PARK CITY BOARD OF ADJUSTMENT MEETING
SUMMIT COUNTY, UTAH
November 12, 2024

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

Zoom Link: https://us02web.zoom.us/j/88372159449

1. MEETING CALLED TO ORDER AT 5:00PM

2. ROLL CALL

3. MINUTES APPROVAL

3.A. Consideration to Approve the Board of Adjustment Meeting Minutes from August 20, 2024

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

5. PUBLIC COMMUNICATIONS

6. REGULAR AGENDA

6.A. **Appeal of 220 King Road Final Action** – The Board of Adjustment Will Review an Appeal by Eric Hermann and Susan Fredston-Hermann of the Final Action Taken by the Planning Director Approving the Historic District Design Review of the Proposal to Construct a New Single-Family Dwelling, Accessory Structure, and Outdoor Pool in the Sweeny Master Planned Development, Historic Residential-1-Master Planned Development Zoning District. PL-24-06263
(A) Public Hearing; (B) Action

6.B. **Appeal of 220 King Road Final Action Conditions of Approval** – The Board of Adjustment Will Review an Appeal by Applicant Pesky Porcupine, LLC, of the Final Action Taken by the Planning Director Imposing Conditions of Approval in the Historic District Design Review Final Action Letter for the Proposal to Construct a New Single-Family Dwelling, Accessory Structure, and Outdoor Pool in the Sweeny Master Planned Development, Historic Residential-1-Master Planned Development Zoning District. PL-24-06259
(A) Public Hearing (B) Action

7. ADJOURNMENT

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

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

PARK CITY MUNICIPAL CORPORATION
BOARD OF ADJUSTMENT MEETING
SUMMIT COUNTY, UTAH
MINUTES OF AUGUST 20, 2024

BOARD MEMBERS IN ATTENDANCE: Ruth Gezelius-Chair, Jennifer Franklin, Stefanie Wilson, Beth Armstrong, Mary Wintzer

STAFF: Planning Director, Rebecca Ward; City Planner, Lillian Zollinger; City Planner, Jacob Klopfenstein; Senior City Attorney, Mark Harrington

1. MEETING CALLED TO ORDER

Chair Ruth Gezelius called the meeting to order at 5:00 p.m.

2. ROLL CALL

Chair Gezelius identified the Board Members present as noted above and stated that Board Member John Stafsholt was excused. She reported that a quorum was present.

3. MINUTES APPROVAL

A. Consideration to Approve the Board of Adjustment Meeting Minutes from July 16, 2024.

MOTION: Board Member Jennifer Franklin moved to APPROVE the Minutes of July 16, 2024, as presented. Board Member Stefanie Wilson seconded the motion. The motion passed with the unanimous consent of the Board.

4. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

A. Board of Adjustment Chair Election - Pursuant to Land Management Code Section 15-10-5, the Board of Adjustment Will Elect One of Its Members to Serve as Chair for a Term of One Year.

Chair Gezelius reported that as explained by legal counsel at the last meeting, there are rules regarding the number of consecutive terms that can be served by a Chair, and she had now met that term limit. Therefore, the Board was required to elect a new Chairperson. She stated that this job is not done alone and there was help from Staff, support staff, applicants, and fellow Board Members. She highlighted that ability to work together as a reason why this Board is able to function so efficiently and cohesively.

PENDING APPROVAL

Chair Gezelius invited discussion. Board Member Franklin noted that during the last meeting, it was noted that there is no Co-Chair, but noted that they had an alternate Board Member and wondered if there was also an alternate Chair so they could have advance notice when the Chair would not be in attendance.

Senior City Attorney, Mark Harrington answered in the negative and explained that the particular chapter in the Code provides that the Board shall appoint a Chair Pro Tem per meeting. He offered that the Historic Preservation Board used to have the same process, but that had changed.

Board Member Franklin asked if the appointment of a Chair Pro Tem could be done when the Board RSVPs for the meeting. City Attorney Harrington stated they would start the meeting with the appointment, which would be effective only for that meeting.

Chair Gezelius remarked they need to discuss whether there would be a nomination or a volunteer for Chair. Board Member Franklin stated that neither she nor Board Member Wilson wished to volunteer for the position of Chair, but that both would be willing to serve as Chair.

MOTION: Board Member Beth Armstrong moved to nominate Board Member Franklin for the position of Chair. Board Member Wilson seconded the motion. The motion passed with the unanimous consent of the Board.

Board Member Franklin assumed the Chair.

5. PUBLIC COMMUNICATIONS

There were no public communications.

6. REGULAR AGENDA

A. 1251 Kearns Boulevard – Variance – The Applicant Proposes to Relocate an Existing Sign Within the Frontage Protection Zone and General Commercial Zoning District. PL-24-06198.

City Planner, Lillian Zollinger reported that the above application will address an existing sign at the location. The site falls within the General Commercial (“GC”) zone, and more specifically, within the Frontage Protection Zone (“FPZ”). She presented a graphic showing the current location of the sign, along with a rendering that showed the proposed location. A Site Plan view showed that the existing sign was just over 9 feet from the existing right-of-way. The proposed sign would be just less than 25 feet from the right-of-way.

PENDING APPROVAL

Planner Zollinger explained that the Frontage Protection Zone prohibits structures within 30 feet of a Right-of-way. She stated that this particular sign has been in place for a few years, and was an existing non-complying structure as outlined in the Staff Report. She reported that the applicant requested the relocation of the sign to allow for the construction of a 12-foot pedestrian sidewalk. The current location of the sign would be in the middle of the proposed sidewalk. The proposal would not bring the sign into full compliance with the Frontage Protection Zone, but it would reduce the current non-compliance.

Planner Zollinger summarized the five criteria for a Variance as follows:

1. Literal enforcement of the Land Management Code ("LMC") would cause an unnecessary hardship. *This request would allow for future pedestrian improvements and would relocate an existing sign that was installed prior to the Frontage Protection Zone regulations.*

2. There are special circumstances attached to the property. *The relocation of the existing sign would reduce the non-conformity and would allow for construction of the pedestrian path.*

3. Granting the Variance is essential to the enjoyment of substantial property rights. *Other properties along Kearns Boulevard do not have existing non-complying signs, and if the sign were not relocated it would become the only property in the area with a smaller path width.*

4. The Variance would not substantially affect the General Plan. *It was detailed in the Staff Report how this Variance would support the goals and objectives of the General Plan.*

5. The spirit of the LMC is observed and substantial justice done. *The proposed relocation would allow for a non-complying structure to exist while also allowing for the improvements of a pedestrian, cyclist, and transit-user experience along Kearns Boulevard. The sign's new location would reduce the non-compliance of the sign in the Frontage Protection Zone.*

Planner Zollinger reported that the applicant submitted a concept video after publication of the Packet.

Philip Adams appeared on behalf of the applicant, Park City Municipal Corporation. He serves as Senior Project Manager in the Engineering Office. The drawing presented to the Board represents the proposed pedestrian path and multi-use enhancements from Park Avenue to Bonanza. The proposed path is part of the overall Dan's to Jans goal of making this area safe. Presently, there is a four-foot-wide sidewalk running the length of that section. Applicant Adams advised that he had been in negotiations with the

PENDING APPROVAL

property owner to acquire a perpetual easement for the construction of a 12-foot wide multi-use path. He explained that they would have a 15-foot wide corridor, plus or minus a few feet.

He presented a depiction that showed a three-foot buffer that could take the form of a planter strip or park strip, followed by the 12-foot wide multi-use path. Applicant Adams advised that Phase 2 of the Homestake roadway improvements were slated for 2025. These would involve the construction of a 12-foot wide multi-use path along the south side of the road from Park Avenue at Fresh Market to Kearns Boulevard. The hope was that they could then turn the corner and extend it down across this property.

In subsequent years, the plan was to go toward Park Avenue/State Route 224 and to Bonanza. Applicant Adams stated that this proposal was the first step in addressing the safety in this entire area. Currently, the area has a very narrow and treacherous sidewalk at this point.

Applicant Adams reported that during construction of the current sidewalk, he observed families pushing strollers into the street, and cyclists having to use the roadway; this occurred even after the sidewalk was reopened, and this proposal would definitely enhance pedestrian safety. He reiterated the plan to construct this sidewalk next season if funds allow it, but at a minimum, the City would have the perpetual easement in place so that when the funding is allocated they could undertake the project.

Board Member Gezelius commented that the snow removal efforts along this stretch have been limited because of the limited size of the sidewalk. She noted it had sometimes forces pedestrians into the street, which was dangerous, so she was glad the City was addressing the problem.

Board Member Wilson agreed and stated that she rides her e-bike all over town, and it was always a question of how to get from point A to point B if that stretch of road were involved. She stated she was very much in favor of this project.

Board Member Wilson asked if the property owner was unwilling to bring the sign into compliance with the Code. Applicant Adams reported that the property owner expressed a strong desire to keep the sign “as is” because it had been there for so long. He added that the property owner believed the sign to be somewhat historic in nature. Applicant Adams acknowledged that he was somewhat new to the City and could not comment on things dating back 20, 20, or 40 years ago; however, he felt that this would be a fair trade for the acquisition of a free easement to allow the relocation of the sign. Planner Zollinger noted that the property owner could not move the sign any further because of existing utilities in that area. Applicant Adams confirmed there were some utility conflicts and some other issues that would make it more difficult if they pushed the sign further back.

PENDING APPROVAL

With respect to the easement, Board Member Armstrong asked if the City had already purchased all of the easement property. Applicant Adams explained that the City did not need to purchase this property; rather, the property owner would just need to grant the City a perpetual easement.

Chair Franklin referenced the Connectivity Visions section on page 5 of the Packet. She noted that there were 2 – 3 driveways on that property and asked if the Kearns Boulevard driveway would continue to be the main driveway. She noted that there was another driveway on Munchkin Road and just today she observed the property owner's large food trucks entering on Kearns Boulevard and then egressing onto Munchkin Road, which is the road that continues towards the Recycle Center.

Chair Franklin also mentioned a hybrid driveway/parking space area. She questioned whether the Kearns Boulevard driveway would remain as the main ingress and egress in the future designs. Applicant Adams did not know at this time.

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

MOTION: Board Member Gezelius moved to APPROVE the Variance for 1251 Kearns Boulevard to Move the Existing Sign within the Frontage Protection Zone, as outlined in the Findings of Fact, Conclusions of Law, and Conditions of Approval set forth in the Draft Final Action Letter as follows:

Findings of Fact

1. 1251 Kearns Boulevard is in the General Commercial (GC) Zoning District and Frontage Protection Zone (FPZ) and is Lot 1 of The Yard Subdivision – First Amended.

2. The site was formerly the Anderson Lumber Store, constructed in 1972. When Anderson Lumber was built, a 19-foot-tall sign viewed from Kearns Boulevard was installed approximately 9.5 feet from Kearns Boulevard prior to enactment of the FPZ regulations adopted in 2000.

3. The Sign is an existing Non-Complying Structure, as outlined in LMC § 15-9-6.

4. The Applicant proposes to move the sign from its existing location to a location approximately 58 feet southeast, which would be approximately 24.5 feet from the ROW, and still within the FPZ 30’ Setback Area.

5. The new location reduces the Non-Complying sign from 20.5 feet into the FPZ to 5.5 feet into the FPZ.

PENDING APPROVAL

6. The Applicant requests a Variance from the 30' FPZ Setback Area to relocate the sign to be able to construct a 12' multi-use pathway. There are no other changes proposed.

7. The Applicant's request to relocate the sign allows for future pedestrian improvements along Kearns Boulevard and relocates an existing sign that was installed prior to the FPZ regulations, outlined in Section 2 below.

8. The relocation of the existing sign reduces the Non-Conformity because it increases the setback from just under ten feet to 24.5 feet from Kearns Boulevard, a required relocation to improve the pedestrian and bicyclist access in the Bonanza Park neighborhood.

9. Other properties along Kearns Boulevard do not have existing non-complying signs in the proposed area of improvements. If the sign was not relocated, it would become the only property in the area with a smaller path width. The relocation of the existing sign is required in order to improve pedestrian and bicyclist access in the Bonanza Park neighborhood.

10. The requested Variance supports the goals and objectives of the General Plan, including:

    - Objective 3A - "Streets, pedestrian paths, and bike paths should contribute to a system of fully connected and interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being small and spatially defined by buildings, trees, signs, and lighting; and by discouraging high-speed traffic."
    - Objective 3.4 – "Create safe bike/pedestrian pathways between all public spaces within the City limits."
    - Objective 3.5 - "Identify needed connectivity of roads, sidewalks, and trail systems to decrease vehicle miles traveled and increase direct pedestrian/bicycle routes to neighborhood amenities, as identified in individual neighborhood plans."

11. The proposed relocation allows for a Non-Complying Structure to remain while accommodating a Park City Municipal project to improve the pedestrian, cyclist, and transit user experience along a busy highway corridor. No changes to enlarge the sign are proposed – its presence in the FPZ will be reduced because it will be set back from Kearns Boulevard 24.5 feet rather than the current nine-and-a-half feet. The new location reduces the Non-Complying sign from 20.5 feet into the FPZ to 5.5 feet into the FPZ.

PENDING APPROVAL

12. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on August 6, 2024. Staff mailed courtesy notice to property owners within 300 feet on August 6, 2024. The Park Record published courtesy notice on August 6, 2024.

Conclusions of Law

1. The Applicant proved their request meets the five criteria outlined in Land Management Code Section 15-10-8:

    i. Literal enforcement of the HR-1 Zoning District causes an unreasonable hardship that is not necessary to carry out the general purpose of the zoning ordinance.
    ii. There are special circumstances attached to the Property that do not generally apply to other properties in the same district.
    iii. Granting the Variance is essential to the enjoyment of a substantial property right possessed by other properties in the same zone.
    iv. The proposal is consistent with the General Plan and not contrary to the public interest.
    v. The spirit of the Land Management Code is observed by this application and substantial justice is done.

Conditions of Approval

1. The Variance is limited to the proposed location for the existing Sign, approximately 24.5 feet from the nearest ROW. No other modifications to the Sign, its height, or design are proposed or approved.

2. Basic maintenance and minor repairs are allowed. A Sign Permit is required for changes to the design of the sign.

3. Removal of the Sign in its new location invalidates this Variance.

4. Lighting is prohibited on the sign.

5. Any other construction in the Frontage Protection Zone on this site requires Planning Review and compliance with LMC § 15-2.20-4.

6. The proposed path, other essential public facilities, or minor remodels or improvements to paths or facilities requires an Administrative Permit or Administrative Conditional Use Permit pursuant to LMC § 15-2.20-4(F).

Board Member Wilson seconded the motion. The motion passed with the unanimous consent of the Board.

PENDING APPROVAL

B. 844 Empire Avenue - Variance - The Applicant Requests a Variance from the Front Setback Requirements of LMC Section 15-2.2-3(F) in the Historic Residential-1 Zoning District and from the Requirements of LMC Section 15-13-2, *Regulations for Historic Residential Sites* to Construct an Accessory Building. PL-24-06051.

City Planner, Jacob Klopfenstein noted the presence of the applicant's representatives, Justin Keyes and Jonathan DeGray.

Planner Klopfenstein advised that the applicant proposed to construct an addition to a Significant Historic Structure on this site, as well as a two-story detached Accessory Building with a garage and living space. The Accessory Building would encroach into the 10-foot Setbacks located along the un-built 9th Street right-of-way and Crescent Tram Road. He stated that the applicant requested a Variance from those Setbacks. He presented an image of the site taken from the corner of Empire Avenue and Crescent Tram Road. He also presented a map that showed the layout of the site and noted it was an unusual Lot. He pointed out the un-built but platted 9th Street Right-of-way and the 9th Street stairs that were located in that Right-of-way.

Planner Klopfenstein presented the applicant's renderings of the proposed construction. He stated that 844 Empire Avenue contains a Significant Historic Structure that was damaged by fire in 2014. The applicant's proposal involved, in part, efforts to rehabilitate this site to repair some of that fire damage. He offered that the structure had been vacant since the 2014 fire.

The Lot is unusual in that it has three front yards that run along the platted un-built 9th Street, Empire Avenue, and Crescent Tram Road. He advised that the Plat approved in 2016 included a Plat Note that restricted vehicle access and required the site be accessed by vehicles only by Empire Avenue or through the platted and un-built 9th Street.

Planner Klopfenstein reported that the applicant applied for a Plat Amendment to remove that Plat Note, which was initially denied but then reversed by the Appeal Panel. This Plat Note has therefore been removed, and vehicular access to the site from Crescent Tram Road is now possible. Additionally, in February 2024, the Historic Preservation Board approved Material Deconstruction and Panelization of the structure.

Planner Klopfenstein presented an image depicting the three front yards. In 2016, the Planning Director issued a determination that the frontages along Crescent Tram Road, Empire Avenue, and the 9th Street Right-of-way were all subject to 10-foot Setbacks. An illustration showing the proposed Accessory Building's encroachment into the Setbacks was shown. The red line in the graphic showed the approximate Setbacks on the site. Planner Klopfenstein next addressed the five Variance criteria as follows:

PENDING APPROVAL

1. Literal enforcement of the Land Management Code would cause an unreasonable hardship. *As described previously, based on the removal of Plat Note 3, the applicant can now access the site with vehicles from Crescent Tram Road. The applicant could therefore access an off-street parking pad from Crescent Tram Road; therefore Staff determined the lack of an Accessory Building would not constitute an unreasonable hardship.*

2. There are special circumstances attached to the property that do not apply to other properties in the same zone. *This is an unusual Lot configuration, however, there is a process outlined in the LMC to address unusual Lots like this one. Other properties with unusual Lot configurations would be subject to that same provision in the LMC Section 15-4-17.*

3. Granting the Variance is essential to the enjoyment of a substantial property right. *Historic buildings are exempt from off-street parking requirements; however, a property owner can choose to provide off-street parking. Because off-street parking was not required for this site, Staff determined that the proposed garage was not essential to the enjoyment of a substantial property right.*

4. The Variance would not substantially affect the General Plan. *The requested Variance was not aligned with the historic preservation goals of the General Plan. The General Plan provides that "new construction should reinforce the visual dominance of the Historic Structures." Because the Accessory Building would block the view of the Significant Historic Structure from Empire Avenue, Staff determined that this proposal was not aligned with the historic preservation goals of the General Plan.*

5. The spirit of the Land Management Code is observed and substantial justice done. *LMC Section 15-13-2 states that new Accessory Buildings should be located on the rear of sites with Historic Structures, and additions should be visually subordinate to historic buildings when viewed from the primary public Right-of-way. Staff found that this proposal did not observe the spirit of the LMC and substantial justice was not achieved.*

Planner Klopfenstein reported that Staff recommended the Board review the requested Variance, conduct a public hearing, and consider denying the requested Variance based on the Findings of Fact and Conclusions of Law in the Draft Final Action Letter.

On behalf of the applicant, attorney Justin Keyes thanked the Board and Staff for their time and work on this matter. He offered that applicants were very excited to construct this home in Old Town, and because they have small children it was important for them to have off-street parking in the form of a garage for their children. He expressed appreciation for the Appeal Board's ruling and City Engineer John Robertson's reassessment of the issue and conclusion that this was a safe location for off-street

PENDING APPROVAL

parking. He noted that this section of Old Town gets a lot of snow, and can be a rigorous area to live depending on the time of year. He echoed that this is an unusual Lot, and noted there was a section of Code that addressed unusual Lots, which was not analyzed much in 2015 and 2016. This Lot is unusual due to its configuration.

Applicant-representative Keyes presented an image showing how the Lot fronts three different roads. Historically, the home faced the 9th Street Right-of-way. In 2016, as part of the home's restoration, it was determined that access should be via the 9th Street Right-of-way. Between 2016 and the present, upgrades were made to the 9th Street Right-of-way that included a set of public stairs and utility upgrades. The stairs and utility upgrades rendered vehicular access to the site impossible. He stated this prompted the City Engineer to recommend the driveway be moved to Crescent Tram Road.

He remarked that when the Planning Director looked at this in 2016, it was determined there was no real rear Lot line; rather, it was all 10-foot Front Setbacks. He noted that the largest Setback in Old Town was invariably the Front Setback.

Applicant-representative Keyes argued that the unique hardship was the Setbacks. He stressed that this property had 10-foot Setbacks on three different sides of the property. As property in Old Town was valuable, 10 feet was a large amount of area taken up.

In addition, Applicant-representative Keyes averred that Crescent Tram Road actually ran over this property, and the Historic Structure on the site actually violated the Front Setback. As a part of the Plat Amendment, this portion of the Lot was actually vacated and it became a part of Crescent Tram Road.

Keeping in mind all the changes since 2016, Applicant-representative Keyes submitted that in order to get a garage structure similar to other structures in the area, it was appropriate to consider the 9th Street Right-of-way as the rear of the home. He stated that one of the considerations in determining the true front of the home pursuant to LMC Section 15-4-17 was where the driveway comes into the property. He advised that the driveway would now come in from Crescent Tram Road.

Applicant-representative Keyes proffered that it would be appropriate to grant a Variance on the rear side of the property, even though technically it was a Front Setback, more in line with what a Rear Setback would be. This explained why they oriented the structure back towards the 9th Street Right-of-way because that would become the rear of the structure now that the driveway would come in off of Crescent Tram Road.

The applicants also felt a small Variance was warranted on the Crescent Tram Right-of-way given that there was a vacation of that right-of-way and the unique circumstance of having a roadway that runs across a historic property. He stressed that all of these

PENDING APPROVAL

issues led to a very unique property, and he felt there was not another property in Park City shaped like this one.

Given the unique configuration of the parcel was another reason why it would not apply to other parcels in the area. He stated it was essential to have a Variance of some kind in order to construct a garage or to even just keep the historic home in place.

Applicant-representative Keyes next addressed the factor that the proposed zoning ordinance would not substantially affect the General Plan, would not be contrary to the public interest, and would be in keeping with the zone. He stated that there were very similar structures throughout Old Town and deferred to Jonathan DeGray, AIA to share information on this issue.

Planner Klopfenstein announced that the applicant, Todd Gilbert, had joined the meeting remotely. Applicant Gilbert echoed the prior comments of Applicant-representative Keyes that they were originally going to develop this property in 2016 when they believed an agreement with the City was in place. A lot of time had passed, and now he had two children aged 4 and 6, with the older child having a condition known as juvenile neopathic arthritis, for which he and his wife have handicapped parking. He stressed that his family would love to move to this property and be a part of the community. They have been able to visit, but want to be able to live here full-time and for this to be the family home. However, it could not be the family home without a garage given his child's mobility issues. He commented that they would have to sell the property and someone else would likely use it as an Airbnb.

Applicant Gilbert appreciated the Board's consideration of this request and noted this would have been approved in 2016, however since that time the City installed utility improvements that were not contemplated during the prior discussions, and due to other personal priorities, he was unable to address it at that time. He echoed the statements that this was a unique property, and everything about it was unique which was why he believed a Variance was appropriate.

On behalf of the applicant, Architect DeGray reiterated the uniqueness of this Lot as compared with other lots in the area, and presented a series of photographs and site diagrams of corner lots similar to 844 Empire Avenue. At 9th Street and Woodside, for example, there was no requirement for a 10-foot Setback along the street, and based on the site plans the Setbacks were either 3 feet or 5 feet. He highlighted a historic home on Norfolk Avenue that was built right on the Setback lines and had an addition to the rear that was five feet off the property line. He stressed the uniqueness of 844 Empire Avenue in comparison with the other properties in the neighborhood.

Architect DeGray advised that the property across the street from 844 Empire was a renovated home that was relocated on the lot to be compliant with Setbacks, however, the Side Setbacks were three feet and five feet.

PENDING APPROVAL

On 10th Street, the lots were not required to have 10-foot Setbacks in most cases. He noted a corner lot on Park Avenue that was not required to have a 10-foot Setback.

Architect DeGray mentioned 368 Woodside Avenue, which was a home constructed around 2000 to 2002, with an accessory structure with a living unit below. He stated this was built one foot from the property line against the 4th Street stairs and less than 10 feet off Woodside Avenue. He expressed uncertainty as to how this was approved, as it was entirely non-conforming with current zoning requirements. He assumed it received some sort of Variance. He stated it was very rare to see the kinds of Setbacks in the area that were being applied to the subject property.

Architect DeGray submitted that Staff determined there were no other similar Accessory Buildings as proposed by applicants. He found Accessory Buildings on properties along Woodside Avenue across from the ski run. He presented several images of homes with Accessory Buildings like that proposed by the applicant. He noted a freestanding garage on a property further down Empire Avenue that fronted directly onto Empire Avenue.

Architect DeGray offered that there were at least four other accessory structures along the Norfolk/Empire/Crescent Tram block, and concluded that Staff's argument that there was no pattern of accessory structures in the neighborhood was flawed.

With respect to Staff's position that off-street parking was not provided to all homes in the neighborhood, applicants took exception as just driving around the neighborhood showed that one historic home on Empire Avenue had no off-street parking; by and large, all other properties within the block have off-street parking, and in most cases, had garages.

Architect DeGray highlighted some comments in the Staff Report that he felt were not completely in keeping with the applicant's position. He referenced the statement that historic structures should not be visually subordinate as viewed from the primary public Right-of-way. He noted the Staff's comment was based on a view from Empire Avenue and Crescent Tram Road. Because of the driveway location, the entry that had been used for this property for the past 40 – 50 years was off of Crescent Tram Road. Therefore, the primary Right-of-way was Crescent Tram Road, whereas Staff presented a secondary or even tertiary elevation of the building. He stressed that the primary elevation would be either Crescent Tram Road or the historic elevation along the 9th Street right-of-way.

With respect to the paragraph at the beginning of page 15 of the Staff Report that "Additionally, while LMC § 15-13-2(B)(9)(b) allows for new accessory structures to be located on a site with a Historic Structure at the street front (1) if a pattern of front yard historic accessory structures has been established along the street…" he proffered that the images shown to the Board demonstrated a pattern of accessory structures on the street. He felt it would be unreasonable to assume that every home would have such

PENDING APPROVAL

structures, but by and large, the neighborhood had properties with accessory structures so the creation of the applicant's accessory structure would not be out of character.

With regard to the second LMC requirement that "…the proposed placement does not create any danger or hazards to traffic, he noted the City Engineer had already determined that was met.

Architect DeGray also responded to the Staff Report conclusion that there was no established pattern along nearby Empire Avenue by referring to his presented images that showed an accessory garage just down the street from the applicant's property. He stated that the only property along Empire Avenue without off-street parking was the previously referenced historic home that had not yet been renovated.

With respect to the second Variance criteria, Architect DeGray reiterated that the streetscape and character of the area would allow for the accessory structures to be located in the front yard. He stressed that the references in the Staff Report were based on a view from Empire Avenue, whereas applicants proposed that the primary elevation was the driveway side of the property, which is Crescent Tram Road.

With respect to Staff's comments that a parking pad would be much less impactful than a detached structure, Architect DeGray disagreed, stating that when talking about "impact on topography," the amount of site disturbance would initially be greater with the accessory structure, but the final appearance would be the same as for a parking pad.

In terms of Staff's position that off-street parking areas should be located in the rear yard or be physically buffered from adjacent properties and primary Rights-of-Ways, Architect DeGray stated that the proposed garage would provide the buffer to conceal the vehicle from adjacent properties and from the right-of-way. He offered the same argument in response to Staff's statements that additions should be visually subordinate to historic buildings. He stressed that the primary façade was off of Crescent Tram Road, whereas the view off of Empire Avenue was secondary.

Architect DeGray expressed that the fact that parking was not required on this site did not trump the fact that the owners should be able to enjoy the essential property rights enjoyed by other properties in the same zone, many of which have garages. He stressed that the photographic evidence illustrated that detached garages exist in the area and should be considered part of the fabric of the entire area. By and large, all other properties in the area have on-site parking, if not garages.

In terms of the fourth criterion regarding consistency with the General Plan and Staff's reference to Historic Character Goal 15, Architect DeGray proffered that given the mass and scale of the other accessory structures on Empire Avenue, the proposed accessory structure would fit this criteria.

PENDING APPROVAL

He offered that the Detailed Strategies document referenced in the Staff Report states that massing and Setbacks of new construction should complement and reinforce the visual dominance of historic structures, and additions to historic structures should be made visually compatible. He stated the existence of other accessory structures in and around the area would support this notion.

Architect DeGray reiterated his argument about the primary façade in response to the claim in the Staff Report that the proposed detached two-story accessory structure would impact the visibility of the Significant Historic Structure on site.
With respect to Staff's comments regarding the fifth criterion for the Variance that "new accessory buildings shall be located on or near sites with Historic buildings and additions shall be visually subordinate to Historic buildings when viewed from primary public Rights-of-Way," he referenced LMC Section 15-13-2(B)(9)(a) that "Unless dictated by the streetscape or character area are to be located in the front yard."

Based on this section of the Code, Architect DeGray opined that an accessory structure in the front yard was completely justified if the fabric of the neighborhood supported accessory structures, which he showed it does.

Applicant-representative Keyes explained that most of Staff's complaints related specifically to Historic District Design Review ("HDDR") issues, and he noted that this project had not yet gone through the HDDR process. He felt that many of the issues raised by Staff would be addressed during the HDDR process. He stated that they were excited about this project and the applicant's willingness to make a substantial investment to bring this home forward in keeping with the neighborhood.

In response to an inquiry, Architect DeGray stated the total square footage of the Accessory Building would be 250 square feet. He stated the parking area would be 11' x 20', which was the minimum Code requirement for a parking space.

Board Member Gezelius felt the Staff's analysis of the five criteria aligned with her thinking, and whether a property owner could construct an Accessory Building in front of a historic home was not what they were trying to do in terms of historic preservation. When these accessory units are created, an additional parking demand is also created. She commented the idea of needing parking for the historic structure was one issue; but when the need for additional spaces for the type of occupancy they see with accessory units is added to the analysis, she did not buy it because they were creating an additional problem.

Board Member Gezelius also expressed sensitivity to the fact that there were many lots with irregular configurations and they were all site-constrained. Even the ones constructed before the current laws created visual, Setback, and snow storage problems. Where they have the opportunity to work with a larger parcel of land, she felt that they should follow the rules regarding the Setbacks.

PENDING APPROVAL

Board Member Gezelius concurred with every one of Staff's evaluations on the five Variance criteria.

Chair Franklin opened the public hearing. She noted for the record that two letters were submitted and were attached to the Staff Report as Exhibit D.

There was no public comment. Chair Franklin closed the public hearing.

MOTION: Board Member Gezelius moved to DENY Applicant's Request for a Variance from the Front Yard Setback at 844 Empire Avenue, based on the five criteria as outlined by Staff and the Findings of Fact and Conclusions of Law outlined in the Draft Final Action Letter:

Findings of Fact

1. The Site is located at 844 Empire Avenue.

2. The Site is located within the Historic Residential – 1 (HR – 1) Zoning District.

3. The existing Structure is designated to the Park City Historic Sites Inventory as a Significant Historic Structure.

4. The existing Structure was constructed c. 1904.

5. The Structure sustained heavy damage in a fire in 2014.

6. The Site is Lot 1 of the 844 Empire Avenue Plat Amendment, which was approved in 2016.

7. Ordinance 2016-26 Finding of Fact 13 states that the width of the 844 Empire Lot is 31 feet wide.

8. Ordinance 2016-26 Finding of Fact 15 states that pursuant to LMC Section 15-4- 17, the Planning Director determined the Lot has three Front Lot Lines, one Side Lot Line, and one Rear Lot Line with the following setbacks:

    a. From 9th Street, platted un-built ROW, front yard, ten feet (10') minimum. This is the historic front of the structure.
    b. From Empire Avenue, front yard, ten feet (10') minimum.
    c. From Crescent Tram, front yard, ten feet (10') minimum
    d. From the south neighbor, rear yard, ten feet (10') minimum. This side is opposite of the historic front of the house.

PENDING APPROVAL

e. From the east neighboring property, side yard, five feet (5') minimum.

9. On February 7, 2024, the Historic Preservation Board conducted a site visit to examine the fire-damaged materials at 844 Empire Avenue and approved the Applicant's Material Deconstruction and Panelization request to facilitate the rehabilitation of the Historic Structure and an addition.

a. The Applicant intends to construct an addition to the Historic Structure on the east side of the building, as well as a detached garage on the west.

10. On March 13, 2024, the Planning Commission conducted a public hearing and denied the Appellant's Plat Amendment to remove Plat Note 3 of the 844 Empire Avenue Plat Amendment, which required that vehicle access to the site be from Empire Avenue or through platted un-built 9th Street in a location approved by the City Engineer. The Planning Commission ratified the Final Action denial on April 10, 2024.

11. On April 22, 2024, Applicant appealed the Planning Commission's denial of the Plat Amendment. On May 20, 2024, the Appeal Panel conducted a public hearing and continued the appeal to June 3, 2024.

12. On June 3, 2024, the Appeal Panel heard the appeal and voted 2-1 to grant the appeal, reversing the Planning Commission's decision to deny the Plat Amendment.

13. In 2024, the City completed construction of public access stairs in the 9th Street right-of-way between Norfolk Avenue and Empire Avenue, adjacent to 844 Empire Avenue.

14. The Applicant requested a Variance as follows:

a. Reducing the Front Setback on Crescent Tram Road by approximately 8 feet.
b. Reducing the Front Setback on the platted but unbuilt 9th Street right-of-way by approximately 10 feet.

15. To grant the requested Variance, the Board of Adjustment must find that all five criteria in LMC Section 15-10-8(C) are met.
16. The Applicant bears the burden of proving that all the conditions justifying a Variance have been met.

PENDING APPROVAL

17. The five criteria outlined in LMC Section 15-10-8(C)(1) are outlined below with analysis:

    a. Literal enforcement of the Land Management Code would cause an unreasonable hardship for the Applicant that is not necessary to carry out the general purpose of the Land Management Code.
        i. Literal enforcement of the LMC prevents the Applicant from constructing a detached garage as proposed. This Variance criterion is not met because the lack of a garage on the property does not constitute an unreasonable hardship.
        ii. The Accessory Building, as proposed, does not encourage the character of the Historic residential area and is not Historically Compatible because it would impede the visibility of the Significant Historic Site from Empire Avenue. Pursuant to LMC § 15-13- 2(B)(4)(a)(3), additions to Historic Structures should be visually subordinate when viewed from the primary public right-of-way.
        iii. While LMC § 15-13-2(B)(9)(b) allows for new accessory structures to be located on a site with a Historic Structure at the street front (1) if a pattern of front yard historic accessory structures has been established along the street, and (2) the proposed placement does not create any danger or hazards to traffic by obstructing the view of the street, in this case, the Historic Structures in the character area do not support an Accessory Building. The Engineering Department confirmed the proposed Accessory Building would not create a danger or hazard to traffic by obstructing the view of the street. Also, while there is an Accessory Structure and addition for two Historic Sites visible from Crescent Tram Road, these are at the rear of the Historic Sites and there is no established pattern of front yard historic accessory structures for this character area. There is also no established pattern along nearby Empire Avenue of detached Accessory Buildings within the Front Setback.
        iv. Denial of an Accessory Building to accommodate a garage is not an unreasonable hardship. Since the Appeal Panel reversed the Planning Commission's denial of the Applicant's Plat Amendment, the Applicant now can access a parking pad from Crescent Tram Road to 844 Empire Avenue. Pursuant to LMC § 15-2.2-3(F), driveways leading to an approved Parking Area, such as a parking pad, and approved parking pads, are an allowed exception to the Front Setbacks for 844 Empire Avenue, allowing the Applicant to park on site, without construction of an incompatible Accessory Building.

PENDING APPROVAL

b. There are special circumstances attached to the Property that do not generally apply to other Properties in the same zone.
   i. While in 2015, the Planning Director determined the 844 Empire Avenue Lot was an unusual configuration with three front yards, one rear yard, and one side yard pursuant to LMC § 15-4-17, as noted above, addressing unusual Lots is established through code. 844 Empire Avenue is a Significant Historic Site and is subject to the same regulations as other properties designated Historic Sites on Park City's Historic Sites Inventory.
   ii. Pursuant to LMC § 15-13-2 Regulations For Historic Residential Sites, this requires additional protections of the Historic Structure when viewed from the primary right-of-way, including:
      1. LMC § 15-13-2(B)(9)(a): New accessory buildings on flat or downhill sites with a historic building shall generally be located to the rear of the site, unless dictated by the Streetscape or character area are to be located in the front yard. As demonstrated above, the Streetscape and character area do not support an Accessory Building in the Front Setback.
      2. LMC § 15-13-2(B)(9)(b): New accessory structures on a site with a historic building may be located at the street front if 1) a pattern of front yard historic accessory structures has been established along the street, and 2) the proposed placement does not create any danger or hazard to traffic by obstructing the view of the street. Please see the analysis above.
      3. LMC § 15-13-2(B)(1)(a)(1): Maintain the existing front and side yard setbacks of Historic Sites. The Applicant requests reductions to the front yard setbacks, increasing the massing proposed as part of the rehabilitation and addition, diminishing the prominence of the Significant Historic Structure when viewed from Empire Avenue.
      4. LMC § 15-13-2(B)(1)(g)(1): Minimize the visual impacts of on-site parking by incorporating landscape treatments for driveways, walkways, paths, building(s), and accessory structures in a comprehensive, complementary and integrated design. A parking pad would be much less impactful to the Historic Site and landscaping treatments could minimize visibility as part of the Applicant's Historic District Design Review application.

PENDING APPROVAL

5. LMC § 15-13-2(B)(1)(g)(3): When locating new off-street parking areas, the existing topography of the site and integral site features should be minimally impacted. A parking pad will be much less impactful than a detached two-story Accessory Building.
6. LMC § 15-13-2(B)(1)(g)(4): Off-street parking areas should be located within the rear yard and beyond the rear wall plane of the primary structure. If locating a parking area in the rear yard is not physically possible, the off-street parking area and associated vehicles should be visually buffered from adjacent properties and the primary public right-of-way. Consider providing a driveway along the side yard of the property where feasible. The Applicant has an opportunity to install a driveway and parking pad, without the massing of a detached Accessory Building.
7. LMC § 15-13-2(B)(4)(a)(3): Additions should be visually subordinate to historic buildings when viewed from the primary public right-of-way. As discussed above, the proposed Accessory Building will impact the visibility of the Significant Historic Structure when viewed from Empire Avenue.

c. Granting the variance is essential to the enjoyment of a substantial Property right possessed by other Property in the same zone.
   i. Pursuant to LMC § 15.2.2-4, existing Historic Buildings are exempt from Off-Street Parking requirements. If a property owner chooses to provide Off-Street Parking for such properties, the parking must comply with the requirements of LMC § 15-3-4 and LMC § 15-2.2-3. Staff finds that this Variance criterion is not met because Off-Street Parking is not required by the LMC for 844 Empire Avenue, and therefore is not essential to the enjoyment of the property. Additionally, the Applicant may construct a parking pad within the Front Setback, an allowed exception pursuant to LMC § 15-2.2- 3(G)(6).
   ii. Without the requested Variance, the Applicant still enjoys property rights possessed by properties in the HR-1 Zoning District and exceeds some Historic Sites in that the Appeal Panel's determination allows the Applicant to have access from Crescent Tram, opening up on-site parking for the Significant Historic Site, unlike other Historic Sites with restrictions that do not allow for onsite parking.
d. The variance will not substantially affect the General Plan and will not be contrary to the public interest.

PENDING APPROVAL

i. Historic Character Goal 15 of the General Plan is to "[p]reserve the integrity, mass, scale, compatibility and historic fabric of the nationally and locally designated historic resources and districts for future generations." Historic Character Goal 15 also notes that though it may evolve over time, the built environment of historic districts "should stay true to its architectural roots, specifically relative to the integrity, mass, scale, and historic fabric of the mining boom era (1872-1929)."

ii. The Park City General Plan's Detailed Strategies for Historic Character acknowledges that historic structures represent their era of significance, but that "the district as a whole is not frozen in time." The strategies document goes on to note that "[i]t is necessary to create appropriate infill, spur investment, and promote the economic vitality of the community." The Detailed Strategies document also states that massing and setbacks of new construction should complement and reinforce the visual dominance of historic structures, and additions and modifications made to historic structures should be visually compatible with the historic structure.

iii. As noted above, the Historic Preservation Board approved the Applicant's Material Deconstruction and Panelization request on February 7, 2024, to facilitate the rehabilitation of the structure, as well as a new addition to the Historic Structure, in accordance with the above General Plan goals and strategies. However, the proposed Accessory Building—which was not part of the Historic Preservation Board's purview—blocks the visibility of the Significant Historic Site from Empire Avenue and does not comply with LMC § 15-13-2 Regulations For Historic Residential Sites, as noted above, and the requested Variance is not aligned with the goals of the General Plan and is therefore contrary to the public interest.

e. The spirit of the Land Management Code is observed and substantial justice done.

i. The purpose of the HR-1 Zoning District is, in part, to preserve present land Uses and character of the Historic residential Areas of Park City, and encourage the preservation of Historic Buildings and/or Structures.

ii. Pursuant to LMC § 15-2.2-3(G), driveways leading to an approved Parking Area, such as a parking pad, and approved parking pads, are an allowed exception to the Front Setbacks for the HR-1 Zoning District. The Applicant can now access the property from Crescent Tram Road

PENDING APPROVAL

following the Appeal Panel's reversal of the Planning Commission's denial of the Applicant's Plat Amendment petition, as noted above.

iii. Pursuant to LMC § 15-13-2, new accessory buildings shall be located on the rear of sites with historic buildings, and additions should be visually subordinate to historic buildings when viewed from the primary public right-of-way. Accessory Buildings are not allowed as an exception to the Front Setbacks in the HR-1 Zoning District, pursuant to LMC § 15-2.2-3(G). As a result, the spirit of the LMC is not observed and substantial justice is not achieved through the requested Variance.

Conclusions of Law

1. Literal enforcement of the Land Management Code for this Property does not cause unreasonable hardship and is not necessary to carry out the general purpose of the Land Management Code.

2. Special circumstances are not attached to the Property that does not generally apply to other properties in the same district.

3. Granting the Variance is not essential to the enjoyment of a substantial property right possessed by other Properties in the same zone.

4. The proposal is not consistent with the General Plan.

5. The spirit of the zoning ordinance is not observed, and substantial justice is not done.

6. The Applicant did not meet the burden that all the conditions justifying a Variance have been met.

Board Member Wintzer seconded the motion. The motion passed with the unanimous consent of the Board.

There was discussion regarding the plans for a Board of Adjustment meeting in August 2024. Planning Director Rebecca Ward advised that at this point, they had not received any Variance applications.

7. ADJOURN

Board Member Gezelius moved to ADJOURN. Board Member Armstrong seconded the motion. The motion passed with the unanimous consent of the Board.

PENDING APPROVAL

The Board of Adjustment Meeting adjourned at approximately 6:05 PM.

Approved by _____
Jennifer Franklin, Board of Adjustment Chair

PENDING APPROVAL

844 Empire Avenue

Variance

PENDING APPROVAL

PL-24-06051

August 20, 2024

844 Empire Avenue

Variance

PENDING APPROVAL

- Applicant proposes addition to Historic Structure and two-story detached Accessory Building with garage and living space

- Accessory Building would encroach into required 10-foot Front Setbacks along un-built 9th Street ROW and Crescent Tram Road

- Applicant requests Variance from the restrictions of the Front Setbacks, which exclude Accessory Buildings as an allowed exception within a Front Setback

844 Empire Avenue

Existing Conditions

NOT APPROVAL

844 Empire Avenue

Existing Conditions

PENDING APPROVAL

844 Empire Avenue

Proposal

PENDING APPROVAL

844 Empire Avenue

Background

- 844 Empire is a Significant Historic Structure that was damaged in a 2014 fire
- Site is an unusual lot that has three front yards (along un-built 9th Street ROW, Empire Avenue, and Crescent Tram Road)
- Plat approved in 2016 included Plat Note 3 requiring vehicle access to the site be from Empire Avenue or through platted un-built 9th Street in a location approved by the City Engineer

PENDING APPROVAL

844 Empire Avenue

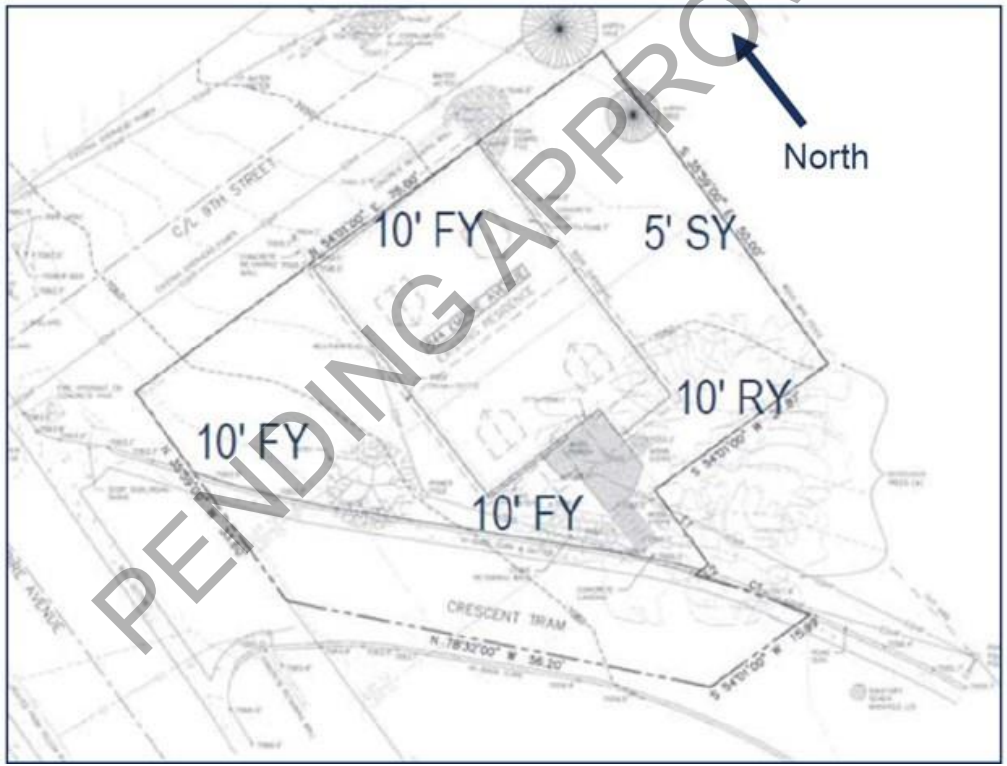
Background

- Applicant applied for Plat Amendment to remove Plat Note 3 regarding vehicle access, but Planning Commission denied on March 13, 2024
- Applicant appealed the Plat Amendment denial and Appeal Panel reversed the Planning Commission denial
- Vehicular access to the site from Crescent Tram Road is now possible
- HPB approved Material Deconstruction/Panelization in February 2024

PENDING APPROVAL

844 Empire Avenue

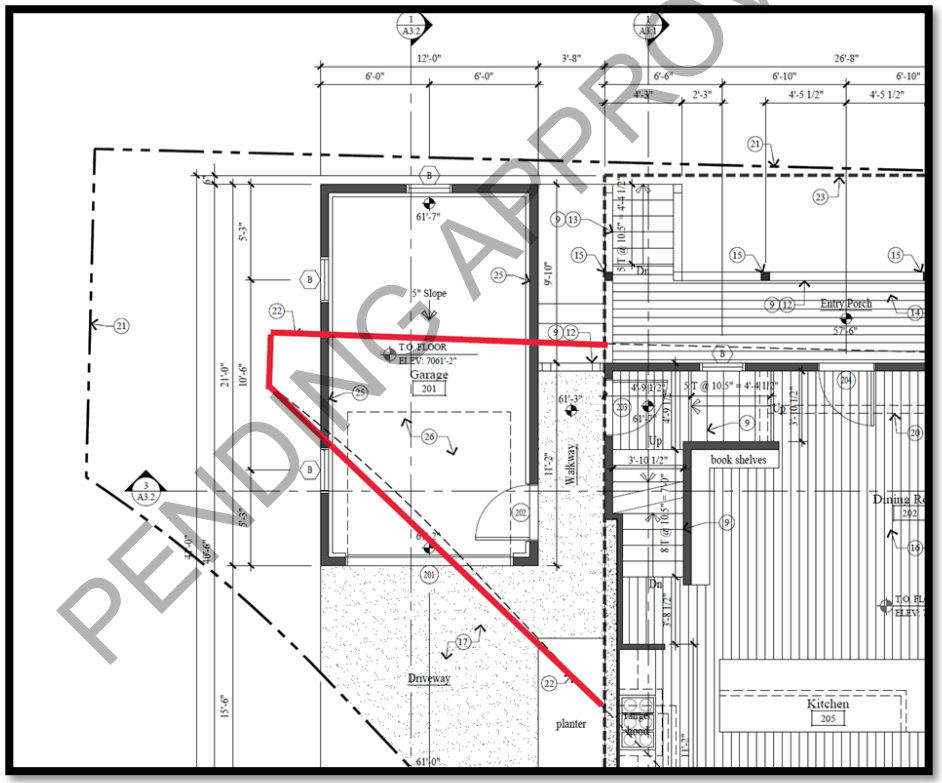
Setbacks



PENDING APPROVAL

844 Empire Avenue

Setbacks



844 Empire Avenue

Variance Criteria

PENDING APPROVAL

- In order to grant the requested Variance, the Board of Adjustment must find that all five criteria in LMC § 15-10-8(C) are met. The Applicant bears the burden of providing that all the conditions justifying a Variance have been met.

- In determining whether or not enforcement of the ordinance will cause unreasonable hardship under LMC § 15-10-8(C)(1), the Board of Adjustment may not find an unreasonable hardship unless the alleged hardship is located on or associated with the Property for which the Variance is sought and comes from circumstances peculiar to the Property, not from conditions that are general to the neighborhood.

- In determining whether or not enforcement of the LMC would cause unreasonable hardship, the Board of Adjustment may not find an unreasonable hardship if the hardship is self-imposed or economic.

844 Empire Avenue

Analysis

PENDING APPROVAL

1. Literal enforcement of the Land Management Code would cause an unreasonable hardship for the Applicant that is not necessary to carry out the general purpose of the Land Management Code.

- Literal enforcement of the LMC prevents the Applicant from constructing an Accessory Building as proposed. The lack of an Accessory Building on the property does not constitute an unreasonable hardship.
- Applicant can now access a parking pad from Crescent Tram Road.
- The Accessory Building, as proposed, does not encourage the character of the Historic residential area and is not Historically Compatible because it would impede the visibility of the Significant Historic Site from Empire Avenue. Additions to Historic Structures should be visually subordinate when viewed from the primary public right-of-way.

844 Empire Avenue

Analysis

2. There are special circumstances attached to the Property that do not generally apply to other Properties in the same zone.

- Addressing unusual Lots is established through LMC § 15-4-17.
- 844 Empire is a Significant Historic Site and is subject to the same regulations as other properties designated as Historic Sites in Park City, pursuant to LMC § 15-13-2 *Regulations for Historic Residential Sites.*

PENDING APPROVAL

844 Empire Avenue

Analysis

PENDING APPROVAL

3. Granting the Variance is essential to the enjoyment of a substantial Property right possessed by other Property in the same zone.

- Pursuant to LMC § 15.2.2-4, existing Historic Buildings are exempt from Off-Street Parking requirements. If a property owner chooses to provide Off-Street Parking for such properties, the parking must comply with the requirements of LMC § 15-3-4 and LMC §15-2.2-3.
- This Variance criterion is not met because Off-Street Parking is not required by the LMC for 844 Empire Avenue, and therefore is not essential to the enjoyment of the property.
- The Applicant may construct a parking pad within the Front Setback, an allowed exception pursuant to LMC § 15-2.2-3(G)(6).
- On-Street Parking, with a residential parking permit, is available for this neighborhood. Many properties in the area have direct driveway access from their streets to a garage; however, detached garages are not common, as shown in the photos in the Staff Report.

844 Empire Avenue

Analysis

PENDING APPROVAL

4. The Variance will not substantially affect the General Plan and will not be contrary to the public interest.

- The requested Variance is not aligned with the Historic Preservation goals of the General Plan and is therefore contrary to public interest.
- The General Plan states that the massing and Setbacks of new construction should compliment and reinforce visual dominance of historic structures, and additions and modifications made to historic structures should be visually compatible with the historic structure.
- The Historic Preservation Board approved the Applicant's Material Deconstruction and Panelization request on February 7, 2024 to facilitate the rehabilitation of the structure, as well as a new addition to the Historic Structure, in accordance with the General Plan goals and strategies. However, the proposed Accessory Building was not part of the HPB's purview and blocks the visibility of the Significant Historic Site from Empire Avenue.

844 Empire Avenue

Analysis

PENDING APPROVAL

5. The spirit of the Land Management Code is observed and substantial justice done.

- The spirit of the LMC is not observed and substantial justice is not achieved through the requested Variance.
- Driveways leading to an approved Parking Area and approved parking pads, are an allowed exception to the Front Setbacks for the HR-1 Zoning District. The Applicant can now access the 844 Empire property from Crescent Tram Road following the Appeal Panel's reversal of the Planning Commission's denial of the Applicant's Plat Amendment petition.
- LMC § 15-13-2 states that new accessory buildings shall be located on the rear of sites with historic buildings, and additions should be visually subordinate to historic buildings when viewed from the primary public right-of-way. Accessory Buildings are not allowed as an exception to the Front Setbacks in the HR-1 Zoning District.

844 Empire Avenue

Recommendation

PENDING APPROVAL

(I) Review the requested Variance to Front Setback Requirements of Land Management Code § 15-2.2-3(F) and § 15-2.2-3(G) for an Accessory Building at 844 Empire Avenue, (II) conduct a public hearing, and (III) consider denying the Variance based on the Findings of Fact and Conclusions of Law outlined in the draft Final Action Letter (Exhibit A).

Board of Adjustment
Staff Report

Subject:	**220 King Road**
Applications:	**PL-23-05522, Historic District Design Review** **PL-24-06263 – Appeal**
Author:	**Elissa Martin, Assistant Planning Director**
Date:	**November 12, 2024**
Type of Item:	**Appeal of Planning Director Final Action Approving the Historic District Design Review**

Recommendation

(I) Review the Appeal of the Planning Director's Final Action Approving the Historic District Design Review (HDDR) for a Single-Family Dwelling and Accessory Building at 220 King Road, (II) conduct a public hearing, and (III) consider denying the Appeal based on the Findings of Fact and Conclusions of Law in the Draft Final Action Letter (Exhibit N).

Description

Appellants:	Eric Hermann and Susan Fredston-Hermann
Location:	220 King Road
Zoning District:	Historic Residential-1-Master Planned Development (HR-1-MPD)
Adjacent Land Uses:	Residential, Open Space
Reason for Review:	The Board of Adjustment hears appeals of Planning Director decisions on Historic District Design Review Applications

CUP	Conditional Use Permit
HDDR	Historic District Design Review
HR-1-MPD	Historic Residential-1-Master Planned Development
LMC	Land Management Code
SFD	Single-Family Dwelling
Sweeney MPD	Sweeney Master Planned Development

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

Summary

The Appellant argues the Planning Director erred in approving the HDDR for a Single-Family Dwelling (SFD) and Accessory Building at 220 King Road.

In 2022 and 2023, the Applicant submitted a Plat Amendment, Steep Slope Conditional Use Permit (SSCUP), Conditional Use Permit (CUP), and HDDR applications for the construction of a new SFD and Accessory Building at 220 King Road.

220 King Road is a 1.23-acre lot in the Historic Residential-1-Master Planned Development (HR-1-MPD) Zoning District and is Lot 2 of the Treasure Hill Subdivision Phase I (Exhibit D) within the Sweeney Master Planned Development (Sweeney MPD) (Exhibit B). The below map shows 220 King Road and the Sweeney MPD Treasure Hill Subdivision SFD lots situated between Old Town and 40 acres of open space dedicated through the Sweeney MPD:

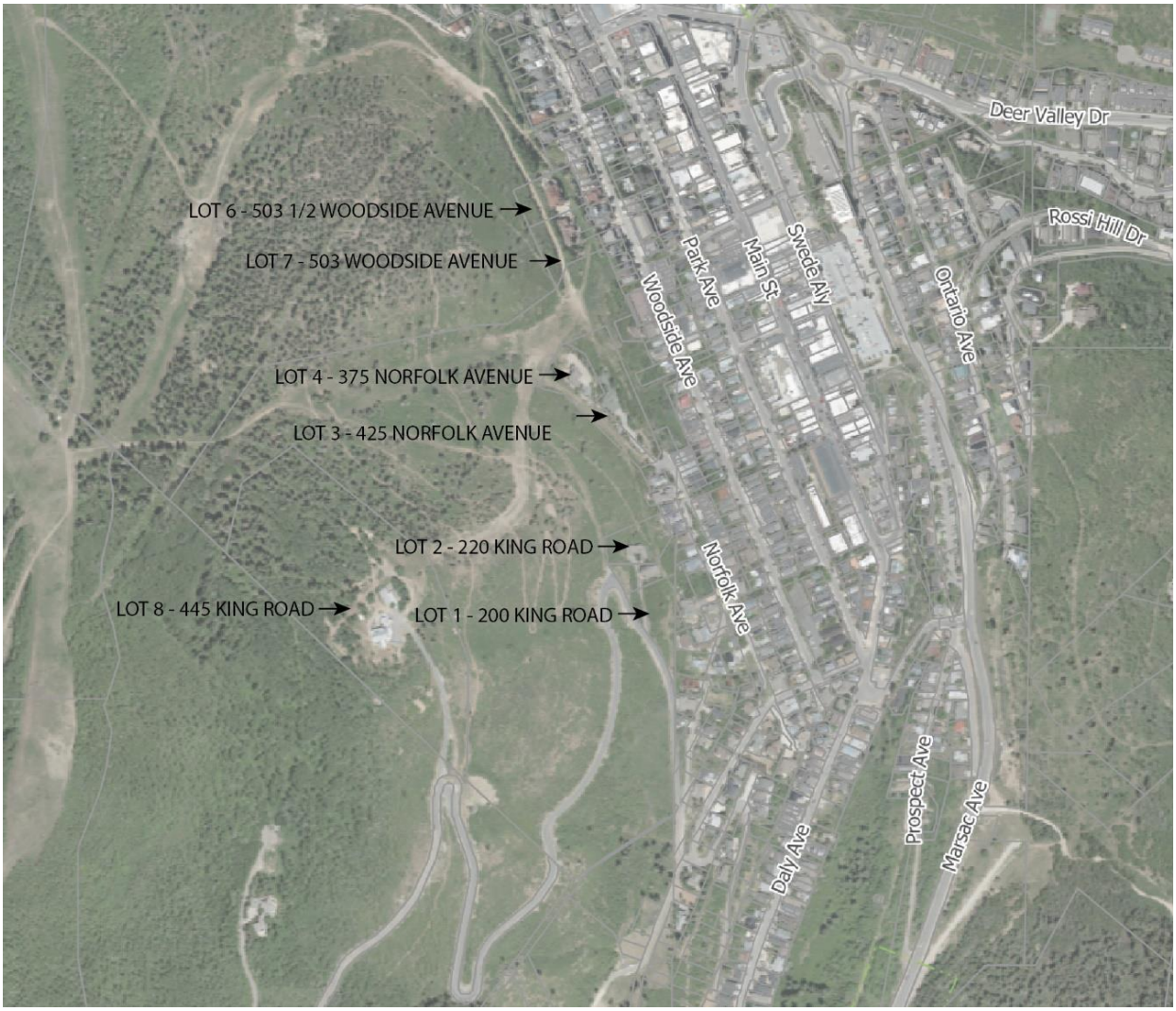


Figure 1: Vicinity Map of 220 King Road within the context of the Sweeney MPD open space and Historic Old Town

The Applications for 220 King Road were reviewed during the following public meetings:

- October 26, 2022 – the Planning Commission was scheduled to conduct a work session on the 220 King Road applications (Planning Commission Packet, Item 5.A; Minutes, p. 3). The work session was continued to a later date at the request of the Applicant for additional time to consider their proposal.

- October 11, 2023 – the Planning Commission conducted a work session on the 220 King Road applications (Planning Commission Packet, Item 6.A; Minutes, p. 2).

- January 24, 2024 – the Planning Commission conducted a work session on the 220 King Road applications (Planning Commission Packet, Item 4.A: Minutes, p. 2).

- February 14, 2024 – the Planning Commission conducted a public hearing and approved the Plat Amendment, SSCUP, and CUP for the development of the SFD and Accessory Buildings at 220 King Road (Planning Commission Packet, Item 6.A: Minutes, p. 3) .

- February 21, 2024 – the Planning Commission ratified the Final Action Letter outlining their February 14 approval (Exhibit G and Planning Commission February 21, 2024 meeting packet, Item 4A, 4B and 4C: Minutes, p. 2).

- March 1, 2024 – the Appellant appealed the Planning Commission's approval of the 220 King Road applications.

- April 30, 2024 – the Appeal Panel denied the appeal in part and remanded questions related to the applicability of the Sensitive Land Overlay to the Planning Commission (See April 30, 2024 Appeal Meeting packet, Item 5A: Minutes, p. 2).

- June 26, 2024 – the Planning Commission determined the SLO did not apply to 220 King Road (June 26, 2024 Planning Commission meeting packet, Item 6D: Minutes, p.19).

- July 22, 2024 – the Appeal Panel signed the Final Action Letter denying the appeal of the Planning Commission's approval (Exhibit G).

- August 15, 2024 – the Planning Director approved the HDDR (Planning Department Administrative Public Hearing August 15, 2024 meeting packet; Minutes attached as Exhibit A(b)).

- August 29, 2024 – the Appellant appealed the Planning Director's approval of the HDDR (Exhibit K).

Background

The August 15, 2024 Planning Department HDDR Staff Report provides a detailed history of the property in the context of the Sweeney MPD and the Treasure Hill Subdivision, as well as the analysis of the original HDDR approval. The full HDDR Staff Report and exhibits are incorporated herein by reference.

The main takeaways from that background relative to the HDDR approval and Conditions of Approval (COAs) are outlined below:

- In 1986, the City Council approved the Sweeney MPD, which required development to be clustered to minimize the impact of development on Old Town through the platting process and the dedication of Treasure Hill Lot 5 dedicated as open space, as well as COA 6 which requires review for conformance with the Historic District Guidelines and related architectural requirements (Exhibit B).
- In 1987 the City Council approved an Amendment to the Sweeney MPD, which created the 200 King Road and 220 King Road and required a CUP be approved for future development to ensure impacts of the development are minimized.
- The Sweeney MPD required the rezone of parcels within the MPD.
- In 1990, the City Council approved a zoning map amendment rezoning 200 and 220 King Road from HR-1 to HR-1-MPD (Exhibit C).
- In 1995, the City Council approved the Treasure Hill Subdivision Phase I with plat notes that regulate development at 220 King Road in accordance with the Sweeney MPD, including Building Footprint, Building Area Limits, Façade Height, and Massing (Exhibit D).
- All SFDs within the HR-1-MPD Zoning District in the Treasure Hill Subdivision were required to obtain CUP approval from the Planning Commission for conformance with the Treasure Hill Subdivision plat regulations and Sweeney MPD prior to HDDR approval:
    - **Lot 1, 200 King Road** – Appellant's vacant property.
    - **Lot 2, 220 King Road** – On March 12, 1997, the Planning Commission approved a CUP for the SFD and Guest House at 220 King Road. On March 17, 1997, the Planning Department approved an HDDR for the project.
    - **Lot 3, 425 Norfolk Avenue** – On January 8, 1997, the Planning Commission approved a CUP for the SFD. On January 27, 1997, the

Planning Department approved an HDDR for the project.

- **Lot 4, 375 Norfolk Avenue** – On January 22, 1997, the Planning Commission approved a CUP for the SFD. On January 27, 1997, the Planning Department approved an HDDR for the project.
- **Lot 5, Open Space**
- **Lot 6, 503 ½ Woodside Avenue** – On March 23, 2005, the Planning Commission approved a CUP for the SFD. On May 2, 2005, the Planning Department approved an HDDR for the project.
- **Lot 7, 503 Woodside Avenue** – On March 23, 2005, the Planning Commission approved a CUP for the SFD. On May 2, 2005, the Planning Department approved an HDDR for the project.
- **Lot 8, 445 King Road** – This singular property within the Sweeney MPD is in the Estate Zoning District and does not require HDDR review.

The original SFD and Guest House at 220 King Road built between 1998-2000 were demolished in the summer of 2024 to prepare for construction of the new SFD and Accessory Building.

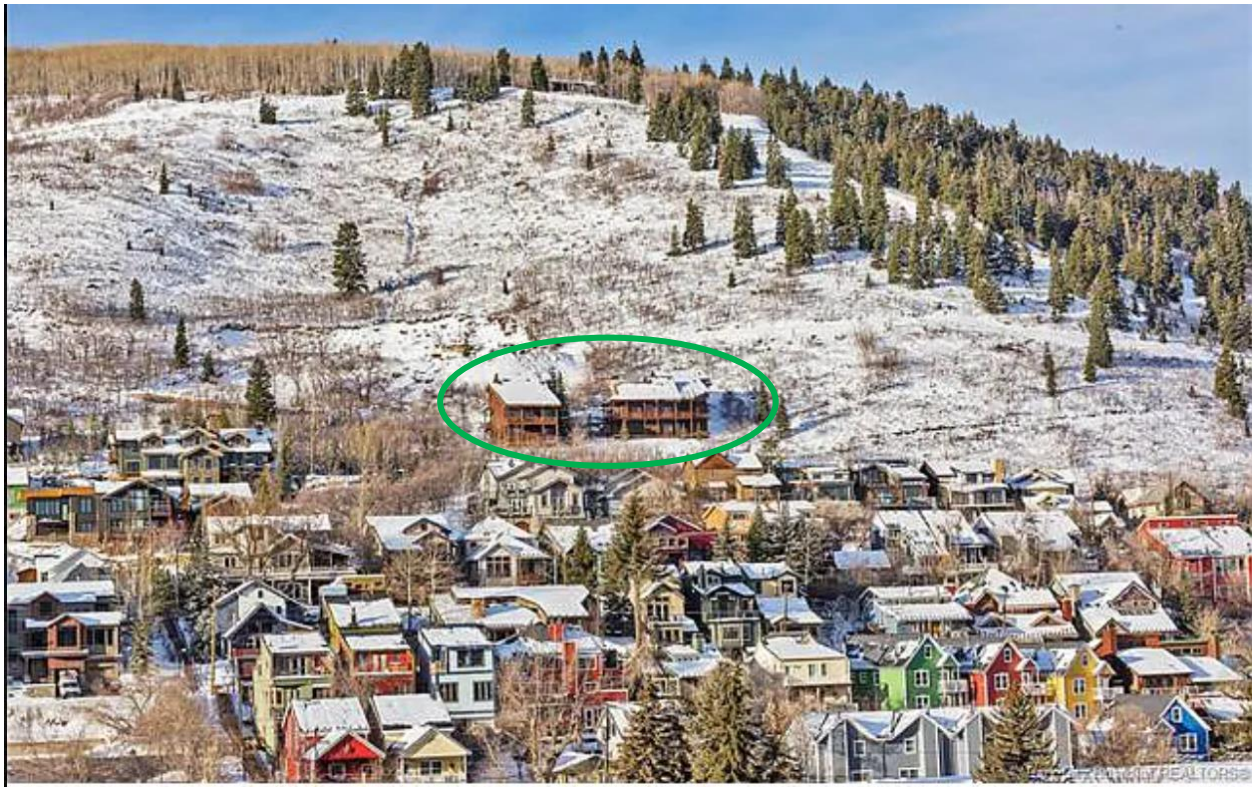


Figure 2: SFD and Guest House at 220 King Road were demolished in the summer of 2024

Standard of Review

Pursuant to Land Management Code (LMC) § 15-1-18, Final Action regarding HDDRs shall be reviewed by the Board of Adjustment. The Board of Adjustment shall act in a quasi-judicial manner. The Board of Adjustment shall review factual matters de novo, without deference to the Planning Director's determination of factual matters. The Board of Adjustment shall determine the correctness of the Planning Director's interpretation and application of the plain meaning of the land use regulations, and interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application.

Review of petitions of appeal shall include a public hearing and shall be limited to consideration of only those matters raised by the petition, unless the appeal authority grants either party approval to enlarge the scope of the appeal to accept information on other matters. New evidence may be received so long as it relates to the scope of the appeal.

Standing

The Applicants argue the Appellants lack standing (Exhibit M, page 3 - *Brief in Opposition*). However, the Applicants cite LMC § 15-1-18(E) *Timing*, which establishes a specific time for appeal for the Development Applicant, which is different than the general rule applicable to non-applicants. Standing is set forth more specifically in LMC § 15-1-18(D) *Standing To Appeal*, and there is no allegation that the Appellants fail to meet this Section.

Burden of Proof

The Appellant has the burden of proof to demonstrate the Planning Director erred in approving the HDDR for 220 King Road (LMC § 15-1-18(G)).

The question for the Board of Adjustment is:

Does the appeal demonstrate that the Planning Director incorrectly applied the LMC standards to this application for a Historic District Design Review within the context of the Historic Residential -1-Master Planned Development (HR-1-MPD) Zoning approvals?

Analysis

The Appellant argues:

- Park City LMC § 15-3-8 applies to the Project regardless of the Sweeney MPD and the Planning Commission approvals.
- The project fails to meet most of the "Universal Regulations" from LMC § 15-3-8.
- The Project fails to meet many of the "Specific Regulations" from LMC § 15-3-8.
- The Planning Department's decision is arbitrary and capricious.
- The appropriate venue and method for approving the project's design is a

Variance from the Board of Adjustment (See Exhibit L – *11.5.24 Hermann HDDR Appeal Brief*).

Staff requests the Board of Adjustment please refer to the August 15, 2024 HDDR staff report, which outlines each standard within LMC § 15-3-8 *Regulations for New Residential Infill Construction in Historic Districts* with project analysis prior to proceeding to the Analysis Section below. The Analysis Section below is organized in five sections to address the five points raised by the Appellant.

(I) The Appellant appealed the Planning Commission's approval of the 220 King Road Plat Amendment, Steep Slope Conditional Use Permit, and Conditional Use Permit. The Appeal Panel denied the Appellant's appeal. The Appellant cannot ask the Board of Adjustment to reconsider the Planning Commission's prior approvals or the Appeal Panel's denial of the Appellant's previous appeal. Rather, the Board of Adjustment must review the question of whether the Planning Director erred in approving the HDDR for 220 King Road within the context of the Historic Residential – 1-Master Planned Development approvals which vested certain rights under the Sweeney MPD and Treasure Hill Subdivision.

The Appellant fails to acknowledge the Sweeney Master Planned Development regulations that apply not only to 220 King Road, Lot 2 of the Treasure Hill Subdivision, but to the Appellant's vacant property, 200 King Road, Lot 1 of the Treasure Hill Subdivision.

In 1990, the City Council zoned 220 King Road Historic Residential –1-Master Planned Development (HR-1-MPD), establishing the Sweeney MPD overlay. In 1995, the City Council approved the Treasure Hill Subdivision regulating future development on the Single-Family Lots for properties within the Sweeney MPD. These approvals govern future development of the property.

On December 18, 1985, the Planning Commission approved the Sweeney MPD, which included seven SFD Treasure Hill Subdivision lots. The zoning in effect at the time allowed for 450 units within the MPD. However, the Sweeney MPD approval reduced the density to 277 units and ". . . the proposed clustering approach was deemed the most compatible. Rather than spread the density out and thereby impact the entire old town area, the cluster concept afforded the ability to limit the impacts to smaller areas. Efforts to minimize scale have been directed toward this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space . . . . [a] number of the staff's recommended conditions are directed toward minimizing the potential conflicts related to neighborhood compatibility considerations."

"A key element of the proposed cluster approach is to preserve usable open space in perpetuity. A total of 97% (120 acres) of the hillside will be maintained as open space as

part of the proposed Master Plan . . . [t]he potential for the subdivision and scattered development of the hillside would have drastically affected the goal of preserving the mountain substantially intact and pristine" (Exhibit B).

As a result, within the Treasure Hill Subdivision of the Sweeney MPD, SFDs were clustered near Old Town and over 40 acres were dedicated to Park City Municipal as open space behind the SFD lots. This resulted in larger SFD lots than traditional Old Town Lots platted 25 feet by 75 feet (1,875 square feet), shown in the Treasure Hill Subdivision Plat excerpt below:

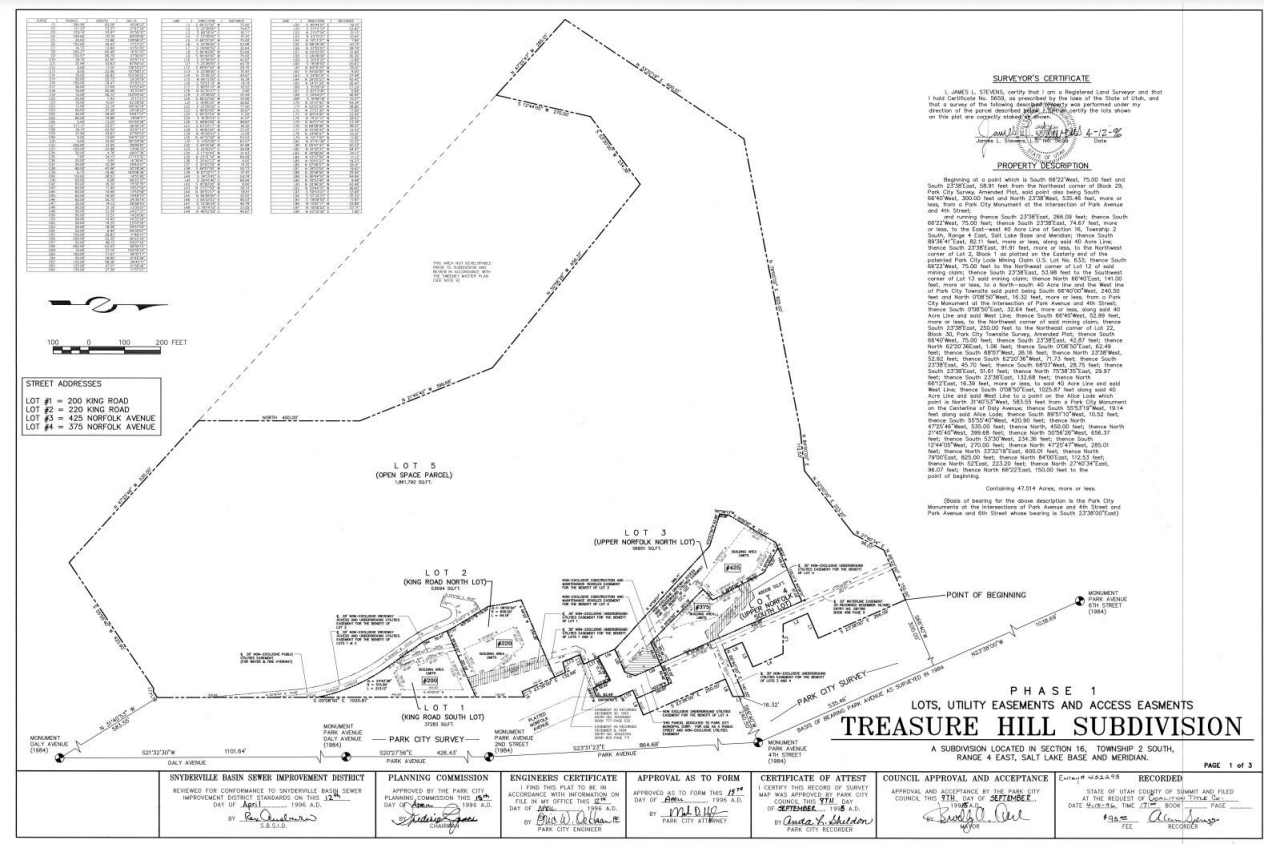


Figure 3: Treasure Hill Subdivision showing dedicated open space in exchange for larger lots clustered near Old Town

In 1987, the Planning Commission approved an amendment to the Sweeney MPD to reallocate 12 units, including the relocation of two SFDs to what are now known as 200 and 220 King Road. Condition of Approval 3 of the 1987 amendment requires Planning Commission approval of a CUP and staff review consistent with the Historic District Guidelines. Both reviews must "include review of the design of the structures to insure

[sic] that they are designed to minimize visual impact" (Exhibit B(a)– *1987 Sweeney MPD Amendment*).

On August 23, 1990, the City Council approved Ordinance No. 90-24, zoning 220 King Road HR-1-MPD (Exhibit C). Development at 220 King Road is subject to the HR-1-MPD Zoning District, which means the project must be reviewed for consistency with the Sweeney MPD. Central to the below analysis is the distinction between the HR-1 Zoning District and the HR-1-MPD Zoning District in relation to compliance with the HDDR.

Additionally, in 1995, the Treasure Hill Subdivision Phase I Plat was approved, with plat notes that regulate Building Footprint, Building Area Limits, Construction Disturbance, Height, Façade Height, Massing, Sewer Laterals, and Fire Sprinkling. 220 King Road, Lot 2 of the Treasure Hill Subdivision, is a 53,694-square-foot Lot, nearly 29 times the size of a traditional Old Town Lot. As a result of these larger SFD lots, additional review is required. For example, unlike other SFDs within Old Town, the 1985 Sweeney MPD Condition of Approval 1 requires properties within the MPD to obtain Planning Commission approval of a CUP prior to development. The CUP review is to evaluate the project for compliance with adopted codes and ordinances in effect at the time and to ensure conformance with the Sweeney MPD.

The Appellant appealed the Planning Commission's Plat Amendment, CUP, and SSCUP approval for 220 King Road, and the Appeal Panel denied the Appellant's appeal, finding the Planning Commission did not err in their decision. The Appellant cannot ask the Board of Adjustment to reconsider the Planning Commission's approvals or the Appeal Panel's denial of the Appellant's appeal. Rather, the Board of Adjustment must review the question of whether the Planning Director erred in approving the HDDR for 220 King Road within the context of the HR-1-MPD Zoning approvals which vested certain rights under the Sweeney MPD and Treasure Hill Subdivision.

(II) The Single-Family Dwelling and Accessory Building at 220 King Road comply with the Historic District Design Review criteria outlined in Land Management Code § 15-13-8(A) *Regulations for New Residential Infill in Historic Districts – Universal Guidelines.*

The Appellant claims that the Planning Director's decision to approve the HDDR for 220 King Road is illegal because the proposed development does not meet most of the requirements of LMC § 15-13-8. Specifically, the Appellant claims that the proposed development at 220 King Road fails to meet the majority of the 'Universal Regulations' outlined in LMC § 15-13-8(A).

LMC § 15-13-8 *Regulations for New Residential Infill in Historic Districts* outlines the elements reviewed through the HDDR process. The Purpose and Policy of LMC § 15-3-1 *Regulations for Historic Districts and Historic Sites* is as follows:

The Regulations for Park City's Historic Districts and Historic Sites (referred to throughout the document as the "Regulations") is intended to fulfill the policy directives provided in the General Plan and the Land Management Code.

The goal of the Regulations is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects, while at the same time allowing for reasonable changes to individual buildings to meet current needs. For property owners, design professionals, and contractors, it provides guidance in planning projects sympathetic to the unique architectural and cultural qualities of Park City. For the Planning Department staff and the Historic Preservation Board, it offers a framework for evaluating proposed projects to ensure that decisions are not arbitrary or based on personal taste. Finally, it affords residents the benefit of knowing what to expect when a project is proposed in their neighborhood.

The Regulations are not intended to be used as a technical manual for rehabilitating or building a structure, nor are they an instruction booklet for completing the Historic District/Historic Site Review Application. Instead, they provide applicants, staff, and the Historic Preservation Board with a foundation for making decisions and a framework for ensuring consistent procedures and fair deliberations.

As part of the HDDR evaluation of the proposed development at 220 King Road, the Planning Department requested the City's historic preservation consultant at the time, SWCA Environmental Consultants, to assist in the analysis of the proposed SFD for compliance with the Historic District Standards. Anne Oliver (Principal Architectural Historian, SWCA) drafted a 12-page report (2023 Technical Memorandum) evaluating the proposed project at 220 King Road and the HDDR review.

The Appellant's reliance on the 2023 Technical Memorandum is misplaced in all their arguments. The Appellants fail to acknowledge the 2023 Technical Memorandum analyzed the application plans submitted prior to revising the plans to address the 2023 Technical Memorandum comments. The Planning Commission reviewed the Applicant's plans that were updated to address the 2023 Technical Memorandum, which the Planning Commission required be further revised. The Applicant submitted plans to address the Planning Commission comments, which were ultimately approved.

The Planning Director found the revised plans, as conditioned through the HDDR process, affirmatively respond to the advisory input in the 2023 Technical Memorandum. Accordingly, staff's citations to the 2023 Technical Memorandum in this

report and the original HDDR report are regarding elements or analysis that remained unchanged or compliant, or were addressed by the plan changes pursuant to original feedback, the Planning Commissions plat and CUP approvals, or new conditions of approval.

Therefore, the Appellant's claims, which pick and choose snippets from the 2023 Technical Memorandum out of context and based on former iterations of the project with no regard for subsequent plan changes or how the Planning Director incorporated the input into the approval must fail.

> **The project is compatible with Historic Structures in materials, features, size, scale, proportion, and massing, and broken into volumes that reflect the original massing of Historic Buildings.**

The Appellant claims the project does not comply with LMC § 15-13-8(A)(4), which requires residential infill buildings to be differentiated from historic structures but be compatible with historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the infill shall be further broken up into volumes that reflect the original massing of Historic Buildings. Larger masses shall be located at the rear of the lot.

The Appellant bases their claim on the incorrect assumption that the HR-1-MPD Zoning District precludes Historic Mine Sites from Park City's Historic Sites. The LMC defines Historic Sites as "Any Building, Structure, Site and/or object, as designated by the Historic Preservation Board to demonstrate Historic Significance as set forth in LMC Chapter 15-11". Historic Mine Sites, such as the Silver King Mine, have been determined to demonstrate Historic Significance by the Historic Preservation Board. The Silver King Mine is a Significant Historic Site registered on Park City's Historic Site Inventory, pursuant to LMC § 15-11-10(D)(3) (See Historic Site Form). The LMC requires application of the HR-1-MPD Zoning District, where the "Character Area" is not defined by historic residential buildings on 25-foot by 75-foot Old Town lots, but rather by the Sweeney MPD, a transitional area between the Historic Mine Sites and Old Town.

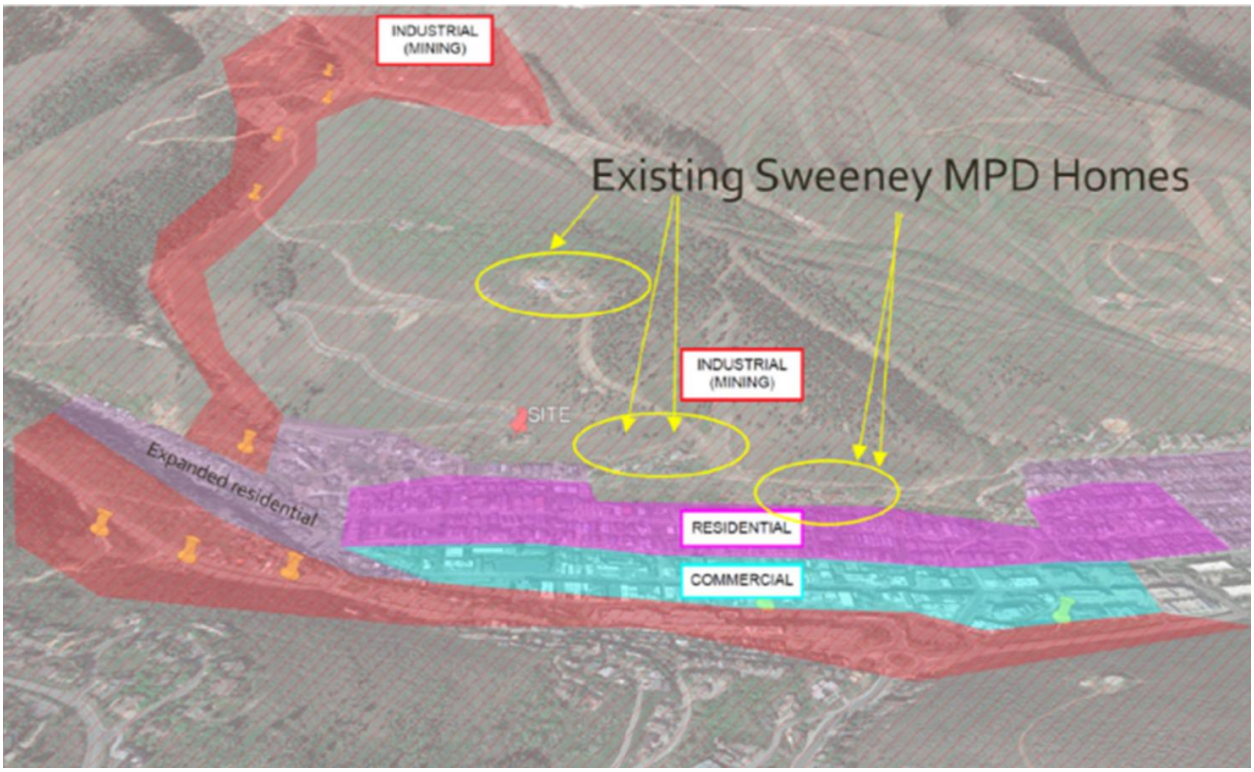


Figure 4: Olson Kundig Exhibit I, page 2

Additionally, while LMC § 15-2.2-2(E) allows Building Footprints up to 4,500 square feet for a lot that exceeds 18,750 square feet in the HR-1 Zoning District, Plat Note 2 of the Treasure Hill Subdivision limits the Building Footprint to 3,500 square feet for compatible coverage on a lot that is 53,694 square feet. The Treasure Hill Subdivision plat further restricts new buildings by requiring proposed Structures be broken into modules of no more than 1,500 square feet in size. Therefore, the HR-1-MPD Building Footprint regulation is stricter than would otherwise be allowed in the HR-1 Zoning District. The overall mass, therefore, is reduced beyond what would otherwise be allowed without the Treasure Hill Subdivision restrictions.

The images below show the massing of the HR-1-MPD SFDs within the Sweeney MPD Treasure Hill Subdivision character area:

Figure 5: 503 and 503 1/2 Woodside

Figure 6: 425 and 375 Norfolk within the Treasure Hill Subdivision

As noted above, the Treasure Hill Subdivision Lots are larger than traditional Old Town lots. 220 King Road is within the Sweeney MPD Treasure Hill Subdivision character

area and is a transition between the designated Historic Mine Sites, Open Space, and the Historic Residential areas. The Treasure Hill Subdivision Plat Note 6 establishes massing for the Treasure Hill SFDs:

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

The Applicant varies the volume of the proposed SFD into five masses with the larger mass located at the rear of the Lot.

> **The design reflects the Historic Character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites.**

The Appellant claims the project does not comply with LMC § 15-13-8(A)(1), which requires residential infill to reflect the historic character with simpler building forms, unadorned materials, restrained ornamentation of Park City's Historic Sites. The proposed SFD and Accessory Building are simple modern industrial building forms influenced by Historic Mine Sites designated on Park City's Historic Sites Inventory. The Applicant proposes unadorned materials, including a standing seam roof panel with pre-weathered steel finish and vertically oriented metal plank siding with a weathered zinc finish, and tongue and groove wood plank siding. The chimney is proposed to be board formed concrete. Simple ornamentation is proposed.

The proposed Structure reflects the historic character of simple building forms, unadorned materials and restrained ornamentation of historic mine sites.

Figure 7: Historic Silver King Coalition Mine Building

Figure 8: Proposed SFD at 220 King Road inspired by Historic Mine Sites

The project is compatible with the character of Park City's Historic Sites.

The Appellant argues the project does not comply with LMC § 15-13-8(A)(3), which requires a style of architecture to be selected. Styles that radically conflict with the character of Park City's Historic Sites shall be avoided.

The Applicant selected a modern industrial architectural style. All elevations of the building are designed in a manner consistent with a contemporary interpretation of this chosen style. The Applicant selected this style of architecture based on Historic Mine Sites such as the Silver King Mine. While the modern industrial style is drawn from designated Historic Mine Structures, staff recommended Conditions of Approval regarding the roof and glazing for compatibility with Park City's Historic Residential Sites.

The project, as conditioned, minimizes cut, fill, and the use of retaining walls.

The Appellant Claims the project does not minimize cut, fill, and the use of retaining walls.

LMC § 15-13-8(A)(5) requires that the "building and design shall respect the existing topography, the character-defining site features, including existing trees and vegetation, and shall minimize cut, fill, and the use of retaining walls." The August 15th HDDR staff report explains that the SFD is proposed to be constructed on a lot that has been previously disturbed with construction of two large residential structures. The new proposed SFD and Accessory Building are proposed to be constructed in the same area where the previous structures were built; all other disturbances are confined to the platted Building Area Limits.

In addition, the Planning Commission's SSCUP approval requires that cuts into the hillside be minimized and restricted to the area behind the SFD, least visible from Old Town (See Exhibit F).

Additionally, the August 15, 2024 HDDR Final Action Letter includes COA 6, which requires visible retaining walls to be no more than four feet in height.
Therefore, the Planning Department's evaluation of the proposed development was limited to the scope of HDDR requirements and the Planning Director's approval of the HDDR for 220 King Road required Conditions of Approval that support the previously approved CUP and SSCUP by the Planning Commission, with regard to minimizing cuts, fill and the use of retaining walls.

The project's exterior elements are compatible with neighboring Historic Structures.

The Appellant argues the project does not comply with LMC § 15-13-8(A)(6), which requires exterior elements—roof, entrances, eaves, chimneys, porches, windows, doors, steps, garages, etc. to be of human scale and compatible with neighboring Historic Structures.

The building's exterior components are consistent with the Treasure Hill Subdivision SFDs within the Sweeney MPD. The roof slopes with the natural grade of the hillside, as in this example of the Silver King Mill. However, the 2023 SWCA Memorandum and Planning Commission approval required modifications to the glazing and roof, requiring conditions of approval described herein. The Applicant proposes a subterranean parking area rather than traditional garage

The scale and height of the project respect the architecture of the character area.

The Appellant argues the project does not comply with § 15-13-8(A)(7), which requires scale and height of new infill buildings to follow the predominant pattern and respect the streetscape or character area with special consideration given to Historic Sites.

The Sweeney MPD Treasure Hill Subdivision character area and the scale and height of the infill is aligned with the Treasure Hill Subdivision scale and height regulations established through the Sweeney MPD and Treasure Hill Subdivision plat notes. The Planning Director imposed conditions of approval regarding the roof for compatibility with the Historic District.

The size and mass of the project are compatible with the size of the site.

The Appellant argues the project does not comply with § 15-13-8(A)(8), which requires the size and mass of the structure to be compatible with the size of the site so the lot coverage, building bulk, and mass are compatible with the Historic Sites within the streetscape or character area.

The Appellant fails to acknowledge the additional restrictions imposed through the Sweeney MPD and Treasure Hill Subdivision for a lot of this size. While LMC § 15-2.2-2(E) allows Building Footprints up to 4,500 square feet for a lot that exceeds 18,750 square feet in the HR-1 Zoning District, Plat Note 2 of the Treasure Hill Subdivision limits the Building Footprint to 3,500 square feet for compatible coverage on a lot that is 53,694 square feet. The Treasure Hill Subdivision plat further restricts new buildings by requiring proposed Structures be broken into modules of no more than 1,500 square feet in size. Therefore, the HR-1-MPD Building Footprint regulation is stricter than would otherwise be allowed in the HR-1 Zoning District. The overall mass, therefore, is reduced beyond what would otherwise be allowed without the Treasure Hill Subdivision restrictions.

The project does not create an unmitigable risk of physical damage to nearby Historic Sites.

The Appellant argues the project does not comply with LMC § 15-13-8(A)(9), which requires construction activity to not physically damage nearby Historic Sites. The project was evaluated for slope stability and siting through the CUP and SSCUP which was approved by the Planning Commission. The approval was appealed and ultimately upheld.

The project reinforces visual unity within the context of the character area.

The Appellant argues the project does not comply with LMC § 15-13-8(A)(10), which requires visual unity within the context streetscape or character area. Please see the analysis herein regarding the Sweeney MPD character area and the Treasure Hill Subdivision plat regulations outlining restrictions for SFD development within the Sweeney MPD character area.

(III) The Single-Family Dwelling and Accessory Building at 220 King Road comply with the Historic District Design Review criteria outlined in Land Management Code § 15-13-8 *Regulations for New Residential Infill in Historic Districts – Specific Regulations*.

The Appellant argues the proposal does not comply with LMC § 15-13-8(B) *Specific Regulations*. Please see the August 15 HDDR Staff Report detailing each standard with project analysis.

The HDDR for 220 King Road must be evaluated through the lens of the prior HR-1-MPD Zoning approvals, the unique location and size of the lot, and the regulating Treasure Hill Subdivision plat notes. The Planning Department Final Action Letter findings of fact (Exhibit A) state that in order to dedicate over 40 acres of land as Open Space within the Treasure Hill Subdivision, SFD lots were clustered near Old Town; the resulting lots were much larger than historic Old Town lots. Lot 2 of the Treasure Hill Subdivision (220 King Road) is 53,694 square feet, nearly 29 times the size of a traditional 25-foot by 75-foot 1,875-square-foot Old Town lot.

The Sweeney MPD and subsequent Treasure Hill Final Plat, 220 King Road CUP and SSCUP established the maximum Building Footprint, Building Area Limits, Massing, and Height of the proposed 220 King Road Structure, to mitigate impacts to the surrounding neighborhood. The prior approvals took into consideration the context of the HR-1-MPD Zoning District, which contains relatively large, isolated lots with over 40 acres dedicated as open space. Other SFDs built within the Sweeney MPD, Treasure Hill Subdivision were also approved with large building footprints (see Table 1 in Applicant's HDDR Letter, Exhibit I)

While the 2023 Technical Memorandum acknowledges the relatively larger size of the lot and its surrounding open space that provides flexibility in the size of the home, compared to smaller Old Town lots. The 2023 Technical Memorandum recommended the following in order to be more compatible with a 'residential scale':

> "…*the size of the building and its component elements must be broken into distinct masses more reminiscent of the size and mass of historic buildings in the zone, to achieve visual compatibility"* (Exhibit H).

Based on this recommendation, the Applicant revised the design of the Structure to incorporate this and other recommendations from the 2023 Technical Memorandum, including breaking up the building and its component elements into distinct masses. To further reduce the scale of the Structure as seen from Old Town, COA number 12 in the August 15, 2024 Final Action Letter (Exhibit A), requires the length of the roof

overhang on the north end of the SFD to be reduced in scale, as recommended by the SWCA memo.

Staff reiterates and incorporates the Director's original HDDR report findings herein. The Appellant argues the Planning Department erred in finding that the proposed development at 220 King Road complies with the Specific Regulations outlined in LMC § 15-13-8(B), as conditioned. Again, the Appellant bases most of their claims on the incorrect assertion that 220 King Road is subject to HR-1 Zoning District, when the Zoning District is HR-1-MPD.

The Planning Director's HDDR Final Action Letter included 24 Conditions of Approval to ensure compliance with the HDDR standards. Two of the most relevant COAs pertaining to the Appellant's claims are listed below:

Condition of Approval 12: The roof overhang shall not exceed five feet measured from the northernmost façade wall. Requires the Applicant to reduce the length of the roof overhang on the north end of the SFD to reduce the roof in scale, as recommended by the 2023 SWCA Memorandum and as required by the Planning Commission's COA to alter the roof with a 24-foot-long break in the horizontal massing for the roof form.

Condition of Approval 18: update the glazing of the eastern façade—the façade most visible from Old Town—to replace floor-to-ceiling windows with industrial patterns that create a compatible solid to-void ratio comparable to the Historic Mine Sites and approved by the Planning staff.

Figure 9: Proposed glazing on the east-facing façade, non-compliant

Figure 10: Historic Mine Building solid to void window ratio

Therefore, the Planning Director's Final Action to approve the HDDR for 220 King Road was based on sound findings of fact determining that the proposed development meets the standards of LMC § 15-13-8(B) Specific Regulations, within the context of the HR-1-MPD Zoning District.

The project complies with the Specific Requirements for roofs.

The 2023 SWCA Memorandum states the proposed flat and shed roof shape is generally compatible with surrounding Historic Sites. However, the 2023 SWCA Memorandum recommends the roof form for 220 King Road should be managed by breaking them into smaller masses or modules that reflect historic residential massing, including their roofs. The Planning Commission required the Applicant alter the roof with a 24-foot-long break in the horizontal massing for the roof form. Additionally, the Planning Director required Condition of Approval 12 as part of the HDDR approval to reduce the length of the roof overhang on the north end of the SFD to reduce the roof in scale, as recommended by the 2023 SWCA Memorandum.

As conditioned, the roof overhang shall not exceed five feet measured from the northernmost façade wall.

Figure 11: Green area highlights the roof required to be removed as an HDDR condition of approval

The parking area is visually subordinate – it is subterranean, just like the subterranean parking areas for Treasure Hill Subdivision Lots.

There is a shared underground tunnel and parking area for Treasure Hill Subdivision Lots 3 and 4 (425 and 375 Norfolk Avenue) and a shared tunnel and parking area for Treasure Hill Subdivision Lots 6 and 7. Similarly, 220 King Road proposes a subterranean parking area.

220 King Road proposes an underground parking area to the rear of the SFD. Vehicles will be visually buffered when viewed from Old Town and due to the slope of the property, vehicles will be visually buffered from King Road, the primary public right-of-way. There is an existing asphalt driveway providing access across the neighboring Lot 1 (200 King Road) to 220 King Road within the side yard.

The proposed balcony and roof decks were property analyzed in staff's approval.

Balcony and Roof Decks must be constructed where visually minimized from the primary public right-of-way, usually on the tertiary façade. When on the secondary façade of a new structure, a deck should be screened from the primary public right-of-way with appropriate native landscaping.

The Applicant proposes rooftop decks on the secondary and tertiary facades. HDDR

Condition of Approval 23 requires the railing of the roof terrace to be visually minimized when viewed cross-canyon and requires the Applicant to plant landscaped screening as indicated on the landscape plan to buffer visibility of the secondary façade deck along the southern property boundary

(IV) The Planning Department provided sufficient evidence to support the Findings of Fact in the August 15, 2024 Final Action Letter.

The Appellant claims that the Planning Director's decision is arbitrary and capricious due to lack of evidence. The August 15, 2024 Planning Department staff report for the HDDR of 220 King Road contained documented evidence to support the Planning Director's Final Action (Planning Department Administrative Public Hearing August 15, 2024 meeting packet). The Appellant fails to counter such evidence and findings, except to disagree with the Planning Director's conclusions.

(V) The Planning Commission and Planning Staff approved the 220 King Road Applications in alignment with the requirements of the Sweeney MPD, the Treasure Hill Subdivision, and the Land Management Code.

The Appellant claims the appropriate venue and method for approving the project's design is a Variance from the Board of Adjustment based on previous project iterations and the 2023 Technical Memorandum comments. As noted above, the Appellant's reliance on the 2023 Technical Memorandum is misplaced in all their arguments. The Appellants fail to acknowledge the 2023 Technical Memorandum analyzed the application plans submitted prior to revising the plans that addressed most of the 2023 Technical Memorandum comments. The HDDR Conditions of Approval further required modifications to the roof and glazing to comply with the requirements of the LMC.

Department Review

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

Notice

Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on October 26, 2024. Staff mailed courtesy notice to property owners within 300 feet on October 29, 2024. The *Park Record* published courtesy notice on October 30, 2024.[1]

Public Input

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

[1] LMC § 15-1-21

Alternatives

- The Board of Adjustment may deny the Appeal of the Planning Director's Final Action to approve the HDDR for proposed development at 220 King Road.
- The Board of Adjustment may approve the Appeal of the Planning Director's Final Action to approve the HDDR for proposed development at 220 King Road and direct staff to make findings for the approval.
- The Board of Adjustment may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: August 15, 2024 HDDR Final Action Letter
Exhibit A(a): August 15, 2024 APH Minutes
Exhibit B: 1985 Sweeney Master Planning Development Approval
Exhibit B(a): 1987 Sweeney MPD Amendment
Exhibit C: Ordinance No. 90-24, Zoning 220 King Road HR-1-MPD
Exhibit D: Treasure Hill Subdivision Phase I Plat
Exhibit E: September 7, 1995 Treasure Hill Plat Staff Reports and Exhibits
Exhibit F: February 21, 2024 Planning Commission Final Action Letter
Exhibit G: July 15, 2024 Appeal Panel Final Action Letter
Exhibit H: SWCA Technical Memorandum on HDDR
Exhibit I: Applicant submitted_2024.0731_HDDR Letter
Exhibit J: 220 King Road Proposed Development drawings
Exhibit K: Appellant Appeal Letter
Exhibit L: 11.5.24 Hermann HDDR Appeal Brief
Exhibit L(a): Appellant Appeal Exhibits
Exhibit M: Brief in Opposition – Hermann – Parking City BOA
Exhibit N: Draft Final Action Letter Denying the Appeal

Planning Department

August 15, 2024

Pesky Porcupine, LLC

CC: Wade Budge with the Law Offices of Snell & Wilmer

NOTICE OF PLANNING DIRECTOR ACTION

Description

Address:	220 King Road Lot 2, Phase I of the Treasure Hill Subdivision Sweeney Master Planned Development
Zoning District:	Historic Residential – 1 – Master Planned Development (HR-1-MPD)
Application:	Historic District Design Review
Project Number:	PL-23-05522
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	August 15, 2024
Project Summary:	The Applicant proposes a new Single-Family Dwelling, underground parking area, and Accessory Building.

Action Taken

On August 15, 2024, the Planning Director conducted a public hearing and approved the Historic District Design Review according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. 220 King Road is a 1.23-acre lot in the Historic Residential-1-Master Planned Development (HR-1-MPD) Zoning District that up until recently contained a 4,235-square-foot Single-Family Dwelling (SFD) built in 1998 and a 4,189-square-foot Guest House built in 2000.
2. The SFD and Guest House were demolished this summer, and the Applicant proposes a new SFD and Accessory Building, the subject of this Historic District Design Review (HDDR) application.

3. On December 18, 1985, the Planning Commission approved the Sweeney MPD, which included seven SFD Treasure Hill Subdivision Lots.[1] The zoning in effect at the time allowed for 450 units within the MPD. However, the Sweeney MPD approval reduced the density to 277 units and ". . . the proposed clustering approach was deemed the most compatible. Rather than spread the density out and thereby impact the entire old town area, the cluster concept afforded the ability to limit the impacts to smaller areas. Efforts to minimize scale have been directed toward this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space . . . . [a] number of the staff's recommended conditions are directed toward minimizing the potential conflicts related to neighborhood compatibility considerations."
4. "A key element of the proposed cluster approach is to preserve usable open space in perpetuity. A total of 97% (120 acres) of the hillside will be maintained as open space as part of the proposed Master Plan . . . [t]he potential for the subdivision and scattered development of the hillside would have drastically affected the goal of preserving the mountain substantially intact and pristine" (Exhibit B - *1985 Sweeney MPD Approval*, p. 11). Within the Treasure Hill Subdivision of the Sweeney MPD, SFDs were clustered near Old Town and over 40 acres were dedicated to Park City Municipal as open space, shown on an excerpt from the plat below. This resulted in larger SFD Lots than traditional Old Town Lots platted 25 feet by 75 feet (1,875 square feet).
5. 220 King Road, Lot 2 of the Treasure Hill Subdivision, is a 53,694-square-foot Lot, nearly 29 times the size of a traditional Old Town Lot. As a result of these larger SFD Lots, additional review is required. For example, unlike other SFDs within Old Town, the 1985 Sweeney MPD Condition of Approval 1 requires properties within the MPD to obtain Planning Commission approval of a CUP prior to development. The CUP review is to evaluate the project for compliance with adopted codes and ordinances in effect at the time and to ensure conformance with the Sweeney MPD. Additionally, the 1985 Sweeney MPD Condition of Approval 6 requires review for conformance with the Historic District Guidelines and related architectural requirements.
6. In 1987, the Planning Commission approved an amendment to the Sweeney MPD to reallocate 12 units, including the relocation of two SFDs to what are now

[1] Lot 1 – 200 King Road (vacant); Lot 2 – 220 King Road; Lot 3 – 425 Norfolk Avenue; Lot 4 – 375 Norfolk Avenue; Lot 5 – Open Space; Lot 6 – 503 ½ Woodside Avenue; Lot 7 – 503 Woodside Avenue; Lot 8 – 445 King Road.

known as 200 and 220 King Road. Condition of Approval 3 of the 1987 amendment requires Planning Commission approval of a CUP and staff review consistent with the Historic District Guidelines. Both reviews must "include review of the design of the structures to insure [sic] that they are designed to minimize visual impact."

7. On August 23, 1990, the City Council zoned 200 and 220 King Road Historic Residential-1-Master Planned Development (HR-1-MPD) (Exhibit D – *Ordinance No. 90-24*). As a result, the project is reviewed for conformance with HR-1 Zoning District standards through the lens of the Sweeney MPD.
8. On September 7, 1995, the City Council adopted Ordinance No. 95-50, approving the Treasure Hill Subdivision Phase 1 plat, creating four SFD Lots and a 42.7-acre Open Space parcel within the Sweeney MPD.
9. This Subdivision included Lot 2, 220 King Road, and established Building Area Limits and plat notes, outlining precedence with the Sweeney MPD and requiring final house design to be reviewed under the Small Master Plan Process (today's CUP) in accordance with the Sweeney MPD. Additionally, plat notes regulate Footprint, Building Area Limits, Construction Disturbance, Height, Façade Height, Massing, Sewer Laterals, and Fire Sprinkling.
10. Each SFD within the Treasure Hill Subdivision first obtained Planning Commission CUP approval prior to HDDR approval. Regarding 220 King Road:
    a. On March 12, 1997, the Planning Commission approved a Small Scale MPD (CUP) for a Single-Family Dwelling and Guest House (Exhibit G).
    b. On March 17, 1997, the Historic District Commission approved the HDDR (Exhibit H).[2]
    c. On May 27, 1998, the City issued Building Permit B97-02937 for the construction of a SFD.
    d. On September 18, 2000, the City issued Building Permit B00-05967 for construction of a Guest House
11. The Applicant demolished the SFD and Guest House and proposes construction of:
    a. A new Single-Family Dwelling with:
        i. Approximately 7,461 square feet of finished space.
        ii. Approximately 5,898 square feet of unfinished space.
        iii. Approximately 1,690 square feet of terrace/patio area.
    b. A 1,103-square-foot Accessory Building.

[2] The Historic District Commission was replaced with the Historic Preservation Board in 2007. The Historic Preservation Board purview includes changes to Historic Structures, the Board does not review new infill or design. Under today's LMC, staff takes Final Action on HDDRs.

c. A 243-square-foot outdoor pool.
d. A 4,794-square-foot underground parking area.

12. The Applicant submitted a Plat Amendment and CUP application in 2022. Staff requested the Applicant also submit an HDDR application to initiate the Historic District review process. On January 18, 2023, the Applicant submitted an HDDR application to the Planning Department. As part of the HDDR review, staff requested SWCA, a consultant who assists the City with Historic District reviews, evaluate the proposal pursuant to the applicable HDDR regulations.
13. On April 26, 2023, SWCA submitted a Technical Memorandum (2023 SWCA Memorandum) regarding 220 King Road. The 2023 SWCA Memorandum outlines many relevant considerations and notes 220 King Road is "in a setting where industrial buildings were once common. An industrial design aesthetic is appropriate in this area; however, this and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes." The Applicant modified and updated their plans to incorporate some of SWCA's recommendations. Staff requires additional Conditions of Approval below to further incorporate SWCA's recommendations.
14. On February 14, 2024, the Planning Commission reviewed a Plat Amendment to shift and increase the Building Area Limits, a CUP for the SFD, a CUP for the outdoor pool, and a Steep Slope CUP for the proposed project. The Planning Commission voted four to two to approve the Plat Amendment and three to three with the Chair breaking the tie to approve the CUPs. The 2023 SWCA Memorandum was provided to the Planning Commission as part of their review, and the Planning Commission required the Applicant to modify their plans as recommended by SWCA prior to approving the project. These requirements are outlined in the Analysis Section of the Staff Report below. On February 21, 2024, the Planning Commission ratified the Final Action Letter approving the project.
15. On March 1, 2024, the Planning Commission's approval was appealed. On April 30, 2024, the Appeal Panel denied the appeal and remanded the following questions to the Planning Commission regarding the Plat Amendment:
    a. Whether the Sensitive Land Overlay applies due to Sweeney MPD vesting.
    b. If the Sensitive Land Overlay Applies, whether it can bisect a Lot.
    c. If the Sensitive Land Overlay applies, what is staff's Sensitive Land

determination, recommendation, and mitigations.

16. On June 26, 2024, the Planning Commission considered the above questions remanded to them by the Appeal Panel, conducted a public hearing, and determined the following:
    a. The Sweeney MPD is vested prior to the adoption of the Sensitive Land Overlay.
    b. Although the Sensitive Land Overlay would apply to a substantive change, the Sensitive Land Overlay does not apply to the 220 King Property because a land use ordinance has not amended the original Sensitive Land Overlay Boundary, which does not include 220 King Road.
    c. No determination regarding the Staff Sensitive Land Overlay is necessary because the regulations are not applicable per sections (a) and (b) above.
17. The Appeal Panel Final Action Letter contains Condition of Approval 1, which states "[a]ll Conditions of Approval from the Planning Commission Action Letters dated February 21, 2024 apply" and the Conditions of Approval below incorporate the Planning Commission's requirements.
18. New residential infill in the Historic Districts is reviewed for compliance with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts*.
19. The August 15, 2024 Staff Report analysis is incorporated herein.
20. On July 31, 2024, staff published notice on the City's website and posted notice on July 31, 2024. Staff mailed courtesy notice to property owners within 100 feet on July 31, 2024.

Conclusions of Law

1. The proposed project complies with the Planning Commission's February 21, 2024 CUP, SSCUP, and Plat Amendment approvals, Findings of Fact, Conclusions of Law, and Conditions of Approval.
2. The proposed project complies with the Sweeney MPD.
3. The proposed project, as conditioned, complies with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts*.

Conditions of Approval

1. All Conditions of Approval required by the Planning Commission's February 21, 2024 CUP, SSCUP, and Plat Amendment approvals remain in full effect.
2. The Applicant shall protect Significant Vegetation located on the eastern portion of the site during and after construction.

3. Final Grade shall be restored to within four feet of Existing Grade upon project completion prior to issuance of a Certificate of Occupancy.
4. The Applicant shall submit a storm drainage analysis to the Engineering Department for review and approval. The analysis must show that the required storm drainage storage volume matches the pre-development and post-development conditions for a 100-year 24-hour event.
5. The use of Water Wise Landscaping or permaculture strategies for landscape design shall maximize water conservation. Where watering systems are necessary, systems that minimize water loss, such as drip irrigation, shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way and when viewed from Old Town.
6. Retaining walls visible to the north, east, and south of the SFD must be terraced so that no more than four feet of Existing Grade is manipulated. Visible retaining walls shall not exceed more than four feet in height.
7. Painting, staining, or stucco over stone or concrete retaining walls is prohibited.
8. Residents and guests shall park in the underground parking area. Parking within the fire truck turnaround or driveway area is prohibited.
9. The driveway width shall not exceed 12 feet, unless otherwise required by the Chief Building Official or Park City Fire District for fire truck access and turnaround.
10. Textured and poured paving materials other than smooth concrete are recommended.
11. Snow storage from driveways shall be provided on site and/or within an easement area approved by the City Engineer.
12. The Applicant shall reduce the length of the roof overhang on the north end of the SFD to reduce the roof in scale, as recommended by the 2023 SWCA Memorandum. The roof overhang shall not exceed five feet measured from the northernmost façade wall.
13. The Applicant shall maintain vegetative screening in accordance with the submitted and approved landscape plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the lower-level east façade glazing.
14. No more than eight inches of the new concrete foundation shall be visible above Final Grade on the primary façade and no more than two feet of the concrete foundation shall be visible above Final Grade on secondary and tertiary facades.

15. The site shall be re-graded so as to blend with the grade of the adjacent areas outside of the Building Area Limits and shall not create the need for incompatible retaining walls.
16. The site shall be re-graded so all water drains away from the structure and does not enter the foundation. See Condition of Approval 4 regarding storm drain storage.
17. Vinyl and aluminum windows and doors are prohibited.
18. The Applicant shall update the glazing of the eastern façade—that façade most visible from Old Town—to replace floor-to-ceiling windows with industrial patterns that create a compatible solid-to-void ratio comparable to the Historic Mine Sites and approved by Planning Staff.
19. Rooftop mechanical and communication equipment is prohibited. Mechanical and communication equipment shall be visually minimized from King Road and from Old Town vantage points. Ground-level equipment shall be screened from view using landscape elements such as low stone walls or perennial plant materials.
20. The roof shall have a matte finish to minimize glare. Roof colors shall be neutral and muted and materials shall not be reflective. The Applicant shall demonstrate the proposed metal siding and roofing materials have a Solar Reflectivity Index (SRI) of 35 or less prior to the submittal of a building permit.
21. Service equipment and trash containers shall be screened. Solid wood or masonry partitions or hedges shall be used to enclose trash areas.
22. Wood materials shall be painted opaque.
23. The railing of the rooftop deck shall be visually minimized when viewed cross-canyon. The Applicant shall plant landscaped screening as indicated on the landscape plan to buffer visibility of the secondary façade rooftop deck along the southern property boundary.
24. This Historic District Design Review is limited to the Treasure Hill Subdivision Single-Family Dwellings in the Sweeney MPD and shall not create precedent nor interpretation of general applicability in the HR-1 Zoning District or LMC regulations.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5060 or email planning@parkcity.org.

Sincerely,

PARK CITY
1884

Planning Department

Rebecca Ward, Planning Director

PARK CITY MUNICIPAL CORPORATION
ADMINISTRATIVE ACTION MEETING MINUTES
PLANNING DEPARTMENT
https://us02web.zoom.us/j/88167820277
August 15, 2024

STAFF:

Rebecca Ward, Planning Director; Elissa Martin, Assistant Planning Director; Meredith Covey, Planner I; Mark Harrington, Senior City Attorney (virtual); JJ Trussell, Deputy Chief Building Official (virtual); Levi Jensen, Executive Office Administrator; E. Roman, Administrative Assistant.

PUBLIC:

Bruce R. Baird, Jason Boal, Grace Doerfler (virtual), Hoggan Lee Hutchinson (virtual), Susan Fredston-Hermann (virtual), Steve Grim (virtual), Nic Norsk (virtual), Collin Leonard (virtual), Eric Hermann (virtual), Jeff Schindewolf (virtual).

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The Planning Director called the meeting to order at 12:00 PM.

The Planning Director Ward reminded attendants about the public comment guidelines

REGULAR AGENDA/PUBLIC HEARINGS/POSSIBLE ACTION

1003 Norfolk Avenue – Historic District Design Review – PL-23-05845 – Proposing to construct an Addition to a Landmark Historic Structure.

Planning Director Ward noted that this item would be continued to a date uncertain, but once it is scheduled for a public hearing again it will be publicly noticed.

At 12:02, the Planning Director opened a public hearing. There was no input.

At 12:02, the Planning Director closed the public hearing.

MOTION: The Planning Director **Continued** the Historic District Design Review for 1003 Norfolk Avenue to a date uncertain.

1700 Park Avenue – Administrative Permit– PL-24-06191 – Proposing to Remodel Façade of 1700 Park Avenue.

Planner Meredith Covey presented the Administrative Permit proposal. She noted that the façade improvements proposed involve replacing and updating existing siding, replacing existing roof, replacing windows and doors in the same location and dimensions, and installation of three-foot deep steel awnings over lower windows and doors. She also indicated that the proposed plans comply with GC Zoning District Requirements and Frontage Protection Zone Requirements.
The Applicant was in attendance but did not have anything additional to add.

At 12:04, the Planning Director opened a public hearing. There was no public input.

At 12:05, the Planning Director closed the public hearing.

MOTION: The Planning Director **APPROVED** the Administrative Permit for 1700 Park Avenue in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. On July 10, 2024 the Applicant submitted an Administrative Permit application for façade improvements at 1700 Park Avenue.
2. 1700 Park Avenue is located in the General Commercial (GC) Zoning District and in the Frontage Protection Zone (FPZ).
3. The Applicant proposes to remodel the facade of 1700 Park Avenue.
4. LMC § 15-2.20-4(C) requires an Administrative Permit for minor remodels and facade improvements for existing Structures.
5. According to the Summit County Assessor webpage, the existing Structure at 1700 Park Avenue was constructed in 1988.
6. 1700 Park Avenue is located on Lot 3 of the Park Ave Commercial Subdivision recorded in 1973.
7. Per the recorded plat there is a 25' non-exclusive easement running along the side and rear Lot lines.
8. Per the recorded plat notes all Lots have a 50' utilities easement on the front Lot lines.
9. The Development Review Committee evaluated the proposed Accessory Apartment on June 18, 2024.

10. The General Commercial Zoning District requires the following Setbacks outlined in LMC § 15-2.18-3:

Requirement	Analysis of Proposal
Front Setback - 20 feet	**Complies:** The existing Structure is set back 20 feet from the front lot line. The proposed plans do not increase the building footprint.
Rear Setback – 10 feet	**Complies:** The existing Structure is set back 10 feet from the rear lot line. The proposed plans do not increase the building footprint.
Side Setback – 10 feet	**Complies:** The existing Structure is set back 10 feet from the rear lot line. The proposed plans do not increase the building footprint.

11. The Frontage Protection Zone requires that all Structures shall be setback at least 30 feet from the nearest highway Right-of-Way
12. The existing Structure is within 33 feet from the Kearns Boulevard Right-of-Way.
13. The Development Review Committee reviewed the proposal on August 6, 2024.
14. Staff published notice on the City's website and posted notice to the property on July 31, 2024.
15. Staff mailed courtesy notice to property owners within 300 feet on July 31, 2024

Conclusions of Law

1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.18 General Commercial Zoning District.
2. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.20 Frontage Protection Zone Zoning District.
3. The Use is compatible with surrounding Structures in use, scale, mass, and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the plans dated June 12, 2024, and approved by the Planning Department on August 15, 2024. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.
3. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.
4. The Applicant shall obtain a sign permit in accordance with the Master Sign Plan for 1700 Park Avenue prior to Building Permit issuance.

220 King Road – Historic District Design Review – PL-23-05522 – Proposing Construction of a New Single-Family Dwelling, Accessory Buildings, and Underground Parking Area

Assistant Planning Director Elisa Martin presented the Historic District Design Review staff report. She noted that the project site is a 1.23-acre lot in Historic Residential 1-Master Planned Development (HR-1-MPD), where a single-family dwelling and guest house were recently demolished. She indicated that the property is located in the Sweeney Master Planned Development and is lot two of the Treasure Hill Subdivision, Phase I. She continued to explain that the proposal included a New Single-Family Dwelling with Accessory Building, outdoor pool and underground parking area.

Assistant Planning Director noted in detail the Application Background and HDDR Analysis, indicating that two of the main changes required by the HDDR Conditions of Approval include to remove a portion of the roof overhang and to reduce the glazing to be consistent with the solid to void ratio of Historic Structures in the Historic District. She explained that staff evaluated the project against LMC 15-13-8 Regulations for New Residential Infill Construction in Historic Districts. She described how the proposal was compliant with the LMC Historic District Design Guidelines and where compliance was not met, the Conditions of Approval are in place.

Applicant representative Jason Boal shared a presentation to express concern about Condition of Approval number 12 and number 18. He indicated that Condition of Approval 12 relates to the roof overhang, the plans submitted show the roof overhang being exactly the same as it was reviewed and approved by the Planning Commission.

He also mentioned that the Planning Commission had the SWCA letter when they did their review and when they established their Conditions of Approval, and that he believes that Staff had mentioned that the Planning Commission's approach to breaking up the roof was the pop up element, so the applicant complied with this. This makes them comfortable that the roof line that the SWCA comment about breaking up the roof line was sufficiently accomplished through the Planning Commission review and Planning Commission condition that it be broken up with the pop up. He also noted that because of this, they are asking that Condition of Approval number 12 be removed from the Final Action letter.
Jason clarified that condition P of the Conditions of Approval specifically state that the proposed residence's roof shall be consistent with the plans approved by the Planning Commission on February 14, 2024, and attached as Exhibit D, and this matches exactly with their plans and other elements that were reviewed by the Planning Commission. Jason noted that the second item relates to Condition of Approval 18 relating to the Glazing and that the Planning Commission had a specific requirement that 60 percent of the eastern facing façade is permitted to be glazing and lighting impacts from the eastern facing façade shall be mitigated by interior fixtures designed to minimize direct visibility of the lighting element from residences within 1/3 mile of the residence. Jason Boal indicated that the Planning Commission addressed glazing through vegetation, and there was another condition of approval requiring the vegetation to help screen the structure. He wanted to make sure that it was clear that the Planning Commission had addressed the restriction on glazing already. Jason Boal also noted that as building was being designed, consultations with Park City historical society and museum were secured. He also mentioned that they feel that what has been submitted is in conformance with historic mine structure and they have identified some examples of this in their application, Jason Boal also noted that they are under the explicit standard of the plat now and feel like that would be enough to bring them into compliance without the need of this Condition of Approval.

Applicant representative Bruce R Baird indicated that he would like to show that the changes requested by the staff to the roof don't have any real practical input effect on the view of the structure from essentially everywhere, and proceeded to present multiple render images of the model showing the changes and cycling them back and forth.
He noted that the applicant is willing to discuss options to deal with the north end of the terrace cover, however they believe the condition requested by staff is punitive.

Director Ward asked the applicant to explain the reasoning for some of the modifications related to floor to ceiling windows that have been referenced as inconsistent with the compatibility of mine sites and window to façade material ratio by the SWCA technical memorandum previously shared.

Bruce R. Baird responded that the reason was twofold, firstly staying within the number referenced by the Planning Commission, and secondly is that many of the floor to ceiling windows were gone, they have been replaced in their model.

At 12:47, the Planning Director opened a public hearing. There was public input.

Planning Director Ward acknowledged that public comment was received and had been included in exhibit O of the packet for today. She also mentioned that there was additional public input that was received yesterday, from the appellant, after the packet had been published, and it will be included as part of the record. Director Ward reminded the public to limit their input to 3 minutes and invited them to come forward if present in person or online.

Nic Norsk (virtual) from zip code 84098, stated that he worries about new precedent being established, is that residential can be compared to mining area commercial buildings, allowing to build a home in old town, as long as it matches to a mining building that is still standing or in a picture. He also mentioned that the CUP for the original development was a 600 feet accessory building, that later turned into a 4,189 feet building, which makes him worry about the city's historical precedent not enforcing CUP guidelines.

Justin Keys (virtual) thanked the Planning Department for receiving and reviewing the letter he had submitted yesterday with his public input.

At 12:53 PM, the Planning Director closed the public hearing.

Planning Director Ward noted that goal 15 of the General Plan is to preserve integrity, mass, scale, compatibility, and historic fabric of our historic districts. To do that we have regulations that are implemented though the LMC, we know the purposes of the HR-1 zone are to encourage the construction of historically compatible structures that contribute to the character and the scale of historic districts. In this instance we have a lot that is 29 times the size of an old town lot, making this lot an outlier. This a HR-1 MPD zone where we have large lots that are in an are of transition from old town to acreage that was dedicated as open space. Knowing that these larger lots would results in unique structures for this areas, extra processes, standards and requirements were put in place when the original Sweeney MPD was approved. Which is beyond what is required in typical single family dwelling in the HR-1 zone would be required to go through. And that includes the CUP in compliance with Treasure Hill Subdivision plat. This project has been through many reviews and many bodies. As part of the CUP

review, the planning commission evaluated all aspects of proposed development in such a highly visible area of Old Town.
The Planning Commission informed their decision on their review of the SWCA memo and voiced concerns raised in this memo that had not been incorporated in the design which resulted in additional modifications.
We find that as conditioned with reducing the form, that the reduced roof form is consistent with the plans approved by the Planning Commission. Their conditions also include Conditions of Approval associated with the CUP, final building plans should reflect substantial compliance, and also added language that changes modifications or deviations from approved design that had not been approved in advanced by Park City Planning and Building departments would result in a stop work order. The Commission was also aware that the Historic District Design Review was still pending where some of the details of the final design elements were being evaluated.

MOTION: The Planning Director **APPROVED** the Historic District Design Review for 220 King Road in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. 220 King Road is a 1.23-acre lot in the Historic Residential-1-Master Planned Development (HR-1-MPD) Zoning District that up until recently contained a 4,235-square-foot Single-Family Dwelling (SFD) built in 1998 and a 4,189- square-foot Guest House built in 2000.
2. The SFD and Guest House were demolished this summer, and the Applicant proposes a new SFD and Accessory Building, the subject of this Historic District Design Review (HDDR) application.
3. On December 18, 1985, the Planning Commission approved the Sweeney MPD, which included seven SFD Treasure Hill Subdivision Lots.[1] The zoning in effect at the time allowed for 450 units within the MPD. However, the Sweeney MPD approval reduced the density to 277 units and ". . . the proposed clustering approach was deemed the most compatible. Rather than spread the density out and thereby impact the entire old town area, the cluster concept afforded the ability to limit the impacts to smaller areas. Efforts to minimize scale have been directed toward this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space….[a] number of the staff's recommended conditions are directed toward minimizing the potential conflicts related to neighborhood compatibility

considerations."

4. "A key element of the proposed cluster approach is to preserve usable open space in perpetuity. A total of 97% (120 acres) of the hillside will be maintained as open space as part of the proposed Master Plan [t]he potential for the subdivision and scattered development of the hillside would have drastically affected the goal of preserving the mountain substantially intact and pristine" (Exhibit B - 1985 Sweeney MPD Approval, p. 11). Within the Treasure Hill Subdivision of the Sweeney MPD, SFDs were clustered near Old Town and over 40 acres were dedicated to Park City Municipal as open space, shown on an excerpt from the plat below. This resulted in larger SFD Lots than traditional Old Town Lots platted 25 feet by 75 feet (1,875 square feet).
5. 220 King Road, Lot 2 of the Treasure Hill Subdivision, is a 53,694-square-foot Lot, nearly 29 times the size of a traditional Old Town Lot. As a result of these larger SFD Lots, additional review is required. For example, unlike other SFDs within Old Town, the 1985 Sweeney MPD Condition of Approval 1 requires properties within the MPD to obtain Planning Commission approval of a CUP prior to development. The CUP review is to evaluate the project for compliance with adopted codes and ordinances in effect at the time and to ensure conformance with the Sweeney MPD. Additionally, the 1985 Sweeney MPD Condition of Approval 6 requires review for conformance with the Historic District Guidelines and related architectural requirements.
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8. On September 7, 1995, the City Council adopted Ordinance No. 95-50, approving the Treasure Hill Subdivision Phase 1 plat, creating four SFD Lots

and a 42.7-acre Open Space parcel within the Sweeney MPD.

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15. On March 1, 2024, the Planning Commission's approval was appealed. On April 30, 2024, the Appeal Panel denied the appeal and remanded the following questions to the Planning Commission regarding the Plat Amendment:
    a. Whether the Sensitive Land Overlay applies due to Sweeney MPD vesting.
    b. If the Sensitive Land Overlay Applies, whether it can bisect a Lot.
    c. If the Sensitive Land Overlay applies, what is staff's Sensitive Land determination, recommendation, and mitigations
16. On June 26, 2024, the Planning Commission considered the above questions remanded to them by the Appeal Panel, conducted a public hearing, and determined the following:
    a. The Sweeney MPD is vested prior to the adoption of the Sensitive Land Overlay.
    b. Although the Sensitive Land Overlay would apply to a substantive change, the Sensitive Land Overlay does not apply to the 220 King

Property because a land use ordinance has not amended the original Sensitive Land Overlay Boundary, which does not include 220 King Road.

c. No determination regarding the Staff Sensitive Land Overlay is necessary because the regulations are not applicable per sections (a) and (b) above.

17. The Appeal Panel Final Action Letter contains Condition of Approval 1, which states "[a]ll Conditions of Approval from the Planning Commission Action Letters dated February 21, 2024 apply" and the Conditions of Approval below incorporate the Planning Commission's requirements.
18. New residential infill in the Historic Districts is reviewed for compliance with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts*.
19. The August 15, 2024 Staff Report analysis is incorporated herein.
20. On July 31, 2024, staff published notice on the City's website and posted notice on July 31, 2024. Staff mailed courtesy notice to property owners within 100 feet on July 31, 2024.

Conclusions of Law

1. The proposed project complies with the Planning Commission's February 21, 2024 CUP, SSCUP, and Plat Amendment approvals, Findings of Fact, Conclusions of Law, and Conditions of Approval.
2. The proposed project complies with the Sweeney MPD.
3. The proposed project, as conditioned, complies with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts*.

Conditions of Approval

1. All Conditions of Approval required by the Planning Commission's February 21, 2024 CUP, SSCUP, and Plat Amendment approvals remain in full effect.
2. The Applicant shall protect Significant Vegetation located on the eastern portion of the site during and after construction.
3. Final Grade shall be restored to within four feet of Existing Grade upon project completion prior to issuance of a Certificate of Occupancy.
4. The Applicant shall submit a storm drainage analysis to the Engineering Department for review and approval. The analysis must show that the

required storm drainage storage volume matches the pre-development and post- development conditions for a 100-year 24-hour event.

5. The use of Water Wise Landscaping or permaculture strategies for landscape design shall maximize water conservation. Where watering systems are necessary, systems that minimize water loss, such as drip irrigation, shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way and when viewed from Old Town.
6. Retaining walls visible to the north, east, and south of the SFD must be terraced so that no more than four feet of Existing Grade is manipulated. Visible retaining walls shall not exceed more than four feet in height.
7. Painting, staining, or stucco over stone or concrete retaining walls is prohibited.
8. Residents and guests shall park in the underground parking area. Parking within the fire truck turnaround or driveway area is prohibited.
9. The driveway width shall not exceed 12 feet, unless otherwise required by the Chief Building Official or Park City Fire District for fire truck access and turnaround.
10. Textured and poured paving materials other than smooth concrete are recommended.
11. Snow storage from driveways shall be provided on site and/or within an easement area approved by the City Engineer.
12. The Applicant shall reduce the length of the roof overhang on the north end of the SFD to reduce the roof in scale, as recommended by the 2023 SWCA Memorandum. The roof overhang shall not exceed five feet measured from the northernmost façade wall.
13. The Applicant shall maintain vegetative screening in accordance with the submitted and approved landscape plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the lower-level east façade glazing.
14. No more than eight inches of the new concrete foundation shall be visible above Final Grade on the primary façade and no more than two feet of the concrete foundation shall be visible above Final Grade on secondary and tertiary facades.
15. The site shall be re-graded so as to blend with the grade of the adjacent areas outside of the Building Area Limits and shall not create the need for

incompatible retaining walls.

16. The site shall be re-graded so all water drains away from the structure and does not enter the foundation. See Condition of Approval 4 regarding storm drain storage.
17. Vinyl and aluminum windows and doors are prohibited.
18. The Applicant shall update the glazing of the eastern façade—that façade most visible from Old Town—to replace floor-to-ceiling windows with industrial patterns that create a compatible solid-to-void ratio comparable to the Historic Mine Sites and approved by Planning Staff.
19. Rooftop mechanical and communication equipment is prohibited. Mechanical and communication equipment shall be visually minimized from King Road and from Old Town vantage points. Ground-level equipment shall be screened from view using landscape elements such as low stone walls or perennial plant materials.
20. The roof shall have a matte finish to minimize glare. Roof colors shall be neutral and muted and materials shall not be reflective. The Applicant shall demonstrate the proposed metal siding and roofing materials have a Solar Reflectivity Index (SRI) of 35 or less prior to the submittal of a building permit.
21. Service equipment and trash containers shall be screened. Solid wood or masonry partitions or hedges shall be used to enclose trash areas.
22. Wood materials shall be painted opaque.
23. The railing of the rooftop deck shall be visually minimized when viewed cross-canyon. The Applicant shall plant landscaped screening as indicated on the landscape plan to buffer visibility of the secondary façade rooftop deck along the southern property boundary.

The Park City Administrative Public meeting adjourned at 1:02 PM.

Approved by Planning Director:

HOGGAN LEE HUTCHINSON

Justin Keys
Justin@hlhparkcity.com
Direct: 435.731.9195

August 14, 2024

VIA EMAIL

Park City Municipal Corporation
Park City Planning Staff
Attn: Rebecca Ward
rebecca.ward@parkcity.org
PO Box 1480
Park City, Utah 84060

Re: 220 King Road August 15, 2024 HDDR Public Hearing

Dear Staff and Planning Director Ward:

This firm represents Eric Hermann and Susan Fredston-Hermann—the owners of several Old Town Properties including 200 King Road (Parcel No. THILL-1) and their primary residence at 205 Norfolk Avenue (201-NA-SUB-2) (collectively "1325 Empire"). The Fredston-Hermanns' properties directly adjoin the Applicant's (Matt Prince) property at 220 King Road (Parcel No. THILL-2-AM) (the "Project"). And their 200 King Road parcel is the only remaining unbuilt lot in the Sweeney subdivision. The Fredston-Hermanns submit this letter to provide input on the HDDR analysis under Park City LMC § 15-13-8.

Park City LMC § 15-13-8 provides the "Regulations for new residential infill construction (and non-historic residential sites) in Historic Districts." The Project is located in a Historic District, namely the HR-1 District, and it qualifies as "new residential infill construction" on a non-historic residential site. As proposed, the design cannot meet most of the "universal" and "specific" regulations of § 15-13-8.

1. *The Project fails to meet most of the "Universal Regulations" from LMC § 15-13-8(A).*

LMC § 15-13-8(A) provides the "Universal Regulations" for "Infill Construction" in the Historic District. The Design, here, violates most of these regulations.

A. The Project is neither compatible with historic structures in materials, features, size, scale and proportion, and massing nor broken up into volumes that reflect the original massing of historic buildings.

As noted in the SWCA memo, the only expert opinion issued on the matter, the proposed Project fails to meet the size, scale, proportion and massing requirements of LMC § 15-13-8(A)(4).[1] That provision requires:

> New infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the new infill residential buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the lot.

The SWCA summarized the Projects non-compliance as follows:

> [T]he size, scale, and proportions of the residence and its component elements, including the shed roof and cantilevered flat roof, are reminiscent of a large-scale industrial building rather than a residential building, which is not compatible with the HR-1 zone. While projecting portions of the building on the downslope elevation provide some modulation of mass, additional size reduction or modulation of the building mass itself (as well as its roofs) is required to reflect the size and massing of historic residential buildings[.][2]

The Project has not been sufficiently modified to address these issues. Further, the Staff Report's acceptance of the Applicant's assertion that the building has been broken up into five masses goes against all evidence. The building appears as one large mass the width of multiple Old Town lots. The Applicant has not even attempted to break it up to make it appears modulated. Simply saying it has been modulated does not make it true. You can put as much lipstick as you want on a pig, but it remains a pig. Likewise, you can highlight different portions of the design with different colors, but that does not mean it has been "broken up into volumes that reflect the original massing of historic buildings." It remains one large unbroken mass, far beyond the appropriate size and scale for the neighborhood. This building is one large mass and is far too large to fit in the HR-1 District, and, as such, fails to comply with LMC § 15-13-8(A)(4).

B. The design does not reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites.

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[1] Memorandum from SWCA Environmental Consultants on Historic District Design Review for 220 King Road to Park City Mun. Corp. 2 (April 26, 2023).
[2] *Id.*

The proposed Project fails to comply with LMC § 15-13-8(A)(1) which requires: "New infill residential buildings shall reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites." The proposed Project does not reflect the historic character of Park City's Historic Sites due to its size, massing, the materials used in its construction and its general ornamentation. While the structure may have been designed to reflect industrial mining building from Park City's history, the historic districts of Park City are for residential and commercial/storefront buildings, and the design does not reflect that historic character.

C. The Project radically conflicts with the character of Park City's Historic Sites.

The design, here, radically conflicts with the character of Park City's Historic Sites in the HR-1 District. LMC § 15-13-8(A)(3) requires that "[a] style of architecture shall be selected and all elevations of the new infill residential building shall be designed in a manner consistent with a contemporary interpretation of the chosen selected style. Stylistic elements shall not simply be applied to exteriors. Styles that never appeared in Park City shall be avoided. Styles that radically conflict with the character of Park City's Historic Sites shall also be avoided." No residence in the Park City Historic Sites inventory looks like the proposed structure, especially not in the HR-1 District. It even radically conflicts with the historic structures the Applicant claims it is trying to mirror. Looking at the design next to the Silver King Mill Building it is inspired by show only minor similarities.[3] This design, therefore, cannot satisfy this requirement.

D. The project does not minimize cut, fill, and the use of retaining walls.

The design here fails to minimize cut, fill, and use of retaining walls as required by LMC § 15-13-8(A)(5). LMC § 15-13-8(A)(5) says: "Building and site design shall respect the existing topography, the character-defining site features, including existing trees and vegetation, and shall minimize cut, fill, and the use of retaining walls." This design requires massive cuts of more than 80' feet in aggregate and up to 45' feet for individual cuts, requiring massive retaining walls to support the slope. As a result, the mountainside above the proposed project is losing critical support. In total, cut for the Project will result in the removal of 11,786 cubic yards of earth. For reference, this is nearly the same amount of mountainside removed for a single as was required for the entire Kings Crown Development—three large condominium buildings and twenty-six single-family homes and townhomes. Considering there are already two large homes on the property, such a large cut is not necessary for productive use of the property. This, clearly, is a failure to minimize cuts and the use of retaining walls. The Staff Report completely fails to mention how

[3] *See* Letter from Quinn Kummer, Architect, Olson Kundig, to Planning Director, Park City Mun. Corp. 5 (July 31, 2024).

the Applicant is minimizing cut, and it does so because there is no argument to be made.[4] The Staff Report, on this issue, simply ignores the problem.

E. The Project's exterior elements are not compatible with neighboring Historic Structures.

LMC § 15-13-8(A)(6) requires: "Exterior elements – roofs, entrances, eaves, chimneys, porches, windows, doors, steps, garages, etc. – of the new infill residential building shall be of human scale and shall be compatible with neighboring Historic Structures." The only expert opinion (i.e., the SWCA memo) states that "the wide shed roof would need to be divided into three to five modules to achieve the appropriate residential scale and the cantilevered flat roof would need to be reduced in size."[5] While the wide shed roof has been broken up into three modules, it has not been done so to achieve "residential scale." It still has portions far too wide to be compatible with the neighboring Historic Structures in the HR-1 District. Further, the cantilevered flat roof has not been reduced in size. This issue has not been sufficiently addressed by staff or the Applicant, and the design violates LMC § 15-13-8(A)(6).

F. The scale and height of the Project do not follow respect the architecture of the character area.

The design also fails to meet the requirement of LMC § 15-13-8(A)(7) because it does not respect the architecture of the character area, as noted by the SWCA memo.[6] That code provision reads: "Scale and height of new infill residential buildings shall follow the predominant pattern and respect the architecture of the Streetscape or character area with special consideration given to Historic Sites." The SWCA analysis is as follows:

> The proposed infill references the industrial buildings of the Silver King Mine but the guidelines require that infill residential buildings maintain a historic residential scale appropriate to the historic district or zone in which they are being constructed. The proposed residence at 220 King Road will be on a relatively isolated site and will not be directly adjacent to any Historic Sites. In the absence of a streetscape lined by other buildings, the predominant pattern of the historic district or residential zone applies. The proposed design does not comply with this guideline.[7]

The Staff Report dodges this damning analysis by redefining "character area" to mean subdivision.[8] So, now, instead of having to respect the architecture of the historic structures within

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[4] Staff Report from Planning Team on 220 King Road Historic District Design Review to Planning Department 11(August 15, 2024).
[5] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 2.
[6] *Id.* at 3.
[7] *Id.*
[8] *See* Staff Report from Planning Team, *supra* note 4, at 12.

a zone, one will only have to respect the architecture of the subdivision. Considering much of Old Town has many small subdivisions with no historic structures, under this new method, much of the buildings in the Historic Zoning Districts will no longer need to comply with this code provision. In essence, the Staff Report has effectively rendered this provision moot.

As the above quoted analysis from the SWCA Memo states, this design does not comply because it is not compatible with the true character area (i.e., the HR-1 Zone). Further, the Staff Report wrongly claims it is "aligned" with the Height Regulations established through the Sweeney MPD.[9] The Sweeney MPD specifically limits structures on this property to 25' with no exceptions permitted.[10] Here, the property's height is roughly 33' in clear violation of the Sweeney MPD.[11] Plat Notes cannot exempt a property from the terms of an MPD in any case but especially when the MPD specifically says there are no exemptions allowed. The Staff Report, here, is patently incorrect, and the design violates LMC § 15-13-8(A)(7).

G. <u>The size and mass of the Project are not compatible with the size of the site so that lot coverage, building bulk, and mass are compatible with Historic Sites the character area.</u>

The size and mass requirements of LMC § 15-13-8(A)(8) are also violated by this design. Once again, the SWCA Memo addresses this issue: "its building bulk and mass are not compatible with Historic Sites just downslope in the HR-1 zone. Further reduction or modulation of massing, both of the residence and its shed and cantilevered flat roofs, is required to be compatible with the building bulk and mass of historic residences in the HR-1 zone."[12] These issues have not been remedied by the Applicant, and the Staff Report analysis dodges the issue by not providing any analysis. It provides no analysis or conclusion because the only reasonable conclusion that could be drawn would be that the design does not comply.

H. <u>The Project creates an unmitigable risk of physical damage to nearby Historic Sites.</u>

The Applicant has failed to demonstrate that the new construction activity will not physically damage nearby Historic Sites. LMC § 15-13-8(A)(9) requires that "[n]ew construction activity shall not physically damage nearby Historic Sites." The Applicant cannot guarantee this requirement will be met. A report from the Utah Department of Natural Resources indicates that the Treasure Hill area is highly prone to erosion if vegetation is cleared, which is necessary for this Project. This clearing also raises the risk of land subsidence, potentially leading to landslides. It is evident, even to non-experts, that the Project presents significant dangers. Furthermore, the Geotech report submitted by the applicant does not properly address the risk of landslides. It

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[9] *Id.*
[10] Sweeney MPD § III(5)(a).
[11] *See* Olson Kundig, Park City Residence 220 King Road HDDR Drawings A2.50 (July 31, 2024).
[12] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 3.

merely states that the Project will be safe once completed. Even this is doubtful, however. It is common knowledge in the community that several mineshafts under Treasure Hill were loosely filled after abandonment, resulting in an unstable slope prone to landslides. The King's Crown development, discussed above, involved shallower cuts moving a similar amount of earth from much less steep slopes on the same mountain but still caused a land slide.

The Staff Report addresses this issue by pointing out that "[t]here are no designated Historic Sites on Park City's Historic Sites Inventory near 220 King Rd."[13] This is misleading. While there may not be Historic Sites adjacent to the subject property, there are numerous Historic Sites downhill from the property. A landslide, triggered by this massive cut, would put much of Old Town, along with its Historic Sites, in jeopardy. It is impossible for the Applicant, here, to guarantee that their construction activity will not cause a land slide that physically damages nearby Historic Sites.

I. <u>The Project does not reinforce visual unity within the context of the character area.</u>

Another LMC provision that this design fails to meet is LMC § 15-13-8(A)(10) which requires:

> New infill residential buildings shall reinforce visual unity within the context of the Streetscape or character area. The specific context of each Streetscape or character area is an important feature of the Historic District. The context of each Streetscape or character area shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area. Special consideration should be given to adjacent and neighboring Historic Sites in order to reinforce existing rhythms and patterns.

The SWCA Memo succinctly explains why the design fails to meet this requirement:

> [T]his and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes. Because the guidelines are so clear on this point, a variance from the Board of Adjustment would be required to permit the design as proposed.[14]

Despite this expert recommendation, no variance has been sought by the Applicant or required by the City. The Staff Report once again relies on a creative application of "character area" to argue that it only needs to fit with the industrial structures well out of sight from Old Town rather than the Historic Residences that fill the immediate surrounding area. Staff's argument—that this

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[13] Staff Report from Planning Team, *supra* note 4, at 13.
[14] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 3.

provision requires the proposed structure, in a very prominent sight visible from most of the Historic Districts, to have "visual unity" with industrial structures that cannot be viewed most anywhere in Historic District rather than the Historic Residences that are visible and fill the neighborhood—contradicts the plain language of the Code provision itself. This is yet another attempt to argue that this design complies with a standard that it cannot meet.

2. *The Project fails to meet many of the "Specific Regulations" from LMC § 15-13-8(B).*

In addition to the "Universal Regulations" violations discussed above, the Design also violates many of the "Specific Regulations" for Primary Structures. Specific Regulations are provided in LMC § 15-13-8(B).

A. <u>The Project does not comply with the Specific Requirements for mass, scale and height.</u>

The Design violates many of the Mass, Scale and Height Specific Regulations for Primary Structures from LMC § 15-13-8(B)(2)(a). Some of the Specific Regulations violated include:

Regulation Violated:	**Analysis:**
15-13-8(B)(2)(a)(1): The size and mass of a new residential infill building in relation to open spaces, shall be visually compatible with adjacent historic buildings and historic structures in the surrounding Streetscape or character area.	As stated by the SWCA memo, "the size of the building and its component elements must be broken into distinct masses more reminiscent of the size and mass of historic buildings in the zone to achieve visual compatibility."[15] This has not been done. The Staff Report, here, ignores the City's own contracted experts and argues that the Design complies with this provision by, once again, relying on an incorrect application of "character area."[16] This is incorrect.
15-13-8(B)(2)(a)(2): Buildings that utilize traditional building forms – rectangular, cross-wing, pyramid-roof – are encouraged.	The Staff Report only says: "The proposed form for 220 King Road is drawn from Historic Mine Sites."[17] This is false. While the structure may draw inspiration from Historic Mine Sites, the "form" of the proposed structure

[15] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 3.
[16] Staff Report from Planning Team, *supra* note 4, at 24.
[17] *Id.*

	varies wildly from anything in Park City. Further, the forms listed are not used.
15-13-8(B)(2)(a)(3): Historic height, width, and depth proportions that are important in creating compatible infill and maintaining the historic mass and scale of the Streetscape or character area.	Here, the Staff Report says: "The Sweeney MPD Treasure Hill Subdivision SFD character area establishes compatible infill based on larger Treasure Hill Subdivision Lots through plat notes governing mass, scale, and height."[18] This is a creative way of saying that it does not comply with the historic height, width and depth proportions of the historic district (as the SWCA Memo concludes),[19] but we do not care because it complies with plat notes. Plat notes, however, are not a legal method of exempting a project from code requirements.
15-13-8(B)(2)(a)(5): The perceived scale of new buildings shall respect the scale established by historic buildings in the character zone. Abrupt change of scale in the character zone is inappropriate, especially when a new, larger building would directly abut smaller historic buildings.	Once again, the Staff Report relies on the misapplication of "character area" to claim compliance despite their retained experts saying otherwise.[20] The SWCA Memo says: "Both the actual and perceived scale of the proposed residence is significantly greater than a typical historic residence in the HR-1 zone and there are no historic large-scale industrial buildings nearby or anywhere in the zone that establish a precedent for large-scale infill. As stated above, the reference to the industrial aesthetic of the Silver King Mine buildings is encouraged in the design of the structure, but those historic mining buildings are neither in the HR-1 zone nor visible from it. For these reasons, the perceived scale should reflect that of a historic residential building rather than a

[18] Staff Report from Planning Team, *supra* note 4, at 24-25.
[19] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 4.
[20] *See* Staff Report from Planning Team, *supra* note 4, at 25.

	historic industrial building."[21] The Staff Report takes a directly contradictory stance by considering the character area to include the non-visible structures far away rather than the Historic District where the property lies.
15-13-8(B)(2)(a)(6): A larger building shall be divided into 'modules' that reflect the mass, scale, proportions, and size of historic buildings within the Streetscape or character area. Modules shall be clearly expressed throughout the entire building and a single form shall remain the dominant element so the overall mass does not become too fragmented. To minimize the scale perceived from the primary public right-of-way, stepping down the mass of a larger building shall be considered.	The Staff Report takes the Applicant's position that this structure is divided into five modules.[22] That is, simply, incorrect. The Applicant arbitrarily divided the proposed building into five segments and called them "modules," but calling these "modules" does not make them into modules. Looking at the exterior of the proposed structure, there are not clear modules. It is important to note that the point of the modules requirement is that the structure looks broken up. That is not the case here. To suggest this structure is divided into five modules is to ignore what is plain to the naked eye.
15-13-8(B)(2)(a)(7): Larger-scale projects shall also include variations in roof height in order to break up the form, mass and scale of the overall structure.	Here, as acknowledged in the Staff Report,[23] the Design has been changed partially (and to create further non-compliance with other code provisions) to address the SWCA Memo's recommendation on this provision.[24] The change, however, does not go far enough to comply with this provision. Sections of the roof are still far too wide (i.e., in excess of 25 feet in width) for the Historic District. Therefore, the Design does not comply with this provision.

B. <u>The Project does not comply with the Specific Requirements for Roofs.</u>

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[21] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 4.
[22] *See* Staff Report from Planning Team, *supra* note 4, at 25.
[23] Staff Report from Planning Team, *supra* note 4, at 25.
[24] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 4.

Finally, the structure does not comply with the Specific Regulation for Roofs in LMC § 15-13-8(B)(1)(e)(1). That provision requires: "Roofs of new residential infill buildings shall be visually compatible with roof shapes and orientation of surrounding Historic Sites and adjacent buildings that contribute to the character of the Historic District. Sloping of roof forms, such as gable, hip, and shed, should be the dominant roof shapes. Roofs composed of a combination of roof planes, but simple in form, are also encouraged. Roofs shall be in scale with those on historic structures." Although the Staff Report concludes that it meets this requirement,[25] the SWCA Memo concludes otherwise.[26] The SWCA Memo says: "[T]he guidelines are clear that the perceived scale of larger residential buildings (on lots wider than 25') should be managed by breaking them into smaller masses or modules that reflect historic residential massing, including their roofs. There is no precedent for exceptions when an industrial aesthetic is used for a residence, or for residences that may be in historically industrial areas. To comply with the guidelines, the roof could be broken into a horizontally stepped series of shed roofs (3 to 5 of them, with differences in roof height of a few feet or more to create shadow lines) that shelter their corresponding modules, or a mix of shed and flat. The cantilevered flat roof would also need to be reduced in scale."[27] While the roof was broken up some after the memo was written, it was not done sufficiently to meet this requirement. There are segments that are still far too large (i.e., greater than 25' in width) to be compatible with the Historic Residences in the neighborhood. Further, the cantilevered flat roof was not reduced in scale. Therefore, the design remains out of compliance with LMC § 15-13-8(B)(1)(e)(1).

Based on the foregoing, we respectfully request that do not approve the Draft Final Action Letter until the many non-compliance issues are adequately addressed. Thank you for your consideration in this matter.

Very Truly Yours,
HOGGAN LEE HUTCHINSON

Justin J. Keys

[25] Staff Report from Planning Team, *supra* note 4, at 32.
[26] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 6.
[27] *Id.*

PARK CITY PLANNING DEPARTMENT
REVISED Staff Report

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

I. PROJECT STATISTICS:

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

II. STAFF'S RECOMMENDATION and FINDINGS

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

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

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

3. Sweeney Properties Master Plan Application.

4. Sweeney Properties Master Plan Phasing Exhibit.

5. Sweeney Properties Master Plan Density Exhibit.

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

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

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

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

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

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

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

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

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

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

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

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

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

III. DEVELOPMENT PARAMETERS and CONDITIONS

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

1. The Sweeney Properties Master Plan is approved based upon the information and analysis prepared and made a part hereof. While most of the requirements imposed will not be imposed until individual parcels are created or submitted for conditional use approval, certain specific obligations are also identified on the approved phasing plan. At the time of conditional use or subdivision review, the staff and Planning Commission shall review projects for compliance with the adopted codes and ordinances in effect at the time, in addition to ensuring conformance with the approved Master Plan.

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

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

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

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

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

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

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

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

* Reflects City Council 10.16.86 modifications. *

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

IV. BACKGROUND

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

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

V. NARRATIVE

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

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

Coalition Properties

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

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

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

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

HR-1 Properties

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

Hillside Properties

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

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

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

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

Miscellaneous Properties

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

VI. MAJOR ISSUES

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

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

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

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

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

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

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

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

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

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

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

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

These recommendations were approved by City Council *

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

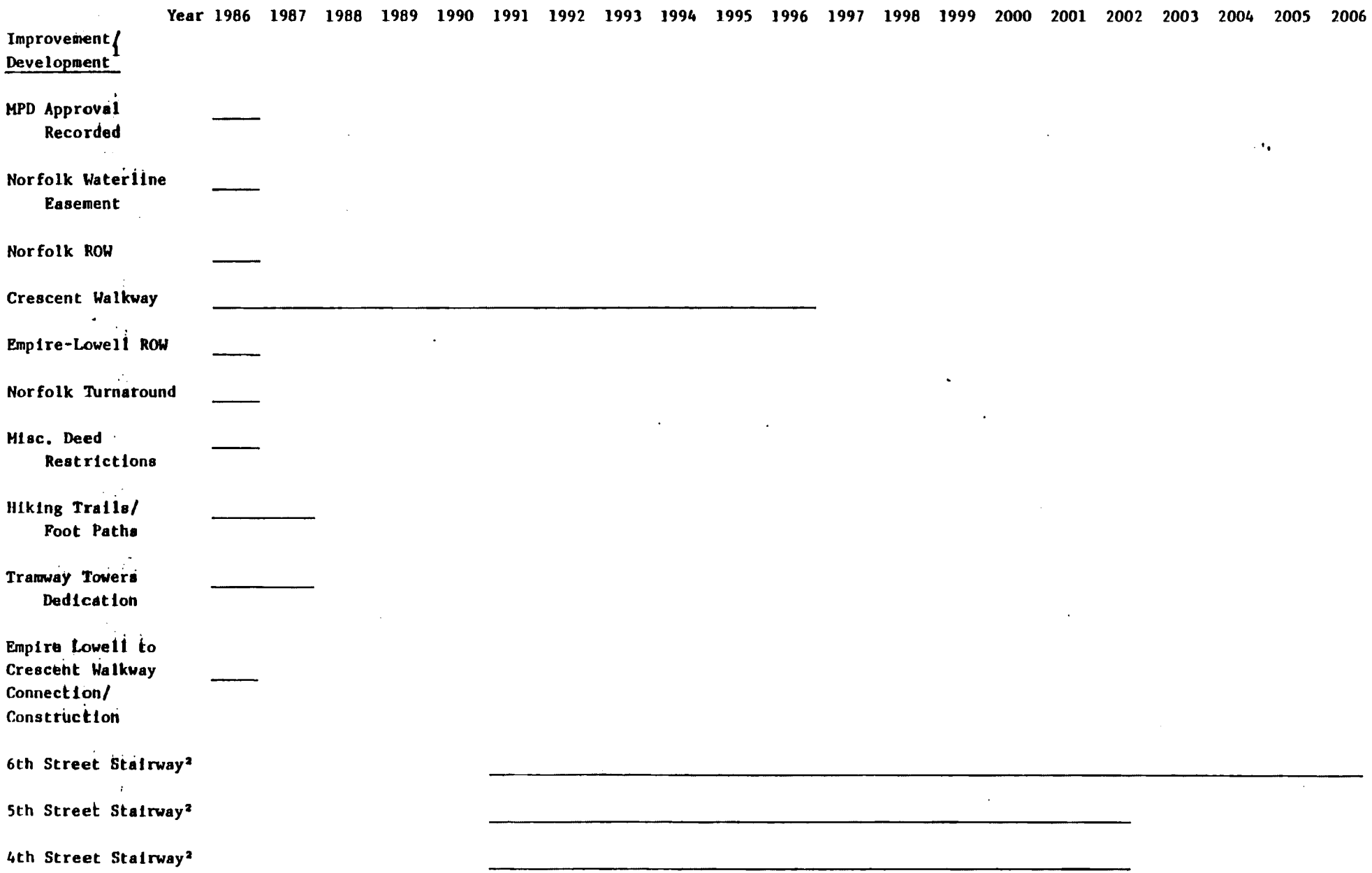
SWEENEY PROPERTIES MASTER PLAN DENSITY EXHIBIT

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

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

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

SWEENEY PROPERTIES MASTER PLAN PHASING EXHIBIT - REVISED



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

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

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

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

ROLL CALL

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

PUBLIC INPUT

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

ABE117

PUBLIC HEARING

None.

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

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

CONSENT AGENDA

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

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

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

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

PUBLIC COMMUNICATIONS AND PETITIONS

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

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

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

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

COMMUNICATIONS AND REPORTS FROM COUNCIL AND STAFF

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

REPORTS FROM COMMISSIONS AND BOARDS

None before Council.

RESIGNATIONS AND APPOINTMENTS

None before Council.

ORDINANCES

None

OLD BUSINESS

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

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

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

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

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

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

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

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

Kristen Rogers, "I move that we approve the MPD with modifications: limiting the number of unit equivalents to 170, limiting the height of the hillside properties to 35 feet, and the town 170 properties to 45 feet". Council member Rogers then requested that the height language be stricken. Jim Doilney seconded subject to changing the motion to "158 units and that the Sweeneys present a phasing plan shorter than 20 years and no development at the Mid Station". Kristen Rogers, "I will amend my motion to include those changes". Motion died.

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

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

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

ABE117

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

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

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

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

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

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

ABE117

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

Motion carried.

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

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

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

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

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

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

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

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

XII NEW BUSINESS

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

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

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

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

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

Budget revision:

With federal participation	$ 887
Without federal participation	4,435

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

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

XIII ADJOURNMENT

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

MEMORANDUM OF CONVENING CLOSED SESSION

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

* * * * * *

The meeting for which these minutes were prepared was noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Jan Scott Freeman

Jan Scott Freeman
Deputy City Recorder

ABE1117

PARK CITY
1884

Community Development/Engineering
Building and Planning Departments

October 19, 1987

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

NOTICE OF PLANNING COMMISSION ACTION

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

Date of Meeting: October 14, 1987

Action Taken By Planning Commission: APPROVED

Conditions of Approval:

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

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

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

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

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

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

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

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

Date of Expiration: October 14, 1988

Nora L. Seltenrich 10/20/87

Nora L. Seltenrich
Principal Planner

Date

ACKNOWLEDGEMENT

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

Patrick J. Sweeney 10/24/87

Patrick J. Sweeney

Date

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

Recorded at the request of and return
to: Park City Municipal Corp.
P. O. Box 1480, Park City, UT 84060
ATTN: CITY RECORDER
Ordinance No. 90-24

RED NOTE AB 2/7 C

335573

Park City Municipal Corp

91 JAN 18 AM 9:49

ALAN SPRIGGS
SUMMIT COUNTY RECORDER

DG NC

Fee Exempt per Utah Code Annotated 1953 21-7-2

An Ordinance zoning portions of the Historic District; specifically 109 acres of hillside on Treasure Mountain from Estate to Recreation Open Space and several development parcels, specifically; two Fifth Street single family lots from HR1 to HR1-MPD; and two upper Norfolk (approximately 400 Upper Norfolk) single family lots from HR1 to HR1-MPD; and two King Road (approximately 200 King Road) single family lots from HR1 to HR1-MPD; and one Lower Norfolk Avenue (approximately 700 Lower Norfolk) single family lot from HR1 to HR1-MPD; and a 3.75 acre condominium/commercial lot at the Town Lift Midstation from HR1 to Estate-MPD; and a 7.75 acre hotel/condo/commercial lot at the Creole Gulch site from Estate to Estate-MPD; and a .543 acre hotel/condo/commercial lot at the Coalition West Site at approximately 775 Park Avenue from HRC to HRC-MPD and from HR-1 to HR-1-MPD; and a 1.57 acre hotel/condo/commercial site at approximately 770 Park Avenue from HRC to HCB-MPD; and amending the Official Zoning Map of Park City, Utah

WHEREAS, the Park City Land Management Code provides the City Council the authority to create zoning designations and amend zoning provisions and the Official Zoning Map; and

WHEREAS, a public hearing was legally noticed and heard before the Planning Commission on August 1, 1990 to receive public input on the rezoning of the parcels described in the above title and more particularly described in Exhibit A.

WHEREAS, on August 1, 1990, the Planning Commission forwarded a recommendation to the City Council to approve the rezoning of such parcels; and

WHEREAS, a public hearing was legally noticed and heard before the City Council on August 16, 1990 to receive public input on the rezoning of the parcels described in the above title; and

WHEREAS, the City Council deems it appropriate that the subject parcels be duly rezoned in consideration of the Planning Commission's findings and conditions and in consideration of the master planned development approval for the subject property, granted in October 1986.

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

SECTION 1. OFFICIAL PARK CITY ZONING MAP AMENDED. The Official Park City Zoning Map shall be amended to apply the zoning

BOOK 593 PAGE 814 -822

designations described above to those portions of the approved Sweeney Master Planned Development described in Exhbiit A hereto.

SECTION 2. EFFECTIVE DATE. This Ordinance shall become effective upon publication.

PASSED AND ADOPTED this 23rd day of August, 1990.

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Anita Sheldon, City Recorder

CORPORATE Seal

BOOK 593 PAGE 815

EXHIBIT "A"

SECTION 1 - TREASURE MOUNTAIN HILLSIDE (LESS SECTIONS 2 THROUGH 7 BELOW) - ZONED RECREATION OPEN SPACE

Beginning at the Center of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point also being South 16°50'13" East, 74.98 feet, more or less, from a Park City Monument at the Intersection of Lowell Avenue and Shepard Street; and running thence North 89°56'24" East 385.96 feet along 1/4 Section Line; thence South 27°00'12" East, 15.89 feet; thence South 42°57'14" East, 3.40 feet; thence South 55°53'00" West, 93.90 feet; thence South 57°40'08" East, 109.20 feet; thence North 60°08'27" East, 11.21 feet; thence South 38°06'27" East, 39.16 feet; thence North 59°47'16" East, 49.25 feet; thence North 29°10'28" West, 0.70 feet; thence North 63°20'00" West, 20.27 feet; thence South 62°50'00" East, 36.54 feet; thence North 20°02'58" East, 14.48 feet; thence North 23°38'00" West, 10.66 feet; thence North 18°40'48" East, 44.56 feet; thence North 64°51'37" East, 75.03 feet; thence North 57°50'44" East, 58.80 feet; thence South 31°43'29" East, 117.96 feet; thence South 24°05'11" East, 30.00 feet; thence South 66°22'00" West, 13.00 feet; thence North 68°37'59" West, 21.21 feet; thence South 66°22'00" West, 59.27 feet; thence North 69°31'04" West, 21.55 feet; thence South 66°22'00" West, 30.40 feet; thence South 32°43'26" West, 24.33 feet; thence South 14°07'38" West, 27.12 feet; thence South 23°38'00" East, 17.00 feet; thence South 45°11'38" East, 54.42 feet; thence South 23°38'00" East, 404.45 feet; thence North 66°52'00" East, 75.00 feet to the Northwest corner of Lot 14, Block 28 said survey, said point also being South 66°52'00" West, 300.01 feet and South 23°38'00" East, 64.88 feet, more or less, from a Park City Monument at the Intersection of Park Avenue and 6th Street; thence South 23°38'00" East, 300.00 feet to the Southwest corner of Lot 3, Block 28; thence South 66°52'00"West, 25.00 feet; thence South 23°38'00" East, 25.00 feet; thence North 66°52'00" East, 25.00 feet to the Northwest corner of Lot 1, Block 28, said survey; thence South 23°38'00" East, 25.48 feet to the Southwest corner of said Lot 1; thence South 66°22'00" West, 75.00 feet; thence South 23°38'00" East, 30.00 feet; thence North 66°22'00" East, 75.00 feet to the Northwest corner of Lot 19, Block 29, said survey; thence South 23°38'00" East, 325.00 feet to the Southwest corner of Lot 7, Block 29; thence South 66°22'00"West, 75.00 feet; thence South 23°38'00" East, 74.67 feet, more or less, to the East-west 40 Acre Line; thence South 89°36'41" East, 82.11 feet, more or less, along said 40 Acre Line; thence South 23°38'00" East, 91.91 feet, more or less, to the Northwest corner of Lot 2, Block 1 as platted on the Easterly end of the patented Park City Lode Mining Claim U.S. Lot No. 633; thence South 66°22'00" West, 75.00 feet to the Northwest corner of Lot 12 of said mining claim; thence South 23°38'00" East, 53.98 feet to the Southwest corner of Lot 13 said mining claim; thence North 66°40'00" East, 141.00 feet, more or less, to a North-south 40 Acre line and the West line of Park City Townsite said point being South 66°40'00" West, 240.50 feet and

SECTION 1 (CONTINUED)

North 0°08'50" West, 16.32 feet, more or less, from a Park City Monument at the Intersection of Park Avenue and 4th Street; thence South 0°08'50" East, 32.64 feet, more or less, along said 40 Acre Line and said West Line; thence South 66°40'00" West, 52.99 feet, more or less, to the Northwest corner of said mining claim; thence South 23°38'00" East, 250.00 feet to the Northeast corner of Lot 22, Block 30, Park City Townsite Survey, Amended Plat; thence South 66°40'00" West, 50.00 feet; thence North 23°38'00" West, 100.00 feet; thence South 66°22'00" West, 150.00 feet; thence South 23°38'00" East, 151.54 feet; thence North 62°20'36" East, 3.46 feet; thence South 23°38'00" East, 45.70 feet; thence South 68°07'00" West, 28.75 feet; thence South 23°38'00" East, 51.61 feet; thence North 75°38'35" East, 29.97 feet; thence South 23°38'00" East, 132.68 feet; thence North 66°12'00" East, 16.39 feet, more or less, to said 40 Acre Line and said West Line; thence South 0°08'50" East, 1025.87 feet along said 40 Acre Line and said West Line to a point on the Alice Lode which point is North 31°40'53" West, 583.55 feet from a Park City Monument on the Centerline of Daly Avenue; thence South 55°53'19" West, 19.14 feet along said Alice Lode; thence South 89°51'10" West, 10.52 feet; thence South 55°55'40" West, 420.90 feet; thence North 47°25'46" West, 2906.65 feet; thence North 89°56'27" East 845.30 feet; thence North 2°31'24" West, 503.18 feet, more or less, to the 1/4 Section Line; thence North 89°56'30" East, 1081.16 feet, more or less, along said 1/4 Section Line to the point of beginning.

Containing 123.674 Acres, more or less.

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

LESS AND EXCEPTING THEREFROM PARCELS DESCRIBED BELOW AS SECTION 2 THRU SECTION 7 INCLUSIVE

SECTION 2 - FIFTH STREET SINGLE-FAMILY LOTS - ZONED HR1-MPD

Beginning at a point which is South 66°22' West, 75.00 feet from the Southeast Corner of Block 28, Park City Survey, Amended Plat said point also being South 23°38' East, 412.75 feet and South 66°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street;

and running thence South 66°22' West, 75.00 feet; thence South 23°38' East, 30.00 feet; thence North 66°22' East, 75.00 feet; thence South 23°38' East, 58.90 feet; thence South 66°22' West, 150.00 feet; thence North 23°38' West, 164.38 feet; thence North 66°22' East, 150.00 feet; thence South 23°38'East, 25.00 feet; thence South 66°22' West, 25.00 feet; thence South 23°38' East, 25.00 feet; thence North 66°22' East, 25.00 feet; thence South 23°38' East, 25.48 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

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

ALSO:

Beginning at a point which is South 66°22' West, 75.00 feet and North 23°38' West, 110.48 feet from the Southeast Corner of Block 28, Park City Survey, Amended Plat, said point also being South 23°38' East, 302.27 feet and South 66°22' West, 300.00 feet from a Park City Monument at the Intersection of Park Avenue and 6th Street;

and running thence South 66°22' West, 160.00 feet; thence North 23°38' West, 136.13 feet; thence North 66°22' East, 160.00 feet; thence South 23°38' East, 136.13 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

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

SECTION 3 - UPPER NORFOLK SINGLE-FAMILY - ZONED HR1-MPD

Beginning at a point which is South 66°40' West, 192.12 feet and North 22°00' West, 88.60 feet from the Northeast Corner Block 30, Park City Survey, Amended Plat, said point also being South 66°40' West, 416.70 feet and North 22°00' West, 73.57 feet from a Park City Monument at the Intersection of Park Avenue and 4th Street;

and running thence South 22°00' East, 238.99 feet; thence South 66°22' West, 56.07 feet; thence North 45°00' West, 207.19 feet; thence North 48°00' East, 145.80 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

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

ALSO:

Beginning at a point which is South 66°40' West, 285.85 feet and North 28°00' West, 54.88 feet from the Northeast Corner Block 30, Park City Survey, Amended Plat, said point also being South 66°40' West, 512.00 feet and North 28°00' West, 39.82 feet from a Park City Monument at the Intersection of Park Avenue and 4th Street;

and running thence South 48°00' West, 60.00 feet; thence North 52°00' West, 200.00 feet; thence North 30°00' East, 115.20 feet; thence South 60°00' East, 79.01 feet; thence South 28°00' East, 162.24 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

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

SECTION 4 - KING ROAD SINGLE-FAMILY LOTS - ZONED HR1-MPD

Beginning at a point on the North-South 40 Acre Line of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian which is South 66°12' West, 21.69 feet and South 0°08'50" East, 292.35 feet along said 40 Acre Line from the Northeast Corner of Lot 32, Block 78, Millsite Reservation to Park City, Utah said point also being South 23°38' East, 739.75 feet and South 66°12' West, 563.18 feet from a Park City Monument at the Intersection of Park Avenue and 4th Street;

and running thence South 0°08'50" East, 230.00 feet along said 40 Acre Line; thence West, 59.10 feet; thence North 28°00' West, 187.80 feet; thence North 66°22' East, 160.10 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

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

ALSO:

Beginning at a point which is South 66°12' West, 51.72 feet and South 0°08'50" East, 106.81 feet from the Northeast Corner of Lot 32, Block 78, Millsite Reservation to Park City, Utah said point also being South 23°38' East, 569.80 feet and South 66°12' West, 519.29 feet from a Park City Monument at the Intersection of Park Avenue and 4th Street;

and running thence South 0°08'50" East, 160.44 feet; thence South 66°22' West, 116.05 feet; thence North 23°38' West, 147.15 feet; thence North 66°22' East, 179.99 feet to the point of beginning.

Containing 0.50 Acres, more or less.

Subject to and together with any and all easements, right-of-ways and restrictions of record or enforceable at law or in equity.

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

SECTION 5 - LOWER NORFOLK AVENUE; SINGLE-FAMILY LOT - ZONED HR1-MPD

Beginning at a point which is North 23°38' West, 11.10 feet and South 66°22' West, 30.00 feet from the Southwest Corner of Block 26, Park City Survey, Amended Plat said point also being South 23°38' East, 193.16 feet and South 66°22' West, 5.00 feet from a Park City Monument at the intersection of Norfolk Avenue and 8th Street;

and running thence South 33°32'19" West, 86.58 feet; thence North 57°40'08" West, 94.35 feet; thence North 59°47'16" East, 49.25 feet; thence North 29°10'28" West, 0.71 feet; thence North 63°20'00" East, 20.27 feet; thence North 62°50'00" East, 36.54 feet; thence North 66°22'00" East, 20.00 feet; thence South 23°38' East, 40.92 feet to the point of beginning.

Containing 0.157 Acres, more or less.

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

SECTION 6 - 3.75 ACRE CONDOMINIUM/COMMERCIAL LOT, TOWN LIFT MIDSTATION - ZONED ESTATE-MPD

Beginning at a point which is South 23°38'00" East, 102.53 feet from the Southwest corner of Block 26, Park City Survey, Amended Plat also being North 28°45'41" West, 103.34 feet and South 66°22'00" West, 352.88 feet, more or less, from a Park City Monument at the Intersection of Park Avenue and Heber Avenue;

and running thence South 23°38'00" East, 404.44 feet; thence South 33°32'19" West, 70.00 feet; thence South 49°11'31" West, 259.21 feet; thence North 41°38'27" West, 359.96 feet; thence North 33°32'19" East, 422.65 feet; thence North 66°22'00" East, 42.60 feet; thence South 23°38'00" East, 1.90 feet; thence South 45°11'38" East, 54.42 feet to the point of beginning.

Containing 3.750 Acres, more or less.

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

SECTION 7 - 7.75 ACRE HOTEL/CONDO/COMMERCIAL LOT, CREOLE GULCH SITE - ZONED ESTATE-MPD

Beginning at the Center of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian, said point being South 16°50'13" East, 74.98 feet, more or less, from a Park City Monument at the Intersection of Lowell Avenue and Shepard Street;

and running thence South 35°16'39" East, 42.58 feet to a point of curvature of a 125.00 foot radius curve to the left (radius point bears North 54°04'32" East); thence Northwesterly along the arc of said curve 275.37 feet (Delta=126°13'13") to a point on the 1/4 Section Line of said Section 16; thence North 89°56'24" East 141.17 feet along 1/4 Section Line; thence South 27°00'12" East, 15.89 feet; thence South 42°57'14" East, 3.40 feet; thence South 55°53'00" West, 93.90 feet; thence South 57°40'08" East, 109.20 feet; thence North 60°08'27" East, 11.21 feet; thence South 38°06'27" East, 39.16 feet; thence South 57°40'08" East, 89.35 feet; thence South 33°32'19" West, 113.12 feet; thence South 55°27'36" West, 281.96 feet; thence North 89°33'30" West, 129.16 feet; thence South 7°26'30" West, 58.60 feet; thence South 77°26'30" West, 131.17 feet; thence North 60°33'30" West, 235.00 feet; thence North 35°33'30" West, 250.00 feet; thence North 3°05'27" East, 221.16 feet; thence North 89°56'30" East, 378.23 feet to the point of beginning.

Containing 7.750 Acres, more or less.

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

SECTION 8 - .543 ACRE HOTEL/CONDO/COMMERCIAL LOT, COALITION WEST SITE, APPROXIMATELY 775 PARK AVENUE - ZONED HR1-MPD

Beginning at the Northeast corner of Lot 2, Block 1, Snyder's Addition to Park City said point being North 28°45'41" West, 468.78 feet and South 55°56'30" West, 28.61 feet, more or less, from a Park City Monument at the intersection of Park Avenue and Heber Avenue;

and running thence South 28°45'41" East, 200.00 feet along the East line of Lot 2; thence South 61°14'19" West, 99.30 feet, more or less, to the East-West 1/4 Section line of Section 16, Township 2 South, Range 4 East, Salt Lake Base and Meridian; thence South 89°56'24" West, 21.66 feet, more or less, along said 1/4 Section line to the West line of Lot 2; thence North 31°44'30" West, 176.86 feet along the West line of Lot 2 to the Northwest corner of Lot 2; thence North 55°56'30" East, 128.03 feet along the North line of Lot 2 to the point of beginning.

Containing 0.543 Acres, more or less.

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

NOTE: THE EASTERLY HALF OF THIS PARCEL IS ZONED HRC-MPD. THE WESTERLY HALF IS ZONED HR1-MPD

Ordinance No. 95-50

AN ORDINANCE APPROVING THE FINAL PLAT OF TREASURE HILL SUBDIVISION LOCATED AT 200 AND 220 KING ROAD AND 375 AND 425 NORFOLK AVENUE, PARK CITY, UTAH

WHEREAS, the owners of the property indicated above, MPE Inc., petitioned the City Council for approval of the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on August 30, 1995 and the City Council conducted a public hearing on September 7, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, on August 30, 1995 the Planning Commission forwarded a positive recommendation of approval to the City Council, with conditions regarding building size, public utility, fire protection, trails, the Infrastructure Review Ordinance, and setbacks; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

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

SECTION 1. CONCLUSIONS OF LAW. The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. PLAT APPROVAL. The Treasure Hill Subdivision is approved as shown on Attachment A with the following conditions:

1. All original conditions of approval for the Preliminary Plat shall apply (Exhibit B).

2. Prior to final plat recordation, the Community Development Department shall review and approve notes on the plat addressing limits of disturbance, building footprint, building area limits, building height, and massing.

3. Prior to plat recordation, the City Engineer shall review and approve appropriate grading, utilities, water, and access construction plans.

4. Prior to plat recordation, a final site disturbance and re-vegetation plans shall be approved by the Community Development Department. The plans shall include construction staging, erosion control and vegetation protection. A letter of credit shall be posted to cover the costs for re-vegetation and including retaining walls.

5. Prior to plat recordation, final plans for the skier bridge across the Upper Norfolk driveway, all retaining walls, resurfacing of King Road and relocation of the gate shall be reviewed and approved by the Community Development Department.

6. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

7. All Standard Project Conditions shall apply.

8. In conjunction with final plat recordation, an open space agreement in a form approved by the City Attorney shall be entered into and recorded by the applicant which addresses ownership, uses, maintenance and trails.

SECTION 3. EFFECTIVE DATE. This ordinance shall become effective immediately.

PASSED AND ADOPTED this 7th day of September, 1995

PARK CITY MUNICIPAL CORPORATION

Mayor Bradley A. Olch

Attest:

Janet M. Scott, Deputy City Recorder

Approved as to form:

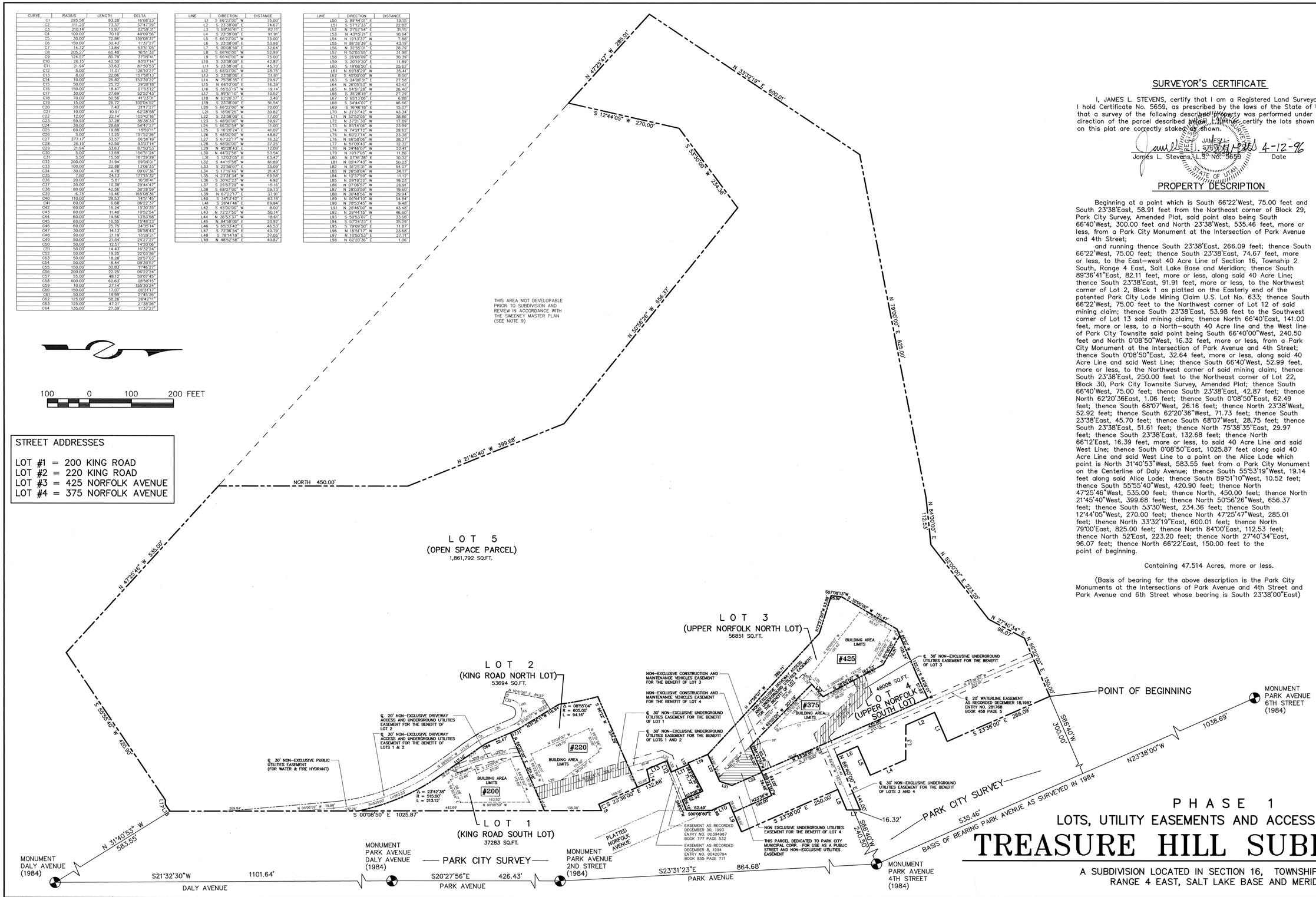
Mark D. Harrington, Assistant City Attorney

PARK CITY SUMMIT COUNTY UTAH
CORPORATE
Seal
MARCH 1, 1884

CURVE	RADIUS	LENGTH	DELTA
C1	295.58'	83.28'	16°08'23"
C2	111.23'	71.13'	37°47'59"
C3	210.14'	10.97'	02°59'31"
C4	100.00'	70.10'	40°09'56"
C5	30.00'	72.86'	139°08'37"
C6	150.00'	30.43'	11°37'27"
C7	14.72'	13.84'	53°51'00"
C8	205.27'	60.40'	16°51'33"
C9	124.27'	80.79'	37°09'41"
C10	26.15'	42.50'	93°07'14"
C11	21.94'	33.63'	87°50'53"
C12	5.00'	11.01'	126°10'27"
C13	8.00'	22.06'	157°58'13"
C14	10.00'	26.82'	153°39'22"
C15	50.00'	25.72'	29°28'18"
C16	150.00'	18.47'	07°03'12"
C17	30.00'	27.69'	52°52'43"
C18	70.00'	50.56'	41°23'01"
C19	15.00'	26.72'	102°04'52"
C20	20.00'	7.43'	21°17'29"
C21	10.00'	10.91'	62°28'58"
C22	12.00'	22.14'	105°42'16"
C23	59.93'	57.28'	35°38'33"
C24	30.00'	28.69'	54°47'27"
C25	60.00'	19.88'	18°59'11"
C26	5.00'	13.25'	151°52'28"
C27	277.17'	31.57'	06°56'19"
C28	26.15'	42.50'	93°07'14"
C29	21.94'	33.63'	87°50'53"
C30	5.00'	13.69'	156°51'24"
C31	5.50'	15.50'	161°29'29"
C32	200.00'	31.94'	09°09'01"
C33	100.00'	22.88'	13°06'33"
C34	30.00'	4.78'	09°07'36"
C35	7.80'	24.13'	177°15'33"
C36	20.00'	5.81'	16°38'41"
C37	20.00'	10.38'	29°44'47"
C38	80.00'	40.56'	29°03'59"
C39	5.75'	19.46'	165°08'38"
C40	110.00'	28.53'	14°51'45"
C41	60.00'	6.68'	06°22'37"
C42	60.00'	16.24'	15°30'35"
C43	60.00'	11.40'	10°52'54"
C44	60.00'	14.56'	13°53'58"
C45	60.00'	16.55'	15°48'23"
C46	60.00'	25.75'	24°35'14"
C47	30.00'	14.13'	26°58'43"
C48	90.00'	21.19'	13°29'21"
C49	50.00'	21.34'	24°27'27"
C50	50.00'	12.51'	14°20'06"
C51	50.00'	14.43'	16°32'24"
C52	50.00'	19.25'	22°03'26"
C53	50.00'	18.28'	20°57'03"
C54	50.00'	8.44'	09°39'57"
C55	150.00'	30.83'	11°46'27"
C56	200.00'	22.25'	06°22'34"
C57	55.00'	48.12'	50°07'45"
C58	400.00'	62.63'	08°58'13"
C59	10.00'	27.14'	155°30'24"
C60	150.00'	17.07'	06°31'17"
C61	50.00'	18.99'	21°45'26"
C62	125.00'	58.26'	26°42'11"
C63	125.00'	47.21'	21°38'58"
C64	135.00'	27.39'	11°37'27"

LINE	DIRECTION	DISTANCE
L1	S 66°22'00" W	75.00'
L2	S 23°38'00" E	74.67'
L3	S 89°36'41" E	82.11'
L4	S 23°38'00" E	91.91'
L5	S 66°22'00" W	75.00'
L6	S 23°38'00" E	53.98'
L7	S 00°08'50" E	32.64'
L8	S 66°40'00" W	52.99'
L9	S 66°40'00" W	75.00'
L10	S 23°38'00" E	42.87'
L11	S 23°38'00" E	45.70'
L12	S 68°07'00" W	28.75'
L13	S 23°38'00" E	51.61'
L14	N 75°38'35" E	29.97'
L15	N 66°12'00" E	16.39'
L16	S 55°53'19" W	19.14'
L17	S 89°51'10" W	10.52'
L18	N 62°20'37" E	3.46'
L19	S 23°38'00" E	51.54'
L20	S 66°22'00" W	70.00'
L21	S 18°06'25" W	30.80'
L22	S 23°38'00" E	77.00'
L23	S 48°00'00" W	39.97'
L24	S 66°30'54" W	11.00'
L25	S 16°29'24" E	41.07'
L26	S 48°00'00" W	48.87'
L27	S 67°22'17" W	16.32'
L28	S 48°00'00" W	37.25'
L29	N 45°08'43" E	12.09'
L30	N 44°32'58" W	53.54'
L31	S 13°03'05" E	63.47'
L32	S 44°15'58" W	61.89'
L33	S 22°50'07" E	35.09'
L34	S 17°19'49" W	21.43'
L35	N 23°31'34" W	69.58'
L36	S 30°42'23" W	4.92'
L37	S 25°53'29" W	15.16'
L38	S 68°07'00" W	29.75'
L39	N 67°22'17" E	37.91'
L40	S 34°13'42" E	63.18'
L41	S 26°41'46" E	69.94'
L42	S 45°00'00" W	8.00'
L43	N 72°27'50" W	50.14'
L44	N 36°53'37" W	18.61'
L45	N 84°58'00" E	20.92'
L46	S 65°33'42" E	46.53'
L47	S 72°36'54" E	40.79'
L48	S 78°14'19" E	37.05'
L49	N 48°52'58" E	40.87'

LINE	DIRECTION	DISTANCE
L50	S 89°44'01" E	19.15'
L51	S 57°12'33" E	22.82'
L52	N 21°57'54" E	31.15'
L53	N 43°15'21" E	10.64'
L54	N 19°13'37" W	7.88'
L55	N 86°28'39" E	43.19'
L56	N 32°55'01" E	28.79'
L57	N 52°03'55" E	31.98'
L58	S 26°08'59" E	30.39'
L59	S 20°19'20" E	11.89'
L60	S 18°08'50" E	25.62'
L61	N 69°18'29" W	35.41'
L62	S 45°00'00" W	8.00'
L63	S 24°00'31" E	27.58'
L64	N 26°05'53" W	42.42'
L65	N 54°51'28" W	26.40'
L66	S 35°28'19" E	27.29'
L67	S 65°13'06" E	6.88'
L68	S 34°44'07" E	46.66'
L69	S 16°46'18" E	15.07'
L70	N 31°37'42" W	43.34'
L71	N 52°52'05" W	38.86'
L72	N 37°21'30" W	17.89'
L73	N 85°14'06" W	23.99'
L74	N 74°27'12" W	28.62'
L75	N 60°27'14" W	23.38'
L76	N 66°58'06" W	38.37'
L77	N 51°09'43" W	12.32'
L78	N 24°46'37" W	23.41'
L79	N 19°17'05" W	11.86'
L80	N 07°41'38" E	10.32'
L81	N 09°47'43" W	50.23'
L82	N 51°25'31" W	54.07'
L83	N 26°58'04" W	34.17'
L84	N 12°37'59" W	11.12'
L85	N 29°10'22" W	19.23'
L86	N 07°06'57" W	26.91'
L87	N 28°03'59" W	19.60'
L88	N 30°48'56" W	29.94'
L89	N 06°44'10" W	54.84'
L90	N 70°53'45" W	9.48'
L91	N 28°46'00" W	43.48'
L92	N 29°44'15" W	46.60'
L93	S 50°53'07" E	33.68'
L94	S 57°24'23" E	35.29'
L95	S 78°09'50" E	11.87'
L96	N 15°51'17" W	23.68'
L97	N 10°50'53" E	27.71'
L98	N 62°20'36" E	1.06'



STREET ADDRESSES

LOT #1 = 200 KING ROAD
LOT #2 = 220 KING ROAD
LOT #3 = 425 NORFOLK AVENUE
LOT #4 = 375 NORFOLK AVENUE

SURVEYOR'S CERTIFICATE

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

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

PROPERTY DESCRIPTION

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

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

Containing 47.514 Acres, more or less.

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

PHASE 1
LOTS, UTILITY EASEMENTS AND ACCESS EASMENTS

TREASURE HILL SUBDIVISION

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

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

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 15th DAY OF April 1996 A.D.
BY _____ CHAIRMAN

ENGINEERS CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 12th DAY OF April, 1996 A.D.
BY _____ PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 15th DAY OF April, 1996 A.D.
BY _____ PARK CITY ATTORNEY

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

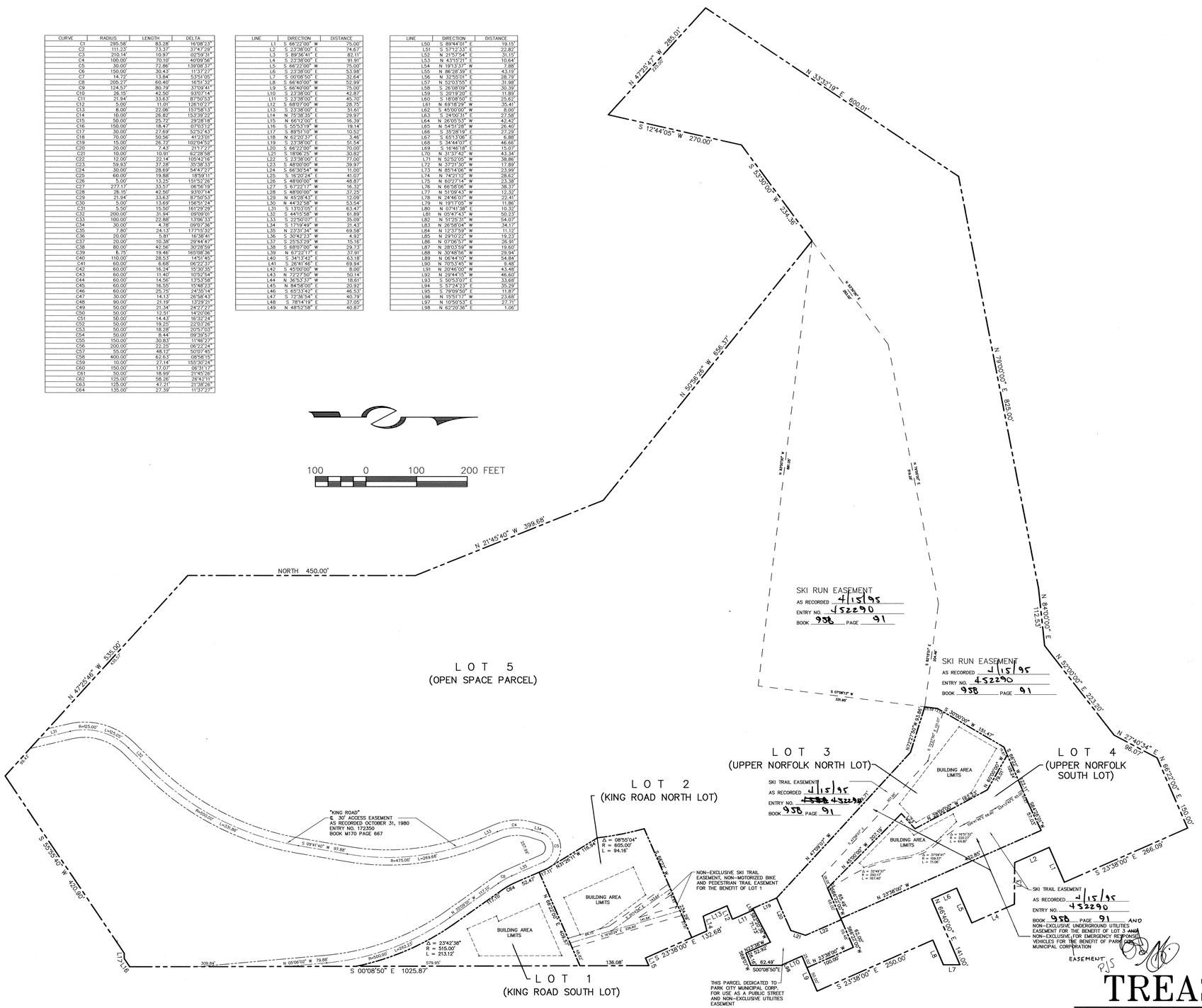
COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 9TH DAY OF SEPTEMBER, 1995 A.D.
BY _____ MAYOR

RECORDED
Entry# 452295
STATE OF UTAH COUNTY OF SUMMIT AND FILED AT THE REQUEST OF Coalition Title Co.
DATE 4-15-96 TIME 17:00 BOOK _____ PAGE _____
$95.00 FEE
_____ RECORDER

CURVE	RADIUS	LENGTH	DELTA
C1	295.58'	83.28'	16°08'23"
C2	111.23'	73.37'	37°47'29"
C3	210.14'	10.97'	02°59'31"
C4	100.00'	70.10'	40°09'56"
C5	30.00'	72.86'	139°08'13"
C6	150.00'	30.43'	11°37'27"
C7	14.72'	13.84'	53°51'05"
C8	205.27'	60.40'	16°51'32"
C9	124.57'	80.79'	37°09'41"
C10	26.15'	42.50'	93°01'14"
C11	21.94'	33.63'	87°50'53"
C12	5.00'	11.01'	126°10'27"
C13	8.00'	22.06'	157°58'13"
C14	10.00'	26.82'	153°39'22"
C15	50.00'	25.72'	29°28'18"
C16	150.00'	18.47'	07°03'12"
C17	30.00'	27.69'	52°52'43"
C18	70.00'	50.56'	41°23'01"
C19	15.00'	26.72'	100°14'50"
C20	20.00'	7.43'	21°17'27"
C21	10.00'	10.91'	62°28'58"
C22	12.00'	22.14'	105°42'16"
C23	59.93'	37.28'	35°38'33"
C24	30.00'	28.69'	54°47'27"
C25	60.00'	19.88'	18°59'11"
C26	5.00'	13.25'	151°52'26"
C27	272.17'	33.57'	06°56'15"
C28	26.15'	42.50'	93°01'14"
C29	21.94'	33.63'	87°50'53"
C30	5.00'	13.69'	156°51'24"
C31	5.50'	15.50'	161°29'29"
C32	200.00'	31.94'	09°09'01"
C33	100.00'	22.88'	13°06'53"
C34	30.00'	4.78'	09°07'36"
C35	7.80'	24.13'	177°15'32"
C36	20.00'	5.81'	16°38'41"
C37	20.00'	10.38'	29°44'47"
C38	80.00'	42.56'	30°28'59"
C39	8.75'	19.46'	160°08'36"
C40	110.00'	28.53'	14°51'45"
C41	60.00'	6.68'	06°22'37"
C42	60.00'	16.24'	15°30'35"
C43	60.00'	11.40'	10°52'54"
C44	60.00'	14.56'	13°53'58"
C45	60.00'	16.55'	15°48'23"
C46	60.00'	25.75'	24°35'14"
C47	30.00'	14.13'	26°58'43"
C48	90.00'	21.19'	13°29'21"
C49	50.00'	21.34'	24°27'27"
C50	50.00'	12.51'	14°20'06"
C51	50.00'	14.43'	16°32'24"
C52	50.00'	19.25'	22°03'28"
C53	50.00'	18.28'	20°57'03"
C54	50.00'	8.44'	09°40'57"
C55	150.00'	30.83'	11°46'27"
C56	200.00'	22.25'	06°22'24"
C57	55.00'	48.12'	50°07'45"
C58	400.00'	62.63'	08°58'15"
C59	10.00'	27.14'	155°30'24"
C60	150.00'	17.07'	06°31'17"
C61	50.00'	18.99'	21°45'26"
C62	125.00'	58.26'	26°42'11"
C63	125.00'	47.21'	21°38'38"
C64	135.00'	27.39'	11°37'27"

LINE	DIRECTION	DISTANCE
L1	S 66°22'00" W	75.00'
L2	S 23°38'00" E	74.67'
L3	S 89°36'41" E	82.11'
L4	S 23°38'00" E	91.91'
L5	S 66°22'00" W	75.00'
L6	S 23°38'00" E	53.98'
L7	S 00°08'50" E	32.64'
L8	S 66°40'00" W	52.99'
L9	S 66°40'00" W	75.00'
L10	S 23°38'00" E	42.87'
L11	S 23°38'00" E	45.70'
L12	S 68°07'00" W	28.75'
L13	S 23°38'00" E	51.61'
L14	N 75°58'35" E	29.97'
L15	N 66°12'00" E	16.39'
L16	S 55°53'19" W	19.14'
L17	S 89°51'10" W	10.52'
L18	N 62°20'37" E	5.46'
L19	S 23°38'00" E	51.54'
L20	S 66°22'00" W	70.00'
L21	S 18°06'25" W	30.82'
L22	S 23°38'00" E	77.00'
L23	S 48°00'00" W	39.97'
L24	S 66°30'54" W	11.00'
L25	S 16°20'24" E	41.07'
L26	S 48°00'00" W	48.87'
L27	S 67°22'17" W	16.32'
L28	S 48°00'00" W	37.25'
L29	N 45°28'43" E	12.09'
L30	N 44°31'17" W	53.54'
L31	S 13°03'05" E	63.47'
L32	S 44°12'58" W	61.89'
L33	S 22°50'07" E	35.09'
L34	S 17°15'49" W	21.43'
L35	N 23°31'34" W	69.58'
L36	S 30°42'23" W	4.92'
L37	S 25°53'29" W	15.16'
L38	S 68°07'00" W	29.73'
L39	N 67°22'17" E	37.91'
L40	S 34°13'42" E	63.18'
L41	S 26°41'46" E	69.94'
L42	S 45°00'00" W	8.00'
L43	N 72°27'50" W	50.14'
L44	N 36°53'37" W	18.61'
L45	N 84°58'00" E	20.92'
L46	S 60°33'43" E	46.53'
L47	S 72°58'54" E	40.79'
L48	S 78°14'19" E	37.05'
L49	N 48°52'58" E	40.87'

LINE	DIRECTION	DISTANCE
L50	S 89°44'01" E	19.15'
L51	S 57°12'33" E	22.82'
L52	N 21°57'54" E	31.15'
L53	N 43°15'21" E	10.64'
L54	N 19°13'37" W	7.88'
L55	N 86°28'39" E	43.19'
L56	N 32°55'01" E	28.79'
L57	N 52°03'55" E	31.98'
L58	S 26°08'09" E	30.39'
L59	S 20°19'29" E	11.89'
L60	S 18°08'50" E	25.62'
L61	N 69°18'29" E	35.41'
L62	S 45°00'00" W	8.00'
L63	S 24°00'31" E	27.58'
L64	N 26°05'53" W	42.42'
L65	N 54°51'28" W	26.40'
L66	S 33°28'19" E	27.29'
L67	S 65°13'06" E	6.88'
L68	S 34°44'07" E	46.66'
L69	S 16°46'18" E	15.07'
L70	N 31°37'42" W	43.34'
L71	N 52°52'05" W	38.86'
L72	N 37°21'30" W	17.89'
L73	N 85°14'06" W	23.99'
L74	N 74°21'12" W	28.62'
L75	N 60°27'14" W	23.38'
L76	N 66°58'08" W	38.37'
L77	N 51°09'43" W	12.02'
L78	N 24°46'07" W	22.41'
L79	N 19°17'05" W	11.86'
L80	N 07°41'38" E	10.32'
L81	N 05°47'43" W	50.23'
L82	N 51°25'31" W	54.07'
L83	N 26°58'04" W	34.17'
L84	N 12°37'59" W	11.12'
L85	N 29°10'22" W	19.23'
L86	N 07°06'57" W	26.91'
L87	N 28°03'59" W	19.60'
L88	N 30°48'56" W	29.94'
L89	N 06°44'10" W	54.84'
L90	N 70°53'45" W	9.48'
L91	N 20°46'00" W	43.48'
L92	N 29°44'15" W	46.60'
L93	S 50°53'07" E	33.68'
L94	S 57°24'23" E	35.29'
L95	S 78°09'09" E	11.87'
L96	N 15°51'17" W	23.68'
L97	N 10°50'53" E	27.71'
L98	N 62°20'36" E	1.06'



OWNER S DEDICATION AND CONSENT TO RECORD

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

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

EDMUND J. BEAULIEU

CLYDE CARLIG

SWEENEY LAND COMPANY, a Utah general partnership

By Patrick J. Sweeney
Patrick J. Sweeney
Managing Partner

ACKNOWLEDGEMENT

STATE OF Utah)
: ss.
COUNTY OF Summit)

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

NOTARY PUBLIC
Residing at: Summit Co Utah

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

My Commission Expires:
Nov 27, 1997

ACKNOWLEDGEMENT

STATE OF Utah)
: ss.
COUNTY OF Summit)

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

NOTARY PUBLIC
Residing at: Summit Co Utah

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

My Commission Expires:
Nov 27, 1997

ACKNOWLEDGEMENT

STATE OF UTAH)
: ss.
COUNTY OF SUMMIT)

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

NOTARY PUBLIC
Residing at: Summit Co Utah

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

My Commission Expires:
Nov 27, 1997

PJS

PHASE 1
SKI TRAIL EASEMENTS

TREASURE HILL SUBDIVISION

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

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

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C50	50.00'	12.51'	14°20'06"
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L11	S 23°38'00" E	45.70'
L12	S 88°07'00" W	28.75'
L13	S 23°38'00" E	51.61'
L14	N 75°38'35" E	29.97'
L15	N 66°12'00" E	16.39'
L16	S 55°53'19" W	19.14'
L17	S 89°51'10" W	10.52'
L18	N 62°20'37" E	3.46'
L19	S 23°38'00" E	51.54'
L20	S 66°22'00" W	70.00'
L21	S 18°06'25" W	30.82'
L22	S 23°38'00" E	77.00'
L23	S 48°00'00" W	39.97'
L24	S 66°30'54" W	11.00'
L25	S 16°20'24" E	41.07'
L26	S 48°00'00" W	48.87'
L27	S 67°22'17" W	16.32'
L28	S 48°00'00" W	37.25'
L29	N 45°28'43" E	12.09'
L30	N 44°32'58" W	53.54'
L31	S 13°03'05" E	63.47'
L32	S 44°15'58" W	61.89'
L33	S 22°50'07" E	35.09'
L34	S 17°19'49" W	21.43'
L35	N 23°31'34" W	69.58'
L36	S 30°49'23" W	4.92'
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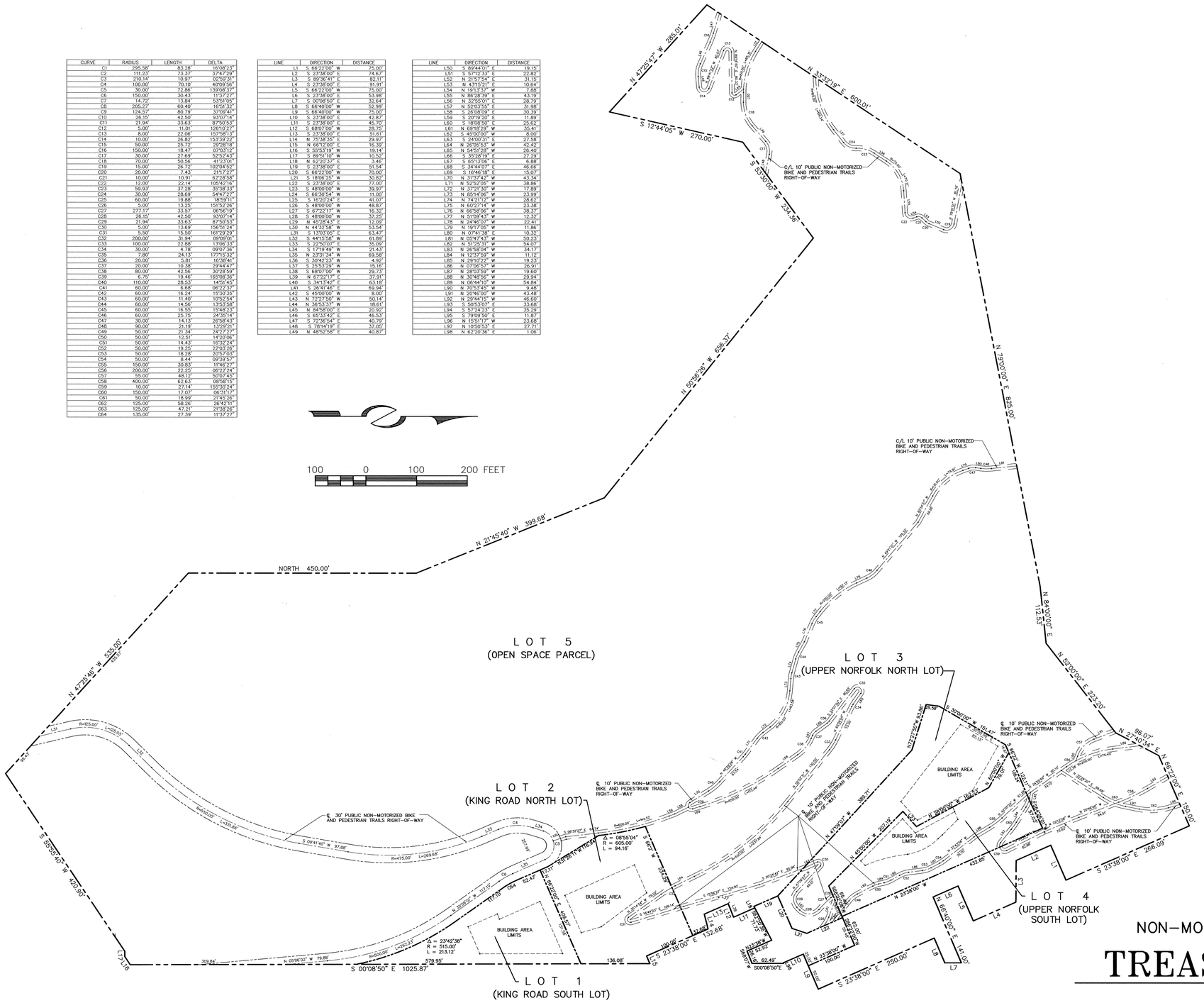
L57	N 52°03'55" E	31.98'
L58	S 28°08'09" E	30.39'
L59	S 20°19'20" E	11.89'
L60	S 18°58'50" E	25.62'
L61	N 69°18'29" W	35.41'
L62	S 45°00'00" W	8.00'
L63	S 24°00'31" E	27.58'
L64	N 28°05'53" W	42.43'
L65	N 54°51'28" W	28.40'
L66	S 35°28'19" E	27.29'
L67	S 65°13'06" E	6.88'
L68	S 34°44'07" E	46.66'
L69	S 16°46'18" E	15.07'
L70	N 31°37'42" W	43.34'
L71	N 52°52'05" W	38.86'
L72	N 37°21'30" W	17.89'
L73	N 85°41'36" W	23.99'
L74	N 74°21'12" W	28.62'
L75	N 60°27'14" W	23.38'
L76	N 66°58'06" W	38.37'
L77	N 51°09'43" W	12.32'
L78	N 24°46'07" W	22.41'
L79	N 19°17'05" W	11.86'
L80	N 07°41'38" E	10.32'
L81	N 05°47'43" W	50.23'
L82	N 51°25'31" W	54.07'
L83	N 26°58'04" W	34.17'
L84	N 12°37'59" W	11.12'
L85	N 29°07'22" W	19.33'
L86	N 07°06'57" W	26.91'
L87	N 28°03'59" W	19.60'
L88	N 30°48'56" W	29.94'
L89	N 06°44'10" W	54.84'
L90	N 70°53'45" W	9.48'
L91	N 20°46'00" W	43.48'
L92	N 29°44'15" W	46.60'
L93	S 50°53'09" E	33.68'
L94	S 57°24'23" E	35.29'
L95	S 79°09'50" E	11.87'
L96	N 15°51'17" W	23.68'
L97	N 10°50'53" E	27.71'
L98	N 62°20'36" E	1.08'



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

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

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

2. BUILDING AREA LIMITS. Improvements, including fences and formal landscaping (unless otherwise permitted under easements or agreements of record or as shown on the Plat or as consistent with the approved construction drawings of the driveways, Upper Norfolk turnaround, King Road turnaround, ski bridge and utility plans) shall be limited to the Building Area Limits noted on the Plat. Notwithstanding the forgoing, flat areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated groomed grass.

3. CONSTRUCTION DISTURBANCE. Unless otherwise provided in agreements with Park City Municipal Corporation which are of record, temporary construction disturbance shall be limited to twenty (20) feet beyond the Building Area Limits or to adjoining-lot property lines which ever is closer. Such disturbed area shall be revegetated with native landscaping.

4. HEIGHT. The building height shall be measured from existing grade to the top of flat roofs and to the ridge of pitched roofs. The maximum height, in general, shall be twenty five (25) feet for flat roofs and thirty (30) feet for pitched roofs. A maximum height of twenty eight (28) feet for flat roofs and thirty three (33) feet for pitched roofs shall be permitted for the expressed purpose of accommodating access, i.e. stairwells and/or elevators, between floor levels.

5. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back of at least five (5) feet shall be twenty five (25) feet from existing or reestablished grade whichever is greater.

6. MASSING. House designs may be comprised of one or more connected or unconnected building masses. No one building mass within the 3500 square foot footprint referenced in Note 1 above, shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks.

7. SEWER LATERALS. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Sewer Improvement District.

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

9. PRECEDENCE. The above special restrictions are consistent with the Sweeney Master Plan approved by the Park City Municipal Corporation on October 16, 1986 and as subsequently amended on October 14, 1987 and December 30, 1992. Final house design shall be reviewed under the Small Scale Master Plan Process in accordance with the Sweeney Master Plan.

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

TREASURE HILL SUBDIVISION

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

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

TREASURE HILL SUB. 3 of 3

PARK CITY
1884

COUNCIL AGENDA REPORT

DATE:	**September 7, 1995**
DEPARTMENT:	**Planning Department**
AUTHOR:	**Janice Lew**
TITLE:	**Treasure Hill Subdivision Final Plat**
TYPE OF ITEM:	**Legislative**

SUMMARY RECOMMENDATIONS:
Adopt the ordinance approving the Final Plat for the Treasure Hill Subdivision with conditions and formally except the dedication of open space.

DESCRIPTION:

A. Topic.

PROJECT STATISTICS

Applicant:	MPE Inc.
Location:	Hillside West of Historic District
Zoning:	HR-1 MPD
Adjacent Land Uses:	Historic Residential, Open Space, Ski Area
Date of Application:	August 19, 1994
Project Planner:	Janice Lew

B. Background.

The Sweeney Master Plan was approved by the City Council in October 1986. The Master Plan consists of approximately 125 acres of the hillside west of the Historic District and adjacent to the Park City Ski Area. The Master Plan outlines the densities and development parameters for each of the smaller development parcels within the area. The Master Plan includes two 2-lot subdivisions, one is located to the north of Upper Norfolk Avenue and the other is off King Road. The applicant is now requesting final plat approval for the subdivisions (a.k.a. Treasure Hill Subdivision). The Planning Commission forwarded a

positive recommendation to the City Council on the plat on August 30, 1995.

C. Analysis.

The plat is consistent with the Sweeney MPD and the plans approved by the Planning Commission. MPD Inc. will dedicate approximately 40 acres of the ROS-zoned hillside to the City as open space to be held in perpetuity. In conjunction with final plat recordation an open space agreement will be entered into and recorded by the applicant which addresses ownership, uses and maintenance.

The applicant original proposed a parking requirement be included on the plat which was more restrictive than currently required by the Code for single family dwellings. The proposed development standards (Exhibit D) for the subdivision required a total of 4 spaces be provided for each home. In response to the staff's concerns about minimizing the amount of site disturbance on the lots, the Planning Commission approved the final plat without the parking requirement notation. The elimination of this condition on the plat does not preclude property owners from providing additional parking. As outlined in Chapter 13 of the LMC, a mimimum of two spaces must be provided for each single family dwelling.

D. Department Review.

The Staff Review Team and City Attorney's Office have reviewed this proposal.

ALTERNATIVES:

A. Approve the Final Plat as conditioned by the Planning Commission.
B. Modify the conditions of final plat approval.
C. The Council may continue the hearing for further discussion.

SIGNIFICANT IMPACTS:

The plans are consistent with the intent of the Sweeney Master Plan and formalizes the agreement between MPE Inc. and the City which provides for development of larger single family homes with a substantial contribution to the City's open space.

CONSEQUENCES OF NOT TAKING THE RECOMMENDED ACTION:

If the Council decides to deny the plat as proposed, it should direct the staff to prepare findings and conclusions of law which support the denial.

RECOMMENDATION:

The staff recommends approval of the Treasure Hill Subdivision based upon the following:

Findings of Fact:

1. The plans are consistent with the Sweeney Master Plan approved by the City Council in October of 1986.

2. The applicant has agreed to dedicate approximately 40 acres of the ROS-zoned hillside and trails to the City.

3. The applicant has agreed to attach notes on the plat indicating building footprint, building area limits, limits of disturbance, building height, and massing.

4. The applicant has agreed to dedicate public right-of-way to provide access to the Sweeney Switchbacks.

5. Emergency and fire equipment access to the lots is currently inadequate because of the substandard width and grade of streets in the area and is a safety concern. The staff therefore recommends that interior and exterior fire sprinklers be required in all new construction on the lots. Prohibiting wood roofs will further mitigate fire hazard.

6. The applicant has resolved fire safety issues to the satisfaction of the Chief Building Official and Fire Marshall.

Conclusions of Law:

1. There is good cause for the amendment.

2. Neither the public nor any person will be materially injured by the proposed plat amendment.

Conditions:

1. All original conditions of approval for the Preliminary Plat shall apply (Exhibit B).

2. Prior to final plat recordation, the Community Development Department shall review and approve notes on the plat addressing limits of disturbance, building footprint, building area limits, building height, and massing.

3. Prior to plat recordation, the City Engineer shall review and approve appropriate grading, utilities, water, and access construction plans.

4. Prior to plat recordation, a final site disturbance and re-vegetation plans shall be approved by the Community Development Department. The plans shall include construction staging, erosion control and vegetation protection. A letter of credit shall be posted to cover the costs for re-vegetation and including retaining walls.

5. Prior to plat recordation, final plans for the skier bridge across the Upper Norfolk driveway, all retaining walls, resurfacing of King Road and relocation of the gate shall be reviewed and approved by the Community Development Department.

6. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

7. All Standard Project Conditions shall apply.

8. In conjunction with final plat recordation, an open space agreement in a form approved by the City Attorney shall be entered into and recorded by the applicant which addresses ownership, uses, maintenance and trails.

EXHIBITS:

Exhibit A - Area Map
Exhibit B - Preliminary Plat Conditions of Approval
Exhibit C - Ordinance and Proposed Subdivision Plat
Exhibit D - Development Parameters

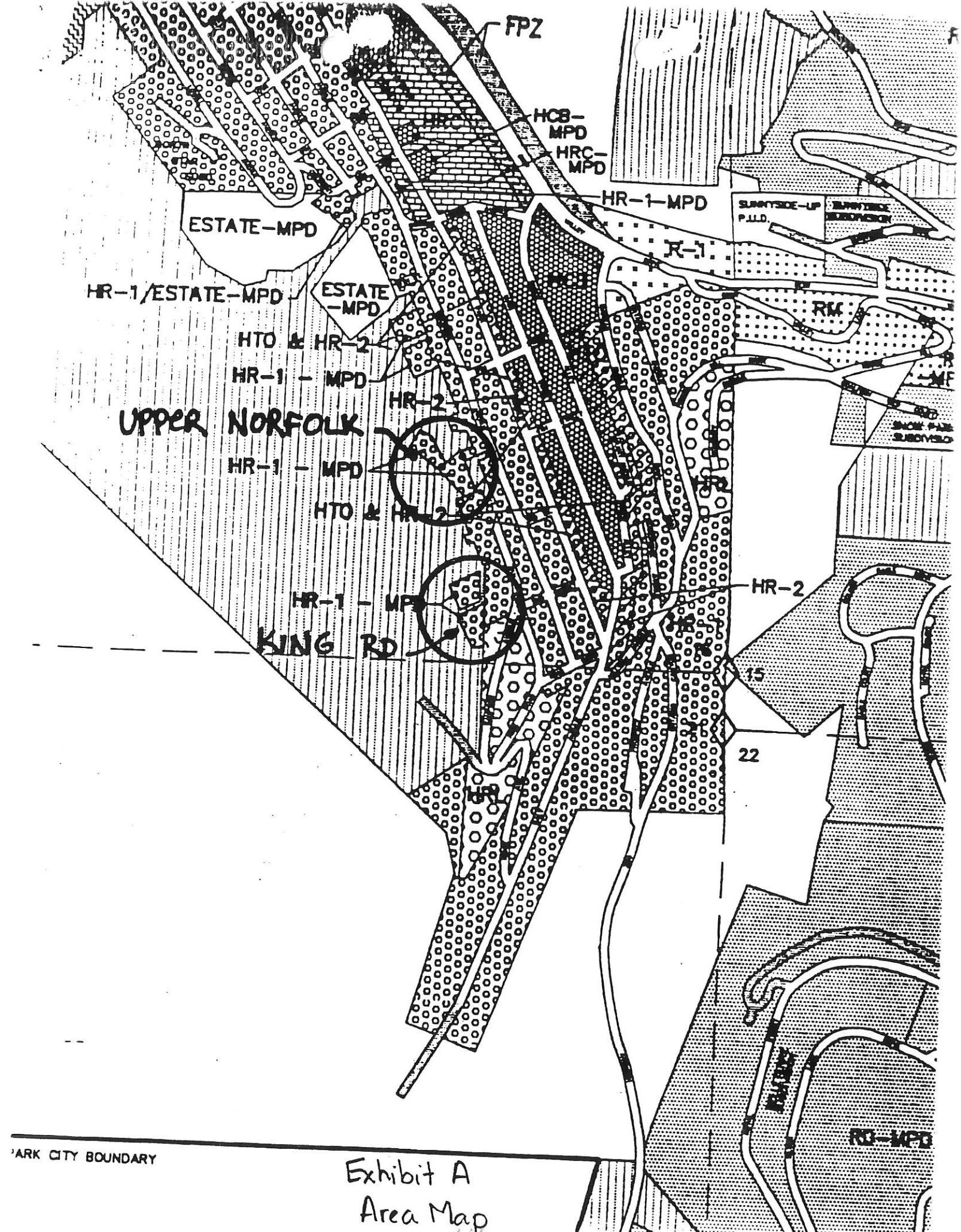


Exhibit A
Area Map

44

PARK CITY
1884

Department of Community Development
Engineering • Building Inspection • Planning

September 23, 1993

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

NOTICE OF PLANNING COMMISSION ACTION

Project Name: Sweeney Subdivisions

Project Description: Preliminary Plat

Date of Meeting: September 22, 1993

Action Taken By Planning Commission: APPROVED

Conditions of Approval:

1. The subdivision shall comply with the conditions set forth in the original MPD approval, titled "Development Parameters and Conditions", and with the Standard Conditions of Approval.

2. Prior to plat recordation, an Open Space Dedication shall be granted to the City in an acceptable form to the City Attorney and Community Development Department. A plan for maintenance of the open space will be required.

3. Prior to plat recordation, the Parks, Recreation and Beautification Board and Planning Commission shall have reviewed the application and made a recommendation to the City Council on the request to waive the Parks Development fees.

4. Prior to plat recordation, the applicant shall have had all utility and construction plans reviewed and approved by the City Engineer.

5. A site disturbance and revegetation plan shall be reviewed and approved by the Community Development Department prior to final plat approval.

6. Prior to plat recordation, all access issues shall have been resolved to the satisfaction of the Community Development Department.

7. All fire safety issues shall have been resolved to the satisfaction of the Chief Building Official and Fire Marshall.

Exhibit B

A note shall be placed on the plat indicating that interior and exterior fire sprinklers shall be required.

8. A note shall be placed on the plat indicating maximum building footprints.

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

Date of Expiration: September 23, 1994

Janice Lew
Janice Lew
Planner I

Date Sept. 29, 1993

ACKNOWLEDGEMENT

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

Patrick J. Sweeney
Applicant Signature

Date Oct 31, 1993

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

Ordinance No. 95-

AN ORDINANCE APPROVING THE FINAL PLAT OF TREASURE HILL SUBDIVISION LOCATED AT 200 AND 220 KING ROAD AND 375 AND 425 NORFOLK ROAD PARK CITY, UTAH

WHEREAS, the owners of the property indicated above, MPE Inc., petitioned the City Council for approval of the final plat; and

WHEREAS, proper notice was sent and the Planning Commission held a public hearing on August 30, 1995 and the City Council conducted a public hearing on September 7, 1995 to receive testimony on the proposed plat amendment; and

WHEREAS, on August 30, 1995 the Planning Commission forwarded a positive recommendation of approval to the City Council, with conditions regarding building size, public utility, fire protection, trails, the Infrastructure Review Ordinance, and setbacks; and

WHEREAS, it is in the best interest of Park City, Utah to approve the amended plat;

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

SECTION 1. **CONCLUSIONS OF LAW** The City Council hereby concludes that there is good cause for the above-mentioned amendment and that neither the public nor any person will be materially injured by the proposed plat amendment.

SECTION 2. **EFFECTIVE DATE** This ordinance shall become effective immediately.

SECTION 3. **PLAT APPROVAL** The Treasure Hill Subdivision is approved as shown on Attachment A with the following conditions:

1. All original conditions of approval for the Preliminary Plat shall apply (Exhibit B).

2. Prior to final plat recordation, the Community Development Department shall review and approve notes on the plat addressing limits of disturbance, building footprint, building area limits, building height, and massing.

3. Prior to plat recordation, the City Engineer shall review and approve appropriate

Exhibit C
47

grading, utilities, water, and access construction plans.

4. Prior to plat recordation, a final site disturbance and re-vegetation plans shall be approved by the Community Development Department. The plans shall include construction staging, erosion control and vegetation protection. A letter of credit shall be posted to cover the costs for re-vegetation and including retaining walls.

5. Prior to plat recordation, final plans for the skier bridge across the Upper Norfolk driveway, all retaining walls, resurfacing of King Road and relocation of the gate shall be reviewed and approved by the Community Development Department.

6. Prior to plat recordation, the City Council, City Attorney, and City Engineer shall review and approve the plat.

7. All Standard Project Conditions shall apply.

8. In conjunction with final plat recordation, an open space agreement in a form approved by the City Attorney shall be entered into and recorded by the applicant which addresses ownership, uses, maintenance and trails.

PASSED AND ADOPTED this 7th day of September, 1995

PARK CITY MUNICIPAL CORPORATION

_____

Mayor Bradley A. Olch

Attest:

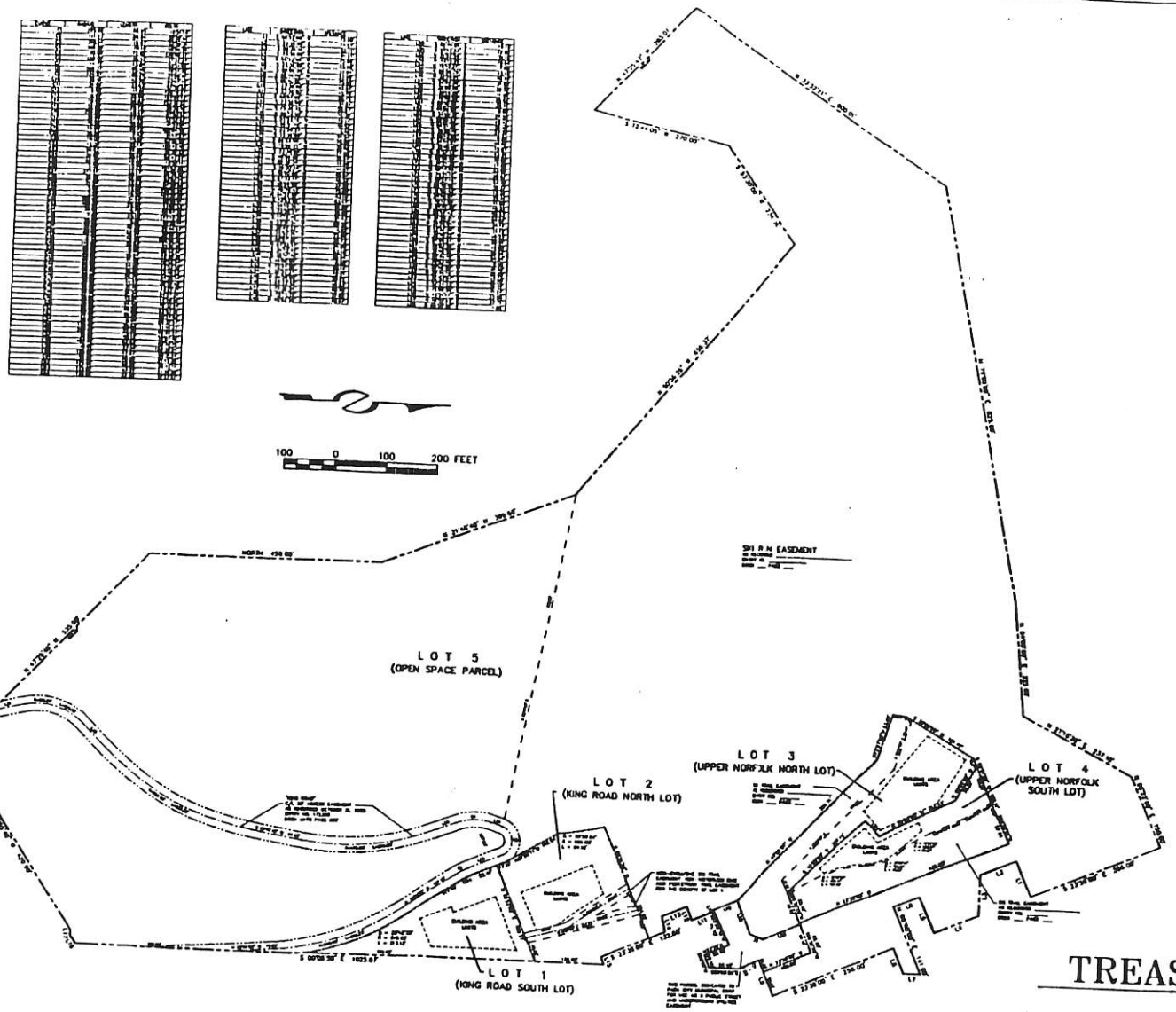
_____

Janet M. Scott, Deputy City Recorder

Approved as to form:

_____

Mark D. Harrington, Assistant City Attorney



OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that the undersigned are the owners of the herein described tract of land, having caused the same to be subdivided into lots, public right-of-ways together with easements as set forth on this Record of Survey Plat and in accordance with and subject to the notes hereon, to be known hereafter as TREASURE HILL SUBDIVISION PHASE 1 and do hereby irrevocably offer for dedication all parcels of land specifically shown on this plat as intended for public use and further consents to the recordation of this Record of Survey Plat in accordance with Utah Law.

ALSO the owners do hereby grant to Park City Municipal Corporation, Snyderville Basin Sewer Improvement District, Park City Fire Protection District, and Summit County a non-exclusive easement over the utility easements shown on this plat for the purpose of providing access for utility installation, maintenance, use and eventual replacement.

IN WITNESS WHEREOF, the undersigned sets their hands this _____ day of _____ 1995

EDMUND J. BEAULIEU

CLYDE CARLIG

SWEENEY LAND COMPANY, a Utah general partnership

By _____
Patrick J. Sweeney
Managing Partner

ACKNOWLEDGEMENT

STATE OF _____)
COUNTY OF _____) ss

On this _____ day of _____ 1994, personally appeared before me EDMUND J. BEAULIEU, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

_____
NOTARY PUBLIC
Residing at _____

My Commission Expires

_____

ACKNOWLEDGEMENT

STATE OF _____)
COUNTY OF _____) ss

On this _____ day of _____ 1994, personally appeared before me CLYDE CARLIG, the signer of the foregoing instrument, who duly acknowledged to me that he executed the same.

_____
NOTARY PUBLIC
Residing at _____

My Commission Expires

_____

ACKNOWLEDGEMENT

STATE OF UTAH)
COUNTY OF SUMMIT) ss

On the _____ day of _____ 1994, personally appeared before me PATRICK J. SWEENEY, who being by me duly sworn, did say that he is the Managing General Partner of Sweeney Land Company, a Utah general partnership, and that the foregoing instrument was signed on behalf of said partnership, and said PATRICK J. SWEENEY acknowledged to me that said partnership executed the same.

_____
NOTARY PUBLIC
Residing at _____

My Commission Expires

_____

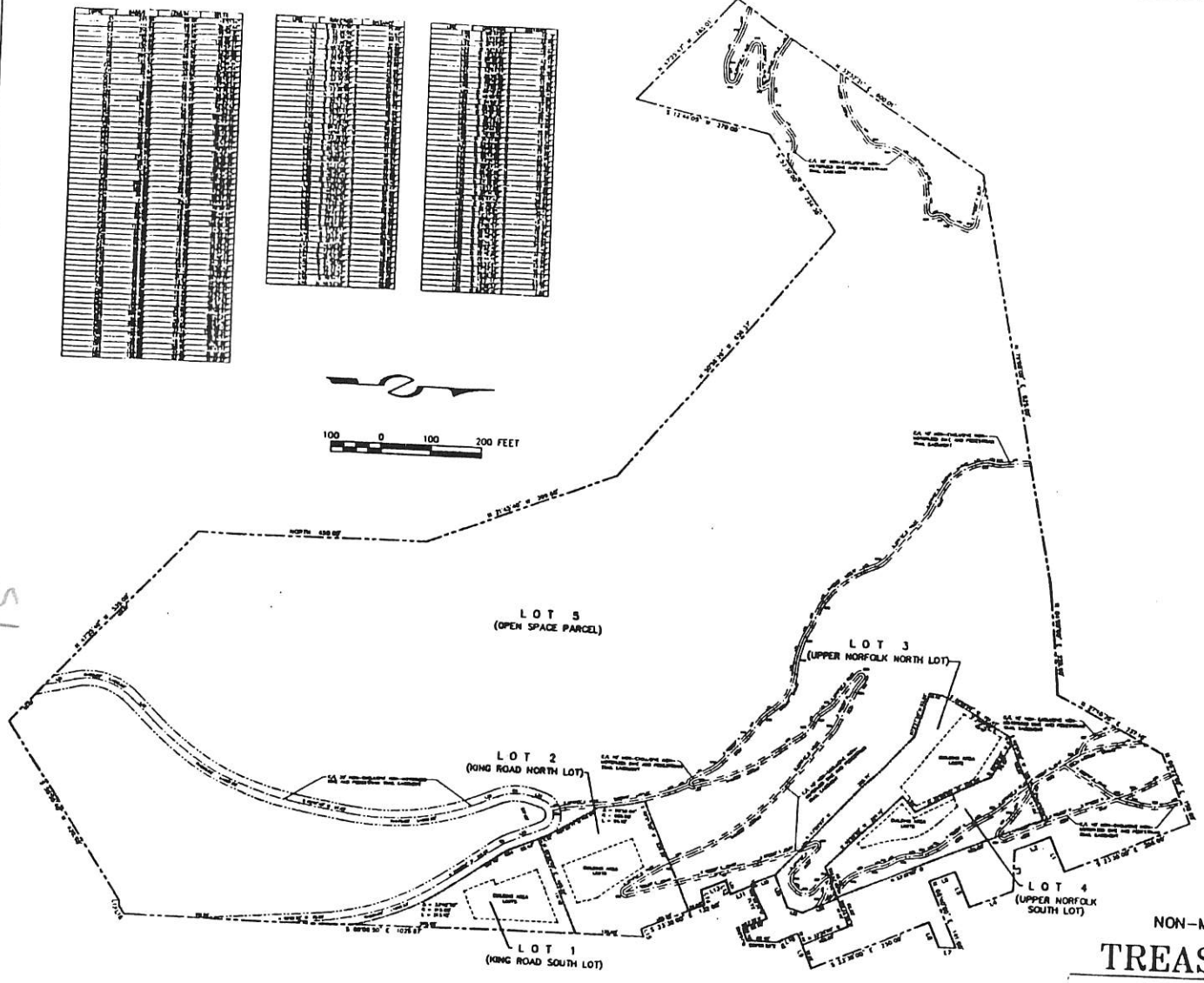
PHASE 1
SKI TRAIL EASEMENTS

TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 18, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

_____ _____
FEE RECORDER



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

1. HOUSE SIZE. The maximum footprint, calculated from the outside face of walls, shall be three thousand five hundred (3500) square feet including garages. The following shall not count towards the foot print calculations:

(a) Decks which are open on at least two sides (but which may have railings as required) covered or uncovered, and which do not have above grade living space below or above them.
(b) Exterior walkways.
(c) Exterior stairs.
(d) Driveways.
(e) Garage or living space that is below grade on three sides, is substantially underground, with natural grade reestablished by landscaping or decks above.

2. BUILDING AREA LIMITS. Improvements, including fences and formal landscaping, unless otherwise permitted under easements of record or as shown on the Plat or as consistent with the approved construction drawings of the driveways, Upper Norfolk turnaround, King Road turnaround, all bridge and utility plans, shall be limited to the Building Area Limits noted on the Plat. Notwithstanding the foregoing, trail areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated groomed grass.

3. CONSTRUCTION DISTURBANCE. Temporary construction disturbance may extend twenty (20) feet beyond the Building Area Limits. Such disturbed area shall be revegetated with native landscaping.

4. PARKING. A minimum of two (2) enclosed parking spaces and two (2) open parking spaces shall be provided for each home.

5. HEIGHT. The building height shall be measured from existing grade to the top of flat roofs and to the ridge of pitched roofs. The maximum height, in general, shall be twenty five (25) feet for flat roofs and thirty (30) feet for pitched roofs. A maximum height of twenty eight (28) feet for flat roofs and thirty three (33) feet for pitched roofs shall be permitted for the expressed purpose of accommodating access, to stairwells and/or elevators, between floor levels. Pitched roofs shall be sloped at no less than one vertical to twelve horizontal (1/12) and no greater than one vertical to twelve horizontal (1/12). The dominant roof plane, defined as a minimum of fifty percent (50%) of sloped roof areas, shall approximately parallel existing grade and be in one plane. Dormers opposed to the dominant roof plane may be counted as part of the dominant roof plane.

6. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back of at least five (5) feet shall be twenty five (25) feet from existing or reestablished grade whichever is greater.

7. MASSING. House designs shall be comprised of one or more connected building masses. Building masses shall be rectilinear except round elements as may be approved by Park City Municipal Corporation which reflect the size, scale and context of historical water towers. No one building mass shall have a footprint that exceeds 1,500 square feet. "Footprint" shall be defined as in the above Restriction 1. Multiple building masses shall be comprised of major masses and minor masses similar to the historic Park City mining aesthetic. Massing elements shall be separated by horizontal and/or vertical facade breaks.

8. SEWER LATERALS. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Sewer Improvement District.

9. FIRE SPRINKLING. Internal and external fire sprinkling of the homes shall be provided unless this requirement is otherwise waived by the Park City Fire Marshal at his/her sole discretion. Wood roofing material shall be prohibited.

10. PRECEDENCE. The above special restrictions are consistent with the Sweeney Master Plan approved by the Park City Municipal Corporation on October 16, 1986 and as subsequently amended on October 16, 1987 and December 30, 1992.

PHASE 1
NON-MOTORIZED BIKE AND PEDESTRIAN TRAIL EASEMENTS

TREASURE HILL SUBDIVISION

A SUBDIVISION LOCATED IN SECTION 18, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED

STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF _____
DATE _____ TIME _____ BOOK _____ PAGE _____

_____ _____
FEE RECORDER

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

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

   (a) Decks which are open on at least two sides (but which may have railings as required), covered or uncovered, and which do not have living space below or above them;
   (b) Exterior walkways;
   (c) Exterior stairs;
   (d) Driveways.

2. BUILDING AREA LIMITS. Improvements, including fences and formal landscaping (unless otherwise permitted under easements or agreements of record or as shown on the Plat or as consistent with the approved construction drawings of the driveways, Upper Norfolk turnaround, King Road turnaround, ski bridge and utility plans), shall be limited to the Building Area Limits noted on the Plat. Notwithstanding the foregoing, flat areas located on the Ski Trail Easements where they cross Lots 3 and 4 and are directly adjacent to the Building Area Limits of Lots 3 and 4 may be landscaped with irrigated groomed grass.

3. CONSTRUCTION DISTURBANCE. Unless otherwise provided in agreements with Park City Municipal Corporation which are of record, temporary construction disturbance shall be limited to twenty (20) feet beyond the Building Area Limits or to adjoining-lot property lines whichever is closer. Such disturbed area shall be revegetated with native landscaping.

~~4. PARKING. A minimum of two (2) enclosed parking spaces and two (2) open parking spaces shall be provided for each home.~~

5. HEIGHT. The building height shall be measured from existing grade to the top of flat roofs and to the ridge of pitched roofs. The maximum height, in general, shall be twenty five (25) feet for flat roofs and thirty (30) feet for pitched roofs. A maximum height of twenty eight (28) feet for flat roofs and thirty three (33) feet for pitched roofs shall be permitted for the expressed purpose

Exhibit D
Development Parameters

RECEIVED
JUN 25 2005
PARK CITY
PLANNING DEPT.

of accommodating access, i.e. stairwells and/or elevators, between floor levels.

6. FACADE HEIGHT, EASTERLY FACING. The maximum facade height for the Easterly facing facades without a step back of at least five (5) feet shall be twenty five (25) feet from existing or reestablished grade whichever is greater.

7. MASSING. House designs may be comprised of one or more connected or unconnected building masses. Within the 3,500 square foot footprint referenced in Note 1 above, no one building mass shall have a footprint that exceeds 1,500 square feet. Massing elements shall be separated by horizontal and/or vertical facade breaks.

8. SEWER LATERALS. Maintenance and replacement of sewer laterals shall be the responsibility of their respective owners and not that of the Snyderville Basin Sewer Improvement District.

9. FIRE SPRINKLING. External and internal modified 13d fire sprinklers shall be provided for the homes. Wood roofing material shall be prohibited.

10. PRECEDENT. The above special restrictions are consistent with the Sweeney Master Plan approved by the Park City Municipal Corporation on October 16, 1986 and as subsequently amended on October 14, 1987 and December 30, 1992. Final house design shall be reviewed under the Small Scale Master Plan Process in accordance with the Sweeney Master Plan.

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

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

February 21, 2024

Pesky Porcupine, LLC

CC: Wade Budge with the Law Offices of Snell & Wilmer

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	220 King Road Lot 2, Phase I of the Treasure Hill Subdivision Sweeney Master Planned Development
Zoning District:	Historic Residential – 1 Sensitive Land Overlay
Applications:	PL-22-05318 – Conditional Use Permit, Single-Family Dwelling PL-22-05319 – Plat Amendment PL-23-05523 – Outdoor Pool PL-23-05571 – Steep Slope Conditional Use Permit
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	February 21, 2024
Project Summary:	The Applicant proposes to demolish a 4,235-square-foot Single-Family Dwelling and 4,189-square-foot Guest House, to construct a: ○ A Single-Family Dwelling with: ▪ Approximately 7,461 square feet of finished space. ▪ Approximately 5,898 square feet of unfinished space. ▪ Approximately 1,690 square feet of terrace/patio area. ○ A 1,103-square-foot Accessory Building. ○ A 243-square-foot Swim Spa. ○ A 4,794-square-foot Underground Parking Area.

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

The Applicant proposes to amend Plat Notes 1 (Footprint), 4 (Height), 5 (Façade Height, Easterly Facing), and 9 (Precedence) of the Lot 2, Phase I Treasure Hill Subdivision, and shift Plat Note 9 (Precedence) to Plat Note 1 and add Plat Notes 10, 11, 12, and 13 to the Second Amendment for Lot 2, Phase 1 Treasure Hill Subdivision, and to shift the Building Area Limits to accommodate the proposed project.

Action Taken
On February 14, 2024, the Planning Commission conducted a public hearing and approved the Second Amendment for Lot 2, Phase 1, Treasure Hill Subdivision, amending Plat Notes 1 (Footprint), 4 (Height), 5 (Façade Height, Easterly Facing), and 9 (Precedence) of the Lot 2, Phase I Treasure Hill Subdivision, shifting Plat Note 9 (Precedence) to Plat Note 1 and adding Plat Notes 10, 11, 12, and 13 to the Second Amendment for Lot 2, Phase 1 Treasure Hill Subdivision, and shifting the Building Area Limits to accommodate the proposed project. The Planning Commission conducted a public hearing and approved the Conditional Use Permit for a Single-Family Dwelling and Outdoor Pool and the Steep Slope Conditional Use Permit for the project according to the following findings of fact, conclusions of law, and conditions of approval:

The January 24, 2024 and February 14, 2024 staff reports and meeting minutes are incorporated herein.

Plat Amendment
File No. PL-22-05318

Findings of Fact

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

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

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

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4. The Property is currently being used for one single-family residence and one guest house that the Applicant intends to demolish to construct a new single residence.

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

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

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

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

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

10. The Planning Commission expressly finds this approval is limited to the Amended Plat of the Amended Sweeney Properties Master Planned Development, and as such shall not create any precedent nor interpretation of general applicability in the Historic Residential-1 Zoning District, for current Land Management Code regulations, or other plat amendments.

Additional Findings

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

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

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

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ii. Exterior walkways;
iii. Exterior stairs; and
iv. Driveways.

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

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

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

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

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

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

i. The Amended Plat resolves an existing non-conformity as the two residential units constructed on a single lot will be demolished in favor of a single residential unit on a single lot.

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ii. The Amended Plat preserves the character of the neighborhood and Park City as the Amended Plat is more consistent with the Amended Sweeney Properties MPD approval.

iii. Reducing the buildable area and relocating a portion of the buildable area will reduce the visual impact of the Property's development. This is consistent with best planning and design practices.

iv. The Amended Plat facilitates the construction of a single residence in place of one residence and one guest house that are presently used as short-term rentals. Demolishing the two existing short-term rentals reduces the overall density of the area, alleviates traffic, decreases utility usage, minimizes noise and light pollution, and is more consistent with neighboring uses.

v. The Amended Plat facilitates the termination of the existing short-term rentals. This furthers the health, safety, and welfare of the Park City community as it will decrease the number of unknown persons in the community and increase the overall sense of community by housing long-term residents.

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

Conclusion

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

Conditions of Approval

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

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Exhibit A
Amended Plat to be Updated to Reflect Exhibit B

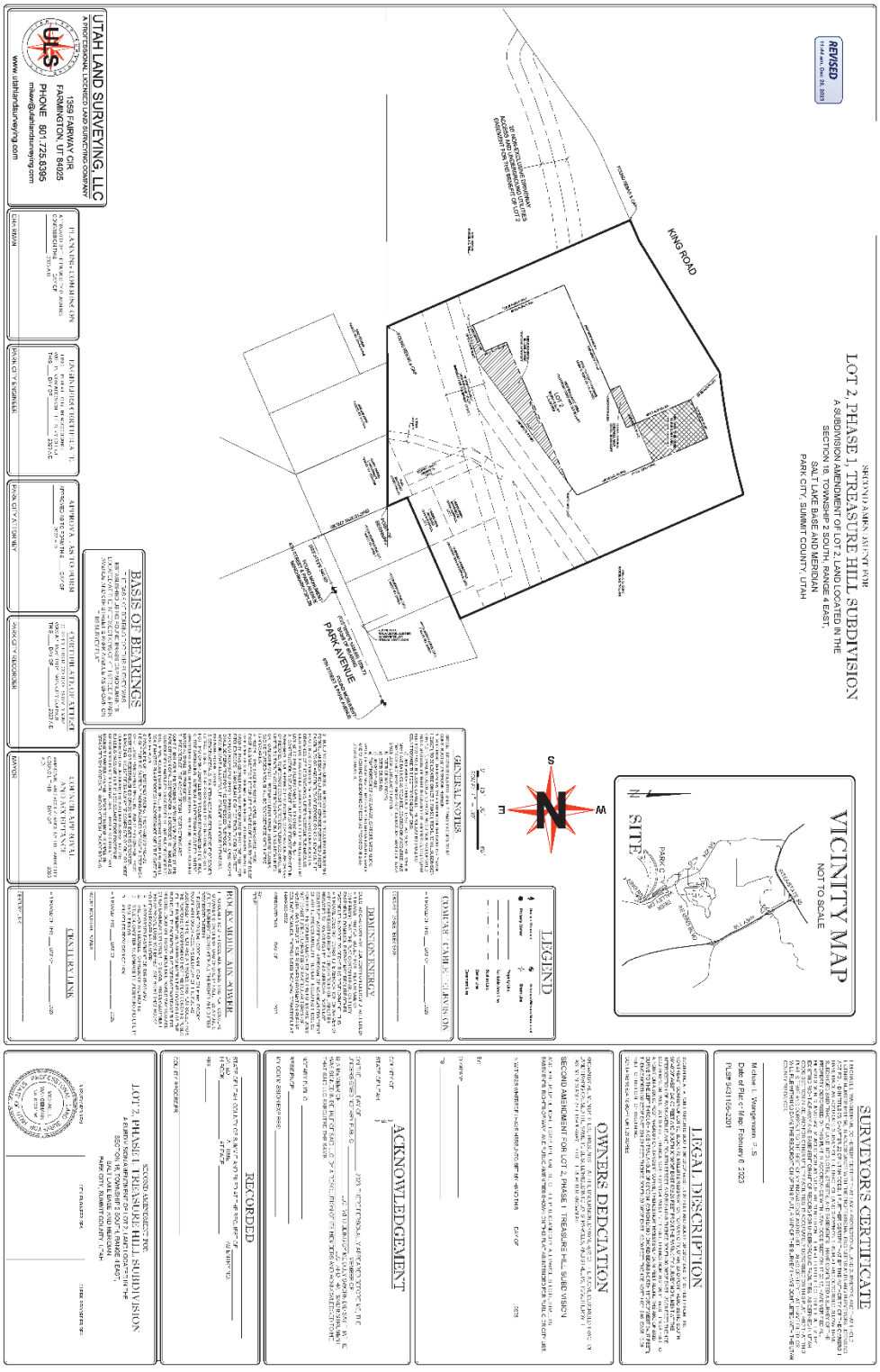

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Exhibit B
Amended Plat Notes

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

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

2. FOOTPRINT. THE RESIDENTIAL FOOTPRINT OF THE DWELLING (“MAIN HOUSE”), TO BE LOCATED ON THE SECOND AMENDMENT FOR LOT 2, PHASE I, TREASURE HILL SUBDIVISION (THE “LOT”), SHALL BE CALCULATED FROM THE OUTSIDE FACE OF WALLS ON ANY SINGLE LEVEL, AND A MAXIMUM OF THREE THOUSAND FIVE HINDERED (3,500) SQUARE FEET FOOTPRINT INCLUDING GARAGES. THE FOLLOWING SHALL NOT COUNT TOWARD THE FOOTPRINT CALCULATIONS:

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

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

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

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SUCH DISTURBED AREA SHALL BE REVEGETATED WITH NATIVE LANDSCAPING.

5. HEIGHT. THE BUILDING HEIGHT SHALL BE MEASURED FROM EXISTING GRADE TO THE TOP OF THE FLAT ROOFS AND TO THE RIDGE OF PITCHED ROOFS. THE MAXIMUM HEIGHT, IN GENERAL, SHALL BE TWENTY -FIVE (25) FEET FOR FLAT ROOFS AND THIRTY (30) FEET FOR PITCHED ROOFS. A MAXIMUM HEIGHT OF TWENTY EIGHT (28) FEET FOR FLAT ROOFS AND THIRTY-THREE (33) FEET FOR PITCHED ROOFS SHALL BE PERMITTED FOR THE EXPRESSED PURPOSE OF ACCOMMODATING ACCESS AND LIGHT FEATURES NO GREATER THAN 24 FEET IN LENGTH, I.E. STAIRWELLS AND/OR ELEVATORS, BETWEEN FLOOR LEVELS. IN ACCORDANCE WITH THE SWEENEY MPD, WHICH WAS APPROVED BY THE PARK CITY MUNICIPAL CORPORATION ON OCTOBER 16, 1986, AND AS SUBSEQUENTLY AMENDED ON OCTOBER 14, 1987 AND DECEMBER 30, 1992, BUILDING HEIGHT SHALL ONLY BE MEASURED AS OUTLINED IN THIS PLAT NOTE #4.

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

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

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

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

10. EXTERIOR LIGHTING. ALL EXTERIOR LIGHTING SHALL BE DOWN DIRECTED AND FULLY SHIELDED WITH BULBS 3,000 DEGREES KELVIN OR LESS. FLOOD LIGHTS ARE PROHIBITED. OUTDOOR LIGHTS SHALL NOT BE INSTALLED MORE THAN 12 FEET ABOVE EXISTING GRADE. GROUND-LEVEL FIXTURES SHALL BE FULLY SHIELDED.

11. GLAZING. SIXTY PERCENT (60%) OF THE EASTERN FACING FAÇADE IS PERMITTED TO BE GLAZING AND LIGHTING IMPACTS FROM THE EASTERN

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FACING FAÇADE SHALL BE MITIGATED BY INTERIOR FIXTURES DESIGNED TO MINIMIZE DIRECT VISIBILITY OF THE LIGHTING ELEMENT FROM RESIDENCES WITHIN 1/3 MILE OF THE RESIDENCE.

12. CONTINGENT UPON A STEEP SLOPE CONDITIONAL USE PERMIT APPROVAL BY THE PLANNING COMMISSION, DETACHED BELOW GRADE ACCESSORY BUILDINGS. BELOW GRADE ACCESSORY BUILDINGS ARE PERMITTED WITHIN THE BUILDABLE AREA. THE FOOTPRINT OF A DETACHED BELOW GRADE ACCESSESORY BUILDING DOES NOT COUNT TOWARDS THE FOOTPRINT AREA OF THE DWELLING AS ALLOWED IN NOTE #1.

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

Conditional Use
File No. PL-22-05319
File No. PL-23-05523
[220 King Residence and Outdoor Pool]

Findings of Fact

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

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

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

4. The Property is currently being used for one single-family residence and one guest house, that the Applicant intends to demolish to construct the new Residence.

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

The existing single-family residence and guest home have been used for short-term rentals.

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

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

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

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

Additional Findings

9. The Planning Commission, as the land use authority, finds that the proposed Residence CUP is in compliance with the standards in LMC § 15-1-10.E, as applied pursuant to the Amended Sweeney Properties MPD. Specifically, the Residence:

a. As applied pursuant to the Amended Sweeney Properties MPD, is an appropriate size and location for the Property. *See* LMC § 15-1-10.E.1 This finding is supported further as follows:

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

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

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

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

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

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

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

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

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

ii. The Residence will decrease utility usage by utilizing more efficient construction materials and by replacing one existing home and one existing guest house used as short-term rentals.

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

d. Provides adequate emergency vehicle access. *See* LMC § 15-1-10.E.4. Specifically, the Residence has been designed to meet all emergency vehicle access and driveway slope requirements as set forth in the LMC, including by providing a fire turnaround in the underground parking area.

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

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

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

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

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

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

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

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

h. As applied pursuant to the Amended Sweeney Properties MPD, is appropriately massed, bulked, and oriented, on the site. *See* LMC § 15-1-10.E.8. This finding is supported as follow:

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

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

iii. The Residence meets the height limitation stated on the second amended subdivision plat.

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

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

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

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

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

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

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

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

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

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

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

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

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

11. As discussed below, the Applicant has agreed to self-impose certain conditions on the Property to minimize any potential detrimental effects that may result

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

from the proposed use. The Planning Commission finds that these conditions adequately mitigate any potential detrimental effects that may result from the Residence.

Conclusion

Based on the foregoing, and subject to the conditions listed below, the Residence and Outdoor Pool CUP applications meet the standards and requirements of the LMC as applied pursuant to the Amended Sweeney Properties MPD, including the criterial for approving a conditional use per LMC § 15-1-10.E and 10-9A-507, Utah Code Ann. The Planning Commission concludes it is appropriate to issue the Residence CUP subject to the below conditions, each of which will mitigate any reasonably anticipated detrimental effects associated with the Residence.

Conditions

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

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

B. The Applicant is responsible for notifying the Planning and Building Departments prior to proposing any changes to this approval. The Applicant shall submit in writing any changes, modifications, or deviations from the approved scope of work for planning review and approval/denial in accordance with the applicable standards prior to construction. Unfinished space indicated on plan sheets A2.10 and A2.20 of the approved plan set is limited to concrete floors, utilities, mechanical equipment, and storage. Future modifications to this unfinished space shall be reviewed by the Planning Commission in accordance with the Conditional Use Permit process.

C. The current access point of King Road must be maintained, and no new access points are allowed. The driveway width within the platted easement on 200 King Road and within the setbacks required for 220 King Road shall not exceed 12 feet in width, unless required by the Park City Fire District to accommodate turning radius and emergency vehicles.

D. The Applicant shall include in their Construction Mitigation Plan (CMP), in addition to Municipal Code of Park City Section 11-14-4(H), a specific plan for all soil exporting. Soil shall be transported uphill on King Road to an approved site for deposit. Time of operations, location of deposit site, total cubic yards to be exported, and number of trips hauling shall be outlined and regulated through the CMP. If the property owner of an approved site for deposit will not accept the excavated soils, the applicant will submit an alternative soil exporting plan for review by the Planning

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

Director and Chief Building Official. No alternative soil exporting will be permitted until plans are approved.

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

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

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

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

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

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

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

L. No additional fencing is permitted without further approval by the Park City Planning and Building Departments.

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

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

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

P. The proposed residence's roof shall be consistent with the plans approved by the Planning Commission on February 14, 2024, and attached as Exhibit D.

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

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

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

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

T. Any areas disturbed during construction shall be restored to the original state after the proposed residence, accessory building and structures, and retaining walls are completed.

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

V. All exterior lighting shall be down directed, fully shielded, with bulbs 3,000 degrees Kelvin or less to prevent glare onto adjacent property and shall comply with the City’s outdoor lighting code per LMC § 15-5-5(J). Flood lights are prohibited. Fully Shielded outdoor lights shall not exceed 12 feet above Existing Grade. Ground-level fixtures shall be Fully Shielded. Final lighting details must be reviewed by Planning Staff prior to installation.

W. All proposed mechanical equipment, the pool, and/or a hot tub shall be screened. Any hot tub installation is prohibited on east façade decks or terraces.

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

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

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

AA. The Applicant shall demonstrate the proposed metal siding and roofing materials have a Solar Reflectivity Index (SRI) of 35 or less prior to the submittal of a building permit.

BB. Prior to submittal of a Building Permit, the Applicant shall submit for

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

review the excavation and grading plans for Engineering Department review and approval to ensure no additional erosion, land subsidence, or avalanche hazard is created.

CC. Cuts, fills, and retaining walls shall be minimized.

DD. The Applicant shall demonstrate compliance with Municipal Code of Park City Chapter 11-21 Utah Wildland-Urban Interface Code at the time of Building Permit submittal.

EE. The Applicant shall demonstrate adequate turnaround to allow a fire apparatus to maneuver to and from the site as approved by the Park City Fire District prior to submitting a Building Permit. The Applicant shall provide a fire hydrant within 600 feet of the proposed development.

FF.The Applicant should upsize the existing service line to provide adequate pressure to the additional living area and fire sprinkler system. Please note the City operates substantial water lines to the west of the proposed dwelling.

GG. To conduct construction across the neighboring 200 King Road property, including any additional width required to accommodate the installed improvements, all work shall be limited to the limits of the platted easement. The applicant shall submit required approvals for any work or structures proposed outside of the easement at 200 King Road.

HH. Glazing on the east façade shall comply with the Second Amendment for the Lot 2 Phase 1 Treasure Hill Subdivision plat notes. Vinyl and aluminum doors and windows are prohibited. Window and door details shall be reviewed and approved through the Historic District Design Review process.

II. The Applicant's stormwater mitigation plan shall be reviewed and approved by the Engineering Department prior to building permit submittal.

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

Findings of Fact

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

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

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

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

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

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

a. Existing Conditions Map (Job No. 8-3-23);

b. Conceptual Grading Plan (Job No. 8-3-23);

c. Drainage Plan (Job No. 8-3-23);

d. Steep Slope Map (Job No. 8-3-23);

e. Stormwater Management Plan (Job No. 8-3-23); and

f. Excavation Section View (Job No. 8-3-23).

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

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

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

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Additional Findings

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

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

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

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

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

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

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

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

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h. Are consistent with the applicable volume limitations. *See* LMC § 15-2.2-6.B.8.

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

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

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

Conclusion

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

Conditions

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

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

KK. The driveway to the proposed residence shall not exceed 12 feet in width unless required by Park City Fire District for emergency vehicle turning radius and access, shall not exceed a 14% grade, and must comply with LMC § 15-3-3(A)(4).

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

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

NN. Applicant shall maintain vegetative screening in accordance with

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the submitted vegetation plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the east façade glazing.

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

PP. Structures on the Property shall conform to the HR-1 setbacks set forth in LMC § 15-2.2-3. The property is located outside of the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal law.

QQ. The Applicant shall include in their Construction Mitigation Plan (CMP), in addition to Municipal Code of Park City Section 11-14-4(H), a specific plan for all soil exporting. Soil shall be transported uphill on King Road to an approved site for deposit. Time of operations, location of deposit site, total cubic yards to be exported, and number of trips hauling shall be outlined and regulated through the CMP. If the property owner of an approved site for deposit will not accept the excavated soils, the applicant will submit an alternative soil exporting plan for review by the Planning Director and Chief Building Official. No alternative soil exporting will be permitted until plans are approved.

RR. The Applicant shall provide elevation drawings of all segments of the Accessory Buildings that have an exposed face to Planning staff for review as part of the Historic District Design Review process.

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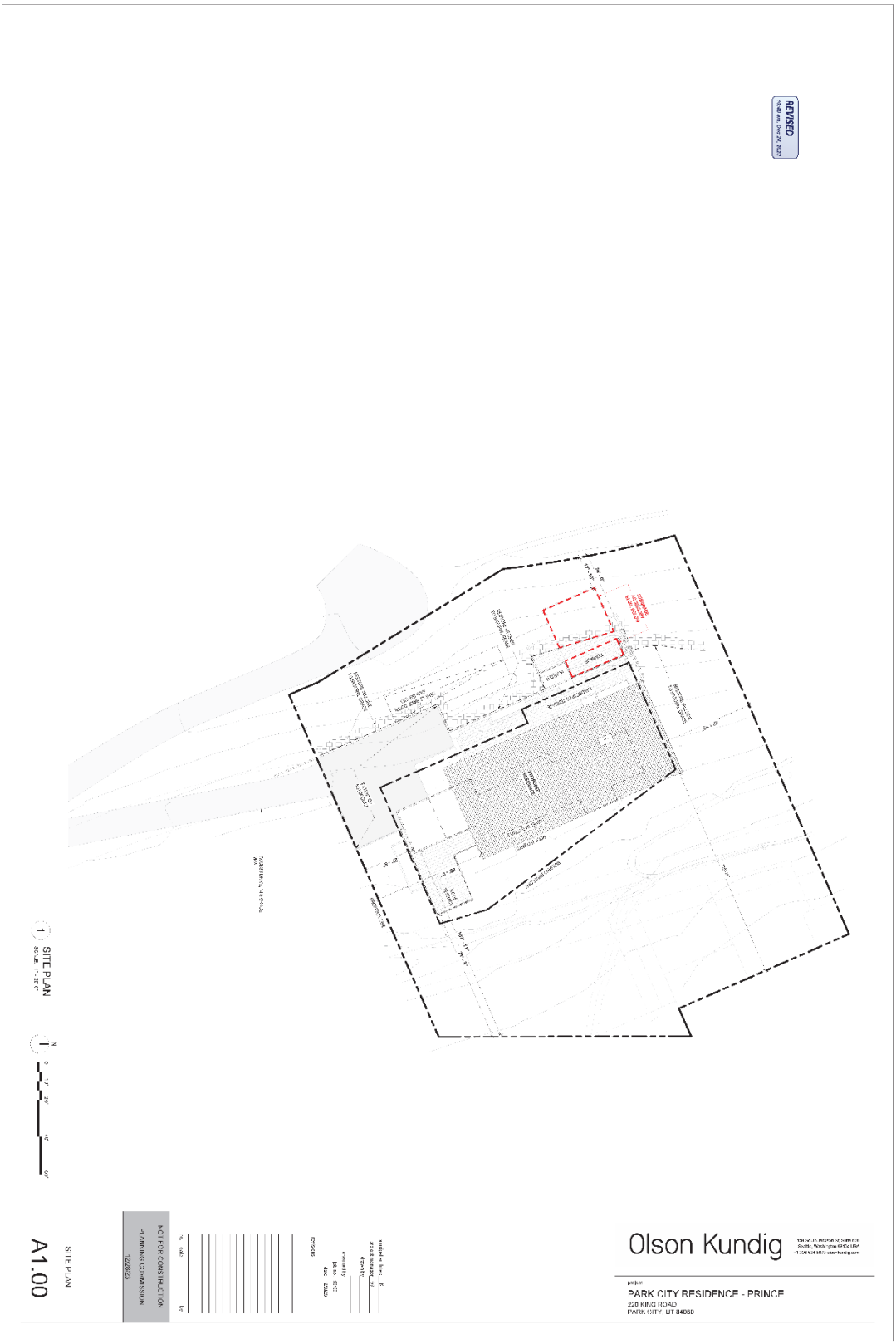
Exhibit C
Site Plan



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If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5060 or email planning@parkcity.org.

Sincerely,

DocuSigned by:
0449CE71C9B8468...

2/24/2024

Sarah Hall, Planning Commission Chair

CC: Rebecca Ward, Planning Director
Caitlyn Tubbs, Senior Historic Preservation Planner

Exhibit D – Approved Plans

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Building Diagrams

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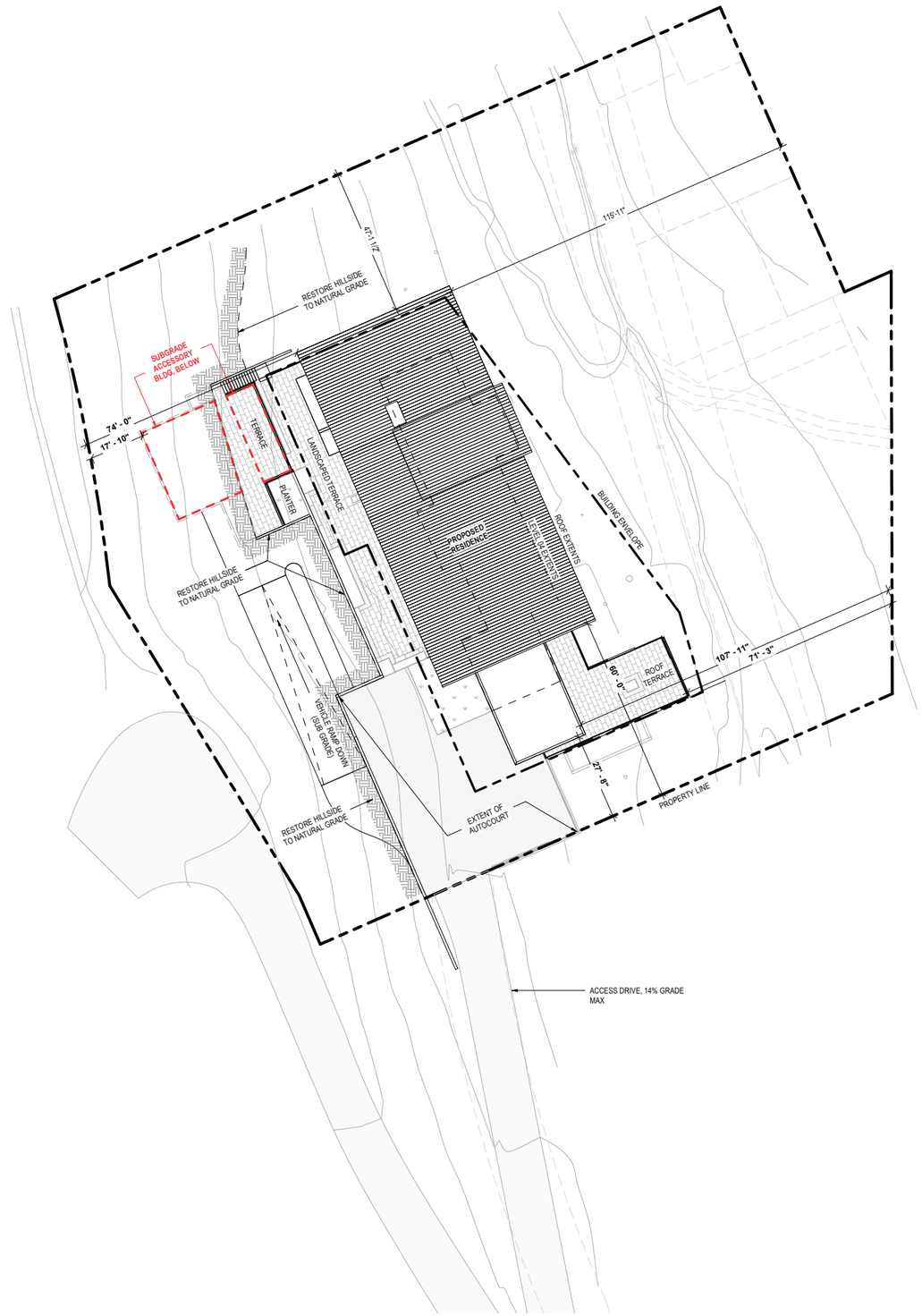

1 SITE PLAN
SCALE: 1" = 20'-0"

N

0 10' 20' 40' 60'

Olson Kundig
159 South Jackson St, Suite 600
Seattle, Washington 98104 USA
+1 206 624 5670 olsonkundig.com

project:
PARK CITY RESIDENCE - PRINCE
220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by
checked by
job no. 20102
date 12/28/23

revisions:

no. date by

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12/28/23

SITE PLAN

A1.00

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GENERAL NOTES

- EXISTING STRUCTURES AND HARDSCAPE ON SITE TO BE DEMOLISHED.
- RETURN HILLSIDE TO NATURAL GRADE AFTER DEMOLITION.
- POST-DEMOLITION CONTOUR LINES REPRESENT EXISTING GRADE FOR PROPOSED BUILDING HEIGHT ANALYSIS.

KEY LEGEND

- MINOR CONTOUR, SURVEYED
- 7350 MAJOR CONTOUR, SURVEYED
- MINOR CONTOUR, POST-DEMOLTION
- 7350 MAJOR CONTOUR, POST-DEMOLTION

ROOF SPOT ELEVATION

ROOF HEIGHT AT POINT
XXXX' - X"
XX' - X" HT
ROOF HEIGHT ABOVE POST-DEMO GRADE

1 ROOF HEIGHT TO GRADE
SCALE: 1" = 20'-0"

N
0 10' 20' 40' 60'

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ROOF HEIGHT TO GRADE

A1.04

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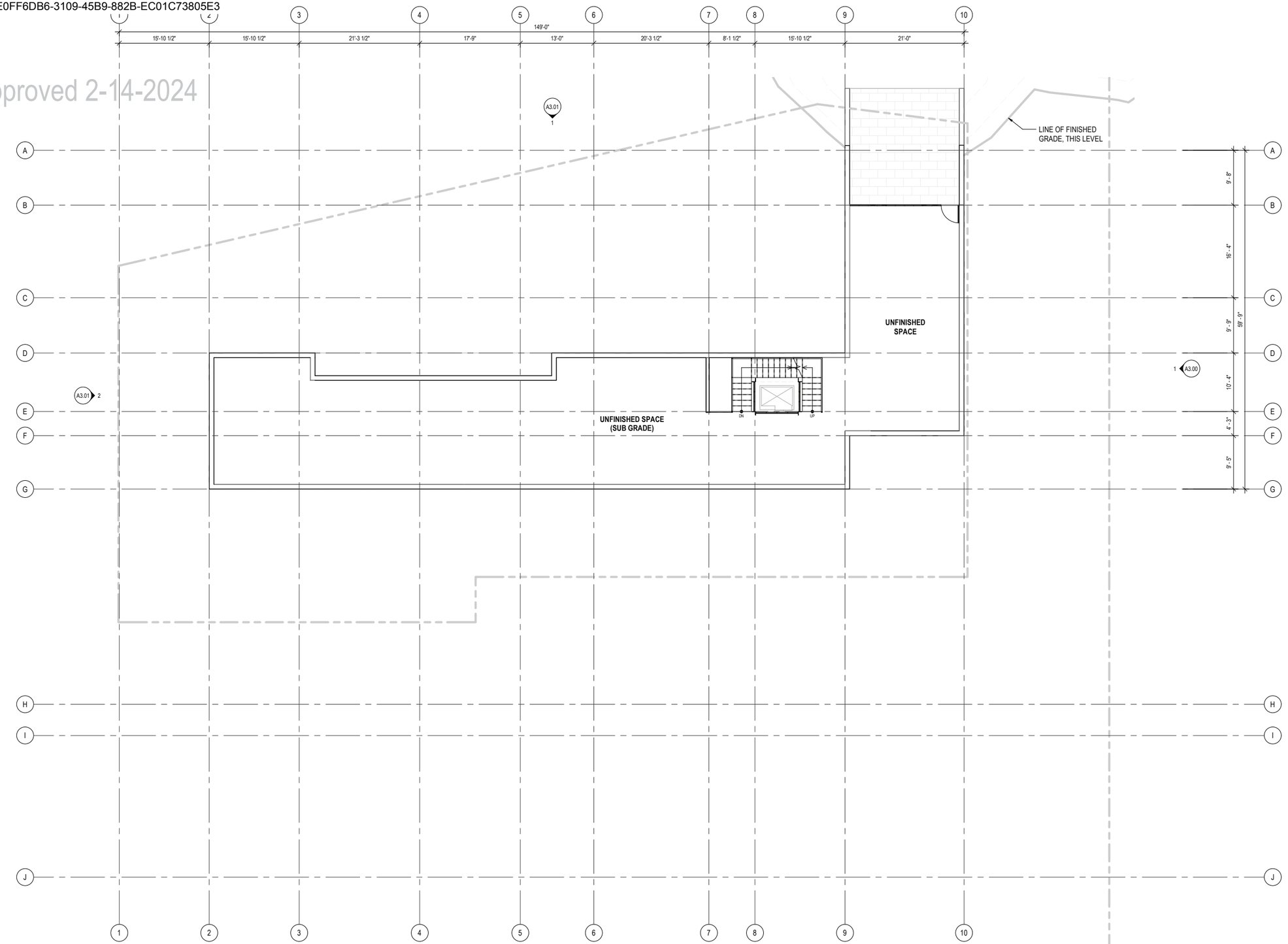

1 LEVEL 01 PLAN
SCALE: 1/8" = 1'-0"

N 0 2' 4' 6' 8' 16' 24'

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PLAN - LEVEL 01

A2.10

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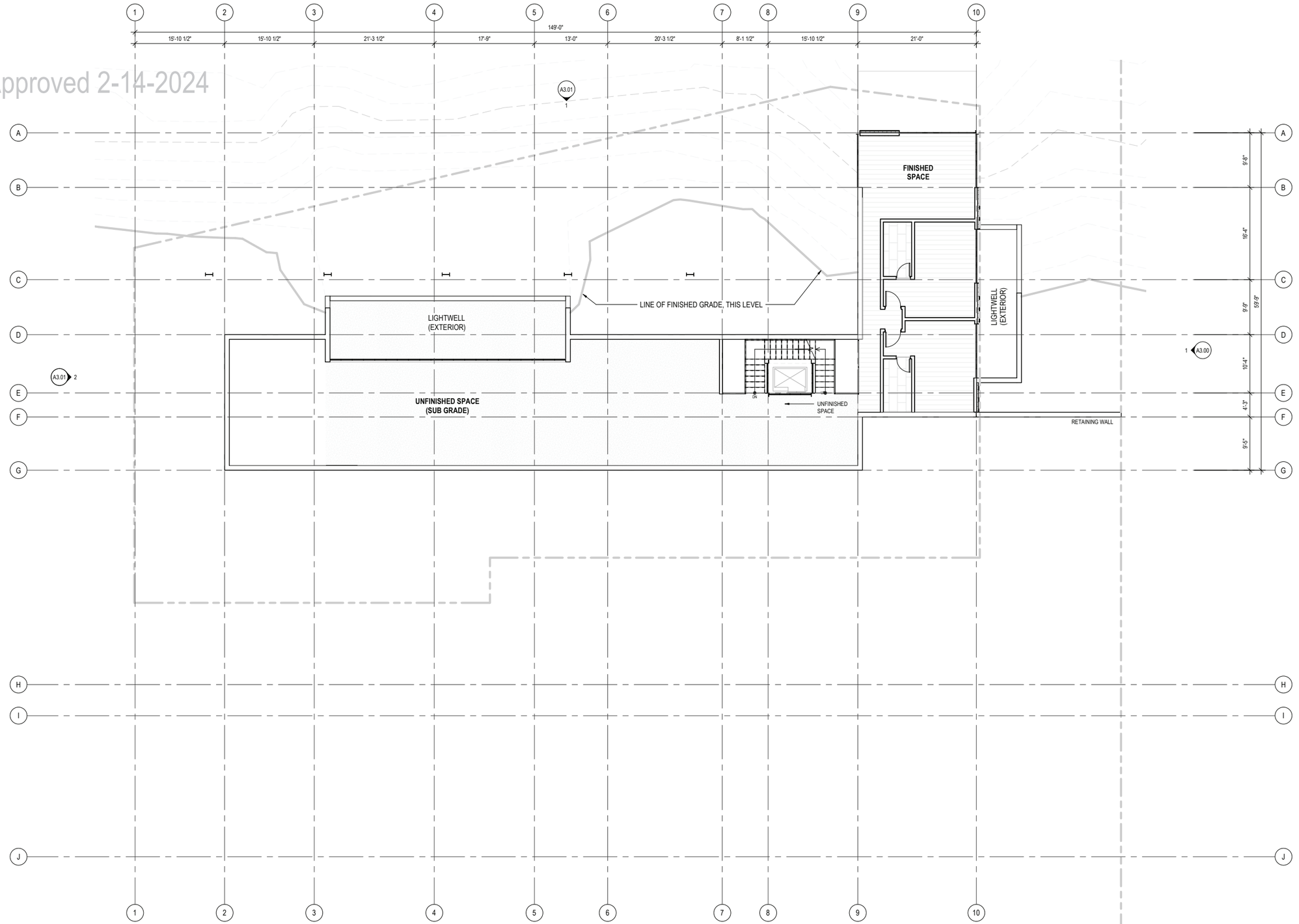

1 LEVEL 02 PLAN
SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

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PLAN - LEVEL 02

A2.20

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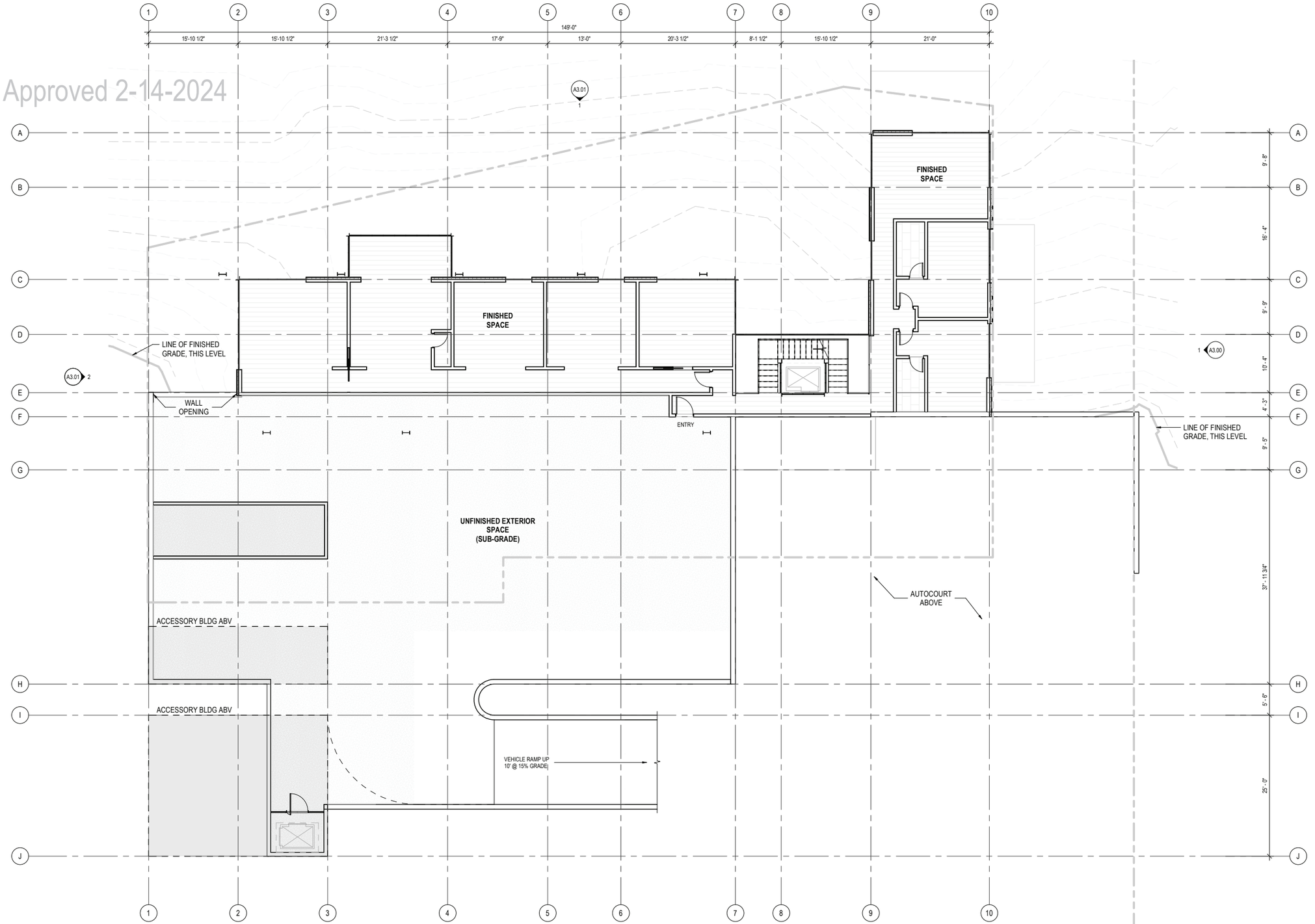

1 LEVEL 03 PLAN
SCALE: 1/8" = 1'-0"

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project manager SG
drawn by Author
checked by
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date 12/28/23

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PLAN - LEVEL 03

A2.30

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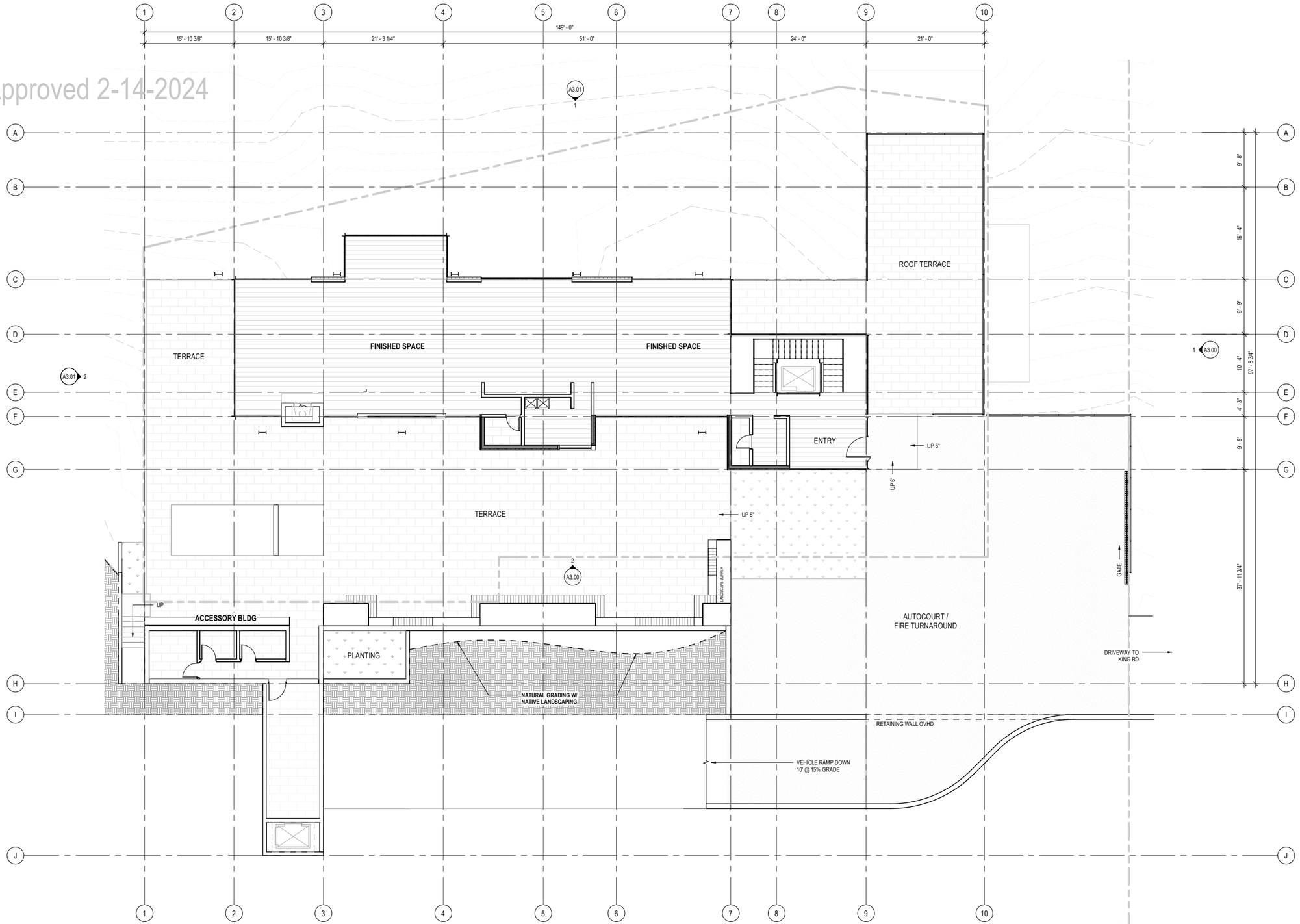

1 LEVEL 04 PLAN
SCALE: 1/8" = 1'-0"

N 0 2' 4' 6' 8' 16' 24'

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principal architect TK
project manager SG
drawn by
Author
checked by
job no. 20102
date 12/28/23

revisions:

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PLAN - LEVEL 04

A2.40

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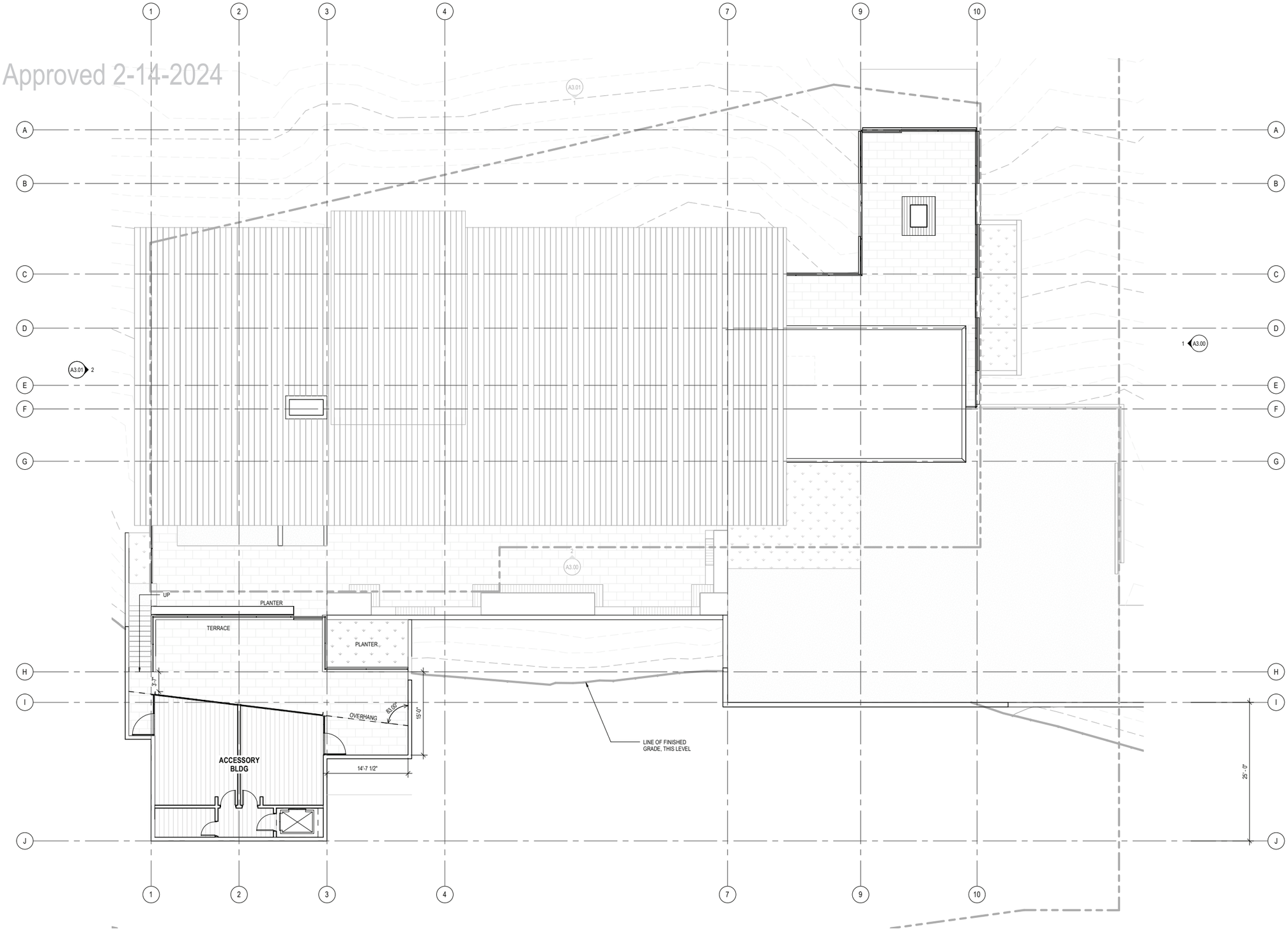

1 LEVEL 05 PLAN
SCALE: 1/8" = 1'-0"

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drawn by Author
checked by Checker
job no. 20102
date 12/28/23

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PLAN - LEVEL 05

A2.50

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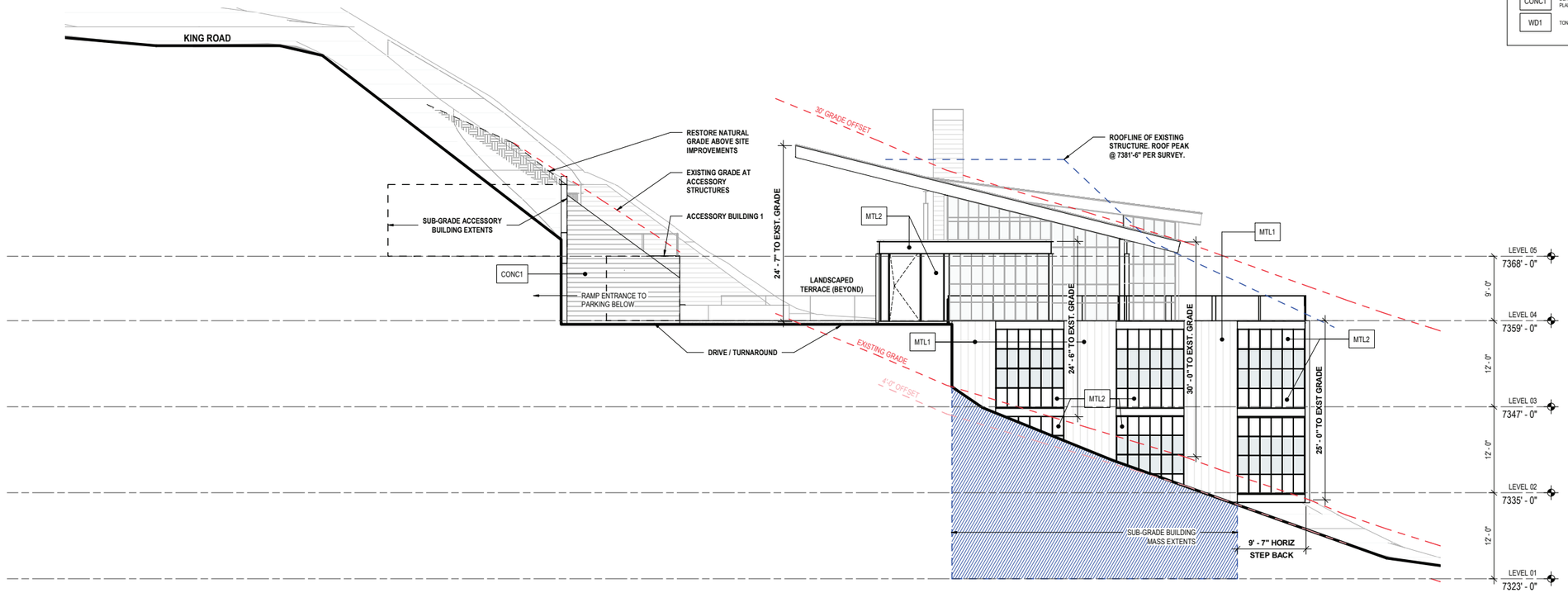
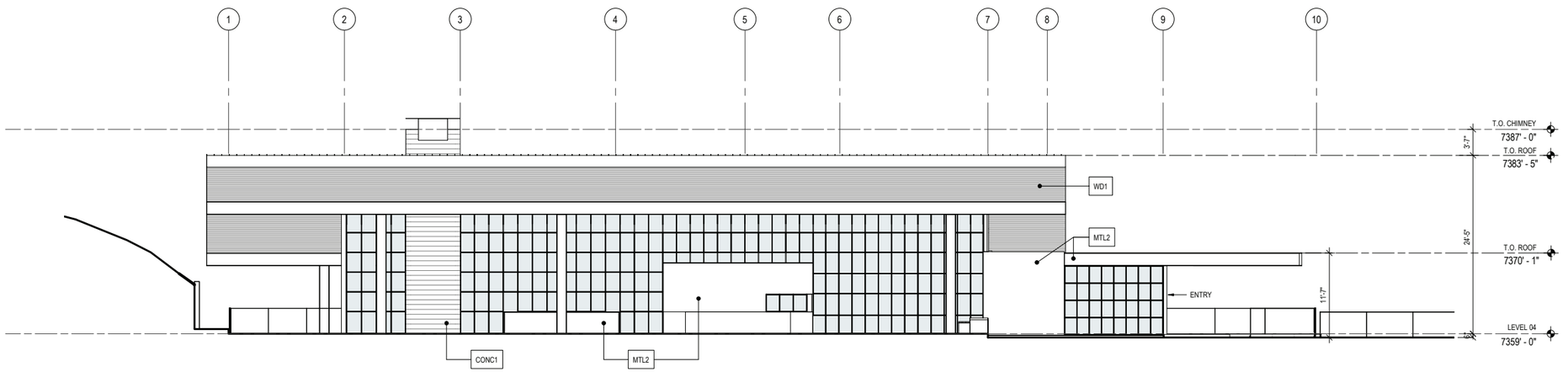


1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

MATERIAL LEGEND

MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK

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project:
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220 KING ROAD
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principal architect TK
project manager SG
drawn by
checked by
job no. 20102
date 12/28/23

revisions:

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EXTERIOR ELEVATIONS

A3.00

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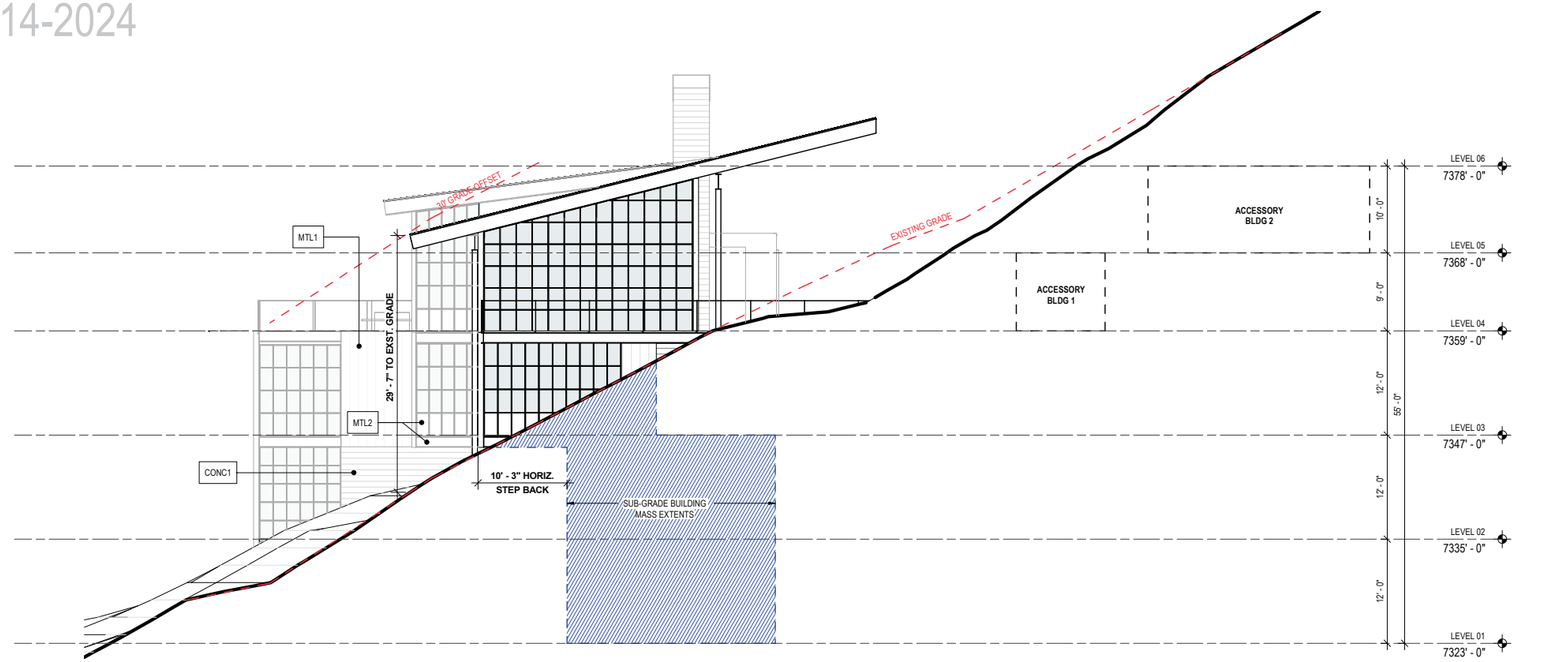
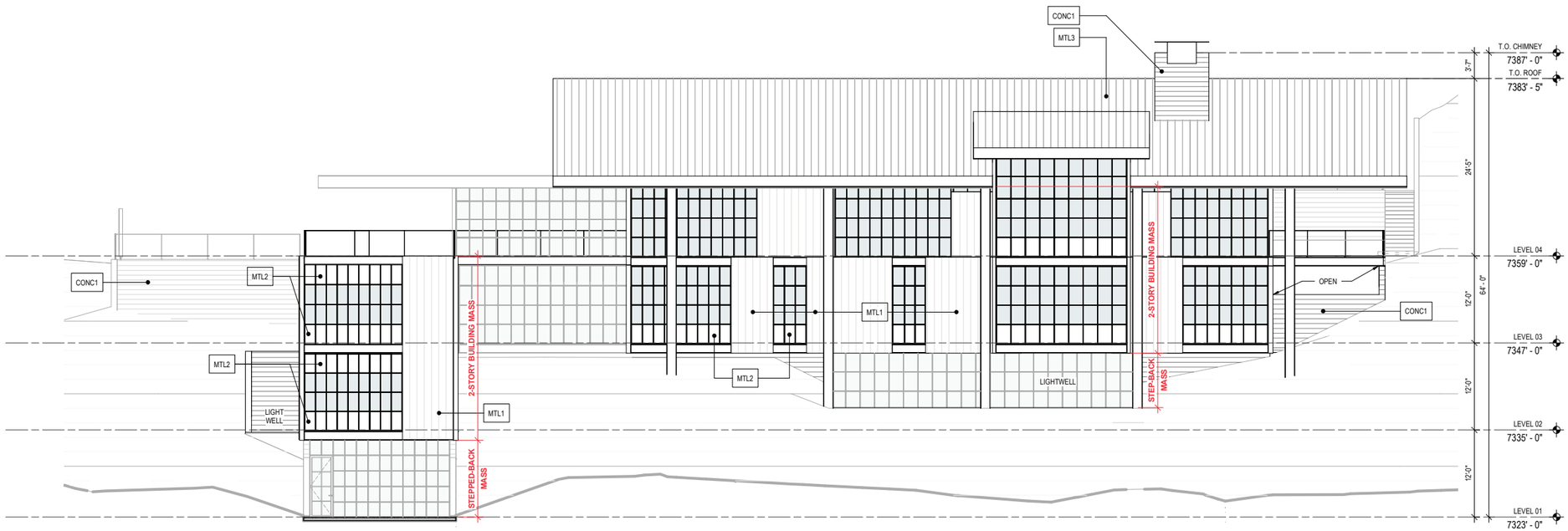
MATERIAL LEGEND

MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION
SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

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EXTERIOR ELEVATIONS

A3.01

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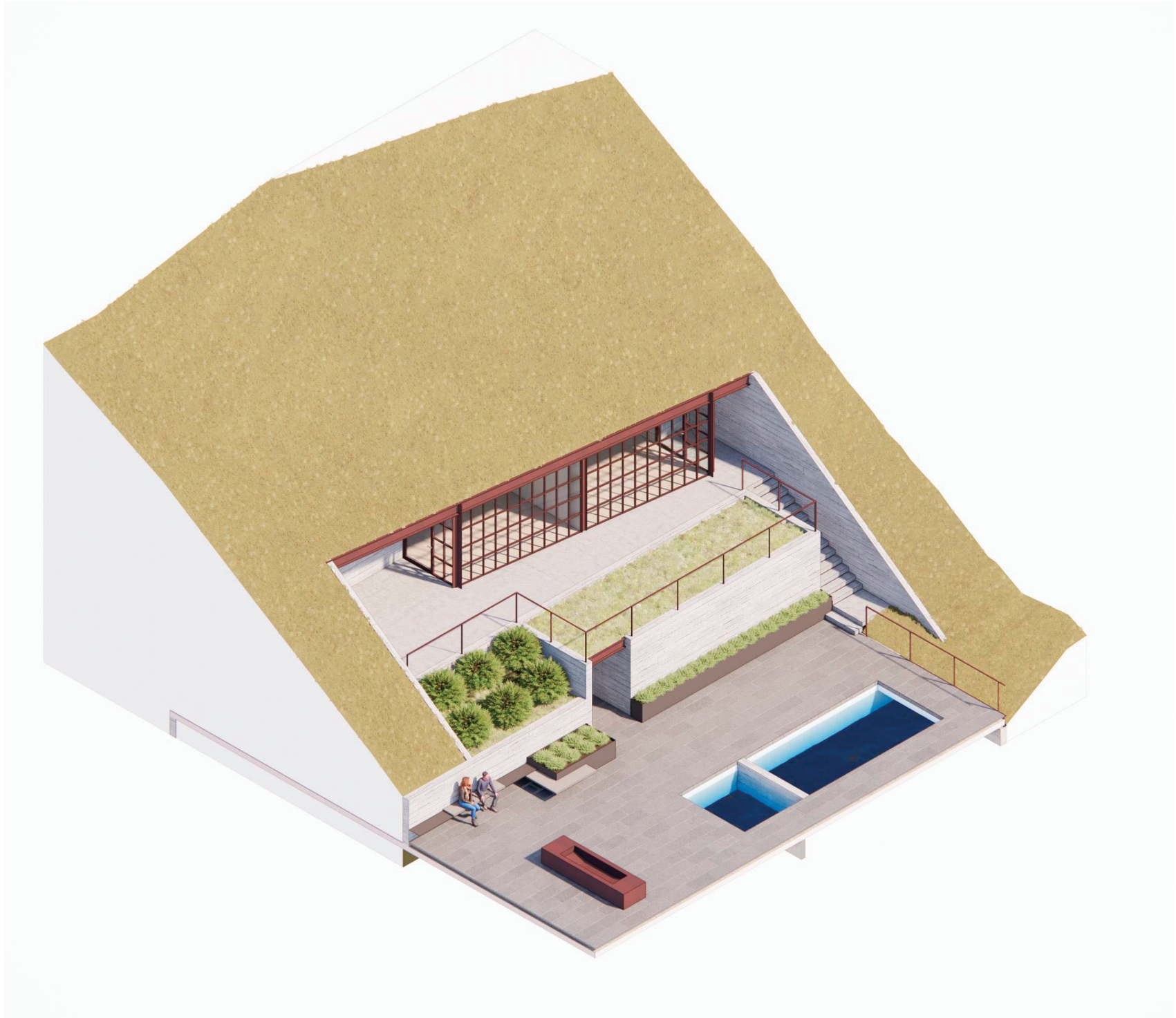

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Grading Plan

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

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EXISTING CONCRETE STAIRS.
EXISTING ROCK WALLS.
EXISTING CONCRETE STAIRS.
6' TRAIL EASEMENT.
7300
7310
7320
7330
7340
7350
7360
7370
7380
7390
7400
7410
EXISTING SS LINE
SS1
SS2
SS3
EXISTING TRAIL
30' NON-EXCLUSIVE UNDERGROUND UTILITY EASEMENT.
EXISTING TRAIL
EXISTING ROCK WALL
EXISTING VEGETATION.
EXISTING ROCK STEPS
EXISTING TREES PLANTED DURING HOUSE CONSTRUCTION
EXISTING WOODEN STEPS
EXISTING HOUSE
EXISTING ROCK WALL
EXISTING TREES PLANTED DURING HOUSE CONSTRUCTION
EXISTING HOUSE
EXISTING ROCK WALL
EXISTING TREES PLANTED DURING HOUSE CONSTRUCTION
EXISTING ROCK STEPS
PROPERTY LINE
EXISTING ROCK WALL
EXISTING TREES PLANTED DURING HOUSE CONSTRUCTION
EXISTING ROCK WALL
EXISTING ROCK WALL
EXISTING LIGHT POLE
EXISTING TRAIL
EXISTING ASPHALT DRIVEWAY
EXISTING DRIVEWAY EASEMENT.
EXISTING LIGHT POLE
KING ROAD
PROPERTY LINE

20' 0 20' 40'

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

STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/13/2024

EXISTING CONDITIONS
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 1 OF 8

NOTES:
1. EXISTING CONDITION SURVEY IS DONE BY UTAH LAND SURVEYING, LLC.

Approved 2-14-2024

10 0 10' 20'

BUILDING PAD LINE

NEW CONCRETE RETAINING WALL. HEIGHT MAX=12' LENGTH=60 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX=12' LENGTH=20 LF

DINING

LIVING

COCKTAIL

BAR

KITCHEN

POWDER

PANTRY

LOUNGE

GRILL

LEVEL 04 FF=7359.0'

PROPOSED RESIDENCE
LEVEL 00 FF=7311.0'
LEVEL 01 FF=7323.0'
LEVEL 02 FF=7335.0'
LEVEL 03 FF=7347.0'
LEVEL 04 FF=7359.0'

LEVEL 01 LOUNGE FF=7323.0'

ROOF TERRACE LIGHT WELL LEVEL 02

ROOF TERRACE FF=7359.0'

NEW CONCRETE RETAINING WALL. HEIGHT MAX=9' LENGTH=20 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX=8' LENGTH=32 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX= 4' LENGTH=72 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX=10' LENGTH=35 LF

NEW ROCK STACK RETAINING WALL. HEIGHT MAX=6' LENGTH=43 LF

STOR

BATH

CLOSET

PLANTING

PATIO

ENTRY

WC

UP 24"

NEW ROCK STACK RETAINING WALL. HEIGHT MAX=4' LENGTH=36 LF

PATIO STORAGE

PATIO STORAGE AND SHAFT BUILT IN TO THE HILL.

SHAFT

NEW CONCRETE RETAINING WALL. HEIGHT MAX= 12' LENGTH=53 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX= 8' LENGTH=20 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX= 18' LENGTH=17 LF

VEHICLE RAMP BUILT IN TO THE HILL

LEVEL 04 ACCESS VEHICLE RAMP

NEW ROCK WALL. HEIGHT MAX=6' LENGTH=15 LF

NEW ROCK WALL. HEIGHT MAX=2' LENGTH=129 LF

NEW ROCK WALL. HEIGHT MAX=4' LENGTH=14 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX= 18' LENGTH=56 LF

PROPOSED DRIVEWAY

NEW ROCK WALL. HEIGHT MAX=4' LENGTH=86 LF

KING ROAD

EXISTING DRIVEWAY EASEMENT.

EARTHWORK QUANTITIES:

CUT= 11,786 CU. YD. >CUT<
FILL= 416 CU. YD. >FILL<
NET= 11,370 CU. YD. >CUT<

NOTES

1. SLO BOUNDARY HAS NOT BEEN DEFINED AND WAITING ON CITY FOR LEGAL DESCRIPTION.
2. RETAINING WALL DESIGN WILL BE PROVIDED WITH THE BUILDING PERMIT PLANS.
3. NO SIGNIFICANT VEGETATION ON SITE. REMOVE EXISTING TREES PLANTED FOR EXISTING HOUSE AND REPLACE AS NECESSARY. REFER TO LANDSCAPE PLANS FOR DETAILS.

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

STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/13/2024

CONCEPTUAL GRADING PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 2 OF 8

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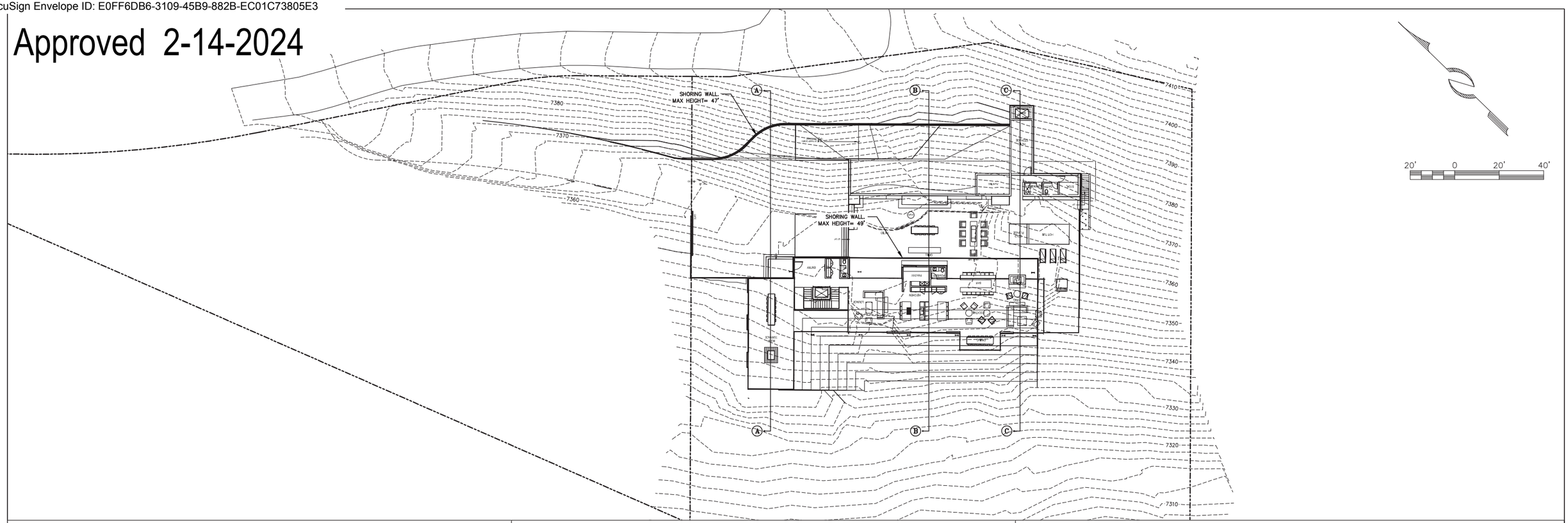
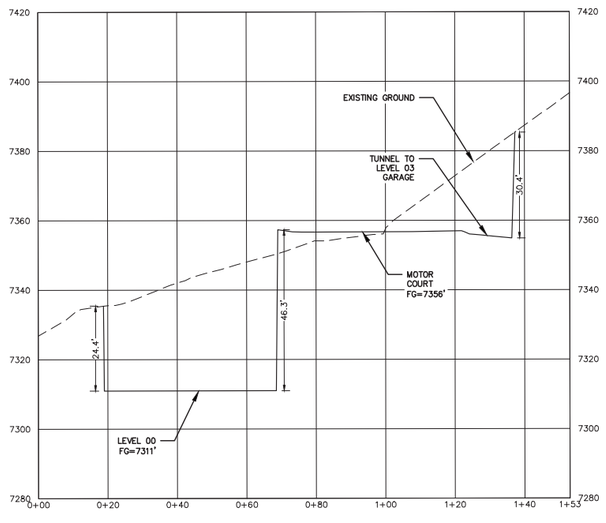
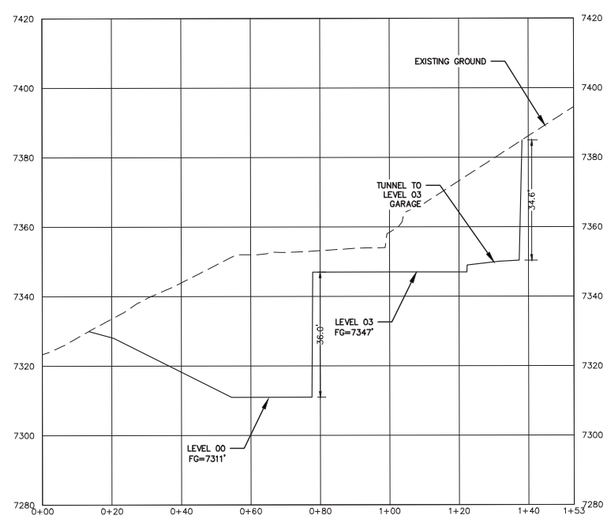
Approved 2-14-2024



SECTION "A-A"



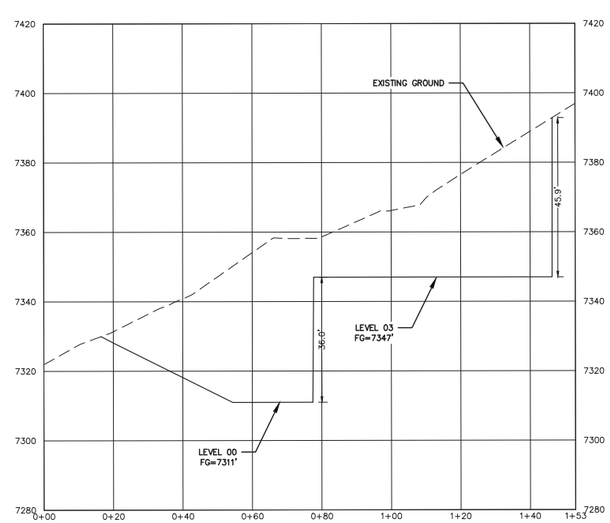
SECTION "B-B"



EARTHWORK QUANTITIES:

CUT= 11,786 CU. YD. >CUT<
FILL= 416 CU. YD. >FILL<
NET= 11,370 CU. YD. >CUT<

SECTION "C-C"



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STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/13/2024

EXCAVATION SECTION VIEW
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
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SHEET 7 OF 8

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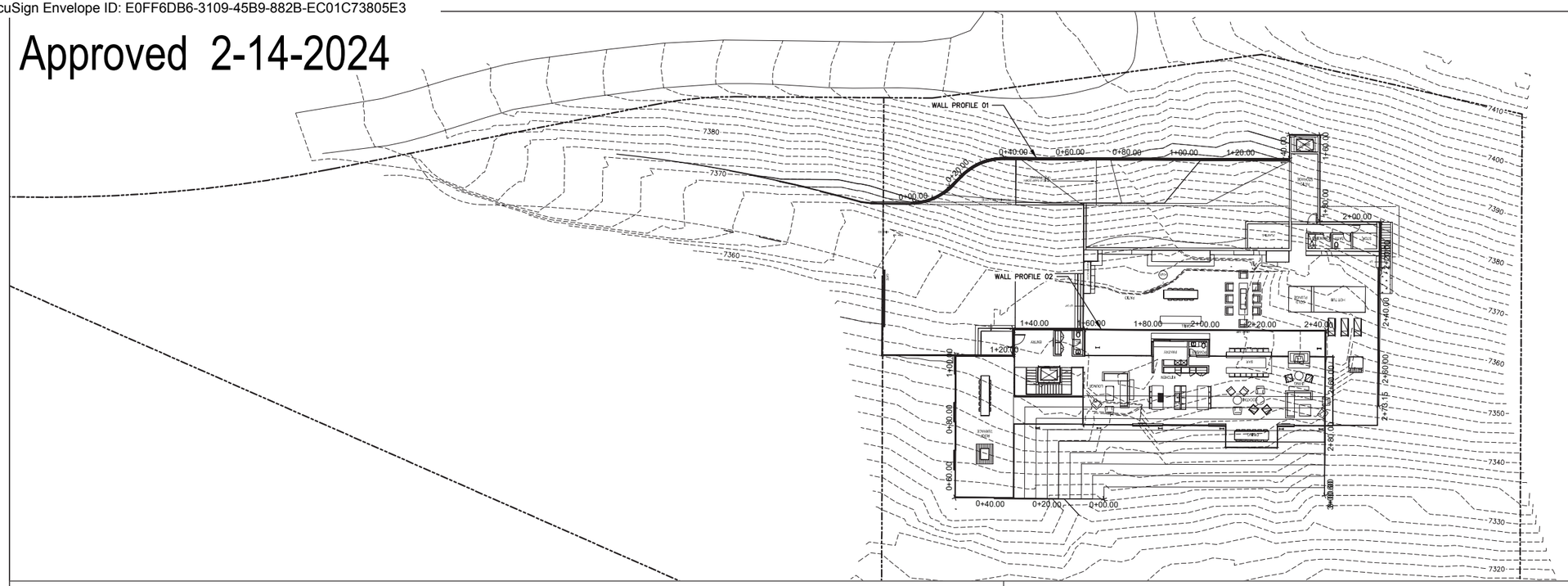
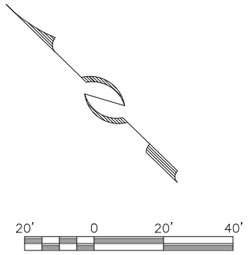
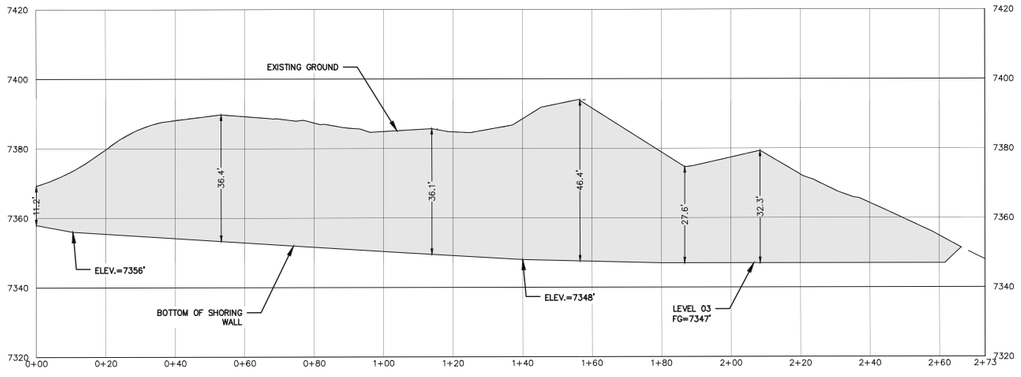
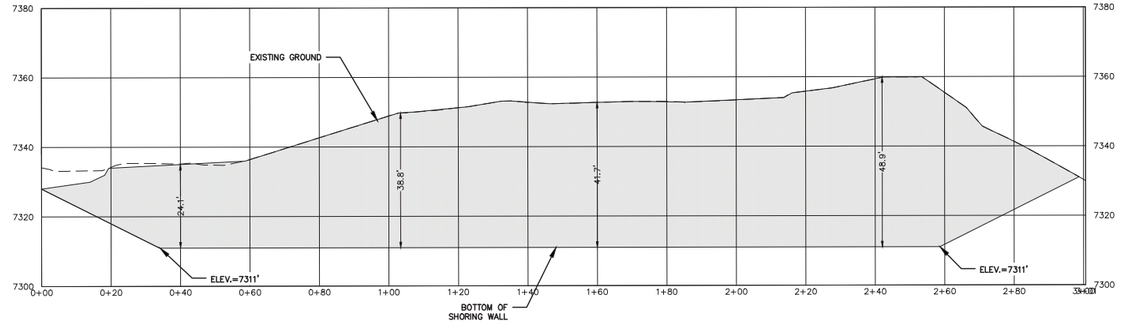




WALL PROFILE 01



WALL PROFILE 02



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STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/13/2024

PLAN AND PROFILE OF THE SHORING WALL
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 8 OF 8

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Drainage Plan

Approved 2-14-2024

10 0 10' 20'

CONTRACTOR TO FIELD FIT FLOW PATH WITH EXISTING VEGETATION.

PROPOSED FLOW PATH.

INSTALL RETENTION BASIN WIDTH= 3' LENGTH= 40'

BUILDING PAD LINE

NEW 12' SQUARE SD BOX W/ OPEN-SLOTTED DRAIN. RIM=7358.60' F/L=7355.60'

INSTALL 18 LF 6" CPP STORM DRAIN SLOPE=0.6% MIN.

INSTALL ZURN Z886 PERMA-TRENCH W/CAST IRON PAVER SLOT IN PATIO.

INSTALL CLOSED END CAP. RIM=7358.77' F/L=7358.33'

INSTALL CLOSED END CAP. RIM=7358.66' F/L=7358.22

INSTALL CLOSED END CAP. RIM=7358.57' F/L=7358.28'

INSTALL CLOSED END CAP. RIM=7358.59' F/L=7358.30'

INSTALL CLOSED END CAP. RIM=7358.57' F/L=7358.13'

INSTALL CLOSED END CAP. RIM=7358.55' F/L=7358.26'

INSTALL ZURN Z886 PERMA-TRENCH W/CAST IRON PAVER SLOT IN PATIO.

PROPOSED RESIDENCE
LEVEL 00 FF=7311.0'
LEVEL 01 FF=7323.0'
LEVEL 02 FF=7335.0'
LEVEL 03 FF=7347.0'
LEVEL 04 FF=7359.0'

LEVEL 05 FF=7359.0'

LEVEL 01 LOUNGE FF=7323.0'

ROOF TERRACE FF=7359.0'

INSTALL RETENTION BASIN WIDTH= 3' LENGTH= 40'

PROPOSED FLOW PATH.

FLARED END SECTION F/L=7341.00'

NEW 12' SQUARE SD BOX W/ OPEN-SLOTTED DRAIN. RIM=7356.58' F/L=7352.39'

BUILDING PAD LINE

INSTALL 138 LF 6" CPP STORM DRAIN SLOPE=0.6% MIN.

INSTALL 43 LF 6" CPP STORM DRAIN SLOPE=0.6% MIN.

LEVEL 04 ACCESS VEHICLE RAMP

NEW 12' SQUARE SD BOX W/ OPEN-SLOTTED DRAIN. RIM=7368.00' F/L=7353.39'

PROPOSED DRIVEWAY

DINING, LIVING, COCKTAIL, KITCHEN, POWDER, PANTRY, LOUNGE 1, GRILL, HOT TUB, COLD PLUNGE, STOR, BATH, CHANGING, SHAFT, WC, ENTRY, PATIO, PLANTING, ROOF TERRACE

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STAFF:
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SACHITH MUNASINGHE

DATE: 02/13/2024

DRAINAGE PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
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SHEET 3 OF 8

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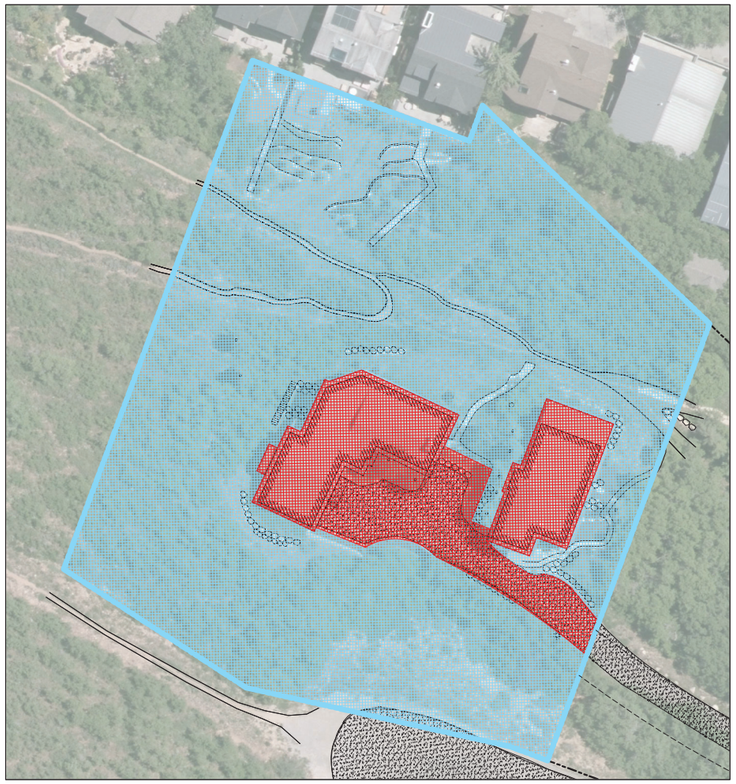

LEGEND

SOIL GROUP C

IMPERVIOUS AREA

30 0 30' 60'

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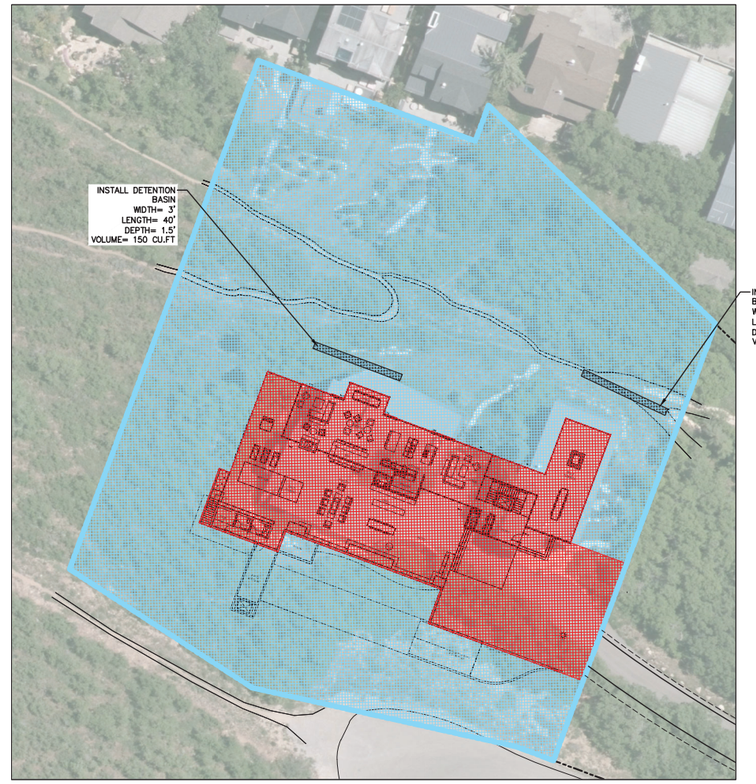


WATER QUALITY VOLUME CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: $WQ_v = CiTA$

DESIGN STORM: *90TH PERCENTILE EVENT*

NOTE: *INTENSITY = 0.60 IN/HR PER SUMMIT COUNTY MS4.*

VARIABLES

Q = RUNOFF FLOWRATE [CUBIC FEET/SEC]

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	*0,07*	*0,10*	*0,14*	*0,18*
AVERAGE (2-6%)	*0,12*	*0,15*	*0,19*	*0,23*
STEEP (>6%)	*0,16*	*0,21*	*0,27*	*0,33*
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE	*0,78*		*0,93*	

i = STORM INTENSITY [FT/HR]

T= STORM DURATION (HR)

NOTE: *T= 1 HR PER SUMMIT COUNTY ORDINANCE 381-A.*

A = AREA [FT^2]

PRE-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)			*45,298*	
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE			*8,509*	

A= 53,807 FT^2

C= 0,37

i= 0,05 FT/HR

t= 1,00 HR

ΔWQ_v = 1,005 CU FT

POST-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)			*41,322*	
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE			*12,485*	

A= 53,807 FT^2

C= 0,42

i= 0,05 FT/HR

t= 1,00 HR

ΔWQ_v = 1,135 CU FT

GROUNDWATER RECHARGE VOLUME

ΔWQ_v = 130 CU FT

PEAK RUNOFF CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: *RATIONAL METHOD Q=CiA*

STORM RETURN PERIOD: *100 YEARS*

NOTE: *FOR THE 100 YR RECURRANCE INTERVAL, THE COMPOSITE "C" VALUE IS ADJUSTED BY A FACTOR OF 1.25 BEFORE COMPUTING Q.*

STORM DURATION: *10 MN.*

SOUCE: *NOAA ATLAS 14 - PARK CITY RADIO STATION 42-6648*

VARIABLES

Q = RUNOFF FLOWRATE [CUBIC FEET/SEC]

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	*0,07*	*0,10*	*0,14*	*0,18*
AVERAGE (2-6%)	*0,12*	*0,15*	*0,19*	*0,23*
STEEP (>6%)	*0,16*	*0,21*	*0,27*	*0,33*
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE	*0,78*		*0,93*	

i = STORM INTENSITY [INCHES/HR]

A = AREA [ACRES]

t = TIME OF CONCENTRATION (SEC.)

V = EXCESS RUNNOFF VOLUME (CU FT) = ΔQt

PRE-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	-	-	-	-
AVERAGE (2-6%)	-	-	-	-
STEEP (>6%)	-	-	*1,04*	-
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE		-		*0,20*

A= 1,24 ACRES

C= 0,37

C_{ADJ} = 0,47

i= 5,00 IN/HR

Q= 2,88 CFS

POST-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	-	-	-	-
AVERAGE (2-6%)	-	-	-	-
STEEP (>6%)	-	-	*0,95*	-
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE		-		*0,29*

A= 1,24 ACRES

C= 0,42

C_{ADJ} = 0,53

i= 5,02 IN/HR

Q= 3,27 CFS

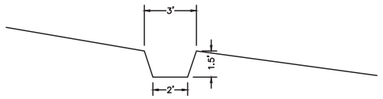
EXCESS RUNOFF STORAGE VOLUME

ΔQ= 0,39 CFS

t= 600 SEC.

V= 232 CU FT

TYPICAL STORMWATER DETENTION POND CROSS-SECTION



STORMWATER DETENTION REQUIRED = 232 CU. FT.
STORMWATER DETENTION PROVIDED ••300 CU. FT.

NOTES:

1. PEAK RUNOFF VOLUME OF 232 CU. FT. IS TO BE 100% DETAINED IN PROPOSED POND. THE DIMENSIONS OF THE DETENTION BASIN IS NOTED ON THE ABOVE PLAN. CUMULATIVE DETENTION VOLUME = 300 CU. FT.
2. OUTLET ROOF DRAINS SO THAT THE STORM WATER FLOWS FROM HOUSE DOWN GRADING AND INTO DETENTION BASIN.
3. STORMWATER DETENTION POND ALIGNMENT MAY VARY, FOLLOW EXISTING CONTOUR.
4. THE DETENTION POND HAVE BEEN SIZED TO DETAIN 100% OF THE WATER QUALITY VOLUME (PER SUMMIT COUNTY ORDINANCE NO. 381–A, APPENDIX F) MEETING THE COUNTY REQUIREMENTS FOR TSS REMOVAL AND GROUNDWATER RECHARGE.

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

STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/13/2024

STORMWATER MANAGEMENT PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER – JASON BOAL
JOB NO.: 8-3-23
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Landscape/Vegetation Plan

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

Approved 2-14-2024

PLANTING SCHEDULE

TREES

	ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
	PT-1	*Populus tremuloides*	Quaking Aspen	1 1/2" CAL	32
	PT-2	*Populus tremuloides*	Quaking Aspen	4" CAL	9
	AC	*Abies concolor*	White Fir	#65 (7FT TALL)	55
	PM	*Pseudotsuga menziesii*	Douglas Fir	4" CAL, #95/100	16
	SA	*(mixed native species)*	Sapling	#5	TBD

SHRUBS

	ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
	QB	*Quercus gambelii*	Colorado Scrub Oak	#10	30

GRASS AND PERENNIAL

TYPE	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
NATIVE GRASS MIX			1 GAL	7,591 SF
	Festuca ovina	Sheep Fescue		
	Bouteloua gracilis	Blue Grama Grass		
	Bouteloua curtipendula	Sideoats Grama		
	Artemisia tridentata var. vaseyana	Vasey's Sagebrush		
	Penstemon strictus	Rocky Mountain Penstemon		
	Achillea millefolium	Common Yarrow		
NATIVE PARTIAL SHADE MIX			1 GAL	7,637 SF
	Festuca ovina	Sheep Fescus		
	Stipa hymenoides	Indian Rice Grass		
	Leymus cinereus	Great Basin Rye		
	Machaeranthera tanacetefolia	Tahoka Daisy		
	Geranium viscosissimum	Wild Geranium		
	Sphaeralcea grossulariifolia	Globemallow		
NATIVE RE-VEGETATION SEEDING MIX			HYDROSEEDING	1,647 SF

KEY LEGEND

- BUILDING FOOTPRINT
- CONCRETE PAD ON GRADE
- STONE PAVER
- CONCRETE RETAINING WALL
- SNOW STORAGE
- PROPERTY LINE
- SUBGRADE STRUCTURE
- OVERHANG
- 7320 EXISTING CONTOURS
- PROPOSED 2FT CONTOURS
- 7330 PROPOSED 10FT CONTOURS

NOTE:

1. SEE SURVEY FOR MORE INFORMATION ON EXISTING VEGETATION AND TREES.
2. CONTRACTOR TO CONFIRM EXISTING TREES AND NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES BETWEEN THE PLAN AND THE EXISTING CONDITIONS BEFORE STARTING WORK.
3. CONTACT LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE PRIOR TO REMOVAL.
4. HARVEST AND PRESERVE TOPSOIL FROM DISTURBED AREAS FOR RE-VEGETATION. ANY EXPOSED OR DISTURBED SLOPE SHALL BE RE-VEGETATED.
5. IMPORTED SOIL MUST BE OF A QUALITY TO SUPPORT PLANT GROWTH.
6. FOLLOW HR-1 CODE FOR DEFINITION OF SIGNIFICANT VEGETATION.
7. PROTECT SIGNIFICANT VEGETATION BY TREE PROTECTION FENCING PROTECTION FENCE, 6'-0" SEMI-PERMANENT CHAINLINK, DRIVEN 2'-0" INTO THE GROUND. PLACE AT LIMITS OF TREE PROTECTION ZONES AND REMOVE AT THE END OF CONSTRUCTION.
8. PROTECTION FENCING SHALL NOT BE MOVED, REMOVED, OR ENTERED BY EQUIPMENT AND MAINTAINED IN GOOD REPAIR THROUGHOUT CONSTRUCTION.
9. APPLY BIODEGRADABLE NETTING AND EROSION CONTROL FOR SLOPES GREATER THAN 3:1
10. ANY APPLICATION OF HERBICIDE TREATMENT SHALL BE PER THE REGULATIONS OF LOCAL JURISDICTIONS, AND ENVIRONMENTAL REGULATORS.

N

0 10' 20' 40' 60'

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Seattle, Washington 98104 USA
+1 206 624 5670 olsonkundig.com

project:
PARK CITY RESIDENCE - PRINCE
220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by Author
checked by Checker
job no. 20102
date 12/28/23

revisions:

no.	date	by

NOT FOR CONSTRUCTION

PLANNING COMMISSION

12/28/23

SITE PLAN - LANDSCAPE

A1.03

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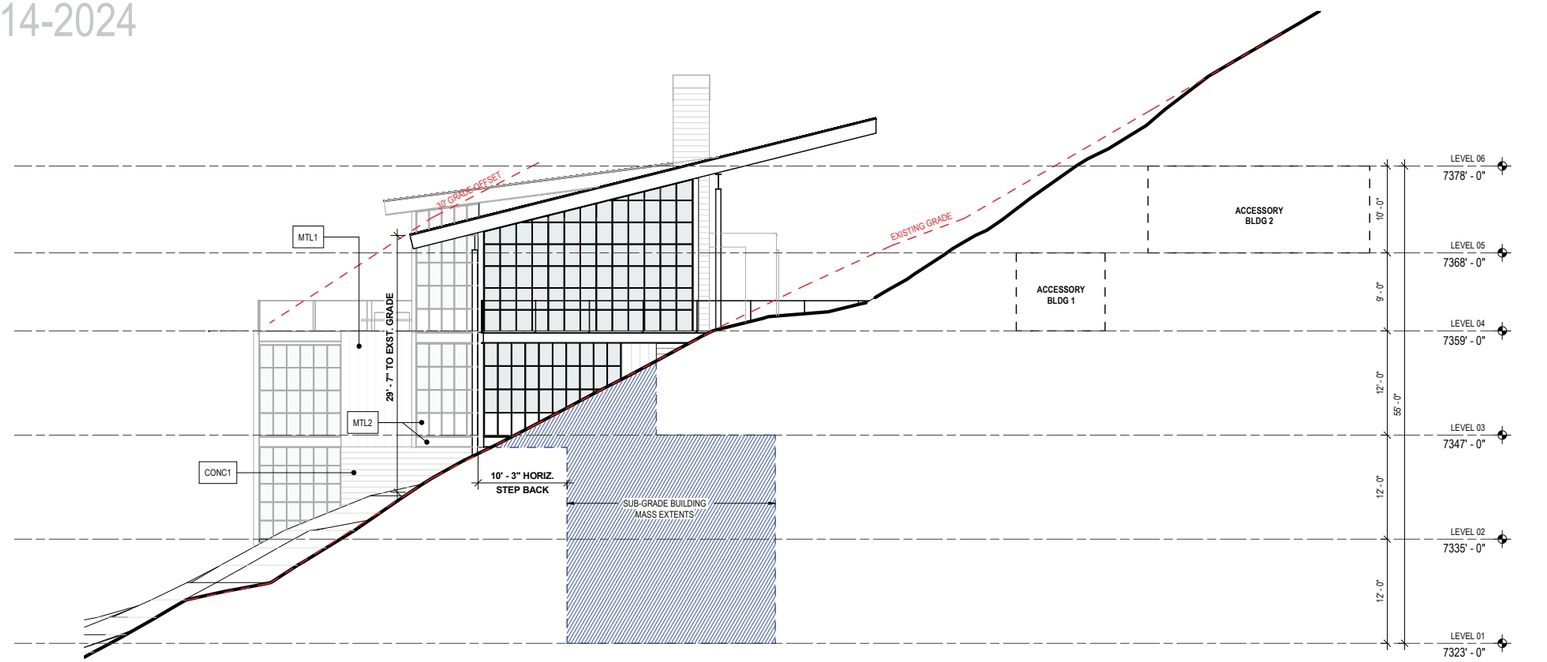
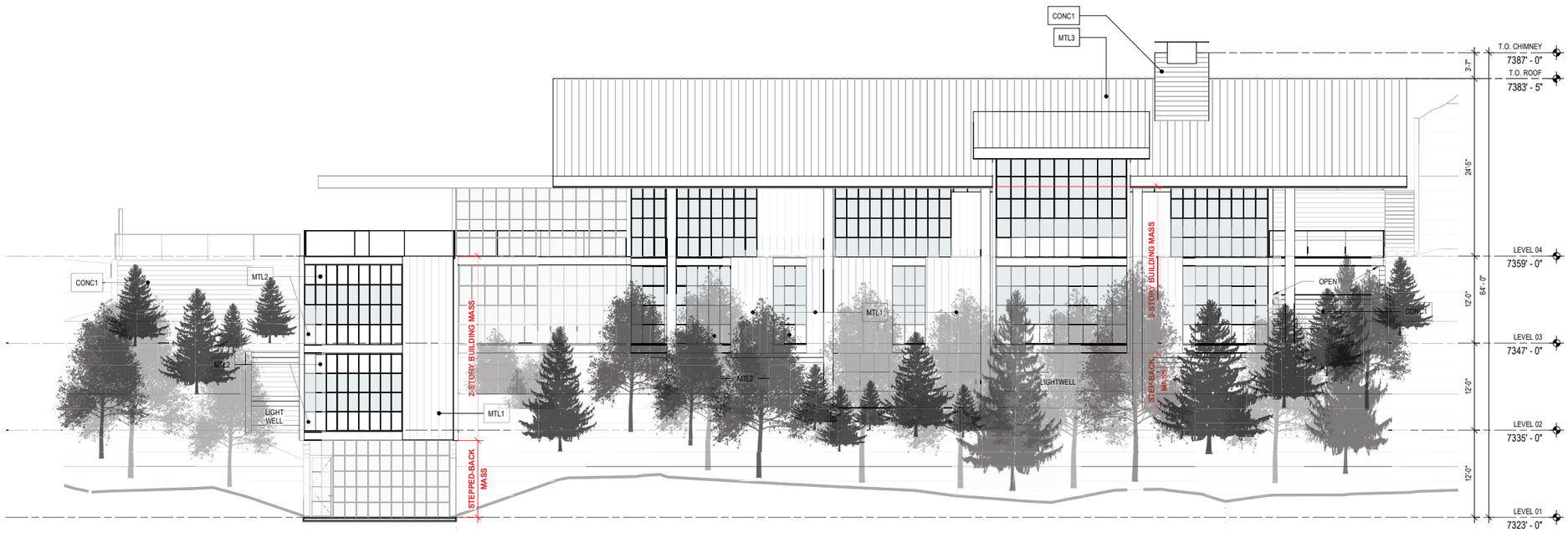
Approved 2-14-2024

MATERIAL LEGEND

MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION
SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

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220 KING ROAD
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principal architect TK
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checked by
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date 12/28/23

revisions:

no. date by

NOT FOR CONSTRUCTION
PLANNING COMMISSION
12/28/23

EXTERIOR ELEVATIONS

A3.01

Docusign Envelope ID: 8F80BAAA-F1EE-44B5-BD7E-3AE5E64911CD

Planning Department

July 15, 2024

Justin Keys
Hogan Lee Hutchinson

CC: Eric Hermann and Susan Fredston-Hermann
David Bennett
David Constable
Ed DeSisto
James Doilney
Martiena Lewis
Nicholas Schapper
Ginger Tolman
John Vrabel

NOTICE OF APPEAL PANEL ACTION

Description

Address:	220 King Road
Zoning District:	Historic Residential – 1 – Master Planned Development (HR-1-MPD)
Application:	Appeal
Project Number:	PL-24-06057
Action:	DENIED
Date of Final Action:	July 15, 2024
Project Summary:	Appeal of the Planning Commission's February 21, 2024 approval of a Conditional Use Permit and Steep Slope Conditional Use Permit to demolish an existing Single-Family Dwelling and Guest House to construct a new Single-Family Dwelling, Accessory Building, outdoor pool, and underground parking area, and to amend the Treasure Hill Subdivision Lot 2 Phase 1 First Amended Plat to remove a portion of the eastern Building Area Limits facing Old Town to shift the Building Area Limits to the west behind the Single-Family Dwelling with a 490-square-foot total increase.

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Action Taken
On April 30, 2024, the Appeal Panel conducted a public hearing and voted to: a) deny the appeal of the Planning Commission's approval of the Conditional Use Permits and Steep Slope Conditional Use Permit; and b) remanded three questions to the Planning Commission regarding the Sensitive Land Overlay and the Plat Amendment. On June 26, 2024, the Planning Commission conducted a public hearing and issued their determination to the Appeal Panel regarding the Sensitive Land Overlay. The parties stipulated to a single Final Action Letter, from which any additional appeal to District Court would run. On July 15, 2024, the Appeal Panel ratified this Final Action Letter denying the appeal of the Planning Commission's approval of the 220 King Road Conditional Use Permits, Steep Slope Conditional Use Permit, and Plat Amendment according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. 220 King Road is a 1.23-acre lot with a Single-Family Dwelling built in 1998 and a Guest House built in 2000.
2. 220 King Road is Lot 2 of the Treasure Hill Subdivision Phase 1 First Amended Plat.
3. The Treasure Hill Subdivision is part of the Sweeney Master Planned Development.
4. On December 18, 1985, the Planning Commission approved the Sweeney Land Company Large Scale Master Planned Development, allocating 277 units of density through several locations in the Historic Districts and the Treasure Mountain area.
5. On October 14, 1987, the Planning Commission approved an amendment to the Sweeney Master Planned Development and reallocated 12 Unit Equivalents to accommodate extended ski trails.
6. The amended Sweeney Master Planned Development relocated two Unit Equivalents along King Road – 200 and 220 King Road. These two properties and five others became part of the eight-Lot Treasure Hill Subdivision, approved in three phases. 220 King Road is included in Phase I.
7. On August 23, 1990, the City Council adopted Ordinance No. 90-24, rezoning six of the Treasure Hill Lots, including 220 King Road, from Historic Residential – 1 to Historic Residential 1 – Master Planned Development (HR1-MPD).
8. The Applicant applied for a Conditional Use Permit to demolish the existing Single-Family Dwelling and Guest House at 220 King Road to construct a new

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Single-Family Dwelling (PL-22-05318), a Conditional Use Permit for an Outdoor Pool (PL-23-05523), and a Steep Slope Conditional Use Permit (PL-23-05571).

9. The Applicant applied for a Plat Amendment (PL-22-05318) to remove a portion of the eastern Building Area Limits facing Old Town to shift the Building Area Limits to the west behind the Single-Family Dwelling with a 490-square-foot total increase.
10. On February 14, 2024, the Planning Commission conducted a public hearing and voted 4-2 to approve the Plat Amendment, and 3-3 to approve the Conditional Use Permits, with the Planning Commission Chair voting to approve, breaking the tie.
11. On March 1, 2024, the Appellants appealed the Planning Commission's approval.
12. On April 30, 2024, the Appeal Panel conducted a public hearing and determined:
    a. the Appellants have standing and both letters were considered.
    b. The Appellants failed to meet their burden of proving where the Planning Commission erred in applying the Land Management Code to the applications.
    c. The Planning Commission decision does not alter the existing easement of record regarding the driveway access.
    d. The Planning Commission properly determined the vesting of the Sweeney Master Plan regarding the calculation of height.
    e. The Planning Commission properly determined reasonable Conditions of Approval to mitigate adverse impacts of the applications.
13. The Appeal Panel remanded the following questions to the Planning Commission:
    a. Whether the Sensitive Land Overlay applies due to Sweeney Master Planned Development vesting.
    b. If the Sensitive Land Overlay Applies, whether it can bisect a Lot.
    c. If the Sensitive Land Overlay applies, what is staff's Sensitive Land determination, recommendation, and mitigations.
14. On September 24, 1992, the City Council enacted Ordinance No. 92-17 *Adopting the Sensitive Area Overlay Zone Regulations and Amending the Official Zoning Map of Park City, Utah to Include the Sensitive Area Overlay Zone and Amending the Land Management Code of Park City, Utah to Better Regulate Development of Sensitive Lands*.
15. The 1992 Sensitive Land Overlay regulations state:
    a. *There are a number of existing, valid Master Plans which have been approved. Requests for site specific approval for parcels within Large*

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Scale Master Plans which are located within the Sensitive Area Overlay Zone shall be required to go through the Sensitive Lands Analysis and the development will be required to be placed on the least sensitive portion of the parcels. In general, the site design criteria shall apply to these proposals.

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

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

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

17. The Sweeney MPD was approved, and 220 King Road (and other Treasure Hill Properties) were zoned HR1-MPD by the City Council, prior to enactment of the Sensitive Land Overlay in 1992.
18. The Treasure Hill properties within the Sweeney MPD were platted and the plats amended after enactment of the Sensitive Land Overlay. However, as indicated in City Attorney James Carter's 1992 letter, the Sensitive Land Overlay was not applied to the properties because a comprehensive amendment to the Sweeney MPD was not proposed.
19. On September 7, 1995, the City Council adopted Ordinance No. 95-50 approving the Treasure Hill Phase I Subdivision. This established Lot 1 (200 King Road), Lot 2 (220 King Road), Lot 3 (425 Norfolk Avenue), and Lot 4 (375 Norfolk Avenue) within the HR1-MPD Zoning District and dedicated Lot 5, over 40 acres of Open Space, to Park City Municipal.
20. The City Council has not amended the Sensitive Land Overlay adjacent to the 220 King Road property on the Zoning Map by an approved land use ordinance. The 1992 Sensitive Land Overlay map is the regulatory map, which did not

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intentionally bisect 220 King Road. Any inconsistent digitized map is a clerical error.

21. On June 26, 2024, the Planning Commission conducted a public hearing and determined:
    a. The Sweeney Master Planned Development is vested prior to the adoption of the Sensitive Land Overlay.
    b. Although the Sensitive Land Overlay would apply to a substantive change, the Sensitive Land Overlay does not apply to the 220 King Property because a land use ordinance has not amended the original Sensitive Land Boundary, which does not include 200 King Road.
    c. No determination regarding the Staff Sensitive Land Overlay is necessary because the regulations are not applicable per sections (a) and (b) above.

Conclusions of Law

1. The appellants did not meet their burden to demonstrate the Planning Commission erred in applying the Land Management Code to the three applications.
2. The Planning Commission correctly applied Land Management Code Chapter 15-7 and Sections 15-7.1-3(B), 15-1-10, 15-2.2-6, and 15-15-1.
3. The Planning Commission correctly adopted reasonable conditions of approval to mitigate any adverse impacts of the approvals.

Conditions of Approval

1. All Conditions of Approval from the Planning Commission Action Letters dated February 21, 2024 apply (attached as Exhibit A).

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5060 or email planning@parkcity.org.

Sincerely,

DocuSigned by:
Adam Strachan
05AF9877B95E400...

7/22/2024

Adam Strachan, Appeal Panel Chair

Sarah Hall, Planning Commission Chair

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TECHNICAL MEMORANDUM

To: Gretchen Milliken, Planning Director
Park City Municipal Corporation, Planning Department
445 Marsac Avenue
Park City, Utah 84060

From: Anne Oliver, Principal Architectural Historian, and Christina Olson, Lead Architectural Historian, SWCA Environmental Consultants

Date: April 26, 2023

Re: **Historic District Design Review for 220 King Road**

OVERVIEW

Historic character is one of four core values outlined in the *Park City General Plan* (Park City Planning Department 2014). Park City's historic character derives from more than 400 historic sites, including two National Register Historic Districts (Park City Planning Department 2023). The Main Street Historic District was listed in the National Register of Historic Places in 1979, and the Mining Boom Era Residences Thematic District, which comprises historically significant residential structures built during the mining boom period of 1872 to 1929, was listed in 1984 (Park City Planning Department 2023).

Park City Municipal Corporation has pursued protection of the City's historic resources through local designations on its Historic Site Inventory and through application of the Design Guidelines for Historic Districts and Historic Sites (Design Guidelines), initially adopted in 1983. In 2009, Park City completed a total update of the regulating documents for the historic districts, including an updated Historic Site Inventory, new Design Guidelines, and amendments to the Land Management Code (LMC). The Design Guidelines were updated again and adopted by Ordinance 2019-06 into the LMC in 2019 and are intended to fulfill policy directives provided in the LMC (Park City Planning Department 2023).

As requested by the Park City Planning Department, SWCA Environmental Consultants has prepared this memorandum to assist the City's Design Review Team in evaluating the proposed new residence at 220 King Road, in the Historic Residential (HR-1) zone, for compliance with the Design Guidelines (Figures A-1 and A-2). Specific LMC requirements associated with building height (LMC 15-2.2-5) and development on steep slopes (LMC 15-2.1-6) relevant to the HR-1 district and the proposed residence at 220 King Road, are outside the purview of the Design Guidelines and are being addressed separately by the Planning Department.

HISTORIC DISTRICT DESIGN GUIDELINES REVIEW

Park City's Design Guidelines are intended to protect the historic character of Park City. As identified in LMC 15-2.2-1, the purpose of the HR-1 zone regarding residential infill is to:

- preserve present land uses and character of the Historic Residential Areas of Park City;

- encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods;
- encourage single family Development on combinations of 25' x 75' Historic Lots;
- define Development parameters that are consistent with the General Plan policies for the Historic core; and
- establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment. (Park City 2000)

Concerns with the proposed residence at 220 King Road relate primarily to the "construction of Historically Compatible Structures that contribute to the character and scale of the Historic District," particularly the scale of the residence and its component elements. While the Design Guidelines support the proposed industrial design aesthetic inspired by the Silver King Mine buildings, the guidelines are clear regarding requirements for residential scale and do not support the construction of industrial-scale residential buildings within residential districts. The compliance of proposed massing and glazing patterns with the Design Guidelines is an additional concern. Each Design Guideline pertinent to these concerns is provided below, followed by an analysis of the design compatibility of 220 King Road.

15-13-8 Design Guidelines for New Residential Infill Construction in Historic Districts

A. Universal Guidelines

15-13-8 A-4: *New infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the new infill residential buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the lot.*

The proposed materials and features of the residence at 220 King Road are compatible with industrial designs in and around Park City. However, the size, scale, and proportions of the residence and its component elements, including the shed roof and cantilevered flat roof, are reminiscent of a large-scale industrial building rather than a residential building, which is not compatible with the HR-1 zone. While projecting portions of the building on the downslope elevation provide some modulation of mass, additional size reduction or modulation of the building mass itself (as well as its roofs) is required to reflect the size and massing of historic residential buildings, which were typically built on 25-foot-wide lots in this zone (see Figures A-1 and A-2).

15-13-8 A-6: *Exterior elements – roofs, entrances, eaves, chimneys, porches, windows, doors, steps, garages, etc. – of the new infill residential building shall be of human scale and shall be compatible with neighboring Historic Structures.*

The proposed residence at 220 King Road will span multiple lots, with a single shed roof also spanning multiple lots. While the use of an industrial mining aesthetic is encouraged, the scale of the roof and eaves should be compatible to the scale of historic residences in the HR-1 zone, not to an industrial mining building. To comply with this guideline, the wide shed roof would need to be divided into three to five modules to achieve the appropriate residential scale and the cantilevered flat roof would need to be reduced in size.

15-13-8 A-7: *Scale and height of new infill residential buildings shall follow the predominant pattern and respect the architecture of the Streetscape or character area with special consideration given to Historic Sites.*

The proposed infill references the industrial buildings of the Silver King Mine but the guidelines require that infill residential buildings maintain a historic residential scale appropriate to the historic district or zone in which they are being constructed. The proposed residence at 220 King Road will be on a relatively isolated site and will not be directly adjacent to any Historic Sites. In the absence of a streetscape lined by other buildings, the predominant pattern of the historic district or residential zone applies. The proposed design does not comply with this guideline.

15-13-8 A-8: *Size and mass of a structure shall be compatible with the size of the site so that lot coverage, building bulk, and mass are compatible with Historic Sites within the Streetscape or character area.*

The proposed residential building at 220 King Road will span multiple lots and, while its size is compatible with the size of the lot, its building bulk and mass are not compatible with Historic Sites just downslope in the HR-1 zone. Further reduction or modulation of massing, both of the residence and its shed and cantilevered flat roofs, is required to be compatible with the building bulk and mass of historic residences in the HR-1 zone.

15-13-8 A-10: *New infill residential buildings shall reinforce visual unity within the context of the Streetscape or character area. The specific context of each Streetscape or character area is an important feature of the Historic District. The context of each Streetscape or character area shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area. Special consideration should be given to adjacent and neighboring Historic Sites in order to reinforce existing rhythms and patterns.*

The proposed residence sits on the hillside above much of the HR-1 zone, in a setting where industrial buildings were once common. An industrial design aesthetic is appropriate in this area; however, this and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes. Because the guidelines are so clear on this point, a variance from the Board of Adjustment would be required to permit the design as proposed.

B. Specific Guidelines (Primary Structures)

Mass, Scale, and Height

15-13-8 B-2a (1): *The size and mass of a new residential infill building in relation to open spaces, shall be visually compatible with adjacent historic buildings and historic structures in the surrounding Streetscape or character area.*

The proposed residence at 220 King Road is sited on an open slope above much of the HR-1 zone. This provides some flexibility in allowing greater size because of the building's relation to more open space. However, the size of the building and its component elements must be broken into distinct masses more reminiscent of the size and mass of historic buildings in the zone to achieve visual compatibility.

15-13-8 B-2a (3): *Historic height, width, and depth proportions that are important in creating compatible infill and maintaining the historic mass and scale of the Streetscape or character area.*

The height, width, and depth of the proposed residence at 220 King Road are of an industrial scale and not compatible with the residential streetscapes in Park City's historic districts. As noted above, while the large lot and open hillside allow for greater building size, it is necessary to break up the massing and roof forms to be more similar to historical residential massing and scale to achieve compatible infill.

15-13-8 B-2a (5): *The perceived scale of new buildings shall respect the scale established by historic buildings in the character zone. Abrupt change of scale in the character zone is inappropriate, especially when a new, larger building would directly abut smaller historic buildings.*

Both the actual and perceived scale of the proposed residence is significantly greater than a typical historic residence in the HR-1 zone and there are no historic large-scale industrial buildings nearby or anywhere in the zone that establish a precedent for large-scale infill. As stated above, the reference to the industrial aesthetic of the Silver King Mine buildings is encouraged in the design of the structure, but those historic mining buildings are neither in the HR-1 zone nor visible from it. For these reasons, the perceived scale should reflect that of a historic residential building rather than a historic industrial building. Because the proposed residence does not directly abut any historic buildings, and because it is sited on a large lot surrounded by open space, its greater size can be accommodated within the HR-1 zone. However, to comply with other guidelines, the perception of that size must be managed by dividing the building into modules that reflect the massing of a typical historic residence on a 25-foot-wide lot. Breaking up the roof form in a similar fashion would also be necessary.

15-13-8 B-2a (6): *A larger building shall be divided into 'modules' that reflect the mass, scale, proportions, and size of historic buildings within the Streetscape or character area. Modules shall be clearly expressed throughout the entire building and a single form shall remain the dominant element so the overall mass does not become too fragmented. To minimize the scale perceived from the primary public right-of-way, stepping down the mass of a larger building shall be considered.*

See above discussion under multiple guidelines about using modules to break up large masses and manage the perception of scale for residences larger than seen historically. Stepping the mass of these modules back into the hillside, rather than projecting their mass forward from a recessed basement level as currently proposed, can also help manage the perception of scale.

15-13-8 B-2a *(7): Larger-scaled projects shall also include variations in roof height in order to break up the form, mass and scale of the overall structure.*

The proposed design for the residence at 220 King Road incorporates two flat roofs (one that serves as a deck and one that is cantilevered over that deck) and one expansive shed roof. While these roofs vary in height, which helps to break up the form, mass, and scale of the residence, the modules they create are still over-scaled relative to historic residences in the HR-1 zone. Further reduction or modulation of massing, of both the residence and its shed and cantilevered flat roofs, is required to meet this guideline.

15-13-8 B-2a (8): *Buildings constructed on lots greater than 25 feet wide shall be designed so that the facades visible from the primary public right-of-way reinforce the rhythm along the street in terms of traditional building width, depth, and patterns within the façade.*

No renderings of the proposed residence as viewed from the primary public right-of-way (King Road) have been provided for this review. It is expected, however, that the modules created to address mass and scale on the downslope (rear) side of the residence will carry through to the opposite (front) side and vice versa.

15-13-8 B-2a (9): *Regardless of lot frontage, the primary façade shall be compatible with the width of surrounding historic buildings. The greater width of a building shall be set back significantly from the plane of the primary façade. The width of a new building shall not appear to be visibly greater than historic buildings in the Streetscape or character area. Modules on a primary façade should generally not exceed eleven (11) feet to twenty-five (25) feet in width.*

No renderings of the proposed residence as viewed from the primary public right-of-way (King Road) have been provided for this review. It is expected, however, that historically sized modules of approximately 11’ to 25’ in width, with attendant setbacks from the primary wall plane of the façade, will be created on the uphill (front) side of the residence and carried through to the downslope (rear) side.

15-13-8 B-2a (10): *When the overall length of a new structure is greater than seen historically, the design shall employ methods—changes in wall plane, roof heights, use of modules, etc. to diminish the visual impact of the overall building mass, form and scale.*

The proposed residence at 220 King Road will span multiple lots and its overall length is much greater than seen historically. Therefore, further variation in wall planes and roof heights to create more historically sized modules is required to diminish the visual impact of the overall building mass, form, and scale.

Windows

15-13-8 B-2d (1): *Ratios of solid-to-void that are compatible with surrounding historic buildings shall be used. Large expanses of glazing are inappropriate on residential structures. Large glass surfaces shall be divided into smaller windows that are in scale with those seen historically. To maximize views, non-historic window patterns may be considered on tertiary facades; however, the overall ratio of solid-to-glass shall still be respected.*

The large, multi-pane windows and fenestration patterns of the proposed design reference historic mine buildings, which incorporated significant amounts of glazing to maximize natural light and illuminate interior workspaces (Figures A-3 and A-4). Typically, long, nearly continuous, relatively narrow bands of windows were present in clerestories that were separated by pitched roofs; glazing in the exterior corrugated-metal walls was also extensive. Hence, the use of an industrial mining aesthetic allows for a greater proportion of void to solid in the proposed residence than would be appropriate with a more traditional residential design. However, glazing in historic exterior walls always had a base of solid wall and never consisted of floor to ceiling windows. In the proposed design, the metal panels at some window bases recreate this pattern, but the floor-to-ceiling windows present elsewhere are inconsistent with industrial patterns and create an incompatible solid-to-void ratio.

15-13-8 B-2d (2): *Windows shall be historic size and shall relate to the human scale of the Historic District. Windows shall be proportional to the scale and style of the building and shall be compatible with the historical buildings in the Historic District.*

See above analysis. With the exception of the floor-to-ceiling windows, the larger-scaled windows are appropriate to the scale and style of the building.

15-13-8 B-2d (3): *The placement and grouping of windows shall be similar to those seen historically.*

See above analysis. With the exception of the floor-to-ceiling windows, the placement and grouping of windows is similar to that seen on historic mining buildings in Park City.

Roofs

15-13-8 B-1e (1): *Roofs of new residential infill buildings shall be visually compatible with roof shapes and orientation of surrounding Historic Sites and adjacent buildings that contribute to the character of the Historic District. Sloping of roof forms, such as gable, hip, and shed, should be the dominant roof shapes. Roofs composed of a combination of roof planes, but simple in form, are also encouraged. Roofs shall be in scale with those on historic structures.*

The roof shapes (flat and shed) and their orientations are generally compatible with surrounding Historic Sites, as are their simple forms. However, the guidelines are clear that the perceived scale of larger residential buildings (on lots wider than 25') should be managed by breaking them into smaller masses or modules that reflect historic residential massing, including their roofs. There is no precedent for exceptions when an industrial aesthetic is used for a residence, or for residences that may be in historically industrial areas. To comply with the guidelines, the roof could be broken into a horizontally stepped series of shed roofs (3 to 5 of them, with differences in roof height of a few feet or more to create shadow lines) that shelter their corresponding modules, or a mix of shed and flat. The cantilevered flat roof would also need to be reduced in scale.

CONCLUSION

In summary, while the Design Guidelines support the industrial aesthetic of the proposed residence at 220 King Road, which was inspired by the Silver King Mine buildings, the guidelines are clear regarding requirements for residential massing and scale, and the proposed design does not comply. The proposed floor-to-ceiling windows are also out of compliance. Recommendations for revisions to achieve a design more compatible with the guidelines are incorporated in the above analyses.

REFERENCES CITED

Historic American Engineering Record (HAER)

1971 *MINE SHAFT BLDG FROM W. - Silver King Mining Company, Mineshaft & Main Hoist, Woodside Gulch, Park City, Summit County, UT (Photos from Survey HAER UT-22-A).* Available at: https://www.loc.gov/resource/hhh.ut0090.photos/?sp=2. Accessed April 21, 2023.

Park City Planning Department

2000 Municipal Code 15 Land Management Code. Available at: https://parkcity.municipalcodeonline.com/book?type=ordinances#name=15-13_Design_Guidelines_For_Historic_Districts_And_Historic_Sites. Accessed April 21, 2023.

2014 *Park City General Plan*. Available at: https://www.parkcity.org/departments/planning/general-plan. Accessed April 21, 2023.

2017 Municipal Code 15-13 Design Guidelines for Historic Districts and Historic Sites. Available at: https://parkcity.municipalcodeonline.com/book?type=ordinances#name=15_Land_Management_Code. Accessed April 21, 2023.

2023 Historic District. Available at: https://www.parkcity.org/departments/historic-district. Accessed April 21, 2023.

ATTACHMENT A

Figures

Figure A-1. Rendering of proposed residence at 220 King Road, downslope (rear) elevation, dated April 18, 2023.

Figure A-2. Rendering of proposed residence at 220 King Road, oblique view (left side and rear elevations), dated April 18, 2023.

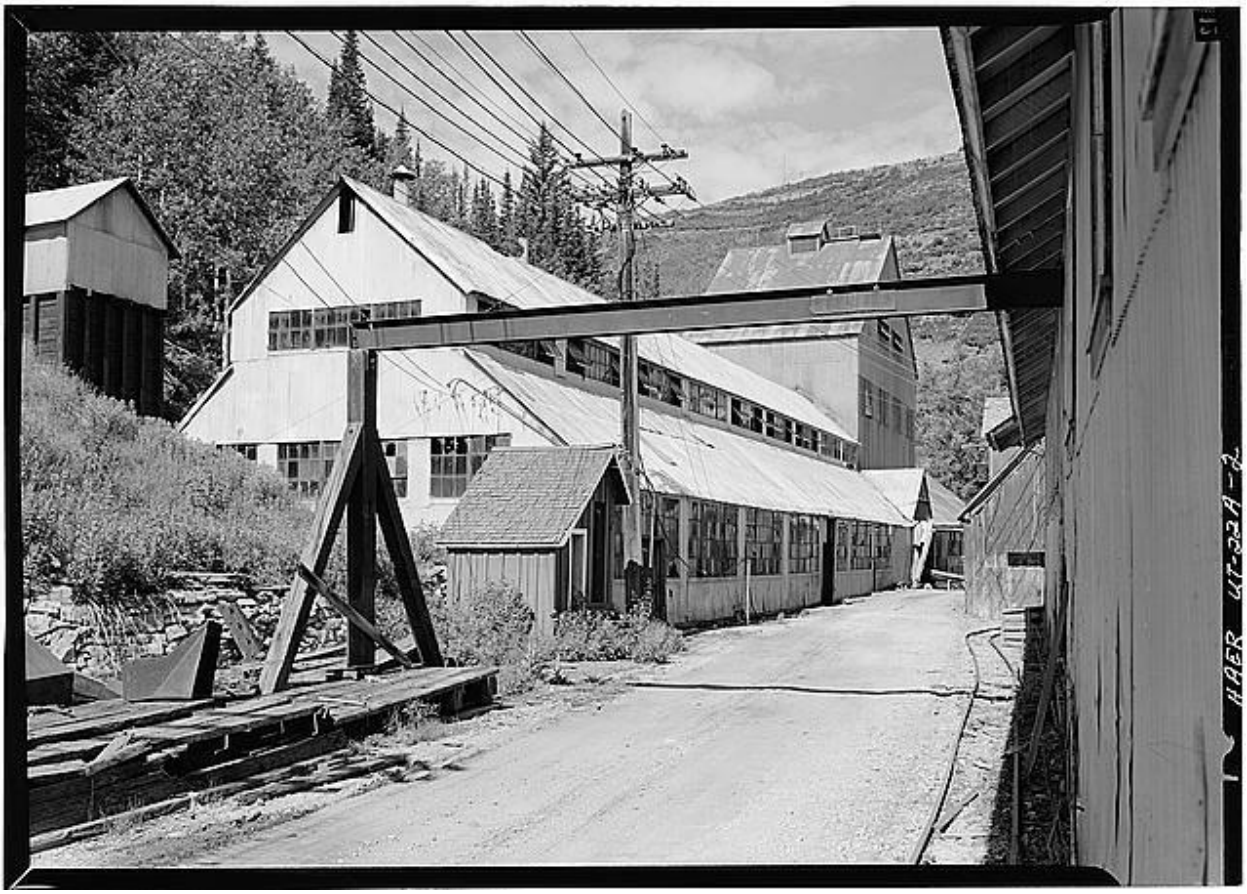

Figure A-3. Silver King Mine Hoist House (view from west), Woodside Gulch, Park City, Summit County, UT (HAER 1971). Note the complex massing of the building and its stepped and varied roofs over the component masses, as well as the multi-pane steel windows, window heights, proportion of solid wall to window openings.

Figure A-4. Example of industrial glazing pattern, Silver King Mine building. Note multi-pane steel windows, window heights, and proportion of solid wall to window openings.

Olson Kundig

Planning Director

Park City Municipal Corporation

Planning Department

445 Marsac Avenue

Park City, Utah 84060

July 31, 2024

Historic District Design Review Analysis for 220 King Road

220 King Road ("220 King"), or Lot 2 of the Treasure Hill Subdivision, is a 1.23-acre single-family lot initially created through the Sweeney MPD approval/modification in 1987. The single-family lots created through the Sweeney MPD, including 220 King, were rezoned to HR-1-MPD in 1990. However, the Park City zoning map began to reflect the zoning on these lots as HR-1 at an unclear time. In 1997, two homes were constructed on the lot. These existing homes are nonconforming in several ways according to the Park City Land Management Code ("LMC") and Treasure Hill, Phase 1 Plat. The current property owner has worked with Park City to obtain approvals for:

a) A plat amendment to reduce the "buildable area" on the plat, modify plat notes, and alter the "buildable area" boundary (File No. PL-22-05318);

b) A conditional use permit for the single-family home, as required by the MPD and plat (File No. PL-22-05319);

c) A Steep Slopes CUP (File No. PL-23-05571);

d) A CUP for an outdoor pool (File No. PL-23-05523).

The Planning Commission reviewed and approved these applications, making findings and placing conditions on certain design elements. The Planning Commission's Final Action Letter is attached hereto as Exhibit A The property owner now seeks Historic District Design Review ("HDDR") approval. The city provided a preliminary HDDR analysis letter dated April 26, 2023, and the applicant responded on May 26, 2023, as attached in Exhibit B. However, additional research and the aforementioned approvals have since been obtained from the Planning Commission.

History of the Property

To establish the "Character Area" of a property in a historic design review, it is crucial to understand the context and neighborhood of the proposed project. 220 King was included in the Sweeney Master Plan, which utilized the Lower Creole Mine site and other industrial/mining sites along the hillsides above downtown. Figure 1 below depicts the location of 220 King and its historical uses.

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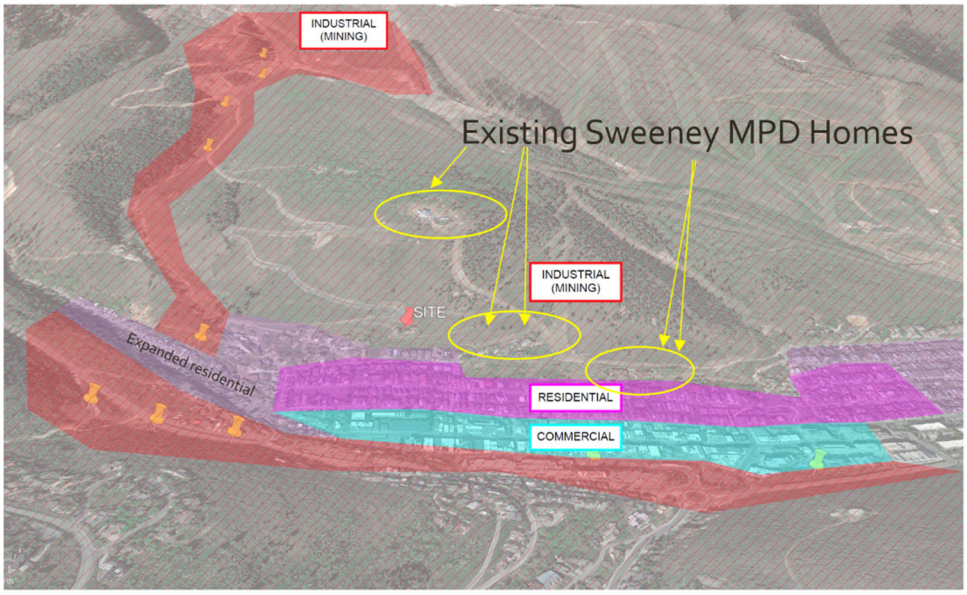

Figure 1.

Although portions of the Sweeney Master Plan, including 220 King Rd., are now zoned HR-1, this property was historically industrial and never part of any historic residential neighborhood. Based on the historic use, location, size, layout/access of the property, and its inclusion in the Sweeney MPD, it was determined that the appropriate "Character Area" aligns more with historic mining buildings and large-scale homes in the Sweeney MPD than with homes on historic lots.

As approved, 220 King is a 1.23-acre lot, significantly larger than the 25' x 75' historic lots the HR-1 Design Guidelines ("Design Guidelines") aim to preserve. Despite the marked discrepancy in size, location, and layout from the residential lots in the traditional HR-1 downtown area, consideration was given to how a new home on this site would be compatible with the homes on the historic lots. This analysis identifies the specific efforts taken to design a building consistent with the Character Area but also compatible with the uphill transition for the historic HR-1 lots.

Scale, Massing, Height -

The Treasure Hill Phase 1 Plat explicitly allows a new home with a footprint of 3,500 sq ft, a size not typical in the historic HR-1 zone, where the maximum lot size is 3,750 sq. ft.

Table 1 below outlines the size of each single-family home within the Sweeney MPD. As the table shows, the proposed home at 220 King Rd. is consistent in size with other homes in the Character Area.

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Plat	Parcel #	Building Area Limits (sq ft)	Lot Area (acres)	Building Footprint (approx. sq ft)	Building size (sq ft)
Treasure Hill Subdivision Phase 1 - 1996	THILL-1 (200 KING RD)	12,700	0.86	NA	NA
	THILL-2-A-AM/ THILL-2-B-AM (220 King Rd)	11,250	1.23	Existing - 3,936 sq ft (survey) Proposed - 3,500 sq ft	Total - 6,965 sq ft (Summit County Tax Info-both homes) Proposed – 6,472 sf (finished) 10,346 sf (unfinished)
	THILL-3-AM (425 NORFOLK AVE)	17,000	1.31	2,620 sq ft (Google Earth)	Total - 3,881 sq ft (Summit County Tax Info)
	THILL-4-AM (375 NORFOLK AVE)	7,500	1.1	5,178 sq ft (Google Earth)	Total - 10,813 sq ft (Summit County Tax Info)
Treasure Hill Subdivision Phase II -2003	THILL-II-6 (503 1/2 WOODSIDE AVE)	7,650	0.79	4,268 sq ft (Google Earth)	Total - 9,161 sq ft (Summit County Tax Info)
	THILL-II-7 (503 WOODSIDE AVE)	7,500	0.92	4,182 sq ft (Google Earth)	Total 9,214 sq ft (Summit County Tax Info)
Treasure Hill Subdivision Phase III Amd. 1 -2009	THILL-3-8-1AM (445 KING RD)	29,083.90	11.9	4,280 sq ft (Google Earth)	Total - 8,738 sq ft (Summit County Tax Info)

Table 1.

In the overall context of the area, 220 King is relatively isolated site and is not directly adjacent to any established Historic Sites. Figure 2 below demonstrates the isolation of 220 King.

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Figure 2

Even though the development on 220 King is disconnected from the residential lots in the traditional HR-1 downtown area, efforts have been made to ensure the new home is compatible with the smaller homes nearby. The specific elements included as a transition from the residential lots in the traditional HR-1 downtown area, to the more industrial Character Area include:

1. **Scale** – The buildable area of 220 King was reduced and shifted to the west (uphill) away from the homes on the historic lots. Moving the home up and away from the historic lots accomplishes several things: a) the perceived scale decreases as it moves further away; b) the revised location allows better utilization of subterranean areas for parking and mechanical spaces, which “pushes” the building down and into the hillside; c) the buffer area between the home and historic lots increases, allowing for improved landscaping and screening; and d) the use of the uphill portion of the lots and subterranean parking allow the majority of the improvements (parking area, driveway, and accessory building to be screened from the hill and from downtown.

Nearby Historical Sites of the mining / industrial type are characteristically larger in scale. The proposed design references this mining typology in part because it is a natural fit for a larger home on a larger lot. At the scale of 220 King, industrial mining sites are a more relevant Historic reference than the modest town homes below.

2. **Massing** – As required by Plat Note #7 of the Amended Treasure Hill, Lot 2, Phase 1 Plat, the massing of a new home shall be broken up into smaller sections, no greater than 1,500 square feet. The proposed home is divided into four massing elements on Level 01 and five elements on Level 02 and above. Breaking up the massing into elements that closer match the size of homes on the 25’ x 75’ historic lots help soften the visual impact of one large structure. Conversely, using a limited number of massing elements instead of multiple smaller nodes provides continuity with homes on the historic lots, as the massing elements of the proposed size reflect the massing of the residential homes in the traditional HR-1 downtown area.

Through input from Planning, we adopted an 18' wide 'bump-out' with an articulated roof projection above. Similarly, the Bedroom Wing is a distinct, lowered mass presenting a 21' wide eastern face. This foregrounds the primary facade with distinct massing elements that conform to the rhythm of the 25' lots below.

Beyond these bump-out masses, the main wing of the house acts as the ‘dominant element’ (15-13-8 B-2a (6)) establishing the overall mining-inspired form. In this way, the massing is transitional: smaller modules meet the residential zone downhill, while the larger whole speaks to the industrial Character Area beyond.

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3. **Height** – The height of 220 King is limited by Plat note #5 to 30 feet, except for access or light features, which are permitted up to 33'. The proposed home does not extend up the hill through multiple elements stepping back and up. Instead, it is mainly constructed under one single roof element, similar to the historic homes of Park City. Architectural designs that utilize multiple nodes to walk up the hillside are not consistent with design elements found in the HR-1 district. The proposed home incorporates this design pattern as a way of transitioning from the historic residential HR-1 areas to the industrial hillside areas.

Roof Design –

The dominant proposed roof form is a moderately sloped shed profile. Flat roof portions are also utilized to break up the building mass and to serve as roof decks – but these are secondary to the shed form. The shed is a direct reference to Historic Sites in the Character Area, such as the Silver King Ore Mill. In this well-known local landmark, a shear mono-pitch shed roof follows the hillside grade to dramatic effect.

Analysis of local mining structures (Figure 3) finds simple roof forms with minimal articulation. Roof forms in the Character Area are highly rational: designed solely to admit light and to shed the elements. In these examples, breaks or modulations in roof form are not aesthetically driven, resulting instead from ad hoc site conditions or functional requirements.

Figure 3

Alliance Mine

California-Comstock Mill

Silver King Ore Mill

The proposed roof form evolved through input from the Planning Commission. Care has been taken to: a) reduce the visual impact of the roof from cross valley and downhill views; b) be consistent with historic mining/industrial structures; and c) provide visual consistency with homes on the residential lots in the traditional HR-1 downtown area. An increased roof pitch would make the roof remarkably visible from the downtown area and across the valley, increasing the perception of the roof's mass (Figure 4). The reduced perception of mass works as a transitional element from homes in the traditional HR-1 downtown area, to the open space and hillside above the new home.

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Proposed Roof - 3:12 Slope *Prescriptive 6:12 Slope*

Figure 4

Additionally, the Planning Commission requires a “bump up” in the roof design, as requested and presented in the February 14, 2024, meeting. Although the historical nature of the “bump up” is harder to identify, examining other buildings in the Character Area helps justify the requirement. The other homes in the Sweeney MPD utilize design elements to break up the roof form on the downhill façade. Figures 6-8 are images of other homes in the Character Area. As demonstrated, the roof elements are broken up by different design features.

Figure 6

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Figure 7

Figure 8

Windows –

The Planning Commission approved Plat Note #11, which limits the amount of glazing on the eastern façade of the new home to 60%. This ratio is consistent with other newer homes in the HR-1 district (Figures 9-11). Note also that glass door systems and other floor-to-ceiling expressions are seen in these recently approved projects. Through input from Planning, a system of opaque infill panels are added to the window system to raise sill heights and reduce window size. This also improves thermal performance and helps mitigate the lantern effect. The actual proposed glazing ratio is 53% on the primary eastern façade.

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Analysis of Historic mining structures in the Character Area finds precedent for this glazing ratio (Figure 12). In the example of the Silver King Ore Mill, windows are arrayed as uniform bands or ribbons, interrupted by metal panel breaks of varying width. The proposed design is directly inspired by this fenestration pattern, utilizing a similar rhythm of solid to void. At a detail level, care is taken to match the material and formal characteristics of the steel windows found in local mining precedents. The proposed weathered steel window system matches the proportion and scale of divided lites found historically in the Character Area.

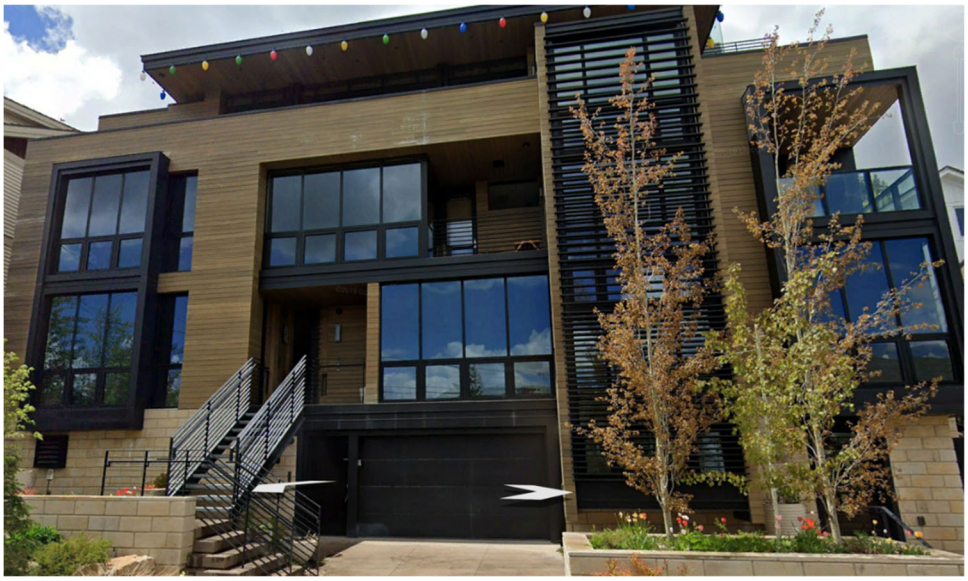

Figure 9 - 539 Woodside

Figure 10 - 324 Woodside (rear of the house)

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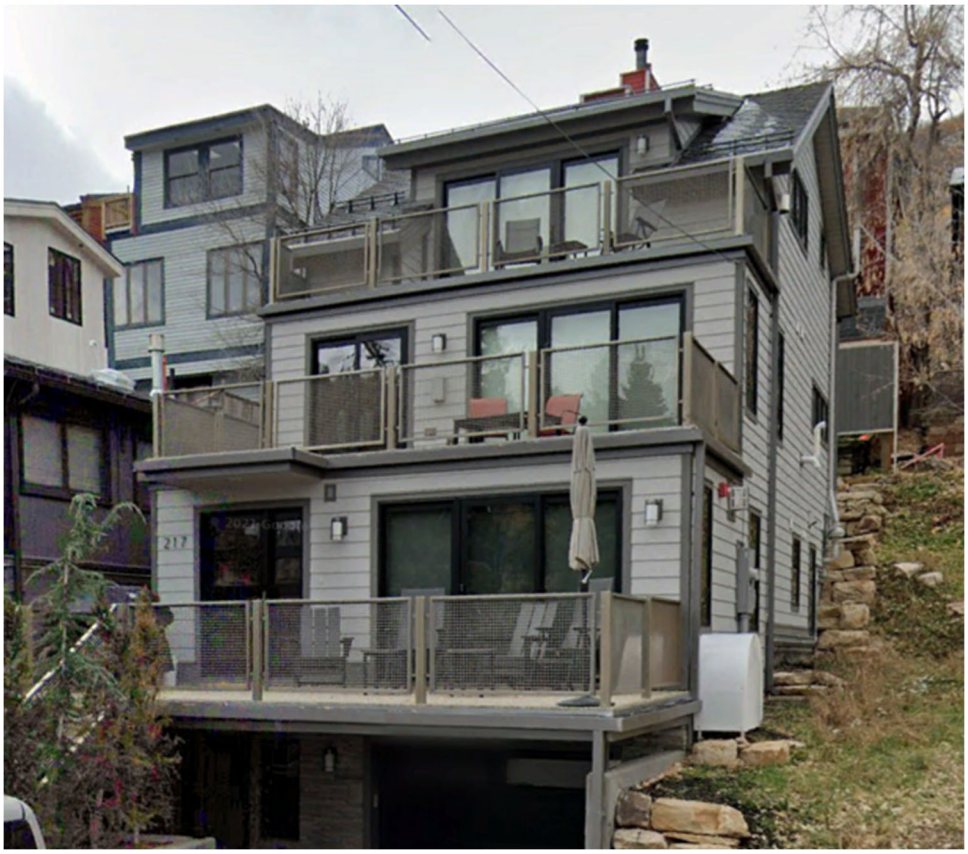
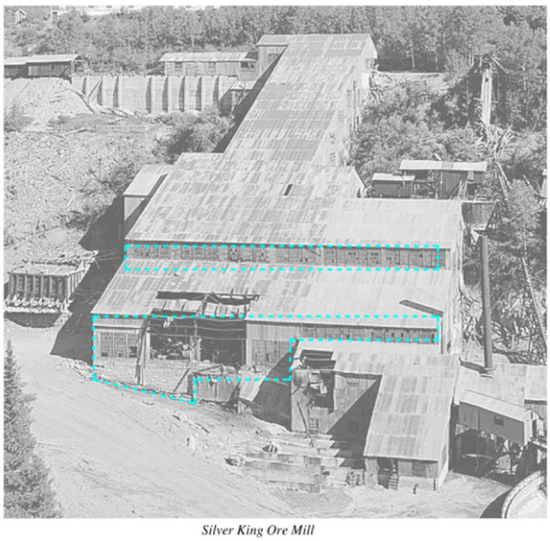


Figure 11 – 217 Park



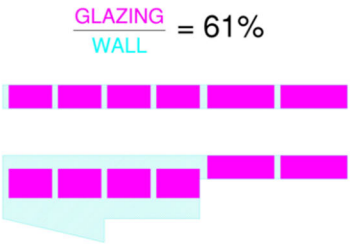


Figure 12 – Glazing Ratio at Silver King

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We appreciate the thorough review of the design against City's codes, design criteria, and existing approvals. There is no question that any new home constructed at 220 King Rd. would face design challenges on such a large lot when the design guidelines for the HR-1 zone are written for the residential lots in the traditional HR-1 downtown area. The proposed design meets those criteria while honoring the Character Area of the Sweeney MPD and the historic mining/industrial uphill areas of Park City.

Quinn Kummer

Architect

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SHEET INDEX - ALL SHEETS	
Sheet No.	SHEET NAMES
GENERAL	
A0.00	GENERAL INFORMATION
L1.00	LANDSCAPE SITE PLAN
ARCHITECTURAL	
A1.00	SITE PLAN
A2.10	LEVEL 01 - OVERALL PLAN
A2.20	LEVEL 02 - OVERALL PLAN
A2.30	LEVEL 03 - OVERALL PLAN
A2.40	LEVEL 04 - OVERALL PLAN
A2.50	LEVEL 05 - OVERALL PLAN
A2.60	ROOF PLAN
A3.00	EXTERIOR ELEVATIONS
A3.01	EXTERIOR ELEVATIONS
A3.02	STREETSCAPE ELEVATION
A3.10	BUILDING SECTIONS
A3.11	BUILDING SECTIONS
A4.00	WALL SECTIONS + DETAILS

PARK CITY RESIDENCE

220 KING ROAD
PARK CITY, UT 84060

HDDR DRAWINGS
07/31/2024

Olson Kundig

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Seattle, Washington 98104 USA
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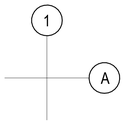
ABBREVIATIONS

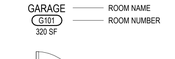
@	AT
℄	CENTERLINE
℔	PROPERTY LINE
Ø	DIAMETER
#	POUND OR NUMBER
(E)	EXISTING
(N)	NEW
AB	ANCHOR BOLT
ABV	ABOVE
ACC	ACCESS
ACOUS	ACOUSTICAL
ACP	ASPHALT CONCRETE PAVING
ACS	ACCESS PANEL
ACT	ACOUSTICAL TILE
AD	AREA DRAIN
ADA	AMERICANS with DISABILITIES
ADJ	ADJUSTABLE
AFF	ABOVE FINISHED FLOOR
AGGR	AGGREGATE
AIB	AIR INFILTRATION BARRIER
ALT	ALTERNATE
ALUM	ALUMINUM
APPROX	APPROXIMATE
ARCH	ARCHITECTURAL
ASPH	ASPHALT
AUTO	AUTOMATIC
BD	BOARD
BITUM	BITUMINOUS
BLDG	BUILDING
BLKG	BLOCKING
BM	BEAM
BO	BOTTOM OF...
BOT	BOTTOM
BRG	BEARING
BSMT	BASEMENT
BUR	BUILT UP ROOFING
CAB	CABINET
CB	CATCH BASIN
CEM	CEMENT
CER	CERAMIC
CIP	CAST-IN-PLACE
CJ	CONTROL JOINT
CLG	CEILING
CLK	CAULKING
CLO	CLOSET
CLR	CLEAR
CMU	CONCRETE MASONRY UNIT
CNTR	COUNTER
COL	COLUMN
CONC	CONCRETE
CONN	CONNECTION
CONST	CONSTRUCTION
CONT	CONTINUOUS
CONTR	CONTRACTOR
CORR	CORRIDOR
CPT	CARPET; CARPETED
CRS	COLD ROLLED STEEL
CSK	COUNTERSUNK
CT	CERAMIC TILE
CTR	CENTER
CU FT	CUBIC FEET
DBL	DOUBLE
DEMO	DEMOLITION
DET	DETAIL
DIA	DIAMETER
DIM	DIMENSION
DL	DEAD LOAD
DN	DOWN
DR	DOOR
DR OPNG	DOOR OPENING
DS	DOWNSPOUT
DSP	DRY STANDPIPE
DT	DRAIN TILE
DW	DISHWASHER
DWG	DRAWING
E	EAST
EA	EACH
EJ	EXPANSION JOINT
EL	ELEVATION
ELEC	ELECTRICAL
ELEV	ELEVATOR
ENCL	ENCLOSURE
EQ	EQUAL
EQUIP	EQUIPMENT
EST	ESTIMATE
EW	EACH WAY
EXH FN	EXHAUST FAN
EXIST	EXISTING
EXP	EXPANDED; EXPANSION
EXP BT	EXPANSION BOLT
EXPO	EXPOSED
EXT	EXTERIOR
FA	FIRE ALARM
FB	FLAT BAR
FD	FLOOR DRAIN
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FF EL	FINISH FLOOR ELEVATION
FH	FIRE HYDRANT
FHC	FIRE HOSE CABINET
FIN FLR	FINISH FLOOR
FF	FINISH TO FINISH
FIN	FINISH
FLASH	FLASHING
FLR	FLOOR; FLOORING
FLUOR	FLUORESCENT
FOC	FACE OF CONCRETE
FOF	FACE OF FINISH
FOIC	FURNISHED BY OWNER - INSTALLED BY CONTRACTOR
FOM	FACE OF MASONRY
FOS	FACE OF STUDS
FP	FIREPROOF
FPL	FIREPLACE
FR	FRAME
FT	FOOR OR FEET
FTG	FOOTING
FURR	FURRING
FUT	FUTURE
FW	FULL WIDTH
GA	GAUGE
GALV	GALVANIZED
GC	GENERAL CONTRACTOR
GL	GLASS
GLAM	GLUE-LAMINATED
GR	GRADE
GWB	GYPSUM WALL BOARD
GYP	GYPSUM
HB	HOSE BIBB
HC	HOLLOW CORE
HDO	HIGH DENSITY OVERLAY
HDR	HEADER
HDWD	HARDWOOD
HDW	HARDWARE
HM	HOLLOW METAL
HORIZ	HORIZONTAL
HP	HIGH POINT
HR	HOUR
HT	HEIGHT
HVAC	HEATING/VENTILATING/AIR CONDITIONING
HW	HOT WATER
HWT	HOT WATER TANK
ID	INSIDE DIAMETER
IN	INCH
INCL	INCLUDED
INSUL	INSULATION
INT	INTERIOR
INV	INVERT
JB	JUNCTION BOX
JF	JOINT FILLER
JT	JOINT
KIT	KITCHEN
KO	KNOCKOUT
LAM	LAMINATE, LAMINATED
LAV	LAVATORY
LBS	POUNDS
LF	LINEAR FOOT (FEET)
LH	LEFT HAND
LL	LIVE LOAD
LOC	LOCATION
LP	LOW POINT
LT	LIGHT
MAS	MASONRY
MATL	MATERIAL
MAX	MAXIMUM
MB	MACHINE BOLT
MC	MEDICINE CABINET
MDF	MEDIUM DENSITY FIBERBOARD
MDO	MEDIUM DENSITY OVERLAY
MECH	MECHANICAL
MEMB	MEMBRANE
MEZZ	MEZZANINE
MFR	MANUFACTURER
MIN	MINIMUM
MIR	MIRROR
MISC	MISCELLANEOUS
MO	MASONRY OPENING
MTD	MOUNTED
MTL	METAL
MUL	MULLION
N	NORTH
N/A	NOT APPLICABLE
NIC	NOT IN CONTRACT
NO	NUMBER
NOM	NOMINAL
NR	NOISE REDUCTION
NTS	NOT TO SCALE
OA	OVERALL
OC	ON CENTER
OD	OUTSIDE DIAMETER
	OVERFLOW DRAIN
OFF	OFFICE
OH	OVERHEAD
OHWM	ORDINARY HIGH WATER MARK
OPNG	OPENING
OPP	OPPOSITE
OSB	ORIENTED STRAND BOARD
PBD	PARTICLE BOARD
PCC	PRECAST CONCRETE
PCF	POUNDS PER CUBIC FOOT
PERF	PERFORATED
PERP	PERPENDICULAR
PL	PLATE
PLAM	PLASTIC LAMINATE
PLAS	PLASTER
PLWD	PLYWOOD
PNL	PANEL
PNT	POINT
PR	PAIR
PRCST	PRECAST
PSF	POUNDS PER CUBIC FOOT
PSI	POUNDS PER SQUARE INCH
PT	PRESERVATIVE TREATED
PTN	PARTITION
PVC	POLYVINYL CHLORIDE
R	RISER
RA	RETURN AIR
RAD	RADIUS
RD	ROOF DRAIN
REF	REFERENCE
REFR	REFRIGERATOR
REG	REGISTER
REINF	REINFORCED
REM	REMAINDER
REQ	REQUIRED
RESIL	RESILIENT
REV	REVISION; REVISIONS; REVISED
RH	RIGHT HAND
RM	ROOM
RO	ROUGH OPENING
RWL	RAIN WATER LEADER
S	SOUTH
SAF	SELF-ADHERED FLASHING
SAM	SELF-ADHERED MEMBRANE
SC	SOLID CORE
SCHED	SCHEDULE
SD	SMOKE DETECTOR
SECT	SECTION
SG	SAFETY GLASS
SHV	SHELF; SHELVING
SHR	SHOWER
SHT	SHEET
SHT MTL	SHEET METAL
SHTG	SHEATHING
SIM	SIMILAR
SOG	SLAB ON GRADE
SPEC	SPECIFICATION
SQ FT	SQUARE FOOT (FEET)
SQ IN	SQUARE INCH(ES)
SST	STAINLESS STEEL
STD	STANDARD
STL	STEEL
ST	STONE
STOR	STORAGE
STRUCT	STRUCTURAL
SUSP	SUSPENDED
SYM	SYMMETRICAL
T	TREAD
T&G	TONGUE AND GROOVE
TEL	TELEPHONE
TER	TERRAZZO
TG	TEMPERED GLASS
THK	THICK
TO	TOP OF...
TOB	TOP OF BEAM
TOC	TOP OF CONCRETE; CURB
TOF	TOP OF FLOOR; FOOTING; FRAME
TOM	TOP OF MASONRY
TOP	TOP OF PARAPET; PAVEMENT
TOPO	TOPOGRAPHY
TOS	TOP OF SLAB; STEEL
TOW	TOP OF WALL
TS	TUBE STEEL
TSTAT	THERMOSTAT
TYP	TYPICAL
UNO	UNLESS OTHERWISE NOTED
VB	VINYL BASE
VEN	VENEER
VERT	VERTICAL
VEST	VESTIBULE
VG	VERTICAL GRAIN
VIF	VERIFY IN FIELD
VT	VINYLT TILE
W	WEST
W/	WITH
W/O	WITHOUT
WC	WATER CLOSET
WD	WOOD
WDW	WINDOW
WF	WIDE FLANGE
WF BM	WIDE FLANGE BEAM
WG	WIRED GLASS
WH	WATER HEATER
WL	WATER LINE
WLD	WELDED
WP	WATERPROOF
WPM	WATERPROOF MEMBRANE
WR	WATER RESISTANT
WSCT	WAINSCOT
WSG	WIRE SAFETY GLASS
WTR	WATER
WWF	WELDED WIRE FABRIC
WWM	WELDED WIRE MESH
WT	WEIGHT

SYMBOLS LEGEND

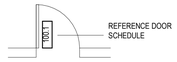
1. GRID LINE REFERENCE



2. ROOM REFERENCE



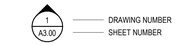
3. DOOR REFERENCE



4. WINDOW / SKYLIGHT REFERENCE

5. ELEVATION / DATUM REFERENCE

6. EXTERIOR ELEVATION

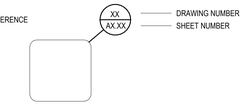


7. BUILDING SECTION

8. WALL SECTION

9. INTERIOR ELEVATION

10. DETAIL REFERENCE



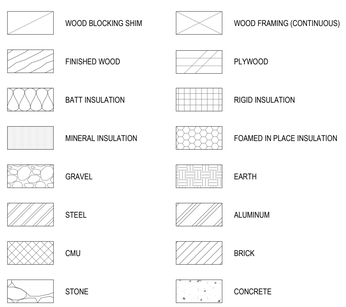
11. ASSEMBLY REFERENCE

12. NORTH SYMBOL

13. REVISION REFERENCE

REFERENCE CONSTRUCTION MEMO ISSUING REVISION.
ONLY MOST RECENT REVISION SHOWN CLOUDED.
REFERENCE FOR PREVIOUS REVISIONS REMAIN.
DATE OF REVISIONS INDICATED AT RIGHT MARGINS.

MATERIALS LEGEND



ZONING / BUILDING CODE SUMMARY

PROJECT ADDRESS:
220 KING ROAD
PARK CITY, UT 84060

ASSESSOR'S PARCEL NUMBER:
THILL-2-A-AM & THILL-2-B-AM

LEGAL DESCRIPTION:
LOTS 2A AND 2B, LOT 2 PHASE 1, TREASURE HILL SUBDIVISION, FIRST AMENDED RECORD OF SURVEY MAP, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD, IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

APPLICABLE CODES:
2018 EDITION OF THE INTERNATIONAL BUILDING CODE, INCLUDING APPENDIX J
2015 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE
APPENDIX Q OF THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE
2018 EDITION OF THE INTERNATIONAL PLUMBING CODE
2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE
2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE
2017 EDITION OF THE NATIONAL ELECTRICAL CODE
2015 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE (RES)
2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE (COM)
2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE
2006 UTAH WILDLAND-URBAN INTERFACE CODE

AUTHORITY HAVING JURISDICTION:
PARK CITY BUILDING DEPARTMENT

PHYSICAL ADDRESS:
445 MARSAC AVENUE
P. O. BOX 1480
PARK CITY, UTAH 84060

BUILDING:
(435) 615-5101

ELECTRONIC MAIL:
buildingcounter@parkcity.org

LOT SIZE:
1.23 ACRES (53,694SF)

LAND USE DESIGNATION:
HISTORIC RESIDENTIAL HR-1

PROJECT DESCRIPTION:
SINGLE FAMILY RESIDENCE WITH ATTACHED GARAGE.

HEIGHT:
PER MUNICIPAL CODE 15-2.2-5

YARD SETBACKS:
FRONT AND REAR: FOR LOT DEPTH GREATER THAN 100' = 15', 30' TOTAL
SIDE: FOR LOT WIDTH GREATER THAN 100' = 10' MIN, 24' TOTAL

THE **MAXIMUM BUILDING FOOTPRINT** FOR ANY STRUCTURE LOCATED ON A LOT OR COMBINATION OF LOTS, EXCEEDING 18,750 SQUARE FEET IN LOT AREA, SHALL BE **4,500 SQUARE FEET**, WITH AN EXEMPTION ALLOWANCE OF 400 SQUARE FEET, PER DWELLING UNIT, FOR GARAGE FLOOR AREA. **A CONDITIONAL USE PERMIT IS REQUIRED FOR ALL STRUCTURES WITH A PROPOSED FOOTPRINT OF GREATER THAN 3,500 SQUARE FEET.**

ENERGY CODE COMPLIANCE:
2015 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE
PARK CITY, SUMMIT COUNTY UTAH - ZONE 6B

VERTICAL GLAZING U-FACTOR: .32 SHGC: NR

CEILING R-VALUE: 49
WOOD FRAMED WALL R-VALUE: 20+5 or 13+10
MASS WALL R-VALUE: 15/20
FLOOR R-VALUE: 30
BASEMENT WALL R-VALUE: 15/19
SLAB R-VALUE & DEPTH: 10, 4 ft
CRAWL SPACE WALL R-VALUE: 15/19

2006 UTAH WILDLAND-URBAN INTERFACE CODE:
Section 101.4 Exceptions shall be added and should read as follows:
Exceptions.
Any building, structure, landscape, streetscape or site may be exempted from this Chapter if, a structure is listed on or officially determined eligible for the Register of Historic Places or is located within a Historic District and it is determined by the Planning Director, and approved by the Fire Code Official, that the exemption of said structure/property or resource will not create an additional fire hazard in the immediate vicinity of the structure/property or resource.

VICINITY MAP

NOT TO SCALE

LOCATION MAP

NOT TO SCALE

GENERAL NOTES

1. CODES: ALL WORK SHALL CONFORM APPLICABLE LAND USE AND BUILDING CODES AS AMENDED BY AUTHORITIES HAVING JURISDICTION.

2. DO NOT SCALE DIMENSIONS FROM DRAWINGS. USE CALCULATED DIMENSIONS ONLY. NOTIFY THE ARCHITECT IMMEDIATELY IF ANY CONFLICTS EXIST.

3. CONTRACTOR SHALL VERIFY ALL CONDITIONS PRIOR TO INITIATING THE WORK. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.

4. VERIFY ALL ROUGH-IN DIMENSIONS FOR EQUIPMENT. PROVIDE ALL BUCK-OUT, BLOCKING, BACKING, AND JACKS REQUIRED FOR INSTALLATIONS.

5. DIMENSIONS ARE TO EXTERIOR FACE OF CONCRETE / WOOD FRAMING UNLESS OTHERWISE NOTED.

6. EXTERIOR WALL FRAMING 2x6 WOOD STUDS UNLESS OTHERWISE NOTED.

7. INTERIOR WALL FRAMING 2x4 WOOD STUDS UNLESS OTHERWISE NOTED.

PROJECT DIRECTORY

SITE ADDRESS:
220 KING ROAD
PARK CITY, UT 84060

OWNER:
PESKY PORCUPINE, LLC
405 S MAIN ST. STE 800
SALT LAKE CITY, UT 84111

ARCHITECT:
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STRUCTURAL ENGINEER:
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SAN FRANCISCO, CA 94111
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CONTACT: KRIS JOHNSON
kjohnson@gfdseng.com

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SALT LAKE CITY, UT 84107
T: 801.879.6200
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brigham@edgebuildersutah.com

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project:
PARK CITY RESIDENCE
220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by Author
checked by
job no. 20102
date 07/31/2024

revisions:

no. date by

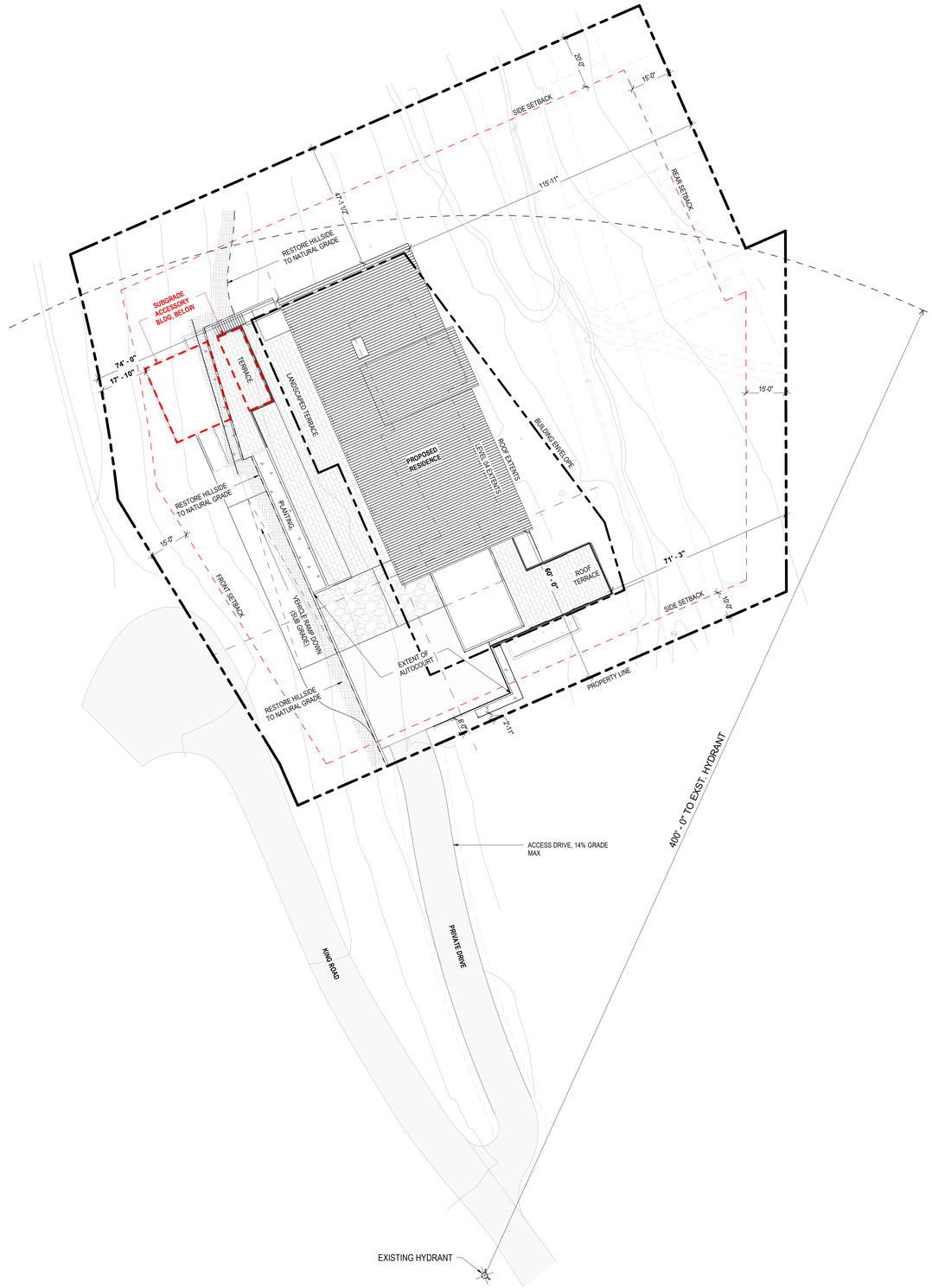
NOT FOR CONSTRUCTION

HDDR DRAWINGS

07/31/2024

GENERAL INFORMATION

A0.00



1 SITE PLAN
SCALE: 1" = 20'-0"

N

0 10' 20' 40' 60'

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SITE PLAN

A1.00

TYPE: **L3 / EL3**

BANTAM™ SQ

Another Lumenrad® Component for Life Safety and Light

PROJECT NAME: Park City Residence - SD Permit

REP AGENCY: _____

APPROX. LINEAR FT: _____

SERVICE OPTIONS: ☐ Field Measure ☐ Job Site Support ☐ System Installation

SCAN QR CODE
for technical information, downloads and instructions.

PART NUMBER BUILDER

LULF30K705XTS	LULF	27K	70	5	XTS
EXAMPLE	FIXTURE TYPE	COLOR TEMP	OPTIC	DRIVE CURRENT	BANTAM

* Indicates stock, other options may require additional leadtime

LULF - Lumenpad to Light Engine

27K - 2700 K, **30K** - 3000 K, **40K** - 4000 K, **50K** - 5000 K

BLU - Blue, **BRN** - Brown, **RED** - Red, **AMB** - Amber

3L - 10° beam, **2L** - 20° beam, **4L** - 40° beam, **7D** - 70° beam, **9A** - 94° beam

5 - 0.2 W 9 000 mA, **7** - 0.7 W @ 350 mA. *Extended life @ 0.2 DRAM version requires 350 mA*

XTS - Machined 316 SS, flat surface-mount housing

ELECTRICAL SPECIFICATIONS

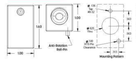
24VDC	ETL LISTED WET, IK10, IP67, CE	0-10V INPUT	-40°F TO +120°F
INPUT VOLTAGE	CERTIFICATIONS	DIMMING	OPERATING TEMP

CLASS 2 REQUIRED	5 YEARS	UP TO 116 LM/W LED	80+	8"
DRIVER	WARRANTY	EFFICIENCY	CRI	WIRE LENGTH

Intertek

All electrical connections to be made by a qualified electrician in accordance with all national, state and local electrical codes.

CONSTRUCTION



Bantam SQ is solid machined 316 stainless steel with security hardware and is designed for flat surface mounting.

PHOTOMETRICS

Bantam SQ is designed with an inherent 10° bias above nadir. This asymmetric feature projects the output from the mounting surface towards the path. Scan QR code or visit our website to view or download available IES reports.

LUMENGEAR™ LED DRIVER & NEMA ENCLOSURE OPTIONS

Wagner offers multiple ETL listed options for both 24VDC power supplies and NEMA enclosures. Quantities and types will be configured based on your specifications and design. Additional specification options are available by request. Not all options apply to all products–please verify compatibility with the factory.

CLASS II DRIVERS:
- STD 100W
- DALI, DMX, 0-10V Dimming Protocols
- Multiple Wattages
- Made in USA Units Available

NEMA ENCLOSURES:
4X - Polycarbonate
4X - Painted Steel
4X - Stainless Steel

Specifications subject to change without notice. Verify data at time of order

@wagnercompanies

WAGNER Architectural Systems

888-243-6594 // info@wagnercom.com
10600 West Brown Deer Road // Milwaukee, WI 53224, USA

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WagnerCompanies.com
LUBS SUBM R3

niteo

Park City Residence
Permit - Schematic Design
7.29.24

SITE LIGHTING @ GUARDRAIL POSTS

TYPE: **EL5**

GHOST

SQUARE - HORIZONTAL

Type: EL5 — SPECIFICATION SHEET
Project: PARK CITY RESIDENCE - SD PERMIT — Page: 1 of 5

Unique lighting system for wall recessed lighting in exterior applications. The system consists of a series of concrete forming boxes designed to create a cavity in the wall during the concrete forming process. The resulting void in the wall houses the LED light module, which is concealed from view. Designed for low mounting heights with downward asymmetric light distribution. Low luminance with light source regressed inside the luminaire and shielded from all viewing angles

Luminaire characteristic:	Power input system: 5W to 16W Power input source: 4W to 14W Lumens system for 3000K, 80CRI: 240lm to 551lm Luminaire efficacity for 3000K: Up to 48lm/W
Source:	White LED module (LM-80) 2700K: 80CRI; 3000K: 80CRI; 4000K: 80CRI;
Lumen maintenance:	80% of initial lumens at 70 000 hours (L80 B10) Ta 77° (25°) 80% of initial lumens at 50 000 hours (L80 B10) Ta 104° (40°)
Optic:	Downward Asymmetric
Material:	Body: Die-cast Diffuser: Toughened glass Recessed housing: Polypropylene
Mounting:	Wall recessed cast in concrete. Supplied with a two part housing installation kit, anchor screws, bolts, locking system and adhesive template to ensure perfect alignment when installing. Connections to be done inside the back box.
Electrical:	See remote power supply options on page 3.
Finish:	Concrete
Weight:	1.96lb (0.89kg) to 6.39 lb (2.90 kg).
Warranty:	5 year limited warranty
Rating:	IP65, IK10
Certification:	cULus listed for wet location

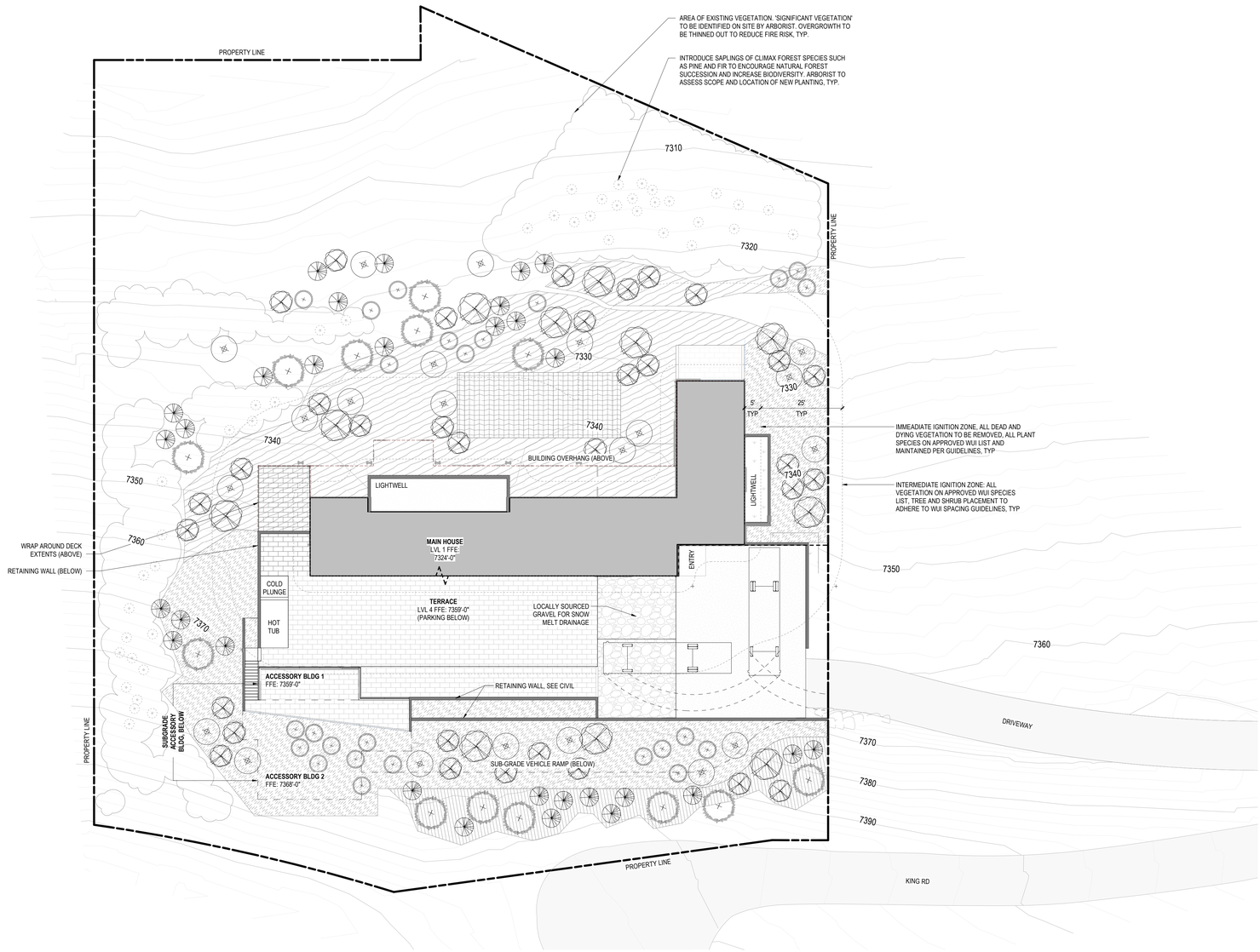
Dim: (H) — Last update: November 09, 2023 — Due to continuous improvements, the information herein may be changed without notice

SISTEMALUX
9530 Boul. St-Laurent, suite 100, Montréal (Québec) Canada H2N 1N7 P: 514.523.1339 F: 514.525.6107 www.sistemalux.com

Park City Residence
Permit - Schematic Design
7.29.24

SITE LIGHTING @ CONCRETE SITE WALLS

3 SITE LIGHTING - CUT SHEETS



1 LANDSCAPE SITE PLAN

SCALE: 1/16" = 1'-0"

SCALE: 1/16" = 1'-0"
0" 8" 16" 32"
TRUE NORTH
PROJECT NORTH

PLANTING SCHEDULE

TREES

ABBR.	BOTANICAL NAME	COMMON NAME	WATERWISE	SIZE	QTY.
PT-1	*Populus tremuloides*	Quaking Aspen	NO	1 1/2" CAL	34
PT-2	*Populus tremuloides*	Quaking Aspen	NO	4" CAL	12
AC	*Abies concolor*	White Fir	YES	#65 (7FT TALL)	30
PM	*Pseudotsuga menziesii*	Douglas Fir	YES	4" CAL, #95/100	13
AG	*Acer grandidentatum*	Bigtooth Maple	YES	1 1/2" CAL	22
SA	*(mixed native species)*	Sapling	TBD	#5	TBD

SHRUBS

ABBR.	BOTANICAL NAME	COMMON NAME	WATERWISE	SIZE	QTY.
QB	*Quercus gambelii*	Colorado Scrub Oak	YES	#10	25

GRASS AND PERENNIAL

TYPE	BOTANICAL NAME	COMMON NAME	WATERWISE	SIZE	AREA
NATIVE SAGEBRUSH MIX				1 GAL	8,350 SF
	Bouteloua gracilis	Blue Grama Grass	YES		
	Oryzopsis hymenoides	Indian Rice Grass	YES		
	Sphaeralcea coccinea	Globemallow	YES		
	Penstemon strictus	Rocky Mountain Penstemon	YES		
	Achillea millefolium	Common Yarrow	YES		
NATIVE FOREST MIX				1 GAL	6,637 SF
	Bouteloua curtipendula	Sideoats Grama	YES		
	Symphoricarpos albus	Snowberry	YES		
	Amelanchier alnifolia	Saskatoon Serviceberry	YES		
	Mahonia repens	Creeping Oregon Grape	YES		
	Aquilegia saximontana	Rocky Mountain Columbine	YES		
NATIVE TURFGRASS MIX				HYRDOSEEDING	1,000 SF
	Bouteloua gracilis	Blue Grama Grass	YES		
	Buchloe dactyloides	Buffalograss	YES		
NATIVE RE-VEGETATION SEEDING MIX			YES	HYDROSEEDING	1,647 SF

KEY LEGEND

- BUILDING FOOTPRINT
- LOCALLY SOURCED GRAVEL
- STONE PAVER
- CONCRETE RETAINING WALL
- PROPERTY LINE
- SUBGRADE STRUCTURE
- OVERHANG
- 7320 EXISTING CONTOURS
- PROPOSED 2FT CONTOURS
- 7330 PROPOSED 10FT CONTOURS

LANDSCAPE CALCULATIONS

TOTAL LOT SIZE: 53,694.12 SF

TOTAL IMPERVIOUS AREA: 10,076.01 SF

10,076.01 SF / 53,694.12 SF = 18.77% IMPERVIOUS SURFACE ON LOT

TOTAL LANDSCAPE AREA: 53,694.12 SF - 10,076.01 SF = 43,618.11 SF

15,987 SF OF LANDSCAPE TO RECEIVE IRRIGATION

15,987 SF / 43,618.11 SF = 36.65% OF LANDSCAPE AREA TO RECEIVE IRRIGATION

63% OF SPECIFIED PLANT SPECIES DESIGNATED AS WATER-WISE PER APPROVED SPECIES LIST, ALL PLANTS TO BE GROUPED BASED ON IRRIGATION NEEDS FOR EFFICIENT IRRIGATION HYDROZONING.

NOTES:
1. SEE SURVEY FOR MORE INFORMATION ON EXISTING VEGETATION AND TREES.
2. CONTRACTOR TO CONFIRM EXISTING TREES AND NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES BETWEEN THE PLAN AND THE EXISTING CONDITIONS BEFORE STARTING WORK.
3. CONTACT LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE PRIOR TO VEGETATION REMOVAL.
4. HARVEST AND PRESERVE TOPSOIL FROM DISTURBED AREAS FOR RE-VEGETATION. ANY EXPOSED OR DISTURBED SLOPE SHALL BE RE-VEGETATED.
5. IMPORTED SOIL MUST BE OF A QUALITY TO SUPPORT PLANT GROWTH.
6. FOLLOW HR-1 CODE FOR DEFINITION OF SIGNIFICANT VEGETATION.
7. PROTECT SIGNIFICANT VEGETATION BY TREE PROTECTION FENCING PROTECTION FENCE, 6'-0" SEMI-PERMANENT CHAINLINK, DRIVEN 2'-0" INTO THE GROUND. PLACE AT LIMITS OF TREE PROTECTION ZONES AND REMOVE AT THE END OF CONSTRUCTION.
8. PROTECTION FENCING SHALL NOT BE MOVED, REMOVED, OR ENTERED BY EQUIPMENT AND MAINTAINED IN GOOD REPAIR THROUGHOUT CONSTRUCTION.
9. APPLY BIODEGRADABLE NETTING AND EROSION CONTROL FOR SLOPES GREATER THAN 3:1
10. ANY APPLICATION OF HERBICIDE TREATMENT SHALL BE PER THE REGULATIONS OF LOCAL JURISDICTIONS, AND ENVIRONMENTAL REGULATORS.

WILDLAND URBAN INTERFACE (WUI) NOTES:
1. KEEP PROPERTY CLEAR OF DEAD AND DYING VEGETATION.
2. GRASSES TO BE MOWED OR TRIMMED TO A MAXIMUM 4" HT.
3. PLANT NEW TREES IN CLUSTERS. DENSITY AND SPACING PER HOME IGNITION ZONE (LOCAL WUI AMENDMENT 603.5).
4. THIN EXSITING VEGETATION TO ACHIEVE DENSITY AND SPACING PER HOME IGNITION ZONE (LOCAL WUI AMENDMENT 603.5).
5. PRUNE LOW TREE BRANCHES PER LOCAL WUI AMENDMENT 603.5.
6. PLANT ONLY FIRE RESISTIVE SPECIES WITHIN WUI IGNITION ZONES. *REF* 2006 UTAH WUI CODE, APPENDIX B.

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project:
ARCH TEMPLATE (IMPERIAL)
Enter Line 1 Enter Line 2

stamp/seal:

principal architect:	Enter Initals
project manager:	Enter Initals
drawn by:	Enter Initals
checked by:	Enter Initals
job no.:	Enter Number

revisions:

no.:	date:	description:

NOT FOR CONSTRUCTION

Enter Phase

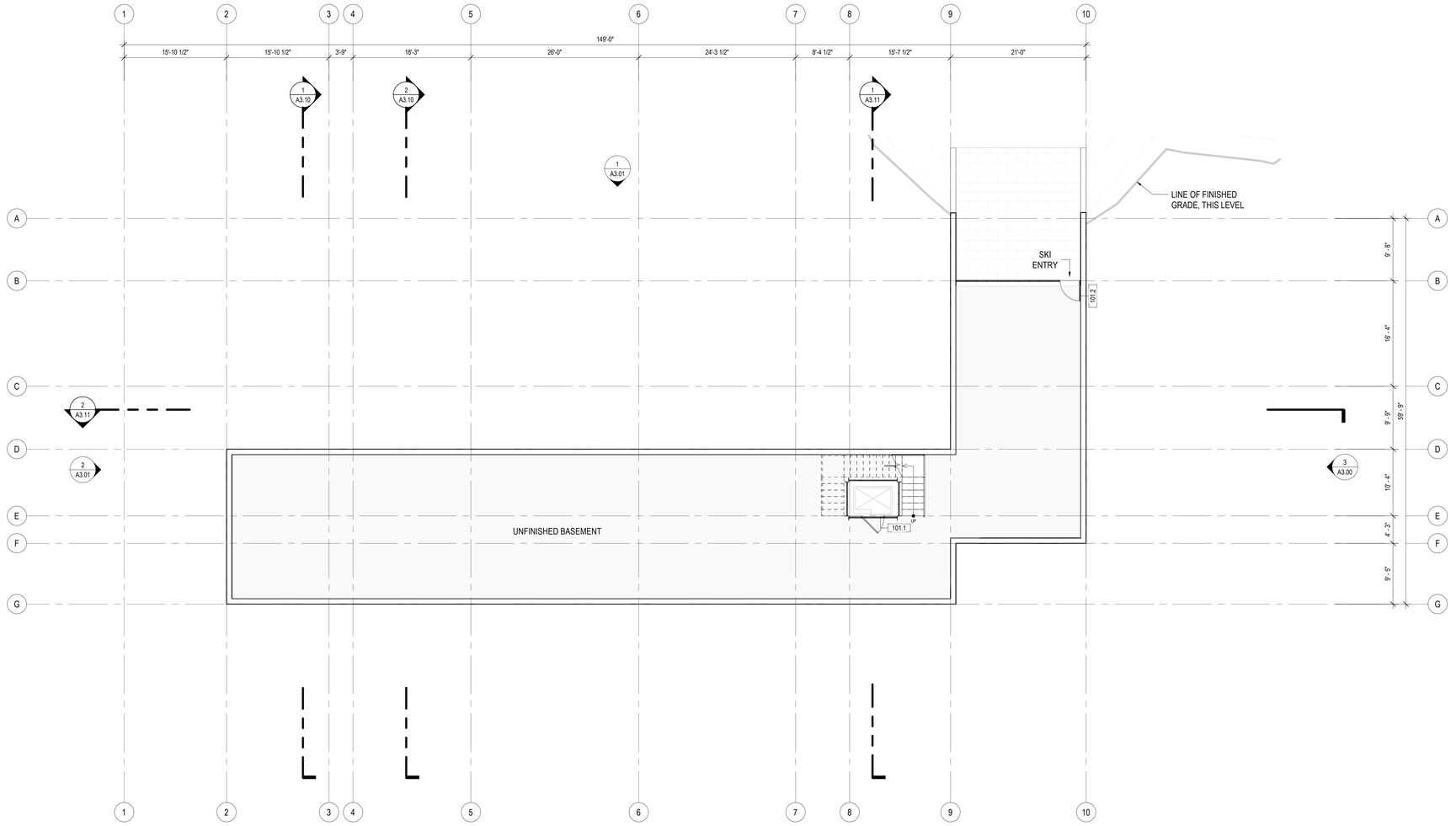
Enter Date

title:

LANDSCAPE SITE PLAN

sheet:

L1.00



1 LEVEL 01 PLAN
SCALE: 1/8" = 1'-0"

N

0 1' 2' 3' 4' 8' 12'

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HDDR DRAWINGS

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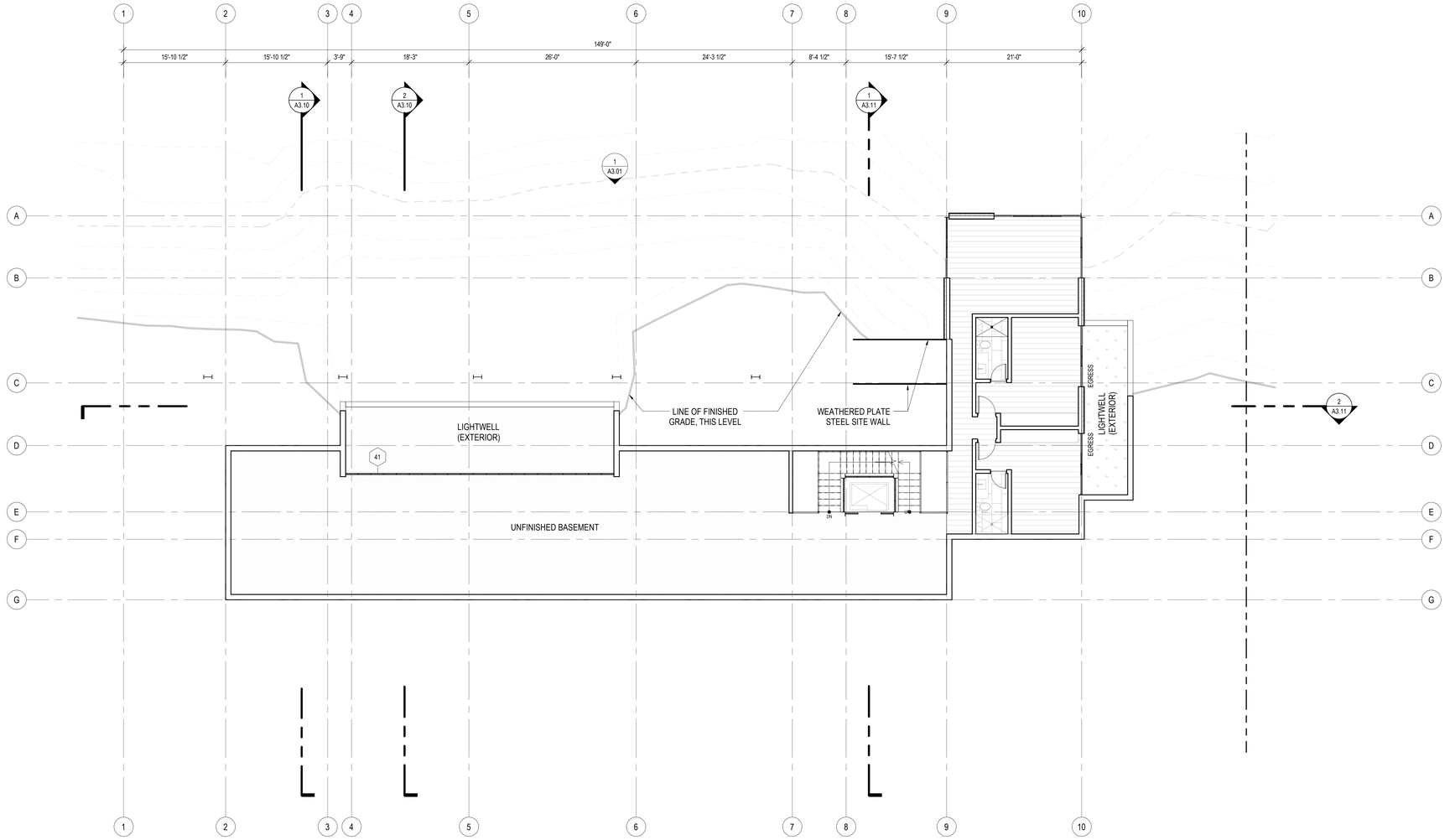
LEVEL 01 - OVERALL PLAN

A2.10



1 LEVEL 02 PLAN
SCALE: 1/8" = 1'-0"

0 1' 2' 3' 4' 8' 12'

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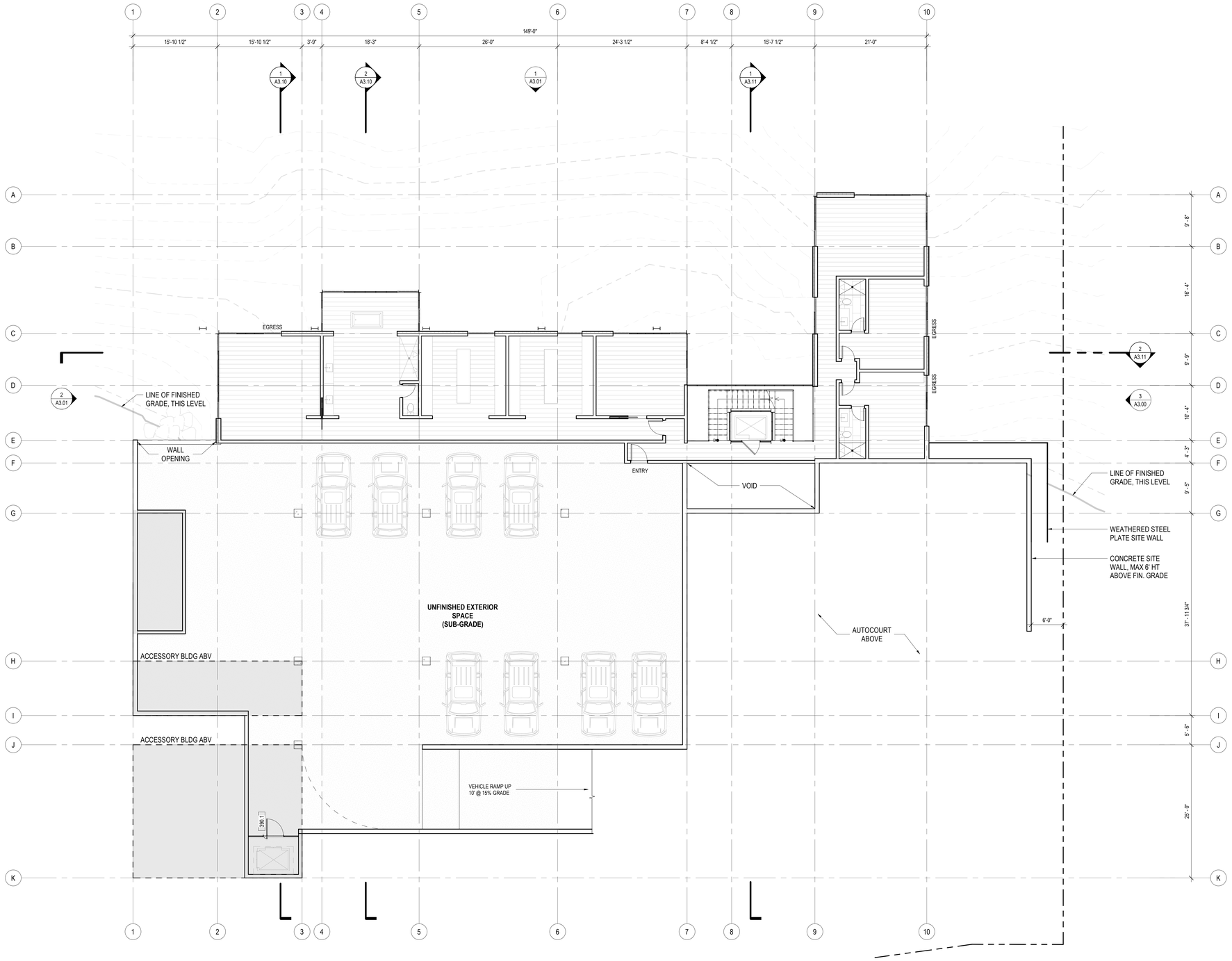
07/31/2024

LEVEL 02 - OVERALL PLAN

A2.20



1 LEVEL 03 PLAN
SCALE: 1/8" = 1'-0"

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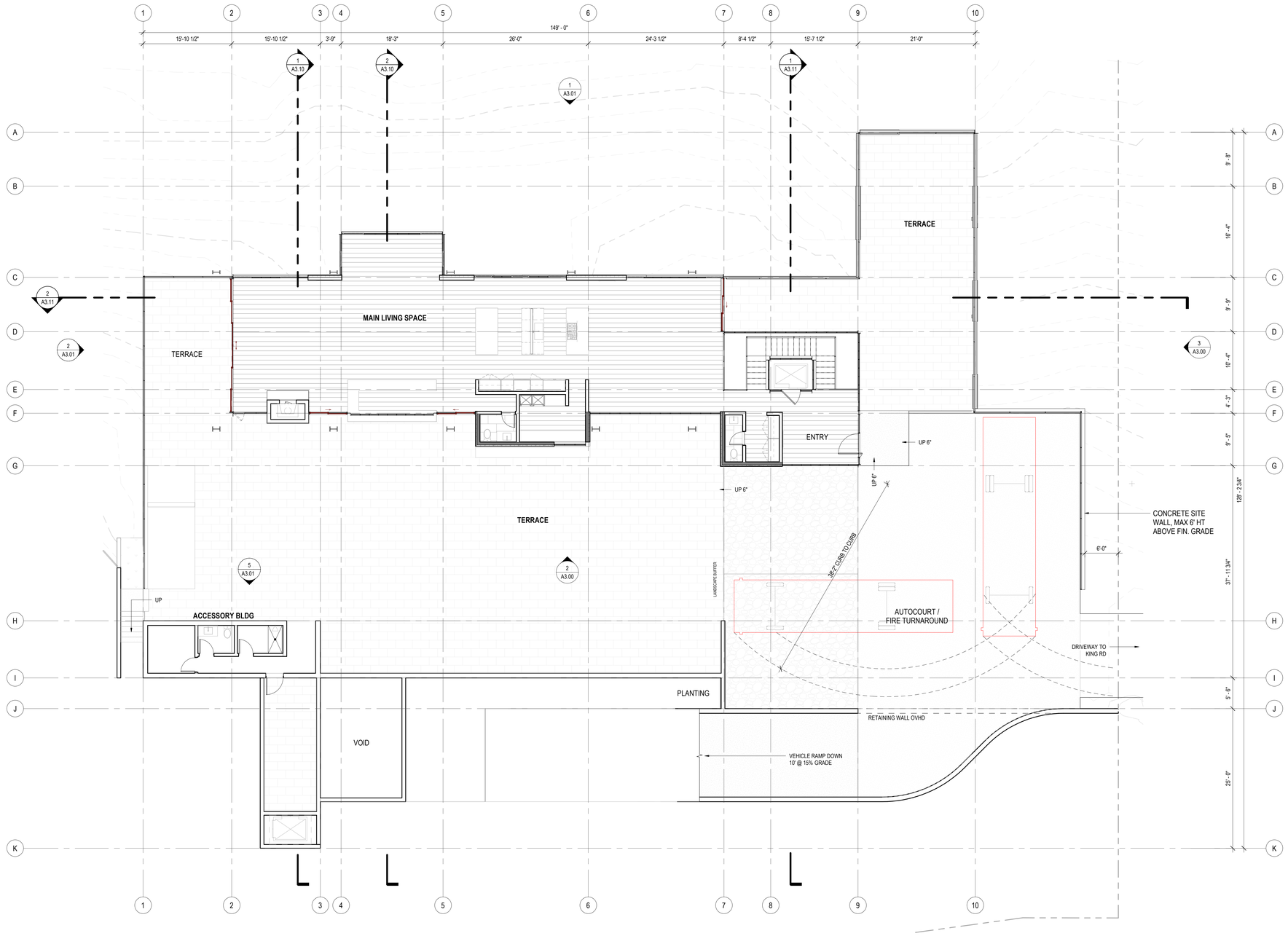
LEVEL 03 - OVERALL PLAN

A2.30



1 LEVEL 04 PLAN
SCALE: 1/8" = 1'-0"

N 0 1' 2' 3' 4' 8" 12'

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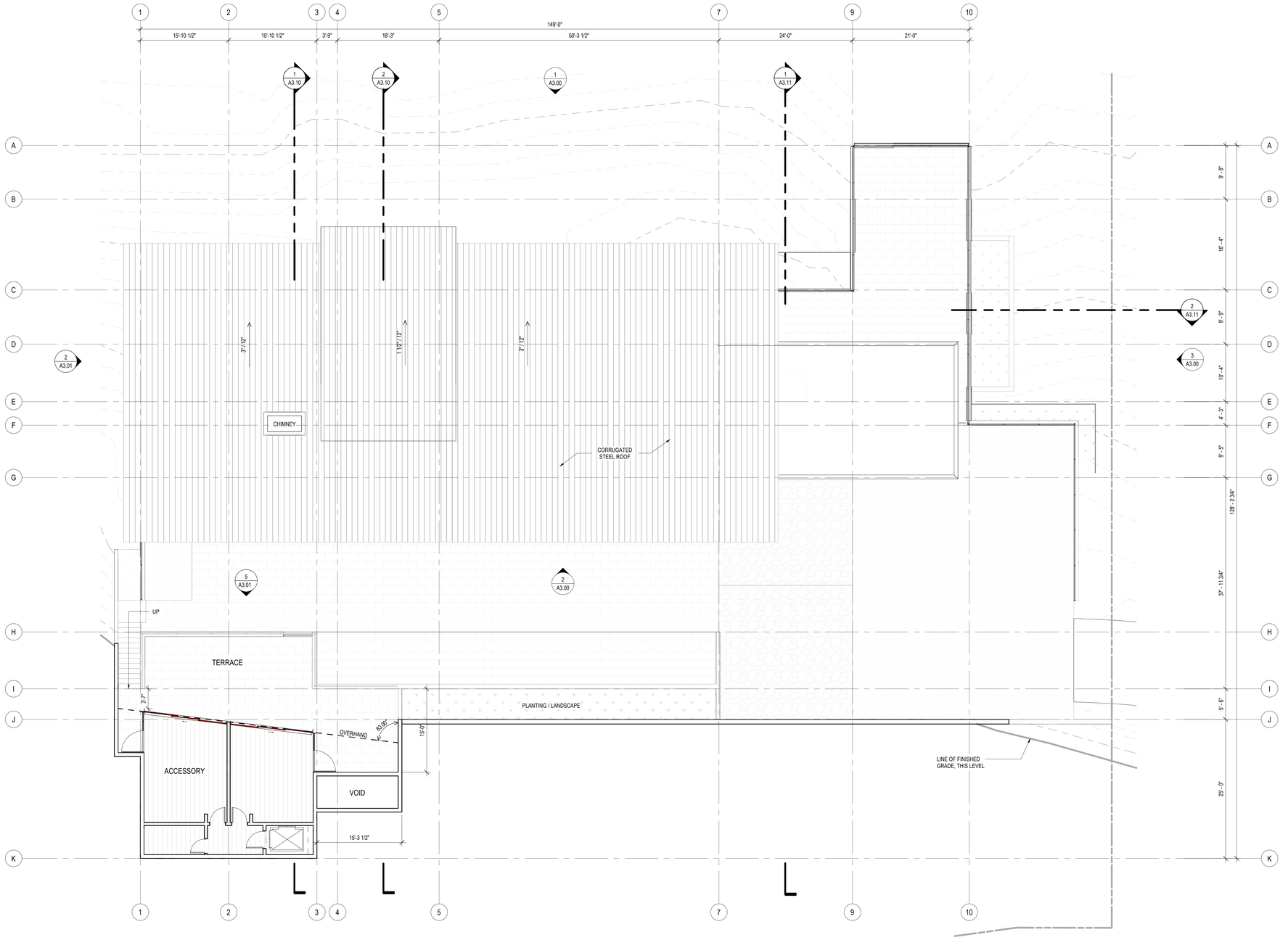
LEVEL 04 - OVERALL PLAN

A2.40



1 LEVEL 05 PLAN
SCALE: 1/8" = 1'-0"

N

0 1' 2' 3' 4' 8' 12'

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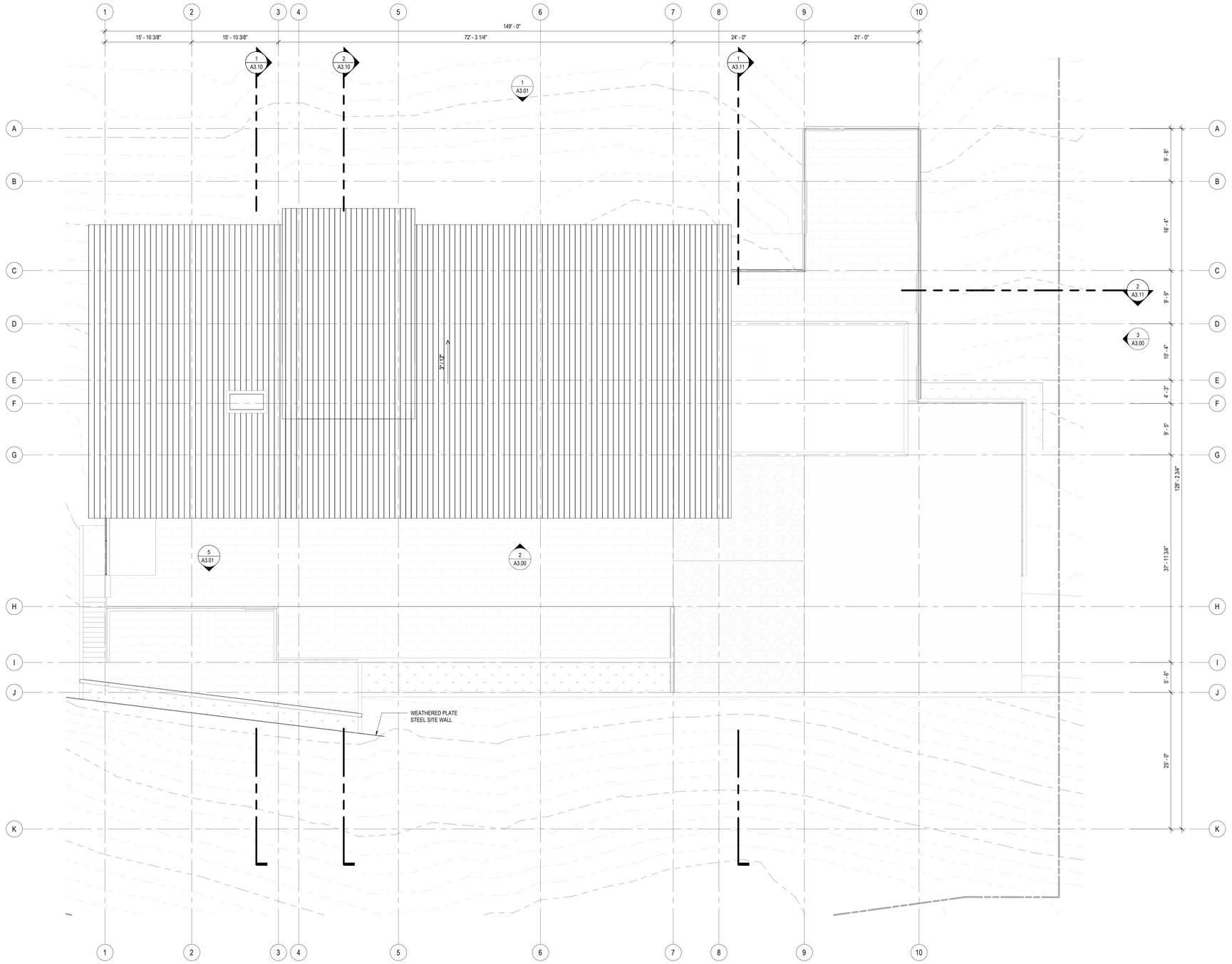
LEVEL 05 - OVERALL PLAN

A2.50



1 ROOF PLAN
SCALE: 1/8" = 1'-0"

N 0 1' 2' 3' 4' 8' 12'

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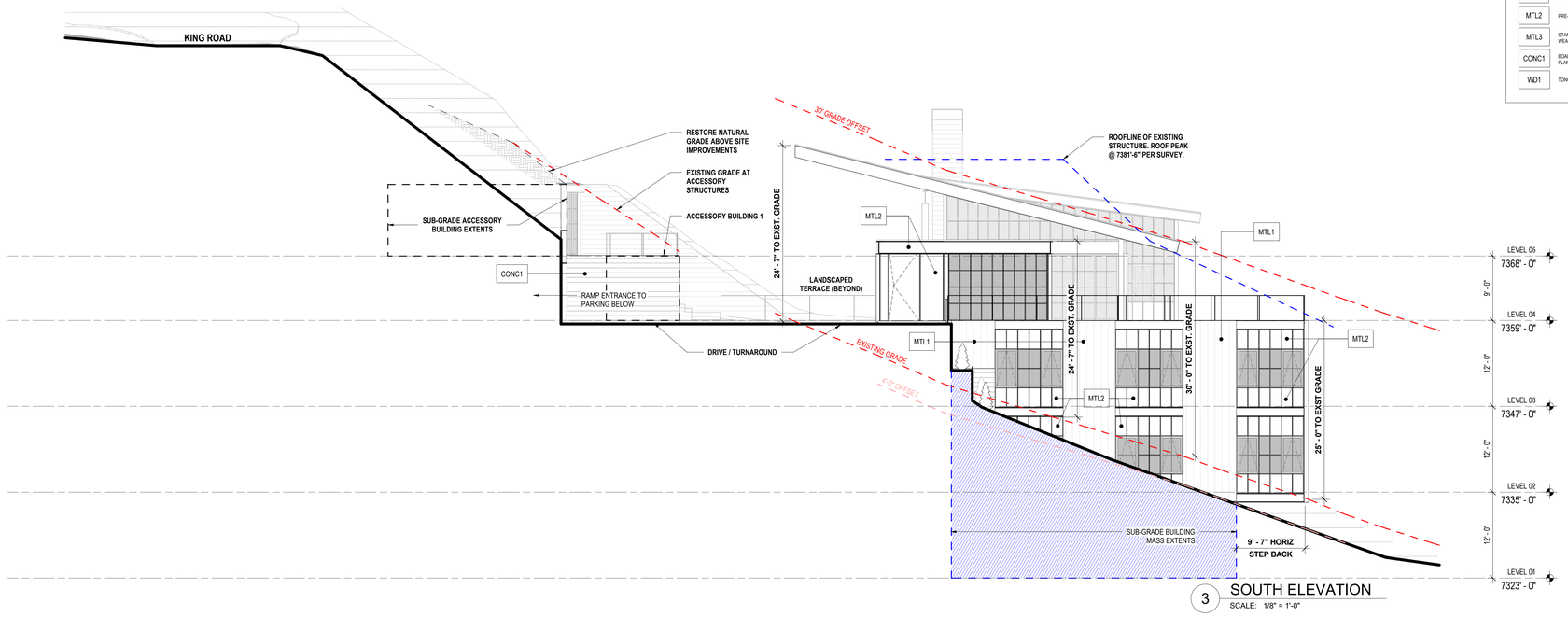
ROOF PLAN

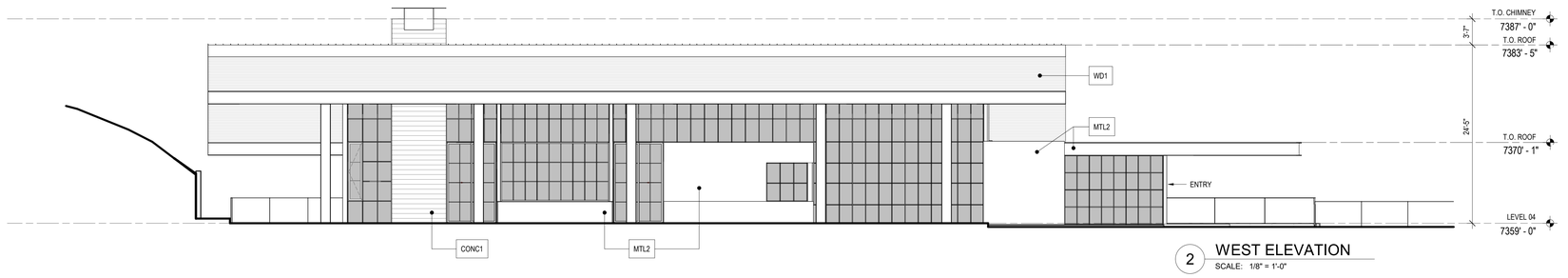
A2.60

MATERIAL LEGEND

MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, WEATHERED ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK



3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"

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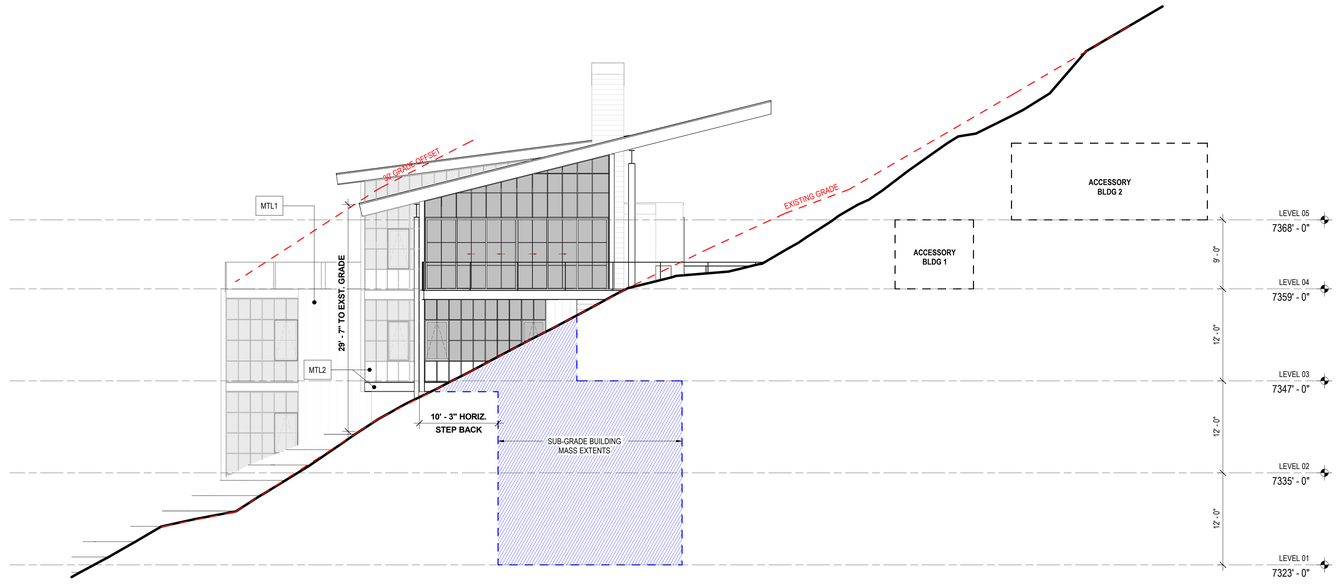
EXTERIOR ELEVATIONS

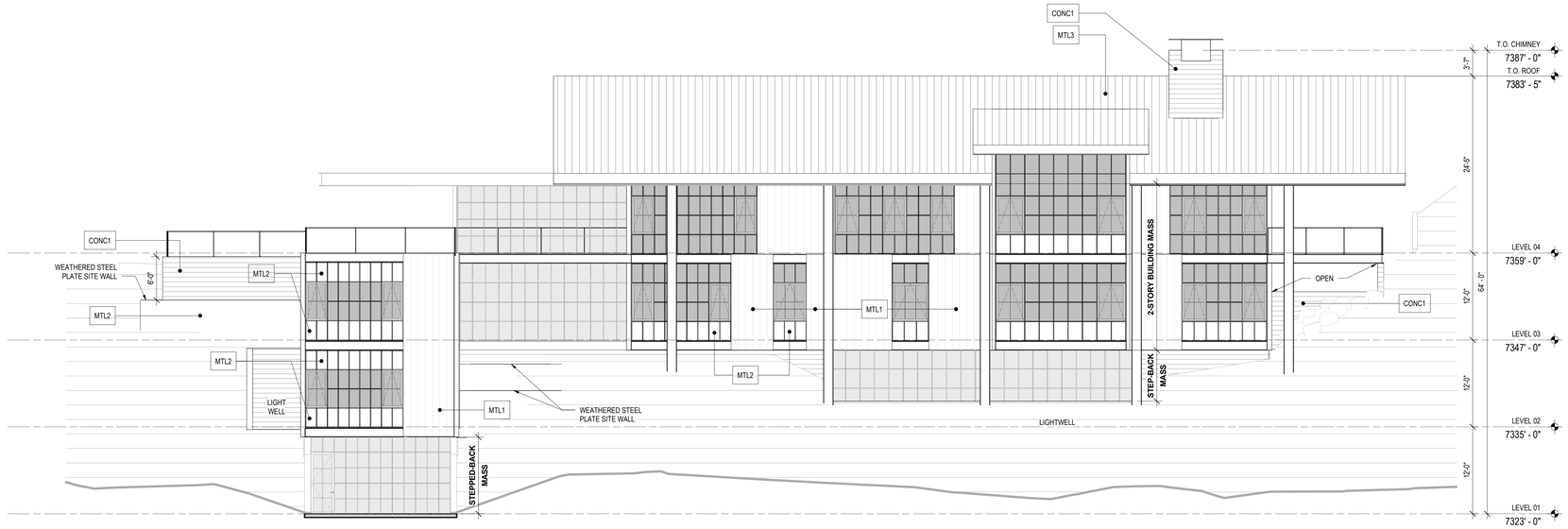
A3.00

MATERIAL LEGEND

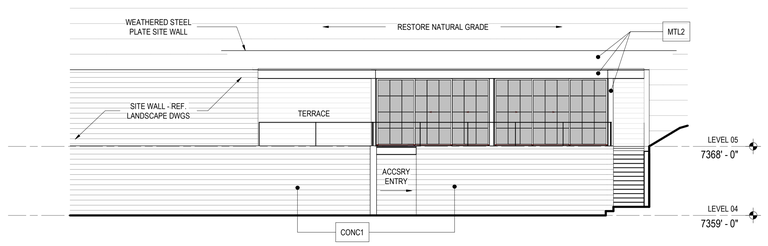
MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, WEATHERED ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK



2 NORTH ELEVATION 1
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION 1
SCALE: 1/8" = 1'-0"



5 EAST ELEVATION @ ACCESSORY BLDG
SCALE: 1/8" = 1'-0"

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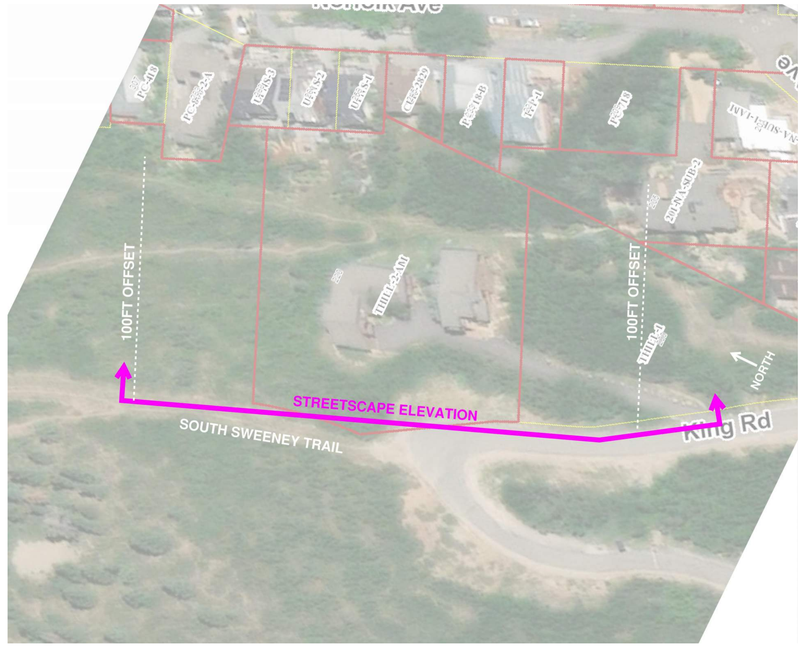
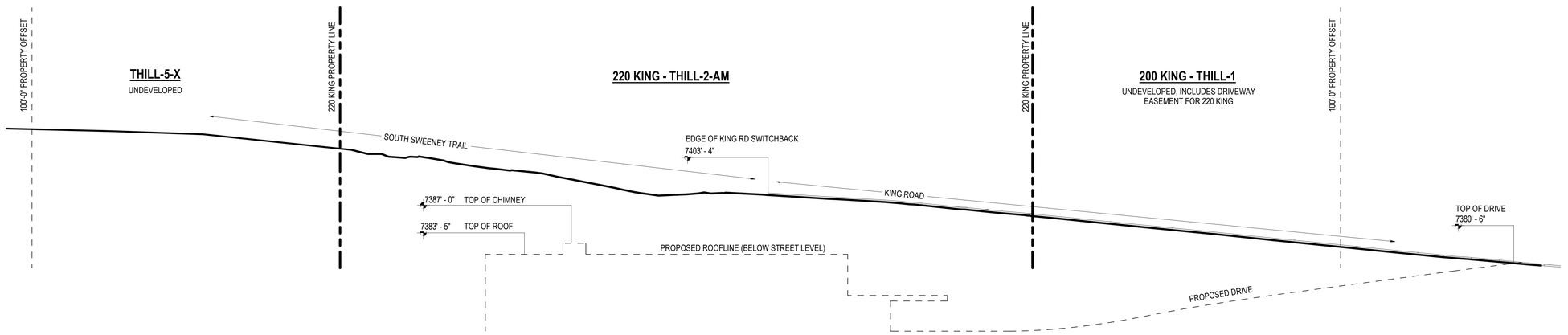
EXTERIOR ELEVATIONS

A3.01



2 STREETSCAPE ELEV - VIEW KEY



1 STREETSCAPE ELEVATION
SCALE: 1/16" = 1'-0"

0 4' 8' 12' 16' 32' 48'

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220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by Author
checked by Checker
job no. 20102
date 07/31/2024

revisions:

no.	date	by

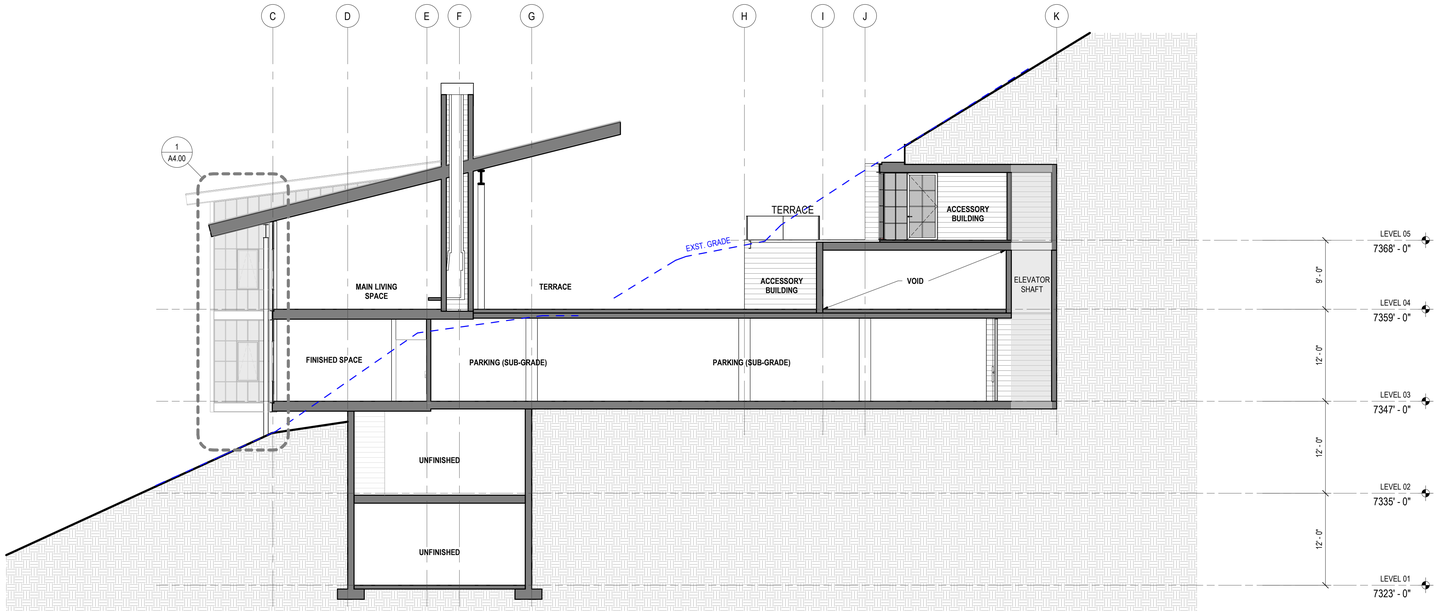
NOT FOR CONSTRUCTION

HDDR DRAWINGS

07/31/2024

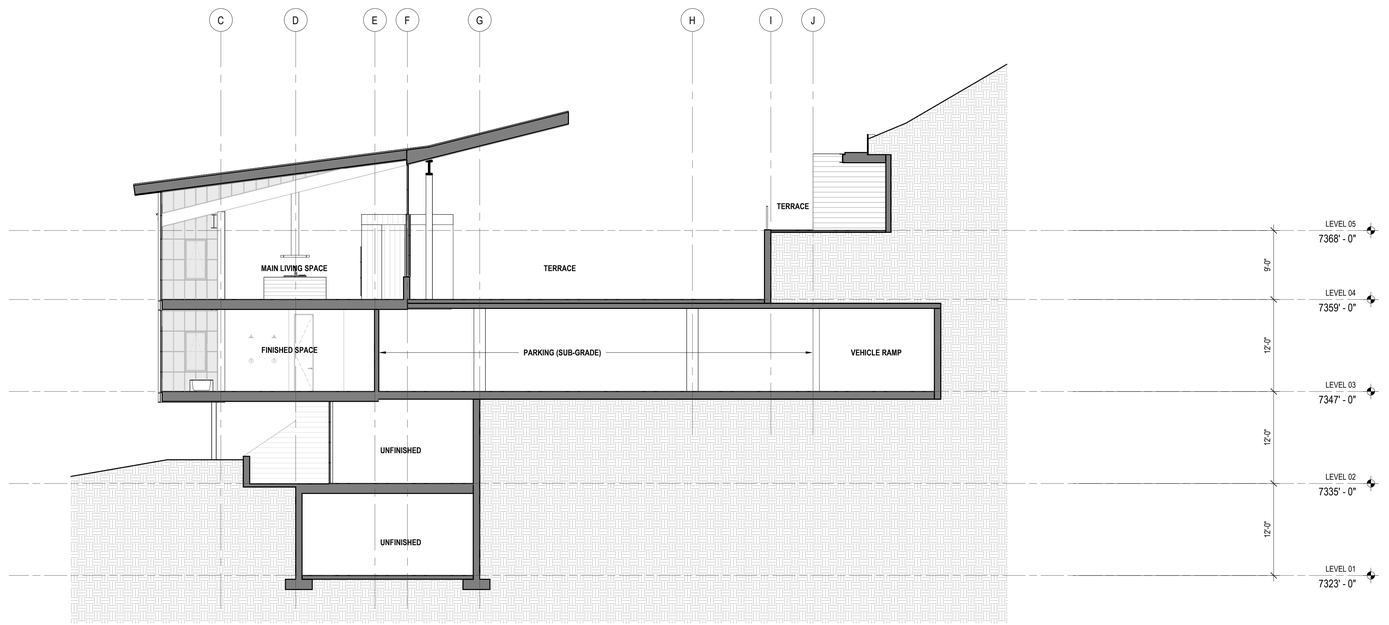
STREETSCAPE ELEVATION

A3.02



1 E-W SECTION THRU ACCESSORY BLDG

SCALE: 1/8" = 1'-0"



2 E-W SECTION THRU BUMP-OUT

SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

Reserved for permit stamp

Olson Kundig
159 South Jackson St, Suite 600
Seattle, Washington 98104 1534
+1 206 624 5670 olsonkundig.com

project:
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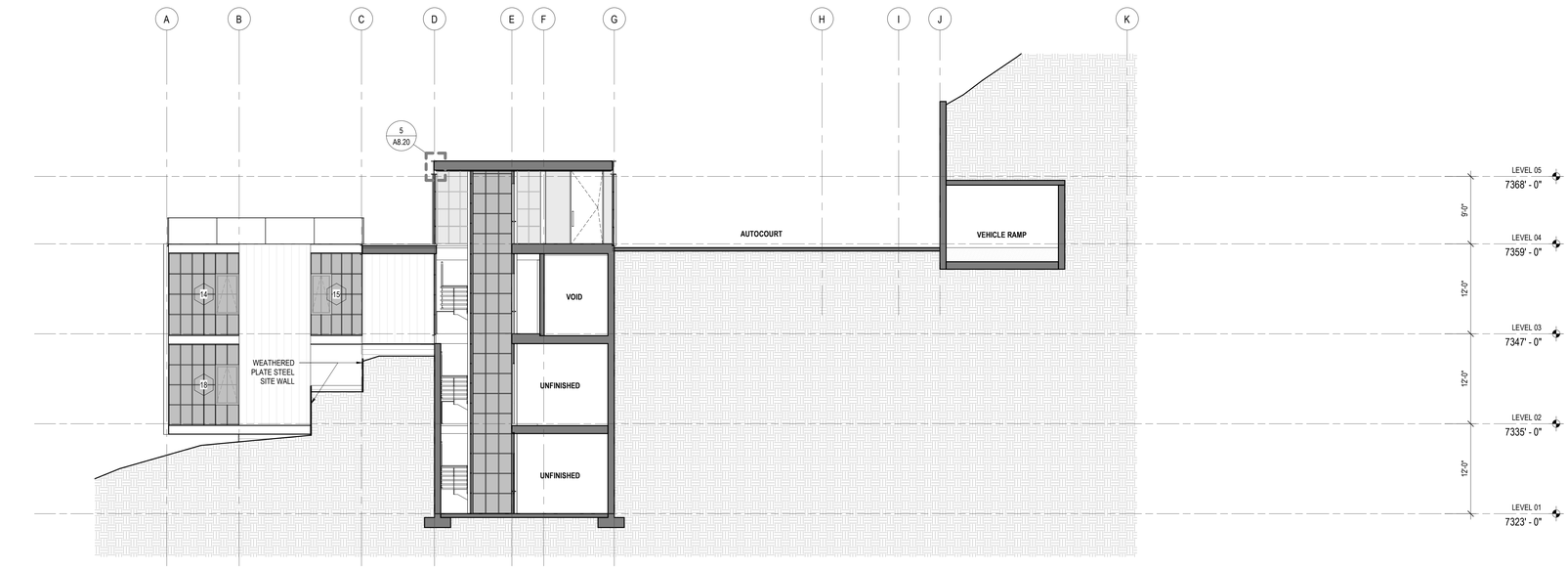
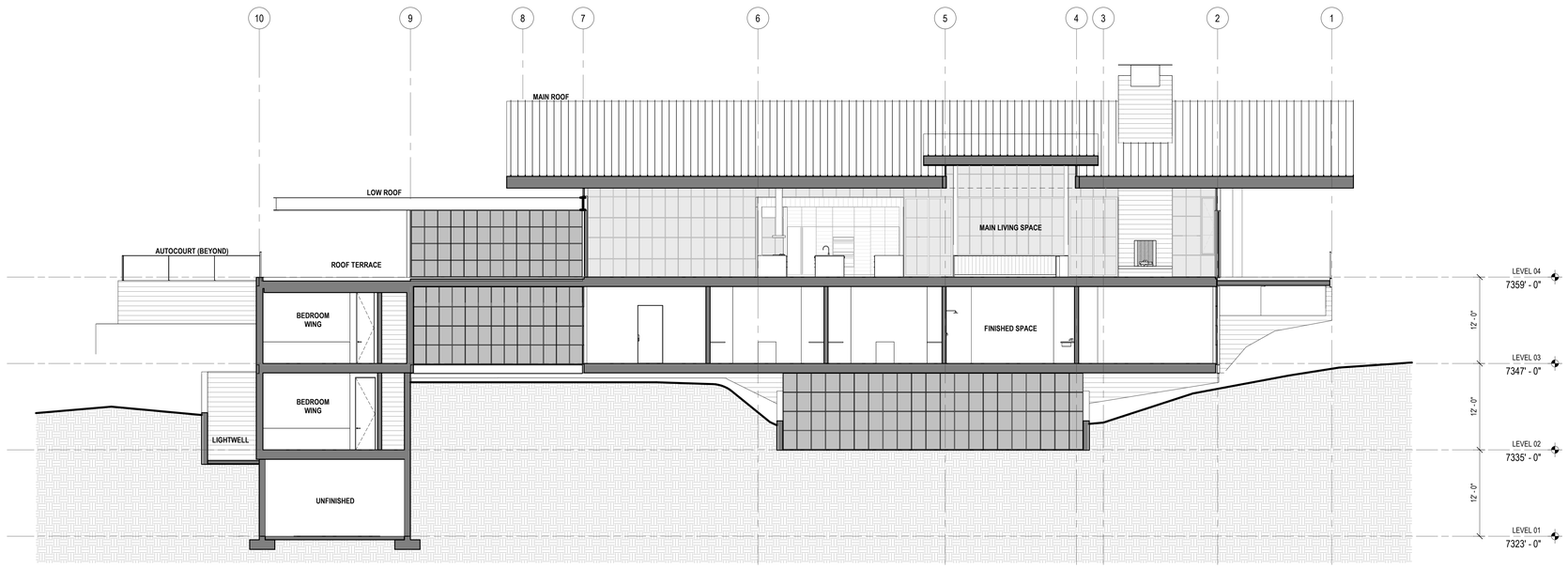
BUILDING SECTIONS

A3.10



1 E-W SECTION - THRU ELEVATOR

SCALE: 1/8" = 1'-0"



2 N-S SECTION THRU BUMP OUT

SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

Reserved for permit stamp

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BUILDING SECTIONS

A3.11

WEATHERED STEEL GUARD RAIL AND POSTS. 2" X 1/2" WELDED FLAT BAR

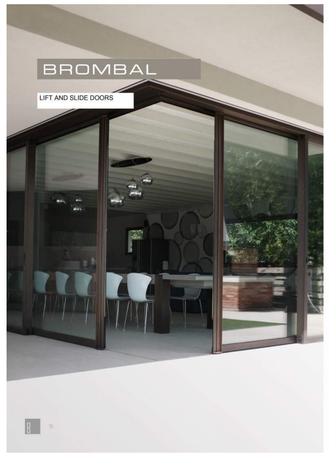
WOVEN MESH INFILL PANEL, 1/2" OPENING. WEATHERED STEEL FINISH

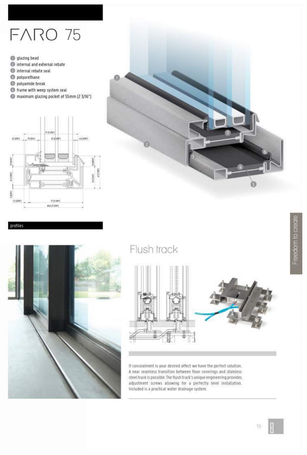
ANALOG HOUSE - BY OLSON KUNDIG

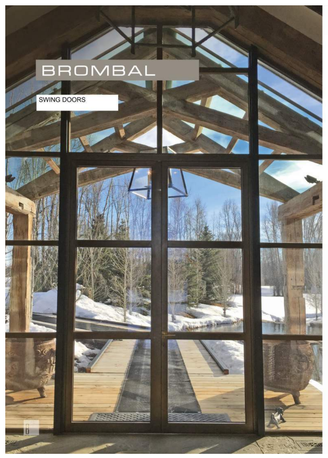
WOVEN MESH INFILL PANEL - NOTE TRANSPARENCY.

ANALOG HOUSE - BY OLSON KUNDIG

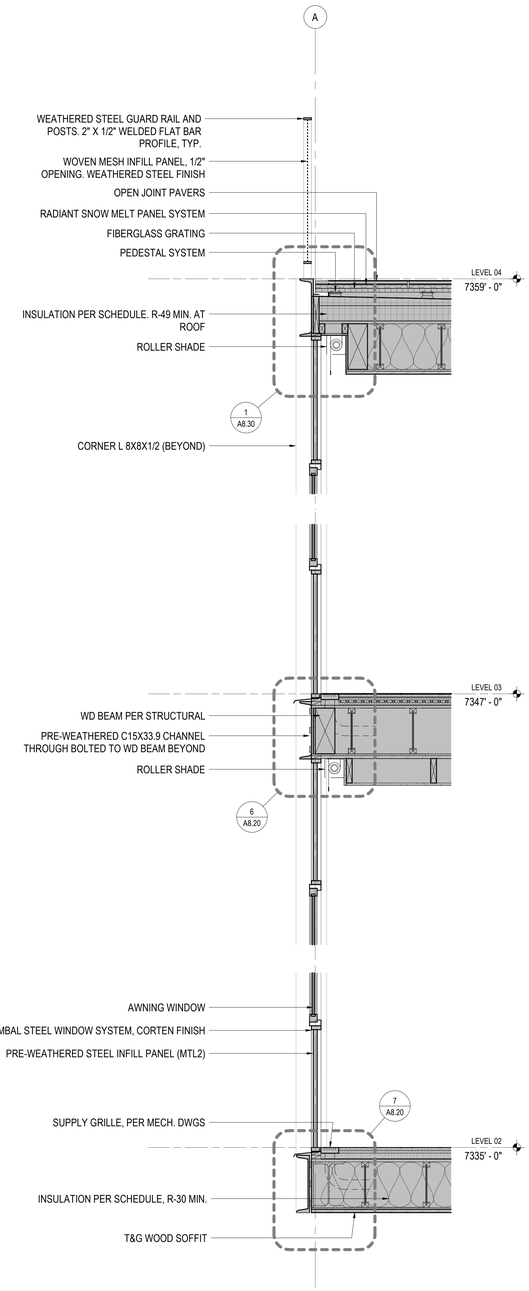
4 GUARDRAIL REFERENCE





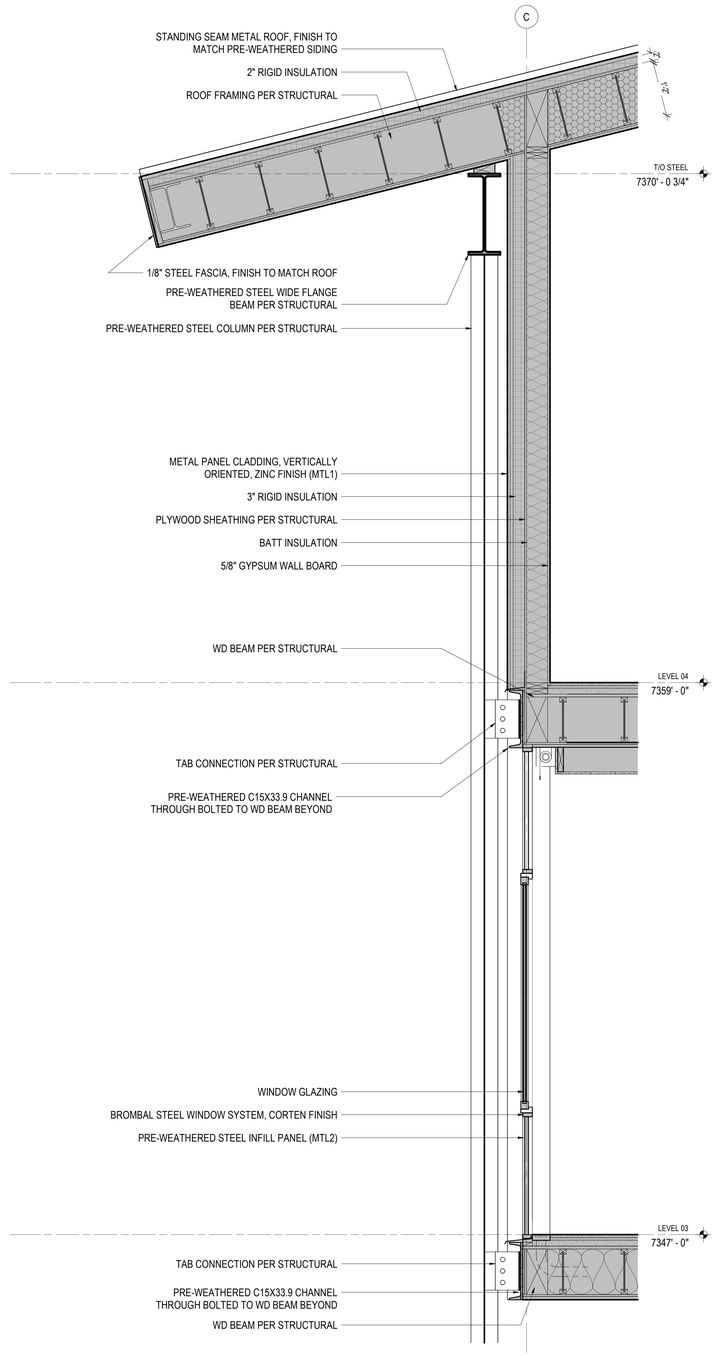


3 WINDOW SYSTEM - CUT SHEETS



2 ENLARGED SECTION @ GUEST WING

SCALE: 3/4" = 1'-0"



1 E-W ENLARGED WALL SECTION

SCALE: 3/4" = 1'-0"

0 1' 2' 3' 4'

Reserved for permit stamp

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HDDR DRAWINGS

07/31/2024

WALL SECTIONS + DETAILS

A4.00

HOGGAN LEE HUTCHINSON

Eric P. Lee
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Direct: 435.731.9195

August 29, 2024

VIA EMAIL

Park City Municipal Corporation
Park City Board of Adjustment
Rebecca Ward, Planning Director
rebecca.ward@parkcity.org
PO Box 1480
Park City, Utah 84060

Re: Appeal—220 King Road HDDR Approval

Dear Board Members:

Hoggan Lee Hutchinson represents Eric Hermann and Susan Fredston-Hermann—the owners of several Old Town properties including 200 King Road (Parcel No. THILL-1) and their primary residence at 205 Norfolk Avenue (201-NA-SUB-2). The Fredston-Hermanns' properties directly adjoin the Applicant's (Matt Prince) property at 220 King Road (Parcel No. THILL-2-AM) (the "Project"). And their 200 King Road parcel is the only remaining unbuilt lot in the Sweeney subdivision. The Fredston-Hermanns submit this letter to appeal the Planning Staff's HDDR approval for 220 King Road (Application # PL-23-05522).

On August 15, 2024, Planning Staff approved the HDDR application for the Project despite opinions from SWCA consultants ("SWCA"), the City's retained experts, making clear that the Project does not comply with Park City's Historic District Designation. Many issues raised by SWCA were not even discussed in the August 15 Administrative Hearing Staff Report ("Staff Report"), the hearing itself, or the final action letter. One particularly important point ignored by Staff is SWCA's conclusion that the only way the Project could be approved is with a variance granted by the Board of Adjustment.[1] Thus, in addition to being arbitrary and capricious because it ignored the expert evidence in the record, the decision to approve the design was contrary to law

[1] *See* Exhibit A, Memorandum from SWCA Environmental Consultants on Historic District Design Review for 220 King Road to Park City Mun. Corp. at 3 (April 26, 2023).

and exceeded Planning Staff's legal authority. The Fredston-Hermanns respectfully request that you reverse this decision.

STANDARD OF REVIEW

Section 15-1-18G of the Park City Land Management Code ("LMC") instructs that the appeal authority, in this case the Board of Adjustment, "shall act in a quasi-judicial manner." The same section explains that the Board reviews "factual matters de novo, without deference to the land use authority's determination of factual matters." The Board determines "the correctness of the land use authority's interpretation and application of the plain meaning of the land use regulations…." And although the Board generally interprets and applies "a land use regulation to favor a land use application," this guidance does not apply if, as is the case here, "the land use regulation plainly restricts the land use application." Finally, the Board's review is not limited to the record below; rather, "[n]ew evidence may be received so long as it relates to the scope of the appeal."

ARGUMENT

I. The Planning Department's Decision is Illegal.

LMC § 15-13-8 sets forth the regulations for new residential infill construction in Historic Districts. The Project, as proposed, fails to meet most of the requirements of § 15-13-8, including compatibility with historic structures in materials, features, size, scale, and massing, as well as the minimization of cut, fill, and the use of retaining walls. The Planning Department's decision to approve despite the Project's failure to meet the legal standards of § 15-13-8 and is illegal, necessitating its reversal.[2]

A The Project fails to meet most of the "Universal Regulations" from LMC § 15-13-8(A).

LMC § 15-13-8(A) provides the "Universal Regulations" for "Infill Construction" in the Historic District. The Project violates most of these regulations.

1. <u>The Project is neither compatible with historic structures in materials, features, size, scale, proportion, and massing, nor broken up into volumes that reflect the original massing of historic buildings.</u>

[2] See Utah Code § 10-9a-801(3)(c)(ii) ("A land use decision is illegal" if it's "based on an incorrect interpretation of a land use regulation" or otherwise "contrary to law.").

The proposed Project fails to meet the size, scale, proportion and massing requirements of LMC § 15-13-8(A)(4) according to SWCA, the only experts who have provided an opinion on the matter.[3] That provision requires:

> New infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the new infill residential buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the lot.

SWCA summarized the Project's non-compliance with § 15-13-8(A)(4) as follows:

> [T]he size, scale, and proportions of the residence and its component elements, including the shed roof and cantilevered flat roof, are reminiscent of a large-scale industrial building rather than a residential building, which is not compatible with the HR-1 zone. While projecting portions of the building on the downslope elevation provide some modulation of mass, additional size reduction or modulation of the building mass itself (as well as its roofs) is required to reflect the size and massing of historic residential buildings[.][4]

The Project has not been sufficiently modified to address these issues. Further, the Staff Report's acceptance of the Applicant's assertion that the building has been broken up into five masses goes against all evidence. The building appears as one large mass the width of multiple Old Town lots. The Applicant highlighted different portions of the design with different colors to create a false sense of mass modulation, but it has not even attempted to actually break up the building mass itself, as noted by SWCA. In other words, the Applicant has not "broken up" the building and roofs "into volumes that reflect the original massing of historic buildings" as required by § 15-13-8(A)(4) and as recommended by SWCA. It remains one large unbroken mass, far beyond the appropriate size and scale for the neighborhood. Simply put, this building is far too large for the HR-1 District, and, as such, it fails to comply with § 15-13-8(A)(4).

2. <u>The design does not reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites.</u>

The proposed Project fails to comply with LMC § 15-13-8(A)(1), which requires "New infill residential buildings" to "reflect the historic character…of Park City's Historic Sites." That means "simple building forms, unadorned materials, [and] restrained ornamentation…." The proposed Project reflects none of these characteristics. Its size, massing, the materials proposed for its construction and its general ornamentation do not come close to reflecting the historic character of Park City's Historic Sites. While the structure may have been designed to reflect industrial mining

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[3] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 2.
[4] *Id.*

buildings from Park City's past, the historic districts of Park City are for residential and commercial/storefront buildings, and the Project's design does not reflect that historic character in violation of § 15-13-8(A)(1).

3. The Project radically conflicts with the character of Park City's Historic Sites.

LMC § 15-13-8(A)(3) requires that "[a] style of architecture shall be selected and all elevations of the new infill residential building shall be designed in a manner consistent with a contemporary interpretation of the chosen selected style. Stylistic elements shall not simply be applied to exteriors. Styles that never appeared in Park City shall be avoided. Styles that radically conflict with the character of Park City's Historic Sites shall also be avoided." The Project's design radically conflicts with the character of Park City's Historic Sites in the HR-1 District. No residence in the Park City Historic Sites inventory looks like the proposed structure, especially not in the HR-1 District. It even conflicts with the historic structures the Applicant claims it is trying to mirror. Looking at the proposed design next to the Silver King Mill Building that supposedly inspired it shows only minor similarities.[5] The proposed design, therefore, does not satisfy LMC § 15-13-8(A)(3).

4. The project does not minimize cut, fill, and the use of retaining walls.

According to LMC § 15-13-8(A)(5), "Building and site design shall respect the existing topography, the character-defining site features, including existing trees and vegetation, and shall minimize cut, fill, and the use of retaining walls." The proposed design doesn't even try to meet this mandate. The design necessitates massive cuts exceeding 80 feet in aggregate and up to 45 feet for individual cuts, which in turn require enormous retaining walls to support the slope.[6]

The scale of these cuts and retaining walls is hard to grasp on paper. But the nearby Kings Crown Development provides a useful analog. The proposed Project will result in the removal of 11,786 cubic yards of earth—an amount nearly equivalent to the entire cut required for Kings Crown, a project which includes three large condominium buildings and twenty-six single-family homes and townhomes. Given that there are already two large homes on the property, such extensive cutting is entirely unnecessary for its productive use. In other words, this is a clear and undeniable failure to minimize cuts and the use of retaining walls. The Staff Report supports this conclusion

[5] *See* Exhibit B, Letter from Quinn Kummer, Architect, Olson Kundig, to Planning Director, Park City Mun. Corp. 5 (July 31, 2024).
[6] Exhibit C, Applicant's Grading and Excavation Plans. Note that, if allowed, the massive cuts for the proposed project will result in the mountainside above the project losing critical support.

by omission. The report is silent on this important § 15-13-8(A) requirement because there is no way to legitimately argue that the proposed design minimizes cut and retaining walls.[7]

5. The Project's exterior elements are not compatible with neighboring Historic Structures.

LMC § 15-13-8(A)(6) mandates that the exterior elements of new infill residential buildings—such as roofs, entrances, eaves, chimneys, porches, windows, doors, steps, and garages—must be of human scale and compatible with neighboring Historic Structures. The only expert opinion available, as detailed in the SWCA memo, asserts that "the wide shed roof would need to be divided into three to five modules to achieve the appropriate residential scale, and the cantilevered flat roof would need to be reduced in size." Although the wide shed roof has been segmented into three modules, this modification fails to achieve the required "residential scale." Significant portions of the roof remain excessively wide relative to neighboring Historic Structures in the HR-1 District, rendering them incompatible with those neighboring structures. Additionally, the cantilevered flat roof has not been reduced in size at all. This critical issue has not been adequately addressed by either the staff or the Applicant, resulting in a clear violation of § 15-13-8(A)(6).

6. The scale and height of the Project do not respect the architecture of the character area.

The design also fails to meet the requirement of LMC § 15-13-8(A)(7) because it does not respect the architecture of the character area, as noted by SWCA.[8] That code provision reads: "Scale and height of new infill residential buildings shall follow the predominant pattern and respect the architecture of the Streetscape or character area with special consideration given to Historic Sites." SWCA's analysis makes plain that the Project does not comply with § 15-13-8(A)(7):

> The proposed infill references the industrial buildings of the Silver King Mine but the guidelines require that infill residential buildings maintain a historic residential scale appropriate to the historic district or zone in which they are being constructed. The proposed residence at 220 King Road will be on a relatively isolated site and will not be directly adjacent to any Historic Sites. In the absence of a streetscape lined by other buildings, the predominant pattern of the historic district or residential zone applies. The proposed design does not comply with this guideline.[9]

The Staff Report dodges this damning analysis by redefining "character area" to mean subdivision.[10] This redefinition (itself an illegal act) means that instead of respecting the

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[7] Exhibit D, Staff Report from Planning Team on 220 King Road Historic District Design Review to Planning Department 11(August 15, 2024).
[8] Exhibit E, Staff Report from Planning Team, *supra* note 1, at 3.
[9] *Id.*
[10] *See* Exhibit E, Staff Report from Planning Team, *supra* note 1, at 12.

architecture of historic structures within a zone, one only needs to respect the architecture of the subdivision. Given that much of Old Town consists of small subdivisions with no historic structures, this new interpretation effectively exempts many buildings in the Historic Zoning Districts from complying with this code provision. In essence, the Staff Report has rendered this crucial provision moot, undermining the very purpose of preserving the architectural integrity of our historic areas.

As clearly stated by SWCA, this design does not comply because it is not compatible with the true character area (i.e., the HR-1 Zone). The Applicant and Staff had no answer for that obviously correct conclusion, so they changed the "area" against which the design is judged. There is nothing in the LMC allowing that approach and, of course, it's inconsistent with the important mandate of § 15-13-8(A)(7).

Furthermore, the Staff Report wrongly claims the Project is "aligned" with the Height Regulations established through the Sweeney MPD.[11] The Sweeney MPD specifically limits structures on this property to 25' with no exceptions permitted.[12] Here, the property's height is roughly 33' in clear violation of the Sweeney MPD.[13] The notion, advanced by the Applicant, that Plat Notes exempt the property from the terms of the MPD is wrong as matter of law. Here that's especially true given that the MPD specifically says there are no exemptions allowed. In other words, the Staff Report is patently incorrect, and the design violates LMC § 15-13-8(A)(7).

7. <u>The size and mass of the Project are not compatible with the size of the site.</u>

The design also blatantly violates the size and mass requirements of LMC § 15-13-8(A)(8). The SWCA Memo explicitly addresses this issue, stating: "its building bulk and mass are not compatible with Historic Sites just downslope in the HR-1 zone. Further reduction or modulation of massing, both of the residence and its shed and cantilevered flat roofs, is required to be compatible with the building bulk and mass of historic residences in the HR-1 zone."[14]

Despite this clear directive, the Applicant has failed to remedy these issues. The Staff Report conspicuously avoids providing any analysis or conclusion on this matter, likely because the only reasonable conclusion is that the design does not comply with the code. LMC § 15-13-8(A)(8) requires compatibility between the size and mass of a structure and the size of the site because only then will "lot coverage, building bulk, and mass [be] compatible with Historic Sites within

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[11] Exhibit D, Staff Report from Planning Team, *supra* note 7, at 12.
[12] Exhibit E, Sweeney MPD § III(5)(a).
[13] *See* Exhibit F, Olson Kundig, Park City Residence 220 King Road HDDR Drawings A2.50 (July 31, 2024).
[14] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 3.

the Streetscape or character area." The proposed Project does not achieve that compatibility, as made clear by SWCA.

8. The Project creates an unmitigable risk of physical damage to nearby Historic Sites.

LMC § 15-13-8(A)(9) mandates that "[n]ew construction activity shall not physically damage nearby Historic Sites." There is no gray area here. Section 15-13-8(A)(9) allows no latitude. Either an applicant has demonstrated its proposed construction activity will not physically damage nearby Historic Sites or it hasn't. In this case, the Applicant has not and cannot guarantee compliance with this important requirement.

A report from the Utah Department of Natural Resources indicates that the Treasure Hill area is highly prone to erosion if vegetation is cleared, (which is necessary for this Project).[15] This clearing also raises the risk of land subsidence, potentially leading to landslides. It is evident, even to non-experts, that the Project presents significant dangers. Furthermore, the Geotech report submitted by the Applicant does not properly address the risk of landslides.[16] It is common knowledge in the community that several mineshafts under Treasure Hill were loosely filled after abandonment, resulting in an unstable slope prone to landslides. The King's Crown development, which involved shallower cuts moving a similar amount of earth from much less steep slopes on the same mountain, still caused a landslide. This history underscores the significant risks posed by the current Project.

The Staff Report addresses this issue by pointing out that "[t]here are no designated Historic Sites on Park City's Historic Sites Inventory near 220 King Rd."[17] This is misleading. While there may not be Historic Sites adjacent to the subject property, there are numerous Historic Sites downhill from the property. A landslide, triggered by the massive cut proposed for the Project, would put much of Old Town, along with its Historic Sites, in jeopardy. In short, the Applicant cannot provide the certainty required by the absolute mandate of § 15-13-8(A)(9).

8. The Project does not reinforce visual unity within the context of the character area.

Another LMC provision that this design fails to meet is LMC § 15-13-8(A)(10), which reads:

> New infill residential buildings shall reinforce visual unity within the context of the Streetscape or character area. The specific context of each Streetscape or character area is an important feature of the Historic District. The context of each Streetscape or character area shall be

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[15] *See* Exhibit G, Engineering Geology of Park City, Summit County, Utah (Utah Geological and Mineral Survey) by Harold E. Gill and William R. Lund (June 1984).
[16] *See* Exhibit H, Geotechnical Engineering Report from Kilduff Underground Engineering, Inc. on Private Residence, 220 King Road to Bringham Wilcox (February 5, 2024).
[17] Exhibit D, Staff Report from Planning Team, *supra* note 7, at 13.

> considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area. Special consideration should be given to adjacent and neighboring Historic Sites in order to reinforce existing rhythms and patterns.

SWCA succinctly explained why the design fails to meet this requirement:

> [T]his and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes. Because the guidelines are so clear on this point, a variance from the Board of Adjustment would be required to permit the design as proposed.[18]

Despite this unambiguous conclusion from the City's own retained expert, the Applicant has not sought a variance and the City has not required one. The reason, apparently, is that the Staff Report once again employs a creative interpretation of "character area" to argue that the design only needs to be compatible with industrial structures that are well out of sight from Old Town, rather than with the Historic Residences that dominate the immediate surrounding area. This is contrary to plain language of § 15-13-8(A)(10), which emphasizes that new construction "*shall* reinforce visual unity…." (emphasis added) And what must be unified visually is what can be seen "when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area." The "Historic Mine Structures" against which Staff measures visual unity cannot be seen "when standing on the street" anywhere near the Project site. They can't even be seen from anywhere in the Historic District.

SWCA is right: "The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes." Staff's decision to ignore both the letter and spirit of the visual unity requirement violates § 15-13-8(A)(10).

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[18] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 3.

B The Project fails to meet many of the "Specific Regulations" from LMC § 15-13-8(B).

In addition to the "Universal Regulations" violations discussed above, the design also violates many of the "Specific Regulations" for Primary Structures. Specific Regulations are provided in LMC § 15-13-8(B).

1. The Project does not comply with the Specific Requirements for mass, scale and height.

The design violates many of the Mass, Scale and Height Specific Regulations for Primary Structures from LMC § 15-13-8(B)(2)(a). Some of the Specific Regulations violated include:

Regulation Violated:	**Analysis:**
15-13-8(B)(2)(a)(1): The size and mass of a new residential infill building in relation to open spaces, shall be visually compatible with adjacent historic buildings and historic structures in the surrounding Streetscape or character area.	As stated by SWCA, "the size of the building and its component elements must be broken into distinct masses more reminiscent of the size and mass of historic buildings in the zone to achieve visual compatibility."[19] This has not been done. The Staff Report ignores the City's own contracted experts and argues that the design complies with this provision by, once again, relying on an incorrect application of "character area."[20]
15-13-8(B)(2)(a)(2): Buildings that utilize traditional building forms – rectangular, cross-wing, pyramid-roof – are encouraged.	The Staff Report only says: "The proposed form for 220 King Road is drawn from Historic Mine Sites."[21] This is false. While the structure may draw inspiration from Historic Mine Sites, the "form" of the proposed structure varies wildly from anything in Park City. Further, the forms listed in LMC § 15-13-8(B)(2)(a)(2) are not used.
15-13-8(B)(2)(a)(3): Historic height, width, and depth proportions that are important in creating compatible infill and maintaining	Here, the Staff Report says: "The Sweeney MPD Treasure Hill Subdivision SFD character area establishes compatible infill based on larger Treasure Hill Subdivision Lots through plat notes governing mass, scale, and height."[22] This is a creative way of saying that,

[19] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 3.
[20] Exhibit D, Staff Report from Planning Team, *supra* note 7, at 24.
[21] *Id.*
[22] *Id.* at 24-25.

the historic mass and scale of the Streetscape or character area.	although the proposed Project does not comply with the historic height, width and depth proportions of the historic district (as the SWCA Memo concludes),[23] we can ignore 15-13-8(B)(2)(a)(3) because the project complies with plat notes. But there is no "plat notes" exception to 15-13-8(B)(2)(a)(3), and plat notes are not otherwise a legal method of exempting a project from code requirements.
15-13-8(B)(2)(a)(5): The perceived scale of new buildings shall respect the scale established by historic buildings in the character zone. Abrupt change of scale in the character zone is inappropriate, especially when a new, larger building would directly abut smaller historic buildings.	Once again, the Staff Report relies on the misapplication of "character area" to claim compliance despite their retained experts saying otherwise.[24] The SWCA Memo is unequivocal on this point: "Both the actual and perceived scale of the proposed residence is significantly greater than a typical historic residence in the HR-1 zone and there are no historic large-scale industrial buildings nearby or anywhere in the zone that establish a precedent for large-scale infill. As stated above, the reference to the industrial aesthetic of the Silver King Mine buildings is encouraged in the design of the structure, but those historic mining buildings are neither in the HR-1 zone nor visible from it. For these reasons, the perceived scale should reflect that of a historic residential building rather than a historic industrial building."[25] The Staff Report takes a directly contradictory stance by considering the character area to include the non-visible industrial structures far away rather than the Historic District where the property lies.
15-13-8(B)(2)(a)(6): A larger building shall be divided into 'modules' that reflect the mass, scale, proportions, and size of historic buildings within the Streetscape or character area. Modules shall be clearly expressed	The Staff Report takes the Applicant's position that this structure is divided into five modules.[26] That is simply incorrect. The Applicant arbitrarily divided the proposed building into five segments and called them "modules," but calling the segments "modules" does not make them into modules. It is important to note that the point of requiring modules is to ensure the structure looks broken

[23] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 4.
[24] *See* Exhibit C, Staff Report from Planning Team, *supra* note 7, at 25.
[25] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 4.
[26] *See* Exhibit D, Staff Report from Planning Team, *supra* note 7, at 25.

throughout the entire building and a single form shall remain the dominant element so the overall mass does not become too fragmented. To minimize the scale perceived from the primary public right-of-way, stepping down the mass of a larger building shall be considered.	up. That is not the case here. To suggest this structure is divided into five modules is to ignore what is plain to the naked eye.
15-13-8(B)(2)(a)(7): Larger-scale projects shall also include variations in roof height in order to break up the form, mass and scale of the overall structure.	Here, as acknowledged in the Staff Report,[27] the design has been changed partially (creating non-compliance with other code provisions) in an effort to address the SWCA's recommendation on this provision.[28] The change, however, does not go far enough to comply with this provision. Sections of the roof are still far too wide (i.e., in excess of 25 feet in width) for the Historic District. Therefore, the design does not comply with this provision.

2. <u>The Project does not comply with the Specific Requirements for Roofs.</u>

LMC § 15-13-8(B)(1)(e)(1) is a Specific Regulation governing roofs. It reads: "Roofs of new residential infill buildings shall be visually compatible with roof shapes and orientation of surrounding Historic Sites and adjacent buildings that contribute to the character of the Historic District. Sloping of roof forms, such as gable, hip, and shed, should be the dominant roof shapes. Roofs composed of a combination of roof planes, but simple in form, are also encouraged. Roofs shall be in scale with those on historic structures."

Although the Staff Report concludes that the Project's roof meets this requirement,[29] SWCA concludes otherwise.[30] The SWCA Memo says: "[T]he guidelines are clear that the perceived scale of larger residential buildings (on lots wider than 25') should be managed by breaking them into smaller masses or modules that reflect historic residential massing, including their roofs. There is

[27] Exhibit D, Staff Report from Planning Team, *supra* note 7, at 25.
[28] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 4.
[29] Exhibit D, Staff Report from Planning Team, *supra* note 7, at 32.
[30] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 6.

no precedent for exceptions when an industrial aesthetic is used for a residence, or for residences that may be in historically industrial areas. To comply with the guidelines, the roof could be broken into a horizontally stepped series of shed roofs (3 to 5 of them, with differences in roof height of a few feet or more to create shadow lines) that shelter their corresponding modules, or a mix of shed and flat. The cantilevered flat roof would also need to be reduced in scale."[31] While the roof was broken up some after the memo was written, it was not done sufficiently to meet SWCA's recommendations or § 15-13-8(B)(1)(e)(1)'s requirements. There are segments that are still far too large (i.e., greater than 25' in width) to be compatible with the Historic Residences in the neighborhood. Further, the cantilevered flat roof was not reduced in scale. Therefore, the design remains out of compliance with § 15-13-8(B)(1)(e)(1).

In conclusion, the Planning Department's decision to approve the Project in the HR-1 District is fundamentally flawed and illegal under LMC § 15-13-8. The Project's design fails to comply with the universal and specific regulations intended to preserve the historic character and integrity of the district. The numerous violations, including incompatibility with historic structures, excessive massing, and inadequate minimization of cut and fill, clearly demonstrate that the decision was not made in accordance with the applicable legal requirements. Therefore, you should ensure that the regulations protecting Park City's historic districts are upheld and enforced and overturn the Planning Department's decision on the grounds that it is illegal.

II. The Planning Department's Decision is Arbitrary and Capricious.

A second reason the Planning Department's decision should be overturned is that it is arbitrary and capricious. A land use decision is arbitrary and capricious and should be overturned if it "is not supported by substantial evidence in the record."[32] Staff's fundamental conclusion is that "[t]he proposed project, as conditioned, complies with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts.*"[33] However, as demonstrated, the proposed project does not comply with LMC § 15-13-8. And it does not comply in large measure because there is a clear lack of substantial evidence to justify the decision, rendering it arbitrary and capricious.

That the decision is unsupported by substantial evidence is seen in the fact that the consultants the City hired to find and analyze the relevant evidence concluded that the evidence does not support approving the Project. In fact, SWCA's findings are unequivocally critical of the Project. As detailed above, SWCA repeatedly asserts that, based on the evidence as applied to the plain

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[31] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 6.
[32] Utah Code § 10-9a-801(3)(c)(i).
[33] Exhibit I, Final Action Letter from Rebecca Ward, Park City Mun. Corp., to Pesky Porcupine, LLC 5 (August 15, 2024).

language of the code, the Project does not and cannot comply with § 15-13-8. The City will, undoubtedly, argue that Staff required modifications to the Project to address SWCA's concerns. But those modifications are universally minor and insufficient to meet the requirements of LMC § 15-13-8. And Staff required no modifications to the noncompliant aspects of the project that Staff was able to ignore based on their novel and ultimately illegal "character area" interpretation.

This last point merits emphasis. Put in terms of the substantial evidence requirement, Staff avoided the need for evidence backing key aspects of their decision by using industrial mining structures to frame the analysis, rather than the historic Old Town buildings called for by the LMC and SWCA. Had Staff used the correct "Streetscape" or character area, there was no evidence supporting their decision, let alone substantial evidence. This was the central tenet of SWCA's analysis and the Planning Department ignored it.

Because of the emphasis on SWCA's work, it's important to remember that SWCA is an independent third party with no vested interest in the outcome of this Project. Their sole task was to evaluate the Project's compliance with LMC § 15-13-8. Unless Park City specifically directed them to argue non-compliance—a notion unsupported by any evidence—one must assume that SWCA conducted a completely neutral analysis. That neutral, expert analysis—the only such analysis in the record—was largely disregarded by the Planning Staff in their determination. Why Planning Staff chose to ignore SWCA's report, which they themselves commissioned to aid in evaluating the Project is unclear. What is clear, however, it that the SWCA Memo stands as the only impartial expert report in the record, and it unequivocally supports rejection of the Project.

The only other evidence in the record are letters from the Applicant's architects[34] and the Fredston-Hermanns' legal counsel.[35] The letter from the Applicant's architects is inherently biased and fails to adequately address the critical concerns raised in the SWCA Memo. On substance all that letter really says is that (1) the Applicant should not have to fit the character of the neighborhood but rather the character of buildings on the other side of the mountain; (2) other people have big homes so the Applicant should be allowed to have one too (ignoring that those houses are significantly more modulated); (3) the roof is similar to structures outside of old town (ignoring that they are not truly similar as the roofs on the historic mining structures are steeper and pyramidal); and (4) other new homes have similar glazing ratios (ignoring that those homes are likely out of compliance themselves). In essence, the architects' letter, written by an obviously biased party, lacks the objectivity and thoroughness required to be considered more persuasive than the neutral SWCA Memo.

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[34] Exhibit B, Letter from Quinn Kummer, *supra* note 5.
[35] Exhibit J, Letter from Justin J. Keys, Attorney, Hoggan Lee Hutchinson, to Planning Director, Park City Mun. Corp. (August 14, 2024).

Conversely, the letter from legal counsel to the Fredston-Hermanns, while also from an interested party, underscores the importance of the neutral third-party SWCA Memo and the fact that its findings are being ignored. Even if counsel's letter holds the same persuasive value as the architects' letter, it is bolstered by neutral evidence. At best, counsel's letter supplements the SWCA Memo; at worst, it is of equal weight to the architects' letter, cancelling out the architects' letter in terms of which way the weight of the evidence points. This leaves the SWCA Memo as the predominant piece of evidence.

The SWCA Memo, authored by subject matter experts, stands as a neutral and authoritative document. Its weight in the record is overwhelming and unrebutted. Therefore, the only decision that can be reasonably argued as "supported by substantial evidence in the record" is a decision to reject the Project. As the Planning Department chose to approve the Project despite the lack of substantial supporting evidence, its decision is arbitrary and capricious and should be overturned on that basis.

III. The Appropriate Venue and Method for Approving the Project's Design is a Variance from the Board of Adjustment.

As clearly articulated by SWCA, "a variance from the Board of Adjustment would be required to permit the design[.]"[36] To date, no such variance has been sought. Planning Staff's approval of the design does not, of course, constitute a variance because the Planning Staff lacks the authority to grant exceptions to the LMC. If the Applicant intends to construct this non-conforming structure in the HR-1 district, it must adhere to the same procedural requirements as any other party seeking to deviate from the LMC. In other words, the decision on whether the Applicant should be permitted to proceed with the proposed structure, given its numerous LMC violations, rests with you, the Board of Adjustment, following the submission and evaluation of a variance application under the strict criteria of LMC § 15-10-8(C)—not with the Planning Staff based on erroneous claims of compliance.

CONCLUSION

"Historic character is one of four core values outlined in the Park City General Plan," and "Park City's Design Guidelines are intended to protect th[at] historic character…."[37] By ignoring those guidelines, or interpreting them in a manner inconsistent with their plain terms, Planning Staff violated a core Park City value and created an opportunity for the Applicant to do real damage to

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[36] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 3.
[37] *Id* at 1.

the City's historic character. Mr. Prince may have the right to build his trophy home somewhere, but not in the heart of Park City's most cherished historic neighborhood.

Based on the foregoing, we respectfully request that you reverse the Planning Staff's HDDR decision on Application # PL-23-05522 to ensure that the LMC is properly enforced and the appropriate review process is followed. Thank you for your consideration in this matter. Please feel free to contact us if you have any questions.

Very Truly Yours,
HOGGAN LEE HUTCHINSON

Justin J. Keys

HOGGAN LEE HUTCHINSON

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November 5, 2024

VIA EMAIL

Park City Municipal Corporation
Park City Board of Adjustment
PO Box 1480
Park City, Utah 84060

Re: Appeal—220 King Road HDDR Approval

Dear Board Members:

Hoggan Lee Hutchinson represents Eric Hermann and Susan Fredston-Hermann—the owners of several Old Town properties including 200 King Road (Parcel No. THILL-1) and their primary residence at 205 Norfolk Avenue (201-NA-SUB-2). The Fredston-Hermanns' properties directly adjoin the Applicant's (Matt Prince) property at 220 King Road (Parcel No. THILL-2-AM) (the "Project"). And their 200 King Road parcel is the only remaining unbuilt lot in the Sweeney subdivision. The Fredston-Hermanns submit this brief in support of their appeal of Planning Staff's HDDR approval for 220 King Road (Application # PL-23-05522).

SUMMARY

The scope of your review is substantial because the number of ways the Project fails to meet the requirements of the Historic Design Guidelines is substantial. But this quote from the independent expert Park City hired to evaluate the Project distills the problem to its essence:

> [The] Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes. Because the guidelines are so clear on this

> point, a variance from the Board of Adjustment would be required to permit the design as proposed.[1]

The Applicant did not, of course, seek a variance. Instead, he persuaded planning staff to ignore the advice of the City's own expert—the only *independent* expert to review the project—and grant HDDR approval. That decision by planning staff is unsupportable. The mass and scale of the Project, along with most of its other design characteristics, are simply incompatible with the historic district. For these reasons, as detailed in the following pages, we respectfully ask that you reverse the planning staff's HDDR decision.

BACKGROUND

Preservation of Park City's historic character is one of the core values of Park City's General Plan. Fostering that core value through consistent and diligent preservation efforts has been a priority for Park City and its citizens for more than 40 years.[2] The Project, which is proposed for one of the most visible locations in the Historic Residential (HR-1) District, threatens to significantly undermine those efforts.

As you know, Park City ensures the preservation of its historic core through application of the Historic District Design Review ("HDDR") process. The HDDR process applies both to historic homes and to new infill construction in the Historic Districts. One goal of that process is to ensure that new infill construction is suitable and architecturally compatible with existing structures.[3] The Historic District Guidelines evaluate compatibility through the regulation of style of architecture, design, scale and height, size and mass, visual unity, orientation, and site improvements.

As proposed, the Project is simply incompatible with the HR-1 District. The Applicant wants to build a 19,256 single family dwelling and accessory building with a 4,794 underground basement garage (characterized by the Applicant as a "parking area"). The total roof line is more than 148 feet wide and 33 feet tall to existing grade, with another unidentified distance down to proposed final grade. The scale of the height jutting out over the grade is apparent from the Applicant's own grade exhibits:

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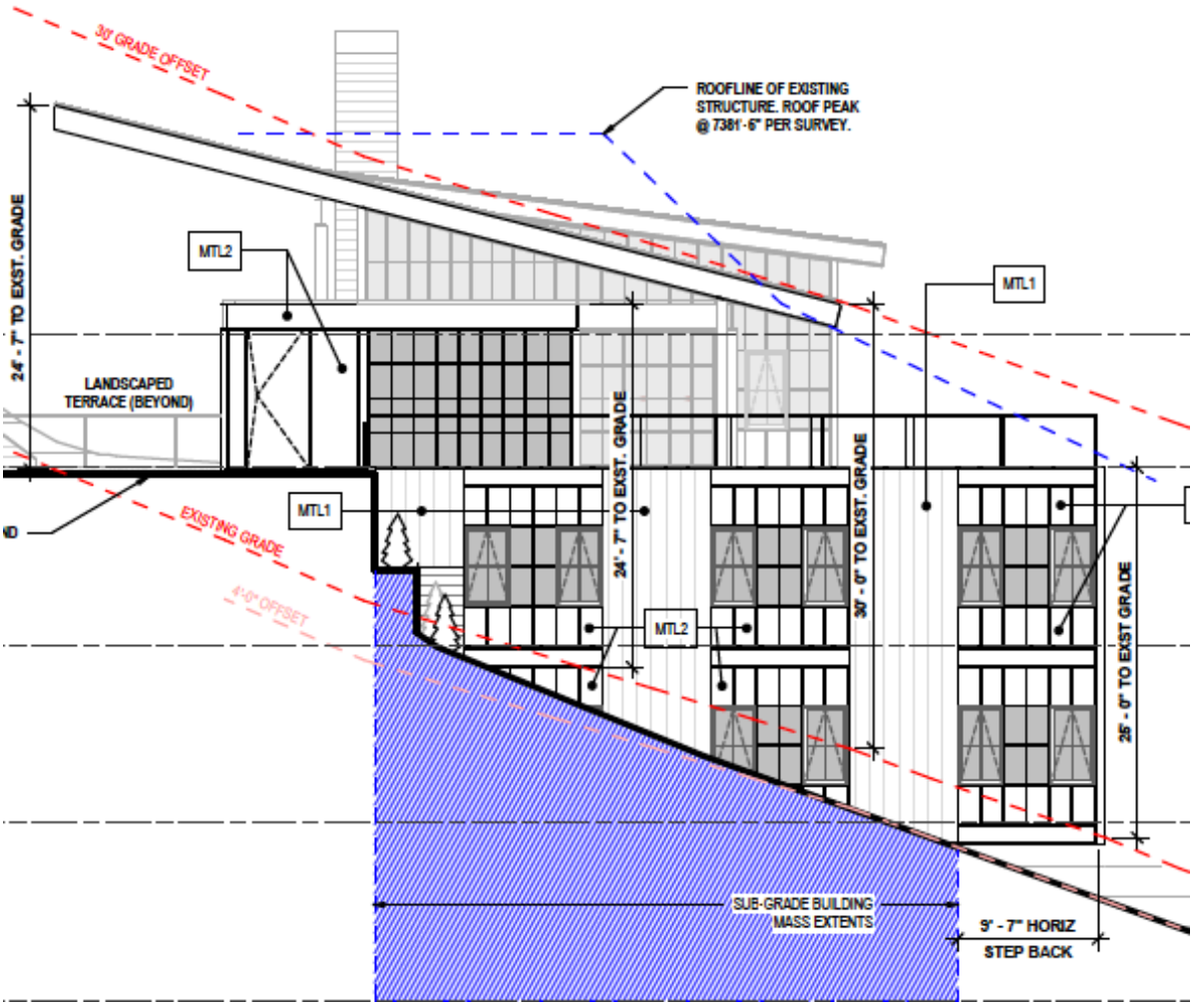
[1] Exhibit A, Memorandum from SWCA Environmental Consultants, at 3.
[2] The Main Street Historic District was listed on the National Register of Historic Places in 1979. The Mining Boom Era Residences Thematic District was listed in 1984. *See* https://www.parkcity.org/departments/historic-district; *see also* https://npgallery.nps.gov/NRHP/GetAsset/NRHP/79002511_text.
[3] *See* Park City LMC § 15-13-1 ("The goal of the Regulations is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects, while at the same time allowing for reasonable changes to individual buildings to meet current needs."); *See also* Exhibit K, Historic Character Detailed Strategies, at 122 ("In historic preservation, compatibility refers to the relationship between new additions and infill and existing historic structures.").



From Main Street, the Project will be visible as an approximately 150 foot wide by 33-40 foot box towering over the HR-1 Residential Zone. To give context, the Marsac Building is approximately 137 feet wide and 39 feet tall. Our architect overlaid the Marsac Building on the Project in its proposed location to illustrate the fact that the Project exceeds even the massing and scale of the Marsac building:

The BOA's role in this appeal is to determine whether the Project meets the requirements of the Historic District Design Guidelines. That was the planning department's role too, and on April 26, 2023, the City took the unusual step of engaging an independent expert, Anne Oliver with SWCA Environmental Consultants, to provide authoritative guidance on this high stakes, high profile project. After careful consideration, Ms. Oliver clearly and definitively advised the City that "the proposed design does not comply" with the Historic District Design Guidelines. Specifically, Ms. Oliver concluded:

> In summary, while the Design Guidelines support the industrial aesthetic of the proposed residence at 220 King Road, which was inspired by the Silver King Mine buildings, the guidelines are clear regarding requirements for residential massing and scale, and the proposed design does not comply. The proposed floor-to-ceiling windows are also out of compliance.[4]

The Applicant has made no material changes to the Project in response to the SWCA report, as seen in these renderings, the first of which is from that report and second from the August 15, 2024 Staff Report:

[4] Exhibit A, SWCA Technical Memorandum, Anne Oliver (April 26, 2023) at 6.

Figure A-1. Rendering of proposed residence at 220 King Road, downslope (rear) elevation, dated April 18, 2023.

Figure 3: Proposed new Single-Family Dwelling at 220 King Road.

The aspects of the Project that do not comply, according to Ms. Oliver, are effectively unchanged. The Project still violates the Design Guidelines for residential massing and scale. It also still includes walls of floor-to-ceiling windows. The only changes appear to be a modification in the

coloring of the exterior cladding and a pop out section within the shed roof (which violates the HR-1 zone height limitations and was only added when the Planning Commission expressed concerns regarding the unbroken length of the primary roof façade).

On August 15, 2024, Planning Staff approved the HDDR application for the Project despite SWCA's conclusion that it doesn't meet the guidelines. Many issues raised by SWCA were not even discussed in the August 15 Administrative Hearing Staff Report ("Staff Report"), the hearing itself, or the final action letter.

STANDARD OF REVIEW

Section 15-1-18G of the Park City Land Management Code ("LMC") instructs that the appeal authority, in this case the Board of Adjustment, "shall act in a quasi-judicial manner." The same section explains that the Board reviews "factual matters de novo, without deference to the land use authority's determination of factual matters." The Board determines "the correctness of the land use authority's interpretation and application of the plain meaning of the land use regulations…." And although the Board generally interprets and applies "a land use regulation to favor a land use application," this guidance does not apply if, as is the case here, "the land use regulation plainly restricts the land use application." Finally, the Board's review is not limited to the record below; rather, "[n]ew evidence may be received so long as it relates to the scope of the appeal."

ARGUMENT

The Board of Adjustment should reverse Planning Staff's August 15, 2024 HDDR approval because the Project does not, and cannot, meet the requirements for infill construction in the Historic Districts found in Park City LMC § 15-13-8. The Project, as proposed, fails to meet most of the requirements of § 15-13-8, including compatibility with historic structures in materials, features, size, scale, and massing, as well as the minimization of cut, fill, and the use of retaining walls. The Planning Department's decision to approve despite the Project's failure to meet the legal standards of § 15-13-8 is illegal, necessitating its reversal.[5]

I. Park City LMC § 15-13-8 applies to the Project regardless of the Sweeney MPD and the Planning Commission approvals.

Much of the Staff Report summary, background, and analysis is focused on the 1985 Sweeney MPD and related Treasure Hill Subdivision approvals. Staff appears to imply that the Sweeney MPD somehow modifies the HDDR approval standard as it relates to the Project. But the Project is zoned HR-1 and the same standards apply as for any other HDDR application. If the mere fact that a property is also subject to an MPD exempted it from the Historic Design Guidelines, much of Old Town would not be subject to those guidelines. The MPD process has been, and is, a

[5] *See* Utah Code § 10-9a-801(3)(c)(ii) ("A land use decision is illegal" if it's "based on an incorrect interpretation of a land use regulation" or otherwise "contrary to law.").

frequently used development tool in Park City. But the results on the MPD process do not supplant the overarching Historic Design Guidelines.

The Planning Commission's review—and narrow approval—of the several CUPs and plat amendment for the Project are similarly irrelevant. Those approvals do not have any bearing on, let alone necessitate approval of the HDDR application. The applications are wholly distinct.

Staff implies that the Planning Commission somehow weighed in on the SCWA report. Although it was provided the SWCA report, the Planning Commission provided no opinion on its results. Indeed, when Planning Commissioners inquired regarding the report and the HDDR process, Staff deflected. A review of the Planning Commission record makes clear that the Planning Commission was very uncomfortable with the mass and scale of the Project, but they did not believe that question was before them on the prior CUP and Plat Amendment applications

In short, there is nothing unique about the 220 King Parcel that exempts it from the HDDR review process.

II. The Project fails to meet most of the "Universal Regulations" from LMC § 15-13-8(A).

LMC § 15-13-8(A) provides the "Universal Regulations" for "Infill Construction" in the Historic District. The Project violates most of these regulations.

1. *The Project is neither compatible with historic structures in materials, features, size, scale, proportion, and massing, nor broken up into volumes that reflect the original massing of historic buildings in the HR-1 Zone.*

The proposed Project fails to meet the size, scale, proportion and massing requirements of LMC § 15-13-8(A)(4) according to SWCA, the only experts who have provided an opinion on the matter.[6] That provision requires:

> New infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the new infill residential buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the lot.

SWCA summarized the Project's non-compliance with § 15-13-8(A)(4) as follows:

> [T]he size, scale, and proportions of the residence and its component elements, including the shed roof and cantilevered flat roof, are reminiscent of a large-scale industrial building rather than a residential building, which is not compatible with the HR-1 zone. While projecting

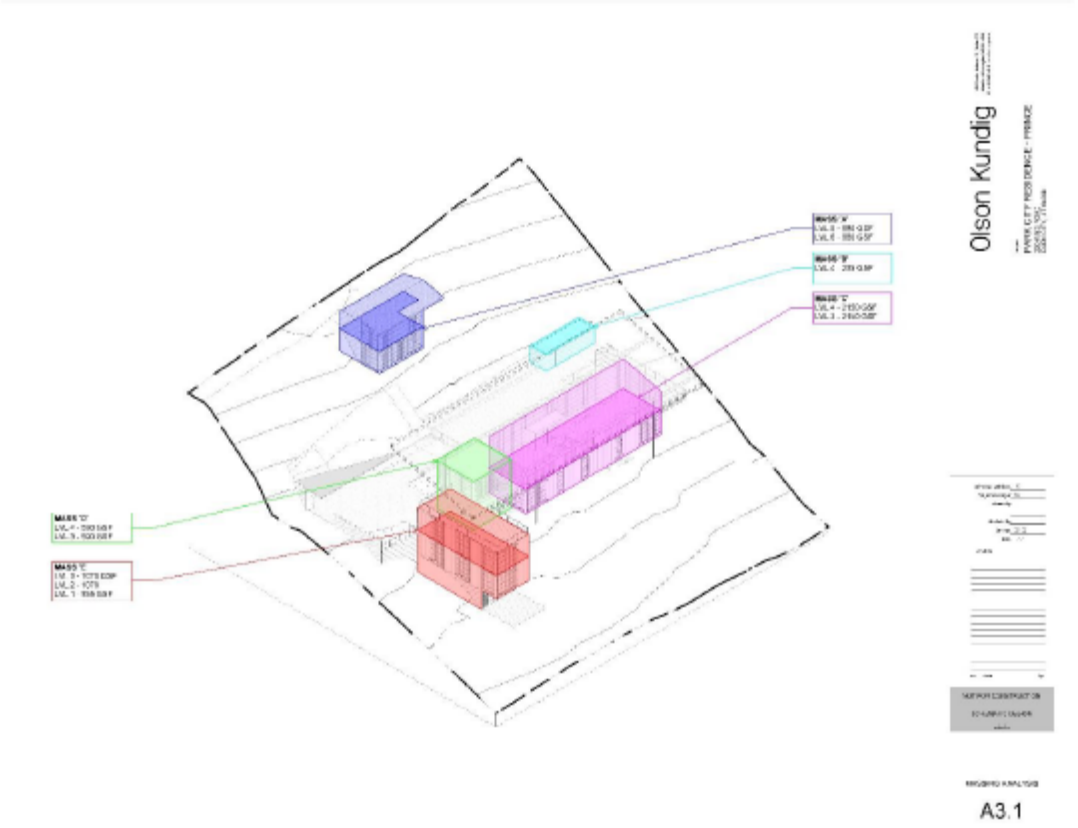
[6] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 2.

> portions of the building on the downslope elevation provide some modulation of mass, additional size reduction or modulation of the building mass itself (as well as its roofs) is required to reflect the size and massing of historic residential buildings[.][7]

The Project has not been sufficiently modified to address these issues. Further, the Staff Report's acceptance of the Applicant's assertion that the building has been broken up into five masses goes against all evidence. The building appears as one large mass the width of five Old Town lots. The Applicant highlighted different portions of the design with different colors to create a false sense of mass modulation, but it has not actually broken up the building mass itself, as noted by SWCA.

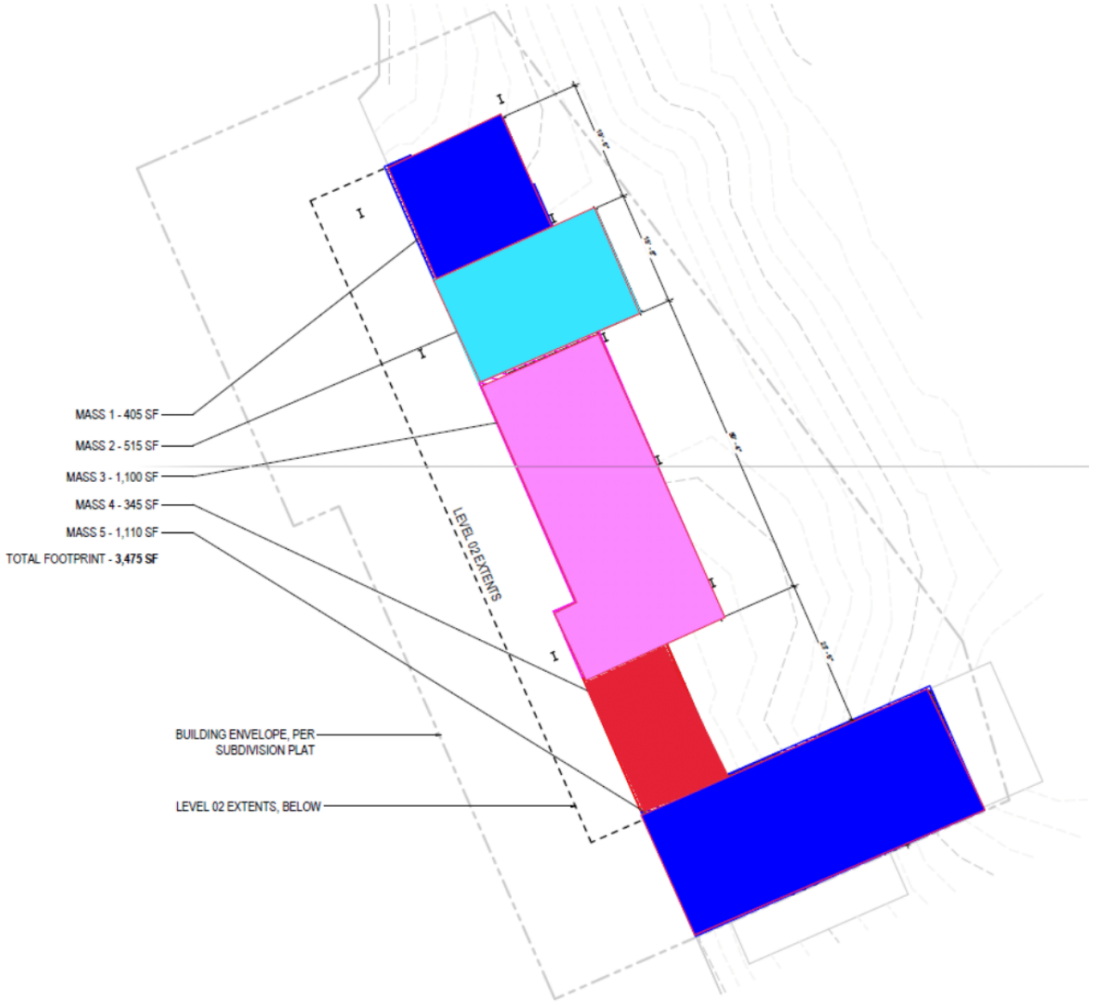
Following is the "Massing Analysis" prepared by the applicant for its July 8, 2022 submittal:

Exhibit H – Massing Analysis



And here is the "Massing Analysis" for the current submittal:

[7] *Id.*



A cursory review shows that the Applicant has not "broken up" the building and roofs "into volumes that reflect the original massing of historic buildings" as required by § 15-13-8(A)(4) and as recommended by SWCA. It remains one large unbroken mass, far beyond the appropriate size and scale for the neighborhood. Simply put, this building is far too large for the HR-1 District, and, as such, it fails to comply with § 15-13-8(A)(4).

2. *The design does not reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites.*

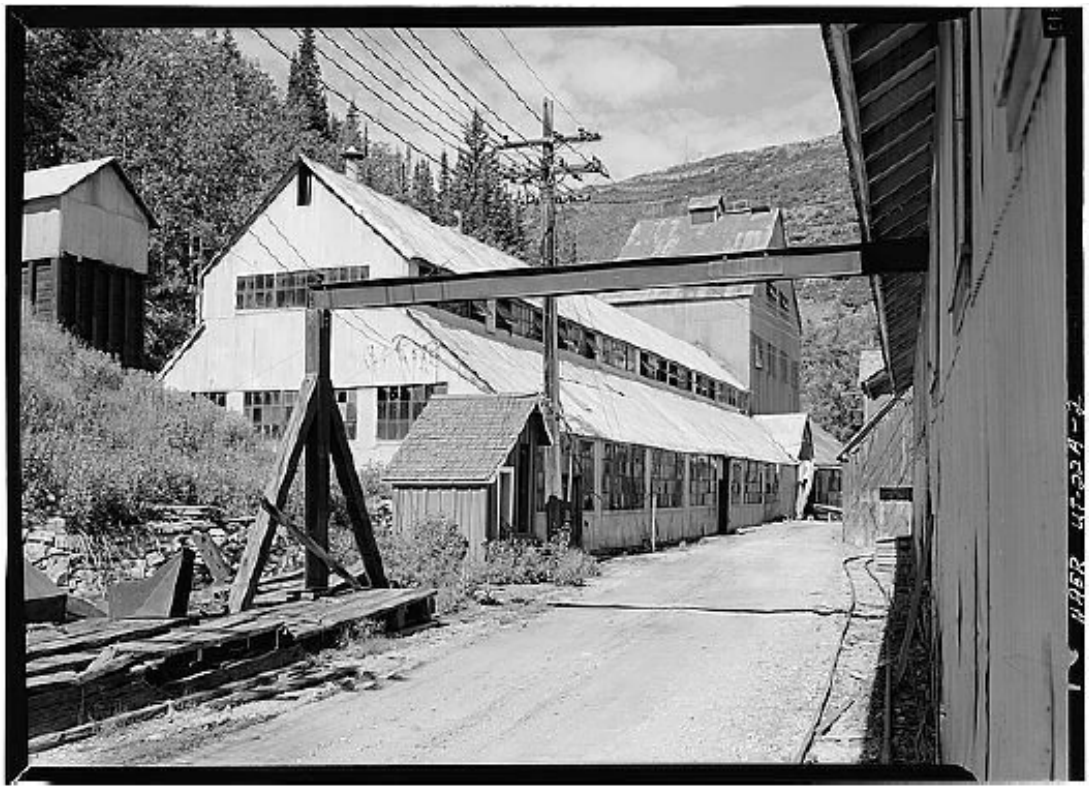
The proposed Project fails to comply with LMC § 15-13-8(A)(1), which requires "New infill residential buildings" to "reflect the historic character…of Park City's Historic Sites." That means "simple building forms, unadorned materials, [and] restrained ornamentation…." The proposed Project reflects none of these characteristics. Its size, massing, the materials proposed for its construction and its general ornamentation do not come close to reflecting the historic character of Park City's Historic Sites. While the structure may have been designed to reflect industrial mining buildings from Park City's past, the historic districts of Park City are not for industrial buildings.

Through more than 40 years of careful, diligent stewardship, the historic districts of Park City are for residential and commercial/storefront buildings. In short, the Project's design does not reflect that historic character in violation of § 15-13-8(A)(1).

3. The Project radically conflicts with the character of Park City's Historic Sites.

LMC § 15-13-8(A)(3) requires that "[a] style of architecture shall be selected and all elevations of the new infill residential building shall be designed in a manner consistent with a contemporary interpretation of the chosen selected style. Stylistic elements shall not simply be applied to exteriors. Styles that never appeared in Park City shall be avoided. Styles that radically conflict with the character of Park City's Historic Sites shall also be avoided." The Project meets none of these requirements. Its design radically conflicts with the character of Park City's Historic Sites in the HR-1 District. No residence in the Park City Historic Sites inventory looks like the proposed structure, especially not in the HR-1 District.

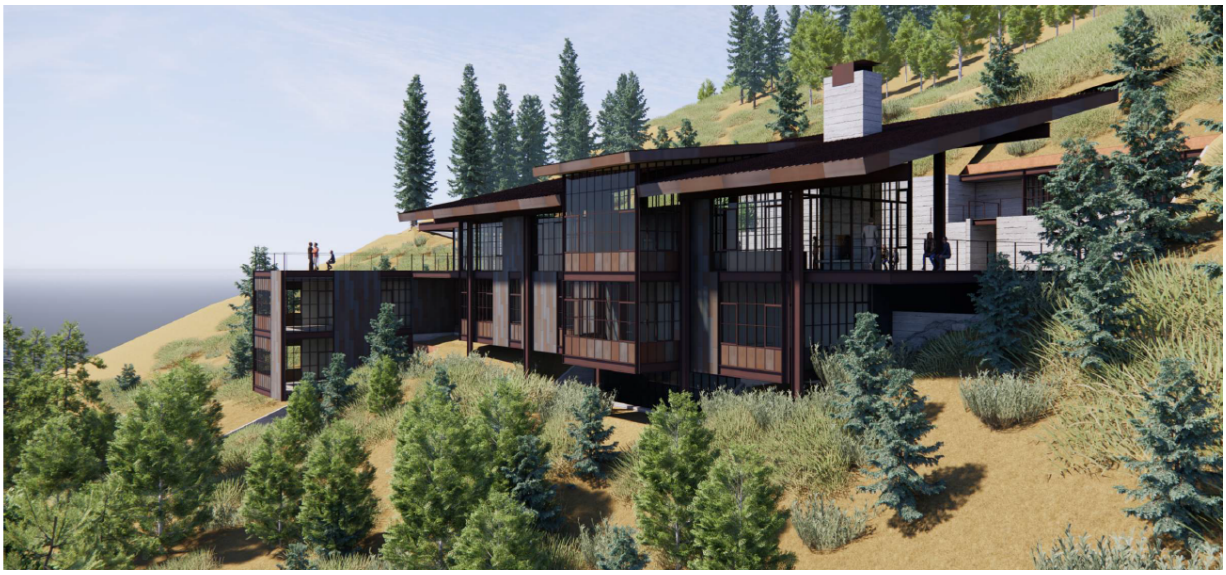
The industrial mining building style the Applicant claims it was trying to mirror is not a style allowed under LMC § 15-13-8(A). But even if it were, the Applicant made little apparent effort to mimic that style. Looking at the proposed design next to the Silver King Mill Building that supposedly inspired it shows only minor similarities.[8]



[8] *See* Exhibit B, Letter from Quinn Kummer, Architect, Olson Kundig, to Planning Director, Park City Mun. Corp. 5 (July 31, 2024).

Silver King Mill Building.

Figure 3: Proposed new Single-Family Dwelling at 220 King Road.

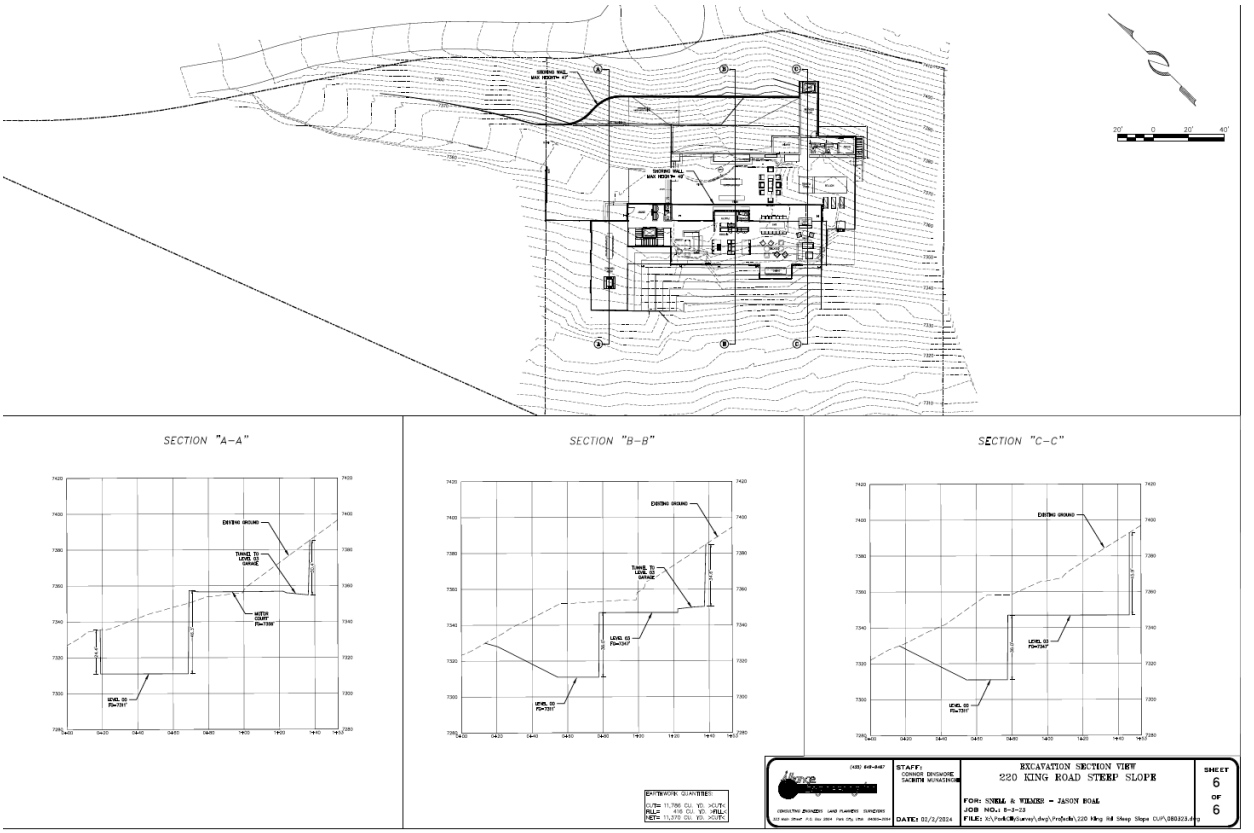


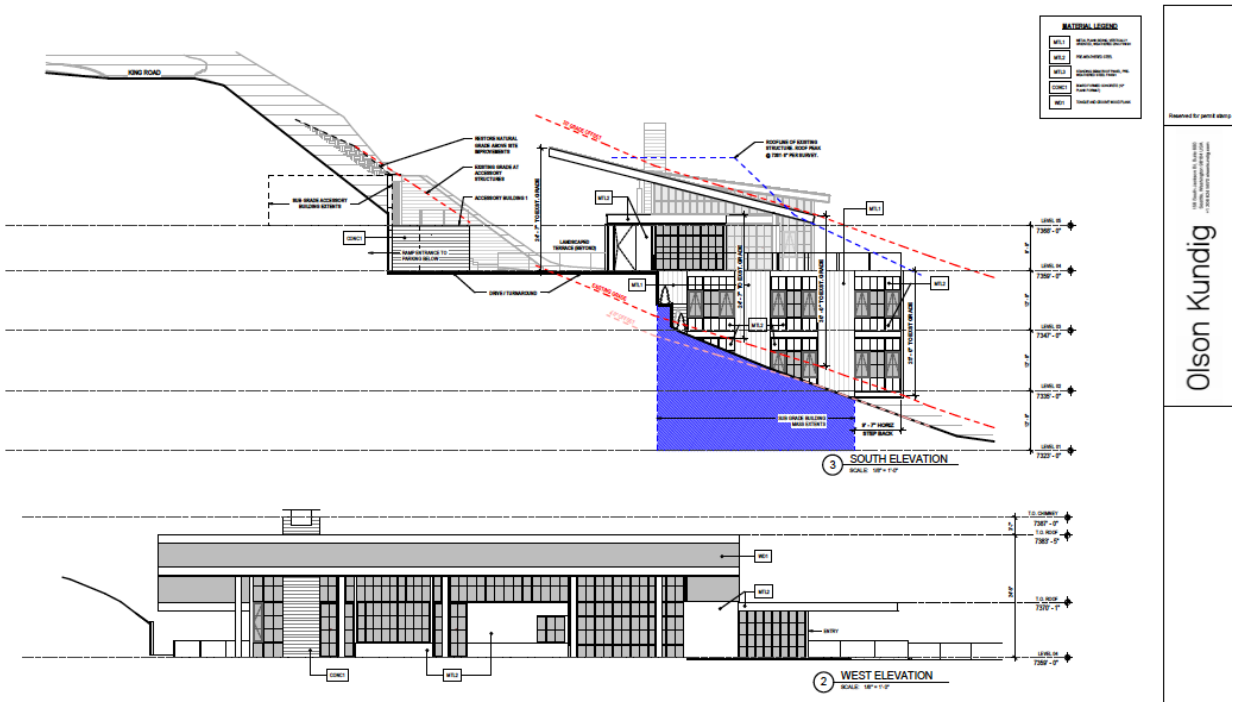
The proposed design is a modern home with flat roofs, floor-to-ceiling windows, and a mass that juts out against the grade of the mountain slope. Imposing itself over the mountain and Old Town below. The Silver King mine, on the other hand, works its way down the grade of the mountain, minimizing the size of the structure, with minimal windows almost none of which face downhill, and not a single flat roof. The proposed design does not satisfy LMC § 15-13-8(A)(3).

4. *The project does not minimize cut, fill, and the use of retaining walls.*

According to LMC § 15-13-8(A)(5), "Building and site design shall respect the existing topography, the character-defining site features, including existing trees and vegetation, and shall minimize cut, fill, and the use of retaining walls." The proposed design doesn't even try to meet this mandate. The design necessitates massive cuts exceeding 80 feet in aggregate and up to 45 feet for individual cuts, which in turn require enormous retaining walls to support the slope.[9]

[9] Exhibit C, Applicant's Grading and Excavation Plans. Note that, if allowed, the massive cuts for the proposed project will result in the mountainside above the project losing critical support.



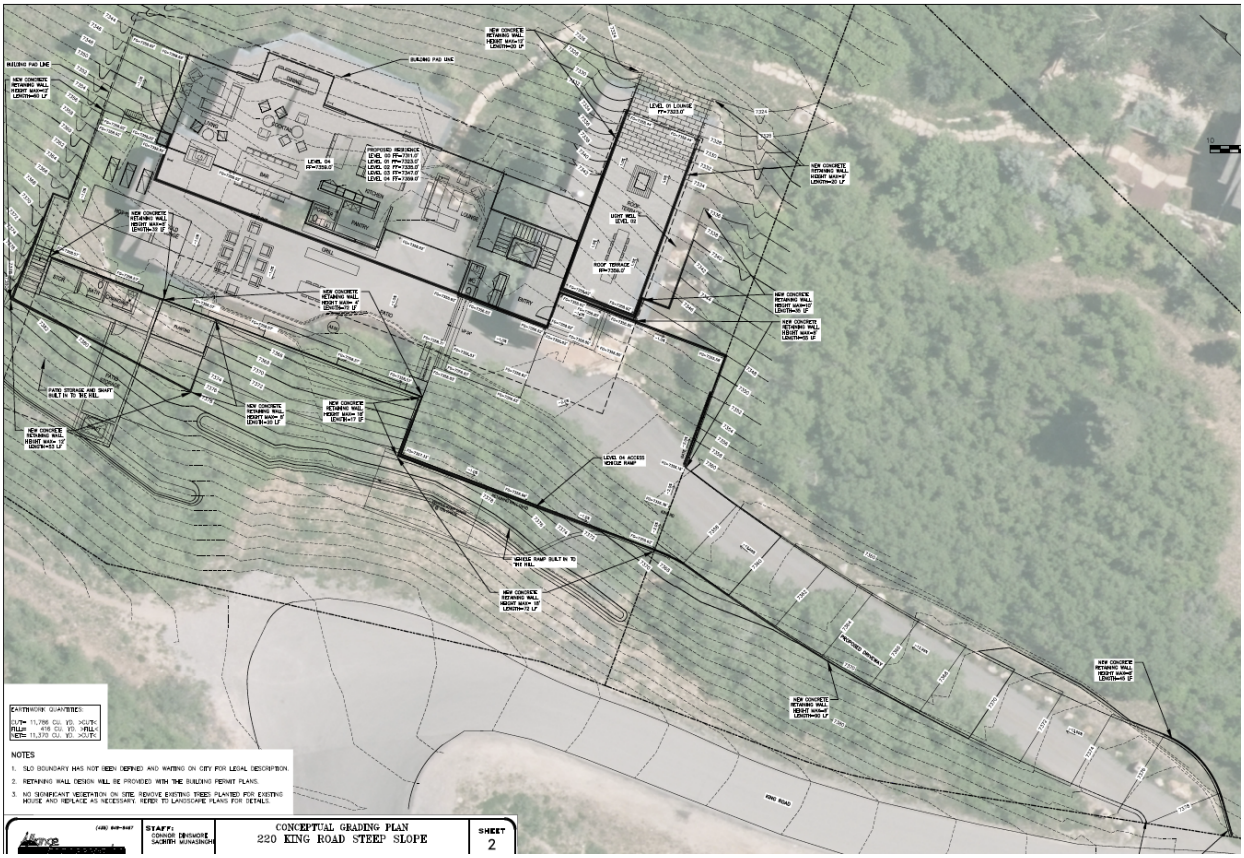


The scale of these cuts is hard to grasp on paper. But the nearby Kings Crown Development provides a useful analog. The proposed Project will result in the removal of 11,786 cubic yards of

earth—an amount nearly equivalent to the entire cut required for Kings Crown, a project which includes three large condominium buildings and twenty-six single-family homes and townhomes. Given that there are already two large homes on the property, such extensive cutting is entirely unnecessary for its productive use.

Staff's approval of the HDDR review also fails to account for the many retaining walls that are contemplated as part of this approval. The approval states merely that the retaining walls are primarily shielded by the proposed structure. But the design guidelines do not provide an exception for retaining walls shielded by structures. Shielded or not, retaining must be minimized under LMC § 15-13-8(A)(5).

Furthermore, it is clear from the proposed grading plan that many of the retaining walls will not be screened from view by the structure.



While difficult to read, the grading plan shows hundreds of linear feet of retaining walls, up to 18 feet in exposed height. Many of which are clearly visible from different perspectives, including from the "primary right of way" of King Road. These retaining walls are also proposed partially on the neighboring 200 King property and will be highly visible from neighboring properties.

Staff represents at times that the view from King Road is the "primary right of way" and front façade. That view, as demonstrated in this image provided by the Applicant, clearly shows the 18 foot retaining walls—although partially masked by a trailing vine of some kind.

Figure 4: Profile view depicting the entrance to the underground parking area and outdoor pool.

In other words, this is a clear and undeniable failure to minimize cuts and the use of retaining walls. The Staff Report supports this conclusion by omission. The report is silent on this important § 15-13-8(A) requirement because there is no way to legitimately argue that the proposed design minimizes cut and retaining walls.[10]

5. *The Project's exterior elements are not compatible with neighboring Historic Structures.*

LMC § 15-13-8(A)(6) mandates that the exterior elements of new infill residential buildings—such as roofs, entrances, eaves, chimneys, porches, windows, doors, steps, and garages—must be of human scale and compatible with neighboring Historic Structures. The only expert opinion available, as detailed in the SWCA memo, asserts that "the wide shed roof would need to be divided into three to five modules to achieve the appropriate residential scale, and the cantilevered flat roof would need to be reduced in size." Although the wide shed roof has been segmented into three modules, this modification fails to achieve the required "residential scale." Significant

[10] Exhibit D, Staff Report from Planning Team on 220 King Road Historic District Design Review to Planning Department 11(August 15, 2024).

portions of the roof remain excessively wide relative to neighboring Historic Structures in the HR-1 District below it, rendering them incompatible with those neighboring structures.

Additionally, the cantilevered flat roof has not been reduced in size at all. This critical issue has not been adequately addressed by either the staff or the Applicant, resulting in a clear violation of § 15-13-8(A)(6).

6. *The scale and height of the Project do not respect the architecture of the character area.*

The design also fails to meet the requirement of LMC § 15-13-8(A)(7) because it does not respect the architecture of the character area—a point highlighted by SWCA.[11] That code provision reads: "Scale and height of new infill residential buildings shall follow the predominant pattern and respect the architecture of the Streetscape or character area with special consideration given to Historic Sites." SWCA's analysis makes plain that the Project does not comply with § 15-13-8(A)(7):

> The proposed infill references the industrial buildings of the Silver King Mine but the guidelines require that infill residential buildings maintain a historic residential scale appropriate to the historic district or zone in which they are being constructed. The proposed residence at 220 King Road will be on a relatively isolated site and will not be directly adjacent to any Historic Sites. In the absence of a streetscape lined by other buildings, the predominant pattern of the historic district or residential zone applies. The proposed design does not comply with this guideline.[12]

The Staff Report dodges this damning analysis by arbitrarily redefining "character area" to mean subdivision.[13] This redefinition (itself an illegal act) means that instead of respecting the architecture of historic structures within a zone, one only needs to respect the architecture of the subdivision. Given that much of Old Town consists of small subdivisions with no historic structures, this new interpretation effectively exempts many buildings in the Historic Zoning Districts from complying with this code provision. In essence, the Staff Report has rendered this crucial provision moot, undermining the very purpose of preserving the architectural integrity of our historic areas.

The contrast becomes particularly impactful when you view the overall scale of the structure with the Historic District Guideline compliant single-family residences below. As clearly stated by SWCA, this design does not comply because it is not compatible with the true character area (i.e., the HR-1 Zone). The Applicant and Staff had no answer for that correct conclusion, so they changed the "area" against which the design is judged. There is nothing in the LMC allowing that approach and, of course, it's inconsistent with the important mandate of § 15-13-8(A)(7).

[11] Exhibit E, Staff Report from Planning Team, *supra* note 1, at 3.
[12] *Id.*
[13] *See* Exhibit E, Staff Report from Planning Team, *supra* note 1, at 12.

Furthermore, the Staff Report claims the Project is "aligned" with the Height Regulations established through the Sweeney MPD.[14] The Sweeney MPD specifically limits structures on this property to 25' with no exceptions permitted.[15] Here, the property's height is roughly 33' to existing grade (with final grade cut below existing grade) in clear violation of the Sweeney MPD.[16] The notion, advanced by the Applicant, that Plat Notes exempt the property from the terms of the MPD is wrong as matter of law. Here that's especially true given that the MPD specifically says there are no exemptions allowed. In other words, the design violates LMC § 15-13-8(A)(7).

7. *The size and mass of the Project are not compatible with the size of the site.*

The design also violates the size and mass requirements of LMC § 15-13-8(A)(8). SWCA explicitly addresses this issue, stating: "its building bulk and mass are not compatible with Historic Sites just downslope in the HR-1 zone. Further reduction or modulation of massing, both of the residence and its shed and cantilevered flat roofs, is required to be compatible with the building bulk and mass of historic residences in the HR-1 zone."[17]

Once more, the bulk and mass of the Project are four to five times larger than the single-family residences of the HR-1 zone located directly downhill. This is the view that is visible from Main Street and cross canyon.

The Applicant has failed to remedy the size and mass issues. The Staff Report conspicuously avoids providing any analysis or conclusion on this matter, likely because the only reasonable conclusion is that the design does not comply with the code. LMC § 15-13-8(A)(8) requires compatibility between the size and mass of a structure and the size of the site because only then

[14] Exhibit D, Staff Report from Planning Team, *supra* note 7, at 12.
[15] Exhibit E, Sweeney MPD § III(5)(a).
[16] *See* Exhibit F, Olson Kundig, Park City Residence 220 King Road HDDR Drawings A2.50 (July 31, 2024).
[17] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 3.

will "lot coverage, building bulk, and mass [be] compatible with Historic Sites within the Streetscape or character area." The proposed Project does not achieve that compatibility, as made clear by SWCA.

8. The Project creates an unmitigable risk of physical damage to nearby Historic Sites.

LMC § 15-13-8(A)(9) mandates that "[n]ew construction activity shall not physically damage nearby Historic Sites." There is no gray area here. Section 15-13-8(A)(9) allows no latitude. Either an applicant has demonstrated its proposed construction activity will not physically damage nearby Historic Sites or it hasn't. In this case, the Applicant has not and cannot guarantee compliance with this important requirement.

A report from the Utah Department of Natural Resources indicates that the Treasure Hill area is highly prone to erosion if vegetation is cleared, (which is necessary for this Project).[18] This clearing also raises the risk of land subsidence, potentially leading to landslides. It is evident, even to non-experts, that the Project presents significant dangers. Furthermore, the geotech report submitted by the Applicant does not properly address the risk of landslides.[19] It is common knowledge in the community that several mineshafts under Treasure Hill were loosely filled after abandonment, resulting in an unstable slope prone to landslides. The King's Crown development, which involved shallower cuts moving a similar amount of earth from lower angle slopes on the same mountain, still caused a landslide. This history underscores the significant risks posed by the current Project.

The Staff Report addresses this issue by pointing out that "[t]here are no designated Historic Sites on Park City's Historic Sites Inventory near 220 King Rd."[20] This is misleading. While there may not be Historic Sites adjacent to the subject property, there are numerous Historic Sites downhill from the property. A landslide, triggered by the massive cut proposed for the Project, would put much of Old Town, along with its Historic Sites, in jeopardy. In short, the Applicant cannot provide the certainty required by the absolute mandate of § 15-13-8(A)(9).

9. The Project does not reinforce visual unity within the context of the character area.

Another important LMC provision that this design fails to meet is LMC § 15-13-8(A)(10), which reads:

> New infill residential buildings shall reinforce visual unity within the context of the Streetscape[21] or character area. The specific context of each Streetscape or character area is an important feature of the Historic District. The context of each Streetscape or character area

[18] *See* Exhibit G, Engineering Geology of Park City, Summit County, Utah (Utah Geological and Mineral Survey) by Harold E. Gill and William R. Lund (June 1984).
[19] *See* Exhibit H, Geotechnical Engineering Report from Kilduff Underground Engineering, Inc. on Private Residence, 220 King Road to Bringham Wilcox (February 5, 2024).
[20] Exhibit D, Staff Report from Planning Team, *supra* note 7, at 13.
[21] "Streetscape" is a defined term under the Code: "The distinguishing characteristics of a particular Street including paving materials, adjacent space on both sides of the Street, landscaping, retaining walls, sidewalks, Building Facades, lighting, medians, Street furniture, and signs."

> shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area. Special consideration should be given to adjacent and neighboring Historic Sites in order to reinforce existing rhythms and patterns.

SWCA succinctly explained why the design fails to meet this critical requirement:

> [T]his and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes. Because the guidelines are so clear on this point, a variance from the Board of Adjustment would be required to permit the design as proposed.[22]

Despite this unambiguous conclusion from the City's own retained expert, the Applicant has not sought a variance and the City has not required one. The reason, apparently, is that the Staff Report once again employs a creative interpretation of "character area" to argue that the design only needs to be compatible with industrial structures that are well out of sight from Old Town, rather than with the Historic Residences that dominate the immediate surrounding area.

This is contrary to the plain language of § 15-13-8(A)(10), which emphasizes that new construction "*shall* reinforce visual unity…." (emphasis added) And what must be unified visually is what can be seen "when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area." The "Historic Mine Structures" against which Staff measures visual unity cannot be seen "when standing on the street" anywhere near the Project site. They can't even be seen from anywhere in the Historic District.

SWCA is right: "The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes." Staff's decision to ignore both the letter and spirit of the visual unity requirement violates § 15-13-8(A)(10).

III. The Project fails to meet many of the "Specific Regulations" from LMC § 15-13-8(B).

In addition to the "Universal Regulations" violations discussed above, the design also violates many of the "Specific Regulations" for Primary Structures. Specific Regulations are provided in LMC § 15-13-8(B).

1. *The Project does not comply with the Specific Requirements for mass, scale and height.*

[22] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 3.

Similar to the analysis under the "Universal Regulations," the design violates many of the Mass, Scale and Height Specific Regulations for Primary Structures from LMC § 15-13-8(B)(2)(a). Some of the Specific Regulations violated include:

Regulation Violated:	**Analysis:**
15-13-8(B)(2)(a)(1): The size and mass of a new residential infill building in relation to open spaces, shall be visually compatible with adjacent historic buildings and historic structures in the surrounding Streetscape or character area.	As stated by SWCA, "the size of the building and its component elements must be broken into distinct masses more reminiscent of the size and mass of historic buildings in the zone to achieve visual compatibility."[23] This has not been done. The Staff Report ignores the City's own contracted experts and argues that the design complies with this provision by, once again, relying on an incorrect application of "character area."[24]
15-13-8(B)(2)(a)(2): Buildings that utilize traditional building forms – rectangular, cross-wing, pyramid-roof – are encouraged.	The Staff Report only says: "The proposed form for 220 King Road is drawn from Historic Mine Sites."[25] This is false. While the structure may draw inspiration from Historic Mine Sites, the "form" of the proposed structure varies wildly from anything in the HR-1 zone and none of the mining structures cited are visible from Old Town or the HR-1 zone. Further, the forms listed in LMC § 15-13-8(B)(2)(a)(2) are not used.
15-13-8(B)(2)(a)(3): Historic height, width, and depth proportions that are important in creating compatible infill and maintaining the historic mass and scale of the Streetscape or character area.	Here, the Staff Report says: "The Sweeney MPD Treasure Hill Subdivision SFD character area establishes compatible infill based on larger Treasure Hill Subdivision Lots through plat notes governing mass, scale, and height."[26] This is a creative way of saying that, although the proposed Project does not comply with the historic height, width and depth proportions of the historic district (as the SWCA Memo concludes),[27] we can ignore 15-13-8(B)(2)(a)(3) because the project complies with plat notes. But there is no "plat notes" exception to 15-13-8(B)(2)(a)(3), and plat notes are not

[23] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 3.
[24] Exhibit D, Staff Report from Planning Team, *supra* note 7, at 24.
[25] *Id.*
[26] *Id.* at 24-25.
[27] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 4.

	otherwise a legal method of exempting a project from code requirements.
15-13-8(B)(2)(a)(5): The perceived scale of new buildings shall respect the scale established by historic buildings in the character zone. Abrupt change of scale in the character zone is inappropriate, especially when a new, larger building would directly abut smaller historic buildings.	Once again, the Staff Report relies on the misapplication of "character area" to claim compliance despite their retained experts saying otherwise.[28] The SWCA Memo is unequivocal on this point: "Both the actual and perceived scale of the proposed residence is significantly greater than a typical historic residence in the HR-1 zone and there are no historic large-scale industrial buildings nearby or anywhere in the zone that establish a precedent for large-scale infill. As stated above, the reference to the industrial aesthetic of the Silver King Mine buildings is encouraged in the design of the structure, but those historic mining buildings are neither in the HR-1 zone nor visible from it. For these reasons, the perceived scale should reflect that of a historic residential building rather than a historic industrial building."[29] The Staff Report takes a directly contradictory stance by considering the character area to include the non-visible industrial structures far away rather than the Historic District where the property lies.
15-13-8(B)(2)(a)(6): A larger building shall be divided into 'modules' that reflect the mass, scale, proportions, and size of historic buildings within the Streetscape or character area. Modules shall be clearly expressed throughout the entire building and a single form shall remain the dominant element so the overall mass does not become too fragmented. To minimize the scale perceived from the primary public right-of-way, stepping down the mass of a larger building shall be considered.	The Staff Report takes the Applicant's position that this structure is divided into five modules.[30] That is simply incorrect. The Applicant arbitrarily divided the proposed building into five segments and called them "modules," but calling the segments "modules" does not make them into modules. It is important to note that the point of requiring modules is to ensure the structure looks broken up. That is not the case here. To suggest this structure is divided into five modules is to ignore what is plain to the naked eye.

[28] *See* Exhibit C, Staff Report from Planning Team, *supra* note 7, at 25.
[29] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 4.
[30] *See* Exhibit D, Staff Report from Planning Team, *supra* note 7, at 25.

15-13-8(B)(2)(a)(7): Larger-scale projects shall also include variations in roof height in order to break up the form, mass and scale of the overall structure.	Here, as acknowledged in the Staff Report,[31] the design has been changed partially (creating non-compliance with other code provisions) in an effort to address the SWCA's recommendation on this provision.[32] The change, however, does not go far enough to comply with this provision. Sections of the roof are still far too wide (i.e., in excess of 25 feet in width) for the Historic District. Therefore, the design does not comply with this provision.

2. The Project does not comply with the Specific Requirements for Roofs.

LMC § 15-13-8(B)(1)(e)(1) is a Specific Regulation governing roofs. It reads: "Roofs of new residential infill buildings shall be visually compatible with roof shapes and orientation of surrounding Historic Sites and adjacent buildings that contribute to the character of the Historic District. Sloping of roof forms, such as gable, hip, and shed, should be the dominant roof shapes. Roofs composed of a combination of roof planes, but simple in form, are also encouraged. Roofs shall be in scale with those on historic structures."

Although the Staff Report concludes that the Project's roof meets this requirement,[33] SWCA concludes otherwise.[34] The SWCA Memo says: "[T]he guidelines are clear that the perceived scale of larger residential buildings (on lots wider than 25') should be managed by breaking them into smaller masses or modules that reflect historic residential massing, including their roofs. There is no precedent for exceptions when an industrial aesthetic is used for a residence, or for residences that may be in historically industrial areas. [35]

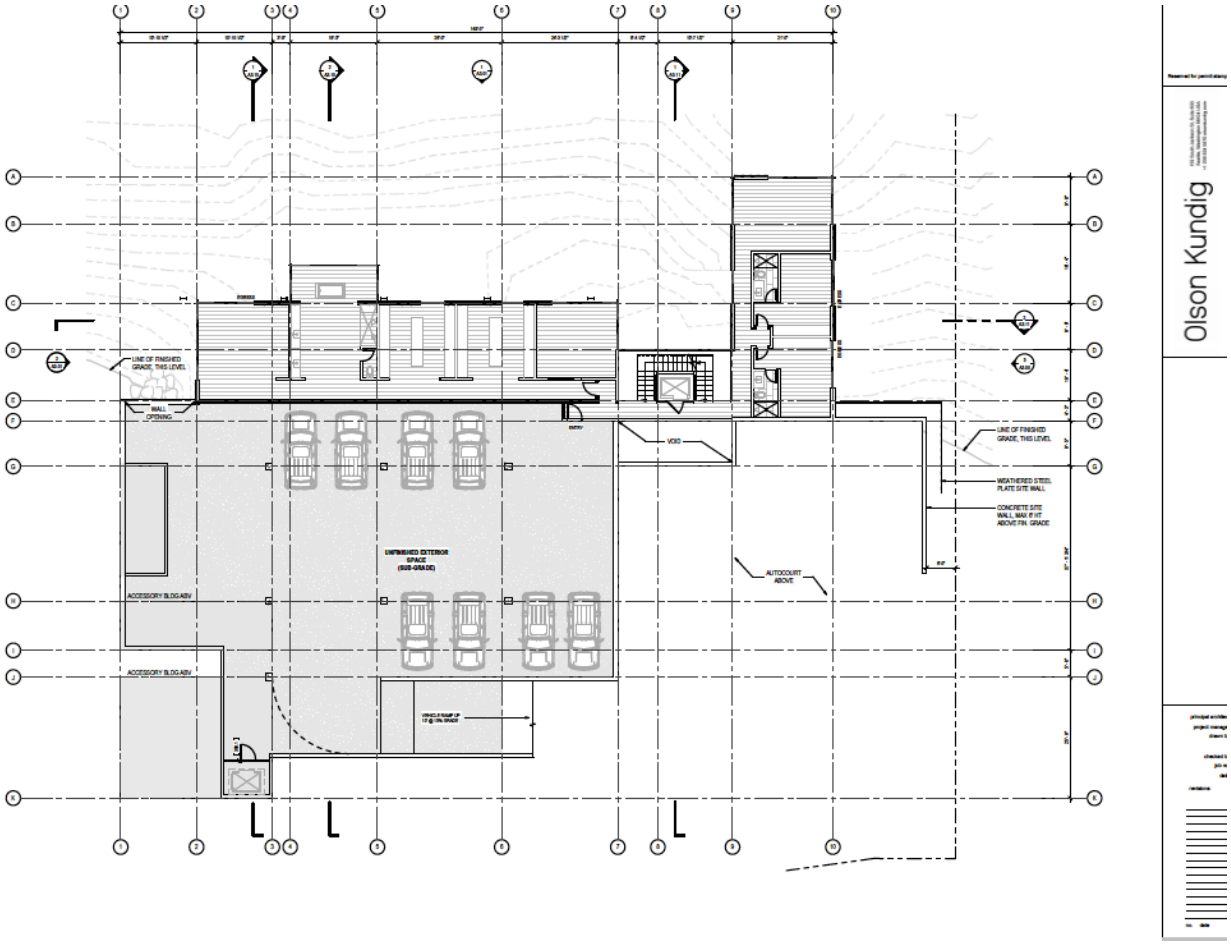
SCWA continues: "To comply with the guidelines, the roof could be broken into a horizontally stepped series of shed roofs (3 to 5 of them, with differences in roof height of a few feet or more to create shadow lines) that shelter their corresponding modules, or a mix of shed and flat. The cantilevered flat roof would also need to be reduced in scale."[36] While the roof was broken up some after the memo was written, it was not done sufficiently to meet SWCA's recommendations or § 15-13-8(B)(1)(e)(1)'s requirements. There are segments that are still far too large (i.e., greater than 25' in width) to be compatible with the Historic Residences in the neighborhood. Further, the cantilevered flat roof was not reduced in scale. Therefore, the design remains out of compliance with § 15-13-8(B)(1)(e)(1).

[31] Exhibit D, Staff Report from Planning Team, *supra* note 7, at 25.
[32] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 4.
[33] Exhibit D, Staff Report from Planning Team, *supra* note 7, at 32.
[34] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 6.
[35] *Id.*
[36] *Id.*

3. *The "Parking Area" is not visually subordinate and, in any event is a garage that should be regulated by the Historic Design Guidelines.*

In its analysis of the "Parking Area and Driveways," Staff claims that "220 King Road proposes an underground parking area to the rear of the SFD." And "[v]ehicles will be visually buffered when viewed from Old Town and due to the slope of the property, vehicles will be visually buffered from King Road, the primary public right of way."[37]

In fact, what the Applicant is proposing is a massive (nearly 5,000 square foot) below grade garage:



The Park City LMC defines both "Parking Areas" and "Garages." A "Parking Area" is "[a]n **unenclosed** Area or Lot other than Street used or designed for parking."[38] A "Garage, Private" on the other hand, is "[a]n Accessory Building, or a portion of the Main Building, used for the storage

[37] August 15, 2024 Staff Report.
[38] Park City LMC § 15-15 (emphasis added).

of motor vehicles for the tenants or occupants of the Main Building and not by the general public."[39]

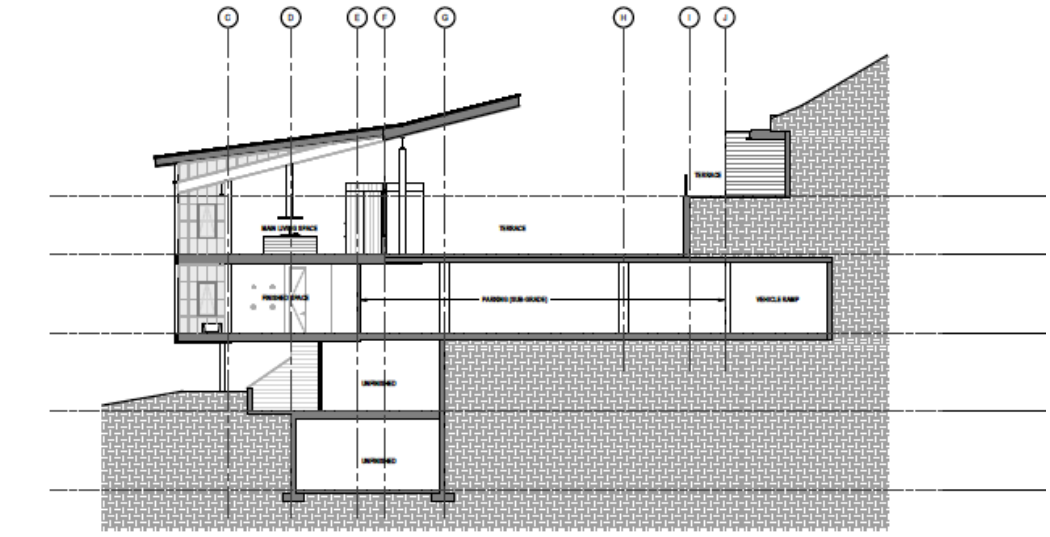
Here, the proposed parking area is enclosed other than a small below grade "wall opening." The entirety of the space is below grade enclosed on all sides. It is also a portion of the main building and is being used for the storage of motor vehicles and, presumably, not by the general public. In short, it is a "Garage, Private" under the Code.

In the context of an HDDR review, "Basement Level Attached or Detached Garages" are regulated as follows:

1. When construction of a detached garage is not feasible, a basement level garage may be considered, particularly on uphill lots.
2. A basement garage shall not extend beyond the exterior wall planes of a structure's primary or secondary facades.
3. In limited situations, site setbacks and topography may allow for a projecting garage without adversely affecting the historic character of the Streetscape or character area. In these cases, a stepped design with associated site grading and a landscaping plan may be considered.
4. The vertical façade of a basement garage that is visible from the primary public right-of-way shall be visually minimized. It is preferred that the garage opening be set back from the wall plane of the primary structure in order to diminish the presence of the garage.
5. After construction of a basement garage, a site shall be re-graded to approximate the grading prior to the new construction.
6. A single-vehicle garage door not greater than 9 feet wide by 9 feet high shall be used to access a basement garage addition.
7. Single-width car wide tandem garages are recommended. Side-by-side parking configurations are strongly discouraged; if used, they shall be visually minimized when viewed from the primary public right-of-way.
8. Garages featuring a side-by-side parking configuration, at a minimum, shall maintain a two (2) foot horizontal offset in the wall plane between the two garage doors.[40]

The Applicant's proposed garage violates several of these provisions. First, it extends well beyond the exterior wall planes of the structure's primary and secondary facades.

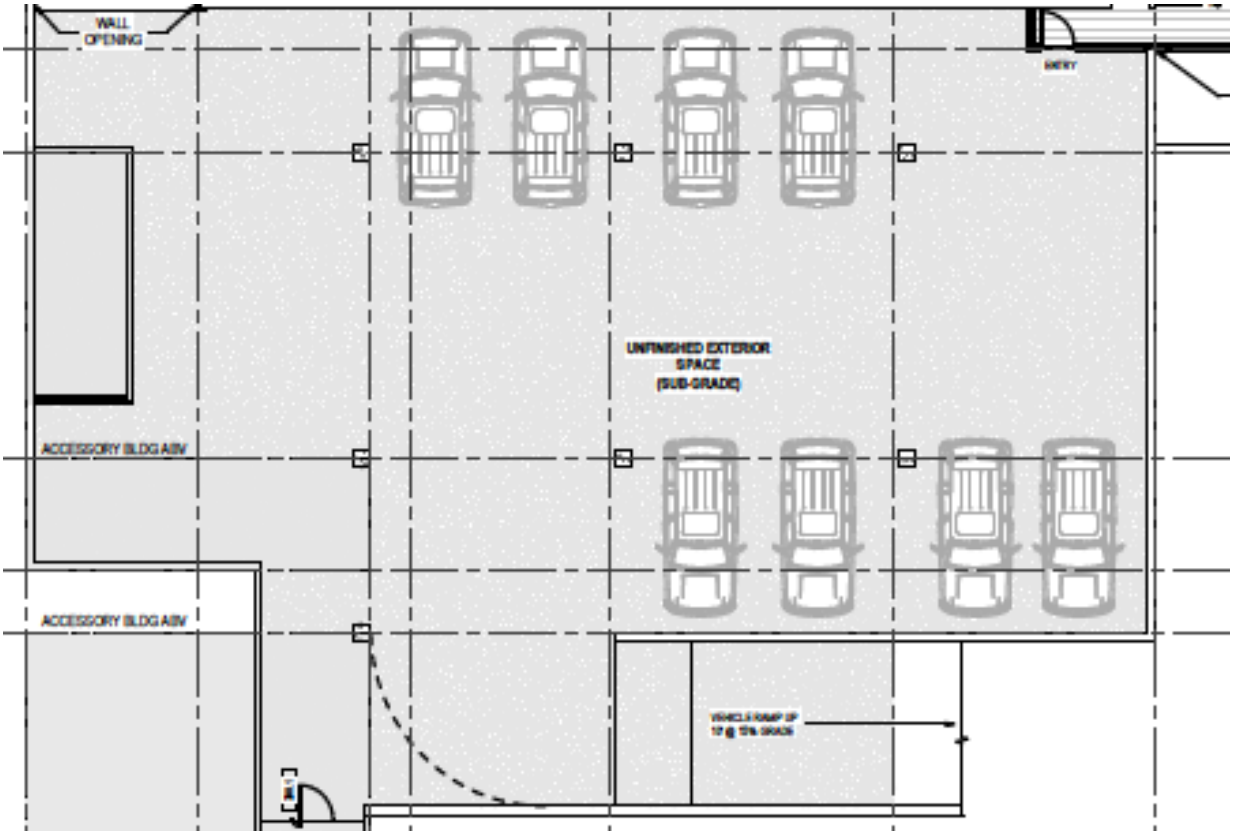
[39] *Id.*
[40] Park City LMC § 15-13-8(B)(6).



It is the size of the garage that necessitates many of the cut slopes that also violate the guidelines. The presence of the garage is prominent when viewed from the primary public right of way. The view from King Road is in large the motor court and large garage entrance (which is at least 10 feet wide). Because of the depth of cuts and extent of retaining walls it is impossible to regrade the site to approximate the grading prior to construction.

Figure 4: Profile view depicting the entrance to the underground parking area and outdoor pool.

Finally, this garage (at nearly 5,000 square feet) proposes a combination of side by side and tandem parking. A garage of this size can park as many as 15 cars in a side by side and tandem configuration.



This code provision also states that "When locating new off-street parking areas and driveways, the existing topography of a site and integral site features shall be minimally impacted." Contrary to this provision, the Applicant is proposing to dramatically alter the grade of the driveway easement over 200 King (the Fredston-Hermanns' parcel). Taking the grade of that driveway beyond the maximum 14% grade allowed under the code and impairing the value of the 200 King property. And while Staff states that no changes to the location of the existing driveway are proposed, the truth is that the Applicant is proposing to move the driveway, change the grade of the same, and install new retaining walls. While there are several versions of the Applicant's proposed grading plan in the record, all of them show substantial modifications to the driveway access easement including changes to grade, location, cuts, and retaining walls:

Put simply, Staff ignored this provision of the code. It provided no analysis of the basement garage or the driveway. And the proposed garage and access driveway violate the Historic Design guidelines.

4. *The proposed Balcony and Roof Decks were not properly analyzed in Staff's approval.*

Staff recognizes that "Balcony and Roof Decks must be constructed where visually minimized from the primary public right-of-way, usually on the tertiary façade." This is consistent with LMC § 15-3-8(B)(7-8), which requires that "[d]ecks shall be constructed in inconspicuous areas where visually minimized from the primary public right-of-way, usually on the tertiary façade" and "roof decks shall be visually subordinate to the new building and shall be minimally visible from the primary public right-of-way."

But inexplicably, Staff claims that this element is met because the "Applicant proposes rooftop decks on the secondary and tertiary facades." The rooftop deck of course is located on the south façade. It is clearly visible in all of the renderings in this location.

Figure 4: Profile view depicting the entrance to the underground parking area and outdoor pool.

Figure 3: Proposed new Single-Family Dwelling at 220 King Road.

In a separate part of its analysis for approval, Staff states the following regarding the southern façade:

9. 220 King Road fronts King Road and the primary façade is the southern façade. The width when viewed from King Road is approximately 25 feet in width before the massing widens and steps down the Very Steep Slope.

The southern façade is either the primary façade viewed from King Road, or it is a tertiary façade. It cannot be both. What is clear is that the rooftop deck is highly visible from King Road. Since Staff views this as the "primary façade," this highly visible roof deck violates LMC § 15-3-8(B)(7-8).

IV. The Planning Department's Decision is Arbitrary and Capricious.

The Planning Department's decision should be overturned because it is arbitrary and capricious. A land use decision is arbitrary and capricious and should be overturned if it "is not supported by substantial evidence in the record."[41] Staff's fundamental conclusion is that "[t]he proposed project, as conditioned, complies with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts.*"[42] However, as demonstrated, the proposed project does not comply with LMC § 15-13-8. And it does not comply in large measure because there is a clear lack of substantial evidence to justify the decision, rendering it arbitrary and capricious.

[41] Utah Code § 10-9a-801(3)(c)(i).
[42] Exhibit I, Final Action Letter from Rebecca Ward, Park City Mun. Corp., to Pesky Porcupine, LLC 5 (August 15, 2024).

That the decision is not supported by substantial evidence is seen in the fact that the consultants the City hired to find and analyze the relevant evidence concluded that the evidence does not support approving the Project. In fact, SWCA's findings are unequivocally critical of the Project. As detailed above, SWCA repeatedly asserts that, based on the evidence as applied to the plain language of the code, the Project does not and cannot comply with § 15-13-8. The City will, undoubtedly, argue that Staff required modifications to the Project to address SWCA's concerns. But those modifications are universally minor and insufficient to meet the requirements of LMC § 15-13-8. And Staff required no modifications to the noncompliant aspects of the project based on their novel and ultimately illegal "character area" interpretation.

Although "character area" is not a defined term in the land management code, "Streetscape" is defined[43] and "character area" is only ever used in the context of "Streetscape or character area." It is never used independently in the code. From their exclusive use in tandem, it can be inferred that this phrasing, used throughout the Regulations For Historic Districts and Historic Sites, is intended to plug any loopholes that applicants might find if the standard was only "Streetscape." It defies logic to argue that character area can be used to completely ignore the Streetscape, the surrounding neighborhood, and the other residences visible when viewing the proposed structure from any vantage points. The proposed structure shares no characteristics with the other homes on King Rd. or the surrounding area. It cannot be the case that the term character area can be used to invalidate "Streetscape" and approve a home in Old Town based on minor inspiration from industrial structures outside of any Historic District, outside of view from anywhere the proposed structure can be viewed, and over a mile away.

Put in terms of the substantial evidence requirement, Staff avoided the need for evidence backing key aspects of their decision by using industrial mining structures to frame the analysis, rather than the historic Old Town buildings called for by the LMC and SWCA. Had Staff used the correct Streetscape or character area, there was no evidence supporting their decision, let alone substantial evidence. This was the central tenet of SWCA's analysis and the Planning Department ignored it.

Because of the emphasis on SWCA's work, it's important to remember that SWCA is an independent third party with no vested interest in the outcome of this Project. Their sole task was to evaluate the Project's compliance with LMC § 15-13-8. Unless the City specifically directed them to argue non-compliance—a notion unsupported by any evidence—one must assume that SWCA conducted a completely neutral analysis. That neutral, expert analysis—the only such analysis in the record—was largely disregarded by the Planning Staff in their determination. Why Planning Staff chose to ignore SWCA's report, which they themselves commissioned to aid in

[43] LMC § 15-15: "The distinguishing characteristics of a particular Street including paving materials, adjacent space on both sides of the Street, landscaping, retaining walls, sidewalks, Building Facades, lighting, medians, Street furniture, and signs."

evaluating the Project is unclear. What is clear, however, it that the SWCA Memo stands as the only impartial expert report in the record, and it unequivocally supports rejection of the Project.

The only other evidence in the record are letters from the Applicant's architects[44] and the Fredston-Hermanns' legal counsel.[45] The letter from the Applicant's architects is inherently biased and fails to adequately address the critical concerns raised in the SWCA Memo. On substance all that letter really says is that (1) the Applicant should not have to fit the character of the neighborhood but rather the character of buildings on the other side of the mountain; (2) other people have big homes so the Applicant should be allowed to have one too (ignoring that those houses are significantly more modulated); (3) the roof is similar to structures outside of old town (ignoring that they are not truly similar as the roofs on the historic mining structures are steeper and pyramidal); and (4) other new homes have similar glazing ratios (ignoring that those homes are likely out of compliance themselves). In essence, the architects' letter, written by an obviously biased party, lacks the objectivity and thoroughness required to be considered more persuasive than the neutral SWCA Memo.

Conversely, the letter from legal counsel to the Fredston-Hermanns, while also from an interested party, underscores the importance of the neutral third-party SWCA Memo and the fact that its findings are being ignored. Even if counsel's letter holds the same persuasive value as the architects' letter, it is bolstered by neutral evidence. At best, counsel's letter supplements the SWCA Memo; at worst, it is of equal weight to the architects' letter, cancelling out the architects' letter in terms of which way the weight of the evidence points. This leaves the SWCA Memo as the predominant piece of evidence.

The SWCA Memo, authored by subject matter experts, stands as a neutral and authoritative document. Its weight in the record is overwhelming and unrebutted. Therefore, the only decision that can be reasonably argued as "supported by substantial evidence in the record" is a decision to reject the Project. As the Planning Department chose to approve the Project despite the lack of substantial supporting evidence, its decision is arbitrary and capricious and should be overturned on that basis.

V. The Appropriate Venue and Method for Approving the Project's Design is a Variance from the Board of Adjustment.

As clearly articulated by SWCA, "a variance from the Board of Adjustment would be required to permit the design[.]"[46] To date, no such variance has been sought. Planning Staff's approval of the

[44] Exhibit B, Letter from Quinn Kummer, *supra* note 5.
[45] Exhibit J, Letter from Justin J. Keys, Attorney, Hoggan Lee Hutchinson, to Planning Director, Park City Mun. Corp. (August 14, 2024).
[46] Exhibit A, Memorandum from SWCA Environmental Consultants, *supra* note 1, at 3.

design does not, of course, constitute a variance because the Planning Staff lacks the authority to grant exceptions to the LMC. If the Applicant intends to construct this non-conforming structure in the HR-1 district, it must adhere to the same procedural requirements as any other party seeking to deviate from the LMC. In other words, the decision on whether the Applicant should be permitted to proceed with the proposed structure, given its numerous LMC violations, rests with you, the Board of Adjustment, following the submission and evaluation of a variance application under the strict criteria of LMC § 15-10-8(C)—not with the Planning Staff based on erroneous claims of compliance.

CONCLUSION

"Historic character is one of four core values outlined in the Park City General Plan," and "Park City's Design Guidelines are intended to protect th[at] historic character…."[47] By ignoring those guidelines, or interpreting them in a manner inconsistent with their plain terms, Planning Staff violated a core Park City value and created an opportunity for the Applicant to do real damage to the City's historic character. Mr. Prince may have the right to build his trophy home somewhere, but not in the heart of Park City's most cherished historic neighborhood.

Based on the foregoing, we respectfully request that you reverse the Planning Staff's HDDR decision on Application # PL-23-05522 to ensure that the LMC is properly enforced, and the appropriate review process is followed. Thank you for your consideration in this matter. Please feel free to contact us if you have any questions.

Very Truly Yours,
HOGGAN LEE HUTCHINSON

Justin J. Keys

[47] *Id* at 1.

EXHIBIT A

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TECHNICAL MEMORANDUM

To: Gretchen Milliken, Planning Director
Park City Municipal Corporation, Planning Department
445 Marsac Avenue
Park City, Utah 84060

From: Anne Oliver, Principal Architectural Historian, and Christina Olson, Lead Architectural Historian, SWCA Environmental Consultants

Date: April 26, 2023

Re: **Historic District Design Review for 220 King Road**

OVERVIEW

Historic character is one of four core values outlined in the *Park City General Plan* (Park City Planning Department 2014). Park City's historic character derives from more than 400 historic sites, including two National Register Historic Districts (Park City Planning Department 2023). The Main Street Historic District was listed in the National Register of Historic Places in 1979, and the Mining Boom Era Residences Thematic District, which comprises historically significant residential structures built during the mining boom period of 1872 to 1929, was listed in 1984 (Park City Planning Department 2023).

Park City Municipal Corporation has pursued protection of the City's historic resources through local designations on its Historic Site Inventory and through application of the Design Guidelines for Historic Districts and Historic Sites (Design Guidelines), initially adopted in 1983. In 2009, Park City completed a total update of the regulating documents for the historic districts, including an updated Historic Site Inventory, new Design Guidelines, and amendments to the Land Management Code (LMC). The Design Guidelines were updated again and adopted by Ordinance 2019-06 into the LMC in 2019 and are intended to fulfill policy directives provided in the LMC (Park City Planning Department 2023).

As requested by the Park City Planning Department, SWCA Environmental Consultants has prepared this memorandum to assist the City's Design Review Team in evaluating the proposed new residence at 220 King Road, in the Historic Residential (HR-1) zone, for compliance with the Design Guidelines (Figures A-1 and A-2). Specific LMC requirements associated with building height (LMC 15-2.2-5) and development on steep slopes (LMC 15-2.1-6) relevant to the HR-1 district and the proposed residence at 220 King Road, are outside the purview of the Design Guidelines and are being addressed separately by the Planning Department.

HISTORIC DISTRICT DESIGN GUIDELINES REVIEW

Park City's Design Guidelines are intended to protect the historic character of Park City. As identified in LMC 15-2.2-1, the purpose of the HR-1 zone regarding residential infill is to:

- preserve present land uses and character of the Historic Residential Areas of Park City;

- encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods;
- encourage single family Development on combinations of 25' x 75' Historic Lots;
- define Development parameters that are consistent with the General Plan policies for the Historic core; and
- establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment. (Park City 2000)

Concerns with the proposed residence at 220 King Road relate primarily to the "construction of Historically Compatible Structures that contribute to the character and scale of the Historic District," particularly the scale of the residence and its component elements. While the Design Guidelines support the proposed industrial design aesthetic inspired by the Silver King Mine buildings, the guidelines are clear regarding requirements for residential scale and do not support the construction of industrial-scale residential buildings within residential districts. The compliance of proposed massing and glazing patterns with the Design Guidelines is an additional concern. Each Design Guideline pertinent to these concerns is provided below, followed by an analysis of the design compatibility of 220 King Road.

15-13-8 Design Guidelines for New Residential Infill Construction in Historic Districts

A. Universal Guidelines

15-13-8 A-4: *New infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the new infill residential buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the lot.*

The proposed materials and features of the residence at 220 King Road are compatible with industrial designs in and around Park City. However, the size, scale, and proportions of the residence and its component elements, including the shed roof and cantilevered flat roof, are reminiscent of a large-scale industrial building rather than a residential building, which is not compatible with the HR-1 zone. While projecting portions of the building on the downslope elevation provide some modulation of mass, additional size reduction or modulation of the building mass itself (as well as its roofs) is required to reflect the size and massing of historic residential buildings, which were typically built on 25-foot-wide lots in this zone (see Figures A-1 and A-2).

15-13-8 A-6: *Exterior elements – roofs, entrances, eaves, chimneys, porches, windows, doors, steps, garages, etc. – of the new infill residential building shall be of human scale and shall be compatible with neighboring Historic Structures.*

The proposed residence at 220 King Road will span multiple lots, with a single shed roof also spanning multiple lots. While the use of an industrial mining aesthetic is encouraged, the scale of the roof and eaves should be compatible to the scale of historic residences in the HR-1 zone, not to an industrial mining building. To comply with this guideline, the wide shed roof would need to be divided into three to five modules to achieve the appropriate residential scale and the cantilevered flat roof would need to be reduced in size.

15-13-8 A-7: *Scale and height of new infill residential buildings shall follow the predominant pattern and respect the architecture of the Streetscape or character area with special consideration given to Historic Sites.*

The proposed infill references the industrial buildings of the Silver King Mine but the guidelines require that infill residential buildings maintain a historic residential scale appropriate to the historic district or zone in which they are being constructed. The proposed residence at 220 King Road will be on a relatively isolated site and will not be directly adjacent to any Historic Sites. In the absence of a streetscape lined by other buildings, the predominant pattern of the historic district or residential zone applies. The proposed design does not comply with this guideline.

15-13-8 A-8: *Size and mass of a structure shall be compatible with the size of the site so that lot coverage, building bulk, and mass are compatible with Historic Sites within the Streetscape or character area.*

The proposed residential building at 220 King Road will span multiple lots and, while its size is compatible with the size of the lot, its building bulk and mass are not compatible with Historic Sites just downslope in the HR-1 zone. Further reduction or modulation of massing, both of the residence and its shed and cantilevered flat roofs, is required to be compatible with the building bulk and mass of historic residences in the HR-1 zone.

15-13-8 A-10: *New infill residential buildings shall reinforce visual unity within the context of the Streetscape or character area. The specific context of each Streetscape or character area is an important feature of the Historic District. The context of each Streetscape or character area shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area. Special consideration should be given to adjacent and neighboring Historic Sites in order to reinforce existing rhythms and patterns.*

The proposed residence sits on the hillside above much of the HR-1 zone, in a setting where industrial buildings were once common. An industrial design aesthetic is appropriate in this area; however, this and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes. Because the guidelines are so clear on this point, a variance from the Board of Adjustment would be required to permit the design as proposed.

B. Specific Guidelines (Primary Structures)

Mass, Scale, and Height

15-13-8 B-2a (1): *The size and mass of a new residential infill building in relation to open spaces, shall be visually compatible with adjacent historic buildings and historic structures in the surrounding Streetscape or character area.*

The proposed residence at 220 King Road is sited on an open slope above much of the HR-1 zone. This provides some flexibility in allowing greater size because of the building's relation to more open space. However, the size of the building and its component elements must be broken into distinct masses more reminiscent of the size and mass of historic buildings in the zone to achieve visual compatibility.

15-13-8 B-2a (3): *Historic height, width, and depth proportions that are important in creating compatible infill and maintaining the historic mass and scale of the Streetscape or character area.*

The height, width, and depth of the proposed residence at 220 King Road are of an industrial scale and not compatible with the residential streetscapes in Park City's historic districts. As noted above, while the large lot and open hillside allow for greater building size, it is necessary to break up the massing and roof forms to be more similar to historical residential massing and scale to achieve compatible infill.

15-13-8 B-2a (5): *The perceived scale of new buildings shall respect the scale established by historic buildings in the character zone. Abrupt change of scale in the character zone is inappropriate, especially when a new, larger building would directly abut smaller historic buildings.*

Both the actual and perceived scale of the proposed residence is significantly greater than a typical historic residence in the HR-1 zone and there are no historic large-scale industrial buildings nearby or anywhere in the zone that establish a precedent for large-scale infill. As stated above, the reference to the industrial aesthetic of the Silver King Mine buildings is encouraged in the design of the structure, but those historic mining buildings are neither in the HR-1 zone nor visible from it. For these reasons, the perceived scale should reflect that of a historic residential building rather than a historic industrial building. Because the proposed residence does not directly abut any historic buildings, and because it is sited on a large lot surrounded by open space, its greater size can be accommodated within the HR-1 zone. However, to comply with other guidelines, the perception of that size must be managed by dividing the building into modules that reflect the massing of a typical historic residence on a 25-foot-wide lot. Breaking up the roof form in a similar fashion would also be necessary.

15-13-8 B-2a (6): *A larger building shall be divided into 'modules' that reflect the mass, scale, proportions, and size of historic buildings within the Streetscape or character area. Modules shall be clearly expressed throughout the entire building and a single form shall remain the dominant element so the overall mass does not become too fragmented. To minimize the scale perceived from the primary public right-of-way, stepping down the mass of a larger building shall be considered.*

See above discussion under multiple guidelines about using modules to break up large masses and manage the perception of scale for residences larger than seen historically. Stepping the mass of these modules back into the hillside, rather than projecting their mass forward from a recessed basement level as currently proposed, can also help manage the perception of scale.

15-13-8 B-2a *(7): Larger-scaled projects shall also include variations in roof height in order to break up the form, mass and scale of the overall structure.*

The proposed design for the residence at 220 King Road incorporates two flat roofs (one that serves as a deck and one that is cantilevered over that deck) and one expansive shed roof. While these roofs vary in height, which helps to break up the form, mass, and scale of the residence, the modules they create are still over-scaled relative to historic residences in the HR-1 zone. Further reduction or modulation of massing, of both the residence and its shed and cantilevered flat roofs, is required to meet this guideline.

15-13-8 B-2a (8): *Buildings constructed on lots greater than 25 feet wide shall be designed so that the facades visible from the primary public right-of-way reinforce the rhythm along the street in terms of traditional building width, depth, and patterns within the façade.*

No renderings of the proposed residence as viewed from the primary public right-of-way (King Road) have been provided for this review. It is expected, however, that the modules created to address mass and scale on the downslope (rear) side of the residence will carry through to the opposite (front) side and vice versa.

15-13-8 B-2a (9): *Regardless of lot frontage, the primary façade shall be compatible with the width of surrounding historic buildings. The greater width of a building shall be set back significantly from the plane of the primary façade. The width of a new building shall not appear to be visibly greater than historic buildings in the Streetscape or character area. Modules on a primary façade should generally not exceed eleven (11) feet to twenty-five (25) feet in width.*

No renderings of the proposed residence as viewed from the primary public right-of-way (King Road) have been provided for this review. It is expected, however, that historically sized modules of approximately 11’ to 25’ in width, with attendant setbacks from the primary wall plane of the façade, will be created on the uphill (front) side of the residence and carried through to the downslope (rear) side.

15-13-8 B-2a (10): *When the overall length of a new structure is greater than seen historically, the design shall employ methods—changes in wall plane, roof heights, use of modules, etc. to diminish the visual impact of the overall building mass, form and scale.*

The proposed residence at 220 King Road will span multiple lots and its overall length is much greater than seen historically. Therefore, further variation in wall planes and roof heights to create more historically sized modules is required to diminish the visual impact of the overall building mass, form, and scale.

Windows

15-13-8 B-2d (1): *Ratios of solid-to-void that are compatible with surrounding historic buildings shall be used. Large expanses of glazing are inappropriate on residential structures. Large glass surfaces shall be divided into smaller windows that are in scale with those seen historically. To maximize views, non-historic window patterns may be considered on tertiary facades; however, the overall ratio of solid-to-glass shall still be respected.*

The large, multi-pane windows and fenestration patterns of the proposed design reference historic mine buildings, which incorporated significant amounts of glazing to maximize natural light and illuminate interior workspaces (Figures A-3 and A-4). Typically, long, nearly continuous, relatively narrow bands of windows were present in clerestories that were separated by pitched roofs; glazing in the exterior corrugated-metal walls was also extensive. Hence, the use of an industrial mining aesthetic allows for a greater proportion of void to solid in the proposed residence than would be appropriate with a more traditional residential design. However, glazing in historic exterior walls always had a base of solid wall and never consisted of floor to ceiling windows. In the proposed design, the metal panels at some window bases recreate this pattern, but the floor-to-ceiling windows present elsewhere are inconsistent with industrial patterns and create an incompatible solid-to-void ratio.

15-13-8 B-2d (2): *Windows shall be historic size and shall relate to the human scale of the Historic District. Windows shall be proportional to the scale and style of the building and shall be compatible with the historical buildings in the Historic District.*

See above analysis. With the exception of the floor-to-ceiling windows, the larger-scaled windows are appropriate to the scale and style of the building.

15-13-8 B-2d (3): *The placement and grouping of windows shall be similar to those seen historically.*

See above analysis. With the exception of the floor-to-ceiling windows, the placement and grouping of windows is similar to that seen on historic mining buildings in Park City.

Roofs

15-13-8 B-1e (1): *Roofs of new residential infill buildings shall be visually compatible with roof shapes and orientation of surrounding Historic Sites and adjacent buildings that contribute to the character of the Historic District. Sloping of roof forms, such as gable, hip, and shed, should be the dominant roof shapes. Roofs composed of a combination of roof planes, but simple in form, are also encouraged. Roofs shall be in scale with those on historic structures.*

The roof shapes (flat and shed) and their orientations are generally compatible with surrounding Historic Sites, as are their simple forms. However, the guidelines are clear that the perceived scale of larger residential buildings (on lots wider than 25') should be managed by breaking them into smaller masses or modules that reflect historic residential massing, including their roofs. There is no precedent for exceptions when an industrial aesthetic is used for a residence, or for residences that may be in historically industrial areas. To comply with the guidelines, the roof could be broken into a horizontally stepped series of shed roofs (3 to 5 of them, with differences in roof height of a few feet or more to create shadow lines) that shelter their corresponding modules, or a mix of shed and flat. The cantilevered flat roof would also need to be reduced in scale.

CONCLUSION

In summary, while the Design Guidelines support the industrial aesthetic of the proposed residence at 220 King Road, which was inspired by the Silver King Mine buildings, the guidelines are clear regarding requirements for residential massing and scale, and the proposed design does not comply. The proposed floor-to-ceiling windows are also out of compliance. Recommendations for revisions to achieve a design more compatible with the guidelines are incorporated in the above analyses.

REFERENCES CITED

Historic American Engineering Record (HAER)

1971 *MINE SHAFT BLDG FROM W. - Silver King Mining Company, Mineshaft & Main Hoist, Woodside Gulch, Park City, Summit County, UT (Photos from Survey HAER UT-22-A).* Available at: https://www.loc.gov/resource/hhh.ut0090.photos/?sp=2. Accessed April 21, 2023.

Park City Planning Department

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2023 Historic District. Available at: https://www.parkcity.org/departments/historic-district. Accessed April 21, 2023.

ATTACHMENT A

Figures

Figure A-1. Rendering of proposed residence at 220 King Road, downslope (rear) elevation, dated April 18, 2023.

Figure A-2. Rendering of proposed residence at 220 King Road, oblique view (left side and rear elevations), dated April 18, 2023.

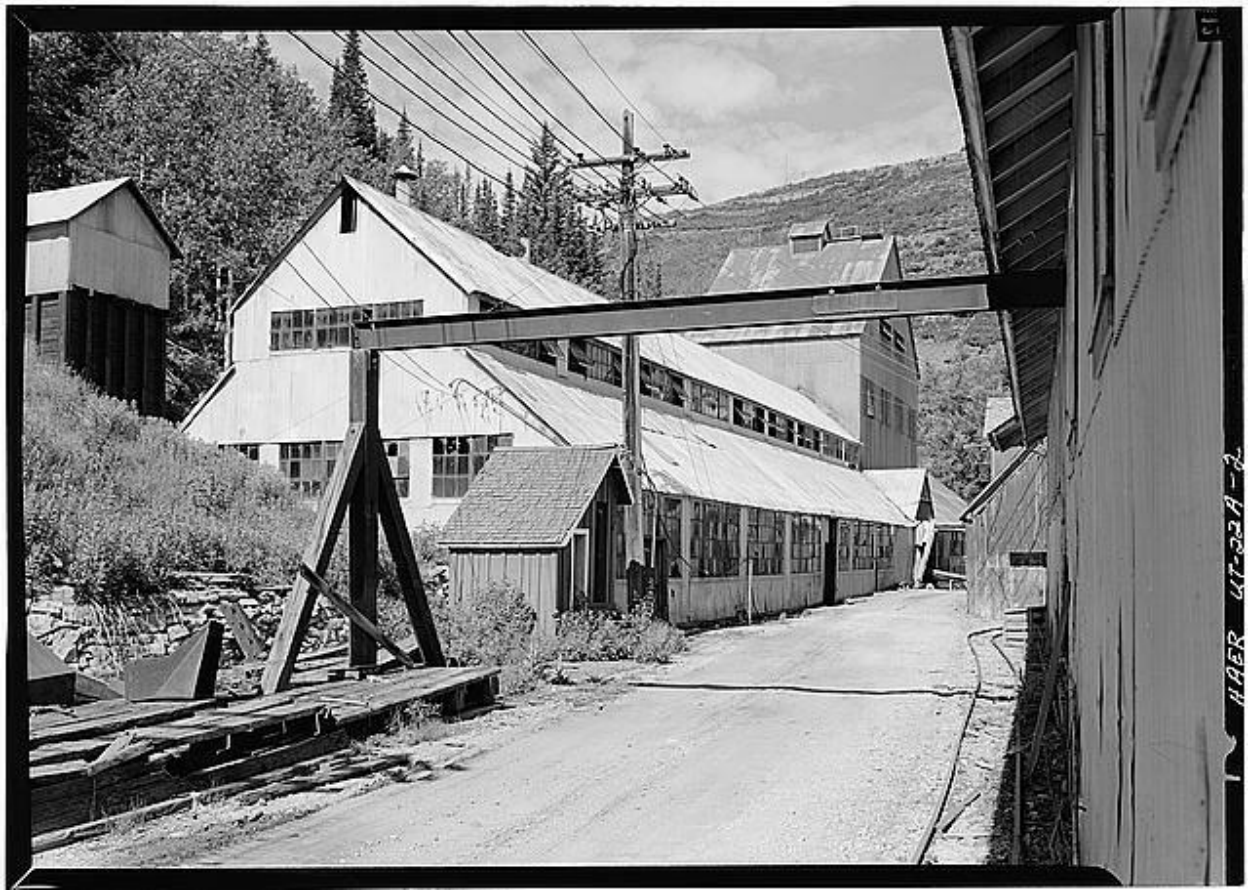

Figure A-3. Silver King Mine Hoist House (view from west), Woodside Gulch, Park City, Summit County, UT (HAER 1971). Note the complex massing of the building and its stepped and varied roofs over the component masses, as well as the multi-pane steel windows, window heights, proportion of solid wall to window openings.

Figure A-4. Example of industrial glazing pattern, Silver King Mine building. Note multi-pane steel windows, window heights, and proportion of solid wall to window openings.

EXHIBIT B

Olson Kundig

Planning Director

Park City Municipal Corporation

Planning Department

445 Marsac Avenue

Park City, Utah 84060

July 31, 2024

Historic District Design Review Analysis for 220 King Road

220 King Road ("220 King"), or Lot 2 of the Treasure Hill Subdivision, is a 1.23-acre single-family lot initially created through the Sweeney MPD approval/modification in 1987. The single-family lots created through the Sweeney MPD, including 220 King, were rezoned to HR-1-MPD in 1990. However, the Park City zoning map began to reflect the zoning on these lots as HR-1 at an unclear time. In 1997, two homes were constructed on the lot. These existing homes are nonconforming in several ways according to the Park City Land Management Code ("LMC") and Treasure Hill, Phase 1 Plat. The current property owner has worked with Park City to obtain approvals for:

a) A plat amendment to reduce the "buildable area" on the plat, modify plat notes, and alter the "buildable area" boundary (File No. PL-22-05318);

b) A conditional use permit for the single-family home, as required by the MPD and plat (File No. PL-22-05319);

c) A Steep Slopes CUP (File No. PL-23-05571);

d) A CUP for an outdoor pool (File No. PL-23-05523).

The Planning Commission reviewed and approved these applications, making findings and placing conditions on certain design elements. The Planning Commission's Final Action Letter is attached hereto as Exhibit A The property owner now seeks Historic District Design Review ("HDDR") approval. The city provided a preliminary HDDR analysis letter dated April 26, 2023, and the applicant responded on May 26, 2023, as attached in Exhibit B. However, additional research and the aforementioned approvals have since been obtained from the Planning Commission.

History of the Property

To establish the "Character Area" of a property in a historic design review, it is crucial to understand the context and neighborhood of the proposed project. 220 King was included in the Sweeney Master Plan, which utilized the Lower Creole Mine site and other industrial/mining sites along the hillsides above downtown. Figure 1 below depicts the location of 220 King and its historical uses.

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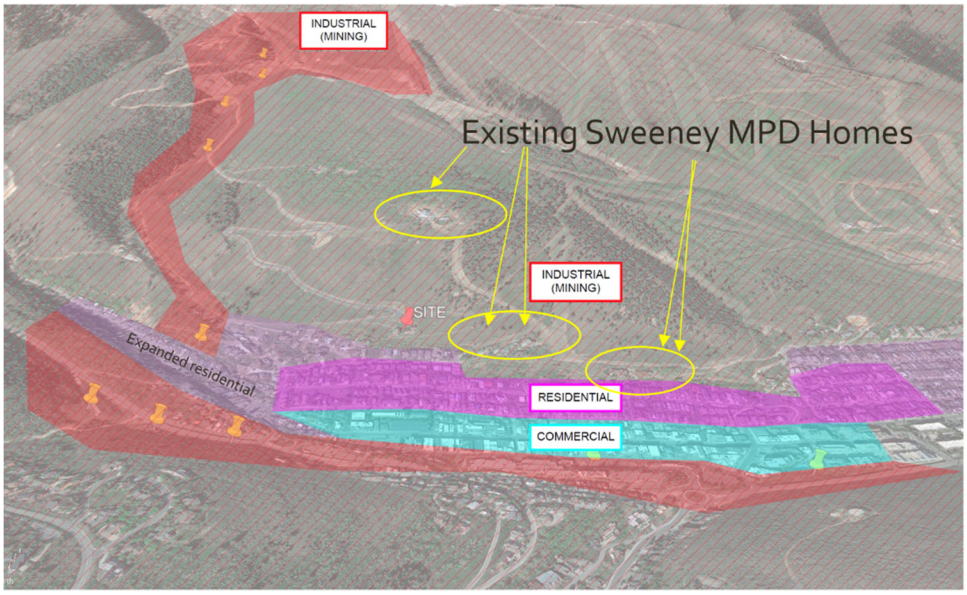

Figure 1.

Although portions of the Sweeney Master Plan, including 220 King Rd., are now zoned HR-1, this property was historically industrial and never part of any historic residential neighborhood. Based on the historic use, location, size, layout/access of the property, and its inclusion in the Sweeney MPD, it was determined that the appropriate "Character Area" aligns more with historic mining buildings and large-scale homes in the Sweeney MPD than with homes on historic lots.

As approved, 220 King is a 1.23-acre lot, significantly larger than the 25' x 75' historic lots the HR-1 Design Guidelines ("Design Guidelines") aim to preserve. Despite the marked discrepancy in size, location, and layout from the residential lots in the traditional HR-1 downtown area, consideration was given to how a new home on this site would be compatible with the homes on the historic lots. This analysis identifies the specific efforts taken to design a building consistent with the Character Area but also compatible with the uphill transition for the historic HR-1 lots.

Scale, Massing, Height -

The Treasure Hill Phase 1 Plat explicitly allows a new home with a footprint of 3,500 sq ft, a size not typical in the historic HR-1 zone, where the maximum lot size is 3,750 sq. ft.

Table 1 below outlines the size of each single-family home within the Sweeney MPD. As the table shows, the proposed home at 220 King Rd. is consistent in size with other homes in the Character Area.

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Plat	Parcel #	Building Area Limits (sq ft)	Lot Area (acres)	Building Footprint (approx. sq ft)	Building size (sq ft)
Treasure Hill Subdivision Phase 1 - 1996	THILL-1 (200 KING RD)	12,700	0.86	NA	NA
	THILL-2-A-AM/ THILL-2-B-AM (220 King Rd)	11,250	1.23	Existing - 3,936 sq ft (survey) Proposed - 3,500 sq ft	Total - 6,965 sq ft (Summit County Tax Info-both homes) Proposed – 6,472 sf (finished) 10,346 sf (unfinished)
	THILL-3-AM (425 NORFOLK AVE)	17,000	1.31	2,620 sq ft (Google Earth)	Total - 3,881 sq ft (Summit County Tax Info)
	THILL-4-AM (375 NORFOLK AVE)	7,500	1.1	5,178 sq ft (Google Earth)	Total - 10,813 sq ft (Summit County Tax Info)
Treasure Hill Subdivision Phase II -2003	THILL-II-6 (503 1/2 WOODSIDE AVE)	7,650	0.79	4,268 sq ft (Google Earth)	Total - 9,161 sq ft (Summit County Tax Info)
	THILL-II-7 (503 WOODSIDE AVE)	7,500	0.92	4,182 sq ft (Google Earth)	Total 9,214 sq ft (Summit County Tax Info)
Treasure Hill Subdivision Phase III Amd. 1 -2009	THILL-3-8-1AM (445 KING RD)	29,083.90	11.9	4,280 sq ft (Google Earth)	Total - 8,738 sq ft (Summit County Tax Info)

Table 1.

In the overall context of the area, 220 King is relatively isolated site and is not directly adjacent to any established Historic Sites. Figure 2 below demonstrates the isolation of 220 King.

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Figure 2

Even though the development on 220 King is disconnected from the residential lots in the traditional HR-1 downtown area, efforts have been made to ensure the new home is compatible with the smaller homes nearby. The specific elements included as a transition from the residential lots in the traditional HR-1 downtown area, to the more industrial Character Area include:

1. **Scale** – The buildable area of 220 King was reduced and shifted to the west (uphill) away from the homes on the historic lots. Moving the home up and away from the historic lots accomplishes several things: a) the perceived scale decreases as it moves further away; b) the revised location allows better utilization of subterranean areas for parking and mechanical spaces, which “pushes” the building down and into the hillside; c) the buffer area between the home and historic lots increases, allowing for improved landscaping and screening; and d) the use of the uphill portion of the lots and subterranean parking allow the majority of the improvements (parking area, driveway, and accessory building to be screened from the hill and from downtown.

Nearby Historical Sites of the mining / industrial type are characteristically larger in scale. The proposed design references this mining typology in part because it is a natural fit for a larger home on a larger lot. At the scale of 220 King, industrial mining sites are a more relevant Historic reference than the modest town homes below.

2. **Massing** – As required by Plat Note #7 of the Amended Treasure Hill, Lot 2, Phase 1 Plat, the massing of a new home shall be broken up into smaller sections, no greater than 1,500 square feet. The proposed home is divided into four massing elements on Level 01 and five elements on Level 02 and above. Breaking up the massing into elements that closer match the size of homes on the 25’ x 75’ historic lots help soften the visual impact of one large structure. Conversely, using a limited number of massing elements instead of multiple smaller nodes provides continuity with homes on the historic lots, as the massing elements of the proposed size reflect the massing of the residential homes in the traditional HR-1 downtown area.

Through input from Planning, we adopted an 18' wide 'bump-out' with an articulated roof projection above. Similarly, the Bedroom Wing is a distinct, lowered mass presenting a 21' wide eastern face. This foregrounds the primary facade with distinct massing elements that conform to the rhythm of the 25' lots below.

Beyond these bump-out masses, the main wing of the house acts as the ‘dominant element’ (15-13-8 B-2a (6)) establishing the overall mining-inspired form. In this way, the massing is transitional: smaller modules meet the residential zone downhill, while the larger whole speaks to the industrial Character Area beyond.

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3. **Height** – The height of 220 King is limited by Plat note #5 to 30 feet, except for access or light features, which are permitted up to 33'. The proposed home does not extend up the hill through multiple elements stepping back and up. Instead, it is mainly constructed under one single roof element, similar to the historic homes of Park City. Architectural designs that utilize multiple nodes to walk up the hillside are not consistent with design elements found in the HR-1 district. The proposed home incorporates this design pattern as a way of transitioning from the historic residential HR-1 areas to the industrial hillside areas.

Roof Design –

The dominant proposed roof form is a moderately sloped shed profile. Flat roof portions are also utilized to break up the building mass and to serve as roof decks – but these are secondary to the shed form. The shed is a direct reference to Historic Sites in the Character Area, such as the Silver King Ore Mill. In this well-known local landmark, a shear mono-pitch shed roof follows the hillside grade to dramatic effect.

Analysis of local mining structures (Figure 3) finds simple roof forms with minimal articulation. Roof forms in the Character Area are highly rational: designed solely to admit light and to shed the elements. In these examples, breaks or modulations in roof form are not aesthetically driven, resulting instead from ad hoc site conditions or functional requirements.

Figure 3

Alliance Mine

California-Comstock Mill

Silver King Ore Mill

The proposed roof form evolved through input from the Planning Commission. Care has been taken to: a) reduce the visual impact of the roof from cross valley and downhill views; b) be consistent with historic mining/industrial structures; and c) provide visual consistency with homes on the residential lots in the traditional HR-1 downtown area. An increased roof pitch would make the roof remarkably visible from the downtown area and across the valley, increasing the perception of the roof's mass (Figure 4). The reduced perception of mass works as a transitional element from homes in the traditional HR-1 downtown area, to the open space and hillside above the new home.

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Proposed Roof - 3:12 Slope *Prescriptive 6:12 Slope*

Figure 4

Additionally, the Planning Commission requires a “bump up” in the roof design, as requested and presented in the February 14, 2024, meeting. Although the historical nature of the “bump up” is harder to identify, examining other buildings in the Character Area helps justify the requirement. The other homes in the Sweeney MPD utilize design elements to break up the roof form on the downhill façade. Figures 6-8 are images of other homes in the Character Area. As demonstrated, the roof elements are broken up by different design features.

Figure 6

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Figure 7

Figure 8

Windows –

The Planning Commission approved Plat Note #11, which limits the amount of glazing on the eastern façade of the new home to 60%. This ratio is consistent with other newer homes in the HR-1 district (Figures 9-11). Note also that glass door systems and other floor-to-ceiling expressions are seen in these recently approved projects. Through input from Planning, a system of opaque infill panels are added to the window system to raise sill heights and reduce window size. This also improves thermal performance and helps mitigate the lantern effect. The actual proposed glazing ratio is 53% on the primary eastern façade.

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Analysis of Historic mining structures in the Character Area finds precedent for this glazing ratio (Figure 12). In the example of the Silver King Ore Mill, windows are arrayed as uniform bands or ribbons, interrupted by metal panel breaks of varying width. The proposed design is directly inspired by this fenestration pattern, utilizing a similar rhythm of solid to void. At a detail level, care is taken to match the material and formal characteristics of the steel windows found in local mining precedents. The proposed weathered steel window system matches the proportion and scale of divided lites found historically in the Character Area.

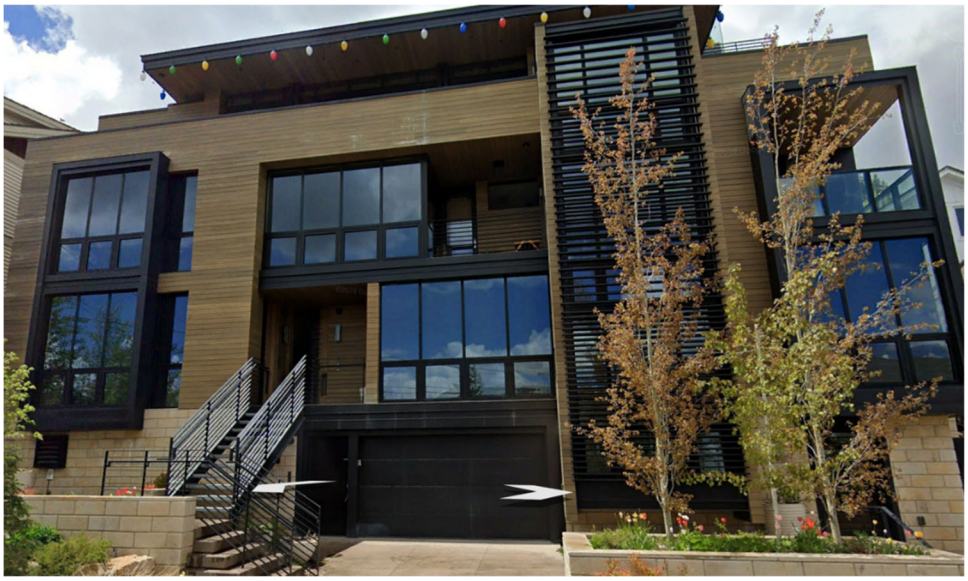

Figure 9 - 539 Woodside

Figure 10 - 324 Woodside (rear of the house)

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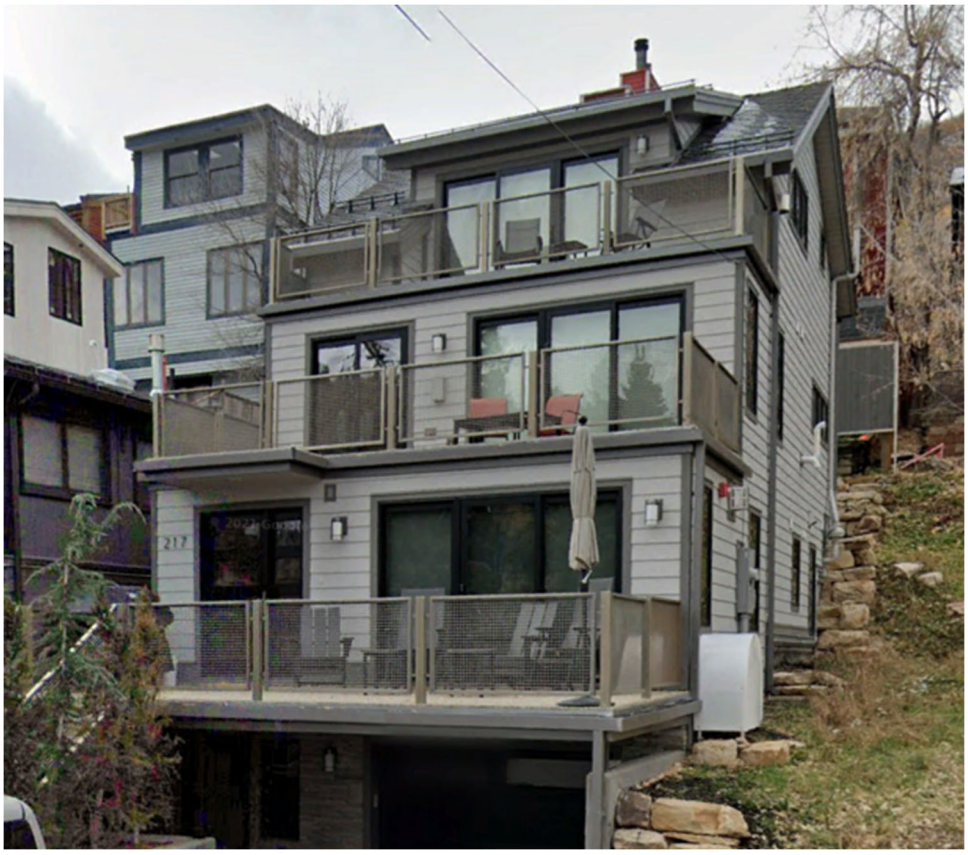
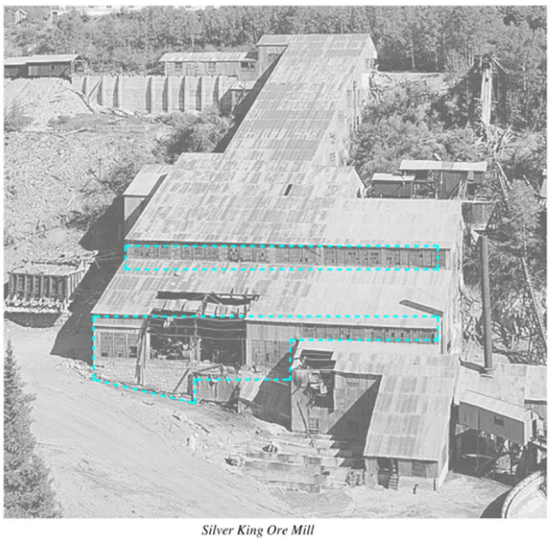


Figure 11 – 217 Park



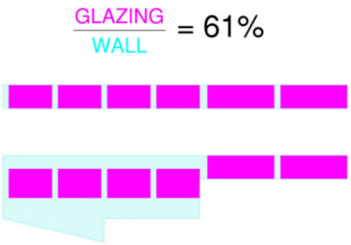


Figure 12 – Glazing Ratio at Silver King

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We appreciate the thorough review of the design against City's codes, design criteria, and existing approvals. There is no question that any new home constructed at 220 King Rd. would face design challenges on such a large lot when the design guidelines for the HR-1 zone are written for the residential lots in the traditional HR-1 downtown area. The proposed design meets those criteria while honoring the Character Area of the Sweeney MPD and the historic mining/industrial uphill areas of Park City.

Quinn Kummer

Architect

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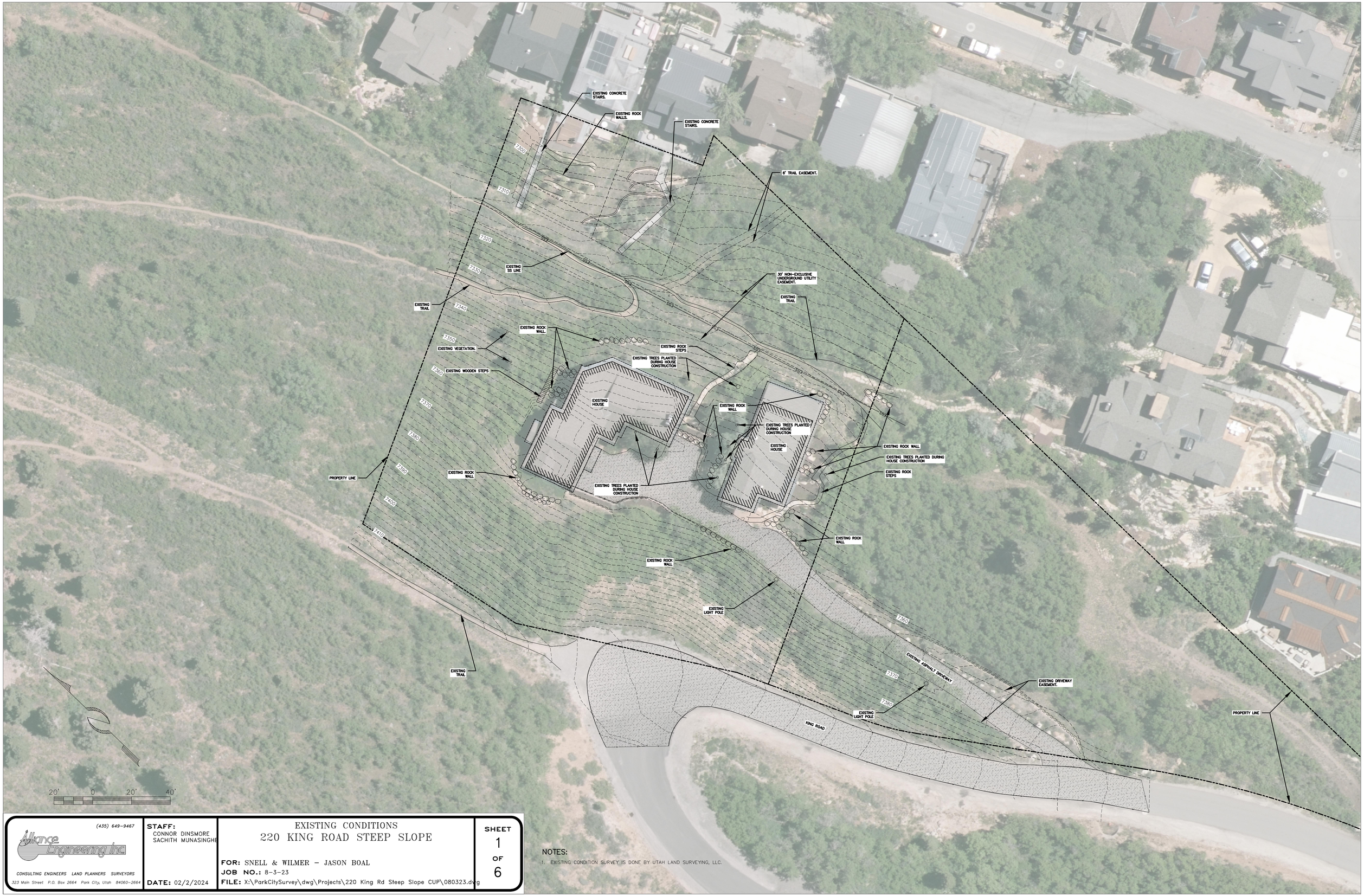
EXHIBIT C



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Alliance Engineering Inc.

CONSULTING ENGINEERS LAND PLANNERS SURVEYORS

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

STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/2/2024

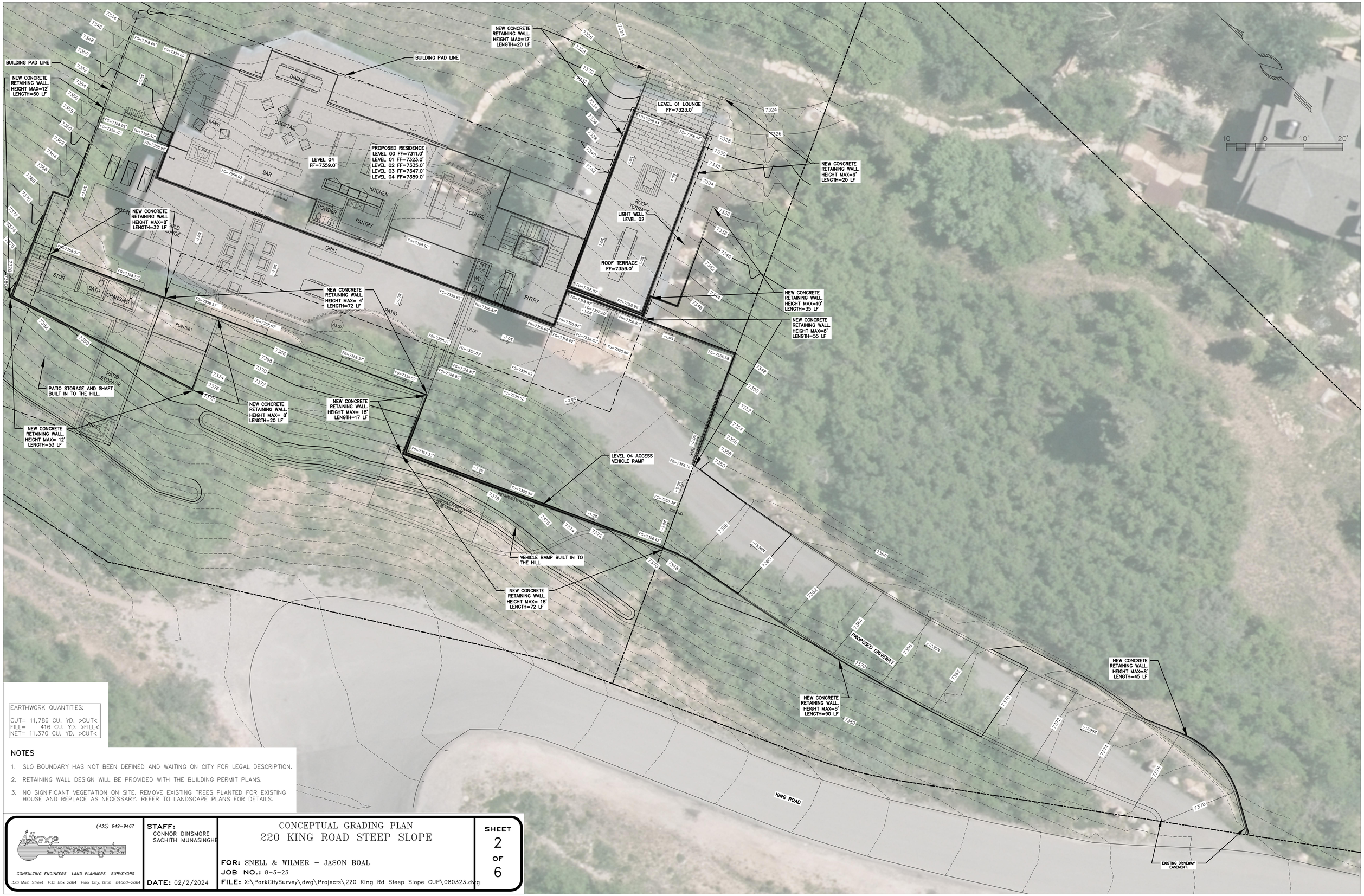
EXISTING CONDITIONS
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 1 **OF** 6

NOTES:

1. EXISTING CONDITION SURVEY IS DONE BY UTAH LAND SURVEYING, LLC.



EARTHWORK QUANTITIES:

CUT= 11,786 CU. YD. >CUT<
FILL= 416 CU. YD. >FILL<
NET= 11,370 CU. YD. >CUT<

NOTES

1. SLO BOUNDARY HAS NOT BEEN DEFINED AND WAITING ON CITY FOR LEGAL DESCRIPTION.
2. RETAINING WALL DESIGN WILL BE PROVIDED WITH THE BUILDING PERMIT PLANS.
3. NO SIGNIFICANT VEGETATION ON SITE. REMOVE EXISTING TREES PLANTED FOR EXISTING HOUSE AND REPLACE AS NECESSARY. REFER TO LANDSCAPE PLANS FOR DETAILS.

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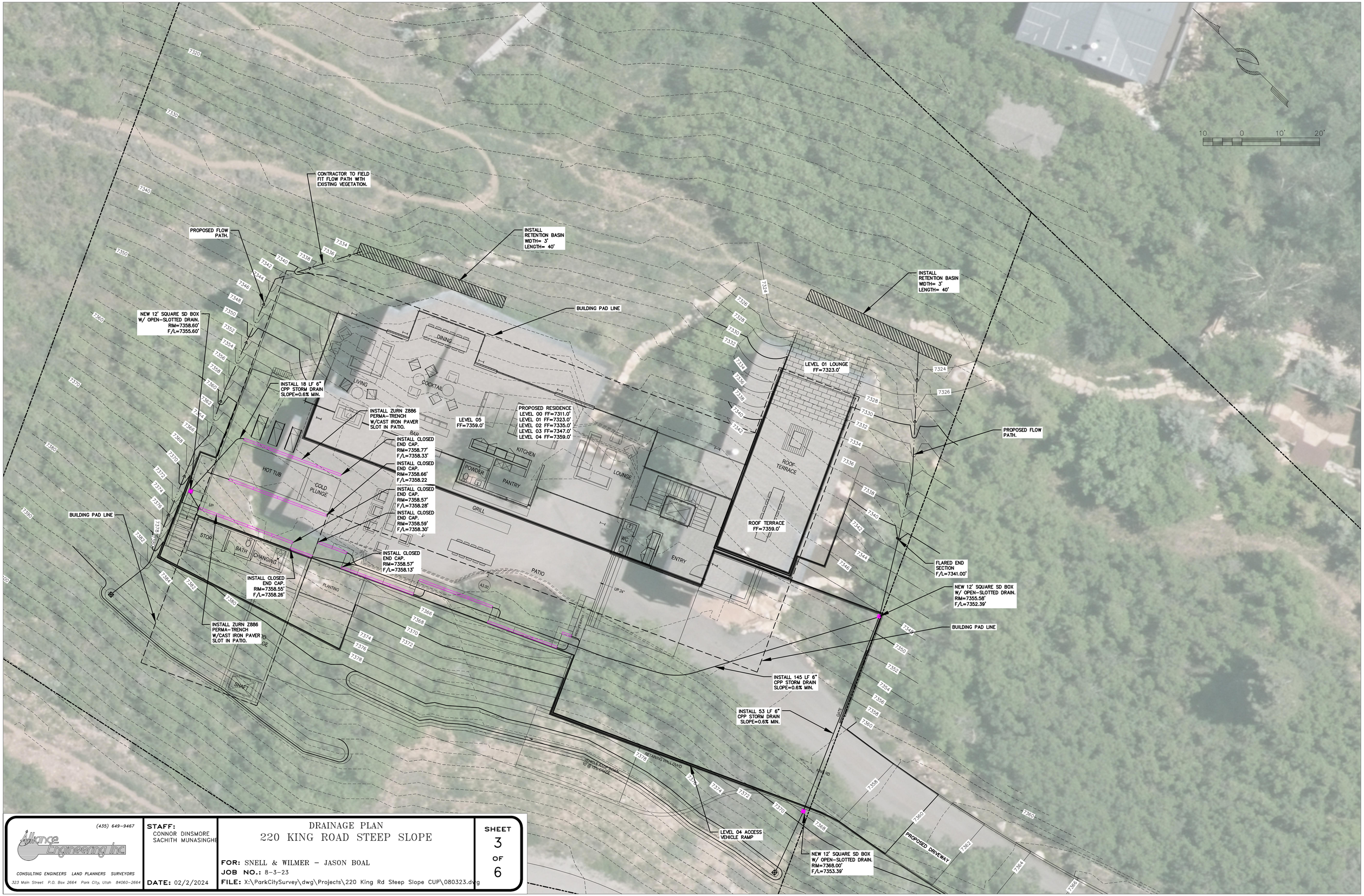
DATE: 02/2/2024

CONCEPTUAL GRADING PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER – JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 2 **OF** 6



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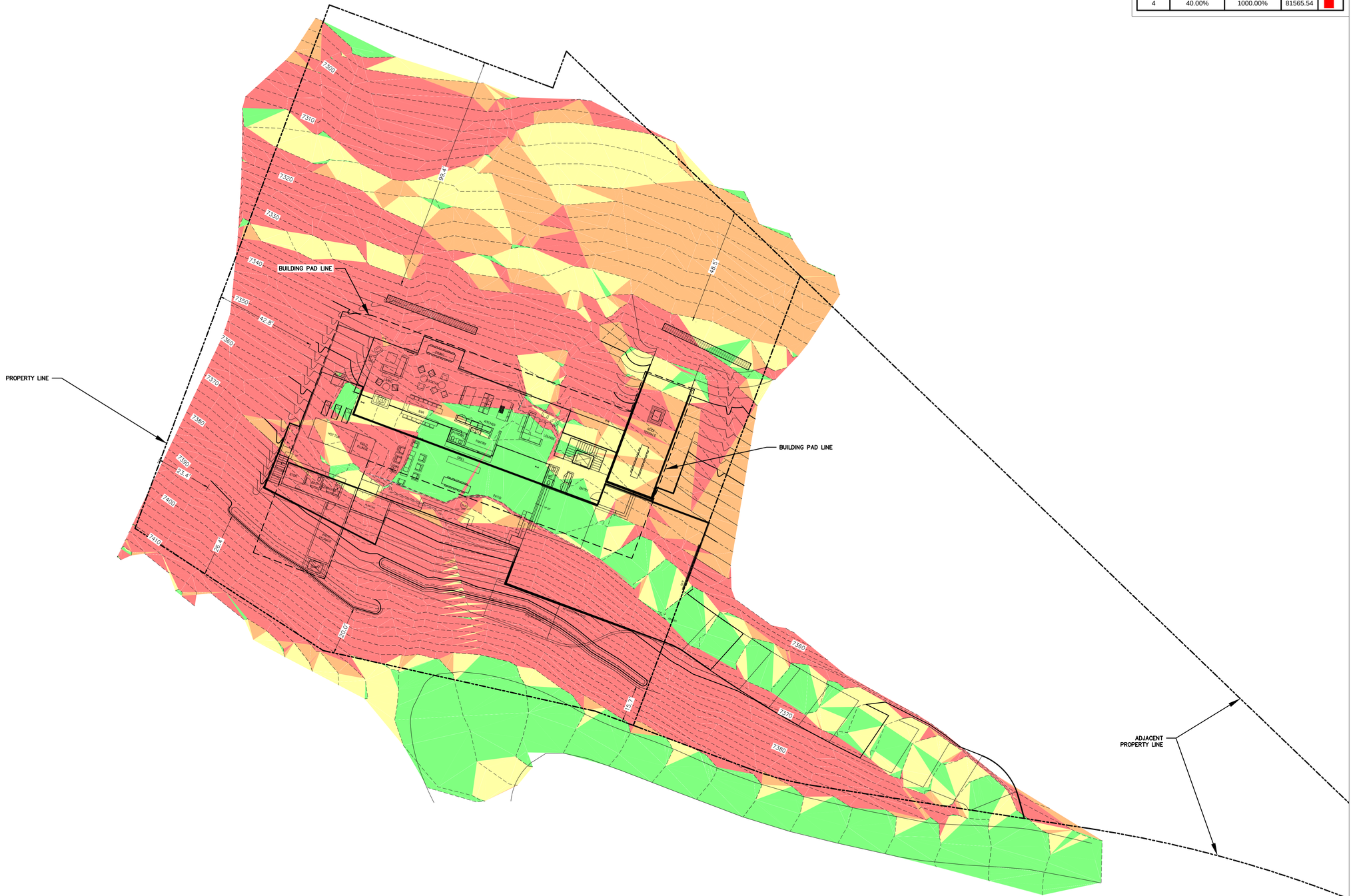
DATE: 02/2/2024

DRAINAGE PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 3 **OF** 6

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



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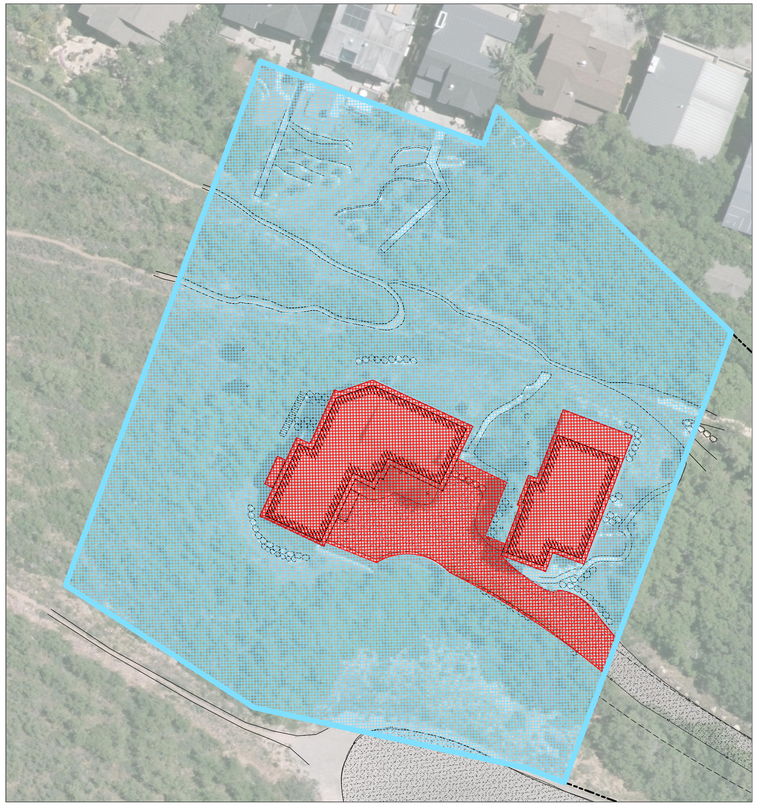
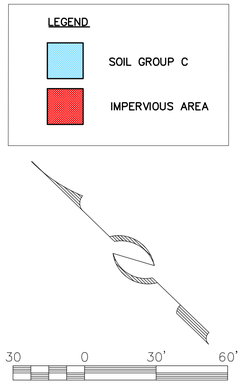
DATE: 02/2/2024

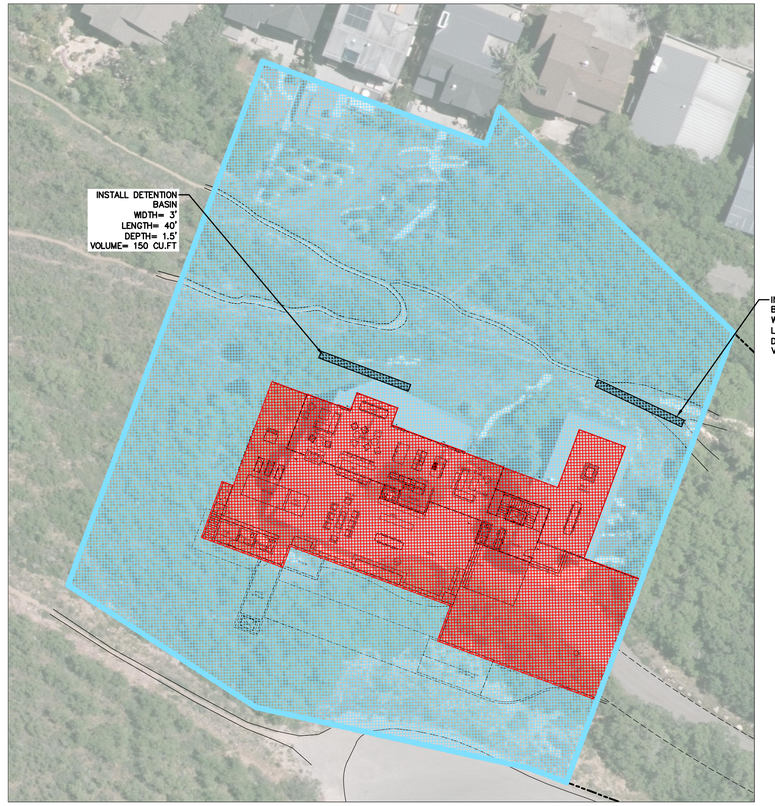
SLOPE MAP
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 4 **OF** 6







WATER QUALITY VOLUME CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: $WQ_V = CiTA$

DESIGN STORM: *90TH PERCENTILE EVENT*

NOTE: *INTENSITY = 0.60 IN/HR PER SUMMIT COUNTY MS4.*

VARIABLES

Q = RUNOFF FLOWRATE [CUBIC FEET/SEC]

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	*0,07*	*0,10*	*0,14*	*0,18*
AVERAGE (2-6%)	*0,12*	*0,15*	*0,19*	*0,23*
STEEP (>6%)	*0,16*	*0,21*	*0,27*	*0,33*
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE	*0,78*		*0,93*	

i = STORM INTENSITY [FT/HR]

T= STORM DURATION (HR)

NOTE: *T= 1 HR PER SUMMIT COUNTY ORDINANCE 381-A.*

A = AREA [FT^2]

PRE-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)			*45,298*	
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE				*8,509*

A= 53,807 FT^2

C= 0,37

i= 0,05 FT/HR

t= 1,00 HR

ΔWQ_V = *1,005 CU FT*

POST-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)			*41,322*	
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE				*12,485*

A= 53,807 FT^2

C= 0,42

i= 0,05 FT/HR

t= 1,00 HR

ΔWQ_V = *1,135 CU FT*

GROUNDWATER RECHARGE VOLUME

ΔWQ_V = *130 CU FT*

PEAK RUNOFF CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: *RATIONAL METHOD Q=CiA*

STORM RETURN PERIOD: *100 YEARS*

NOTE: *FOR THE 100 YR RECURRANCE INTERVAL, THE COMPOSITE "C" VALUE IS ADJUSTED BY A FACTOR OF 1.25 BEFORE COMPUTING Q.*

STORM DURATION: *10 MN.*

SOUCE: *NOAA ATLAS 14 - PARK CITY RADIO STATION 42-6648*

VARIABLES

Q = RUNOFF FLOWRATE [CUBIC FEET/SEC]

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	*0,07*	*0,10*	*0,14*	*0,18*
AVERAGE (2-6%)	*0,12*	*0,15*	*0,19*	*0,23*
STEEP (>6%)	*0,16*	*0,21*	*0,27*	*0,33*
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE	*0,78*		*0,93*	

i = STORM INTENSITY [INCHES/HR]

A = AREA [ACRES]

t = TIME OF CONCENTRATION (SEC.)

V = EXCESS RUNNOFF VOLUME (CU FT) = ΔQt

PRE-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	-	-	-	-
AVERAGE (2-6%)	-	-	-	-
STEEP (>6%)	-	-	*1,04*	-
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE		-		*0,20*

A= 1,24 ACRES

C= 0,37

C_{ADJ} = *0,47*

i= 5,00 IN/HR

Q= 2,88 CFS

POST-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	-	-	-	-
AVERAGE (2-6%)	-	-	-	-
STEEP (>6%)	-	-	*0,95*	-
SURFACING	**PERVIOUS**		**IMPERVIOUS**	
HARDSCAPE		-		*0,29*

A= 1,24 ACRES

C= 0,42

C_{ADJ} = *0,53*

i= 5,02 IN/HR

Q= 3,27 CFS

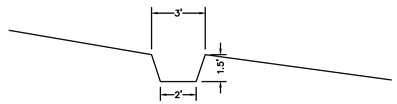
EXCESS RUNOFF STORAGE VOLUME

ΔQ= 0,39 CFS

t= 600 SEC.

V= 232 CU FT

TYPICAL STORMWATER DETENTION POND CROSS-SECTION



STORMWATER DETENTION REQUIRED = 232 CU. FT.
STORMWATER DETENTION PROVIDED ≈ 300 CU. FT.

NOTES:

1. PEAK RUNOFF VOLUME OF 232 CU. FT. IS TO BE 100% DETAINED IN PROPOSED POND. THE DIMENSIONS OF THE DETENTION BASIN IS NOTED ON THE ABOVE PLAN. CUMULATIVE DETENTION VOLUME = 300 CU. FT.
2. OUTLET ROOF DRAINS SO THAT THE STORM WATER FLOWS FROM HOUSE DOWN GRADING AND INTO DETENTION BASIN.
3. STORMWATER DETENTION POND ALIGNMENT MAY VARY, FOLLOW EXISTING CONTOUR.
4. THE DETENTION POND HAVE BEEN SIZED TO DETAIN 100% OF THE WATER QUALITY VOLUME (PER SUMMIT COUNTY ORDINANCE NO. 381-A, APPENDIX F) MEETING THE COUNTY REQUIREMENTS FOR TSS REMOVAL AND GROUNDWATER RECHARGE.

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STAFF:
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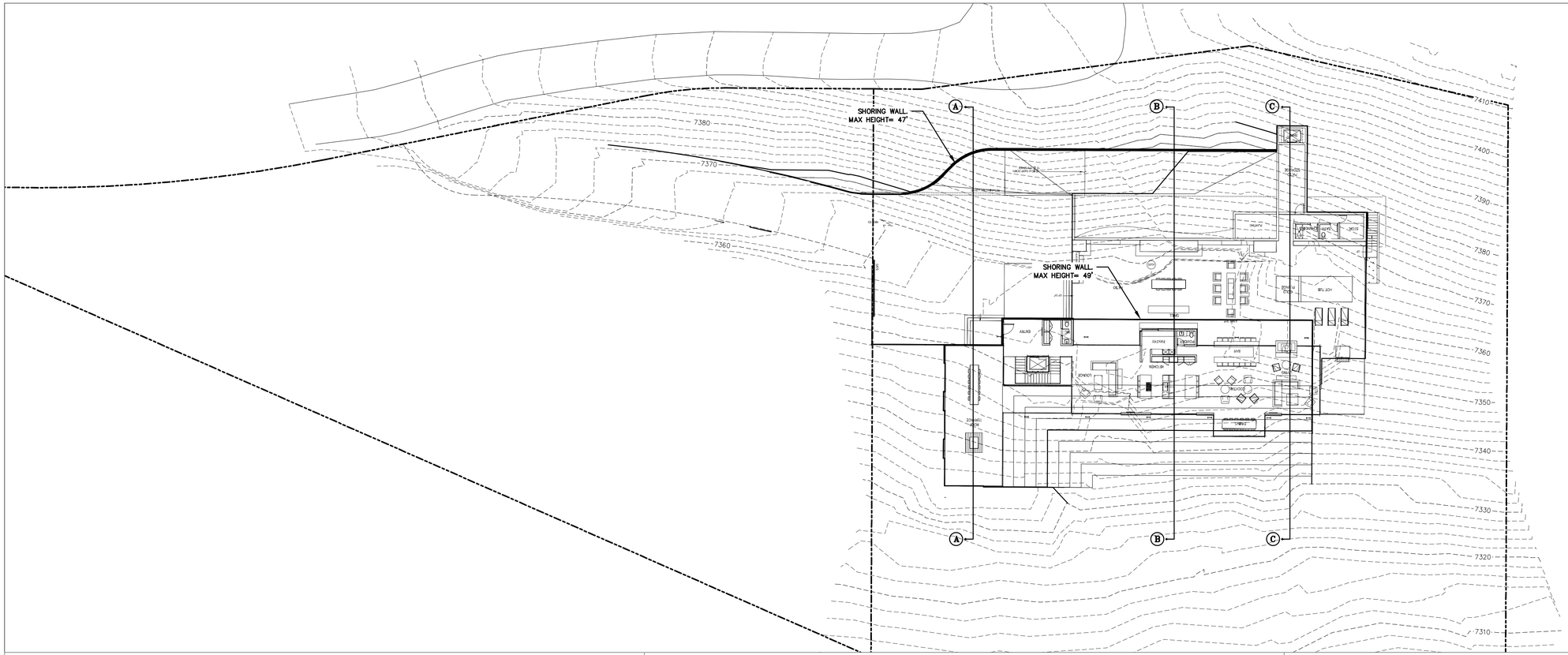
SACHITH MUNASINGHE

DATE: 02/2/2024

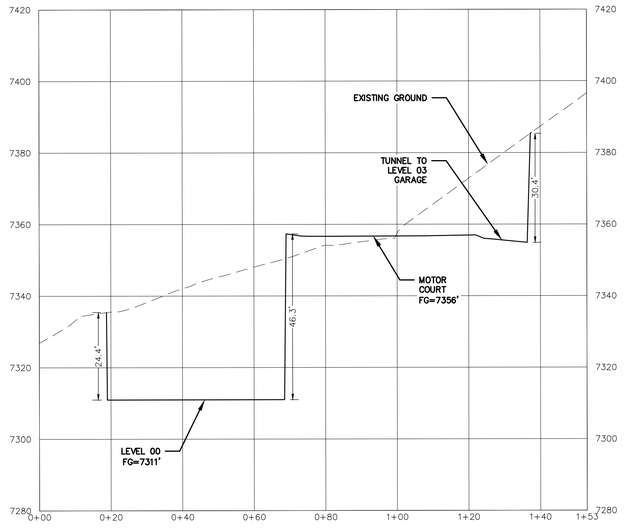
STORMWATER MANAGEMENT PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

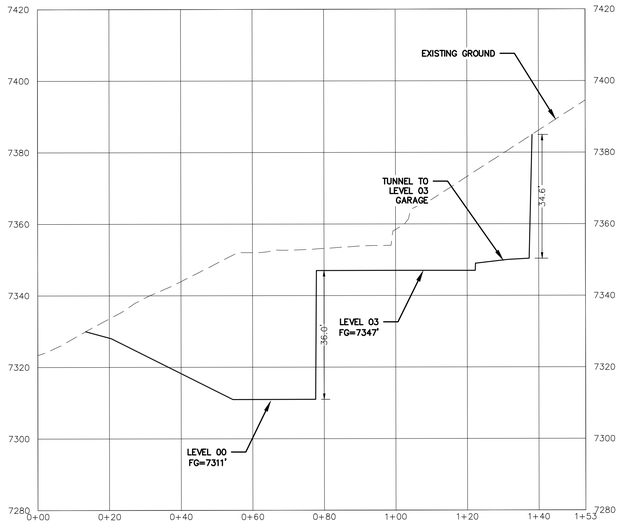
SHEET 5 **OF** 6



SECTION "A–A"



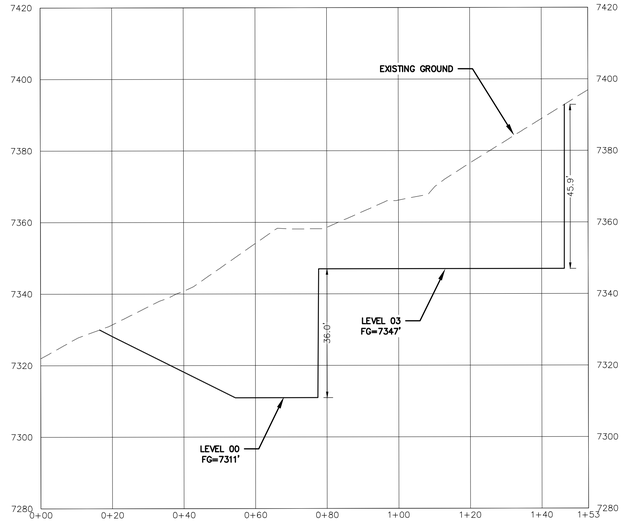
SECTION "B–B"



EARTHWORK QUANTITIES:

CUT= 11,786 CU. YD. >CUT<
FILL= 416 CU. YD. >FILL<
NET= 11,370 CU. YD. >CUT<

SECTION "C–C"



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STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/2/2024

EXCAVATION SECTION VIEW
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER – JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 6 **OF** 6

EXHIBIT D

Planning Department
Staff Report

Subject: **220 King Road**
Application: **PL-23-05522**
Author: **Planning Team**
Date: **August 15, 2024**
Type of Item: **Historic District Design Review**

Recommendation

(I) Review the 220 King Road Historic District Design Review for the construction of a Single-Family Dwelling and Accessory Building; (II) conduct a public hearing; and (III) consider approving the Historic District Design Review, as conditioned, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval outlined in the Draft Final Action Letter (Exhibit A).

Description

Applicant:	Pesky Porcupine LLC
Location:	220 King Road, Treasure Hill Phase 1 Lot 2 Sweeney Master Planned Development (Sweeney MPD)
Zoning District:	Historic Residential-1-Master Planned Development (HR-1-MPD)
Adjacent Land Uses:	To the north are Single-Family Dwellings that are within the Treasure Hill Subdivision of the Sweeney MPD, and to the north and west are 42 acres of Open Space dedicated to Park City Municipal in the Recreation and Open Space Zoning District, also part of the Sweeney MPD. To the east are six Single-Family Dwellings in the Historic Residential – 1 Zoning District. To the south is a 0.86-acre vacant Lot (200 King Road) in the HR-1-MPD Zoning District, also part of the Sweeney MPD.
Reason for Review:	Planning Staff reviews and takes Final Action on Historic District Design Reviews.[1]

[1] LMC § 15-11-12

CUP	Conditional Use Permit
HDDR	Historic District Design Review
HR-1-MPD	Historic Residential-1 Master Planned Development
LMC	Land Management Code
SFD	Single-Family Dwelling
SSCUP	Steep Slope Conditional Use Permit
Sweeney MPD	Sweeney Master Planned Development

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

Summary

220 King Road is a 1.23-acre lot in the Historic Residential-1-Master Planned Development (HR-1-MPD) Zoning District that up until recently contained a 4,235-square-foot Single-Family Dwelling (SFD) built in 1998 and a 4,189-square-foot Guest House built in 2000. The SFD and Guest House were demolished this summer and the Applicant proposes a new SFD and Accessory Building, the subject of this Historic District Design Review (HDDR) application.

Figure 1: Context map of 220 King Road, surrounding Treasure Hill Subdivision, and Old Town lots.

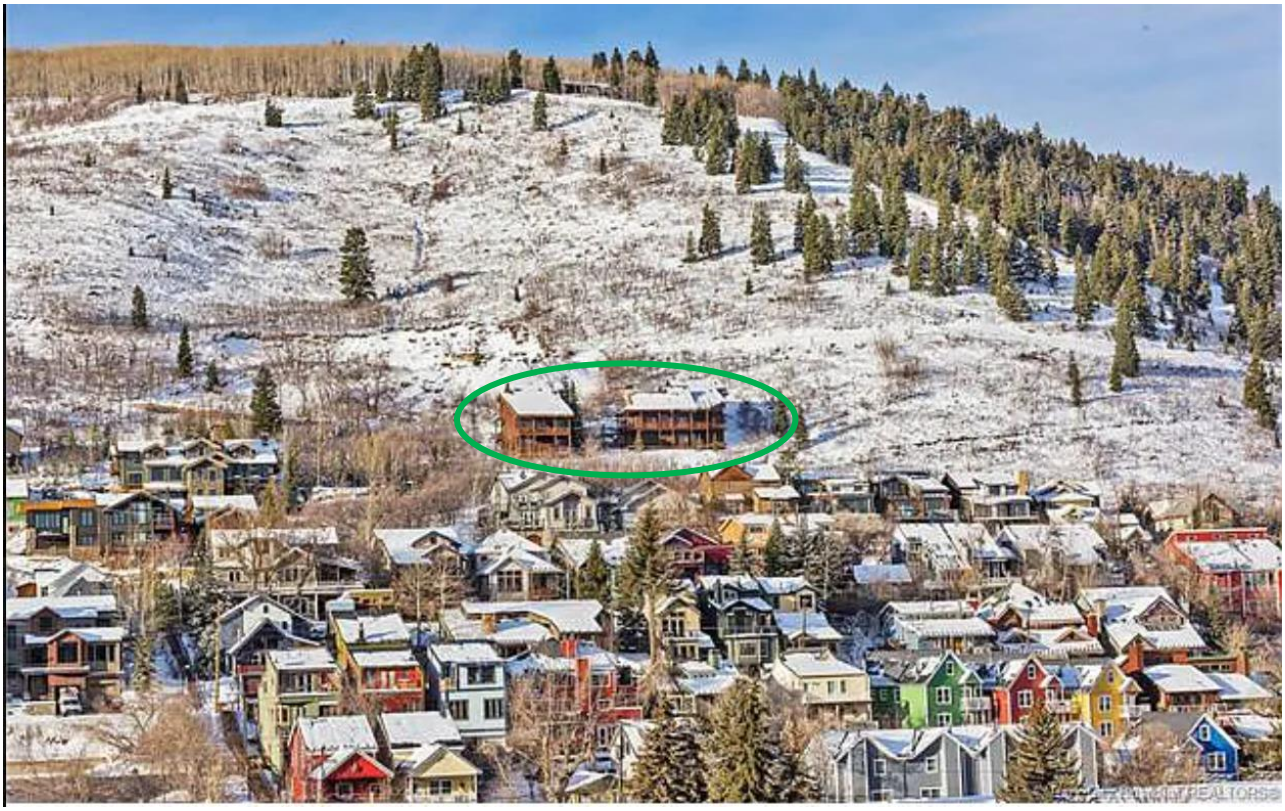


Figure 2: 220 King Road Single-Family Dwelling and Guest House, circled in green, recently demolished.

Figure 3: Proposed new Single-Family Dwelling at 220 King Road.

Figure 4: Profile view depicting the entrance to the underground parking area and outdoor pool.

Background

On December 18, 1985, the Planning Commission approved the Sweeney MPD, which included seven SFD Treasure Hill Subdivision Lots.[2] The zoning in effect at the time allowed for 450 units within the MPD. However, the Sweeney MPD approval reduced the density to 277 units and ". . . the proposed clustering approach was deemed the most compatible. Rather than spread the density out and thereby impact the entire old town area, the cluster concept afforded the ability to limit the impacts to smaller areas. Efforts to minimize scale have been directed toward this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space . . . . [a] number of the staff's recommended conditions are directed toward minimizing the potential conflicts related to neighborhood compatibility considerations" (Exhibit B - *1985 Sweeney MPD Approval*, p. 10).

"A key element of the proposed cluster approach is to preserve usable open space in perpetuity. A total of 97% (120 acres) of the hillside will be maintained as open space as part of the proposed Master Plan . . . [t]he potential for the subdivision and scattered development of the hillside would have drastically affected the goal of preserving the mountain substantially intact and pristine" (Exhibit B - *1985 Sweeney MPD Approval*, p. 11). Within the Treasure Hill Subdivision of the Sweeney MPD, SFDs were clustered near Old Town and over 40 acres were dedicated to Park City Municipal as Open

[2] Lot 1 – 200 King Road (vacant); Lot 2 – 220 King Road; Lot 3 – 425 Norfolk Avenue; Lot 4 – 375 Norfolk Avenue; Lot 5 – Open Space; Lot 6 – 503 ½ Woodside Avenue; Lot 7 – 503 Woodside Avenue; Lot 8 – 445 King Road.

Space, shown on an excerpt from the plat below. This resulted in larger SFD Lots than traditional Old Town Lots platted 25 feet by 75 feet (1,875 square feet).

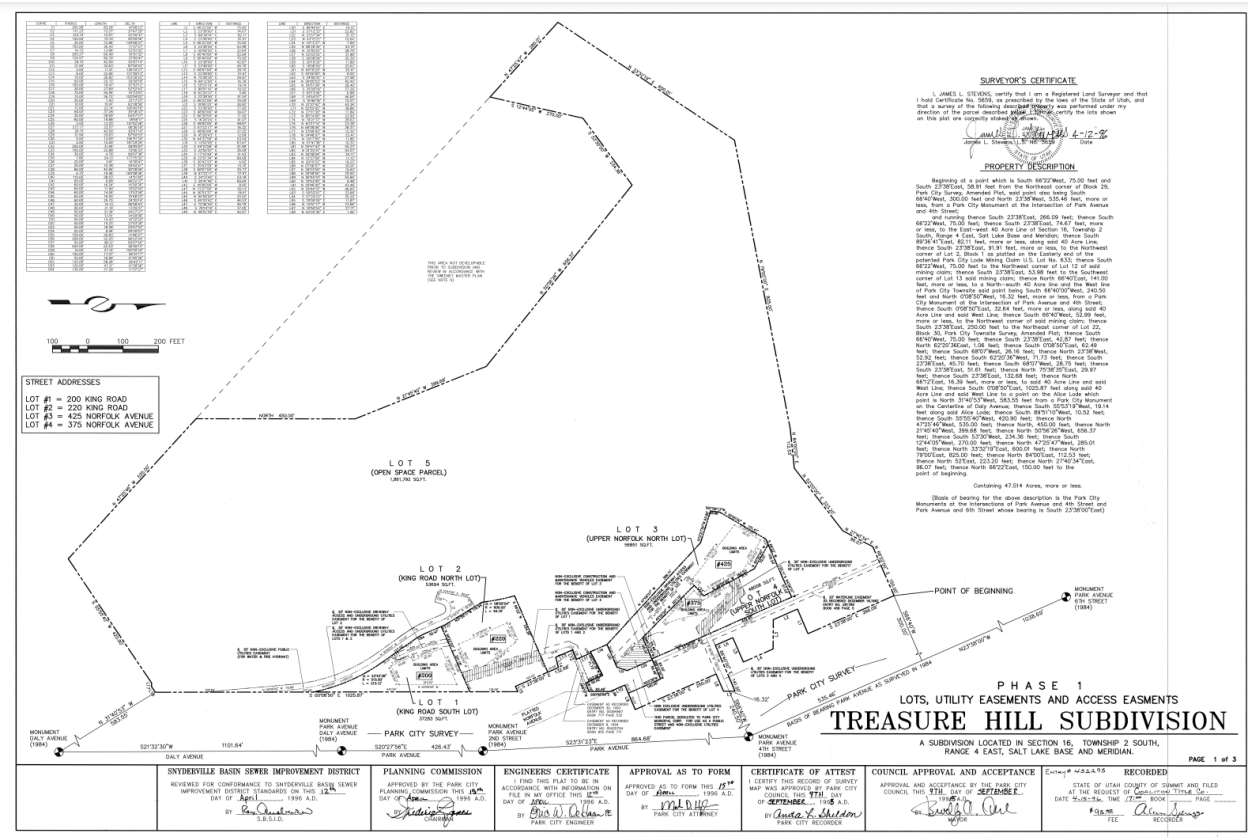


Figure 5: Treasure Hill Subdivision Phase 1 showing Lot 5, over 40 acres dedicated as Open Space behind the SFD Lots 1, 2, 3, and 4.

220 King Road, Lot 2 of the Treasure Hill Subdivision, is a 53,694-square-foot Lot, nearly 29 times the size of a traditional Old Town Lot. As a result of these larger SFD Lots, additional review is required. For example, unlike other SFDs within Old Town, the 1985 Sweeney MPD Condition of Approval 1 requires properties within the MPD to obtain Planning Commission approval of a CUP prior to development. The CUP review is to evaluate the project for compliance with adopted codes and ordinances in effect at the time and to ensure conformance with the Sweeney MPD. Additionally, the 1985 Sweeney MPD Condition of Approval 6 requires review for conformance with the Historic District Guidelines and related architectural requirements (Exhibit B - *1985 Sweeney MPD Approval*).

In 1987, the Planning Commission approved an amendment to the Sweeney MPD to reallocate 12 units, including the relocation of two SFDs to what are now known as 200 and 220 King Road. Condition of Approval 3 of the 1987 amendment requires Planning Commission approval of a CUP and staff review consistent with the Historic District Guidelines. Both reviews must “include review of the design of the structures to insure [sic] that they are designed to minimize visual impact” (Exhibit C – *1987 Sweeney MPD Amendment*).

On August 23, 1990, the City Council zoned 200 and 220 King Road Historic Residential-1-Master Planned Development (HR-1-MPD) (Exhibit D – *Ordinance No. 90-24*). As a result, the project is reviewed for conformance with HR-1 Zoning District standards through the lens of the Sweeney MPD.

On September 7, 1995, the City Council adopted Ordinance No. 95-50, approving the Treasure Hill Subdivision Phase 1 plat, creating four SFD Lots and a 42.7-acre Open Space parcel within the Sweeney MPD (Exhibit E – *Ordinance No. 95-50*; Exhibit F – *Treasure Hill Subdivision Phase 1 Plat*). This Subdivision included Lot 2, 220 King Road, and established Building Area Limits and plat notes, outlining precedence with the Sweeney MPD and requiring final house design to be reviewed under the Small Master Plan Process (today's CUP) in accordance with the Sweeney MPD. Additionally, plat notes regulate Footprint, Building Area Limits, Construction Disturbance, Height, Façade Height, Massing, Sewer Laterals, and Fire Sprinkling.

Each SFD within the Treasure Hill Subdivision first obtained Planning Commission CUP approval prior to HDDR approval. Regarding 220 King Road:

- On March 12, 1997, the Planning Commission approved a Small Scale MPD (CUP) for a Single-Family Dwelling and Guest House (Exhibit G).
- On March 17, 1997, the Historic District Commission approved the HDDR (Exhibit H).[3]
- On May 27, 1998, the City issued Building Permit B97-02937 for the construction of a SFD.
- On September 18, 2000, the City issued Building Permit B00-05967 for construction of a Guest House.

The Applicant demolished the SFD and Guest House and proposes construction of:

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

The Applicant submitted a Plat Amendment and CUP application in 2022. Staff requested the Applicant also submit an HDDR application to initiate the Historic District review process. On January 18, 2023, the Applicant submitted an HDDR application to the Planning Department. As part of the HDDR review, staff requested SWCA, a consultant who assists the City with Historic District reviews, evaluate the proposal.

[3] The Historic District Commission was replaced with the Historic Preservation Board in 2007. The Historic Preservation Board purview includes changes to Historic Structures, the Board does not review new infill or design. Under today's LMC, staff takes Final Action on HDDRs.

On April 26, 2023, SWCA submitted a Technical Memorandum (2023 SWCA Memorandum) regarding 220 King Road (Exhibit I). The 2023 SWCA Memorandum outlines many relevant considerations and notes 220 King Road is "in a setting where industrial buildings were once common. An industrial design aesthetic is appropriate in this area; however, this and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes." The Applicant modified and updated their plans to incorporate some of SWCA's recommendations. Staff outlines recommended Conditions of Approval in the Analysis Section of the Staff Report below to further incorporate SWCA's recommendations.

On February 14, 2024, the Planning Commission reviewed a Plat Amendment to shift and increase the Building Area Limits, a CUP for the SFD, a CUP for the outdoor pool, and a Steep Slope CUP for the proposed project. The Planning Commission voted four to two to approve the Plat Amendment and three to three with the Chair breaking the tie to approve the CUPs (Planning Commission Packet, Item 6.A; Minutes, p. 3). The 2023 SWCA Memorandum was provided to the Planning Commission as part of their review, and the Planning Commission required the Applicant to modify their plans as recommended by SWCA prior to approving the project. These requirements are outlined in the Analysis Section of the Staff Report below. On February 21, 2024, the Planning Commission ratified the Final Action Letter approving the project (Planning Commission Packet, Item 4.B; Minutes, p. 2; Exhibit J – *February 21, 2024 Planning Commission Final Action Letter*).

On March 1, 2024, the Planning Commission's approval was appealed. On April 30, 2024, the Appeal Panel denied the appeal and remanded the following questions to the Planning Commission regarding the Plat Amendment (Appeal Panel Packet, Item 6.A; Minutes, p. 2):

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

On June 26, 2024, the Planning Commission considered the above questions remanded to them by the Appeal Panel, conducted a public hearing, and determined the following:

a. The Sweeney MPD is vested prior to the adoption of the Sensitive Land Overlay.
b. Although the Sensitive Land Overlay would apply to a substantive change, the Sensitive Land Overlay does not apply to the 220 King Property because a land use ordinance has not amended the original Sensitive Land Overlay Boundary, which does not include 220 King Road.
c. No determination regarding the Staff Sensitive Land Overlay is necessary

because the regulations are not applicable per sections (a) and (b) above (Planning Commission Packet, Item 6.D; Recording; Exhibit K – *July 22, 2024 Appeal Panel Final Action Letter*).

The Appeal Panel Final Action Letter contains Condition of Approval 1, which states "[a]ll Conditions of Approval from the Planning Commission Action Letters dated February 21, 2024 apply." Therefore, the below HDDR analysis takes into consideration the Conditions of Approval required by the Planning Commission.

Analysis

New residential infill in the Historic Districts is reviewed for compliance with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts*. The Applicant submitted their analysis of how they designed the proposed SFD and Accessory Building based on the requirements of this Section and the Findings and Conditions of Approval of the Planning Commission's February 21, 2024 Final Action Letter. Please see Exhibit L – *Applicant's Narrative*, Exhibit M – *Applicant's Rendered Views*, and Exhibit N – *Applicant's Plans***.** Staff's analysis and recommended Conditions of Approval are outlined below.

(I) The Single-Family Dwelling and Accessory Building are evaluated for compliance with the *Regulations For New Residential Infill Construction in Historic Districts* outlined in LMC § 15-13-8. Where staff finds the proposal does not comply with the Historic District requirements, Conditions of Approval are recommended.

LMC § 15-13-8 outlines the requirements for new residential SFDs and Accessory Buildings in the Historic Districts, including Universal Regulations and Specific Regulations. The requirements are provided in the left column of the table below with staff's analysis in the right column:

A. Universal Regulations

Requirement	Analysis of Proposal
1. New infill residential buildings shall reflect the historic character – simpler building forms, unadorned materials, restrained ornamentation – of Park City's Historic Sites.	The proposed SFD and Accessory Building are simple modern industrial building forms influenced by Historic Mine Sites designated on Park City's Historic Sites Inventory. The Applicant proposes unadorned materials, including a standing seam roof panel with pre-weathered steel finish and vertically oriented metal plank siding with a weathered zinc finish, and tongue and groove wood plank siding. The chimney is proposed to be board formed concrete. Simple ornamentation is proposed.
2. New infill residential buildings shall not directly imitate existing historic structures in Park City. Roof pitch, shape and configuration, as well as scale of building elements found on Historic Sites may be duplicated, but building elements such as moldings, cornice details, brackets, and porch supports shall not be directly imitated. Reconstruction of non-surviving historic buildings is allowed.	The 2023 SWCA Memorandum notes 220 King Road is "in a setting where industrial buildings were once common. An industrial design aesthetic is appropriate in this area . . ." (Exhibit I, p. 3). The proposed SFD and Accessory Building are designed in a simple modern industrial style modeled after Park City's Historic Mine Sites, including the Silver King Mine. While the intention emulates the architectural form of Historic Mine Structures, the proposed Structure does not directly imitate them.

3. A style of architecture shall be selected and all elevations of the new infill residential building shall be designed in a manner consistent with a contemporary interpretation of the chosen selected style. Stylistic elements shall not simply be applied to exteriors. Styles that never appeared in Park City shall be avoided. Styles that radically conflict with the character of Park City's Historic Sites shall also be avoided.	The Applicant selected a modern industrial architectural style. All elevations of the building are designed in a manner consistent with a contemporary interpretation of this chosen style. The Applicant selected this style of architecture based on Historic Mine Sites such as the Silver King Mine. While the modern industrial style is drawn from designated Historic Mine Structures, staff recommends Conditions of Approval, outlined in Specific Regulations below, for compatibility with Park City's Historic Residential Sites.
4. New infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the new infill residential buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the lot.	As noted above, the Treasure Hill Subdivision Lots are larger than traditional Old Town lots. 220 King Road is within the Sweeney MPD Treasure Hill Subdivision character area and is a transition between the designated Historic Mine Sites, Open Space, and the Historic Residential areas. The Treasure Hill Subdivision Plat Note 6 establishes massing for the Treasure Hill SFDs: HOUSE DESIGNS MAY BE COMPRISED OF ONE OR MORE CONNECTED OR UNCONNECTED BUILDING MASSES. NO ONE BUILDING MASS WITHIN THE 3,500 SQUARE FOOT FOOTPRINT REFERENCED IN NOTE 1 SHALL HAVE A FOOTPRINT THAT EXCEEDS 1,500 SQUARE FEET. MASSING ELEMENTS SHALL BE SEPARATED BY HORIZONTAL AND/OR VERTICAL FAÇADE BREAKS (Exhibit F – *Treasure Hill Subdivision Phase 1 Plat*). The Applicant varies the volume of the proposed SFD into five masses with the larger mass located at the rear of the Lot.

5. Building and site design shall respect the existing topography, the character-defining site features, including existing trees and vegetation, and shall minimize cut, fill, and the use of retaining walls.	The SFD is proposed to be located where the site is already disturbed because of the previous SFD and Guest House. As part of the Planning Commission's February 14, 2024 approval, new site disturbances for the subterranean Accessory Building requiring cut, fill, and retaining walls shall be primarily located behind the new SFD to minimize visible impact on neighboring uses. Significant Vegetation is located on the eastern portion of the site and is out of the Building Area Limits. Condition of Approval 2 requires protection of this Significant Vegetation during and after construction.
6. Exterior elements – roofs, entrances, eaves, chimneys, porches, windows, doors, steps, garages, etc. – of the new infill residential building shall be of human scale and shall be compatible with neighboring Historic Structures.	The building's exterior components are consistent with the Treasure Hill Subdivision SFDs within the Sweeney MPD. The roof slopes with the natural grade of the hillside, as in this example of the Silver King Mill. However, the 2023 SWCA Memorandum and Planning Commission approval required modifications to the glazing and roof, outlined in the Specific Regulations analysis below. The Applicant proposes a subterranean parking area rather than traditional garage.

Figure 6: Silver King Mill Building.

7. Scale and height of new infill residential buildings shall follow the predominant pattern and respect the architecture of the Streetscape or character area with special consideration given to Historic Sites.	220 King Road is within the Sweeney MPD Treasure Hill Subdivision character area and the scale and height of the infill is aligned with the Treasure Hill Subdivision scale and height regulations established through the Sweeney MPD and Treasure Hill Subdivision plat notes. Please see the Specific Regulations analysis below for recommended Conditions of Approval regarding the roof for compatibility with the Historic District.

8. Size and mass of a structure shall be compatible with the size of the site so that lot coverage, building bulk, and mass are compatible with Historic Sites within the Streetscape or character area.	The SFD Lots within the Sweeney MPD Treasure Hill Subdivision character area character area are significantly larger than traditional Old Town Lots (25 feet by 75 feet, 1,875 square feet). 220 King Road is a 53,694-square-foot Lot, nearly 29 times the size of an Old Town Lot. While LMC § 15-2.2-3(E) allows Building Footprints up to 4,500 square feet for a Lot that exceeds 18,750 square feet, Plat Note 2 of the Treasure Hill Subdivision limits the Building Footprint to 3,500 square feet for compatible Lot coverage. The Treasure Hill Subdivision plat further restricts new buildings by requiring proposed Structures be broken into modules of no more than 1,500 square feet in size.
9. New construction activity shall not physically damage nearby Historic Sites.	There are no designated Historic Sites on Park City's Historic Sites Inventory near 220 King Road.
10. New infill residential buildings shall reinforce visual unity within the context of the Streetscape or character area. The specific context of each Streetscape or character area is an important feature of the Historic District. The context of each Streetscape or character area shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area. Special consideration should be given to adjacent and neighboring Historic Sites to reinforce rhythms and patterns.	There are no designated Historic Sites on Park City's Historic Sites Inventory near 220 King Road within the Sweeney MPD Treasure Hill Subdivision character area. The adjoining property, 200 King Road, has not yet been developed. Several SFDs within the Sweeney MPD Treasure Hill Subdivision character area are visible from Old Town, including 503 and 503 ½ Woodside Avenue, Lots 6 and 7 of the Treasure Hill Subdivision, which were built in 2005 and 2006, shown below. While 220 King Road is minimally visible when viewed from the King Road streetscape, staff recommends Conditions of Approval outlined in the Specific Regulations below because, while not considered the streetscape, 220 King Road is visible from many vantage points within Old Town.

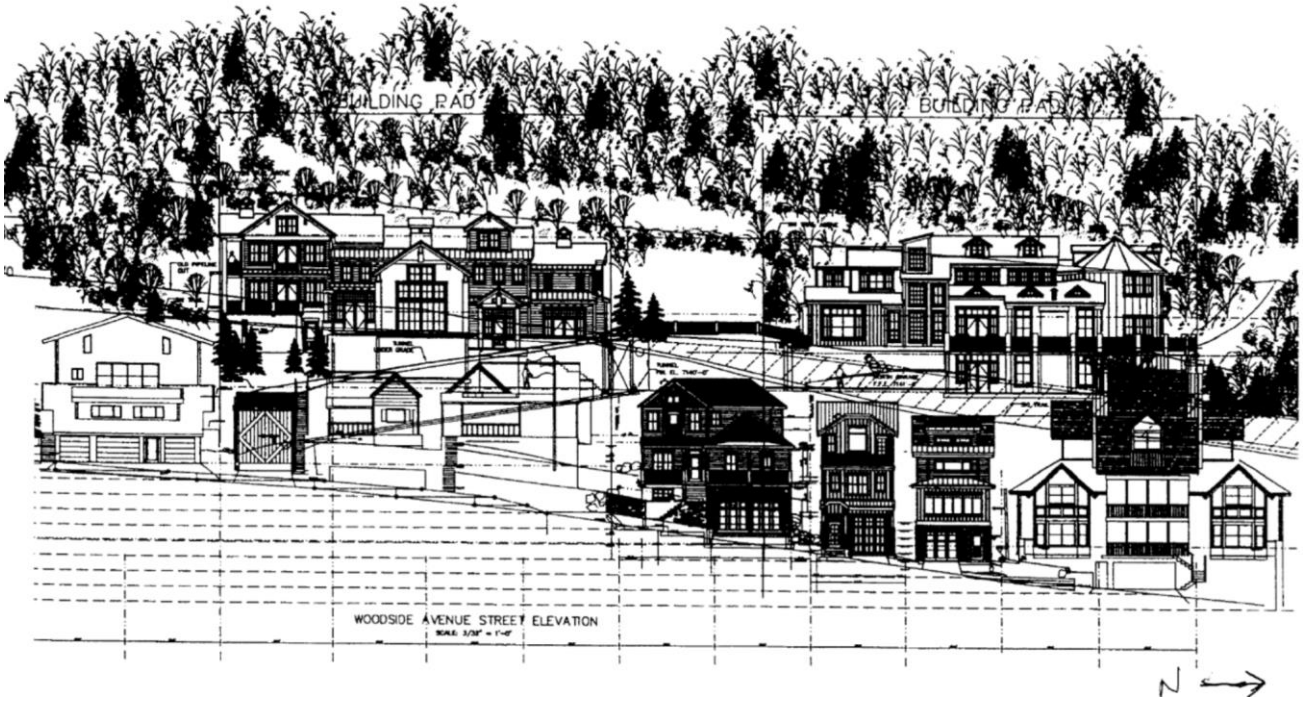


Figure 7: 503 and 503 1/2 Woodside Avenue shown to the rear of the streetscape – Treasure Hill Subdivision SFDs within the Sweeney MPD visible from vantage points throughout Old Town.

Figure 8: 503 and 503 1/2 Woodside – Treasure Hill Subdivision SFDs within the Sweeney MPD visible from vantage points throughout Old Town.

Figure 9: 425 and 375 Norfolk Avenue – Treasure Hill Subdivision SFDs within the Sweeney MPD visible from vantage points throughout Old Town.

B. Specific Regulations

1. Site Design	Analysis of Approval
a. Building Setback and Orientation 1. Lot coverage of new buildings shall be compatible with the surrounding Historic Sites.	1. As noted above, 220 King Road, a 53,694-square-foot Lot, is nearly 29 times the size of an Old Town Lot. While LMC § 15-2.2-3(E) allows a Building Footprint up to 4,500 square feet for a Lot that exceeds 18,750 square feet, Plat Note 2 of the Treasure Hill Subdivision for Lot 2, 220 King Road, limits the Building Footprint to 3,500 square feet to provide Lot coverage that is compatible to what is permitted on a traditional Lot.
2. Structures shall be located on a site in a way that follows the predominant pattern of historic buildings along the street, maintaining traditional setbacks, orientation of entrances, alignment along the street, and open space.	2. The Sweeney MPD Treasure Hill Subdivision SFDs are within a platted Building Area Limit. While the SFD Lots exceed the traditional Old Town Lot size, they are clustered near residential Old Town and over 40 acres behind the SFDs are dedicated as Open Space to preserve the mountainside.
3. The historic town grid shall be preserved by retaining the formal street pattern, maintaining historic lot sizes rather than aggregating the historic-sized lots into larger lots, and preserving the regular rhythm and pattern of lot sizes in a way that reinforces the perception of the grid.	3. Not applicable because the street pattern is not being altered and Lot sizes within the Treasure Hill Subdivision are not changing as part of this HDDR application.
4. A new building shall be oriented parallel to the site's lot lines, similar to that of historic building orientations. When similar front yard setbacks are characteristic of the Streetscape or character area, a new	4. The Structure is oriented parallel to the site's lot lines. There are no neighboring Historic Sites to align setbacks with. The Building Area Limits conform to those platted within the Sweeney MPD Treasure Hill Subdivision character area.

building's façade shall be aligned with neighboring buildings' facades. When a variety of building setbacks is part of the historic context, a new building shall be located within the range of setbacks seen historically. 5. New buildings shall have a clearly defined primary entrance oriented toward the street consistent with historic buildings within the Streetscape or character area. Entrances on secondary or tertiary facades of a building shall be clearly subordinate to the entrance on the primary façade. 6. Side yard setbacks similar to those seen historically within the Streetscape or character area shall be established in order to reinforce the pattern of build and open space. The historic rhythm of building spacing in the immediate Streetscape or character area shall be especially considered.	5. The primary entrance is oriented toward King Road, which is consistent with historic buildings and with the Sweeney MPD Treasure Hill Subdivision character area. 6. The Structure must be located within the Building Area Limits, consistent with the Treasure Hill Subdivision properties within the Sweeney MPD.
b. Topography and Grading 1. The natural topography and original grading of a site shall be maintained when feasible. 2. Building and site design shall respond to natural features. New infill residential buildings shall step down or up to follow the existing contours of steep slopes.	1. The SFD is proposed to be constructed in an area disturbed by the previous SFD and Guest House. All other disturbances are confined to the platted Building Area Limits. 2. The SFD is proposed to step up the existing contours of the site's Very Steep Slopes.

3. A new site's natural slope shall be respected in a new building design to minimize cuts into hillsides, minimize fill, and minimize retaining walls.	3. The Planning Commission's SSCUP approval requires that cuts into the hillside be minimized and restricted to the area behind the SFD, where least visible from Old Town. Condition of Approval 3 requires the Applicant upon construction completion to restore Final Grade to within four feet of Existing Grade prior to issuance of a Certificate of Occupancy.
c. Landscaping and Vegetation 1. Existing landscape features that contribute to the character of the Historic District and existing landscape features that provide environmental sustainability benefits shall be respected and maintained.	1. Condition of Approval 2 requires protection of existing Significant Vegetation during and after construction.
2. Established on-site native plantings shall be maintained. During construction, established vegetation shall be protected to avoid damage. Damaged, aged, or diseased trees shall be replaced as necessary. Vegetation that may encroach upon or damage a new building may be removed, but shall be replaced with similar vegetation near the original location.	2. Condition of Approval 2 requires protection of existing Significant Vegetation during and after construction.
3. A detailed landscape plan, particularly for areas viewable from the primary public right-of-way, which respects the manner of materials traditionally used in the Historic Districts, shall be provided. When planning for the long-term sustainability of a landscape system, all landscape relationships on the site, including those	3. The Applicant submitted a detailed landscape plan as part of the CUP review proposing Quaking Aspens, White Fir, Douglas Fir, Colorado Scrub Oak, and native grass mixes, approved plantings pursuant to Municipal Code of Park City § 14-1-5. The Applicant proposes native grass mix for the area proposed to be disturbed for the Accessory Building construction.

between plantings and between the site and its structure(s) shall be considered. 4. Landscape plans shall balance water efficient irrigation methods and drought tolerant and native plant material with existing plant material and site features that contribute to the character of the Historic District. 5. Use to advantage storm water management features such as gutters, downspouts, site topography, and vegetation that can improve the soil water retention and permeability of a site. 6. The use of Water Wise Landscaping or permaculture strategies for landscape design shall be considered in order to maximize water conservation. Where watering systems are necessary, systems that minimize water loss, such as drip irrigation, shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way.	4. The Applicant proposes landscaping consistent with the requirements of the plant list established in Municipal Code of Park City § 14-1-5. 5. Condition of Approval 4 requires the Applicant to submit a storm drainage analysis to the Engineering Department for review and approval. The analysis must show that the required storm drainage storage volume matches the pre-development and post-development conditions for a 100-year 24-hour event. 6. Condition of Approval 5 requires the use of Water Wise Landscaping or permaculture strategies for landscape design to maximize water conservation. Where watering systems are necessary, systems that minimize water loss, such as drip irrigation, shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way and when viewed from Old Town.
d. Retaining Walls 1. When feasible, a site shall be contoured in a way that reduces the need for retaining walls. When retaining walls are necessary, the visual impact shall be minimized by	1. Condition of Approval 6 requires visible retaining walls to the north, east, and south of the SFD to be terraced so that no more than four feet of Existing Grade is manipulated.

creating gradual steps or tiers and by using perennial plant material. When a fence is to be placed on the top of a retaining wall, the combined height shall be similar in scale to retaining walls and fences seen historically.	
2. New retaining walls shall be consistent with historic retaining walls in terms of mass, scale, design, materials, and scale of materials. Simple board-formed concrete, stacked stone and other traditional materials are recommended over concrete block, asphalt, or other modern concrete treatments. Alternative materials may be considered but they shall convey the general scale, texture, and character of historic masonry walls.	2. Condition of Approval 6 requires visible retaining walls to be no more than four feet in height.
3. Masonry shall be maintained in its natural finish. Applying paint, stain, or stucco over stone or concrete retaining walls is not appropriate.	3. Condition of Approval 7 prohibits painting, staining, or stucco over stone or concrete retaining walls.
4. Traditional height and setback of retaining walls along the street shall be maintained.	4. The platted Building Area Limits require construction to be outside of the Zoning District setbacks. The Applicant reduced the height of retaining walls proposed to be installed along the driveway access, visible from King Road.
5. To abate retaining wall failure, drainage behind retaining walls shall be maintained so water drains away from the walls.	5. Condition of Approval 4 requires the Applicant to contain all storm water run-off from new impervious surfaces on site and requires the Applicant to submit a storm drainage analysis to the Engineering Department. The analysis must show that the

	required storm drainage storage volume matches the pre-development and post-development conditions for a 100-year 24-hour event.
e. Fences	The Applicant is not proposing fences.
f. Paths, Steps, Handrails, & Railings (not associated with Porches)	The Applicant is not proposing paths, steps, handrails, or railings not associated with porches. See rooftop deck analysis below.
g. Gazebos, Pergolas, and other Shade Structures	The Applicant is not proposing gazebos, pergolas, or other shade structures.
h. Parking Area & Driveways 1. Off-street parking areas shall be located within the rear yard and beyond the rear wall plane of the primary structure when feasible. When locating a parking area in a rear yard is not physically possible, the off street parking area and associated vehicles should be visually buffered from adjacent properties and the primary public right-of-way. Providing a driveway along the side yard of a site shall be considered when feasible. 2. Parking areas and vehicular access shall be visually subordinate to character-defining Streetscape or character area elements.	1. 220 King Road proposes an underground parking area to the rear of the SFD. Vehicles will be visually buffered when viewed from Old Town and due to the slope of the property, vehicles will be visually buffered from King Road, the primary public right-of-way. There is an existing asphalt driveway providing access across the neighboring Lot 1 (200 King Road) to 220 King Road within the side yard. The Applicant proposes to maintain the existing location of the driveway. Condition of Approval 8 requires the residents and guests to park in the underground parking area and not within the fire truck turnaround or driveway area. 2. Underground access and parking areas were constructed for Lots 3 and 4, and Lots 6 and 7 within the Treasure Hill Subdivision. On-site parking for 220 King Road is similarly proposed to be provided in an underground parking area that is not visible from King Road. Therefore, parking on site is visually subordinate to the surrounding streetscape and character area elements.

3. The visual impact of on-site parking shall be minimized by incorporating landscape treatments for driveways, walkways, paths, and structures in comprehensive, complimentary and integrated design.	3. The proposed on-site parking is underground, minimizing the visual impact of on-site parking.
4. Landscape separations shall be provided between parking areas, drives, service areas, and public use areas, like walkways, plazas, and vehicular access points. When plant materials are used for screening, they shall be designed to function year-round.	4. The parking area is underground. The Applicant proposes a garden area to separate the fire truck turnaround area and the terrace. The Applicant proposes Douglas Firs, White Firs, and Quaking Aspens to screen the driveway and fire truck turnaround area.
5. When locating new off-street parking areas and driveways, the existing topography of a site and integral site features shall be minimally impacted.	5. No changes to location are proposed for the existing driveway. Parking for 220 King Road is proposed to be underground, built into the hillside in an area previously disturbed to access the former SFD and Guest House.
6. [Repetition of criteria five]	6. See description above.
7. Ten (10) foot wide driveways are encouraged; however, new driveways shall not exceed twelve (12) feet in width. Shared driveways shall be used when feasible.	7. Condition of Approval 9 limits the driveway width to no more than 12 feet, unless otherwise required for fire truck access and turnaround.
8. Textured and poured paving materials other than smooth concrete shall be considered for driveways that are visible from the primary public right-of-way.	8. Condition of Approval 10 recommends textured and poured paving materials other than smooth concrete.

9. Consider avoiding paving up to the building foundation in order to reduce heat-island effect, building temperature, damage to the foundation, and storm-water runoff problems. 10. Snow storage from driveways shall be provided on site.	9. Condition of Approval 4 requires the Applicant submit a stormwater mitigation plan to be reviewed and approved by the Engineering Department prior to building permit submittal. 10. Condition of Approval 11 requires snow storage from driveways to be provided on site and/or within an approved easement area.
2. Primary Structures	**Analysis of Proposal**
a. Mass, Scale, & Height	The mass, scale, and height of the proposed SFD was evaluated by the Planning Commission for conformance with the Sweeney MPD, Treasure Hill Subdivision, and CUP criteria. See the Findings of Fact and Conditions of Approval outlined in the Planning Commission's February 21, 2024 Final Action Letters (Exhibit J). Staff recommends additional Conditions of Approval.
1. The size and mass of new residential infill building in relation to open space, shall be visually compatible with adjacent historic buildings and historic structures in the surrounding Streetscape or character area.	1. The Sweeney MPD Treasure Hill Subdivision SFD character area size and mass of new residential infill in relation to open space is established through plat regulations – over 40 acres were dedicated open space for larger Lots with plat note restrictions governing mass, scale, and height and Planning Commission approval of a CUP for compatibility within the character area.
2. Buildings that utilize traditional building forms – rectangular, cross-wing, pyramid-roof – are encouraged.	2. The proposed form for 220 King Road is drawn from Historic Mine Sites.
3. Historic height, width, and depth proportions that are important in creating compatible infill and	3. The Sweeney MPD Treasure Hill Subdivision SFD character area establishes compatible infill based on larger Treasure Hill

maintaining the historic mass and scale of the Streetscape or character area.	Subdivision Lots through plat notes governing mass, scale, and height.
4. Building features such as upper story windows, porches, and first floor bays shall be aligned with similar historic building features in the Streetscape or character area. Generally, these elements should align in relation to the topography allowing these elements to “step up” or “step down” the block.	4. The SFD at 220 King Road is proposed to be constructed into the Very Steep Slope and steps down the site.
5. The perceived scale of new buildings shall respect the scale established by historic buildings in the character zone. Abrupt change of scale in the character zone is inappropriate, especially when a new, larger building would directly abut smaller historic buildings.	5. There are no historic buildings near 220 King Road. The perceived scale of the new SFD complies with the requirements of the Treasure Hill Subdivision regarding mass, scale, and height.
6. A larger building shall be divided into modules that reflect the mass, scale, proportions, and size of historic building within the character area.	6. The proposed SFD is divided into five modules that reflect the Sweeney MPD Treasure Hill SFD character area.
7. Larger-scaled projects shall also include variations in roof height in order to break up the form, mass, and scale of the overall structure.	7. The 2023 SWCA Memorandum states the proposed flat and shed roof shape is generally compatible with surrounding Historic Sites. However, the 2023 SWCA Memorandum recommends the roof form for 220 King Road “should be managed by breaking them into smaller masses or modules that reflect historic residential massing, including their roofs.” The Planning Commission required the Applicant alter the roof with a 24-foot-long break in the horizontal massing for the roof form. Additionally, staff recommends Condition of Approval 12, requiring the Applicant to reduce the length of the roof overhang on the north end of the SFD to reduce the roof in scale, as recommended by the 2023 SWCA Memorandum. The roof

	overhang shall not exceed five feet measured from the northernmost façade wall. See the image on the next page.
8. Buildings constructed on lots greater than 25 feet wide shall be designed so that the facades visible from the primary public right-of-way reinforce the rhythm along the street in terms of traditional building width, depth, and patterns within the façade.	8. 220 King Road is greater than 25 feet wide. The façade visible from King Road is within the Building Area Limits established for the Sweeney MPD Treasure Hill Subdivision character area.
9. Regardless of lot frontage, the primary façade shall be compatible with the width of surrounding historic buildings. The greater width of a building shall be set back significantly from the plane of the primary façade. The width of a new building shall not appear to be visibly greater than historic buildings in the Streetscape or character area. Modules on a primary façade should generally not exceed eleven feet to twenty-five feet in width.	9. 220 King Road fronts King Road and the primary façade is the southern façade. The width when viewed from King Road is approximately 25 feet in width before the massing widens and steps down the Very Steep Slope.
10. When the overall length of a new structure is greater than seen historically, the design shall employ methods – changes in wall plane, roof heights, use of modules, etc. to diminish the visual impact of the overall building mass, form, and scale.	10. While the facades include changes in wall planes and use of modules, please see Condition of Approval 12 requiring modifications to the roof form.

11. New buildings shall not be significantly taller or shorter than adjacent buildings with special consideration given to surrounding historic buildings.	11. The Sweeney MPD Treasure Hill Subdivision SFDs are consistently regulated regarding height through specific plat notes distinct from the Zoning District height regulations.
12. Primary facades shall be limited to one to two stories in height.	12. The primary façade viewed from King Road is one story. The SFD steps down the Very Steep Slope and is cantilevered with a two-story rear façade, and a two-story unfinished basement area. The rear façade is most visible from Old Town. Condition of Approval 13 requires the Applicant to maintain vegetative screening in accordance with the submitted and approved landscape plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the lower-level east façade glazing.
13. Variation in building height may be considered regarding topography. Hillsides for a backdrop for taller buildings, minimizing their perceived height, therefore it may be appropriate for taller building masses to be located on steeper slopes. The facades of taller buildings shall still express a human scale.	13. The proposed SFD is varied in height to step down the Very Steep Slope.
14. Beyond the primary façade, the average perceived scale of one-story to two-story buildings shall be maintained. As a means of minimizing the perceived mass of a project, breaking up the height of the building into a set of modules or components that relate to the height of the buildings along the street front shall be considered.	14. The Applicant breaks up the height of the building into modules and components. From King Road, the primary façade is perceived as one-story. From Old Town, Condition of Approval 13 requires the Applicant to maintain vegetative screening in accordance with the submitted landscape plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the lower-level east façade glazing.

15. Secondary and tertiary elevations may be taller than the established norm when the change in scale cannot be perceived from designated vantage points including cross-canyon view. This may be appropriate when taller portions will not be seen from a primary public right-of-way.	15. Taller portions of 220 King Road will be minimally visible when seen from the primary public right-of-way. Condition of Approval 13 requires the Applicant to maintain vegetative screening in accordance with the submitted landscape plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the lower-level east façade glazing.
16. Taller portions of buildings shall be constructed to minimize obstruction of sunlight to adjacent yards and windows.	16. 220 King Road exceeds required setbacks due to the platted Building Area Limits and will not obstruct sunlight to adjacent yards or windows.

Figure10: The area highlighted by staff in green must be removed to reduce the massing of the roof.

b. Foundation 1. Foundation materials shall be simple in form and minimally visible above grade when viewed from the primary public right-of-way. Acceptable foundation materials may include stone and concrete, wood lattice and vertical boards. Distinction between foundation and wall material shall be clearly defined. Clapboard siding shall not extend to the ground.	1. The proposed foundation material is concrete.
2. A site shall be returned to original grade following construction of a foundation.	2. Condition of Approval 14 states no more than eight inches of the new concrete foundation shall be visible above Final Grade

When original grade cannot be achieved, no more than eight inches (8”) of the new foundation shall be visible above Final Grade on the primary façade. No more than two (2) feet of the new foundation shall be visible above Final Grade on secondary and tertiary facades.	on the primary façade and no more than two feet of the concrete foundation shall be visible above Final Grade on secondary and tertiary facades.
3. A site shall be re-graded so as to blend with the grade of adjacent sites and not create the need for incompatible retaining walls.	3. Condition of Approval 15 requires the site to be re-graded so as to blend with the grade of the adjacent areas outside of the Building Area Limits and shall not create the need for incompatible retaining walls.
4. A site shall be re-graded so all water drains away from the structure and does not enter the foundation.	4. Condition of Approval 16 requires the site to be re-graded so all water drains away from the structure and does not enter the foundation. See Condition of Approval 4 regarding storm drain storage.
c. Doors 1. The historic pattern of principal doorways along the street shall be maintained. All buildings that face the street shall have a well-defined primary entrance.	1. There is not a historic pattern of principal doorways established along the Sweeney MPD Treasure Hill Subdivision character area of King Road. However, the primary entrance is well-defined upon approach to the SFD from the driveway, which will remain in the same location.
2. New doors shall be similar in location, size, and material to those seen traditionally in the Historic District. Doors shall be compatible with the style of both the new building and historical buildings in the Historic District.	2. The proposed entry door is comprised of steel, which is compatible with the Historic Mine Sites and will not be visible from King Road or from Old Town.

3. Doors shall be designed and finished with trim elements similar to those used historically.	3. Condition of Approval 17 prohibits vinyl and aluminum doors.
d. Windows 1. Ratios of solid-to-void that are compatible with surrounding historic buildings shall be used. Large expanses of glazing are inappropriate on residential structures. Large glass surfaces shall be divided into smaller windows that are in scale with those seen historically. To maximize views, non-historic window patterns may be considered on tertiary facades; however, the overall ratio of solid-to-glass shall still be respected. 2. Windows shall be historic size and shall relate to the human scale of the Historic District. Windows shall be proportional to the scale and style of the building and shall be compatible with the historical buildings in the Historic District. 3. The placement and grouping of windows shall be similar to those seen historically. 4. Windows with vertical emphasis are encouraged. The general rule is the height shall be twice the dimension of the width (commonly referred to as 2:1 ratio). Double-hung, vertically proportioned windows similar to those used historically are particularly encouraged. Windows with traditional depth and trim are preferred.	The 2023 SWCA Memorandum notes: *The large, multi-pane windows and fenestration patterns of the proposed design reference historic mine buildings, which incorporated significant amounts of glazing to maximize natural light and illuminate interior workspaces . . . . [t]ypically, long, nearly continuous, relatively narrow bands of windows were present in clerestories that were separated by pitched roofs; glazing in the exterior corrugated-metal walls was also extensive. Hence, the use of an industrial mining aesthetic allows for a greater proportion of void to solid in the proposed residence than would be appropriate with a more traditional residential design. However, glazing in historic exterior walls always had a base of solid wall and never consisted of floor to ceiling windows. In the proposed design, the metal panels at some window bases recreate this pattern, but the floor-to-ceiling windows present elsewhere are inconsistent with industrial patterns and create an incompatible solid-to-void ratio.* The SFD is designed with large areas of glazing broken up by metal plank siding and weathered steel. As designed, the number of windows and the ratios of solid to void are not compatible with surrounding historic structures, including Historic Mine Structures. To reduce glazing on the lower levels, the Planning Commission required the following Conditions of Approval as part of the CUP review:

5. The number of different window sizes and styles on a building or structure shall be limited. 6. Wood or metal windows similar to those used historically are preferred but aluminum-clad wood windows are also appropriate. Vinyl and aluminum windows are inappropriate. 7. New glazing shall match the appearance of historic glazing and/or shall be clear. Metallic, frosted, tinted, stained, textured, and reflective finishes are generally inappropriate for glazing on the primary façade. 8. Window muntins shall be true divided lights or simulated divided lights on both sides of the glass. Snap-in muntins are inappropriate.	*Y. Lower-level glazing on the north, east, and south facades shall be screened with berms and/or vegetation as approved by the Planning Department*. *NN. Applicant shall maintain vegetative screening in accordance with the submitted vegetation plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the east façade glazing*. Staff recommends Condition of Approval 18 requiring the Applicant to update the glazing of the eastern façade—the façade most visible from Old Town—to replace floor-to-ceiling windows with industrial patterns that create a compatible solid-to-void ratio comparable to the Historic Mine Sites and approved by the Planning staff.
e. Roofs 1. Roofs of new residential infill buildings shall be visually compatible with roof shapes and orientation of surrounding Historic Sites and adjacent buildings that contribute to the character of the Historic District. Sloping of roof forms, such as gable, hip, and shed, should be the dominant roof shapes. Roofs composed of a combination of roof planes, but simple in form, are also encouraged. Roofs shall be in scale with those on historic structures.	1. The proposed roof is compatible with form of surrounding Historic Sites, such as the Silver King Mill. *Figure 10: Silver King Mill Building, with roof that follows hillside slope.*

2. Roof pitch shall be consistent with the style of architecture chosen for the structure and with adjacent buildings that contribute to the character of the Historic District, with special consideration given to Historic Sites.	2. The roof pitch is consistent with the style of architecture chosen for the structure, being a modern-industrial sloped roof that slopes with the hillside.
3. The alignment that is created by similar heights of primary roofs and porches among historic buildings shall be maintained. This similarity of heights in building features contributes to the visual continuity along the Streetscape or character area.	3. 220 King Road is within the Sweeney MPD Treasure Hill Subdivision character area. Height is regulated through the Treasure Hill Subdivision plat notes for conformity within the character area.
4. Roofs shall be designed to minimize snow shedding onto adjacent properties and/or pedestrian paths. Crickets, saddles, or other snow-guard devices shall be placed so they do not significantly alter the form of the roof as seen from the primary public right-of-way.	4. The platted Building Area Limits provides sufficient buffer for snowshed from adjacent properties.
5. New roof features, such as photovoltaic panels (solar panels), skylights, ventilators, and mechanical or communication equipment shall be visually minimized from the primary public right-of-way so as not to compromise the architectural character of the structure. Roof-mounted features like	5. Condition of Approval 19 prohibits rooftop mechanical and communication equipment and requires mechanical and communication equipment to be visually minimized from King Road and from Old Town vantage points.

photovoltaic panels (solar panels) and skylights should be installed parallel to the roof plane when feasible. 6. Roof materials should appear similar to those seen historically. Asphalt shingles may be considered. Metal sheeting or standing seam metal roofs with a baked-on paint finish and galvanized or rusted steel sheeting are generally appropriate. Roofs shall have matte finishes to minimize glare. Roof colors shall be neutral and muted and materials shall not be reflective. 7. Overhanging eaves, use of bargeboards, soffits, fascia boards, brackets, and boxed eave returns that are consistent with the style of the architecture of the new building and that are compatible with surrounding buildings shall be incorporated.	6. Condition of Approval 20 requires the roof to have matte finishes to minimize glare. Roof colors shall be neutral and muted and materials shall not be reflective. The Applicant shall demonstrate the proposed metal siding and roofing materials have a Solar Reflectivity Index (SRI) of 35 or less prior to the submittal of a building permit. 7. The overhanging eaves, as conditioned, are consistent with the style of architecture of the new building and with surrounding buildings. Please see Condition of Approval 12 regarding the roof form.
f. Dormers	The Applicant is not proposing any dormers.
g. Gutters and Downspouts – Downspouts shall be located away from architectural features and shall be visually minimized when viewed from the primary public right-of-way.	The Applicant is not proposing gutters and downspouts.
h. Chimneys and Stovepipes 1. Chimneys shall not be covered with non-traditional materials. 2. Chimneys and stove pipes shall be of a size, scale, and design that are	The Applicant proposes one chimney for the SFD. This board formed concrete chimney will have a metal cap in keeping with the materials used on the rest of the SFD. The chimney is located towards the westernmost wall of the SFD to minimize its appearance from King Road and from views across Old Town.

appropriate to the character and style similar to those found historically. Chimneys and stove pipes shall be visually minimized when viewed from the primary public right-of-way.	
i. Porches	There are no proposed porches associated with this SFD.
j. Architectural Features – Simple ornamental trim and decoration is in character with historic architectural ornamentation and is encouraged. Traditional locations for architectural ornamentation are porches and eaves. Other details, like eave depth, mullions, corner boards, and brackets, that lend character to historic buildings shall be considered.	The proposed Structure includes simple ornamentation and trim which is in keeping with the Historic District and local Historic Structures.
3. Mechanical and Utility Systems and Service Equipment a. Mechanical and/or utility equipment, including heating and air conditioning units, meters, and exposed pipes, shall be located on the back of the building or in another inconspicuous location. When located on a secondary façade, the mechanical and/or utility equipment shall be located beyond the midpoint of the structure if feasible and visual impact of the equipment shall be minimized by incorporating it as an element of the building or landscape design.	a. Condition of Approval 19 requires all mechanical equipment to be screened and/or located to minimize visibility when viewed from Old Town. Roof mounted mechanical and communication equipment is prohibited for the site.

b. Ground-level equipment shall be screened from view using landscape elements such as fences, low stone walls, or perennial plant materials.	b. Condition of Approval 19 requires ground-level equipment to be screened from view using landscape elements such as low stone walls, or perennial plant materials.
c. Low-profile rooftop mechanical units and elevator penthouses that are not visible from the primary public right-of-way shall be used. When this is not possible, rooftop equipment shall be set back or screened from all views. Placement of rooftop equipment shall be sensitive to views from upper floors or neighboring buildings.	c. Not applicable. Rooftop mechanical units for the property are prohibited. No rooftop elevator penthouse is proposed.
d. New communications equipment such as satellite dishes or antennae shall be visually minimized when viewed from the primary public right-of-way.	d. Condition of Approval 19 requires new communications equipment such as satellite dishes or antennae to be visually minimized when viewed from the primary public right-of-way and from Old Town.
e. Service equipment and trash containers shall be screened. Solid wood or masonry partitions or hedges shall be used to enclose trash areas.	e. Condition of Approval 21 requires service equipment and trash containers to be screened. Solid wood or masonry partitions or hedges shall be used to enclose trash areas.
4. Materials a. Building materials shall be compatible in scale, proportion, texture, finish and color to materials used on Historic Structures in the Historic District. The dimensions of masonry units, wood siding, and other building materials shall be similar to those used historically.	a. The Applicant proposes materials similar to those used for Historic Mine Sites.

b. The primary siding material for new structures shall appear similar to those on historic structures in the Streetscape or character area. Historically, the most common material on primary structures was painted horizontal lap siding with a reveal between 6 to 8 inches. Secondary structures such as barns and sheds typically had siding of unpainted wood (horizontal lap or vertical board and batten) or corrugated metal panels. c. Building materials shall be applied in the manner similar to that used historically. Typically, a 'hierarchy' of building materials should be used, with heavier, more durable materials for foundations and more refined materials above foundations. Building materials, especially masonry, shall be used in the manner they were used historically.	b. The primary siding material includes vertically oriented metal plank siding with a weathered zinc finish and tongue and groove wood plank cladding. c. The SFD is clad in vertical metal plank siding with a weathered zinc finish, and tongue and groove wood plank siding reflecting the Historic Mine Sites.
5. Paint and Color a. Paint color is not regulated.	Condition of Approval 22 requires exterior wood materials to be painted opaque.
6. Garages	The proposal does not include a garage. An underground parking area is proposed and is accessed from the existing driveway location through an opening proposed to be built into the hillside behind the new SFD.
7. Decks	Please see analysis regarding roof decks below.

8. Balcony and Roof Decks must be constructed where visually minimized from the primary public right-of-way, usually on the tertiary façade. When on the secondary façade of a new structure, a deck should be screened from the primary public right-of-way with appropriate native landscaping.	The Applicant proposes rooftop decks on the secondary and tertiary facades. Condition of Approval 23 requires the railing of the roof terrace to be visually minimized when viewed cross-canyon and requires the Applicant to plant landscaped screening as indicated on the landscape plan to buffer visibility of the secondary façade deck along the southern property boundary.
9. New Accessory Structures a. New accessory structures on flat or downhill sites shall generally be located in the rear yard, unless located in a character zone with similar development patterns. b. New accessory structures may be located at the street front when a pattern of front yard historic accessory structures has been established along the street, and when the proposed placement of the accessory structure does not create a danger or hazard to traffic by obstructing the view on the street. c. Accessory structures (such as sheds and detached garages) shall be subordinate in scale to the primary structure.	The proposed Accessory Building is subordinate in scale to the primary dwelling; it is built into the hillside behind the SFD.

Department Review

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

Notice

Staff published notice on the City's website and posted notice to the property on July 31, 2024. Staff mailed courtesy

notice to property owners within 100 feet on July 31, 2024.[4]

Public Input

Public input is attached as Exhibit O.

Alternatives

- The Planning Director may approve the HDDR as conditioned.
- The Planning Director may deny the HDDR and direct staff to make Findings for the denial.
- The Planning Director may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit A: Draft Final Action Letter
Exhibit B: 1985 Sweeney MPD Approval
Exhibit C: 1987 Sweeney MPD Amendment
Exhibit D: Ordinance No. 90-24 Zoning 220 King Road HR-1-MPD
Exhibit E: Ordinance No. 95-50 Approving the Treasure Hill Subdivision Phase 1
Exhibit F: Treasure Hill Subdivision Phase 1 Plat
Exhibit G: March 12, 1997 Planning Commission CUP Approval
Exhibit H: March 17, 1997 Historic District Commission Approval
Exhibit I: 2023 SWCA Memorandum
Exhibit J: February 21, 2024 Planning Commission Final Action Letter
Exhibit K: July 22, 2024 Appeal Panel Final Action Letter
Exhibit L: Applicant's Narrative
Exhibit M: Applicant's Rendered Views
Exhibit N: Applicant's Plans
Exhibit O: Public Input

[4] LMC § 15-1-21

EXHIBIT E

PARK CITY PLANNING DEPARTMENT
REVISED Staff Report

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

I. PROJECT STATISTICS:

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

II. STAFF'S RECOMMENDATION and FINDINGS

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

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

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

3. Sweeney Properties Master Plan Application.

4. Sweeney Properties Master Plan Phasing Exhibit.

5. Sweeney Properties Master Plan Density Exhibit.

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

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

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

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

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

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

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

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

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

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

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

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

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

III. DEVELOPMENT PARAMETERS and CONDITIONS

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

1. The Sweeney Properties Master Plan is approved based upon the information and analysis prepared and made a part hereof. While most of the requirements imposed will not be imposed until individual parcels are created or submitted for conditional use approval, certain specific obligations are also identified on the approved phasing plan. At the time of conditional use or subdivision review, the staff and Planning Commission shall review projects for compliance with the adopted codes and ordinances in effect at the time, in addition to ensuring conformance with the approved Master Plan.

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

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

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

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

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

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

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

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

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

* Reflects City Council's 10.16.86 modifications.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

IV. BACKGROUND

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

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

V. NARRATIVE

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

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

Coalition Properties

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

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

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

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

HR-1 Properties

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

Hillside Properties

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

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

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

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

Miscellaneous Properties

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

VI. MAJOR ISSUES

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

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

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

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

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

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

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

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

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

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

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

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

These recommendations were approved by City Council

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

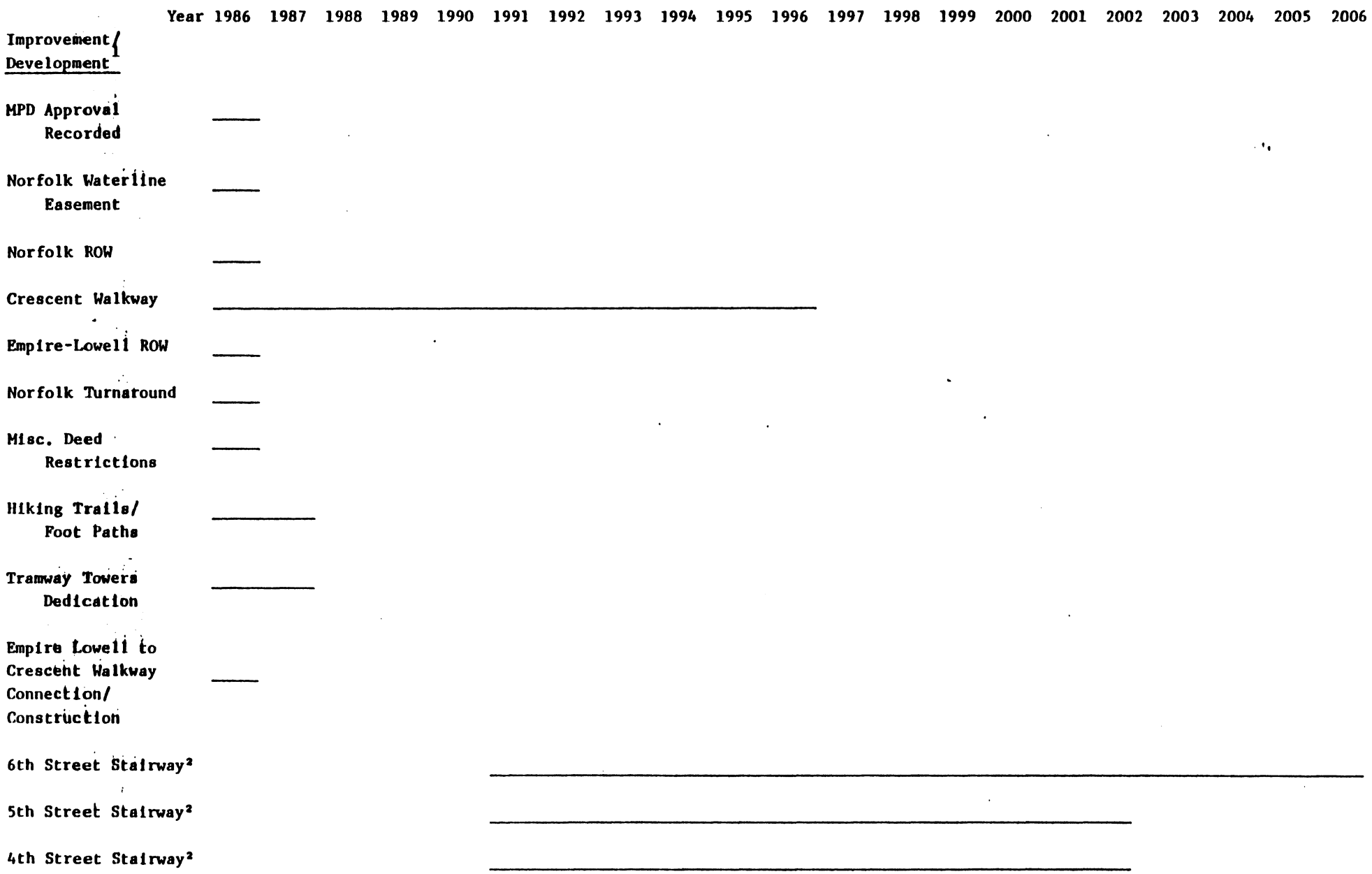
SWEENEY PROPERTIES MASTER PLAN DENSITY EXHIBIT

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

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

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

SWEENEY PROPERTIES MASTER PLAN PHASING EXHIBIT - REVISED



Year	1986	1987	1988	1989	1990	1991	1992	1993	1994	1995	1996	1997	1998	1999	2000	2001	2002	2003	2004	2005	2006

Project Timeframe

Coalition Properties _____

MPE and Carr-Sheen _____

Town Lift _____
Mid Station

Creole Gulch _____

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

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

EXHIBIT F

SHEET INDEX - ALL SHEETS	
Sheet No.	SHEET NAMES
GENERAL	
A0.00	GENERAL INFORMATION
L1.00	LANDSCAPE SITE PLAN
ARCHITECTURAL	
A1.00	SITE PLAN
A2.10	LEVEL 01 - OVERALL PLAN
A2.20	LEVEL 02 - OVERALL PLAN
A2.30	LEVEL 03 - OVERALL PLAN
A2.40	LEVEL 04 - OVERALL PLAN
A2.50	LEVEL 05 - OVERALL PLAN
A2.60	ROOF PLAN
A3.00	EXTERIOR ELEVATIONS
A3.01	EXTERIOR ELEVATIONS
A3.02	STREETSCAPE ELEVATION
A3.10	BUILDING SECTIONS
A3.11	BUILDING SECTIONS
A4.00	WALL SECTIONS + DETAILS

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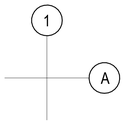
ABBREVIATIONS

@	AT
℄	CENTERLINE
℔	PROPERTY LINE
Ø	DIAMETER
#	POUND OR NUMBER
(E)	EXISTING
(N)	NEW
AB	ANCHOR BOLT
ABV	ABOVE
ACC	ACCESS
ACOUS	ACOUSTICAL
ACP	ASPHALT CONCRETE PAVING
ACS	ACCESS PANEL
ACT	ACOUSTICAL TILE
AD	AREA DRAIN
ADA	AMERICANS with DISABILITIES
ADJ	ADJUSTABLE
AFF	ABOVE FINISHED FLOOR
AGGR	AGGREGATE
AIB	AIR INFILTRATION BARRIER
ALT	ALTERNATE
ALUM	ALUMINUM
APPROX	APPROXIMATE
ARCH	ARCHITECTURAL
ASPH	ASPHALT
AUTO	AUTOMATIC
BD	BOARD
BITUM	BITUMINOUS
BLDG	BUILDING
BLKG	BLOCKING
BM	BEAM
BO	BOTTOM OF...
BOT	BOTTOM
BRG	BEARING
BSMT	BASEMENT
BUR	BUILT UP ROOFING
CAB	CABINET
CB	CATCH BASIN
CEM	CEMENT
CER	CERAMIC
CIP	CAST-IN-PLACE
CJ	CONTROL JOINT
CLG	CEILING
CLK	CAULKING
CLO	CLOSET
CLR	CLEAR
CMU	CONCRETE MASONRY UNIT
CNTR	COUNTER
COL	COLUMN
CONC	CONCRETE
CONN	CONNECTION
CONST	CONSTRUCTION
CONT	CONTINUOUS
CONTR	CONTRACTOR
CORR	CORRIDOR
CPT	CARPET; CARPETED
CRS	COLD ROLLED STEEL
CSK	COUNTERSUNK
CT	CERAMIC TILE
CTR	CENTER
CU FT	CUBIC FEET
DBL	DOUBLE
DEMO	DEMOLITION
DET	DETAIL
DIA	DIAMETER
DIM	DIMENSION
DL	DEAD LOAD
DN	DOWN
DR	DOOR
DR OPNG	DOOR OPENING
DS	DOWNSPOUT
DSP	DRY STANDPIPE
DT	DRAIN TILE
DW	DISHWASHER
DWG	DRAWING
E	EAST
EA	EACH
EJ	EXPANSION JOINT
EL	ELEVATION
ELEC	ELECTRICAL
ELEV	ELEVATOR
ENCL	ENCLOSURE
EQ	EQUAL
EQUIP	EQUIPMENT
EST	ESTIMATE
EW	EACH WAY
EXH FN	EXHAUST FAN
EXIST	EXISTING
EXP	EXPANDED; EXPANSION
EXP BT	EXPANSION BOLT
EXPO	EXPOSED
EXT	EXTERIOR
FA	FIRE ALARM
FB	FLAT BAR
FD	FLOOR DRAIN
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FF EL	FINISH FLOOR ELEVATION
FH	FIRE HYDRANT
FHC	FIRE HOSE CABINET
FIN FLR	FINISH FLOOR
FF	FINISH TO FINISH
FIN	FINISH
FLASH	FLASHING
FLR	FLOOR; FLOORING
FLUOR	FLUORESCENT
FOC	FACE OF CONCRETE
FOF	FACE OF FINISH
FOIC	FURNISHED BY OWNER - INSTALLED BY CONTRACTOR
FOM	FACE OF MASONRY
FOS	FACE OF STUDS
FP	FIREPROOF
FPL	FIREPLACE
FR	FRAME
FT	FOOR OR FEET
FTG	FOOTING
FURR	FURRING
FUT	FUTURE
FW	FULL WIDTH
GA	GAUGE
GALV	GALVANIZED
GC	GENERAL CONTRACTOR
GL	GLASS
GLAM	GLUE-LAMINATED
GR	GRADE
GWB	GYPSUM WALL BOARD
GYP	GYPSUM
HB	HOSE BIBB
HC	HOLLOW CORE
HDO	HIGH DENSITY OVERLAY
HDR	HEADER
HDWD	HARDWOOD
HDW	HARDWARE
HM	HOLLOW METAL
HORIZ	HORIZONTAL
HP	HIGH POINT
HR	HOUR
HT	HEIGHT
HVAC	HEATING/VENTILATING/AIR CONDITIONING
HW	HOT WATER
HWT	HOT WATER TANK
ID	INSIDE DIAMETER
IN	INCH
INCL	INCLUDED
INSUL	INSULATION
INT	INTERIOR
INV	INVERT
JB	JUNCTION BOX
JF	JOINT FILLER
JT	JOINT
KIT	KITCHEN
KO	KNOCKOUT
LAM	LAMINATE, LAMINATED
LAV	LAVATORY
LBS	POUNDS
LF	LINEAR FOOT (FEET)
LH	LEFT HAND
LL	LIVE LOAD
LOC	LOCATION
LP	LOW POINT
LT	LIGHT
MAS	MASONRY
MATL	MATERIAL
MAX	MAXIMUM
MB	MACHINE BOLT
MC	MEDICINE CABINET
MDF	MEDIUM DENSITY FIBERBOARD
MDO	MEDIUM DENSITY OVERLAY
MECH	MECHANICAL
MEMB	MEMBRANE
MEZZ	MEZZANINE
MFR	MANUFACTURER
MIN	MINIMUM
MIR	MIRROR
MISC	MISCELLANEOUS
MO	MASONRY OPENING
MTD	MOUNTED
MTL	METAL
MUL	MULLION
N	NORTH
N/A	NOT APPLICABLE
NIC	NOT IN CONTRACT
NO	NUMBER
NOM	NOMINAL
NR	NOISE REDUCTION
NTS	NOT TO SCALE
OA	OVERALL
OC	ON CENTER
OD	OUTSIDE DIAMETER
	OVERFLOW DRAIN
OFF	OFFICE
OH	OVERHEAD
OHWM	ORDINARY HIGH WATER MARK
OPNG	OPENING
OPP	OPPOSITE
OSB	ORIENTED STRAND BOARD
PBD	PARTICLE BOARD
PCC	PRECAST CONCRETE
PCF	POUNDS PER CUBIC FOOT
PERF	PERFORATED
PERP	PERPENDICULAR
PL	PLATE
PLAM	PLASTIC LAMINATE
PLAS	PLASTER
PLWD	PLYWOOD
PNL	PANEL
PNT	POINT
PR	PAIR
PRCST	PRECAST
PSF	POUNDS PER CUBIC FOOT
PSI	POUNDS PER SQUARE INCH
PT	PRESERVATIVE TREATED
PTN	PARTITION
PVC	POLYVINYL CHLORIDE
R	RISER
RA	RETURN AIR
RAD	RADIUS
RD	ROOF DRAIN
REF	REFERENCE
REFR	REFRIGERATOR
REG	REGISTER
REINF	REINFORCED
REM	REMAINDER
REQ	REQUIRED
RESIL	RESILIENT
REV	REVISION; REVISIONS; REVISED
RH	RIGHT HAND
RM	ROOM
RO	ROUGH OPENING
RWL	RAIN WATER LEADER
S	SOUTH
SAF	SELF-ADHERED FLASHING
SAM	SELF-ADHERED MEMBRANE
SC	SOLID CORE
SCHED	SCHEDULE
SD	SMOKE DETECTOR
SECT	SECTION
SG	SAFETY GLASS
SHV	SHELF; SHELVING
SHR	SHOWER
SHT	SHEET
SHT MTL	SHEET METAL
SHTG	SHEATHING
SIM	SIMILAR
SOG	SLAB ON GRADE
SPEC	SPECIFICATION
SQ FT	SQUARE FOOT (FEET)
SQ IN	SQUARE INCH(ES)
SST	STAINLESS STEEL
STD	STANDARD
STL	STEEL
ST	STONE
STOR	STORAGE
STRUCT	STRUCTURAL
SUSP	SUSPENDED
SYM	SYMMETRICAL
T	TREAD
T&G	TONGUE AND GROOVE
TEL	TELEPHONE
TER	TERRAZZO
TG	TEMPERED GLASS
THK	THICK
TO	TOP OF...
TOB	TOP OF BEAM
TOC	TOP OF CONCRETE; CURB
TOF	TOP OF FLOOR; FOOTING; FRAME
TOM	TOP OF MASONRY
TOP	TOP OF PARAPET; PAVEMENT
TOPO	TOPOGRAPHY
TOS	TOP OF SLAB; STEEL
TOW	TOP OF WALL
TS	TUBE STEEL
TSTAT	THERMOSTAT
TYP	TYPICAL
UNO	UNLESS OTHERWISE NOTED
VB	VINYL BASE
VEN	VENEER
VERT	VERTICAL
VEST	VESTIBULE
VG	VERTICAL GRAIN
VIF	VERIFY IN FIELD
VT	VINYLT TILE
W	WEST
W/	WITH
W/O	WITHOUT
WC	WATER CLOSET
WD	WOOD
WDW	WINDOW
WF	WIDE FLANGE
WF BM	WIDE FLANGE BEAM
WG	WIRED GLASS
WH	WATER HEATER
WL	WATER LINE
WLD	WELDED
WP	WATERPROOF
WPM	WATERPROOF MEMBRANE
WR	WATER RESISTANT
WSCT	WAINSCOT
WSG	WIRE SAFETY GLASS
WTR	WATER
WWF	WELDED WIRE FABRIC
WWM	WELDED WIRE MESH
WT	WEIGHT

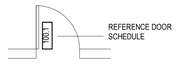
SYMBOLS LEGEND

1. GRID LINE REFERENCE



2. ROOM REFERENCE

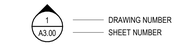
3. DOOR REFERENCE



4. WINDOW / SKYLIGHT REFERENCE

5. ELEVATION / DATUM REFERENCE

6. EXTERIOR ELEVATION

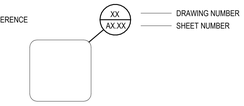


7. BUILDING SECTION

8. WALL SECTION

9. INTERIOR ELEVATION

10. DETAIL REFERENCE



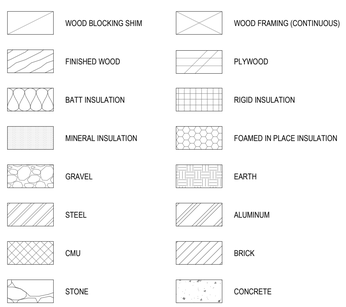
11. ASSEMBLY REFERENCE

12. NORTH SYMBOL

13. REVISION REFERENCE

REFERENCE CONSTRUCTION MEMO ISSUING REVISION.
ONLY MOST RECENT REVISION SHOWN CLOUDED.
REFERENCE FOR PREVIOUS REVISIONS REMAIN.
DATE OF REVISIONS INDICATED AT RIGHT MARGINS.

MATERIALS LEGEND



ZONING / BUILDING CODE SUMMARY

PROJECT ADDRESS:
220 KING ROAD
PARK CITY, UT 84060

ASSESSOR'S PARCEL NUMBER:
THILL-2-A-AM & THILL-2-B-AM

LEGAL DESCRIPTION:
LOTS 2A AND 2B, LOT 2 PHASE 1, TREASURE HILL SUBDIVISION, FIRST AMENDED RECORD OF SURVEY MAP, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD, IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

APPLICABLE CODES:
2018 EDITION OF THE INTERNATIONAL BUILDING CODE, INCLUDING APPENDIX J
2015 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE
APPENDIX Q OF THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE
2018 EDITION OF THE INTERNATIONAL PLUMBING CODE
2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE
2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE
2017 EDITION OF THE NATIONAL ELECTRICAL CODE
2015 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE (RES)
2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE (COM)
2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE
2006 UTAH WILDLAND-URBAN INTERFACE CODE

AUTHORITY HAVING JURISDICTION:
PARK CITY BUILDING DEPARTMENT

PHYSICAL ADDRESS:
445 MARSAC AVENUE
P. O. BOX 1480
PARK CITY, UTAH 84060

BUILDING:
(435) 615-5101

ELECTRONIC MAIL:
buildingcounter@parkcity.org

LOT SIZE:
1.23 ACRES (53,694SF)

LAND USE DESIGNATION:
HISTORIC RESIDENTIAL HR-1

PROJECT DESCRIPTION:
SINGLE FAMILY RESIDENCE WITH ATTACHED GARAGE.

HEIGHT:
PER MUNICIPAL CODE 15-2.2-5

YARD SETBACKS:
FRONT AND REAR: FOR LOT DEPTH GREATER THAN 100' = 15', 30' TOTAL
SIDE: FOR LOT WIDTH GREATER THAN 100' = 10' MIN, 24' TOTAL

THE **MAXIMUM BUILDING FOOTPRINT** FOR ANY STRUCTURE LOCATED ON A LOT OR COMBINATION OF LOTS, EXCEEDING 18,750 SQUARE FEET IN LOT AREA, SHALL BE **4,500 SQUARE FEET**, WITH AN EXEMPTION ALLOWANCE OF 400 SQUARE FEET, PER DWELLING UNIT, FOR GARAGE FLOOR AREA. **A CONDITIONAL USE PERMIT IS REQUIRED FOR ALL STRUCTURES WITH A PROPOSED FOOTPRINT OF GREATER THAN 3,500 SQUARE FEET.**

ENERGY CODE COMPLIANCE:
2015 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE
PARK CITY, SUMMIT COUNTY UTAH - ZONE 6B

VERTICAL GLAZING U-FACTOR: .32 SHGC: NR

CEILING R-VALUE: 49
WOOD FRAMED WALL R-VALUE: 20+5 or 13+10
MASS WALL R-VALUE: 15/20
FLOOR R-VALUE: 30
BASEMENT WALL R-VALUE: 15/19
SLAB R-VALUE & DEPTH: 10, 4 ft
CRAWL SPACE WALL R-VALUE: 15/19

2006 UTAH WILDLAND-URBAN INTERFACE CODE:
Section 101.4 Exceptions shall be added and should read as follows:
Exceptions.
Any building, structure, landscape, streetscape or site may be exempted from this Chapter if, a structure is listed on or officially determined eligible for the Register of Historic Places or is located within a Historic District and it is determined by the Planning Director, and approved by the Fire Code Official, that the exemption of said structure/property or resource will not create an additional fire hazard in the immediate vicinity of the structure/property or resource.

VICINITY MAP

NOT TO SCALE

LOCATION MAP

NOT TO SCALE

GENERAL NOTES

1. CODES: ALL WORK SHALL CONFORM APPLICABLE LAND USE AND BUILDING CODES AS AMENDED BY AUTHORITIES HAVING JURISDICTION.

2. DO NOT SCALE DIMENSIONS FROM DRAWINGS. USE CALCULATED DIMENSIONS ONLY. NOTIFY THE ARCHITECT IMMEDIATELY IF ANY CONFLICTS EXIST.

3. CONTRACTOR SHALL VERIFY ALL CONDITIONS PRIOR TO INITIATING THE WORK. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.

4. VERIFY ALL ROUGH-IN DIMENSIONS FOR EQUIPMENT. PROVIDE ALL BUCK-OUT, BLOCKING, BACKING, AND JACKS REQUIRED FOR INSTALLATIONS.

5. DIMENSIONS ARE TO EXTERIOR FACE OF CONCRETE / WOOD FRAMING UNLESS OTHERWISE NOTED.

6. EXTERIOR WALL FRAMING 2x6 WOOD STUDS UNLESS OTHERWISE NOTED.

7. INTERIOR WALL FRAMING 2x4 WOOD STUDS UNLESS OTHERWISE NOTED.

PROJECT DIRECTORY

SITE ADDRESS:
220 KING ROAD
PARK CITY, UT 84060

OWNER:
PESKY PORCUPINE, LLC
405 S MAIN ST. STE 800
SALT LAKE CITY, UT 84111

ARCHITECT:
OLSON KUNDIG ARCHITECTS
159 S. JACKSON ST. SUITE 600
SEATTLE, WA 98104
T: 206.624.5670
F: 206.624.3730
PRINCIPAL ARCHITECT: TOM KUNDIG
tom@olsonkundigarchitects.com
CONTACT: STEVE GRIM
steve@olsonkundigarchitects.com

STRUCTURAL ENGINEER:
GFDS ENGINEERS
99 GREEN STREET, THIRD FLOOR
SAN FRANCISCO, CA 94111
T: 415.512.1301
CONTACT: KRIS JOHNSON
kjohnson@gfdseng.com

CONTRACTOR
EDGE BUILDERS LLC
4015 SOUTH 300 WEST, STE 102
SALT LAKE CITY, UT 84107
T: 801.879.6200
CONTACT: BRIGHAM WILCOX
brigham@edgebuildersutah.com

Reserved for permit stamp

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Seattle, Washington 98104 USA
+1 206 624 5670 olsonkundig.com

project:
PARK CITY RESIDENCE
220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by Author
checked by
job no. 20102
date 07/31/2024

revisions:

no. date by

NOT FOR CONSTRUCTION

HDDR DRAWINGS

07/31/2024

GENERAL INFORMATION

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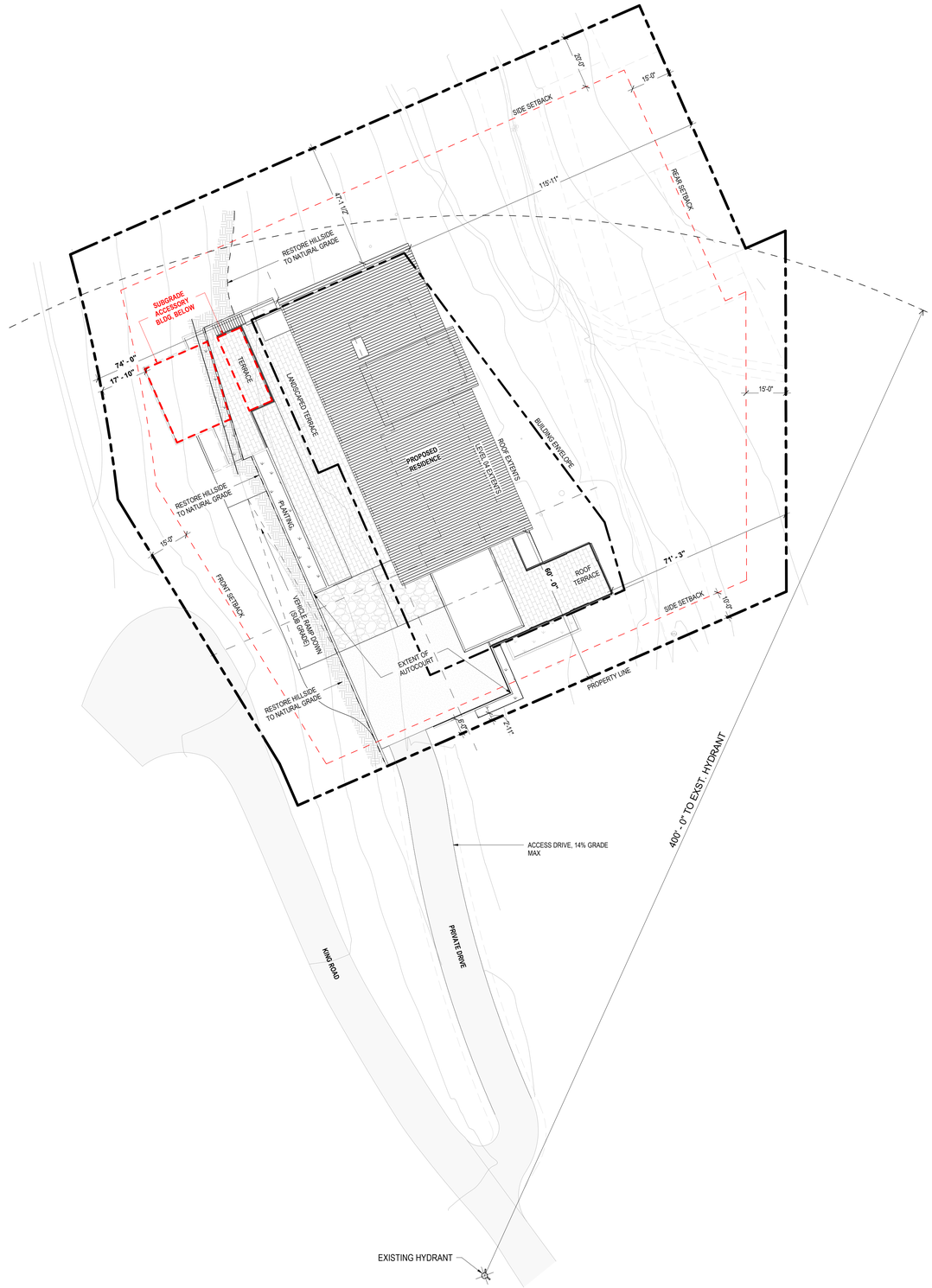

1 SITE PLAN
SCALE: 1" = 20'-0"

N

0 10' 20' 40' 60'

Reserved for permit stamp

Olson Kundig
159 South Jackson St, Suite 600
Seattle, Washington 98104 USA
+1 206 624 5670 olsonkundig.com

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PARK CITY, UT 84060

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HDDR DRAWINGS
07/31/2024

SITE PLAN

A1.00

TYPE: **L3 / EL3**

BANTAM™ SQ

Another Lumenrad® Component for Life Safety and Light

PROJECT NAME: Park City Residence - SD Permit

REP AGENCY: _____

APPROX. LINEAR FT: _____

SERVICE OPTIONS: ☐ Field Measure ☐ Job Site Support ☐ System Installation

SCAN QR CODE
for technical information, downloads and instructions.

PART NUMBER BUILDER

LULF30K705XTS	LULF	27K	70	5	XTS
EXAMPLE	FIXTURE TYPE	COLOR TEMP	OPTIC	DRIVE CURRENT	BANTAM

* Indicates stock, other options may require additional leadtime

LULF - Lumenpad to Light Engine

***27K**- 2700 K
***30K**- 3000 K
***40K**- 4000 K
50K- 5000 K

BLU- Blue
BRN- Brown
RED- Red
AMB- Amber

to- 10° beam
20- 20° beam
40- 40° beam
***70**- 70° beam
94- 94° beam

***5**- 0.2W @ 500 mA
***8**- 1.1W @ 350 mA
Extended life @320mW version request 350 mA

XTS- Machined 316 SS, flat surface mount housing

ELECTRICAL SPECIFICATIONS

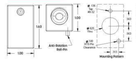
24VDC	ETL LISTED WET, IK10, IP67, CE	0-10V INPUT	-40°F TO +120°F
INPUT VOLTAGE	CERTIFICATIONS	DIMMING	OPERATING TEMP

CLASS 2 REQUIRED	5 YEARS	UP TO 116 LM/W LED	80+	8"
DRIVER	WARRANTY	EFFICIENCY	CRI	WIRE LENGTH

Intertek

All electrical connections to be made by a qualified electrician in accordance with all national, state and local electrical codes.

CONSTRUCTION



Bantam SQ is solid machined 316 stainless steel with security hardware and is designed for flat surface mounting.

PHOTOMETRICS

Bantam SQ is designed with an inherent 10° bias above nadir. This asymmetric feature projects the output from the mounting surface towards the path. Scan QR code or visit our website to view or download available IES reports.

LUMENGEAR™ LED DRIVER & NEMA ENCLOSURE OPTIONS

Wagner offers multiple ETL listed options for both 24VDC power supplies and NEMA enclosures. Quantities and types will be configured based on your specifications and design. Additional specification options are available by request. Not all options apply to all products–please verify compatibility with the factory.

CLASS II DRIVERS:
- STD 100W
- DALI, DMX, 0-10V Dimming Protocols
- Multiple Wattages
- Made in USA Units Available

NEMA ENCLOSURES:
4X - Polycarbonate
4X - Painted Steel
4X - Stainless Steel

Specifications subject to change without notice. Verify data at time of order

@wagnercompanies

WAGNER Architectural Systems

888-243-6594 // info@wagnercom.com
10600 West Brown Deer Road // Milwaukee, WI 53224, USA

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WagnerCompanies.com
LUBS SUBM R3

niteo

Park City Residence
Permit - Schematic Design
7.29.24

SITE LIGHTING @ GUARDRAIL POSTS

TYPE: **EL5**

GHOST

SQUARE - HORIZONTAL

Type: EL5 — SPECIFICATION SHEET
Project: PARK CITY RESIDENCE - SD PERMIT — Page: 1 of 5

Unique lighting system for wall recessed lighting in exterior applications. The system consists of a series of concrete forming boxes designed to create a cavity in the wall during the concrete forming process. The resulting void in the wall houses the LED light module, which is concealed from view. Designed for low mounting heights with downward asymmetric light distribution. Low luminance with light source regressed inside the luminaire and shielded from all viewing angles

Luminaire characteristic:	Power input system: 5W to 16W Power input source: 4W to 14W Lumens system for 3000K, 80CRI: 240lm to 551lm Luminaire efficacity for 3000K: Up to 48lm/W
Source:	White LED module (LM-80)
Lumen maintenance:	2700K: 80CRI; 3000K: 80CRI; 4000K: 80CRI: 80% of initial lumens at 70 000 hours (L80 B10) Ta 77° (25°) 80% of initial lumens at 50 000 hours (L80 B10) Ta 104° (40°)
Optic:	Downward Asymmetric
Material:	Body: Die-cast Diffuser: Toughened glass Recessed housing: Polypropylene
Mounting:	Wall recessed cast in concrete. Supplied with a two part housing installation kit, anchor screws, bolts, locking system and adhesive template to ensure perfect alignment when installing. Connections to be done inside the back box.
Electrical:	See remote power supply options on page 3.
Finish:	Concrete
Weight:	1.96lb (0.89kg) to 6.39 lb (2.90 kg).
Warranty:	5 year limited warranty
Rating:	IP65, IK10
Certification:	cULus listed for wet location

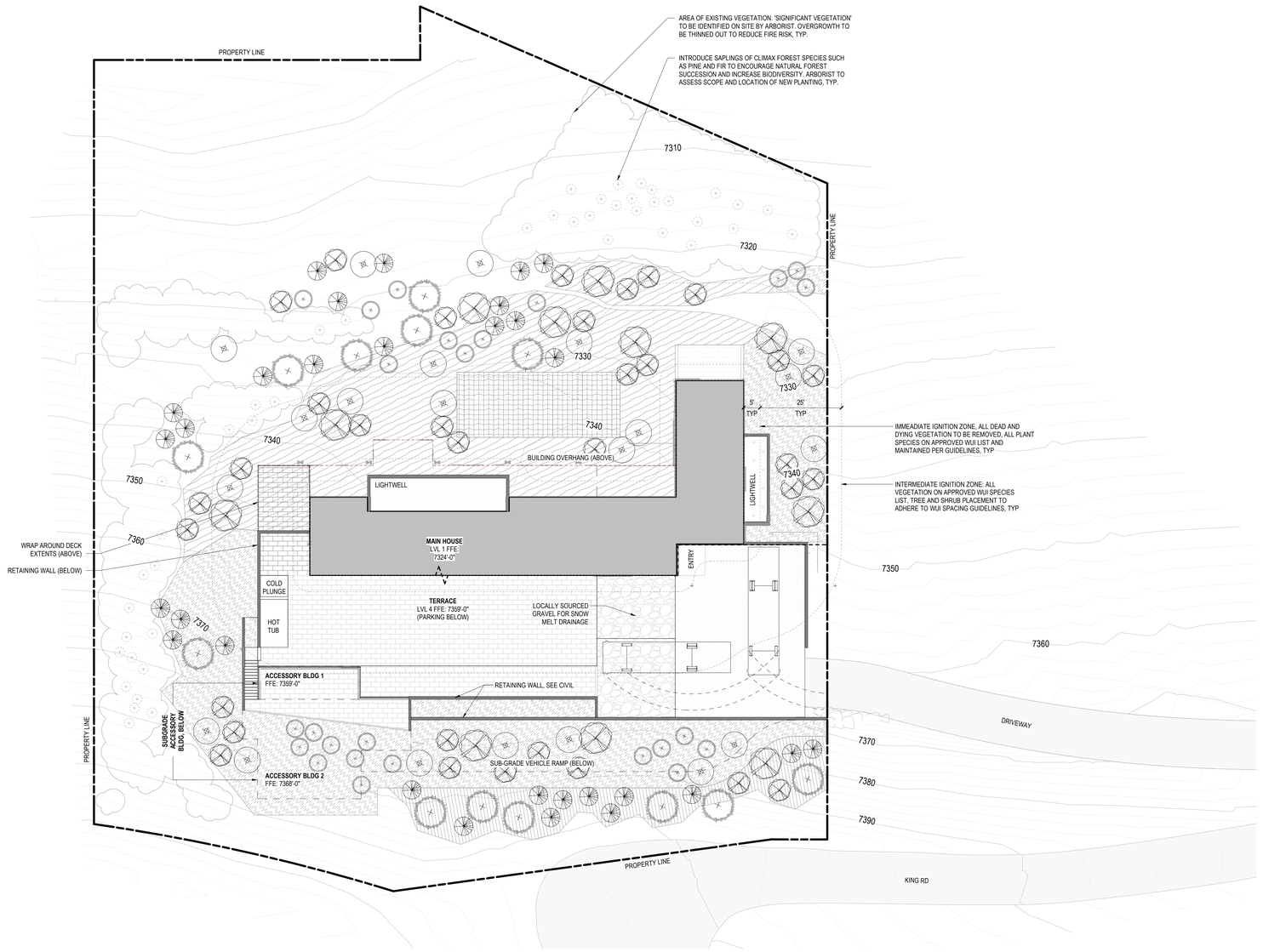
Dim. (H) — Last update: November 09, 2023 — Due to continuous improvements, the information herein may be changed without notice

SISTEMALUX
9530 Boul. St-Laurent, suite 100, Montréal (Québec) Canada H2N 1N7 P: 514.523.1339 F: 514.526.6107 www.sistemalux.com

Park City Residence
Permit - Schematic Design
7.29.24

SITE LIGHTING @ CONCRETE SITE WALLS

3 SITE LIGHTING - CUT SHEETS



1 LANDSCAPE SITE PLAN

SCALE: 1/16" = 1'-0"

SCALE: 1/16" = 1'-0"
0" 8" 16" 32"
TRUE NORTH
PROJECT NORTH

PLANTING SCHEDULE

TREES

ABBR.	BOTANICAL NAME	COMMON NAME	WATERWISE	SIZE	QTY.
PT-1	*Populus tremuloides*	Quaking Aspen	NO	1 1/2" CAL	34
PT-2	*Populus tremuloides*	Quaking Aspen	NO	4" CAL	12
AC	*Abies concolor*	White Fir	YES	#65 (7FT TALL)	30
PM	*Pseudotsuga menziesii*	Douglas Fir	YES	4" CAL, #95/100	13
AG	*Acer grandidentatum*	Bigtooth Maple	YES	1 1/2" CAL	22
SA	*(mixed native species)*	Sapling	TBD	#5	TBD

SHRUBS

ABBR.	BOTANICAL NAME	COMMON NAME	WATERWISE	SIZE	QTY.
QB	*Quercus gambelii*	Colorado Scrub Oak	YES	#10	25

GRASS AND PERENNIAL

TYPE	BOTANICAL NAME	COMMON NAME	WATERWISE	SIZE	AREA
NATIVE SAGEBRUSH MIX				1 GAL	8,350 SF
	Bouteloua gracilis	Blue Grama Grass	YES		
	Oryzopsis hymenoides	Indian Rice Grass	YES		
	Sphaeralcea coccinea	Globemallow	YES		
	Penstemon strictus	Rocky Mountain Penstemon	YES		
	Achillea millefolium	Common Yarrow	YES		
NATIVE FOREST MIX				1 GAL	6,637 SF
	Bouteloua curtipendula	Sideoats Grama	YES		
	Symphoricarpos albus	Snowberry	YES		
	Amelanchier alnifolia	Saskatoon Serviceberry	YES		
	Mahonia repens	Creeping Oregon Grape	YES		
	Aquilegia saximontana	Rocky Mountain Columbine	YES		
NATIVE TURFGRASS MIX				HYRDOSEEDING	1,000 SF
	Bouteloua gracilis	Blue Grama Grass	YES		
	Buchloe dactyloides	Buffalograss	YES		
NATIVE RE-VEGETATION SEEDING MIX			YES	HYDROSEEDING	1,647 SF

KEY LEGEND

- BUILDING FOOTPRINT
- LOCALLY SOURCED GRAVEL
- STONE PAVER
- CONCRETE RETAINING WALL
- PROPERTY LINE
- SUBGRADE STRUCTURE
- OVERHANG
- 7320 EXISTING CONTOURS
- PROPOSED 2FT CONTOURS
- 7330 PROPOSED 10FT CONTOURS

LANDSCAPE CALCULATIONS

TOTAL LOT SIZE: 53,694.12 SF

TOTAL IMPERVIOUS AREA: 10,076.01 SF

10,076.01 SF / 53,694.12 SF = 18.77% IMPERVIOUS SURFACE ON LOT

TOTAL LANDSCAPE AREA: 53,694.12 SF - 10,076.01 SF = 43,618.11 SF

15,987 SF OF LANDSCAPE TO RECEIVE IRRIGATION

15,987 SF / 43,618.11 SF = 36.65% OF LANDSCAPE AREA TO RECEIVE IRRIGATION

63% OF SPECIFIED PLANT SPECIES DESIGNATED AS WATER-WISE PER APPROVED SPECIES LIST, ALL PLANTS TO BE GROUPED BASED ON IRRIGATION NEEDS FOR EFFICIENT IRRIGATION HYDROZONING.

NOTES:
1. SEE SURVEY FOR MORE INFORMATION ON EXISTING VEGETATION AND TREES.
2. CONTRACTOR TO CONFIRM EXISTING TREES AND NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES BETWEEN THE PLAN AND THE EXISTING CONDITIONS BEFORE STARTING WORK.
3. CONTACT LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE PRIOR TO VEGETATION REMOVAL.
4. HARVEST AND PRESERVE TOPSOIL FROM DISTURBED AREAS FOR RE-VEGETATION. ANY EXPOSED OR DISTURBED SLOPE SHALL BE RE-VEGETATED.
5. IMPORTED SOIL MUST BE OF A QUALITY TO SUPPORT PLANT GROWTH.
6. FOLLOW HR-1 CODE FOR DEFINITION OF SIGNIFICANT VEGETATION.
7. PROTECT SIGNIFICANT VEGETATION BY TREE PROTECTION FENCING PROTECTION FENCE. 6'-0" SEMI-PERMANENT CHAINLINK, DRIVEN 2'-0" INTO THE GROUND. PLACE AT LIMITS OF TREE PROTECTION ZONES AND REMOVE AT THE END OF CONSTRUCTION.
8. PROTECTION FENCING SHALL NOT BE MOVED, REMOVED, OR ENTERED BY EQUIPMENT AND MAINTAINED IN GOOD REPAIR THROUGHOUT CONSTRUCTION.
9. APPLY BIODEGRADABLE NETTING AND EROSION CONTROL FOR SLOPES GREATER THAN 3:1
10. ANY APPLICATION OF HERBICIDE TREATMENT SHALL BE PER THE REGULATIONS OF LOCAL JURISDICTIONS, AND ENVIRONMENTAL REGULATORS.

WILDLAND URBAN INTERFACE (WUI) NOTES:
1. KEEP PROPERTY CLEAR OF DEAD AND DYING VEGETATION.
2. GRASSES TO BE MOWED OR TRIMMED TO A MAXIMUM 4" HT.
3. PLANT NEW TREES IN CLUSTERS. DENSITY AND SPACING PER HOME IGNITION ZONE (LOCAL WUI AMENDMENT 603.5).
4. THIN EXSITING VEGETATION TO ACHIEVE DENSITY AND SPACING PER HOME IGNITION ZONE (LOCAL WUI AMENDMENT 603.5).
5. PRUNE LOW TREE BRANCHES PER LOCAL WUI AMENDMENT 603.5.
6. PLANT ONLY FIRE RESISTIVE SPECIES WITHIN WUI IGNITION ZONES. *REF* 2006 UTAH WUI CODE, APPENDIX B.

Olson Kundig, Inc.
159 S. Jackson St., Suite 600
Seattle, WA 98104, USA
+1 206 624 5670
olsonkundig.com

Olson Kundig

project:
ARCH TEMPLATE (IMPERIAL)
Enter Line 1 Enter Line 2

stamp/seal:

principal architect:	Enter Initals
project manager:	Enter Initals
drawn by:	Enter Initals
checked by:	Enter Initals
job no.:	Enter Number

revisions:

no.:	date:	description:

NOT FOR CONSTRUCTION

Enter Phase

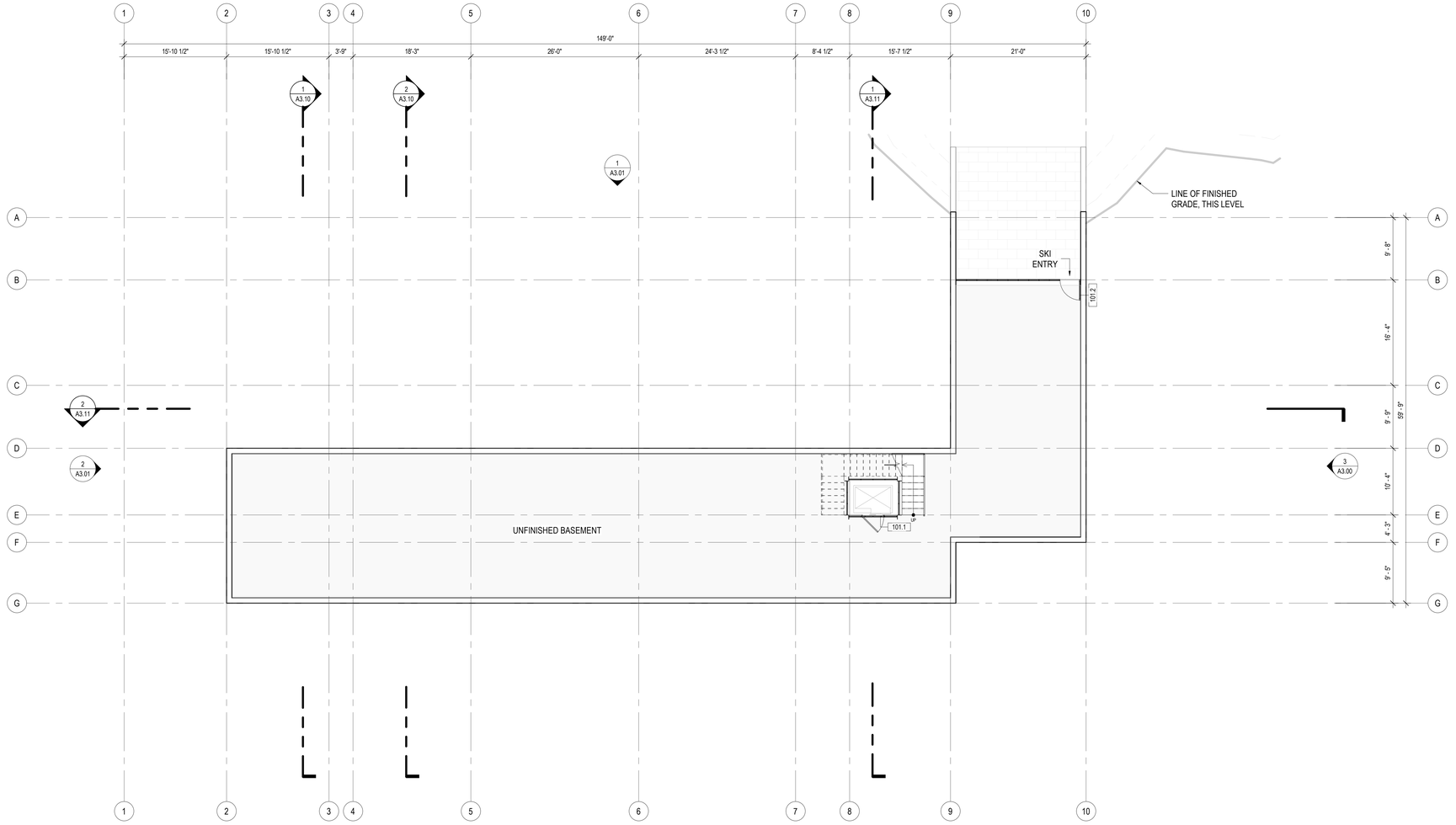
Enter Date

title:

LANDSCAPE SITE PLAN

sheet:

L1.00



1 LEVEL 01 PLAN
SCALE: 1/8" = 1'-0"

N

0 1' 2' 3' 4' 8' 12'

Reserved for permit stamp

Olson Kundig
159 South Jackson St, Suite 600
Seattle, Washington 98104 1534
+1 206 624 5670 olsonkundig.com

project:
PARK CITY RESIDENCE
220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by
checked by
job no. 20102
date 07/31/2024

revisions:

no.	date	by

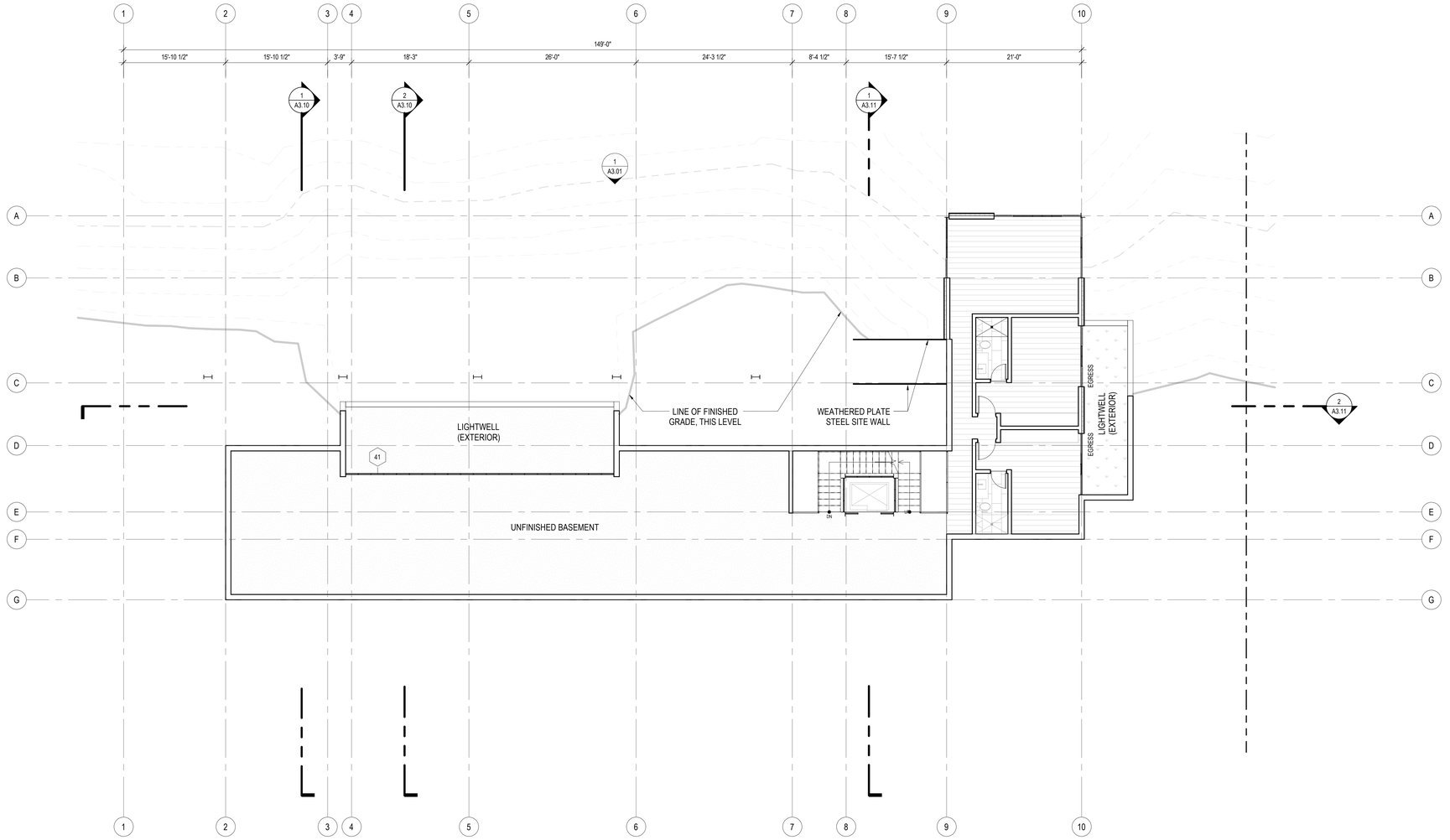
NOT FOR CONSTRUCTION

HDDR DRAWINGS

07/31/2024

LEVEL 01 - OVERALL PLAN

A2.10



1 LEVEL 02 PLAN
SCALE: 1/8" = 1'-0"

0 1' 2' 3' 4' 8' 12'

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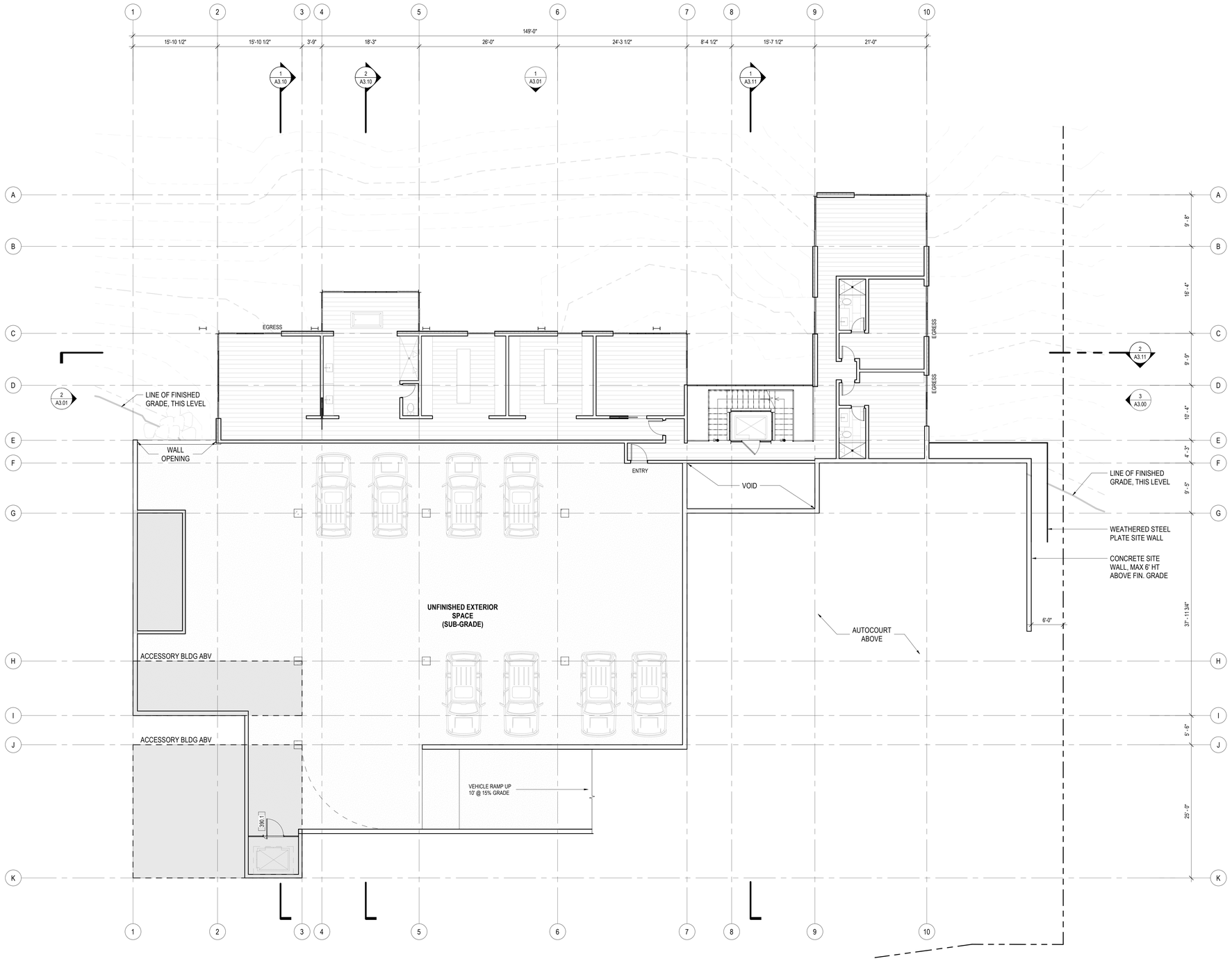
LEVEL 02 - OVERALL PLAN

A2.20



1 LEVEL 03 PLAN
SCALE: 1/8" = 1'-0"

N 0 1' 2' 3' 4' 8' 12'

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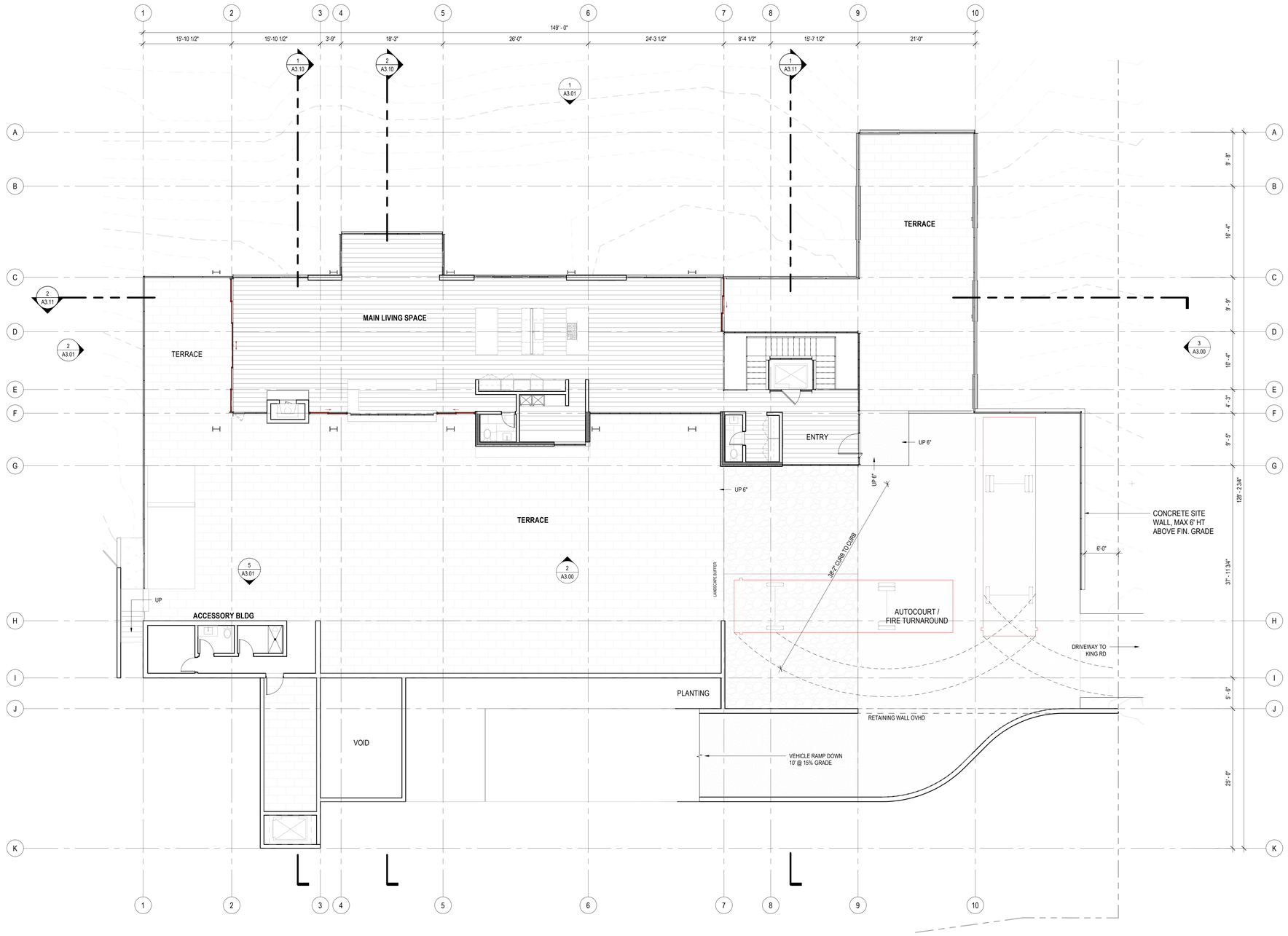
LEVEL 03 - OVERALL PLAN

A2.30



1 LEVEL 04 PLAN
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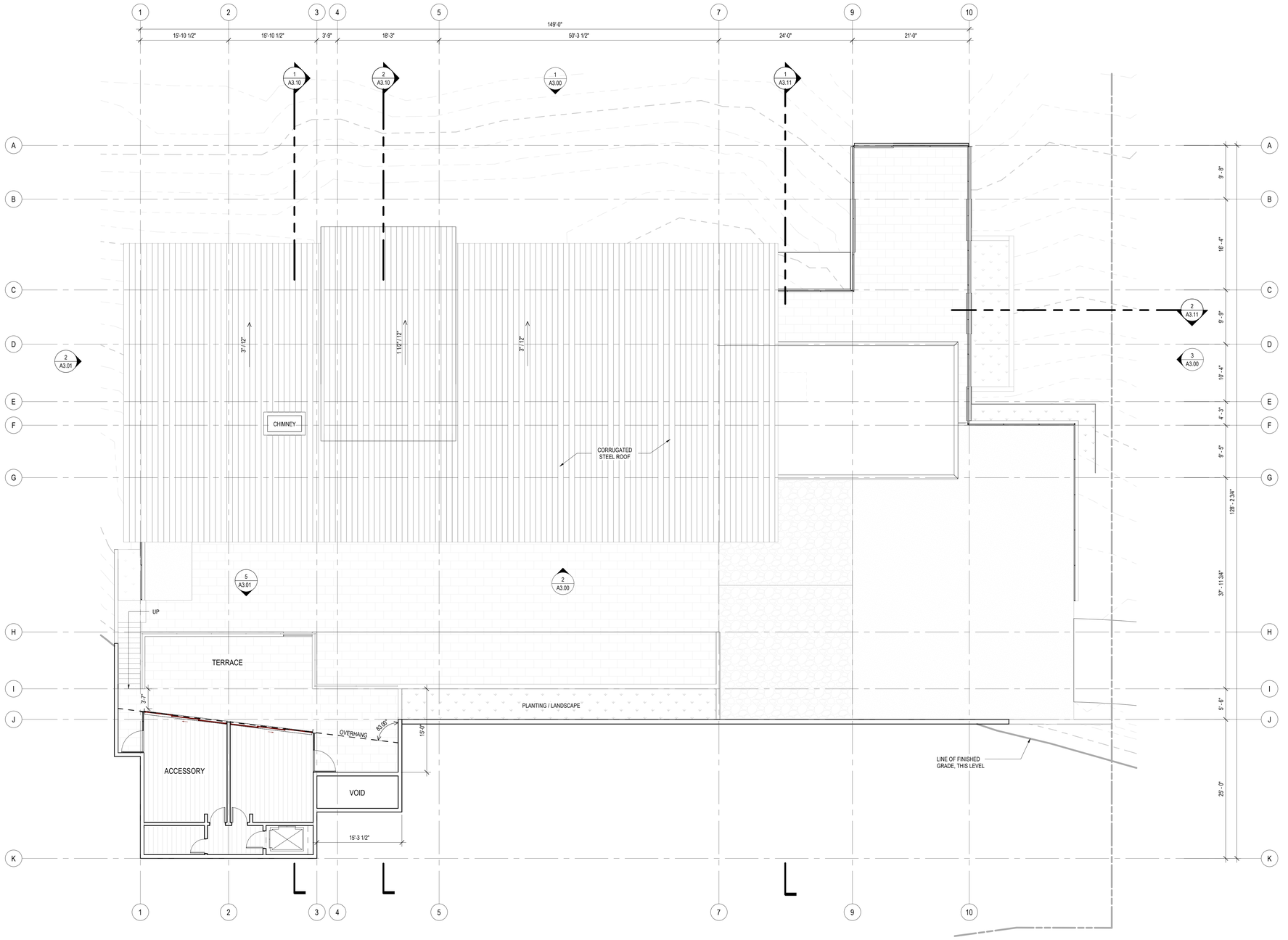
LEVEL 04 - OVERALL PLAN

A2.40



1 LEVEL 05 PLAN
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N

0 1' 2' 3' 4' 8' 12'

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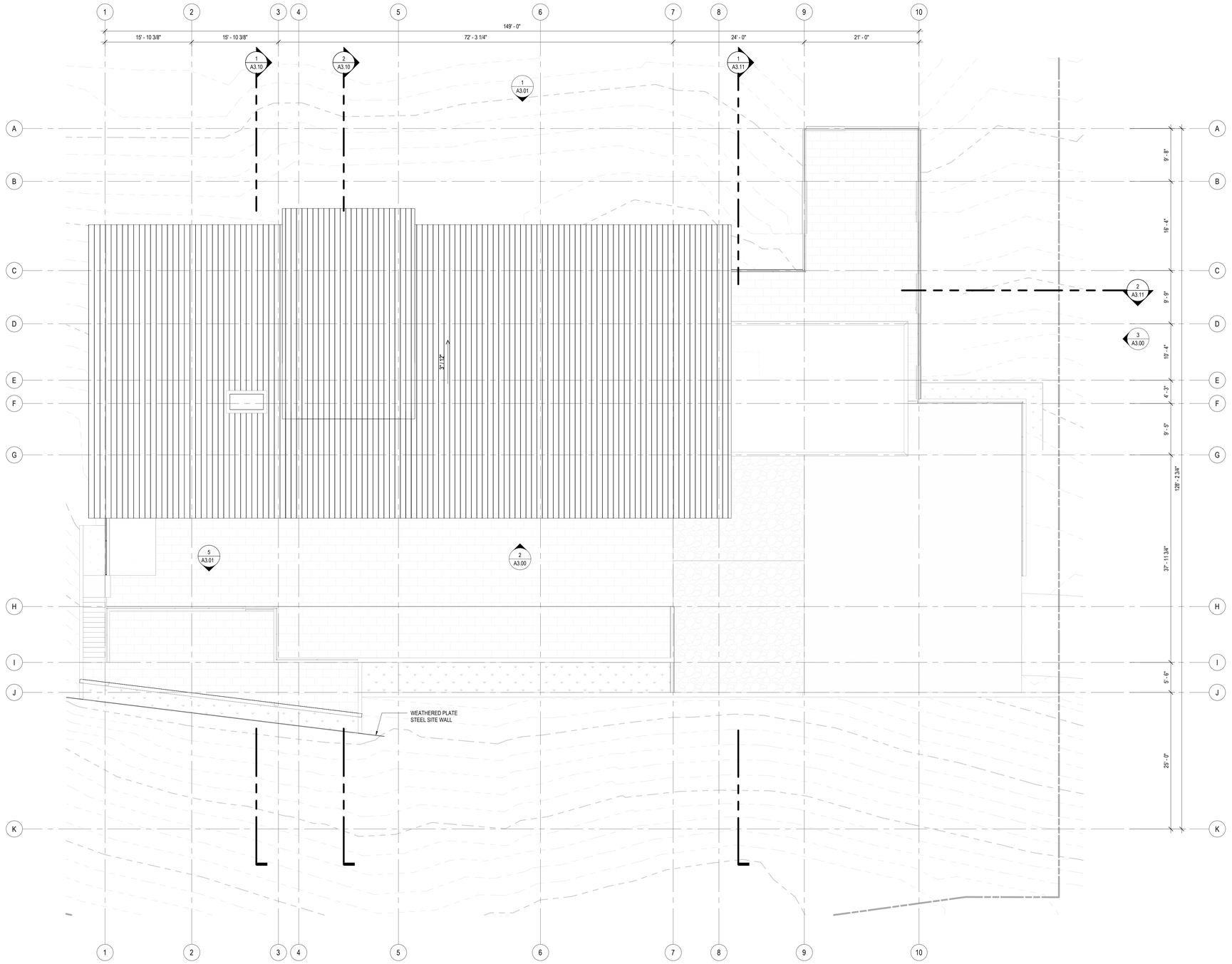
LEVEL 05 - OVERALL PLAN

A2.50



1 ROOF PLAN
SCALE: 1/8" = 1'-0"

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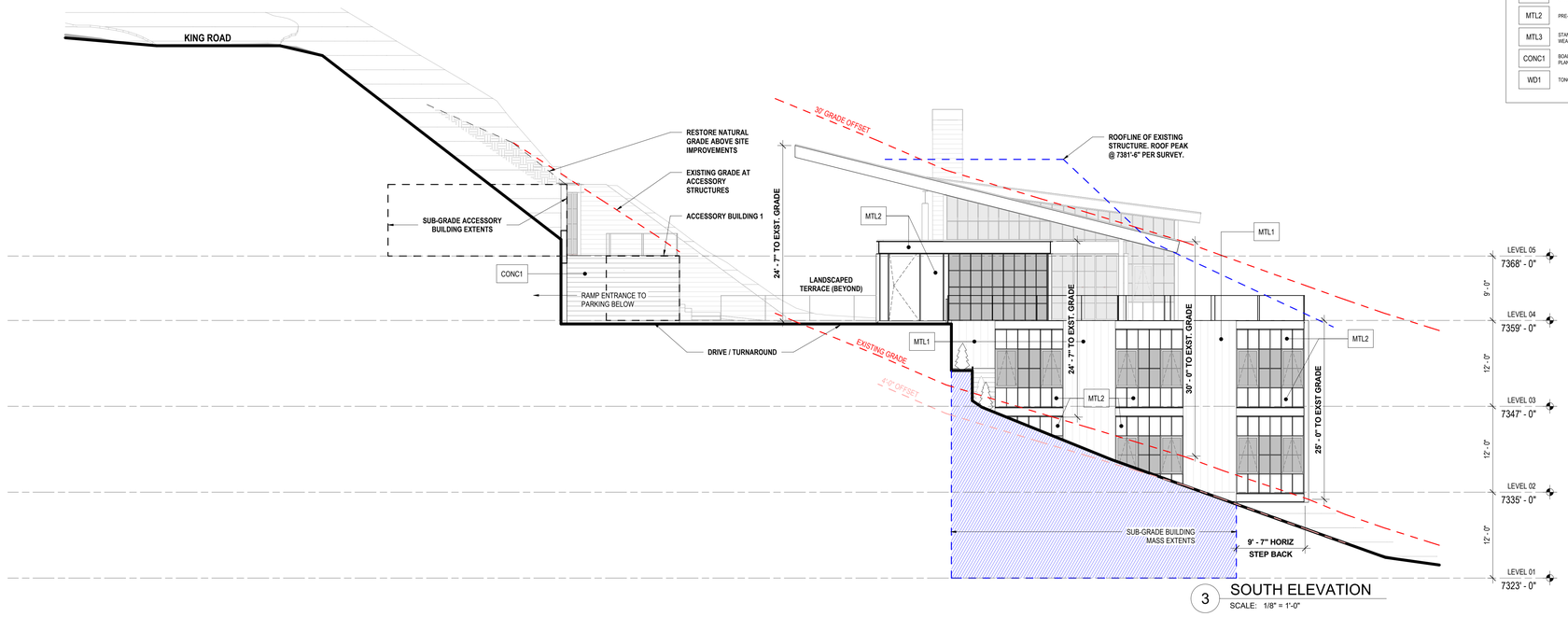
ROOF PLAN

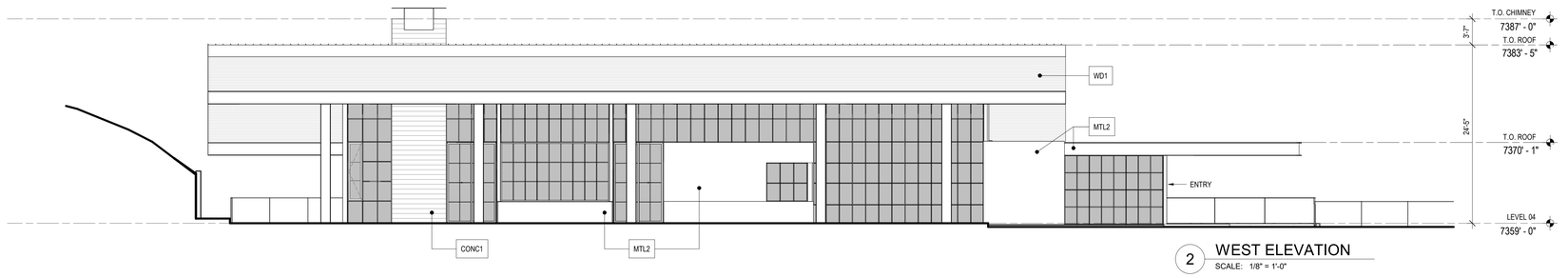
A2.60

MATERIAL LEGEND

MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, WEATHERED ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK



3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"

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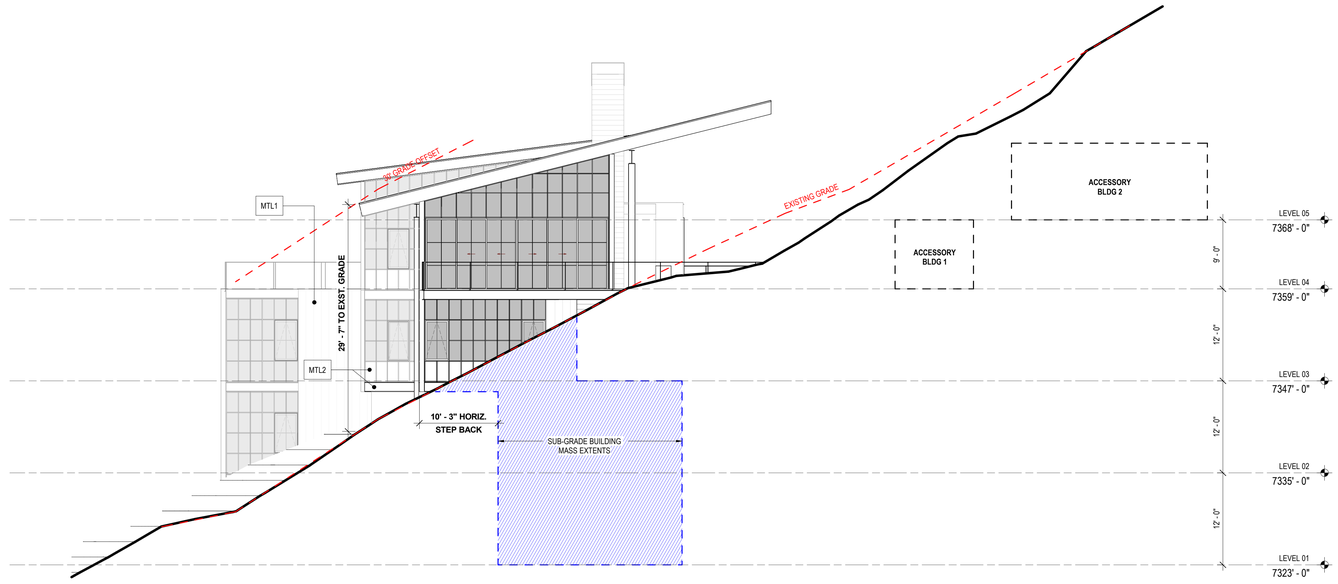
EXTERIOR ELEVATIONS

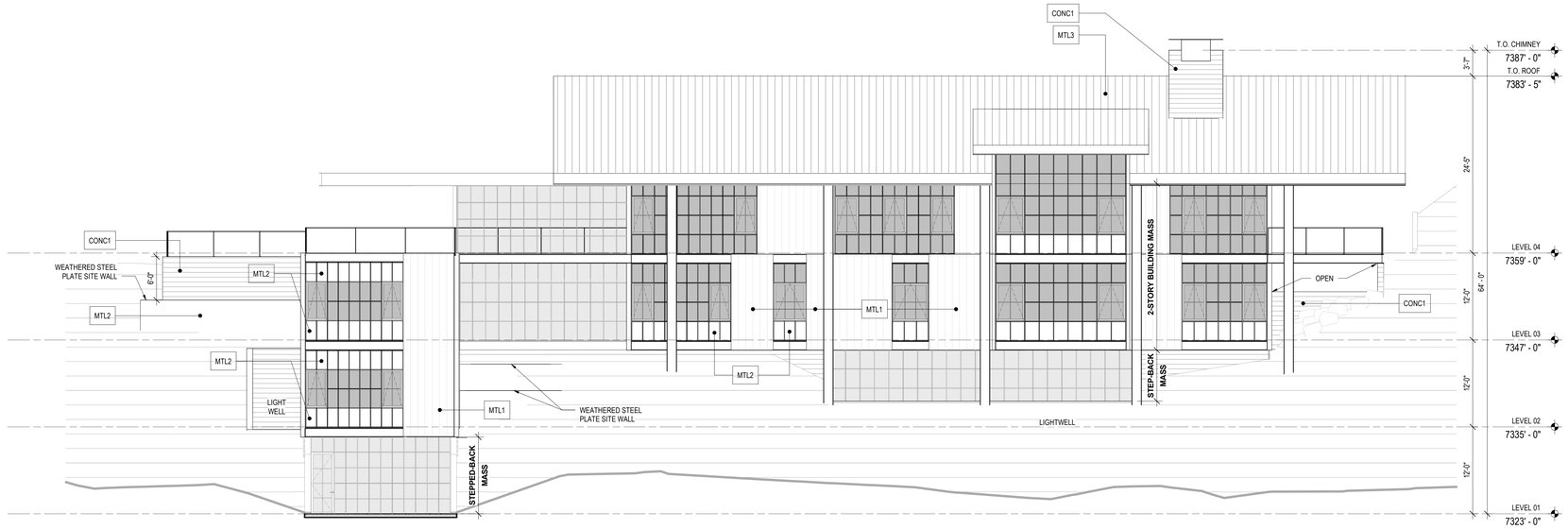
A3.00

MATERIAL LEGEND

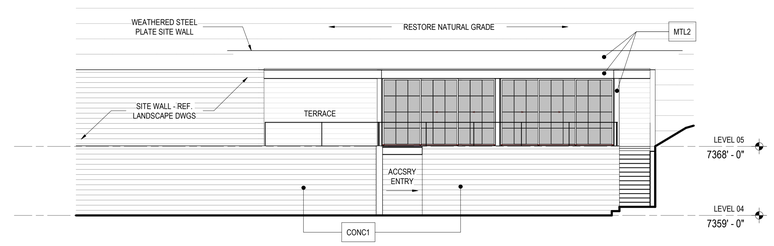
MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, WEATHERED ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK



2 NORTH ELEVATION 1
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION 1
SCALE: 1/8" = 1'-0"



5 EAST ELEVATION @ ACCESSORY BLDG
SCALE: 1/8" = 1'-0"

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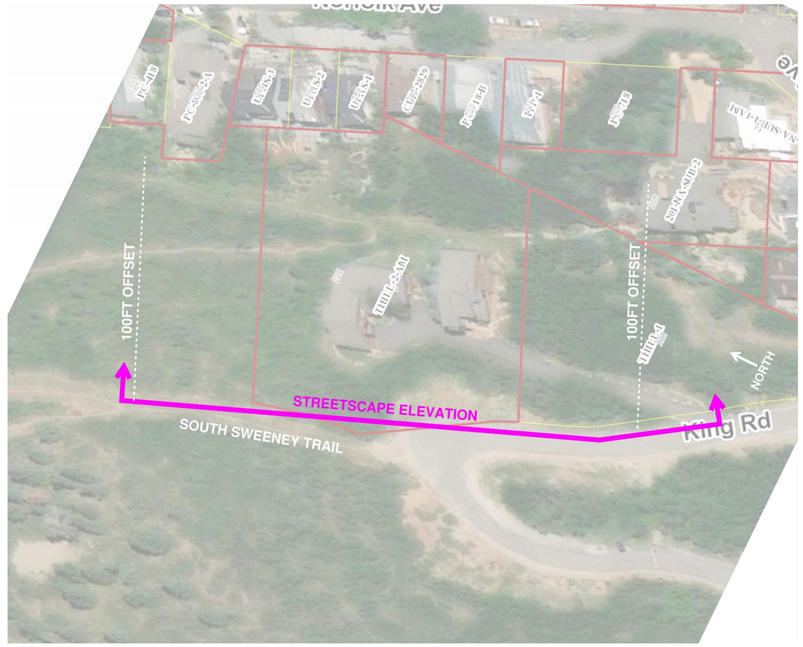
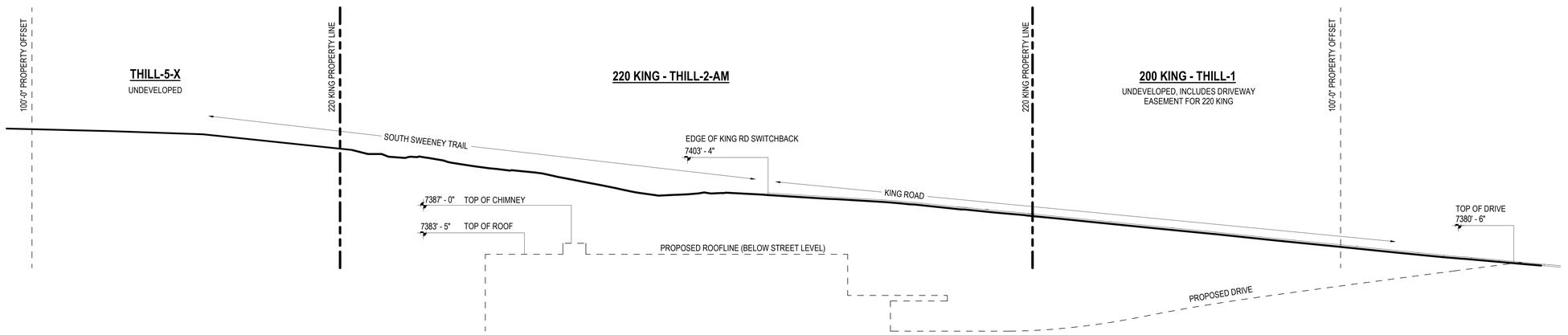
EXTERIOR ELEVATIONS

A3.01



2 STREETSCAPE ELEV - VIEW KEY



1 STREETSCAPE ELEVATION
SCALE: 1/16" = 1'-0"

0 4' 8' 12' 16' 32' 48'

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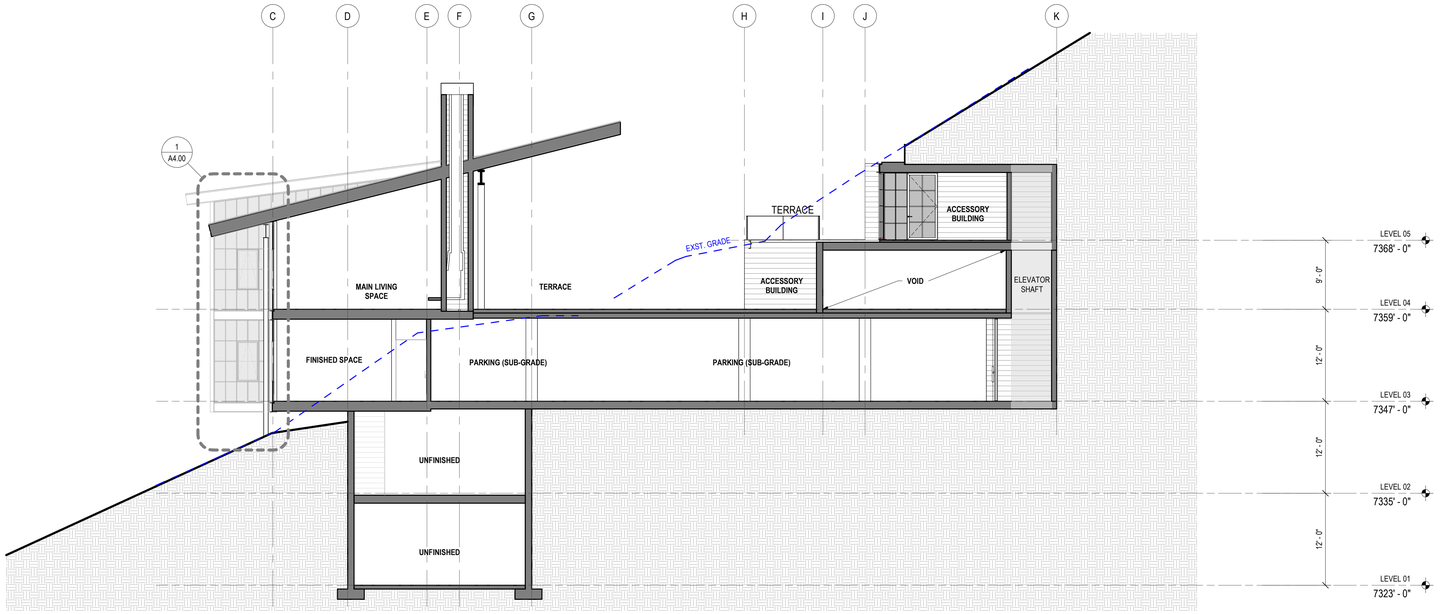
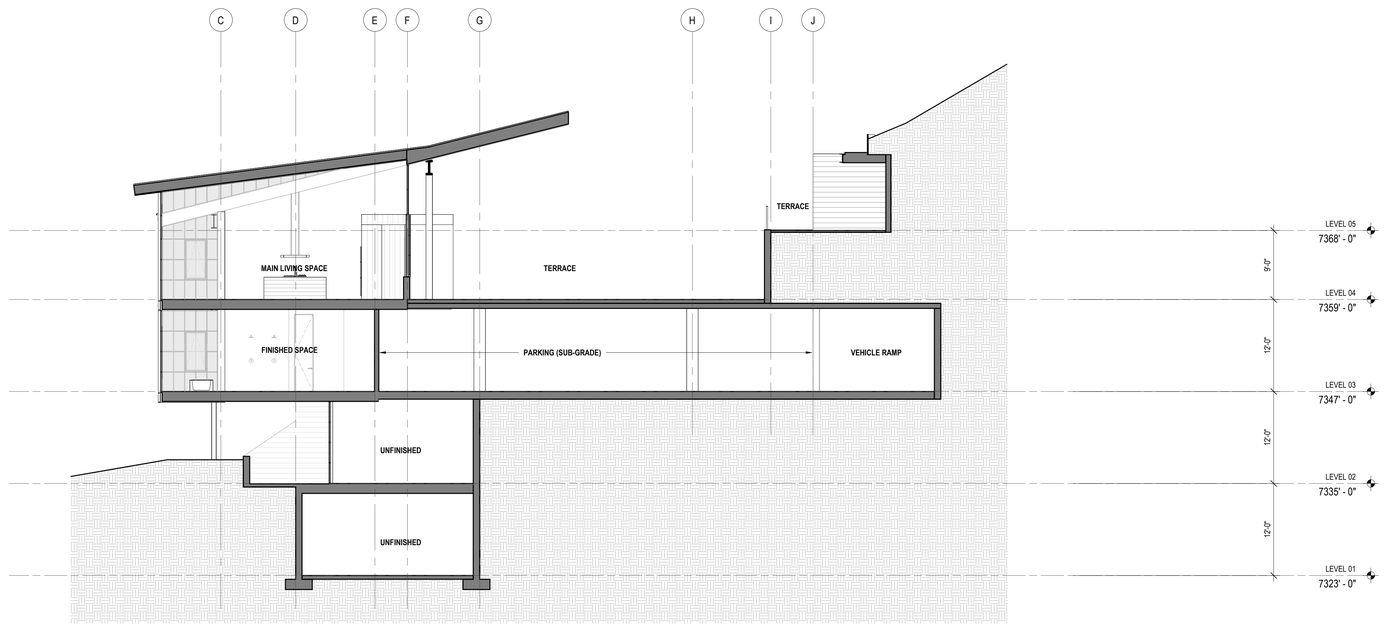
STREETSCAPE ELEVATION

A3.02



1 E-W SECTION THRU ACCESSORY BLDG

SCALE: 1/8" = 1'-0"



2 E-W SECTION THRU BUMP-OUT

SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

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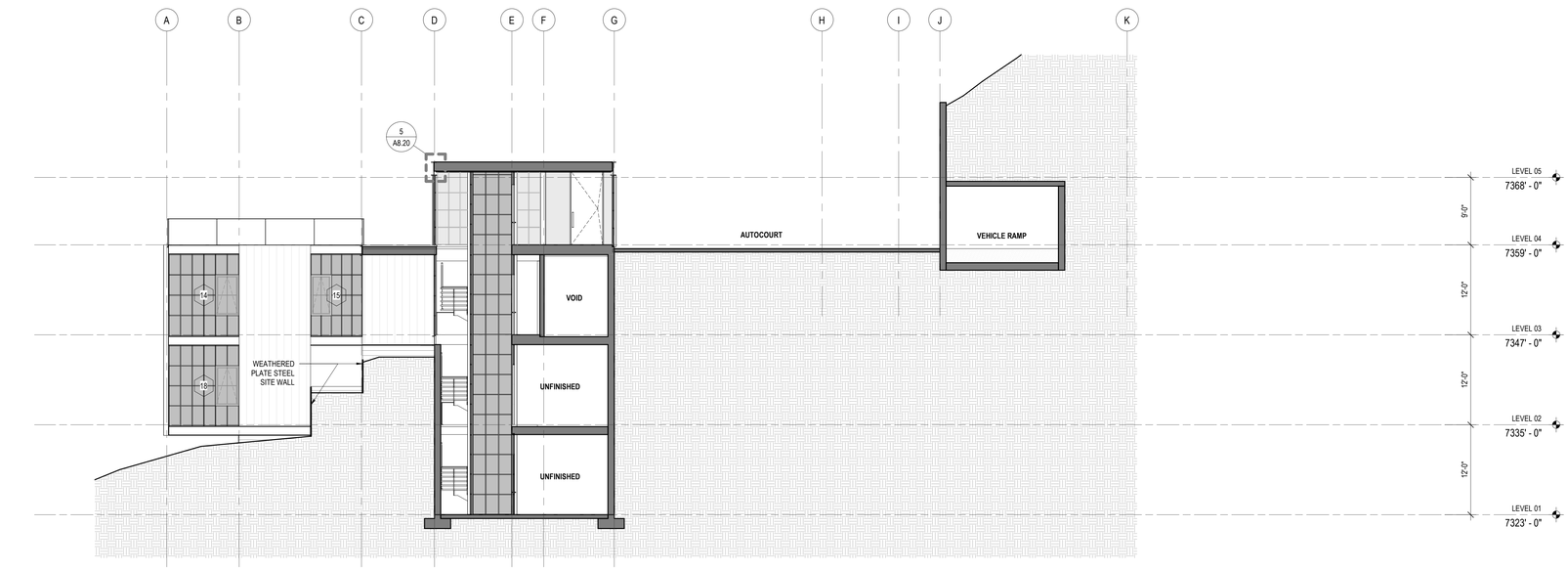
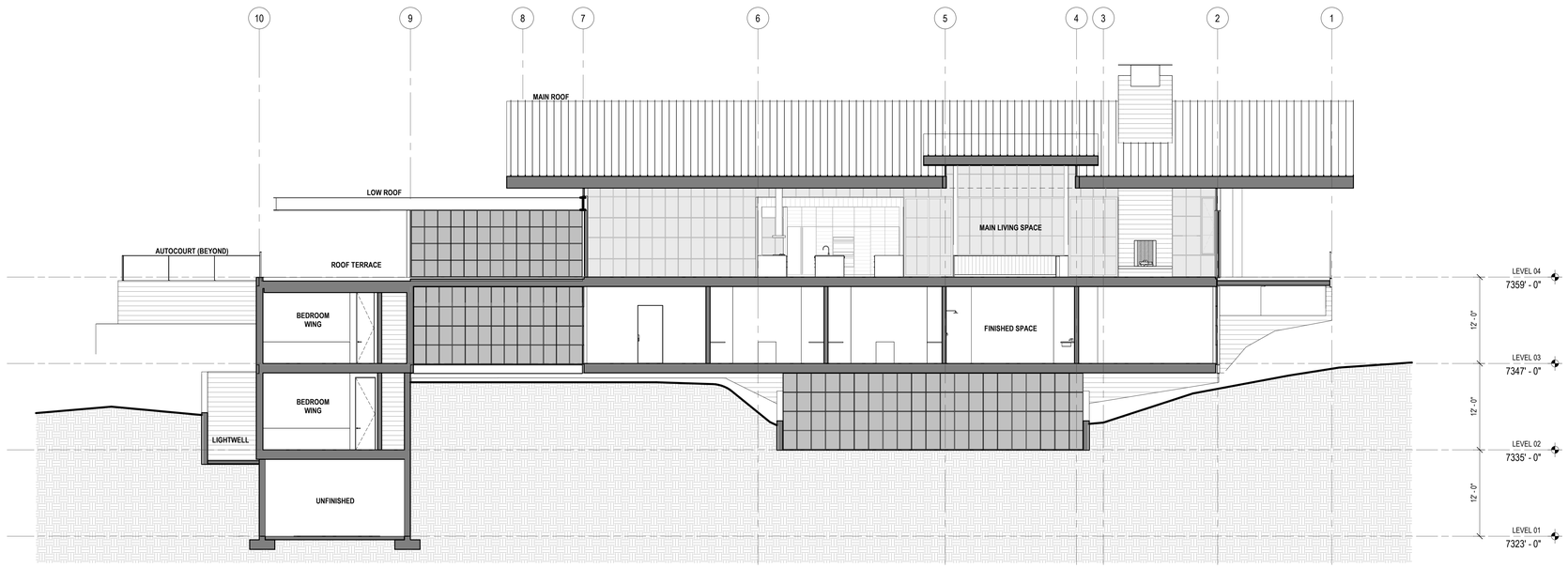
BUILDING SECTIONS

A3.10



1 E-W SECTION - THRU ELEVATOR

SCALE: 1/8" = 1'-0"



2 N-S SECTION THRU BUMP OUT

SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

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BUILDING SECTIONS

A3.11

WEATHERED STEEL GUARD RAIL AND POSTS. 2" X 1/2" WELDED FLAT BAR

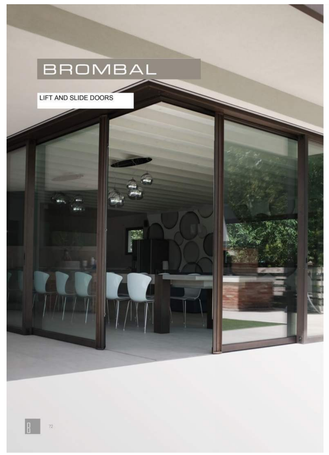
WOVEN MESH INFILL PANEL, 1/2" OPENING. WEATHERED STEEL FINISH

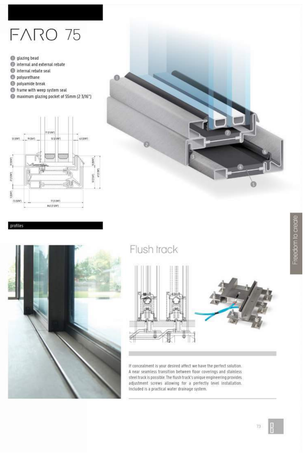
ANALOG HOUSE - BY OLSON KUNDIG

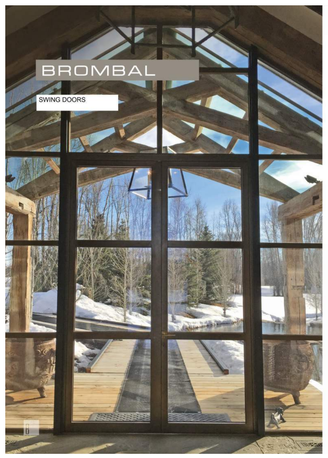
WOVEN MESH INFILL PANEL - NOTE TRANSPARENCY.

ANALOG HOUSE - BY OLSON KUNDIG

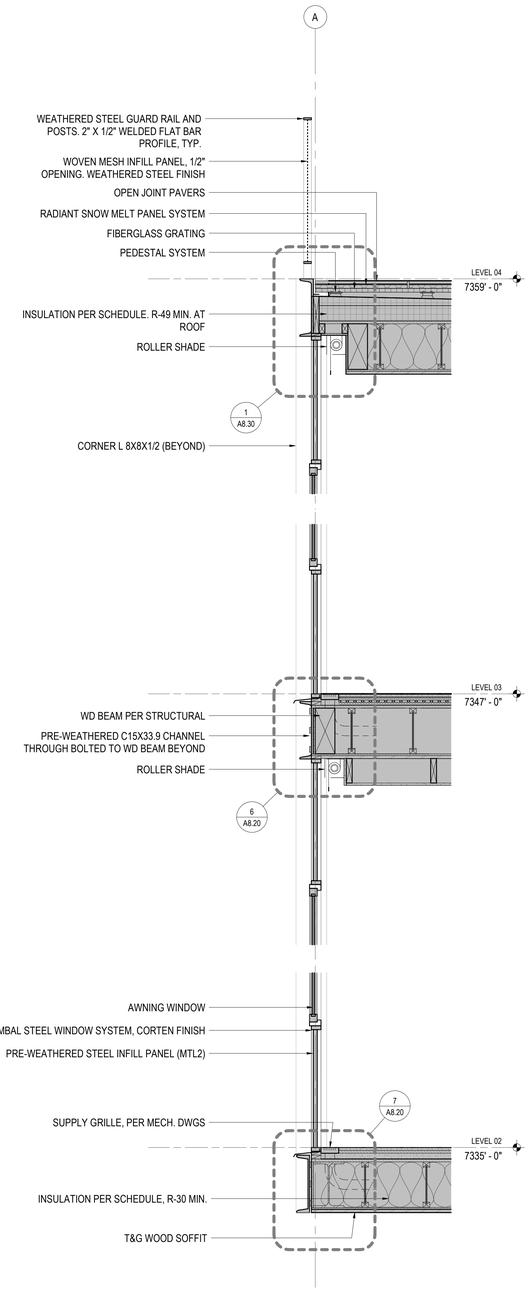
4 GUARDRAIL REFERENCE





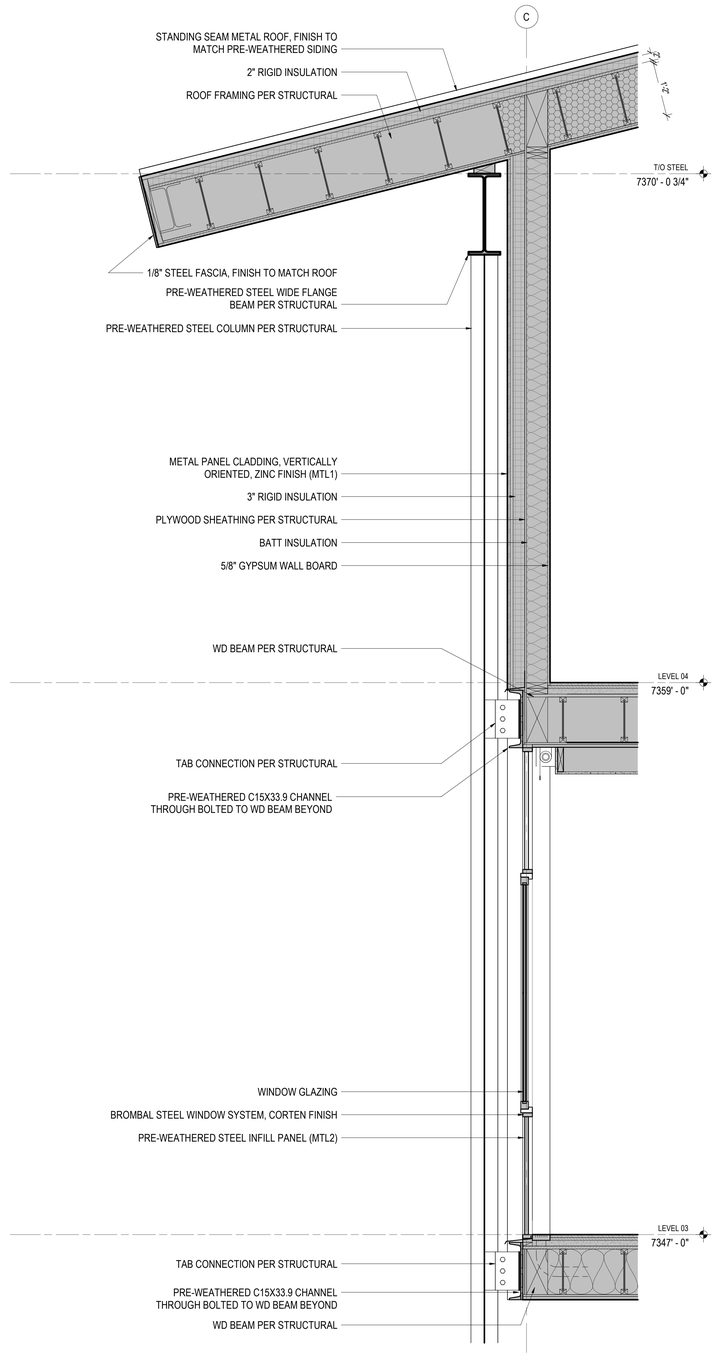


3 WINDOW SYSTEM - CUT SHEETS



2 ENLARGED SECTION @ GUEST WING

SCALE: 3/4" = 1'-0"



1 E-W ENLARGED WALL SECTION

SCALE: 3/4" = 1'-0"

0 1' 2' 3' 4'

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WALL SECTIONS + DETAILS

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EXHIBIT G

ENGINEERING GEOLOGY OF PARK CITY, SUMMIT COUNTY, UTAH

By Harold E. Gill and William R. Lund

UTAH GEOLOGICAL AND MINERAL SURVEY
a division of
Utah Department of Natural Resources

Special Studies 66 **June 1984**

Special Studies 66

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By Harold E. Gill and William R. Lund

UTAH GEOLOGICAL AND MINERAL SURVEY
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Special Studies 66 **June 1984**

ENGINEERING GEOLOGY OF PARK CITY, SUMMIT COUNTY, UTAH

CONTENTS

Abstract 1
Introduction 1
  Background and purpose 1
  Previous work 2
  Scope of work 3
General geology 3
  Physiography and climate 3
  Stratigraphy 3
    Pennsylvanian 3
    Permian 3
    Triassic 6
    Triassic - Jurassic 6
    Tertiary 6
    Quaternary 6
  Structure 7
Engineering geology 7
  Soils 8
  Hydrology 9
    Surface water and flooding 9
    Ground water 9
  Slope stability 9
  Foundation conditions 17
  Erosion hazard and erodibility 21
    Background 21
    Erosion potential in Park City 22
    Erosion and sediment control 23
  Mining-related hazards 26
    Collapse, subsidence, and sinkhole development 26
    Slope stability 26
    Erosion and sedimentation 27
    Contamination of ground water and soil 27
  Seismicity 32
    Earthquake hazard 33
  Avalanche hazard 34
Conclusions and recommendations 36
Acknowledgements 37
Selected references 37
Appendix 40

FIGURES

Figure 1. Location of study area 2
2. Geology 4
3. Soils 10
4. Surface and ground-water hydrology 12
5. Surface water impoundments in Deer Valley Meadow 14
6. Flood damage in Empire Canyon 15
7. High water table in Deer Valley Meadow 16
8. Slope stability 18
9. Large earth slump in road cut excavated for Deer Valley Drive 20

FIGURES (cont.)

10. Small earth slump developed in road cut excavated in the toe of a prehistoric slope failure 20
11. Erosion hazard and erodibility 24
12. Underground workings..... 28
13. Failure of mine shaft cap southwest of study area 27
14. Extensive erosion of mine waste pile in Woodside Gulch..... 32
15. Location of earthquake epicenters listed in Table 3 (1850 to September 1983) in the Park City area 35

TABLES

Table 1. Unified Soil Classification System 8
2. Toxic element concentrations at Prospector Square development..... 33
3. Earthquakes of Richter magnitude 2.0 or greater in the Park City area, 1850 to September 1983 . 34

APPENDIX

Glossary 40
Geologic time scale..... 41
Modified Mercalli intensity scale 42

ENGINEERING GEOLOGY OF PARK CITY, SUMMIT COUNTY, UTAH

By Harold E. Gill [1] and William R. Lund [2]

ABSTRACT

Park City began as a mining community in the late 1860s and mining continued actively in the area for more than 100 years. In the 1970s skiing surpassed mining as the major industry in the area. Due to a rapid increase in population and tourism, and subsequent need for additional facilities, pressure for development in possible problem areas, such as flood plains and steep hillsides, has increased. Development in these relatively hazardous areas requires early recognition of geologic constraints on construction. It is the purpose of this report to provide general information on geologic conditions and hazards in Park City for use in making planning decisions.

Park City is on the eastern slope of the Wasatch Range in north-central Utah. Bedrock in the study area consists of Pennsylvanian to Jurassic quartzite, limestone, sandstone, shale, siltstone, mudstone, and conglomerate, as well as Tertiary volcanic and intrusive rocks. The area is on the north flank of the westward extension of the Uinta arch, and beds dip gently to the north-northwest. Quaternary glacial and alluvial deposits (gravel, sand, silt, and clay) cover approximately 25 percent of the area. The major structural features in Park City are the north-trending Park City anticline on the west and the Frog Valley thrust fault on the east. Numerous northeast-southwest trending normal faults are found in the southern half of the study area.

Soils are predominantly gravelly, but fine-grained materials (silts and clays) are found in valley bottoms and along drainage channels. Expansive clays occur locally in the alluvium-filled valleys. Rock materials are resistant quartzite and limestone in the south and less resistant shale, siltstone, and mudstone in the north. Flood-prone areas are limited to land adjacent to stream channels and to valley bottoms such as Deer Valley and Park Meadows, where both flood and shallow ground-water hazard are high. To the present time, slope failure and erosion have not been major problems. However, as development continues, especially on steeper slopes, care should be taken to assure that grading and wetting of the slopes, as well as removal of natural ground cover, do not increase the hazard.

The rapid development of Park City as a recreational area has resulted in the urbanization of mined areas. Hazards associated with mining include open shafts and adits, increased loading on slopes due to waste piles, contamination of soil and water by toxic elements in old mill tailings, and subsidence resulting from collapse of abandoned underground workings.

Park City lies within a north-south trending belt of seismicity known as the Intermountain seismic belt. Although the city has not experienced a large earthquake in historic time, an earthquake of Richter magnitude 6 is considered possible.

Snow avalanches occurred in the Park City area between 1884 and 1897, primarily because trees which stabalize snow on slopes were removed for use by the mining industry. At present, the slopes have revegetated and no avalanches have been reported on slopes near the city since Park City Resort opened in 1963.

INTRODUCTION

Background and purpose

Park City is located on the eastern slope of the Wasatch Range in north-central Utah, about 20 miles (32 km) east of Salt Lake City (fig. 1). It originated as a silver mining community in the late 1860s. Mining activity peaked in 1929 and has decreased since that time (Economics Research Associates, 1981). However, considerable ore remains and may be mined in the future. The first ski resort was devel-

[1] Geologist, Site Investigations Section, Utah Geological and Mineral Survey.
[2] Section Chief, Site Investigations Section, Utah Geological and Mineral Survey.

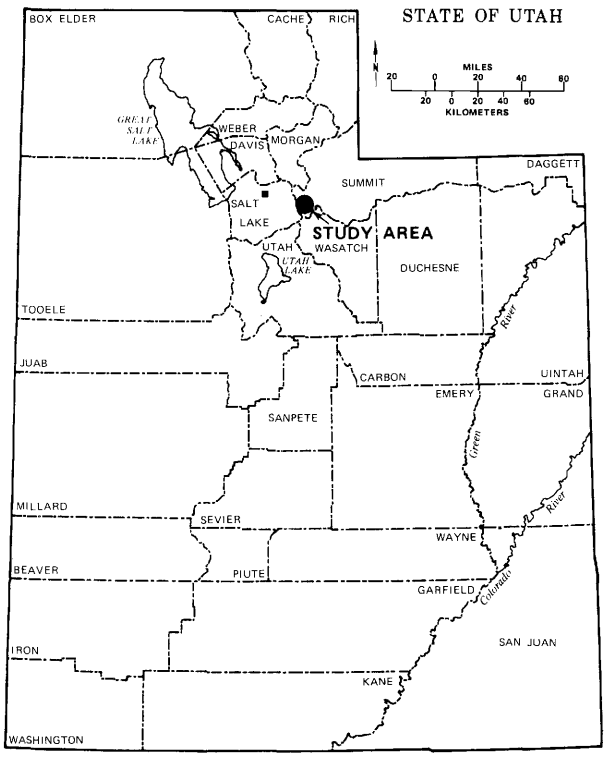


FIGURE 1.—Location of study area.

oped in 1963 (Park City Ski Resort), and during the 1970s skiing replaced mining as the major industry in Park City. All mines are idle at present, but Park City and the Snyderville Basin are experiencing renewed growth with the opening of additional winter recreational facilities such as Park West Ski Resort and most recently Deer Valley Resort. The mild summer climate and spectacular mountain scenery attract many summer visitors and full-time residents as well.

The 1980 census shows that the population of Park City increased from 1193 in 1970 to 2823 in 1980. It is estimated that the population will nearly quadruple between 1980 and the year 2000 (Economics Research Associates, 1981). The number of full-time residents, however, is not an accurate indication of the importance of Park City as a growing Utah community. During a peak month of the winter recreation season, the average population of the Park City and Snyderville Basin area was reported as 14,400 in 1981/1982, and is estimated to reach 23,470 by 1985/1986 and 47,180 by the year 2000 (Economics Research Associates, 1981). On a percentage basis, the number of housing units is expected to increase faster than resident population due to rapid construction of condominiums for visiting skiers.

Portions of Park City are characterized by steep mountain slopes, expansive soils with moderate to high shrink/swell potential, and shallow ground water. As population grows, land suitable for development will become more scarce and expansion into possible problem areas is likely. For this reason, the Utah Geological and Mineral Survey entered into a cooperative agreement with Park City to investigate engineering geologic conditions within the established boundaries of the town which may have an effect on future growth and development. This was accomplished by preparing a series of maps that identify geologic, hydrologic, and soil conditions of importance to development, and provide an assessment of slope stability, erosion, flood, seismic, and mining-related hazards. The maps and accompanying text are intended for general planning purposes, and do not preclude the necessity for site-specific investigations. A geologic time scale and glossary of terms is included in the appendix.

Previous work

Since the discovery of silver in the late 1800s, the Park City area has been of interest to geologists. Boutwell (1912) published the first extensive geologic study of the Park City mining district and it remains the standard reference for the area. Published reports by Wilson (1959), Eardley (1968), and Bromfield (1968) also discuss the geology of the Park City mining district. The U.S. Geological Survey has mapped the geology of the Park City East and West and Heber 7.5 minute topographic quadrangles, portions of which cover the study area (Bromfield and others, 1970, 1971; Crittenden and others, 1966). A great deal of geologic and hydrologic information has been gathered by various mining companies, but these data are available only through a contract/fee arrangement with United Park City Mines. Baker (1970) published the only hydrologic report pertaining to the study area. The U.S. Geological Survey is currently studying surface and ground-water hydrology in the Park City area, but the report will not be complete for several years. A map of flood-prone areas in Park City has been prepared by the U.S. Department of Housing and Urban Development Federal Insurance Administration (1976) which shows the extent of the 100-year flood (flood with a one percent chance of occurring annually) on major streams. A more comprehensive study, including newly developed areas, is scheduled to begin during the summer of 1984, with completion in about 16 months (James Harvey, oral commun., 1984). The USDA Soil Conservation Service and others (1977) have mapped soils in the area and have made engi-

neering interpretations regarding erosion hazard, slope stability, and land-use.

Scope of work

To accomplish the objectives of this study the following work was undertaken:

1. Review of available published and unpublished reports, well and test pit logs, and maps pertaining to geology, hydrology, and soils.
2. Contact with planners, building inspectors, homeowners, and geologists familiar with local conditions and hazards.
3. Monitoring of surface hydrology and flooding between early spring and late summer 1983.
4. Detailed field mapping using 1:12,000 and 1:20,000 scale black and white stereo aerial photographs and 1:2,400 scale photo enlargements.
5. Field inspection of existing excavations with description of 20 soil profiles to gather data on soil types, erosion hazard, and slope stability.
6. Inspection of adits, shafts, and waste piles at 49 mine workings.
7. Drilling of ten 4-inch (10 cm) diameter auger holes from 2 to 11 feet (0.6 - 3.4 m) deep in the Prospector Square area of Park City to determine depth and lateral extent of mill tailings. Soil samples collected were analyzed for toxic elements.
8. Analysis of data and preparation of maps and accompanying text.

GENERAL GEOLOGY

Physiography and Climate

The study area lies in the Wasatch Range section of the Middle Rocky Mountains physiographic province in north-central Utah (Stokes, 1977). The Wasatch Range trends north-south through central Utah and includes high alpine terrain with peaks above 10,000 feet (3050 m). Much of the higher elevations were glaciated during the Pleistocene. Elevations in Park City range between 6760 and 8495 feet (2062-2591 m) above sea level. Silver Creek (also known as Poison Creek), which heads in Empire Canyon, is the principal drainage in Park City. It flows from the southern boundary of the study area northward to Masonic Hill where it turns to the northeast, eventually joining the Weber River at Wanship about 12 miles (19 km) north of Park City.

Terrain in the study area ranges from broad alluvial valley bottoms and low hills in the north to steep, rugged mountains cut by deep valleys in the south. Most of the mountainous area is underlain by resistant quartzite and limestone bedrock. Deep canyons such as Woodside Gulch, Empire Canyon, and Ontario Canyon have been cut where faulting and folding have made the bedrock less resistant to erosion. These canyons were glaciated and show evidence of scour by glacial ice. To the north, hills are rounded with gentle slopes and low relief because of the less-resistant bedrock (shale, mudstone, and siltstone) found there. Alluvium and glacial outwash from the mountains to the south were deposited along streams forming broad alluvial valleys.

The climate is sub-humid, with annual precipitation ranging from 20 to 25 inches (51-64 cm) in the valley to 25 to 30 inches (64-76 cm) in the mountains (Baker, 1970). The majority of precipitation falls as snow during November through April. The dryest period is generally May through September, when less than 8 inches (20 cm) of precipitation falls.

Stratigraphy

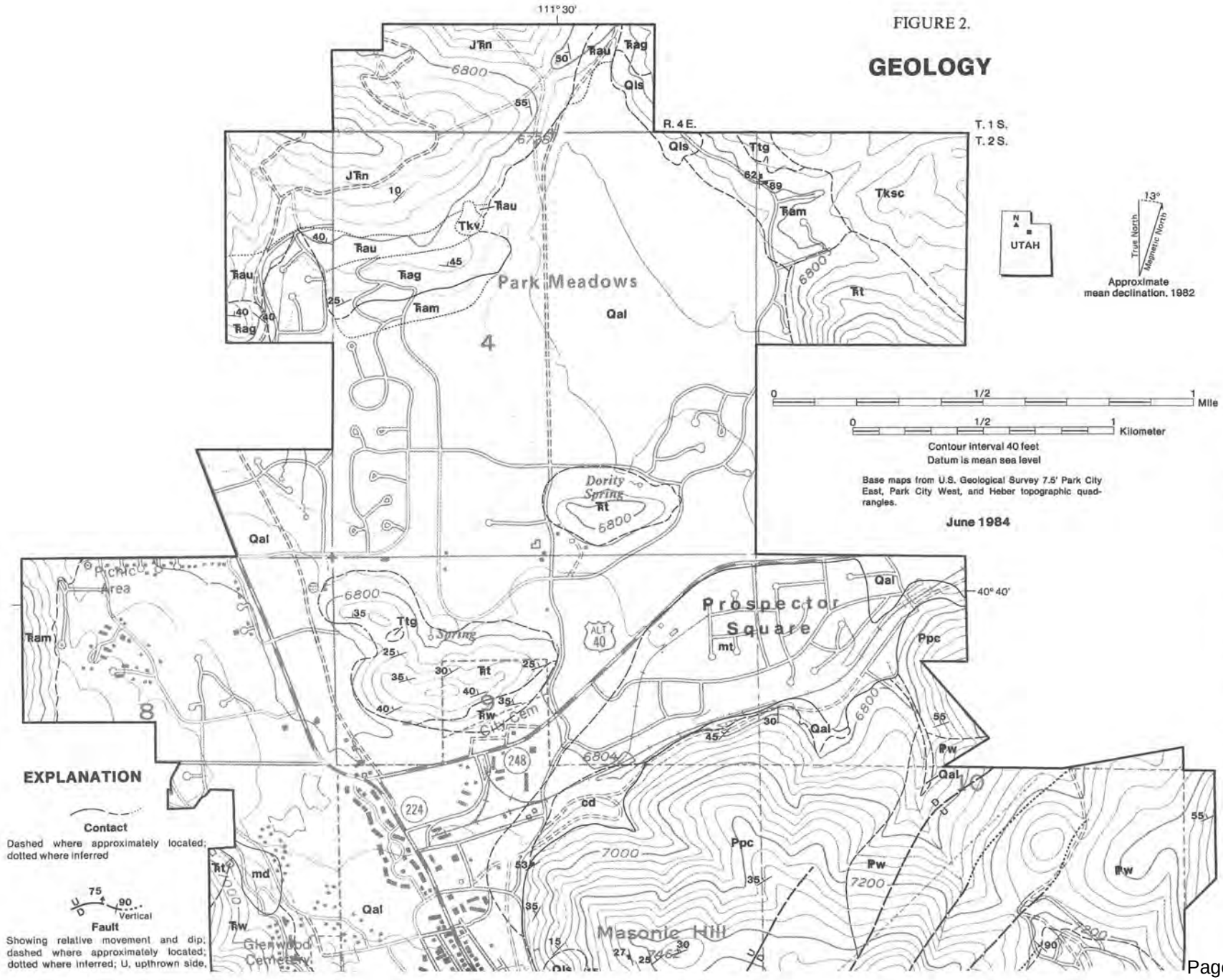
Geologic units range in age from Pennsylvanian to Holocene in the study area (geologic time scale, appendix). Bedrock consists of Pennsylvanian to Jurassic quartzite, limestone, sandstone, siltstone, mudstone, and shale, and Tertiary volcanic and intrusive rocks. Unconsolidated materials consist of Tertiary gravels and Quaternary glacial deposits, landslide deposits, alluvium, and colluvium. A geologic map of the area is shown in figure 2.

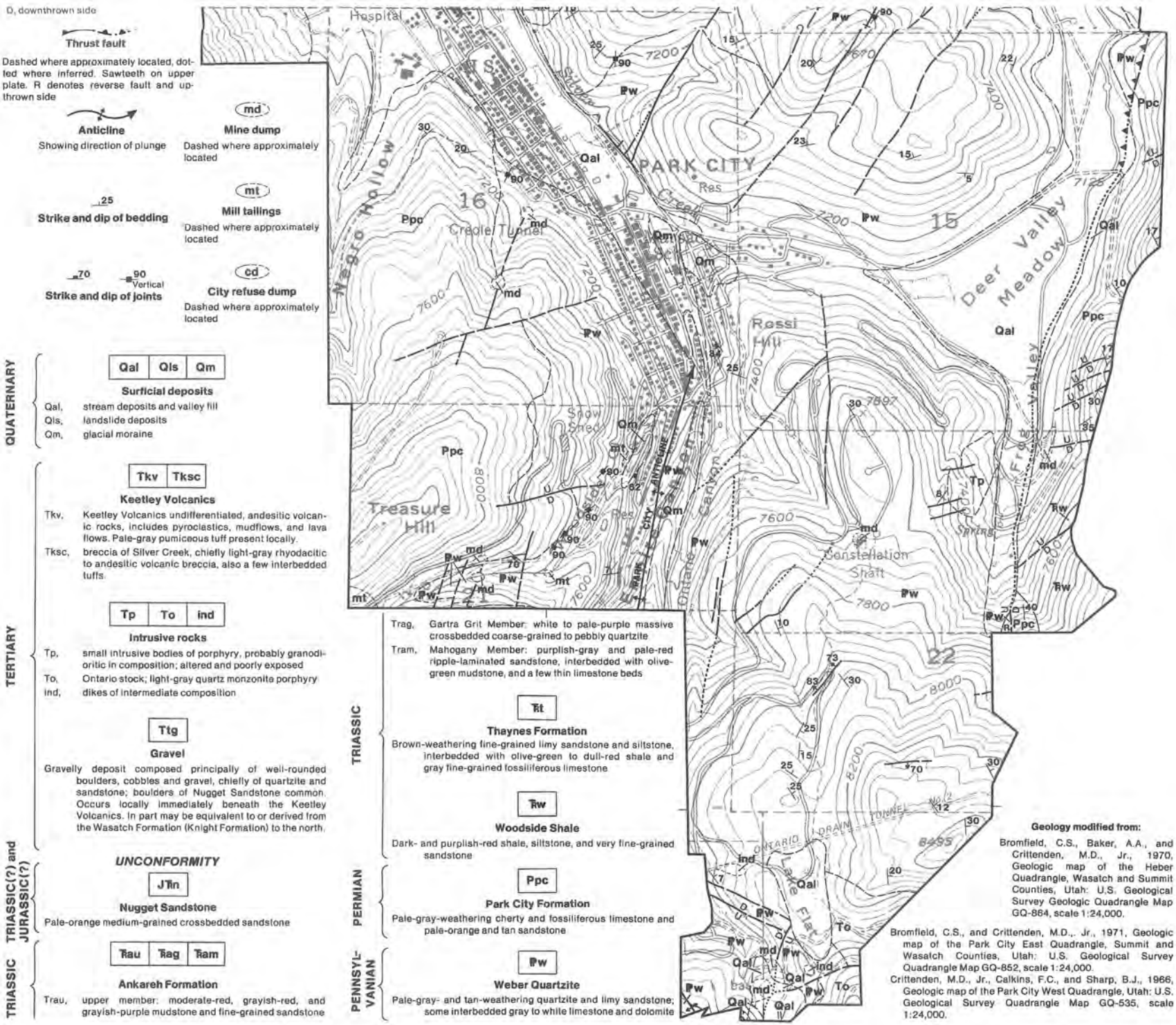
Pennsylvanian — The oldest rock unit in the Park City area is the Weber Quartzite. It crops out in the southern half of the study area where numerous resistant ridges consisting of medium- to thin-bedded, pale gray, tan-weathering, fine-grained quartzite and sandstone are found. The character of the rock indicates a shoreline deposit, and its homogeneity shows that conditions remained constant during its deposition (Boutwell, 1912). Limestone forms a subordinate but significant part of the formation. The Weber Quartzite is the principal water source in mines of the Park City mining district (Baker, 1970, p. 18).

Permian — The Park City Formation is a sequence of limestone, chert, sandstone, and phosphatic shale. The formation was deposited during a transitional period between stable conditions during the Pennsylvanian period and the more erratic conditions associated with deposition of the overlying Triassic red beds. The most extensive and characteristic exposures trend southwest-northeast across the center of the study area and form portions of Treasure Hill and

FIGURE 2.

GEOLOGY





Geology modified from:

Bromfield, C.S., Baker, A.A., and Crittenden, M.D., Jr., 1970, Geologic map of the Heber Quadrangle, Wasatch and Summit Counties, Utah: U.S. Geological Survey Geologic Quadrangle Map GQ-864, scale 1:24,000.

Bromfield, C.S., and Crittenden, M.D., Jr., 1971, Geologic map of the Park City East Quadrangle, Summit and Wasatch Counties, Utah: U.S. Geological Survey Quadrangle Map GQ-852, scale 1:24,000.

Crittenden, M.D., Jr., Calkins, F.C., and Sharp, B.J., 1966, Geologic map of the Park City West Quadrangle, Utah: U.S. Geological Survey Quadrangle Map GQ-535, scale 1:24,000.

Masonic Hill. No single exposures of the entire formation can be found in the study area and only the upper Franson Member was observed in outcrop. That member consists of light gray, buff-weathering limestone and dolomite and tan calcareous sandstone. The Park City Formation is one of the major ore-bearing units in the Park City mining district (Boutwell, 1912).

Triassic — The majority of rocks exposed in the northern half of the study area are of Triassic age. They include, from oldest to youngest; the Woodside Shale, Thaynes Formation, and Ankareh Formation.

The Woodside Shale is a sequence of interbedded red shale, siltstone, and fine-grained sandstone representing an offshore deposit laid down during a period of relative tectonic quiescence. The unit contains no ore, but its capacity for ground-water storage reportedly makes it an important factor in mining operations (Boutwell, 1912). The formation crops out in a northeast-southwest band approximately through the center of the study area in the vicinity of the Glenwood Cemetery and the new City Cemetery.

The Thaynes Formation is a calcareous sequence of marine limestone, sandstone, and clastic sedimentary rocks. It is comprised of an upper interbedded limestone, limy sandstone, and siltstone unit; a middle red shale and siltstone unit; and a lower green micaceous shale. Its deposition was probably characterized by crustal instability with frequent marine transgressions and regressions. Only the upper limestone and sandstone sequence and middle red shale unit are in the study area. Some units within the Thaynes Formation are fossiliferous and the fossils plus the middle red shale unit distinguish the Thaynes Formation from the otherwise similar Park City Formation. The unit occurs in two small hills immediately north of Utah State Alternate Highway 40 in the north-central portion of the study area. Dority Spring and two unnamed springs discharge from this formation.

The Ankareh Formation overlies the Thaynes Formation in the far northern portion of the study area and is comprised of three members; the lower Mahogany Member, the middle Gartra Grit Member, and the upper (unnamed) red member. The formation is comprised of shallow-water detrital sediments representing flood-plain, mud flat, and channel deposits. The Mahogany Member consists of purplish-gray and pale-red, ripple-laminated, fine-grained sandstone and purplish mudstone. Rock from this unit has been used for landscaping in the Park City area. The middle Gartra Grit Member consists of a white to pale-purple, massive, crossbedded, coarse-grained to pebbly quartzite and conglomeratic sandstone. The member occurs in channels in the underlying Mahogany Member, indicating a period of erosion after deposition of the lower unit. The contact between the Gartra Grit and the upper red beds is gradational. Due to its extent and characteristic appearance, the Gartra Grit is considered an excellent marker unit for stratigraphic studies. The upper member consists of red and grayish-purple mudstone and fine-grained sandstone. This member weathers to gentle slopes and few outcrops can be found.

Triassic - Jurassic — The Nugget Sandstone overlies the Ankareh Formation in the northwest corner of the study area where it caps Quarry Mountain. The age of the unit is uncertain, and is considered to be transitional between the Triassic and Jurassic (Bromfield, 1968). The Nugget Sandstone consists of fairly uniform pale-red to reddish-orange, fine-grained to very fine-grained sandstone. Large-scale crossbeds occur throughout the unit, indicating an eolian dune depositional environment. The formation has been utilized for landscaping and as building stone.

Tertiary — Tertiary gravel deposits consisting of well-rounded boulders, cobbles, and gravels, chiefly of quartzite and sandstone, unconformably overlie the Ankareh Formation. The deposits are localized and very thin. Cobbles of Nugget Sandstone are common and the unit may be equivalent to or derived from the Wasatch (Knight) Formation to the north (Bromfield and Crittenden, 1971).

Oligocene intrusive rocks are found in the southern portion of the study area. A small granitic intrusive is located immediately east of the Deer Valley Resort lower lodge, at the southern end of Frog Valley (fig. 2). A much larger intrusive, the Ontario Stock, is located immediately east of the Deer Valley upper lodge at Lake Flat. This intrusive consists of light-gray quartz monzonite porphyry. Small dikes of intermediate composition are also found near this location (Bromfield and Crittenden, 1971).

The Keetley Volcanics of Oligocene age unconformably overlie sedimentary rocks at the north end of the study area. Rock types include flows, tuffs, and volcanic breccias of andesitic to rhyodacitic composition. Residual soils have attained thicknesses of several feet in many locations and outcrops of unweathered rock are rare.

Quaternary — Glacial moraines comprised of boulders, cobbles, gravel, and finer material underlie Ontario Ridge and are also found at the mouth of Woodside Gulch and at the northwest end of Rossi Hill (fig. 2). Apparently only in Empire Canyon did

ice reach the canyon mouth (Boutwell, 1912). The moraines in Park City have not been dated, but possible correlation with glacial deposits mapped by Madsen and Currey (1978) in Little Cottonwood Canyon approximately 7 miles (11 km) southwest of Park City across the Wasatch Range indicates a late Pleistocene age.

Two landslides of Quaternary age (fig. 2) are found in Park City. The largest is located near the northeast corner of the study area on a moderate slope underlain by the Ankareh Formation. It appears to have involved both residual soil and weathered bedrock. The smaller landslide is on the west slope of Masonic Hill and is an earth slump in colluvium on a steep slope. The failure is underlain by the Park City Formation. A series of mudflows and debris flows of late Pleistocene to Holocene age occurred in Iron Canyon immediately west of the study area (Schroder, 1971). The toe of the flow deposits, termed the Iron Canyon landslide, terminates near the picnic area north of Snow Summit Ranch. Failure occurred in the argillaceous upper red member of the Ankareh Formation.

Holocene sediments are found over much of the study area (fig. 2). The deposits consist chiefly of alluvial gravel, sand, silt, and clay. Fine-grained sediments in Park Meadows and Deer Valley Meadow reach a maximum thickness of about 100 feet (31 m) and an average thickness of approximately 60 feet (18 m) (Baker, 1970). These sediments represent alluvial material and local residual soil of silt and clay derived from shale, siltstone, and mudstone bedrock. Silt and clay are also found adjacent to stream channels where they were deposited during periods of overbank flooding. Holocene silty and sandy gravels cover much of the remaining area. They occur predominantly as colluvium and alluvium at the base of mountain slopes, and as clean gravel in stream channels.

Structure

The Park City region lies on the north side of a broad east-west trending uplift, generally considered to be the westward extension of the Uinta arch. This structure cuts across the north-south orientation of the Wasatch Range (Bromfield, 1968). The dip of bedding in the study area is generally to the north-northwest, but has been altered by folding and faulting in the southern part. The dominant structural feature in the area is the Park City anticline, which is transverse to the east-trending Uinta arch. The axis of the anticline plunges to the north and trends parallel with and immediately east of Ontario Ridge. It terminates slightly north of the mouth of Empire Canyon (fig. 2). In the study area the limbs of the anticline dip gently northeast and west at angles between 15 and 25 degrees. The anticline and associated folding are thought to be of Tertiary age and may be associated with the intrusion of porphyries in late Eocene or Oligocene time (Wilson, 1959).

A major structural feature on the east side of the study area is the Frog Valley thrust fault which trends north-south along the east side of Frog Valley and Deer Valley Meadow (fig. 2). On the ridge north of McHenry Canyon (south of the study area) the fault is mapped as a reverse fault placing Weber Quartzite on the west against beds of Woodside Shale on the east (Bromfield and others, 1970; Bromfield and Crittenden, 1971). North of Frog Valley, the fault trace is concealed by alluvium where it runs along the east side of Deer Valley Meadow. No evidence for displacement of the alluvium was observed. The fault is again exposed north of Deer Valley Meadow where the Weber Quartzite has been thrust along a low-angle fault over the Park City Formation (Bromfield, 1968). Weber Quartzite north of the fault strikes northeast and dips northwest while the Park City Formation and the Woodside Shale south of the fault strike north and northwest and dip eastward (Bromfield, 1968). The Frog Valley thrust fault is believed to be contemporaneous with other thrusting in the area (F. Davis, oral commun., 1984) which has been dated as late Cretaceous and early Tertiary (Crittenden, 1976).

A number of southwest-northeast trending normal faults found almost exclusively in the Park City Formation and Weber Quartzite were observed in the southern half of the study area. No evidence of Quaternary offset along those faults has been identified. The nearest fault on which offset during the Quaternary is known is the Wasatch fault located approximately 16 miles (26 km) to the west (Anderson and Miller, 1979).

ENGINEERING GEOLOGY

Various geologic considerations are important in the location, design, construction, and maintenance of engineered structures. These include rock type and structure, soil characteristics and thickness, topography, hydrology (both surface and groundwater conditions), and seismicity. These factors were used to evaluate slope stability, foundation conditions, erosion hazard, seismic hazard, and mining-related hazards that affect the Park City area.

Soils

Soils in the area range from relatively thin colluvial gravel usually found on or at the base of mountain slopes to thick, fine-grained alluvial soil generally restricted to valley bottoms. The soil units identified by the USDA Soil Conservation Service and others (1977) in Park City have been modified based on geologic mapping, air photo interpretation, and boring/test pit logs. They have been combined on the basis of soil type and engineering characterestics into four major groups (fig. 3). The groups are further subdivided into deep and shallow soils based on a depth to bedrock of 60 inches (152 cm). The major soil groups consist of (a) gravel, silty gravel, and clayey gravel (Group I), (b) silty clay and clay (Group II), (c) a mixture of clay, silt, and gravel (Group III), and (d) a layer of silty clay overlying silty and clayey gravel (Group IV). An "r" attached to the group number designates an area of shallow bedrock (e.g. Ir). Soil descriptions conform to the Unified Soil Classification System (table 1).

Gravelly soils consist primarily of silty, clayey, and sandy gravels (GM, GC, GP). Silty and clayey gravels have permeabilities ranging from 0.6 to 6.0 inches/hour (4.2×10^{-4} to 4.2×10^{-3} cm/sec), while clean gravels can have permeabilities as high as 20 inches/hour (1.4×10^{-2} cm/sec). Fines forming the matrix for the clayey gravels exhibit low to moderate shrink-swell characteristics and may have low shear strengths (USDA Soil Conservation Service and others, 1977). Gravelly soils occur on or near the base of mountain slopes or as clean sandy gravel in stream channels.

Fine-grained soils consist of silt and clay (ML, CL, CH). These soils have permeabilities of 0.06 to 2.0 inches/hour (4.2×10^{-5} to 1.4×10^{-3} cm/sec), low to high shrink-swell characteristics, and low shear strength (USDA Soil Conservation Service and others, 1977). Fine-grained soils are found primarily in valley bottoms and along some stream channels where they represent overbank flood deposits.

Both gravelly and fine-grained materials have developed as residual soils over bedrock. Resistant formations such as the Weber Quartzite and the limestone of the Park City Formation generally have only a thin residual soil cover. Less resistant rock units in the northern half of the study area develop variable thicknesses of residual soil depending on rock type and slope. The Woodside Shale and Ankareh Formation have the deepest residual soils, commonly up to several feet thick. Soil texture (grain size) depends on the rock type from which the soil is derived. Residual soil on quartzite will be sandy or gravelly,

TABLE 1.—Unified Soil Classification System.

MAJOR DIVISIONS			GROUP SYMBOLS	TYPICAL NAMES
COARSE-GRAINED SOILS More than 50% retained on No. 200 seive*	GRAVELS 50% or more of coarse fraction retained on No. 4 seive	CLEAN GRAVELS	GW	Well-graded gravels and gravel-sand mixtures, little or no fines
			GP	Poorly graded gravels and gravel-sand mixtures, little or no fines
		GRAVELS WITH FINES	GM	Silty gravels, gravel-sand-silt mixtures
			GC	Clayey gravels, gravel-sand-clay mixtures
	SANDS More than 50% of coarse fraction passes No. 4 seive	CLEAN SANDS	SW	Well-graded sands and gravelly sands, little or no fines
			SP	Poorly graded sands and gravelly sands, little or no fines
		SANDS WITH FINES	SM	Silty sands, sand-silt mixtures
			SC	Clayey sands, sand-clay mixtures
FINE-GRAINED SOILS 50% or more passes No. 200 seive*	SILTS AND CLAYS Liquid limit 50% or less		ML	Inorganic silts, very fine sands, rock flour, silty or clayey fine sands
			CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, silty clays, lean clays
			OL	Organic silts and organic silty clays of low plasticity
	SILTS AND CLAYS Liquid limit greater than 50%		MH	Inorganic silts, micaceous or diatomaceous fine sands or silts, elastic silts
			CH	Inorganic clays of high plasticity, fat clays
			OH	Organic clays of medium to high plasticity
HIGHLY ORGANIC SOILS			PT	Peat, muck, and other highly organic soils

*Based on the material passing the 3-in. (75-mm) seive.

while soil developed on shale and siltstone will normally be fine grained.

Hydrology

Surface water and flooding — The principal drainage in Park City is Silver Creek (fig. 4). The stream course has been altered by man at several locations to accomodate the railroad and city expansion. Most tributaries to Silver Creek are small, but thick alluvial fans have formed at the mouths of the larger tributary canyons. At present most surface drainage is collected in storm drains that empty into Silver Creek. In addition, several surface water impoundments used as retention basins for excess surface runoff have been constructed in the study area. In Deer Valley Meadow, the impoundments are small lakes and ponds used for landscaping in and around residential structures (fig. 5). Excess surface water from the ponds flows along Heber Avenue and eventually empties into Silver Creek. At Park Meadows and the Park City Golf Course, impoundments are used as water hazards on the golf courses. Excess surface water from the city golf course flows to the north along Utah State Highway 224. Surface flow from Park Meadows enters a canal which eventually empties into Silver Creek east of Prospector Square.

Only four historical floods have been recorded in Park City since the late 1800s (Wooley, 1946; Butler and Marsell, 1972; Utah Division of Comprehensive Emergency Management, 1981). The most damaging (July, 1913) occurred when heavy rains flooded homes and streets, crippled the electrical system, and washed mud and boulders from the hillsides into the town. The other instances of flooding were relatively minor with heavy rain and hail causing road damage and severe sedimentation in streams (Butler and Marsell, 1972). In 1983 flood damage occurred in Empire Canyon where Silver Creek overflowed its banks (fig. 6). The bridge over Silver Creek at Heber Avenue was also damaged, and a thick layer of debris was deposited on the road. The flooding observed during 1983 resulted from the rapid melt of an extremely heavy snowpack. Flood control improvements have been made since publication of the map of flood-prone areas in Park City outlining the extent of a 100-year flood on major streams. In particular, a large diameter storm drain has been installed in Empire Canyon to handle excess flow from Silver Creek.

Ground water — Nearly all rock units and unconsolidated basin-fill deposits in the study area yield water to springs (fig. 4). Major exceptions are the Nugget Sandstone, the Keetley Volcanics, and Tertiary gravel deposits that cap ridges in the area. Two large springs discharge from the Thaynes Formation in the northern half of the study area (Dority Spring and an unnamed spring). During periods of snowmelt, numerous small springs and seeps appear, especially in the highly fractured Weber Quartzite. A detailed discussion of aquifer characteristics of rock units in the Park City area is presented by Baker (1970).

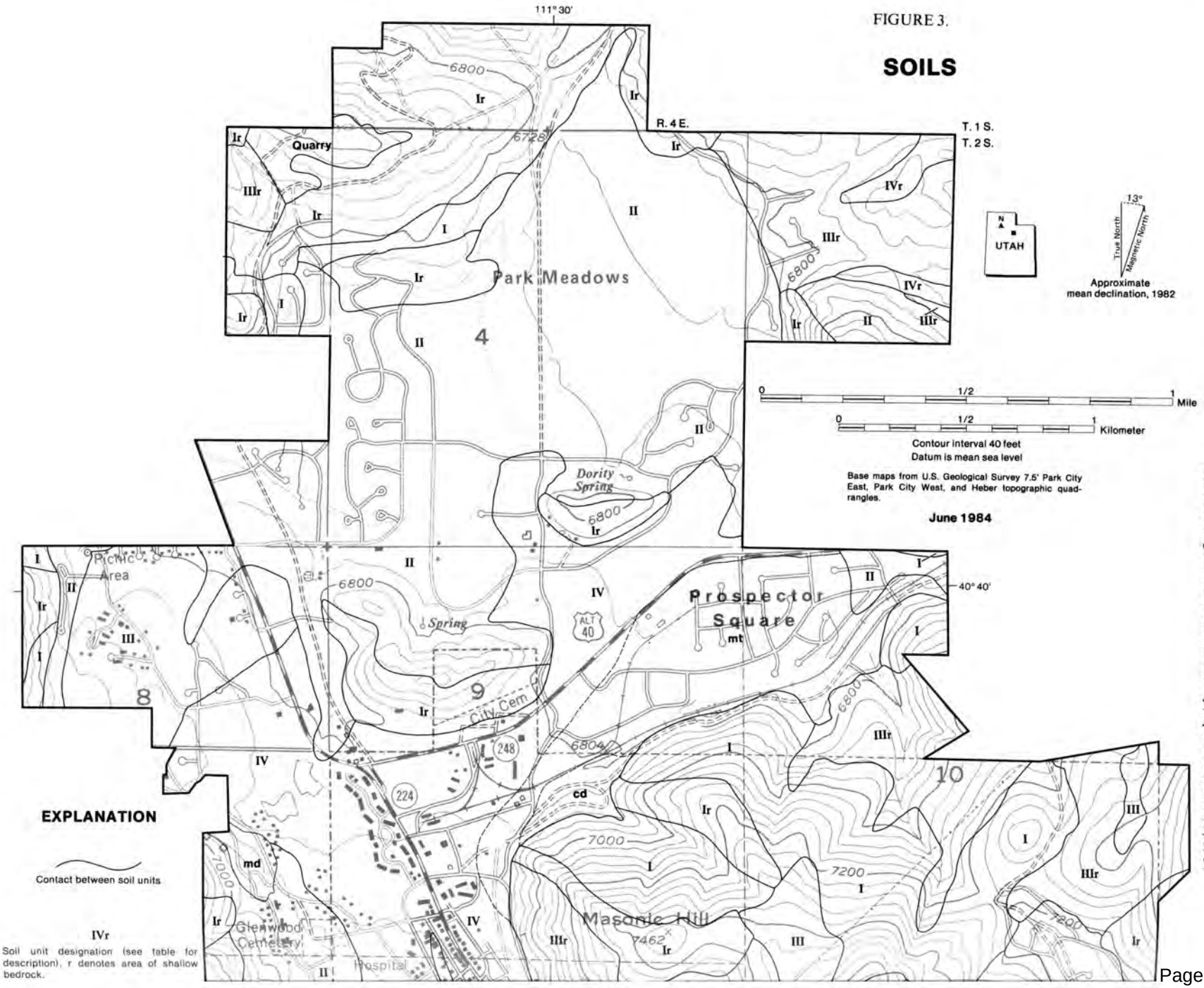
During this study, emphasis was placed on the occurrance of shallow ground water because of its importance to construction. Structures built in areas of shallow ground water run the risk of flooding and foundation instability, especially near springs on steep slopes and/or in clayey soils that exhibit high shrink-swell characteristics.

Areas of shallow ground water were identified from boring and test pit logs covering a 10-year period (1972-82) and from field observations. Figure 4 shows those areas where the estimated seasonal high stand of the shallow water table is from 0 to 10 feet (3 m) below ground surface. High ground water occurs principally in alluvium in valley bottoms and in colluvium at the base of slopes where springs discharge and large areas of marshy or boggy ground are found. Two such areas are Park Meadows and Deer Valley Meadow. At the northern end of Deer Valley Meadow several marsh and pond areas fed by ground water are quite large and standing water remains throughout the year (fig. 7, p. 16). Surface water impoundments in low areas further increase the water table by trapping runoff which then infiltrates into shallow aquifers. Site-specific investigations of ground-water levels, including consideration of seasonal variations, should be performed prior to construction in areas shown on figure 4 as subject to shallow ground water.

Slope stability

Natural slope stability depends on material type, slope angle, spacing and attitude of discontinuities (e.g. faults, joints, bedding, soil fissures), and moisture content. Dynamic processes such as erosion, ground vibration, and human activity also affect the stability of slopes. Slope failures result from either a reduction of the resisting forces (shear strength) that hold an earth mass in place, or an increase in the driving forces (shear stresses) that promote failure. Expansive soils, rock/soil discontinuities, high pore pressures, frost action, and breakdown of intergranular cement (weathering) are all factors that contribute to decreased shear strength. Increased shear stress may result from undercutting or removal of lateral

FIGURE 3.


SOILS
111°30'
40°40'
R. 4 E.
T. 1 S.
T. 2 S.
Park Meadows
Prospector Square
Masonic Hill
Dority Spring
Spring
Picnic Area
Quarry
City Cem.
Glenwood Cemetery
Hospital
UTAH
Approximate mean declination, 1982
13°
True North
Magnetic North
0 1/2 1 Mile
0 1/2 1 Kilometer
Contour interval 40 feet
Datum is mean sea level
Base maps from U.S. Geological Survey 7.5' Park City East, Park City West, and Heber topographic quadrangles.
June 1984
EXPLANATION
Contact between soil units
IVr
Soil unit designation (see table for description), r denotes area of shallow bedrock.

mt

Mill tailings

Soils highly variable, may contain elevated levels of toxic elements; recommend thorough site investigation prior to development. Contact dashed where approximately located.

md

Mine dump

Rock fragments and crushed rock from underground workings. Angular, loose, range in size from sand to boulders. Contact dashed where approximately located.

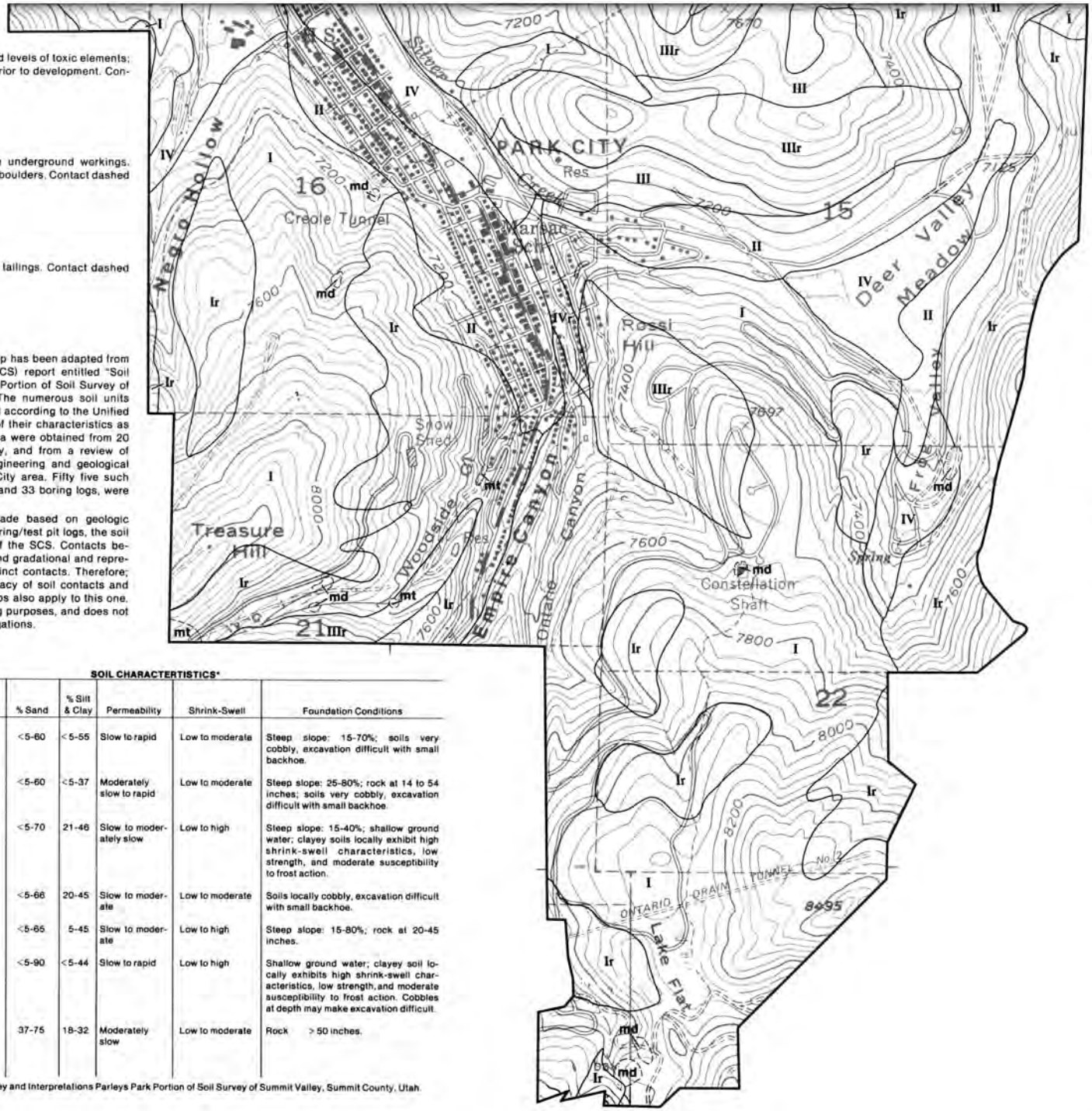
cd

City refuse dump

Old dump site possibly underlain by mill tailings. Contact dashed where approximately located.

The soils information shown on this map has been adapted from the USDA Soil Conservation Service (SCS) report entitled "Soil Survey and Interpretations Parleys Park Portion of Soil Survey of Summit Valley Summit County, Utah." The numerous soil units identified by the SCS have been grouped according to the Unified Soil Classification System on the basis of their characteristics as engineering materials. Additional soil data were obtained from 20 soil profiles described during this study, and from a review of soil/foundation reports prepared by engineering and geological consultants for structures in the Park City area. Fifty five such reports, including a total of 352 test pit and 33 boring logs, were examined.

Although modifications have been made based on geologic mapping, air photo interpretation, and boring/test pit logs, the soil boundaries shown are primarily those of the SCS. Contacts between soil units are generally irregular and gradational and represent zones of transition rather than distinct contacts. Therefore; the same cautions concerning the accuracy of soil contacts and included soil units that apply to SCS maps also apply to this one. This map is intended for general planning purposes, and does not preclude the need for site-specific investigations.

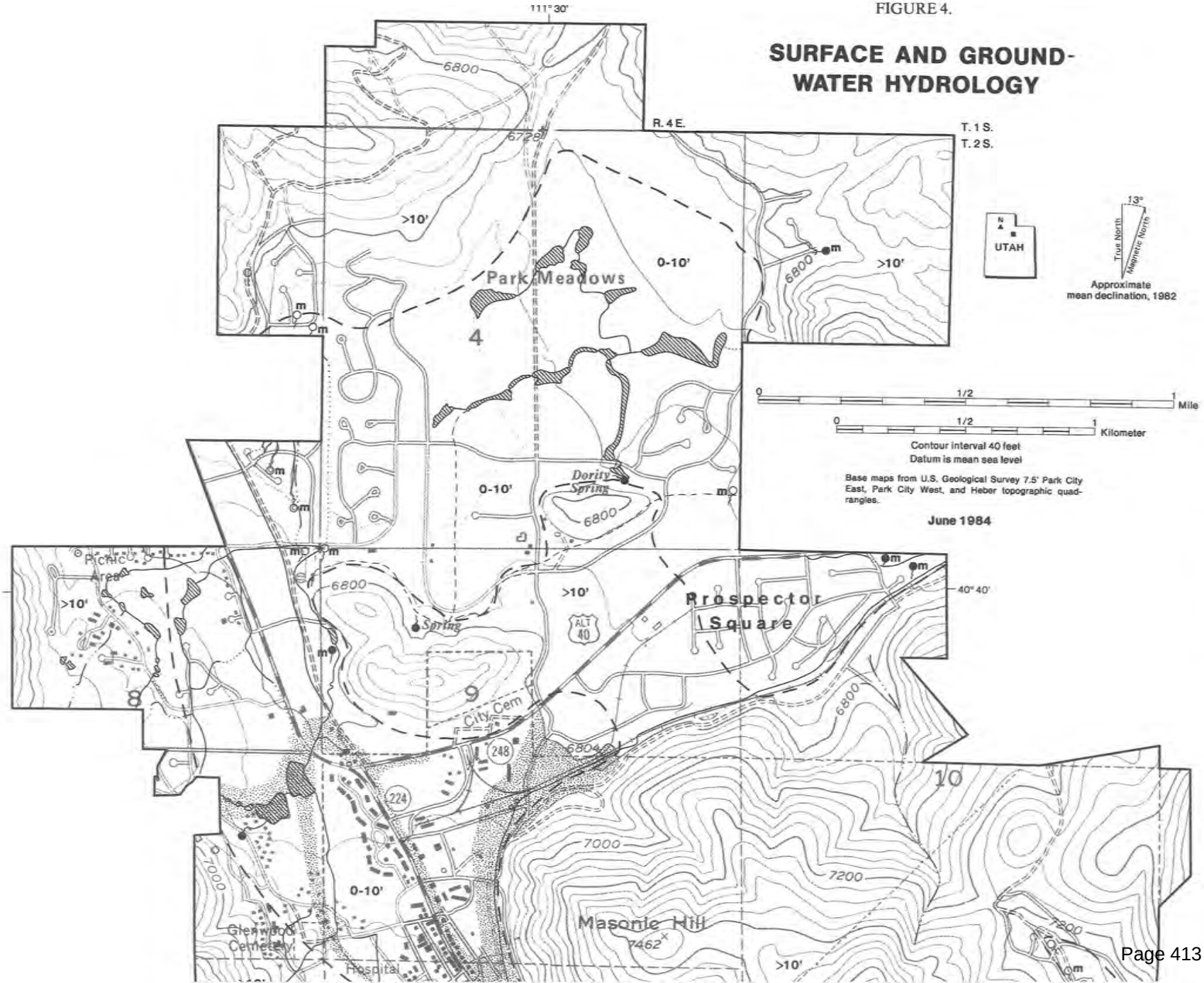


SOIL CHARACTERTISTICS*

Soil Grp	USCS Group Symbol	% Gravel	% Sand	% Silt & Clay	Permeability	Shrink-Swell	Foundation Conditions
I	GM,GP,GC	10-70	<5-60	<5-55	Slow to rapid	Low to moderate	Steep slope: 15-70%; soils very cobbly, excavation difficult with small backhoe.
Ir	GM,GP,GC	10-40	<5-60	<5-37	Moderately slow to rapid	Low to moderate	Steep slope: 25-80%; rock at 14 to 54 inches; soils very cobbly, excavation difficult with small backhoe.
II	CL,CH	<5-45	<5-70	21-46	Slow to moderately slow	Low to high	Steep slope: 15-40%; shallow ground water; clayey soils locally exhibit high shrink-swell characteristics, low strength, and moderate susceptibility to frost action.
III	CH,CL,ML, GC,GM	10-75	<5-66	20-45	Slow to moderate	Low to moderate	Soils locally cobbly, excavation difficult with small backhoe.
IIIr	CH,CL,ML, GC,GM	5-50	<5-65	5-45	Slow to moderate	Low to high	Steep slope: 15-80%; rock at 20-45 inches.
IV	CL at 30-48 inches over GM, GC at 60-75 inches	<5-65	<5-90	<5-44	Slow to rapid	Low to high	Shallow ground water; clayey soil locally exhibits high shrink-swell characteristics, low strength, and moderate susceptibility to frost action. Cobbles at depth may make excavation difficult.
IVr	CL at 26 inches over GM at 50 inches	<5-45	37-75	18-32	Moderately slow	Low to moderate	Rock > 50 inches.

*Adapted from SCS Soil Survey and Interpretations Parleys Park Portion of Soil Survey of Summit Valley, Summit County, Utah.

FIGURE 4.


SURFACE AND GROUND-WATER HYDROLOGY
111°30'
40°40'
R. 4 E.
T. 1 S.
T. 2 S.
6800
6728
>10'
0-10'
Park Meadows
4
UTAH
13°
True North
Magnetic North
Approximate mean declination, 1982
0 1/2 1 Mile
0 1/2 1 Kilometer
Contour interval 40 feet
Datum is mean sea level
Base maps from U.S. Geological Survey 7.5' Park City East, Park City West, and Heber topographic quadrangles.
June 1984
Dority Spring
Picnic Area
Spring
ALT 40
Prospector Square
City Cem
248
224
9
8
10
7000
7200
Masonic Hill
7462
Glenwood Cemetery
Hospital

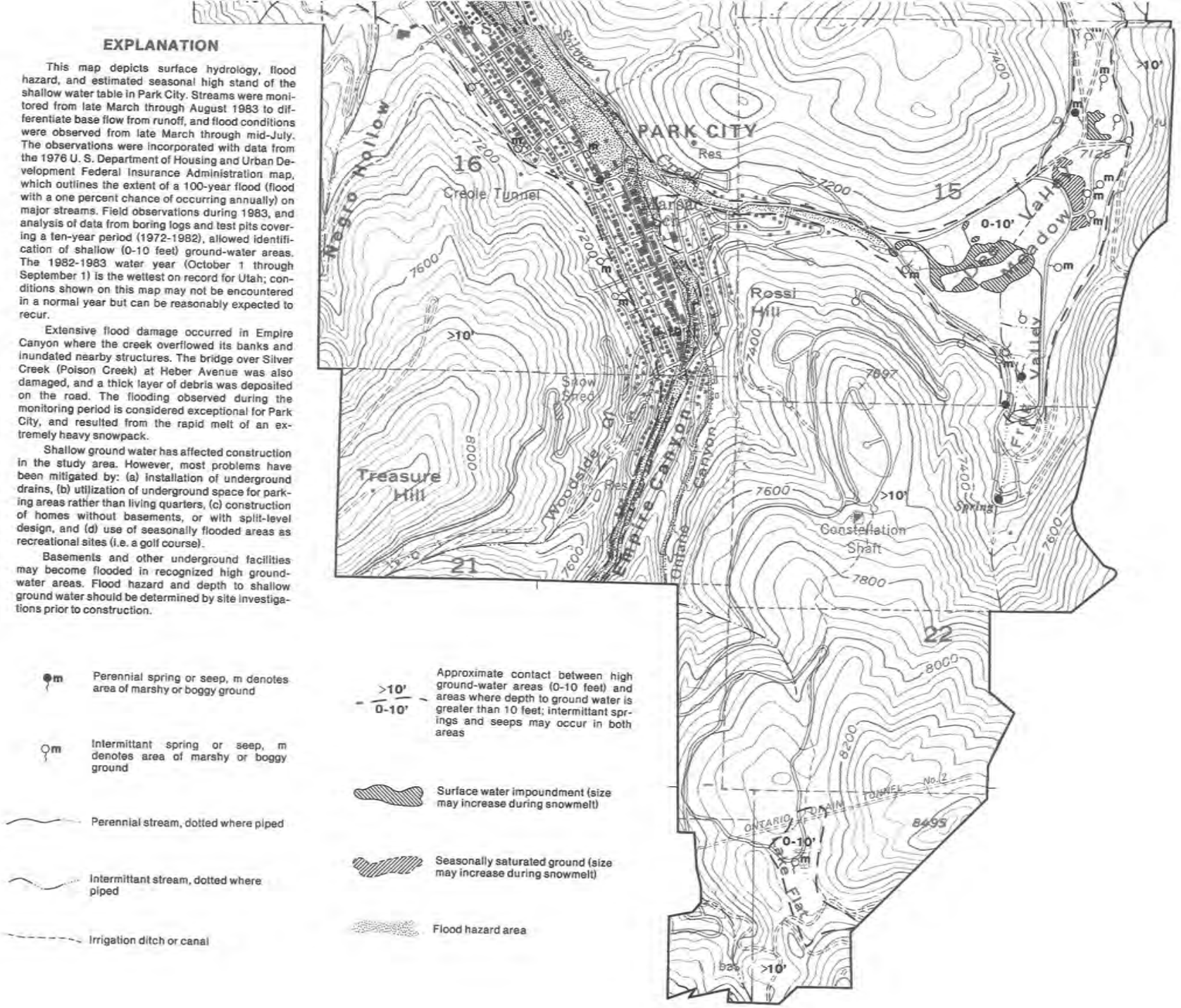
EXPLANATION

This map depicts surface hydrology, flood hazard, and estimated seasonal high stand of the shallow water table in Park City. Streams were monitored from late March through August 1983 to differentiate base flow from runoff, and flood conditions were observed from late March through mid-July. The observations were incorporated with data from the 1976 U. S. Department of Housing and Urban Development Federal Insurance Administration map, which outlines the extent of a 100-year flood (flood with a one percent chance of occurring annually) on major streams. Field observations during 1983, and analysis of data from boring logs and test pits covering a ten-year period (1972-1982), allowed identification of shallow (0-10 feet) ground-water areas. The 1982-1983 water year (October 1 through September 1) is the wettest on record for Utah; conditions shown on this map may not be encountered in a normal year but can be reasonably expected to recur.

Extensive flood damage occurred in Empire Canyon where the creek overflowed its banks and inundated nearby structures. The bridge over Silver Creek (Poison Creek) at Heber Avenue was also damaged, and a thick layer of debris was deposited on the road. The flooding observed during the monitoring period is considered exceptional for Park City, and resulted from the rapid melt of an extremely heavy snowpack.

Shallow ground water has affected construction in the study area. However, most problems have been mitigated by: (a) installation of underground drains, (b) utilization of underground space for parking areas rather than living quarters, (c) construction of homes without basements, or with split-level design, and (d) use of seasonally flooded areas as recreational sites (i.e. a golf course).

Basements and other underground facilities may become flooded in recognized high ground-water areas. Flood hazard and depth to shallow ground water should be determined by site investigations prior to construction.



Perennial spring or seep, m denotes area of marshy or boggy ground

Intermittant spring or seep, m denotes area of marshy or boggy ground

Perennial stream, dotted where piped

Intermittant stream, dotted where piped

Irrigation ditch or canal

Approximate contact between high ground-water areas (0-10 feet) and areas where depth to ground water is greater than 10 feet; intermittant springs and seeps may occur in both areas

Surface water impoundment (size may increase during snowmelt)

Seasonally saturated ground (size may increase during snowmelt)

Flood hazard area

FIGURE 5.—Surface water impoundments in Deer Valley Meadow, used for landscaping in and around residential structures.

support by erosion or man-made cuts, loading by fills or structures, increased weight from water, and ground vibrations.

Natural slopes in Park City are stable under present conditions. Two prehistoric slope failures were identified (fig. 8) but neither shows evidence of recent movement. Both appear to be slump-earth flow failures (Varnes, 1978), but their surface morphology has been modified by erosion and vegetative cover. One failure occurred in weathered shale bedrock and residual clay soil; the other in deep colluvial soils. Soil creep is active to varying degrees in colluvium on steep slopes throughout Park City. It is most rapid during the spring snowmelt when near surface soils are saturated.

Numerous small slope failures related to construction activity have occurred throughout the study area (fig. 8). The largest was an earth slump involving several hundred cubic yards of material in a road cut excavated for Deer Valley Drive (fig. 9). The cut is almost 1000 feet (300 m) long and passes through a combination of bedrock (Weber Quartzite) and colluvium. The colluvium is thickest at the south end of the cut and it was there that the failure occurred. Excavated at a steep angle (1:1 or greater), the cut was nearly 30 feet (9 m) high and had been standing for approximately a year before it failed. Undercutting of the slope and increased weight due to pore water are thought to have caused the failure. Extensive regrading of the slope and construction of a retaining wall were undertaken to correct the problem. Other construction-related slope failures have been small (tens of cubic yards or less) and have occurred in colluvium in road cuts and in fill placed for roads and building lots. One small earth slump developed in a road cut excavated in the toe of the larger of the two prehistoric slope failures (fig. 10). There is no evidence to indicate that either the cut or the earth slump have caused the older failure to reactivate, but additional uncontrolled development there may lead to slope stability problems.

Stability of cuts in bedrock largely depends on the number and orientation of discontinuities in the rock mass. Numerous closely spaced faults in portions of Park City (fig. 2) have fractured the surrounding bedrock to a high degree. Fracture intensity is greatest near the fault and decreases outward away from the fault trace. Figure 8 shows the faults in Park City along which considerable rock fracturing has occurred. The widths indicated for the fracture zones are estimated from limited exposures in outcrops and road cuts and should be confirmed by trenching if development is planned for those areas. Where faults are closely spaced their fracture zones may overlap. Bedding planes and major joint sets also control rock cut stability. Rock fall, rock topple, and rock slide fail-

FIGURE 6.—Flood damage in Empire Canyon from Silver Creek. Note damaged sidewalk, gravel and cobble deposits, and abandoned structures.

ures (Varnes, 1978) occur where bedding or joint planes dip toward and are exposed in cuts. For a discussion of slope stability problems related to mining activity, see the Mining-related hazards section (page 26).

Results of the field investigation show a correlation between material type and slope failures in Park City. The slope stability map of the study area (fig. 8) groups hillsides steeper than 15 percent into one of three categories based on underlying material type. The groups are:

1. slopes comprised of unconsolidated material (alluvium, colluvium, residual soil),
2. slopes underlain by soft bedrock (shale, mudstone, siltstone, poorly cemented sandstone, volcanic breccia, and tuff), and
3. slopes underlain by hard rock (limestone, sandstone, quartzite and igneous intrusives).

The greatest number of slope failures in Park City have occurred in unconsolidated materials on slopes steeper than 15 percent. The smaller of the two prehistoric slope failures developed on a steep slope in colluvium. The majority of construction-related slope failures that are not in artifical fill are either in colluvium or residual soils. Most slopes in Park City are covered by a layer of loose unconsolidated material of variable thickness. Only slopes where depth to bedrock is more than 5 feet (1.5 m) are shown on figure 8 as being comprised of unconsolidated material. Thick unconsolidated deposits too small to be shown on the map exist in other areas, and may be subject to slope failure if not recognized and accounted for in project planning and design.

The Ankareh Formation, Thaynes Formation, Woodside Shale, and some tuffs and breccias of the Keetley Volcanics are relatively soft (less resistant) bedrock formations. Mudstone, siltstone, and shale are common rock types in most of these formations and are interbedded with more resistant strata of limestone, sandstone, and quartzite. The fine-grained rocks generally have lower shear strength and weather more quickly than the more resistant layers, and as a result form planes of weakness in the rock mass.

FIGURE 7.—High water table creates a large area of marshy ground at the north end of Deer Valley Meadow. Fill is placed on the wet area and structures are constructed without dewatering the site.

The larger of the two prehistoric failures probably occurred along such a plane of weakness in the upper red member of the Ankareh Formation. In addition, the large (5 million cubic yard, 3.8×10^6 m^3) Iron Canyon landslide immediately west of the study area is also in the weathered upper member of the Ankareh Formation (Schroder, 1971). Failure is most likely to occur when the planes of weakness dip toward and are exposed in excavation cuts. Failure types include rock fall, rock topple, or rock slide, and the size of the failed mass will be influenced by the presence of other joints and discontinuities in the rock. When highly weathered, the rock begins to assume the characteristics of soil and there will be a continual gradation from fresh rock at depth to weathered residual soil at the ground surface. Slope failures in such material display features typical of both soil and rock. Rock slump, earth slump, soil creep, and debris flow are possible failure types.

Because soft bedrock is less resistant to erosion, the areas of Park City where it occurs are characterized by low rounded hills and generally subdued topography. The absence of steep slopes accounts for the generally low number of slope failures found there. However, site conditions in areas of soft bedrock can be extremely variable over short distances, and grading for roads or building lots may cause stability problems unless construction slopes are designed to accommodate natural conditions.

Slopes underlain by hard rock are usually steep and covered by a thin veneer of colluvium. Hard rock has high shear strength and is susceptible to large slope failures only where extensively fractured by faulting and folding. Areas of highly fractured hard rock are found in Park City (fig. 8) but no large slope failures have been identified. Road cuts through those areas experience rockfall problems. The most common type of failure observed in hard rock areas does not involve rock at all, but the thin colluvial material that overlies it. Road cuts in hard rock can stand at steep angles, but the colluvial soils exposed at the top of the cuts cannot, and often fail after short periods of time. The resulting debris slides are small, but represent a continuing maintenance problem for the roads.

The areas of most concern regarding slope stability in Park City are the two prehistoric slope failures (fig. 8). Both show evidence of long term stability, but a potential exists for renewed movement if they are disturbed. Detailed studies will be required before development to ensure that these slopes are not destabilized. Elsewhere in Park City a slope stability analysis is needed for all construction sites and rights of way on slopes steeper than 15 percent. Factors affecting slope stability on a site-specific level are many and varied, and for that reason, slope design must be

based on individual site investigations. Because conditions vary from site to site, no recommendation is made for a slope angle beyond which development should not take place. Conditions at one location may be such that maintainance of slope stability for a construction site on 15 percent slopes is prohibitive; while at another location, hard unfractured rock produces slopes stable at twice that grade.

Foundation conditions

The structural integrity and longevity of engineering works depends to a large extent on how well they are adapted to their geologic surroundings. A critical factor for all structures is the nature of the material on which they are founded. The factors that determine the suitability of soil and rock materials for foundations include bearing capacity, settlement and uplift, ease of excavation, stability, and ground water.

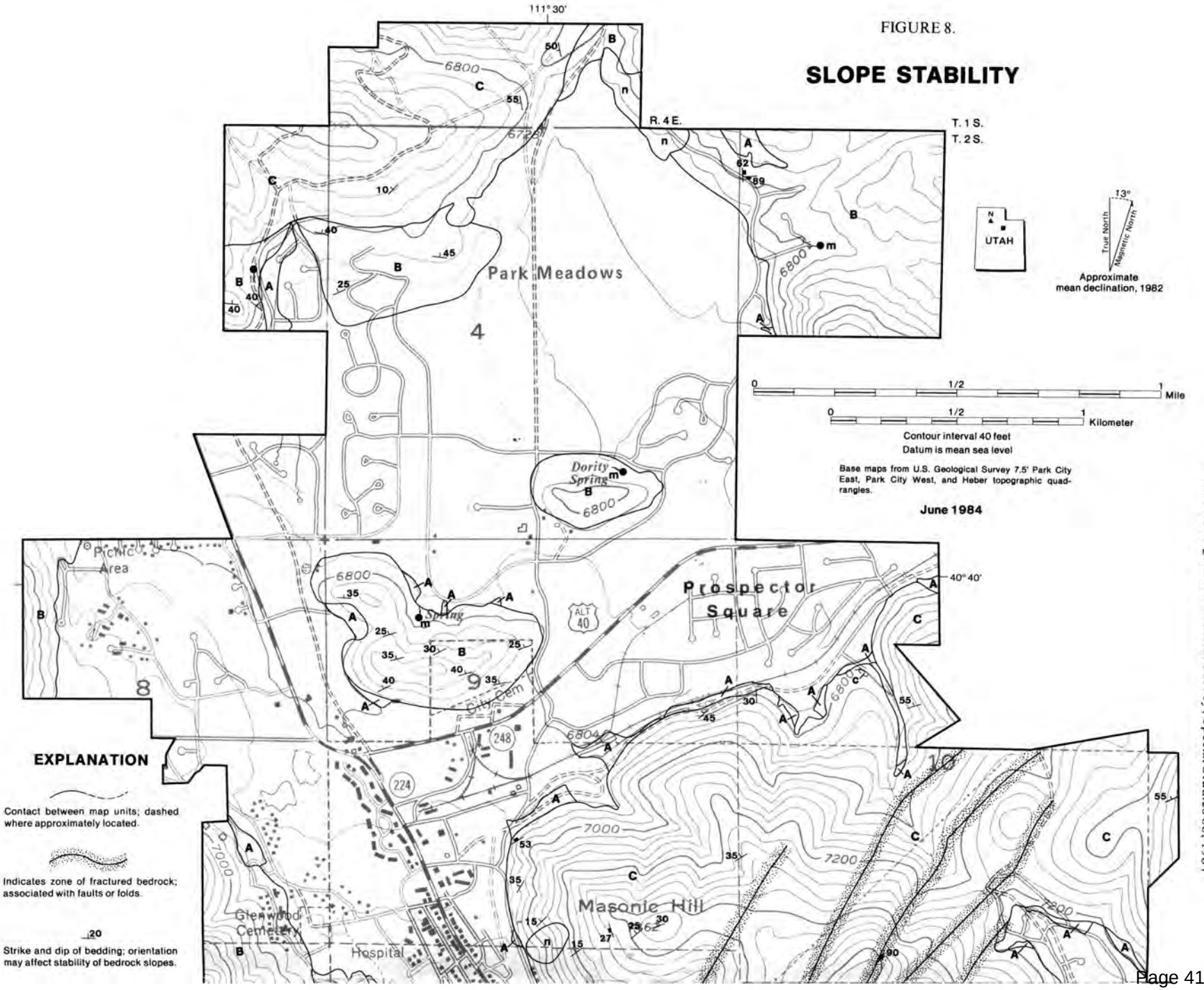
Bearing capacity is the ability of the foundation material to support a load without failing. It is usually evaluated in terms of shear strength and compressibility, and can be increased by mechanical compaction of the soil. Soils are all compressible to some degree, and are weak when compared to rock. Therefore, some settlement should be expected for all structures not founded on solid rock, and accommodations made in the foundation design. Methods used to reduce settlement include compacting subgrade materials to a predetermined optimum density and moisture content and spreading the base or footings of the structure so the foundation pressures are small and evenly applied. Where settlement-prone foundation materials exist it may be necessary to support the structure on piles, or to overexcavate and recompact the unsuitable material. Settlement caused by collapse of underground mine workings is discussed in the Mining-related hazards section (p. 26). Uplift of foundations may result from hydrostatic pressure, expansive soils, and frost action. Preventive measures include careful control of subgrade moisture and density, overexcavating and recompacting unsuitable material, directing surface drainage away from structures, and using special foundation designs. Ease of excavation has a direct bearing on construction costs. Excavation difficulty in bedrock depends on hardness, degree of weathering, and fracture spacing. Textural (grain size) characteristics are the most important consideration for soil excavatability. Stability refers to the foundation material's ability to stand in an open cut, either temporary or permanent, without failing. Cut slope stability is a function of material type, slope angle, and cut height. Ground water increases pore pressure and reduces shear strength, both of which are detrimental to slope stability. Water's ability to alter the physical and chemical nature of soil and rock makes it a primary factor in most types of ground movement. It initiates swelling of expansive soils, is essential to frost heaving, causes hydrocompactive soils to collapse, and is a major factor in slope instability. A high ground-water table limits land use and may require special construction techniques to prevent basement flooding and foundation damage.

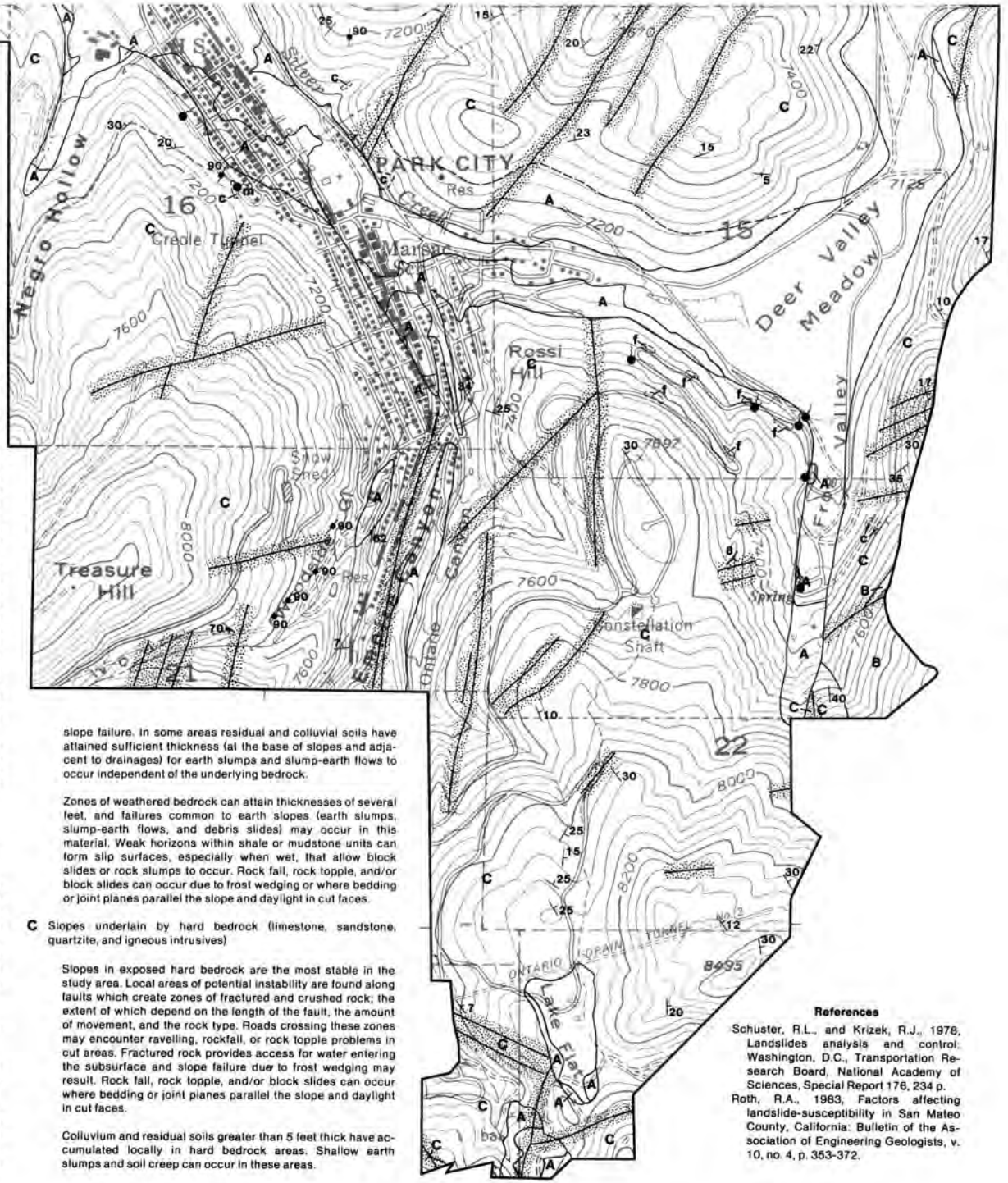
The most common foundation problems encountered in Park City are: (a) expansive soils with moderate to high shrink/swell potential, (b) frost susceptible soils, (c) difficult excavation conditions, (d) shallow ground water, and (e) soil creep. Soils exhibiting moderate to high shrink/swell potential are widespread in Park City. Most are located in Deer and Frog Valleys and in Park Meadows where clay and clayey silt soils are common (fig. 3). However, coarse-grained soils containing as low as 15 percent clay may also be expansive. When recognized during the planning and design phase of a project, expansive soils can be adequately managed and are usually not a factor in land-use decisions.

Frost action causes uplift of subgrade soils that can be particularly damaging to roads and lightly loaded structures. The susceptibility of soil to frost action depends on soil texture, temperature conditions, and water supply. Most soils are affected to a greater or lesser degree, with only coarse-grained clean sands and gravels (SW, SP, GW, GP) being immune. The soils in Park City are generally susceptible (USDA Soil Conservation Service, 1970) and when combined with the cold temperatures and wet conditions that prevail during the winter months create a high potential for frost-related problems. The most severe problems can be expected where soils receive a continuous supply of water to feed growing ice lenses and where the proportion of silt in the soil is high compared to other size fractions (U.S. Bureau of Reclamation, 1974).

Bedrock crops out or lies close to the ground surface in many areas of Park City. Unweathered rock generally has high shear strength and low compressibility, making it an excellent foundation material. The primary foundation problem associated with bedrock is difficulty of excavation. Resistant rock units in the study area include granitic intrusives, the Nugget Sandstone, limestone of the Park City Formation, and quartzite and sandstone of the Weber Quartzite. Unweathered rock from those formations is very hard and, unless highly fractured, requires blasting to excavate. The Ankareh and

FIGURE 8.


SLOPE STABILITY
111°30'
40°40'
R. 4 E.
T. 1 S.
T. 2 S.
UTAH
13°
True North
Magnetic North
Approximate mean declination, 1982
Park Meadows
Prospector Square
Masonic Hill
Dority Spring
Spring
Picnic Area
City Cem.
Glenwood Cemetery
Hospital
ALT 40
224
248
6800
6804
7000
7200
0 1/2 1 Mile
0 1/2 1 Kilometer
Contour interval 40 feet
Datum is mean sea level
Base maps from U.S. Geological Survey 7.5' Park City East, Park City West, and Heber topographic quadrangles.
June 1984
EXPLANATION
Contact between map units; dashed where approximately located.
Indicates zone of fractured bedrock; associated with faults or folds.
20
Strike and dip of bedding; orientation may affect stability of bedrock slopes.



Strike and dip of joints; orientation may affect stability of bedrock slopes

Spring or seep; m denotes area of marshy or boggy ground; wet conditions may affect slope stability, particularly during seismic shaking.

Existing slope failures

- n — Failure of natural slope.
- c — Failure of cut slope; dashed where approximately located.
- f — Failure in artificial fill; dashed where approximately located.

This map shows existing slope failures and areas of potential slope instability. Two landslides were identified on natural slopes in the study area; the remaining failures occurred in artificial fill or man-made cuts where grading has removed support from the slope. Although landslide potential on natural slopes in Park City is low, uncontrolled lot grading and/or road building could reactivate old landslides or generate new ones.

For purposes of this study, only slopes greater than 15 percent were evaluated. Slopes have been grouped on the basis of underlying material into three categories: slopes comprised of unconsolidated material (alluvium, colluvium or residual soil), slopes underlain by soft bedrock (shale, mudstone, siltstone, poorly cemented sandstone, volcanic breccia and tuff), and slopes underlain by hard bedrock (limestone, sandstone, quartzite, and igneous intrusives). Fracture zones, strike and dip of bedding and joints, and spring or seep locations are shown to identify areas where potential for slope failure may be increased.

Field observation has shown that the greatest number of slope failures in the study area have occurred on slopes underlain by thick unconsolidated materials. All of those failures are associated with construction activity and demonstrate the need for pre-construction slope stability analyses in those areas. The largest of the two landslides on natural slopes is located in an area underlain by shale (soft) bedrock. Although test borings were beyond the scope of this study, it appears that the slide involved both residual soil and weathered bedrock. The second landslide was a shallow earth slump in colluvium that accumulated near the base of a steep slope underlain by hard bedrock. In general, slopes underlain by hard bedrock show little evidence of instability except where the rock has been fractured by faulting and folding. In those areas, raveling of cut slopes and rock fall present maintenance problems along roads. Such problems are particularly acute where bedding or joint planes parallel the slope and daylight in cut faces.

Due to the large number of site-specific factors that can effect slope stability, and the tendency for slope failures to occur in colluvial materials even over shallow bedrock, a slope stability analysis is recommended for all construction sites (including road rights-of-way) where slopes exceed 15 percent.

A Slopes comprised of unconsolidated material (alluvium, colluvium, or residual soil)

These slopes have the greatest potential for failure in the study area. The potential increases with removal of vegetation, grading, or other disturbance. The addition of water may cause both an increase in shear stress (added weight) and a decrease in strength (increased pore pressure). Therefore, sites near springs or seeps should be evaluated carefully. Removal of lateral support (i.e. by road construction) is the most common cause of instability and has produced the greatest number of earth slumps in this unit.

B Slopes underlain by soft bedrock (shale, mudstone, siltstone, poorly cemented sandstone, volcanic breccia, and tuff)

Slopes underlain by soft bedrock exhibit a wide range of slope stability characteristics; some similar to those in unconsolidated materials and others similar to those in hard bedrock. The residual soils derived from soft bedrock commonly have a high clay content. When saturated, increased pore pressure can weaken intergranular bonds within the soil and reduce shear strenth. Lateral pressure caused by swelling of the clay can further reduce soil strength and lead to slope failure. In some areas residual and colluvial soils have attained sufficient thickness (at the base of slopes and adjacent to drainages) for earth slumps and slump-earth flows to occur independent of the underlying bedrock.

Zones of weathered bedrock can attain thicknesses of several feet, and failures common to earth slopes (earth slumps, slump-earth flows, and debris slides) may occur in this material. Weak horizons within shale or mudstone units can form slip surfaces, especially when wet, that allow block slides or rock slumps to occur. Rock fall, rock topple, and/or block slides can occur due to frost wedging or where bedding or joint planes parallel the slope and daylight in cut faces.

C Slopes underlain by hard bedrock (limestone, sandstone, quartzite, and igneous intrusives)

Slopes in exposed hard bedrock are the most stable in the study area. Local areas of potential instability are found along faults which create zones of fractured and crushed rock; the extent of which depend on the length of the fault, the amount of movement, and the rock type. Roads crossing these zones may encounter ravelling, rockfall, or rock topple problems in cut areas. Fractured rock provides access for water entering the subsurface and slope failure due to frost wedging may result. Rock fall, rock topple, and/or block slides can occur where bedding or joint planes parallel the slope and daylight in cut faces.

Colluvium and residual soils greater than 5 feet thick have accumulated locally in hard bedrock areas. Shallow earth slumps and soil creep can occur in these areas.

References

Schuster, R.L., and Krizek, R.J., 1978, Landslides analysis and control: Washington, D.C., Transportation Research Board, National Academy of Sciences, Special Report 176, 234 p.

Roth, R.A., 1983, Factors affecting landslide-susceptibility in San Mateo County, California: Bulletin of the Association of Engineering Geologists, v. 10, no. 4, p. 353-372.

FIGURE 9.—Large earth slump in road cut excavated for Deer Valley Drive. Failure probably caused by undercutting of the slope and increased weight due to pore water. Extensive regrading is underway in an attempt to correct the problem.

FIGURE 10.—Small earth slump developed in a road cut excavated in the toe of a prehistoric slope failure. The remainder of the older failure has not been reactivated. Note outline of prehistoric slope failure.

Thaynes Formations, Woodside Shale, and tuff and volcanic breccia of the Keetley Volcanics contain alternating hard and soft layers that make excavatability of fresh rock highly variable. When weathered, these formations normally can be ripped and removed without blasting. Difficult excavation conditions may also be encountered in areas of very coarse- and fine-grained soils (fig. 3). Coarse-grained soils in the study area commonly contain cobbles and boulders. While not a major consideration in large excavations where heavy earthmoving equipment can be used, boulders may cause problems in smaller utility excavations. High plasticity clay soils are very hard when dry and can be nearly as difficult to excavate as shale bedrock. Clays also pose problems when wet because they are difficult to work and almost impossible to compact.

All known springs and seeps and areas of shallow ground water in Park City are shown in figure 4. Projects proposed for these areas should determine what effect the ground water will have on foundation materials. A second important consideration is the effect that the project will have on ground water. Changes accompanying development that may either raise or lower the water table include concentration and ponding of roof and pavement runoff, land grading, installation of sewers and other underground utilities, landscaping, and irrigation of lawns. Unanticipated changes in the shallow ground-water table can result in flooded basements, foundation settlement or uplift, soil collapse, and water system failure.

Soil creep is the gradual but steady downhill movement of soil and loose rock material on a slope. It is manifested by the tipping of fence posts and other rigid objects embedded in the soil, and signifies a quasi-equilibrium state that can be easily upset and turned into a landslide by construction activities such as a deep cut or heavy fill. Creep is active on many of the steeper slopes in Park City underlain by colluvial material. Its effect on retaining wall and building foundations is particularly evident along Woodside and Norfolk Avenues south of Sixth Street. Creep cannot be completely stopped, but its rate of movement can be materially decreased by providing adequate drainage to increase soil strength and prevent periodic swelling and shrinking. The absence of storm sewers and an integrated surface drainage system in much of Park City contributes directly to soil creep.

Two special foundation conditions affect small areas of Park City. They are old mill tailings and municipal refuse. Development has occurred on both materials. The primary concern with mill tailings is the possible presence of chemical residues which may be detrimental to concrete and other construction materials. The concern with municipal refuse is that it is a low density material which is difficult to compact and subject to deterioriation over time. Excessive settlement may be a problem under moderate to heavy foundation loads, and special construction techniques (piles, cassions, removal of refuse) may be required. Methane gas produced by decomposition of organic matter in the refuse also poses a hazard to enclosed structures placed over such material.

Foundation conditions in Park City are variable and need to be investigated on a site-specific basis for all major construction projects. A complete soils/foundation investigation should include:

1. nature of the deposits (geology, recent history of filling or excavation on site),
2. depth, thickness, composition, and areal extent of soil and rock strata,
3. depth, location, and seasonal/annual fluctuations of ground water,
4. location and description of any underground workings,
5. engineering properties of soil and rock strata affecting the proposed project,
6. site preparation and foundation design recommendations (including mitigation of frost action, high ground-water conditions, and soil creep) where appropriate, and
7. stability evaluation of natural and construction slopes.

Soils/foundation reports should be submitted to the city for review and approval before building permits are issued and construction is allowed to proceed.

Erosion hazard and erodibility

Background — Erosion and associated sedimentation can damage construction sites, degrade water quality, carry polluting chemicals, reduce the capacity of water conveyance and storage structures, and cover downstream areas with layers of unwanted sediment. Water is the primary erosional process active in Park City. Erosion and sedimentation by water involve the processes of detachment, transportation, and deposition of sediment by raindrop impact and flowing water. The force of raindrops falling on bare or sparsely vegetated soil detaches soil particles (raindrop erosion). Water running as a thin sheet across the ground surface picks up the particles

and carries them along as it flows (sheet erosion). As the water gains velocity and becomes concentrated, it detaches more soil particles, cutting first narrow and then wider channels in the ground surface (rill and gully erosion) and adding to its load of sediment. When runoff reaches a stream, it increases the stream's volume and velocity and may cause erosion of the banks and channel (stream bank and bed erosion). Sediment is deposited when the water is slowed sufficiently to allow the soil particles to settle out.

The susceptibility of a soil to erosion independent of vegetative cover, topography, and rainfall energy, is termed erodibility. Erodibility is determined by size and gradation of soil particles, percentage of organic matter, soil structure, and soil permeability (USDA Soil Conservation Service, 1977). Clean, well-drained, granular soils that allow runoff to infiltrate rapidly usually have low erodibility. Clayey soils also have low erodibility because the clay acts as a binder to prevent detachment. Soils containing high percentages of silt and fine sand are generally the most erodible because the small, noncohesive particles are easily detached and transported.

Factors other than soil erodibility which are important to erosion are vegetative cover, topography, and climate. Vegetation inhibits erosion by shielding the soil from raindrop impact and reducing runoff velocity. Root systems help maintain the capacity of soil to absorb water and hold soil particles in place. Slope length and steepness (gradient) directly affect runoff. As length and gradient increase, the amount and rate of runoff also increase. Slope orientation influences vegetation type and density, depth of snowpack, and rate of snowmelt. The frequency, intensity, and duration of precipitation events are fundamental to determining runoff amounts. Seasonal changes of temperature also help define periods of high erosion risk. During the winter, precipitation falls mostly as snow and little erosion takes place. In the spring, the melting snow adds to runoff at a time when the ground is still frozen and its absorptive capacity reduced.

These factors (soil erodibility, vegetation, topography, and climate) taken together determine susceptibility to erosion and therefore define erosion hazard. Erosion hazard is not a static condition, but changes as the factors that influence it change. For example, removal of vegetation and above-normal precipitation both tend to increase erosion hazard and may lead to serious erosion problems in formerly stable areas. Conversely, slope terracing reduces slope length and gradient and decreases erosion hazard. It is the ability to manipulate the factors affecting erosion hazard that makes the control of erosion possible.

Erosion potential in Park City — The erosion hazard and soil erodibility map of Park City (fig. 11) presents erosion hazard at the ground surface both with and without vegetative cover. The map was developed by grouping the 41 soil types identified in the study area by the USDA Soil Conservation Service and others (1977) according to similarities in their erosion hazard and soil erodibility ratings. Because soil erodibility, and particularly erosion hazard, are determined by a variety of factors, the map units shown on figure 11 do not necessarily coincide with soil map units on figure 3. Because of the many variables involved, the effect of site grading on erosion hazard is not shown on the map. However, removing vegetation, disturbing the ground surface, increasing slope gradient, and exposing deeper, possibly more erodible soils, all serve to increase the hazard from erosion.

Soils in Park City exhibit low to moderate erodibility. No high erodibility soils were identified in the study area (USDA Soil Conservation Service and others, 1977). Coarse-grained gravelly soils (GP, GM-GC) generally have low erodibility ratings. Clayey silt and clay soils (CL-ML, CL) are moderately erodible. In many areas of Park City mixed profile soils containing both coarse- and fine-grained horizons are common. In those areas, the erodibility of the surface horizon is shown on figure 11, but because the soil characteristics change with depth, the soil erodibility ratings also change. Such changes can be significant where extensive site grading is planned.

The erosion hazard for Park City soils was evaluated with natural vegetative cover, and with vegetation removed (USDA Soil Conservation Service and others, 1977). With vegetative cover, erosion hazard for all soils ranked low to moderate. Coarse-grained soils protected by vegetation generally have low erosion hazard. Moderate hazard occurs only on steep slopes (25 to 60 percent) where sufficient silt and clay are present to reduce permeability and increase runoff. Most fine-grained soils in the study area are found where slopes are gentle or nearly flat (fig. 3). The combination of subdued topography, cohesive soil, and vegetative cover produces low to nearly nonexistent erosion hazard in those areas. Where fine-grained soils occur on steeper slopes (greater than 15 percent), their lower permeability results in increased runoff and erosion hazard becomes moderate.

When vegetation is removed, the erosion hazard for Park City soils ranges from low to high. Most

coarse-grained soils without vegetative cover have a high erosion hazard. Moderate hazard is found only where enough clay is present to act as a binder, or where the proportion of 3-inch (8 cm) plus material (cobbles) is high enough (50 percent or greater) to inhibit erosion. When vegetation is removed from fine-grained soils, the erosion hazard ranges from low to high and is directly related to slope gradient. The steeper the slope, the greater the erosion hazard.

For mixed profile soils, the erosion hazard rating represents the soil type at the ground surface both with and without vegetative cover. Where bedrock is very shallow (15 inches or less, 38 cm), it often acts as an impermeable horizon increasing both the amount and rate of runoff, and the erosion hazard is correspondingly increased for all soil types and vegetative conditions. Erosion hazard from mine waste piles and mill tailings are disscussed in the Mining-related hazards section (p. 26).

Erosion and sediment control — Erosion and sedimentation can be controlled in urbanizing areas if certain principles and practices are adhered to as the land is developed. Five basic principles for minimizing soil erosion from construction sites identified by the USDA Soil Conservation Service (1970) are: (a) use soils that are suited for development and avoid those that are not, (b) leave soil bare for the shortest time possible, (c) reduce the velocity and control the flow of runoff, (d) detain runoff on site to trap sediment, and (e) release runoff slowly and safely to downstream areas. General practices that have proven effective in applying these principles include:

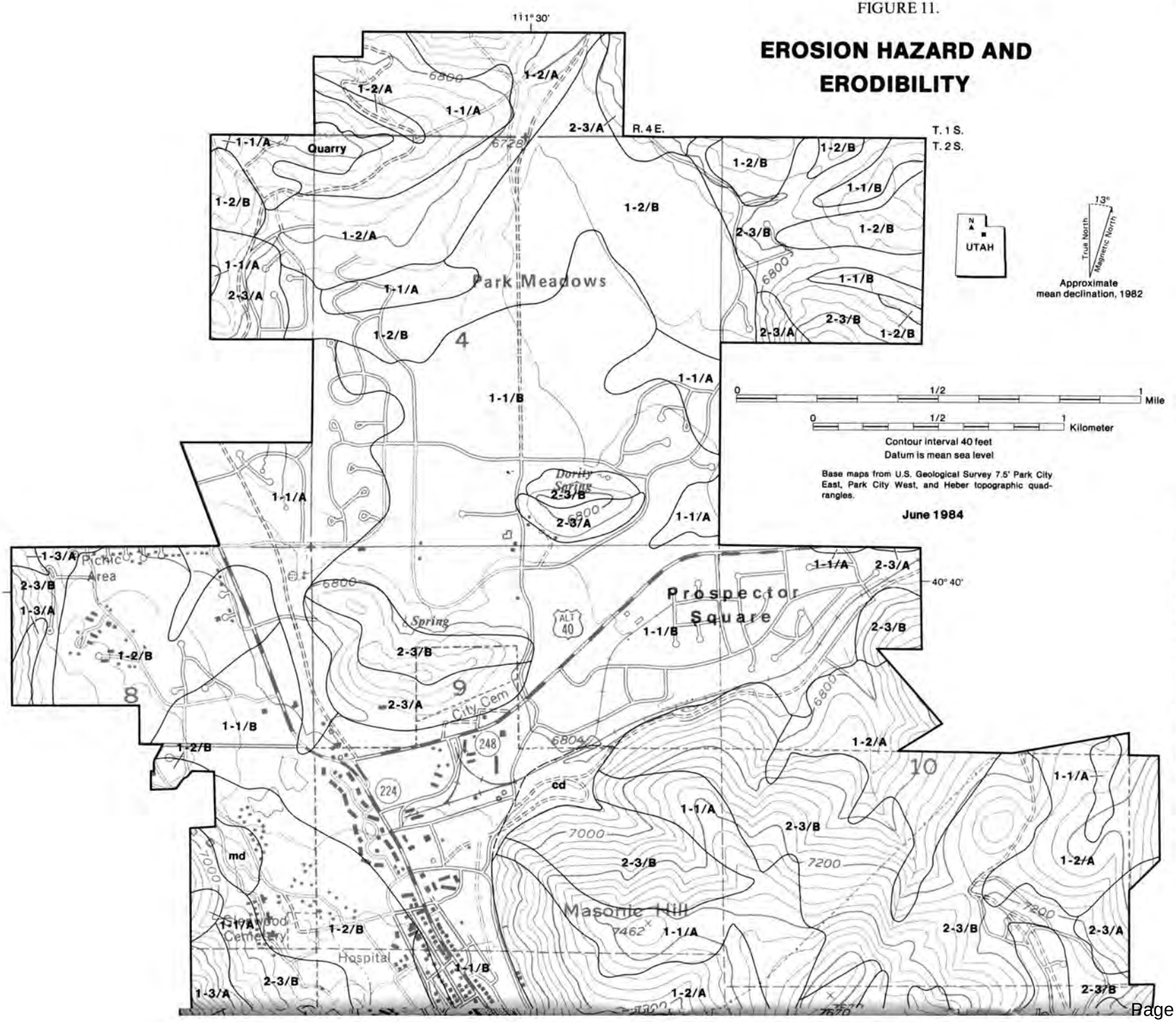
1. selecting land where drainage, topography, and soil are favorable for the intended use, and then carefully fitting the development to the site,
2. using areas not suited for urban development for open space and recreation,
3. developing large tracts in small units to keep grading and vegetation removal at a minimum,
4. scheduling construction activities to minimize the time bare soils are exposed, and to avoid site grading during high precipitation or snowmelt periods,
5. controlling runoff and conveying it in a manner that does not erode the land surface,
6. constructing sediment basins on site to trap sediment and then safely releasing runoff to off-site areas,
7. utilizing mulch, temporary cover crops, and engineered structures to protect critical areas during construction, and
8. establishing permanent vegetation and erosion control structures as soon as possible following construction.

The methods and techniques used to control erosion and sedimentation on construction sites are varied and often complex. It is not the intent of this report to examine them in detail, except to note that they fall into two broad categories, mechanical (engineered) and vegetative (agricultural) (USDA Soil Conservation Service, 1970). Mechanical measures include special land grading, bench terraces, subsurface drains, storm sewers, diversions, berms, lined channels, waterway stabilization structures, and sediment basins. Vegetative measures include mulching and planting temporary or permanent cover crops. A combination of mechanical and vegetative techniques are often required to effectively control erosion and sedimentation in developing areas.

The erosion hazard and erodibility map shown in figure 11 is intended to serve as a general planning guide for future development in Park City. However, before erosion control measures can be effectively applied on a site-specific basis, the actual factors contributing to the erosion hazard for the site must be accurately assessed and a plan developed to guide the control effort. An erosion control report should be prepared and submitted to the City for review and approval prior to issuing building permits for new construction projects. The requirement could be waived for projects involving minimal site grading and for projects proposed in areas having low erodibility and erosion hazard ratings (fig. 11, map unit 1-1/A). The erosion control plan should include the following information:

1. General location map; showing the site in relation to nearby features such as waterbodies, drainages, structures, roads, and utilities. Recommended scale 1:1000 or larger.
2. Existing conditions site plan; showing topographic contours, drainage, bodies of water, soil types and distribution, vegetation, and cultural features on the site. Scale would vary with size of site, but generally not smaller than 1:100.
3. Grading plan and construction time schedule; showing final as-graded topographic contours, limits of proposed soil disturbance, limits of cut and fill areas, areas of various construction phases, location of proposed structures and utilities, and a chart detailing the construction time schedule.
4. Erosion control site plan and time schedule; showing location of areas to be seeded or mulched, type

FIGURE 11.


EROSION HAZARD AND ERODIBILITY
111°30'
R. 4 E.
T. 1 S.
T. 2 S.
40° 40'
Park Meadows
Prospector Square
Masonic Hill
7462
Quarry
Picnic Area
Spring
Dority Spring
City Cem
Hospital
Cemetery
md
cd
ALT 40
248
224
UTAH
13°
True North
Magnetic North
Approximate mean declination, 1982
0 1/2 1 Mile
0 1/2 1 Kilometer
Contour interval 40 feet
Datum is mean sea level
Base maps from U.S. Geological Survey 7.5' Park City East, Park City West, and Heber topographic quadrangles.
June 1984

EXPLANATION

This map depicts erosion hazard and erodibility. It was compiled using data from the USDA Soil Conservation Service and others (1977), field observations, and air photo interpretation

Erosion hazard is an evaluation of erosion potential that takes into consideration the inherent soil erodibility, rainfall energy, topography, and vegetative cover. Soil erosion is directly related to permeability of the soil. If permeability is high, excess moisture passes through rather than over the soil. Any restriction or impedance of this flow, such as an increase in clay content, compacted layers, or shallow soil over bedrock, increases erosion potential. Surface erosion in sheet, rill, or gully form can take place only where overland flow occurs. Removal of vegetation and/or presently stable topsoil may accelerate soil loss depending on soil characteristics in the subsurface (Bailey, 1974).

Erodibility is the ability of the soil to resist detachment and transport by rainfall and/or runoff. Some soil properties affecting soil erodibility are: texture (grain size), percent sand greater than 0.10 mm diameter, organic content, permeability, clay mineralogy, and coarse fragments in the soil.

A dual classification system has been developed to show both erosion hazard and erodibility on a single map. Erosion hazard is given a rating of 1, 2, or 3, which equates to low, medium, or high hazard. Two hazard ratings are assigned to each map area, the first represents the hazard with vegetative cover and the second with vegetation removed. Erodibility is assigned a rating of A for low or B for medium; there are no highly erodible soils in the study area. A typical ranking would be 1-3/A, which represents a soil with a low erosion hazard prior to vegetation removal and a high hazard after, and in both cases low erodibility. Because erosion hazard may increase with removal of vegetation and both erosion hazard and erodibility may change with removal of upper soil layers, an erosion hazard assessment should be performed on a site by site basis, except in areas designated 1-1/A.

Contact between soil units

cd

City refuse dump
Dashed where approximately located

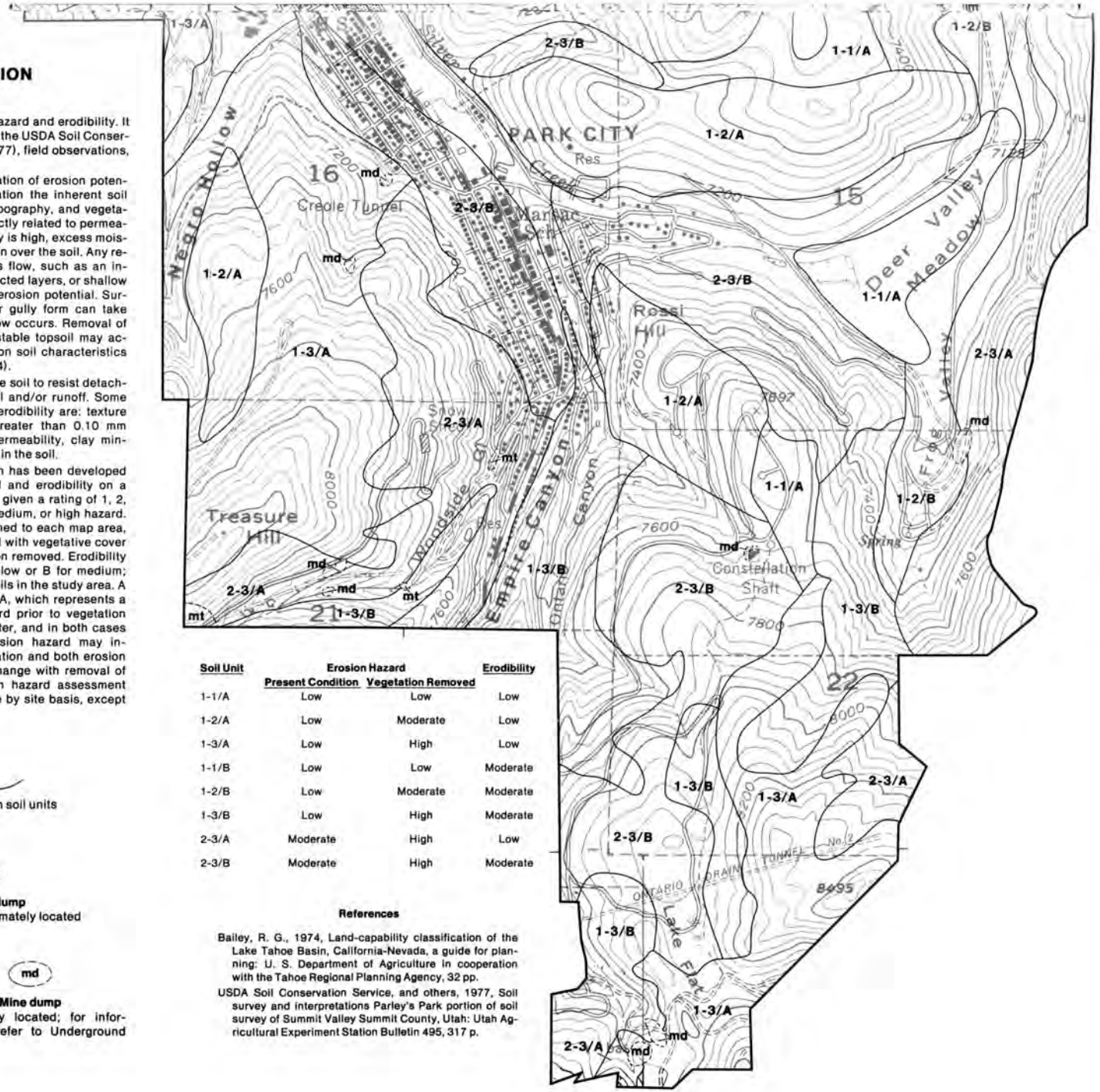
mt

Mill tailings

md

Mine dump

Dashed where approximately located; for information on erosion hazard refer to Underground Workings map



Soil Unit	Erosion Hazard		Erodibility
	Present Condition	Vegetation Removed	
1-1/A	Low	Low	Low
1-2/A	Low	Moderate	Low
1-3/A	Low	High	Low
1-1/B	Low	Low	Moderate
1-2/B	Low	Moderate	Moderate
1-3/B	Low	High	Moderate
2-3/A	Moderate	High	Low
2-3/B	Moderate	High	Moderate

References

Bailey, R. G., 1974, Land-capability classification of the Lake Tahoe Basin, California-Nevada, a guide for planning: U. S. Department of Agriculture in cooperation with the Tahoe Regional Planning Agency, 32 pp.

USDA Soil Conservation Service, and others, 1977, Soil survey and interpretations Parley's Park portion of soil survey of Summit Valley Summit County, Utah: Utah Agricultural Experiment Station Bulletin 495, 317 p.

and location of all mechanical erosion control measures, and a chart sequencing implementation of erosion control measures with the construction schedule.

5. Narrative text; providing details of the erosion hazard at the site and proposed erosion control measures.

The erosion control plan should be prepared in sufficient detail to allow the City to evaluate its effectiveness, for contractors to implement the required control measures, and for City inspectors to determine compliance in the field.

Mining-related hazards

The Park City area has been the site of underground mining since 1869, and recent rapid development as a recreation area has resulted in urbanization of many mined areas. There are four principal hazards associated with these areas: (a) subsidence or sinkhole development resulting from collapse of abandoned underground workings, (b) slope failure resulting from undercut slopes or increased surcharge from mine dumps, (c) sedimentation in stream channels, debris basins, and storm drains by mine wastes and mill tailings, and (d) potential health hazards due to contamination of ground water and soils by toxic elements in mill tailings.

A comprehensive study of mining-related hazards requires specific information on underground workings including their age, condition, depth, length, and location of adits and shafts. The Utah Geological and Mineral Survey requested this information from United Park City Mines and their response was that the data is considered proprietory but can be obtained through a contract/fee arrangement with the mining company. This study includes a detailed field reconnaissance of adits and shafts in the area. Available topographic, geologic, and mine maps and aerial photographs were utilized to locate the workings. Several shafts and adits were discovered that were not on the maps, and it is possible that others exist that could not be identified from the sources used. During the field reconnaissance each site was inspected and the condition of the portal or opening, as well as any evidence of surface subsidence or collapse was documented. Each waste pile was measured to estimate the volume of material, and evidence of erosion was noted. The results of the field reconnaissance are shown in figure 12.

Collapse, subsidence, or sinkhole development — Many older shafts were capped 50 to 80 years ago and four of those caps have failed within the past two years. Age, quality of construction, and ground saturation likely have contributed to the failures. One collapse occurred during construction of the Silver King Lodge (fig. 12, S15) immediately north of Park City Resort, and nearly resulted in the loss of heavy construction equipment. A second collapse occurred during site clearing operations at Stein's Lodge (fig. 12, S 9) in Deer Valley Resort, and once again construction equipment was nearly lost. At both locations a new cap was installed and the lodges were constructed on the site. The most spectacular collapse occurred in Empire Canyon approximately one mile (1.6 km) southwest of the study area in August 1983. A shaft 45 feet (14 m) in diameter and 1400 feet (427 m) deep was exposed (fig. 13). A chain link fence was placed around the hazardous area and backfilling is underway. This location was under consideration for future development. The fourth collapse was 45 feet (14 m) wide and 40 feet (12 m) deep and is located near the western boundary of the study area, west of Creole Shaft (fig.12, S14). The collapse is approximatly 1500 feet (458 m) from a residential area and is easily accessible. At the time of inspection only colored plastic ribbon had been strung around the opening.

In the past, the portals of many adits were purposely collapsed following closure of the mine. This resulted in ground subsidence at the entrance, and many such abandoned adits are found in residential areas in Park City. Not all adits have been closed in this manner, and some present a hazard because they are still accessible. The possibility also exists for collapse during construction above underground workings. However, to date there have been no reports of damage due to such subsidence. Because most mines are in competent rock and because they were driven into steep hillsides, where they rapidly become quite deep, the potential for collapse affecting the surface is considered low.

Slope Stability — Slope instability induced by mining activity remains a problem long after mining has ceased. Loading of slopes by mine waste piles may induce slope failure, especially on slopes subject to seasonal saturation. The waste piles themselves may fail due to saturation or undercutting (fig. 12, A-1 and A-13). Larger mine dumps, located on steep slopes, may become unstable during seismically induced ground shaking. Poorly designed roads also pose slope stability problems. Evidence of slumping and rock fall is apparent in the study area where old mine roads had removed support from the slope.

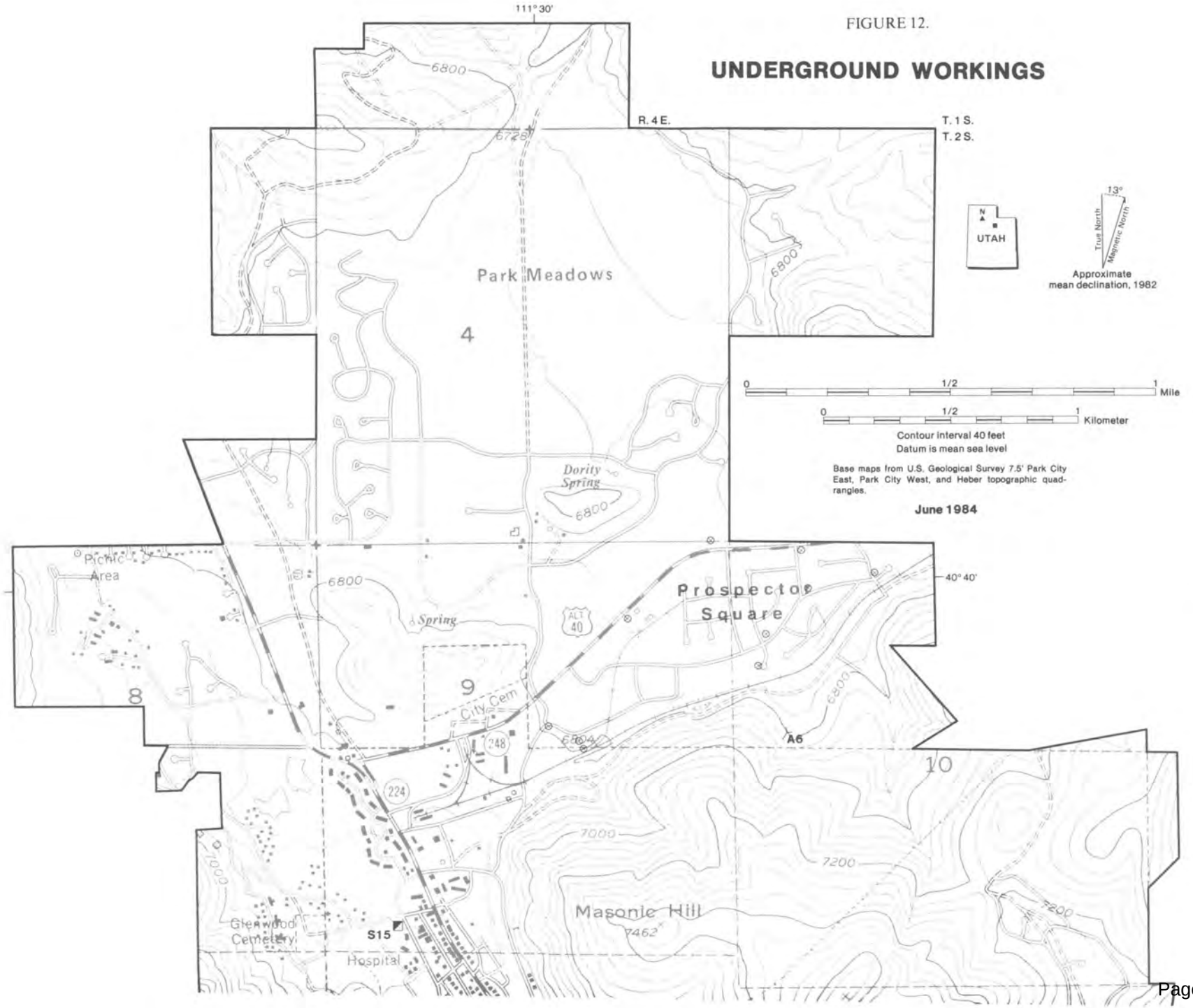
FIGURE 13.—Failure of mine shaft cap possibly caused by age and quality of construction. Collapse occurred southwest of study area in August 1983, and is 45 feet (14 m) in diameter and 1400 feet (427 m) deep.

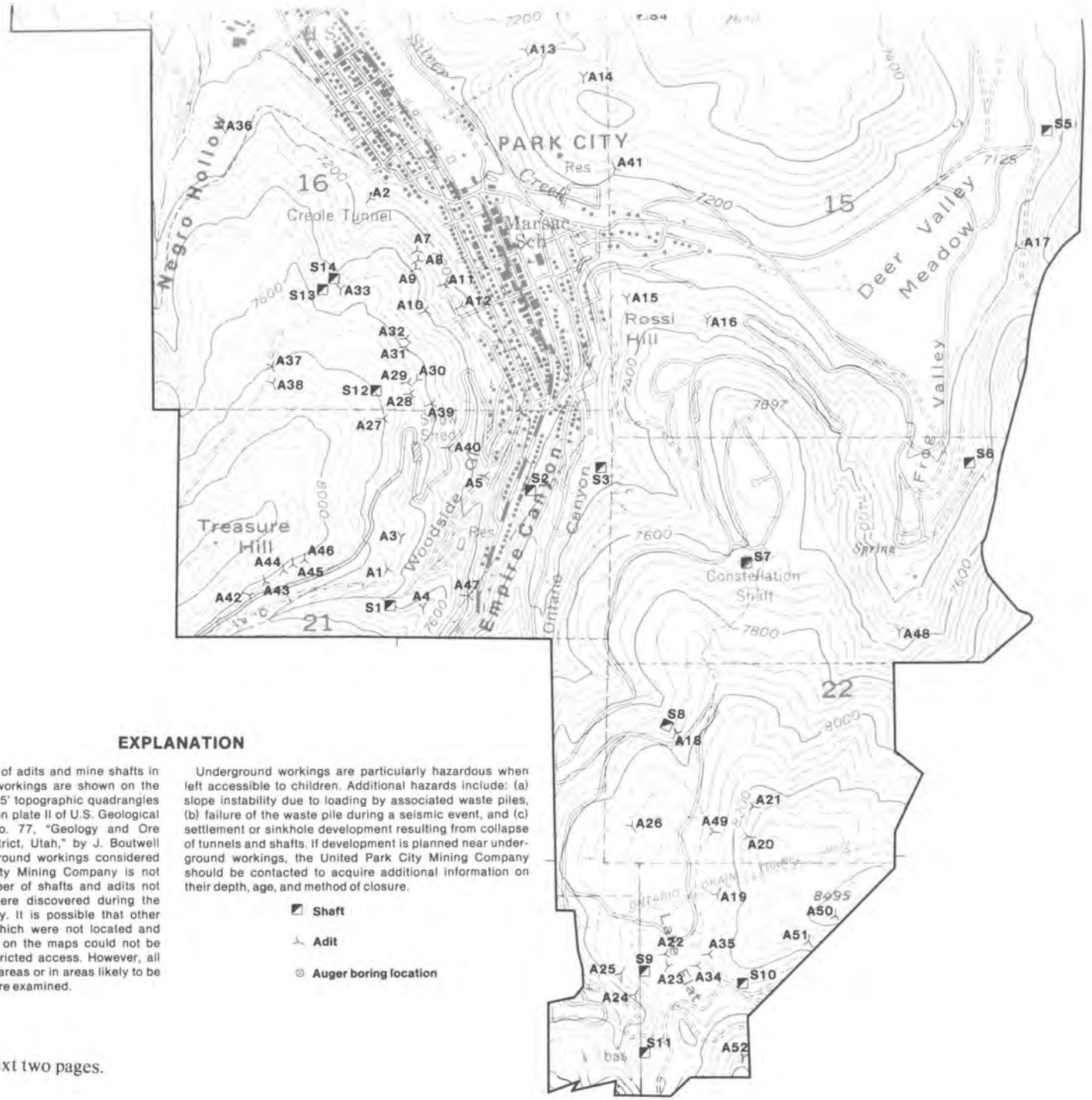
Erosion and sedimentation — Erosion of waste piles and mill tailings may greatly increase sediment loads delivered to streams and result in sedimentation in stream channels, debris basins, and storm drains. Mill tailings pose the greatest problem because they are fine grained and more readily eroded and transported by streams than the coarse-grained materials in mine waste piles. Extensive erosion of two tailings piles and one mine dump is occurring in Woodside Gulch (fig. 14). The sediment is entering the city's storm sewer system at the mouth of the canyon, but there has been no report of sediment-related flooding to date.

Contamination of ground water and soil — Mill tailings associated with mining activity characteristically contain high levels of heavy metals and other toxic elements. The Prospector Square development near the eastern boundary of the study area is sited almost entirely on old mill tailings. A drilling program was undertaken by the Utah Geological and Mineral Survey (UGMS) to determine if toxic elements existed in these sediments. Ten 4-inch (10 cm) diameter auger borings, from 2 to 11 feet (0.6 to 3.4 m) deep, were drilled on the site (fig. 12). At each location samples were taken at 1-foot (0.3 m) intervals and then combined into a single sample representative of the entire boring. Chemical analyses were run on five of the composite samples, and high concentrations of arsenic, cadmium, mercury, and lead were found. The Utah Department of Health collected and tested samples taken from the upper 2 inches (5 cm) of soil and from a depth of 12 inches (30 cm) below the ground surface. These horizons were selected because children are more likely to come in contact with surface soils, and a comparison of analyses at depths of 2 and 12 inches (5 and 30 cm) gives an indication of the leaching that has occurred in the upper horizon. Surface water samples from Silver Creek both upstream and downstream from the Prospector Square tailings were also collected and tested. The test results on the soil samples confirmed the high concentrations of toxic elements found earlier in samples taken by UGMS, and the water samples from below Prospector Square showed elevated levels of lead. Table 2 compares the results of the UGMS and Health Department testing with the average concentration of the same elements in soils as reported by the U.S. Geological Survey (1979).

Although levels of toxic elements are high, the potential hazard to residents is unknown. The State and Summit County health departments are proceeding with additional soil and water sampling and with blood tests on residents. Their findings will assist in grading and ranking the area for possible inclusion on

FIGURE 12.


UNDERGROUND WORKINGS
111°30'
40°40'
R. 4 E.
T. 1 S.
T. 2 S.
Park Meadows
4
8
9
10
Dority Spring
Spring
Picnic Area
Prospector Square
City Cem
Glenwood Cemetery
Hospital
Masonic Hill
7462
S15
A6
6800
6720
7000
7200
248
224
ALT 40
UTAH
13°
True North
Magnetic North
Approximate mean declination, 1982
0 1/2 1 Mile
0 1/2 1 Kilometer
Contour interval 40 feet
Datum is mean sea level
Base maps from U.S. Geological Survey 7.5' Park City East, Park City West, and Heber topographic quadrangles.
June 1984



EXPLANATION

This map shows the location of adits and mine shafts in Park City. Most underground workings are shown on the three U.S. Geological Survey 7.5' topographic quadrangles which cover the study area or on plate II of U.S. Geological Survey Professional Paper No. 77, "Geology and Ore Deposits of the Park City District, Utah," by J. Boutwell (1912). Information on underground workings considered proprietory by United Park City Mining Company is not included on this map. A number of shafts and adits not shown on the above maps were discovered during the field-work portion of this study. It is possible that other underground workings exist which were not located and described. A few adits shown on the maps could not be found or were in areas of restricted access. However, all mine workings near developed areas or in areas likely to be developed in the near future, were examined.

Underground workings are particularly hazardous when left accessible to children. Additional hazards include: (a) slope instability due to loading by associated waste piles, (b) failure of the waste pile during a seismic event, and (c) settlement or sinkhole development resulting from collapse of tunnels and shafts. If development is planned near underground workings, the United Park City Mining Company should be contacted to acquire additional information on their depth, age, and method of closure.

- Shaft
- Adit
- Auger boring location

Figure 12 tables on next two pages.

FIGURE 12.—Underground workings (continued).

MINE SHAFTS

	Condition of opening	Evidence of surface subsidence	Approx. waste pile volume	Remarks
S1	Open, 50-75 ft (15-23 m) deep		10 yd^3 (8 m^3)	
S2	Closed	Possible sinkhole	No measurement taken.	Rock fall hazard above opening.
S3	Open		Waste pile removed.	Old mill site; shaft enclosed by metal shed with gate.
S4	Open, aprx. 30 ft deep (9 m)		90 yd^3 (69 m^3)	Minor soil creep over edge of opening.
S5	Closed		103 yd^3 (100 m^3)	15 ft (5 m) to concrete plug.
S6	Closed		40 yd^3 (30 m^3)	
S7	Closed		Waste pile disturbed, no measurement taken.	Located on SE corner of subdivision lot.
S8	Closed		5 yd^3 (4 m^3)	
S9	Closed		No waste pile.	Stein's Lodge built over shaft.
S10	Closed	Evidence of settling, concentric cracks extend outward from opening.	No waste pile.	Standing water in opening, origin unknown; shaft 300 ft (92 m) deep, plugged at 10 ft (3 m).
S11	Closed		Extensive waste pile, no measurement taken.	Waste pile failure may occur during seismically induced ground shaking; deep gulleys cut into face of waste pile, shaft 820 ft (250 m) deep.
S12	Open, 20 ft (6 m) deep	Partially collapsed or settled.	150 yd^3 (115 m^3)	Minor soil creep over edge of opening.
S13	Open, 20 ft (6 m) deep	Appears to have collapsed or settled.	480 yd^3 (367 m^3)	Extensive waste pile in steep canyon, potential for failure during seismically induced ground shaking, minor gullying down face of waste pile.
S14	Open, 40 ft (12 m) deep	Shaft has recently collapsed; 40 ft (12 m) deep, 45 ft (14 m) in diameter; extensive sloughing of sides, entire north side appears unstable.	21,815 yd^3 (16,680 m^3)	Extensive waste pile in steep canyon, potential for failure during seismically induced ground shaking, minor gullying down face of waste pile.
S15	Closed, apprx. 800 ft (244 m) deep		No waste pile.	Silver King Lodge built over shaft.

ADITS

	Condition of portal	Evidence of surface subsidence
A1	Open into hill apprx. 30 ft (9 m)	
A2	Closed	Roof collapse, extends upslope from portal apprx. 70 ft (21 m); 10 ft (3 m) wide, 3-6 ft (.9-2 m) deep.
A3	Closed	Sinkholes extend upslope from portal 150-200 ft (46-61 m); 5-30 ft (2-9 m) long, 3-10 ft (.9-3 m) deep.
A4	Closed	Collapse apprx. 15 ft (5 m) to west and east of portal.
A5	Closed	
A6	Closed	
A7	Open	
A8	Open	
A9	Closed	
A10	Closed	
A11	Open into hill apprx. 30 ft	
A12	Closed	
A13	Closed	
A14	Open	Partially closed
A15	Closed	
A16	Open	Partially closed
A17	Closed	
A18	Closed	Settlement extends 15 ft (5 m) upslope.
A19	Closed	Possible settlement in several locations.
A20	Closed	
A21	Closed	
A22	Closed	
A23	Closed	

Approx. waste pile volume	Remarks
10 yd^3 (8 m^3)	Toe of waste pile has been removed by roadcut, sloughing onto road has occurred.
1450 yd^3 (1109 m^3	Soil moist, abundant vegetation; possibly wet in spring.
310 yd^3 (237 m^3)	
110 yd^3 (84 m^3)	Minor soil creep observed.
No measurement taken	Within 1000 ft (305 m) of residence; waste dump eroded by creek.
350 yd^3 (268 m^3)	Minor soil creep observed.
30 yd^3 (23 m^3)	Minor gullying down face of waste pile.
30 yd^3 (23 m^3)	
90 yd^3 (69 m^3)	Minor soil creep observed.
30 yd^3 (23 m^3)	
15 yd^3 (11m^3)	Located close to existing homes.
30 yd^3 (23 m^3)	Minor soil creep observed.
30 yd^3 (23 m^3)	Road removed toe of waste pile; sloughing has occurred; minor erosion around portal.
90 yd^3 (69 m^3)	
15 yd^3 (11 m^3)	Abundant vegetation, possibly wet in spring.
90 yd^3 (69 m^3)	Soil creep has obscured portal; abundant vegetation, may be wet in spring.
10 yd^3 (8 m^3)	Minor gullying down face of waste pile; animal burrows around portal.
15 yd^3 (11 m^3)	
Waste pile removed	
110 yd^3 (84 m^3)	
5 yd^3 (4 m^3)	Prospect
60 yd^3 (46 m^3)	
55 yd^3 (42 m^3)	

ADITS (cont.)

	Condition of portal	Evidence of surface subsidence	Approx. waste pile volume	Remarks
A24	Closed		Waste pile removed by erosion.	Minor soil creep near portal; slope above cut possibly unstable.
A25	Closed		15 yd^3 (11 m^3)	
A26	Closed	Settlement to within 30 ft (9 m) of a residence.	20 yd^3 (15 m^3)	Minor erosion north of portal.
A27	Closed		15 yd^3 (11 m^3)	
A28	Closed		270 yd^3 (206 m^3)	
A29	Closed		90 yd^3 (69 m^3)	
A30	Open 30 ft (9 m) into hill	Portal partially collapsed.	30 yd^3 (23 m^3)	
A31	Closed		20 yd^3 (15 m^3)	
A32	Open		30 yd^3 (23 m^3)	
A33	Closed		310 yd^3 (237 m^3)	Extensive waste pile in steep canyon, potential for seismically induced failure; minor soil creep upslope from portal.
A34	Closed	Collapsed by mining company, no surface expression observed.	Waste pile removed.	Shaft originally 1400 ft (427 m) long.
A35	Closed	Collapsed by mining company, no surface expression observed.	Waste pile removed.	Shaft originally 800 ft (244 m) long.
A36				Could not locate.
A37				Restricted access
A38				Restricted access
A39				Could not locate, possibly removed by road construction.
A40				Removed by road construction
A41				Could not locate
A42				Restricted access
A43				Restricted access
A44				Restricted access
A45				Restricted access
A46				Restricted access
A47				Could not locate
A48				Restricted access
A49				Could not locate, possibly removed by road construction.
A50				Restricted access
A51				Restricted access
A52				Restricted access

FIGURE 14.—Extensive erosion of mine waste pile in Woodside Gulch. Fine-grained sediment carried downstream enters the city's storm sewer system and may cause sediment-related flooding in the future.

the Environmental Protection Agency (EPA) Super Fund Hazardous Waste Site list. If the site is included, the EPA will institute a comprehensive study of the Park City area during which all mill tailing sites would be identified and a decision made as to their disposition (John Brink, EPA, oral communication, 1983).

Seismicity

Park City lies within a north-south trending belt of seismicity known as the Intermountain seismic belt - a zone of pronounced earthquake activity extending from northwestern Montana to southwestern Utah (Sbar and others, 1972). Although Park City has not experienced a large earthquake in historic time, an earthquake of Richter magnitude 6 is considered possible (Arabasz and others, p. 41, 1983). The complete record of historical earthquakes, within a 14- by 18-mile (23 by 29 km) rectangle centered on Park City, of Richter magnitude 2.0 or greater compiled from the University of Utah Seismograph Stations (1983) is shown in table 3. This record covers the period 1850 to September, 1983, and records 17 events, some of which consisted of more than one shock within a relatively short time period. Location of these events are shown in figure 15.

The largest magnitude events near the study area occurred in May 1953 and October 1972. Both had estimated Richter magnitudes of 4.3 with Modified Mercalli intensities (appendix) of V and VI, respectively (University of Utah Seismograph Stations, 1983). The 1953 event was located approximately 10 miles (16 km) south of Park City, and the 1972 earthquake was about 12 miles (19 km) to the south-southeast. The 1972 earthquake was felt over a large area with minor damage reported at Midway, Heber City, Wallsburg, and along the east bench of Salt Lake City (Langer and others, 1979). A maximum intensity of VI was assigned at Midway where bricks were shaken from chimneys and some cracking of plaster occurred. A total of 28 aftershocks were identified, five of which ranged from 2.0 to 2.5 estimated Richter magnitudes. The earthquake was felt in Park City but there was no damage reported (J. Wilking, publisher Park Record, oral commun., 1984). No surface faulting has been recorded during any earthquakes in the Park City area, and no faults with geologic evidence of offset during the Quaternary have been identified. However, the area is only 16 miles (26 km) east of the Wasatch fault which has a history of recurrent Holocene surface faulting accompanying moderate to large earthquakes (Langer and others, 1979), and is thought capable of generating an earthquake of magnitude 7.5 (Arabasz and others, 1979). Other faults on which Quaternary offset has occurred are found 32 miles (51 km) to the

TABLE 2.—Toxic element concentrations at Prospector Square development.

Element	Concentration (ppm - parts per million, ppb - parts per billion)				
	Prospector Square			Average soils U.S. Geological Survey (1979)	Utah public drinking water standards
	Utah Geological and Mineral Survey samples	Utah State Dept. of Health samples			
		Soil*	Water** (Silver Creek)		
Arsenic	160-550 ppm	A 250-440 ppm B 270-360 ppm	A 2 ppb B 6 ppb	less than 1-40 ppm	50 ppb
Cadmium	100-185 ppm	A 43-89 ppm B 46-85 ppm	A 5 ppb B 8 ppb	0.15-0.2 ppm	10 ppb
Mercury	0.47-1.78 ppm	A 3.9-7.4 ppm B 1.6-13.3 ppm	A 0.1 ppb B 0.2 ppb	0.071 ppm	2 ppb
Lead	approximately 10,000 ppm	A 1340-4000 ppm B 1170-2500 ppm	A 5 ppb B 112 ppb	less than 1 ppm	50 ppb

*A, surface; B, 12" below surface.
**A, upstream from tailings; B, downstream from tailings.

southeast in Strawberry Valley. Exploration of the late Pleistocene Strawberry Valley fault by the U.S. Bureau of Reclamation has uncovered evidence which may show a history of repeated fault movement with 3.3 to 9.8 feet (1 to 3 m) of stratigraphic displacement on individual fault breaks. At least one and possibly two surface displacement events have occurred during the Holocene, the larger occurring about 3 thousand years ago (Arabasz and others, p. 51, 1983).

Earthquake hazard — In discussing earthquake hazards, it is important to differentiate between the terms risk and hazard. An earthquake hazard refers to a source of danger such as a geologic process accompanying an earthquake; whereas earthquake risk refers to the probability that peril or loss will occur in the event of an earthquake. Earthquake hazards such as ground shaking and faulting are beyond man's control, but earthquake risk can be mitigated by human intervention such as avoiding hazardous zones or engineering structures to withstand hazards.

The absence of faults showing evidence of Quaternary movement indicates that the principal earthquake hazard in Park City would be due to ground shaking caused by an earthquake outside the area. Hazards from ground shaking are produced by propagation of large-amplitude seismic waves at the earth's surface. Damage occurs to materials and structures that deform or fail from excessive strain produced by passage of the seismic waves through the material beneath the structure. If a building has a natural vibration frequency that is about the same as that of the passing wave, the building may develop natural resonance which results in amplified ground motion that can be destructive (Arabasz and others, 1979).

Other earthquake effects that may occur due to ground shaking are differential ground settlement that can deform or break building foundations; liquefaction of saturated soils that reduce their strength as foundation supports; and slope movements and snow avalanches. In the Park City area, special seismic hazards exist due to past mining activity. Ground shaking may cause collapse of underground workings and subsequent surface subsidence or sinkhole

TABLE 3.—Earthquakes of Richter magnitude 2.0 or greater in the Park City area, 1850 to September 1983.

Index to numbers in fig. 15	Date	Magnitude	Maximum intensity	Epicenter Location	
				Latitude(N)	Longitude(W)
1	11/11/32	3.7	IV	40°31′04″	111°28′27″
2	5/24/53	4.3	V	40°30′00″	111°30′00″
3	1/23/69	2.5	—	40°43′62″	111°37′92″
4	9/22/69	2.0	—	40°33′45″	111°34′54″
5	10/1/72	4.3	VI	40°30′36″	111°20′91″
6	10/1/72	2.2	—	40°37′09″	111°19′02″
7	10/1/72	2.5	—	40°36′35″	111°20′37″
8	10/1/72	2.1	—	40°32′56″	111°21′77″
9	10/3/72	2.4	—	40°26′35″	111°21′04″
10	12/24/72	2.0	—	40°26′10″	111°24′53″
11	12/19/74	2.0	—	40°26′27″	111°26′73″
12	1/19/75	2.0	—	40°50′35″	111°39′90″
13	7/7/75	2.5	—	40°47′98″	111°35′25″
14	10/22/75	2.6	—	40°45′42″	111°37′36″
15	12/10/78	2.3	—	40°48′40″	111°33′22″
16	12/10/78	2.7	—	40°48′72″	111°33′91″
17	2/3/80	2.3	—	40°53′33″	111°36′45″

Source: University of Utah Seismograph Stations (1983).

development. Shaking could also cause downslope movement of larger mine waste piles located on steep slopes.

Due to the level of seismicity in the area, Park City is in seismic zone 3 of the Uniform Building Code (UBC) and the Utah Seismic Safety Advisory Council (USSAC) statewide seismic zonation. Utah is divided into three (UBC) or four (USSAC) seismic zones, with zone 1 being least hazardous (lowest projected earthquake probability and magnitude) and zones 3 and 4 being most hazardous (highest projected earthquake probability and magnitude). Earthquake hazard near Park City is thus considered high, with an expected Modified Mercalli intensity of VIII or higher (appendix) in UBC zone 3.

Avalanche hazard

Information on avalanche hazard in the study area was obtained through interviews with avalanche control personnel at Park City and Deer Valley Resorts, and through personal communication with long-time residents of the area (Lund, 1979). Numerous snow avalanches occurred in the Park City area between 1884 and 1897, primarily because trees which stabalize snow on slopes were removed for use by the mining industry. At least one destructive avalanche is known to have occurred on the hillside immediately west of Park City between Woodside Gulch and Creole Tunnel. It destroyed a large shed and damaged a house on Woodside Avenue in either 1910 or 1911 (Lund, 1979). At present, the slopes have revegetated and no avalanches have been reported on slopes near the city since Park City Resort opened in 1963 (limit of accurate record).

Slopes in the populated areas of Park City do not pose an imminent danger from large avalanches (Mike Spurlock, oral commun., Chief of Avalanche Hazard, Park City Resort, 1983; ski patrol personnel, oral commun., Deer Valley Resort, 1983). However, small point or slab avalanches may occur on steep slopes under extreme snow and weather conditions. Several avalanches have occurred on slopes within

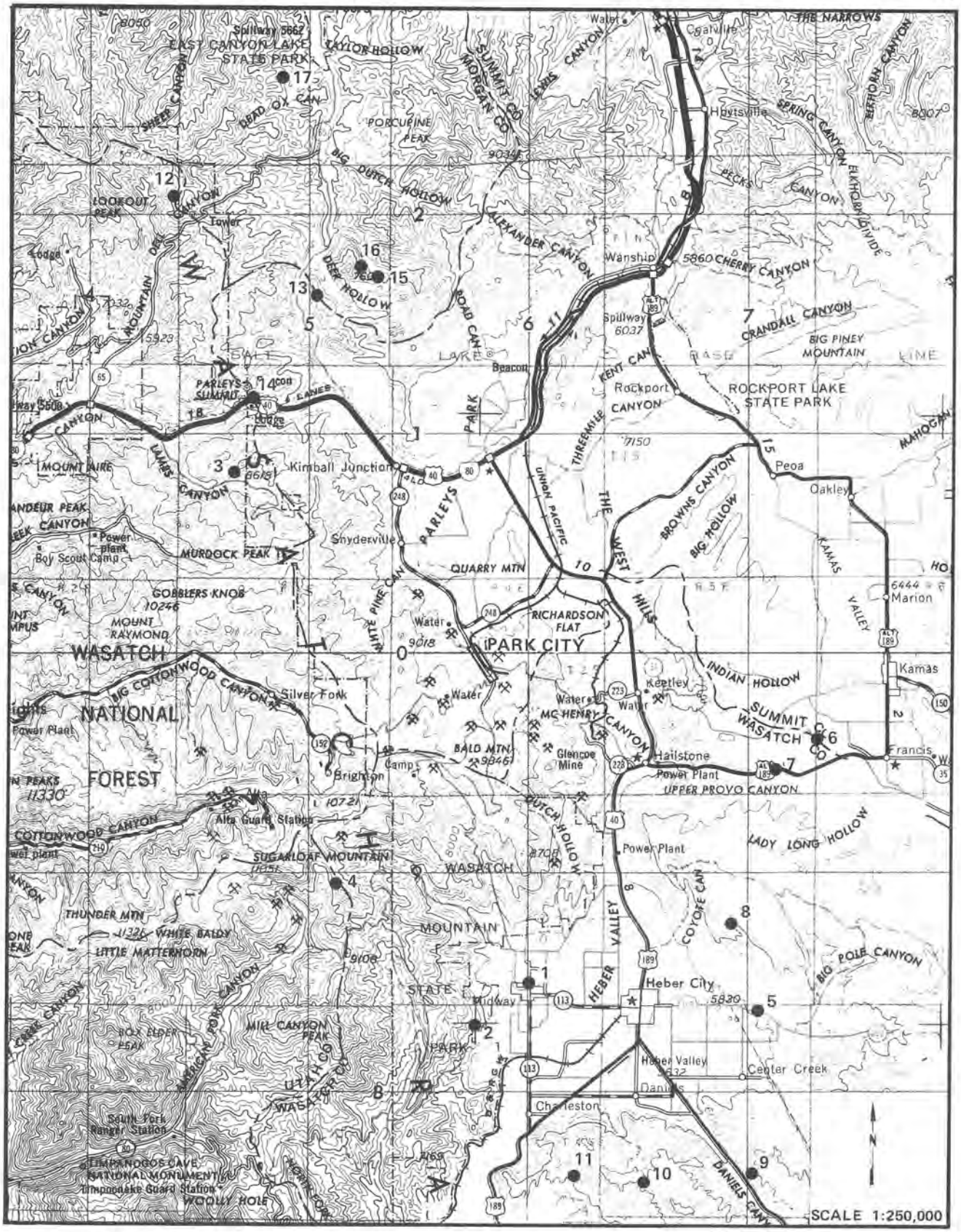


FIGURE 15.—Location of earthquake epicenters listed in Table 3 (1850 to September 1983) in the Park City area.

the Park City ski area, but the location of the slides precludes any danger to the city. The slope nearest Park City with the greatest avalanche potential is located just outside the study area on the west side of Negro Hollow. An extremely heavy snowfall with a prolonged southwest wind would be required to develop an avalanche hazard there. However, there is no record of a failure at this location since the opening of Park City Ski Resort, and if one did occur it is unlikely that it could affect any area other than the ski resort (Mike Spurlock, oral commun., 1983).

CONCLUSIONS AND RECOMMENDATIONS

Growth in Park City is expected to continue at a rapid rate, and proposals for construction in areas where geologic conditions are undesirable for development are likely to increase. Development can proceed safely and efficiently if geologic constraints are recognized and incorporated into the planning process. Use of information provided in this report during initial site planning will assist in early recognition of potentially hazardous geologic conditions and mitigating measures can be instituted where appropriate. However, the data presented in this report are for general planning purposes only and do not preclude the necessity for site investigations. It is recommended that all proposed subdivisions and major construction projects include a geologic/soils report addressing all relevant site conditions. The following geotechnical conditions in Park City are of greatest importance to planners:

1. Flood hazard adjacent to major drainages and in some valley bottoms.
2. High ground water in valley bottoms and adjacent to stream channels.
3. Generally stable natural slopes, however, with a potential for instability under changed conditions resulting from development.
4. Area of fine-grained soils with high shrink-swell potential and low shear strengths.
5. Chemical residues in old mill tailings which may be detrimental to concrete and other construction materials.
6. Low density materials in the old city refuse dump which may settle under moderate to heavy loads.
7. Low to moderate soil erodibility and erosion hazard under existing conditions, and high erosion hazard on some steeper slopes if vegetation is removed.
8. Possible subsidence or sinkhole development resulting from collapse of abandoned shafts and adits.
9. Potential for failure on slopes loaded by mine dumps and of the dumps themselves, or on slopes undercut by mining activities.
10. Sedimentation due to erosion of mill tailings and mine waste piles.
11. Possible health hazards from contamination of ground water and soil by toxic elements in mill tailings.

The following recommendations are made based on the results of this study:

1. Ground-water levels, including seasonal variations, should be determined prior to construction in areas of shallow ground water.
2. Development in flood prone areas should be avoided or measures taken to mitigate the hazard.
3. Installation of surface drainage systems in developed areas and as new development proceeds to accomodate runoff and help mitigate soil creep.
4. Construction should not be allowed on prehistoric slope failures until it is demonstrated that development will not cause renewed movement.
5. Slope stability analyses should be required for all construction sites and rights-of-way on slopes steeper than 15 percent.
6. Foundation investigations should be performed on a site-specific basis for all proposed construction.
7. An erosion control report should be prepared and reviewed by the City before building permits are issued for new construction.
8. Removal of vegetation, especially trees, from steep slopes should be avoided to limit avalanche hazard.
9. Negotiations should be entered into with United Park City Mines and other relevent parties to obtain all existing data on underground workings in Park City.
10. Erosion control measures should be initiated to protect the city's storm drain system from sedimentation resulting from the erosion of mine waste piles and mill tailings.

11. Development on mill tailings and mine dumps should be prohibited until a determination is made regarding the content and possible health effects of toxic substances contained in them.
12. All construction should conform to specifications listed in the Uniform Building Code for structures in seismic zone 3.

ACKNOWLEDGEMENTS

The authors wish to acknowledge Michael Vance, Park City Community Development Director, and Ron Ivey, Chief Building Official, for their technical assistance during this study. Particular thanks to Jennifer Harrington, Park City Planner, for her invaluable help throughout the project. We also wish to thank the geotechnical consulting firms of Bush and Gudgell and J. J. Johnson and Associates for supplying site investigation reports done over the past 10 years in the Park City area. We gratefully acknowledge Gary Christenson for his critical and helpful suggestions in the review of this manuscript.

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APPENDIX

GEOLOGIC TIME SCALE

ERA	PERIOD	EPOCH	Age estimate of beginning (millions of years ago)
Cenozoic	Quaternary	Holocene	0.01
		Pleistocene	1.6
	Tertiary	Pliocene	5.0
		Miocene	22.5
		Oligocene	37.5
		Eocene	53.5
		Paleocene	65
Mesozoic	Cretaceous		135
	Jurassic		190-195
	Triassic		225
Paleozoic	Permian		280
	Pennsylvanian		320
	Mississippian		345
	Devonian		395
	Silurian		430-440
	Ordovician		500
	Cambrian		570
Precambrian			4500

GLOSSARY

Adit: Horizontal or nearly horizontal passage from the surface from which a mine is entered.

Alluvial fan: A cone-shaped deposit of alluvium deposited by a stream where it runs out onto a level plain or meets a slower stream.

Alluvium: A general term for clay, silt, sand, gravel or similar unconsolidated material deposited during comparatively recent geologic time by a stream or other body of running water.

Anticline: A fold in rock strata that is convex upward.

Aquifer: Stratum or zone below the surface of the earth capable of producing water as from a well.

Colluvium: Loose, heterogeneous, incoherent mass of soil material and/or rock fragments deposited chiefly by mass-wasting.

Compaction: Instantaneous reduction in pore space by mechanical means.

Compressibility: Time-dependent reduction in pore space as a result of loading.

Dike: Tabular igneous intrusion that cuts across planar bedding or foliation of the surrounding rock.

Eolian: Resulting from the action of wind.

Moraine: Mound, ridge, or other distinct accumulation of unsorted, unstratified glacial material, deposited chiefly by direct action of glacier ice.

Normal fault: A fault, with an angle usually between 45-90 degrees, at which the hanging wall (upper block) has moved downward relative to the footwall (lower block).

Permeability: Capacity of a rock or soil material to transmit a fluid.

Regressive sea: Retreat of the sea from land areas.

Residual soil: Unconsolidated or partly weathered material, presumed to have developed in place (by weathering) from the consolidated rock on which it lies.

Reverse fault: Fault with a dip greater than 45 degrees at which the hanging wall (upper block) appears to have moved upward relative to the footwall (lower block).

Shear strength: The internal resistance of a material to shear stress (movement of one part of the body relative to another part).

Shrink-swell: The capacity of a soil material to increase or decrease in volume with changes in moisture content, generally a function of type and percentage of clay.

Surcharge: Vertical pressure caused by the weight of overlying material, as a result of gravity alone.

Thrust fault: Fault with a dip of 45 degrees or less in which the hanging wall (upper block) appears to have moved upward relative to the footwall (lower block).

Transgressive sea: Spread or encroachment of the sea over land areas.

Tuff: Consolidated pyroclastic (volcanic material explosively ejected from a volcanic vent) deposit of volcanic ash and dust.

Unconformity: Surface of erosion or nondeposition that separates younger from older rocks.

Volcanic breccia: Pyroclastic rock that consists of angular volcanic fragments that are larger than 64 mm in diameter and may or may not have a matrix.

MODIFIED MERCALLI INTENSITY SCALE OF 1931
(Abridged)

I. Not felt except by a very few under especially favorable circumstances.

II. Felt only by a few persons at rest, especially on upper floors of buildings. Delicately suspended objects may swing.

III. Felt quite noticeably indoors, especially on upper floors of buildings, but many people do not recognize it as an earthquake. Standing motor cars may rock slightly. Vibration like passing of truck. Duration estimated.

IV. During the day felt indoors by many, outdoors by few. At night some awakened. Dishes, windows, doors disturbed; walls made cracking sound. Sensation like heavy truck striking building; standing motor cars rocked noticeably.

V. Felt by nearly everyone; many awakened. Some dishes, windows, etc., broken; a few instances of cracked plaster; unstable objects overturned. Disturbance of trees, poles and other tall objects sometimes noticed. Pendulum clocks may stop.

VI. Felt by all; many frightened and run outdoors. Some heavy furniture moved; a few instances of fallen plaster or damaged chimneys. Damage slight.

VII. Everybody runs outdoors. Damage negligible in buildings of good design and construction; slight to moderate in well-built ordinary structures; considerable in poorly built or badly designed structures; some chimneys broken. Noticed by persons driving motor cars.

VIII. Damage slight in specially designed structures; considerable in ordinary substantial buildings with partial collapse; great in poorly built structures. Panel walls thrown out of frame structures. Fall of chimneys, factory stacks, columns, monuments, walls. Heavy furniture overturned. Sand and mud ejected in small amounts. Changes in well water. Disturbed persons driving motor cars.

IX. Damage considerable in specially designed structures; well designed frame structures thrown out of plumb; great in substantial buildings, with partial collapse. Buildings shifted off foundations. Ground cracked conspicuously. Underground pipes broken.

X. Some well-built wooden structures destroyed; most masonry and frame structures destroyed with foundations; ground badly cracked. Rails bent. Landslides considerable from river banks and steep slopes. Shifted sand and mud. Water splashed (slopped) over banks.

XI. Few, if any (masonry), structures remain standing. Bridges destroyed. Broad fissures in ground. Underground pipe lines completely out of service. Earth slumps and land slips in soft ground. Rails bent greatly.

XII. Damage total. Waves seen on ground surfaces. Lines of sight and level distorted. Objects thrown upward into the air.

Source: Earthquake Information Bulletin; 6 (5), 1974, p. 28.

UTAH GEOLOGICAL AND MINERAL SURVEY

606 Black Hawk Way
Salt Lake City, Utah 84108-1280

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The Survey publishes bulletins, maps, a quarterly newsletter, and other publications that describe the geology of Utah. Write for the latest list of publications available.

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EXHIBIT H

Geotechnical Engineering Report

Private Residence

220 King Road, Park City, UT

February 5, 2024

KUE Project P-23030TK

Prepared for: Edge Builders

KILDUFF UNDERGROUND ENGINEERING, INC.

535 16th Street, Sutie 620
Denver, CO 80202
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EDGE BUILDERS

February 5, 2024

EDGE Builders
4015 South 300 West Suite 102
Salt Lake City, UT 84107

Attention: Mr. Brigham Wilcox

Re: Geotechnical/Geological Engineering Report
Subsurface Investigation
Park City, Ut
KUE Project No. P-231030TK

Dear Mr. Wilcox,

Kilduff Underground Engineering, Inc. (KUE) is pleased to submit this geotechnical engineering report for the above referenced project located in Park City, Utah. This report contains observations, results, and recommendations from the geotechnical/geological data obtained during the geo site investigation performed on May 8th through May 17, 2023. Data and observations are subject to the provisions and requirements outlined in the Limitations section of this report.

Additional investigations and data is planned to be obtained to supplement this report as the project progresses. We trust that our findings and observations outlined in this report will be responsive to your needs at this time. Should you have any questions or require additional information, please do not hesitate to contact the undersigned.

Sincerely,

KILDUFF UNDERGROUND ENGINEERING, INC.

Mr. Daniel DiGeorgio
Staff Engineer

Todd M. Kilduff, P.E.
Principal Engineer

February 5, 2024
UT PE 12611092

535 16th STREET, SUITE 620 | DENVER, CO 80202 | (303) 732-3692 | WWW.KILDUFFUNDERGROUND.COM

Table of Contents

1. INTRODUCTION 1
1.1 Project Background 1
1.2 Project References 1
1.3 Regional Geology 2
2. GEOTECHNICAL SITE INVESTIGATION 2
2.1 Geotechnical Test Borings 2
2.2 Subsurface Conditions 2
2.2.1 Stratum F – Fill 3
2.2.2 Stratum TL – Talus/Colluvium 3
2.2.3 Stratum BR – Bedrock 3
2.3 Groundwater 3
3. GEOTECHNICAL RECOMMENDATIONS 4
3.1 Foundations 4
3.2 Site Preparation 4
3.3 Structural Backfill 4
4. LIMITATIONS 4

FIGURES

Figure 1: Site Location Map
Figure 2: Boring Location Plan & Geologic Profile

APPENDICES

Appendix A – Borehole Log Key & Boring Logs
Appendix B – Photographs of Soil and Rock Core Samples
Appendix C – Geologic Maps

1. INTRODUCTION

This Geotechnical Engineering Report (Report) has been prepared by Kilduff Underground Engineering, Inc. (KUE) for EDGE Builders, who is leading efforts for the re-development of a private residence at 220 King Road. This Report details the results of our geotechnical field investigation performed on May 8th through May 17th of 2023 along with data summaries, and geotechnical recommendations.

1.1 Project Background

The project site is located on west hillside above the valley adjacent to the downtown area of Park City Utah. The address is 220 King Road which is currently comprised of two residential structures, each two stories without basements (Figure 1). The project involves the demolition of the existing structures and the re-development of the site with a single private residence.

The proposed residence requires geotechnical considerations for designing the residence foundations. KUE was engaged by EDGE to perform a geotechnical investigation consisting of drilling soil borings to record the subsurface conditions, collect soil and rock samples, identify, and evaluate site geological conditions to provide recommendations for the residence's foundations. This report provides a summary of the investigation with boring logs, geologic interpretations, and our preliminary recommendations with a subsurface geological profile across the subject site (Figure 2).

1.2 Project References

In preparation of this Report KUE reviewed the following drawings and reports:

- ASTM D2488 (2017). *Standard Practice for Description and Identification of Soils (Visual-Manual Procedures).*
- ASTM D420 (2018). *Standard Guide to Site Characterization for Engineering, Design and Construction Purposes.* Davis, T. (2008) *Geotechnical Testing, Observation, and Documentation*. ASCE Press, Second Edition.
- Conceptual Drawings, 220 King Road, Sheets A0.01 through A3.17 Olson Kundig and Utah land Survey, dated 09/2022.
- Satellite images obtained from google earth, dated 2023.

1.3 Site Geology

The site is on the eastern slope of the Wasatch Range in north-central Utah. Bedrock in the study area consists of Pennsylvanian to Jurassic aged quartzite, granodiorite, limestone, sandstone, shale, siltstone, mudstone, and conglomerate, as well as tertiary volcanic and intrusive rocks layered and intermixed from historic tectonic movement. The geology is complex due to several historic upheaval events, the last the Laramide Orogeny, happening approximately 70 to 35 million years ago in which oceanic crust slipped under the North American Plate, deforming and warping the rocks throughout central Utah including the entire column near Arches National Park creating anticlines and synclines. Native surficial soils in the area of the site consist of several feet of talus that accumulated in the valley and was built up to cover the upper 20 to 30 feet of the subject site.

2. GEOTECHNICAL SITE INVESTIGATION

KUE conducted a geotechnical site investigation on May 8th to the 17th, 2023 to assess the subsurface conditions across the site. The exploration program included geotechnical drilling and sampling collecting soil samples and rock cores from the borings. KUE's site investigation consisted of advancing two vertical borings as well as the mapping of rock outcroppings observed around the site. A summary of the geological exploration program is presented in Table 1.

2.1 Geotechnical Test Borings

KUE solicited bids from qualified drillers and subcontracted with Kissner Drilling of Cedaredge Colorado. A total of two (2) geotechnical test borings, designated as KUE-1BW and KUE -B2, were advanced to a maximum depth of 65 feet. All test borings were located on the project site. The boring locations were measured from existing architectural features noted following boring completion.

Test borings were advanced with a CME 55C drill rig using a tri-cone roller bit and NX/NQ sized core barrel. A Field Engineer from KUE provided full-time observation of the drilling operation, collected soil and rock samples from the borings and prepared detailed boring logs of the subsurface conditions. Samples were collected in accordance with the procedure described in ASTM D1586 (2018), Test Method for the Standard Penetration Test (SPT) and ASTM D2113-14 Standard Practice for Rock Core Drilling and Sampling of Rock for Site Exploration. A mud rotary system was used for the drilling and converted to rock coring when rock or talus was encountered. Descriptions of the soil and rock strata encountered were recorded using the Unified Soil Classification System (USCS) and the Terzaghi Rock Mass system utilizing Rock Quality Designation (RQD). Information is included on the boring logs presented in Appendix A. Groundwater was measured in all four borings immediately after completion of drilling.

Table 1: Summary of Geotechnical Test Borings

Boring ID	Depth Drilled (feet)	No. of Samples	Location[1]
KUE-B1W	64	18 (all rock)	Parking area 220 King Ave Sta 0+85
KUE-B2	22	11 (2 soil)	Center of hill, Sta. 1+42

Notes: 1. Boring locations were located using a 100 ft Tape, measured off existing architectural features.

2.2 Subsurface Conditions

Soils encountered in our borings consisted of fill materials extending to a maximum depth of 15 feet. The fill consisted of fine to coarse gravels with varying amounts of lean clay, silt and sand. The results of data obtained during the investigation were recorded on the boring logs, which include detailed information such as sample number, depth, USCS soil descriptions Terzaghi Rock descriptions and details of the operations. Photographs of all the samples collected are included in Appendix B. Generalized descriptions of the soil and rock strata encountered are summarized in the following subsections.

2.2.1 Stratum F – Fill (CL, CH, ML, SM, GM)

Fill was encountered in borings KUE-B1W and KUE-2 from the ground surface down to a maximum depth of approximately 15 feet below the ground surface (bgs). The fill unit consisted of silty clay (CL-ML),

lean clay (CL), silty sand (SM), poorly graded sand (SP) and fine to coarse gravel (GP). Materials were intermixed and the matrix varied randomly from being predominately coarse-grained soils to predominately fine-grained soil. The fill materials appear to be native soils reworked for construction of the original residences.

2.2.2 Stratum TL – Rock Talus/Colluvium

Below the Fill stratum and encountered in all the borings was rock Talus/Colluvium. The material consisted of dense to very dense, fine to coarse gravel, with cobbles and boulders within a silty clay (sometimes with sand) soil matrix. The soil matrix material was often washed out of the core barrel during the recovery making it difficult to classify some samples. The gravel and cobbles consisted of fragments of quartzite, granodiorite, red/brown mudstone and metamorphosized shale.

2.2.3 Stratum BR – Bedrock/Weathered Quartzite

Below the rock talus and colluvium, encountered in KUE-B1W and KUE-B2 was very intensely fractured clasts of Quartzite, very strong to extremely strong, slightly to moderately weathered. Terzaghi's rock mass classification varied between very blocky and seamy to completely crushed but chemically intact. Rock Quality Designation from the cores ranged from 0 to 17 percent and recoveries ranged from 0 to 95 percent. Rock outcrops were observed along roadway cuts on King Road near the subject property and are included in Appendix C.

2.3 Groundwater

No groundwater was observed in boring KUE-B1W from May 11th through May 18th.

3. GEOTECHNICAL RECOMMENDATIONS

The following design and construction recommendations are provided for the residence and proposed structural appurtanences:

3.1 Foundations

The project will require shallow spread footings and/or matt foundations to support the structure bearing on soil and/or rock. For foundations in soil the footings or mat will be required to be excavated to a depth of 42-inches below the ground surface for frost protection. Footings bearing on soil may be designed for a bearing capacity of 3500 psf. The lowest Sub-basement of the structure will bear on highly fractured Quartzite Bedrock. Footings /matt foundations bearing on rock may be designed for a bearing capacity of 5,000 psf. The width of the footings should not be less than three feet square for columns and not less than two feet wide for continuous wall footings. Footings bearing on structural fill and/or native soils should anticipate some minor settlement. Empirical estimates indicate that total settlement of the structure may be up to one inch maximum. This estimate is based upon site preparation and foundation construction is performed in accordance with our recommendations. Prevention of infiltration of water into the subgrade is essential for the successful performance of the pavement. Performance will be better if positive drainage of the subbase is provided. Both the subgrade and the pavement surface should have a minimum slope of two percent but not exceeding five percent.

3.2 Site Preparation

Surficial soils that are highly compressible, frozen or otherwise unsuitable materials should be stripped from the construction area. These materials should be disposed of off-site or re-used for landscaped areas, if applicable to

the final design. Any soils that are cut to grade should be scarified 8 to 10 inches and re-compacted as recommended here-in. The exposed subgrade should be proof-rolled to detect unstable conditions and approved by the geotechnical engineer prior to placement of backfill. Proof-rolling should be accomplished using a smooth drum vibratory roller compactor having a static drum weight of at least 5 tons, such as a Dynapac CA-25, or similar. The proof rolling equipment should make a minimum of four overlapping passes over each section of the site with each pass perpendicular to the previous pass. Any zones of instability, as indicated by pumping and rutting of the ground under the roller, should be undercut and replaced with structural fill. The proof-rolling should only be performed after a period of dry weather to avoid degradation of the subgrade. A geotechnical engineer should observe the proof-rolling operation and make recommendations for any unstable or unsuitable conditions encountered.

3.3 Structural Backfill

Excavations requiring backfill should be filled with select fill. The select fill should consist of inorganic, compactible sand or sand and gravel with a maximum gravel size of two inches and with no more than 12% fines (passing the No. 200 Sieve) by weight. The on-site soils may be used for re-use provided they meet these criteria. Prior to fill placement representative samples of the proposed select fill materials should be collected and tested to determine their Proctor moisture-density relation, plasticity, and natural moisture content. These tests are required to determine if the proposed fill is acceptable and for quality control during compaction. Areas planned for re-grading and filling should be monitored by a geotechnical field technician and compaction testing by nuclear methods should be utilized to verify fill materials are compacted to 95% of the dry density.

4. LIMITATIONS

This report has been drafted specifically for the Prince Residence at 220 King Road located in Park City, Utah and will not be applicable for any other project and/or client. Our recommendations are based upon data observed in the boring logs. Actual ground conditions at the site can be different from those encountered in the borings. Recommendations submitted in this report are based upon collected data at the time of writing. Should additional information characterizing the site be obtained, that information should be provided to us so we may re-evaluate and/or supplement our recommendations.

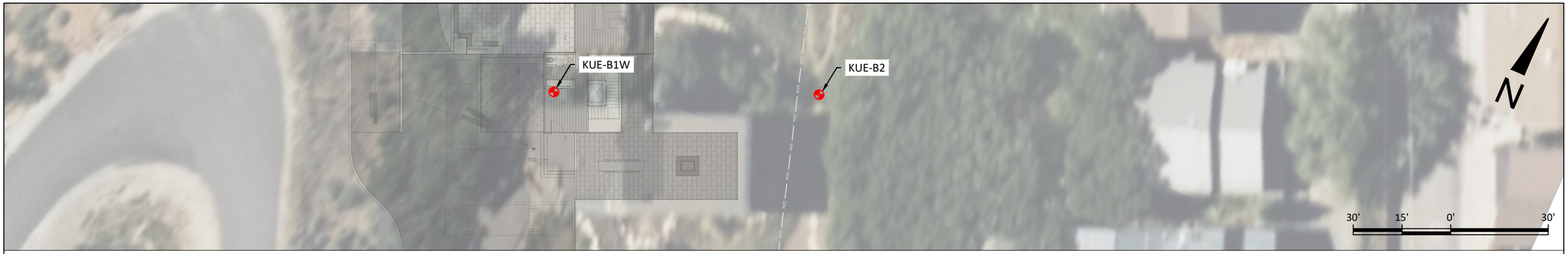
Figures

Figure 1: Site Location
Figure 2: Geologic Profile

SCALE: 0 1500 3000 6000 FEET

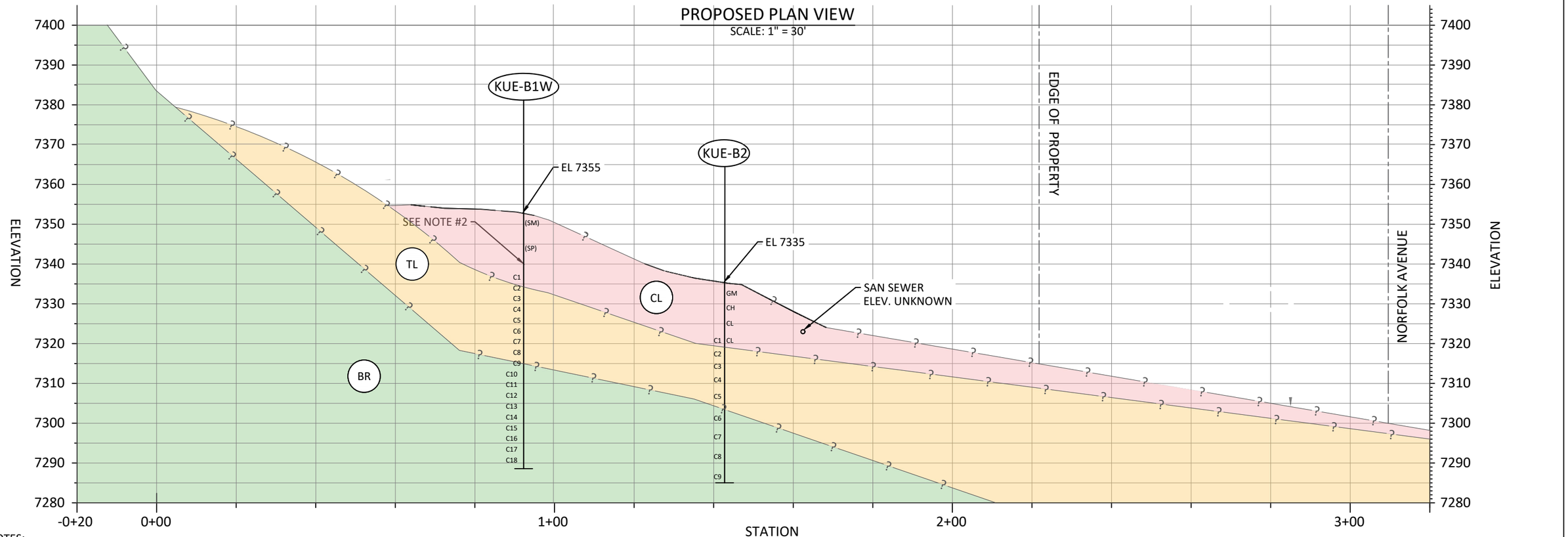
SCALE: 0 56 112 224 FEET

REV 0 / SCALE: AS SHOWN DRAWN BY: DD DESIGNED BY: DD CHECKED BY: TK	KILDUFF UNDERGROUND ENGINEERING, INC. 535 16TH STREET, SUITE 620 DENVER, CO 80202 (303)-732-3692	PARK CITY PRINCE RESIDENCE GEOTECHNICAL INVESTIGATION PARK CITY, UTAH	SITE LOCATION	DATE FEBRUARY 2024 FIGURE 1



PROPOSED PLAN VIEW

SCALE: 1" = 30'



PROPOSED PROFILE VIEW

SCALE= 6:5

NOTES:

1. NOT FOR CONSTRUCTION.
2. CLIENT TO PROVIDE ELEVATOR LOCATION AND DETAILS.
3. KUE-B1W, & KUE-B2 LOCATIONS ARE APPROXIMATE.
4. SECTION ELEVATIONS BASED UPON TOPO FROM UTAH LAND SURVEYING. A DETAILED TOPOGRAPHIC SURVEY WILL BE REQUIRED FOR FINAL DESIGN.
5. STRATIFICATIONS SHOWN ARE INTERPOLATIONS BETWEEN BORINGS AND MAY NOT REPRESENT ACTUAL SUBSURFACE CONDITIONS.
6. BORING KUE-B1W WAS CONVERTED TO AN OBSERVATION WELL. GROUNDWATER WAS NOT REACHED IN ANY OF THE BORINGS.

LEGEND:

—?— GEO BOUNDARY

(BX) BORE HOLE ID

BASELINE GEOLOGIC UNITS:

(F) CLAY FILL (CL, CH, ML, SM, GM)

(TL) TALUS (GP, GM, CBLS, BLDRS)

(BR) BEDROCK - HIGHLY FRACTURED QUARTZITE

BORING SCHEDULE

BOREHOLE ID	DEPTH/LENGTH (FEET)	SURFACE ELEVATION (FEET)
KUE-B1W	64	7355.0
KUE-B2	51	7335.0

NO.	DATE	DESCRIPTION	APPRD.
-	-	-	-
-	-	-	-
-	-	-	-
-	-	-	-

REVISIONS

DRAWN BY: DD
DESIGNED BY: RO
CHECKED BY: TK

SCALE: VARIES

KILDUFF UNDERGROUND ENGINEERING, INC.
535 16TH STREET, SUITE 620
DENVER, CO 80202
(303)-732-3692

EDGE BUILDERS
4015 SOUTH 300 WEST, SUITE 102
SALT LAKE CITY, UT
84107 (801)-879-6200

PRIVATE RESIDENCE - 220 KING ROAD

PARK CITY, UT

GEOLOGIC PROFILE

02/05/2024

FIGURE 2

Appendix A

Borehole Log Key, Boring Logs

BOREHOLE LOG KEY (SOIL & ROCK)

KILDUFF UNDERGROUND ENGINEERING, INC.

Unified Soil Classification System

Major Divisions		Symbols	Typical Names
Coarse-Grained Soils (more than half of soil> no. 200 sieve size)	Gravels (More than half of coarse fraction> no. 4 sieve size)	GW	Well-graded gravels or gravel-sand mixtures, little or no fines
		GP	Poorly-graded gravels or gravel-sand mixtures, little of no fines
		GM	Silty gravels, gravel-sand-silt mixtures
		GC	Clayey gravels, gravel-sand-clay mixtures
	Sands (More than half of coarse fraction< no. 4 sieve size)	SW	Well-graded sands or gravelly sands, little or no fines
		SP	Poorly-graded sands or gravelly sands, little or no fines
		SM	Silty sands, sand-silt mixtures
		SC	Clayey sands, sand-clay mixtures
Fine-Grained Soils (more than half of soil <no. 200 sieve size)	Silts and Clays LL = <50	ML	Inorganic silts and clayey silts of low plasticity, sandy silts, gravelly silts
		CL	Inorganic clays of low to medium plasticity, gravelly clays, sandy clays, lean clays
		OL	Organic silts and organic silt-clays of low plasticity
	Silts and Clays LL = >50	MH	Inorganic silts of high plasticity
		CH	Inorganic clays of highplasticity, fat clays
		OH	Organic silts and clays of high plasticity
Highly Organic Soils		PT	Peat and other highly organic soils

Grain Size Chart

Classification	Range of Grain Sizes	
	U.S. Standard Sieve Size	Grain Size in Millimeters
Boulders	Above 12"	Above 305
Cobbles	12" to 3"	305 to 76.2
Gravel	3" to No.4	76.2 to 4.76
coarse	3" to 3/4"	76.2 to 19.1
fine	3/4" to No. 4	19.1 to 4.76
Sand	No. 4 to No. 200	4.76 to 0.074
coarse	No. 4 to No. 10	4.76 to 2.00
medium	No. 10 to No. 40	2.00 to 0.420
fine	No. 40 to No. 200	0.420 to 0.074
Silt and Clay	Below No. 200	Below 0.074

Sample Designations/Symbols

- Driven split-barrel sampler with internal brass liners (2.5- to 3.0-inch diameter liners)
- Classification sample taken with Standard Penetration Test sampler
- S — Undisturbed sample taken with thin-walled tube (S - Shelby, P- Pitcher, O - Osterberg
- Groundwater level at the time and date indicated

Consistency (fine-grained)

Pocket Pen (ksf)	SPT Blow Counts	Estimated UCS (psi)	Consistency
< 0.25	< 2	< 4	Very soft
0.25 - 0.50	2 - 4	4 - 8	Soft
0.50 - 1	4 - 8	8 - 16	Medium stiff
1 - 2	8 - 15	16 - 31	Stiff
2 - 4	15 - 30	31 - 62	Very stiff
> 4	> 30	> 62	Hard

Density (coarse-grained/sand)

SPT N (blows/foot)	Density
> 4	Very loose
4 - 10	Loose
10 - 30	Medium dense
30 - 50	Dense
> 50	Very dense

PLASTICITY

Nonplastic An 1/8-in. (3-mm) thread cannot be rolled at any water content.

Low The thread can barely be rolled and the lump cannot be formed when drier than the plastic limit.

Medium The thread is easy to roll and not much time is required to reach the plastic limit. The thread cannot be rerolled after reaching the plastic limit. The lump crumbles when drier than the plastic limit.

High It takes considerable time rolling and kneading to reach the plastic limit. The thread can be rerolled several times after reaching the plastic limit. The lump can be formed without crumbling when drier than the plastic limit.

DRY STRENGTH

None The dry specimen crumbles into powder with mere pressure of handling

Low The dry specimen crumbles into powder with some finger pressure.

Medium The dry specimen breaks into pieces or crumbles with considerable finger pressure.

High The dry specimen cannot be broken with finger pressure. Specimen will break into pieces between thumb and a hard surface

Very high The dry specimen cannot be broken between the thumb and a hard surface.

Rock Hardness Classification Scale (USBR,1998; ISRM, 1978)

Term	Hardness Designator/Grade	Field Identification
Very Soft	H7	Can be readily indented, grooved or gouged with fingernail, or carved with a knife. Breaks with light manual pressure.
Soft	H6	Can be grooved or gouged easily by knife with light pressure, can be scratched with fingernail. Breaks with light to moderate manual pressure.
Moderately Soft	H5	Can be grooved 1/16-inch deep by knife with moderate or heavy pressure. Cannot be scratched by fingernail. Core or fragment breaks with light hammer blow or heavy manual pressure.
Moderately Hard	H4	Can be scratched with knife with light or moderate pressure. Core or fragment breaks with moderate hammer blow.
Hard	H3	Can be scratched by knife with difficulty (heavy pressure). More than one blow of hammer required to fracture specimen.
Very Hard	H2	Cannot be scratched with knife. Specimen requires many fracture or chip.
Extremely Hard	H1	Core, fragment, or exposure cannot be scratched with knife; can only be chipped with repeated heavy hammer blows.

Rock Strength Classification Scale (Hoek & Brown, 1997)

Grade	Description	Field Identification	Approximate Range of Unilaxial Compressive Strength	Approximate Range of Unconfined Compressive Strength
R6	Extremely strong rock	Specimen can only be chipped with geological hammer.	>250 MPa	>36,250 psi
R5	Very strong rock	Specimen requires many blows of geological hammer to fracture it.	100-250 MPa	14,500-36,250 psi
R4	Strong rock	Specimen requires more than one blow of geological hammer to fracture it.	50-100 MPa	7,250-14,500 psi
R3	Medium strong rock	Cannot be scraped or peeled with a pocket knife, specimen can be fractured with single firm blow of geological hammer.	25-50 MPa	3,625-7,250 psi
R2	Weak rock	Can be peeled by a pocket knife with difficulty, shallow indentations made by firm blow with point of geological hammer.	5.0-25 MPa	725-3,625 psi
R1	Very weak rock	Crumbles under furn blows with point of geological hammer and can be peeled by a pocket knife.	1.0-5.0 MPa	150-725 psi
R0	Extremely weak rock	Indented by thumbnail.	0.25-1.0 MPa	<150 psi

Rock Weathering Classification Scale (USBR,1998)

Term	Grade	Field Identification
Fresh	W1	Body of rock or fractures are not oxidized or discolored; hammer rings when crystalline rocks are struck
Slightly Weathered to Fresh	W2	
Slightly Weathered	W3	Discoloration or oxidization is limited to surface of, or short distance from fractures; hammer rings when crystalline rocks are struck
Moderately to Slightly Weathered	W4	
Moderately Weathered	W5	Discoloration or oxidization extends from fractures usually throughout body of rock; hammer does not ring; body is weakened; less than 50% of rock is decomposed
Intensely to Moderately Weathered	W6	
Intensely Weathered	W7	Body of rock is discolored or oxidized throughout; rock can be broken by hand or scraped with knife; rock is more than 50% decomposed
Very Intensely Weathered Decomposed	W8	
	W9	Discoloration and oxidization throughout. Specimen is easily crumbled or penetrated with knife; resembles soil.

Fracture Density (USBR,1998)

Unfractured – No fractures.

Very slightly fractured – Core recovered mostly in length is greater than 1 m (3 ft.)

Slightly to very slightly fractured – *

Slightly fractured – Core recovered mostly in lengths from 300 to 1000 mm (1 to 3 ft.) with few scattered lengths less than 300 mm (1 ft.) or greater than 1000 mm (3 ft.)

Moderately to slightly fractured – *

Moderately fractured – Core recovered mostly in 100 to 300 mm (0.3 to 1.0 ft.) lengths with most lengths about 200 mm (0.6 ft.)

Intensely to moderately fractured – *

Intensely fractured – Lengths average from 30 to 100 mm (0 .1 to 0.3 ft.) with scattered fragmented intervals. Core recovered mostly in lengths less than 100 mm (0.3 ft)

Very intensely to intensely fractured – *

Very intensely fractured – Core recovered mostly as chips and fragments with a few scattered short core lengths.

Joint and Bedding Spacing Terms (USBR,1998)

Spacing		Spacing	Bedding/Foliation Spacing term
< 0.1 ft	Very Closely Spaced	<0.03 ft	Laminated
0.1 to 0.3 ft	Closely Spaced	0.03 to 0.1 ft	Very Thinly
0.3 to 1 ft	Moderately Spaced	0.1 to 0.3 ft	Thinly
1 to 3 ft	Widely Spaced	0.3 to 1 ft	Moderately
3 to 10 ft	Very Widely Spaced	1 to 3 ft	Thickly
>10 ft	Extremely Widely Spaced	3 to 10 ft	Very Thickly
		>10 ft	Massive

KILDUFF UNDERGROUND ENGINEERING, INC.

Project: Park City Prince
Project No.: P-23030TK

Borehole No.: KUE-B1W
Page 1 of 5

Started:	Sampler Type:	Diameter:	Barrel Length:	Drill Bit:	Drill Rig Type:	Latitude:
5/8/2023	HQ3	3.78"	8' 7"	Surface Set Diamond	Longyear HC250	40°38'27"N
Completed:	**No. of Samples:**	**Orientation:**	**Ground Water:**	**Casing Details:**	**Logged By:**	**Longitude:**
5/12/2023		Vertical	Depth: / Date:	Diam.: / Depth:	RO/SS	111°29'50"W
Backfilled:	**No. of Boxes:**	**Drilling Sub:**	NR	4" ID / 14.0'	**Reviewed By:**	**Elevation:**
Well	3	Kissner			TK	7355'
		Bedrock Depth:		**Total Depth:**	**Location:**	220 King Road, Park City, UT
		33.0'		63.5'		

Depth (ft)	Drill Rate (Min.) / SPT Blow Count	Sample No. & Type	RQD (%)	TCR / Cut	Weathering / Strength	Lithology	Stratum Description	Defect Log	Discontinuity Description & Remarks
0							Asphalt		Pavement stuck in shoe - no return
1							FILL, tan-orange		No sampler, soil washed away in drilling fluid, Not recovered
2									
3									
4							FILL, brown, gravel and cobbles 2", light brown sand, clay adhered to cobbles, coarse grained sand poorly graded (SP)		
5									
6									
7									
8									Down pressure: 1200 psi
9									Rotation pressure: 400 psi
10	45 min/run	S1 Grabs							Shoe only retained cobbles
11									
12							13.55-TALUS, gravel to cobbles of varying origins, no matrix rec., contains QUARTZITE; yellowish grey; Very strong rock (R5); Hard (H3); fresh (W1); no HCL rxn; low grade metamorphic, interlocking silica grains, grano-blastic texture; 10% darker mineral (Magnetite?); 10% red minerals (Hematite?)		
13		CR1	NA	0.35 / 5	W1/F5				If 35°, slightly open, no infill, fresh surface
14									

DRAFT

Notes: 1) Terms and symbols defined on Plate 1.

KILDUFF UNDERGROUND ENGINEERING, INC.

Project: Park City Prince
Project No.: P-23030TK

Borehole No.: KUE-B1W
Page 2 of 5

Logger: RO/SS | Driller: Steve Kessner | Date: 5/10/2023

Shift Info: Day
50° F Sunny

Depth (ft)	Drill Rate (Min.) / SPT Blow Count	Sample No. & Type	RQD (%)	TCR / Cut (ft)	Weathering / Strength	Lithology	Stratum Description	Defect Log	Discontinuity Description & Remarks
15							13.5'-38.0' TALUS		
16		CR2	NA	1.25' / 5'			Soil matrix washing out in drilling fluid - coarse sand, clay adhered to some cobbles and gravel. Cobbles and gravel contain quartzite, granodiorite, red brown mudstone - slightly metamorphosed shale with calcitic intrusions (rxn to HCL) - boulder sized recovered; gravel subrounded to subangular; cobbles subrounded		
17									
18									
19		CR3	NA	1.25' / 1.25'					Approx. 19 feet, losing circulation
20									
21									
22	23'52"/5ft	CR4	NA	1.5' / 3.75'					
23									
24									
25									
26									
27		CR5	NA	0.75' / 4.5'			Same as above		
28									
29									
30									

DRAFT

Rock Strength: R0 – Extremely Weak, R1 – Very Weak, R2 – Weak, R3 – Medium Strong, R4 – Strong, R5 –Very Strong, R6 – Extremely Strong
Weathering: F – Fresh, SW – Slightly Weathered, MW – Moderately Weathered, HW – Highly Weathered, CW – Completely Weathered, RS – Residual Soil
Discontinuities: JT – Joint, FJ – Foliation Joint, BJ – Bedding Joint, IJ – Incipient Joint, IF – Incipient Fracture, RF – Random Fracture, MB – Mechanical Break, FZ – Fracture Zone

KILDUFF UNDERGROUND ENGINEERING, INC.

Project: Park City Prince
Project No.: P-23030TK

Borehole No.: KUE-B1W
Page 3 of 5

Logger: RO/SS | Driller: Steve Kessner | Date: 5/11/2023
Shift Info: Day, 50° F Sunny

Depth (ft)	Drill Rate (Min.) / SPT Blow Count	Sample No. & Type	RQD (%)	TCR / Cut (ft)	Weathering / Strength	Lithology	Stratum Description	Defect Log	Discontinuity Description & Remarks
30									29'-33' - Loss of circulation at depth
31	25' 41"/5 ft	CR6	NA	2.0' / 5.0'			Same as above		
32									36' Drill bit not advancing, trip out, 1000 psi water pressure cohesion in the material
33									
34	24:56	CR7		2.5' / 3.0'					
35									
36							33'-36.8' - Very intensely fractured clasts		55º, wavy, SL WTHD, no infill
37	15:00	CR8	0%	2.25' / 2.25'	W4/R5		Below 36.8' - Intensely fractured; Quartzite; yellowish grey; Very Strong (R5); Hard to Very Hard (H2-H3); slightly to moderately weathered (W4); intensely fractured; (Weber Quartzite)		60º, planar, MOD WTHD, v thin clay infill and pea gravel, mod open, 0.6 in spacing
38									30º, wavy, SLWTHD, v thin clay infill, SL open 45º, wavy, SLWTHD, v thin clay infill, SL open 75º, wavy, SLWTHD, v thin clay infill, SL open
39	19:00	CR9	17%	2.2' / 2.4'	W3/R5		Below 39.2' - moderately fractured; slightly weathered (W3) major joint set 50°		35º, 1.5" spacing, SLWTHD, v thin clay infill, SL open Locked up, pulled up bit and 2" clast fell into hole - top 6" of CR9
40									35º, wavy, v thin clay, SL open 85º, planar, no infill, tight
41	23:50	CR10	0%	1.6' / 2.3'			Below 40.7' - Intensely fractured; moderately weathered (W3)		40º, planar, clean, tight IF, 85º, planar, clean, tight 35º, planar, v thin clay, SL open, 0.7" spacing 50º, planar, v thin clay, SL open 50º, wavy, mod thin clay, mod open
42									
43							See next page for below 43.0'		50º, planar, clean, SL open, 0.2-0.5 in spacing 20º, wavy, clean, SL open 40º, wavy, v thin clay, SL open
44									40º, wavy, v thin clay, SL open, 0.5"-1.0" spac. 88º, wavy, v thin clay, SL open
45									

DRAFT

Rock Strength: R0 – Extremely Weak, R1 – Very Weak, R2 – Weak, R3 – Medium Strong, R4 – Strong, R5 –Very Strong, R6 – Extremely Strong
Weathering: F – Fresh, SW – Slightly Weathered, MW – Moderately Weathered, HW – Highly Weathered, CW – Completely Weathered, RS – Residual Soil
Discontinuities: JT – Joint, FJ – Foliation Joint, BJ – Bedding Joint, IJ – Incipient Joint, IF – Incipient Fracture, RF – Random Fracture, MB – Mechanical Break, FZ – Fracture Zone

KILDUFF UNDERGROUND ENGINEERING, INC.

Project: Park City Prince
Project No.: P-23030TK

Borehole No.: KUE-B1W
Page 4 of 5

Logger: RO/SS | Driller: Steve Kessner | Date: 5/11/2023
Shift Info: Day, 50° F Sunny

Depth (ft)	Drill Rate (Min.) / SPT Blow Count	Sample No. & Type	RQD (%)	TCR / Cut (ft)	Weathering / Strength	Lithology	Stratum Description	Defect Log	Discontinuity Description & Remarks
43							Same as above		
44									55º, wavy, v thin clay, SL open, 1" spacing
45	31:58	CR11	0%	2.8' / 3.6'	W3/R5				45º, undulating, v thin clay, SL-Mod open, 0.75"-2.0" spacing
46									50º, wavy, v thin clay and pea gravel, mod open 20º, planar, clean, SL open 20º, planar, clean, SL open
47									55º, wavy, v thin clay, SL open
48	59:12	CR12	0%	1.9' / 3.2'					10º, undulating, clean, SL open 85º, wavy, v thin clay, SL open
49									45º, wavy, v thin clay, SL open 55º, undulating, v thin clay, mod open 80º, wavy, thin clay and pea gravel, SL-mod open
50	25:14	CR13	0%	1.2' / 1.5'			49.8-51.3 Core is completely broken, not fractured, slough?		35º, wavy, thin clay, SL open
51									85º, planar, v thin clay, SL open
52	28:27	CR14	0%	0.8' / 1.7'			Below 52.0 - Stringers of black mineral magnetite?		Difficult to map discontinuities 50-53; conchoidal fractures 85º, planar, v thin clay, SL open
53									10º, undulating, v thin clay, SL open
54	38:22	CR15	0%	1.9' / 3.2'					30º, stepped, red WTHD, tight 85º, planar, v thin clay, SL open
55									40º, undulating, SL open, mod thin clay and gravel
56									60º, planar, SL open, v thin clay/gravel 45º, undulating, SL open, v thin clay
57	32:04	CR16	0%	1.0' / 2.8'			Poor recovery and broken core, discontinuity descriptions only where possible		40º, planar, SL open, v thin clay END 5/11 START 5/12
58									

DRAFT

Rock Strength: R0 – Extremely Weak, R1 – Very Weak, R2 – Weak, R3 – Medium Strong, R4 – Strong, R5 –Very Strong, R6 – Extremely Strong
Weathering: F – Fresh, SW – Slightly Weathered, MW – Moderately Weathered, HW – Highly Weathered, CW – Completely Weathered, RS – Residual Soil
Discontinuities: JT – Joint, FJ – Foliation Joint, BJ – Bedding Joint, IJ – Incipient Joint, IF – Incipient Fracture, RF – Random Fracture, MB – Mechanical Break, FZ – Fracture Zone

KILDUFF UNDERGROUND ENGINEERING, INC.

Project: Park City Prince
Project No.: P-23030TK

Borehole No.: KUE-B1W
Page 5 of 5

Logger: RO/SS | Driller: Steve Kessner | Date: 5/12/2023

Shift Info: Day
55° F Sunny

Depth (ft)	Drill Rate (Min.) / SPT Blow Count	Sample No. & Type	RQD (%)	TCR / Cut (ft)	Weathering / Strength	Lithology	Stratum Description	Defect Log	Discontinuity Description & Remarks
58							ROCK TYPE; subtype; wet color; texture; rock strength; hardness; weathering; bedding; joint spacing; fracture density; additional information (sorting, HCl reaction; minerals) (Formation)		Remarks: Comments, Water return, down pressure (Defect: Type, Depth, Angle, Class (Wavines/Roughness), Aperture, Infill, Spacing)
59									25º, undulatory, v thin clay, SL open 20º, stepped, SL WTHD, v thin clay, SL open 75º, planar, v thin clay and gravel, mod open
60	51:04	CR17	0%	2.0' / 2.25'					85º, undulatory, clean 25º, undulatory, clean, tight 60º, clean, tight
61									
62	37:51	CR18	0%	0.7' / 2.25'					20º, clean, conchoidal, stepped 80º, undulatory, v thin clay, SL open 85º, planar, v thin clay, SL open
63							**BOH @ 63.5 on 5/12/23**		
64									
65									

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Rock Strength: R0 – Extremely Weak, R1 – Very Weak, R2 – Weak, R3 – Medium Strong, R4 – Strong, R5 –Very Strong, R6 – Extremely Strong
Weathering: F – Fresh, SW – Slightly Weathered, MW – Moderately Weathered, HW – Highly Weathered, CW – Completely Weathered, RS – Residual Soil
Discontinuities: JT – Joint, FJ – Foliation Joint, BJ – Bedding Joint, IJ – Incipient Joint, IF – Incipient Fracture, RF – Random Fracture, MB – Mechanical Break, FZ – Fracture Zone

KILDUFF UNDERGROUND ENGINEERING, INC.

Project: Park City Prince
Project No.: P-23030TK

Borehole No.: KUE-B2
Page 1 of 4

Started: 5/13/2023	Sampler Type: HQ3	Diameter: 3.78"	Barrel Length: 8' 7"	Drill Bit: Surface Set Diamond		Drill Rig Type: Longyear HC250	Latitude: 40°38'26" N
Completed: 5/14/2023	No. of Samples:	Orientation: Vertical	Ground Water: Depth: NR / Date:	Casing Details: Diam.: 4" ID / Depth: 14.0'		Logged By: SS	Longitude: 111°29'49" W
Backfilled: NA	No. of Boxes: 3	Drilling Sub: Kissner				Reviewed By: TK	Elevation: 7335'
		Bedrock Depth: 33.8'		Total Depth: 51'		Location: 220 King Road, Park City, UT	

Depth (ft)	Drill Rate (Min.) / SPT Blow Count	Sample No. & Type	RQD (%)	TCR / Cut	Weathering / Strength	Lithology	Stratum Description	Defect Log	Discontinuity Description & Remarks
							ROCK TYPE; subtype; wet color; texture; rock strength; hardness; weathering; bedding; joint spacing; fracture density; additional information (sorting, HCl reaction; minerals) (Formation)		Remarks: Comments, Water return, down pressure (Defect: Type, Depth, Angle, Class (Wavines/Roughness), Aperture, Infill, Spacing)
0							OVERBURDEN; sampled by rotary methods, lost matrix. 10-20% fine, 80-90% coarse gravel, subangular to angular, up to 2.5" diameter, primarily quartzite, 10% red, fine-grained sandstone; remaining matrix is highly plastic clay		Bag sample
4		SOIL 1	NA	3.5 / 5.0			CLAY; medium brown; high plasticity; manganese vertical stringers; rootlets; estimated very stiff consistency; no gravel or sand; medium-high toughness; damp Below 8 ft, increasing v. fine sand and silt to 10%		cohesive soil samples wrapped in cellophane
9		SOIL 2	NA	5.0 / 5.0			At 11.3, 2" gravel bed of quartzite clasts Below 11.5, significant tree wood		
14							CLAY (CL), dark brown; moist, highly plastic; very stiff; 10-15% fine gravel, subrounded to subangular, varying origins; rootlets		

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Notes: 1) Terms and symbols defined on Plate 1.

KILDUFF UNDERGROUND ENGINEERING, INC.

Project: Park City Prince
Project No.: P-23030TK

Borehole No.: KUE-B2
Page 2 of 4

Logger: Sundermann | Driller: Steve Kessner | Date: 5/13/2023

Shift Info: Rain, cloudy

Depth (ft)	Drill Rate (Min.) / SPT Blow Count	Sample No. & Type	RQD (%)	TCR / Cut (ft)	Weathering / Strength	Lithology	Stratum Description	Defect Log	Discontinuity Description & Remarks
15									
16							CLAY with gravel (CL); medium brown, moist; very stiff; high plasticity; 15-20%, fine gravel, subangular, varying origins		
17		CR1	NA	4.4 / 5.0			TALUS; grvael to cobbles of varying origins, including reddish brown siltstone, primarily quartzite, subangular; matrix is lean clay (CL), high plasticity		85º, SW; planar; moderately thin clay; slightly open; JT
18									45º, SW; undulatory; moderately thin clay; JT
19							Quartzite cobbles to boulders are yellowish gray; very strong (R5); hard to very hard (H2-H3); slightly to moderately weathered; massive.		45º, tight; JT
20		CR2	NA	1.0 / 3.0					
21									
22							Limited return, quartzite, intensely fractured, healed with secondary mineralization, random fractures		Driller reports- core being washed out No rig chatter Making water Losing matrix, but not core
23									
24		CR3	NA	0.6 / 4.0					
25									
26									
27		CR4	NA	1.1 / 4.0					
28									
29							Block of reddish brown siltstone		78º, MB, JT, MW, slightly open, clean 25º, MB, JT, SW, clean
30									

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Rock Strength: R0 – Extremely Weak, R1 – Very Weak, R2 – Weak, R3 – Medium Strong, R4 – Strong, R5 –Very Strong, R6 – Extremely Strong
Weathering: F – Fresh, SW – Slightly Weathered, MW – Moderately Weathered, HW – Highly Weathered, CW – Completely Weathered, RS – Residual Soil
Discontinuities: JT – Joint, FJ – Foliation Joint, BJ – Bedding Joint, IJ – Incipient Joint, IF – Incipient Fracture, RF – Random Fracture, MB – Mechanical Break, FZ – Fracture Zone

KILDUFF UNDERGROUND ENGINEERING, INC.

Project: Park City Prince
Project No.: P-23030TK

Borehole No.: KUE-B2
Page 3 of 4

Logger: Sundermann | Driller: Steve Kessner | Date: 5/13/2023

Shift Info: Rain

Depth (ft)	Drill Rate (Min.) / SPT Blow Count	Sample No. & Type	RQD (%)	TCR / Cut (ft)	Weathering / Strength	Lithology	Stratum Description	Defect Log	Discontinuity Description & Remarks
30									
31	32:13	CR5	0	2.3 / 4.5	W4/R5		QUARTZITE; yellowish gray; massive, strong to very strong (R4-R5); hard to very hard; intensely fractured, much of it healed, random fractures (Weber Fm. Quartzite)		20º, JT, open, stepped
32									40º, IJ, totally healed
33									20º, JT, totally healed
34									0.5º, JT, totally healed 20º, JT, stepped, open 10º, JT pair, stepped, open 20º, IJ, open, stepped
35	NR	CR6	0	0 / 1.5			Below 33.8, quartzite is very intensely fractured with significant clay intrusion, becoming a matrix supported well graded gravel		
36									
37									
38	55:29	CR7	0	0 / 4.5	W3/R5				
39									
40									At 40.5, Driller reports, believes he is washing away core so no return; can't increase down pressure because rig will jump on platform. Can't increase water pressure
41									
42	1:02:11	CR8	0	0.4 / 5.0					
43									
44									
45									

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Rock Strength: R0 – Extremely Weak, R1 – Very Weak, R2 – Weak, R3 – Medium Strong, R4 – Strong, R5 –Very Strong, R6 – Extremely Strong
Weathering: F – Fresh, SW – Slightly Weathered, MW – Moderately Weathered, HW – Highly Weathered, CW – Completely Weathered, RS – Residual Soil
Discontinuities: JT – Joint, FJ – Foliation Joint, BJ – Bedding Joint, IJ – Incipient Joint, IF – Incipient Fracture, RF – Random Fracture, MB – Mechanical Break, FZ – Fracture Zone

KILDUFF UNDERGROUND ENGINEERING, INC.

Project: Park City Prince
Project No.: P-23030TK

Borehole No.: KUE-B2
Page 4 of 4

Logger: Sundermann | Driller: Steve Kessner | Date: 5/14/2023

Shift Info: Rain

Depth (ft)	Drill Rate (Min.) / SPT Blow Count	Sample No. & Type	RQD (%)	TCR / Cut (ft)	Weathering / Strength	Lithology	Stratum Description	Defect Log	Discontinuity Description & Remarks
45							Quartzite, cont.		30°, JT, planar, clean
46									
47									
48	23:48	CR9	0	1.5 / 5.5					
49									Driller reports core slipped out of barrel
50									STS measures 59.0' minus 6.25
51							**BOH @ 51.0' on 5/14/23**		stickup= 52.75'
52									
53									
54									
55									
56									
57									
58									

DRAFT

Rock Strength: R0 – Extremely Weak, R1 – Very Weak, R2 – Weak, R3 – Medium Strong, R4 – Strong, R5 –Very Strong, R6 – Extremely Strong
Weathering: F – Fresh, SW – Slightly Weathered, MW – Moderately Weathered, HW – Highly Weathered, CW – Completely Weathered, RS – Residual Soil
Discontinuities: JT – Joint, FJ – Foliation Joint, BJ – Bedding Joint, IJ – Incipient Joint, IF – Incipient Fracture, RF – Random Fracture, MB – Mechanical Break, FZ – Fracture Zone

Appendix B

Photographs of Soil Samples and Rock Cores

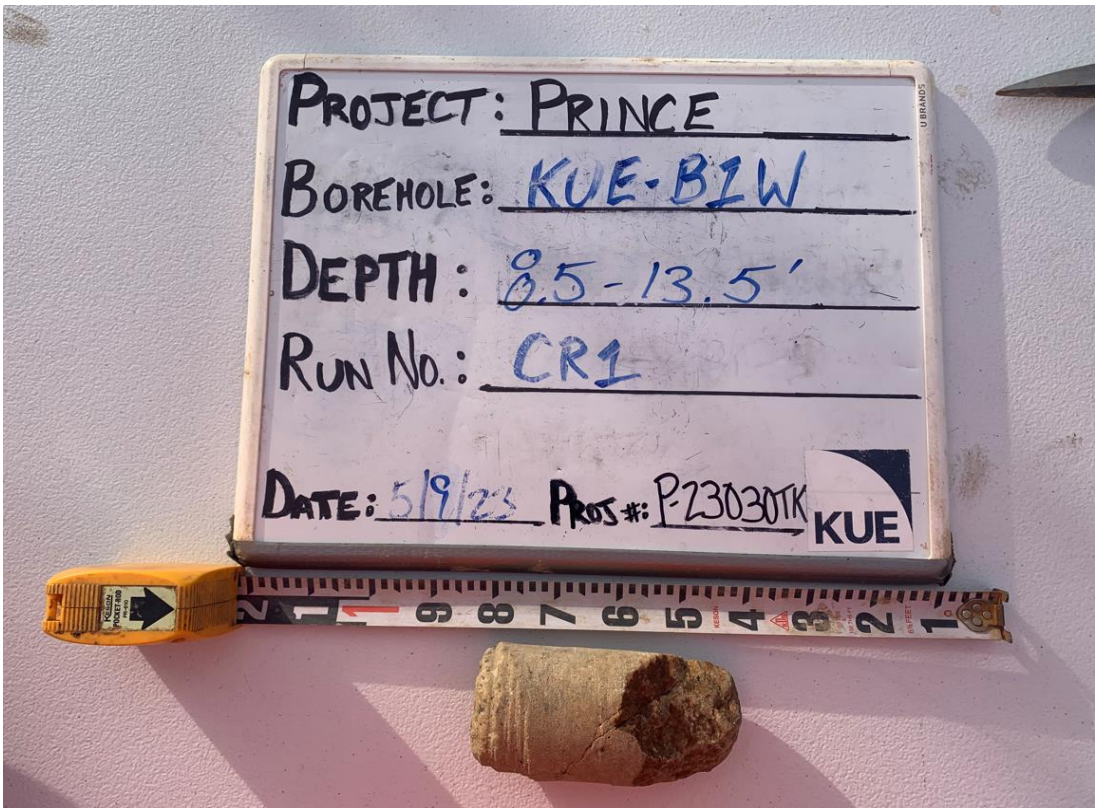

Photo No. 1 – Fill: Core of a cobble fragment, clay soil matrix washed away during core recovery.

Photo No. 2 – Talus/Colluvium Material. Core recovery of gravel (GM) and some soil matrix (CL).

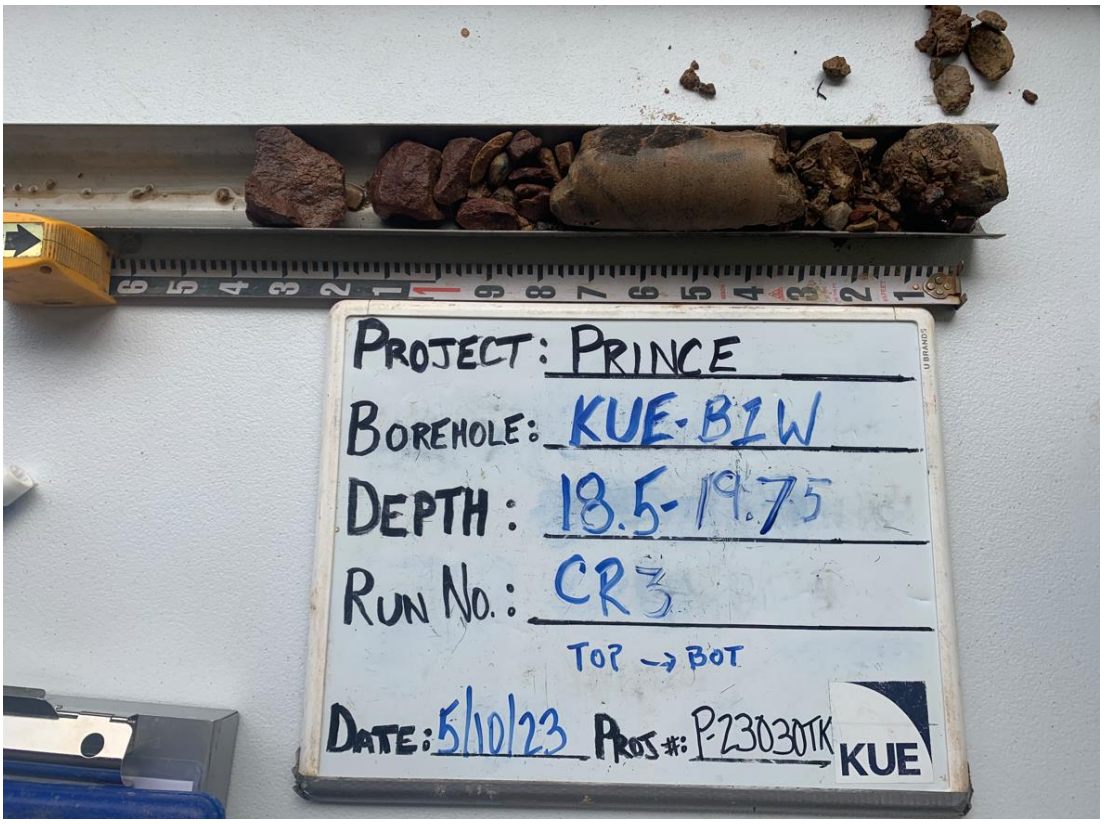

Photo No. 3 – Talus/Colluvium Material. Core Run No. 3, same as CR2.

Photo No. 4 – Talus/Colluvium Material, same as above.

Photo No. 5 – Talus/Colluvium Material, same as above.

Photo No. 6 – Talus/Colluvium Material, same as above.

Photo No. 7 – Talus/Colluvium Material, same as above.

Photo No. 8 – Talus/Colluvium Material at top, intensely fractured, moderately weathered Quartzite below.

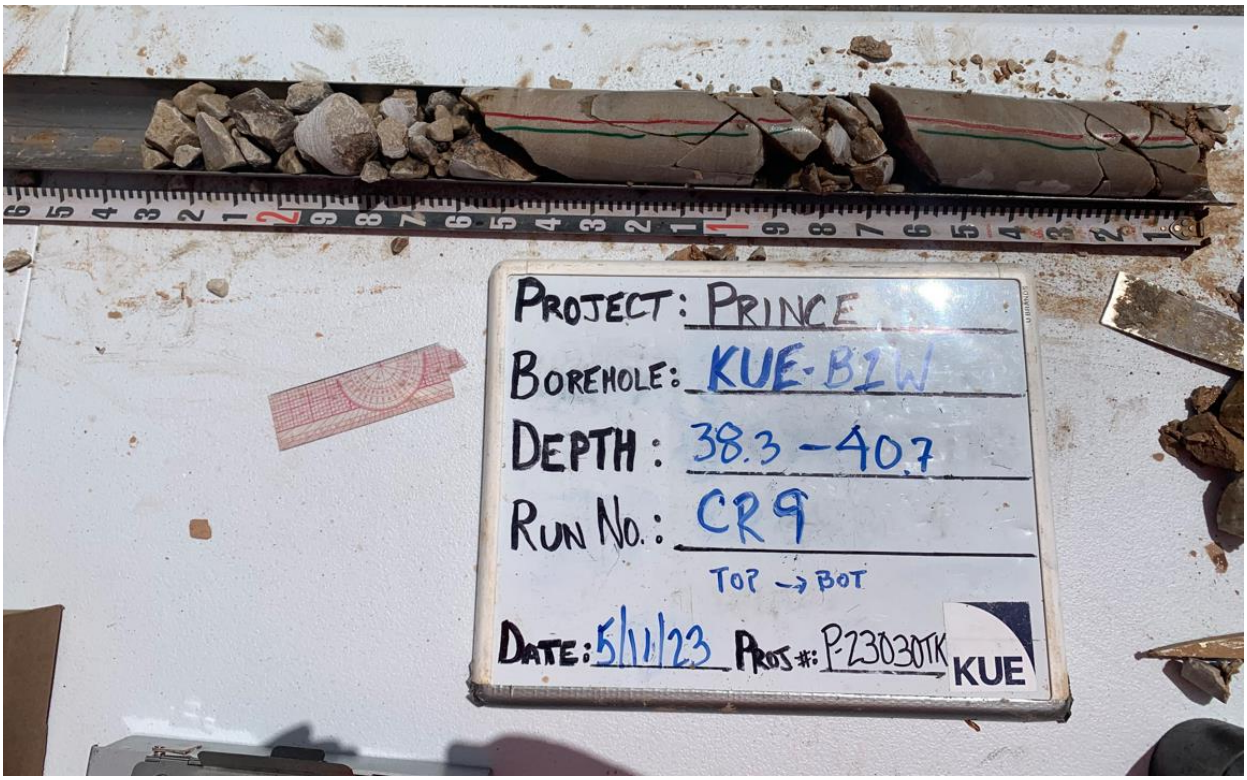

Photo No. 9 – Bedrock, Intensely fractured, moderately weathered Quartzite, Recovery 80%, RQD 17%.

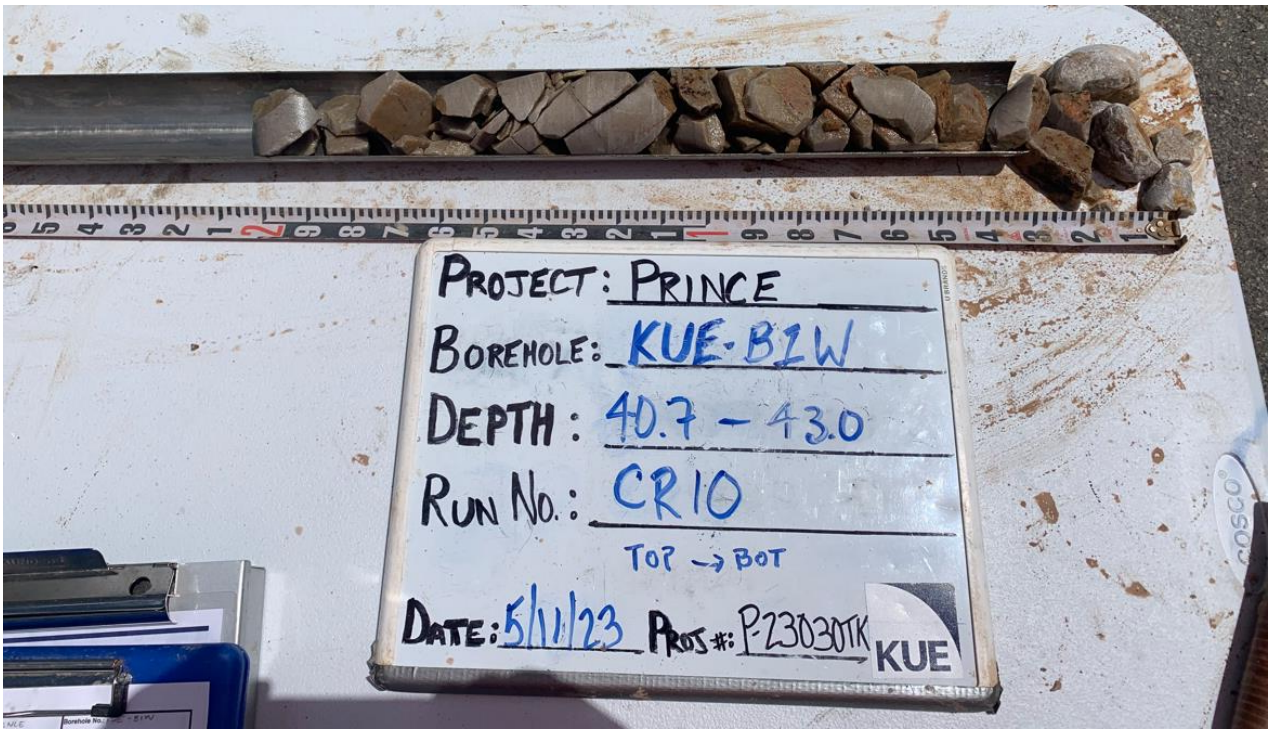

Photo No. 10 – Bedrock, Intensely fractured, moderately weathered Quartzite, Recovery 75%, RQD 0%.

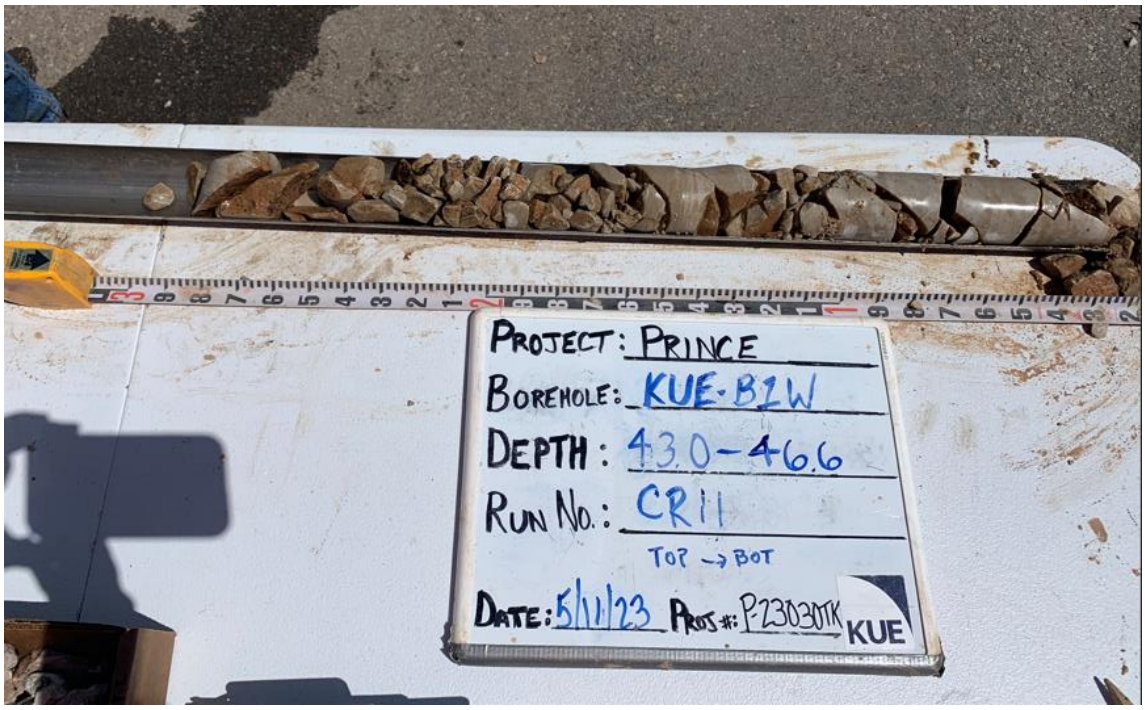

Photo No. 11 – Bedrock, Intensely fractured, moderately weathered Quartzite, Recovery 95%, RQD 0%.

Photo No. 12 – Bedrock, Intensely fractured, moderately weathered Quartzite, Recovery 80%, RQD 0%.

Photo No. 13 – Bedrock, Intensely fractured Quartzite, Recovery 40%, RQD 0%.

Photo No. 14 – Bedrock, Intensely fractured Quartzite, Recovery 20%, RQD 0%.

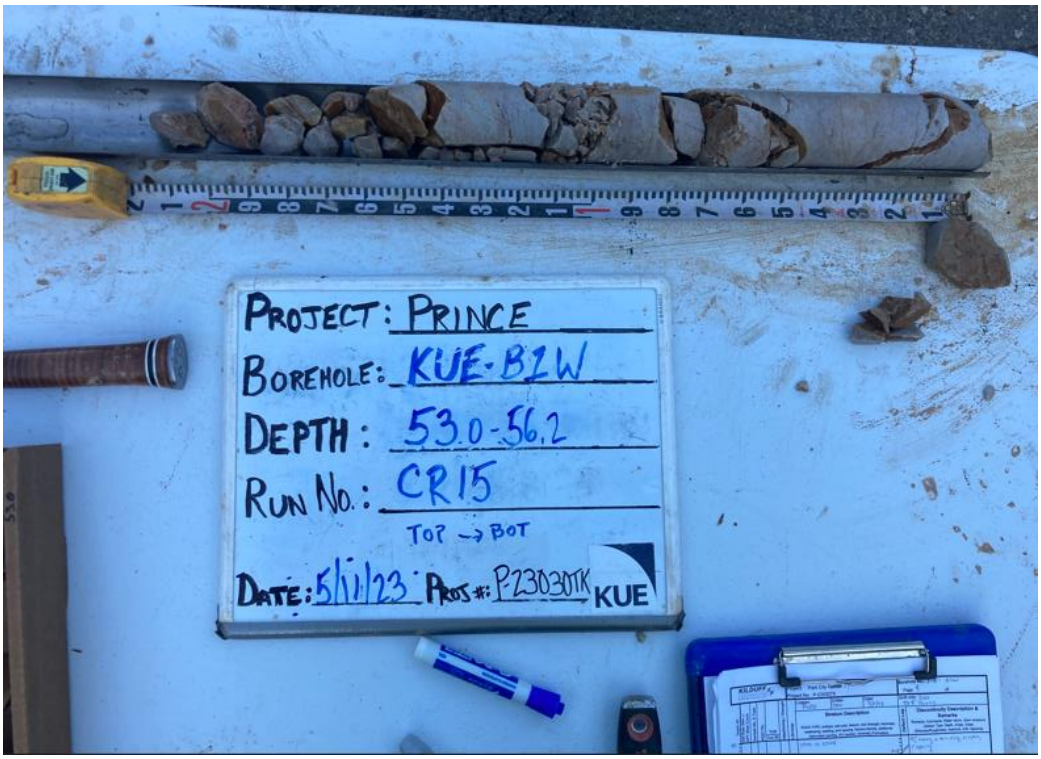

Photo No. 15 – Bedrock, Intensely fractured Quartzite, Recovery 67%, RQD 0%.

Photo No. 16 – Bedrock, Intensely fractured Quartzite, Recovery 36%, RQD 0%.

Photo No. 17 – Bedrock, Intensely fractured Quartzite, Recovery 89%, RQD 0%.

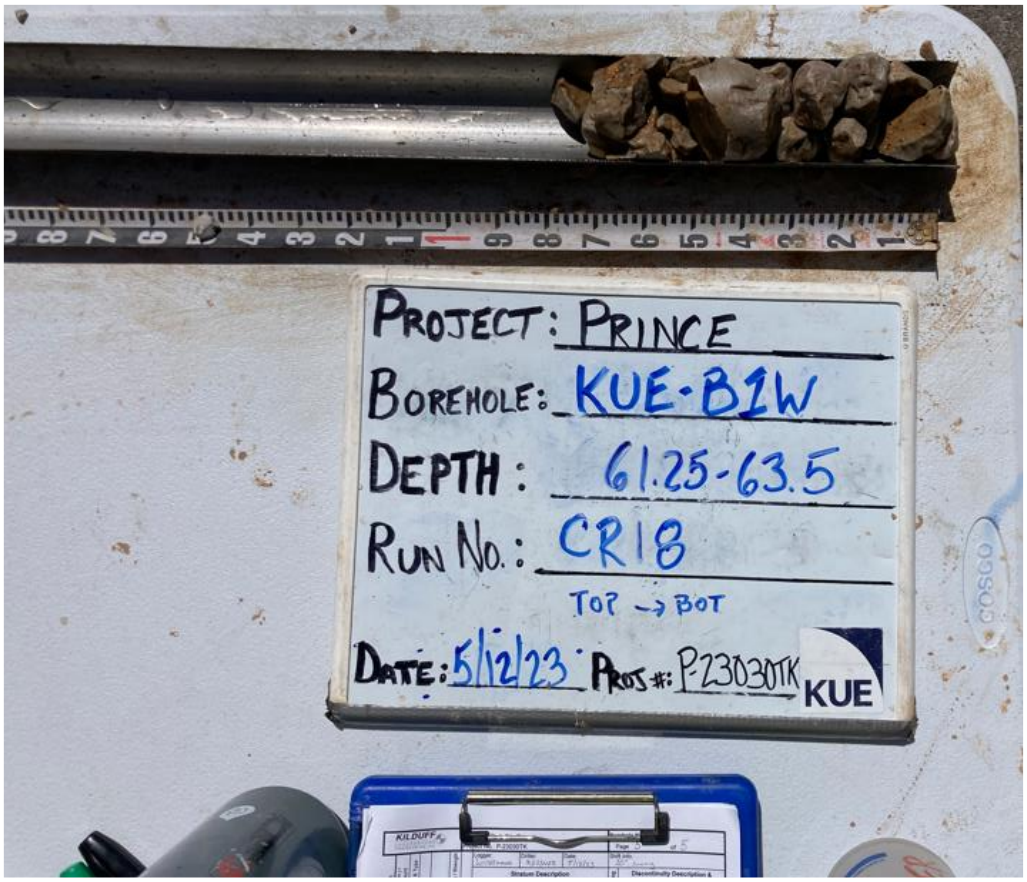

Photo No. 18 – Bedrock, Intensely fractured Quartzite, Recovery 31%, RQD 0%.

Photo No. 19 – Fill: Gravel materials with silt. Most of the soil matrix lost in recovery.

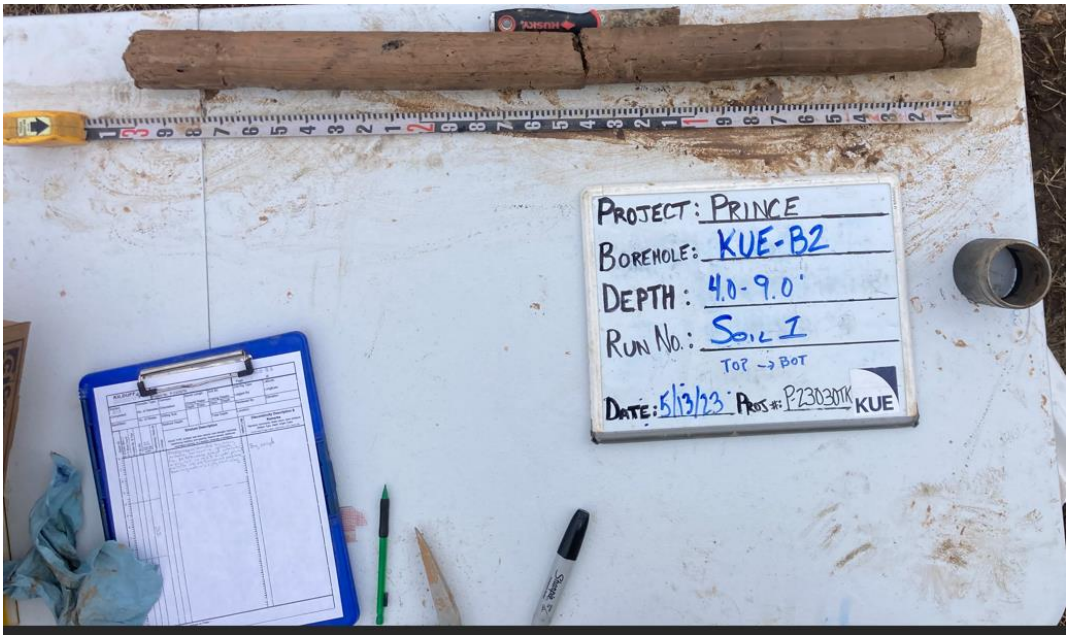

Photo No. 20 –Fill: Brown, high plasticity Clay (CH).

Photo No. 21 – Fill: Brown, silty Clay (CL).

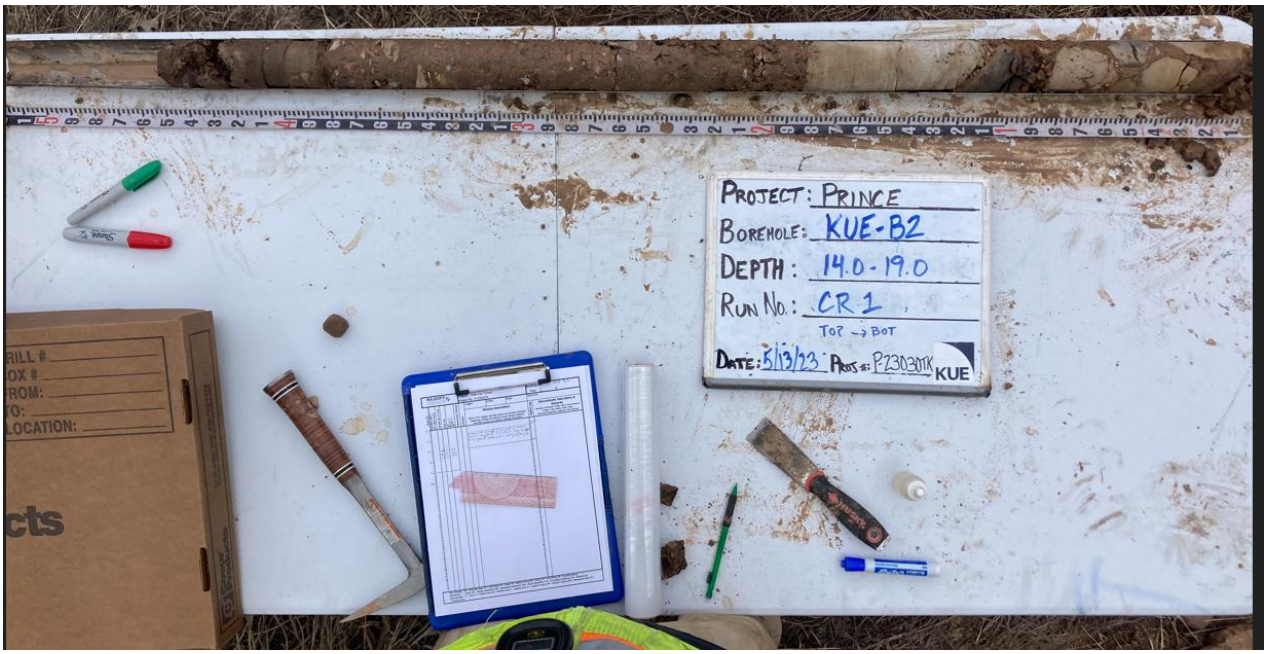

Photo No. 22 –Upper 3 feet, Fill: Brown, silty Clay (CL). Lower 2 feet, Bedrock: Intensely Fractured Quartzite.

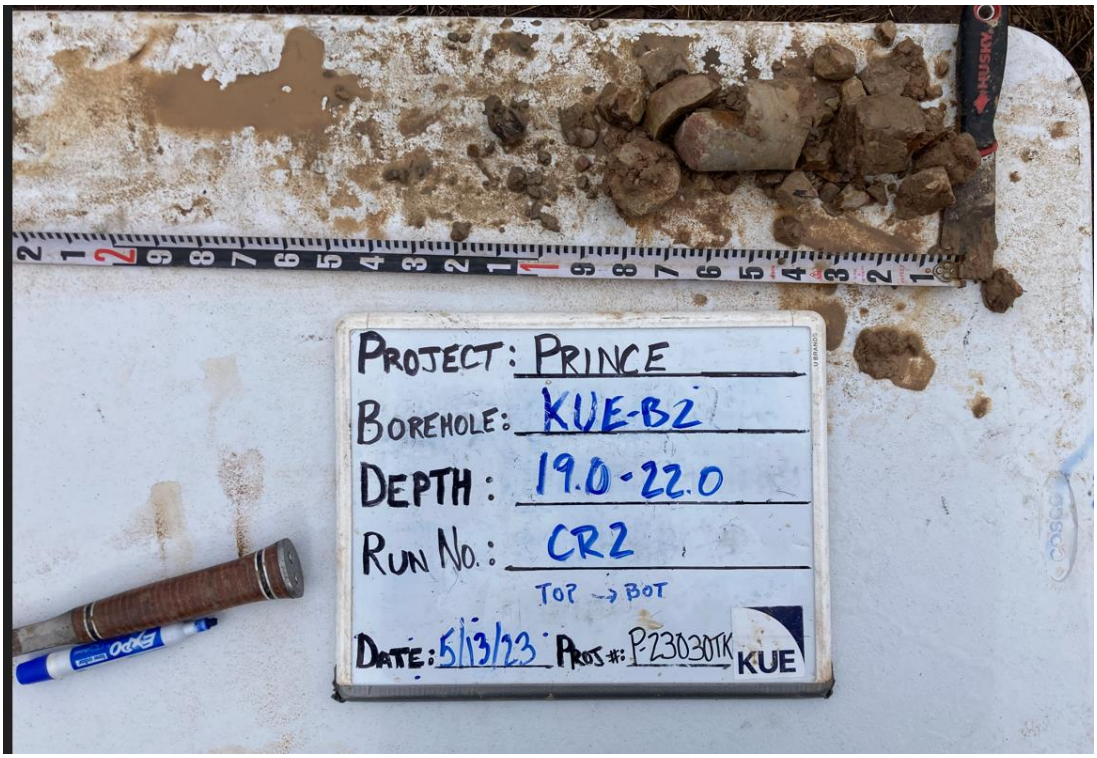

Photo No. 23 – Bedrock: Intensely fractured Quartzite, Recovery 33%, RQD 0%.

Photo No. 24 – Bedrock: Intensely fractured Quartzite, Recovery 15%, RQD 0%.

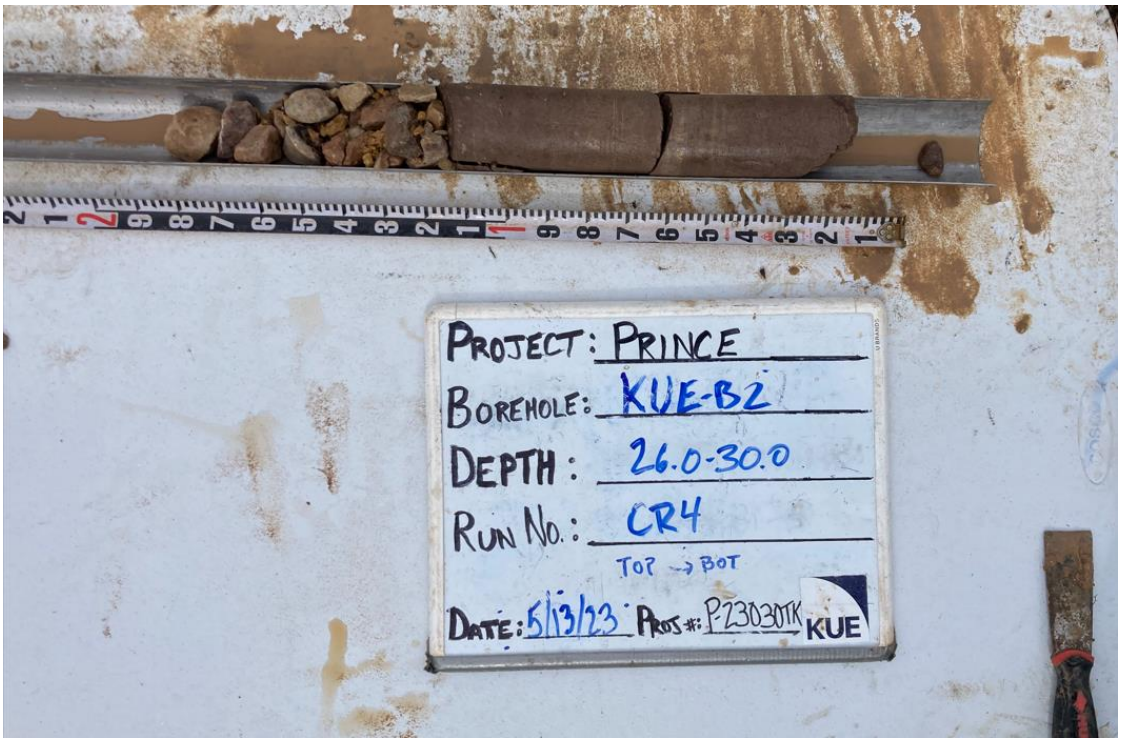

Photo No. 25 – Bedrock: Intensely fractured Quartzite, Recovery 25%, RQD 10%.

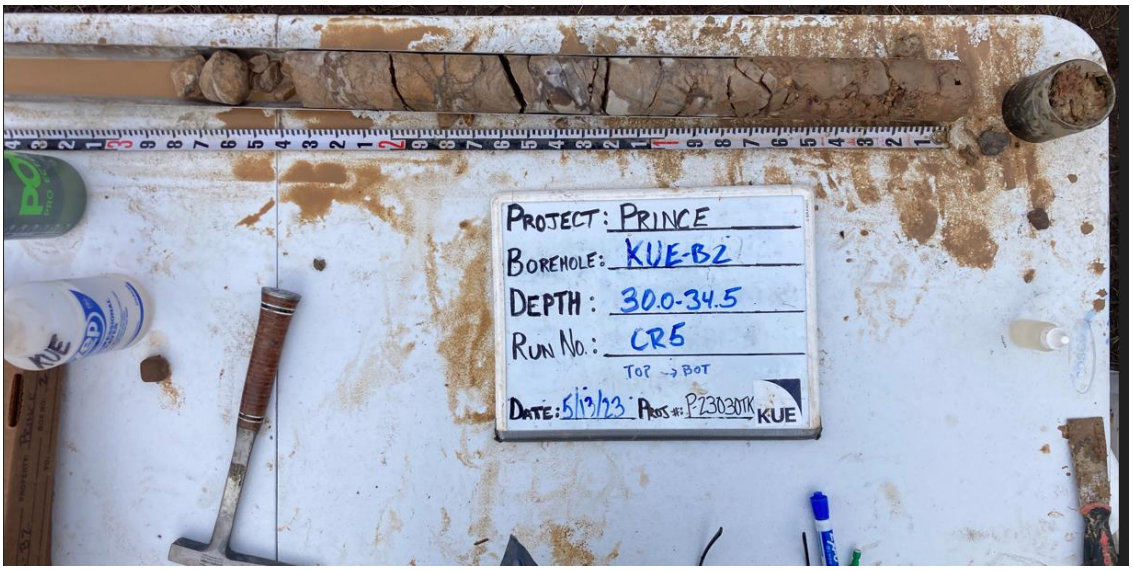

Photo No. 26 – Bedrock: Intensely fractured Quartzite, Recovery 50%, RQD 0%.

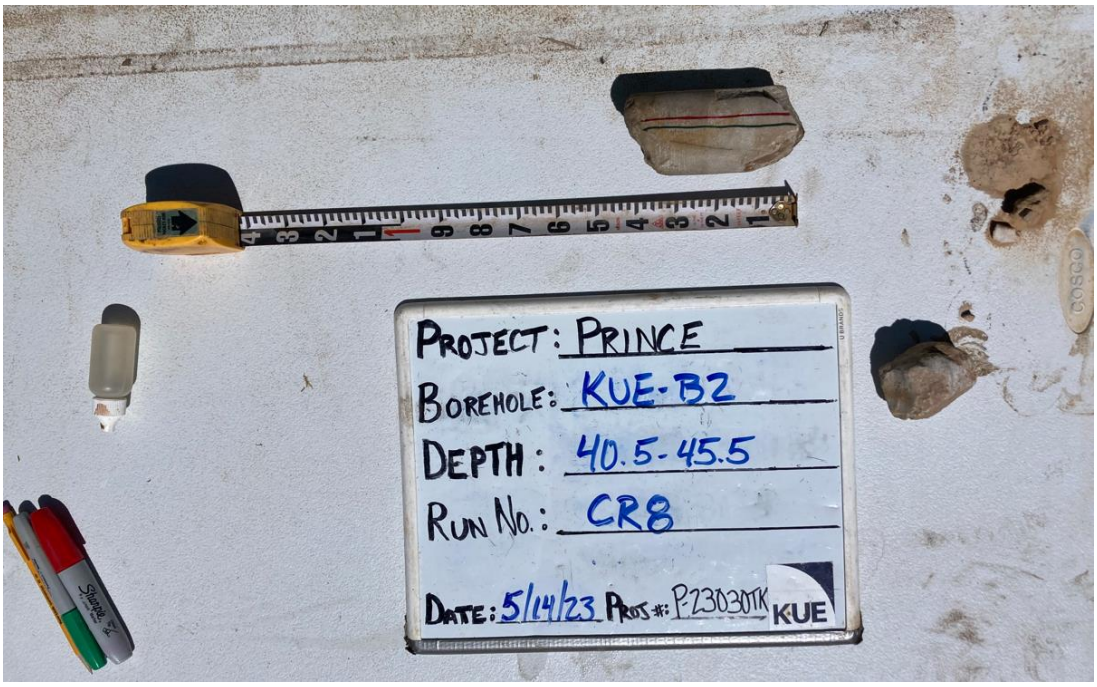

Photo No. 27 – Bedrock: Intensely fractured Quartzite, Recovery 8%, RQD 0%.

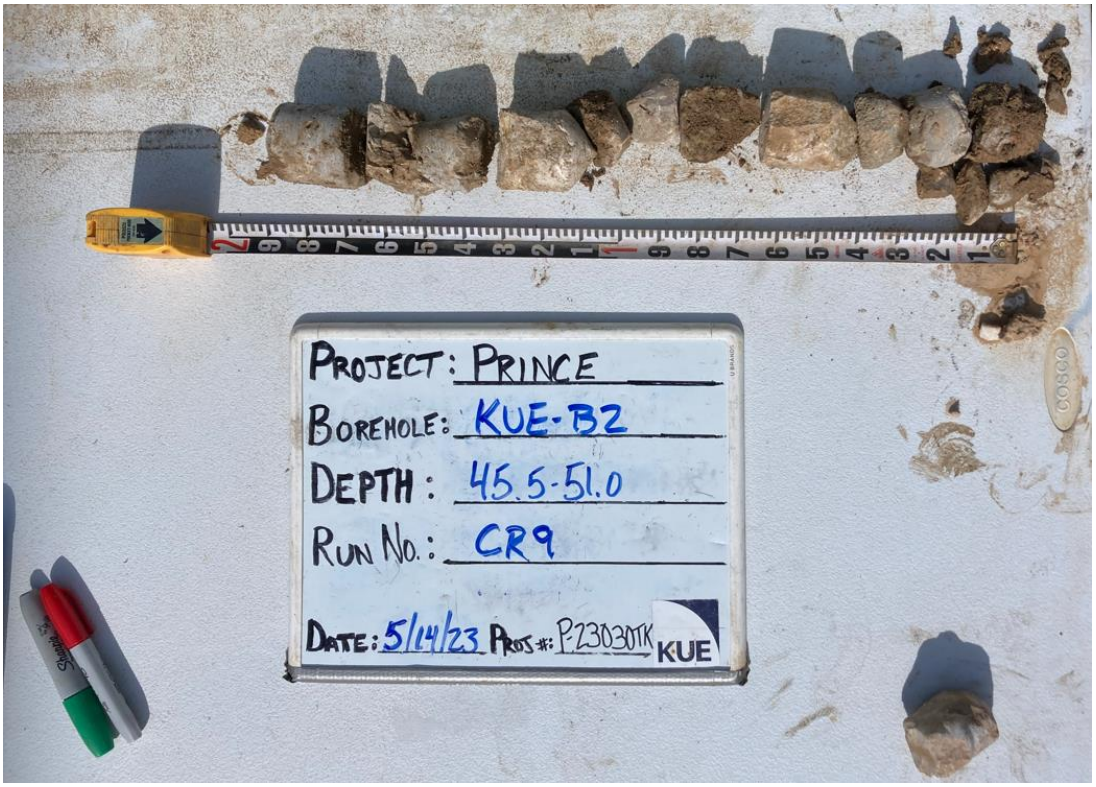

Photo No. 28 – Bedrock: Intensely fractured Quartzite, Recovery 28%, RQD 0%.

Appendix C

Geologic Maps

KILDUFF UNDERGROUND ENGINEERING, INC.

Geologic Map

Project No. P-23030T**K**	**Client:** EDGE Builders	**Date:** 05/08/2023
Project Name: 220 King Road – Prince residence, Park City, UT		**Shift:** Day
Logged By: SS	**Shifter:** NA	**Station No.:** NA

Lithology:

Highly to intensely fractured Quartzite. Primary Joint Set closely spaced, near horizontal, to dip of 30 degrees W. Secondary JS closely spaced, near vertical dip 80 to 85 degrees NE. Up to six different random joint sets.

Water: **Yes** / **No:** No Water Observed

Notes:

Rock outcrop observed about 200 feet from Subject Property at a roadway cut along King Road.

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UNDERGROUND
ENGINEERING, INC.

Geologic Map

Project No. P-23030T**K**	**Client:** EDGE Builders	**Date:** 05/08/2023
Project Name: 220 King Road – Prince residence, Park City, UT		**Shift:** Day
Logged By: SS	**Shifter:** NA	**Station No.:** NA

Lithology:

Highly to intensely fractured Quartzite. Primary Joint Set closely spaced, dipping 25 of 45 degrees W. Secondary and Tertiary JS closely spaced, near vertical dip 80 to 85 deg NW and SE. Up to three different other random joint sets.

Water: **Yes** / **No:** No Water Observed

Notes:

Rock outcrop observed about 100 feet from Subject Property at a roadway cut along King Road.

EXHIBIT I

Planning Department

August 15, 2024

Pesky Porcupine, LLC

CC: Wade Budge with the Law Offices of Snell & Wilmer

NOTICE OF PLANNING DIRECTOR ACTION

Description

Address:	220 King Road Lot 2, Phase I of the Treasure Hill Subdivision Sweeney Master Planned Development
Zoning District:	Historic Residential – 1 – Master Planned Development (HR-1-MPD)
Application:	Historic District Design Review
Project Number:	PL-23-05522
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	August 15, 2024
Project Summary:	The Applicant proposes a new Single-Family Dwelling, underground parking area, and Accessory Building.

Action Taken

On August 15, 2024, the Planning Director conducted a public hearing and approved the Historic District Design Review according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. 220 King Road is a 1.23-acre lot in the Historic Residential-1-Master Planned Development (HR-1-MPD) Zoning District that up until recently contained a 4,235-square-foot Single-Family Dwelling (SFD) built in 1998 and a 4,189-square-foot Guest House built in 2000.
2. The SFD and Guest House were demolished this summer, and the Applicant proposes a new SFD and Accessory Building, the subject of this Historic District Design Review (HDDR) application.

3. On December 18, 1985, the Planning Commission approved the Sweeney MPD, which included seven SFD Treasure Hill Subdivision Lots.[1] The zoning in effect at the time allowed for 450 units within the MPD. However, the Sweeney MPD approval reduced the density to 277 units and ". . . the proposed clustering approach was deemed the most compatible. Rather than spread the density out and thereby impact the entire old town area, the cluster concept afforded the ability to limit the impacts to smaller areas. Efforts to minimize scale have been directed toward this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space . . . . [a] number of the staff's recommended conditions are directed toward minimizing the potential conflicts related to neighborhood compatibility considerations."
4. "A key element of the proposed cluster approach is to preserve usable open space in perpetuity. A total of 97% (120 acres) of the hillside will be maintained as open space as part of the proposed Master Plan . . . [t]he potential for the subdivision and scattered development of the hillside would have drastically affected the goal of preserving the mountain substantially intact and pristine" (Exhibit B - *1985 Sweeney MPD Approval*, p. 11). Within the Treasure Hill Subdivision of the Sweeney MPD, SFDs were clustered near Old Town and over 40 acres were dedicated to Park City Municipal as open space, shown on an excerpt from the plat below. This resulted in larger SFD Lots than traditional Old Town Lots platted 25 feet by 75 feet (1,875 square feet).
5. 220 King Road, Lot 2 of the Treasure Hill Subdivision, is a 53,694-square-foot Lot, nearly 29 times the size of a traditional Old Town Lot. As a result of these larger SFD Lots, additional review is required. For example, unlike other SFDs within Old Town, the 1985 Sweeney MPD Condition of Approval 1 requires properties within the MPD to obtain Planning Commission approval of a CUP prior to development. The CUP review is to evaluate the project for compliance with adopted codes and ordinances in effect at the time and to ensure conformance with the Sweeney MPD. Additionally, the 1985 Sweeney MPD Condition of Approval 6 requires review for conformance with the Historic District Guidelines and related architectural requirements.
6. In 1987, the Planning Commission approved an amendment to the Sweeney MPD to reallocate 12 units, including the relocation of two SFDs to what are now

[1] Lot 1 – 200 King Road (vacant); Lot 2 – 220 King Road; Lot 3 – 425 Norfolk Avenue; Lot 4 – 375 Norfolk Avenue; Lot 5 – Open Space; Lot 6 – 503 ½ Woodside Avenue; Lot 7 – 503 Woodside Avenue; Lot 8 – 445 King Road.

known as 200 and 220 King Road. Condition of Approval 3 of the 1987 amendment requires Planning Commission approval of a CUP and staff review consistent with the Historic District Guidelines. Both reviews must "include review of the design of the structures to insure [sic] that they are designed to minimize visual impact."

7. On August 23, 1990, the City Council zoned 200 and 220 King Road Historic Residential-1-Master Planned Development (HR-1-MPD) (Exhibit D – *Ordinance No. 90-24*). As a result, the project is reviewed for conformance with HR-1 Zoning District standards through the lens of the Sweeney MPD.
8. On September 7, 1995, the City Council adopted Ordinance No. 95-50, approving the Treasure Hill Subdivision Phase 1 plat, creating four SFD Lots and a 42.7-acre Open Space parcel within the Sweeney MPD.
9. This Subdivision included Lot 2, 220 King Road, and established Building Area Limits and plat notes, outlining precedence with the Sweeney MPD and requiring final house design to be reviewed under the Small Master Plan Process (today's CUP) in accordance with the Sweeney MPD. Additionally, plat notes regulate Footprint, Building Area Limits, Construction Disturbance, Height, Façade Height, Massing, Sewer Laterals, and Fire Sprinkling.
10. Each SFD within the Treasure Hill Subdivision first obtained Planning Commission CUP approval prior to HDDR approval. Regarding 220 King Road:
    a. On March 12, 1997, the Planning Commission approved a Small Scale MPD (CUP) for a Single-Family Dwelling and Guest House (Exhibit G).
    b. On March 17, 1997, the Historic District Commission approved the HDDR (Exhibit H).[2]
    c. On May 27, 1998, the City issued Building Permit B97-02937 for the construction of a SFD.
    d. On September 18, 2000, the City issued Building Permit B00-05967 for construction of a Guest House
11. The Applicant demolished the SFD and Guest House and proposes construction of:
    a. A new Single-Family Dwelling with:
        i. Approximately 7,461 square feet of finished space.
        ii. Approximately 5,898 square feet of unfinished space.
        iii. Approximately 1,690 square feet of terrace/patio area.
    b. A 1,103-square-foot Accessory Building.

[2] The Historic District Commission was replaced with the Historic Preservation Board in 2007. The Historic Preservation Board purview includes changes to Historic Structures, the Board does not review new infill or design. Under today's LMC, staff takes Final Action on HDDRs.

c. A 243-square-foot outdoor pool.
d. A 4,794-square-foot underground parking area.

12. The Applicant submitted a Plat Amendment and CUP application in 2022. Staff requested the Applicant also submit an HDDR application to initiate the Historic District review process. On January 18, 2023, the Applicant submitted an HDDR application to the Planning Department. As part of the HDDR review, staff requested SWCA, a consultant who assists the City with Historic District reviews, evaluate the proposal pursuant to the applicable HDDR regulations.
13. On April 26, 2023, SWCA submitted a Technical Memorandum (2023 SWCA Memorandum) regarding 220 King Road. The 2023 SWCA Memorandum outlines many relevant considerations and notes 220 King Road is "in a setting where industrial buildings were once common. An industrial design aesthetic is appropriate in this area; however, this and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes." The Applicant modified and updated their plans to incorporate some of SWCA's recommendations. Staff requires additional Conditions of Approval below to further incorporate SWCA's recommendations.
14. On February 14, 2024, the Planning Commission reviewed a Plat Amendment to shift and increase the Building Area Limits, a CUP for the SFD, a CUP for the outdoor pool, and a Steep Slope CUP for the proposed project. The Planning Commission voted four to two to approve the Plat Amendment and three to three with the Chair breaking the tie to approve the CUPs. The 2023 SWCA Memorandum was provided to the Planning Commission as part of their review, and the Planning Commission required the Applicant to modify their plans as recommended by SWCA prior to approving the project. These requirements are outlined in the Analysis Section of the Staff Report below. On February 21, 2024, the Planning Commission ratified the Final Action Letter approving the project.
15. On March 1, 2024, the Planning Commission's approval was appealed. On April 30, 2024, the Appeal Panel denied the appeal and remanded the following questions to the Planning Commission regarding the Plat Amendment:
    a. Whether the Sensitive Land Overlay applies due to Sweeney MPD vesting.
    b. If the Sensitive Land Overlay Applies, whether it can bisect a Lot.
    c. If the Sensitive Land Overlay applies, what is staff's Sensitive Land

determination, recommendation, and mitigations.

16. On June 26, 2024, the Planning Commission considered the above questions remanded to them by the Appeal Panel, conducted a public hearing, and determined the following:
    a. The Sweeney MPD is vested prior to the adoption of the Sensitive Land Overlay.
    b. Although the Sensitive Land Overlay would apply to a substantive change, the Sensitive Land Overlay does not apply to the 220 King Property because a land use ordinance has not amended the original Sensitive Land Overlay Boundary, which does not include 220 King Road.
    c. No determination regarding the Staff Sensitive Land Overlay is necessary because the regulations are not applicable per sections (a) and (b) above.
17. The Appeal Panel Final Action Letter contains Condition of Approval 1, which states "[a]ll Conditions of Approval from the Planning Commission Action Letters dated February 21, 2024 apply" and the Conditions of Approval below incorporate the Planning Commission's requirements.
18. New residential infill in the Historic Districts is reviewed for compliance with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts*.
19. The August 15, 2024 Staff Report analysis is incorporated herein.
20. On July 31, 2024, staff published notice on the City's website and posted notice on July 31, 2024. Staff mailed courtesy notice to property owners within 100 feet on July 31, 2024.

Conclusions of Law

1. The proposed project complies with the Planning Commission's February 21, 2024 CUP, SSCUP, and Plat Amendment approvals, Findings of Fact, Conclusions of Law, and Conditions of Approval.
2. The proposed project complies with the Sweeney MPD.
3. The proposed project, as conditioned, complies with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts*.

Conditions of Approval

1. All Conditions of Approval required by the Planning Commission's February 21, 2024 CUP, SSCUP, and Plat Amendment approvals remain in full effect.
2. The Applicant shall protect Significant Vegetation located on the eastern portion of the site during and after construction.

3. Final Grade shall be restored to within four feet of Existing Grade upon project completion prior to issuance of a Certificate of Occupancy.
4. The Applicant shall submit a storm drainage analysis to the Engineering Department for review and approval. The analysis must show that the required storm drainage storage volume matches the pre-development and post-development conditions for a 100-year 24-hour event.
5. The use of Water Wise Landscaping or permaculture strategies for landscape design shall maximize water conservation. Where watering systems are necessary, systems that minimize water loss, such as drip irrigation, shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way and when viewed from Old Town.
6. Retaining walls visible to the north, east, and south of the SFD must be terraced so that no more than four feet of Existing Grade is manipulated. Visible retaining walls shall not exceed more than four feet in height.
7. Painting, staining, or stucco over stone or concrete retaining walls is prohibited.
8. Residents and guests shall park in the underground parking area. Parking within the fire truck turnaround or driveway area is prohibited.
9. The driveway width shall not exceed 12 feet, unless otherwise required by the Chief Building Official or Park City Fire District for fire truck access and turnaround.
10. Textured and poured paving materials other than smooth concrete are recommended.
11. Snow storage from driveways shall be provided on site and/or within an easement area approved by the City Engineer.
12. The Applicant shall reduce the length of the roof overhang on the north end of the SFD to reduce the roof in scale, as recommended by the 2023 SWCA Memorandum. The roof overhang shall not exceed five feet measured from the northernmost façade wall.
13. The Applicant shall maintain vegetative screening in accordance with the submitted and approved landscape plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the lower-level east façade glazing.
14. No more than eight inches of the new concrete foundation shall be visible above Final Grade on the primary façade and no more than two feet of the concrete foundation shall be visible above Final Grade on secondary and tertiary facades.

15. The site shall be re-graded so as to blend with the grade of the adjacent areas outside of the Building Area Limits and shall not create the need for incompatible retaining walls.
16. The site shall be re-graded so all water drains away from the structure and does not enter the foundation. See Condition of Approval 4 regarding storm drain storage.
17. Vinyl and aluminum windows and doors are prohibited.
18. The Applicant shall update the glazing of the eastern façade—that façade most visible from Old Town—to replace floor-to-ceiling windows with industrial patterns that create a compatible solid-to-void ratio comparable to the Historic Mine Sites and approved by Planning Staff.
19. Rooftop mechanical and communication equipment is prohibited. Mechanical and communication equipment shall be visually minimized from King Road and from Old Town vantage points. Ground-level equipment shall be screened from view using landscape elements such as low stone walls or perennial plant materials.
20. The roof shall have a matte finish to minimize glare. Roof colors shall be neutral and muted and materials shall not be reflective. The Applicant shall demonstrate the proposed metal siding and roofing materials have a Solar Reflectivity Index (SRI) of 35 or less prior to the submittal of a building permit.
21. Service equipment and trash containers shall be screened. Solid wood or masonry partitions or hedges shall be used to enclose trash areas.
22. Wood materials shall be painted opaque.
23. The railing of the rooftop deck shall be visually minimized when viewed cross-canyon. The Applicant shall plant landscaped screening as indicated on the landscape plan to buffer visibility of the secondary façade rooftop deck along the southern property boundary.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5060 or email planning@parkcity.org.

Sincerely,

Rebecca Ward, Planning Director

EXHIBIT J

HOGGAN LEE HUTCHINSON

Justin Keys
Justin@hlhparkcity.com
Direct: 435.731.9195

August 14, 2024

VIA EMAIL

Park City Municipal Corporation
Park City Planning Staff
Attn: Rebecca Ward
rebecca.ward@parkcity.org
PO Box 1480
Park City, Utah 84060

Re: 220 King Road August 15, 2024 HDDR Public Hearing

Dear Staff and Planning Director Ward:

This firm represents Eric Hermann and Susan Fredston-Hermann—the owners of several Old Town Properties including 200 King Road (Parcel No. THILL-1) and their primary residence at 205 Norfolk Avenue (201-NA-SUB-2) (collectively "1325 Empire"). The Fredston-Hermanns' properties directly adjoin the Applicant's (Matt Prince) property at 220 King Road (Parcel No. THILL-2-AM) (the "Project"). And their 200 King Road parcel is the only remaining unbuilt lot in the Sweeney subdivision. The Fredston-Hermanns submit this letter to provide input on the HDDR analysis under Park City LMC § 15-13-8.

Park City LMC § 15-13-8 provides the "Regulations for new residential infill construction (and non-historic residential sites) in Historic Districts." The Project is located in a Historic District, namely the HR-1 District, and it qualifies as "new residential infill construction" on a non-historic residential site. As proposed, the design cannot meet most of the "universal" and "specific" regulations of § 15-13-8.

1. *The Project fails to meet most of the "Universal Regulations" from LMC § 15-13-8(A).*

LMC § 15-13-8(A) provides the "Universal Regulations" for "Infill Construction" in the Historic District. The Design, here, violates most of these regulations.

A. The Project is neither compatible with historic structures in materials, features, size, scale and proportion, and massing nor broken up into volumes that reflect the original massing of historic buildings.

As noted in the SWCA memo, the only expert opinion issued on the matter, the proposed Project fails to meet the size, scale, proportion and massing requirements of LMC § 15-13-8(A)(4).[1] That provision requires:

> New infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the new infill residential buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the lot.

The SWCA summarized the Projects non-compliance as follows:

> [T]he size, scale, and proportions of the residence and its component elements, including the shed roof and cantilevered flat roof, are reminiscent of a large-scale industrial building rather than a residential building, which is not compatible with the HR-1 zone. While projecting portions of the building on the downslope elevation provide some modulation of mass, additional size reduction or modulation of the building mass itself (as well as its roofs) is required to reflect the size and massing of historic residential buildings[.][2]

The Project has not been sufficiently modified to address these issues. Further, the Staff Report's acceptance of the Applicant's assertion that the building has been broken up into five masses goes against all evidence. The building appears as one large mass the width of multiple Old Town lots. The Applicant has not even attempted to break it up to make it appears modulated. Simply saying it has been modulated does not make it true. You can put as much lipstick as you want on a pig, but it remains a pig. Likewise, you can highlight different portions of the design with different colors, but that does not mean it has been "broken up into volumes that reflect the original massing of historic buildings." It remains one large unbroken mass, far beyond the appropriate size and scale for the neighborhood. This building is one large mass and is far too large to fit in the HR-1 District, and, as such, fails to comply with LMC § 15-13-8(A)(4).

B. The design does not reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites.

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[1] Memorandum from SWCA Environmental Consultants on Historic District Design Review for 220 King Road to Park City Mun. Corp. 2 (April 26, 2023).
[2] *Id.*

The proposed Project fails to comply with LMC § 15-13-8(A)(1) which requires: "New infill residential buildings shall reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites." The proposed Project does not reflect the historic character of Park City's Historic Sites due to its size, massing, the materials used in its construction and its general ornamentation. While the structure may have been designed to reflect industrial mining building from Park City's history, the historic districts of Park City are for residential and commercial/storefront buildings, and the design does not reflect that historic character.

C. The Project radically conflicts with the character of Park City's Historic Sites.

The design, here, radically conflicts with the character of Park City's Historic Sites in the HR-1 District. LMC § 15-13-8(A)(3) requires that "[a] style of architecture shall be selected and all elevations of the new infill residential building shall be designed in a manner consistent with a contemporary interpretation of the chosen selected style. Stylistic elements shall not simply be applied to exteriors. Styles that never appeared in Park City shall be avoided. Styles that radically conflict with the character of Park City's Historic Sites shall also be avoided." No residence in the Park City Historic Sites inventory looks like the proposed structure, especially not in the HR-1 District. It even radically conflicts with the historic structures the Applicant claims it is trying to mirror. Looking at the design next to the Silver King Mill Building it is inspired by show only minor similarities.[3] This design, therefore, cannot satisfy this requirement.

D. The project does not minimize cut, fill, and the use of retaining walls.

The design here fails to minimize cut, fill, and use of retaining walls as required by LMC § 15-13-8(A)(5). LMC § 15-13-8(A)(5) says: "Building and site design shall respect the existing topography, the character-defining site features, including existing trees and vegetation, and shall minimize cut, fill, and the use of retaining walls." This design requires massive cuts of more than 80' feet in aggregate and up to 45' feet for individual cuts, requiring massive retaining walls to support the slope. As a result, the mountainside above the proposed project is losing critical support. In total, cut for the Project will result in the removal of 11,786 cubic yards of earth. For reference, this is nearly the same amount of mountainside removed for a single as was required for the entire Kings Crown Development—three large condominium buildings and twenty-six single-family homes and townhomes. Considering there are already two large homes on the property, such a large cut is not necessary for productive use of the property. This, clearly, is a failure to minimize cuts and the use of retaining walls. The Staff Report completely fails to mention how

[3] *See* Letter from Quinn Kummer, Architect, Olson Kundig, to Planning Director, Park City Mun. Corp. 5 (July 31, 2024).

the Applicant is minimizing cut, and it does so because there is no argument to be made.[4] The Staff Report, on this issue, simply ignores the problem.

E. The Project's exterior elements are not compatible with neighboring Historic Structures.

LMC § 15-13-8(A)(6) requires: "Exterior elements – roofs, entrances, eaves, chimneys, porches, windows, doors, steps, garages, etc. – of the new infill residential building shall be of human scale and shall be compatible with neighboring Historic Structures." The only expert opinion (i.e., the SWCA memo) states that "the wide shed roof would need to be divided into three to five modules to achieve the appropriate residential scale and the cantilevered flat roof would need to be reduced in size."[5] While the wide shed roof has been broken up into three modules, it has not been done so to achieve "residential scale." It still has portions far too wide to be compatible with the neighboring Historic Structures in the HR-1 District. Further, the cantilevered flat roof has not been reduced in size. This issue has not been sufficiently addressed by staff or the Applicant, and the design violates LMC § 15-13-8(A)(6).

F. The scale and height of the Project do not follow respect the architecture of the character area.

The design also fails to meet the requirement of LMC § 15-13-8(A)(7) because it does not respect the architecture of the character area, as noted by the SWCA memo.[6] That code provision reads: "Scale and height of new infill residential buildings shall follow the predominant pattern and respect the architecture of the Streetscape or character area with special consideration given to Historic Sites." The SWCA analysis is as follows:

> The proposed infill references the industrial buildings of the Silver King Mine but the guidelines require that infill residential buildings maintain a historic residential scale appropriate to the historic district or zone in which they are being constructed. The proposed residence at 220 King Road will be on a relatively isolated site and will not be directly adjacent to any Historic Sites. In the absence of a streetscape lined by other buildings, the predominant pattern of the historic district or residential zone applies. The proposed design does not comply with this guideline.[7]

The Staff Report dodges this damning analysis by redefining "character area" to mean subdivision.[8] So, now, instead of having to respect the architecture of the historic structures within

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[4] Staff Report from Planning Team on 220 King Road Historic District Design Review to Planning Department 11(August 15, 2024).
[5] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 2.
[6] *Id.* at 3.
[7] *Id.*
[8] *See* Staff Report from Planning Team, *supra* note 4, at 12.

a zone, one will only have to respect the architecture of the subdivision. Considering much of Old Town has many small subdivisions with no historic structures, under this new method, much of the buildings in the Historic Zoning Districts will no longer need to comply with this code provision. In essence, the Staff Report has effectively rendered this provision moot.

As the above quoted analysis from the SWCA Memo states, this design does not comply because it is not compatible with the true character area (i.e., the HR-1 Zone). Further, the Staff Report wrongly claims it is "aligned" with the Height Regulations established through the Sweeney MPD.[9] The Sweeney MPD specifically limits structures on this property to 25' with no exceptions permitted.[10] Here, the property's height is roughly 33' in clear violation of the Sweeney MPD.[11] Plat Notes cannot exempt a property from the terms of an MPD in any case but especially when the MPD specifically says there are no exemptions allowed. The Staff Report, here, is patently incorrect, and the design violates LMC § 15-13-8(A)(7).

G. <u>The size and mass of the Project are not compatible with the size of the site so that lot coverage, building bulk, and mass are compatible with Historic Sites the character area.</u>

The size and mass requirements of LMC § 15-13-8(A)(8) are also violated by this design. Once again, the SWCA Memo addresses this issue: "its building bulk and mass are not compatible with Historic Sites just downslope in the HR-1 zone. Further reduction or modulation of massing, both of the residence and its shed and cantilevered flat roofs, is required to be compatible with the building bulk and mass of historic residences in the HR-1 zone."[12] These issues have not been remedied by the Applicant, and the Staff Report analysis dodges the issue by not providing any analysis. It provides no analysis or conclusion because the only reasonable conclusion that could be drawn would be that the design does not comply.

H. <u>The Project creates an unmitigable risk of physical damage to nearby Historic Sites.</u>

The Applicant has failed to demonstrate that the new construction activity will not physically damage nearby Historic Sites. LMC § 15-13-8(A)(9) requires that "[n]ew construction activity shall not physically damage nearby Historic Sites." The Applicant cannot guarantee this requirement will be met. A report from the Utah Department of Natural Resources indicates that the Treasure Hill area is highly prone to erosion if vegetation is cleared, which is necessary for this Project. This clearing also raises the risk of land subsidence, potentially leading to landslides. It is evident, even to non-experts, that the Project presents significant dangers. Furthermore, the Geotech report submitted by the applicant does not properly address the risk of landslides. It

[9] *Id.*
[10] Sweeney MPD § III(5)(a).
[11] *See* Olson Kundig, Park City Residence 220 King Road HDDR Drawings A2.50 (July 31, 2024).
[12] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 3.

merely states that the Project will be safe once completed. Even this is doubtful, however. It is common knowledge in the community that several mineshafts under Treasure Hill were loosely filled after abandonment, resulting in an unstable slope prone to landslides. The King's Crown development, discussed above, involved shallower cuts moving a similar amount of earth from much less steep slopes on the same mountain but still caused a land slide.

The Staff Report addresses this issue by pointing out that "[t]here are no designated Historic Sites on Park City's Historic Sites Inventory near 220 King Rd."[13] This is misleading. While there may not be Historic Sites adjacent to the subject property, there are numerous Historic Sites downhill from the property. A landslide, triggered by this massive cut, would put much of Old Town, along with its Historic Sites, in jeopardy. It is impossible for the Applicant, here, to guarantee that their construction activity will not cause a land slide that physically damages nearby Historic Sites.

I. <u>The Project does not reinforce visual unity within the context of the character area.</u>

Another LMC provision that this design fails to meet is LMC § 15-13-8(A)(10) which requires:

> New infill residential buildings shall reinforce visual unity within the context of the Streetscape or character area. The specific context of each Streetscape or character area is an important feature of the Historic District. The context of each Streetscape or character area shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area. Special consideration should be given to adjacent and neighboring Historic Sites in order to reinforce existing rhythms and patterns.

The SWCA Memo succinctly explains why the design fails to meet this requirement:

> [T]his and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes. Because the guidelines are so clear on this point, a variance from the Board of Adjustment would be required to permit the design as proposed.[14]

Despite this expert recommendation, no variance has been sought by the Applicant or required by the City. The Staff Report once again relies on a creative application of "character area" to argue that it only needs to fit with the industrial structures well out of sight from Old Town rather than the Historic Residences that fill the immediate surrounding area. Staff's argument—that this

[13] Staff Report from Planning Team, *supra* note 4, at 13.
[14] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 3.

provision requires the proposed structure, in a very prominent sight visible from most of the Historic Districts, to have "visual unity" with industrial structures that cannot be viewed most anywhere in Historic District rather than the Historic Residences that are visible and fill the neighborhood—contradicts the plain language of the Code provision itself. This is yet another attempt to argue that this design complies with a standard that it cannot meet.

2. *The Project fails to meet many of the "Specific Regulations" from LMC § 15-13-8(B).*

In addition to the "Universal Regulations" violations discussed above, the Design also violates many of the "Specific Regulations" for Primary Structures. Specific Regulations are provided in LMC § 15-13-8(B).

A. <u>The Project does not comply with the Specific Requirements for mass, scale and height.</u>

The Design violates many of the Mass, Scale and Height Specific Regulations for Primary Structures from LMC § 15-13-8(B)(2)(a). Some of the Specific Regulations violated include:

Regulation Violated:	**Analysis:**
15-13-8(B)(2)(a)(1): The size and mass of a new residential infill building in relation to open spaces, shall be visually compatible with adjacent historic buildings and historic structures in the surrounding Streetscape or character area.	As stated by the SWCA memo, "the size of the building and its component elements must be broken into distinct masses more reminiscent of the size and mass of historic buildings in the zone to achieve visual compatibility."[15] This has not been done. The Staff Report, here, ignores the City's own contracted experts and argues that the Design complies with this provision by, once again, relying on an incorrect application of "character area."[16] This is incorrect.
15-13-8(B)(2)(a)(2): Buildings that utilize traditional building forms – rectangular, cross-wing, pyramid-roof – are encouraged.	The Staff Report only says: "The proposed form for 220 King Road is drawn from Historic Mine Sites."[17] This is false. While the structure may draw inspiration from Historic Mine Sites, the "form" of the proposed structure

[15] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 3.
[16] Staff Report from Planning Team, *supra* note 4, at 24.
[17] *Id.*

	varies wildly from anything in Park City. Further, the forms listed are not used.
15-13-8(B)(2)(a)(3): Historic height, width, and depth proportions that are important in creating compatible infill and maintaining the historic mass and scale of the Streetscape or character area.	Here, the Staff Report says: "The Sweeney MPD Treasure Hill Subdivision SFD character area establishes compatible infill based on larger Treasure Hill Subdivision Lots through plat notes governing mass, scale, and height."[18] This is a creative way of saying that it does not comply with the historic height, width and depth proportions of the historic district (as the SWCA Memo concludes),[19] but we do not care because it complies with plat notes. Plat notes, however, are not a legal method of exempting a project from code requirements.
15-13-8(B)(2)(a)(5): The perceived scale of new buildings shall respect the scale established by historic buildings in the character zone. Abrupt change of scale in the character zone is inappropriate, especially when a new, larger building would directly abut smaller historic buildings.	Once again, the Staff Report relies on the misapplication of "character area" to claim compliance despite their retained experts saying otherwise.[20] The SWCA Memo says: "Both the actual and perceived scale of the proposed residence is significantly greater than a typical historic residence in the HR-1 zone and there are no historic large-scale industrial buildings nearby or anywhere in the zone that establish a precedent for large-scale infill. As stated above, the reference to the industrial aesthetic of the Silver King Mine buildings is encouraged in the design of the structure, but those historic mining buildings are neither in the HR-1 zone nor visible from it. For these reasons, the perceived scale should reflect that of a historic residential building rather than a

[18] Staff Report from Planning Team, *supra* note 4, at 24-25.
[19] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 4.
[20] *See* Staff Report from Planning Team, *supra* note 4, at 25.

	historic industrial building."[21] The Staff Report takes a directly contradictory stance by considering the character area to include the non-visible structures far away rather than the Historic District where the property lies.
15-13-8(B)(2)(a)(6): A larger building shall be divided into 'modules' that reflect the mass, scale, proportions, and size of historic buildings within the Streetscape or character area. Modules shall be clearly expressed throughout the entire building and a single form shall remain the dominant element so the overall mass does not become too fragmented. To minimize the scale perceived from the primary public right-of-way, stepping down the mass of a larger building shall be considered.	The Staff Report takes the Applicant's position that this structure is divided into five modules.[22] That is, simply, incorrect. The Applicant arbitrarily divided the proposed building into five segments and called them "modules," but calling these "modules" does not make them into modules. Looking at the exterior of the proposed structure, there are not clear modules. It is important to note that the point of the modules requirement is that the structure looks broken up. That is not the case here. To suggest this structure is divided into five modules is to ignore what is plain to the naked eye.
15-13-8(B)(2)(a)(7): Larger-scale projects shall also include variations in roof height in order to break up the form, mass and scale of the overall structure.	Here, as acknowledged in the Staff Report,[23] the Design has been changed partially (and to create further non-compliance with other code provisions) to address the SWCA Memo's recommendation on this provision.[24] The change, however, does not go far enough to comply with this provision. Sections of the roof are still far too wide (i.e., in excess of 25 feet in width) for the Historic District. Therefore, the Design does not comply with this provision.

B. <u>The Project does not comply with the Specific Requirements for Roofs.</u>

[21] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 4.
[22] *See* Staff Report from Planning Team, *supra* note 4, at 25.
[23] Staff Report from Planning Team, *supra* note 4, at 25.
[24] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 4.

Finally, the structure does not comply with the Specific Regulation for Roofs in LMC § 15-13-8(B)(1)(e)(1). That provision requires: "Roofs of new residential infill buildings shall be visually compatible with roof shapes and orientation of surrounding Historic Sites and adjacent buildings that contribute to the character of the Historic District. Sloping of roof forms, such as gable, hip, and shed, should be the dominant roof shapes. Roofs composed of a combination of roof planes, but simple in form, are also encouraged. Roofs shall be in scale with those on historic structures." Although the Staff Report concludes that it meets this requirement,[25] the SWCA Memo concludes otherwise.[26] The SWCA Memo says: "[T]he guidelines are clear that the perceived scale of larger residential buildings (on lots wider than 25') should be managed by breaking them into smaller masses or modules that reflect historic residential massing, including their roofs. There is no precedent for exceptions when an industrial aesthetic is used for a residence, or for residences that may be in historically industrial areas. To comply with the guidelines, the roof could be broken into a horizontally stepped series of shed roofs (3 to 5 of them, with differences in roof height of a few feet or more to create shadow lines) that shelter their corresponding modules, or a mix of shed and flat. The cantilevered flat roof would also need to be reduced in scale."[27] While the roof was broken up some after the memo was written, it was not done sufficiently to meet this requirement. There are segments that are still far too large (i.e., greater than 25' in width) to be compatible with the Historic Residences in the neighborhood. Further, the cantilevered flat roof was not reduced in scale. Therefore, the design remains out of compliance with LMC § 15-13-8(B)(1)(e)(1).

Based on the foregoing, we respectfully request that do not approve the Draft Final Action Letter until the many non-compliance issues are adequately addressed. Thank you for your consideration in this matter.

Very Truly Yours,
HOGGAN LEE HUTCHINSON

Justin J. Keys

[25] Staff Report from Planning Team, *supra* note 4, at 32.
[26] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 6.
[27] *Id.*

EXHIBIT K

HISTORIC CHARACTER

DETAILED STRATEGIES

STRATEGY: Adaptive Reuse of Historic Resources

The purpose of the Good Neighbor Program, proposed by the Carter Administration in 1976 and affirmed by the Clinton Administration in 1997, was to encourage the Federal Government to reinvest and support central business areas. According to Executive Orders 12072 and 13006, federal agencies must first consider locating in historic buildings within historic districts. If none exist, non-historic buildings within the historic district should be evaluated prior to existing structures outside of the historic district. Finally, if no property can meet its spatial needs, then the agency may consider properties elsewhere in the central business area. By locating and maintaining a presence downtown, federal agencies support the vitality of central business areas as well as preserve the community's historic assets.

The Federal Government demonstrated its commitment to the National Historic Preservation Act (NHPA) by limiting the location of agencies to downtown and fostering constructive relationships with urban community leaders. Passed in 1966, the NHPA promotes the preservation of historic and archeological sites in the United States. Not only does the Federal Government set an example by acquiring and utilizing space in buildings of historical, architectural, or cultural significance in historic commercial downtowns, but they also set a local standard for historic preservation. The order also stated that the Federal Government must take steps to streamline their ability to establish and maintain a presence in historic districts, removing the rules and regulations that deter federal agencies from locating in existing historic structures downtown unless it is detrimental to human health and safety. Moreover, Executive Order 13006 focused on improving relationships and partnerships with states, local governments, Native American tribes, and other private organizations in order to encourage these parties to support historic preservation. The Federal Government set a standard through the Good Neighbor Program that encourages local governments and private entities to locate in historic downtowns, contributing to the overall health of the commercial building area.

The Marsac Building (City Hall) was restored and rehabilitated in 2008/2009; City personnel moved back in August 2009. In addition, a historic wall discovered during the construction was preserved and ultimately restored in 2013. The site is now a place to enjoy lunch outdoors. This type of adaptive reuse of the City's historic resources is strongly encouraged.

Since its inception, the Good Neighbor Program has formed strong public-private partnerships in over fifty (50) cities in thirty-five (35) states. The Federal Government has paired national and local public resources in cities such as Portland, Oregon; Fort Worth, Texas; and St. Louis, Missouri, to encourage government agencies to move from suburban areas into downtowns as well as renew existing leases. In some cases, the General Services Administration (GSA) has contracted with Business Improvement Districts (BIDs) to finance services and infrastructure improvements in these commercial business areas. These improvements, as well as the presence of government agencies, has created additional business opportunities and contributed to the revitalization of commercial business areas.

Adaptive Reuse

Park City strongly supports Adaptive Reuse of our Historic Structures; the evolution of our town as a resort that has arisen from our mining heritage is evident throughout Old Town.

In Park City, the restoration and rehabilitation of historic structures is generally carried out by individuals, and more often than not, without the use of Federal or State Historic Tax Credits. Park City does offer a grant program and has averaged approximately five grants a year with an average individual grant award of $15,000.

In order to facilitate restoration, rehabilitation and adaptive reuse of existing structures, Park City utilizes strict standards and preservation methods to ensure that historic structures retain their historic character. While the interior of a historic site may be remodeled to support adaptive reuse or redesigned floor plans, the exterior of the building remains unchanged from the historic period of significance through the various preservation treatments that can be utilized to ensure that historic materials, features, form, mass, scale, etc., are retained to contribute to the Historic District.

STRATEGY: Influencing Streetscape Through Lot Sizes, Setbacks, and Parking

Historically, Park City's 25 foot by 75 foot Old Town lots were platted to accommodate a high density. Small mining cottages with accessory structures fit snugly within these plats, allowing adequate spacing between structures while providing sufficient backyard spaces. The Sandborn Fire Maps of the early 20th century are documented proof of the early pattern of the original settlement of Park City.

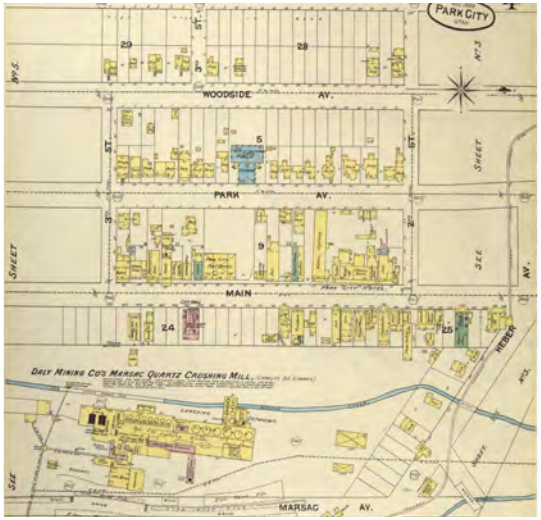
21st century real estate demands and modern family necessities have threatened the historic urban fabric. To meet these demands, lot combinations have become common practice to accommodate larger residential structures and additions. The resulting incremental changes have caused increased adverse effects on the historic pattern and aesthetic of the Old Town neighborhood. Although there are many influencing factors to compatibility, lot combinations are a major factor that must be reassessed by the Planning Commission to create new regulations to prevent further negative impacts to the fabric of the neighborhoods.

This is an example of a structure that is too large for its setting. Over four stories tall, the brown structure dwarfs the yellow historic house in front of it. This type of development is incompatible with the historic scale of Old Town.

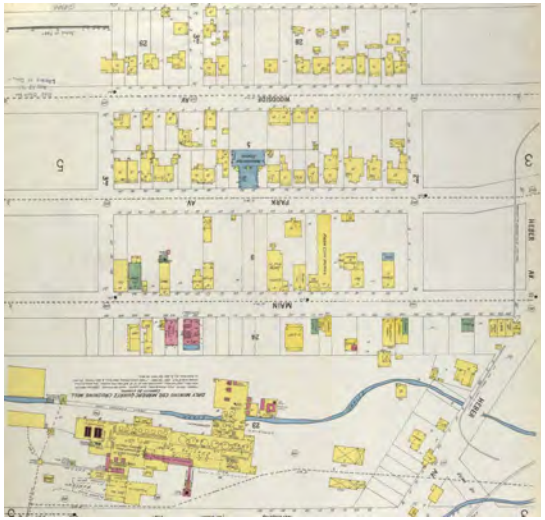
A number of steps could be taken by the City to limit the size of new developments and additions to preserve the historic development patterns found in Old Town, including the historic density, fabric, and integrity. There are two complementary zoning tools to regulate future infill development to ensure it will complement the existing historic building pattern (the fabric) of the neighborhood.

Regulatory Measures

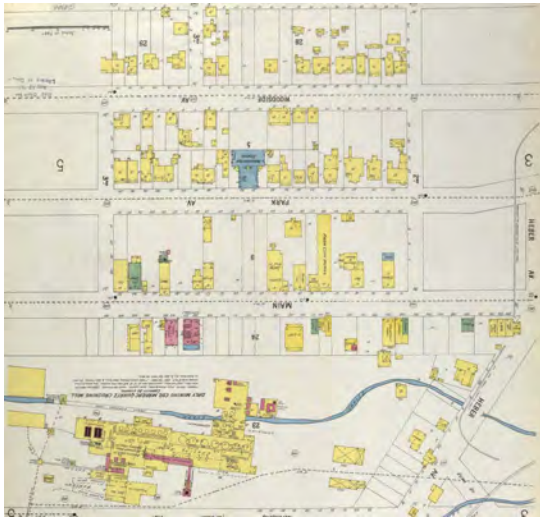
Typically lot combinations should be limited within existing block's pattern to respect the historic fabric of the block. For example, lot combinations in the Historic Residential (HR-1 and HR-2) districts could be limited to that which has historically existed in each block. In some areas of Old Town homes have traditionally been constructed over multiple lots, and often times Old Town lots are divided by ownership. In some blocks, a typical Old Town home might be built over one and half lots, while others span the width of two lots. New development on vacant lots within Old Town should be limited to single-lot development, or



1889 Sanborn Fire Insurance Map



1900 Sanborn Fire Insurance Map



1907 Sanborn Fire Insurance Map

1929 Sanborn Fire Insurance Map

2012 Development Map

These historic Sanborn Fire Insurance maps show the progression of development along Woodside Avenue, Park Avenue, and Main Street from 1889 through 1929. In the past, small mining homes were built on narrow residential lots and commercial buildings grew up around Main Street. More recently, however, developmental pressures have led to lot combinations, substantial additions to our historic buildings, and expansive development on vacant lots.

allowed only to combine lots to match the existing development pattern. In this case, an average lot size per block should be demonstrated by the home builder to determine how many lots have traditionally been combined and built upon in the past. Existing home owners wishing to combine lots should be limited to the same standards as described above, with an exception for existing homes that straddle lots lines. Remnant parcels, not straddling the property line and not within the required setback area, may be combined only if it can be demonstrated that the parcel is not buildable on its own (e.g. cannot meet minimum lot requirements). In areas in the HR-1, HR-2, and HRL where no lots are platted, new lots should respect the historic lot patterns of 25'x75' lots.

Lot combinations within the Historic Residential-Low (HRL) District have been encouraged in the past due to the larger minimum lot size requirements; however, they should also be treated much the same as previously suggested, where the average of each block is analyzed to determine the historic fabric and development patterns established.

Incentivizing Development on Single Lots

As an incentive for smaller structures on single lots within the HR-1 and HR-2 Districts, the City should consider offering relief from certain parking requirements. An incentive could be the reduction in the parking requirement from two (2) spaces to one (1) space subject to the building footprint being substantially reduced from the Land Management Code allowance. This would allow a property owner to construct a smaller home with a one car garage without having to increase the setback from ten feet (10') to eighteen feet (18') to provide for a second parking space.

In addition, consideration should be given to allowing an increase in the footprint on a lot for a living structure and a detached single-car garage OR consider not including the SF associated with a detached single-car garage within the building footprint on the lot. A detached garage might allow for the primary structure on a lot to be slightly smaller and more compatible with the surrounding neighborhood.

To address increased parking demand on Old Town Streets, the City should consider implementing a paid parking permit system, and limit the number of permits for each address, thus encouraging more overnight parking within the China Bridge parking structure.

All of these recommendations should only be considered in conjunction with parking enforcement (Public Works - Transit/Transportation) and the City Engineering office.

STRATEGY: Defining Compatibility, Mass, Scale and Subordinate Design

com·pat·i·bil-i-ty

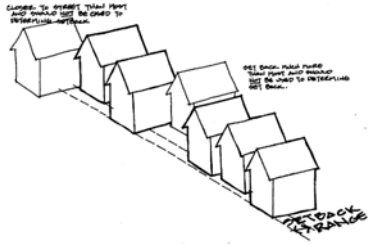
In historic preservation, compatibility refers to the relationship between new additions and infill and existing, historic structures. Aspects of compatibility include, but are not limited to, setback, orientation, scale, proportion, shape, rhythm, mass, height, detail (including window and door shape, pattern, and proportion), texture, material, color, roof lines, reflectivity, and architectural style. While new construction and additions should complement existing historic structures, they must also be seen as a product of their own time. Compatibility does not mean that new infill or additions must duplicate existing structures.

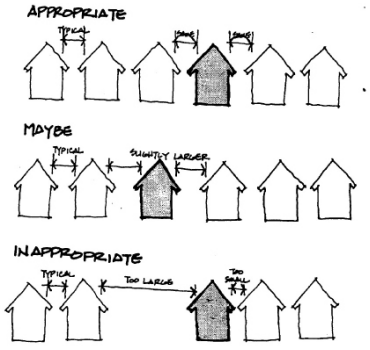
Why Does Compatibility Matter?

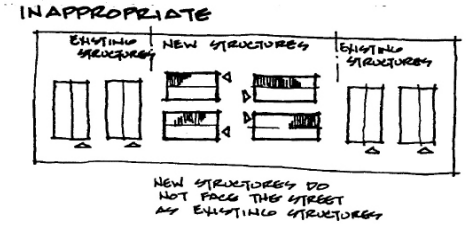
The Historic District as a whole should be perceived as a historic resource; however, this whole is comprised of significant parts. New construction and additions must contribute to the overall historic character of the neighborhood, rather than detract from it, in order to protect the historic integrity and coherence of the historic district. For this reason, design reviews are necessary to ensure that new construction and additions maintain the overall feel and composition of the neighborhood by taking a holistic design approach. While historic structures represent their era of significance, the district as a whole is not frozen in time. It is necessary to create appropriate infill, spur investment, and promote the economic vitality of the community.

Measuring Compatibility

The compatible design of new construction and additions creates a harmonious appearance along streetscapes and the district as a whole. Similarities between structures and designs are necessary to preserve the neighborhood's overall historic integrity, character, and composition. Some examples of compatibility and incompatibility are illustrated by the following drawings and pictures:







HISTORIC CHARACTER

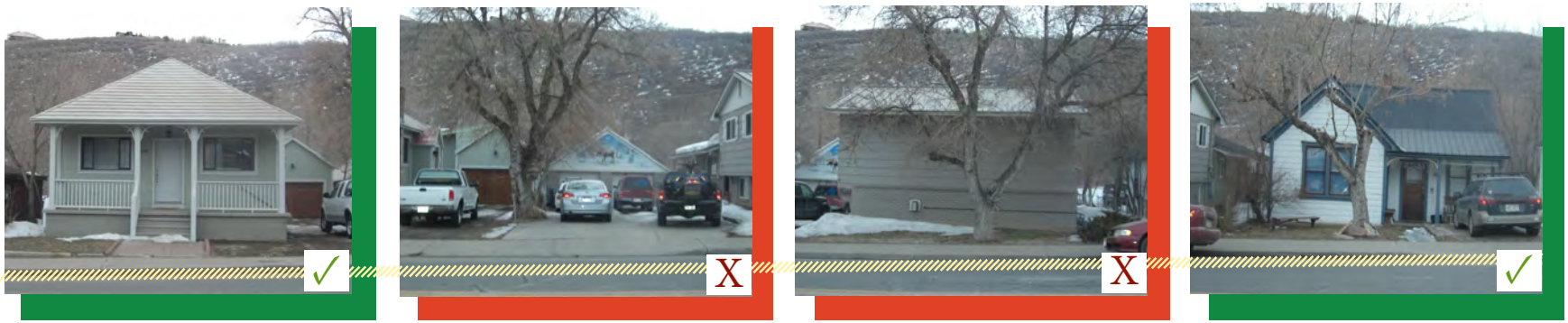
1 Rhythm of spacing of buildings on streets should follow the predominant pattern of historic buildings on the street.

2 The rhythm of entrances and/or porch projections should reinforce the established pattern along the street.

3 Roofs of new buildings should be visually compatible with the roof shapes and orientation of surrounding Historic Sites.

4 Floor level elevations should relate to the street grade and reinforce the neighborhood pattern.

5 The directional expression of front elevation should reinforce the overall pattern established in the streetscape.



6 Relationships of solids to voids on primary facades should be similar to those seen on Historic structures.

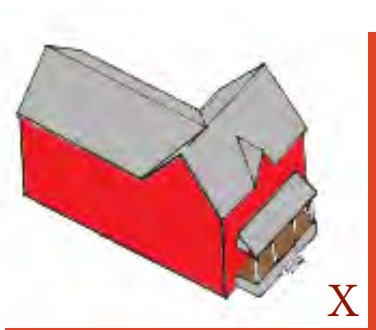
mass

Mass refers to the three-dimensional geometric composition of a building or the overall bulk of the structure. When designing new buildings or additions to existing historic buildings, the overall size and shape of new construction must be compatible to the historic context of the neighborhood. This can be achieved by minimizing the visual impact of the overall mass, form, and scale through breaks such as changes in wall plane or roof heights.

1 Massing and setbacks of new construction compliment and reinforce visual dominance of historic structure.

2 The mass of additions and modifications made to historic structures should be visually compatible with the historic structure.

3 For larger additions, break up the massing of the addition into smaller modules that relate to the historic structure.

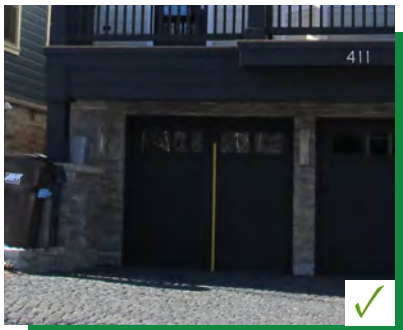


scale

In architecture, scale refers to a certain proportionate size, extent, or degree, usually judged in relation to some standard or point of reference. Scale is a unifying factor in the design of new infill and additions within the historic district and helps maintain the visual consistency of the neighborhood. Moreover, scale is also used to describe windows, doors, porches, as well as building materials such as cladding and trim. These elements all contribute to the visual coherence of new and historic buildings within the historic neighborhood.

1 Mass, scale, and height of buildings should follow the predominant pattern of the neighborhood.

2 Facade elements should be compatible in scale, proportion, texture, and finish to those used on Historic Sites.



sub·or·di·nate

Per historic preservation practices, subordinate design refers to additions or new construction that is visually contiguous to a historic structure, yet reinforces the visual dominance of the historic structure. While a smaller addition is visually preferable to achieve subordinate design, various design strategies (e.g. underground SF, placement on lot, choice of materials) can achieve this goal despite the fact that the addition may contain greater SF than the historic structure. Subordinate design can be achieved through the following principles as illustrated below. Other principles may apply to specific sites.

1 Simple design to prevent competition with primary facade.

2 Cornice Line & Upper Level Setbacks are consistent with the historic building.

3 New building is set back or a visual 'seam' is provided.

HISTORIC CHARACTER

4 Complementary street wall treatments.

STRATEGY: Maintaining Property Values within Historic District Designations

With the restrictions placed on historic districts for limiting alterations, compatibility of additions, and prohibiting demolitions, the question often arises of whether or not owning property in a historic district is economically beneficial compared to owning property outside of a historic district. Fearing a loss of property rights, many owners within historic neighborhoods are opposed to being included in a locally or federally designated historic district. The question of value has been studied within many communities of the United States with consistent findings of higher valuations within historic districts.

In a 2007 study, Dr. Jonathan Mabry researched the difference in property values and rates of appreciation between historic districts and typical neighborhoods. Dr. Mabry found that the greatest impact on rates of property appreciation occur within federally listed historic districts that also have local designation.[1] Local designation typically results in a design review process, guidelines, and restrictions on property renovations, demolitions, and new construction. Further, Dr. Mabry notes that "between 1976 and 1996 in Georgia, assessed property values in districts with both local and national designations increased at a rate of 47% compared to 23% for properties in districts with only the national designation." A second finding was that newer properties within historic districts benefit as much as the historic properties, in terms of appreciation. Moreover, studies conducted by economist Donovan D. Rypkema have shown that "property values within historic districts appreciate much faster than values in the community as a whole."[2]

> "Historic district designation typically increases residential property values by 5-35% per decade over the values in similar, undesignated neighborhoods." [5]

Historic district designation has a number of neighborhood benefits, including:

- Design review introduces certainty into the marketplace.[3]
- Increased participation by neighbors creates community involvement and protection of shared spaces from decline.
- Local historic district designation decreases investor uncertainty and insulates property values from wild swings in the housing market.
- Ensured community involvement through required regulatory review of design modifications by the historic commission.[4]

Preserving and retaining historic commercial structures downtown is vital to the community's economic health. Not only is the perceived

economic health a positive reflection of municipal leadership, it also encourages private investment that contributes to neighborhood business districts. Maintaining historic downtowns typically safeguards the diversity of space given that historic storefronts generally tend to be smaller than that which is built today. These smaller storefronts often appeal to local shops rather than retail chains that tend to have a prescribed "minimum" square foot requirement. Moreover, historic resources serve as a community asset for attracting cultural-heritage tourists who spend more and stay longer than the average US traveler. Historic character is a leading factor in attracting visitors to small towns.

Many communities and states have studied the economic benefits of historic preservation to understand its impact on their region. In January 2013, the Utah Heritage Foundation began collaborating with the Washington-based PlaceEconomics consulting firm to research the direct and indirect benefits of historic preservation on state and local economies in Utah. This study will include the economic impacts of building renovations and cultural-heritage tourism on property values within local historic districts.

Led by economist Donovan D. Rypkema, the study hopes to show that historic preservation is not an additional cost, but an investment in our local communities.

#37. It is seldom necessary to choose between new construction and historic preservation.

Historic preservation is often placed in the "either/or" trap: "Either we save those old buildings or we build nice new ones." Rarely, however, are those the only alternatives. In the cities with the finest historic structures and the strongest preservation protections--Charleston, Santa Fe, New York, San Francisco, Washington--new buildings are an important and wonderful part of the urban environment.

What that requires, however, is the willingness of local officials to make decisions. And decisions making sometimes means saying "no." A strong preservation policy doesn't mean a new building cannot be built. It does mean that it can't necessarily be put wherever the developer wants to put it.

> A lot of new buildings have replaced historic properties when they could have been built a block away on vacant land.
> -Atlanta developer Frank Howington

> The preservation movement has given America a measure of its past. Buildings considered disposable 25 years ago would not automatically be recycled, as the preservation ethic in community building strengthens and grows.
> --*Forum Journal*, "Preservation and the Public Realm"

--Excerpt from *The Economics of Historic Preservation: A Community Leader's Guide*

STRATEGY: Historic Preservation Toolbox

Design Guidelines

Design Guidelines are an effective tool for retaining the character of a historic district. The guidelines provide direction of best practices for additions to historic buildings and infill development on vacant lots. Historic District Design Guidelines create guidance on maintaining the street scape, site design, building form, local vernacular, and compatible development. For instance, guidelines for the site design will suggest the appropriate location of front entryways, porches, driveway locations, and garages based on the historic pattern of development. The purpose for adopting guidelines is to ensure that the historic district is not overwhelmed by new development and the historic character of a place is preserved.

Historic Preservation Deed Restrictions, Restrictive Covenants, and Historic Preservation Easements

Deed restrictions and restrictive covenants are effective ways to protect historic sites. Legally, the two terms are basically the same, as both place legal restrictions on the use and activities that may or may not occur on the property. These restrictions are placed on a property voluntarily by the owner, attached to the deed, and affect subsequent owners for the duration stipulated in the restriction. A deed restriction is a condition placed into the deed of the property. Only neighboring properties are able to enforce deed restrictions, and may not even realize that such restrictions exist.

While this may sound similar to a preservation easement, there are some important differences, depending on the local real estate and property laws. An easement is a legally recognized form of property owned by a third party, therefore an easement offers more permanent protection, as a deed restriction can be eliminated by the

courts, or by the written consent of the neighboring property owners.

Most importantly, property owners placing a deed restriction on their property do not receive federal and state tax deductions, as they would with a preservation easement. Similarly, more complex, preservation easements provide greater, longer lasting protection of historic sites. Preservation easements must be held by a third party to verify compliance. A regulatory agency should not manage preservation easements due to the conflict of interest.

Transfer of Development Rights (TDRs)

Transfer of Development Rights (TDRs) is a way to redirect development rights away from the historic district toward neighborhoods where additional growth is complementary and desired. TDRs allow communities to influence future growth by creating sending zones (area to be protected from development) and receiving zones (areas to capture the development in the transfer). As a preservation tool, the air rights around and above historic sites can be transferred from the historic site to a receiving zone. This tool was first adopted by the City of New York in 1968 and upheld in the Landmark Preservation Case protecting the National Landmark Penn Station.

Financial Incentives Available in the State of Utah:

Utah Heritage Foundation Revolving Loan Fund is for properties over 50 years old and preserved architectural integrity. Loans are for renovations and are given with interest at half the prime rate.

The ***UHF Preservation Easement Donation*** allows owners of national register-listed buildings to take a charitable gift tax deduction on federal tax returns in return for a preservation easement on the Nationally Listed Structure. Value is based on development potential of the land which the building occupies. Easements govern the future use of the building to insure appropriateness for the historic site.

Utah State Historic Preservation Office State Tax Credit for Residential Properties

Provides tax credits for renovations of residential structures listed on the national register within 3 years of the start of project. The work must comply with the Secretary of the Interior's Standards for Rehabilitation and spend a minimum of $10,000 over a period of 3 years. Tax credit for 20% of the total rehabilitation costs.

National Trust for Historic Preservation - Utah Preservation Initiatives Fund
Awards matching grants ranging from $500 to $10,000 for local governments and non-profits in preservation activities. Eligible activities include reuse feasibility, structural investigations, educational workshops, design guidelines, and other planning needs.

Park City Matching Grant
In 1987, the Park City Historic District Commission and City Council identified the preservation of Park City's historic resources as one of their highest priorities. The Grant Program has operated continuously since that time with the full support of subsequent City Councils and Preservation Boards. The grant provides a 50% match for preservation projects that provide a community benefit of preserving and enhancing the historic architecture of Park City in compliance with the Secretary of the Interior's Standards for Rehabilitation.

STRATEGY: Historic Preservation Toolbox

Federal Historic Preservation Tax Incentive

The Federal Government has created a 20% rehabilitation tax credit for rehabilitation of certified historic structures. The National Park Service (NPS) must approve, or "certify," all rehabilitation projects seeking the 20% rehabilitation tax credit. A *certified rehabilitation* is a rehabilitation of a *certified historic structure* that is approved by the NPS as being consistent with the historic character of the property and, where applicable, the district in which it is located. The 20% rehabilitation tax credit equals 20% of the amount set in a certified rehabilitation of a certified historic structure. The certified historic structure must be listed individually in the National Register of Historic Places or as a building that is located in a registered historic district and certified by the National Park Service as contributing to the historic significance of that district. The National Parks Service acts on behalf of the Secretary of the Interior, in partnership with the State Historic Preservation Officer (SHPO).

The High West Distillery, shown prior to restoration above and post-restoration below, was a very successful project illustrating the adaptive reuse of two historic buildings - the Beggs House (1914) and the Watts Garage (1907).

Financial Incentives used by other cities in Utah:

Cedar City Lease Subsidy Program – Two year program, first year rent subsidy is up to $345 per month, second year rent subsidy is up to $175 per month. Only 'for profit' business new to Downtown district are eligible.

Cedar City Tenant Façade Improvement Grants – 80/20 grants for up to $30,000 for facades to restore and/or rehabilitate downtown buildings. Must be located in downtown district with business on the ground floor.

Logan Welcome Home – Own in Logan – Participants can get a grant of $5,000 and an additional $2,500 in matching funds. The subsidy does not have to be repaid if the house remains owner-occupied and the full amount is completely forgiven after 10 years. Must be a first time homebuyer with income below 80% AMI for Cache County.

Provo Residential Historic Preservation Loan – Maximum loan for $10,000 with an equal match to be provided by the applicant. Loan is a 0%, 15-year loan with payments beginning upon completion of the project. The project must be completed within 6 months with a possible 6 month extension. The home must be in a historic neighborhood and listed on the Provo City Landmarks Register, or the owner is willing to put it on the register as a condition of approval.

Salt Lake City High Performance Building Renovation Loans – Maximum amount of loan is for 50% of eligible hard costs. Amortization rate is a max period of 20 years with interest rates of 3% until applicant has proven LEED certification or ENERGY STAR rating for improvements. After verification, loan is re-amortized at a 0% rate on the current balance remaining.

"Between 2001 and 2011, this tax incentive [the federal historic tax credit] has worked (in some cases with our historic tax credit), to transform 63 formerly vacant or under-utilized historic buildings in Utah, totaling nearly $200 million in project costs, at a cost of only $31.5 million to federal tax payers. I can personally attest to the importance of this credit in making projects possible. Without it, historic rehabilitation projects that preserve Utah's history while creating good paying, skilled jobs would simply not happen. It is hard to imagine downtown Salt Lake without the Market Street Grill, the Ken Garff Building, or the Big-D Headquarters. They should not be taken for granted. Without the credit to make the higher costs of historic rehabilitation feasible, these places could easily be rubble."

--Kirk Huffaker,
Utah Heritage Foundation

STRATEGY: Historic Preservation Toolbox

Cultural-Heritage Tourism

Cultural-heritage tourism provides opportunities for visitors to experience the places, activities, and culture that characterize the people of the past and present. These natural, historic, and cultural resources contribute to the community's overall sense of place as well as its distinctive identity. As one of the fastest growing segments of the tourism industry, cultural-heritage tourism benefits the local economy through financial investment; however, cities must also ensure that increased tourism does not destroy the community's authentic character that attracts visitors. Great places to visit are great places to live, and so it is necessary that cities balance the needs of both tourists and residents in order to maintain and improve the region's quality of life.

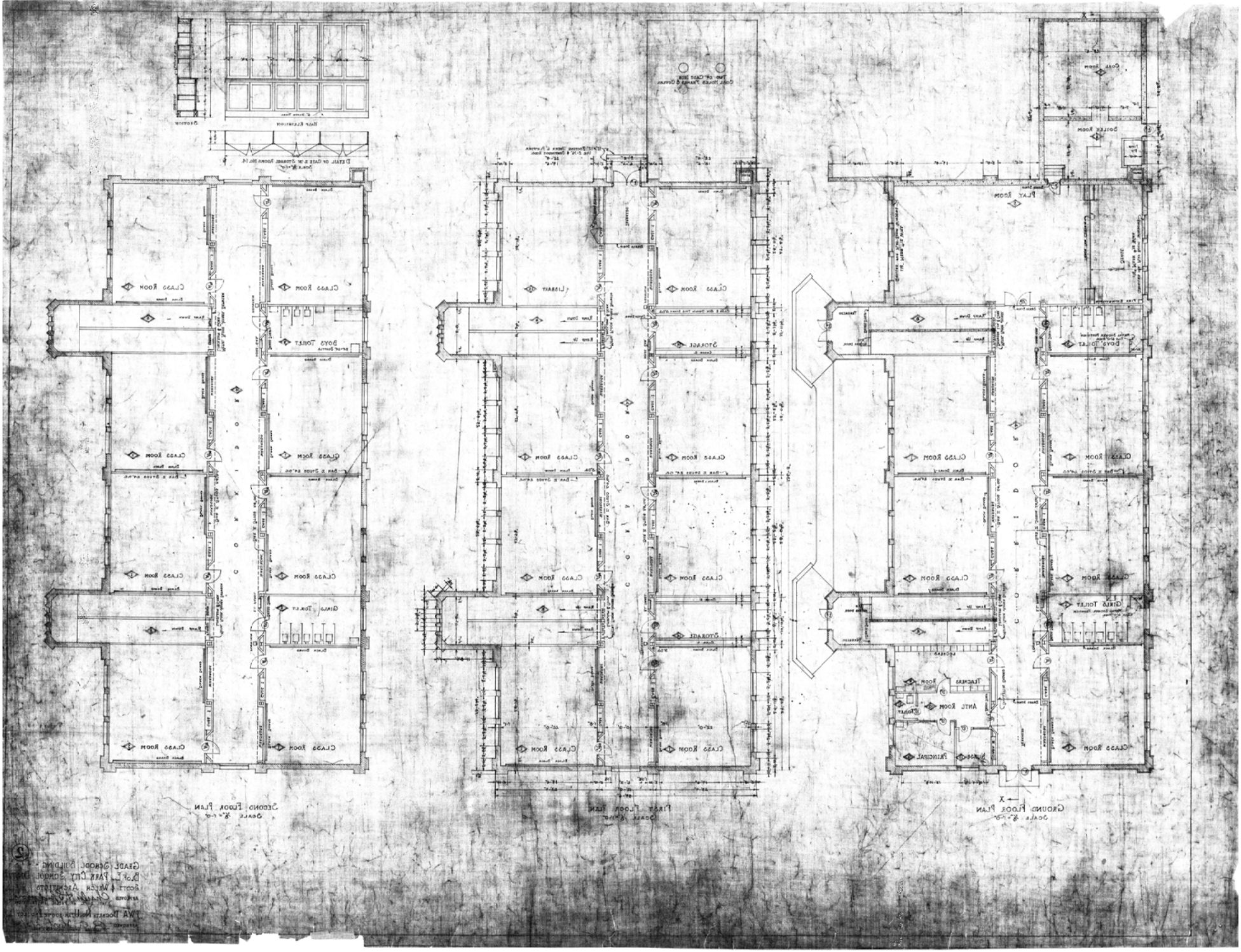
Each community has a unique identity and sense of place comprised of its natural, historic, and cultural resources. Visitors are drawn to Park City not only for our world class ski resorts and year-round recreational opportunities, but also for the scenic beauty of our natural landscapes. The preservation of our mining-era structures, honored in our National Register-listed Old Town and Historic Main Street, gives Park City its unique identity. Park City's reputation as a world-renowned arts community is further emphasized by the quality and diversity of our fine, performing, and culinary arts. Furthermore, annual festivals and events enliven the spirit of Park City by celebrating the work of local artists, musicians, and craftsmen.

As a resort community, Park City's economy is dependent on cultural-heritage tourism. Seventy-eight percent of today's travelers are considered cultural heritage visitors (CHV), and these visitors travel greater distances to their destinations, stay longer, and invest more dollars in the local economy than traditional tourists.[7] Cultural-heritage tourism supports a sustainable economy by creating seasonal and non-seasonal employment, fostering opportunities for local business development, and diversifying local industry. Increased property values and the higher cost of goods and services in a resort economy increases tax revenues for the City, allowing these revenues to be reinvested to the benefit of both residents and visitors. While cultural heritage tourism can have a positive impact on the local economy, it is also vital that the City mitigate the adverse effects of tourism in order to maintain a high quality of life for residents.

Cultural-heritage tourism provides a unique sense of place that contributes to the City's overall quality of life. As individuals have greater opportunities to live and work where they choose, rather than live where they work, it is essential that cities provide opportunities for living, playing, working, and investing. Park City's mix of culture, arts, and year-round recreational opportunities give the City a distinctive feel that attracts business, creates job opportunities, and heightens the community's overall quality of life and identity. As sense of place becomes more significant than ever before, the distinctive identity of a city contributes to its ability to attract a diverse population of full and part-time residents, as well as visitors. This diversity fosters the retention of full-time residents.

Cultural-heritage tourism is an integral part of Park City's sense of place, resort atmosphere, and tourism-based economy. By preserving our natural, historic, and cultural resources, Park City has created a unique sense of place that lends itself to cultural-heritage tourism as well as attracting new full and part-time residents. From our cultural institutions to seasonal festivals, the amenities of living in a resort town ensure a high quality of life for Parkites. Moreover, our tourism-based economy supports seasonal job creation, fosters the development of small business, and increases local property values. Cultural-heritage tourism has had a positive impact on Park City, contributing to the revitalization of Main Street and the overall resurgence of our town.

EXHIBIT L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FIRST FLOOR PLAN
GROUND FLOOR PLAN
CLASS ROOM
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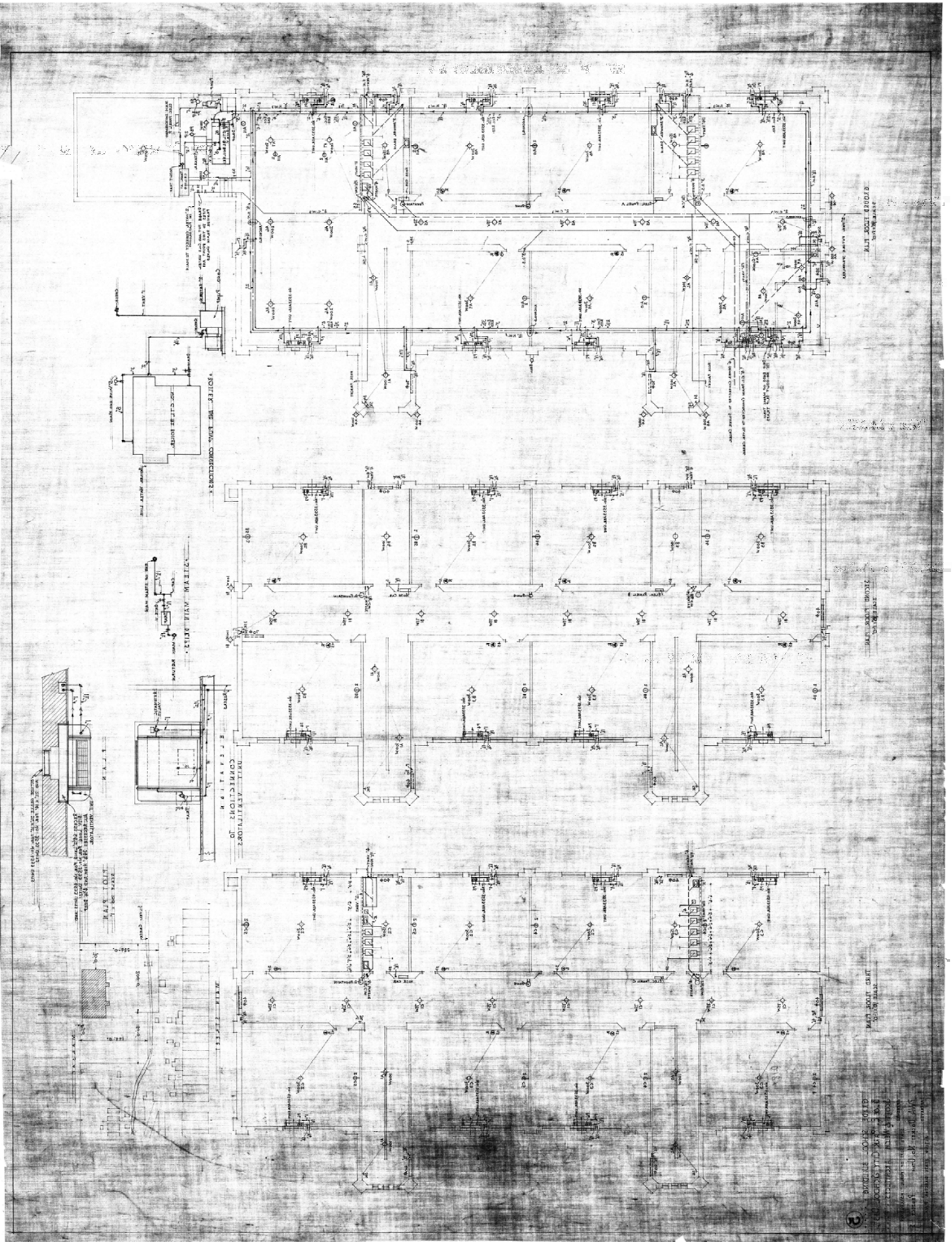
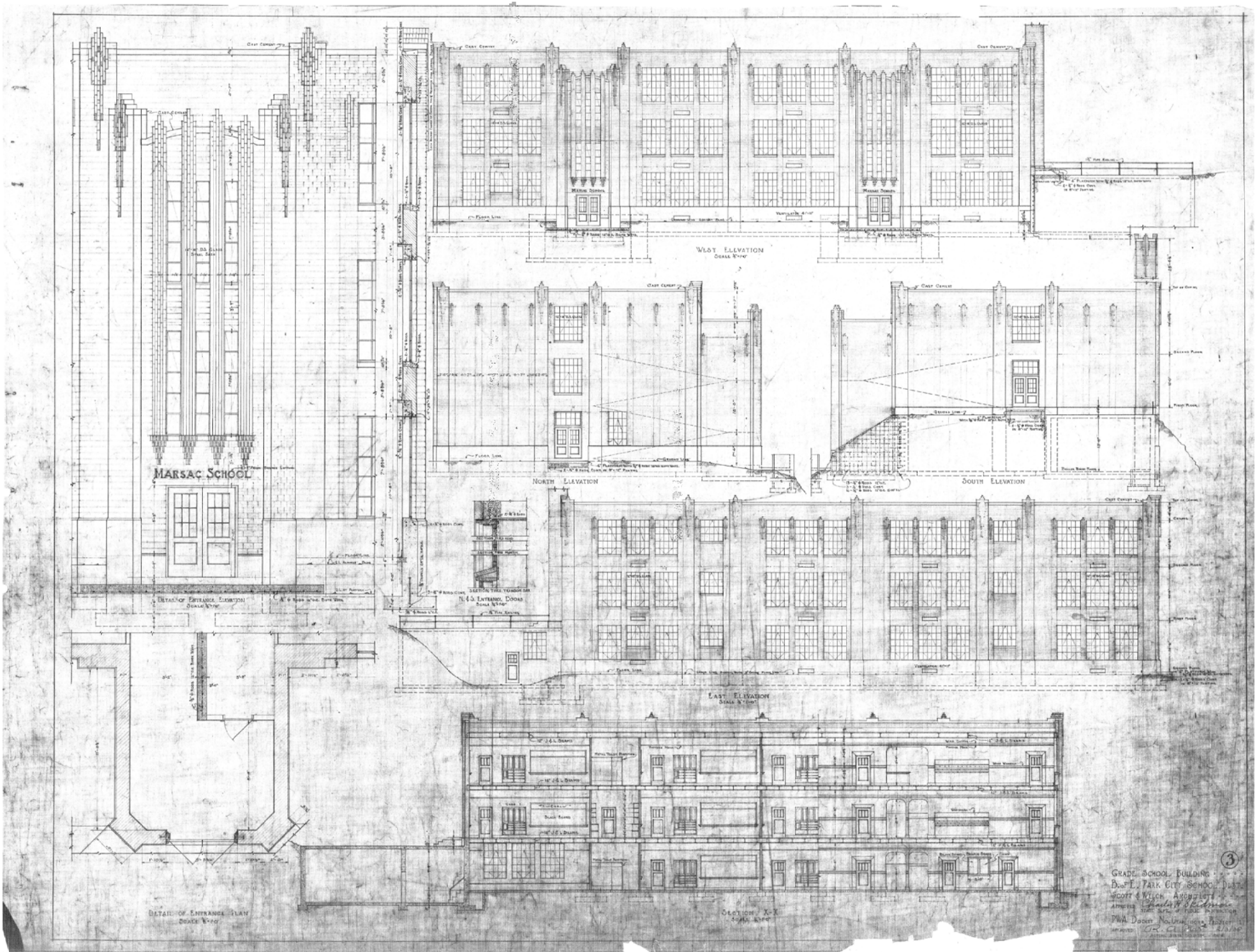
LIBRARY
STORAGE
PLAY ROOM
POLICE ROOM
TEACHERS ROOM
JANITOR ROOM
PRINCIPAL




MARSAC SCHOOL
WEST ELEVATION
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SOUTH ELEVATION
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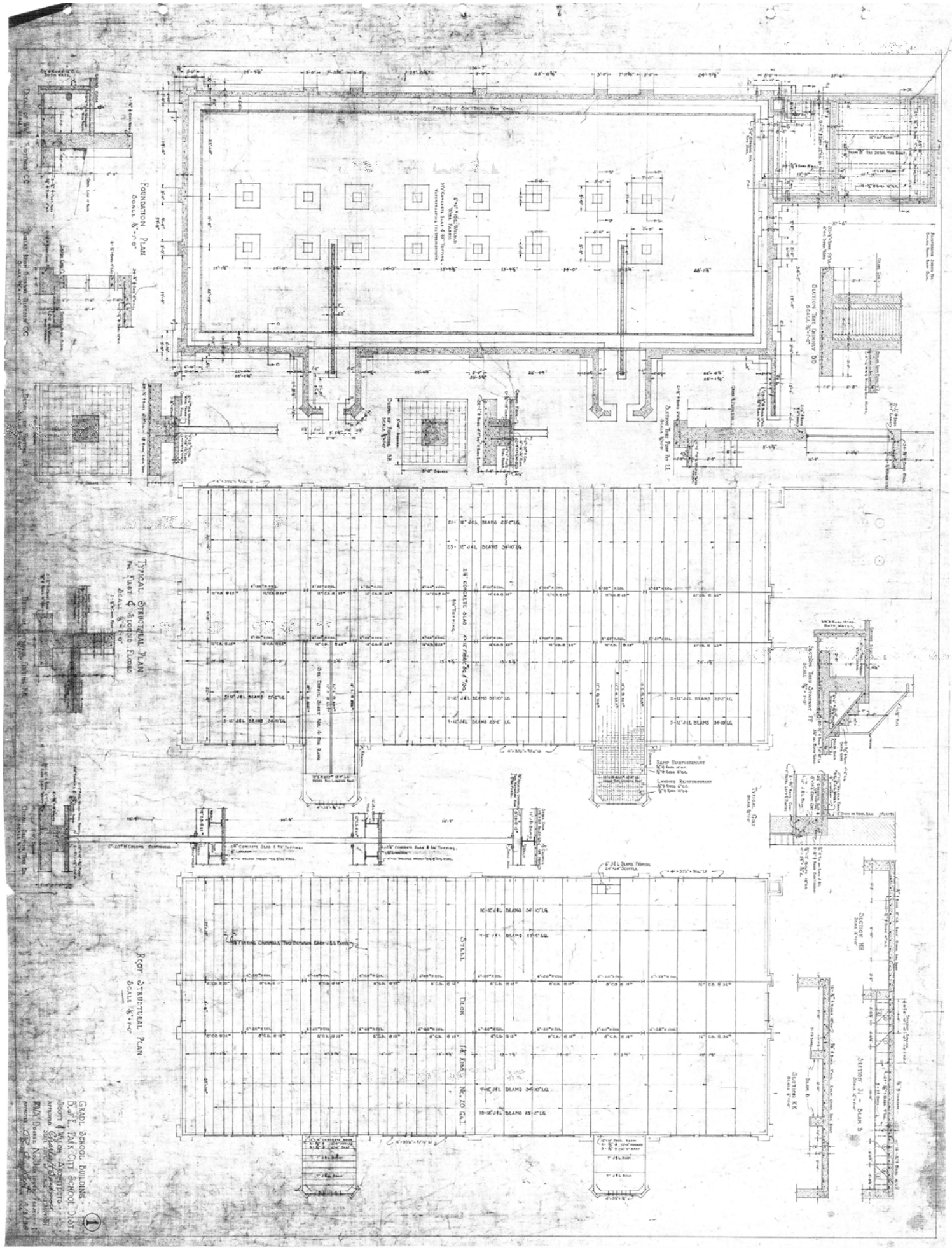
N & S. ENTRANCE DOORS
GRADE SCHOOL BUILDING
PWA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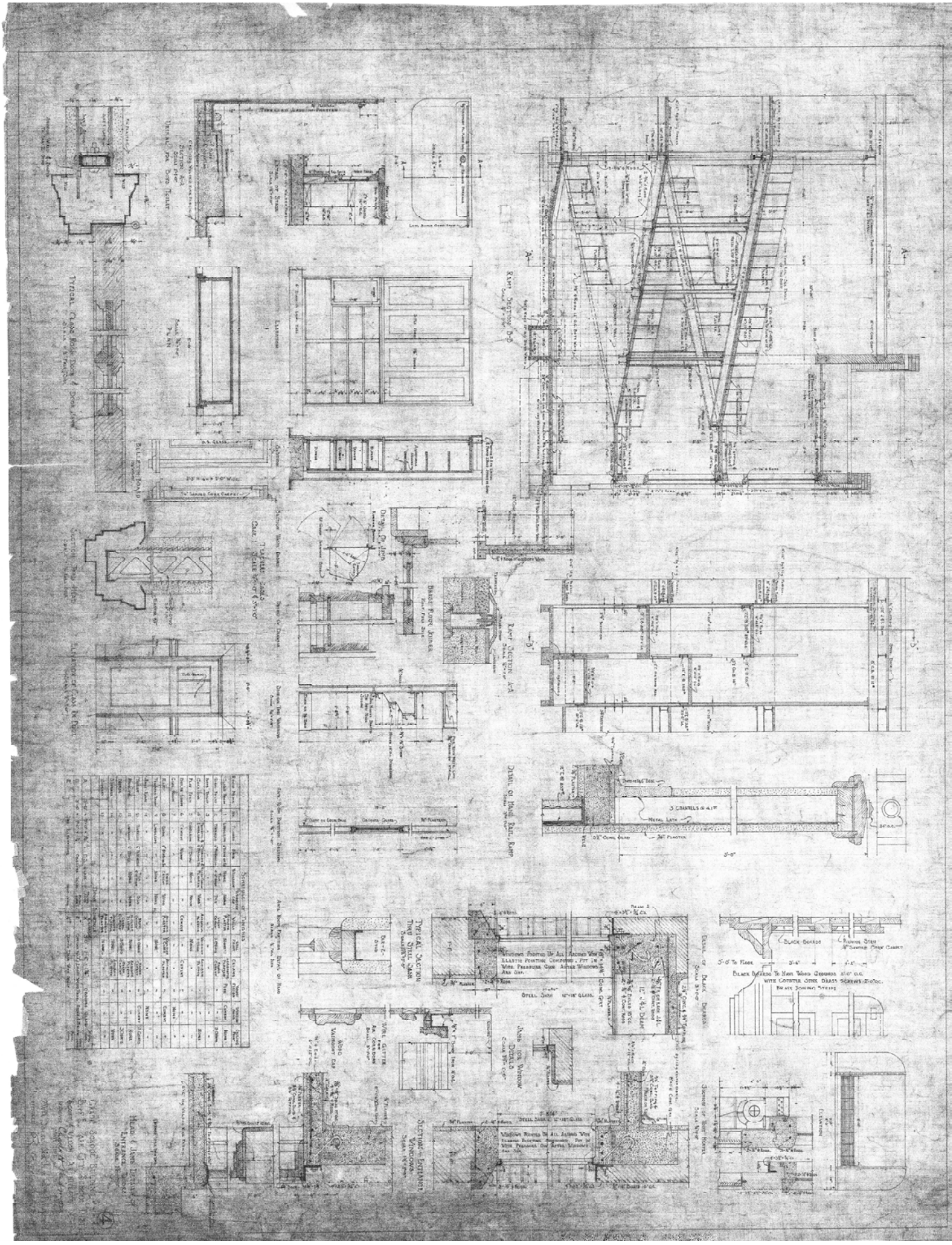
TYPICAL STRUCTURAL PLAN
ROOF STRUCTURAL PLAN
STEEL DECK
GRADE SCHOOL BUILDING
B. OF E. PARK CITY SCHOOL DIST.
SCOTT & WILSON ARCHITECTS
PWA DOCKET NO.



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BEFORE THE PARK CITY BOARD OF ADJUSTMENTS

ERIC HERMANN and SUSAN FREDSTON-HERMANN, Appellants, v. PESKY PORCUPINE LLC, a Utah limited liability company Appellee.	**BRIEF IN OPPOSITION TO HERMANNS' APPEAL** **Hermanns' Appeal of HDDR Project No. PL-23-05522**

Pesky Porcupine LLC ("**Applicant**") the land use applicant and owner of the real property located at 220 King Road, Park City, Utah (the "**Applicant's Property**") respectfully requests that the Board of Adjustments ("**BOA**") deny the appeal of Eric Hermann and Susan Fredston-Hermann (collectively, the "**Hermanns**" and the appeal itself, the **"Hermanns' Appeal**") for the reasons discussed below.

I. Background

The Applicant intends to construct a new residence on the Applicant's Property ("**Proposed Home**"). On August 15, 2024, the Park City Planning Director ("**Director**") conducted a public hearing and approved the Historic District Design Review ("**HDDR**") for the

Proposed Home and memorialized the approval in a final action letter issued on August 15, 2024 ("**HDDR Final Action Letter**"). The Applicant obviously agrees with the Director's ultimate decision to approve the HDDR but disagrees with two conditions of that approval and has appealed those two conditions. The basis for the Applicant's appeal of the two conditions is separate from the failed legal arguments raised by the Hermanns.

By way of background in 2022, after discussions with the City about the proper way to proceed, the Applicant submitted applications to the City for a plat amendment, single family home conditional use permit, and a steep slope conditional use permit. Thereafter on January 18, 2023, the Applicant submitted an HDDR application to the City.

Upon receipt of the HDDR application, the City engaged SWCA as an outside consultant to analyze the proposed HDDR application. On April 26, 2023, SWCA submitted to the City a technical memorandum ("**SWCA Memorandum**"). The SWCA Memorandum is the basis for virtually all of the arguments and claims in the Hermmans's Appeal.

The SWCA Memorandum made several recommendations to the Applicant to revise the proposed plan to comply with the HDDR standards. Thereafter, over the course of several work sessions with the City's professional planning staff and numerous public meetings including with the Park City Planning Commission ("**Planning Commission**"), the Applicant modified and updated its plans several times to respond to the City's feedback and the SWCA Memorandum. The SWCA Memorandum has never been updated to reflect the Applicant's revised plans.

On February 14, 2024, the Planning Commission approved the plat amendment, single family home conditional use permit, and steep slope conditional use permit ("**Prior Approvals**"). Thereafter on February 21, 2024, the Planning Commission issued its final action letter for the Prior Approvals ("**PC Final Action Letter**")[1]. The SWCA Memorandum and the design of the Proposed Home were specifically and repeatedly discussed by the Planning Commission's during its deliberations before granting the Prior Approvals. Notably, the Planning Commission approved the Proposed Home's design and expressly conditioned the Prior Approvals upon the final building plans being consistent with the plans the Planning Commission approved. (*See* PC Final Action Letter, Condition A, Page 14.)

After obtaining the Prior Approvals and discussion with the City about the property way to proceed, the Applicant sought HDDR approval. On August 15, 2024, the Director issued the HDDR Final Action Letter. Thereafter on August 23, 2024, the Applicant appealed two conditions imposed in the HDDR Final Action Letter. On August 29, 2024, the Hermanns submitted an appeal of the HDDR approval ("**Appeal Letter**").

II. Standard of Review

[1] The Prior Approvals were appealed by others for several reasons, some of which overlapped with this HDDR review. The Park City Appeal Panel generally affirmed the Prior Approvals except the Park City Appeal Panel remanded a narrow issue related to Park City's Sensitive Land Overlay ordinance. On remand, the Planning Commission addressed the narrow issue raised by the Appeal Panel and thereafter the Appeal Panel affirmed the entirety of the Planning Commission's decision.

Prior to reaching the merits of the appeal, the Hermanns must show that they have standing to appeal and that the BOA has jurisdiction over the issues. As discussed below, neither of these are true and this appeal can be quickly dismissed without reaching the merits.

If, however, the BOA reaches this appeal's merits, the Hermanns have "the burden of proving that the land use authority erred." Park City Land Management Code ("**LMC**") § 15-1-18.G; *see also* Utah Code § 10-9a-705. While the BOA reviews factual matters de novo, "without deference to the land use authority's determination of factual matters" (LMC § 15-1-18.G) in making a determination of "error", the BOA "shall determine the correctness of the land use authority's interpretation and application of the plain meaning of the land use regulations, and interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application." LMC § 15-1-18.G. In other words, the Hermanns must show that the applicable land use regulations unambiguously support their arguments, and that the Director's interpretation of those legal regulations was clearly wrong. The Hermanns' Appeal is not fact-based since the plans for the home are what they are and the law is what it is. Instead, the Hermanns's Appeal is a challenge to whether the legal interpretation by the Director that the design of the home complies with the applicable law and the Prior Approvals was erroneous.

III. **Analysis**

A. <u>The Hermanns Lack Standing to Challenge the HDDR Approval.</u>

At its most basic level, standing ensures that a party seeking a legal remedy has a right to participate in the case. *See Alpine Homes, Inc. v. City of West Jordan*, 2017 UT 45, ¶ 2, 424 P.3d 95. If a person lacks standing, then the appeal body has no jurisdiction to hear and decide the dispute. *Id. S*tanding is a jurisdictional prerequisite to deciding the merits of the matter. *Id.*

For typical land use appeals in Park City, standing is authorized for the persons identified in LMC § 15-1-18.D. For HDDR appeals, however, only the land use applicant has standing to appeal. Specifically, LMC § 15-1-18.E provides that "for an appeal from a decision by the historic preservation authority which is a decision by Staff regarding the Design Guidelines for Historic Districts . . . *the applicant* may appeal the decision within thirty (30) days . . . ." (emphasis added). The LMC's limitation of HDDR appeals to "the applicant" must be deemed intentional. *See McKitrick v. Gibson*, 2021 UT 48, ¶ 37, 496 P.3d 147 (courts "presume, absent a contrary indication, that the legislat[ive] [body] used each word advisedly.") (cleaned up); *Bagley v. Bagley*, 2016 UT 48, ¶ 10, 387 P.3d 1000 ("the expression of one [term] should be interpreted as the exclusion of another.") (alteration in original). Standing cannot be extended to persons not authorized by the applicable ordinance. *See McKitrick*, 2021 UT 48, ¶ 48.

Pesky Porcupine LLC is the sole applicant here and is therefore the only party that has standing to appeal the HDDR approval. It makes sense to limit standing to only the applicant because the purpose of HDDR is to preserve Park City's historic nature as determined by the City. It is not to allow any self-appointed gadfly, whatever their proximity to the property, to seek to impose their own vision of the historicity of a particular design is.. Because the Hermanns are not the applicant, they lack standing to appeal under LMC § 15-1-18.E. Thus, the Hermanns Appeal must be dismissed.

B. The BOA Lacks Jurisdiction Over the Issues Raised in the Hermanns' Appeal.

Utah follows a general rule that a "trial court is divested of jurisdiction over a case while it is under advisement on appeal." *Hi-County Estates Homeowners Ass'n v. Foothills Water Co.*, 942 P.2d 305, 306 (Utah 1996). That is, "jurisdiction transfers from the district court to the appellate court . . . once a notice of appeal is filed." *Jones v. Mackey Price Thompson & Oslter*, 2020 UT 25, ¶ 89, 469 P.3d 879. This rule fosters judicial economy and prevents confusion and inefficiency that would result if two courts simultaneously were considering the same issues. *See Hunter v. Town of Mocksville*, 271 F. Supp. 3d 787, 791–92 (M.D. N.C. 2017). Although these rules typically apply to jurisdiction between an appellate court and district court, they are analogous to land use appeals where the district court acts as the appellate court for a local appeal authority's decision.

Here, the Planning Commission previously approved essentially all of the Proposed Home's design that are being challenged by the Hermanns' Appeal, as discussed more fully in the chart below. That decision was affirmed on appeal by the Park City Appeal Panel. Thereafter, the Hermanns appealed the appeal panel's determinations to district court pursuant to Utah Code § 10-9a-801(2)(a), and that appeal remains pending. Because the Prior Approvals regarding the Proposed Home's design are before the district court, the BOA lacks jurisdiction over this matter. It would be unwise for the BOA to issue a decision on this Hermann appeal because there is a substantial risk of confusion and inefficiency if the BOA issues a decision inconsistent with the issues pending before the district court.

C. The HDDR Approval was Consistent with the Applicant's Vested Rights in the Planning Commission's Prior Approvals.

In Utah, development rights vest when an applicant submits a complete application and pays the required application fee. Utah Code § 10-9a-509(1)(a)(ii). The purpose for this rule is to "prevent the retroactive application of changes in zoning or land use law." *See Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388, 390–91 (Utah 1980). In addition to the vested rights that attach to a complete application, an applicant has vested rights in Prior Approvals issued by a city. This provides a property owner "with some degree of assurance that the basic ground rules will not be changed in midstream." *Id.* at 396.

The Appeal Letter raises several arguments about how the Proposed Home's design is supposedly inconsistent with the HDDR ordinance. These arguments are moot because the Planning Commission already approved the Proposed Home's design and required that the Proposed Home be constructed consistent with the approved plans (*See* PC Final Action Letter, at Condition A, Page 14.). The Applicant is entitled to rely upon the Prior Approvals and the BOA is prohibited from rendering a decision here that is inconsistent with the Planning Commission's prior decision. Below is a summary of the Hermanns' arguments and the Planning Commission's determination on the issue.

Hermanns' Argument	Planning Commission Decision
The Proposed Home is neither compatible with historic structure in materials, features, size, scale, proportion, and massing, nor broken up	The Planning Commission concluded that the Proposed Home was an appropriate size and location (PC Final Action Letter, at Additional

into volumes that reflect the original massing of historic buildings (Appeal Letter, at 2, 9, and 10).	Finding 9, Page 9.) Likewise, the Proposed Home was appropriately massed, bulked and oriented (PC Final Action Letter, at Additional Finding 9.h, 9.i, Page 12.) The Planning Commission also approved a plat note directed at breaking up the Proposed Home's massing (PC Final Action Letter, Exhibit B, Note 7, Page 8.)
The design does not reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's historic sites. (Appeal Letter, at 3).	The Planning Commission already approved the Proposed Home's building plan and expressly required the Applicant to construct a home consistent with those plans (PC Final Action Letter, at Condition A, Page 14.) The Proposed Home's character has already deemed to be compatible with the surrounding area (PC Final Action Letter, at Additional Finding 9.k, Page 12.)
The Proposed Home conflicts with the character of Park City's historic sites. (Appeal Letter, at 4).	The analysis here is the same as the previous item.
The Proposed Home does not minimize cut, fill, and the use of retaining walls. (Appeal Letter, at 4).	The Planning Commission approved a steep slope conditional use permit and expressly determined that the cut, fill, and retaining walls for the Proposed Home were appropriate. (*See, e.g.* PC Final Action Letter, at Additional Finding 10.a, Page 19; Condition JJ, at 20.)
The Proposed Home's exterior structures are not compatible with neighboring historic structures. (Appeal Letter, at 5).	The Planning Commission already expressly approved the Proposed Home's exterior structures. For example, it approved the roof design and height. (*See* PC Final Action Letter, at Condition P, Page 15.) It also revised a plat note to accommodate a taller building height for access and light features. (PC Final Action Letter, Exhibit B, Note 5, Page 8.) Finally, it imposed several conditions targeted at the Proposed Home's façade (*See, e.g.* PC Final Action Letter, Conditions W, X, and Y Page 16 .)
The Proposed Home's scale and height does not respect the architecture of the character area. (Appeal Letter, at 5).	The Planning Commission determined that the Proposed Home's scale was consistent with the LMC. (*See* PC Final Action Letter, at Additional Finding 10.f, Page 19.) The Planning Commission also approved a plat note that limited the Proposed Home's building height. (PC Final Action Letter, at Exhibit B, Plat Note 5, Page 8.)

The size and mass of the Proposed Home is not compatible with the size of the site. (Appeal Letter, at 6, 10).	The Planning Commission correctly concluded that the Applicant's Property is notably larger than most building lots in the area and that the ratio of lot size to the Proposed Home is significantly smaller than neighboring residences (PC Final Action Letter, at Additional Findings 9.a.i, Page 10.)
The Proposed Home creates an unmitigable risk of physical damage to nearby historic sites. (Appeal Letter, at 7).	The Planning Commission has already approved a steep slope conditional use permit for the Applicant's Property and has thereby confirmed there is no unreasonable risk of a landside. (PC Final Action Letter, at Findings of Fact 9, Page 18.)
The Proposed Homes does not reinforce visual unity within the context of the character area. (Appeal Letter, at 7, 9–10).	The Planning Commission determined that the Proposed Home would not visually impact adjacent uses and thereby determined that it was visually unifying with the area (PC Final Action Letter, at Findings of Fact 3 and 9, Page 9–10.)
The Proposed Home does not use traditional building forms (Appeal Letter, at 9).	The LMC does not require that the Proposed Home use "traditional building forms" but only "encourage[s]" such use. Nevertheless, the Planning Commission already approved the building form for the Proposed Home (*See* PC Final Action Letter, at Condition A, Page 14.)
The Proposed Homes does not include variations in roof height in order to break up the form, mass, and scale of the original structure (Appeal Letter, at 11)	The Planning Commission reviewed and approved the roof design, variation, and height and required that the final plans be consistent with the already approved roof. (*See* PC Final Action Letter, at Condition P, Page 15.)
The Proposed Home does not comply with the specific roof requirements (Appeal Letter, at 11).	The analysis here is the same as the previous item.

The Director approved the HDDR application consistent with these Prior Approvals. The BOA should affirm these findings and conclude that the HDDR was consistent with the Applicant's vested rights in the Prior Approvals.

D. <u>The HDDR Ordinance's Subjective Standards Must be Construed in the Applicant's Favor.</u>

The Appeal Letter construes the HDDR ordinance as if it must be strictly applied against the Applicant. That proposed strict construction is directly refuted by the language of the HDDR ordinance itself and would also violate basic principles of the construction of land use regulations in Utah. LMC 15-13-1 states that the HDDR regulations are a "framework" and are "not intended to be used as a technical manual for rehabilitating or building a structure, nor are they an instruction

booklet for completing the Historic District/Historic Site Review Application." They are instead "a foundation for making decisions and a framework for ensuring consistent procedures and fair deliberations." As further evidence that the HDDR ordinance is not intended to be strictly construed, LMC § 15-11-12.A.2 authorizes the Director to determine the applicability thereof. This affords the Director significant discretion in applying the HDDR ordinance. Finally, if there is any doubt as to the applicability or interpretation of an HDDR regulation, it must be resolved in the Applicant's favor. *See Ferre v. Salt Lake City*, 2019 UT App 94, ¶ 17, 444 P.3d 567 (explaining that ordinances must be "liberally construed in favor of the property owner."); Utah Code § 10-9a-707(4) (same); LMC § 15-1-18.G (same).

The Appeal Letter argues that the Director's interpretation was illegal because the Proposed Home design is supposedly inconsistent with the HDDR ordinance. This cannot true because the HDDR regulations do not provide objective metrics, but are, as the policy statement acknowledges, simply a "framework" or "instruction booklet" to guide decision making. Specifically, the Appeal Letter argues that the Proposed Home "radically conflicts with the character of Park City's Historic Sites." (Appeal Letter, at 4.) This is a subjective assessment where reasonably minds could disagree as to whether the Proposed Home fits with the character of the area. For example, the Director found that it complies and the Hermanns believe it does not comply. The HDDR decision was not illegal simply because the Hermanns dislike the design or do not believe it "fits" within the neighborhood. If there is any doubt as to whether the Proposed Home complies with the HDDR ordinance, such doubts must be resolved in the Applicant's favor. The potential for just this type of "beauty is in the eye of the beholder" conflict is precisely why, as noted above, the Hermanns have no standing to even make this appeal. The BOA is not the superior judge of beauty (or historicity) over the determination of the Director herself.

Finally, the Appeal Letter's primary "evidence" that the Proposed Home is supposedly inconsistent with the HDDR ordinance is the SWCA Memorandum. The SWCA Memorandum, however, was based upon very early iterations of the Proposed Home and the design plans underwent significant revisions to respond to the SWCA Memorandum's comments (*See* HDDR Final Action Letter, at 4.) Although the SWCA Memorandum may have identified what it believed to have been some historic deficiencies in early iterations, the SWCA Memorandum was never been updated to reflect the current design. Importantly, the City's staff carefully analyzed the Proposed Home's current design against the SWCA Memorandum and ultimately concluded that the Proposed Home complied with the HDDR ordinance. Relying on the SWCA Memorandum as a basis for denial would be like relying on the instruction manual for Windows 7 to figure out how to run a program on Windows 11.

IV. **Conclusion**

The Hermanns' Appeal fails for several reasons. First, the Hermanns are not within the class of people authorized by the LMC to challenge an HDDR review. Thus, they lack standing, and this appeal should be dismissed without reaching the merits. Second, many of the issues on this appeal were previously decided by the Planning Commission and are subject to an ongoing appeal before the district court. Jurisdiction over these issues lies with the district court and the BOA lacks jurisdiction. Third, even if the Hermanns had standing and the BOA had jurisdiction, the Applicant has a vested right in the Prior Approvals which resolved nearly all the issues in this appeal. Finally, the Hermanns' substantive arguments fail because the HDDR ordinance is not

intended to be strictly construed against the Proposed Home and the Hermanns over reliance on the un-updated SWCA Memorandum is, almost by definition, without merit. The Proposed Home complies with the HDDR ordinance and thus the Director's decision should be affirmed.

DATED: November 5, 2024.

BRUCE R. BAIRD PLLC

/s/ Bruce R. Baird
Bruce R. Baird

SNELL & WILMER L.L.P.
Wade R. Budge
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Attorneys for Pesky Porcupine LLC

Planning Department

November 12, 2024

Eric and Susan Fredston-Hermann

CC: Justin Keys, Hoggan Lee Hutchinson

NOTICE OF BOARD OF ADJUSTMENT ACTION

Description

Address:	220 King Road
Zoning District:	Historic Residential – 1-Master Planned Development (HR-1-MPD)
Application:	Appeal of the Planning Director's approval of a Historic District Design Review
Project Number:	PL-24-06263 – Appeal PL-23-05522 – Historic District Design Review
Action:	DENIED
Date of Final Action:	November 12, 2024
Project Summary:	The Appellant argues the Planning Director erred in approving the Historic District Design Review for a Single-Family Dwelling and Accessory Building at 220 King Road.

Action Taken

On November 12, 2024, the Board of Adjustment conducted a public hearing and denied the appeal according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. In 2022, the Applicant submitted a Plat Amendment, Steep Slope Conditional Use Permit (SSCUP), Conditional Use Permit (CUP), and Historic District Design Review (HDDR) applications for the construction of a new SFD and Accessory Building at 220 King Road.

2. 220 King Road is a 1.23-acre lot in the Historic Residential-1-Master Planned Development (HR-1-MPD) Zoning District and is Lot 2 of the Treasure Hill Subdivision Phase I within the Sweeney Master Planned Development (Sweeney MPD).
3. The Sweeney MPD and Treasure Hill Subdivision background is outlined below:
    a. In 1986, the City Council approved the Sweeney MPD, which required development to be clustered, to minimize the impact of development on Old Town through the platting process, as well as Condition of Approval 6 which requires review for conformance with the Historic District Guidelines and related architectural requirements.
    b. In 1987, the City Council approved an Amendment to the Sweeney MPD, which reallocated 12 Unit Equivalents to accommodate extended ski trails. The amended Sweeney MPD located two Unit Equivalents off King Road, one off Upper Norfolk, and one off 5th Street, with approximate Single-Family Dwellings that later became part of the Treasure Hill Subdivision. The 1987 amendment created 200 and 220 King Road and required a CUP for future development to ensure impacts of the development are minimized.
    c. The Sweeney MPD required the rezone of parcels within the MPD.
    d. In 1990, the City Council approved Ordinance No. 90-24 to rezone 200 and 220 King Road from HR-1 to HR-1-MPD.
    e. In 1995, the City Council approved the Treasure Hill Subdivision Phase I with plat notes that regulate development at 220 King Road in accordance with the Sweeney MPD, including Building Footprint, Building Area Limits, Façade Height, and Massing.
    f. All SFDs within the HR-1-MPD Zoning District in the Treasure Hill Subdivision were required to obtain CUP approval from the Planning Commission for conformance with the Treasure Hill Subdivision plat regulations and Sweeney MPD prior to HDDR approval:
        i. **Lot 1, 200 King Road** – Appellant's vacant property.
        ii. **Lot 2, 220 King Road** – On March 12, 1997, the Planning Commission approved a CUP for the SFD and Guest House at 220 King Road. On March 17, 1997, the Planning Department approved an HDDR for the project.
        iii. **Lot 3, 425 Norfolk Avenue** – On January 8, 1997, the Planning Commission approved a CUP for the SFD. On January 27, 1997, the Planning Department approved an HDDR for the project.
        iv. **Lot 4, 375 Norfolk Avenue** – On January 22, 1997, the Planning Commission approved a CUP for the SFD. On January 27, 1997, the Planning Department approved an HDDR for the project.

v. **Lot 5, Open Space**

vi. **Lot 6, 503 ½ Woodside Avenue** – On March 23, 2005, the Planning Commission approved a CUP for the SFD. On May 2, 2005, the Planning Department approved an HDDR for the project.

vii. **Lot 7, 503 Woodside Avenue** – On March 23, 2005, the Planning Commission approved a CUP for the SFD. On May 2, 2005, the Planning Department approved an HDDR for the project.

viii. **Lot 8, 445 King Road** – This singular property within the Sweeney MPD is in the Estate Zoning District and does not require HDDR review.

4. The proposed project was reviewed as follows:
    a. October 26, 2022 – the Planning Commission was scheduled to conduct a work session on the 220 King Road applications. The work session was continued to a later date at the request of the Applicant for additional time to consider their proposal.
    b. October 11, 2023 – the Planning Commission conducted a work session on the 220 King Road applications.
    c. January 24, 2024 – the Planning Commission conducted a work session on the 220 King Road applications.
    d. February 14, 2024 – the Planning Commission conducted a public hearing and approved the Plat Amendment, SSCUP, and CUP for the development of the SFD and Accessory Buildings at 220 King Road.
    e. February 21, 2024 – the Planning Commission ratified the Final Action Letter outlining their February 14 approval.
    f. March 1, 2024 – the Appellant appealed the Planning Commission's approval of the 220 King Road development applications.
    g. April 30, 2024 – the Appeal Panel denied the appeal in part and remanded questions related to the applicability of the Sensitive Land Overlay to the Planning Commission.
    h. June 26, 2024 – the Planning Commission determined the SLO did not apply to 220 King Road.
    i. July 22, 2024 – the Appeal Panel signed the Final Action Letter denying the appeal of the Planning Commission's approval.
    j. August 15, 2024 – the Planning Director approved the HDDR.
    k. August 29, 2024 – the Appellant appealed the Planning Director's approval of the HDDR.
5. The final action by the Planning Director addressed prior input from the 2023 Technical Memorandum. The Appellant's characterizations of the 2023 Technical Memorandum are incorrect, and did not factor in subsequent plan changes, Planning Commission determinations, MPD vesting, or conditions of approval imposed by the Planning Director.

6. The Planning Director's evaluation of regulations regarding compatibility, including streetscape and character area, consistent with the Sweeney MPD properties, complied with existing approvals and Land Management Code.
7. The Planning Director's HDDR determination, as reflected in the staff analysis of the original HDDR report, demonstrates the decision was neither illegal nor arbitrary or capricious. The decision was based upon the appropriate code criteria and evidence accumulated over nearly 2 years, including plan changes and public input specific to HDDR compliance. While reasonable people may disagree with certain determinations, such determinations were within the scope of the Director's authority, consistent with the Purpose and Policy of LMC 15-13-1, and based upon evidence on the record. The staff report analysis section and original HDDR report and Exhibits are incorporated herein.

Conclusions of Law

1. The Appellant did not meet their burden of proving the Planning Director erred in approving the HDDR.
2. The Planning Director was correct in interpreting and applying the plain meaning of LMC Section 15-13-8 finding that the proposed design complies.

If you have questions or concerns regarding this Final Action Letter, please call 435-516-5060 or email planning@parkcity.org.

Sincerely,

Jennifer Franklin, Board of Adjustment Chair

CC: Elissa Martin, Assistant Planning Director

Board of Adjustment
Staff Report

Subject: **220 King Road**
Application: **PL-24-06259, Appeal**
PL-23-05522, Historic District Design Review
Author: **Elissa Martin, Assistant Planning Director**
Date: **November 12, 2024**
Type of Item: **Appeal of Conditions of Approval Imposed by Planning Director in Final Action Letter Approving the Historic District Design Review**

Recommendation

(I) Review the Appeal of the Planning Director's Imposed Conditions of Approval 12 and 18 in the Final Action Letter Approving the Historic District Design Review (HDDR) for a Single-Family Dwelling and Accessory Structure at 220 King Road, (II) conduct a public hearing, and (III) determine if the Planning Director erred in imposing the Conditions of Approval in the August 15, 2024 HDDR Final Action Letter.

Description

Appellant:	Pesky Porcupine, LLC
Location:	220 King Road
Zoning District:	Historic Residential-1-Master Planned Development (HR-1-MPD)
Adjacent Land Uses:	Residential, Open Space
Reason for Review:	The Board of Adjustment hears appeals of Planning Director decisions on Historic District Design Review Applications.

COA	Condition of Approval
CUP	Conditional Use Permit
HDDR	Historic District Design Review
HR-1-MPD	Historic Residential-1-Master Planned Development
LMC	Land Management Code
SFD	Single-Family Dwelling
Sweeney MPD	Sweeney Master Planned Development

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

Summary

The Appellant argues the Planning Director erred in imposing Conditions of Approval to reduce the roof overhang and modify the east-facing façade glazing (windows) to be consistent with Historic Structures.

In 2022, the Applicant submitted a Plat Amendment, Steep Slope Conditional Use Permit (SSCUP), Conditional Use Permit (CUP), and HDDR applications for the

construction of a new SFD and Accessory Building at 220 King Road.

220 King Road is a 1.23-acre lot in the Historic Residential-1-Master Planned Development (HR-1-MPD) Zoning District and is Lot 2 of the Treasure Hill Subdivision Phase I, within the Sweeney Master Planned Development (Sweeney MPD) (Exhibit E). The property is situated in a highly visible, prominent location above Historic Old Town.

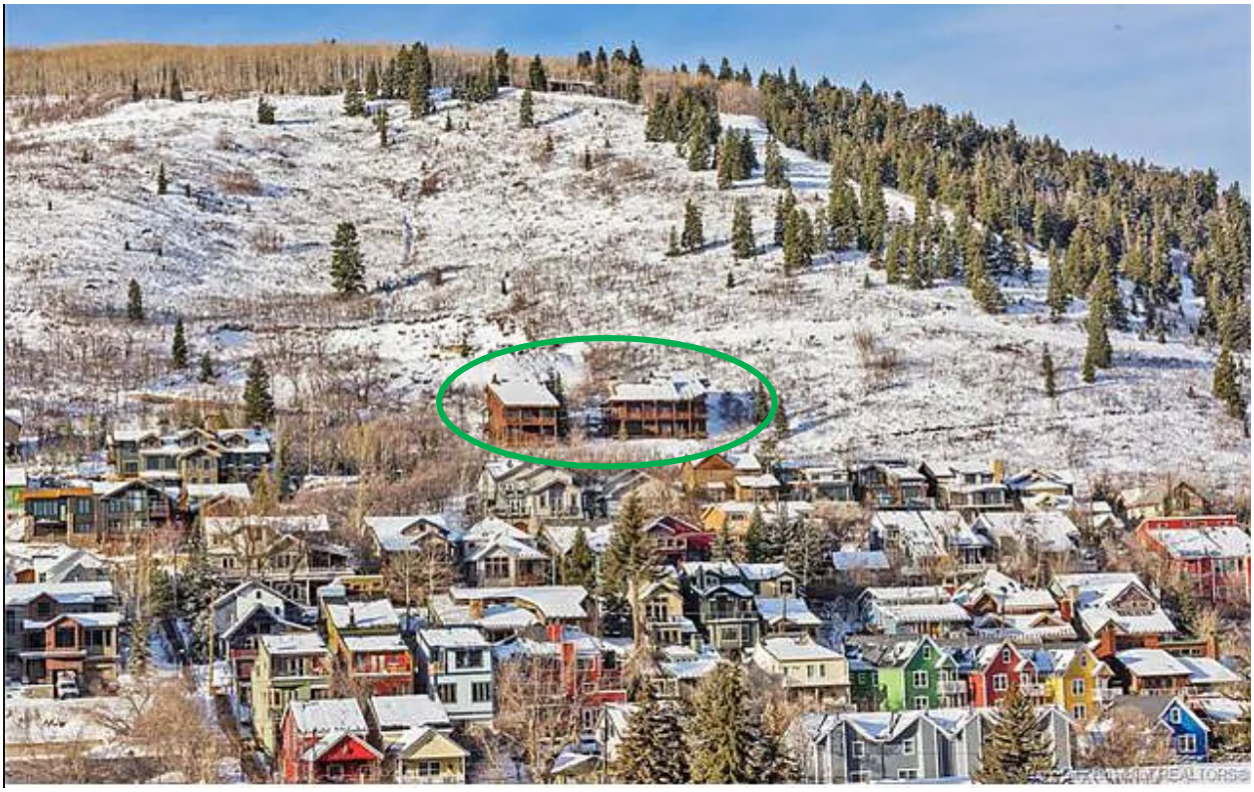

Figure 1: Recently demolished SFD and Guest House at 220 King Road

The 1987 Amended Sweeney MPD required the following:

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

Development at 220 King Road is subject to the HR-1-MPD Zoning District regulations, pursuant to Ordinance No. 90-24 (1990), wherein the City Council zoned 200 and 220 King Road HR-1-MPD, establishing the Sweeney MPD overlay. Additionally, the 1995 Treasure Hill Subdivision Phase I Plat established maximum Building Footprint, Building Area Limits, Construction Disturbance, Height, Façade Height, Massing, and specifications for Sewer Laterals and Fire Sprinkling for the SFDs within the Sweeney MPD Treasure Hill Subdivision.

In 2023, the Planning Commission held several work sessions to review the proposed plans for 220 King Road for compliance with the Sweeney MPD, the Treasure Hill Subdivision Plat, and the Land Management Code (LMC) CUP and SSCUP criteria. The Applicant submitted revised plans based on Planning Commission feedback. At the February 14, 2024 Planning Commission meeting, the Planning Commission approved the Plat Amendment, CUP, and SSCUP for development of a SFD and Accessory Building at 220 King Road (Planning Commission packet, Item 6.A; Minutes, p. 3). On February 21, 2024, the Planning Commission ratified the Final Action Letter (Exhibit D and Planning Commission packet; Minutes, p. 2).

On March 1, 2024, the Planning Commission's approval was appealed. On July 15, 2024 the Appeal Panel signed the Final Action Letter denying the appeal of the Planning Commission's approval (Exhibit C).

On August 15, 2024, the Planning Director approved the Historic District Design Review (HDDR) at an Administrative Public Hearing, with Conditions of Approval (COAs) to ensure the proposed SFD is consistent with the Historic District standards pursuant to LMC § 15-13-8 *Regulations for New Residential Infill Construction in Historic Districts* and the HR-1-MPD Zoning District (see Planning Department Administrative Public Hearing August 15, 2024 meeting packet; Minutes; Exhibit A HDDR Final Action Letter).

The Appellant opposes Condition of Approval 12, which requires a reduction in the length of the roof overhang on the northernmost façade of the SFD, and Condition of Approval 18, which requires updating the glazing of the east-facing façade, most visible from Old Town, to be compatible with the solid-to-void ratio of Historic Mine Sites, as approved by Planning Staff.

Background

Please see the Board of Adjustment staff report for the Appeal of the HDDR Final Action in this packet for a detailed history of the property in the context of the Sweeney MPD and the Treasure Hill Subdivision. The August 15, 2024 Planning Department Staff Report also provides detailed background, analysis and Exhibits which are incorporated herein.

Standard of Review

Pursuant to LMC § 15-1-18, Final Action regarding the Design Guidelines for Historic Districts and Historic Sites shall be reviewed by the Board of Adjustment. The Board of Adjustment shall act in a quasi-judicial manner. The Board of Adjustment shall review factual matters de novo, without deference to the Planning Director's determination of factual matters. The Board of Adjustment shall determine the correctness of the Planning Director's interpretation and application of the plain meaning of the land use regulations, and interpret and apply a land use regulation to favor a land use application unless the land use regulation plainly restricts the land use application.

Review of petitions of appeal shall include a public hearing and shall be limited to consideration of only those matters raised by the petition, unless the appeal authority

grants either party approval to enlarge the scope of the appeal to accept information on other matters. New evidence may be received so long as it relates to the scope of the appeal.

Burden of Proof

The Appellant has the burden of proof to demonstrate the Planning Director erred in imposing Conditions of Approval in the Final Action Letter approving the HDDR at 220 King Road (LMC § 15-1-18(G)).

The question for the Board of Adjustment is:

Did the Planning Director incorrectly apply the LMC standards to Impose Conditions of Approval 8 and 12 in the Final Action Letter Approving the Historic District Design Review within the context of the Historic Residential -1-Master Planned Development (HR-1-MPD) Zoning Approvals?

Analysis

(I) Prior approvals do not pre-empt the Planning Department from requiring further modifications for the development to be compliant with the HDDR. The Historic District Regulations outlined in LMC § 15-13-8 are meant to be "in addition" to requirements imposed on the development from Prior approvals, such as a CUP or SSCUP, so long as the regulation or finding is not in conflict with prior approval or vested determination.

The Appellant argues that the prior Planning Commission approvals for the CUP and SSCUP vested the project and therefore no additional changes to the Structures should be imposed as a result of the HDDR application (Exhibit I).

While the Planning Commission's February 21, 2024 Final Action Letter approving the SSCUP requires the following COA:

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

It also requires the following:

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

The HDDR is often the last land use approval needed before an Applicant can apply for a Building Permit. As standard practice the Planning Department imposes modifications to a development to comply with the HDDR standards – **required modifications may not allow more permissive development standards than prior land use approvals, but they may be more restrictive, when it comes to aspects of the development under the purview of the more specific Historic District Design regulations, which**

include evaluation of materials and detailed architectural standards.

The purpose of LMC § 15-13-1 includes:

> *The goal of the Regulations is to meet the needs of various interests in the community by providing guidance in determining the suitability and architectural compatibility of proposed projects, while at the same time* ***allowing for reasonable changes to individual buildings to meet current needs****.*

When development of a certain property requires a CUP and/or a SSCUP in addition to an HDDR, the CUP is reviewed and approved first, then the HDDR follows. In the Sweeney MPD Treasure Hill Subdivision, all SFDs within the HR-1-MPD Zoning District were first reviewed by the stricter CUP criteria prior to completing HDDR review:

- **Lot 1, 200 King Road** – vacant.
- **Lot 2, 220 King Road** – On March 12, 1997, the Planning Commission approved a CUP for the SFD and Guest House at 220 King Road. On March 17, 1997, the Planning Department approved an HDDR for the project.
- **Lot 3, 425 Norfolk Avenue** – On January 8, 1997, the Planning Commission approved a CUP for the SFD. On January 27, 1997, the Planning Department approved an HDDR for the project.
- **Lot 4, 375 Norfolk Avenue** – On January 22, 1997, the Planning Commission approved a CUP for the SFD. On January 27, 1997, the Planning Department approved an HDDR for the project.
- **Lot 5, Open Space**
- **Lot 6, 503 ½ Woodside Avenue** – On March 23, 2005, the Planning Commission approved a CUP for the SFD. On May 2, 2005, the Planning Department approved an HDDR for the project.
- **Lot 7, 503 Woodside Avenue** – On March 23, 2005, the Planning Commission approved a CUP for the SFD. On May 2, 2005, the Planning Department approved an HDDR for the project.
- **Lot 8, 445 King Road** – This singular property within the Sweeney MPD is in the Estate Zoning District and does not require HDDR review.

Some aspects of the CUP criteria overlap with the requirements of the HDDR, such as mitigating the visual impact a development may have, especially when located on a very steep slope. For example:

CUP criteria require mitigating impacts of the development with regard to compatibility:

"Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots" and "physical design and Compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing."

Historic District Design standards for new residential infill in Historic Districts require similar mitigation:

"*Size and mass of a structure shall be compatible with the size of the site so that lot coverage, building bulk, and mass are compatible with Historic Sites within the Streetscape or character area*."[1]

The February 2024 Plat Amendment, CUP, and SSCUP approval for 220 King Road includes COAs to mitigate the visual impact of the overall development, whereas, the HDDR goes further to ensure the proposed building materials and design are consistent with Historic District Design standards. Both Land Use Reviews take into consideration the original COAs of the Sweeney MPD and the Treasure Hill Subdivision Plat regulations.

(II) The Condition of Approval to reduce the length of the roof form does not contradict the Planning Commission approval of the CUP or SSCUP; it is a necessary modification to the proposed SFD to be compliant with the HDDR standards outlined in LMC§ 15-13-8.

LMC § 15-13-8(A)(6) reads:

"roofs, entrances, eaves, chimneys, porches, windows, doors, steps, garages, etc.— of the new infill residential building shall be of human scale and shall be compatible with neighboring Historic Structures."

"*Overhanging eaves, use of bargeboards, soffits, fascia boards, brackets, and boxed eave returns that are consistent with the style of the architecture of the new building and that are compatible with surrounding buildings shall be incorporated*."

Historic Mine Buildings did not include roof overhangs.

[1] LMC § 15-13-8(A)

Figure 2: Silver King Mine with no roof overhang

Figure 3: Silver King Mine roof with no roof overhang

To more accurately reflect the specific “style of architecture” of historic Mine Buildings and to further reduce the visual impact of the Structure, the Planning Director’s COA 12 requires the roof overhang on the north end of the SFD be reduced in scale such that the roof overhang shall not exceed five feet as measured from the northernmost façade wall.

Figure 4: Section of roof form highlighted in green, that is required to be removed pursuant to COA 12

The February 21 Planning Commission's Final Action Letter approving the CUP for the 220 King Road SFD and Accessory Building contains COA 'P' that states:

> "*The proposed residence's roof shall be consistent with the plans approved by the Planning Commission on February 14, 2024, and attached as Exhibit D*."

The above COA does not preclude additional modifications to the proposed architecture of the overhang for compliance with the Historic District Design Standards to more specifically reflect the historic form of the design.

(II) The Condition of Approval to require window glazing to resemble the solid to void ratio of glazing on Historic Mine Buildings does not contradict the Planning Commission's approval of the CUP or SSCUP; it is a necessary modification to the proposed SFD in order to comply with the HDDR standards outlined in LMC § 15-13-8.

LMC § 15-13-8(B) reads:

"*Ratios of solid-to-void that are compatible with surrounding historic buildings shall be used. Large expanses of glazing are inappropriate on residential structures. Large glass surfaces shall be divided into smaller windows that are in scale with those seen historically. To maximize views, non-historic window patterns may be considered on tertiary facades; however, the overall ratio of solid-to-glass shall still be respected*"

"*Windows with vertical emphasis are encouraged. The general rule is the height shall be twice the dimension of the width (commonly referred to as 2:1 ratio)*."

As part of the HDDR evaluation of the proposed development at 220 King Road, the Planning Department requested the City's historic preservation consultant at the time, SWCA Environmental Consultants, to assist in the analysis of the proposed SFD for compliance with the Historic District Standards. Anne Oliver (Principal Architectural Historian, SWCA) drafted a 12-page report (2023 Technical Memorandum) evaluating the proposed project at 220 King Road and the HDDR review. The SWCA Technical Memorandum states:

"…glazing in historic exterior walls always had a base of solid wall and never consisted of floor to ceiling windows. In the proposed design, the metal panels at some window bases recreate this pattern, but the floor-to-ceiling windows present elsewhere are inconsistent with industrial patterns and create an incompatible solid-to-void ratio."

Figure 5:Silver King Coalition Hoist House, is a Significant Historic Site registered on Park City's Historic Sites Inventory

Figure 6: Proposed floor-to-ceiling glazing on the 220 King Road SFD

The February 21 Planning Commission Final Action Letter approving the CUP for the SFD at 220 King Road reads:

> *HH. Glazing on the east façade shall comply with the Second Amendment for the Lot 2 Phase 1 Treasure Hill Subdivision plat notes. Vinyl and aluminum doors and windows are prohibited. Window and door details shall be reviewed and approved through the Historic District Design Review process.*

The Amended Treasure Hill Subdivision Plat notes state:

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

The plat note allows up to 60% of the eastern facing façade to be glazing; it does not allow for a solid-to-void ratio that would permit floor to ceiling glazing. The Planning Director's HDDR COA requires the solid-to-void ratio of the glazing be compatible with Historic Mine Structures. The Planning Director's HDDR COA requirement is 'in addition to' the 60% allowance for glazing.

Department Review

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

Notice

Staff published notice on the City's website and the Utah Public Notice website on October 26, 2024, and posted notice to the property on October 28, 2024. Staff mailed courtesy notice to property owners within 300 feet on October 29, 2024. The *Park*

Record published courtesy notice on October 30, 2024.[2]

Public Input

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

Alternatives

- The Board of Adjustment may approve the Appeal of the Planning Director's Conditions of Approval number 12 and 18 in the Final Action approving the HDDR for proposed development at 220 King Road;
- The Board of Adjustment may deny the Appeal of the Planning Director's Conditions of Approval number 12 and 18 in the Final Action approving the HDDR for proposed development at 220 King Road and direct staff to make Findings for the denial; or
- The Board of Adjustment may request additional information and continue the discussion to a date certain.

Exhibits

Exhibit AA: 220 King Road BOA Draft Final Action Letter HDDR Appeal of Conditions
Exhibit A: August 15, 2024 HDDR Final Action Letter
Exhibit B: August 15, 2024 APH Minutes
Exhibit C: July 15, 2024 Appeal Panel Final Action Letter
Exhibit D: February 21, 2024 Planning Commission Final Action Letter
Exhibit E: 1986 Sweeney Master Planned Development Approval
Exhibit F: SWCA Technical Memorandum
Exhibit G: Applicant Submitted HDDR drawings
Exhibit H: Applicant Submitted HDDR letter
Exhibit I: Appellant's Letter of Appeal

[2] LMC § 15-1-21

Planning Department

November 12, 2024

Pesky Porcupine, LLC

CC: Wade Budge, Bruce Baird

NOTICE OF BOARD OF ADJUSTMENT ACTION

Description

Address:	220 King Road
Zoning District:	Historic Residential – 1-Master Planned Development (HR-1-MPD)
Application:	Appeal of the Planning Director's Conditions of Approval in Final Action Letter approving a Historic District Design Review
Project Number:	PL-24-06259 – Appeal PL-23-05522 – Historic District Design Review
Action:	DENIED
Date of Final Action:	November 12, 2024
Project Summary:	The Appellant argues the Planning Director erred in imposing Conditions of Approval 12 and 18 in the Historic District Design Review Approval for a Single-Family Dwelling and Accessory Building at 220 King Road.

Action Taken

On November 12, 2024, the Board of Adjustment conducted a public hearing and denied the appeal according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. In 2022, the Applicant submitted a Plat Amendment, Steep Slope Conditional Use Permit (SSCUP), Conditional Use Permit (CUP), and Historic District Design

Review (HDDR) applications for the construction of a new SFD and Accessory Building at 220 King Road.

2. 220 King Road is a 1.23-acre lot in the Historic Residential-1-Master Planned Development (HR-1-MPD) Zoning District and is Lot 2 of the Treasure Hill Subdivision Phase I within the Sweeney Master Planned Development, as amended (Sweeney MPD).
3. The Sweeney MPD and Treasure Hill Subdivision background is outlined below:
    a. In 1986, the City Council approved the Sweeney MPD, which required development to be clustered, to minimize the impact of development on Old Town through the platting process, as well as Condition of Approval 6 which requires review for conformance with the Historic District Guidelines and related architectural requirements.
    b. In 1987, the City Council approved an Amendment to the Sweeney MPD, which reallocated 12 Unit Equivalents to accommodate extended ski trails. The amended Sweeney MPD located two Unit Equivalents off King Road, one off Upper Norfolk, and one off 5th Street, with approximate Single-Family Dwellings that later became part of the Treasure Hill Subdivision. The 1987 amendment created 200 and 220 King Road and required a CUP for future development to ensure impacts of the development are minimized.
    c. The Sweeney MPD required the rezone of parcels within the MPD.
    d. In 1990, the City Council approved Ordinance No. 90-24 to rezone 200 and 220 King Road from HR-1 to HR-1-MPD.
    e. In 1995, the City Council approved the Treasure Hill Subdivision Phase I with plat notes that regulate development at 220 King Road in accordance with the Sweeney MPD, including Building Footprint, Building Area Limits, Façade Height, and Massing.
    f. All SFDs within the HR-1-MPD Zoning District in the Treasure Hill Subdivision were required to obtain CUP approval from the Planning Commission for conformance with the Treasure Hill Subdivision plat regulations and Sweeney MPD prior to HDDR approval:
        i. **Lot 1, 200 King Road** – Appellant's vacant property.
        ii. **Lot 2, 220 King Road** – On March 12, 1997, the Planning Commission approved a CUP for the SFD and Guest House at 220 King Road. On March 17, 1997, the Planning Department approved an HDDR for the project.
        iii. **Lot 3, 425 Norfolk Avenue** – On January 8, 1997, the Planning Commission approved a CUP for the SFD. On January 27, 1997, the Planning Department approved an HDDR for the project.
        iv. **Lot 4, 375 Norfolk Avenue** – On January 22, 1997, the Planning

Commission approved a CUP for the SFD. On January 27, 1997, the Planning Department approved an HDDR for the project.

v. **Lot 5, Open Space**

vi. **Lot 6, 503 ½ Woodside Avenue** – On March 23, 2005, the Planning Commission approved a CUP for the SFD. On May 2, 2005, the Planning Department approved an HDDR for the project.

vii. **Lot 7, 503 Woodside Avenue** – On March 23, 2005, the Planning Commission approved a CUP for the SFD. On May 2, 2005, the Planning Department approved an HDDR for the project.

viii. **Lot 8, 445 King Road** – This singular property within the Sweeney MPD is in the Estate Zoning District and does not require HDDR review.

4. The proposed project was reviewed as follows:
    a. October 26, 2022 – the Planning Commission was scheduled to conduct a work session on the 220 King Road applications. The work session was continued to a later date at the request of the Applicant for additional time to consider their proposal.
    b. October 11, 2023 – the Planning Commission conducted a work session on the 220 King Road applications.
    c. January 24, 2024 – the Planning Commission conducted a work session on the 220 King Road applications.
    d. February 14, 2024 – the Planning Commission conducted a public hearing and approved the Plat Amendment, SSCUP, and CUP for the development of the SFD and Accessory Buildings at 220 King Road.
    e. February 21, 2024 – the Planning Commission ratified the Final Action Letter outlining their February 14 approval.
    f. March 1, 2024 – the Appellant appealed the Planning Commission's approval of the 220 King Road development applications.
    g. April 30, 2024 – the Appeal Panel denied the appeal in part and remanded questions related to the applicability of the Sensitive Land Overlay to the Planning Commission.
    h. June 26, 2024 – the Planning Commission determined the SLO did not apply to 220 King Road.
    i. July 15, 2024 – the Appeal Panel signed the Final Action Letter denying the appeal of the Planning Commission's approval.
    j. August 15, 2024 – the Planning Director approved the HDDR.
    k. August 29, 2024 – the Appellant appealed the Planning Director's approval of the HDDR.
5. The Planning Director determination regarding the Historic Regulations addressed more specific design changes to accurately achieve the "style of the architecture" of historic roof elements proposed for the new construction. Such condition reasonably further reduced the scale of the roof design in a manner not in conflict with prior planning approvals or vested rights.

6. The window glazing Condition of Approval similarly reflected compliance with a more specific design requirement which could be implemented consistent with the Planning Commission's prior 60% limitation/determination.
7. The staff report analysis section and original HDDR report and Exhibits are incorporated herein.

Conclusions of Law

1. The Appellant did not meet their burden of proving the Planning Director erred in imposing Conditions of Approval to ensure the proposed development complies with the HDDR.
2. The Planning Director was correct in interpreting and applying the plain meaning of LMC Section 15-13-8, finding that the proposed design could comply with the HDDR requirements with conditions of approval 12 and 18 of the August 15, 2024 Final Action Letter.

If you have questions or concerns regarding this Final Action Letter, please call 435-516-5060 or email planning@parkcity.org.

Sincerely,

_____

Jennifer Franklin, Board of Adjustment Chair

CC: Elissa Martin, Assistant Planning Director

Planning Department

August 15, 2024

Pesky Porcupine, LLC

CC: Wade Budge with the Law Offices of Snell & Wilmer

NOTICE OF PLANNING DIRECTOR ACTION

Description

Address:	220 King Road Lot 2, Phase I of the Treasure Hill Subdivision Sweeney Master Planned Development
Zoning District:	Historic Residential – 1 – Master Planned Development (HR-1-MPD)
Application:	Historic District Design Review
Project Number:	PL-23-05522
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	August 15, 2024
Project Summary:	The Applicant proposes a new Single-Family Dwelling, underground parking area, and Accessory Building.

Action Taken

On August 15, 2024, the Planning Director conducted a public hearing and approved the Historic District Design Review according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. 220 King Road is a 1.23-acre lot in the Historic Residential-1-Master Planned Development (HR-1-MPD) Zoning District that up until recently contained a 4,235-square-foot Single-Family Dwelling (SFD) built in 1998 and a 4,189-square-foot Guest House built in 2000.
2. The SFD and Guest House were demolished this summer, and the Applicant proposes a new SFD and Accessory Building, the subject of this Historic District Design Review (HDDR) application.

3. On December 18, 1985, the Planning Commission approved the Sweeney MPD, which included seven SFD Treasure Hill Subdivision Lots.[1] The zoning in effect at the time allowed for 450 units within the MPD. However, the Sweeney MPD approval reduced the density to 277 units and ". . . the proposed clustering approach was deemed the most compatible. Rather than spread the density out and thereby impact the entire old town area, the cluster concept afforded the ability to limit the impacts to smaller areas. Efforts to minimize scale have been directed toward this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space . . . . [a] number of the staff's recommended conditions are directed toward minimizing the potential conflicts related to neighborhood compatibility considerations."
4. "A key element of the proposed cluster approach is to preserve usable open space in perpetuity. A total of 97% (120 acres) of the hillside will be maintained as open space as part of the proposed Master Plan . . . [t]he potential for the subdivision and scattered development of the hillside would have drastically affected the goal of preserving the mountain substantially intact and pristine" (Exhibit B - *1985 Sweeney MPD Approval*, p. 11). Within the Treasure Hill Subdivision of the Sweeney MPD, SFDs were clustered near Old Town and over 40 acres were dedicated to Park City Municipal as open space, shown on an excerpt from the plat below. This resulted in larger SFD Lots than traditional Old Town Lots platted 25 feet by 75 feet (1,875 square feet).
5. 220 King Road, Lot 2 of the Treasure Hill Subdivision, is a 53,694-square-foot Lot, nearly 29 times the size of a traditional Old Town Lot. As a result of these larger SFD Lots, additional review is required. For example, unlike other SFDs within Old Town, the 1985 Sweeney MPD Condition of Approval 1 requires properties within the MPD to obtain Planning Commission approval of a CUP prior to development. The CUP review is to evaluate the project for compliance with adopted codes and ordinances in effect at the time and to ensure conformance with the Sweeney MPD. Additionally, the 1985 Sweeney MPD Condition of Approval 6 requires review for conformance with the Historic District Guidelines and related architectural requirements.
6. In 1987, the Planning Commission approved an amendment to the Sweeney MPD to reallocate 12 units, including the relocation of two SFDs to what are now

[1] Lot 1 – 200 King Road (vacant); Lot 2 – 220 King Road; Lot 3 – 425 Norfolk Avenue; Lot 4 – 375 Norfolk Avenue; Lot 5 – Open Space; Lot 6 – 503 ½ Woodside Avenue; Lot 7 – 503 Woodside Avenue; Lot 8 – 445 King Road.

known as 200 and 220 King Road. Condition of Approval 3 of the 1987 amendment requires Planning Commission approval of a CUP and staff review consistent with the Historic District Guidelines. Both reviews must "include review of the design of the structures to insure [sic] that they are designed to minimize visual impact."

7. On August 23, 1990, the City Council zoned 200 and 220 King Road Historic Residential-1-Master Planned Development (HR-1-MPD) (Exhibit D – *Ordinance No. 90-24*). As a result, the project is reviewed for conformance with HR-1 Zoning District standards through the lens of the Sweeney MPD.
8. On September 7, 1995, the City Council adopted Ordinance No. 95-50, approving the Treasure Hill Subdivision Phase 1 plat, creating four SFD Lots and a 42.7-acre Open Space parcel within the Sweeney MPD.
9. This Subdivision included Lot 2, 220 King Road, and established Building Area Limits and plat notes, outlining precedence with the Sweeney MPD and requiring final house design to be reviewed under the Small Master Plan Process (today's CUP) in accordance with the Sweeney MPD. Additionally, plat notes regulate Footprint, Building Area Limits, Construction Disturbance, Height, Façade Height, Massing, Sewer Laterals, and Fire Sprinkling.
10. Each SFD within the Treasure Hill Subdivision first obtained Planning Commission CUP approval prior to HDDR approval. Regarding 220 King Road:
    a. On March 12, 1997, the Planning Commission approved a Small Scale MPD (CUP) for a Single-Family Dwelling and Guest House (Exhibit G).
    b. On March 17, 1997, the Historic District Commission approved the HDDR (Exhibit H).[2]
    c. On May 27, 1998, the City issued Building Permit B97-02937 for the construction of a SFD.
    d. On September 18, 2000, the City issued Building Permit B00-05967 for construction of a Guest House
11. The Applicant demolished the SFD and Guest House and proposes construction of:
    a. A new Single-Family Dwelling with:
        i. Approximately 7,461 square feet of finished space.
        ii. Approximately 5,898 square feet of unfinished space.
        iii. Approximately 1,690 square feet of terrace/patio area.
    b. A 1,103-square-foot Accessory Building.

[2] The Historic District Commission was replaced with the Historic Preservation Board in 2007. The Historic Preservation Board purview includes changes to Historic Structures, the Board does not review new infill or design. Under today's LMC, staff takes Final Action on HDDRs.

c. A 243-square-foot outdoor pool.
d. A 4,794-square-foot underground parking area.

12. The Applicant submitted a Plat Amendment and CUP application in 2022. Staff requested the Applicant also submit an HDDR application to initiate the Historic District review process. On January 18, 2023, the Applicant submitted an HDDR application to the Planning Department. As part of the HDDR review, staff requested SWCA, a consultant who assists the City with Historic District reviews, evaluate the proposal pursuant to the applicable HDDR regulations.
13. On April 26, 2023, SWCA submitted a Technical Memorandum (2023 SWCA Memorandum) regarding 220 King Road. The 2023 SWCA Memorandum outlines many relevant considerations and notes 220 King Road is "in a setting where industrial buildings were once common. An industrial design aesthetic is appropriate in this area; however, this and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes." The Applicant modified and updated their plans to incorporate some of SWCA's recommendations. Staff requires additional Conditions of Approval below to further incorporate SWCA's recommendations.
14. On February 14, 2024, the Planning Commission reviewed a Plat Amendment to shift and increase the Building Area Limits, a CUP for the SFD, a CUP for the outdoor pool, and a Steep Slope CUP for the proposed project. The Planning Commission voted four to two to approve the Plat Amendment and three to three with the Chair breaking the tie to approve the CUPs. The 2023 SWCA Memorandum was provided to the Planning Commission as part of their review, and the Planning Commission required the Applicant to modify their plans as recommended by SWCA prior to approving the project. These requirements are outlined in the Analysis Section of the Staff Report below. On February 21, 2024, the Planning Commission ratified the Final Action Letter approving the project.
15. On March 1, 2024, the Planning Commission's approval was appealed. On April 30, 2024, the Appeal Panel denied the appeal and remanded the following questions to the Planning Commission regarding the Plat Amendment:
    a. Whether the Sensitive Land Overlay applies due to Sweeney MPD vesting.
    b. If the Sensitive Land Overlay Applies, whether it can bisect a Lot.
    c. If the Sensitive Land Overlay applies, what is staff's Sensitive Land

determination, recommendation, and mitigations.

16. On June 26, 2024, the Planning Commission considered the above questions remanded to them by the Appeal Panel, conducted a public hearing, and determined the following:
    a. The Sweeney MPD is vested prior to the adoption of the Sensitive Land Overlay.
    b. Although the Sensitive Land Overlay would apply to a substantive change, the Sensitive Land Overlay does not apply to the 220 King Property because a land use ordinance has not amended the original Sensitive Land Overlay Boundary, which does not include 220 King Road.
    c. No determination regarding the Staff Sensitive Land Overlay is necessary because the regulations are not applicable per sections (a) and (b) above.
17. The Appeal Panel Final Action Letter contains Condition of Approval 1, which states "[a]ll Conditions of Approval from the Planning Commission Action Letters dated February 21, 2024 apply" and the Conditions of Approval below incorporate the Planning Commission's requirements.
18. New residential infill in the Historic Districts is reviewed for compliance with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts*.
19. The August 15, 2024 Staff Report analysis is incorporated herein.
20. On July 31, 2024, staff published notice on the City's website and posted notice on July 31, 2024. Staff mailed courtesy notice to property owners within 100 feet on July 31, 2024.

Conclusions of Law

1. The proposed project complies with the Planning Commission's February 21, 2024 CUP, SSCUP, and Plat Amendment approvals, Findings of Fact, Conclusions of Law, and Conditions of Approval.
2. The proposed project complies with the Sweeney MPD.
3. The proposed project, as conditioned, complies with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts*.

Conditions of Approval

1. All Conditions of Approval required by the Planning Commission's February 21, 2024 CUP, SSCUP, and Plat Amendment approvals remain in full effect.
2. The Applicant shall protect Significant Vegetation located on the eastern portion of the site during and after construction.

3. Final Grade shall be restored to within four feet of Existing Grade upon project completion prior to issuance of a Certificate of Occupancy.
4. The Applicant shall submit a storm drainage analysis to the Engineering Department for review and approval. The analysis must show that the required storm drainage storage volume matches the pre-development and post-development conditions for a 100-year 24-hour event.
5. The use of Water Wise Landscaping or permaculture strategies for landscape design shall maximize water conservation. Where watering systems are necessary, systems that minimize water loss, such as drip irrigation, shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way and when viewed from Old Town.
6. Retaining walls visible to the north, east, and south of the SFD must be terraced so that no more than four feet of Existing Grade is manipulated. Visible retaining walls shall not exceed more than four feet in height.
7. Painting, staining, or stucco over stone or concrete retaining walls is prohibited.
8. Residents and guests shall park in the underground parking area. Parking within the fire truck turnaround or driveway area is prohibited.
9. The driveway width shall not exceed 12 feet, unless otherwise required by the Chief Building Official or Park City Fire District for fire truck access and turnaround.
10. Textured and poured paving materials other than smooth concrete are recommended.
11. Snow storage from driveways shall be provided on site and/or within an easement area approved by the City Engineer.
12. The Applicant shall reduce the length of the roof overhang on the north end of the SFD to reduce the roof in scale, as recommended by the 2023 SWCA Memorandum. The roof overhang shall not exceed five feet measured from the northernmost façade wall.
13. The Applicant shall maintain vegetative screening in accordance with the submitted and approved landscape plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the lower-level east façade glazing.
14. No more than eight inches of the new concrete foundation shall be visible above Final Grade on the primary façade and no more than two feet of the concrete foundation shall be visible above Final Grade on secondary and tertiary facades.

15. The site shall be re-graded so as to blend with the grade of the adjacent areas outside of the Building Area Limits and shall not create the need for incompatible retaining walls.
16. The site shall be re-graded so all water drains away from the structure and does not enter the foundation. See Condition of Approval 4 regarding storm drain storage.
17. Vinyl and aluminum windows and doors are prohibited.
18. The Applicant shall update the glazing of the eastern façade—that façade most visible from Old Town—to replace floor-to-ceiling windows with industrial patterns that create a compatible solid-to-void ratio comparable to the Historic Mine Sites and approved by Planning Staff.
19. Rooftop mechanical and communication equipment is prohibited. Mechanical and communication equipment shall be visually minimized from King Road and from Old Town vantage points. Ground-level equipment shall be screened from view using landscape elements such as low stone walls or perennial plant materials.
20. The roof shall have a matte finish to minimize glare. Roof colors shall be neutral and muted and materials shall not be reflective. The Applicant shall demonstrate the proposed metal siding and roofing materials have a Solar Reflectivity Index (SRI) of 35 or less prior to the submittal of a building permit.
21. Service equipment and trash containers shall be screened. Solid wood or masonry partitions or hedges shall be used to enclose trash areas.
22. Wood materials shall be painted opaque.
23. The railing of the rooftop deck shall be visually minimized when viewed cross-canyon. The Applicant shall plant landscaped screening as indicated on the landscape plan to buffer visibility of the secondary façade rooftop deck along the southern property boundary.
24. This Historic District Design Review is limited to the Treasure Hill Subdivision Single-Family Dwellings in the Sweeney MPD and shall not create precedent nor interpretation of general applicability in the HR-1 Zoning District or LMC regulations.

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5060 or email planning@parkcity.org.

Sincerely,

PARK CITY
1884

Planning Department

Rebecca Ward, Planning Director

PARK CITY MUNICIPAL CORPORATION
ADMINISTRATIVE ACTION MEETING MINUTES
PLANNING DEPARTMENT
https://us02web.zoom.us/j/88167820277
August 15, 2024

STAFF:

Rebecca Ward, Planning Director; Elissa Martin, Assistant Planning Director; Meredith Covey, Planner I; Mark Harrington, Senior City Attorney (virtual); JJ Trussell, Deputy Chief Building Official (virtual); Levi Jensen, Executive Office Administrator; E. Roman, Administrative Assistant.

PUBLIC:

Bruce R. Baird, Jason Boal, Grace Doerfler (virtual), Hoggan Lee Hutchinson (virtual), Susan Fredston-Hermann (virtual), Steve Grim (virtual), Nic Norsk (virtual), Collin Leonard (virtual), Eric Hermann (virtual), Jeff Schindewolf (virtual).

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The Planning Director called the meeting to order at 12:00 PM.

The Planning Director Ward reminded attendants about the public comment guidelines

REGULAR AGENDA/PUBLIC HEARINGS/POSSIBLE ACTION

1003 Norfolk Avenue – Historic District Design Review – PL-23-05845 – Proposing to construct an Addition to a Landmark Historic Structure.

Planning Director Ward noted that this item would be continued to a date uncertain, but once it is scheduled for a public hearing again it will be publicly noticed.

At 12:02, the Planning Director opened a public hearing. There was no input.

At 12:02, the Planning Director closed the public hearing.

MOTION: The Planning Director **Continued** the Historic District Design Review for 1003 Norfolk Avenue to a date uncertain.

1700 Park Avenue – Administrative Permit– PL-24-06191 – Proposing to Remodel Façade of 1700 Park Avenue.

Planner Meredith Covey presented the Administrative Permit proposal. She noted that the façade improvements proposed involve replacing and updating existing siding, replacing existing roof, replacing windows and doors in the same location and dimensions, and installation of three-foot deep steel awnings over lower windows and doors. She also indicated that the proposed plans comply with GC Zoning District Requirements and Frontage Protection Zone Requirements.
The Applicant was in attendance but did not have anything additional to add.

At 12:04, the Planning Director opened a public hearing. There was no public input.

At 12:05, the Planning Director closed the public hearing.

MOTION: The Planning Director **APPROVED** the Administrative Permit for 1700 Park Avenue in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. On July 10, 2024 the Applicant submitted an Administrative Permit application for façade improvements at 1700 Park Avenue.
2. 1700 Park Avenue is located in the General Commercial (GC) Zoning District and in the Frontage Protection Zone (FPZ).
3. The Applicant proposes to remodel the facade of 1700 Park Avenue.
4. LMC § 15-2.20-4(C) requires an Administrative Permit for minor remodels and facade improvements for existing Structures.
5. According to the Summit County Assessor webpage, the existing Structure at 1700 Park Avenue was constructed in 1988.
6. 1700 Park Avenue is located on Lot 3 of the Park Ave Commercial Subdivision recorded in 1973.
7. Per the recorded plat there is a 25' non-exclusive easement running along the side and rear Lot lines.
8. Per the recorded plat notes all Lots have a 50' utilities easement on the front Lot lines.
9. The Development Review Committee evaluated the proposed Accessory Apartment on June 18, 2024.

10. The General Commercial Zoning District requires the following Setbacks outlined in LMC § 15-2.18-3:

Requirement	Analysis of Proposal
Front Setback - 20 feet	**Complies:** The existing Structure is set back 20 feet from the front lot line. The proposed plans do not increase the building footprint.
Rear Setback – 10 feet	**Complies:** The existing Structure is set back 10 feet from the rear lot line. The proposed plans do not increase the building footprint.
Side Setback – 10 feet	**Complies:** The existing Structure is set back 10 feet from the rear lot line. The proposed plans do not increase the building footprint.

11. The Frontage Protection Zone requires that all Structures shall be setback at least 30 feet from the nearest highway Right-of-Way
12. The existing Structure is within 33 feet from the Kearns Boulevard Right-of-Way.
13. The Development Review Committee reviewed the proposal on August 6, 2024.
14. Staff published notice on the City's website and posted notice to the property on July 31, 2024.
15. Staff mailed courtesy notice to property owners within 300 feet on July 31, 2024

Conclusions of Law

1. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.18 General Commercial Zoning District.
2. The proposal complies with the Land Management Code requirements pursuant to Chapter 15-2.20 Frontage Protection Zone Zoning District.
3. The Use is compatible with surrounding Structures in use, scale, mass, and circulation.
4. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the plans dated June 12, 2024, and approved by the Planning Department on August 15, 2024. Any changes, modifications, or deviations from the approved design that have not been approved in advance by the Planning and Building Departments may result in a stop work order.
2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.
3. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director or designee prior to construction.
4. The Applicant shall obtain a sign permit in accordance with the Master Sign Plan for 1700 Park Avenue prior to Building Permit issuance.

220 King Road – Historic District Design Review – PL-23-05522 – Proposing Construction of a New Single-Family Dwelling, Accessory Buildings, and Underground Parking Area

Assistant Planning Director Elisa Martin presented the Historic District Design Review staff report. She noted that the project site is a 1.23-acre lot in Historic Residential 1-Master Planned Development (HR-1-MPD), where a single-family dwelling and guest house were recently demolished. She indicated that the property is located in the Sweeney Master Planned Development and is lot two of the Treasure Hill Subdivision, Phase I. She continued to explain that the proposal included a New Single-Family Dwelling with Accessory Building, outdoor pool and underground parking area.

Assistant Planning Director noted in detail the Application Background and HDDR Analysis, indicating that two of the main changes required by the HDDR Conditions of Approval include to remove a portion of the roof overhang and to reduce the glazing to be consistent with the solid to void ratio of Historic Structures in the Historic District. She explained that staff evaluated the project against LMC 15-13-8 Regulations for New Residential Infill Construction in Historic Districts. She described how the proposal was compliant with the LMC Historic District Design Guidelines and where compliance was not met, the Conditions of Approval are in place.

Applicant representative Jason Boal shared a presentation to express concern about Condition of Approval number 12 and number 18. He indicated that Condition of Approval 12 relates to the roof overhang, the plans submitted show the roof overhang being exactly the same as it was reviewed and approved by the Planning Commission.

He also mentioned that the Planning Commission had the SWCA letter when they did their review and when they established their Conditions of Approval, and that he believes that Staff had mentioned that the Planning Commission's approach to breaking up the roof was the pop up element, so the applicant complied with this. This makes them comfortable that the roof line that the SWCA comment about breaking up the roof line was sufficiently accomplished through the Planning Commission review and Planning Commission condition that it be broken up with the pop up. He also noted that because of this, they are asking that Condition of Approval number 12 be removed from the Final Action letter.
Jason clarified that condition P of the Conditions of Approval specifically state that the proposed residence's roof shall be consistent with the plans approved by the Planning Commission on February 14, 2024, and attached as Exhibit D, and this matches exactly with their plans and other elements that were reviewed by the Planning Commission. Jason noted that the second item relates to Condition of Approval 18 relating to the Glazing and that the Planning Commission had a specific requirement that 60 percent of the eastern facing façade is permitted to be glazing and lighting impacts from the eastern facing façade shall be mitigated by interior fixtures designed to minimize direct visibility of the lighting element from residences within 1/3 mile of the residence. Jason Boal indicated that the Planning Commission addressed glazing through vegetation, and there was another condition of approval requiring the vegetation to help screen the structure. He wanted to make sure that it was clear that the Planning Commission had addressed the restriction on glazing already. Jason Boal also noted that as building was being designed, consultations with Park City historical society and museum were secured. He also mentioned that they feel that what has been submitted is in conformance with historic mine structure and they have identified some examples of this in their application, Jason Boal also noted that they are under the explicit standard of the plat now and feel like that would be enough to bring them into compliance without the need of this Condition of Approval.

Applicant representative Bruce R Baird indicated that he would like to show that the changes requested by the staff to the roof don't have any real practical input effect on the view of the structure from essentially everywhere, and proceeded to present multiple render images of the model showing the changes and cycling them back and forth.
He noted that the applicant is willing to discuss options to deal with the north end of the terrace cover, however they believe the condition requested by staff is punitive.

Director Ward asked the applicant to explain the reasoning for some of the modifications related to floor to ceiling windows that have been referenced as inconsistent with the compatibility of mine sites and window to façade material ratio by the SWCA technical memorandum previously shared.

Bruce R. Baird responded that the reason was twofold, firstly staying within the number referenced by the Planning Commission, and secondly is that many of the floor to ceiling windows were gone, they have been replaced in their model.

At 12:47, the Planning Director opened a public hearing. There was public input.

Planning Director Ward acknowledged that public comment was received and had been included in exhibit O of the packet for today. She also mentioned that there was additional public input that was received yesterday, from the appellant, after the packet had been published, and it will be included as part of the record. Director Ward reminded the public to limit their input to 3 minutes and invited them to come forward if present in person or online.

Nic Norsk (virtual) from zip code 84098, stated that he worries about new precedent being established, is that residential can be compared to mining area commercial buildings, allowing to build a home in old town, as long as it matches to a mining building that is still standing or in a picture. He also mentioned that the CUP for the original development was a 600 feet accessory building, that later turned into a 4,189 feet building, which makes him worry about the city's historical precedent not enforcing CUP guidelines.

Justin Keys (virtual) thanked the Planning Department for receiving and reviewing the letter he had submitted yesterday with his public input.

At 12:53 PM, the Planning Director closed the public hearing.

Planning Director Ward noted that goal 15 of the General Plan is to preserve integrity, mass, scale, compatibility, and historic fabric of our historic districts. To do that we have regulations that are implemented though the LMC, we know the purposes of the HR-1 zone are to encourage the construction of historically compatible structures that contribute to the character and the scale of historic districts. In this instance we have a lot that is 29 times the size of an old town lot, making this lot an outlier. This a HR-1 MPD zone where we have large lots that are in an are of transition from old town to acreage that was dedicated as open space. Knowing that these larger lots would results in unique structures for this areas, extra processes, standards and requirements were put in place when the original Sweeney MPD was approved. Which is beyond what is required in typical single family dwelling in the HR-1 zone would be required to go through. And that includes the CUP in compliance with Treasure Hill Subdivision plat. This project has been through many reviews and many bodies. As part of the CUP

review, the planning commission evaluated all aspects of proposed development in such a highly visible area of Old Town.
The Planning Commission informed their decision on their review of the SWCA memo and voiced concerns raised in this memo that had not been incorporated in the design which resulted in additional modifications.
We find that as conditioned with reducing the form, that the reduced roof form is consistent with the plans approved by the Planning Commission. Their conditions also include Conditions of Approval associated with the CUP, final building plans should reflect substantial compliance, and also added language that changes modifications or deviations from approved design that had not been approved in advanced by Park City Planning and Building departments would result in a stop work order. The Commission was also aware that the Historic District Design Review was still pending where some of the details of the final design elements were being evaluated.

MOTION: The Planning Director **APPROVED** the Historic District Design Review for 220 King Road in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval.

Findings of Fact

1. 220 King Road is a 1.23-acre lot in the Historic Residential-1-Master Planned Development (HR-1-MPD) Zoning District that up until recently contained a 4,235-square-foot Single-Family Dwelling (SFD) built in 1998 and a 4,189- square-foot Guest House built in 2000.
2. The SFD and Guest House were demolished this summer, and the Applicant proposes a new SFD and Accessory Building, the subject of this Historic District Design Review (HDDR) application.
3. On December 18, 1985, the Planning Commission approved the Sweeney MPD, which included seven SFD Treasure Hill Subdivision Lots.[1] The zoning in effect at the time allowed for 450 units within the MPD. However, the Sweeney MPD approval reduced the density to 277 units and ". . . the proposed clustering approach was deemed the most compatible. Rather than spread the density out and thereby impact the entire old town area, the cluster concept afforded the ability to limit the impacts to smaller areas. Efforts to minimize scale have been directed toward this issue as have the solutions to other problems related to traffic, site disturbance, and the preservation of open space….[a] number of the staff's recommended conditions are directed toward minimizing the potential conflicts related to neighborhood compatibility

considerations."

4. "A key element of the proposed cluster approach is to preserve usable open space in perpetuity. A total of 97% (120 acres) of the hillside will be maintained as open space as part of the proposed Master Plan [t]he potential for the subdivision and scattered development of the hillside would have drastically affected the goal of preserving the mountain substantially intact and pristine" (Exhibit B - 1985 Sweeney MPD Approval, p. 11). Within the Treasure Hill Subdivision of the Sweeney MPD, SFDs were clustered near Old Town and over 40 acres were dedicated to Park City Municipal as open space, shown on an excerpt from the plat below. This resulted in larger SFD Lots than traditional Old Town Lots platted 25 feet by 75 feet (1,875 square feet).
5. 220 King Road, Lot 2 of the Treasure Hill Subdivision, is a 53,694-square-foot Lot, nearly 29 times the size of a traditional Old Town Lot. As a result of these larger SFD Lots, additional review is required. For example, unlike other SFDs within Old Town, the 1985 Sweeney MPD Condition of Approval 1 requires properties within the MPD to obtain Planning Commission approval of a CUP prior to development. The CUP review is to evaluate the project for compliance with adopted codes and ordinances in effect at the time and to ensure conformance with the Sweeney MPD. Additionally, the 1985 Sweeney MPD Condition of Approval 6 requires review for conformance with the Historic District Guidelines and related architectural requirements.
6. In 1987, the Planning Commission approved an amendment to the Sweeney MPD to reallocate 12 units, including the relocation of two SFDs to what are now known as 200 and 220 King Road. Condition of Approval 3 of the 1987 amendment requires Planning Commission approval of a CUP and staff review consistent with the Historic District Guidelines. Both reviews must "include review of the design of the structures to insure [sic] that they are designed to minimize visual impact."
7. On August 23, 1990, the City Council zoned 200 and 220 King Road Historic Residential-1-Master Planned Development (HR-1-MPD) (Exhibit D – *Ordinance No. 90-24*). As a result, the project is reviewed for conformance with HR-1 Zoning District standards through the lens of the Sweeney MPD.
8. On September 7, 1995, the City Council adopted Ordinance No. 95-50, approving the Treasure Hill Subdivision Phase 1 plat, creating four SFD Lots

and a 42.7-acre Open Space parcel within the Sweeney MPD.

9. This Subdivision included Lot 2, 220 King Road, and established Building Area Limits and plat notes, outlining precedence with the Sweeney MPD and requiring final house design to be reviewed under the Small Master Plan Process (today's CUP) in accordance with the Sweeney MPD. Additionally, plat notes regulate Footprint, Building Area Limits, Construction Disturbance, Height, Façade Height, Massing, Sewer Laterals, and Fire Sprinkling.
10. Each SFD within the Treasure Hill Subdivision first obtained Planning Commission CUP approval prior to HDDR approval. Regarding 220 King Road:
    a. On March 12, 1997, the Planning Commission approved a Small Scale MPD (CUP) for a Single-Family Dwelling and Guest House (Exhibit G).
    b. On March 17, 1997, the Historic District Commission approved the HDDR (Exhibit H).[2]
    c. On May 27, 1998, the City issued Building Permit B97-02937 for the construction of a SFD.
    d. On September 18, 2000, the City issued Building Permit B00-05967 for construction of a Guest House
11. The Applicant demolished the SFD and Guest House and proposes construction of:
    a. A new Single-Family Dwelling with:
        i. Approximately 7,461 square feet of finished space.
        ii. Approximately 5,898 square feet of unfinished space.
        iii. Approximately 1,690 square feet of terrace/patio area.
    b. A 1,103-square-foot Accessory Building.
12. The Applicant submitted a Plat Amendment and CUP application in 2022. Staff requested the Applicant also submit an HDDR application to initiate the Historic District review process. On January 18, 2023, the Applicant submitted an HDDR application to the Planning Department. As part of the HDDR review, staff requested SWCA, a consultant who assists the City with Historic District reviews, evaluate the proposal pursuant to the applicable HDDR regulations.
13. On April 26, 2023, SWCA submitted a Technical Memorandum (2023 SWCA Memorandum) regarding 220 King Road. The 2023 SWCA Memorandum outlines many relevant considerations and notes 220 King Road is "in a setting where industrial buildings were once common. An industrial design

aesthetic is appropriate in this area; however, this and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes." The Applicant modified and updated their plans to incorporate some of SWCA's recommendations. Staff requires additional Conditions of Approval below to further incorporate SWCA's recommendations.

14. On February 14, 2024, the Planning Commission reviewed a Plat Amendment to shift and increase the Building Area Limits, a CUP for the SFD, a CUP for the outdoor pool, and a Steep Slope CUP for the proposed project. The Planning Commission voted four to two to approve the Plat Amendment and three to three with the Chair breaking the tie to approve the CUPs. The 2023 SWCA Memorandum was provided to the Planning Commission as part of their review, and the Planning Commission required the Applicant to modify their plans as recommended by SWCA prior to approving the project. These requirements are outlined in the Analysis Section of the Staff Report below. On February 21, 2024, the Planning Commission ratified the Final Action Letter approving the project.
15. On March 1, 2024, the Planning Commission's approval was appealed. On April 30, 2024, the Appeal Panel denied the appeal and remanded the following questions to the Planning Commission regarding the Plat Amendment:
    a. Whether the Sensitive Land Overlay applies due to Sweeney MPD vesting.
    b. If the Sensitive Land Overlay Applies, whether it can bisect a Lot.
    c. If the Sensitive Land Overlay applies, what is staff's Sensitive Land determination, recommendation, and mitigations
16. On June 26, 2024, the Planning Commission considered the above questions remanded to them by the Appeal Panel, conducted a public hearing, and determined the following:
    a. The Sweeney MPD is vested prior to the adoption of the Sensitive Land Overlay.
    b. Although the Sensitive Land Overlay would apply to a substantive change, the Sensitive Land Overlay does not apply to the 220 King

Property because a land use ordinance has not amended the original Sensitive Land Overlay Boundary, which does not include 220 King Road.

c. No determination regarding the Staff Sensitive Land Overlay is necessary because the regulations are not applicable per sections (a) and (b) above.

17. The Appeal Panel Final Action Letter contains Condition of Approval 1, which states "[a]ll Conditions of Approval from the Planning Commission Action Letters dated February 21, 2024 apply" and the Conditions of Approval below incorporate the Planning Commission's requirements.
18. New residential infill in the Historic Districts is reviewed for compliance with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts*.
19. The August 15, 2024 Staff Report analysis is incorporated herein.
20. On July 31, 2024, staff published notice on the City's website and posted notice on July 31, 2024. Staff mailed courtesy notice to property owners within 100 feet on July 31, 2024.

Conclusions of Law

1. The proposed project complies with the Planning Commission's February 21, 2024 CUP, SSCUP, and Plat Amendment approvals, Findings of Fact, Conclusions of Law, and Conditions of Approval.
2. The proposed project complies with the Sweeney MPD.
3. The proposed project, as conditioned, complies with LMC § 15-13-8 *Regulations for New Residential Infill Construction (and Non-Historic Residential Sites) in Historic Districts*.

Conditions of Approval

1. All Conditions of Approval required by the Planning Commission's February 21, 2024 CUP, SSCUP, and Plat Amendment approvals remain in full effect.
2. The Applicant shall protect Significant Vegetation located on the eastern portion of the site during and after construction.
3. Final Grade shall be restored to within four feet of Existing Grade upon project completion prior to issuance of a Certificate of Occupancy.
4. The Applicant shall submit a storm drainage analysis to the Engineering Department for review and approval. The analysis must show that the

required storm drainage storage volume matches the pre-development and post- development conditions for a 100-year 24-hour event.

5. The use of Water Wise Landscaping or permaculture strategies for landscape design shall maximize water conservation. Where watering systems are necessary, systems that minimize water loss, such as drip irrigation, shall be used. These systems shall be designed to minimize their appearance from areas viewable from the primary public right-of-way and when viewed from Old Town.
6. Retaining walls visible to the north, east, and south of the SFD must be terraced so that no more than four feet of Existing Grade is manipulated. Visible retaining walls shall not exceed more than four feet in height.
7. Painting, staining, or stucco over stone or concrete retaining walls is prohibited.
8. Residents and guests shall park in the underground parking area. Parking within the fire truck turnaround or driveway area is prohibited.
9. The driveway width shall not exceed 12 feet, unless otherwise required by the Chief Building Official or Park City Fire District for fire truck access and turnaround.
10. Textured and poured paving materials other than smooth concrete are recommended.
11. Snow storage from driveways shall be provided on site and/or within an easement area approved by the City Engineer.
12. The Applicant shall reduce the length of the roof overhang on the north end of the SFD to reduce the roof in scale, as recommended by the 2023 SWCA Memorandum. The roof overhang shall not exceed five feet measured from the northernmost façade wall.
13. The Applicant shall maintain vegetative screening in accordance with the submitted and approved landscape plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the lower-level east façade glazing.
14. No more than eight inches of the new concrete foundation shall be visible above Final Grade on the primary façade and no more than two feet of the concrete foundation shall be visible above Final Grade on secondary and tertiary facades.
15. The site shall be re-graded so as to blend with the grade of the adjacent areas outside of the Building Area Limits and shall not create the need for

incompatible retaining walls.

16. The site shall be re-graded so all water drains away from the structure and does not enter the foundation. See Condition of Approval 4 regarding storm drain storage.
17. Vinyl and aluminum windows and doors are prohibited.
18. The Applicant shall update the glazing of the eastern façade—that façade most visible from Old Town—to replace floor-to-ceiling windows with industrial patterns that create a compatible solid-to-void ratio comparable to the Historic Mine Sites and approved by Planning Staff.
19. Rooftop mechanical and communication equipment is prohibited. Mechanical and communication equipment shall be visually minimized from King Road and from Old Town vantage points. Ground-level equipment shall be screened from view using landscape elements such as low stone walls or perennial plant materials.
20. The roof shall have a matte finish to minimize glare. Roof colors shall be neutral and muted and materials shall not be reflective. The Applicant shall demonstrate the proposed metal siding and roofing materials have a Solar Reflectivity Index (SRI) of 35 or less prior to the submittal of a building permit.
21. Service equipment and trash containers shall be screened. Solid wood or masonry partitions or hedges shall be used to enclose trash areas.
22. Wood materials shall be painted opaque.
23. The railing of the rooftop deck shall be visually minimized when viewed cross-canyon. The Applicant shall plant landscaped screening as indicated on the landscape plan to buffer visibility of the secondary façade rooftop deck along the southern property boundary.

The Park City Administrative Public meeting adjourned at 1:02 PM.

Approved by Planning Director:

HOGGAN LEE HUTCHINSON

Justin Keys
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August 14, 2024

VIA EMAIL

Park City Municipal Corporation
Park City Planning Staff
Attn: Rebecca Ward
rebecca.ward@parkcity.org
PO Box 1480
Park City, Utah 84060

Re: 220 King Road August 15, 2024 HDDR Public Hearing

Dear Staff and Planning Director Ward:

This firm represents Eric Hermann and Susan Fredston-Hermann—the owners of several Old Town Properties including 200 King Road (Parcel No. THILL-1) and their primary residence at 205 Norfolk Avenue (201-NA-SUB-2) (collectively "1325 Empire"). The Fredston-Hermanns' properties directly adjoin the Applicant's (Matt Prince) property at 220 King Road (Parcel No. THILL-2-AM) (the "Project"). And their 200 King Road parcel is the only remaining unbuilt lot in the Sweeney subdivision. The Fredston-Hermanns submit this letter to provide input on the HDDR analysis under Park City LMC § 15-13-8.

Park City LMC § 15-13-8 provides the "Regulations for new residential infill construction (and non-historic residential sites) in Historic Districts." The Project is located in a Historic District, namely the HR-1 District, and it qualifies as "new residential infill construction" on a non-historic residential site. As proposed, the design cannot meet most of the "universal" and "specific" regulations of § 15-13-8.

1. *The Project fails to meet most of the "Universal Regulations" from LMC § 15-13-8(A).*

LMC § 15-13-8(A) provides the "Universal Regulations" for "Infill Construction" in the Historic District. The Design, here, violates most of these regulations.

A. The Project is neither compatible with historic structures in materials, features, size, scale and proportion, and massing nor broken up into volumes that reflect the original massing of historic buildings.

As noted in the SWCA memo, the only expert opinion issued on the matter, the proposed Project fails to meet the size, scale, proportion and massing requirements of LMC § 15-13-8(A)(4).[1] That provision requires:

> New infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the new infill residential buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the lot.

The SWCA summarized the Projects non-compliance as follows:

> [T]he size, scale, and proportions of the residence and its component elements, including the shed roof and cantilevered flat roof, are reminiscent of a large-scale industrial building rather than a residential building, which is not compatible with the HR-1 zone. While projecting portions of the building on the downslope elevation provide some modulation of mass, additional size reduction or modulation of the building mass itself (as well as its roofs) is required to reflect the size and massing of historic residential buildings[.][2]

The Project has not been sufficiently modified to address these issues. Further, the Staff Report's acceptance of the Applicant's assertion that the building has been broken up into five masses goes against all evidence. The building appears as one large mass the width of multiple Old Town lots. The Applicant has not even attempted to break it up to make it appears modulated. Simply saying it has been modulated does not make it true. You can put as much lipstick as you want on a pig, but it remains a pig. Likewise, you can highlight different portions of the design with different colors, but that does not mean it has been "broken up into volumes that reflect the original massing of historic buildings." It remains one large unbroken mass, far beyond the appropriate size and scale for the neighborhood. This building is one large mass and is far too large to fit in the HR-1 District, and, as such, fails to comply with LMC § 15-13-8(A)(4).

B. The design does not reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites.

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[1] Memorandum from SWCA Environmental Consultants on Historic District Design Review for 220 King Road to Park City Mun. Corp. 2 (April 26, 2023).
[2] *Id.*

The proposed Project fails to comply with LMC § 15-13-8(A)(1) which requires: "New infill residential buildings shall reflect the historic character—simple building forms, unadorned materials, restrained ornamentation—of Park City's Historic Sites." The proposed Project does not reflect the historic character of Park City's Historic Sites due to its size, massing, the materials used in its construction and its general ornamentation. While the structure may have been designed to reflect industrial mining building from Park City's history, the historic districts of Park City are for residential and commercial/storefront buildings, and the design does not reflect that historic character.

C. The Project radically conflicts with the character of Park City's Historic Sites.

The design, here, radically conflicts with the character of Park City's Historic Sites in the HR-1 District. LMC § 15-13-8(A)(3) requires that "[a] style of architecture shall be selected and all elevations of the new infill residential building shall be designed in a manner consistent with a contemporary interpretation of the chosen selected style. Stylistic elements shall not simply be applied to exteriors. Styles that never appeared in Park City shall be avoided. Styles that radically conflict with the character of Park City's Historic Sites shall also be avoided." No residence in the Park City Historic Sites inventory looks like the proposed structure, especially not in the HR-1 District. It even radically conflicts with the historic structures the Applicant claims it is trying to mirror. Looking at the design next to the Silver King Mill Building it is inspired by show only minor similarities.[3] This design, therefore, cannot satisfy this requirement.

D. The project does not minimize cut, fill, and the use of retaining walls.

The design here fails to minimize cut, fill, and use of retaining walls as required by LMC § 15-13-8(A)(5). LMC § 15-13-8(A)(5) says: "Building and site design shall respect the existing topography, the character-defining site features, including existing trees and vegetation, and shall minimize cut, fill, and the use of retaining walls." This design requires massive cuts of more than 80' feet in aggregate and up to 45' feet for individual cuts, requiring massive retaining walls to support the slope. As a result, the mountainside above the proposed project is losing critical support. In total, cut for the Project will result in the removal of 11,786 cubic yards of earth. For reference, this is nearly the same amount of mountainside removed for a single as was required for the entire Kings Crown Development—three large condominium buildings and twenty-six single-family homes and townhomes. Considering there are already two large homes on the property, such a large cut is not necessary for productive use of the property. This, clearly, is a failure to minimize cuts and the use of retaining walls. The Staff Report completely fails to mention how

[3] *See* Letter from Quinn Kummer, Architect, Olson Kundig, to Planning Director, Park City Mun. Corp. 5 (July 31, 2024).

the Applicant is minimizing cut, and it does so because there is no argument to be made.[4] The Staff Report, on this issue, simply ignores the problem.

E. The Project's exterior elements are not compatible with neighboring Historic Structures.

LMC § 15-13-8(A)(6) requires: "Exterior elements – roofs, entrances, eaves, chimneys, porches, windows, doors, steps, garages, etc. – of the new infill residential building shall be of human scale and shall be compatible with neighboring Historic Structures." The only expert opinion (i.e., the SWCA memo) states that "the wide shed roof would need to be divided into three to five modules to achieve the appropriate residential scale and the cantilevered flat roof would need to be reduced in size."[5] While the wide shed roof has been broken up into three modules, it has not been done so to achieve "residential scale." It still has portions far too wide to be compatible with the neighboring Historic Structures in the HR-1 District. Further, the cantilevered flat roof has not been reduced in size. This issue has not been sufficiently addressed by staff or the Applicant, and the design violates LMC § 15-13-8(A)(6).

F. The scale and height of the Project do not follow respect the architecture of the character area.

The design also fails to meet the requirement of LMC § 15-13-8(A)(7) because it does not respect the architecture of the character area, as noted by the SWCA memo.[6] That code provision reads: "Scale and height of new infill residential buildings shall follow the predominant pattern and respect the architecture of the Streetscape or character area with special consideration given to Historic Sites." The SWCA analysis is as follows:

> The proposed infill references the industrial buildings of the Silver King Mine but the guidelines require that infill residential buildings maintain a historic residential scale appropriate to the historic district or zone in which they are being constructed. The proposed residence at 220 King Road will be on a relatively isolated site and will not be directly adjacent to any Historic Sites. In the absence of a streetscape lined by other buildings, the predominant pattern of the historic district or residential zone applies. The proposed design does not comply with this guideline.[7]

The Staff Report dodges this damning analysis by redefining "character area" to mean subdivision.[8] So, now, instead of having to respect the architecture of the historic structures within

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[4] Staff Report from Planning Team on 220 King Road Historic District Design Review to Planning Department 11(August 15, 2024).
[5] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 2.
[6] *Id.* at 3.
[7] *Id.*
[8] *See* Staff Report from Planning Team, *supra* note 4, at 12.

a zone, one will only have to respect the architecture of the subdivision. Considering much of Old Town has many small subdivisions with no historic structures, under this new method, much of the buildings in the Historic Zoning Districts will no longer need to comply with this code provision. In essence, the Staff Report has effectively rendered this provision moot.

As the above quoted analysis from the SWCA Memo states, this design does not comply because it is not compatible with the true character area (i.e., the HR-1 Zone). Further, the Staff Report wrongly claims it is "aligned" with the Height Regulations established through the Sweeney MPD.[9] The Sweeney MPD specifically limits structures on this property to 25' with no exceptions permitted.[10] Here, the property's height is roughly 33' in clear violation of the Sweeney MPD.[11] Plat Notes cannot exempt a property from the terms of an MPD in any case but especially when the MPD specifically says there are no exemptions allowed. The Staff Report, here, is patently incorrect, and the design violates LMC § 15-13-8(A)(7).

G. <u>The size and mass of the Project are not compatible with the size of the site so that lot coverage, building bulk, and mass are compatible with Historic Sites the character area.</u>

The size and mass requirements of LMC § 15-13-8(A)(8) are also violated by this design. Once again, the SWCA Memo addresses this issue: "its building bulk and mass are not compatible with Historic Sites just downslope in the HR-1 zone. Further reduction or modulation of massing, both of the residence and its shed and cantilevered flat roofs, is required to be compatible with the building bulk and mass of historic residences in the HR-1 zone."[12] These issues have not been remedied by the Applicant, and the Staff Report analysis dodges the issue by not providing any analysis. It provides no analysis or conclusion because the only reasonable conclusion that could be drawn would be that the design does not comply.

H. <u>The Project creates an unmitigable risk of physical damage to nearby Historic Sites.</u>

The Applicant has failed to demonstrate that the new construction activity will not physically damage nearby Historic Sites. LMC § 15-13-8(A)(9) requires that "[n]ew construction activity shall not physically damage nearby Historic Sites." The Applicant cannot guarantee this requirement will be met. A report from the Utah Department of Natural Resources indicates that the Treasure Hill area is highly prone to erosion if vegetation is cleared, which is necessary for this Project. This clearing also raises the risk of land subsidence, potentially leading to landslides. It is evident, even to non-experts, that the Project presents significant dangers. Furthermore, the Geotech report submitted by the applicant does not properly address the risk of landslides. It

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[9] *Id.*
[10] Sweeney MPD § III(5)(a).
[11] *See* Olson Kundig, Park City Residence 220 King Road HDDR Drawings A2.50 (July 31, 2024).
[12] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 3.

merely states that the Project will be safe once completed. Even this is doubtful, however. It is common knowledge in the community that several mineshafts under Treasure Hill were loosely filled after abandonment, resulting in an unstable slope prone to landslides. The King's Crown development, discussed above, involved shallower cuts moving a similar amount of earth from much less steep slopes on the same mountain but still caused a land slide.

The Staff Report addresses this issue by pointing out that "[t]here are no designated Historic Sites on Park City's Historic Sites Inventory near 220 King Rd."[13] This is misleading. While there may not be Historic Sites adjacent to the subject property, there are numerous Historic Sites downhill from the property. A landslide, triggered by this massive cut, would put much of Old Town, along with its Historic Sites, in jeopardy. It is impossible for the Applicant, here, to guarantee that their construction activity will not cause a land slide that physically damages nearby Historic Sites.

I. <u>The Project does not reinforce visual unity within the context of the character area.</u>

Another LMC provision that this design fails to meet is LMC § 15-13-8(A)(10) which requires:

> New infill residential buildings shall reinforce visual unity within the context of the Streetscape or character area. The specific context of each Streetscape or character area is an important feature of the Historic District. The context of each Streetscape or character area shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area. Special consideration should be given to adjacent and neighboring Historic Sites in order to reinforce existing rhythms and patterns.

The SWCA Memo succinctly explains why the design fails to meet this requirement:

> [T]his and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes. Because the guidelines are so clear on this point, a variance from the Board of Adjustment would be required to permit the design as proposed.[14]

Despite this expert recommendation, no variance has been sought by the Applicant or required by the City. The Staff Report once again relies on a creative application of "character area" to argue that it only needs to fit with the industrial structures well out of sight from Old Town rather than the Historic Residences that fill the immediate surrounding area. Staff's argument—that this

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[13] Staff Report from Planning Team, *supra* note 4, at 13.
[14] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 3.

provision requires the proposed structure, in a very prominent sight visible from most of the Historic Districts, to have "visual unity" with industrial structures that cannot be viewed most anywhere in Historic District rather than the Historic Residences that are visible and fill the neighborhood—contradicts the plain language of the Code provision itself. This is yet another attempt to argue that this design complies with a standard that it cannot meet.

2. *The Project fails to meet many of the "Specific Regulations" from LMC § 15-13-8(B).*

In addition to the "Universal Regulations" violations discussed above, the Design also violates many of the "Specific Regulations" for Primary Structures. Specific Regulations are provided in LMC § 15-13-8(B).

A. <u>The Project does not comply with the Specific Requirements for mass, scale and height.</u>

The Design violates many of the Mass, Scale and Height Specific Regulations for Primary Structures from LMC § 15-13-8(B)(2)(a). Some of the Specific Regulations violated include:

Regulation Violated:	**Analysis:**
15-13-8(B)(2)(a)(1): The size and mass of a new residential infill building in relation to open spaces, shall be visually compatible with adjacent historic buildings and historic structures in the surrounding Streetscape or character area.	As stated by the SWCA memo, "the size of the building and its component elements must be broken into distinct masses more reminiscent of the size and mass of historic buildings in the zone to achieve visual compatibility."[15] This has not been done. The Staff Report, here, ignores the City's own contracted experts and argues that the Design complies with this provision by, once again, relying on an incorrect application of "character area."[16] This is incorrect.
15-13-8(B)(2)(a)(2): Buildings that utilize traditional building forms – rectangular, cross-wing, pyramid-roof – are encouraged.	The Staff Report only says: "The proposed form for 220 King Road is drawn from Historic Mine Sites."[17] This is false. While the structure may draw inspiration from Historic Mine Sites, the "form" of the proposed structure

[15] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 3.
[16] Staff Report from Planning Team, *supra* note 4, at 24.
[17] *Id.*

	varies wildly from anything in Park City. Further, the forms listed are not used.
15-13-8(B)(2)(a)(3): Historic height, width, and depth proportions that are important in creating compatible infill and maintaining the historic mass and scale of the Streetscape or character area.	Here, the Staff Report says: "The Sweeney MPD Treasure Hill Subdivision SFD character area establishes compatible infill based on larger Treasure Hill Subdivision Lots through plat notes governing mass, scale, and height."[18] This is a creative way of saying that it does not comply with the historic height, width and depth proportions of the historic district (as the SWCA Memo concludes),[19] but we do not care because it complies with plat notes. Plat notes, however, are not a legal method of exempting a project from code requirements.
15-13-8(B)(2)(a)(5): The perceived scale of new buildings shall respect the scale established by historic buildings in the character zone. Abrupt change of scale in the character zone is inappropriate, especially when a new, larger building would directly abut smaller historic buildings.	Once again, the Staff Report relies on the misapplication of "character area" to claim compliance despite their retained experts saying otherwise.[20] The SWCA Memo says: "Both the actual and perceived scale of the proposed residence is significantly greater than a typical historic residence in the HR-1 zone and there are no historic large-scale industrial buildings nearby or anywhere in the zone that establish a precedent for large-scale infill. As stated above, the reference to the industrial aesthetic of the Silver King Mine buildings is encouraged in the design of the structure, but those historic mining buildings are neither in the HR-1 zone nor visible from it. For these reasons, the perceived scale should reflect that of a historic residential building rather than a

[18] Staff Report from Planning Team, *supra* note 4, at 24-25.
[19] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 4.
[20] *See* Staff Report from Planning Team, *supra* note 4, at 25.

	historic industrial building."[21] The Staff Report takes a directly contradictory stance by considering the character area to include the non-visible structures far away rather than the Historic District where the property lies.
15-13-8(B)(2)(a)(6): A larger building shall be divided into 'modules' that reflect the mass, scale, proportions, and size of historic buildings within the Streetscape or character area. Modules shall be clearly expressed throughout the entire building and a single form shall remain the dominant element so the overall mass does not become too fragmented. To minimize the scale perceived from the primary public right-of-way, stepping down the mass of a larger building shall be considered.	The Staff Report takes the Applicant's position that this structure is divided into five modules.[22] That is, simply, incorrect. The Applicant arbitrarily divided the proposed building into five segments and called them "modules," but calling these "modules" does not make them into modules. Looking at the exterior of the proposed structure, there are not clear modules. It is important to note that the point of the modules requirement is that the structure looks broken up. That is not the case here. To suggest this structure is divided into five modules is to ignore what is plain to the naked eye.
15-13-8(B)(2)(a)(7): Larger-scale projects shall also include variations in roof height in order to break up the form, mass and scale of the overall structure.	Here, as acknowledged in the Staff Report,[23] the Design has been changed partially (and to create further non-compliance with other code provisions) to address the SWCA Memo's recommendation on this provision.[24] The change, however, does not go far enough to comply with this provision. Sections of the roof are still far too wide (i.e., in excess of 25 feet in width) for the Historic District. Therefore, the Design does not comply with this provision.

B. <u>The Project does not comply with the Specific Requirements for Roofs.</u>

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[21] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 4.
[22] *See* Staff Report from Planning Team, *supra* note 4, at 25.
[23] Staff Report from Planning Team, *supra* note 4, at 25.
[24] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 4.

Finally, the structure does not comply with the Specific Regulation for Roofs in LMC § 15-13-8(B)(1)(e)(1). That provision requires: "Roofs of new residential infill buildings shall be visually compatible with roof shapes and orientation of surrounding Historic Sites and adjacent buildings that contribute to the character of the Historic District. Sloping of roof forms, such as gable, hip, and shed, should be the dominant roof shapes. Roofs composed of a combination of roof planes, but simple in form, are also encouraged. Roofs shall be in scale with those on historic structures." Although the Staff Report concludes that it meets this requirement,[25] the SWCA Memo concludes otherwise.[26] The SWCA Memo says: "[T]he guidelines are clear that the perceived scale of larger residential buildings (on lots wider than 25') should be managed by breaking them into smaller masses or modules that reflect historic residential massing, including their roofs. There is no precedent for exceptions when an industrial aesthetic is used for a residence, or for residences that may be in historically industrial areas. To comply with the guidelines, the roof could be broken into a horizontally stepped series of shed roofs (3 to 5 of them, with differences in roof height of a few feet or more to create shadow lines) that shelter their corresponding modules, or a mix of shed and flat. The cantilevered flat roof would also need to be reduced in scale."[27] While the roof was broken up some after the memo was written, it was not done sufficiently to meet this requirement. There are segments that are still far too large (i.e., greater than 25' in width) to be compatible with the Historic Residences in the neighborhood. Further, the cantilevered flat roof was not reduced in scale. Therefore, the design remains out of compliance with LMC § 15-13-8(B)(1)(e)(1).

Based on the foregoing, we respectfully request that do not approve the Draft Final Action Letter until the many non-compliance issues are adequately addressed. Thank you for your consideration in this matter.

Very Truly Yours,
HOGGAN LEE HUTCHINSON

Justin J. Keys

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[25] Staff Report from Planning Team, *supra* note 4, at 32.
[26] Memorandum from SWCA Environmental Consultants, *supra* note 2, at 6.
[27] *Id.*

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Planning Department

July 15, 2024

Justin Keys
Hogan Lee Hutchinson

CC: Eric Hermann and Susan Fredston-Hermann
David Bennett
David Constable
Ed DeSisto
James Doilney
Martiena Lewis
Nicholas Schapper
Ginger Tolman
John Vrabel

NOTICE OF APPEAL PANEL ACTION

Description

Address:	220 King Road
Zoning District:	Historic Residential – 1 – Master Planned Development (HR-1-MPD)
Application:	Appeal
Project Number:	PL-24-06057
Action:	DENIED
Date of Final Action:	July 15, 2024
Project Summary:	Appeal of the Planning Commission's February 21, 2024 approval of a Conditional Use Permit and Steep Slope Conditional Use Permit to demolish an existing Single-Family Dwelling and Guest House to construct a new Single-Family Dwelling, Accessory Building, outdoor pool, and underground parking area, and to amend the Treasure Hill Subdivision Lot 2 Phase 1 First Amended Plat to remove a portion of the eastern Building Area Limits facing Old Town to shift the Building Area Limits to the west behind the Single-Family Dwelling with a 490-square-foot total increase.

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Action Taken
On April 30, 2024, the Appeal Panel conducted a public hearing and voted to: a) deny the appeal of the Planning Commission's approval of the Conditional Use Permits and Steep Slope Conditional Use Permit; and b) remanded three questions to the Planning Commission regarding the Sensitive Land Overlay and the Plat Amendment. On June 26, 2024, the Planning Commission conducted a public hearing and issued their determination to the Appeal Panel regarding the Sensitive Land Overlay. The parties stipulated to a single Final Action Letter, from which any additional appeal to District Court would run. On July 15, 2024, the Appeal Panel ratified this Final Action Letter denying the appeal of the Planning Commission's approval of the 220 King Road Conditional Use Permits, Steep Slope Conditional Use Permit, and Plat Amendment according to the following findings of fact, conclusions of law, and conditions of approval:

Findings of Fact

1. 220 King Road is a 1.23-acre lot with a Single-Family Dwelling built in 1998 and a Guest House built in 2000.
2. 220 King Road is Lot 2 of the Treasure Hill Subdivision Phase 1 First Amended Plat.
3. The Treasure Hill Subdivision is part of the Sweeney Master Planned Development.
4. On December 18, 1985, the Planning Commission approved the Sweeney Land Company Large Scale Master Planned Development, allocating 277 units of density through several locations in the Historic Districts and the Treasure Mountain area.
5. On October 14, 1987, the Planning Commission approved an amendment to the Sweeney Master Planned Development and reallocated 12 Unit Equivalents to accommodate extended ski trails.
6. The amended Sweeney Master Planned Development relocated two Unit Equivalents along King Road – 200 and 220 King Road. These two properties and five others became part of the eight-Lot Treasure Hill Subdivision, approved in three phases. 220 King Road is included in Phase I.
7. On August 23, 1990, the City Council adopted Ordinance No. 90-24, rezoning six of the Treasure Hill Lots, including 220 King Road, from Historic Residential – 1 to Historic Residential 1 – Master Planned Development (HR1-MPD).
8. The Applicant applied for a Conditional Use Permit to demolish the existing Single-Family Dwelling and Guest House at 220 King Road to construct a new

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Single-Family Dwelling (PL-22-05318), a Conditional Use Permit for an Outdoor Pool (PL-23-05523), and a Steep Slope Conditional Use Permit (PL-23-05571).

9. The Applicant applied for a Plat Amendment (PL-22-05318) to remove a portion of the eastern Building Area Limits facing Old Town to shift the Building Area Limits to the west behind the Single-Family Dwelling with a 490-square-foot total increase.
10. On February 14, 2024, the Planning Commission conducted a public hearing and voted 4-2 to approve the Plat Amendment, and 3-3 to approve the Conditional Use Permits, with the Planning Commission Chair voting to approve, breaking the tie.
11. On March 1, 2024, the Appellants appealed the Planning Commission's approval.
12. On April 30, 2024, the Appeal Panel conducted a public hearing and determined:
    a. the Appellants have standing and both letters were considered.
    b. The Appellants failed to meet their burden of proving where the Planning Commission erred in applying the Land Management Code to the applications.
    c. The Planning Commission decision does not alter the existing easement of record regarding the driveway access.
    d. The Planning Commission properly determined the vesting of the Sweeney Master Plan regarding the calculation of height.
    e. The Planning Commission properly determined reasonable Conditions of Approval to mitigate adverse impacts of the applications.
13. The Appeal Panel remanded the following questions to the Planning Commission:
    a. Whether the Sensitive Land Overlay applies due to Sweeney Master Planned Development vesting.
    b. If the Sensitive Land Overlay Applies, whether it can bisect a Lot.
    c. If the Sensitive Land Overlay applies, what is staff's Sensitive Land determination, recommendation, and mitigations.
14. On September 24, 1992, the City Council enacted Ordinance No. 92-17 *Adopting the Sensitive Area Overlay Zone Regulations and Amending the Official Zoning Map of Park City, Utah to Include the Sensitive Area Overlay Zone and Amending the Land Management Code of Park City, Utah to Better Regulate Development of Sensitive Lands*.
15. The 1992 Sensitive Land Overlay regulations state:
    a. *There are a number of existing, valid Master Plans which have been approved. Requests for site specific approval for parcels within Large*

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Scale Master Plans which are located within the Sensitive Area Overlay Zone shall be required to go through the Sensitive Lands Analysis and the development will be required to be placed on the least sensitive portion of the parcels. In general, the site design criteria shall apply to these proposals.

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

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

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

17. The Sweeney MPD was approved, and 220 King Road (and other Treasure Hill Properties) were zoned HR1-MPD by the City Council, prior to enactment of the Sensitive Land Overlay in 1992.
18. The Treasure Hill properties within the Sweeney MPD were platted and the plats amended after enactment of the Sensitive Land Overlay. However, as indicated in City Attorney James Carter's 1992 letter, the Sensitive Land Overlay was not applied to the properties because a comprehensive amendment to the Sweeney MPD was not proposed.
19. On September 7, 1995, the City Council adopted Ordinance No. 95-50 approving the Treasure Hill Phase I Subdivision. This established Lot 1 (200 King Road), Lot 2 (220 King Road), Lot 3 (425 Norfolk Avenue), and Lot 4 (375 Norfolk Avenue) within the HR1-MPD Zoning District and dedicated Lot 5, over 40 acres of Open Space, to Park City Municipal.
20. The City Council has not amended the Sensitive Land Overlay adjacent to the 220 King Road property on the Zoning Map by an approved land use ordinance. The 1992 Sensitive Land Overlay map is the regulatory map, which did not

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intentionally bisect 220 King Road. Any inconsistent digitized map is a clerical error.

21. On June 26, 2024, the Planning Commission conducted a public hearing and determined:
    a. The Sweeney Master Planned Development is vested prior to the adoption of the Sensitive Land Overlay.
    b. Although the Sensitive Land Overlay would apply to a substantive change, the Sensitive Land Overlay does not apply to the 220 King Property because a land use ordinance has not amended the original Sensitive Land Boundary, which does not include 200 King Road.
    c. No determination regarding the Staff Sensitive Land Overlay is necessary because the regulations are not applicable per sections (a) and (b) above.

Conclusions of Law

1. The appellants did not meet their burden to demonstrate the Planning Commission erred in applying the Land Management Code to the three applications.
2. The Planning Commission correctly applied Land Management Code Chapter 15-7 and Sections 15-7.1-3(B), 15-1-10, 15-2.2-6, and 15-15-1.
3. The Planning Commission correctly adopted reasonable conditions of approval to mitigate any adverse impacts of the approvals.

Conditions of Approval

1. All Conditions of Approval from the Planning Commission Action Letters dated February 21, 2024 apply (attached as Exhibit A).

If you have questions or concerns regarding this Final Action Letter, please call 435-615-5060 or email planning@parkcity.org.

Sincerely,

DocuSigned by:
Adam Strachan
05AF9877B95E400...

7/22/2024

Adam Strachan, Appeal Panel Chair

Sarah Hall, Planning Commission Chair

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February 21, 2024

Pesky Porcupine, LLC

CC: Wade Budge with the Law Offices of Snell & Wilmer

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	220 King Road Lot 2, Phase I of the Treasure Hill Subdivision Sweeney Master Planned Development
Zoning District:	Historic Residential – 1 Sensitive Land Overlay
Applications:	PL-22-05318 – Conditional Use Permit, Single-Family Dwelling PL-22-05319 – Plat Amendment PL-23-05523 – Outdoor Pool PL-23-05571 – Steep Slope Conditional Use Permit
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	February 21, 2024
Project Summary:	The Applicant proposes to demolish a 4,235-square-foot Single-Family Dwelling and 4,189-square-foot Guest House, to construct a: ○ A Single-Family Dwelling with: ▪ Approximately 7,461 square feet of finished space. ▪ Approximately 5,898 square feet of unfinished space. ▪ Approximately 1,690 square feet of terrace/patio area. ○ A 1,103-square-foot Accessory Building. ○ A 243-square-foot Swim Spa. ○ A 4,794-square-foot Underground Parking Area.

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The Applicant proposes to amend Plat Notes 1 (Footprint), 4 (Height), 5 (Façade Height, Easterly Facing), and 9 (Precedence) of the Lot 2, Phase I Treasure Hill Subdivision, and shift Plat Note 9 (Precedence) to Plat Note 1 and add Plat Notes 10, 11, 12, and 13 to the Second Amendment for Lot 2, Phase 1 Treasure Hill Subdivision, and to shift the Building Area Limits to accommodate the proposed project.

Action Taken
On February 14, 2024, the Planning Commission conducted a public hearing and approved the Second Amendment for Lot 2, Phase 1, Treasure Hill Subdivision, amending Plat Notes 1 (Footprint), 4 (Height), 5 (Façade Height, Easterly Facing), and 9 (Precedence) of the Lot 2, Phase I Treasure Hill Subdivision, shifting Plat Note 9 (Precedence) to Plat Note 1 and adding Plat Notes 10, 11, 12, and 13 to the Second Amendment for Lot 2, Phase 1 Treasure Hill Subdivision, and shifting the Building Area Limits to accommodate the proposed project. The Planning Commission conducted a public hearing and approved the Conditional Use Permit for a Single-Family Dwelling and Outdoor Pool and the Steep Slope Conditional Use Permit for the project according to the following findings of fact, conclusions of law, and conditions of approval:

The January 24, 2024 and February 14, 2024 staff reports and meeting minutes are incorporated herein.

Plat Amendment
File No. PL-22-05318

Findings of Fact

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

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

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

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4. The Property is currently being used for one single-family residence and one guest house that the Applicant intends to demolish to construct a new single residence.

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

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

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

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

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

10. The Planning Commission expressly finds this approval is limited to the Amended Plat of the Amended Sweeney Properties Master Planned Development, and as such shall not create any precedent nor interpretation of general applicability in the Historic Residential-1 Zoning District, for current Land Management Code regulations, or other plat amendments.

Additional Findings

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

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

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

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ii. Exterior walkways;
iii. Exterior stairs; and
iv. Driveways.

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

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

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

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

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

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

i. The Amended Plat resolves an existing non-conformity as the two residential units constructed on a single lot will be demolished in favor of a single residential unit on a single lot.

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ii. The Amended Plat preserves the character of the neighborhood and Park City as the Amended Plat is more consistent with the Amended Sweeney Properties MPD approval.

iii. Reducing the buildable area and relocating a portion of the buildable area will reduce the visual impact of the Property's development. This is consistent with best planning and design practices.

iv. The Amended Plat facilitates the construction of a single residence in place of one residence and one guest house that are presently used as short-term rentals. Demolishing the two existing short-term rentals reduces the overall density of the area, alleviates traffic, decreases utility usage, minimizes noise and light pollution, and is more consistent with neighboring uses.

v. The Amended Plat facilitates the termination of the existing short-term rentals. This furthers the health, safety, and welfare of the Park City community as it will decrease the number of unknown persons in the community and increase the overall sense of community by housing long-term residents.

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

Conclusion

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

Conditions of Approval

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

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Exhibit A
Amended Plat to be Updated to Reflect Exhibit B

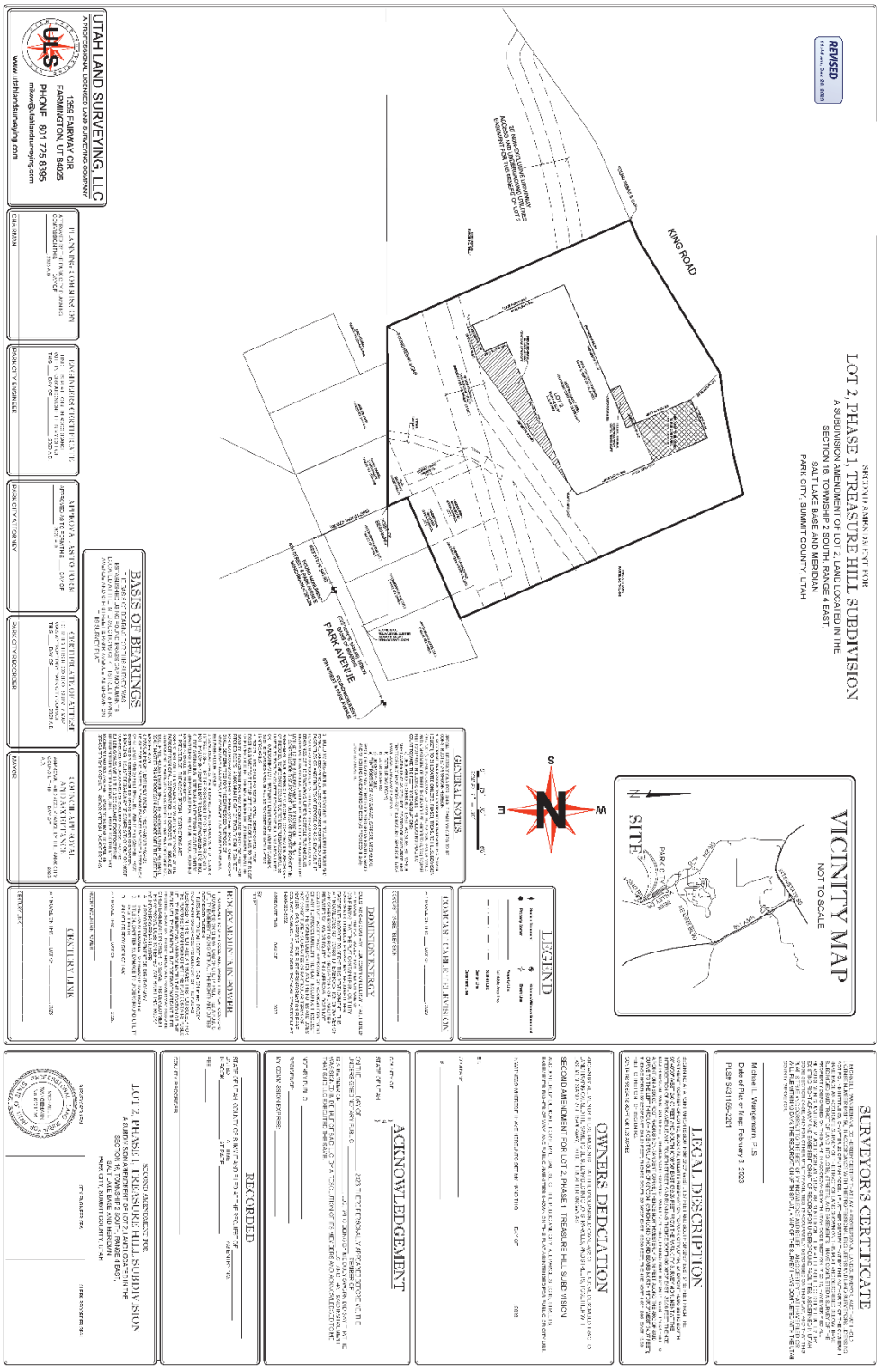

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Exhibit B
Amended Plat Notes

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

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

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

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

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

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

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SUCH DISTURBED AREA SHALL BE REVEGETATED WITH NATIVE LANDSCAPING.

5. HEIGHT. THE BUILDING HEIGHT SHALL BE MEASURED FROM EXISTING GRADE TO THE TOP OF THE FLAT ROOFS AND TO THE RIDGE OF PITCHED ROOFS. THE MAXIMUM HEIGHT, IN GENERAL, SHALL BE TWENTY -FIVE (25) FEET FOR FLAT ROOFS AND THIRTY (30) FEET FOR PITCHED ROOFS. A MAXIMUM HEIGHT OF TWENTY EIGHT (28) FEET FOR FLAT ROOFS AND THIRTY-THREE (33) FEET FOR PITCHED ROOFS SHALL BE PERMITTED FOR THE EXPRESSED PURPOSE OF ACCOMMODATING ACCESS AND LIGHT FEATURES NO GREATER THAN 24 FEET IN LENGTH, I.E. STAIRWELLS AND/OR ELEVATORS, BETWEEN FLOOR LEVELS. IN ACCORDANCE WITH THE SWEENEY MPD, WHICH WAS APPROVED BY THE PARK CITY MUNICIPAL CORPORATION ON OCTOBER 16, 1986, AND AS SUBSEQUENTLY AMENDED ON OCTOBER 14, 1987 AND DECEMBER 30, 1992, BUILDING HEIGHT SHALL ONLY BE MEASURED AS OUTLINED IN THIS PLAT NOTE #4.

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

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

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

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

10. EXTERIOR LIGHTING. ALL EXTERIOR LIGHTING SHALL BE DOWN DIRECTED AND FULLY SHIELDED WITH BULBS 3,000 DEGREES KELVIN OR LESS. FLOOD LIGHTS ARE PROHIBITED. OUTDOOR LIGHTS SHALL NOT BE INSTALLED MORE THAN 12 FEET ABOVE EXISTING GRADE. GROUND-LEVEL FIXTURES SHALL BE FULLY SHIELDED.

11. GLAZING. SIXTY PERCENT (60%) OF THE EASTERN FACING FAÇADE IS PERMITTED TO BE GLAZING AND LIGHTING IMPACTS FROM THE EASTERN

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FACING FAÇADE SHALL BE MITIGATED BY INTERIOR FIXTURES DESIGNED TO MINIMIZE DIRECT VISIBILITY OF THE LIGHTING ELEMENT FROM RESIDENCES WITHIN 1/3 MILE OF THE RESIDENCE.

12. CONTINGENT UPON A STEEP SLOPE CONDITIONAL USE PERMIT APPROVAL BY THE PLANNING COMMISSION, DETACHED BELOW GRADE ACCESSORY BUILDINGS. BELOW GRADE ACCESSORY BUILDINGS ARE PERMITTED WITHIN THE BUILDABLE AREA. THE FOOTPRINT OF A DETACHED BELOW GRADE ACCESSESORY BUILDING DOES NOT COUNT TOWARDS THE FOOTPRINT AREA OF THE DWELLING AS ALLOWED IN NOTE #1.

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

Conditional Use
File No. PL-22-05319
File No. PL-23-05523
[220 King Residence and Outdoor Pool]

Findings of Fact

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

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

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

4. The Property is currently being used for one single-family residence and one guest house, that the Applicant intends to demolish to construct the new Residence.

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

The existing single-family residence and guest home have been used for short-term rentals.

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

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

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

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

Additional Findings

9. The Planning Commission, as the land use authority, finds that the proposed Residence CUP is in compliance with the standards in LMC § 15-1-10.E, as applied pursuant to the Amended Sweeney Properties MPD. Specifically, the Residence:

a. As applied pursuant to the Amended Sweeney Properties MPD, is an appropriate size and location for the Property. *See* LMC § 15-1-10.E.1 This finding is supported further as follows:

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

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

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

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

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

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

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

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

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

ii. The Residence will decrease utility usage by utilizing more efficient construction materials and by replacing one existing home and one existing guest house used as short-term rentals.

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

d. Provides adequate emergency vehicle access. *See* LMC § 15-1-10.E.4. Specifically, the Residence has been designed to meet all emergency vehicle access and driveway slope requirements as set forth in the LMC, including by providing a fire turnaround in the underground parking area.

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

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

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

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

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

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

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

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

h. As applied pursuant to the Amended Sweeney Properties MPD, is appropriately massed, bulked, and oriented, on the site. *See* LMC § 15-1-10.E.8. This finding is supported as follow:

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

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

iii. The Residence meets the height limitation stated on the second amended subdivision plat.

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

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

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

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

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

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

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

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

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

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

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

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

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

11. As discussed below, the Applicant has agreed to self-impose certain conditions on the Property to minimize any potential detrimental effects that may result

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from the proposed use. The Planning Commission finds that these conditions adequately mitigate any potential detrimental effects that may result from the Residence.

Conclusion

Based on the foregoing, and subject to the conditions listed below, the Residence and Outdoor Pool CUP applications meet the standards and requirements of the LMC as applied pursuant to the Amended Sweeney Properties MPD, including the criterial for approving a conditional use per LMC § 15-1-10.E and 10-9A-507, Utah Code Ann. The Planning Commission concludes it is appropriate to issue the Residence CUP subject to the below conditions, each of which will mitigate any reasonably anticipated detrimental effects associated with the Residence.

Conditions

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

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

B. The Applicant is responsible for notifying the Planning and Building Departments prior to proposing any changes to this approval. The Applicant shall submit in writing any changes, modifications, or deviations from the approved scope of work for planning review and approval/denial in accordance with the applicable standards prior to construction. Unfinished space indicated on plan sheets A2.10 and A2.20 of the approved plan set is limited to concrete floors, utilities, mechanical equipment, and storage. Future modifications to this unfinished space shall be reviewed by the Planning Commission in accordance with the Conditional Use Permit process.

C. The current access point of King Road must be maintained, and no new access points are allowed. The driveway width within the platted easement on 200 King Road and within the setbacks required for 220 King Road shall not exceed 12 feet in width, unless required by the Park City Fire District to accommodate turning radius and emergency vehicles.

D. The Applicant shall include in their Construction Mitigation Plan (CMP), in addition to Municipal Code of Park City Section 11-14-4(H), a specific plan for all soil exporting. Soil shall be transported uphill on King Road to an approved site for deposit. Time of operations, location of deposit site, total cubic yards to be exported, and number of trips hauling shall be outlined and regulated through the CMP. If the property owner of an approved site for deposit will not accept the excavated soils, the applicant will submit an alternative soil exporting plan for review by the Planning

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

Director and Chief Building Official. No alternative soil exporting will be permitted until plans are approved.

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

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

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

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

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

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

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

L. No additional fencing is permitted without further approval by the Park City Planning and Building Departments.

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

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

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

P. The proposed residence's roof shall be consistent with the plans approved by the Planning Commission on February 14, 2024, and attached as Exhibit D.

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

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

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

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

T. Any areas disturbed during construction shall be restored to the original state after the proposed residence, accessory building and structures, and retaining walls are completed.

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

V. All exterior lighting shall be down directed, fully shielded, with bulbs 3,000 degrees Kelvin or less to prevent glare onto adjacent property and shall comply with the City’s outdoor lighting code per LMC § 15-5-5(J). Flood lights are prohibited. Fully Shielded outdoor lights shall not exceed 12 feet above Existing Grade. Ground-level fixtures shall be Fully Shielded. Final lighting details must be reviewed by Planning Staff prior to installation.

W. All proposed mechanical equipment, the pool, and/or a hot tub shall be screened. Any hot tub installation is prohibited on east façade decks or terraces.

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

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

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

AA. The Applicant shall demonstrate the proposed metal siding and roofing materials have a Solar Reflectivity Index (SRI) of 35 or less prior to the submittal of a building permit.

BB. Prior to submittal of a Building Permit, the Applicant shall submit for

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

review the excavation and grading plans for Engineering Department review and approval to ensure no additional erosion, land subsidence, or avalanche hazard is created.

CC. Cuts, fills, and retaining walls shall be minimized.

DD. The Applicant shall demonstrate compliance with Municipal Code of Park City Chapter 11-21 Utah Wildland-Urban Interface Code at the time of Building Permit submittal.

EE. The Applicant shall demonstrate adequate turnaround to allow a fire apparatus to maneuver to and from the site as approved by the Park City Fire District prior to submitting a Building Permit. The Applicant shall provide a fire hydrant within 600 feet of the proposed development.

FF.The Applicant should upsize the existing service line to provide adequate pressure to the additional living area and fire sprinkler system. Please note the City operates substantial water lines to the west of the proposed dwelling.

GG. To conduct construction across the neighboring 200 King Road property, including any additional width required to accommodate the installed improvements, all work shall be limited to the limits of the platted easement. The applicant shall submit required approvals for any work or structures proposed outside of the easement at 200 King Road.

HH. Glazing on the east façade shall comply with the Second Amendment for the Lot 2 Phase 1 Treasure Hill Subdivision plat notes. Vinyl and aluminum doors and windows are prohibited. Window and door details shall be reviewed and approved through the Historic District Design Review process.

II. The Applicant's stormwater mitigation plan shall be reviewed and approved by the Engineering Department prior to building permit submittal.

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

Findings of Fact

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

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

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

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

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

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

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

a. Existing Conditions Map (Job No. 8-3-23);

b. Conceptual Grading Plan (Job No. 8-3-23);

c. Drainage Plan (Job No. 8-3-23);

d. Steep Slope Map (Job No. 8-3-23);

e. Stormwater Management Plan (Job No. 8-3-23); and

f. Excavation Section View (Job No. 8-3-23).

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

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

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

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Additional Findings

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

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

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

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

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

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

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

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

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h. Are consistent with the applicable volume limitations. *See* LMC § 15-2.2-6.B.8.

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

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

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

Conclusion

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

Conditions

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

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

KK. The driveway to the proposed residence shall not exceed 12 feet in width unless required by Park City Fire District for emergency vehicle turning radius and access, shall not exceed a 14% grade, and must comply with LMC § 15-3-3(A)(4).

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

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

NN. Applicant shall maintain vegetative screening in accordance with

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the submitted vegetation plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the east façade glazing.

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

PP. Structures on the Property shall conform to the HR-1 setbacks set forth in LMC § 15-2.2-3. The property is located outside of the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal law.

QQ. The Applicant shall include in their Construction Mitigation Plan (CMP), in addition to Municipal Code of Park City Section 11-14-4(H), a specific plan for all soil exporting. Soil shall be transported uphill on King Road to an approved site for deposit. Time of operations, location of deposit site, total cubic yards to be exported, and number of trips hauling shall be outlined and regulated through the CMP. If the property owner of an approved site for deposit will not accept the excavated soils, the applicant will submit an alternative soil exporting plan for review by the Planning Director and Chief Building Official. No alternative soil exporting will be permitted until plans are approved.

RR. The Applicant shall provide elevation drawings of all segments of the Accessory Buildings that have an exposed face to Planning staff for review as part of the Historic District Design Review process.

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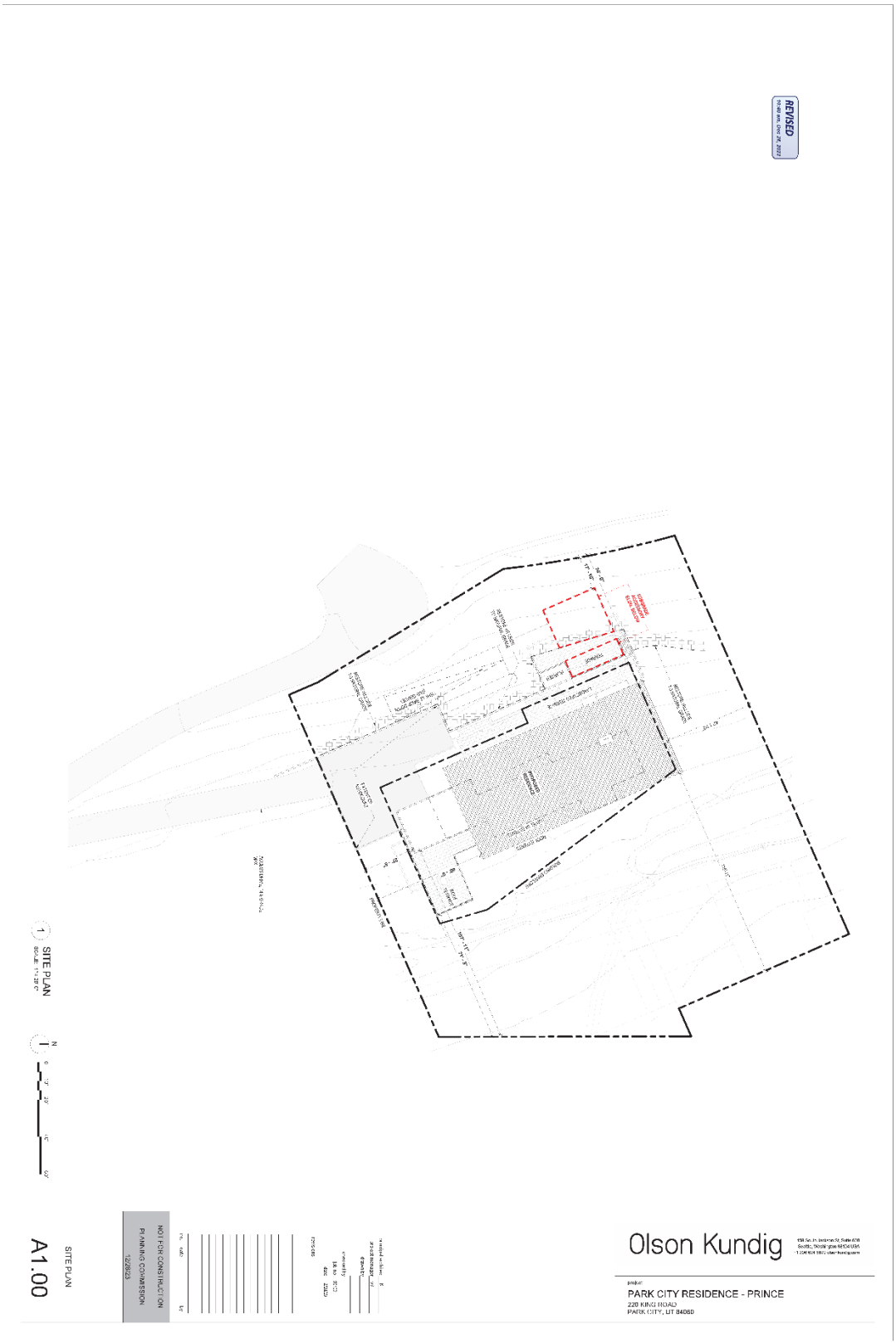
Exhibit C
Site Plan



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If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5060 or email planning@parkcity.org.

Sincerely,

DocuSigned by:
0449CE71C9B8468...

2/24/2024

Sarah Hall, Planning Commission Chair

CC: Rebecca Ward, Planning Director
Caitlyn Tubbs, Senior Historic Preservation Planner

Exhibit D – Approved Plans

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Building Diagrams

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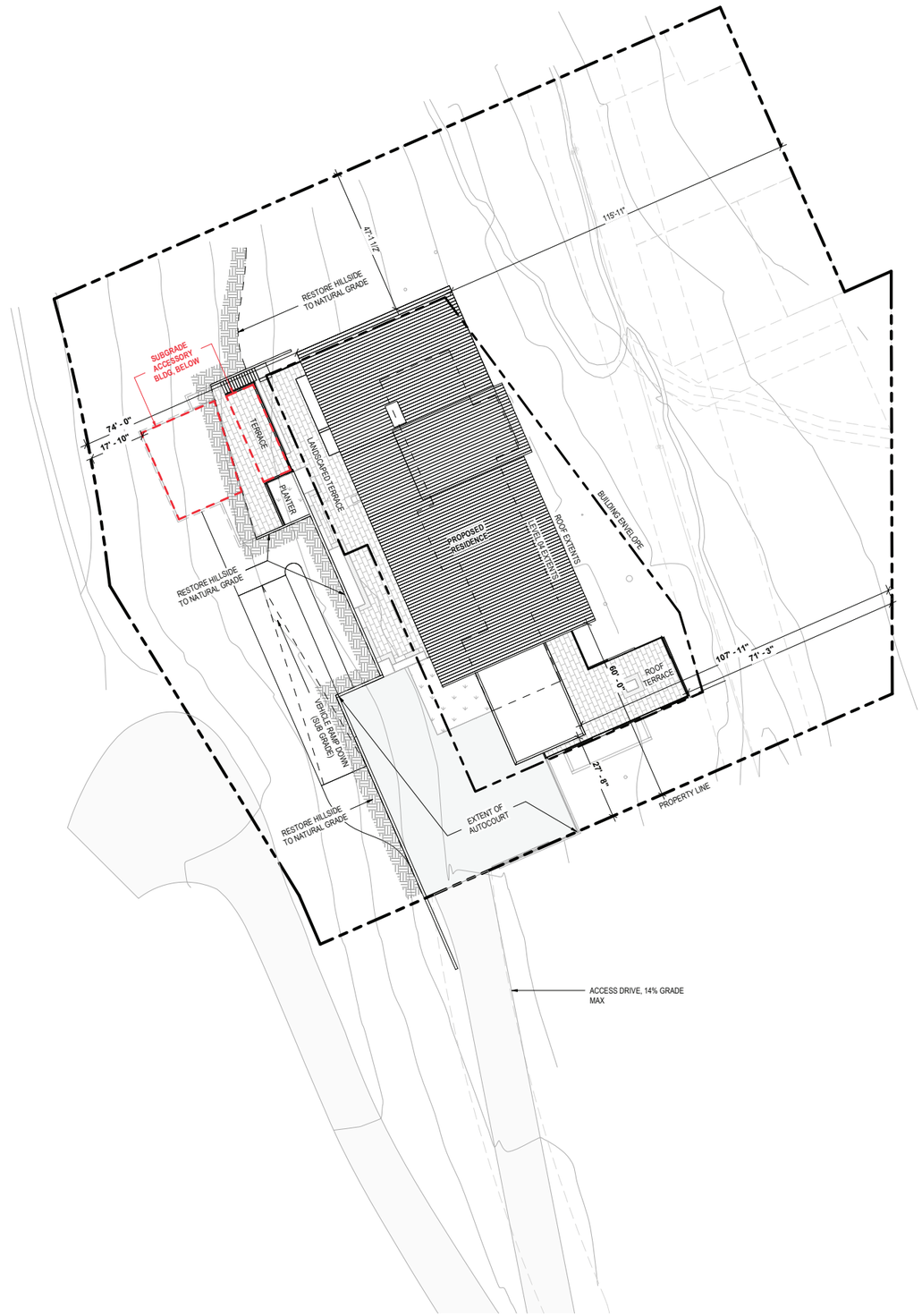

1 SITE PLAN
SCALE: 1" = 20'-0"

N

0 10' 20' 40' 60'

Olson Kundig
159 South Jackson St, Suite 600
Seattle, Washington 98104 USA
+1 206 624 5670 olsonkundig.com

project:
PARK CITY RESIDENCE - PRINCE
220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by
checked by
job no. 20102
date 12/28/23

revisions:

no. date by

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SITE PLAN

A1.00

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GENERAL NOTES

- EXISTING STRUCTURES AND HARDSCAPE ON SITE TO BE DEMOLISHED.
- RETURN HILLSIDE TO NATURAL GRADE AFTER DEMOLITION.
- POST-DEMOLITION CONTOUR LINES REPRESENT EXISTING GRADE FOR PROPOSED BUILDING HEIGHT ANALYSIS.

KEY LEGEND

- MINOR CONTOUR, SURVEYED
- 7350 MAJOR CONTOUR, SURVEYED
- MINOR CONTOUR, POST-DEMOLTION
- 7350 MAJOR CONTOUR, POST-DEMOLTION

ROOF SPOT ELEVATION

XXXX' - X" ROOF HEIGHT AT POINT

XX' - X" HT ROOF HEIGHT ABOVE POST-DEMO GRADE

1 ROOF HEIGHT TO GRADE
SCALE: 1" = 20'-0"

N

0 10' 20' 40' 60'

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ROOF HEIGHT TO GRADE

A1.04

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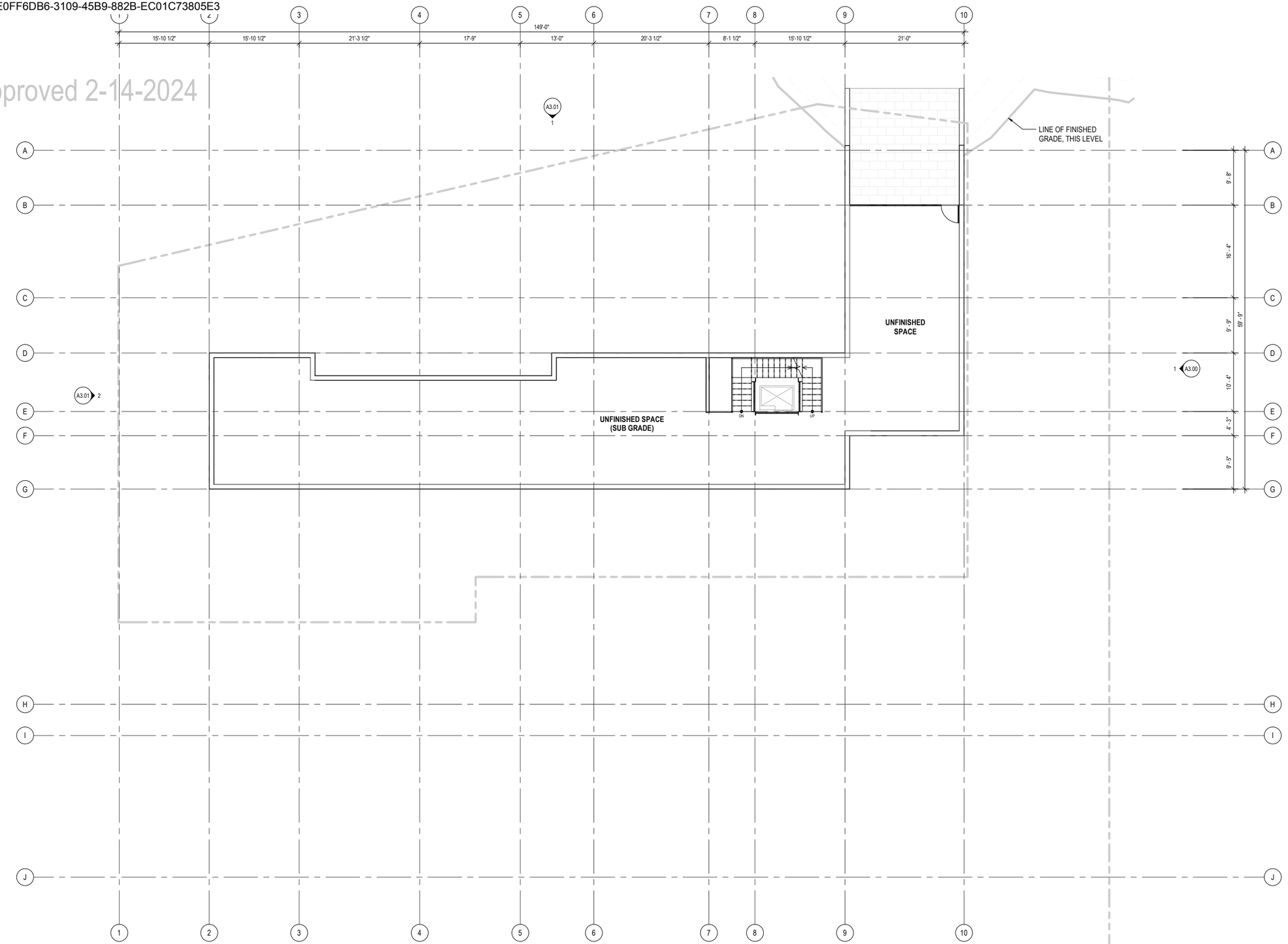

1 LEVEL 01 PLAN
SCALE: 1/8" = 1'-0"

N 0 2' 4' 6' 8' 16' 24'

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PLAN - LEVEL 01

A2.10

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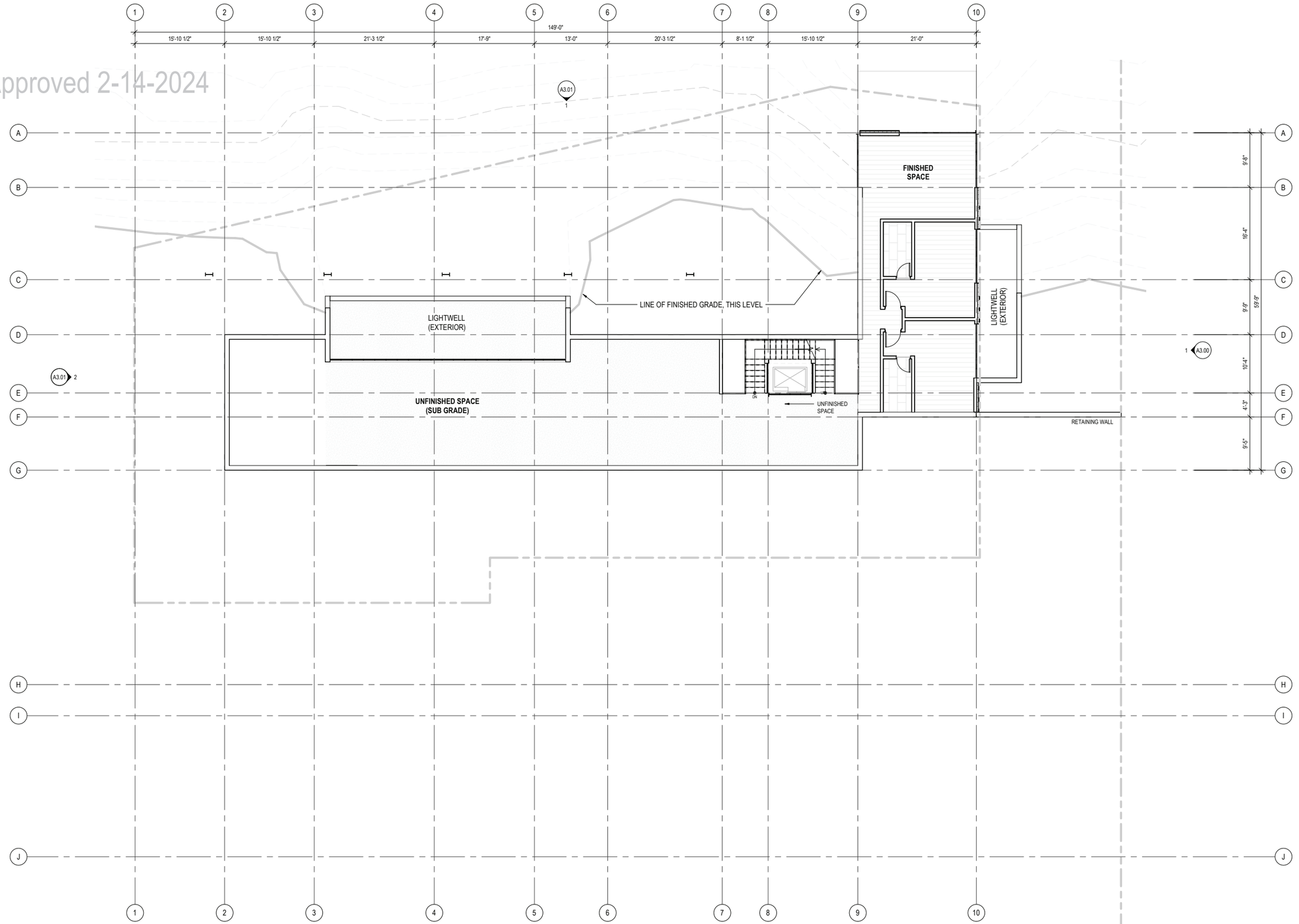

1 LEVEL 02 PLAN
SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

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PLAN - LEVEL 02

A2.20

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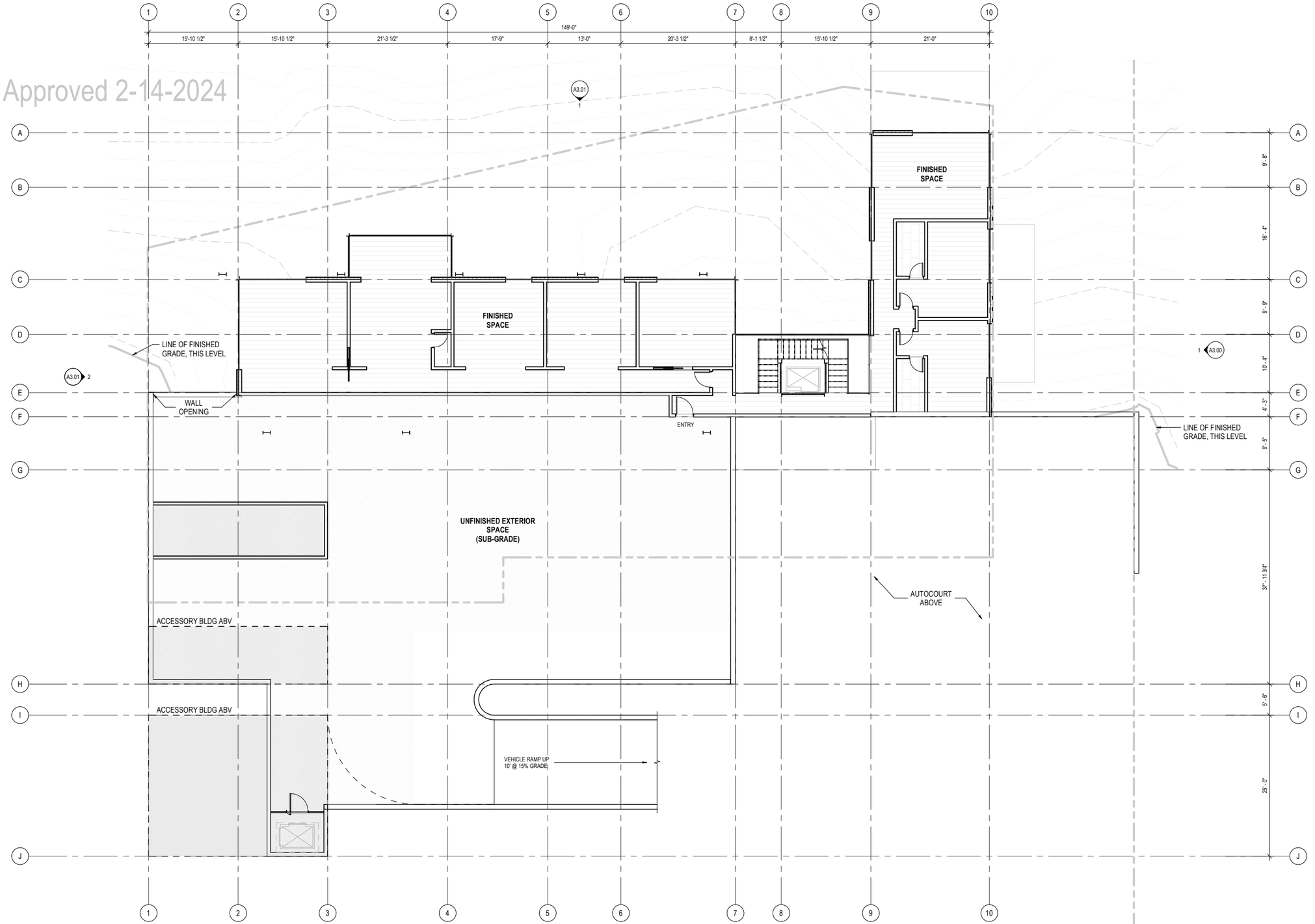

1 LEVEL 03 PLAN
SCALE: 1/8" = 1'-0"

N 0 2' 4' 6' 8' 16' 24'

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project manager SG
drawn by Author
checked by
job no. 20102
date 12/28/23

revisions:

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PLAN - LEVEL 03

A2.30

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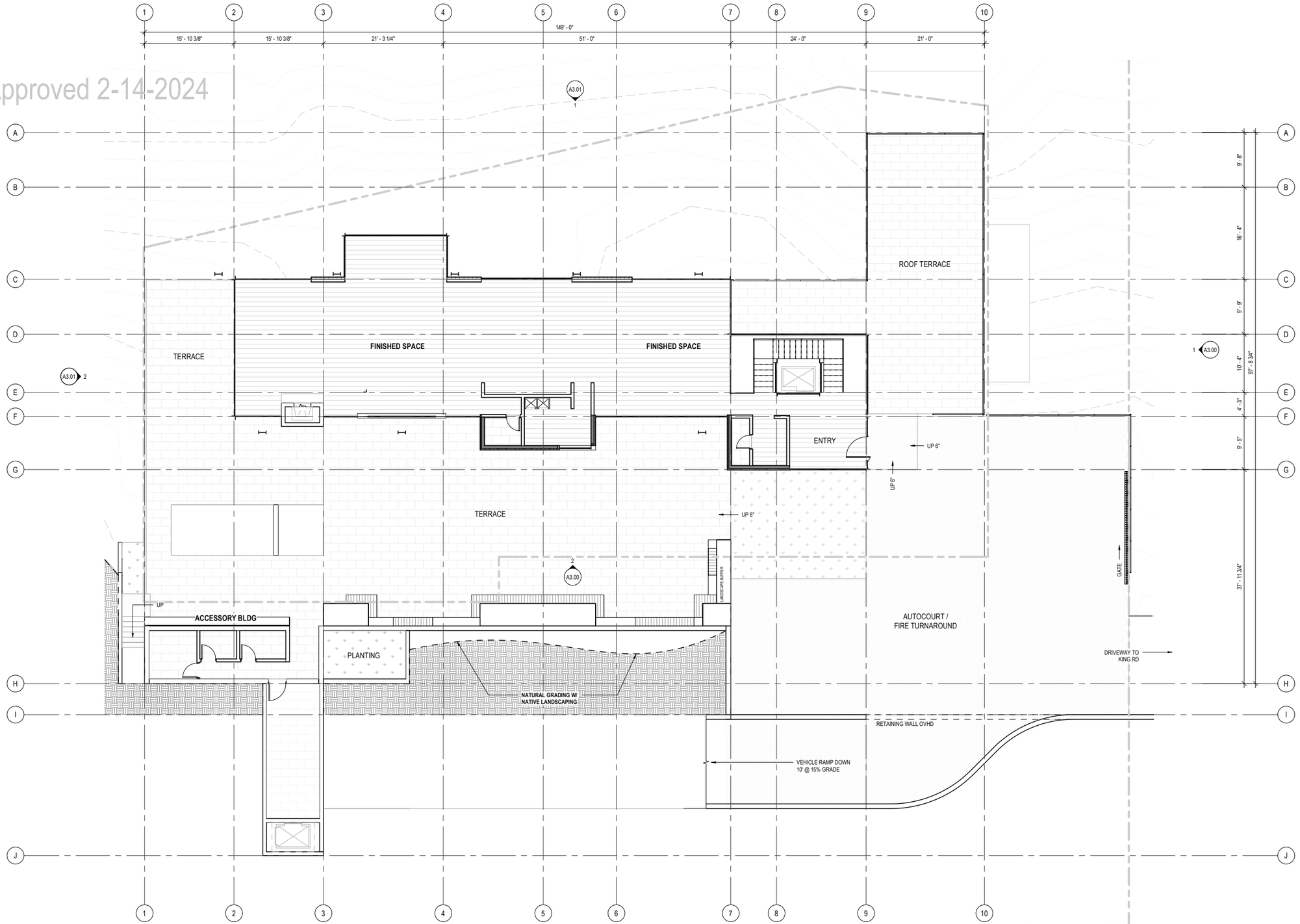

1 LEVEL 04 PLAN
SCALE: 1/8" = 1'-0"

N 0 2' 4' 6' 8' 16' 24'

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project manager SG
drawn by
Author
checked by
job no. 20102
date 12/28/23

revisions:

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PLAN - LEVEL 04

A2.40

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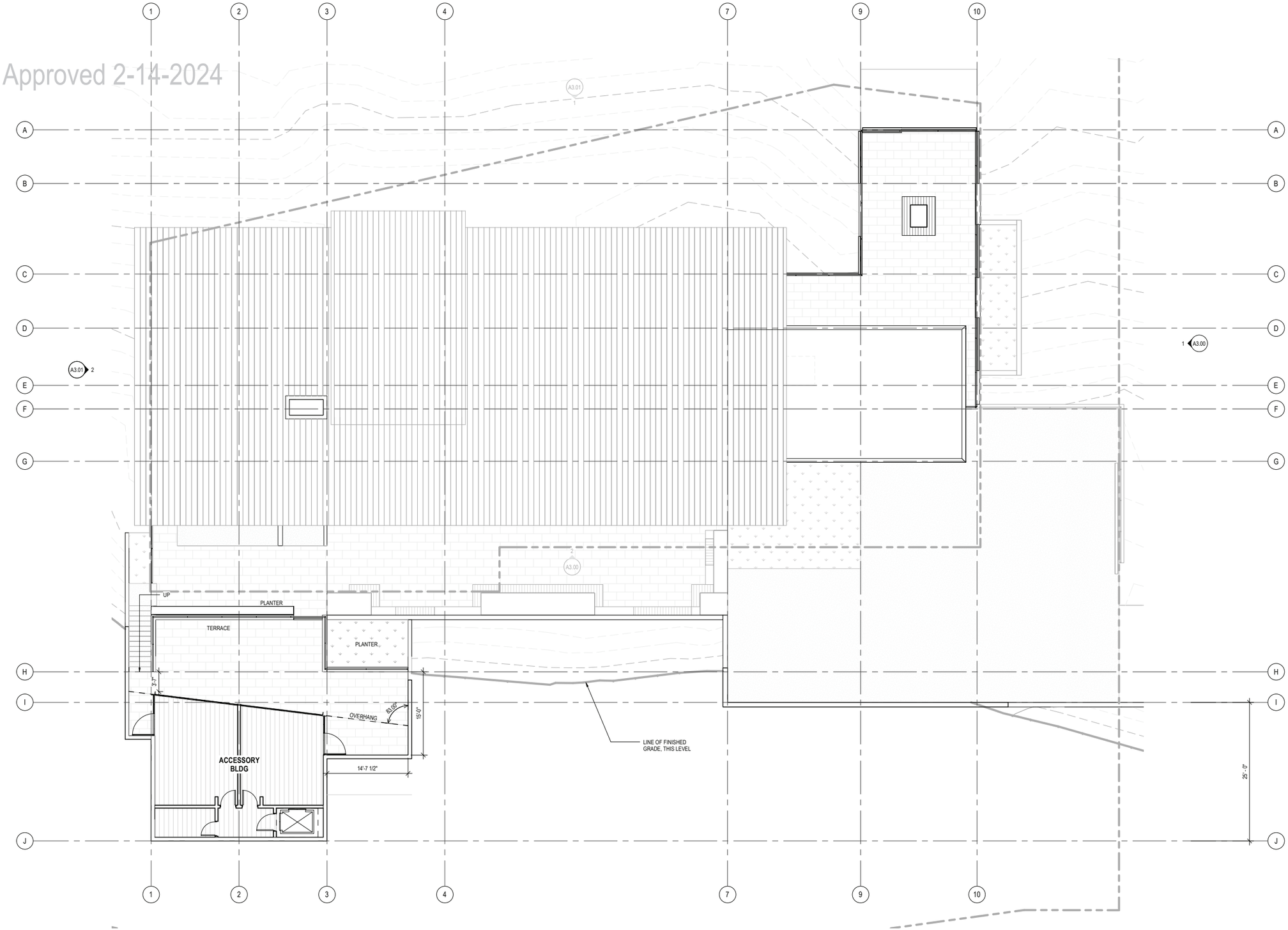

1 LEVEL 05 PLAN
SCALE: 1/8" = 1'-0"

N 0 2' 4' 6' 8' 16' 24'

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checked by Checker
job no. 20102
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PLAN - LEVEL 05

A2.50

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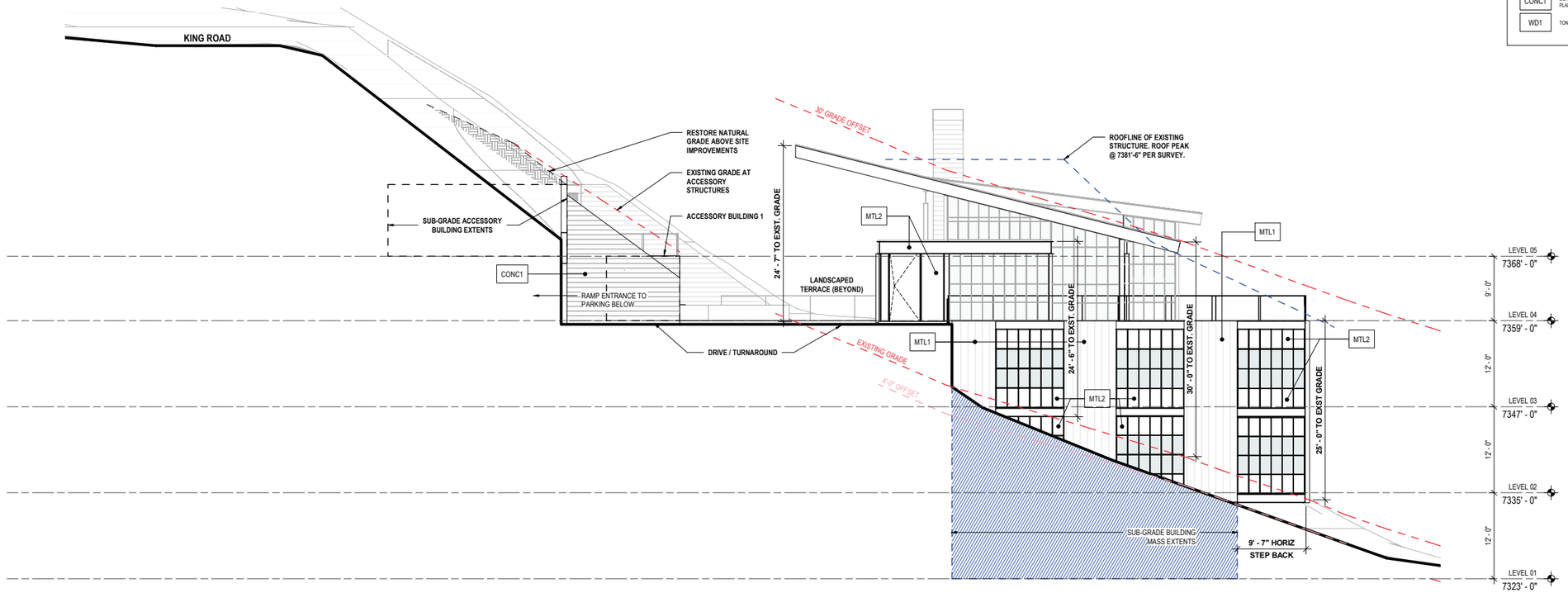
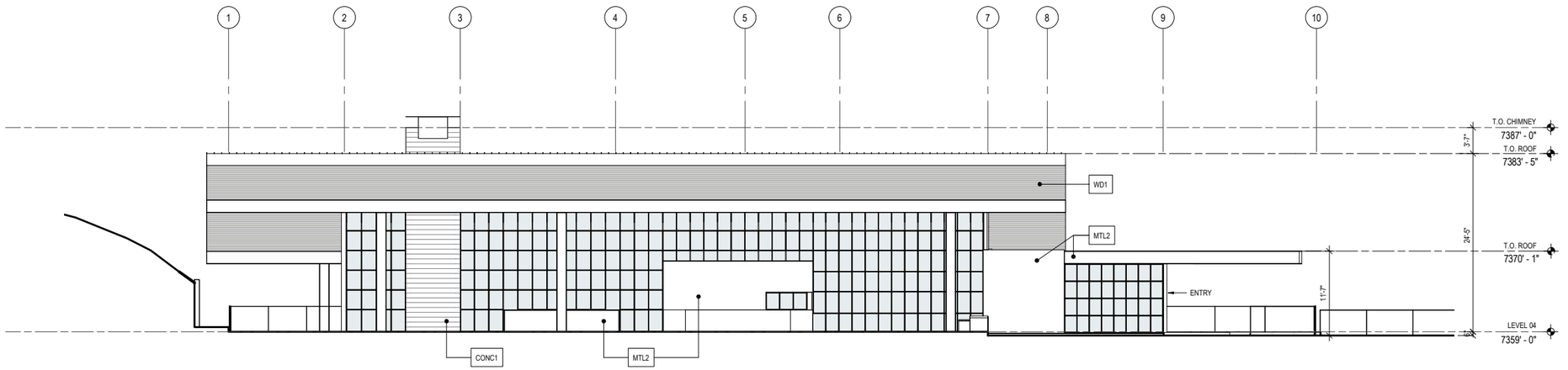


1 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

MATERIAL LEGEND

MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK

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project:
PARK CITY RESIDENCE - PRINCE
220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by
checked by
job no. 20102
date 12/28/23

revisions:

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EXTERIOR ELEVATIONS

A3.00

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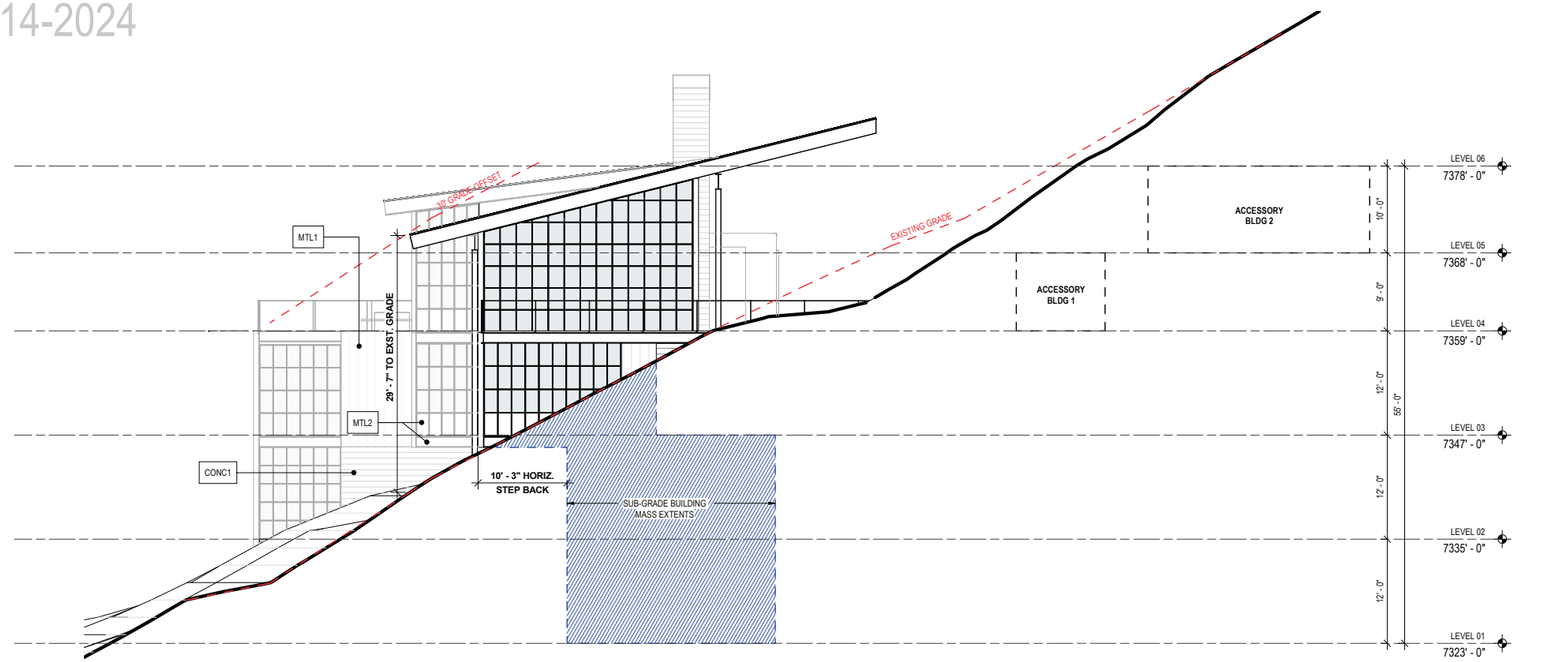
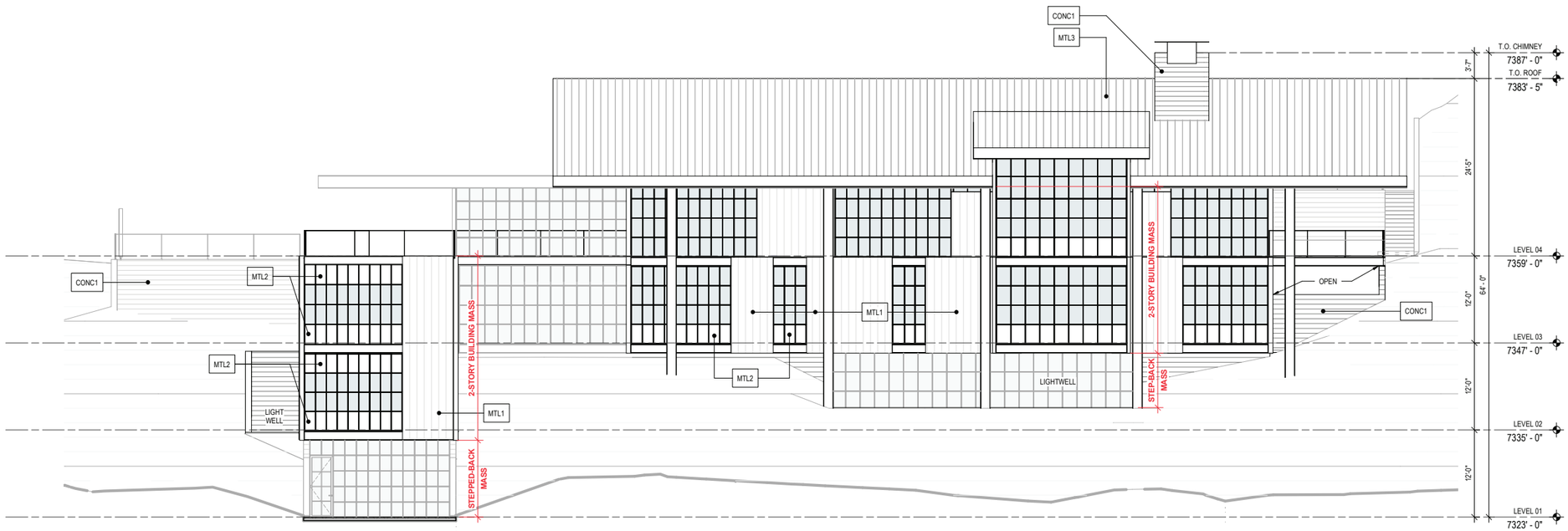
MATERIAL LEGEND

MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION
SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

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project:
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principal architect TK
project manager SG
drawn by
checked by
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date 12/28/23

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12/28/23

EXTERIOR ELEVATIONS

A3.01

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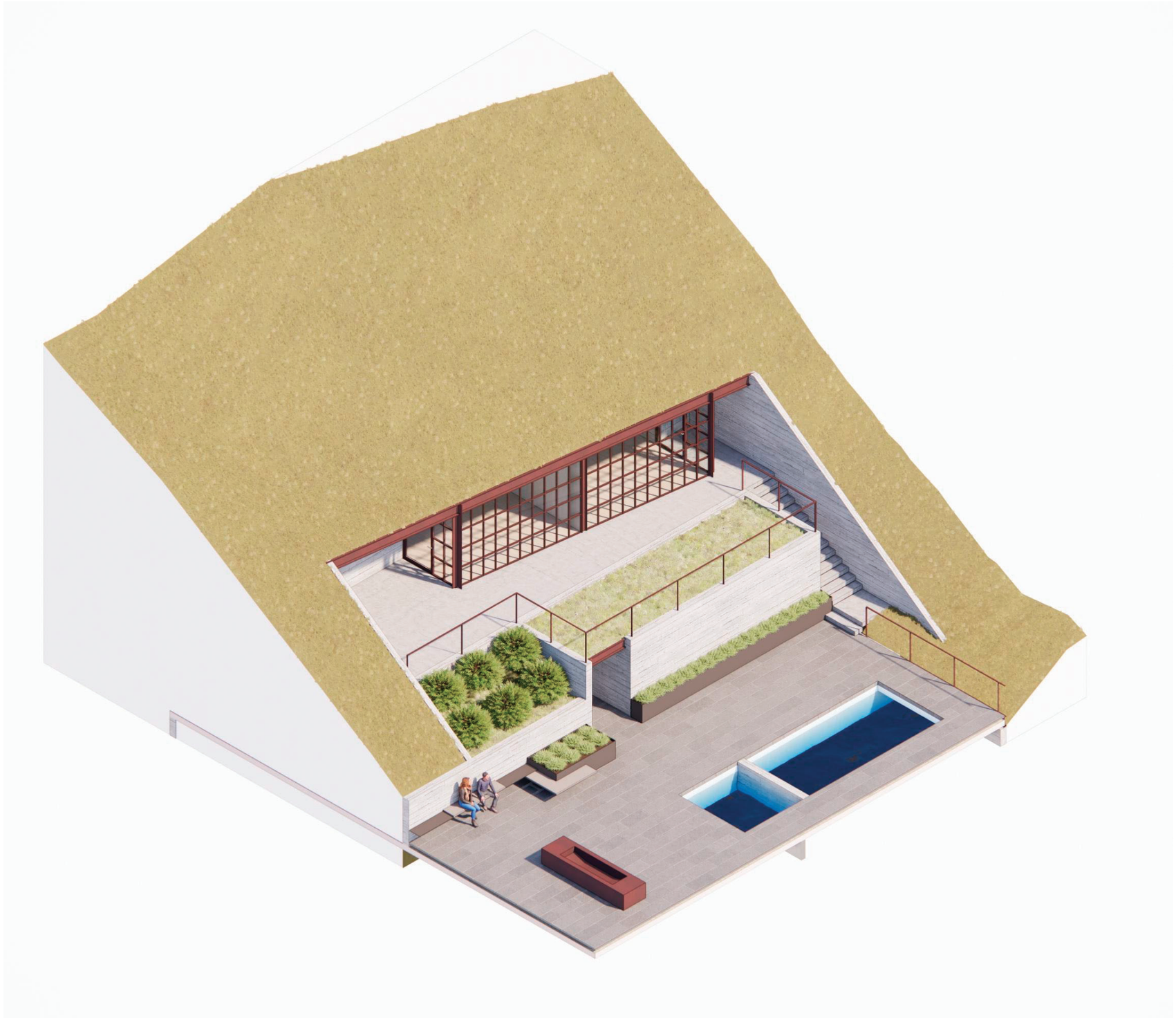

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Grading Plan

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

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EXISTING CONCRETE STAIRS.
EXISTING ROCK WALLS.
EXISTING CONCRETE STAIRS.
6' TRAIL EASEMENT.
7300
7310
7320
7330
7340
7350
7360
7370
7380
7390
7400
7410
EXISTING SS LINE
SS1
SS2
SS3
EXISTING TRAIL
30' NON-EXCLUSIVE UNDERGROUND UTILITY EASEMENT.
EXISTING TRAIL
EXISTING ROCK WALL
EXISTING VEGETATION.
EXISTING WOODEN STEPS
EXISTING ROCK STEPS
EXISTING TREES PLANTED DURING HOUSE CONSTRUCTION
EXISTING HOUSE
EXISTING ROCK WALL
EXISTING TREES PLANTED DURING HOUSE CONSTRUCTION
EXISTING HOUSE
EXISTING ROCK WALL
EXISTING TREES PLANTED DURING HOUSE CONSTRUCTION
EXISTING ROCK STEPS
PROPERTY LINE
EXISTING ROCK WALL
EXISTING TREES PLANTED DURING HOUSE CONSTRUCTION
EXISTING ROCK WALL
EXISTING ROCK WALL
EXISTING LIGHT POLE
EXISTING TRAIL
EXISTING ASPHALT DRIVEWAY
EXISTING DRIVEWAY EASEMENT.
EXISTING LIGHT POLE
KING ROAD
PROPERTY LINE

20' 0 20' 40'

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

STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/13/2024

EXISTING CONDITIONS
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 1 OF 8

NOTES:
1. EXISTING CONDITION SURVEY IS DONE BY UTAH LAND SURVEYING, LLC.

Approved 2-14-2024

10 0 10' 20'

BUILDING PAD LINE

NEW CONCRETE RETAINING WALL. HEIGHT MAX=12' LENGTH=60 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX=12' LENGTH=20 LF

PROPOSED RESIDENCE
LEVEL 00 FF=7311.0'
LEVEL 01 FF=7323.0'
LEVEL 02 FF=7335.0'
LEVEL 03 FF=7347.0'
LEVEL 04 FF=7359.0'

LEVEL 04 FF=7359.0'

LEVEL 01 LOUNGE FF=7323.0'

ROOF TERRACE FF=7359.0'

LIGHT WELL LEVEL 02

NEW CONCRETE RETAINING WALL. HEIGHT MAX=9' LENGTH=20 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX=8' LENGTH=32 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX= 4' LENGTH=72 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX=10' LENGTH=35 LF

NEW ROCK STACK RETAINING WALL. HEIGHT MAX=6' LENGTH=43 LF

NEW ROCK STACK RETAINING WALL. HEIGHT MAX=4' LENGTH=36 LF

PATIO STORAGE AND SHAFT BUILT IN TO THE HILL.

NEW CONCRETE RETAINING WALL. HEIGHT MAX= 8' LENGTH=20 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX= 18' LENGTH=17 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX= 12' LENGTH=53 LF

VEHICLE RAMP BUILT IN TO THE HILL

LEVEL 04 ACCESS VEHICLE RAMP

NEW ROCK WALL. HEIGHT MAX=6' LENGTH=15 LF

NEW ROCK WALL. HEIGHT MAX=2' LENGTH=129 LF

NEW ROCK WALL. HEIGHT MAX=4' LENGTH=14 LF

NEW CONCRETE RETAINING WALL. HEIGHT MAX= 18' LENGTH=56 LF

NEW ROCK WALL. HEIGHT MAX=4' LENGTH=86 LF

PROPOSED DRIVEWAY

KING ROAD

EXISTING DRIVEWAY EASEMENT.

EARTHWORK QUANTITIES:

CUT= 11,786 CU. YD. >CUT<
FILL= 416 CU. YD. >FILL<
NET= 11,370 CU. YD. >CUT<

NOTES

1. SLO BOUNDARY HAS NOT BEEN DEFINED AND WAITING ON CITY FOR LEGAL DESCRIPTION.
2. RETAINING WALL DESIGN WILL BE PROVIDED WITH THE BUILDING PERMIT PLANS.
3. NO SIGNIFICANT VEGETATION ON SITE. REMOVE EXISTING TREES PLANTED FOR EXISTING HOUSE AND REPLACE AS NECESSARY. REFER TO LANDSCAPE PLANS FOR DETAILS.

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

STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/13/2024

CONCEPTUAL GRADING PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 2 OF 8

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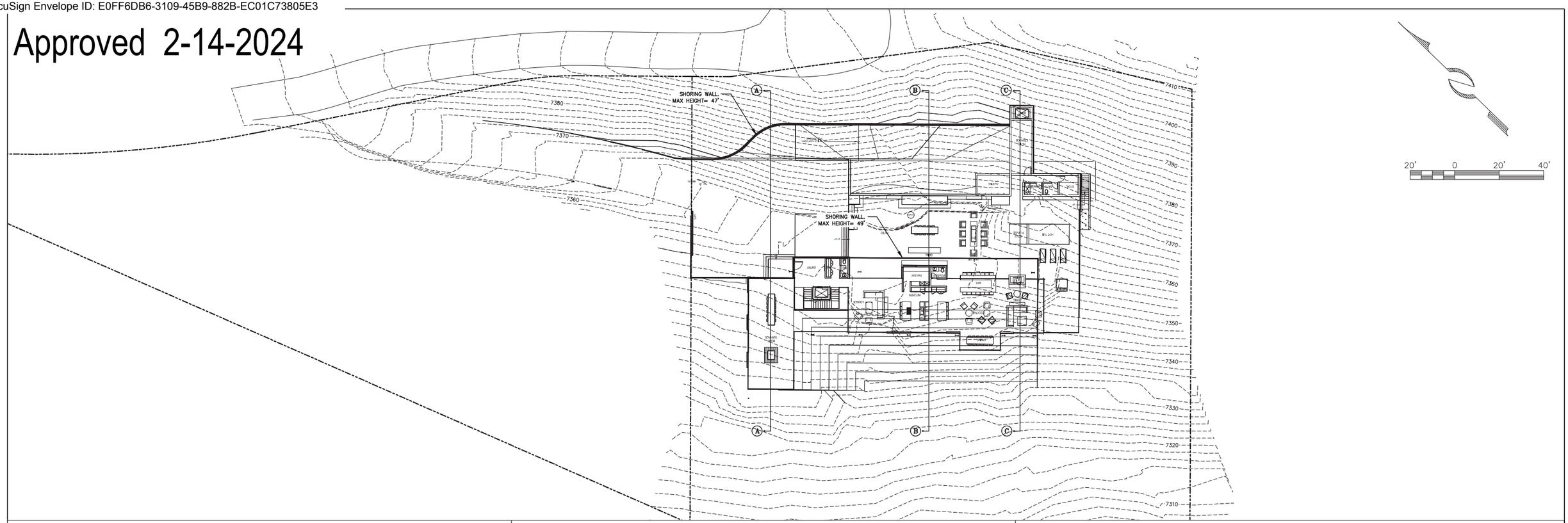
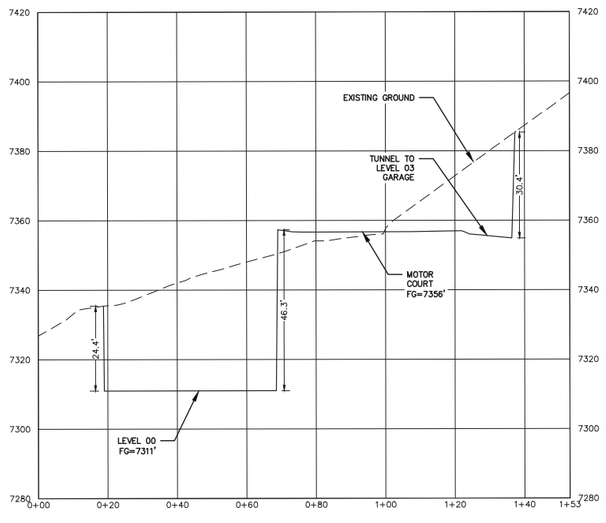
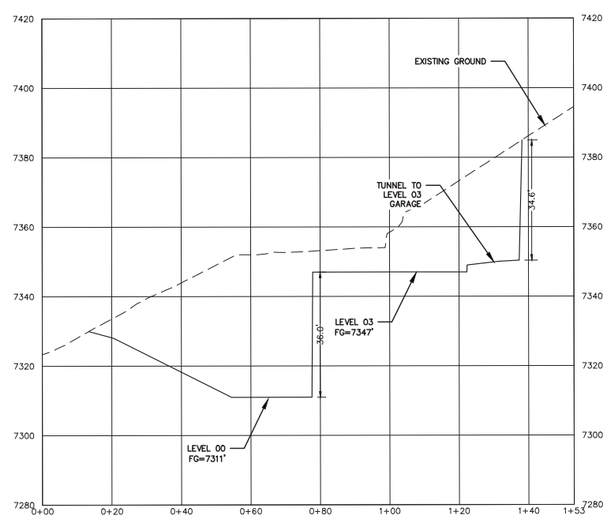


SECTION "A-A"



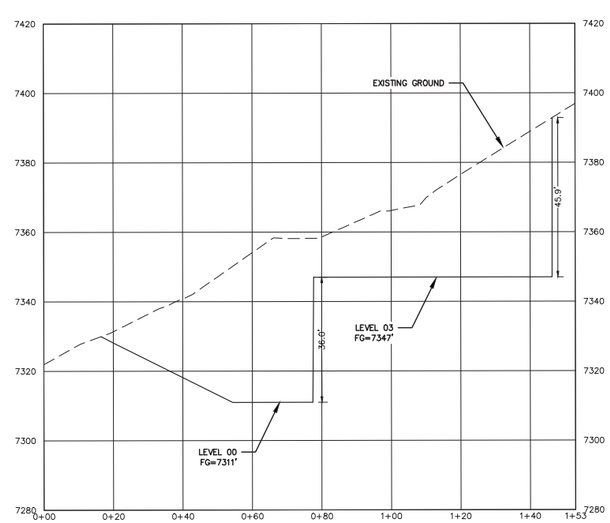
SECTION "B-B"



EARTHWORK QUANTITIES:

CUT= 11,786 CU. YD. >CUT<
FILL= 416 CU. YD. >FILL<
NET= 11,370 CU. YD. >CUT<

SECTION "C-C"



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Alliance Engineering Inc
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STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/13/2024

EXCAVATION SECTION VIEW
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
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SHEET 7 OF 8

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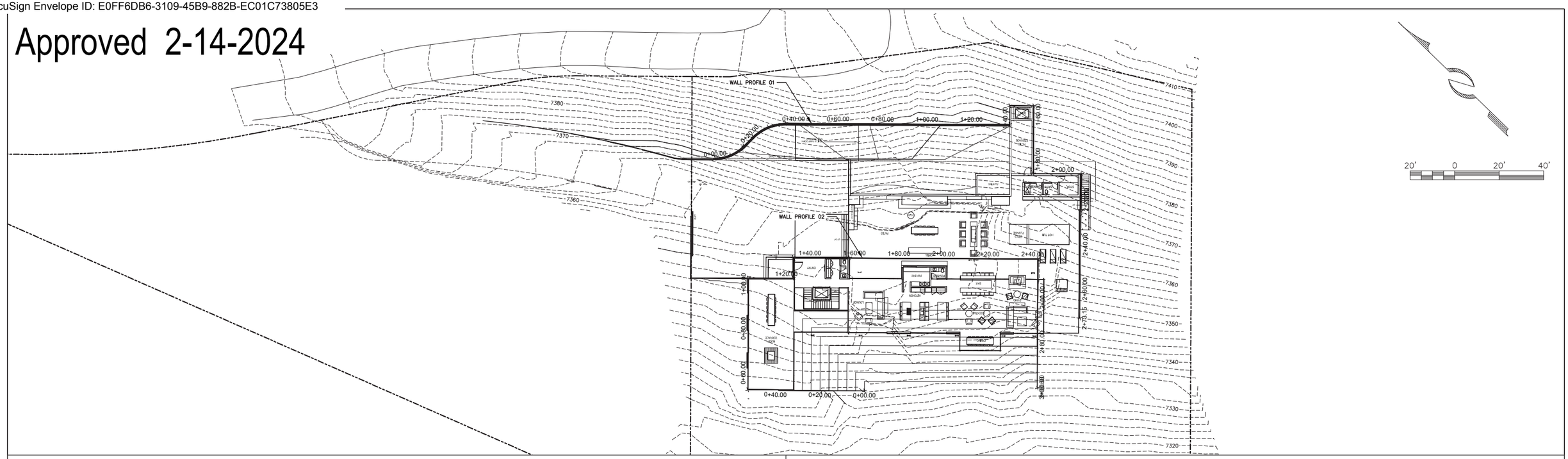
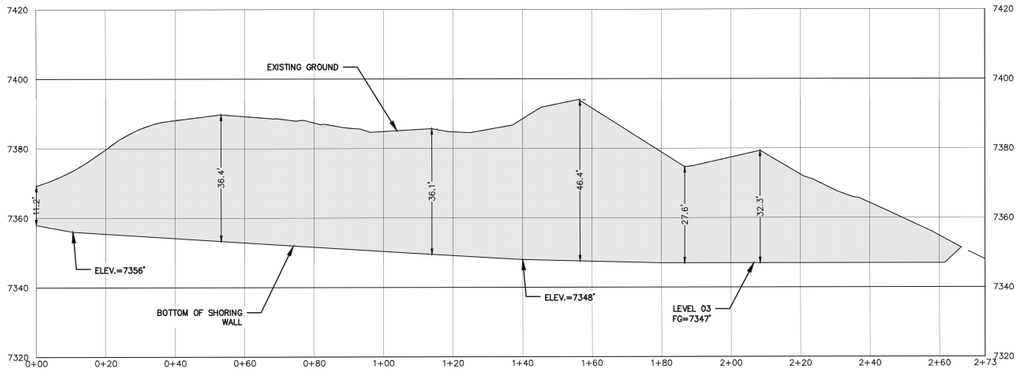
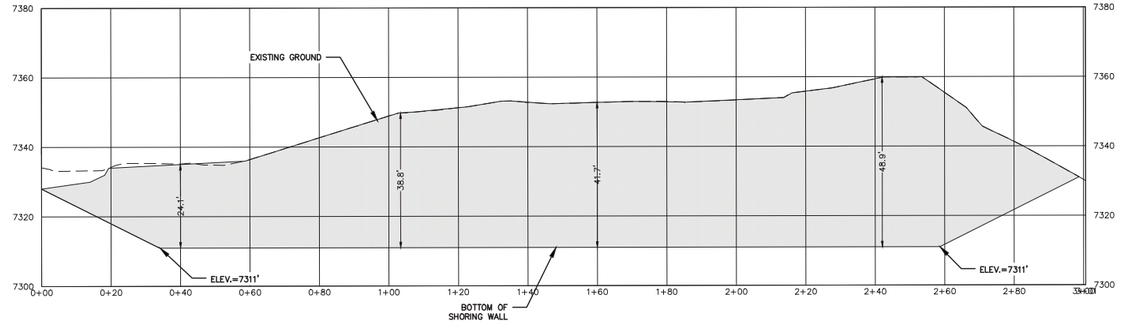


WALL PROFILE 01



WALL PROFILE 02



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STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/13/2024

PLAN AND PROFILE OF THE SHORING WALL
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 8 OF 8

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Drainage Plan

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

Approved 2-14-2024

10 0 10' 20'

CONTRACTOR TO FIELD FIT FLOW PATH WITH EXISTING VEGETATION.

PROPOSED FLOW PATH.

INSTALL RETENTION BASIN WIDTH= 3' LENGTH= 40'

BUILDING PAD LINE

NEW 12' SQUARE SD BOX W/ OPEN-SLOTTED DRAIN. RIM=7358.60' F/L=7355.60'

INSTALL 18 LF 6" CPP STORM DRAIN SLOPE=0.6% MIN.

INSTALL ZURN Z886 PERMA-TRENCH W/CAST IRON PAVER SLOT IN PATIO.

INSTALL CLOSED END CAP. RIM=7358.77' F/L=7358.33'

INSTALL CLOSED END CAP. RIM=7358.66' F/L=7358.22

INSTALL CLOSED END CAP. RIM=7358.57' F/L=7358.28'

INSTALL CLOSED END CAP. RIM=7358.59' F/L=7358.30'

INSTALL CLOSED END CAP. RIM=7358.57' F/L=7358.13'

INSTALL CLOSED END CAP. RIM=7358.55' F/L=7358.26'

INSTALL ZURN Z886 PERMA-TRENCH W/CAST IRON PAVER SLOT IN PATIO.

PROPOSED RESIDENCE
LEVEL 00 FF=7311.0'
LEVEL 01 FF=7323.0'
LEVEL 02 FF=7335.0'
LEVEL 03 FF=7347.0'
LEVEL 04 FF=7359.0'

LEVEL 05 FF=7359.0'

LEVEL 01 LOUNGE FF=7323.0'

ROOF TERRACE FF=7359.0'

INSTALL RETENTION BASIN WIDTH= 3' LENGTH= 40'

PROPOSED FLOW PATH.

FLARED END SECTION F/L=7341.00'

NEW 12' SQUARE SD BOX W/ OPEN-SLOTTED DRAIN. RIM=7356.58' F/L=7352.39'

BUILDING PAD LINE

INSTALL 138 LF 6" CPP STORM DRAIN SLOPE=0.6% MIN.

INSTALL 43 LF 6" CPP STORM DRAIN SLOPE=0.6% MIN.

LEVEL 04 ACCESS VEHICLE RAMP

NEW 12' SQUARE SD BOX W/ OPEN-SLOTTED DRAIN. RIM=7368.00' F/L=7353.39'

PROPOSED DRIVEWAY

DINING, LIVING, COCKTAIL, KITCHEN, POWDER, PANTRY, LOUNGE 1, GRILL, WC, ENTRY, PATIO, HOT TUB, COLD PLUNGE, STOR, BATH, CHANGING, SHAFT, PLANTING, ROOF TERRACE, RETAINING WALL, DRIVEWAY SLOPE 10.0% MAX

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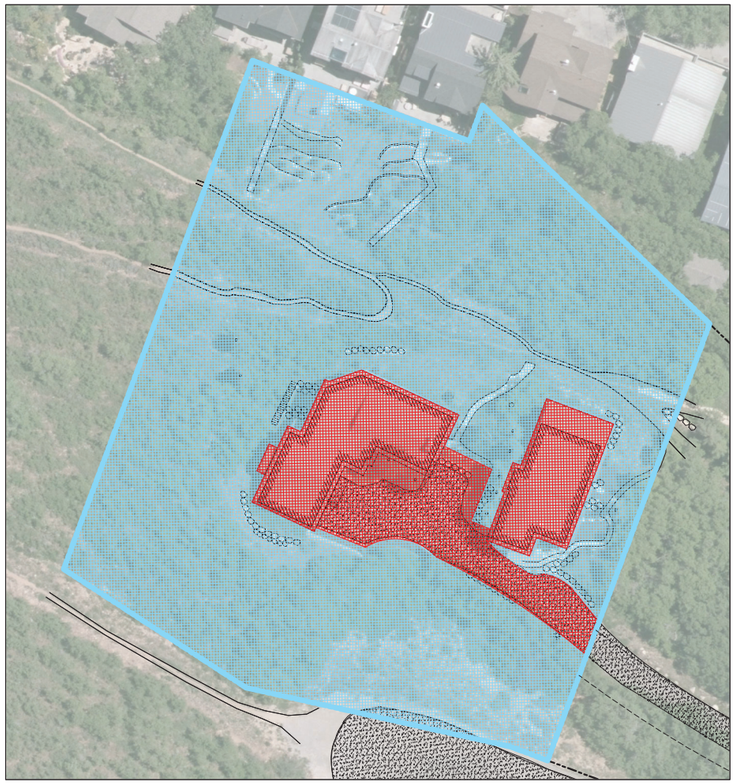
STAFF:
CONNOR DINSMORE
SACHITH MUNASINGHE

DATE: 02/13/2024

DRAINAGE PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER - JASON BOAL
JOB NO.: 8-3-23
FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080323.dwg

SHEET 3 OF 8



LEGEND

SOIL GROUP C

IMPERVIOUS AREA

30 0 30' 60'

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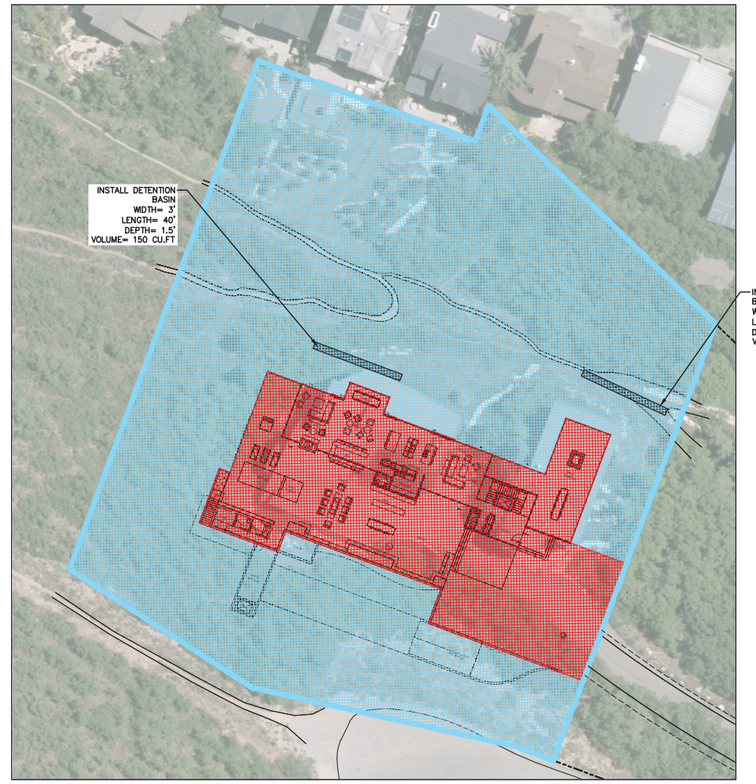


WATER QUALITY VOLUME CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: $WQ_V = CiTA$

DESIGN STORM: *90TH PERCENTILE EVENT*

NOTE: *INTENSITY = 0.60 IN/HR PER SUMMIT COUNTY MS4.*

VARIABLES

Q = RUNOFF FLOWRATE [CUBIC FEET/SEC]

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	*0,07*	*0,10*	*0,14*	*0,18*
AVERAGE (2-6%)	*0,12*	*0,15*	*0,19*	*0,23*
STEEP (>6%)	*0,16*	*0,21*	*0,27*	*0,33*
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE	*0,78*		*0,93*	

i = STORM INTENSITY [FT/HR]

T= STORM DURATION (HR)

NOTE: *T= 1 HR PER SUMMIT COUNTY ORDINANCE 381-A.*

A = AREA [FT^2]

PRE-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)			*45,298*	
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE			*8,509*	

A= 53,807 FT^2

C= 0,37

i= 0,05 FT/HR

t= 1,00 HR

ΔWQ_V = 1,005 CU FT

POST-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)			*41,322*	
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE			*12,485*	

A= 53,807 FT^2

C= 0,42

i= 0,05 FT/HR

t= 1,00 HR

ΔWQ_V = 1,135 CU FT

GROUNDWATER RECHARGE VOLUME

ΔWQ_V = 130 CU FT

PEAK RUNOFF CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: *RATIONAL METHOD Q=CiA*

STORM RETURN PERIOD: *100 YEARS*

NOTE: *FOR THE 100 YR RECURRANCE INTERVAL, THE COMPOSITE "C" VALUE IS ADJUSTED BY A FACTOR OF 1.25 BEFORE COMPUTING Q.*

STORM DURATION: *10 MN.*

SOUCE: *NOAA ATLAS 14 - PARK CITY RADIO STATION 42-6648*

VARIABLES

Q = RUNOFF FLOWRATE [CUBIC FEET/SEC]

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	*0,07*	*0,10*	*0,14*	*0,18*
AVERAGE (2-6%)	*0,12*	*0,15*	*0,19*	*0,23*
STEEP (>6%)	*0,16*	*0,21*	*0,27*	*0,33*
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE	*0,78*		*0,93*	

i = STORM INTENSITY [INCHES/HR]

A = AREA [ACRES]

t = TIME OF CONCENTRATION (SEC.)

V = EXCESS RUNNOFF VOLUME (CU FT) = ΔQt

PRE-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	-	-	-	-
AVERAGE (2-6%)	-	-	-	-
STEEP (>6%)	-	-	*1,04*	-
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE		-		*0,20*

A= 1,24 ACRES

C= 0,37

C_{ADJ} = 0,47

i= 5,00 IN/HR

Q= 2,88 CFS

POST-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	-	-	-	-
AVERAGE (2-6%)	-	-	-	-
STEEP (>6%)	-	-	*0,95*	-
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE		-		*0,29*

A= 1,24 ACRES

C= 0,42

C_{ADJ} = 0,53

i= 5,02 IN/HR

Q= 3,27 CFS

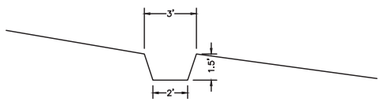
EXCESS RUNOFF STORAGE VOLUME

ΔQ= 0,39 CFS

t= 600 SEC.

V= 232 CU FT

TYPICAL STORMWATER DETENTION POND CROSS-SECTION



STORMWATER DETENTION REQUIRED = 232 CU. FT.
STORMWATER DETENTION PROVIDED ••300 CU. FT.

NOTES:

1. PEAK RUNOFF VOLUME OF 232 CU. FT. IS TO BE 100% DETAINED IN PROPOSED POND. THE DIMENSIONS OF THE DETENTION BASIN IS NOTED ON THE ABOVE PLAN. CUMULATIVE DETENTION VOLUME = 300 CU. FT.
2. OUTLET ROOF DRAINS SO THAT THE STORM WATER FLOWS FROM HOUSE DOWN GRADING AND INTO DETENTION BASIN.
3. STORMWATER DETENTION POND ALIGNMENT MAY VARY, FOLLOW EXISTING CONTOUR.
4. THE DETENTION POND HAVE BEEN SIZED TO DETAIN 100% OF THE WATER QUALITY VOLUME (PER SUMMIT COUNTY ORDINANCE NO. 381–A, APPENDIX F) MEETING THE COUNTY REQUIREMENTS FOR TSS REMOVAL AND GROUNDWATER RECHARGE.

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STAFF:
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SACHITH MUNASINGHE

DATE: 02/13/2024

STORMWATER MANAGEMENT PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER – JASON BOAL
JOB NO.: 8-3-23
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SHEET 5 OF 8

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Landscape/Vegetation Plan

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

Approved 2-14-2024

PLANTING SCHEDULE

TREES

	ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
	PT-1	*Populus tremuloides*	Quaking Aspen	1 1/2" CAL	32
	PT-2	*Populus tremuloides*	Quaking Aspen	4" CAL	9
	AC	*Abies concolor*	White Fir	#65 (7FT TALL)	55
	PM	*Pseudotsuga menziesii*	Douglas Fir	4" CAL, #95/100	16
	SA	*(mixed native species)*	Sapling	#5	TBD

SHRUBS

	ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
	QB	*Quercus gambelii*	Colorado Scrub Oak	#10	30

GRASS AND PERENNIAL

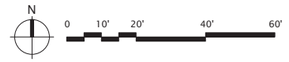
TYPE	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
NATIVE GRASS MIX			1 GAL	7,591 SF
	Festuca ovina	Sheep Fescue		
	Bouteloua gracilis	Blue Grama Grass		
	Bouteloua curtipendula	Sideoats Grama		
	Artemisia tridentata var. vaseyana	Vasey's Sagebrush		
	Penstemon strictus	Rocky Mountain Penstemon		
	Achillea millefolium	Common Yarrow		
NATIVE PARTIAL SHADE MIX			1 GAL	7,637 SF
	Festuca ovina	Sheep Fescus		
	Stipa hymenoides	Indian Rice Grass		
	Leymus cinereus	Great Basin Rye		
	Machaeranthera tanacetefolia	Tahoka Daisy		
	Geranium viscosissimum	Wild Geranium		
	Sphaeralcea grossulariifolia	Globemallow		
NATIVE RE-VEGETATION SEEDING MIX			HYDROSEEDING	1,647 SF

KEY LEGEND

- BUILDING FOOTPRINT
- CONCRETE PAD ON GRADE
- STONE PAVER
- CONCRETE RETAINING WALL
- SNOW STORAGE
- PROPERTY LINE
- SUBGRADE STRUCTURE
- OVERHANG
- 7320 EXISTING CONTOURS
- PROPOSED 2FT CONTOURS
- 7330 PROPOSED 10FT CONTOURS

NOTE:

1. SEE SURVEY FOR MORE INFORMATION ON EXISTING VEGETATION AND TREES.
2. CONTRACTOR TO CONFIRM EXISTING TREES AND NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES BETWEEN THE PLAN AND THE EXISTING CONDITIONS BEFORE STARTING WORK.
3. CONTACT LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE PRIOR TO REMOVAL.
4. HARVEST AND PRESERVE TOPSOIL FROM DISTURBED AREAS FOR RE-VEGETATION. ANY EXPOSED OR DISTURBED SLOPE SHALL BE RE-VEGETATED.
5. IMPORTED SOIL MUST BE OF A QUALITY TO SUPPORT PLANT GROWTH.
6. FOLLOW HR-1 CODE FOR DEFINITION OF SIGNIFICANT VEGETATION.
7. PROTECT SIGNIFICANT VEGETATION BY TREE PROTECTION FENCING PROTECTION FENCE, 6'-0" SEMI-PERMANENT CHAINLINK, DRIVEN 2'-0" INTO THE GROUND. PLACE AT LIMITS OF TREE PROTECTION ZONES AND REMOVE AT THE END OF CONSTRUCTION.
8. PROTECTION FENCING SHALL NOT BE MOVED, REMOVED, OR ENTERED BY EQUIPMENT AND MAINTAINED IN GOOD REPAIR THROUGHOUT CONSTRUCTION.
9. APPLY BIODEGRADABLE NETTING AND EROSION CONTROL FOR SLOPES GREATER THAN 3:1
10. ANY APPLICATION OF HERBICIDE TREATMENT SHALL BE PER THE REGULATIONS OF LOCAL JURISDICTIONS, AND ENVIRONMENTAL REGULATORS.



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Seattle, Washington 98104 USA
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project:
PARK CITY RESIDENCE - PRINCE
220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by Author
checked by Checker
job no. 20102
date 12/28/23

revisions:

no.	date	by

NOT FOR CONSTRUCTION

PLANNING COMMISSION

12/28/23

SITE PLAN - LANDSCAPE

A1.03

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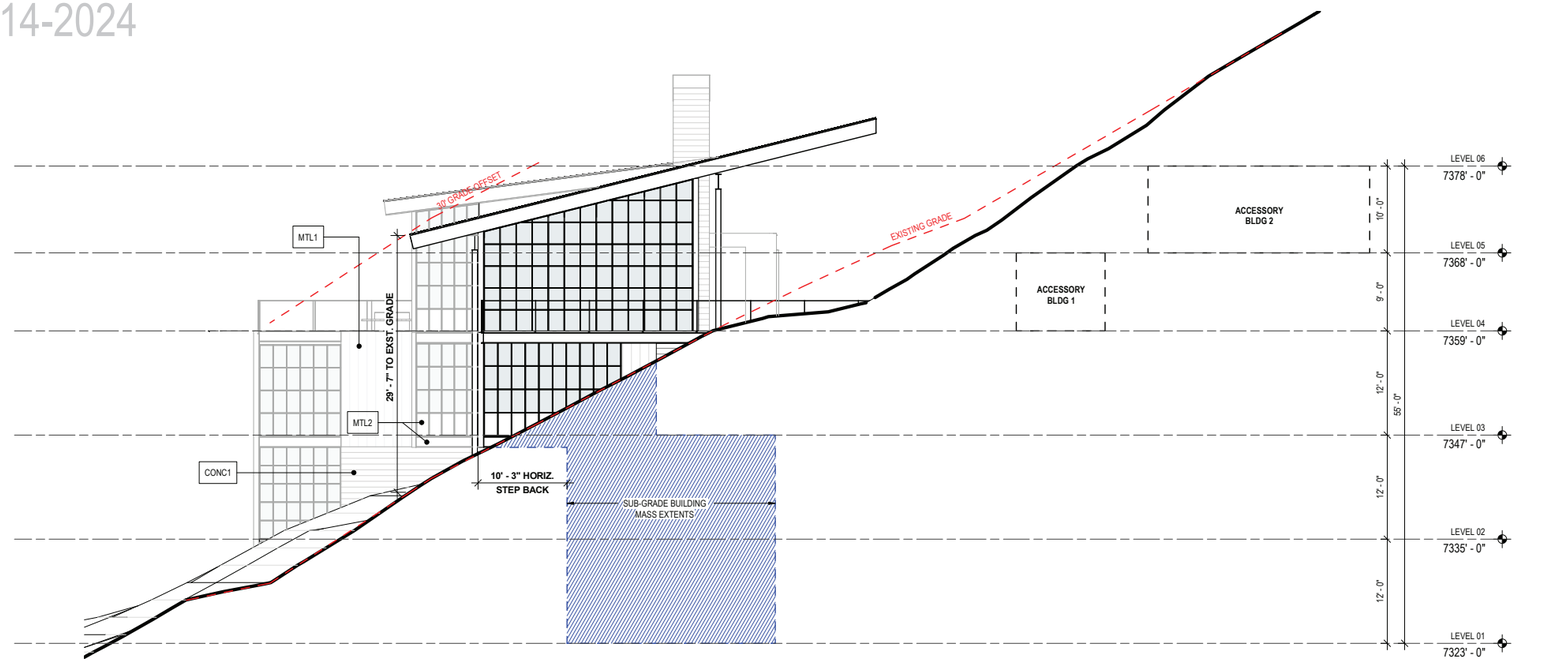
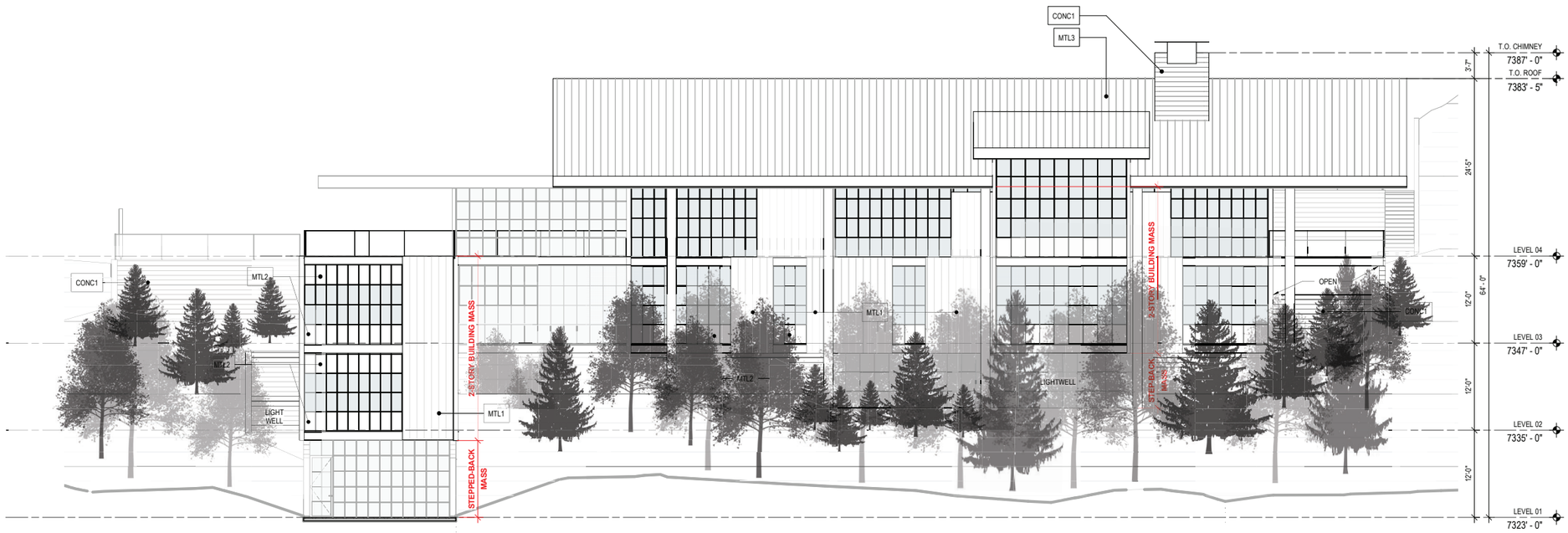
Approved 2-14-2024

MATERIAL LEGEND

MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK



2 NORTH ELEVATION
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION
SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

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no. date by

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PLANNING COMMISSION
12/28/23

EXTERIOR ELEVATIONS

A3.01

PARK CITY PLANNING DEPARTMENT
REVISED Staff Report

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

I. PROJECT STATISTICS:

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

II. STAFF'S RECOMMENDATION and FINDINGS

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

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

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

3. Sweeney Properties Master Plan Application.

4. Sweeney Properties Master Plan Phasing Exhibit.

5. Sweeney Properties Master Plan Density Exhibit.

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

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

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

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

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

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

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

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

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

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

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

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

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

III. DEVELOPMENT PARAMETERS and CONDITIONS

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

1. The Sweeney Properties Master Plan is approved based upon the information and analysis prepared and made a part hereof. While most of the requirements imposed will not be imposed until individual parcels are created or submitted for conditional use approval, certain specific obligations are also identified on the approved phasing plan. At the time of conditional use or subdivision review, the staff and Planning Commission shall review projects for compliance with the adopted codes and ordinances in effect at the time, in addition to ensuring conformance with the approved Master Plan.

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

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

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

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

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

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

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

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

* Reflects City Council 10.16.86 modifications. *

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

IV. BACKGROUND

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

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

V. NARRATIVE

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

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

Coalition Properties

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

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

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

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

HR-1 Properties

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

Hillside Properties

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

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

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

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

Miscellaneous Properties

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

VI. MAJOR ISSUES

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

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

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

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

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

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

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

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

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

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

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

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

These recommendations were approved by City Council *

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

SWEENEY PROPERTIES MASTER PLAN DENSITY EXHIBIT

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

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

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

SWEENEY PROPERTIES MASTER PLAN PHASING EXHIBIT - REVISED

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

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

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

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

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

ROLL CALL

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

PUBLIC INPUT

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

ABE117

PUBLIC HEARING

None.

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

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

CONSENT AGENDA

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

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

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

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

PUBLIC COMMUNICATIONS AND PETITIONS

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

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

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

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

COMMUNICATIONS AND REPORTS FROM COUNCIL AND STAFF

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

REPORTS FROM COMMISSIONS AND BOARDS

None before Council.

RESIGNATIONS AND APPOINTMENTS

None before Council.

ORDINANCES

None

OLD BUSINESS

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

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

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

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

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

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

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

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

Kristen Rogers, "I move that we approve the MPD with modifications: limiting the number of unit equivalents to 170, limiting the height of the hillside properties to 35 feet, and the town lift properties to 45 feet". Council member Rogers then requested that the height language be stricken. Jim Doilney seconded subject to changing the motion to "158 units and that the Sweeneys present a phasing plan shorter than 20 years and no development at the Mid Station". Kristen Rogers, "I will amend my motion to include those changes". Motion died.

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

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

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

ABE117

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

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

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

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

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

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

ABE117

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

Motion carried.

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

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

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

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

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

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

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

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

XII NEW BUSINESS

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

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

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

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

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

Budget revision:

With federal participation	$ 887
Without federal participation	4,435

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

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

XIII ADJOURNMENT

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

MEMORANDUM OF CONVENING CLOSED SESSION

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

* * * * * *

The meeting for which these minutes were prepared was noticed by posting 24 hours in advance and by delivery to the news media two days prior to the meeting.

Prepared by Jan Scott Freeman

Jan Scott Freeman
Deputy City Recorder

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TECHNICAL MEMORANDUM

To: Gretchen Milliken, Planning Director
Park City Municipal Corporation, Planning Department
445 Marsac Avenue
Park City, Utah 84060

From: Anne Oliver, Principal Architectural Historian, and Christina Olson, Lead Architectural Historian, SWCA Environmental Consultants

Date: April 26, 2023

Re: **Historic District Design Review for 220 King Road**

OVERVIEW

Historic character is one of four core values outlined in the *Park City General Plan* (Park City Planning Department 2014). Park City's historic character derives from more than 400 historic sites, including two National Register Historic Districts (Park City Planning Department 2023). The Main Street Historic District was listed in the National Register of Historic Places in 1979, and the Mining Boom Era Residences Thematic District, which comprises historically significant residential structures built during the mining boom period of 1872 to 1929, was listed in 1984 (Park City Planning Department 2023).

Park City Municipal Corporation has pursued protection of the City's historic resources through local designations on its Historic Site Inventory and through application of the Design Guidelines for Historic Districts and Historic Sites (Design Guidelines), initially adopted in 1983. In 2009, Park City completed a total update of the regulating documents for the historic districts, including an updated Historic Site Inventory, new Design Guidelines, and amendments to the Land Management Code (LMC). The Design Guidelines were updated again and adopted by Ordinance 2019-06 into the LMC in 2019 and are intended to fulfill policy directives provided in the LMC (Park City Planning Department 2023).

As requested by the Park City Planning Department, SWCA Environmental Consultants has prepared this memorandum to assist the City's Design Review Team in evaluating the proposed new residence at 220 King Road, in the Historic Residential (HR-1) zone, for compliance with the Design Guidelines (Figures A-1 and A-2). Specific LMC requirements associated with building height (LMC 15-2.2-5) and development on steep slopes (LMC 15-2.1-6) relevant to the HR-1 district and the proposed residence at 220 King Road, are outside the purview of the Design Guidelines and are being addressed separately by the Planning Department.

HISTORIC DISTRICT DESIGN GUIDELINES REVIEW

Park City's Design Guidelines are intended to protect the historic character of Park City. As identified in LMC 15-2.2-1, the purpose of the HR-1 zone regarding residential infill is to:

- preserve present land uses and character of the Historic Residential Areas of Park City;

- encourage construction of Historically Compatible Structures that contribute to the character and scale of the Historic District and maintain existing residential neighborhoods;
- encourage single family Development on combinations of 25' x 75' Historic Lots;
- define Development parameters that are consistent with the General Plan policies for the Historic core; and
- establish Development review criteria for new Development on Steep Slopes which mitigate impacts to mass and scale and the environment. (Park City 2000)

Concerns with the proposed residence at 220 King Road relate primarily to the "construction of Historically Compatible Structures that contribute to the character and scale of the Historic District," particularly the scale of the residence and its component elements. While the Design Guidelines support the proposed industrial design aesthetic inspired by the Silver King Mine buildings, the guidelines are clear regarding requirements for residential scale and do not support the construction of industrial-scale residential buildings within residential districts. The compliance of proposed massing and glazing patterns with the Design Guidelines is an additional concern. Each Design Guideline pertinent to these concerns is provided below, followed by an analysis of the design compatibility of 220 King Road.

15-13-8 Design Guidelines for New Residential Infill Construction in Historic Districts

A. Universal Guidelines

15-13-8 A-4: *New infill residential buildings shall differentiate from historic structures but be compatible with historic structures in materials, features, size, scale and proportion, and massing to protect the integrity of the Historic District as a whole. The massing of the new infill residential buildings shall be further broken up into volumes that reflect the original massing of historic buildings; larger masses shall be located at the rear of the lot.*

The proposed materials and features of the residence at 220 King Road are compatible with industrial designs in and around Park City. However, the size, scale, and proportions of the residence and its component elements, including the shed roof and cantilevered flat roof, are reminiscent of a large-scale industrial building rather than a residential building, which is not compatible with the HR-1 zone. While projecting portions of the building on the downslope elevation provide some modulation of mass, additional size reduction or modulation of the building mass itself (as well as its roofs) is required to reflect the size and massing of historic residential buildings, which were typically built on 25-foot-wide lots in this zone (see Figures A-1 and A-2).

15-13-8 A-6: *Exterior elements – roofs, entrances, eaves, chimneys, porches, windows, doors, steps, garages, etc. – of the new infill residential building shall be of human scale and shall be compatible with neighboring Historic Structures.*

The proposed residence at 220 King Road will span multiple lots, with a single shed roof also spanning multiple lots. While the use of an industrial mining aesthetic is encouraged, the scale of the roof and eaves should be compatible to the scale of historic residences in the HR-1 zone, not to an industrial mining building. To comply with this guideline, the wide shed roof would need to be divided into three to five modules to achieve the appropriate residential scale and the cantilevered flat roof would need to be reduced in size.

15-13-8 A-7: *Scale and height of new infill residential buildings shall follow the predominant pattern and respect the architecture of the Streetscape or character area with special consideration given to Historic Sites.*

The proposed infill references the industrial buildings of the Silver King Mine but the guidelines require that infill residential buildings maintain a historic residential scale appropriate to the historic district or zone in which they are being constructed. The proposed residence at 220 King Road will be on a relatively isolated site and will not be directly adjacent to any Historic Sites. In the absence of a streetscape lined by other buildings, the predominant pattern of the historic district or residential zone applies. The proposed design does not comply with this guideline.

15-13-8 A-8: *Size and mass of a structure shall be compatible with the size of the site so that lot coverage, building bulk, and mass are compatible with Historic Sites within the Streetscape or character area.*

The proposed residential building at 220 King Road will span multiple lots and, while its size is compatible with the size of the lot, its building bulk and mass are not compatible with Historic Sites just downslope in the HR-1 zone. Further reduction or modulation of massing, both of the residence and its shed and cantilevered flat roofs, is required to be compatible with the building bulk and mass of historic residences in the HR-1 zone.

15-13-8 A-10: *New infill residential buildings shall reinforce visual unity within the context of the Streetscape or character area. The specific context of each Streetscape or character area is an important feature of the Historic District. The context of each Streetscape or character area shall be considered in its entirety, as one would see it when standing on the street viewing both sides of the street for the entire length of the Streetscape or character area. Special consideration should be given to adjacent and neighboring Historic Sites in order to reinforce existing rhythms and patterns.*

The proposed residence sits on the hillside above much of the HR-1 zone, in a setting where industrial buildings were once common. An industrial design aesthetic is appropriate in this area; however, this and many other Design Guidelines explicitly require that new infill residential buildings be compatible in mass and scale with historic residential buildings to reinforce visual unity in the historic district and/or residential zone. The prominent and highly visible location of 220 King Road only increases the importance of complying with this and other guidelines to reinforce visual unity and maintain existing rhythms and patterns of the nearby streetscapes. Because the guidelines are so clear on this point, a variance from the Board of Adjustment would be required to permit the design as proposed.

B. Specific Guidelines (Primary Structures)

Mass, Scale, and Height

15-13-8 B-2a (1): *The size and mass of a new residential infill building in relation to open spaces, shall be visually compatible with adjacent historic buildings and historic structures in the surrounding Streetscape or character area.*

The proposed residence at 220 King Road is sited on an open slope above much of the HR-1 zone. This provides some flexibility in allowing greater size because of the building's relation to more open space. However, the size of the building and its component elements must be broken into distinct masses more reminiscent of the size and mass of historic buildings in the zone to achieve visual compatibility.

15-13-8 B-2a (3): *Historic height, width, and depth proportions that are important in creating compatible infill and maintaining the historic mass and scale of the Streetscape or character area.*

The height, width, and depth of the proposed residence at 220 King Road are of an industrial scale and not compatible with the residential streetscapes in Park City's historic districts. As noted above, while the large lot and open hillside allow for greater building size, it is necessary to break up the massing and roof forms to be more similar to historical residential massing and scale to achieve compatible infill.

15-13-8 B-2a (5): *The perceived scale of new buildings shall respect the scale established by historic buildings in the character zone. Abrupt change of scale in the character zone is inappropriate, especially when a new, larger building would directly abut smaller historic buildings.*

Both the actual and perceived scale of the proposed residence is significantly greater than a typical historic residence in the HR-1 zone and there are no historic large-scale industrial buildings nearby or anywhere in the zone that establish a precedent for large-scale infill. As stated above, the reference to the industrial aesthetic of the Silver King Mine buildings is encouraged in the design of the structure, but those historic mining buildings are neither in the HR-1 zone nor visible from it. For these reasons, the perceived scale should reflect that of a historic residential building rather than a historic industrial building. Because the proposed residence does not directly abut any historic buildings, and because it is sited on a large lot surrounded by open space, its greater size can be accommodated within the HR-1 zone. However, to comply with other guidelines, the perception of that size must be managed by dividing the building into modules that reflect the massing of a typical historic residence on a 25-foot-wide lot. Breaking up the roof form in a similar fashion would also be necessary.

15-13-8 B-2a (6): *A larger building shall be divided into 'modules' that reflect the mass, scale, proportions, and size of historic buildings within the Streetscape or character area. Modules shall be clearly expressed throughout the entire building and a single form shall remain the dominant element so the overall mass does not become too fragmented. To minimize the scale perceived from the primary public right-of-way, stepping down the mass of a larger building shall be considered.*

See above discussion under multiple guidelines about using modules to break up large masses and manage the perception of scale for residences larger than seen historically. Stepping the mass of these modules back into the hillside, rather than projecting their mass forward from a recessed basement level as currently proposed, can also help manage the perception of scale.

15-13-8 B-2a *(7): Larger-scaled projects shall also include variations in roof height in order to break up the form, mass and scale of the overall structure.*

The proposed design for the residence at 220 King Road incorporates two flat roofs (one that serves as a deck and one that is cantilevered over that deck) and one expansive shed roof. While these roofs vary in height, which helps to break up the form, mass, and scale of the residence, the modules they create are still over-scaled relative to historic residences in the HR-1 zone. Further reduction or modulation of massing, of both the residence and its shed and cantilevered flat roofs, is required to meet this guideline.

15-13-8 B-2a (8): *Buildings constructed on lots greater than 25 feet wide shall be designed so that the facades visible from the primary public right-of-way reinforce the rhythm along the street in terms of traditional building width, depth, and patterns within the façade.*

No renderings of the proposed residence as viewed from the primary public right-of-way (King Road) have been provided for this review. It is expected, however, that the modules created to address mass and scale on the downslope (rear) side of the residence will carry through to the opposite (front) side and vice versa.

15-13-8 B-2a (9): *Regardless of lot frontage, the primary façade shall be compatible with the width of surrounding historic buildings. The greater width of a building shall be set back significantly from the plane of the primary façade. The width of a new building shall not appear to be visibly greater than historic buildings in the Streetscape or character area. Modules on a primary façade should generally not exceed eleven (11) feet to twenty-five (25) feet in width.*

No renderings of the proposed residence as viewed from the primary public right-of-way (King Road) have been provided for this review. It is expected, however, that historically sized modules of approximately 11’ to 25’ in width, with attendant setbacks from the primary wall plane of the façade, will be created on the uphill (front) side of the residence and carried through to the downslope (rear) side.

15-13-8 B-2a (10): *When the overall length of a new structure is greater than seen historically, the design shall employ methods—changes in wall plane, roof heights, use of modules, etc. to diminish the visual impact of the overall building mass, form and scale.*

The proposed residence at 220 King Road will span multiple lots and its overall length is much greater than seen historically. Therefore, further variation in wall planes and roof heights to create more historically sized modules is required to diminish the visual impact of the overall building mass, form, and scale.

Windows

15-13-8 B-2d (1): *Ratios of solid-to-void that are compatible with surrounding historic buildings shall be used. Large expanses of glazing are inappropriate on residential structures. Large glass surfaces shall be divided into smaller windows that are in scale with those seen historically. To maximize views, non-historic window patterns may be considered on tertiary facades; however, the overall ratio of solid-to-glass shall still be respected.*

The large, multi-pane windows and fenestration patterns of the proposed design reference historic mine buildings, which incorporated significant amounts of glazing to maximize natural light and illuminate interior workspaces (Figures A-3 and A-4). Typically, long, nearly continuous, relatively narrow bands of windows were present in clerestories that were separated by pitched roofs; glazing in the exterior corrugated-metal walls was also extensive. Hence, the use of an industrial mining aesthetic allows for a greater proportion of void to solid in the proposed residence than would be appropriate with a more traditional residential design. However, glazing in historic exterior walls always had a base of solid wall and never consisted of floor to ceiling windows. In the proposed design, the metal panels at some window bases recreate this pattern, but the floor-to-ceiling windows present elsewhere are inconsistent with industrial patterns and create an incompatible solid-to-void ratio.

15-13-8 B-2d (2): *Windows shall be historic size and shall relate to the human scale of the Historic District. Windows shall be proportional to the scale and style of the building and shall be compatible with the historical buildings in the Historic District.*

See above analysis. With the exception of the floor-to-ceiling windows, the larger-scaled windows are appropriate to the scale and style of the building.

15-13-8 B-2d (3): *The placement and grouping of windows shall be similar to those seen historically.*

See above analysis. With the exception of the floor-to-ceiling windows, the placement and grouping of windows is similar to that seen on historic mining buildings in Park City.

Roofs

15-13-8 B-1e (1): *Roofs of new residential infill buildings shall be visually compatible with roof shapes and orientation of surrounding Historic Sites and adjacent buildings that contribute to the character of the Historic District. Sloping of roof forms, such as gable, hip, and shed, should be the dominant roof shapes. Roofs composed of a combination of roof planes, but simple in form, are also encouraged. Roofs shall be in scale with those on historic structures.*

The roof shapes (flat and shed) and their orientations are generally compatible with surrounding Historic Sites, as are their simple forms. However, the guidelines are clear that the perceived scale of larger residential buildings (on lots wider than 25') should be managed by breaking them into smaller masses or modules that reflect historic residential massing, including their roofs. There is no precedent for exceptions when an industrial aesthetic is used for a residence, or for residences that may be in historically industrial areas. To comply with the guidelines, the roof could be broken into a horizontally stepped series of shed roofs (3 to 5 of them, with differences in roof height of a few feet or more to create shadow lines) that shelter their corresponding modules, or a mix of shed and flat. The cantilevered flat roof would also need to be reduced in scale.

CONCLUSION

In summary, while the Design Guidelines support the industrial aesthetic of the proposed residence at 220 King Road, which was inspired by the Silver King Mine buildings, the guidelines are clear regarding requirements for residential massing and scale, and the proposed design does not comply. The proposed floor-to-ceiling windows are also out of compliance. Recommendations for revisions to achieve a design more compatible with the guidelines are incorporated in the above analyses.

REFERENCES CITED

Historic American Engineering Record (HAER)

1971 *MINE SHAFT BLDG FROM W. - Silver King Mining Company, Mineshaft & Main Hoist, Woodside Gulch, Park City, Summit County, UT (Photos from Survey HAER UT-22-A).* Available at: https://www.loc.gov/resource/hhh.ut0090.photos/?sp=2. Accessed April 21, 2023.

Park City Planning Department

2000 Municipal Code 15 Land Management Code. Available at: https://parkcity.municipalcodeonline.com/book?type=ordinances#name=15-13_Design_Guidelines_For_Historic_Districts_And_Historic_Sites. Accessed April 21, 2023.

2014 *Park City General Plan*. Available at: https://www.parkcity.org/departments/planning/general-plan. Accessed April 21, 2023.

2017 Municipal Code 15-13 Design Guidelines for Historic Districts and Historic Sites. Available at: https://parkcity.municipalcodeonline.com/book?type=ordinances#name=15_Land_Management_Code. Accessed April 21, 2023.

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ATTACHMENT A

Figures

Figure A-1. Rendering of proposed residence at 220 King Road, downslope (rear) elevation, dated April 18, 2023.

Figure A-2. Rendering of proposed residence at 220 King Road, oblique view (left side and rear elevations), dated April 18, 2023.

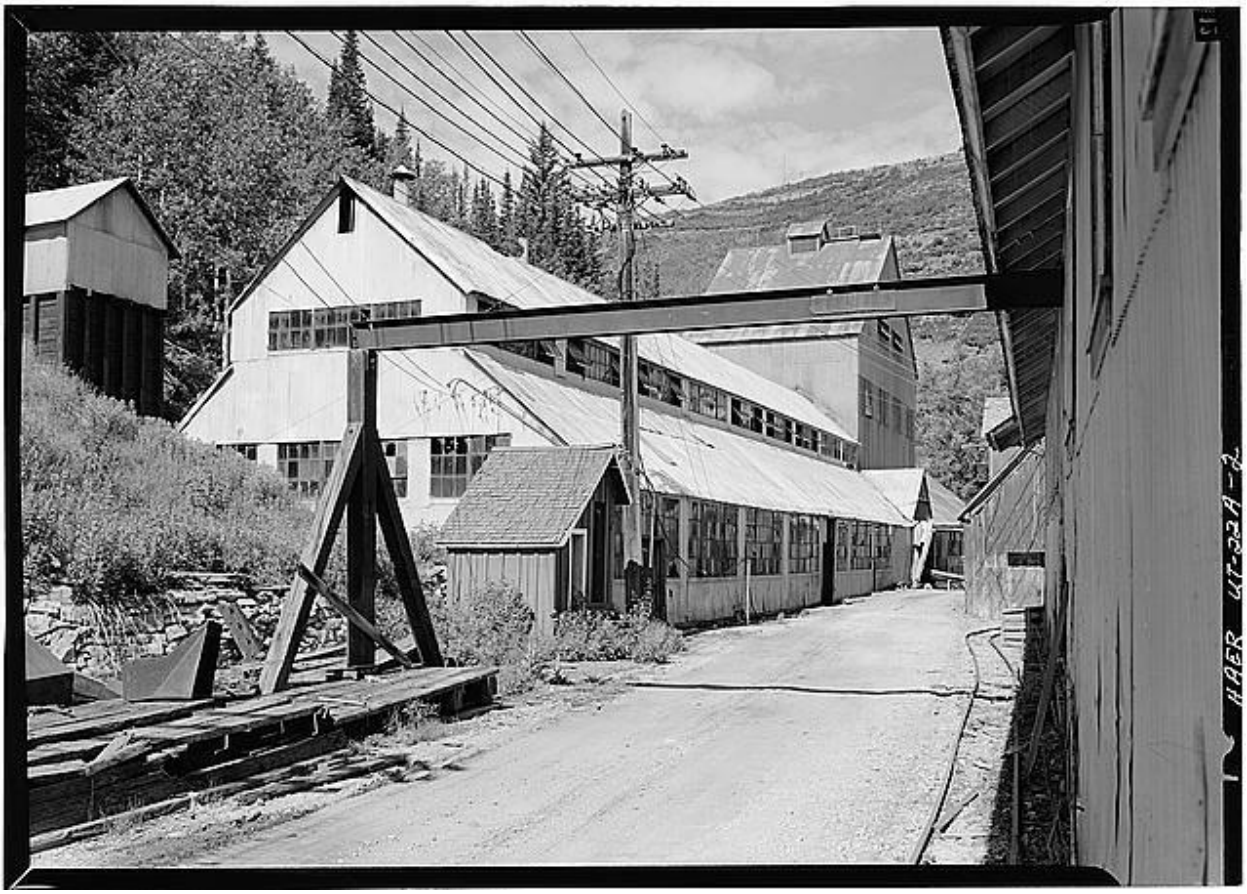


Figure A-3. Silver King Mine Hoist House (view from west), Woodside Gulch, Park City, Summit County, UT (HAER 1971). Note the complex massing of the building and its stepped and varied roofs over the component masses, as well as the multi-pane steel windows, window heights, proportion of solid wall to window openings.

Figure A-4. Example of industrial glazing pattern, Silver King Mine building. Note multi-pane steel windows, window heights, and proportion of solid wall to window openings.

SHEET INDEX - ALL SHEETS	
Sheet No.	SHEET NAMES
GENERAL	
A0.00	GENERAL INFORMATION
L1.00	LANDSCAPE SITE PLAN
ARCHITECTURAL	
A1.00	SITE PLAN
A2.10	LEVEL 01 - OVERALL PLAN
A2.20	LEVEL 02 - OVERALL PLAN
A2.30	LEVEL 03 - OVERALL PLAN
A2.40	LEVEL 04 - OVERALL PLAN
A2.50	LEVEL 05 - OVERALL PLAN
A2.60	ROOF PLAN
A3.00	EXTERIOR ELEVATIONS
A3.01	EXTERIOR ELEVATIONS
A3.02	STREETSCAPE ELEVATION
A3.10	BUILDING SECTIONS
A3.11	BUILDING SECTIONS
A4.00	WALL SECTIONS + DETAILS

PARK CITY RESIDENCE

220 KING ROAD
PARK CITY, UT 84060

HDDR DRAWINGS
07/31/2024

Olson Kundig

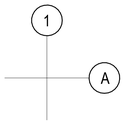
159 South Jackson St, Suite 600
Seattle, Washington 98104 USA
+1 206 624 5670 olsonkundig.com

ABBREVIATIONS

@	AT
℄	CENTERLINE
℄	PROPERTY LINE
Ø	DIAMETER
#	POUND OR NUMBER
(E)	EXISTING
(N)	NEW
AB	ANCHOR BOLT
ABV	ABOVE
ACC	ACCESS
ACOUS	ACOUSTICAL
ACP	ASPHALT CONCRETE PAVING
ACS	ACCESS PANEL
ACT	ACOUSTICAL TILE
AD	AREA DRAIN
ADA	AMERICANS with DISABILITIES
ADJ	ADJUSTABLE
AFF	ABOVE FINISHED FLOOR
AGGR	AGGREGATE
AIB	AIR INFILTRATION BARRIER
ALT	ALTERNATE
ALUM	ALUMINUM
APPROX	APPROXIMATE
ARCH	ARCHITECTURAL
ASPH	ASPHALT
AUTO	AUTOMATIC
BD	BOARD
BITUM	BITUMINOUS
BLDG	BUILDING
BLKG	BLOCKING
BM	BEAM
BO	BOTTOM OF...
BOT	BOTTOM
BRG	BEARING
BSMT	BASEMENT
BUR	BUILT UP ROOFING
CAB	CABINET
CB	CATCH BASIN
CEM	CEMENT
CER	CERAMIC
CIP	CAST-IN-PLACE
CJ	CONTROL JOINT
CLG	CEILING
CLK	CAULKING
CLO	CLOSET
CLR	CLEAR
CMU	CONCRETE MASONRY UNIT
CNTR	COUNTER
COL	COLUMN
CONC	CONCRETE
CONN	CONNECTION
CONST	CONSTRUCTION
CONT	CONTINUOUS
CONTR	CONTRACTOR
CORR	CORRIDOR
CPT	CARPET; CARPETED
CRS	COLD ROLLED STEEL
CSK	COUNTERSUNK
CT	CERAMIC TILE
CTR	CENTER
CU FT	CUBIC FEET
DBL	DOUBLE
DEMO	DEMOLITION
DET	DETAIL
DIA	DIAMETER
DIM	DIMENSION
DL	DEAD LOAD
DN	DOWN
DR	DOOR
DR OPNG	DOOR OPENING
DS	DOWNSPOUT
DSP	DRY STANDPIPE
DT	DRAIN TILE
DW	DISHWASHER
DWG	DRAWING
E	EAST
EA	EACH
EJ	EXPANSION JOINT
EL	ELEVATION
ELEC	ELECTRICAL
ELEV	ELEVATOR
ENCL	ENCLOSURE
EQ	EQUAL
EQUIP	EQUIPMENT
EST	ESTIMATE
EW	EACH WAY
EXH FN	EXHAUST FAN
EXIST	EXISTING
EXP	EXPANDED; EXPANSION
EXP BT	EXPANSION BOLT
EXPO	EXPOSED
EXT	EXTERIOR
FA	FIRE ALARM
FB	FLAT BAR
FD	FLOOR DRAIN
FE	FIRE EXTINGUISHER
FEC	FIRE EXTINGUISHER CABINET
FF EL	FINISH FLOOR ELEVATION
FH	FIRE HYDRANT
FHC	FIRE HOSE CABINET
FIN FLR	FINISH FLOOR
FF	FINISH TO FINISH
FIN	FINISH
FLASH	FLASHING
FLR	FLOOR; FLOORING
FLUOR	FLUORESCENT
FOC	FACE OF CONCRETE
FOF	FACE OF FINISH
FOIC	FURNISHED BY OWNER - INSTALLED BY CONTRACTOR
FOM	FACE OF MASONRY
FOS	FACE OF STUDS
FP	FIREPROOF
FPL	FIREPLACE
FR	FRAME
FT	FOOR OR FEET
FTG	FOOTING
FURR	FURRING
FUT	FUTURE
FW	FULL WIDTH
GA	GAUGE
GALV	GALVANIZED
GC	GENERAL CONTRACTOR
GL	GLASS
GLAM	GLUE-LAMINATED
GR	GRADE
GWB	GYPSUM WALL BOARD
GYP	GYPSUM
HB	HOSE BIBB
HC	HOLLOW CORE
HDO	HIGH DENSITY OVERLAY
HDR	HEADER
HDWD	HARDWOOD
HDW	HARDWARE
HM	HOLLOW METAL
HORIZ	HORIZONTAL
HP	HIGH POINT
HR	HOUR
HT	HEIGHT
HVAC	HEATING/VENTILATING/AIR CONDITIONING
HW	HOT WATER
HWT	HOT WATER TANK
ID	INSIDE DIAMETER
IN	INCH
INCL	INCLUDED
INSUL	INSULATION
INT	INTERIOR
INV	INVERT
JB	JUNCTION BOX
JF	JOINT FILLER
JT	JOINT
KIT	KITCHEN
KO	KNOCKOUT
LAM	LAMINATE, LAMINATED
LAV	LAVATORY
LBS	POUNDS
LF	LINEAR FOOT (FEET)
LH	LEFT HAND
LL	LIVE LOAD
LOC	LOCATION
LP	LOW POINT
LT	LIGHT
MAS	MASONRY
MATL	MATERIAL
MAX	MAXIMUM
MB	MACHINE BOLT
MC	MEDICINE CABINET
MDF	MEDIUM DENSITY FIBERBOARD
MDO	MEDIUM DENSITY OVERLAY
MECH	MECHANICAL
MEMB	MEMBRANE
MEZZ	MEZZANINE
MFR	MANUFACTURER
MIN	MINIMUM
MIR	MIRROR
MISC	MISCELLANEOUS
MO	MASONRY OPENING
MTD	MOUNTED
MTL	METAL
MUL	MULLION
N	NORTH
N/A	NOT APPLICABLE
NIC	NOT IN CONTRACT
NO	NUMBER
NOM	NOMINAL
NR	NOISE REDUCTION
NTS	NOT TO SCALE
OA	OVERALL
OC	ON CENTER
OD	OUTSIDE DIAMETER
	OVERFLOW DRAIN
OFF	OFFICE
OH	OVERHEAD
OHWM	ORDINARY HIGH WATER MARK
OPNG	OPENING
OPP	OPPOSITE
OSB	ORIENTED STRAND BOARD
PBD	PARTICLE BOARD
PCC	PRECAST CONCRETE
PCF	POUNDS PER CUBIC FOOT
PERF	PERFORATED
PERP	PERPENDICULAR
PL	PLATE
PLAM	PLASTIC LAMINATE
PLAS	PLASTER
PLWD	PLYWOOD
PNL	PANEL
PNT	POINT
PR	PAIR
PRCST	PRECAST
PSF	POUNDS PER CUBIC FOOT
PSI	POUNDS PER SQUARE INCH
PT	PRESERVATIVE TREATED
PTN	PARTITION
PVC	POLYVINYL CHLORIDE
R	RISER
RA	RETURN AIR
RAD	RADIUS
RD	ROOF DRAIN
REF	REFERENCE
REFR	REFRIGERATOR
REG	REGISTER
REINF	REINFORCED
REM	REMAINDER
REQ	REQUIRED
RESIL	RESILIENT
REV	REVISION; REVISIONS; REVISED
RH	RIGHT HAND
RM	ROOM
RO	ROUGH OPENING
RWL	RAIN WATER LEADER
S	SOUTH
SAF	SELF-ADHERED FLASHING
SAM	SELF-ADHERED MEMBRANE
SC	SOLID CORE
SCHED	SCHEDULE
SD	SMOKE DETECTOR
SECT	SECTION
SG	SAFETY GLASS
SHV	SHELF; SHELVING
SHR	SHOWER
SHT	SHEET
SHT MTL	SHEET METAL
SHTG	SHEATHING
SIM	SIMILAR
SOG	SLAB ON GRADE
SPEC	SPECIFICATION
SQ FT	SQUARE FOOT (FEET)
SQ IN	SQUARE INCH(ES)
SST	STAINLESS STEEL
STD	STANDARD
STL	STEEL
ST	STONE
STOR	STORAGE
STRUCT	STRUCTURAL
SUSP	SUSPENDED
SYM	SYMMETRICAL
T	TREAD
T&G	TONGUE AND GROOVE
TEL	TELEPHONE
TER	TERRAZZO
TG	TEMPERED GLASS
THK	THICK
TO	TOP OF...
TOB	TOP OF BEAM
TOC	TOP OF CONCRETE; CURB
TOF	TOP OF FLOOR; FOOTING; FRAME
TOM	TOP OF MASONRY
TOP	TOP OF PARAPET; PAVEMENT
TOPO	TOPOGRAPHY
TOS	TOP OF SLAB; STEEL
TOW	TOP OF WALL
TS	TUBE STEEL
TSTAT	THERMOSTAT
TYP	TYPICAL
UNO	UNLESS OTHERWISE NOTED
VB	VINYL BASE
VEN	VENEER
VERT	VERTICAL
VEST	VESTIBULE
VG	VERTICAL GRAIN
VIF	VERIFY IN FIELD
VT	VINYLT TILE
W	WEST
W/	WITH
W/O	WITHOUT
WC	WATER CLOSET
WD	WOOD
WDW	WINDOW
WF	WIDE FLANGE
WF BM	WIDE FLANGE BEAM
WG	WIRED GLASS
WH	WATER HEATER
WL	WATER LINE
WLD	WELDED
WP	WATERPROOF
WPM	WATERPROOF MEMBRANE
WR	WATER RESISTANT
WSCT	WAINSCOT
WSG	WIRE SAFETY GLASS
WTR	WATER
WWF	WELDED WIRE FABRIC
WWM	WELDED WIRE MESH
WT	WEIGHT

SYMBOLS LEGEND

1. GRID LINE REFERENCE



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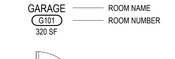
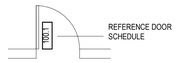


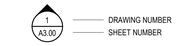
3. DOOR REFERENCE



4. WINDOW / SKYLIGHT REFERENCE

5. ELEVATION / DATUM REFERENCE

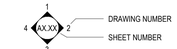
6. EXTERIOR ELEVATION



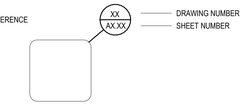
7. BUILDING SECTION

8. WALL SECTION

9. INTERIOR ELEVATION



10. DETAIL REFERENCE



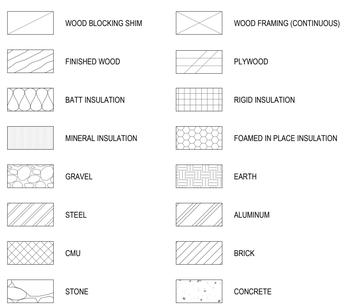
11. ASSEMBLY REFERENCE

12. NORTH SYMBOL

13. REVISION REFERENCE

REFERENCE CONSTRUCTION MEMO ISSUING REVISION.
ONLY MOST RECENT REVISION SHOWN CLOUDED.
REFERENCE FOR PREVIOUS REVISIONS REMAIN.
DATE OF REVISIONS INDICATED AT RIGHT MARGINS.

MATERIALS LEGEND



ZONING / BUILDING CODE SUMMARY

PROJECT ADDRESS:
220 KING ROAD
PARK CITY, UT 84060

ASSESSOR'S PARCEL NUMBER:
THILL-2-A-AM & THILL-2-B-AM

LEGAL DESCRIPTION:
LOTS 2A AND 2B, LOT 2 PHASE 1, TREASURE HILL SUBDIVISION, FIRST AMENDED RECORD OF SURVEY MAP, ACCORDING TO THE OFFICIAL PLAT THEREOF ON FILE AND OF RECORD, IN THE OFFICE OF THE SUMMIT COUNTY RECORDER.

APPLICABLE CODES:
2018 EDITION OF THE INTERNATIONAL BUILDING CODE, INCLUDING APPENDIX J
2015 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE
APPENDIX Q OF THE 2018 EDITION OF THE INTERNATIONAL RESIDENTIAL CODE
2018 EDITION OF THE INTERNATIONAL PLUMBING CODE
2018 EDITION OF THE INTERNATIONAL MECHANICAL CODE
2018 EDITION OF THE INTERNATIONAL FUEL GAS CODE
2017 EDITION OF THE NATIONAL ELECTRICAL CODE
2015 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE (RES)
2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE (COM)
2018 EDITION OF THE INTERNATIONAL EXISTING BUILDING CODE
2006 UTAH WILDLAND-URBAN INTERFACE CODE

AUTHORITY HAVING JURISDICTION:
PARK CITY BUILDING DEPARTMENT

PHYSICAL ADDRESS:
445 MARSAC AVENUE
P. O. BOX 1480
PARK CITY, UTAH 84060

BUILDING:
(435) 615-5101

ELECTRONIC MAIL:
buildingcounter@parkcity.org

LOT SIZE:
1.23 ACRES (53,694SF)

LAND USE DESIGNATION:
HISTORIC RESIDENTIAL HR-1

PROJECT DESCRIPTION:
SINGLE FAMILY RESIDENCE WITH ATTACHED GARAGE.

HEIGHT:
PER MUNICIPAL CODE 15-2.2-5

YARD SETBACKS:
FRONT AND REAR: FOR LOT DEPTH GREATER THAN 100' = 15', 30' TOTAL
SIDE: FOR LOT WIDTH GREATER THAN 100' = 10' MIN, 24' TOTAL

THE **MAXIMUM BUILDING FOOTPRINT** FOR ANY STRUCTURE LOCATED ON A LOT OR COMBINATION OF LOTS, EXCEEDING 18,750 SQUARE FEET IN LOT AREA, SHALL BE **4,500 SQUARE FEET**, WITH AN EXEMPTION ALLOWANCE OF 400 SQUARE FEET, PER DWELLING UNIT, FOR GARAGE FLOOR AREA. **A CONDITIONAL USE PERMIT IS REQUIRED FOR ALL STRUCTURES WITH A PROPOSED FOOTPRINT OF GREATER THAN 3,500 SQUARE FEET.**

ENERGY CODE COMPLIANCE:
2015 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE
PARK CITY, SUMMIT COUNTY UTAH - ZONE 6B

VERTICAL GLAZING U-FACTOR: .32 SHGC: NR

CEILING R-VALUE: 49
WOOD FRAMED WALL R-VALUE: 20+5 or 13+10
MASS WALL R-VALUE: 15/20
FLOOR R-VALUE: 30
BASEMENT WALL R-VALUE: 15/19
SLAB R-VALUE & DEPTH: 10, 4 ft
CRAWL SPACE WALL R-VALUE: 15/19

2006 UTAH WILDLAND-URBAN INTERFACE CODE:
Section 101.4 Exceptions shall be added and should read as follows:
Exceptions.
Any building, structure, landscape, streetscape or site may be exempted from this Chapter if, a structure is listed on or officially determined eligible for the Register of Historic Places or is located within a Historic District and it is determined by the Planning Director, and approved by the Fire Code Official, that the exemption of said structure/property or resource will not create an additional fire hazard in the immediate vicinity of the structure/property or resource.

VICINITY MAP

NOT TO SCALE

LOCATION MAP

NOT TO SCALE

GENERAL NOTES

1. CODES: ALL WORK SHALL CONFORM APPLICABLE LAND USE AND BUILDING CODES AS AMENDED BY AUTHORITIES HAVING JURISDICTION.

2. DO NOT SCALE DIMENSIONS FROM DRAWINGS. USE CALCULATED DIMENSIONS ONLY. NOTIFY THE ARCHITECT IMMEDIATELY IF ANY CONFLICTS EXIST.

3. CONTRACTOR SHALL VERIFY ALL CONDITIONS PRIOR TO INITIATING THE WORK. NOTIFY THE ARCHITECT OF ANY DISCREPANCIES.

4. VERIFY ALL ROUGH-IN DIMENSIONS FOR EQUIPMENT. PROVIDE ALL BUCK-OUT, BLOCKING, BACKING, AND JACKS REQUIRED FOR INSTALLATIONS.

5. DIMENSIONS ARE TO EXTERIOR FACE OF CONCRETE / WOOD FRAMING UNLESS OTHERWISE NOTED.

6. EXTERIOR WALL FRAMING 2x6 WOOD STUDS UNLESS OTHERWISE NOTED.

7. INTERIOR WALL FRAMING 2x4 WOOD STUDS UNLESS OTHERWISE NOTED.

PROJECT DIRECTORY

SITE ADDRESS:
220 KING ROAD
PARK CITY, UT 84060

OWNER:
PESKY PORCUPINE, LLC
405 S MAIN ST. STE 800
SALT LAKE CITY, UT 84111

ARCHITECT:
OLSON KUNDIG ARCHITECTS
159 S. JACKSON ST. SUITE 600
SEATTLE, WA 98104
T: 206.624.5670
F: 206.624.3730
PRINCIPAL ARCHITECT: TOM KUNDIG
tom@olsonkundigarchitects.com
CONTACT: STEVE GRIM
steve@olsonkundigarchitects.com

STRUCTURAL ENGINEER:
GFDS ENGINEERS
99 GREEN STREET, THIRD FLOOR
SAN FRANCISCO, CA 94111
T: 415.512.1301
CONTACT: KRIS JOHNSON
kjohnson@gfdseng.com

CONTRACTOR
EDGE BUILDERS LLC
4015 SOUTH 300 WEST, STE 102
SALT LAKE CITY, UT 84107
T: 801.879.6200
CONTACT: BRIGHAM WILCOX
brigham@edgebuildersutah.com

Reserved for permit stamp

Olson Kundig
159 South Jackson St. Suite 600
Seattle, Washington 98104 USA
+1 206 624 5670 olsonkundig.com

project:
PARK CITY RESIDENCE
220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by Author
checked by
job no. 20102
date 07/31/2024

revisions:

no. date by

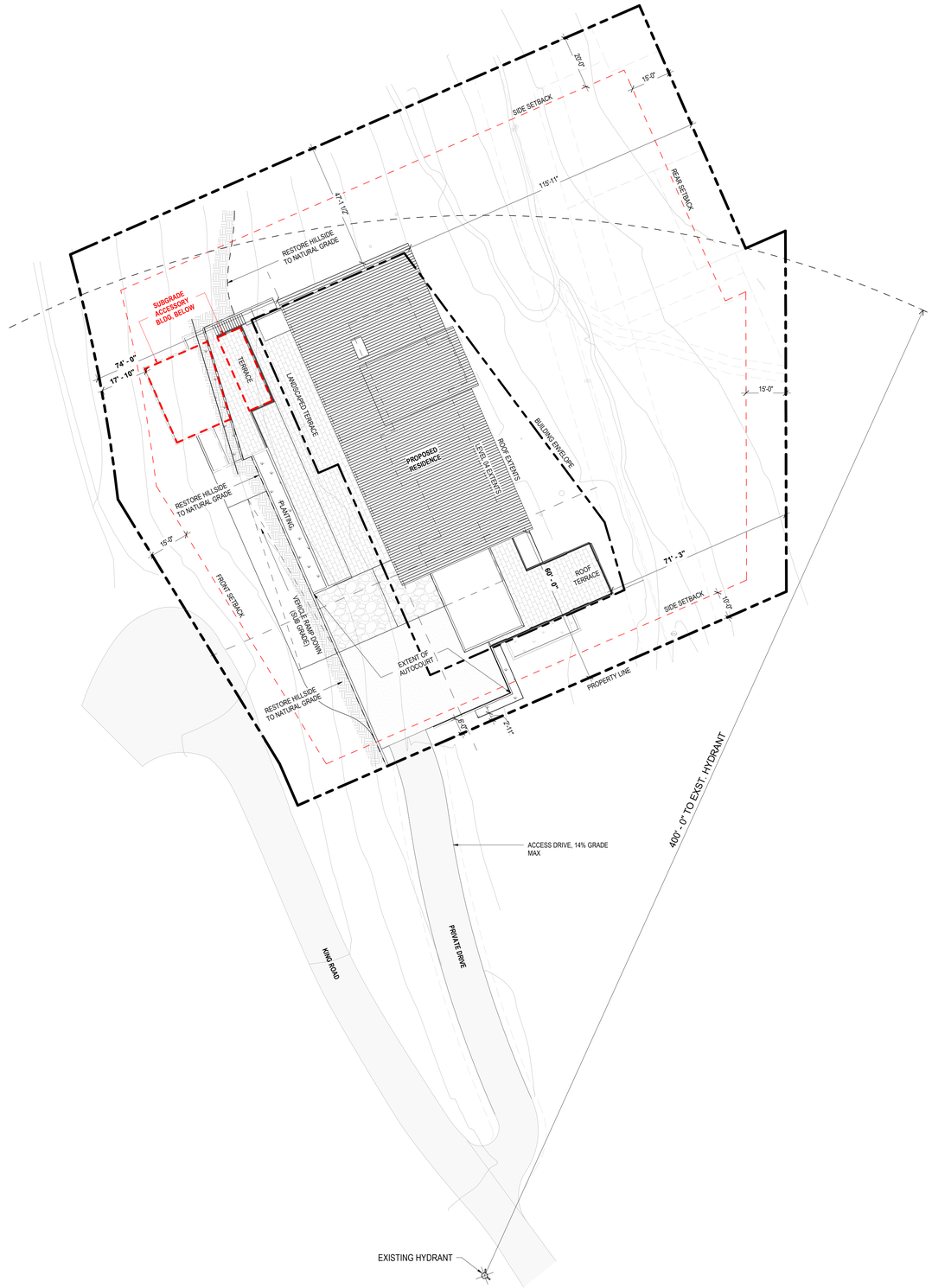
NOT FOR CONSTRUCTION

HDDR DRAWINGS

07/31/2024

GENERAL INFORMATION

A0.00



1 SITE PLAN
SCALE: 1" = 20'-0"

N

0 10' 20' 40' 60'

Reserved for permit stamp

Olson Kundig
159 South Jackson St, Suite 600
Seattle, Washington 98104 USA
+1 206 624 5670 olsonkundig.com

project:
PARK CITY RESIDENCE
220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by
checked by
job no. 20102
date 07/31/2024

revisions:

no. date by

NOT FOR CONSTRUCTION
HDDR DRAWINGS
07/31/2024

SITE PLAN

A1.00

TYPE: **L3 / EL3**

BANTAM™ SQ

Another Lumenrail® Component for Life Safety and Light

PROJECT NAME: Park City Residence - SD Permit

REP AGENCY: _____

APPROX. LINEAR FT: _____

SERVICE OPTIONS: ☐ Field Measure ☐ Job Site Support ☐ System Installation

SCAN QR CODE
for technical information, downloads and instructions.

PART NUMBER BUILDER

LULF30K705XTS	LULF	27K	70	5	XTS
EXAMPLE	FIXTURE TYPE	COLOR TEMP	OPTIC	DRIVE CURRENT	BANTAM

* Indicates stock, other options may require additional leadtime

LULF - Lumenpad to Light Engine

***27K**- 2700 K
***30K**- 3000 K
***40K**- 4000 K
50K- 5000 K

BLU- Blue
BRN- Brown
RED- Red
AMB- Amber

4- 90° beam
25- 25° beam
45- 45° beam
***70**- 70° beam
94- 94° beam

***5**- 0.2W @ 500 mA
***6**- 1.1W @ 350 mA
Extended life @ 0.2/0.04W version requires 350 mA

XTS- Machined 316 SS, flat surface mount housing

ELECTRICAL SPECIFICATIONS

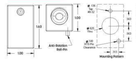
24VDC	ETL LISTED WET, IK10, IP67, CE	0-10V INPUT	-40°F TO +120°F
INPUT VOLTAGE	CERTIFICATIONS	DIMMING	OPERATING TEMP

CLASS 2 REQUIRED	5 YEARS	UP TO 116 LM/W LED	80+	8"
DRIVER	WARRANTY	EFFICIENCY	CRI	WIRE LENGTH

Intertek

All electrical connections to be made by a qualified electrician in accordance with all national, state and local electrical codes.

CONSTRUCTION



Bantam SQ is solid machined 316 stainless steel with security hardware and is designed for flat surface mounting.

PHOTOMETRICS

Bantam SQ is designed with an inherent 10° bias above nadir. This asymmetric feature projects the output from the mounting surface towards the path. Scan QR code or visit our website to view or download available IES reports.

LUMENGEAR™ LED DRIVER & NEMA ENCLOSURE OPTIONS

Wagner offers multiple ETL listed options for both 24VDC power supplies and NEMA enclosures. Quantities and types will be configured based on your specifications and design. Additional specification options are available by request. Not all options apply to all products–please verify compatibility with the factory.

CLASS II DRIVERS:
- STD 100W
- DALI, DMX, 0-10V Dimming Protocols
- Multiple Wattages
- Made in USA Units Available

NEMA ENCLOSURES:
4X - Polycarbonate
4X - Painted Steel
4X - Stainless Steel

Specifications subject to change without notice. Verify data at time of order

@wagnercompanies

Page 2 of 2

WAGNER Architectural Systems

888-243-6594 // info@wagnercom.com
10600 West Brown Deer Road // Milwaukee, WI 53224, USA

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WagnerCompanies.com
LUBS-SUBM-R3

niteo

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Permit - Schematic Design
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SITE LIGHTING @ GUARDRAIL POSTS

TYPE: **EL5**

GHOST

SQUARE - HORIZONTAL

Type: EL5 — SPECIFICATION SHEET
Project: PARK CITY RESIDENCE - SD PERMIT — Page: 1 of 5

Unique lighting system for wall recessed lighting in exterior applications. The system consists of a series of concrete forming boxes designed to create a cavity in the wall during the concrete forming process. The resulting void in the wall houses the LED light module, which is concealed from view. Designed for low mounting heights with downward asymmetric light distribution. Low luminance with light source regressed inside the luminaire and shielded from all viewing angles

Luminaire characteristic:	Power input system: 5W to 16W Power input source: 4W to 14W Lumens system for 3000K, 80CRI: 240lm to 551lm Luminaire efficacity for 3000K: Up to 48lm/W
Source:	White LED module (LM-80)
Lumen maintenance:	2700K, 80CRI; 3000K, 80CRI; 4000K, 80CRI: 80% of initial lumens at 70 000 hours (L80 B10) Ta 77° (25°) 80% of initial lumens at 50 000 hours (L80 B10) Ta 104° (40°)
Optic:	Downward Asymmetric
Material:	Body: Die-cast Diffuser: Toughened glass Recessed housing: Polypropylene
Mounting:	Wall recessed cast in concrete. Supplied with a two part housing installation kit, anchor screws, bolts, locking system and adhesive template to ensure perfect alignment when installing. Connections to be done inside the back box.
Electrical:	See remote power supply options on page 3.
Finish:	Concrete
Weight:	1.96lb (0.89kg) to 6.39 lb (2.90 kg).
Warranty:	5 year limited warranty
Rating:	IP65, IK10
Certification:	cULus listed for wet location

Dim: (W) _____ Last update: November 09, 2023 — Due to continuous improvements, the information herein may be changed without notice

SISTEMALUX
9530 Boul. St-Laurent, suite 100, Montréal (Québec) Canada H2N 1N7 P: 514.523.1339 F: 514.525.6107 www.sistemalux.com

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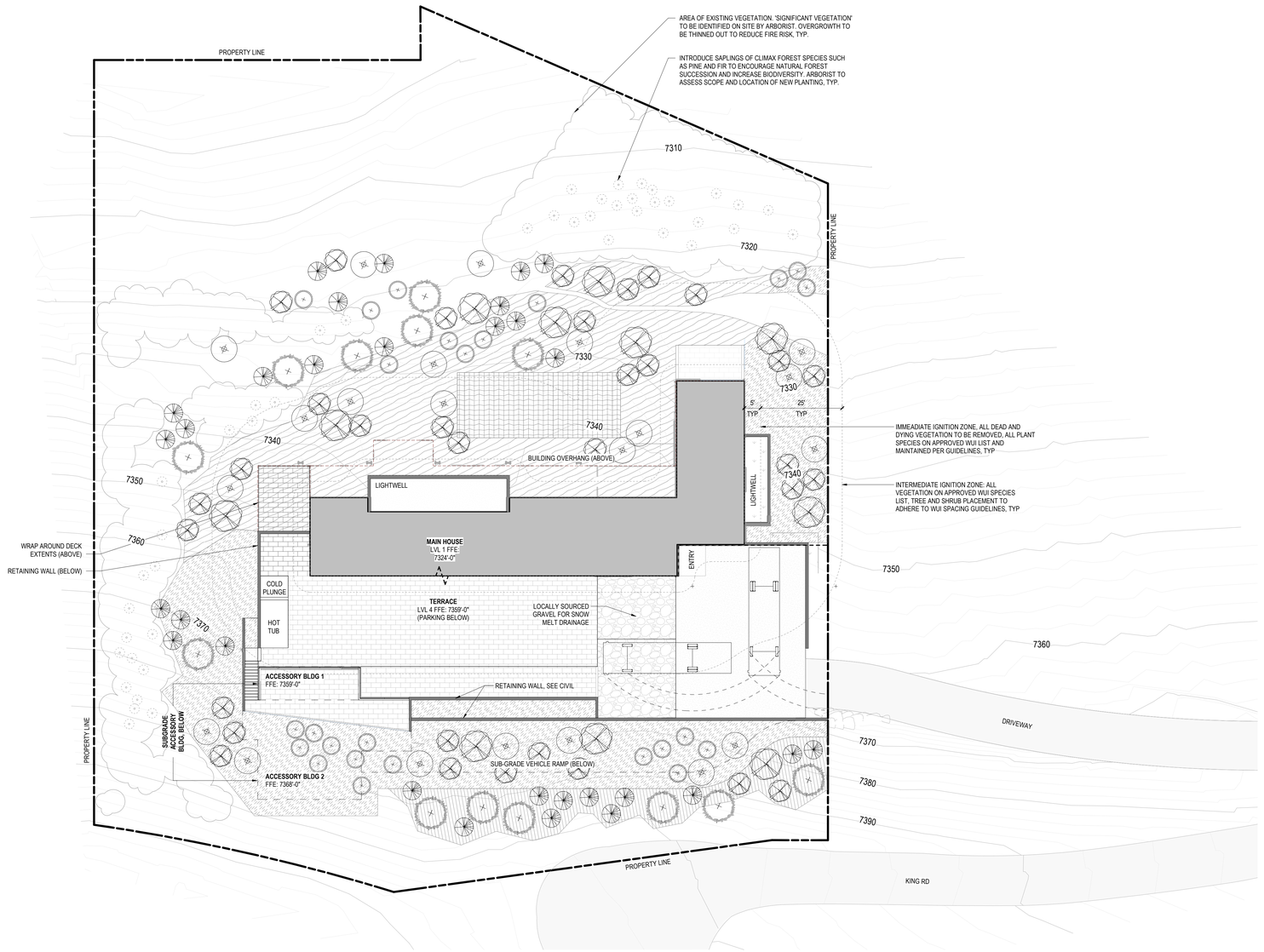
SITE LIGHTING @ CONCRETE SITE WALLS

3 SITE LIGHTING - CUT SHEETS



1 LANDSCAPE SITE PLAN

SCALE: 1/16" = 1'-0"

SCALE: 1/16" = 1'-0"
0" 8" 16" 32"
TRUE NORTH
PROJECT NORTH

PLANTING SCHEDULE

TREES

ABBR.	BOTANICAL NAME	COMMON NAME	WATERWISE	SIZE	QTY.
PT-1	*Populus tremuloides*	Quaking Aspen	NO	1 1/2" CAL	34
PT-2	*Populus tremuloides*	Quaking Aspen	NO	4" CAL	12
AC	*Abies concolor*	White Fir	YES	#65 (7FT TALL)	30
PM	*Pseudotsuga menziesii*	Douglas Fir	YES	4" CAL, #95/100	13
AG	*Acer grandidentatum*	Bigtooth Maple	YES	1 1/2" CAL	22
SA	*(mixed native species)*	Sapling	TBD	#5	TBD

SHRUBS

ABBR.	BOTANICAL NAME	COMMON NAME	WATERWISE	SIZE	QTY.
QB	*Quercus gambelii*	Colorado Scrub Oak	YES	#10	25

GRASS AND PERENNIAL

TYPE	BOTANICAL NAME	COMMON NAME	WATERWISE	SIZE	AREA
NATIVE SAGEBRUSH MIX				1 GAL	8,350 SF
	Bouteloua gracilis	Blue Grama Grass	YES		
	Oryzopsis hymenoides	Indian Rice Grass	YES		
	Sphaeralcea coccinea	Globemallow	YES		
	Penstemon strictus	Rocky Mountain Penstemon	YES		
	Achillea millefolium	Common Yarrow	YES		
NATIVE FOREST MIX				1 GAL	6,637 SF
	Bouteloua curtipendula	Sideoats Grama	YES		
	Symphoricarpos albus	Snowberry	YES		
	Amelanchier alnifolia	Saskatoon Serviceberry	YES		
	Mahonia repens	Creeping Oregon Grape	YES		
	Aquilegia saximontana	Rocky Mountain Columbine	YES		
NATIVE TURFGRASS MIX				HYRDOSEEDING	1,000 SF
	Bouteloua gracilis	Blue Grama Grass	YES		
	Buchloe dactyloides	Buffalograss	YES		
NATIVE RE-VEGETATION SEEDING MIX			YES	HYDROSEEDING	1,647 SF

KEY LEGEND

- BUILDING FOOTPRINT
- LOCALLY SOURCED GRAVEL
- STONE PAVER
- CONCRETE RETAINING WALL
- PROPERTY LINE
- SUBGRADE STRUCTURE
- OVERHANG
- 7320 EXISTING CONTOURS
- PROPOSED 2FT CONTOURS
- 7330 PROPOSED 10FT CONTOURS

LANDSCAPE CALCULATIONS

TOTAL LOT SIZE: 53,694.12 SF

TOTAL IMPERVIOUS AREA: 10,076.01 SF

10,076.01 SF / 53,694.12 SF = 18.77% IMPERVIOUS SURFACE ON LOT

TOTAL LANDSCAPE AREA: 53,694.12 SF - 10,076.01 SF = 43,618.11 SF

15,987 SF OF LANDSCAPE TO RECEIVE IRRIGATION

15,987 SF / 43,618.11 SF = 36.65% OF LANDSCAPE AREA TO RECEIVE IRRIGATION

63% OF SPECIFIED PLANT SPECIES DESIGNATED AS WATER-WISE PER APPROVED SPECIES LIST, ALL PLANTS TO BE GROUPED BASED ON IRRIGATION NEEDS FOR EFFICIENT IRRIGATION HYDROZONING.

NOTES:
1. SEE SURVEY FOR MORE INFORMATION ON EXISTING VEGETATION AND TREES.
2. CONTRACTOR TO CONFIRM EXISTING TREES AND NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES BETWEEN THE PLAN AND THE EXISTING CONDITIONS BEFORE STARTING WORK.
3. CONTACT LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE PRIOR TO VEGETATION REMOVAL.
4. HARVEST AND PRESERVE TOPSOIL FROM DISTURBED AREAS FOR RE-VEGETATION. ANY EXPOSED OR DISTURBED SLOPE SHALL BE RE-VEGETATED.
5. IMPORTED SOIL MUST BE OF A QUALITY TO SUPPORT PLANT GROWTH.
6. FOLLOW HR-1 CODE FOR DEFINITION OF SIGNIFICANT VEGETATION.
7. PROTECT SIGNIFICANT VEGETATION BY TREE PROTECTION FENCING PROTECTION FENCE, 6'-0" SEMI-PERMANENT CHAINLINK, DRIVEN 2'-0" INTO THE GROUND. PLACE AT LIMITS OF TREE PROTECTION ZONES AND REMOVE AT THE END OF CONSTRUCTION.
8. PROTECTION FENCING SHALL NOT BE MOVED, REMOVED, OR ENTERED BY EQUIPMENT AND MAINTAINED IN GOOD REPAIR THROUGHOUT CONSTRUCTION.
9. APPLY BIODEGRADABLE NETTING AND EROSION CONTROL FOR SLOPES GREATER THAN 3:1
10. ANY APPLICATION OF HERBICIDE TREATMENT SHALL BE PER THE REGULATIONS OF LOCAL JURISDICTIONS, AND ENVIRONMENTAL REGULATORS.

WILDLAND URBAN INTERFACE (WUI) NOTES:
1. KEEP PROPERTY CLEAR OF DEAD AND DYING VEGETATION.
2. GRASSES TO BE MOWED OR TRIMMED TO A MAXIMUM 4" HT.
3. PLANT NEW TREES IN CLUSTERS. DENSITY AND SPACING PER HOME IGNITION ZONE (LOCAL WUI AMENDMENT 603.5).
4. THIN EXSITING VEGETATION TO ACHIEVE DENSITY AND SPACING PER HOME IGNITION ZONE (LOCAL WUI AMENDMENT 603.5).
5. PRUNE LOW TREE BRANCHES PER LOCAL WUI AMENDMENT 603.5.
6. PLANT ONLY FIRE RESISTIVE SPECIES WITHIN WUI IGNITION ZONES. *REF* 2006 UTAH WUI CODE, APPENDIX B.

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olsonkundig.com

Olson Kundig

project:
ARCH TEMPLATE (IMPERIAL)
Enter Line 1 Enter Line 2

stamp/seal:

principal architect:	Enter Initals
project manager:	Enter Initials
drawn by:	Enter Initials
checked by:	Enter Initals
job no.:	Enter Number

revisions:

no.:	date:	description:

NOT FOR CONSTRUCTION

Enter Phase

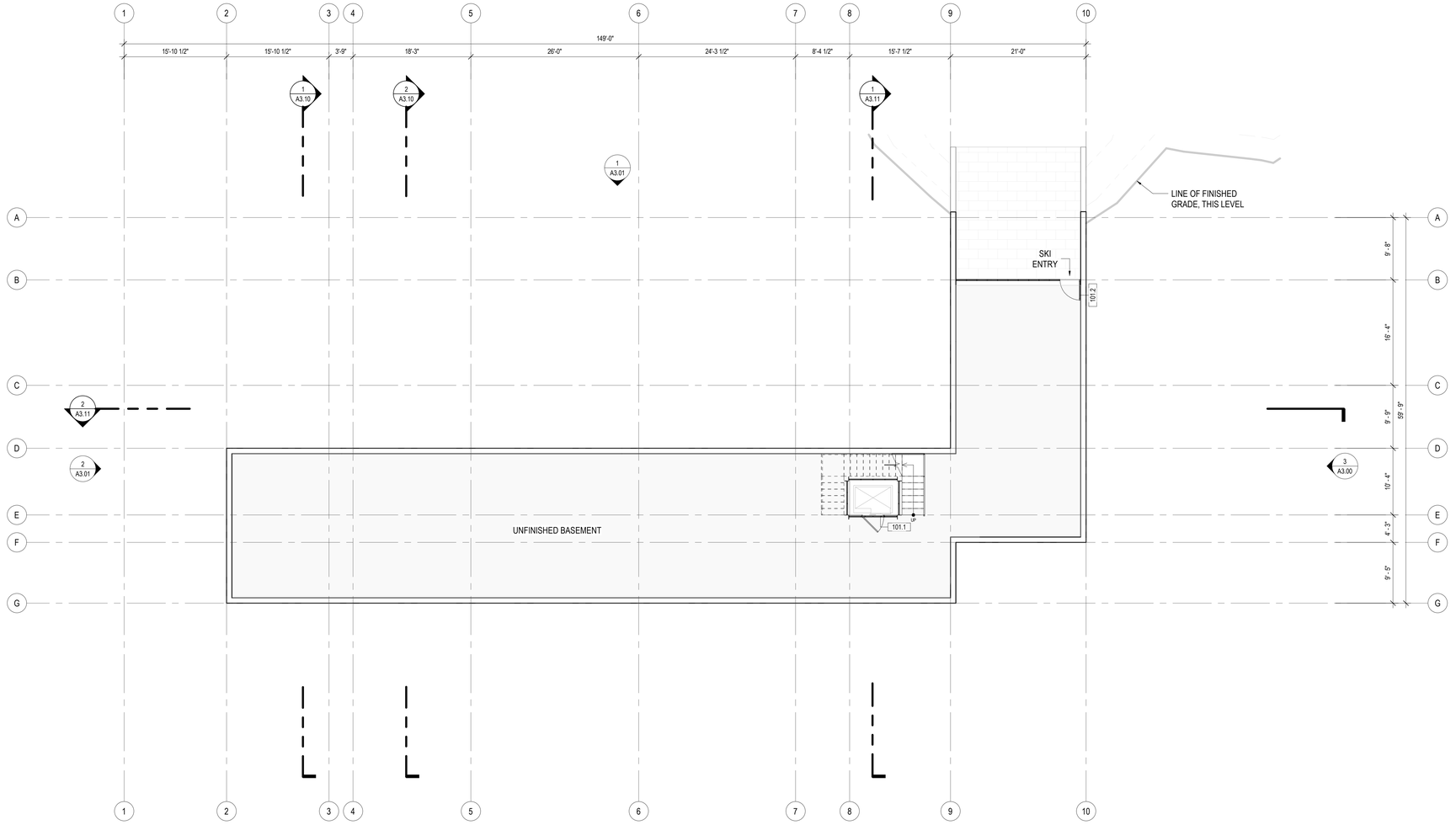
Enter Date

title:

LANDSCAPE SITE PLAN

sheet:

L1.00



1 LEVEL 01 PLAN
SCALE: 1/8" = 1'-0"

N

0 1' 2' 3' 4' 8' 12'

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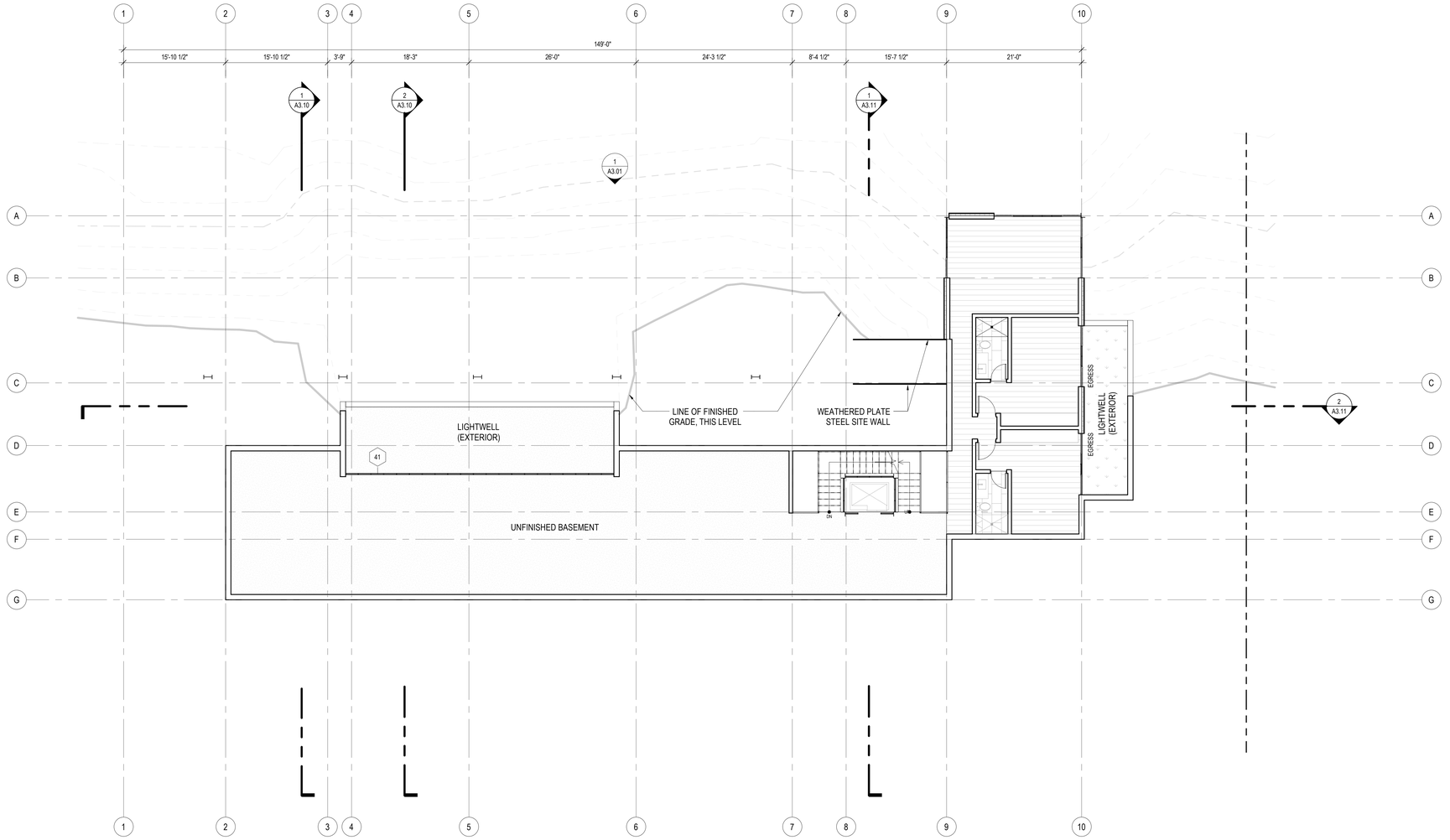
LEVEL 01 - OVERALL PLAN

A2.10



1 LEVEL 02 PLAN
SCALE: 1/8" = 1'-0"

0 1' 2' 3' 4' 8' 12'

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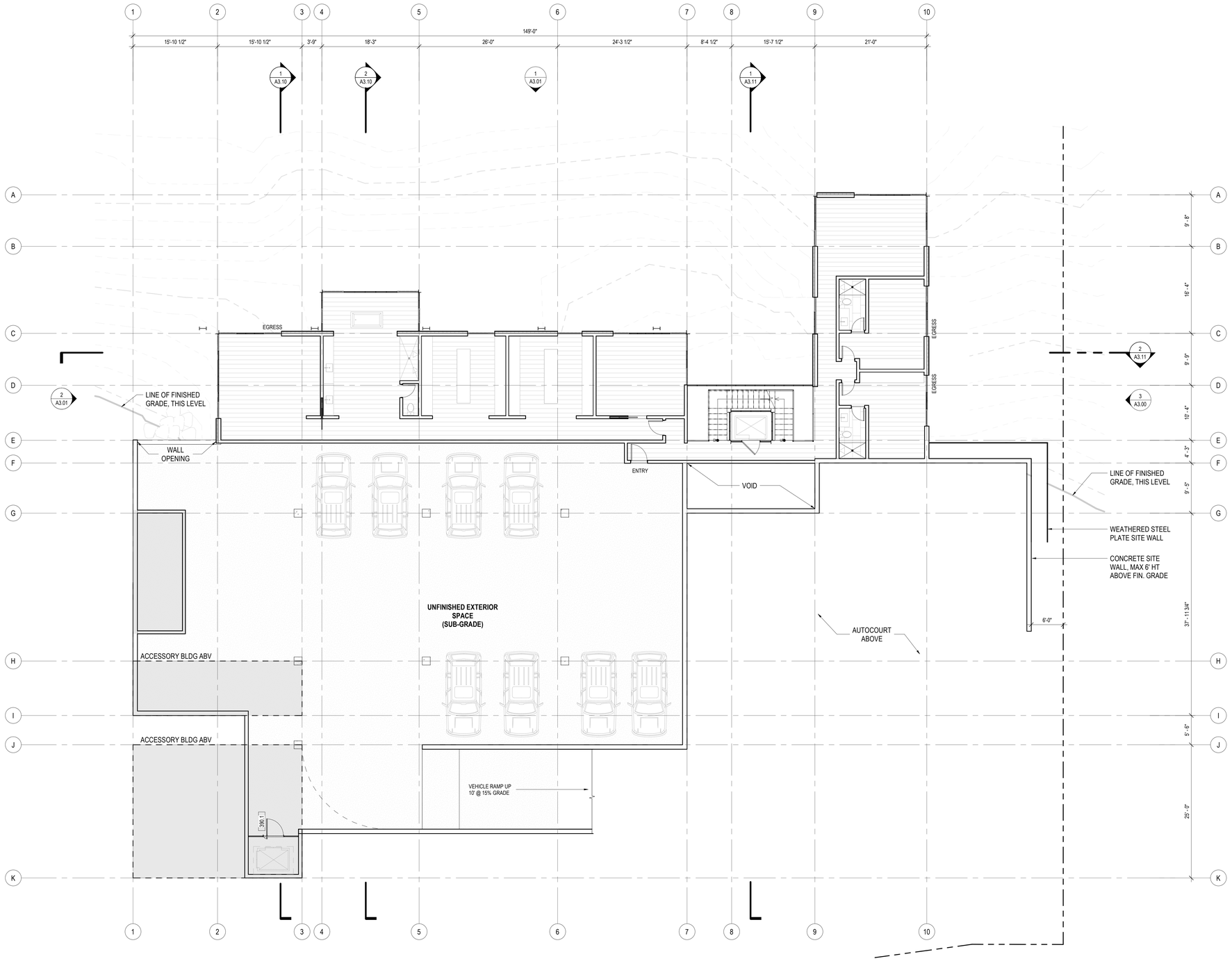
LEVEL 02 - OVERALL PLAN

A2.20



1 LEVEL 03 PLAN
SCALE: 1/8" = 1'-0"

N 0 1' 2' 3' 4' 8' 12'

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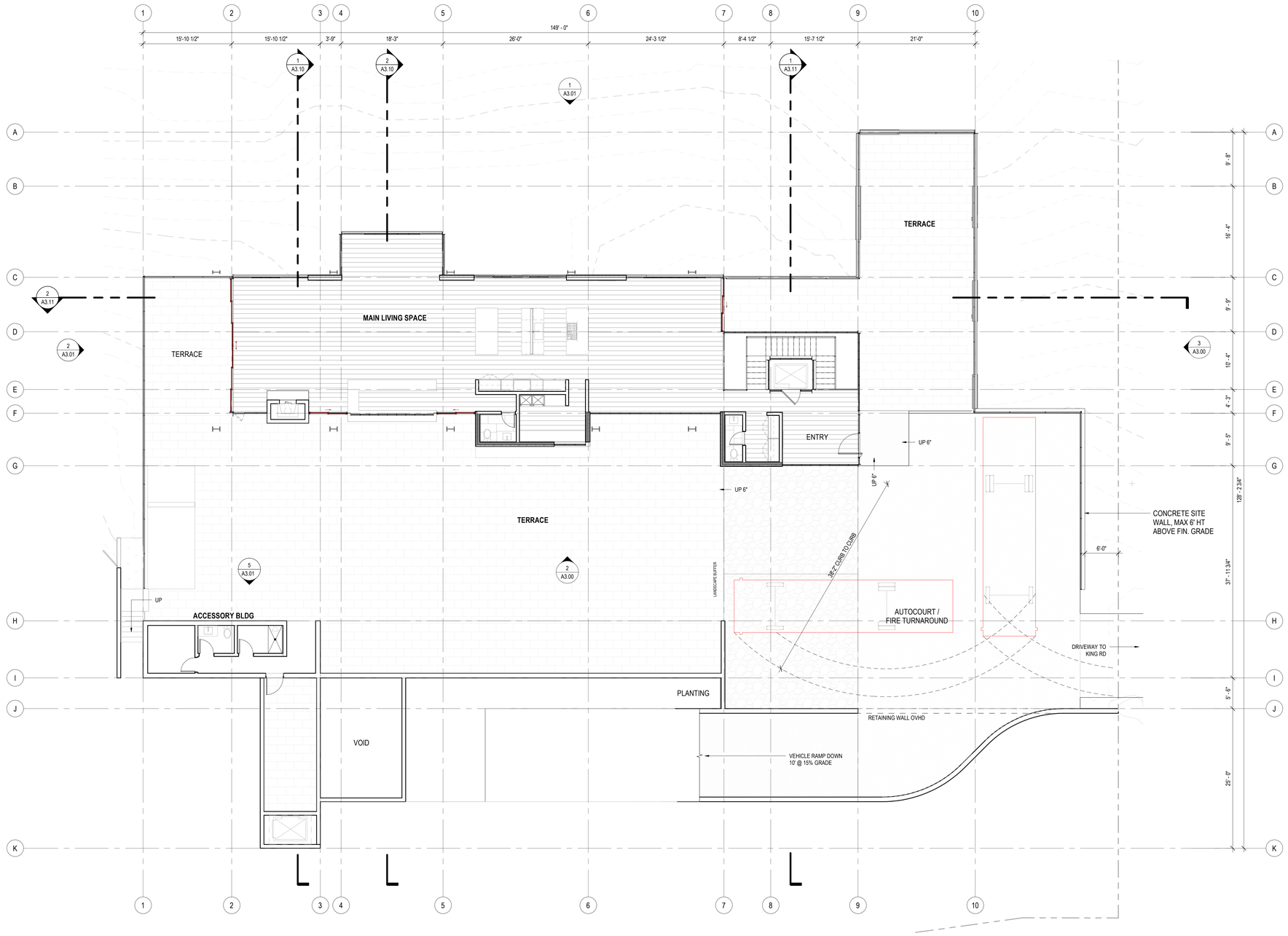
LEVEL 03 - OVERALL PLAN

A2.30



1 LEVEL 04 PLAN
SCALE: 1/8" = 1'-0"

N 0 1' 2' 3' 4' 8' 12'

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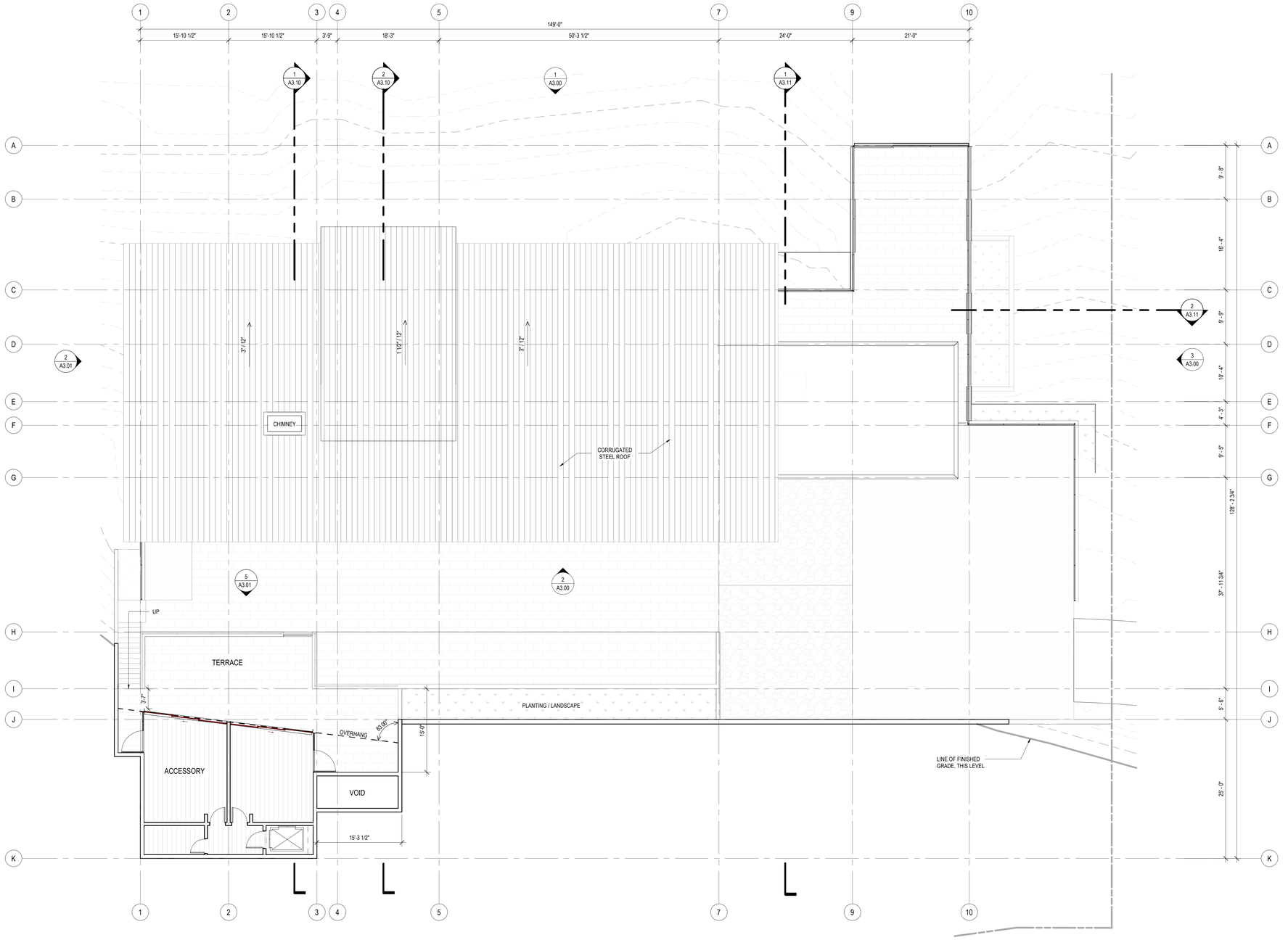
LEVEL 04 - OVERALL PLAN

A2.40



1 LEVEL 05 PLAN
SCALE: 1/8" = 1'-0"

N

0 1' 2' 3' 4' 8' 12'

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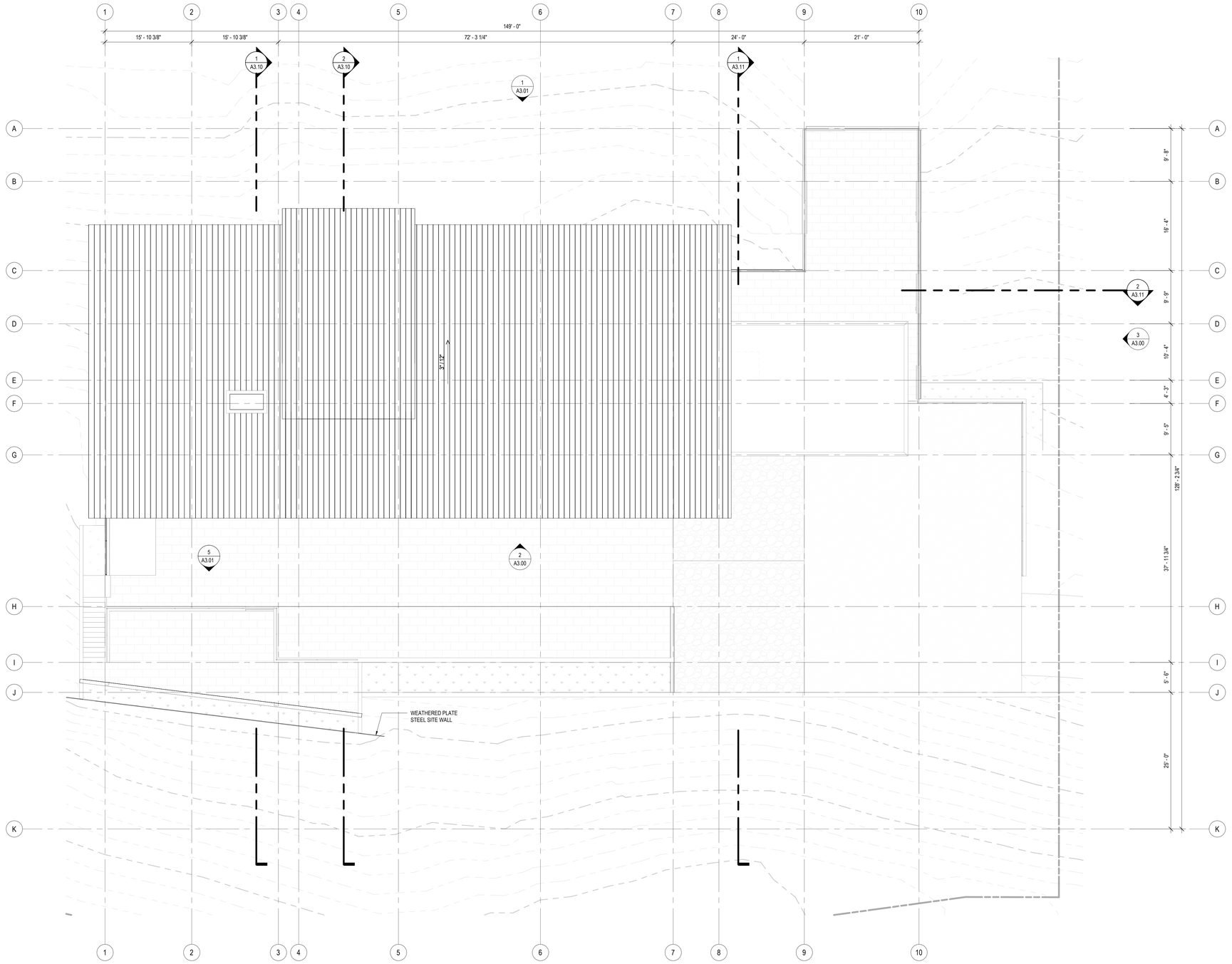
LEVEL 05 - OVERALL PLAN

A2.50



1 ROOF PLAN
SCALE: 1/8" = 1'-0"

N 0 1' 2' 3' 4' 8' 12'

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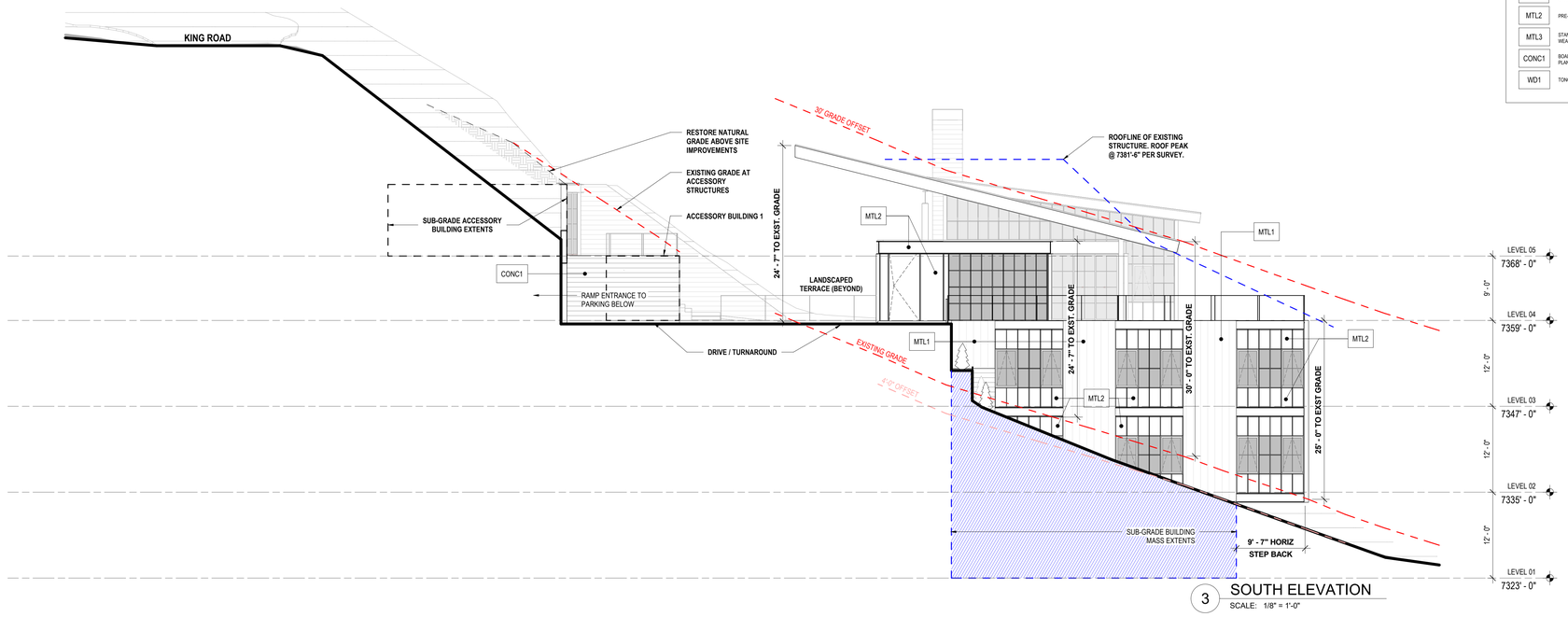
ROOF PLAN

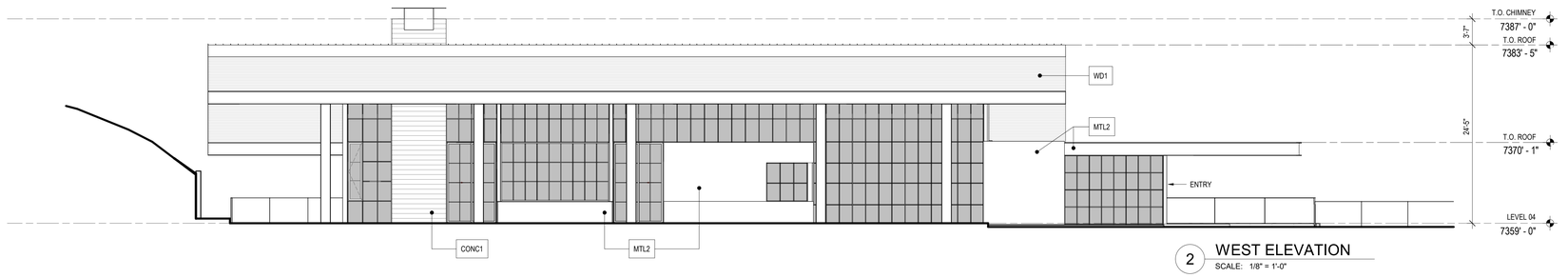
A2.60

MATERIAL LEGEND

MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, WEATHERED ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK



3 SOUTH ELEVATION
SCALE: 1/8" = 1'-0"



2 WEST ELEVATION
SCALE: 1/8" = 1'-0"

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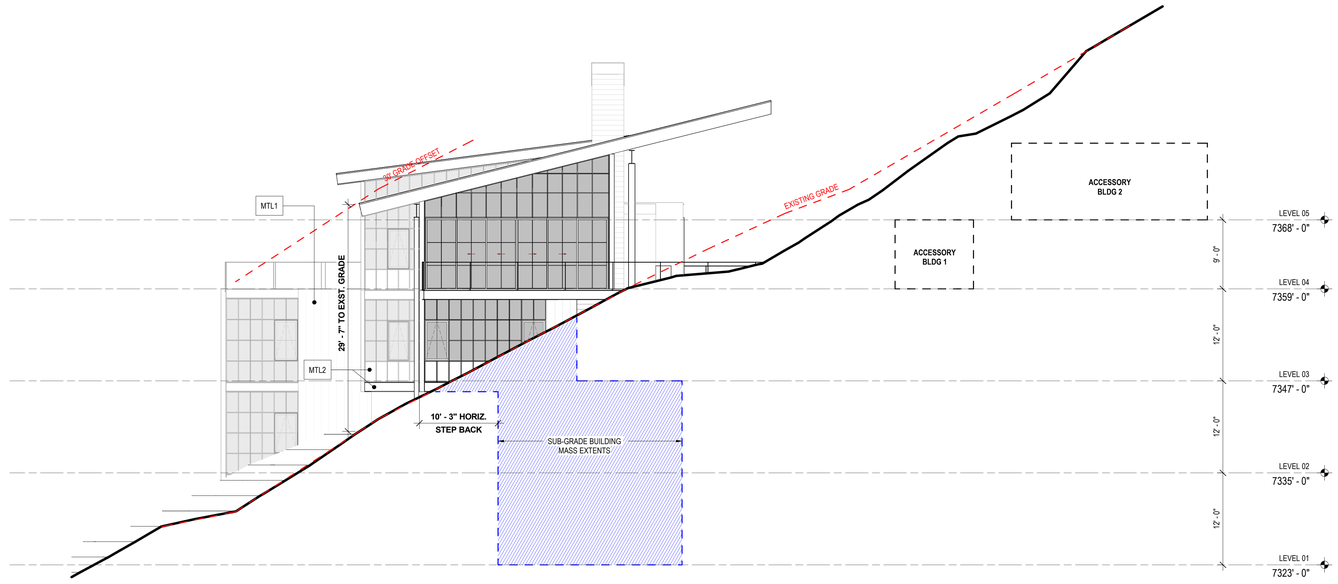
EXTERIOR ELEVATIONS

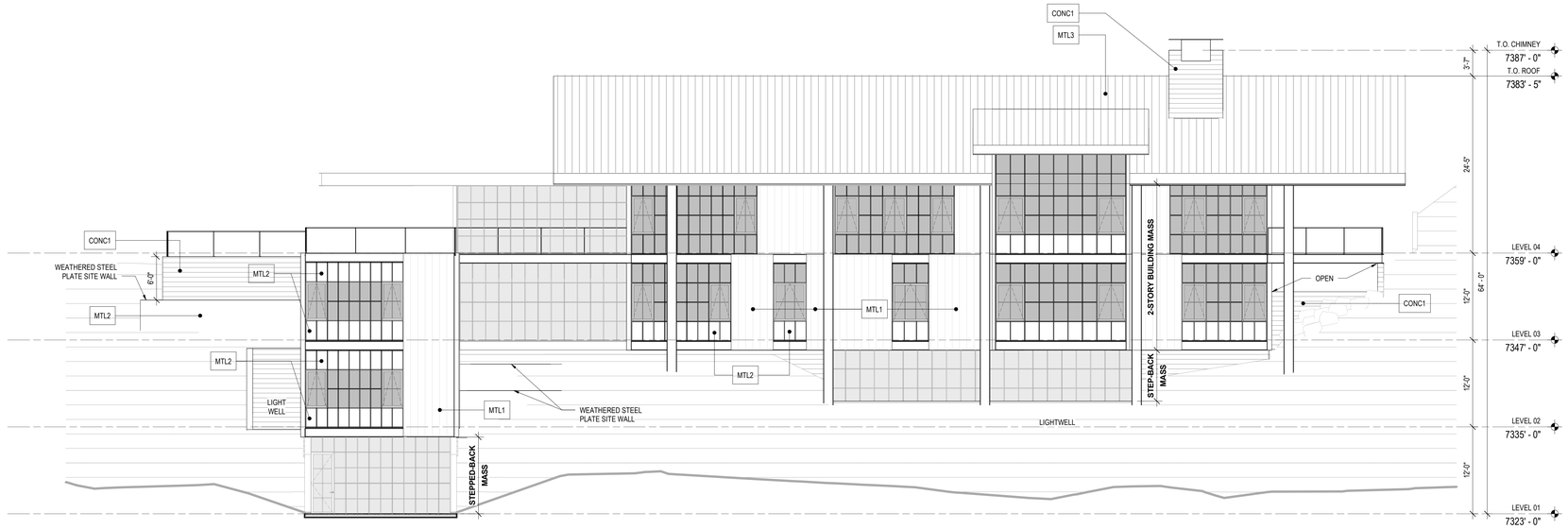
A3.00

MATERIAL LEGEND

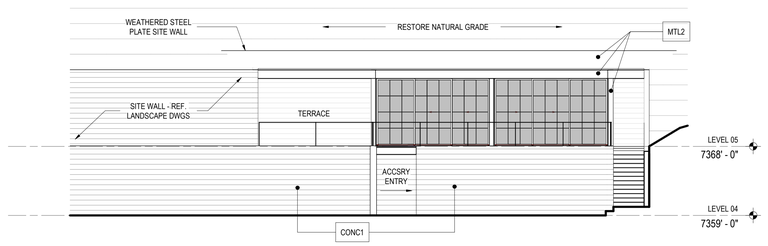
MTL1	METAL PLANK SIDING, VERTICALLY ORIENTED, WEATHERED ZINC FINISH
MTL2	PRE-WEATHERED STEEL
MTL3	STANDING SEAM ROOF PANEL, PRE-WEATHERED STEEL FINISH
CONC1	BOARD FORMED CONCRETE (12" PLANK FORMAT)
WD1	TONGUE AND GROOVE WOOD PLANK



2 NORTH ELEVATION 1
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION 1
SCALE: 1/8" = 1'-0"



5 EAST ELEVATION @ ACCESSORY BLDG
SCALE: 1/8" = 1'-0"

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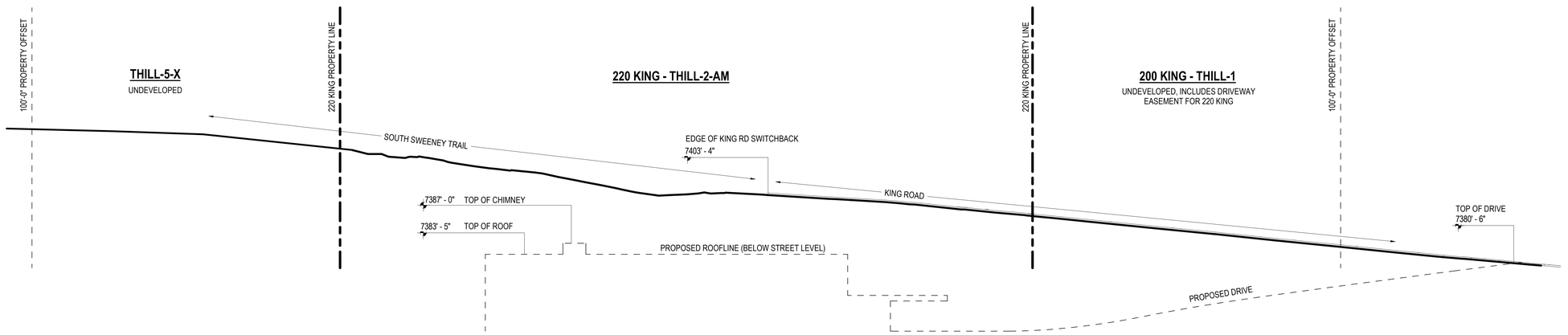
EXTERIOR ELEVATIONS

A3.01

2 STREETSCAPE ELEV - VIEW KEY



1 STREETSCAPE ELEVATION
SCALE: 1/16" = 1'-0"

0 4' 8' 12' 16' 32' 48'

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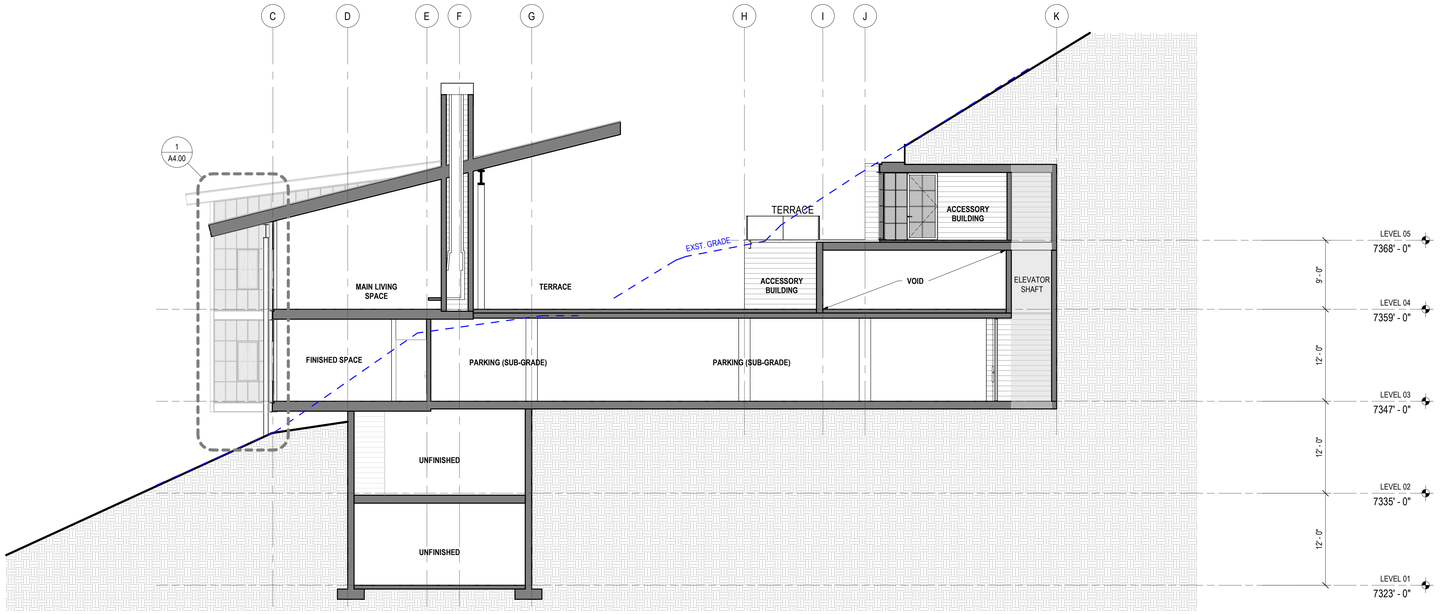
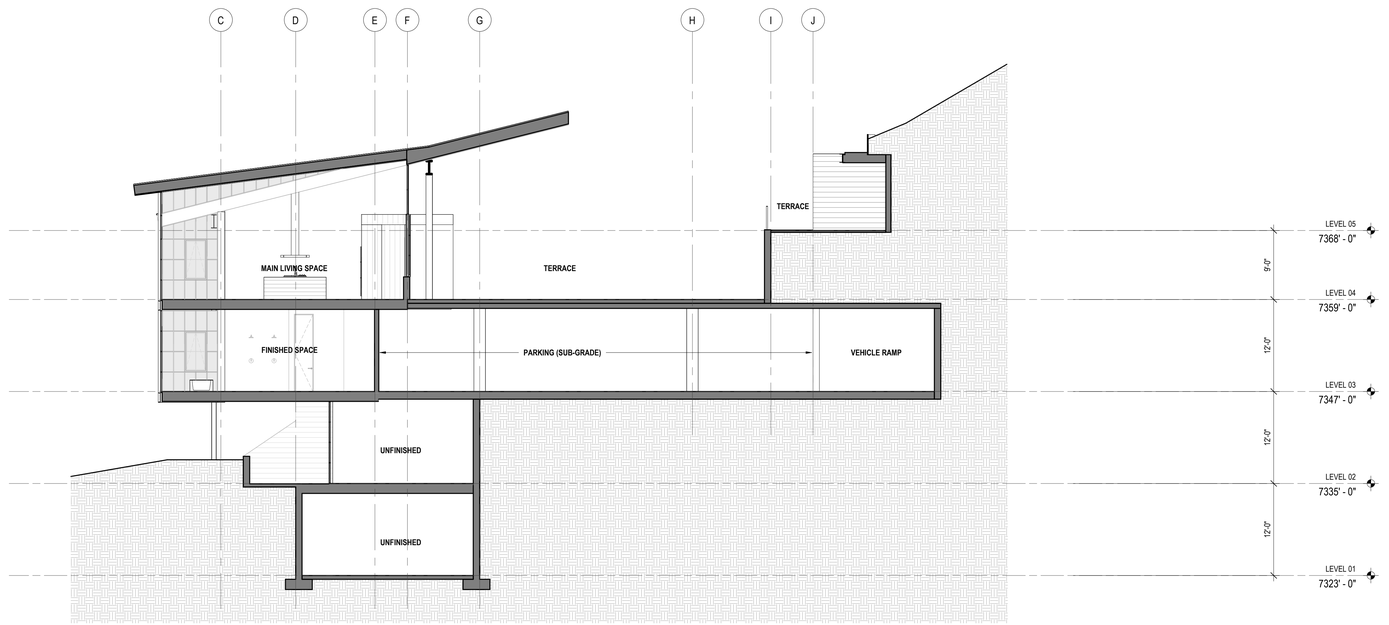
STREETSCAPE ELEVATION

A3.02



1 E-W SECTION THRU ACCESSORY BLDG

SCALE: 1/8" = 1'-0"



2 E-W SECTION THRU BUMP-OUT

SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

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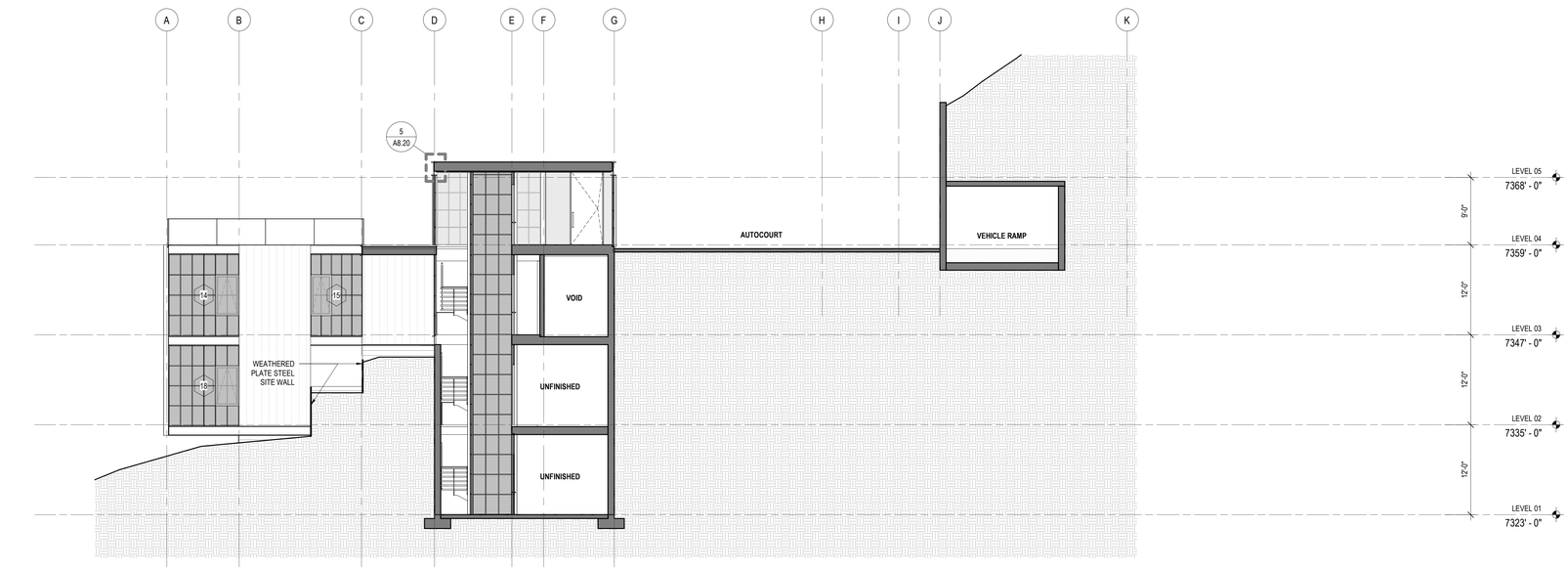
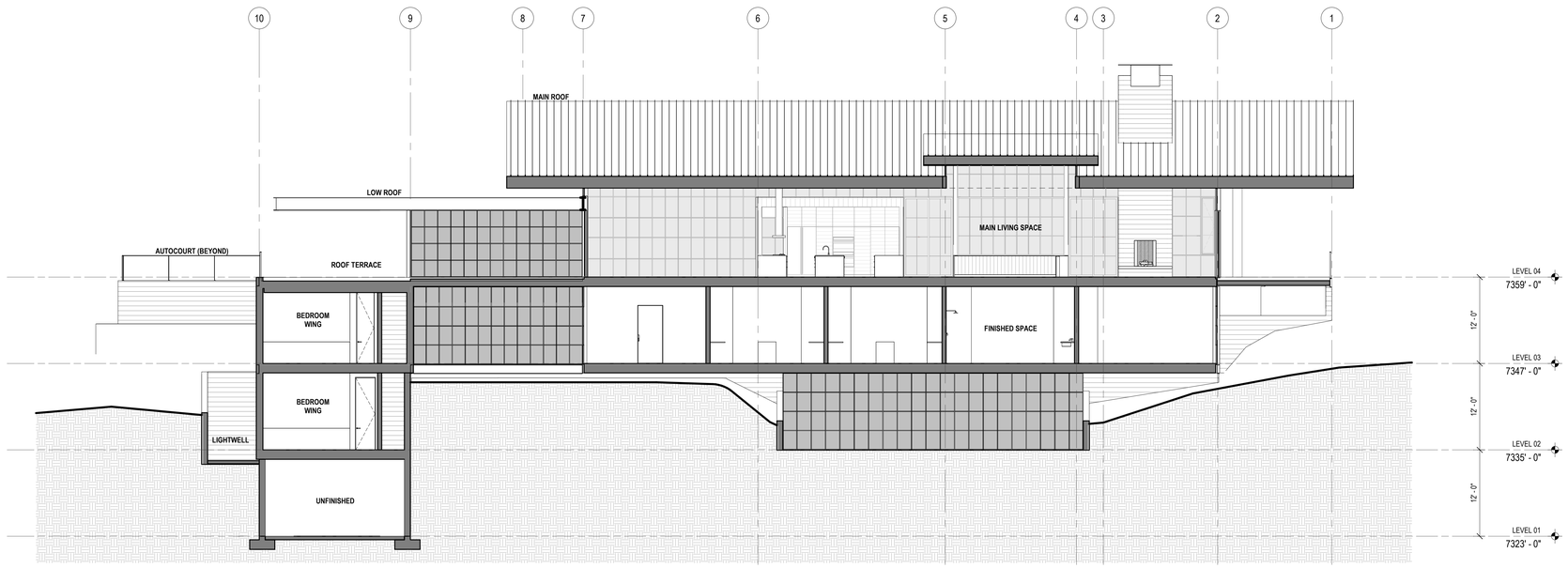
BUILDING SECTIONS

A3.10



1 E-W SECTION - THRU ELEVATOR

SCALE: 1/8" = 1'-0"



2 N-S SECTION THRU BUMP OUT

SCALE: 1/8" = 1'-0"

0 2' 4' 6' 8' 16' 24'

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BUILDING SECTIONS

A3.11

WEATHERED STEEL GUARD RAIL AND POSTS. 2" X 1/2" WELDED FLAT BAR

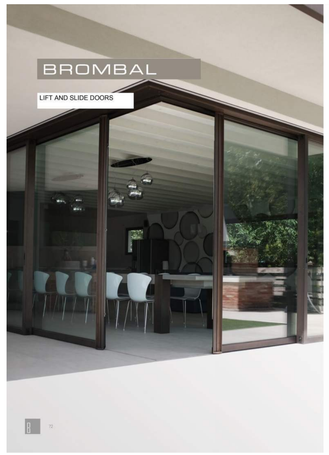
WOVEN MESH INFILL PANEL, 1/2" OPENING. WEATHERED STEEL FINISH

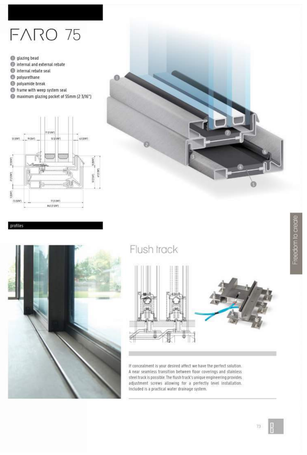
ANALOG HOUSE - BY OLSON KUNDIG

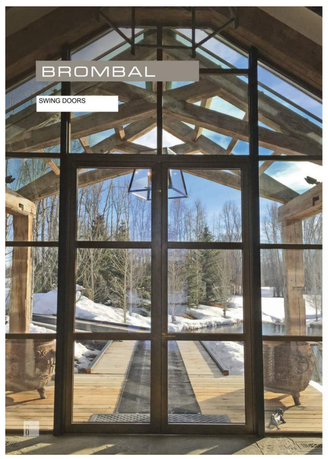
WOVEN MESH INFILL PANEL - NOTE TRANSPARENCY.

ANALOG HOUSE - BY OLSON KUNDIG

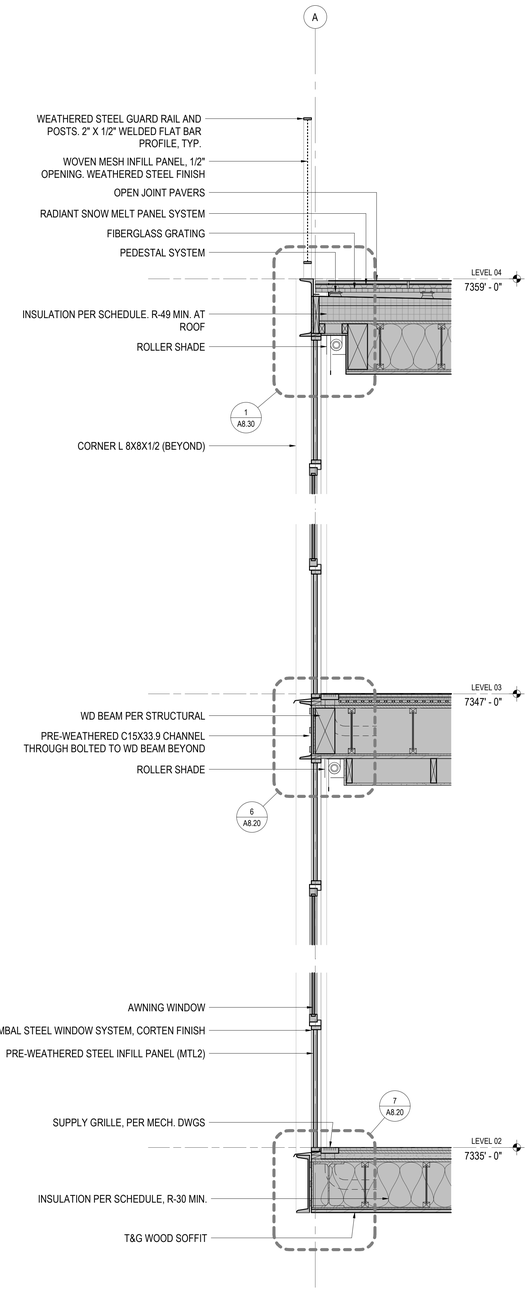
4 GUARDRAIL REFERENCE





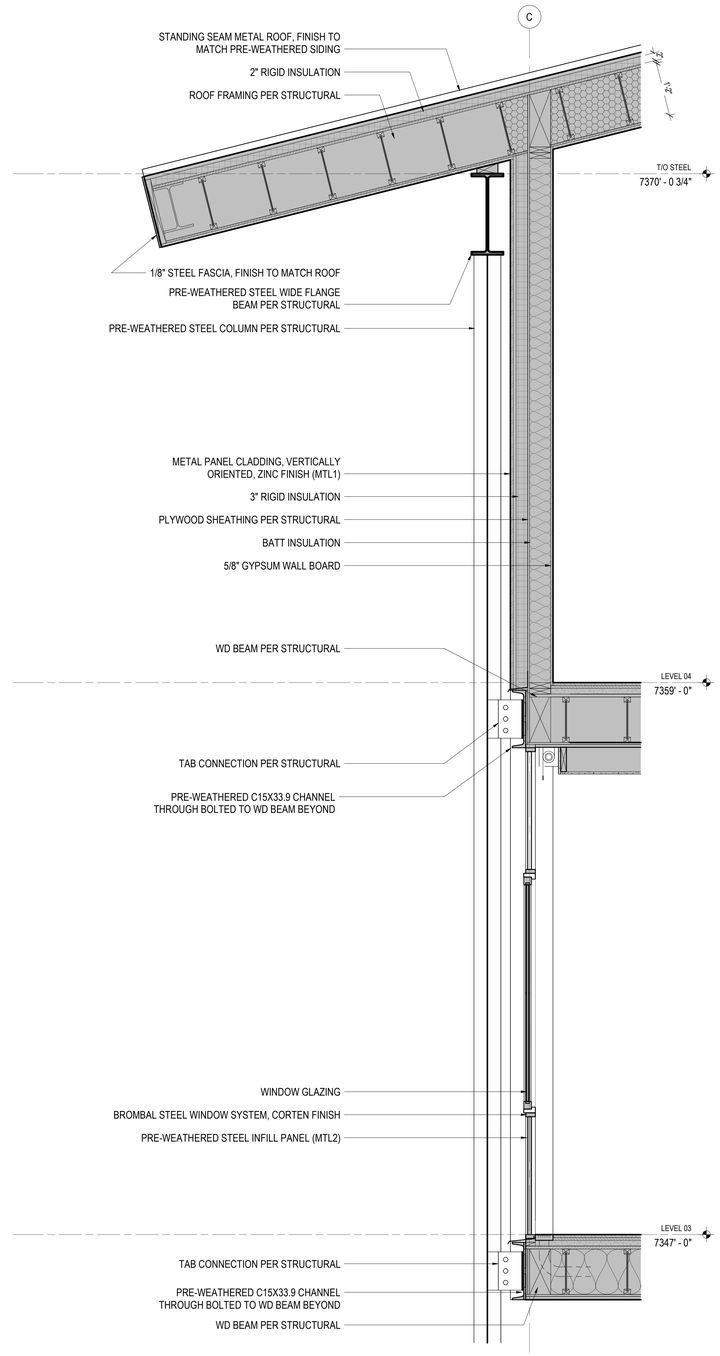


3 WINDOW SYSTEM - CUT SHEETS



2 ENLARGED SECTION @ GUEST WING

SCALE: 3/4" = 1'-0"



1 E-W ENLARGED WALL SECTION

SCALE: 3/4" = 1'-0"

0 1' 2' 3' 4'

Reserved for permit stamp

Olson Kundig
159 South Jackson St. Suite 600
Seattle, Washington 98104 1834
+1 206 624 5670 olsonkundig.com

project:
PARK CITY RESIDENCE
220 KING ROAD
PARK CITY, UT 84060

principal architect TK
project manager SG
drawn by
Author
checked by
job no. 20102
date 07/31/2024

revisions:

no.	date	by

NOT FOR CONSTRUCTION

HDDR DRAWINGS

07/31/2024

WALL SECTIONS + DETAILS

A4.00

Olson Kundig

Planning Director

Park City Municipal Corporation

Planning Department

445 Marsac Avenue

Park City, Utah 84060

July 31, 2024

Historic District Design Review Analysis for 220 King Road

220 King Road ("220 King"), or Lot 2 of the Treasure Hill Subdivision, is a 1.23-acre single-family lot initially created through the Sweeney MPD approval/modification in 1987. The single-family lots created through the Sweeney MPD, including 220 King, were rezoned to HR-1-MPD in 1990. However, the Park City zoning map began to reflect the zoning on these lots as HR-1 at an unclear time. In 1997, two homes were constructed on the lot. These existing homes are nonconforming in several ways according to the Park City Land Management Code ("LMC") and Treasure Hill, Phase 1 Plat. The current property owner has worked with Park City to obtain approvals for:

a) A plat amendment to reduce the "buildable area" on the plat, modify plat notes, and alter the "buildable area" boundary (File No. PL-22-05318);

b) A conditional use permit for the single-family home, as required by the MPD and plat (File No. PL-22-05319);

c) A Steep Slopes CUP (File No. PL-23-05571);

d) A CUP for an outdoor pool (File No. PL-23-05523).

The Planning Commission reviewed and approved these applications, making findings and placing conditions on certain design elements. The Planning Commission's Final Action Letter is attached hereto as Exhibit A The property owner now seeks Historic District Design Review ("HDDR") approval. The city provided a preliminary HDDR analysis letter dated April 26, 2023, and the applicant responded on May 26, 2023, as attached in Exhibit B. However, additional research and the aforementioned approvals have since been obtained from the Planning Commission.

History of the Property

To establish the "Character Area" of a property in a historic design review, it is crucial to understand the context and neighborhood of the proposed project. 220 King was included in the Sweeney Master Plan, which utilized the Lower Creole Mine site and other industrial/mining sites along the hillsides above downtown. Figure 1 below depicts the location of 220 King and its historical uses.

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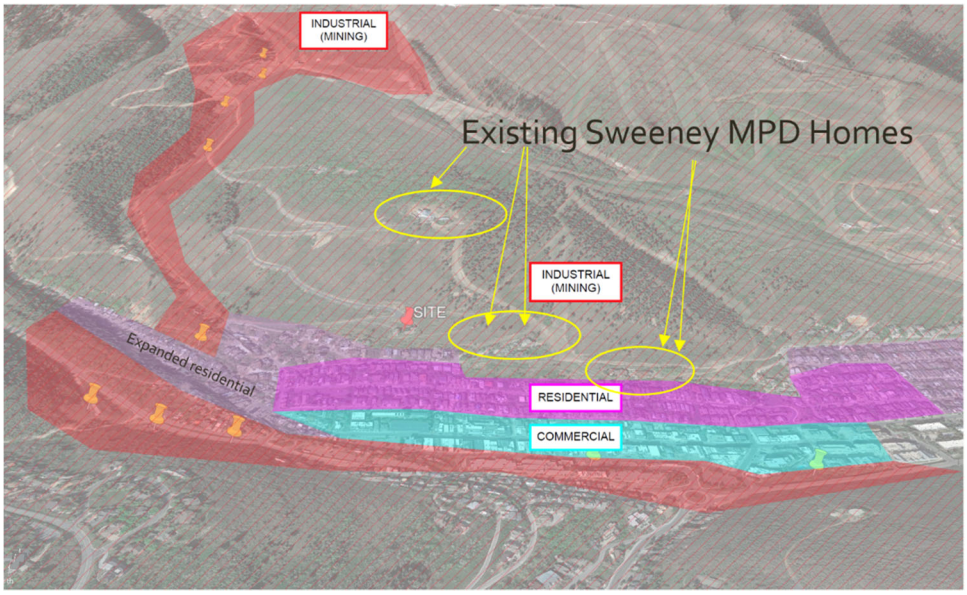

Figure 1.

Although portions of the Sweeney Master Plan, including 220 King Rd., are now zoned HR-1, this property was historically industrial and never part of any historic residential neighborhood. Based on the historic use, location, size, layout/access of the property, and its inclusion in the Sweeney MPD, it was determined that the appropriate "Character Area" aligns more with historic mining buildings and large-scale homes in the Sweeney MPD than with homes on historic lots.

As approved, 220 King is a 1.23-acre lot, significantly larger than the 25' x 75' historic lots the HR-1 Design Guidelines ("Design Guidelines") aim to preserve. Despite the marked discrepancy in size, location, and layout from the residential lots in the traditional HR-1 downtown area, consideration was given to how a new home on this site would be compatible with the homes on the historic lots. This analysis identifies the specific efforts taken to design a building consistent with the Character Area but also compatible with the uphill transition for the historic HR-1 lots.

Scale, Massing, Height -

The Treasure Hill Phase 1 Plat explicitly allows a new home with a footprint of 3,500 sq ft, a size not typical in the historic HR-1 zone, where the maximum lot size is 3,750 sq. ft.

Table 1 below outlines the size of each single-family home within the Sweeney MPD. As the table shows, the proposed home at 220 King Rd. is consistent in size with other homes in the Character Area.

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Plat	Parcel #	Building Area Limits (sq ft)	Lot Area (acres)	Building Footprint (approx. sq ft)	Building size (sq ft)
Treasure Hill Subdivision Phase 1 - 1996	THILL-1 (200 KING RD)	12,700	0.86	NA	NA
	THILL-2-A-AM/ THILL-2-B-AM (220 King Rd)	11,250	1.23	Existing - 3,936 sq ft (survey) Proposed - 3,500 sq ft	Total - 6,965 sq ft (Summit County Tax Info-both homes) Proposed – 6,472 sf (finished) 10,346 sf (unfinished)
	THILL-3-AM (425 NORFOLK AVE)	17,000	1.31	2,620 sq ft (Google Earth)	Total - 3,881 sq ft (Summit County Tax Info)
	THILL-4-AM (375 NORFOLK AVE)	7,500	1.1	5,178 sq ft (Google Earth)	Total - 10,813 sq ft (Summit County Tax Info)
Treasure Hill Subdivision Phase II -2003	THILL-II-6 (503 1/2 WOODSIDE AVE)	7,650	0.79	4,268 sq ft (Google Earth)	Total - 9,161 sq ft (Summit County Tax Info)
	THILL-II-7 (503 WOODSIDE AVE)	7,500	0.92	4,182 sq ft (Google Earth)	Total 9,214 sq ft (Summit County Tax Info)
Treasure Hill Subdivision Phase III Amd. 1 -2009	THILL-3-8-1AM (445 KING RD)	29,083.90	11.9	4,280 sq ft (Google Earth)	Total - 8,738 sq ft (Summit County Tax Info)

Table 1.

In the overall context of the area, 220 King is relatively isolated site and is not directly adjacent to any established Historic Sites. Figure 2 below demonstrates the isolation of 220 King.

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Figure 2

Even though the development on 220 King is disconnected from the residential lots in the traditional HR-1 downtown area, efforts have been made to ensure the new home is compatible with the smaller homes nearby. The specific elements included as a transition from the residential lots in the traditional HR-1 downtown area, to the more industrial Character Area include:

1. **Scale** – The buildable area of 220 King was reduced and shifted to the west (uphill) away from the homes on the historic lots. Moving the home up and away from the historic lots accomplishes several things: a) the perceived scale decreases as it moves further away; b) the revised location allows better utilization of subterranean areas for parking and mechanical spaces, which “pushes” the building down and into the hillside; c) the buffer area between the home and historic lots increases, allowing for improved landscaping and screening; and d) the use of the uphill portion of the lots and subterranean parking allow the majority of the improvements (parking area, driveway, and accessory building to be screened from the hill and from downtown.

Nearby Historical Sites of the mining / industrial type are characteristically larger in scale. The proposed design references this mining typology in part because it is a natural fit for a larger home on a larger lot. At the scale of 220 King, industrial mining sites are a more relevant Historic reference than the modest town homes below.

2. **Massing** – As required by Plat Note #7 of the Amended Treasure Hill, Lot 2, Phase 1 Plat, the massing of a new home shall be broken up into smaller sections, no greater than 1,500 square feet. The proposed home is divided into four massing elements on Level 01 and five elements on Level 02 and above. Breaking up the massing into elements that closer match the size of homes on the 25’ x 75’ historic lots help soften the visual impact of one large structure. Conversely, using a limited number of massing elements instead of multiple smaller nodes provides continuity with homes on the historic lots, as the massing elements of the proposed size reflect the massing of the residential homes in the traditional HR-1 downtown area.

Through input from Planning, we adopted an 18' wide 'bump-out' with an articulated roof projection above. Similarly, the Bedroom Wing is a distinct, lowered mass presenting a 21' wide eastern face. This foregrounds the primary facade with distinct massing elements that conform to the rhythm of the 25' lots below.

Beyond these bump-out masses, the main wing of the house acts as the ‘dominant element’ (15-13-8 B-2a (6)) establishing the overall mining-inspired form. In this way, the massing is transitional: smaller modules meet the residential zone downhill, while the larger whole speaks to the industrial Character Area beyond.

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3. **Height** – The height of 220 King is limited by Plat note #5 to 30 feet, except for access or light features, which are permitted up to 33'. The proposed home does not extend up the hill through multiple elements stepping back and up. Instead, it is mainly constructed under one single roof element, similar to the historic homes of Park City. Architectural designs that utilize multiple nodes to walk up the hillside are not consistent with design elements found in the HR-1 district. The proposed home incorporates this design pattern as a way of transitioning from the historic residential HR-1 areas to the industrial hillside areas.

Roof Design –

The dominant proposed roof form is a moderately sloped shed profile. Flat roof portions are also utilized to break up the building mass and to serve as roof decks – but these are secondary to the shed form. The shed is a direct reference to Historic Sites in the Character Area, such as the Silver King Ore Mill. In this well-known local landmark, a shear mono-pitch shed roof follows the hillside grade to dramatic effect.

Analysis of local mining structures (Figure 3) finds simple roof forms with minimal articulation. Roof forms in the Character Area are highly rational: designed solely to admit light and to shed the elements. In these examples, breaks or modulations in roof form are not aesthetically driven, resulting instead from ad hoc site conditions or functional requirements.

Figure 3

Alliance Mine

California-Comstock Mill

Silver King Ore Mill

The proposed roof form evolved through input from the Planning Commission. Care has been taken to: a) reduce the visual impact of the roof from cross valley and downhill views; b) be consistent with historic mining/industrial structures; and c) provide visual consistency with homes on the residential lots in the traditional HR-1 downtown area. An increased roof pitch would make the roof remarkably visible from the downtown area and across the valley, increasing the perception of the roof's mass (Figure 4). The reduced perception of mass works as a transitional element from homes in the traditional HR-1 downtown area, to the open space and hillside above the new home.

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Proposed Roof - 3:12 Slope *Prescriptive 6:12 Slope*

Figure 4

Additionally, the Planning Commission requires a “bump up” in the roof design, as requested and presented in the February 14, 2024, meeting. Although the historical nature of the “bump up” is harder to identify, examining other buildings in the Character Area helps justify the requirement. The other homes in the Sweeney MPD utilize design elements to break up the roof form on the downhill façade. Figures 6-8 are images of other homes in the Character Area. As demonstrated, the roof elements are broken up by different design features.

Figure 6

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Figure 7

Figure 8

Windows –

The Planning Commission approved Plat Note #11, which limits the amount of glazing on the eastern façade of the new home to 60%. This ratio is consistent with other newer homes in the HR-1 district (Figures 9-11). Note also that glass door systems and other floor-to-ceiling expressions are seen in these recently approved projects. Through input from Planning, a system of opaque infill panels are added to the window system to raise sill heights and reduce window size. This also improves thermal performance and helps mitigate the lantern effect. The actual proposed glazing ratio is 53% on the primary eastern façade.

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Analysis of Historic mining structures in the Character Area finds precedent for this glazing ratio (Figure 12). In the example of the Silver King Ore Mill, windows are arrayed as uniform bands or ribbons, interrupted by metal panel breaks of varying width. The proposed design is directly inspired by this fenestration pattern, utilizing a similar rhythm of solid to void. At a detail level, care is taken to match the material and formal characteristics of the steel windows found in local mining precedents. The proposed weathered steel window system matches the proportion and scale of divided lites found historically in the Character Area.

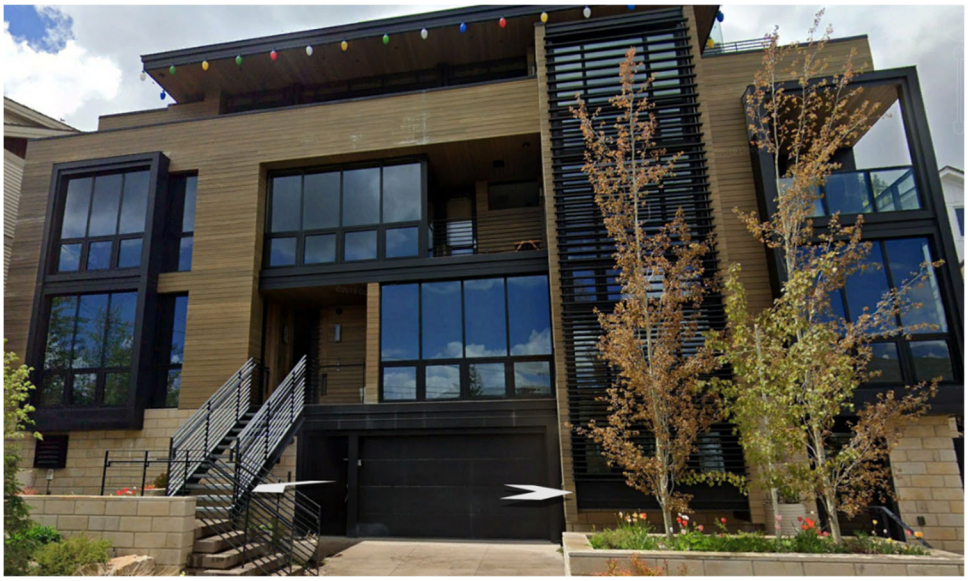

Figure 9 - 539 Woodside

Figure 10 - 324 Woodside (rear of the house)

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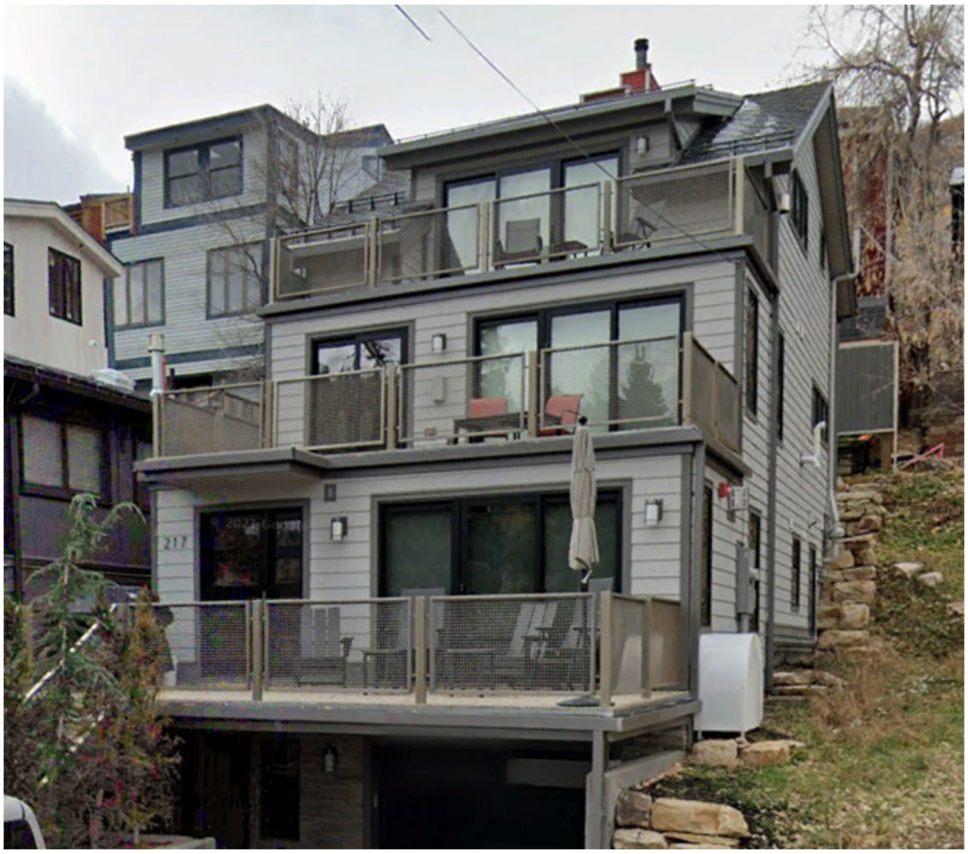
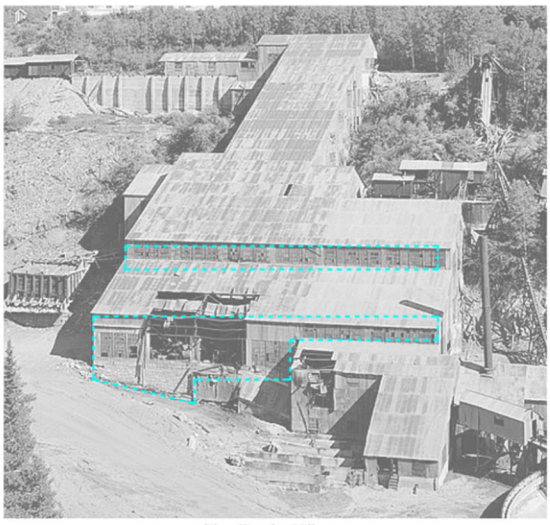


Figure 11 – 217 Park



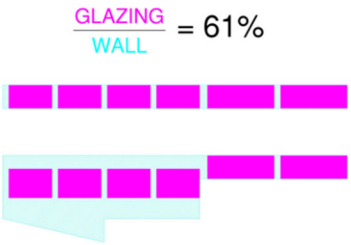


Figure 12 – Glazing Ratio at Silver King

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We appreciate the thorough review of the design against City's codes, design criteria, and existing approvals. There is no question that any new home constructed at 220 King Rd. would face design challenges on such a large lot when the design guidelines for the HR-1 zone are written for the residential lots in the traditional HR-1 downtown area. The proposed design meets those criteria while honoring the Character Area of the Sweeney MPD and the historic mining/industrial uphill areas of Park City.

Quinn Kummer

Architect

quinn@olsonkundig.com

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Snell & Wilmer

RECEIVED
AUG 26 2024
PARK CITY
PLANNING DEPT.

August 23, 2024

VIA EMAIL AND US MAIL

Park City Board of Adjustment
c/o Rebecca Ward, Planning Director
445 Marsac Ave.
Park City, UT 84060

Re: Application No. PL-23-05522 – Notice of Appeal of HDDR Condition

Dear Board of Adjustment:

I represent Pesky Porcupine LLC ("**Applicant**") the land use applicant and owner of the real property located at 220 King Road, Park City, Utah (the "**Property**"). Applicant intends to construct a new residence on the Property ("**Proposed Home**"). On August 15, 2024, the Park City Planning Director ("**Director**") conducted a public hearing and approved the Historic District Design Review ("**HDDR**") for the Proposed Home subject to 24 conditions of approval. These conditions are identified in the Final Action Letter issued on August 15, 2024 ("**HDDR Final Action Letter**"). Pursuant to Park City's Land Management Code § 15-1-18.A, Applicant hereby appeals two of the conditions of the HDDR approval.

I. FACTUAL BACKGROUND

In 2022, Applicant submitted applications to the City for a plat amendment, single family home conditional use permit, and a steep slope conditional use permit. Thereafter on January 18, 2023, Applicant submitted an HDDR application to the City.

Upon receipt of the HDDR application, the City engaged SWCA as an outside consultant to analyze the proposed HDDR application. On April 26, 2023, SWCA submitted to the City a technical memorandum ("**SWCA Memorandum**"). The SWCA Memorandum made several recommendations to Applicant to revise the proposed plan to comply with the HDDR standards. Thereafter, over the course of several work sessions with planning staff and numerous public meetings including with the Park City Planning Commission ("**Planning Commission**"), Applicant modified and updated its plans to respond to the City's feedback and the SWCA Memorandum.

On February 14, 2024, the Planning Commission held a public hearing and approved the plat amendment, single family home conditional use permit, and steep slope conditional use permit ("**Prior Approvals**"). Thereafter on February 21, 2024, the Planning Commission issued its Findings of Fact and Conclusions of Law for the Prior Approvals ("**Prior Approvals Final Action Letter**"), a copy of which is attached hereto as Exhibit A[1]. The SWCA Memorandum, and the

[1] The Prior Approvals were appealed by others for several reasons, some of which overlapped with this HDDR review. The Park City Appeal Panel generally affirmed the Prior Approvals except the Appeal Panel remanded a

compliance of the design of the Proposed Home therewith, was specifically discussed as a part of the Planning Commission's consideration in granting the Prior Approvals.

After obtaining the Prior Approvals, Applicant sought HDDR approval. On August 15, 2024, the Director conducted a public hearing and approved HDDR for the Proposed Home. That same day, the Director issued the HDDR Final Action Letter. Applicant obviously agrees with the Director's ultimate decision to approve the HDDR for the Proposed Home but disagrees with two conditions of that approval. The first, Condition No. 12, requires Applicant to reduce the roof overhang on the Proposed Home's north end ("**Roof Condition**"). The Second, Condition No. 18, requires Applicant to modify the glazing of the Proposed Home's eastern façade to replace the floor-to-ceiling windows ("**Window Condition**").

II. ARGUMENT

In Utah, development rights vest when an applicant submits a complete application and pays the required application fee. Utah Code § 10-9a-509(1)(a)(ii). The purpose for this rule is to "prevent the retroactive application of changes in zoning or land use law." *See Western Land Equities, Inc. v. City of Logan*, 617 P.2d 388, 390–91 (Utah 1980). In addition to the vested rights that attach to a complete application, an applicant has vested rights in prior approvals issued by a city. This provides a property owner "with some degree of assurance that the basic ground rules will not be changed in midstream." *Id.* at 396.

The Board of Adjustments ("**BOA**") should affirm the HDDR approval but should reject the Roof Condition and Window Condition. Although Applicant agrees overall with the Director's determination, the Roof Condition and Window Condition are contrary to the Prior Approvals, and therefore, should be rejected. In short, Applicant has a vested right in the Prior Approvals, and the foregoing conditions violate that vested right.

A. The Roof Condition Contradicts the Planning Commission's Prior Approvals.

The Planning Commission granted the Prior Approvals subject to several conditions, one of which is that "[t]he proposed residence's roof shall be consistent with the plans approved by the Planning Commission on February 14, 2024, and attached as Exhibit D." *See* Prior Approvals Final Action Letter, dated February 21, 2024, Condition P, Page 15. Depictions of the Proposed Home's north roof from Exhibit D[2] are shown on the following page:

narrow issue related to Park City's Sensitive Land Overlay ordinance. On remand, the Planning Commission addressed the narrow issue raised by the Appeal Panel and thereafter the Appeal Panel affirmed the entirety of the Planning Commission's decision.

[2] The north roof is on the righthand side of the pictures.

At a work session prior to granting the Prior Approvals, the Planning Commission suggested breaking the roof line up and recommended redesigning the roof design in response to the SWCA Memorandum. Thereafter, the Applicant redesigned the roof line to match the images above and presented the same to the Planning Commission for approval. The Planning Commission confirmed that the revised roof complied with the SWCA Memorandum's suggestions and required that the Proposed Home's roof be constructed consistent with the foregoing images. This condition governs the Proposed Home's roof design.

The Roof Condition contradicts the Planning Commission's roof design requirement. The Roof Condition requires that "Applicant shall reduce the length of the roof overhang on the north end of the [Proposed Home] to reduce the roof in scale, as recommended by the 2023 SWCA Memorandum. The roof overhang shall not exceed five feet measured from the northernmost façade wall." *See* HDDR Final Action Letter, Condition 12, at Page 6. Applicant cannot comply with the Roof Condition and the Planning Commission's condition because reducing the roof length results in a roof materially different from that approved by the Planning Commission and depicted above. The Director has no authority to override the Planning Commission's prior decision.

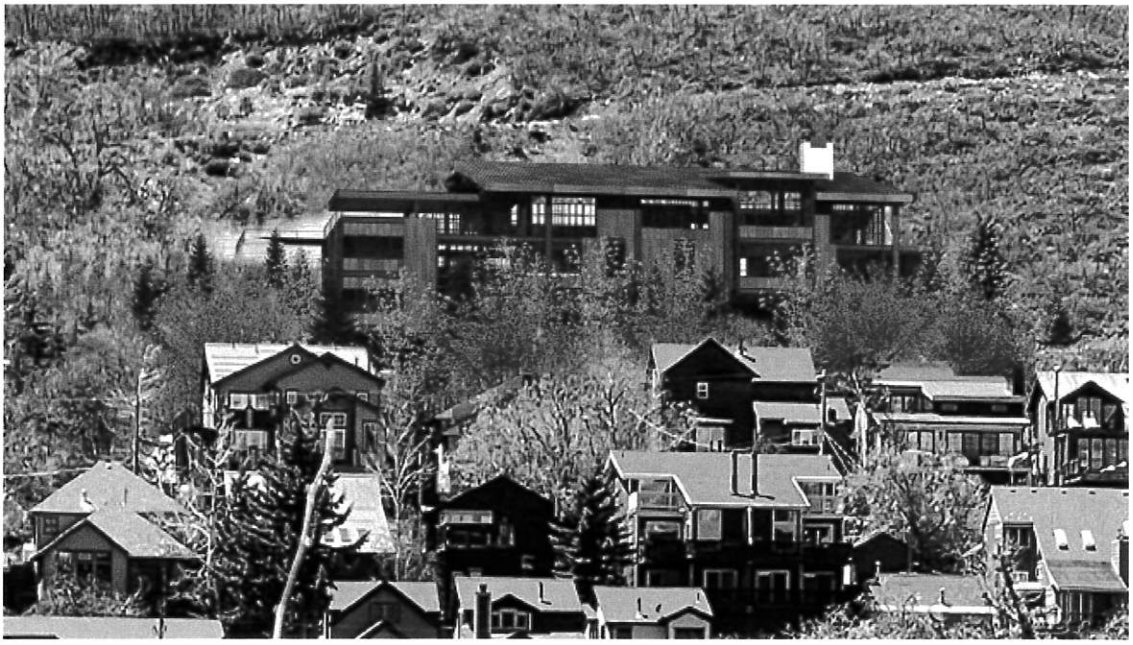
Specifically, the Planning Director stated that she found the 13' reduction in the northern segment of the roof to be "consistent" with the Planning Commissions' Prior Approvals. It is not. The word "consistent" means "free from variation or contradiction. *See Consistent*, MERRIAM-WEBSTER DICTIONARY[3]. The Roof Condition is not free from variation or contradiction from the roof approved by the Planning Commission because it requires a different roof. To the extent there is a question about whether the Roof Condition is inconsistent with the Planning Commission's condition, that question must be construed in the Applicant's favor. *See* Utah Code § 10-9a-707(4)(b) (regulations must be interpreted and applied "to favor a land use application unless the land use regulation plainly restricts the land use application."); LMC § 15-1-18.G (same).

Although the SWCA Memorandum concluded that the north roof was improperly massed, the SWCA Memorandum was based on early iterations of the Proposed Home. Those early iterations were subsequently amended to reduce the north roof's size and massing in response to feedback the Planning Commission. This reduction addressed the initial concerns raised by the SWCA Memorandum, and that memorandum has not been updated to reflect the current, revised plans. The Director required the Roof Condition based solely upon the SWCA Memorandum, which was outdated. As such, the Roof Condition is unsupported.

Separately, the Roof Condition does not materially benefit the City because it does little to change the Proposed Home's visual impact. The images on the following pages change show the north roof before and after the Roof Condition. There is very little to no change visual to the public. But, to the contrary, the usability of the outdoor terrace is greatly affected by the Roof Condition because the approved roof provides shade and cover for the terrace. The City receives little or no benefit from the Roof Condition, but it significantly burdens the Proposed Home.

[3] Available at https://www.merriam-webster.com/dictionary/consistent#dictionary-entry-1

Before Across Valley



After Across Valley

Before View From Northeast

After View From Northeast

Before View From East

After View From East

B. The Window Condition Contradicts the Planning Commission's Prior Decision.

As part of the Prior Approvals, the Planning Commission amended the Lot 2, Phase 1 Treasure Hill Subdivision Plat to include a plat note that says "Sixty Percent (60%) of the eastern facing façade [for the Proposed Home] is permitted to be glazing . . . ." *See* Subdivision Plat, Note 11. This plat note is consistent with the ratio of neighboring homes. As presently designed, the Proposed Home's east façade is 53% glazed and thus complies with this requirement. The Planning Commission, notably, did NOT prohibit floor-to-ceiling windows. To the contrary, the Planning Commission's Prior Approvals specifically included a version of the drawings for the Proposed Home that had floor-to-ceiling windows. (To mitigate certain concerns about the visible impact of those windows at night the Planning Commission imposed certain conditions but, again, approved the floor-to-ceiling windows.)

The Window Condition reduces the glazing authorized by the approved plat. The Window Condition requires that "[t]he Applicant shall update the glazing of the eastern façade—that façade most visible from Old Town—to replace floor-to-ceiling windows with industrial patterns that create a compatible solid-to-void ration comparable to the Historic Mine Sites and approved by Planning Staff." *See* HDDR Final Action Letter, Condition 18, at Page 7.

The Window Condition was imposed in response to the outdated SWCA Memorandum, that concluded that floor to ceiling windows were not used historically in the area. The practical effect of this requirement, however, reduces the glazing permitted by the Prior Approvals. In other words, the Prior Approvals established the requirement for the Proposed Home's east façade glazing, but the Window Condition reduces that standard. Because the Director is not authorized to unilaterally amend the Prior Approvals, the Window Condition is unlawful.

III. CONCLUSION

Although the Director ultimately reached the correct conclusion in approving HDDR for the Proposed Home, she imposed two conditions that conflict with the Prior Approvals. The Roof Condition is directly contradicted by the requirement that the Proposed Home's roof must be consistent with the plans approved by the Planning Commission. The Director cannot unilaterally change this condition. Similarly, the Window Condition is contrary to the clear glazing standard described on the amended subdivision plat and, indeed, directly modifies the approved design. This too cannot be unilaterally changed by the Director. For these reasons, the BOA should reject the Roof Condition and Window Condition and otherwise affirm the HDDR approval.

Sincerely,

Wade R. Budge

EXHIBIT A
Prior Approvals Final Action Letter

(Attached)

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

February 21, 2024

Pesky Porcupine, LLC

CC: Wade Budge with the Law Offices of Snell & Wilmer

NOTICE OF PLANNING COMMISSION ACTION

Description

Address:	220 King Road Lot 2, Phase I of the Treasure Hill Subdivision Sweeney Master Planned Development
Zoning District:	Historic Residential – 1 Sensitive Land Overlay
Applications:	PL-22-05318 – Conditional Use Permit, Single-Family Dwelling PL-22-05319 – Plat Amendment PL-23-05523 – Outdoor Pool PL-23-05571 – Steep Slope Conditional Use Permit
Action:	APPROVED WITH CONDITIONS (See Below)
Date of Final Action:	February 21, 2024
Project Summary:	The Applicant proposes to demolish a 4,235-square-foot Single-Family Dwelling and 4,189-square-foot Guest House, to construct a: ○ A Single-Family Dwelling with: ▪ Approximately 7,461 square feet of finished space. ▪ Approximately 5,898 square feet of unfinished space. ▪ Approximately 1,690 square feet of terrace/patio area. ○ A 1,103-square-foot Accessory Building. ○ A 243-square-foot Swim Spa. ○ A 4,794-square-foot Underground Parking Area.

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The Applicant proposes to amend Plat Notes 1 (Footprint), 4 (Height), 5 (Façade Height, Easterly Facing), and 9 (Precedence) of the Lot 2, Phase I Treasure Hill Subdivision, and shift Plat Note 9 (Precedence) to Plat Note 1 and add Plat Notes 10, 11, 12, and 13 to the Second Amendment for Lot 2, Phase 1 Treasure Hill Subdivision, and to shift the Building Area Limits to accommodate the proposed project.

Action Taken
On February 14, 2024, the Planning Commission conducted a public hearing and approved the Second Amendment for Lot 2, Phase 1, Treasure Hill Subdivision, amending Plat Notes 1 (Footprint), 4 (Height), 5 (Façade Height, Easterly Facing), and 9 (Precedence) of the Lot 2, Phase I Treasure Hill Subdivision, shifting Plat Note 9 (Precedence) to Plat Note 1 and adding Plat Notes 10, 11, 12, and 13 to the Second Amendment for Lot 2, Phase 1 Treasure Hill Subdivision, and shifting the Building Area Limits to accommodate the proposed project. The Planning Commission conducted a public hearing and approved the Conditional Use Permit for a Single-Family Dwelling and Outdoor Pool and the Steep Slope Conditional Use Permit for the project according to the following findings of fact, conclusions of law, and conditions of approval:

The January 24, 2024 and February 14, 2024 staff reports and meeting minutes are incorporated herein.

Plat Amendment
File No. PL-22-05318

Findings of Fact

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

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

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

4. The Property is currently being used for one single-family residence and one guest house that the Applicant intends to demolish to construct a new single residence.

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

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

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

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

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

10. The Planning Commission expressly finds this approval is limited to the Amended Plat of the Amended Sweeney Properties Master Planned Development, and as such shall not create any precedent nor interpretation of general applicability in the Historic Residential-1 Zoning District, for current Land Management Code regulations, or other plat amendments.

Additional Findings

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

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

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

ii. Exterior walkways;
iii. Exterior stairs; and
iv. Driveways.

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

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

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

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

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

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

i. The Amended Plat resolves an existing non-conformity as the two residential units constructed on a single lot will be demolished in favor of a single residential unit on a single lot.

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ii. The Amended Plat preserves the character of the neighborhood and Park City as the Amended Plat is more consistent with the Amended Sweeney Properties MPD approval.

iii. Reducing the buildable area and relocating a portion of the buildable area will reduce the visual impact of the Property's development. This is consistent with best planning and design practices.

iv. The Amended Plat facilitates the construction of a single residence in place of one residence and one guest house that are presently used as short-term rentals. Demolishing the two existing short-term rentals reduces the overall density of the area, alleviates traffic, decreases utility usage, minimizes noise and light pollution, and is more consistent with neighboring uses.

v. The Amended Plat facilitates the termination of the existing short-term rentals. This furthers the health, safety, and welfare of the Park City community as it will decrease the number of unknown persons in the community and increase the overall sense of community by housing long-term residents.

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

Conclusion

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

Conditions of Approval

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

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Exhibit A
Amended Plat to be Updated to Reflect Exhibit B

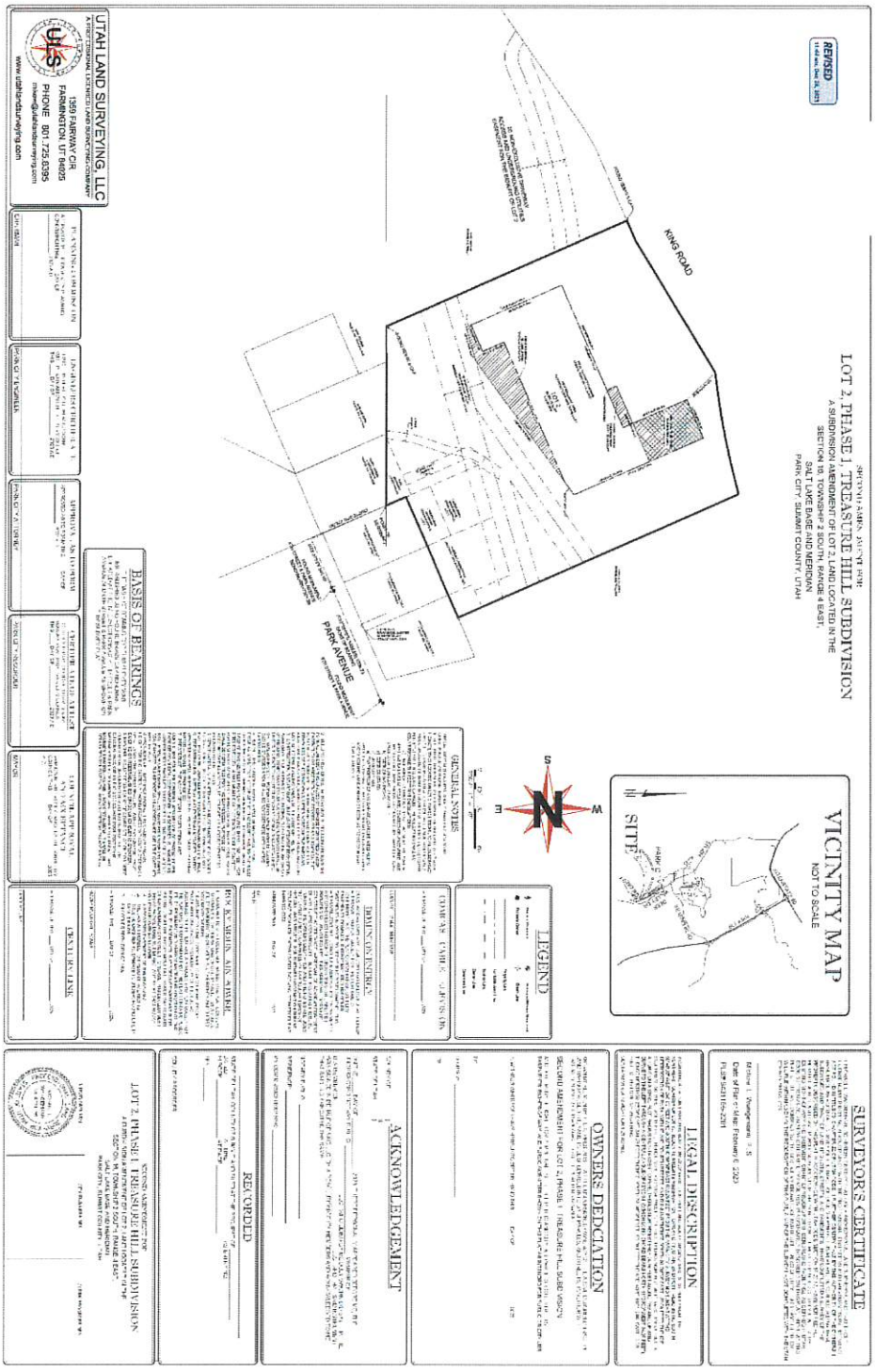

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Exhibit B
Amended Plat Notes

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

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

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

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

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

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

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SUCH DISTURBED AREA SHALL BE REVEGETATED WITH NATIVE LANDSCAPING.

5. HEIGHT. THE BUILDING HEIGHT SHALL BE MEASURED FROM EXISTING GRADE TO THE TOP OF THE FLAT ROOFS AND TO THE RIDGE OF PITCHED ROOFS. THE MAXIMUM HEIGHT, IN GENERAL, SHALL BE TWENTY -FIVE (25) FEET FOR FLAT ROOFS AND THIRTY (30) FEET FOR PITCHED ROOFS. A MAXIMUM HEIGHT OF TWENTY EIGHT (28) FEET FOR FLAT ROOFS AND THIRTY-THREE (33) FEET FOR PITCHED ROOFS SHALL BE PERMITTED FOR THE EXPRESSED PURPOSE OF ACCOMMODATING ACCESS AND LIGHT FEATURES NO GREATER THAN 24 FEET IN LENGTH, I.E. STAIRWELLS AND/OR ELEVATORS, BETWEEN FLOOR LEVELS. IN ACCORDANCE WITH THE SWEENEY MPD, WHICH WAS APPROVED BY THE PARK CITY MUNICIPAL CORPORATION ON OCTOBER 16, 1986, AND AS SUBSEQUENTLY AMENDED ON OCTOBER 14, 1987 AND DECEMBER 30, 1992, BUILDING HEIGHT SHALL ONLY BE MEASURED AS OUTLINED IN THIS PLAT NOTE #4.

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

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

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

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

10. EXTERIOR LIGHTING. ALL EXTERIOR LIGHTING SHALL BE DOWN DIRECTED AND FULLY SHIELDED WITH BULBS 3,000 DEGREES KELVIN OR LESS. FLOOD LIGHTS ARE PROHIBITED. OUTDOOR LIGHTS SHALL NOT BE INSTALLED MORE THAN 12 FEET ABOVE EXISTING GRADE. GROUND-LEVEL FIXTURES SHALL BE FULLY SHIELDED.

11. GLAZING. SIXTY PERCENT (60%) OF THE EASTERN FACING FAÇADE IS PERMITTED TO BE GLAZING AND LIGHTING IMPACTS FROM THE EASTERN

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FACING FAÇADE SHALL BE MITIGATED BY INTERIOR FIXTURES DESIGNED TO MINIMIZE DIRECT VISIBILITY OF THE LIGHTING ELEMENT FROM RESIDENCES WITHIN 1/3 MILE OF THE RESIDENCE.

12. CONTINGENT UPON A STEEP SLOPE CONDITIONAL USE PERMIT APPROVAL BY THE PLANNING COMMISSION, DETACHED BELOW GRADE ACCESSORY BUILDINGS. BELOW GRADE ACCESSORY BUILDINGS ARE PERMITTED WITHIN THE BUILDABLE AREA. THE FOOTPRINT OF A DETACHED BELOW GRADE ACCESSESORY BUILDING DOES NOT COUNT TOWARDS THE FOOTPRINT AREA OF THE DWELLING AS ALLOWED IN NOTE #1.

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

Conditional Use
File No. PL-22-05319
File No. PL-23-05523
[220 King Residence and Outdoor Pool]

Findings of Fact

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

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

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

4. The Property is currently being used for one single-family residence and one guest house, that the Applicant intends to demolish to construct the new Residence.

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The existing single-family residence and guest home have been used for short-term rentals.

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

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

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

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

Additional Findings

9. The Planning Commission, as the land use authority, finds that the proposed Residence CUP is in compliance with the standards in LMC § 15-1-10.E, as applied pursuant to the Amended Sweeney Properties MPD. Specifically, the Residence:

a. As applied pursuant to the Amended Sweeney Properties MPD, is an appropriate size and location for the Property. *See* LMC § 15-1-10.E.1 This finding is supported further as follows:

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

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

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

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

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

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

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

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

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

ii. The Residence will decrease utility usage by utilizing more efficient construction materials and by replacing one existing home and one existing guest house used as short-term rentals.

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

d. Provides adequate emergency vehicle access. *See* LMC § 15-1-10.E.4. Specifically, the Residence has been designed to meet all emergency vehicle access and driveway slope requirements as set forth in the LMC, including by providing a fire turnaround in the underground parking area.

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

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

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

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

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

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

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

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

h. As applied pursuant to the Amended Sweeney Properties MPD, is appropriately massed, bulked, and oriented, on the site. *See* LMC § 15-1-10.E.8. This finding is supported as follow:

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

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

iii. The Residence meets the height limitation stated on the second amended subdivision plat.

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

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

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

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

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

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

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

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

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

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

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

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

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

11. As discussed below, the Applicant has agreed to self-impose certain conditions on the Property to minimize any potential detrimental effects that may result

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from the proposed use. The Planning Commission finds that these conditions adequately mitigate any potential detrimental effects that may result from the Residence.

Conclusion

Based on the foregoing, and subject to the conditions listed below, the Residence and Outdoor Pool CUP applications meet the standards and requirements of the LMC as applied pursuant to the Amended Sweeney Properties MPD, including the criterial for approving a conditional use per LMC § 15-1-10.E and 10-9A-507, Utah Code Ann. The Planning Commission concludes it is appropriate to issue the Residence CUP subject to the below conditions, each of which will mitigate any reasonably anticipated detrimental effects associated with the Residence.

Conditions

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

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

B. The Applicant is responsible for notifying the Planning and Building Departments prior to proposing any changes to this approval. The Applicant shall submit in writing any changes, modifications, or deviations from the approved scope of work for planning review and approval/denial in accordance with the applicable standards prior to construction. Unfinished space indicated on plan sheets A2.10 and A2.20 of the approved plan set is limited to concrete floors, utilities, mechanical equipment, and storage. Future modifications to this unfinished space shall be reviewed by the Planning Commission in accordance with the Conditional Use Permit process.

C. The current access point of King Road must be maintained, and no new access points are allowed. The driveway width within the platted easement on 200 King Road and within the setbacks required for 220 King Road shall not exceed 12 feet in width, unless required by the Park City Fire District to accommodate turning radius and emergency vehicles.

D. The Applicant shall include in their Construction Mitigation Plan (CMP), in addition to Municipal Code of Park City Section 11-14-4(H), a specific plan for all soil exporting. Soil shall be transported uphill on King Road to an approved site for deposit. Time of operations, location of deposit site, total cubic yards to be exported, and number of trips hauling shall be outlined and regulated through the CMP. If the property owner of an approved site for deposit will not accept the excavated soils, the applicant will submit an alternative soil exporting plan for review by the Planning

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Director and Chief Building Official. No alternative soil exporting will be permitted until plans are approved.

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

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

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

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

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

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

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

L. No additional fencing is permitted without further approval by the Park City Planning and Building Departments.

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

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

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

P. The proposed residence's roof shall be consistent with the plans approved by the Planning Commission on February 14, 2024, and attached as Exhibit D.

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Q. The existing access and landscaping easement shall remain in place.

R. Except for a typical "for sale" sign no signs will be permitted on the Property.

S. The primary use of the Property shall be limited to a single-family residential use. The proposed residence shall not be used for a short-term rental or have fractional ownership.

T. Any areas disturbed during construction shall be restored to the original state after the proposed residence, accessory building and structures, and retaining walls are completed.

U. The railing of the roof terrace shall minimize the visibility when viewed cross-canyon.

V. All exterior lighting shall be down directed, fully shielded, with bulbs 3,000 degrees Kelvin or less to prevent glare onto adjacent property and shall comply with the City's outdoor lighting code per LMC § 15-5-5(J). Flood lights are prohibited. Fully Shielded outdoor lights shall not exceed 12 feet above Existing Grade. Ground-level fixtures shall be Fully Shielded. Final lighting details must be reviewed by Planning Staff prior to installation.

W. All proposed mechanical equipment, the pool, and/or a hot tub shall be screened. Any hot tub installation is prohibited on east façade decks or terraces.

X. No more than eight inches of the new foundation shall be visible above Final grade on the primary façade and no more than two feet of the foundation shall be visible above Final Grade on secondary and tertiary facades.

Y. Lower-level glazing on the north, east, and south facades shall be screened with berms and/or vegetation as approved by the Planning Department.

Z. The property is located outside of the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or mine waste impacted soils, they must handle the material in accordance with State and Federal law.

AA. The Applicant shall demonstrate the proposed metal siding and roofing materials have a Solar Reflectivity Index (SRI) of 35 or less prior to the submittal of a building permit.

BB. Prior to submittal of a Building Permit, the Applicant shall submit for

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review the excavation and grading plans for Engineering Department review and approval to ensure no additional erosion, land subsidence, or avalanche hazard is created.

CC. Cuts, fills, and retaining walls shall be minimized.

DD. The Applicant shall demonstrate compliance with Municipal Code of Park City Chapter 11-21 Utah Wildland-Urban Interface Code at the time of Building Permit submittal.

EE. The Applicant shall demonstrate adequate turnaround to allow a fire apparatus to maneuver to and from the site as approved by the Park City Fire District prior to submitting a Building Permit. The Applicant shall provide a fire hydrant within 600 feet of the proposed development.

FF. The Applicant should upsize the existing service line to provide adequate pressure to the additional living area and fire sprinkler system. Please note the City operates substantial water lines to the west of the proposed dwelling.

GG. To conduct construction across the neighboring 200 King Road property, including any additional width required to accommodate the installed improvements, all work shall be limited to the limits of the platted easement. The applicant shall submit required approvals for any work or structures proposed outside of the easement at 200 King Road.

HH. Glazing on the east façade shall comply with the Second Amendment for the Lot 2 Phase 1 Treasure Hill Subdivision plat notes. Vinyl and aluminum doors and windows are prohibited. Window and door details shall be reviewed and approved through the Historic District Design Review process.

II. The Applicant's stormwater mitigation plan shall be reviewed and approved by the Engineering Department prior to building permit submittal.

Conditional Use
File No. PL-23-05571
[Steep Slope –220 King]

Findings of Fact

1. On February 21, 2023, the applicant Pesky Porcupine LLC ("Applicant") submitted an application and paid the required fee for a conditional use permit in connection with a proposed single-family residence (the "Residence") to be constructed on the Summit County, Utah Tax Parcel No. THILL-2-AM (the "Property").

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2. The Property is located within the Sweeney Properties Master Plan Development that was approved December 18, 1985, as amended on October 20, 1987 (as amended, the "Amended Sweeney Properties MPD").

3. Condition No. 3 of the Amended Sweeney Properties MPD requires that the Planning Commission and Park City's staff review proposed development on King Road as a conditional use and ensure that the design of structures will minimize visual impact on adjacent property.

4. The Property is currently being used for one single-family residence and one guest house, that the Applicant intends to demolish to construct the new Residence. The existing single-family residence and guest house have been used for short-term rentals.

5. The conditional use permit application is for construction on a steep slope ("Steep Slope CUP") as required by Section 15-2.2-6 of Park City's Land Management Code ("LMC").

6. In connection with the Steep Slope CUP application, the Applicant submitted the following documents prepared by Alliance Engineering Inc. for the Planning Commission's consideration:

a. Existing Conditions Map (Job No. 8-3-23);

b. Conceptual Grading Plan (Job No. 8-3-23);

c. Drainage Plan (Job No. 8-3-23);

d. Steep Slope Map (Job No. 8-3-23);

e. Stormwater Management Plan (Job No. 8-3-23); and

f. Excavation Section View (Job No. 8-3-23).

7. The Planning Commission has authority to act as the land use authority for the Steep Slope CUP. *See* LMC § 15-1-10.D.

8. The Applicant submitted all the materials required by the LMC for the Steep Slope CUP and presented in a public hearing regarding the proposals set forth in Steep Slope CUP application.

9. With respect to the Steep Slope CUP, the Planning Commission, after carefully considering the Applicant's submittals referenced above and the Applicant's presentation at the public hearing, has determined that any detrimental effects caused by proposed development on steep slopes can be reasonably mitigated and comply with the LMC's requirements.

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Additional Findings

10. The Planning Commission, as the land use authority, finds that the proposed Steep Slope CUP complies with the standards in LMC § 15-2.2-6.B. Specifically, the proposed steep slope disturbance and Residence:

a. As applied pursuant to the Amended Sweeney Properties MPD, are located and designed to reduce the visual and environmental impacts. *See* LMC § 15-2.2-6.B.1. Specifically, the hillside cuts and impact to the very steep slope will be located behind the Residence and will generally not be visible to the town core of Park City.

b. Will be consistent with the visual analysis and landscaping plan submitted by the Applicant. *See* LMC § 15-2.2-6.B.2. Specifically, the Applicant submitted to the Planning Commission a visual analysis and landscaping plan that showed the proposed steep slope disturbance. The Planning Commission has determined that the steep slope disturbance will generally not be visible from the town core of Park City as it is screened from view by the proposed residence.

c. Are consistent with the applicable access and driveway screening requirements. *See* LMC § 15-2.2-6.B.3. Specifically, access to the Property is not changing as the existing driveway will be used and improved. The driveway improvements will comply with the LMC's requirements.

d. Will be appropriately terraced to regain natural grade. *See* LMC § 15-2.2-6.B.4. Terraced structures will be screened from view of the town core of Park City by the proposed residence.

e. Are designed to preserve the perceived natural topography of the Property. *See* LMC § 15-2.2-6.B.5. Specifically, all cuts to the hillside will be screened from view of the town core of Park City by the Residence.

f. As applied pursuant to the Amended Sweeney Properties MPD, are consistent with the building form and scale requirements of LMC § 15-2.2-6.B.6. Specifically, the Residence is divided into several massing elements to reduce massing and to orient against the Property's existing contours. Portions of the Residence have been located below grade to reduce visibility and perceived bulk.

g. Are consistent with the applicable setback requirements. *See* LMC § 15-2.2-6.B.7.

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h. Are consistent with the applicable volume limitations. *See* LMC § 15-2.2-6.B.8.

i. Are consistent with the applicable building height requirements. *See* LMC § 15-2.2-6.B.8. Specifically, the Residence meets the height requirements identified in the Amended Sweeney Properties MPD.

11. The Planning Commission finds that for the reasons above, the steep slope disturbance will not have a detrimental impact on surrounding uses.

12. As discussed below, the Applicant has agreed to self-impose certain conditions on the Property to minimize any potential detrimental effects that may result from the proposed steep slope disturbance. The Planning Commission finds that these conditions adequately mitigate any potential detrimental effects that may result from the steep slope disturbance or the Residence.

Conclusion

Based on the foregoing, and subject to the conditions listed below, the Steep Slope CUP meet the standards and requirements of the LMC, including the criteria for approving a conditional use per LMC § 15-2.2-6.B as applied pursuant to the Amended Sweeney Properties MPD, and 10-9A-507, Utah Code Ann. The Planning Commission concludes it is appropriate to issue the Steep Slope CUP subject to the below conditions, each of which will mitigate any reasonably anticipated detrimental effects associated with the uses described in the Steep Slope CUP application.

Conditions

The use approved by the Steep Slope CUP is conditioned upon the following:

JJ. All retaining walls shall be generally placed behind the proposed residence to reduce visibility from the town core of Park City.

KK. The driveway to the proposed residence shall not exceed 12 feet in width unless required by Park City Fire District for emergency vehicle turning radius and access, shall not exceed a 14% grade, and must comply with LMC § 15-3-3(A)(4).

LL. Access to the parking area located on the Property shall not face King Road.

MM. If the proposed development contains any retaining walls that are taller than four feet in height, then the Applicant shall provide engineered plans for the retaining walls at the time the Applicant makes application for a building permit.

NN. Applicant shall maintain vegetative screening in accordance with

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the submitted vegetation plan to reduce the visibility of retaining walls and landscaping and berming shall reduce the visibility of the east façade glazing.

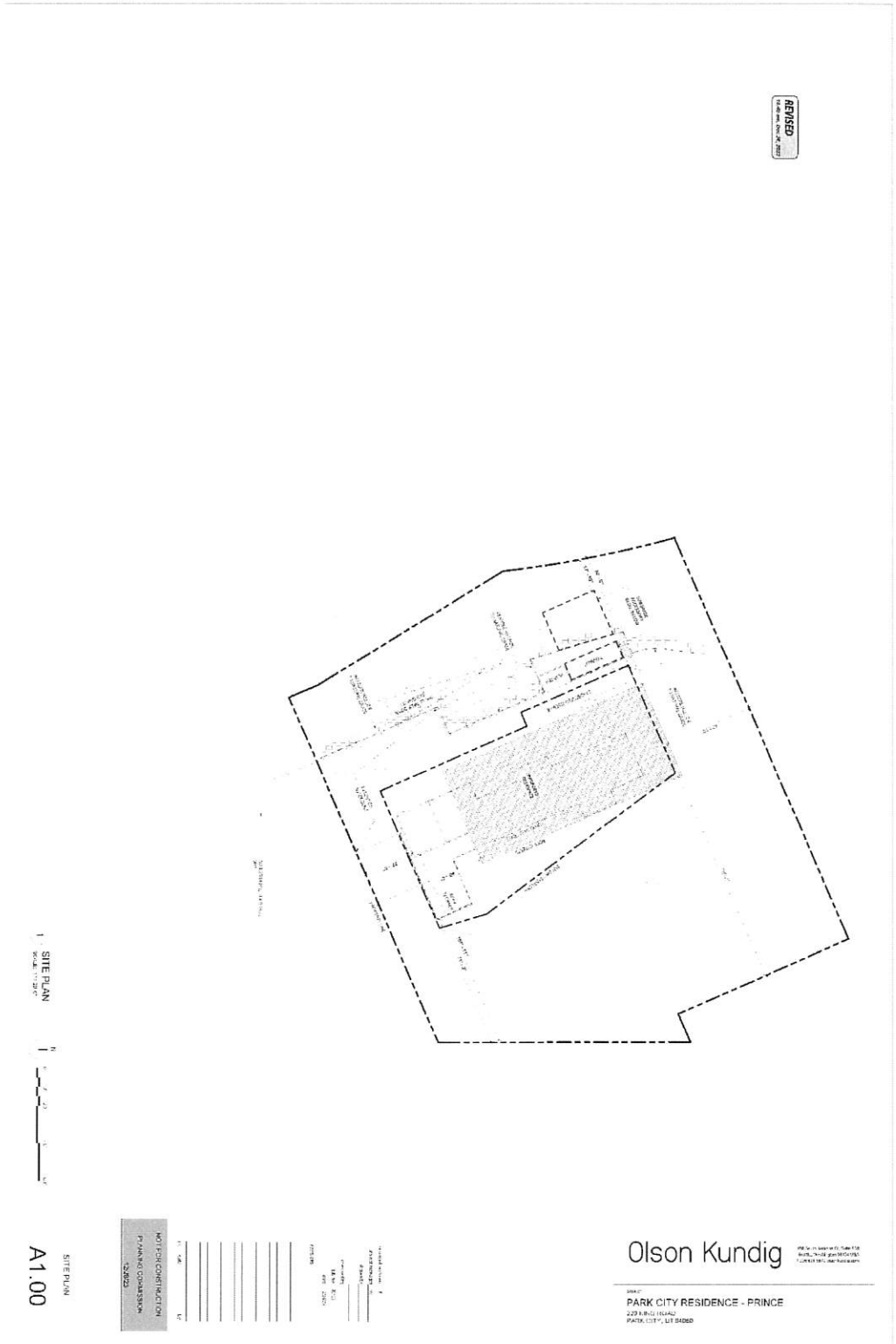
OO. The limits of disturbance around the proposed residence shall be limited to the minimal area necessary to excavate and backfill the foundation.

PP. Structures on the Property shall conform to the HR-1 setbacks set forth in LMC § 15-2.2-3. The property is located outside of the Park City Landscaping and Maintenance of Soil Cover Ordinance (Soils Ordinance) and therefore not regulated by the City for mine-related impacts. If the property owner does encounter mine waste or mine waste impacted soils they must handle the material in accordance with State and Federal law.

QQ. The Applicant shall include in their Construction Mitigation Plan (CMP), in addition to Municipal Code of Park City Section 11-14-4(H), a specific plan for all soil exporting. Soil shall be transported uphill on King Road to an approved site for deposit. Time of operations, location of deposit site, total cubic yards to be exported, and number of trips hauling shall be outlined and regulated through the CMP. If the property owner of an approved site for deposit will not accept the excavated soils, the applicant will submit an alternative soil exporting plan for review by the Planning Director and Chief Building Official. No alternative soil exporting will be permitted until plans are approved.

RR. The Applicant shall provide elevation drawings of all segments of the Accessory Buildings that have an exposed face to Planning staff for review as part of the Historic District Design Review process.

Exhibit C
Site Plan



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If you have questions or concerns regarding this Final Action Letter, please call (435) 615-5060 or email planning@parkcity.org.

Sincerely,

DocuSigned by:
0449CF71C9B8468...

2/24/2024

Sarah Hall, Planning Commission Chair

CC: Rebecca Ward, Planning Director
Caitlyn Tubbs, Senior Historic Preservation Planner

Exhibit D – Approved Plans

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Building Diagrams

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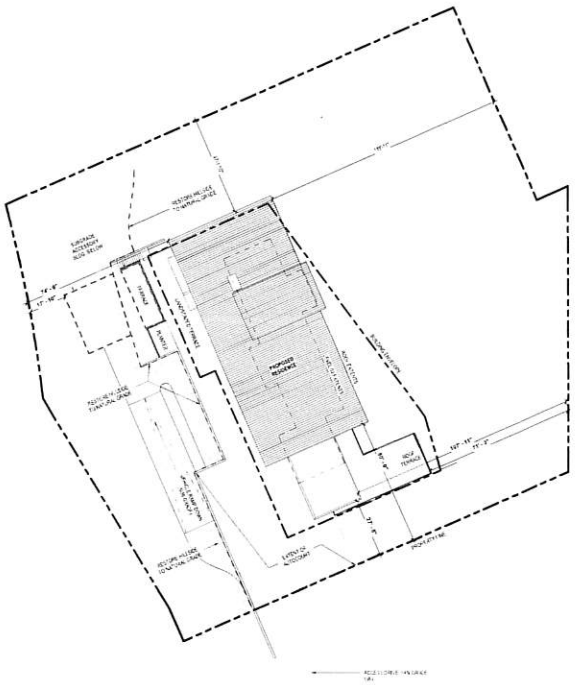

1 SITE PLAN

Olson Kundig

PARK CITY RESIDENCE - PRINCE
225 KNIG ROAD
PARK CITY, UT 84060

NOT FOR CONSTRUCTION
PLANNING COMMISSION
12/20/23

SITE PLAN

A1.00

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GENERAL NOTES

- EXISTING STRUCTURES AND HARDSCAPE ON SITE TO BE DEMOLISHED.
- RETURN HILLSIDE TO NATURAL GRADE AFTER DEMOLITION.
- POST-DEMOLITION CONTOUR LINES REPRESENT EXISTING GRADE FOR PROPOSED BUILDING HEIGHT ANALYSIS.

KEY LEGEND

		ROOF SPOT ELEVATION
7353	MINOR CONTOUR, SURVEYED	ROOF HEIGHT AT POINT XXXX' - X"
	MAJOR CONTOUR, SURVEYED	XX' - X" HT
	MINOR CONTOUR, POST-DEMOLITION	ROOF HEIGHT ABOVE POST-DEMO GRADE
7353	MAJOR CONTOUR, POST-DEMOLITION	

1 ROOF HEIGHT TO GRADE

N

0 10' 20' 40' 80'

Olson Kundig

PARK CITY RESIDENCE - PRINCE

223 KING ROAD
PARK CITY, UT 84060

NOT FOR CONSTRUCTION

PLANNING COMMISSION

12/28/23

ROOF HEIGHT TO GRADE

A1.04

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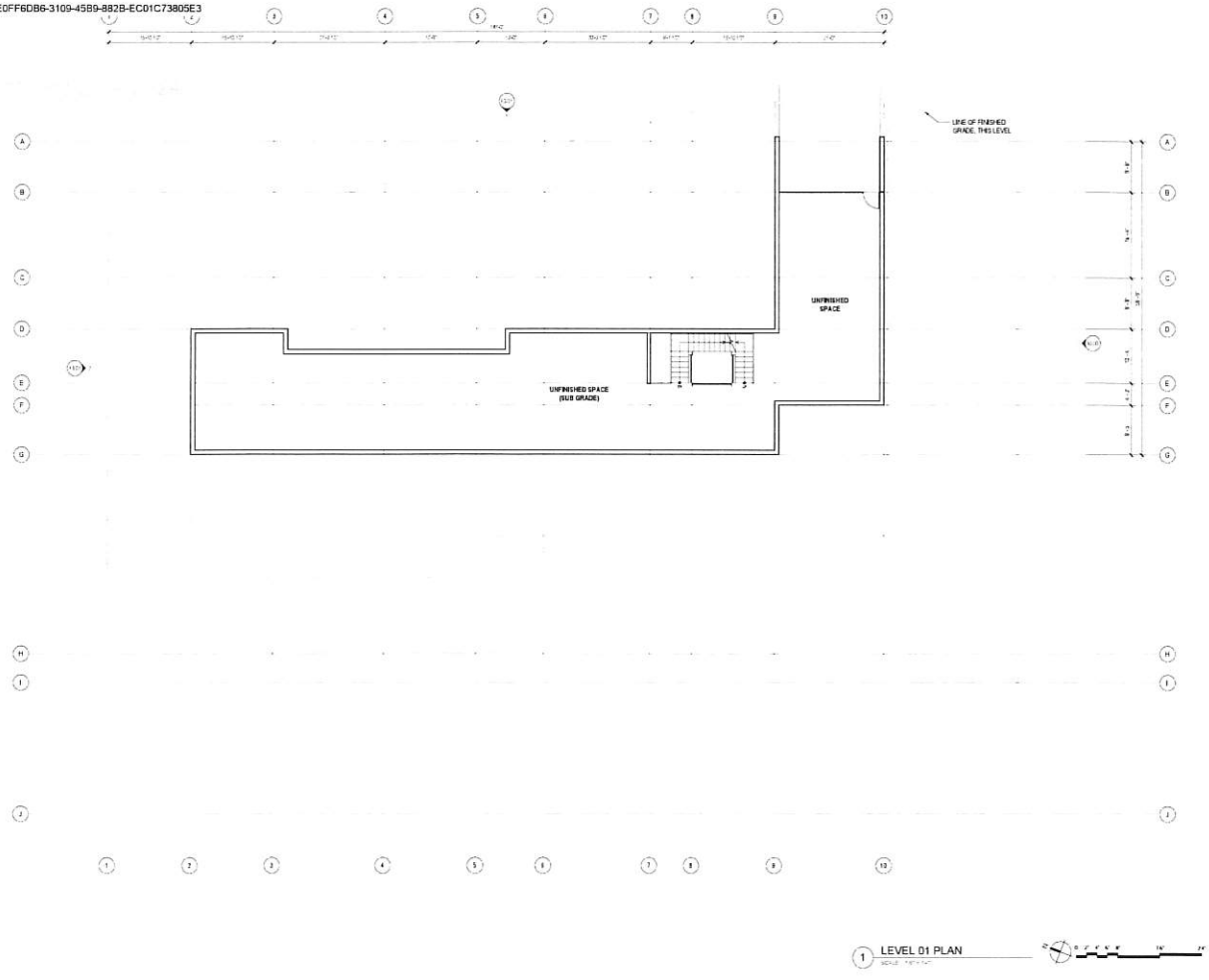

1 LEVEL 01 PLAN

Olson Kundig

PARK CITY RESIDENCE - PRINCE
220 KING ROAD
PARK CITY, UT 84060

NOT FOR CONSTRUCTION
PLANNING COMMISSION
12/29/23

PLAN - LEVEL 01

A2.10

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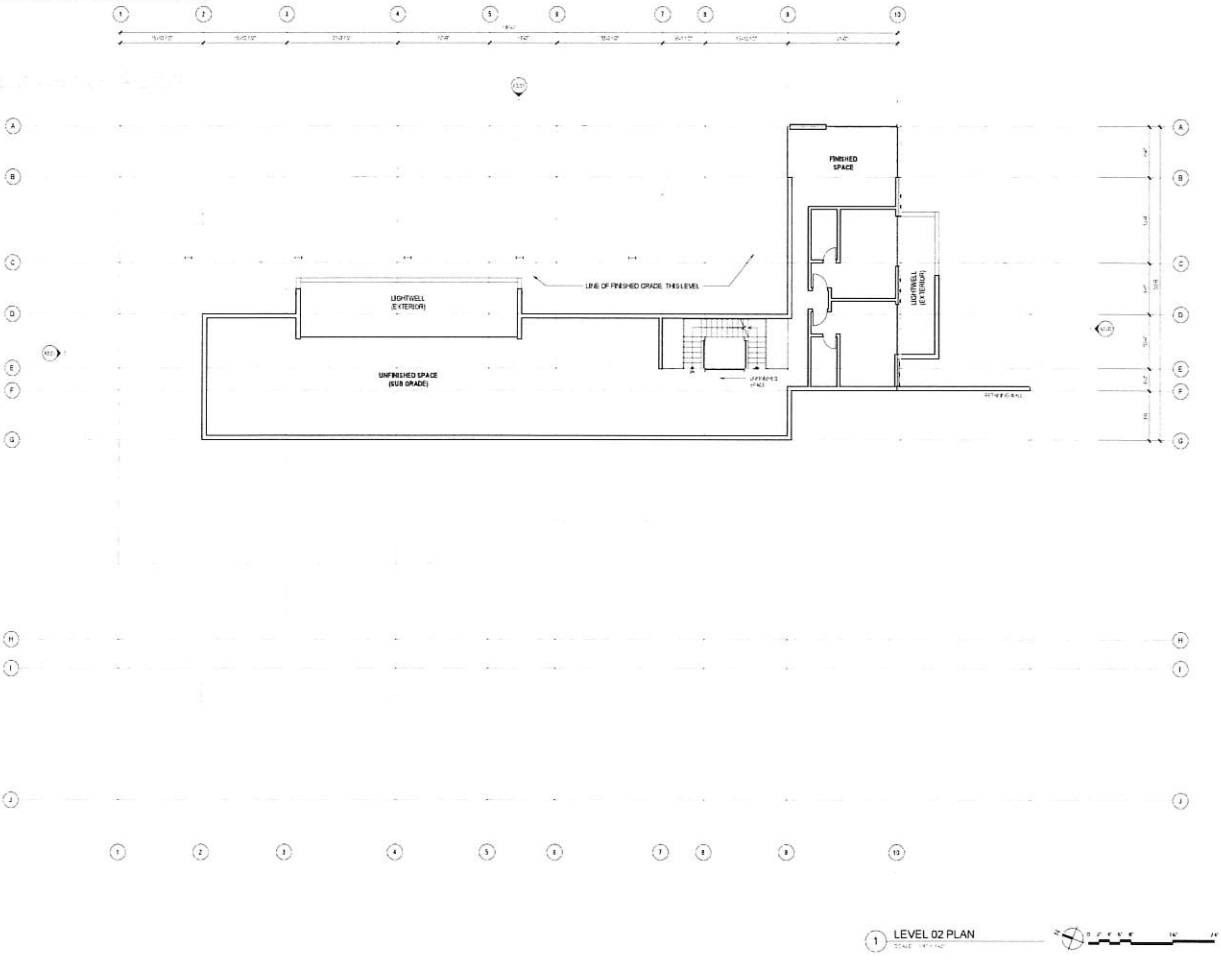

1 LEVEL 02 PLAN

Olson Kundig

PARK CITY RESIDENCE - PRINCE

225 KING ROAD
PARK CITY, UT 84060

NOT FOR CONSTRUCTION
PLANNING COMMISSION
12/29/23

PLAN - LEVEL 02

A2.20

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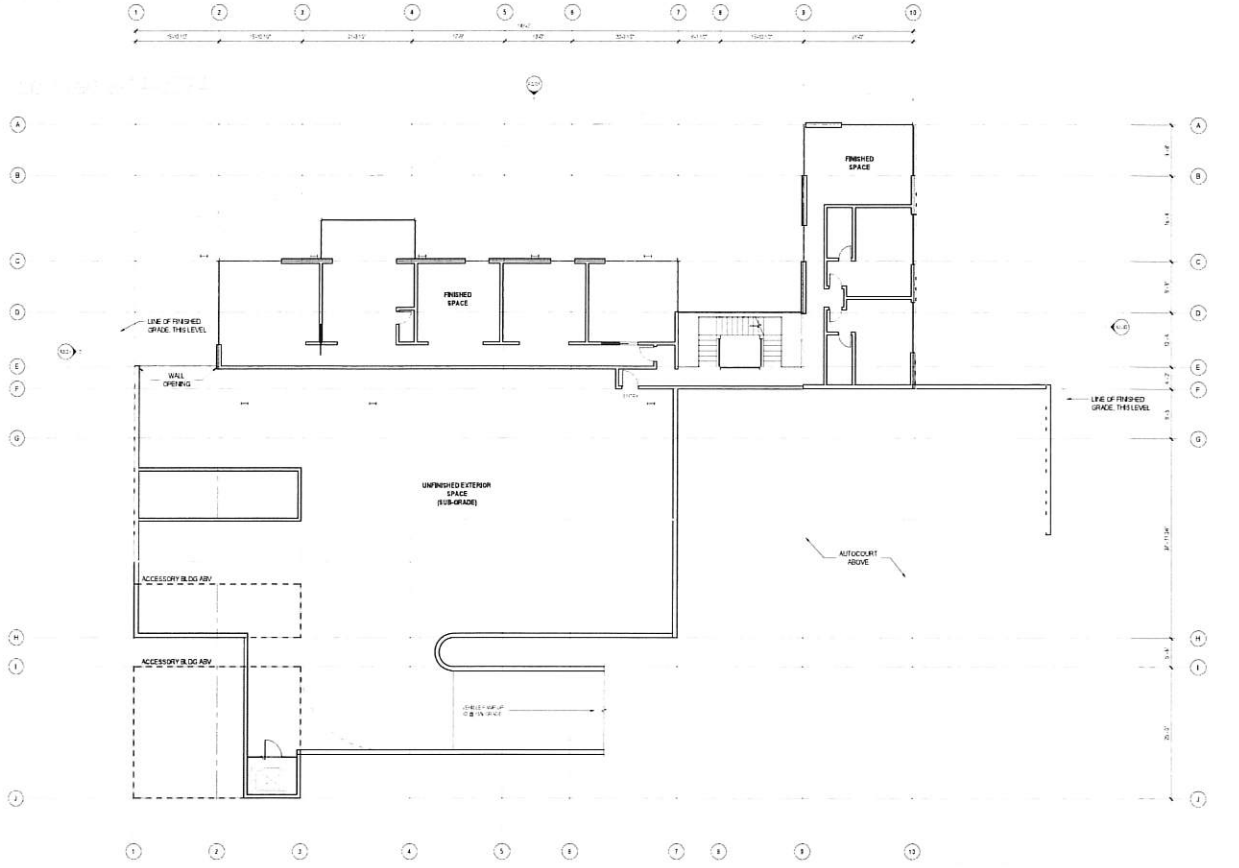

1 LEVEL 03 PLAN

Olson Kundig

PARK CITY RESIDENCE - PRINCE
220 KING ROAD
PARK CITY, UT 84060

NOT FOR CONSTRUCTION
PLANNING COMMISSION
12/26/23

PLAN - LEVEL 03

A2.30

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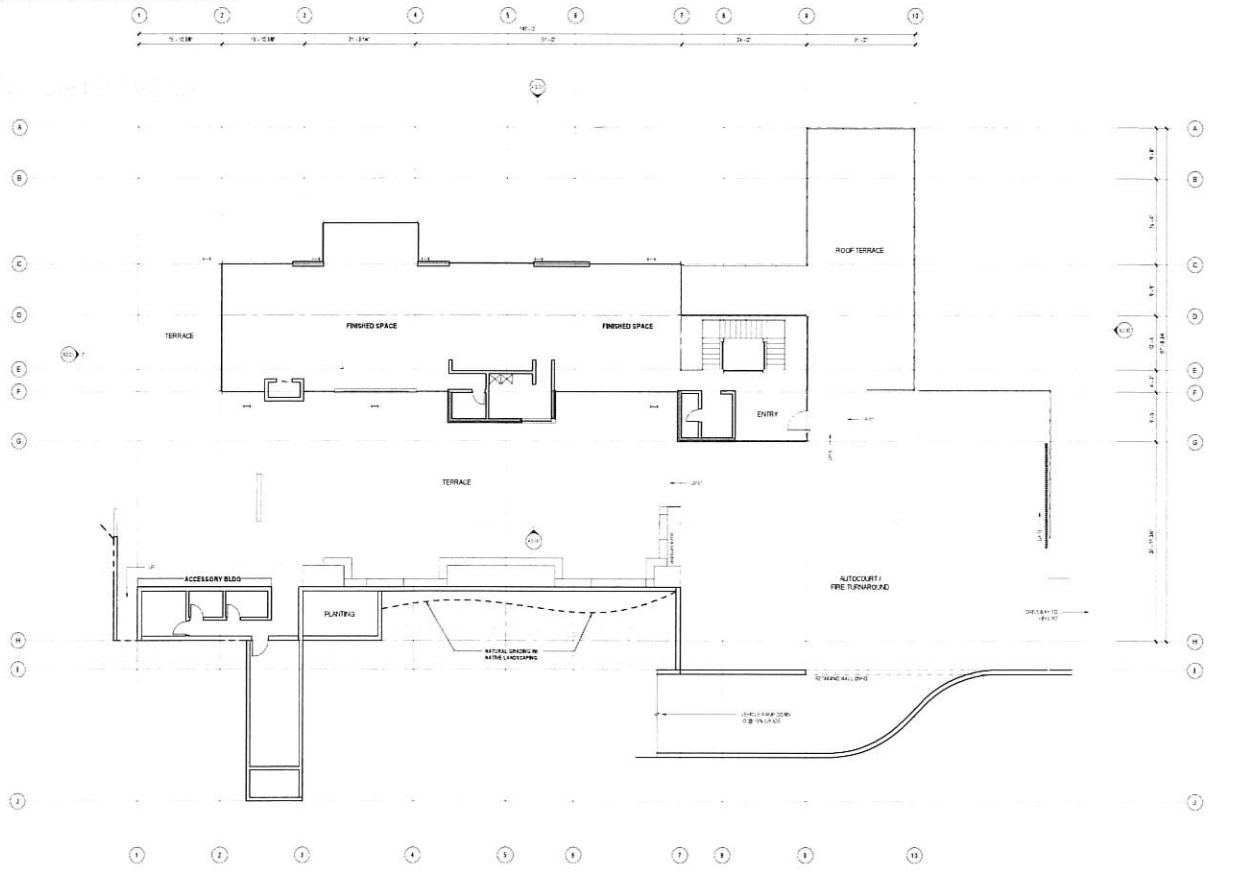

1 LEVEL 04 PLAN

Olson Kundig

PARK CITY RESIDENCE - PRINCE
220 KING ROAD
PARK CITY UT 84060

NOT FOR CONSTRUCTION
PLANNING COMMISSION
12/29/23

PLAN - LEVEL 04

A2.40

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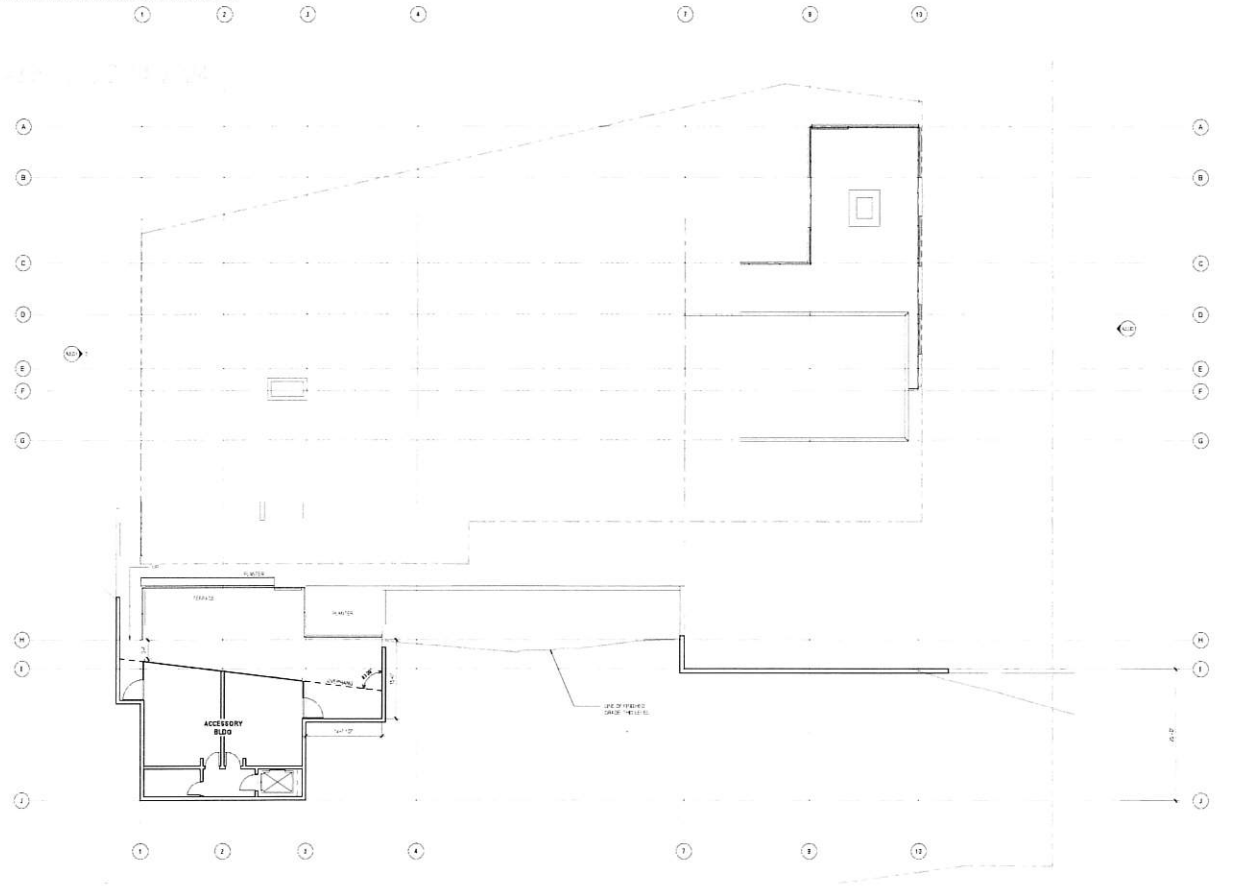

1 LEVEL 05 PLAN

Olson Kundig

PARK CITY RESIDENCE - PRINCE
220 KING ROAD
PARK CITY, UT 84060

NOT FOR CONSTRUCTION
PLANNING COMMISSION
12/29/23

PLAN - LEVEL 05

A2.50

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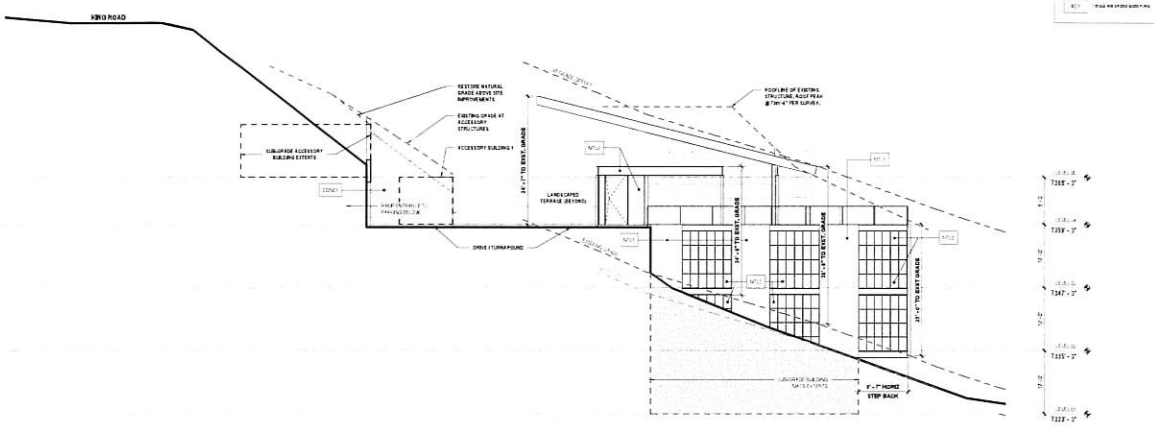
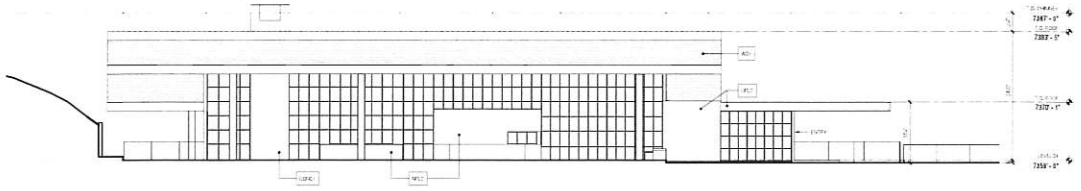


1 SOUTH ELEVATION



2 WEST ELEVATION

MATERIAL LEGEND

Olson Kundig

PROJECT
PARK CITY RESIDENCE - PRINCE
220 KING ROAD
PARK CITY, UT 84060

NOT FOR CONSTRUCTION
PLANNING COMMISSION
12/20/23

EXTERIOR ELEVATIONS
A3.00

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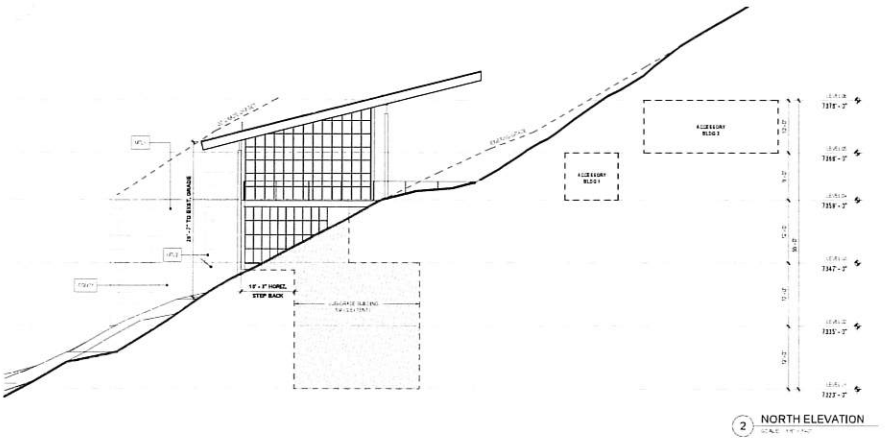

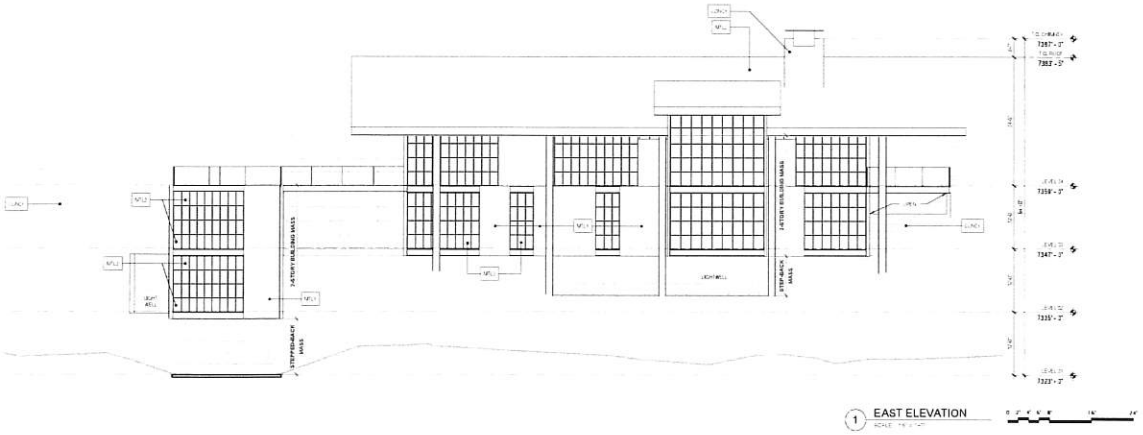

MATERIAL LEGEND

Olson Kundig

PROJECT
PARK CITY RESIDENCE - PRINCE
209 KING ROAD
PARK CITY, UT 84060

NOT FOR CONSTRUCTION
PLANNING COMMISSION
12/29/23

EXTERIOR ELEVATIONS

A3.01

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3D Views - from north

Approved 2-14-2024

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

3D Views - from east

Approved 2-14-2024

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

3D Views - from south

Approved 2-14-2024

DocuSign Envelope ID: E0FF6DB6-3109-45B9-882B-EC01C73805E3

Approved 2-14-2024

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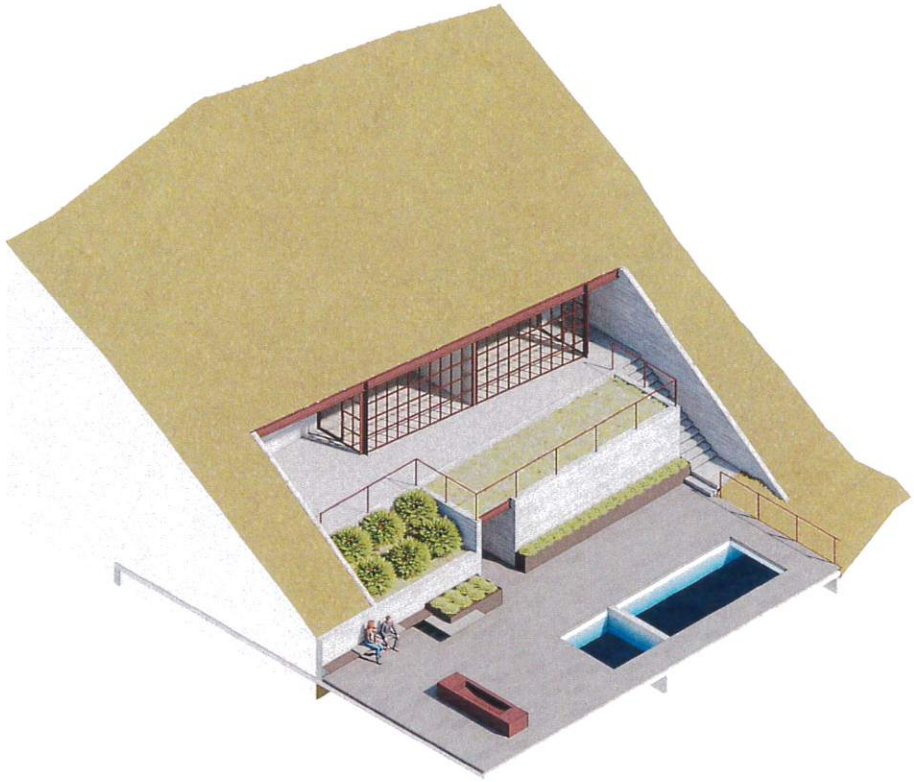

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Grading Plan

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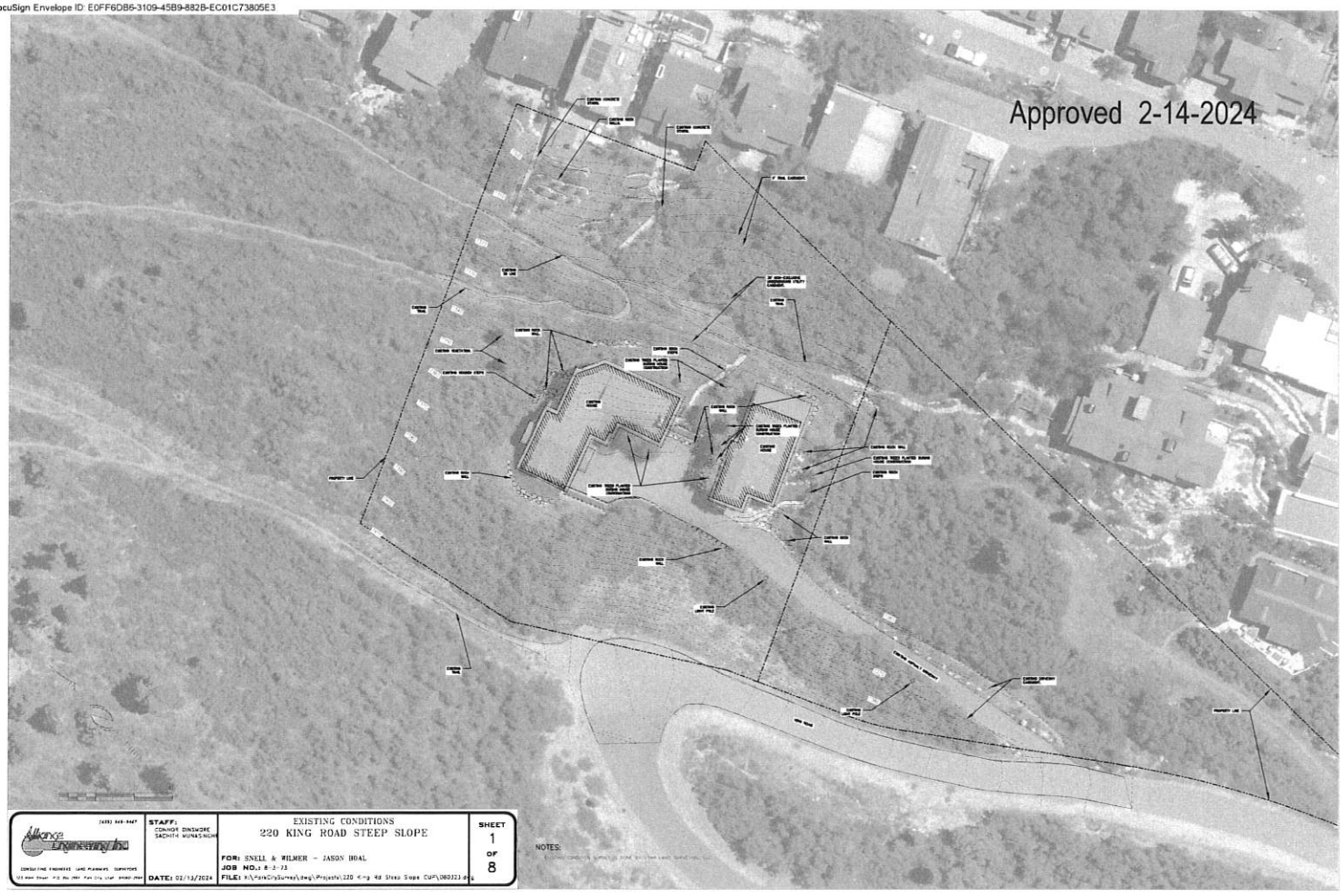

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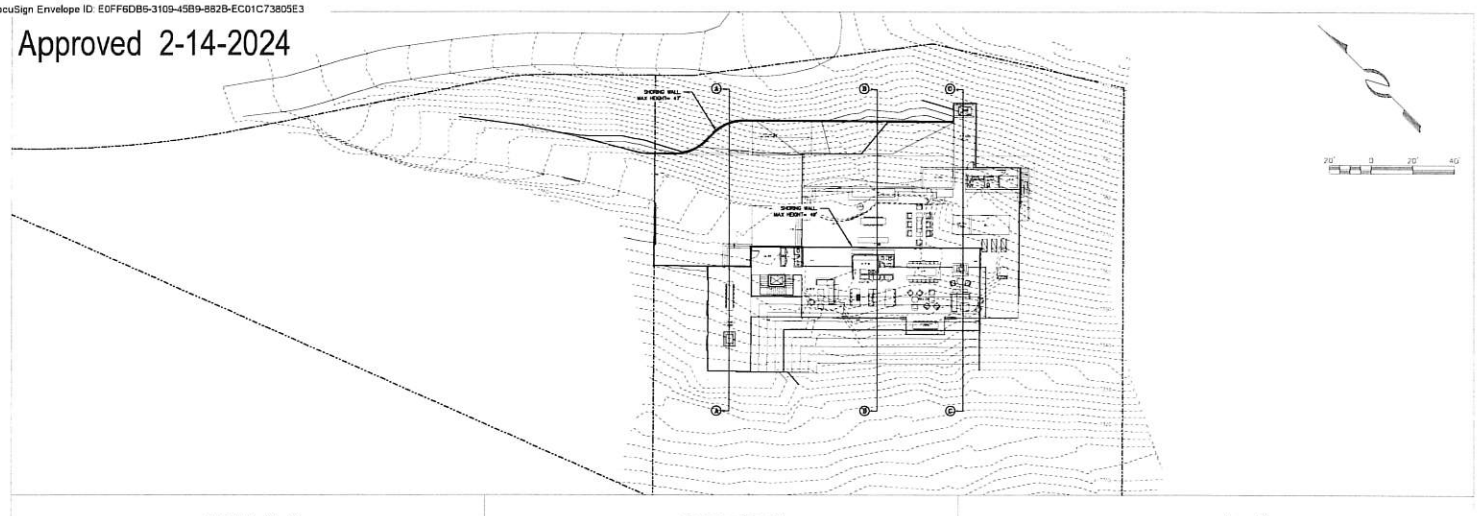
Approved 2-14-2024



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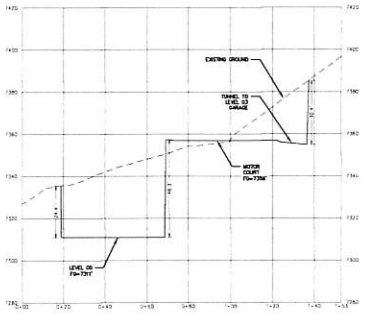

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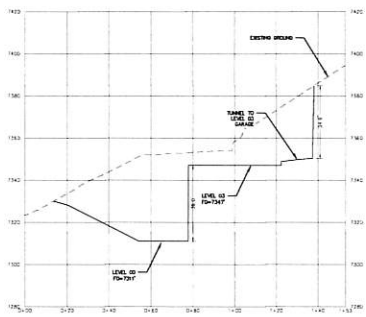

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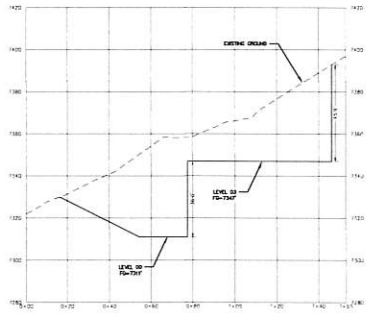

Alliance Engineering	STAFF: CONNOR DUNSMORE, SACHITH MUNASINGHE	EXCAVATION SECTION VIEW 220 KING ROAD STEEP SLOPE FOR: SNELL & WILMER – JASON BOAL JOB NO.: 5-1-25 DATE: 02/13/2024 FILE: X:\ParkCity\Survey\dwg\Projects\220 King Rd Steep Slope CUT\080323.dwg	SHEET 7 of 8

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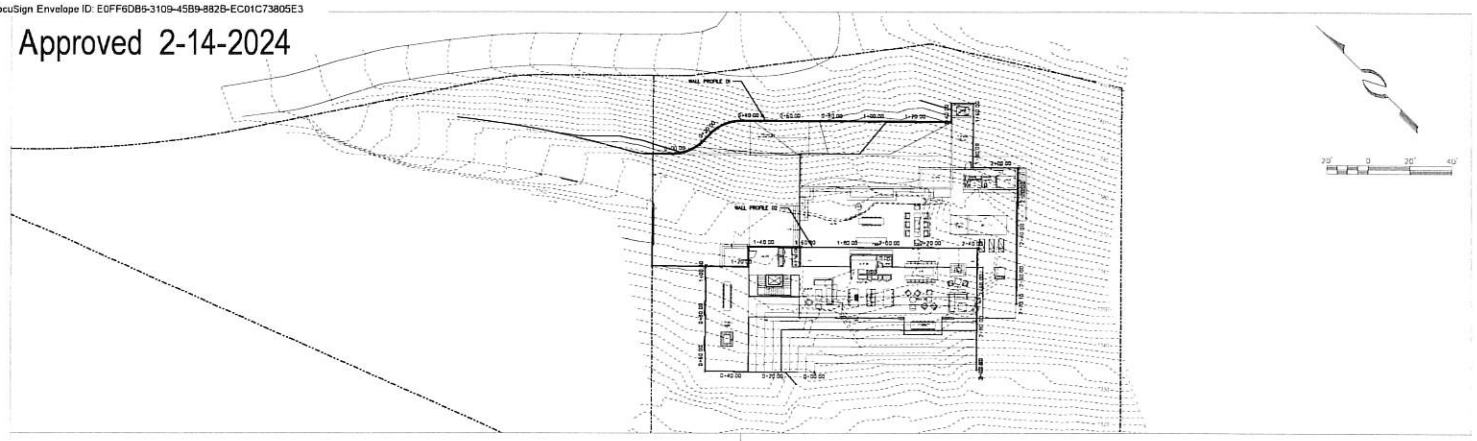
Approved 2-14-2024



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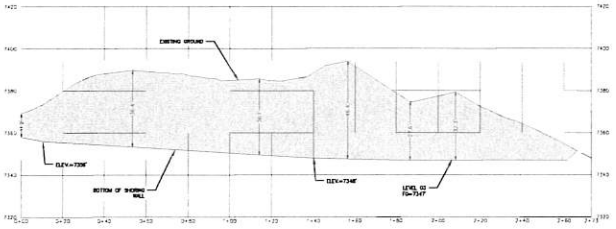

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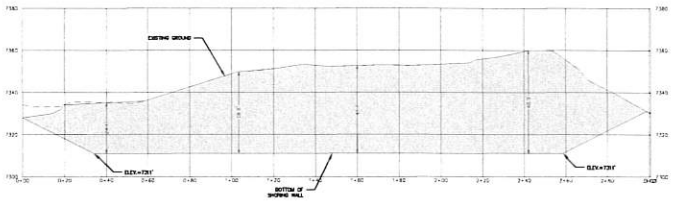

Alliance Engineering Inc. (435) 649-9467 CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 102 Main Street P.O. Box 2664 Park City, Utah 84060-2664	STAFF: CONNOR DINSMORE SACHITH MUNASINGHE DATE: 02/13/2024	PLAN AND PROFILE OF THE SHORING WALL 220 KING ROAD STEEP SLOPE FOR: SNELL & WILMER - JASON BOAL JOB NO.: 8-J-23 FILE: X:\ParkCitySurvey\dwg\Projects\220 King Rd Steep Slope CUP\080325.dwg	SHEET 8 OF 8

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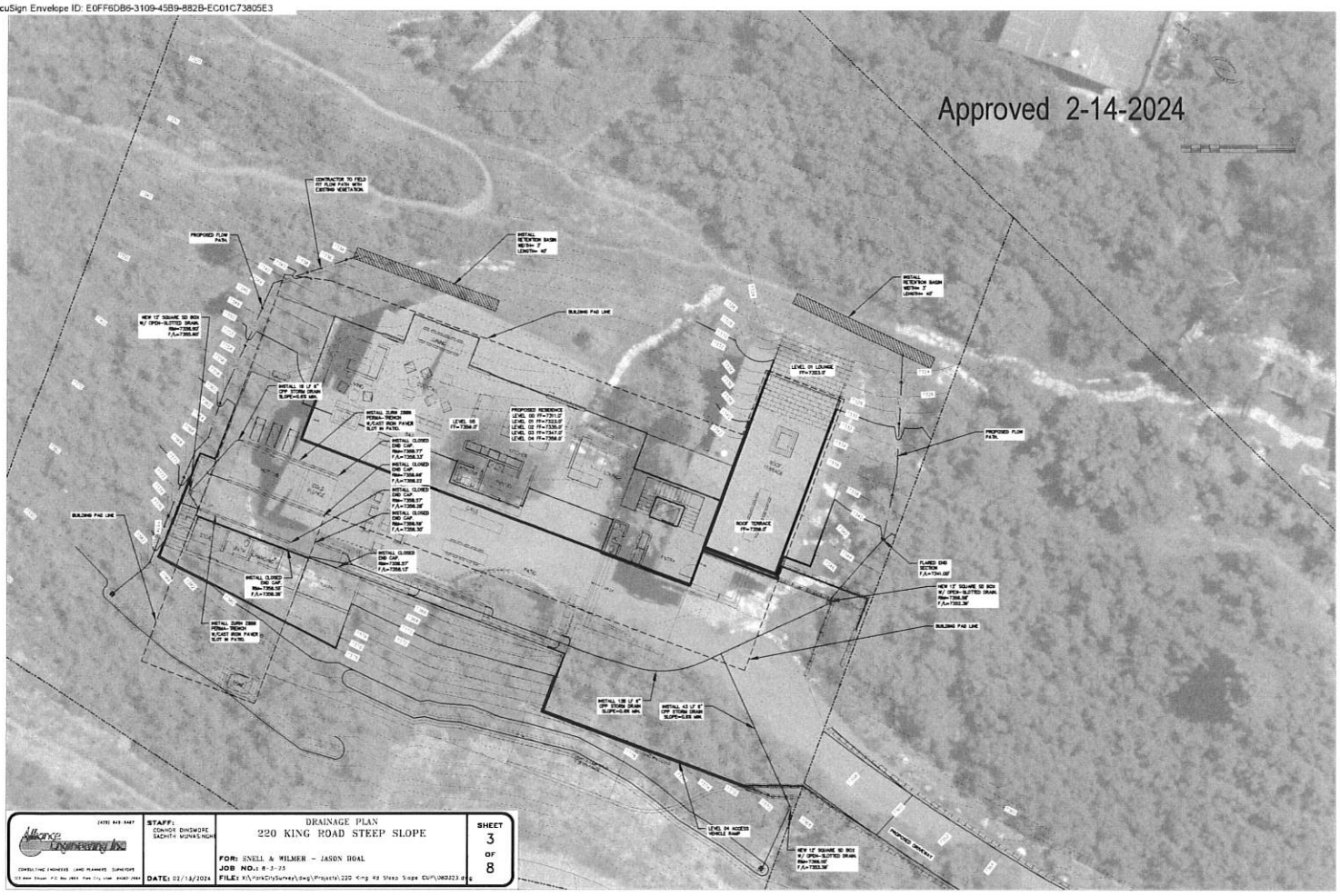

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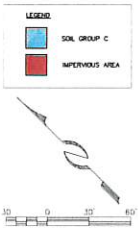


WATER QUALITY VOLUME CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: $Q = CIA$

DESIGN STORM: 80TH PERCENTILE EVENT

NOTE: INTENSITY = 0.80 INCH PER SUMMIT COUNTY MEA

VARIABLES

Q = RUNOFF FLOWRATE (CUBIC FEET/SEC)

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	0.07	0.10	0.14	0.16
AVERAGE (2-6%)	0.12	0.15	0.19	0.23
STEEP (>6%)	0.15	0.21	0.27	0.33
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE	0.70		0.90	

I = STORM INTENSITY (IN/HR)

I = STORM DURATION (MIN)

NOTE: I = 0.80 PER SUMMIT COUNTY ORDINANCE 38-A

A = AREA (FT^2)

PRE-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)			45,298	
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE				6,529

A= 51,827 FT^2

C= 0.77

I= 0.05 FT/HR

t= 1.00 HR

ΔWQ_v = 1,005 CU FT

POST-DEVELOPMENT WATER QUALITY VOLUME

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)				
AVERAGE (2-6%)				
STEEP (>6%)			41,322	
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE				10,505

A= 51,827 FT^2

C= 0.83

I= 0.05 FT/HR

t= 1.00 HR

ΔWQ_v = 1,125 CU FT

GROUNDWATER RECHARGE VOLUME

ΔWQ_v = 120 CU FT

PEAK RUNOFF CALCULATIONS

ASSUMPTIONS

METHOD OF ANALYSIS: RATIONAL METHOD Q=CIA

STORM RETURN PERIOD: 100 YEARS

NOTE: FOR THE 100-YR RECURRANCE INTERVAL, THE COMPOSITE "C" VALUE IS ADJUSTED BY A FACTOR OF 1.25 BEFORE COMPUTING Q.

STORM DURATION: 10 MIN.

SOURCE: NOAA ATLAS 14 - PARK CITY RADIO STATION #2 (#642)

VARIABLES

Q = RUNOFF FLOWRATE (CUBIC FEET/SEC)

C = RUNOFF COEFFICIENT

(WEIGHT AVERAGE BY SOIL GROUP AND AREA TYPE)

RUNOFF COEFFICIENTS "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	0.07	0.10	0.14	0.16
AVERAGE (2-6%)	0.12	0.15	0.19	0.23
STEEP (>6%)	0.15	0.21	0.27	0.33
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE	0.70		0.90	

I = STORM INTENSITY (INCHES/HR)

A = AREA (ACRES)

t = TIME OF CONCENTRATION (SEE 1)

V_e = EXCESS RUNOFF VOLUME (CU FT) = ΔQ_2

PRE-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	-	-	-	-
AVERAGE (2-6%)	-	-	-	-
STEEP (>6%)	-	-	1.04	-
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE		-		0.20

A= 1.24 ACRES

C_N= 0.57

C_{adj} = 0.67

I= 5.00 IN/HR

Q_2= 2.88 CFS

POST-DEVELOPMENT PEAK DISCHARGE

AREAS FOR WEIGHT AVERAGE "C":

SLOPE	HYDROLOGIC SOIL GROUP			
	A	B	C	D
FLAT (0-2%)	-	-	-	-
AVERAGE (2-6%)	-	-	-	-
STEEP (>6%)	-	-	0.95	-
SURFACING	PERVIOUS		IMPERVIOUS	
HARDSCAPE				0.70

A= 1.24 ACRES

C_N= 0.42

C_{adj} = 0.53

I= 5.00 IN/HR

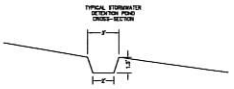
Q_2= 3.27 CFS

EXCESS RUNOFF STORAGE VOLUME

ΔQ_2= 0.39 CFS

t_c= 300 SEC

V_e= 232 CU FT



STORMWATER DETENTION REQUIRED = 232 CU. FT.
STORMWATER DETENTION PROVIDED = 300 CU. FT.

NOTES:

1. PEAK RUNOFF VOLUME OF 232 CU. FT. IS TO BE 100% DETAINED IN PROPOSED POND. THE DIMENSIONS OF THE DETENTION BASIN IS NOTED ON THE ABOVE PLAN. CUMULATIVE DETENTION VOLUME = 300 CU. FT.
2. GUTTER ROOF DRAINS SO THAT THE STORM WATER FLOWS FROM HOUSE DOWN GRADING AND INTO DETENTION BASIN.
3. STORMWATER DETENTION POND ALIGNMENT MAY VARY, FOLLOW EXISTING CONTOUR
4. THE DETENTION POND HAVE BEEN SIZED TO DETAIN 100% OF THE WATER QUALITY VOLUME (PER SUMMIT COUNTY ORDINANCE NO. 38-A, APPENDIX F) MEETING THE COUNTY REQUIREMENTS FOR TSS REMOVAL AND GROUNDWATER RECHARGE

(435) 649-9467
Alliance Engineering Inc
CONSULTING ENGINEERS · LAND PLANNERS · SURVEYORS
57 West Street · P.O. Box 2864 · Park City, Utah 84060-2864

STAFF: CONNOR DINSMORE
SACHITH MUNASINGHE

STORMWATER MANAGEMENT PLAN
220 KING ROAD STEEP SLOPE

FOR: SNELL & WILMER – JASON BOAL
JOB NO.: 8-1-23
DATE: 02/13/2024
FILE: K:\ParkCity\Survey\dwg\Projects\220 King Rd Steep Slope CUP\DR0323.dwg

SHEET 5 OF 8

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Landscape/Vegetation Plan

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PLANTING SCHEDULE

TREES

ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
PT-1	*Populus tremuloides*	Quaking Aspen	1 1/2" CAL	22
PT-3	*Populus tremuloides*	Quaking Aspen	4" CAL	8
AC	*Abies concolor*	White Fir	#65 (8FT TALL)	55
PM	*Pseudotsuga menziesii*	Douglas Fir	4" CAL #65/100	16
SA	*(mixed native species)*	Sapling	#5	TBD

SHRUBS

ABBR.	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
QB	*Quercus gambelii*	Colorado Scrub Oak	#12	36

GRASS AND PERENNIAL

TYPE	BOTANICAL NAME	COMMON NAME	SIZE	QTY.
NATIVE GRASS MIX			1 GAL	7,581 SF
	Festuca ovina	Sheep Fescue		
	Bouteloua gracilis	Blue Grama Grass		
	Bouteloua curtipendula	Sideoats Grama		
	Artemisa tridentata var. vaseyana	Vasey's Sagebrush		
	Penstemon strictus	Rocky Mountain Penstemon		
	Achillea millefolium	Common Yarrow		
NATIVE PARTIAL SHADE MIX			1 GAL	7,537 SF
	Festuca ovina	Sheep Fescue		
	Stipa hymenoides	Indian Rice Grass		
	Leymus cinereus	Great Basin Rye		
	Machaeranthera tanacetifolia	Tahoka Daisy		
	Geranium viscosissimum	Wild Geranium		
	Sphaeralcea grossulariifolia	Globemallow		
NATIVE RE-VEGETATION SEEDING MIX			HYDROSEEDING	1,643 SF

KEY LEGEND

- BUILDING FOOTPRINT
- CONCRETE PAD ON GRADE
- STONE PAVER
- CONCRETE RETAINING WALL
- SNOW STORAGE
- PROPERTY LINE
- SUBGRADE STRUCTURE
- OVERHANG
- 7320 EXISTING CONTOURS
- PROPOSED 2FT CONTOURS
- 7320 PROPOSED 10FT CONTOURS

NOTE:
1. SEE SURVEY FOR MORE INFORMATION ON EXISTING VEGETATION AND TREES.
2. CONTRACTOR TO CONFIRM EXISTING TREES AND NOTIFY OWNER'S REPRESENTATIVE OF ANY DISCREPANCIES BETWEEN THE PLAN AND THE EXISTING CONDITIONS BEFORE STARTING WORK.
3. CONTACT LANDSCAPE ARCHITECT OR OWNER'S REPRESENTATIVE PRIOR TO REMOVAL.
4. HARVEST AND PRESERVE TOPSOIL FROM DISTURBED AREAS FOR RE-VEGETATION. ANY EXPOSED OR DISTURBED SLOPE SHALL BE RE-VEGETATED.
5. IMPORTED SOIL MUST BE OF A QUALITY TO SUPPORT PLANT GROWTH.
6. FOLLOW HR-1 CODE FOR DEFINITION OF SIGNIFICANT VEGETATION.
7. PROTECT SIGNIFICANT VEGETATION BY TREE PROTECTION FENCING. PROTECTION FENCE, 6'-0" SEMI-PERMANENT CHAINLINK, DRIVEN 3'-0" INTO THE GROUND, PLACE AT LIMITS OF TREE PROTECTION ZONES AND REMOVE AT THE END OF CONSTRUCTION.
8. PROTECTION FENCING SHALL NOT BE MOVED, REMOVED, OR ENTERED BY EQUIPMENT AND MAINTAINED IN GOOD REPAIR THROUGHOUT CONSTRUCTION.
9. APPLY BIODEGRADABLE NETTING AND EROSION CONTROL FOR SLOPES GREATER THAN 2:1.
10. ANY APPLICATION OF HERBICIDE TREATMENT SHALL BE PER THE REGULATIONS OF LOCAL JURISDICTIONS, AND ENVIRONMENTAL REGULATORS.

Olson Kundig

PARK CITY RESIDENCE - PRINCE
202 KING ROAD
PARK CITY, UT 84060

NOT FOR CONSTRUCTION
PLANNING COMMISSION
12/26/23

SITE PLAN - LANDSCAPE

A1.03

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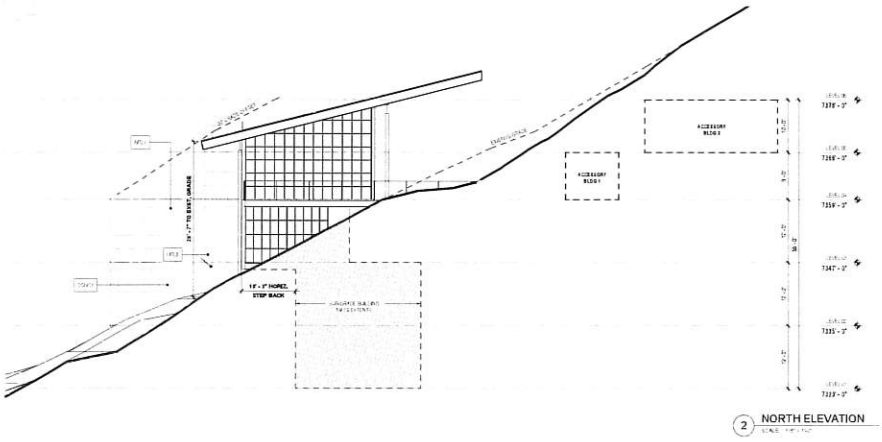
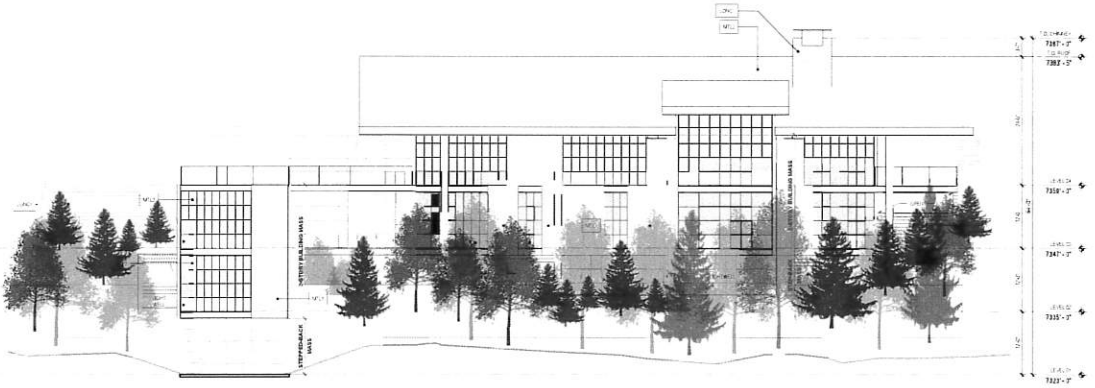


2 NORTH ELEVATION



1 EAST ELEVATION

MATERIAL LEGEND

Olson Kundig

PARK CITY RESIDENCE - PRINCE
232 KING ROAD
PARK CITY, UT 84060

NOT FOR CONSTRUCTION
PLANNING COMMISSION
12/28/23

EXTERIOR ELEVATIONS

A3.01

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Drainage Plan