



**PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
FEBRUARY 26, 2025**

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

EX OFFICIO: Rebecca Ward, Planning Director; Jaron Ehlers, Planner I; Lillian Zollinger, Planner III; Virgil Lund, Planner II; Dave Thacker, Chief Building Official; John Robertson, City Engineer; Tim Sanderson, Transportation Planning Director; Mark Harrington, City Attorney

1. ROLL CALL

Chair Sarah Hall called the Planning Commission Meeting to order at 5:36 p.m. She noted that all Commissioners are present with the exception of Commissioner Henry Sigg.

2. MINUTES APPROVAL

A. Consideration to Approve the Planning Commission Meeting Minutes from February 12, 2025.

MOTION: Commissioner Johnson moved to APPROVE the Planning Commission Meeting Minutes from February 12, 2025. Commissioner Shand seconded the motion. The motion passed with the unanimous consent of the Commission.

3. STAFF AND BOARD COMMUNICATIONS AND DISCLOSURES

Planning Director, Rebecca Ward, reported that last year, there were almost 400 land use applications submitted for review. Many of those applications come to the Planning Commission. This year, there have already been 75 land use applications received. The Planning Commission agendas are currently full until May. There are no items scheduled for Historic Preservation Board review on Wednesday, April 2, 2025. She asked if the Planning Commission is open to a special meeting on that date to move through some of the more straightforward applications. Commissioner John Frontero stated that he was unable to attend a meeting on that date and Commissioner Rick Shand was uncertain. Commissioner Bill Johnson, Commissioner Laura Suesser, and Commissioner Christin

Van Dine are available to meet on that date. Chair Hall noted that Commissioner Sigg indicated earlier that he would be available, so there should be a quorum for the meeting.

Director Ward reported that the General Plan project website has been updated. It now includes the survey summary and existing trends summary. That information is available to review at engageparkcity.org. The first community-wide open house will be held on March 4, 2025, at Miners Hospital in City Park from 5:00 p.m. to 8:00 p.m.

Commissioner Johnson stated that he will recuse himself from Item 5A on the Planning Commission Meeting agenda because he was a contractor for Verizon when they initially took over the Nextel facility. As a precaution, he will recuse himself from the vote.

Chair Hall reported that Item 5E has been continued. There will still be a public hearing held so residents can share comments, but the item will be continued to a future meeting.

4. PUBLIC COMMUNICATIONS

Allison Keenan stated that her zip code is 84060. Prior to Planning Commission Meetings, the Meeting Materials Packet and agenda are normally published on Friday evenings. That only gives the Commissioners three business days or five total days to review everything ahead of the Planning Commission Meeting. The Regular Agenda items at the current meeting include 834 pages of information and exhibits. Item 5C includes 225 pages of information and Item 5D includes 226 pages of information, which does not include the 200-page traffic study. Ms. Keenan requested that Planning Staff publish the agenda and Meeting Materials Packet earlier so there is more time for review. Commissioners deserve adequate time to review the materials in detail. Members of the public also need more time to review the materials in order to make informed comments.

There were no additional public communications.

5. REGULAR AGENDA

- A. 7720 Royal Street – Modification to Conditional Use Permit – The Applicant Proposes to Expand Two Existing Faux Chimneys by a Combined 20 Square Feet and Install Telecommunications Equipment in the Faux Chimneys and an Existing Equipment Room. PL-24-06355.**

It was reiterated that Commissioner Johnson will recuse himself from this agenda item. Planner I, Jaron Ehlers, presented the Staff Report and explained that the application is for a modification to a Conditional Use Permit (“CUP”) for a Telecommunications Facility. The property is located at 7720 Royal Street, more commonly known as the Deer Valley Club. The property is in the Residential Development (“RD”) Zoning District, the Sensitive Land Overlay (“SLO”), and the Deer Valley Master Planned Development (“MPD”).

The MPD for Sterlingwood Phase II, which would become the Deer Valley Club, was approved on May 22, 1991. On March 14, 2001, the Planning Commission approved a CUP to replace the existing chimneys of Building 4, creating faux chimneys of a greater size than the original chimneys. This was done to accommodate the installation of telecommunications equipment. There was also expansion of the building footprint to create an equipment room to support the new Telecommunications Facility.

On December 2, 2024, the applicant submitted an application to modify the existing CUP. There is no proposed expansion of the building footprint, as the equipment in the existing mechanical room can be replaced. The faux chimneys will be increased in width, but there is no proposed height increase. Planner Ehlers shared images of the existing conditions and equipment in the faux chimneys as well as the existing equipment in the equipment room. He next shared renderings that were provided by the applicant. The property is well-screened, so there are minimal visual impacts related to the proposal.

Conditions of Approval recommended by Staff were shared. Planner Ehlers noted that the conditions state the height of the chimneys will not be increased and the project is designed to match the existing building. Staff recommends the Commission hold a public hearing, consider the application, and approve the modification based on the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Draft Final Action Letter.

The applicant representative, Dakota Hawks, explained that the intention is to bring 5G to the site and improve capacity services in the surrounding area. During ski season, this is a high-traffic area. The upgrade will ensure that visitors continue to have service.

Commissioner Suesser asked for the dimensions of the existing faux chimneys and the proposed faux chimneys. Mr. Hawks shared the Existing Antenna Plan and the New Antenna Plan. It will be increased by 1-foot-six inches on the left chimney and 1-foot-4 inches on the right chimney to accommodate the new equipment in those areas. The same type of screening will be used, so it will look nearly identical to how it looks now.

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

Commissioner Frontero finds the request to be reasonable. It mitigates the reasonably anticipated detrimental effects of the proposed use. He found Figure 4 to be helpful and also finds the Conditions of Approval that have been proposed by Staff to be reasonable. Commissioner Shand agrees and feels that this is a fairly straightforward application.

MOTION: Commissioner Van Dine moved to APPROVE the Modification to a Conditional Use Permit for 7720 Royal Street, based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval:

Findings of Fact

1. The property is in the Residential Development (RD) Zoning District, the Sensitive Land Overlay (SLO), and the Deer Valley Master Planned Development (MPD).
2. The property is subject to the Sterlingwood Phase II MPD.
3. The Parcel is Lot 1 of the Silver Lake East Subdivision (Summit County Entry # 326573) and the Expandable Area of the Sterlingwood Condominiums (Summit County Entry # 228724).
4. The proposal would expand the existing faux chimneys on the roof, allowing them to contain additional antenna equipment.
5. The proposal also includes the replacement of equipment in the existing mechanical equipment room, resulting in no exterior changes to the building.
6. On May 22, 1991, the Planning Commission approved the MPD for Sterlingwood Phase II, which would become the Deer Valley Club.
7. On January 8, 1992, the Planning Commission modified the approved MPD to resolve an issue with an Easement that had avoided notice in the original approval.
8. Although the MPD required the recordation of a Sterlingwood Phase II Condominium Plat, no Plat is on file for this property at Summit County.
9. On March 14, 2001, the Planning Commission approved a Conditional Use Permit (CUP) to expand the existing chimneys on Building 4, creating faux chimneys that would allow for the installation of Telecommunications Equipment, as well as the expansion of the Building Footprint to allow for the creation of an equipment shelter to support the new Telecommunications Facility.
10. On December 2, 2024, the Applicant filed an application to modify the CUP.
11. The proposal to Modify the Telecommunications Facility Conditional Use Permit complies with the Residential Development Zoning District regulations outlined in Land Management Code Chapter 15-2.13 and with the Master Planned Development for the site approved by the Planning Commission in 1991.

- a. LMC § 15-2.13-2(B)(8) establishes that a Telecommunication Antenna is a Conditional Use in the RD Zoning District.
 - b. The proposed Modification complies with the Lot and Site Requirements detailed in LMC § 15-2.13.2-3. The Footprint of the existing structure will not be modified because the expanded faux chimneys are located on the existing Roof, and the equipment room built as part of the 2001 CUP will not be expanded to accommodate the new equipment.
 - c. The proposed Modification complies with LMC § 15-2.13-4. At 36.6 feet in height, the existing faux chimneys exceed the Zone Height of 28 feet. However, the original chimneys—of a smaller size but the same height as the faux chimneys approved in 2001—were included in the original plans approved by the Planning Commission for the 1991 MPD.
 - d. The height of the chimneys was not increased in 2001 and will not be increased under this approval (Condition of Approval 3).
12. The proposal to Modify the Telecommunications Facility Conditional Use Permit complies with the Sensitive Land Overlay regulations outlined in Land Management Code Chapter 15-2.21.
- a. While the Deer Valley Club is in the SLO, exterior changes to the existing Deer Valley Club are limited to the horizontal expansion of the faux chimneys.
 - b. 7720 Royal Street is not visible from any of the Vantage Points codified in LMC § 15-2.21-3(A)(6).
13. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in Land Management Section 15-1-10(E).
- a. Size and location of the Site: *No unmitigated impacts*. The project involves the minor expansion of two existing faux chimneys on the primary structure to accommodate telecommunications infrastructure. The project will not result in any height increase.
 - b. Traffic considerations: *No unmitigated impacts*. The project will not generate additional traffic or impact the capacity of existing streets in the Area.

- c. Utility capacity, including Storm Water run-off: *No unmitigated impacts*. The Development Review Committee reviewed the project and did not identify any impacts to utility capacity of Storm Water run-off.
- d. Emergency vehicle Access: *No unmitigated impacts*. The project will not impact emergency vehicle access.
- e. Location and amount of off-Street parking: *No unmitigated impacts*. The project will not generate additional off-Street parking needs. There is no off-Street parking requirement for Telecommunications Facilities in LMC Chapter 15-3. Therefore, expansion of this ancillary Use does not trigger any additional required parking.
- f. Internal vehicular and pedestrian circulation system: *No unmitigated impacts*. The project will not create impacts to the internal vehicular and pedestrian circulation system.
- g. Fencing, Screening, and landscaping to separate the Use from adjoining Uses: *Condition of approval recommended*. Existing rooftop infrastructure is located within two faux chimneys screened from public view and designed to match Building materials and colors. The project involves the minor expansion of these chimneys to accommodate new infrastructure. The expanded chimneys will be constructed to match existing materials and colors (Condition of Approval 4). No increase in height is proposed. The chimneys are on the east (rear) façade of the Building and are not visible from most points along Royal Street (see Figure 7). Additional infrastructure is proposed within an enclosed utility room.
- h. Building mass, bulk, and orientation, and the location of Buildings on the Site: *No unmitigated impacts*. The project does not involve significant changes to the mass, bulk, orientation, or location of Buildings at 7720 Royal Street. The existing faux chimneys are approximately 31 square feet and 33 square feet and will be increased to approximately 39 square feet and 43 square feet, respectively, a total increase of approximately 18 square feet. No expansion of the utility room is proposed.
- i. Usable Open Space: *No unmitigated impacts*. No usable Open Space will be impacted.
- j. Signs and lightings: *No unmitigated impacts*. No signs or lighting are proposed.

- k. Physical design and Compatibility with surrounding Structures: *Condition of approval recommended.* The project is designed to match existing Building materials and colors, as required by Condition of Approval 4.
- l. Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site: *No unmitigated impacts.* The Telecommunications Facilities will not generate odors or steam. Although construction and operation of the equipment could create minimal noise and vibration, the project is required to abide by the noise regulations in LMC Chapter 6-3.
- m. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas: *No unmitigated impacts.* The project does not require delivery and service vehicles, loading and unloading zones, or trash and recycling facilities.
- n. Expected ownership and management of the property: *No unmitigated impacts.* The project involves continuation of an existing ancillary Use at 7720 Royal Street. No changes to ownership or management of the property are proposed.
- o. Within and adjoining the Site, Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site: *No unmitigated impacts.* The project is within the Sensitive Land Overlay. The project site does not include mine hazards or historic mine waste and is not within the Park City Soils Ordinance Boundary. The project does not involve development on Steep Slopes.
- p. Reviewed for consistency with the goals and objectives of the Park City General Plan: Small Town Goal 4 in the General Plan states “Materials and methods of construction should be specific to the region, exhibiting a continuity of history and culture and compatibility with the climate to encourage the development of local character and community identity.” The project is designed to match the existing Building façade, demonstrating consistency with community design guidelines and contributing to the identity of the Lower Deer Valley neighborhood.

14. The proposal, as conditioned, complies with the regulations for Telecommunications Facilities outlined in Land Management Code Section 15-4-14. Regulations governing Telecommunications Facilities are intended to ensure infrastructure is compatible with the unique characteristics of each Zoning District and that adverse impacts on community quality and safety are mitigated. The following regulations apply:

- **Requirement:**

- A. The installation of Telecommunication Facilities, unless otherwise addressed in this Code, shall be deemed a Conditional Use and subject to the Park City Building Permit process. It shall be unlawful to install any Telecommunication Facility without first having a CUP and Building Permit from the City.

- **Analysis of Proposal:**

- Complies. The Planning Commission approved a CUP for a Telecommunications Facility at 7720 Royal Street on March 14, 2001. Modification of an existing CUP requires review and approval by the Planning Commission. Condition of Approval 5 requires the Applicant to obtain a Building Permit prior to construction of any approved project.

- **Requirement:**

- B. (1). Each Applicant shall present documentary evidence regarding the need for Telecommunications Facilities within the City. This information shall identify the Applicant's existing Telecommunications Facilities and coverage Areas to demonstrate the need for the proposed Telecommunications Facility within the City.

- **Analysis of Proposal:**

- Complies. The Applicant indicated the project will improve coverage and capacity to Verizon customers and first responders in the service area.

- **Requirement:**

- B. (2-4) Requirements 2-4 apply to new Telecommunications Facilities.

- **Analysis of Proposal:**

- Complies. The project involves only minor modifications to an existing Telecommunications Facility.

- **Requirement:**

- B. (5) A visual impact study, graphically simulating through models, computer-enhanced graphics, or similar techniques, the appearance of any proposed Telecommunications Facility and indicating its view from at least five (5) locations around and within one (1) mile of the proposed Telecommunications Facility will be most visible.

- **Analysis of Proposal:**

- The Applicant submitted a photo simulation showing existing and proposed conditions along the east (rear) façade of the Building, where the rooftop infrastructure is proposed. Because the project does not involve an

increase in height for the existing faux chimneys, a single photo simulation is sufficient to establish the project's visual impacts.

- **Requirement:**
 - C. Requirement (C) relates to federal regulations. Compliance with these regulations is established during the Building Permit phase.
- **Analysis of Proposal:**
 - Complies. Condition of Approval 5 requires the Applicant to obtain a Building Permit prior to construction of any approved project.
- **Requirement:**
 - D./E. Requirements (D) and (E) establish that Telecommunications Facilities are not regulated or permitted as essential services or utilities and require a CUP.
- **Analysis of Proposal:**
 - Complies. Refer to Finding of Fact 13 for analysis of CUP criteria.
- **Requirement:**
 - F. Requirement (F) establishes Setback, Height, Use, and Design requirements for Telecommunications Facilities.
- **Analysis of Proposal:**
 - Complies. The project complies with underlying Setback and Height requirements for the RD Zoning District. The Telecommunications Facility is an ancillary Use.
- **Requirement:**
 - G. Requirement (G) applies to projects requiring the removal of Significant Vegetation or the expansion or construction of driveways or roads.
- **Analysis of Proposal:**
 - Complies: The project does not involve the removal of Significant Vegetation or the expansion or construction of driveways or roads.
- **Requirement:**
 - H. Enclosed Antennas are prohibited within a Historic Structure or within the POS zone unless approved by the Planning Commission as a CUP.
- **Analysis of Proposal:**
 - Complies. There are no Historic Structures at 7720 Royal Street. The project is not located within the POS Zoning District.
- **Requirement:**
 - I. Requirement (I) applies only to projects that do not meet the criteria in Requirements F-H.
- **Analysis of Proposal:**
 - Complies. The project complies with all criteria for Requirements F-H.
- **Requirement:**
 - J. Requirement (J) applies to new Telecommunications Facilities.
- **Analysis of Proposal:**
 - The project involves modifications to an existing Telecommunications Facility.
- **Requirement:**

- K. Requirement (K) concerns signs associated with Telecommunications Facilities.
 - **Analysis of Proposal:**
 - Complies. The project does not involve the installation of any signs.
 - **Requirement:**
 - L.-O. Requirements L-O relate to permits for temporary antennas, Subdivision and Condominium covenants, and abandonment of Telecommunications Facilities.
 - **Analysis of Proposal:**
 - Complies. The project does not involve the construction of a temporary antenna. Condition of Approval 6 requires the Applicant to obtain a Building Permit within one (1) year of project approval, or the approval is void. The Applicant submitted documentation from the property owner indicating consent to locate the project within the existing rooftop infrastructure.
15. The Development Review Committee (DRC) reviewed the proposal on February 4, 2025, and does not require Conditions of Approval. The proposal complies with the DRC's required standards.
 16. Staff published notice on the City's website and the Utah Public Notice website and posted notice to the property on February 12, 2025.
 17. Staff mailed courtesy notice to property owners within 300 feet on February 12, 2025.
 18. *The Park Record* published courtesy notice on February 12, 2025.

Conclusions of Law

1. The proposed Modification to the CUP, as conditioned, complies with the requirements of the Land Management Code.
2. The proposed Modification to the CUP is compatible with surrounding structures in use, scale, mass, and circulation.
3. The proposed Modification to the CUP is compatible with the Deer Valley and Sterlingwood II MPDs.
4. The differences in use or scale of the Modification to the CUP for a Telecommunications Facility have been mitigated through careful planning and Conditions of Approval.

Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the final plans submitted to the Planning Department and reviewed on February 26, 2025, by the Planning Commission and attached to this Final Action Letter as Attachment 1.
2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with applicable standards by the Planning Director prior to construction.
3. The height of the expanded faux chimneys shall not increase from the height of the existing faux chimneys.
4. The expanded faux chimneys shall be constructed to match existing materials and colors.
5. The Applicant shall obtain a Building Permit prior to commencement of any work for the approved project.
6. The Applicant shall obtain a Building Permit within one year of project approval, or the approval is void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the Planning Commission.

The motion was seconded by Commissioner Shand. The motion passed with the unanimous consent of the Commission, with Commissioner Johnson recused.

- B. 91 King Road – Steep Slope Conditional Use Permit** – The Applicant Proposes to Construct a New Single-Family Dwelling in the Historic District – Low Zoning District. PL-24-06329.

Planner III, Lillian Zollinger, presented the Staff Report and explained that the application is for a Steep Slope CUP for 91 King Road. The property is in the Historic Residential – Low Zoning District. There is an existing single-family dwelling on the site that is proposed to be removed. A new single-family dwelling is proposed to be added to the site. The site itself is relatively flat at the front where the existing single-family dwelling is located, but the rear of the property has an approximate 86% slope, which qualifies this proposal for a Steep Slope CUP. Since this site is in the Historic Residential – Low Zoning District, it has different lot requirements than what is seen in Historic Residential – 1. There is a greater minimum lot size and a greater minimum lot width that is required.

This lot does not meet those requirements, so there was a variance application in 2021. That variance granted the applicant a smaller lot and smaller width than what is typically required. Since this is an usual lot, the Planning Director determined setbacks for this site, where all of the side setbacks are three feet, and the front setback off of King Road is 10 feet. Ridge Avenue is on the rear portion and there is also a 10-foot setback there.

As conditioned, the proposal is compliant with the setbacks, maximum building footprint, building height, and parking requirements. The proposal, as conditioned, is also compliant with the Steep Slope CUP requirements. Planner Zollinger shared an image of what is proposed. There is terracing to keep the structure within the 4-foot existing and final grade requirement and to prevent any landslides from the steep grade on the side.

Additional images of the proposed development were reviewed. This proposal will be required to be reviewed under Historic District Design Review ("HDDR") for final design compliance. Planner Zollinger shared some of the proposed Conditions of Approval. The applicant representative, Johnathan DeGray, offered to answer Commissioner questions.

Commissioner Shand asked if there is access to the single-family home off Ridge Avenue. Mr. DeGray denied this and explained that it is the backyard area of the home. Commissioner Suesser requested clarification on the image of the home which appears to show a proposed driveway to a garage. That would provide the two spaces required for parking, but it looks like there is a concrete pad shown as well. Planner Zollinger understands that it is just part of the rendering and there will be vegetation in those locations. Mr. DeGray clarified that there will be a sidewalk in front of the entry stoop, which is underneath the covered porch. There will be landscaping there, as seen in the plan. Commissioner Suesser believed there should be a clarifying Condition of Approval to state that there should be no additional parking in front of the home, other than the one space on the driveway. Mr. DeGray expressed support for a clarifying condition.

Commissioner Suesser mentioned access to the hot tub in the rear of the home, where the steps are shown. She asked for clarification about whether or not that is part of the application. Planner Zollinger reported that one of the Conditions of Approval requires the applicant to update the plans to comply with the front setback requirements. A hot tub would not be allowed in the front setback, so that will need to be removed, but the stairs leading to a structure are considered an allowed structure in the front setback. The staircase coming out of the back door servicing the patio would be allowed to remain. Mr. DeGray clarified that the hot tub was proposed to be in the rear of the house, but since there is Ridge Avenue on the back, that area is classified as a front setback as well.

Commissioner Suesser asked if there will be a shoring wall built at the rear of the home. Mr. DeGray assumed so. Commissioner Suesser wanted to know if Staff analyzed the height of that shoring wall and created relevant Conditions of Approval. Planner Zollinger confirmed that there are conditions related to the shoring wall that need to be provided at the Building Permit stage. It will have to comply with the engineering regulations.

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

Commissioner Johnson mentioned Condition of Approval #18, which stated: "The plans shall also be updated to comply with Front Setback regulations outlined in LMC § 15-2.21-3(G)." Director Ward clarified that there is a typo, and it should be 15-2.1-3.

MOTION: Commissioner Frontero moved to APPROVE the Steep Slope Conditional Use Permit for a new single-family dwelling at 91 King Road, based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact

1. 91 King Road is an unusual Lot because it is not a rectangle.
2. The property is in the Historic Residential - Low Density (HRL) Zoning District.
3. An existing non-historic Single-Family Dwelling (SFD) was constructed in 1970 on-site.
4. The Applicant proposes to demolish the existing SFD and construct a new one.
5. On August 24, 2021, the Board of Adjustment approved a Variance from the minimum Lot size, Lot width, and Setbacks for 91 King Road, which allowed the Applicant to complete a Plat Amendment. Condition of Approval 5 of the Variance states, "all future development on the Lot shall comply with the requirements of the Historic Residential - Low Density (HRL) Zoning District."
6. 91 King Road is Lot B of the 91 & 95 King Road Plat Amendment approved under Ordinance No. 2021-39 by the City Council on October 7, 2021.
7. The new SFD proposes constructing approximately 430 square feet on an existing Slope of thirty percent (30%) or greater. Therefore, pursuant to § 15-2.1-6, an SSCUP application is required.
8. In conjunction with the SSCUP, the Applicant submitted a Historic District Design Review (HDDR) Application (PL-24-06328). The HDDR Application approval is subject to the approval of this SSCUP.
9. The minimum Lot size in the HRL Zoning District is 3,750 square feet. In 2021, the Board of Adjustment found the property met the Variance criteria

and granted a Variance from the minimum Lot size for the 2,298-square-foot Lot.

10. The maximum Lot size in the HRL Zoning District is 5,625 square feet. The Lot is 2,298 square feet and complies.
11. The minimum Lot width in the HRL Zoning District is 35 feet. In 2021, the Board of Adjustment found the property met the Variance criteria and granted a Variance from the minimum Lot width, approving the 32-foot Lot width.
12. The maximum Building Footprint in the HRL Zoning District for a Lot that is 2,298 square feet is 1,010 square feet. The proposed Building Footprint is 988 square feet and complies.
13. LMC § 15-4-17 outlines the Setbacks for an unusual Lot. On February 13, 2025, the Planning Director determined the Setbacks for 91 King Road.
14. The minimum Front and Rear Setbacks for Lots 75 feet or less in depth in the HRL Zoning District is 10 feet each. The Lot is 74.95 feet deep at its longest point. The proposed SFD has a 10' west Front Setback and a 10' east Front Setback. The proposed SFD complies with Setback requirements.
15. Minimum Side Setbacks for Lots up to 37.5' in width are three feet each in the HRL Zoning District. The Lot is 32 feet in width. The proposed SFD has a three-foot side Setback for each side and complies.
16. The maximum building height is 27 feet from Existing Grade in the HRL Zoning District. The proposed maximum building height is 27' from Existing Grade and complies.
17. The HRL Zoning District requires a ten-foot minimum horizontal step in the downhill façade. The proposed SFD steps back for 20 feet at 22 feet 11-3/8 inches feet from the lowest point of Existing Grade and complies.
18. Final Grade must be within four feet of existing grade in the HRL Zoning District. The proposed Final Grade is within four feet of Existing Grade.
19. Structures cannot exceed 35 feet from the lowest floor plane to the point of highest wall top plate that supports the ceiling joists or roof rafters in the HRL Zoning District. The proposal has an interior height of 35 feet and complies.

20. The roof pitch for the Contributing Roof Form must be between 7:12 and 12:12 in the HRL Zoning District and occupy a minimum horizontal distance of 20 feet measured from the primary façade to the rear of the building, as viewed from the primary public right-of-way. The proposed roof pitch is 7:12. The entire First Story is located under the finish grade on all sides of the structure. However, the Applicant still proposes a 20-foot step down at approximately 22 feet, eight inches.
21. Per Land Management Code (LMC) § 15-2.1-6, SSCUP applications are subject to the following criteria:
- **LOCATION OF DEVELOPMENT** – *Development is located and designed to reduce visual and environmental impacts of the Structure.*
 - **Complies:** The proposed SFD is less than the 1,010-square-foot Maximum Building Footprint and is compliant with the required Setbacks, step-back, and height. The slope of the site is the steepest at the rear, and the SFD has been designed to step up the hillside, in a similar pattern to adjacent properties on the street.
 - **VISUAL ANALYSIS** – *The Applicant must provide the Planning Department with a visual analysis of the project from key Vantage Points: To determine potential impacts of the proposed Access and Building mass and design; and to identify the potential for Screening, Slope stabilization, erosion mitigation, vegetation protection, and other design opportunities.*
 - **Complies:** The Applicant provided the following photos, taken from Ontario Avenue and Prospect Avenue, showing the visibility of the new proposed SFD. The proposed SFD is mostly concealed from these locations due to the change in elevation, existing structures, and vegetation.
 - **ACCESS** – *Access points and driveways must be designed to minimize Grading of the natural topography and to reduce overall Building scale. Shared Driveways and Parking Areas, and side Access to garages are strongly encouraged, where feasible.*
 - See Condition of Approval 16: The proposed Site is located off King Road, with the Front Property Line approximately 6 feet from the road. The front of the Lot, where the driveway will go, is not very steep and will not require much grading. The Applicant will be required to record an encroachment agreement with the City for A 10-foot-wide heated driveway access to the site.
 - **TERRACING** – *The project may include terraced retaining Structures if necessary to regain Natural Grade.*
 - **Condition of Approval 19:** The Applicant proposes eleven retaining walls, less than six feet in height, on the south, east, and west sides, to be within four feet of the Existing Grade. The Engineering Department noted that the proposed terraced walls and their heights were compliant with the findings of the Geotech report and requirements for soil retention (see Exhibit C). If

the Applicant proposes additional retaining walls or increases in retaining wall heights, the Applicant will be required to file a modification application for Planning Commission review and approval prior to construction.

- **BUILDING LOCATION** – *Buildings, Access, and infrastructure must be located to minimize cut and fill that would alter the perceived natural topography of the Site. The Site design and Building Footprint must coordinate with adjacent properties to maximize opportunities for open Areas and preservation of natural vegetation, to minimize driveway and Parking Areas, and to provide variation of the Front Yard.*
 - **Complies:** The Applicant proposes a smaller footprint than the maximum allowed and coordinated the front of the structure to start in a similar location to the adjacent structures.
- **BUILDING FORM AND SCALE** – *Where Building masses orient against the Lot's existing contours, the Structures must be stepped with the Grade and broken into a series of individual smaller components that are Compatible with the District. Low profile Buildings that orient with existing contours are strongly encouraged. The garage must be subordinate in design to the main Building. In order to decrease the perceived bulk of the Main Building, the Planning Director and/or Planning Commission may require a garage separate from the main Structure or no garage.*
 - **Complies:** The proposed structure is broken up into two masses; the structure stays level with the grade at the front of the property and then steps up in the rear as the slope increases. The front portion of the structure stays under 23 feet in height until the slope starts to increase, approximately 20 feet back. This reduction in height from the allowed 27 feet is not required, as analyzed above, because the entire First Story of the structure is below Final Grade. The Applicant proposes a shorter, less impactful structure to reduce the scale of the structure as viewed from the road. Additionally, the single-car garage is subordinate to the structure and set back over two and a half feet from the pedestrian entrance.
- **SETBACKS** – *The Planning Commission may require an increase in one or more Setbacks to minimize the creation of a "wall effect" along the Street front and/or the Rear Lot Line. The Setback variation will be a function of the Site constraints, proposed Building scale, and Setbacks on adjacent Structures.*
 - **See Condition of Approval 20:** The proposed structure is compliant with the required Setbacks of the HRL Zoning District. The proposed SFD sets back from King Road ROW in a distance similar to adjacent properties and to reduce excavation at the rear where the slope is steepest. The Applicant shall update the plans to show the east Front Setback complies with the Ridge Avenue ROW.
- **DWELLING VOLUME** – *The maximum volume of any Structure is a function of the Lot size, Building Height, Setbacks, and provisions set forth in this Chapter. The Planning Commission may further limit the volume of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and existing Structures.*

- **Complies:** As seen from King Road, the proposed SFD looks more like a two-story structure. The proposed volume is compliant with the HRL Zoning District Lot and Site requirements as analyzed above.
 - **BUILDING HEIGHT | STEEP SLOPE** – *The Zone Height in HRL is 27' for Structures and is restricted as stated above in Section 15-2.1-5. The Planning Commission may require a reduction in Building Height for all, or portions, of a proposed Structure to minimize its visual mass and/or to mitigate differences in scale between a proposed Structure and the Historic character of the neighborhood's existing residential Structures.*
 - **Complies:** The proposed SFD height is 26' 8". The tallest portion of the structure is at the rear of the Lot, less visible from King Road, and steps up the hillside, similar to the adjacent properties.
22. The analysis of the Staff Report is incorporated herein.
23. Staff published notice on the City's website and posted notice to the property on February 12, 2024. Staff mailed courtesy notice to property owners within 300 feet and posted notice to the property on February 12, 2024. The Park Record published notice on February 12, 2024.

Conclusions of Law

1. The proposal complies with the LMC requirements in Chapter 15-2.1, Historic Residential - Low (HRL) District.
2. The proposal complies with the LMC requirements in Chapter 15-2.1-6, Development on Steep Slopes in the HRL District.
3. The proposal complies with the LMC requirements in Chapter 15-3, Off-Street Parking.

Conditions of Approval

1. Final building plans and construction details shall reflect substantial compliance with the plans reviewed February 26, 2025, by the Planning Commission, pending design modifications required for Historic District Design Review compliance. 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 shall receive approval of a Historic District Design Review prior to submitting a Building Permit application.

3. If the Applicant does not obtain a Building Permit within one year of the date of this approval, this SSCUP approval will expire unless the Applicant submits a written extension request to the Planning Department prior to the expiration date and the Planning Director approves an extension.
4. The applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans.
5. Any changes, modifications, or deviations from the approved scope of work, in 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.
6. Residential fire sprinklers are required for all new construction on this lot, per requirements of the Chief Building Official.
7. The property is located outside 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.
8. Any areas disturbed during construction surrounding the proposed work shall be brought back to their original state. The Final Grade shall be within four feet of Existing Grade.
9. City approval of a Construction Mitigation Plan (CMP) is a condition precedent to the issuance of any Building Permits. The CMP shall include language regarding the method of protecting adjacent structures.
10. City Engineer review and approval of all lot grading, utility installations, public improvements, and drainage plans for compliance with City standards is a condition precedent to Building Permit issuance.
11. All outdoor lighting must be down-directed, fully shielded, with bulbs 3000-degree Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light-emitting part. The top and sides of a Fully Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture. Final lighting details shall show compliance with this condition and shall be reviewed by the Planning Staff prior to installation.

12. The Applicant shall submit final slope stability prior to submitting a Building Permit, subject to City Engineer approval.
13. The Applicant shall provide soil stabilization and drainage details documenting how the disturbed area will be restored and stabilized prior to submitting a Building Permit, subject to City Engineer approval.
14. Prior to submitting a Building Permit, the Applicant shall submit a plan demonstrating how they will provide the temporary shoring needed during construction, subject to City Engineer approval.
15. Retaining walls cannot exceed the height approved as part of this SSCUP without modifying the SSCUP.
16. The Applicant shall obtain an Encroachment Agreement for driveway access with the Engineering Department for the heated driveway.
17. If the Applicant proposes additional retaining walls not approved under this SSCUP, the Applicant must file a modification application and return to the Planning Commission for review and approval prior to submitting a revised Building Permit.
18. The Applicant shall update the final plans to show the Front Setback complies with Ridge Avenue Right-of-Way according to the LMC § 15-15-1 definition of *Setback*. The plans shall also be updated to comply with Front Setback regulations outlined in LMC § 15-2.1-3.
19. No additional parking in front of the home, other than the space on the driveway.

The motion was seconded by Commissioner Van Dine. The motion passed with the unanimous consent of the Commission.

- C. 2250 Deer Valley Drive South – Conditional Use Permit** – The Applicant Proposes to Construct the Bottom Terminal for Ski Lift 7, a 1,185-Square-Foot Lift Storage Building, a 1,464-Square-Foot Pumphouse, and a Realigned 0.3-Mile Ski Run in the Recreation Open Space Zoning District and Sensitive Land Overlay. PL-24-06291.

Planner II, Virgil Lund, presented the Staff Report and explained that this application is for the Phase II CUP for Deer Valley Lift 7. The property is located at 2250 Deer Valley Drive South. On May 22, 2024, the Planning Commission approved the Phase I CUP for Lift 7. It included a building pad for the bottom terminal and the bottom lift storage building, not to exceed 13,543 square feet and 4.62 miles of new ski runs. On September

24, 2024, the Phase II CUP was submitted. It included a realigned ski run, 1,464 square foot pumphouse for snowmaking abilities, and a 1,185 square foot lift storage building.

On January 22, 2025, the Planning Commission approved an addendum amending the Flagstaff Technical Report #5 – Open Space Management Plan and #13 – Wildlife Management Plan. Planner Lund shared images of the proposal that were provided by the applicant, including a 3D rendering of the bottom terminal and lift storage building. He reviewed the overhead floor plan for the proposed bottom terminal and lift storage building. There is also a small operator house to the right of the lift storage building. Planner Lund explained that this will be included with the lift terminal and is consistent with other lift terminals on the resort. The realigned ski run was shared. The originally approved ski run is shown in blue and the adjusted ski run is shown in red.

The proposal complies with the Recreation and Open Space Zoning District requirements regarding setbacks and building height. All the proposed buildings and accessory buildings are under the 28-foot limit. As for vegetation protection, an image was shown that indicates the amount of disturbance needed for the realigned ski run shown in red, and the original approval is shown in blue. The proposal complies with the SLO requirements regarding steep slopes, ridgelines, wetlands, and wildlife. Planner Lund reported that the proposal complies with the CUP criteria as well. Staff recommends the Planning Commission review the proposal and consider approving the Phase II CUP, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval in the Draft Final Action Letter. He reviewed some of the Conditions of Approval listed.

Vice-President of Resort Planning for Deer Valley, Hannah Tyler, introduced herself to the Commission. The rest of the applicant team introduced themselves, including Senior Director of Mountain Operations, Garrett Lang, Vice-President of Mountain Operations, Steve Graff, and Jason Boal with Snell & Wilmer. Ms. Tyler noted that the Commission will review three key pieces of the application: the lift maintenance and operator house, the relocation and modification of the pumphouse, and the realignment of ski run 7c.

After receiving approval in May 2024, there were discussions about what needed to be done to adequately put a lift maintenance and operator house at the base. Ms. Tyler explained that this resulted in a significantly reduced structure from what was approved last May. At that time, the building footprint was 8,446 square feet. The proposal is now a 1,185-square-foot lift maintenance structure. Since the operator's house is less than 600 square feet, it does not require a Planning Commission review. However, there is a desire to be transparent during the Planning Commission process. A lot of the architecture of the structure will look similar to the Burns Express terminal and operator house. That includes horizontal corrugated metal that is painted green, with black trim and black windows. She asked Mr. Lang to share information about the pumphouse relocation.

Mr. Lang reported that the pumphouse will only move slightly. It will be relocated a bit further downhill. That will require less excavation and less retainage because there is a flatter area. It will still allow them to have the pump capacity needed and integrate into the existing reservoir. Ms. Tyler added that the architecture will be similar to the operator and maintenance structures. Mr. Graff discussed the realignment of 7c. With recommendations from the wildlife consultants, a better alignment was created. It preserves more bird habitat, protects vegetation that supports wildlife food sources, and utilizes existing mountain bicycle trail corridors to reduce vegetation removal. It also avoids a steep rock band and slope. It came out to a 1.03-acre reduction in Ski Run 7c's limit of disturbance. It follows natural terrain and less excavation work needs to be done.

Commissioner Suesser is pleased that the storage structure was reduced so significantly. That is a relief because there were some previous Commissioner concerns about that. As for the significant vegetation, she pointed out that there will still be 3.45 acres removed. It seems like the requirement, as currently drafted, is for additional dead and dying significant vegetation to be removed in an area equivalent to this. She asked if that area had been identified yet and wondered whether it is possible to replace some vegetation. Planner Lund explained that this was carried over from the original Phase I CUP that was required from the Forestry Board. After the Forestry Board reviewed the proposal, they determined that it would be better for forest health to remove the dead and dying vegetation that is on the forest floor so new vegetation can spring up in its place. Commissioner Suesser asked if the Forestry Board will review that removal. Planner Lund clarified that the Forestry Board will not review what will be removed. It is up to the Deer Valley forestry experts to determine which area would be best for that to occur.

Commissioner Shand wanted to know why the storage structure has been reduced. Mr. Graff stated that it has been reduced for a number of reasons. The terminal will not be enclosed in the building anymore and there will be a standalone terminal. The building itself will be for two to three chairs at a time for inspection and maintenance. There are terminals that will be able to store the carriers at the top and bottom, so those will not be on the line at night. While not totally enclosed, those will be covered in the structures.

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

Commissioner Frontero finds the reduction of the storage structure improves the application. That was an area that he was concerned about previously. As for the realignment of the ski run, it looks to be a much better proposal. He asked if this was largely the result of the Wildlife Report. It was clarified that the report was a factor in the decision as was the terrain that was identified. It better lends itself to the ski run and fits better naturally. A lot more cut and fill would have been in the original location.

Commissioner Johnson asked if it is possible to incorporate a Condition of Approval that speaks to the best management practices that were recommended by the wildlife consultant. He shared some proposed language: "Prior to any land clearing, surveys for

any active avian nests must be performed no more than one week prior to any work within a 300-foot buffer on either side of the clearing.” The condition language was finalized:

- The Applicant shall incorporate all recommendations and findings from the updated Technical Report #13 Wildlife Management Plan.

MOTION: Commissioner Suesser moved to APPROVE the Conditional Use Permit for 2250 Deer Valley Drive South, for a realigned ski run, bottom lift terminal, 1,464-square-foot pumphouse, and 1,185-square-foot lift storage building, based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact

1. On November 6, 2023, Deer Valley Resort submitted a Conditional Use Permit (CUP) application to construct:
 - a. 4.62 miles of new ski runs;
 - b. A new six-passenger 0.56-mile-long ski lift on Park Peak between Bald Mountain Peak and Flagstaff Peak for beginner skier access to the higher elevations of Deer Valley Resort;
 - c. An 8,483-square-foot terminal and lift storage building; and
 - d. A 375-square-foot operator house.
2. On April 15, 2024, the Planning Commission and City staff participated in a Site Visit to see the proposed project area. The Applicant provided a tour showing the proposed lift alignment and ski runs from three separate vantage points: West- Flagstaff Mountain, East- Bald Mountain, and the proposed bottom terminal and lift storage building.
3. On May 22, 2024, the Planning Commission approved the CUP for a new ski lift (Lift 7) with a bottom terminal and lift storage Building Pad not to exceed 13,543 square feet, a 375-square-foot operator house, and 4.62 miles of new ski runs. The Applicant deferred the requested terminal and lift storage building to a later CUP.
4. On September 24, 2024, Deer Valley Resort submitted the Phase II CUP for Lift 7 to realign one of the approved Ski Runs and construct the bottom terminal for Lift 7, with a 1,185-square-foot lift storage building and a 1,464-square-foot pumphouse.

5. The realigned ski run, bottom lift terminal, 1,464-square-foot pumphouse, and 1,185-square-foot lift storage building are proposed to be constructed on Parcels PCA-S-98-R and PCA-S-85-D, in the Upper Deer Valley neighborhood of the General Plan (p. 13), the Recreation and Open Space Zoning District, and the Sensitive Land Overlay.
6. These Parcels are also within the Flagstaff/Empire Pass Master Planned Development (MPD). The Flagstaff Development Agreement (pg.15) outlines the review process for Upper Deer Valley ski lifts that are part of the Deer Valley Ski Area Master Plan. Ski lifts included in the Deer Valley Ski Area Master Plan require an Administrative Conditional Use Permit with the Planning Director's Final Action. The proposed realigned ski run, bottom lift terminal, 1,464-square-foot pumphouse, and 1,185-square-foot lift storage building are not in the Deer Valley Ski Area Master Plan or the Flagstaff Development Agreement and therefore require a CUP and Planning Commission Final Action. Land Management Code Section 15-6-8(G) establishes maintenance and storage facilities as Resort Accessory Uses that do not require the use of Unit Equivalents within an MPD.
7. On January 22, 2025, the Planning Commission approved an addendum amending Flagstaff Development Agreement Technical Report #5 Open Space Management Plan and #13 Wildlife Management Plan.
8. The proposed realigned ski run, bottom lift terminal, 1,464-square-foot pumphouse, and 1,185-square-foot lift storage building comply with the Recreation and Open Space Zoning District requirements.
 - a. LMC § 15-2.7-2(C)(8) requires Planning Commission review of a CUP for ski runs and LMC § 15-2.7-2(C)(14) requires Planning Commission review of a CUP for Ski-Related Accessory Buildings greater than 600 square feet proposed within the Recreation and Open Space (ROS) Zoning District.
 - b. The purpose of the ROS Zoning District is to:
 - i. Establish and preserve districts for land uses requiring substantial Areas of open land covered with vegetation and substantially free from Structures, Streets and Parking Lots.
 - ii. Permit recreational Uses and preserve recreational Open Space land.
 - iii. Encourage parks, golf courses, trails and other Compatible public or private recreational Uses.

- iv. Preserve and enhance environmentally sensitive lands, such as wetlands, Steep Slopes, ridge lines, meadows, stream corridors, and forests, and
 - v. Encourage sustainability, conservation, and renewable energy.
- c. The proposed realigned ski run, bottom lift terminal, 1,464-square-foot pumphouse, and 1,185-square-foot lift storage building will provide additional recreational opportunities for residents and visitors of Park City.
- d. Recreation and Open Space Zoning District Setbacks:
- i. All Structures must be no less than 25 feet from the boundary line of the Lot, district, or public Right-of-Way.
 - ii. The realigned ski run, bottom lift terminal, 1,464-square-foot pumphouse, and 1,185-square-foot lift storage building are proposed to be constructed on metes-and-bounds Parcels leased by Deer Valley Resort. The ski lift bottom terminal and lift storage building are proposed to be constructed adjacent to Parcel PCA-S-79-C, which is excluded from Deer Valley Resort's lease and is under separate ownership. The ski lift bottom terminal must meet at least a 25-foot Setback from Parcel PCA-S-79-C. The Applicant exceeds this requirement, and the proposed ski lift terminal and lift storage building are set back 106 feet from Parcel PCA-S-79-C. The proposed pumphouse is set back greater than 700 feet from any parcel boundary line.
- e. Recreation and Open Space Zoning District Vegetation Protection:
- i. LMC § 15-2.7-6 requires the Applicant to protect Significant Vegetation during construction within the ROS Zoning District. Significant Vegetation includes large trees six inches in diameter or greater measured four and one-half feet above the ground, groves of smaller trees, or clumps of oak and maple covering an Area fifty square feet or more measured at the drip line.
 - ii. The 7c ski run that was part of the Phase I Lift 7 CUP included the removal of Significant Vegetation for 4.48 acres. The realigned ski run proposes to remove 3.45 acres of Significant Vegetation.
 - iii. The Forestry Board requires the following Condition of Approval: The Applicant is responsible for the removal of dead

and dying Significant Vegetation in an area equal to the proposed area of disturbance.

- f. Recreation and Open Space Zoning District Height:
 - i. In the ROS Zoning District, no Structure may be erected to a height greater than 28 feet from Existing Grade.
 - ii. The proposed lift storage building will reach a maximum height of 21 feet from Existing Grade. The proposed lift terminal will reach a maximum height of approximately 19 feet from Existing Grade. The proposed pumphouse will reach a maximum height of 26 feet from Existing Grade.
- 9. The proposed realigned ski run, bottom lift terminal, 1,464-square-foot pumphouse, and 1,185-square-foot lift storage building comply with the Sensitive Land Overlay regulations in LMC Chapter 15-2.21.
 - a. The purpose of the Sensitive Land Overlay (SLO) is to:
 - i. Require dedicated Open Space in aesthetically and environmentally sensitive Areas.
 - ii. Encourage preservation of large expanses of Open Space and wildlife habitat.
 - iii. Cluster Development while allowing a reasonable use of Property.
 - iv. Prohibit Development on Ridge Line Areas, Steep Slopes, and wetlands, and
 - v. Protect and preserve environmentally sensitive land.
 - b. Steep Slopes:
 - i. LMC § 15-15-1 defines Very Steep Slopes as those greater than 40%. LMC § 15-2.21-4(A) prohibits Development on or within 50 feet, map distance, of Very Steep Slopes, Areas subject to land slide activity, and other high-hazard geologic Areas. An Area of Very Steep Slopes must cover a topographic Area at least twenty-five feet vertically, upslope or downslope, and fifty feet horizontally in any direction to be subject to this prohibition.
 - ii. The proposed bottom terminal, lift storage building, realigned ski run, and pumphouse are not located on or within 50 feet of a Very Steep Slope area.

- iii. The average slope for the length of the proposed ski run is between 15 and 30 percent. LMC § 15-2.21-4(B) exempts ski slopes from the limitation of a 3 to 1 slope.
 - iv. The proposed pumphouse will be located 51 feet from a Very Steep Slope area.
- c. Ridge Line Area Protection:
- i. LMC § 15-15-1 defines a Ridge Line Area as the top, ridge or Crest of Hill, or Slope plus the land located within one hundred fifty feet on both sides of the top, crest, or ridge. LMC § 15-2.21-5(A) states the intent of Ridge Line Area Protections within the SLO is to ensure Development blends with the natural contour of these landforms and that Development should be sited so as not to create a silhouette against the skyline or mountain backdrop as viewed from designated Vantage Points. LMC § 15-2.21-5(C) requires Ridge Line Areas to remain Open Space.
 - ii. The proposed realigned ski run, bottom lift terminal, 1,464-square-foot pumphouse, and 1,185-square-foot lift storage building will not impact a Ridge Line Area or be visible from any Vantage Points.
- d. Wetlands and Stream Protection:
- i. According to the Applicant's Sensitive Lands Analysis, the Utah Department of Environmental Quality data does not identify any wetlands within the area proposed for the pumphouse, bottom terminal and lift storage building, and realigned ski run. However, the Utah Department of Environmental Quality identifies an intermittent or ephemeral stream channel.
 - ii. On November 6, 2023, Daren Rasmussen, an Environmental Scientist – Utah Division of Dam Safety & Stream Alterations with the Utah Department of Natural Resources Division of Water Rights outlined the designated stream channel as a natural stream beginning below the location of the Lift 7 bottom terminal and storage building. Because Lift 7 terminates above the location where the stream channel is designated as a natural stream, the Utah Department of Natural Resources Division of Water Rights determined special permitting is not required for stream alteration.
 - iii. LMC § 15-2.21-6(F) establishes a minimum Setback of fifty feet outward from the Ordinary High-Water Mark in the SLO

for streams. Condition of Approval 8 from the Phase I CUP requires the Applicant to retain the minimum fifty-foot Setback for the natural stream.

e. Wildlife and Wildlife Habitat Protection:

- i. LMC § 15-2.21-8 establishes the intent of Wildlife and Wildlife Habitat Protection standards to “promote, preserve, and enhance wildlife and wildlife habitat Areas in and around Park City, and to protect them from adverse effects and potentially irreversible impacts.” The LMC explains further: “[i]f the Development Site contains or is within five hundred feet (500') of a natural Area or habitat Area, and the wildlife and habitat report show the existence of Sensitive or Specially Valued Species, the Development plans shall include provisions to ensure that any habitat contained in any such natural Area shall not be disturbed or diminished, and to the Maximum Extent Feasible, such habitat shall be enhanced.”
- ii. Technical Report #13 from the Flagstaff Development Agreement outlines that “there are no federally listed threatened or endangered species likely to make substantive use of the Plan Area.” The proposed ski lift is not located within a Sensitive Wildlife Area as designated in Appendix B of Technical Report #13.
- iii. The Utah Division of Wildlife Resources has compiled a list of all Sensitive and Specially Valued Species in the State of Utah. The Applicant submitted analysis to show there are no Sensitive or Specially Valued species occupying or using on-Site and adjacent Areas where the proposed ski lift, ski runs, and associated facilities are proposed. Sensitive or Specially Valued Species include Federally Threatened and Endangered Species; State of Utah Threatened and Endangered Species; State of Utah Species of Concern and animals and plants of special concern to the Park City Community as identified in the General Plan and in need of special protection.
- iv. The Flagstaff Development Agreement Technical Report #13 “Wildlife Management Plan” describes the major habitat types that occur within the Plan Area and provides information on common wildlife species that have the potential to occur within these habitats. The goal of the Wildlife Management Plan is to preserve wildlife habitat values within the Plan Area by minimizing habitat loss and human/wildlife conflicts. There are no federally threatened or endangered species likely to

- occur in the Plan Area. The proposed Lift 7 is located near a potential wildlife movement corridor.
- v. The Wildlife Management Plan explains “It should be noted that the primary cause of habitat fragmentation within the Plan Area is associated with the clearing of lift alignments and construction of ski runs. It is imperative that existing wildlife movement corridors continue to function in this capacity. Accordingly, habitat modifications should be minimized, fencing prohibited, and recreationists should be directed away from these areas in the spring and fall migration periods.” The Phase I Lift 7 Conditional Use Permit Final Action Letter imposed specific Conditions of Approval for wildlife habitat protection within this area.
 - f. Preserve the Natural Character of the Sensitive Lands, Revegetate, and Establish Permanent Erosion Control Measures.
 - i. LMC § 15-2.21-7(B) requires the following:
 - 1. The Planning Director must review the proposed project and after consultation may request the Developer to prepare alternatives for consideration and to prepare a mitigation plan that modifies the project to mitigate the environmental and visual impact of the project. To the maximum extent feasible, the Developer must design the ski facilities to preserve the natural character of the Sensitive Lands. The mitigation must also address revegetation of disturbed Areas and temporary and permanent erosion control measures.
 - ii. The Applicant included a vegetative cover evaluation in their Sensitive Lands Analysis submittal.
 - iii. The Applicant’s narrative provides clarification on the purpose of realignment of the ski run:
 - 1. Preservation of bird nesting areas.
 - 2. Protection of vegetation that supports wildlife food sources, specifically berry-producing shrubs.
 - 3. Conservation of conifer forest stands.
 - 4. Utilization of existing mountain biking trail corridors to reduce removal of Significant Vegetation.
 - 5. Avoidance of steep rock band and Steep Slopes.
 - 6. 1.03-acre reduction of limits of disturbance.

7. Optimized grade for beginner skiers.
 - iv. The Phase I Lift 7 Conditional Use Permit Final Action Letter imposed specific Conditions of Approval for the removal of Significant Vegetation, revegetation and erosion control measures.
10. The proposal, as conditioned, complies with the Passenger Tramways and Ski Base Facilities criteria outlined in LMC § 15-4-18.
11. The proposal, as conditioned, complies with the Conditional Use Permit criteria outlined in LMC § 15-1-10(E).
 - a. There are certain Uses that, because of unique characteristics or potential impacts on the municipality, surrounding neighbors, or adjacent land Uses, may not be Compatible in some Areas or may be Compatible only if certain conditions are required that mitigate or eliminate the detrimental impacts.
 - b. The Planning Commission shall approve the Conditional Use if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed Use in accordance with applicable standards. The Planning Commission may deny the Conditional Use if the proposed Use cannot be substantially mitigated by the proposal or imposition of reasonable conditions to achieve compliance with applicable standards. LMC § 15-1-10.
 - c. Size and Location of the Site:
 - i. The proposed bottom terminal, lift storage building, realigned ski run, and pumphouse are located within the existing Deer Valley Resort ski area. The proposed lift terminal is similar in size and dimensions to the existing lift terminals in the resort and is in an appropriate location on the mountain to connect to the future Deer Valley East Village expansion area. The lift storage building is within the Planning Commission-approved building pad. The proposed 1,464-square-foot pumphouse will be located underneath the existing snowmaking pond and will increase snowmaking capabilities for the resort.
 - d. Traffic:
 - i. The City's adopted Traffic Impact Study Guidelines require a Traffic Impact Study when a land use generates 25 or more net new vehicle trips during the weekday AM or PM peak hour.

- ii. The Applicant states: "The proposed ski lift will circulate skiers on the new beginner ski runs. The new ski lift will not move skiers to or from any base area skier portal (current Deer Valley or expanded terrain), rather, this is a circulator Ski Lift that will move skiers within the newly created beginner terrain pod near Park Peak. Those skiers can choose to ski back to the various skier portals or other Ski Lift infrastructure. All of this is to say that no parking, traffic, or transportation plan is required because there is no direct connection between the various base area skier portals and the proposed Ski Lift infrastructure."
- e. Utility Capacity:
 - i. As part of the realigned ski run, the Applicant proposes installing a snowmaking line and power line.
 - ii. The proposed bottom terminal, lift storage building, re-aligned ski run, and pumphouse do not cross existing utilities. The Development Review Committee reviewed the Application on October 15, 2024, and does not require Conditions of Approval.
- f. Emergency Vehicle Access:
 - i. The Park City Fire District reviewed this Application on October 15, 2024, and confirmed the proposal conforms with their requirements.
- g. Parking:
 - i. LMC § 15-3-6 "Parking Ratio Requirements For Specific Land Use Categories" does not outline specific Off-Street Parking requirements for ski lifts.
 - ii. Parking for Deer Valley resort is regulated by the Twelfth Amended and Restated Large Scale Master Planned Development Permit. The Deer Valley MPD Permit states the following: "Parking required with relation to each portion of the Project shall be based upon Code as in effect at the time application for a Building Permit for such portion of the Project as is filed with City. Parking for each separate development parcel in the Project shall be determined in accordance with the Code at the time of application for Conditional Use approval. Any additional parking shall not encroach into zoned open space." The MPD continues: "If the capacity of the

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

- iii. The Applicant states: “The proposed Ski Lift will circulate skiers on the new beginner ski runs. The new Ski Lift will not move skiers to or from any base area skier portal (current Deer Valley or expanded terrain), rather, this is a circulator Ski Lift that will move skiers within the newly created beginner terrain pod near Park Peak. Those skiers can choose to ski back to the various skier portals or other Ski Lift infrastructure. All of this is to say that no parking, traffic, or transportation plan is required because there is no direct connection between the various base area skier portals and the proposed Ski Lift infrastructure.”
- iv. Please see the Planning Commission’s Conditions of Approval from the Phase I Lift 7 CUP.
- h. Internal Vehicular and Pedestrian Circulation System:
 - i. The proposed queuing system will locate skiers waiting to load the lift outside of the existing ski runs.
- i. Fencing, Screening, and Landscaping:
 - i. The Applicant is responsible for the removal of dead and dying Significant Vegetation in an area equal to the proposed area of disturbance.
- j. Building Mass, Bulk, and Orientation:
 - i. The proposed bottom terminal, lift storage building, realigned ski run, and pumphouse are appropriate in size and scale and are not visible from designated Vantage Points.
 - ii. The Structures comply with the ROS Zoning District Height and Setbacks.
- k. Useable Open Space:
 - i. The proposed ski lift and ski runs will increase the amount of recreational open space for beginner skiers at Deer Valley Resort.
- l. Signs and Lighting:

- i. The lights proposed for the ski lift bottom terminal are emergency lights and utility lighting consistent with current ski lift infrastructure. The Applicant will finalize exterior lighting for the pumphouse at Building Permit submittal.
 - ii. No signs are proposed or approved as part of this CUP Application.
- m. Physical Design and Compatibility with Surrounding Structures:
 - i. The proposed bottom terminal, lift storage building, realigned ski run, and pumphouse will be similar in design to the existing ski infrastructure in Deer Valley Resort.
 - ii. The ski lift bottom terminal will be constructed with materials similar to other standard ski lifts across the resort and painted with colors to match the existing Deer Valley ski lifts. The bottom terminal will be of the same aesthetic as the existing Deer Valley lift terminals.
- n. Noise, Vibration, Odors, Steam, or Other Mechanical Factors:
 - i. The proposed ski lift will produce noise of 70 to 80 decibels, typical for ski lifts. Operation of the ski lift shall comply with the City Noise Ordinance in the Municipal Code of Park City Chapter 6-3.
 - ii. The bottom terminal and lift storage building are proposed to be constructed adjacent to Parcel PCA-S-79C, which is excluded from Deer Valley Resort's lease and is under separate ownership. The ski lift bottom terminal must meet at least a 25-foot Setback from Parcel PCA-S-79-C. The Applicant exceeds this requirement, and the proposed bottom terminal and lift storage building are set back 106 feet from Parcel PCA-S-79-C. The pumphouse is greater than 700 feet from the parcel boundary line.
- o. Control of delivery and service vehicles, loading and unloading zones, and Screening of trash and recycling pickup Areas:
 - i. There is an existing service road through Ontario Canyon that will serve as access for the construction of the new lift.
 - ii. The Applicant is responsible for providing trash and recycling areas during construction and operation of the ski lift.
 - iii. The construction site must be maintained in a neat manner. Trash and other debris may not accumulate outside the construction dumpster. The construction site shall be cleaned prior to the end of each workday.
- p. Expected Ownership and management of the project:

- i. The parcels are owned by BLX Lease, LLC and BLX Lease 2, LLC and are leased by Deer Valley Resort. BLX Lease has given written permission for the construction of the proposed ski lift. The Applicant (Deer Valley Resort Company, LLC) has an existing lease with the property owner for 105 years, commencing on August 24, 2023, and expiring on August 23, 2128.
- q. Environmentally Sensitive Lands, Physical Mine Hazards, Historic Mine Waste and Park City Soils Ordinance, Steep Slopes, and appropriateness of the proposed Structure to the existing topography of the Site
 - i. The Sustainability Department reviewed the proposal on March 6, 2024, and confirmed the project area is not within the Park City Soils Ordinance.
 - ii. The proposed bottom terminal, lift storage building, and pumphouse do not cover a topographic Area at least twenty-five feet vertically upslope or downslope and fifty feet horizontally and are not within fifty feet of Very Steep Slopes.
 - iii. The average slope for the proposed ski run is between 15 and 30 percent. LMC § 15-2.21-4(B) exempts ski slopes from the limitation of a 3 to 1 slope.
 - 1. The finish surface of ski runs shall be graded with a three-foot maximum topsoil and native soils.
 - 2. The Applicant shall install erosion control blankets on all slopes steeper than 2:1.
- r. Reviewed for consistency with the goals and objectives of the Park City General Plan:
 - i. The proposed bottom terminal, lift storage building, realigned ski run, and pumphouse are proposed to be installed within the Upper Deer Valley neighborhood and align with Goals 9, 10, and 11 outlined in the Park City General Plan.
 - ii. The General Plan identifies the Upper Deer Valley Neighborhood as a home to resort-oriented development, surrounded by open space.
 - iii. Goal 9 of the General Plan states: "Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors."
 - iv. Goal 10 of the General Plan is to "provide world-class recreation and public infrastructure to host local, regional, national, and international events that further Park City's role as a world-class, multi-seasonal destination resort while maintaining a balance with our sense of community." Objective 10A of the General Plan is to "remain

competitive as a world-class, multi-season, destination resort community by increasing year-round recreation events and demand for resort support services, such as hotels and restaurants.”

- v. Goal 11 of the General Plan is to “Support the continued success of the multi-seasonal tourism economy while preserving the community character that adds to the visitor experience.”
 - vi. Objective 11A of the General Plan states the “vibrancy of Park City’s resorts is essential to the success of resort support businesses. The City must provide flexibility to allow the primary resorts to evolve with the tourism industry, increase occupancy rates year-round, and create more demand for the resort support industries throughout the City.”
- 12. The Development Review Committee reviewed the proposal on October 15, 2024, and confirmed the proposal conforms to their requirements.
 - 13. Staff published notice on the City’s website and the Utah Public Notice website and posted notice to the property on February 12, 2025.
 - 14. Staff mailed courtesy notice to property owners within 300 feet on February 12, 2025.
 - 15. *The Park Record* published courtesy notice on February 12, 2025.

Conclusions of Law

- 1. The proposed re-aligned ski run, bottom lift terminal, 1,464-square-foot *pumphouse*, and 1,185-square-foot lift storage building comply with the Land Management Code requirements pursuant to Chapter 15-2.7 *Recreation and Open Space Zoning District*, Chapter 15-2.21 *Sensitive Land Overlay*, Section 15-4-18 *Passenger Tramways and Ski Base Facilities*, and Section 15-1-10, *Conditional Use Review Process*.
- 2. The Use will be compatible with surrounding Structures in use, scale, mass, and circulation.
- 3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

- 1. Final building plans and construction details shall reflect substantial compliance with the final plans dated December 18, 2024, submitted to the Planning Department and reviewed February 26, 2024, by the Planning Commission.

2. The Applicant is responsible for notifying the Planning Department prior to making any changes to the approved plans. Any changes, modifications, or deviations from the approved scope of work shall be submitted in writing for review and approval/denial in accordance with the applicable standards by the Planning Director prior to construction.
3. The project is subject to safety regulation by the Passenger Ropeway Safety Committee of the Utah State Department of Transportation. The Applicant must work with the Safety Committee for final approval consistent with the standard state review authority review process prior to submitting a Building Permit.
4. The Applicant is responsible for the removal of dead and dying Significant Vegetation in an area equal in square footage to the proposed areas of disturbance.
5. All Outdoor Lighting must be down-directed, fully shielded, with bulbs 3,000 degrees Kelvin or less. A fully shielded light is installed in such a manner that all light emitted either directly from the bulb, or indirectly by reflection or refraction, is below the horizontal plane through the fixture's lowest light-emitting part. The top and sides of a Fully Shielded fixture are made of completely opaque material such that light only escapes through the bottom of the fixture. Final lighting details shall show compliance with this condition and shall be reviewed by Planning Staff prior to installation.
6. Operation of the ski lift shall comply with the City Noise Ordinance in the Municipal Code of Park City Chapter 6-3 *Noise*.
7. The Applicant is responsible for providing trash and recycling areas during construction and operation of the ski lift.
8. The construction site must be maintained and a construction mitigation plan submitted. Trash and other debris may not accumulate outside the construction dumpster. The construction site shall be cleaned prior to the end of each workday. The Applicant must submit a construction mitigation plan with Building Permit submittal to be approved by the Building Department.
9. The finish surface of ski runs shall be graded with a three-foot maximum topsoil and native soils.
10. The Applicant shall install erosion control blankets on all slopes steeper than 2:1.

11. The Applicant shall incorporate all recommendations and findings from the updated Technical Report #13 Wildlife Management Plan.

The motion was seconded by Commissioner Frontero. The motion passed with the unanimous consent of the Commission.

The Commission took a short break before hearing the next item on the meeting agenda.

- D. Snow Park Village Base Area – Deer Valley Resort 13th Amended and Restated Large Scale Master Planned Development Permit and Phase 1 Conditional Use Permit** – The Applicant Proposes a Three-Level Parking Garage with up to 1,971 Parking Spaces, an Underground Transit Hub Adjacent to Snow Park Lodge, a Conceptual Site and Circulation Plan, and Road and Utility Improvements. MPD PL-21-04767, CUP PL-21-04811.

Director Ward presented the Staff Report and explained that the item relates to the Snow Park Village Base Area. The application is for the Snow Park Village Phase I CUP. This permit has been pending review since 2021. With the most recent plan set submitted for review, there was a Work Session on September 11, 2024. This is the seventh public hearing on the revised proposals. Snow Park Village is the last major development in Lower Deer Valley and is addressed in the General Plan, highlighting the opportunity to create a true base area village. It also highlights the importance of collaboration on traffic mitigation between Deer Valley and the City. Director Ward stated that the Snow Park development has 209.75 residential unit equivalents, which is approximately 420,000 square feet, and 21,890 square feet of commercial, support uses, and accessory uses.

The applicant requests the Planning Commission consider final action on Phase I:

- Up to 1,971 parking spaces in a three-level partially underground public and private parking structure;
- An underground public transit center;
- Road, utility, and pedestrian and pathway improvements.

Director Ward shared an overview of the Site Plan and circulation. It would shift the transit center to an underground location closer to the Snow Park Lodge. The previous iterations have shown that along Doe Pass Road. Previously, the Planning Commission provided input on potential Conditions of Approval. Those conditions are related to the following:

- Address ski club parking as part of the Phase II CUP;
- Require annual Commission review of temporary transportation and parking during project construction;

- Continue review of the Traffic Impact Study ("TIS") and Transportation Demand Management ("TDM") as part of the Phase II CUP.

The draft Conditions of Approval incorporate input received from the Planning Commission during the January 26, 2025, meeting. Additionally, the drafted conditions:

- Limits the approval of the Phase I parking structure, transit center, and rights-of-way improvements;
- Requires baseline TDM strategies;
- Outlines rights-of-way improvements and pedestrian and multi-use pathways;
- Establishes obligations for the public transit center, Doe Pass Road, public transit operator lounge, and related infrastructure;
- Outlines Building Permit requirements for Phase I;
- Establishes baseline application requirements for Phase II;
- Requires a 14th modification to the Deer Valley MPD to address unit equivalents, uses, and affordable housing;
- Establishes baseline requirements for the Construction Mitigation Plan.

The Subdivision Plat is requested to be continued to a later date. As a result, Staff recommends the addition of Condition of Approval #54, which is as follows:

- Prior to Building Permit submittal, the applicant shall obtain Planning Commission approval of a Snow Park Subdivision Plat. Recordation of the plat is required prior to Building Permit issuance.

Director Ward reported that Chief Building Official, Dave Thacker, City Engineer, John Robertson, and Transportation Planning Director, Tim Sanderson are all present at the Planning Commission Meeting and can answer additional Commissioner questions. The Draft Final Action Letter is also available, which the Commission can review later on.

Ms. Tyler stated that she is joined by President and COO Todd Bennett, Project Director, Jen Pasquier, and Mr. Boal from Snell & Wilmer. There has been a lot of collaboration with Staff to address the previous comments from the Planning Commission. There is a lot of detail in the modified conditions. Deer Valley is available to answer any questions.

Chair Hall opened the public hearing.

Allison Keenan gave her zip code as 84060. Deer Valley is requesting Final Action on the Phase I CUP and 13th amendment to the Deer Valley MPD. However, there is not a Private-Public Partnership Agreement finalized. Per Ordinance 2023-56 – Vacating Portions of Deer Valley Drive, the agreement, consistent with the terms outlined in Resolution 24-2023, must be finalized prior to recording the plat. In the Draft Final Action Letter, a number of items need to be clarified. Under Findings of Fact #9, it reads:

- To ensure the best design to protect view corridors and improve circulation, additional flexibility for height and building pads is likely to be necessary.

Other areas in the draft, such 26(E) and 27(N) contradict this and limit the height to heights previously established in the Deer Valley MPD. Ms. Keenan stressed the importance of consistent language throughout. Allowable heights must be per the existing MPD of 28 to 45-feet above grade. Ordinance 2023-56 requires the applicant reduce peak parking by 20% for no more than 1,360 day skier parking spaces. The applicant has still not provided verification for the 1,700 day skier parking spaces. 27(J)(4) reads:

- According to the Applicant, the Applicant has surface parking lots that, together with allowed street parking, equal approximately 1,700 vehicles on peak ski days during the ski season.

Despite this language, in the same document, it notes that there are currently 1,340 spaces in the lots and 142 allowed parking spaces on the street on overflow days. Details of existing parking should be easy for the applicant to provide so a true 20% reduction is achieved. Under the TDM Plan for Phase I, 10(C) includes the following language:

- To the extent a skier shuttle program is administered by Deer Valley, make available the Deer Valley skier shuttles to any Homeowner Association in the Lower Deer Valley community that would like to opt in and pay for the service.

As mentioned previously, many individuals use this service. Deer Valley should be required to continue shuttle service for Homeowners Associations (“HOA”) in Lower Deer Valley to reduce traffic to the resort. Since the Draft Final Action Letter is limited to Phase I, there is agreement with Planning Staff that the 13th amendment to the MPD should address the Phase I CUP, and a 14th amendment should be prepared to address items in the Phase II CUP, such as unit equivalents, uses, and affordable housing. A requirement of Ordinance 2023-56 is that the amended MPD includes skier, day use, and employee parking plans. No detailed employee parking plans are included in the 13th amendment.

Ms. Keenan stated that the 13th amendment Exhibit 2 needs to be corrected. Prior to approval, all Conditions of Approval must be met. The 13th amendment to the MPD should be updated to solely reflect changes related to the Phase I CUP as well as the requirements of Ordinance 2023-56. Ms. Keenan asked that the item be continued to a date certain rather than taking final action at the current meeting. This would allow for modifications to the Phase I CUP Draft Final Action Letter and 13th amendment.

Charlotte O’Connell echoed the comments from Ms. Keenan. She lives on South Deer Valley Drive and has spoken to people at various meetings with Deer Valley when there have been open houses held for residents. She has looked through the materials, which state that roundabouts cannot be done. Ms. O’Connell thinks there need to be real plans

with clear details before anything is approved. She does not feel the application should be approved at this time, because there needs to be a better study of traffic conducted.

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

The applicant was asked to respond to the comments shared during the public hearing. Ms. Tyler responded to the traffic study comment. She reported that Fehr & Peers is well-respected and has done a lot of work throughout the United States as well as in resort communities. There has also been close work done with the City's technical staff. The City also hired a third-part consultant, WCG, who has validated the work that has been done. There is confidence about what has been completed. During the public hearing, there was a question about the parking count, specifically the one that is referenced in the Letter of Intent with the City. There was a document submitted by Fehr & Peers, which was a requested supplement, that talked through those details. There is a lot of snow that comes into the parking lots. This means there are days with lower counts in the lots and days with higher counts in the lots, depending on the conditions. There is historical data for the lot counts, which results in the 1,700 average on a peak day.

Commissioner Suesser noted that sees that the event center has been placed on the north side of Doe Pass Road in the most recent plans. She pointed out that this location is mostly surrounded by residential homes and wondered about any noise related to the event center. It might have been better positioned when it was south of Doe Pass Road. Ms. Tyler reported that Deer Valley submitted their evolved plan in June and the event center was located there in that set. During Phase II, there will be discussions about mitigating the impacts of the uses. Additionally, some specific mitigation strategies will be brought to the Planning Commission for consideration. The intention is to bring a set of plans forward in the spring or summer so those conversations can start.

Commissioner Suesser mentioned Conditional Use Permit Criteria 27(E). Deer Valley is being required to improve a failing intersection from a level of service ("LOS") F to a D as part of the Phase II CUP review, but there is no requirement to make that same improvement in 27(F), which is another failing intersection off-site. Deer Valley is required to work to further decrease single-occupancy vehicle trips. She wondered why the same LOS improvement is not required there. Director Ward explained that Condition of Approval #27 requires the applicant to submit an updated TIS and TDM plan as part of Phase II to continue to solidify what is required as far as employees coming to the site and how single-occupancy vehicles can be reduced during peak traffic periods. The Marsac roundabout and the other identified intersections are already at that LOS. What the applicant can work through and address is the LOS within the proposed development.

Commissioner Shand noted that the public comments received have been useful. That being said, he understands why each intersection is the way it is based on the available land. He believes the baseline parking spaces are 1,459 in the parking lots, 16 on Doe

Pass Road, and up to 225 on the street. In the past, the Planning Commission has discussed traffic patterns, drop-off areas, and baseline parking numbers in the past.

Commissioner Johnson mentioned Finding of Fact #9. He interpreted it as referencing the General Plan. As for the other items, the height of the development is limited to the MPD restrictions of under 45 feet. Director Ward clarified that Finding of Fact #9 is included to describe the General Plan recommendation about the need for some flexibility, not necessarily for the height, but for the building pads. That was one of the reasons the applicant went before the City Council to vacate the portions of Deer Valley Drive. The intention was to allow for a more efficient design and plaza area. The General Plan highlighted the potential need for modifications to create an improved Site Plan. The applicant went through that vacation process with the City Council. As part of the vacation of the right-of-way, there are some findings in Ordinance 2023-56 about the flexibility of the site. No building height exceptions are requested. There is a Condition of Approval that notes the Deer Valley MPD already establishes the maximum height of 28 to 45 feet. This height maximum will also carry through for the Phase II development.

City Attorney, Mark Harrington, clarified that the City cannot prohibit the applicant from applying for certain things in the future. However, that would not just be an amendment to Phase II. In that case, the applicant would need to go back and get City Council permission to amend the documents that Director Ward cited, in addition to applying to the Planning Commission or Board of Adjustment for any special requests in the future.

Commissioner Van Dine pointed out that the Commission will likely continue to struggle with the fact that many elements are being pushed to Phase II. She hopes the yearly reviews are robust. The fact that there are failing intersections within the project is difficult, especially since those will be pushed to Phase II. There need to be actual solutions implemented for Doe Pass Road. Commissioner Johnson shared comments about the parking counts. There is a compelling argument from the public, but he can also understand the justifications from Deer Valley. There are 1,360 day skier parking spaces allocated for the development, per the direction from the City Council. He is not comfortable with Condition of Approval #3 and feels that club parking is day skier parking. Commissioner Johnson is comfortable with certain items being handled in the Phase II process, but he feels the Phase II scope needs to be limited to some degree.

Commissioner Frontero agrees with the comments shared by Commissioner Johnson. He is not comfortable moving the club parking issue to Phase II. It is parking and should be addressed as part of the Phase I process. Commissioner Frontero is opposed to moving the club skier parking out of the 1,360-day skier parking numbers. That is the maximum day skier parking numbers allowed, which was negotiated by the City Council with the applicant. He feels strongly that the number should be adhered to. Club skier parking is enhanced, as it comes with amenities, but it is still essentially day skier parking.

Commissioner Frontero stated that he is struggling with the LOS and the lack of improvements. He mentioned the TIS that was completed by the consultant in 2024, which is Attachment 4 in the Meeting Materials Packet. Table 6 is a projection of 2030 and what the conditions will look like on a Saturday. Six of nine intersections are listed as failing with an LOS F, which is after input from the community and the consultant and applicant working diligently to address issues. He does not feel it is appropriate to allow this to be built without intersection improvements. There is a willingness to work with the applicant and look into different solutions. As for employee parking, the current strategy does not have a lot of detail and he would like to see more provided.

Ms. Tyler asked a member of the team to address Commissioner Frontero's comments about the intersections. Jon Nepstad from Fehr & Peers recommended looking at Table 9 rather than Table 6. The issues on Deer Valley Drive between Marsac and the Y-intersection are due to the failure of the roundabout. That is the choke point that creates some of the problems. It was clarified that Table 6 is the 2030 conditions without any mitigation efforts. Table 7 is the 2030 conditions and Table 9 is the 2040 conditions. It was clarified that Table 7 and Table 9 both include mitigation efforts at the Y-intersection as well as other efforts. It was reiterated that what is seen at Mellow Mountain is a direct result of the roundabout issues. He reiterated that it is currently a choke point.

Commissioner Frontero stated that there are two areas of Phase I that he is not comfortable with. The applicant has a desire to create a better system to move employees to the resort. He noted that the word "encourage" is used in the proposed language, but he does find that language to be strong enough. He would prefer to see specific strategies included. For example, he would like to see a requirement that employees must take shuttles. Employees could be restricted and prohibited from coming directly to the resort. He understands this is not necessarily possible for all employees, but a large portion of them could be transported using shuttles. Commissioner Frontero believes there is a better solution when it comes to employees coming to the resort. There is a lot more control over employee behaviors as opposed to guest behaviors. He wants more specifics about the employee parking plan.

Mr. Bennett reminded the Commission that 10% of employees park in Snow Park currently. There are a lot of programs already in place. He appreciates the view that more can be done, but the vast majority of the employees do not park at Snow Park. Commissioner Frontero asked how most employees reach the resort currently. Ms. Tyler reported that there are over 500 beds in the employee housing. All of those staff members take public transit. In the event the employee needs to reach Deer Valley at an off-hour, there are shuttles provided. There are already 531 staff members who arrive that way. This does not include all of the staff members who currently use park-and-ride lots. There is a robust TDM strategy in place and the resort is actively working to incentivize staff.

Commissioner Frontero would like to see stronger language in place for the condition. Attorney Harrington suggested that language be added. There can be discussions with

Deer Valley about whether there is a desire to include a reference to a measurable amount or a specific reduction amount. Commissioner Frontero wants to see a numeric goal and added specificity in the Conditions of Approval. He suggested it state that no more than 10% of employees will drive vehicles onto Deer Valley property. Mr. Bennett does not want the language to be overly restrictive. The issue there is a desire to solve is the peak load problem. There are a number of days where there are not peak load problems. He explained that the resort is attempting to address the top days.

Commissioner Frontero thinks consistency is necessary in order to encourage certain behaviors. He would prefer to have a consistent system in place rather than something that is only in place on peak days. Ms. Tyler reported that there is a robust TDM strategy that is in place for all operating days, but there are additional incentives provided to staff on peak days. There is a point system where points can be redeemed. Ms. Tyler does not have an issue with Staff working on an additional condition, but she would ask that it be specific to Snow Park, because that is relevant to the application.

Commissioner Frontero suggested language to state: "No more than 10% of employees will be driving cars into Snow Park." The Deer Valley representatives discussed the proposed condition. Chair Hall asked that the Draft Final Action Letter be reviewed, specifically the Conditions of Approval section that is being discussed. Ms. Tyler suggested that Deer Valley work with Staff on a condition. It might make sense to work with them on substantive changes. She believes it is reasonable to state that no more than 10% of staff can park at Snow Park on peak days. That is measurable and is something that can be implemented. Commissioner Shand asked whether the condition is desired because of traffic levels or parking spaces. Commissioner Frontero stated that it is both, but traffic is the main concern. Commissioner Shand pointed out that employees do not necessarily arrive when the skiers do, so this might not impact traffic as much.

Ms. Tyler reported that employees arrive at off-peak times. She also acknowledged that there is limited parking available on the site. She does not believe staff are contributing to the peak load issue. Mr. Bennett agreed but also recognized where Commissioner Frontero is coming from. Generally, employees come at off-peak times. He supports having measurable actions in place, but he wants to make sure there are not operational restrictions imposed that do not achieve the goals desired by the Planning Commission. Commissioner Frontero is not certain he can make a decision on the Draft Final Action Letter at the current Planning Commission Meeting without certain conditions in place.

Additional discussions were had about employee parking. Mr. Bennett understands the concerns expressed by Commissioner Frontero but does not feel there should be a restrictive percentage that will be administratively burdensome and may not achieve the desired results. The focus is the peak load for entry and exit at Snow Park. There is a desire to be as thoughtful as possible about the approach taken to address that. The Commission wants a measurable set of actions that can reduce traffic on peak days.

The language for the Transportation Demand Management Plan for Phase I section was reviewed, specifically 10(F). Attorney Harrington suggested potential language. Mr. Bennett reiterated that there is a desire to maintain some flexibility. On days when there is parking available, it might be appropriate for an employee to park on-site. On peak days, employees can be incentivized to use a different transportation alternative. Commissioner Frontero explained that he is looking for ways to improve the intersections, even on non-peak days. The residential community would appreciate the resort mitigating employee traffic on a regular basis. He feels there should be consistency.

Commissioner Suesser believes Commissioner Frontero is asking the applicant to commit to only 10% of their employees parking at Snow Park. The applicant has previously indicated that this is the approximate amount of parking there currently. As a result, she does not believe it will be a hurdle for the applicant to commit to that number.

Commissioner Shand asked what time most employees arrive at Snow Park. Ms. Tyler reported that it is between 6:00 a.m. and 8:00 a.m. Commissioner Shand pointed out that the traffic study provides a letter grade for each intersection, but that is not applicable 100% of the time. The intersections fail on certain days during certain times of the year. If Deer Valley wants to adhere to a measurable 10% rule, that is fine, but the LOS grade does not apply all the time. Most employees arrive at Snow Park long before the intersections fail.

Commissioner Shand does not know that a 10% rule for employee parking every single day of operation necessarily needs to be in place. Commissioner Van Dine agreed. The suggestion from Attorney Harrington will provide some flexibility to incorporate it into the reviews. Drafted language was created for the Transportation Demand Management Plan for Phase I section, specifically for 10(F). It now reads as follows:

- Incentivize employees to carpool and take transit through the “Ride On” or other similar program. The Applicant shall submit an inventory and parking management plans with measurable goals consistent with single-occupancy vehicle reduction targets of the TDM Plan regarding employee parking at Snow Park.

There were discussions about the language in Limitations of Phase I Conditional Use Permit section, specifically item 3. Commissioner Suesser noted that the Commission believes ski club parking is day skier parking, so any ski club parking should be part of the 1,360-day skier parking numbers. Chair Hall noted that the Resolution from the Council has clear language regarding the use of the spaces. It might be possible to insert that language there. Commissioner Suesser suggested that there be a reference to the Council included. Commissioner Johnson reiterated his earlier point that a lot is being handled as part of Phase II. He believes there should be some determination made about the ski club parking during this phase.

Ms. Tyler reported that Deer Valley is continuing to refine what the private members club looks like, what it includes, and all of the associated amenities. The reason the request was made to handle this matter during Phase II is because there is still work that needs to be done before the use is finalized. Additional discussions were had about the proposed language. Ms. Tyler pointed out that a private members club is considered a private use, so the private members club would fall within the 611 parking spaces rather than the day skier spaces. Attorney Harrington understood the applicant's argument, but the Commission appears to disagree with that classification. Ms. Tyler noted that a lot of work was done at the last meeting to get the condition to where it is currently. She believes it provides flexibility to the Commission, but also provides them with comfort. Deer Valley wants the ability to come back to the Commission with more data since it is not available currently. Commissioner Johnson expressed concerns about the phasing.

Attorney Harrington shared some proposed language with the Commission:

- **Ski Club Parking Not Approved** – The Planning Commission currently finds that ski club parking is day skier parking. If the Applicant proposes ski club parking in addition to the 1,360-day skier parking spaces as part of the Phase II vertical development CUP, the Applicant must obtain approval from the City Council and Planning Commission at the time of the Phase II application.

Mr. Bennett reiterated that Deer Valley is still refining the ski club program. He would not want this language to restrict the parking further if the club does not move forward. Commissioner Shand explained that the objective is not to reduce the 1,360 number but to be cautious about increasing that number. The proposed language was supported.

The Commission further discussed the Transportation Demand Management Plan for Phase I section, specifically for 10(F). Commissioner Suesser wanted to see some specificity about a parking management plan for employees, as the current language is general. She noted that the applicant believes approximately 10% of their employees currently park at Snow Park. Ms. Tyler reported that there are parking counts from every single day of the season and the employee lot is counted. Commissioner Suesser pointed out that the Planning Commission has not seen that data. She wants the condition language to be clear that there is a desire to see that data so the goals can be measured. Commissioner Frontero wants to see a reference to 10% in the language for 10(F).

Mr. Bennett stated that he is hesitant to add restrictions to something that he does not believe will actually solve the problem the Commission is concerned about. There may be some unintended consequences as a result of the language proposed. Chair Hall asked about it being part of the annual review. Director Ward explained that as the Draft Final Action Letter is currently written, the annual review is just for the construction of the parking structure. As part of the Phase II CUP, that could be another ongoing review. The condition that is currently being discussed is under the Transportation Demand Management Plan for Phase I section. The language was rewritten and is now as follows:

- Incentivize employees to carpool and take transit through the "Ride On" or other similar program. The Applicant shall submit data and an inventory and parking management plan for employees with measurable goals consistent with single-occupancy vehicle reduction targets of the TDM Plan regarding employee parking at Snow Park for Planning Commission review annually. Unless otherwise approved by the Planning Commission, the Applicant shall not exceed an average of 10% of employee parking at Snow Park on peak days.

Commissioners expressed support for the proposed language. Chair Hall asked to discuss language related to on-street parking. She wanted to clarify Parking Structure item number six. It currently states that the applicant is prohibited from using the Deer Valley Drive loop for parking as had been allowed by the Deer Valley MPD. She wants to reiterate that there can be no on-street parking. Commissioner Johnson believes this was clarified in another condition. For the Right-of-Way Improvements section, under 14, Chair Hall wanted to ensure the City had the final say. The language was amended:

- During the ski season, the City shall designate the SML for public transit and emergency vehicle use only. Outside of the ski season, the City may designate the SML for public transit and emergency vehicle use for special events, peak traffic days, etc. When not designated for public transit and emergency vehicles, the City may designate the lane for bicyclists. The Applicant shall prepare a signage/stripping plan for the SML that will be consistent with required signage to indicate seasonal restrictions as approved by the City Engineer. The Applicant shall coordinate with the City on SML use and safety, including signage, stripping, monitoring, and supporting City enforcement.

Mr. Robertson noted that the applicant will be working with the City to help prepare the types of signage, stripping, and other ways to operate the shared mobility lanes. Since they will be installing it, they will be preparing and submitting to the City any proposed signage or stripping for review and approval. He was comfortable with the previous language, but the slight modification is appropriate. Chair Hall prefers the clarification.

Commissioner Suesser noted that there was a reference to snow storage. She asked if there is a requirement for snow storage in conjunction with the Phase I CUP. Director Ward explained that the MPD perimeter setback will be 25 feet around Deer Valley Loop for right-of-way snow storage. The details for the plaza will be worked out as part of the Phase II CUP. Ms. Tyler reiterated that the plan is to bring the Phase II submission to City Staff and the Commission in the summer. Mr. Robertson stated that there are no concerns about the plans for snow storage as it relates to Phase I.

Commissioner Johnson proposed a minor edit to the Construction Mitigation and Phasing Plan section on Page 26. He asked that it mention a "fugitive dust control plan" instead. Director Ward shared the proposed language for Condition of Approval #54:

- Prior to Building Permit submittal, the Applicant shall obtain Planning Commission approval of a Snow Park Subdivision. Subdivision Plat recordation is required prior to Building Permit issuance.

The Commission discussed the Transportation Demand Management Plan for Phase I - 10(E). Commissioner Suesser thought that language was vague. Director Ward reported that it came from the proposed TDM Plan, specifically related to employees who live outside of the City boundary. She clarified that the language relates to employees. Ms. Tyler proposed language to tie it to employee housing. The language was amended:

- To complement public transit service where employee housing exists and supplement certain areas for employees where public transit may not yet exist.

Commissioner Johnson asked about the cost of the shuttle service that HOAs can opt into. Ms. Tyler reported that it is \$265 per unit within a condominium or housing development. That is for the whole season, but everyone needs to opt into this service.

Additional discussions were had about modifications to the Draft Final Action Letter. Commissioner Suesser asked if there is a condition that requires the applicant to submit annual or quarterly data for the parking and traffic evaluations. Mr. Bennett feels like there is some specificity being requested that is not necessary. Director Ward reviewed what the applicant has proposed in the Phase I TDM. As part of their approach to monitor and mitigate traffic, the applicant proposes installing and funding a traffic monitoring station at the Deer Valley Drive east and west intersection to track ongoing traffic counts, record queuing through imagery, and conduct year-over-year comparisons. Another strategy included in the plan is to appoint a TDM Coordinator to coordinate with the City and to evaluate the parking program annually.

Director Ward reviewed the Annual Temporary Transportation and Parking Plan Review Until Parking Structure Is Complete section of the proposed language. The way this is currently worded is that in early spring, the applicant would submit their plan for temporary transportation and parking to the Planning Department. The Commission would then review the plan. A slight modification was made to reference a start date in 2026.

MOTION: Commissioner Van Dine moved to APPROVE the Thirteenth Amended and Restated Large Scale Master Planned Development Permit and Snow Park Village Phase I Conditional Use Permit, based on the following Findings of Fact, Conclusions of Law, and Conditions of Approval, as amended:

Findings of Fact

1. 2250 Deer Valley Drive South contains Snow Park Lodge and surface-level parking lots ("the property").

2. The property is in the Residential Development Zoning District and is subject to the Deer Valley Resort Twelfth Amended and Restated Large Scale Master Planned Development Permit dated November 30, 2016 ("the Deer Valley MPD") (Attachment 1).
3. The Deer Valley MPD establishes 209.75 Residential Unit Equivalents (419,500 square feet) and 21,890 square feet of commercial and support space for the development of Snow Park Village on 14.93 acres in the general area of the existing surface-level parking lots.
4. On February 18, 2021, the Applicant applied to the Planning Commission for a substantive modification to the Deer Valley MPD for Snow Park Village (PL-21-04767, Modification Application).
5. The Deer Valley MPD Paragraph (C)(1) requires Planning Commission review of a Conditional Use Permit (CUP) for Snow Park Village.
6. A parking structure in the Residential Development Zoning District requires Planning Commission review of a CUP (Land Management Code (LMC) Section 15-2.13-2(B)(29)).
7. The Applicant proposes constructing Snow Park Village in two phases:
 - a. Phase I – up to 1,971 parking spaces in a three-level partially underground public and private parking structure, an underground public transit center, and road, utility, and pedestrian and pathway improvements.
 - b. Phase II – vertical development.
8. On April 13, 2021, the Applicant applied for Planning Commission review of the Snow Park Village Phase I CUP (PL-21-04811, CUP Application).
9. According to the 2014 General Plan, the Snow Park Village CUP will be reviewed for compatibility, mass, and scale; however, it does not have any flexibility to adjust the parameters of the MPD in terms of height and building pads. To ensure the best design to protect view corridors and improve circulation, additional flexibility for height and building pads is likely to be necessary. As the last large development to be built in the Lower Deer Valley neighborhood, compatibility, view corridors, circulation, and connectivity is a priority for future design.
10. On September 30, 2021, the Applicant petitioned the City to vacate a portion of Deer Valley Drive to allow for a more efficient design with a larger Snow

Park Village plaza area. On January 31, 2022, the Applicant supplemented the request with updated legal descriptions for the Deer Valley Drive vacation.

2021 – 2023 Snow Park Village Phase I Review

11. On July 28, 2021, August 25, 2021, September 22, 2021, October 27, 2021, December 8, 2021, and February 9, 2022, the Planning Commission conducted work sessions.
12. On March 15, 2022, the Planning Commission and City Council conducted a joint meeting.
13. On December 19, 2022, the Planning Commission conducted a work session.
14. On January 18, 2023, the Planning Commission held a public hearing and outlined recommendations for City Council consideration regarding the Applicant's requested vacation of a portion of Deer Valley Drive.

Ordinance No. 2023-56 Vacating a Portion of Deer Valley Drive

15. The City Council conducted public meetings on March 16, 2023, June 1, 2023, June 15, 2023, July 6, 2023, August 29, 2023, September 28, 2023, October 26, 2023, November 2, 2023, November 16, 2023, November 30, 2023, December 5, 2023, and December 14, 2023.
16. On December 14, 2023, the City Council approved Ordinance No. 2023-56 vacating a portion of Deer Valley Drive.
17. Ordinance No. 2023-56 requires the Applicant in part to:
 - a. Reduce the number of parking spaces designated for day skier use to 1,360 and restrict day skiers from parking in spaces reserved for hotel, residential, dining, retail, entertainment, and commercial uses.
 - b. Implement paid parking upon completion of parking structure.
 - c. Facilitate a new site plan for a public transit center to accommodate transit, resort/lodging vehicles, and drop off lanes.
 - d. Dedicate public access and right-of-way easements over an expanded Doe Pass Road.
 - e. Install a gondola between Snow Park and Silver Lake to connect to Mayflower [Deer Valley East Village in Wasatch County].
 - f. Request the Planning Commission approve up to 15,000 additional square feet at the current Deer Valley maintenance facilities south of

Silver Lake and up to 15,000 additional square feet of restaurant/commercial facilities for expansion of public or skier service at Silver Lake Lodge.

- g. Realign the Carpenter lift to extend into Snow Park Village and allow for the gondola.
- h. Submit to the Planning Commission skier, day use, and employee parking plans and full connection of proposed gondola alignment including Highway 40 and Mayflower [Deer Valley East Village in Wasatch County] in amended mitigation plans.

Resolution No. 24-2023 Authorizing the Mayor to Execute a Non-Binding Letter of Intent Regarding a Public-Private Partnership with Deer Valley

- 18. On December 14, 2023, the City Council approved Resolution No. 24-2023 authorizing the Mayor to execute a non-binding letter of intent for a public-private partnership with Deer Valley for a regional off-site parking and transportation facility intended to be located near S.R. 248.
- 19. Resolution No. 24-2023 requires the Applicant in part to:
 - a. Limit parking for Snow Park Village to 1,971 spaces by capping day skier parking spaces to 1,360 and limiting remaining parking spaces to no more than 611.
 - b. Install a Lift 7 circulator lift along the new gondola alignment to provide a beginner ski pod.
 - c. Maintain temporary public access during construction.
 - d. Regulate permitted times for truck trips to minimize soil hauling resulting from excavation during construction.
 - e. Calculate Unit Equivalents and support and accessory uses according to the 2022 LMC for all phases of Snow Park Village.

2024 – 2025 Snow Park Village Phase I Review

- 20. On July 9, 2024, the Applicant submitted updated plans based on the requirements of Ordinance No. 2023-56 and Resolution No. 24-2023.
- 21. The Applicant updated requested modifications to the Deer Valley MPD:
 - a. Clarify that Unit Equivalents and support and accessory uses for Snow Park Village are calculated based on the 2022 LMC.
 - b. Establish building height based on the February 18, 2021, Planning Director Determination of Natural Grade.
 - c. Update Paragraph G regarding parking to reflect the Snow Park Village Conditions of Approval.

- d. Outline Applicant obligations to improve Doe Pass Road and to grant a perpetual public use easement for perpetual public access rights, including emergency, utility, and vehicular access over Doe Pass Road.
 - e. Outline Applicant commitment to construct the public transit center.
 - f. Outline Applicant requirement to realign Carpenter Express and install a gondola connecting Snow Park Village to Park Peak with a stop in the Silver Lake area.
 - g. Increase square footage up to 15,000 at the current Deer Valley maintenance facilities south of Silver Lake.
 - h. Increase square footage up to 15,000 for restaurant/commercial facilities for expansion of public or skier service at Silver Lake Lodge.
 - i. Increase the acreage for Snow Park Village from 14.93 to 24.28.
22. On September 11, 2024, the Planning Commission conducted a work session.
23. The Planning Commission held public hearings on October 9, 2024, October 30, 2024, November 13, 2024, December 11, 2024, January 22, 2025, and February 26, 2025.
24. Staff posted notice to the property and mailed courtesy notice to property owners within 300 feet on August 28, 2024, January 9, 2025, and February 11, 2025. Staff published notice on the City's website and Utah Public Notice website on August 23, 2024, September 24, 2024, October 9, 2024, October 28, 2024, November 22, 2024, January 3, 2025, and February 10, 2025. The *Park Record* published courtesy notice on August 28, 2024, September 28, 2024, October 12, 2024, October 30, 2024, November 27, 2024, January 8, 2025, and February 12, 2025.
25. Referenced herein are the Applicant's plans dated December 20, 2024 (Attachment 2) and the Applicant's updated narrative dated January 31, 2025 (Attachment 3).

Master Planned Development Criteria

26. LMC Chapter 15-6 outlines the requirements for MPDs. MPD criteria that are also addressed through CUP criteria are analyzed in the CUP section below.
- a. **Public Outreach** – The Applicant conducted neighborhood meetings on January 10, 2024, March 26, 2024, June 3, 2024, September 12, 2024, and November 14, 2024 (LMC Section 15-6-4(C)).

- b. **Additional Studies** – The Deer Valley MPD Paragraph J requires the Applicant to submit updated technical reports for traffic monitoring, water systems, and **sewer** systems.
- i. The Applicant submitted the October 2024 Snow Park Village Traffic Impact Study (“the 2024 TIS”) prepared by Fehr and Peers (Attachment 4). The City’s third-party consultant, Wall Consultant Group, reviewed the 2024 TIS to verify conformance with the 2023 Park City TIS Guidelines.
 - ii. The Applicant submitted utility plans (Attachment 2, Exhibit 31). The utility plans were reviewed by the Development Review Committee on April 6, 2021, February 7, 2023, September 17, 2024, and December 17, 2024.
 - iii. Resolution No. 2024-23 requires the Applicant to update their Application with a Construction Mitigation Plan that maintains temporary public access and regulates permitted times for truck trips to minimize soil hauling resulting from excavation. The Applicant submitted a Construction Mitigation and Phasing Plan dated November 6, 2024 (Attachment 5). The Planning Commission reviewed the Construction Mitigation and Phasing Plan on November 13, 2024.
 - 1. The Applicant proposes a five-year timeline to construct Snow Park Village while ski operations within the Snow Park Base area continue.
 - 2. The Applicant proposes offsite parking areas during construction, including coordination with the City on potential increased parking at Richardson Flat and increased transit service to the Snow Park Base.
 - 3. The Applicant is working on and utilizing other off-site parking areas during construction, including at the Jordanelle State Park.
 - 4. The Applicant estimates excavation of 467,000 cubic yards for the construction of Snow Park Village with 195,000 cubic yards in 2025, 224,000 cubic yards in 2026, and 48,000 cubic yards in 2027. The Applicant proposes hauling excavated soil within the Snow Park ski area and not outside the ski area unless required by environmental regulations.
 - iv. Resolution No. 2024-23 requires the Applicant to submit skier, day use, and employee parking plans and the full gondola alignment. The Applicant submitted an updated Transportation Demand Management Plan for skier, day use, and employee parking mitigation (Attachment 6). The Applicant submitted a supplemental memo on parking

reduction criteria dated October 23, 2024 (Attachment 7). The Applicant submitted the proposed gondola alignment (Attachment 8).

- c. **Perimeter Setback** – Snow Park Village is subject to a 25-foot perimeter Setback (LMC Section 15-6-5(C)(1)). The proposed parking structure meets the 25-foot perimeter Setback. At-grade sidewalks and pathways are exceptions to Setbacks in the Residential Development Zoning District (LMC Section 15-2.13-3). At-grade sidewalks and pathways are proposed to be constructed within Setbacks.
- d. **Open Space** – The Deer Valley MPD Paragraph M establishes parcels for commercial and support space and designates all remaining property landscaped Open Space to remain substantially free from structures, roads, and parking lots except as otherwise approved.
 - i. Exhibit 1 of the Deer Valley MPD allocates Snow Park Village construction on 14.93 acres.
 - ii. The Applicant proposes creating one 24.28-acre Lot encompassing Snow Park Lodge, associated Open Space, and Snow Park Village. 18.1 acres are proposed to remain without a Building Footprint. 14.92 acres within the 24.28-acre Lot are proposed to be Open Space, a total of 61% (Attachment 3, Exhibit 23A). Landscaped areas are proposed within the perimeter Setback along Deer Valley Drive, in the Snow Park Lodge area, and throughout the Snow Park Village plaza atop the parking structure. Buildings are proposed within 9.36 acres. The Applicant must demonstrate as part of the Phase II vertical development CUP that compliance with the Open Space requirement in LMC Chapter 15-6-5(D).
- e. **Building Height** – On February 22, 2021, the Planning Director issued a Natural Grade Determination to establish the foundation for measuring Snow Park Village height (Attachment 3, Exhibit 22). The Deer Valley MPD establishes a maximum height of 28 to 45 feet from the Natural Grade Determination. The Applicant's Phase I parking structure is 23 feet at its highest point above the Natural Grade Determination and is below the allowed height. Vertical development as part of the Phase II CUP must comply with the maximum height established in the Deer Valley MPD.
- f. **Site Planning** – Vertical development will be evaluated as part of the Phase II CUP and refined at that time. The Phase I CUP is limited to the parking structure, which is partially underground in the general area of the existing surface-level parking lots. Adequate internal

vehicle, pedestrian, and bicycle circulation, as conditioned, are provided (Attachment 2, Exhibits 26-28). The site plan includes 27,878 square feet (0.64 acres) of snow storage (Attachment 3, Exhibit 23A). The Applicant also proposes 17,920 square feet snow melt for the Snow Park Lodge, 98,510 square feet snow melt for the Snow Park Village plaza, 25,837 square feet snow melt for the hotel, and 19,768 square feet for vehicles, including the ramp to the public transit center (Attachment 3, Exhibit 23B).

- g. **Landscape** – The Applicant will be required to submit landscape plans as part of the Phase II vertical development CUP that comply with Wildland Urban-Interface, waterwise landscaping, and mechanical equipment and service and delivery screening requirements.
- h. **Lighting** – The Applicant will be required to install outdoor lighting that complies with the dark sky and parking structure lighting requirements.
- i. **Sensitive Lands Compliance** – Snow Park Village is not within the Sensitive Land Overlay.
- j. **Employee/Affordable Housing** – Condition of Approval 4 requires the Applicant to address employee/affordable housing obligations as part of the Phase II vertical development CUP.
- k. **Child Care** – The Phase I parking structure does not increase childcare demand for current operations. The Planning Commission may evaluate childcare demand as part of the Phase II vertical development CUP.
- l. **Mine Hazards** – There are no known Physical Mine Hazards on the property.
- m. **Historic Mine Waste Mitigation** – The property is not within the Park City Soils Ordinance Boundary.
- n. **Historic Sites** – No Historic Structures or Sites designated on the Park City Historic Sites Inventory are within the property.
- o. **Sustainability** – The Sustainability team coordinated with the Applicant on the proposed Snow Park Sustainability Plan (Attachment 9). Sustainability related to vertical development will be evaluated as part of the Phase II CUP. The Sustainability team recommends Condition of Approval 33.

- i. For the Phase I CUP, the Applicant commits to:

- 1. Removing asphalt surface parking lots to minimize heat absorption.
- 2. Installing infrastructure to support Electric Vehicle Charging and usage.

3. Working with the City to increase public transportation to decrease carbon emissions from guests and employees.
4. Implementing efficient storm water and snow melt collection systems and processing stations to reuse water for the snow making ponds.
5. Reusing/recycling existing asphalt pavement for general projects.
6. Establishing targets to reduce embodied carbon emissions associated with the parking garage construction materials such as low-carbon concrete and steel (Attachment 3, Paragraph 6.5).

Conditional Use Permit Criteria

27. LMC Section 15-1-10(E) outlines CUP review criteria:

- a. **Size and Location of Site** – The site has long been envisioned for Snow Park Village. In 1977, the City approved a Special Exception Permit for the Deer Valley MPD, which has been amended 12 times through 2016. The Deer Valley MPD outlines 209.75 Residential Unit Equivalents, 21,890 square feet of commercial and support space, and support commercial as defined in the LMC at the time of application. Additionally, the 2014 General Plan anticipates Snow Park Village: “[t]he opportunity exists for a true ‘village’ base area to be built that is complementary to the surrounding multifamily condominiums set around the periphery of the parking lots.” The Applicant proposes creating a 24.28-acre Lot for Snow Park Village that includes the existing Snow Park Lodge and the surface-level parking lots proposed to be redeveloped (Attachment 2, Exhibit 3B).
- b. **Traffic Considerations** – According to the 2014 General Plan, “[e]ssential to the continued success of Deer Valley is the ongoing collaboration between the City and Deer Valley Resort to manage traffic flows in and out of Deer Valley Drive. As the base area and surrounding neighborhoods build out, it is essential that priority be given to alternative modes of public transportation. Alternatives should be studied and implemented with a goal of connectivity between Deer Valley, Main Street, and the Swede Alley transit center. In addition, the use of park-and-ride facilities should be explored for employees on a regular basis and visitors during the busiest times of the season.”
- c. As part of the Phase I CUP, the Applicant submitted the 2024 TIS and proposes the following modifications for traffic circulation within the Deer Valley Drive loop:

- i. Keep the road network north of what is known as the “Y-intersection” (Deer Valley Drive and Deer Valley Drive East – north and east portion of the loop).
 - ii. Construct an underground public transit center near the Snow Park Base for transit and passenger vehicle pick-up and drop-off in a one-way loop from Deer Valley Drive West, exiting on Deer Valley Drive East.
 - iii. Install a roundabout at the Deer Valley Drive West and Doe Pass Road intersection.
 - iv. Install three-way stop signs at the Deer Valley Drive East and Doe Pass Road intersection.
 - v. Install a traffic signal at Deer Valley Drive West and Deer Valley Drive East intersection to mitigate intersection delays.
 - vi. Provide left turn pockets at Solamere Drive and Queen Esther Drive intersections on Deer Valley Drive East.
 - vii. Construct a Shared Managed Lane for express transit access to the underground transit center (Attachment 2, Exhibits 25-30).
- d. The Applicant's 2024 TIS is based on:
- i. 100 Multi-Unit Dwellings
 - ii. 120 hotel rooms
 - 1. 8,000 square feet of food and beverage
 - 2. 8,000 square feet of meeting/ballroom space
 - 3. 8,000 square feet of spa space
 - iii. 30,000 square feet of commercial/retail space
 - iv. 15,000 square feet of event center space
 - v. 15,000 square feet of ski club space
- e. The Applicant's TIS indicates at full buildout one on-site driveway will operate at a Level of Service (LOS) F: the middle driveway within the parking structure (P3) and Doe Pass Road. Condition of Approval 28 requires the Applicant to implement mitigation strategies that improve this to a LOS D or better as part of the Phase II vertical development CUP submittal.
- f. On peak days, some of the intersections within the Lower Deer Valley neighborhood and beyond currently operate at a LOS F. In other words, vested development rights without any mitigation results in more intersections that underperform during peak periods. Two off-site intersections are likely to continue to operate at a LOS F during peak periods: the Marsac roundabout and the intersection of Mellow Mountain Road and Deer Valley Drive. Condition of Approval 27 requires the Applicant to submit an updated TIS and

TDM Plan as part of the Phase II vertical development CUP to further decrease single-occupancy vehicle trips during peak periods.

- g. **Transportation Demand Management Plan** – The Applicant's Phase I CUP TDM Plan includes:

- i. Installing a Deer Valley-funded and managed traffic monitoring station at the Deer Valley Drive/Deer Valley Drive East/Deer Valley Drive West intersection to track ongoing traffic counts, record queueing via still imagery, and conduct year-over-year comparisons.
- ii. Implementing paid parking. The Applicant will operate a paid system for its day skier parking beginning with the completion of the parking structure. The Applicant will be responsible for administering the paid parking program.
- iii. Offering ski shuttle service as described in the below conditions.
- iv. Making available during the ski season off-site parking areas including a shared parking facility with the City being contemplated near S.R. 248 and Highway 40.
- v. Incentivizing employees to carpool and take transit through the "Ride On" or similar program.
- vi. Providing accurate parking and traffic information to employees and guests in real time, including through the Deer Valley app, website, and text messaging.
- vii. Coordinating with the City and UDOT on variable message boards.
- viii. Appointing a TDM Coordinator to coordinate with the City on data collection and traffic and transit operations.
- ix. Evaluating the parking program annually and actively considering available technologies to improve the function of the parking structure and to reduce traffic impacts in and out of the parking structure, including programs involving possible carpool and transit incentives, reservations, and user notifications.

- h. **Utility Capacity** – The Development Review Committee evaluated Snow Park Village on April 6, 2021, February 7, 2023, September 17, 2024, and December 17, 2024. The Deer Valley MPD and Development Review Committee require Conditions of Approval incorporated below.

- i. **Emergency Vehicle Access** –

- i. On June 15, 2017, the City Council approved an amendment to the 1995 Deer Crest Settlement Agreement that allows

- emergency egress from Deer Valley Drive to Highway 40 on Deer Hollow Road for official vehicles (police, fire, and emergency medical), and for the public when an evacuation is necessary to protect human life, during a natural disaster, or for a major public safety event determined by the Park City Fire Marshal, Park City Police Chief, Wasatch County Fire Chief, or other public safety officer of similar rank in Park City or Wasatch County.
- ii. The Applicant proposes a Shared Managed Lane to serve not only transit, but emergency vehicles along the Deer Valley Drive loop (Attachment 2, Exhibit 11).
 - iii. The Park City Fire District requires Conditions of Approval incorporated below.
- j. **Off-Street Parking** – Existing day skier parking for Snow Park is governed by **Section G** of the Deer Valley MPD: *If the capacity of the surface parking lots in the Snow Park Community is exceeded 10% or more of the days during any single ski season the need for constructing additional parking in said area shall be reviewed by the Commission.*
- i. In 2019, Snow Park surface-level parking capacity was 1,250 spaces.
 - ii. In November of 2019, the Planning Director approved an Administrative Permit for an additional 90 parking spaces in lot 5 for a total of 1,340.
 - iii. On December 19, 2019, the City Council approved limited on-street parking spaces along Deer Valley Drive loop not to exceed 10% of the operating days of each ski season.
 - iv. According to the Applicant, the Applicant has surface parking lots that, together with allowed street parking, equal approximately 1,700 vehicles on peak ski days during the ski season.
 - v. Ordinance No. 2023-56 requires the Applicant to reduce peak parking by 20% for no more than 1,360-day skier parking spaces.
 - vi. The Planning Commission may decrease the number of parking spaces based on a parking analysis submitted by the Applicant (LMC Section 15-6-5(E)).
 - vii. Phase I-day skier parking is analyzed below.
 - viii. Parking related to all other uses not to exceed 611 parking spaces will be evaluated as part of the Phase II vertical development CUP.

- ix. Phase I-day skier parking reduction criteria are outlined in a Fehr and Peers memorandum dated October 23, 2024 (Attachment 7):
1. **Vehicles required by project use and occupancy** – To reduce vehicles traveling to the site, Ordinance No. 2023-56 requires the Applicant to restrict day skier parking to no more than 1,360 spaces, to implement paid parking upon completion of the parking structure, and to prohibit day skiers from parking in spaces reserved for vertical development uses.
 2. **Parking Comparison** – The Applicant's Fehr and Peers memorandum dated October 23, 2024 (Attachment 7) outlines parking comparisons.
 - a. The Applicant proposes parking reservations during construction, but not as a long-term TDM strategy, noting their ski pass structure requires ski reservations during certain peak periods. Condition of Approval 27 requires continued review of the Applicant's TDM Plan as part of the Phase II vertical development CUP to explore opportunities to further reduce single-occupancy vehicles.
 3. **Parking for traffic drawn from off-site** – This will be evaluated as part of the Phase II **vertical** development CUP.
 4. **Shared Parking analysis** – This will be evaluated as part of the Phase II vertical development CUP. Day skiers are prohibited from parking in spaces reserved for vertical development uses.
 5. **Plan to encourage other forms of transportation** – The Applicant proposes improvements to transit amenities with a transit center accessed by a Shared Managed Lane and through Deer **Valley** Drive loop circulation improvements. The Applicant is required to implement a TDM Plan, including paid parking after completion of the parking structure to reduce single-occupancy vehicles.
 6. **Provision for overflow parking during peak periods** – The Applicant committed to pay the City \$15 million to be used with the City for a regional off-site parking and transportation facility. Conditions of Approval require the Applicant to secure off-site parking during construction.

7. **Potential adverse impacts of parking reduction on surrounding neighborhood** – On December 19, 2019, the City Council approved on-street day skier parking within the Deer Valley Drive loop for up to 142 spaces not to exceed 10% of the operating days. The Applicant requests 1,360-day skier parking spaces within the proposed parking structure. Upon approval of the Phase I CUP, on-street parking on Deer Valley Drive is prohibited. Additionally, the Applicant will offer shuttle service to the extent described in the below conditions.
- x. The Applicant proposes a three-level partially underground parking structure with 284 spaces on Level P1, 753 spaces on Level P2, and 934 spaces on Level P3. Level P3 is connected below Doe Pass Road providing access to both the north and south portions of the parking structure.
- xi. **Parking Space Dimensions** – LMC Section 15-3-3(F) requires parking spaces to be at least nine feet wide by 18 feet long. The Applicant proposes parking spaces that exceed the minimum dimensions and are ten feet wide and 18 feet long. The Applicant proposes an 11-foot floor-to-ceiling minimum clearance height to accommodate roof cargo boxes.
- k. **Internal Vehicular Circulation** – The Applicant proposes a transit center with separated bus, shuttle, and passenger drop-off lanes indicated in the attached plans (Attachment 2, Exhibit 15).
- i. The Applicant proposes parking structure access points in various locations including an access point to P1 from Deer Valley Drive East, access to P2 along Doe Pass Road, access to P3 along Deer Valley Drive East, and an underground connection between the north and south parking structures below Doe Pass Road for P3 access (Attachment 2, Exhibits 13B-14).
- l. **Pedestrian Circulation** – The Deer Valley MPD Paragraph L establishes four types of trails in Deer Valley, including pedestrian paths connecting parcels together within a community and connecting paths connecting communities together. Pedestrian paths are required to be a minimum of five feet wide and a 10- to 15-foot-wide easement for each pedestrian path is required to be dedicated to the City and shown on the recorded plat. The Applicant proposes five- to six-foot-wide sidewalks and eight- to twelve-foot-wide multi-use paths along Deer Valley Drive West and Deer Valley

Drive East. The Applicant proposes a 12-foot-wide multi-use path along Doe Pass Road and pedestrian pathways throughout the proposed Snow Park Village plaza connected by a pedestrian bridge over Doe Pass Road (Attachment 2, Exhibits 10A-10B). The Applicant proposes installing crosswalk flashing beacons on Doe Pass Road, Deer Valley Drive West, and Deer Valley Drive East (Attachment 2, Exhibit 25).

- m. **Fencing and Screening** – Fencing is not proposed. The Applicant is required to screen mechanical equipment, trash and recycling, and service and loading/unloading areas when viewed from the rights-of-way and to separate from adjoining uses.
- n. **Building mass, bulk, and orientation** – The proposed parking structure is partially underground and establishes the platform for the Phase II vertical development CUP. Building mass, bulk, and orientation will be reviewed as part of the Phase II vertical Development CUP. The height limitations outlined in the Deer Valley MPD remain in effect.
- o. **Physical Design and Compatibility** – The parking structure is proposed to be constructed primarily over the existing surface parking footprint and will provide the foundation for vertical development. The Applicant proposes stacked stone, metal, and concrete materials for the parking structure (Attachment 2, Exhibit 16). The physical design and compatibility, as conditioned, must comply with LMC Chapter 15-5 *Architectural Review* and the Deer Valley Design Guidelines.
- p. **Noise, Vibration, Odors, Steam, Mechanical Factors** – The Applicant is subject to the Noise regulations in Municipal Code of Park City Chapter 6-3. Conditions of Approval require compliance with LMC regulations regarding the location of and screening of mechanical equipment. The Applicant is required to provide sufficient ventilation for the underground transit center.
- q. **Control of Delivery and Service Vehicles** – The Applicant proposes a loading dock along Doe Pass Road on P2 and Deer Valley Drive East near a proposed event center on P3 (Attachment 2, Exhibits 13B-13D). The Applicant proposes accessing the loading dock near the proposed event center on Parcel PC-745, requiring an access and encroachment easement.
- r. **Loading and Unloading Zones** – The Applicant's site plan includes service and delivery access and loading/unloading areas that are kept separate from pedestrian areas.
- s. **Ownership and Management** – The parking structure is proposed to be constructed on one Lot under the ownership and operation of Deer Valley Resort Company and Deer Valley Development Company. The Applicant proposes a condominium plat for the

parking structure to be evaluated by the Planning Commission at a future date. The Applicant proposes condominium plats for the vertical development to be evaluated by the Planning Commission at a future date.

- t. **Environmentally Sensitive Lands** – Snow Park Village is not within the Sensitive Land Overlay or Soils Ordinance Boundary. The development is proposed primarily within the area previously disturbed for the construction of the surface-level parking lots.
- u. **General Plan** – The General Plan for the Lower Deer Valley Neighborhood emphasizes maintaining the world-class resort experience, creating a village base area that is complementary to the surrounding neighborhood, encouraging alternative modes of transportation, and expanding winter and summer recreation amenities.

Conclusions of Law

Master Planned Development

Phase I of Snow Park Village, as conditioned:

1. Complies with all requirements of the Land Management Code;
2. Meets the minimum requirements of Section 15-6-5;
3. Provides the highest value of Open Space, as determined by the Planning Commission;
4. Strengthens and enhances the resort character of Park City;
5. Compliments the natural features on the Site and preserves significant features or vegetation to the extent possible;
6. Is Compatible in Use, scale, and mass with adjacent Properties, and promotes neighborhood Compatibility, and Historic Compatibility, where appropriate, and protects residential neighborhoods and Uses;
7. Provides amenities to the community so that there is no net loss of community amenities;
8. Is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time staff determined the Application to be complete;

9. Meets the Sensitive Lands requirements of the Land Management Code and is designed to place Development on the most developable land and least visually obtrusive portions of the Site;
10. Promotes the Use of non-vehicular forms of transportation through design and by providing trail connections;
11. Was noticed and the Planning Commission held a public hearing in accordance with this Chapter;
12. Incorporates best planning practices for sustainable development, including water conservation measures and energy efficient design and construction, per the Residential and Commercial Energy and Green Building program and codes adopted by the Park City Building Department in effect at the time of the Application;
13. Addresses and mitigates Physical Mine Hazards according to accepted City regulations and policies;
14. Addresses and mitigates Historic Mine Waste and complies with the requirements of the Park City Soils Boundary Ordinance;
15. Addresses Historic Structures and Sites on the Property, according to accepted City regulations and policies, and any applicable Historic Preservation Plan;
16. Addresses and mitigates traffic; and
17. Addresses the long-term operation of the project.

Conditional Use Permit

Phase I of Snow Park Village, as conditioned:

1. Complies with all requirements of the LMC;
2. The use will be compatible with surrounding structures in use, scale, mass and circulation; and
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval

Limitations of Phase 1 Conditional Use Permit

1. This Final Action Letter is limited to Phase I.
2. **Density** – The Deer Valley MPD establishes 209.75 Residential Unit Equivalents (419,500 square feet), 21,890 square feet of commercial and support space, and accessory uses for Snow Park Village. One Unit Equivalent devoted to residential use is 2,000 square feet and one Unit Equivalent devoted to commercial use is 1,000 square feet. Any change proposed as part of the Phase II vertical development CUP may not increase the total density for Snow Park Village.
3. **Ski Club Parking Not Approved** – The Planning Commission currently finds that ski club parking is day skier parking. If the Applicant proposes ski club parking in addition to the 1,360-day skier parking spaces as part of the Phase II vertical development CUP, the Applicant must obtain approval from the City Council and Planning Commission at the time of the Phase II application.
4. **Employee/Affordable Housing Compliance** – The Applicant is required to submit an updated Housing Mitigation Plan as part of the Phase II vertical development CUP. Calculation of Affordable Unit Equivalents (AUEs) for the Applicant's Housing Mitigation Plan will be based on the final use and density proposed. Planning Commission review of the proposed Housing Mitigation Plan is required as part of the Phase II vertical development CUP for a recommendation to the Housing Authority. Housing Authority approval of the Housing Mitigation Plan is required prior to Planning Commission Final Action on the Phase II vertical development CUP.

Annual Temporary Transportation and Parking Plan Review Until Parking Structure is Completed

5. Until the completion of the parking structure, prior to each summer construction season (early spring) the Applicant must submit an updated plan for temporary transportation and parking to the Planning Department no later than March 30 each year, beginning in 2026. The Planning Commission shall review the updated plan for temporary transportation and parking no later than the regularly scheduled meeting on the fourth Wednesday in May each year. During the annual review, the Planning Commission may provide comments and guidance to mitigate traffic and parking impacts during the parking structure construction period. The

temporary transportation and parking plan shall include at a minimum the following for the upcoming summer construction and ski season:

- a. An update on construction phasing.
- b. Available on-site parking spaces.
- c. Parking reservation plans.
- d. Agreements for off-site parking and the number of off-site parking spaces.
- e. Employee transportation plans. The Applicant shall submit data and an inventory and parking management plan for employees with measurable goals consistent with single-occupancy vehicle reduction targets of the TDM Plan regarding employee parking at Snow Park for Planning Commission review annually. Unless otherwise approved by the Planning Commission, the Applicant shall not exceed an average of 10% of employee parking at Snow Park on peak days.
- f. A traffic memo addressing circulation, drop-off locations, and capacity.
- g. Temporary drop-off locations and capacity.
- h. The intended operational plan for drop-off locations for efficient queue times.
- i. Transit circulation and drop-off prioritization.
- j. Reports on any Applicant-operated shuttle services.
- k. The plan to communicate to employees, guests, and visitors the transportation and parking limitations in the Snow Park Base area during construction.

Parking Structure

6. **Day Skier and Parking Limitations** – Approval of this Phase I CUP eliminates on-street parking within the Deer Valley Drive loop and Doe Pass Road after April 21, 2025, or the end of the 2024-25 ski season. The Applicant is prohibited from using Deer Valley Drive loop for parking as had been allowed by the Deer Valley MPD.
 - a. Parking within the Snow Park Village parking structure is limited to no more than 1,971 spaces.
 - b. Of the 1,971 parking spaces, no more than 1,360 parking spaces shall be designated for day skier parking.
 - c. The remaining up to 611 parking spaces shall be for uses approved as part of the Phase II vertical development CUP.
 - d. Day skier parking in the up to 611 parking spaces is prohibited.
 - e. Phase I off-street parking is for approved on-site day skier and on-site residential/commercial uses only, as may be further authorized

or limited by a City approved Public Improvement District. Parking may not be separately sold, leased or sublet. However, temporary special event parking may be approved by the City special event permit process.

7. **Electric Vehicle Charging Station Infrastructure** – LMC Section 15-3-11(B) requires the Applicant to install Electric Vehicle Charging Station Infrastructure for 50% of the first 100 required Off-Street parking spaces and for 5% of required Off-Street parking spaces above 100. LMC Section 15-3-11(D) requires the Applicant to install Electric Vehicle Charging Stations for 5% of required Off-Street parking spaces for the first 200 parking spaces.
8. **Bicycle Parking** – The Applicant will install outdoor covered and non-covered bike parking for 197 bikes and bicycle repair tools at key locations throughout the 24.28-acre site that meet the requirements of LMC Section 15-3-9 in a location to be reviewed as part of the Phase II vertical development CUP. Enclosed bicycle storage requirements will be evaluated during the Phase II vertical development CUP.
9. **Bike Share Installations** – There is a governmental bike share station currently administered by Summit County at the Snow Park Lodge. The Applicant shall continue to coordinate with the **operating** entity on the installation of a new and/or temporary relocation of the bike share station during project construction.
 - a. The Applicant proposes enhanced bicycle access and improvements as a traffic mitigation measure. As part of the Phase I Building Permit, the Applicant must coordinate with the City and operating entity to ensure adequate conduit for future bike share station installations in locations that are open and accessible to the public, proximate to transit, and accessible for bike share service vehicles. The Applicant will be required to enter into a license agreement with the operating entity regarding the location, operation, and maintenance of the bike share facilities. As this provides a traffic mitigation measure, the Applicant must work with the operating entity on compensation for the capital and operating expenses of this location.

Transportation Demand Management Plan for Phase I

10. As part of the Phase I CUP, the Applicant is required to implement the following TDM **Plan**:

- a. Install a Deer Valley-funded and managed traffic monitoring station at or near the Deer Valley Drive/Deer Valley Drive East/Deer Valley Drive West intersection to track ongoing traffic counts, record queueing via still imagery, and conduct year-over-year comparisons. The Traffic monitoring station shall be installed no later than the proposed traffic light at this intersection.
- b. Implement paid parking. The Applicant will operate a paid system for use of its public day skier parking beginning with the completion of the parking structure. The Applicant will be responsible for administering the paid parking program.
- c. To the extent a skier shuttle program is administered by Deer Valley, make available the Deer Valley skier shuttles to any Homeowner Association in the Lower Deer Valley community that would like to opt in and pay for the service.
- d. Make available during the ski season off-site parking areas including a shared parking facility with the City being contemplated near S.R. 248 and Highway 40.
- e. To complement public transit service where employee housing exists and supplement certain areas for employees where public transit may not yet exist.
- f. Incentivize employees to carpool and take transit through the "Ride On" or other similar program. The Applicant shall submit data and an inventory and parking management plan for employees with measurable goals consistent with single-occupancy vehicle reduction targets of the TDM Plan regarding employee parking at Snow Park for Planning Commission review annually. Unless otherwise approved by the Planning Commission, the Applicant shall not exceed an average of 10% of employee parking at Snow Park on peak days.
- g. Provide accurate parking and traffic information to employees and guests in real time, including through the Deer Valley app, website, text messaging. Coordinate with the City and UDOT on variable message boards.
- h. Appoint a TDM Coordinator to coordinate with the City on data collection and traffic and transit operations.
- i. The Applicant shall evaluate its parking program annually and actively consider available technologies to improve the function of the parking structure and to reduce traffic impacts in and out of the parking structure, including programs involving possible carpool and transit incentives, reservations, and user notifications. The Applicant shall provide periodic updates and reports to the City regarding the results of the Applicant's activities relative to managing traffic to and from the parking structure.

Transportation Demand Management Plan for Phase II

11. The Planning Commission will evaluate the use of the up to 611 parking spaces for the vertical development as part of the Phase II vertical development CUP based on proposed uses and density and the findings and evaluation of the updated TIS and TDM Plan. In addition to the TDM Plan for Phase I, as part of the Phase II vertical development CUP, the Applicant must submit an updated TDM Plan that considers and evaluates the behavior of those traveling to and from Snow Park Village from single-occupancy vehicles to other modes of transportation. In addition to the Phase I TDM Plan, the Phase II TDM Plan may include:
 - a. Applicant coordination with amenity and commercial operators to promote use of amenities and commercial areas to help distribute times for departures from the parking structure.
 - b. Enhanced childcare for employees to reduce single-occupancy vehicle trips.
 - c. Incentives for those taking transit, including potential benefits like free ski locker storage.
 - d. Operation of shuttles.
 - e. Details on ski school and ski club drop-off area operations to demonstrate alignment with estimated queue times described in the TIS.
 - f. Additional parking system management.

Right-of-Way Improvements

12. The Applicant is responsible for obtaining permission for temporary and permanent encroachments that may be required for right-of-way improvements for road, pedestrian, and bicyclist improvements prior to submitting a Building Permit for the Phase I CUP.
13. The Applicant will construct:
 - a. A roundabout at the Deer Valley West and Doe Pass Road intersection.
 - b. Three-way stop signs at Deer Valley Drive East and Doe Pass Road.
 - c. A traffic signal at Deer Valley Drive West and Deer Valley Drive East intersection to mitigate intersection delays.
 - d. Left turn pockets at Solamere Drive and Queen Esther Drive intersections on Deer Valley Drive East.
 - e. A Shared Managed Lane (SML) for express transit access to the underground transit center and improved transit service around the loop during peak times/special events.

14. During the ski season, the City shall designate the SML for public transit and emergency vehicle use only. Outside of the ski season, the City may designate the SML for public transit and emergency vehicle use for special events, peak traffic days, etc. When not designated for public transit and emergency vehicles, the City may designate the lane for bicyclists. The Applicant shall prepare a signage/stripping plan for the SML that will be consistent with required signage to indicate seasonal restrictions as approved by the City Engineer. The Applicant shall coordinate with the City on SML use and safety, including signage, stripping, monitoring, and supporting City enforcement.
15. The Applicant is required to mill and overlay Doe Pass Road and Deer Valley Drive from the Marsac roundabout intersection with S.R. 224 and around the Deer Valley Drive loop as required by the City immediately upon substantial completion of material delivery for all phases of construction.

Pedestrian and Multi-Use Pathway Improvements

16. The Applicant shall provide pedestrian and bicycle access through the plaza above the parking structure in a location to be identified in the Phase II vertical development CUP.
17. Public pedestrian and bicycle circulation shall be provided through a combination of five-foot sidewalks and 10- to 12-foot-wide multi-use pathways detailed in the attached plans.

Enhanced Public Transit Center

18. The Applicant shall construct and cause to be operated a new underground public transit center that accommodates public transit agencies, shuttles, and passenger drop-off in substantial compliance with the attached plans. The public transit center design details at the Building Permit phase shall include a minimum interior height of at least 13 feet six inches to accommodate public transit buses, and sufficient interior lighting, ventilation, acoustic considerations, and safe passenger loading and unloading protected areas to address the general passenger and visitor experience. No Certificate of Occupancy for the Phase II vertical development CUP will be issued until the underground transit center is complete. Unless otherwise approved by Park City Transit or by special event permit, Charter Over-the-Road (OTR) Coach Buses are prohibited from entering the public transit center due to height clearance and the potential for travel delays and traffic congestion. Charter OTR Coach Buses

must be directed to the westernmost bay on Doe Pass Road to load/unload passengers.

Doe Pass Road

19. **Perpetual Public Access** – The Applicant shall improve Doe Pass Road as depicted in the attached plans and shall grant perpetual public access rights, including emergency, utility, and transportation easements in a form approved by the City Engineer and City Attorney.
20. **Bus Bays** – The Applicant shall construct four bus bays on Doe Pass Road in substantial compliance with the attached plans. The three eastern public transit bus bays shall be painted and striped BUS ONLY areas. The two easternmost transit bus bays on Doe Pass Road nearest to Deer Valley Drive East shall be designated for electric charging for public transit buses. The Applicant shall provide the required charging infrastructure and utilities to support two bus bay overhead pantograph electric chargers on Doe Pass Road that power two charging buses at one time. The Applicant shall install conduit and infrastructure for both overhead pantograph electric chargers and will install at the Applicant's expense the first pantograph electric charger. If a second pantograph electric charger is needed, the City will install the second utilizing the conduit installed by the Applicant. The Applicant shall coordinate with the City on the specifications and footprint required for overhead pantograph chargers and associated bus charging infrastructure. The associated infrastructure shall be integrated into the final Building Permit designs, be easily accessible for maintenance, and comply with the screening and landscaping requirements of LMC Section 15-5-5.

End-of-Line Public Transit Operator Lounge

21. The Applicant shall construct a public transit operator lounge in a location proposed by the Applicant and evaluated by the City. The end-of-line transit operator lounge shall be on the same street level as the Doe Pass Road bus bays and provide transit operators line-of-sight to the bus bays, and quick access from the bus bays to the lounge.

Deer Valley Drive Loop Transit Stop Improvements

22. Prior to Building Permit submittal, the Applicant shall coordinate with the City regarding temporary improvements and relocations of transit stops within the project area during construction.

Public Transit Agreement

23. The Applicant shall enter into an access, operations and maintenance agreement for the public transit center, Doe Pass Road bus bays, and end-of-line public transit operator lounge prior to recording the Snow Park Village Subdivision parking structure condominium plat with Summit County. The agreement shall detail the roles and responsibilities between the City and Deer Valley in terms of providing and paying for operations and maintenance, safety and security, and access.

Transit-Related Communications and Power Infrastructure

24. The Applicant shall support the City's traffic light management including the City coordination with UDOT.
25. In coordination with the City, the Applicant shall install Intelligent Transportation System infrastructure to support future digital signage, monitoring, video feeds, and public wi-fi with operational technology vaults and/or access points for the transit center, Doe Pass Road transit facilities, and Deer Valley Drive loop transit.

Conduit for Future Infrastructure

26. The Applicant shall coordinate with the City on opportunities to install sufficient conduit to support future infrastructure:
 - a. Conduit for fiber and cellular infrastructure to minimize future road cuts for development of 5G, to address public communications, and evolving infrastructure needs.
 - i. Establish critical pathways for redundancy and growth.
 - ii. Minimize the need for tall macro-cell tower infrastructure with considerations for integrated installations that protect mountain town aesthetics.
 - iii. Smart-city technologies to create a connected and forward-thinking community.
 - b. The Applicant shall coordinate with the City regarding partnership and agreements for shared system resources related to common facilities, including:
 - i. Handholes
 - ii. Vaults
 - iii. Access Points
 - iv. Splice Enclosures

Phase II Vertical Development Conditional Use Permit Application Requirements

27. The Applicant is required to submit an updated TIS and TDM Plan as part of their Phase II application.
28. The Applicant shall address the LOS for the middle driveway within the parking structure (P3) and Doe Pass Road. The Applicant must implement mitigation strategies that improve this LOS as part of the Phase II vertical development CUP submittal.
29. The Applicant shall submit the details on the installation of the gondola connecting Snow Park Village to Silver Lake that services or connects to another gondola servicing the base facilities of Deer Valley East Village. These details will include the bottom terminal location and final route and construction phasing. Completion of the gondola is anticipated before 2029. Additional details and conditions related to the gondola will be decided as part of the Phase II vertical development CUP, including completion of the gondola and issuance of Certificates of Occupancy related to Phase II vertical development.
30. The Applicant must demonstrate compliance with LMC Section 15-6-5(D) *Open Space*.
31. The Applicant must submit landscape plans that comply with Municipal Code of Park City Chapter 11-21 *Wildland Urban-Interface*, LMC Section 15-5-5(N) waterwise landscaping, and mechanical equipment and service and delivery screening. The landscape plan shall for vertical development include a phasing plan that outlines the timeline for viable plantings and landscaping protections in consideration of overall project construction and timelines.
32. The Phase II vertical development site plan must include a minimum of 27,878 square feet (0.64 acres) of snow storage on site.
33. The Applicant must submit an updated Sustainability Plan and provide information about building types and energy use as part of the Phase II CUP.
34. Trail access shall be addressed as part of the Phase II CUP.

Building Permit Submittal Requirements

35. The project is over 1.0 acres and will be required to meet the requirements of Park City's municipal separate storm sewer system (MS4) storm-water

program.

36. Final utility plans shall be submitted with the Building Permit.
37. Dry utility infrastructure must be located on the property and shown on building plans prior to Building Permit issuance to ensure that utility companies verify that the area provided for their facilities are viable and that exposed meters and boxes can be screened.
38. The Snyderville Basin Water Reclamation District's review and approval of the utility plans for conformance to the District's standards is a condition precedent to Building Permit issuance.
39. The Applicant is obligated to agree in writing to construct and convey to City storage facilities, pumping facilities, and transmission lines, as agreed upon and approved by the Public Utilities Director and City Engineer at the time of issuance of the Building Permit, to the extent necessary to store and transmit culinary water, irrigation water, and water for fire flows to the buildings and structures covered by the Building Permit and to connect the same to the water system of the City, and shall evidence to the satisfaction of the City the ability of the Applicant to comply with such agreements.
40. All water, storm water, and fiber infrastructure must first be approved by the Public Utilities Engineer and meet the current Park City Municipal Standard Plans, Drawings, and Specifications.
41. A geotechnical report, grading, compaction, erosion and drainage plans shall be submitted with the Building Permit plans.
42. A stormwater run-off and drainage plan shall be submitted with the building plans and approved by the City prior to issuance of any Building Permits. The plan shall follow Park City's Storm Water Management Plan, and the project shall implement storm water Best Management Practices. Post development drainage shall not exceed predevelopment drainage.
43. The Applicant's Building Permit plans shall include detailed information regarding mechanical equipment, which shall be screened when visible from public rights-of-way and Doe Pass Road. The Applicant commits to locating all mechanical systems in internal machine and mechanical rooms consistent with applicable codes. Roof-mounted equipment will be shielded and screened.
44. A mandatory recycling program including recycling facilities that accommodate the option of dual-stream recycling is required for the site.

The Building Permit plans must show recycling facility capacity for tenants, residents, users, operators, and owners. Recycling facilities must include but are not limited to glass, paper, plastic, cans, cardboard, or other household or commercially generated recyclable and scrap materials.

- a. Centralized trash and recycling containers shall be in a completely enclosed structure with a pedestrian door and truck door or gate, designed with materials compatible with the principal structures within the MPD, constructed of masonry, steel, or other substantial materials.
 - b. Openings of trash and recycling shall be oriented away from public view or screened.
45. Prior to submitting a Building Permit, the Applicant shall submit documentation of an access and encroachment easement proposed on Parcel PC-745 for the loading dock near the proposed event center.
46. The Applicant must submit landscape plans for the Phase I parking structure that comply with Municipal Code of Park City Chapter 11-21 *Wildland Urban-Interface*, LMC Section 15-5-5(N) waterwise landscaping, and mechanical equipment and service and delivery screening. The landscape plan shall adequately screen the exposed facades of the parking structure and must include a phasing plan that outlines the timeline for viable plantings and landscaping protections in consideration of overall project construction and timelines.
47. **Park City Fire District Building Permit Requirements** – unless otherwise approved by the Fire District:
- a. Cul-de-sacs must be a minimum of 90 feet in diameter. This includes drop-off areas.
 - b. The inside radius of all roundabouts must be no less than 28 feet.
 - c. All fire vehicle access roads must be no less than 20 feet wide. This includes areas in the parking structure that are considered fire vehicle access roads.
 - d. All fire vehicle access roads must have a vertical clearance of no less than 13 feet six inches.
 - e. The Applicant must provide detail showing how the Aerial Fire Apparatus Roads requirements in Section of D105 of the International Fire Code will be met or provide a detail showing the location of protected stairwells with access to each roof. Please note that if the second option is chosen, additional access will be required on the west, north, and east sides of the structure that will allow firefighter access to the deck level of the structure.

- f. Access capable of supporting a fire apparatus weighing up to 70,000 pounds across the top of the structure connecting Deer Valley Drive East and Deer Valley Drive West must be provided. The access will be required to be kept clear during the ski season as determined by Deer Valley Resort winter operation dates. The access may be blocked for snowmaking up to 30 days prior to Deer Valley Mountain Resort winter opening date and for snow removal up to 30 days after Deer Valley Mountain Resort winter closing date.
- g. The location of the FDCs will be reviewed at the Building Permit phase.
- h. All portions of the parking structure that include a fire vehicle access road in which the fire vehicle must travel below grade must be of IA construction.
- i. The Applicant must show that the parking structure will be protected with an NFPA 13 fire sprinkler system designed to the Ordinary Hazard 2 requirements.
- j. All sidewalk curbs must be “rolled”, and all sidewalks must be designed to withstand the weight of a fire apparatus.
- k. Access to the top of the structure has not been evaluated. This will be reviewed at the Building Permit phase. Submittal documents for the parking structure must include details of the structures being built on top of the structure. These details must include construction type, maximum height as measured from the lowest level of fire vehicle access, and square footage.
- l. The Park City Fire District will not consider any requests to waive high-rise requirements for structures built on top of the parking structure.

Signs and Lighting

- 48. **Master Sign Plan** – The Applicant is required to submit a Master Sign Plan application that complies with Municipal Code of Park City Title 12 *Sign Code* to establish visual compatibility and consistency for signage throughout Snow Park Village. Individual signs proposed to be installed within Snow Park Village require compliance with the Master Sign Plan and a sign permit application submittal and approval.
- 49. **Dark Sky Compliant Lights** – Outdoor lighting must be Fully Shielded, down-directed, with bulbs 3,000 degrees Kelvin or less. Outdoor lighting shall not exceed 2,500 Lumens per light or 100,000 Lumens per acre.
- 50. **Interior Parking Structure Lighting** – Light sources within the first 30 feet of the open parking **structure** entryways must be partially shielded to direct light inward.

Deer Valley Master Planned Development Modification

51. The modifications to the Thirteenth Amended Deer Valley MPD are limited to those described herein in a form to be approved by the City Attorney's Office. A Fourteenth **Amended** Deer Valley MPD will be required for the Phase II vertical development CUP to address Unit Equivalents, uses, and affordable housing.

Construction Mitigation and Phasing Plan

52. A Construction Mitigation Plan (CMP) shall be submitted in compliance with the Municipal Code for review and approval by the City as a condition precedent to issuance of any grading or Building Permits. The CMP shall be updated as necessary to **identify** impacts and propose reasonable mitigation of these impacts on the site, neighborhood, and community due to construction of this project.
53. The Applicant shall include at a minimum the following in the CMP:
 - a. The Applicant shall appoint a construction compliance representative who shall report to the Building Department daily, including information on construction hours and delivery times.
 - b. The Applicant shall collaborate with the City to increase the frequency of the Deer Valley Express route from the any identified or proposed off-site parking area to the Snow Park Base during construction and shall contribute financially (annually) in a manner commensurate with the additional public transit necessary and as determined by the City. As the Applicant continues to use the Richardson Flat parking area, the Applicant shall work with the City on enhancements to the operation and use of the Richardson Flat parking area.
 - c. During the 2025-2027 winters, or until the parking structure is complete, whichever date is later, the Applicant shall create and manage a reservation parking system for all types of users at the Snow Park Base.
 - d. Parking on Deer Valley Drive and public rights-of-way is prohibited. The Applicant will support the City's parking enforcement efforts.
 - e. **Construction Vehicle Parking –**
 - i. Prior to submitting a Building Permit application, the Applicant shall submit a construction employee parking plan that outlines the number of parking spaces at the Snow Park Base reserved for construction workers. The plan shall describe the

- number of anticipated construction workers in each construction phase, the number of construction vehicles accommodated on the construction site, and the plan to require construction employees to park offsite in locations out of the City boundary unless otherwise approved with adequate transportation accommodation provided by the Applicant for construction employees and their equipment.
- ii. Construction employee parking outside of the approved Building Permit limits of disturbance area or in a location not explicitly approved through the employee parking plan is prohibited.
- f. **Construction Delivery Vehicle Parking –**
- i. Prior to submitting a Building Permit application, the Applicant shall submit a plan showing large vehicle parking required for each phase of construction, as well as the allocated area for large vehicle parking. The plan shall include information on general contractor responsibility to notify all large vehicle drivers of the parking restrictions and requirements. The plan shall be reviewed and updated as required by the Chief Building Official prior to Building Permit issuance and as needed throughout construction.
 - ii. Any onsite fuel tanks must have secondary containment approved by the Environmental Coordinator.
 - iii. A construction compliance representative shall be appointed and shall report to the Building Department daily, including safety specifications for equipment.
 - iv. Large vehicle parking is prohibited in areas open to the public.
 - v. Large vehicle parking is prohibited within rights-of-way.
 - vi. The job site shall have the oversight of a full-time project supervisor who will be responsible for inspecting all trucks and drivers to ensure that only approved equipment and drivers will be operating construction vehicles/equipment. The job site supervisor will be in direct communication with City inspectors and code enforcement staff to monitor the job.
 - vii. The Applicant shall submit a plan regarding construction materials and supplies including the possibility of stockpiling materials on or near the site to reduce the number of delivery trips to the construction site. At least 72 hours prior to a large delivery or concrete pour, the contractor shall notify impacted properties along the trucking route to ensure awareness of the work. Flaggers must be stationed at any point where construction traffic will merge with day-to-day traffic.

- viii. Deliveries are prohibited outside of approved construction work hours unless otherwise approved by the Chief Building Official.
- g. **Construction Phasing** – Prior to submitting a Building Permit application, the **Applicant** shall submit a plan regarding the scope and phasing of utility, roadway, and parking structure construction and completion.
- h. **Trash Management and Recycling** – The Applicant's CMP shall include a recycling and waste management plan which targets diversion of 75% of the waste materials generated from all phases of construction by weight from the landfill. This includes structural wood, concrete, and asphalt.
- i. **Control of Dust and Mud** – The Applicant shall submit a plan for the installation and maintenance of a truck wash on the construction site within the Limits of Disturbance to control dust and mud. The plan shall include the characteristics of the site, including gravel and drainage for review and approval by the Building Department prior to Building Permit issuance.
 - i. The Applicant shall provide a detailed plan for street sweeping.
 - ii. The Applicant shall submit a fugitive dust control plan.
- j. **Noise Ordinance** – A construction compliance representative shall be appointed and shall report to the Building Department daily, including a decibel reading **report** when required by the Chief Building Official.
 - i. Except for emergencies, requests for exceptions to the noise regulations in MPCP Section 6-3-8(G) should be made to the Chief Building Official at least one working day in advance or they may be denied.
 - ii. The Applicant shall provide a noise management plan for trucks proposed to go uphill for excavation and hauling.
- k. **Grading and Excavation** – At the time of Building Permit submittal, a geotechnical report, grading and drainage plans, and compaction and erosion **control** plans will be required. A construction compliance representative shall be appointed and shall report to the Building Department daily, including reports of regular inspections of dump trucks and hauling equipment.
 - i. Inspections of the hauling sites are required at the end of each construction season.

- I. **Erosion Control Practices** – A storm water pollution prevention plan (SWPPP) shall be obtained and followed pursuant to the requirements of the state, including a concrete truck washout area and erosion control protections.
 - i. The SWPPP shall address installation of slit fences or straw bales within drainage channels, minimal soil disturbance within drainage areas, blown straw media within the drainage, detention basin, and retention ponds.
- m. **Construction Sign Requirements** – Construction signage and area protection must be provided in multiple locations along the Limits of Disturbance fencing, and each sign shall not exceed 12 square feet in size, six feet in height, and letter type of more than four inches, and shall include (1) the name, address, and phone number of the contractor, (2) the name address and phone number of the person responsible for the project, and (3) the phone number of party to call in case of emergency.
- n. **Public Transit During Construction** –
 - i. In the summer of 2025, the Applicant shall provide transit priority through the construction area to maintain schedules.
 - ii. In the summer of 2026, the Applicant shall provide a location for transit turnaround, due to limited access to the Snow Park Base. A temporary transit turnaround and terminal shall be provided at one of the following locations: Deer Valley Drive East or West close to the Snow Park Base, in which street-legal shuttles would be required to provide service along the unserved route, or Deer Valley Drive East at the designated parking lot in which street-legal shuttles would be required to provide service to the Snow Park Base as well as along Deer Valley Drive West.
 - iii. Additional street-legal shuttles can be provided by the Applicant or the City (on a cost per hours basis). Should the Applicant provide additional transit or street-legal shuttle services, they would be required to operate over the normal service span and remain open to the public.
 - iv. During the winter of 2026-2027, a street-legal shuttle will be required to transport along Deer Valley Drive East to the Snow Park Base.
 - v. During the summer of 2027, the Applicant shall prioritize transit through the construction area to maintain schedules.

- vi. During the summer of 2027, the winter of 2027-2028, the summer of 2028, the winter of 2028-2029, and the summer of 2029, the Applicant shall provide street-legal shuttle service to transport along Deer Valley Drive East to the Snow Park Base that operates over the normal service span and is open to the public.
- vii. These Conditions of Approval may be modified in the annual temporary transportation and parking plan review during parking structure construction.
- o. **Park City Fire District Conditions During Construction –**
 - i. All portions of Snow Park Lodge must be within 150 feet of a fire vehicle access road at all times.
 - ii. Access to the entrance to Royal Street must be maintained throughout the project.
 - iii. Access around Snow Park Lodge must be maintained through the project.
 - iv. Temporary traffic lighting is acceptable during non-working hours and when traffic is at a minimum (i.e., not during events and concerts). During working hours and events, traffic control must be accomplished via flaggers, or another plan must be in place that will give priority to emergency vehicles.
 - v. The Park City Fire District will require emergency plans as part of the Building Permit review. Those plans must detail how access will be maintained for emergency vehicles.
- p. **Soils – The** property is outside the Soils Ordinance Boundary and not regulated by the City for mine-related impacts. The Applicant must handle mine waste or mine waste-impacted soils in accordance with Resolution No. 24-2023, state, and federal law. As described in Resolution No. 24-2023, if impacted soils are encountered an amendment to the Soils Ordinance may be requested by the Applicant to facilitate the reduction of impacts to facilitate safe and efficient development.
 - i. The Applicant is required to haul excavation soil within the Snow Park ski area and not outside the ski area unless required by environmental regulations.
 - ii. The Applicant shall regulate permitted times for truck trips to minimize soil hauling resulting from excavation during construction in coordination with the Building Department.

54. Prior to Building Permit submittal, the Applicant shall obtain Planning Commission approval of a Snow Park Subdivision. Subdivision Plat recordation is required prior to Building Permit issuance.

The motion was seconded by Commissioner Shand. The motion passed with the unanimous consent of the Commission.

- E. Snow Park Village - Subdivision** – The Applicant Proposes Snow Park Village Lot 1, a 24.28-Acre Lot Including Snow Park Lodge and the Future Snow Park Village in the Residential Development Zoning District. PL-22-05168.

Chair Hall opened the public hearing. There were no comments. The hearing was continued to April 2, 2025.

MOTION: Commissioner Johnson moved to CONTINUE the Snow Park Village Subdivision application and public hearing to April 2, 2025. Commissioner Suesser seconded the motion. The motion passed unanimously.

6. ADJOURNMENT

MOTION: Commissioner Shand moved to ADJOURN.

The meeting adjourned at approximately 8:36 p.m.

February 24, 2025 | 6:56 p.m.

Dear Planning Commission Members,

I am in support of the Snow Park Development, but remain concerned about the number of parking spots that Deer Valley/Alterra is proposing. The errant number in the public- private partnership should be amended.

Traffic management (in the form of managed parking spots for day skiers) is critical for the safety of the neighbors surrounding Deer Valley. I have experienced travel times of up to 10 times greater in ski traffic from Deer Valley to Prospector than without traffic. I fail to understand how that is acceptable and believed to be safe if there were a disastrous event.

It is the planning commission and city council's responsibility to address the errors in the Deer Valley's materials so that a real 20% reduction in traffic is realized.

Note:

- (1) The Land Uses were the same in the 2022 and 2023 applications.
- (2) The 2024 application reduced the number of multi-family residences and hotel rooms. Retail increased and the recreational community center changed to an event center and a ski club.
- (3) In 2022 & 2023, 1350 base day skier stalls was assumed. 1340 stalls exist in the current lots. Trips were added in 2023 to arrive at 1500 day skier stalls. In 2024, adjustments should not have been made to reduce day skier parking if the current base stalls are 1340 in the lots.
- (4) WCG asked for a reduction in walk, bike, transit and internal capture in 2023 as it is difficult to change habits. These amounts increased again in the 2024 Fehr Peers Analysis. What has changed?

Again, I am excited about the Snow Park Development. However, I remain concerned about safety if the number of parking spots is not corrected to reflect the 20% reduction. It seems that anything else will permanently impact the safety of residents and visitors in the Deer Valley area.

Sincerely,
Maureen Murtaugh, Park City 84060

February 24, 2025 | 8:01 p.m.

At the January 22 meeting Deer Valley discussed the 611 parking spaces that they indicate are allowed by virtue of the commercial and condo components of the Snow Park project. They indicated that 250 of the spaces would be dedicated for a ski club. This constitutes about 40% of the 611. If one strips out the spaces associated with the condo units, the 250 spaces probably account for 50% or more of the commercial component. They also said that the ski club will involve more than skiing.

The number of parking spaces allocated implies that the ski club would occupy half or more of the commercial space, which doesn't seem realistic. It seems unlikely that there would be activities on a daily basis, other than skiing, that would involve 100 or more people at a given time. Unless Deer Valley can provide a more compelling case to the contrary, a reasonable person would conclude that the 250 spaces are in essence day skier parking.

David Live

Park City 84060

Approved 03.26.2025

February 24, 2025 | 5:24 p.m.

My name is Jonathan Slager and I am a property owner at Deer Lake Village in lower Deer Valley.

I am writing to you in support of moving forward with the CUP and getting the lower village moving forward. I have seen all the activism and Nimbyism and it is pretty clear that much of this is led by people who are not qualified to understand the traffic situation, nor does she even contemplate all the benefits and positives for all of the homeowners in the area. A few comments that I would specifically call out:

1. The proposed development will undoubtedly add significant value to all of the homes of all the owners in the area including and especially the Solamere owners.
2. The development will also offer more amenities for their benefit and the benefit of all of the Park City area residents.
3. The conversion of a dog-eared parking lot into hotels, restaurants, shops and residences is a huge upgrade by anyone's view.
4. The parking and traffic situation is already challenging during peak traffic on weekends during ski season and anyone who lives in the area can easily plan around the situation. The handful of hours that are already challenging may or may not get better but for sure the addition of the eastern access is already helping and will continue to help as they open up the Gondola. This will have far more impact on the traffic than anything else and it's a positive.
5. The vast majority of all the homeowners in my anecdotal and informal survey are strongly in favor of the addition of these great amenities and not concerned with the minor traffic issues that may or may not be worse in times when its already bad.

Let's stop letting the tail wag the dog here and lets get the project back on track.

February 24, 2025 | 11:09 a.m.

To all it may concern,

The sleight of hand added parking spaces greatly exceeds the agreed upon number and will undoubtedly result in a very negative outcome to both locals and visiting guests. The city needs to seek solutions to the traffic issue, not add to it with the current Alterra proposal. It must not be approved!

Best,

Carol Chenevert

Deer Lake Village full time resident.

February 24, 2025 | 12:21 p.m.

Dear Planning commission,

My name is Roya Baldrige, we are part time residents of lower Deer Valley. I would like to make the following comments and have them added to the public records.

I would like to begin by saying that I look forward to having a wonderful base at Deer Valley in the next 5-6 years.

I also want to express my gratitude to both Deer Valley and the Park City Planning Commission for their diligent efforts in finding solutions for the future of our city.

Having attended all city council and planning meetings, I am familiar with the proposed plans. Currently, the discussions and recommendations focus primarily on the immediate surroundings, extending slightly beyond the Y intersection. However, as we consider redeveloping Lower Deer Valley, this is the ideal time to take a broader perspective on Park City's future.

Park City and Deer Valley are not the only historic small towns undergoing transformation. Many old European towns with cobblestone streets have faced similar challenges with increased traffic and tourism. We can learn from their experiences and solutions.

Possible Solutions:

1. Enhanced Public Transportation Beyond the Y Intersection

Destination towns worldwide have successfully implemented **efficient, affordable, and clean** public transportation to bring visitors into their city centers. Park City should do the same.

- We need to explore **transportation solutions from Salt Lake City's major hubs—**SLC Airport, the University of Utah, and downtown Salt Lake City—into Park City and Deer Valley.

- The city and Deer Valley should collaborate with **Utah transportation authorities** to explore a possible **fast-track rail service from neighboring cities** such as Heber and SLC.
- The Planning Commission **should not approve any redevelopment plans** until we have a clear, comprehensive strategy for addressing the broader traffic issues.
- Currently, the debate over an additional **200-300 parking spots** has become a sticking point between Deer Valley and the city. However, if we establish a **proper public transportation system**, parking limitations become less of a concern. A well-planned transit system benefits both Park City and Deer Valley by increasing visitors while minimizing traffic congestion.

2. Limiting Downtown Traffic

- The reality is that **neither Park City nor Deer Valley have the infrastructure to support increased traffic**. Instead of expanding parking, we should focus on **frequent in-town shuttle services, electric trams, and enhanced bus networks**.
- Other historic towns have successfully **restricted vehicle traffic in downtown areas**, prioritizing clean and efficient transit options. Park City should follow suit.

3. Optimizing Existing Deer Valley Shuttle Services

- Every day, I see **Deer Valley-branded minibuses and SUVs** driving around town, often with **only one or two passengers**. These vehicles could be better utilized.
- A simple yet effective solution: **Encourage these shuttles to stop and pick up skiers walking in their ski boots or waiting at bus stops**. This small gesture creates goodwill at no additional cost and reinforces Deer Valley's reputation for exceptional service.

We all recognize that **Park City and Deer Valley lack the road infrastructure to support growing traffic demands**. Instead of focusing solely on local parking expansions, we must take a **big-picture approach**—one that looks **beyond the Y intersection** to ensure a well-planned, sustainable future for our community.

Thank you for your time,

Roya Baldrige

February 24, 2025 | 12:33 p.m.

Hello

Can you please make this part of the public record. As I understand you are getting closer to the final votes for the Deer Valley Snow Park project, I ask you to continue to consider a few smaller points (beyond parking, life safety and height restrictions).

1. All utilities and trash are contained to interior areas of the buildings so nearby communities are not looking at trash systems and utilities from their windows.
2. Light be managed in a way that does not fully impact the evening peaceful darkness in lower DV
3. Rebuilding and maintenance of the walking paths around the ponds. The paths on the side of the roads and the interconnecting paths between all of the ponds need to be redone and maintained. It would be a nice consideration for the local community that this would be included in their project and regular snow removal and maintenance would be done to allow adjacent communities to walk to the village (Bristlecone, Fawngrove, Pinnacle, etc...)
4. Limiting the hours of construction to reasonable times in the AM and evening.
5. Bus and transit drop-off take place underground or at the base to remove the visual aspect of all Lower DV residences from having to look at a transit center.
6. Support dust protection during construction.
7. Support wildlife preservation

Thanks

Jason Horst

Bristlecone Community

February 24, 2025 | 11:37 a.m.

I am a homeowner at Silver Baron Lodges and have been tracking the progress of the Snow Park Development through a variety of sources including Protect The Loop headed by Allison Keenan. I fully support and agree with the points she raises in the two attached letters she has sent to the Planning Commission earlier. Increased traffic will cause congestion and safety concerns in front of and around Silver Baron Lodge. These concerns need to be addressed as part of the planning process.

Thank you for your service to the City of Park City.

Stefan Kampe

Approved 03.26.2025

Dear Planning Commissioners,

Deer Valley proposes to develop the Snow Park Village in two phases:

Phase I - underground parking; transit hub; road, utility and pedestrian improvements

Phase II – hotel; residential units; commercial and support space

Without knowing Phase 2 land uses, it is impossible to calculate daily trip generation and evaluate parking requirements per the LMC. Commissioner Suesser noted this at the October 9 meeting.

Daily trip generation is the foundation of Fehr & Peers' estimation of additional daily traffic to and from Snow Park, as well as peak traffic and the viability of intersections. However, three different Fehr & Peers reports (attached) over three years reflect disproportionate and unsupported changes in trip generation numbers. Changes in daily trip generation resulting from Snow Park redevelopment must be clearly defined. This can only be done with accurate land uses.

First and foremost, we need an accurate baseline of current daily trips so we can assess the impact of the additional daily trips from the proposed development. The numbers of existing trips have changed from the October 2022 Fehr & Peers analysis to the 2024 analysis. In fact, AM Saturday Peak Hour trips have increased from 1,050 to 1,370 – a 30% increase. PM Saturday Peak Hour trips have increased from 1,420 to 1,510 – a 6% increase. Based on the current trip generation calculations, the new development will increase Saturday Peak Hour AM traffic by 3.6% (1,370 trips in 2024 to 1,420 trips) and increase Saturday Peak Hour PM Traffic by 15.2% (1,510 trips in 2024 to 1,740 trips).

July 2022 – This table confirms **2,276** additional daily trips based on an application that reduced parking to 1,800 parking spaces total including parking for 143 Multifamily Low-Rise Housing Units and 193 Resort Hotel Units.

April 2023 - Deer Valley withdrew their request for reduced parking late in 2022, and a revised Snow Park Village Trip Generation analysis done in April 2023 stipulated **3,616** additional daily trips. The table also confirms an additional 150 day skier parking stalls was added to existing base parking of approximately 1,350 stalls. (There are actually 1,340 stalls in the existing lots.) Meanwhile, pursuant to feedback from WCG and Planning Commissioners regarding the difficulty in getting people out of cars, significant reductions were applied to assumptions on the percentage of those who would bike, walk, or use transit. Likely all of these factors contributed to the more than 50% increase in new daily trips Fehr & Peers stipulated in 2023.

July 2024 - The latest Fehr & Peers analysis shows 1,971 total parking spaces which is more than the 1,800 cited in the July 2022 report. Yet the new daily trips number is reduced by more than 63% to **834**. The only supports Fehr & Peers offers for its massive reduction in daily trip generation are undetermined changes in land use and a mistaken reduction in day skier/staff parking. Please see the attached file showing trip generation for 2022, 2023 and 2024.

In the 2022 and 2023 Fehr & Peers reports, land uses were notably different from what is proposed in 2024. Yet no final application for Phase II with land uses has been submitted. Multifamily housing was 143 units in 2022 and 2023 and now reduced in 2024 to 100 units. Resort Hotel was 193 rooms in prior reports and is 120 rooms in 2024. These changes in land

uses result in 1,109 fewer gross daily trips. If this is inaccurate, additional daily trips could be understated by more than 200%.

My previous email detailed contradictions in parking numbers. Contradictions and errors persist in the 2024 report and further cloud understanding. The 2024 report cites a 340 stall reduction to day skier/staff parking. But there are currently 1,482 spaces available on peak days, and the current proposal stipulates 1,361 day skier/staff spaces. That equates to a reduction of 121 stalls, not 340. Inserting the correct number on this line alone results in 657 additional daily trips and a 178% increase to daily trips generated by the proposed development over what is currently included by Fehr & Peers.

Between potential changes to land uses that have yet to be confirmed and parking numbers, additional daily trips could be 2,600 rather than 834. It is imperative that the Planning Commission know land uses are determined and parking calculations are correct. Without proper information and accurate data, daily trip generation could be 3 times what is currently included in the Fehr & Peers 2024 report.

It must be noted that the repeated references in Fehr & Peers reports, staff reports, and general dialogue to "Day Skier/Staff Parking" are misleading. Deer Valley has not submitted employee parking plans for executives and/or other staff, but regularly states that employees (including ski school instructors) will not be permitted to park at Snow Park and instead have to rely on transit. If employees shall be permitted to park at Snow Park, Deer Valley must disclose where and how many at a time. If employees shall be forced to park remotely, that must be disclosed as well in order to calculate for the peak period traffic increases that will result when existing employee parking is converted to day skier parking.

In conclusion, I'd like to reiterate two points:

- 1) It is imperative that land uses are confirmed and stipulated as a part of the Phase I application.
- 2) Parking reductions must be based on the actual current day skier and staff parking (these are not the same) of 1,482 spaces on peak days, and future allowances for employee parking must be specified.

Every traffic metric for the development is determined by trip generation numbers.

As always, I support the development rights of Deer Valley, but approvals cannot be granted where numbers and assumptions remain incorrect. Traffic ramifications must be transparent so they can be mitigated properly. The Planning Commission must find that the project addresses and mitigates traffic in order to issue a CUP for the proposed development. Thank you.

Sincerely,

Allison D Keenan

Dear Planning Commissioners,

Your duty is to ensure that Deer Valley's Master Planned Development (MPD) and Conditional Use Permit (CUP) applications fully comply with Ordinance No. 2023-56 and Resolution No. 24-2023, which outline the Conditions of Approval stipulated by City Council in exchange for vacating 2.62 acres of public roadway along Deer Valley Drive.

ORDINANCE NO. 2023-56

One condition within the Private Public Partnership (PPP) Summary, dated November 30, 2023, is a 20% reduction in day skier parking from existing conditions. On December 6, 2023, Park City Municipal published a FAQ stating:

"Is there a 20% reduction in day skier parking proposed? On peak days, Deer Valley parks approximately 1,700 day skier vehicles. The proposed partnership would limit day skier vehicles to 1,360 in the future — a 20% decrease from current peak day conditions."

Despite PTL challenging these numbers in public comments, City Manager Matt Dias reiterated them at the December 14, 2023 City Council meeting where the PPP and the Right of Way (ROW) vacation were awarded. However, these numbers are incorrect. The five parking lots at the base of Deer Valley currently have 1,340 parking spaces. Additionally, in December 2019, City Council authorized a temporary parking program permitting up to 142 on-street spaces during peak days. Therefore, existing conditions include a total of 1,482 authorized spaces for both day-skiers and employees.

The Staff Report drafted for the recent October 9th Planning Commission meeting acknowledged the correct numbers initially but then erroneously stated that the Snow Park Area has around 1,700 parking spaces at peak. This error is significant and must be corrected. Historical evidence supports a total of 1,482 spaces including a December 19, 2022 Planning Commission Staff Report that confirms these figures: "Deer Valley currently has 1,340 parking stalls in the surface parking lots north and south of Doe Pass Road. With the addition of 142 on-street parking stalls, this equates to 1,482 day skier and employee parking stalls today."

In Staff Reports related to the Snow Park development and issued prior to December 2023 when no parking reduction was sought, 1,500 day-skier parking stalls was the number used to ensure sufficient parking for day skiers and employees in the proposed garages. You'll recall in 2022, Deer Valley introduced a 20% parking reduction. Accordingly, parking was reduced to 1,200 stalls. See Table below from the December 19, 2022 Meeting package.

Projected Future Demand By Use			
Use	Existing	Parking Required By Code	Estimated Future Demand with 20% Reduction
Deer Valley Resort Day Skier & Employee	1,350	1,500	1,200
Event Center	0	251	201
Commercial	0	107	86
Subtotal	1,350	1,858	1,487
Residential	0	198	158
Hotel	0	206	165
Subtotal	0	404	323
Total	1,350	2,262	1,810

Fehr and Peers confirms the lower number of existing stalls in its Snow Park Village Transportation Analysis dated April 2023, Table 7, page 37, Footnote 10 reads: “The rates for day skiers were derived by calculating the number of existing vehicles with the available 1,350 stalls.” After Deer Valley withdrew the parking reduction they initially proposed in 2022, Table 7 added an additional 150 day skier parking stalls for a total of 1,500 day skier parking stalls. The modified Transportation Analysis presented in April 2023 confirmed a total of 1,500 day skier stalls.

On the off chance City Manager Dias included ADA and executive parking in his calculation of existing conditions, those only add 62 spaces, nowhere near the 1,700. Thus, 1,482 spaces are the baseline, and a 20% reduction equates to 1,186 parking spaces that must be enforced.

According to the October 9 Staff Report, City Council approved Ordinance No. 2023-56 in part due to the reduction in day skier parking. However, the current plans show 1,361 day skier parking spaces (885 on level 1 and 476 on level 2), representing only an 8.9% reduction.

Park City’s Transportation Plan Master Update aims to reduce vehicle trips by 20%. You’ll recall PTL suggested repeatedly that a condition of approval for the ROW be that Deer Valley Resort reduce overall traffic on Bonanza and Deer Valley Drives by 20%. 8.9% does not come close to community or Park City Municipal goals and staff and Planning Commission must hold Deer Valley to the 1,186 day skier spaces permitted.

RESOLUTION NO. 24-2023

On December 14, 2023, the City Council approved Resolution No. 24-2023, outlining a Letter of Intent for the public-private partnership.” In terms of Snow Park Village MPD and CUP review, only 1,360 spaces may be designated for day skier use and another 611 spaces the Applicant is requesting for new uses are prohibited from day skier parking. This is to reduce vehicle trips. Yet, in the application before you, 250 of the 611 spaces prohibited from day skier parking are designated “ski club” parking spaces. Ski club members will use these spaces for parking when

they ski. If we consider another existing ski club – 1981 Club at Silver Lake – we know many members are locals and that dedicated parking is a membership perk. The same will be true of the new ski club at Snow Park where membership includes parking directly at the base on P1/Level 3. This amounts to more day skier parking and violates the 1,186 total spaces Deer Valley is allowed per legitimate application of Ordinance No. 2023-56.

Deer Valley's current plans effectively increase day skier parking from 1,482 to 1,611 spaces (1,361 day skier spaces + 250 ski club spaces). This contradicts the Conditions of Approval for the ROW vacation and fails to further Park City's traffic reduction goals.

CONCLUSION

I support the Snow Park base development, provided it complies with the Land Management Code (LMC) and Conditions of Approval. However, the current plans increase day skier parking and do not align with Park City's goals or the ROW vacation conditions. Planning Commission must ensure accurate parking analysis and reductions. It is vital to enforce existing conditions and demand sufficient mitigations to ensure that the development will be done responsibly.

Thank you for your consideration.

Sincerely,
Allison D Keenan

Snow Park Development Trip Generation

Year		Parking Spaces	Gross Daily Trips	Adjustments - Day Skier Parking (3)	Adjusted Gross Daily Trips	Reductions due to Walk, Bike, Transit & Internal Capture	% Reduction (4)	New Daily Trips	New AM Peak Hour Trips	New PM Peak Hour Trips
2022	20% Overall Parking Reduction - Day Skier Parking 1200	1,800	3,850	-	3,850	(1,574)	41%	2,276	162	204
2023	Fully Parked per LMC - Day Skier Parking 1500	2,236	3,850	1,113	4,963	(1,347)	27%	3,616	261	322
2024	New Submission - Change in Land Uses, Day Skier Parking 1,360	1,971	3,595	(1,020)	2,575	(1,741)	68%	834	13	209

(1) The Land Uses were the same in the 2022 and 2023 applications.

(2) The 2024 application reduced the number of multi-family residences and hotel rooms. Retail increased and the recreational community center changed to an event center and a ski club.

(3) In 2022 & 2023, 1350 base day skier stalls was assumed. 1340 stalls exist in the current lots. Trips were added in 2023 to arrive at 1500 day skier stalls. In 2024, adjustments should not have been made to reduce day skier parking if the current base stalls are 1340 in the lots.

(4) WCG asked for a reduction in walk, bike, transit and internal capture in 2023 as it is difficult to change habits. These amounts increased again in the 2024 Fehr Peers Analysis. What has changed?

Land uses determine trip generation estimates so these must be determined to have accurate numbers.

February 24, 2025 | 3:24 p.m.

To: PC Planning Commission

PTL (Protect the Loop) supports the development of the Snow Park base as long as it complies with the Land Management Code and Conditions of Approval. The revised plans with the underground drop off and transit center at the base are a vast improvement. PTL will continue to advocate for no more than 1,200 day skier parking stalls for a true 20% reduction in peak day skier parking and question assumptions made by Fehr & Peers and Deer Valley in terms of future trip generation and the effectiveness of the TDM plan to change the driving habits of Deer Valley skiers. Traffic is a major issue in Park City. The Planning Commission must find that the project addresses and mitigates traffic.

In December 2023, when the City agreed to the ROW vacation, one of the conditions was that DV reduce day skier parking by 20%. However, the City believed Deer Valley's assertion that there are currently 1700 day skier spaces on peak days. Deer Valley further asserts that a 20% reduction is 1,360 parking spaces for day skiers. Somehow, they got the City to buy into this without ever proving or providing documentation for the 1,700 current spaces. Two Commissioners asked for clarification on this at the last meeting, but it still has not been provided.

Every report prior to December 2023 has 1,340 spaces in the lot plus 142 overflow spaces allowed on the loop for 1,482 spaces. (Wade Budge and Hannah Tyler said Deer Valley has additional overflow spaces on Doe Pass. The numbers still do not add up.) The 1,500 current peak day skier parking number had been used in all Fehr & Peers and City reports prior to December 2023. I have been speaking about this at meetings and sending letters to the Planning Commission and City Council about this for months.

The 1,700 number is now included in the CUP application for Phase I and revised MPD that may be approved on Wednesday. Without detailed documentation, 1,700 should not be included as the base number of day skier stalls on peak days. Unfortunately, Deer Valley's attorney Wade Budge and Deer Valley's Hannah Tyler said the 1,360 was part of the negotiations with the City. I asked the City Manager Matt Dias and City Councilor Ryan Dickey how Deer Valley explained the increase in numbers. It is what Deer Valley presented to them. The City agreed to a false metric when negotiating for the ROW vacation. Yet, there is solely an LOL in place with these numbers. It is not legally binding. The numbers can be corrected.

Currently, the proposed plans limit day skier parking to 1,360 cars. The total parking will be 1,971 with 611 additional spaces for commercial and residential use. (Ski Club parking will be part of the Phase II application.) In the 2022 plans, 1,200 day skier parking stalls were proposed plus 600 for commercial and residential stalls for a total of 1,800 parking stalls. This was a much better option. I have advocated for this time and time again. Bob Boone of American Flag has also advocated for a true reduction in day skier parking to alleviate peak traffic. A new traffic study was completed in October 2024. Due to the miscalculation of current day skier parking, it is flawed as well and significantly understates additional trip generation from the project.

Many issues were brought up when the Planning Commission reviewed the Construction Mitigation plan in November. Many of these issues such as workers leaving at the same time as skiers have not been addressed.

Please make my letter part of the public record. I have attached 2 letters sent to Planning plus a chart showing how their trip generation numbers have changed over time. The Planning Commissioners have asked questions about this. Deer Valley is holding firm in their assertions. The current plans do not sufficiently address and mitigate traffic.

Sincerely,

Susan Mehregan

Approved 03.26.2025

Dear Planning Commissioners,

Deer Valley proposes to develop the Snow Park Village in two phases:

Phase I - underground parking; transit hub; road, utility and pedestrian improvements

Phase II – hotel; residential units; commercial and support space

Without knowing Phase 2 land uses, it is impossible to calculate daily trip generation and evaluate parking requirements per the LMC. Commissioner Suesser noted this at the October 9 meeting.

Daily trip generation is the foundation of Fehr & Peers' estimation of additional daily traffic to and from Snow Park, as well as peak traffic and the viability of intersections. However, three different Fehr & Peers reports (attached) over three years reflect disproportionate and unsupported changes in trip generation numbers. Changes in daily trip generation resulting from Snow Park redevelopment must be clearly defined. This can only be done with accurate land uses.

First and foremost, we need an accurate baseline of current daily trips so we can assess the impact of the additional daily trips from the proposed development. The numbers of existing trips have changed from the October 2022 Fehr & Peers analysis to the 2024 analysis. In fact, AM Saturday Peak Hour trips have increased from 1,050 to 1,370 – a 30% increase. PM Saturday Peak Hour trips have increased from 1,420 to 1,510 – a 6% increase. Based on the current trip generation calculations, the new development will increase Saturday Peak Hour AM traffic by 3.6% (1,370 trips in 2024 to 1,420 trips) and increase Saturday Peak Hour PM Traffic by 15.2% (1,510 trips in 2024 to 1,740 trips).

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In conclusion, I'd like to reiterate two points:

- 1) It is imperative that land uses are confirmed and stipulated as a part of the Phase I application.
- 2) Parking reductions must be based on the actual current day skier and staff parking (these are not the same) of 1,482 spaces on peak days, and future allowances for employee parking must be specified.

Every traffic metric for the development is determined by trip generation numbers.

As always, I support the development rights of Deer Valley, but approvals cannot be granted where numbers and assumptions remain incorrect. Traffic ramifications must be transparent so they can be mitigated properly. The Planning Commission must find that the project addresses and mitigates traffic in order to issue a CUP for the proposed development. Thank you.

Sincerely,

Allison D Keenan

Dear Planning Commissioners,

Your duty is to ensure that Deer Valley's Master Planned Development (MPD) and Conditional Use Permit (CUP) applications fully comply with Ordinance No. 2023-56 and Resolution No. 24-2023, which outline the Conditions of Approval stipulated by City Council in exchange for vacating 2.62 acres of public roadway along Deer Valley Drive.

ORDINANCE NO. 2023-56

One condition within the Private Public Partnership (PPP) Summary, dated November 30, 2023, is a 20% reduction in day skier parking from existing conditions. On December 6, 2023, Park City Municipal published a FAQ stating:

"Is there a 20% reduction in day skier parking proposed? On peak days, Deer Valley parks approximately 1,700 day skier vehicles. The proposed partnership would limit day skier vehicles to 1,360 in the future — a 20% decrease from current peak day conditions."

Despite PTL challenging these numbers in public comments, City Manager Matt Dias reiterated them at the December 14, 2023 City Council meeting where the PPP and the Right of Way (ROW) vacation were awarded. However, these numbers are incorrect. The five parking lots at the base of Deer Valley currently have 1,340 parking spaces. Additionally, in December 2019, City Council authorized a temporary parking program permitting up to 142 on-street spaces during peak days. Therefore, existing conditions include a total of 1,482 authorized spaces for both day-skiers and employees.

The Staff Report drafted for the recent October 9th Planning Commission meeting acknowledged the correct numbers initially but then erroneously stated that the Snow Park Area has around 1,700 parking spaces at peak. This error is significant and must be corrected. Historical evidence supports a total of 1,482 spaces including a December 19, 2022 Planning Commission Staff Report that confirms these figures: "Deer Valley currently has 1,340 parking stalls in the surface parking lots north and south of Doe Pass Road. With the addition of 142 on-street parking stalls, this equates to 1,482 day skier and employee parking stalls today."

In Staff Reports related to the Snow Park development and issued prior to December 2023 when no parking reduction was sought, 1,500 day-skier parking stalls was the number used to ensure sufficient parking for day skiers and employees in the proposed garages. You'll recall in 2022, Deer Valley introduced a 20% parking reduction. Accordingly, parking was reduced to 1,200 stalls. See Table below from the December 19, 2022 Meeting package.

Projected Future Demand By Use			
Use	Existing	Parking Required By Code	Estimated Future Demand with 20% Reduction
Deer Valley Resort Day Skier & Employee	1,350	1,500	1,200
Event Center	0	251	201
Commercial	0	107	86
Subtotal	1,350	1,858	1,487
Residential	0	198	158
Hotel	0	206	165
Subtotal	0	404	323
Total	1,350	2,262	1,810

Fehr and Peers confirms the lower number of existing stalls in its Snow Park Village Transportation Analysis dated April 2023, Table 7, page 37, Footnote 10 reads: "The rates for day skiers were derived by calculating the number of existing vehicles with the available 1,350 stalls." After Deer Valley withdrew the parking reduction they initially proposed in 2022, Table 7 added an additional 150 day skier parking stalls for a total of 1,500 day skier parking stalls. The modified Transportation Analysis presented in April 2023 confirmed a total of 1,500 day skier stalls.

On the off chance City Manager Dias included ADA and executive parking in his calculation of existing conditions, those only add 62 spaces, nowhere near the 1,700. Thus, 1,482 spaces are the baseline, and a 20% reduction equates to 1,186 parking spaces that must be enforced.

According to the October 9 Staff Report, City Council approved Ordinance No. 2023-56 in part due to the reduction in day skier parking. However, the current plans show 1,361 day skier parking spaces (885 on level 1 and 476 on level 2), representing only an 8.9% reduction.

Park City's Transportation Plan Master Update aims to reduce vehicle trips by 20%. You'll recall PTL suggested repeatedly that a condition of approval for the ROW be that Deer Valley Resort reduce overall traffic on Bonanza and Deer Valley Drives by 20%. 8.9% does not come close to community or Park City Municipal goals and staff and Planning Commission must hold Deer Valley to the 1,186 day skier spaces permitted.

RESOLUTION NO. 24-2023

On December 14, 2023, the City Council approved Resolution No. 24-2023, outlining a Letter of Intent for the public-private partnership." In terms of Snow Park Village MPD and CUP review, only 1,360 spaces may be designated for day skier use and another 611 spaces the Applicant is requesting for new uses are prohibited from day skier parking. This is to reduce vehicle trips. Yet, in the application before you, 250 of the 611 spaces prohibited from day skier parking are designated "ski club" parking spaces. Ski club members will use these spaces for parking when

they ski. If we consider another existing ski club – 1981 Club at Silver Lake – we know many members are locals and that dedicated parking is a membership perk. The same will be true of the new ski club at Snow Park where membership includes parking directly at the base on P1/Level 3. This amounts to more day skier parking and violates the 1,186 total spaces Deer Valley is allowed per legitimate application of Ordinance No. 2023-56.

Deer Valley's current plans effectively increase day skier parking from 1,482 to 1,611 spaces (1,361 day skier spaces + 250 ski club spaces). This contradicts the Conditions of Approval for the ROW vacation and fails to further Park City's traffic reduction goals.

CONCLUSION

I support the Snow Park base development, provided it complies with the Land Management Code (LMC) and Conditions of Approval. However, the current plans increase day skier parking and do not align with Park City's goals or the ROW vacation conditions. Planning Commission must ensure accurate parking analysis and reductions. It is vital to enforce existing conditions and demand sufficient mitigations to ensure that the development will be done responsibly.

Thank you for your consideration.

Sincerely,
Allison D Keenan

Snow Park Development Trip Generation

Year		Parking Spaces	Gross Daily Trips	Adjustments - Day Skier Parking (3)	Adjusted Gross Daily Trips	Reductions due to Walk, Bike, Transit & Internal Capture	% Reduction (4)	New Daily Trips	New AM Peak Hour Trips	New PM Peak Hour Trips
2022	20% Overall Parking Reduction - Day Skier Parking 1200	1,800	3,850	-	3,850	(1,574)	41%	2,276	162	204
2023	Fully Parked per LMC - Day Skier Parking 1500	2,236	3,850	1,113	4,963	(1,347)	27%	3,616	261	322
2024	New Submission - Change in Land Uses, Day Skier Parking 1,360	1,971	3,595	(1,020)	2,575	(1,741)	68%	834	13	209

(1) The Land Uses were the same in the 2022 and 2023 applications.

(2) The 2024 application reduced the number of multi-family residences and hotel rooms. Retail increased and the recreational community center changed to an event center and a ski club.

(3) In 2022 & 2023, 1350 base day skier stalls was assumed. 1340 stalls exist in the current lots. Trips were added in 2023 to arrive at 1500 day skier stalls. In 2024, adjustments should not have been made to reduce day skier parking if the current base stalls are 1340 in the lots.

(4) WCG asked for a reduction in walk, bike, transit and internal capture in 2023 as it is difficult to change habits. These amounts increased again in the 2024 Fehr Peers Analysis. What has changed?

Land uses determine trip generation estimates so these must be determined to have accurate numbers.

February 25, 2025 | 7:09 p.m.

I remain excited about the Snow Park Development in general and the expanded ski terrain.

However, I am distressed by the volume of material submitted for review by Deer Valley/Alterra before the February 26th meeting. The number of business days between releasing them to the community and planning commission and meetings are too few. I strongly urge the planning commission to change the standards for **any applications**. Allowing more time for planning commission members and community members to review materials will allow a more careful review and allow plans to move forward in developers' and communities' best interests. The planning commission should require that any revised application from any applicant indicate in their materials any variation from the prior version using redlining or any editing function. This could save hours for city planning staff.

In the current Deer Valley application Exhibit A, fact number 9, there is a request for flexibility around heights and other parameters for the village.

At the beginning of the process it was my understanding that Deer Valley promised they would not ask for variances. For the traffic pattern, they did ask for and were granted a right-of-way vacation. It is not clear to me that the promised parking reduction of 20% will be realized. Now for the village, and I quote "To ensure the best design to protect view corridors and improve circulation, additional flexibility for height and building pads is likely to be necessary." It isn't possible to know what kind of flexibility that could be assumed if this is approved and the flexibility is not defined.

Please carefully consider Exhibit A, fact number 9, and any other provision or language that is ambiguous to ensure building heights and building pads adhere to the current code.

I'd like to reiterate that I welcome the development of Snow Park within the bounds that have been promised to the community and with the community's priorities --traffic mitigation and safety held at the top of planning commission review criteria.

Please include my comments in the public record.

Sincerely,
Maureen Murtaugh

2.25.2025 | 7:07 a.m.

Please find the attached letter for regarding that Deer Valley's Master Planned Development (MPD) and Conditional Use Permit (CUP) applications. We kindly request you that you add this to the public record prior to tomorrow evening's meeting.

Sincerely,

Michael Hellmers

Dear Planning Commissioners,

Feb. 25, 2025

As homeowners in the Solamere area for the past 13 years, we are very concerned about the proposed development at Deer Valley and the future traffic congestion. As planning commissioners, your duty is to ensure that Deer Valley's Master Planned Development (MPD) and Conditional Use Permit (CUP) applications fully comply with Ordinance No. 2023-56 and Resolution No. 24-2023, which outline the Conditions of Approval stipulated by City Council in exchange for vacating 2.62 acres of public roadway along Deer Valley Drive.

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Please make this letter part of the public record. Thank you for your consideration.

Sincerely,

Michael & Julie Hellmers
[REDACTED]
Park City, UT 84060