Yard Set Back
1	25
2	25
3	20
4	20
5	25
6	85
7	52
8	25
9	20
10	20
11	25
12	35
13	20
14	30
15	25
16	20
17	20
18	25
19	25
20	20
21	20

MINIMUM/MAXIMUM BUILDING SIZES

Lot Number	Maximum Main Floor Square Footage (Exclusive of Garage Up to 600 Square Feet)	Maximum Total Square Footage (Exclusive of Garage Up to 600 Square Feet)
No. 1	2,101	3,616
No. 2	2,622	4,509
No. 3	2,790	4,600
No. 4	2,457	4,226
No. 5	2,800	4,600
No. 6	2,800	4,600
No. 7	2,800	4,600
No. 8	2,800	4,600
No. 9	2,018	3,474
No. 10	1,855	3,194
No. 11	1,826	3,144
No. 12	1,864	3,210
No. 13	1,886	3,247
No. 14	1,943	3,344
No. 15	1,840	3,169
No. 16	2,147	3,695
No. 17	2,210	3,803
No. 18	2,800	4,600
No. 19	2,108	3,628
No. 20	2,080	3,579
No. 21	1,800	2,800

ROADWAY DATA

Tangent Data

No.	Bearing	Distance
Mountain Ridge Court:		
MT1	N80°00'01"W	14.19
MT2	N85°00'01"W	48.69
MT3	N05°00'00"E	152.00
MT4	S05°00'00"W	60.00
MT5	S23°00'00"W	85.00
Meadows Drive:		
AT1	N22°37'52"E	40.91
AT2	N22°37'52"E	48.37
AT3	N09°17'52"E	87.99
American Saddler:		
BT1	S59°00'00"W	46.07
BT2	N77°01'13"W	16.65

Curve Data

No.	Delta	Radius	Length
Mountain Ridge Court:			
MC1	13°47'59"	80.00	19.27
MC2	76°12'01"	80.00	106.40
MC3	85°00'00"	80.00	118.68
MC4	20°00'00"	250.00	87.27
MC5	18°00'00"	442.00	138.86
MC6	61°00'00"	212.21	225.93
MC7	66°23'06"	117.00	135.56
Meadows Drive:			
AC1	06°58'00"	598.89	72.82
AC2	02°41'04"	598.89	28.06
AC3	03°40'55"	598.89	38.49
American Saddler:			
BC1	43°34'35"	80.00	60.84
BC2	00°24'12"	80.00	.56

CURVE TABLE

No.	Delta	Radius	Length
C1	47°32'57"	15.00	12.45
C2	82°45'01"	15.00	21.66
C3	13°20'00"	565.89	131.69
C4	67°44'49"	5.00	5.91
C5	29°14'30"	105.00	53.59
C6	51°08'20"	105.00	93.72
C7	85°00'05"	55.00	81.60
C8	90°00'13"	10.00	15.71
C9	06°39'38"	275.00	31.97
C10	03°39'24"	275.00	17.55
C11	42°42'16"	17.00	12.67
C12	76°41'44"	45.00	60.24
C13	60°57'44"	45.00	47.88
C14	43°35'17"	45.00	34.23
C15	88°58'21"	45.00	69.88
C16	04°03'02"	45.00	3.18
C17	53°21'40"	17.00	15.83
C18	08°31'78"	225.00	33.46
C19	01°50'22"	417.00	13.40
C20	14°37'32"	417.00	106.44
C21	01°32'01"	417.00	11.16
C22	20°58'10"	237.21	86.82
C23	40°01'49"	237.21	165.73
C24	38°12'22"	92.00	61.35
C25	63°00'56"	17.00	18.70
C26	98°47'42"	45.00	77.59
C27	46°11'27"	45.00	36.28
C28	43°36'30"	45.00	34.25
C29	58°34'18"	45.00	46.00
C30	25°23'33"	45.00	19.94
C31	38°28'04"	17.00	11.41
C32	18°08'30"	142.00	44.96
C33	28°59'40"	142.00	71.86
C34	60°59'59"	187.21	199.31
C35	10°41'02"	467.00	87.08
C36	07°18'58"	467.00	59.63
C37	90°00'16"	10.00	15.71
C38	48°57'59"	105.00	89.74
C39	36°02'01"	105.00	66.04
C40	13°02'26"	55.00	12.52
C41	174°51'08"	10.00	30.51
C42	07°47'57"	473.00	64.39
C43	14°43'03"	473.00	121.50
C44	09°52'20"	473.00	81.50
C45	14°49'22"	527.00	136.34
C46	14°40'38"	527.00	135.00
C47	06°35'25	473.00	54.51
C48	34°31'14"	473.00	284.98

BUILDING LOT RESTRICTIONS

Buildings on all lots within subdivision shall not be erected to a height greater than 25 feet as measured from natural, existing grade at the building site. The ridge of a gable, hip, gambrel, or similarly pitched roof may extend up to five feet above the 25 foot limit to a maximum of 30 feet. This measurement applies to all elevations of the building, the intent being that buildings will conform with and reflect the natural contour of the land.

RESTRICTIONS HAVE BEEN IMPOSED ON LOTS 3, 4, 5, 8, 9 and 10

1. Lots 3 and 4 maximum building elevation is 6888.0 feet.
2. Lot 5 maximum building elevation is 6888.0 feet.
3. Lot 8 maximum building elevation is 6910.0 feet in zone 1 and 6913.0 feet in zone 2.
4. Lots 9 and 10 the maximum building elevation is 6905.0 feet.
5. All elevations are based upon elevation of the north rim of storm sewer manhole in Meadows Drive 400 feet north of the intersection with Crestline Drive and 10 feet west of road centerline. The elevation of the manhole rim is 6781.40 feet.

LOT # 5 - ADDITIONAL RESTRICTIONS

6. At no place shall there be more than two floors above natural (existing) grade level.
7. No finish floor will be permitted to be more than 14 feet above natural (existing) grade at any point.
8. Facade variation: no vertical walls shall extend more than 30 feet horizontally on any facade at which point, it must be varied by at least five feet.
9. No walls will extend higher than 25' from the natural grade on the southeast and southwest corner of the residence.

FIRE PROTECTION

Fire sprinklers shall be required inside and outside on all buildings as approved by the Park City Building Official.

LIMITS OF DISTURBANCE

Limits of disturbance (zone of no construction, excavation or vegetation removal) will be required on all site plans with areas of disturbance generally restricted to 15 feet around the proposed building. In no case shall the limits of disturbance be closer than ten feet from side or rear property line. Limits of disturbance will be staked with red construction tape prior to commencement of construction.

Grading shall be permitted only for infrastructure and with full building permit issuance or as otherwise approved by the community development director. Conformance with Limits of Disturbance shall be assured with a letter of credit or cash security provided by the lot owner.

MOUNTAIN RIDGE SUBDIVISION

A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 5
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

JANUARY 1990 **PROJECT NO. 6388**

RECORDED

No 321514
STATE OF Utah
COUNTY OF Summit
RECORDED AND FILED AT THE REQUEST OF:
Coalition Title Co.
$12.00 FEES 3-8-90 3:09 p.m. Alan Spriggs COUNTY RECORDER

THE SEAR-BROWN GROUP
FULL-SERVICE DESIGN PROFESSIONALS
1351 Deer Valley Rd. South, Suite 202 Park City, Utah 84060
(801) 649-1911 FAX (801) 649-7065

MOUNTAIN RIDGE

PARK CITY 1884

COMBO PERMIT

PO BOX 1480 • 445 MARSAC AVE • PARK CITY, UTAH 84060
(435) 615-5100

Site Address: 3099 MOUNTAIN RIDGE CT
PARK CITY UT 84060

Project Name:

PERMIT NUMBER: BD-13-18358
PARCEL NUMBER:
STATE PERMIT #:
ISSUED DATE: 7/29/2013

OWNER
HONIGMAN SUZY
3109 MOUNTAIN RIDGE CT
PARK CITY UT 84060-6944

CONTRACTOR
Top Mark Industries , INC
1645 NORTHSHORE CT
PARK CITY UT 84098

State License: 6074881-5501
Expires: 11/30/2013

INVESTIGATION FEE	N
CONSTRUCTION VALUE	519532.42
WAIVE FEES	no
SWIMMING POOL	no
IDENTICAL PLAN REVIEW	N
UNIT TYPE	1
# OF DWELLING UNITS	1
ARCHITECTURAL & DESIGN FEES	newres
# OF EQUIVALENT UNITS	1

FEES	
PARKS, TRAILS, OPEN SPACE	5,780.00
BUILDING PERMIT FEE	3,396.49
PLAN CHECK FEE	2,207.72
OUTDOOR WATER IMPACT FEE	11,525.00
WATER IMPACT FEE	7,145.00
PUBLIC SAFETY IMPACT FEE	910.00
STATE FEE	33.96
STREETS IMPACT FEES	470.00
Water Meter 1.5"	1,020.70
Total Permit Fees	**32,488.87**

PERMIT DESCRIPTION

SFD

This department must have 24 hrs. notice for all inspections
(435) 615-5100

All work must be inspected prior to concealment

Conditions:

Cond:

Temporary cut slopes shall comply with the soils report (up to 4 ft may be near-vertical and up to 10 ft may be 2 vert : 1 horiz.)

Flexible pavement areas , upper 9 inches of soil shall be scarified, moisture prepared to 2% above optimum moisture content and recompacted. Recompacted shall mean the upper 9 inches of nautral soil shall be removed and replaced with "non-expansive" low permeability subbase fill.

Flatwork within the upper 5-6 ft of potentially expansive soil, must have minimum 2 ft "non-expansive" low permeablility structural fill.

Potentially expansive soils to be removed an replaced w/non-expansive site grading structural fill. This includes area under footings and slabs.

Cond:

The building permit as calculated from the valuation is $3,896.49. However, EDEN did not automatically deduct the $500 plan check deposit as it should have. Therefore, the building permit fee was reduced by $500 to reflect the same sum. The new building permit fee is shown as $3,396.49.

Cond: FIRESPRINK

SUBMIT PLANS AND HYDRAULIC CALCULATIONS FOR THE FIRE SPRINKLER SYSTEM TO THE BUILDING DEPARTMENT FOR REVIEW AND APPROVAL PRIOR TO INSTALLATION.

Cond:

The fire pit must be approved by the Deputy Fire Marshal before being installed.

Cond:

1. Single Family (SF) District.
2. Mountain Ridge Subdivision.
3. 3,847 sq. ft. house size maximum - includes 600 sq. ft. garage credit.
4. Maximum height is 25 feet.
5. Disturbance shall not exceed 15 feet from building on side and rear.
6. Exterior lighting shall be down lit and shielded.

Valuation Items:

Occupancy		Type	Factor	Sq Feet	Valuation
r3	Single Family	VB	137.32	2,578.00	$354,010.96
finbas	FINISHED BASEMENT	VB	33.71	1,663.00	$56,059.73
unbas	UNFINISHED BASEMENT	VB	26.22	1,663.00	$43,603.86
sprink	FIRE SPRINKLER SYSTEM	FIRE SPRINKLER SYSTEM	4.37	4,635.00	$20,254.95
sfgar	RESIDENTIAL 1&2 FAMILY GARA(	VB	40.34	911.00	$36,749.74
decks	DECKS	VB	22.47	394.00	$8,853.18
	TOTALS			**11,844.00**	**$519,532.42**

I certify that no work will be done except as described above or on accompanying plans. Issuance of this permit shall not be construed as aproval of any violation of the codes, laws or ordinances as adopted by the City of Park City or the State of Utah.

SIGNATURE  DATE 7/29/13

PRINT NAME: MARK PAPPAS

CONSTRUCTION MITIGATION AGREEMENT
STORM WATER POLLUTION ACKNOWLEGMENT
ACKNOWLEGMENT OF LEAD/ASBESTOS

PERMIT #	BA-13-18358	**ADDRESS**	3099 Mountain Ridge Ct PARK CITY UT 84060
CONTRACTOR/OWNER NAME	TOPMARK INDUSTRIES INC.		
MAILING ADDRESS	1645 NORTHSHORE CT. PARK CITY. 84098		
CONTACT PERSON	MARK PAPPAS	**CONTACT PHONE #**	435/6405981

When signing this agreement, the responsible party(ies) acknowledges reading and understanding the conditions of the construction mitigation plan and hereby agrees to comply with not only this, but all applicable city ordinances. A copy of the construction mitigation plan will be kept on-site for all contractors/sub-contractors to have access to at all times. This form shall serve as a notice that failure to comply with the mitigation conditions will result in enforcement action. *Additional restrictions may apply please see the specific construction mitigation agreement if applicable*

As the project owner or authorized agent of the owner, I have read and understand the requirements listed in the storm water pollution attachment A for construction activities to control storm water pollution from sediments, erosion and construction materials. I certify that I will comply with these requirements.

When signing this agreement, the above responsible party(ies) acknowledges reading and understanding the demolition handout and hereby agrees to comply with not only this, but all applicable city regulations as well as State and Federal Laws. A copy of the handout was given to the above responsible party and they were duly informed by the Park City Building Department that any property runs the risk of creating air pollution caused by asbestos and/or lead and they are to contact Summit County Health Department, Questar Gas and Snyderville Basin before demolition work will take place. This requirement is considered effective as of June 2011 per State Legislature H.B.0285.

- **KEEP CONSTRUCTION MITIGATION ON SITE**
- **NOTHING DOWN THE CREEK OR IN THE DRAIN UPON CLEAN-UP**
- **BUILDINGS BUILT PRIOR TO 1978 MAY CONTAIN LEAD/ASBESTOS**

Signature: _____

Print Name: MARK PAPPAS **Date:** 7/29/13.

HOMEOWNERS ASSOCIATION NOTIFICATION VERIFICATION

This document shall serve as verifications that the Mountain Ridge Subdivision (Subdivision)

Homeowner's Association has been notified of Honigman (Owner)

Intent to build at 3097 Mountain Ridge Ct. (Address)

This notice is only to inform the HOA that the owner is seeking a Building permit from Park City Municipal Corporation. These plans may change and it is the HOA's responsibility to follow the process if necessary.

Check One:

✓ Notice received and acknowledged

Michele J Paulsen 6/3/2013
HOA Representative Date

_____ Notice mailed and received

I hereby certify that I attempted to contact the HOA to execute the above acknowledgement and was unsuccessful. Attached is the signed return receipt of the certified letter which included a true and accurate copy of this notification.
_____(Owner signature and attach receipt)

HOMEOWNERS ASSOCIATION NOTIFICATION VERIFICATION

This document shall serve as verification that the MOUNTAIN RIDGE

Homeowner's Association (HOA) has been notified of SUZANNE HONIGMAN (owner)

intent to build at (address) 3099 MOUNTAIN RIDGE COURT RD. (lot #) 13

Plans may be viewed at the Park City Building Department , 445 Marsac Ave.

This notice is only to inform the HOA that the owner is seeking Building Permit (s) from the Park City. These plans may change and it is the HOA'S responsibility to follow the permit process if necessary.

Check One:

✓ Notice received and acknowledged

[illegible] 5/29/2013

HOA Representative Date

_____ Notice mailed and received

I hereby certify that I attempted to contact the HOA to execute the above knowledgement and was unsuccessful. Attached is the signed return receipt of the Certified letter which included a true and accurate copy of this notification_____(signed owner & attached return receipt.

RECEIVED
PARK CITY MUNICIPAL CORP
JUN 04 2013
BUILDING DEPT

CERTIFICATE OF SURVEY

I, J.D. GAILEY do hereby certify that I am a licensed land surveyor registered by the State of Utah, License # 359005, as prescribed under the laws of Utah. I further certify that I have reviewed the plans for permit # BD-13-18358 at 3099 MOUNTAIN RIDGE COURT (Street Address) on 13 (Lot number) MOUNTAIN RIDGE (Subdivision) and have surveyed the property to verify that the structure is situated on the lot as approved or have submitted a site plan showing the actual setback dimensions. I have also verified that the footing elevations are BASED ON AN ELEVATION OF 6834.5 FEET AT THE SEWER MANHOLE LID IN FRONT OF THE PROPERTY: NE COR = 6839.3'; SE COR = 6845.05'; SW COR = 6849.75'; NW COR = 6843.55'.

Professional Seal Here

STATE OF UTAH
9/4/13
J. D. GAILEY
NO. 359005
PROFESSIONAL LAND SURVEYOR

JD Gailey
(Signature)

Sept. 4, '13
(Date)

RECEIVED
PARK CITY MUNICIPAL CORP
SEP 05 2013
BUILDING DEPT

2009 INTERNATIONAL RESIDENTIAL CODE
(Revised 04-20-2011)

Log Number: BD-13-18358 Date Plans Received: 7/11/13

Building Address: 3099 Mountain Ridge Ct

Owner's Name: Honigman

Main Building Sq. Ft: 4241 Other:

Total Area Basement: 1663 Type of Building: SFD

Finished Basement: 1663 No. Stories: 2

Garage: 911 No. Levels: 3

Deck/Balcony: 394 Area of LOD: 6963

Fire Sprinklers: Y Area: 4635 Number of Bedrooms: 3

Elevation: 68752 Ground Snow Load: 144

Roof Snow Load: 102 Soil Bearing Capacity: 2500

Plan Check by: Michelle Downard

Started Review: 7/8/13 Finished Review: 7/11/13

This checklist is compiled for plan checking purposes for use by the Division of Building Inspection. The information contained herein will also provide condensed construction information for design and job use. This checklist is not intended to indicate any change in any building code or ordinance by inference or omission. A circle around a checklist number indicates an incorrect detail or insufficient information. **Please make the corrections on the drawings indicated by the number in the circle/box on the checklist.** Any indicated correction not made or construction detail not shown will be assumed to be installed in accordance with the applicable codes.

GENERAL:

G1. Place correct construction street address, owner's name, designer's name, and architect and/or engineer's name and seal on the drawings. Is this 3099 or 3097 (see survey) changed to 3099

G2. Provide a plan index. Make sure this is correct A0.0

G10. Show the 'Limits-of-Disturbance' on the Site Plan including all utility crossings, material storage and stockpile areas, driveways, re-graded areas, proposed landscaped areas, and construction parking areas. Explain how construction can be completed within LOD

7/11/13- emailed to architect

G23 For driveways that go across public property (we believe 99% of them will, so we will assume all do), provide a copy of the "Application to work in a Public Right of Way" that has been approved by the City Engineering department.

G24 Obtain Engineering Department approval for plans. done

G25 Obtain Planning Department approval for plans. Shauna waiting on Bldg

G26 Provide a receipt or "non-required payment" letter from both Snyderville Basin Water Reclamation District, and the Park City Fire District. received 7/23

G27 Provide a landscaping plan for Planning approval. received 7/23 see redlines

Additional General Comments:

- Please confirm- "perforated floating screen wall" on south end of home- shown in elevation and plans as future… (not included in this permit or approval?) included
- Confirm soil bearing capacity- struct calcs list 2500 psf, soils report lists CL/ML soil which is listed as 1500 psf in IRC 401.4.1 see pg 10
- Elevator special inspection is required by state A0.0
- Provide elevator shaft and fire rating assembly

FOUNDATION PLAN:

F3. Show footings a minimum of 40 inches below finish grade. -IRC R403.1.4 SE Corner 42" @ corner

ARCHITECTURAL:

A17. Automatic garage door openers , if provided, shall be tested in accordance with UL325. R309.6 E1.0 & E1.5

A20. All unenclosed floor and roof openings, open and glazed sides of landings and stairs, balconies and porches more than 30 inches above grade, and roofs used for other than service of the building shall be protected by a guard (aka "Guardrail"). Guards shall not be less than 36 inches in height. Open guards shall have intermediate rails or an ornamental pattern such that no sphere 4 inches in diameter can pass through. – IRC R312 I see the guardrail detail and I can see it on the elevation. But please LABEL on floor plans, elevations or somewhere that shows where it will be provided see A2.1

A33. Show ice shield extending from the eaves to a point at least 24 inches inside the exterior wall line. -IRC R905.8. flat roof

A48 Insulation and U-values on plans don't match ResCheck energy analysis. Basement walls- R13 or R15 (A8.1 #4), framed walls- R21 or R23 (A8.1 #1) see revised A8.1

A59. List on the cover sheet of the drawings each deferred submittal item IE: ~~fire sprinkler submittal, truss details, radiant heat submittal, 2 lb. gas piping schematic, stucco/EIFS submittal, factory built fireplace product information, and Planning Department items,~~ **siding details**, ~~etc. IRC R107~~ steam shower See A0.0

A60. Sills of exterior windows which are located more than 6 feet above grade, and less than 24 inches above the interior floor surface must meet some new requirements. The area of the window less than 24 inches above the interior floor surface must now be fixed or have an opening or a guard which does not allow the passage of a 4 inch diameter sphere. R612.2 14, 21, 22 See A6.1

A63. Stair tread nosing: The radius of curvature at the leading edge of the tread shall be no greater than 9/16 inch (914.3 mm). A nosing not less than ¾ inch (19 mm) but not more than 1 ¼ inches (32 mm) shall be provided on stairways with solid risers. The greatest nosing projection shall not exceed the smallest nosing projection by more than 3/8 inch (9.5 mm) between two stories, including the **nosing at the level of** floors and landings. Beveling of nosing shall not exceed ½ inch (12.7 mm). Risers shall be vertical or sloped from the underside of the leading edge of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted, provided that the opening between treads does not permit the passage of a 4 inch (102 mm) diameter sphere. (Utah State amendment) Exceptions. see 6/A 7.1

A. A nosing is not required where the tread depth is a minimum of 10 inches (254 mm).

B. The opening between adjacent treads is not limited on stairs with a total rise of 30 inches (762 mm) or less. Note: This means that concrete stairs, without nosings, must have a tread depth of 10 inches.

A64. Provide defensible space for all structures on site as per the 2006 International Wildland-Urban Interface Code. Provide landscape plan see site plan notes.

Additional Architectural Comments

- Fire pit is not approved with this building permit. Must obtain approval of ~~condition~~ fire pit from Kurt Simister, Deputy Fire Marshall to install fire pit. condition on permit
- Provide roof overflow drains per 903.4.1 A2.3
- All radiant heating? No forced air? How will you provide air circulation? see A2.0, providing forced air also see A2.6

STRUCTURAL:

Note: Park City is Seismic Design Category D or D_1, with an S_s between 92 degrees east and 103 degrees west.

S12. Fire block stud spaces at soffits, floor and ceiling joist lines, at 10 ft vertically and horizontally, and at openings between attic spaces and chimney spaces for factory-built chimneys, and at any other locations not specifically mentioned which could afford passage for flames. –IRC R30211 #34 A2.0

S20. Chimneys shall extend at least 2 feet higher than any portion of a building within 10 feet, but shall not be less than 3 feet above the point where the chimney passes through the roof. –IRC R1003.9 A3.0

S22. Note on plans: Special inspection is required for field welding and high strength bolting. 2009 IBC, sections 1704.3.1 and 1704.3.3. contractor must sign special inspection form, (they can do this when they come into the office to pull the permit or anytime sooner) received 7/23/13

S23. Call out on the cover sheet of the plans, that any field welding or torch work, will require a separate "hot work" permit prior to beginning work. IFC 105.6.11. S0.0

S26. Call out "naturally durable wood, or wood that is preservative-treated" for the structural members for exterior decks. R317.1.3 cement slab

ELECTRICAL:

E3. Lights in closets must comply with the clearance dimensions of IRC E4003.12. #22 E1.1

E5. Show smoke detectors conforming to IRC section R314. All levels, all bedrooms, access to all bedrooms and in all rooms with sloped ceilings next to halls serving bedrooms. All detectors shall be hard-wired, interconnected, and have battery backup. see electrical sheets

E8. Carbon Monoxide detectors shall be installed on each habitable level of a dwelling unit equipped with a fuel burning appliance. R314 as amended by state. see electrical sheets

PLUMBING:

P1. **Note on plans: All plumbing installations shall comply with 2009 IRC.** #27 A2.2

P2. Show location of gas and electrical meters in an area that is protected from snow and ice damage. -LMC 15-2.3-4 (j) A1.1

P3. Show tank type water closets with a flow rate of not more than 1.6 gallons per flush. -IRC R2903.2 A2.2

P4. Show showerheads with a flow rate of note more than 2.5 gpm. -IRC P2903.2 A2.2

P6. Show all plumbing vents through the roof to be minimum 3" pipe. -IRC P3103.2 A2.2

P8. Show location of access for whirlpool type tubs. **No grouted tile access allowed**. -IRC P2720, E4109.3 any? none. - A2.1

P10. Showers shall be finished to a height of not less than 72 inches above the floor. Material shall be non-absorbent. -IRC R307.2 A2.1

P13. In seismic design categories C, $\mathbf{D_o}$, D_1 and D_2, water heater shall be anchored or strapped in the upper third **and lower one-third** of the appliance to resist a horizontal force equal to one third of the operating weight. IRC P2801.7 (State Amendment) Provide a detail. A8.2

MECHANICAL:

M1. Note on plans: All mechanical installations shall comply with the 2009 IRC & IFGC. A2.1

M3. Show combustion air for all fuel-burning appliances at a minimum rate of 1 sq inch per 3000 Btu/hour input. The one opening must be in the top 12 inches of the room. Show minimum 1 inch clearance around equipment at sides and rear of the appliance. Show minimum 6 inch clearance in front of the appliance. –IRC M1701 A2.1

M4. Show gas logs and each gas appliance with a shut-off valve within 6 feet of the appliance. -IRC G2420 A2.1

M5. Fuel-burning appliances, including fireplaces, are not permitted to be installed in sleeping rooms, bathrooms, or toilet rooms unless the appliances are Direct Vent appliances. See IRC Section G2406 and IMC 303.3 for more information and the list of exceptions. Note: All construction in Park City is "unusually tight construction". Master bedroom A2.1

M11. Vent the dryer to the outside. Maximum length of the duct with two 90-degree elbows is 15 feet. -IRC M1502.2 Provide makeup air to laundry room. IRC G2439.4 A2.0

M13. Natural gas service lines shall be no less than 1 inch (25 mm) in diameter. R156-56-709 (3) state amendment to IFGC. Note on plans. A2.1

M14. State on the cover sheet of the drawings the number of 'backflow preventers' to be installed in the Work. Remember to include the lawn sprinkler system, fire sprinkler system, number of boilers, etc. -IRC P2902

A0.0

2009 INTERNATIONAL RESIDENTIAL CODE
(Revised 04-20-2011)

Log Number: BD-13-18358 Date Plans Received: 7/11/13

Building Address: 3099 Mountain Ridge Ct

Owner's Name: Honigman

Main Building Sq. Ft: 4241 Other:

Total Area Basement: 1663 Type of Building: SFD

Finished Basement: 1663 No. Stories: 2

Garage: 911 No. Levels: 3

Deck/Balcony: 394 Area of LOD: 6963

Fire Sprinklers: Y Area: 4635 Number of Bedrooms: 3

Elevation: 68752 Ground Snow Load: 144

Roof Snow Load: 102 Soil Bearing Capacity: 2500

Plan Check by: Michelle Downard

Started Review: 7/8/13 Finished Review: 7/11/13

This checklist is compiled for plan checking purposes for use by the Division of Building Inspection. The information contained herein will also provide condensed construction information for design and job use. This checklist is not intended to indicate any change in any building code or ordinance by inference or omission. A circle around a checklist number indicates an incorrect detail or insufficient information. **Please make the corrections on the drawings indicated by the number in the circle/box on the checklist.** Any indicated correction not made or construction detail not shown will be assumed to be installed in accordance with the applicable codes.

GENERAL:

G1. Place correct construction street address, owner's name, designer's name, and architect and/or engineer's name and seal on the drawings. Is this 3099 or 3097 (see survey)

Address has been corrected to 3099 Mountain Ridge Court on cover sheet, title block and survey. Drawings have been sealed and stamped.

RECEIVED
PARK CITY MUNICIPAL CORP
JUL 23 2013
BUILDING DEPT

G2. Provide a plan index. Make sure this is correct

See A0.0 for plan index.

G10. Show the 'Limits-of-Disturbance' on the Site Plan including all utility crossings, material storage and stockpile areas, driveways, re-graded

areas, proposed landscaped areas, and construction parking areas.
Explain how construction can be completed within LOD
See A1.3 for construction mitigation plan

G23 For driveways that go across public property (we believe 99% of them will, so we will assume all do), provide a copy of the "Application to work in a Public Right of Way" that has been approved by the City Engineering department.
Contractor to provide it as stated on note 19.8 on A0.0 Cover Sheet

G24 Obtain Engineering Department approval for plans.

G25 Obtain Planning Department approval for plans.

G26 Provide a receipt or "non-required payment" letter from both Snyderville Basin Water Reclamation District, and the Park City Fire District.
Contractor to provide this information.

G27 Provide a landscaping plan for Planning approval. *See 19.8 on A0.0*

Additional General Comments:

- Please confirm- "perforated floating screen wall" on south end of home- shown in elevation and plans as future… (not included in this permit or approval?)
  The word "future" has been removed from the plans. Perforated floating screen wall should be included in this permit.

- Confirm soil bearing capacity- struct calcs list 2500 psf, soils report lists CL/ML soil which is listed as 1500 psf in IRC 401.4.1
  See Structural Engineer Response Letter

- Elevator special inspection is required by state
  See note 19.15 on A0.0 Cover Sheet stating that contractor to coordinate Elevator Special Inspection with Park City

- Provide elevator shaft and fire rating assembly
  Elevator shaft construction is VB – wood construction. Any elevator serving a single family residence and contained exclusively within that unit is not required to have a fire rated enclosure.

FOUNDATION PLAN:

F3. Show footings a minimum of 40 inches below finish grade. -IRC R403.1.4
SE Corner
See Structural Engineer Response Letter

ARCHITECTURAL:

A17. Automatic garage door openers , if provided, shall be tested in accordance with UL325. R309.6
See note 21 on E1.0 – E1.5

A20. All unenclosed floor and roof openings, open and glazed sides of landings and stairs, balconies and porches more than 30 inches above grade, and roofs used for other than service of the building shall be protected by a guard (aka "Guardrail"). Guards shall not be less than 36 inches in height. Open guards shall have intermediate rails or an ornamental pattern such that no sphere 4 inches in diameter can pass through. – IRC R312 I see the guardrail detail and I can see it on the elevation. But please LABEL on floor plans, elevations or somewhere that shows where it will be provided
See A2.0 – A2.2 Guardrail has been labeled on floor plans.

A33. Show ice shield extending from the eaves to a point at least 24 inches inside the exterior wall line. -IRC R905.8.
IRC R905.8 applies to wood shakes and sloped roofs. This building has flat roofs with no eaves. See note 7 on A2.3 Roof Plan: Ice and Water Shield to be installed over entire roof.

A48 Insulation and U-values on plans don't match ResCheck energy analysis. Basement walls- R13 or R15 (A8.1 #4), framed walls- R21 or R23 (A8.1 #1)
Details have been corrected to match ResCheck energy analysis
Basement walls: R13
Framed walls: R21

A59. List on the cover sheet of the drawings each deferred submittal item IE: ~~fire sprinkler submittal, truss details, radiant heat submittal, 2 lb. gas piping schematic, stucco/EIFS submittal, factory-built fireplace product information, and Planning Department items,~~ **~~siding details~~**, ~~etc. -IRC R107~~ steam shower
See note 19.16 on Cover sheet. Steam shower has been listed as a deferred submittal

A60. Sills of exterior windows which are located more than 6 feet above grade, and less than 24 inches above the interior floor surface must meet some new requirements. The area of the window less than 24 inches above the interior floor surface must now be fixed or have an opening or a guard

which does not allow the passage of a 4 inch diameter sphere. R612.2
14, 21, 22
See A6.1 Window Schedule.

A63. Stair tread nosing: The radius of curvature at the leading edge of the tread shall be no greater than 9/16 inch (914.3 mm). A nosing not less than ¾ inch (19 mm) but not more than 1 ¼ inches (32 mm) shall be provided on stairways with solid risers. The greatest nosing projection shall not exceed the smallest nosing projection by more than 3/8 inch (9.5 mm) between two stories, including the **nosing at the level of** floors and landings. Beveling of nosing shall not exceed ½ inch (12.7 mm). Risers shall be vertical or sloped from the underside of the leading edge of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted, provided that the opening between treads does not permit the passage of a 4 inch (102 mm) diameter sphere. (Utah State amendment) Exceptions.

A. A nosing is not required where the tread depth is a minimum of 10 inches (254 mm).

B. The opening between adjacent treads is not limited on stairs with a total rise of 30 inches (762 mm) or less. Note: This means that concrete stairs, without nosings, must have a tread depth of 10 inches.
See 6/A7.1 for detail and stair notes.

A64. Provide defensible space for all structures on site as per the 2006 International Wildland-Urban Interface Code. Provide landscape plan
Landscape plan has been listed as a deferred submittal. See note 19.8 on Cover Sheet

Additional Architectural Comments

- Fire pit is not approved with this building permit. Must obtain approval of fire pit from Kurt Simister, Deputy Fire Marshall to install fire pit.
- *Fire pit has been listed as a deferred submittal. See note 19.18 on Cover Sheet*

- Provide roof overflow drains per 903.4.1
  See note 11 on A2. Roof plans

- All radiant heating? No forced air? How will you provide air circulation?
- *Radiant heat AND forced air shall be provide. HVAC equipment has been included in mechanical room. See note 19 and mechanical room in A2.0*

STRUCTURAL:

Note: Park City is Seismic Design Category D or D_1, with an S_s between 92 degrees east and 103 degrees west.

S12. Fire block stud spaces at soffits, floor and ceiling joist lines, at 10 ft vertically and horizontally, and at openings between attic spaces and chimney spaces for factory-built chimneys, and at any other locations not specifically mentioned which could afford passage for flames. –IRC R30211
See note 34 on A2.0 – A2.2

S20. Chimneys shall extend at least 2 feet higher than any portion of a building within 10 feet, but shall not be less than 3 feet above the point where the chimney passes through the roof. –IRC R1003.9
See note and chimney dimensions on A3.0 and A3.1

S22. Note on plans: Special inspection is required for field welding and high strength bolting. 2009 IBC, sections 1704.3.1 and 1704.3.3. <u>contractor must sign special inspection form, (they can do this when they come into the office to pull the permit or anytime sooner)</u>
Contractor to provide special inspection form.

S23. Call out on the cover sheet of the plans, that any field welding or torch work, will require a separate "hot work" permit prior to beginning work. IFC 105.6.11.
See note on structural cover sheet.

S26. Call out "naturally durable wood, or wood that is preservative-treated" for the structural members for exterior decks. R317.1.3
See Structural Engineer Response Letter

<u>ELECTRICAL</u>:

E3. Lights in closets must comply with the clearance dimensions of IRC E4003.12.
See note 22 on E1.0- E1-5

E5. <u>Show</u> smoke detectors conforming to IRC section R314. All levels, all bedrooms, access to all bedrooms and in all rooms with sloped ceilings next to halls serving bedrooms. All detectors shall be hard-wired, interconnected, and have battery backup.
See smoke detectors (clouded) and Electrical Legend on E1.3- E1.5

E8. Carbon Monoxide detectors shall be installed on each habitable level of a dwelling unit equipped with a fuel burning appliance. R314 as amended by state.
See Carbon Monoxide detectors (clouded) and Electrical Legend on E1.3-E1.5

PLUMBING:

P1. Note on plans: All plumbing installations shall comply with 2009 IRC.
See Note 27 on A2.0-A2.2 Floor plans

P2. Show location of gas and electrical meters in an area that is protected from snow and ice damage. -LMC 15-2.3-4 (j)
See Note 13 on A1.1 along with Gas and Electrical Meters location

P3. Show tank type water closets with a flow rate of not more than 1.6 gallons per flush. -IRC R2903.2
See Note 28 on A2.0-A2.2 Floor plans

P4. Show showerheads with a flow rate of note more than 2.5 gpm. -IRC P2903.2
See Note 28 on A2.0-A2.2 Floor plans

P6. Show all plumbing vents through the roof to be minimum 3" pipe. -IRC P3103.2
See Note 29 on A2.0-A2.2 Floor plans

P8. Show location of access for whirlpool type tubs. **No grouted tile access allowed**. -IRC P2720, E4109.3 any?
See clouded note on A2.1 indicated location of access in bathtub of Master Bedroom

P10. Showers shall be finished to a height of not less than 72 inches above the floor. Material shall be non-absorbent. -IRC R307.2
See note 35 on A2.0 – A2.2 All showers shall be finished to ceiling height with a non-absorbent material.

P13. In seismic design categories C, $\mathbf{D_o}$, D_1 and D_2, water heater shall be anchored or strapped in the upper third **and lower one-third** of the appliance to resist a horizontal force equal to one third of the operating weight. IRC P2801.7 (State Amendment) Provide a detail.
See detail on A8.

MECHANICAL:

M1. Note on plans: All mechanical installations shall comply with the 2009 IRC & IFGC.
See Note 30 on A2.0-A2.2 Floor plans

M3. Show combustion air for all fuel-burning appliances at a minimum rate of 1 sq inch per 3000 Btu/hour input. The one opening must be in the top 12 inches of the room. Show minimum 1 inch clearance around equipment at sides and rear of the appliance. Show minimum 6 inch clearance in front of the appliance. –IRC M1701
See Note 31 on A2.0-A2.2 Floor plans

M4. Show gas logs and each gas appliance with a shut-off valve within 6 feet of the appliance. -IRC G2420
See Note 32 on A2.0-A2.2 Floor plans

M5. Fuel-burning appliances, including fireplaces, are not permitted to be installed in sleeping rooms, bathrooms, or toilet rooms unless the appliances are Direct Vent appliances. See IRC Section G2406 and IMC 303.3 for more information and the list of exceptions. Note: All construction in Park City is "unusually tight construction". Master bedroom
See clouded note on Master Bedroom (A2.1): Master bedroom fireplace to be Direct-Vent

M11. Vent the dryer to the outside. Maximum length of the duct with two 90-degree elbows is 15 feet. -IRC M1502.2 Provide makeup air to laundry room. IRC G2439.4
See clouded note on Laundry Room (A2.0)

M13. Natural gas service lines shall be no less than 1 inch (25 mm) in diameter. R156-56-709 (3) state amendment to IFGC. Note on plans.
See Note 33 on A2.0-A2.2 Floor plans

M14. State on the cover sheet of the drawings the number of 'backflow preventers' to be installed in the Work. Remember to include the lawn sprinkler system, fire sprinkler system, number of boilers, etc. -IRC P2902
See Note 19.17 on A0.0 Cover Sheet

Project Description

The existing Mountain Ridge Subdivision, approved in 1990, includes plat notes limiting both the house size and the building height. The homeowner requests a plat amendment to modify the additional limitations on building height and maximum floor area.

The Single Family zone currently does not have a maximum house size, so long as the construction meets the Setbacks and building height requirements. However, the Plat limits the floor area for this lot to a maximum of 1,886 square feet for the main level and a total of 3,247 square feet (both exclusive of garage up to 600 square feet).

The owners, Heidi and David Maya, are currently residents of the State of Florida and have two of three grown children living in California. At some point in the next 3-5 years, they would like to make Park City their permanent home. In order to accommodate their family with any future growth during visits, they would require an extra bedroom. This home is for their family and there are no plans to ever rent it or allow guests while we are not present.

The homeowner would like to increase the maximum floor area for Lot 13 from 3,247 square feet to 4,000 square feet. The increased floor area would be consistent with 8 of the 21 lots.. The footprint is not proposed to expand.

Commented [LK1]: Jeff, can you make sure I have this number right? I tried to use the calculations from the original plans and add in the two new additions, but if we can get updated plans with the stairs and "open to below" clearly shown, I can get a more accurate number.

The attached drawings show that the proposed addition would not be visible from most vantage points and that it would comply with zoning regulations.

While the subdivision is bordered by Open Space to the west, the Lot is not located within the Sensitive Lands Overlay and thus is not subject to the Sensitive Land Overlay Regulations in Land Management Code Chapter 15-2.21.

The proposal complies with Single Family (SF) Zoning Requirements in Land Management Code (LMC) 15-2.11.

Zoning Requirement	Analysis of Proposal
Density – The maximum density for Subdivisions is three units per acre.	**Complies.** The proposal does not change density in the subdivision.
Front Setback – The minimum Front Setback is 20 feet. New Front-Facing Garages for Single Family and Duplex Dwellings must maintain a minimum of 25 feet from the Front Lot Line.	**Complies.** The proposal does not include a request to change any Setbacks or building pad envelopes.
Rear Setback – The minimum Rear Setback is 15 feet.	**Complies.** The proposal does not include a request to change any Setbacks or building pad envelopes.
Side Setbacks – The minimum Side Setbacks are 12 feet each.	**Complies.** The proposal does not include a request to change any Setbacks or building pad envelopes.

The proposal complies with all notes and requirements on the Mountain Ridge Subdivision with the exception of requesting a change to the Maximum Floor Areas.

Mountain Ridge Subdivision Requirements	Analysis of Proposal
Front Setback – Per the Plat, the minimum Front Setback is determined by a platted building envelope.	**Complies.** The proposal does not include a request to change any Setbacks or building pad envelopes.
Rear Setback – Per the Plat, the minimum Rear Setback is determined by a platted building envelope.	**Complies.** The proposal does not include a request to change any Setbacks or building pad envelopes.
Side Setbacks – Per the Plat, the minimum Side Setbacks are determined by a platted building envelope.	**Complies.** The proposal does not include a request to change any Setbacks or building pad envelopes.
Maximum Floor Area – Per the Plat, the minimum/maximum building sizes are listed on the plat in a table.	**Change Requested.** The proposal requests to increase the maximum floor area for this lot from 3,427 square feet to 4,200 square feet.

The proposal complies with LMC 15-7.1-3(B) in that there is Good Cause for the Plat Amendment and no Public Street, Right-of-Way, or easement is vacated or amended.

The LMC 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."

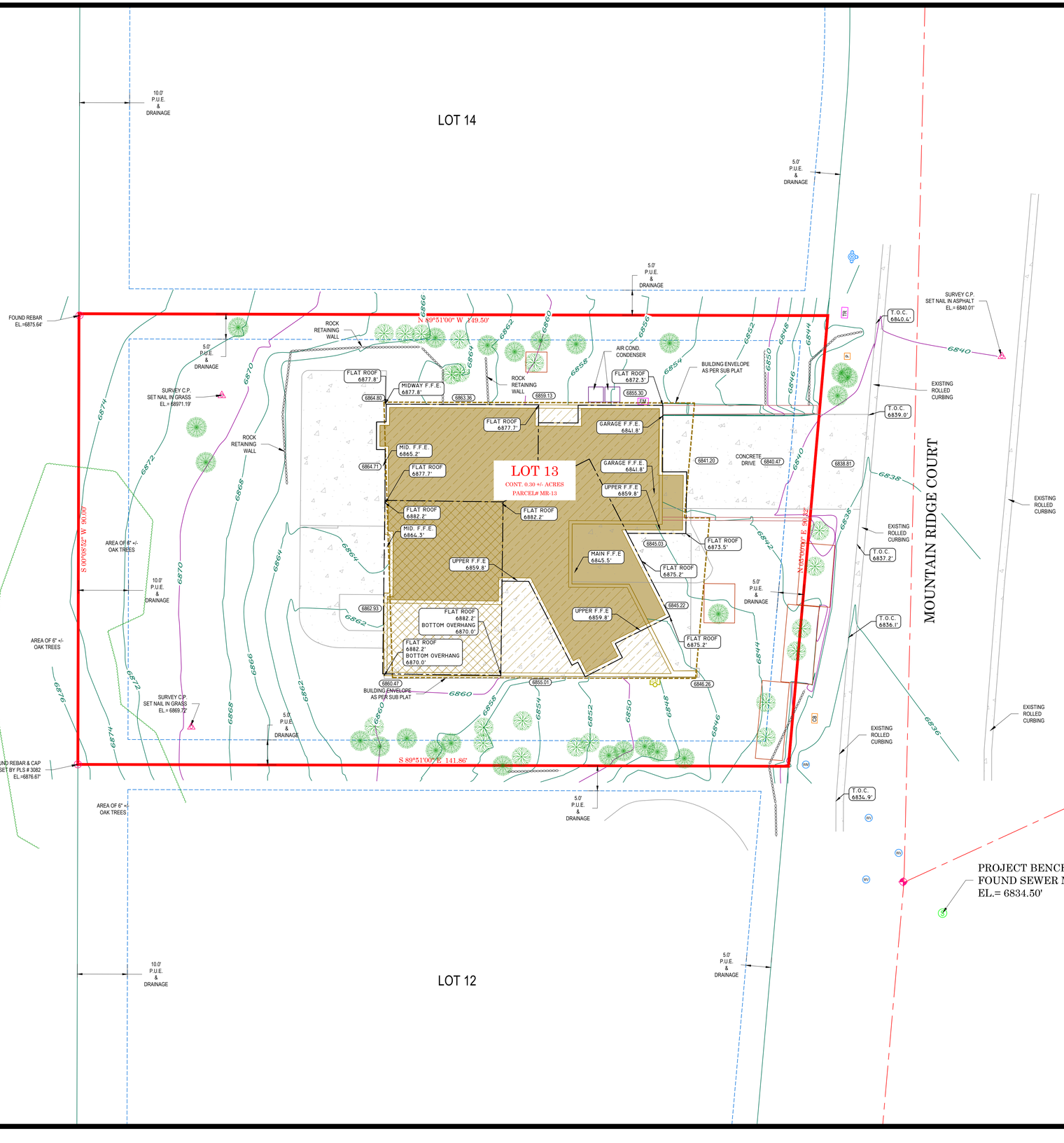
There is Good Cause for the Plat Amendment as the proposal will allow homeowners to construct an addition that is in compliance with the zoning requirements, the new proposed maximum floor area is consistent with many of the other lots in the subdivision. Additionally, no non-conformities will be created and no changes in density will result from the proposed Plat Amendment. Further, the applicant will replace any disturbed vegetation, and the amendment will not result in increased density.

The proposal does not affect any Public Street, Right-of-Way, or easement.


3099







N

S

10 5 0 10 20

(IN FEET)
1 inch = 10 ft.

LEGEND

- = SECTIONAL CORNER
- = STREET MONUMENT
- = FOUND PROPERTY MARKER
- = SET REBAR AND CAP
- = REPRESENTS PROPERTY LINE
- = SURVEY CONTROL POINT
- = EXISTING FIRE HYDRANT
- = EXISTING WATER METER
- = EXISTING WATER VALVE
- = EXISTING SEWER MANHOLE
- = EXISTING GAS METER
- = PHONE UTILITY SERVICE
- = CABLE BOX
- = EXISTING TRANSFORMER
- = EXISTING ROCK RETAINING WALL
- = EXISTING TREE
- = EXISTING PINE TREE

DRAWING TITLE

TOPOGRAPHIC SITE SURVEY

CLIENT CONTACT

JEFF SCHINDEWOLF
JSARC ARCHITECTS
JEFF @JSARC.NET

LOT 13 MOUNTAIN RIDGE SUB. LOCATED WITHIN, SUMMIT COUNTY, UTAH. A PART OF THE N.E. 1/4 SEC. 5, T. 2 S., R. 4 E. S.L.B.&M.

PROPERTY DESCRIPTION

Lot 13 Mountain Ridge Subdivision on file within the official records of Summit County, Utah.

Containing 0.30 +/- Acres

TOPOGRAPHICAL SURVEY NOTES

This Survey was performed at the request of Jeff Schindewolf, For the purpose to locate contours and elevations of the ground as well as existing home elevations in relationship to the intended positioning of this lot. Also for the possible purpose of lot sales, future building and landscaping.

Shown are Two foot Contours Highlighted at Ten foot Intervals as labeled. Found rebars (possibly original staking) and monumentation have been tied, utilized and shown on this survey. The elevation base is determined by the field G.P.S. Projection Based on Utah North NAD 1983 Projection then rounded off to the nearest 10 foot mark for a more efficient Bench Mark base. The project bench mark is 6834.50' = found sewer manhole located on Mountain Ridge Court near the intersection at the frontage of this lot as shown hereon.

NOTE:

1. Surveyor has made no investigation or independent search for easements of record encumbrances restrictive covenants ownership title evidence, or any other facts, conflicts, or discrepancies which may be disclosed by the details of a currant title insurance policy.

2. See city and county planning, and zoning maps for information regarding setback, side yard, and rear yard instances as well as other building, use restrictions, and requirements.

3. Utility pipes, wires etc. may not be shown on this map, contractors builders and excavators shall verify the location of all existing utilities prior to construction, and/or excavation. Contact blue stakes and refer to utility maps for additional information.

4. Subdivision plat notes, pertaining to this lot and other restrictions obligations, convents etc.. that may effect the design and use of this lot, see subdivision.

5. This is not a boundary survey, no corners have been set, this plat is intended for design review and approval purposes.

6. This survey was done while there was approximately 8" of snow on the ground. Some features and utilities may not be shown.

SURVEYOR'S CERTIFICATE

I, R. Shane Johanson, Do hereby certify that I am a Professional Land Surveyor, holding certificate No. 7075114, as prescribed under the laws of the State of Utah, and that I have made a survey of the described tract of land as shown on this plat and that this survey retraces lot lines and may have adjusted said lot lines to coincide with found evidence and other interpolations based from ground measurements and found records. Furthermore I recognize that other unwritten rights of ownership or lines of possession may exist, I do not imply to certify any of those rights, unless agreed upon by the appropriate parties.

REVISIONS:

REV #	DESCRIPTION	DATE

JOHANSON
PROFESSIONAL LAND SURVEYORS
SURVEY• DESIGN• SEPTIC• PLANNING
SURVEYING

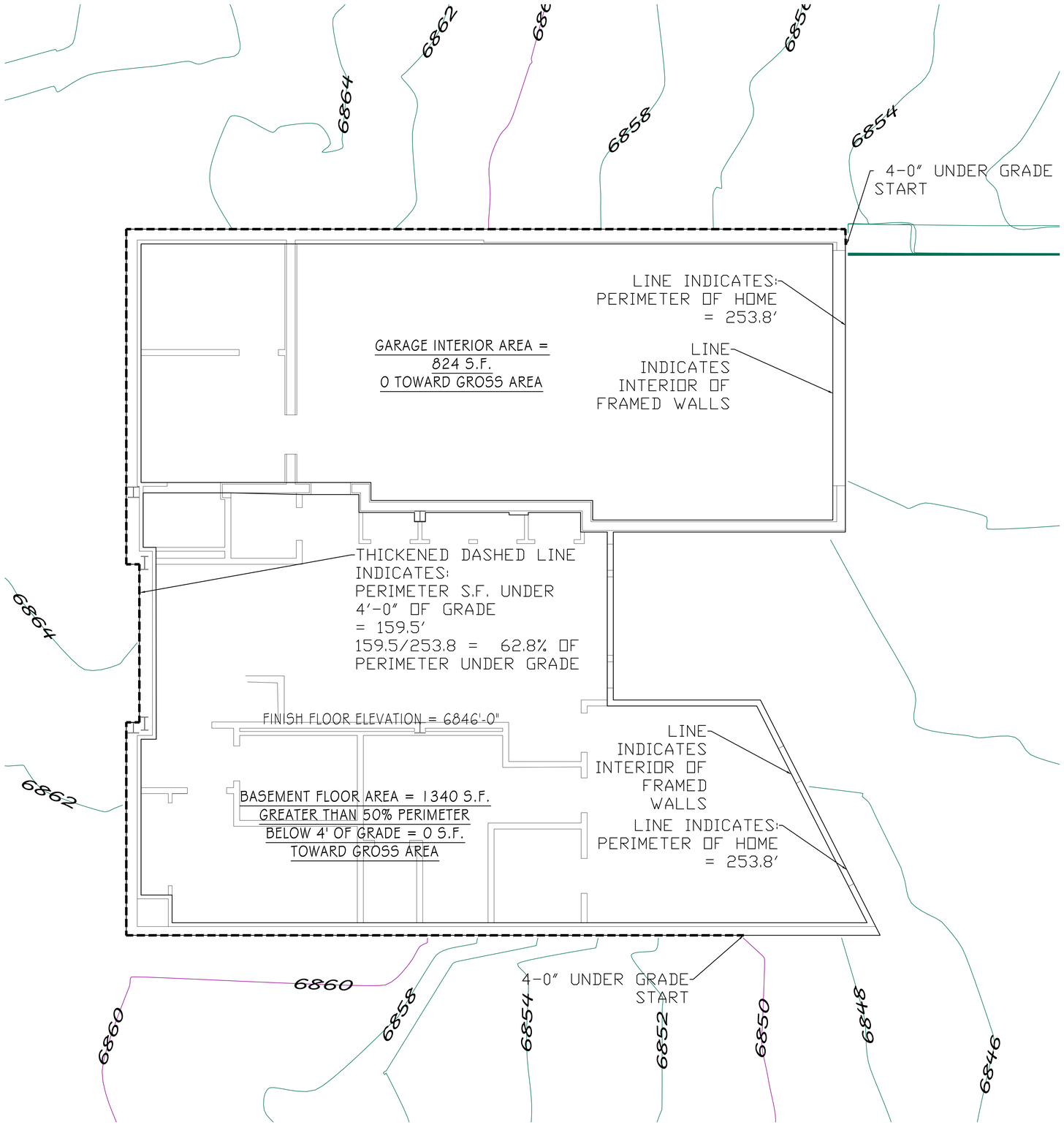
P.O. BOX 18941
SALT LAKE CITY, UTAH 84118
Shane Johanson P.L.S. 801-815-2541

COPYRIGHT
This drawing is and at all times remains the exclusive property of Johanson Surveying shall not be used with out complete authorization and written support.

STAMP

STATE OF UTAH
7075114
R. SHANE JOHANSON
PROFESSIONAL LAND SURVEYOR

PROJECT NO. S-21-008
DATE: 2-05-2021
DRAWN BY: NATHAN BSEISO O.S.P. III
OVERSEEN BY: SHANE R. JOHANSON P.L.S.
SHEET NUMBER SHEET-1



EXISITNG BASEMENT PLAN

1 / A1.1

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

BASEMENT AREA CALCULATION
EXTERIOR BASEMENT PERIMETER = 253.8'
EXTERIOR BASEMENT PERIMETER 4'-0" OR MORE BELOW GRADE = 159.5'

159.5'/253.8' = 62.8" PERIMETER BELOW GRADE > 50%
LOWEST FLOOR QUALIFIES AS BASEMENT AND DOES NOT COUNT TOWARD GROSS SQUARE FOOTAGE.
= 0 SQUARE FEET

MAIN FLOOR AREA CALCULATION = 2,152 SQUARE FEET
UPPER FLOOR AREA CALCULATION = 569 SQUARE FEET

TOTAL LIVABLE SQUARE FEET = 2,721 SQUARE FEET

PROJ#
2104

DATE: NOVEMBER 24, 2021
REVISION:

MAYA FAMILY
RESIDENCE
3099 MOUNTAIN RIDGE CT
PARK CITY, UTAH

BASEMENT
AREA CALCULATION

A1.1

JSARC
JEFF@JSARC.NET
801.809.5295
1612 UTE BLVD SUITE 212
PARK CITY, UTAH 84098

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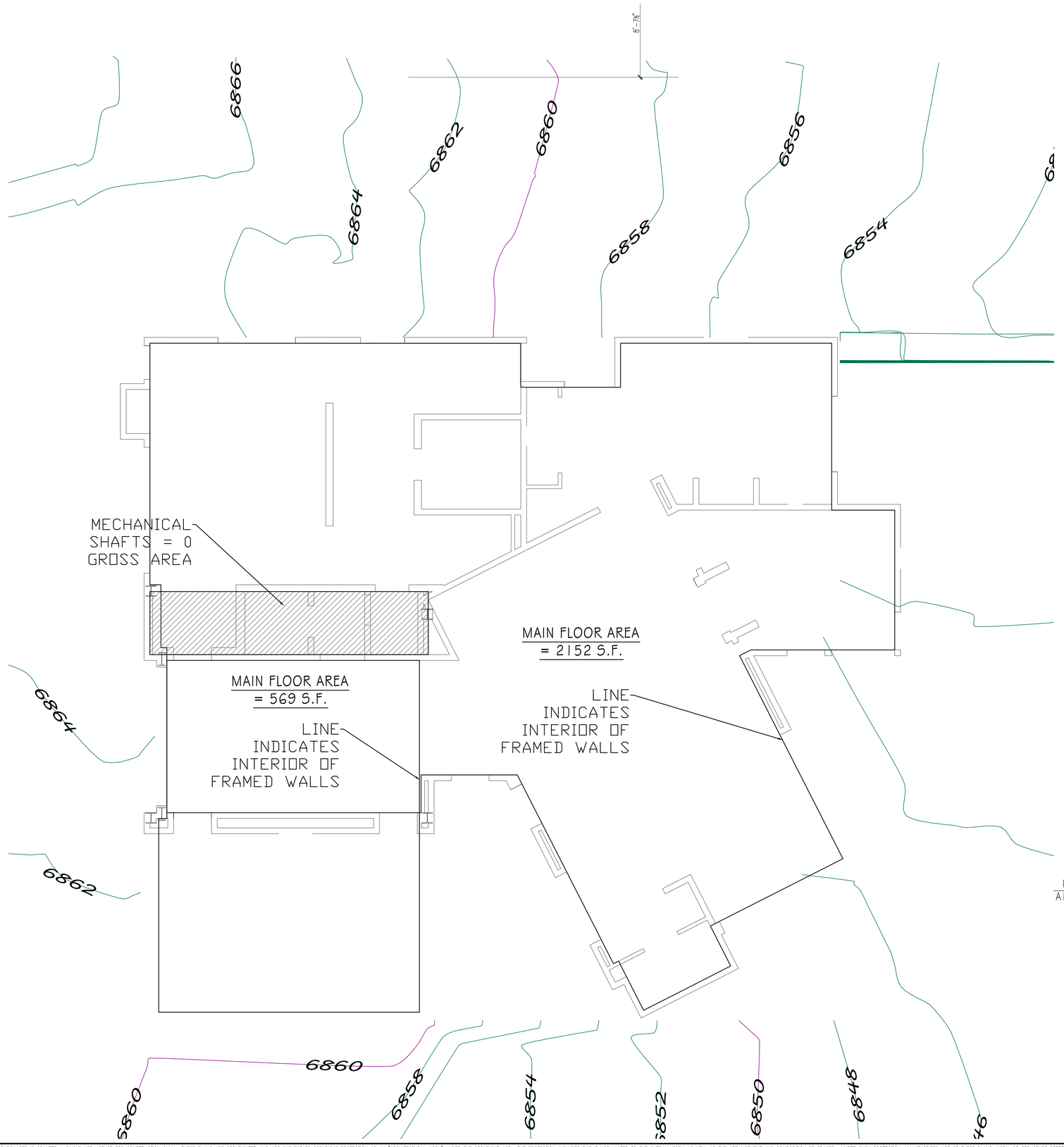

EXISTING MAIN FLOOR PLAN

1 A1.2 — SCALE: 1/4" = 1'-0"

BASEMENT AREA CALCULATION
EXTERIOR BASEMENT PERIMETER = 253.8'
EXTERIOR BASEMENT PERIMETER 4'-0" OR MORE BELOW GRADE = 159.5'

159.5'/253.8' = 62.8" PERIMETER BELOW GRADE > 50%
LOWEST FLOOR QUALIFIES AS BASEMENT AND DOES NOT COUNT TOWARD GROSS SQUARE FOOTAGE.
= 0 SQUARE FEET

MAIN FLOOR AREA CALCULATION = 2,152 SQUARE FEET
UPPER FLOOR AREA CALCULATION = 569 SQUARE FEET

TOTAL LIVABLE SQUARE FEET = 2,721 SQUARE FEET

PROJ#
2104

DATE: NOVEMBER 24, 2021
REVISION:

MAYA FAMILY
RESIDENCE
3099 MOUNTAIN RIDGE CT
PARK CITY, UTAH

EXISTING MAIN FLOOR
AREA CALCULATION

A1.2

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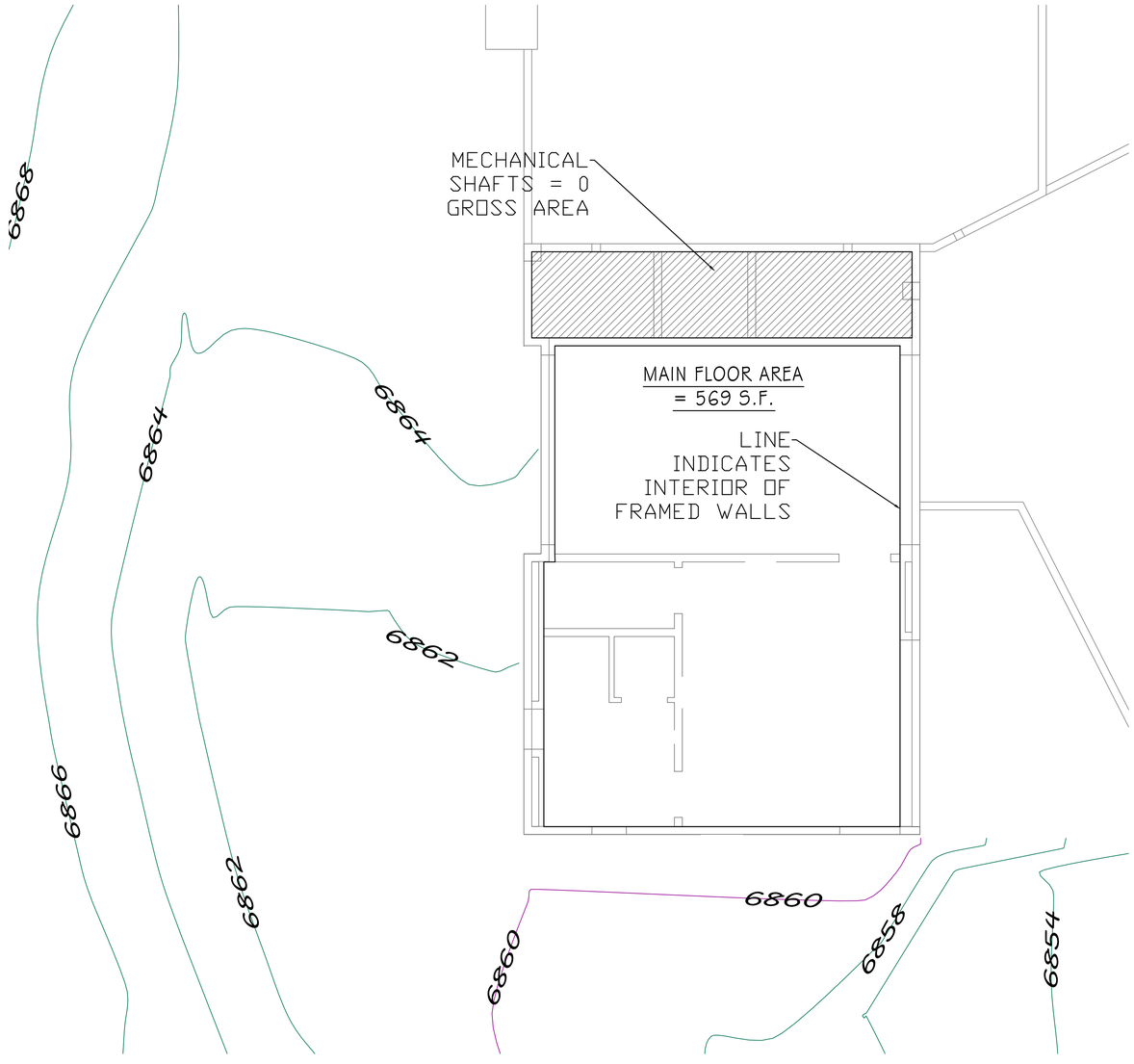

1 A1.3

EXISTING UPPER FLOOR PLAN

BASEMENT AREA CALCULATION
EXTERIOR BASEMENT PERIMETER = 253.8'
EXTERIOR BASEMENT PERIMETER 4'-0" OR MORE BELOW GRADE = 159.5'

159.5'/253.8' = 62.8% PERIMETER BELOW GRADE >50% 1/4" = 1'-0" ON ARCH D PAPER
LOWEST FLOOR QUALIFIES AS BASEMENT AND DOES NOT COUNT TOWARD
GROSS SQUARE FOOTAGE.
= 0 SQUARE FEET

MAIN FLOOR AREA CALCULATION = 2,152 SQUARE FEET
UPPER FLOOR AREA CALCULATION = 569 SQUARE FEET

TOTAL LIVABLE SQUARE FEET = 2,721 SQUARE FEET

PROJ#
2104

DATE: NOVEMBER 24, 2021
REVISION:

MAYA FAMILY
RESIDENCE
3099 MOUNTAIN RIDGE CT
PARK CITY, UTAH

EXIST. UPPER FLOOR
AREA CALCULATION

A1.3

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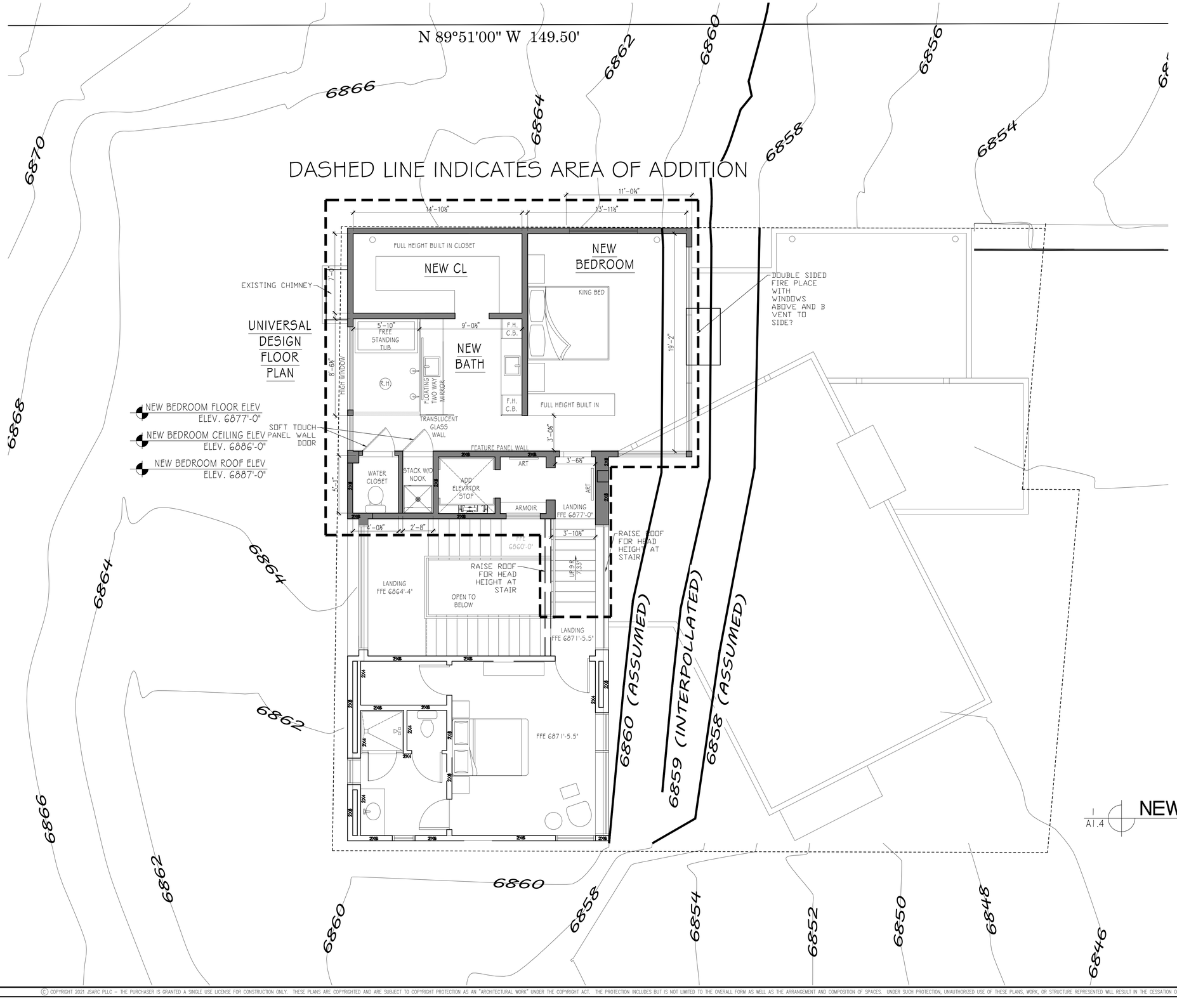

1 A1.4 NEW UPPER FLOOR PLAN

SCALE: 1/4" = 1'-0" ON ARCH D PAPER

LOT AREAS:
LOT SIZE AREA: (.30 ACRE) 13,068 SQ. FT.

BUILDING AREAS:
EXISTING TOTAL FLOOR LIVABLE AREA: 2,721 SQUARE FEET
UPPER ADDITION LIVABLE AREA: 689 SQUARE FEET

NEW TOTAL LIVABLE AREA: 3,410 SQUARE FEET = PASS

PROJ# 2104

DATE: NOVEMBER 24, 2021
REVISION:

MAYA FAMILY RESIDENCE
3099 MOUNTAIN RIDGE CT
PARK CITY, UTAH

NEW UPPER FLOOR PLAN

A1.4

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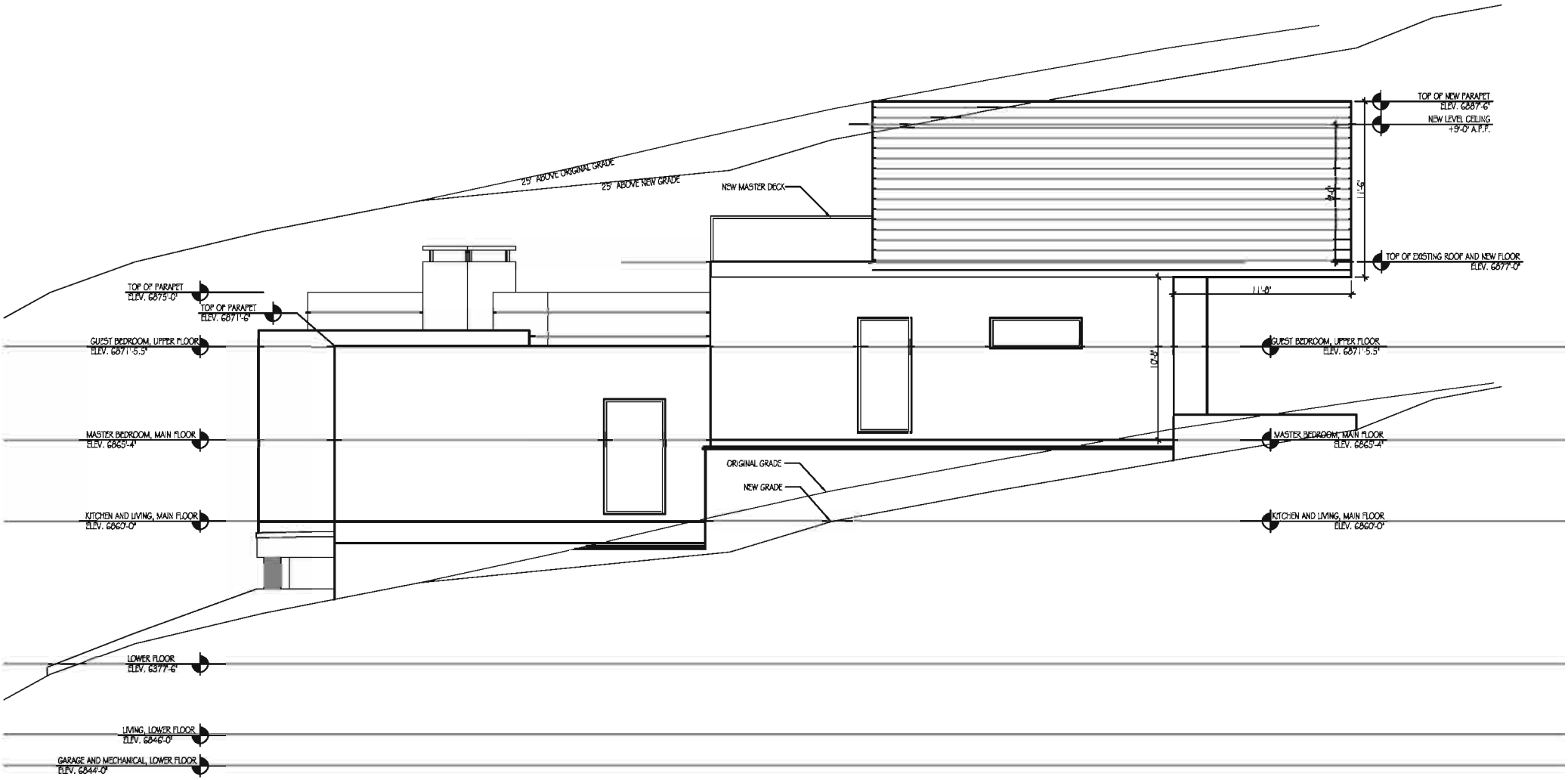
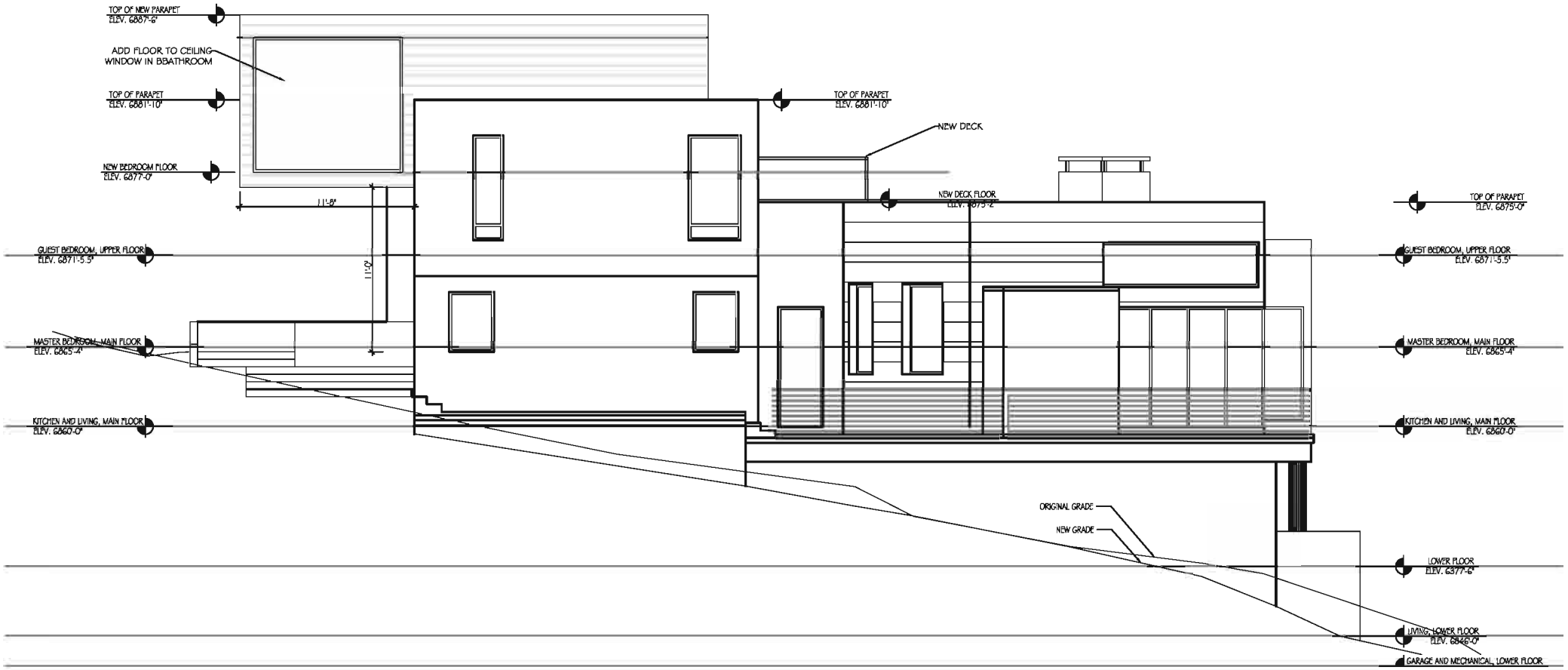

25' ABOVE ORIGINAL GRADE
25' ABOVE NEW GRADE
NEW MASTER DECK
TOP OF NEW PARAPET
ELEV. 6887'-6"
NEW LEVEL CEILING
+9'-0" A.F.F.
11'-6"
TOP OF EXISTING ROOF AND NEW FLOOR
ELEV. 6877'-0"
11'-8"
10'-4"
TOP OF PARAPET
ELEV. 6875'-0"
TOP OF PARAPET
ELEV. 6871'-6"
GUEST BEDROOM, UPPER FLOOR
ELEV. 6871'-5.5"
GUEST BEDROOM, UPPER FLOOR
ELEV. 6871'-5.5"
MASTER BEDROOM, MAIN FLOOR
ELEV. 6865'-4"
MASTER BEDROOM, MAIN FLOOR
ELEV. 6865'-4"
ORIGINAL GRADE
NEW GRADE
KITCHEN AND LIVING, MAIN FLOOR
ELEV. 6860'-0"
KITCHEN AND LIVING, MAIN FLOOR
ELEV. 6860'-0"
LOWER FLOOR
ELEV. 6377'-6"
LIVING, LOWER FLOOR
ELEV. 6846'-0"
GARAGE AND MECHANICAL, LOWER FLOOR
ELEV. 6844'-0"


TOP OF NEW PARAPET
ELEV. 6887'-6"
ADD FLOOR TO CEILING
WINDOW IN BBATHROOM
TOP OF PARAPET
ELEV. 6881'-10"
NEW BEDROOM FLOOR
ELEV. 6877'-0"
11'-8"
11'-0"
GUEST BEDROOM, UPPER FLOOR
ELEV. 6871'-5.5"
MASTER BEDROOM, MAIN FLOOR
ELEV. 6865'-4"
KITCHEN AND LIVING, MAIN FLOOR
ELEV. 6860'-0"
TOP OF PARAPET
ELEV. 6881'-10"
NEW DECK
NEW DECK FLOOR
ELEV. 6875'-2"
TOP OF PARAPET
ELEV. 6875'-0"
GUEST BEDROOM, UPPER FLOOR
ELEV. 6871'-5.5"
MASTER BEDROOM, MAIN FLOOR
ELEV. 6865'-4"
KITCHEN AND LIVING, MAIN FLOOR
ELEV. 6860'-0"
ORIGINAL GRADE
NEW GRADE
LOWER FLOOR
ELEV. 6377'-6"
LIVING, LOWER FLOOR
ELEV. 6846'-0"
GARAGE AND MECHANICAL, LOWER FLOOR

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
SEPTEMBER 27, 1989

COMMISSIONERS IN ATTENDANCE:

Chairman Ron Whaley, Bruce Erickson, Ruth Gezelius, Dean Berrett, Carol Calder, and Diane Zimney.

COMMISSIONERS ABSENT AND EXCUSED:

Dick Lueck

EX OFFICIO:

Suzanne McIntyre, Planner; Steve Osguthorpe, Planner; Eric DeHaan, City Engineer; Jim Carter, City Attorney; Shauna Kerr, Deputy City Attorney; Janice Lew, Planning Intern; Sharon Bauman, Planning Secretary.

==========

PUBLIC HEARING

Chairman Whaley opened the Public Hearing at 7:15 P.M.

1. To receive public input on a request to subdivide Lots 1 and 2, Silver Lake Village, Deer Valley.

Planner Suzanne McIntyre explained that in December of 1987, the Planning Commission approved the Silver Lake MPD. She stated that this request to resubdivide Lots 1 and 2 into parcels A, B, F, G, and H, was a simple procedural request and did not involve any revisions to the Master Plan. She stated that the Staff Report had been presented in detail at the September 13, 1989 meeting. There were no comments from the audience and there were no questions from the Commissioners.

2. To receive public input on the Mountain Ridge Subdivision, a 23-lot Single Family Subdivision located west of Ridgeview.

Planner Suzanne McIntyre explained that action would be taken later in the evening under New Business.

Planner McIntyre stated that the Planning Department had received an application on September 1, 1989 from The Sear-Brown Group for the subdivision of an 11.78 acre parcel west of the Ridgeview Townhouse Condominiums on Meadows Drive into 22 single family lots. She stated that the Comprehensive Plan showed this area to be low density residential; properties to the north and east had been

generally approved for single family residential development, and properties to the south and west were outside the City limits and were largely undeveloped hillsides and meadows.

She explained that the parcel was originally approved for 36 multi-family units under the Quarry Hills/Ridgeview Condominiums Master Planned Development and noted that four of those approved units were built and the approval of the remaining units expired in approximately April, 1983.

Planner McIntyre noted that the applicant's original request for 28 lots had been reduced to 22 lots and noted that the applicant had been particularly sensitive to the Staff's input regarding limits of disturbance and importance of maintaining existing vegetation.

Planner McIntyre commented that a portion of the site was within Park City's main entry corridor on Highway 224 and structures which may be built on several of these lots may be highly visible, as they are on a prominent hillside. She noted that the Comprehensive Plan discussed entry corridors, ridgeline development, revegetation, etc. She added that the Staff wanted to bring this to the Planning Commission's attention due to recent activities in the community, including the Snyderville Basin Design Charette and the CommunityVision process, and also because of the expressed interest on the part of the City Council in the issues of Park City's entry corridors and hillside development.

Planner McIntyre explained that the proposal was for 22 lots ranging in size from 12,650 sq. ft. to 34,115 sq. ft., with an average lot size of 18,420 sq. ft. to be placed on an east-facing hillside which contains slopes of over 30% on approximately 40-50% of the parcel, and slopes of between 20-30% on another 20-30% of the site. She noted that there were extensive stands of mature scrub oak on the site, and the other prominent vegetation was sagebrush.

Planner McIntyre stated that the subdivision would have a single access off of Meadows Drive at approximately the location where it intersects with American Saddler Drive and the intersection would be realigned as part of the subdivision development in accordance with the Streets Master Plan and the Park Meadows Master Plan.

Planner McIntyre stated that the standard City requirements for completion of infrastructure (street, sanitary sewer, storm drainage, trails, water lines, etc.) would be included as a Condition of Approval and the developer would be required to complete these improvements prior to final plat approval or the Planning Commission may waive the requirement if an appropriate Letter of Credit is provided to the City Engineer's satisfaction.

She added that the standard requirements would also extend to the relocation of utilities, abandonment of easements, etc., and all improvements must comply with the Land Management Code, UBC, and Park City Design Standards, Construction Specifications, and Standard Drawings. She added that due to the extensive grading and site disturbance involved with the site improvements, a plan showing revegetation for all site improvements should be required and a Letter of Credit should be required for the revegetation.

Planner McIntyre stated that the City Planning Department anticipated that the developer would be requesting a rezoning of the parcel from RD to SF in order to prohibit the rental of the dwelling units for periods of less than 30 days, consistent with the other single family subdivisions in Park Meadows and Ridgeview. She added that the public hearings and recommendation to the City Council would be noticed and reviewed separate from the request for plat approval.

Planner McIntyre stated that after reviewing the Subdivision Ordinance, Section 14 of the Land Management Code, and the preliminary designs for the Mountain Ridge Subdivision, the Planning Staff had noted several issues which need further review.

Planner McIntyre stated that in addition to the realignment of the intersection of American Saddler Drive and Meadows Drive, a platted right-of-way extending from the southerly end of the cul-de-sac was recommended and an easement for a roadway within that platted right-of-way may be needed in the future to provide access to the adjacent property. She noted that construction of a hammer-head turnaround or other form of cul-de-sac at the termination of Ridgeview Drive in the existing condos should be completed as part of the initial site improvements.

Planner McIntyre stated that the issue of the use of ejector pumps for each residence or the use of back-lot sewerage has not been resolved with the Snyderville Basin Sewer Improvement District. She added that while the City defers to SBSID on all issues of sewerage, the Planning Staff wanted to make the Planning Commission aware of the considerations of non-gravity systems.

Planner McIntyre explained that Section 14 of the Land Management Code required either sidewalks or trails in all subdivisions and, during Work Session, the Commission indicated that sidewalks were impractical in this subdivision and would not be required. She stated that the developer and the Staff would need to discuss and determine appropriate trail locations within the subdivision pursuant to the approved Park City Trails Master Plan. She added that the trails should be required to be constructed at the time of road construction, unless the Planning Commission determined otherwise, in which case cash deposits could be required pursuant

to Section 3 of the Land Management Code.

Planner McIntyre stated that the Staff would also recommend that the Planning Commission require the developer to pay an "In Lieu of" fee for development of parks paid on a per unit rate and based upon fair market values. The City Staff will need to do an analysis to determine the amount required, and will provide the developer with those calculations.

Planner McIntyre quoted Section 14.4.10, Preservation of Natural Features and Amenities, of the Subdivision Ordinance. She stated that in order for this subdivision to comply with those guidelines, the Staff recommended that: buildings should be sited to preserve significant views and so as not to break prominent ridgelines; building pad locations should be shown on the plat for each lot; maximum building heights should be specified on a lot by lot basis; minimum and maximum building square footages should be shown on the plat; limits of disturbance should be specified on a per-lot basis; and a vegetation buffer of mature scrub oak trees, averaging at least 20 feet wide should be preserved between the existing Ridgeview Townhouse Condominiums and the proposed roadway.

Planner McIntyre noted that due to the length of the dead-end street(s) and the high amount of mature natural vegetation, all buildings should be required to have interior and exterior fire sprinkling systems. She stated that the Staff recommended that the Park City Fire Marshal and Fire Chief review and approve the preliminary and final plat and that this requirement for sprinklers be noted on the plat.

There were no comments from the audience and there were no questions form the Commissioners.

3. To receive public input on a request to rezone a 1.92 acre parcel referred to as the North Silver Lake Homesite, located between Royal Street West and Royal Street from Recreation Open Space (ROS) to Residential Development-Master Planned Development (RD-MPD).

Planner McIntyre explained that the Staff Report, which contained a number of Staff Conditions, had been reviewed in detail at the September 13, 1989 meeting. She noted that the Staff had determined that it was not appropriate to place Conditions of Approval on a request to rezone. She stated that at the time of Master Planned Development the Staff would impose conditions in terms of site development standards. She added that no development would be permitted to take place on this lot until the Deer Valley Special Exception Permit was amended showing a transfer of density to this lot.

to the clustered approach, and the effects of the disturbance on the site.

There were no questions from the Commissioners. There was no public input.

3. **To receive public input on the Final Plat for the Mountain Ridge Subdivision, 21 single family lots, on the property surrounding Ridgeview Townhouse Development along Meadows Drive - The Sear-Brown Group.**

Senior Planner McIntyre explained that on September 27, 1989 the Planning Commission granted Preliminary Plat approval to the Mountain Ridge Subdivision, then a 22-lot single family subdivision. She stated that due to the site's significant hillsides, ridgelines, and proximity to the entry corridor, it was determined by the City Council that certain adjustments would be necessary to make the subdivision more compatible with the community. She reported that the City Council reviewed the subdivision request in October and spent several months setting forth findings and conditions which work toward meeting the goals of compatibility.
Senior Planner McIntyre explained the most significant changes: Lots 6 and 7 on the original proposal were now being proposed for parkland dedication which would include a path and park bench; and that a new lot, Lot 21, had been created at the intersection of Meadows Drive and American Saddler Drive which was a substandard lot of 9,176 sq. ft. and would have a reduced maximum allowable square footage of 2,800 sq. ft. She further explained that stringent development controls had been placed on each lot which include limits of disturbance, revegetation, minimum/maximum square footages, and building heights, and were indicated on each lot and shown on a supplement to the plat, referred to as exhibit "A".

There were no questions from Commissioners. There was no public input.

4. **To receive public input on the Preliminary and Final Plat for the Knollheim Subdivision, 4 single family lots, Sterling Drive - The Sear-Brown Group.**

Planner Steve Osguthorpe explained that the Knollheim Subdivision (Previously known as Knoll II) received final plat approval on June 28, 1989 as a six-lot subdivision in the Silver Lake Knoll Parcel 1-DD1. He stated the applicant was requesting that only four lots be platted at this time and a revision to the final plat approval was requested.

TO: Park City Planning Commission
FROM: Alison Child and Michele Paulsen, Mountain Ridge Homeowner's Association
DATE: October 6, 2021
RE: Plat Amendment Request, 3099 Mountain Ridge Court

The Mountain Ridge HOA does exist however we have no dues, typically no meetings and we have only been active for architectural review.

Ironically, a few years ago when the original owner of this property built the house, our architectural review committee denied the plans because it did not meet our architectural guidelines. The owner brought in a high-powered attorney and threatened to sue us personally if we did not approve the plans. Because we had no money to defend our association, they went ahead and built the home without our approval. As a result of that experience, we opted not to continue registering the association with any entity. It seemed like a waste of time and money since we didn't have a war chest to defend ourselves.

But some owners do run things by us if they are aware of our existence. We do have a checking account and pay about $5 a year to Summit County to pay property taxes on our open space easements. Crazy I know.

Michele Paulsen and I have been acting as the architectural review committee and we do have concerns regarding this plat amendment request.

To give you a little background, this subdivision was pretty controversial in its day. Bob Richer was the developer and the only way the City would approve it was to allow it with very restrictive heights and sizes. Every lot was evaluated to determine appropriate height and square footage restrictions. Nobody wanted to see a subdivision with houses built setback line to setback line like they are in upper Risner Ridge. Protection of the ridgeline, preservation of vegetation and open space were the priorities.
All owners have complied with these restrictions. Allowing an increase in height and square footage opens us up to similar requests in the future.

If an amendment to this Plat is approved, it would set a precedence that would be difficult for our HOA to fight. We hope that the Planning Commission does not approve this plat amendment request.

Alison Child
3001 Meadows Drive

Michele Paulsen
3018 Mountain Ridge Court

From: Arthur Bingham <abingham@boxwoodadv.com>
Sent: Thursday, October 7, 2021 4:06 PM
To: Spencer Cawley
Cc: Pamela W. Bingham
Subject: [External] Neighbor Opposition to Mountain Ridge Subdivision Plat Amendment

[CAUTION] This is an external email.

Mr. Cawley:

My wife Pam and I have lived at 3104 Mountain Ridge Court (Lot 20) for 4 years. We were attracted to the Mountain Ridge Court subdivision because of the maturity of housing stock and development, the sensible grouping of homes and scale of the houses. Our home is situated in the front of the subdivision with Mountain Ridge CT street, the house on Lot 13 and ridge of Quarry Mountain rising behind. While building styles may be different, the siting and size of the homes are generally comparable across the subdivision and particularly the group of houses from Lots 11 to Lot 14.

While we have lived in our home, one new house was built on Lot 15 and there have been several building remodel project sand exterior landscaping work, all of which have followed the limitation on building structures and Lot development. We oppose this request for a Plat Amendment to the Mountain Ridge Subdivision Plat, Permit # PL-21-04950 for 3099 Mountain Ridge Court, for good and sound reasons, including 1) preserving current scale of homes in the group of Lots 11 to 14, 2) maintaining the light and view lines leading to Quarry Mountain of the homes in front of Lot 13, 3) avoiding a increase in building size density in the subdivision that would encourage re-construction or demolition and new build of larger home in the Lots 11 to 14 and generally in the subdivision, 4) maintenance of the current open space for wildlife that regularly travel through the subdivision to and from Park Meadows and Quarry Mountain, and 5) the destruction of the natural rise of the slope to Quarry Mountain.

People have purchased and built homes in this subdivision, which was originally created approximately 30 years ago, because of its stability of land planning and the character of the existing houses. We oppose this permit application for a Plat Amendment because it would allow a home out of character with the rest of the subdivision, impinge upon the open spaces and wildlife and encourage a general tendency for other homes in this neighborhood to be increased in size, fundamentally altering the subdivision plan made at its foundation.

Thank you

Arthur and Pamela Bingham

M: 917 821-3809
Email: abingham@boxwoodadv.com

Planning Commission
Staff Report

Subject: **Fox Tail Rezone**
Application: **PL-21-04865**
Author: **Browne Sebright**
Date: **February 9, 2022**
Type of Item: **Legislative – Zoning Map Amendment**

Recommendation

(I) Review the proposal to realign the zoning boundary between the Estate and Recreation Open Space Zoning Districts for Parcel PCA-S-98-SEC-11 to protect the designated Ridge-Line Area while allowing for construction of a Single-Family Dwelling, (II) conduct a public hearing, and (III) consider forwarding a positive recommendation for City Council's consideration on March 3, 2022, 2021, subject to the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the draft Ordinance (Exhibit A).

Description

Applicant:	REDUS Park City, LLC, represented by Douglas Ogilvy
Location:	3805 Fox Tail Trail
Zoning District:	Estate and Recreation Open Space
Adjacent Land Uses:	Residential and Open Space
Reason for Review:	The Planning Commission reviews rezone applications and forwards a recommendation to the City Council for Final Action[1]

LMC	Land Management Code
ROS	Recreation Open Space

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

Summary

The Applicant proposes reallocating the Estate and Recreation Open Space Zoning for Parcel PCA-S-98-SEC-11 to accommodate construction of a Single-Family Dwelling away from a Ridge Line Area.

PCA-S-98-SEC-11 is a 32.73-acre Parcel in the Sensitive Land Overlay. Of the existing Parcel's 32.73 acres, 10% is in the Estate Zoning District, encompassing 3.27 acres; the remaining 90% is in the Recreation Open Space (ROS) Zoning District, encompassing 29.45 acres. The Applicant has proposed to rezone the property to allocate 4.64 acres in the Estate Zoning District (14.1%), and 28.09 acres in the Recreation Open Space Zoning District (85.8%).

[1] LMC § 15-1-7.

A Ridge Line Area—defined as the top, ridge, or Crest of Hill or Slope plus the land located within one hundred fifty feet on both sides of the top, crest, or ridge[2]—is in the southwestern portion of the Lot in the Estate Zoning District. Ridge Line Areas are protected from Development, significantly restricting the buildable area of the Lot with the current zoning boundaries.

The intent of the Ridge Line Area Protection regulations is to ensure that Development near Ridge-Line Areas blends with the natural contour of the landforms.[3] Significant Ridge-Line Areas should be retained in a natural state, and Development should be sited in such a manner so as not to create a silhouette against the skyline or mountain backdrop as viewed from designated Vantage Points. [4] Existing zoning and the Ridge Line Area are illustrated below:

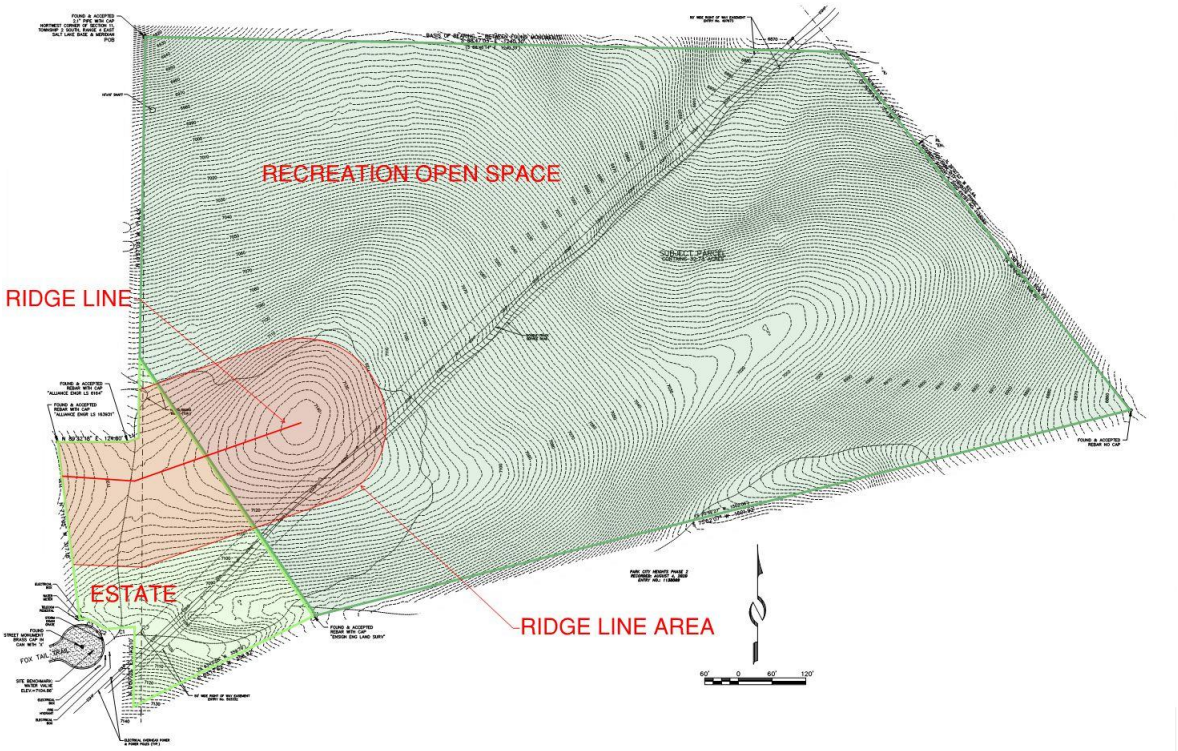


Figure 1: The Existing Conditions of 3805 Fox Tail Trail, showing the Recreation Open Space (dark green) and Estate (light green) Zoning Districts, and the Ridge Line and Ridge Line Area. Source: staff modified Applicant's submittal.

As a result of the restricted buildable area, the Applicant proposes reallocating the Estate and Recreation Open Space Zoning for Parcel PCA-S-98-SEC-11 to create an 8.84-acre area for Estate Zoning development of a Single-Family Dwelling and Recreation Open Space to prevent development in the Ridge Line Area, and to create a

[2] LMC § 15-15-1.
[3] LMC § 15-2.21-5.
[4] LMC § 15-2.21-5 (A).

23.89-acre Recreation Open Space Parcel to be dedicated to the City subject to recordation of a conservation easement (Exhibit B).

The Planning Commission held public meetings and took public input on this application on:

1. July 28, 2021 (Staff Report, Minutes beginning on pg. 20)
2. October 13, 2021 (Staff Report, Minutes beginning on pg. 40)

On July 28, 2021, the Planning Commission held a Public Hearing for the requested Subdivision and Rezone and heard from the Applicant and members of the public on the proposed applications. At that meeting, Commissioners asked for additional information, including what mechanisms could be used to ensure the relocation of the trails, an explanation of the difference between the current configuration of the trails versus how segments would be relocated, whether Limits of Disturbance would include the proposed driveway, and how large the proposed home would be in relation to homes in the Hidden Meadows Subdivision. The relocation of trail segments and the Limits of Disturbance is discussed in the Plat Amendment Staff Report.

On October 13, 2021, the Planning Commission held a second Public Hearing for the requested Subdivision and Rezone. At that meeting, Staff elaborated on the proposed Conditions of Approval relating to limits of disturbance, natural drainage and existing grade, vegetation protection, ridgeline protection, and trails. The Applicant representative stated that they have offered to pay for the reconstruction of the trails on both Lot 1 and Parcel A of the proposed subdivision. Six members of the public spoke at this public hearing, raising questions related to the separate Limits of Disturbance for the home site and the driveway, the location of the sewer easement, nightly rentals, the option of the property joining the adjacent Hidden Meadows HOA, and the buildability of the property. The Commission requested more information regarding the Ridgeline Area, the Limits of Disturbance, and context regarding the property in relation to the neighboring HOA.

Since the October 2021 Planning Commission Public Hearing, the Applicant has agreed to Conditions of Approval limiting the property to a minimum of a 12-month rental and adjusting the location trails and sewer easement in order to reduce the impact to established gamble oak.

Background

On February 3, 1994, the City Council adopted Resolution No. 2-94, annexing 277.99 acres of Hidden Meadow, including Parcel PCA-S-98-SEC-11 (Exhibit C). On February 3, 1994, the City Council passed Ordinance No. 94-2 (p. 279), amending the Zoning Map to include the Hidden Meadow Property under Resort [sic] Open Space[5] and Estate Zoning.

On May 11, 1995, the City Council passed Ordinance No. 95-19 (p. 215), approving the

[5] Recreation Open Space.

Hidden Meadow Subdivision. On August 31, 1995, the City Council passed Ordinance No. 95-45 (p. 95), approving a revision to the Hidden Meadow Subdivision to remove 4.39 acres of open space from Parcel 4 to include and dedicate to the City as part of Phase II of the development.[6]

The recorded Hidden Meadow Subdivision plat identifies 45 Lots. However, what was originally proposed to be Lot 26, identified as a Lot with 186,994 square feet, a maximum floor area of 10,000 square feet, and a maximum site disturbance of 16,000 square feet, included a portion of Parcel PCA-S-98-SEC-11 and was removed from the subdivision. The recorded plat contains 44 total Lots (Exhibit D).[7]

The Hidden Meadow CC&Rs Article XII, ¶ 12 provided a seven-year timeframe from the date of recordation for the Hidden Meadow Subdivision and Homeowner Association to expand to include Parcel PCA-S-98-SEC-11 (Exhibit E). The Declarant recorded the CC&Rs on September 1, 1995, and the potential expansion of the Hidden Meadow Subdivision and Homeowner Association has since expired.

In addition to the rezone request, the Applicant proposes creating the Fox Tail Subdivision to create an independent Lot that will not be part of the Hidden Meadow Subdivision or Homeowner Association, as well as dedicating a 23.89-acre Parcel to Park City under Recreation Open Space Zoning and a conservation easement (PL-21-04826, also under Planning Commission consideration).[8]

In the images below, Staff has highlighted the existing zoning boundaries and the Applicant's proposed rezone request. The Recreation Open Space Zoning District is shown in dark green; the proposed Estate Zoning District is shown in light green.

[6] On February 11, 1998, Parcel 4 was conveyed to Park City Municipal Corporation (Parcel No. HM-1-ROS-4-X; Summit County Recorder Entry No. 499358).
[7] While the Subdivision removed Lot 26, the recorded Plat retained the Lot information in Table B regarding total square feet (186,994 square feet), Maximum Floor Area (10,000 square feet), and Maximum Site Disturbance (Limits of Disturbance – 16,000 square feet) for Lot 26.
[8] Fox Tail Trail is a public street and the City plows the street in the winter.

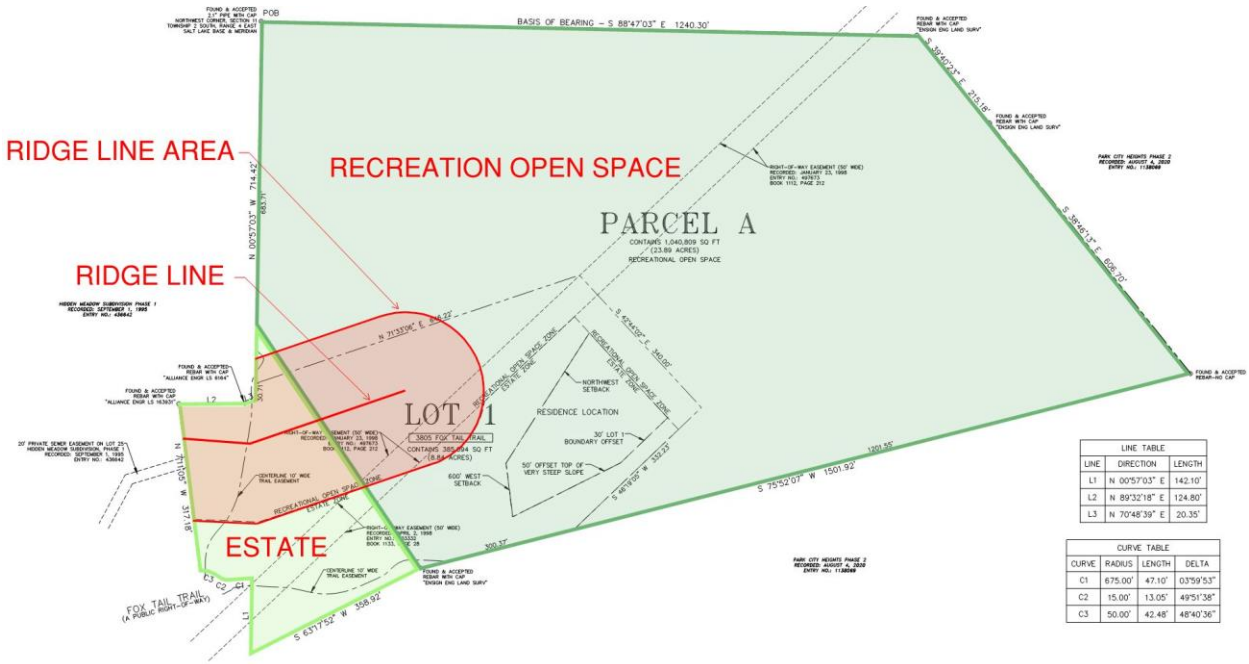


Figure 2: Existing zoning boundaries, showing the Recreation Open Space (dark green) and Estate (light green) Zoning Districts. Source: staff modified Applicant's submittal.

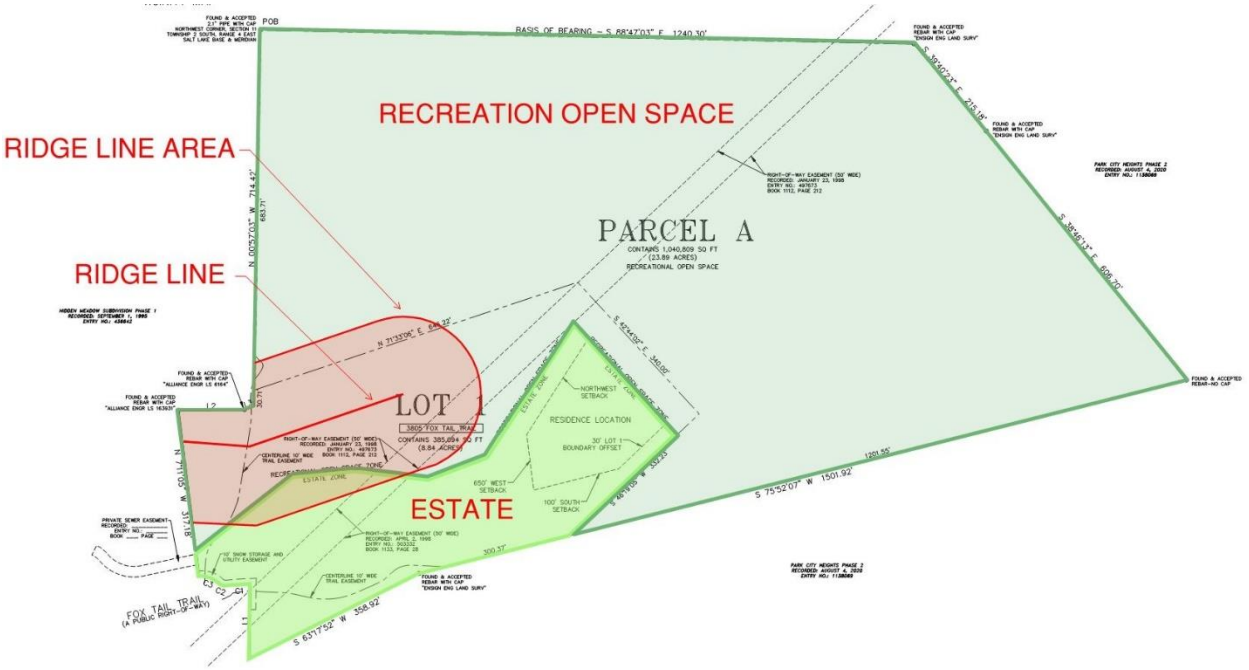


Figure 3: Propose zoning boundaries, showing the Recreation Open Space (dark green) and Estate (light green) Zoning Districts. Source: modified from Applicant's submittal.

Analysis

The Planning Commission hears all requests for Zoning changes.[9] The Planning Commission holds a public hearing on amendments to the Zoning Map and forwards a recommendation to the City Council. The City Council holds a public hearing and takes Final Action on Zoning Map amendments.[10]

(I) The proposal to reallocate Parcel PCA-S-98-SEC-11 Estate and Recreation Open Space Zoning complies with the annexation pursuant to Resolution No. 2-94.

The proposed reallocation of Estate and Recreation Open Space Zoning does not impact trails required by Resolution No. 2-94.

Resolution No. 2-94 Exhibit B, ¶ 6 *Trails and Sidewalks*, states that trails shall be concurrently reviewed and approved with plats and shall be dedicated to Park City. The Resolution additionally states that "Park City reserves the right to develop additional trails in any open space areas which are dedicated to Park City."

The Applicant's Existing Conditions submission identifies two public trails on Parcel PCA-S-98-SEC-11 (Exhibit E). The Fox Tail Trail mountain biking trail forms a loop within the Parcel with two connector points accessed from the Fox Tail Trail cul-de-sac, shown below on an excerpt from the Park City Interactive Summer Trail Map. Additionally, what is identified as "Private" on the map below is within the Recreation Open Space area proposed to be dedicated to Park City and will be relocated as a public trail as part of the Trails Master Plan for the area.

The Park City Trails and Open Space Manager reviewed the Applicant's proposal and notes that the proposed rezone will not impact existing public trails or proposed public trails in the area. As part of the Applicant's subdivision application, the Applicant proposes relocating Fox Tail Cut and trailhead to the west, relocating the Woodchip Trailhead to the south, and relocating the trail from the Estate portion of the Parcel to the Recreation Open Space portion of the Parcel.

Condition of Approval 2 requires the Applicant to dedicate 23.89 acres to Park City pursuant to a conservation easement within the Recreation Open Space, with the possibility to develop additional public trails within the acreage. The conservation easement must be completed and recorded prior to recordation of the proposed plat amendment.

Additional Conditions of Approval regarding the trails can be found in the Plat Amendment (PL-21-04836) Staff Report and Draft Ordinance.

[9] LMC § 15-12-15(B)(3).
[10] LMC § 15-1-7.

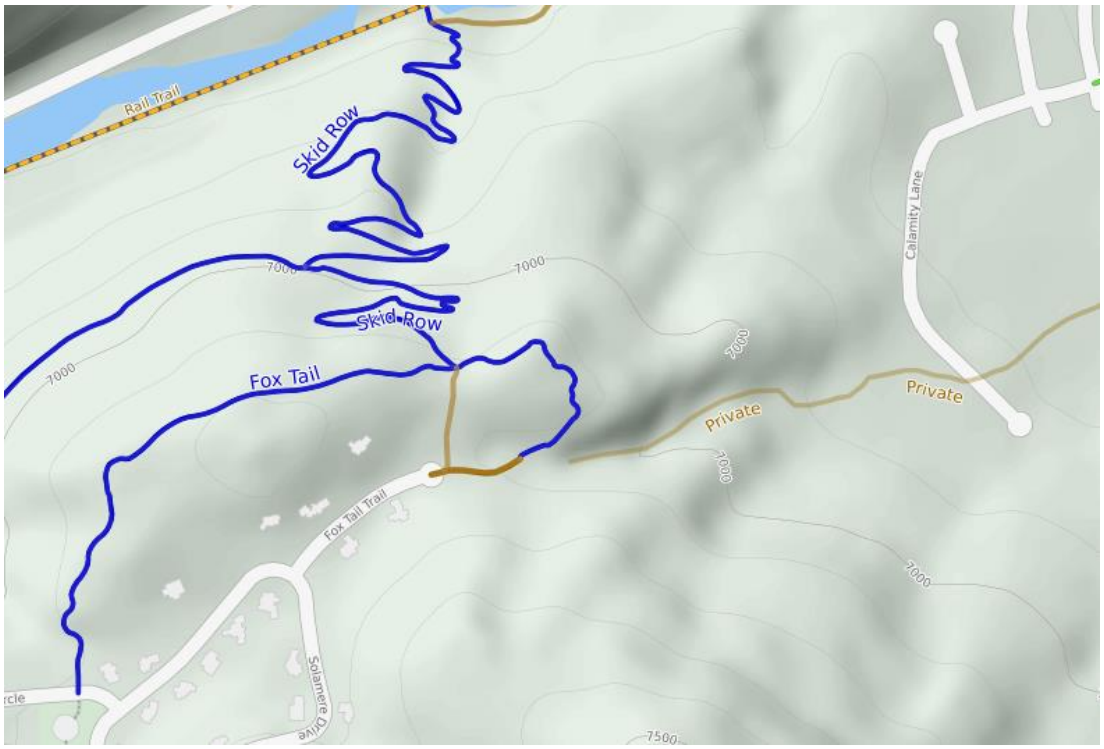


Figure 4: The trails of the Fox Tail Trail Subdivision.
Source: Park City Interactive Summer Trail Map

(II) The proposal to reallocate the PCA-S-98-SEC-11 Estate and Recreation Open Space Zoning complies with the Estate and Recreation Open Space Zoning District Requirements, as well as the Sensitive Land Overlay.

The purposes of the Estate Zoning District include facilitating low-density development that is environmentally sensitive and preserves ridge tops, meadows, and visible hillsides; preserving large, cohesive, unbroken open space; protecting views along the City's entry corridors; and incorporating pedestrian trail linkages between and through neighborhoods.[11]

The area proposed to be rezoned is in the Sensitive Land Overlay. The purposes of the Overlay include protecting and preserving environmentally sensitive land, prohibiting development on Ridge Line Areas, and encouraging the preservation of large expanses of open space.[12] Significant Ridge-Line Areas must be retained in a natural state and development cannot create a silhouette against the skyline or mountain backdrop when viewed from designated Vantage Points.[13] The Land Management Code prohibits development within 150 feet of a Ridge Line.[14]

[11] LMC § 15-2.10-1.
[12] LMC § 15-2.21-1.
[13] LMC § 15-2.21-5.
[14] LMC § 15-15-1.

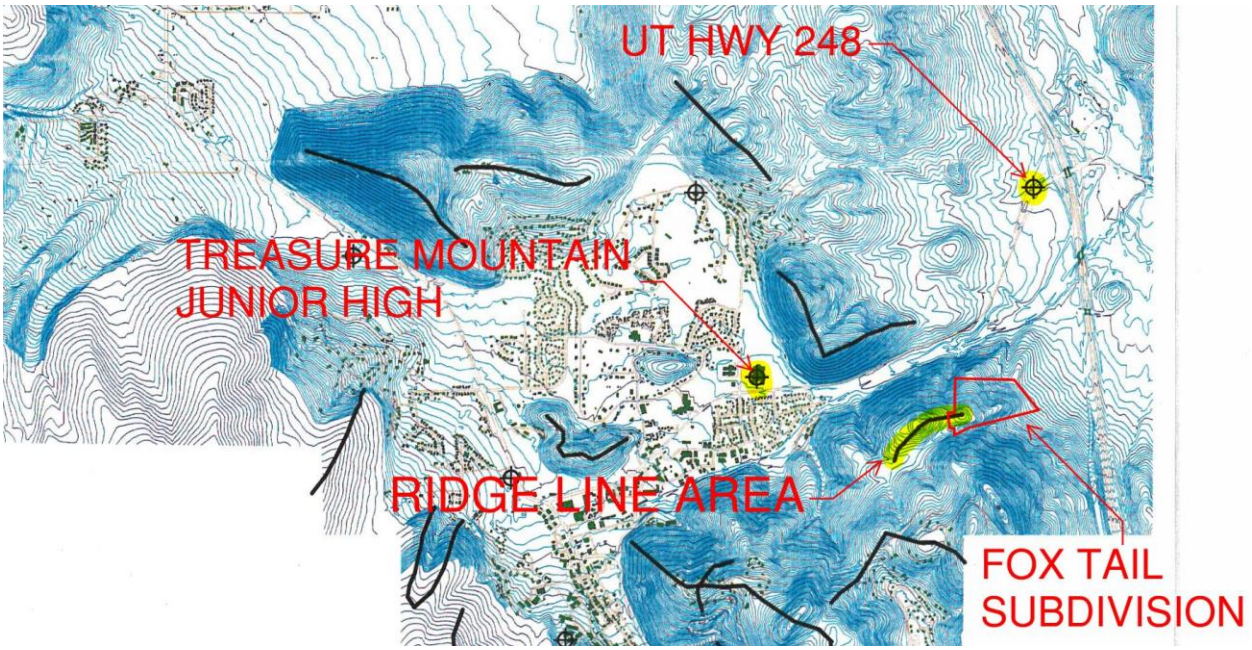


Figure 5: Ridge Line Areas, Designated Entry Corridors, and Vantage Points

The Land Management Code denotes nine (9) typical Vantage Points from which Development should not create a silhouette against the skyline or mountain backdrop.[15] Additionally, the LMC states that the Applicant may be required to submit a Visual Assessment, which can include identifying the Property from Vantage Points designated by the Planning Department. This Visual Assessment should depict conditions before and after the proposed Development, including the proposed location, size, design, landscaping, and other visual features of the project. The Applicant has submitted visual assessments from two Vantage Points as part of the Rezone Application submittal (Exhibit G and Exhibit H).

The images below depict the Fox Tail Trail Ridge Line and two of the typical Vantage Points from which the project may be visible (Treasure Mountain Jr. High and Utah Highway 248 at the turn-out one-quarter mile west from U.S. Highway 40).

The views from the Vantage Points depict the maximum building envelope for the proposed building pad and show that the home would not create a silhouette against the skyline in either location. The building may create some silhouette against the mountain backdrop as viewed from the Vantage Points, however, the silhouette would not intrude into any protected Ridge-Line Area. The Applicant also submitted additional vantage points, including the view of the development from locations along Fox Tail Trail (Exhibit J).

[15] LMC § 15-2.21-4 (4).



Figure 6: Sight Line from SR 248 Vantage Point. Source: Applicant's submittal. (Exhibit G)



Figure 7: Sightline from Treasure Mountain Junior High School Vantage Point. Source: Applicant's submittal. (Exhibit H)

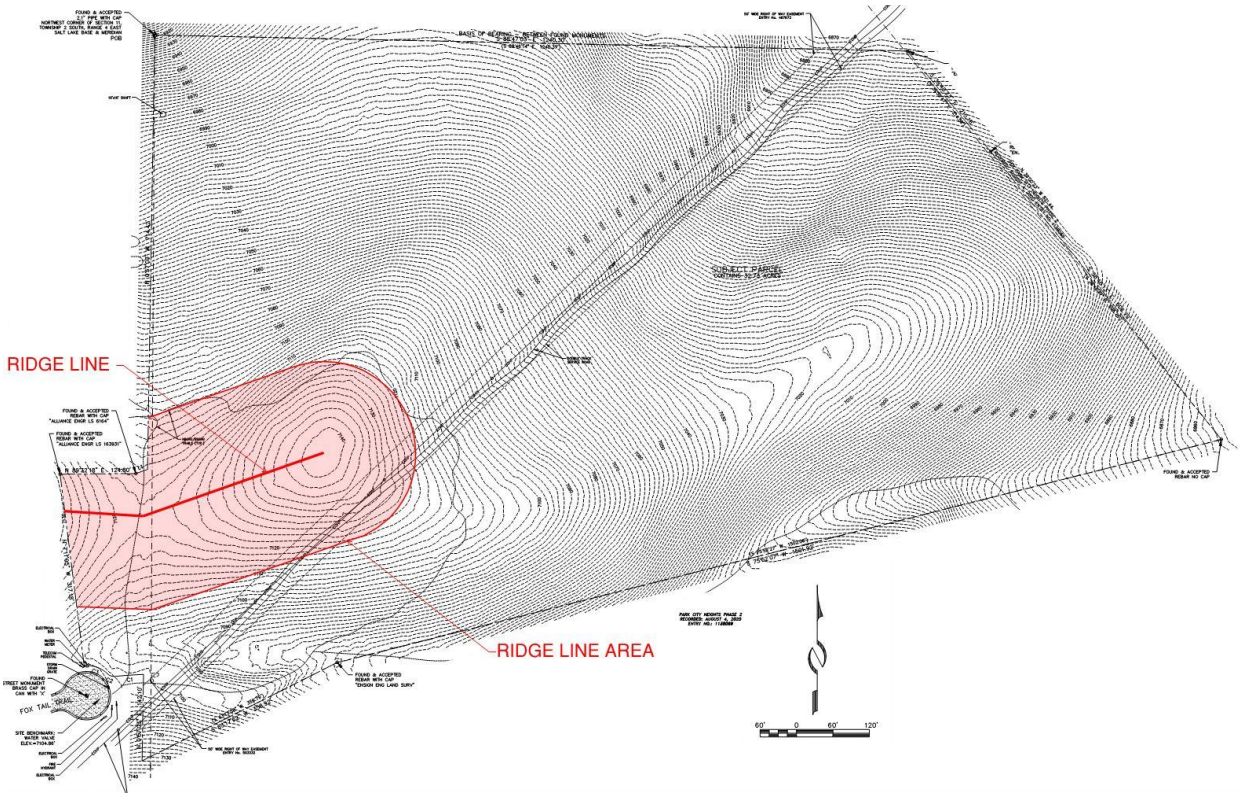


Figure 8: The Ridge Line and Ridge Line Area in relation to 3805 Fox Tail Trail. Source: modified from Applicant's submittal.

The current Zoning for the Parcel significantly restricts the buildable area for the Single-Family Dwelling and impacts the viewsheds from the designated Vantage Points from State Road 248 at the turn-out one-quarter mile west from HWY 40 and across valley view.[16]

This application proposes to reallocate the Estate and Recreation Open Space Zoning for the Parcel to protect the Ridge Line Area and viewsheds, to preserve Recreation Open Space, and to interconnect trail linkages in the area without increased density. Additionally, the proposed reallocation of Estate and Recreation Open Space Zoning complies with the Lot and Site Requirements of the Estate Zoning District, outlined in the table below:[17]

Estate Zoning District Requirement	Proposal
Minimum Lot Size for Single-Family Dwelling is three acres	**Complies** If the City Council approves the reallocation of the Estate and Recreation Open Space Zoning and subsequent plat amendment, the Single-Family Dwelling is proposed to be located on an 8.84-acre

[16] LMC § 15-2.21-3.
[17] LMC § 15-2.10-3.

	Lot.
The minimum Lot width is 100 feet	**Complies** The portion of the proposed Lot along the Fox Tail Trail Court cul-de-sac exceeds 100 feet.

Prior to submitting a building permit application to construct a Single-Family Dwelling within the Estate Zoning District area, the Applicant must submit the materials outlined in Land Management Code § 15-2.10-6, *Sensitive Lands Review*, subject to Planning Director approval (Condition of Approval 3).

(III) The Development Review Committee reviewed the proposed reallocation of Estate and Recreation Open Space Zoning and did not identify any issues.

On July 20, 2021, the Development Review Committee reviewed the proposed rezone and did not identify any issues. This Committee includes representatives from Snyderville Basin Water Reclamation District, PacifiCorp, Questar, Summit County, and other Park City departments. Snyderville Basin Water Reclamation District indicated that the property would need to tie into the existing sewer easement located on Lot 25, and the Applicant has submitted additional drawings on November 30, 2021, showing the proposed location of the sewer tie in (Exhibit F, p. 1).

(IV) The Neighborhood Traffic Management Program reviewed the proposal and identified mitigation procedures for the trail access.

On August 26, 2021, the Neighborhood Traffic Management Program (NTMP) committee, including representatives from Trails and Open Space, Transportation Planning, and Engineering, drafted a monitoring and management plan for the trailheads. It is important to note that trails are already in place at this location, and there are no proposed changes to existing conditions other than moving the trailheads to reduce any conflict between the trail and the proposed driveway. Additionally, there are no plans to provide any amenities, such as a kiosk, trash cans, maps, etc., at the trailheads.

As with most trails, the City will monitor use per required maintenance levels and management. Monitoring will include:

- Placing trail counters
- Adding this location to the Trails & Open Space Rangers reporting system, where they:
    - Check trail signage
    - Collect data (trail)
    - Speak with users if any
    - Document parking, if any
- Residents may contact trails@parkcity.org if they have concerns and for additional information

If the City receives concerns, complaints or sees issues, such as parking, the Trails, and Open Space Department will bring those to the NTMP and propose several steps:

- Review with public safety to determine if turning/access issues are present in cul de sac or blocking of hydrants, driveways, etc.
    - Add signage if needed (parking-related)
    - Continue to monitor and enforce if necessary
    - Provide trail-related signage (private property, noise, dog-related)

The Park City Trails and Open Space Manager reviewed the Applicant's proposal on September 7, 2021, and January 20, 2022, and supports the relocation of the trails, as outlined in the Plat Amendment Staff Report. On November 30, 2021, the Applicant submitted updated civil drawings showing an adjusted trail location that better protects significant vegetation (gable oak).

Department Review

The Development Review Committee and Planning, Engineering, and Legal Departments reviewed this application. Staff took the Plat Amendment and Rezone Applications to the Neighborhood Traffic Management Program committee on August 26, 2021, and established the criteria that are listed above in Analysis IV.

Notice

On July 14, 2021, staff posted the property, mailed notice to property owners within 300 feet, and posted notice to the Utah Public Notice website. The *Park Record* published notice on July 14, 2021. After the July 28, 2021, Planning Commission Public Hearing, the application was continued to August 25, 2021, to September 22, 2021, and again to October 13, 2021. Additional courtesy notices were posted to the property and mailed to property owners within 300 feet on September 29, 2021.

Public Input

Several public comments were made during the July 28, 2021, Planning Commission Public Hearing, and on the October 13, 2021, Planning Commission Public Hearing. Comments included concerns that the relocation of the trailhead would bring additional traffic to the neighborhood and that the development would change the views that are currently visible from Fox Tail Trail to the east.

Since the October 2021 Planning Commission Public Hearing, Staff has received public input from 19 neighbors of the project (Exhibit K). The comments have concerned a number of issues, including the provision of whether nightly rentals would be allowed, the relocation of trail segments, the location of the sewer easement, and the visual impact of the residence. Staff has responded to each owner who has submitted comment and forwarded them to the Applicant.

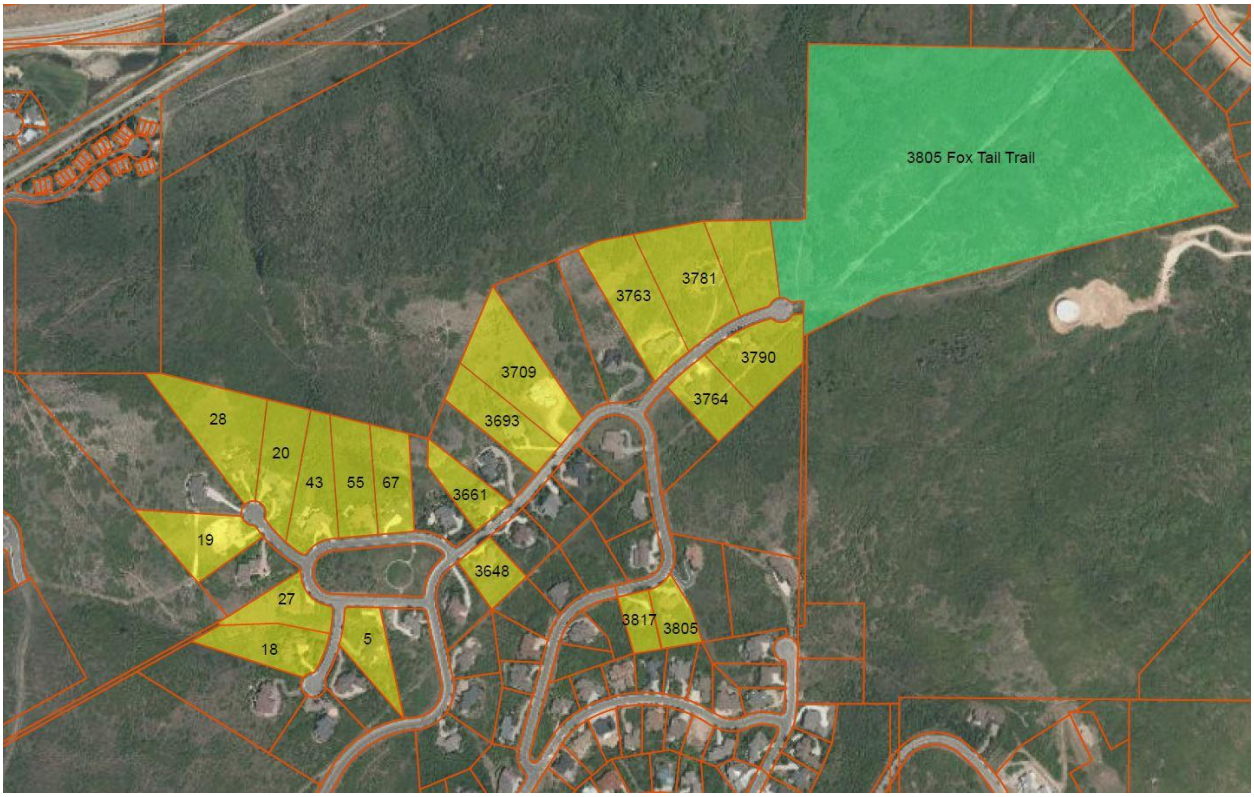


Figure 6. Map of neighbors who have submitted public input regarding this application. Source: PCMC staff.

The Applicant has agreed to Conditions of Approval limiting the property to a minimum of a 12-month rental, and adjusting the location trails and sewer easement in order to reduce the impact to established gamble oak. Nearly all of the neighbors have indicated their support for the project subject to these conditions, with 1-2 neighbors who have indicated that they have outstanding concerns, primarily related to the visual impact of the residence. On January 10, 2022, the Applicant submitted renderings depicting a visual analysis of the proposed development to address these concerns (Exhibit J).

Alternatives

- Planning Commission may forward a positive recommendation to City Council for the Fox Tail Subdivision, as conditioned or amended, or
- Planning Commission may forward a negative recommendation to City Council for the Fox Tail Subdivision, and direct staff to make Findings for this decision, or
- Planning Commission may continue the item to a date certain.

Exhibits

Exhibit A: Draft Ordinance
Exhibit B: Applicant's Statement
Exhibit C: Hidden Meadow Annexation Plat
Exhibit D: Hidden Meadow Subdivision
Exhibit E: Hidden Meadow CC&Rs

Exhibit F: Aerial Maps and Civil Drawings
Exhibit G: Visual Analysis from SR 248 Vantage Point
Exhibit H: Visual Analysis from Treasure Mountain Junior High School Vantage Point
Exhibit I: Map of Site Lines from Vantage Points
Exhibit J: Fox Tail Height Cap Visual Analysis
Exhibit K: Public Comments
Exhibit L: Amended Zoning Map

Ordinance No. 2022-XX

AN ORDINANCE APPROVING A ZONING MAP AMENDMENT FOR PARCEL NUMBER PCA-S-98-SEC-11 ZONED ESTATE AND RECREATION OPEN SPACE LOCATED AT 3805 FOX TAIL TRAIL, PARK CITY, UTAH

WHEREAS, the Applicant petitioned the City Council to reallocate the Estate and Recreation Open Space Zoning for Parcel Number PCA-S-98-SEC-11 with an address of 3805 Fox Tail Trail; and

WHEREAS, the current Estate Zoning for the Parcel allows for development on one Single-Family Dwelling, but a Ridge Line Area and site topography significantly restrict the buildable area for a Single-Family Dwelling and development on the Parcel would impact the viewsheds from designated Vantage Points; and

WHEREAS, the proposal to reallocate the Estate and Recreation Open Space Zoning for the Parcel is to protect the Ridge Line Area and viewsheds, to preserve Recreation Open Space, and to interconnect trail linkages in the area, while still allowing for the development of a Single-Family Dwelling; and

WHEREAS, on July 14, 2021, staff posted notice to the property and mailed notice to property owners within 300 feet and to Affected Entities according to the requirements of the Land Management Code; and

WHEREAS, the Park Record published legal notice on July 14, 2021, according to requirements of the Land Management Code; and

WHEREAS, the Planning Commission held a public hearing on July 28, 2021, to receive input on the Fox Tail Trail Zoning Map Amendment; and

WHEREAS, the Planning Commission held a public hearing on October 13, 2021, to receive input on the Fox Tail Trail Zoning Map Amendment; and

WHEREAS, the Planning Commission held a public hearing on February 9, 2022, to receive input on the Fox Tail Trail Zoning Map Amendment; and

WHEREAS, the Planning Commission forwarded a positive recommendation to City Council; and

WHEREAS, on March 3, 2022, the City Council held a public hearing to receive input on the Fox Tail Trail Zoning Map Amendment; and

WHEREAS, the proposed zoning map amendment is consistent with the following purposes of the Utah Municipal Land use, Development, and Management Act (LUDMA) section 10-9a-102. Purposes – General land use authority.

1) The purposes of this chapter are to:
    a. provide for the health, safety, and welfare;
    b. promote the prosperity;

c. improve the morals, peace, good order, comfort, convenience, and aesthetics of each municipality and each municipality's present and future inhabitants and businesses;
d. protect the tax base;
e. secure economy in government expenditures;
f. foster the state's agricultural and other industries;
g. protect both urban and nonurban development;
h. protect and ensure access to sunlight for solar energy devices;
i. provide fundamental fairness in land use regulation;
j. facilitate orderly growth and allow growth in a variety of housing types; and
k. protect property values.

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

SECTION 1. APPROVAL. The Zoning Map Amendment as shown in Attachment 1 is approved subject to the following Findings of Facts, Conclusions of Law and Conditions of Approval.

Findings of Fact:

1. Parcel No. PCA-S-98-SEC-11 with an address of 3805 Fox Tail Trail contains 32.73 acres in the Sensitive Land Overlay.
2. Parcel No. PCA-S-98-SEC-11 is currently zoned Estate and Recreational Open Space. Approximately 90% of the property is in the Recreation Open Space Zoning District (about 29 acres) and about 10% is in the Estate Zoning District (about 3 acres).
3. Parcel No. PCA-S-98-SEC-11 is unimproved.
4. The Applicant proposes reallocating the Estate and Recreation Open Space Zoning for the property to create an 8.84-acre area for Estate Zoning development of a Single-Family Dwelling and Recreation Open Space to prevent development in the Ridge Line Area, and to create a 23.89-acre Recreation Open Space Parcel to be dedicated to the City subject to recordation of a conservation easement.
5. On February 3, 1994, the City Council adopted Resolution No. 2-94, annexing 277.99 acres of Hidden Meadow, including Parcel PCA-S-98-SEC-11.
6. On February 3, 1994, the City Council passed Ordinance No. 94-2, amending the Zoning Map to include the Hidden Meadow Property under Resort [sic] Open Space[1] and Estate Zoning.
7. On May 11, 1995, the City Council passed Ordinance No. 95-19, approving the Hidden Meadow Subdivision. On August 31, 1995, the City Council passed Ordinance No. 95-45, approving a revision to the Hidden Meadow Subdivision to remove 4.39 acres of open space from Parcel 4 to include and dedicate to the City as part of Phase II of the development.
8. The recorded Hidden Meadow Subdivision plat identifies 45 Lots. However, what was originally proposed to be Lot 26, identified as a Lot with 186,994 square feet, a maximum floor area of 10,000 square feet, and a maximum site disturbance of 16,000 square feet, included a portion of Parcel PCA-S-98-SEC-11 and was removed from the subdivision. The recorded plat contains 44 total Lots.

[1] Recreation Open Space.

9. The Hidden Meadow CC&Rs Article XII, ¶ 12 provided a seven-year timeframe from the date of recordation for the Hidden Meadow Subdivision and Homeowner Association to expand to include Parcel PCA-S-98-SEC-11. The Declarant recorded the CC&Rs on September 1, 1995, and the potential expansion of the Hidden Meadow Subdivision and Homeowner Association has since expired.
10. In addition to the rezone request, the Applicant proposes creating the Fox Tail Subdivision to create an independent Lot that will not be part of the Hidden Meadow Subdivision or Homeowner Association, as well as dedicating a 23.89-acre Parcel to Park City under Recreation Open Space Zoning and a conservation easement (PL-21-04826, also under Planning Commission consideration).
11. The proposal to reallocate Parcel PCA-S-98-SEC-11 Estate and Recreation Open Space Zoning complies with the annexation pursuant to Resolution No. 2-94.
12. The proposed reallocation of Estate and Recreation Open Space Zoning does not impact trails required by Resolution No. 2-94.
13. Resolution No. 2-94 Exhibit B, ¶ 6 *Trails and Sidewalks*, states that trails shall be concurrently reviewed and approved with plats and shall be dedicated to Park City. The Resolution additionally states that "Park City reserves the right to develop additional trails in any open space areas which are dedicated to Park City."
14. The Applicant's Existing Conditions submission identifies two public trails on Parcel PCA-S-98-SEC-11. The Fox Tail Trail mountain biking trail forms a loop within the Parcel with two connector points accessed from the Fox Tail Trail cul-de-sac.
15. Additionally, a private trail in the Recreation Open Space area proposed to be dedicated to Park City will be relocated as a public trail as part of the Trails Master Plan for the area.
16. The Park City Trails and Open Space Manager reviewed the Applicant's proposal and notes that the proposed rezone will not impact existing public trails or proposed public trails in the area. As part of the Applicant's subdivision application, the Applicant proposes relocating Fox Tail Cut and trailhead to the west and relocating the Woodchip Trailhead to the south, and relocating the trail from the Estate portion of the Parcel to the Recreation Open Space portion of the Parcel.
17. The proposal to reallocate the PCA-S-98-SEC-11 Estate and Recreation Open Space Zoning complies with the Estate and Recreation Open Space Zoning District Requirements, as well as the Sensitive Land Overlay.
18. The staff report is incorporated herein.

Conclusions of Law:

1. There is Good Cause for the Fox Tail Trail Zoning Map Amendment. The proposed Zoning Map Amendment complies with the Land Management Code requirements.
2. The Fox Tail Trail Zoning Map Amendment is consistent with the General Plan and the Management Code including Sections 15-1-7(2) and 15-12-15(B)(4) and (9) and applicable State Law regarding Zoning Map Amendments.
3. Approval of this Zoning Map Amendment promotes the general welfare of the citizens of Park City consistent with Utah Code Section 10-8-84.

Conditions of Approval:

1. The Planning Department, City Attorney's Office, and GIS Specialist will review and approve the final form and content of the amended Zoning Map for compliance with State Law, the Land Management Code, and the Conditions of Approval, prior to the Mayor's execution of the amended Official Zoning Map.
2. The Applicant shall dedicate 23.89 acres to Park City Municipal Corporation, subject to a conservation easement on the acreage prior to recordation of the proposed Fox Tail Subdivision.
3. Prior to submitting a building permit application to construct a Single-Family Dwelling within the new Estate Zoning District area, the Applicant must submit the materials outlined in Land Management Code Section 15-2.10-6, *Sensitive Lands Review*, subject to Planning Director approval.

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

PASSED AND ADOPTED this 3rd day of March, 2022.

PARK CITY MUNICIPAL CORPORATION

_____
MAYOR, Nann Worel

ATTEST:

_____
City Recorder, Michelle Kellogg

APPROVED AS TO FORM:

_____
City Attorney's Office

Attachment A: Rezoning Identification Map

3805 Fox Tail Court

- **Rezoning**
- **Plat for Single Family Residence**

Follow up to 10/13/21 Planning Commission Meeting and Public Hearing

January 12, 2022

On 10/13/21, Planning Commission held a Public Hearing on the proposed Fox Tail Plat. The Public Hearing was well attended by nearby property owners expressing concerns with certain aspects of the project as discussed below. The Applicant has amended the proposed plat to better respond to neighbors' concerns.

Nightly Rentals

Many neighbors addressed concerns about the lack of a nightly rental restriction. At the time of the last Planning Commission meeting, the Applicant was not aware of the extent of disruption that the recently constructed nightly rental homes on Hidden Oaks are causing. With a better understanding of this impact, the Applicant is now proposing a 12 month minimum rental provision on the proposed plat, consistent with restriction in the Hidden Meadows CCRs. The majority of comments received from neighbors related to nightly rentals. The proposed 12 month restriction has been communicated to neighbors that have commented on the project.

Trail Alignment

The alignment of the Fox Tail Cut trail has been kept as far east as possible while working with a driveway curb cut. The alignment has been tweaked to maintain existing gamble oak on the property.

Sewer Easement

The Applicant has worked with the owner of Lot 25 on a revised sewer alignment that minimizes impact on the gamble oaks on Lots 25 and 26. The Applicant has agreement with the owner of Lot 25 to abandon the existing private sewer easement on Lot 25 and replace with a new private sewer easement in an alignment that works better for both parties.

Visual Impact

One of the neighbors prepared a visual impact study that misrepresented the development potential of the property. The Applicant prepared its own visual impact study. Based on this study, the Applicant has increased the south setback to 100', increased the west setback to 650' and proposed a ridgeline cap at 7,136' to preserve distant views to the Uintas from Fox Tail Court. The Applicant has also amended the proposed driveway alignment to better follow existing topography and use existing gamble oak to better screen the driveway as viewed from Fox Tail Court and adjacent properties. The proposed plat limits the home size to 10,000 sf consistent with the

largest homes permitted in the Hidden Meadows subdivision. A visual impact study has been provided showing a conceptual development plan and the maximum possible visual impact as viewed from Fox Tail Court.

Summary

It was always intended that a home be built on the 33 acres now owned by the Applicant. The original homesite is not compatible with the current Sensitive Lands Ordinance, so the Applicant has proposed locating the home further to the east to protect the ridgeline above SR248. Additional setbacks and a ridgeline cap are proposed to reduce visual impact from Fox Tail Court and protect distant views to the Uintas.

Responding to neighborhood concerns with nightly rentals at another property, the Applicant is now proposing a 12 month minimum rental provision.

The Applicant is proposing dedication of ~24 acres of open space to the City. The dedicated land includes opportunities for additional pedestrian and mountain bike trails with panoramic vistas to the north, east and south. The Applicant is also committing to relocation of the Fox Tail Trail to an alternate alignment east and north of the new Lot 1.

SURVEYOR'S CERTIFICATE

I John Demkowicz, do hereby certify that I am a registered Land Surveyor and that I hold Certificate No. 163931 as prescribed under the laws of the State of Utah, I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described herein and subdivided said tract of land into lots, public easements, ROS parcels and public right-of-ways to be hereafter known as HIDDEN MEADOW SUBDIVISION PHASE 1 and that the same has been correctly surveyed on the ground as shown on this plat.

JOHN DEMKOWICZ L.S. NO. 163931 — 8-24-95 DATE

REGISTERED LAND SURVEYOR No. 163931 JOHN DEMKOWICZ State of Utah

BOUNDARY DESCRIPTION

Beginning at a point on the northerly end line of the Emma mining claim North 77° 39' 13" West 251.53 feet from the Northeast corner of the Emma mining claim, said point is located North 4133.38 feet and East 2713.23 feet from the East Quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the northerly end of the Emma , the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) North 77° 39' 13" West 1375.42 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) North 28° 59' 00" West 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) North 59° 06' 00" East 465.36 feet more or less; thence along the southerly side line of the Bessie mining claim (Mineral Survey 5552) North 61° 01' 00" East 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim North 38° 40' 43" West 14.26 feet; thence along the Chatham Crossing Subdivision boundary (Recorded Instrument Number 179465 in the Office of the Summit County Recorder) the following four courses:) 1) North 61° 10' 55" East (Plat North 61° 05' 58" East) 46.56 feet; thence 2) North 41° 14' 05" West (Plat North 41° 19' 02" West) 1317.38 feet; thence 3) South 89° 55' 03" East (Plat East) 595.29 feet; thence 4) North 0° 04' 57" East (Plat North) 785.35 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) North 60° 10' 00" East 509.54 feet more or less; thence along the northerly side line of the Woodrow No. 2 mining claim North 62° 56' 19" East 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) North 44° 04' 01" West 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) North 78° 41' 14" East 40.19 feet; thence along easterly side line of the Potosi mining claim North 53° 33' 00" East 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim South 41° 00' 00" East 158.14 feet more or less; thence along the west line of the east half of the southwest quarter of the southwest quarter of section 2 South 00° 29' 39" West 656.87 feet more or less; thence along the North line of Section 11 North 88° 47' 03" West 654.97 feet more or less to the Northwest Corner of Section 11; thence South 0° 57' 03" West 714.42 feet; thence South 70° 48' 39" West 20.35 feet; thence South 89° 32' 18" West 124.80 feet; thence South 07° 11' 05" East 317.18 feet to a point on a 50.00 foot radius curve to the right, whose radius point bears South 04° 46' 56" East, thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36" to a point on a 15.00 foot radius curve to the left, whose radius point bears North 43° 53' 40" East; thence along the arc of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 675.00 foot radius curve to the right, whose radius point bears South 05° 57' 58" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53"; thence South 0° 57' 03" West 1415.52 feet to a point on a 50.00 foot radius curve to the left, whose radius point bears North 89° 02' 57" West; thence along the arc of said curve 73.52 feet thru a central angle of 84° 14' 57"; thence North 10° 46' 33" West 34.02 feet; thence South 80° 37' 22" West 628.64 feet; thence North 16° 28' 35" West 238.32 feet; thence North 13° 36' 27" West 50.00 feet; thence South 76° 23' 33" West 64.47 feet to a point on a 290.15 foot radius curve to the left, whose radius point bears South 13° 36' 27" East; thence along the arc of said curve 48.67 feet thru a central angle 09° 36' 38"; thence North 31° 57' 40" West 225.19 feet; thence South 46° 41' 39" West 377.59 feet; thence South 07° 56' 32" East 319.08 feet; thence South 10° 24' 24" West 233.92 feet; thence South 41° 50' 49" West 137.01 feet; thence South 67° 45' 45" West 221.74 feet; thence South 14° 25' 20" East 246.82 feet; thence South 38° 35' 36" East 164.61 feet to the northeast corner of Phase 1, Parcel 1 of Royal Oaks Subdivision Phase I (Recorded Instrument No. 352414 in the office of the Summit County Recorder); thence along the north line of said Parcel 1 South 79° 34' 34" West (Plat South 79° 36' 44" West) 160.00 feet; thence along the north line of said Parcel 1 South 69° 24' 48" West (Plat South 69° 26' 58" West) 65.28 feet; thence along The Oaks at Deer Valley (Recorded instrument No. 311418 in the office of the Summit County Recorder) boundary line South 68° 57' 50" West (Plat South 69° 00' 00" West) 59.25 feet; thence along The Oaks at Deer Valley boundary line South 48° 57' 50" West (Plat South 49° 00' 00" West) 300.00 feet; thence North 65° 36' 22" West 331.48 feet to a point on a 538.60 foot radius curve to the left, whose radius point bears South 60° 33' 01" East; thence along the arc of said curve 335.95 feet thru a central angle of 35° 44' 16"; thence South 06° 17' 17" East 477.78 feet to a point on a 125.00 foot radius curve to the left, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 18.63 feet thru a central angle of 08° 32' 16"; thence along The Oaks at Deer Valley boundary line South 81° 46' 37" West (Plat South 81° 48' 47" West) 50.24 feet to a point on a 175.00 foot radius curve to the right, whose radius point bears North 77° 03' 57" East; thence along the arc of said curve 20.30 feet thru a central angle of 06° 38' 46"; thence North 06° 17' 17" West 477.78 feet to a point on a 588.60 foot radius curve to the right, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 214.78 feet thru a central angle of 20° 54' 26"; thence North 68° 29' 02" West 229.73 feet; thence South 46° 04' 16" West 126.36 feet; thence South 11° 47' 28" West 170.03 feet to the point of beginning. Description contains 222.03 acres more or less. The Basis of Bearing for the above description is South 00° 30' 11" West between the East Quarter corner and the southeast corner of Section 16.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT: That the undersigned is the owner of the herein described tract of land, having caused the same to be subdivided into lots, ROS parcels and public right-of-ways, together with easements as set forth on this Record of Survey Plat to be know hereafter as HIDDEN MEADOW SUBDIVISION, does hereby dedicate for the perpetual use of the public, all parcels of land as intended for public use and further consents to the recordation of this Record of Survey Plat in accordance with Utah Law. ALSO, the owner hereby dedicates to Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement. The owner, or his representative, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this 24th day of August, 1995.

BLUE LEDGE CORPORATION
A Delaware Corporation

Hank Rothwell
Its President

NOTARY PUBLIC DEBBIE WARD 3001 South State Heber City, UT 84032 My Commission Expires June 30, 1999 State of Utah

ACKNOWLEDGEMENT

STATE OF UTAH)
:ss
COUNTY OF SUMMIT)

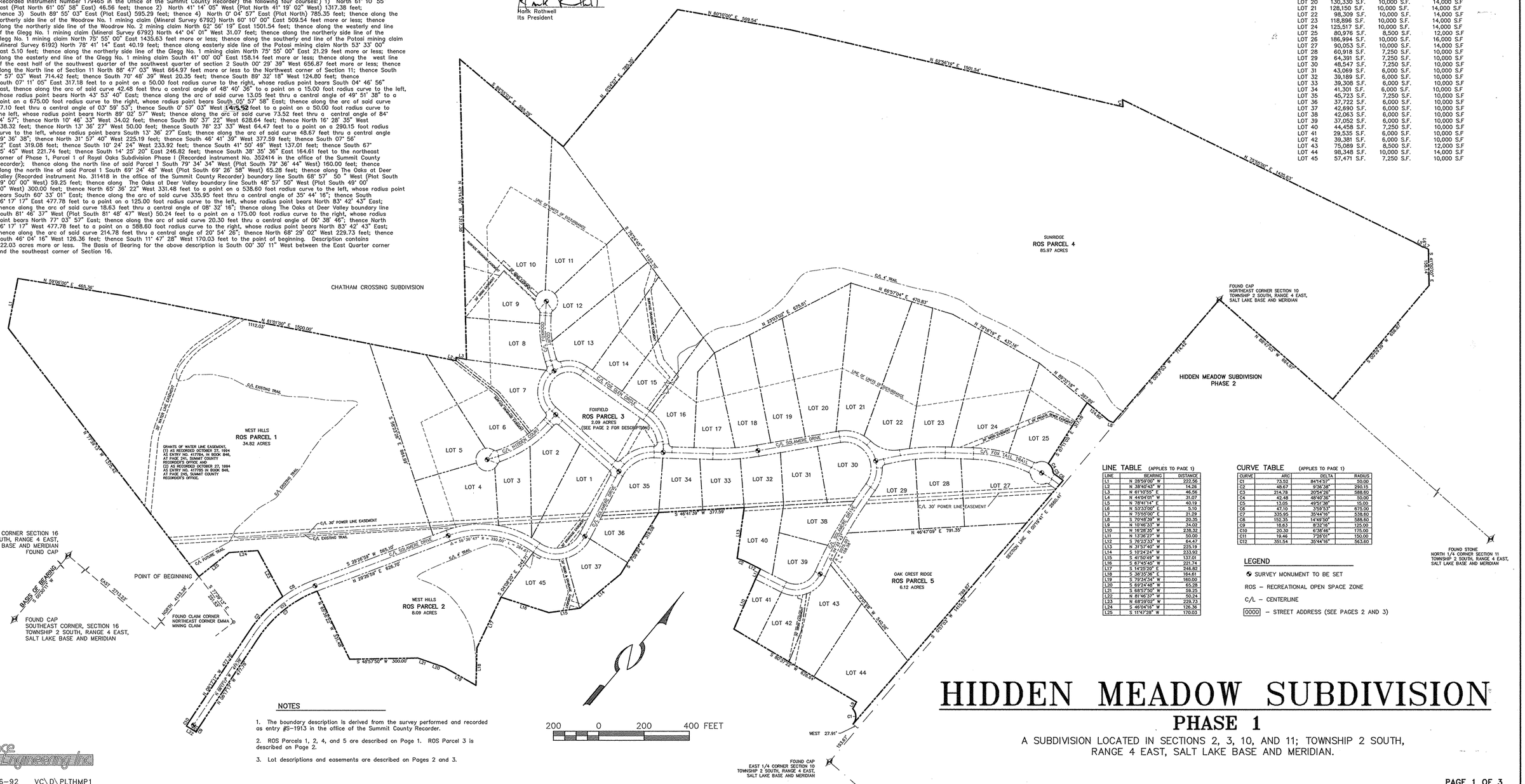
On the 24 day of August 1995, Hank Rothwell, appeared before me and acknowledged that he is the President of Blue Ledge Corporation, A Delaware Corporation, and that he executed the same on behalf of the Corporation with proper authority.

Debbie Ward
Notary Public

Residing at : Heber, Ut
Commission Expires:
May 30, 1999

TABLE B

LOT #	SQUARE FEET	MAXIMUM FLOOR AREA	MAXIMUM SITE DISTURBANCE
LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F
LOT 3	49,336 S.F.	7,250 S.F.	10,000 S.F
LOT 4	81,380 S.F.	8,500 S.F.	12,000 S.F
LOT 5	157,921 S.F.	10,000 S.F.	14,000 S.F
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F
LOT 8	64,921 S.F.	7,250 S.F.	10,000 S.F
LOT 9	81,303 S.F.	8,500 S.F.	12,000 S.F
LOT 10	281,972 S.F.	10,000 S.F.	16,000 S.F
LOT 11	122,989 S.F.	10,000 S.F.	16,000 S.F
LOT 12	80,190 S.F.	8,500 S.F.	12,000 S.F
LOT 13	81,338 S.F.	8,500 S.F.	12,000 S.F
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F
LOT 16	58,077 S.F.	7,250 S.F.	10,000 S.F
LOT 17	49,379 S.F.	7,250 S.F.	10,000 S.F
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F
LOT 19	78,352 S.F.	8,500 S.F.	12,000 S.F
LOT 20	130,330 S.F.	10,000 S.F.	14,000 S.F
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F
LOT 22	98,309 S.F.	10,000 S.F.	14,000 S.F
LOT 23	118,886 S.F.	10,000 S.F.	14,000 S.F
LOT 24	125,517 S.F.	10,000 S.F.	14,000 S.F
LOT 25	89,976 S.F.	8,500 S.F.	12,000 S.F
LOT 26	186,994 S.F.	10,000 S.F.	16,000 S.F
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F
LOT 28	60,918 S.F.	7,250 S.F.	10,000 S.F
LOT 29	64,391 S.F.	7,250 S.F.	10,000 S.F
LOT 30	48,547 S.F.	7,250 S.F.	10,000 S.F
LOT 31	43,069 S.F.	6,000 S.F.	10,000 S.F
LOT 32	39,189 S.F.	6,000 S.F.	10,000 S.F
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F
LOT 36	37,722 S.F.	6,000 S.F.	10,000 S.F
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F
LOT 38	42,063 S.F.	6,000 S.F.	10,000 S.F
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F
LOT 40	44,458 S.F.	7,250 S.F.	10,000 S.F
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F
LOT 43	75,089 S.F.	8,500 S.F.	12,000 S.F
LOT 44	98,348 S.F.	10,000 S.F.	14,000 S.F
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F


CHATHAM CROSSING SUBDIVISION
N 59°06'00" E 465.36'
N 61°01'00" E 1500.00'
1112.03'
N 60°10'00" E 509.54'
N 62°56'19" E 1501.54'
N 0°04'57" E 785.35'
S 89°55'03" E 595.29'
N 41°14'05" W 1317.38'
N 75°55'00" E 1435.63'
N 44°04'01" W 31.07'
N 78°41'14" E 40.19'
N 53°33'00" E 5.10'
N 75°55'00" E 21.29'
S 41°00'00" E 158.14'
N 88°47'03" W 654.97'
S 0°57'03" W 714.42'
S 70°48'39" W 20.35'
S 89°32'18" W 124.80'
S 07°11'05" E 317.18'
S 0°57'03" W 1415.52'
N 89°02'57" W 73.52'
N 10°46'33" W 34.02'
S 80°37'22" W 628.64'
N 16°28'35" W 238.32'
N 13°36'27" W 50.00'
S 76°23'33" W 64.47'
N 31°57'40" W 225.19'
S 46°41'39" W 377.59'
S 07°56'32" E 319.08'
S 10°24'24" W 233.92'
S 41°50'49" W 137.01'
S 67°45'45" W 221.74'
S 14°25'20" E 246.82'
S 38°35'36" E 164.61'
S 79°34'34" W 160.00'
S 69°24'48" W 65.28'
S 68°57'50" W 59.25'
S 48°57'50" W 300.00'
N 65°36'22" W 331.48'
N 81°46'37" E 50.24'
N 06°17'17" W 477.78'
N 68°29'02" W 229.73'
S 46°04'16" W 126.36'
S 11°47'28" W 170.03'
S 00°30'11" W 1415.52'
S 89°29'49" E 656.70'
S 29°26'59" W 565.10'
S 00°29'39" W 656.87'
S 89°47'03" E 654.97'
S 0°57'03" W 714.42'
N 89°32'18" E 124.80'
N 70°48'39" E 20.35'
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N 88°47'03" W 654.97'
N 00°29'39" E 656.87'
N 89°29'49" W 656.70'
N 00°30'11" E 1415.52'
S 89°32'18" W 124.80'
S 70°48'39" W 20.35'
S 0°57'03" W

TABLE B

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LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F
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LOT 4	81,380 S.F.	8,500 S.F.	12,000 S.F
LOT 5	157,921 S.F.	10,000 S.F.	14,000 S.F
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F
LOT 8	64,921 S.F.	7,250 S.F.	10,000 S.F
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LOT 11	122,989 S.F.	10,000 S.F.	16,000 S.F
LOT 12	80,190 S.F.	8,500 S.F.	12,000 S.F
LOT 13	81,338 S.F.	8,500 S.F.	12,000 S.F
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F
LOT 16	58,077 S.F.	7,250 S.F.	10,000 S.F
LOT 17	49,379 S.F.	7,250 S.F.	10,000 S.F
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F
LOT 19	78,352 S.F.	8,500 S.F.	12,000 S.F
LOT 20	130,330 S.F.	10,000 S.F.	14,000 S.F
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F
LOT 22	98,309 S.F.	10,000 S.F.	14,000 S.F
LOT 23	118,896 S.F.	10,000 S.F.	14,000 S.F
LOT 24	125,517 S.F.	10,000 S.F.	14,000 S.F
LOT 25	80,976 S.F.	8,500 S.F.	12,000 S.F
LOT 26	186,094 S.F.	10,000 S.F.	16,000 S.F
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F
LOT 28	60,918 S.F.	7,250 S.F.	10,000 S.F
LOT 29	64,391 S.F.	7,250 S.F.	10,000 S.F
LOT 30	48,547 S.F.	7,250 S.F.	10,000 S.F
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LOT 32	39,189 S.F.	6,000 S.F.	10,000 S.F
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F
LOT 36	37,722 S.F.	6,000 S.F.	10,000 S.F
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F
LOT 38	42,063 S.F.	6,000 S.F.	10,000 S.F
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F
LOT 40	44,458 S.F.	7,250 S.F.	10,000 S.F
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F
LOT 43	75,089 S.F.	8,500 S.F.	12,000 S.F
LOT 44	98,348 S.F.	10,000 S.F.	14,000 S.F
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F

TRAIL EASEMENT LINE TABLE

LINE	DIRECTION	DISTANCE
T1	S 29°24'18" E	59.39'
T2	S 07°07'44" E	12.50'
T3	N 87°28'28" W	28.64'
T4	N 15°59'28" E	21.66'
T5	N 54°33'46" E	17.29'
T6	N 48°53'13" W	20.63'
T7	N 70°05'29" W	31.67'
T8	N 61°19'41" E	21.35'
T9	N 34°40'44" E	24.98'
T10	N 07°55'11" W	26.28'
T11	N 34°55'33" W	32.59'
T12	N 42°49'42" W	54.18'
T13	N 01°52'41" W	19.81'
T14	N 16°39'15" E	43.00'
T15	N 30°06'56" E	37.33'
T16	N 04°27'31" E	44.84'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 26°29'09" W	15.00
L2	S 88°19'31" E	43.67
L3	N 88°19'31" W	31.64
L4	N 88°19'31" W	39.51
L5	N 88°19'31" W	22.43
L6	S 36°02'08" E	51.33
L7	S 36°02'08" E	11.53
L8	S 53°33'31" E	5.06
L9	S 53°33'31" E	45.14
L10	N 51°33'31" W	26.14
L11	N 51°33'31" W	24.06
L12	N 33°50'01" E	22.88
L13	N 2°23'13" E	12.19
L14	N 2°23'13" E	39.43
L15	S 2°23'13" W	39.51
L16	S 2°23'13" W	12.11
L17	N 12°17'11" W	19.93
L18	N 51°39'31" W	40.00
L19	N 51°39'31" E	38.53
L20	N 36°30'47" E	35.50
L21	N 51°48'03" E	124.46
L22	N 29°26'59" E	61.61
L23	N 88°19'31" W	138.38
L24	S 2°23'13" W	12.11
L25	N 2°23'13" E	12.19
L26	N 53°33'31" W	24.06
L27	N 36°02'08" W	11.53
L28	N 36°02'08" W	11.53
L29	S 53°33'31" E	5.06
L30	N 85°01'17" E	29.13
L31	N 51°39'31" E	96.64
L32	N 51°39'31" E	84.38
L34	S 51°39'31" W	57.45
L35	S 51°39'31" W	38.85
L36	N 40°25'45" E	61.47
L37	N 40°25'45" E	11.74
L39	N 51°48'03" E	26.21
L40	N 51°48'03" E	98.28
L41	N 88°09'00" W	127.05
L42	S 51°48'03" W	55.46
L43	S 51°48'03" W	69.00
L44	N 76°23'33" E	58.33
L45	N 76°23'33" E	69.98
L46	N 40°25'45" W	104.09
L47	S 40°25'45" W	96.57

CURVE TABLE

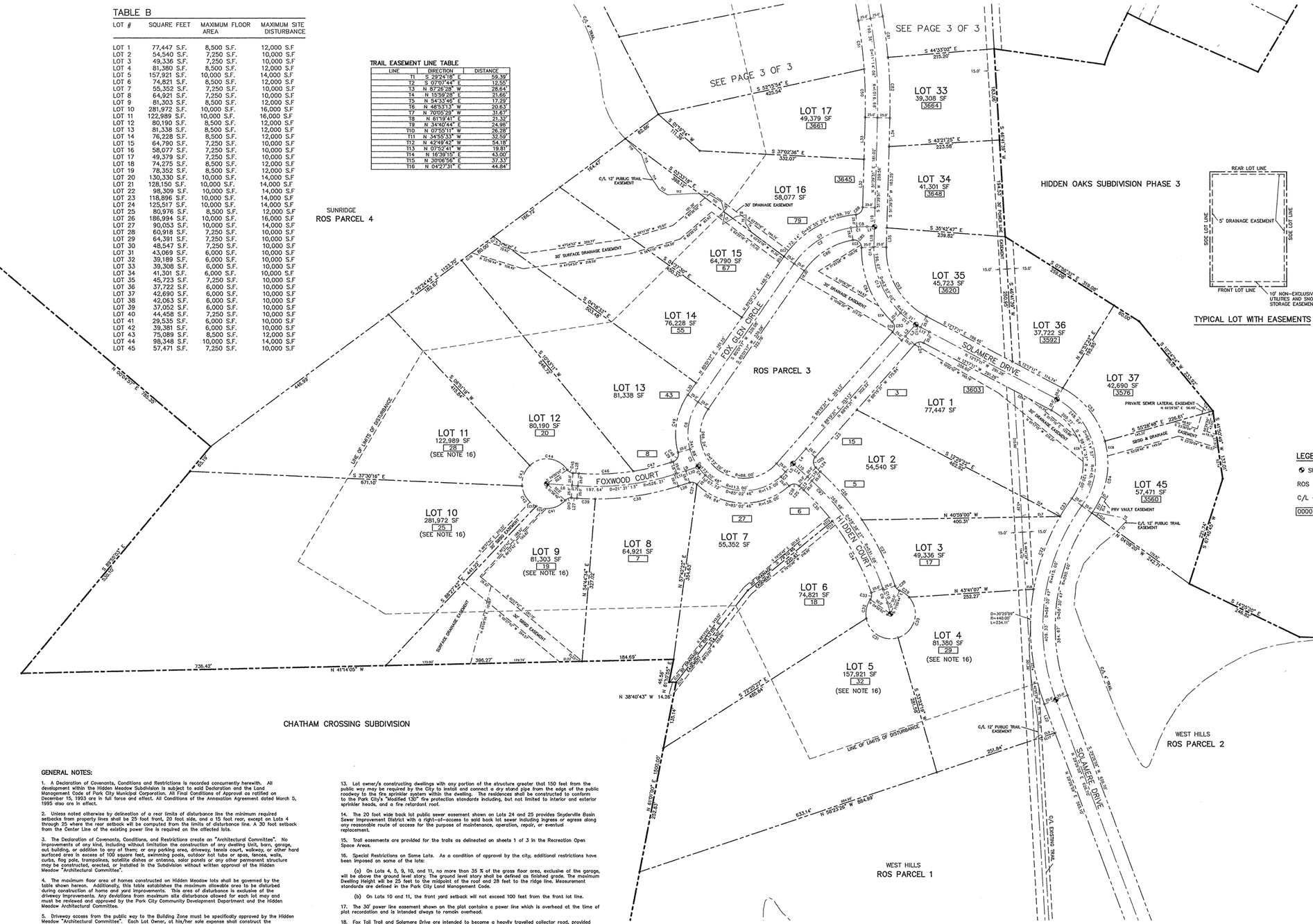
CURVE	ARC	DELTA	RADIUS
C1	32.65	10°46'16"	173.70
C2	139.07	45°52'18"	173.70
C3	13.37	6°46'23"	113.00
C4	22.50	11°24'31"	113.00
C5	38.98	19°45'58"	113.00
C6	99.30	50°20'56"	113.00
C7	153.36	49°52'29"	173.70
C8	20.37	6°43'05"	173.70
C9	30.01	3°14'16"	531.08
C10	26.91	2°54'10"	531.08
C11	11.26	3°38'44"	176.21
C12	38.60	12°33'05"	176.21
C13	144.89	47°06'43"	176.21
C14	1.92	0°37'23"	176.21
C15	31.37	12°56'23"	140.00
C16	80.73	33°02'19"	140.00
C17	90.28	36°56'49"	140.00
C18	189.37	92°59'43"	117.73
C19	52.90	4°39'48"	650.00
C20	52.80	4°53'04"	650.00
C21	87.21	7°41'15"	650.00
C22	156.49	20°37'43"	440.00
C23	43.38	5°38'56"	440.00
C24	19.91	78°50'20"	15.00
C25	23.38	89°17'16"	15.00
C26	128.88	13°16'44"	556.08
C27	149.10	15°21'44"	556.08
C28	13.07	49°55'56"	15.00
C29	23.94	27°26'02"	50.00
C30	99.45	113°57'31"	50.00
C31	84.48	96°48'16"	50.00
C32	39.93	45°45'15"	50.00
C33	14.04	54°22'33"	15.00
C34	164.67	18°36'36"	506.08
C35	85.35	9°39'46"	506.08
C36	21.97	83°56'07"	15.00
C37	15.98	61°03'12"	15.00
C38	170.01	17°40'17"	551.21
C39	37.03	3°50'56"	551.21
C40	13.62	52°01'12"	15.00
C41	64.05	73°12'49"	50.00
C42	51.88	59°27'03"	50.00
C43	45.44	52°03'53"	50.00
C44	86.01	99°57'54"	50.00
C45	13.62	52°01'12"	15.00
C46	110.55	12°38'16"	501.21
C47	77.70	8°52'33"	501.21
C48	22.98	87°46'18"	15.00
C49	121.27	50°20'56"	138.00
C50	96.79	53°50'33"	991.68
C51	97.66	5°38'34"	991.68
C52	168.77	63°57'02"	151.21
C53	140.00	47°11'05"	170.00
C54	151.51	51°03'53"	170.00
C55	116.32	40°37'27"	165.00
C56	36.44	12°39'16"	165.00
C57	44.88	02°36'20"	1054.33
C58	158.86	8°37'58"	1054.33
C59	157.47	13°22'00"	675.00
C60	118.94	10°05'48"	675.00
C61	13.05	49°51'38"	15.00
C62	52.20	59°48'49"	50.00
C63	42.48	48°40'36"	50.00
C64	13.05	49°51'38"	15.00
C65	93.85	7°57'58"	675.00
C68	38.02	3°29'08"	625.00
C67	14.24	54°23'30"	15.00
C68	86.79	99°27'04"	50.00
C69	14.24	54°23'30"	15.00
C70	132.14	7°26'18"	1054.33
C71	135.66	7°40'03"	1004.33
C72	20.20	77°09'37"	15.00
C73	106.40	36°56'49"	165.00
C74	158.58	4°22'43"	2075.00
C75	55.62	1°32'09"	2075.00
C76	115.19	46°14'33"	142.73
C77	114.39	45°55'10"	142.73
C78	148.16	92°09'43"	92.73
C79	128.31	3°27'35"	2125.00
C80	93.31	2°30'56"	2125.00
C81	82.79	4°33'14"	1041.68
C82	121.47	6°40'53"	1041.68
C83	22.67	87°44'53"	15.00
C84	165.45	47°06'43"	201.21
C85	26.22	100°08'48"	15.00
C86	119.05	45°52'18"	148.70
C87	45.83	4°12'08"	625.00
C88	21.80	83°16'36"	15.00
C89	75.77	4°13'02"	1028.33
C90	255.18	23°27'46"	650.00
C91	44.08	3°53'09"	650.00
C92	262.37	28°18'22"	531.08
C93	73.52	84°14'53"	50.00
C94	48.67	9°36'38"	290.13

EASEMENT LINE TABLE

LINE	DIRECTION	DISTANCE
EL1	S 76°24'45" E	17.33'
EL2	N 85°01'17" E	15.00'
EL3	S 12°56'20" E	10.32'
EL4	S 77°03'40" W	40.00'
EL5	N 04°08'20" W	12.09'
EL6	N 12°29'22" W	90.67'
EL7	N 40°59'00" W	77.94'
EL8	N 43°41'07" W	15.97'
EL9	N 58°53'39" W	43.83'
EL10	S 80°37'22" W	29.75'
EL11	S 80°37'22" W	1.89'
EL12	S 62°06'37" W	18.41'
EL13	N 48°50'55" W	12.37'
EL14	N 48°41'39" E	4.40'
EL15	N 00°57'03" E	89.12'
EL16	S 88°00'00" E	8.26'
EL17	N 58°23'28" W	35.04'
EL18	S 76°24'45" E	25.33'
EL19	S 61°01'00" W	21.88'
EL20	N 38°40'43" W	12.50'
EL21	N 46°48'19" E	40.97'
EL22	N 41°14'05" W	39.84'
EL23	S 70°00'00" W	4.22'

EASEMENT CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
EC1	50.00'	20.89'	24°02'51"
EC2	198.70'	15.00'	04°19'36"
EC3	15.00'	20.61'	78°42'31"
EC4	201.21'	41.26'	11°45'00"
EC5	15.00'	21.31'	81°23'26"
EC6	120.00'	49.42'	23°35'55"
EC7	170.00'	38.27'	12°53'49"
EC8	170.00'	30.18'	10°10'14"
EC9	142.73'	24.30'	09°45'13"
EC10	142.73'	17.44'	07°00'01"
EC11	142.73'	17.93'	07°11'46"
EC12	506.08'	10.00'	01°07'56"
EC13	506.08'	10.01'	01°07'58"
EC14	403.72'	107.11'	15°12'01"
EC15	50.00'	15.27'	17°29'36"


SEE PAGE 3 OF 3
SEE PAGE 3 OF 3
SUNRIDGE
ROS PARCEL 4
HIDDEN OAKS SUBDIVISION PHASE 3
ROS PARCEL 3
LOT 17
49,379 SF
3661
LOT 33
39,308 SF
3664
LOT 34
41,301 SF
3648
LOT 35
45,723 SF
3620
LOT 36
37,722 SF
3592
LOT 37
42,690 SF
3576
LOT 45
57,471 SF
3560
LOT 16
58,077 SF
3645
LOT 15
64,790 SF
67
LOT 14
76,228 SF
55
LOT 13
81,338 SF
43
LOT 12
80,190 SF
20
LOT 11
122,989 SF
28
(SEE NOTE 16)
LOT 10
281,972 SF
26
(SEE NOTE 16)
LOT 9
81,303 SF
19
(SEE NOTE 16)
LOT 8
64,921 SF
7
LOT 7
55,352 SF
27
LOT 6
74,821 SF
18
LOT 5
157,921 SF
32
(SEE NOTE 16)
LOT 4
81,380 SF
29
(SEE NOTE 16)
LOT 3
49,336 SF
17
LOT 2
54,540 SF
5
LOT 1
77,447 SF
3603
FOX GLEN CIRCLE
FOXWOOD COURT
HIDDEN COURT
SOLAMERE DRIVE
FOX TAIL TRAIL
C/L 12' PUBLIC TRAIL EASEMENT
30' DRAINAGE EASEMENT
30' SURFACE DRAINAGE EASEMENT
30' SWDD EASEMENT
SWDD & DRAINAGE EASEMENT
PRIVATE SEWER LATERAL EASEMENT
PRIV VAULT EASEMENT
LINE OF LIMITS OF DISTURBANCE
CHATHAM CROSSING SUBDIVISION
WEST HILLS
ROS PARCEL 2
WEST HILLS
ROS PARCEL 1
EXISTING TRAIL
N 0°56'09" E 760.59'
S 37°30'16" E 671.10'
S 89°29'05" E 530.10'
N 41°14'05" W 735.42'
N 61°07'25" E 1520.09'
N 58°23'28" W 884.99'
633.14'
N 38°40'43" W 14.26'
N 40°59'00" W 400.31'
S 43°41'07" E 252.27'
S 44°33'06" E 215.20'
S 43°21'25" E 223.58'
S 35°45'47" E 239.82'
S 07°26'25" E 319.06'
S 55°28'46" E 226.61'
S 14°29'22" E 462.95'
S 04°08'20" W 402.57'
S 58°23'28" E 164.61'
S 14°29'22" E 462.95'
S 14°29'22" E 462.95'
S 14°29'22" E 462.95



SEE PAGE 2 OF 3

TYPICAL LOT WITH EASEMENTS

TABLE B

LOT #	SQUARE FEET	MAXIMUM FLOOR AREA	MAXIMUM SITE DISTURBANCE
LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F
LOT 3	49,336 S.F.	7,250 S.F.	10,000 S.F
LOT 4	81,380 S.F.	8,500 S.F.	12,000 S.F
LOT 5	157,921 S.F.	10,000 S.F.	14,000 S.F
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F
LOT 8	64,921 S.F.	7,250 S.F.	10,000 S.F
LOT 9	81,303 S.F.	8,500 S.F.	12,000 S.F
LOT 10	281,972 S.F.	10,000 S.F.	16,000 S.F
LOT 11	122,989 S.F.	10,000 S.F.	16,000 S.F
LOT 12	80,180 S.F.	8,500 S.F.	12,000 S.F
LOT 13	81,338 S.F.	8,500 S.F.	12,000 S.F
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F
LOT 16	58,077 S.F.	7,250 S.F.	10,000 S.F
LOT 17	49,379 S.F.	7,250 S.F.	10,000 S.F
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F
LOT 19	78,352 S.F.	8,500 S.F.	12,000 S.F
LOT 20	130,330 S.F.	10,000 S.F.	14,000 S.F
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F
LOT 22	98,309 S.F.	10,000 S.F.	14,000 S.F
LOT 23	118,896 S.F.	10,000 S.F.	14,000 S.F
LOT 24	125,517 S.F.	10,000 S.F.	14,000 S.F
LOT 25	80,976 S.F.	8,500 S.F.	12,000 S.F
LOT 26	186,594 S.F.	10,000 S.F.	16,000 S.F
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F
LOT 28	60,918 S.F.	7,250 S.F.	10,000 S.F
LOT 29	64,391 S.F.	7,250 S.F.	10,000 S.F
LOT 30	48,547 S.F.	7,250 S.F.	10,000 S.F
LOT 31	43,069 S.F.	6,000 S.F.	10,000 S.F
LOT 32	39,189 S.F.	6,000 S.F.	10,000 S.F
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F
LOT 36	37,722 S.F.	6,000 S.F.	10,000 S.F
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F
LOT 38	42,083 S.F.	6,000 S.F.	10,000 S.F
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F
LOT 40	44,458 S.F.	7,250 S.F.	10,000 S.F
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F
LOT 43	75,089 S.F.	8,500 S.F.	12,000 S.F
LOT 44	98,348 S.F.	10,000 S.F.	14,000 S.F
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F

NOTE:
NO CONSTRUCTION SHALL OCCUR ON ADJOINING PROPERTY UNTIL HIDDEN MEADOW PHASE 2 SUBDIVISION PLAT IS RECORDED.

EASEMENT CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
EC1	50.00'	20.99'	24°02'51"
EC2	198.70'	15.00'	04°19'38"
EC3	15.00'	20.61'	78°42'31"
EC4	201.21'	41.76'	11°53'00"
EC5	15.00'	21.31'	81°23'28"
EC6	120.00'	49.42'	23°35'55"
EC7	170.00'	38.27'	12°53'49"
EC8	170.00'	30.18'	10°10'14"
EC9	142.73'	24.30'	09°45'13"
EC10	142.73'	17.44'	07°00'91"
EC11	142.73'	17.93'	07°11'46"
EC12	506.08'	10.00'	01°07'56"
EC13	506.08'	10.01'	01°07'58"
EC14	403.72'	107.11'	15°12'01"
EC15	50.00'	15.27'	17°29'36"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 38°20'09" W	15.00
L2	S 88°19'31" E	42.67
L3	N 88°19'31" W	31.64
L4	N 88°19'31" W	39.51
L5	N 88°19'31" W	22.43
L6	S 36°10'08" E	51.23
L7	S 36°10'08" E	11.53
L8	S 57°33'21" E	5.06
L9	S 57°33'21" E	45.14
L10	N 57°33'21" W	26.14
L11	N 57°33'21" W	24.06
L12	N 33°55'21" E	23.88
L13	N 2°23'13" E	12.19
L14	N 2°23'13" E	39.43
L15	±S 2°23'13" W	39.51
L16	S 2°23'13" W	12.11
L17	N 12°12'13" W	19.83
L18	N 51°39'51" E	40.00
L19	N 51°39'51" E	38.53
L20	N 36°30'47" E	35.50
L21	N 51°48'01" E	124.46
L22	N 29°26'59" E	61.61
L23	N 88°19'31" W	126.38
L24	S 2°23'13" W	12.11
L25	N 2°23'13" E	12.19
L26	N 57°33'21" W	24.06
L27	N 36°10'08" W	11.53
L28	S 36°10'08" E	11.53
L29	S 57°33'21" E	5.06
L30	N 85°01'17" E	29.13
L31	N 51°39'51" E	96.64
L32	N 51°39'51" E	84.38
L33	S 51°39'51" W	57.45
L34	S 51°39'51" W	38.85
L35	N 40°25'45" E	61.47
L36	N 40°25'45" E	11.74
L37	N 51°48'01" E	26.21
L38	N 51°48'01" E	124.46
L39	N 88°00'00" W	127.01
L40	N 51°48'01" W	55.46
L41	S 51°48'01" W	69.00
L42	N 76°23'33" E	58.33
L43	N 76°23'33" E	69.98
L46	S 40°25'45" W	104.09
L47	S 40°25'45" W	96.57

CURVE TABLE

CURVE	ARC	DELTA	RADIUS
C1	32.65	10°46'18"	173.70
C2	139.07	45°52'18"	173.70
C3	13.37	6°46'31"	113.00
C4	167.73	85°01'46"	113.00
C5	22.50	11°24'31"	113.00
C6	36.98	19°45'39"	113.00
C7	99.30	50°20'56"	113.00
C8	151.36	49°30'29"	173.70
C9	20.37	6°43'05"	173.70
C10	30.01	3°14'16"	531.08
C11	28.91	2°30'10"	531.08
C12	11.26	3°39'44"	176.21
C13	38.80	12°37'05"	176.21
C14	144.89	47°06'47"	176.21
C15	1.92	0°37'29"	176.21
C16	80.73	37°01'19"	140.00
C17	31.37	12°50'23"	140.00
C18	90.28	36°56'49"	140.00
C19	52.90	4°39'48"	650.00
C20	52.90	4°39'04"	650.00
C21	40.92	3°36'25"	650.00
C22	156.49	20°37'42"	440.00
C23	43.38	5°38'56"	440.00
C24	19.91	76°10'00"	15.00
C25	23.38	89°17'16"	15.00
C26	128.88	13°46'44"	556.08
C27	149.10	15°21'44"	556.08
C28	13.07	49°55'56"	15.00
C29	23.94	27°36'05"	50.00
C30	99.45	113°57'51"	50.00
C31	84.49	96°49'16"	50.00
C32	39.93	45°45'15"	50.00
C33	14.24	54°32'33"	15.00
C34	164.67	18°36'36"	506.08
C35	85.35	9°39'46"	506.08
C36	21.97	83°56'00"	15.00
C37	15.98	61°01'12"	15.00
C38	170.01	17°40'27"	551.21
C39	37.03	3°50'56"	551.21
C40	13.82	52°01'12"	15.00
C41	64.05	73°12'46"	50.00
C42	51.88	59°27'07"	50.00
C43	45.44	52°03'53"	50.00
C44	86.51	99°07'46"	50.00
C45	13.62	52°01'12"	15.00
C46	110.55	12°38'18"	501.21
C47	77.70	8°52'57"	501.21
C48	22.98	87°46'18"	15.00
C49	121.27	50°30'56"	138.00
C50	96.79	5°38'34"	991.68
C51	97.66	5°38'34"	991.68
C52	168.77	63°57'05"	151.21
C53	140.06	47°11'05"	170.00
C54	151.51	51°03'55"	170.00
C55	116.32	40°33'23"	165.00
C56	36.44	12°39'16"	165.00
C57	44.88	02°36'20"	1054.33
C58	156.86	8°31'58"	1054.33
C59	157.47	13°20'00"	675.00
C60	118.54	10°06'46"	675.00
C61	13.05	49°51'38"	15.00
C62	52.20	59°45'49"	50.00
C63	42.48	48°40'36"	50.00
C64	13.05	49°51'38"	15.00
C65	47.10	3°59'33"	675.00
C66	38.02	3°13'06"	675.00
C67	14.24	54°33'20"	15.00
C68	86.79	99°27'04"	50.00
C69	14.24	54°33'20"	15.00
C70	130.14	7°32'18"	1004.33
C71	130.86	7°40'03"	1004.33
C72	20.20	77°08'37"	15.00
C73	106.40	36°56'49"	165.00
C74	158.58	4°22'43"	2075.00
C75	50.62	1°32'06"	2075.00
C76	115.19	46°14'33"	142.73
C77	114.39	45°55'10"	142.73
C78	149.16	92°09'43"	92.73
C79	128.31	3°37'35"	2125.00
C90	93.31	2°36'58"	2125.00
C91	82.79	4°28'14"	1041.68
C92	121.47	6°40'53"	1041.68
C93	22.97	87°44'52"	15.00
C94	165.45	47°06'47"	201.21
C95	28.22	100°08'48"	15.00
C96	119.05	45°52'18"	148.70
C97	45.83	41°06"	625.00
C98	21.80	83°16'35"	15.00
C99	75.77	4°13'00"	1029.33
C90	286.18	23°27'46"	650.00
C91	44.08	3°53'06"	650.00
C92	363.37	28°18'22"	531.08
C93	73.52	84°14'33"	50.00
C94	48.67	9°36'36"	290.15

EASEMENT LINE TABLE

LINE	DIRECTION	DISTANCE
EL1	S 76°24'45" E	17.33'
EL2	N 85°01'17" E	15.00'
EL3	S 12°56'20" E	10.32'
EL4	S 77°03'40" W	40.00'
EL5	N 04°08'20" W	12.09'
EL6	N 12°29'22" W	90.67'
EL7	N 40°59'00" W	77.94'
EL8	N 43°41'07" W	15.97'
EL9	N 58°23'26" W	43.83'
EL10	S 80°37'22" W	29.75'
EL11	S 80°37'22" W	1.89'
EL12	S 82°06'37" W	18.41'
EL13	N 48°50'55" W	12.37'
EL14	N 46°41'39" E	4.40'
EL15	N 00°57'03" E	89.17'
EL16	S 88°00'00" E	8.26'
EL17	N 58°23'26" W	35.04'
EL18	S 76°24'45" E	25.33'
EL19	S 61°01'00" W	21.88'
EL20	N 38°40'43" W	12.50'
EL21	N 46°48'19" E	40.97'
EL22	N 41°14'05" W	39.84'
EL23	S 70°00'00" W	4.22'

LEGEND

- SURVEY MONUMENT TO BE SET
- ROS – RECREATIONAL OPEN SPACE ZONE
- C/L – CENTERLINE
- 0000 – STREET ADDRESS

GENERAL NOTES:

1. A Declaration of Covenants, Conditions and Restrictions is recorded concurrently herewith. All development within the Hidden Meadow Subdivision is subject to said Declaration and the Land Management Code of Park City Municipal Corporation. All Final Conditions of Approval as ratified on December 15, 1993 are in full force and effect. All Conditions of the Annexation Agreement dated March 5, 1995 also are in effect.

2. Unless noted otherwise by delineation of a rear limits of disturbance line the minimum required setbacks from property lines shall be 25 foot front, 20 foot side, and a 15 foot rear, except on Lots 4 through 25 where the rear setback will be computed from the limits of disturbance line. A 30 foot setback from the Center Line of the existing power line is required on the affected lots.

3. The Declaration of Covenants, Conditions, and Restrictions create an "Architectural Committee". No improvements of any kind, including without limitation the construction of any dwelling Unit, barn, garage, out building, or addition to any of them; or any parking area, driveway, tennis court, walkway, or other hard surfaced area in excess of 100 square feet, swimming pools, outdoor hot tubs or spas, fences, walls, curbs, flag pole, trampolines, satellite dishes or antenna, solar panels or any other permanent structure may be constructed, erected, or installed in the Subdivision without written approval of the Hidden Meadow "Architectural Committee".

4. The maximum floor area of homes constructed on Hidden Meadow lots shall be governed by the table shown hereon. Additionally, this table establishes the maximum allowable area to be disturbed during construction of home and yard improvements. This area of disturbance is exclusive of the driveway improvements. Any deviations from maximum site disturbance allowed for each lot may and must be reviewed and approved by the Park City Community Development Department and the Hidden Meadow Architectural Committee.

5. Driveway access from the public way to the Building Zone must be specifically approved by the Hidden Meadow "Architectural Committee". Each Lot Owner, at his/her sole expense shall construct the driveway/sidewalk/curb intersection to comply with applicable Park City Municipal Corporation Specifications.

6. Unless noted otherwise a 10 foot wide non-exclusive public utility and snow storage easement is hereby dedicated along all front Lot lines. A five foot wide drainage easement is hereby dedicated along all side Lot lines.

7. The Limits of Disturbance Line shown on Lots 4 through 25 indicates a non-disturbance zone within the Lot which expressly prohibits the construction of pools, tennis courts, gazebos, or any other structures or facilities.

8. Park City ordinances in effect at the time of approval of Hidden Meadow Subdivision require payment of substantial water development and water connection fees at the time of building permit issuance. Park City does not plow snow until such time as 50% of the lots have legally occupied single family dwellings. The total cost of snow removal until that time is substantial.

9. Owners of downhill Lots may encounter difficulty in designing a home with gravity flow to the sanitary sewer laterals. Owners of such Lots at their sole expense, will be required to install private individual ejector systems. Lot 25 will require an ejector system.

10. The Lot owner shall identify and maintain historic drainage channels (if any) in conjunction with construction on the property.

11. The maximum Floor Area for Dwellings in the Subdivision, including the area of any Accessory Dwelling Unit, is set forth in the Declaration of Covenants, Conditions, and Restrictions and on the table herein.

12. The City requires that a modified type 13D fire sprinkler system as per Park City's Modifications be installed in all residences constructed in the Hidden Meadow Subdivision.

13. Lot owner/s constructing dwellings with any portion of the structure greater that 150 feet from the public way may be required by the City to install and connect a dry stand pipe from the edge of the public roadway to the fire sprinkler system within the dwelling. The residences shall be constructed to conform to the Park City's "Modified 13D" fire protection standards including, but not limited to interior and exterior sprinkler heads, and a fire retardant roof.

14. The 20 foot wide back lot public sewer easement shown on Lots 24 and 25 provides Snyderville Basin Sewer Improvement District with a right-of-access to said back lot sewer including ingress or egress along any reasonable route of access for the purpose of maintenance, operation, repair, or eventual replacement.

15. Trail easements are provided for the trails as delineated on sheets 1 of 3 in the Recreation Open Space Areas.

16. Special Restrictions on Some Lots. As a condition of approval by the city, additional restrictions have been imposed on some of the lots:

(a) On Lots 4, 5, 9, 10, and 11, no more than 35 % of the gross floor area, exclusive of the garage, will be above the ground level story. The ground level story shall be defined as finished grade. The maximum Dwelling Height will be 25 feet to the midpoint of the roof and 28 feet to the ridge line. Measurement standards are defined in the Park City Land Management Code.

(b) On Lots 10 and 11, the front yard setback will not exceed 100 feet from the front lot line.

17. The 30' power line easement shown on the plat contains a power line which is overhead at the time of plot recordation and is intended always to remain overhead.

18. Fox Tail Trail and Solamere Drive are intended to become a heavily travelled collector road, provided lands to the East are duly annexed.

19. No building permits will be issued until roads are paved.

HIDDEN MEADOW SUBDIVISION

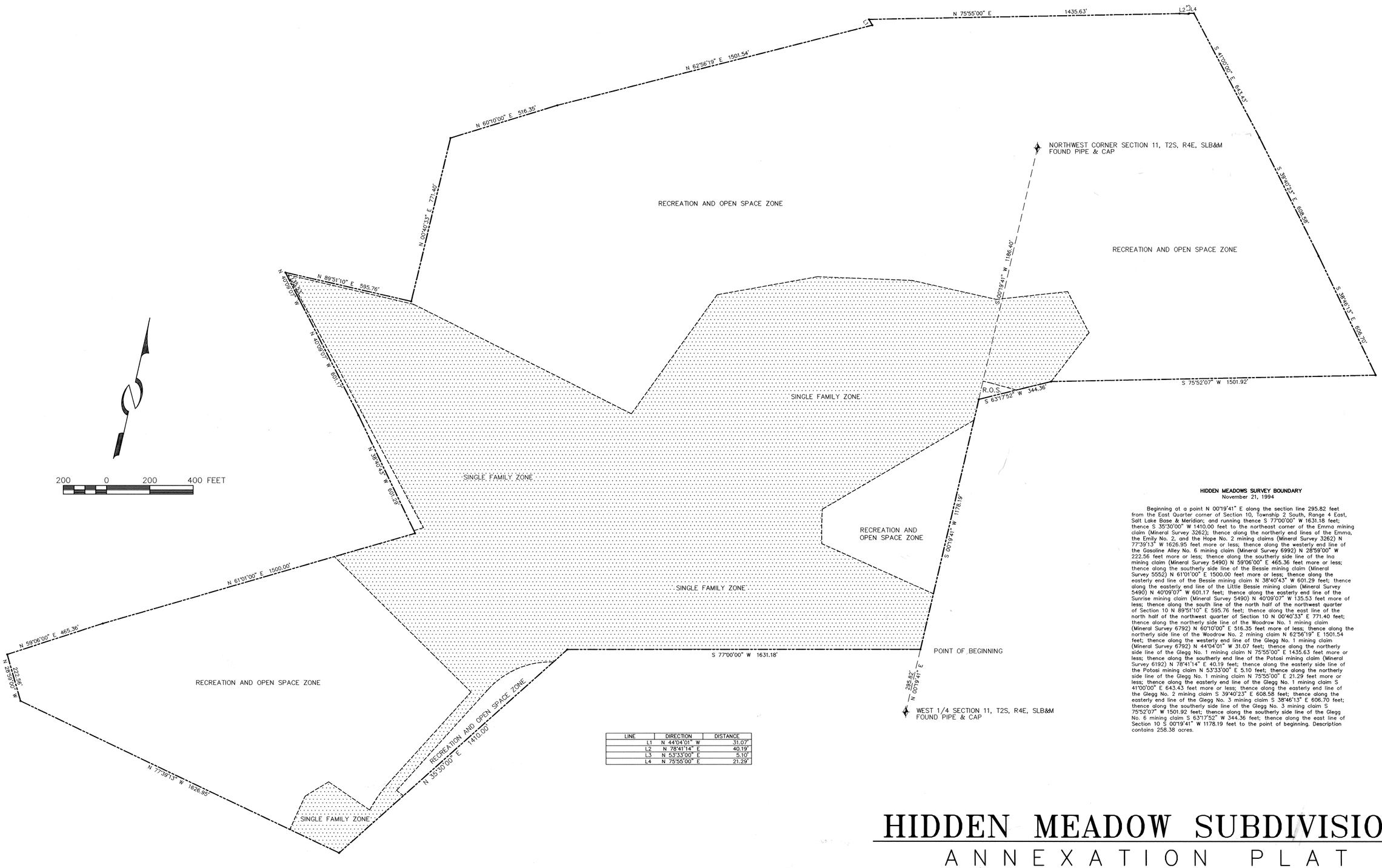
PHASE 1

A SUBDIVISION LOCATED IN SECTIONS 10 AND SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED
#436642
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF COALITION TITLE Co
DATE 9-1-95 TIME 17:00 PM BOOK ____ PAGE ____
139.00 FEE
Alan Spriggs RECORDER

JOB NO. 4-6-92 VC\D\PLTHMP3

HIDDEN MEADOW



LINE	DIRECTION	DISTANCE
L1	N 44°04'01" W	31.07'
L2	N 78°41'14" E	40.19'
L3	N 53°33'00" E	5.10'
L4	N 75°55'00" E	21.29'

HIDDEN MEADOWS SURVEY BOUNDARY
November 21, 1994

Beginning at a point N 00°19'41" E along the section line 295.82 feet from the East Quarter corner of Section 10, Township 2 South, Range 4 East, Salt Lake Base & Meridian; and running thence S 77°00'00" W 1631.18 feet; thence S 35°30'00" W 1410.00 feet to the northeast corner of the Emma mining claim (Mineral Survey 3262); thence along the northerly end lines of the Emma, the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) N 77°39'13" W 1626.95 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) N 28°59'00" W 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) N 59°06'00" E 465.36 feet more or less; thence along the southerly side line of the Bessie mining claim (Mineral Survey 5552) N 61°01'00" E 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim N 39°40'43" W 601.29 feet; thence along the easterly end line of the Little Bessie mining claim (Mineral Survey 5490) N 40°09'07" W 601.17 feet; thence along the easterly end line of the Sunrise mining claim (Mineral Survey 5490) N 40°09'07" W 135.53 feet more of less; thence along the south line of the north half of the northwest quarter of Section 10 N 89°51'10" E 595.76 feet; thence along the east line of the north half of the northwest quarter of Section 10 N 00°40'33" E 771.40 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) N 60°10'00" E 516.35 feet more of less; thence along the northerly side line of the Woodrow No. 2 mining claim N 62°56'19" E 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) N 44°04'01" W 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim N 75°55'00" E 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) N 78°41'14" E 40.19 feet; thence along the easterly side line of the Potosi mining claim N 53°33'00" E 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim N 75°55'00" E 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim S 41°00'00" E 643.43 feet more or less; thence along the easterly end line of the Glegg No. 2 mining claim S 39°40'23" E 608.58 feet; thence along the easterly end line of the Glegg No. 3 mining claim S 39°46'13" E 606.70 feet; thence along the southerly side line of the Glegg No. 3 mining claim S 75°52'07" W 1501.92 feet; thence along the southerly side line of the Glegg No. 6 mining claim S 63°17'52" W 344.36 feet; thence along the east line of Section 10 S 00°19'41" W 1178.19 feet to the point of beginning. Description contains 258.38 acres.

HIDDEN MEADOW SUBDIVISION

ANNEXATION PLAT

PAGE 1 OF 1

PARK CITY SUMMIT COUNTY, UTAH CORPORATE SEAL MARCH 1 1994

ALLIANCE ENGINEERING INC.	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	# 425892 RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 3 DAY OF March, 1994 A.D. BY Alison Child CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 3RD DAY OF MARCH, 1994 A.D. BY Eric W. DeHaan PE PARK CITY ENGINEER	APPROVED AS TO FORM THIS 3rd DAY OF March, 1994 A.D. BY Mark D. Harrington PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 3RD DAY OF FEBRUARY, 1994 A.D. BY Anita K. Sheldon PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 3RD DAY OF FEBRUARY, 1994 A.D. BY Bradley A. Olch MAYOR	STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF Park City Municipal Corp. DATE 03-18-95 TIME 08:21AM BOOK _____ PAGE _____ N/C FEE Doreen M. Dunn - Deputy RECORDER

Alliance Engineering Inc

PLOT DATE: 2-24-95 JOB NO. 25-8-91 Y:\CE\D\HMANEX

When Recorded, Mail to:

Blue Ledge Corporation
P.O. Box 1450
Park City, Utah 84060

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIDDEN MEADOWS SUBDIVISION PARK CITY, UTAH

Blue Ledge Corporation
PARK CITY, UTAH

MARCH 1995

00436643 Bk00905 Pg00449-00484

ALAN SPRIGGS, SUMMIT COUNTY RECORDER
1995 SEP 01 17:00 PM FEE $125.00 BY DMG
REQUEST: COALITION TITLE

125.00

TABLE OF CONTENTS

DEFINITIONS 2

HOMEOWNERS ASSOCIATION 3

Enforcement Powers. 4
Snow Removal. 4
Indemnity of Association Trustees and Officers. 4
Assessments. 4
Assessments Constitute Lien, Mortgagee Protection. 5
Statement of Account. 5
By-Laws. 5
Voting Rights. 5
Architectural Review. 5
Architectural Committee Created. 6
Approval by Committee. 6
Variances. 7
Extraordinary Costs. 7
General Design Review. 8
Declarant, Trustees and Committee not Liable. 8
Limitations on Review. 8

RESTRICTIONS ON ALL LOTS 9

Zoning Regulations. 9
No Mining Uses. 9
No Business or Commercial Uses. 9
Restrictions on Signs. 9
Completion Required Before Occupancy. 9
Primary Dwelling to be Constructed First. 9
No Re-Subdivision. 10
No Time Interval Ownership. 10
Underground Utilities. 10
Service Yards. 10
Maintenance of Property. 10
No Noxious or Offensive Activity. 10
No Hazardous Activity. 10
No Open Burning. 10
No Unsightliness. 10
No Annoying Lights. 11
No Annoying Sounds. 11
Drainage. 11
Vehicles Restricted to Roadways. 11
Kennels. 11
No Transient Lodging Uses. 11
No Firearms. 11
Clearing and Grading. 11
Public Trail Easements. 11

00436643 Bk00905 Pg00450

RESTRICTIONS ON IMPROVEMENTS 12

Number of Dwellings. 12
Site Disturbance Area; Placement of Buildings. 12
Construction Activity Confined to Site Disturbance Area. 12
Building Setback. 12
Relation of Set Back to Site Disturbance Area. 13
Building Size. 13
Building Height. 13
Roof Design. 13
Siding Materials. 13
Windows. 14
Fireplaces, Chimneys. 14
Antennas. 14
Solar Panels. 14
No Used or Temporary Structures. 14
No Air Supported Structures. 14
Balconies and Decks. 14
Fire Sprinklers. 14
Deer Valley Design Guidelines Incorporated. 14
Fences. 15
Entrance Gates. 15
Driveway Access. 15
Sewer Connection Required. 15
Exterior Lighting Standards. 15
Special Restrictions on Some Lots. 15

LANDSCAPE STANDARDS 16

Irrigated Landscape Area. 16
Non-Irrigated Area. 16
Uses of Non-Irrigated Area. 16
No Livestock. 16

ACCESSORY DWELLINGS 17

Size of Accessory Dwelling. 17
One Accessory Dwelling Per Lot. 17
Location of Accessory Dwelling. 17
Ownership, Appurtenance. 17
Transient Lodging Prohibited. 17
Parking. 17

OWNERS' MAINTENANCE OBLIGATIONS 18

Duty to Maintain. 18
Repair by Association. 18
Alterations of Exterior Appearance. 18
Repair Following Damage. 18

CONSTRUCTION COVENANTS AND REGULATIONS 19

Marking Site Disturbance Area. 19

00436643 Bk00905 Pg00451

Portable Office or Trailer. 19
Removal of Temporary Office. 19
Construction Debris Removal. 19
Construction Area Appearance. 19
Sanitary Facilities. 20
Removal of Mud. 20
Duration of Construction. 20

OPEN SPACE AND AMENITY PARCELS 20

Use of Amenity Parcel. 20
No Dwellings. 20
No Commercial Use. 20
Culinary Water Well Site. 21
Water Quality Protection. 21
Open Space Parcels. 21
Additional Trails. 21

COMBINATION OF LOTS 21

Maximum Site Disturbance Area Revision. 22
Maximum Floor Area. 22
Architectural Committee May Deny Combination. 22
Combination Deemed Permanent. 22
Record Notice of Combination. 22
Plat Amendment. 22

GENERAL PROVISIONS 22

Remedies. 22
Severability. 23
Limited Liability. 23
Term of Covenants, Renewal. 23
Amendment. 23
Constructive Notice. 23
Notices. 24
Liberal Interpretation. 24
Covenants Run with the Land. 24

00436643 Bk00905 Pg00452

DECLARATION OF COVENANTS, CONDITIONS

AND RESTRICTIONS FOR

HIDDEN MEADOWS SUBDIVISION

PARK CITY, UTAH

THIS DECLARATION IS MADE THIS 17th of July, 1995, by Blue Ledge Corporation, a Delaware corporation, referred to below as "Declarant:"

RECITALS:

A. Declarant is the owner of the following described real Property located in Park City, Summit County, Utah:

See the attached Exhibit A

B. Declarant intends to develop a residential subdivision on the Property. Declarant will develop and convey all of the Lots and other land within the Property subject to a general plan of development, and subject to certain protective covenants, conditions and restrictions all as set forth in this Declaration, and which are deemed to be covenants running with the land mutually burdening and benefiting each of the Lots and the other Property conveyed.

C. Declarant hereby declares that all of the Lots, Open Space Parcels, and the Amenity Parcel shall be held, sold, conveyed, encumbered, leased, used, occupied and improved subject to the protective covenants, conditions, restrictions and equitable servitudes, all of which are created for the mutual benefit of the Owners of the Lots. It is the intention of the Declarant in imposing these covenants, conditions and restrictions to create a generally uniform pattern of development, to protect and enhance the property values and aesthetic values of the Lots by eliminating inconsistent uses or improvements, all for the mutual protection and benefit of the Owners of the Lots. The covenants, conditions and restrictions are intended to, and shall in all cases run with the title of the land, and be binding upon the successors, assigns, heirs, lien holders, and any other person holding any interest in the Lots, and shall inure to the benefit of all other Lots in the Subdivision. The covenants, conditions and restrictions shall be binding upon the Declarant as well as its successors in interest, and may be enforced by the Declarant, while it is an Owner, the Association, or by any Owner.

Notwithstanding the foregoing, no provisions of this Declaration shall prevent the Declarant from completing the Subdivision Improvements, or from using any Lot owned by the Declarant as a model home, temporary construction or sales office, nor limit Declarant's right to post signs incidental to sales or construction which are in compliance with applicable City ordinances.

00436643 Bk00905 Pg00453

ARTICLE I

DEFINITIONS

1. Unless the context clearly requires the application of a more general meaning, the following terms, when used in this Declaration, shall have the following meanings:

1.1. "Accessory Dwelling" shall mean a separate, self-contained dwelling unit complete with cooking, sleeping, and sanitary facilities, and accessible without entering the Primary Dwelling. Fire separations, independent ventilation systems, and other building code requirements for separate, attached dwelling units must be complied with.

1.2. "Amenity Parcel" shall mean that parcel of land within the Subdivision designated as the Amenity Parcel on the Plat.

1.3. "Architectural Committee" shall mean the design review committee created under this Declaration.

1.4. "Association" shall mean the Hidden Meadows Subdivision Homeowners Association, whether incorporated or not, and as the context requires, the officers and directors of that Association.

1.5. "City" shall mean the City of Park City, Utah, and its appropriate departments, officials, and boards. Although the City will be conveyed title to the Open Space Parcels, and those Parcels will be subject to these covenenants, the City is not an Owner for purposes of this Declaration, and no voting rights in the Association will be appurtenant to the Open Space Parcels.

1.6. "Declarant" shall mean and refer to Blue Ledge Corporation, a Delaware corporation having its principal place of business in Park City, Utah.

1.7. "Declaration" shall mean this Declaration of covenants, conditions and restrictions, together with any subsequent amendments or additions. The Subdivision Plat for Hidden Meadows, limits of disturbance, easements and other matters shown on that Plat, are also incorporated into this Declaration by reference.

1.8. "Dwelling" shall mean the primary single family residence built or to be built on any Lot.

1.9. "Floor Area" shall mean the total of the horizontal floor surfaces within the Dwelling, including bathrooms and mechanical areas, and decks, courtyards, or balconies that are under roof and enclosed by walls on three or more sides. Floor Area shall not include basements as defined by the Uniform Building Code or the first 600 square feet of any garage space.

1.10. "Improvement" shall mean all structures and appurtenances of every type and kind, including but not limited to buildings, Dwellings, Accessory Apartments, garages, storage buildings, and additions to them; walkways, retaining walls, gazebos, fences, driveways, landscaping, pools, decks, tennis courts, hard surfaced areas, stairs,

00436643 Bk00905 Pg00454

poles, lighting, signs, satellite dishes or other antennas, and any mechanical equipment located on the exterior or any building.

1.11. "Lot" shall mean any building Lot shown on the official plat of the Hidden Meadows Subdivision.

1.12. "Open Space Parcels" shall mean those areas designated on the plat as Open Space which will be conveyed to the City subject to the covenants contained in this Declaration. The Open Space Parcels are not subject to assessments by the Association.

1.13. "Owner" shall mean the person or persons having title to any Lot. Owner shall mean the person holding fee simple title, including the Declarant, and buyers under any contract for deed, but shall exclude any person or entity holding title only for purposes of securing performance of an obligation, unless that entity has taken possession. "Owner" shall not include the City or any other person or entity having an interest in the Open Space or Amenity Parcels.

1.14. "Person" shall mean a natural person or any legal entity with a right to hold title to real property in its own name in the State of Utah.

1.15. "Plat" shall mean the official subdivision plat of the Hidden Meadows Subdivision as approved by the City of Park City and recorded in the office of the Summit County Recorder, as it may be amended from time to time.

1.16. "Site Disturbance Area" means the portion of a Lot which may be disturbed by construction activity, including the physical limits of the Dwelling or any other Structure. The area allowable for each Lot is shown on Exhibit B.

1.17. "Subdivision" shall mean the Hidden Meadows Subdivision, and all Lots, Open Space Parcels and Amenity Parcel within the Subdivision as shown on the Plat.

1.18. "Trustees" shall mean the duly elected and acting board of trustees of the Hidden Meadows Homeowners Association.

ARTICLE II

HOMEOWNERS ASSOCIATION

2. To effectively enforce these Covenants, the Declarant has created a Utah Non-Profit corporation called Hidden Meadows Homeowners Association. The Association shall be comprised of the Owners of Lots within the Hidden Meadows Subdivision, and is established to perform the following functions and exercise the following rights and powers for the benefit of the Owners and the enforcement of these covenants. Membership in the Association is deemed an appurtenance to the Lot, and is transferrable only in conjunction with the transfer of the title to the Lot. The Association shall have and exercise, as necessary, the following powers:

00436643 Bk00905 Pg00455

2.1. Enforcement Powers. The Association shall have the power to enforce these covenants by actions in law or equity brought in its own name, the power to retain professional services needed for the enforcement of these covenants and to incur expenses for that purpose. The Trustees of the Association shall have the authority to compromise claims and litigation on behalf of the Association resulting from the enforcement of these covenants. The Trustees shall have the exclusive right to initiate enforcement actions in the name of the Association, however this shall not limit the individual rights of Lot Owners to personally enforce these Covenants in their own name. The Association may appear and represent the interests of the Subdivision at all public meetings concerning zoning, variances, or other matters of general application and interest to the Owners. Owners may appear individually.

2.2. Management of Open Space. Following the conveyance from Declarant to the Association, the Association shall have ownership and control over the Amenity Parcel, and be responsible for it maintenance, insurance, property taxes, and, consistent with the terms of this Declaration, be able to determine the nature of any Improvements made to the Amenity Parcel by the Association, and at its expense, as provided in Article VIII of this Declaration. The Trustees of the Association may also grant utility or similar easements through the Amenity Parcel.

2.3. Snow Removal. The ordinances of Park City require the Association to provide snow removal service within the Subdivision until 50% of the Lots in the Subdivision have been improved by the construction of a completed Dwelling. Because of the length of road outside the boundaries of the Subdivision that serves only this Subdivision, and will have to be plowed at Association expense, this will be a substantial annual expense to the Association. Until such time as the snow removal service has been assumed by the City, the Association shall be responsible for the costs of private snow removal service, and shall have the power to make assessments against the Owners, including the Owners of unimproved Lots, for purposes of providing this service.

2.4. Indemnity of Association Trustees and Officers. The Association will indemnify the officers, agents and trustees of the association against any and all claims arising against them personally which are a result of the good faith exercise of the powers, duties and responsibilities of their office under this Declaration. To the extent the Association deems it appropriate, it may purchase liability insurance covering the Trustees with Association funds.

2.5. Assessments. The Association has the power to levy Assessments against each Lot as necessary to carry out these functions. Assessments will be equal on all Lots, whether vacant or improved. Assessments will be made annually to meet the anticipated and recurring expenses of the Association including, but not limited to, the costs of snow removal (until assumed by the City), insurance, property taxes on the Amenity Parcel, reimbursement of expenses incurred by the Trustees and Architectural Committee in performance of their obligations, enforcement of these covenants, and the initial construction costs, maintenance and operation of any Improvements made by the Association on the Amenity Parcel. Notice of the Assessment and the proposed amount of the annual Assessment will be given in advance with the notice of the annual meeting of the Association, provided that the amount of the proposed Assessment may be increased or decreased at the meeting in which it is approved by the Owners. The Association may also levy special Assessments to cover unanticipated expenses or shortfalls. No special Assessment will be levied without approval of the Owners in a

00436643 Bk00905/Pg00456

meeting called for that purpose. The Trustees will provide the Owners with an annual accounting of Assessments collected and expenditures.

2.6. Assessments Constitute Lien, Mortgagee Protection. Any validly imposed Assessment by the Association shall constitute a lien against the Lots in the Subdivision. The Association shall have the right to foreclose on that lien when any Assessment remains unpaid for a period of more than 90 days from the date the Assessment was levied, but if the lien is not foreclosed upon, it may be renewed from year to year by recording a new notice of the lien, together with accumulated interest. The lien of the Association against any Lot shall have priority from the date that the first Notice of Lien on a specific Lot is recorded in the office of the Summit County Recorder, and is subordinate to any previously recorded liens or encumbrances filed against that Lot, specifically including any purchase money mortgage or trust deed. Notwithstanding the lien rights of the Association, the obligation to pay Assessments is a personal obligation of the Owner of each Lot, and the Association may proceed to collect against the Owner, or the prior Owner of any Lot in the event of a sale. No Mortgagee or Beneficiary under a Trust Deed who takes title by foreclosure or non-judicial sale, or accepts in deed in lieu of foreclosure or non-judicial sale, shall be held liable for the unpaid Assessments of the Owner whose Lot was acquired by the Mortgagee or Beneficiary under a Trust Deed. Delinquent Assessments will bear interest at the highest lawful consumer credit rate permitted under Utah law until paid.

2.7. Statement of Account. Any Owner may request the Association to provide a statement of his account to any lender or prospective buyer of that Lot showing the Assessments to be paid in full, or the amount of any past due Assessments and interest charges. The Buyer or lender for whom such a statement was prepared will be entitled to rely on its accuracy, and will not be held liable for any amounts not shown on the statement. The Association may charge a fee of $25 or less for each such statement.

2.8. By-Laws. The day to day administration of the Association's affairs, including the manner in which Trustees are elected and their terms of office are set forth in the By-Laws of the Association, which may be amended from time to time by the Association as provided in those by-laws. No amendment of the By-Laws shall have the effect of releasing or amending these covenants, conditions, or restrictions.

2.9. Voting Rights. There shall be one vote appurtenant to each Lot, and each Owner, including the Declarant, shall be entitled to cast one vote for each Lot he or she owns. In the case of a Lot with multiple Owners, the Owners will agree among themselves how the vote applicable to that Lot will be cast, and if no agreement can be reached, no vote will be received from that Lot. Any of the multiple Owners appearing at the meeting in person or by proxy is deemed to be acting with proper authority for all of the other Owners of that Lot unless the other Owners are also present and object, or have filed written objections to that Owner's representation of the other Owners of the Lot in question. In matters presented to the Owners for a vote, a simple majority of those present at the meeting (if a quorum is present) will carry a motion, except as provided below for the purpose of making Improvements to the Open Space Parcel or amedment of this Declaration. A quorumn will consist of 50% of the Lots. The Open Space Parcels have no voting rights.

2.10. Architectural Review. It is the intention and purpose of these covenants, conditions and restrictions to impose architectural standards on any Improvements made to any Lot that result in buildings which are architecturally compatible in terms of Lot

00436643 Bk00905 Pg00457

coverage, siting, proportion, materials, colors, and general appearance, while at the same time allowing for diversity in style and design appropriate for the mountain setting. To accomplish this goal, the Declarant hereby empowers the Board of Trustees to oversee and enforce the Architectural Design Standards set forth in this Declaration.

2.11. Architectural Committee Created. The Board of Trustees of the Association shall constitute the Architectural Committee, provided however that until such time as 75% of the Lots in the Subdivision have been conveyed by the Declarant to third parties, the Declarant shall appoint an interim Architectural Committee consisting of three members, who are not required to be Owners. At the time 25% of the Lots are sold to persons other than the Declarant, one member of the Committee will be appointed from the Owners, other than a representative of the Declarant. At the time that 75% of the Lots are sold to persons other than the Declarant, the functions of the Architectural Committee will be assumed by the Board of Trustees. The Trustees may employ the services of a design professional, such as an architect, land planner, or landscape architect to serve as one member of the Architectural Committee, and such design professional does not need to be an Owner or resident of the Subdivision. The remaining members of the Committee shall be members of the Board of Trustees. In any event, regardless of the number of Lots sold, all members of the Committee will be named by the Trustees following the fifth anniversary of the recording of this Declaration with the Summit County Recorder.

2.12. Approval by Committee. No Improvements of any kind, including without limitation the construction of any Dwelling, Accessory Dwelling, garage, out building, or addition to any of them; or any parking area, driveway, tennis court, walkway, or other hard surfaced area in excess of 100 square feet, swimming pools, outdoor hot tubs or spas, fences, walls, curbs, flag poles, trampolines, satellite dishes or antennae, solar panels, or any other permanent structure may be constructed, erected, or installed in the Subdivision without the prior written approval of the Architectural Committee. No excavation, grading, filling, draining, landscaping, or installation or removal of existing vegetation shall be made without the advance written approval of the Architectural Committee. A simple majority of the Committee members is required to approve any submission. Approval of the Committee will be sought in the following manner:

a. Plans submitted. Plans for the construction of any new Improvement must be submitted to the Committee for review. It is recommended that a preliminary plan be submitted before the expense of final construction drawings is incurred. The submission must include:

(i) a Site Plan showing the boundaries of the Lot, and the proposed Site Disturbance Area within the Lot. The Site Plan will also show the location of driveways, utility connections and lines, and any retaining walls, excavations, fills, or other modifications of the existing surface condition of the site; and

(ii) an Architectural Plan for the Dwelling or other Improvements in sufficient detail to show the detailed drawings of all elevations of all buildings (including existing Buildings or Improvements in the case of a subsequent addition or remodel) showing locations of windows, doors, roof pitches, decks and other exterior elements; a list of exterior siding and roofing materials and/or a sample, including color samples; and a landscape plan showing the location of driveways, walkways, patios, decks

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and other hard surfaced or irrigated areas and the areas to be disturbed by construction and the means of restoring those areas. In the case of an addition or modification of an existing Dwelling, the Committee may waive any of the foregoing it feels are unnecessary to its review of the remodel or addition.

b. Review Fee. The applicant will pay a review fee to the Committee of $500 for each new dwelling, $100 for each addition or remodel, or, in the case of Improvements which cost less than $1,000, or which make no structural changes, the applicant will pay a fee of $10. The primary purpose of the fee is to document the date of submission, but the Committee may also use the proceeds to pay for its expenses in reviewing the plans and giving notice of meetings. No fee will be accepted until the Architectural Committee considers the submission complete.

c. Review. Within 15 business days from receipt of a complete submission and payment of the fee, the Committee will review plans and make an initial determination whether or not the plans comply with the conditions imposed by this Declaration. If they do not, the plans will be rejected. If they are in compliance, the Committee will approve the plans. The Committee may also approve the plans subject to specific modifications or conditions. Owners may desire to submit preliminary plans for review. The committee will review preliminary plans, without fee, and make its comments known to the Owner, provided, however, that no preliminary approval is to be considered a final approval, and no final approval will be granted on less than a complete submission. Upon approval, the Committee and the Owner will each sign copies of the plans, one of which shall be left with the Committee. No construction that is not in strict compliance with the plans approved will be permitted.

d. Written Record. The Committee will maintain a written record of its actions, and maintain in its files a copy of all plans approved or rejected for a period of five years. The Committee will also provide evidence of its approval for the City, if requested by the Owner.

e. Failure to Act. If the Committee has not approved or rejected any submission within 45 business days after payment of the review fee and submission of complete plans, the submission is deemed to have been approved, unless the approval process has been extended as provided in Section 2.14 for special review of some aspects of the proposal.

2.13. Variances. Variances to the design standards contained in this Declaration may be granted when strict application would create an unforeseen or unreasonable hardship to the Owner of any Lot. No variance may be granted without the consent of at least 25% of the Owners in the Subdivision at a meeting called for that purpose. The Architectural Committee, or the Owners as a whole, cannot grant any variance that has the effect of modifying applicable City zoning, building code regulations, or conditions of subdivision approval. The burden of obtaining a variance is entirely on the applicant, including the costs of notice.

2.14. Extraordinary Costs. Whenever it deems appropriate, the Committee may engage the services of an independent architect, civil or structural engineer, or other appropriate consultant to assist in its review of any proposed Improvements. All costs of

00436643 Bk00905 Pg00459

such additional review will be paid by the Applicant, provided however that no architect or engineer will be hired without advance notice to the Applicant of the intention to hire a review architect or engineer, and the aspects of the proposal that caused the Committee to believe that professional review was required, and the estimated cost of that review. If the applicant does not withdraw the proposal within five days after receipt of that notice, he is deemed to have consented to the Committee retaining such professional assistance. Whenever the Committee retains outside professional services in its review, the reviewing architect or engineer is acting only in an advisory capacity, and the applicant, for himself and his successors and assigns, waives any and all claims against the Committee and the Association in the event that advice from, or conditions imposed by, the reviewing professional prove ineffective, unnecessary, or inappropriate to the circumstances. The costs of such review will be billed directly to the applicant in advance, and the review of the plans will be suspended until the costs of the special review have been paid by the Applicant. The review period will be extended for a period of 30 days following payment of the special review costs to allow for the review.

2.15. General Design Review. The Committee will use its best efforts to provide a consistent pattern of development, and consistent application of the standards of this Declaration. These standards are, of necessity, general in nature, and it is the Committee should apply them in a manner that results in a high quality, attractive, and well designed community, and reflect the wide range of Lot sizes with the Subdivision.

2.16. Declarant, Trustees and Committee not Liable. The Declarant, the Trustees, and the Committee and its members shall not be liable to the applicant for any damages, or to the Owners of and Lots within the Subdivision for their actions, inactions, or approval or disapproval of any set of plans submitted to the Committee for review. In the absence of bad faith or malicious actions, the Owners shall have no claim against the Declarant or Committee as a result of the performance or failure to perform the duties created by this Declaration. Each Owner has the right to enforce these covenants against every other owner, and may seek independent redress if it believes the Committee has acted improperly.

2.17. Limitations on Review. The Committee's review is limited to those matters expressly granted in this Declaration. The Committee shall have no authority over the enforcement of building codes, zoning ordinances, or other statutes, laws, or ordinances affecting the development or improvement of real property and shall have no liability to any Owner whose plans were approved in a manner that included any such violation. Corrections or changes in plans required by the City to bring them into conformity with applicable codes must be re-submitted to, and approved by the Committee prior to construction. No additional fee will be assessed for reviewing such revisions to the original submission.

00436643 Bk00905 Pg00460

ARTICLE III

RESTRICTIONS ON ALL LOTS

3. The following restrictions on use apply to all Lots within the Subdivision:

3.1. Zoning Regulations. The lawfully enacted zoning regulations of Park City, and any building, fire, and health codes are in full force and effect in the Subdivision, and no Lot may be occupied in a manner that is in violation of any such statute, law, or ordinance.

3.2. No Mining Uses. The property within the Subdivision shall be used for residential purposes only, and no surface occupation for mining, drilling, or quarrying activity will be permitted at any time on any Lot, Open Space, or the Amenity Parcel.

3.3. No Business or Commercial Uses. No portion of the Subdivision may be used for any commercial business use, provided however that nothing in this provision is intended to prevent (a) the Declarant from using one or more Lots for purposes of a construction office or sales office during the actual period of construction of the Subdivision Improvements, or (b) the use by any Owner of his Lot for a home occupation. No home occupation will be permitted, however, which requires or encourages the Owner's clients, customers, patients or others to come to the Lot to conduct business, or which requires any employees outside of the Owner's immediate family or household. No retail sales of any kind may be made in the Subdivision. No materials, machinery, equipment, or inventory associated with any home occupation may be stored outside on any Lot. No signs associated with any home occupation are permitted.

3.4. Restrictions on Signs. No signs will be permitted on any Lot or within the Subdivision, except for traffic control signs placed by the City, temporary signs warning of some immediate danger, or signs not in excess of six square feet identifying the contractor and/or architect of any Dwelling Unit while it is under construction. Signs indicating the Lot is for sale may be placed in accordance with City sign regulations, and no such sign may exceed six square feet. The Declarant may erect a sign of not more than thirty-two square feet at the entrance to the Subdivision for a period of no more than one year announcing the availability of Lots and giving sales information. No permanent signs stating the address or the name of the owner of the Lot may be installed without the advance consent of the Architectural Committee. Such signs will be limited to 6 square feet, and may be placed at the driveway intersection with the public street, set back to the property line of the Lot.

3.5. Completion Required Before Occupancy. No Dwelling Unit may be occupied prior to its completion and the issuance of at least a Temporary Certificate of Occupancy by the City of Park City.

3.6. Primary Dwelling to be Constructed First. No Accessory Dwelling, garage, storage unit, or other out building or Improvement may be constructed prior to the commencement of construction of the primary Dwelling on the Lot.

00436643 Bk00905 Pg00461

3.7. No Re-Subdivision. No Lot may be re-subdivided. No Accessory Dwelling may be leased for a period of more than 24 months.

3.8. No Time Interval Ownership. No Lot may be owned, leased, or otherwise held in a manner that divides either the legal title or the right of use into formal or informal time intervals or timeshare ownership, or any other contract, trust, partnership, or other arrangement that permits, allows, or as a practical matter, creates or establishes time interval ownership or use of the Lot that is indistinguishable from time interval ownership.

3.9. Underground Utilities. All gas, electrical, telephone, television, and any other utility lines in the Subdivision are to be underground, including lines within any Lot which service installations or Improvements entirely within that Lot. No propane tanks or oil tanks may be installed on any Lot except for temporary heat during construction. Notwithstanding this provision, there is an existing overhead electrical line as shown on the Plat which will remain in place as an overhead line.

3.10. Service Yards. All clothes lines, service yards, storage yards, and exterior mechanical equipment must be screened in a manner approved by the Architectural Committee so that they are not visible from adjoining Lots.

3.11. Maintenance of Property. All Lots, and the Improvements on them, shall be maintained in a clean, sanitary, attractive and marketable condition at all times. No Owner shall permit his Lot or the Improvements on it to fall into disrepair.

3.12. No Noxious or Offensive Activity. No noxious or offensive activity shall be carried out on any Lot, including the creation of loud or offensive noises or odors that detract from the reasonable enjoyment of nearby Lots.

3.13. No Hazardous Activity. No activity may be conducted on any Lot that is, or would be considered by a reasonable person to be unreasonably dangerous or hazardous, or which would cause the cancellation of conventional property casualty insurance. This includes, without limitation, the storage of caustic, toxic, flammable, explosive or hazardous materials in excess of those reasonable and customary for household uses, the discharge of firearms or fireworks, and setting open fires (other than properly supervised and contained barbecues). No Owner will occupy a Lot in a manner that is in violation of any State or Federal environmental protection law or regulation concerning the storage, disposal, or use of toxic or hazardous materials.

3.14. No Open Burning. The open burning of yard trimmings, construction waste, or other materials on the Lot is prohibited.

3.15. No Unsightliness. No unsightliness is permitted on any Lot. This shall include, without limitation, the open storage of any building materials (except during the construction of any Improvement, Dwelling or addition); open storage or parking of farm or construction equipment, inoperable motor vehicles, boats, campers, trailers, trucks larger than pick-up trucks (except during periods of actual loading and unloading); accumulations of lawn or tree clippings or trimmings; accumulations of construction debris or waste; household refuse or garbage except as stored in tight containers in an enclosure such as a garage; lawn of garden furniture except during the season of use; and the storage or accumulation of any other material, vehicle, or

00436643 Bk00905 Pg00462

equipment on the Lot in a manner that it is visible from any other Lot or any public street.

3.16. No Annoying Lights. Any outdoor lighting shall be subject to approval by the Architectural Committee, and no outdoor lighting shall be permitted expect for lighting that is designed to aim downward and limit the field of light to the immediate vicinity of the Building or Improvement it is intended to serve. Lighted tennis courts, sport courts, and similar lighted recreation facilities are prohibited.

3.17. No Annoying Sounds. No speakers, or other noise making devices may be used or maintained on any Lot which create noise that might reasonably be expected to be unreasonably or annoyingly loud from adjoining Lots, except for properly operating and maintained security or fire alarms.

3.18. Drainage. No Owner shall alter the direction of natural drainage from his Lot, nor shall any Owner permit accelerated storm run-off to leave his Lot without first using reasonable means to dissipate the flow energy. Significant natural drainage areas are indicated on the Plat, and no Owner will construct Improvements in those areas that interfere with surface run off.

3.19. Vehicles Restricted to Roadways. No motor vehicle will be operated on the Subdivision except on improved roads and driveways. No snowmobiles or motorcycles will be operated on any Lot except for ingress and egress by duly licensed, "street legal" vehicles or while loading the equipment for lawful transport on public streets. The operation of any vehicle outside of the Site Disturbance Area of any Lot is strictly prohibited, even during periods of construction.

3.20. Kennels. No kennel or dog run may be placed closer than 50 feet to any Dwelling other than that of the Owner of the kennel.

3.21. No Transient Lodging Uses. The Lots are to be used for residential housing purposes only, and shall not be rented in whole or in part for transient lodging purposes, boarding house, "bed and breakfast," or other uses for providing accommodations to travelers. No lease of any Lot or Dwelling shall be for a period of less than one year. No Lot shall be subjected to time interval ownership.

3.22. No Firearms. No firearms of any kind, including b-b guns, pellet guns, or similar air-powered firearms may be discharged within the Subdivision.

3.23. Clearing and Grading. No portion of any Lot may be cleared of vegetation, graded, cut, or otherwise altered from its natural vegetative condition, except as specifically provided in this Declaration, and except in conjunction with the construction of the Primary Dwelling or other approved Improvements.

3.24. Public Trail Easements. There are public trails that cross through the Subdivision as shown on the Plat. These trails are for the use and benefit of the general public, and not just the Owners. They are dedicated public easements. No Owner shall obstruct or interfere with the use of the trails crossing his or her Lot. Subject to City regulations, trails will be open for use only during daylight hours. Trails are for non-motorized use only, and no motorcycle, all-terrain vehicle, snowmobile or other motorized vehicle (except for authorize maintenance vehicles or equipment) will be permitted on the trail system.

00436643 Bk00905 Pg00463

ARTICLE IV

RESTRICTIONS ON IMPROVEMENTS

4. All Improvements on any Lot shall be subject to the following restrictions and architectural design standards:

4.1. Number of Dwellings. Only one Dwelling may be constructed on any Lot; with the exception that Accessory Dwellings are permitted as described below. All Dwellings shall have an attached garage large enough to enclose 2 cars.

4.2. Site Disturbance Area; Placement of Buildings. In order to protect existing native vegetation, minimize landscape irrigation requirements, and maintain the feeling of open space within the subdivision, all constrution and landscaping activity must be contained within the maximum Site Disturbance Area for each Lot. The Maximum Site Disturbance Area is comprised of the actual footprint of the house and garage, driveways and utility excavations as apprpoved by the Association on the site plan, and the additional irrigated landscaped area around the house. The maximum size of the irrigated landscaped area for each lot is shown on Exhibit B. Within the Lot, subject to minimum front, side, and rear yard set back requirements, the Owner may propose any location for the Dwelling and the irrigated landscaped area around it. The location of the Dwelling and irrigated landscaped area should be selected to minimize removal of trees and oak brush or other significant vegetation. The placement of the Dwelling and other Improvements should also recognize historic drainage patterns and channels, if any, and avoid construction in locations that obstruct historic drainage. The shape of the Site Disturbance Area may be dictated by the proposed Dwelling, but shall be generally compact and in all cases, the areas disturbed by construction must be contiguous (and not linked by "cherry stems" that give the appearance of two areas of disturbance). Not included within the Site Disturbance Area are:

(a) Driveways not exceeding 20 feet in width connecting from the Site Disturbance Area to the abutting public street;

(b) Utility service lines, provided that utility service lines will be located immediately adjacent to or in the drive way whenever reasonable. If, because of grade considerations for sewer lines, it is not practical to install such lines within or adjacent to the driveway, only one additional utility access trench will be permitted, and it will be kept to the minimum width reasonably possible to minimize disturbance, and if possible, routed around areas of significant vegetation to minimize tree removal.

4.3. Construction Activity Confined to Site Disturbance Area. All construction activity, Improvements, and Dwellings are to be confined to the portion of the Lot identified as the Site Disturbance Area. The Site Disturbance Area will be physically staked on the ground, and fenced or roped off to prevent construction activity from extending beyond the established limits. No soil storage, excavation or backfill operations, or vehicular access is permitted outside of the Site Disturbance Area.

4.4. Building Setback. Regardless of the location of the Site Disturbance Area, all portions of the Dwelling or any other Improvements (except for access driveways and underground utilities) must maintain a minimum front yard set back from property line of 25 feet; a minimum side yard set back of 20 feet on each side of the Lot, and a

00436643 Bk00905 Pg00464

minimum rear yard set back of 15 feet from the rear Lot line. On Lots 4 through 26, the rear yard set back will be established from the Limit of Disturbance line shown on the Plat instead of the rear Lot line, and no Improvements may be constructed beyond that line. See Section 4.23 for additional restrictions on specific Lots.

4.5. Relation of Set Back to Site Disturbance Area. The Site Disturbance Area may extend into the Building set back areas, so that the minimum front, year, and side yard set backs will determine the minimum set back for the exterior walls of any Dwelling or other Improvement, but allow for site disturbance beyond the exterior wall for construction purposes and/or irrigated landscaping.

4.6. Building Size. The sizes of the Lots within the Subdivision were intentionally varied. The maximum allowable Floor Area for the Dwelling and other buildings on the Lot are shown on the table in Exhibit "B". No Dwelling may be constructed which is exceeds maximum building Floor Area stated for the Lot on which it is proposed, as shown on Exhibit B. The minimum Floor Area on the main level of any Dwelling shall be at least 2,500 square feet. Garages are not counted in the Floor Area, unless they exceed 600 square feet, in which case the area in excess of 600 square feet is counted.

4.7. Building Height. No structure on and Lot may exceed 28 feet in height as measured at the natural grade on the Lot prior to construction to a point half way between the eaves and the ridge line of the roof. The maximum ridge line height will be 33 feet above natural grade, with the intention being to have the building mass follow the natural, existing contour of the land. Building location and design should place buildings in a manner to minimize visibility from adjoining or adjacent Lots. See Section 4.23 for additional restrictions on specific Lots.

4.8. Roof Design. Roof pitches must be within a range of a 5/12 to a 7/12 slope. No more than one roof pitch may be used on any structure. Eaves and roofs must overhang by at least twenty-four inches. Shingles will be fire retardant material approved by the City. No wood shingles or shakes are permitted. Non-reflective metal roofing, and asphalt composite shingles weighing at least 270 pounds per 100 square feet are also permitted. Mansard, fake mansard, A-frame, gambrel, curvilinear, flat and domed roof designs are prohibited. All fascia boards must be at least twelve inches in width. Special attention will be paid to the south facing roof overhang to allow for adequate sun protection. All roof metal such as flashing, vent stacks, gutters and chimney caps will be made of anodized aluminum or painted galvanized metal, and in either case, will be painted an earth tone color.

4.9. Siding Materials. Unless specifically approved by the Architectural Committee, only the following exterior wall surface materials are allowed: cedar siding, redwood siding, stone, log, wood shingles, and stucco without "tudor" wood breaks. Textured plywood, metal, vinyl, masonite or similar manufactured siding materials are prohibited. There shall be no more than two separate exterior wall materials on any wall surface (excluding trim), and no more than three on any one Building. Exterior wall colors must harmonize with the site and surrounding buildings. The predominant tone should be earth tone, whether in the natural color or patina of the weathered color of the wall surface itself or the color of the stain or other coating. Bright or dramatic colors can be used for accent of exterior wall areas hidden from general view. Fascia and trim shall also remain in the earth tone spectrum.

00436643 Bk00905 Pg00465

4.10. Windows. Windows must be either wood, bronze-tone aluminum clad wood, bronze tone aluminum, or dark metal. All windows must be at least double glazed. Any trapezoidal windows must parallel the shape of the walls or roofs surrounding them. No mirrored or reflective glass may be used.

4.11. Fireplaces, Chimneys. Only one wood-burning stove, fireplace, or other such appliance is permitted on each Lot. The primary heat source must be natural gas or solar rather than wood. No coal fired appliances may be use, and no coal shall be burned in fireplaces. Chimneys must be enclosed in an approved siding material with a spark arrester. No exposed metal flues are permitted.

4.12. Antennas. All antennas must be enclosed within a building, and not roof mounted. Any satellite dishes in excess of 24 inches in diameter must be located and screened in a manner approved in advance by the Architectural Committee so that they are not visible from either adjoining Lots or from outside the Subdivision.

4.13. Solar Panels. Solar panels will be permitted only with the consent of the Architectural Committee, and if permitted at all, must lie flat against the roof and may not differ in pitch from the roof surface on which they are mounted. No free standing solar panels will be permitted.

4.14. No Used or Temporary Structures. No previously erected, used, or temporary structure, mobile home, trailer house, or any other non-permanent structure may be installed or maintained on any Lot.

4.15. No Air Supported Structures. No air supported tennis or swimming pool bubbles or covers will be permitted on any Lot.

4.16. Balconies and Decks. The area under any deck or balcony that is more than twenty-four inches above natural grade must either be landscaped or screened from view so that the view from adjoining Lots or streets is not of the unfinished underside of the deck. The area under any deck shall not be used for storage of equipment, firewood, building material, or similar material. The underside of any deck more than four feet above grade must either be completely screened with vertical lattice or siding, or, if exposed (as in the case of a second story deck) painted or stained to match the house.

4.17. Fire Sprinklers. All dwellings must be equipped with an automatic fire sprinkler system in accordance with the ordinances of Park City or, in the absence of an ordinance, a system which meets standard 13-D of the National Fire Protection Association for residential applications. Owners constructing any portion of the Dwelling or other inhabitable structure more than 150 feet back from the public street may be required to install a dry standpipe from the edge of the street to the fire sprinkler system within the structure. The specifications for fire sprinkling equipment are established by City regulations, and it is the obligation of each Owner to comply with those specifications in the construction of the Dwelling.

4.18. Deer Valley Design Guidelines Incorporated. The Deer Valley Resort Architectural Design Guidelines, which are attached as Exhibit C are incorporated as general design requirements. In the event of conflicts, the specific provisions set forth in this Declaration shall control.

00436643 Bk00905 Pg00466

4.19. Fences. To minimize disturbance to native vegetation and disruption to wildlife habitat, fencing of the side and rear boundaries of any Lot shall not be permitted in the Subdivision. Limited interior fencing of the irrigated landscaped area is permitted subject to advance approval by the Architectural Committee. Chain link or other wire fencing is prohibited. With the advance consent of the Committee, an Owner whose Lot is bisected by, or abuts or adjoins a Public Trail Easement, as shown on the Plat or as later dedicated by the Owner, may fence the trail in a manner that is reasonable to prevent trespass. Fencing of trail easements may occur outside the Site Disturbance Area of the Lot. The design of such fencing should be typical of agricultural wire or wood rail fencing (not chain link) of a design that blends in with the surrounding vegetation, and not a highly visible privacy or screening type fence. The fencing material and height shall be of a design that will allow the free travel of wildlife, while discouraging human trespass. Any such fencing should be on the right of way boundary line, and placed in a manner that does not present safety hazards to trail users.

4.20. Entrance Gates. To the extent permitted by applicable City zoning, entrance gates are permitted on all Lots. The driveway width of any entrance gate may not exceed 20 feet in width. The decorative wall or other structure on either side of the gate, plus the width of the gate itself, may not exceed 75 feet in total length, or 30% of the frontage of the Lot, whichever is less. Fencing of the remainder of the Lot frontage is permitted, provided that fencing is of a decorative metal rather than chain link or other wire fencing, and is designed in a manner that blends into the natural landscaping. Decorative pillars on fencing are prohibited.

4.21. Driveway Access. Individual driveway accesses to each Lot must be approved by the Architectural Committee as part of the site plan of the Lot. Driveways should be located in a manner to minimize cuts and fills and the need for retaining walls. No driveway may exceed 12% slope. Driveways shall be wide enough to permit two cars to be parked side by side in front of the garage entrance, but shall not exceed 20 feet otherwise. Cut and fill slopes must be re-vegetated with native vegetation when occurring outside of the approved Site Disturbance Area. Main driveways must be hard surfaced.

4.22. Sewer Connection Required. All Lots are served by sanitary sewer service, and no cesspools, septic tanks, or other types of waste disposal systems are permitted for use with any Dwelling. All Dwellings must be connected to the sanitary sewer system. Owners of downhill Lots may encounter difficulty in providing gravity flow sewer connections to the street. The cost of private ejector systems will be borne by the individual Lot Owner, and not by the Declarant or the provider of sewer treatment service. Lots 25, 26, and 44 will probably require ejector pumps, and others may, depending on the placement and design of the Dwelling.

4.23. Exterior Lighting Standards. All exterior lighting must be adequately shielded and controlled to prevent glare and illumination to adjacent properties or streets. Bare light globe fixtures, such as flood and spot lights, are prohobited.

4.24. Special Restrictions on Some Lots. As a condition of approval by the City, additional restrictions have been imposed on some of the Lots:

(a) On Lots 4, 5, 9, 10, and 11, at least 65% of the total gross floor area, exclusive of the garage, is to be on the finished grade. The maximum Dwelling Height will be 25

00436643 Bk00905 Pg00467

feet to the midpoint of the roof and 28 feet to the ridgeline, as defined by the City Land Management Code.

(b) On Lots 10 and 11, the front yard set back will not exceed 100 feet from the front Lot line as defined by the City Land Management Code.

ARTICLE V

LANDSCAPE STANDARDS

5. The intent of this declaration is to conserve water, preserve the natural existing vegetation, and enhance wildlife habitat to the extent possible given the construction of the Subdivision. The use of each Lot is subject to the following Landscape Standards:

5.1. Irrigated Landscape Area. Within each Lot there is an area available for irrigated landscaping, incluidng lawn areas. The size of this area within each Lot is listed on Exhibit B. The irrigated landscape area will be within the Maximum Site Disturbance Area of the Lot. The use of permanent irrigation systems is limited to this portion of the Lot.

5.2. Non-Irrigated Area. Outside of the Maximum Site Distrubance Area, the native vegetation will be preserved, and the following standards apply:

(a) Irrigation. No permanent irrigation is permitted in this area. Temporary irrigation as needed to repair damage to the natural vegetation as a result of construction activities, such as reclamation of utility trenches and areas along driveways, is permitted, but only for so long as necessary for restoration of vegetative cover. New plantings of native plants may be irrigated on a temporary basis to establish healthy growth. No permanent irrigation systems may be installed outside of the Maximum Site Disturbance Area.

(b) Plant Materials. It is the intention to preserve the native vegetation in the areas outside of the Maximum Site Disturbance Area. New plantings in that area will be of native species.

(c) Removal of Vegetation. No native vegetation, trees, or shrubbery may be cut or removed from the non-irrigated area of the Lot except as necessary to maintain healthy growth, remove diseased plants, or for approved utility trenches and driveways. Noxious weeds may be removed as required.

5.3. Uses of Non-Irrigated Area. No improvements of any kinds are permitted in the Non-Irrigated area of any Lot (with the exception of approved driveways and utility trenches). No swimming pool, tennis court, deck, spa, swing set, trampoline, play ground equipment, dog run, or similar strucutres, hard surfaced area, or improvement is permitted in the non-irrigated area of the Lot. With the consent of the Committee, Owners may clear additional trails in the non-irrigated area, provided that no trail will exceed 10 feet in width. No vehicles, snowmobiles, motorcycles, or all terrain vehicles will be used, stored, or operated on the non-irrigated portion of the Lot.

5.4. No Livestock. No horses or other livestock will be kept on any part of the Lot.

00436643 Bk00905 Pg00468

ARTICLE VI

ACCESSORY DWELLINGS

6. While the intention of the Declarant is to develop a subdivision of single family dwellings, the nature and use of such Dwellings in a resort context may make it desirable in some cases for the Owners of Lots to include an Accessory Dwelling in the Primary Dwelling on the Lot. Accessory Dwellings are permitted on each Lot, subject to the following conditions:

6.1. Size of Accessory Dwelling. The Accessory Dwelling may not exceed 25% of the floor area of the Primary Dwelling. Accessory Dwellings may not be less than 400 square feet in floor area, nor more than 800 square feet, and may contain no more than two bedrooms. The addition of an Accessory Dwelling will not increase either the maximum permitted Floor Area or the maximum Site Disturbance Area for each Lot as shown on Exhibit B.

6.2. One Accessory Dwelling Per Lot. Only one Accessory Dwelling is permitted on any Lot. The Accessory Dwelling may only be constructed in conjunction with, or after completion of the Primary Dwelling, but may not be constructed first.

6.3. Location of Accessory Dwelling. Accessory Dwellings must be incorporated into the Primary Dwelling, and no increase in the Site Disturbance Area is permitted for an Accessory Dwelling. The Site Disturbance Area may not be split into separate building sites for the Primary and Accessory Dwellings.

6.4. Ownership, Appurtenance. The Accessory Dwelling is an appurtenance to the Primary Dwelling, and is not to be separately sold, encumbered, leased for periods in excess of 2 years, or in any other way separated from the ownership and control of the Primary Dwelling. There will be no vote in the Association assigned to an Accessory Dwellings, and no assessment levied on Accessory Dwellings other than the assessment on the Lot.

6.5. Transient Lodging Prohibited. No Accessory Dwelling may be rented for transient lodging purposes. No rental agreement for less than 30 days will be permitted. This shall not preclude use by guests of the Owner for periods of shorter duration, but commercial rental on a nightly or short term basis is prohibited.

6.6. Parking. Accessory Dwellings must have one off-street, enclosed parking space per bedroom, in addition to the Parking for the Primary Dwelling.

00436643 Bk00905 Pg00469

ARTICLE VII

OWNERS' MAINTENANCE OBLIGATIONS

7. It is the obligation of each Owner to maintain his Lot at all times in order to preserve and enhance the enjoyment of the Subdivision:

7.1. Duty to Maintain. It is the obligation of the Owner of each Lot to maintain his Lot and the Improvements to the Lot in a good state of repair and an attractive, safe, and healthy condition.

7.2. Repair by Association. In the event that an Owner permits his Lot or Improvements to fall into a state of disrepair that is dangerous, unsafe, unsanitary, or unsightly condition in violation of this Declaration, the Association may give written notice to the Owner describing the condition complained of and demanding that the Owner correct the condition within 30 days. If the Owner fails to take corrective action, the Association shall have the right, but not the obligation, to enter upon the offending Owner's Lot and take corrective action to abate the condition. All costs of abatement shall be charged to the Owner, who agrees to promptly pay the reasonable costs of any work performed under this provision. Unpaid amounts will bear interest at the lawful judgment rate under applicable state law.

7.3. Alterations of Exterior Appearance. The Owners will maintain their Lots and Improvements in substantially the same condition and appearance as that approved by the Architectural Committee. No subsequent exterior alterations, improvements or remodeling, whether structural or changes in landscaping, paint color or siding or trim materials will be made without the advance consent of the Committee.

7.4. Repair Following Damage. In the event of casualty loss or damage to the Improvements, the Owner will be entitled to reconstruct the Improvements as they existed prior to the damage or loss without review by the Committee, provided however that alterations or deviations from the originally approved plans will require review. Nothing in this Declaration is intended to prevent an Owner who has suffered property damage or loss from taking temporary measures to secure the property and prevent further damage, or to prevent injury or dangerous conditions following loss or damage, before re-construction begins. Such temporary measures may be taken without the consent or approval of the Architectural Committee, provided that any such measures must be of a temporary nature, and repair or reconstruction must begin as soon as circumstances will permit. No damaged structure will be permitted to remain on any Lot for more than 90 days without repairs commencing, and any damaged structure which does remain un-repaired after 90 days following the occurrence of damage is deemed a nuisance which may be abated by the Association at the expense of the Owner.

00436643 Bk00905 Pg00470

ARTICLE VIII

CONSTRUCTION COVENANTS AND REGULATIONS

8. In order to insure that the natural vegetation outside of the maximum Site Disturbance Area is not damaged during any construction activities, and to minimize the inconvenience to adjoining Owners, the following construction regulations shall be enforced during the construction period. These regulations shall be made a part of the construction contract between the Owner and his or her contractor on any Improvements on a Lot. Each Owner shall be bound by these regulations, and violations committed by the contractor shall be deemed a violation by the Owner for which Owner is liable.

8.1. Marking Site Disturbance Area. Prior to the commencement of construction, the Owner shall cause the perimeter of the Site Disturbance Area to be surveyed and marked in conjunction with the staking of the foundation and other Improvements. The perimeter of the Site Disturbance Area will be marked with surveyors tape or fenced to prevent any intrusion beyond that area.

8.2. Portable Office or Trailer. Any Owner whose contractor desires to bring a portable office or trailer on to a Lot shall first apply for and receive written approval from the Architectural Committee. The Architectural Committee will work with the Owner to determine the best location for the portable office. The portable office will be located only in a location approved by the Architectural Committee, which shall be on the Owner's Lot and within the area that can be disturbed by construction or driveway areas.

8.3. Removal of Temporary Office. The temporary office may not be installed prior to the commencement of construction, and must be removed upon the first to occur of (i) the issuance of a Certificate of Occupancy, (ii) the termination, expiration, or cancellation of the Building Permit, or (iii) the suspension of construction activities for a period of 60 days.

8.4. Construction Debris Removal. Owners and their contractors must comply with Park City ordinances requiring the placement and maintenance of a trash container or dumpster on the Lot during construction. Owners and their contractors are responsible for collection of trash at the end of each work day and depositing construction trash, packing material, unusable scraps, and other debris in a suitable container. Lightweight material must be weighted down to prevent wind from blowing it away. Debris must be contained until removed from the Lot to an appropriate land fill. The dumpster must be regularly serviced. No trash may be burned, buried, or otherwise disposed of on the Lot. No concrete trucks may be cleaned out on any Lot, Open Space Parcel, or anywhere within the Subdivision.

8.5. Construction Area Appearance. The Lot must be maintained in a reasonably organized and neat condition at all times during the construction of Dwelling or any other Improvements. Materials must be stored in neat stacks and covered. No more material may be delivered to the site than can reasonably be consumed in a week's time, provided that once the Dwelling is enclosed, materials may be stored inside, out of sight, indefinitely.

00436643 Bk00905 Pg00471

8.6. Sanitary Facilities. Each Owner is responsible for the installation and maintenance of an approved portable toilet facility on the site during construction. The portable toilet must be located on the Lot at a location approved by the Architectural Committee, and removed from the site at such time as the permanent plumbing system is operational.

8.7. Removal of Mud. Owner and contractor are responsible for keeping mud from the construction site from being deposited on the roadways of the Subdivision. This may require cleaning of truck tires before leaving the site.

8.8. Duration of Construction. It is the obligation of the Owner to proceed with construction with all reasonable speed once construction has commenced, and in any event, all exterior surfaces of the building shall be substantially complete within a period of twelve months from commencement. All landscaping and soil stabilization work must be completed as soon as possible after completion of the exterior of the Dwelling, but in no event later than the summer following completion of the exterior of the Dwelling.

ARTICLE IX

OPEN SPACE AND AMENITY PARCELS

9. Within the Subdivision, there are areas designated on the plat as Open Space Parcels, and an area designated as the Amenity Parcel. Declarant has, or will convey the Open Space Parcels to the City. The use of the Open Space Parcels will be governed by this Declaration. The Amenity Parcel will be conveyed to the Association.

9.1. Use of Amenity Parcel. The Amenity Parcel will be owned by the Association. Its ultimate use is to be determined by the Association, consistent with these covenants. The Amenity Parcel may be used for a natural or landscaped park area, for the construction by the Association, at its expense, of a swimming pool, tennis courts, club house, or similar recreational amenity for the use and benefit of the Owners, or left in its natural condition. Prior to the construction by the Association of any Improvements costing more than $15,000 on the Amenity Parcel, the Trustees will first present to proposal to the Owners, and receive the affirmative vote of 2/3rds of the Owners, excluding the Declarant. No such Improvements will be made until the Declarant has conveyed at least 2/3rds of the Lots to third parties, unless the Declarant otherwise consents in writing.

9.2. No Dwellings. The Amenity Parcel may not be used for, sold, or leased for the purpose of constructing Dwellings, office space, or commercial buildings. Any recreation amenity will be for the use of the Owners, and not open to the general public or for members other than Owners within the Hidden Meadows Subdivision. This shall not preclude the construction of a manager's dwelling of not more than 400 square feet in any club house facility constructed by the Association.

9.3. No Commercial Use. The Amenity Parcel may not be used for any commercial purpose, including the operation of a club house, restaurant, tennis club or pool facility open to the public or persons other than Owners or their guests. No vehicles, construction materials (other than those for the use and benefit of the Association), or equipment will be parked or stored on the Open Space Parcel, except

00436643 Bk00905 Pg00472

during Declarant's initial construction of the Subdivision Improvements, such as streets and utilities.

9.4. Culinary Water Well Site. Declarant's predecessor in interest has reserved the right to drill and operate a culinary water well within the Amenity Parcel. The location of that well will be coordinated with the Association to minimize site disturbance or interference with the Association's use of the Amenity Parcel, but also to provide access to sub-surface geologic structures which are believed to be advantageous locations for drilling a well. The well, if drilled, will be equipped with a surface pump house not to exceed 1,000 square feet, which will be sided, roofed, and landscaped in a manner consistent with these covenants.

9.5. Water Quality Protection. The Association will not do anything on the Amenity Parcel that might reasonably be expected to compromise water quality from the proposed well, including disposal or storage of hazardous materials, fuels or oils, insecticides or herbicides, or the use of other toxic or hazardous materials.

9.6. Open Space Parcels. Around the perimeter of the Subdivision there are larger areas designated on the Plat as Open Space. Declarant has, or will, convey these parcels to the City, subject to this Declaration and additional covenants contained in the deeds. The Owners may enforce these covenants against the City as owner of the Open Space, as the Open Space is created for the benefit of the Subdivision. The City is not deemed an Owner for purposes of participation in the Association, and shall not be subject to Assessment, nor entitled to vote. These covenants are not reciprocal as to the the Open Space, and the City will have no right to enforce these covenants against Lot Owners, provided that this shall not waive any powers that exist under City ordinances. The Open Space parcels are to be maintained in their natural condition, and no improvements of any kind will be permitted, except:

(a) Trails, which will be public easements for non-motorized use;

(b) Underground utilities, and such above ground controls, transformer boxes, and junction boxes as may be reasonably necessary;

(c) The existing overhead power line.

No clearing, grading, excavation, or other site work is permitted that would alter the natural vegetation or natural appearance of the Open Space Parcels.

9.7. Additional Trails. The City may construct an additional trail that extends north through Open Space Parcel Number 4, provided that no new trail will be constructed closer to any Lot than the trail easement shown on the Plat north of the rear lot line of Lots 16 through 26.

ARTICLE XI

COMBINATION OF LOTS

10. Subject to the provisions of this Declaration and the limitations set forth in this Section, any Owner may combine two adjoining Lots with adjoining frontage on the same street within the Subdivision, subject to the approval of the Architectural

00436643 Bk00905 Pg00473

Committee and City. The following regulations will apply in the event of a combination:

10.1. Maximum Site Disturbance Area Revision. As a result of the combination of Lots, the maximum allowable Site Disturbance Area of the resulting combined Lot will be determined from the table in Exhibit B, but will not exceed 75% of the combined irrigated area allowed for the two lots. Siting of the Dwelling should spread the resulting building mass more or less evenly over the combined Lots, although may be more concentrated where good site planing practices dictate. In no event may the entire mass be constructed on a single Lot.

10.2. Maximum Floor Area. The maximum Floor Area for the Dwelling on the combined Lots shall not exceed 75% of the combined floor areas of the two individual Lots.

10.3. Architectural Committee May Deny Combination. The Architectural Committee has the power to deny the Owner's application to combine Lots on the basis that the resulting combination concentrates too much building mass on a single Lot, that the combination results in damage to significant natural features on the Property such as natural drainage courses or significant wooded areas, or results in a structure that violates the provisions of this Declaration.

10.4. Combination Deemed Permanent. The combination of Lots is deemed to be permanent and the Lots may not be independently sold once construction has commenced on the Improvements for the combined Lot.

10.5. Record Notice of Combination. The Owner of any Lots that have been combined will execute and deliver to the Architectural Committee a notice in recordable form, containing the name of the Owner and the legal description of the Lots combined, which Notice will state that the two Lots have been combined and cannot subsequently be subdivided. The Owner will also submit a current title report showing any lien holders, who will also be required to sign the Notice. The Committee shall record this Notice with the Summit County Recorder upon the commencement of construction.

10.6. Plat Amendment. The combination of Lots may also require a formal Plat Amendment process under applicable state or city regulations, all or which will be done at the sole expense of Owner.

ARTICLE XI

GENERAL PROVISIONS

11. The covenants, conditions, and restrictions contained in this Declaration may be enforced as follows:

11.1. Remedies.

00436643 Bk00905 Pg00474

(a) Any single or continuing violation of the covenants contained in this Declaration may be enjoined in an action brought by the Declarant (for so long as the

Declarant is the Owner of any Lot), by any other Owner, or by the Association in its own name. In any action brought to enforce these covenants, the prevailing party shall be entitled to recover as part of its judgment all of the reasonable costs of enforcement, including attorneys fees and costs of court.

(b) Nothing in this Declaration shall be construed as limiting the rights and remedies that may exist at common law or under applicable federal, state, or local laws and ordinances for the abatement of nuisances, health and safety, or other matters. These covenants are to be construed as being in addition to those remedies available at law.

(c) The remedies available under this Declaration and at law or equity generally are not to be considered as exclusive, but rather as cumulative.

(d) The failure to take enforcement action shall not be construed as a waiver of the covenants contained in this Declaration in the future or against other similar violations.

11.2. Severability. Each of the covenants contained in this Declaration shall be independent of the others, and in the event that any one is found to be invalid, unenforceable, or illegal by a court of competent jurisdiction, the remaining covenants shall remain in full force and effect.

11.3. Limited Liability. Neither the Declarant, the Trustees, or the Architectural Committee or its individual members, nor any other Owner shall have personal liability to any other Owner for actions or inactions taken under these covenants, provided that any such actions or inactions are the result of the good faith exercise of their judgment or authority under these covenants, and without malice.

11.4. Term of Covenants, Renewal. This Declaration shall expire fifty years from the date it is first recorded with the Summit County Recorder, provided however that in the last year prior to expiration, the Owners of 90% of the Lots may, by written notice which is recorded with the Summit County Recorder, agree to extend the covenants for a period of an additional twenty years.

11.5. Amendment. At any time while this Declaration is in effect, the Owners of 75% of the Lots may amend the provisions of this Declaration. Any amendment must be in writing and be approved by 75% of the Owners at the time of the amendment. No amendment which has the effect of substantially or materially altering the size, nature, or use of the Improvements on any Lot permitted by this Declaration will be binding upon the holder of any mortgage or trust deed on any Lot unless the mortgage or trust deed holder joins in the amendment. These covenants may be repealed in whole or in part by amendment. No amendment which eliminates the rights of the Declarant under this Declaration will be effective without the consent of the Declarant.

11.6. Constructive Notice. Every person who owns, occupies, or acquires any right, title or interest in any Lot in the Subdivision is conclusively deemed to have notice of this Declaration and its contents, and to have consented to the application and enforcement of each of the covenants, conditions and restrictions against his Lot, whether or not there is any reference to this Declaration in the instrument by which he acquires his interest in any Lot.

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11.7. Notices. All notices under this Declaration are deemed effective 5 business days after the date of mailing, whether delivery is proved or not, provided that any mailed notice must have postage pre-paid and be sent to the last known address of the party to receive notice. The address for notice may be taken from the latest available property tax assessment rolls if no other address for an Owner is known. Notices delivered by hand are effective upon delivery.

11.8. Liberal Interpretation. The provisions of this Declaration shall be interpreted liberally to further the goal of creating a uniform plan for the development of the Subdivision. Paragraph headings are inserted for convenience only and shall not be considered in interpretation of the provisions. Singular will include plural, and gender is intended to include masculine, feminine and neuter as well.

11.9. Covenants Run with the Land. The covenants, conditions, and restrictions in this Declaration are covenants running with the land, and shall burden and benefit the successors and assigns of the Declarant and the Owners for so long as the Declaration is in effect.

ARTICLE XII

EXPANSION OF PROJECT

12. The Declarant owns other land adjoining the Subdivision which is described on the attached Exhibit D. It is the intention of the Declarant to subdivide the additional land and to add it to the Subdivision and to these Covenants. Within a period of seven years from the date this Declaration is recorded, the additional land may be added to this Declaration and become a part of the Subdivision by the Declarant, or its successor in interest, recording a Subdivision Plat describing the additional land and the Lots created on it, and a Supplemental Declaration stating that it is the intention of the Declarant to add the additional land to the Subdivision, and to have that land be subject to these same covenants, conditions and restrictions.

12.1. No Obligation to Expand. The Declarant reserves the right to add some or all of the additional land to the Subdivision, but is under no obligation to do so. The additional land, if not added to the Subdivision, may be developed in a manner that is different from that described in this Declaration.

00436643 Bk00905 Pg00476

12.2. Expansion in Phases. The Declarant may exercise its right to expand the project in one or more phases or stages, and the addition of some of the expansion area does not obligate the Declarant to add the balance of the land to the Subdivision.

Executed on the date stated above.

BLUE LEDGE CORPORATION, a Delaware corporation

By: Hank Rothwell
Hank Rothwell, Pres.

STATE OF UTAH)
:ss
COUNTY OF SUMMIT)

On the 17 day of July, 1995, Hank Rothwell appeared before me and acknowledged that he is the President of Blue Ledge Company, a Delaware corporation, which is the Declarant in the above instrument, and that he executed the same on behalf of the corporation with proper authority.

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

Commission Expires:
Nov 27, 1997

Robert C Rodman
Notary Public
Residing at: Summit Co Utah

00436643 Bk00905 Pg00477

EXHIBITS

EXHIBIT A PROPERTY DESCRIPTION

EXHIBIT B TABLE FROM PLAT ON HOUSE SIZES AND BUILDING ZONE MAXIMUMS, INCLUDE REFERENCE TO GARAGES AND SIDE FRONT AND REAR SET BACKS

EXHIBIT C AMENITY PARCEL DESCRIPTION

EXHIBIT D PHASE II PROPERTY

00436643 Bk00905 Pg00478

EXHIBIT "A"

HIDDEN MEADOW SUBDIVISION PHASE 1
BOUNDARY DESCRIPTION
May 10, 1995

Beginning at a point on the northerly end line of the Emma mining claim North 77° 39' 13" West 251.53 feet from the Northeast corner of the Emma mining claim, said point is located North 4133.38 feet and East 2713.23 feet from the East Quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the northerly end of the Emma , the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) North 77° 39' 13" West 1375.42 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) North 28° 59' 00" West 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) North 59° 06' 00" East 465.36 feet more or less; thence along the southerly side line of the Bessie mining claim (Mineral Survey 5552) North 61° 01' 00" East 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim North 38° 40' 43" West 14.26 feet; thence along the Chatham Crossing Subdivision boundary (Recorded Instrument Number 179465 in the Office of the Summit County Recorder) the following four courses:) 1) North 61° 10' 55" East (Plat North 61° 05' 58" East) 46.56 feet; thence 2) North 41° 14' 05" West (Plat North 41° 19' 02" West) 1317.38 feet; thence 3) South 39° 55' 03" East (Plat East) 595.29 feet; thence 4) North 0° 04' 57" East (Plat North) 785.35 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) North 60° 10' 00" East 509.54 feet more or less; thence along the northerly side line of the Woodrow No. 2 mining claim North 62° 56' 19" East 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) North 44° 04' 01" West 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) North 78° 41' 14" East 40.19 feet; thence along easterly side line of the Potosi mining claim North 53° 33' 00" East 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim South 41° 00' 00" East 643.43 feet more or less; thence along the easterly end line of the Glegg No. 2 mining claim South 39° 40' 23" East 393.40 feet; thence along the North line of Section 11 North 88° 47' 03" West 1240.30 feet to the Northwest corner of Section 11; thence South 0° 57' 03" West 714.42 feet; thence South 70° 48' 39" West 20.35 feet; thence South 89° 32' 18" West 124.80 feet; thence South 07° 11' 05" East 317.18 feet to a point on a 50.00 foot radius curve to the right, whose radius point bears South 04° 46' 56" East, thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36" to a point on a 15.00 foot radius curve to the left, whose radius point bears North 43° 53' 40" East; thence along the arc

of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 675.00 foot radius curve to the right, whose radius point bears South 05° 57' 58" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53"; thence South 0° 57' 03" West 1451.52 feet to a point on a 50.00 foot radius curve to the left, whose radius point bears North 89° 02' 57" West; thence along the arc of said curve 73.52 feet thru a central angle of 84° 14' 57"; thence North 10° 46' 33" West 34.02 feet; thence South 80° 37' 22" West 628.64 feet; thence North 16° 28' 35" West 238.32 feet; thence North 13° 36' 27" West 50.00 feet; thence South 76° 23' 33" West 64.47 feet to a point on a 290.15 foot radius curve to the left, whose radius point bears South 13° 36' 27" East; thence along the arc of said curve 48.67 feet thru a central angle 09° 36' 38"; thence North 31° 57' 40" West 225.19 feet; thence South 46° 41' 39" West 377.59 feet; thence South 07° 56' 32" East 319.08 feet; thence South 10° 24' 24" West 233.92 feet; thence South 41° 50' 49" West 137.01 feet; thence South 67° 45' 45" West 221.74 feet; thence South 14° 25' 20" East 246.82 feet; thence South 38° 35' 36" East 164.61 feet to the northeast corner of Phase 1, Parcel 1 of Royal Oaks Subdivision Phase I (Recorded instrument No. 352414 in the office of the Summit County Recorder); thence along the north line of said Parcel 1 South 79° 34' 34" West (Plat South 79° 36' 44" West) 160.00 feet; thence along the north line of said Parcel 1 South 69° 24' 48" West (Plat South 69° 26' 58" West) 65.28 feet; thence along The Oaks at Deer Valley (Recorded instrument No. 311418 in the office of the Summit County Recorder) boundary line South 68° 57' 50 " West (Plat South 69° 00' 00" West) 59.25 feet; thence along The Oaks at Deer Valley boundary line South 48° 57' 50" West (Plat South 49° 00' 00" West) 300.00 feet; thence North 65° 36' 22" West 331.48 feet to a point on a 538.60 foot radius curve to the left, whose radius point bears South 60° 33' 01" East; thence along the arc of said curve 335.95 feet thru a central angle of 35° 44' 16"; thence South 06° 17' 17" East 477.78 feet to a point on a 125.00 foot radius curve to the left, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 18.63 feet thru a central angle of 08° 32' 16"; thence along The Oaks at Deer Valley boundary line South 81° 46' 37" West (Plat South 81° 48' 47" West) 50.24 feet to a point on a 175.00 foot radius curve to the right, whose radius point bears North 77° 03" 57" East; thence along the arc of said curve 20.30 feet thru a central angle of 06° 38' 46"; thence North 06° 17' 17" West 477.78 feet to a point on a 588.60 foot radius curve to the right, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 214.78 feet thru a central angle of 20° 54' 26"; thence North 68° 29' 02" West 229.73 feet; thence South 46° 04' 16" West 126.36 feet; thence South 11° 47' 28" West 170.03 feet to the point of beginning. Description contains 226.42 acres. The Basis of Bearing for the above description is South 00° 30' 11" West between the East Quarter corner and the southeast corner of Section 16. Y:\VC\HMBRY3.DES

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EXHIBIT "A"

HIDDEN MEADOW SUBDIVISION PHASE 2
BOUNDARY DESCRIPTION
April 19, 1995

Beginning at the Northwest corner of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of Section 11 South 88° 47' 03" East 1240.30 feet; thence along the easterly end line of the Glegg No. 2 mining claim (Mineral Survey 6792) South 39° 40' 23" East 215.18 feet; thence along the easterly end line of the Glegg No. 3 mining claim South 38° 46' 13" East 606.70 feet; thence along the Southerly side line of the Glegg No. 3 mining claim South 75° 52' 07" West 1501.92 feet; thence along the Southerly line of the Woodrow No. 6 mining claim South 63° 17' 52" West 360.03 feet; thence North 0° 57' 03" East 142.10 feet to a point on a 675.00 foot radius curve to the left, whose radius point bears South 01° 58' 05" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53" to a point on a 15.00 foot radius curve to the right, whose radius point bears North 05° 57' 58" West; thence along the arc of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 50.00 foot radius curve to the left, whose radius point bears South 43° 53' 40" West; thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36"; thence North 07° 11' 05" West 317.18 feet; thence North 89° 32' 18" East 124.80 feet; thence North 70° 48' 39" East 20.35 feet; thence North 0° 57' 03" East 714.42 feet to the point of beginning. Description contains 32.73 acres.

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TABLE B

EXHIBIT "B"

LOT #	SQUARE FEET	MAXIUM FLOOR AREA	MAXIUM SITE DISTURBANCE
LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F.
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F.
LOT 3	49,336 S.F.	7,250 S.F.	10,000 S.F.
LOT 4	81,380 S.F.	8,500 S.F.	12,000 S.F.
LOT 5	157,921 S.F.	10,000 S.F.	14,000 S.F.
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F.
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F.
LOT 8	64,921 S.F.	7,250 S.F.	10,000 S.F.
LOT 9	81,303 S.F.	8,500 S.F.	12,000 S.F.
LOT 10	281,972 S.F.	10,000 S.F.	16,000 S.F.
LOT 11	122,989 S.F.	10,000 S.F.	16,000 S.F.
LOT 12	80,190 S.F.	8,500 S.F.	12,000 S.F.
LOT 13	81,388 S.F.	8,500 S.F.	12,000 S.F.
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F.
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F.
LOT 16	58,077 S.F.	7,250 S.F.	10,000 S.F.
LOT 17	49,379 S.F.	7,250 S.F.	10,000 S.F.
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F.
LOT 19	78,352 S.F.	8,500 S.F.	12,000 S.F.
LOT 20	130,330 S.F.	10,000 S.F.	14,000 S.F.
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F.
LOT 22	98,309 S.F.	10,000 S.F.	14,000 S.F.
LOT 23	118,896 S.F.	10,000 S.F.	14,000 S.F.
LOT 24	125,517 S.F.	10,000 S.F.	14,000 S.F.
LOT 25	80,976 S.F.	8,500 S.F.	12,000 S.F.
LOT 26	186,994 S.F.	10,000 S.F.	16,000 S.F.
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F.
LOT 28	60,918 S.F.	7,250 S.F.	10,000 S.F.
LOT 29	64,391 S.F.	7,250 S.F.	10,000 S.F.
LOT 30	48,547 S.F.	7,250 S.F.	10,000 S.F.
LOT 31	43,069 S.F.	6,000 S.F.	10,000 S.F.
LOT 32	39,189 S.F.	6,000 S.F.	10,000 S.F.
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F.
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F.
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F.
LOT 36	37,722 S.F.	6,000 S.F.	10,000 S.F.
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F.
LOT 38	42,063 S.F.	6,000 S.F.	10,000 S.F.
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F.
LOT 40	44,458 S.F.	7,250 S.F.	10,000 S.F.
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F.
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F.
LOT 43	75,089 S.F.	8,500 S.F.	12,000 S.F.
LOT 44	98,348 S.F.	10,000 S.F.	14,000 S.F.
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F.

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EXHIBIT "C"

HIDDEN MEADOW SUBDIVISION
RECREATION OPEN SPACE PARCEL 3

Beginning at a point North 5704.31 feet and East 3793.03 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 east, Salt Lake Base and Meridian; and running thence North 88° 19' 31" West 353.13 feet to a point on a 88.00 foot radius curve to the right, whose radius point bears North 1° 40' 29" East; thence along the arc of said curve 266.24 feet thru a central angle of 173° 20' 48"; thence North 85° 01' 17" East 339.08 feet to a point on a 148.70 foot radius curve to the right, whose radius point bears South 4° 58' 43" East; thence along the arc of said curve 119.05 feet thru a central angle of 45° 52' 18" to a point on a 15.00 foot radius curve to the right, whose radius point bears South 40° 53' 36"; thence along the arc of said curve 26.22 feet thru a central angle of 100° 08' 48" to a point on a 201.21 foot radius curve to the left, whose radius point bears South 51° 02' 24" West; thence along the arc of said curve 165.45 feet thru a central angle of 47° 06' 47" to a point on a 15.00 foot radius curve to the right, whose radius bears North 86° 04' 23" West; thence along the arc of said curve 22.97 feet thru a central angle of 87° 44' 52" to the point of beginning. Description contains 2.09 acres. The basis of Bearing for the above description is South 00° 30' 11" West between the East Quarter corner and the southeast corner of Section 16.

Y:\VC\DOCS\HM-RO3.DES

EXHIBIT "D"

HIDDEN MEADOW SUBDIVISION PHASE 2
BOUNDARY DESCRIPTION
April 19, 1995

Beginning at the Northwest corner of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of Section 11 South 88° 47' 03" East 1240.30 feet; thence along the easterly end line of the Glegg No. 2 mining claim (Mineral Survey 6792) South 39° 40' 23" East 215.18 feet; thence along the easterly end line of the Glegg No. 3 mining claim South 38° 46' 13" East 606.70 feet; thence along the Southerly side line of the Glegg No. 3 mining claim South 75° 52' 07" West 1501.92 feet; thence along the Southerly line of the Woodrow No. 6 mining claim South 63° 17' 52" West 360.03 feet; thence North 0° 57' 03" East 142.10 feet to a point on a 675.00 foot radius curve to the left, whose radius point bears South 01° 58' 05" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53" to a point on a 15.00 foot radius curve to the right, whose radius point bears North 05° 57' 58" West; thence along the arc of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 50.00 foot radius curve to the left, whose radius point bears South 43° 53' 40" West; thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36"; thence North 07° 11' 05" West 317.18 feet; thence North 89° 32' 18" East 124.80 feet; thence North 70° 48' 39" East 20.35 feet; thence North 0° 57' 03" East 714.42 feet to the point of beginning. Description contains 32.73 acres.

Y:VC/DOCS/HMBRY2.DES

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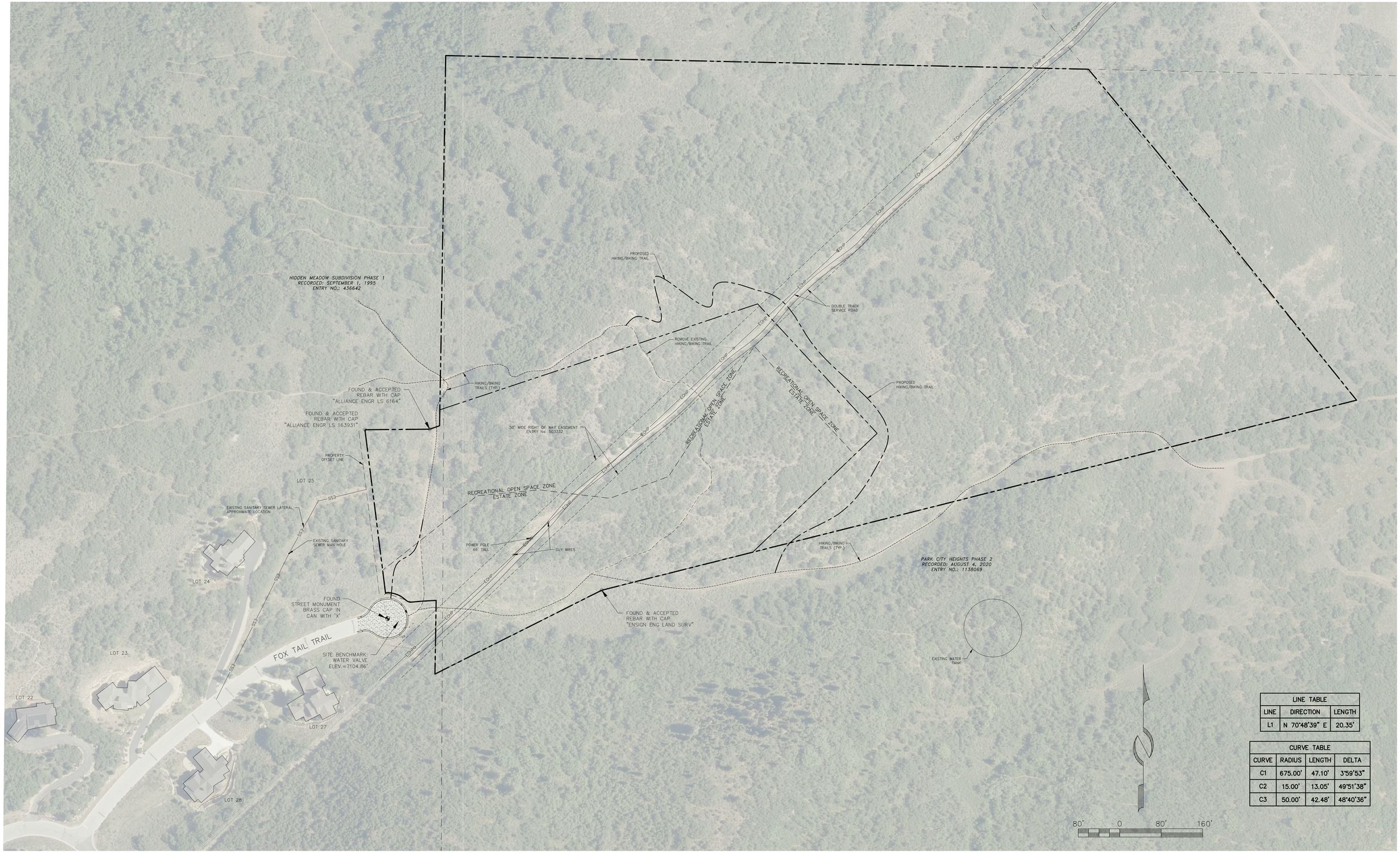

LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 70°48'39" E	20.35'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	675.00'	47.10'	3°59'53"
C2	15.00'	13.05'	49°51'38"
C3	50.00'	42.48'	48°40'36"

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

STAFF:
MICHAEL DEMKOWICZ
DUSTIN CARRISH
BRAYLON ROSE

DATE: 11/29/21

OVERALL SITE MAP
FOX TAIL SUBDIVISION

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\projects\191120 Fox Tail subdivision Redus\191120-civil.dwg

SHEET 1 **OF** 5

HIDDEN MEADOW SUBDIVISION PHASE 1
RECORDED: SEPTEMBER 1, 1995
ENTRY NO.: 436642

FOUND & ACCEPTED REBAR WITH CAP "ALLIANCE ENGR LS 6164"

FOUND & ACCEPTED REBAR WITH CAP "ALLIANCE ENGR LS 163931"

PROPERTY OFFSET LINE

LOT 25

LOT 24

LOT 27

EXISTING SANITARY SEWER LATERAL APPROXIMATE LOCATION

EXISTING SANITARY SEWER MAN HOLE

SS3

HIKING/BIKING TRAILS (TYP.)

PROPOSED HIKING/BIKING TRAIL

REMOVE EXISTING HIKING/BIKING TRAIL

DOUBLE TRACK SERVICE ROAD

RECREATIONAL OPEN SPACE ZONE
ESTATE ZONE

ELECTRICAL BOX

WATER METER

TELECOM PEDESTAL

STORM DRAIN GRATE

FOUND STREET MONUMENT BRASS CAP IN CAN WITH 'X'

FOX TAIL TRAIL

SITE BENCHMARK:
WATER VALVE
ELEV.=7104.86'

FIRE HYDRANT

COMP

POWER POLE 66' TALL

GUY WIRES

80'-WIDE RIGHT OF WAY EASEMENT ENTRY No. 503332

FOUND & ACCEPTED REBAR WITH CAP "ENSIGN ENG LAND SURV"

PARK CITY HEIGHTS PHASE 2
RECORDED: AUGUST 4, 2020
ENTRY NO.: 1138069

ELECTRICAL OVERHEAD POWER & POWER POLES (TYP.)

7070 7080 7090 7100 7110 7120 7130 7140

40' 0 40' 80'

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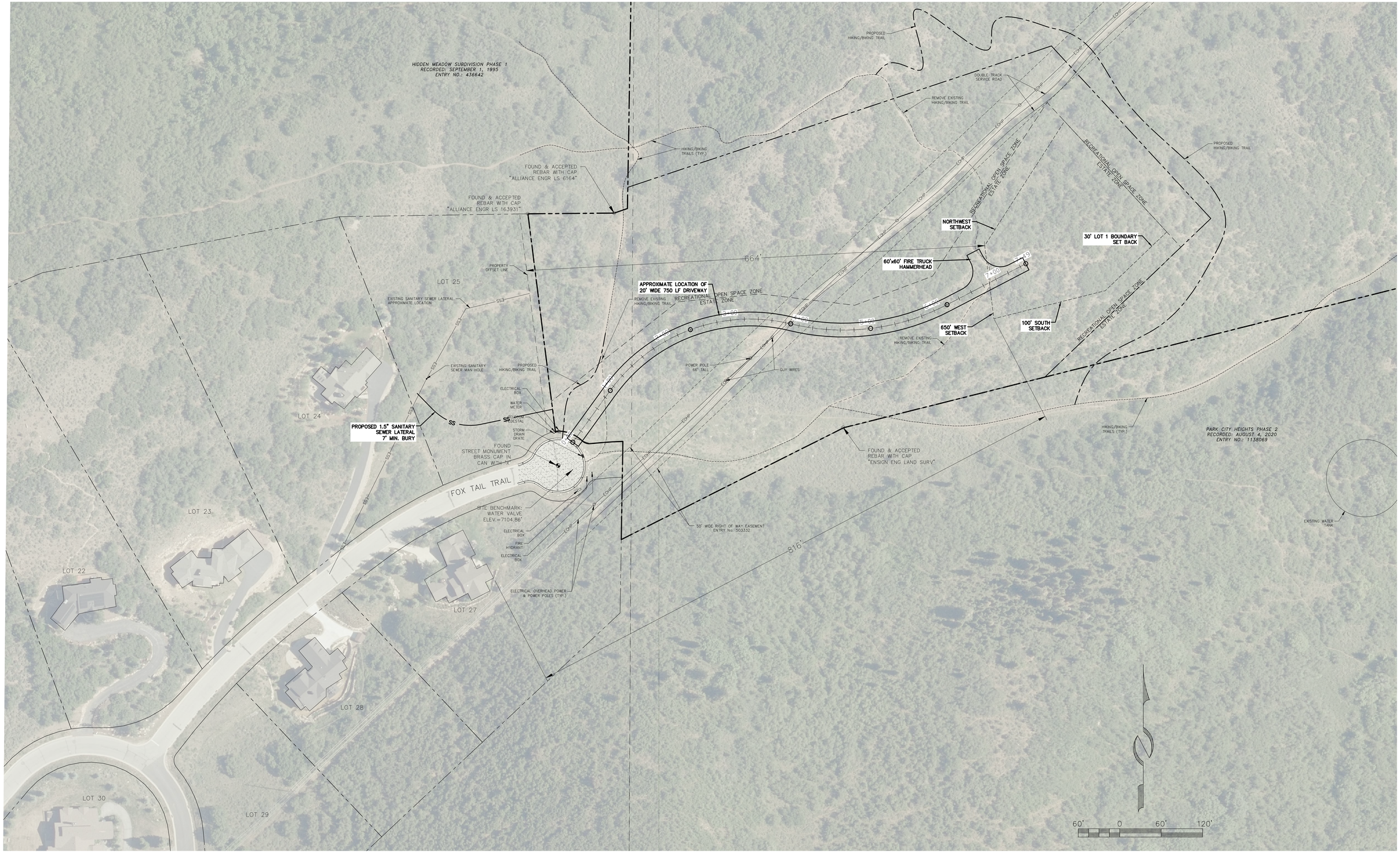
323 Main Street P.O. Box 2664 Park City, Utah 84060-2664

STAFF:
MICHAEL DEMKOWICZ
DUSTIN CARRISH
BRAYLON ROSE

DATE: 11/29/21

EXISTING CONDITIONS & TOPOGRAPHY MAP
FOX TAIL SUBDIVISION

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\projects\191120 Fox Tail subdivision Redus\191120-civil.dwg



(435) 649-9467

Alliance Engineering Inc.

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

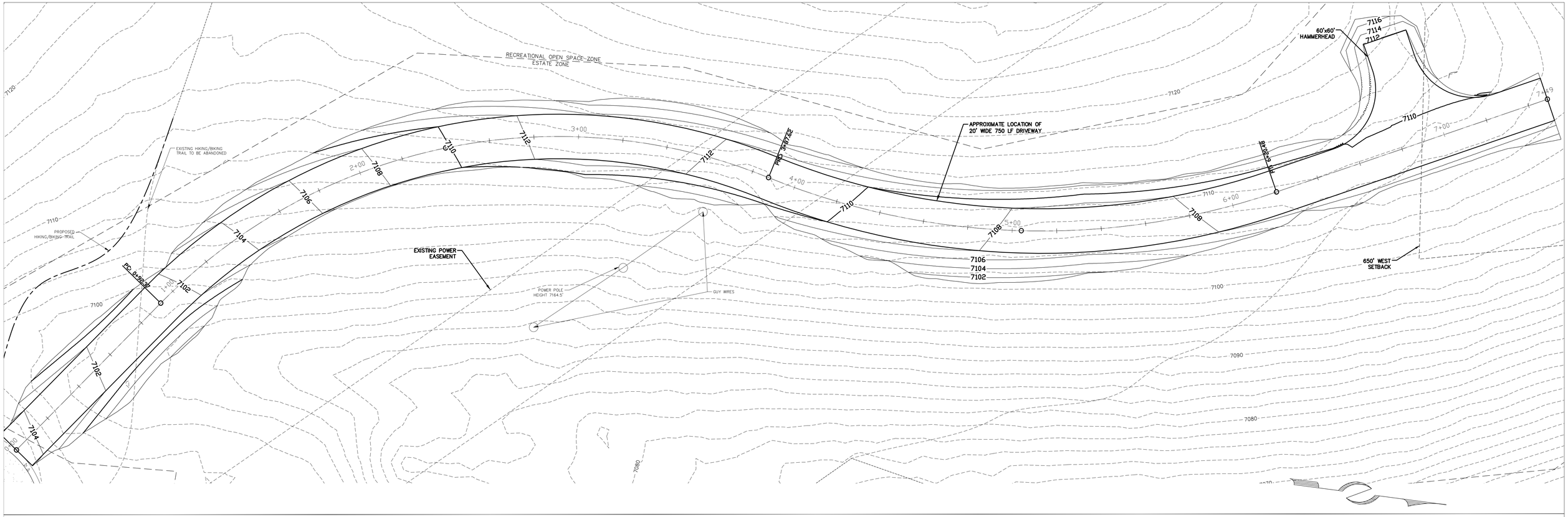
STAFF:
MICHAEL DEMKOWICZ
DUSTIN CARRISH
BRAYLON ROSE

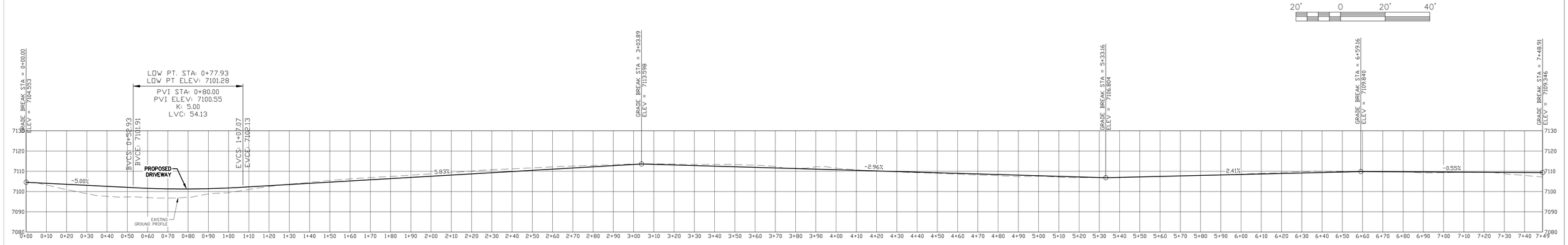
DATE: 11/29/21

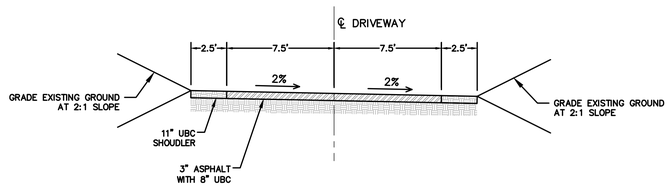
PROPOSED SITE PLAN
FOX TAIL SUBDIVISION

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\projects\191120 Fox Tail subdivision Redus\191120-civil.dwg

SHEET 3 OF 5







DRIVEWAY SECTION

5' 0 5' 10'

EARTHWORK CALCULATIONS
CUT VOLUME: 675 Cu. Yd.
FILL VOLUME: 756 Cu. Yd.
NET VOLUME: 81 Cu. Yd. (FILL)

NOTE: EARTHWORK CALCULATIONS DO NOT INCLUDE ASPHALT THICKNESS AND SUB BASE

DRIVEWAY LIMITS OF DISTURBANCE
AREA: 26,909 SQ FT

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

STAFF:
MICHAEL DEMKOWICZ
DUSTIN CARRISH
BRAYLON ROSE

DATE: 11/29/21

PARCEL 26 DRIVEWAY & PROFILE
FOX TAIL SUBDIVISION

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\projects\191120 Fox Tail subdivision Redus\191120-civil.dwg

SHEET 4 OF 5

GAMBLE OAK TREE CLUSTER

GAMBLE OAK TREE CLUSTER

APPROXIMATE LOCATION OF 20' WIDE 750 LF DRIVEWAY

RECREATIONAL OPEN SPACE ZONE ESTATE ZONE

NORTHWEST SETBACK

RECREATIONAL OPEN SPACE ZONE ESTATE ZONE

60'x60' FIRE TRUCK HAMMERHEAD

GAMBLE OAK TREE CLUSTER

30' LOT 1 BOUNDARY SET BACK

650' WEST SETBACK

GAMBLE OAK TREE CLUSTER

100' SOUTH SETBACK

RECREATIONAL OPEN SPACE ZONE ESTATE ZONE

POWER POLE 66' TALL

GUY WIRES

SS3

SS

ECHP

30' 0 30' 60'

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

STAFF:
MICHAEL DEMKOWICZ
DUSTIN CARRISH
BRAYLON ROSE

DATE: 11/29/21

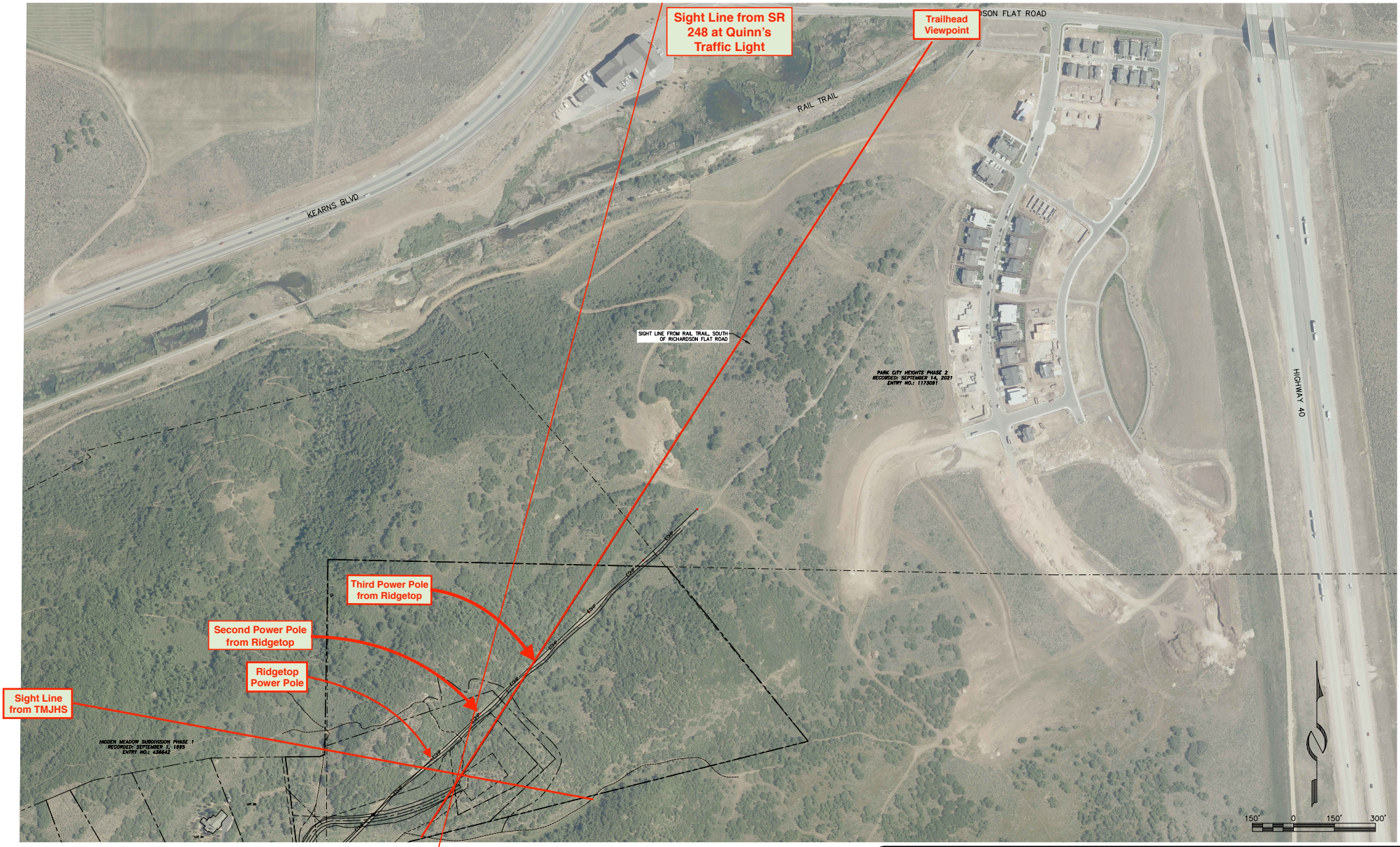
LOT 1 AERIAL & VEGETATION MAP
FOX TAIL SUBDIVISION

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\projects\191120 Fox Tail subdivision Redus\191120-civil.dwg

SHEET 5 **OF** 5


ROUND VALLEY DRIVE
33' Home NE of sightline to 2nd power pole from top
SHOULDER
BUSES ALLOWED
24 HOURS


33' Home on far side of hilltop



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

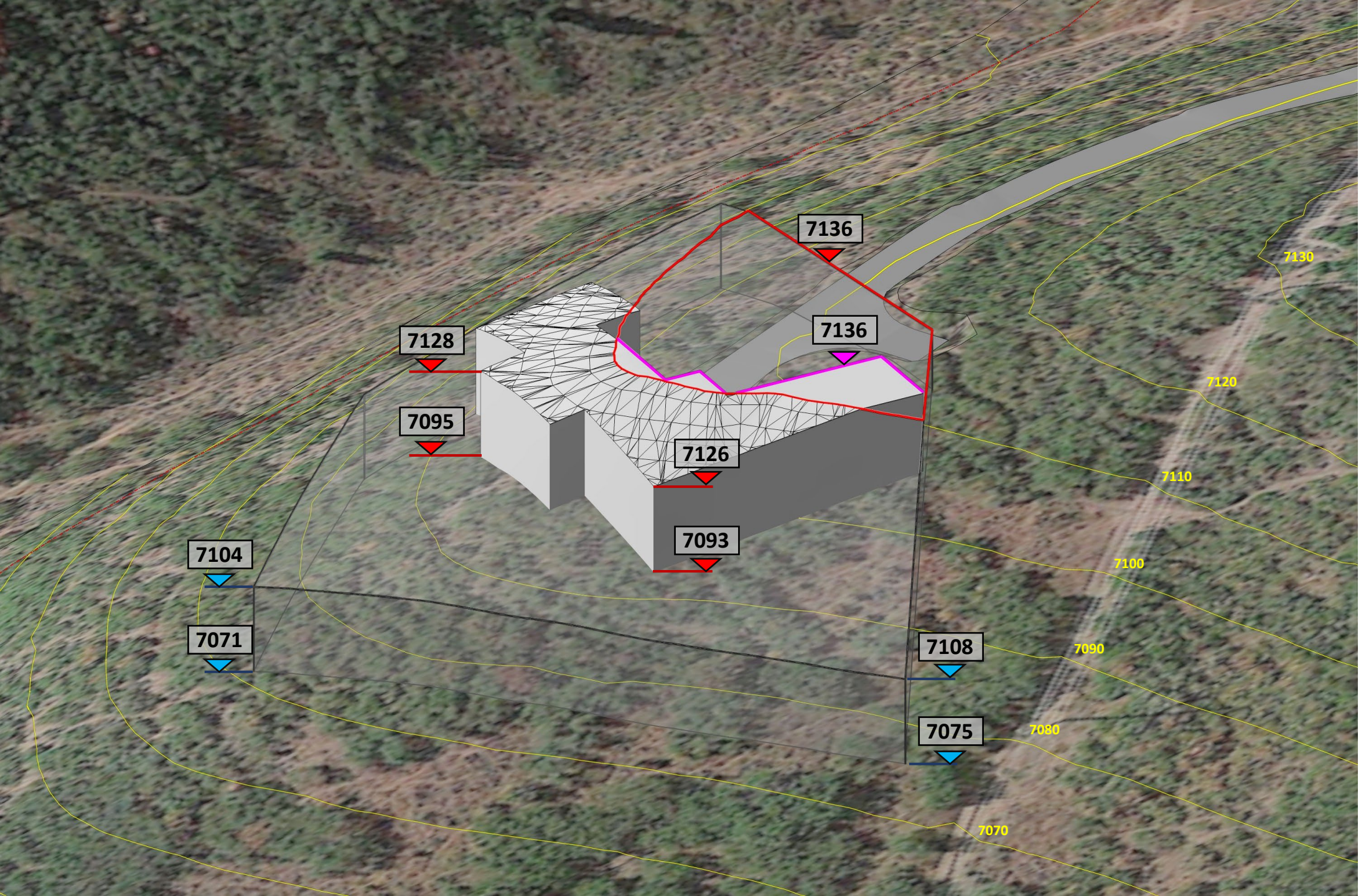
STAFF:
CHARLES GALATI
DUSTIN CARRISH
BRAYLON ROSE

DATE: 9/28/21

RAIL TRAIL SIGHT LINE
FOX TAIL SUBDIVISION

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\projects\191120 Fox Tail subdivision Redus\191120-civil.dwg

SHEET 5 OF 5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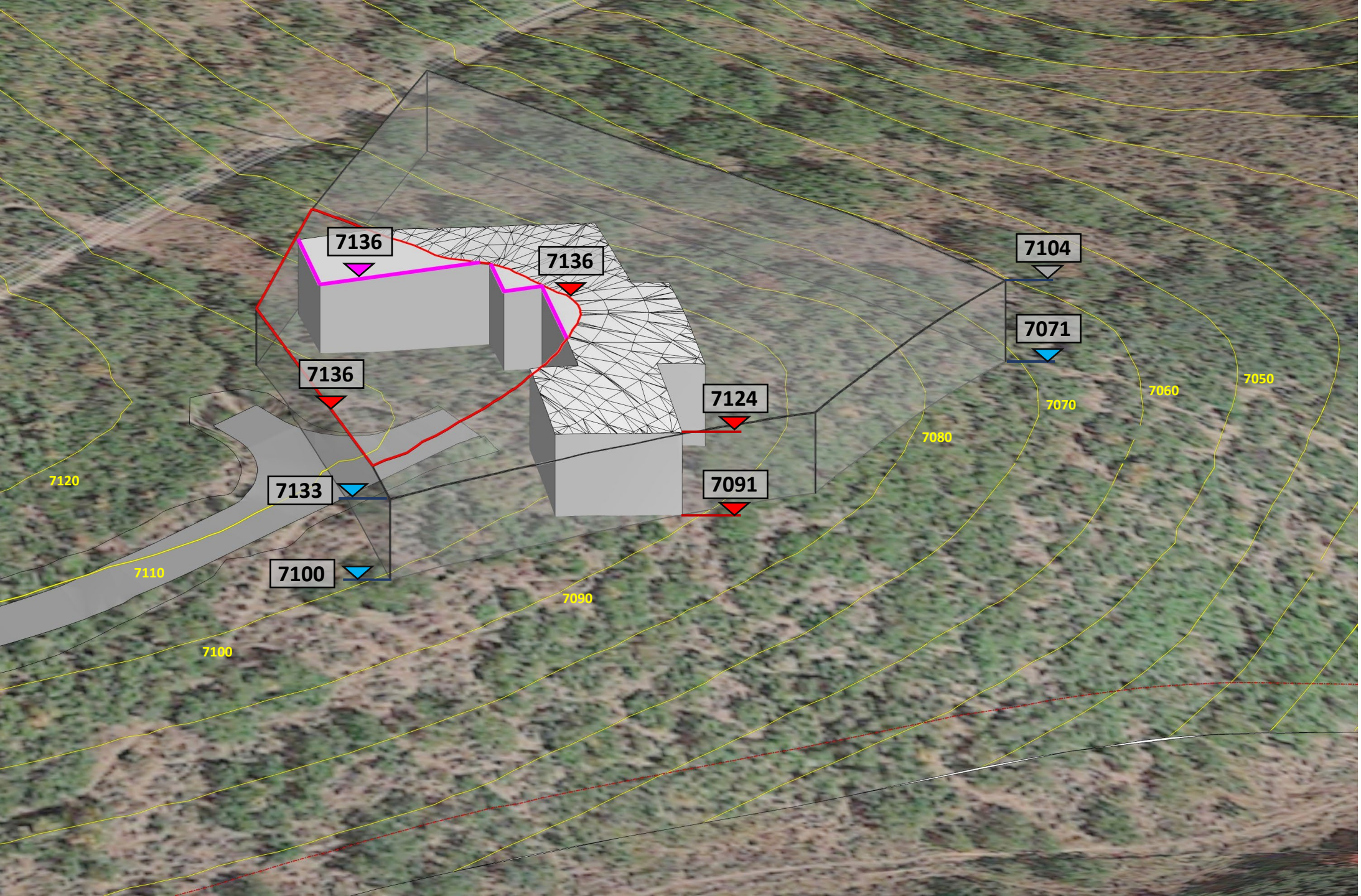
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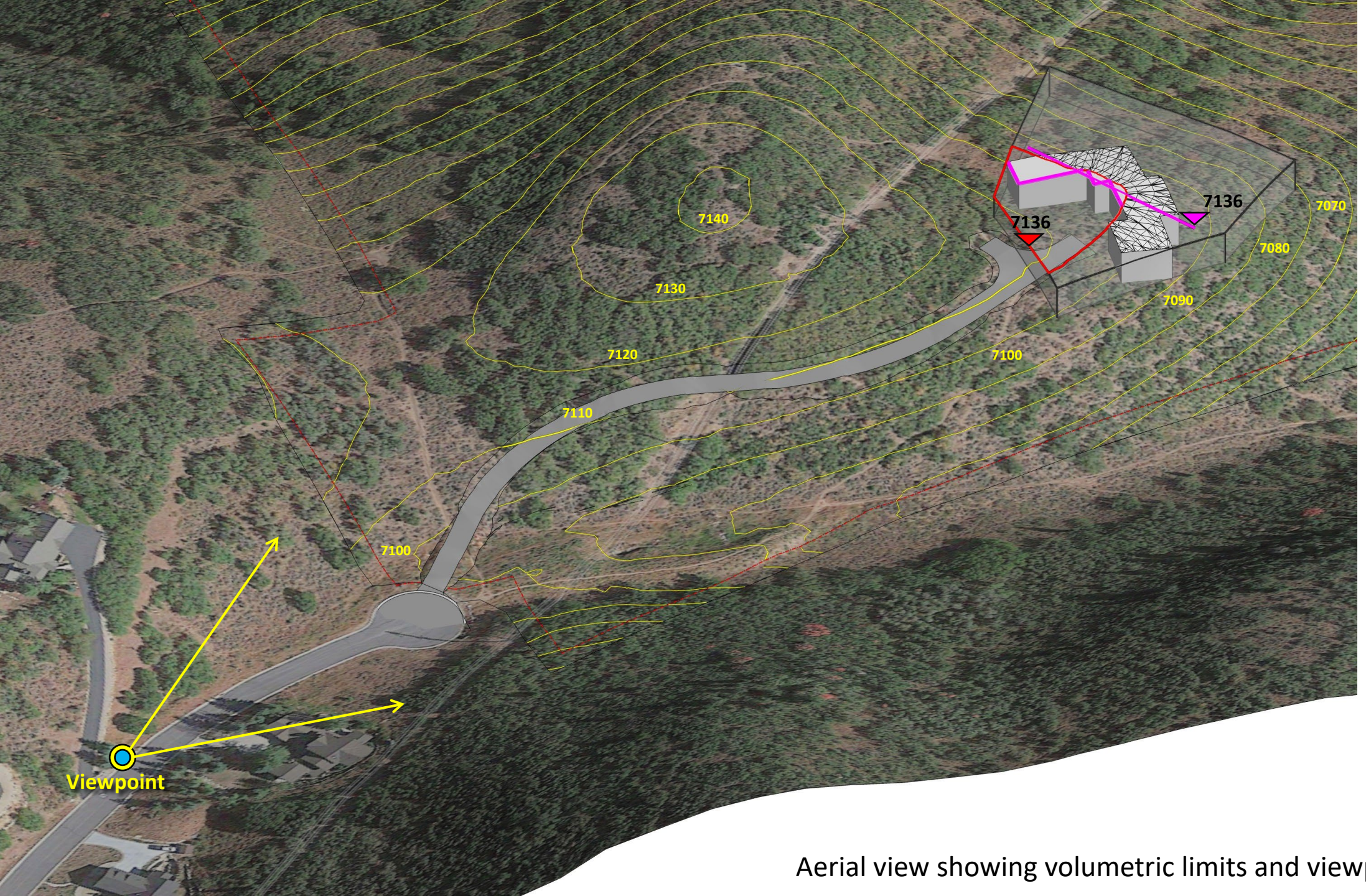

Aerial view showing volumetric limits and viewpoint


Existing View



Proposed volumetric limits and approximate driveway


Existing View



Proposed volumetric limits and approximate driveway

Julie Schultz

From: Mary Dannelley <mary@dannelleylaw.com>
Sent: Sunday, October 31, 2021 8:37 PM
To: planning
Cc: Browne Sebright; Mike Dannelley
Subject: [External] 3805 Fox Tail Trail and Fox Tail Trail Subdivision
Attachments: PC Planning Commission Ltr 10.31.2021-Signed.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Please see attached correspondence of today's date regarding the above-referenced property.

Mary Dannelley
mary@dannelleylaw.com

Julie Schultz

From: barbara <barjay2@yahoo.com>
Sent: Friday, October 29, 2021 12:17 PM
To: Browne Sebright
Cc: planning
Subject: [External] 3805 Fox Tail Trail
Attachments: 3805 letter to Commission 10 25 21.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

As a homeowner just around the corner on Solamere Drive, I strongly object to the proposed construction at 3805 Fox Tail Trail. The 10,000 square foot rental house is completely out of scale with the surrounding neighbor hood and the intentions of the original plan for our community. This is a neighborhood of families, not disruptive rental houses.
Thank you,
Barbara Lewis
3709 Solamere

Julie Schultz

From: David Lesser <dlesser@peakxvrc.com>
Sent: Wednesday, November 3, 2021 10:13 PM
To: Browne Sebright
Cc: Dinny Lesser
Subject: [External] Fox Tail Trail Subdivision Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: 3805 Fox Tail Trail - Public Comment

[CAUTION] This is an external email.

Planning and Zoning Commissioners
Planner Browne Sebright
445 Marsac Avenue (P.O. Box 1480)
Park City, UT, 84060

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Dear Commissioners and Planner Sebright:

My name is David Lesser and my wife and I own the property within the Hidden Meadows Subdivision located at 19 Fox Wood Court. My wife and I oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac so long as the subdivision does not contain a restriction against nightly and other short term rentals at the subject property. Permitting nightly rentals such as an AirBNB will create inappropriate congestion in the neighborhood and is inconsistent with the restrictions on all of the properties within Hidden Meadows. The owners within Hidden Meadows have chosen to live within a subdivision that prohibits nightly rentals and allowing the subject property to conduct nightly rentals will flout the desires of all Hidden Meadows homeowners. Given that the subject property is totally surrounded by Hidden Meadows, it should be subject to the same rental restrictions as the Hidden Meadows properties.

Respectfully submitted,
David Lesser and Diane Lesser

Julie Schultz

From: Jantzen, David <djantzen@deloitte.com>
Sent: Friday, October 29, 2021 1:31 PM
To: Browne Sebright; planning
Subject: [External] Hidden Meadows HOA - Fox Tail Trail Subdivision Proposal
Attachments: 3805 letter to Commission 10 25 21.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

PC Planning Commission,

I object to the proposed construction at 3805 Fox Tail Trail. I agree 100% with everything in the attached letter written by a fellow Hidden Meadows resident. I live on Solamere just a couple lots from this property. I am very surprised this request is being taken seriously by the city. It would be an eyesore to the entire community. I would have never purchased and built on our home on Solamere over the past 2 years if we knew the city would change the planned usage of this property on Fox Tail.

Thank you,

David

David Jantzen
Deloitte Consulting LLP
Mobile: (404) 518 7261

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v.E.1

Julie Schultz

From: Michelle Yacoel <myacoel@me.com>
Sent: Monday, November 1, 2021 9:33 PM
To: Browne Sebright; planning
Cc: Claude Yacoel
Subject: [External] Homeowner Objection to Permit # PL-21-04865 and Permit # PL-21-04826, 3805 Fox Tail Trail and Fox Tail Trail Subdivision Proposal

[CAUTION] This is an external email.

Dear Commissioners and City Planner Sebright:

My name is Michelle Yacoel, and my husband and I own the home at 20 Foxwood Court, in Hidden Meadows. We have owned our home for 11 years and enjoy living in Park City very much. We chose to live in the Hidden Meadows subdivision specifically because of the peaceful nature of the community. We also enjoy the convenient access to the many area trails and the mountain for skiing. The Hidden Meadows HOA has never allowed nightly or even monthly rentals. This issue has come up periodically, and it has always failed by a large margin of votes. Even last year, it was put to another vote and failed. These rules have been in place from the beginning of the development, and we have all always abided by them. We strongly and vehemently oppose the plat amendment and rezoning of the property on Fox Tail Trail. **This community is special because everyone is an owner resident.**

It is incorrect for the Planning Commission to suggest that changing the existing rules by carving out a single property is a minor issue- it is definitely a major issue. This would also set a very bad precedent by the planning commission to allow one property owner the ability to completely rezone their property and take it out of an existing association and neighborhood. This property is not located in the middle of nowhere, unincorporated and on its own, it is in the middle of multiple neighborhoods, at the end of a cul-de-sac, in an existing and thriving community.

We also object to any development outside the Ridgeline restrictions, this giant home will be very visible and completely out of character for the area and neighborhood. We also object to the re-routing and alteration of the beautiful trails and the major disruption to the open space around this property that benefits the entire community of Park City.

Finally, the neighborhood has voted, as recently as last year, to not allow short term rentals (nightly or monthly). Nightly rental homes, drastically change the feeling of a neighborhood. I often walk in the neighborhood and have seen the two homes recently completed on Hidden Oaks Lane that are on VRBO for nightly rentals- they are advertised as accommodating 30 people! These homes do not add to our community, they are a significant negative addition. The many cars create traffic on Solamere Drive and the parties and noise disturbances are a nuisance for everyone. Please do not approve this project. It goes against the wishes of every tax paying, long standing Park City community member in the area.

The City Council of Park City developed four strategic goals to guide decision-making and achieve the community's vision and core values. They are: Sense of Community, Natural Setting, Historic Character, and Small Town.
This proposed project does not line up with the Park City Community Vision and Core Values and should not be allowed to pass.

Please read the letters submitted to you by Mr. Randy Johnston, the adjacent homeowner. He has done a very good job explaining the thoughts and feelings of all of our neighbors.

Thank you for your time and attention to this important issue.

Sincerely,

Michelle Yacoel

20 Foxwood Court
Park City, Utah 84060

714-612-3003

Julie Schultz

From: Lisa Power <lisa@mrbenson.com>
Sent: Monday, November 1, 2021 7:33 AM
To: Browne Sebright; planing@parkcity.org
Cc: Mike Benson
Subject: [External] Opposition to 3805 Fox Tail Trail Subdivision Proposal
Attachments: 3805 Fox Tail Trail Proposal.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Commissioners and Planner Sebright:
Please see attached letter expressing our strong opposition to the application for development of 3805 Fox Tail Trail.

Thank you,

Luisa Power
Mike Benson
3661 Solamere Drive
Park City, UT 84060

Julie Schultz

From: Matthew Leventhal <mleventhal@gmail.com>
Sent: Sunday, November 7, 2021 5:52 PM
To: Browne Sebright; planning
Cc: Brady Leventhal
Subject: [External] Opposition to Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal
Attachments: 3805 Fox Tail Trail Comment to Planning.pdf

Categories: 3805 Fox Tail Trail - Public Comment

[CAUTION] This is an external email.

Dear Park City Planning Commissioners and Planner Sebright,

Please find attached our opposition to the current permit for the 3805 Fox Tail Trail Development plan,

Please do not hesitate to contact us should you have any questions.

Regards,

Matt and Brady Leventhal
3781 Fox Tail Trail

Julie Schultz

From: Stephany Richmond <Srichmond@furnwarehouse.com>
Sent: Monday, November 1, 2021 2:36 PM
To: Browne Sebright
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Objection subdivision propsal

[CAUTION] This is an external email.

Planning and Zoning Commissioners
Planner Browne Sebright
445 Marsac Avenue (P.O. Box 1480)
Park City, UT, 84060

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Dear Commissioners and Planner Sebright

My name is Stephany Richmond, I have a family owned property very close to the subject property. My address is 43 Fox Glenn Circle. I have had my property since 2013. I oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac.

I will also add that I have neighbors who walk past our house regularly and express agreement with these points. The opposition to this application is larger than the number of letters you receive.

I have failed completely in my efforts to understand why Planner Seabright is such an advocate for this application. At the last hearing when Acting Chair asked Planner Seabright to confirm that the 23 acres the applicant has proposed giving to the city are in fact undevelopable and already controlled by the City, it seemed as if Planner Seabright tried to avoid answering that question in the affirmative, even though the answer was obviously yes. So, as a result of my concerns that the Commission may not be getting the full story, I ask you to consider what I believe to be undisputed facts below.

1. It is wrong to suggest that this is a minor change. It is a major change! Neighbors and the Hidden Oaks HOA have followed the rules applicable to this property and their own properties for decades now. These existing rules, zoning, and ordinances have served the community well and there is no reason to change them to

accommodate this late-arriving applicant. We follow the existing rules. He should too.

2. This is not a situation of someone unfairly suffering under zoning and building restrictions. Rather, it is a situation of someone buying a distressed property at foreclosure with full knowledge of restrictions that prohibit its development and then requesting that those restrictions be lifted to enrich him alone.

3. It is not true that there was always a house contemplated on "this property." Staff has suggested that the prior designation of a Lot 26 makes this application just an extension of that original contemplation and therefore not that unreasonable. But, that is just not true.

- The original Lot 26 shows a 3-4 acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8 acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8 acre tract.
- And the 3-4 acres of Lot 26 in the Estate District is not susceptible to development. The ridgeline limitation and the power line easement make it virtually impossible to develop the only part of the property in the Estate District.
- This impossibility was well known when the applicant bought this land. It is not a new restriction that unfairly burdens an old property he has held since before these restrictions.
- That limitation on development of the current Estate District 3-4 acres that he purchased is precisely why the applicant wants to replat and rezone to expand the size of the Estate District designation to an 8 acre tract instead.

4. It is wrong for staff or the applicant to suggest that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because the HOA did not annex Lot 26 earlier.

- No one knows exactly why Lot 26 was not annexed into the HOA but it probably has to do with the fact that there was no reason to do so since it was impossible to build on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements and the rest of the property was zoned recreational use only.
- And of course, it is possible it was just an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure

sale with a drastic modification of existing zoning and platting restrictions on the property.

- Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this applicant is now suggesting: an 8 acre development tract with a 700+ foot driveway and a 10,000 ft.² residence that would disrupt the entire neighborhood by nightly rentals.

5. The offsetting gift of 23 acres to the city - in exchange for this proposed alteration of decades-old zoning and platting to accommodate new development plans that disrupt the neighborhood - is not much of a gift.

   - The applicant cannot build on the 23 acres anyway, due to ridgeline and zoning restrictions.
   - The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.

6. It is wrong to think this proposal is just another house in the existing neighborhood. The applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 ft.² nightly rental facility. Basically a small hotel.

   - When asked why he would not consider joining the HOA, applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules.
   - By that comment, the applicant shows how little he cares about the neighborhood and the neighbors who have relied upon and complied with these rules since 1994.
   - The applicant also ignores the fact that the HOA voted just last year on a proposed modification of the *one-year-only* rental limitation and the members voted to keep this restriction in place. Thus, the restriction is not a 1994 restriction, it is for us a 2020 restriction.

7. The only reason this proposed development can even be considered is the fact that Hidden Meadows homeowners -about whom the applicant cares so little-have for decades paid taxes and dues to finance the construction and maintenance of streets and utilities leading to his property. Hidden Meadows and Hidden Oaks homeowners will be paying taxes to plow the streets to reach the hotel structure contemplated by this proposed development. One must drive past every taxpayer in every single house in the Hidden Meadows and Hidden Oaks to get to this property.

8. If this structure is permitted, there will be nothing like it anywhere in the neighborhood.

- No other house in the neighborhood has a 10,000 ft.² footprint with the 33 foot height.
- No other house in the neighborhood has a 700+ foot driveway.
- No other house in the neighborhood has a total area of disturbance exceeding 23,000 ft.² (Even more if you consider the sewer disruption.)
- No other house in the neighborhood permits short-term rentals.
- Nor the house in the neighborhood requires alterations to the existing trail structure.

9. It is wrong to say that this structure would not interfere with the ridgeline view. The applicant showed pictures of the proposed development from Kearns, but did not show pictures of the proposed development from the actual street on which it would be built. I have attached pictures of this site looking down Fox Tail Trail as it now is and then with the addition of a 10,000 ft.² structure that is 33 feet high. The visual obstruction, as you can see, is significant.

10. It is wrong to think of the 700+ ft. driveway as a concession to the homeowners to mitigate noise and disruption.

    - The construction of a 10,000 ft.² residence cannot proceed unless it is 700+ feet from the cul-de-sac because of the ridgeline restrictions and the utility easement.
    - The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood.
    - The likelihood is this driveway will actually become a parking lot for nightly rental residents.

Thank you for your consideration of these matters. I hope they persuade you that these applications should be denied.

Stephany Richmond
The Furniture Warehouse
7155 16th Street East Suite 101
Sarasota Florida 34243
Phone 941-359-2255 x312
Fax 941-359-2244
SRichmond@TheFurnitureWarehouse.com



All purchase orders are subject to The Furniture Warehouse's Terms and Conditions that are available online at http://vendors.furnwarehouse.com

Julie Schultz

From: Sarah Ryland <sarahryland4@gmail.com>
Sent: Friday, October 29, 2021 4:26 PM
To: Browne Sebright; planning
Cc: Padre
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Commissioners and Planner Sebright:

Our names are Kyle and Sarah Ryland and we reside at 3763 Fox Tail Trail. We oppose the application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac. This development tract with a 700+ foot driveway and a 10,000 ft.2 residence will disrupt the entire neighborhood with nightly rentals. The visual and physical obstruction is significant, as well as the negative impact it will have on the natural wildlife and trail system. This proposal is NOT another house in the existing neighborhood.

- No other house in the neighborhood has a 10,000 ft.2 footprint with the 33 foot height.
- No other house in the neighborhood has a 700+ foot driveway.
- No other house in the neighborhood has a total area of disturbance exceeding 23,000 ft.2 (Even more if you consider the sewer disruption.)
- No other house in the neighborhood permits short-term rentals.
- Nor the house in the neighborhood requires alterations to the existing trail structure.

Neighbors and the Hidden Oaks HOA have followed the rules applicable to this property and their own properties for decades now. These existing rules, zoning, and ordinances have served the community well. When asked why the developer would not consider joining the HOA, applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules. The applicant also ignores the fact that the HOA voted just last year on a proposed modification of the one-year-only rental limitation and the members voted to keep this restriction in place. Thus, the restriction is not a 1994 restriction, it is for us a 2020 restriction. Hidden Meadows homeowners have for decades paid taxes and dues to finance the construction and maintenance of streets and utilities leading to his property. Hidden Meadows and Hidden Oaks homeowners will be paying taxes to plow the streets to reach this airbnb like structure contemplated by this proposed development.

The offsetting gift of 23 acres to the city - in exchange for this proposed alteration of decades-old zoning and platting to accommodate new development plans that disrupt the neighborhood - is not much of a gift. The applicant cannot build on the 23 acres anyway, due to ridge line and zoning restrictions. The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.

Thank you for your consideration of these matters. I hope they persuade you that these applications should be denied. It is both ruining the aesthetics of our neighborhood along with our property value.

Sincerely,
Sarah & Kyle Ryland

Julie Schultz

From: Michael Haney <mhaney@apple.com>
Sent: Monday, November 1, 2021 6:23 AM
To: Browne Sebright; planning
Cc: Nana Haney
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Commissioners and Planner Seabright -

We're property owners in the Hidden Meadows subdivision in Park City (67 Fox Glen Circle). I think you have heard from Randy Johnston as well as a number of our fellow neighbors who oppose the referenced development. I won't repeat all of Randy's arguments against the proposed development, but we do share in his and our neighbor's opposition. When we built our home in Hidden Meadows, we didn't seek exceptions to alter Fox Tail Trail which runs through and along our property line because we valued the trail as an asset to our community and felt that leaving the trail undisturbed was simply, the right thing to do. While we respect an owner's right of use, we do feel there is an overriding need to insure that that right doesn't run afoul of either HOA rules or in this case, "norms" for a neighborhood / development. I would encourage you to take a drive by the two, recently built rental homes on Hidden Oaks Lane, canvass their neighbors on their experience with nightly rentals, traffic, noise and whether a small "hotel" works in a residential neighborhood. I don't think we want to potentially repeat those same issues with this proposed development.

We would appreciate your consideration of ours and our neighbor's input on this proposal.

Sincerely,

Michael & Nana Haney

Julie Schultz

From: Elisa McLean <elisalmclean@gmail.com>
Sent: Monday, November 1, 2021 3:22 PM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal
Attachments: 3805 letter to Commission 10 25 21.pdf

[CAUTION] This is an external email.

Dear Commissioners and Planner Sebright,

My name is Elisa Bernard McLean and my husband and I own the property at 28 Foxwood Court in the Hidden Meadows Subdivision. We strongly oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul de sac.

I have attached a letter sent by my neighbor, Randy Johnston, and fully agree with and support the statements he has made in opposition of said development.

Thank you in advance for your thoughtful consideration of these matters and ultimate denial of these applications.

Best,
Elisa Bernard McLean

elisalmclean@gmail.com
630-280-9190 cell

Julie Schultz

From: Lisa Baronsky <lisa@baronsky.com>
Sent: Monday, November 1, 2021 10:19 PM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

[CAUTION] This is an external email.

Dear Commissioners and Planner Sebright:

I am writing to you to express my strong opposition to the application for development of 3805 Fox Tail Trail. I agree with the letter submitted by Randy Johnson, dated October 25, 2021. Furthermore, I would like to reiterate that the Hidden Meadows HOA prohibits short-term rentals. This restriction was in place when we purchased our home ten years ago and we voted to keep this restriction in place last year. There are many areas of Park City that allow short-term rentals, but the homeowners in Hidden Meadows have been firm in their commitment to restrict short-term rentals.

Thank you for your consideration of these matters.

Sincerely,

Lisa Baronsky

3805 Solamere Drive
Park City
310 779-2956
lisa@baronsky.com

Julie Schultz

From: nanci.palmintere@gmail.com
Sent: Wednesday, November 3, 2021 2:35 PM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Planning Commissioners and City Planner Sebright:

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

My name is Nanci Palmintere; our family owns the property around the corner at 3798 Solamere Dr. We **OPPOSE** the application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of an 8-acre lot at the end of the cul-de-sac.

This would be a **MAJOR** change for the worse to our quiet single-family home neighborhood. Whomever has suggested the proposed change is somehow "minor" is incorrect. By all objective criteria, it is a major change.

The speculator-applicant purchased the property (3805 Fox Tail Trail) at foreclosure with full knowledge of all existing restrictions that prohibit the proposed development – speculating that he could convince you to lift restrictions to maximize his for-profit business investment. It is incorrect for anyone to characterize this as a personal investment; when the plans are to operate a full-time, year-round for-profit "small hotel" Airbnb business at the site where the owner never intends to reside.

Our neighborhood is comprised only of individual single family residential homes – no "small hotel" businesses. The proposed use change does not comport with the original purpose of our neighborhood or its look and feel. Having a "small hotel"-like business at the end of a residential cul-de-sac with a single ingress/egress creates traffic and safety issues (just imagine kids playing roller hockey in the street when impaired out-of-town Airbnb-ers speed through the neighborhood). This property is directly adjacent to various Park City trails and negatively impacts the opportunity for Park City residents to access them.

All long-term Park City residents know there has never been "…a house contemplated on this property." Whomever among Planning Staff suggests that the prior designation of a "Lot 26" makes this application merely an extension of that original plan is incorrect & has made a mistake. Consider:

The original Lot 26 shows a 3–4-acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8-acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8-acre tract, and it must be denied.

The 3-4 acres of Lot 26 in the Estate District is not feasible to develop. The ridgeline limitation and the power line easement make it essentially impossible to develop the only part of the property in the Estate District. The speculator-applicant knew this full-well when he bought the property at foreclosure. It is not a new restriction that somehow "unfairly burdens" an old property he has held since before these restrictions were implemented. The ridgeline and other limitation on development of the current Estate District 3-4 acres that he purchased is precisely why the speculator-applicant wants to replat and rezone to expand the size of the Estate District designation to an 8-acre tract instead. This request must be denied.

I understand someone has put forth an argument that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because Hidden Meadows HOA did not, in years past, annex Lot 26. That argument holds no water and must be ignored. Most likely Lot 26 wasn't originally annexed into the HOA because it was impossible to build a home or "small-hotel" business on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements while the rest of the property was and is zoned recreational use only. Alternatively, lack of annexation may just be an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure sale with a drastic modification of existing zoning and platting restrictions on the property.

Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this speculator-applicant is now suggesting: an 8-acre development tract with a 700+ foot driveway and a 10,000 ft.² "small hotel" Airbnb for-profit business (rather than a residence). This change would disrupt the entire neighborhood with the onslaught of nightly rentals by people who care not one whit about our residential enjoyment.

The speculator-applicant is offering a 23 acre "quid pro quo gift" to the city in exchange for this proposed alteration of decades-old zoning and platting to accommodate his new year-round small-hotel plans that disrupt and alter the neighborhood. The "quid pro quo gift of 23 acres" to the city is not, in reality, a gift at all. *When is a gift not a gift?* Consider:

The applicant cannot build on the 23 acres anyway, due to ridgeline and zoning restrictions. He is not "giving up" anything at all. The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.

It is wrong to think this proposal is just another house in the existing neighborhood. The speculator-applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 square foot year-round for-profit "small hotel" business of nightly rentals – and ONLY nightly rentals.

When asked why he would not consider joining our existing HOA, the speculator-applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules. Let's be clear: we do not operate by 1994 rules. Our HOA voted just this past year on a proposed modification of our existing one-year-only rental limitation and the HOA members voted to keep this restriction in place. It is a modern restriction based on a current polling of residents.

It is incorrect and misleading to say that the proposed structure would not interfere with the ridgeline view. The speculator-applicant showed pictures of the proposed development from Kearns, but did not show pictures of the proposed development from the actual street on which it would be built. When viewed from Fox Tail Trail and our surrounding community, it is a MASSIVE intrusion on the ridgeline and therefore must be denied.

Someone has suggested the speculator-applicant has made a concession to the existing residential neighborhood to implement a 700+ foot driveway to operate his proposed “small hotel” Airbnb for-profit business. That is incorrect. It is incorrect and misleading to assert a 700+ ft. driveway is any concession at all; the construction of a 700+ foot driveway by the speculator-applicant is the only way he can proceed because of existing ridgeline restrictions and utility easements. The speculator-applicant is not “conceding” anything whatsoever.

The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood and must be denied.

Let’s look at a real-life Park City example of a similar Airbnb purpose-built house in a residential neighborhood: 65 Hidden Oaks Lane. This home was purpose-built to be a “small hotel” with 12 Bedrooms and 11 Bathrooms. The owner has never resided in the structure and operates it as a 365x24x7 full-time as a “small hotel” nightly rental through Airbnb and VRBO. For historical reasons, this house is not part of an HOA, and nearby HOA residents describe it as a full-time nightmare.

Here is a synopsis from Nextdoor.com of the detrimental impact to that neighborhood:

> In 2003, we had the good fortune to purchase a wonderful home in Lower Deer Valley. A place where we could spend time as a family hiking and exploring all of the amazing activities Park City offers. Sadly, our dream turned into a nightmare. An investor constructed a purpose-built house intended to be a full-time nightly rental with 12 -- count them, 12 – Bedrooms and 11 Bathrooms. This house was not intended to be someone’s residence. It is not intended to be someone’s vacation home or 2nd residence. It is a “small hotel” built for the sole purpose of renting it out on a nightly basis through Airbnb and VRBO.
>
> We do not have a Homeowner’s Association where we live, so there are no HOA restrictions on rentals. But this is not just a homeowner renting out their house once-in-awhile. This is anywhere between 12 to 40 people in this “house” on a nightly basis. Some are polite, but most are inconsiderate at best and downright vulgar at times. During the summer months, we love to sleep with our windows open so we are often awakened at 1 am, 2 am, 3 am and so on by loud music and shouting by out-of-town vacationers outside. Even with our windows closed, the noise is penetrating. Yes, we have called the police, multiple times – sometimes several times on the same night as have many of our neighbors. The property manager is very understanding (we have called him at 2 am as well to complain about the noise), but the owners just don’t seem to care so he is helpless to help us. Last night was one of the worst. At 3 am, the music was so loud, our windows were rattling. Two of our children, who are visiting us for the long weekend, asked the guests to please turn off the music and take their conversation inside. No go. Then we had to call the police (again). While waiting for the police, my wife explained – politely! - that they are renting a home in a residential neighborhood and should respect the noise ordinance. The vacationers replied they do not care as they are on vacation… It has left my entire family exhausted and depressed. We have worked so hard for so long to finally be a member of this wonderful community only to have our serenity denigrated by greedy business owners who have absolutely no respect for our community or regard for their neighbor’s welfare. The city government, whom we have contacted on numerous occasions, while sympathetic, claims they have no authority and that we have no recourse.

Please do not make us, the residents of Hidden Meadows, post a similar entreaty on Nextdoor.com due to a 10,000 square foot purpose-built nightly rental “small hotel” in our neighborhood.

Thank you for your consideration. Clearly, this application must be denied.

Respectfully,

Nanci Palmintere
3798 Solamere Drive
Park City, UT 84060

Julie Schultz

From: DANA ECKERT <deckert259@mac.com>
Sent: Tuesday, November 2, 2021 8:27 AM
To: Browne Sebright; planning
Cc: Andy Eckert
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail, Subdivision proposal
Attachments: smime.p7s; ATT00001.txt; ATT00002.htm

Dear Commissioners and Planner Sebright:

My name is Dana Eckert and my husband and I own 55 Fox Glen Circle. We oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac. This is basically constructing a hotel in a residential area and violates our neighbood covenants.

We have all bought into these neighborhoods because we wanted to live in a quiet residential area, and to allow these new renting rules and these bigger than currently allowed homes changes the entire neighborhood makeup.

This is a disturbing trend that has reared it's ugly head in the Hidden Oaks neighborhood and now threatens our Hidden Meadows subdivision as well.

The neighbors in Hidden Oaks have complained of wild parties, noises into the night, lack of security and screening of potential renters and a violation of the no renting rules that have previously existed in our neighborhoods per our different homeowner associations.

This is a complete disregard of the rights of us as property owners and not the first time that Park City puts new building over the consideration of the neighbors who have already bought into our neighborhoods and covenants.

We do not understand why Park City would even consider this application, which is essentially a hotel. It is completely wrong to think this proposal is just another house in the existing

neighborhood. The applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 ft.^{2} nightly rental facility. No matter how you look at it, this is a hotel.

We also want to voice our support for the letters written by Randy Johnson and his wife. I've shortened their points below, and added some of my own text, but we want to say we are in full support of what they have written to you.

1. This is a major change! Neighbors and the Hidden Oaks HOA have followed the rules applicable to this property and their own properties for decades now. These existing rules, zoning, and ordinances have served the community well and there is no reason to change them to accommodate this late-arriving applicant. We follow the existing rules. He should too.

2. This is not a situation of someone unfairly suffering under zoning and building restrictions. Rather, it is a situation of someone buying a distressed property at foreclosure with full knowledge of restrictions that prohibit its development and then requesting that those restrictions be lifted to enrich him alone.

3. ·The original Lot 26 shows a 3-4 acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8 acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8 acre tract.

4. It is wrong for staff or the applicant to suggest that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because the HOA did not annex Lot 26 earlier.

   · No one knows exactly why Lot 26 was not annexed into the HOA but it probably has to do with the fact that there was no reason to do so since it was impossible to build on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements and the rest of the property was zoned recreational use only.

   · And of course, it is possible it was just an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure sale with a drastic modification of existing zoning and platting restrictions on the property.

- Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this applicant is now suggesting: an 8 acre development tract with a 700+ foot driveway and a 10,000 ft.² residence that would disrupt the entire neighborhood by nightly rentals.

5. The applicant also ignores the fact that the HOA voted **just last year** on a proposed modification of the ***one-year-only*** rental limitation and the members voted to keep this restriction in place. **Thus, the restriction is not a 1994 restriction, it is for us a 2020 restriction.**

6. If this structure is permitted, there will be nothing like it anywhere in our neighborhood. This significantly changes our neighborhood. demographics.

- No other house in the neighborhood has a 10,000 ft.² footprint with the 33 foot height.
- No other house in the neighborhood has a 700+ foot driveway.
- No other house in the neighborhood has a total area of disturbance exceeding 23,000 ft.²(Even more if you consider the sewer disruption.)
- No other house in the neighborhood permits short-term rentals.
- Nor the house in the neighborhood requires alterations to the existing trail structure.

7. It is wrong to say that this structure would not interfere with the ridgeline view. The visual obstruction will be significant.

8. It is wrong to think of the 700+ ft. driveway as a concession to the homeowners to mitigate noise and disruption.

- The construction of a 10,000 ft.² residence cannot proceed unless it is 700+ feet from the cul-de-sac because of the ridgeline restrictions and the utility easement.
- The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood.
- The likelihood is this driveway will actually become a parking lot for nightly rental residents. This is already the case in the Hidden Oaks neighborhood.

Thank you for your consideration of these matters. I hope they persuade you that these applications should be denied.

Sincerely,

Dana and Andy Eckert

55 Fox Glen Circle

Park City, UT 84060

Julie Schultz

From: Joseph Shrader <shraderjm@comcast.net>
Sent: Friday, October 29, 2021 1:57 PM
To: Browne Sebright
Cc: planning
Subject: [External] Permit # PL-21-04865- 3805 Fox Tail Trail and Fox Tail Trail subdivision proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Commissioners and Planner Sebright

We are the owners of the property at 3648 Solamere in the Hidden Meadows subdivision.
We have owned our house for some twenty years. One of the major reasons we purchased the property was the prohibition in the HOA by-laws of nightly rentals. We much preferred a neighborhood where the residents didn't change much and they cared about the condition and appearance of their homes and those of the neighborhood community.
We have witnessed other areas of Park City where the allowance of nightly rentals have caused damage and disturbance to nearby neighbors.
We endorse and whole heartedly agree with the points in the letter to you from Randy Johnston dated October 25, 2021 regarding this matter.

We are opposed to this development.

Sincerely,

Marion & Janice Shrader

Sent from my iPad

Julie Schultz

From: Neil Malamud <neil@malcollc.com>
Sent: Sunday, October 31, 2021 11:57 AM
To: Browne Sebright
Subject: [External] PERMIT # PL-21-04865- 3805 FOX TRAIL

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

I am writing as the Hidden Meadows homeowner at 5 Hidden Court of many years,
in response to the Permit request #PL-21-04865- 3805 FOX TRAIL:

I have very grave concerns and numerous objections over the proposed granting of the above permit request.
To begin, the granting of a portion of the said property to the City is in no way sufficient, for any reason,
to alter the character of the long existing Hidden Meadows single family home community
to provide "the possibility of" nightly lodger accommodations and create a rental property business in the neighborhood.

The development of said property into a very tall/large structure presented as a residential home,
but in essence would operate as a commercial venture, ie a bed & breakfast with possibly nightly/short term rentals, creating a quasi lodging business
that belongs in a commercially zoned neighborhood, as apposed to a single family zoned neighborhood,
is in violation of the SPIRIT and RESPECT of a single family community/neighborhood!

This project would be alien to its neighborhood of private single family residences for numerous reasons.
The residents/homeowners of the Hidden Meadows community have a vested interest in maintaining a meaningful respect for the safety, privacy & serenity of their properties,
and their neighbors and with the assistance of the active HOA continue to keep the community safe and secure.

The original developers of Hidden Meadows created a quiet, private residential community, of single family homes built and/or
purchased by individuals, couples and families who were desirous of and paying for its HOA and real estate taxes
in order to live in a purely single family residential community.
Unfortunately, for the lot owner/developer who sees an opportunity in which to create a "business:,
through a "non-conforming use" is totally & completely inappropriate in Hidden Meadows.

I have a deep concerns for the severe adverse impact of more traffic and other unintended consequences on the neighborhood.
Furthermore, as a community resident, tax paying, respectful homeowner and neighbor
I STRONGLY request that the City NOT grant this permit request!

Sincerely,
Sandra A. Malamud,
5 Hidden Court
Home/Property owner

ucc

Neil N Malamud
941-928-5176
nnm@malcoinv.com

Julie Schultz

From: shai quarles <shai.quarles21@outlook.com>
Sent: Tuesday, November 2, 2021 8:46 AM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865-3805 Fox Tail Trail Subdivision Proposal
Attachments: PC Letter-1.docx

[CAUTION] This is an external email.

Provided is my letter for the subdivision proposal.

Thank you!

Julie Schultz

From: Joan Card <jcard@culpkelly.law>
Sent: Monday, November 1, 2021 9:44 AM
To: Browne Sebright; planning
Cc: randy@jtlaw.com; Mark Harrington; Matt Dias; Margaret Plane
Subject: [External] Proposed New Subdivision and Development at Fox Tail Trail
Attachments: 3805 letter to Commission 10 25 21[1258].pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Commissioners and City Staff:

Please see the attached package from our next door neighbor, Randy Johnston. We adopt and endorse it in its entirety. We are mystified how such a proposed action seems to be evading all the good reasons for meaningful outreach to the affected neighborhood, resulting in what appears to be a bias toward a commercial property owner who obtained the property from the mine company through foreclosure. In our past experience the City was very effective at outreach to people in the community with frequent neighborhood meetings in the homes of interested residents and homeowners. We think the proposed action illustrates the need for close City collaboration with the neighborhood. Adding "insult to injury" here, Randy, we and several other neighbors testified at the first Planning Commission meeting on this subject and requested to be contacted, heard, and notified of further developments. We have yet to hear from anyone in the Planning Department.

In addition to the points Randy made in his letter, we see that City staff is proposing an amendment to the Land Management Code to prohibit nightly rentals in the Hidden Oaks neighborhood immediately adjacent to ours. I'm aware of at least two homes that were recently constructed in Hidden Oaks, apparently on spec, as hotels. I'm aware because I walk by almost daily and the properties clearly are hosting multiple people, including attendees of corporate meetings that are run back and forth to meeting destinations by shuttle bus (with corporate signs on the door). We noticed one property owner was forced to put up a "No Parking" sign, like one you would see in a commercial district, in front of their house, presumably because of problems. These hotel properties have demonstrably changed the character of the neighborhood—including their farcical signage stating that the properties are "for residential use only." We applaud the City for its effort to amend the LMC to prevent this activity. We would hope that the City similarly would prevent the new subdivision and development—should it be allowed to go forward—from establishing a de facto hotel at the end of our small residential street.

Thank you for considering our issues and concerns. We hope for dialog and collaboration on the project going forward.

Incidentally, we have copied Mark Harrington, Margaret Plane, and Matt Dais on this email for their awareness. Joan has spoken with Mark Harrington about this project in the past and due to her personal relationship with Matt and Margaret, it seemed prudent to share for the purpose of disclosure and general awareness.

Truly,

/s/
Joan Card

Andy Dannerbeck
3764 Fox Tail Trail
Hidden Meadows, Lot 28

Julie Schultz

From: Michelle Spear <michelle@jtlaw.com>
Sent: Monday, October 25, 2021 1:18 PM
To: Browne Sebright; planning
Cc: Randy Johnston
Subject: [External] RE: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal
Attachments: 3805 letter to Commission 10 25 21.pdf

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION] This is an external email.

Attached is letter with enclosures from Randy Johnston.

Thanks,

Michelle Spear
Legal Assistant

JOHNSTON TOBEY BARUCH, P.C.
12377 Merit Drive, Suite 880
Dallas, Texas 75251
michelle@jtlaw.com
214.382.4520 direct
214.741.6260 Ext. 207

****
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Julie Schultz

From: phil.palmintere@gmail.com
Sent: Wednesday, November 3, 2021 2:29 PM
To: Browne Sebright; planning
Cc: phil.palmintere@gmail.com
Subject: [External] Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Planning Commissioners and City Planner Sebright:

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

My name is Phil Palmintere; our family owns the property around the corner at 3798 Solamere Dr. We **OPPOSE** the application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of an 8-acre lot at the end of the cul-de-sac.

This would be a **MAJOR** change for the worse to our quiet single-family home neighborhood. Whomever has suggested the proposed change is somehow "minor" is incorrect. By all objective criteria, it is a major change.

The speculator-applicant purchased the property (3805 Fox Tail Trail) at foreclosure with full knowledge of all existing restrictions that prohibit the proposed development – speculating that he could convince you to lift restrictions to maximize his for-profit business investment. It is incorrect for anyone to characterize this as a personal investment; when the plans are to operate a full-time, year-round for-profit "small hotel" Airbnb business at the site where the owner never intends to reside.

Our neighborhood is comprised only of individual single family residential homes – no "small hotel" businesses. The proposed use change does not comport with the original purpose of our neighborhood or its look and feel. Having a "small hotel"-like business at the end of a residential cul-de-sac with a single ingress/egress creates traffic and safety issues (just imagine kids playing roller hockey in the street when impaired out-of-town Airbnb-ers speed through the neighborhood). This property is directly adjacent to various Park City trails and negatively impacts the opportunity for Park City residents to access them.

All long-term Park City residents know there has never been "…a house contemplated on this property." Whomever among Planning Staff suggests that the prior designation of a "Lot 26" makes this application merely an extension of that original plan is incorrect & has made a mistake. Consider:

The original Lot 26 shows a 3–4-acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8-acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8-acre tract, and it must be denied.

The 3-4 acres of Lot 26 in the Estate District is not feasible to develop. The ridgeline limitation and the power line easement make it essentially impossible to develop the only part of the property in the Estate District. The speculator-applicant knew this full-well when he bought the property at foreclosure. It is not a new restriction that somehow "unfairly burdens" an old property he has held since before these restrictions were implemented. The ridgeline and other limitation on development of the current Estate District 3-4 acres that he purchased is precisely why the speculator-applicant wants to replat and rezone to expand the size of the Estate District designation to an 8-acre tract instead. This request must be denied.

I understand someone has put forth an argument that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because Hidden Meadows HOA did not, in years past, annex Lot 26. That argument holds no water and must be ignored. Most likely Lot 26 wasn't originally annexed into the HOA because it was impossible to build a home or "small-hotel" business on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements while the rest of the property was and is zoned recreational use only. Alternatively, lack of annexation may just be an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure sale with a drastic modification of existing zoning and platting restrictions on the property.

Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this speculator-applicant is now suggesting: an 8-acre development tract with a 700+ foot driveway and a 10,000 ft.² "small hotel" Airbnb for-profit business (rather than a residence). This change would disrupt the entire neighborhood with the onslaught of nightly rentals by people who care not one whit about our residential enjoyment.

The speculator-applicant is offering a 23 acre "quid pro quo gift" to the city in exchange for this proposed alteration of decades-old zoning and platting to accommodate his new year-round small-hotel plans that disrupt and alter the neighborhood. The "quid pro quo gift of 23 acres" to the city is not, in reality, a gift at all. *When is a gift not a gift?* Consider:

The applicant cannot build on the 23 acres anyway, due to ridgeline and zoning restrictions. He is not "giving up" anything at all. The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.

It is wrong to think this proposal is just another house in the existing neighborhood. The speculator-applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 square foot year-round for-profit "small hotel" business of nightly rentals – and ONLY nightly rentals.

When asked why he would not consider joining our existing HOA, the speculator-applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules. Let's be clear: we do not operate by 1994 rules. Our HOA voted just this past year on a proposed modification of our existing one-year-only rental limitation and the HOA members voted to keep this restriction in place. It is a modern restriction based on a current polling of residents.

It is incorrect and misleading to say that the proposed structure would not interfere with the ridgeline view. The speculator-applicant showed pictures of the proposed development from Kearns, but did not show pictures of the proposed development from the actual street on which it would be built. When viewed from Fox Tail Trail and our surrounding community, it is a MASSIVE intrusion on the ridgeline and therefore must be denied.

Someone has suggested the speculator-applicant has made a concession to the existing residential neighborhood to implement a 700+ foot driveway to operate his proposed “small hotel” Airbnb for-profit business. That is incorrect. It is incorrect and misleading to assert a 700+ ft. driveway is any concession at all; the construction of a 700+ foot driveway by the speculator-applicant is the only way he can proceed because of existing ridgeline restrictions and utility easements. The speculator-applicant is not “conceding” anything whatsoever.

The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood and must be denied.

Let’s look at a real-life Park City example of a similar Airbnb purpose-built house in a residential neighborhood: 65 Hidden Oaks Lane. This home was purpose-built to be a “small hotel” with 12 Bedrooms and 11 Bathrooms. The owner has never resided in the structure and operates it as a 365x24x7 full-time as a “small hotel” nightly rental through Airbnb and VRBO. For historical reasons, this house is not part of an HOA, and nearby HOA residents describe it as a full-time nightmare.

Here is a synopsis from Nextdoor.com of the detrimental impact to that neighborhood:

> In 2003, we had the good fortune to purchase a wonderful home in Lower Deer Valley. A place where we could spend time as a family hiking and exploring all of the amazing activities Park City offers. Sadly, our dream turned into a nightmare. An investor constructed a purpose-built house intended to be a full-time nightly rental with 12 -- count them, 12 – Bedrooms and 11 Bathrooms. This house was not intended to be someone’s residence. It is not intended to be someone’s vacation home or 2nd residence. It is a “small hotel” built for the sole purpose of renting it out on a nightly basis through Airbnb and VRBO.
>
> We do not have a Homeowner’s Association where we live, so there are no HOA restrictions on rentals. But this is not just a homeowner renting out their house once-in-awhile. This is anywhere between 12 to 40 people in this “house” on a nightly basis. Some are polite, but most are inconsiderate at best and downright vulgar at times. During the summer months, we love to sleep with our windows open so we are often awakened at 1 am, 2 am, 3 am and so on by loud music and shouting by out-of-town vacationers outside. Even with our windows closed, the noise is penetrating. Yes, we have called the police, multiple times – sometimes several times on the same night as have many of our neighbors. The property manager is very understanding (we have called him at 2 am as well to complain about the noise), but the owners just don’t seem to care so he is helpless to help us. Last night was one of the worst. At 3 am, the music was so loud, our windows were rattling. Two of our children, who are visiting us for the long weekend, asked the guests to please turn off the music and take their conversation inside. No go. Then we had to call the police (again). While waiting for the police, my wife explained – politely! - that they are renting a home in a residential neighborhood and should respect the noise ordinance. The vacationers replied they do not care as they are on vacation… It has left my entire family exhausted and depressed. We have worked so hard for so long to finally be a member of this wonderful community only to have our serenity denigrated by greedy business owners who have absolutely no respect for our community or regard for their neighbor’s welfare. The city government, whom we have contacted on numerous occasions, while sympathetic, claims they have no authority and that we have no recourse.

Please do not make us, the residents of Hidden Meadows, post a similar entreaty on Nextdoor.com due to a 10,000 square foot purpose-built nightly rental “small hotel” in our neighborhood.

Thank you for your consideration. Clearly, this application must be denied.

Respectfully,

Phil Palmintere
phil.palmintere@gmail.com
3798 Solamere Drive
Park City, UT 84060
408-406-9642 cell phone

Julie Schultz

From: Tricy Magadini <tricy@bmarchitects.com>
Sent: Wednesday, November 10, 2021 9:24 AM
To: Browne Sebright
Cc: Randy Johnston
Subject: [External] RE: Re: Permit # PL-21-04865

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: 3805 Fox Tail Trail - Public Comment

Mr. Sebright:

Please add this to the public comments in connection with the above referenced permit application.

My Husband and I own property located at 3790 Fox Tail Trail. He has sent several letters concerning the rezoning. I agree with and think all the points made in Randy's letters are important.

I am a practicing architect, specializing in high end residential homes and I am intimately familiar with the process of permitting, platting and zoning for such structures. It cannot be overstated how great a change is being requested here. I would like to add my perspective on this issue.

We have recently applied for a permit to extend our back patio and redo our hot tub on the property at 3790 Fox Tail Trail. It has taken over 2 months for the permit to be issued because of the high level of scrutiny we were subjected to for a patio-not a structure, just a patio. The major focus was on the area of disturbance, existing trees that would be removed and the powerline easement. The powerline easement alone held up the project nearly a month to shore up an existing retaining wall. Mr. Olgivy's project proposes a driveway right through the easement without any issue from Mr. Sebright.

Some of the main concerns I see with the proposal is that it flies in the face of the Hidden Meadows Plat. The statement made on the Phase 1 plat which states no construction shall take place on adjoining property until Hidden Meadows Phase 2 is recorded. Also, the quantification of Maximum Floor Area for Hidden Meadows never allows a home over 10,000 SF. Then the allowed disturbance on Hidden Meadows phase 1 shows a max of 16,000 SF. All of these things were factors in why the subdivision was originally allowed and why the owners bought into the HOA. These are assurances that the neighborhood was laid out and governed to reflect the values shared by all. Namely, to preserve a mountain feel by restricting disturbances and building sizes. Both of these values are negated by this new proposal. The

phase 1 largest disturbance allowed for a lot that is on 6.47 acres is 16,000 SF. If you take that ratio over to the requested 8 acre lot the applicant has requested, you get 19,774 square feet, considerably less than their proposed 23,000 SF.

I also I think this proposed trail re-alignment is asinine and even if allowed should be counted as disturbance too as it is additional disturbance associated with this new proposal. I do not understand why this issue has escaped Planner Sebright's attention.

The developer wants to create a separate subdivision in name from Hidden Meadows Phase 2 to Fox Tail Subdivision as a tactic to avoid the Hidden Meadows precedent, but then still benefit from the Hidden Meadows precedent at the same time. By that I mean that the in HM CCR, the driveway is not considered area of disturbance. This is unusual and would not fly today. Yet, the applicant and Mr. Sebright cite that as justification for ignoring the disturbance of a 700+ foot driveway. PCMC would and rightly should require any new subdivision driveways to be considered a disturbance, as it actually does disturb the existing ecology of the site.
Thank you,

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www.bmarchitects.com

Fox Tail Proposed Zoning Amendment

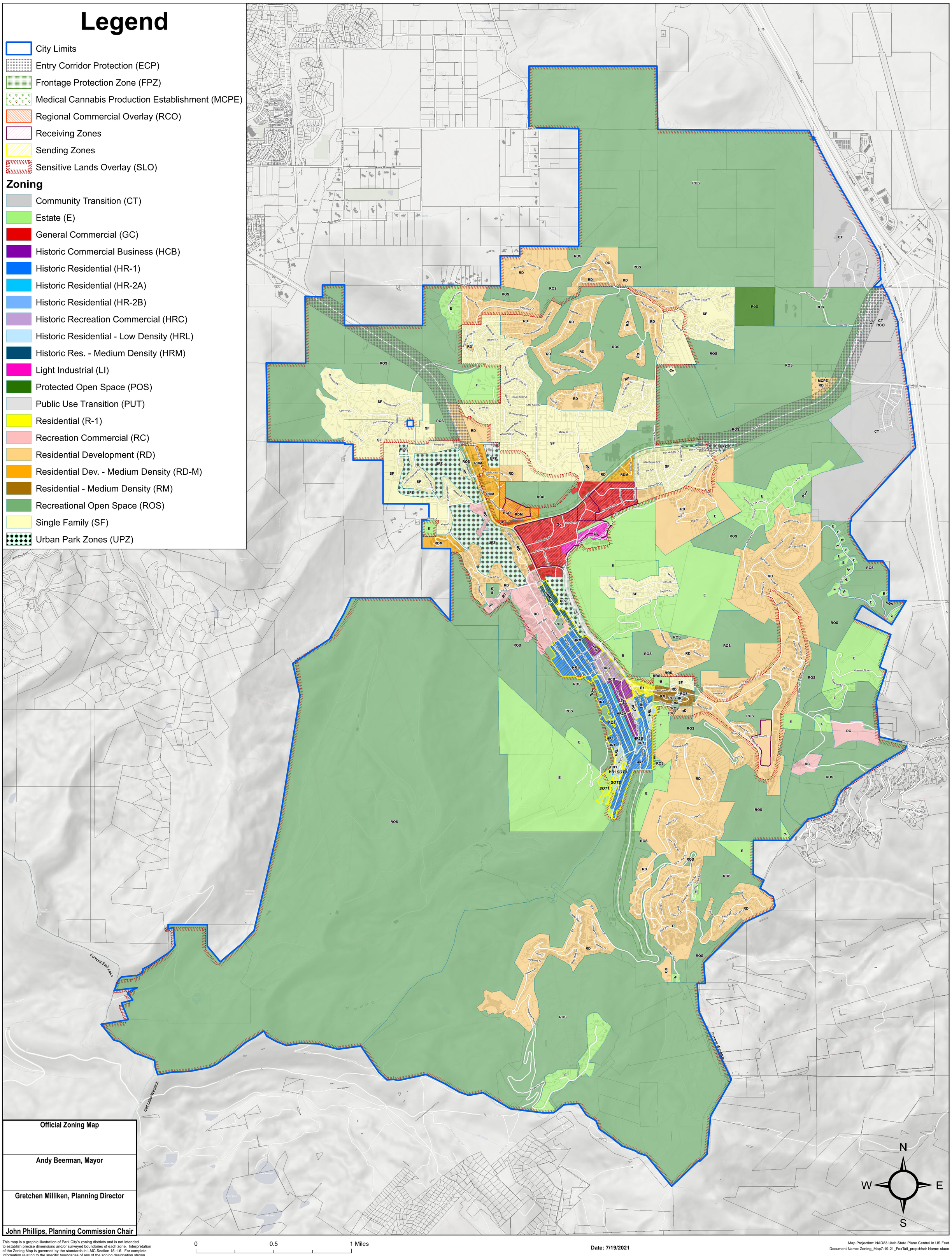
July, 2021

Legend

- City Limits
- Entry Corridor Protection (ECP)
- Frontage Protection Zone (FPZ)
- Medical Cannabis Production Establishment (MCPE)
- Regional Commercial Overlay (RCO)
- Receiving Zones
- Sending Zones
- Sensitive Lands Overlay (SLO)

Zoning

- Community Transition (CT)
- Estate (E)
- General Commercial (GC)
- Historic Commercial Business (HCB)
- Historic Residential (HR-1)
- Historic Residential (HR-2A)
- Historic Residential (HR-2B)
- Historic Recreation Commercial (HRC)
- Historic Residential - Low Density (HRL)
- Historic Res. - Medium Density (HRM)
- Light Industrial (LI)
- Protected Open Space (POS)
- Public Use Transition (PUT)
- Residential (R-1)
- Recreation Commercial (RC)
- Residential Development (RD)
- Residential Dev. - Medium Density (RD-M)
- Residential - Medium Density (RM)
- Recreational Open Space (ROS)
- Single Family (SF)
- Urban Park Zones (UPZ)


Quarry Mountain Rd
Quarry Mountain Wy
Quarry Mountain Ln
Old Ranch Rd
5200 N
4600 N
4100 N
300 W
300 E
Meadow Dr
Meadow Ln
Meadow Creek Dr
Meadow Creek Ln
Meadow Ridge Rd
Meadow Ridge Ln
Meadow Ridge Cir
Meadow Ridge Ct
Meadow Ridge Dr
Meadow Ridge Loop
Meadow Ridge Pl
Meadow Ridge Way
Meadow Ridge Wy
Meadow Ridge Trl
Meadow Ridge Terrace
Meadow Ridge Terrace Ct
Meadow Ridge Terrace Dr
Meadow Ridge Terrace Ln
Meadow Ridge Terrace Pl
Meadow Ridge Terrace Wy
Meadow Ridge Terrace Trl
Meadow Ridge Terrace Loop
Meadow Ridge Terrace Cir

Planning Commission
Staff Report

Subject: **Fox Tail Subdivision**
Application: **PL-21-04826**
Author: **Browne Sebright**
Date: **February 9, 2022**
Type of Item: **Administrative - Subdivision**

Recommendation

Staff recommends the Planning Commission (1) review the requested Subdivision, (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 (Exhibit A).

Description

Applicant:	Douglas Ogilvy, REDUS Park City, LLC
Location:	3805 Fox Tail Trail (Parcel No. PCA-S-98-SEC-11)
Zoning District:	Estate and Recreation Open Space
Adjacent Land Uses:	Residential, Open Space
Reason for Review:	Subdivisions require Planning Commission review and recommendation and City Council review and action

LMC Land Management Code
ROS Recreation Open Space
SLO Sensitive Land Overlay

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

Background

In 1995, the City Council adopted Resolution No. 2-94, annexing 227.99 acres of Hidden Meadow. Parcel No. PCA-S-98-SEC-11 was included on the annexation plat (Exhibit B; Summit County Recorder Entry No. 425982). In 1995, the City Council approved the Hidden Meadow Subdivision Phase I and Parcel No. PCA-S-98-SEC-11 was not included in the Subdivision (Exhibit G; Summit County Recorder Entry No. 436642). The Hidden Meadow CC&Rs outlined a timeline to include Parcel No. PCA-S-98-SEC-11 in the Hidden Meadow Subdivision and Homeowner Association (HOA). However, the option expired on September 1, 2002. (Exhibit H, Article XII).

The Applicant proposes the Fox Tail Subdivision to create an 8.84-acre (385,094 SF) Lot in the Estate Zoning District for a Single-Family Dwelling with a portion of the Ridgeline Area zoned Recreation Open Space, and to create a 23.89-acre Parcel, to be

dedicated to Park City Municipal Corporation to retain as Recreation Open Space pursuant to a conservation easement (Condition of Approval 22).

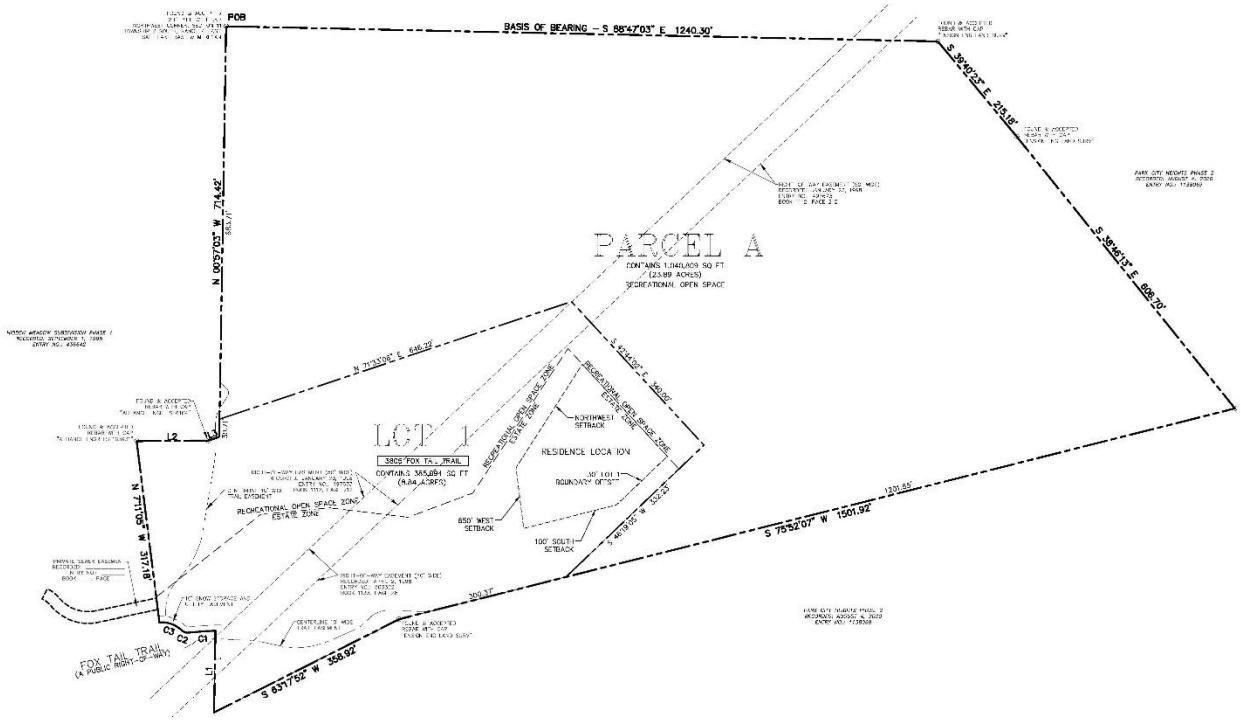


Figure 1. The proposed Fox Tail Subdivision.
Source: Applicant's submittal.



Figure 2. Lot 1 of the Fox Tail Subdivision, looking east.
Source: Applicant's submittal.

The Planning Commission held public meetings and took public input on this application on:

1. July 28, 2021 (Staff Report, Minutes beginning on pg. 12)
2. October 13, 2021 (Staff Report, Minutes beginning on pg. 32)

On July 28, 2021, the Planning Commission held a Public Hearing for the requested Subdivision and Rezone and heard from the Applicant and members of the public on the proposed applications. At that meeting, Commissioners asked for additional information, including what mechanisms could be used to ensure the relocation of the trails, an explanation of the difference between the current configuration of the trails versus how segments would be relocated, whether Limits of Disturbance would include the proposed driveway, and how large the proposed home would be in relation to homes in the Hidden Meadows Subdivision.

On October 13, 2021, the Planning Commission held a second Public Hearing for the requested Subdivision and Rezone. At that meeting, Staff elaborated on the proposed Conditions of Approval relating to limits of disturbance, natural drainage and existing grade, vegetation protection, ridgeline protection, and trails. The Applicant representative stated that they have offered to pay for the reconstruction of the trails on both Lot 1 and Parcel A of the proposed subdivision. Six members of the public spoke at this public hearing, raising questions related to the separate Limits of Disturbance for the home site and for the driveway, the location of the sewer easement, nightly rentals, the option of the property joining the adjacent Hidden Meadows HOA, and the buildability of the property. The Commission requested more information regarding the Ridgeline Area, the Limits of Disturbance, and context regarding the property in relation to the neighboring HOA.

The Development Review Committee reviewed this application on May 25, 2021. No issues were raised. Staff took the Plat Amendment and Rezone Applications to the Neighborhood Traffic Management Program committee on August 26, 2021. The relocation of trail segments is discussed in Analysis III, and the Limits of Disturbance are discussed in Analysis IV. Please refer to the rezone staff report for further analysis of the Ridge Line Area and comments related to the Neighborhood Traffic Management Program committee review.

Analysis

The Planning Commission holds a public hearing and makes a recommendation to City Council; the City Council reviews and takes action on a Subdivision Plat.[1]

(I) The proposed Fox Tail Subdivision complies with the purposes of the Estate and Recreation Open Space Zoning Districts.

[1] LMC § 15-7.1-2.

Of the existing Parcel's 32.73 acres, 10% is in the Estate Zoning District, encompassing 3.27 acres, and the remaining 90% in the Recreation Open Space (ROS) Zoning District, encompassing 29.45 acres.[2] The Applicant has proposed to rezone the property to allocate 4.64 acres in the Estate Zoning District (14.1%), and 28.09 acres in the Recreation Open Space Zoning District (85.8%). The Property is within the Sensitive Land Overlay.

The purpose of the Estate District is to:

A. Allow very low density, environmentally sensitive residential development which:
    1. Preserves ridge tops, meadows, and visible hillsides,
    2. Preserves large, cohesive, unbroken Areas of Open Space and undeveloped land,
    3. Preserves and incorporates wetlands, drainage ways, and intermittent streams as amenities of Development,
    4. Mitigates geologic and flood hazards,
    5. Protects views along the City's entry corridors, and
    6. Decreases fire risk by keeping Development out of sensitive wild land interface Areas.[3]

The purpose of the ROS District is to:

A. Establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots,
B. Permit recreational Uses and preserve recreational Open Space land,
C. Encourage parks, golf courses, trails and other Compatible public or private recreational Uses, and
D. Preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests.
E. Encourage sustainability, conservation, and renewable energy.[4]

The purpose of the Sensitive Land Overlay is to:

A. Require dedicated Open Space in aesthetically and environmentally sensitive Areas;
B. Encourage preservation of large expanses of Open Space and wildlife habitat;
C. Cluster Development while allowing a reasonable use of Property;
D. Prohibit Development on Ridge Line Areas, Steep Slopes, and wetlands; and
E. Protect and preserve environmentally sensitive land.[5]

The proposed Subdivision creates one Lot for development of a Single-Family Dwelling within the Sensitive Land Overlay, including a Ridge Line Area buffer to protect the Site

[2] The Applicant also applied for a rezone to reallocate the Estate and Recreation Open Space Zoning for the Lot (PL-21-04865).
[3] LMC § 15-2.10-1
[4] LMC § 15-2.7-1
[5] LMC § 15-2.21-1

from Ridge Line Area development, and one Parcel to be zoned Recreation Open Space and dedicated to Park City subject to a conservation easement (Condition of Approval 22).

(II) The proposed Fox Tail Subdivision complies with the Lot and Site requirements for the Estate and Recreation Open Space Zoning Districts.

The Applicant is proposing a Subdivision of the Parcel to create one Lot and one Parcel. The Lot for Single-Family Dwelling development meets the Lot and Site Requirements of both the Estate and ROS Zoning Districts.

The portion of the Lot in the Estate Zoning District meets the minimum requirements for a Single-Family Dwelling:

Zone Allowance:	***Estate Requirements***	***Proposed***
Min. Lot Size	*130,680 sf.*	*Complies 385,094 sf.*
Min. Lot Width	*100 ft.*	*Complies 185 ft.*
Min. Front/Rear Setback	*30 ft.*	*New Construction Must Comply*
Min. Side Setbacks	*30 ft.*	*New Construction Must Comply*
Building Height	*28 ft.*	***Condition of Approval 9*** *New Construction Must Comply and the Applicant has agreed that no point of the Building shall exceed an elevation of 7,136'.*
Architectural Review	*Required*	*New Construction Must Comply*

The Parcel designated to be protected under a conservation easement meets the requirements for the ROS Zoning District.

(III) Staff recommends Conditions of Approval to comply with LMC § 15-7.3-2, *General Subdivision Requirements*.

The Planning Commission and City Council have the authority to regulate the Subdivision of land and to attach reasonable conditions to the Subdivision.[6] The Planning Commission also must take into consideration requirements of the Land Management Code, the General Plan, and Sensitive Lands Analysis, including the topography and natural features of the Property. Please see Exhibit D to view the existing conditions for the area.[7]

Land Management Code § 15-7.3-2 requires the following for Subdivisions:

Requirement	Proposal
The Subdivision name must not duplicate the name of any other Subdivision in Summit County	**Complies** Staff confirmed with Summit County that Fox Tail Subdivision does not duplicate an existing Subdivision.
Limits of Disturbance	**Condition of Approval 7, Condition of Approval 8, Condition of Approval 22** Staff and the Applicant have determined that there is Significant Vegetation on the Site, defined as large trees of six-inch caliper or greater, groves of five or more smaller trees, or clumps of oak or maple covering an Area of fifty square feet. Limits of Disturbance for the residence not to exceed 16,000 square feet must be shown on the Final Plat, subject to Planning Director approval, that protect Significant Vegetation. Limits of Disturbance for the driveway not to exceed 26,910 square feet must be shown on the Final Plat, subject to Planning Director approval. The Applicant shall submit a separate plan to address Limits of Disturbance and vegetation protection prior to submitting a building permit, pursuant to Analysis IV below.
Ridges shall be protected from development that is visible on the skyline from designated Vantage Points in Park City	**Condition of Approval 9** Ridge Line Areas, defined as the ridge top and land located within one hundred fifty feet on both sides of the top, crest or ridge, are protected from development. The Applicant shall include the Ridge Line Area and 150-foot buffer prohibiting development on the final plat. Additionally o point of the Building shall exceed an elevation of 7,136'.

[6] LMC § 15-7-6.
[7] LMC § 15-7.1-6(C).

The Unit shall be clustered in the most developable and least visually sensitive portion of the Site	**Condition of Approval 9** The final plat will outline the Ridge Line Area and 150-foot buffer prohibiting development near the Ridge Line Area on the final plat.
Driveway and Utility Lines shall work with Existing Grade	**Condition of Approval 10** The driveway and utility lines should be designed to work with Existing Grade and cut and fill Slopes should be minimized. The driveway shall be placed so that disturbance of Significant Vegetation is minimized.
Existing natural drainage shall be maintained	**Condition of Approval 11**
Soil conditions and ground water existence shall be considered	**Condition of Approval 5** The property is not within the Soils Ordinance. However, if the property owner encounters mine waste or mine waste impacted soils, they must handle the material in accordance with State and Federal law.
Trails	Please see analysis below
Limits of Disturbance and Vegetation Protection	**Condition of Approval 8** The Applicant shall show Limits of Disturbance on the final plat based on input and direction provided by the Planning Commission pursuant to Analysis IV below and identified Significant Vegetation.
Fire Sprinkling	**Condition of Approval 12** Interior and exterior fire sprinkler systems may be required by the Park City Fire District at the time of Building Permit review.

Exhibit B, ¶ 6 of Resolution No. 2-94 *Trails and Sidewalks*, states that trails shall be concurrently reviewed and approved with plats and shall be dedicated to Park City. The Resolution additionally states that "Park City reserves the right to develop additional trails in any open space areas which are dedicated to Park City."

The Applicant's Existing Conditions submission identifies two public trails on Parcel PCA-S-98-SEC-11 (Exhibit E). The Fox Tail Trail mountain biking trail forms a loop within the Parcel with two connector points accessed from the Fox Tail Trail cul-de-sac, shown below on an excerpt from the Park City Interactive Summer Trail Map. Additionally, what is identified as "Private" on the map below is within the Recreation Open Space area proposed to be dedicated to Park City and will be relocated as a

public trail as part of the Trails Master Plan for the area.



Figure 3. The trails of the Fox Tail Trail Subdivision.
Source: Park City Interactive Summer Trail Map

The Applicant proposes relocating Fox Tail Cut and trailhead to the west, relocating the Woodchip Trail trailhead to the south and relocating the trail from the Estate portion of the Parcel to the Recreation Open Space portion of the Parcel. The Park City Trails and Open Space Manager reviewed the Applicant's proposal on September 7, 2021, and January 20, 2022, and supports the relocation of the trails for the following reasons:

- Maintains public access to and from the public trail system and Solamere neighborhood;
- Provides for improved connections and development of a trail facility through the property, consistent with International Mountain Bike Association trail building guidelines;
- Provides for the continuation of and connection between the Lost Prospector Trail and Park City Heights Trails.

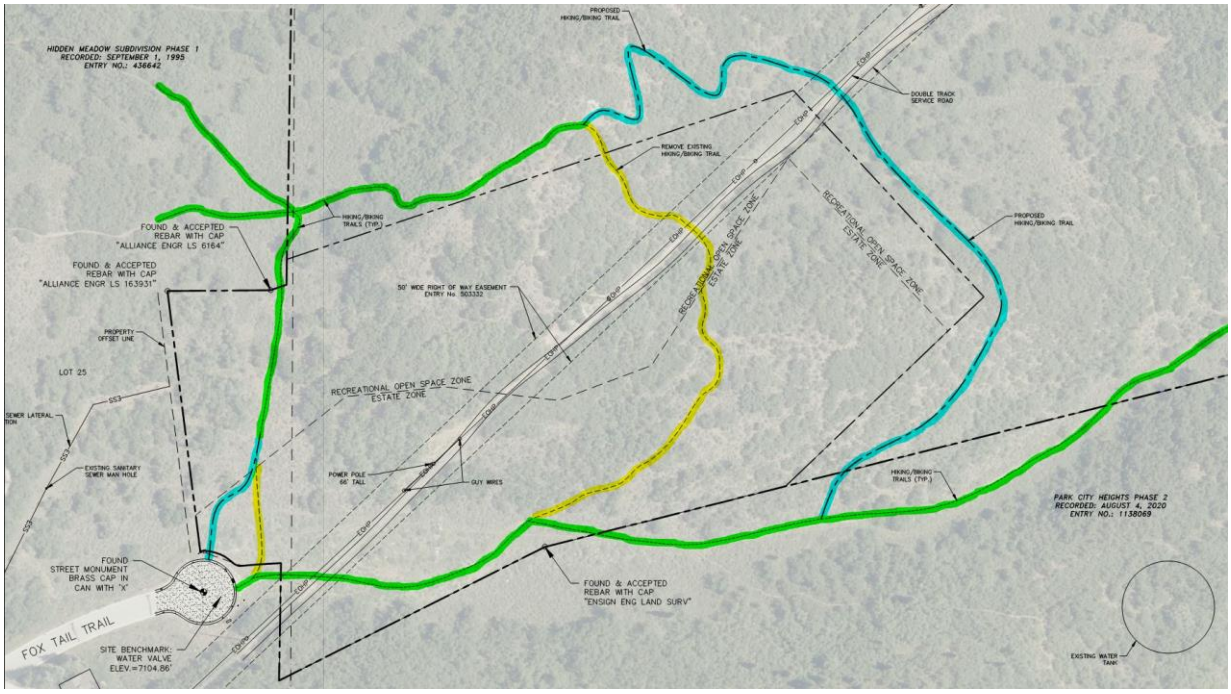


Figure 4. Relocation of Trails. The image above shows trail segments that will remain unchanged (in green), trail segments that will be removed (in yellow), and relocated trail segments (in blue). Source: modified from Applicant's submittal.

Condition of Approval 13 requires the Applicant to work with the City's Open Space and Trails Manager to relocate the Fox Tail Cut and Woodchip Trail within one year of plat approval. Condition of Approval 14 requires the Applicant to dedicate ten-foot-wide trail easements through the Estate portions of the Lot to provide public trail access to the north and south from Fox Tail Trail on the plat. Condition of Approval 23 states that the Certificate of Occupancy for the property will not be issued until the relocation of the trails and the dedication of the easements are complete to City trail standards and approved by the Open Space and Trails Manager. The Applicant will be financially responsible for the relocation of the trail on the private property (Condition of Approval 24).

Trail access for Fox Tail Cut will be relocated approximately 45 feet to the northwest. Most of Fox Tail Cut will remain unchanged, with the southern 150 feet of trail relocated to the west to eliminate conflict between the driveway and the trail access. Most of the relocated trail segment will remain more than 30 feet from the west side property line, with only the 50 feet nearest to the cul-de-sac within 30 feet of the property line.

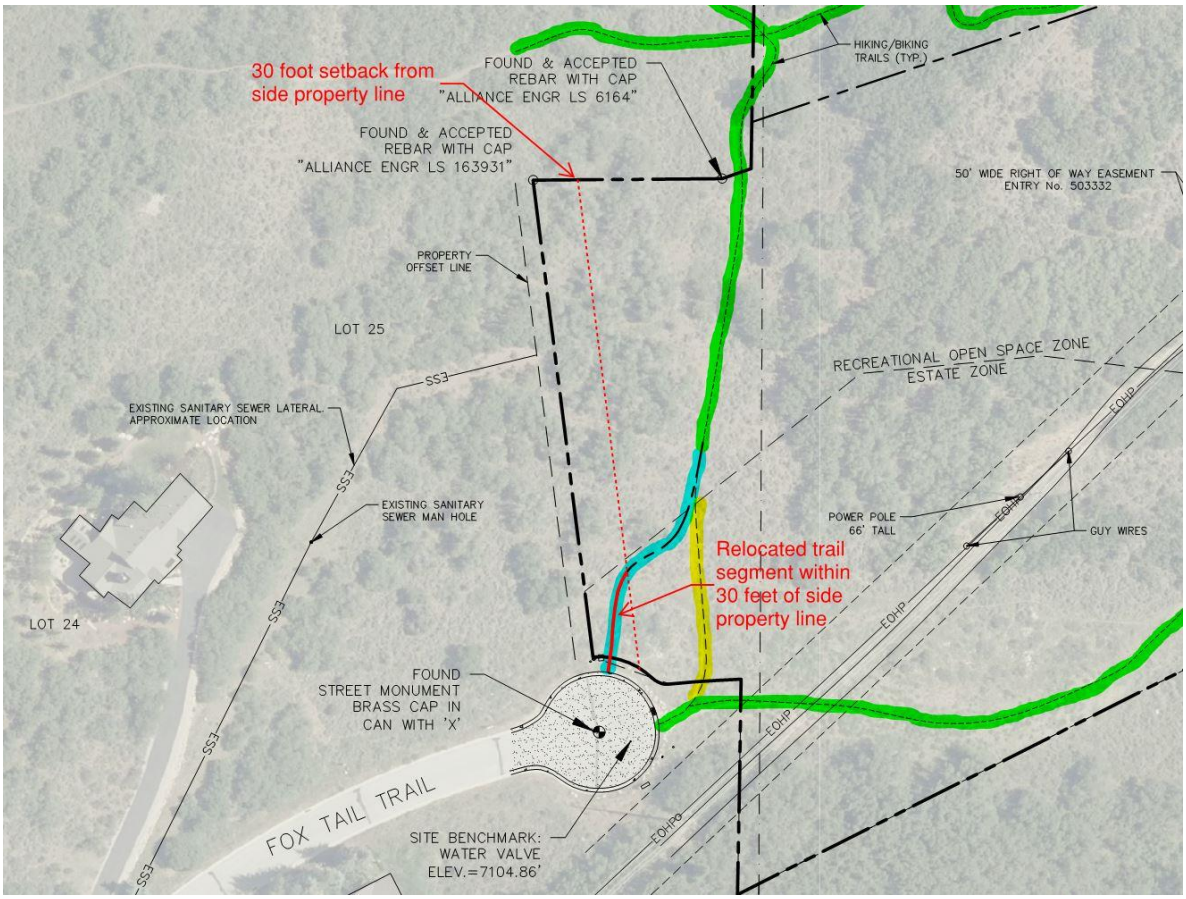


Figure 5. Relocated Fox Tail Cut, with a thirty-foot (30') setback from the west side property line. Source: modified from Applicant's submittal.

At the July 28, 2021, Planning Commission meeting, Staff stated that the Subdivision could include a Condition of Approval that the relocated trail segment to adhere to the Estate Zone Side Setback requirements to remain thirty feet (30') or more from the side property line. However, per Condition of Approval 10, the driveway must be in such a way to work with Existing Grade and minimize cut and fill on Slopes. Additionally, Condition of Approval 11 requires existing natural drainage to be maintained. Because of this, the proposed location of the driveway is approximately twenty-one feet (21') from the side property line, necessitating that the relocated trail segment be within a portion of the Side Yard Setback. The Open Space and Trails Manager has determined that having the trail share space with the driveway is not preferred as it can create confusion whether the trail is accessible to the public and potentially creates additional liability. Staff has determined that the relocated trail segment as proposed by the Applicant maintains public access to and from the public trail system and Solamere neighborhood and does not create any unmitigated impacts. On November 30, 2021, the Applicant submitted updated civil drawings showing an adjusted trail location that better protects significant vegetation (gable oak).

(IV) Staff recommends Conditions of Approval to comply with LMC Section 15-7.3-3, *General Lot Design Requirements*.

Land Management Code § 15-7.3-3 requires the following for Subdivisions:

Requirement	Proposal
The Lot shall be such that there will be no foreseeable difficulties for reasons of topography or other conditions and in providing reasonable driveway access	**Complies** The proposed Subdivision accommodates an approximately 585' long, 20' wide driveway located in an area of the site that will minimize required grading and allows for construction of a Single-Family Dwelling outside of the Ridge Line Area
The Building envelope shall minimize disturbance of existing vegetation	**Condition of Approval 8** The final plat shall include a Limits of Disturbance, subject to staff review, that preserves Significant Vegetation. **Condition of Approval 7** All Significant Vegetation that is removed shall be replaced in kind.
Square Footage	**Condition of Approval 19** Please see the analysis below for the recommended Maximum Floor Area.
In general, lot lines shall be radial to curving street lines	**Complies** The property is at the Fox Tail Trail cul-de-sac and conforms to the cul-de-sac
Lot drainage shall be laid out to provide positive drainage away from the Single-Family Dwelling in accordance with the International Building Code	**Condition of Approval 15**
Limits of Disturbance and Vegetation Protection	**Condition of Approval 7, Condition of Approval 8, Condition of Approval 16, Condition of Approval 20** A plan for vegetation protection during construction and revegetation after construction and a designated driveway location shall be shown on the final plat, subject to Planning Director, Chief Building Official, and City Engineer review and approval.
Revegetation, Seed, and Sod	**Condition of Approval 17** All disturbed areas on the Lot shall be covered with topsoil and revegetated.
Debris and Waste	**Condition of Approval 18** No cut trees, timber, debris, earth, rocks,

	stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on the Lot at the time of a Certificate of Occupancy.

LMC § 15-7.3-3(C) states that the Planning Commission may recommend maximum dwelling or unit square footage for Subdivisions. While the requested Subdivision is not subject to a Maximum Floor Area under the requirements of the Estate Zoning District, the approved Plat for the adjacent Hidden Meadow Subdivision includes Maximum Floor Area and Maximum Site Disturbance for each lot in the Subdivision (Exhibit C).

As mentioned above, in 1995, the City Council approved the Hidden Meadow Subdivision and Parcel No. PCA-S-98-SEC-11 was not included in the Subdivision (Exhibit C), but the Hidden Meadow CC&Rs outlined a timeline to include Parcel No. PCA-S-98-SEC-11 in the Hidden Meadow Subdivision and Homeowner Association. However, the option expired September 1, 2002.

The proposed Fox Tail Subdivision was originally slated to be a 4.3-acre Lot 26 in the Hidden Meadow Subdivision. The recorded Hidden Meadow Subdivision Plat did not include Lot 26. However, the Plat established a 16,000-square-foot Maximum Site Disturbance (8.56% of the 4.3-acre Lot) and a 10,000-square-foot Maximum Floor Area (5.35% of the 4.3-acre Lot) for Lot 26 (Parcel PCA-S-98-SEC-11).

The table below outlines the Lots within the Hidden Meadows Subdivision that exceed 100,000 square feet and compares the Maximum Site Disturbance and Maximum Floor Area percentages:

Lot and Size	Maximum Site Disturbance	% Based on Lot Size	Maximum Floor Area	% Based on Lot Size
5 – 157,921 SF	14,000 SF	8.87%	10,000 SF	6.33%
10 – 281,972 SF	16,000 SF	5.67%	10,000 SF	3.55%
11 – 122,989 SF	16,000 SF	13.01%	10,000 SF	8.13%
20 – 130,330 SF	14,000 SF	10.74%	10,000 SF	7.67%
21 – 129,150 SF	14,000 SF	10.84%	10,000 SF	7.74%
23 – 118,896 SF	14,000 SF	11.77%	10,000 SF	8.41%

The Fox Tail Subdivision is proposed to contain 385,094 square feet total with 207,105 square feet in the Estate Zoning District and the remainder in the Recreation Open Space Zone, pending City Council approval of the rezone application. The Fox Tail Subdivision exceeds the other Lots in the Hidden Meadow Subdivision by over 100,000 square feet. However, to align with the existing Maximum Site Disturbance and Maximum Floor Area established for the Hidden Meadow Subdivision, Staff recommends Condition of Approval 8 to establish the Maximum Site Disturbance of 16,000 square feet and Condition of Approval 19 to establish a Maximum Floor Area of 10,000 square feet.

Lot and Size	Maximum Site Disturbance	% Based on Lot Size	Maximum Floor Area	% Based on Lot Size
Lot 1 – 385,094 SF	16,000 SF	4.15%	10,000 SF	2.59%

In the General Notes of the Hidden Meadow Subdivision (Exhibit G), note 4 states that the area of disturbance for each Lot in the subdivision is exclusive of driveway improvements.

> 4. The maximum floor area of homes constructed on Hidden Meadow lots shall be governed by the table shown hereon. Additionally, this table establishes the maximum allowable area to be disturbed during construction of home and yard improvements. This area of disturbance is exclusive of the driveway improvements. Any deviations from maximum site disturbance allowed for each lot may and must be reviewed and approved by the Park City Community Development Department and the Hidden Meadows Architectural Committee.

Note 6 of the proposed Fox Tail Subdivision (Attachment 1) is consistent with what was allowed for in the Hidden Meadow Subdivision and states that the maximum allowable area of disturbance is exclusive of the driveway and sewer improvements. Snyderville Basin Water Reclamation District (SBWRD) has confirmed that no additional easement for the sewer line will be necessary. Because the line will need to be pressurized, there is more flexibility with where the sewer lateral will need to be located so long as it ultimately connects to the lateral stub in the existing private sewer easement. SBWRD indicated that they would defer to engineered drawings to establish limits of disturbance for a sewer lateral, since there may be issues such as grading or vegetation that could impact where it should be located. The updated civil drawings submitted by the Applicant on November 30, 2021 (Exhibit E, page 4), state that the driveway Limits of Disturbance will be 26,910 square feet. The civil drawings also show a new proposed location of a low-pressure sewer line that will run from the existing sewer easement approximately one hundred and sixty feet (160') to the east, where it will connect with the proposed driveway and continue to the building pad. The Applicant has indicated that the sewer line will disturb an area that is nine feet (9') wide and will total approximately 1,500 square feet. The location of this sewer easement has been adjusted from previous submittals to reduce the impact to significant vegetation (gamble oak). The Applicant has agreed to hydroseed the disturbed area with native species immediately follow the sewer installation.

Staff recommends that the maximum driveway and sewer improvements Limit of Disturbance does not exceed 26,910 square feet (Condition of Approval 21).

Lot and Size	Driveway Length
5 – 157,921 SF	170 feet
10 – 281,972 SF	172 feet
11 – 122,989 SF	150 feet
20 – 130,330 SF	300 feet
21 – 129,150 SF	Not developed

23 – 118,896 SF	165 feet

Lot and Size	Driveway Length
Lot 1 – 385,094 SF	585 feet

The tables above compare the driveway lengths for the largest Lots in the Hidden Meadows Subdivision, and the proposed driveway length for Lot 1 of the Fox Tail Subdivision. The length of this driveway is required for the relocated home to protect the Ridge Line Area.

(V) There is Good Cause for the Fox Tail Subdivision.

The Planning Commission shall make a finding as to Good Cause prior to making a positive recommendation to City Council.[8] Land Management Code § 15-15-1 defines *Good Cause* as "[p]roviding positive benefits and mitigating negative impacts, determined on a case by case basis to include 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 Park City and furthering the health, safety, and welfare of the Park City community."

Staff finds Good Cause for this Subdivision as it protects the Ridge Line Area, does not increase density, encourages orderly and beneficial Development, and complies with Estate and ROS Zoning District Lot and Site Requirements, and the requirements of the Sensitive Land Overlay.

Also, no Public Street, Right-of-Way, or easement is vacated. Trail easements are amended pursuant to the Trails Master Plan and the Trails & Open Space Department review and approval.

Department Review

The Development Review Committee reviewed this application on May 25, 2021. No issues were raised. Staff took the Plat Amendment and Rezone Applications to the Neighborhood Traffic Management Program committee on August 26, 2021, and established the criteria that are listed above in Analysis IV.

Notice

On July 14, 2021, staff posted the property, mailed notice to property owners within 300 feet, and posted notice to the Utah Public Notice website. The *Park Record* published notice on July 14, 2021. After the July 28, 2021 Planning Commission Public Hearing, the application was continued to August 25, 2021, to September 22, 2021, and again to October 13, 2021. Additional courtesy notices were posted to the property and mailed to property owners within 300 feet on September 29, 2021.

[8] LMC § 15-7.1-6(C)

On January 26, 2022, staff posted the property, mailed notice to property owners within 300 feet, and posted notice to the Utah Public Notice website. The *Park Record* published notice on January 26, 2022. LMC § 15-1-21.

Public Input

Several public comments were made during the July 28, 2021 Planning Commission Public Hearing, and on the October 13, 2021 Planning Commission Public Hearing. Comments included concerns that the relocation of the trailhead would bring additional traffic to the neighborhood and that the development would change the views that are currently visible from Fox Tail Trail to the east.

Since the October 2021 Planning Commission Public Hearing, Staff has received public input from 19 neighbors of the project. The comments have concerned a number of issues, including the provision of whether nightly rentals would be allowed, the relocation of trail segments, the location of the sewer easement, and the visual impact of the residence. Staff has responded to each owner who has submitted comment and forwarded them to the Applicant.

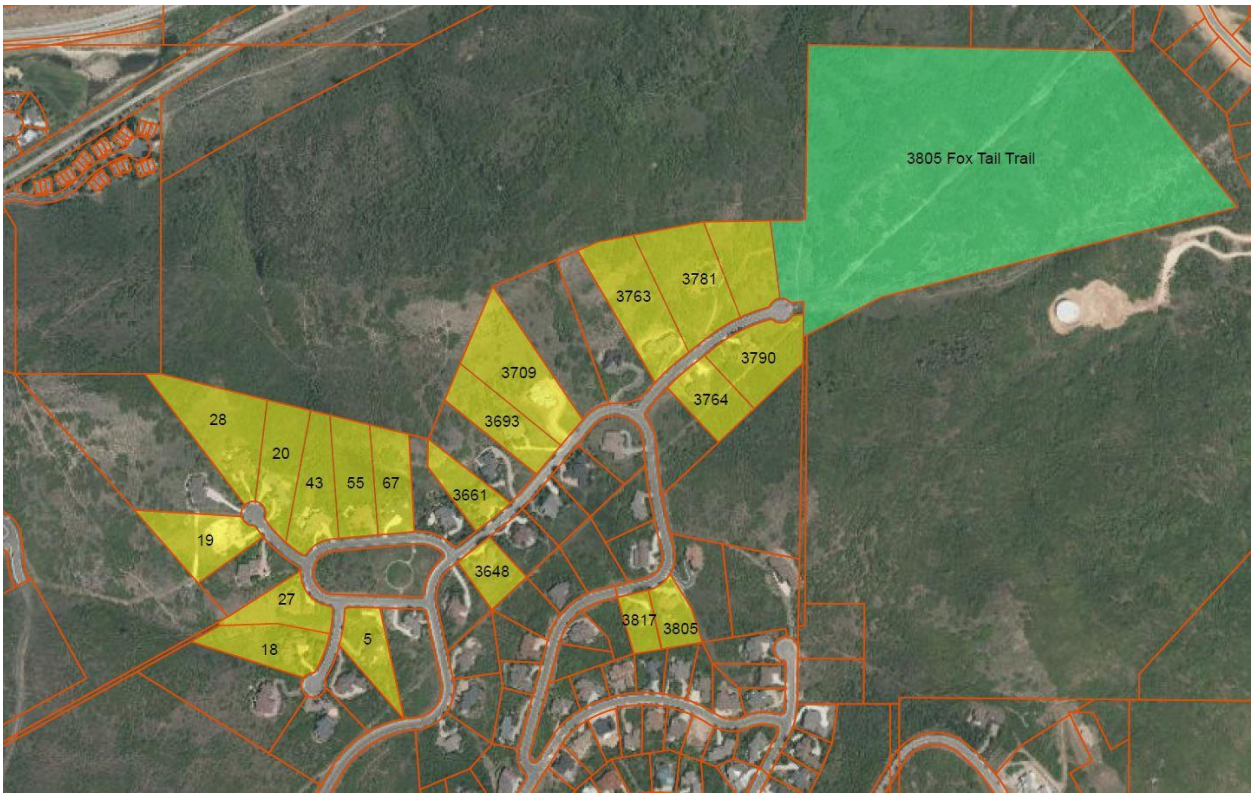


Figure 6. Map of neighbors who have submitted public input regarding this application. Source: PCMC staff.

The Applicant has agreed to Conditions of Approval limiting the property to a minimum of a 12-month rental (Condition of Approval 25), and adjusting the location trails and sewer easement in order to reduce the impact to established gamble oak (Conditions of Approval 23 and 21). Nearly all of the neighbors have indicated their support for the

project subject to these conditions, with 1-2 neighbors who have indicated that they have outstanding concerns, primarily related to the visual impact of the residence. On January 10, 2022, the Applicant submitted renderings depicting a visual analysis of the proposed development to address these concerns.

Alternatives

- Planning Commission may forward a positive recommendation to City Council for Ordinance No. 2022-XX, approving the Fox Tail Subdivision, as conditioned or amended, or
- Planning Commission may forward a negative recommendation to City Council for Ordinance No. 2022-XX, denying the Fox Tail Subdivision, and direct staff to make Findings for this decision, or
- Planning Commission may continue the item to a date certain.

Exhibits

Exhibit A: Draft Ordinance and Fox Tail Subdivision (Attachment 1)
Exhibit B: Hidden Meadow Annexation Plat
Exhibit C: Applicant's Statement
Exhibit D: Existing Conditions Survey
Exhibit E: Aerial Maps and Civil Drawings
Exhibit F: Slope Constraints Map
Exhibit G: Hidden Meadow Subdivision
Exhibit H: Hidden Meadow CC&Rs
Exhibit I: Fox Tail Height Cap Visual Analysis
Exhibit J: Public Comments

Ordinance No. 2022-XX

AN ORDINANCE APPROVING THE FOX TAIL SUBDIVISION, LOCATED AT 3805 FOX TAIL TRAIL, PARK CITY, UTAH

WHEREAS, the owners of the property located at 3805 Fox Tail Trail petitioned the City Council for approval of the Fox Tail Trail Subdivision to create an 8.84-acre Lot for a Single-Family Dwelling, and a 23.89-acre Parcel to be dedicated to Park City subject to a conservation easement; and

WHEREAS, on July 14, 2021, the *Park Record* published notice for the Planning Commission and City Council public hearings; and

WHEREAS, on July 14, 2021, staff mailed courtesy notice to property owners within 300 feet, posted notice to the Utah Public Notice Website and City Website, and posted notice to the property for the Planning Commission and City Council public hearings; and

WHEREAS, on October 13, 2021, the Planning Commission reviewed the proposed Fox Tail Subdivision and held a public hearing; and

WHEREAS, on October 13, 2021, the Planning Commission reviewed the proposed Fox Tail Subdivision and held a public hearing; and

WHEREAS, on February 9, 2021, the Planning Commission reviewed the proposed Fox Tail Subdivision and held a public hearing; and

WHEREAS, on February 9, 2022, the Planning Commission forwarded a positive recommendation for City Council's consideration on September 2, 2021; and

WHEREAS, on March 3, 2022, the City Council reviewed the Fox Tail Subdivision and held a public hearing; and

WHEREAS, the Fox Tail Subdivision is consistent with the Park City Land Management Code, including Chapters 15-2.7, 15-2.10, and 15-2.21, and Sections 15-7.3-2 and 15-7.3-3.

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

SECTION 1. APPROVAL. The Fox Tail Subdivision is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. In 1995, the City Council adopted Resolution No. 2-94, annexing 227.99 acres of Hidden Meadow.
2. Parcel No. PCA-S-98-SEC-11 was included on the annexation plat.
3. In 1995, the City Council approved the Hidden Meadow Subdivision. Parcel No. PCA-S-98-SEC-11 was not included in the Subdivision.
4. The Hidden Meadow CC&Rs outlined a timeline to include Parcel No. PCA-S-98-SEC-11 in the Hidden Meadow Subdivision and Homeowner Association. However, the option expired.
5. The Applicant proposes the Fox Tail Subdivision to create an 8.84-acre Lot in the Estate

Zoning District for a Single-Family Dwelling with a portion of the Ridgeline Area zoned Recreation Open Space, and to create a 23.98-acre Parcel, to be dedicated to Park City Municipal Corporation to retain as Recreation Open Space pursuant to a conservation easement.

6. The proposed Subdivision complies with the purposes of the Estate and Recreation Open Space Zoning Districts, and Sensitive Land Overlay.
7. The proposed Subdivision complies with the Lot and Site requirements for the Estate and Recreation Open Space Zoning Districts.
8. The minimum lot size for the Estate Zoning Districts is 130,680 square feet. The proposed Lot contains 385,070 square feet.
9. The proposed Subdivision complies with Land Management Code Section 15-7.3-2, as outlined in the staff report, and conditioned below.
10. The proposed Subdivision complies with Land Management Code Section 15-7.3-3, as outlined in the staff report, and conditioned below.

Conclusions of Law

1. There is Good Cause for this Subdivision because it protects the Ridge Line Area, encourages orderly and beneficial Development, and complies with the Sensitive Land Overlay.
2. The Subdivision complies with Land Management Code Chapters 15-2.7, 15-2.10, and 15-2.21, as well as Sections 15-7.3-2 and 15-7.3-3.
3. Neither the public nor any person will be materially injured by the proposed Subdivision.
4. Approval of the Subdivision, subject to the conditions stated below, does not adversely affect the health, safety, and welfare of the citizens of Park City.

Conditions of Approval

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant shall record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one years, this approval will be void, unless the applicant submits a request for an extension in writing prior to the expiration date and an extension is granted by the City Council.
3. The plat shall note that fire sprinklers are required for all new construction, to be approved by the Chief Building Official.
4. A non-exclusive ten-foot public snow storage easement on Fox Tail Trail shall be dedicated on the plat.
5. The property is not located within the Soils Ordinance and therefore it is not regulated by the City for mine-related impacts. However, if the property owner encounters mine waste or mine waste impacted soils, they must handle the material in accordance with State and Federal law.
6. City Engineer review and approval of all lot grading, utility installations, public improvements and drainage plans for compliance with City standards is a condition precedent to building permit issuance.
7. All Significant Vegetation that is removed shall be replaced in kind.
8. Limits of Disturbance for the not to exceed 16,000 square feet that protects Significant Vegetation shall be approved by the Planning Director and shown on the final plat.

9. A Ridge Line Area and 150-foot buffer prohibiting development shall be included on the final plat. The Unit shall comply with Estate Zoning District requirements for Maximum Building Height, and no point of the Building shall exceed an elevation of 7,136'.
10. The driveway and utility lines should be designed to work with Existing Grade and cut and fill Slopes should be minimized. The driveway shall be placed so that disturbance of Significant Vegetation is minimized.
11. Existing natural drainage shall be maintained.
12. Interior and exterior fire sprinkler systems may be required by the Park City Fire District at the time of Building Permit review.
13. The Applicant shall work with the City's Open Space and Trails Manager to relocate the Fox Tail Cut and Woodchip Trail within one year of plat approval.
14. The Applicant shall dedicate ten-foot-wide trail easements to provide public trail access to the north and south from Fox Tail Trail on the plat.
15. Lot drainage shall be laid out to provide positive drainage away from the Single-Family Dwelling in accordance with the International Building Code.
16. The Applicant shall submit a vegetation protection plan prior to applying for a building permit outlining vegetation protection during construction and revegetation after construction and a designated driveway location shall be shown on the final plat subject to Planning Director, Chief Building Official, and City Engineer review and approval.
17. All disturbed areas on the Lot shall be covered with topsoil and revegetated.
18. No cut trees, timber, debris, earth, rocks, stones, soil, junk, rubbish, or other waste materials of any kind shall be buried in any land or left or deposited on the Lot at the time of a Certificate of Occupancy.
19. The plat notes shall state that the Maximum Floor Area for Fox Tail Subdivision Lot 1 is 10,000 square feet.
20. The plat notes shall state that the Maximum Site Disturbance shall be 16,000 square feet exclusive of area disturbed for driveway and sewer improvements.
21. The plat notes shall state that the driveway and sewer improvements Limit of Disturbance shall be 26,910 square feet. The area to be disturbed for the sewer line shall be hydroseeded immediately follow the sewer installation.
22. The Applicant shall dedicate 23.98 acres to Park City Municipal Corporation, subject to a conservation easement to be recorded on the same day as the final plat.
23. The Certificate of Occupancy shall not be issued until the relocation of the trails and the dedication of the easements are complete to City trail standards and approved by the Open Space and Trails Manager.
24. The Applicant shall be financially responsible for the relocation of the trail on both Lot 1 and Parcel A.

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

PASSED AND ADOPTED this 3rd Day of March, 2022.

PARK CITY MUNICIPAL CORPORATION

_____
Nann Worel, MAYOR

ATTEST:

_____

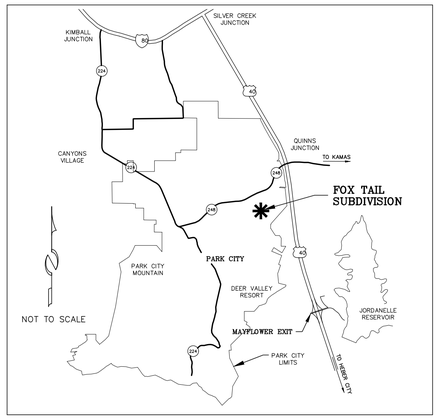
City Recorder

APPROVED AS TO FORM:

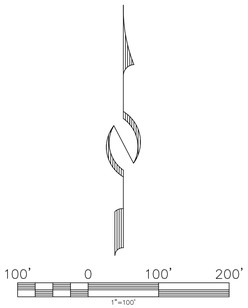
_____

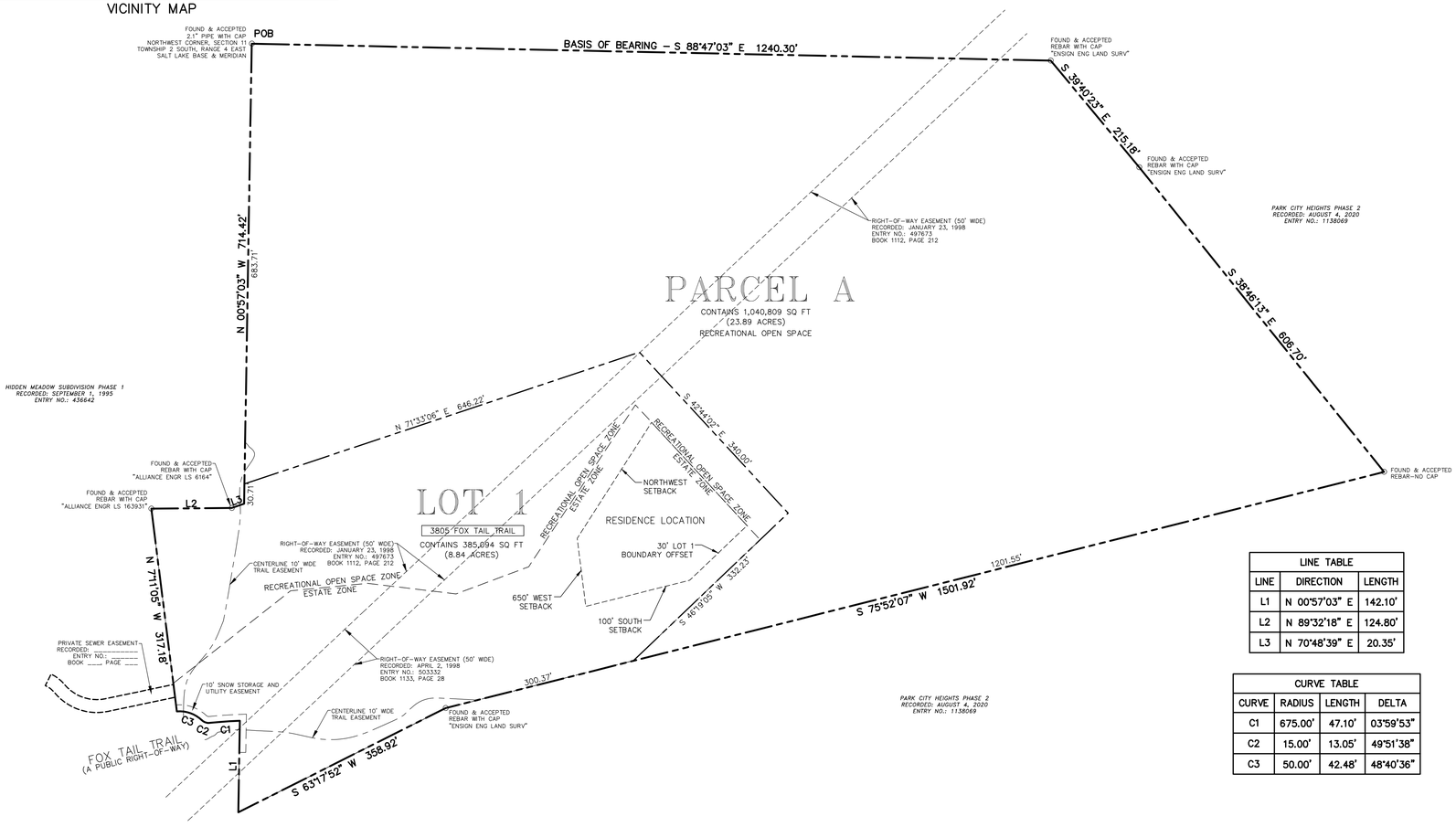
City Attorney's Office

Attachment A: Subdivision Map



VICINITY MAP





LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 00°57'03" E	142.10'
L2	N 89°32'18" E	124.80'
L3	N 70°48'39" E	20.35'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	675.00'	47.10'	03°59'53"
C2	15.00'	13.05'	49°51'38"
C3	50.00'	42.48'	48°40'36"

SURVEYORS CERTIFICATE

I, Michael Demkowicz, do hereby certify that I am a Professional Land Surveyor and that I hold License No. 4857264 as prescribed under the laws of the State of Utah. I further certify that by authority of the owner, I have made a survey of the land shown on this plat and described hereon, hereafter to be known as FOX TAIL SUBDIVISION and that the same has been correctly surveyed and monumented on the ground as shown on this plat.

PROFESSIONAL LAND SURVEYOR — No. 4857264 — MICHAEL DEMKOWICZ — STATE OF UTAH

LEGAL DESCRIPTION

The surface estate of those portions of the Woodrow No. 6, Clegg No. 2 and Clegg No. 3 patented Mining claims situated in the Northeast Quarter of Section 10 and the Northwest Quarter of Section 11, Township 2 South, Range 4 East, SLB&M, Summit County, Utah which real property is more particularly described as follows:

Beginning at the Northwest corner of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of Section 11 South 88°47'03" East 1240.30 feet; thence along the Easterly end line of the Clegg No. 2 Mining claim (Mineral Survey 6792) South 39°40'23" East 215.18 feet; thence along the Easterly end line of the Clegg No. 3 Mining claim South 38°46'13" East 606.70 feet; thence along the Southerly side line of the Clegg No. 3 Mining Claim South 75°52'07" West 1501.92 feet; thence along the Southerly line of the Woodrow No. 6 Mining claim South 63°17'52" West 358.92 feet; thence North 0°57'03" East 142.10 feet to a point of a 675.00 foot radius curve to the left, whose radius point bears South 01°58'05" East; thence along the arc of said curve 47.10 feet thru a central angle of 03°59'53" to a point on a 15.00 foot radius curve to the right, whose radius point bears North 05°57'58" West; thence along the arc of said curve 13.05 feet thru a central angle of 49°51'38" to a point on a 50.00 foot radius curve to the left, whose radius point bears South 43°53'40" West; thence along the arc of said curve 42.48 feet thru a central angle of 48°40'36"; thence North 07°11'05" West 317.18 feet; thence North 89°32'18" East 124.80 feet; thence North 70°48'39" East 20.35 feet, thence North 0°57'03" East 714.42 feet to the point of beginning.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL BY THESE PRESENTS that the undersigned is the owner of the above described tract of land, and hereby causes the same to be unified into one lot of record, together with easements as set forth to be hereafter known as FOX TAIL SUBDIVISION and does hereby dedicate for the perpetual use of the public the areas shown on this plat as intended for public use. The undersigned owner also hereby conveys to any and all public utility companies a perpetual, non-exclusive easement over any public utility easements shown on this plat, the same to be used for the installation, maintenance and operation of utility lines and facilities. The undersigned owner also hereby conveys any other easements as shown on this plat to the parties indicated and for the purposes shown hereon.

In witness whereof, the undersigned set his hand this _____ day of _____, 2022.

REDUS Park City, LLC, a Delaware limited liability company

By: REDUS Properties, Inc.
a Delaware corporation, its Manager

By: _____
David Ash, Sr. Vice President

ACKNOWLEDGMENT

STATE OF _____)
: ss.
COUNTY OF _____)

On this _____ day of _____, 2022, David Ash personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that he is the Sr. Vice President of REDUS Properties, Inc., a Delaware corporation, and that said document was signed by him on behalf of said corporation by authority of its Operating Agreement or Resolution of its Members, and he acknowledged to me that he executed FOX TAIL SUBDIVISION.

By: _____
Notary Public

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No. _____

NOTES

1. This plat amendment is subject to the Conditions of Approval in Ordinance 2022-_____.
2. An easement in favor of Mountain States Telephone and Telegraph Co., recorded December 15, 1932, as Entry No. 49018 affects this property. No description is given.
3. A privately owned and operated wastewater ejector pump is required for wastewater service.
4. The Single Family Residence shall be situated within the area designated as Residence Location defined by the setback lines shown.
5. The maximum Floor Area of the Single Family Residence shall be 10,000 sf.
6. The maximum allowable area of disturbance during home and yard improvements shall be 16,000 sf exclusive of area disturbed for driveway and sewer improvements.
7. A 10' wide utility and snow storage easement is hereby dedicated along the front lot line.
8. 10' wide trail easements are hereby established 5' on either side of the centerline of two trails to be constructed in the general locations shown.
9. Maximum ridge line elevation for Single Family Residence shall be 7,136'.
10. The lot is to be used for residential housing purposes only, and shall not be used for providing accommodations to travelers. No lease of the lot or dwelling shall be for a period of less than one year. The lot shall not be subjected to time interval ownership.

FOX TAIL SUBDIVISION

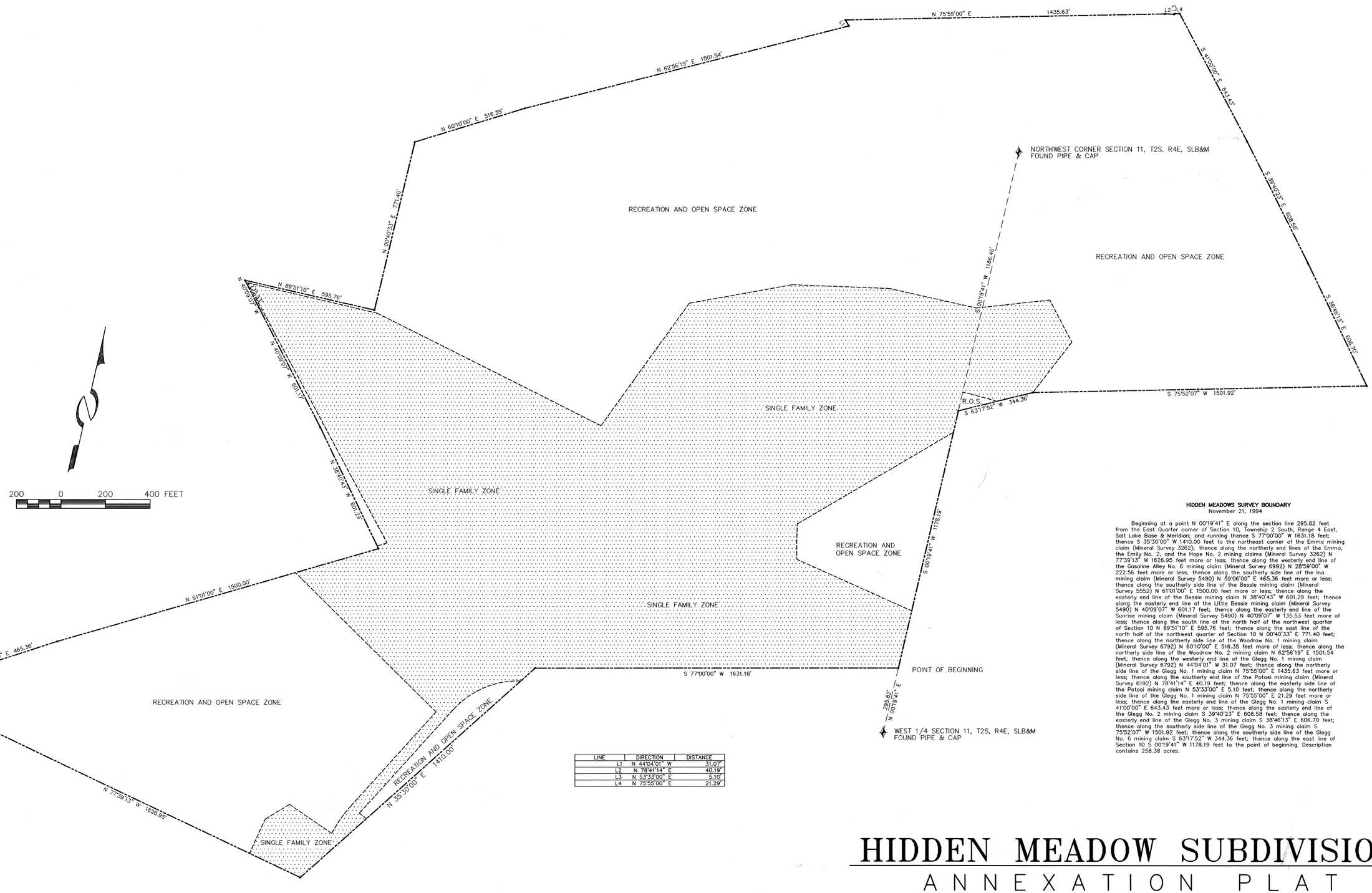
LOCATED IN THE NORTHEAST QUARTER OF SECTION 10 & THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

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

SHEET 1 OF 1

1/10/22 JOB NO.: 19-11-20 FILE: X:\TheOaks\dwg\srv\plat2020\191120.dwg

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	PUBLIC SAFETY ANSWERING POINT APPROVAL	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2022	RECOMMENDED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2022	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2022	APPROVED AS TO FORM THIS _____ DAY OF _____, 2022	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2022	I CERTIFY THIS PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2022	APPROVED THIS _____ DAY OF _____, 2022	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____
BY _____ ENGINEERING DEPARTMENT	BY _____ CHAIR	BY _____ PARK CITY ENGINEER	BY _____ PARK CITY ATTORNEY	BY _____ MAYOR	BY _____ PARK CITY RECORDER	BY _____ SUMMIT COUNTY GIS COORDINATOR	_____ FEE _____ RECORDER TIME _____ DATE _____ ENTRY NO. _____



LINE	DIRECTION	DISTANCE
L1	N 44°04'01" W	31.07'
L2	N 78°41'14" E	40.19'
L3	N 53°33'00" E	5.10'
L4	N 75°55'00" E	21.29'

HIDDEN MEADOWS SURVEY BOUNDARY
November 21, 1994

Beginning at a point N 00°19'41" E along the section line 295.82 feet from the East Quarter corner of Section 10, Township 2 South, Range 4 East, Salt Lake Base & Meridian; and running thence S 77°00'00" W 1631.18 feet; thence S 35°30'00" W 1410.00 feet to the northeast corner of the Emma mining claim (Mineral Survey 3262); thence along the northerly end lines of the Emma, the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) N 77°39'13" W 1626.95 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) N 28°59'00" W 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) N 59°06'00" E 465.36 feet more or less; thence along the southerly side line of the Bessie mining claim (Mineral Survey 5552) N 61°01'00" E 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim N 39°40'43" W 601.29 feet; thence along the easterly end line of the Little Bessie mining claim (Mineral Survey 5490) N 40°09'07" W 601.17 feet; thence along the easterly end line of the Sunrise mining claim (Mineral Survey 5490) N 40°09'07" W 135.53 feet more of less; thence along the south line of the north half of the northwest quarter of Section 10 N 89°51'10" E 595.76 feet; thence along the east line of the north half of the northwest quarter of Section 10 N 00°40'33" E 771.40 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) N 60°10'00" E 516.35 feet more of less; thence along the northerly side line of the Woodrow No. 2 mining claim N 62°56'19" E 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) N 44°04'01" W 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim N 75°55'00" E 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) N 78°41'14" E 40.19 feet; thence along the easterly side line of the Potosi mining claim N 53°33'00" E 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim N 75°55'00" E 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim S 41°00'00" E 643.43 feet more or less; thence along the easterly end line of the Glegg No. 2 mining claim S 39°40'23" E 608.58 feet; thence along the easterly end line of the Glegg No. 3 mining claim S 39°46'13" E 606.70 feet; thence along the southerly side line of the Glegg No. 3 mining claim S 75°52'07" W 1501.92 feet; thence along the southerly side line of the Glegg No. 6 mining claim S 63°17'52" W 344.36 feet; thence along the east line of Section 10 S 00°19'41" W 1178.19 feet to the point of beginning. Description contains 258.38 acres.

HIDDEN MEADOW SUBDIVISION

ANNEXATION PLAT

PAGE 1 OF 1

ALLIANCE ENGINEERING INC.	PLANNING COMMISSION	ENGINEERS CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
P.O. BOX 2664 323 MAIN STREET PARK CITY, UTAH 84060 (801) 649-9467	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 3 DAY OF March, 1995 A.D. BY Alison Child CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 3RD DAY OF MARCH, 1995 A.D. BY Eric W. DeHaan PE PARK CITY ENGINEER	APPROVED AS TO FORM THIS 3rd DAY OF March, 1995 A.D. BY Mark D. Harrington PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 3RD DAY OF FEBRUARY, 1995 A.D. BY Anita K. Sheldon PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 3RD DAY OF FEBRUARY, 1995 A.D. BY MAYOR	# 425892 STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF Park City Municipal Corp. DATE 03-18-95 TIME 08:21 AM BOOK _____ PAGE _____ N/C FEE Doreen M. Dunn - Deputy RECORDER

PARK CITY SUMMIT COUNTY, UTAH CORPORATE SEAL MARCH 1 1994

Alliance Engineering Inc

PLOT DATE: 2-24-95 JOB NO. 25-8-91 Y:\CE\D\HMANEX

3805 Fox Tail Court

- **Rezoning**
- **Plat for Single Family Residence**

Follow up to 10/13/21 Planning Commission Meeting and Public Hearing

January 12, 2022

On 10/13/21, Planning Commission held a Public Hearing on the proposed Fox Tail Plat. The Public Hearing was well attended by nearby property owners expressing concerns with certain aspects of the project as discussed below. The Applicant has amended the proposed plat to better respond to neighbors' concerns.

Nightly Rentals

Many neighbors addressed concerns about the lack of a nightly rental restriction. At the time of the last Planning Commission meeting, the Applicant was not aware of the extent of disruption that the recently constructed nightly rental homes on Hidden Oaks are causing. With a better understanding of this impact, the Applicant is now proposing a 12 month minimum rental provision on the proposed plat, consistent with restriction in the Hidden Meadows CCRs. The majority of comments received from neighbors related to nightly rentals. The proposed 12 month restriction has been communicated to neighbors that have commented on the project.

Trail Alignment

The alignment of the Fox Tail Cut trail has been kept as far east as possible while working with a driveway curb cut. The alignment has been tweaked to maintain existing gamble oak on the property.

Sewer Easement

The Applicant has worked with the owner of Lot 25 on a revised sewer alignment that minimizes impact on the gamble oaks on Lots 25 and 26. The Applicant has agreement with the owner of Lot 25 to abandon the existing private sewer easement on Lot 25 and replace with a new private sewer easement in an alignment that works better for both parties.

Visual Impact

One of the neighbors prepared a visual impact study that misrepresented the development potential of the property. The Applicant prepared its own visual impact study. Based on this study, the Applicant has increased the south setback to 100', increased the west setback to 650' and proposed a ridgeline cap at 7,136' to preserve distant views to the Uintas from Fox Tail Court. The Applicant has also amended the proposed driveway alignment to better follow existing topography and use existing gamble oak to better screen the driveway as viewed from Fox Tail Court and adjacent properties. The proposed plat limits the home size to 10,000 sf consistent with the

largest homes permitted in the Hidden Meadows subdivision. A visual impact study has been provided showing a conceptual development plan and the maximum possible visual impact as viewed from Fox Tail Court.

Summary

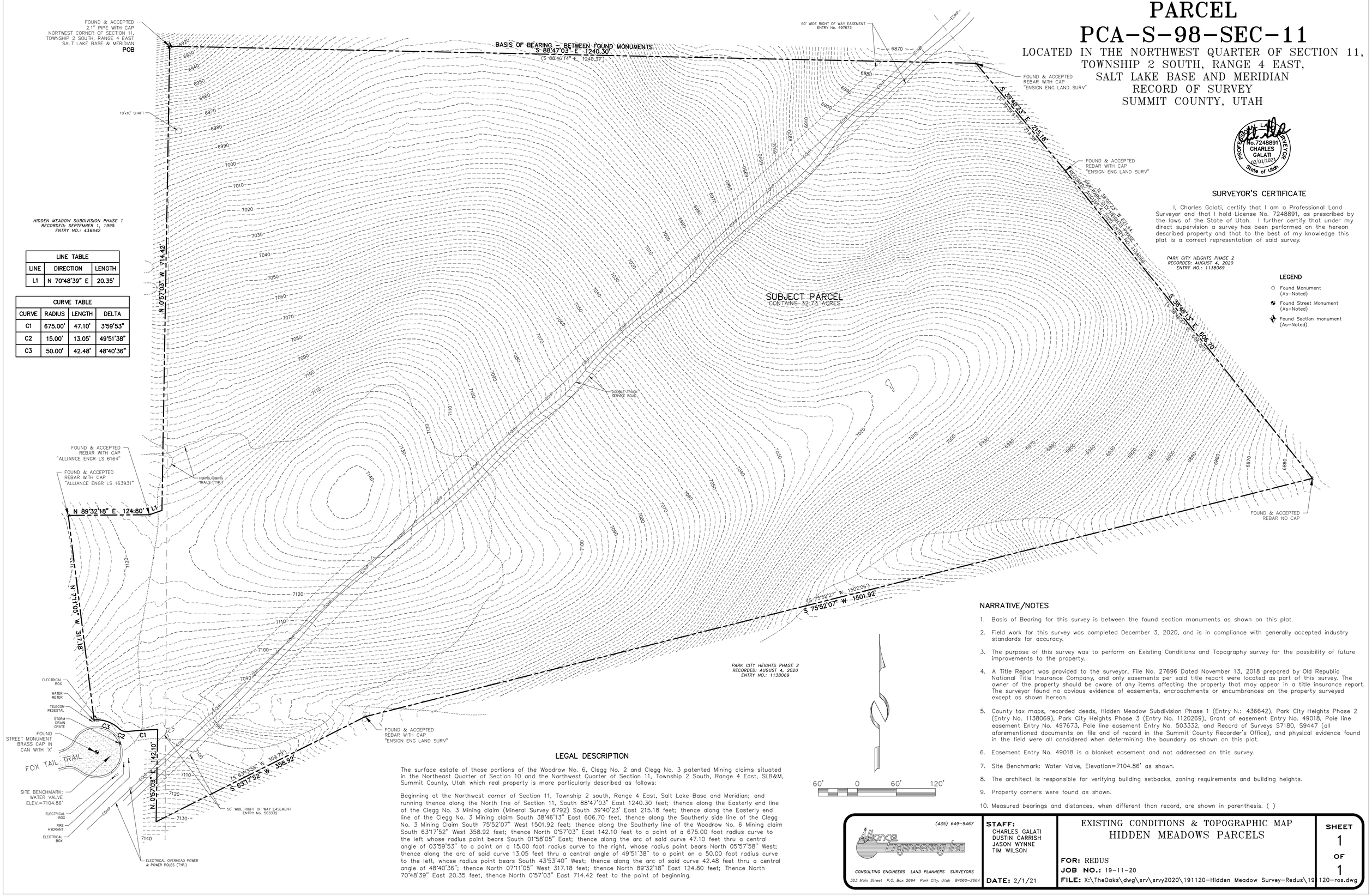
It was always intended that a home be built on the 33 acres now owned by the Applicant. The original homesite is not compatible with the current Sensitive Lands Ordinance, so the Applicant has proposed locating the home further to the east to protect the ridgeline above SR248. Additional setbacks and a ridgeline cap are proposed to reduce visual impact from Fox Tail Court and protect distant views to the Uintas.

Responding to neighborhood concerns with nightly rentals at another property, the Applicant is now proposing a 12 month minimum rental provision.

The Applicant is proposing dedication of ~24 acres of open space to the City. The dedicated land includes opportunities for additional pedestrian and mountain bike trails with panoramic vistas to the north, east and south. The Applicant is also committing to relocation of the Fox Tail Trail to an alternate alignment east and north of the new Lot 1.

PARCEL
PCA-S-98-SEC-11

LOCATED IN THE NORTHWEST QUARTER OF SECTION 11,
TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN
RECORD OF SURVEY
SUMMIT COUNTY, UTAH



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 70°48'39" E	20.35'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	675.00'	47.10'	3°59'53"
C2	15.00'	13.05'	49°51'38"
C3	50.00'	42.48'	48°40'36"

LEGAL DESCRIPTION

The surface estate of those portions of the Woodrow No. 6, Clegg No. 2 and Clegg No. 3 patented Mining claims situated in the Northeast Quarter of Section 10 and the Northwest Quarter of Section 11, Township 2 South, Range 4 East, SLB&M, Summit County, Utah which real property is more particularly described as follows:

Beginning at the Northwest corner of Section 11, Township 2 south, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of Section 11, South 88°47'03" East 1240.30 feet; thence along the Easterly end line of the Clegg No. 3 Mining claim (Mineral Survey 6792) South 39°40'23' East 215.18 feet; thence along the Easterly end line of the Clegg No. 3 Mining claim South 38°46'13" East 606.70 feet, thence along the Southerly side line of the Clegg No. 3 Mining Claim South 75°52'07" West 1501.92 feet; thence along the Southerly line of the Woodrow No. 6 Mining claim South 63°17'52" West 358.92 feet; thence North 0°57'03" East 142.10 feet to a point of a 675.00 foot radius curve to the left whose radius point bears South 01°58'05" East; thence along the arc of said curve 47.10 feet thru a central angle of 03°59'53" to a point on a 15.00 foot radius curve to the right, whose radius point bears North 05°57'58" West; thence along the arc of said curve 13.05 feet thru a central angle of 49°51'38" to a point on a 50.00 foot radius curve to the left, whose radius point bears South 43°53'40" West; thence along the arc of said curve 42.48 feet thru a central angle of 48°40'36"; thence North 07°11'05" West 317.18 feet; thence North 89°32'18" East 124.80 feet; Thence North 70°48'39" East 20.35 feet, thence North 0°57'03" East 714.42 feet to the point of beginning.

SURVEYOR'S CERTIFICATE

I, Charles Galati, certify that I am a Professional Land Surveyor and that I hold License No. 7248891, as prescribed by the laws of the State of Utah. I further certify that under my direct supervision a survey has been performed on the hereon described property and that to the best of my knowledge this plat is a correct representation of said survey.

PROFESSIONAL LAND SURVEYOR
No. 7248891
CHARLES GALATI
02/01/2021
State of Utah

PARK CITY HEIGHTS PHASE 2
RECORDED: AUGUST 4, 2020
ENTRY NO.: 1138069

LEGEND

- Found Monument (As-Noted)
- Found Street Monument (As-Noted)
- Found Section monument (As-Noted)

NARRATIVE/NOTES

1. Basis of Bearing for this survey is between the found section monuments as shown on this plat.
2. Field work for this survey was completed December 3, 2020, and is in compliance with generally accepted industry standards for accuracy.
3. The purpose of this survey was to perform an Existing Conditions and Topography survey for the possibility of future improvements to the property.
4. A Title Report was provided to the surveyor, File No. 27696 Dated November 13, 2018 prepared by Old Republic National Title Insurance Company, and only easements per said title report were located as part of this survey. The owner of the property should be aware of any items affecting the property that may appear in a title insurance report. The surveyor found no obvious evidence of easements, encroachments or encumbrances on the property surveyed except as shown hereon.
5. County tax maps, recorded deeds, Hidden Meadow Subdivision Phase 1 (Entry N.: 436642), Park City Heights Phase 2 (Entry No. 1138069), Park City Heights Phase 3 (Entry No. 1120269), Grant of easement Entry No. 49018, Pole line easement Entry No. 497673, Pole line easement Entry No. 503332, and Record of Surveys S7180, S9447 (all aforementioned documents on file and of record in the Summit County Recorder's Office), and physical evidence found in the field were all considered when determining the boundary as shown on this plat.
6. Easement Entry No. 49018 is a blanket easement and not addressed on this survey.
7. Site Benchmark: Water Valve, Elevation=7104.86' as shown.
8. The architect is responsible for verifying building setbacks, zoning requirements and building heights.
9. Property corners were found as shown.
10. Measured bearings and distances, when different than record, are shown in parenthesis. ( )

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

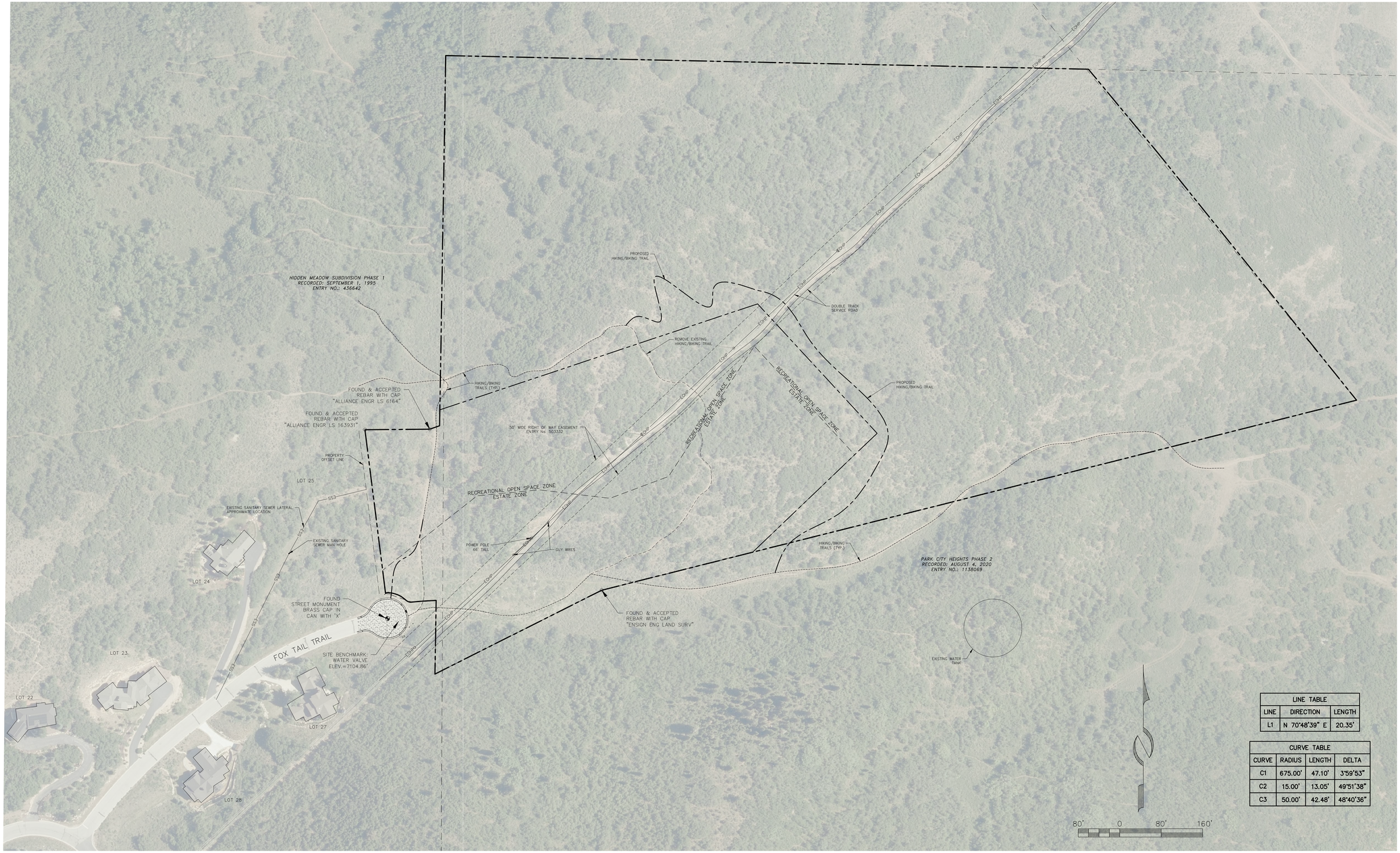
STAFF:
CHARLES GALATI
DUSTIN CARRISH
JASON WYNNE
TIM WILSON

DATE: 2/1/21

EXISTING CONDITIONS & TOPOGRAPHIC MAP
HIDDEN MEADOWS PARCELS

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\srv\srvy2020\191120-Hidden Meadow Survey-Redus\19-120-ros.dwg

SHEET 1 **OF** 1



LINE TABLE		
LINE	DIRECTION	LENGTH
L1	N 70°48'39" E	20.35'

CURVE TABLE			
CURVE	RADIUS	LENGTH	DELTA
C1	675.00'	47.10'	3°59'53"
C2	15.00'	13.05'	49°51'38"
C3	50.00'	42.48'	48°40'36"

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

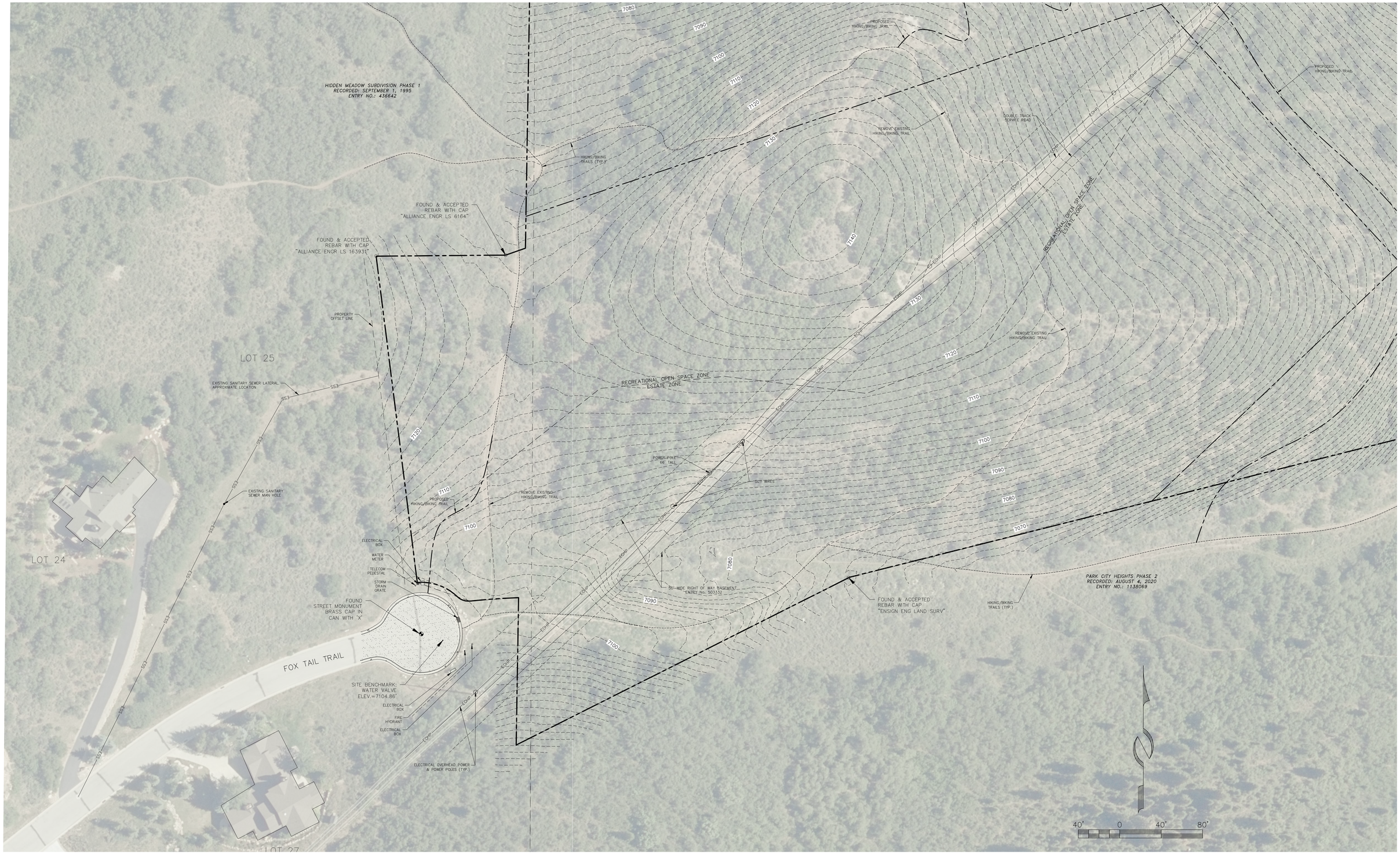
STAFF:
MICHAEL DEMKOWICZ
DUSTIN CARRISH
BRAYLON ROSE

DATE: 11/29/21

OVERALL SITE MAP
FOX TAIL SUBDIVISION

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\projects\191120 Fox Tail subdivision Redus\191120-civil.dwg

SHEET 1 **OF** 5



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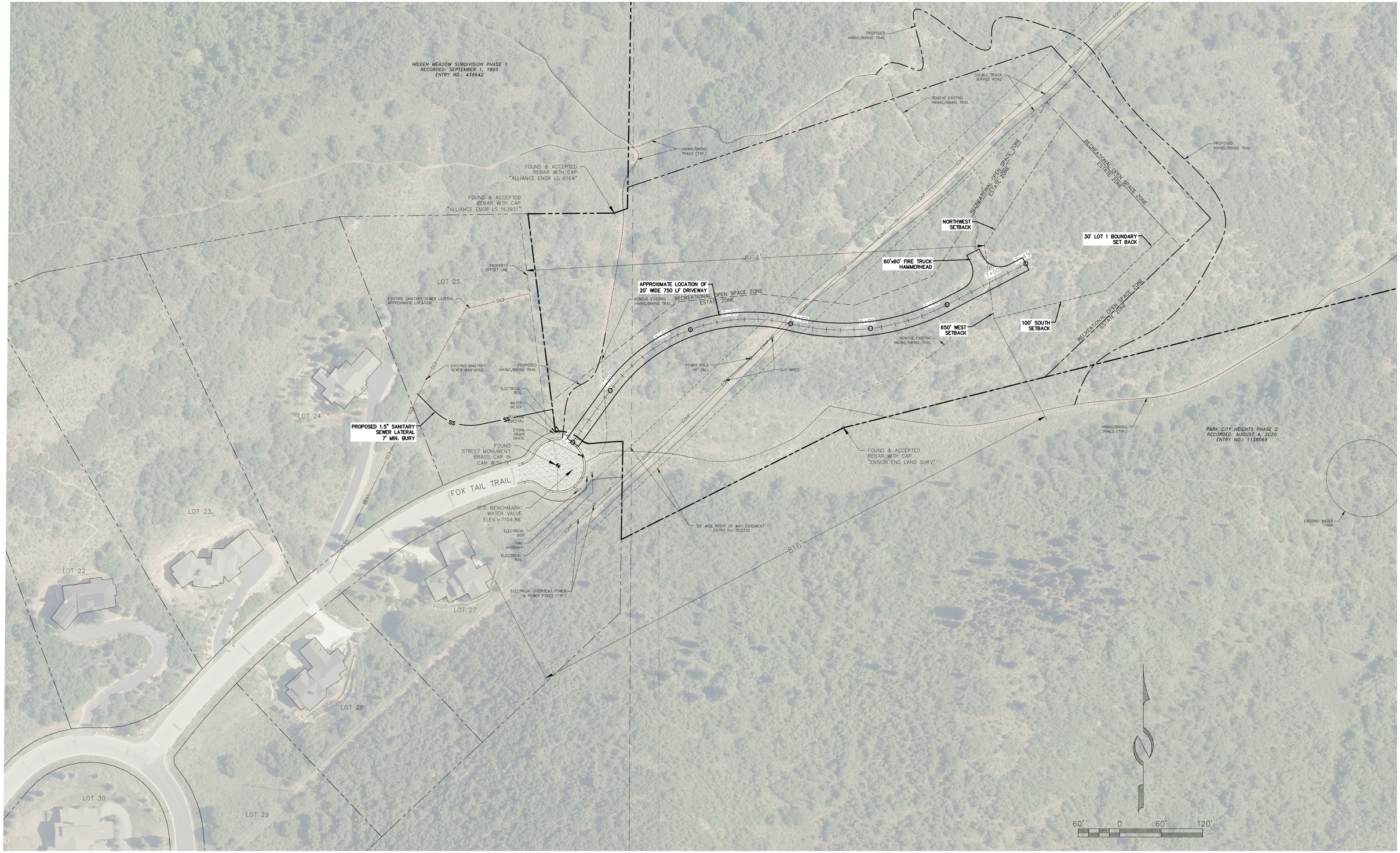
STAFF:
MICHAEL DEMKOWICZ
DUSTIN CARRISH
BRAYLON ROSE

DATE: 11/29/21

EXISTING CONDITIONS & TOPOGRAPHY MAP
FOX TAIL SUBDIVISION

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\projects\191120 Fox Tail subdivision Redus\191120-civil.dwg

SHEET 2 **OF** 5



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

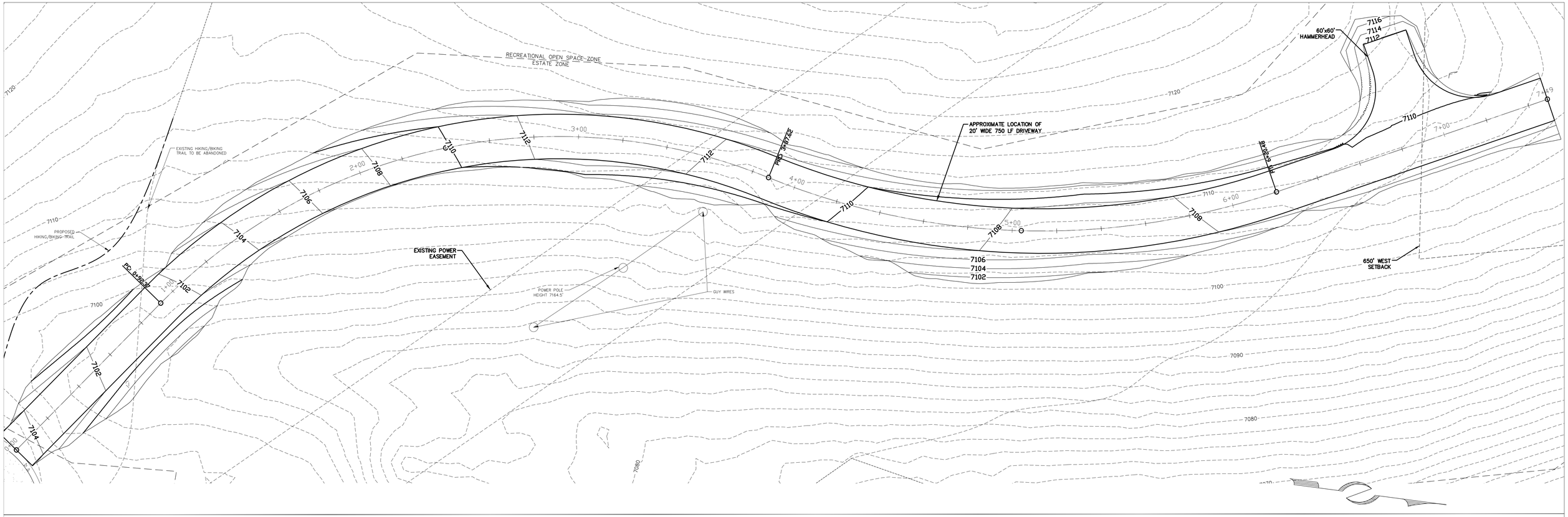
STAFF:
MICHAEL DEMKOWICZ
DUSTIN CARRISH
BRAYLON ROSE

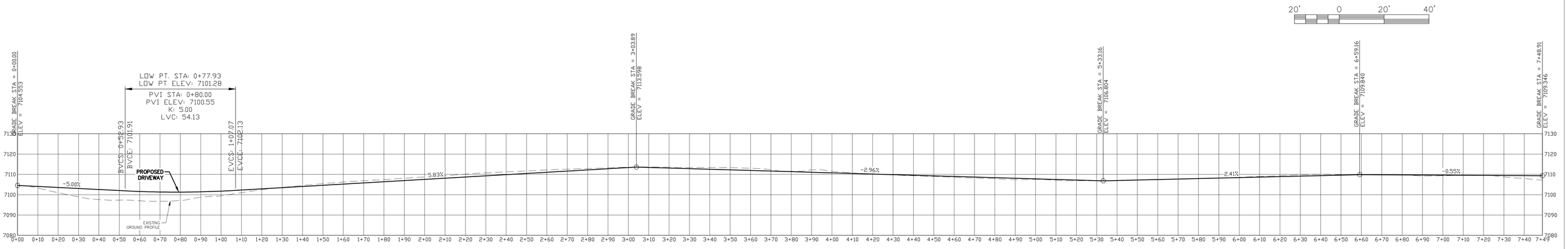
DATE: 11/29/21

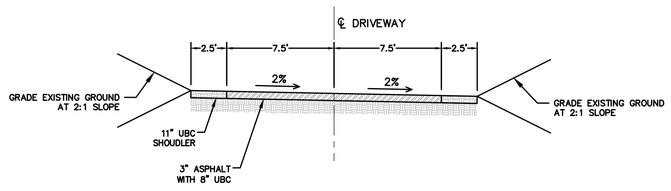
PROPOSED SITE PLAN
FOX TAIL SUBDIVISION

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\projects\191120 Fox Tail subdivision Redus\191120-civil.dwg

SHEET 3 **OF** 5







DRIVEWAY SECTION

5' 0 5' 10'

EARTHWORK CALCULATIONS
CUT VOLUME: 675 Cu. Yd.
FILL VOLUME: 756 Cu. Yd.
NET VOLUME: 81 Cu. Yd. (FILL)

NOTE: EARTHWORK CALCULATIONS DO NOT INCLUDE ASPHALT THICKNESS AND SUB BASE

DRIVEWAY LIMITS OF DISTURBANCE
AREA: 26,909 SQ FT

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

STAFF:
MICHAEL DEMKOWICZ
DUSTIN CARRISH
BRAYLON ROSE

DATE: 11/29/21

PARCEL 26 DRIVEWAY & PROFILE
FOX TAIL SUBDIVISION

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\projects\191120 Fox Tail subdivision Redus\191120-civil.dwg

SHEET 4 OF 5

GAMBLE OAK TREE CLUSTER

GAMBLE OAK TREE CLUSTER

APPROXIMATE LOCATION OF 20' WIDE 750 LF DRIVEWAY

RECREATIONAL OPEN SPACE ZONE ESTATE ZONE

NORTHWEST SETBACK

RECREATIONAL OPEN SPACE ZONE ESTATE ZONE

60'x60' FIRE TRUCK HAMMERHEAD

GAMBLE OAK TREE CLUSTER

30' LOT 1 BOUNDARY SET BACK

650' WEST SETBACK

GAMBLE OAK TREE CLUSTER

100' SOUTH SETBACK

RECREATIONAL OPEN SPACE ZONE ESTATE ZONE

POWER POLE 66' TALL

GUY WIRES

SS3

SS

ECHP

30' 0 30' 60'

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

STAFF:
MICHAEL DEMKOWICZ
DUSTIN CARRISH
BRAYLON ROSE

DATE: 11/29/21

LOT 1 AERIAL & VEGETATION MAP
FOX TAIL SUBDIVISION

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\projects\191120 Fox Tail subdivision Redus\191120-civil.dwg

SHEET 5 **OF** 5

HIDDEN MEADOW SUBDIVISION PHASE 1
RECORDED: SEPTEMBER 1, 1995
ENTRY NO.: 436642

FOUND & ACCEPTED
REBAR WITH CAP
"ALLIANCE ENGR LS 163931"

FOUND & ACCEPTED
REBAR WITH CAP
"ALLIANCE ENGR LS 6164"

RIDGELINE

ZONING BOUNDARY

DIRT ROAD & ELECTRIC OVERHEAD POWERLINES

REMOVE EXISTING HIKING/BIKING TRAIL

HIKING/BIKING TRAILS (TYP.)

RECREATIONAL OPEN SPACE ZONE
ESTATE ZONE

DOUBLE TRACK SERVICE ROAD

600' WEST SETBACK

APPROXIMATE LOCATION OF 15,000 SQ. FT. IMPROVEMENT ENVELOPE

PROPOSED TRAIL EASEMENT

150' RIDGELINE OFFSET

APPROXIMATE LOCATION OF 20' WIDE 700 LF DRIVEWAY

50' WIDE RIGHT OF WAY EASEMENT
ENTRY No. 503332

30' LOT 1 BOUNDARY SET BACK

50' OFFSET TOP OF VERY STEEP SLOPE

TOP OF VERY STEEP SLOPE

FOUND & ACCEPTED
REBAR WITH CAP
"ENSIGN ENG LAND SURV"

PROPOSED HIKING/BIKING TRAIL

ELECTRICAL OVERHEAD POWER & POWER POLES (TYP.)

PARK CITY HEIGHTS PHASE 2
RECORDED: AUGUST 4, 2020
ENTRY NO.: 1138069

SLOPE TABLE			
NUMBER	MINIMUM SLOPE	MAXIMUM SLOPE	COLOR
1	0%	10%	
2	10%	20%	
3	20%	30%	
4	30%	40%	
5	40%	100%	

30' 0 30' 60'

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

STAFF:
CHARLES GALATI
DUSTIN CARRISH
BRAYLON ROSE

DATE: 9/21/21

CONSTRAINTS MAP
PARCEL PCA-S-98-SEC-11

FOR: REDUS
JOB NO.: 19-11-20
FILE: X:\TheOaks\dwg\srv\srvy2020\191120-Hidden Meadow Survey-Redus

SHEET 1 **OF** 1

SURVEYOR'S CERTIFICATE

I John Demkowicz, do hereby certify that I am a registered Land Surveyor and that I hold Certificate No. 163931 as prescribed under the laws of the State of Utah, I further certify that by authority of the owner I have made a survey of the tract of land shown on this plat and described herein and subdivided said tract of land into lots, public easements, ROS parcels and public right-of-ways to be hereafter known as HIDDEN MEADOW SUBDIVISION PHASE 1 and that the same has been correctly surveyed on the ground as shown on this plat.

JOHN DEMKOWICZ L.S. NO. 163931 — 8-24-95 DATE

REGISTERED LAND SURVEYOR No. 163931 JOHN DEMKOWICZ State of Utah

BOUNDARY DESCRIPTION

Beginning at a point on the northerly end line of the Emma mining claim North 77° 39' 13" West 251.53 feet from the Northeast corner of the Emma mining claim, said point is located North 4133.38 feet and East 2713.23 feet from the East Quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the northerly end of the Emma , the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) North 77° 39' 13" West 1375.42 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) North 28° 59' 00" West 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) North 59° 06' 00" East 465.36 feet more or less; thence along the southerly side line of the Bessie mining claim (Mineral Survey 5552) North 61° 01' 00" East 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim North 38° 40' 43" West 14.26 feet; thence along the Chatham Crossing Subdivision boundary (Recorded Instrument Number 179465 in the Office of the Summit County Recorder) the following four courses:) 1) North 61° 10' 55" East (Plat North 61° 05' 58" East) 46.56 feet; thence 2) North 41° 14' 05" West (Plat North 41° 19' 02" West) 1317.38 feet; thence 3) South 89° 55' 03" East (Plat East) 595.29 feet; thence 4) North 0° 04' 57" East (Plat North) 785.35 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) North 60° 10' 00" East 509.54 feet more or less; thence along the northerly side line of the Woodrow No. 2 mining claim North 62° 56' 19" East 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) North 44° 04' 01" West 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) North 78° 41' 14" East 40.19 feet; thence along easterly side line of the Potosi mining claim North 53° 33' 00" East 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim South 41° 00' 00" East 158.14 feet more or less; thence along the west line of the east half of the southwest quarter of the southwest quarter of section 2 South 00° 29' 39" West 656.87 feet more or less; thence along the North line of Section 11 North 88° 47' 03" West 654.97 feet more or less to the Northwest Corner of Section 11; thence South 0° 57' 03" West 714.42 feet; thence South 70° 48' 39" West 20.35 feet; thence South 89° 32' 18" West 124.80 feet; thence South 07° 11' 05" East 317.18 feet to a point on a 50.00 foot radius curve to the right, whose radius point bears South 04° 46' 56" East, thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36" to a point on a 15.00 foot radius curve to the left, whose radius point bears North 43° 53' 40" East; thence along the arc of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 675.00 foot radius curve to the right, whose radius point bears South 05° 57' 58" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53"; thence South 0° 57' 03" West 1415.52 feet to a point on a 50.00 foot radius curve to the left, whose radius point bears North 89° 02' 57" West; thence along the arc of said curve 73.52 feet thru a central angle of 84° 14' 57"; thence North 10° 46' 33" West 34.02 feet; thence South 80° 37' 22" West 628.64 feet; thence North 16° 28' 35" West 238.32 feet; thence North 13° 36' 27" West 50.00 feet; thence South 76° 23' 33" West 64.47 feet to a point on a 290.15 foot radius curve to the left, whose radius point bears South 13° 36' 27" East; thence along the arc of said curve 48.67 feet thru a central angle 09° 36' 38"; thence North 31° 57' 40" West 225.19 feet; thence South 46° 41' 39" West 377.59 feet; thence South 07° 56' 32" East 319.08 feet; thence South 10° 24' 24" West 233.92 feet; thence South 41° 50' 49" West 137.01 feet; thence South 67° 45' 45" West 221.74 feet; thence South 14° 25' 20" East 246.82 feet; thence South 38° 35' 36" East 164.61 feet to the northeast corner of Phase 1, Parcel 1 of Royal Oaks Subdivision Phase I (Recorded Instrument No. 352414 in the office of the Summit County Recorder); thence along the north line of said Parcel 1 South 79° 34' 34" West (Plat South 79° 36' 44" West) 160.00 feet; thence along the north line of said Parcel 1 South 69° 24' 48" West (Plat South 69° 26' 58" West) 65.28 feet; thence along The Oaks at Deer Valley (Recorded instrument No. 311418 in the office of the Summit County Recorder) boundary line South 68° 57' 50" West (Plat South 69° 00' 00" West) 59.25 feet; thence along The Oaks at Deer Valley boundary line South 48° 57' 50" West (Plat South 49° 00' 00" West) 300.00 feet; thence North 65° 36' 22" West 331.48 feet to a point on a 538.60 foot radius curve to the left, whose radius point bears South 60° 33' 01" East; thence along the arc of said curve 335.95 feet thru a central angle of 35° 44' 16"; thence South 06° 17' 17" East 477.78 feet to a point on a 125.00 foot radius curve to the left, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 18.63 feet thru a central angle of 08° 32' 16"; thence along The Oaks at Deer Valley boundary line South 81° 46' 37" West (Plat South 81° 48' 47" West) 50.24 feet to a point on a 175.00 foot radius curve to the right, whose radius point bears North 77° 03' 57" East; thence along the arc of said curve 20.30 feet thru a central angle of 06° 38' 46"; thence North 06° 17' 17" West 477.78 feet to a point on a 588.60 foot radius curve to the right, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 214.78 feet thru a central angle of 20° 54' 26"; thence North 68° 29' 02" West 229.73 feet; thence South 46° 04' 16" West 126.36 feet; thence South 11° 47' 28" West 170.03 feet to the point of beginning. Description contains 222.03 acres more or less. The Basis of Bearing for the above description is South 00° 30' 11" West between the East Quarter corner and the southeast corner of Section 16.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENT: That the undersigned is the owner of the herein described tract of land, having caused the same to be subdivided into lots, ROS parcels and public right-of-ways, together with easements as set forth on this Record of Survey Plat to be know hereafter as HIDDEN MEADOW SUBDIVISION, does hereby dedicate for the perpetual use of the public, all parcels of land as intended for public use and further consents to the recordation of this Record of Survey Plat in accordance with Utah Law. ALSO, the owner hereby dedicates to Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement. The owner, or his representative, hereby irrevocably offers for dedication to the City of Park City all the streets, land for local government uses, easements, parks and required utilities and easements shown on the subdivision plat and construction plans in accordance with an irrevocable offer of dedication.

IN WITNESS WHEREOF, the undersigned set his hand this 24th day of August, 1995.

BLUE LEDGE CORPORATION
A Delaware Corporation

Hank Rothwell
Its President

NOTARY PUBLIC DEBBIE WARD 3001 South State Heber City, UT 84032 My Commission Expires June 30, 1999 State of Utah

ACKNOWLEDGEMENT

STATE OF UTAH)
:ss
COUNTY OF SUMMIT)

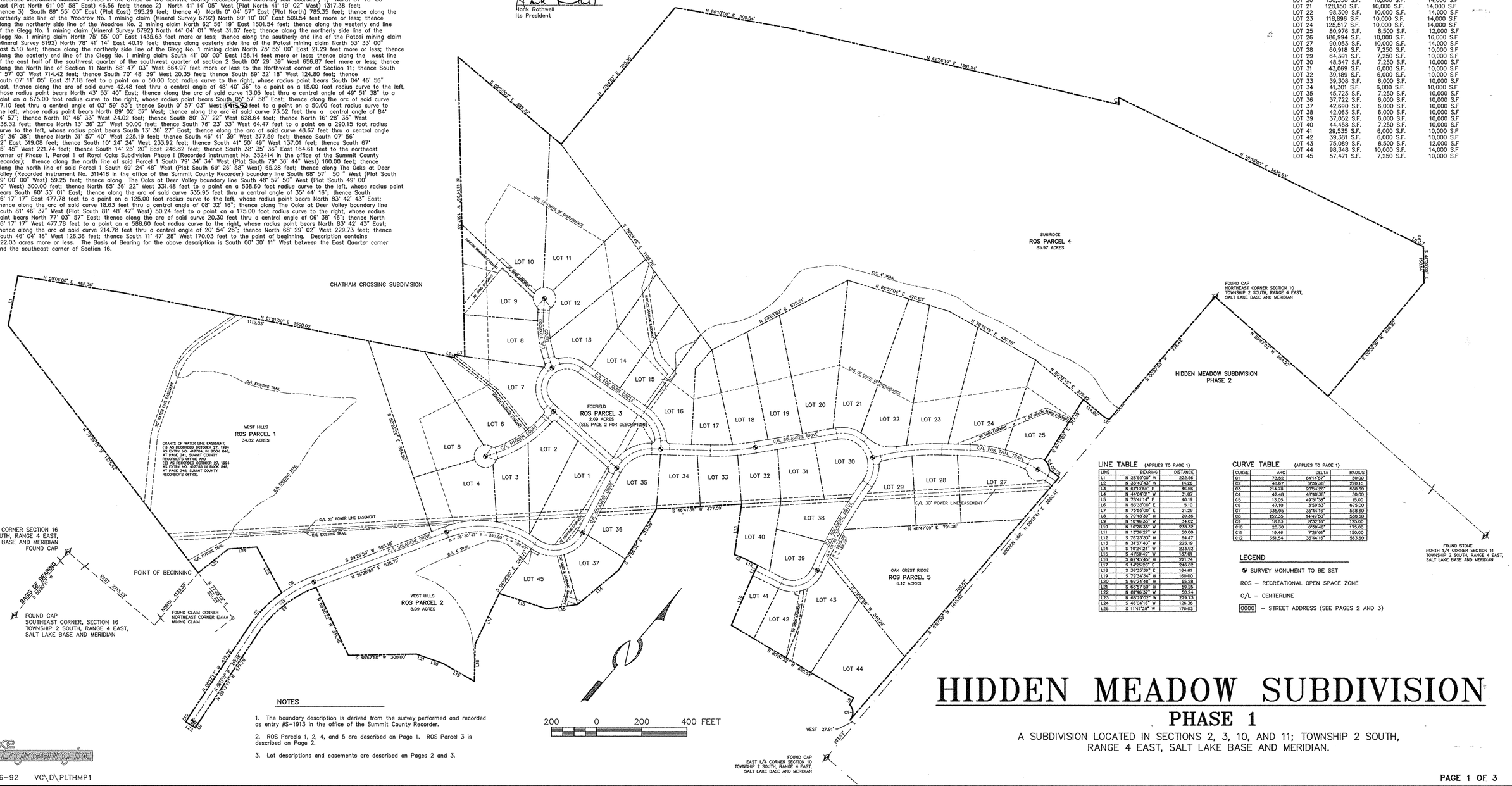
On the 24 day of August 1995, Hank Rothwell, appeared before me and acknowledged that he is the President of Blue Ledge Corporation, A Delaware Corporation, and that he executed the same on behalf of the Corporation with proper authority.

Debbie Ward
Notary Public

Residing at : Heber, Ut
Commission Expires:
May 30, 1999

TABLE B

LOT #	SQUARE FEET	MAXIMUM FLOOR AREA	MAXIMUM SITE DISTURBANCE
LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F
LOT 3	49,336 S.F.	7,250 S.F.	10,000 S.F
LOT 4	81,380 S.F.	8,500 S.F.	12,000 S.F
LOT 5	157,921 S.F.	10,000 S.F.	14,000 S.F
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F
LOT 8	64,921 S.F.	7,250 S.F.	10,000 S.F
LOT 9	81,303 S.F.	8,500 S.F.	12,000 S.F
LOT 10	281,972 S.F.	10,000 S.F.	16,000 S.F
LOT 11	122,989 S.F.	10,000 S.F.	16,000 S.F
LOT 12	80,190 S.F.	8,500 S.F.	12,000 S.F
LOT 13	81,338 S.F.	8,500 S.F.	12,000 S.F
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F
LOT 16	58,077 S.F.	7,250 S.F.	10,000 S.F
LOT 17	49,379 S.F.	7,250 S.F.	10,000 S.F
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F
LOT 19	78,352 S.F.	8,500 S.F.	12,000 S.F
LOT 20	130,330 S.F.	10,000 S.F.	14,000 S.F
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F
LOT 22	98,309 S.F.	10,000 S.F.	14,000 S.F
LOT 23	118,886 S.F.	10,000 S.F.	14,000 S.F
LOT 24	125,517 S.F.	10,000 S.F.	14,000 S.F
LOT 25	89,976 S.F.	8,500 S.F.	12,000 S.F
LOT 26	186,994 S.F.	10,000 S.F.	16,000 S.F
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F
LOT 28	60,918 S.F.	7,250 S.F.	10,000 S.F
LOT 29	64,391 S.F.	7,250 S.F.	10,000 S.F
LOT 30	48,547 S.F.	7,250 S.F.	10,000 S.F
LOT 31	43,069 S.F.	6,000 S.F.	10,000 S.F
LOT 32	39,189 S.F.	6,000 S.F.	10,000 S.F
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F
LOT 36	37,722 S.F.	6,000 S.F.	10,000 S.F
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F
LOT 38	42,063 S.F.	6,000 S.F.	10,000 S.F
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F
LOT 40	44,458 S.F.	7,250 S.F.	10,000 S.F
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F
LOT 43	75,089 S.F.	8,500 S.F.	12,000 S.F
LOT 44	98,348 S.F.	10,000 S.F.	14,000 S.F
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F


CHATHAM CROSSING SUBDIVISION
N 59°06'00" E 465.36'
N 61°01'00" E 1500.00'
1112.03'
N 60°10'00" E 509.54'
N 62°56'19" E 1501.54'
N 0°04'57" E 785.35'
S 89°55'03" E 595.29'
N 41°14'05" W 1317.38'
N 75°55'00" E 1435.63'
N 44°04'01" W 31.07'
N 78°41'14" E 40.19'
N 53°33'00" E 5.10'
N 75°55'00" E 21.29'
S 41°00'00" E 158.14'
N 88°47'03" W 654.97'
N 75°55'00" W 1355.03'
S 89°55'03" E 595.29'
S 0°57'03" W 714.42'
S 70°48'39" W 20.35'
S 89°32'18" W 124.80'
S 07°11'05" E 317.18'
S 0°57'03" W 1415.52'
N 10°46'33" W 34.02'
S 80°37'22" W 628.64'
N 16°28'35" W 238.32'
N 13°36'27" W 50.00'
S 76°23'33" W 64.47'
N 31°57'40" W 225.19'
S 46°41'39" W 377.59'
S 07°56'32" E 319.08'
S 10°24'24" W 233.92'
S 41°50'49" W 137.01'
S 67°45'45" W 221.74'
S 14°25'20" E 246.82'
S 38°35'36" E 164.61'
S 79°34'34" W 160.00'
S 69°24'48" W 65.28'
S 68°57'50" W 59.25'
S 48°57'50" W 300.00'
N 65°36'22" W 331.48'
N 81°46'37" E 50.24'
N 06°17'17" W 477.78'
N 68°29'02" W 229.73'
S 46°04'16" W 126.36'
S 11°47'28" W 170.03'
N 83°42'43" E 125.00'
N 06°17'17" W 477.78'
N 83°42'43" E 588.60'
N 77°03'57" E 175.00'
S 81°46'37" W 50.24'
S 06°17'17" E 477.78'
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S 68°29'02" E 229.73'
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S 06°17'17" E 477.78'
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S 46°04'16" W 126.36'
S 11°47'28" W 170.03'
N 83°42'43" E 125.00'
N 06°17'17" W 477.78'
N 83°42'43" E 588.60'
N 77°03'57" E 175.00'
S 81°46'37" W

TABLE B

LOT #	SQUARE FEET	MAXIMUM FLOOR AREA	MAXIMUM SITE DISTURBANCE
LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F
LOT 3	49,336 S.F.	7,250 S.F.	10,000 S.F
LOT 4	81,380 S.F.	8,500 S.F.	12,000 S.F
LOT 5	157,921 S.F.	10,000 S.F.	14,000 S.F
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F
LOT 8	64,921 S.F.	7,250 S.F.	10,000 S.F
LOT 9	81,303 S.F.	8,500 S.F.	12,000 S.F
LOT 10	281,972 S.F.	10,000 S.F.	16,000 S.F
LOT 11	122,989 S.F.	10,000 S.F.	16,000 S.F
LOT 12	80,190 S.F.	8,500 S.F.	12,000 S.F
LOT 13	81,338 S.F.	8,500 S.F.	12,000 S.F
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F
LOT 16	58,077 S.F.	7,250 S.F.	10,000 S.F
LOT 17	49,379 S.F.	7,250 S.F.	10,000 S.F
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F
LOT 19	78,352 S.F.	8,500 S.F.	12,000 S.F
LOT 20	130,330 S.F.	10,000 S.F.	14,000 S.F
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F
LOT 22	98,309 S.F.	10,000 S.F.	14,000 S.F
LOT 23	118,896 S.F.	10,000 S.F.	14,000 S.F
LOT 24	125,517 S.F.	10,000 S.F.	14,000 S.F
LOT 25	80,976 S.F.	8,500 S.F.	12,000 S.F
LOT 26	186,094 S.F.	10,000 S.F.	16,000 S.F
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F
LOT 28	60,918 S.F.	7,250 S.F.	10,000 S.F
LOT 29	64,391 S.F.	7,250 S.F.	10,000 S.F
LOT 30	48,547 S.F.	7,250 S.F.	10,000 S.F
LOT 31	43,069 S.F.	6,000 S.F.	10,000 S.F
LOT 32	39,189 S.F.	6,000 S.F.	10,000 S.F
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F
LOT 36	37,722 S.F.	6,000 S.F.	10,000 S.F
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F
LOT 38	42,063 S.F.	6,000 S.F.	10,000 S.F
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F
LOT 40	44,458 S.F.	7,250 S.F.	10,000 S.F
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F
LOT 43	75,089 S.F.	8,500 S.F.	12,000 S.F
LOT 44	98,348 S.F.	10,000 S.F.	14,000 S.F
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F

TRAIL EASEMENT LINE TABLE

LINE	DIRECTION	DISTANCE
T1	S 29°24'18" E	59.39'
T2	S 07°07'44" E	12.50'
T3	N 87°28'28" W	28.64'
T4	N 15°59'28" E	21.66'
T5	N 54°33'46" E	17.29'
T6	N 48°53'13" W	20.63'
T7	N 70°05'29" W	31.67'
T8	N 61°19'41" E	21.35'
T9	N 34°40'44" E	24.98'
T10	N 07°55'11" W	26.28'
T11	N 34°55'33" W	32.59'
T12	N 42°49'42" W	54.18'
T13	N 01°52'41" W	19.81'
T14	N 16°39'15" E	43.00'
T15	N 30°06'56" E	37.33'
T16	N 04°27'31" E	44.84'

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 39°29'09" W	15.00
L2	S 88°19'31" E	43.67
L3	N 88°19'31" W	31.64
L4	N 88°19'31" W	39.51
L5	N 88°19'31" W	22.43
L6	S 36°02'08" E	51.33
L7	S 36°02'08" E	11.53
L8	S 53°33'31" E	5.06
L9	S 53°33'31" E	45.14
L10	N 57°33'21" W	26.14
L11	N 57°33'21" W	24.06
L12	N 33°59'01" E	22.68
L13	N 2°23'13" E	12.19
L14	N 2°23'13" E	39.43
L15	S 2°23'13" W	39.51
L16	S 2°23'13" W	12.11
L17	N 12°17'11" W	19.93
L18	N 51°39'51" W	40.00
L19	N 51°39'51" E	38.53
L20	N 36°30'47" E	35.50
L21	N 51°48'03" E	124.46
L22	N 29°28'59" E	61.61
L23	N 88°19'31" W	138.38
L24	S 2°23'13" W	12.11
L25	N 2°23'13" E	12.19
L26	N 57°33'21" W	24.06
L27	N 36°02'08" W	11.53
L28	N 36°02'08" W	11.53
L29	S 53°33'31" E	5.06
L30	N 85°01'17" E	29.13
L31	N 51°39'51" E	96.64
L32	N 51°39'51" E	84.38
L34	S 51°39'51" W	57.45
L35	S 51°39'51" W	38.85
L36	N 40°25'45" E	61.47
L37	N 40°25'45" E	11.74
L39	N 51°48'03" E	26.21
L40	N 51°48'03" E	98.28
L41	N 88°09'00" W	127.05
L42	S 51°48'03" W	55.46
L43	S 51°48'03" W	69.00
L44	N 76°23'33" E	58.33
L45	N 76°23'33" E	69.98
L46	N 40°25'45" W	104.09
L47	S 40°25'45" W	96.57

CURVE TABLE

CURVE	ARC	DELTA	RADIUS
C1	32.65	10°46'16"	173.70
C2	139.07	45°52'18"	173.70
C3	13.37	6°46'23"	113.00
C4	22.50	11°24'31"	113.00
C5	38.98	19°45'58"	113.00
C6	99.30	50°20'56"	113.00
C7	153.36	49°52'29"	173.70
C8	20.37	6°43'05"	173.70
C9	30.01	3°14'16"	531.08
C10	26.91	2°54'10"	531.08
C11	11.26	3°38'44"	176.21
C12	38.60	12°33'05"	176.21
C13	144.89	47°06'43"	176.21
C14	1.92	0°37'23"	176.21
C15	31.37	12°56'23"	140.00
C16	80.73	33°02'19"	140.00
C17	90.28	36°56'49"	140.00
C18	189.37	92°59'43"	117.73
C19	52.90	4°39'48"	650.00
C20	52.90	4°53'04"	650.00
C21	87.21	7°41'15"	650.00
C22	156.49	20°37'43"	440.00
C23	43.38	5°38'56"	440.00
C24	19.91	78°50'20"	15.00
C25	23.38	89°17'16"	15.00
C26	128.88	13°16'44"	556.08
C27	149.10	15°21'44"	556.08
C28	13.07	49°55'56"	15.00
C29	23.94	27°28'02"	50.00
C30	99.45	113°57'31"	50.00
C31	84.48	96°48'18"	50.00
C32	39.93	45°45'15"	50.00
C33	14.04	54°22'33"	15.00
C34	164.67	18°36'36"	506.08
C35	85.35	9°39'46"	506.08
C36	21.97	83°56'07"	15.00
C37	15.98	61°03'12"	15.00
C38	170.01	17°40'17"	551.21
C39	37.03	3°50'56"	551.21
C40	13.62	52°01'12"	15.00
C41	64.05	73°12'49"	50.00
C42	51.88	59°27'03"	50.00
C43	45.44	52°03'53"	50.00
C44	86.01	99°57'54"	50.00
C45	13.62	52°01'12"	15.00
C46	110.55	12°38'16"	501.21
C47	77.70	8°52'33"	501.21
C48	22.98	87°46'18"	15.00
C49	121.27	50°20'56"	138.00
C50	96.79	53°50'33"	991.68
C51	97.66	5°38'34"	991.68
C52	168.77	63°57'02"	151.21
C53	140.00	47°11'05"	170.00
C54	151.51	51°03'53"	170.00
C55	116.32	40°37'27"	165.00
C56	36.44	12°39'16"	165.00
C57	44.88	02°36'20"	1054.33
C58	158.86	8°37'58"	1054.33
C59	157.47	13°22'00"	675.00
C60	118.94	10°05'48"	675.00
C61	13.05	49°51'38"	15.00
C62	52.20	59°48'49"	50.00
C63	42.48	48°40'36"	50.00
C64	13.05	49°51'38"	15.00
C65	93.85	7°57'58"	675.00
C68	38.02	3°29'08"	625.00
C67	14.24	54°23'30"	15.00
C68	86.79	99°27'04"	50.00
C69	14.24	54°23'30"	15.00
C70	132.14	7°26'18"	1054.33
C71	135.66	7°40'03"	1004.33
C72	20.20	77°09'37"	15.00
C73	106.40	36°56'49"	165.00
C74	158.58	4°22'43"	2075.00
C75	55.62	1°32'09"	2075.00
C76	115.19	46°14'33"	142.73
C77	114.39	45°55'10"	142.73
C78	149.16	92°09'43"	92.73
C79	128.31	3°27'35"	2125.00
C80	93.31	2°30'56"	2125.00
C81	82.79	4°33'14"	1041.68
C82	121.47	6°40'53"	1041.68
C83	22.67	87°44'53"	15.00
C84	165.45	47°06'43"	201.21
C85	26.22	100°08'48"	15.00
C86	119.05	45°52'18"	148.70
C87	45.83	4°12'08"	625.00
C88	21.80	83°16'36"	15.00
C89	75.77	4°13'02"	1028.33
C90	255.18	23°27'46"	650.00
C91	44.08	3°53'09"	650.00
C92	262.37	28°18'22"	531.08
C93	73.52	84°14'53"	50.00
C94	48.67	9°36'38"	290.13

EASEMENT LINE TABLE

LINE	DIRECTION	DISTANCE
EL1	S 76°24'45" E	17.33'
EL2	N 85°01'17" E	15.00'
EL3	S 12°56'20" E	10.32'
EL4	S 77°03'40" W	40.00'
EL5	N 04°08'20" W	12.09'
EL6	N 12°29'22" W	90.67'
EL7	N 40°59'00" W	77.94'
EL8	N 43°41'07" W	15.97'
EL9	N 58°53'39" W	43.83'
EL10	S 80°37'22" W	29.75'
EL11	S 80°37'22" W	1.89'
EL12	S 62°06'37" W	18.41'
EL13	N 48°50'55" W	12.37'
EL14	N 48°41'39" E	4.40'
EL15	N 00°57'03" E	89.12'
EL16	S 88°00'00" E	8.26'
EL17	N 58°23'28" W	35.04'
EL18	S 76°24'45" E	25.33'
EL19	S 61°01'00" W	21.88'
EL20	N 38°40'43" W	12.50'
EL21	N 46°48'19" E	40.97'
EL22	N 41°14'05" W	39.84'
EL23	S 70°00'00" W	4.22'

EASEMENT CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
EC1	50.00'	20.89'	24°02'51"
EC2	198.70'	15.00'	04°19'36"
EC3	15.00'	20.61'	78°42'31"
EC4	201.21'	41.26'	11°45'00"
EC5	15.00'	21.31'	81°23'26"
EC6	120.00'	49.42'	23°35'55"
EC7	170.00'	38.27'	12°53'49"
EC8	170.00'	30.18'	10°10'14"
EC9	142.73'	24.30'	09°45'13"
EC10	142.73'	17.44'	07°00'01"
EC11	142.73'	17.93'	07°11'46"
EC12	506.08'	10.00'	01°07'56"
EC13	506.08'	10.01'	01°07'58"
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REAR LOT LINE
5' DRAINAGE EASEMENT
SIDE LOT LINE
SIDE LOT LINE
FRONT LOT LINE
10' NON-EXCLUSIVE UTILITIES AND SNOW STORAGE EASEMENT

TYPICAL LOT WITH EASEMENTS

LEGEND

- SURVEY MONUMENT TO BE SET
- ROS – RECREATIONAL OPEN SPACE ZONE
- C/L – CENTERLINE
- 0000 – STREET ADDRESS

100 0 100 200 FEET

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1. A Declaration of Covenants, Conditions and Restrictions is recorded concurrently herewith. All development within the Hidden Meadow Subdivision is subject to said Declaration and the Land Management Code of Park City Municipal Corporation. All Final Conditions of Approval as ratified on December 15, 1993 are in full force and effect. All Conditions of the Annexation Agreement dated March 5, 1995 also are in effect.

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13. Lot owner/s constructing dwellings with any portion of the structure greater that 150 feet from the public way may be required by the City to install and connect a dry stand pipe from the edge of the public roadway to the fire sprinkler system within the dwelling. The residences shall be constructed to conform to the Park City's "Modified 13D" fire protection standards including, but not limited to interior and exterior sprinkler heads, and a fire retardant roof.

14. The 20 foot wide back lot public sewer easement shown on Lots 24 and 25 provides Snyderville Basin Sewer Improvement District with a right-of-access to said back lot sewer including ingress or egress along any reasonable route of access for the purpose of maintenance, operation, repair, or eventual replacement.

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(a) On Lots 4, 5, 9, 10, and 11, no more than 35 % of the gross floor area, exclusive of the garage, will be above the ground level story. The ground level story shall be defined as finished grade. The maximum Dwelling Height will be 25 feet to the midpoint of the roof and 28 feet to the ridge line. Measurement standards are defined in the Park City Land Management Code.

(b) On Lots 10 and 11, the front yard setback will not exceed 100 feet from the front lot line.

17. The 30' power line easement shown on the plat contains a power line which is overhead at the time of plat recordation and is intended always to remain overhead.

18. Fox Tail Trail and Solamere Drive are intended to become a heavily travelled collector road, provided lands to the East are duly annexed.

19. No building permits will be issued until roads are paved.

HIDDEN MEADOW SUBDIVISION

PHASE 1

A SUBDIVISION LOCATED IN SECTIONS 10 AND SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED
#456642
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF COALITION TITLE Co.
DATE 9-1-95 TIME 17:00 PM BOOK ____ PAGE ____
139.00 FEE
Alan Spriggs RECORDER

JOB NO. 4-6-92 VC\D\PLTHMP2

HIDDEN MEADOW



TYPICAL LOT WITH EASEMENTS

NOTE:
NO CONSTRUCTION SHALL OCCUR ON ADJOINING PROPERTY UNTIL HIDDEN MEADOW PHASE 2 SUBDIVISION PLAT IS RECORDED.

TABLE B

LOT #	SQUARE FEET	MAXIMUM FLOOR AREA	MAXIMUM SITE DISTURBANCE
LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F
LOT 3	49,336 S.F.	7,250 S.F.	10,000 S.F
LOT 4	81,380 S.F.	8,500 S.F.	12,000 S.F
LOT 5	157,921 S.F.	10,000 S.F.	14,000 S.F
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F
LOT 8	64,921 S.F.	7,250 S.F.	10,000 S.F
LOT 9	81,303 S.F.	8,500 S.F.	12,000 S.F
LOT 10	281,972 S.F.	10,000 S.F.	16,000 S.F
LOT 11	122,989 S.F.	10,000 S.F.	16,000 S.F
LOT 12	80,180 S.F.	8,500 S.F.	12,000 S.F
LOT 13	81,338 S.F.	8,500 S.F.	12,000 S.F
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F
LOT 16	58,077 S.F.	7,250 S.F.	10,000 S.F
LOT 17	49,379 S.F.	7,250 S.F.	10,000 S.F
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F
LOT 19	78,352 S.F.	8,500 S.F.	12,000 S.F
LOT 20	130,330 S.F.	10,000 S.F.	14,000 S.F
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F
LOT 22	98,309 S.F.	10,000 S.F.	14,000 S.F
LOT 23	118,896 S.F.	10,000 S.F.	14,000 S.F
LOT 24	125,517 S.F.	10,000 S.F.	14,000 S.F
LOT 25	80,976 S.F.	8,500 S.F.	12,000 S.F
LOT 26	186,594 S.F.	10,000 S.F.	16,000 S.F
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F
LOT 28	60,918 S.F.	7,250 S.F.	10,000 S.F
LOT 29	64,391 S.F.	7,250 S.F.	10,000 S.F
LOT 30	48,547 S.F.	7,250 S.F.	10,000 S.F
LOT 31	43,069 S.F.	6,000 S.F.	10,000 S.F
LOT 32	39,189 S.F.	6,000 S.F.	10,000 S.F
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F
LOT 36	37,722 S.F.	6,000 S.F.	10,000 S.F
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F
LOT 38	42,063 S.F.	6,000 S.F.	10,000 S.F
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F
LOT 40	44,458 S.F.	7,250 S.F.	10,000 S.F
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F
LOT 43	75,089 S.F.	8,500 S.F.	12,000 S.F
LOT 44	98,348 S.F.	10,000 S.F.	14,000 S.F
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F

EASEMENT CURVE TABLE

CURVE	RADIUS	LENGTH	DELTA
EC1	50.00'	20.99'	24°02'51"
EC2	198.70'	15.00'	04°19'38"
EC3	15.00'	20.61'	78°42'31"
EC4	201.21'	41.76'	11°53'00"
EC5	15.00'	21.31'	81°23'28"
EC6	120.00'	49.42'	23°35'55"
EC7	170.00'	38.27'	12°53'49"
EC8	170.00'	30.18'	10°10'14"
EC9	142.73'	24.30'	09°45'13"
EC10	142.73'	17.44'	07°00'91"
EC11	142.73'	17.93'	07°11'46"
EC12	506.08'	10.00'	01°07'56"
EC13	506.08'	10.01'	01°07'58"
EC14	403.72'	107.11'	15°12'01"
EC15	50.00'	15.27'	17°29'36"

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 38°20'09" W	15.00
L2	S 88°19'31" E	42.67
L3	N 88°19'31" W	31.64
L4	N 88°19'31" W	39.51
L5	N 88°19'31" W	22.43
L6	S 36°10'08" E	51.23
L7	S 36°10'08" E	11.53
L8	S 57°33'21" E	5.06
L9	S 57°33'21" E	45.14
L10	N 57°33'21" W	26.14
L11	N 57°33'21" W	24.06
L12	N 33°55'21" E	23.88
L13	N 2°23'13" E	12.19
L14	N 2°23'13" E	39.43
L15	±S 2°23'13" W	39.51
L16	S 2°23'13" W	12.11
L17	N 12°12'13" W	19.83
L18	N 51°39'51" E	40.00
L19	N 51°39'51" E	38.53
L20	N 36°30'47" E	35.50
L21	N 51°48'01" E	124.46
L22	N 29°26'59" E	61.61
L23	N 88°19'31" W	126.38
L24	S 2°23'13" W	12.11
L25	N 2°23'13" E	12.19
L26	N 57°33'21" W	24.06
L27	N 36°10'08" W	11.53
L28	S 36°10'08" E	11.53
L29	S 57°33'21" E	5.06
L30	N 85°01'17" E	29.13
L31	N 51°39'51" E	96.64
L32	N 51°39'51" E	84.38
L33	S 51°39'51" W	57.45
L34	S 51°39'51" W	38.85
L35	N 40°25'45" E	61.47
L36	N 40°25'45" E	11.74
L37	N 51°48'01" E	26.21
L38	N 51°48'01" E	124.46
L39	N 88°00'00" W	127.01
L40	N 51°48'01" W	55.46
L41	S 51°48'01" W	69.00
L42	N 76°23'33" E	58.33
L43	N 76°23'33" E	69.98
L44	N 40°25'45" W	104.09
L45	S 40°25'45" W	98.57

CURVE TABLE

CURVE	ARC	DELTA	RADIUS
C1	32.65	10°46'18"	173.70
C2	139.07	45°52'18"	173.70
C3	13.37	6°46'31"	113.00
C4	167.73	85°01'46"	113.00
C5	22.50	11°24'31"	113.00
C6	36.98	19°45'39"	113.00
C7	99.30	50°20'56"	113.00
C8	151.36	49°50'29"	173.70
C9	20.37	6°43'05"	173.70
C10	30.01	3°14'16"	531.08
C11	28.91	2°54'10"	531.08
C12	11.26	3°39'44"	176.21
C13	38.80	12°37'05"	176.21
C14	144.89	47°06'47"	176.21
C15	1.92	0°37'29"	176.21
C16	80.73	33°01'19"	140.00
C17	31.37	12°50'23"	140.00
C18	90.28	36°56'49"	140.00
C19	52.90	4°39'48"	650.00
C20	52.90	4°39'04"	650.00
C21	40.92	3°36'25"	650.00
C22	156.49	20°37'42"	440.00
C23	43.38	5°38'56"	440.00
C24	19.91	76°10'00"	15.00
C25	23.38	89°17'16"	15.00
C26	128.88	13°46'44"	556.08
C27	149.10	15°21'44"	556.08
C28	13.07	49°55'56"	15.00
C29	23.94	27°36'02"	50.00
C30	99.45	113°57'51"	50.00
C31	84.49	96°49'16"	50.00
C32	39.93	45°45'15"	50.00
C33	14.24	54°32'33"	15.00
C34	164.67	18°38'36"	506.08
C35	85.35	9°39'46"	506.08
C36	21.97	83°56'00"	15.00
C37	15.98	61°01'12"	15.00
C38	170.01	17°40'27"	551.21
C39	37.03	3°50'56"	551.21
C40	13.82	52°01'12"	15.00
C41	64.05	73°12'46"	50.00
C42	51.88	59°27'07"	50.00
C43	45.44	52°03'53"	50.00
C44	86.51	99°07'46"	50.00
C45	13.62	52°01'12"	15.00
C46	110.55	12°38'18"	501.21
C47	77.70	8°52'57"	501.21
C48	22.98	87°46'18"	15.00
C49	121.27	50°20'56"	138.00
C50	96.79	5°38'34"	991.68
C51	97.66	5°38'34"	991.68
C52	168.77	63°57'05"	151.21
C53	140.06	47°11'05"	170.00
C54	151.51	51°03'55"	170.00
C55	116.32	40°33'23"	165.00
C56	36.44	12°39'16"	165.00
C57	44.88	02°36'20"	1054.33
C58	156.86	8°31'58"	1054.33
C59	157.47	13°20'00"	675.00
C60	118.54	10°06'46"	675.00
C61	13.05	49°51'38"	15.00
C62	52.20	59°45'49"	50.00
C63	42.48	48°40'36"	50.00
C64	13.05	49°51'38"	15.00
C65	47.10	3°59'33"	675.00
C66	38.02	3°13'06"	675.00
C67	14.24	54°33'20"	15.00
C68	86.79	99°27'04"	50.00
C69	14.24	54°33'20"	15.00
C70	130.14	7°32'18"	1004.33
C71	130.86	7°40'03"	1004.33
C72	20.20	77°08'37"	15.00
C73	106.40	36°56'49"	165.00
C74	158.58	4°22'43"	2075.00
C75	50.62	1°37'06"	2075.00
C76	115.19	46°14'33"	142.73
C77	114.39	45°55'10"	142.73
C78	149.16	92°09'43"	92.73
C79	128.31	3°37'35"	2125.00
C80	93.31	2°36'58"	2125.00
C81	82.79	4°28'14"	1041.68
C82	121.47	6°40'53"	1041.68
C83	22.97	87°44'52"	15.00
C84	165.45	47°06'47"	201.21
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EL3	S 12°56'20" E	10.32'
EL4	S 77°03'40" W	40.00'
EL5	N 04°08'20" W	12.09'
EL6	N 12°29'22" W	90.67'
EL7	N 40°59'00" W	77.94'
EL8	N 43°41'07" W	15.97'
EL9	N 58°23'26" W	43.83'
EL10	S 80°37'22" W	29.75'
EL11	S 80°37'22" W	1.89'
EL12	S 82°06'37" W	18.41'
EL13	N 48°50'55" W	12.37'
EL14	N 46°41'39" E	4.40'
EL15	N 00°57'03" E	89.17'
EL16	S 88°00'00" E	8.26'
EL17	N 58°23'26" W	35.04'
EL18	S 76°24'45" E	25.33'
EL19	S 61°01'00" W	21.88'
EL20	N 38°40'43" W	12.50'
EL21	N 46°48'19" E	40.97'
EL22	N 41°14'05" W	39.84'
EL23	S 70°00'00" W	4.22'

LEGEND

- SURVEY MONUMENT TO BE SET
- ROS – RECREATIONAL OPEN SPACE ZONE
- C/L – CENTERLINE
- 0000 – STREET ADDRESS

HIDDEN MEADOW SUBDIVISION

PHASE 1

A SUBDIVISION LOCATED IN SECTIONS 10 AND SECTION 11, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED
#436642
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF COALITION TITLE Co
DATE 9-1-95 TIME 17:00 PM BOOK ____ PAGE ____
139.00 FEE
Alan Spriggs RECORDER

JOB NO. 4-6-92 VC\D\PLTHMP3

HIDDEN MEADOW

When Recorded, Mail to:

Blue Ledge Corporation
P.O. Box 1450
Park City, Utah 84060

DECLARATION OF COVENANTS, CONDITIONS AND RESTRICTIONS FOR HIDDEN MEADOWS SUBDIVISION PARK CITY, UTAH

Blue Ledge Corporation
PARK CITY, UTAH

MARCH 1995

00436643 Bk00905 Pg00449-00484

ALAN SPRIGGS, SUMMIT COUNTY RECORDER
1995 SEP 01 17:00 PM FEE $125.00 BY DMG
REQUEST: COALITION TITLE

125.00

TABLE OF CONTENTS

DEFINITIONS 2

HOMEOWNERS ASSOCIATION 3

Enforcement Powers. 4
Snow Removal. 4
Indemnity of Association Trustees and Officers. 4
Assessments. 4
Assessments Constitute Lien, Mortgagee Protection. 5
Statement of Account. 5
By-Laws. 5
Voting Rights. 5
Architectural Review. 5
Architectural Committee Created. 6
Approval by Committee. 6
Variances. 7
Extraordinary Costs. 7
General Design Review. 8
Declarant, Trustees and Committee not Liable. 8
Limitations on Review. 8

RESTRICTIONS ON ALL LOTS 9

Zoning Regulations. 9
No Mining Uses. 9
No Business or Commercial Uses. 9
Restrictions on Signs. 9
Completion Required Before Occupancy. 9
Primary Dwelling to be Constructed First. 9
No Re-Subdivision. 10
No Time Interval Ownership. 10
Underground Utilities. 10
Service Yards. 10
Maintenance of Property. 10
No Noxious or Offensive Activity. 10
No Hazardous Activity. 10
No Open Burning. 10
No Unsightliness. 10
No Annoying Lights. 11
No Annoying Sounds. 11
Drainage. 11
Vehicles Restricted to Roadways. 11
Kennels. 11
No Transient Lodging Uses. 11
No Firearms. 11
Clearing and Grading. 11
Public Trail Easements. 11

00436643 Bk00905 Pg00450

RESTRICTIONS ON IMPROVEMENTS 12

Number of Dwellings. 12
Site Disturbance Area; Placement of Buildings. 12
Construction Activity Confined to Site Disturbance Area. 12
Building Setback. 12
Relation of Set Back to Site Disturbance Area. 13
Building Size. 13
Building Height. 13
Roof Design. 13
Siding Materials. 13
Windows. 14
Fireplaces, Chimneys. 14
Antennas. 14
Solar Panels. 14
No Used or Temporary Structures. 14
No Air Supported Structures. 14
Balconies and Decks. 14
Fire Sprinklers. 14
Deer Valley Design Guidelines Incorporated. 14
Fences. 15
Entrance Gates. 15
Driveway Access. 15
Sewer Connection Required. 15
Exterior Lighting Standards. 15
Special Restrictions on Some Lots. 15

LANDSCAPE STANDARDS 16

Irrigated Landscape Area. 16
Non-Irrigated Area. 16
Uses of Non-Irrigated Area. 16
No Livestock. 16

ACCESSORY DWELLINGS 17

Size of Accessory Dwelling. 17
One Accessory Dwelling Per Lot. 17
Location of Accessory Dwelling. 17
Ownership, Appurtenance. 17
Transient Lodging Prohibited. 17
Parking. 17

OWNERS' MAINTENANCE OBLIGATIONS 18

Duty to Maintain. 18
Repair by Association. 18
Alterations of Exterior Appearance. 18
Repair Following Damage. 18

CONSTRUCTION COVENANTS AND REGULATIONS 19

Marking Site Disturbance Area. 19

00436643 Bk00905 Pg00451

Portable Office or Trailer. 19
Removal of Temporary Office. 19
Construction Debris Removal. 19
Construction Area Appearance. 19
Sanitary Facilities. 20
Removal of Mud. 20
Duration of Construction. 20

OPEN SPACE AND AMENITY PARCELS 20

Use of Amenity Parcel. 20
No Dwellings. 20
No Commercial Use. 20
Culinary Water Well Site. 21
Water Quality Protection. 21
Open Space Parcels. 21
Additional Trails. 21

COMBINATION OF LOTS 21

Maximum Site Disturbance Area Revision. 22
Maximum Floor Area. 22
Architectural Committee May Deny Combination. 22
Combination Deemed Permanent. 22
Record Notice of Combination. 22
Plat Amendment. 22

GENERAL PROVISIONS 22

Remedies. 22
Severability. 23
Limited Liability. 23
Term of Covenants, Renewal. 23
Amendment. 23
Constructive Notice. 23
Notices. 24
Liberal Interpretation. 24
Covenants Run with the Land. 24

00436643 Bk00905 Pg00452

DECLARATION OF COVENANTS, CONDITIONS

AND RESTRICTIONS FOR

HIDDEN MEADOWS SUBDIVISION

PARK CITY, UTAH

THIS DECLARATION IS MADE THIS 17th of July, 1995, by Blue Ledge Corporation, a Delaware corporation, referred to below as "Declarant:"

RECITALS:

A. Declarant is the owner of the following described real Property located in Park City, Summit County, Utah:

See the attached Exhibit A

B. Declarant intends to develop a residential subdivision on the Property. Declarant will develop and convey all of the Lots and other land within the Property subject to a general plan of development, and subject to certain protective covenants, conditions and restrictions all as set forth in this Declaration, and which are deemed to be covenants running with the land mutually burdening and benefiting each of the Lots and the other Property conveyed.

C. Declarant hereby declares that all of the Lots, Open Space Parcels, and the Amenity Parcel shall be held, sold, conveyed, encumbered, leased, used, occupied and improved subject to the protective covenants, conditions, restrictions and equitable servitudes, all of which are created for the mutual benefit of the Owners of the Lots. It is the intention of the Declarant in imposing these covenants, conditions and restrictions to create a generally uniform pattern of development, to protect and enhance the property values and aesthetic values of the Lots by eliminating inconsistent uses or improvements, all for the mutual protection and benefit of the Owners of the Lots. The covenants, conditions and restrictions are intended to, and shall in all cases run with the title of the land, and be binding upon the successors, assigns, heirs, lien holders, and any other person holding any interest in the Lots, and shall inure to the benefit of all other Lots in the Subdivision. The covenants, conditions and restrictions shall be binding upon the Declarant as well as its successors in interest, and may be enforced by the Declarant, while it is an Owner, the Association, or by any Owner.

Notwithstanding the foregoing, no provisions of this Declaration shall prevent the Declarant from completing the Subdivision Improvements, or from using any Lot owned by the Declarant as a model home, temporary construction or sales office, nor limit Declarant's right to post signs incidental to sales or construction which are in compliance with applicable City ordinances.

00436643 Bk00905 Pg00453

ARTICLE I

DEFINITIONS

1. Unless the context clearly requires the application of a more general meaning, the following terms, when used in this Declaration, shall have the following meanings:

1.1. "Accessory Dwelling" shall mean a separate, self-contained dwelling unit complete with cooking, sleeping, and sanitary facilities, and accessible without entering the Primary Dwelling. Fire separations, independent ventilation systems, and other building code requirements for separate, attached dwelling units must be complied with.

1.2. "Amenity Parcel" shall mean that parcel of land within the Subdivision designated as the Amenity Parcel on the Plat.

1.3. "Architectural Committee" shall mean the design review committee created under this Declaration.

1.4. "Association" shall mean the Hidden Meadows Subdivision Homeowners Association, whether incorporated or not, and as the context requires, the officers and directors of that Association.

1.5. "City" shall mean the City of Park City, Utah, and its appropriate departments, officials, and boards. Although the City will be conveyed title to the Open Space Parcels, and those Parcels will be subject to these covenenants, the City is not an Owner for purposes of this Declaration, and no voting rights in the Association will be appurtenant to the Open Space Parcels.

1.6. "Declarant" shall mean and refer to Blue Ledge Corporation, a Delaware corporation having its principal place of business in Park City, Utah.

1.7. "Declaration" shall mean this Declaration of covenants, conditions and restrictions, together with any subsequent amendments or additions. The Subdivision Plat for Hidden Meadows, limits of disturbance, easements and other matters shown on that Plat, are also incorporated into this Declaration by reference.

1.8. "Dwelling" shall mean the primary single family residence built or to be built on any Lot.

1.9. "Floor Area" shall mean the total of the horizontal floor surfaces within the Dwelling, including bathrooms and mechanical areas, and decks, courtyards, or balconies that are under roof and enclosed by walls on three or more sides. Floor Area shall not include basements as defined by the Uniform Building Code or the first 600 square feet of any garage space.

1.10. "Improvement" shall mean all structures and appurtenances of every type and kind, including but not limited to buildings, Dwellings, Accessory Apartments, garages, storage buildings, and additions to them; walkways, retaining walls, gazebos, fences, driveways, landscaping, pools, decks, tennis courts, hard surfaced areas, stairs,

00436643 Bk00905 Pg00454

poles, lighting, signs, satellite dishes or other antennas, and any mechanical equipment located on the exterior or any building.

1.11. "Lot" shall mean any building Lot shown on the official plat of the Hidden Meadows Subdivision.

1.12. "Open Space Parcels" shall mean those areas designated on the plat as Open Space which will be conveyed to the City subject to the covenants contained in this Declaration. The Open Space Parcels are not subject to assessments by the Association.

1.13. "Owner" shall mean the person or persons having title to any Lot. Owner shall mean the person holding fee simple title, including the Declarant, and buyers under any contract for deed, but shall exclude any person or entity holding title only for purposes of securing performance of an obligation, unless that entity has taken possession. "Owner" shall not include the City or any other person or entity having an interest in the Open Space or Amenity Parcels.

1.14. "Person" shall mean a natural person or any legal entity with a right to hold title to real property in its own name in the State of Utah.

1.15. "Plat" shall mean the official subdivision plat of the Hidden Meadows Subdivision as approved by the City of Park City and recorded in the office of the Summit County Recorder, as it may be amended from time to time.

1.16. "Site Disturbance Area" means the portion of a Lot which may be disturbed by construction activity, including the physical limits of the Dwelling or any other Structure. The area allowable for each Lot is shown on Exhibit B.

1.17. "Subdivision" shall mean the Hidden Meadows Subdivision, and all Lots, Open Space Parcels and Amenity Parcel within the Subdivision as shown on the Plat.

1.18. "Trustees" shall mean the duly elected and acting board of trustees of the Hidden Meadows Homeowners Association.

ARTICLE II

HOMEOWNERS ASSOCIATION

2. To effectively enforce these Covenants, the Declarant has created a Utah Non-Profit corporation called Hidden Meadows Homeowners Association. The Association shall be comprised of the Owners of Lots within the Hidden Meadows Subdivision, and is established to perform the following functions and exercise the following rights and powers for the benefit of the Owners and the enforcement of these covenants. Membership in the Association is deemed an appurtenance to the Lot, and is transferrable only in conjunction with the transfer of the title to the Lot. The Association shall have and exercise, as necessary, the following powers:

00436643 Bk00905 Pg00455

2.1. Enforcement Powers. The Association shall have the power to enforce these covenants by actions in law or equity brought in its own name, the power to retain professional services needed for the enforcement of these covenants and to incur expenses for that purpose. The Trustees of the Association shall have the authority to compromise claims and litigation on behalf of the Association resulting from the enforcement of these covenants. The Trustees shall have the exclusive right to initiate enforcement actions in the name of the Association, however this shall not limit the individual rights of Lot Owners to personally enforce these Covenants in their own name. The Association may appear and represent the interests of the Subdivision at all public meetings concerning zoning, variances, or other matters of general application and interest to the Owners. Owners may appear individually.

2.2. Management of Open Space. Following the conveyance from Declarant to the Association, the Association shall have ownership and control over the Amenity Parcel, and be responsible for it maintenance, insurance, property taxes, and, consistent with the terms of this Declaration, be able to determine the nature of any Improvements made to the Amenity Parcel by the Association, and at its expense, as provided in Article VIII of this Declaration. The Trustees of the Association may also grant utility or similar easements through the Amenity Parcel.

2.3. Snow Removal. The ordinances of Park City require the Association to provide snow removal service within the Subdivision until 50% of the Lots in the Subdivision have been improved by the construction of a completed Dwelling. Because of the length of road outside the boundaries of the Subdivision that serves only this Subdivision, and will have to be plowed at Association expense, this will be a substantial annual expense to the Association. Until such time as the snow removal service has been assumed by the City, the Association shall be responsible for the costs of private snow removal service, and shall have the power to make assessments against the Owners, including the Owners of unimproved Lots, for purposes of providing this service.

2.4. Indemnity of Association Trustees and Officers. The Association will indemnify the officers, agents and trustees of the association against any and all claims arising against them personally which are a result of the good faith exercise of the powers, duties and responsibilities of their office under this Declaration. To the extent the Association deems it appropriate, it may purchase liability insurance covering the Trustees with Association funds.

2.5. Assessments. The Association has the power to levy Assessments against each Lot as necessary to carry out these functions. Assessments will be equal on all Lots, whether vacant or improved. Assessments will be made annually to meet the anticipated and recurring expenses of the Association including, but not limited to, the costs of snow removal (until assumed by the City), insurance, property taxes on the Amenity Parcel, reimbursement of expenses incurred by the Trustees and Architectural Committee in performance of their obligations, enforcement of these covenants, and the initial construction costs, maintenance and operation of any Improvements made by the Association on the Amenity Parcel. Notice of the Assessment and the proposed amount of the annual Assessment will be given in advance with the notice of the annual meeting of the Association, provided that the amount of the proposed Assessment may be increased or decreased at the meeting in which it is approved by the Owners. The Association may also levy special Assessments to cover unanticipated expenses or shortfalls. No special Assessment will be levied without approval of the Owners in a

00436643 Bk00905/Pg00456

meeting called for that purpose. The Trustees will provide the Owners with an annual accounting of Assessments collected and expenditures.

2.6. Assessments Constitute Lien, Mortgagee Protection. Any validly imposed Assessment by the Association shall constitute a lien against the Lots in the Subdivision. The Association shall have the right to foreclose on that lien when any Assessment remains unpaid for a period of more than 90 days from the date the Assessment was levied, but if the lien is not foreclosed upon, it may be renewed from year to year by recording a new notice of the lien, together with accumulated interest. The lien of the Association against any Lot shall have priority from the date that the first Notice of Lien on a specific Lot is recorded in the office of the Summit County Recorder, and is subordinate to any previously recorded liens or encumbrances filed against that Lot, specifically including any purchase money mortgage or trust deed. Notwithstanding the lien rights of the Association, the obligation to pay Assessments is a personal obligation of the Owner of each Lot, and the Association may proceed to collect against the Owner, or the prior Owner of any Lot in the event of a sale. No Mortgagee or Beneficiary under a Trust Deed who takes title by foreclosure or non-judicial sale, or accepts in deed in lieu of foreclosure or non-judicial sale, shall be held liable for the unpaid Assessments of the Owner whose Lot was acquired by the Mortgagee or Beneficiary under a Trust Deed. Delinquent Assessments will bear interest at the highest lawful consumer credit rate permitted under Utah law until paid.

2.7. Statement of Account. Any Owner may request the Association to provide a statement of his account to any lender or prospective buyer of that Lot showing the Assessments to be paid in full, or the amount of any past due Assessments and interest charges. The Buyer or lender for whom such a statement was prepared will be entitled to rely on its accuracy, and will not be held liable for any amounts not shown on the statement. The Association may charge a fee of $25 or less for each such statement.

2.8. By-Laws. The day to day administration of the Association's affairs, including the manner in which Trustees are elected and their terms of office are set forth in the By-Laws of the Association, which may be amended from time to time by the Association as provided in those by-laws. No amendment of the By-Laws shall have the effect of releasing or amending these covenants, conditions, or restrictions.

2.9. Voting Rights. There shall be one vote appurtenant to each Lot, and each Owner, including the Declarant, shall be entitled to cast one vote for each Lot he or she owns. In the case of a Lot with multiple Owners, the Owners will agree among themselves how the vote applicable to that Lot will be cast, and if no agreement can be reached, no vote will be received from that Lot. Any of the multiple Owners appearing at the meeting in person or by proxy is deemed to be acting with proper authority for all of the other Owners of that Lot unless the other Owners are also present and object, or have filed written objections to that Owner's representation of the other Owners of the Lot in question. In matters presented to the Owners for a vote, a simple majority of those present at the meeting (if a quorum is present) will carry a motion, except as provided below for the purpose of making Improvements to the Open Space Parcel or amedment of this Declaration. A quorumn will consist of 50% of the Lots. The Open Space Parcels have no voting rights.

2.10. Architectural Review. It is the intention and purpose of these covenants, conditions and restrictions to impose architectural standards on any Improvements made to any Lot that result in buildings which are architecturally compatible in terms of Lot

00436643 Bk00905 Pg00457

coverage, siting, proportion, materials, colors, and general appearance, while at the same time allowing for diversity in style and design appropriate for the mountain setting. To accomplish this goal, the Declarant hereby empowers the Board of Trustees to oversee and enforce the Architectural Design Standards set forth in this Declaration.

2.11. Architectural Committee Created. The Board of Trustees of the Association shall constitute the Architectural Committee, provided however that until such time as 75% of the Lots in the Subdivision have been conveyed by the Declarant to third parties, the Declarant shall appoint an interim Architectural Committee consisting of three members, who are not required to be Owners. At the time 25% of the Lots are sold to persons other than the Declarant, one member of the Committee will be appointed from the Owners, other than a representative of the Declarant. At the time that 75% of the Lots are sold to persons other than the Declarant, the functions of the Architectural Committee will be assumed by the Board of Trustees. The Trustees may employ the services of a design professional, such as an architect, land planner, or landscape architect to serve as one member of the Architectural Committee, and such design professional does not need to be an Owner or resident of the Subdivision. The remaining members of the Committee shall be members of the Board of Trustees. In any event, regardless of the number of Lots sold, all members of the Committee will be named by the Trustees following the fifth anniversary of the recording of this Declaration with the Summit County Recorder.

2.12. Approval by Committee. No Improvements of any kind, including without limitation the construction of any Dwelling, Accessory Dwelling, garage, out building, or addition to any of them; or any parking area, driveway, tennis court, walkway, or other hard surfaced area in excess of 100 square feet, swimming pools, outdoor hot tubs or spas, fences, walls, curbs, flag poles, trampolines, satellite dishes or antennae, solar panels, or any other permanent structure may be constructed, erected, or installed in the Subdivision without the prior written approval of the Architectural Committee. No excavation, grading, filling, draining, landscaping, or installation or removal of existing vegetation shall be made without the advance written approval of the Architectural Committee. A simple majority of the Committee members is required to approve any submission. Approval of the Committee will be sought in the following manner:

a. Plans submitted. Plans for the construction of any new Improvement must be submitted to the Committee for review. It is recommended that a preliminary plan be submitted before the expense of final construction drawings is incurred. The submission must include:

(i) a Site Plan showing the boundaries of the Lot, and the proposed Site Disturbance Area within the Lot. The Site Plan will also show the location of driveways, utility connections and lines, and any retaining walls, excavations, fills, or other modifications of the existing surface condition of the site; and

(ii) an Architectural Plan for the Dwelling or other Improvements in sufficient detail to show the detailed drawings of all elevations of all buildings (including existing Buildings or Improvements in the case of a subsequent addition or remodel) showing locations of windows, doors, roof pitches, decks and other exterior elements; a list of exterior siding and roofing materials and/or a sample, including color samples; and a landscape plan showing the location of driveways, walkways, patios, decks

00436643 Bk00905 Pg00458

and other hard surfaced or irrigated areas and the areas to be disturbed by construction and the means of restoring those areas. In the case of an addition or modification of an existing Dwelling, the Committee may waive any of the foregoing it feels are unnecessary to its review of the remodel or addition.

b. Review Fee. The applicant will pay a review fee to the Committee of $500 for each new dwelling, $100 for each addition or remodel, or, in the case of Improvements which cost less than $1,000, or which make no structural changes, the applicant will pay a fee of $10. The primary purpose of the fee is to document the date of submission, but the Committee may also use the proceeds to pay for its expenses in reviewing the plans and giving notice of meetings. No fee will be accepted until the Architectural Committee considers the submission complete.

c. Review. Within 15 business days from receipt of a complete submission and payment of the fee, the Committee will review plans and make an initial determination whether or not the plans comply with the conditions imposed by this Declaration. If they do not, the plans will be rejected. If they are in compliance, the Committee will approve the plans. The Committee may also approve the plans subject to specific modifications or conditions. Owners may desire to submit preliminary plans for review. The committee will review preliminary plans, without fee, and make its comments known to the Owner, provided, however, that no preliminary approval is to be considered a final approval, and no final approval will be granted on less than a complete submission. Upon approval, the Committee and the Owner will each sign copies of the plans, one of which shall be left with the Committee. No construction that is not in strict compliance with the plans approved will be permitted.

d. Written Record. The Committee will maintain a written record of its actions, and maintain in its files a copy of all plans approved or rejected for a period of five years. The Committee will also provide evidence of its approval for the City, if requested by the Owner.

e. Failure to Act. If the Committee has not approved or rejected any submission within 45 business days after payment of the review fee and submission of complete plans, the submission is deemed to have been approved, unless the approval process has been extended as provided in Section 2.14 for special review of some aspects of the proposal.

2.13. Variances. Variances to the design standards contained in this Declaration may be granted when strict application would create an unforeseen or unreasonable hardship to the Owner of any Lot. No variance may be granted without the consent of at least 25% of the Owners in the Subdivision at a meeting called for that purpose. The Architectural Committee, or the Owners as a whole, cannot grant any variance that has the effect of modifying applicable City zoning, building code regulations, or conditions of subdivision approval. The burden of obtaining a variance is entirely on the applicant, including the costs of notice.

2.14. Extraordinary Costs. Whenever it deems appropriate, the Committee may engage the services of an independent architect, civil or structural engineer, or other appropriate consultant to assist in its review of any proposed Improvements. All costs of

00436643 Bk00905 Pg00459

such additional review will be paid by the Applicant, provided however that no architect or engineer will be hired without advance notice to the Applicant of the intention to hire a review architect or engineer, and the aspects of the proposal that caused the Committee to believe that professional review was required, and the estimated cost of that review. If the applicant does not withdraw the proposal within five days after receipt of that notice, he is deemed to have consented to the Committee retaining such professional assistance. Whenever the Committee retains outside professional services in its review, the reviewing architect or engineer is acting only in an advisory capacity, and the applicant, for himself and his successors and assigns, waives any and all claims against the Committee and the Association in the event that advice from, or conditions imposed by, the reviewing professional prove ineffective, unnecessary, or inappropriate to the circumstances. The costs of such review will be billed directly to the applicant in advance, and the review of the plans will be suspended until the costs of the special review have been paid by the Applicant. The review period will be extended for a period of 30 days following payment of the special review costs to allow for the review.

2.15. General Design Review. The Committee will use its best efforts to provide a consistent pattern of development, and consistent application of the standards of this Declaration. These standards are, of necessity, general in nature, and it is the Committee should apply them in a manner that results in a high quality, attractive, and well designed community, and reflect the wide range of Lot sizes with the Subdivision.

2.16. Declarant, Trustees and Committee not Liable. The Declarant, the Trustees, and the Committee and its members shall not be liable to the applicant for any damages, or to the Owners of and Lots within the Subdivision for their actions, inactions, or approval or disapproval of any set of plans submitted to the Committee for review. In the absence of bad faith or malicious actions, the Owners shall have no claim against the Declarant or Committee as a result of the performance or failure to perform the duties created by this Declaration. Each Owner has the right to enforce these covenants against every other owner, and may seek independent redress if it believes the Committee has acted improperly.

2.17. Limitations on Review. The Committee's review is limited to those matters expressly granted in this Declaration. The Committee shall have no authority over the enforcement of building codes, zoning ordinances, or other statutes, laws, or ordinances affecting the development or improvement of real property and shall have no liability to any Owner whose plans were approved in a manner that included any such violation. Corrections or changes in plans required by the City to bring them into conformity with applicable codes must be re-submitted to, and approved by the Committee prior to construction. No additional fee will be assessed for reviewing such revisions to the original submission.

00436643 Bk00905 Pg00460

ARTICLE III

RESTRICTIONS ON ALL LOTS

3. The following restrictions on use apply to all Lots within the Subdivision:

3.1. Zoning Regulations. The lawfully enacted zoning regulations of Park City, and any building, fire, and health codes are in full force and effect in the Subdivision, and no Lot may be occupied in a manner that is in violation of any such statute, law, or ordinance.

3.2. No Mining Uses. The property within the Subdivision shall be used for residential purposes only, and no surface occupation for mining, drilling, or quarrying activity will be permitted at any time on any Lot, Open Space, or the Amenity Parcel.

3.3. No Business or Commercial Uses. No portion of the Subdivision may be used for any commercial business use, provided however that nothing in this provision is intended to prevent (a) the Declarant from using one or more Lots for purposes of a construction office or sales office during the actual period of construction of the Subdivision Improvements, or (b) the use by any Owner of his Lot for a home occupation. No home occupation will be permitted, however, which requires or encourages the Owner's clients, customers, patients or others to come to the Lot to conduct business, or which requires any employees outside of the Owner's immediate family or household. No retail sales of any kind may be made in the Subdivision. No materials, machinery, equipment, or inventory associated with any home occupation may be stored outside on any Lot. No signs associated with any home occupation are permitted.

3.4. Restrictions on Signs. No signs will be permitted on any Lot or within the Subdivision, except for traffic control signs placed by the City, temporary signs warning of some immediate danger, or signs not in excess of six square feet identifying the contractor and/or architect of any Dwelling Unit while it is under construction. Signs indicating the Lot is for sale may be placed in accordance with City sign regulations, and no such sign may exceed six square feet. The Declarant may erect a sign of not more than thirty-two square feet at the entrance to the Subdivision for a period of no more than one year announcing the availability of Lots and giving sales information. No permanent signs stating the address or the name of the owner of the Lot may be installed without the advance consent of the Architectural Committee. Such signs will be limited to 6 square feet, and may be placed at the driveway intersection with the public street, set back to the property line of the Lot.

3.5. Completion Required Before Occupancy. No Dwelling Unit may be occupied prior to its completion and the issuance of at least a Temporary Certificate of Occupancy by the City of Park City.

3.6. Primary Dwelling to be Constructed First. No Accessory Dwelling, garage, storage unit, or other out building or Improvement may be constructed prior to the commencement of construction of the primary Dwelling on the Lot.

00436643 Bk00905 Pg00461

3.7. No Re-Subdivision. No Lot may be re-subdivided. No Accessory Dwelling may be leased for a period of more than 24 months.

3.8. No Time Interval Ownership. No Lot may be owned, leased, or otherwise held in a manner that divides either the legal title or the right of use into formal or informal time intervals or timeshare ownership, or any other contract, trust, partnership, or other arrangement that permits, allows, or as a practical matter, creates or establishes time interval ownership or use of the Lot that is indistinguishable from time interval ownership.

3.9. Underground Utilities. All gas, electrical, telephone, television, and any other utility lines in the Subdivision are to be underground, including lines within any Lot which service installations or Improvements entirely within that Lot. No propane tanks or oil tanks may be installed on any Lot except for temporary heat during construction. Notwithstanding this provision, there is an existing overhead electrical line as shown on the Plat which will remain in place as an overhead line.

3.10. Service Yards. All clothes lines, service yards, storage yards, and exterior mechanical equipment must be screened in a manner approved by the Architectural Committee so that they are not visible from adjoining Lots.

3.11. Maintenance of Property. All Lots, and the Improvements on them, shall be maintained in a clean, sanitary, attractive and marketable condition at all times. No Owner shall permit his Lot or the Improvements on it to fall into disrepair.

3.12. No Noxious or Offensive Activity. No noxious or offensive activity shall be carried out on any Lot, including the creation of loud or offensive noises or odors that detract from the reasonable enjoyment of nearby Lots.

3.13. No Hazardous Activity. No activity may be conducted on any Lot that is, or would be considered by a reasonable person to be unreasonably dangerous or hazardous, or which would cause the cancellation of conventional property casualty insurance. This includes, without limitation, the storage of caustic, toxic, flammable, explosive or hazardous materials in excess of those reasonable and customary for household uses, the discharge of firearms or fireworks, and setting open fires (other than properly supervised and contained barbecues). No Owner will occupy a Lot in a manner that is in violation of any State or Federal environmental protection law or regulation concerning the storage, disposal, or use of toxic or hazardous materials.

3.14. No Open Burning. The open burning of yard trimmings, construction waste, or other materials on the Lot is prohibited.

3.15. No Unsightliness. No unsightliness is permitted on any Lot. This shall include, without limitation, the open storage of any building materials (except during the construction of any Improvement, Dwelling or addition); open storage or parking of farm or construction equipment, inoperable motor vehicles, boats, campers, trailers, trucks larger than pick-up trucks (except during periods of actual loading and unloading); accumulations of lawn or tree clippings or trimmings; accumulations of construction debris or waste; household refuse or garbage except as stored in tight containers in an enclosure such as a garage; lawn of garden furniture except during the season of use; and the storage or accumulation of any other material, vehicle, or

00436643 Bk00905 Pg00462

equipment on the Lot in a manner that it is visible from any other Lot or any public street.

3.16. No Annoying Lights. Any outdoor lighting shall be subject to approval by the Architectural Committee, and no outdoor lighting shall be permitted expect for lighting that is designed to aim downward and limit the field of light to the immediate vicinity of the Building or Improvement it is intended to serve. Lighted tennis courts, sport courts, and similar lighted recreation facilities are prohibited.

3.17. No Annoying Sounds. No speakers, or other noise making devices may be used or maintained on any Lot which create noise that might reasonably be expected to be unreasonably or annoyingly loud from adjoining Lots, except for properly operating and maintained security or fire alarms.

3.18. Drainage. No Owner shall alter the direction of natural drainage from his Lot, nor shall any Owner permit accelerated storm run-off to leave his Lot without first using reasonable means to dissipate the flow energy. Significant natural drainage areas are indicated on the Plat, and no Owner will construct Improvements in those areas that interfere with surface run off.

3.19. Vehicles Restricted to Roadways. No motor vehicle will be operated on the Subdivision except on improved roads and driveways. No snowmobiles or motorcycles will be operated on any Lot except for ingress and egress by duly licensed, "street legal" vehicles or while loading the equipment for lawful transport on public streets. The operation of any vehicle outside of the Site Disturbance Area of any Lot is strictly prohibited, even during periods of construction.

3.20. Kennels. No kennel or dog run may be placed closer than 50 feet to any Dwelling other than that of the Owner of the kennel.

3.21. No Transient Lodging Uses. The Lots are to be used for residential housing purposes only, and shall not be rented in whole or in part for transient lodging purposes, boarding house, "bed and breakfast," or other uses for providing accommodations to travelers. No lease of any Lot or Dwelling shall be for a period of less than one year. No Lot shall be subjected to time interval ownership.

3.22. No Firearms. No firearms of any kind, including b-b guns, pellet guns, or similar air-powered firearms may be discharged within the Subdivision.

3.23. Clearing and Grading. No portion of any Lot may be cleared of vegetation, graded, cut, or otherwise altered from its natural vegetative condition, except as specifically provided in this Declaration, and except in conjunction with the construction of the Primary Dwelling or other approved Improvements.

3.24. Public Trail Easements. There are public trails that cross through the Subdivision as shown on the Plat. These trails are for the use and benefit of the general public, and not just the Owners. They are dedicated public easements. No Owner shall obstruct or interfere with the use of the trails crossing his or her Lot. Subject to City regulations, trails will be open for use only during daylight hours. Trails are for non-motorized use only, and no motorcycle, all-terrain vehicle, snowmobile or other motorized vehicle (except for authorize maintenance vehicles or equipment) will be permitted on the trail system.

00436643 Bk00905 Pg00463

ARTICLE IV

RESTRICTIONS ON IMPROVEMENTS

4. All Improvements on any Lot shall be subject to the following restrictions and architectural design standards:

4.1. Number of Dwellings. Only one Dwelling may be constructed on any Lot; with the exception that Accessory Dwellings are permitted as described below. All Dwellings shall have an attached garage large enough to enclose 2 cars.

4.2. Site Disturbance Area; Placement of Buildings. In order to protect existing native vegetation, minimize landscape irrigation requirements, and maintain the feeling of open space within the subdivision, all constrution and landscaping activity must be contained within the maximum Site Disturbance Area for each Lot. The Maximum Site Disturbance Area is comprised of the actual footprint of the house and garage, driveways and utility excavations as apprpoved by the Association on the site plan, and the additional irrigated landscaped area around the house. The maximum size of the irrigated landscaped area for each lot is shown on Exhibit B. Within the Lot, subject to minimum front, side, and rear yard set back requirements, the Owner may propose any location for the Dwelling and the irrigated landscaped area around it. The location of the Dwelling and irrigated landscaped area should be selected to minimize removal of trees and oak brush or other significant vegetation. The placement of the Dwelling and other Improvements should also recognize historic drainage patterns and channels, if any, and avoid construction in locations that obstruct historic drainage. The shape of the Site Disturbance Area may be dictated by the proposed Dwelling, but shall be generally compact and in all cases, the areas disturbed by construction must be contiguous (and not linked by "cherry stems" that give the appearance of two areas of disturbance). Not included within the Site Disturbance Area are:

(a) Driveways not exceeding 20 feet in width connecting from the Site Disturbance Area to the abutting public street;

(b) Utility service lines, provided that utility service lines will be located immediately adjacent to or in the drive way whenever reasonable. If, because of grade considerations for sewer lines, it is not practical to install such lines within or adjacent to the driveway, only one additional utility access trench will be permitted, and it will be kept to the minimum width reasonably possible to minimize disturbance, and if possible, routed around areas of significant vegetation to minimize tree removal.

4.3. Construction Activity Confined to Site Disturbance Area. All construction activity, Improvements, and Dwellings are to be confined to the portion of the Lot identified as the Site Disturbance Area. The Site Disturbance Area will be physically staked on the ground, and fenced or roped off to prevent construction activity from extending beyond the established limits. No soil storage, excavation or backfill operations, or vehicular access is permitted outside of the Site Disturbance Area.

4.4. Building Setback. Regardless of the location of the Site Disturbance Area, all portions of the Dwelling or any other Improvements (except for access driveways and underground utilities) must maintain a minimum front yard set back from property line of 25 feet; a minimum side yard set back of 20 feet on each side of the Lot, and a

00436643 Bk00905 Pg00464

minimum rear yard set back of 15 feet from the rear Lot line. On Lots 4 through 26, the rear yard set back will be established from the Limit of Disturbance line shown on the Plat instead of the rear Lot line, and no Improvements may be constructed beyond that line. See Section 4.23 for additional restrictions on specific Lots.

4.5. Relation of Set Back to Site Disturbance Area. The Site Disturbance Area may extend into the Building set back areas, so that the minimum front, year, and side yard set backs will determine the minimum set back for the exterior walls of any Dwelling or other Improvement, but allow for site disturbance beyond the exterior wall for construction purposes and/or irrigated landscaping.

4.6. Building Size. The sizes of the Lots within the Subdivision were intentionally varied. The maximum allowable Floor Area for the Dwelling and other buildings on the Lot are shown on the table in Exhibit "B". No Dwelling may be constructed which is exceeds maximum building Floor Area stated for the Lot on which it is proposed, as shown on Exhibit B. The minimum Floor Area on the main level of any Dwelling shall be at least 2,500 square feet. Garages are not counted in the Floor Area, unless they exceed 600 square feet, in which case the area in excess of 600 square feet is counted.

4.7. Building Height. No structure on and Lot may exceed 28 feet in height as measured at the natural grade on the Lot prior to construction to a point half way between the eaves and the ridge line of the roof. The maximum ridge line height will be 33 feet above natural grade, with the intention being to have the building mass follow the natural, existing contour of the land. Building location and design should place buildings in a manner to minimize visibility from adjoining or adjacent Lots. See Section 4.23 for additional restrictions on specific Lots.

4.8. Roof Design. Roof pitches must be within a range of a 5/12 to a 7/12 slope. No more than one roof pitch may be used on any structure. Eaves and roofs must overhang by at least twenty-four inches. Shingles will be fire retardant material approved by the City. No wood shingles or shakes are permitted. Non-reflective metal roofing, and asphalt composite shingles weighing at least 270 pounds per 100 square feet are also permitted. Mansard, fake mansard, A-frame, gambrel, curvilinear, flat and domed roof designs are prohibited. All fascia boards must be at least twelve inches in width. Special attention will be paid to the south facing roof overhang to allow for adequate sun protection. All roof metal such as flashing, vent stacks, gutters and chimney caps will be made of anodized aluminum or painted galvanized metal, and in either case, will be painted an earth tone color.

4.9. Siding Materials. Unless specifically approved by the Architectural Committee, only the following exterior wall surface materials are allowed: cedar siding, redwood siding, stone, log, wood shingles, and stucco without "tudor" wood breaks. Textured plywood, metal, vinyl, masonite or similar manufactured siding materials are prohibited. There shall be no more than two separate exterior wall materials on any wall surface (excluding trim), and no more than three on any one Building. Exterior wall colors must harmonize with the site and surrounding buildings. The predominant tone should be earth tone, whether in the natural color or patina of the weathered color of the wall surface itself or the color of the stain or other coating. Bright or dramatic colors can be used for accent of exterior wall areas hidden from general view. Fascia and trim shall also remain in the earth tone spectrum.

00436643 Bk00905 Pg00465

4.10. Windows. Windows must be either wood, bronze-tone aluminum clad wood, bronze tone aluminum, or dark metal. All windows must be at least double glazed. Any trapezoidal windows must parallel the shape of the walls or roofs surrounding them. No mirrored or reflective glass may be used.

4.11. Fireplaces, Chimneys. Only one wood-burning stove, fireplace, or other such appliance is permitted on each Lot. The primary heat source must be natural gas or solar rather than wood. No coal fired appliances may be use, and no coal shall be burned in fireplaces. Chimneys must be enclosed in an approved siding material with a spark arrester. No exposed metal flues are permitted.

4.12. Antennas. All antennas must be enclosed within a building, and not roof mounted. Any satellite dishes in excess of 24 inches in diameter must be located and screened in a manner approved in advance by the Architectural Committee so that they are not visible from either adjoining Lots or from outside the Subdivision.

4.13. Solar Panels. Solar panels will be permitted only with the consent of the Architectural Committee, and if permitted at all, must lie flat against the roof and may not differ in pitch from the roof surface on which they are mounted. No free standing solar panels will be permitted.

4.14. No Used or Temporary Structures. No previously erected, used, or temporary structure, mobile home, trailer house, or any other non-permanent structure may be installed or maintained on any Lot.

4.15. No Air Supported Structures. No air supported tennis or swimming pool bubbles or covers will be permitted on any Lot.

4.16. Balconies and Decks. The area under any deck or balcony that is more than twenty-four inches above natural grade must either be landscaped or screened from view so that the view from adjoining Lots or streets is not of the unfinished underside of the deck. The area under any deck shall not be used for storage of equipment, firewood, building material, or similar material. The underside of any deck more than four feet above grade must either be completely screened with vertical lattice or siding, or, if exposed (as in the case of a second story deck) painted or stained to match the house.

4.17. Fire Sprinklers. All dwellings must be equipped with an automatic fire sprinkler system in accordance with the ordinances of Park City or, in the absence of an ordinance, a system which meets standard 13-D of the National Fire Protection Association for residential applications. Owners constructing any portion of the Dwelling or other inhabitable structure more than 150 feet back from the public street may be required to install a dry standpipe from the edge of the street to the fire sprinkler system within the structure. The specifications for fire sprinkling equipment are established by City regulations, and it is the obligation of each Owner to comply with those specifications in the construction of the Dwelling.

4.18. Deer Valley Design Guidelines Incorporated. The Deer Valley Resort Architectural Design Guidelines, which are attached as Exhibit C are incorporated as general design requirements. In the event of conflicts, the specific provisions set forth in this Declaration shall control.

00436643 Bk00905 Pg00466

4.19. Fences. To minimize disturbance to native vegetation and disruption to wildlife habitat, fencing of the side and rear boundaries of any Lot shall not be permitted in the Subdivision. Limited interior fencing of the irrigated landscaped area is permitted subject to advance approval by the Architectural Committee. Chain link or other wire fencing is prohibited. With the advance consent of the Committee, an Owner whose Lot is bisected by, or abuts or adjoins a Public Trail Easement, as shown on the Plat or as later dedicated by the Owner, may fence the trail in a manner that is reasonable to prevent trespass. Fencing of trail easements may occur outside the Site Disturbance Area of the Lot. The design of such fencing should be typical of agricultural wire or wood rail fencing (not chain link) of a design that blends in with the surrounding vegetation, and not a highly visible privacy or screening type fence. The fencing material and height shall be of a design that will allow the free travel of wildlife, while discouraging human trespass. Any such fencing should be on the right of way boundary line, and placed in a manner that does not present safety hazards to trail users.

4.20. Entrance Gates. To the extent permitted by applicable City zoning, entrance gates are permitted on all Lots. The driveway width of any entrance gate may not exceed 20 feet in width. The decorative wall or other structure on either side of the gate, plus the width of the gate itself, may not exceed 75 feet in total length, or 30% of the frontage of the Lot, whichever is less. Fencing of the remainder of the Lot frontage is permitted, provided that fencing is of a decorative metal rather than chain link or other wire fencing, and is designed in a manner that blends into the natural landscaping. Decorative pillars on fencing are prohibited.

4.21. Driveway Access. Individual driveway accesses to each Lot must be approved by the Architectural Committee as part of the site plan of the Lot. Driveways should be located in a manner to minimize cuts and fills and the need for retaining walls. No driveway may exceed 12% slope. Driveways shall be wide enough to permit two cars to be parked side by side in front of the garage entrance, but shall not exceed 20 feet otherwise. Cut and fill slopes must be re-vegetated with native vegetation when occurring outside of the approved Site Disturbance Area. Main driveways must be hard surfaced.

4.22. Sewer Connection Required. All Lots are served by sanitary sewer service, and no cesspools, septic tanks, or other types of waste disposal systems are permitted for use with any Dwelling. All Dwellings must be connected to the sanitary sewer system. Owners of downhill Lots may encounter difficulty in providing gravity flow sewer connections to the street. The cost of private ejector systems will be borne by the individual Lot Owner, and not by the Declarant or the provider of sewer treatment service. Lots 25, 26, and 44 will probably require ejector pumps, and others may, depending on the placement and design of the Dwelling.

4.23. Exterior Lighting Standards. All exterior lighting must be adequately shielded and controlled to prevent glare and illumination to adjacent properties or streets. Bare light globe fixtures, such as flood and spot lights, are prohobited.

4.24. Special Restrictions on Some Lots. As a condition of approval by the City, additional restrictions have been imposed on some of the Lots:

(a) On Lots 4, 5, 9, 10, and 11, at least 65% of the total gross floor area, exclusive of the garage, is to be on the finished grade. The maximum Dwelling Height will be 25

00436643 Bk00905 Pg00467

feet to the midpoint of the roof and 28 feet to the ridgeline, as defined by the City Land Management Code.

(b) On Lots 10 and 11, the front yard set back will not exceed 100 feet from the front Lot line as defined by the City Land Management Code.

ARTICLE V

LANDSCAPE STANDARDS

5. The intent of this declaration is to conserve water, preserve the natural existing vegetation, and enhance wildlife habitat to the extent possible given the construction of the Subdivision. The use of each Lot is subject to the following Landscape Standards:

5.1. Irrigated Landscape Area. Within each Lot there is an area available for irrigated landscaping, incluidng lawn areas. The size of this area within each Lot is listed on Exhibit B. The irrigated landscape area will be within the Maximum Site Disturbance Area of the Lot. The use of permanent irrigation systems is limited to this portion of the Lot.

5.2. Non-Irrigated Area. Outside of the Maximum Site Distrubance Area, the native vegetation will be preserved, and the following standards apply:

(a) Irrigation. No permanent irrigation is permitted in this area. Temporary irrigation as needed to repair damage to the natural vegetation as a result of construction activities, such as reclamation of utility trenches and areas along driveways, is permitted, but only for so long as necessary for restoration of vegetative cover. New plantings of native plants may be irrigated on a temporary basis to establish healthy growth. No permanent irrigation systems may be installed outside of the Maximum Site Disturbance Area.

(b) Plant Materials. It is the intention to preserve the native vegetation in the areas outside of the Maximum Site Disturbance Area. New plantings in that area will be of native species.

(c) Removal of Vegetation. No native vegetation, trees, or shrubbery may be cut or removed from the non-irrigated area of the Lot except as necessary to maintain healthy growth, remove diseased plants, or for approved utility trenches and driveways. Noxious weeds may be removed as required.

5.3. Uses of Non-Irrigated Area. No improvements of any kinds are permitted in the Non-Irrigated area of any Lot (with the exception of approved driveways and utility trenches). No swimming pool, tennis court, deck, spa, swing set, trampoline, play ground equipment, dog run, or similar strucutres, hard surfaced area, or improvement is permitted in the non-irrigated area of the Lot. With the consent of the Committee, Owners may clear additional trails in the non-irrigated area, provided that no trail will exceed 10 feet in width. No vehicles, snowmobiles, motorcycles, or all terrain vehicles will be used, stored, or operated on the non-irrigated portion of the Lot.

5.4. No Livestock. No horses or other livestock will be kept on any part of the Lot.

00436643 Bk00905 Pg00468

ARTICLE VI

ACCESSORY DWELLINGS

6. While the intention of the Declarant is to develop a subdivision of single family dwellings, the nature and use of such Dwellings in a resort context may make it desirable in some cases for the Owners of Lots to include an Accessory Dwelling in the Primary Dwelling on the Lot. Accessory Dwellings are permitted on each Lot, subject to the following conditions:

6.1. Size of Accessory Dwelling. The Accessory Dwelling may not exceed 25% of the floor area of the Primary Dwelling. Accessory Dwellings may not be less than 400 square feet in floor area, nor more than 800 square feet, and may contain no more than two bedrooms. The addition of an Accessory Dwelling will not increase either the maximum permitted Floor Area or the maximum Site Disturbance Area for each Lot as shown on Exhibit B.

6.2. One Accessory Dwelling Per Lot. Only one Accessory Dwelling is permitted on any Lot. The Accessory Dwelling may only be constructed in conjunction with, or after completion of the Primary Dwelling, but may not be constructed first.

6.3. Location of Accessory Dwelling. Accessory Dwellings must be incorporated into the Primary Dwelling, and no increase in the Site Disturbance Area is permitted for an Accessory Dwelling. The Site Disturbance Area may not be split into separate building sites for the Primary and Accessory Dwellings.

6.4. Ownership, Appurtenance. The Accessory Dwelling is an appurtenance to the Primary Dwelling, and is not to be separately sold, encumbered, leased for periods in excess of 2 years, or in any other way separated from the ownership and control of the Primary Dwelling. There will be no vote in the Association assigned to an Accessory Dwellings, and no assessment levied on Accessory Dwellings other than the assessment on the Lot.

6.5. Transient Lodging Prohibited. No Accessory Dwelling may be rented for transient lodging purposes. No rental agreement for less than 30 days will be permitted. This shall not preclude use by guests of the Owner for periods of shorter duration, but commercial rental on a nightly or short term basis is prohibited.

6.6. Parking. Accessory Dwellings must have one off-street, enclosed parking space per bedroom, in addition to the Parking for the Primary Dwelling.

00436643 Bk00905 Pg00469

ARTICLE VII

OWNERS' MAINTENANCE OBLIGATIONS

7. It is the obligation of each Owner to maintain his Lot at all times in order to preserve and enhance the enjoyment of the Subdivision:

7.1. Duty to Maintain. It is the obligation of the Owner of each Lot to maintain his Lot and the Improvements to the Lot in a good state of repair and an attractive, safe, and healthy condition.

7.2. Repair by Association. In the event that an Owner permits his Lot or Improvements to fall into a state of disrepair that is dangerous, unsafe, unsanitary, or unsightly condition in violation of this Declaration, the Association may give written notice to the Owner describing the condition complained of and demanding that the Owner correct the condition within 30 days. If the Owner fails to take corrective action, the Association shall have the right, but not the obligation, to enter upon the offending Owner's Lot and take corrective action to abate the condition. All costs of abatement shall be charged to the Owner, who agrees to promptly pay the reasonable costs of any work performed under this provision. Unpaid amounts will bear interest at the lawful judgment rate under applicable state law.

7.3. Alterations of Exterior Appearance. The Owners will maintain their Lots and Improvements in substantially the same condition and appearance as that approved by the Architectural Committee. No subsequent exterior alterations, improvements or remodeling, whether structural or changes in landscaping, paint color or siding or trim materials will be made without the advance consent of the Committee.

7.4. Repair Following Damage. In the event of casualty loss or damage to the Improvements, the Owner will be entitled to reconstruct the Improvements as they existed prior to the damage or loss without review by the Committee, provided however that alterations or deviations from the originally approved plans will require review. Nothing in this Declaration is intended to prevent an Owner who has suffered property damage or loss from taking temporary measures to secure the property and prevent further damage, or to prevent injury or dangerous conditions following loss or damage, before re-construction begins. Such temporary measures may be taken without the consent or approval of the Architectural Committee, provided that any such measures must be of a temporary nature, and repair or reconstruction must begin as soon as circumstances will permit. No damaged structure will be permitted to remain on any Lot for more than 90 days without repairs commencing, and any damaged structure which does remain un-repaired after 90 days following the occurrence of damage is deemed a nuisance which may be abated by the Association at the expense of the Owner.

00436643 Bk00905 Pg00470

ARTICLE VIII

CONSTRUCTION COVENANTS AND REGULATIONS

8. In order to insure that the natural vegetation outside of the maximum Site Disturbance Area is not damaged during any construction activities, and to minimize the inconvenience to adjoining Owners, the following construction regulations shall be enforced during the construction period. These regulations shall be made a part of the construction contract between the Owner and his or her contractor on any Improvements on a Lot. Each Owner shall be bound by these regulations, and violations committed by the contractor shall be deemed a violation by the Owner for which Owner is liable.

8.1. Marking Site Disturbance Area. Prior to the commencement of construction, the Owner shall cause the perimeter of the Site Disturbance Area to be surveyed and marked in conjunction with the staking of the foundation and other Improvements. The perimeter of the Site Disturbance Area will be marked with surveyors tape or fenced to prevent any intrusion beyond that area.

8.2. Portable Office or Trailer. Any Owner whose contractor desires to bring a portable office or trailer on to a Lot shall first apply for and receive written approval from the Architectural Committee. The Architectural Committee will work with the Owner to determine the best location for the portable office. The portable office will be located only in a location approved by the Architectural Committee, which shall be on the Owner's Lot and within the area that can be disturbed by construction or driveway areas.

8.3. Removal of Temporary Office. The temporary office may not be installed prior to the commencement of construction, and must be removed upon the first to occur of (i) the issuance of a Certificate of Occupancy, (ii) the termination, expiration, or cancellation of the Building Permit, or (iii) the suspension of construction activities for a period of 60 days.

8.4. Construction Debris Removal. Owners and their contractors must comply with Park City ordinances requiring the placement and maintenance of a trash container or dumpster on the Lot during construction. Owners and their contractors are responsible for collection of trash at the end of each work day and depositing construction trash, packing material, unusable scraps, and other debris in a suitable container. Lightweight material must be weighted down to prevent wind from blowing it away. Debris must be contained until removed from the Lot to an appropriate land fill. The dumpster must be regularly serviced. No trash may be burned, buried, or otherwise disposed of on the Lot. No concrete trucks may be cleaned out on any Lot, Open Space Parcel, or anywhere within the Subdivision.

8.5. Construction Area Appearance. The Lot must be maintained in a reasonably organized and neat condition at all times during the construction of Dwelling or any other Improvements. Materials must be stored in neat stacks and covered. No more material may be delivered to the site than can reasonably be consumed in a week's time, provided that once the Dwelling is enclosed, materials may be stored inside, out of sight, indefinitely.

00436643 Bk00905 Pg00471

8.6. Sanitary Facilities. Each Owner is responsible for the installation and maintenance of an approved portable toilet facility on the site during construction. The portable toilet must be located on the Lot at a location approved by the Architectural Committee, and removed from the site at such time as the permanent plumbing system is operational.

8.7. Removal of Mud. Owner and contractor are responsible for keeping mud from the construction site from being deposited on the roadways of the Subdivision. This may require cleaning of truck tires before leaving the site.

8.8. Duration of Construction. It is the obligation of the Owner to proceed with construction with all reasonable speed once construction has commenced, and in any event, all exterior surfaces of the building shall be substantially complete within a period of twelve months from commencement. All landscaping and soil stabilization work must be completed as soon as possible after completion of the exterior of the Dwelling, but in no event later than the summer following completion of the exterior of the Dwelling.

ARTICLE IX

OPEN SPACE AND AMENITY PARCELS

9. Within the Subdivision, there are areas designated on the plat as Open Space Parcels, and an area designated as the Amenity Parcel. Declarant has, or will convey the Open Space Parcels to the City. The use of the Open Space Parcels will be governed by this Declaration. The Amenity Parcel will be conveyed to the Association.

9.1. Use of Amenity Parcel. The Amenity Parcel will be owned by the Association. Its ultimate use is to be determined by the Association, consistent with these covenants. The Amenity Parcel may be used for a natural or landscaped park area, for the construction by the Association, at its expense, of a swimming pool, tennis courts, club house, or similar recreational amenity for the use and benefit of the Owners, or left in its natural condition. Prior to the construction by the Association of any Improvements costing more than $15,000 on the Amenity Parcel, the Trustees will first present to proposal to the Owners, and receive the affirmative vote of 2/3rds of the Owners, excluding the Declarant. No such Improvements will be made until the Declarant has conveyed at least 2/3rds of the Lots to third parties, unless the Declarant otherwise consents in writing.

9.2. No Dwellings. The Amenity Parcel may not be used for, sold, or leased for the purpose of constructing Dwellings, office space, or commercial buildings. Any recreation amenity will be for the use of the Owners, and not open to the general public or for members other than Owners within the Hidden Meadows Subdivision. This shall not preclude the construction of a manager's dwelling of not more than 400 square feet in any club house facility constructed by the Association.

9.3. No Commercial Use. The Amenity Parcel may not be used for any commercial purpose, including the operation of a club house, restaurant, tennis club or pool facility open to the public or persons other than Owners or their guests. No vehicles, construction materials (other than those for the use and benefit of the Association), or equipment will be parked or stored on the Open Space Parcel, except

00436643 Bk00905 Pg00472

during Declarant's initial construction of the Subdivision Improvements, such as streets and utilities.

9.4. Culinary Water Well Site. Declarant's predecessor in interest has reserved the right to drill and operate a culinary water well within the Amenity Parcel. The location of that well will be coordinated with the Association to minimize site disturbance or interference with the Association's use of the Amenity Parcel, but also to provide access to sub-surface geologic structures which are believed to be advantageous locations for drilling a well. The well, if drilled, will be equipped with a surface pump house not to exceed 1,000 square feet, which will be sided, roofed, and landscaped in a manner consistent with these covenants.

9.5. Water Quality Protection. The Association will not do anything on the Amenity Parcel that might reasonably be expected to compromise water quality from the proposed well, including disposal or storage of hazardous materials, fuels or oils, insecticides or herbicides, or the use of other toxic or hazardous materials.

9.6. Open Space Parcels. Around the perimeter of the Subdivision there are larger areas designated on the Plat as Open Space. Declarant has, or will, convey these parcels to the City, subject to this Declaration and additional covenants contained in the deeds. The Owners may enforce these covenants against the City as owner of the Open Space, as the Open Space is created for the benefit of the Subdivision. The City is not deemed an Owner for purposes of participation in the Association, and shall not be subject to Assessment, nor entitled to vote. These covenants are not reciprocal as to the the Open Space, and the City will have no right to enforce these covenants against Lot Owners, provided that this shall not waive any powers that exist under City ordinances. The Open Space parcels are to be maintained in their natural condition, and no improvements of any kind will be permitted, except:

(a) Trails, which will be public easements for non-motorized use;

(b) Underground utilities, and such above ground controls, transformer boxes, and junction boxes as may be reasonably necessary;

(c) The existing overhead power line.

No clearing, grading, excavation, or other site work is permitted that would alter the natural vegetation or natural appearance of the Open Space Parcels.

9.7. Additional Trails. The City may construct an additional trail that extends north through Open Space Parcel Number 4, provided that no new trail will be constructed closer to any Lot than the trail easement shown on the Plat north of the rear lot line of Lots 16 through 26.

ARTICLE XI

COMBINATION OF LOTS

10. Subject to the provisions of this Declaration and the limitations set forth in this Section, any Owner may combine two adjoining Lots with adjoining frontage on the same street within the Subdivision, subject to the approval of the Architectural

00436643 Bk00905 Pg00473

Committee and City. The following regulations will apply in the event of a combination:

10.1. Maximum Site Disturbance Area Revision. As a result of the combination of Lots, the maximum allowable Site Disturbance Area of the resulting combined Lot will be determined from the table in Exhibit B, but will not exceed 75% of the combined irrigated area allowed for the two lots. Siting of the Dwelling should spread the resulting building mass more or less evenly over the combined Lots, although may be more concentrated where good site planing practices dictate. In no event may the entire mass be constructed on a single Lot.

10.2. Maximum Floor Area. The maximum Floor Area for the Dwelling on the combined Lots shall not exceed 75% of the combined floor areas of the two individual Lots.

10.3. Architectural Committee May Deny Combination. The Architectural Committee has the power to deny the Owner's application to combine Lots on the basis that the resulting combination concentrates too much building mass on a single Lot, that the combination results in damage to significant natural features on the Property such as natural drainage courses or significant wooded areas, or results in a structure that violates the provisions of this Declaration.

10.4. Combination Deemed Permanent. The combination of Lots is deemed to be permanent and the Lots may not be independently sold once construction has commenced on the Improvements for the combined Lot.

10.5. Record Notice of Combination. The Owner of any Lots that have been combined will execute and deliver to the Architectural Committee a notice in recordable form, containing the name of the Owner and the legal description of the Lots combined, which Notice will state that the two Lots have been combined and cannot subsequently be subdivided. The Owner will also submit a current title report showing any lien holders, who will also be required to sign the Notice. The Committee shall record this Notice with the Summit County Recorder upon the commencement of construction.

10.6. Plat Amendment. The combination of Lots may also require a formal Plat Amendment process under applicable state or city regulations, all or which will be done at the sole expense of Owner.

ARTICLE XI

GENERAL PROVISIONS

11. The covenants, conditions, and restrictions contained in this Declaration may be enforced as follows:

11.1. Remedies.

00436643 Bk00905 Pg00474

(a) Any single or continuing violation of the covenants contained in this Declaration may be enjoined in an action brought by the Declarant (for so long as the

Declarant is the Owner of any Lot), by any other Owner, or by the Association in its own name. In any action brought to enforce these covenants, the prevailing party shall be entitled to recover as part of its judgment all of the reasonable costs of enforcement, including attorneys fees and costs of court.

(b) Nothing in this Declaration shall be construed as limiting the rights and remedies that may exist at common law or under applicable federal, state, or local laws and ordinances for the abatement of nuisances, health and safety, or other matters. These covenants are to be construed as being in addition to those remedies available at law.

(c) The remedies available under this Declaration and at law or equity generally are not to be considered as exclusive, but rather as cumulative.

(d) The failure to take enforcement action shall not be construed as a waiver of the covenants contained in this Declaration in the future or against other similar violations.

11.2. Severability. Each of the covenants contained in this Declaration shall be independent of the others, and in the event that any one is found to be invalid, unenforceable, or illegal by a court of competent jurisdiction, the remaining covenants shall remain in full force and effect.

11.3. Limited Liability. Neither the Declarant, the Trustees, or the Architectural Committee or its individual members, nor any other Owner shall have personal liability to any other Owner for actions or inactions taken under these covenants, provided that any such actions or inactions are the result of the good faith exercise of their judgment or authority under these covenants, and without malice.

11.4. Term of Covenants, Renewal. This Declaration shall expire fifty years from the date it is first recorded with the Summit County Recorder, provided however that in the last year prior to expiration, the Owners of 90% of the Lots may, by written notice which is recorded with the Summit County Recorder, agree to extend the covenants for a period of an additional twenty years.

11.5. Amendment. At any time while this Declaration is in effect, the Owners of 75% of the Lots may amend the provisions of this Declaration. Any amendment must be in writing and be approved by 75% of the Owners at the time of the amendment. No amendment which has the effect of substantially or materially altering the size, nature, or use of the Improvements on any Lot permitted by this Declaration will be binding upon the holder of any mortgage or trust deed on any Lot unless the mortgage or trust deed holder joins in the amendment. These covenants may be repealed in whole or in part by amendment. No amendment which eliminates the rights of the Declarant under this Declaration will be effective without the consent of the Declarant.

11.6. Constructive Notice. Every person who owns, occupies, or acquires any right, title or interest in any Lot in the Subdivision is conclusively deemed to have notice of this Declaration and its contents, and to have consented to the application and enforcement of each of the covenants, conditions and restrictions against his Lot, whether or not there is any reference to this Declaration in the instrument by which he acquires his interest in any Lot.

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11.7. Notices. All notices under this Declaration are deemed effective 5 business days after the date of mailing, whether delivery is proved or not, provided that any mailed notice must have postage pre-paid and be sent to the last known address of the party to receive notice. The address for notice may be taken from the latest available property tax assessment rolls if no other address for an Owner is known. Notices delivered by hand are effective upon delivery.

11.8. Liberal Interpretation. The provisions of this Declaration shall be interpreted liberally to further the goal of creating a uniform plan for the development of the Subdivision. Paragraph headings are inserted for convenience only and shall not be considered in interpretation of the provisions. Singular will include plural, and gender is intended to include masculine, feminine and neuter as well.

11.9. Covenants Run with the Land. The covenants, conditions, and restrictions in this Declaration are covenants running with the land, and shall burden and benefit the successors and assigns of the Declarant and the Owners for so long as the Declaration is in effect.

ARTICLE XII

EXPANSION OF PROJECT

12. The Declarant owns other land adjoining the Subdivision which is described on the attached Exhibit D. It is the intention of the Declarant to subdivide the additional land and to add it to the Subdivision and to these Covenants. Within a period of seven years from the date this Declaration is recorded, the additional land may be added to this Declaration and become a part of the Subdivision by the Declarant, or its successor in interest, recording a Subdivision Plat describing the additional land and the Lots created on it, and a Supplemental Declaration stating that it is the intention of the Declarant to add the additional land to the Subdivision, and to have that land be subject to these same covenants, conditions and restrictions.

12.1. No Obligation to Expand. The Declarant reserves the right to add some or all of the additional land to the Subdivision, but is under no obligation to do so. The additional land, if not added to the Subdivision, may be developed in a manner that is different from that described in this Declaration.

00436643 Bk00905 Pg00476

12.2. Expansion in Phases. The Declarant may exercise its right to expand the project in one or more phases or stages, and the addition of some of the expansion area does not obligate the Declarant to add the balance of the land to the Subdivision.

Executed on the date stated above.

BLUE LEDGE CORPORATION, a Delaware corporation

By: Hank Rothwell
Hank Rothwell, Pres.

STATE OF UTAH)
:ss
COUNTY OF SUMMIT)

On the 17 day of July, 1995, Hank Rothwell appeared before me and acknowledged that he is the President of Blue Ledge Company, a Delaware corporation, which is the Declarant in the above instrument, and that he executed the same on behalf of the corporation with proper authority.

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

Commission Expires:
Nov 27, 1997

Robert C Rodman
Notary Public
Residing at: Summit Co Utah

00436643 Bk00905 Pg00477

EXHIBITS

EXHIBIT A PROPERTY DESCRIPTION

EXHIBIT B TABLE FROM PLAT ON HOUSE SIZES AND BUILDING ZONE MAXIMUMS, INCLUDE REFERENCE TO GARAGES AND SIDE FRONT AND REAR SET BACKS

EXHIBIT C AMENITY PARCEL DESCRIPTION

EXHIBIT D PHASE II PROPERTY

00436643 Bk00905 Pg00478

EXHIBIT "A"

HIDDEN MEADOW SUBDIVISION PHASE 1
BOUNDARY DESCRIPTION
May 10, 1995

Beginning at a point on the northerly end line of the Emma mining claim North 77° 39' 13" West 251.53 feet from the Northeast corner of the Emma mining claim, said point is located North 4133.38 feet and East 2713.23 feet from the East Quarter corner of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the northerly end of the Emma , the Emily No. 2, and the Hope No. 2 mining claims (Mineral Survey 3262) North 77° 39' 13" West 1375.42 feet more or less; thence along the westerly end line of the Gasoline Alley No. 6 mining claim (Mineral Survey 6992) North 28° 59' 00" West 222.56 feet more or less; thence along the southerly side line of the Ina mining claim (Mineral Survey 5490) North 59° 06' 00" East 465.36 feet more or less; thence along the southerly side line of the Bessie mining claim (Mineral Survey 5552) North 61° 01' 00" East 1500.00 feet more or less; thence along the easterly end line of the Bessie mining claim North 38° 40' 43" West 14.26 feet; thence along the Chatham Crossing Subdivision boundary (Recorded Instrument Number 179465 in the Office of the Summit County Recorder) the following four courses:) 1) North 61° 10' 55" East (Plat North 61° 05' 58" East) 46.56 feet; thence 2) North 41° 14' 05" West (Plat North 41° 19' 02" West) 1317.38 feet; thence 3) South 39° 55' 03" East (Plat East) 595.29 feet; thence 4) North 0° 04' 57" East (Plat North) 785.35 feet; thence along the northerly side line of the Woodrow No. 1 mining claim (Mineral Survey 6792) North 60° 10' 00" East 509.54 feet more or less; thence along the northerly side line of the Woodrow No. 2 mining claim North 62° 56' 19" East 1501.54 feet; thence along the westerly end line of the Glegg No. 1 mining claim (Mineral Survey 6792) North 44° 04' 01" West 31.07 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 1435.63 feet more or less; thence along the southerly end line of the Potosi mining claim (Mineral Survey 6192) North 78° 41' 14" East 40.19 feet; thence along easterly side line of the Potosi mining claim North 53° 33' 00" East 5.10 feet; thence along the northerly side line of the Glegg No. 1 mining claim North 75° 55' 00" East 21.29 feet more or less; thence along the easterly end line of the Glegg No. 1 mining claim South 41° 00' 00" East 643.43 feet more or less; thence along the easterly end line of the Glegg No. 2 mining claim South 39° 40' 23" East 393.40 feet; thence along the North line of Section 11 North 88° 47' 03" West 1240.30 feet to the Northwest corner of Section 11; thence South 0° 57' 03" West 714.42 feet; thence South 70° 48' 39" West 20.35 feet; thence South 89° 32' 18" West 124.80 feet; thence South 07° 11' 05" East 317.18 feet to a point on a 50.00 foot radius curve to the right, whose radius point bears South 04° 46' 56" East, thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36" to a point on a 15.00 foot radius curve to the left, whose radius point bears North 43° 53' 40" East; thence along the arc

of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 675.00 foot radius curve to the right, whose radius point bears South 05° 57' 58" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53"; thence South 0° 57' 03" West 1451.52 feet to a point on a 50.00 foot radius curve to the left, whose radius point bears North 89° 02' 57" West; thence along the arc of said curve 73.52 feet thru a central angle of 84° 14' 57"; thence North 10° 46' 33" West 34.02 feet; thence South 80° 37' 22" West 628.64 feet; thence North 16° 28' 35" West 238.32 feet; thence North 13° 36' 27" West 50.00 feet; thence South 76° 23' 33" West 64.47 feet to a point on a 290.15 foot radius curve to the left, whose radius point bears South 13° 36' 27" East; thence along the arc of said curve 48.67 feet thru a central angle 09° 36' 38"; thence North 31° 57' 40" West 225.19 feet; thence South 46° 41' 39" West 377.59 feet; thence South 07° 56' 32" East 319.08 feet; thence South 10° 24' 24" West 233.92 feet; thence South 41° 50' 49" West 137.01 feet; thence South 67° 45' 45" West 221.74 feet; thence South 14° 25' 20" East 246.82 feet; thence South 38° 35' 36" East 164.61 feet to the northeast corner of Phase 1, Parcel 1 of Royal Oaks Subdivision Phase I (Recorded instrument No. 352414 in the office of the Summit County Recorder); thence along the north line of said Parcel 1 South 79° 34' 34" West (Plat South 79° 36' 44" West) 160.00 feet; thence along the north line of said Parcel 1 South 69° 24' 48" West (Plat South 69° 26' 58" West) 65.28 feet; thence along The Oaks at Deer Valley (Recorded instrument No. 311418 in the office of the Summit County Recorder) boundary line South 68° 57' 50 " West (Plat South 69° 00' 00" West) 59.25 feet; thence along The Oaks at Deer Valley boundary line South 48° 57' 50" West (Plat South 49° 00' 00" West) 300.00 feet; thence North 65° 36' 22" West 331.48 feet to a point on a 538.60 foot radius curve to the left, whose radius point bears South 60° 33' 01" East; thence along the arc of said curve 335.95 feet thru a central angle of 35° 44' 16"; thence South 06° 17' 17" East 477.78 feet to a point on a 125.00 foot radius curve to the left, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 18.63 feet thru a central angle of 08° 32' 16"; thence along The Oaks at Deer Valley boundary line South 81° 46' 37" West (Plat South 81° 48' 47" West) 50.24 feet to a point on a 175.00 foot radius curve to the right, whose radius point bears North 77° 03" 57" East; thence along the arc of said curve 20.30 feet thru a central angle of 06° 38' 46"; thence North 06° 17' 17" West 477.78 feet to a point on a 588.60 foot radius curve to the right, whose radius point bears North 83° 42' 43" East; thence along the arc of said curve 214.78 feet thru a central angle of 20° 54' 26"; thence North 68° 29' 02" West 229.73 feet; thence South 46° 04' 16" West 126.36 feet; thence South 11° 47' 28" West 170.03 feet to the point of beginning. Description contains 226.42 acres. The Basis of Bearing for the above description is South 00° 30' 11" West between the East Quarter corner and the southeast corner of Section 16. Y:\VC\HMBRY3.DES

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EXHIBIT "A"

HIDDEN MEADOW SUBDIVISION PHASE 2
BOUNDARY DESCRIPTION
April 19, 1995

Beginning at the Northwest corner of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of Section 11 South 88° 47' 03" East 1240.30 feet; thence along the easterly end line of the Glegg No. 2 mining claim (Mineral Survey 6792) South 39° 40' 23" East 215.18 feet; thence along the easterly end line of the Glegg No. 3 mining claim South 38° 46' 13" East 606.70 feet; thence along the Southerly side line of the Glegg No. 3 mining claim South 75° 52' 07" West 1501.92 feet; thence along the Southerly line of the Woodrow No. 6 mining claim South 63° 17' 52" West 360.03 feet; thence North 0° 57' 03" East 142.10 feet to a point on a 675.00 foot radius curve to the left, whose radius point bears South 01° 58' 05" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53" to a point on a 15.00 foot radius curve to the right, whose radius point bears North 05° 57' 58" West; thence along the arc of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 50.00 foot radius curve to the left, whose radius point bears South 43° 53' 40" West; thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36"; thence North 07° 11' 05" West 317.18 feet; thence North 89° 32' 18" East 124.80 feet; thence North 70° 48' 39" East 20.35 feet; thence North 0° 57' 03" East 714.42 feet to the point of beginning. Description contains 32.73 acres.

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TABLE B EXHIBIT "B"

LOT #	SQUARE FEET	MAXIUM FLOOR AREA	MAXIUM SITE DISTURBANCE
LOT 1	77,447 S.F.	8,500 S.F.	12,000 S.F.
LOT 2	54,540 S.F.	7,250 S.F.	10,000 S.F.
LOT 3	49,336 S.F.	7,250 S.F.	10,000 S.F.
LOT 4	81,380 S.F.	8,500 S.F.	12,000 S.F.
LOT 5	157,921 S.F.	10,000 S.F.	14,000 S.F.
LOT 6	74,821 S.F.	8,500 S.F.	12,000 S.F.
LOT 7	55,352 S.F.	7,250 S.F.	10,000 S.F.
LOT 8	64,921 S.F.	7,250 S.F.	10,000 S.F.
LOT 9	81,303 S.F.	8,500 S.F.	12,000 S.F.
LOT 10	281,972 S.F.	10,000 S.F.	16,000 S.F.
LOT 11	122,989 S.F.	10,000 S.F.	16,000 S.F.
LOT 12	80,190 S.F.	8,500 S.F.	12,000 S.F.
LOT 13	81,388 S.F.	8,500 S.F.	12,000 S.F.
LOT 14	76,228 S.F.	8,500 S.F.	12,000 S.F.
LOT 15	64,790 S.F.	7,250 S.F.	10,000 S.F.
LOT 16	58,077 S.F.	7,250 S.F.	10,000 S.F.
LOT 17	49,379 S.F.	7,250 S.F.	10,000 S.F.
LOT 18	74,275 S.F.	8,500 S.F.	12,000 S.F.
LOT 19	78,352 S.F.	8,500 S.F.	12,000 S.F.
LOT 20	130,330 S.F.	10,000 S.F.	14,000 S.F.
LOT 21	128,150 S.F.	10,000 S.F.	14,000 S.F.
LOT 22	98,309 S.F.	10,000 S.F.	14,000 S.F.
LOT 23	118,896 S.F.	10,000 S.F.	14,000 S.F.
LOT 24	125,517 S.F.	10,000 S.F.	14,000 S.F.
LOT 25	80,976 S.F.	8,500 S.F.	12,000 S.F.
LOT 26	186,994 S.F.	10,000 S.F.	16,000 S.F.
LOT 27	90,053 S.F.	10,000 S.F.	14,000 S.F.
LOT 28	60,918 S.F.	7,250 S.F.	10,000 S.F.
LOT 29	64,391 S.F.	7,250 S.F.	10,000 S.F.
LOT 30	48,547 S.F.	7,250 S.F.	10,000 S.F.
LOT 31	43,069 S.F.	6,000 S.F.	10,000 S.F.
LOT 32	39,189 S.F.	6,000 S.F.	10,000 S.F.
LOT 33	39,308 S.F.	6,000 S.F.	10,000 S.F.
LOT 34	41,301 S.F.	6,000 S.F.	10,000 S.F.
LOT 35	45,723 S.F.	7,250 S.F.	10,000 S.F.
LOT 36	37,722 S.F.	6,000 S.F.	10,000 S.F.
LOT 37	42,690 S.F.	6,000 S.F.	10,000 S.F.
LOT 38	42,063 S.F.	6,000 S.F.	10,000 S.F.
LOT 39	37,052 S.F.	6,000 S.F.	10,000 S.F.
LOT 40	44,458 S.F.	7,250 S.F.	10,000 S.F.
LOT 41	29,535 S.F.	6,000 S.F.	10,000 S.F.
LOT 42	39,381 S.F.	6,000 S.F.	10,000 S.F.
LOT 43	75,089 S.F.	8,500 S.F.	12,000 S.F.
LOT 44	98,348 S.F.	10,000 S.F.	14,000 S.F.
LOT 45	57,471 S.F.	7,250 S.F.	10,000 S.F.

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EXHIBIT "C"

HIDDEN MEADOW SUBDIVISION
RECREATION OPEN SPACE PARCEL 3

Beginning at a point North 5704.31 feet and East 3793.03 feet from the East Quarter Corner of Section 16, Township 2 South, Range 4 east, Salt Lake Base and Meridian; and running thence North 88° 19' 31" West 353.13 feet to a point on a 88.00 foot radius curve to the right, whose radius point bears North 1° 40' 29" East; thence along the arc of said curve 266.24 feet thru a central angle of 173° 20' 48"; thence North 85° 01' 17" East 339.08 feet to a point on a 148.70 foot radius curve to the right, whose radius point bears South 4° 58' 43" East; thence along the arc of said curve 119.05 feet thru a central angle of 45° 52' 18" to a point on a 15.00 foot radius curve to the right, whose radius point bears South 40° 53' 36"; thence along the arc of said curve 26.22 feet thru a central angle of 100° 08' 48" to a point on a 201.21 foot radius curve to the left, whose radius point bears South 51° 02' 24" West; thence along the arc of said curve 165.45 feet thru a central angle of 47° 06' 47" to a point on a 15.00 foot radius curve to the right, whose radius bears North 86° 04' 23" West; thence along the arc of said curve 22.97 feet thru a central angle of 87° 44' 52" to the point of beginning. Description contains 2.09 acres. The basis of Bearing for the above description is South 00° 30' 11" West between the East Quarter corner and the southeast corner of Section 16.

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EXHIBIT "D"

HIDDEN MEADOW SUBDIVISION PHASE 2
BOUNDARY DESCRIPTION
April 19, 1995

Beginning at the Northwest corner of Section 11, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence along the North line of Section 11 South 88° 47' 03" East 1240.30 feet; thence along the easterly end line of the Glegg No. 2 mining claim (Mineral Survey 6792) South 39° 40' 23" East 215.18 feet; thence along the easterly end line of the Glegg No. 3 mining claim South 38° 46' 13" East 606.70 feet; thence along the Southerly side line of the Glegg No. 3 mining claim South 75° 52' 07" West 1501.92 feet; thence along the Southerly line of the Woodrow No. 6 mining claim South 63° 17' 52" West 360.03 feet; thence North 0° 57' 03" East 142.10 feet to a point on a 675.00 foot radius curve to the left, whose radius point bears South 01° 58' 05" East; thence along the arc of said curve 47.10 feet thru a central angle of 03° 59' 53" to a point on a 15.00 foot radius curve to the right, whose radius point bears North 05° 57' 58" West; thence along the arc of said curve 13.05 feet thru a central angle of 49° 51' 38" to a point on a 50.00 foot radius curve to the left, whose radius point bears South 43° 53' 40" West; thence along the arc of said curve 42.48 feet thru a central angle of 48° 40' 36"; thence North 07° 11' 05" West 317.18 feet; thence North 89° 32' 18" East 124.80 feet; thence North 70° 48' 39" East 20.35 feet; thence North 0° 57' 03" East 714.42 feet to the point of beginning. Description contains 32.73 acres.

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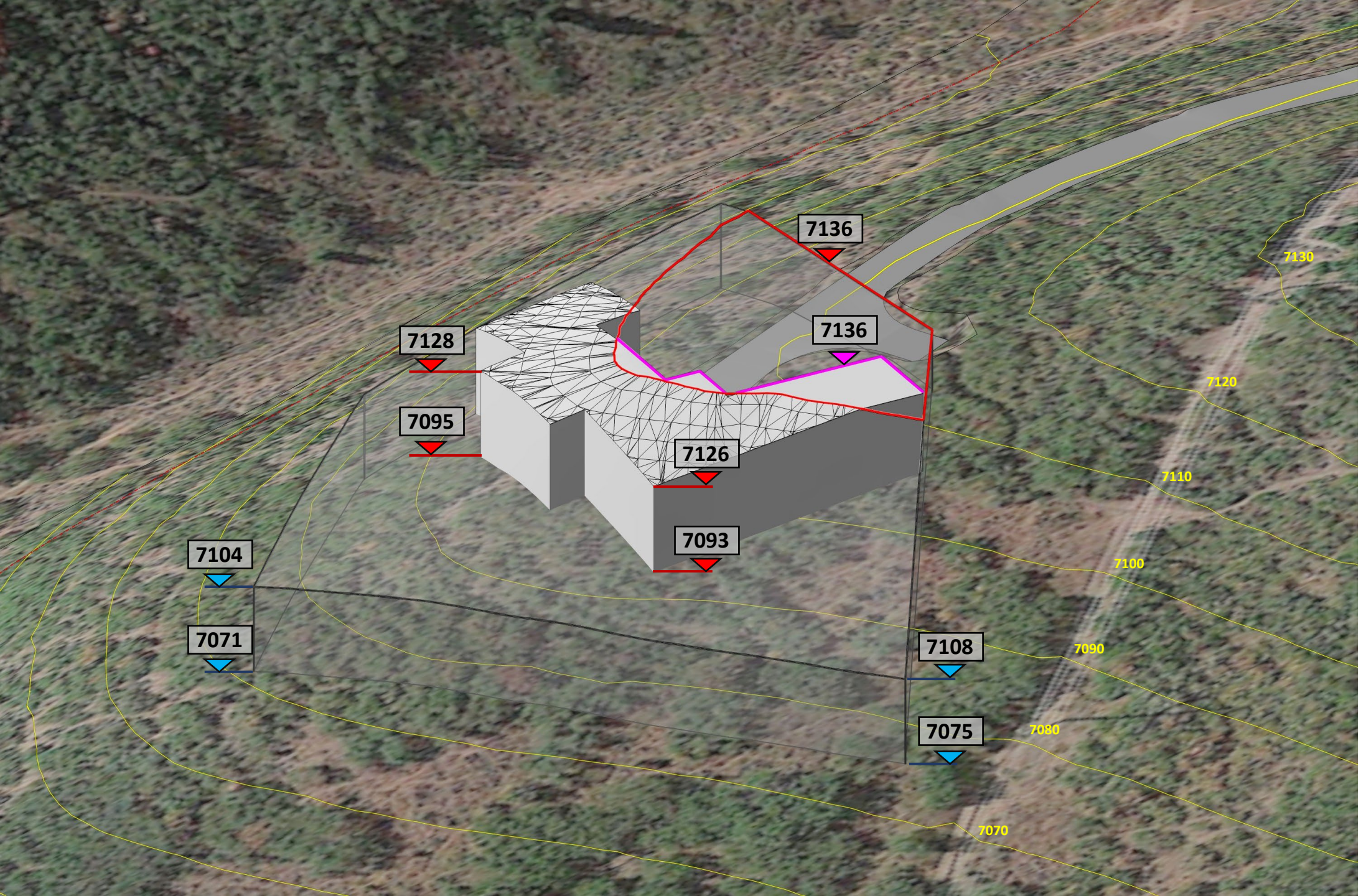
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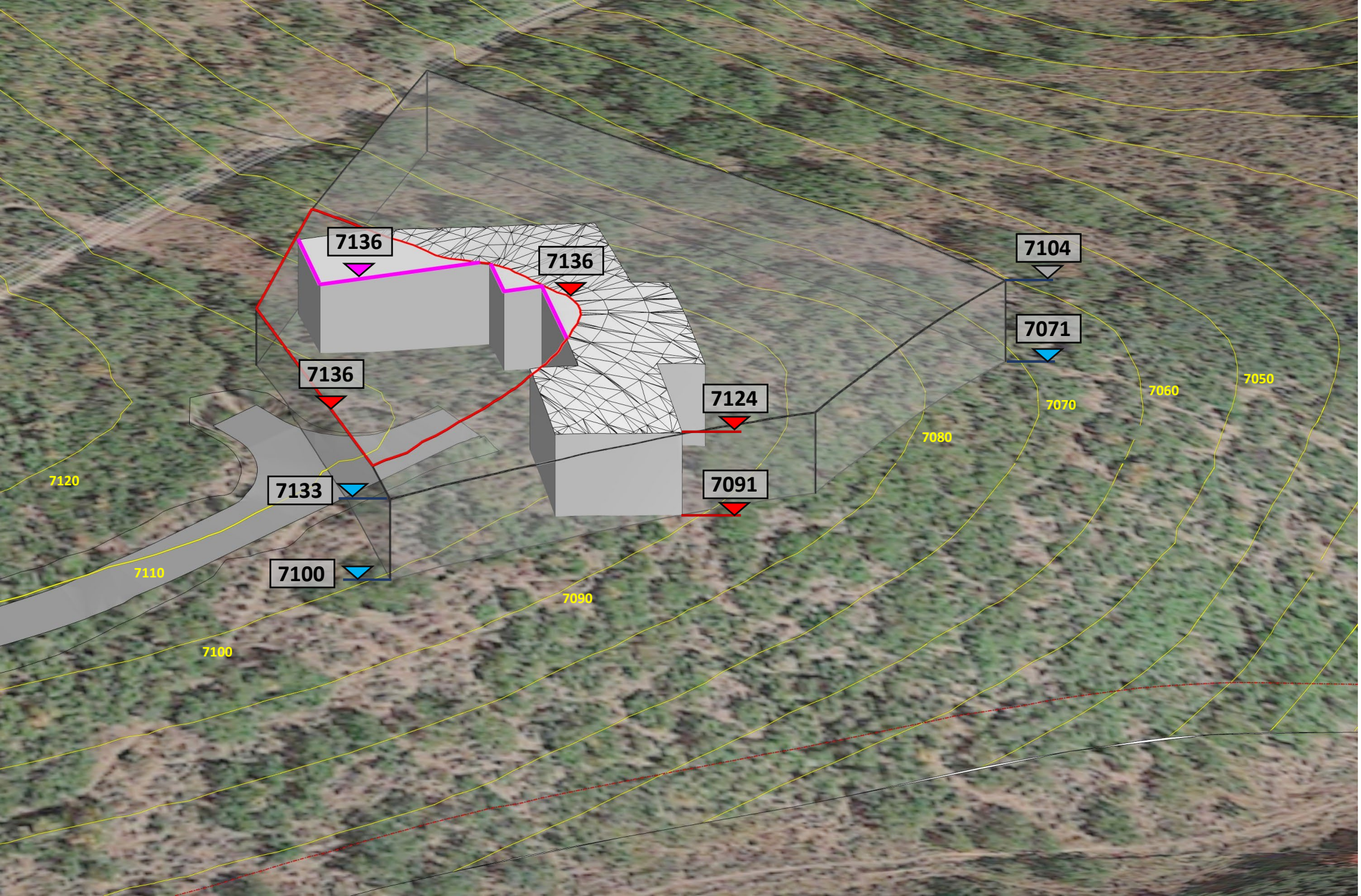
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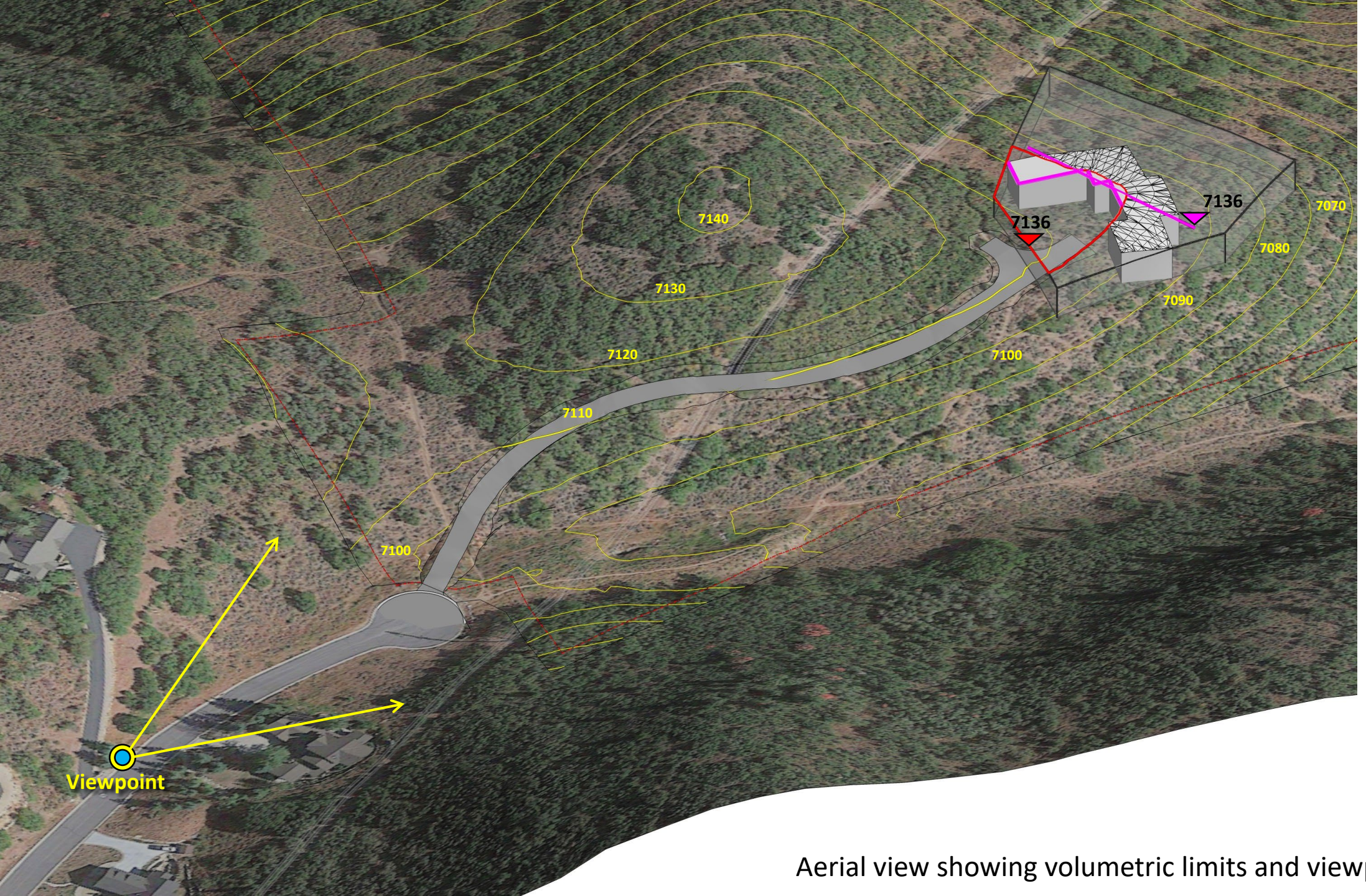

Aerial view showing volumetric limits and viewpoint


Existing View



Proposed volumetric limits and approximate driveway


Existing View



Proposed volumetric limits and approximate driveway

Julie Schultz

From: Mary Dannelley <mary@dannelleylaw.com>
Sent: Sunday, October 31, 2021 8:37 PM
To: planning
Cc: Browne Sebright; Mike Dannelley
Subject: [External] 3805 Fox Tail Trail and Fox Tail Trail Subdivision
Attachments: PC Planning Commission Ltr 10.31.2021-Signed.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Please see attached correspondence of today's date regarding the above-referenced property.

Mary Dannelley
mary@dannelleylaw.com

Julie Schultz

From: barbara <barjay2@yahoo.com>
Sent: Friday, October 29, 2021 12:17 PM
To: Browne Sebright
Cc: planning
Subject: [External] 3805 Fox Tail Trail
Attachments: 3805 letter to Commission 10 25 21.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

As a homeowner just around the corner on Solamere Drive, I strongly object to the proposed construction at 3805 Fox Tail Trail. The 10,000 square foot rental house is completely out of scale with the surrounding neighbor hood and the intentions of the original plan for our community. This is a neighborhood of families, not disruptive rental houses.
Thank you,
Barbara Lewis
3709 Solamere

Julie Schultz

From: David Lesser <dlesser@peakxvrc.com>
Sent: Wednesday, November 3, 2021 10:13 PM
To: Browne Sebright
Cc: Dinny Lesser
Subject: [External] Fox Tail Trail Subdivision Proposal

Follow Up Flag: Follow up
Flag Status: Flagged

Categories: 3805 Fox Tail Trail - Public Comment

[CAUTION] This is an external email.

Planning and Zoning Commissioners
Planner Browne Sebright
445 Marsac Avenue (P.O. Box 1480)
Park City, UT, 84060

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Dear Commissioners and Planner Sebright:

My name is David Lesser and my wife and I own the property within the Hidden Meadows Subdivision located at 19 Fox Wood Court. My wife and I oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac so long as the subdivision does not contain a restriction against nightly and other short term rentals at the subject property. Permitting nightly rentals such as an AirBNB will create inappropriate congestion in the neighborhood and is inconsistent with the restrictions on all of the properties within Hidden Meadows. The owners within Hidden Meadows have chosen to live within a subdivision that prohibits nightly rentals and allowing the subject property to conduct nightly rentals will flout the desires of all Hidden Meadows homeowners. Given that the subject property is totally surrounded by Hidden Meadows, it should be subject to the same rental restrictions as the Hidden Meadows properties.

Respectfully submitted,
David Lesser and Diane Lesser

Julie Schultz

From: Jantzen, David <djantzen@deloitte.com>
Sent: Friday, October 29, 2021 1:31 PM
To: Browne Sebright; planning
Subject: [External] Hidden Meadows HOA - Fox Tail Trail Subdivision Proposal
Attachments: 3805 letter to Commission 10 25 21.pdf

Follow Up Flag: Follow up
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PC Planning Commission,

I object to the proposed construction at 3805 Fox Tail Trail. I agree 100% with everything in the attached letter written by a fellow Hidden Meadows resident. I live on Solamere just a couple lots from this property. I am very surprised this request is being taken seriously by the city. It would be an eyesore to the entire community. I would have never purchased and built on our home on Solamere over the past 2 years if we knew the city would change the planned usage of this property on Fox Tail.

Thank you,

David

David Jantzen
Deloitte Consulting LLP
Mobile: (404) 518 7261

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Julie Schultz

From: Michelle Yacoel <myacoel@me.com>
Sent: Monday, November 1, 2021 9:33 PM
To: Browne Sebright; planning
Cc: Claude Yacoel
Subject: [External] Homeowner Objection to Permit # PL-21-04865 and Permit # PL-21-04826, 3805 Fox Tail Trail and Fox Tail Trail Subdivision Proposal

[CAUTION] This is an external email.

Dear Commissioners and City Planner Sebright:

My name is Michelle Yacoel, and my husband and I own the home at 20 Foxwood Court, in Hidden Meadows. We have owned our home for 11 years and enjoy living in Park City very much. We chose to live in the Hidden Meadows subdivision specifically because of the peaceful nature of the community. We also enjoy the convenient access to the many area trails and the mountain for skiing. The Hidden Meadows HOA has never allowed nightly or even monthly rentals. This issue has come up periodically, and it has always failed by a large margin of votes. Even last year, it was put to another vote and failed. These rules have been in place from the beginning of the development, and we have all always abided by them. We strongly and vehemently oppose the plat amendment and rezoning of the property on Fox Tail Trail. **This community is special because everyone is an owner resident.**

It is incorrect for the Planning Commission to suggest that changing the existing rules by carving out a single property is a minor issue- it is definitely a major issue. This would also set a very bad precedent by the planning commission to allow one property owner the ability to completely rezone their property and take it out of an existing association and neighborhood. This property is not located in the middle of nowhere, unincorporated and on its own, it is in the middle of multiple neighborhoods, at the end of a cul-de-sac, in an existing and thriving community.

We also object to any development outside the Ridgeline restrictions, this giant home will be very visible and completely out of character for the area and neighborhood. We also object to the re-routing and alteration of the beautiful trails and the major disruption to the open space around this property that benefits the entire community of Park City.

Finally, the neighborhood has voted, as recently as last year, to not allow short term rentals (nightly or monthly). Nightly rental homes, drastically change the feeling of a neighborhood. I often walk in the neighborhood and have seen the two homes recently completed on Hidden Oaks Lane that are on VRBO for nightly rentals- they are advertised as accommodating 30 people! These homes do not add to our community, they are a significant negative addition. The many cars create traffic on Solamere Drive and the parties and noise disturbances are a nuisance for everyone. Please do not approve this project. It goes against the wishes of every tax paying, long standing Park City community member in the area.

The City Council of Park City developed four strategic goals to guide decision-making and achieve the community's vision and core values. They are: Sense of Community, Natural Setting, Historic Character, and Small Town.
This proposed project does not line up with the Park City Community Vision and Core Values and should not be allowed to pass.

Please read the letters submitted to you by Mr. Randy Johnston, the adjacent homeowner. He has done a very good job explaining the thoughts and feelings of all of our neighbors.

Thank you for your time and attention to this important issue.

Sincerely,

Michelle Yacoel

20 Foxwood Court
Park City, Utah 84060

714-612-3003

Julie Schultz

From: Lisa Power <lisa@mrbenson.com>
Sent: Monday, November 1, 2021 7:33 AM
To: Browne Sebright; planing@parkcity.org
Cc: Mike Benson
Subject: [External] Opposition to 3805 Fox Tail Trail Subdivision Proposal
Attachments: 3805 Fox Tail Trail Proposal.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

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Commissioners and Planner Sebright:
Please see attached letter expressing our strong opposition to the application for development of 3805 Fox Tail Trail.

Thank you,

Luisa Power
Mike Benson
3661 Solamere Drive
Park City, UT 84060

Julie Schultz

From: Matthew Leventhal <mleventhal@gmail.com>
Sent: Sunday, November 7, 2021 5:52 PM
To: Browne Sebright; planning
Cc: Brady Leventhal
Subject: [External] Opposition to Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal
Attachments: 3805 Fox Tail Trail Comment to Planning.pdf

Categories: 3805 Fox Tail Trail - Public Comment

[CAUTION] This is an external email.

Dear Park City Planning Commissioners and Planner Sebright,

Please find attached our opposition to the current permit for the 3805 Fox Tail Trail Development plan,

Please do not hesitate to contact us should you have any questions.

Regards,

Matt and Brady Leventhal
3781 Fox Tail Trail

Julie Schultz

From: Stephany Richmond <Srichmond@furnwarehouse.com>
Sent: Monday, November 1, 2021 2:36 PM
To: Browne Sebright
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Objection subdivision propsal

[CAUTION] This is an external email.

Planning and Zoning Commissioners
Planner Browne Sebright
445 Marsac Avenue (P.O. Box 1480)
Park City, UT, 84060

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Dear Commissioners and Planner Sebright

My name is Stephany Richmond, I have a family owned property very close to the subject property. My address is 43 Fox Glenn Circle. I have had my property since 2013. I oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac.

I will also add that I have neighbors who walk past our house regularly and express agreement with these points. The opposition to this application is larger than the number of letters you receive.

I have failed completely in my efforts to understand why Planner Seabright is such an advocate for this application. At the last hearing when Acting Chair asked Planner Seabright to confirm that the 23 acres the applicant has proposed giving to the city are in fact undevelopable and already controlled by the City, it seemed as if Planner Seabright tried to avoid answering that question in the affirmative, even though the answer was obviously yes. So, as a result of my concerns that the Commission may not be getting the full story, I ask you to consider what I believe to be undisputed facts below.

1. It is wrong to suggest that this is a minor change. It is a major change! Neighbors and the Hidden Oaks HOA have followed the rules applicable to this property and their own properties for decades now. These existing rules, zoning, and ordinances have served the community well and there is no reason to change them to

accommodate this late-arriving applicant. We follow the existing rules. He should too.

2. This is not a situation of someone unfairly suffering under zoning and building restrictions. Rather, it is a situation of someone buying a distressed property at foreclosure with full knowledge of restrictions that prohibit its development and then requesting that those restrictions be lifted to enrich him alone.

3. It is not true that there was always a house contemplated on "this property." Staff has suggested that the prior designation of a Lot 26 makes this application just an extension of that original contemplation and therefore not that unreasonable. But, that is just not true.

- The original Lot 26 shows a 3-4 acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8 acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8 acre tract.
- And the 3-4 acres of Lot 26 in the Estate District is not susceptible to development. The ridgeline limitation and the power line easement make it virtually impossible to develop the only part of the property in the Estate District.
- This impossibility was well known when the applicant bought this land. It is not a new restriction that unfairly burdens an old property he has held since before these restrictions.
- That limitation on development of the current Estate District 3-4 acres that he purchased is precisely why the applicant wants to replat and rezone to expand the size of the Estate District designation to an 8 acre tract instead.

4. It is wrong for staff or the applicant to suggest that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because the HOA did not annex Lot 26 earlier.

- No one knows exactly why Lot 26 was not annexed into the HOA but it probably has to do with the fact that there was no reason to do so since it was impossible to build on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements and the rest of the property was zoned recreational use only.
- And of course, it is possible it was just an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure

sale with a drastic modification of existing zoning and platting restrictions on the property.

- Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this applicant is now suggesting: an 8 acre development tract with a 700+ foot driveway and a 10,000 ft.² residence that would disrupt the entire neighborhood by nightly rentals.

5. The offsetting gift of 23 acres to the city - in exchange for this proposed alteration of decades-old zoning and platting to accommodate new development plans that disrupt the neighborhood - is not much of a gift.

   - The applicant cannot build on the 23 acres anyway, due to ridgeline and zoning restrictions.
   - The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.

6. It is wrong to think this proposal is just another house in the existing neighborhood. The applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 ft.² nightly rental facility. Basically a small hotel.

   - When asked why he would not consider joining the HOA, applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules.
   - By that comment, the applicant shows how little he cares about the neighborhood and the neighbors who have relied upon and complied with these rules since 1994.
   - The applicant also ignores the fact that the HOA voted just last year on a proposed modification of the *one-year-only* rental limitation and the members voted to keep this restriction in place. Thus, the restriction is not a 1994 restriction, it is for us a 2020 restriction.

7. The only reason this proposed development can even be considered is the fact that Hidden Meadows homeowners -about whom the applicant cares so little-have for decades paid taxes and dues to finance the construction and maintenance of streets and utilities leading to his property. Hidden Meadows and Hidden Oaks homeowners will be paying taxes to plow the streets to reach the hotel structure contemplated by this proposed development. One must drive past every taxpayer in every single house in the Hidden Meadows and Hidden Oaks to get to this property.

8. If this structure is permitted, there will be nothing like it anywhere in the neighborhood.

- No other house in the neighborhood has a 10,000 ft.² footprint with the 33 foot height.
- No other house in the neighborhood has a 700+ foot driveway.
- No other house in the neighborhood has a total area of disturbance exceeding 23,000 ft.² (Even more if you consider the sewer disruption.)
- No other house in the neighborhood permits short-term rentals.
- Nor the house in the neighborhood requires alterations to the existing trail structure.

9. It is wrong to say that this structure would not interfere with the ridgeline view. The applicant showed pictures of the proposed development from Kearns, but did not show pictures of the proposed development from the actual street on which it would be built. I have attached pictures of this site looking down Fox Tail Trail as it now is and then with the addition of a 10,000 ft.² structure that is 33 feet high. The visual obstruction, as you can see, is significant.

10. It is wrong to think of the 700+ ft. driveway as a concession to the homeowners to mitigate noise and disruption.

    - The construction of a 10,000 ft.² residence cannot proceed unless it is 700+ feet from the cul-de-sac because of the ridgeline restrictions and the utility easement.
    - The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood.
    - The likelihood is this driveway will actually become a parking lot for nightly rental residents.

Thank you for your consideration of these matters. I hope they persuade you that these applications should be denied.

Stephany Richmond
The Furniture Warehouse
7155 16th Street East Suite 101
Sarasota Florida 34243
Phone 941-359-2255 x312
Fax 941-359-2244
SRichmond@TheFurnitureWarehouse.com



All purchase orders are subject to The Furniture Warehouse's Terms and Conditions that are available online at http://vendors.furnwarehouse.com

Julie Schultz

From: Sarah Ryland <sarahryland4@gmail.com>
Sent: Friday, October 29, 2021 4:26 PM
To: Browne Sebright; planning
Cc: Padre
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
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Dear Commissioners and Planner Sebright:

Our names are Kyle and Sarah Ryland and we reside at 3763 Fox Tail Trail. We oppose the application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac. This development tract with a 700+ foot driveway and a 10,000 ft.2 residence will disrupt the entire neighborhood with nightly rentals. The visual and physical obstruction is significant, as well as the negative impact it will have on the natural wildlife and trail system. This proposal is NOT another house in the existing neighborhood.

- No other house in the neighborhood has a 10,000 ft.2 footprint with the 33 foot height.
- No other house in the neighborhood has a 700+ foot driveway.
- No other house in the neighborhood has a total area of disturbance exceeding 23,000 ft.2 (Even more if you consider the sewer disruption.)
- No other house in the neighborhood permits short-term rentals.
- Nor the house in the neighborhood requires alterations to the existing trail structure.

Neighbors and the Hidden Oaks HOA have followed the rules applicable to this property and their own properties for decades now. These existing rules, zoning, and ordinances have served the community well. When asked why the developer would not consider joining the HOA, applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules. The applicant also ignores the fact that the HOA voted just last year on a proposed modification of the one-year-only rental limitation and the members voted to keep this restriction in place. Thus, the restriction is not a 1994 restriction, it is for us a 2020 restriction. Hidden Meadows homeowners have for decades paid taxes and dues to finance the construction and maintenance of streets and utilities leading to his property. Hidden Meadows and Hidden Oaks homeowners will be paying taxes to plow the streets to reach this airbnb like structure contemplated by this proposed development.

The offsetting gift of 23 acres to the city - in exchange for this proposed alteration of decades-old zoning and platting to accommodate new development plans that disrupt the neighborhood - is not much of a gift. The applicant cannot build on the 23 acres anyway, due to ridge line and zoning restrictions. The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.

Thank you for your consideration of these matters. I hope they persuade you that these applications should be denied. It is both ruining the aesthetics of our neighborhood along with our property value.

Sincerely,
Sarah & Kyle Ryland

Julie Schultz

From: Michael Haney <mhaney@apple.com>
Sent: Monday, November 1, 2021 6:23 AM
To: Browne Sebright; planning
Cc: Nana Haney
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
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Dear Commissioners and Planner Seabright -

We're property owners in the Hidden Meadows subdivision in Park City (67 Fox Glen Circle). I think you have heard from Randy Johnston as well as a number of our fellow neighbors who oppose the referenced development. I won't repeat all of Randy's arguments against the proposed development, but we do share in his and our neighbor's opposition. When we built our home in Hidden Meadows, we didn't seek exceptions to alter Fox Tail Trail which runs through and along our property line because we valued the trail as an asset to our community and felt that leaving the trail undisturbed was simply, the right thing to do. While we respect an owner's right of use, we do feel there is an overriding need to insure that that right doesn't run afoul of either HOA rules or in this case, "norms" for a neighborhood / development. I would encourage you to take a drive by the two, recently built rental homes on Hidden Oaks Lane, canvass their neighbors on their experience with nightly rentals, traffic, noise and whether a small "hotel" works in a residential neighborhood. I don't think we want to potentially repeat those same issues with this proposed development.

We would appreciate your consideration of ours and our neighbor's input on this proposal.

Sincerely,

Michael & Nana Haney

Julie Schultz

From: Elisa McLean <elisalmclean@gmail.com>
Sent: Monday, November 1, 2021 3:22 PM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal
Attachments: 3805 letter to Commission 10 25 21.pdf

[CAUTION] This is an external email.

Dear Commissioners and Planner Sebright,

My name is Elisa Bernard McLean and my husband and I own the property at 28 Foxwood Court in the Hidden Meadows Subdivision. We strongly oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul de sac.

I have attached a letter sent by my neighbor, Randy Johnston, and fully agree with and support the statements he has made in opposition of said development.

Thank you in advance for your thoughtful consideration of these matters and ultimate denial of these applications.

Best,
Elisa Bernard McLean

elisalmclean@gmail.com
630-280-9190 cell

Julie Schultz

From: Lisa Baronsky <lisa@baronsky.com>
Sent: Monday, November 1, 2021 10:19 PM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

[CAUTION] This is an external email.

Dear Commissioners and Planner Sebright:

I am writing to you to express my strong opposition to the application for development of 3805 Fox Tail Trail. I agree with the letter submitted by Randy Johnson, dated October 25, 2021. Furthermore, I would like to reiterate that the Hidden Meadows HOA prohibits short-term rentals. This restriction was in place when we purchased our home ten years ago and we voted to keep this restriction in place last year. There are many areas of Park City that allow short-term rentals, but the homeowners in Hidden Meadows have been firm in their commitment to restrict short-term rentals.

Thank you for your consideration of these matters.

Sincerely,

Lisa Baronsky

3805 Solamere Drive
Park City
310 779-2956
lisa@baronsky.com

Julie Schultz

From: nanci.palmintere@gmail.com
Sent: Wednesday, November 3, 2021 2:35 PM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
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Dear Planning Commissioners and City Planner Sebright:

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

My name is Nanci Palmintere; our family owns the property around the corner at 3798 Solamere Dr. We **OPPOSE** the application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of an 8-acre lot at the end of the cul-de-sac.

This would be a **MAJOR** change for the worse to our quiet single-family home neighborhood. Whomever has suggested the proposed change is somehow "minor" is incorrect. By all objective criteria, it is a major change.

The speculator-applicant purchased the property (3805 Fox Tail Trail) at foreclosure with full knowledge of all existing restrictions that prohibit the proposed development – speculating that he could convince you to lift restrictions to maximize his for-profit business investment. It is incorrect for anyone to characterize this as a personal investment; when the plans are to operate a full-time, year-round for-profit "small hotel" Airbnb business at the site where the owner never intends to reside.

Our neighborhood is comprised only of individual single family residential homes – no "small hotel" businesses. The proposed use change does not comport with the original purpose of our neighborhood or its look and feel. Having a "small hotel"-like business at the end of a residential cul-de-sac with a single ingress/egress creates traffic and safety issues (just imagine kids playing roller hockey in the street when impaired out-of-town Airbnb-ers speed through the neighborhood). This property is directly adjacent to various Park City trails and negatively impacts the opportunity for Park City residents to access them.

All long-term Park City residents know there has never been "…a house contemplated on this property." Whomever among Planning Staff suggests that the prior designation of a "Lot 26" makes this application merely an extension of that original plan is incorrect & has made a mistake. Consider:

The original Lot 26 shows a 3–4-acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8-acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8-acre tract, and it must be denied.

The 3-4 acres of Lot 26 in the Estate District is not feasible to develop. The ridgeline limitation and the power line easement make it essentially impossible to develop the only part of the property in the Estate District. The speculator-applicant knew this full-well when he bought the property at foreclosure. It is not a new restriction that somehow "unfairly burdens" an old property he has held since before these restrictions were implemented. The ridgeline and other limitation on development of the current Estate District 3-4 acres that he purchased is precisely why the speculator-applicant wants to replat and rezone to expand the size of the Estate District designation to an 8-acre tract instead. This request must be denied.

I understand someone has put forth an argument that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because Hidden Meadows HOA did not, in years past, annex Lot 26. That argument holds no water and must be ignored. Most likely Lot 26 wasn't originally annexed into the HOA because it was impossible to build a home or "small-hotel" business on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements while the rest of the property was and is zoned recreational use only. Alternatively, lack of annexation may just be an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure sale with a drastic modification of existing zoning and platting restrictions on the property.

Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this speculator-applicant is now suggesting: an 8-acre development tract with a 700+ foot driveway and a 10,000 ft.² "small hotel" Airbnb for-profit business (rather than a residence). This change would disrupt the entire neighborhood with the onslaught of nightly rentals by people who care not one whit about our residential enjoyment.

The speculator-applicant is offering a 23 acre "quid pro quo gift" to the city in exchange for this proposed alteration of decades-old zoning and platting to accommodate his new year-round small-hotel plans that disrupt and alter the neighborhood. The "quid pro quo gift of 23 acres" to the city is not, in reality, a gift at all. *When is a gift not a gift?* Consider:

The applicant cannot build on the 23 acres anyway, due to ridgeline and zoning restrictions. He is not "giving up" anything at all. The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.

It is wrong to think this proposal is just another house in the existing neighborhood. The speculator-applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 square foot year-round for-profit "small hotel" business of nightly rentals – and ONLY nightly rentals.

When asked why he would not consider joining our existing HOA, the speculator-applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules. Let's be clear: we do not operate by 1994 rules. Our HOA voted just this past year on a proposed modification of our existing one-year-only rental limitation and the HOA members voted to keep this restriction in place. It is a modern restriction based on a current polling of residents.

It is incorrect and misleading to say that the proposed structure would not interfere with the ridgeline view. The speculator-applicant showed pictures of the proposed development from Kearns, but did not show pictures of the proposed development from the actual street on which it would be built. When viewed from Fox Tail Trail and our surrounding community, it is a MASSIVE intrusion on the ridgeline and therefore must be denied.

Someone has suggested the speculator-applicant has made a concession to the existing residential neighborhood to implement a 700+ foot driveway to operate his proposed “small hotel” Airbnb for-profit business. That is incorrect. It is incorrect and misleading to assert a 700+ ft. driveway is any concession at all; the construction of a 700+ foot driveway by the speculator-applicant is the only way he can proceed because of existing ridgeline restrictions and utility easements. The speculator-applicant is not “conceding” anything whatsoever.

The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood and must be denied.

Let’s look at a real-life Park City example of a similar Airbnb purpose-built house in a residential neighborhood: 65 Hidden Oaks Lane. This home was purpose-built to be a “small hotel” with 12 Bedrooms and 11 Bathrooms. The owner has never resided in the structure and operates it as a 365x24x7 full-time as a “small hotel” nightly rental through Airbnb and VRBO. For historical reasons, this house is not part of an HOA, and nearby HOA residents describe it as a full-time nightmare.

Here is a synopsis from Nextdoor.com of the detrimental impact to that neighborhood:

> In 2003, we had the good fortune to purchase a wonderful home in Lower Deer Valley. A place where we could spend time as a family hiking and exploring all of the amazing activities Park City offers. Sadly, our dream turned into a nightmare. An investor constructed a purpose-built house intended to be a full-time nightly rental with 12 -- count them, 12 – Bedrooms and 11 Bathrooms. This house was not intended to be someone’s residence. It is not intended to be someone’s vacation home or 2nd residence. It is a “small hotel” built for the sole purpose of renting it out on a nightly basis through Airbnb and VRBO.
>
> We do not have a Homeowner’s Association where we live, so there are no HOA restrictions on rentals. But this is not just a homeowner renting out their house once-in-awhile. This is anywhere between 12 to 40 people in this “house” on a nightly basis. Some are polite, but most are inconsiderate at best and downright vulgar at times. During the summer months, we love to sleep with our windows open so we are often awakened at 1 am, 2 am, 3 am and so on by loud music and shouting by out-of-town vacationers outside. Even with our windows closed, the noise is penetrating. Yes, we have called the police, multiple times – sometimes several times on the same night as have many of our neighbors. The property manager is very understanding (we have called him at 2 am as well to complain about the noise), but the owners just don’t seem to care so he is helpless to help us. Last night was one of the worst. At 3 am, the music was so loud, our windows were rattling. Two of our children, who are visiting us for the long weekend, asked the guests to please turn off the music and take their conversation inside. No go. Then we had to call the police (again). While waiting for the police, my wife explained – politely! - that they are renting a home in a residential neighborhood and should respect the noise ordinance. The vacationers replied they do not care as they are on vacation… It has left my entire family exhausted and depressed. We have worked so hard for so long to finally be a member of this wonderful community only to have our serenity denigrated by greedy business owners who have absolutely no respect for our community or regard for their neighbor’s welfare. The city government, whom we have contacted on numerous occasions, while sympathetic, claims they have no authority and that we have no recourse.

Please do not make us, the residents of Hidden Meadows, post a similar entreaty on Nextdoor.com due to a 10,000 square foot purpose-built nightly rental “small hotel” in our neighborhood.

Thank you for your consideration. Clearly, this application must be denied.

Respectfully,

Nanci Palmintere
3798 Solamere Drive
Park City, UT 84060

Julie Schultz

From: DANA ECKERT <deckert259@mac.com>
Sent: Tuesday, November 2, 2021 8:27 AM
To: Browne Sebright; planning
Cc: Andy Eckert
Subject: [External] Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail, Subdivision proposal
Attachments: smime.p7s; ATT00001.txt; ATT00002.htm

Dear Commissioners and Planner Sebright:

My name is Dana Eckert and my husband and I own 55 Fox Glen Circle. We oppose this application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of one 8 acre lot at the end of the cul-de-sac. This is basically constructing a hotel in a residential area and violates our neighbood covenants.

We have all bought into these neighborhoods because we wanted to live in a quiet residential area, and to allow these new renting rules and these bigger than currently allowed homes changes the entire neighborhood makeup.

This is a disturbing trend that has reared it's ugly head in the Hidden Oaks neighborhood and now threatens our Hidden Meadows subdivision as well.

The neighbors in Hidden Oaks have complained of wild parties, noises into the night, lack of security and screening of potential renters and a violation of the no renting rules that have previously existed in our neighborhoods per our different homeowner associations.

This is a complete disregard of the rights of us as property owners and not the first time that Park City puts new building over the consideration of the neighbors who have already bought into our neighborhoods and covenants.

We do not understand why Park City would even consider this application, which is essentially a hotel. It is completely wrong to think this proposal is just another house in the existing

neighborhood. The applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 ft.^{2} nightly rental facility. No matter how you look at it, this is a hotel.

We also want to voice our support for the letters written by Randy Johnson and his wife. I've shortened their points below, and added some of my own text, but we want to say we are in full support of what they have written to you.

1. This is a major change! Neighbors and the Hidden Oaks HOA have followed the rules applicable to this property and their own properties for decades now. These existing rules, zoning, and ordinances have served the community well and there is no reason to change them to accommodate this late-arriving applicant. We follow the existing rules. He should too.

2. This is not a situation of someone unfairly suffering under zoning and building restrictions. Rather, it is a situation of someone buying a distressed property at foreclosure with full knowledge of restrictions that prohibit its development and then requesting that those restrictions be lifted to enrich him alone.

3. ·The original Lot 26 shows a 3-4 acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8 acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8 acre tract.

4. It is wrong for staff or the applicant to suggest that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because the HOA did not annex Lot 26 earlier.

   · No one knows exactly why Lot 26 was not annexed into the HOA but it probably has to do with the fact that there was no reason to do so since it was impossible to build on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements and the rest of the property was zoned recreational use only.

   · And of course, it is possible it was just an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure sale with a drastic modification of existing zoning and platting restrictions on the property.

- Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this applicant is now suggesting: an 8 acre development tract with a 700+ foot driveway and a 10,000 ft.² residence that would disrupt the entire neighborhood by nightly rentals.

5. The applicant also ignores the fact that the HOA voted **just last year** on a proposed modification of the ***one-year-only*** rental limitation and the members voted to keep this restriction in place. **Thus, the restriction is not a 1994 restriction, it is for us a 2020 restriction.**

6. If this structure is permitted, there will be nothing like it anywhere in our neighborhood. This significantly changes our neighborhood. demographics.

- No other house in the neighborhood has a 10,000 ft.² footprint with the 33 foot height.
- No other house in the neighborhood has a 700+ foot driveway.
- No other house in the neighborhood has a total area of disturbance exceeding 23,000 ft.²(Even more if you consider the sewer disruption.)
- No other house in the neighborhood permits short-term rentals.
- Nor the house in the neighborhood requires alterations to the existing trail structure.

7. It is wrong to say that this structure would not interfere with the ridgeline view. The visual obstruction will be significant.

8. It is wrong to think of the 700+ ft. driveway as a concession to the homeowners to mitigate noise and disruption.

- The construction of a 10,000 ft.² residence cannot proceed unless it is 700+ feet from the cul-de-sac because of the ridgeline restrictions and the utility easement.
- The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood.
- The likelihood is this driveway will actually become a parking lot for nightly rental residents. This is already the case in the Hidden Oaks neighborhood.

Thank you for your consideration of these matters. I hope they persuade you that these applications should be denied.

Sincerely,

Dana and Andy Eckert

55 Fox Glen Circle

Park City, UT 84060

Julie Schultz

From: Joseph Shrader <shraderjm@comcast.net>
Sent: Friday, October 29, 2021 1:57 PM
To: Browne Sebright
Cc: planning
Subject: [External] Permit # PL-21-04865- 3805 Fox Tail Trail and Fox Tail Trail subdivision proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Commissioners and Planner Sebright

We are the owners of the property at 3648 Solamere in the Hidden Meadows subdivision.
We have owned our house for some twenty years. One of the major reasons we purchased the property was the prohibition in the HOA by-laws of nightly rentals. We much preferred a neighborhood where the residents didn't change much and they cared about the condition and appearance of their homes and those of the neighborhood community.
We have witnessed other areas of Park City where the allowance of nightly rentals have caused damage and disturbance to nearby neighbors.
We endorse and whole heartedly agree with the points in the letter to you from Randy Johnston dated October 25, 2021 regarding this matter.

We are opposed to this development.

Sincerely,

Marion & Janice Shrader

Sent from my iPad

Julie Schultz

From: Neil Malamud <neil@malcollc.com>
Sent: Sunday, October 31, 2021 11:57 AM
To: Browne Sebright
Subject: [External] PERMIT # PL-21-04865- 3805 FOX TRAIL

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

I am writing as the Hidden Meadows homeowner at 5 Hidden Court of many years,
in response to the Permit request #PL-21-04865- 3805 FOX TRAIL:

I have very grave concerns and numerous objections over the proposed granting of the above permit request.
To begin, the granting of a portion of the said property to the City is in no way sufficient, for any reason,
to alter the character of the long existing Hidden Meadows single family home community
to provide "the possibility of" nightly lodger accommodations and create a rental property business in the neighborhood.

The development of said property into a very tall/large structure presented as a residential home,
but in essence would operate as a commercial venture, ie a bed & breakfast with possibly nightly/short term rentals, creating a quasi lodging business
that belongs in a commercially zoned neighborhood, as apposed to a single family zoned neighborhood,
is in violation of the SPIRIT and RESPECT of a single family community/neighborhood!

This project would be alien to its neighborhood of private single family residences for numerous reasons.
The residents/homeowners of the Hidden Meadows community have a vested interest in maintaining a meaningful respect for the safety, privacy & serenity of their properties,
and their neighbors and with the assistance of the active HOA continue to keep the community safe and secure.

The original developers of Hidden Meadows created a quiet, private residential community, of single family homes built and/or
purchased by individuals, couples and families who were desirous of and paying for its HOA and real estate taxes
in order to live in a purely single family residential community.
Unfortunately, for the lot owner/developer who sees an opportunity in which to create a "business:,
through a "non-conforming use" is totally & completely inappropriate in Hidden Meadows.

I have a deep concerns for the severe adverse impact of more traffic and other unintended consequences on the neighborhood.
Furthermore, as a community resident, tax paying, respectful homeowner and neighbor
I STRONGLY request that the City NOT grant this permit request!

Sincerely,
Sandra A. Malamud,
5 Hidden Court
Home/Property owner

ucc

Neil N Malamud
941-928-5176
nnm@malcoinv.com

Julie Schultz

From: shai quarles <shai.quarles21@outlook.com>
Sent: Tuesday, November 2, 2021 8:46 AM
To: Browne Sebright; planning
Subject: [External] Permit # PL-21-04865-3805 Fox Tail Trail Subdivision Proposal
Attachments: PC Letter-1.docx

[CAUTION] This is an external email.

Provided is my letter for the subdivision proposal.

Thank you!

Julie Schultz

From: Joan Card <jcard@culpkelly.law>
Sent: Monday, November 1, 2021 9:44 AM
To: Browne Sebright; planning
Cc: randy@jtlaw.com; Mark Harrington; Matt Dias; Margaret Plane
Subject: [External] Proposed New Subdivision and Development at Fox Tail Trail
Attachments: 3805 letter to Commission 10 25 21[1258].pdf

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Commissioners and City Staff:

Please see the attached package from our next door neighbor, Randy Johnston. We adopt and endorse it in its entirety. We are mystified how such a proposed action seems to be evading all the good reasons for meaningful outreach to the affected neighborhood, resulting in what appears to be a bias toward a commercial property owner who obtained the property from the mine company through foreclosure. In our past experience the City was very effective at outreach to people in the community with frequent neighborhood meetings in the homes of interested residents and homeowners. We think the proposed action illustrates the need for close City collaboration with the neighborhood. Adding "insult to injury" here, Randy, we and several other neighbors testified at the first Planning Commission meeting on this subject and requested to be contacted, heard, and notified of further developments. We have yet to hear from anyone in the Planning Department.

In addition to the points Randy made in his letter, we see that City staff is proposing an amendment to the Land Management Code to prohibit nightly rentals in the Hidden Oaks neighborhood immediately adjacent to ours. I'm aware of at least two homes that were recently constructed in Hidden Oaks, apparently on spec, as hotels. I'm aware because I walk by almost daily and the properties clearly are hosting multiple people, including attendees of corporate meetings that are run back and forth to meeting destinations by shuttle bus (with corporate signs on the door). We noticed one property owner was forced to put up a "No Parking" sign, like one you would see in a commercial district, in front of their house, presumably because of problems. These hotel properties have demonstrably changed the character of the neighborhood—including their farcical signage stating that the properties are "for residential use only." We applaud the City for its effort to amend the LMC to prevent this activity. We would hope that the City similarly would prevent the new subdivision and development—should it be allowed to go forward—from establishing a de facto hotel at the end of our small residential street.

Thank you for considering our issues and concerns. We hope for dialog and collaboration on the project going forward.

Incidentally, we have copied Mark Harrington, Margaret Plane, and Matt Dais on this email for their awareness. Joan has spoken with Mark Harrington about this project in the past and due to her personal relationship with Matt and Margaret, it seemed prudent to share for the purpose of disclosure and general awareness.

Truly,

/s/
Joan Card

Andy Dannerbeck
3764 Fox Tail Trail
Hidden Meadows, Lot 28

Julie Schultz

From: Michelle Spear <michelle@jtlaw.com>
Sent: Monday, October 25, 2021 1:18 PM
To: Browne Sebright; planning
Cc: Randy Johnston
Subject: [External] RE: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal
Attachments: 3805 letter to Commission 10 25 21.pdf

Follow Up Flag: Follow up
Flag Status: Completed

[CAUTION] This is an external email.

Attached is letter with enclosures from Randy Johnston.

Thanks,

Michelle Spear
Legal Assistant

JOHNSTON TOBEY BARUCH, P.C.
12377 Merit Drive, Suite 880
Dallas, Texas 75251
michelle@jtlaw.com
214.382.4520 direct
214.741.6260 Ext. 207



****
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Julie Schultz

From: phil.palmintere@gmail.com
Sent: Wednesday, November 3, 2021 2:29 PM
To: Browne Sebright; planning
Cc: phil.palmintere@gmail.com
Subject: [External] Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

Follow Up Flag: Follow up
Flag Status: Flagged

[CAUTION] This is an external email.

Dear Planning Commissioners and City Planner Sebright:

Re: Permit # PL-21-04865 - 3805 Fox Tail Trail and Fox Tail Trail Subdivision proposal

My name is Phil Palmintere; our family owns the property around the corner at 3798 Solamere Dr. We **OPPOSE** the application for development of 3805 Fox Tail Trail and the creation of a Fox Tail subdivision consisting of an 8-acre lot at the end of the cul-de-sac.

This would be a **MAJOR** change for the worse to our quiet single-family home neighborhood. Whomever has suggested the proposed change is somehow "minor" is incorrect. By all objective criteria, it is a major change.

The speculator-applicant purchased the property (3805 Fox Tail Trail) at foreclosure with full knowledge of all existing restrictions that prohibit the proposed development – speculating that he could convince you to lift restrictions to maximize his for-profit business investment. It is incorrect for anyone to characterize this as a personal investment; when the plans are to operate a full-time, year-round for-profit "small hotel" Airbnb business at the site where the owner never intends to reside.

Our neighborhood is comprised only of individual single family residential homes – no "small hotel" businesses. The proposed use change does not comport with the original purpose of our neighborhood or its look and feel. Having a "small hotel"-like business at the end of a residential cul-de-sac with a single ingress/egress creates traffic and safety issues (just imagine kids playing roller hockey in the street when impaired out-of-town Airbnb-ers speed through the neighborhood). This property is directly adjacent to various Park City trails and negatively impacts the opportunity for Park City residents to access them.

All long-term Park City residents know there has never been "…a house contemplated on this property." Whomever among Planning Staff suggests that the prior designation of a "Lot 26" makes this application merely an extension of that original plan is incorrect & has made a mistake. Consider:

The original Lot 26 shows a 3–4-acre tract in the Estate District. That is the only property one could possibly have contemplated for development. The rest of this proposed 8-acre homestead site was (and is) zoned for recreational use: development was (and is) prohibited on it. NO ONE contemplated development on this 8-acre tract, and it must be denied.

The 3-4 acres of Lot 26 in the Estate District is not feasible to develop. The ridgeline limitation and the power line easement make it essentially impossible to develop the only part of the property in the Estate District. The speculator-applicant knew this full-well when he bought the property at foreclosure. It is not a new restriction that somehow "unfairly burdens" an old property he has held since before these restrictions were implemented. The ridgeline and other limitation on development of the current Estate District 3-4 acres that he purchased is precisely why the speculator-applicant wants to replat and rezone to expand the size of the Estate District designation to an 8-acre tract instead. This request must be denied.

I understand someone has put forth an argument that concerns of the Hidden Meadows HOA and its members should be minimized or ignored because Hidden Meadows HOA did not, in years past, annex Lot 26. That argument holds no water and must be ignored. Most likely Lot 26 wasn't originally annexed into the HOA because it was impossible to build a home or "small-hotel" business on that property. The part of the property in the Estate District could not be built on due to ridgeline limitations and utility easements while the rest of the property was and is zoned recreational use only. Alternatively, lack of annexation may just be an oversight. The original developer had moved on and homeowners did not see this looming risk of a foreclosure sale with a drastic modification of existing zoning and platting restrictions on the property.

Regardless of the reason it didn't happen, the one thing we know is that NO ONE contemplated what this speculator-applicant is now suggesting: an 8-acre development tract with a 700+ foot driveway and a 10,000 ft.² "small hotel" Airbnb for-profit business (rather than a residence). This change would disrupt the entire neighborhood with the onslaught of nightly rentals by people who care not one whit about our residential enjoyment.

The speculator-applicant is offering a 23 acre "quid pro quo gift" to the city in exchange for this proposed alteration of decades-old zoning and platting to accommodate his new year-round small-hotel plans that disrupt and alter the neighborhood. The "quid pro quo gift of 23 acres" to the city is not, in reality, a gift at all. *When is a gift not a gift?* Consider:

The applicant cannot build on the 23 acres anyway, due to ridgeline and zoning restrictions. He is not "giving up" anything at all. The city already has control over the 23 acres as open space due to the recreational use zoning that is been in effect for decades.

It is wrong to think this proposal is just another house in the existing neighborhood. The speculator-applicant has made it clear that his plans are for the very thing the neighbors fear: a 10,000 square foot year-round for-profit "small hotel" business of nightly rentals – and ONLY nightly rentals.

When asked why he would not consider joining our existing HOA, the speculator-applicant said that he saw no reason to have his new 2021 structure governed by 1994 rules. Let's be clear: we do not operate by 1994 rules. Our HOA voted just this past year on a proposed modification of our existing one-year-only rental limitation and the HOA members voted to keep this restriction in place. It is a modern restriction based on a current polling of residents.

It is incorrect and misleading to say that the proposed structure would not interfere with the ridgeline view. The speculator-applicant showed pictures of the proposed development from Kearns, but did not show pictures of the proposed development from the actual street on which it would be built. When viewed from Fox Tail Trail and our surrounding community, it is a MASSIVE intrusion on the ridgeline and therefore must be denied.

Someone has suggested the speculator-applicant has made a concession to the existing residential neighborhood to implement a 700+ foot driveway to operate his proposed “small hotel” Airbnb for-profit business. That is incorrect. It is incorrect and misleading to assert a 700+ ft. driveway is any concession at all; the construction of a 700+ foot driveway by the speculator-applicant is the only way he can proceed because of existing ridgeline restrictions and utility easements. The speculator-applicant is not “conceding” anything whatsoever.

The area of disruption contemplated for this driveway alone is over 13,000 ft.². That far exceeds anything in this neighborhood and must be denied.

Let’s look at a real-life Park City example of a similar Airbnb purpose-built house in a residential neighborhood: 65 Hidden Oaks Lane. This home was purpose-built to be a “small hotel” with 12 Bedrooms and 11 Bathrooms. The owner has never resided in the structure and operates it as a 365x24x7 full-time as a “small hotel” nightly rental through Airbnb and VRBO. For historical reasons, this house is not part of an HOA, and nearby HOA residents describe it as a full-time nightmare.

Here is a synopsis from Nextdoor.com of the detrimental impact to that neighborhood:

> In 2003, we had the good fortune to purchase a wonderful home in Lower Deer Valley. A place where we could spend time as a family hiking and exploring all of the amazing activities Park City offers. Sadly, our dream turned into a nightmare. An investor constructed a purpose-built house intended to be a full-time nightly rental with 12 -- count them, 12 – Bedrooms and 11 Bathrooms. This house was not intended to be someone’s residence. It is not intended to be someone’s vacation home or 2nd residence. It is a “small hotel” built for the sole purpose of renting it out on a nightly basis through Airbnb and VRBO.
>
> We do not have a Homeowner’s Association where we live, so there are no HOA restrictions on rentals. But this is not just a homeowner renting out their house once-in-awhile. This is anywhere between 12 to 40 people in this “house” on a nightly basis. Some are polite, but most are inconsiderate at best and downright vulgar at times. During the summer months, we love to sleep with our windows open so we are often awakened at 1 am, 2 am, 3 am and so on by loud music and shouting by out-of-town vacationers outside. Even with our windows closed, the noise is penetrating. Yes, we have called the police, multiple times – sometimes several times on the same night as have many of our neighbors. The property manager is very understanding (we have called him at 2 am as well to complain about the noise), but the owners just don’t seem to care so he is helpless to help us. Last night was one of the worst. At 3 am, the music was so loud, our windows were rattling. Two of our children, who are visiting us for the long weekend, asked the guests to please turn off the music and take their conversation inside. No go. Then we had to call the police (again). While waiting for the police, my wife explained – politely! - that they are renting a home in a residential neighborhood and should respect the noise ordinance. The vacationers replied they do not care as they are on vacation… It has left my entire family exhausted and depressed. We have worked so hard for so long to finally be a member of this wonderful community only to have our serenity denigrated by greedy business owners who have absolutely no respect for our community or regard for their neighbor’s welfare. The city government, whom we have contacted on numerous occasions, while sympathetic, claims they have no authority and that we have no recourse.

Please do not make us, the residents of Hidden Meadows, post a similar entreaty on Nextdoor.com due to a 10,000 square foot purpose-built nightly rental “small hotel” in our neighborhood.

Thank you for your consideration. Clearly, this application must be denied.

Respectfully,

Phil Palmintere
phil.palmintere@gmail.com
3798 Solamere Drive
Park City, UT 84060
408-406-9642 cell phone

Julie Schultz

From: Tricy Magadini <tricy@bmarchitects.com>
Sent: Wednesday, November 10, 2021 9:24 AM
To: Browne Sebright
Cc: Randy Johnston
Subject: [External] RE: Re: Permit # PL-21-04865

Follow Up Flag: Follow up
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Categories: 3805 Fox Tail Trail - Public Comment

Mr. Sebright:

Please add this to the public comments in connection with the above referenced permit application.

My Husband and I own property located at 3790 Fox Tail Trail. He has sent several letters concerning the rezoning. I agree with and think all the points made in Randy's letters are important.

I am a practicing architect, specializing in high end residential homes and I am intimately familiar with the process of permitting, platting and zoning for such structures. It cannot be overstated how great a change is being requested here. I would like to add my perspective on this issue.

We have recently applied for a permit to extend our back patio and redo our hot tub on the property at 3790 Fox Tail Trail. It has taken over 2 months for the permit to be issued because of the high level of scrutiny we were subjected to for a patio-not a structure, just a patio. The major focus was on the area of disturbance, existing trees that would be removed and the powerline easement. The powerline easement alone held up the project nearly a month to shore up an existing retaining wall. Mr. Olgivy's project proposes a driveway right through the easement without any issue from Mr. Sebright.

Some of the main concerns I see with the proposal is that it flies in the face of the Hidden Meadows Plat. The statement made on the Phase 1 plat which states no construction shall take place on adjoining property until Hidden Meadows Phase 2 is recorded. Also, the quantification of Maximum Floor Area for Hidden Meadows never allows a home over 10,000 SF. Then the allowed disturbance on Hidden Meadows phase 1 shows a max of 16,000 SF. All of these things were factors in why the subdivision was originally allowed and why the owners bought into the HOA. These are assurances that the neighborhood was laid out and governed to reflect the values shared by all. Namely, to preserve a mountain feel by restricting disturbances and building sizes. Both of these values are negated by this new proposal. The

phase 1 largest disturbance allowed for a lot that is on 6.47 acres is 16,000 SF. If you take that ratio over to the requested 8 acre lot the applicant has requested, you get 19,774 square feet, considerably less than their proposed 23,000 SF.

I also I think this proposed trail re-alignment is asinine and even if allowed should be counted as disturbance too as it is additional disturbance associated with this new proposal. I do not understand why this issue has escaped Planner Sebright's attention.

The developer wants to create a separate subdivision in name from Hidden Meadows Phase 2 to Fox Tail Subdivision as a tactic to avoid the Hidden Meadows precedent, but then still benefit from the Hidden Meadows precedent at the same time. By that I mean that the in HM CCR, the driveway is not considered area of disturbance. This is unusual and would not fly today. Yet, the applicant and Mr. Sebright cite that as justification for ignoring the disturbance of a 700+ foot driveway. PCMC would and rightly should require any new subdivision driveways to be considered a disturbance, as it actually does disturb the existing ecology of the site.
Thank you,

Patricia Magadini, AIA
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Suite 220
Dallas, Texas 75205
Office: (214) 219-4528
tricy@bmarchitects.com
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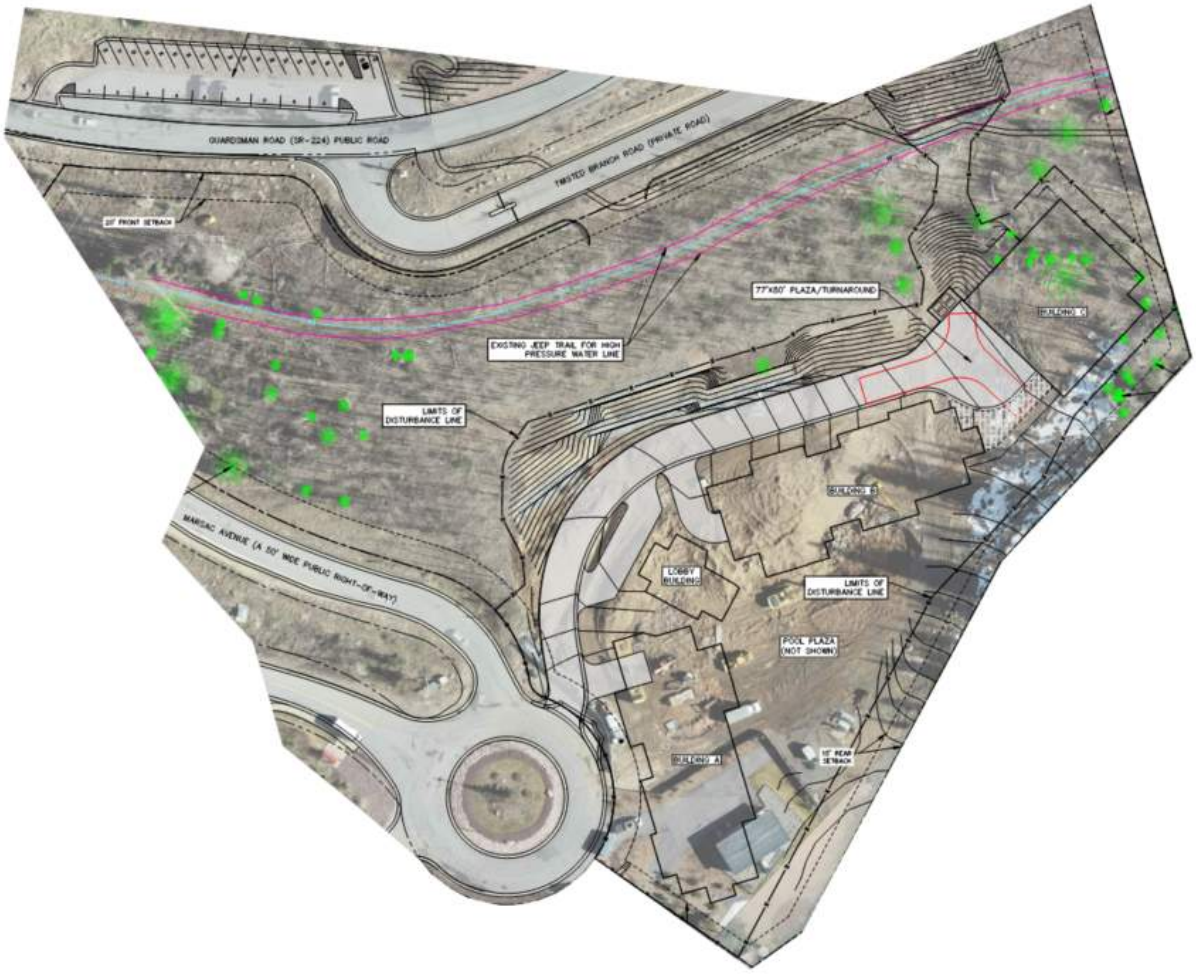
Traffic Impact Study



Park City, Utah

January 25, 2022

UT21-2024

LICENSED PROFESSIONAL ENGINEER
NO. 295699
RYAN R. HALES
01/25/2022
STATE OF UTAH

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EXECUTIVE SUMMARY

This study addresses the traffic impacts associated with the proposed Sommet Blanc development located in Park City, Utah. The Sommet Blanc development is located along SR-224 near the Montage Hotel at Deer Valley Resort in Park City.

The purpose of this traffic impact study is to analyze traffic operations at key intersections for existing (2022) conditions with and without the proposed project and to recommend mitigation measures as needed. The evening peak hour level of service (LOS) results are shown in Table ES-1.

Table ES-1: Evening Peak Hour Level of Service Results

	Intersection	Level of Service	
		Existing (2022)	
		BG	PP
1	Empire Lodge / Project Access / S.R. 224	A	A
2	Montage Access / S.R. 224	a	a

1. Intersection LOS values represent the overall intersection average for roundabout, signalized, and all-way stop-controlled (AWSC) intersections (uppercase letter) and the worst movement for all other unsignalized intersections (lowercase letter)

2. BG = Background (without project traffic), PP = Plus Project (with project traffic)

Source: Hales Engineering, January 2022

SUMMARY OF KEY FINDINGS & RECOMMENDATIONS

Project Conditions

- The development will consist of multi-family residential units and a restaurant
- The project is anticipated to generate approximately 514 weekday daily trips, including 42 trips in the morning peak hour, and 53 trips in the evening peak hour
- The project will also reconstruct the adjacent Mid Mountain Trail parking lot to improve safety

2022	Background	Plus Project
Assumptions	• None	• Transit and internal capture reductions applied
Findings	• Acceptable LOS at all study intersections	• Acceptable LOS at all study intersections

TABLE OF CONTENTS

EXECUTIVE SUMMARY ..... **i**
SUMMARY OF KEY FINDINGS & RECOMMENDATIONS i
TABLE OF CONTENTS ..... **ii**
LIST OF TABLES ..... **iii**
LIST OF FIGURES ..... **iii**
I. INTRODUCTION **1**
A. Purpose 1
B. Scope 2
C. Analysis Methodology 2
D. Level of Service Standards 2
II. EXISTING (2022) BACKGROUND CONDITIONS **4**
A. Purpose 4
B. Roadway System 4
C. Traffic Volumes 4
D. Level of Service Analysis 5
E. Queuing Analysis 5
F. Mitigation Measures 5
III. PROJECT CONDITIONS **7**
A. Purpose 7
B. Project Description 7
C. Trip Generation 7
D. Trip Distribution and Assignment 8
E. Access 10
IV. EXISTING (2022) PLUS PROJECT CONDITIONS **11**
A. Purpose 11
B. Traffic Volumes 11
C. Level of Service Analysis 11
D. Queuing Analysis 11
E. Mitigation Measures 11

Appendix A: Turning Movement Counts
Appendix B: LOS Results
Appendix C: Project Site Plan
Appendix D: Queuing Results

LIST OF TABLES

Table 1: Level of Service Description 3
Table 2: Existing (2022) Background Evening Peak Hour LOS 5
Table 3: Project Land Uses 7
Table 4: Trip Generation 8
Table 5: Trip Distribution 8
Table 6: Existing (2022) Plus Project Evening Peak Hour LOS 11

LIST OF FIGURES

Figure 1: Vicinity map showing the project location in Park City, Utah 1
Figure 2: Existing (2022) background evening peak hour traffic volumes 6
Figure 3: Trip assignment for the evening peak hour 9
Figure 4: Existing (2022) plus project evening peak hour traffic volumes 12

I. INTRODUCTION

A. Purpose

This study addresses the traffic impacts associated with the proposed Sommet Blanc development located in Park City, Utah. The proposed project is located along SR-224 near the Montage Hotel at Deer Valley Resort in Park City. Figure 1 shows a vicinity map of the proposed development.

The purpose of this traffic impact study is to analyze traffic operations at key intersections for existing (2022) conditions with and without the proposed project and to recommend mitigation measures as needed.

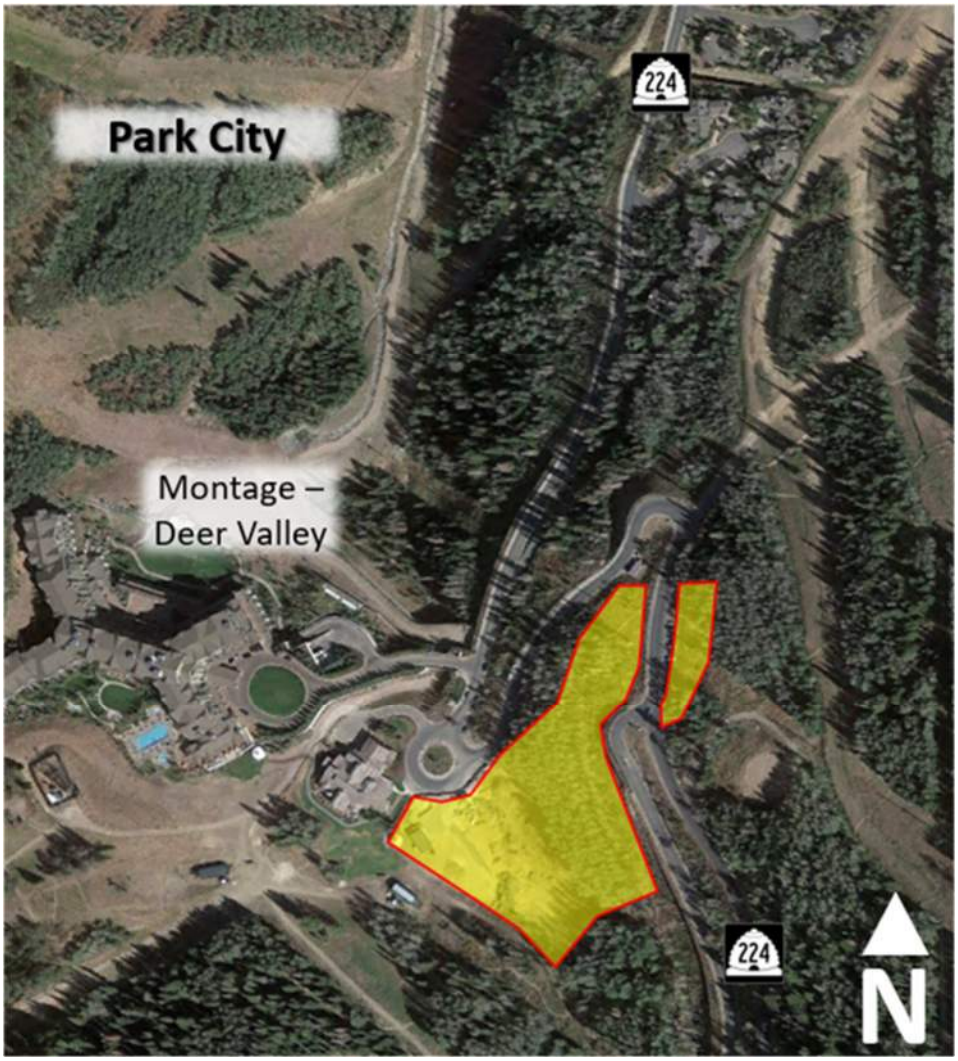


Figure 1: Vicinity map showing the project location in Park City, Utah

B. Scope

The study area was defined based on conversations with the development team. This study was scoped to evaluate the traffic operational performance impacts of the project on the following intersections:

- Montage Access / S.R. 224
- Empire Lodge Accesses / S.R. 224

C. Analysis Methodology

Level of service (LOS) is a term that describes the operating performance of an intersection or roadway. LOS is measured quantitatively and reported on a scale from A to F, with A representing the best performance and F the worst. Table 1 provides a brief description of each LOS letter designation and an accompanying average delay per vehicle for both signalized and unsignalized intersections.

The *Highway Capacity Manual* (HCM), 6th Edition, 2016 methodology was used in this study to remain consistent with "state-of-the-practice" professional standards. This methodology has different quantitative evaluations for signalized and unsignalized intersections. For signalized, roundabout, and all-way stop-controlled (AWSC) intersections, the LOS is provided for the overall intersection (weighted average of all approach delays). For all other unsignalized intersections, LOS is reported based on the worst movement.

Using Synchro/SimTraffic software, which follow the HCM methodology, the peak hour LOS was computed for each study intersection. Multiple runs of SimTraffic were used to provide a statistical evaluation of the interaction between the intersections. The detailed LOS reports are provided in Appendix B. Hales Engineering also calculated the 95th percentile queue lengths for the study intersections using SimTraffic. The detailed queue length reports are provided in Appendix D.

D. Level of Service Standards

For the purposes of this study, a minimum acceptable intersection performance for each of the study intersections was set at LOS D. If levels of service E or F conditions exist, an explanation and/or mitigation measures will be presented. A LOS D threshold is consistent with "state-of-the-practice" traffic engineering principles for urbanized areas.

Table 1: Level of Service Description

LOS		Description of Traffic Conditions	Average Delay (seconds/vehicle)	
			Signalized Intersections	Unsignalized Intersections
A		Free Flow / Insignificant Delay	≤ 10	≤ 10
B		Stable Operations / Minimum Delays	> 10 to 20	> 10 to 15
C		Stable Operations / Acceptable Delays	> 20 to 35	> 15 to 25
D		Approaching Unstable Flows / Tolerable Delays	> 35 to 55	> 25 to 35
E		Unstable Operations / Significant Delays	> 55 to 80	> 35 to 50
F		Forced Flows / Unpredictable Flows / Excessive Delays	> 80	> 50

Source: Hales Engineering Descriptions, based on the *Highway Capacity Manual* (HCM), 6th Edition, 2016 Methodology (Transportation Research Board)

II. EXISTING (2022) BACKGROUND CONDITIONS

A. Purpose

The purpose of the background analysis is to study the intersections and roadways during the peak travel periods of the day with background traffic and geometric conditions. Through this analysis, background traffic operational deficiencies can be identified, and potential mitigation measures recommended. This analysis provides a baseline condition that may be compared to the build conditions to identify the impacts of the development.

B. Roadway System

The primary roadways that will provide access to the project site are described below:

S.R. 224 – is a state-maintained roadway (classified by UDOT access management standards as a "Community – Rural Importance" facility, or access category 7 roadway). S.R. 224 has one travel lane in each direction. As identified and controlled by UDOT, a "Community – Rural Importance" access classification identifies minimum signalized intersection spacing of one-quarter mile (1,320 feet), minimum unsignalized street spacing of 300 feet, and minimum driveway spacing of 150 feet. The posted speed limit on S.R. 224 is 25 mph.

C. Traffic Volumes

Weekday morning (7:00 to 9:00 a.m.) and evening (4:00 to 6:00 p.m.) peak period traffic counts were performed at the following intersections:

- Montage Access / S.R. 224
- Empire Lodge Accesses / S.R. 224

The counts were performed on Thursday, January 6, 2022. The morning peak hour was determined to be between 7:30 and 8:30 a.m., and the evening peak hour was determined to be between 4:30 and 5:30 p.m. The evening peak hour volumes were approximately 30% higher than the morning peak hour volumes. Therefore, the evening peak hour volumes were used in the analysis to represent the worst-case conditions. Detailed count data are included in Appendix A.

Hales Engineering evaluated potential seasonal adjustments to the observed traffic volumes. Monthly traffic volume data were obtained from a nearby UDOT automatic traffic recorder (ATR) on S.R. 224 (ATR #605) and S.R. 248 (ATR #606) near Park City. In recent years, traffic volumes in January have been above average. The observed traffic volumes were not adjusted for seasonality to remain conservatively high.

Figure 2 shows the existing evening peak hour volumes as well as intersection geometry at the study intersections.

D. Level of Service Analysis

Hales Engineering determined that all study intersections are currently operating at acceptable levels of service during the evening peak hour, as shown in Table 2. These results serve as a baseline condition for the impact analysis of the proposed development during existing (2022) conditions.

Table 2: Existing (2022) Background Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement[1]	Aver. Delay (Sec. / Veh.)	LOS[2]
Empire Lodge / S.R. 224	Roundabout	-	1.6	A
Montage Access / S.R. 224	EB Stop	EBL	4.4	a

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.
2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

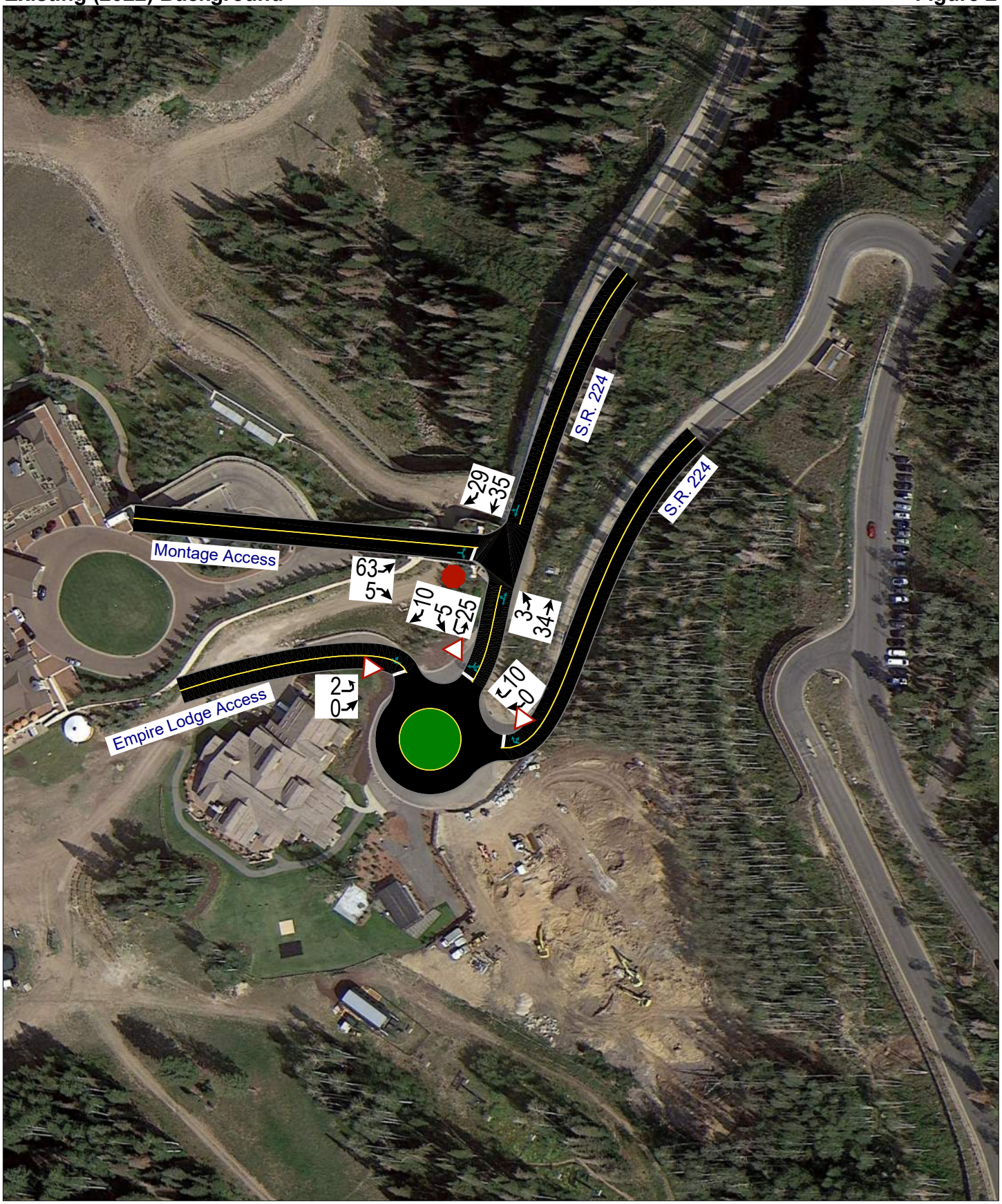
Source: Hales Engineering, January 2022

E. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing was observed during the evening peak hour.

F. Mitigation Measures

No mitigation measures are recommended.


S.R. 224
S.R. 224
Montage Access
Empire Lodge Access
29
35
63
5
10
5
25
3
34
2
0
10
0

III. PROJECT CONDITIONS

A. Purpose

The project conditions discussion explains the type and intensity of development. This provides the basis for trip generation, distribution, and assignment of project trips to the surrounding study intersections defined in Chapter I.

B. Project Description

The proposed Sommet Blanc development is located along S.R. 224 near the Montage Hotel at Deer Valley Resort in Park City. The development will consist of 49 residential units, 2 ADA suites, 6 affordable housing units, and a 3,600 sq. ft. restaurant. A concept plan for the proposed development is provided in Appendix C. The proposed land use for the development has been identified in Table 3.

Table 3: Project Land Uses

Land Use	Intensity
Multi-family housing (low-rise)	57 Units
Fine Dining Restaurant	3,600 sq. ft.

C. Trip Generation

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE), *Trip Generation*, 11th Edition, 2021. Trip generation for the proposed project is included in Table 4.

It is important to note that the owner anticipates the restaurant usage will be 100% internal in the morning peak hour. For the evening peak, it is anticipated that 30% of restaurant usage will be generated on-site, 30% from the Empire Pass shuttle, and 40% from outside users. With the anticipated usage, the internal and shuttle users would not be contributing to the new trips generated. Therefore, the total new evening peak hour trips generated would be reduced from 76 to 53.

The total trip generation for the development is as follows:

- Daily Trips: 514
- Morning Peak Hour Trips: 42
- Evening Peak Hour Trips: 53

Table 4: Trip Generation

Trip Generation Park City - Sommet Blanc												
Land Use[1]	# of Units	Unit Type	Trip Generation					Reductions	New Trips		
			Total	% In	% Out	In	Out	Internal Capture & Transit	In	Out	Total
Weekday Daily												
Multifamily Housing (Low-Rise) (220)	57	DU	442	50%	50%	221	221	0%	221	221	442
Fine Dining Restaurant (931)	3.6	KSF	302	50%	50%	151	151	60%	36	36	72
TOTAL			**744**			**372**	**372**		**257**	**257**	**514**
AM Peak Hour												
Multifamily Housing (Low-Rise) (220)	57	DU	42	24%	76%	10	32	0%	10	32	42
Fine Dining Restaurant (931)	3.6	KSF	4	50%	50%	2	2	100%	0	0	0
TOTAL			**46**			**12**	**34**		**10**	**32**	**42**
PM Peak Hour												
Multifamily Housing (Low-Rise) (220)	57	DU	46	63%	37%	29	17	0%	29	17	46
Fine Dining Restaurant (931)	3.6	KSF	30	67%	33%	20	10	60%	5	2	7
TOTAL			**76**			**49**	**27**		**34**	**19**	**53**

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 11th Edition, 2021.
SOURCE: Hales Engineering, January 2022

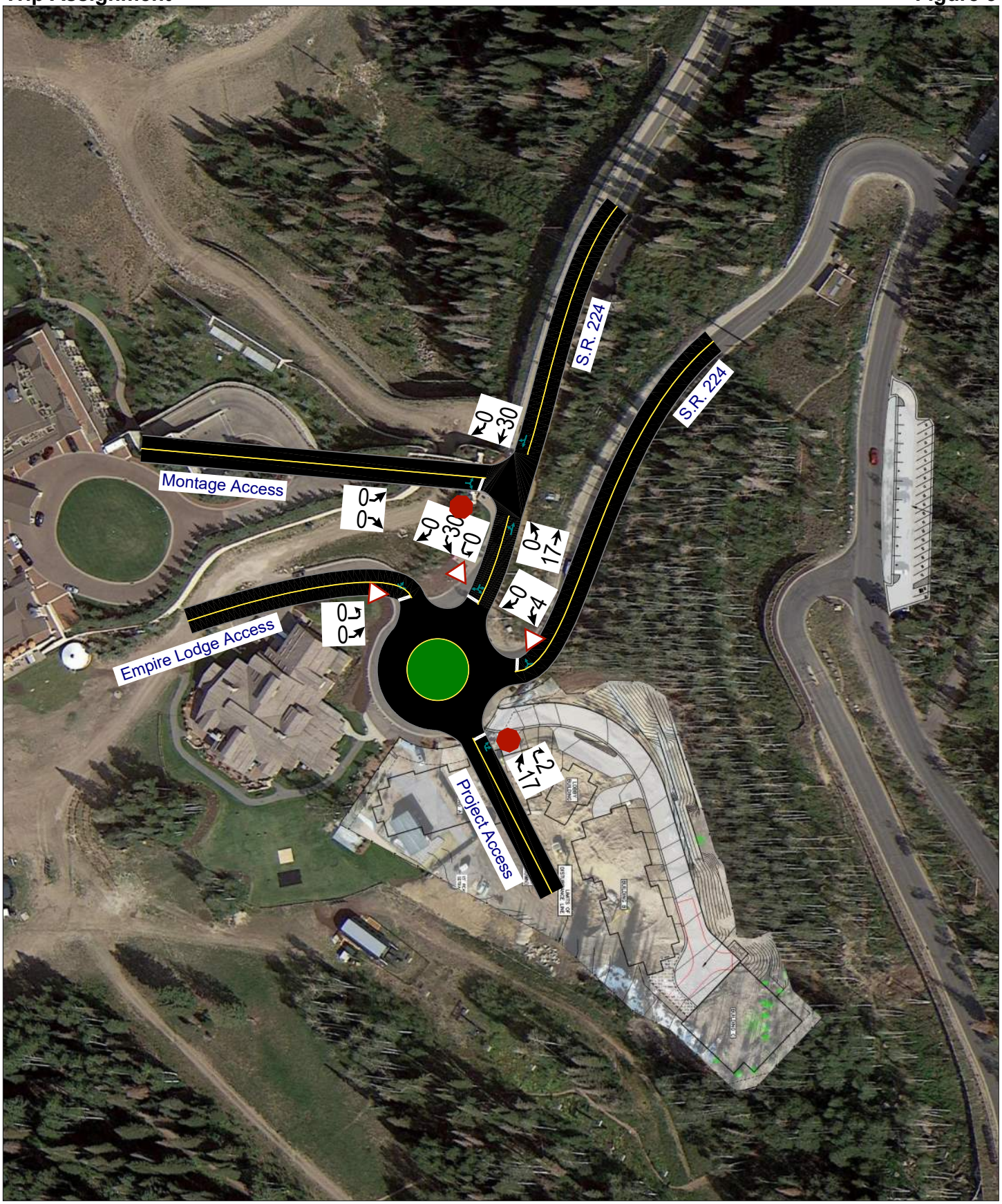
D. Trip Distribution and Assignment

Project traffic is assigned to the roadway network based on the type of trip and the proximity of project access points to major streets, high population densities, and regional trip attractions. Existing travel patterns observed during data collection also provide helpful guidance to establishing these distribution percentages, especially near the site. The resulting distribution of project generated trips during the evening peak hour is shown in Table 5.

Table 5: Trip Distribution

Direction	% To/From Project
North	90%
South	10%

These trip distribution assumptions were used to assign the evening peak hour generated traffic at the study intersections to create trip assignment for the proposed development. Trip assignment for the development is shown in Figure 3.


S.R. 224
S.R. 224
Montage Access
Empire Lodge Access
Project Access
0
30
0
0
0
30
0
0
17
0
4
2
17

E. Access

The proposed access for the site will be gained at the following locations (see also concept plan in Appendix C):

S.R. 224:

- The Project Access will be located on the southeast side of the Empire Lodge / S.R. 224 roundabout. It is anticipated that the access will be yield-controlled.

IV. EXISTING (2022) PLUS PROJECT CONDITIONS

A. Purpose

The purpose of the existing (2022) plus project analysis is to study the intersections and roadways during the peak travel periods of the day for existing background traffic and geometric conditions plus the net trips generated by the proposed development. This scenario provides valuable insight into the potential impacts of the proposed project on background traffic conditions.

B. Traffic Volumes

Hales Engineering added the project trips discussed in Chapter III to the existing (2022) background traffic volumes to predict turning movement volumes for existing (2022) plus project conditions. Existing (2022) plus project evening peak hour turning movement volumes are shown in Figure 4.

C. Level of Service Analysis

Hales Engineering determined that all intersections are anticipated to operate at acceptable levels of service during the evening peak hour with project traffic added, as shown in Table 6.

Table 6: Existing (2022) Plus Project Evening Peak Hour LOS

Intersection		Level of Service		
Description	Control	Movement[1]	Aver. Delay (Sec. / Veh.)	LOS[2]
Empire Lodge / Project Access / S.R. 224	Roundabout	-	2.3	A
Montage Access / S.R. 224	EB Stop	EBL	4.7	a

1. Movement indicated for unsignalized intersections where delay and LOS represents worst movement. SBL = Southbound left movement, etc.
2. Uppercase LOS used for signalized, roundabout, and AWSC intersections. Lowercase LOS used for all other unsignalized intersections.

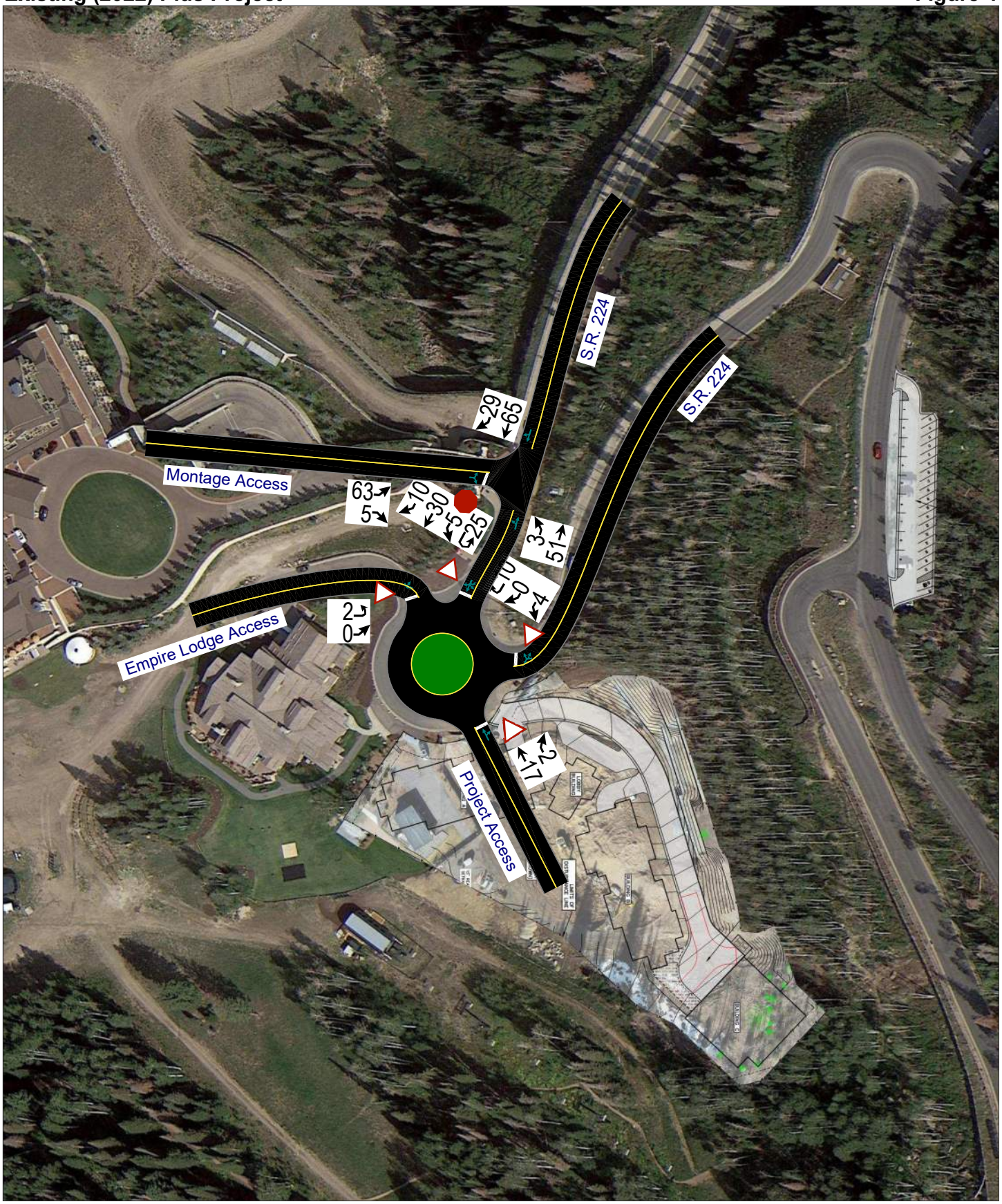
Source: Hales Engineering, January 2022

D. Queuing Analysis

Hales Engineering calculated the 95th percentile queue lengths for each of the study intersections. No significant queueing is anticipated during the evening peak hour.

E. Mitigation Measures

No mitigation measures are recommended.


S.R. 224
S.R. 224
Montage Access
Empire Lodge Access
Project Access
29
65
63
5
10
30
5
25
3
51
10
0
4
2
0
2
17

APPENDIX A

Turning Movement Counts

TrafficCounts
2364 North 1450 East
Lehi, UT 84043
801.636.0891

Intersection Turning Movement Summary

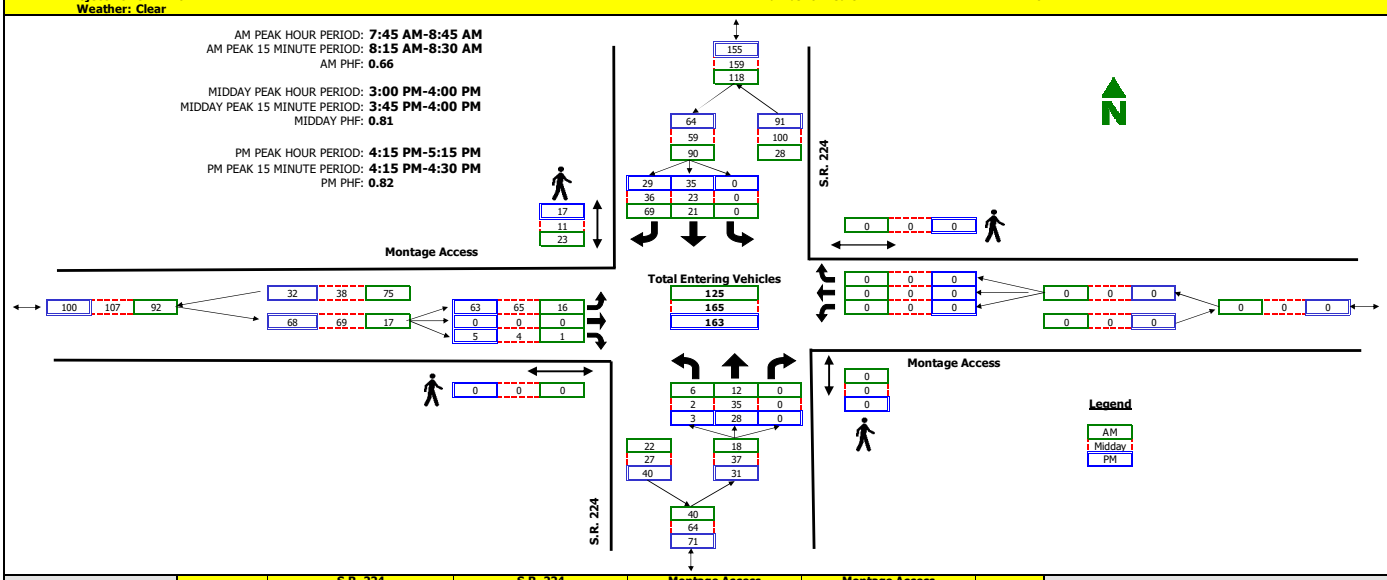
Intersection: S.R. 224 / Montage Access
North/South: S.R. 224
East/West: Montage Access
Jurisdiction: Park City
Project Title: Sommet Blanc TGS
Project No: UT21-2024
Weather: Clear

Date: 1-6-22, Thu 1-7-22, Fri AM
Day of Week Adjustment: 100.0%
Month of Year Adjustment: 100.0%
Adjustment Station #: 0
Growth Rate: 0.0%
Number of Years: 0

AM PEAK HOUR PERIOD: **7:45 AM-8:45 AM**
AM PEAK 15 MINUTE PERIOD: **8:15 AM-8:30 AM**
AM PHF: **0.66**

MIDDAY PEAK HOUR PERIOD: **3:00 PM-4:00 PM**
MIDDAY PEAK 15 MINUTE PERIOD: **3:45 PM-4:00 PM**
MIDDAY PHF: **0.81**

PM PEAK HOUR PERIOD: **4:15 PM-5:15 PM**
PM PEAK 15 MINUTE PERIOD: **4:15 PM-4:30 PM**
PM PHF: **0.82**



RAW COUNT SUMMARIES	S.R. 224 Northbound				S.R. 224 Southbound				Montage Access Eastbound				Montage Access Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	South Int	Left	Thru	Right	Peds	Left	Thru	Right	Peds	

AM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00 - 7:15	1	3	1	0	0	1	11	0	6	0	0	0	0	0	0	0	23
7:15 - 7:30	0	3	0	0	0	6	6	27	5	0	0	0	0	0	0	0	20
7:30 - 7:45	0	3	0	0	0	2	11	1	2	0	0	0	0	0	0	0	18
7:45 - 8:00	0	1	0	0	0	2	22	9	3	0	0	0	0	0	0	0	28
8:00 - 8:15	1	2	0	0	0	3	12	2	5	0	0	0	0	0	0	0	23
8:15 - 8:30	2	4	0	0	0	10	26	8	4	0	1	0	0	0	0	0	47
8:30 - 8:45	3	5	0	0	0	6	9	4	4	0	0	0	0	0	0	0	27
8:45 - 9:00	0	4	0	0	0	3	4	4	2	0	1	0	0	0	0	0	14

MIDDAY PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
9:00 - 9:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:15 - 9:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:30 - 9:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
9:45 - 10:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	5	0	0	0	0	7	1	14	0	2	0	0	0	0	0	28
15:15 - 15:30	1	7	0	0	0	7	9	7	16	0	0	0	0	0	0	0	40
15:30 - 15:45	1	9	0	0	0	7	10	0	17	0	2	0	0	0	0	0	46
15:45 - 16:00	0	14	0	0	0	9	10	3	18	0	0	0	0	0	0	0	51

PM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
16:00 - 16:15	0	2	0	0	0	0	8	0	20	0	0	0	0	0	0	0	30
16:15 - 16:30	2	6	0	0	0	6	8	11	25	0	3	0	0	0	0	0	50
16:30 - 16:45	0	6	0	0	0	2	8	0	12	0	0	0	0	0	0	0	28
16:45 - 17:00	1	8	0	0	0	14	7	1	16	0	1	0	0	0	0	0	47
17:00 - 17:15	0	8	0	0	0	13	6	5	10	0	1	0	0	0	0	0	38
17:15 - 17:30	0	3	0	0	0	7	11	5	10	0	1	0	0	0	0	0	32
17:30 - 17:45	2	6	0	0	0	6	4	0	10	0	1	0	0	0	0	0	29
17:45 - 18:00	0	7	0	0	0	9	12	0	11	0	0	0	0	0	0	0	39

TrafficCounts
2364 North 1450 East
Lehi, UT 84043
801.636.0891

Intersection Turning Movement Summary

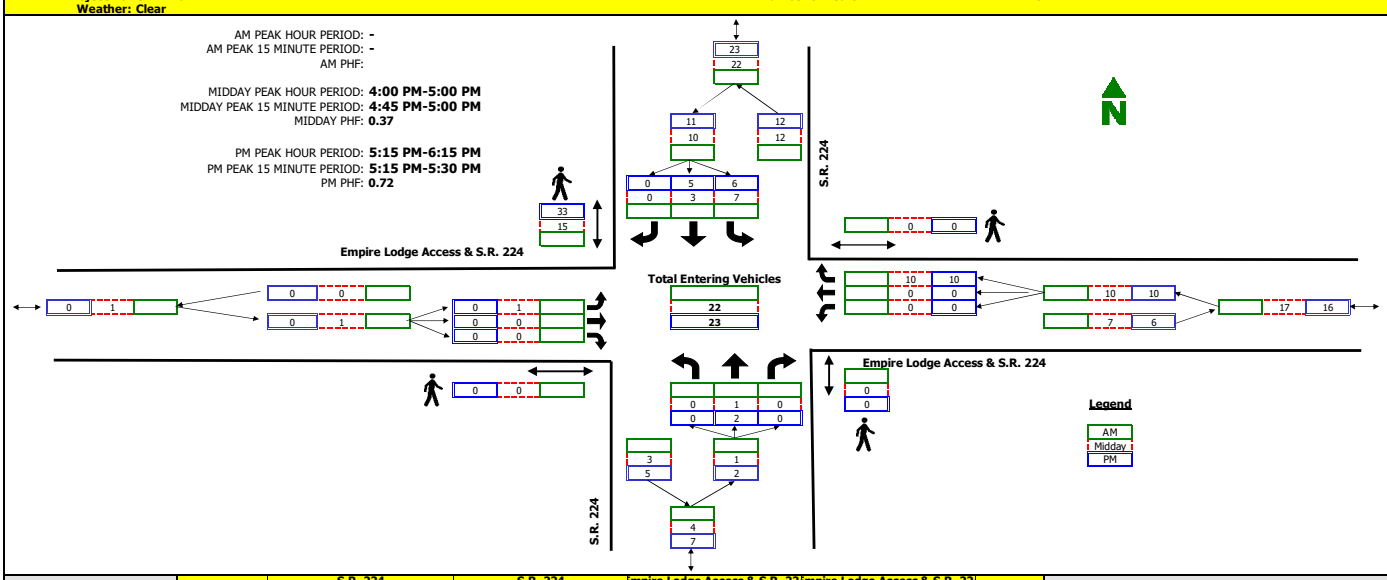
Intersection: S.R. 224 / Empire Lodge Access & S.R. 224
North/South: S.R. 224
East/West: Empire Lodge Access & S.R. 224
Jurisdiction: Park City
Project Title: Sommet Blanc TGS
Project No: UT21-2024
Weather: Clear

Date: 1-6-22, Thu 1-7-22, Fri AM
Day of Week Adjustment: 100.0%
Month of Year Adjustment: 100.0%
Adjustment Station #: 0
Growth Rate: 0.0%
Number of Years: 0

AM PEAK HOUR PERIOD: -
AM PEAK 15 MINUTE PERIOD: -
AM PHF:

MIDDAY PEAK HOUR PERIOD: **4:00 PM-5:00 PM**
MIDDAY PEAK 15 MINUTE PERIOD: **4:45 PM-5:00 PM**
MIDDAY PHF: **0.37**

PM PEAK HOUR PERIOD: **5:15 PM-6:15 PM**
PM PEAK 15 MINUTE PERIOD: **5:15 PM-5:30 PM**
PM PHF: **0.72**



RAW COUNT SUMMARIES	S.R. 224 Northbound				S.R. 224 Southbound				Empire Lodge Access & S.R. 224 Eastbound				Empire Lodge Access & S.R. 224 Westbound				TOTAL
	Left	Thru	Right	Peds	Left	Thru	Right	South Tri	Left	Thru	Right	Peds	Left	Thru	Right	Peds	

AM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
7:00 - 7:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:15 - 7:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:30 - 7:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
7:45 - 8:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:00 - 8:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:15 - 8:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:30 - 8:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
8:45 - 9:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

MIDDAY PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
10:00 - 10:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:15 - 10:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:30 - 10:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
10:45 - 11:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:00 - 11:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:15 - 11:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:30 - 11:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
11:45 - 12:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:00 - 12:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:15 - 12:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:30 - 12:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
12:45 - 13:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:00 - 13:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:15 - 13:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:30 - 13:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
13:45 - 14:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:00 - 14:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:15 - 14:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:30 - 14:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
14:45 - 15:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:00 - 15:15	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:15 - 15:30	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:30 - 15:45	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
15:45 - 16:00	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0
16:00 - 16:15	0	0	0	0	0	0	0	1	1	0	0	0	0	0	0	0	1
16:15 - 16:30	0	0	0	0	0	3	0	0	0	0	0	0	0	0	0	0	3
16:30 - 16:45	0	0	0	0	2	0	0	6	0	0	0	0	0	0	1	0	3
16:45 - 17:00	0	1	0	0	5	0	0	8	0	0	0	0	0	0	9	0	15

PM PERIOD COUNTS

Period	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	TOTAL
17:00 - 17:15	0	1	0	0	0	0	1	0	0	0	0	0	0	0	1	0	3
17:15 - 17:30	0	1	0	0	3	0	0	7	0	0	0	0	0	0	4	0	8
17:30 - 17:45	0	0	0	0	0	1	0	2	0	0	0	0	0	0	4	0	5
17:45 - 18:00	0	0	0	0	0	0	0	15	0	0	0	0	0	0	2	0	2
18:00 - 18:15	0	1	0	0	3	4	0	9	0	0	0	0	0	0	0	0	8
18:15 - 18:30	0	1	0	0	2	1	0	8	0	0	0	0	0	0	0	0	4
18:30 - 18:45	0	1	0	0	1	0	0	9	0	0	0	0	0	0	2	0	4
18:45 - 19:00	0	1	0	0	2	1	0	8	0	0	0	0	0	0	3	0	7

APPENDIX B

LOS Results

SimTraffic LOS Report

Project: Park City Sommet Blanc TIS
Analysis Period: *Existing (2022) Background*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2024*

Intersection: S.R. 224 & Empire Lodge Accesses
Type: Roundabout

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
SB	L2	2	3	150	1.5	*A*
	Subtotal	2	3	150	1.5	*A*
WB	R2	10	10	103	1.9	*A*
	Subtotal	10	10	100	1.9	*A*
SW	L	5	5	95	1.5	*A*
	T	1	1	100	0.1	*A*
	R	10	11	113	1.5	*A*
	Subtotal	16	17	106	1.4	*A*
Total		52	55	105	1.6	*A*

Intersection: Montage Access & S.R. 224
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	3	3	92	1.1	*A*
	T	34	36	105	0.1	*A*
	Subtotal	37	39	105	0.2	*A*
SB	T	35	34	98	0.3	*A*
	R	29	32	110	0.1	*A*
	Subtotal	64	66	103	0.2	*A*
EB	***L***	***63***	***64***	***102***	***4.4***	***A***
	R	5	7	133	3.0	*A*
	Subtotal	68	71	104	4.3	*A*
Total		169	176	104	1.8	*A*

SimTraffic LOS Report

Project: Park City Sommet Blanc TIS
Analysis Period: *Existing (2022) Plus Project*
Time Period: *Evening Peak Hour* **Project #:** *UT21-2024*

Intersection: Project Access & S.R. 224 & Empire Lodge Access
Type: Roundabout

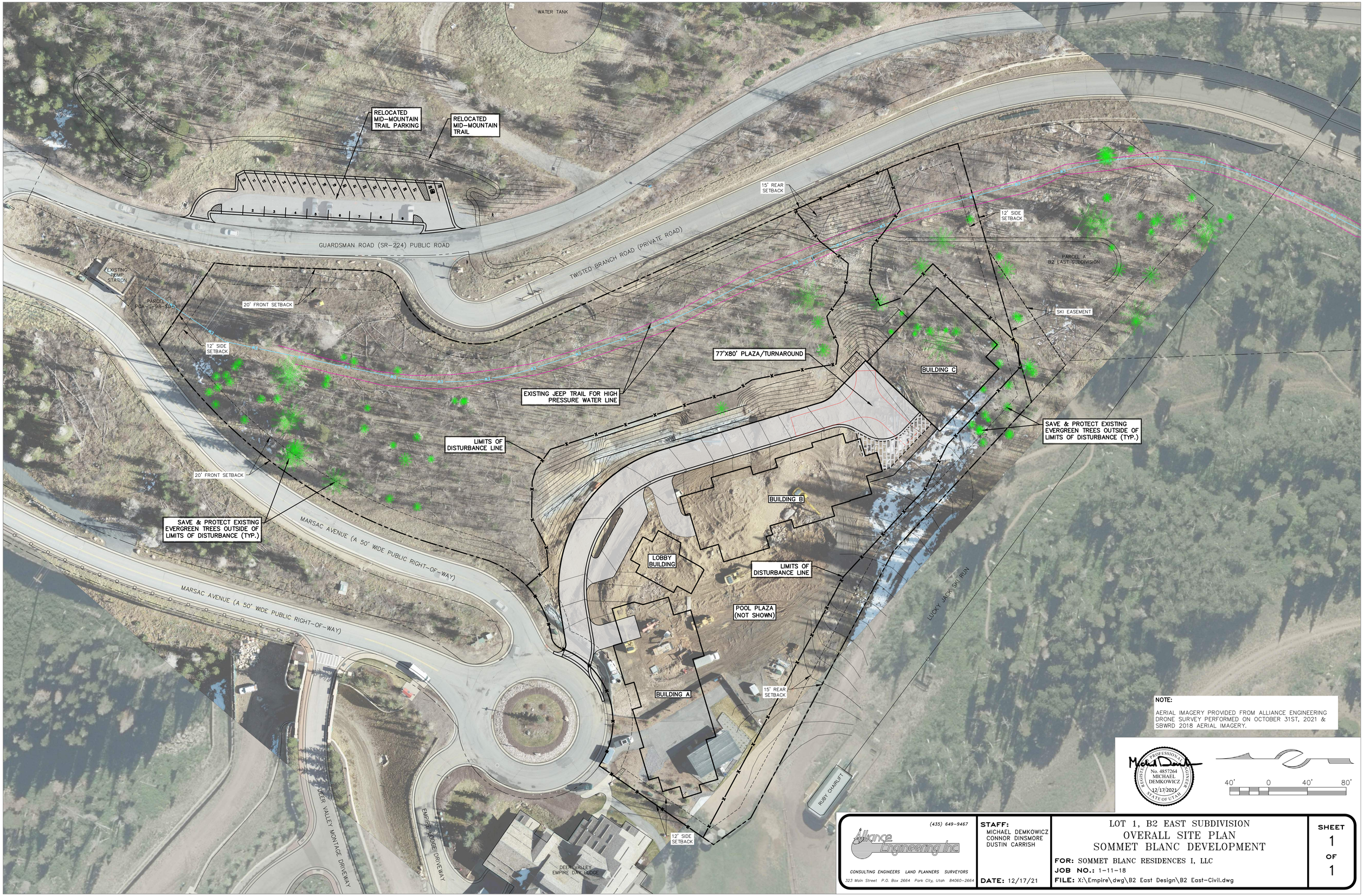
Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	T	17	17	99	4.7	*A*
	R	2	2	100	4.0	*A*
	Subtotal	19	19	100	4.6	*A*
SB	L	5	5	95	1.6	*A*
	T	30	30	99	2.0	*A*
	R	10	10	103	1.5	*A*
	Subtotal	45	45	100	1.8	*A*
WB	L	4	3	71	1.8	*A*
	R2	10	10	103	1.9	*A*
	Subtotal	14	13	93	1.9	*A*
SE	L2	2	2	100	2.0	*A*
	Subtotal	2	2	100	2.0	*A*
Total		105	108	103	2.3	*A*

Intersection: Montage Access & S.R. 224
Type: Unsignalized

Approach	Movement	Demand Volume	Volume Served		Delay/Veh (sec)	
			Avg	%	Avg	LOS
NB	L	3	3	92	1.1	*A*
	T	52	56	109	0.4	*A*
	Subtotal	55	59	107	0.4	*A*
SB	T	65	69	107	0.2	*A*
	R	29	32	110	0.1	*A*
	Subtotal	94	101	107	0.2	*A*
EB	***L***	***63***	***62***	***99***	***4.7***	***A***
	R	5	5	95	2.7	*A*
	Subtotal	68	67	99	4.6	*A*
Total		216	227	105	1.6	*A*

APPENDIX C

Site Plan



NOTE:

AERIAL IMAGERY PROVIDED FROM ALLIANCE ENGINEERING DRONE SURVEY PERFORMED ON OCTOBER 31ST, 2021 & SBWRD 2018 AERIAL IMAGERY.

PROFESSIONAL ENGINEER
No. 4857264
MICHAEL DEMKOWICZ
12/17/2021
STATE OF UTAH

40' 0 40' 80'

(435) 649-9467

Alliance Engineering Inc

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

STAFF:
MICHAEL DEMKOWICZ
CONNOR DINSMORE
DUSTIN CARRISH

DATE: 12/17/21

LOT 1, B2 EAST SUBDIVISION
OVERALL SITE PLAN
SOMMET BLANC DEVELOPMENT

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

SHEET 1 **OF** 1

APPENDIX D

95th Percentile Queue Length Reports

SimTraffic Queueing Report
Project: Park City Sommet Blanc TIS
Analysis: Existing (2022) Background
Time Period: Evening Peak Hour
95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft

HALES ENGINEERING
innovative transportation solutions

Project #: UT21-2024

Intersection	NB	SB	EB	WB
	LT	<L	LR	R>
01: S.R. 224 & Empire Lodge Accesses		25		25
02: Montage Access & S.R. 224	25		50	

SimTraffic Queueing Report
Project: Park City Sommet Blanc TIS
Analysis: Existing (2022) Plus Project
Time Period: Evening Peak Hour
95th Percentile Queue Length (feet) - Rounded Up to Nearest Multiple of 25 ft

HALES ENGINEERING
innovative transportation solutions

Project #: UT21-2024

Intersection	NB		EB	WB
	LT	TR	LR	LR>
01: Project Access & S.R. 224 & Empire Lodge Access		50		25
02: Montage Access & S.R. 224	25		75	

MEMORANDUM



Date: October 6, 2021

To: Doug Ogilvy

From: Hales Engineering

Subject: Park City Sommet Blanc Trip Generation Study

UT21-2024

This memorandum discusses the trip generation study completed for the proposed Sommet Blanc project Park City, Utah. A vicinity map of the proposed development is shown in Figure 1.

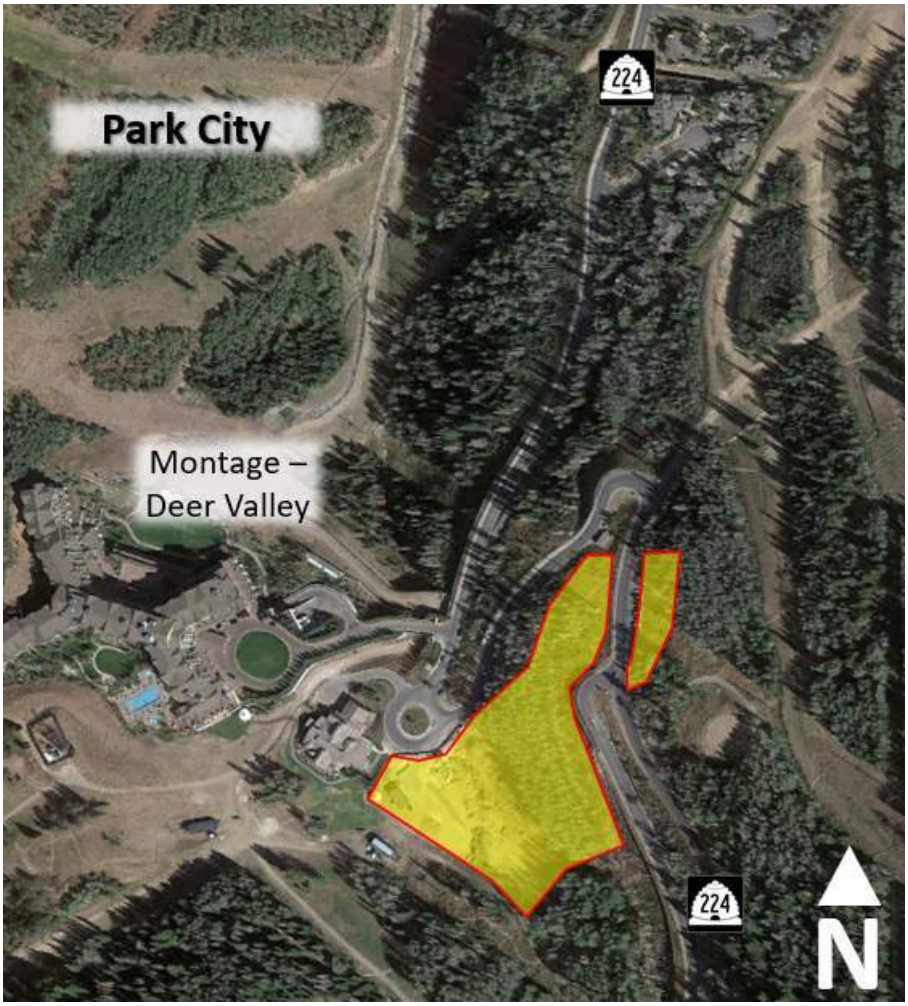


Figure 1: Vicinity map of the proposed development in Park City, Utah

Background

The proposed Sommet Blanc development is located on along SR-224 near the Montage Hotel at Deer Valley Resort in Park City. The project includes 47 residential condominium units, with an additional 6 affordable units for a total of 53 units, and a 3,600 sq. ft. restaurant. Access to the project will be gained at two points along SR-224. The project will also reconstruct the adjacent Mid Mountain Trail parking lot to improve safety. A site plan for the proposed development is included in Appendix A.

The proposed land use for the development has been identified as follows:

- Multi-family Housing (Low-rise) 47 units
- Affordable Multi-family Units (Low-rise) 6 units
- Fine Dining 3,600 sq. ft.

Trip Generation

Trip generation for the development was calculated using trip generation rates published in the Institute of Transportation Engineers (ITE) *Trip Generation (10th Edition, 2017)*. Trip generation for the proposed project is included in Table 1.

As shown in Table 1, it is anticipated that the proposed condominiums and restaurant will generate approximately 442 trips on an average weekday, including 28 trips during the morning peak hour, and 48 trips during the evening peak hour.

Table 1: Trip Generation for Updated Site Plan

Trip Generation Park City - Sommet Blanc											
Weekday Daily Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Reductions	New Trips Entering	New Trips Exiting	**Total New Daily Trips**
Multifamily Housing (Low-Rise) (220)	47	Dwelling Units	316	50%	50%	158	158	0%	158	158	**316**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	6	50%	50%	3	3	0%	3	3	**6**
Quality Restuaruant (931)	3.6	1,000 Sq. Ft. GFA	302	50%	50%	151	151	60%	60	60	**120**
Total			**624**			**312**	**312**		**221**	**221**	**442**
Morning Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Reductions	New Trips Entering	New Trips Exiting	**Total New AM Trips**
Multifamily Housing (Low-Rise) (220)	47	Dwelling Units	24	23%	77%	6	18	0%	6	18	**24**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	4	23%	77%	1	3	0%	1	3	**4**
Quality Restuaruant (931)	3.6	1,000 Sq. Ft. GFA	3	50%	50%	2	1	100%	0	0	**0**
Total			**31**			**9**	**22**		**7**	**21**	**28**
Evening Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	Reductions	New Trips Entering	New Trips Exiting	**Total New PM Trips**
Multifamily Housing (Low-Rise) (220)	47	Dwelling Units	31	63%	37%	20	11	0%	20	11	**31**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	5	63%	37%	3	2	0%	3	2	**5**
Quality Restuaruant (931)	3.6	1,000 Sq. Ft. GFA	29	67%	33%	19	10	60%	8	4	**12**
Total			**65**			**42**	**23**		**31**	**17**	**48**

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 10th Edition, 2017.

SOURCE: Hales Engineering, October 2021

It is important to note that the owner anticipates the restaurant usage will be 100% internal in the morning peak hour. For the evening peak, it is anticipated that 30% of restaurant usage will be generated on-site, 30% from the Empire Pass shuttle, and 40% from outside users. With the anticipated usage, the internal and shuttle users would not be contributing to the new trips generated. Therefore, the total new evening peak hour trips generated would be reduced from 65 to 48.

Comparison to Previous Site Plan

Changes have been made to the Sommet Blanc development since the original 2007 site plan. The original plan included 81 residential condominiums plus an additional 6 affordable units for a total of 87 units and no on-site restaurant. The original trip generation is included in Table 2.

The original site plan included the following land uses:

- Multi-family Housing (Low-rise) 81 units
- Affordable Multi-family Units (Low-rise) 6 units

Table 2: Trip Generation for Previous Site Plan

Trip Generation Park City - Sommet Blanc										
Weekday Daily Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	New Trips Entering	New Trips Exiting	**Total New Daily Trips**
Multifamily Housing (Low-Rise) (220)	81	Dwelling Units	572	50%	50%	286	286	286	286	**572**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	6	50%	50%	3	3	3	3	**6**
Total			**578**			**289**	**289**	**289**	**289**	**578**
Morning Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	New Trips Entering	New Trips Exiting	**Total New AM Trips**
Multifamily Housing (Low-Rise) (220)	81	Dwelling Units	40	23%	77%	9	31	9	31	**40**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	4	23%	77%	1	3	1	3	**4**
Total			**44**			**10**	**34**	**10**	**34**	**44**
Evening Peak Hour Land Use[1]	# of Units	Unit Type	Trip Generation	% Entering	% Exiting	Trips Entering	Trips Exiting	New Trips Entering	New Trips Exiting	**Total New PM Trips**
Multifamily Housing (Low-Rise) (220)	81	Dwelling Units	49	63%	37%	31	18	31	18	**49**
Multifamily Housing - Affordable Units (Low-Rise) (220)	6	Dwelling Units	5	63%	37%	3	2	3	2	**5**
Total			**54**			**34**	**20**	**34**	**20**	**54**

1. Land Use Code from the Institute of Transportation Engineers (ITE) *Trip Generation*, 10th Edition, 2017.

SOURCE: Hales Engineering, October 2021

Safety Improvements

The Mid Mountain Trail parking currently has 25 stalls and is accessed directly on SR-224 with vehicles backing out directly onto the roadway. The proposed plan will reconstruct the parking lot with one-way traffic flow and a guard rail separating the parking lot from SR-224. This will reduce conflict points and eliminate the backing of vehicles directly onto SR-224.

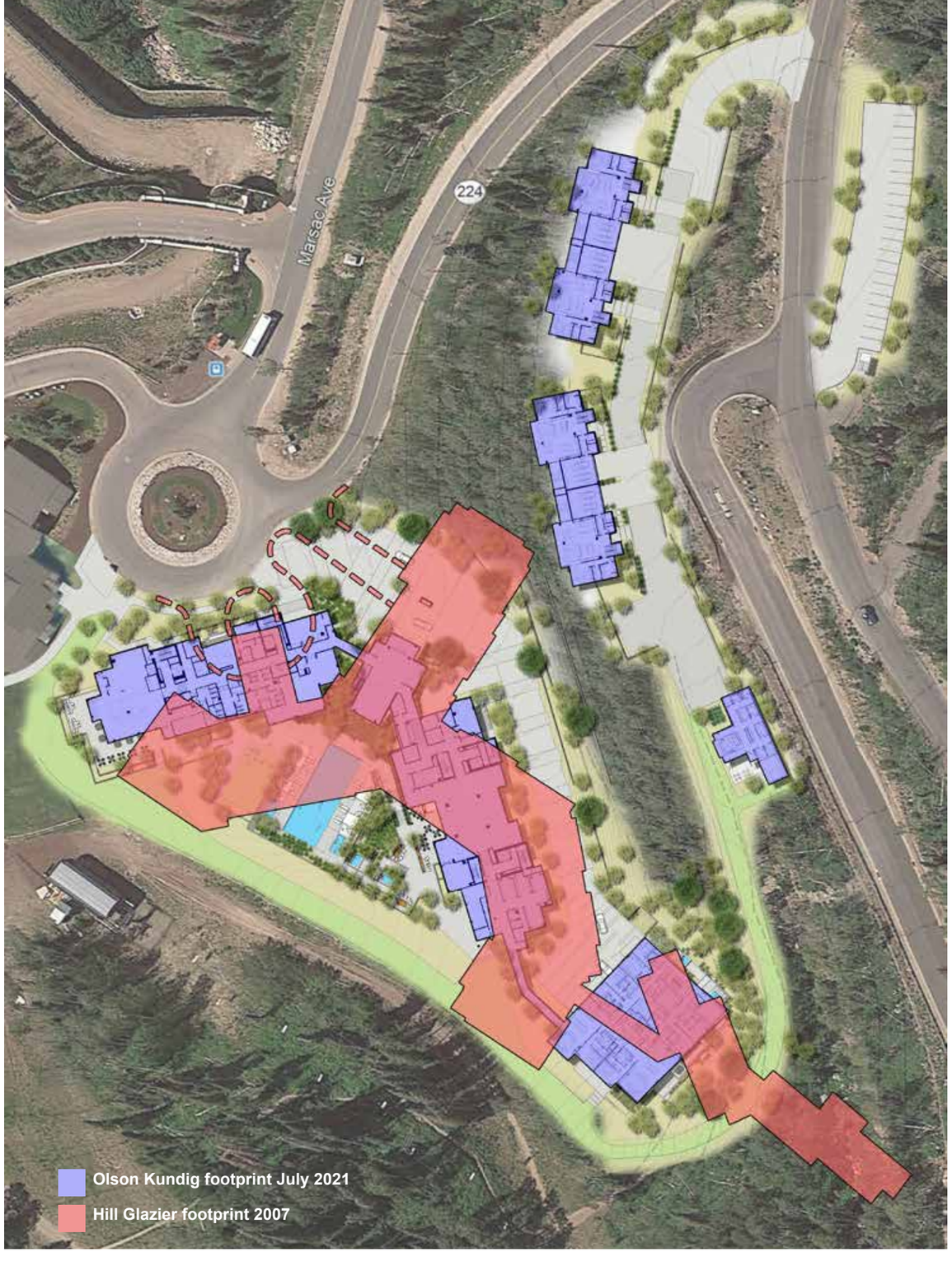
Conclusions

The findings of this study are as follows:

- The proposed development includes 47 residential condominiums with 6 affordable units.
- It is anticipated that the proposed project will generate approximately 442 trips on an average weekday, including 28 trips during the morning peak hour, and 48 trips during the evening peak hour. The owner anticipates internal and shuttle riders to account for the majority of patrons at the restaurant. This will reduce the total number of trips generated. These are the trips that will use the project access points.
- With the anticipated patronage, the morning peak hour trips generated will be reduced by 36% under the new plan, the evening peak hour trips generated will be reduced by 11%, and the daily trips will be reduced by 24%.
- The Mid Mountain Trail parking will be reconstructed to improve safety by eliminating the 90-degree parking and the side friction created by those turning in and backing out of the stalls. The new trail parking will be accessible via a driveway and a parking lot on the northeast side of the road, see site plan in Appendix A.

APPENDIX A

Site Plan


Marsac Ave
224
Olson Kundig footprint July 2021
Hill Glazier footprint 2007