PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION
CITY COUNCIL CHAMBERS
November 30, 2016

AGENDA

MEETING CALLED TO ORDER AT 5:30PM
ROLL CALL
ADOPTION OF MINUTES OF OCTOBER 26, 2016
ADOPTION OF MINUTES OF NOVEMBER 9, 2016
PUBLIC COMMUNICATIONS – ***Items not scheduled on the regular agenda***
STAFF BOARD COMMUNICATIONS AND DISCLOSURES
WORK SESSION – *Discussion items only, no action taken*

Presentations by Park City Environmental Sustainability Manager (Luke Cartin), Transportation Manager (Alfred Knotts), Housing Program Manager (Rhoda Stauffer), and Community Development Director (Anne Laurent) regarding energy use in residential and commercial properties and potential changes in Land Management Code (various sections). Includes a presentation by Transportation Manager regarding trip generation reduction and transportation demand strategies and other tools that could be implemented through changes to the Land Management Code (various sections). A presentation will be delivered by the Housing Program Manager regarding the potential changes to the Land Management Code to support affordable housing (various sections). All presentations include references to various sections of the General Plan. The Planning Commission and staff will discuss the information presented. *105*
Discussion item only, no action taken. Public input may be taken

REGULAR AGENDA – *Discussion, public hearing, and possible action as outlined below*

7520-7570 Royal Street East- Deer Valley MPD 12th Amendment to combine MPD Lots F, G, and H of the Silver Lake Community, into one MPD Lot, Lot I. No changes to the approved density assigned to these MPD Lots are proposed. PL-16-03155 *Planner Whetstone* *137*
Public hearing and possible action

7520-7570 Royals Street East- A 2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision combining Lots F, G, and H into one platted lot, Lot I and amended Lot D of the Silver Lake village No.1 Subdivision to increase the area of skier and pedestrian easement by approximately 749 square feet. PL-15-02966 *Planner Whetstone* *215*
Public hearing and recommendation to City Council on December 1, 2016

7520-7570 Royal Street East- Conditional Use Permit for 34 residential units on Lot I of the Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision. PL-15-02967 *Planner Whetstone* *265*
Public hearing and possible action

8680 Empire Club Drive - A Conditional Use Permit for a 1,094 sf. addition to the Talisker Tower Club restaurant and expansion of the basement locker room. *Public hearing and continuation to December 14, 2016*	PL-16-03177 *Planner Whetstone*	*409*
8200 Royal Street East – Third Amendment to Stag Lodge, Phase 1 Condominium Plat to convert what is currently designated as Common Area to Limited Common Area to allow construction of a new deck. *Public hearing and possible recommendation to City Council on January 5, 2017*	PL-16-03202 *Planner Scarff*	*411*
1401 & 1415 Kearns Blvd., 1415, 1635, 1665, 1685, & 1705 Bonanza Dr., 1420 & 1490 W Munchkin Rd., – Bonanza Park North East Master Planned Development (MPD) Pre-Application determination in the General Commercial (GC) District. Project consists of a mixed-use development containing commercial space on the first floor and office or residential uses on the upper levels. Project includes surface parking and one level of underground parking. *Public hearing and possible action of the MPD Pre-Application*	PL-15-02997 *Planner Astorga*	*439*

ADJOURN

A majority of Planning Commission members may meet socially after the meeting. If so, the location will be announced by the Chair person. City business will not be conducted.

Pursuant to the Americans with Disabilities Act, individuals needing special accommodations during the meeting should notify the Park City Planning Department at (435) 615-5060 24 hours prior to the meeting.

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
NOVEMBER 9, 2016

COMMISSIONERS IN ATTENDANCE:

Vice-Chair Steve Joyce, Melissa Band, Preston Campbell, John Phillips, Doug Thimm

EX OFFICIO:

Bruce Erickson, Planning Director, Francisco Astorga, Planner; Kirsten Whetstone; Planner; Anya Grahn, Planner; Mark Harrington, City Attorney, Jodi Burnett, Outside Counsel

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REGULAR MEETING

ROLL CALL

Vice-Chair Joyce called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioners Suesser and Strachan who were excused.

PUBLIC INPUT
There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES
There were no reports or disclosures.

CONTINUATIONS (Public hearing and Continue to date specified)

1. 250 Main Street and the Parking Lot at top of Main St. - Plat amendment to combine lots of the Park City Survey into 2 lots of record and dedicate unused portions to Park City Municipal Corporation as Right of Way. (Application PL-16-03217)

Vice-Chair Joyce opened the public hearing. There were no comments. Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Phillips moved to CONTINUE 250 Main Street and the Parking Lot at the top of Main Street Plat Amendment to combine lots to December 14, 2016. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

2. 1061/1063 Lowell Avenue (Application #PL-16-03328) - The purpose of this plat is to vacate Lot 1 from the Northstar subdivision, which currently holds a duplex and has a deed line running through it. This plat amendment is associated with application #PL-16-03221. (Application PL-16-03228)

Vice-Chair Joyce opened the public hearing. There were no comments. Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Phillips moved to CONTINUE 1061/1063 Lowell Avenue plat amendment to December 14, 2016. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

3. 1061/1063 Lowell Avenue (Application #PL-16-03221) - The purpose of this plat is to subdivide one lot with a current duplex on it, separating it into 4 lots for 4 single family homes. (Application PL-16-03221)

Vice-Chair Joyce opened the public hearing. There were no comments. Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Phillips moved to CONTINUE 1061/1063 Lowell Avenue subdivision plat to December 14, 2016. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

4. 8680 Empire Club Drive - A Conditional Use Permit for a 1,094 sf. addition to the Talisker Tower Club restaurant and expansion of the basement locker room and storage.

Vice-Chair Joyce opened the public hearing. There were no comments. Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Phillips moved to CONTINUE 8680 Empire Club Drive CUP to November 30, 2016. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

WORK SESSION

Treasure Hill Conditional Use Permit, Creole Gulch and Town Lift Mid-station Sites – Sweeney Properties Master Plan. (Application PL-08-00370).

Planner Francisco Astorga noted that the Staff report outlined 11 bullet points for discussion this evening. Since this was a work session, he encouraged the Planning Commission to ask questions of the Staff and the applicant during the presentation. Public input would be taken following the Work Session.

Planner Astorga stated that the focus would be on mass, scale, physical compatibility and excavation. He pointed out that excavation was added to mass, scale and physical compatibility because it relates to those items. Planner Astorga noted that an environmental analysis still needed to be done, which is also associated with excavation.

Planner Astorga noted that the Staff report included many exhibits. Some were carried over from the October meeting, and others were updated as they submitted the cross sections and added measurements of the approximate excavation distances from the Lowell right-of-way. He also added measurements from the scale found on the drawings regarding the vertical excavation. He was prepared to pull up any of the exhibits if requested.

Planner Astorga stated that the Exhibit on pages 49 through 54 of the Staff report was a model that was presented to the City in February of 2010. He had also added the parameters from the original cross section and the sample elevations that were included in the original document; as the first page indicates that it was part of the original approval packet. The Staff had examined the Woodruff diagram and have major disagreements with the applicant regarding existing grade and the concept of excavating the back of the buildings.

In response to a question from Commissioner Band at the last meeting, Planner Astorga noted that the Spiro Water Source Protection Area was established in 1997.

Pat Sweeney, representing the applicant, introduced Steve Perkins, their land planner; David Eldridge, the project architect; and Rob McMann, the civil engineer. Mr. Sweeney noted that they would be presenting a Sketch-up model of the project and they were prepared to answer questions.

Mr. Sweeney started the Sketch-up model from the Aerie View, which he called the 40,000' view. The model showed the surrounding topography and identified several points and properties. Mr. Sweeney explained how Sketch-up works and how they can zoom in and out, how they can turn off the CUP site and buildings, turn on existing grade, and identify the Woodruff study buildings. In a closer view he showed how they could turn on the maximum height envelopes identified in the master plan. He noted that the access shafts were exempt from the height restriction by a certain number of feet.

Mr. Sweeney showed different views and explained that there were more accurate photo renderings in their application.

Mr. Sweeney showed the homes closest to the project in the Northstar Subdivision. Another view showed the ski run that comes down through the project. He presented a view from Lowell/Empire. The 9th Street view was shown from the turnaround. He presented views from the parking lot to the north of the Marsac building above the Transit Center and from the parking lot on the south side of Marsac. Another view was from Ontario Ridge. Mr. Sweeney noted that it was the same model from different views.

Mr. Sweeney turned the model upside down to show what was underground.

Commissioner Thimm asked if the underground view actually showed the basements and foundation areas. Mr. Sweeney stated that it was the 2009 CUP plan, and it showed everything that would be under re-established grade. It was possible to show in the model what it would look like under existing grade. The same could be done with the Woodruff study plan. Ms. Sweeney believed this model demonstrates that if the Woodruff plan was pursued, it would have significant excavation associated with it. He asked the Planning Commission to keep in mind that the Woodruff study was not taken to the level of the 2009 CUP.

Vice-Chair Joyce commented on the excavation and noted that wherever a building goes up the hill, it is easy to see how the excavation is stepped up the hill. He called it a floor to two stepping up the hill of excavation. He believed that was a major concern. Vice-Chair Joyce stated that when he looks at the original plan in comparison to the 2009 plan, everything was brought down it creates a street building façade stepped away from the hillside and the excavation. When the applicant contends that they were the same, Vice-Chair Joyce agreed that there were certain areas in both where a fairly substantial amount is carved out of the hill, most of which is for the underground parking, which should be the same between the two plans. He believed in looking at the old plan that it was evident that the buildings step up the hill and the excavation was considerably reduced. In his mind, other than the parking, the buildings were not the same.

Mr. Sweeney clarified that he was trying to making the point that both plans have significant excavation. He agreed that the current proposal involved more excavation, and the purpose of that is to put the buildings further back into the hill and away from adjacent neighbors. Mr. Sweeney remarked that the alternative, as demonstrated by the Woodruff study, is to put it closer to the neighbors.

Planner Astorga pointed out that the Woodruff plan has not been mitigated. It was a parameter of the master plan, vertical and horizontal put together in 3D form, without any sort of mitigation whatsoever. The purpose of the CUP is to mitigate. He asked the Commissioners to keep that in mind as they compare the two.

Commissioner Phillips asked Mr. Sweeney to turn off the existing grade and to put in the proposed grade. He asked him to rotate the model above ground and to zoom in on Building A.

Mr. Sweeney stated that the model demonstrates that the occupied areas of the Woodruff plan were not intended to be at grade, and there would be excavation. He asked Mr. Perkins to talk about the impact of developing the outside spaces. Mr. Perkins noted that a grading plan was not done for the Woodruff drawings. They have to anticipate that those areas between the buildings will have to be graded as well in order to make it work. Otherwise, there would not be any lower spaces daylighting out. Mr. Perkins believed that from a constructability standpoint, they would have to disturb larger areas beyond that and above those areas. In addition to the excavation shown for the building, there will be significant excavation, grading and site disturbance outside of those areas. It was difficult to anticipate the extent of that, but it will be extensive. Mr. Perkins pointed out that Woodruff was never developed to the point of having a grading plan.

Mr. Sweeney thought it would be helpful to look to the Exhibit that Planner Astorga presented at the last meeting that showed the buildings relative to existing grade. In the Sketch-up model they had added to those exhibits the sections closest to those particular points. He asked David Eldridge, the project architect to provide an explanation.

Mr. Eldridge indicated the one section where the two building sections were cut parallel to each other, which was Building C on the north boundary. In the Woodruff plan, the tallest portion of the massing was right up close to the front of the property. The intent in the current scheme was to push that as far back as possible to open up and preserve the view from the neighbors, and keep the mass behind the existing neighbors. Mr. Eldridge pointed out that because the sections were not cut in the same exact location they were not directly comparable. He explained that he rotated the plan above so their buildings were perpendicular and parallel to the section line they cut. He traced the Woodruff sections and reversed them because they were facing the opposite direction. Wherever the Woodruff section line crossed the front of the building, he dropped the line straight down and that was where he placed the Woodruff. Mr. Eldridge stated that they were not exactly superimposed, but he thought it gave a sense of where the Woodruff massing would have been compared to where they put the massing. He

noted that another big difference is that they created a series of individual buildings as opposed to two monolithic buildings in an effort to break up the mass into smaller pieces.

Commissioner Thimm agreed that there may be some undulation with the ground plane; however, there is a long horizontal bench in the 2009 Plan in comparison to the Woodruff where there is an apparent attempt to step up the hillside. He understood the mass towards the east, but they have also talked a lot about the large bench that gets cut in and filled back in to create the grade between the buildings. That has been a concern throughout each meeting, and one of the major differences he has noticed between the 1985 plan that was approved by City Council versus the current plan.

Mr. Eldridge reiterated that the Woodruff plan had not been developed to this level, and it had no outside amenities at all. He pointed out that a resort hotel could not survive without outdoor amenities. Mr. Eldridge explained that it came about in part because they put as much of the mass as far back as possible, which created the open space between the buildings.

Vice-Chair Joyce stated that the difference between the Woodruff plan and the current plan was the space that got excavated out behind Building 5D. He understood why it was done from an architectural standpoint, but it was easy to at the Woodruff plan and how the building steps up the hill excavation wise, compared to what has happened in front and behind Building 5D in the current plan. Vice-Chair Joyce clarified that the Commissioners were not asking them to build Woodruff. That plan was never mitigated and it was never an approved plan. However, it goes back to what the Planning Commission and the City Council agreed to at the time when they looked at the Woodruff plan. He understood it was a template, but it also did not show plans that cut 140' of hillside. The Woodruff plan did what the LMC requires, which is to adapt to the terrain. The current plan alters the terrain to adapt to the project. Vice-Chair Joyce stated that the excavated space on the backside of Building 5D was a huge difference in the plans and makes an incredible difference in the impact. When they talk about justifying an increase from 400,000 square feet of UEs to close to a million square feet of project; the question is how can it fit into the space and how can it be mitigated. Vice-Chair Joyce pointed out that the Planning Commission has consistently commented on the impacts, particularly to the hillside. He stated that when the height restrictions were placed on the MPD, it was obvious that thought was given to how high above ground these buildings should be. When he looks at the Woodruff drawings, he does not get any sense that they contemplated digging down deep enough to get taller buildings and still meet the height restriction.

Mr. Sweeney provided some history and noted that the entire master plan discussion regarding the Woodruff drawings took place over two or three meetings. It was not continual discussion throughout the process. He explained that the purpose of the Woodruff buildings was to develop the basic Master Plan parameters of where the buildings would be located, how high they could be, and the number of UEs. Mr. Sweeney stated that it was a different time and the Planning Commission and City Council focused on more than just the buildings. They looked at the rest of the hillside, the land in between the hillside and Main Street, as well as the bottom of Main Street. They were talking about a bubble and trying to establish parameters for the future.

Mr. Sweeney remarked that the next discussion was with Ron Ivie, former Chief Building Official/Fire Marshall, and Scott Adams, the Fire Engineer at that time. He commented on the fire protection or defensible space, and noted that the firefighters wanted to get behind the buildings to fight a fire. In addition, they did not want a fire to burn into the buildings. He thought it was a standard principle. Mr. Sweeney suggested that they asked Ron Ivie and Scott Adams to attend a future meeting to explain their positions to the Commissioners since that partially drove the project; particularly what Commissioner Joyce was talking about. Mr. Sweeney stated that it was a huge one-time impact to avoid a lifetime impact.
Mr. Sweeney pointed out that there were also other reasons. One was the Fire Protection Plan. Realignment of the ski run was another reason. Mr. Sweeney stated that it was not about saving money because moving the building back is incredibly expensive. It was about spending money to make the project better for them, as the applicant, and for the community.

Planner Astorga requested time to talk about Exhibits X, Y, AA and BB after the applicant was finished with their presentation.

Director Erickson stated that the purpose of this work session was to give the Commissioners the opportunity to understand and be able to articulate the components of the plan and the excavation and fill. As they move forward that understanding will help them come to conclusions on whether it is compliant with the Master Plan, and whether the mass, bulk, scale and excavation are mitigated according to the conditional use permit criteria. He suggested that the applicant finish the presentation so the Planning Commission could respond to the questions outlined in the Staff report.

Vice-Chair Joyce asked Mr. Sweeney to show the view around the bend of Lowell and Empire. Concerns have been expressed regarding the transition from the housing in that area. A point of concern has been the transitioning from 25' houses in Old Town to a façade of upwards of 90 to 100 feet.

Mr. Sweeney pulled up the view Vice-Chair Joyce requested. He noted that the information on their website shows views that are closer with a lot of detail. Mr. Sweeney pointed out that the building was in the background a few 100', but he believed it gave a sense of what they had tried to do. Vice-Chair Joyce noted that page 29 of the Staff report showed a detailed rendering with the buildings they were seeing on the Sketch-up. Mr. Sweeney walked through the model with the Woodruff study turned on, and then with the Woodruff study turned off. He thought it was hard to see the difference in depth, but there was a significant gap and absence of buildings, which was intended to mitigate the impact on the Northstar subdivision in 2004. Mr. Sweeney pointed out that there was a lot more front loading when the Woodruff study was put back in.

Vice-Chair Joyce clarified that his concern was not with the north side view. He stated that a lot of attention has been paid to the view corridor coming up Lowell and Empire and the set of houses along there. He pointed to Buildings 3A, 3B and 4A of the current plan. Vice-Chair Joyce disputed Mr. Sweeney's comment about the buildings being set back because Buildings 3A and 4A appeared to be right off the curve. Mr. Sweeney commented on the difficulty of getting a project of this size, coming off of 123 acres into what is ultimately 3-1/2 acres of footprint, and not have it be sizeable. He believed it was inherent in the master plan concept. Mr. Sweeney remarked that they worked hard to adjust the face so it would have interest and different shapes and levels.

Mr. Sweeney was considering pursuing a higher technology 3-D animation. It would allow them to see the project with all of the detail and reflections. It would also show people walking on the street and cars driving around. It would show all of the neighboring homes and all the landscaping. Mr. Sweeney thought it would go a long way in helping everyone visualize what the applicant visualizes.

Vice-Chair Joyce could see from Sketch-up and from the rendering in the packet how they had broken up the façade. However, it was still coming off the road and running into 100' of building. Mr. Sweeney pointed out where some of the buildings were as high as Silver Star at four stories. They did their best to keep it from being a harsh contrast.

Commissioner Band asked if part of the presentation this evening would give them a feel for the buildings in the context of the neighborhood. Mr. Sweeney answered no. What she was requesting would be a significant amount of work. They would make the effort if that was what the Planning Commission wanted, but he anticipated that it would take two months or more to complete.

Planner Astorga believed he had information that would address some of the issues regarding scale. Everything he intended to present was included in the Staff report.

Mr. Sweeney completed his presentation before turning the time back to Planner Astorga. He stated that if the Planning Commission wanted, they could move the mass up front more like the Woodruff plan, and still be compliant with the fire protection and have a good ski run. They could also potentially eliminate some of the buildings in back and the cliffscapes. Mr. Sweeney stated that they were working with a soils engineer who believed they could do steeper cliffscapes based on the dips and the strides. They were looking at trying to mitigate the height of the cliffscapes.

Commissioner Thimm asked Mr. Sweeney to turn off the red massing on the Sketch-up, and to toggle back and forth between the 2009 Plan and the Woodruff Plan from each viewpoint. Planner Astorga suggested that the applicant provide screen shots from all the views, as well as the three components, which is the layer of the 1986 grade with Woodruff; the one with the proposed grade in 2009 with the proposed building; and the one with the height envelopes. If the applicant would share those with the Planning Department, he would keep them internally.

Commissioner Campbell recalled a previous discussion about finding a way to compare the scale of the proposed buildings with the existing structures. They recognized that it would be very expensive to model all the houses, but at the last meeting they had asked the applicant to take the representative size and put 15 down on each side.

Mr. Sweeney replied that it was part of the 3-D technology he was talking about. They were willing to do that technology so everyone could see everything exactly as it is in a very realistic model. Commissioner Campbell did not believe it was necessary for the Mr. Sweeney to go to that expense. His concern was massing. When Mr. Sweeney pulled the model back earlier in the presentation, the project almost disappeared. There was no sense of scale and proportion along the hillside, and he really wanted to see the houses represented at least in the first block. Mr. Sweeney remarked that the least expensive and most robust way to show that is through the 3-D Animation. It is the best representation short of building the buildings. Commissioner Campbell clarified that he was only asking for something, such as a square block that would show the size of the average house. However, it was up to Mr. Sweeney if he wanted to do the 3-D Animation.

Planner Astorga commented on Building 4A. He noted that the maximum building height in the HR-1 District is 27' measured from existing grade. The Staff is concerned about having a 46' tall building at the first walkway. He indicated a deck area for outdoor dining. The distance from the deck to the building is 64', and the building is 90' wide. The Planning Commission could discuss the scale components at the next meeting as written in the Master Plan.

Planner Astorga thought the physical model that was built years ago did a good job showing the scale of the houses around it. For that purpose, the model would be very helpful.

Planner Astorga presented a slide of a visual that was prepared by the applicant and presented in February of 2010. He showed slides of the excavation, the height zones outlined in the master plan, and the buildings currently being presented. Planner Astorga indicated an area where a layer of excavation was added. He showed the cliffscape rendering which showed the effects of the excavation.

Planner Astorga reviewed the sample elevations. Building E had approximately 100' of massing measured from final grade. The slide also showed the excavation around the periphery of the structure, which measures approximately 26'. On the backside the building is only 10' tall as it returns to grade. Planner Astorga pointed out that all the measurements were identified in the Staff report. He pointed out that these were sample elevations as indicated in the original master plan. Therefore, they were not holding the applicant to those specifically, but they know that the sample elevations matched the Woodruff Plan and match the cross section and the site plan, and they were included as part of the very sheet of the Master Plan, which states, "These following 30 sheets are part of the permitted approval". For that reason, the Staff finds that the applicant was not following the plan because they were not returning to grade as it was shown to the Planning Commission and the City Council in 1986.

Planner Astorga asked if the Planning Commission wanted additional information from the Staff beyond what was already mentioned regarding the scale of other adjoining sites in the Historic District.

Commissioner Thimm referred to the questions on pages 8 and 9 of the Staff report and noted that the first question asked about grade. As he goes through the information and exhibits he keeps looking for a grading plan that shows existing and proposed contours. He noted that Exhibit F gp.1 shows the proposed contours but not the existing contours. He thought it would be helpful to see both the existing and the proposed contours on the same plan.

Commissioner Thimm stated that even though they saw the cliffscapes appearance in the Sketch-up plan, when he looks at cliffscape he thinks of what happened next to the ski jump at Olympic Park. He would not like to see that at Treasure Hill. If there were images of what the cliffscape might be in its finished form, it would help the Commissioners have a better understanding if they end up with a plan that goes that far.

Commissioner Thimm commented on Lowell and Empire and the streetscape. He thought the 3-D Animation proposed by Mr. Sweeney would be helpful, and he appreciated that the applicant had stepped forward with that suggestion. Commissioner Thimm stated that the scale of the buildings and trying to understand the human scale walking along the street, will be important in telling the story of what the City is and what they want it to remain.

Commissioner Thimm stated that at some point it would be extremely helpful to understand the applicant's response to the commentary they have received in these meetings, and whether alternatives were being suggested. He was interested in hearing their responses.

Commissioner Band agreed. She has not been on the Planning Commission that long, but typically when an applicant comes in the Commissioners give feedback and the applicant comes back with revisions. In this case, they have seen the same plan over and over again. She had a good understanding of the project, but she did not have an understanding of whether any parts of it would change based on the feedback from both the Planning Commission and the public.

Commissioner Band referred to a question on page 9 regarding the cliffscapes and whether the Planning Commission has sufficient information and analysis to provide comments on the proposed cut slope mitigations and the longer term operational and maintenance issues throughout the lifespan of the cliffscape. She noted that cliffscapes were not discussed this evening. Planner Astorga replied that the questions in the Staff report were items that he wanted the Commissioners to start thinking about for future meeting. The intent this evening was to focus on excavation as it relates to mass, scale and compatibility. The Staff would do a full analysis on the environmental concerns regarding excavation.

Vice Chair Joyce had read the excavation and cliffscape plans that were submitted earlier. There was a lot of questions in terms of how the dirt gets up the hill, where it is going, and where contaminated soils are going. The plan talks about having space for 50% but it does not detail what is there today, what would happen to the landscape, the depth, and how it would affect the ski run. When they have those discussions he would like someone from Vail to be present. Vice-Chair Joyce found nothing in the plans about blasting, noise mitigation, dust mitigation, and other impacts. They would need much more information than what is available on the website when they have those discussions.

Mr. Sweeney was interested in providing that information. The question was how they wanted to set it up. Mr. McMann was working on the items Commissioner Joyce mentioned, and they could also address pertinent questions like the ones raised by Commissioner Band. He suggested that they identify the scope for the next meeting in terms of which aspects they would like them to address.

Commissioner Band added the water protection zone to the list of items to be mitigated and addressed.

Director Erickson asked if the Planning Commission needed additional information about the distance from property lines for the excavation. Currently they were not showing property lines except in the site plan exhibits. Commissioner Thimm stated that the grading plan he had requested would provide that information. Director Erickson noted that the applicant showed contours in their exhibits. Commissioner Thimm clarified that he may have been looking at a different exhibit, but what he saw were the proposed contours but not superimposed with different line work or a different color for the existing contours.

The Planning Commission closed the Work Session and moved into the Regular Agenda.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. Treasure Hill Conditional Use Permit, Creole Gulch and Town Lift Mid-station Sites – Sweeney Properties Master Plan (Application PL-08-00370)

Vice-Chair Joyce opened the public hearing on the Treasure Hill CUP.

Charles Stormont, legal counsel representing the group THINC, agreed with the Staff's analysis and questions on pages 8 and 9 of the Staff report. Mr. Stormont referred to the computer renderings on pages 13-33 and 69-109 of the Staff report, and requested that the Planning Commission take those with a grain of salt. They were helpful in understanding the proposed project, but they also demonstrate the tremendous bulk, mass and scale issues that have been discussed at length. Mr. Stormont did not believe the renderings accurately show the significant excavation and cliffscapes being proposed.

In terms of the presentation this evening, Mr. Stormont commented on the applicant's discussion of the proposed excavation within the Woodruff drawings in the original approved MPD relative to what is currently being proposed. He pointed to the concept of visible excavation as opposed to what is underground with the dirt replaced, and asked Planner Astorga to pull up slides 61, 64 and 67. Mr. Stormont noted that slide 61 shows the visible excavation which is part of the current application. One of the concerns that was addressed in his prior comments and in a letter he submitted was that the permanent visible excavation scars and cliffscapes are outside of the express building envelopes set forth in the 1986 Master Plan Development as it was approved. He pointed out that those were actual limitations and not suggestions. Mr. Stormont stated that excavation scars are permanent and therefore violate conditional use criteria 15, which expressly requires

consideration of slope retention. If permanent excavation is required, he would suggest that slopes are not being retained. It also requires that the topography of the land be respected. He remarked that permanent excavation suggests that the topography is not being respected and, therefore, it is not appropriate for a proposal of this scale. Mr. Stormont noted that pages 61, 64 and 67 of the Staff report highlights the permanent excavation scars outside of the approved building envelopes. The scars can be viewed from around Park City, and to his knowledge, nothing has been proposed or could be proposed to mitigate the impact of those permanent and visible excavation scars and cliffscapes. Mr. Stormont stated that as discussed this evening, those permanent excavation scars are not compatible with the surrounding neighborhoods and they do not fit the historic character of Main Street and the area surrounding this project. He believed that criteria 11 was also being violated by the permanently visible excavation scars.

Mr. Stormont commented on some of the applicant's comments. He believed the notion that the Woodruff drawings were not developed enough, that grading plans were not part of the Woodruff drawings, and that excavation between buildings would be required was contradicted by the 1986 Master Plan Development that was approved. Commissioner Joyce had described the issue as whether or not the proposal goes with the flow of the topography. Mr. Stormont asked the Planning Commission to consider page 11 of the 1986 MPD approval under Visibility, which states, "Instead, the tallest building have been tucked into Creole Gulch where topography combines with the densely vegetated mountainside to effectively reduce the buildings visibility". Mr. Stormont believed that was the intent of the original plan; not additional excavation and grading between buildings. He read from page 14 of the same document, "Various conditions supported by staff have been suggested in order to verify the efforts to be taken to minimize the amount of grading necessary and correlated issues identified". He stated that it was talking about mass and scale and tucking everything into the mountain. Mr. Stormont remarked that the additional excavation is not compatible with the intent or the express terms of the original approval.

Mr. Stormont commented on an issue that came up regarding the building height requirements that are contained within the within the Woodruff drawings and the 1986 MPD approval. He suggested that what is permitted by the height restrictions is not exclusive, as discussed in prior meetings. The MPD approval must be followed, as does each of the conditional use criteria that must be considered consistent with the application and when it was filed. It is not one or the other. It has to be both. Mr. Stormont stated that the 2003 LMC is very clear in Criteria 11 and the Standard for Review #2, that compatibility with surrounding structures must exist or must be mitigated.

Mr. Stormont reiterated a previous request to be given as much advance notice as possible when the Historic Design Guidelines would be considered. THINC was

preparing for that discussion and their preliminary work suggests that the size of the project will need to be reduced drastically in order to fit within those guidelines. Advance notice would help in their preparation to present their comments efficiently and properly.

Mr. Stormont thanked the Planning Commission for their time and attention to his comments on behalf of THINC. He also appreciated the applicant for sharing so much information. What he saw and heard this evening personally helped him understand some of the issues and the differences that exist.

Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Thimm moved to CONTINUE the Treasure Hill CUP to December 14, 2016. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

2. 7520-7570 Royal Street East- Deer Valley MPD 12th Amendment to combine MPD Lots F, G, and H of the Silver Lake Community, into one MPD Lot, Lot I. No changes to the approved density assigned to these MPD Lots are proposed. (Application PL-16-03155)

3. 7520-7570 Royals Street East- A 2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision combining Lots F, G, and H into one platted lot, Lot I and amended Lot D of the Silver Lake Village No.1 Subdivision to increase the area of skier and pedestrian easement by approximately 749 square. (Application PL-15-02966)

4. 7520-7570 Royal Street East- Conditional Use Permit for 34 residential units on Lot I of the Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision. (Application PL-15-02967)

The Planning Commission discussed these items simultaneously. Separate actions were taken.

Planner Kirsten Whetstone reported that the three items were related regarding the Deer Valley Master Planned Development 12th Amendment. She had made redline corrections to the Findings of Fact and Conditions of Approval for the CUP that were provided to the Planning Commission earlier that day. She would explain the reason for the changes in her presentation.

The first item is the Amendment to combine Lots F, G and H of the Silver Lake community into one lot I. It also includes a slight transfer of density from Lot D to Lot I. Planner Whetstone clarified that it was the Goldener Hirsch, which is on Lot D. The vacant lots F, G and H are used by Deer Valley as a parking lot during the winter.

Planner Whetstone reported that the second item is a plat amendment. The Silver Lake plat has Lots F, G, H and D as separate platted lots as part of the Silver Lake Village plat. It has been amended several times which is why it has a long title. The request is to combine Lots F, G and H, and to also put a bridge easement across Sterling Court, and to modify Lot D slightly so it matches the as-built conditions. Planner Whetstone pointed out that Lot D has a fee simple area and a skier easement area. The applicants were also requesting a minor modification that they would explain to the Planning Commission.

Planner Whetstone noted that the third item was the conditional use permit for the 34 unit equivalents, which is entitlement of the Deer Valley Master Plan. That Deer Valley Master Plan has been in place since the 1980s that identified the unit equivalents for Lots F, G and H for residential. One unit is 2,000 square feet.

Planner Whetstone stated that the Planning Commission had previously reviewed these applications at previous public hearing meetings and in work session. She noted that the Staff report for this meeting included the Findings of Fact, Conclusions of Law and Conditions of Approval from the September 28th meeting. If the Planning Commission was comfortable taking action this evening, she had changed the Findings and one Condition to address three changes that have occurred since September. One was a slight change in the parking. She recalled that Commissioner Thimm had noted that the Findings mentioned that 16 spaces under the Goldener Hirsch were being eliminated. Planner Whetstone clarified that it was from a previous plan and it had never been erased. The second change was the reconciliation of the commercial unit equivalents between the Master Plan plat and the existing conditions, which were memorialized in the Condominium Plat called the Golden Deer. The biggest issue at the last meeting was the request for a setback exception from Sterling Court. Planner Whetstone stated that the applicants modified the building slight to meet the 15' setback along Sterling Court. That change was reflected in the Findings. There was no change in unit equivalents or square footages.

Planner Whetstone believed the applicant would be comfortable continuing the CUP if they Planning Commission was comfortable taking action on the MPD and the plat amendment.

Planner Whetstone reported that she received a letter earlier that day as public input from William Natbony, which was provided to the Planning Commission. She has been in contact with Mr. Natbony since early in the process. However, Mr. Natbony claimed that he did not receive a notice letter for the September 28th public hearing. Planner Whetstone

clarified that the address on his letter was the same address on the noticing list. The Staff had sent letters for the September 28th meeting, and she was unsure why he had not received it. Mr. Natbony had contacted her to see if it was on the October 26th agenda and she informed him that it had been continued to November 9th.

Planner Whetstone stated that one of the two primary issues raised in Mr. Natbony's letter was the safety on Sterling Court. He had the same concerns expressed by another resident at Sterling Court at the last meeting; however, that gentleman has since said he was satisfied with the traffic study and the City Engineer's memo.

Planner Whetstone remarked that the second issue raised by Mr. Natbony was calling it a residential street. She noted that Matt Cassel, the City Engineer, clarified that it has never been identified as a residential street. However, he used the residential nature of these units to get a trip generation for the units. Mr. Cassel counted it as though it were residential single family, which has a trip generation of eight to ten trips per day. These units are nightly rental and at certain times the trips may be that high or it may be reduced to half.

Planner Whetstone stated that in his letter, Mr. Natbony also expressed a preference for access on to Royal Street as opposed to putting all of the congestion on to Sterling Court. She remarked that the City Engineer mentioned that Royal Street is a residential collector street, with a fire station across the street, a parking garage with 300 parking stalls, a bus line, and other reasons why he requested that access be taken off of Sterling Court. She noted that the applicant built the entire project based on that direction.

Planner Whetstone noted that the final issue raised in Mr. Natbony's letter is what he calls the entertainment area on the bridge. He had concern as to whether those impacts could be mitigated if there was commercial activity on that bridge in front of his unit. She believed the applicant would address that concern this evening.

Planner Whetstone clarified that the proposal did not include any commercial uses or support commercial in the new building. It will have support meeting space.

Steve Issowits with Deer Valley Resort spoke on the first item, which was the MPD Amendment. He stated that there were no changes to the MPD Amendment, other than footnote clarifications that were requested by the City in the Commercial Exhibit 2.

Mr. Issowits explained that previously there were three separate lots, F, G and H, that were proposed for the site. The applicant had come up with what he believed was a great plan to more efficiently use the space, create a more efficient garage, and improve circulation for pedestrians. Mr. Issowits remarked that currently the conditions are not the safest with

the existing surface lot because pedestrians and cars are able to exit anywhere they wish. He thought the plan proposed by the applicant would improve the area.

Mr. Issowits pointed out that the alternative would be three separate projects by potentially three separate developers constructed at three different times. From an MPD standpoint Deer Valley Resort was in favor of the changes. Mr. Issowits requested that the Planning Commission consider amending the MPD to reflect what the applicant intends to build.

Vice-Chair Joyce stated that his primary concern was the commercial piece and taking from Building I to account for something in Building D. He could understand if they were combining Lots D, F G and H into a single lot, and create the support commercial from that facility. However, when there are two separate plats, he wanted to know how they would borrow support commercial for one to account for another without them being a single facility. He understood they were connected by a bridge, but from a plat standpoint they were still separate.

City Attorney Mark Harrington understood that a specific provision in the Deer Valley MPD allows this to be considered. He thought the question was appropriate, but the provision was asserted that allows the transfer. However, it would have to be reconciled with the actual definition and use of the support commercial function. Mr. Harrington believed the request still meets the definition for the entirety of the project that it was being applied to. He pointed out that there was room for interpretation in terms of whether that intent could be met depending on the individual facts being proposed.

Vice-Chair Joyce understood that shared commercial spaces transfer from one to another, which would be using support commercial from the 5% applied to what would become Lot I, and that could be transferred over to Lot D. Secondly, the support commercial term was applicable to what was occurring in Lot D. Mr. Harrington replied that he was correct on both issues.

Vice-Chair Joyce requested an explanation as to why it all works. Ms. Issowits provided a background on the history and why this came up. He explained that in the 7th Amended MPD, in those versions and prior, the commercial for Silver Lake Village was not broken out by building. Subsequently, going into the 8th Amended, a note was included from there and forward, identifying where each of those commercial spaces were. When Planner Whetstone was looking at the plats for the original Golden Deer, it listed a certain square footage which did not exactly agree with what was shown on the MPD. He did some research and found a letter and a reconciliation from Bob Wells to Planner Nora Seltenrich and Patrick Putt, Planning Director at the time, dated 1997. It showed the 2,062 square feet from the MPD, as well as 947 square feet of 5% support commercial, which totaled 3,009 square feet. Mr. Issowits believed the 3221 square feet on the plat, minus the 3009

square feet on the approvals and listed on the schedule, was a difference of 212 square feet, which they determined was circulation and residential accessory use as listed on page 121 of the Staff report.

Mr. Issowits stated that the offer by the applicant to take square footage of support space from one lot and it for another was an attempt to bridge any gaps that may have existed or that the Planning Commission felt might still exist. Regarding the question of whether it is allowed, Planner Whetstone noted that it was one of the amendments of the Deer Valley MPD.

Chris Conabee, representing the applicant, explained that the Goldener Hirsch has 3,494 commercial square feet comprised of a gift shop and a restaurant, which is currently the plat. The 12th Amended MPD currently before the Planning Commission has 2,617 square feet. Therefore, the existing plat and the existing MPD do not match. Mr. Conabee stated that there is an entitlement on Lot I that allows them to build 4,000 square feet of commercial. They were offering the difference to clear up the discrepancy between the plat and the MPD. Mr. Conabee clarified that they were not trying to add anything new, the simple intent was to clean up the discrepancy between the plat and the existing MPD that was caused 15 or 20 years ago. Everyone has done the research, but no one could find why there was a discrepancy in the numbers. Mr. Conabee stated that there is 4,000 square feet that the applicant does not intend to use, and it seemed like an eloquent solution to use it to solve the problem.

Vice-Chair Joyce understood the explanation. However, from a legal standpoint, he wanted to know how the transfer would get recorded since Lot I would no longer have 4,000 square feet.

City Attorney Harrington thought they needed to look at the proposed redlines carefully because he was still seeing inconsistencies between using the commercial versus no commercial is used. If they are using the more intensive use they can expect a strong recommendation from Staff to categorize as that so it is clear that the square footage is gone from Lot I, and not a make up for the over allocation of the other defined used being support commercial. Mr. Harrington stated that even in the proposed redlines there were still inconsistencies as proposed, and that needed to be made clear to avoid another lot scenario. Mr. Harrington pointed out that they would amend the Deer Valley MPD and amend the plat and carry it forward. To this point it has all been consistent. It is rare to have this degree of an anomaly and it would be prudent to make sure they clearly understand how it was being resolved.

Mr. Conabee wanted the Commissioners to understand that this problem would exist with or without their application. They have a hotel with a plat that has 3,493 square feet

platted, and an MPD with 2,617 square feet. If they had never come before the Planning Commission with this proposal, the discrepancy would continue to exist.

Vice-Chair Joyce opened the public hearing on the MPD, the Plat Amendment and the CUP.

There were no comments.

Vice-Chair Joyce closed the public hearing.

Commissioner Phillips believed all the questions from the last meeting had been answered, and the requests made sense.

Commissioner Band stated that she was not at the last meeting; however, in reading through the minutes she thought there appeared to be concern over the parking that was being eliminated. Commissioner Band pointed out that the parking was being allowed on private property. She did not believe the loss of parking should be a consideration in this application. Commissioner Band was comfortable with the requests as proposed.

Commissioner Thimm noted that at the last meeting they talked about lane widths. He was unsure whether the plan was changed to address those concerns. Commissioner Thimm recalled that 10' lanes were proposed. Fehr and Peers, the traffic consultant, walked the Planning Commission through the study, but he still had concerns. He read from the Fehr and Peers report, "Street lanes for moving traffic preferably should be at least 10' wide. Where practical they should be 11' wide". Commissioner Thimm stated that 10 feet is a narrow lane and he wanted to know why it was not practical to make them 11' wide.

Mr. Conabee replied that they were not proposing to change the road as it currently exists. It is currently rolled gutter to rolled gutter; and both Fehr and Peers and the City Engineer have deemed the road to be safe by both state and federal standards. He understood that when a neighbor does not like their views disturbed, as in the case of Mr. Stein at the last meeting, the immediate knee jerk reaction is to say that the road is not safe. When they showed Mr. Stein the traffic study and took him down the road, he and his attorney have indicated that they are now satisfied with the response they were given and would not pursue it further.

Mr. Conabee noted that the concerns expressed in Mr. Natbony's letter related to the safety of the road, which is not the width of the road. The width of the road has been deemed safe, and its original platting accounted for the density and the massing. Mr. Conabee pointed out that they were leaving 4,000 square feet of commercial square footage and the associated traffic out of the project. Mr. Conabee stated that it is a 20'

wide road with two 10' wide lanes and 2' of rolled gutter on either side. He was willing to give a presentation showing how traffic moves in and out, and how they had taken additional steps to move traffic for the hotel off of the road. He thought it would help alleviate some of their concerns.

Vice-Chair Joyce understood that the applicant had revised the plan to meet the 15' setback requirement. He wanted to know if they moved the building back or if they eliminated the overhang. John Shirley, the project architect stated that the building was modified to fit within the 15' setback requirement. At street level the building is actually set back at 20' in an effort to keep it wider and more pedestrian orientated. There is still an overhang but it is within the 15' setback.

Vice-Chair Joyce stated that his initial concern was with the building footprint, particularly up Royal Street. He spent time walking around up there and he believed that flowing with the curve appears to work fine and does not disturb anything else. In some cases, he thought it actually fixed some problems. He was concerned that it might block views in some places but he did not see that occurring.

Commissioner Joyce stated that because the commercial affects the plat and the MPD it was important to make sure the redlines provided this evening were correct, and that the Planning Commission had sufficient time to read the letter from Mr. Natbony to make sure his issues were addressed.

Mr. Conabee thought it was unfair to the applicant when someone sends a letter the day before a Planning Commission meeting and he receives it at 2 o'clock the day of the meeting. If they allow that practice to hold up the process, it would never stop. Mr. Conabee stated that he had evidence on his computer of ample correspondence and communication with Mr. Natbony starting on May 24th. A series of 24 emails show safety diagrams, sidewalk diagrams, point of view of bridges, utilization of bridge, and distance from bridges. Mr. Natbony has been well-informed. He thought the Planning Commission should consider the number of people who have been notified of this project and the effort that has gone into public meetings. To have one person in a duplicative manner write that they have not been contacted or is confused is not only insulting to the Planning Commission but also to the applicant. Mr. Conabee stated that he works very hard to make sure people are happy.

Vice-Chair Joyce agreed that the Commissioners have seen evidence of the applicant's efforts. If the letter was the only issue they would be willing to move ahead with a vote. However, the Findings of Fact and Conditions of Approval were in a redline format and the City Attorney had indicated that there were still some inconsistencies.

Mr. Conabee believed the Findings and Conditions were in their correct form for the MPD. The redlines only applied to the CUP.

Commissioner Joyce still had questions on how the commercial piece gets applies across the MPD and the Plat Amendment. It was critical that they get it right. Commissioner Joyce suggested that it could be continued to the next agenda for a vote and handled very quickly.

Mr. Issowits commented on the MPD and the question related to the commercial square footage. He noted that footnotes 14 and 15 on Exhibit 2 on page 141 of the Staff report did not have any redlines. Mr. Issowits stated that Planner Whetstone had written the footnote to include both Lots D and I, and he thought that specifically addressed the square footage question.

Planner Whetstone stated that the other footnotes had to do with the fact that the requirements of the MPD were changed. She pointed out that it was the requirements for the Historic Mine Waste, as well as compliance with the soils ordinance. The Staff asked Deer Valley to include it as a footnote for consistency with the current criteria in LMC Chapter 6.

Vice-Chair Joyce remarked that nothing in the CUP redlines match the transfer of .4215 UEs from Lot D to Lot I. He was looking at different square footage numbers and nothing appeared to be consistent. Vice-Chair Joyce was not comfortable approving the MPD until they were ready to approve the CUP.

Planner Whetstone noted that page 140 of the current Staff report and had also been included in the September 28th Staff report and it was exactly the same. Silver Lake Lot C is now 5.5785, 20 units. Note 1 says they are using the formula. Silver Lake F, G and I now go to zero. Lot I goes to 34.4215. Planner Whetstone reiterated that the numbers were consistent from the September Staff report. Vice-Chair Joyce was comfortable with the UEs for moving over the residential. His issue related to the uncertainties of the commercial. They need to make sure that whatever they put in the CUP matches what they put in the MPD and the plat amendment.

Planner Whetstone stated that per the Land Management Code, in the RD zone all commercial is support commercial. She pointed out that the 2062 square feet for Goldener Hirsch Inn was commercial. However, the language in the LMC allows an additional 5% for support commercial. Planner Whetstone noted that Goldener Hirsch has a restaurant, a gift shop and a kitchen. The plat says that they have 3,493 square feet of commercial. Planner Whetstone remarked that it is all support commercial, and she wanted to know how that could be remedied. They need to look at the Code language to resolve it.

Mr. Conabee stated that the City has gone through a process where an overage of 876 square feet has been platted. He asked what they could do as an applicant to correct a mistake that they did not make. Director Erickson replied that once the language is cleaned up they would be following the correct process, which is modifying the Deer Valley MPD and modifying the plat to be consistent with the MPD. He believed the key was making sure the language was correct in the preceding documents.

City Attorney Harrington believed the numbers were fine and the intent was clear. However, it needed to be parsed out; otherwise someone else could grab the additional commercial if the numbers are not reconciled. Mr. Harrington was not convinced that the use was consistent under either term. He thought the uses need to be assigned per the available square footage and confirmed in the three documents to be consistent. The Staff would do that and bring it back.

Vice-Chair Joyce stated that if there was extra square footage for circulation that should not have been included, it would nice to clean that up at the same time.

Mr. Conabee clarified that their entitlement allows them to build 12,000 square feet of residential. They built 11,104 and the discrepancy is 896 square feet. They were over 876 square feet in commercial. He was unsure who made the decision but he questioned the numbers. Vice-Chair Joyce stated that he would be more comfortable permanently moving commercial from the building they were attaching to as opposed to trying to convert residential to commercial. Mr. Conabee agreed and he appreciated the direction.

Director Erickson noted that there was time to schedule these three items on the agenda for the November 30th meeting. Planner Whetstone offered to come back with the analysis of the uses and reconcile it for the Planning Commission.

Mr. Issowits asked if they anticipated any language changes to the MPD application. Planner Whetstone replied that the Staff report would not change but the Staff would need to look at the commercial versus the additional support commercial and reconcile it with the Master Plan. Mr. Harrington clarified that the Staff would be looking to reconcile Footnotes 5 and 6.

MOTION: Commissioner Band moved to CONTINUE 7520-7570 Royal Street East – Deer Valley MPD 12th Amendment to November 30, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Band moved to CONTINUE 7520-7570 Royal Street East – A 2nd Amendment to the re-subdivision of Lots 1 and 2 in Silver Lake Village be continued to November 30, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Band moved to CONTINUE 7520-7570 Royal Street East – CUP to November 30, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

Mr. Conabee wanted the Planning Commission to understand that in spite of his expressed frustration he appreciated the efforts of the Commissioners and the Staff, particularly Planner Whetstone, who has worked very hard on their applications.

5. 2636 and 2644 Aspen Springs Drive – Plat Amendment to shift the common lot line between Ranch Lot 3 and Lot 46 of the Aspen Springs Ranch Subdivision Phase II. (Application PL-16-03313)

Planner Whetstone reviewed the request to amend a lot line between Ranch Lot 3, which is a large lot in Aspen Spring, and Lot 46 which is a smaller lot to the west. The properties are under two separate LLCs but the same people own both lots and represent the LLCs.

Planner Whetstone stated that when the house and the barn were built on the Ranch lot, the driveway was built on Lot 46. The applicant was requesting to move the lot line that cuts past the driveway to the west approximately 50 feet. Lot 46 would become slightly smaller and Ranch Lot 3 would become slightly larger. They have been working with all the utilities and there are no known utilities in that lot line. There are utilities on the west property line but those would not be affected

Planner Whetstone noted that Aspen Springs has LOD and maximum house size, but in looking at the original plat the requested plat amendment would still be within the range of the lots within the subdivision. Therefore, there were no changes proposed to the LOD or the maximum house size However, the Staff requested that they put the table on the plat to keep it specific to this application.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council to approve the Second Amended Aspen Springs Ranch Subdivision Phase II, according to the Findings of Fact, Conclusions of Law and Conditions of Approval in the draft ordinance.

Vice-Chair Joyce opened the public hearing.

There were no comments.

Vice-Chair Joyce closed the public hearing.

Commissioner Phillips believed there was good cause for this plat amendment because it resolves an existing encroachment.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council for the Second Amended Aspen Springs Ranch Subdivision, Phase II according to the Findings of Fact, Conclusions of Law and Conditions of Approval found in the draft ordinance. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 2636 and 2644 Aspen Springs Drive

1. The property is located at 2636 and 2644 Aspen Springs Drive in the Single Family (SF) District and consists of Ranch Lot 3 and Lot 46 of the Aspen Springs Ranch Subdivision Phase II. These lots are commonly owned.

2. The property is subject to conditions of approval and applicable plat notes of the Aspen Springs Ranch Subdivision Phase II plat approved by the City Council on May 28, 1992 and recorded at Summit County on June 26, 1992.

3. There was one previous amendment to the Phase II plat in 1995 amending Ranch Lot 4 and a lot line adjustment in 2014 amending the lot line between Lots 66 and 67. Both plats were recorded at Summit County, in January of 1996 and October 2014, respectively.

4. Lots 3 and 46 are recognized by Summit County as Parcel ASR-II-R-3 and Parcel ASR-II-46 (Tax ID).

5. A single family house and associated barn are located on Ranch Lot 3. Lot 46 is vacant.

6. A fence and a driveway that provides access to Lot 3 were constructed partially on Lot 46.

7. The owner of the two lots desires to shift the common lot line between Ranch Lot 3

and Lot 46 approximately fifty feet (50') to the west to resolve the encroachment of the fence and driveway for Ranch Lot 3 that is partially on Lot 46.

8. Lot 3 increases by 0.280 acres from 17.353 acres to 17.633 acres.

9. Lot 46 decreases by 0.280 acres from 1.857 acres to 1.577 acres.

10.No remnant lots or parcels are created.

11.There are no minimum or maximum lot sizes or lot widths in the SF District.

12.Ranch Lots in the Aspen Springs Subdivision range in area from 13.611 acres to 22.445 acres.

13.Non-ranch Lots in the Aspen Springs Subdivision range in area from 1.00 acres to 56.945 acres.

14. Aspen Springs Ranch Subdivision Phase II identifies maximum limits of disturbance (LOD) and maximum building floor area (FA) for each lot. Lot 3 has a maximum LOD of 50,000 sf and maximum FA of 15,000 sf. Lot 46 has a maximum LOD of 12,000 sf and a maximum FA of 8,250.

15.No changes to the maximum limits of disturbance or maximum building floor area are proposed as the existing limits of disturbance and floor area are within the range for lots of similar or smaller area.

16.All applicable requirements of Land Management Code Section 15-2.11 (SF District) apply.

17. Single-family dwellings are an allowed use in the Single Family (SF) District and barns are permitted per the Aspen Springs Ranch Subdivision Phase II when located within platted barn limits of disturbance (LOD) areas.

18. There is not a minimum or maximum lot width identified in the SF District. Access to the property is from Aspen Springs Drive, a public street.

19.Utility easements recorded on the Aspen Springs Ranch Subdivision Phase II plat are required to be shown on the amended plat, including 10' wide non-exclusive utility easements along the front lot lines and relocated 5' wide non-exclusive utility easements along the side lot lines.

20. Public utility easements are indicated on the amended lots, consistent with existing plat notes (10' wide non-exclusive PUE (public utility easement) along all front lot lines, 5' wide non-exclusive PUE and drainage easements along all side lot lines).

21. The final Mylar plat is required to be signed by the Snyderville Basin Water Reclamation District to ensure that requirements of the District are addressed prior to plat recordation.

22.An existing dual meter box is located on the current shared property line. The Water Department requests a condition of approval that prior to plat recordation, a new dual meter box at the new property line shall be installed and the old dual meter box shall be abandoned, along with the existing service, at the main.

23.Snow storage area is required along public streets and rights-of-way due to the possibility of large amounts of snowfall in this location.

24.All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – 2636 and 2644 Aspen Spring Drive

1. There is good cause for this plat amendment.

2. The plat amendment is consistent with the Land Management Code and the Aspen Springs Ranch Phase II subdivision plat and plat notes.

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

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

Conditions of Approval – 2636 and 2644 Aspen Springs Drive

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void unless a written request for an extension is

submitted to the City prior to the expiration date and the City Council grants an extension.

3. A note shall be included on the plat indicating that all applicable conditions of approval and plat notes of the original Aspen Springs Ranch Subdivision Phase II continue to apply.

4. A table showing Lots 3 and 46, the lot area, maximum Limits of Disturbance (LOD), and maximum allowable building floor area for each lot, shall be included on the amended plat.

5. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the lots.

6. Non-exclusive public utility easements (PUE) shall be indicated on the plat per the Aspen Springs Ranch Subdivision Phase II plat with 10' wide easements across the front lot line and 5' wide easements, to include drainage easements, along each side lot line.

7. A financial security to guarantee for the installation of any required public improvements is required prior to plat recordation in a form approved by the City Attorney and in an amount approved by the City Engineer.

8. Prior to plat recordation, an existing water valve for Lot 3 shall be relocated to Lot 3 and a separate water valve for Lot 46 shall be installed per requirements of the City's Water Department.

9. A ten foot (10') wide public snow storage easement is required along Aspen Springs Drive.

10.A note shall be added to the plat requiring residential fire sprinklers for new construction as stipulated by the Chief Building Official at the time of review of any building permit on these lots.

11.Prior to plat recordation, letters of approval from utility providers (SBWRD, City Water Department, Questar, Rocky Mountain Power, and communications entities) shall be submitted indicating approval of utility easements associated with the new lot lines and public utility easement locations.

12. Prior to plat recordation, a new dual meter box at the new common property line shall be installed and the old dual meter box shall be abandoned, along with the

existing service, at the main.

6. <u>638 Park Avenue- Conditional Use Permit for new construction of a 3,785 sf private event facility to be located on the second level of the new addition to the historic Kimball Garage</u>. (Application PL-16-03313)

Planner Anya Grahn reviewed the CUP application for the Historic Kimball garage at 638 Park Avenue. The applicant was requesting the CUP in order to facilitate a private event facility in a new addition.

Planner Grahn reported that the historic building would be rehabbed to create a commercial space on the main and lower levels, and there would be a new addition to the east along Main Street containing commercial space. The private event facility is proposed to be on the top floor of that commercial space. Depending on the grade, sometimes that is the second floor and sometimes it is the third floor of the building.

Planner Grahn stated that the applicant was proposing to remove one of the barrel vaulted roof forms in order to accommodate a new rooftop terrace. She noted that the HDDR approving the removal of this portion of the roof was appealed by the Park City Historical Society and Museum. However, the Board of Adjustment denied the appeal and upheld the Staff determination. The applicant was proposing 3,785 square feet of event space accessing a 477 square foot outdoor balcony, as well as the 2,530 square foot rooftop terrace.

Planner Grahn pointed out that prior the zone change this building was part of the Historic Commercial Business District, and the Kimball had paid into the China Bridge study as most of Main Street has done. It covers their parking up to a Floor Area Ratio of 1.5. However, with the new addition the FAR would only be 1.45, which is below the requirement.

The Staff found that the applicant meets all the criteria for the CUP application with several conditions of approval. One states that should any of the events go beyond what is dictated by the CUP, the applicant will apply for a special events license. Another condition requires the utility plan to be finalized at the time of the building permit to ensure that it is screened and mitigated. Any temporary structures, such as a tent, would require an Administrative CUP. In order to reduce the visibility of the deck, and the basis of the BOA determination, umbrellas, heaters or other items that would rise above the parapet and cause the deck to be visible could not be stored on the deck. They could be up during the time of the event but not stored there permanently. In one year's time, should the Planning Department receive any complaints regarding lighting, glare, traffic, etc., the Staff would

review the complaints, and if necessary, the Planning Commission could re-review the CUP.

Planner Grahn had received public input from the Museum and she had provided copies to the Planning Commission.

Tony Tyler, the applicant, believed the request was straightforward. The Kimball has been used on and off as an event center for the last 40 years, and this proposal would actually reduce the impact of the event space in this particular location. It would also move it off of Main Street to the second floor, which is another benefit. Mr. Tyler stated that they have been working with the Staff to help address conflicts and conditions and he was very comfortable with the conditions of approval as outlined.

Commissioner Campbell was unclear on the mechanism for bringing the CUP back to the Planning Commission based on complaints. When conditions of approval are placed on a project he wanted to know who they were enforced. Director Erickson stated that it was a slight variant on the conditions of approval. If the Planning Department receives complains, the condition of approval affirmatively states that the Staff may bring the CUP back to the Planning Commission. The Planning Commission can review the complaints, conduct another public hearing, and modify the conditions of approval to make sure it is mitigating according to the criteria.

Commissioner Campbell asked City Attorney Harrington if that could be done legally. Mr. Harrington stated that it was legal; however, he preferred to have the review criteria linked to a standard in terms of why it was coming back to the Planning Commission as opposed to a free for all comeback. Otherwise, it is strictly complaint based rather than standard based. Mr. Harrington pointed out that the Planning Commission could not make an applicant tear down a design, but they could add additional conditions to mitigate whatever the reason for the re-review. He stated that a one-year review would not pertain to all conditional use permits. A use is typically allowed as long as the impacts can be mitigated. The purpose of the review is to determine whether additional conditions are necessary to mitigate the impact, but not to take away the use. Design issues would have already been ruled on in the original process and would be part of the re-review.

Vice-Chair Joyce stated that for this particular application they were talking about mitigating noise, not storing items that would project above the roof line, etc. He noted that enforcement in Park City is complaint based and the Planning Commission has had many discussions regarding that issue. Mr. Harrington suggested that they distinguish enforcement from ongoing monitoring. This would impose an ongoing monitoring condition to make sure an issue is mitigated, which is different from compliance.

Commissioner Campbell preferred to leave out conditions rather than add conditions that are never followed-up. Director Erickson pointed out that the condition for this application actually has a one-year follow-up review by Staff. If approved, the Staff would be directing the Staff to follow-up after one year of operation to see if there were any issues. Director Erickson clarified that the condition was put in because this would a second floor deck instead of the existing ground level deck. The Board of Adjustment found that the deck was not particularly visible from the street level. Based on the condition, in one year the Staff would check back to see if everything went smoothly. If they find any issues they could bring it back to the Planning Commission for additional mitigation.

City Attorney Harrington recommended amending the condition to read, “Will review any sustained complaints regarding noise violations, or unreasonable glare, light and traffic”.

Vice-Chair Joyce opened the public hearing.

Sandra Morrison with the Park City Historical Society had sent a letter to the Planning Commission stating that the conditional use permit application should not be approved unless the Planning Commission concludes that the application complies with all the requirements of the Land Management Code. Ms. Morrison pointed out that the Historic District Design Guidelines, which are mandatory, says to maintain the original roof form. The Kimball garage is a Landmark structure in the Historic Sites Inventory and it is one of the most important and distinctive historic buildings in the Historic District. Ms. Morrison encouraged the Planning Commission to make every attempt possible to maintain and preserve the historic buildings. That was the purpose of the Historic Design Guidelines, and why the Guidelines say that Landmark structures should be held to the strictest interpretation. Ms. Morrison could not understand how the Board of Adjustment read, “maintain the original roof form”, and still decide that half of the barrel vault could be removed. She pointed out that they were losing half of the historic roof to add 2,500 square feet of rooftop deck for events. In addition, they would be allowed to put up a tent for 70 days. For the entire winter a tent will be sitting on top of the historic Kimball garage and visible from the street and many parts of town.

Ms. Morrison requested that the Planning Commission expand Condition #15 to prohibit having a 2,500 square foot white tent on top of a historic structure after half of the roof is demolished to accommodate it.

Jim Tedford, representing Preserve Historic Main Street, stated that this group has appeared before the Planning Commission many times over the last four years. Mr. Tedford remarked that the current plan for the Kimball garage is the best plan they have seen so far, and he believed it was a good plan overall. However, his objection was the demolition of one barrel vault roof. He thought the words were clear in the Historic District

Design Guideline B1.1 “Maintain the original roof form.” Mr. Tedford thought the direction was black and white. He could not understand how the Planning Department and the Board of Adjustment could interpret it any other way. In his opinion, Maintain the original roof form” was very, very clear. If that could be interpreted any other way, the Historic District Design Guideline is meaningless. He did not believe it was open for interpretation. Mr. Tedford thought the terrace portion of the CUP should be denied to save the one barrel vault roof because it is clearly against the Historic Design Guideline B1.1.

Hope Melville, a Park Avenue resident, had issues as to whether the requirements of the LMC were being met. She noted that the Section 15-11-5(i) of the Code requires that any material deconstruction of parts of a historic structure must be approved by the Historic Preservation Board. Ms. Melville could find nothing in the Staff report indicating that the HPB had approved destruction of one of the barrel roofs of the Kimball garage to accommodate the proposal for an events space on the outdoor roof deck. Ms. Melville asked if the provision in Section 15-11-5(i) had been met, and whether the HPB had approved the deconstruction.

Planner Grahn replied that the applicant was not required to go through the HPB deconstruction process because they were vested prior to that becoming part of the Land Management Code.

Vice-Chair Joyce clarified that the process of what goes through the HPB and using the BOA as an appeal body had recently changed. Planner Grahn stated that the change was approved by the City Council in December 2015.

Sanford Melville, a Park Avenue resident, stated that he is a full-time resident of Old Town and he lives a few blocks from the Kimball garage. He noted that the Staff report states that the proposed space will accommodate 480 people. Mr. Melville was certain that he and all of his neighbors would be hearing the noise from the events held at this facility, and their right to the quiet enjoyment of their homes will be negatively impacted. He noted that the Staff report indicates that the anticipated hours would be 8:00 a.m. until midnight, and outdoor speakers will be allowed from 11:00 a.m. to 10:00 p.m. The allowed number of days per year was unclear. Mr. Melville remarked that it was impossible to mitigate the impacts of the noise level possible from this deck facility. He pointed out that sound travels uphill. Therefore, it would not only affect those who live near the Kimball, but the noise level would also impact the residents on Rossi Hill, April Mountain, and the Aerie.

Mr. Melville stated that some people would tell him that if he lives in Old Town he should expect noise. However, one reason why he lives in Old Town is to be able to walk outside his house and participate in all of the parades and special events. He is at ground zero for special events, but it is part of the vibrancy of Old Town and he loves being part of it. Mr.

Melville emphasized that the difference with the Kimball is that these will be private events on a roof top, which is very different from an event open to the public. Mr. Melville was concerned that the applicant was asking the residents of the community to sacrifice their quality of life for the exclusive benefit of private individuals. He urged the Planning Commission to closely look at this CUP with that in mind.

Angela Mosceta was struck by the mention of the tented outdoor space. She thought this proposal was in direct conflict with the third critical City Council priority that includes energy conservation, energy and carbon reduction and green building incentives. She noted that during a recent City Council meeting the Mayor made a very concise point that it would be heating the outdoors.

Vice-Chair Joyce closed the public hearing.

Commissioner Campbell noted that if they add a condition of approval about a one-year review and all of the neighbors who expressed valid complaints this evening come back with repeated and sustained complaints, the applicant would have to come back to the Planning Commission. He wanted clarification on the next step if after a review the Planning Commission votes that a particular condition was not met.

City Attorney Harrington replied that these types of re-review conditions are difficult, and he personally disfavors them unless they are quantitative and simple. If the intent is to fully retain the right to revoke the use altogether, they should affirmatively state that intent so the applicant could either contest the condition as written or revisit their decision to move forward knowing that their investment is at risk if the CUP can be revoked. Mr. Harrington stated that if revocation is an option, they would need to revise the standards by which it could occur. The standards should be objective, such as specific of number violations, occupancy violations, health/safety violations, or similar type issues. If the list is long, it goes back to the issue of whether or not the use is compatible. Mr. Harrington pointed out that outdoor areas are difficult to enforce because of the cross-over between the private events and additional event capability. He could find nothing in the conditions that would limit the owner from applying for special public events as well.

Commissioner Campbell asked if the Planning Commission could legislate hours when a party is allowed. Mr. Harrington replied that they could if it was tied to a direct impact. It would be hard to go beyond the standard noise ordinance unless there was a specific reason for doing so. He understood that the proposal reduced the maximum occupancy allowed, but CUP approve would be enabling additional private activities without the public review that the Special Event process would entail. Commissioner Campbell understood that that was the objection of most of the neighbors. Mr.

Harrington stated that the Planning Commission could give direction to the Staff to work with the Event Staff and the applicant to try and refine it to at least be incremental with what they could get through the Special Event process.

Commissioner Campbell asked which approach would be easily defensible; ending the event at 7:00 p.m. or prohibiting the tent completely. Mr. Harrington remarked that when the Mayor made the comment that Ms. Mosceta referred to in the public hearing, many agreed with him but he was overruled by a majority of the Council. Therefore, the City would have an existing tent program for two more years.

Planner Grahn clarified that the applicant would not be eligible to apply for that program. She explained that the enclosed balcony program is only for buildings with restaurants on the second level, they would be enclosing the balcony immediately adjacent and the building is non-historic. In this case the enclosure would be over a historic building and it would not be allowed.

Vice-Chair Joyce pointed out that the enclosed balcony program applied to leaving a tent up all winter. This applicant could still erect a 5' x 14' tent without coming in for a CUP. Mr. Harrington stated that based on the current ineligibility for the program, he suggested revising Condition #8 to further restrict that use in case the enclosed balcony program expands, or they apply through a different mechanism. Mr. Harrington stated that they could word it "only as approved through a Tier 3 public hearing special event process with certain limitations".

Craig Elliott, the project architect, stated that his son was in a rock band for a number of years and he had researched the requirements for sound. He pointed out that Park City has a sound ordinance and it is measurable and quantitative. There is also an ordinance regulating days and times of use. He remarked that the conditions of approval make the applicant responsible to meet those requirements. Mr. Elliott stated that there was a measurable quantitative component as part of the approval by nature of the ordinances in place.

Regarding the tents, Mr. Elliott was unsure where 75 days came from because the temporary use permit for tents is a 14-day maximum. Vice-Chair Joyce agreed. It is five times a year for 14 days. The total number of days the tent can be erected is 70 days. Mr. Elliott did not anticipate any reason why the applicant would leave a tent up for 5 times 14 straight days.

Mr. Tyler felt like they were being unfairly targeted. They had followed the City's process and continue to get comments from members of the public regarding issues that are not part of the Conditional Use Permit. Mr. Tyler commented on a long and

arduous process with the Staff that was very productive. He went through the BOA process and the Board made the decision to uphold the Staff's determination; yet as early as 2:00 this afternoon he received a letter raising the same issues that were addressed with the BOA. Mr. Tyler found it challenging to hear continued attacks on a design that has been approved.

Mr. Tyler stated that the intent is to collectively make a development better, and they designed the project to be a benefit to the greater Park City area. He took issue with the comments regarding private events because the Kimball Arts Center used that space for private events all the time. Individual groups were allowed to use the building and the occupant loads far exceeded what he was proposing. Mr. Tyler was struggling to understand the issues surrounding mitigation of the events in this particular location.

Commissioner Campbell clarified that he was not trying to block Mr. Tyler from moving forward with his proposal because it was a great idea. His issue is placing conditions on a project that are either not followed-up on or cannot be enforced. Commissioner Campbell agreed that the Kimball Arts Center had private parties but they were held inside. This proposal moves the events out on the roof and the noise impact would be greater. As a Commissioner, he thought they should either leave it alone or place a condition that can be verified and has teeth. At that point the applicant would need to prove that they have met that condition, and if it was not met, there should be some consequence. Commissioner Campbell was open to hearing suggestions from Mr. Tyler or Mr. Elliott on ways to address it.

Mr. Tyler pointed out that the Kimball had a large open plaza on Main Street that was used for events all the time. Not all of the events were held inside. Events spilled out onto the deck, which was at the Main Street level and a good distance along Main Street. Mr. Tyler was willing to work with the Planning Commission to find a solution that addresses their concerns. He appreciated the fact that they were trying to make it quantitative so there were certain standards to follow.

Mr. Elliott noted that the largest outdoor gathering event space in Old Town was down the street at the bridge and it was very close to residential neighborhoods. He believed the impacts related to the proposal for the Kimball were minor in comparison. Mr. Harrington remarked that there have been residential conflicts with activities on the bridge.

Mr. Harrington suggested another meeting to get more clarity on the operational parameters and the restrictions.

Commissioner Thimm stated that previously the Planning Commission has spent hours talking about ways to create a condition that is enforceable and would have teeth on the other end. He did not believe they would solve that issue this evening, and he did not think it was consistent with past decisions to impose all of that on this particular project. However, he has a strong desire to figure that out and suggested having that discussion to address the issues and come to a conclusion that could be fairly applied to projects throughout.

With regard to the barrel vault, Commissioner Thimm thought the interior of a barrel vault is very cool. Director Erickson clarified that it was actually a bow-string arch and they were taking the frames of the bow-string arches that would be eliminated and use them to reinforce the section of the bow-string arches that would remain. Commissioner Thimm thought it was important to have respect for historic architecture. If this application had come before the Planning Commission on its own merits with nothing else in place, he would have said they could only consider if it had gone through the Board of Adjustment. He pointed out that it has gone through the Board of Adjustment. Therefore, the only topic before them was a conditional use permit for this event facility. In terms of their purview, the Planning Commission needed to honor the decision of the Board of Adjustment.

Commissioner Band agreed with Commissioner Thimm. This has gone through the BOA process and they were only looking at the conditional use permit. Given what has come before them in the past, she believed this was the best plan. It looks great and she liked the idea of having the event space.

Commissioner Band noted that the Planning Commission had just dealt with a tent for the old Talisker Restaurant and they limited it to 3 days instead of 14 days. She thought they should look at doing something similar for this project. Like everyone else, she did not like the idea of seeing a tent sitting on top of the Kimball for 14 days at a time. Commissioner Band suggested that they address that issue in a condition of approval.

Commissioner Phillips pointed out that for tent at the Talisker Restaurant the applicant had requested three days. It was not a time limit imposed by the Planning Commission. Commissioner Band recalled that the applicant asked for a shorter duration with the ability to have it up more often. She thought it was a completely different situation than a tent on top of one of the most visible historic structures on Main Street.

Commissioner Phillips noted that during that meeting with Talisker he made the comment that he personally wished they would never have tents. However, they do allow tents and everyone needs to be treated fairly. Commissioner Phillips agreed with the comments

made by Commissioner Thimm. In looking within their purview, he agreed with the Staff. Commissioner Phillips thanked the public for their comments. Each person is well respected and cares tremendously about the Historic District. He thanked them for their involvement throughout the entire process.

Commissioner Phillips addressed Ms. Morrison's comments regarding the B1.1 Guideline. He stated that the Guideline says to maintain the original roof form, but the language goes on to say "as well as any functional and decorative elements". He sees the roof as being a low file roof with parapet walls, and he questioned whether it was ever a decorative element. He suggested that the BOA may have had that same thought when they made their determination. Mr. Phillips stated that he was at the BOA meeting as the Planning Commission liaison, and he recalled that Mr. Elliott had said that the existing condition of the roofs did not meet the current Code. Therefore, the applicant would have had to do something and he thought reusing the trusses and the material on site was a good idea.

Vice-Chair Joyce had visited the site and walked around the building. When he stayed close to the building he could only see the edge of the roof and the barrel was not visible. However, as he walked up and down the street and drove in from Deer Valley to Heber Avenue, the barrel roofs were obvious. Vice-Chair Joyce was unsure how the Board of Adjustment made the decision they did.

Vice-Chair Joyce thought the Guidelines were clear. He pointed out that the City makes most people jump impossible hurdles to protect historic buildings. The fact that the roof is not strong enough was not a good enough reason. If the applicant had to spend a considerable amount of money to make it strong enough, that would be an issue between the Building Department and the applicant. He did not think it was relevant to the Planning Commission.

Vice-Chair Joyce had read the minutes from the BOA meeting and the Staff report. He asked for a quick synopsis of where the subjectivity came in and how they reached the conclusion that the roof was not visible from certain spots when the Guideline simply says not to change the roof.

Mr. Elliott stated that the Board of Adjustment had a long discussion and went through each individual item. He and Mr. Tyler presented a description of the project and used the National Park Service, three specific historic preservation briefs, as a reference to how they are used. One was gas stations, one was roofs, and he could not recall the third one. Mr. Elliott noted that Guidelines created by the National Park Service are available to help people make decisions about historic structures. When the information was analyzed, their presentation and the discussion with the Planning Staff showed that the roofs were never intended to be seen. The forms were there as a condition of the need to make a span. Mr.

Elliott reiterated that in general, they just used the standards that are applied from the National Park Service. The Board of Adjustment had a long discussion and agreed with what the applicant had presented.

Planner Grahn stated that the Guideline says that the historic roof form must be maintained. However, the guidelines for Main Street buildings talks about allowing roof top additions. Those guidelines talk about whether or not the roof top addition is seen. Planner Grahn noted that there was a discrepancy in the Code and the Staff spent significant time considering it. The decision was not made overnight. In the end they had talked to SHPO, Utah Heritage Foundation, and the City's preservation consultant. The solution was that keeping one barrel vault allows the roof to keep part of its original form. She pointed out that the rooftop terrace is largely invisible, which is good for an addition. The Staff found that the bolstering trusses were not a character defining feature because they were designed to be hidden behind the parapet so they were not visible. Planner Grahn stated that due to the topography of Park City it can be seen. The one on the west side is the most visible, which is the one they plan to maintain.

Mr. Tyler reported that Kirk Huffaker with the Utah Heritage Society had provided a letter stating that the roof form was not critical to maintaining its Landmark status.

Vice-Chair Joyce clarified that the Staff was confident that this change would not affect its Landmark status. Planner Grahn replied that he was correct. She noted that several people were willing to say that it was still eligible for the National Register despite the loss of the one barrel if they need to defend it.

Commissioner Campbell understood that as part of the CUP the Planning Commission was not supposed to be looking at the roof design or the BOA decision. He stated that if they made every applicant go through an arduous process only to overturn the decision at the last minute, no one would do anything on Main Street. Commissioner Campbell remarked that great projects that add to the vibrancy of the area need to be supported. He thought the Planning Commission should focus on the CUP rather than look at the historic design, which has already been ruled on.

Vice-Chair Joyce agreed with Commissioner Campbell about the historic design. However, his comment about encouraging vibrancy was a City Council and Chamber of Commerce issue. Commissioner Campbell agreed, but if the City Council was trying to encourage it, the Planning Commission should not use their platform to discourage it.

Vice-Chair Joyce explained the difference between the events held at the Kimball Art Center and what would occur with this new use. He pointed out that there would be more outdoor activity, it is in an area that is not as acoustically protected, it will occur more

frequently. He assumed there was likely to be more noise issues than what occurred with the old Kimball. Vice-Chair Joyce stated that he dislikes tents in Old Town, even though they are allowed by Code. He believes tents are an issue and the time period a tent can be up bothers him. It is one thing when tents are tucked between buildings, and something completely different when it is on top of the Kimball Arts building.

Vice-Chair Joyce believed this item would be continued and he requested that the applicant come back with what they would be willing to do to help mitigate the impact of a historic building looking like a campground and being loud.

Planner Grahn requested that the Planning Commission continue this to December 14th to give the Staff and the applicant time to get the conditions right. Mr. Tyler stated that his challenge was trying to start construction, but the use of the event space would have a major impact on his decision to move forward. He had not anticipated issues with the CUP because the site has historically been used as an event center. Mr. Tyler noted that outside of the noise ordinance and limiting the time frame of the tents on the terrace, he was unsure what else they could offer to mitigate the impacts. In his own interest in trying to make a risk assessment for an expensive investment, it was difficult to have this continued to a much later date. Mr. Tyler pointed out that if he has to delay construction, the building would be dark for another winter. He was trying to understand what he could do to accommodate the concerns that were raised. Mr. Tyler was willing to limit the time frame for keeping the tent up on the deck.

Based on their comments, Director Erickson believed they were down two votes with two members missing; and he was certain that either way they would end up with a split vote. He thought the City Attorney had provided good direction on how to craft the conditions and bring the permitting on the outside portion of the deck closer into alignment with a transparent public process and the ability for the public to provide input more frequently. Director Erickson suggested potential restrictions, such as whether or not to allow music on the deck versus only on the inside; and numbers and sizes of the tent. He explained that he and Planner Grahn had crafted the condition with the intention of not having the tent visible on Heber Avenue.

Director Erickson recommended that the Planning Commission continue this item to December 14th when the other two Commissioners would be present.

City Attorney Harrington stated that in an effort to ease the applicant's concern, the Commissioners could indicate in the motion their inclination to approve the CUP with direction to the Staff to refine Conditions of Approval 8 and 15 to address a mitigation plan for the impacts of tents and outdoor event use. Mr. Harrington believed they could craft operational benchmarks that are consistent with the other spaces around this location, and

give the owner the opportunity to exceed those through a public process like everyone else. Mr. Harrington thought that was a better approach than waiting for problems to occur and then regulating backwards.

Commissioner Campbell expressed his frustration with unlimited continuations. He preferred to spend the time crafting the conditions this evening so the applicant could move forward as opposed to putting them off for another month and a half, particularly given the constraints of building this time of year.

Director Erickson stated that part of the operation is occupancy; and the Commissioners could restrict the number of people on the deck. They could also restrict amplified music, or require a Tier 3 special event permit for events in excess of 100 people. They could also restrict the number of days a tent could be up.

Commissioner Band did not favor continuations for the reasons Commissioner Campbell had stated, but she thought there was a benefit to further discussion. Director Erickson had given them great examples and she would like to see a few more.

Vice-Chair Joyce believed the applicant had the support for an event facility. However, some of the Commissioners were a little reluctant about the impact to the neighborhood and the impact to a Landmark building from a historic standpoint. He thought the Planning Commission needed time to work through the issues and the impacts.

Mr. Tyler was comfortable with a continuation and he appreciated the background and the explanation. His goal is to create a great development and be a good asset to the community.

Commissioner Thimm requested that the Staff look at this as a way to create a model or template for a regulation to be considered at a later date that can be consistent and can be enforced in a fair way. The Commissioners concurred.

MOTION: Commissioner Band moved to CONTINUE 638 Park Avenue – Conditional Use Permit for new construction of a private event facility to December 14, 2016. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

7. <u>Tram Tower Plat Amendment – Proposal to combine Lot 2 of the National Garage Subdivision, Lot 19 and a portion of Lot 20, Block 6 of the Park City Survey and a portion of Block 1, Snyder's Addition to Park City (Parcel PC-102), and Lot 2 of the Coalition West Subdivision also known as 664, 672, and</u>

668 Woodside in order to redevelop the property, which includes a historic house. (Application PL-16-03193)

Planner Grahn reviewed the application to combine three different parcels as outlined on page 457 of the Staff report. Parcel 3 is part of the Sweeney MPD and some of the conditions of approval were carried over, specifically the one regarding the house size. Planner Grahn stated that a number of encroachments exist because the property line does not abut Woodside Avenue. There is a space between built Woodside and where the right-of-way begins.

Planner Grahn noted that the Staff had added a number of conditions of approval to mitigate as much as possible on this plat. The maximum house size was carried over set by the Sweeney MPD. All of the conditions of the Sweeney MPD were still in effect. Planner Grahn remarked that they were gaining 10' snow easements along Woodside and Seventh Street. The City Engineer had limited where the access off of Seventh Street could occur due to the poor sight lines. Encroachments would be addressed, and they would hopefully get easements for the historic garage and the historic aerial tramway tower, as well as for the Water Department's water vault. They would also address the encroachments in the Woodside Avenue right-of-way.

Vice-Chair Joyce opened the public hearing.

Sandra Morrison with the Park City Historical Society stated that on half of the lot is one of the historic tram towers and the Friends of the Ski Mountain Mining History Organization has been working hard to maintain and restore the historic mining structures around Park City because they are part of the unique history and heritage. Ms. Morrison had read in the Staff report that this gives the ability to require an easement so the Tram Tower could stay where it exists. She was surprised that there was not already an easement because it was picked up and moved to build Seventh Street. At the time the Historic District Commission require that it go back in alignment. She wanted to make sure that it was included in this plat amendment. She pointed out that if they get the easement they will not have to move it because it is across the property line to build a bigger house.

Vice-Chair Joyce closed the public hearing.

Commissioner Thimm liked the idea of creating the easement. He asked if that was something they needed to do as part of this action. Planner Grahn replied that they typically do easements and encroachment agreements for thinks like this that straddle a property line. Since they do not know who owns the aerial tramway tower, they felt an easement was the best choice for protecting it.

Director Erickson asked if Planner Grahn had included a condition of approval requiring the easement for the trams tower. Planner Grahn answered yes. City Attorney Harrington pointed out that it was Condition of Approval #5. However, he recommended that they specify preservation easement, and not just an easement for the encroachment.

Vice-Chair Joyce thought Condition #11 was the most humorous example of what they could not enforce. The conditions read, "Access from the property should be from the Woodside south of the aerial tower. If accessed from the section east of the tower, backing out of the drive shall be forbidden". Planner Grahn noted that the condition was written by the City Engineer.

MOTION: Commissioner Phillips moved to forward a POSITIVE recommendation to the City Council on the Tram Tower Plat Amendment located at 664, 672 and 698 Woodside Avenue based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – Tram Tower Plat Amendment

1. The property is located at 664, 672, and 698 Woodside Avenue.

2. The property consists of all of Lot 2 of the National Garage Subdivision; Lot 19 and a portion of Lot 20, Block 6 of the Park City Survey and a portion of Block 1, Snyder's Addition to Park City; and Lot 2 of the Coalition West Subdivision.

3. The property is in the Historic Residential (HR-1) District with the east half of Lot 2 of the Coalition West Subdivision being zoned Historic Recreation Commercial (HRC).

4. This site is listed on Park City's Historic Sites Inventory (HSI) and is designated as Significant.

5. The Plat Amendment removes two interior lot lines.

6. The proposed Plat Amendment combines the property into one (1) lot measuring 8,728.90 square feet.

7. A single-family dwelling is an allowed use in the District.

8. The minimum lot area for a single-family dwelling is 1,875 square feet in the HR-1

zone. The proposed lots meet the minimum lot area for single-family dwellings.

9. The proposed lot width is width is approximately 171.5 feet along Woodside Avenue and 81 feet along 7th Street; this property has two (2) frontages.

10. The minimum lot width required is twenty-five feet (25'). The proposed lot meets the minimum lot width requirement.

11. Because of the boot-shaped configuration of this lot, the Planning Director has determined the following setbacks: Front and Rear Yard, 10 feet; side yards 5 feet.

12. Ordinance 02-02, which approved the Coalition West Subdivision, included additional restrictions limiting the house size on Lot 2 to 3,500 square feet, including a potential accessory unit, subject to the Historic District Design Guidelines and Sweeney MPD.

13. House size has consistently been interpreted to mean the Gross Residential Floor Area as defined by the Land Management Code.

14. LMC § 15-2.2-4 indicates that historic structures that do not comply with building setbacks are valid complying structures.

15. The existing historic garage has a footprint of 230 square feet. LMC 15-2.2-3(D) states that Accessory Buildings listed on the HSI that are not expanded, enlarged, or incorporated into the Main Building shall not count in the total Building Footprint of the Lot.

16. The minimum front/rear yard setbacks are 10 feet (10'); the minimum total front/rear yard setbacks are twenty feet (20'). The historic house has a front yard setback of 0 feet; the garage in the front yard encroaches 13 feet into the Woodside right-of-way. The house has a 4 foot rear yard setback.

17. The minimum side yard setbacks are five feet (5'); the minimum total front/rear yard setbacks are 10 feet. The historic garage has a 0 foot setback on the south side yard, and the historic house has a 23 foot setback on the south side yard. The existing historic aerial tramway tower has a 4 foot side yard setback on the north side. The existing historic garage structure does not meet the north side yard setback or the west rear yard setback along Crescent Tram.

18. The historic garage encroaches into the neighboring property at 658 Woodside by approximately 3 feet.

19. On the northwest corner of the property, the historic aerial tramway tower encroaches approximately 19 feet over the west property line of Lot 2 of the Coalition West Subdivision and into the Woodside Avenue right-of-way.

20. There is a water drain pipe and vault constructed in the right-of-way that encroach about 5 feet east of the right-of-way and into Parcel PC-102.

21. There are several improvements in the City right-of-way including two stacked stone retaining walls, wood steps to the historic house, asphalt driveway to the garage, and a fence.

22. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

Conclusions of Law – Tram Tower Plat Amendment

1. There is good cause for this Plat Amendment.
2. The Plat Amendment is consistent with the Park City Land Management Code and applicable State law regarding lot combinations.
3. Neither the public nor any person will be materially injured by the proposed Plat Amendment.
4. Approval of the Plat Amendment, subject to the conditions stated below, does not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval – Tram Tower Plat Amendment

1. The City Planner, City Attorney, and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will record the plat at the County within one year from the date of City Council approval. If recordation has not occurred within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. The property owner shall resolve the encroachment of the stone retaining walls and fence over the front (west) property line into the City Right-of-Way (ROW) by either removing the encroachments or entering into an encroachment agreement with the City Engineer for those improvements that support the historic integrity of the Significant house and/or tramway tower.

4. An encroachment agreement for the historic garage is required with the neighbor at 658 Woodside and the City as the historic garage encroaches over the south property line and the west property line into the City right-of-way.

5. The applicant shall enter into a preservation easement agreement with the City for the historic aerial tramway tower that encroaches approximately 19 feet into the property.

6. The Park City Water Department anticipates that the water pipe and vault will be relocated as part of the redevelopment of the site; the applicant shall be responsible for coordinating the relocation with the Water Department and recording an easement for the vault and water pipe upon completion.

7. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

8. Ten foot (10') public snow storage easements shall be granted along the Woodside and 7th Street rights-of-way.

9. All Conditions of Approval for the Sweeney Properties Master Plan, as amended and approved by the City in November 1996 continue to apply in full force and effect. A note shall be added to the plat amendment to this effect.

10. This lot is designated as a single-family lot with up to 3,500 square feet, including a potential accessory unit, subject to the Historic District Design Guidelines and Sweeney MPD as outlined in the Coalition West Subdivision plat.

11. Access to the property shall be from the section of Woodside south of the aerial tower. If accessed from the section east of the tower, backing out of the drive shall be forbidden.

12. A 10-foot wide non-exclusive utility easement along the south edge of 7th Street/Woodside will be required from Park Avenue west to the aerial tower.

The Park City Planning Commission Meeting adjourned at 9:15 p.m.

Approved by Planning Commission: _____

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
OCTOBER 26, 2016

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Melissa Band, Preston Campbell, Steve Joyce, John Phillips, Laura Suesser, Doug Thimm

EX OFFICIO:

Planning Director, Bruce Erickson; Kirsten Whetstone, Planner; Francisco Astorga, Planner; Ashley Scarff, Planner; Polly Samuels McLean, Assistant City Attorney;

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REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioner Campbell, who was expected to arrive later in the meeting.

ADOPTION OF MINUTES

October 12, 2016

Commissioner Joyce referred to page 9, second paragraph, "no secondary access point was identified or approval". He changed approval to correctly read **approved.** Third paragraph, line 7 "…or approximately 150,000" should be changed to read 150,000 **square feet.** Same paragraph, line 9, "Building footprints could not be enlarged this restriction". He inserted the word **with** to correctly read, "Building footprints could not be enlarged **with** this restriction".

Commissioner Joyce referred to Page 10, first paragraph, line five, and changed Sweeney to correctly read **Sweeneys.** Page 11, first paragraph, line 6, "They were generally positions…" was changed to correctly read, "They were generally **positioned**." Page 13, first paragraph, line 6, "Mr. Perkins remarked that the Coalition building stood longer after it had ceased operation". Commissioner Joyce changed the sentence to correctly read, "Mr. Perkins remarked that the Coalition building stood **long** after it had ceased operation."

Commissioner Suesser referred to page 33, first paragraph, line 1, "Commissioner Suesser stated that the current proposal has significantly since 2005". She inserted the word **changed** to correctly read, "Commissioner Suesser stated that the current proposal has

significantly **changed** since 2005". Second paragraph, Commissioner Suesser inserted the words **his comments** to correctly read**,** "Commissioner Suesser concurred with Commission Thimm regarding **his comments** on the Woodruff drawings." In the fourth paragraph, first sentence, Commissioner Suesser inserted the word **project** to correctly read, "Regarding Criteria 11, Commissioner Suesser agreed that the master plan anticipated the difficulty of designing a higher density **project** adjacent to the Historic District".

Commissioner Thimm referred to page 28, first paragraph, last sentence, and added Thimm to the sentence to correctly read, "Commissioner **Thimm** thought that was made clear by each Commissioner in prior meetings". Second paragraph, line 6, the sentence was changed to remove the period after massing and insert **would be** to correctly read, "Commissioner Thimm stated that understanding how that correlates will speak to what the building massing **would be**."

Commissioner Thimm referred to page 29, third paragraph, first sentence "Commissioner Thimm was trouble by …" was changed to correctly read "Commissioner Thimm was **troubled by**…" Page 33, second paragraph, second sentence, Commission Thimm was changed to correctly read, **Commissioner Thimm**.

MOTION: Commissioner Phillips moved to APPROVE the Minutes of October 12, 2016 as amended. Commissioner Band seconded the motion.

VOTE: The motion passed. Commissioner Campbell was not present for the vote.

Commissioner Campbell arrived.

PUBLIC INPUT
There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Planning Director Bruce Erickson stated that the Planning Commission would have a Work Session Meeting on November 30th. The Commissioners would have the opportunity to ask questions of the Transportation Manager, Alfred Knotts; the Affordable Housing Manager, Rhoda Stauffer; and the new Sustainability Manager, Luke Cartlan. The topic will be compliance with the General Plan in those areas, and how they could make the appropriate changes to the LMC to implement those.

Director Erickson stated that there was also the potential to hear one appeal on November 30th regarding the Planning Director's determination. However, the goal is to keep that meeting clean and focused on General Plan issues.

Director Erickson announced that there would only be one Planning Commission meeting in December due to the Christmas holiday and one meeting in January due to Sundance.

Planner Francisco Astorga reported that the Planning Commission would be reviewing the Treasure Hill CUP project in a work session on November 9th. That meeting would be held at the Marsac Building and not the Library.

Commissioner Joyce asked for an update on the Alice Claim subdivision and the wall CUP. Planner Astorga stated that the CUP was appealed by two separate parties. The Staff was finally able to coordinate a date when both parties and the applicant could meet with City Council. The appeal of the CUP, as well as the subdivision and plat amendment, were scheduled be heard by the City Council on November 17th.

Commissioner Band disclosed that she would be recusing herself from the two 7700 Stein Way items on the agenda because they own the Brokerage she works for.

Assistant City Attorney McLean referred to the Alice Claim appeal and noted that typically one person from the Planning Commission attends the City Council meeting to answer questions if necessary and to report back to the Commissioners. Commissioner Band volunteered to attend.

Commissioner Phillips disclosed that he would be recusing himself from 324/328 Woodside Avenue because he was working on that project.

CONTINUATIONS

1. 1401 & 1415 Kearns Blvd., 1415, 1635, 1665, 1685, & 1705 Bonanza Dr., 1420 & 1490 W Munchkin Rd., – Bonanza Park North East Master Planned Development (MPD) Pre-Application determination in the General Commercial (GC) District. Project consists of a mixed-use development containing commercial space on the first floor and office or residential (Application PL-15-02997)

Planner Astorga requested that the Planning Commission allow the applicant a few minutes to present working documents that they have been working on the past few months.

Chair Strachan was willing to allow it as long as the same material would be presented to the public the next time this comes back to the Planning Commission. He was concerned that people who may have been interested did not attend this meeting because they thought it was being continued.

Craig Elliott clarified that the intent was to provide an update. They had no intention of discussing the design issues. Chair Strachan was comfortable with an update.

Mr. Murphy reported that the applicant has had discussions with Staff as recently as last week regarding the various aspects of the project. They owe the Staff a series of reports as outlined in the Staff report, and they were continuing to work on those. Mr. Murphy stated that for the past two months they have been focusing on the transportation elements, and they would be presented at the next meeting.

Mr. Elliott stated that regarding transportation they have had two meetings with Matt Cassel, Alfred Knotts, Brooks Robinson and Francisco Astorga since the last Planning Commission meeting. The applicant was able to accommodate all their issues and they are willing to put the transportation stops in any location they need to be.

Mr. Elliott requested a continuation to the November 9th meeting. They would immediately provide the information that the Staff had requested.

Director Erickson reported on an email that was received from Clay Stuard. It was included in the Staff report and copies were available to the public at the back of the room. The Staff had read the email but they did not have an opinion at this point.

Director Erickson noted that the Continuation date needed to be later than November 9th because the Staff report for that meeting was already done. They will review the information when it is provided and determine when the Staff can prepare the Staff report. Planner Astorga suggested a Continuation to November 30th.

Chair Strachan opened the public hearing.

Clay Stuard asked if November 30th was also a Treasure Hill meeting.

Chair Strachan answered no. He informed Mr. Stuard that Treasure Hill is always the first of the month and that would be November 9th. Due to the Thanksgiving holiday, the second meeting in November would be November 30th rather than November 23rd.

Chair Strachan closed the public hearing.

MOTION: Commissioner Phillips moved to Continue 1401 & 11415 Kearns Boulevard to November 30, 2016. Commissioner Joyce seconded the motion.

2. 7520-7570 Royal Street East- Deer Valley MPD 12th Amendment to combine Lots D, F, G, and H of the Silver Lake Community, into one development parcel. No changes to
the approved density assigned to these parcels are proposed.
(Application PL-16-03155)

Chair Strachan opened the public hearing. There were no comments. Chair Strachan closed the public hearing.

Commissioner Band had not attended the last meeting, but since this was part of the Goldener Hirsch she wanted to know why the lot combination was not done at the same time. She understood from reading the Minutes that there were issues with the building itself but not the MPD amendment.

Planner Whetstone explained that there was a desire to keep these projects together. The conditional use permit changed it might change the plat. There was also a question about the support commercial with the Deer Valley Master Plan that the Staff wanted to research and resolve. The issue was the entitlement in the MPD versus what was built at the Goldener Hirsch.

MOTION: Commissioner Band moved to CONTINUE 7520-7570 Royal Street East - Deer Valley MPD, to November 9, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

3. 7520-7570 Royal Street East- Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision combining Lots D F, G, and H into one lot.
(Application PL-15-02966)

Chair Strachan opened the public hearing. There were no comments. Chair Strachan closed the public hearing.

MOTION: Commissioner Band moved to CONTINUE 7520-7570 Royal Street East – Amendment to the Subdivision Lots 1 and 2 in Silver Lake Village to November 9, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

4. 7520-7570 Royal Street East- Conditional Use Permit for 34 residential units on Lot 1 of the Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision. (Application PL-15-02967)

Chair Strachan opened the public hearing. There were no comments. Chair Strachan closed the public hearing.

MOTION: Commissioner Band moved to CONTINUE 7520-7570 Royal Street East – Conditional Use Permit for 34 residential units on Lot 1 of the Amendment to the subdivision Lots 1 and 2 Silver Lake Village to November 9, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

REGULAR AGENDA - DISCUSSION/PUBLIC HEARINGS/ POSSIBLE ACTION

1. 515 Main Street – Conditional Use Permit application to allow current and future tenants of 515 Main Street to install a tent a maximum of 15 times per year, for durations no longer than fourteen (14) days each, within the private courtyard to the north of the building. (Application PL-16-03266)

Planner Ashley Scarff reviewed the request for a conditional use permit to allow current and future tenants of 515 Main Street to install a tent structure a maximum of 15 times per year for durations no longer than 10 days each time within the private courtyard to the north of the building, which currently houses the North Face store.

Planner Scarff explained that these type of requests are typically reviewed administratively. However, review by the Planning Commission is required if the applicant chooses to request installation of the tent for more than five times per year or more than 14 days at a time.

Planner Scarff stated that the application does not specify requested durations or frequencies for the use of the tent, since specific programming for the space has not yet been identified. However, the Staff recommended frequency and duration as stated in the Staff report, which she believed the applicant wanted to amend.

Mike Sweeney, representing the applicant, stated that he has been involved with tents on Main Street for over 20 years. The main one is the Town Lift Plaza. Mr. Sweeney remarked that the duration for tents on Main Street are shorter than places such as Deer

Valley where events occur frequently. He pointed out that some years this applicant may have five or six of the major size tents and other years they have none.

Mr. Sweeney requested that the 15-day maximum be changed to 25 days; and on 24 of those 25 days the tent could stay up as a maximum. One tent during Sundance would remain for ten days, the other times the tent would remain for four days. Mr. Sweeney pointed out that it would result in a reduction from 150 days to 106 days. It works better for the applicant because it takes a day to set up the tent, and if the event is on a Saturday or Sunday, the tent cannot come down until Monday.

Planner Scarff commented on potential uses within the courtyard, which included the initial application request, installation of tents, as well as other outdoor uses such as the use of speakers, outdoor music, catered parties and outdoor displays of North Face merchandise. Ms. Scarff stated that in the Historic Commercial Business District (HCB), these outdoor events and uses are allowed to be reviewed administratively. The Staff had separated those activities from the tent request, and they were conditioned and approved by the Planning Department on October 3rd, 2016. She remarked that the Staff understood the importance of mitigating any potential negative impacts that the tent may have on the Main Street corridor or adjacent historic buildings and Land uses.

The Staff was comfortable recommending approval of this conditional use permit as conditioned in the Staff report.

Planner Scarff outlined the specific conditions of approval as follows: The use of the tent will not increase the existing occupancy limits of the structure, which is 49 people. The Staff would like to review and approve the final design of the tent. She pointed out that the applicant would probably have to custom build their own tent to fit in that small of a space and meet the fire and building codes. The tent should be rectangular in shape, solid in color, and any proposed logos or branding on the tent would be required to go through the sign permitting process. The tent shall not exceed 15 feet in height measured from the floor of the courtyard to the highest peak of the tent. The tent should be set back away from Main Street and behind the existing tree planter box, and have no physical connections to the adjacent historic buildings. Installation and disassembly would not require machinery such as cranes or backhoes. The Conditional Use Permit could be re-reviewed by the Planning Commission if the City receives complaints.

Mr. Sweeney was comfortable with the conditions as outlined.

Commissioner Suesser asked whether the tent would be accessed directly through the gate or through the main door. Mr. Sweeney replied that it would not be accessed through the main door. There are two accesses on to the courtyard; one is from the building itself

and the second one is the little red gate. They would look at being able to access the tent from both of those locations. Therefore, the tent would have two exits and entrances, which works better from the standpoint of security and safety. Mr. Sweeney noted that they would also need to meet the normal tent requirements from the Building Department.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

Commissioner Joyce asked if the fireplace was in use. Mr. Sweeney replied that the fireplace was part of the restaurant and it still works. Commissioner Joyce was concerned about the fireplace being in close proximity to the tent. He asked if the fireplace and the tent could be used simultaneously. Ms. Sweeney explained that the workable space for the tent is six feet in and the closest possible to Main Street based on the plant box. There is also a three-foot rock fireplace area and he believed they should stay at least five away from that. Mr. Sweeney had spoken with Chad Root, the Chief Building Official, and he did not have any issues with that plan. The Building Department inspects the tent before it is erected and they have to put the tent wherever the Building Department thinks it should be located. Mr. Sweeney pointed out that the tent is inspected prior to the tent being erected, and then again after it is erected.

Commissioner Joyce suggested that if the applicant would have to have a custom made tent, he wanted to make sure it was not too long to be able to use the fireplace when the tent is up. Commissioner Phillips noted that the Fire Marshall does an inspection every time the tent is erected for an event. Mr. Sweeney assumed the tent would be approximately 10 feet wide and 20 to 30 feet long.

Commissioner Joyce indicated the windows that face the North Face building and the red building next door. He asked if the tent would be low enough that it would not interfere with the second floor windows. Mr. Sweeney explained that the tents shown in the document were ones he could find on the Internet. They were chosen primarily to show the shape of the tent. He stated that there would be times when they would only need the top of the tent and not the sidewalls around it.

Commissioner Phillips asked if any of the windows to the red building were egress. Mr. Sweeney replied that there are no doors. If someone needed to get out of the basement they could break a window and go through it. However, the windows on that side were too high for someone to come out and go down on to the courtyard. Commissioner Thimm assumed that Commissioner Phillips was talking about sleeping rooms, require a window

that can be used for egress if necessary. Commissioner Phillips clarified that he was not sure what the building was used for. Mr. Sweeney stated that it was a store.

Commissioner Thimm understood that they were being asked to consider a change to the conditions of approval regarding the number of days or number of times. He referred to the Staff recommendation on page 46 of the Staff report, "The Staff recommends the frequency of 15 times per year." Commissioner Thimm noted that the applicant's request that contrary to the Staff recommendation. He asked if the Staff had any concerns with the requested change in numbers.

Planner Scarff had no concerns. The Staff thought it was a reasonable number for the location, but they identified the number before a specific request was made. Planner Scarff was comfortable with the amended frequency and duration. Commissioner Phillips clarified that it reduced the number of days from 150 to 106.

Commissioner Joyce was concerned about temporary structures on Main Street. They do their best to protect Main Street, but 106 is still a third of the number of days of the year that a tent could be up between two buildings. Even in the best scenario, it is still a tent on Historic Main Street. He was unsure how they could make a tent look like an integral part of a historic neighborhood. Commissioner Joyce was less concerned about allowing the tent, and more concerned about the duration. Allowing it to happen 24 times during the year felt like too much. He was bothered by the idea of a tent being visible to patrons going up and down Main Street.

Mr. Sweeney stated that on the Town Lift Plaza there are no restrictions on the number of days he can use and put up a tent. The maximum number of days that he has ever had tents up in a year is six to seven days. Mr. Sweeney explained that the intent is to give enough flexibility to meet a potential need, but he did not expect to see a tent up every day. That was the reason for requesting a lesser number of days. He believed it addressed Commissioner Joyce's concern about having a tent up too often for too long.

Commissioner Joyce clarified that he was comfortable with the four-day duration. His issue was the 24-day maximum frequency. He preferred that it be 10 times a year, four days each time, and/or a one-time increase for Sundance. If the applicant later finds that a tent is needed more than ten times, the CUP could be amended.

Mr. Sweeney explained that the reason for requesting this CUP was to avoid the time and expense of having to go through the Administrative Process every time they wanted to erect a tent. Commissioner Joyce understood the reasoning; however, his question was whether 24 times a year up to four days is appropriate for Main Street. He personally was not convinced that it was appropriate. He asked if the other

Commissioners shared his concern, or whether they were comfortable with allowing a tent 24 days a year between two buildings.

Commissioner Band noted that they were talking about two specific buildings, and not two buildings in general. She would be more concerned if it were out in front. She referred to the photo with the tent on page 58 of the Staff report, and she and did not believe the tent was terribly intrusion. During the winter it would probably be the full tent as shown in the photo, but she thought it would only be the roof of the tent during the summer. Commissioner Band pointed out that it is empty space. She was unsure whether people walking by and seeing an empty space filled with snow would get any more of a feel for historic Main Street than strolling past an empty space with an unobtrusive tent.

Commissioner Phillips noted that Condition #14 states that in the case of any complaints to the City regarding the use of a tent structure at this location, it will return to the Planning Commission. He was comfortable having that option in case it does become a problem. Commissioner Phillips remarked that Condition #3 states that the Planning Staff must review and approve the final design of the tent. If there were any foreseen problems, he believed the Staff would be able to identify and address it.

Commissioner Joyce agreed. He expected the tent would be nice looking by the approvals and how Mr. Sweeney typically does things. His concern is that they go to such lengths to protect historic Main Street and restrict what can be done with windows and doors and other elements; and the City spent a considerable amount of money to improve and beautify Main Street. In his opinion, allowing a tent for a third of the year was contrary to that goal.

Commissioner Phillips clarified that he was not a big fan of having any tents at all on Main Street, but it is allowed under the LMC. He favored a shorter four-day period because a ten-day period could allow a tent to be up for two weekends. Commissioner Phillips understood Commissioner Joyce's concern, but he thought it would be less of an issue with the shorter four-day period. He was comfortable with what the applicant was requesting.

Commissioner Suesser did not have any concerns.

Commissioner Campbell thought the tent would only be visible if someone was standing right in front of it because of the way it was tucked between the buildings. He would feel differently if it protruded out on to the sidewalk.

Chair Strachan stated that the CUP criteria their guidance and the only one that comes close to addressing Commissioner Joyce's concern is physical design and compatibility with surrounding structures. Chair Strachan remarked that in his opinion tents are not compatibility with the existing structures, but they already exist on Main Street and they have for many years. Therefore, the determination has already been made by this Planning Commission and others that tents are compatible. Chair Strachan noted that none of the other CUP criteria applied to tents.

MOTION: Commissioner Suesser moved to APPROVE the Conditional Use Permit for a tent at 515 Main Street based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as amended. Commissioner Band seconded the motion.

VOTE: The motion passed 5-1. Commissioner Joyce voted against the motion.

Mr. Sweeney commended Planner Scarff for the amount of work and the time she spent on their application, and she did it quickly. He thought she deserved a lot of credit and praise, and he wanted the Commissioners to know that they have a wonderful new planner in Park City.

Findings of Fact – 515 Main Street

1. On August 2, 2016, the Planning Department received a complete application for a CUP to allow for the installation of tents, the use of outdoor speakers, live outdoor music, catered parties, and the outdoor display of merchandise within the private, enclosed courtyard on the north side of 515 Main Street, which currently houses The North Face store.

2. The subject property falls within the Historic Commercial Business (HCB) District, which allows Outdoor Events and Uses, specifically outdoor grills and/or beverage service stations, outdoor events and music, and the display of merchandise with the issuance of an Administrative CUP.

3. Staff separated activities covered under those designations from this tent request, which requires Planning Commission review if the applicant is seeking approval for a duration beyond 14 days at a time, or frequency beyond 5 times per year.

4. Staff recommended a tent installation frequency of a maximum of 15 times per year, for no more than ten days at a time (amended by Planning Commission at October 26, 2016 meeting—see Conditions of Approval below).

5. An Administrative CUP for the use of outdoor grills and/or beverage service stations, outdoor events and music, and the display of merchandise was approved and issued on October 3, 2016.

6. All uses within the proposed tent will be limited to these permitted activities, as conditioned.

7. The tent will not increase the occupancy limits of the existing building of 49 people.

8. Within the HCB District, the installation of a tent is classified as a Temporary Improvement.

9. Each time the tent is to be erected, the Applicant will be required to provide structural calculations, wind load information, and fire rating to the Building Department as part of a fire permit application. It is during the fire permitting process that the Planning Department will be notified that the Applicant is utilizing the tent, so yearly usage can be tracked by Staff on a specific tent CUP log sheet.

10. Due to the private courtyard's area of approximately 652.5 square feet (14.5 feet in width fronting Main Street x 45 feet in depth), Building Department staff indicated that the applicant may have difficulty procuring a tent with adequate levels of fire rating with such little physical separation between adjacent structures. The Applicant Representative stated that the Applicant is willing and able to work with the City Fire Marshall to design and purchase a custom tent specific to meet requirements of a fire permit.

11. The size and placement of the tent will be determined by applicable building and fire codes, as well as conditions of approval recommended by Planning staff.

12. The courtyard is partially screened from Main Street by an existing rock wall and gate, as well as a mature tree located near the front of the space. The courtyard is enclosed at the rear by a building wall and stone fireplace, blocking activity from residential uses to the west.

13. No additional signs or lighting are proposed with this application.

14. The proposed tent will be located entirely within the private courtyard to the north of the building at 515 Main Street.

15. The proposed use will result in a minimal increase in cars attending events within the temporary structures.

16. Guests and patrons using the temporary structure would have to abide by the same parking and access restrictions as other visitors to Main Street and The North Face at 515 Main Street.

17. According to the Main Street Improvement District map, the lot occupied by 515 Main Street was current in the parking assessment as of January 1, 1984. The site is exempt from the parking obligation for a floor area ratio (FAR) of 1.5 according to LMC §15-2.6-9(D). The building's FAR is below 1.5.

18. On October 12, 2016 the property was posted and notice was mailed to affected property owners within 300 feet. Legal notice was also published in the Park Record on October 12, 2016.

19. The Findings in the Analysis Section are incorporated herein.

20. This application is reviewed under Land Management Code Section 15-1-10 (E) and Section 15-4-16 (C).

Conclusions of Law – 515 Main Street

1. The Use, as conditioned complies with all requirements of the Land Management Code, Section 15-1-10.

2. The Use, as conditioned is consistent with the Park City General Plan.

3. The Use, as conditioned is compatible with surrounding structures in use, scale, mass, and circulation.

4. The effects of any differences in use or scale have been mitigated through careful planning.

5. The Application complies with all requirements outlined in the applicable sections of the Land Management Code, specifically Sections 15-1-10 review criteria for Conditional Use Permits and 15-4-16(C) review criteria for temporary structures.

Conditions of Approval – 515 Street

1. All temporary structures require a permit issued by the Building Department. All temporary structures must be inspected by the Building Department prior to occupancy.

The Building Department will inspect the structure, circulation, emergency access, and all other applicable public safety measures.
2. The tent is not to increase the existing occupancy allowance of the building of 49 people.

3. Planning Department staff must review and approve the final design of the tent structure before installation.

4. The tent shall be rectangular in shape and solid in color. If the applicant wishes to include logos or other forms of branding on the tent, it will be considered signage and must be permitted via sign permit application.

5. The tent shall not exceed fifteen feet (15') in height, measured from the ground level of the courtyard to the highest peak of the tent.

6. The tent shall be located in a way that it is set back behind the western edge of the existing tree planter box, and have no physical connections to historic buildings.

7. The tent's installation and/or disassembly shall not require the use of any machinery such as cranes or backhoes.

8. Prior to installing a temporary structure, the Planning Department must sign off on a fire permit and record the date within the CUP application folder.

9. A maximum of twenty-five (25) outdoor events which include a temporary structure per year are allowed.

10. For twenty-four (24) of the 25 uses, the tent shall not be erected for more than four (4) consecutive days.

11. For one (1) of the uses, the tent shall not be erected for more than ten (10) consecutive days.

12. The use shall not violate the City noise or nuisance ordinance. Any violation of the City noise or nuisance ordinance may result in the CUP becoming void.

13. Additional exterior signage must be approved by the Planning Department consistent with the City Municipal Code. All exterior lighting must be approved by the Planning Department and comply with the Land Management Code.

14. Operation of the temporary structure with expired permits from any applicable City Department may result in the CUP becoming void. Building and Fire Permits must be up to date to operate the temporary structure.

15. In the case there are any complaints to the City regarding the use of a tent structure at 515 Main Street, this CUP shall return to the Planning Commission for re-review.

2. 324/328 Woodside Avenue, 313 Park Avenue – Plat Amendment application to combine Lot B (328 Woodside) and Lot C (324 Woodside) of the 315 Park Avenue Subdivision Amended plat to create one (1) legal lot of record. Lot A (313 Park) is to remain as currently platted. (PL-16-03290)

Commissioner Phillips recused himself and left the room.

Planner Scarff reviewed the application for a plat amendment to combine Lots B and C as shown on the current 315 Park Avenue Subdivision amended plat. It is a three lot subdivision with two lots that front Woodside Avenue and one that fronts Park Avenue. The proposal is to combine the two lots that front Woodside. The lot that fronts Park Avenue would remain as currently platted. All three lots are currently vacant and undeveloped, with the exception of concrete retaining walls, stacked rock walls, and a railroad tie retaining wall. Some of those are encroachments onto the subject parcels from neighboring properties which were resolved during the last plat amendment of the subdivision that was approved by City Council on March 21st, 2013.

Planner Scarff reported that the proposed plat amendment would be the second for the subject property. While it creates a larger lot, the plat amendment would either reduce or maintain the maximum potential density, and it would also either reduce or maintain the off-street parking requirements for the two Woodside lots.

Planner Scarff stated that the Planning Commission did not definitive plans for the combined lot; however, an HDDR pre-application was submitted on May 3rd, 2016 proposing development of a single family home on the combined lot. She pointed out that it is a pre-application and plans could always; but either way, all proposals would need to go through the HDDR process.

Planner Scarff noted that a portion of the combined lot has slopes greater than 30%. Therefore, a Steep Slope CUP will be required prior to issuance of a building permit.

The Staff recommended that the Planning Commission conduct a public hearing and consider forwarding a positive recommendation to the City Council based on Findings

of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance.

Chair Strachan asked if a CUP application was ever filed under the prior plat amendment. Planner Scarff replied that she had found nothing to indicate that one was filed.

Chair Strachan opened the public hearing.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Thimm moved to forward a POSITIVE recommendation to the City Council for the plat amendment for 315 Park Avenue, Second Amended Subdivision, in accordance with the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact – 324/328 Woodside Avenue

1. The 315 Park Avenue Subdivision is located within the Historic Residential (HR-1) District.

2. On August 26, 2016, the City received an application to amend the 315 Park Avenue Subdivision, which currently consists of 313 Park Avenue (Lot A), 328 Woodside Avenue (Lot B), and 324 Woodside Avenue (Lot C). The application was deemed complete on September 1, 2016.

3. The applicant wishes to combine Lot B and Lot C as shown on the 315 Park Avenue Subdivision Amended plat; it is proposed that Lot A will remain as currently platted.

4. All three (3) lots are currently vacant and undeveloped, with the exception of a concrete retaining wall that runs along the frontage of Lots B and C; a stacked rock wall located entirely within Lot B; a rock wall that encroaches onto Lot C from adjacent Lot 30 (320 Woodside Avenue); a railroad tie retaining wall that encroaches onto Lot A from adjacent Lot 6 (323 Park Avenue); a portion of a shed roof that also encroaches onto Lot A from adjacent Lot 6; and concrete walls located entirely within Lot A.

5. Encroachments between Lot A and Lot 6 were resolved during the last plat amendment process via Notice of Encroachment on file at the Summit County Recorder's Office (Entry No. 987095).

6. The encroachment between Lot C and Lot 30 has been resolved under an Encroachment Agreement on file at the Summit County Recorder's Office (Entry No. 987096).

7. Constructed across the underlying Park City Survey lot lines, a house once stood at 315 Park Avenue. On May 10, 2007, the Historic Preservation Board made a determination that the house was not a historically significant structure. On June 6, 2007, a demolition permit was issued and the structure was removed. The house was not listed on the Park City Historic Sites Inventory.

8. The first subdivision plat for the subject property created the three-lot 315 Park Avenue Subdivision with a re-plat of Lots 4, 5, 6, 27, 28, and 29, Block 3 of the Park City Survey.

9. The 315 Park Avenue Subdivision was approved by the City Council on March 16, 2006, extended on June 28, 2007, and recorded at Summit County on September 24, 2007

10.The first plat amendment created the 315 Park Avenue Subdivision Amended (current), and reconfigured the property lines of the three (3) lots to make them more equal in size.

11.The 315 Park Avenue Subdivision Amended was approved by the City Council on March 21, 2013, and recorded at Summit County on April 4, 2014.

12.The proposed plat amendment combines two (2) existing parcels to create one (1) lot of record consisting of 5,850 square feet.

13.The amended lot will have access fronting Woodside Avenue.

14.The HR-1 zone requires a minimum lot area of 1,875 square feet for a single-family dwelling. The proposed lot area meets the minimum lot area for a single-family dwelling.

15.The HR-1 zone requires a minimum lot area of 3,750 square feet for a duplex structure, a conditional use in the zone. The proposed lot area meets the minimum lot area required for a duplex structure.

16.The minimum lot width allowed in the district is twenty-five feet (25'). The proposed plat amendment will create one (1) lot with a width of 75 feet.

17.The minimum front/rear yard setbacks for a lot with depth of 85 feet is 12 feet minimum, 25 feet total.

18.The minimum side yard setbacks for a 75 foot wide lot are 5 feet minimum, 18 feet total.

19.The maximum footprint allowed in the HR-1 zone is 2,105.5 square feet for the proposed lot.

20.As conditioned, the proposed plat amendment does not create any new noncomplying or non-conforming situations, or any remnant parcels.

21.Any new structures must comply with applicable LMC requirements and Design Guidelines for Historic Districts and Historic Sites.

22.A Steep Slope CUP may be required for development on the amended lot.

23.The property is not within the soils ordinance boundary. In the event that mine wastes or impacts are encountered, the applicant is responsible for handling the material properly.

24.The property does not fall within the 100 or 500 year flood plains.

25.The proposed plat amendment will not cause undo harm to adjacent property owners.

<u>Conclusions of Law – 324/328 Woodside Avenue</u>

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

<u>Conditions of Approval – 324/328 Woodside Avenue</u>

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will record the plat amendment at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.

3. No building permit for any work on the new lot shall be issued until the plat is recorded and until the Historic District Design Review and Steep Slope CUP, if required, applications are submitted and approved for the lot.

4. Modified 13-D sprinklers will be required for new construction by the Chief Building Official at the time of review of the building permit submittal and shall be noted on the final Mylar prior to recordation.

5. All applicable notes and conditions of approval of the 315 Park Avenue Subdivision and 315 Park Avenue Subdivision Amended, recorded as Entry Nos. 826141 and 992668 in the office of the Summit County Recorder, continue to apply.

3. 7700 Stein Way – Conditional Use Permit for an addition to the Stein Eriksen Lodge for ski lockers and guest recreational amenities, as well as improvements to the exterior pool and deck area and remodel of existing interior ski locker rooms and skier services (Application PL-16-03176)

4. 7700 Stein Way – Amendment to the Stein Eriksen Lodge Common Area Supplemental plat to identify additional ski lockers and guest recreational amenities as common area. (Application PL-16-03175)

Commissioner Phillips returned to the meeting.

Commissioner Band recused herself and left the room.

The Planning Commission discussed these two items together. Separate actions were taken.

Planner Whetstone reported that the applicant was proposing four amendments to the Stein Eriksen Lodge conditional use permit, which included a 3,000 square foot addition for

guest ski lockers, 35,000 square feet of a guest entertainment area, a 918 square foot guest video viewing room, and a new exterior pool. She noted that the existing pool would remain and a new pool would be added with hot tubs and additional deck areas.

Planner Whetstone noted that the scope of the project had been reduced by approximately 40% from the Staff report the Planning Commission received on September 28th. At that time the Planning Commission conducted a public hearing and continued these items to the October 26th meeting. The applicants had submitted new plans that evening showing the reduction and the Commissioners wanted the opportunity to review those drawings. There were also concerns about setbacks and the Commissioners wanted to determine how far the building was set back from the property line and existing adjacent buildings. The Planning Commission had discussed conditions that would be placed on the video viewing room to make sure it continued as a residential accessory use as opposed to support meeting space or support commercial. Planner Whetstone pointed out that the Stein Eriksen Lodge was nearly maxed out in terms of the support meeting and commercial space allowed.

Planner Whetstone stated that all of the proposed uses fall under residential accessory uses. They do not require UEs and they are not part of the support commercial. Conditions of Approval 11 of the conditional use permit was drafted to indicate that these new spaces would not allow support commercial activity and would be exclusively for guest use.

Planner Whetstone noted that the Amendment to the Stein Eriksen Lodge Common Area Supplemental Plat was also continued to this meeting. She explained that the amendment memorializes the proposed CUP changes to the condominium common area. Because they are structures, under the Condominium Act they need to be shown on the condominium plat.

Staff recommended the Planning Commission conduct a public hearing and consider approving the Conditional Use Permit, and forwarding a positive recommendation to the City Council on the condominium plat.

Ron Jones with WPA Architecture, Dan Flick, the Chief Operating Officer for Stein Eriksen Lodge, and Dan Bullard with Stein Eriksen Management were present this evening to answer questions.

Ron Jones, the project architect, reviewed plans to show where they were building on the east side of the property. He noted that the required side setback was 12' from the property line. To address the setback questions at the last meeting, Mr. Jones pointed out

that the building is actually set back 70 feet, and the edge of the pool deck is approximately 13' from the property line, which exceeds the setback requirement.

Planner Whetstone reviewed a drawing showing that the addition was 60' to the property line and 108' to Mont Cervin, which is the closest building. She indicated the edge of the entertainment center and the edge of the new pool deck. Planner Whetstone stated that on the far south side of the building the addition meets the 12' setback minimum at one point and then it extends significantly beyond the 12' requirement.

Mr. Jones pointed to a grove of trees that were initially going to be removed to accommodate a larger outdoor patio and retaining wall along the edge of the pool deck. However, the owners preferred to keep the trees and decided on a smaller patio. Mr. Jones indicated the new pool that was being added to the existing deck, as well as the additional pool deck. He showed the location of the entertainment center, and where they were proposing to put additional ski lockers. Mr. Jones presented floor plans showing the lower level of the ski lockers, the entertainment center, the upper level ski lockers. He also showed a rendering of how it would look from the pool looking over towards the entertainment center/locker room addition with the existing condos in the background.

Mr. Jones pointed out that the guest viewing room would be on the other side of the Lodge property, and it was being built within an infill space between buildings. He emphasized that the viewing room would be where the guests of the Lodge could participate in activities such as Children's Night at the Movies, special viewings of sporting events, a presentation on the history of Park City, or similar types of events. It will not be used as part of the conference center. The space will not be rented and the activities will be at no cost to the guests of the Lodge. The space would also be used for employee training.

Chair Strachan opened the public hearing.

Dave Novak, the property manager for Mont Cervin, stated that he spoke at the September 28th meeting, at which time he commented on the amount of noise coming from the current swimming pool area. He was representing the members of the HOA who were concerned that the noise level would increase with the expansion of the pool. Instead of 100' from Mont Cervin the pool would now be 40' away. Ms. Novak hoped that after the last meeting the Stein Eriksen management would have tried to enforce the closing of the pool at 9:00 p.m. Since then he has monitored the noise and on October 7th, October 21st and October 22nd, there was a pool party crowd. On October 22nd, it lasted until 2:00 a.m. He found that to be unacceptable 100 feet from people's bedrooms. If they extend the pool closer to Mont Cervin it would be beyond unbearable. Mr. Novak noticed a fire pit on the drawings, which is another point of gathering at night. He could not understand why the Stein Eriksen management would not or could not enforce their pool closing hours.

Chair Strachan closed the public hearing.

Commissioner Campbell was frustrated over the number of times when conditions are placed on items without any remedy to follow-up. He asked if the Planning Commission had the right to tell the applicant that the CUP would only be approved if the pool hours are truly enforced. If they have that ability, he questioned how that would be monitored and whether it would come back to the Planning Commission.

Assistant City Attorney McLean remarked that Code Enforcement would be responsible for enforcement based on complaints. She noted that this was the expansion of a condo plat and not solely linked to hours of operation. Ms. McLean thought the noise ordinance was the only recourse, and if the noise ordinance is violated, the Code Enforcement could enforce it.

Commissioner Campbell clarified that the Planning Commission would not have the ability to add a condition of approval regarding the pool hours. Planner Whetstone stated that they could with the conditional use permit. A Finding already states that there are pool closure hours. She suggested that they could add a condition stating that for any outdoor use, the noise ordinance shall not be exceeded. Planner Whetstone understood that the Lodge does enforce closure of the pool.

Mr. Jones stated that Russ Olsen, the CEO, who attend the last meeting, told him after the meeting if there was noise at the pool after hours, the guest of Stein Eriksen would be affected, and they would not want that to happen.

Dan Flick stated that if those guests are affected, and they get three reports in a 24-hour period from the security department and the management team that there have been complaints, those come to his desk. Mr. Flick has been at the Lodge for 17 years and he could recall less than half a dozen complaints that were verbalized or communicated to Stein Eriksen Lodge by someone either staying at the Lodge or in the neighborhood.

Commissioner Campbell stated that this was one of his frustrations in general; aside from any particular project. They put a lot of conditions on things without any mechanism to know if they are followed up. He suggested that the Planning Commission discuss the issue during a work session to remedy the problem. In his opinion, the applicant was asking for something different than what was there when the adjacent buildings were built, and part of the approval process is to determine unmitigated effects on the neighbors. Commissioner Campbell was unsure if it was possible to mitigate those effects in this case. They could ask the applicant to try to mitigate the impact, but there is no way to find out if they really do. Chair Strachan agreed.

Commissioner Suesser asked if there was a way to make Finding of Fact #35 a condition of approval. Assistant City Attorney McLean stated that because it was also a conditional use permit, the Planning Commission had more latitude in terms of impacts.

Commissioner Campbell noted that if they do nothing now they will not have another chance to do it. However, there was no point in doing it if they could not give it some teeth. He believed the neighbors have a valid right not to expect noise at certain hours.

Assistant City Attorney McLean remarked that enforcement of the conditions is challenging. She suggested that the Planning Commission could require a review after one year to see if there have been complaints. Chair Strachan noted that the Planning Commission has required a one-year review on other projects in the past.

Commissioner Joyce did not believe that requirement fit in this case. They have talked about traffic and parking coming back a year later, but he was unsure how they could address pool hours. One person gave public comment saying that it was an issue and provided three specific dates. However, the applicant was saying they had not heard any complaints. Commissioner Joyce stated that if issues are going on, they need to be resolved at the time they occur. If Mr. Novak and other residents of the HOA are experiencing noise impacts, they need to explicitly inform the management of Stein Eriksen Lodge. At the same time, if Mr. Novak and the HOA are reporting it, the applicant needs to work with them to be good neighbors. Commissioner Joyce pointed out that key carding the pool keeps away outsiders, but it does not restrict the guests of the Lodge who are on vacation from having pool parties and making noise. He was concerned that they were increasing the deck size and giving people more reasons to be out there at night. Commissioner Joyce stated that if there are issues that have not been resolved, the Planning Commission would be exacerbating them with an approval.

Planner Whetstone stated that she had thought about placing conditions on the pool, but she believed it was a management issue. She noted that the current pool hours are 7:00 a.m. to 9:00 p.m., and the Planning Commission can specify those hours in a condition of approval. They could let Code Enforcement know that it is a condition of approval in the event that they do get complaints.

Commissioner Suesser thought they should either convert Finding of Fact #35 to a condition of approval, or draft similar language as a condition stating that, “The expansion of the pool may create additional noise that shall be mitigated by the management of pool hours and common courtesy and etiquette, and exterior doors shall require room keys to access.” Commissioner Suesser suggested that they discuss specific pool hours. Chair Strachan recommended striking “mitigated by common courtesy and etiquette.”

Commissioner Phillips favored adding the condition of approval, and suggested using whatever the existing hours were for the pool.

Commissioner Thimm concurred with the other Commissioners. One additional point was the mention of the fire pit. He asked if the fire pit would be conditioned with the same hours, or whether it currently has the same hours as the pool. Mr. Jones remarked that there were no specific hours for using the fire pit but they could make it consistent with the pools hours. Commissioner Thimm suggested that they include the fire pit in the condition of approval.

Mr. Novak asked if the fire pit was secure. Commissioner Phillips assumed they could turn off the gas to it. He agreed with Commissioner Thimm that the fire pit needed to be included in the condition; or possibly the use of the entire area in terms of hours.

Director Erickson suggested that they add Condition of Approval #14 to say, “Uses on the deck shall be terminated at 10:00 p.m.”, which would include the fire pit and the swimming pools. “The noise ordinance would be complied with”. Chair Strachm”d ”d ” 1.

mitigated. At that time, they could amend the condition to match the specific impacts shown through evidence.

Mr. Novak asked to make further comments. Chair Strachan informed him that the public hearing was closed, but he would allow it this time. Mr. Novak asked if it was possible to turn off the key cards to the pool at 9:00 p.m. Chair Strachan stated that the applicant would be given every incentive to close their pool at 9:00 p.m., and if they fail to do so they will have to face the consequences when they come back in a year.

Director Erickson stated that Condition #15 would be that the applicant will return within one year from the issuance of the Certificate of Occupancy, with evidence with respect to noise complaints from on and off site. If the Planning Commission finds that the noise is not adequately mitigated in accordance with the criteria for review, additional conditions may be applied.

Commissioner Thimm suggested changing the word “noise” to “disturbance”.

Director Erickson suggested that the CUP specific 7:00 a.m. to 10:00 p.m., and the applicant could choose to shorten their hours. Commissioner Suesser thought 10:00 p.m. was appropriate. Commissioners Thimm and Phillips agreed.

MOTION: Commissioner Joyce moved to APPROVE the 7700 Stein Way Conditional Use Permit for an addition to the Stein Eriksen Lodge for ski lockers and guest recreational amenities, based on the Findings of Fact, Conclusions of Law and Conditions of Approval as amended. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation for 7700 Stein Way, Amendment to the Stein Eriksen Lodge Common Area Supplemental Plat, based on the Findings of Fact, Conclusions of Law and Conditions of Approval.

VOTE: The motion passed unanimously.

<u>Findings of Fact – 7700 Stein Way – CUP</u>

1. The property is located at 7700 Steins Way, a private road accessed off of Royal Street East.

2. The zoning is Residential Development within the Deer Valley Master Planned Development (RD-MPD).

3. The original Stein Eriksen Lodge was constructed in 1981 based on a Conditional Use Permit (CUP) approved in 1980. Expansion to the Lodge occurred in 1996, 1999, 2009 (spa expansion), and 2012 (conference center expansion).

4. The property is currently subject to 11th Amended Deer Valley Master Planned Development (MPD) that identifies a permitted density of 66.75 Unit Equivalents (UE) or 65 units on the 10.86 acre site.

5. The developed density is 65 “Deer Valley” units (197,858 sf of residential), not 66.75 UE per the LMC formula. The Deer Valley MPD permits this choice for the parcel.

6. No Commercial Unit Equivalents are assigned to the Stein Eriksen Lodge by the Deer Valley MPD.

7. Based on the original approvals it was determined that the total floor area of the Lodge is 345,007 square feet, excluding parking. Using the 5% formula, a total of 17,250 square feet of support commercial was allowed, based on the language in the DV MPD in effect at the time.

8. In 2009, with the spa expansion, the Lodge had a total of 17,095 square feet of support commercial, including the spa, restaurant, bar and lounge, and retail space within the Lodge. These areas are considered Support Commercial as defined by the Deer Valley MPD and consist of 4.96% of the total floor area.

9. In 2012, with expansion of the conference center, it was determined that 5% of the total residential floor area was allowed for support meeting space, based on the amended DV MPD in effect at that time. With the completed conference center the total support meeting space is 9,927 sf (5% of the residential floor area).

10.On May 17, 2016, the Planning Department received an application for modifications to the Stein Eriksen Lodge Conditional Use Permit (CUP) requesting approval for an addition to the Stein Eriksen Lodge.

11.The addition, per revised plans submitted on September 27th and revised again on October 10th, consists of approximately 3,000 sf of guest ski locker room space, 3,500 sf for guest amenities (recreation and entertainment center, game room, snack bar, restrooms) and 918 sf for an owner/ guest and employee video viewing room, as well as improvements to existing ski lockers, restrooms, and exterior pool and deck area. The new exterior pool and deck area have been reduced from the initial submittal from 7,266 sf to 3,850 sf. The guest entertainment area has been

reduced from 4,050 sf originally proposed to the 3,500 and the outdoor patio area has been significantly reduced to minimize disruption of the existing wooded slope on the east side of the Lodge.

12.The proposed amendments are considered residential accessory uses for the exclusive use of owners, guests and employees per Section 5-6-8 (F) of the Land Management Code.

13.The proposed additions do not increase the total support commercial area which remains at 4.96% of the total floor area.

14.The proposed additions do not increase the total meeting support area which remains at 5% of the residential floor area.

15.The Deer Valley MPD requires a minimum of 60% open space on this parcel.

16.The previous plat amendment for expansion of the Conference Center in October 15, 2012, included a finding that open space following the addition was 61.90% of the total lot area. This finding was erroneous and based on a re-review of the entire site it has been determined that the open space prior to this current addition is 62.84%.

17.This proposed amendment, as revised, maintains a minimum of sixty percent (60%) open space at 62.64%.

18.Maximum Building Height per the Deer Valley MPD is 35’ for this parcel. The addition complies with the maximum height allowance and has a proposed height of between 19’ and 25’ above existing grade.

19. The east side of the property has a minimum required side yard setback of 12 feet. The addition has a minimum setback of 12’ at the furthest southern point, well over a 100’ south of the southernmost corner of the Mount Cervin building. The setback to the face of the entertainment addition area is greater than 80’ to the property line shared by the Mount Cervin building. The minimum setback from the property line to the retaining wall and pool deck is 13’5”.

20.There are no changes to the front or rear yard setbacks with the proposed addition.

21.Parking requirements are based on the size and number of residential units. No changes are proposed to any of the residential area with this permit.

22.A final utility plan will be provided with the building permit plans for final approval by the City Engineer, SBWRD, and the Fire District. Upgrades to the internal sewer service, including grease traps, are a requirement of the SBWRD.

23.The two access drives to the project provide emergency access from Royal Street. Enhanced fire protection and emergency access for the east side of the property were coordinated with the adjacent property and will be reflected on the final utility and fire protection plans submitted with the building permit plans.

24.Parking is based on the number and size of residential units and no changes are proposed to those units. No additional parking is proposed.

25.Enhanced pedestrian pathways along the eastern property line are proposed, as well as pedestrian pathways and outdoor plazas between the spa pool area and the recreation area and ski locker rooms.

26.Existing landscaping (lawns and some trees) will be removed for the expansion; however, the revised plan preserves much of the sloped wooded area between Steins and Mt. Cervin that includes both natural and planted vegetation on the eastern portion of the site. Trees are primarily aspens and evergreens, with and an assortment of understory shrubs. Several existing trees are in obvious poor health. There are dead and downed vegetation that will be cleared to meet defensible space requirements for fire prevention and to clean up the area.

27.Additional new landscaping of trees and shrubs is proposed along the perimeter of the site to provide separation and buffering from adjoining uses (behind the Mount Cervin condominiums building) and to mitigate removal of existing significant vegetation.

28.The expansion will maintain the same orientation, architectural character, and use of materials as the existing building.

29.The area of construction is directly west of the existing Mt. Cervin Condominiums, a three story residential building with a 12’ setback to the shared property line.

30.Four existing buildings to the east, access off of Sterling Court (Goldener Hirsch, Royal Plaza, The Inn, and Mt Cervin) generally have a north-south orientation and are similar in height and scale to the existing Stein Eriksen Lodge.

31.The addition is setback a minimum of 12’ from the east property line, with the new retaining wall and outdoor pool deck setback a minimum of 13’5”. Required

setbacks along this property line are 12'. Proposed building height of the addition is 19' to 25' from existing grade, which is less than the 28' to 35' allowed by the MPD.

32.All exterior lights and signs must comply with the applicable Park City ordinances and code. Exterior lights must be identified on the building permit plans and shall be down-directed and shielded. No additional signs are proposed with this permit. Approval of a sign permit is required prior to installation of any new regulated signs.

33.The style of the existing building is maintained with the addition using the same materials and architectural detailing. A landscaped roof over the guest recreation addition reduces the overall massing. The addition is completely below the lowest floor of the residential condominium units and on the east elevation, and not highly visible from the public ROW of Royal Street East.

34.Additional trees and shrubs are proposed to enhance the landscape buffer between the proposed addition and adjacent Mt. Cervin property. A meandering pathway within the setback area will provide circulation between the Stein Lodge and Silver Lake Village.

35.Expansion of the pool may create additional noise that will be mitigated by management of pool hours and common courtesy and etiquette. Exterior doors require room keys to access.

36.Service and delivery routes will remain as they currently exist.

37.The addition and improvements are on common area owned by the Owner's Association.

38.An amended Condominium Plat application, to identify these improvements in the common area, was submitted for concurrent review with the Conditional Use Permit application.

39.The Deer Valley MPD is not subject to the requirements of the Sensitive Lands Overlay.

40.The site is sloping to the east towards the Silver Lake Village (Mont Cervin, Goldener Hirsch, Inn at Silver Lake, etc). The eastern portion of the construction area is a mix of native aspen and evergreen trees and understory brush in various states of health and existence.

41.The site is within the area subject to the urban wildland interface (defensible space)

ordinance area.

42.Prior to building permit issuance a final landscape plan and a tree preservation and mitigation plan shall be submitted with a report from a certified arborist describing the type, size, and health of all trees to be removed or relocated and how removed trees will be mitigated. Dead and downed trees and undergrowth should be cleared to comply with the defensible space requirements.

43.On August 10, 2016, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was also published on August 10, 2016 in the Park Record and on the Utah Public Notice Website for the August 24, 2016 meeting.

44.On August 24, 2016, the hearing was opened and continued to September 28, 2016. There was no public input provided at the hearing.

45.Notice was re-published on September 9, 2016 and the property was reposted on September 14 2016.

46.At the September 28, 2016 meeting the public hearing was opened and continued to October 26, 2016.

47.The applicant stipulates to the conditions of approval.

Conclusions of Law – 7700 Stein Way – CUP

1. The CUP modification is consistent with the Deer Valley Master Planned Development, as amended and the Park City Land Management Code.
2. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval – 7700 Stein Way – CUP

1. The application and plans submitted for a Building Permit must be in substantial compliance with the plans reviewed by the Planning Commission on September 28, 2016.

2. Prior to building permit issuance for the addition the condominium plat shall be approved and recorded at Summit County.

3. Prior to building permit issuance for the addition, a final landscape plan and a tree preservation and mitigation plan shall be reviewed and approved by Planning and Building Departments. A report from a certified arborist describing the type, size, and health of all trees to be removed or relocated, and how removed trees will be mitigated, shall also be submitted for review.

4. The final landscape plan shall comply with the City's adopted urban wildland interface fire prevention defensible space ordinance and regulations.

5. The ski lockers and recreation amenity areas are for the exclusive use by owners, guests, and employees of the Lodge.

6. All conditions of approval of the Deer Valley Master Planned Development, as amended, and the Stein Eriksen Lodge CUP, as amended, shall continue to apply.

7. All exterior lights and signs must comply with applicable Park City ordinances and codes. Exterior lights must be identified on the building permit plans and shall be down-directed and shielded.

8. Approval of a sign permit is required prior to installation of any new regulated signs.

9. A final utility plan shall be provided with the building permit plans for final approval by the City Engineer, SBWRD, and the Fire District. Upgrades to the internal sewer service, including grease traps, are a requirement of the SBWRD.

10.A final fire protection plan must be submitted to and approved by the Chief Building Official prior to Certificate of Occupancy.

11.The proposed video viewing room is considered residential accessory space intended as a guest amenity for exclusive use by owners, guests and employees of the Stein Eriksen Lodge. This room is not considered part of the allowable Support Meeting space for the hotel and therefore it shall not be included in, or leased as part of, any conference or meeting bookings as a separate meeting room or break out room for conferences.

12.No further expansion of support commercial exceeding 17,250 square feet and no further expansion of support meeting space exceeding 9,893 square feet will be permitted based on the additional floor area of this expansion.

13.Standard conditions of approval apply.

14. Pool and deck hours are limited to 7AM to 10PM and compliance with the Park City noise ordinance is required.

15. Applicant to submit a report and evidence of noise, disturbance, and activity complaints on and off-site, including the resolution of any complaint matters, to the Planning Commission one year from issuance of Certificate of Occupancy. Staff will provide an update to the Planning Commission. The Commission may add additional Conditions of Approval to meet the Conditional Use Permit requirements for mitigation of noise, based on the report and evidence of complaints.

Finding of Fact – 7700 Stein Way – Plat Amendment

1. The property is located at 7700 Stein Way.

2. The Stein Eriksen Lodge is located in the RD-MPD zoning district.

3. The property is subject to the Deer Valley Master Planned Development, as amended (11th Amended MPD).

4. The Deer Valley Master Planned Development (11th Amended) allocates 66.75 units of density to the Stein Eriksen Lodge multi-family parcel. There are currently 65 residential units of varying sizes totally 197,858.26 square feet due to the use of Deer Valley units when developing this parcel.

5. On August 27, 2009, the City Council approved a First Supplemental Sheet for all Phases of the Stein Eriksen Lodge Common Area reflecting improvements and addition to the spa building, as support commercial space, within the existing platted common area. The First Supplemental Sheet was recorded on June 23, 2010.

6. On October 11, 2012, the City Council approved a Second Supplemental Sheet for all Phases of the Stein Eriksen Lodge Common Area reflecting improvements to the support meeting rooms. The Second Supplemental Sheet was recorded on June 28, 2013.

7. On December 5, 2015, members of the Stein Eriksen Lodge Owner's Association, Inc. voted to expand residential accessory uses within the common area for improvements to the outdoor pool area and for additions to the existing owner and guest ski locker room and owner and guest recreation and entertainment facilities.

8. On May 17, 2015, the Stein Eriksen Lodge Owner's Association submitted an

application for a Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge condominium plat to reflect proposed improvements to the existing platted common area for approximately 3,000 sf of additional guest ski lockers, 3,500 sf for guest recreational amenities (game room) and 918 sf for an owner/ guest and employee video viewing room, as well as improvements to the outdoor pool and deck area. These uses are all considered residential accessory uses.

9. At 19' to 25', the height of the addition complies with the allowed height of 35' from existing natural grade.

10.Exterior materials and architecture are proposed to match the existing buildings in character, style, details, and type.

11.The application was deemed complete on August 16, 2016.

12. This plat amendment does not increase the square footage of either support meeting space, support commercial space, or change any residential units or private areas.

13. The proposed Third Supplemental Sheet is consistent with the 11th amended Deer Valley Master Planned Development.

14.No changes are proposed to the support commercial areas, support meeting space, or to any residential or private area within the building or site.

15.The previous plat amendment for expansion of the Conference Center in October 15, 2012, included a finding that open space following the addition was 61.90% of the total lot area. This finding was erroneous and based on a re-review of the entire site it has been determined that the open space prior to this current addition is 62.84%.

16.This proposed amendment, as revised, maintains a minimum of sixty percent (60%) open space at 62.64%.

17. There is good cause for the proposed amendment to the condominium plat in that the amendment reflects proposed physical changes to the common area for exclusive use by owners, guests, and employees.

<u>Conclusions of Law – 7700 Stein Way – Plat Amendment</u>

1. There is good cause for this Third Supplemental Sheet for All Phases of the Stein Eriksen Lodge Common Area condominium plat.

the Stein Eriksen Lodge. This room is not considered part of the allowable Support Meeting space for the hotel and therefore it shall not be included in, or leased as part of, any conference or meeting bookings as a separate meeting room or break out room for conferences.

5. **Land Management Code (LMC) amendments- Various administrative and substantive amendments to the Park City Development Code, specifically amending Land Management Code Chapter One – General Provisions regarding Appeals and Reconsideration Process; creating standards for continuations of matters before Boards and Council; zoning clarifications; Chapter 2 – Historic Zones - Clarifying that where there are footprint restrictions, the footprint formula does not include prescriptive rights of way or roads; and when existing subdivisions are amended additional density is dis-favored; Chapter 6 MPDs and Chapter 7 Subdivisions -when existing MPDs or subdivisions are re-opened or amended additional density is dis-favored - Chapter 11 Historic Preservation - timing of hearing Determination of Significance applications; Chapter 15-6 Master Planned Developments – removing requirements for Pre-Application Public Meeting and Determination of Compliance**. **(Application PL-16-03348)**

Commissioner Band returned to the meeting.

Planning Director Erickson stated that the first four sections revise Chapter 1 to clear up how appeals are handled, how they allow continuances of appeals, clarifications with respect to zoning and density on Federal land, and the timing of hearings of determination of significance.

Director Erickson noted that the Planning Commission previously heard Item 5 of the proposed amendments on a plat amendment on Crescent Tram where the applicant was requesting additional density for land that was underneath the prescriptive use for the roadway. He suggested a work session discussion on the additional density issue.

Commissioner Joyce commented on Continuations and noted that the agenda has several continuation items at each meeting. Commissioner Joyce noted that a Continuation may not affect the Planning Commission, but it does affect the public who have legitimate concerns; particularly second homeowners who live out of state and make arrangements to attend a specific meeting. He believed the number of Continuations had increased over the past year.

Director Erickson explained that one reason for continuations is the complexity of the issues and the legal basis of how items are being reviewed based on that complexity of

issues. A second reason is the Staff trying to obtain accurate information from the applicants in a timely manner to complete the Staff report for that meeting. A third reason is the volume of workload and the ability to get the reports completed and reviewed in time for the packet. Director Erickson stated that the Planning Department has a busy calendar and he could think of no other way to control it other than through Continuations.

Commissioner Joyce clarified that he was not implying that the Staff should be getting the work done sooner. He was trying to find a way to keep items from being on the calendar and then moved off for a continuation. Director Erickson stated that Continuing to a specific means the applicant does not have to re-notice. It has been previous practice to do a Continuance to a date certain and to do the same notice for the City Council action. If there is a breakdown at any point in the process the dates all change. Director Erickson remarked that the Staff was taking the approach of continuing to a date uncertain and having the application re-notice so the local public and the second homeowner will receive a notice. He pointed out that currently notices are mailed in an envelope. The Planning Department is considering using a postcard to speed up the process and reduce mailing costs. The Staff will produce and send the postcards to the addresses provided by the applicant from the County tax rolls.

Chair Strachan asked about the process if an applicant decides the night before the scheduled hearing date that they need more time and ask for a Continuance. If the Planning Commission continues the item to a date certain, he wanted to know how the public is informed of the next hearing date if they are not re-noticed.

Assistant City Attorney McLean stated that if the item is Continued the day of the meeting, the public would have to either attend the meeting to know it was Continued or they could read the Minutes. If the item is Continued before the meeting day, the Staff will contact anyone from the public who had contacted the Planner with questions or concerns. The intent is to be as transparent as possible when items are Continued.

Chair Strachan clarified that the process had not changed, and the amendment only codifies the process. Ms. McLean explained that often times the Staff receives new information a day or two before the public hearing or the applicant asks for a Continuance. Since the item was noticed it is difficult to let the public know in a short time that the item will not be heard. She remarked that the amendment codifies the fact that if an applicant does not request a Continuance a week before the schedule public hearing, they should plan on it being heard at that meeting.

Commissioner Thimm referred to the language in red on page172 of the Staff report for Section15-1-12.5 – Continuations, which states that an item can be Continued up to two times. He wanted to know the process if either the Staff or the applicant encountered

issues that required the item to be Continued twice; but within the noticing period an extenuating circumstance requires a third Continuation.

Assistant City Attorney McLean suggested that the language could be modified to make it clear that if an item was Continued twice, and another Continuance is requested, the Planning Commission could make that determination instead of the Staff. The proposed amendment formalizes the Staff's ability to Continue an item, rather than bringing it to the Planning Commission for a decision. Chair Strachan read the second sentence of the same paragraph, "If Staff does not have that authority…", meaning the item was already Continued twice, "to Continue the item, the Board, Commission or Council will determine whether there is sufficient reason to Continue the item". He believed the issue of a third Continuance was addressed with that language.

Assistant City Attorney McLean corrected the last line of the paragraph to say, "If the Board, Commission or Council determines there is not sufficient reason, the item **will** remain on the agenda and be considered".

Commissioner Suesser referred to the proposed language in Section 15-1-12.5, "The Staff has the authority to continue an item which is scheduled for a public hearing or is an appeal up to two (2) times so long as the request is made in writing within five (5) business days prior to the public hearing or appeal". She asked if that was five business days prior to a public hearing or within five business days.

Assistant City Attorney McLean thought it should say at least five days. Commissioner Suesser asked why the applicant would be limited to two Continuances if they gave written notice and their item was not noticed. Director Erickson stated that one reason is to avoid getting caught up in gamesmanship. The goal is to have due process and to get the public involved as quickly as possible.

Commissioner Band referred to Item 4 - Timing of hearing Determination of Significance Applications. She thought the language under 15-11-10, The Procedure for Designating Sites to the Park City Historic Sites Inventory was unclear, specifically the wording "with reasonable diligence" in the sentence, "Upon receiving a Complete Application for designation, the Planning staff shall hold a hearing before the Historic Preservation Board with reasonable diligence". If she were an applicant she would question the meaning of reasonable diligence. Commissioner Band thought the timing should be more specific.

Director Erickson stated that other portions of the Code, such as the Historic District Design Review, has a 45-day time period once a complete application has been

determined. He explained that the Historic Preservation Board only meets once a month and that 30-day window does not meet their schedule.

Commissioner Band asked why they could not say it would be scheduled within 30 days. Commissioner Joyce did not believe that would accomplish the intended goal. He understood the confusion, but saying it will be scheduled within 30 days does not mean it will be heard within that period. Commissioner Joyce agreed that the process was broken, but he did not believe putting an item on the schedule within 30 days would fix the problem. Commissioner Band thought the language was confusing as to whether the item needs to be scheduled with a set date set within 30 days, or whether the hearing has to be held within 30 days. If that was the problem they were trying to fix, they needed to clarify it.

Assistant City Attorney McLean stated that they could revise the language to say, "…shall hold a hearing within 60 days" or whatever number they determine. Commissioner Phillips suggested 90 days to give the Staff sufficient time. The Staff and the Commissioners were comfortable with 90 days.

Commissioner Joyce referred to Item 5 regarding roads and easements not counting as property area in footprint calculation. He thought it sounded like the Staff was going to replicate the addition for the lot size definition throughout the Code. Commissioner Joyce asked if there was a reason for not redefining the lot area since it was already a defined term. They could do it one time in one place and refer to the terminology. Ms. McLean stated that it could be easily done. Once the Planners are up-to-date on the new language they can tell the public where to look.

Commissioner Thimm referred to the same section and noted that the language in the text talks about the area in any public thoroughfare. He asked if thoroughfare was defined in the LMC. Director Erickson replied that it was not a defined term in the LMC. Commissioner Thimm had researched Wikipedia and found that a thoroughfare could be anything from a highway to a street to a footpath to a hiking trail to a running course. He asked if the intent is to deal with a vehicular thoroughfare in this particular situation.

Assistant City Attorney McLean explained that generally the issue has been where the existing street is not platted and how to deal with that on lots. Commissioner Thimm stated that he has lived in his home for over 16 years and there are no fences in his neighborhood. People trudge through the block and through his property. He would not want to lose rights to certain development of his property because people have used it as a pedestrian thoroughfare for 16 years. Ms. McLean stated that it was linked to State Code and it would not create new rights for anyone or for the road. If the public has been going through private property and there becomes a prescriptive easement, it could possibly get litigated, but the public might have a right to continue using it. Ms. McLean

pointed out that the Staff tried to match the language of the State Code, and the rights of the State Code were being codified with the amendment. It also gives people notice on how the City plans to address those easements and the roads. She thought it made more sense and would be more legally defensible if they matched the State language. Commissioner Thimm asked if thoroughfare was defined in State Code. Ms. McLean did not recall that it was defined.

Commissioner Thimm asked if was possible to add language specifying "a public vehicular thoroughfare". Ms. McLean replied that there were situations like Crescent Tram where it is not completely vehicular.

Commissioner Campbell thought the amendment was in response to the Crescent Tram project that came before the Planning Commission a few months ago. Ms. McLean stated that it was partly due to Crescent Tram but the issue has come up other times over the years. Commissioner Campbell shared Commissioner Thimm's concern that the language was too broad. He recalled that the Planning Commission felt bad over the outcome of Crescent Tram but they had no other choice. He was concerned about opening the door to similar cases if they leave it too broad. Commissioner Campbell stated that he would feel more comfortable if thoroughfare was a defined term. He asked if thoroughfare could be replaced with another legally defensible term.

Director Erickson suggested that they could do a better job of defining public thoroughfare in accordance with the State Code. They would want a process to determine that public thoroughfare could occur before they would regulate the lot size question. Once they determine whether or not it is a public thoroughfare, they can determine what to do with the density that occurs in that size of parcel. Ms. McLean clarified that the amendment was framed based on what State Code dictates. It is a broader definition based on case law, but once that occurs it automatically gets dedicated.

Commission Campbell recalled that the problem with Crescent Tram was that it was never dedicated. Ms. McLean replied that it was not on the plat. She pointed out that the plat of Park City does not match the streets they use. She named a number of unplatted streets in Park City.

Director Erickson stated that he and Ms. McLean would work with the State law to see if they could define when public thorough is determined. Commissioner Thimm asked for clarification on the word "continuously". Ms. McLean replied that it goes to a very litigated question in State Code. She stated that "continuous" has been interpreted under the State Code and she was not comfortable trying to define it differently. Commissioner Thimm asked Ms. McLean if she was comfortable defending the word "continuously" based upon State law. Ms. McLean answered yes.

Assistant City Attorney McLean asked if there was consensus among the Commissioners for the Staff to define “thoroughfare”. Commissioner Campbell was not comfortable moving forward with the amendment because the proposed language was too broad. Ms. McLean stated that the Staff would work on the language and bring it back to the Planning Commission.

Commissioner Suesser referred to Item 3 - Districts and Zone Map, and the proposed language under 15-1-6 (D), “The City hereby zones all property within the City limits, including State or Federal property”. She suggested revising the language to say that, “All property within the City limits is subject to the City’s zoning districts”. Ms. McLean was comfortable with that revision. The remaining language would stay as written.

Commissioner Campbell was concerned with the second sentence, “If such zoning is subsequently invalidated, no building permit, subdivision or approval for any development activity may be applied for until the City establishes a valid zoning for the property”. He was concerned that an applicant could get delayed for years. Commissioner Campbell preferred to include a time limit. Commissioner Suesser thought that would be a State or Federal determination. Chair Strachan agreed. It would be a fight between the City and Federal. Commissioner Campbell suggested changing the language to say, “…until a valid zoning is established”. Chair Strachan stated that the Feds cannot establish zoning. He agreed with Commissioner Campbell that an applicant could get locked in for years, but this amendment would give notice of a potential problem if Federal land is purchased.

Assistant City Attorney McLean stated that an owner has the right to submit a request for zoning. Once an application is submitted, the City has to act on that application. It is required by State Law and ripcord provisions are included specifically for those types of applications. Commissioner Campbell thought they should add a sentence indicating that it is subject to the ripcord provision. Chair Strachan thought they were going down a slippery slope of trying to write in all the State Code Provisions. He thought the burden should be on the buyer to do their due diligence and hire attorneys and real estate agents to properly inform them of the laws. Commissioner Suesser thought it was covered under the first sentence. Commissioner Band thought the best warning was the second sentence stating that no approval would be given until a valid zoning district is established.

The majority of Commissioners were comfortable with the language under 15-1-6 (D) with the revision to the first sentence proposed by Commissioner Suesser.

Commissioner Joyce believed there was consensus by the Planning Commission on the proposed amendments 1 through 4, all relating to Chapters 1 and 11. Item 5 regarding the road and lot size pertained to Chapter 2.

Chair Strachan opened the public hearing on the amendments to Chapters 1 and 11 of the LMC as discussed.

Craig Elliott agreed with the discussion regarding potential issues with the thoroughfare. He thought it could be dangerous because every property has an issue with something. Regardless of whether it is a sidewalk, roadway, or walkway, every project in town has an issue with it. Mr. Elliott was concerned that a property could be changed to where it would no longer be a legal lot, and that would affect the property owner who had the expectation of building a new house or updating the existing house. He asked the Planning Commission to consider that in their discussion.

Mr. Elliott referred to the comments regarding reasonable diligence. It was vague and that could be troublesome for people who want to do something with their property. He thought 90 days was reasonable for a property that has existed over 50 years. It is important for people to understand what they are getting into.

Chair Strachan closed the public hearing.

Commissioner Suesser referred to the Non-Adversarial Process on page 171 of the Staff report. She thought (H) was unclear as written and suggested adding "the following shall apply". The revised language would read, "For all appeals before City Council and any Board or Commission, <u>the following shall apply</u>.

Commissioner Suesser referred to Item 2 under (H), on page 171 and suggested revising the language to read, "<u>The role of City</u> staff, including legal staff, is to provide technical and legal advice and professional judgment to each decision making body, <u>including</u> City Council, <u>as they are</u> not advocates for any party or position in a dispute, notwithstanding the fact that their technical <u>and legal advice and professional</u> judgment may lead them to make recommendations concerning the matter.

Commissioner Campbell referred to page 170 of the Staff report - G. Burden of Proof and Standard of Review. He read the last sentence in the proposed language in red, "New evidence may be received so long as it relates to the scope of the appeal". He suggested replacing the wording "so long as" with "as long as".

Chair Strachan re-opened the public hearing on Chapter 1 of the LMC.

There were no comments.

Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to forward a POSITIVE recommendation to the City Council for the Land Management Code Amendments to Chapters 1 and 11 as amended, pursuant to the attached draft ordinance. Commissioner Band seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission moved into Work Session to discuss LMC amendments related to Chapters 6 and 7.

WORK SESSION

Discussion only - Additional density is disfavored when existing MPDs or subdivisions are re-opened or amended (Chapters 6 and 7)

Director Erickson stated that as they review the Zoning and LMC sections, there is no mechanism to assure the property owner that the subdivision they bought into will remain that subdivision. He commented on two types of circumstances. One was in the Historic Districts where lot combinations and replats are a regular occurrence. However, if someone owned 20 acres of ground zoned Residential Development in Solamere, the real estate community would give the expectation that the lot could be re-subdivided and increase the density in a previously approved subdivision. Director Erickson stated that all the issues of increased density, such as water, sewer, traffic, transportation and all other issues in the subdivision would need to be re-opened due to the increase in density. The Staff was suggesting that unless there is a substantial public benefit, the City would disfavor increasing density in subdivision or MPDs.

Director Erickson remarked that the two substantial benefits would be significant additional open space and a mechanism for affordable housing. No other benefit was relevant enough to change an entire subdivision just because one person wanted to subdivide a lot.

Chair Strachan felt strongly about making this item a much more rigid and anti-development based Code amendment. He thought the language should be clear that no increases in density are permitted unless it provides the benefit of open space or affordable housing.

Commissioner Band agreed. Commissioner Phillips also agreed; however, he suggested giving consideration if there was an opportunity to transfer the density to a

better location, even if it did not achieve open space or affordable housing. That was the only other circumstance he would consider as an exception.

Chair Strachan stated that the existing density could be transferred but the amount of density could not be increased. If they put a cap on it and no one could get additional density, the owner of parcel A could transfer the density on that parcel to Parcel B, which has less density, as long as parcel B did not go above the ceiling.

Assistant City Attorney believed Commissioner Phillips was referring to the TDR program, in which case, receiving zones have been allocated as being acceptable for additional density. If they allow the TDR program to continue, they would need to make an exception for it as well; otherwise that program would not be allowed. Commissioner Band remarked that a third criteria could be a possible receiving zone for a TDR program. Ms. McLean clarified that there are existing zones allocated as receiving area.

Commissioner Joyce stated that he is a proponent of open space, but isolated pieces of open space are really faux open spaces unless they truly become significant parks.

Director Erickson agreed with Commissioner Joyce, which is why the Staff came up with the phrase “substantial open space”. He noted that the open space requirement may be off site depending on the particular circumstances. Director Erickson stated that in some subdivisions the lot is actually zoned recreational open space with the exception of a small space to place the house, and that piece is zoned residential development. Director Erickson remarked that in some of the older subdivisions, such as Park Meadows, the entire lot is zoned residential development. The owner could apply to subdivide the lot, and if the subdivision is approved, a three-acre lot could potentially be subdivided into nine lots under the zoning.

Director Erickson acknowledged that open space may not be the right criteria, and there may not be any substantial benefit. The Staff was not prepared to say that one thing was enough to re-open a subdivision in an existing neighborhood, with the exception of the Historic Districts.

Commissioner Joyce thought open space should be removed from the criteria because it is unrealistic to think that someone will dedicate a portion of their lot to open space.

Director Erickson stated that the alternative would be to go through the zoning maps and rezone portions of lots as open space outside of the building pad limits. For example, the back of a ten-acre lot on Quarry Mountain is open space because of how

the plat was approved. Director Erickson stated that if there were no substantial criteria, there should be no reason to re-open a subdivision and re-subdivide.

Commissioner Band pointed out that there was still the affordable housing benefit and potentially a receiving zone. However, she was not a big proponent of TDRs. Director Erickson stated that the TDR program is not adequate at this point because the asset value of the transfer is not established until the City approves the density transfer. If the buyer of the density tries to establish value, that value is not established until the City agrees to the transfer.

Director Erickson stated that he and Ms. McLean were in required Legal and Planning Training, and one of the concepts he took away was that people in residential neighborhoods would prefer more predictability because they made a conscious choice to live there. However, in the Resort and Commercial Zones, it may be preferable to skew the scale towards flexibility for mixed-use, housing, or regulating real estate offices and other uses. The Staff was trying to set that balance point. If the Planning Commission wanted to be more rigorous and not allow re-subdivision, he and Ms. McLean would work on that language. Director Erickson requested guidance on the historic residential neighborhoods.

Commissioner Band thought affordable housing should be left on the table. Commissioner Campbell agreed; otherwise they would never get it. Commissioners Thimm and Phillips also agreed. Commissioner Band clarified that affordable housing should be the only criteria for allowing additional density.

Commissioner Campbell suggest that another criterion could be the potential for a solar farm or wind farm or something else that would fit with what the City Council was pushing for. He realized that it may be in the future but he did not want to close the door on the possibility. Director Erickson stated that there were conditional uses inside the zone would allow that to happen. Commissioner Campbell clarified that he was suggesting that it could be a benefit to the City at large and there might be some willingness to trade density for it.

Director Erickson stated that almost all of the threshold criteria of Park City are met under the current planned densities. There was little room left in town for transportation, schools, gas station, etc. They were almost at the maximum threshold and there was no way to exceed it without degrading everyone's quality of life. He thought they could adjust for environmental improvements because it does not increase density or the number of children in school. He believed they could accomplish that easier through a CUP or MPD process.

Assistant City Attorney McLean noted that one of the applications this evening was one that started off as several lots in Old Town and then it was amended to become bigger lots. The applicant applied to come back in and make them smaller lots again. She noted that that application would not be able to go back to where it was. She wanted the Planning Commission to have that understanding when discussing the issues.

Commissioner Joyce believed the City Council would have to fully understand what they were doing if they agreed with the Planning Commission and went down that path. He thought it was very important to have that communicated to the Council because it will not sit well with owners who had dreams and aspirations for their property. It would definitely have an impact in Old Town. Director Erickson stated that he was nervous about trying to do this in Old Town. He did not want to preclude the openness of the LMC with respect to accessory apartments. He remarked that if they really wanted to face the housing needs, a longer term strategy is to carefully consider the balance between commercial proposals and housing proposals. The Planning Commission would have that discussion at a later time.

Director Erickson stated that he would be waffling on the Historic District as they move through the discussion.

Director Erickson understood that there was consensus to keep affordable housing as a criteria and to add environmental uses.

Commissioner Joyce thought they needed to be careful about waffling in the historic district. If the message is that they were close to the maximum density, it was important to be consistent. Director Erickson suggested that they could continue to allow re-subdivision and lot combinations in Old Town if it does not result in additional density.

Chair Strachan pointed out that State Code says the standard for a plat amendment is good cause. That is the only standard they can apply and have applied. He has argued for years that there should be a better standard that good cause for a plat amendment. The State Code is clear and he questioned whether they could prohibit a density increase.

Assistant City Attorney McLean stated that part of this was coming from a situation where there was an existing subdivision and the owner wanted to subdivide a lot. It met the zone but it did not match the original subdivision. Whenever they have to defend a decision in court, the argument they always hear from the opposing counsel is that the intent should be in the Code so people are on notice as to the expectations. This proposed amendment was a reaction to that argument.

Chair Strachan thought it should be included in LMC Section 15-4, which addresses plat amendments. Director Erickson clarified that the intent is to have most of the criteria legislatively codified to make it more defensible.

Removing requirements for Pre-Application Public Meeting and Determination of Compliance for Master Planned Developments (Chapter 6)

Director Erickson stated that both the Staff and the Planning Commission were having problems with the nebulous nature of the Pre-application conference where they are not able to get solid technical information, but they are trying to make determinations on the General Plan. If an applicant is not focused on compliance with the General Plan they get a lot of externalities in the application that do not apply at that level.

Director Erickson pointed out that the Pre-application system does not work effectively. They tried to leave in the clause that would allow an applicant to have a work session with the Planning Commission to introduce the project. They would encourage the applicant to have additional meetings where the Planning Staff would attend but not conduct the hearing, and the applicant could put forth whatever case they wanted to make for the public. Director Erickson stated that for the Planning Commission review, they would have a complete and thorough application consistent with the LMC. He believed it would give the Commissioners the tools they need to review the MPDs fairly and correctly, without any expectations of approval coming out of the pre-application process.

Commissioner Thimm agreed with Director Erickson. He works with a lot of municipalities and too often he has to go through a process just for the sake of checking a box. Having something with more foundation and codifying it as suggested makes sense.

Commissioner Joyce thought some of the terminology was vague. For example, it says they may ask for a work session and then public outreach, which was fairly clear. However, further into the language it talks about the pre-application public meeting. Commissioner Joyce was unsure what that would be because it was neither a work session or public outreach. He suggested that the Staff revised the language so it is consistent in terms of known entities and what is and is not required.

Commissioner Joyce thought the public comment from Clay Stuard saying that compliance with the General Plan was still important and should fit back into the MPD process. Assistant City Attorney noted that his comments went against the changes that were recently made. It is also very difficult to defend because the General Plan is not mandatory. It is meant to be an advisory document.

Director Erickson stated that the intent is to address the loose terms in the General Plan through the Code amendments, and to make sure the criteria are in the LMC and legislatively adopted.

Commissioner Joyce thought there was a lot in the General Plan about the Keeping Park City Park City mentality and serving the locals. He noted that there was a lot of intent and many times they can look at an MPD and know it was not what the City intended for the neighborhood. However, he was unsure how they would codify all of that.

Director Erickson stated that parts of it are in the LMC in the purpose of each of the zones. Even though they cannot rely on the zone purpose in making a determination, the language gets repeated. Director Erickson remarked that they change the Code with respect to the application of the General Plan. He explained that they look to the General Plan for compliance, but is not the sole arbiter of whether or not that land use decision is correct.

Commissioner Joyce did not believe they could codify all of the intents and priorities. Director Erickson offered to work on it taking into consideration Commissioner Joyce's comments.

Chair Strachan opened the public hearing on Chapters 2, 6, and 7.

Clay Stuard was unsure how good a General Plan could be if it does not protect the fundamental infrastructure, roadways, and other important public infrastructure from being over-used, or becoming dysfunctional and unsafe. Mr. Stuard stated that if they do not have a process of making a finding that a new application will conform with the standards established; for example, safe travel or acceptable capacity levels, it serves no purpose. He did not believe they should rely solely on the LMC, because it tends to look at individual zones and the appropriate uses within those zones, but it does not address the broader needs of the City in terms of transportation, affordable housing or other important issues. Mr. Stuard stated somehow those big macro issues have to be included in individual project approvals. There needs to be a finding that this individual approval will not exceed the carrying capacity on a particular type of public infrastructure. Mr. Stuard clarified that this was his reason for suggesting that there should be a finding requiring compliance with the LMC and the General Plan. He agreed that the General Plan is vague and needs to be tighter. However, ignoring it all together and only looking at individual project approvals without bigger macro issues is why they continually have the same problems.

Craig Elliott addressed the MPD modifications and the subdivision modifications. He thought it was important for the Planning Commission to understand a few things, particularly about cities. He stated that cities have been around for thousands of years and

the two most ever changing things within cities are ownership of property and the uses within those properties. In looking at how cities evolve and what happens to them, it is hard to imagine what the next generation might want to do with a property. Mr. Elliott cautioned them to be careful about restricting something in perpetuity that could not be changed. He believed it was critical and noted that Commissioner Campbell had raised that issue with the solar discussion.

Mr. Elliott commented on the Pre-application amendment and offered to provide some history. He noted that in the mid-2000's he made the first application for a Pre-application and he was involved in the discussion about why it was put in place. He explained that people were spending ridiculous amounts of money to provide an MPD because the requirements include engineering, architectural plans, working with utility providers, etc. After spending so much money and going into such detail, it was almost impossible to reach a viable solution. Mr. Elliott stated that the idea behind the pre-application was exactly what they were doing now, which is to have the ability to come in at a very early stage and have a conversation about what the applicant wants to do with their property. It allows for public feedback and comments from the people who make the decisions. The applicant can then invest their money with some idea of what the decision-makers think about it. Mr. Elliott believed the pre-application amendment outlined this evening was the right approach and he suggested that they move forward and do it quickly. He knew of at least three MPDs that would be coming to the Planning Commission and if they do not make the changes as a community, the City Staff will be wasting time going through a process that no one understands or wants to do. Mr. Elliott also suggested that they amend the submittal requirements for a pre-application. He supported moving forward with this revision because it would help the Staff, the property owners, the design professionals, and the Planning Commission.

Chair Strachan closed the public hearing.

Chair Strachan thought both public comments were well-received. In terms of changing the submittal requirements for what could be an optional pre-application process, he suggested that Mr. Elliott submit to the Planning Department what he thinks the submittals should be so the Planning Commission can review and weigh them out the next time.

Commissioner Campbell thought the submittal list should be very small if the purpose is to encourage people to come in early before they spend a lot of money to find out what will work in a collaborative process with the Staff. Chair Strachan agreed; otherwise people would choose to opt out at their own peril.

MOTION: Commissioner Joyce moved to CONTINUE the LMC amendments to Chapters 2, 6 and 7 to a date uncertain. Commissioner Band seconded the motion.

MOTION: The motion passed unanimously.

WORK SESSION

Planning Staff and Planning Commission discussion regarding the use of gravel mulch in Landscaping, LMC Section 15-5-5(M) Landscaping, and Parking in side yards (All zones). No decisions will be made at this Work Session.

Commissioner Thimm disclosed that he owns a home that has mulch in the right-of-way, and he has a pickup truck with a camper that remains parked at his home. He did not believe that would have any bearing on his ability to review the LMC. He may be in violation, and if that is the case, he would take the appropriate steps to comply.

Director Erickson noted that a presentation was made to the City Council on the issue of gravel mulch, xeriscaping, parking in the side yards, and RV parking. The City Council decided that the Planning Commission should address this issue. Director Erickson noted that at a subsequent meeting, the City Council placed a stay on the ordinance that does not permit RV parking in front yard driveways until October 31st. He clarified that the ordinance was not currently being enforced in town.

Director Erickson stated that the LMC is very precise in stating that gravel mulch is prohibited. Anticipating that some would ask him to define gravel mulch, Director Erickson had research the definition and found that it is any rock under 2" in diameter regardless of whether it is round, broken up, or crushed. He reiterated that it is currently prohibited in the Code and the Staff questioned whether that was a good idea, especially with the wild land fire urban interface zone coming forward, which will require non-combustibles in proximity to houses within the fire zones. Director Erickson also thought it was important to consider in readying for additional infill and the fact that neighborhoods are building out. They were also trying to deal with water conservation and odd subdivision designs from the 1970s with planter strips and 4' sidewalks and other anomalies.

Director Erickson stated that in an effort to get ready for the things he just mentioned, they needed to come up with regulations that balance gravel, xeriscaping, regular mulch, parking in side yards, parking in front yards, RV parking, size and how to adjust for neighborhood conditions.

Director Erickson noted that the Staff report included recommendations as a framework of ideas on how to move forward with gravel mulch, xeriscaping and parking in side yards and front yards. They were not ready to go into Code, but the Staff has had the opportunity to

hears public comments on these matters since they were administrative and not legislative.

Director Erickson stated ATVs, boats, campers, campers on the back of trucks will be allowed in a properly located driveway or parking area in front yards that currently meet the standards for width and setbacks. Rather than being prohibited these items would be allowed with the following conditions. The first is to maintain two cars of off-street parking. It may not be possible in all zones, but it will keep additional cars off the street that affect snow plowing, bicycle riders, the ability to sweep storm drains, and the safety of kids walking to school. The intent is to allow for the two required parking spaces. Director Erickson pointed out that they also want to require everyone to maintain vehicular access to the garage. He stated that the City would allow these conditions to take place from April 1st to November 1st.

Director Erickson stated that they tried to define storage as a parked vehicle or RV more than 30 days without movement, which would be prohibited. It is currently regulated as part of the nuisance ordinance; however, the LMC would be adjusted to address it as well. Director Erickson pointed specifically to cars wrapped in blue tarps that sit on a property. He clarified that the purpose of the regulation is to protect the neighborhood and the neighbors.

Director Erickson noted that currently parking is only permitted in driveways and not in side yards. The Code addresses a side yard, which is the distance from the side of the house to the edge of the lot, and the side yard setback, which is a defined distance from the lot line in. He remarked that they would consider parking RVs, boats, cars in side yards, but only on hard surfaces. However, the broad sweep of pavers from permeable concrete to paver blocks would be allowed in addition to asphalt and concrete. Director Erickson stated that it would require at least one side yard setback to the defined parking area, because if someone builds to the property line they would preclude their neighbor from building a fence without disrupting the parking area. In addition, all of the side yard utility easements are in the last one or two feet of the side yards.

Director Erickson remarked that parking area should be behind the front façade of the house. The idea it to regulate from the front of the house forward to maintain the quality of the neighborhood. He noted that fire or utility access cannot be blocked. The purpose of side yards over the past 100 years of zoning is primarily to maintain access to light and air for homes, and to allow firefighting access to the rear and the sides of your house and your neighbor's house.

Director Erickson stated that the Staff would recommend that the properly located parking areas would be fenced or properly screened from the neighbors. Currently the City allows up to a six-foot fence with no permits other than a building permit. He believed that was

adequate. In the side yards they were talking about a height limit of nine or ten feet for an RV or other tall vehicle in the side yard.

Director Erickson commented on hard surface parking areas. He noted that there is a lot of discussion about whether or not to park on gravel. There are no controls on gravel because it moves every time it is driven over. Putting an impervious surface underneath stops the drainage, which is the purpose of using gravel. Director Erickson stated that there has been discussion about picking up the pavers to clean them or just spraying them off. He remarked that the solution to pollution is dilution. If power washers are used to wash down the pavers, it dilutes it enough that it will be less of a problem than if it gets into the ground water.

Director Erickson pointed out that the LMC defines xeriscaping as plant based. The Staff was proposing that if a lot has a limits of disturbance on it, the purpose of the limits of disturbance is to maintain the natural look of the lot. Gravel would not be allowed outside of the limits of disturbance as part of the revegetation plan. Plants need to go back into that area. Director Erickson stated that they would consider using gravel as part of the wild land fire urban interface zone mitigation, but keeping it as close as possible to the home. In the rear yard they would allow up to 50% of the ground coverage to be gravel as part of a plant based xeriscape plan. They have not set a standard in the rear yard for the amount of irrigation. At this point Director Erickson preferred to disallow irrigation in the back yards, but he anticipated that some people would want grass where kids could play. It would be impossible to regulate and he was unsure whether it should be regulated.

Director Erickson stated that gravel needs to maintain a one-foot rear and side yard setback unless it is controlled by a fence or a wall, which prevents the gravel from migrating into the neighbor's yard. If the side yard is protected by a fence it will also reduce the propagation of noxious weeds that migrate through the gravel.

Director Erickson stated that in the Historic District there are three-foot side yard setbacks for historic homes, and it is impossible to get vegetation to grow between the houses. To address the problem, he was willing to allow gravel in the side yard setbacks in the Historic District. In all other zones outside of the Historic District, the side yard setback must be maintained if the gravel is used as a driveway going into approved parking. He pointed out that they already have that requirement for driveways and it would not require a Code change. Director Erickson stated that in front yards they would allow gravel as part of a plant based xeriscape for 25% of the ground coverage, rather than the 50% of ground coverage in the front yard. They would not allow gravel in the rights-of-way or allow it for parking. Cars have a tendency to breed where there is gravel, which is the reason for placing the limitation on gravel in the front yard. Gravel would not be allowed in the right-of-way because it is too easy to use it for parking. It also degrades the ability of the curb to

stand up because the gravel moves behind it. More importantly, if people are not allowed to park fully on the street it widens the section of pavement and people tend to drive faster when there is more space between cars.

Director Erickson stated that they would allow rock greater than 2" in diameter, similar to the river rock models. They could go to 50% ground coverage in the front yard, but not in the right-of-way and not for parking. The idea is to protect the front yards of the neighborhoods, and make room for sociological changes going forward, especially tiny homes. Director Erickson noted that Pleasant Grove, Utah has made a determination to approve tiny homes as accessory uses. He believed Park City was in the same position to do that, but they need to make sure that the parking is working and the neighborhood would not be degraded if they allow tiny homes into the neighborhoods.

Director Erickson commented on irrigation areas and the need to look at commercial sites. He personally liked the looks of the police station. It has an on-site detention pond with river rock. It has xeriscaping and a nice plant mentality. There is gravel in the model and everything fits together. Director Erickson stated that there were specific landscaping requirements for parking lots in the LMC in terms of the amount of greenspace, number of trees, etc. He was not sure whether they were currently appropriate or effective, and they would be looking at commercial parking lots in the near future as they begin to redevelop.

Commissioner Band stated that in her neighborhood there are so many cars parked at night or on the weekend that there is only room for one car to pass. One house has an RV but there is no room to park in the side yard so it sits in the driveway. The garage is used for storage and they park their two cars in the street. Under the current proposal, she asked if someone would be precluded from having an RV on their property if the side yard is not big enough. Director Erickson replied that the RV would have to be parked in a properly located parking area. The increases in rent are forcing more people to move into a unit with inadequate parking. He pointed out that people need to make conscious choices. Director Erickson stated that the regulation also gives Code enforcement more clarity about what should and should not occur in terms of parking. It was an ongoing issue and they were trying to address it with this amendment.

Chair Strachan opened the public hearing.

Marianne Cone like the statement about not taking it out on your neighbors. She had a trailer for ten years she lived at the top of Prospect. She brought it home once and besides being terrified when she tried to turn it around, she would have not done that to her neighbors. She was also on Park Avenue and that was ridiculous. Ms. Cone stated that it was nice to live somewhere where she can keep it at home and have it when she wants to

go someplace. Ms. Cone believed hers would work out and fit within the regulations. In the issue of gravel, she did not think most people understood right-of-way. She understood that it is the part into the yard that does not belong to the owner.

Director Erickson replied that she was correct. It is City-owned property typically 10' back from the back of the curb in most locations.

Ms. Cone stated that gravel in the right-of-way is a problem because when the street sweeper goes through it takes the gravel along the edge and puts it in the gutter. Another problem is that people parallel park in it next to the street. She supported the proposed changes.

Mr. Erickson stated that the City has contracted a landscape firm from Salt Lake City starting in November, and their first mission is to do the Forestry Management Plan. The first mission inside of that is to make landscape architect quality recommendations for the right-of-way. The Planning Commission will have the opportunity to approve that solution as well.

Sally Elliott thanked the Staff for listening to them and addressing everything they asked them to. She was surprised to receive a notice from Code Enforcement because she thought they were in total compliance. She somehow missed the changes to the LMC in 2009. Ms. Elliott thought the proposed changes made perfect sense. She stated that they always store their motor home November 1st through April 1st, and they try very hard not to impact their neighbors. The neighbors have told them that they are not offended when the motor home is parked in the driveway. Ms. Elliott noted that her house was built by Mrs. Field for the cookie college and it did not comport with Code. The driveway was widened so the extra lockout tenants would have a place to park and that where they park their motor home. Ms. Elliott suggested that they rethink the side yard limitation. She always thought side yards should be maintained for the easements and for the appearance. She requested that they give it more thought because in her opinion side yards are an amenity. Once this amendment is adopted, she and others will work within the Prospector Park neighborhood to get the City to enforce the Code on certain people who are not good neighbors. Mr. Elliott was not in favor of gravel in the right-of-way.

Chair Strachan closed the public hearing.

Chair Strachan viewed this as a work in progress with a long way to go. He did not have an opinion this evening, but he could see nothing to make him believe they were going in the wrong direction.

Commissioner Band stated that parking in the side yards would make a big difference in her neighborhood. If the duplex in her neighborhood were to pave their side yard, two of the four cars that park in the street would be on the side.

Commissioner Thimm noted that Director Erickson had mentioned safety and welfare having to do with why side yards are maintained. If there was an RV one foot away on one side and an RV one foot away on the other side with a fence in between, he was concerned that a firefighter with a hose and equipment would not be able to reach an emergency location.

Director Erickson stated that the City was working hard to reduce the carbon footprint and gravel contributes to heat island effects as well. That was something to consider if they were concerned about being green.

Commissioner Joyce referred to the stay on the ordinance until October 31st, and he wanted to know what would happen on November 1st. Director Erickson replied that the ordinance comes back into play on November 1st. However, it has always been a complaint based management system. He noted that the City Council could impose another stay until the ordinance is in place or they could direct the Staff to do complaint based enforcement.

Assistant City Attorney McLean noted that during that City Council meeting the Council indicated that they wanted it to be seasonal. The stay was drafted and approved with that in mind. Development Director Anne Laurent stated that the idea was to have a new ordinance in place before the next RV season.

Commissioner Joyce asked if the City plans to continue down the path of complaint based enforcement. He pointed out that most people do not know the rules or what they can legitimately file a complaint about. He asked if they ever reach a point where an officer drives around a neighborhood. Commissioner Joyce stated that some neighborhoods had so many violations the officer could just walk from house to house. He asked if the City would ever become more assertive at fixing the enforcement process.

Ms. Laurent replied that it would be a policy and budget decision made by the City Council. She noted that some communities have code enforcement in the police department with 24 hours shifts. Ms. Laurent explained that there are models to do it, but those are more urban models rather than smaller communities like Park City. It is a resource and budget issue that the City Council would have to determine. Ms. Laurent stated that even though they were clarifying this for the Code Enforcement Staff to better understand how to write the violation and what it is so they can explain it to people when the complaints come in, she thought there would still be issues when one property owner can make their side yard

work, but it does not work for the neighbor next door. She believed there would still frustration from people who could not get what they want. There will be a lot of criteria for when it works and when it doesn't on a case by case analysis. Ms. Laurent wanted it clear that the issue of RVs and parking would not suddenly become easy to enforce.

Commissioner Joyce stated that one of the frustrations the Staff continues to hear from the Planning Commission is the fact that they keep putting rules in place that are never enforced. He understood the difficulty of enforcing things that are buried in the conditions of approval, but if something is part of the Code and they were put in place with good reason, it would be nice to have that enforced. Commissioner Joyce requested that when these amendments are forwarded to the City Council that the Staff open the discussion for a better enforcement effort that goes beyond complaint based.

Ms. Laurent agreed with Commissioner Joyce. She stated that when this first went to the City Council they talked about code enforcement. She noted that RV and parking violations are very difficult. If someone moves their vehicle the violation is considered rectified, but it does not mean the violation will not come back the next day. At that point people need to call and make a complaint again because the City does not have the resources to check back day after day. Having a violation that can be rectified easily and come back easily is very difficult for Code Enforcement on a complaint based program. Ms. Laurent pointed out that the more effective management of parking will come from the local HOA.

Commissioner Suesser asked about educating the public on the new changes. Ms. Laurent stated that once the changes are in place, she is a big proponent of partnering them with proactive education and outreach.

The Park City Planning Commission Meeting adjourned at 9:00 p.m.

Approved by Planning Commission: _____

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **City Council Critical Goals and Potential LMC Updates**
Project #: **N/A**
Author: **Anne Laurent, Rhoda Stauffer, Alfred Knotts and Luke Cartin**
Date: **November 30, 2016**
Type of Item: **Worksession**

Background

The Planning Commission and City Council have requested updates to the Land Management Code (LMC) in support of the 2014 General Plan and the City Council's three critical goals: Affordable Housing, Transportation, and Energy. Exhibit A presentation slides will provide an update on the status of the three critical goals, current initiatives, and opportunities to update the LMC or other related regulations.

Exhibits/Links

Exhibit A – Staff presentation slides

Park City
Planning Commission Worksession
November 30, 2016

Housing, Transportation & Energy Updates

Rhoda Stauffer, Anne Laurent,
Alfred Knotts, & Luke Cartin

Proposed Housing Resolution Amendments and LMC Updates

Rhoda Stauffer & Anne Laurent

housing
large
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benefit
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paying
inclusionary
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years
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company
deduction
developers
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family
mortgage
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employers
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making
long
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keeping
affordable

Problem Statement

'IT'S AFFORDABLE IF YOU'RE RICH...'

Problem Statement

- Cost of housing – rental or ownership is increasing at a higher rate than affordable units are being produced
- City Council has targeted Affordable Housing as one of three CRITICAL PRIORITIES – 800 new units by 2026
- Availability of land and shovel ready projects are limited and have other complexities and competing interests (i.e. zoning, mixed use design restrictions, neighborhood sentiment, etc.)
- EPS and Blue Ribbon Housing Commission made recommendations on updating regulation and need further action

Resolution Amendments

- Waive building and impact fees for affordable housing development not required by private new development as an obligation
- Update in-lieu fee calculation, employee generation multipliers, income targets, and fee waivers based on recently updated housing needs assessment

What is **Affordable Housing**?

The government says housing is "affordable" if a family spends **no more than 30%** of their income to live there.

CCHLT

Updated Housing Needs Assessment 2016 Data

- Deficit in rental housing ~400 and generally serving 40-50%AMI
- No for-sale housing currently available under 100%AMI
- ~8,000 employees commute from outside of Summit County to Park City
- Approximately half of the commuters are below 60%AMI and half above 60%AMI

Proposed LMC Update Stategy

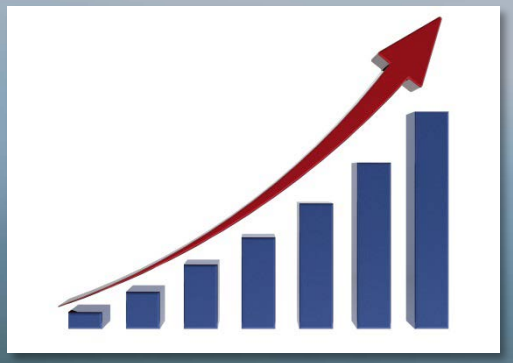
- Create a Housing Overlay Zone that:
  - Replaces Affordable Housing MPD
  - Includes pre-determined gives and gets
  - Provides a known entitlement/predictability for private developers
  - Tailor locations, density, and general design criteria to be neighborhood compatible and integrated with transportation, parking, and sustainability plans

Questions

Park City
Transportation Planning

transportation update

Existing Condition



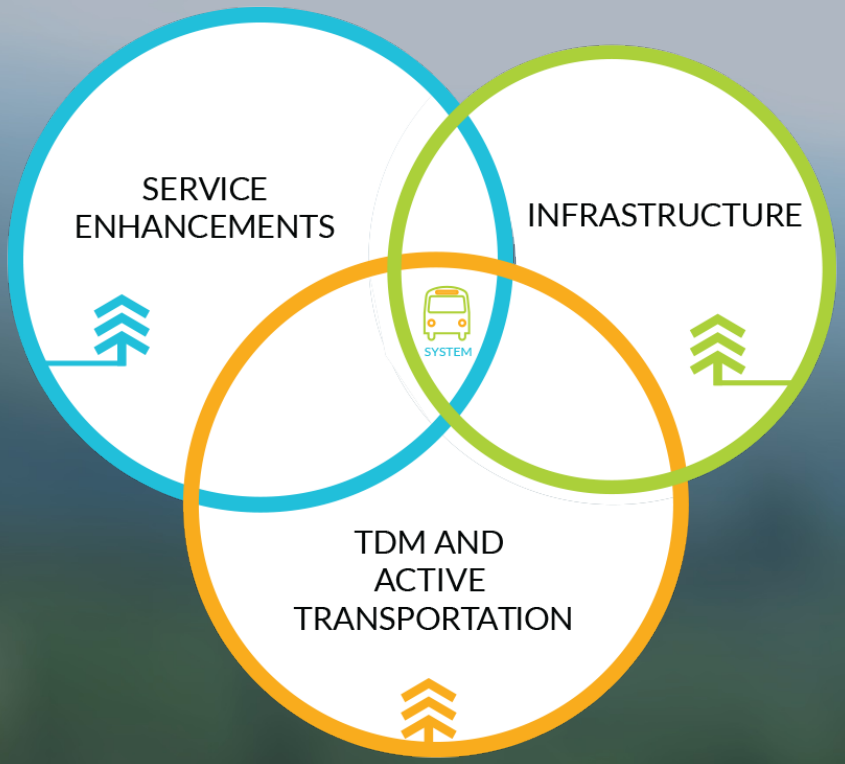
Rapid Growth

Predictable Travel Patterns

Community values

A Comprehensive Approach:

Projects, Programs and Services that improve mobility and safety; protect the environment; and enhance the economic vitality of the region.



Overview of Road Improvements

- SR-248
- SR-224
- Remote Parking Locations

SR-248

- Dedicated bus lanes
- Improved school access
- Access to Richardson Flat park-and-ride lot
- Intersection improvement at Bonanza Drive/SR-248

SR-224

- Transit Priority Lanes
- Wayfinding Signage
- Intersection Improvements at Kearns/Deer Valley Dr./Empire Dr.

Remote Parking I-80/US-40

- Plan for, purchase and construct P&R lots
  - Ecker
  - Jeremy

TDM Programs

- Transportation Demand Management/Active Transportation Modes
  - Bike share facilities
  - Travel planning apps
  - Trail/sidewalk construction/maintenance

Land use / Transportation

Policy

- TDM Programs/Ordinance
- Traffic Impact Analysis - Direct, Indirect, Cumulative
- Parking Requirements - Minimum Vs. Maximum and Shared
- Regional Transportation Plan

Questions

PARK CITY

SUSTAINABILITY

energy update

GUIDING DOCUMENTS

General Plan

Chapter 5

Critical Priority

Energy + Carbon

Resolutions

Net-Zero
100% Renewable
Building standards

GOALS

net-zero
carbon

+

100%
renewable electricity

2022
city operations

2032
community-wide

I AM
PRO
SNOW®

100%
COMMITTED

CARBON GOALS

2020 2025 2030 2035 2040 2045 2050

Park City

Aspen

Salt Lake City

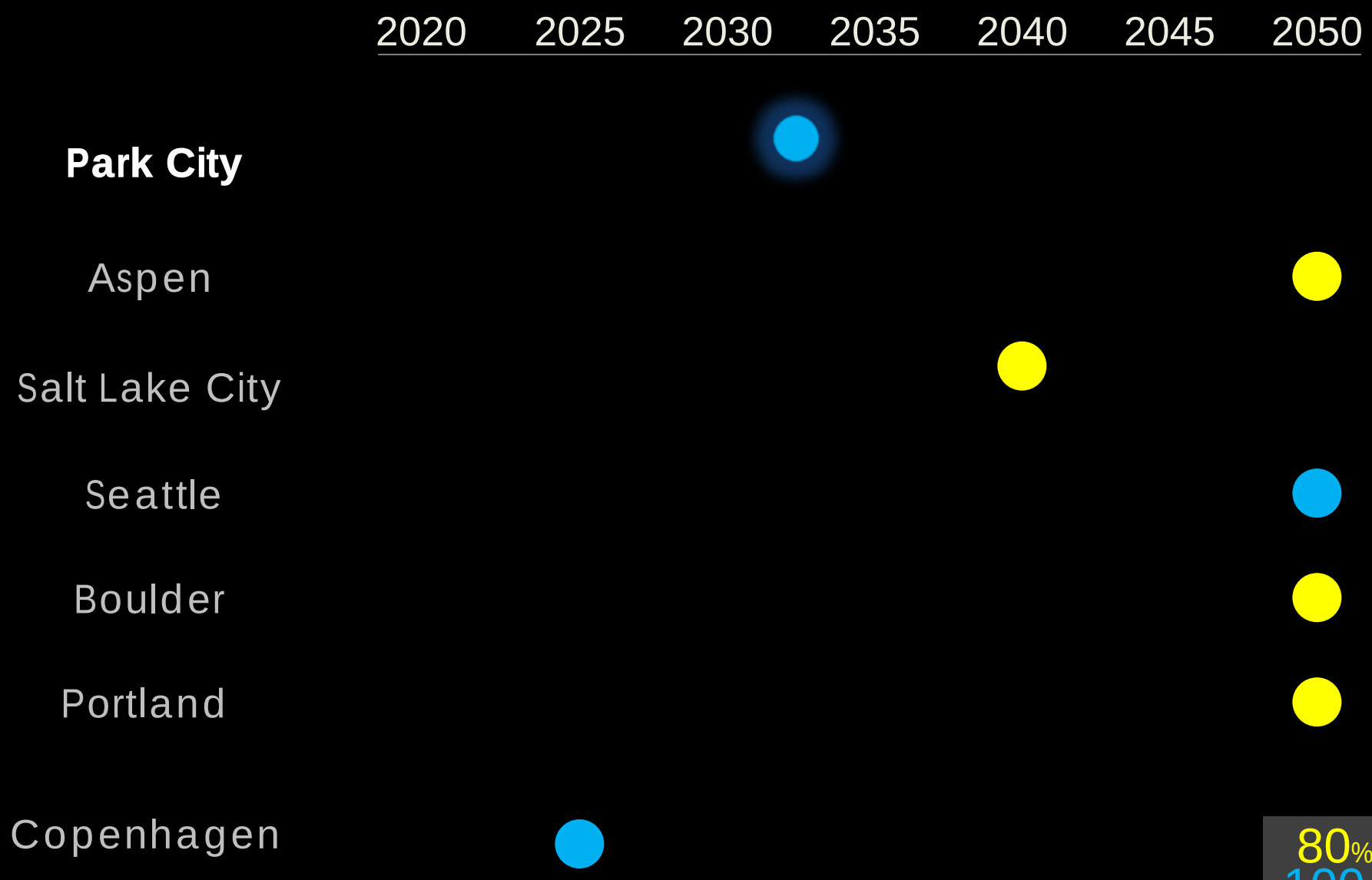
Seattle

Boulder

Portland

Copenhagen

CARBON GOALS



CURRENT STEPS

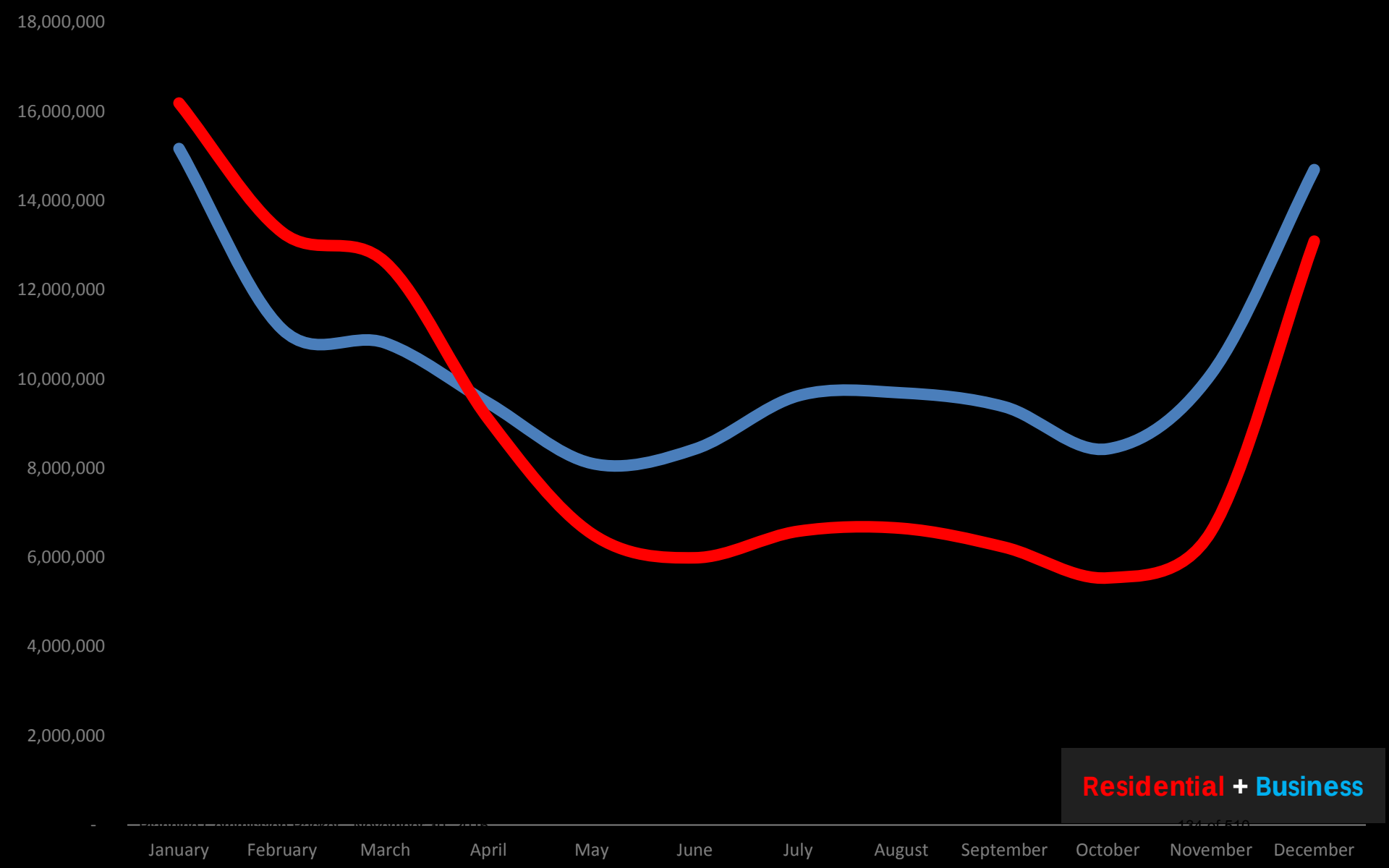
What's next for Sustainability:

- Electricity negotiations
- Open Space Carbon Sink
- Leveraging Land Management Code
- Transportation
- Increase Energy Efficiency
- Increase Renewable Energy
- Zero Waste

ENERGY CODE

Set at state level

PARK CITY **ELECTRICITY**
2015



QUESTIONS

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Application#: **PL-16-03155**
Subject: **Twelfth Amended Deer Valley Master Planned Development (MPD)**
Author: **Kirsten A Whetstone, MS, AICP – Senior Planner**
Date: **November 30, 2016**
Type of Item: **Administrative – Master Planned Development Amendment**

Summary Recommendations

Staff recommends the Planning Commission conducts a public hearing and approves the 12th Amended and Restated Large Scale Master Planned Development Permit for Deer Valley (aka Deer Valley MPD) subject to the findings of fact, conclusions of law, and conditions of approval as stated in this staff report.

Description

Applicant:	Steve Issowits, representing Deer Valley Resort
Location:	Deer Valley- Silver Lake Village Lots D, F, G, and H
Zoning:	Residential Development (RD-MPD) subject to the Deer Valley Master Planned Development
Adjacent Land Uses:	Residential Condominiums, Fire Station, Commercial, Deer Valley Resort
Reason for Review:	Master Planned Development Amendments require Planning Commission review and approval.

Proposal

This is a request to amend the Large Scale Master Planned Development Permit for Deer Valley (aka Deer Valley MPD) to combine Silver Lake Village Lots F, G, and H of the Silver Lake Community into one MPD parcel to be called Silver Lake Village Lot I and to transfer 843 square feet of residential density from Silver Lake Village Lot D to proposed Silver Lake Village Lot I. The amendment parcels, Lots D, F, G, and H are addressed as 7570, 7520, 7530, and 7540 Royal Street East respectively. No changes are proposed to development parameters, such as overall density or allowable building height. The proposal will amend Exhibits 1, 2 and 3 of the MPD document (Exhibit A). No changes are proposed to any existing commercial or support commercial areas within the existing Goldener Hirsch Building on Lot D. No transfer of support commercial from Lot I to Lot D is proposed. Deer Valley Resort requests a note be added to Exhibit 2 to clarify the commercial allocation to Lot D.

Background

On April 15, 2016, the City received an application from Deer Valley Resort requesting an amendment to the 11th Amended and Restated Large Scale Master Planned Development Permit for Deer Valley (aka Deer Valley MPD). See Exhibit C for the 11th Amended MPD (which is the current controlling document for Deer Valley MPD). This application was considered complete on July 18, 2016, upon final review of utility issues associated with these parcels. This request, being the 12th amendment to the Deer Valley MPD, is being reviewed in conjunction with a Conditional Use Permit and an amended subdivision plat (amending the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision) for the Goldener Hirsh Inn and Residences expansion onto Lots F, G, and H.

The property is located within the Silver Lake Community of the Deer Valley Neighborhood. Deer Valley MPD Silver Lake Community parcels known as Silver Lake Village Lots D, F, G and H are also lots of record platted with the Silver Lake Village No. 1 Subdivision recorded June 21, 1989 and the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision recorded November 8, 2011 (Exhibits C and D). Silver Lake Village Lot I is proposed to be created by combining Lots F, G, and H of the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision with the concurrently submitted plat amendment application (see associated staff report and exhibits for the plat amendment).

On September 28, 2016, the Planning Commission conducted a public hearing, discussed this application, and continued the public hearing to October 26, 2016, for further discussion of issues related to the Goldener Hirsch Conditional Use Permit (see Exhibit E- minutes). On October 26th the hearing was continued to November 9th. At the November 9th meeting the Commission conducted a public hearing and continued the hearing to allow staff time to do further research regarding reconciliation of existing commercial uses within the existing building and the commercial uses designed for Lot D on Exhibit 2 of the Deer Valley MPD.

Analysis

The applicant requests a 12th amendment to the Deer Valley MPD to combine Silver Lake Village Lots F, G, and H into one Lot I and to transfer 843 square feet of residential density (0.4215 unit equivalents (UE)) from the existing Goldener Hirsh Inn on Lot D to Lot I in order to accommodate access and circulation between the Goldener Hirsch Inn and the future Goldener Hirsch Residences. Density allocation for Lot D would decrease by 0.4215 from 6 UE to 5.5785 UE. Density on Lot I would increase from 34 to 34.4215. There is no overall increase or decrease in total residential density proposed.

Exhibit 1 of the Deer Valley MPD document shows in table form the residential density allocated for Deer Valley MPD parcels (Exhibit A). The requested amendment pertains only to the Silver Lake Community parcels (Lots D, F, G, and H). There are currently a total of 40 UEs of density allocated to these four parcels. Upon approval of the amendment there will remain 40 UEs of density allocated to two parcels, Lots D

and I.

Goldener Hirsh Inn is in compliance with the current allowed 6 UE of permitted density (12,000 sf), based on a review of the recorded Golden Deer Phase 1 condominium plat. There are 20 residential hotel rooms (11,104 sf of actually residential floor area based on exact unit square footages on the 1990 Golden Deer Condominium plat). The plats also identify a total of 3,493 sf of commercial space (restaurant, kitchen area, lounge, lobby and front desk area), including the 272 sf addition to the dining room approved with the 2007 Amended Golden Deer Condominium plat. The DV MPD allocates 2,062 square feet of Deer Valley MPD commercial, per the MPD Exhibit 2, to Lot D for the existing restaurant. The Deer Valley MPD also allows support commercial within a project based on a percent of the floor area. Deer Valley indicates that the remaining platted commercial space is support commercial for the building and requests a note be added to Exhibit 2 to clarify that.

As a comparison, Stein Eriksen Lodge is allocated no Deer Valley MPD commercial as verified on Exhibit 2. All of the commercial uses within Stein Eriksen Lodge are the result of support commercial for the building, based on a percent of the floor area.

<u>Update on the commercial allocation</u>
Planning Staff met with Deer Valley to discuss the apparent discrepancy in the 11th Amended MPD and the existing commercial area at the Goldener Hirsch Inn that has existed since the Inn was opened and that was approved with the Golden Deer MPD, Golden Deer Condominium plat, and Amended Golden Deer Condominium plat.

Up to the Seventh Amended MPD (April 14, 1993) the commercial allocation at Silver Lake was not broken out. The Eighth Amended MPD is the first time the commercial allocation for Silver Lake is broken down as Royal Plaza (13,264 sf), Mt. Cervin Plaza (8,080 sf), Goldener Hirsch Inn (2,062 sf), and Chateaux (7,500 sf). The current, 11th Amended MPD has the Goldener Hirsch Inn at 2,062 sf and reflects approved amendments to Royal Plaza which is now identified with 14,312 sf of commercial.

The text of the MPD allows support commercial and meeting space as provided in the LMC, which at the time of the Goldener Hirsch construction was based on the total floor area, not including parking and any support or meeting space. (Note: The LMC was changed to allow not more than 10% of total <u>residential</u> floor area in 2006). Deer Valley provided a letter to further describe this situation (Exhibit F).

The LMC allows Retail, Office, Services, Resort Support, and other Commercial uses within MPDs in the RD zoning district per Footnote #9 to Conditional Uses in the RD Zone LMC Section 15-2.13-2 as follows: “Allowed only as a secondary or support Use to the primary Development or Use and intended as a convenience for

residence or occupants of adjacent or adjoining residential Developments." From this language Staff agrees that support commercial designation of existing commercial uses, beyond the 2,062 sf identified in the MPD, was appropriately approved with the Golden Deer MPD in 1988.

Related to the existing Goldener Hirsch Inn, the DV MPD Exhibit 2 has consistently designated 2,062 sf of commercial for the Inn since 2001, and the total platted commercial area is 3,493 sf, based on the Golden Deer Condominium and First Amended Golden Deer Condominium plats. This support commercial (restaurant, bar, lounge, gift shop, front desk, etc.) consists of 2,062 sf of DV MPD assigned commercial and 1,431 sf of support commercial. The 1988 Golden Deer (MPD) approved 3,500 sf of commercial. No changes to any commercial uses are proposed for the existing building.

To verify whether the support commercial was correctly calculation, staff reviewed the Golden Deer MPD approval. At the time of MPD approval support commercial/support meeting space was based on the total floor area of the building minus the parking garage and support commercial (24,693 sf). A total of 4,532 sf of commercial/support commercial/support meeting space could have been permitted (2,062 sf from DV MPD and 2469.3 sf based on the building floor area) and 3,500 sf of commercial was approved. The total existing support commercial and support meeting space is 3,993 sf (3,493 of platted commercial floor area plus the 500 sf of common area meeting space on the second floor).

Staff makes a finding that the commercial uses were correctly calculated at the time of the Golden Deer MPD (1988) approval. For clarity purposes, Exhibit 2 of the Deer Valley MPD should be amended to reflect that support commercial uses for Silver Lake Village Lot D, in excess of the 2,062 sf from the DV MPD support commercial allocation, are the result of support commercial calculations of the building.

No transfer of support commercial uses from Lot I to Lot D is required or proposed. No physical changes are proposed to any of the commercial areas within the existing Goldener Hirsch building.

<u>Transfer of Residential Density</u>
Upon approval of development on Lot I, the 843 square feet of existing residential space (2 existing Goldener Hirsch hotel rooms) will be demolished and the area will be converted to common area for circulation and the number of developed units on Lot D would decrease by two.

EXISTING MPD	UE (residential)	UNITS	Height	ACRES
Silver Lake Village Lot D- Existing Goldener Hirsch Inn and restaurant	6 (12,000 sf)	20	59 (A)	0.35
Silver Lake Village Lot F- Vacant	11	0	59 (A)	0.35
Silver Lake Village Lot G- Vacant	11	0	59 (A)	0.38
Silver Lake Village Lot H- Vacant	12	0	59 (A)	0.44

Total existing Lots D, F, G, H	40	0	59 (A)	1.52
PROPOSED AMENDED MPD				
Silver Lake Village Lot I – Goldener Hirsch Residences - proposed	34.4215	38 (plus 1 ADA unit)	59 (A)	1.17
Silver Lake Village Lot D – Goldener Hirsch Inn - proposed	5.5785 (11,157 sf)	18	59 (A)	0.35
Total proposed Lots D and I	40	56 +1 ADA	59 (A)	1.52

Note- (A) Lots in the Silver Lake Village Subdivision have a development height limitation tied to a base elevation of 8122' with peak of roof not to exceed elevation 8186'. (59' plus 5' = 64' provided peak of roof does not exceed elevation 8186')

Staff reviewed this proposal for compliance with the Master Planned Development Section 15-6 of the Land Management Code as follows:

15-6-5. MPD REQUIREMENTS.
The Planning Commission must review the proposed MPD amendment for compliance with the following criteria:

(A) DENSITY. **Complies.** The proposed amendment does not change the assigned residential density within the Deer Valley MPD or within the Silver Lake Community. Density is being consolidated and/or transferred to a new Parcel I from Parcels D, F, G, and H. The combined density of these four parcels remains at 40 UE.

(B) MAXIMUM ALLOWED BUILDING FOOTPRINT FOR MASTER PLANNED DEVELOPMENTS WITHIN THE HR-1 DISTRICT.
Not Applicable as the zoning is RD-MPD.

(C) SETBACKS. **Complies, as conditioned.** Setbacks for the Lots are identified on the proposed subdivision plat as follows: 20' along Royal Street (25' to garage door), 15' along Sterling Court private street, 12' along the side property line adjacent to Stein Eriksen Lodge, and 15' along the south property line adjacent to Mount Cervin Condominiums. Combining the lots removes the interior setback requirement between Lots F and G and between G and H and allows a common parking garage with a single access onto Sterling Court to be proposed. The MPD amendment is consistent with the proposed plat.

Staff recommends a condition of approval that if a single building is proposed on combined Lot I, the building shall be designed to be broken into more than one volumetric mass above final grade, exhibiting both horizontal and vertical articulation. This shall be included as a note on Exhibit 1 of the MPD document. A common underground parking garage and consolidated entry is encouraged.

(D) OPEN SPACE. **Complies.** The Deer Valley MPD maintains Transfer of Development Right (TDR) open space in excess of the 60% required for Master Planned Developments. There is no additional open space requirement identified for individual parcels provided that they use the Land Management Code (LMC) unit equivalent formula for density calculations. The applicant is not requesting changes

to the open space requirements of the overall MPD.

(E) OFF-STREET PARKING. **Complies.** No exceptions to the parking ratios are requested. Parking for the residential units will be calculated for the specific unit sizes as part of the Conditional Use Permit review for compliance with the current LMC parking requirements per the Deer Valley MPD.

(F) BUILDING HEIGHT. **Complies.** No changes are requested to the allowable building heights. Building height allowed for these parcels is 64 feet (59 feet with 5' for the peak of the roof), as further described in Note A which states "Lots in Silver Lake Village Subdivision have a development height limitation tied to the base elevation of 8122' with the peak of the roof not to exceed elevation 8186 feet".

(G) SITE PLANNING. **Complies.** The applicant submitted a site plan with the proposed Conditional Use Permit showing the layout of proposed buildings, setbacks, pedestrian circulation, access, emergency egress, plaza areas, etc. The proposed layout does not create additional density, building footprint or volume as compared to three separate buildings constructed to the setbacks and allowable building height. The building has more than one volumetric mass and includes horizontal and vertical articulation. Common underground parking, a single access drive, consolidated utilities and emergency egress and fire protection, as well as interior pedestrian connections to the common plaza areas at Silver Lake Village, are beneficial site plan attributes made possible with the MPD amendment.

(H) LANDSCAPE AND STREETSCAPE. **Complies.** The parcels contain no significant vegetation as they are either currently paved for temporary parking or consist of grasses and low shrubs. No significant vegetation will be removed by the combination of the parcels. No additional disturbance will result from the combination of parcels. There are no significant impacts on the streetscape along Royal Street as a result of the combination of parcels, as the proposed building on Parcel I is similar to what could be proposed on Parcel H, in terms of building volume.

(I) SENSITIVE LANDS COMPLIANCE. **Complies.** The proposed MPD changes do not impact the Sensitive Lands overlay as there are no sensitive lands on this site.

(J) EMPLOYEE/AFFORDABLE HOUSING. **Complies.** The transfer of residential UE requires no additional affordable units because the affordable housing obligation was based on the total number of units of the Deer Valley MPD which is unchanged.

(K) CHILD CARE. **Complies.** Staff finds no additional need for childcare facilities based on the resort character of the expansion of the Goldener Hirsch Inn. Childcare facilities are located within the MPD at Snow Park Lodge.

(L) MINE HAZARDS. **Complies as conditioned.** There are no known Mine Hazards

located on the subject parcels, per investigation by the applicant, however Staff recommends a condition of approval that prior to issuance of a building permit on Lot I, the Property owner shall submit to the City a Physical Mine Hazards report and mitigation plan for mitigating any found Physical Mine Hazards. This shall be noted on Exhibit 1 of the Deer Valley MPD document.

(M) HISTORIC MINE WASTE MITIGATION. **Complies as conditioned.** Staff recommends a condition of approval that prior to issuance of a building permit on Lot I, the Property owner shall submit an Historic Mine Waste report and, if Historic Mine Waste is located on the site, a mitigation plan shall also be submitted compliant with the Park City Soils Boundary Ordinance requirements and regulations as described in the Park City Municipal Code. This shall be noted on Exhibit 1 of the Deer Valley MPD document.

Utilities

Public Utilities, Engineering Department, Snyderville Basin Water Reclamation District, Rocky Mountain Power, Questar, and the Park City Fire District have worked closely with the applicant on a revised utility plan to address existing and proposed water lines, sewer service, storm water, and dry utilities locations.

A final utility plan was submitted with the subdivision plat amendment taking into consideration the utility coordination effort that has occurred over the past several months. Existing water and sewer lines will have to be relocated for the development; however this is the case whether the lots are combined into one lot or kept as separate lots. The associated plat amendment will provide new easements for existing and proposed utilities.

There is no increase in the overall density of the site and the build-out of the Deer Valley MPD was taken into consideration with the City's water utility master plan. These amendments do not create any additional UEs within the Master Planned Development. Normal utility fees are collected for any new units at the time of building permit issuance.

Previous Amendments.

The first page of the proposed 12th Amended and Restated Large Scale Master Planned Development Permit outlines the origin of this Master Planned Development from the original September 27, 1977 Special Exception Permit to the last approved 11th Amended and Restated Large Scale Planned Development Permit or Deer Valley Master Planned Development (Deer Valley MPD) as is currently referred to.

Most recently, on June 28, 2006, the 9th Amended Deer Valley MPD was approved to transfer 1.75 UE from Snow Park to Silver Lake and 7 UE from Courcheval to the Lodges in the Snow Park vicinity. The Planning Commission ratified this approval on September 12, 2007. At that time, Deer Valley agreed not to transfer any more units from Snow Park up to the higher mountain areas. The current proposal is not a request to transfer density from lower Deer Valley at Snow Park to the upper Deer

Valley Silver Lake Community parcels, but to transfer and combine units within the Silver Lake Community parcels under common ownership.

On August 12, 2009, the 10th Amended Deer Valley MPD was approved by the Planning Commission. The 10th amendment transferred commercial density from the undeveloped allocation for Silver Lake Community to the developed Royal Plaza condominiums (also located within the Silver Lake Community) to accommodate conversion of common and limited common area to private area for three of the units and to accurately reflect the approved plat and as- built density.

The most recent amendment to the Deer Valley MPD (the 11th Amendment) was approved by the Planning Commission on March 23, 2011, to align the as-built density (allowed unit equivalents (UEs)) of the Silver Baron Lodge with the density permitted by the MPD. The request transferred one (1.0) UE of residential density (2,000 sf) from undeveloped Snow Park Village to the existing Silver Baron Lodge located directly across Deer Valley Drive East from the future Snow Park Village site.

Proposed Amendments.

If approved, Exhibit 1 of the MPD will be amended to reflect the current request to combine Silver Lake Village Lots F, G, and H into a new Silver Lake Village Lot I and to transfer 0.4215 UE (843 sf) of residential density from Lot D to Lot I with no net change in total density allocated to Lots D, F, G, and H. Staff recommends footnotes should be added Exhibit 1 memorializing recommended conditions of approval of these amendments.

Exhibits 2 and 3 of the MPD will be amended to reflect the 12th Amended MPD in the title. Additional amendments to the text of the Deer Valley MPD reflect the change from the 11th Amendment to the 12th Amendment (see Exhibit A) and to include the revised dates.

Exhibit 2 will be amended to add a note indicating that the commercial uses on Silver Lake Village Lot D include 2,062 sf as allocated by the MPD, plus support commercial uses.

Deer Valley MPD Support Commercial uses allocated for Lot D (Table 2) will not change from the current 2,062 square feet. Any support commercial square footage that exists on Lot D in excess of 2,062 square feet results from the support commercial approved with the Golden Deer MPD in 1988. No changes are proposed to any of the existing support commercial areas within the existing building. The support commercial areas were approved in 1988 with the Golden Deer MPD and were correctly calculated, based on the LMC at the time.

Process

Approval of the MPD application by the Planning Commission constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Department Review
This project has gone through an interdepartmental review. No further issues have been identified that are not discussed above or included in the conditions of approval.

Public Notice
On September 14, 2016, the property was posted and notice was mailed to property owners within 300 feet. Legal notice was published in the Park Record and Utah Public Notice website on September 10th and November 16th, 2016.

Alternatives

- The Planning Commission may approve the MPD amendment as presented or as amended; or
- The Planning Commission may deny the MPD amendment and direct staff to make findings of fact to support this decision; or
- The Planning Commission may continue the discussion to a date certain or uncertain and request additional information on specific items.

Significant Impacts
The proposed MPD amendments do not create negative fiscal impacts on the City. No environmental impacts result from the MPD amendments. The proposed amendments are administrative and there are no substantive changes to development parameters such as overall density or building height.

Consequences of not taking the Suggested Recommendation
The parcels can be developed individually with the density, heights, and setbacks as assigned per the DV MPD and subdivision plat.

Recommendation
Staff recommends the Planning Commission conduct a public hearing and approve the 12th Amended and Restated Large Scale Master Planned Development Permit for Deer Valley (aka Deer Valley MPD) subject to the findings of fact, conclusions of law, and conditions of approval as stated in this staff report.

Findings of Fact

1. The Deer Valley Master Planned Development was last amended by the Planning Commission on March 23, 2011, as the 11th Amended and Restated Large Scale Master Planned Development for Deer Valley (aka Deer Valley MPD).
2. On April 15, 2016, the City received an application requesting an amendment to the 11th Amended and Restated Large Scale Master Planned Development Permit for Deer Valley (aka Deer Valley MPD). The application was considered complete on July 18, 2016, upon final review of the utility issues associated with the MPD Lots D, F, G, and H addressed as 7570, 7520,

7530, and 7540 Royal Street East respectively.

3. Deer Valley MPD Silver Lake Community parcels known as Silver Lake Village Lots D, F, G and H are also lots of record platted with the Silver Lake Village No. 1 Subdivision recorded June 21, 1989 and the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision recorded November 8, 2011.
4. This request, being the 12th amendment to the Deer Valley MPD, is being reviewed in conjunction with a Conditional Use Permit and an amended Silver Lake Village subdivision plat for the Goldener Hirsh Inn and Residences expansion onto the subject MPD Lots.
5. These MPD Lots are located within the Silver Lake Community of the Deer Valley Neighborhood.
6. The applicant requests a 12th amendment to the Deer Valley MPD to combine the Deer Valley MPD Silver Lake Village vacant Lots F, G, and H into one Lot I and to transfer 843 square feet of residential density (0.4215 unit equivalents (UE)) from Silver Lake Village Lot D (existing Goldener Hirsh Inn) to the new Deer Valley MPD Silver Lake Village Lot I, to accommodate access and circulation between the Goldener Hirsch Inn and the future Goldener Hirsch Residences proposed Parcel I.
7. Exhibits 1, 2 and 3 to the Deer Valley MPD show in table form the residential and commercial density allocated for the various Deer Valley parcels, as well as other MPD project components.
8. The requested amendments pertain only to the Silver Lake Community- Silver Lake Village Lots D, F, G, and H shown in Exhibit 1 to the Deer Valley MPD document. There are also administrative changes to page 1 and to Exhibits 2 and 3 to correct titles and dates to reflect the “Twelfth Amended and Restated Large Scale Master Planned Development Permit”. There is a note added to Exhibit 2 to clarify commercial uses for Lot D.
9. The requested amendment pertains only to the Silver Lake Community parcels (Lots D, F, G, and H). There are currently a total of 40 UEs of density allocated to these four parcels and the total density allocated to these parcels will not increase or decrease as a result of these amendments.
10. Goldener Hirsh Inn is in compliance with the allowed 6 UE of permitted density, based on a review of the approved building permit plans.
11. The transfer of 0.412 UE density from Lot D to proposed Lot I is within the Silver Lake Community and does not transfer density from lower Deer Valley to upper Deer Valley.
12. Common underground parking, a single access drive, consolidated utilities and emergency egress and fire protection, as well as interior pedestrian connections to the common plaza areas at Silver Lake Village, are beneficial site plan attributes made possible with this proposed MPD amendment.
13. Exhibit 2 of the MPD document allocates 2,062 sf of commercial space for the Goldener Hirsch starting with the 2001 Eighth Amended MPD.
14. The Goldener Hirsch condominium plats indicate that there are 3,493 sf of commercial condominium units (restaurant, bar, lobby, and front desk area) platted and existing within the building. This support commercial includes

2,062 sf of DV MPD assigned commercial and 1,431 sf of support commercial approved with the 1988 Golden Deer (MPD) approval. An additional 500 sf of support meeting space was also approved.

15. At the time of the August 10, 1988 MPD approval, support commercial/support meeting space was based on the total floor area of the building minus the parking garage and support commercial (24,693 sf). The minutes of the 1988 Golden Deer MPD approval indicate that 3,500 sf of commercial uses were approved.
16. The total existing support commercial and support meeting space is 3,993 sf (3,493 of platted commercial floor area plus the 500 sf of common area meeting space on the second floor).
17. Deer Valley MPD Support Commercial uses allocated for Lot D (Table 2) will not change from the current 2,062 square feet. Any support commercial square footage that exists on Lot D in excess of 2,062 square feet results from the support commercial approved with the Golden Deer MPD in 1988 and the Golden Deer Condominium plats.
18. No changes are proposed to any of the existing support commercial areas within the existing building. The support commercial areas were approved in 1988 and were correctly calculated at the time of the Golden Deer MPD approval.
19. No transfer of support commercial uses from Lot I to Lot D is required or proposed and no commercial uses are proposed on Lot I.
20. A footnote will be added to Table 2 for Silver Lake Village Lot D stating that: “Commercial uses on Silver Lake Village Lot D includes 2,062 sf as allocated from this Amended and Restated Large Scale MPD, plus support commercial uses.”

<u>Conclusions of Law</u>

1. The 12th Amended Deer Valley MPD document and Exhibits comply with previous approvals and actions.
2. The 12th Amended Deer Valley MPD complies with all requirements of the Land Management Code regarding Master Planned Developments in Chapter 6.
3. The MPD, as amended, is consistent with the Park City General Plan. Development of resort residential properties with underground parking, located at the base of the Deer Valley Resort is consistent with the purposes, goals and objectives of the Upper Deer Valley Resort Neighborhood.
4. The MPD, as amended, does not impact the provision of the highest value of open space, as determined by the Planning Commission. There are no changes to the amount of open space provided by the Deer Valley MPD.
5. The MPD, as amended, strengthens and enhances the resort character of Park City.
6. The MPD, as amended, compliments the natural features on the Site and preserves significant features or vegetation to the extent possible. There are no changes to existing natural features and no existing significant vegetation on

the subject development parcels.

7. The MPD, as amended, is Compatible in use, scale and mass with adjacent Properties, and promotes neighborhood Compatibility. There are no changes to allowed total density, exterior building setbacks, or building height. Surrounding buildings are of similar use, scale and mass.
8. The MPD provides amenities to the community and there is no net loss of community amenities with the proposed amendment.
9. The MPD, as amended, is consistent with the employee Affordable Housing requirements as adopted by the City Council at the time the Application was filed and no additional housing is required as the density is not increased.
10. The MPD, as amended, meets the provisions of the Sensitive Lands provisions of the Land Management Code. The Deer Valley MPD has been designed to place Development on the most Developable Land and least visually obtrusive portions of the Site. No Sensitive Lands are located on the subject property.
11. The MPD, as amended, promotes the Use of non-vehicular forms of transportation through design and by providing trail connections. Shuttle service is provided by various hotels and inns within the MPD. Future development of Lot I will provide pedestrian circulation to the Silver Lake plaza and may also provide shuttle service for guests. The City transit system has a stop at the turn out in front of the Goldener Hirsh.
12. The MPD amendment was noticed and public hearings held in accordance with this Code.
13. The MPD amendment provides opportunities for incorporation of best planning practices for sustainable development, water conservation, and energy efficient design by allowing a common parking structure, internal circulation between building masses, consolidated utilities, pedestrian access to common plazas, and utilization of shuttle services and energy efficient building design and construction.
14. The MPD amendment as conditioned addresses Physical Mine Hazards and Historic Mine Waste mitigation in compliance with the Park City Soils Boundary Ordinance.

<u>Conditions of Approval</u>

1. Prior to issuance of a building permit on Silver Lake Village Lot I, the property owner shall submit to the City a Physical Mine Hazards and Historic Mine Waste report. If historic mine waste is located on the site, a mine waste mitigation plan shall also be submitted in compliance with the Park City Soils Boundary Ordinance requirements and regulations as described in the Park City Municipal Code. This shall be noted on Exhibit 1 of the final executed 12th Amended Deer Valley MPD document as a footnote for Lot I.
2. If a single building is proposed on combined Lot I, the building shall be designed to be broken into more than one volumetric mass above final grade, exhibiting both horizontal and vertical articulation. Common underground parking is permitted and consolidated access is encouraged. This shall be noted on Exhibit 1 of the final executed 12th Amended Deer Valley MPD document as a footnote for Lot I.

3. Commercial uses allocated on Exhibit 2 for Lot D (Goldener Hirsch Inn) will not change from the current 2,062 square feet. Footnote #5 is added and states, “Commercial uses on Silver Lake Village Lot D include 2,062 sf as allocated from this Amended and Restated Large Scale MPD, plus support commercial”.
4. The final executed MPD document shall be recorded at Summit County within six months of the Planning Commission approval of the amendment or the approval shall be void unless a written request for an extension is submitted prior to expiration date and approved by the Planning Director.

Exhibits

Exhibit A- 12th Amended and Restated Large Scale Master Planned Development Permit (aka Deer Valley MPD), including Exhibits 1, 2, and 3 redlined per proposed amendments
Exhibit B- Applicant’s letter
Exhibit C- 11th Amended and Restated Large Scale MPD and Exhibits
Exhibit D- Existing and proposed lot conditions
Exhibit E- Minutes of September 28, 2016
Exhibit F- Letter from Deer Valley regarding Commercial Uses
Exhibit G- Golden Deer MPD background
Exhibit H- Minutes of November 9, 2016 (see this packet)
(See also related CUP and plat amendment reports for additional exhibits.)

EXHIBIT A

~~ELEVENTH~~ TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
~~March 23, 2011~~ November 30, 2016

WHEREAS, Royal Street Land Company, a Utah corporation ("Royal Street") heretofore submitted to the Planning Commission of Park City ("Commission") certain items with relation to a residential, commercial, and recreational development project known as Deer Valley / Lake Flat Area Development ("Project") which items were listed in the original Permit granted for the Project by Commission and are incorporated herein by reference; and

WHEREAS, Commission found that such items submitted by Royal Street complied with and satisfied all applicable requirements of the Park City Land Management Code as then in force, to permit the construction of the Project as a planned unit development pursuant to the planned unit development exception then contained in the Park City Land Management Code; and

WHEREAS, Commission heretofore issued to Royal Street a Special Exception Permit dated September 27, 1977, with relation to the Project, which Special Exception Permit was amended by an Amended Special Exception Permit dated June 27, 1979 issued to Royal Street and by a Second Amended and Restated Special Exception Permit dated January 27, 1982, a Third Amendment to Special Exception Permit dated May 17, 1984, a Fourth Amendment to Special Exception Permit dated February 21, 1985, a Fifth Amended and Restated Special Exception Permit dated December 23, 1986, a First Amendment to Fifth Amended and Restated Special Exception Permit dated November 29, 1989, a Second Amendment to Fifth Amended and Restated Special Exception Permit dated April 11, 1990, a Sixth Amended and Restated Special Exception Permit dated October 10, 1990, a Seventh Amended and Restated Large Scale Master Planned Development Permit dated April 14, 1993, an Eighth Amended and Restated Large Scale Master Planned Development Permit dated April 25, 2001, a Ninth Amended and Restated Large Scale Master Planned Development Permit dated June 28, 2006, ~~and~~ a Tenth Amended and Restated Large Scale Master Planned Development Permit dated August 12, 2009, and an Eleventh Amended and Restated Large Scale Master Planned Development Permit dated March 23, 2011, which were issued to Deer Valley Resort Company ("Permittee"), as assignee and successor to the rights of Royal Street under the Special Exception Permit; and

WHEREAS, Permittee and Commission desire to further amend and restate the Large Scale Master Planned Development Permit to reflect actions approved by the Commission with respect to the combination of vacant Deer Valley MPD Silver Lake Village Lots F, G, and H into one Lot I and to transfer 843 square feet of existing residential density (0.4215 unit equivalents (UE)) from Deer Valley MPD Silver Lake Village Lot D (existing Goldener Hirsh Inn) to the new Deer Valley MPD Silver Lake Village Lot I, to accommodate connection, access and circulation between the Goldener Hirsch Inn on Parcel D and the future Goldener Hirsch Residences proposed on Parcel I. ~~transfer of one Residential Unit Equivalent from Snow Park Village Parcel covered by the Permit amendment to the Silver Baron Lodge parcel covered by the Permit (Silver Baron Lodge being a portion of the original Northeast Multi-Family site covered by the Permit) to bring said Silver Baron Lodge into compliance with the Permit.~~

WHEREAS, Permittee has requested modification to the Large Scale Master Planned Development Permit and Commission is willing to grant said modifications as herein set forth; and

WHEREAS, Commission finds that it is in the best interest of Park City and its citizens that Permittee be granted the right to construct and develop the Project as a Master Planned Development in accordance with the Park City Land Management Code passed and adopted December 22, 1983, effective January 1, 1984 as the same has been amended by Ordinance to the date hereof (herein designated the "Code") and in accordance with the Large Scale Master Planned Development Permit as amended and restated hereby.

NOW THEREFORE, the Large Scale Master Planned Development Permit is hereby amended and restated to authorize and grant the right, and Permittee is hereby authorized and granted the right, to develop and construct the Project, subject to Planning Commission approval of any required Conditional Use Permits for site specific development and City Council approval and recordation of any required subdivision plats, as outlined and detailed in this: (A) ~~Eleventh~~ Twelfth Amended and Restated Large Scale Master Planned Development Permit ("Permit") including the Exhibits hereto and those documents and items submitted by Permittee as aforesaid, as a Master Planned Development pursuant to the Master Planned Development provisions contained in the Code; and, (B) the Agreement dated July 12, 1978, between Park City, as "City", and Royal Street, as "Royal Street", as amended by an Amendment to Agreement dated May 29, 1978, a Second Amendment to Agreement dated April 3, 1980, a Third Amendment to Agreement dated August 21, 1980, as amended and restated in its entirety by a Fourth Amendment and Restatement of Agreement, a Fifth Amendment to Agreement dated May 17, 1984, and a Sixth Amendment to Agreement dated February 21, 1985, and all subsequent amendments, which are all incorporated herein by reference and which Agreement as so amended is herein referred to as the "Agreement", and as such Agreement may hereafter be further amended from time to time. Park City is hereinafter referred to in this Permit as "City".

A. Densities. For purposes of determining densities in the Project:

(1) Insofar as the following portions of the Project are concerned, the authorized densities shall be as follows:

Parcel Designation	Units	Authorized Dwelling
Northwest Multi-Family (Fawn grove)		80
North Entrance Multi-Family (Pinnacle)		40
North Hillside Multi-Family (Pinnacle)		46
Southwest Multi-Family (Aspenwood)		30
Southwest Multi-Family (Courchevel)		13.5
Northwest Hillside Multi-Family (Daystar)		24
South Entrance Multi-Family (Stonebridge)		50
South Multi-Family (Lakeside)		60
West Multi-Family (Pine Inn and Trails End)		40
Total		383.5

For purposes of determining densities on the parcels designated in this Subparagraph (1), a single family home or an apartment containing two bedrooms or more constituted a dwelling Unit, a one-bedroom apartment constituted one-half of a dwelling Unit, and a hotel room or lodge room constituted one-half of a dwelling Unit. The parcels in this subparagraph have all been developed as of the date hereof.

(2) Insofar as all portions of the Project other than the nine parcels containing 383.5 dwelling Units identified in Subparagraph A. (1) above are concerned, an apartment Unit containing one bedroom or more shall constitute a dwelling Unit and a hotel room or lodge room shall constitute one-half of a dwelling Unit.

(3) If approved in advance by Commission and Permittee, the owner of any development parcel in the Project shall have the right to have the densities permitted on said development parcel calculated in accordance with Subparagraph A. (1) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) or in accordance with the Unit Equivalent formula contained in Section 10.12 of the Code, as said Unit Equivalent formula may from time to time be amended or modified. In the event of election of an owner to utilize said Unit Equivalent formula and approval thereof by Commission and Permittee, the maximum number of Unit Equivalents which may be contained in the structures built upon said development parcel shall not exceed the permitted number of dwelling Units to be constructed thereon determined in accordance with Subparagraph A. (1) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) and the number of Unit Equivalents as constructed on said development parcel shall for all purposes hereof be deemed the number of units constructed thereon. Approval of use of the Unit Equivalent formula by Commission and Permittee shall not, and cannot, alter or release any private land use covenants between the owner and Deer Valley, or others, concerning development of the property or the density permitted thereon.

(4) Insofar as the following portions of the Project are concerned, the authorized densities, permitted on the development parcels are required to be calculated in accordance with the Unit Equivalent Formula contained in Section 10.12 of the Code as said Unit Equivalent formula may from time to time be amended or modified:

Parcel Designation	Authorized Number of Residential Unit Equivalents
Snow Park Village	209.75
Total	209.75

B. **Unit Size**. Except for units with relation to which the owner elected or elects to or is required to utilize the Unit Equivalent formula, there shall be no size limitation for Units constructed on any parcel provided that following construction the parcel proposed to be developed contains a minimum of 60% open space and otherwise complies with MPD and all applicable zoning regulations.

C. Development Parcel Designations. Development parcel designations, prescribed densities, parcel sizes, building height limitations (the height limitation for each parcel will be determined by reference to the Code in effect at time of application for approval of the development of the parcel) and the status of development of the parcels as of the date hereof are reflected on Exhibit 1. Permittee shall have the right to develop a total of 2,110 residential Units (exclusive of employee housing Units) within the Project. Permittee shall have the right to develop 209.75 Unit Equivalents within the Snow Park Village, subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the following:

(1) Conditional Use Review. Prior to the sale by Permittee of the Snow Park Village, Permittee shall submit a site-specific plan with relation to such parcel to the Commission requesting approval for construction on the parcel. In addition, the Permittee shall request the establishment of building site conditions with relation to the parcel. Accordingly, Permittee or persons acting on its behalf shall file with the Community Development Department of City a completed application form supported by the information set forth in Section 15-6 of the Code, as the same may be amended from time to time. The procedure for the approval or disapproval of any site-specific plan shall be based upon the provisions of this Permit and the conditional use criteria of the Code in effect on the date of application. Components of the Project, other than land development parcels, are listed on Exhibits 2 and 3.

D. Subdivision of Development Parcels. Prior to the sale of any individual lots on any parcel listed on Exhibit 1 developed for residential use as a "subdivision" as defined by the City subdivision ordinance and state statute, the party electing to establish a subdivision on said parcel shall comply with all applicable provisions of the City subdivision ordinance in effect at the time of application. The procedure for the approval or disapproval of any subdivision application shall be based upon the procedure provided in the City subdivision ordinance in effect at the time of application.

Prior to the filing of a record of survey map and declaration of condominium to establish a condominium on any parcel listed on Exhibit 1, the party electing to establish a condominium shall comply with all applicable provisions of any City condominium ordinance in effect at the time of application. The procedure for the approval or disapproval of any condominium shall be based upon the Utah Code and any City condominium ordinance in effect at the time of application.

E. Applicability of Sensitive Area Overlay Zone. For projects within the Deer Valley Large Scale Master Planned Development, the density limitations of the Sensitive Area Overlay Zone do not apply because Master Planned Developments approved prior to the adoption of the Sensitive Area Overlay Zone are vested in terms of density. Site planning standards can be applied only to the extent that they do not unequivocally reduce vested density. Limits of disturbance, vegetation protection, and building design standards do apply.

F. Relationship to National Standards. The provisions of the Code and any other applicable zoning and development ordinances including national standards with respect to engineering or building requirements as adopted by City, in effect in City on the date hereof, shall govern the development within the Project, except as otherwise provided herein.

G. Off-Street Parking. Parking required with relation to each portion of the Project shall be based upon Code as in effect at the time application for a building permit for such portion of

the Project as is filed with City. For purposes of calculating required parking, the Project shall be deemed to be zoned Residential Development District (RD) Master Planned Developments (MPD). Parking for each separate development parcel in the Project shall be determined in accordance with the Code at the time of application for Conditional Use approval. Any additional parking shall not encroach into zoned open space.

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.

H. **Commercial Space, Support Commercial, and Meeting Space**. Exhibit 2 hereto lists commercial and support space allotted to the Project. The General Snow Park Commercial category is restricted in utilization within the Project to the following parcels in the Snow Park area:

Pine Inn Multi-Family Parcel
Snow Park Lodge Multi-Family Parcel (Black Diamond Lodge)
Snow Park Village (Combination of Snow Park Hotel Parcel and Snow Park Parking Area Parcel)
Snow Park Day Center Parcel

Utilization of portions of the General Snow Park Commercial category within any of the above listed parcels is subject to the specific approval of both Permittee and Commission.

In addition to the Exhibit 2 Commercial Space permitted in the Project, Support Commercial shall be permitted and used as defined in the Code, as amended, at the time of application.

I. **Employee Housing**. Permittee has been required to cause the development of 112 employee (affordable) housing units pursuant to prior editions of this Permit. Prior to the date of this Permit, Permittee has developed or caused to be developed units qualifying under the low and moderate income housing exception of the Code as follows:

Project Location	Number of Qualifying Units
A. Units in Deer Valley:	
Little Belle Manager Unit	1
Stag Lodge Manager Unit	1
Sterlingwood Manager Unit	1
Bald Eagle Caretaker Units	2
Mt. Cervin Manager Unit	1
Deer Valley Club Manager Unit	1
B. Units Other Than in Deer Valley:	
Parkside Apartments	42
Fireside Apartments / Condos	42
Washington Mill Apts.	8
Peace House	3
Aspen Villas / Silver Meadows (Participation)	9

Fawn grove Employee Unit	1
Total	112

Deer Valley shall be obligated to comply with all applicable ordinances of City relating to the creation and construction of employee housing, including ordinances that are adopted after the date of this Permit. Deer Valley will be given credit for the previously developed units identified above when computing the employee housing obligation under applicable ordinances. The City acknowledges full satisfaction of Deer Valley's current obligation in the Employee Housing Agreement dated October 6, 1995 executed in conjunction with Deer Valley's contribution to the Silver Meadows project. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing employee / affordable housing units built by Deer Valley or persons acting on its behalf exceeds the number of units required by the new ordinance, credit shall be given against the ordinance imposed obligation, but in no event shall City be obligated to reimburse Deer Valley for any excess, or to permit the assignment of the excess to other parties with a similar employee housing requirement. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing units built by Deer Valley or those acting on its behalf falls short of the newly imposed ratio of employee units to conventional units, Deer Valley agrees to be bound by the provisions of the newly adopted ordinance; provided, however, that the new ordinance shall apply only to those Units on which site specific approval is granted after the adoption of the employee / affordable housing ordinance.

J. **Technical Reports**. Permittee shall submit updated technical reports with regard to traffic monitoring, water systems, and sewer systems for review by Commission as significant changes occur in those systems and as needed for specific project review as required by the Community Development Director and Public Works Director prior to density approval.

K. **Public Use of Ski Facilities**. Use of all ski facilities shall be open to the general public and shall not be restricted to owners of property located in Deer Valley or to members of any private club. Furthermore, all charges, fees and costs paid by the general public for the use of such facilities shall not exceed the charges, fees and costs paid by owners of property located in Deer Valley.

L. **Trails** .There are 4 types of trails in Deer Valley:

(1) Bicycle paths located within street rights-of-way;

(2) Pedestrian paths connecting parcels together within a community;

(3) Connecting paths connecting communities together; and

(4) Hiking trails to provide access to the mountain.

Bicycle paths shall be located within street rights-of-way dedicated to City and shall be operated and maintained by City as shown on the Deer Valley Trails Master Plan and the City Trails Master Plan.

Pedestrian paths shall be hard surfaced, a minimum of five feet wide, a maximum of six feet wide and built to public sidewalk specifications. These paths shall connect development

parcels together and connect development parcels to commercial nodes. At the time of conditional use approval of a particular development parcel, the developer of said parcel shall provide a pedestrian path across said parcel connecting to the paths on the adjoining parcels. The location of these paths shall be determined by the parcel developer and by City staff with the Deer Valley Trails Master Plan used as a guide. The locations shall be modified as necessary to take into consideration topography and existing trails, and shall tie into the bus system which serves Deer Valley. These paths shall form a year-round system. Maintenance shall be the responsibility of the parcel owner. A 10 to 15 foot wide easement (easement size shall be determined at the time of site specific conditional use approval) for each pedestrian path shall be dedicated to City and is required to be shown on the recorded plat for the applicable development parcel.

It is recognized by the parties that the property within the Deer Valley Resort is private property. Public access to ski runs is at the discretion of Permittee. Summer public access and non-destructive summer use which includes casual hiking on ski runs shall be allowed by Permittee subject to reasonable rules and regulations.

In the event that City in its sole discretion determines that City should hold any easements for hiking, City shall make a request that an easement be granted for any or all of the hiking trails that City desires to hold within or adjacent to ski runs shown on the Trails Master Plan. In the event that City obtains a formal agreement, City agrees to maintain such hiking trails, and Permittee will provide legal descriptions, signage and grant to City an easement (minimum of 10 feet to maximum of 15 feet wide) to maintain such hiking trails without hard surface and without winter maintenance. If City desires to upgrade the hiking trails beyond that which currently exists, City agrees to bear the cost of those improvements. The Trails Master Plan shall serve as a general guide in determining the final location of said hiking trails. In the event City obtains and holds formal easements for hiking trails, City shall indemnify and hold Permittee and its successors and assigns harmless from and against any loss, damage, injury or responsibility with relation to any such trail and any claims, demands or causes of action from any person resulting from injuries sustained while utilizing any hiking trails for which City has obtained and holds easements. Said public easement shall also be subject to such additional reasonable rules and regulations as Permittee deems appropriate to eliminate possible interference with the operation and maintenance of the ski resort, or in the interest of safety or security.

M. **Open Space**. With the exception of those parcels identified on Exhibit 1 and those areas and items listed on Exhibit 2 as "commercial and support space", all remaining property in the Project is hereby designated "landscaped open space" as that term is defined in the Code as presently in effect and shall remain substantially free from structures, roads and parking lots except as otherwise approved by City or permitted by the Code as presently in effect. The "landscaped open space" shall be maintained and operated by Permittee at Permittee's sole cost and expense.

N. **Fire Considerations**. All buildings or structures located within the Bald Eagle, Silver Lake, and North Silver Lake Communities shall be fire sprinkled in accordance with UBC 38-1-82.

O. **Water Improvements** .Permittee agrees that, as a condition of and concurrently with issuance to Permittee of a building permit for the construction of any buildings or structures comprising a portion of the Project, Permittee shall be 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 Works Director and City Engineer at the time of issuance of said 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 City, and shall evidence to the satisfaction of City the ability of Permittee to comply with such agreements.

Permittee agrees that completion of the action required by this Section O with relation to any building or structure included in the Project shall be deemed a condition precedent to the right to occupy and utilize the building or structure. Commission and Permittee agree that the general level of water facilities construction for the Project required by this Section O has been heretofore accomplished by Permittee.

The existing agreement relating to water rights and water facilities for Deer Valley development entered into November 17, 1988 between Permittee as “DVRC”, Royal Street as “Royal Street”, and City as “Park City” and the Deer Valley Water Facilities Improvement Agreement dated March 31, 1994 between City, Royal Street and Permittee (as “DVRC”) and the Amendment to the 1994 Deer Valley Water Facilities Improvement Agreement dated May 12, 2006 between City as “Park City”, Royal Street and Permittee (as “DVRC”) are made a part of this Permit by reference.

P. **Sewer Considerations** .Although City has no responsibility for sewer approvals; the Snyderville Basin Sewer Improvement District has indicated the following with respect to sewerage in Deer Valley: Projected flow calculations are based on average wastewater flow from residential units and make no distinction regarding size. In other words, the Sewer District does not follow the "unit equivalent" concept as does City.

The Sewer District has previously reviewed both the Upper and Lower Deer Valley sewer systems and made the following comments: Upper System (American Flag / Silver Lake Community) - There are two sections of sewer within the American Flag Subdivision that limit upstream, new growth to approximately 325 additional residential units. There are several sections with only slightly greater capacity. This concern or limitation was eliminated by construction of a new sewer trunk line from Royal Street through the Westview Parcel in 1988. Lower System (Solamere, Queen Esther, Fawn grove) - A portion of the trunk sewer serving this area was replaced in 1985 to provide greater capacity for Hanover and Park Con projects as well as Deer Valley's. These three developers executed an agreement with the District which identified their anticipated development and the percentage of the cost they would fund to “reserve" capacity in the sewer system. Of the present sewer capacity of approximately 1385 units, Deer Valley has approximately 200 units available for future development. However, there are downstream sections of sewer that have less capacity than the new Deer Valley North Road sewer. This problem will be pursued with the developers as necessary.

Q. **Separability**. If any provision or provisions of this Permit shall be held or deemed to be, or shall, in fact, be illegal, inoperative, or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent, whatsoever.

R. **Term of Permit**. The term of this Permit is governed by the Twenty-Ninth Edition of the Land Management Code of Park City as revised as of April 1, 1993.

Approved this 30 day of NovemberMarch, 2011 2016.

PARK CITY PLANNING COMMISSION

By _____

Chairman

DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
DEER VALLEY COMMUNITY					
Stonebridge & Boulder Creek Multi-Family	50	54	1	28	10.23
Aspenwood Multi-Family	30	30		28	9.21
Pine Inn & Trails End Multi-Family	40	45	1	35	8.52
In The Trees (South Multi-Family) Multi-Family	14	14		28-45	2.87
Black Diamond Lodge (Snow Park Lodge Multi-Family)	29	27		28-75	5.70
Courcheval Multi-Family	13.5	27	1	35	1.82
Daystar Multi-Family	24	24		28	9.84
Fawngrove Multi-Family	50	50		28	12.05
Chateaux Fawngrove Multi-Family	10.5	11	2	28	Incl
Bristlecone Multi-Family	20	20		28	Incl
Lakeside Multi-Family	60	60		28	6.49
Solamere Single Family (includes Oaks, Royal Oaks & Hidden Oaks)	274	274		28	237.81
Pinnacle Multi-Family	86	86		28	36.80
Comstock Lodge (East Bench Multi-Family)	10.5	21	1	35	3.50
Red Stag Lodge	8.5	11	1	35	Incl
Powder Run Multi-Family	25	33	1	35	3.20
Wildflower (Deer Valley North Lot 1 Multi-Family)	11	14	1	28	1.04
Glenfiddich (Deer Valley North Lot 2 Multi-Family)	12	12		28	1.45
Chapparal (Deer Valley North Lot 3 Multi-Family)	15	20	1	28	1.44
Northeast Multi-Family:					12.65
Lodges @ Deer Valley	73.25	85	3	28-35	
Silver Baron Lodge	42.75	50	12	28-35	
Snow Park Village (Snow Park Hotel & Parking Sites)	209.75	0	4	28-45	14.93
Total Deer Valley Community	1108.75				
AMERICAN FLAG COMMUNITY					
American Flag Single Family	93	93		28	83.04
LaMaconnerie Multi-Family	15	15		28	6.19
Total American Flag Community	108				
NORTH SILVER LAKE COMMUNITY					
Westview Single Family	15	1		28	40.69
Evergreen Single Family	36	36		28	27.60
NSL Homesite Parcel #1	1	1		35	1.90
Belleterre Single Family	10	10		28	11.42
Bellevue Townhomes (NSL Subdivision Lot 1)	24	14	10	28	4.62
Bellemont Townhomes (NSL Subdivision Lots 2A and 2A-1)	18	12	10	28	3.75
NSL Subdivision Lot 2B	54	0		45	5.96
BelleArbor Townhomes (NSL Subdivision Lot 2C)	43	21	10	28-35	8.25
NSL Subdivision Lot 2D Open Space Lot	0	0	5	0	4.03
Total North Silver Lake Community	201				
SILVER LAKE COMMUNITY					
Stag Lodge Multi-Family	50	52	6	28-35	7.34
Cache Multi-Family	12	12		28	1.77
Sterlingwood Multi-Family	18	18		28-35	2.48
Deer Valley Club	20	30	1	28-45	1.53
Double Eagle (SL East Parcel 2 Multi-Family)	18	18		28-35	2.26
Stein Eriksen Lodge Multi-Family	66.75	65	11	28-35	10.86
Little Belle Multi-Family	20	20		28	3.66
Chateaux At Silver Lake Lot 23 Deer Valley Club Estates Subdivision)	65	78	1	28-45	3.24
Sterling Lodge (Lot 2 Silver Lake East Subdivision)	14	14		28-45	0.61
Royal Plaza Multi-Family (Silver Lake Village Lot A)	7.6215	13	1	59 (A)	0.48
Mt. Cervin Plaza Multi-Family (Silver Lake Village Lot B)	7.5	7		59 (A)	0.54
Inn at Silver Lake (Silver Lake Village Lot C)	10	8		59 (A)	0.50
Goldener Hirsch Inn (Silver Lake Village Lot D)	5.5785	18	1	59 (A)	0.35
Mt Cervin Multi-Family (Silver Lake Village Lot E)	16	15		59 (A)	0.53
Silver Lake Village Lot F	0	0		59 (A)	0.35
Silver Lake Village Lot G	0	0		59 (A)	0.38
Silver Lake Village Lot H	0	0		59 (A)	0.44
Silver Lake Village Lot I (combination of Silver Lake Village lots F, G, H)	34.4215	38	13,14,15	59 (A)	1.17
SL Knoll Condominiums	4	4		35	0.76
Knoll Estates Single Family	21	21		35	9.90
Black Bear Lodge (Lot 22 Deer Valley Club Estates Subdivision)	51	51		35	1.39
Knollheim Single Family	20	5	7	35	1.84
Alpen Rose Single Family	2	2		35	0.66
Silverbird Multi-Family	6	6		35	0.80
Ridge Multi-Family	24	24		35	2.34
Enclave Multi-Family	17	17		28-35	1.79
Twin Pines Multi-Family	8	8		28-35	1.33
Cottages Single Family	11	11		28	7.06
Alta Vista Subdivision	7	7		35	6.02
Woods Multi-Family	16	7	8	28-35	2.41
Trailside Multi-Family	9	9		28-35	1.46

DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
Aspen Hollow Multi-Family	16	16		28-35	3.18
Ridgepoint Multi-Family	38	38		28-35	5.60
Total Silver Lake Community	614.8715				
BALD EAGLE COMMUNITY					
Bald Eagle Single Family	78	58	9	28	35.65
Total Bald Eagle Community	78				
TOTAL CONVENTIONAL UNITS	2110.6215				
EMPLOYEE HOUSING UNITS					
Little Belle	1				
Stag Lodge	1				
Sterlingwood	1				
Bald Eagle	2				
Mt. Cervin	1				
Deer Valley Club	1				
TOTAL EMPLOYEE HOUSING UNITS	7				

NOTES:

1. These projects have been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density than base permitted density.
2. One small unit was separately permitted in this project using .5 unit of density.
3. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (85) than base permitted density (73.25).
4. This parcel is required to use the Unit Equivalent Formula contained in Section 10.12 of the Code.
5. This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B.
6. Two additional units were permitted in this project on land that was not a part of the Deer Valley MPD.
7. This parcel was originally permitted as 20 MF units but subsequently developed as 5 single family homesites.
8. This parcel was permitted as 16 units. Subsequently 9 of the unit development rights were acquired by the homeowners and dedicated as open space.
9. This parcel was originally permitted as a combination of single family and multi-family. The multi-family uses were converted to single family with a density reduction from 78 to 58 units.
10. The development density on these parcels is less than the original permitted density at the election of the developer.
11. The transfer of 1.75 Unit Equivalents to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on June 28, 2006.
12. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (50) than base permitted density (42.75). The transfer of 1 Unit Equivalent to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on March 23, 2011.
13. Prior to issuance of a building permit on Lot I, the Property owner shall submit an Historic Mine Waste report. If Historic Mine Waste is located on the site, a mitigation plan shall also be submitted compliant with the Park City Soils Boundary Ordinance.
14. Building on Lot I shall be designed to be broken into more than one volumetric mass above final grade, exhibiting both horizontal and vertical articulation. Common underground parking is permitted.
15. The transfer of 0.4215 UE from Lot D to Lot I was approved by Planning Commission on November 30, 2016.

A. Lots in the Silver Lake Village Subdivision have a development height limitation tied to a base elevation of 8122' with peak of roof not to exceed elevation 8186'.

DEER VALLEY RESORT

TWELFTH AMENDED AND RESTATED

LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT

EXHIBIT 2

COMMERCIAL AND SUPPORT SPACE

LOCATION	RETAIL	RESTAURANT (3)	COMM'L OFFICES	ADMIN., SUPPORT & OTHER	TOTAL	TRANSFER TO RESIDENTIAL	DEVELOPED	REMAINING
SNOW PARK LODGE	13807	26958		85578	126343		126343	0
SNOW PARK TICKET SALES BUILDING				5112	5112		5112	0
SNOW PARK PLAZA BUILDING	3100		16000	4180	23280		23280	0
GENERAL SNOW PARK COMMERCIAL (1)	21890				21890		0	21890
SILVER LAKE LODGE	1200	29160		15790	46150		46150	0
EMPIRE LODGE (4)		22456		12544	35000		30453	4547
SILVER LAKE COMMUNITY (2)	27962		4265	12938	45165	1243	31954	11968
NORTH SILVER LAKE COMMUNITY	8000			6525	14525		0	14525
MAINTENANCE, WHSE, & SHOPS				31724	31724		31724	0
TOTAL	75959	78574	20265	174391	349189		295016	52930

NOTES:

(1) General Snow Park Commercial may only be utilized on certain parcels with approval of Commission and Permittee.

18110 square feet of General Snow Park Commercial has previously been allocated to and is included in totals for Snow Park Lodge.

(2) 10125 square feet of Silver Lake Community commercial has previously been allocated to and is included in totals for Silver Lake Lodge (1994 Silver Lake Lodge expansion 6990 sf and 1998 Silver Lake Lodge expansion 3135 sf).

Remainder of Silver Lake Community commercial consists of:

Developed Space:		
Royal Plaza	14312	
Mt. Cervin Plaza	8080	
Goldener Hirsch Inn	2062	(see note #5)
Chateaux at Silver Lake	7500	
Total	31954	
Transferred to Royal Plaza Residential	1243	
Allocated but Undeveloped Space:		
Silver Lake Village Lot C	7000	
Remainder Unallocated	4968	
Total	45165	

(3) Includes kitchen, receiving and storage.

(4) Maximum size of Empire Lodge is 35000 sf of which 30453 sf has been developed.

(5) Commercial uses on Silver Lake Village Lot D includes 2,062 sf as allocated from this Amended and Restated Large Scale MPD, plus support commercial uses.

DEER VALLEY RESORT
TWELFTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 3
OTHER PROJECT COMPONENTS

ITEM	WITHIN PARK CITY	OUTSIDE PARK CITY
SKI AREA (1)		
CHAIRLIFTS	15	5
GONDOLA		1
SKI TRAILS AND BOWLS	63	34
SNOWMAKING	X	X
SKI PATROL / UTILITY STATIONS:		
BALD EAGLE MTN.	X	
BALD MTN.	X	
FLAGSTAFF MTN.	X	
LITTLE BALDY		X
JORDANELLE BASE		X
EMPIRE CANYON	X	
AMENITIES		
SNOW PARK LAKES & MEADOWS	X	
SNOW PARK PARKING LOTS	X	
PEDESTRIAN TRAIL SYSTEM	X	X
MOUNTAIN BIKING TRAILS SYSTEM	X	X
SOLAMERE SWIM & TENNIS FACILITY	X	
SNOWSHOE TOMMYS CABIN	X	
CUSHINGS CABIN	X	
BIRDSEYE CABIN	X	
JORDANELLE BASE		X
SNOW PARK CONCERT AMPHITHEATRE	X	

(1) ADDITIONAL SKI AREA FACILITIES AS DEMAND DICTATES, SUBJECT TO PROVISIONS OF PARK CITY LAND MANAGEMENT CODE AND OTHER APPLICABLE JURISDICTIONS.

EXHIBIT B

Kirsten Whetstone

From: Christopher Conabee <cconabee@gmail.com>
Sent: Friday, September 23, 2016 11:03 AM
To: Kirsten Whetstone
Subject: Fwd: Silver Lake Village Undeveloped Parcels F, G, & H

You might want to add Bob's email to the packet. Thoughts?
C u next week.
-cmc:)

Sent from my iPhone

Begin forwarded message:

From: Hope Eccles <checcles@EccKids.com>
Date: March 27, 2016 at 9:30:44 PM MDT
To: "Christopher M. Conabee" <cconabee@gmail.com>
Subject: FW: Silver Lake Village Undeveloped Parcels F, G, & H

FYI if this is interesting. che

From: Bob Wells <bwells@deervalley.com>
Date: Tuesday, September 23, 2014 at 9:21 AM
To: Hope Eccles <checcles@ecckids.com>
Cc: Bob Wheaton <bwheaton@deervalley.com>, Steve Issowits <sissowits@deervalley.com>
Subject: Silver Lake Village Undeveloped Parcels F, G, & H

Hi Hope. Good to talk to you yesterday. Following is data on the development parcels:

Lot	Residential Unit Density	Acreage	Height (Peak Elevation)
F	11	.35	8186'
G	11	.38	8186'
H	12	.44	8186'

Notes:

With a single owner it likely will make sense to combine the 3 lots into one with a plat amendment. I dont think this would be a big issue. Lot F needs to have the existing condo plat on it to be vacated anyway.

The option exists to develop on these lots under the unit equivalent formula where 1 unit = 2000' of residential space or as whole unit where total unit size is not limited. Due to the small size of the lots I am guessing that the unit equivalent formula would be elected.

Height is shown as maximum elevation at peak of roof. The approximate elevation of Royal Street if front of the site(s) is 8124.

A rough estimate of land value if the property were sold to another party instead of developed by you is around $250000 per unit. This is estimated to be in the 10% to 15% of developed unit range. For example a 2000 sf finished unit selling for $1000 per sf = $2000000 sales price X 12.5% attributable to land as rule of thumb = $250000.

Let me know if any questions.

Bob

--
Bob Wells
Deer Valley Resort Company
1375 Deer Valley Drive #200A
P. O. Box 1087
Park City, Utah 84060
(435) 649-1261

EXHIBIT B

April 15, 2016

Kirsten Whetstone
Senior Planner
445 Marsac Avenue
Park City Municipal Corporation
Park City, UT 84060

Kirsten,

Please accept this schedule illustrating Deer Valley's MPD application to combine Lot F,G and H, and density transfer of 843 sq ft from Lot D illustrated in the Eleventh Amended and Restated Deer Valley Master Planned Development Permit Exhibit 1.

Please refer to our CUP application PL-15-02966 and PL-15-02967 for any additional details.

We are requesting to change Page 1 of Exhibit 1 of the Amended and Restated Deer Valley Master Planned Development Permit dated March 23, 2011 language on Line 56, 57 and 58

FROM;
SILVER LAKE COMMUNITY
.....

Goldener Hirsch Inn (Silver Lake Village Lot D)	6	20	59(A)	.35
Silver Lake Village Lot F	11	0	59(A)	.35
Silver Lake Village Lot G	11	0	59(A)	.38
Silver Lake Village Lot H	12	0	59(A)	.44
Total Existing	40			

TO;
SILVER LAKE COMMUNITY
.....

Silver Lake Village Lot I	34.4215	68	59(A)	1.17
Goldener Hirsch Inn (Silver Lake Village Lot D)	5.5785	18	59(A)	.351
Total Proposed	40			

Respectfully Yours,

RECEIVED
APR 27 2016
PARK CITY
PLANNING DEPT.

Christopher M. Conabee
Principal, Utah Development and Construction

cc: C. Hope Eccles, Manager, EccKids, LLC; Steven J. Issowits, Director of Real Estate and Resort Planning

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making an application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am a party whom the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application. The documents and/or information I have submitted are true and correct to the best of my knowledge. I understand that my application is not deemed complete until a Project Planner has reviewed the application and has notified me that it has been deemed complete.

I will keep myself informed of the deadlines for submission of material and the progress of this application. I understand that a staff report will be made available for my review three days prior to any public hearings or public meetings. This report will be on file and available at the Planning Department in the Marsac Building.

I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization with the study.

Signature of Applicant: [signature]

Name of Applicant: Steve Issowits

PRINTED

Mailing Address: Deer Valley Resort, PO Box 1000, Park City UT 84060

Phone: (435) 645-2630 Fax:

Email: steve@deervalley.com

Type of Application: DVR- MPD Amendment, as prepared by Utah Development and Construction

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action. I further affirm that I am aware of the City policy that no application will be accepted nor work performed for properties that are tax delinquent.

Name of Owner: Deer Valley c/o Steve Issowits

PRINTED

Mailing Address: PO Box 1000
Park City, UT 84060

Street Address/ Legal Description of Subject Property:
7520, 7530, 7540 and 7570 Royal Street

Signature: [signature] Date: April 26, 2016

Steven Issowits, for Deer Valley Resort Company

1. If you are not the fee owner attach a copy of your authorization to pursue this action provided by the fee owner.
2. If a corporation is fee titleholder, attach copy of the resolution of the Board of Directors authorizing the action.
3. If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership
4. If a Home Owner's Association is the applicant than the representative/president must attaché a notarized letter stating they have notified the owners of the proposed application. A vote should be taken prior to the submittal and a statement of the outcome provided to the City along with the statement that the vote meets the requirements set forth in the CCRs.

Please note that this affirmation is not submitted in lieu of sufficient title evidence. You will be required to submit a title opinion, certificate of title, or title insurance policy showing your interest in the property prior to Final Action.

If you have questions regarding the requirements on this application or process please contact a member of the Park City Planning Staff at (435) 615-5060 or visit us online at www.parkcity.org.

RECEIVED
APR 27 2016
PARK CITY PLANNING DEPT.

EXHIBIT C

ELEVENTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
MARCH 23, 2011

WHEREAS, Royal Street Land Company, a Utah corporation ("Royal Street") heretofore submitted to the Planning Commission of Park City ("Commission") certain items with relation to a residential, commercial, and recreational development project known as Deer Valley / Lake Flat Area Development ("Project") which items were listed in the original Permit granted for the Project by Commission and are incorporated herein by reference; and

WHEREAS, Commission found that such items submitted by Royal Street complied with and satisfied all applicable requirements of the Park City Land Management Code as then in force, to permit the construction of the Project as a planned unit development pursuant to the planned unit development exception then contained in the Park City Land Management Code; and

WHEREAS, Commission heretofore issued to Royal Street a Special Exception Permit dated September 27, 1977, with relation to the Project, which Special Exception Permit was amended by an Amended Special Exception Permit dated June 27, 1979 issued to Royal Street and by a Second Amended and Restated Special Exception Permit dated January 27, 1982, a Third Amendment to Special Exception Permit dated May 17, 1984, a Fourth Amendment to Special Exception Permit dated February 21, 1985, a Fifth Amended and Restated Special Exception Permit dated December 23, 1986, a First Amendment to Fifth Amended and Restated Special Exception Permit dated November 29, 1989, a Second Amendment to Fifth Amended and Restated Special Exception Permit dated April 11, 1990, a Sixth Amended and Restated Special Exception Permit dated October 10, 1990, a Seventh Amended and Restated Large Scale Master Planned Development Permit dated April 14, 1993, an Eighth Amended and Restated Large Scale Master Planned Development Permit dated April 25, 2001, a Ninth Amended and Restated Large Scale Master Planned Development Permit dated June 28, 2006, and a Tenth Amended and Restated Large Scale Master Planned Development Permit dated August 12, 2009, which were issued to Deer Valley Resort Company ("Permittee"), as assignee and successor to the rights of Royal Street under the Special Exception Permit; and

WHEREAS, Permittee and Commission desire to further amend and restate the Large Scale Master Planned Development Permit to reflect actions approved by the Commission with respect to the transfer of one Residential Unit Equivalent from the Snow Park Village Parcel covered by the Permit amendment to the Silver Baron Lodge parcel covered by the Permit (Silver Baron Lodge being a portion of the original Northeast Multi-Family site covered by the Permit) to bring said Silver Baron Lodge into compliance with the Permit.

WHEREAS, Permittee has requested modification to the Large Scale Master Planned Development Permit and Commission is willing to grant said modification as herein set forth; and

WHEREAS, Commission finds that it is in the best interest of Park City and its citizens that Permittee be granted the right to construct and develop the Project as a Master Planned Development in accordance with the Park City Land Management Code passed and adopted December 22, 1983, effective January 1, 1984 as the same has been amended by Ordinance to the date hereof (herein designated the "Code") and in accordance with the Large Scale Master Planned Development Permit as amended and restated hereby.

NOW THEREFORE, the Large Scale Master Planned Development Permit is hereby amended and restated to authorize and grant the right, and Permittee is hereby authorized and granted the right, to develop and construct the Project as outlined and detailed in this: (A) Eleventh Amended and Restated Large Scale Master Planned Development Permit ("Permit") including the Exhibits hereto and those documents and items submitted by Permittee as aforesaid, as a Master Planned Development pursuant to the Master Planned Development provisions contained in the Code; and, (B) the Agreement dated July 12, 1978, between Park City, as "City", and Royal Street, as "Royal Street", as

amended by an Amendment to Agreement dated May 29, 1978, a Second Amendment to Agreement dated April 3, 1980, a Third Amendment to Agreement dated August 21, 1980, as amended and restated in its entirety by a Fourth Amendment and Restatement of Agreement, a Fifth Amendment to Agreement dated May 17, 1984, and a Sixth Amendment to Agreement dated February 21, 1985, which are all incorporated herein by reference and which Agreement as so amended is herein referred to as the "Agreement", and as such Agreement may hereafter be further amended from time to time. Park City is hereinafter referred to in this Permit as "City".

A. **Densities.** For purposes of determining densities in the Project:

(1) Insofar as the following portions of the Project are concerned, the authorized densities shall be as follows:

Parcel Designation	Authorized Dwelling Units
Northwest Multi-Family (Fawn grove)	80
North Entrance Multi-Family (Pinnacle)	40
North Hillside Multi-Family (Pinnacle)	46
Southwest Multi-Family (Aspenwood)	30
Southwest Multi-Family (Courchevel)	13.5
Northwest Hillside Multi-Family (Daystar)	24
South Entrance Multi-Family (Stonebridge)	50
South Multi-Family (Lakeside)	60
West Multi-Family (Pine Inn and Trails End)	40
Total	383.5

For purposes of determining densities on the parcels designated in this Subparagraph (1), a single family home or an apartment containing two bedrooms or more constituted a dwelling Unit, a one-bedroom apartment constituted one-half of a dwelling Unit, and a hotel room or lodge room constituted one-half of a dwelling Unit. The parcels in this subparagraph have all been developed as of the date hereof.

(2) Insofar as all portions of the Project other than the nine parcels containing 383.5 dwelling Units identified in Subparagraph A. (1) above are concerned, an apartment Unit containing one bedroom or more shall constitute a dwelling Unit and a hotel room or lodge room shall constitute one-half of a dwelling Unit.

(3) If approved in advance by Commission and Permittee, the owner of any development parcel in the Project shall have the right to have the densities permitted on said development parcel calculated in accordance with Subparagraph A. (I) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) or in accordance with the Unit Equivalent formula contained in Section 10.12 of the Code, as said Unit Equivalent formula may from time to time be amended or modified. In the event of election of an owner to utilize said Unit Equivalent formula and approval thereof by Commission and Permittee, the maximum number of Unit Equivalents which may be contained in the structures built upon said development parcel shall not exceed the permitted number of dwelling Units to be constructed thereon determined in accordance with Subparagraph A. (1) or Subparagraph A. (2) above and/or with Exhibit 1 attached hereto (whichever is applicable) and the number of Unit Equivalents as constructed on said development parcel shall for all purposes hereof be deemed the number of units constructed thereon. Approval of use of the Unit Equivalent formula by

Commission and Permittee shall not, and cannot, alter or release any private land use covenants between the owner and Deer Valley, or others, concerning development of the property or the density permitted thereon.

(4) Insofar as the following portions of the Project are concerned, the authorized densities permitted on the development parcels are required to be calculated in accordance with the Unit Equivalent Formula contained in Section 10.12 of the Code as said Unit Equivalent formula may from time to time be amended or modified:

Parcel Designation	Authorized Number of Residential Unit Equivalents
Snow Park Village	209.75
Total	209.75

B. Unit Size. Except for units with relation to which the owner elected or elects to or is required to utilize the Unit Equivalent formula, there shall be no size limitation for Units constructed on any parcel provided that following construction the parcel proposed to be developed contains a minimum of 60% open space and otherwise complies with MPD and all applicable zoning regulations.

C. Development Parcel Designations. Development parcel designations, prescribed densities, parcel sizes, building height limitations (the height limitation for each parcel will be determined by reference to the Code in effect at time of application for approval of the development of the parcel) and the status of development of the parcels as of the date hereof are reflected on Exhibit 1. Permittee shall have the right to develop a total of 2,110 residential Units (exclusive of employee housing Units) within the Project. Permittee shall have the right to develop 209.75 Unit Equivalents within the Snow Park Village, subject to the conditions and requirements of the Park City Design Guidelines, the Deer Valley Design Guidelines, and the following:

(1) Conditional Use Review. Prior to the sale by Permittee of the Snow Park Village, Permittee shall submit a site-specific plan with relation to such parcel to the Commission requesting approval for construction on the parcel. In addition, the Permittee shall request the establishment of building site conditions with relation to the parcel. Accordingly, Permittee or persons acting on its behalf shall file with the Community Development Department of City a completed application form supported by the information set forth in Section 15-6 of the Code, as the same may be amended from time to time. The procedure for the approval or disapproval of any site-specific plan shall be based upon the provisions of this Permit and the conditional use criteria of the Code in effect on the date of application. Components of the Project, other than land development parcels, are listed on Exhibits 2 and 3.

D. Subdivision of Development Parcels. Prior to the sale of any individual lots on any parcel listed on Exhibit 1 developed for residential use as a "subdivision" as defined by the City subdivision ordinance and state statute, the party electing to establish a subdivision on said parcel shall comply with all applicable provisions of the City subdivision ordinance in effect at the time of application. The procedure for the approval or disapproval of any subdivision application shall be based upon the procedure provided in the City subdivision ordinance in effect at the time of application.

Prior to the filing of a record of survey map and declaration of condominium to establish a condominium on any parcel listed on Exhibit 1, the party electing to establish a condominium shall comply with all applicable provisions of any City condominium ordinance in effect at the time of application. The procedure for the approval or disapproval of any condominium shall be based upon the Utah Code and any City condominium ordinance in effect at the time of application.

E. Applicability of Sensitive Area Overlay Zone. For projects within the Deer Valley Large Scale Master Planned Development, the density limitations of the Sensitive Area Overlay Zone do not apply because Master Planned Developments approved prior to the adoption of the Sensitive Area Overlay Zone are vested in terms of density. Site planning standards can be applied only to the extent that they do not unequivocally reduce vested density. Limits of disturbance, vegetation protection, and building design standards do apply.

F. Relationship to National Standards. The provisions of the Code and any other applicable zoning and development ordinances including national standards with respect to engineering or building requirements as adopted by City, in effect in City on the date hereof, shall govern the development within the Project, except as otherwise provided herein.

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

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.

H. Commercial Space, Support Commercial, and Meeting Space. Exhibit 2 hereto lists commercial and support space allotted to the Project. The General Snow Park Commercial category is restricted in utilization within the Project to the following parcels in the Snow Park area:

Pine Inn Multi-Family Parcel
Snow Park Lodge Multi-Family Parcel (Black Diamond Lodge)
Snow Park Village (Combination of Snow Park Hotel Parcel and Snow Park Parking Area Parcel)
Snow Park Day Center Parcel

Utilization of portions of the General Snow Park Commercial category within any of the above listed parcels is subject to the specific approval of both Permittee and Commission.

In addition to the Exhibit 2 Commercial Space permitted in the Project, Support Commercial shall be permitted and used as defined in the Code, as amended, at the time of application.

I. Employee Housing. Permittee has been required to cause the development of 112 employee (affordable) housing units pursuant to prior editions of this Permit. Prior to the date of this Permit, Permittee has developed or caused to be developed units qualifying under the low and moderate income housing exception of the Code as follows:

Project Location	Number of Qualifying Units
A. Units in Deer Valley:	
Little Belle Manager Unit	1
Stag Lodge Manager Unit	1
Sterlingwood Manager Unit	1
Bald Eagle Caretaker Units	2
Mt. Cervin Manager Unit	1
Deer Valley Club Manager Unit	1

B. Units Other Than in Deer Valley:

Parkside Apartments	42
Fireside Apartments / Condos	42
Washington Mill Apts.	8
Peace House	3
Aspen Villas / Silver Meadows (Participation)	9
Fawn grove Employee Unit	1
Total	112

Deer Valley shall be obligated to comply with all applicable ordinances of City relating to the creation and construction of employee housing, including ordinances that are adopted after the date of this Permit. Deer Valley will be given credit for the previously developed units identified above when computing the employee housing obligation under applicable ordinances. The City acknowledges full satisfaction of Deer Valley's current obligation in the Employee Housing Agreement dated October 6, 1995 executed in conjunction with Deer Valley's contribution to the Silver Meadows project. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing employee / affordable housing units built by Deer Valley or persons acting on its behalf exceeds the number of units required by the new ordinance, credit shall be given against the ordinance imposed obligation, but in no event shall City be obligated to reimburse Deer Valley for any excess, or to permit the assignment of the excess to other parties with a similar employee housing requirement. If, at the time a new employee / affordable housing ordinance is adopted, the number of existing units built by Deer Valley or those acting on its behalf falls short of the newly imposed ratio of employee units to conventional units, Deer Valley agrees to be bound by the provisions of the newly adopted ordinance; provided, however, that the new ordinance shall apply only to those Units on which site specific approval is granted after the adoption of the employee / affordable housing ordinance.

J. **Technical Reports.** Permittee shall submit updated technical reports with regard to traffic monitoring, water systems, and sewer systems for review by Commission as significant changes occur in those systems and as needed for specific project review as required by the Community Development Director and Public Works Director prior to density approval.

K. **Public Use of Ski Facilities.** Use of all ski facilities shall be open to the general public and shall not be restricted to owners of property located in Deer Valley or to members of any private club. Furthermore, all charges, fees and costs paid by the general public for the use of such facilities shall not exceed the charges, fees and costs paid by owners of property located in Deer Valley.

L. **Trails.** There are 4 types of trails in Deer Valley:

(1) Bicycle paths located within street rights-of-way;

(2) Pedestrian paths connecting parcels together within a community;

(3) Connecting paths connecting communities together; and

(4) Hiking trails to provide access to the mountain.

Bicycle paths shall be located within street rights-of-way dedicated to City and shall be operated and maintained by City as shown on the Deer Valley Trails Master Plan and the City Trails Master Plan.

Pedestrian paths shall be hard surfaced, a minimum of five feet wide, a maximum of six feet wide and built to public sidewalk specifications. These paths shall connect development parcels together and connect development parcels to commercial nodes. At the time of conditional use approval of a particular development parcel, the developer of said parcel shall provide a pedestrian

path across said parcel connecting to the paths on the adjoining parcels. The location of these paths shall be determined by the parcel developer and by City staff with the Deer Valley Trails Master Plan used as a guide. The locations shall be modified as necessary to take into consideration topography and existing trails, and shall tie into the bus system which serves Deer Valley. These paths shall form a year-round system. Maintenance shall be the responsibility of the parcel owner. A 10 to 15 foot wide easement (easement size shall be determined at the time of site specific conditional use approval) for each pedestrian path shall be dedicated to City and is required to be shown on the recorded plat for the applicable development parcel.

It is recognized by the parties that the property within the Deer Valley Resort is private property. Public access to ski runs is at the discretion of Permittee. Summer public access and non-destructive summer use which includes casual hiking on ski runs shall be allowed by Permittee subject to reasonable rules and regulations.

In the event that City in its sole discretion determines that City should hold any easements for hiking, City shall make a request that an easement be granted for any or all of the hiking trails that City desires to hold within or adjacent to ski runs shown on the Trails Master Plan. In the event that City obtains a formal agreement, City agrees to maintain such hiking trails, and Permittee will provide legal descriptions, signage and grant to City an easement (minimum of 10 feet to maximum of 15 feet wide) to maintain such hiking trails without hard surface and without winter maintenance. If City desires to upgrade the hiking trails beyond that which currently exists, City agrees to bear the cost of those improvements. The Trails Master Plan shall serve as a general guide in determining the final location of said hiking trails. In the event City obtains and holds formal easements for hiking trails, City shall indemnify and hold Permittee and its successors and assigns harmless from and against any loss, damage, injury or responsibility with relation to any such trail and any claims, demands or causes of action from any person resulting from injuries sustained while utilizing any hiking trails for which City has obtained and holds easements. Said public easement shall also be subject to such additional reasonable rules and regulations as Permittee deems appropriate to eliminate possible interference with the operation and maintenance of the ski resort, or in the interest of safety or security.

M. **Open Space.** With the exception of those parcels identified on Exhibit 1 and those areas and items listed on Exhibit 2 as "commercial and support space", all remaining property in the Project is hereby designated "landscaped open space" as that term is defined in the Code as presently in effect and shall remain substantially free from structures, roads and parking lots except as otherwise approved by City or permitted by the Code as presently in effect. The "landscaped open space" shall be maintained and operated by Permittee at Permittee's sole cost and expense.

N. **Fire Considerations.** All buildings or structures located within the Bald Eagle, Silver Lake, and North Silver Lake Communities shall be fire sprinkled in accordance with UBC 38-182.

O. **Water Improvements** .Permittee agrees that, as a condition of and concurrently with issuance to Permittee of a building permit for the construction of any buildings or structures comprising a portion of the Project, Permittee shall be 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 Works Director and City Engineer at the time of issuance of said 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 City, and shall evidence to the satisfaction of City the ability of Permittee to comply with such agreements.

Permittee agrees that completion of the action required by this Section O with relation to any building or structure included in the Project shall be deemed a condition precedent to the right to occupy and utilize the building or structure. Commission and Permittee agree that the general level of water facilities construction for the Project required by this Section O has been heretofore accomplished by Permittee.

The existing agreement relating to water rights and water facilities for Deer Valley development entered into November 17, 1988 between Permittee as "DVRC", Royal Street as "Royal Street", and City as "Park City" and the Deer Valley Water Facilities Improvement Agreement dated March 31, 1994 between City, Royal Street and Permittee (as "DVRC") and the Amendment to the 1994 Deer Valley Water Facilities Improvement Agreement dated May 12, 2006 between City as "Park City", Royal Street and Permittee (as "DVRC") are made a part of this Permit by reference.

P. **Sewer Considerations** .Although City has no responsibility for sewer approvals; the Snyderville Basin Sewer Improvement District has indicated the following with respect to sewerage in Deer Valley: Projected flow calculations are based on average wastewater flow from residential units and make no distinction regarding size. In other words, the Sewer District does not follow the "unit equivalent" concept as does City.

The Sewer District has previously reviewed both the Upper and Lower Deer Valley sewer systems and made the following comments: Upper System (American Flag / Silver Lake Community) - There are two sections of sewer within the American Flag Subdivision that limit upstream, new growth to approximately 325 additional residential units. There are several sections with only slightly greater capacity. This concern or limitation was eliminated by construction of a new sewer trunk line from Royal Street through the Westview Parcel in 1988. Lower System (Solamere, Queen Esther, Fawn grove) - A portion of the trunk sewer serving this area was replaced in 1985 to provide greater capacity for Hanover and Park Con projects as well as Deer Valley's. These three developers executed an agreement with the District which identified their anticipated development and the percentage of the cost they would fund to "reserve" capacity in the sewer system. Of the present sewer capacity of approximately 1385 units, Deer Valley has approximately 200 units available for future development. However, there are downstream sections of sewer that have less capacity than the new Deer Valley North Road sewer. This problem will be pursued with the developers as necessary.

Q. **Separability.** If any provision or provisions of this Permit shall be held or deemed to be, or shall, in fact, be illegal, inoperative, or unenforceable, the same shall not affect any other provision or provisions herein contained or render the same invalid, inoperative or unenforceable to any extent, whatsoever.

R. **Term of Permit.** The term of this Permit is governed by the Twenty-Ninth Edition of the Land Management Code of Park City as revised as of April 1, 1993.

Approved this 23 day of March, 2011____.

PARK CITY PLANNING COMMISSION

By _____

Chairman

DEER VALLEY RESORT
ELEVENTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
DEER VALLEY COMMUNITY					
Stonebridge & Boulder Creek Multi-Family	50	54	1	28	10.23
Aspenwood Multi-Family	30	30		28	9.21
Pine Inn & Trails End Multi-Family	40	45	1	35	8.52
In The Trees (South Multi-Family) Multi-Family	14	14		28-45	2.87
Black Diamond Lodge (Snow Park Lodge Multi-Family)	29	27		28-75	5.70
Courcheval Multi-Family	13.5	27	1	35	1.82
Daystar Multi-Family	24	24		28	9.84
Fawngrove Multi-Family	50	50		28	12.05
Chateaux Fawngrove Multi-Family	10.5	11	2	28	Incl
Bristlecone Multi-Family	20	20		28	Incl
Lakeside Multi-Family	60	60		28	6.49
Solamere Single Family (includes Oaks, Royal Oaks & Hidden Oaks)	274	274		28	237.81
Pinnacle Multi-Family	86	86		28	36.80
Comstock Lodge (East Bench Multi-Family)	10.5	21	1	35	3.50
Red Stag Lodge	8.5	11	1	35	Incl
Powder Run Multi-Family	25	33	1	35	3.20
Wildflower (Deer Valley North Lot 1 Multi-Family)	11	14	1	28	1.04
Glenfiddich (Deer Valley North Lot 2 Multi-Family)	12	12		28	1.45
Chapparal (Deer Valley North Lot 3 Multi-Family)	15	20	1	28	1.44
Northeast Multi-Family:					12.65
Lodges @ Deer Valley	73.25	85	3	28-35	
Silver Baron Lodge	42.75	50	12	28-35	
Snow Park Village (Snow Park Hotel & Parking Sites)	209.75	0	4	28-45	14.93
Total Deer Valley Community	1108.75				
AMERICAN FLAG COMMUNITY					
American Flag Single Family	93	93		28	83.04
LaMaconnerie Multi-Family	15	15		28	6.19
Total American Flag Community	108				
NORTH SILVER LAKE COMMUNITY					
Westview Single Family	15	1		28	40.69
Evergreen Single Family	36	36		28	27.60
NSL Homesite Parcel #1	1	1		35	1.90
Belleterre Single Family	10	10		28	11.42
Bellevue Townhomes (NSL Subdivision Lot 1)	24	14	10	28	4.62
Bellemont Townhomes (NSL Subdivision Lots 2A and 2A-1)	18	12	10	28	3.75
NSL Subdivision Lot 2B	54	0		45	5.96
BelleArbor Townhomes (NSL Subdivision Lot 2C)	43	21	10	28-35	8.25
NSL Subdivision Lot 2D Open Space Lot	0	0	5	0	4.03
Total North Silver Lake Community	201				
SILVER LAKE COMMUNITY					
Stag Lodge Multi-Family	50	52	6	28-35	7.34
Cache Multi-Family	12	12		28	1.77
Sterlingwood Multi-Family	18	18		28-35	2.48
Deer Valley Club	20	30	1	28-45	1.53
Double Eagle (SL East Parcel 2 Multi-Family)	18	18		28-35	2.26
Stein Eriksen Lodge Multi-Family	66.75	65	11	28-35	10.86
Little Belle Multi-Family	20	20		28	3.66
Chateaux At Silver Lake Lot 23 Deer Valley Club Estates Subdivision)	65	78	1	28-45	3.24
Sterling Lodge (Lot 2 Silver Lake East Subdivision)	14	14		28-45	0.61
Royal Plaza Multi-Family (Silver Lake Village Lot A)	7.6215	13	1	59 (A)	0.48
Mt. Cervin Plaza Multi-Family (Silver Lake Village Lot B)	7.5	7		59 (A)	0.54
Inn at Silver Lake (Silver Lake Village Lot C)	10	8		59 (A)	0.50
Goldener Hirsch Inn (Silver Lake Village Lot D)	6	20	1	59 (A)	0.35
Mt Cervin Multi-Family (Silver Lake Village Lot E)	16	15		59 (A)	0.53
Silver Lake Village Lot F	11	0		59 (A)	0.35
Silver Lake Village Lot G	11	0		59 (A)	0.38
Silver Lake Village Lot H	12	0		59 (A)	0.44
SL Knoll Condominiums	4	4		35	0.76
Knoll Estates Single Family	21	21		35	9.90
Black Bear Lodge (Lot 22 Deer Valley Club Estates Subdivision)	51	51		35	1.39
Knollheim Single Family	20	5	7	35	1.84
Alpen Rose Single Family	2	2		35	0.66
Silverbird Multi-Family	6	6		35	0.80
Ridge Multi-Family	24	24		35	2.34
Enclave Multi-Family	17	17		28-35	1.79
Twin Pines Multi-Family	8	8		28-35	1.33
Cottages Single Family	11	11		28	[illegible]

DEER VALLEY RESORT
ELEVENTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 1
DEVELOPMENT PARCELS

PARCEL NAME	PERMITTED DENSITY (UNITS)	DEVELOPED DENSITY (UNITS)	NOTES	HEIGHT (FEET)	PARCEL SIZE (ACRES)
Alta Vista Subdivision	7	7		35	6.02
Woods Multi-Family	16	7	8	28-35	2.41
Trailside Multi-Family	9	9		28-35	1.46
Aspen Hollow Multi-Family	16	16		28-35	3.18
Ridgepoint Multi-Family	38	38		28-35	5.60
Total Silver Lake Community	614.8715				
BALD EAGLE COMMUNITY					
Bald Eagle Single Family	78	58	9	28	35.65
Total Bald Eagle Community	78				
TOTAL CONVENTIONAL UNITS	2110.6215				
EMPLOYEE HOUSING UNITS					
Little Belle	1				
Stag Lodge	1				
Sterlingwood	1				
Bald Eagle	2				
Mt. Cervin	1				
Deer Valley Club	1				
TOTAL EMPLOYEE HOUSING UNITS	7				

NOTES:

1. These projects have been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density than base permitted density.
2. One small unit was separately permitted in this project using .5 unit of density.
3. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (85) than base permitted density (73.25).
4. This parcel is required to use the Unit Equivalent Formula contained in Section 10.12 of the Code.
5. This parcel has been platted as open space, with the open space applying to the open space requirement of Lot 2B.
6. Two additional units were permitted in this project on land that was not a part of the Deer Valley MPD.
7. This parcel was originally permitted as 20 MF units but subsequently developed as 5 single family homesites.
8. This parcel was permitted as 16 units. Subsequently 9 of the unit development rights were acquired by the homeowners and dedicated as open space.
9. This parcel was originally permitted as a combination of single family and multi-family. The multi-family uses were converted to single family with a density reduction from 78 to 58 units.
10. The development density on these parcels is less than the original permitted density at the election of the developer.
11. The transfer of 1.75 Unit Equivalents to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on June 28, 2006.
12. This project has been approved under the Unit Equivalent Formula contained in Section 10.12 of the Code, resulting in a different developed density (50) than base permitted density (42.75). The transfer of 1 Unit Equivalent to this parcel from the Snow Park Village parcel was authorized by the Planning Commission on March 23, 2011.

A. Lots in the Silver Lake Village Subdivision have a development height limitation tied to a base elevation of 8122' with peak of roof not to exceed elevation 8186'.

DEER VALLEY RESORT
ELEVENTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 2
COMMERCIAL AND SUPPORT SPACE

LOCATION	RETAIL	RESTAURANT (3)	COMM'L OFFICES	ADMIN., SUPPORT & OTHER	TOTAL	TRANSFER TO RESIDENTIAL	DEVELOPED	REMAINING
SNOW PARK LODGE	13807	26958		85578	126343		126343	0
SNOW PARK TICKET SALES BUILDING				5112	5112		5112	0
SNOW PARK PLAZA BUILDING	3100		16000	4180	23280		23280	0
GENERAL SNOW PARK COMMERCIAL (1)	21890				21890		0	21890
SILVER LAKE LODGE	1200	29160		15790	46150		46150	0
EMPIRE LODGE (4)		22456		12544	35000		30453	4547
SILVER LAKE COMMUNITY (2)	27962		4265	12938	45165	1243	31954	11968
NORTH SILVER LAKE COMMUNITY	8000			6525	14525		0	14525
MAINTENANCE, WHSE, & SHOPS				31724	31724		31724	0
TOTAL	75959	78574	20265	174391	349189		295016	52930

NOTES:

(1) General Snow Park Commercial may only be utilized on certain parcels with approval of Commission and Permittee. 18110 square feet of General Snow Park Commercial has previously been allocated to and is included in totals for Snow Park Lodge.

(2) 10125 square feet of Silver Lake Community commercial has previously been allocated to and is included in totals for Silver Lake Lodge (1994 Silver Lake Lodge expansion 6990 sf and 1998 Silver Lake Lodge expansion 3135 sf).
Remainder of Silver Lake Community commercial consists of:

Developed Space:	
Royal Plaza	14312
Mt. Cervin Plaza	8080
Goldener Hirsch Inn	2062
Chateaux at Silver Lake	7500
Total	31954
Transferred to Royal Plaza Residential	1243
Allocated but Undeveloped Space:	
Silver Lake Village Lot C	7000
Remainder Unallocated	4968
Total	45165

(3) Includes kitchen, receiving and storage.

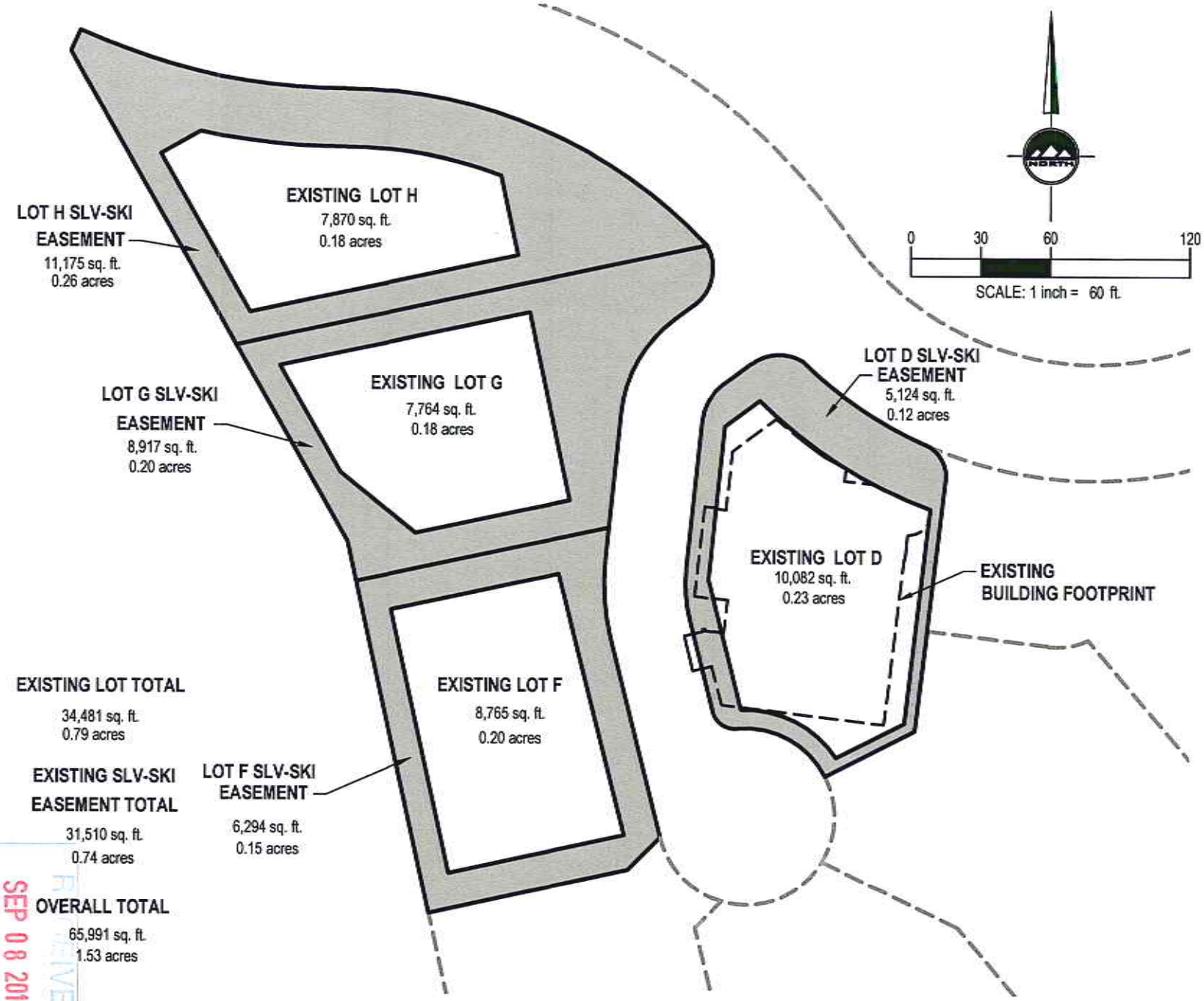
(4) Maximum size of Empire Lodge is 35000 sf of which 30453 sf has been developed.

DEER VALLEY RESORT
ELEVENTH AMENDED AND RESTATED
LARGE SCALE MASTER PLANNED DEVELOPMENT PERMIT
EXHIBIT 3
OTHER PROJECT COMPONENTS

ITEM	WITHIN PARK CITY	OUTSIDE PARK CITY
SKI AREA (1)		
CHAIRLIFTS	15	5
GONDOLA		1
SKI TRAILS AND BOWLS	63	34
SNOWMAKING	X	X
SKI PATROL / UTILITY STATIONS:		
BALD EAGLE MTN.	X	
BALD MTN.	X	
FLAGSTAFF MTN.	X	
LITTLE BALDY		X
JORDANELLE BASE		X
EMPIRE CANYON	X	
AMENITIES		
SNOW PARK LAKES & MEADOWS	X	
SNOW PARK PARKING LOTS	X	
PEDESTRIAN TRAIL SYSTEM	X	X
MOUNTAIN BIKING TRAILS SYSTEM	X	X
SOLAMERE SWIM & TENNIS FACILITY	X	
SNOWSHOE TOMMYS CABIN	X	
CUSHINGS CABIN	X	
BIRDSEYE CABIN	X	
JORDANELLE BASE		X
SNOW PARK CONCERT AMPHITHEATRE	X	

(1) ADDITIONAL SKI AREA FACILITIES AS DEMAND DICTATES, SUBJECT TO PROVISIONS OF PARK CITY LAND MANAGEMENT CODE AND OTHER APPLICABLE JURISDICTIONS.

EXHIBIT D



EXISTING LOT TOTAL
34,481 sq. ft.
0.79 acres

EXISTING SLV-SKI EASEMENT TOTAL
31,510 sq. ft.
0.74 acres

OVERALL TOTAL
65,991 sq. ft.
1.53 acres

RECEIVED
SEP 08 2016
CITY PLANNING DEPT.

PROJECT # 6772
DATE 5/3/2016
FILE:

SILVER LAKE VILLAGE
AREA CALCULATIONS EXHIBIT
EXISTING CONDITIONS

FOR: ECCKIDS, LLC

45 W. 10000 S. Ste 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
www.ensignengg.com
ENSIGN

Proposed Setbacks

- Royal Street - 20'-0"
- Sterling Court - 15'-0"
- South/ Mont Cervin - 15'-0"
- West/ Stein Eriksen Lodge - 12'-0"

Revised Plat

Goldener Hirsch

Deer Valley, Utah

Olson Kundig

Commissioner Campbell stated that as they combine the three lots into one, as the lots get filled in he did not believe they would be blocking any views. He asked Mr. Conabee to come back with something to support that so people do not think that the Planning Commission was giving them the ability to block views. Mr. Conabee offered to provide a view corridor study. He thought the history would show that the lop off was more practical because there is only a sewer line with a 20-feet sewer easement on either side. Commissioner Campbell thought it was mislabeled as a view corridor because it not really a view for anyone to anywhere. He asked Mr. Conabee to come back with a model to show that.

MOTION: Commissioner Joyce moved to CONTINUE 7520-7570 Royal Street East Amendment to the Re-subdivision of Lots 1 and 2, Silver Lake Village No. 1 Subdivision, Lot F, G and H into one lot, to October 26, 2016. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Joyce moved to CONTINUE 7520-7570 Royal Street East Conditional Use Permit for 34 residential units on Lot 1 of the Amendment to the Re-Subdivision of Lots 1 and 2, Silver Lake Village No 1 Subdivision, to October 26, 2016. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

7. 7520-7570 Royal Street East – Deer Valley MPD 12th Amendment to combine Lots F, G and H of the Silver Lake Community, into one development parcel and to transfer 843 square feet of residential density from Silver Lake Village Lot D to proposed Lot 1. No changes to the approve density assigned to these parcels are proposed. (Application PL-16-03155)

Chair Strachan recused himself and left the room. Vice-Chair Joyce assumed the Chair.

Vice Chair Joyce stated that this application was restrained because the Planning Commission Continued the plat amendment on the prior item. This item was noticed for a continuance as well.

Steve Issowitz, representing Deer Valley, explained that the reason for the amendment would be to clarify a lot combination. Instead of showing an exhibit with density on

three lines, it would show the density on one line. This amendment would keep the record clean. In addition, square footage from Lot D would be transferred to Lot I.

Vice-Chair Joyce opened the public hearing.

There were no comments.

Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Phillips moved to CONTINUE the 12th Amended Deer Valley Master Planned Development Amendment to October 26th, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission adjourned the regular meeting and moved into work session to discuss potential LMC Amendments regarding lighting. That discussion can be found in the Work Session Minutes dated September 28, 2016.

The Park City Planning Commission Meeting adjourned at 9:55 p.m.

Approved by Planning Commission: _____

EXHIBIT F

DEER VALLEY®

October 28, 2016

Kirsten Whetstone
Park City Municipal Corporation - Planning Department
445 Marsac Avenue
Park City, Utah 84060

Re: Goldener Hirsch Development Expansion

Dear Kirsten:

This letter is intended to address items raised in your Staff Report dated September 28, 2016 and by the Planning Commission in its Public Hearing discussion of September 28, 2016 relating to Park City Municipal Corporation's ("PCMC") desire to reconcile commercial square footage density from the 1990 Golden Deer Survey (located on Silver Lake Village No. 1 Subdivision Lot D) to the existing Deer Valley Resort ("DVR") Master Planned Development Permit ("MPD"). My understanding from subsequently speaking with you is that such reconciliation would prove to be a significant effort for PCMC to undertake and research the 1990 approval by Planning Commission and City Council in order to fully understand the approvals granted to the Golden Deer applicant at that time.

It is my belief that the Golden Deer project was developed in compliance with the DVR MPD and also received additional support commercial, and/or meeting space, and/or residential accessory use (or such other supporting square footage designations available at that time) in accordance with the Land Management Code ("LMC") in effect at the time of receiving their 1990 PCMC approvals (which would be the equivalent of today's Conditional Use Permit process).

In the event that the 1990 Golden Deer approvals are not readily available for review to reconcile such historical commercial density figures, it appears PCMC would like to ensure overall commercial and support density figures are properly accounted for and/or curtailed. It is my understanding through the current application process for Silver Lake Village No. 1 Subdivision Lots F, G and H (proposed for a combined Lot I), that the applicant currently has excess support commercial, meeting space, and residential accessory use square footage available to them through application of the current LMC which they do not intend to use. It is my further understanding that the applicant has proposed applying such excess square footage entitlement to Lot D in order to assist with satisfying a potential need to reconcile historical commercial and/or support square footage associated with Lot D. If PCMC finds such exercise necessary and is in agreement with the applicant in terms of their proposed resolution, DVR is in agreement and would further opine that Lots D, F, G and H are compliant with the MPD.

P.O. Box 889 • Park City, Utah 84060-0889 • 435.649.1000 • Fax 435.649.1910
www.deervalley.com

Separately, at the Public Hearing discussion on September 28, 2016, Planning Commission also raised questions regarding sufficient snow storage areas servicing the applicant's proposed project and its effect on overall snow removal for Silver Lake Village. As Manager of Silver Lake Village Plaza Association ("SLVPA"), DVR hereby states that SLVPA contains satisfactory snow storage space for the existing and contemplated hardscaped areas (inclusive of private streets, sidewalks, etc.) within the village. Additionally, and related to particularly heavy snow years, DVR has additional snow storage space available in close proximity to the village (including the Guardsman Connector lot and other DVR property). As part of this discussion, I would also like to share DVR's sincere thanks towards the applicant and the Eccles family for many years of their generous permission to occupy their lots for parking and for additional excess snow storage when needed. They have proven to be exemplary neighbors to the Resort and we very much appreciate their contributions to the Silver Lake community.

Thank you and please let me know if you have any questions or if there are areas where expanded comments would be helpful.

Sincerely,

Deer Valley Resort Company

Steve Issowits

EXHIBIT G

PARK CITY 1884

$150/U.E.

Approved _____ (date)

Denied _____ (date)

Park City Municipal Corporation
P.O. Box 1480
Park City, UT 84060

801-649-9321

Application # _____

Receipt # _____

CONDITIONAL USE

APPLICATION FOR: HOTEL & RESTAURANT

PROJECT INFORMATION

Name: GOLDENER HIRSCH INN

Address or Location: SILVER LAKE VILLAGE P.O. BOX 859
DEER VALLEY

Legal Description: LOT D, SILVER LAKE VILLAGE

APPLICANT (check one)

( ) Owner ( ) Optionee (X) Buyer ( ) Agent ( ) Other

Name: MALCOLM S. MacQUOID DBA GOLDEN DEER AT DEER VALLEY

Mailing Address: P. O. BOX 859
PARK CITY, UTAH 84060

Telephone Number: (801) 649-6372

OWNER(S) OF RECORD

Name: DEER VALLEY RESORT COMPANY ATTN: BOB WELLS

Mailing Address: P. O. BOX 889
PARK CITY, UTAH 84060

Telephone Number: 649-1200

* * * * * * * * * * * * * * * * * DO NOT WRITE BELOW THIS LINE * * * * * * * * * * * * * * * * *

Application Accepted: _____ (initials)
Project Planner: _____ (name)
Complete Checklist: _____ (initials)

Additional Information Requested:

RECEIVED
JUL 17 1988
PARK CITY MUNICIPAL CORP.

ACKNOWLEDGEMENT OF RESPONSIBILITY

This is to certify that I am making application for the described action by the City and that I am responsible for complying with all City requirements with regard to this request. This application should be processed in my name and I am the party who the City should contact regarding any matter pertaining to this application.

I have read and understood the instructions supplied by Park City for processing this application.

The documents and/or information I have submitted are true and correct to the best of my knowledge.

I will keep myself informed of the deadlines for submission of material and of the progress of this application.

I further understand that additional fees may be charged for the City's review of the proposal. Any additional analysis required would be processed through the City's consultants with an estimate of time/expense provided prior to an authorization to proceed with the study.

Signature of Applicant: _____ Date: JULY 18, 1988

Name of Applicant: MALCOLM S. MacQUOID
(please print or type)

Mailing Address: P. O. BOX 859
PARK CITY, UTAH 84060

Telephone Number: (801) 649-6372

Type of Application: HOTEL AND RESTAURANT

AFFIRMATION OF SUFFICIENT INTEREST

I hereby affirm that I am the fee title owner of the below described property or that I have written authorization from the owner to pursue the described action.

Name of applicant: MALCOLM S. MacQUOID
(please print or type)

Mailing Address: P. O. BOX 859
PARK CITY, UTAH 84060

Street address/legal description of subject property: ROYAL STREET, PARCEL D,
SILVER LAKE VILLAGE, DEER VALLEY

Signature: _____ Date: JULY 18, 1988

If you are not the fee owner, attach another copy of this form which has been completed by the fee owner or a copy of your authorization to pursue this action.

RECEIVED
JUL 17 1988
PARK CITY
MUNICIPAL CORP.

If a corporation is fee title holder, attach copy of the resolution of the Board of Directors authorizing this action.

If a joint venture or partnership is the fee owner, attach a copy of agreement authorizing this action on behalf of the joint venture or partnership.

THIS AFFIRMATION IS NOT SUBMITTED IN LIEU OF SUFFICIENT TITLE EVIDENCE. YOU WILL BE REQUIRED TO SUBMIT A TITLE OPINION, CERTIFICATE OF TITLE, OR TITLE INSURANCE POLICY SHOWING YOUR INTEREST IN THE PROPERTY PRIOR TO FINAL ACTION.

Park City Municipal Corporation
P.O. Box 1480
Park City, UT 84060
801-649-9321

CONDITIONAL USE FACT SHEET

PROJECT DESCRIPTION

Proposal is for: CONDOMINIUM SUITE HOTEL AND RESTAURANT

Existing zoning: APPROVED MASTER DEVELOPMENT PLAN

Current use of property: VACANT

Total project area: .36 (acres) 15,140 (square feet)

Number of residential units: 20

average unit size: 11 X 500 sf & 9 X 650 sf (square feet)

Commercial area: 4,070 sf (gross floor area)

2,870 sf (net leasable area)

Type(s) of business activity: HOTEL (CONDO SUITES), RESTAURANT, GIFT SHOP

Number of parking spaces required: _____ proposed: 22 COVERED

Project accessed via: (check one)

( ) public road ( ) private road (X) private driveway

Ownership/occupancy (check appropriate)

( ) owner occupied ( ) lease (X) nightly rental
(X) condominium ( ) timeshare

Water service availability: (check one)

( ) existing (X) requires extension of city service

APPLICATION REQUIREMENTS

_____ Completed application form

_____ Review fees paid

_____ Names and mailing addresses of property owners within 100

_____ 7 complete sets of all plans submitted

_____ Written statement provided addressing any variances requested, proposed construction phasing schedule, rezoning or annexation required, and a general description of the project

RECEIVED
JUL 17 1988
PARK CITY
MUNICIPAL CORP.

5/84

GOLDENER HIRSCH INC.

COMMERCIAL SPACE PROGRAM

MAIN FLOOR

Dining Room: 1,404 s.f.

Kitchen: 738 s.f.

Bar & Lounge: 648 s.f.

Gift Shop: 81 s.f.

Office / Innkeeper / Registration: 240 s.f.

Public Restrooms: 240 s.f.

SECOND FLOOR

Conference / Library: 432 s.f.

FOURTH FLOOR

Garden / Spa Room: 286 s.f.

TOTAL COMMERCIAL SPACE = 4,069 S.F.

RECEIVED
JUL 17 1998
PARK CITY
MUNICIPAL CORP.

STAFF REPORT

TO: PLANNING COMMISSION
FROM: PLANNING STAFF
DATE: JULY 29, 1988
RE: MPD REQUEST FOR THE GOLDENER HIRSCH

I. PROJECT STATISTICS

Applicant:	Golden Deer at Deer Valley/ Mac MacQuoid
Project Description:	A 20 room lodge
Project Location:	Parcel D, Silver Lake Village Deer Valley
Parcel Size:	.36 acres
Zoning:	RD-MPD

II. BACKGROUND

In December of 1987, the Planning Commission approved The Silver Lake Village MPD for 90 residential units and 27,000 sq. ft. of commercial space to be divided among 7 parcels. It was anticipated that the numbers of units assigned to each parcel may change slightly in response to specific development requests. The Goldener Hirsch is being proposed on Parcel D of The Silver Lake MPD. This parcel was originally anticipated to have 5 residential unit equivalents and 5,700 sq. ft. of commercial square footage.

III. PROJECT DESCRIPTION

The current request is for a 20 room lodge with a restaurant and bar area. The lodge is to contain 11 rooms under 500 sq. ft. in size and 9 rooms between 500 and 650 sq. ft. in size for a total of 5.75 unit equivalents. Deer Valley has agreed to allocate 6 residential unit equivalents to this site (see Silver Lake Subdivision of Parcel D staff report). The total commercial space which is being proposed for the Goldener Hirsch is about 3,500 sq. ft., so Deer Valley is reducing the commercial allocation to this property. The commercial space is for a restaurant, bar and kitchen, a conference room/library, a small gift shop and lobby/front desk facilities.

The Inn will be three levels with a partial fourth level. A building height of 59 feet was permitted. This proposal is for a 45 ft. tall building (with the exception of a small architectural feature which reaches to 52 ft.). The design of the building is patterned after German inns, but has been modified to meet the Deer Valley Design Guidelines. The staff feels that the structure as designed will be compatible with both Stein Eriksen Lodge and The Silver Lake Day Center.

IV. ISSUES FOR DISCUSSION

Parking

The original Silver Lake MPD indicated that 22 parking spaces would be placed under the development on Parcel D. Because of the unusual parcel configuration, and the need for mechanical and service areas, only 18 spaces are possible to be provided in the underground structure. There is also the potential for three surface spaces adjacent to the service entrance. These spaces bring the total to 21. The staff finds that 21 spaces will probably be adequate. In the rare case of an overflow, Deer Valley has agreed that the Silver Lake parking lot can be used.

Common Walkways/Landscaping

The Goldener Hirsch would be responsible for a portion of the common walkway areas to connect with the common area improvements. The Goldener Hirsch will also be responsible for landscaping of areas disturbed during construction which surround their project. No landscape plan has been submitted to date, but a landscape plan will be required to be submitted and approved prior to building permit issuance.

Service Access

There is a service ramp to the proposed project which is separated from the access to the parking garage. The dumpster can be placed in this location. In addition, the design of the garage accommodates mechanical and service needs.

STAFF RECOMMENDATION

The staff recommends APPROVAL of The Goldener Hirsch Inn, a 20 room lodge subject to the following conditions:

1. The City Engineer shall review and approve the utility, drainage and grading plans for The Goldener Hirsch prior to permits being issued on the project.

2. The SBSID shall review and approve the proposed sewerage prior to permit issuance.

3. A minimum of 21 parking spaces shall be provided on the site. The Staff shall review and approve the final plans for placement of the exterior spaces. These spaces shall not interfere with the common walkway/plaza areas.

4. The building shall be fire sprinkled and may be required to provide exterior flame spread protection.

5. Securities shall be posted prior to any permit issuance to insure the proper installation of public improvements and landscaping.

security shall be posted to cover this cost.

7. The Bald Eagle Tank shall be required to be constructed in the summer of 1989 as outlined in the Deer Valley SEP.

2. MPD Approval for the Goldener Hirsch, a 20 Room Inn on Parcel D of Silver Lake Village.

Nora Seltenrich presented background information regarding this request. In December of 1987, the Planning Commission approved the Silver Lake Village MPD for 90 residential units and 27,000 square feet of commercial space divided among 7 parcels. It was anticipated that the numbers of units assigned to each parcel may change slightly in response to specific development requests. The Goldener Hirsch is being proposed on Parcel D of The Silver Lake MPD. This parcel was originally anticipated to have 5 residential unit equivalents and 5,700 square feet of commercial square footage.

Nora further explained that this request is for a 20 room lodge with a restaurant and bar area. The lodge is to contain an 11 room under 500 square feet in size and 9 rooms between 500 and 650 square feet in size, for a total of 5.75 unit equivalents. Deer Valley has agreed to allocate 6 residential unit equivalent to this site. Total commercial space being proposed for the Goldener Hirsch is about 3,500 square feet, so Deer Valley is reducing the commercial allocation to this property. Commercial space is for a restaurant, bar and kitchen, a conference room/library, a small gift shop and lobby/front desk facilities.

Nora described the Inn as being three levels with a partial fourth level. A building height of 59 feet was permitted. This proposal is for a 45 foot tall building (with the exception of a small architectural feature which reaches to 52 feet). The design of the building meets the Deer Valley Design Guidelines. Architect Hank Louis presented renderings for Commissioners' review. Staff feels that the structure as designed will be compatible with both Stein Ericksen Lodge and The Silver Lake Day Center.

Nora reported that the original Silver Lake MPD indicated that 22 parking spaces would be placed under the development on Parcel D. Because of the unusual parcel configuration, and the need for mechanical and service areas, only 18 spaces are possible to be provided in the underground structure. There is also the potential for three surface spaces adjacent to the service entrance. These spaces bring the total to 21. Staff finds that 21 spaces will be adequate. Deer Valley has agreed that the Silver Lake parking lot can be used in the case of an overflow.

Nora explained that the Goldener Hirsch would be responsible for a portion of the common walkway areas to connect with the common

area improvement. The Goldener Hirsch will also be responsible for landscaping of areas disturbed during construction which surround their project. No landscape plan has been submitted to date, but a landscape plan will be required to be submitted and approved prior to building permit issuance.

There is a service ramp to the proposed project which is separated from the access to the parking garage. The dumpster can be placed in this location. In addition, the design of the garage accommodates mechanical and service needs.

Staff recommends APPROVAl of the Goldener Hirsch Inn, a 20 room lodge, subject to conditions outlined in Staff Report.

Ron Whaley stated that he will be abstaining from vote on this item due to his business association with the developer. Mr. Whaley was excused from meeting at 7:30 p.m.

Brad Olch questioned whether the 21 total parking spaces includes the three above-ground spaces and whether the partial fourth floor will provide additional hotel rooms. Nora Seltenrich responded yes to each question.

Ruth Gezelius asked Mr. MacQuoid how many employees they expect to have on staff, if they feel this will really begin to cover their needs and how they anticipate dealing with employee parking shortages.

Mr. MacQuoid responded that they will have 6 full time employees. They have discussed this with Bob Wells.

Brad Olch questioned whether there would be any excess parking when parcel is truly developed and all parking will be underground. Bob Wells responded that there are approximately 42 spaces provided in the open lot at Silver Lake. The 42 spaces would be in addition to code parking requirements.

Dick Lueck wondered if there was information regarding percentage of people who bring their own cars and if there were any way to create more underground parking for this project. Nora responded that approximately 60% or less bring their own cars and Hank Louis responded that there is no way to create additional spaces underground.

Dean Berrett commented that this is the first development in Silver Lake and they are asking for an exception to the parking requirement. He expressed his concern about deviating from our original concept. If this continues we have defeated our concept.

Brad Olch agreed and expressed his concerns because it is first

project.

Ruth Gezelius also concurred and stated that commissioners would not look favorably upon continued requests for reduction of required parking spaces.

Bob Wells responded that 4,000 square feet in commercial includes lobby, support areas, etc., which don't fit in the rule, so they technically are not asking for an exception.

MOTION: Dick Lueck moved to **APPROVE** The Goldener Hirsch Inn subject to staff's conditions. Dean Berrett seconded the motion. Ron Whaley abstained from vote. Motion passed with all in favor.

Conditions:

1. The City Engineer shall review and approve the utility drainage and grading plans for The Goldener Hirsch prior to permits being issued on the project.
2. The SBSID shall review and approve the proposed sewerage prior to permit issuance.
3. A minimum of 21 parking spaces shall be provided on the site. The Staff shall review and approve the final plans for placement of the exterior spaces. These spaces shall not interfere with the common walkway/plaza areas.
4. The building shall be fire sprinkled and may be required to provide exterior flame spread protection.
5. Securities shall be posted prior to any permit issuance to insure the proper installation of public improvements and landscaping, and pedestrian walkways.

V. NEW BUSINESS.

1. <u>Condominium Conversion of The Yarrow Hotel, 1800 Park Avenue</u>.

Principal Planner Seltenrich provided background information regarding this request. The Yarrow Hotel was purchased in 1985 by Yarrow Associated, a partnership controlled by Gary H. and Scott A. Nordheimer. They are requesting to be permitted to condominiumize the Yarrow and sell fractional unit ownership in quarter and eighth shares. They anticipate that this will result in relatively low numbers of owner-occupied weeks; therefore, leaving room nights available for typical hotel operation. They anticipate consistency of management, services, and commercial space.

Ms. Seltenrich reported that at this time, they intend to condominiumize only 5 residential units, which will be divided into eighth and quarter fractional units; and 12,681 square feet of commercial area. The remaining area is being designated as

PARK CITY
1884

Community Development/Engineering
Building and Planning Departments

August 11, 1988

Mr. Malcolm S. MacQuoid
DBA Golden Deer at Deer Valley
P. O. Box 859
Park City, Utah 84060

NOTICE OF PLANNING COMMISSION ACTION

Project Description: MPD approval for The Goldener Hirsch, a 20 Room Inn on Parcel D of Silver Lake Village.

Date of Meeting: August 10, 1988

Action Taken By Planning Commission: **APPROVAL**

Conditions of Approval:

1. The City Engineer shall review and approve the utility, drainage and grading plans for The Goldener Hirsch prior to permits being issued on the project.
2. The SBSID shall review and approve the proposed sewerage prior to permit issuance.
3. A minimum of 21 parking spaces shall be provided on the site. The Staff shall review and approve the final plans for placement of the exterior spaces.
4. The building shall be fire sprinkled and may be required to provide exterior flame spread protection.
5. Securities shall be posted prior to any permit issuance to insure the proper installation of public improvements and landscaping, and pedestrian walkways.

Date of Expiration: August 10, 1989

Michael M. Vance
Community Development Director

8/11/88
Date

ACKNOWLEDGEMENT

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

_____ _____

Date

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

PARK CITY PLANNING DEPARTMENT
STAFF REPORT

TO: PLANNING COMMISSION
FROM: PLANNING STAFF
DATE: DECEMBER 12, 1990
RE: GOLDENER HIRSCH INN - FINAL PLAT

==========

I. PROJECT STATISTICS

Applicant:	Malcolm S. MacQuoid
Location:	7570 Royal Street East
Proposal:	Request for Final Plat Approval
Zoning:	RD-MPD
Adjacent Land Uses:	Residential, Recreation Open Space
Date of Application:	November 30, 1990
Project Planner:	Steve Osguthorpe
Date of Staff Report:	December 6, 1990
Staff Recommendation:	**APPROVE with conditions**

II. BACKGROUND INFORMATION

The Goldener Hirsch Inn is located on Parcel D in the Silver Lake Village. The project received MPD approval on August 10, 1988 and the structure is nearing completion. Mr. MacQuoid is now requesting final plat approval.

V. STAFF RECOMMENDATION

The Staff has determined that all conditions of approval have been met and recommends that the Planning Commission **approve** the final plat for Goldener Hirsch Inn subject to the following conditions:

1. The City Attorney, City Engineer, and the City Council shall approve the final plat.

2. Security shall be retained to guarantee completion of public Improvements including landscaping.

PARK CITY
1884

Community Development/Engineering
Building and Planning Departments

December 17, 1990

Golden Deer at Deer Valley
P. O. Box 859
Park City, Utah 84060

NOTICE OF PLANNING COMMISSION ACTION

Project Description: Goldener Hirsch Inn, Final Plat Approval

Date of Meeting: December 12, 1990

Action Taken By Planning Commission: APPROVED

Conditions of Approval:

1. The City Attorney, City Engineer, and the City Council shall approve the final plat.

2. Security shall be retained to guarantee completion of public Improvements including landscaping.

Date of Expiration: December 12, 1991

Suzanne McIntyre, AICP
Senior Planner

Date

ACKNOWLEDGEMENT

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

Date 12/21/90

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

Park City Municipal Corporation · 445 Marsac Avenue · P.O. Box 1480 · Park City, UT 84060 · (801) 649-9321

MOTION: Bruce Erickson moved to APPROVE the minutes of October 24, 1990 as amended and the minutes of November 14, 1990 as submitted. Dick Lueck seconded the motion. The motion was unanimously approved.

V. CONSENT AGENDA

1. **North Silver Lake Homesite Parcel #1, Extension of Master Planned Development, The Dooney Parcel - The Sear-Brown Group.**

2. **Goldener Hirsch Inn, Final Plat Approval, 7570 Royal Street East - Malcolm S. MacQuoid dba Golden Deer at Deer Valley.**

Conditions of Approval:

1. The City Attorney, City Engineer, and the City Council shall approve the final plat.

2. Security shall be retained to guarantee completion of public Improvements including landscaping.

Commissioner Bruce Erickson abstained from the vote on Item 1 due to a business interest.

MOTION: Carol Calder moved to APPROVE Items 1 and 2 of the Consent Agenda. Dick Lueck seconded the motion. Item 2 was unanimously approved. Bruce Erickson abstained from the vote on Item 1, which was approved by Carol Calder, Dick Lueck, Dean Berrett, Alison Child and Diane Zimney.

VI. OLD BUSINESS

VII. NEW BUSINESS

1. **Park Meadows 6B and 6C, Revision to Master Plan and Preliminary Plat Approval of an 89-lot Single Family Subdivision - Jack Johnson Company.**

Senior Planner Suzanne McIntyre stated that the Staff requested a motion to continue the item to further address the issues which had been discussed prior to the Regular Meeting in the Work Session. She requested that the Commissioners provide concise direction to the applicant and the Staff.

Commissioner Bruce Erickson stated he would like to see more sensitive house locations within the lots on the east side of the

Jerry Wenner, Iron Canyon resident, stated that one of the bodies of water within Aspen Springs Ranch was not shown on the sketch plat and he was very concerned because there were several springs on the property that fed into that body of water. He wanted assurances that water issues would be addressed. He also expressed concern that the requirement for a sidewalk would destroy more aspen trees than absolutely necessary and noted that in Iron Canyon pedestrian traffic actually used the road. He also requested that building pads and maximum square footages be shown on the final plat.

Mr. Wenner stated that Iron Canyon residents were concerned that the secondary access would become the closest link for the residents of Aspen Springs the City via Payday Drive and they requested that the access not be improved and maintained as a normal road.

Chairman Whaley explained that the public hearing was to receive comments and responses to Mr. Wenner's comments would be provided when the topic was discussed under New Business.

3. **Goldener Hirsch Inn, Final Plat Approval, 7570 Royal Street East- Malcolm S. MacQuoid dba Golden Deer at Deer Valley.**

Planner Steve Osguthorpe stated that MPD approval had been granted for the Goldener Hirsch Inn, on Parcel D in Silver Lake Village, on August 10, 1988. He noted that all conditions of approval had been met and Malcolm MacQuoid had requested final plat approval.

Mr. Osguthorpe stated that the Staff recommended approval of the final plat, subject to conditions that the City Attorney, City Engineer and City Council approve the final plat; and that security shall be retained to guarantee completion of public improvements, including landscaping.

There was no public input.

IV. MINUTES OF OCTOBER 24, 1990 AND NOVEMBER 14, 1990

Commissioner Dean Berrett stated that minutes became public record and supported instances that happened many years after an action was taken and there was a statement in the October 24, 1990 minutes on page 12 (third paragraph) that he did not believe was accurate: "...although they (the Commissioners) were not generally supportive of gated communities,...". He stated that the minutes should reflect that the Commissioners were mixed in their opinion on gated communities.

[Goldener Hirsch Final Plat]

VII CONSENT AGENDA

Ruth Gezelius, "I move to remove Item 4 for the purpose of discussion and clarification". Bob Richer seconded. Motion carried. Ruth Gezelius, "I move approval of Consent Agenda Items 1 - 6 with the omission of 4". Ray Johnson seconded. Motion carried.

Sally Elliott	Aye
Ruth Gezelius	Aye
Ray Johnson	Aye
Bob Richer	Aye
Jim Santy	Absent

1. Approval of final plat approval for Goldener Hirsch Inn, 7570 Royal Street East - This is located on Parcel D in the Silver Lake Village. The project received MPD approval on August 10, 1988 and the structure is nearing completion. The staff has determined that all conditions of approval have been met and recommends approval of the final plat for Goldener Hirsch Inn subject to the following conditions: the City Attorney, City Engineer, and the City Council shall approve the final plat; and security shall be retained to guarantee completion of public improvements, including landscaping.

2. Authorization to proceed with application, identifying low to moderate income housing program, for Community Development Block Grant Small Cities Program for 1991-92 - See public hearing commentaries.

3. Approval of Resolution adopting the Non-Contributory Retirement System through the Utah State Public Employees Retirement System for Park City Municipal Corporation Employees hired as full-time, regulars after January 1, 1991 - Election to a contributory or non-contributory system by municipalities for all employees hired as of January 1, 1991 is mandatory. The management team, mid-management team, and Personnel Advisory Committee are recommending that the non-contributory system be selected.

4. Approval of time and materials contract with United Park City Mines and budget adjustment of $150,000 for tunnel repair - See New Business.

5. Approval of Resolution accepting the donation of public improvements in Silver Lake Village, Park City, Utah - The public improvements at Silver Lake consist of water system improvements and a massive storm drain network which drains much of Silver Lake into McHenry Canyon in Wasatch County. The private cul-de-sac accessing Mont Cervin is Sterling Court; it is a private cul-de-sac and because it is private, Park City is not accepting it as a City

PROOF OF PUBLICATION

STATE OF UTAH, }
County of Summit, } ss.

I, Carol Ann Candland

being first duly sworn, depose and say that I am the

secretary of The Park Record, a weekly newspaper of general circulation, published once each week at Park City, Utah, that the notice attached hereto and which is a

Legal Notices- Planning Commission

was published in said newspaper for one consecutive issues, the first publication having been made on the 6th day of December, 19 90 and the last on the 6th day of December, 1990, that said notice was published in the regular and entire issue of every number of the paper during the period and times of publication, and the same was published in the newspaper proper and not in any supplement.

Carol Ann Candland

Subscribed and sworn to before me this 7 day of December, 19 90

Susan Davis
Notary Public

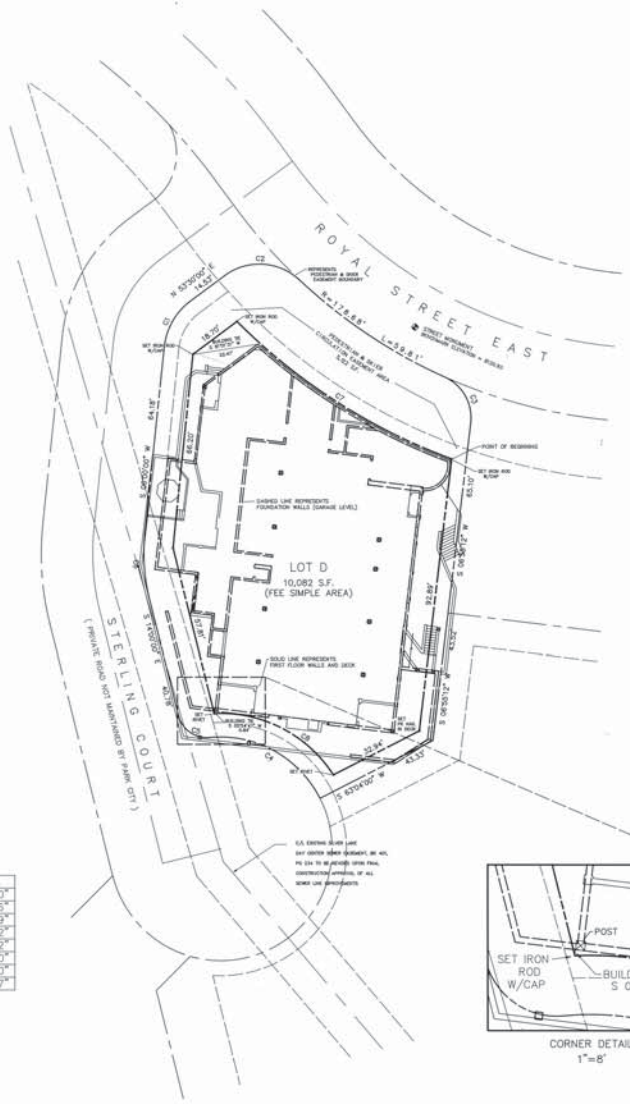
My commission expires

NOTARY PUBLIC
SUSAN DAVIS
Box Bonanza Rd
Park City, UT 84060
My Commission Expires
October 17, 1991
STATE OF UTAH

Public Hearing

Notice is hereby given that on December 12, 1990 the Planning Commission of Park City will hold a public hearing and take action on a request for Final Plat Approval for the Goldener Hirsch Inn, 7570 Royal Street East, Deer Valley. The hearing will be held at 7:00 p.m. in the Marsac Municipal Building, 445 Marsac Avenue and the public is encouraged to attend.

Published in the Park Record December 6, 1990.

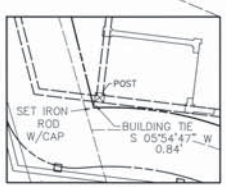


GRAPHIC SCALE

20 10 0 20 40

1" = 20'-0"

CURVE	RADIUS	LENGTH	TANGENT	DELTA
C1	22.50'	18.65'	9.90'	47°30'00"
C2	20.00'	27.80'	16.68'	79°58'36"
C3	15.00'	19.10'	11.09'	72°57'19"
C4	38.00'	45.55'	25.96'	68°40'52"
C5	10.00'	14.24'	8.63'	81°36'52"
C6	61.90'	21.61'	10.91'	20°00'00"
C7	203.68'	87.56'	44.47'	24°37'50"
C8	46.00'	47.81'	26.31'	59°32'37"



CORNER DETAIL
1"=8'

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that the Silver Lake Village Plaza Association, A Utah Non-Profit Corporation, being the owner of the tracts of land known as the Pedestrian and Skier Circulation Easement and Sterling Court, a private road, in Park City, Summit County, Utah, described on this sheet, does hereby consent to the recordation of the Record of Survey Map and by recording this Record of Survey Map and that certain Declaration of Condominium for Golden Deer Phase I, submits the herein described tracts of land together with all improvements situated in or upon the tract of land to the provisions of the Utah Condominium Ownership Act.

Executed this 26 day of December, 1990.

By: Robert W. Wells
President

SURVEYOR'S CERTIFICATE

I, James G. West, a Registered Land Surveyor holding License No. 3082 as prescribed under the laws of the state of Utah, do hereby certify that at the request of the Declarant identified in this Record of Survey Map, I made a survey of the land shown on the Record of Survey Map, consisting of 5 pages. To the best of my knowledge and belief, the survey is accurate and complies with the provisions of section 57-8-13 of the Utah Code Annotated, as amended to date. The property is marked so as to allow the measurements shown on the plat to be readily traceable.

James G. West, R.L.S. No. 3082 Utah — 12/12/90 Date

REGISTERED LAND SURVEYOR 3082 JAMES G. WEST STATE OF UTAH

FEE SIMPLE LEGAL DESCRIPTION

Beginning at a point which is East 1042.71 feet and South 859.35 feet from the Southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 06°55'12" West 12.08 feet; thence South 33°42'16" East 8.49 feet; thence South 06°54'24" West 8.73 feet; thence South 23°14'26" East 4.77 feet; thence South 64°21'24" West 7.04 feet; thence South 23°14'26" East 9.62 feet; thence South 06°54'24" West 29.28 feet; thence North 83°05'36" West 2.00 feet; thence South 06°54'24" West 22.61 feet; thence South 58°06'37" West 15.85 feet; thence North 83°05'36" West 11.01 feet; thence South 63°04'00" West 10.64 feet to a point on a 46.00 feet radius curve to the left (center bears South 56°49'36" West 46.00 feet of which the central angle is 10°30'56"); thence along the arc of said curve 8.44 feet; thence North 83°05'36" West 46.82 feet; thence North 14°05'39" West 59.62 feet; thence North 06°54'24" East 38.82 feet; thence South 83°05'36" East 8.10 feet; thence North 06°54'24" East 27.32 feet; thence North 51°54'24" East 2.29 feet; thence North 06°00'00" East 6.57 feet; thence North 53°30'00" East 18.70 feet to a point on a 203.68 foot radius curve to the left (center bears North 44°49'33" East 203.68 feet of which the central angle is 24°37'50"); thence southeasterly along the arc of said curve 87.56 feet to the point of beginning. Contains 12420.45 square feet or 0.285 acres.

ACKNOWLEDGEMENT

STATE OF UTAH)
ss
COUNTY OF SUMMIT)

On the 26 day of December, 1990, personally appeared before me Robert W. Wells, who being by me duly sworn, did say that he is the President of the Silver Lake Village Plaza Association, a Utah Non-Profit Corporation, and that the above Owner's Dedication and Consent to Record was signed in behalf of said Silver Lake Village Plaza Association, by authority of his presidency, and said Robert W. Wells acknowledged before me that said corporation executed the same.

April 27, 1992
My Commission Expires:

Notary Public
Residing at:
Salt Lake City
Utah

NOTARY PUBLIC STATE OF UTAH

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that Golden Deer at Deer Valley, Inc., A Utah Corporation, being the owner of the tract of land in Park City, Summit County, Utah, described on this sheet, does hereby consent to the recordation of the Record of Survey Map and by recording this Record of Survey Map and that certain Declaration of Condominium for Golden Deer Phase I, submits the herein described tract of land together with all improvements situated in or upon the tract of land to the provisions of the Utah Condominium Ownership Act.

Executed this 12TH day of December, 1990.

By: Malcolm MacQuoid
President

ACKNOWLEDGEMENT

STATE OF UTAH)
ss
COUNTY OF SUMMIT)

On the 12TH day of December, 1990, personally appeared before me Malcolm MacQuoid, who being by me duly sworn, did say that he is the President of Golden Deer at Deer Valley, Inc., a Utah Corporation, and that the above Owner's Dedication and Consent to Record was signed in behalf of said Golden Deer at Deer Valley, Inc., by authority of his presidency, and said Malcolm MacQuoid acknowledged before me that said corporation executed the same.

10-15-94
My Commission Expires:

Notary Public
Residing at:
614 Main St
Park City, UT

RECORD OF SURVEY MAP OF:
GOLDEN DEER PHASE I

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, SUMMIT COUNTY, UTAH

NOTE: THE STREET ADDRESS OF GOLDEN DEER PHASE 1 IS 7570 ROYAL STREET EAST

SEWER SERVICE IS AVAILABLE THROUGH A COMMON SIX-INCH PRIVATE SEWER LATERAL THAT IS TO BE MAINTAINED BY THE GOLDEN DEER PHASE 1 OWNERS ASSOCIATION

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF PARK CITY CITY COUNCIL THIS 20TH DAY OF DECEMBER A. D. 1990. AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED.

MAYOR
Anita L. Sheldon
CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS 10TH DAY OF DECEMBER A. D. 1990.

Eric W. Oetham PE
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 18th DAY OF December A. D. 1990.

CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 18th DAY OF December A. D. 1990.

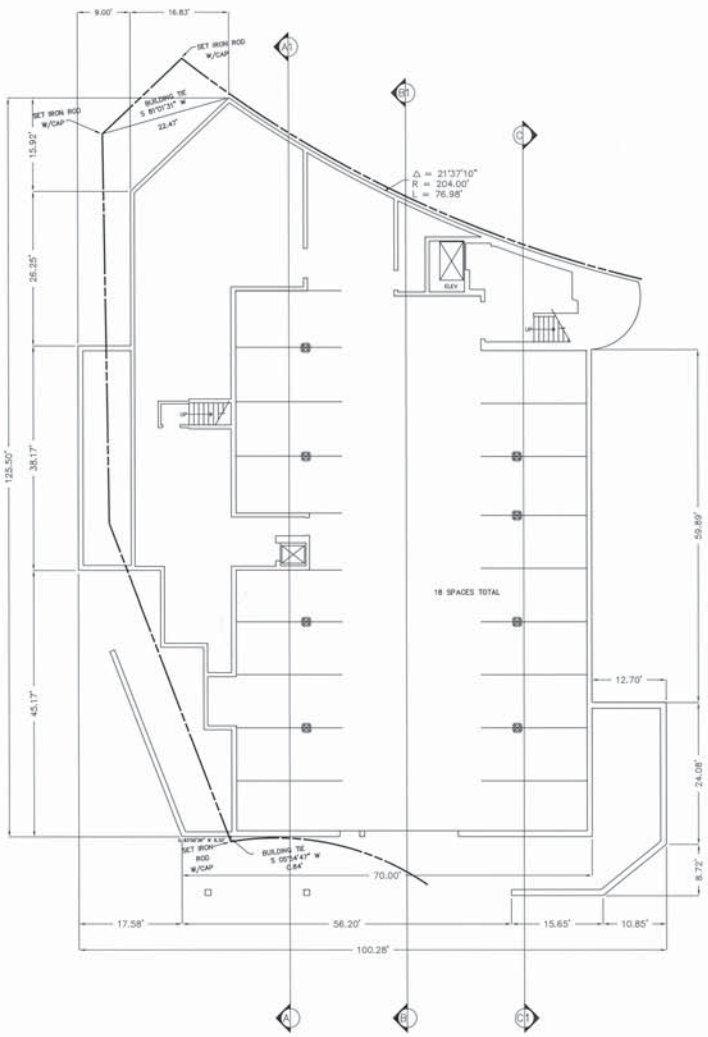
CITY ATTORNEY

RECORDED

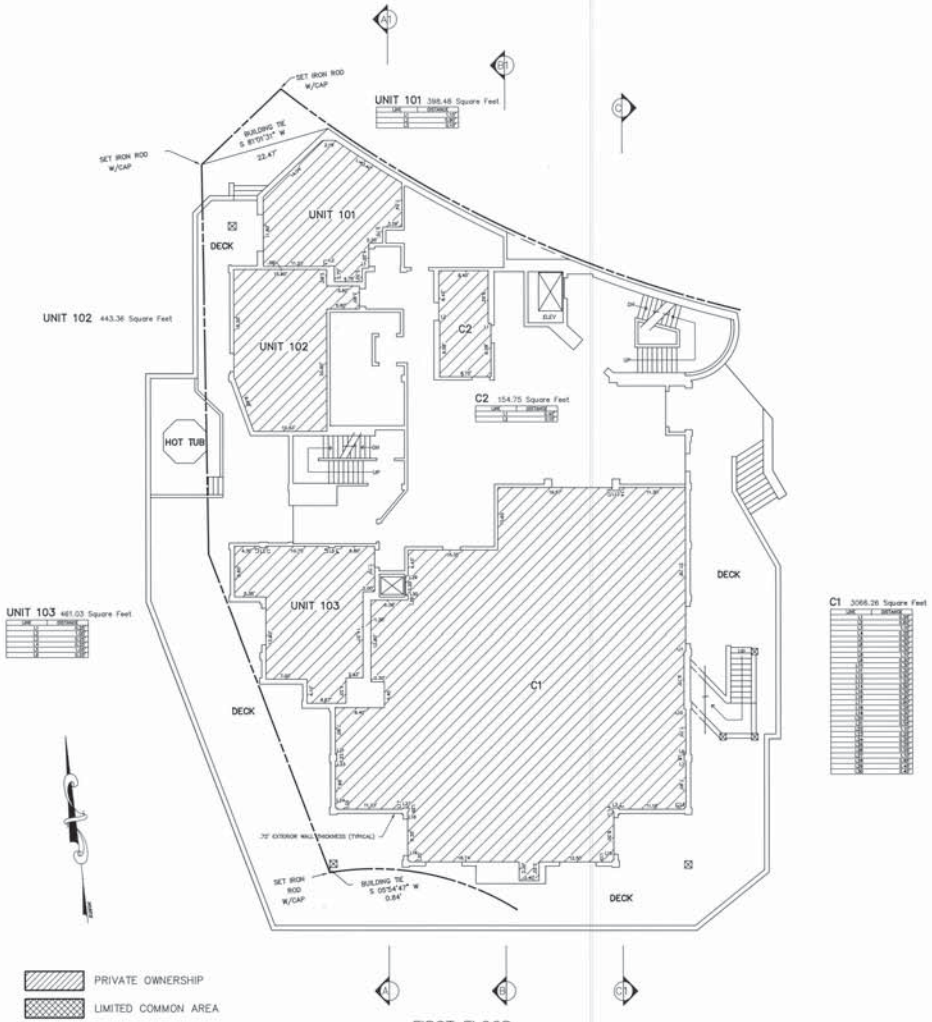
No. 334606
STATE OF Utah
RECORDED AND FILED AT THE REQUEST OF High Country Title
12-27-90 Time 2:15 pm
FEES $110.50
COUNTY RECORDER Alan Spriggs

THE SEAR-BROWN GROUP
FULL SERVICE DESIGN PROFESSIONALS
1351 Deer Valley Rd. South, Suite 202 Park City, Utah 84060
(801) 649-9811 FAX (801) 649-7065

GOLDEN DEER PHASE I



PARKING STRUCTURE



FIRST FLOOR

PRIVATE OWNERSHIP

LIMITED COMMON AREA

COMMON AREA

GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

GOLDEN DEER PHASE I

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PAGE 2 OF 5

RECORDED
No. 384606
STATE OF Utah
RECORDED AND FILED AT THE REQUEST OF
Heber County Title
12-27-00
Time 2:19 P.M.
$110.00 FEES
COUNTY RECORDER

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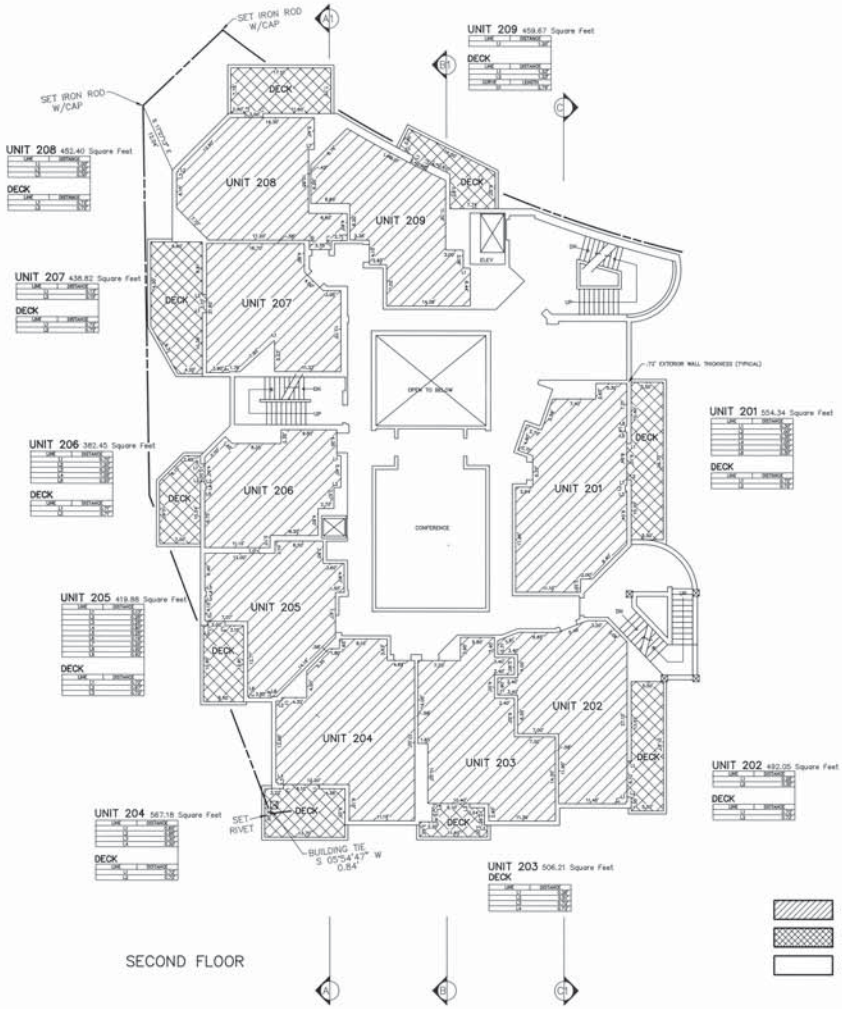

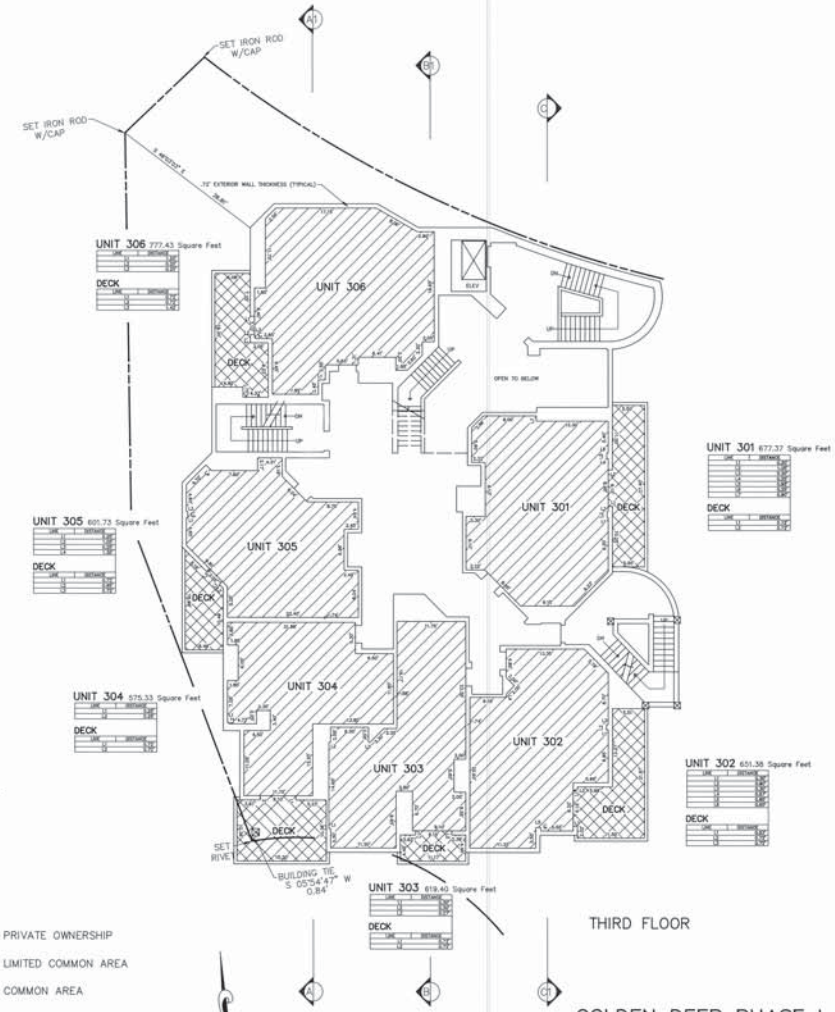

PRIVATE OWNERSHIP

LIMITED COMMON AREA

COMMON AREA

GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

GOLDEN DEER PHASE I

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PAGE 3 OF 5

RECORDED

No. 334606
STATE OF UTAH
RECORDED AND FILED AT THE REQUEST OF
High Country Title 12-27-90 Time 2:19 P.M.
$ 110.00 FEES
Alan Spriggs COUNTY RECORDER

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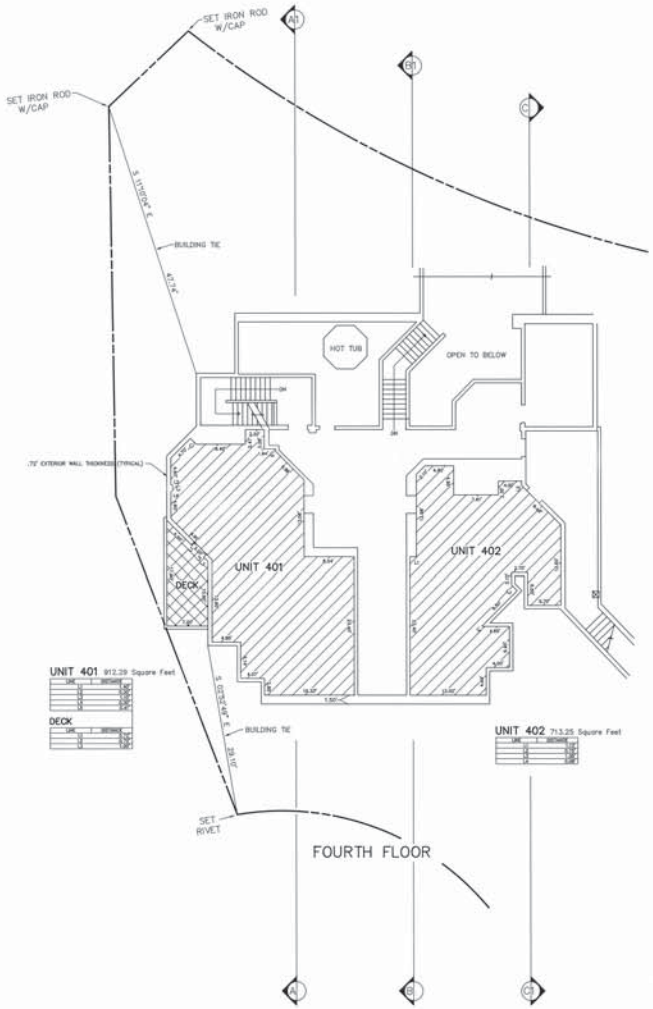

GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

PRIVATE OWNERSHIP

LIMITED COMMON AREA

COMMON AREA

GOLDEN DEER PHASE I

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED

No. 334606
STATE OF Utah
RECORDED AND FILED AT THE REQUEST OF High County Title 12-27-90 Time 2:19 P.M.
$110.50 FEES
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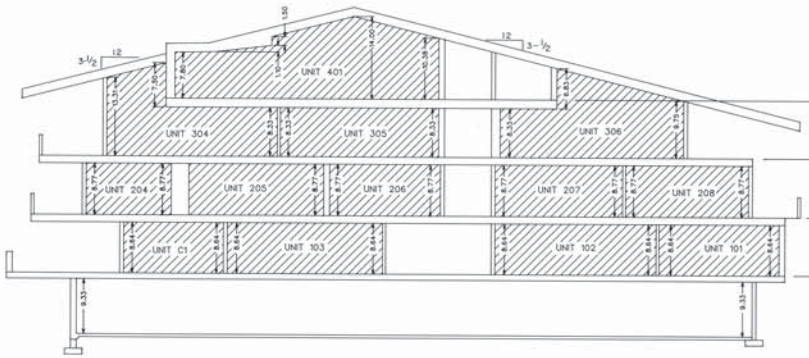
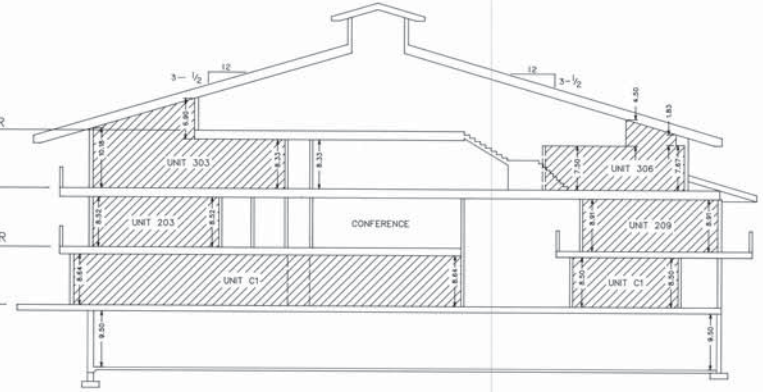


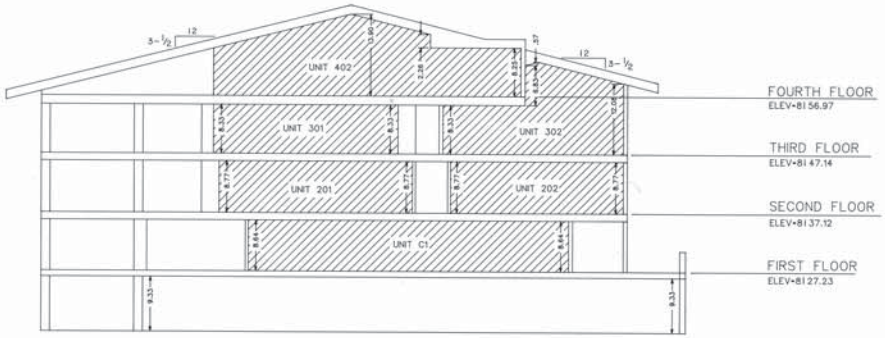
SECTION A-A1

SCALE: 1"=10'



SECTION B-B1

SCALE: 1"=10'



SECTION C-C1

SCALE: 1"=10'

PRIVATE OWNERSHIP

LIMITED COMMON AREA

COMMON AREA

GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

GOLDEN DEER PHASE I

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

RECORDED

No. 334606

STATE OF Utah

RECORDED AND FILED AT THE REQUEST OF

Weber County Title Co 12-27-90 Time 2:19 PM.

110.50 FEES

COUNTY RECORDER

THE SEAR-BROWN GROUP

FULL SERVICE DESIGN PROFESSIONALS

1351 Deer Valley Rd. South, Suite 202 Park City, Utah 84060

(801) 649-9811 FAX (801) 649-7065

GOLDEN DEER PHT 5of5

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Author: Ray Milliner
Subject: 7570 Royal Street East
Date: February 14, 2006
Type of Item: Administrative – Record of Survey Amendment

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing for the First Amendment to the Golden Deer Phase 1 record of survey plat and forward a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Topic

Applicant:	Hope Eccles
Location:	7570 Royal Street East
Zoning:	Residential Density (RD)
Adjacent Land Uses:	Multi – Unit residential and Commercial
Reason for Review:	Record of Survey plat amendments require Planning Commission review and City Council approval

Background

On December 6, 2006 the City received a completed application for the First Amendment to the Golden Deer Phase 1 record of survey plat amendment. The property (commonly known as the Goldener Hirsch Inn) is located at 7570 Royal Street East in the Residential Density – Master Planned Development (RD-MPD) zone. The proposed record of survey will reflect an existing addition to the restaurant, changing approximately 300 square feet of the common area to private. Although a condominium, the entire Goldener Hirsch Inn property is owned by one single owner.

Analysis

There is an existing platted access easement around the building. No changes to this easement are proposed.

Staff finds good cause with the application because there is no expansion of the existing footprint and the existing pedestrian easement is maintained.

The applicant was issued a building permit to construct the addition with the condition that she submit a plat application, and with the understanding that the construction was at her risk. Therefore, if the Planning Commission and City Council do not approve the plat amendment, the addition will need to be removed.

Department Review

This project has gone through an interdepartmental review. No further issues were brought up at that time.

Notice

The property was posted and notice was mailed to property owners within 300 feet. Legal notice was also put in the Park Record.

Public Input

No public input has been received by the time of this report.

Alternatives

- The Planning Commission may forward positive recommendation to the City Council for the First Amendment to the Golden Deer Phase 1 record of survey plat as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for First Amendment to the Golden Deer Phase 1 record of survey plat and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on First Amendment to the Golden Deer Phase 1 record of survey plat.

Significant Impacts

There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation

The plat would remain as is, and the addition would have to be removed.

Recommendation

Staff recommends the Planning Commission hold a public hearing for the First Amendment to the Golden Deer Phase 1 record of survey plat and forward a positive recommendation to the City Council based on the findings of fact, conclusions of law and conditions of approval as found in the draft ordinance.

Ordinance No. 07-

AN ORDINANCE APPROVING THE FIRST AMENDMENT TO THE GOLDEN DEER PHASE 1 RECORD OF SURVEY PLAT LOCATED AT 7570 ROYAL STREET EAST, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 7570 Deer Valley Drive have petitioned the City Council for approval of the First Amendment to the Golden Deer Phase 1 record of survey plat; and

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

WHEREAS, proper legal notice was sent to all affected property owners; and

WHEREAS, the Planning Commission held a public hearing on February 14, 2007, to receive input on the plat amendment;

WHEREAS, the Planning Commission, on February 14, 2007, forwarded a positive recommendation to the City Council; and,

WHEREAS, on March 1, 2007, the City Council approved the First Amendment to the Golden Deer Phase 1 record of survey plat; and

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

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The First Amendment to the Golden Deer Phase 1 record of survey plat as shown in Exhibit A is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 7570 Royal Street East, in the Residential Density Master Planned Development (RD) zone as part of the Deer Valley Master Planned Development.
2. The RD zone is a residential larger contemporary homes, and large multi-unit properties.
3. There is an existing non-historic condominium on the property.
4. The City allowed construction of the addition provided the applicant submit a record of survey plat amendment, the owner assumes risk.
5. All utilities, including sewer and water are available on site.

Conclusions of Law:

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

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

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

PASSED AND ADOPTED this 1st day of March, 2007.

PARK CITY MUNICIPAL CORPORATION

_____

Dana Williams, MAYOR

ATTEST:

_____

Jan Scott, City Recorder

APPROVED AS TO FORM:

_____

Mark Harrington, City Attorney

Exhibits

Exhibit A – Record of Survey plat

Conditions of Approval - 1160 Park Avenue

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

2. The applicant will record the plat amendment (or Record of Survey) at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

6. 7570 Royal Street East - Amended Record of Survey

Planner Milliner reviewed the application for a modification to an existing record of survey plat amendment for the Golden Deer Condominiums; commonly referred to as the Goldener Hirsch Inn. This modification will convert limited common area to private area in order to accommodate an expansion to an existing restaurant. The expansion has been constructed by the applicant at their own risk. If the Planning Commission does forward a positive recommendation to the City Council, the addition will need to be removed.

The Staff recommended that the Planning Commission forward a positive recommendation to the City Council according to the findings of fact, conclusions of law, and conditions of approval contained in the Staff report.

Chair O'Hara opened the public hearing.

There was no comment.

Chair O'Hara closed the public hearing.

MOTION: Commissioner Barth moved to forward a POSITIVE recommendation to the City Council for the Administrative Record of Survey Amendment for 7570 Royal Street East, based on the Findings of Fact, Conclusions of Law, and Conditions of Approval as found in the draft ordinance. Commissioner Thomas seconded the motion.

VOTE: The motion passed unanimously.

Findings of Fact - 7570 Royal Street East

1. The property is located at 7570 Royal Street East, in the Residential Density Master Planned Development (RD) zone as part of the Deer Valley Master Planned Development.

2. The RD zone is residential larger contemporary homes, and large multi-unit properties.

3. There is an existing non-historic condominium on the property.

4. The City allowed construction of the addition provided the applicant submit a record of survey plat amendment, the owner assumes risk.

5. All utilities, including sewer and water are available on site.

Conclusions of Law - 7570 Royal Street East

1. There is good cause for this record of survey amendment.

2. The record of survey amendment is consistent wit the Park City Land Management Code and applicable State law regarding subdivisions.

3. Neither the public nor any person will be materially injured by the proposed record of survey amendment.

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

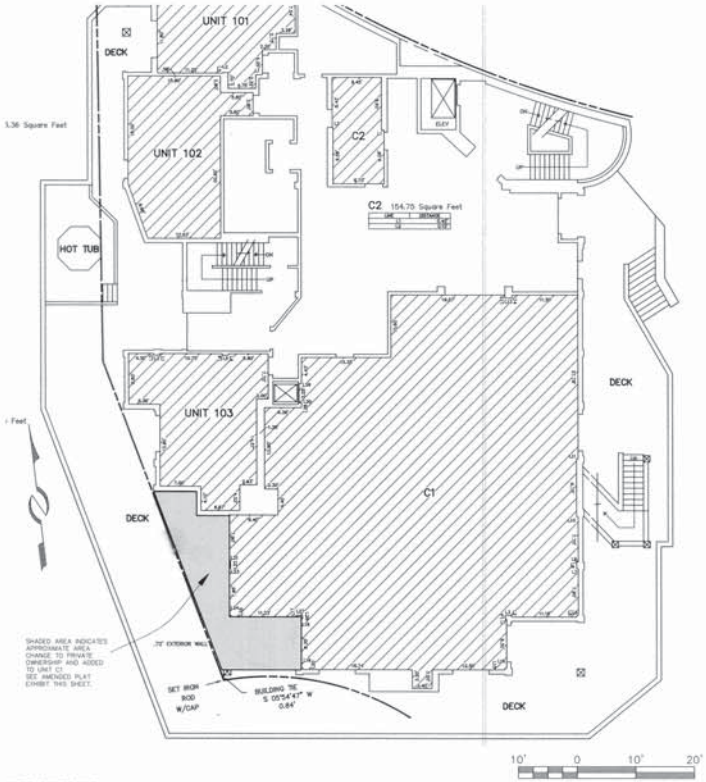
Conditions of Approval - 7570 Park Avenue

1. The City Attorney and City Engineer will review and approve the final form and content of the plat amendment for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.

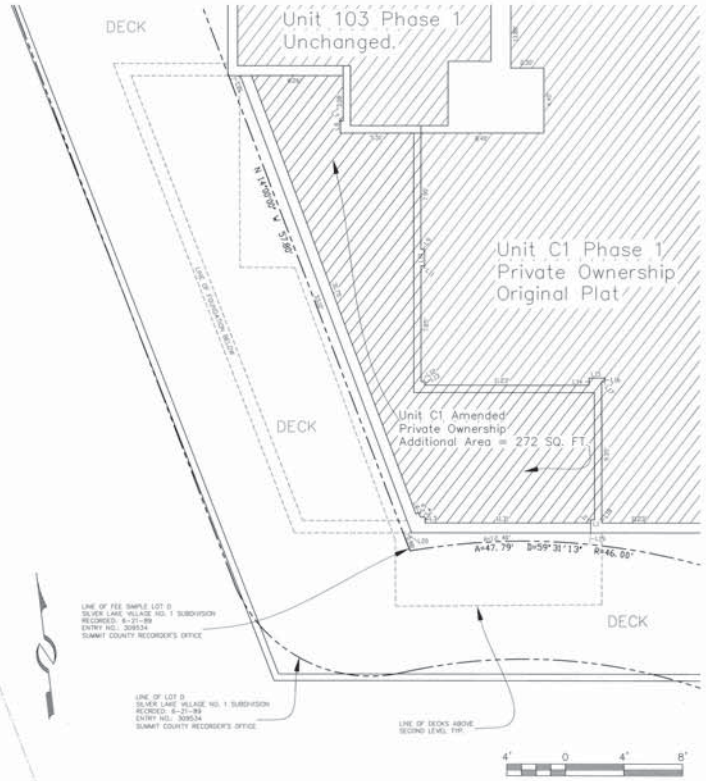
2. The applicant will record the Record of Survey at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the plat will be void.

7. 255 Ridge Avenue, King Ridge Estates - Plat Amendment

Planner Brooks Robinson reviewed the application for a plat amendment creating subdivision No.1 of the Millsite Reservation, located at 255 Ridge Road, in the Historic Residential Low Density zoning district. This combines 12 platted Old Town lots into three lots of record and a Parcel A, which would be dedicated to the City for existing Ridge Avenue which crosses the property at that location. He noted that Ridge Avenue is a substandard street that crosses a number of platted roads and is not within its right-of-way. Dedicating a right-of- way to the City is an important aspect of this application.



VICINITY EXHIBIT ORIGINAL PLAT



AMENDED PLAT EXHIBIT

SURVEYOR'S CERTIFICATE

I, John Demkowicz, do hereby certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed under the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the Owners at the GOLDEN DEER PHASE 1 CONDOMINIUM PROJECT acting as a group in accordance with the Declaration of Covenants, Conditions, and Restrictions for GOLDEN DEER PHASE 1, a Utah Condominium project, this Amended Record of Survey Map of GOLDEN DEER PHASE 1, which consists of Sheet 1 of 1 in accordance with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act. I further certify the information shown hereon is accurate.

John Demkowicz, LS # 154491 — Date 9-27-2007

REGISTERED LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah

OWNER'S DEDICATION AND CONSENT TO RECORD

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

C. Hope Eccles — Date 8/1/07
Vice President
Golden Deer Phase 1 Condominium Homeowners Association, Inc.

ACKNOWLEDGMENT

State of Utah
County of Summit ss

On this 1 day of August 2007, personally appeared before me, the undersigned Notary Public, in and for said County and State, C. Hope Eccles, being duly sworn, acknowledged to me that she is the Vice President of the GOLDEN DEER PHASE 1 Condominiums Homeowners Association, Inc., and that she signed the above Owner's Dedication and Consent to Record for, on, and in behalf of all of the unit owners at the GOLDEN DEER PHASE 1 Condominium Project acting as a group (under the name of ECOKIDS Limited Liability Company) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1963) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Golden Deer Phase 1 Condominium.

Rondel Clegg
A NOTARY PUBLIC COMMISSIONED IN: UTAH
Rondel Clegg
Full Name (printed)
Residing in: Kamas, Utah
My commission expires: March 11, 2011

OWNER'S DEDICATION AND CONSENT TO RECORD

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

C. Hope Eccles — Date 8/1/07
Managing Member
ECOKIDS Limited Liability Company, a Wyoming Limited Liability Company

ACKNOWLEDGMENT

State of Utah
County of Summit ss

On this 1 day of August 2007, personally appeared before me, the undersigned Notary Public, in and for said County and State, C. Hope Eccles, being duly sworn, acknowledged to me that she is the Managing Member of ECOKIDS Limited Liability Company, a Wyoming Limited Liability Company, the owner of the GOLDEN DEER PHASE 1 CONDOMINIUMS, and that she signed the above Owner's Dedication and Consent to Record for, on, and in behalf of of said ECOKIDS in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1963) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Golden Deer Phase 1 Condominium.

Rondel Clegg
A NOTARY PUBLIC COMMISSIONED IN: UTAH
Rondel Clegg
Full Name (printed)
Residing in: Kamas, UT
My commission expires: March 21, 2011

NOTES:

1. This First Amended Record of Survey Map of GOLDEN DEER PHASE 1 changes a portion of the Common Area to Private Ownership and adds this area to Unit C1 as it is depicted and described on Page 2 of 5 of the official plat of record and on file in the office of the Summit County Recorder, Recorded 12-27-90 as Entry No. 334606. With the exception of the additional private ownership shown hereon and added to Unit C1 all other information shown on Pages 1 through 5 of said recorded plat shall remain of force and of record.
2. All other conditions of approval of the Golden Deer Phase 1 Condominium Project shall continue to apply.
3. The floor to ceiling heights measurement of the area being added to Unit C1 is 8'-0". See Page 5 of 5 of said recorded plat for floor elevations.

PRIVATE OWNERSHIP ORIGINAL PLAT
PRIVATE OWNERSHIP AMENDED PLAT
COMMON AREA

LINE TABLE

LINE	DISTANCE	LINE	DISTANCE
L1	.75	L12	.25
L2	.22	L13	.25
L3	.39	L14	.50
L4	.33	L15	1.10
L5	.38	L16	.25
L6	.21	L17	.24
L7	.19	L18	.25
L8	.81	L19	.80
L9	.25	L20	.54
L10	.10	L21	.74

NOTE:
BUILDING TIES ARE AT RIGHT ANGLES OR RADIAL TO THE PROPERTY LINE.

First Amendment
Golden Deer Phase 1 Condominiums
Addition to Unit C1

LOCATED IN SECTION 27
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH

RECEIVED SEP 25 2007

Page 1 OF 1

JOB NO.: 12-11-06 FILE: K:\Bri Lake W\Lwg\prj\plat2007\Golden Deer Condo Amend.dwg

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

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 24th DAY OF Sept, 2007 A.D.
BY B.O.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 14th DAY OF FEBRUARY, 2007 A.D.
BY CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 8th DAY OF SEPTEMBER, 2007 A.D.
BY PARK CITY ENGINEER

APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 27th DAY OF September 2007 A.D.
BY PARK CITY ATTORNEY

CERTIFICATE OF
I CERTIFY THIS RECORD
MAP WAS APPROVED BY
COUNCIL THIS 1st
OF MARCH 20
BY PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
PROVAL AND ACCEPTANCE BY THE PARK CITY
UNCIL THIS 1st DAY OF MARCH, 2007 A.D.
BY MAYOR Dick Thomas

RECORDED
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF Coalition Title
DATE 11-2-07 TIME 12:20pm BOOK ___ PAGE ___
$52.00 FEE — RECORDER

Planning Commission
Staff Report

Application: **PL-15-02966**
Subject: **2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision – Goldener Hirsch**
Author: **Kirsten Whetstone, MS, AICP- Senior Planner**
Date: **November 30, 2016**
Type of Item: **Legislative- Plat Amendment**

Summary Recommendations

Staff recommends the Planning Commission holds a public hearing for the 2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision for Lots D, F, G, and H, located at 7520-7570 Royal Street East, considers public input, and forwards a positive recommendation to City Council according to the findings of fact, conclusions of law, and conditions of approval in the draft ordinance.

Description

Applicant:	EccKids LLC, owner, represented by Christopher M. Conabee and Silver Lake Village HOA
Location:	7520-7570 Royal Street East, Deer Valley Resort, Silver Lake Village Lots D, F, G and H
Zoning:	Residential Development (RD) District subject to the Deer Valley MPD, as amended.
Adjacent Land Uses:	Deer Valley Resort, Park City Fire District Station, and residential and commercial condominiums such as Royal Plaza, Mount Cervin, the Inn at Silver Lake, Stein Ericksen Lodge, Chateaux at Silver Lake, and Black Bear Lodge.
Reason for Review:	Plat Amendments require Planning Commission review and City Council review and action

Proposal

The applicants request to amend the Re-subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision plat to:
1) combine Lots F, G and H into one (1) development lot- Lot I,
2) amend Lot D to reflect the as-built conditions of the existing Goldener Hirsch Inn to increase the skier access easement area by 749 sf with same decrease in fee simple area,
3) provide required utility and access easements, and
4) provide an easement for the proposed bridge over Sterling Court connecting the existing Inn with the proposed multi-unit residential building on Lot I.
(See Exhibit A proposed plat).

A Deer Valley Master Plan Development (DV MPD) amendment to combine these same MPD parcels, and to transfer 0.4215 Unit Equivalents (UE) of density from Lot D to Lot I

was submitted for concurrent review (see Deer Valley MPD Amendment Staff Report in this packet).

A Conditional Use Permit (CUP) application for a multi-story residential building with a total of 68,843 square feet (sf) (34.4215 UE) of residential uses was also submitted for concurrent review (See CUP Staff Report in this packet).

Background

The property is located on Lots D, F, G and H of the Re-Subdivision of Lots No. 1 and No. 2 of Silver Lake Village No. 1 Subdivision plat. The Silver Lake Village No. 1 subdivision plat was approved on April 20, 1989 and recorded June 21, 1989 (Exhibit B) and the re-subdivision was approved on October 5, 1989, and recorded on November 11, 1989 (Exhibit C). The re-subdivision plat created Lots F, G and H from Lot No. 2. Lot D was created with the Silver Lake Village No. 1 Subdivision plat from a portion of Lot 1.

The property is subject to the Deer Valley MPD originally approved on September 27, 1977 and most recently amended on March 23, 2011 as the 11th Amended and Restated Large Scale Master Planned Development Permit (aka Deer Valley MPD). Deer Valley MPD assigns densities for property, parcels, and lots within the MPD Area. Within the Silver Lake Community, Silver Lake Village Lot F is allowed 11 units or Unit Equivalents (UE), Lot G is allowed 11 units or UE and Lot H is allowed 12 units or UE for a total of 34 units or UE. Lot D, the location of the existing Goldener Hirsch Inn, is allowed 6 units or UE.

The Deer Valley MPD allows these Lots to be developed according to the number of units assigned, with no maximum size provided that building height and open space requirements are met, or using the UE formula where each UE is equivalent to 2,000 sf of residential floor area developed as a mix of unit sizes without restriction as to the number of units.

Lots F, G and H are currently vacant, utilized as a temporary parking lot (Exhibits D, E, and F- existing conditions). The Goldener Hirsch Inn was constructed with a total of 11,157 sf (5.5785 UE) of residential floor area as 20 individual units (rooms), in addition to 3,493 sf of platted support commercial uses (2,062 sf from Deer Valley MPD Silver Lake Commercial allotment and 1,431 sf based on the 5% total floor area for support commercial) approved with the Golden Deer CUP and Golden Deer Condominium plats (as further described in the Goldener Hirsch Inn CUP report).

The plat amendment is consistent with the as-built conditions for Lot D and the Deer Valley MPD, as amended.

On January 13, 2016, the Planning Commission held a public hearing and discussed the Conditional Use Permit and plat amendment (see Minutes in Staff Report for the proposed Conditional Use Permit).

Public input was provided by Steve Issowits, a representative of Deer Valley Resort, who is also a Board member of the Silver Lake Village Plaza Association. The representative stated support of the project, mentioning that the final architecture and building height were items that are important to neighboring properties. The Commission discussed 1) parking, including the provision of additional parking over what the project requires as compensation to Deer Valley for loss of some of popular surface parking, 2) building height, and whether the plans comply with restrictions of the MPD given that portions of the upper roof have flat roof elements, 3) combination of lots into one lot, 4) general architectural character and design elements, 5) traffic reduction options that could be requested and implemented, 6) and setback changes from those on the current plat. The Commission also reviewed a physical model of the proposal and voted to continue the item to the February 24, 2016 meeting.

On February 24, 2016, the Commission voted to continue the item to a date uncertain to allow the applicant additional time to resolve an ownership and utility issues, and to review the Deer Valley MPD for any necessary amendments.

On September 28, 2016, the Commission conducted a public hearing and following discussion of the MPD Amendment and Conditional Use Permit, continued the hearings on all three applications to October 26th (see Exhibit J). On October 26th the hearing was formally continued to November 9th to allow additional time for the applicant to address the Commission's comments. The hearing was continued to November 30th to allow the applicant and staff to address questions related to support commercial within the existing Goldener Hirsch Inn (see Goldener Hirsch Inn CUP report).

Items discussed at the September 28th meeting related primarily to the proposed CUP including loss of public parking, service and delivery locations, building setbacks along Sterling Court and at the Royal Street/Sterling Court intersection regarding view corridors, snow removal, employee parking and provision of shuttle vans to reduce need for individual vehicles, construction truck routes (Marsac vs. Royal Street), intention of meeting space, pedestrian circulation utilizing the bridge and sidewalks in the traffic analysis, building volumetric and massing, as well as shadow effects on the plaza, and the amount of glass incorporated into the building design. A materials board was requested. The City Engineer provided a memorandum regarding Sterling Court traffic (Exhibit K).

The applicant provided a letter and additional information to address these items (see Exhibits of the Conditional Use Permit report). The plat was revised to maintain the 15' building setbacks along Sterling Court (Exhibit A) as previous platted.

Purpose

The purpose of the Residential Development (RD) Zoning District is to:

(A) allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,

(B) encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,

(C) allow commercial and recreational activities that are in harmony with residential neighborhoods,

(D) minimize impacts of the automobile on architectural design,

(E) promote pedestrian connections within Developments and between adjacent Areas; and

(F) provide opportunities for variation in architectural design and housing types.

Analysis

The proposed plat amendment creates one (1) lot to be known as Lot I, from three platted lots, namely Lots F, G, and H. Lots F, G, and H are currently vacant, undeveloped lots. The applicant desires to construct a multi-family building on Lot I, consistent with the Deer Valley MPD and subject to an approved Conditional Use Permit.

These Lots are currently utilized as temporary parking for Silver Lake Village and Deer Valley Resort. The parking is roughly paved but not striped and depending on the level of parking management can accommodate 60 to 100 vehicles.

Per the existing plats, Lot D consists of 10,082 sf of fee simple lot area and 5,122 sf of pedestrian and skier circulation and easement area. Lot F consists of 8,766 sf of fee simple area and 6,622 sf of pedestrian and skier circulation and easement area. Lot G consists of 7,772 sf of fee simple area and 8,581sf of pedestrian and skier circulation and easement area. Lot H consists of 7,879 sf of fee simple area and 11,166 sf of pedestrian and skier circulation and easement area. Lot D will be amended to increase the skier easement area by 749 sf. Amending Lot D will result in 9,333 sf of fee simple area and 5,871 sf of skier easement. Lot I will result from the combination of Lots F, G, and H and will consist of 50,786 sf (1.166 acres).

The fee simple areas of Lots F, G, and H are to be owned by the applicant. Transfer of ownership to the applicant (owners of the fee simple areas) of the easement areas around Lots F, G, and H was approved by the Silver Lake Village Owner's Association on June 3, 2016. Easement area around Lot D will continue to be owned by the Silver Lake Village Owner's Association. The applicant will vacate the Mount Cervin Villas condominium plat on Lot F (which they also have title to) with recordation of this plat amendment or with recordation of a new condominium plat for the Goldener Hirsch Inn CUP. Mount Cervin Villas were never constructed.

The following table shows applicable development parameters for this property in the Residential Development (RD) District (Land Management Code Section 15-2.13) and per the Deer Valley MPD:

	RD Zoning District and DV MPD
Lot Size	**No minimum lot size**. DV MPD Amendment and a plat amendment were submitted for concurrent review to combined Lots F, G, and H into Lot I to create one lot of record that is 1.17 acres, including skier access easements.
Building Footprint- Floor Area Ratio (FAR) Density	**No FAR required**. **Density is per the Deer Valley MPD**: Lot F- 11 UE (0.35 acres) Lot G- 11 UE (0.38 acres) Lot H- 12 UE (0.44 acres) Total - 34 UE (1.17 acres) Lot D- 6 UE **Proposed-** 12th Amended DV MPD combines Lots F, G, and H into Lot I and transfers 0. 4215 UE of residential density from Lot D to Lot I for a total of 34.4215 UE (**68,843 sf of residential**) leaving Lot D with 18 units and 5.5785 UE (**11,157 sf of residential**). Lot I (34.4215 UE) on 1.17 acres.
Front yard setbacks	**LMC**- minimum of 25 feet, to front garage, 20 feet to building. **Silver Lake Village plat**- 25 feet along Royal Street and 15 feet along Sterling Court (private drive). **Proposed**- Minimum of 20' along Royal Street and 15' along Sterling Court.
Rear yard setbacks	**LMC**- minimum of 15 feet. **Silver Lake Village plat-** 15 feet. **Proposed-** Minimum of 15 foot rear setbacks are proposed along south property line.
Side yard setbacks	**LMC-** 12 feet. **Silver Lake Village plat-** 12 feet. **Proposed**- Minimum of 12 foot side setbacks are proposed along west property line.

Building Height	**Per Deer Valley MPD Exhibit 1 footnote** The Deer Valley MPD states that the development height limitation is tied to a base elevation of 8122' with **peak of roof not to exceed 8186' (USGS topographic elevations**). Allows a height of 59' with a 5' allowance for the peak of the roof to 64'. **Proposed**- No changes to MPD allowed building height are proposed.

Utility easements will be reviewed by the City Engineer and service providers consistent with the final approved utility plan. All required public utility and access easements shall be shown on the final plat prior to recordation.

The final mylar plat is required to be signed by the Snyderville Basin Water Reclamation District (SBWRD) to ensure that requirements of the District are addressed prior to plat recordation. A ten foot wide public snow storage easement is required along Royal Street.

Good Cause

Planning Staff finds that there is good cause for this plat amendment to combine the lots consistent with a proposed amendment to the Deer Valley MPD and consistent with the proposed Goldener Hirsch Inn Conditional Use Permit proposal for a multi-unit residential building with one underground parking structure. No remnant parcels are created. The plat amendment will not cause undo harm to adjacent property owners and all requirements of the Deer Valley MPD and LMC for any future development can be met. There are no encroachments to be resolved with this plat and the exterior property lines remain the same. Interior lots lines are removed and utility and skier access easements are amended with this plat amendment. Plat recordation and compliance with all plat notes are required prior to issuance of a building permit.

Process

Approval of this plat amendment application by the City Council constitutes Final Action that may be appealed following the procedures found in Land Management Code § 1-18.

Department Review

This project has gone through an interdepartmental review. Issues raised regarding relocation of utilities and easements have been resolved through several utility coordination meetings between staff, the applicant, and service providers. Other issues have been addressed with conditions of approval.

Notice

On September 14, 2016, the property was posted and notice was mailed to property

owners within 300 feet. Legal notice was also published in the Park Record and the Utah Public Notice Website on September 10, 2016, according to requirements of the Land Management Code.

Public Input
Public input was provided at the September 28th meeting (see Exhibit J- minutes). Concerns were raised about traffic congestion, parking, snow removal, and safety on Sterling Court due to the proposed Conditional Use Permit application and expansion of the Goldener Hirsch Inn onto proposed Lot I, as well as construction mitigation concerning conflicts during the ski season. The applicant has provided additional information to address these issues (see CUP report).

Alternatives

- The Planning Commission may forward a positive recommendation to the City Council for the 2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision plat amendment located at 7520-7570 Royal Street East, as conditioned or amended; or
- The Planning Commission may forward a negative recommendation to the City Council for the plat amendment and direct staff to make Findings for this decision; or
- The Planning Commission may continue the discussion on this item.

Consequences of not taking the Planning Department's Recommendation
The platted lots would remain as they are and the proposed building could not be constructed as designed. Three separate buildings could be built on the existing platted lots subject to development parameters of the Deer Valley MPD and the Land Management Code.

Summary Recommendation
Staff recommends the Planning Commission holds a public hearing for the 2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision plat amendment located at 7520-7570 Royal Street East, considers any public input, and forwards a positive recommendation according to the findings of fact, conclusions of law, and conditions of approval in the draft Ordinance.

Exhibits
Ordinance
Exhibit A – Proposed Plat Amendment
Exhibit B – Silver Lake Village No. 1 Subdivision
Exhibit C – Re-Subdivision of Lots No.1 and No. 2 Silver Lake Village Subdivision
Exhibit D – Existing site aerial photo
Exhibit E – Existing conditions survey
Exhibit F – Existing conditions topographic survey
Exhibit G – Proposed utility plan
Exhibit H – Letter from SBWRD

Exhibit I – Applicant's letters and emails
Exhibit J – Minutes of September 28th Planning Commission meeting
Exhibit K – City Engineer memo regarding Sterling Court
Exhibit L – Minutes of November 9th Planning Commission meeting (in this packet)

Note- See CUP report for additional information.

Ordinance No. 16-XX

AN ORDINANCE APPROVING A 2ND AMENDMENT TO A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2 SILVER LAKE VILLAGE NO. 1 SUBDIVISION, AMENDING LOT D OF SILVER LAKE VILLAGE NO. 1 SUBDIVISION, AND AMENDING LOTS F, G, AND H OF A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2 SILVER LAKE VILLAGE NO. 1 SUBDIVISION LOCATED AT 7520-7570 ROYAL STREET EAST, PARK CITY, UTAH.

WHEREAS, the owners of the property located at 7520-7570 Royal Street East has petitioned the City Council for approval of a plat amendment; and

WHEREAS, on September 10, 2016, the property was properly noticed according to the requirements of the Land Management Code and legal notice was published in the Park Record; and

WHEREAS, on September 14, 2016, the property was posted and notice was sent to property owners within 300 feet; and

WHEREAS, the Planning Commission held a work session on January 13, 2016, and public hearings on September 28th, October 26th, November 9th, and November 30th, 2016, to receive input on the plat amendment; and

WHEREAS, the Planning Commission, on November 30, 2016, forwarded a _____ recommendation to the City Council; and,

WHEREAS, on December 15, 2016, the City Council held a public hearing to receive input on the plat amendment; and

WHEREAS, there is good cause and it is in the best interest of Park City, Utah to approve the plat amendment.

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

SECTION 1. APPROVAL. The 2nd Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision plat amendment, Amending Lots D, F, G, and H located at 7520-7570 Royal Street East, as shown on Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 7520, 7530, 7540, and 7570 Royal Street East.
2. The property is in the Residential Development (RD) Zoning District and is subject to the Deer Valley Master Planned Development, as amended.

3. The subject property consists of platted Lots D, F, G, and H of the Re-Subdivision of Lots No.1 and No. 2 Silver Lake Village No. 1 Subdivision.
4. This plat amendment creates one (1) lot of record, to be known as Lot I, from three platted lots, namely Lots F, G, and H.
5. Lots F, G, and H are currently vacant, undeveloped lots. The applicant desires to construct a multi-family building on Lot I, consistent with the Deer Valley MPD and subject to an approved Conditional Use Permit.
6. These Lots are currently utilized as temporary parking for Silver Lake Village and Deer Valley Resort. The parking is roughly paved and not striped and depending on the level of parking management can accommodate 60 to100 vehicles.
7. Per the existing plat, Lot D consists of 10,082 sf of fee simple lot area and 5,122 sf of pedestrian and skier circulation and easement area. Lot D is amended to reflect the as-built condition of the building by increasing the skier and pedestrian circulation easement by 749 sf and decreasing the fee simple area by the same amount. An easement for the bridge connection is proposed on a portion of Lots D and I and over Sterling Court. Amending Lot D will result in 9,333 sf of fee simple area and 5,871 sf of skier easement.
8. Per the existing plat, Lot F consists of 8,766 sf of fee simple area and 6,622 sf of pedestrian and skier circulation and easement area.
9. Per the existing plat Lot G consists of 7,772 sf of fee simple area and 8,581 sf of pedestrian and skier circulation and easement area.
10. Per the existing plat Lot H consists of 7,879 sf of fee simple area and 11,166 sf of pedestrian and skier circulation and easement area.
11. Lot I is proposed to consist of 50,786 sf (1.166 acres) with platted utility and access easement areas.
12. The fee simple areas of Lots F, G, and H are to be owned by the applicant. Transfer of ownership of the easement areas around Lots F, G, and H was approved by the Silver Lake Village Owner's Association on June 3, 2016. Easement area around Lot D will continue to be owned by the Silver Lake Village Owner's Association.
13. A condominium plat, known as Mount Cervin Villas, was recorded on Lot F, as Phase 2 of the existing Mount Cervin Condominiums, which were constructed on Lot E. Lot E, is not part of this plat amendment and the Mount Cervin Condominiums are not owned by this applicant. Mount Cervin Villas were never constructed.
14. The applicant will vacate the Mount Cervin Villas condominium plat on Lot F (which they also have title to) with recordation of this plat amendment or with recordation of a new condominium plat for the Goldener Hirsch Inn CUP.
15. A condominium plat for the multi-unit residential building proposed on Lot I, subject to the Goldener Hirsch Inn CUP, is required prior to individual sale of any units.
16. A condominium plat, known as Golden Deer Condominiums, was recorded on Lot D, as the existing Goldener Hirsch Inn. The condominium plat was amended in 2007 to add 272 sf to the restaurant. A second amended Golden Deer Condominium plat will be submitted for review and approval to memorialize amendments proposed with the Goldener Hirsch Inn Conditional Use Permit,

including converting two existing residential units (843 sf) into common area to accommodate the proposed bridge connection to the multi-unit residential building proposed on Lots F, G, and H.

17. The plat amendment combines Lots F, G, and H, and the associated pedestrian and skier circulation easement areas, into one (1) 1.166 acre (50,786sf) lot of record, to be known as Lot I and associated utility, skier and pedestrian circulation easement areas.
18. The plat amendment provides a bridge easement for the proposed bridge connecting Lot D to proposed Lot I across Sterling Court, a private street.
19. There are no minimum or maximum lot sizes in the RD District.
20. Silver Lake Village No. 1 Subdivision was approved by City Council on April 20, 1989 and recorded at Summit County on June 21, 1989.
21. Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision was approved by City Council on October 5, 1989 and recorded at Summit County on November 8, 1989.
22. Multi-family buildings are allowed in the RD District, subject to requirements of the Deer Valley MPD, as amended.
23. Access to the property is from Royal Street East, a public street, and Sterling Court, a private street.
24. Public utility and access easements, as required by the City Engineer and other service providers, consistent with the final utility plan for the Goldener Hirsch Inn Conditional Use Permit shall be shown on the plat prior to recordation.
25. The final mylar plat is required to be signed by the Snyderville Basin Water Reclamation District to ensure that requirements of the District are addressed prior to plat recordation.
26. Snow storage area is required along Royal Street East due to the possibility of large amounts of snowfall in this location.
27. All findings within the Analysis section and the recitals above are incorporated herein as findings of fact.

<u>Conclusions of Law:</u>

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

<u>Conditions of Approval:</u>

1. The City Attorney and City Engineer will review and approve the final form and content of the plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation of the plat.
2. The applicant will record the plat at the County within one year from the date of City Council approval. If the plat is not recorded within one (1) years' time, this approval for the plat will be void, unless a request for an extension is made in

writing prior to expiration and an extension is granted by the City Council.

3. A ten foot (10') wide public snow storage easement is required along the Royal Street East frontage of the property and shall be shown on the plat prior to recordation.
4. Easements, as required by the City Engineer and other utility service providers, and consistent with the final approved utility plan for the Goldener Hirsch Inn Conditional Use Permit, shall be shown on the plat prior to recordation, including but not limited to; placement of utility structures, boxes and transformers, storm water detention, and an approved fire plan.
5. Modified 13-D sprinklers are required per the Chief Building Official and shall be noted on the plat.
6. All requirements of the Snyderville Basin Water Reclamation District shall be satisfied prior to recordation of the plat and/or noted on the plat.
7. Utility structures such as ground sleeves and transformers and other dry utility boxes must be located on the Lot or within easement areas on the property.
8. The final utility plan must address storm water detention on the Lot, or within the easement areas.

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

PASSED AND ADOPTED this 15th day of December, 2016.

PARK CITY MUNICIPAL CORPORATION

_____
Jack Thomas, MAYOR

ATTEST:

_____
Michelle Kellogg, City Recorder

APPROVED AS TO FORM:

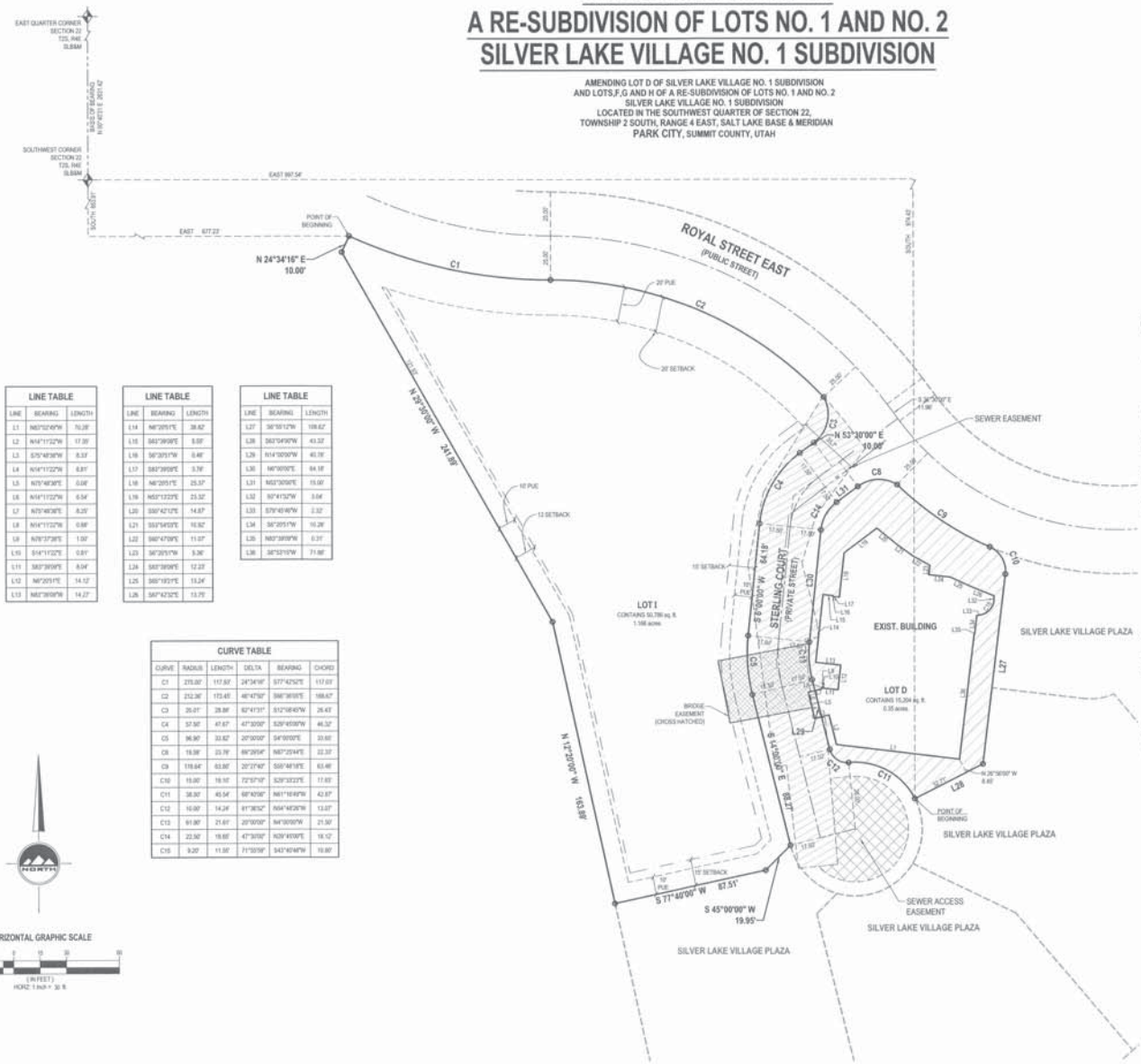
_____
Mark Harrington, City Attorney

Exhibit A- Proposed plat

EXHIBIT A

A 2ND AMENDMENT TO A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2 SILVER LAKE VILLAGE NO. 1 SUBDIVISION

AMENDING LOT D OF SILVER LAKE VILLAGE NO. 1 SUBDIVISION
AND LOTS,F,G AND H OF A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2
SILVER LAKE VILLAGE NO. 1 SUBDIVISION
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



LINE TABLE		
LINE	BEARING	LENGTH
L1	N63°13'45"W	70.28'
L2	N14°11'22"W	17.35'
L3	S75°48'38"W	8.33'
L4	N14°11'22"W	6.81'
L5	N75°48'38"E	0.08'
L6	N14°11'22"W	6.54'
L7	N75°48'38"E	8.25'
L8	N14°11'22"W	0.68'
L9	N78°37'38"E	1.00'
L10	S14°11'22"E	0.81'
L11	S83°39'09"E	8.04'
L12	N6°20'51"E	14.12'
L13	N83°39'09"W	14.27'

LINE TABLE		
LINE	BEARING	LENGTH
L14	N6°20'51"E	38.62'
L15	S83°39'09"E	8.00'
L16	S6°20'51"W	0.46'
L17	S83°39'09"E	3.78'
L18	N6°20'51"E	25.37'
L19	N55°13'23"E	23.32'
L20	S30°42'13"E	14.87'
L21	S53°54'03"E	10.92'
L22	S60°47'09"E	11.07'
L23	S6°20'51"W	5.36'
L24	S83°39'09"E	12.23'
L25	S85°19'21"E	13.24'
L26	S67°42'32"E	13.75'

LINE TABLE		
LINE	BEARING	LENGTH
L27	S6°55'12"W	109.62'
L28	S83°04'09"W	43.32'
L29	N14°00'09"W	40.78'
L30	N6°00'09"E	64.18'
L31	N53°30'00"E	15.00'
L32	S0°41'52"W	3.64'
L33	S75°45'49"W	2.32'
L34	S6°20'51"W	16.28'
L35	N83°39'09"W	0.31'
L36	S6°52'10"W	71.88'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	275.00'	117.83'	24°34'16"	S77°42'52"E	117.01'
C2	232.36'	173.45'	46°47'50"	S66°36'05"E	168.67'
C3	26.01'	28.88'	62°47'31"	S12°18'45"W	26.43'
C4	57.50'	47.67'	47°30'09"	S28°45'09"W	46.32'
C5	96.90'	33.82'	20°00'00"	S4°00'00"E	33.65'
C6	19.39'	23.79'	69°29'04"	N67°25'44"E	22.37'
C9	119.64'	63.80'	20°27'40"	S55°46'18"E	63.48'
C10	15.00'	16.10'	72°57'10"	S29°33'23"E	17.03'
C11	38.30'	45.54'	68°10'08"	N61°16'49"W	42.87'
C12	10.00'	14.24'	81°36'52"	N64°44'26"W	13.07'
C13	61.80'	21.61'	20°00'00"	N4°00'00"W	21.50'
C14	22.30'	19.65'	47°30'09"	N28°45'09"E	19.12'
C15	9.20'	11.35'	71°33'09"	S43°40'48"W	10.80'

Bridge Easement
Beginning at a point also being South 698.03 feet and East 865.96 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running

thence North 79°16'57" East 52.73 feet;
thence Southerly 35.86 feet along the arc of a 61.00 foot radius curve to the left (center bears South 64°52'28" East and the chord bears South 84°38'15" East 20.57 feet with a central angle of 19°51'31");
thence South 14°19'00" East 5.36 feet;
thence South 75°40'38" West 3.96 feet;
thence South 13°38'40" East 8.99 feet;
thence South 75°16'53" West 47.38 feet;
thence North 10°43'07" West 36.00 feet to the point of beginning.

Contains 1,790 square feet or 0.041 acres.

Sewer Easement
Beginning at a point also being South 745.42 feet and East 940.03 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running

thence Southeasterly 25.36 feet along the arc of a 212.36 foot radius curve to the right (center bears South 46°38'30" West and the chord bears South 39°55'15" East 25.34 feet with a central angle of 06°50'50");
thence South 36°30'00" East 11.96 feet;
thence Southeasterly 0.94 feet along the arc of a 178.68 foot radius curve to the left (center bears North 53°30'00" East and the chord bears South 36°39'31" East 0.94 feet with a central angle of 00°18'02");
thence South 36°31'21" West 47.15 feet;
thence South 18°27'58" West 28.37 feet;
thence South 13°49'04" East 30.42 feet;
thence South 04°42'42" East 8.10 feet;
thence South 85°13'18" West 7.73 feet;
thence South 00°35'58" East 45.68 feet;
thence North 85°17'18" East 7.02 feet;
thence South 04°42'42" East 93.71 feet;
thence South 84°24'52" West 22.45 feet;
thence North 06°29'14" West 59.03 feet;
thence South 80°17'18" West 6.66 feet;
thence North 07°23'32" West 115.41 feet;
thence North 12°14'11" East 42.63 feet;
thence North 31°56'36" East 63.36 feet to the point of beginning.

Contains 7,798 Square Feet or 0.179 Acres

Sewer Access Easement
Beginning at a point also being South 1,012.83 feet and East 942.42 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running

thence North 84°24'52" East 11.25 feet;
thence North 04°42'42" West 69.15 feet;
thence North 85°17'18" East 11.74 feet;
thence Southwesterly 120.52 feet along the arc of a 30.02 foot radius curve to the right (center bears South 04°42'42" East and the chord bears South 20°16'46" West 54.43 feet with a central angle of 229°58'56") to the point of beginning.

Contains 2,168 Square Feet or 0.050 Acres

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
- PUE = PUBLIC UTILITY EASEMENT
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- LOT LINE
- ADJACENT PROPERTY LINE
- SETBACK LINE
- PEDESTRIAN & SKIER CIRCULATION EASEMENT
- LOT I & D

SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS, do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. 286862 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land and the following description correctly describes the land surface upon which has been or will be constructed, hereafter to be known as, A 2ND AMENDMENT TO A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2 SILVER LAKE VILLAGE NO. 1 SUBDIVISION a Utah condominium project. In accordance with the Utah Condominium Ownership Act, I further certify that the condominium plat for said project is accurate and complies with the provision of Section 57-8-13 (1) of the Utah Condominium Ownership Act. Reference markers as shown on this plat are located as shown and are sufficient to readily retrace or re-establish this survey.

BOUNDARY DESCRIPTION

LOT I

Beginning at a point South 653.61 feet and East 677.23 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running:

thence Easterly 117.83 feet along the arc of a 275.00 foot radius curve to the left (center bears North 24°34'16" East and the chord bears South 77°42'52" East 117.00 feet with a central angle of 24°34'16");
thence Southeasterly 173.45 feet along the arc of a 212.36 foot radius curve to the right (center bears South and the chord bears South 66°36'05" East 168.67 feet with a central angle of 46°47'50");
thence Southerly 28.88 feet along the arc of a 20.01 feet radius curve to the right (center bears South 80°49'00" West and the chord bears South 12°18'45" West 26.44 feet with a central angle of 82°47'31");
thence South 53°30'00" West 15.00 feet;
thence Southeasterly 47.67 feet along the arc of a 57.50 foot radius curve to the left (center bears South 36°30'00" East and the chord bears South 28°45'09" West 46.32 feet with a central angle of 47°30'09");
thence South 06°00'09" West 64.18 feet;
thence Southerly 33.82 feet along the arc of a 96.90 foot radius curve to the left (center bears South 84°00'00" East and the chord bears South 04°00'00" East 33.65 feet with a central angle of 20°00'00");
thence South 14°00'00" East 98.27 feet;
thence South 45°00'00" West 19.95 feet;
thence South 77°40'00" West 87.51 feet;
thence North 12°20'00" West 153.88 feet;
thence North 25°30'00" West 241.89 feet;
thence North 24°34'16" East 10.00 feet to the point of beginning.

Contains 50,786 square feet or 1.166 acres.

LOT D

Beginning at a point East 967.541 feet and South 674.43 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running:

thence Northwesterly 45.34 feet along the arc of a 36.00 foot radius curve to the left (center bears South 63°03'14" West and the chord bears North 81°16'48" West 42.57 feet with a central angle of 68°40'08");
thence Northwesterly 14.24 feet along the arc of a 10.00 foot radius curve to the right (center bears North 05°36'52" West and the chord bears North 54°48'26" West 13.07 feet with a central angle of 81°36'52");
thence North 14°00'00" West 40.78 feet;
thence Northerly 21.61 feet along the arc of a 61.80 foot radius curve to the right (center bears North 76°00'00" East and the chord bears North 04°00'00" West 21.50 feet with a central angle of 20°00'00");
thence North 06°00'09" East 64.18 feet;
thence Northeasterly 19.66 feet along the arc of a 22.30 foot radius curve to the right (center bears South 84°39'09" East and the chord bears North 20°45'09" East 19.12 feet with a central angle of 47°30'09");
thence North 53°30'00" East 15.00 feet;
thence Easterly 23.78 feet along the arc of a 19.39 foot radius curve to the right (center bears South 37°19'49" East and the chord bears North 87°29'44" East 22.37 feet with a central angle of 69°29'04");
thence Southeasterly 63.80 feet along the arc of a 178.64 foot radius curve to the left (center bears North 44°20'32" East and the chord bears South 55°46'18" East 63.48 feet with a central angle of 20°27'40");
thence Southeasterly 16.10 feet along the arc of a 15.00 foot radius curve to the right (center bears South 23°58'52" West and the chord bears South 29°33'23" East 17.03 feet with a central angle of 72°57'10");
thence South 65°05'12" West 109.62 feet;
thence South 83°52'50" West 43.33 feet to the point of beginning.

Contains 15,204 square feet or 0.349 acres

DATE

PATRICK M. HARRIS
P.L.S. 286862

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that SR Silver Lake, LLC, a Utah limited liability company, as Declarant under that certain Declaration of Condominium for North Silver Lake Condominiums ("Declaration"), hereby certifies that it has caused this survey to be made of this Plat consisting of forty (40) sheets to be prepared, and does hereby unilaterally adopt this Plat and consent to the recordation hereof without the joinder or consent of any other Unit Owner pursuant to Section 8.4 of the Declaration.

In witness whereof, the undersigned has executed this Owner's Dedication and Consent to Record as of the ___ day of _____, 2015.

SR Silver Lake, LLC, formerly known as North Silver Lake Lodge, LLC, a Utah limited liability company

By: _____
Name: _____
Its: _____

ACKNOWLEDGMENT

On this ___ day of _____, 2015, _____ personally appeared before me, the undersigned notary public, in and for said state and county. Having been duly sworn, _____ acknowledged to me that SR Silver Lake, LLC is the owner of the herein tract of land and that he, as Authorized Signatory of SR Silver Lake, LLC, is authorized to sign the above Owner's Dedication and Consent to Record freely and voluntarily.

Authorized Signatory of SR Silver Lake, LLC, a Utah limited liability company

_____
Notary Public

_____
My Commission Expires
Residing in: _____

A 2ND AMENDMENT TO A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2 SILVER LAKE VILLAGE NO. 1 SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 1 OF 1
PROJECT NUMBER: 6772
MANAGER: RQE
DRAWN BY: BBG
CHECKED BY: PMH
DATE OF PREPARATION: 12/2/2015

ENSIGN

SALT LAKE CITY
45 West 10000 South
Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
www.ensignengineering.com

LAYTON
Phone: 801.547.1100

TOOELE
Phone:435.843.3590

CEDAR CITY
Phone:435.865.1453

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 20___
PARK CITY RECORDER

COUNCIL APPROVAL & ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 20___
MAYOR

CITY ENGINEER
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE, THIS _____ DAY OF _____, 20___
CITY ENGINEER

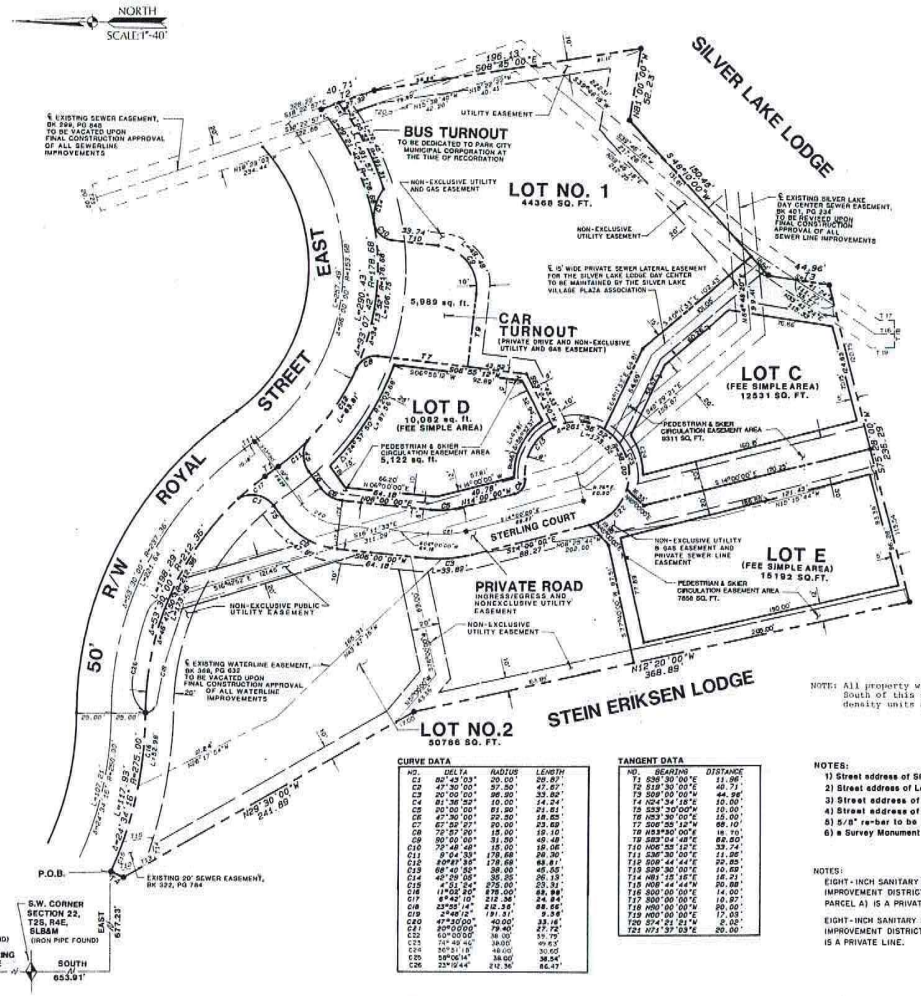
CITY PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 20___
CHAIR

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 20___
S.B.W.R.D.

PARK CITY ATTORNEY APPROVAL AS TO FORM
APPROVED AS TO FORM THIS _____ DAY OF _____, 20___
CITY ATTORNEY

RECORDED #

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



NOTE: All property within the Deer Valley M.P.D. South of this subdivision has no development density units as of the date of this plat.

CURVE DATA

NO.	DELTA	RADIUS	LENGTH
C1	92°43'03"	20.00'	26.87'
C2	47°30'00"	57.50'	47.67'
C3	20°00'00"	96.50'	33.68'
C4	81°36'52"	10.00'	14.24'
C5	20°00'00"	61.50'	21.81'
C6	47°30'00"	22.50'	18.65'
C7	67°58'27"	20.00'	23.69'
C8	72°57'26"	15.00'	19.10'
C9	90°00'00"	31.50'	49.48'
C10	73°48'48"	15.00'	19.06'
C11	8°04'33"	178.68'	26.30'
C12	80°41'39"	178.68'	68.81'
C13	68°40'52"	38.00'	45.55'
C14	49°29'06"	36.25'	26.13'
C15	4°51'24"	275.00'	23.31'
C16	11°03'40"	878.00'	68.94'
C17	8°42'10"	212.36'	24.94'
C18	23°05'14"	212.36'	85.56'
C19	2°48'12"	191.31'	9.36'
C20	47°50'00"	40.00'	33.16'
C21	20°00'00"	79.40'	27.72'
C22	60°00'00"	36.00'	35.75'
C23	74°48'46"	38.00'	49.63'
C24	56°51'18"	48.00'	30.65
C25	58°06'14"	38.00'	38.54'
C26	23°19'44"	212.36'	86.47'

TANGENT DATA

NO.	BEARING	DISTANCE
T1	S36°30'00"E	11.96'
T2	S19°30'00"E	40.71'
T3	S09°00'00"W	44.98'
T4	N24°34'18"E	10.00'
T5	S53°30'00"W	10.00'
T6	N53°30'00"E	15.00'
T7	S06°55'12"W	88.10'
T8	N53°30'00"E	16.70'
T9	S82°04'48"E	82.50'
T10	N06°55'12"E	33.74'
T11	S36°30'00"E	11.06'
T12	S08°44'44"E	22.85'
T13	S36°30'00"E	10.03'
T14	N81°15'16"E	18.21'
T15	N08°44'44"W	20.88'
T16	S00°00'00"E	14.00'
T17	S00°00'00"E	10.97'
T18	N00°00'00"W	20.00'
T19	N00°00'00"E	17.03'
T20	S74°21'21"W	2.02'
T21	N71°37'03"E	20.00'

NOTES:
1) Street address of Silver Lake Lodge is 7600 Royal Street East
2) Street address of Lot D is 7570 Royal Street East
3) Street address of Lot E is 7550 Royal Street East
4) Street address of Lot C is 7580 Royal Street East
5) 5/8" re-bar to be set at all corners
6) a Survey Monument to be set

NOTES:
EIGHT-INCH SANITARY SEWER LATERAL FROM SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT MH #2-4-27-4 SERVICING LOT NO.1 (PROPOSED PARCEL A) IS A PRIVATE LINE.

EIGHT-INCH SANITARY SEWER STUBOUT FROM SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT PROPOSED MH #2-4-27-9 (REVISED LOCATION) IS A PRIVATE LINE.

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into lots, together with easements as set forth on the attached plat, hereafter to be known as Silver Lake Village No. 1 Subdivision.

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

Executed this 3rd day of May, 1989.

Deer Valley Resort Company, a Utah Limited Partnership
By Royal Street of Utah, A General Partner

Robert W. Wells, Vice President

ACKNOWLEDGEMENT

State of Utah)
County of Summit)

On the 3rd day of May, 1989 personally appeared before me Robert W. Wells who, being by me duly sworn, did say that he is a Vice President of Royal Street of Utah, a Utah Corporation, which is a General Partner of Deer Valley Resort Company, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said corporation as such general partner, and said Robert W. Wells duly acknowledged to me that said partnership executed the same.

Notary Public

My commission expires: 9/21/91

Residing at: Summit County, UT

PARCEL DENSITIES

Lot C	10 Residential Units	7000 Sq. Ft. Commercial
Lot D	6 Residential Units	10000 Sq. Ft. Commercial
Lot E	18 Residential Units	0 Sq. Ft. Commercial

SURVEYOR'S CERTIFICATE

I, James G. West, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 3082 as prescribed under the laws of the State of Utah. I further certify that I have made a survey of the tract of land shown on this plat and described as follows:

Beginning at a point which is South 653.91 feet and East 677.23 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian (basis of bearing: North 00° 40' 31" East 2631.42 feet from the Southwest Corner of said Section 22 to the East Quarter Corner of Section 21), said point also being on the southerly right-of-way line of Royal Street East (formerly Silver Lake East Road, as dedicated) and on a 275.00 foot radius curve to the left (center bears North 24° 34' 18" East 275.00 feet of which the central angle is 24° 34' 16"); thence southeasterly along the arc of said curve and southerly right-of-way line 117.93 feet to a point on a 212.36 foot reverse radius curve to the right (center bears South 212.36 feet of which the central angle is 53° 30' 00"); thence southeasterly along the arc of said curve and southerly right-of-way line 198.29 feet to a point of tangency; thence South 36° 30' 00" East along said southerly right-of-way line 11.96 feet to a point on a 178.68 foot radius curve to the left (center bears North 53° 30' 00" East 178.68 feet of which the central angle is 93° 07' 42"); thence northeasterly along the arc of said curve and southerly right-of-way line 290.43 feet; thence South 19° 30' 00" East 40.71 feet; thence South 08° 45' 00" East 194.13 feet; thence North 81° 00' 00" West 52.23 feet; thence South 48° 10' 00" West 150.45 feet; thence South 09° 00' 00" West 44.96 feet; thence South 75° 28' 00" West 236.29 feet to a point on the easterly line of Stein Eriksen Lodge, a Utah Condominium project, as recorded; thence North 12° 20' 00" West along said easterly line 368.89 feet; thence North 29° 30' 00" West along the northeasterly line of said project 241.89 feet; thence North 24° 34' 16" East 10.00 feet to the point of beginning.

Contains 4.005 Acres

I further certify that I have subdivided said tract of land and that the same has been surveyed and staked on the ground as shown on this plat.

I further certify that, in my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of the law.

James G. West — May 2, 1989
Date

REGISTERED LAND SURVEYOR JAMES G. WEST 3082 STATE OF UTAH

SILVER LAKE VILLAGE NO. 1 SUBDIVISION

LOCATED IN THE S.W. 1/4 OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, IN PARK CITY, SUMMIT COUNTY, UTAH

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF Park CITY COUNCIL THIS 6th DAY OF April A.D. 1989, AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED

MAYOR Pro-Tem

DEPUTY CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS EIGHTH DAY OF JUNE A.D. 1989.

Eric W. DeHaan PE
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY CITY PLANNING COMMISSION ON THIS 22nd DAY OF May A.D. 1989

Ronald R. Wheeler
CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 15th DAY OF June A.D. 1989.

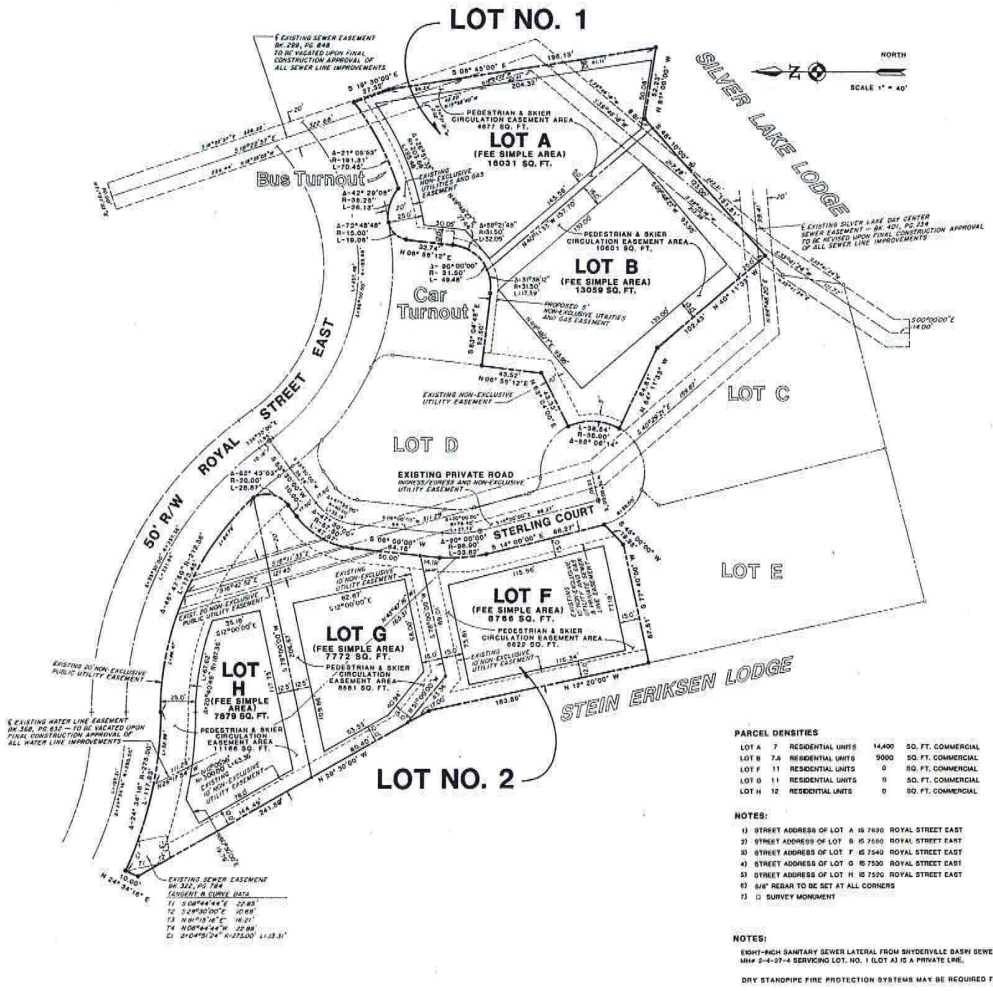
CITY ATTORNEY

RECORDED

Nº 309534
STATE OF Utah
COUNTY OF Summit
RECORDED AND FILED AT THE REQUEST OF:
Park City Title
$ 22.00
FEES 6-16-89 2:00 p.m.
COUNTY RECORDER

THE SEAR-BROWN GROUP
FULL-SERVICE DESIGN PROFESSIONALS
1351 Deer Valley Rd. South, Suite 202 Park City, Utah 84060
(801) 649-9411 FAX (801) 649-7065

EXHIBIT C



PARCEL DENSITIES

LOT A	7	RESIDENTIAL UNITS	14,400	SQ. FT. COMMERCIAL
LOT B	7.5	RESIDENTIAL UNITS	9000	SQ. FT. COMMERCIAL
LOT F	11	RESIDENTIAL UNITS	0	SQ. FT. COMMERCIAL
LOT G	11	RESIDENTIAL UNITS	0	SQ. FT. COMMERCIAL
LOT H	12	RESIDENTIAL UNITS	0	SQ. FT. COMMERCIAL

NOTES:

1) STREET ADDRESS OF LOT A IS 7630 ROYAL STREET EAST
2) STREET ADDRESS OF LOT B IS 7580 ROYAL STREET EAST
3) STREET ADDRESS OF LOT F IS 7540 ROYAL STREET EAST
4) STREET ADDRESS OF LOT G IS 7530 ROYAL STREET EAST
5) STREET ADDRESS OF LOT H IS 7570 ROYAL STREET EAST
6) 5/8" REBAR TO BE SET AT ALL CORNERS
7) ⊡ SURVEY MONUMENT

NOTES:

EIGHT-INCH SANITARY SEWER LATERAL FROM SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT MH# S-4-37-4 SERVICING LOT. NO. 1 (LOT A) IS A PRIVATE LINE.

DRY STANDPIPE FIRE PROTECTION SYSTEMS MAY BE REQUIRED FOR EACH PARCEL DEVELOPMENT

A 24" EAVE ENCROACHMENT BEYOND THE FEE SIMPLE AREA IS ALLOWED.

SURVEYOR'S CERTIFICATE

I, James G. West, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 3082 as prescribed under the laws of the State of Utah. I further certify that I have made a survey of the tract of land shown on this plat and described as follows:

A re-subdivision of Lots No. 1 and No. 2 of Silver Lake Village No. 1 Subdivision recorded as Entry No. 309534 on June 21, 1989, in the Office of the Recorder, County of Summit, State of Utah.

I further certify that I have subdivided said lots into 5 lots, designated A, B, F, G and H, all inclusive, and the said lots have been surveyed and staked on the ground as shown on this plat.

I further certify that, in my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law.

James G. West — Oct 23, — Date

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into lots, together with easements as set forth on the attached plat, hereafter to be known as Resubdivision of Lots No. 1 and No. 2, Silver Lake Village No. 1 Subdivision.

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

Executed this 23 day of October, 1989.

Deer Valley Resort Company, a Utah Limited Partnership
By Royal Street of Utah, a General Partner

Robert W. Wells, Vice President

ACKNOWLEDGEMENT

State of Utah)
County of Summit)

On the 23 day of October, 1989 personally appeared before me Robert W. Wells who, being by me duly sworn, did say that he is a Vice President of Royal Street of Utah, a Utah Corporation, which is a General Partner of Deer Valley Resort Company, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and consent to Record was signed on behalf of said corporation as such general partner, and said Robert W. Wells duly acknowledged to me that said partnership executed the same.

Notary Public

My commission expires: 8/25/91
Residing at: Park City, UT

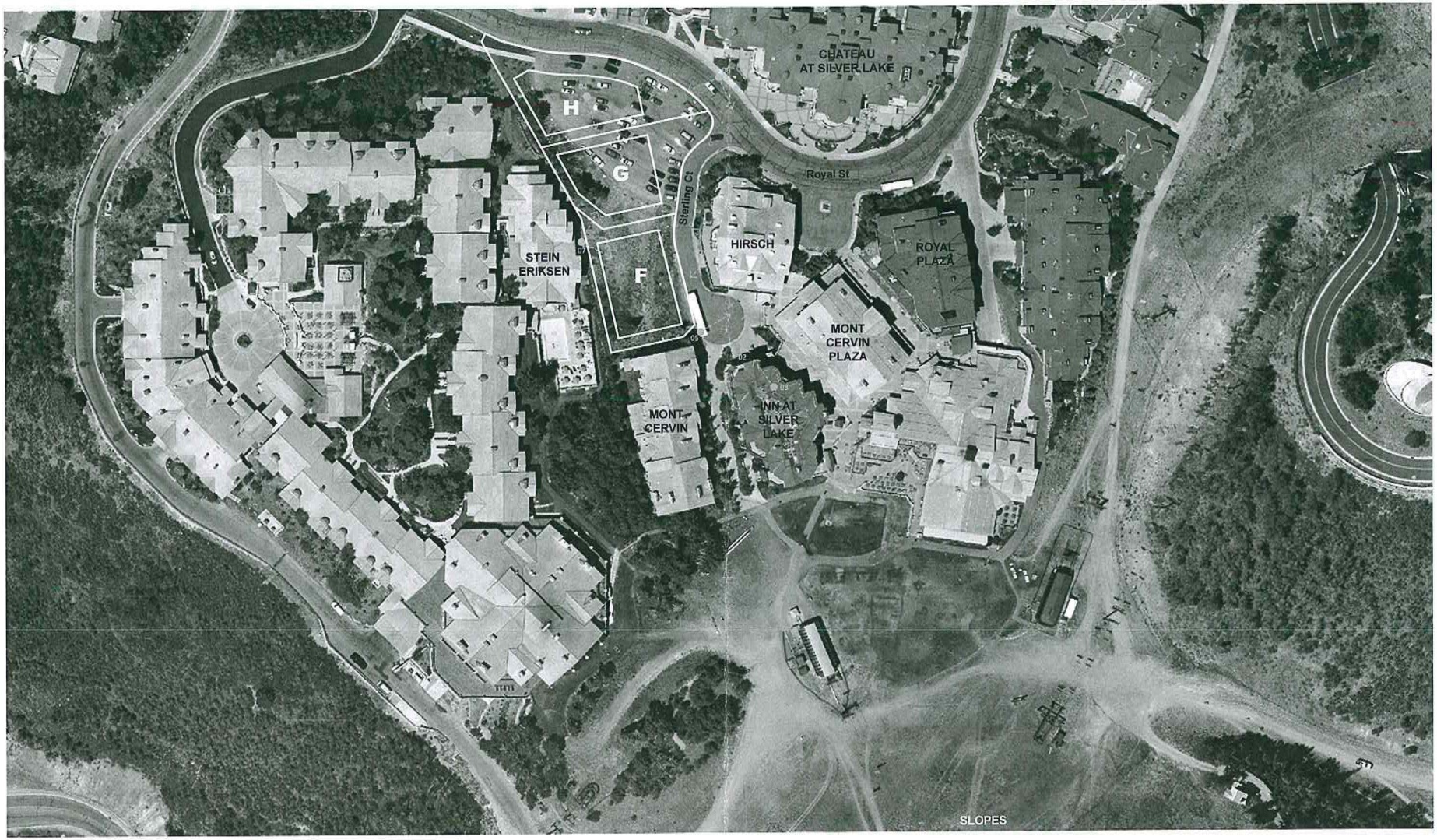
A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2 SILVER LAKE VILLAGE NO. 1 SUBDIVISION

A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2
SILVER LAKE VILLAGE NO. 1 SUBDIVISION
RECORDED AS ENTRY NO. 309534 JUNE 21, 1989
LOCATED IN THE S.W. 1/4 OF SECTION 22,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	RECORDED	
PRESENTED TO THE BOARD OF PARK CITY COUNCIL THIS 5TH DAY OF OCTOBER A.D. 1989 AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED	APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS SECOND DAY OF NOVEMBER A.D. 1989	APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS 31st DAY OF October A.D. 1989	APPROVED AS TO FORM ON THIS 7th DAY OF November A.D. 1989	11-9-89 2:40 p.m. RECORDED A Nº 315566 STATE OF Utah COUNTY OF Summit RECORDED AND FILED AT THE REQUEST OF Coalition Title Company $ 33.00 FEES	THE SEAR-BROWN GROUP FULL SERVICE DESIGN PROFESSIONALS
MAYOR CITY RECORDER	Eric W. DeHaan PE CITY ENGINEER	CHAIRMAN	CITY ATTORNEY	COUNTY RECORDER	

SILVER LAKE VILLAGE RESUBDIVISION

EXHIBIT D



EXISTING SITE

Proposed Setbacks

- Royal Street - 20'-0"
- Sterling Court - 15'-0"
- South/ Mont Cervin - 15'-0"
- West/ Stein Eriksen Lodge - 12'-0"

Does not show the footprint of the underground parking structure.

Revised Plat

Think Architecture

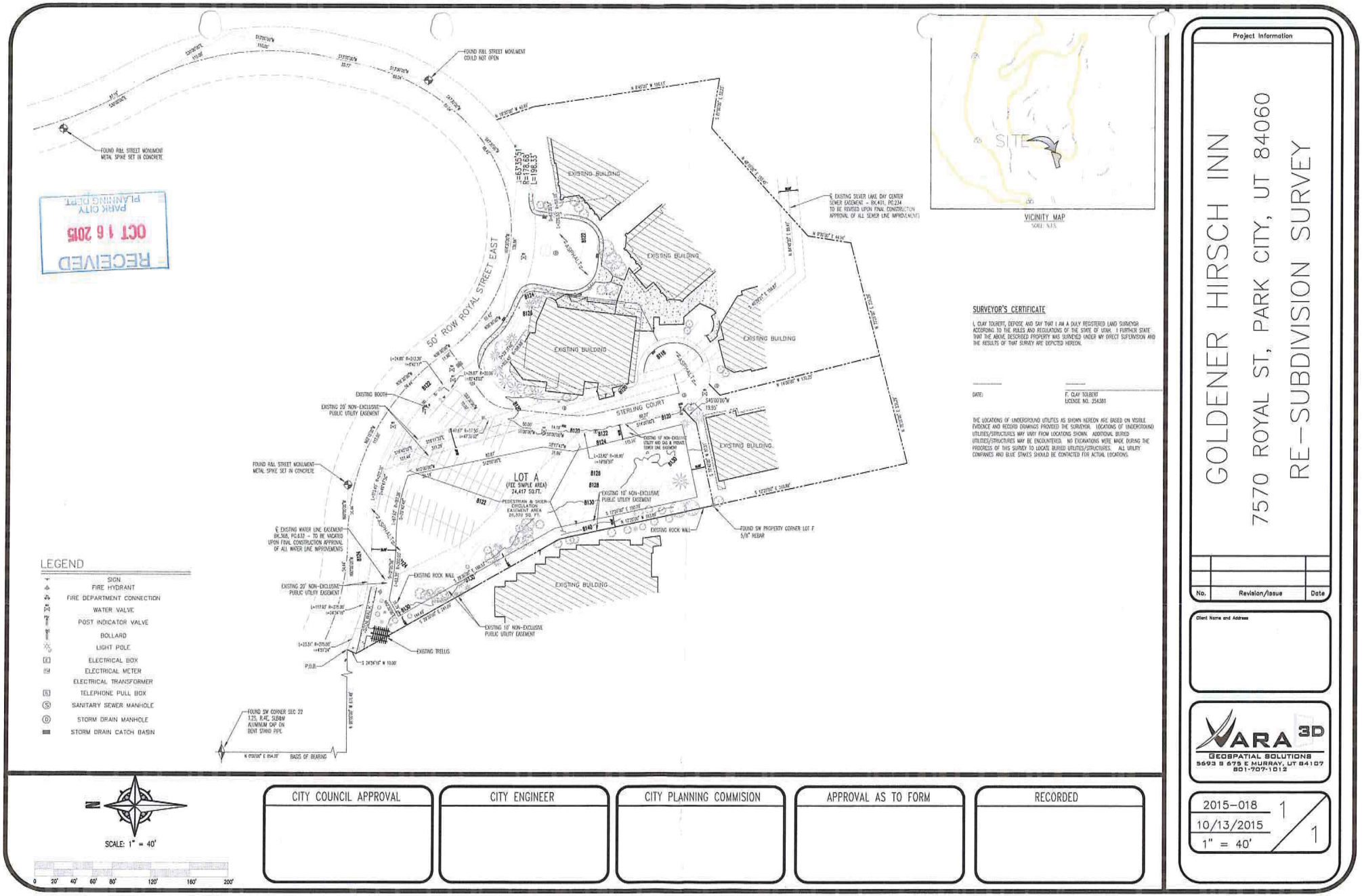
Olson Kundig

Goldener Hirsch

Deer Valley, Utah

11.08.2016

EXHIBIT E



SURVEYOR'S CERTIFICATE

I, CLAY TOLBERT, DEPOSE AND SAY THAT I AM A DULY REGISTERED LAND SURVEYOR ACCORDING TO THE RULES AND REGULATIONS OF THE STATE OF UTAH. I FURTHER STATE THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THE RESULTS OF THAT SURVEY ARE DEPICTED HEREON.

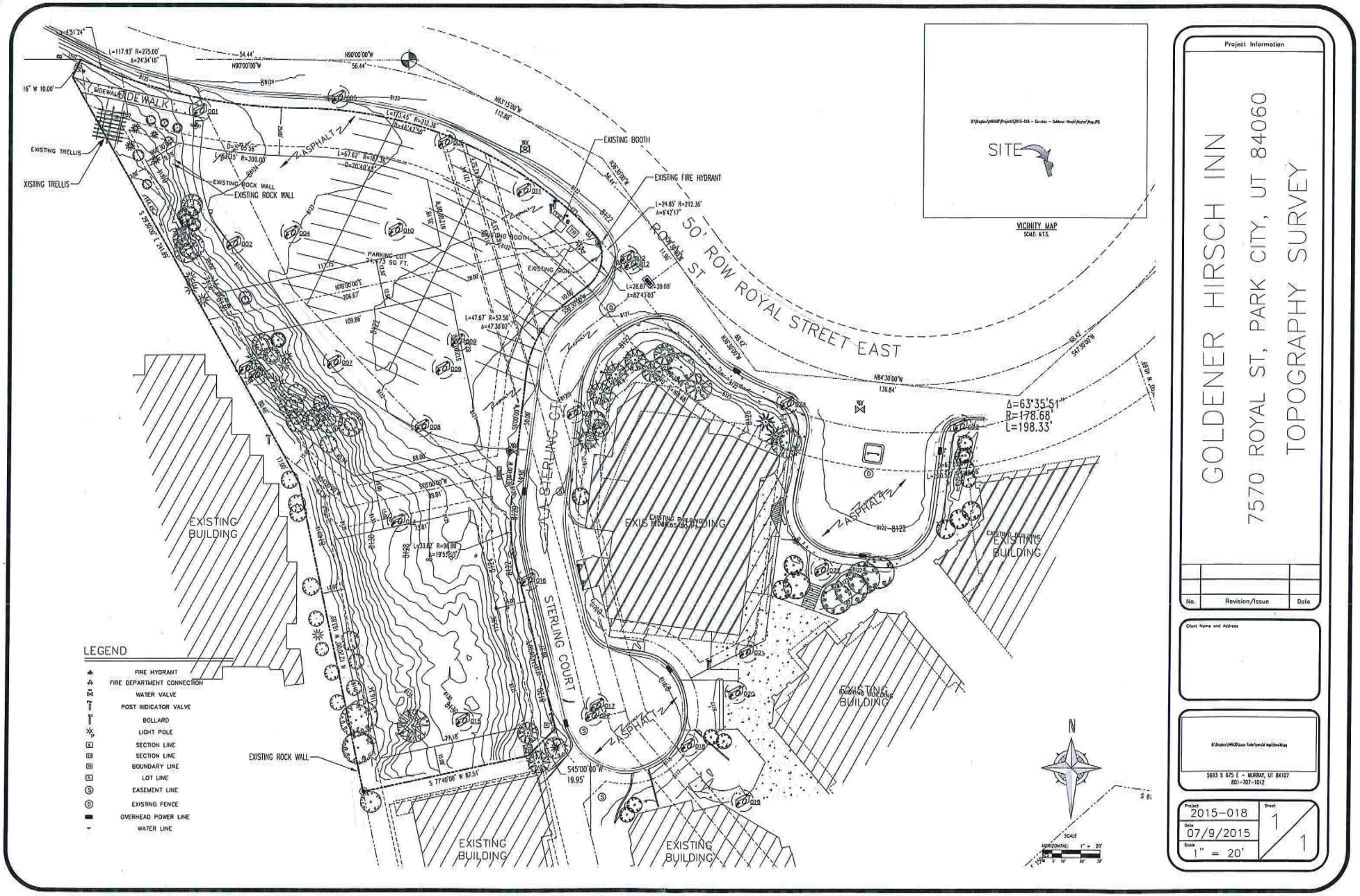
DATE:

F. CLAY TOLBERT
LICENSE NO. 354381

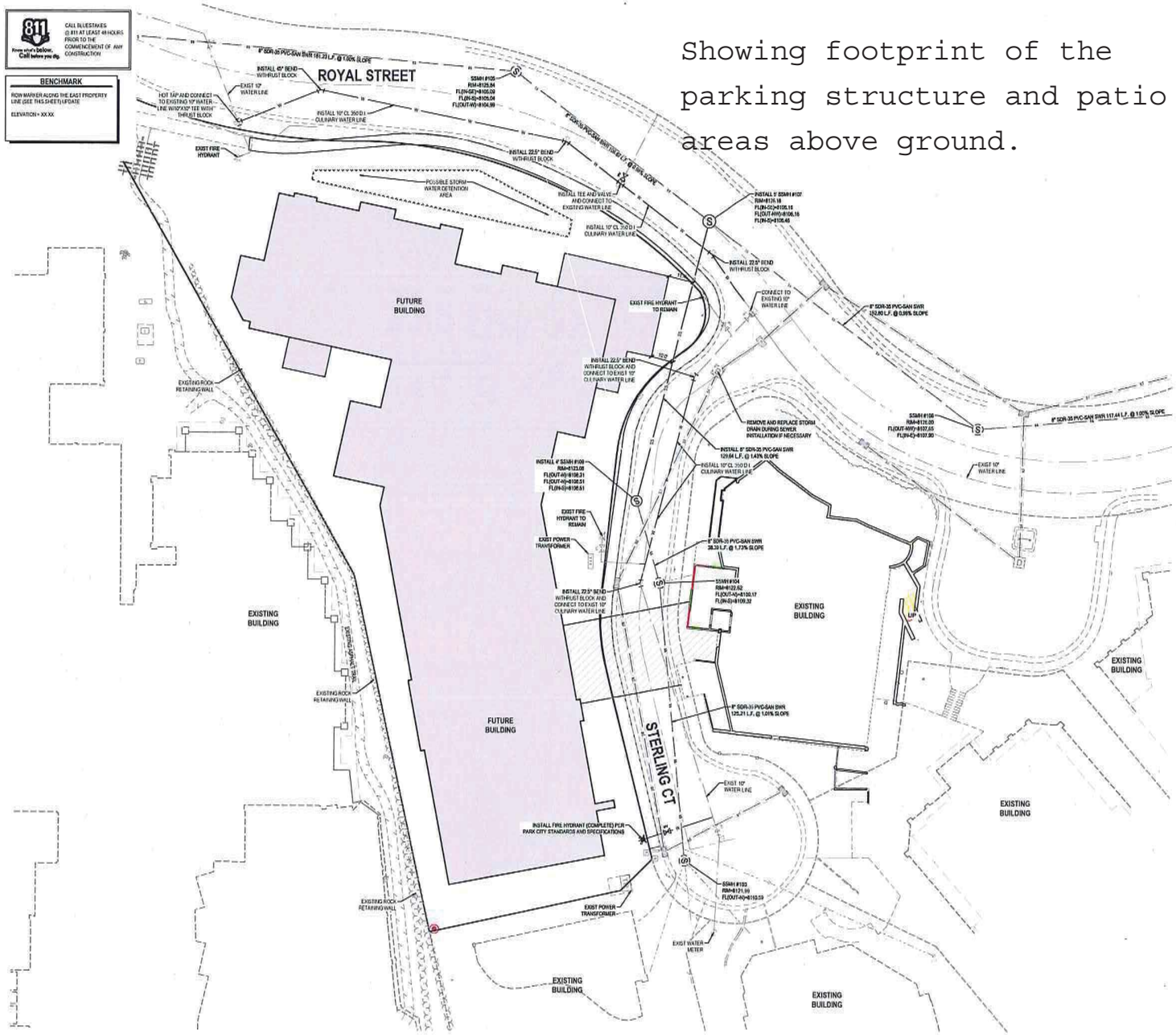
THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON VISIBLE EVIDENCE AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES. ALL UTILITY COMPANIES AND BLUE STAKES SHOULD BE CONTACTED FOR ACTUAL LOCATIONS.

RECEIVED
OCT 16 2015
PARK CITY
PLANNING DEPT

EXHIBIT F


GOLDENER HIRSCH INN
7570 ROYAL ST, PARK CITY, UT 84060
TOPOGRAPHY SURVEY
Project Information
No.
Revision/Issue
Date
Client Name and Address
5693 S 675 E ~ MURRAY, UT 84107
801-707-1012
Project 2015-018
Date 07/9/2015
Scale 1" = 20'
Sheet 1 / 1
VICINITY MAP
SCALE: N.T.S.
SITE
50' ROW ROYAL STREET EAST
ROYAL ST
STERLING CT
EXISTING BUILDING
ASPHALT
SIDEWALK
EXISTING TRELLIS
XISTING TRELLIS
EXISTING ROCK WALL
EXISTING BOOTH
EXISTING FIRE HYDRANT
PARKING LOT 24,173 SQ FT.
LEGEND
FIRE HYDRANT
FIRE DEPARTMENT CONNECTION
WATER VALVE
POST INDICATOR VALVE
BOLLARD
LIGHT POLE
SECTION LINE
SECTION LINE
BOUNDARY LINE
LOT LINE
EASEMENT LINE
EXISTING FENCE
OVERHEAD POWER LINE
WATER LINE
N
SCALE
HORIZONTAL: 1" = 20'

Showing footprint of the parking structure and patio areas above ground.



GENERAL NOTES

1. ALL WORK TO COMPLY WITH THE GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
2. EXISTING AND/OR FOUND UTILITIES AND IMPROVEMENTS ARE SHOWN IN THEIR APPROXIMATE LOCATIONS BASED UPON RECORD INFORMATION AVAILABLE AT THE TIME OF PREPARATION OF THESE PLANS. LOCATIONS MAY NOT HAVE BEEN VERIFIED IN THE FIELD AND NO GUARANTEE IS MADE AS TO THE ACCURACY OR COMPLETENESS OF THE INFORMATION SHOWN. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO DETERMINE THE EXISTENCE AND LOCATION OF THE UTILITIES SHOWN ON THESE PLANS OR INDICATED IN THE FIELD BY LOCATING SERVICES. ANY ADDITIONAL COSTS INQUIRED AS A RESULT OF THE CONTRACTOR'S FAILURE TO VERIFY THE LOCATIONS OF EXISTING UTILITIES PRIOR TO THE COMMENCEMENT OF CONSTRUCTION IN THEIR VICINITY SHALL BE BORNE BY THE CONTRACTOR AND ASSUMED INCLUDED IN THE CONTRACT. THE CONTRACTOR IS TO VERIFY ALL CONNECTION POINTS WITH THE EXISTING UTILITIES. THE CONTRACTOR IS RESPONSIBLE FOR ANY DAMAGE CAUSED TO THE EXISTING UTILITIES AND UTILITY STRUCTURES THAT ARE TO REMAIN. IF CONFLICTS WITH EXISTING UTILITIES OCCUR, THE CONTRACTOR SHALL NOTIFY THE ENGINEER PRIOR TO CONSTRUCTION TO DETERMINE IF ANY FIELD ADJUSTMENTS SHOULD BE MADE.
3. ALL SANITARY SEWER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY STANDARD PLANS AND SPECIFICATIONS.
4. ALL WATER INFRASTRUCTURE TO BE INSTALLED PER GOVERNING AGENCY OR APWA STANDARD PLANS AND SPECIFICATIONS.
6. DEFLECT OR LOOP ALL WATERLINES TO AVOID CONFLICTS WITH OTHER UTILITIES PER GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
7. PROJECT SHALL COMPLY WITH ALL UTAH DIVISION OF DRINKING WATER RULES AND REGULATIONS INCLUDING, BUT NOT LIMITED TO, THOSE PERTAINING TO BACKFLOW PROTECTION AND CROSS CONNECTION PREVENTION.
8. THE CONTRACTOR IS TO COORDINATE ALL UTILITIES WITH MECHANICAL/PLUMBING PLANS.
9. NOTIFY ENGINEER OF ANY DISCREPANCIES IN DESIGN OR STAKING BEFORE PLACING UTILITY STRUCTURES OR PIPES.
10. THE CONTRACTOR SHALL ADJUST TO GRADE ALL EXISTING UTILITIES AS NEEDED PER LOCAL GOVERNING AGENCY'S STANDARDS AND SPECIFICATIONS.
11. THE CONTRACTOR IS TO PROTECT AND PRESERVE ALL EXISTING IMPROVEMENTS, UTILITIES, AND SIGNS, ETC. UNLESS OTHERWISE NOTED ON THESE PLANS.

ENSIGN
THE STANDARD IN ENGINEERING
SALT LAKE CITY
45 W. 10000 S., Suite 500
Sandy, UT 84070
Phone: 801.255.0529
LAYTON
Phone: 801.547.1100
TOOELE
Phone: 435.843.3590
CEDAR CITY
Phone: 435.865.1453
RICHFIELD
Phone: 435.896.2983
WWW.ENSIGNENG.COM

FOR
CLIENT
CLIENT'S ADDRESS
CLIENT CITY STATE ZIP
CONTACT
Chris Corradini
PHONE: 801-806-6254

SILVER LAKE VILLAGE
7570 ROYAL ST
PARK CITY, UTAH

UTILITY PLAN

PROJECT NUMBER 6772
PRINT DATE 7/29/16
DRAWN BY RJFORD
CHECKED BY RJELDER
PROJECT MANAGER RJELDER

C-100

HORIZONTAL GRAPHIC SCALE
(IN FEET)
HOR: 1 INCH = 40 ft

EXHIBIT H

SNYDERVILLE BASIN
WATER RECLAMATION DISTRICT
2800 HOMESTEAD RD, PARK CITY, UT 84098 WWW.SBWRD.ORG T 435-649-7993 F 435-649-8040

July 20, 2016

Christopher Conabee
Utah Development & Construction, LLC
1106 Abilene Way
Park City, UT 84098

RE: Goldener Hirsch Inn
Line Extension Agreement Acceptance

Dear Mr. Conabee:

The Line Extension Agreement (LEA) for the above referenced project was accepted by the Board of Trustees at their July 18, 2016 meeting. With this acceptance you are now authorized to begin the design of the wastewater facilities for the project.

Please contact Kevin Berkley with any questions.

Sincerely,

Bryan D. Atwood, P.E.
District Engineer

cc: C. Hope Eccles, ECCKIDS, LLC
Riley Ford, Ensign Engineering
Bob Elder, Ensign Engineering
Project File

October 15, 2015

Park City Municipal Corporation
Planning Department
445 Marsac Ave
PO Box 1480
Park City, UT 84060

RE: REQUEST FOR CONDITIONAL USE PERMIT (CUP) to partner in Site Planning, Programming, and Architectural Design for the Goldener Hirsch Hotel and Residences

Utah Development and Construction is pleased to submit an application to PCMC to partner in Planning, Programming, and Architectural Design for the Goldener Hirsch Hotel and Residences in Silver Lake Village, Deer Valley, Utah.

INTRODUCTION

The Goldener Hirsch Hotel proposes to build additional hotel rooms, amenities and residences on a parcel of property located next to the existing hotel on Royal Street. Designers will assist the Client with the vision of competing more effectively and efficiently in delivering world class hospitality to it's growing customer base. The new facility will promote the growth of existing demand for new real estate and will allow the Goldener Hirsch to continue to grow room rental revenue in a highly competitive environment.

In order to facilitate the proposed building it will be necessary to seek the combination of Lots F, G, and H and issuing a new record of survey for Lot D.

Feel free to contact me at (801) 935-0254 if further information is required.

Respectfully,

Christopher M. Conabee
Principal
Utah Development and Construction
cconabee@gmail.com

RECEIVED
OCT 16 2015
PARK CITY
PLANNING DEPT.

Kirsten Whetstone

From:	Steve Issowits <sissowits@deervalley.com>
Sent:	Thursday, April 28, 2016 8:18 AM
To:	Christopher M. Conabee
Cc:	Paul Schlachter; John Shirley; Hope Eccles; Kirsten Whetstone; Bryan Atwood; steve@deervalley.com; Benjamin Hanel; Mike Herbst; Pat Harris
Subject:	Re: Silver Lake Subdivision MPD Lots D, F, G and H

Excellent! Thanks so much Chris, and for all your time discussing and meeting this week.

Steve

On Apr 28, 2016 8:02 AM, "Christopher Conabee" <cconabee@gmail.com> wrote:
Steve,

MPD
Please find a copy of the submitted MPD application for your files. I will have a draft of the plat next week for your review and will be coordinating w SBWRD and PCMC next week as well. I will not be adding anything to the MPD file without your review.

SLVPA Property Transfer
I sent a letter to Barry Sartin Monday and I am told his letter will be forthcoming. Hope has coordinated with the Inn and has the same to report.
Ensign will have updated Exhibits for the SLVPA letter prepared by Friday. I will forward you the letter with your edits then. These will also serve as the primary exhibits for the Purchase and Sale and Bridge Easement Agreements. I spoke w Craig Terry yesterday and he will be ready to recieve your edits next week.

Deer Valley Design Review
Our architects are working on the design submittal with solutions to your previous comments and we can have that available once we are finished with the aforementioned.

Thanks Steve,
-cmc:)

Kirsten Whetstone

From: Christopher Conabee <cconabee@gmail.com>
Sent: Tuesday, September 20, 2016 6:38 AM
To: Kirsten Whetstone
Subject: Fwd: Silver Lake Village Plaza Association - Notice of Meeting of the Board
Attachments: GOLDENER HIRSCH BRIDGE 2016.06.01.pdf; Sidewalk Exhibit.pdf; Goldener Hirsch Traffic Letter_053116.pdf; Goldener Hirsch SLVPA Exchange.pdf; Goldener Hirsch SLVPA Exchange Table.pdf

Kirsten,
Please find the attached documents that were prepared for the SLVPA Board meeting. During its June meeting the Board voted to approve connection of lots F,G and H by providing the project easement grounds between parcels. The Board weigh discussions on bridge size, location and distance, in addition to project massing design and safety concerns addressed by a single member of a single building. Please find the attached documents and traffic study they reviewed in making the decision. The vote passed unanimously.
-cmc:)

message ----------
From: **Christopher Conabee** <cconabee@gmail.com>
Date: Wed, Jun 1, 2016 at 11:53 AM
Subject: Re: Silver Lake Village Plaza Association - Notice of Meeting of the Board
To: Steve Issowits <sissowits@deervalley.com>
Cc: Amos <madanes@ivf.us>, Ruth Drapkin <ruthdrapkin@gmail.com>, Michael Ferro <ferro@iproperties.com>, Scott Sandlin <ssandlin@deervalley.com>, Kim McClelland <kmcclelland@deervalley.com>, Tim McFadden Sr <timmcfadden@guidedalliance.com>, Barry Sartin <bsartin1@aol.com>, Hope Eccles <checcles@ecckids.com>, Gary Crocker <gcrocker@merrimack.com>, Bill Natbony <wnatbony@tigris.com>, Bill Riley <bill@elevatedparkcity.com>

In follow up to the Inn at Silver Lake Board call last week and in preparation for the SLVPA Board meeting next week, please find the following seven (7) pages of documents in no specific order representing;

1) Bridge Study
2) Sidewalk plan
3) Traffic Study
4) Hirsch/SLVPA Proposed and Existing Property Map and Table

I look forward to speaking with each of you on Friday or before. Please feel free to contact me with any additional information you might need.
Warm Regards,
-cmc:)

On Wed, May 25, 2016 at 7:32 AM, Steve Issowits <sissowits@deervalley.com> wrote:
Dear SLVPA Board and Members: This message is in follow up to my prior email dated May 13th, and following the conference call scheduled by the SLVPA Board. The Board decided at this past Monday's meeting to give a bit more time to this topic since the Inn at Silver Lake requested some time for additional research and presented concerns of theirs regarding the proposed development. Representing the Inn at Silver Lake on the conference call was their HOA Board President, Tim McFadden.

At Monday's Board Meeting we agreed to hold a continuance of the meeting on Friday June 3, 2016. This meeting will be held on June 3rd at 2pm Mountain Time at Snow Park Lodge, in the 3rd Floor Conference Room. An agenda for the meeting is attached.

For anyone wanting to listen in or provide comments to the Board during the discussion period, please use the call-in number: 435-645-2695, and pass code: 92630#

Sincerely,

Steve

Steven J. Issowits
Director - Real Estate and Resort Planning
steve@deervalley.com
435-645-2630 direct
435-645-6538 fax

Deer Valley Resort
PO Box 1000
Park City, UT 84060
1-800-424-3337
www.deervalley.com

Deer Valley Resort is honored to be ranked #1 in the categories of Access, Guest Service, Dining, On-mountain Food and Lodging by the readers of SKI Magazine for 2016.

On Fri, May 13, 2016 at 3:03 PM, Steve Issowits <sissowits@deervalley.com> wrote:
Good Day Everyone - I hope you are enjoying Spring. This message is to simply let you know that the members of the Board of Silver Lake Village Plaza Association will be meeting on Monday May 23, 2016 at 3pm Mountain Time. The meeting will be held at Snow Park Lodge, in the 3rd Floor Conference Room. An agenda for the meeting is attached.

As a reminder, your current Board Members are: Steve Issowits (President); Amos Madanes (Vice President); and Michael Ferro (Secretary/Treasurer). The Association last held its annual meeting on September 18, 2015 and will be scheduling this year's annual meeting in the near future after financials are finalized from year-end and next year's budgets are reviewed.

Sincerely,

Steve

September 22, 2016

Kirsten Whetstone
Senior Planner
Park City Municipal Corporation
Planning Department
P.O. Box 1480
Park City, Utah 84060

Kirsten,

Thank you for your assistance in moving forward for discussion and subsequent possible approval of the 2nd Amendment to a Re-Subdivision of Lots No.1 and No.2 Silver Lake Village No. 1 Subdivision.

As you are aware we have an agreement from the Silver Lake Village Plaza Association (SLVPA) to combine Lots F,G and H into a single new lot named Lot I. This amendment will also involve the creation of a bridge easement across the private road known as Sterling Court. Lastly, we examined the transfer of .4215 UE's from lot D to Lot I in order to allow for space for the connection of the bridge into the existing Goldener Hirsch Inn.

During the July meeting of the SLVPA the Board examined objections from two neighbors on separate issues regarding the bridge location and height, and a north facing view corridor from effected properties at Mt Cervin. The vote to transfer property resulting in a combination of lots and creation of a bridge easement was passed unanimously.

We look forward to discussing our progress and a presentation of our facts and findings on the 28th of this month.

Respectfully,

Christopher M. Conabee
Principal, Utah Development and Construction

cc: C. Hope Eccles, Manager, EccKids, LLC,
Steven Issowits, SLVPA President

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
SEPTEMBER 28, 2016

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Preston Campbell, Steve Joyce, John Phillips, Laura Suesser, Doug Thimm

EX OFFICIO: Planning Director, Bruce Erickson; Anya Grahn, Planner; Kirsten Whetstone, Planner; Polly Samuels McLean, Assistant City Attorney
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REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioner Band, who was excused.

ADOPTION OF MINUTES

September 14, 2016

MOTION: Commissioner Joyce moved to APPROVE the minutes of September 14, 2016 as written. Commissioner Thimm seconded the motion.

PUBLIC COMMUNICATIONS
There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson reported that the next Planning Commission meeting on October 12th would be held in the Santy Auditorium at the Park City Library. The occupancy threshold in the Council Chambers is 80 people. On average 100 people have been attending when Treasure Hill is on the agenda. Director Erickson reported that Treasure Hill would continue to be on the agenda the first meeting of every month, which is always the second Wednesday.

Director Erickson announced that the Planning Commission would only have one meeting in December due to the holidays. There may also only be one meeting in January due to Sundance.

Chair Strachan asked about workload in the Planning Department and the wait time for applicants to get on the agenda. Director Erickson replied that the bringing items to the

Planning Commission was on track. However, building permit reviews are backed up due to the Staff workload.

Chair Strachan disclosed that his law firm represents PCMR and Deer Valley and for that reasons he would be recusing himself from the Park City Mountain Resort Development Agreement item on the agenda, as well as the MPD application amendment for Deer Valley.

CONTINUATIONS (Public Hearing and Continue to date specified.)

1. Land Management Code (LMC) amendments- Various administrative and substantive Amendments to the Park City Development Code, specifically amending Land Management Code Chapter One – General Provisions- regarding Appeals and Reconsideration Process; creating standards for continuations of matters before Boards and Council; Chapter 2 – Historic Zones - Clarifying that where there are footprint restrictions, the footprint formula does not include prescriptive rights of way or roads; and when existing subdivisions are amended additional density is disfavored; Chapter 6 MPDs and Chapter 7 Subdivisions - when existing MPDs or subdivisions are re-opened or amended additional density is disfavored - Chapter 11 Historic Preservation - timing of hearing Determination of Significance applications.
(Application PL-16-03318)

Chair Strachan opened the public hearing. There were no comments. Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to CONTINUE the Land Management Code Amendments, including various administrative and substantive amendments to the Park City Development Code to October 26th, 2016. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

2. 1376 Mellow Mountain Road – Appeal of a building permit (BD-16-22329) denial based upon the Planning Directors determination of the proposed additional square footage that would exceed the maximum house size identified on the recorded plat of First Amendment to Hearthstone Subdivision. (Application PL-16-03250)

The appellant had request that this item be continued to a date uncertain. Director Erickson noted that it was noticed for a public hearing.

MOTION: Commissioner Joyce moved to CONTINUE 7700 Stein Way, Amendment to the Stein Eriksen Lodge Common Area Supplemental Plat to October 26, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

5. 7520-7570 Royal Street East – Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision combining Lots F, G and H into one lot. (Application PL-15-02966)

6. 7520-7570 Royal Street East – Conditional Use Permit for 34 residential units on Lot 1 of the Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision (Application PL-15-02967)

The Planning Commission discussed the above two items at the same time. Two separate actions were taken.

Planner Whetstone handed out three letters of public input she received after the Staff report was prepared. She also handed out a memo from the City Engineer.

Planner Whetstone reviewed the request for a conditional use permit for 34 residential units on Lot 1 of an amendment to the Plat to a re-subdivision of Lots 1 and 2 of the Silver Lake Village No. 1 Subdivision. She noted that later in the meeting the Planning Commission would be reviewing a separate request to combine parcels F, G and H of the Deer Valley Master Plan to one Parcel, Lot I. The request would not result in a change of density of the parcels but it would transfer density from Lot D, which is where two units of the existing Goldener Hirsch would be taken out to accommodate a bridge, and that density would be moved to Lot I.

Planner Whetstone reported that all three items were noticed for public hearing and a continuation to October 26, 2016.

Chris Conabee, representing the applicant, introduced John Shirley, the project architect with THINK Architecture, and Paul Schlachter with Olsen Kundig in Seattle.

Mr. Conabee recalled that the applicant came before the Planning Commission eight months ago, and the object this evening was to provide a brief overview to update the Commissioners on the layout.

Mr. Conabee started his presentation with the scale and massing of the overall development in terms of what exists and what they were proposing. He identified the

surrounding properties in the existing Silver Lake, which included the current Goldener Hirsch, The Inn at Silver Lake, Mont Cervin, Stein Erickson Lodge, Lots F, G and H, and The Chateaux at Silver Lake.

Mr. Conabee stated that when they met with the Planning Commission the last time the applicant had conducted a number of public meetings. On November 8th, there were concerns about parking and questions were raised about grocery and other sundries. There was support for the beautification of Sterling Court. There were concerns about a building height of six floors, which was later reduced to five floors. There was support for a plaza concept. On December 2nd there was support for increase in bed count, support for retaining the existing Hirsch and not looking at any restructuring of that property, support for a plaza concept. There were access concerns from Mont Cervin that spoke to safety concerns regarding heights of vehicles under the bridge. Mr. Conabee stated that on multiple occasion they also gave presentations in both digital and in-person formats to the Chateaux, Stein Eriksen Lodge, Mont Cervin, the Black Bear Lodge, the Inn at Silver Lake, and Deer Valley Resort.

Mr. Conabee that since the last meeting, as they looked at the massing and what they wanted to bring to the area, they proposed new curb and gutter, a pedestrian sidewalk to extend along Sterling Court, and mature landscaping in the parking area. He noted that Goldener Hirsch had taken on the actual master landscape plan for the entire Village at the request of the Silver Lake Village Property Association. Mr. Conabee stated that the resulting project would have no visible parking, and they would handle the master sign plan for the entire Village. He noted that one concern raised by multiple property owners was that the current wayfinding is not adequate for the area. Other Sterling site improvements include paving, landscaping, plaza space, parking, adding wayfinding signage and removal of the current trash dumpster to a different area off of Royal Street.

Mr. Conabee stated that the goal was to create a public gathering space that would be accessible from all surrounding properties. They had also looked at multiple options for slowing the transition of day skiers down Marsac. Mr. Conabee remarked that another goal was to increase the use of off-season activity, and used what was accomplished at Silver Star as an example of having common area gathering spaces. He noted that it resonated well with both the Silver Lake Plaza Association and multiple owners. Mr. Conabee stated that since this is the last parcel in Silver Lake, they expect to hear a lot of opinions and input. However, there is also a lot of opportunity.

Mr. Conabee presented an Exhibit showing the existing plat with Lots F, G and H. Another Exhibit showed those existing lots, as well as the outline of what they were proposing in a building. He explained that in order to build between those lots they had

to acquire space from the Silver Lake Village Plaza Association. That area of land was transferred to them sometime between 2004 to 2008. He indicated the existing D lot and dash line showing the existing Goldener Hirsch to give an idea of some of the problems up in Silver Lake given its age. In addition, an easement for a sewer line has been corrected. Mr. Conabee pointed to the proposed bridge easement and the plats of land they need to be transferred to their ownership in order to accommodate construction of the hotel.

Mr. Conabee stated that since the last Planning Commission meeting the applicant received approved from the HOA based on the input of the Planning Commission. There was a vote scheduled on May 23rd for the transfer of the property and bridge easement. At that meeting applicant had provided exhibits regarding density, the transfer, the size, the height, exhibits of what the building would look like, view corridor exhibits, massing, and a traffic study to confirm safety for the road. Mr. Conabee stated that an email went out from Tim McFadden and Bill Nabany stating that they did not have enough time to review it and they wanted the vote postponed. Mr. Conabee stated that the applicant met with both gentlemen on May 29th. There was a subsequent Board call a day later at which time they provided a bridge study, a sidewalk plan, and traffic study, and the proposed existing property maps. Another meeting in person was held at Gary Crocker's office and alleviated two of the three members' concerns. Mr. Conabee noted that on June 3rd the Silver Lake Village Plaza Association unanimously voted for the transfer of the property and for the bridge easement. It was confirmed in the Minutes of the September 16th meeting. Most of the comments from that meeting were positive in terms of what could be done with the plaza.

Mr. Conabee stated that when he was taught to do development he was taught to coordinate and collaborate, and to let everyone know what you are doing and how you plan to do it. He believed the Planning Commission was looking at three issues that he could not resolve as a developer. The first issue was concern over safety of the road. He had gone to great lengths to have the City Engineer look at the safety of the road. Mr. Conabee noted that the last line from the City Engineer's memo says that from the Staff's perspective, Sterling Court should function adequately with the added density and should not be a safety concern. Mr. Conabee stated that a traffic engineer from Fehr and Peers was also present this evening.

Preston Stinger, Fehr and Peers, stated that his firm had done a traffic evaluation of Goldener Hirsch looking at the safety of the roadway, particularly Sterling Court. They looked at existing conditions, as well as the existing parking lot with multiple parking stalls facing the curb and the ingress and egress. Mr. Stinger remarked that every access point on a roadway introduces conflict points. With a T-intersection there are

nine different vehicular conflict points at each entry point. He pointed out that it did not include pedestrian conflicts. Mr. Stinger remarked that with proposed development, the proposal is to relocate those parking spaces into the parking garage and to have a consolidate single access point on to Sterling Court; which reduces the 70+ conflict points that exist today, into nine conflict points with a single access. There would be four conflicting areas for pedestrians, as opposed to the 30+ pedestrian conflict points under the current conditions. Mr. Stinger emphasized that what is being proposed would increase the safety of the roadway as it exist today. He noted that the roadway width is sufficient with National Standards and it exceeds Park City Standards. Mr. Stinger pointed out that the wider the street, the higher the speed, which is also a safety concern. Narrowing the street to 20' would reduce the speeds and increase the safety.

Mr. Stinger agreed with the memo from the City Engineer. There is capacity on the roadway to handle additional traffic and it is sufficient from the standpoint of safety.

Mr. Conabee presented a slide showing the existing parking condition that can swell in the summer and winter to 80 cars. He pointed Lot F, where the snow was piled between Goldener Hirsch and Mont Cervin. He noted that Lot F is a platted building and the capacity of Lot F as platted is 22 cars. Mr. Conabee stated that combining the lots would allow for two levels of parking, 111 stalls, six accessible stalls for ADA, and controlled valet parking. He noted that they have 38 units that require 76 stalls. The excess parking is for public parking and trailhead parking. Mr. Conabee applauded the Eccles family for trying to do the right thing on behalf of the Village. He pointed out that they have retail operations at Silver Lake and a Lodge. They have a need to help assist in parking and accessing those operations. The applicants want to be good neighbors and not take away the parking to build what they need for themselves. They also need to be mindful of what the Village is asking and what they need. Mr. Conabee believed they had struck a nice balance. When the owners are not in-house and there are special events at Deer Valley, they would have that ability to park people. During the peak season it is expected that parking will be limited and public transit is encouraged.

Mr. Conabee presented a slide showing the new sidewalk configuration going down Royal Street and Sterling Court where sidewalks currently do not exist. The goal is to take pedestrians from the upper level through the plaza, across the bridge and down, so they are not using the staircase and entering Sterling Court. The Silver Lake Plaza Association felt they could invigorate the plaza while keeping it safer than its current configuration.

Mr. Conabee stated that the next issue was bridge privacy. He commented on a concern from a neighbor, and to address those concerns the architect had prepared exhibits of what the bridge would look like from that neighbor's unit. Mr. Conabee

clarified that the view and the placement of the bridge was not acceptable to that owner, and they feel that people will be looking directly into their unit. He indicated their, which is on Level 2. Mr. Conabee asked the Planning Commission to help them balance between what the Village Plaza Association and other owners have deemed what they want versus what this individual owner deems as something that does not work for himself or his investment.

Mr. Conabee noted that from the front of the bridge to the front of the Inn at Silver Lake is 127. It is 100 feet from the corner of Mont Cervin. The nearby properties between the Inn and between Mont Cervin that are window to window are approximately 26 to 32 feet. Mr. Conabee presented an exhibit of the view corridors from Mont Cervin. He had highlighted the units that were in question. Mr. Conabee stated that conversations with the owners went from a discussion about view corridors to a discussion about safety. He pointed out that the corner of the building shown was the same corner of the platted building. It had not been moved at all. He referred to the setbacks and requested feedback from the Planning Commission. Mr. Conabee indicated the Unit in question and he pointed to a photograph showing that the window is setback from the corner. He noted that by the time people look past the corner. the angle of seeing the rest of the building is completely cut off. Where they encroach into the setback cannot be seen except from across the plaza from Goldener Hirsch.
Mr. Conabee provided an update on the utilities. At the last meeting they talked about a sewer line that bisected their property. They have received permission from Snyderville Basin to move that sewer line. Mr. Conabee thanked the City Staff, the City Engineer, the Water Department, the Fire Department, and the Snyderville Basin Water and Reclamation District because all of these utilities had to be coordinated. He also thanked the neighbors for their patience when they were impacted when the water was shut off. It took a tremendous amount of coordination, and Mr. Conabee thought it spoke to the high quality of the City Staff.

Spencer Eccles, the applicant, stated that he has been privileged to be part of Park City and Deer Valley financing and development for 45 years. He and his wife stayed at the Goldener Hirsch stayed at the Goldener Hirsch many times in Austria, and 25 years ago they had the opportunity to buy the Goldener Hirsch Deer Valley. He purchased the lot across the street not realizing that there were three lots. He always thought it would be the area he would expand on. Mr. Eccles stated that he had reached his 82nd birthday and it was time to “fish or cut bait”, which is why he was moving forward with the expansion. His family was the leader on this project and it is very important to his dream. Mr. Eccles was pleased to be able to present a project designed by a quality architect and team, and they have the approvals needed from outside parties. It is important to his family to expand the Goldener Hirsch and to make it more of an economic unit going forward in an increasingly competitive market. Mr. Eccles stated

that it was time to finish what he started out to do a long time ago. He wanted the Planning Commission to understand the background for their request, and he looked forward to doing something very special for the Silver Lake community. It will be quality and fit in nicely with all the other quality that is up there.

Chair Strachan opened the public hearing.

Tim Pack stated that he was representing Michael Stein, an owner in Mont Cervin. Mr. Pack believed that many of Mr. Stein's concerns had already been addressed. He remarked that Sterling Court is expected to handle traffic for the Inn at Silver Lake, Mont Cervin, the Silver Lake shop, and now for the proposed expansion of the Goldener Hirsch hotel. There are already four existing parking garages on this small street, and this this proposal would increase it to five parking garages. Mr. Pack understood that the parking garage would be private parking and with the increase in traffic, Sterling Court will have to bear all of the burden. He appreciated that the applicant tried to address all of the safety concerns. Safety is always a concern, but the primary concern is traffic and congestion. With the expansion of this hotel and the combination of the snow in the winter months, Mr. Pack believed it would be a very congested area. He noted that the Fehr and Peers report said that the snow would be removed to the south side of Royal Street. He requested clarification on exactly where that snow would go. Mr. Pack indicated that the Fehr and Peers report also said that post hotel construction, Sterling Court would function as a typical narrow two lane residential street. Mr. Pack did not believe that post construction, a typical two-lane street would be sufficient. The new hotel and all the buildings around it require more than the bare minimum two-lane residential street. On behalf of Mr. Stein, Mr. Pack recommended further investigation on the effects that the development would have on vehicular traffic and pedestrian traffic. He thought developer was taking steps to do that, but additional study was warranted. Another recommendation was to investigate further and provide and explanation on the snow removal issue. They like the developer's plan to build the sidewalk along Sterling Court; however, it appears to only be on one side. Mr. Pack suggested a sidewalk on both sides to bear the burden of skiers and bikers year-round. He thought it would be prudent to maintain the existing setback requirements because of this issue. Mr. Pack recommended exploring whether the main entrance to the parking garage and the porte cochere could be moved from Sterling Court to Royal Street. Mr. Stein asked Mr. Pack to reiterate his appreciation of the developer's willingness to talk to the neighbors and seek their input. He also expressed appreciation to the owners for making the attempt to work with their neighbors.

Steve Issowitz with Deer Valley Resort and the Silver Lake Village Plaza Association, clarified that all of the members did receive the information for the first meeting that Mr. Conabee had mentioned. However, when the meeting was held, the President of the Inn at Silver Lake requested that they be given extra time so they could talk to owners within

the building that they had not been able to contact. Mr. Issowitz explained that for purposes of transparency and decision making they decided to extend the vote for ten days. The second meeting was held on June 3rd and the Board voted unanimously to move this ahead. Mr. Issowitz wanted everyone to understand how the neighborhood voted. He stated that when this came before the Planning Commission in February they discussed the resort support of the project, as well as what terrific neighbors the Eccles have been over the years allowing them to use their parking lot for parking lot for skier parking, conference and retail parking in the neighborhood, and for snow storage. Mr. Issowitz stated that the project has always been part of the Master Plan. Whether it was three buildings or one building, at this point in time and with the history, he believed one project with the efficiencies of garage and less ingress and egress out of three garages as opposed to one. He recalled from the last meeting that having everything come off of Sterling Court was preferred, instead of from Royal Street and the City of right-of-way. Mr. Issowitz clarified that he was representing the Silver Lake Plaza Association this evening and not Deer Valley. He noted that there are 71 residential condo owners and 29 commercial unit owners. Everyone in the area who may be affected by view of the potential project were also notified. Mr. Issowitz stated that from the entire group they only heard from the two people at the Inn at Silver Lake and from two others second-hand. He felt the traffic and safety concern had been addressed by their traffic study and by the City Engineer. He believed it created a much safer circumstance for ingress/egress, as well as pedestrians related to the bridge and the easement that the Village voted to up in. Currently everyone crosses wherever they want and getting people onto sidewalks and/or a pedestrian bridge would be a huge improvement to the area. Mr. Issowitz commented on the view issue. In a village setting everyone is affected by views because the buildings are close each other. He encouraged the Planning Commission to vote on combining the lots to permit the applicant to move forward on a CUP for the actual building. Design issues or volumetric issues will come through with the CUP. He hoped they could move forward on the lot combination.

Commissioner Joyce asked if Deer Valley had any plans to make any changes to the other parking structures or how they would adapt to the lost parking spaces.

Mr. Issowitz stated that during the summer they would have to give their guests good reason to park at Snow Park. They were talking about adding Apre ski and Apre bike options to incentivize people to park down below. The City bus system is quite robust in getting people from town to the Village area. He pointed out that there was no magical answer to create more parking. They continually talk about how to incentivize people to start from the base.

Commissioner Suesser asked if City buses currently run from Snow Park to Silver Lake, or whether they run from town. Mr. Issowitz replied that they run from the transit center to Silver Lake. Currently they do not run from Snow Park.

Russ Olsen with Stein Eriksen Lodge stated that they notified their Board and ownership about this project and their concerns were initially about height and the impact it would have on the ownership group at Stein Eriksen. Mr. Olsen stated that the more they looked at it they came to the realization that this project has been anticipated for many years and they are happy to see it finished. Mr. Olsen believed it was nice addition to the neighborhood, and while the owners will be impacted, it will finish the Village and add a more luxurious appearance from the overall finished product. Mr. Olsen clarified that the Stein Eriksen ownership supports the project and have worked closely with the Eccles and their team to ensure that any issues or concerns are mitigated. With respect to parking, Mr. Olsen stated that a plus for the Stein Eriksen management group is their association with the Chateau, which they manage across the street from the parking lot. Currently the Chateau has approximately 400 parking stalls that are highly utilized during some periods of the winter, but other times they are not. They contract with Deer Valley to provide them with overflow parking for their employees in the winter. In addition, some of the guest who will not be able to park in the parking lot will be able to park in the Chateau. Mr. Olsen noted that there will still be excess parking at the Chateau which could help alleviate some of the problems that will result from the loss of the parking lot.

Commissioner Suesser thought the Chateau was private parking and not open to the public. Mr. Olsen replied that it is open to the public and rented in the winter time. The cost is $20 during the peak season and $10 other times. It is currently being used as public parking and he believed it was anticipated to be used for overflow public parking.

Dave Novak, the property manager at Mont Cervin Condos for 22 years, stated that most people do not realize the history of the Silver Lake Village. It has gone through a lot of up and downs, and at one point in time Mr. Eccles was going to build 22 hotel rooms and a swimming pool. Mr. Novak thought it was important for everyone to understand the history and how the Village has been trying to thrive, but it has been an uphill battle. He hoped this new acquisition with Eccles will rebolster and rekindle the retail environment they used to have up there. Mr. Novak understood this was a two-year project from April 2016 to April 2018. During that construction period a ski season will interfere with this project. He recalled that last year the Main Street construction was shut down during the Film Festival. He asked if it was possible for everyone concerned to shut down the construction of this project during the 2017-2018 ski season so they do not have to worry about safety. Mr. Novak stated that his Board had asked him to raise that question.

Chair Strachan closed the public hearing.

Assistant City Attorney stated that the Planning Commission could discuss the CUP and the plat amendment. The Amendment of the Deer Valley MPD would be contingent upon that discussion. However, as Chair Strachan mentioned earlier, he would be recusing himself from the Deer Valley MPD, and for that reason it could be a separate discussion. She pointed out that Deer Valley was not the applicant for the CUP and plat amendment.

Commissioner Campbell stated that this was as great example of how these projects can come together when people work together. He commended the applicants for reaching out to the neighbors and for addressing many of the objections that were expressed at the last meeting. Commissioner Campbell stated that his concerns had been met because the neighbors' concerns had been met.

Commissioner Suesser stated that her biggest concern was the loss of parking that is so heavily utilized all year long. Even though it has been a gift for many years, it will be a great loss for a lot of people. She requested that the applicant continue to look for options for additional parking. Commissioner Suesser liked the idea of the sidewalk. She did not understand whether or not the Sterling Court end would be the gathering space that was mentioned, but she liked that idea. She was unsure whether diverting people over the bridge if that is supposed to be a gathering area. Commissioner Suesser wanted to know whether the delivery trucks that service the hotel would also use Sterling Court or whether they would be able to access of Royal Street.

Commissioner Suesser referred to a comment about the setbacks and how that might affect the view corridors. She was still unclear on how the setbacks were being addressed.

Mr. Conabee stated that the parking requirement is 76 stalls. They will have 68 lockouts and they are building 117 stalls. Those extra stalls will be public parking. Mr. Conabee thought it was important to understand that they were trying to create vitality. This is the last chance to do something special at Silver Lake and the goal is not to have cars. They want people coming to Silver Lake to eat and to shop. The Silver Lake Plaza Association is actively talking about ways to invigorate that area. The shops that used to exist are slowly disappearing because there is no way to get up there and utilize those shops. One project cannot solve that. It needs to be a group effort and they are having active discussions about non-vehicular options.

On the issue of delivery, Mr. Conabee explained how the access for delivery trucks would be split between Sterling Court and Royal Street. There is access into the back of the hotel off of Royal Street to the right. He stated that they were trying to divide it up as much as possible to pull some of the burden off of Sterling Court.

Mr. Conabee addressed the question about gathering spaces. Mr. Schlachter stated that they had a long conversation for many months and the original concept was to put a lid on the end of Sterling Court to create a community village space. However, that was fraught with structural, access and fire issues. They left that zone as it is down below on the street, and instead tried to focus that effort on the second level. When people come off the mountain they are already on the second floor, so they tried to maintain that and draw people into the area to the south of the existing Hirsch, and then connecting to the bridge. Mr. Schlachter remarked that the bridge is an exciting opportunity to create lively outdoor space in the winter. It is their hope of connecting the existing Hirsch on the east side to the new Hirsch on the west, and the bridge would be used as the Village concept.

Mr. Conabee thought they had done a great job to have a wayfinding experience for a guest leaving Deer Valley to slow them down and engage the Village a little more, and bring the neighbors in the Village around a piece of property.

Mr. Conabee responded to the setback question. He stated that the biggest issue is that the platted building that on Lot F sits on the same property line at the 15 foot setbacks. When they go down Royal Street the 15-foot setback follows the street but the building does not. He indicated where the building comes into the setback and pushes over. He presented a 3-D model rendering that was done on-site. The measurements and dimension were done with a 3-D survey and dropped into the model. He pointed out what Mr. Stein would see out of his window. Mr. Conabee noted that if they moved the building back five feet, Mr. Stein would just see more rooftop.

Planner Whetstone asked Mr. Conabee to explain the setback variations being requested. She noted that currently the plat is 15-feet. John Shirley, the project architect, stated that they were trying to get to a 12-foot setback. On the street level they maintain a 20-foot setback as the lower level steps back and opens up more space for pedestrian access, and other elements. One level two the building overhangs the garage 5 feet, and on one corner encroaches to just over 12 feet.

Director Erickson stated that currently the City does not allow encroachment into the setback areas and setbacks are vertical planes on the property line. He thought it was important to see an exhibit of all the encroachments proposed. Mr. Conabee stated that they would provide that information with the CUP. Commissioner Joyce indicated areas where there were discrepancies between 10‘and 12’ and requested that it be consistent when it comes back.

Mr. Conabee pointed out that the setback issues would not affect the plat if they choose to move forward this evening.

Commissioner Thimm asked Mr. Conabee to show on the overall site plan where there is a 10' or 12' setback and the extent of it. Mr. Conabee indicated the area where there was a conflict. Mr. Shirley stated that currently the setbacks were laid out based on the MPD. Both the plat and the MPD call for a 15' setback along the south end of the property adjacent to the Mont Cervin. On the west side of the property adjacent to the Stein Eriksen Lodge is a 12' setback line. Along Royal Street there is a 20' setback requirement because there is not a garage door on the face. He pointed out that if the main entry was on Royal Street it would be 25'. Mr. Shirley stated that they were currently holding the building back to the 25' for other reasons. Along Sterling Court there is a 10, 12 and 15' line as they try to figure out what they have to apply for. On the street level everything is behind the 15' setback line. The second story, along with the bridge area and the area between the staircase and Mont Cervin, that area extends out five feet. Everything fits within a 12' setback in that area.

Commissioner Thimm stated that when they come back it will be important for the Commissioners to understand why the encroachment is so important to the design. What needed to be addressed from the Code standpoint would be helpful as well.

Commissioner Joyce liked the idea of combining the three lots. He referred to an exhibit Mr. Conabee presented earlier and thought it looked like lots and building footprints were defined. He pointed out that the applicant not only combined the lots, but they basically eradicated the footprint limits and went all the way out to the easements. He had concerns about a tunnel effect along Sterling Court and that they were making an open mouthed canyon into a closed mouth canyon. He also had concerns with the view shed for the units at the end of the court. Commissioner Joyce believed they had pushed the setbacks quite far compared to a typical combined plat amendment and he was not comfortable with how the footprint disappeared from what was originally part of the MPD and the plats. Commissioner Joyce pointed out that there would be serious discussions about snow removal and he had many questions.

Commissioner Joyce commented on the loss of parking and the potential for a shuttle service, especially for employees. He noted that there was no mention of employee parking. He wanted to understand the plan for employees and for shuttles. In his opinion, that would be a good cause value for allowing a lot combination. Commissioner Joyce would like those issues addressed when they came back, as well as what they plan to do to mitigate the traffic and parking issues for employees and residences. He liked what Stein has done to eliminate the need for their guests to have cars.

Commissioner Joyce noted that they only received the parking memo from the City Engineer this evening. He would spend more time reviewing it, but at some level he disagreed with the conclusion. He drove up there today and it is a little road. The City

Engineer described it as residential cul-de-sac, but he has never seen a 100-yard long cul-de-sac that has 200 people living at the end of it. Commissioner Joyce had concerns with snow issues and how the snow would be removed. Commissioner Joyce referred to language stating that "Goldener Hirsch will be vacating 18 spaces due to improvements in the existing garage". Mr. Conabee replied that it was not accurate. It was from a previous plan. He explained that they had a 5% commercial entitlement that they were not using. They have other added amenities and hallways that make it larger. Commissioner Joyce was comfortable if the answer was that the language was old and did not apply.

Planner Whetstone understood that there were 18 parking spaces for the 20 condominium units in the existing Goldener Hirsch. Mr. Conabee replied that this was correct, and those 18 spaces would remain in their current location as condominium platted space.

Commissioner Joyce referred to language on page 264, "City engineer recommends that truck traffic use Marsac". He recalled significant discussion on Empire Pass about truck safety and issues of ice and snow and coming down that road. Planner Whetstone believed that the City Engineer and the Chief Building recommend Marsac over Royal Street because there is the emergency lane for runaway trucks. She offered to confirm that with the City Engineer. Commissioner Joyce requested that the City Engineer attend the next meeting to answer questions.

Commissioner Joyce commented on the 31 lockouts and asked if a wholly owned unit could rent out two halves at the same time. Mr. Conabee answered yes. Commissioner Joyce had an issue with the LMC on this matter. Splitting lockouts creates major mitigation impacts on parking, traffic and other issues. He pointed out that the Code ignores lockouts and he thought that needed to be fixed.

Commissioner Joyce noted that a space was labeled the lounge near the pool. Mr. Conabee believed it was the area before walking out onto the pool. There would be no services. Commissioner Joyce recalled a discussion about solar at the last meeting. Mr. Conabee stated that they applied for a solar grant and it was given. He would update the Planning Commissioner at the next meeting.

Commissioner Joyce commented on the size of the meeting space and asked how they intend to use it. Mr. Conabee replied that it could be used for small conferences and wedding receptions, non-profit auction space, etc. Commissioner Joyce thought the meeting space and parking requirements are designed around the idea that people stay at a hotel for a conference. However, a number of hotels in the area do day-conferences where people drive up from Salt Lake and it affects the amount of parking. Commissioner Joyce thought they either needed to change the definitions or change the requirements for meeting space. Again, that was an LMC issue.

Commissioner Joyce stated that in looking at the bridge, plazas and the desire to drive vitality, but they have not added restaurant or bar space or other attractions to uplift the Silver Lake Village.

Mr. Conabee responded to the issues raised. In terms of combining the three lots and the tunnel effect, he noted that there is already a platted building on Lot F that is the same size, height, width and density of what is being proposed. The neighbor would not be blocked by anything more than what is potentially platted to block the view.

On the issue of snow storage, Mr. Conabee stated that no one wanted snow storage on the corner and preferred that it be moved to where it is allocated. He did not believe that Lots F, G and H should have to shoulder the burden for everything in the Silver Lake Village just because historically they did at the benefit of the owners. They were working with the City Staff and the Village to determine locations between their building and Steins for snow storage.

Mr. Conabee agreed that a lot of work still needed to be done with setbacks to present something that would be acceptable.

Mr. Conabee agreed with Commissioner Joyce's comments regarding the shuttle and they will come back with a plan.

In terms of road safety, Mr. Conabee noted that two experts and a traffic study have said the road is safe. He relied on their expertise and beyond that he had no other way to address that concern. Mr. Conabee suggested that Commissioner Joyce may have been on the wrong road when he drove up today because that road has been closed for the last two weeks for utility improvements. He might have been on the access road which is much smaller and would be a concern.

Regarding the construction schedule, Mr. Conabee explained that the utilities are being moved now was so they could start digging in the Spring as soon as the resort closes. They have been working with Deer Valley and Stein Eriksen on coordinating dirt off load. The hope is to move that on Deer Valley. However, where they are building in the Silver Lake inlet is defined as clays, and clays are great for building a retention pond. Mr. Conabee offered to provide better information once they find a solution. He did not want to put that burden on the resort because they have the responsibility to mitigate.

Mr. Conabee commented on the lockout question. He explained that they planned for the 68 lockouts to have their own stalls. The parking plan handed out to the Planning Commission accounts for those stalls.

On the issue of solar, Mr. Conabee reiterated that they were awarded a grant from Rocky Mountain Power. Solar is tricky in terms of where to put it. It is reflective so it can be a positive benefit but have negative impacts. He would provide a rendering of what it might look like.

Regarding meeting space and hotel guests, Mr. Conabee stated that people do not want outside guests on the property. Public space is defined as public space, but meeting rooms and having 400 people during a peak season is not a good combination. Mr. Conabee did not believe that was any different from the other five-star hotels in town, where those rooms are used generally in the off-season at a discounted rate for non-profits, and events such as weddings in the summer. He offered to try to find a schedule from a comparable property for the next meeting.

Mr. Conabee agreed with Commissioner Joyce's feedback regarding the bridge. However, he indicated the location of a 3,000 square foot restaurant and bar that was underutilized. The goal is to open up the existing Hirsch and get some activity on the plaza through food, music and activity to improve the vitality.

Commissioner Thimm noted that he had already given his comments regarding the setbacks. He echoed the concern about the footprints and the changes to the envelope definitions on Lots G and H. He wanted to understand why it was so important to make that type of change. With regard to traffic, he understood the reliance on the traffic study from Fehr and Peers and commentary from the City Engineer; however, that number of trips and the amount of activity was still a concern. Commissioner Thimm pointed out that they were talking about two ten-foot lanes, one, going each way, and he would like the City Engineer and the traffic consultant to look closely at what that means. Commissioner Thimm thought the continuity created for the pedestrians with the sidewalks was important and it was an excellent addition. In terms of vehicular and pedestrian conflicts, he thought the bridge could help reduce that conflict and he suggested bringing that into the analysis.

Commissioner Thimm stated that in looking at the buildings beyond the footprint, the Staff had recommended breaking down the volumetrics into three pieces. He could not see that in the plan presented and asked that it be more defined for the next meeting. Commissioner Thimm also wanted to see a materials board. With regard to the massing itself, he thought they had done a good job of looking at vertical massing strategies to break up the building face and to create scale. He thought it was important to also look at the ground floor human scale elements to create and evolve vitality. He liked the idea of using buildings to define street and sidewalks edges.

Commissioner Thimm commented on snow removal and echoed Commissioner Joyce's request for the applicant to come back with a real plan. He went a step further and suggested two plans, one for the winter months during construction and a second plan at full build out.

Mr. Conabee agreed with the comments regarding setbacks. He offered to look deeper into the traffic lanes as suggested by Commissioner Thimm. He agreed that the bridge would help with vehicular and pedestrian conflicts. Mr. Conabee commented on the volumetrics and noted that they were still struggling to get their entitlement on the site. They would try to present it in a better fashion at the next meeting. Mr. Conabee would provide a materials board for the next meeting. In terms of the human scale at the ground floor level, he agreed with Commission Thimm's comment about vitality. It is a combination of different elements and they were exploring the options. Mr. Conabee stated that they would coordinate with the Silver Lake Village Property Association on snow removal and come back with a proper plan.

Commissioner Phillips thought the other Commissioners had addressed most of his issues and concerns. He asked if the old footprints in the MPD were put in as guidance. Director Erickson replied that they were building pads surrounded by ski easements. He would need to review the plat to determine whether or not those were established boundary lines. Director Erickson explained that one reason the building pads in F, G, and H were set back in the northeast corner was to provide a view corridor into the Village core. He was unsure at this point whether the Goldener Hirsch project would affect that view corridor.

Director Erickson suggested that the Planning Commission ask the applicant to look at the shadow effects of the five-story building on the proposed pedestrian walkway on Sterling Court. He noted that Sterling Court was being oriented north/south, and the major building height is on the west side. He thought winter sun would have a significant effect on whether or not those spaces could be activated in accordance with the project proposal and the Owners Associations.

Director Erickson requested that the Planning Commission provide more specificity on what they want from the traffic engineer and the City Engineer. He noted that the City Engineer provided daily trips at peak, but he did not break it down by peak hour. Director Erickson pointed out that 1700 trips per day in a 24-hour period was different than 1700 trips per day plus interference from service vehicles in a two-hour arrival and departure period.

Commissioner Phillips assumed there would be proper signage for the public parking stalls. He commended applicant for a great job reaching out to the neighbors and the

resort, and for working with the Planning Staff. He thought this project was heading in the right direction.

Commissioner Phillips stated that in the future he would also be looking at the circulation corridors and the amount of window, glass and light would be flooding through there. It was important to avoid the appearance of a glowing tower.

Mr. Conabee offered to look at the pedestrian scale and the shadow effects on Sterling Court, along with a solar study, and the circulation corridors.

Chair Strachan asked if Mr. Conabee had responded to Commissioner Joyce's comment regarding employee parking. Mr. Conabee stated that he did not have an answer this evening. He would meet with management and the ownership and come back with an answer. He explained that historically Deer Valley controlled that exterior land. Deer Valley would transfer the land and they could build what they wanted. Since the last meeting they have taken steps to acquire that ground through the actual Village Plaza Association and all its members. Mr. Conabee stated that they have looked at number of Staff, number of cars, and bussing. Currently, approximately 11 cars service the hotel. With more rooms in the hotel they will be able to look at it with more sincerity and provide an answer.

Chair Strachan had nothing more to add and he echoed the other Commissioners. He emphasized that employee parking will be a primary issue because employees are the most frequent violators of a public parking plan. In terms of vitality of the bridge and pedestrian space, Chair Strachan suggested that they program the restaurant and bar differently. They should show what they plan to do with it because he was not seeing where the verve would be. The restaurant and bar are in a beautiful spot but it needs to be known to the public.

Chair Strachan stated that many of his concerns were put to rest because the neighbors agree. It is a village concept and everything is close together. However, he would be looking for an explanation to Commissioner Joyce's question on why the east corner of the building is positioned near Lots H and G, because he shares those concerns.

Commissioner Joyce stated that later in the evening the Planning Commission would have a work session to talk about night sky/dark sky issues. Compared to the surrounding buildings this project has a lot of glass floor to ceiling on every floor. Besides exterior lighting, all the interior lights in the building shine outside. It was something the applicant and the Planning Commission needed to think about for the next meeting.

Commissioner Campbell stated that as they combine the three lots into one, as the lots get filled in he did not believe they would be blocking any views. He asked Mr. Conabee to come back with something to support that so people do not think that the Planning Commission was giving them the ability to block views. Mr. Conabee offered to provide a view corridor study. He thought the history would show that the lop off was more practical because there is only a sewer line with a 20-feet sewer easement on either side. Commissioner Campbell thought it was mislabeled as a view corridor because it not really a view for anyone to anywhere. He asked Mr. Conabee to come back with a model to show that.

MOTION: Commissioner Joyce moved to CONTINUE 7520-7570 Royal Street East Amendment to the Re-subdivision of Lots 1 and 2, Silver Lake Village No. 1 Subdivision, Lot F, G and H into one lot, to October 26, 2016. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Joyce moved to CONTINUE 7520-7570 Royal Street East Conditional Use Permit for 34 residential units on Lot 1 of the Amendment to the Re-Subdivision of Lots 1 and 2, Silver Lake Village No 1 Subdivision, to October 26, 2016. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

7. 7520-7570 Royal Street East – Deer Valley MPD 12th Amendment to combine Lots F, G and H of the Silver Lake Community, into one development parcel and to transfer 843 square feet of residential density from Silver Lake Village Lot D to proposed Lot 1. No changes to the approve density assigned to these parcels are proposed. (Application PL-16-03155)

Chair Strachan recused himself and left the room. Vice-Chair Joyce assumed the Chair.

Vice Chair Joyce stated that this application was restrained because the Planning Commission Continued the plat amendment on the prior item. This item was noticed for a continuance as well.

Steve Issowitz, representing Deer Valley, explained that the reason for the amendment would be to clarify a lot combination. Instead of showing an exhibit with density on

three lines, it would show the density on one line. This amendment would keep the record clean. In addition, square footage from Lot D would be transferred to Lot I.

Vice-Chair Joyce opened the public hearing.

There were no comments.

Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Phillips moved to CONTINUE the 12th Amended Deer Valley Master Planned Development Amendment to October 26th, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission adjourned the regular meeting and moved into work session to discuss potential LMC Amendments regarding lighting. That discussion can be found in the Work Session Minutes dated September 28, 2016.

The Park City Planning Commission Meeting adjourned at 9:55 p.m.

Approved by Planning Commission: _____

EXHIBIT K

PARK CITY 1884

Engineering

MEMORANDUM

To: Kirsten Whetstone, Planning

From: Matthew Cassel, Engineering

CC: Bruce Erickson, File

Date: September 28, 2016

Re: Safety Concerns with the Future Sterling Court

A concern was raised that Sterling Court in its proposed future layout will create a safety issue. This memorandum will address that concern from a layout and traffic generation perspective.

Sterling Court is a private drive that provides parking access to Goldner Hirsch, Inn at Silver Lake and the Mount Cervin complex. In its final form, Sterling Court will be re-constructed to its existing width and will include a sidewalk along the drive. The existing/future drive dimensions are as follows:

• Easement Width	35 feet
• Asphalt Width	20 feet
• Total Rolled Curb and Gutter Width	5 feet
• Total Sidewalk Width	5 feet
Total Existing Hard Surface	25 feet
Total Future Hard Surface	30 feet

Fire Code Safety Concerns

Fire Code requires a minimum of 20 feet of hard surface width. Sidewalk and rolled curb and gutter can be counted to satisfy the hard surface requirement (high back curb and gutter cannot be counted to satisfy the hard surface requirement). The existing width exceeds the minimum fire code width by five (5) feet and the future width will exceed the minimum fire code width by 10 feet. From this perspective, staff is confident that the drive width is not a safety issue.

Trips Generated Safety Concern

The concern that the number of trips generated by the development will make the drive a safety issue is broken down below. A comparison of existing and future conditions for anticipated trips generated is provided.

Existing Condition

Complex	# Parking Spaces	Trips Generated/Day	Total Trips/Day
Goldner Hirsch	18	8*	144
Mount Cervin	24	8	192
Mt Cervin Plaza			
Residential**	55	8	440
Office	18	4	72
Inn at Silver Lake	19	8	152
25% of Parking Lot	20	4***	80
Existing Total Trips at Peak Occupancy			**1,080**

Future Condition

Complex	# Parking Spaces	Trips Generated/Day	Total Trips/Day
Goldner Hirsch	18	8	144
Mount Cervin	24	8	192
Mt Cervin Plaza			
Residential*	55	8	440
Office	18	4	72
Inn at Silver Lake	19	8	152
Goldner Hirsh			
Residential	71	8	568
Other Parking	38	4	152
Future Total Trips at Peak Occupancy			**1,720**

* Residential is predicted to create on average 10 trips per day. Because many of these units are rented/ski in ski out, the trips generated per day can be reduced to 6-8 trips per day. Staff used the higher trip number of 8.

** Mount Cervin Plaza is combined residential/offices. Staff assumed 75% residential (8 trips per day) and 25% office (4 trips per day)

*** The existing parking area is used predominately by skiers in the winter and mountain bikers in the summer. These activities usually generate only 3 trips per day. Staff assumed 4 trips generated per parking space.

Sterling Court is technically wider than Park City's residential road standard for neighborhoods outside of Old Town. Park City's residential road standard is 22 feet width of asphalt with five (5) feet width of rolled curb and gutter and five (5) foot wide sidewalk for a total of 32 feet of hard surface width. It needs to be noted that seven (7) feet of this width is allocated for on street parking. Actual available width is 25 feet which is three (3) feet less in width than Sterling Court. This comparison is important because of the road capacity. Staff expects a residential road to adequately handle up to 2,000 trips per day with a threshold of 2,500 trips per day. At peak occupancy, Sterling Court could reach 1,720 trips, which is less than available capacity of a

residential street. From staff's perspective, Sterling Court should function adequately with the added density and should not be a safety concern.

Planning Commission
Staff Report

Application: **PL-15-02967**
Subject: **Goldener Hirsch Inn CUP**
Author: **Kirsten Whetstone, MS, AICP- Senior Planner**
Date: **November 30, 2016**
Type of Item: **Administrative- Conditional Use Permit**

Summary Recommendations

Staff recommends the Planning Commission conduct a public hearing, consider any public input, and consider approving the Goldener Hirsch Inn Conditional Use Permit application based on the findings of fact, conclusions of law, and conditions of approval as stated in this report.

Description

Applicant:	EccKids LLC, owner, represented by Christopher M. Conabee
Location:	7520-7570 Royal Street East, Deer Valley Resort, Silver Lake Village Lots D, F, G and H
Zoning:	Residential Development (RD) District subject to the 11th Amended and Restated Large Scale Master Planned Development Permit (Deer Valley MPD).
Adjacent Land Uses:	Deer Valley Resort, Park City Fire District Station, and residential and commercial condominiums such as Royal Plaza, Mount Cervin, the Inn at Silver Lake, Stein Ericksen Lodge, Chateaux at Silver Lake, and Black Bear Lodge.
Reasons for Review:	Conditional Use Permits require a public hearing and Planning Commission review and final action.

Proposal

The proposal, known as the Goldener Hirsch Inn CUP, consists of 1) amendments to the existing Goldener Hirsch Inn located at 7570 Royal Street on Silver Lake Village Subdivision Lot D and 2) construction of 38 residential condominium units (34.4215 UE) within a multi- story building on proposed Silver Lake Village Lot I, currently known as Silver Lake Village Lots F, G and H (See Exhibits A, B, and C for Applicant's letter, proposed plans, and existing conditions). A total of 68,843 sf of residential area, utilizing the 34.4215 UEs, is requested with this CUP application for a nightly rental condominium hotel. An additional 5% (3,442 sf) of support meeting uses is requested. No support commercial uses are requested with this application.

A Deer Valley MPD amendment to combine Silver Lake Village Lots F, G and H into a new Lot I and to transfer 0.4215 UE of residential density from Lot D to Lot I, was submitted for concurrent review by the Planning Commission (Exhibit D).

A plat amendment application was also submitted for concurrent review by the Planning Commission. The plat amendment combines Lots F, G and H into one 1.17 acre lot to be known as Lot I (Exhibit E).

The CUP application proposes a total of 68,843 sf (34.4215 UE) of residential uses, for 38 residential units ranging in size (area) from 576 sf to 2,350 sf. The total residential floor area includes the 843 sf (0.4215 UE) transferred from the existing Inn (on Lot D) and 68,000 sf (34 UE) entitled with the Deer Valley MPD for Lots F, G, and H.

Background

The property is located on Lot 2 of the Silver Lake Village No. 1 subdivision plat. This subdivision plat was recorded June 21, 1989 and a re-subdivision, known as the Re-Subdivision of Lots No. 1 and No. 2 of Silver Lake Village No. 1 was approved In October 1989 and recorded in November 1989. The re-subdivision plat created Lots F, G and H from Lot No. 2 (Exhibits G and H).

Deer Valley MPD

The property is subject to the Deer Valley MPD originally approved on September 27, 1977 and most recently amended on March 23, 2011 as the 11th Amended and Restated Large Scale Master Planned Development Permit (Deer Valley MPD).

Deer Valley MPD assigns densities for the lots within the Silver Lake Village subdivision. Lot F is allowed 11 Units, Lot G is allowed 11 Units and Lot H is allowed 12 Units for a total of 34 Units (34 UE). Lot D, the location of the existing Goldener Hirsch Inn, is allowed 6 Units (or 6 UE).

Deer Valley MPD allows these residential units to be constructed as “Deer Valley Units” without a size limitation, or as Unit Equivalents (UE), using the Land Management Code formula and definition of Unit Equivalents (1 UE is equivalent to 2,000 square feet of residential floor area) that can be broken up into various sized units without a limit on the number of units, but with the total square footage not to exceed 2,000 sf multiplied by the number of UEs.

For this proposal, the applicant has chosen the use of the UE formula. Properties developed as “Deer Valley Units” are required to maintain 60% open space. Units developed with the UE formula are not so stipulated; however the Silver Lake Village Subdivision plat provides 65% open space for the total area of Lots A – H.

Deer Valley MPD approved a height exception for these lots as described in footnote “A” of the Exhibit 1 of the Deer Valley MPD. The MPD states that the development height limitation is tied to a base elevation of 8122’ with peak of roof not to exceed elevation 8186’ (USGS topographic elevation). This allows a height of 59’ with a 5’ allowance for the peak of the roof to 64’, provided that the peak of roof does not exceed USGS elevation 8186’.

Existing Goldener Hirsch Inn

The existing Goldener Hirsch Inn, located on Lot D, has a total of 11,104 sf of residential floor area (20 separate units). The DV MPD allocates 6 UE (12,000 sf) of residential uses. There is a total of 3,493 sf of platted commercial floor area, based on the recorded Golden Deer Condominium and First Amended Golden Deer Condominium plats. The support commercial (restaurant, bar, lounge, gift shop, front desk, etc.) consists of 2,062 sf of DV MPD assigned commercial and 1,431 sf of support commercial approved with the 1988 Golden Deer (MPD) approval. An additional 500 sf of support meeting space was also platted.

When the Inn was approved, support commercial/support meeting space was based on the total floor area of the building minus the parking garage and support commercial (24,693 sf). A total of 4,532 sf of support commercial/support meeting space would have been allowed (2,062 sf from DV MPD and 2470 sf based on the building floor area). Platted support commercial/support meeting space of 3,993 sf was correctly calculated with the Golden Deer MPD approval. The applicant is not requesting a transfer of support commercial from Silver Lake Village MPD Lot I to Lot D, as stated at the November 9th meeting and not changes to the existing commercial areas are proposed.

Planning Commission hearings

On January 13, 2016, the Planning Commission held a public hearing and discussed the Conditional Use Permit and plat amendment (Exhibit I). Public input was provided by Steve Issowits, a representative of Deer Valley Resort, who is also Board member of the Silver Lake Village Plaza Association. Mr. Issowits stated support for the project, mentioning that the final architecture and building height were items that are important to neighboring properties.

The Commission discussed 1) parking, including the provision of additional parking over what the project requires as compensation to Deer Valley for popular surface parking being replaced by the buildings, 2) building height, and whether the plans comply with restrictions of the MPD given that portions of the upper roof have flat roof elements, 3) combination of lots into one lot, 4) general architectural character and design elements, 5) traffic reduction options that could be requested and implemented, 6) and setback changes from those on the current plat. The Commission also reviewed a physical model of the proposal.

The Commission voted to continue the item to the February 24, 2016 meeting. On February 24, 2016, the Commission voted to continue the item to a date uncertain to allow the applicant additional time to resolve an ownership issue that had come up with the proposed subdivision plat, to review the Deer Valley MPD regarding combining parcels and density transfers, and to resolve issues with existing and proposed utilities and fire protection necessary for the development.

The application was re-noticed for the September 28th meeting (Exhibit M) when a public hearing was conducted and the following items were discussed:

1. Loss of public parking,

2. Service and delivery locations,
3. Building setbacks along Sterling Court and at the Royal Street/Sterling Court
4. Impacts on view corridors
5. Snow removal,
6. Employee parking and provision of shuttle vans to reduce need for individual vehicles, construction truck routes (Marsac vs. Royal Street),
7. Intention of meeting space,
8. Pedestrian circulation utilizing the bridge and sidewalks
9. Traffic analysis of impacts on Sterling Court
10. Building volumetric and massing,
11. Shadow effects on the gathering area plaza, and
12. General architecture and materials. A materials board was requested.

The hearing was continued to November 9th and on the 9th the hearing was continued to November 30th to allow the applicant additional time to address the issue of transferring support commercial from Lot I to Lot D. The applicant presented the materials and the changes made to address the Commission concerns. The Commission expressed satisfaction that their concerns had been addressed, with the exception of transferring of commercial. The applicant demonstrated (see above) that existing commercial and support commercial uses within the Goldener Hirsch Inn were approved with the 1988 Golden Deer MPD and were correctly calculated. No transfer of support commercial uses is proposed and no changes to existing commercial uses within the Goldener Hirsch Inn are proposed. Staff provided a letter sent by a neighbor at the Inn condominium project and read the highlights. The Commission stated that they would read the letter and provide any comments at the November 30th meeting.

Purpose

The purpose of the Residential Development (RD) Zoning District is to:

(A) allow a variety of Residential Uses that are Compatible with the City's Development objectives, design standards, and growth capabilities,

(B) encourage the clustering of residential units to preserve natural Open Space, minimize Site disturbance and impacts of Development, and minimize the cost of municipal services,

(C) allow commercial and recreational activities that are in harmony with residential neighborhoods,

(D) minimize impacts of the automobile on architectural design,

(E) promote pedestrian connections within Developments and between adjacent Areas; and

(F) provide opportunities for variation in architectural design and housing types.

Analysis

The proposal includes removing 2 existing residential units (rooms), approximately 843 sf total (0.4215 UE), from the Goldener Hirsch Inn to accommodate circulation and a "bridge" connection over Sterling Court (private access driveway) to the Goldener Hirsh Residences as well as to the Silver Lake Village plaza area and Deer Valley Resort. This 843 sf (0.4215 UE) of residential space is proposed to be transferred from the Goldener Hirsh Inn (Lot D) to the proposed Goldener Hirsch Residences (Lot I).

A total of 68,843 sf (34.4215 UE) of residential uses, for 38 residential units ranging in size from 570 sf to 2,379 sf, are proposed with this CUP. The total residential floor area includes the 843 sf transferred from the existing hotel and the 68,000 sf entitled with the 34 UE. A 2,162 sf ADA unit is also proposed on Level One to be platted as common area and only available to be leased along with another unit.

The current Deer Valley MPD and the LMC allows up to 5% of the residential floor area, or 3,442 sf for support commercial uses and another 5% for support meeting space. Approximately 3,398 sf of meeting space is proposed for the new building. Approximately 8,300 sf of residential accessory uses are proposed, including recreation amenities and changing rooms, lobby area, ski lockers, etc. for the exclusive use of guests and owners. No support commercial uses are proposed within the building on Lot I, with this permit.

In addition to the above 3,398 sf of meeting space currently planned, approximately 44 sf of additional support meeting space and 3,442 sf of support commercial are available to the project in accordance with the Deer Valley MPD and the LMC. The applicant does not intend to incorporate such additional space into the project at this time.

Lots F, G, and H are undeveloped; however, they are currently utilized as non-formal surface parking lots at Silver Lake primarily for Deer Valley Resort. Two levels of underground parking, with a total of 110 spaces, are proposed. A single driveway off of Sterling Court provides access to the underground parking garage serving the entire building. Sterling Court is a private street that also provides access to the existing Goldener Hirsch Inn garage and to garages for adjacent condominium properties of Mount Cervin, Royal Plaza, and the Inn at Silver Lake.

The porte-cochere area for the new building provides 3 to 4 additional surface parking spaces and an area for guest and owner arrival off of Sterling Court. The LMC requires a minimum of seventy-six (76) spaces for the proposed building, based on the mix of unit sizes. The applicants meet the minimum and are providing thirty-four (34) additional spaces in the garage. This is at the request of the Deer Valley Resort. The Goldener Hirsch Inn will continue to meet the parking requirements for the remaining residential units. Parking garages for the Inn and the proposed building will not be connected.

Site and Lot Requirements of the LMC and Deer Valley MPD

Staff reviewed the proposal for compliance with the lot and site requirements of the RD Zoning District and the Deer Valley MPD as described below.

	RD Zoning District and DV MPD
Lot Size	**No minimum lot size**. DV MPD Amendment and a plat amendment were submitted for concurrent review to combined Lots F, G, and H into Lot I to create one lot of record that is 1.17 acres, including skier easements.
Building Footprint- Floor Area Ratio (FAR) Density	**No FAR required**. **Density is per the Deer Valley MPD**: Lot F- 11 UE Lot G- 11 UE Lot H- 12 UE Total is 34 UE Lot D- 6 UE **Proposed-** 12th Amended DV MPD combines Lots F, G, and H into Lot I and transfers 0. 4215 UE of residential density from Lot D to Lot I for a total of 34.4215 UE (**68,843 sf of residential**) leaving Lot D with 18 units and 5.5785 UE (**11,157 sf of residential**).
Front yard setbacks	**LMC**- minimum of 25 feet, to front garage, 20 feet to building. **Silver Lake Village plat**- 25 feet along Royal Street and 15 feet along Sterling Court (private drive). **Proposed**- Minimum of 20' along Royal Street and requesting 10 feet along Sterling Court.
Rear yard setbacks	**LMC**- minimum of 15 feet. **Silver Lake Village plat-** 15 feet. **Proposed-** Minimum of 15 foot rear setbacks are proposed along south property line.
Side yard setbacks	**LMC-** 12 feet. **Silver Lake Village plat-** 12 feet. **Proposed**- Minimum of 12 foot side setbacks are proposed along west property line.

Building Height	**Per Deer Valley MPD Exhibit 1 footnote** The Deer Valley MPD states that the development height limitation is tied to a base elevation of 8122' with **peak of roof not to exceed 8186' (USGS topographic elevations**). Allows a height of 59' with a 5' allowance for the peak of the roof to 64'. **Proposed**- Building does not exceed elevation 8186. All building heights will be verified at the time of Building Permit review to ensure compliance with the CUP and DV MPD.
Parking	**Proposed-** Based on unit sizes, Seventy-six (76) parking spaces are required for the 38 units. Plus two spaces for ADA unit. Two levels of parking provide 110 parking spaces Providing 34 extra parking spaces (for general parking at Silver Lake and Deer Valley Resort), a reduction by 66 of the approximately 60- 100 "extra" surface spaces that currently exist on the vacant lot.
Architectural Design	All construction is **subject to the Deer Valley Architectural Design Review Board.** The plans have been reviewed by the Board and a final determination as to compliance with the Deer Valley Design Guidelines will be made following Planning Commission review. Staff will verify that plans submitted for building permit approval are in compliance with the final approved CUP plans.
Residential Units	**Proposed**- 38 units ranging in size from 570 sf to 2,379 sf and one 2,162 sf ADA unit (as common area) **Total of 68,843 sf of residential floor area allowed (34.4215 UE).**
Commercial space	**Proposed-** No commercial space is proposed.
Support space- 5% of residential floor area is permitted for meeting space (3,442 sf) and another 5% is permitted for support commercial space (3,442 sf). Residential accessory space (circulation, storage, back of house, recreation amenities, etc. does not require use of UE)	**Proposed-** Approximately 3,398 sf of support meeting space is proposed. No support commercial space is proposed with this CUP. Approximately 8,220 sf of residential accessory space is proposed

Conditional Use Permit Review

Individual development sites within the Deer Valley MPD are reviewed as a Conditional Use Permit based on criteria in Land Management Code Section 15-1-10 as follows:

(1) Size and location of the Site.

No unmitigated impacts. The site is located west of the existing Goldener Hirsch Inn and east of the existing Stein Eriksen Lodge on Royal Street. The site consists of Lots F, G and H of the Silver Lake Village Subdivision. Combined, the lots consist of approximately 1.17 acres including platted skier easements. The CUP application is for a multi-story building with 38 residential units ranging in size from 570 sf to 2,379 sf. and one 2,162 sf ADA unit to be held as common area, leasable only with another unit.

Excluding the ADA unit, the total residential floor area is approximately 68,843 square feet, utilizing 34.4215 unit equivalents (UE), consistent with the amended Deer Valley MPD. The site slopes down slightly from Royal Street along Sterling Court (private) and the design proposes two levels of underground parking structure with up to five stories of residential units above the parking level on the north and south building masses along with a center building mass of six stories built into the hill on the west side of the lot.

The garage entrance is at grade with Sterling Court and built into the slope of the lot so that the back of the garage is underground. The building pad is relatively level and undeveloped, though utilized as surface parking for Silver Lake area and Deer Valley Resort.

(2) Traffic considerations including capacity of the existing Streets in the Area.

No unmitigated impacts identified. The site is served by Royal Street, a public road that connects to Marsac Avenue. Access to the building is proposed off Sterling Court. The proposed density has been anticipated since approval of the Deer Valley MPD in 1997 and there is planned capacity on existing Streets for this development.

A Construction Mitigation Plan will be required at the time of Building Permit issuance to describe construction traffic, including how excavated materials will leave the site. The Chief Building Official and City Engineer recommend a condition that downhill truck traffic will use Marsac Avenue as part of the CMP.

The current use of the site is as a parking lot for 60 to 100 vehicles, depending on the season and level of parking assistance provided (60 is realistic). The applicant is proposing a total of 110 stalls in a single garage to allow parking for the project as well as provide parking for Deer Valley Resort. The Goldener Hirsch will continue to meet the parking requirements for the remaining residential units. Garages for the Inn and proposed building will not be connected.

Bus service is provided to this area. With the informal parking situation today the parking lot is accessed primarily from Royal Street, though there are no curbs and some access occurs off Sterling Court as well. Once the garage is built all parking for the CUP

will access from Sterling Court, as do the other four condominium projects in the Village. Hotel managed shuttle service will be provided to reduce the number of traffic trips.

(3) Utility capacity.
No unmitigated impacts identified. The applicant has worked with utility providers, including the City, SBWRD, the Fire District (regarding hydrants and access), and dry utilities to relocate existing lines that cross the property. A revised utility plan was submitted for review by the City Engineer. Relocation also addresses platting of easements for existing utilities in Sterling Court. A final approved utility and grading plan is required prior to issuance of a building permit. Adequate sewer, electric, gas, and phone capacity are available for this development.

Storm water detention and dry utility locations will need to be shown on the plans to ensure that the areas are sufficient and that they can be adequately accessed and screened/landscaped. Staff recommends a condition of approval regarding this.

A revised fire protection and utility plan was submitted on July 29, 2016, indicating coordination with the property owner to the west (Stein's). A final utility plan will be provided with the building permit plans for final approval by the City Engineer, SBWRD, and the Fire District.

(4) Emergency vehicle access.
No unmitigated impacts identified. Primary emergency access is from Royal Street with two access points into the area. The applicant is proposing a bridge and coordinated heights of 14 ft minimum with PCFD in order to allow appropriate and code required access into Sterling Court and the existing fire district approved turn around. Sterling Court meets the minimum width of 20' for emergency access, provided that no parking is permitted on the Court. Enhanced fire protection and emergency access for the west side of the property was coordinated with the adjacent property (Stein's) and will be reflected on the final utility and fire protection plans submitted with the building permit plans with a final sign off on the fire protection plan prior to Certificate of Occupancy for the addition.

(5) Location and amount of off-Street parking.
No unmitigated impacts identified. Parking is based on the number and size of residential units. Approximately seventy-six (76) off-street parking spaces are required for the 38 units and the ADA unit, based on the current numbers and sizes of the units. Parking for any lock out unit is included in this number. The proposed underground parking structure will have approximately 110 spaces and 2-3 surface spaces are provided near the guest arrival area. Approximately 34 extra parking spaces are provided for the Silver Lake area of Deer Valley Resort. The Goldener Hirsch will continue to meet the parking requirements for the remaining residential units.

(6) Internal vehicular and pedestrian circulation system.
No unmitigated impacts identified. Access to the Hotel and Residences is from Sterling Court, a private street off Royal Street. A small service area is accessed off

Royal Street. The main guest arrival and drop-off area is located on the east side of the building and a bus stop is located nearby on Royal Street. A pedestrian path and sidewalk system is proposed consistent with the MPD with extension of the existing sidewalks and pathways, including a sky bridge linking the Residences to the Goldener Hirsch Inn (and restaurant) to the main Silver Lake Village common area, shops, and mid-station base of Deer Valley Resort. Sidewalks will be provided along Sterling Court.

(7) Fencing, Screening, and landscaping to separate the Use from adjoining Uses.
No unmitigated impacts identified. The revised landscape plan provides a buffer and screening between buildings and uses on adjacent properties. Landscaping and irrigation is proposed to be water efficient, utilizing drought tolerant plantings, limited turf area, and drip irrigation. Fencing is not necessary. Staff recommends a condition of approval that a final landscape plan shall be submitted with the building permit.

(8) Building mass, bulk, and orientation, and the location of Buildings on the Site; including orientation to Buildings on adjoining Lots.
No unmitigated impacts identified. The proposed building is oriented towards Sterling Court and generally has a north/south axis. The site is broken into more than one volumetric mass in order to match the scale of the surrounding buildings. The north building contains sixteen units ranging from 2,180 to 2,265 sf and an ADA unit on the ground floor. The center building contains six units of approximately 2,000 to 2,379 sf and includes the lobby and amenities. The south building contains sixteen units comprised of eight 570- 588 sf hotel rooms and eight units of approximately 1,808 sf to 2,205 sf.

Setbacks to Royal Street are a minimum of 20 ’. The west side setbacks of 12’ are consistent with the setbacks for adjacent buildings (such as Mount Cervin condos to the south). The south side has a 15’ rear setback. Setbacks along Sterling Court are proposed at 15’ per the plat.

The building has five floors of residential units with two levels of parking structure under the building. Thirty eight (38) units are proposed with a total of 68,843 residential square feet, not including the 2,162 square foot deed restricted ADA unit. To the south there are two existing buildings of a similar size, height, and volumetric, (Mount Cervin and The Inn at Silver Lake). To the North, there is one building with larger size and volumetric (The Chateaux). To the East is a single building with smaller volume and size (The existing Goldener Hirsch Inn). To the west is a building(s) with larger volumetric and height than the proposed project (The Stein Ericksen Lodge). Proposed building heights comply with the Deer Valley MPD and do not exceed elevation 8186’ as stipulated by the MPD (64’ above the base elevation of 8122’).

(9) Usable Open Space
No unmitigated impacts identified. Both passive and active Open Space is provided in the Deer Valley Master Plan. The individual lots were not required to provide open space, if they utilized the Unit Equivalent formula. The site plan includes plaza areas and a bridge connecting the new building to the existing Silver Lake plaza provides

useable area for circulation and outdoor activities.

(10) Signs and lighting
No unmitigated impacts identified. All exterior lights and signs must comply with the applicable Park City ordinances and code. Exterior lights must be identified on the building permit plans and shall be down-directed and shielded. No additional signs are proposed with this permit. Approval of a sign permit is required prior to installation of any new regulated signs.

(11) Physical design and compatibility with surrounding Structures in mass, scale, style, design, and architectural detailing.
No unmitigated impacts identified. The proposed building is similar in physical design, mass, and scale to surrounding buildings and while different than surrounding structures in terms of architectural style, design, and character, the proposed building has elements that provide a continuity and compatibility of design for the Silver Lake Village. By incorporating similar design elements and materials, as required by the Deer Valley Design Review Board, the applicant has worked to make the building more compatible with surrounding structures in terms of style, design, and detailing. By reducing the amount of glazing, reworking the balcony design, and provided additional building articulation, particularly along Royal Street, the revised building is more compatible with the general architectural theme of the Village while providing a more updated and fresh style to the area. The proposed design does not detract from the overall architectural character of the area. The applicant presented a materials board for Planning Commission review.

In the immediate area there are four existing similarly sized multi-story residential condominium buildings (The Goldener Hirsch Inn, Mount Cervin, The Inn at Silver Lake and The Chateaux) that are architectural compatible, though different in terms of design and architectural detailing. Adjacent to the west is the Stein Eriksen Lodge, a large, multi-story residential condominium project located on a 10.86 acre lot. The Stein Lodge consists of 197,858 sf of residential floor area, as well as support commercial and meeting space, with a total floor are of approximately 350,000 sf. The Lodge is the largest project on the largest lot in the Silver Lake area.

(12) Noise, vibration, odors, steam, or other mechanical factors that might affect people and Property Off-Site.
No unmitigated impacts identified. There are no expected unmitigated impacts on people or Property Off-Site, from vibration, odors, steam or other mechanical factors as a result of the proposed residential building. Staff will recommend conditions of approval related to screening of mechanical equipment to mitigate for any mechanical factors that might affect people and property off-site. The outdoor pool on the upper roof may create additional noise that can be mitigated by design of screen walls as well as management of pool hours. Staff recommends a condition regarding hours of operation for outdoor uses.

(13) Control of delivery and service vehicles, loading and unloading zones, and Screening of trash pickup Areas.
No unmitigated impacts identified. Service and delivery will be minimal as there is no commercial component in the building. It is anticipated that laundry/maid service will be needed on a weekly basis and will be accommodated by existing services already used by the Goldener Hirsch Inn. Trash pickup area will be moved from the existing location on Sterling Court and relocated to a fully enclosed and screened location at the northwest corner of the site, with a maintenance drive off of Royal Street**.**

(14) Expected Ownership and management of the project as primary residences, Condominiums, time interval Ownership, Nightly Rental, or commercial tenancies, how the form of Ownership affects taxing entities.
No unmitigated impacts identified. The project will be platted as condominiums to enable individual units to be owned. Nightly rental is a permitted use within the RD zoning district. These units will be primarily second homes and managed by the existing Goldener Hirsch Inn. It is unlikely that many will be full-time, permanent residents although this possibility is not precluded. The project has a total of 31 lockouts associated with the 38 units (included in the total square footages) to facilitate the viability of existing hotel operations. The lockout unit floor area is included in the total unit area and parking calculations consider the lockout floor area.

(15) Within and adjoining the Site, impacts on Environmentally Sensitive Lands, Slope retention, and appropriateness of the proposed Structure to the topography of the Site
No unmitigated impacts identified. The Deer Valley MPD is not subject to the requirements of the Sensitive Lands Overlay. There are no Environmentally Sensitive Lands within or adjoining the site. The building is located on relatively level ground along Royal Street with gradually sloping topography. The site is currently a vacant lot consisting of native grasses and shrubs on the south end and an unpaved parking lot with little significant vegetation on the north end. The parking area was used during construction of Stein Ericksen Residences, The Inn at Silver Lake, The Chateaux and the Black Bear Lodge.
A final landscape plan shall be submitted with the building permit application. The landscape plan shall comply with the City's adopted Wildland Interface Ordinance.

Process
Approval of a Conditional Use Permit application constitutes Final Action that may be appealed to the City Council following appeal procedures outlined in LMC Section 15-1-18. A plat amendment to combine Lots F, G, and H into one lot for the building is required prior to issuance of a building permit. The plat shall be consistent with approval of a 12th amendment to the Deer Valley MPD. A condominium record of survey plat is required prior to selling individual units. Staff review of a Building Permit is not publicly noticed nor subject to review by the Planning Commission unless appealed.

Department Review
This project has gone through an interdepartmental review. No further issues were brought up that have not been addressed or conditioned. Staff and the applicant have been working with utility providers and the Park City Fire District since the January meeting to address utility issues that came up at the interdepartmental review, as well as to an issue related to ownership of the lots and parcels. The utility issues have been worked out and a revised utility plan was submitted on September 9, 2016 to the City Engineer. Ownership issues have also been resolved between the applicant/owner of the Lots and Silver Lake HOA who owned easements around the Lots and a revised plat has been submitted. Silver Lake HOA voted in favor of the plat amendment.

Public Notice
The property was re-posted and notices mailed to property owners within 300 feet on September 14, 2016. A legal notice was published in the Park Record and the Utah Public Notice Website on September 9, 2016 and again on November 16th.

Public Input
The applicants held two open house meetings, one on November 18, 2015 and a second on December 2, 2015. Presentations were also held for Silver Lake Village, Stein Ericksen Lodge, Mount Cervin, The Chateaux and Black Bear Lodge HOA members. A public hearing was held by the Planning Commission on January 13, 2016 (see Exhibit I).

On May 6, 2016, Staff received an email and letter from a neighbor outlining safety concerns due to the proposed access on Sterling Court, increased pedestrian circulation on Sterling Court and possible conflicts with emergency and other service vehicles, and additional concerns with the proposed bridge crossing (see Exhibit K) due to the extra height required for emergency vehicle access and the views that will be blocked as a result. The applicant informed staff that they had met with the neighbor (a resident in a neighboring property to the south) and clarified what information they could provide to address these concerns.

On September 20, 2016, the applicant provided a traffic and safety analysis (Exhibit L) of the project for inclusion in the Planning Commission packet. On November 9th Staff provided a letter from an adjacent property owner of the Inn at Silver Lake, who expressed concerns about notice, safety issue with regards to Sterling Court, and concerns about the bridge and outdoor activities in the Plaza area. Staff included this letter as Exhibit O.

Alternatives
- The Planning Commission may approve the Goldener Hirsch Inn and Residences CUP, as conditioned or amended; or
- The Planning Commission may deny the Goldener Hirsch Inn and Residences CUP and direct staff to make Findings for this decision; or

- The Planning Commission may continue the discussion on the Goldener Hirsch Inn and Residences CUP and request specific additional information necessary to make a decision regarding compliance with the review criteria.

Significant Impacts
There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation
A building permit for the development cannot be issued until a Conditional Use Permit is approved. The applicant could modify the application to address concerns raised or appeal the decision to the City Council.

Recommendations
Staff recommends the Planning Commission conduct a public hearing, consider any public input, and consider approving the Goldener Hirsch Inn Conditional Use Permit application based on the findings of fact, conclusions of law, and conditions of approval as stated in this report.

Findings of Fact:
1. The property is located at 7520-7570 Royal Street East with access proposed off of Sterling Court, a private street.
2. The property is zoned Residential Development subject to the Eleventh Amended and Restated Large Scale Master Planned Development, aka Deer Valley MPD, as amended.
3. On October 16, 2015, the applicant submitted a request for a Conditional Use Permit for an expansion of the existing Goldener Hirsch Inn located at 7520-7570 Royal Street East.
4. This Conditional Use Permit is subject to approval of the proposed 12th Amended and Restated Large Scale Deer Valley Master Planned Development Permit, submitted on April 27, 2016, for concurrent review. The MPD amendment application requests to combine Silver Lake Village Lots F, G and H into one Lot I and to transfer 843 sf of residential uses (0.4215 UE) from Lot D to Lot I. Lot D would be reduced to 5.5785 UE of residential uses.
5. This Conditional Use Permit is subject to approval of the Second Amended Re-Subdivision of Lots No.1 and No. 2 Silver Lake No. 1 Subdivision plat amendment, submitted on October 16, 2016, for concurrent review. The plat amendment application requests combination of Silver Lake Village Lots F, G, and H into one lot, Lot I.
6. The 1.17 acre Lot I is currently vacant undeveloped land that has been used as a temporary parking lot for Silver Lake Village and Deer Valley Resort for thirty years or more. This property provides approximately 60 temporary parking spaces (depending on the level of parking management) on a roughly paved surface.
7. The Deer Valley MPD assigns a total of 34 UE to Silver Lake Village Lots F, G and H and 6 UE to Silver Lake Village Lot D.
8. The Twelfth Amendment to the Deer Valley MPD notes that Lot D is assigned 2,062 square feet of commercial area plus support commercial uses.

9. Lot D is the location of the existing Goldener Hirsch Inn. The Hirsch currently has a total of 11,104 sf of residential floor area (20 separate units). The DV MPD allocated 6 UE of residential density (12,000 sf). The existing building also contains 3,493 sf of platted commercial floor area, based on the Golden Deer Condominium and First Amended Golden Deer Condominium plats. This support commercial (restaurant, bar, lounge, gift shop, front desk, etc.) consists of 2,062 sf of DV MPD assigned commercial and 1,431 sf of support commercial approved with the 1988 Golden Deer (MPD) approval. An additional 500 sf of support meeting space was also approved.
10. At the time of MPD approval support commercial/support meeting space was based on the total floor area of the building minus the parking garage and support commercial (24,693 sf). A total of 4,532 sf of support commercial/support meeting space was permitted (2,062 sf from DV MPD and 2470 sf based on the building floor area).
11. The total existing support commercial and support meeting space in the Goldener Hirsch Inn is 3,993 sf (3,493 of platted commercial floor area plus the 500 sf of common area meeting space on the second floor). No changes are proposed to the commercial areas.
12. The MPD does not assign commercial to Lots F, G, and H (aka Lot I). These Lots are allowed support commercial calculated per the LMC at the time of approval of the CUP. The applicants are not proposing support commercial with this permit.
13. On October 16, 2015, the Planning Department received a complete application for a Conditional Use Permit (CUP) requesting approval for a total of 68,843 sf (34.4215 UE) of residential uses, for 38 residential units ranging in size (area) from 570 to 2,379 square feet. The total residential floor area includes the 843 sf (0.4215 UE) transferred from the existing Inn (on Lot D) and the 68,000 sf (34 UE) entitled with the Deer Valley MPD for Lots F, G, and H, per the proposed 12th Amended Deer Valley MPD.
14. The project has a total of 31 lockouts associated with the 38 units to facilitate the viability of existing hotel operations. The lockout unit floor area is included in the total unit area and the parking calculations.
15. The proposed building is oriented towards Sterling Court and generally has a north/south axis. The site is broken into more than one volumetric mass in order to match the scale of the surrounding buildings. The north building contains sixteen units ranging from 2,180 to 2,265 sf. and an ADA unit on the ground floor. The center building contains six units of approximately 2,000 to 2,379 sf and includes the lobby and amenities. The south building contains sixteen units comprised of eight 570- 588 sf hotel rooms and eight units of approximately 1,808 sf to 2,205 sf
16. The total proposed building area is 154,578 square feet. Included in the total area, in addition to the 68,843 square feet of residential units, are approximately 8,300 square feet of residential accessory uses (recreation amenities, business center, workout area, etc.); 22,878 square feet of circulation, back of house, restrooms, etc.), 3,398 square feet of support meeting space, a 2,162 square foot required ADA unit as common area, and 49,077 sf of parking garage (in addition to the 68,843 square feet of residential units). This area is exclusive of any unenclosed porches, decks, and patios.

17. No UE are required for residential accessory uses, support meeting space, back of house area, or the parking garage. No support commercial uses are proposed with this Conditional Use Permit.
18. The Deer Valley MPD does not require open space on this parcel as the unit equivalent formula is used for density calculations.
19. Building Height allowed per the Deer Valley MPD is 59' (plus 5' to 64'), provided that the peak of the roof does not exceed USGS elevation 8186'. The base elevation is identified as USGS elevation 8122'. The proposed building does not exceed USGS elevation 8186' to the highest part of the roof.
20. The proposed building is similar in physical design, mass, and scale to surrounding buildings and while different than surrounding structures in terms of architectural style, design, and character, the proposed building has elements that provide a continuity and compatibility of design for the Silver Lake Village. By incorporating similar design elements and materials, as required by the Deer Valley Design Review Board, the applicant has worked to make the building compatible with surrounding structures in terms of style, design, and detailing. By reducing the amount of glazing, reworking the balcony design, and provided additional building articulation, particularly along Royal Street, the revised building is more compatible with the general architectural theme of the Village while providing a more updated and fresh style to the area. The proposed design does not detract from the overall architectural character of the area.
21. Final design approval by the Deer Valley Architectural Review Board is a requirement of the Deer Valley MPD.
22. Parking requirements are based on the size and number of residential units. A minimum of 76 spaces are required for the number and sizes of proposed units. A total of 110 parking spaces are proposed within an underground parking garage. Thirty-four extra parking spaces will be available for flexible use for public parking and overflow.
23. The Goldener Hirsch will continue to meet the parking requirements for the remaining residential units with existing underground parking under the Goldener Hirsch Inn building. A hotel managed shuttle service is proposed to reduce traffic trips. Guest parking will be managed through valet service within the parking structure.
24. A final utility plan, including location and details for storm water facilities and dry utilities, to be located on the property, in addition to all other utilities, will be provided with the building permit plans for final approval by the City Engineer, SBWRD, and the Fire District.
25. Sterling Court provides access, including emergency access, to the project from Royal Street East. There is a fire code compliant turn around area at the southern end of the Court. Enhanced fire protection and emergency access for the west side of the property were coordinated with the adjacent property owner (Stein's) and will be reflected on the final utility and fire protection plans to be submitted with the building permit plans.
26. Enhanced pedestrian pathways along the eastern property line are proposed, as well as pedestrian pathways and outdoor plazas between the spa pool area and the recreation area and ski locker rooms.

27. Natural vegetation on the southern portion of the site includes native grasses and shrubs.
28. Four existing buildings in the Silver Lake Village area with access off of Sterling Court (Goldener Hirsch, Royal Plaza, The Inn, and Mt Cervin) generally have a north-south orientation and are similar in height and scale to the proposed building as designed with vertical and horizontal articulation and massing broken into three main components.
29. The Land Management Code allows for 20' setbacks along Royal Street (25' for front facing garage), 12' side setbacks, and 15' rear setbacks. The proposed building has a 20' setback along Royal Street, a 15' setback along Sterling Court (a private street) (per the subdivision plat), a 12' setback along the west side property line and a 15' rear setback adjacent to the Mt. Cervin property line. The Planning Commission may alter interior setbacks within the Deer Valley MPD at the time of review of the associated plat amendment.
30. All exterior lights and signs must comply with the applicable Park City ordinances and code. Exterior lights must be identified on the building permit plans and shall be down-directed and shielded. No additional signs are proposed with this permit. Approval of a sign permit is required prior to installation of any new regulated signs.
31. A condominium plat and condominium declaration to identify private, common, and limited common areas shall be recorded prior to sale of any unit.
32. The Deer Valley MPD is not subject to the requirements of the Sensitive Lands Overlay.
33. The site is within the area subject to the City's Urban Wildland Interface Ordinance for fire prevention.
34. On January 13, 2016 the Planning Commission discussed the proposal, conducted a public hearing, and continued the item to February 24, 2016.
35. On February 24, 2016 the public hearing was continued to a date uncertain. There was no public input provided at the hearings on January 13th or February 24th, 2016.
36. Staff received public input from a neighboring property owner in May expressing safety concerns with the driveway access onto Sterling Court; the height of the proposed sky bridge blocking views; and potential pedestrian conflicts with service vehicles, cars, and emergency vehicles if access is permitted on Sterling Court instead of Royal Street East.
37. The project was on hold until August 2016 for the applicant to resolve ownership and utility issues.
38. Staff maintained contact with the property owner and upon receipt of revised plans and contacted this neighbor to set up a meeting to discuss the above mentioned safety concerns.
39. The applicant provided a traffic and safety analysis of the project on September 20, 2016 for inclusion in the Planning Commission packet.
40. On September 28, 2016, the City Engineer provided a memo addressing the safety and adequacy of Sterling Court and made a finding that Sterling Court should function adequately with the added density and should not be a safety concern.
41. Legal notice was published in the Park Record and on the Utah Public Notice Website on September 9, 2016 and the property was re-posted on September 14,

2016 for the September 28, 2016 hearing. Courtesy mailing was provided to the property owners within 300' of the property.

42. The Conditional Use Permit application was reviewed for consistency with the Park City General Plan.
43. The applicant stipulates to the conditions of approval.

Conclusions of Law:

1. The CUP is consistent with the Deer Valley Master Planned Development, as amended and the Park City Land Management Code.
2. The proposed use will be compatible with the surrounding structures in use, scale, mass and circulation.
3. The effects of any differences in use or scale have been mitigated through careful planning.

Conditions of Approval:

1. The plans and application for a Building Permit must be in substantial compliance with the plans reviewed by the Planning Commission on November 30, 2016.
2. This Conditional Use Permit is subject to approval of the proposed 12th Amended and Restated Large Scale Master Planned Development Permit and the Re-Subdivision of Lots No.1 and No. 2 Silver Lake No. 1 Subdivision plat.
3. Prior to building permit issuance the amended subdivision plat for Silver Lake Village to combine Lots F, G, and H into one lot of record, shall be recorded at Summit County. The plat shall identify the 15' setbacks along Sterling Court.
4. Prior to building permit issuance a final landscape plan shall be reviewed and approved by the Planning and Building Departments.
5. Prior to building permit issuance the plans shall be approved by the Deer Valley Architectural Review Board.
6. The final landscape plan shall comply with the City's Wildland Urban Interface Ordinance for defensible space and fire prevention. Drought tolerant landscaping and water conservation measures shall be used per requirements in the LMC.
7. All conditions of approval of the Deer Valley Master Planned Development, as amended, apply to this project.
8. A Construction Mitigation Plan shall be submitted at the time of Building Permit application. The Plan shall include a regulation for construction traffic, including how excavated materials will leave the site. Downhill truck traffic is required to use Marsac Avenue, a State Highway, rather Royal Street, a residential city collector street due to the location of an emergency run-away truck ramp off Marsac Avenue, unless otherwise authorized by the City Engineer and Chief Building Official. The CMP shall address closure dates due to Special Events, as well as other items requested by the Chief Building Official.
9. All exterior lights and signs must comply with applicable Park City ordinances and codes.
10. Exterior lighting must be identified on the building permit plans and shall be down-directed and shielded. Any existing, non-conforming exterior lighting shall be brought into compliance with the current LMC requirements.
11. Approval of a sign permit is required prior to installation of any regulated signs.

12. A final utility plan shall be provided with the building permit application for final approval by the City Engineer, SBWRD, and the Fire District prior to building permit issuance.
13. A final fire protection plan must be submitted to and approved by the Chief Building Official and Fire District prior to Certificate of Occupancy.
14. Sterling Court meets the minimum width of 20' for emergency access. No parking is permitted along the Court and curbs shall be painted and/or signed to clearly mark the 20' fire lane.
15. As common area, the required ADA unit may not be sold. A residential unit must be rented in conjunction with the ADA unit unless the ADA unit is included in the total residential UE.
16. All exterior mechanical vents and extrusions shall be painted to match the exterior siding materials.
17. Exterior mechanical equipment shall be screened to mitigate for any mechanical factors that might affect people and property off-site.
18. Standard Project Conditions of Approval apply to this project.
19. Storm water system must retain the first flush of a storm as defined by the State of Utah. Storm water system shall be shown on the final utility plan.
20. Above ground dry utility facilities shall be located on the property.
21. Pool and plaza hours are limited from 7AM to 10PM and compliance with the Park City noise ordinance is required.
22. Applicant shall submit a report and evidence of noise, disturbance, and activity complaints on and off-site, including the resolution of any complaint matters, to the Planning Commission one year from issuance of Certificate of Occupancy. Staff will provide an update to the Planning Commission. The Commission may add additional Conditions of Approval to meet the Conditional Use Permit requirements for mitigation of noise, based on the report and evidence of complaints.
23. Outdoor activities on the Plaza, including outdoor dining and outdoor events, require compliance with the Land Management Code, including approval of administrative Conditional Use permits, if applicable.

Exhibits

Exhibit A – Applicants Letter
Exhibit B – Proposed plans
Exhibit C – Existing conditions survey and photos
Exhibit D – Proposed Twelfth Amended and Restated Large Scale MPD redlines (See MPD report)
Exhibit E – Proposed 2nd Amendment to the Re-subdivision of Lots No. 1 and No. 2 plat
Exhibit F – Existing Golden Deer Condo Plat and Hirsch floor area calculations
Exhibit G – Silver Lake Village No. 1 Subdivision plat
Exhibit H – Re-Subdivision of Lots No. 1 and No. 2 Silver Lake No. 1 Subdivision plat
Exhibit I – Planning Commission minutes from January 13, 2016
Exhibit J – Standard Project conditions of approval
Exhibit K – Public input
Exhibit L – Applicant's Traffic and Safety analysis
Exhibit M – Minutes from September 28 and November 9, 2016 (in packet)
Exhibit N – Applicants Nov. 3 letter and presentation from November 9th meeting
Exhibit O - Public input submitted at the November 9th meeting

APPLICATION FOR CONDITIONAL USE PERMIT

Planning, Programming, and Architectural Design Partnership for the Goldener Hirsch Hotel and Residences

RECEIVED
OCT 16 2015
PARK CITY
PLANNING DEPT.

October 15, 2015

Park City Municipal Corporation
Planning Department
445 Marsac Ave
PO Box 1480
Park City, UT 84060

RE: REQUEST FOR CONDITIONAL USE PERMIT (CUP) to partner in Site Planning, Programming, and Architectural Design for the Goldener Hirsch Hotel and Residences

Utah Development and Construction is pleased to submit an application to PCMC to partner in Planning, Programming, and Architectural Design for the Goldener Hirsch Hotel and Residences in Silver Lake Village, Deer Valley, Utah.

INTRODUCTION

The Goldener Hirsch Hotel proposes to build additional hotel rooms, amenities and residences on a parcel of property located next to the existing hotel on Royal Street. Designers will assist the Client with the vision of competing more effectively and efficiently in delivering world class hospitality to it's growing customer base. The new facility will promote the growth of existing demand for new real estate and will allow the Goldener Hirsch to continue to grow room rental revenue in a highly competitive environment.

The current entitlement allows for 34 UE's spread across three adjacent lots. The new premises will have an estimated build of 72,198 square feet of hotel and residence space and 3,400 square feet of commercial space and 3,400 square feet of meeting space on approximately 1.17 acres. Total square footage above entitlement (4,198) is requested potentially available from exising and unused density from Parcel D. The Client wishes construction to be completed end of 2018.

Feel free to contact me at (801) 935-0254 if further information is required.

Respectfully,

Christopher M. Conabee

RECEIVED
OCT 16 2015
PARK CITY
PLANNING DEPT.

Principal
Utah Development and Construction
cconabee@gmail.com

RECEIVED
OCT 16 2015
PARK CITY
PLANNING DEPT.

DEER VALLEY RESORT

11TH AMENDED LARGE MASTER PLAN DEVELOPMENT

LOTS F, G AND H

SILVER LAKE COMMUNITY					
Stag Lodge Multi-Family	50	52	6	28-35	7.34
Cache Multi-Family	12	12		28	1.77
Sterlingwood Multi-Family	18	18		28-35	2.48
Deer Valley Club	20	30	1	28-45	1.53
Double Eagle (SL East Parcel 2 Multi-Family)	18	18		28-35	2.26
Stein Eriksen Lodge Multi-Family	66.75	65	11	28-35	10.86
Little Belle Multi-Family	20	20		28	3.66
Chateaux At Silver Lake Lot 23 Deer Valley Club Estates Subdivision)	65	78	1	28-45	3.24
Sterling Lodge (Lot 2 Silver Lake East Subdivision)	14	14		28-45	0.61
Royal Plaza Multi-Family (Silver Lake Village Lot A)	7.6215	13	1	59 (A)	0.48
Mt. Cervin Plaza Multi-Family (Silver Lake Village Lot B)	7.5	7		59 (A)	0.54
Inn at Silver Lake (Silver Lake Village Lot C)	10	8		59 (A)	0.50
Goldener Hirsch Inn (Silver Lake Village Lot D)	6	20	1	59 (A)	0.35
Mt Cervin Multi-Family (Silver Lake Village Lot E)	16	15		59 (A)	0.53
Silver Lake Village Lot F	11	0		59 (A)	0.35
Silver Lake Village Lot G	11	0		59 (A)	0.38
Silver Lake Village Lot H	12	0		59 (A)	0.44
SL Knoll Condominiums	4	4		35	0.76
Knoll Estates Single Family	21	21		35	9.90
Black Bear Lodge (Lot 22 Deer Valley Club Estates Subdivision)	51	51		35	1.39
Knollheim Single Family	20	5	7	35	1.84
Alpen Rose Single Family	2	2		35	0.66
Silverbird Multi-Family	6	6		35	0.80
Ridge Multi-Family	24	24		35	2.34
Enclave Multi-Family	17	17		28-35	1.79
Twin Pines Multi-Family	8	8		28-35	1.33
Cottages Single Family	11	11		28	7.06

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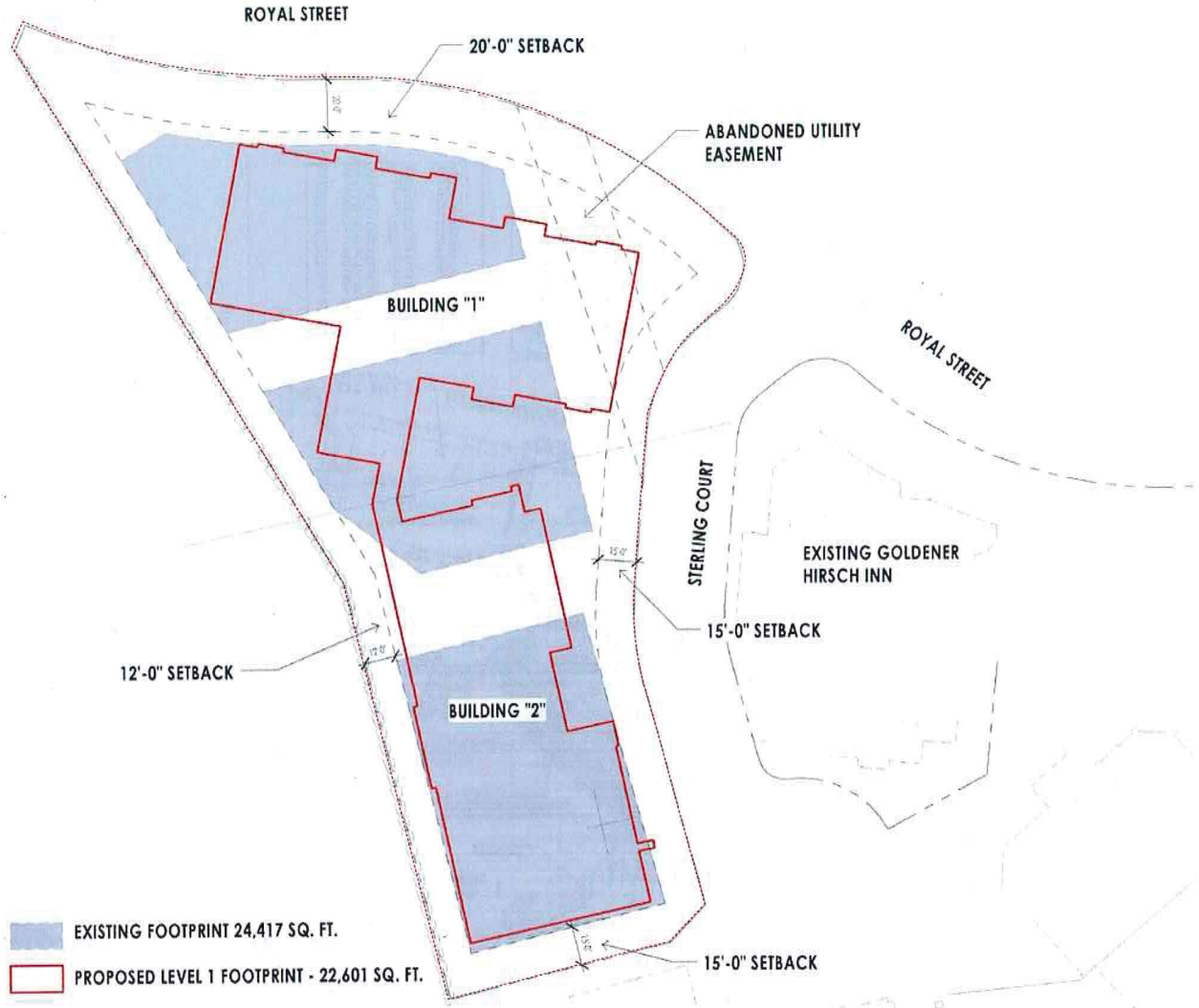
OCT 16 2015
PARK CITY
PLANNING DEPT.

EXHIBIT B



Proposed Setbacks

- Royal Street - 20'-0"
- Sterling Court - 15'-0"
- South/ Mont Cervin - 15'-0"
- West/ Stein Eriksen Lodge - 12'-0"

Plat Overlay

- Existing footprint - 24,417 sq. ft.
- Proposed ground level - 22,601 sq. ft.
- Allows for snow storage away from Sterling Court

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NOV 01 2016
PARK CITY PLANNING DEPT.

Site Plan

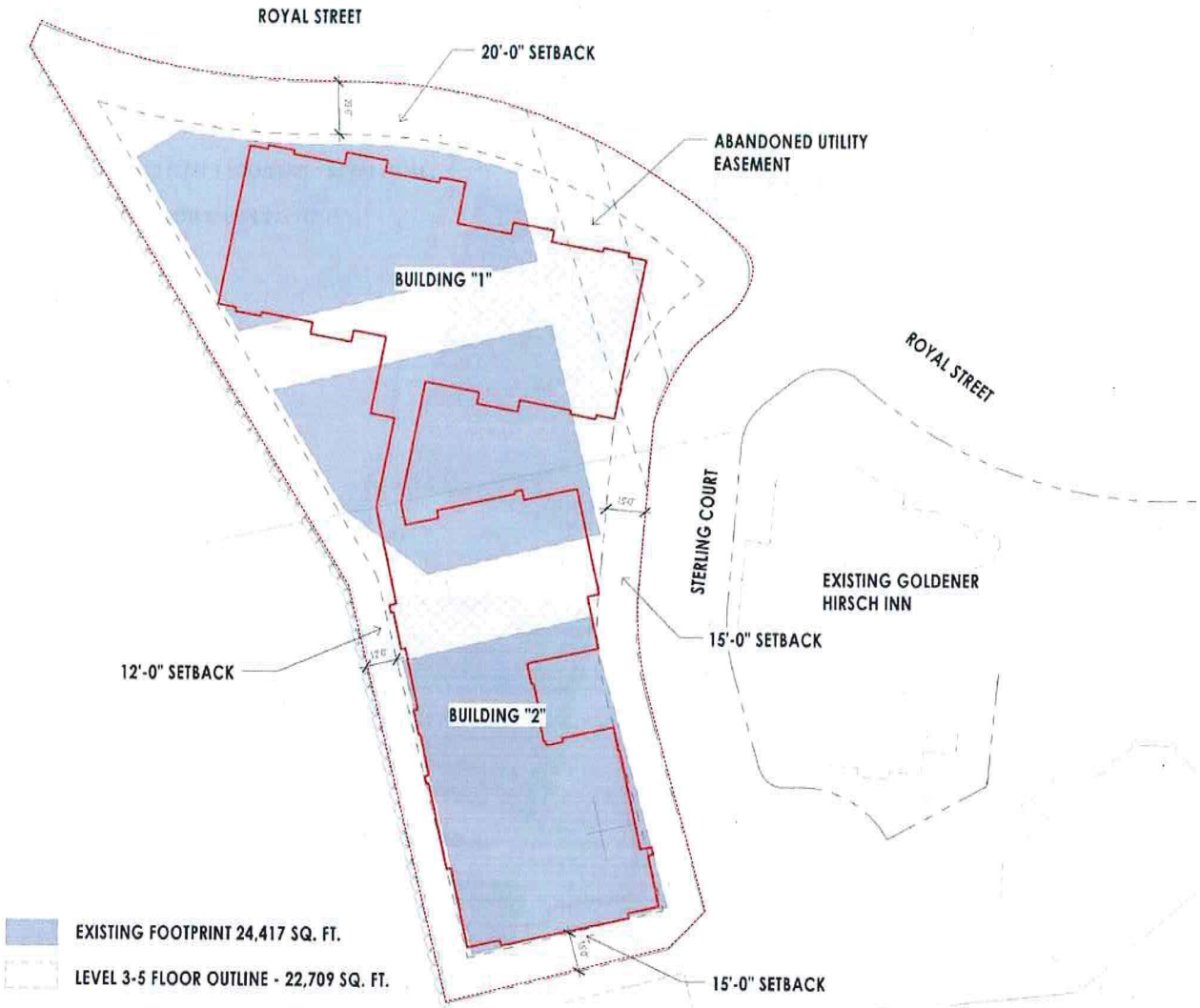
Plat Overlay - Ground Level

Olson Kundig

Goldener Hirsch

Deer Valley, Utah

11.08.2016



Plat Overlay

- EXISTING FOOTPRINT - 24,417 SQ. FT.
- PROPOSED LEVEL 3-5 22,709 SQ. FT.

RECEIVED
NOV 01 2016
PARK CITY PLANNING DEPT.

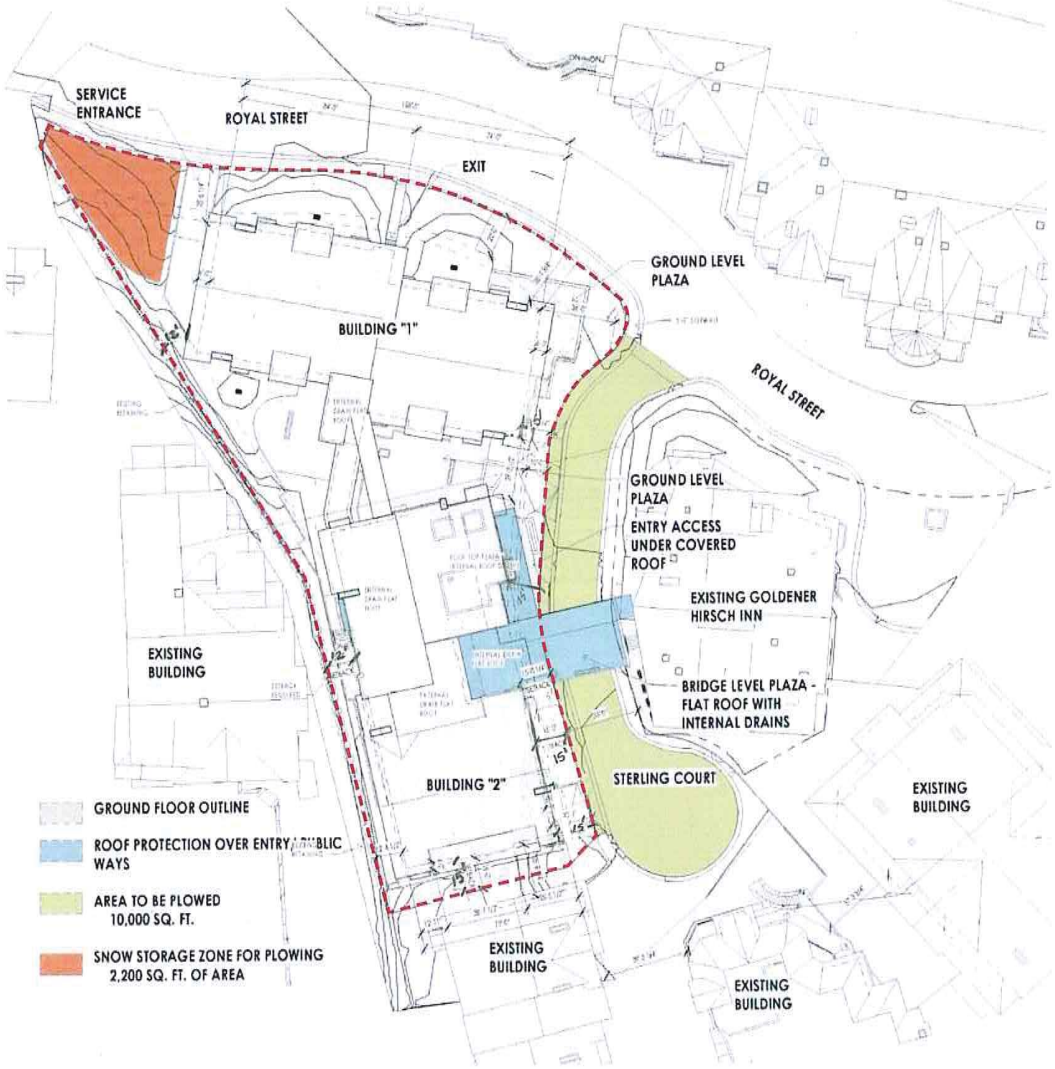
PLAT OVERLAY - UPPER LEVELS

Olson Kundig

GOLDENER HIRSCH

DEER VALLEY, UTAH

11.08.2016



Onsite snow management

- FLAT ROOF PROTECTION OVER MAJOR PUBLIC ENTRY
- SNOW RETENTION AT ROOFS OVER HARDSCAPE AREAS
- COLDROOF CONSTRUCTION TO MAINTAIN SNOW ON ROOFS
- FLAT ROOF AREAS WITH INTERNAL DRAINS
- HEATED SLABS IN PLAZAS
- SNOW STORAGE AT NORTH WEST CORNER OF PROPERTY FOR BULK SNOW STORAGE.

Snow Removal

- REDUCTION OF 67% TO EXISTING AREA OF SNOW REMOVAL.
- 2,200 SQ. FT. PROVIDED FOR SNOW STORAGE FOR OFF-SITE SNOW REMOVAL.

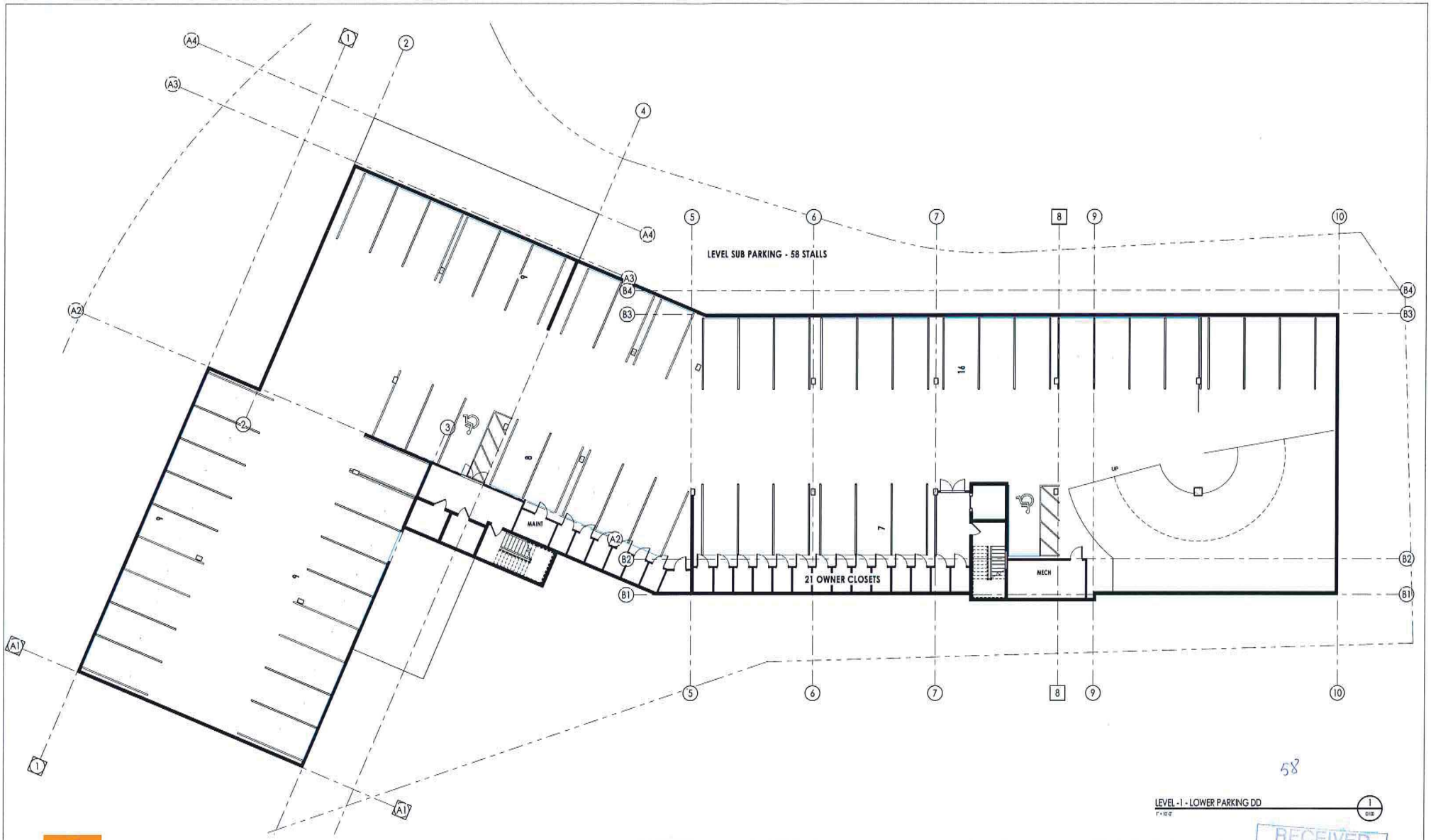
Olson Kundig

GOLDENER HIRSCH

DEER VALLEY, UTAH

RECEIVED
NOV 01 2016
PARK CITY PLANNING DEPT.

11.08.2016



58

LEVEL -1 - LOWER PARKING DD

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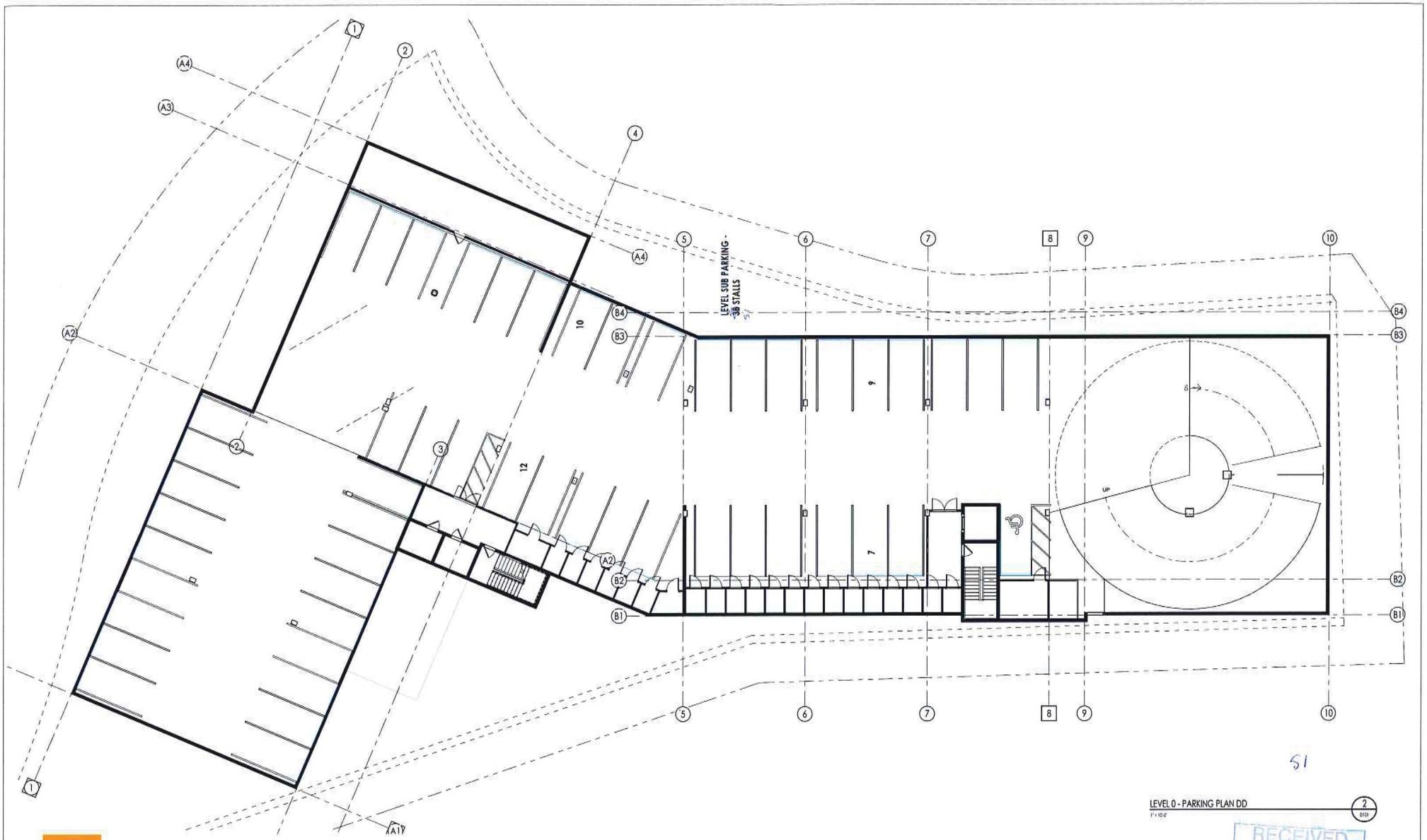
JAN 10 2016
PARK CITY PLANNING DEPT.

Think Architecture

GOLDENER HIRSCH

DEER VALLEY, UTAH

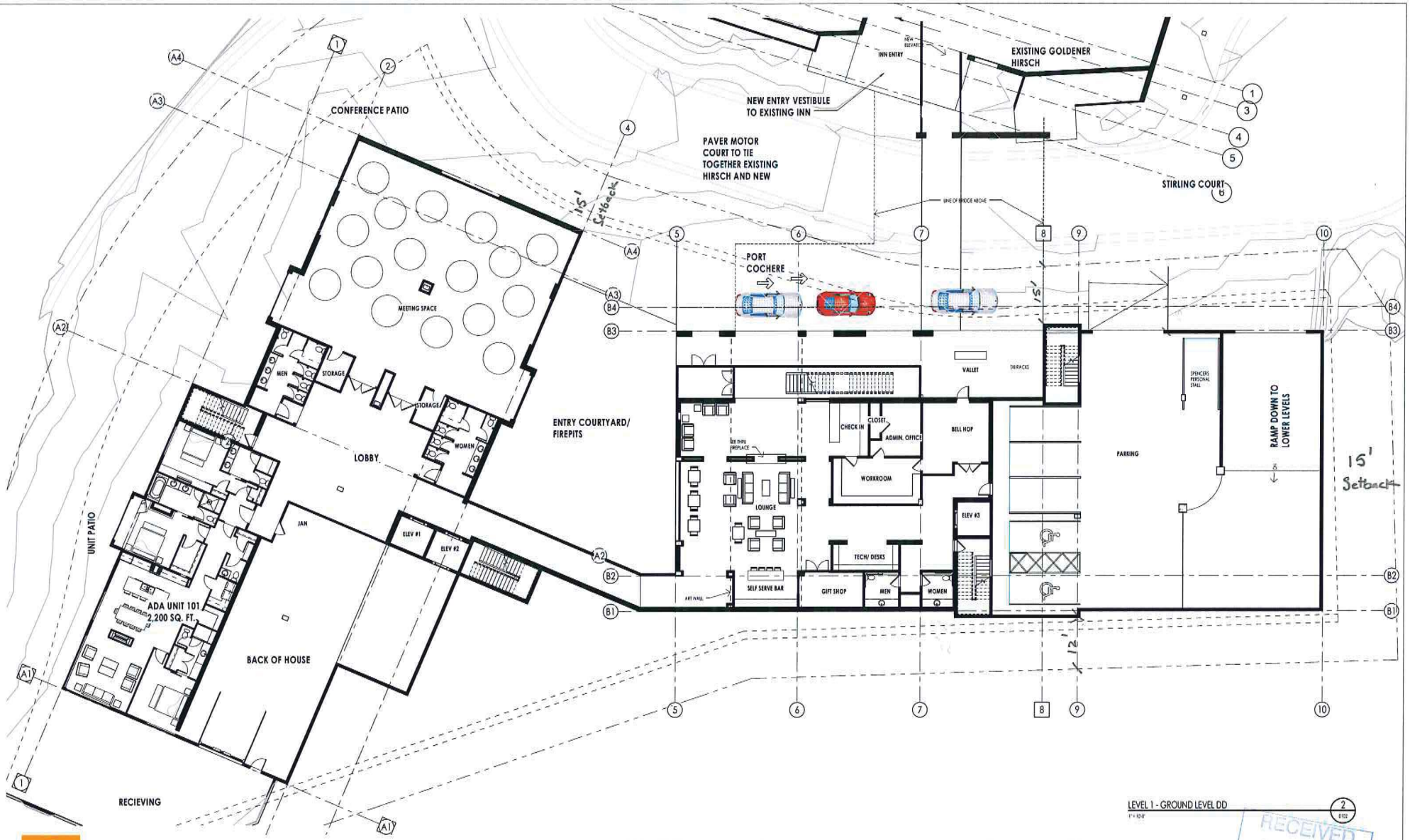
2016.01.04



Think Architecture

GOLDENER HIRSCH

DEER VALLEY, UTAH



LEVEL 1 - GROUND LEVEL DD

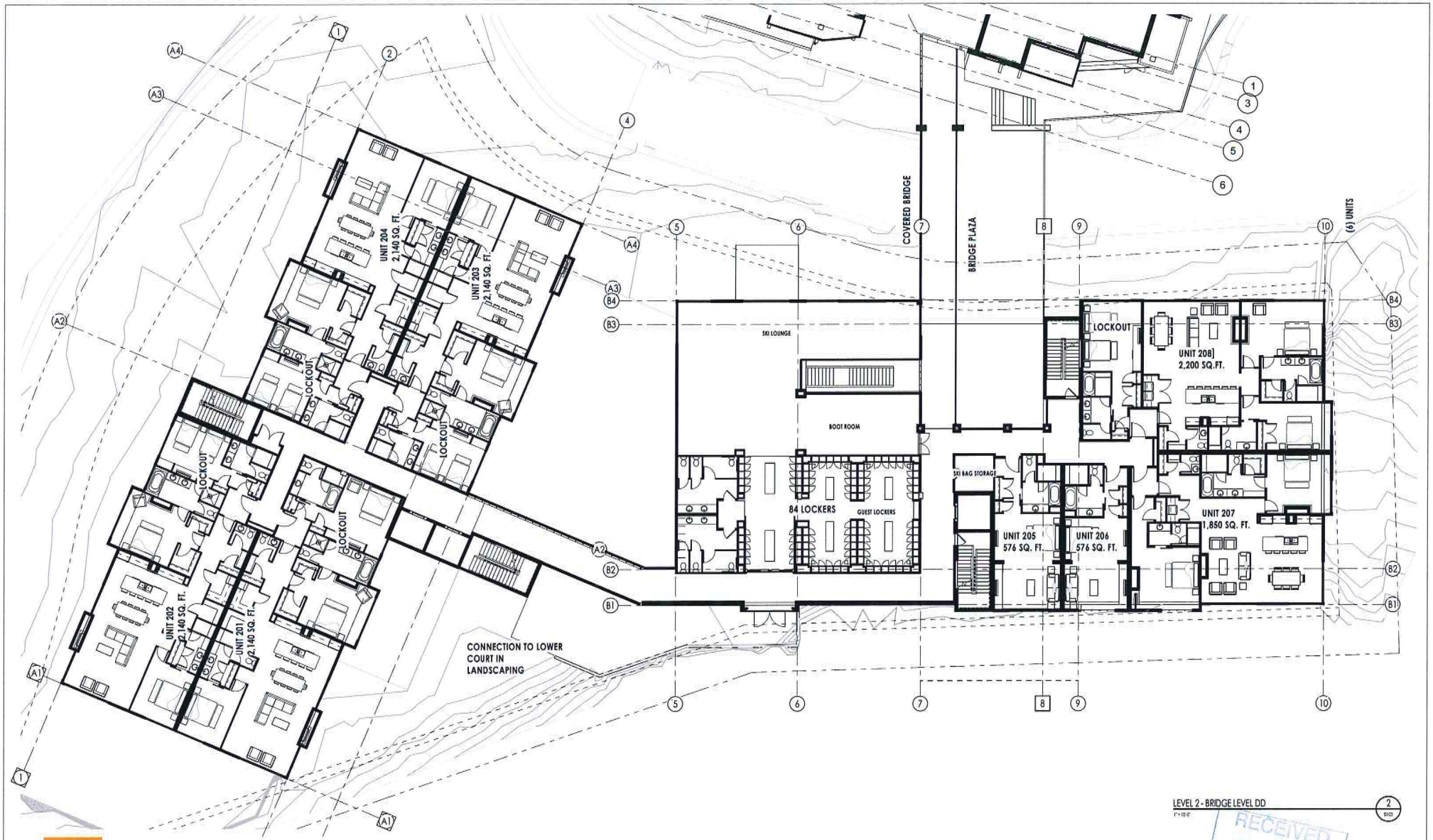
GOLDENER HIRSCH

DEER VALLEY, UTAH

Think Architecture

RECEIVED
JAN 10 2016
PARK CITY
PLANNING DEPT.

2016.01.04



LEVEL 2 - BRIDGE LEVEL DD

1" = 10'-0"

2

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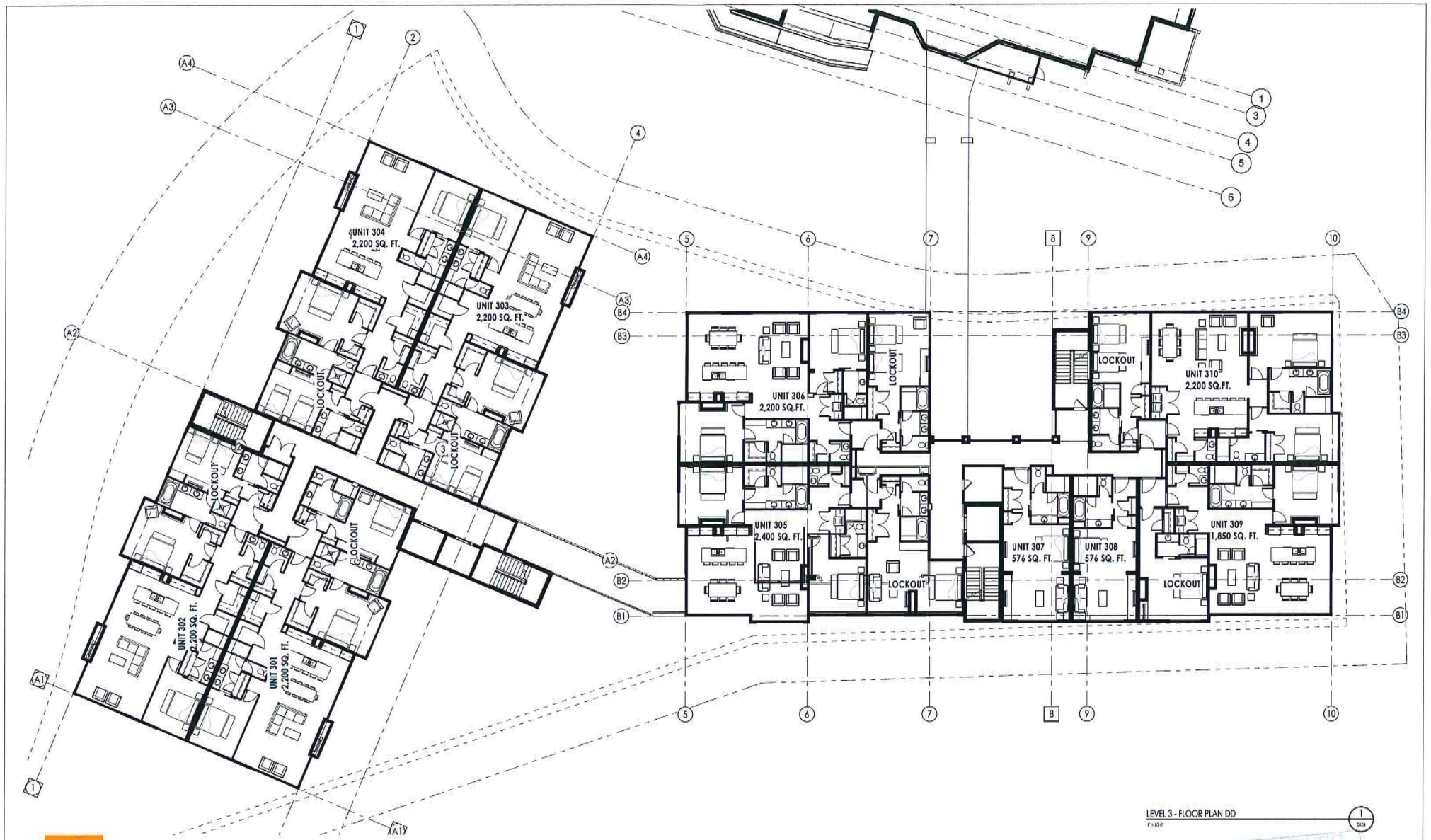
JAN 10 2016
PARK CITY
PLANNING DEPT.

Think
Architecture

GOLDENER HIRSCH

DEER VALLEY, UTAH

2016.01.04



LEVEL 3 - FLOOR PLAN DD

GOLDENER HIRSCH

DEER VALLEY, UTAH

Think Architecture

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PARK CITY
PLANNING DEPT.

2016.01.04

LEVEL 4 - FLOOR PLAN DD

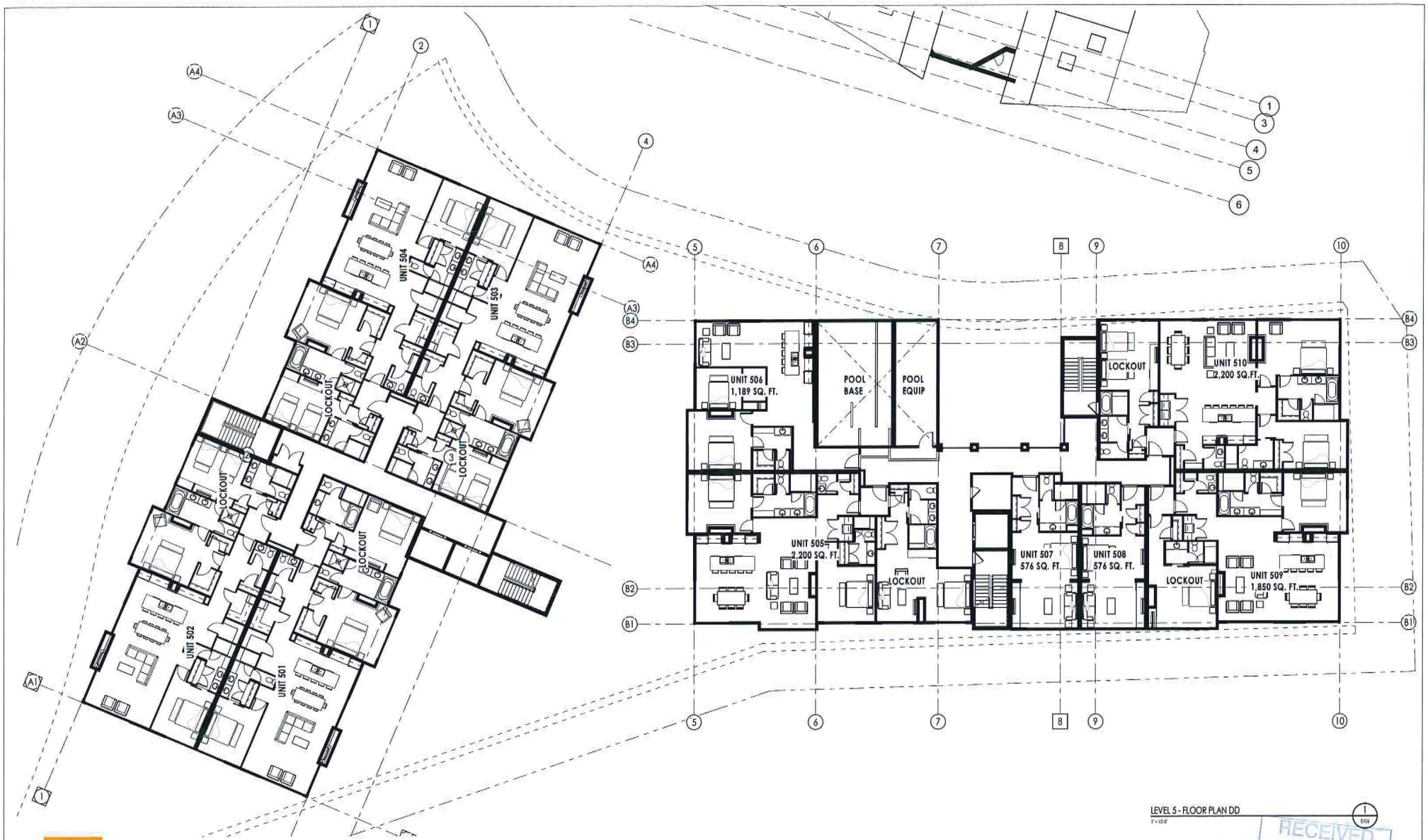
Think Architecture

GOLDENER HIRSCH

DEER VALLEY, UTAH

RECEIVED
JAN 10 2016
PARK CITY
PLANNING DEPT.

2016.01.04



LEVEL 5 - FLOOR PLAN DD

1/4"=1'0"

GOLDENER HIRSCH

DEER VALLEY, UTAH

Think Architecture

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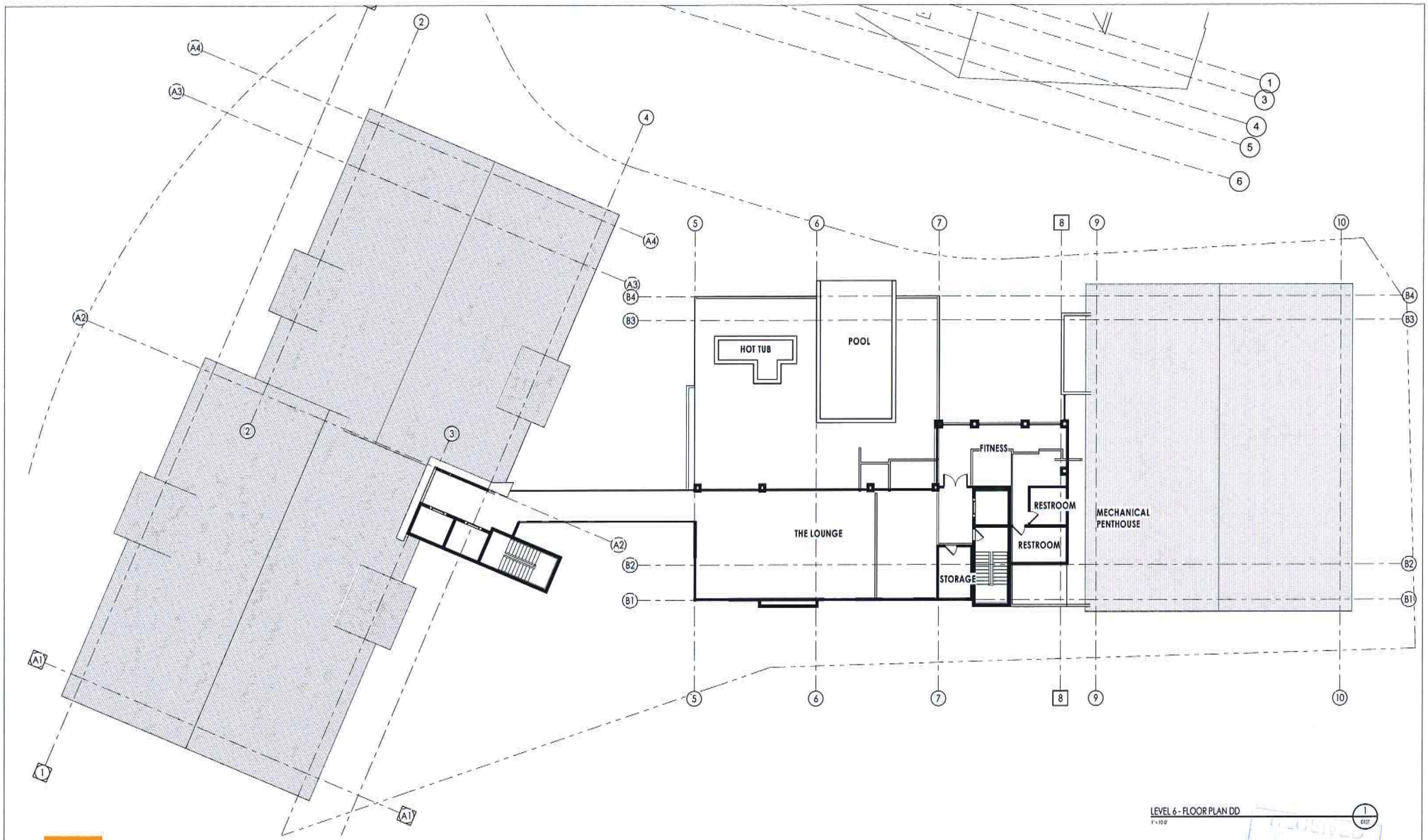
JAN 10 2016
PARK CITY
PLANNING DEPT.

2016.01.04



LEVEL 6 - FLOOR PLAN DD

1" = 10'-0"

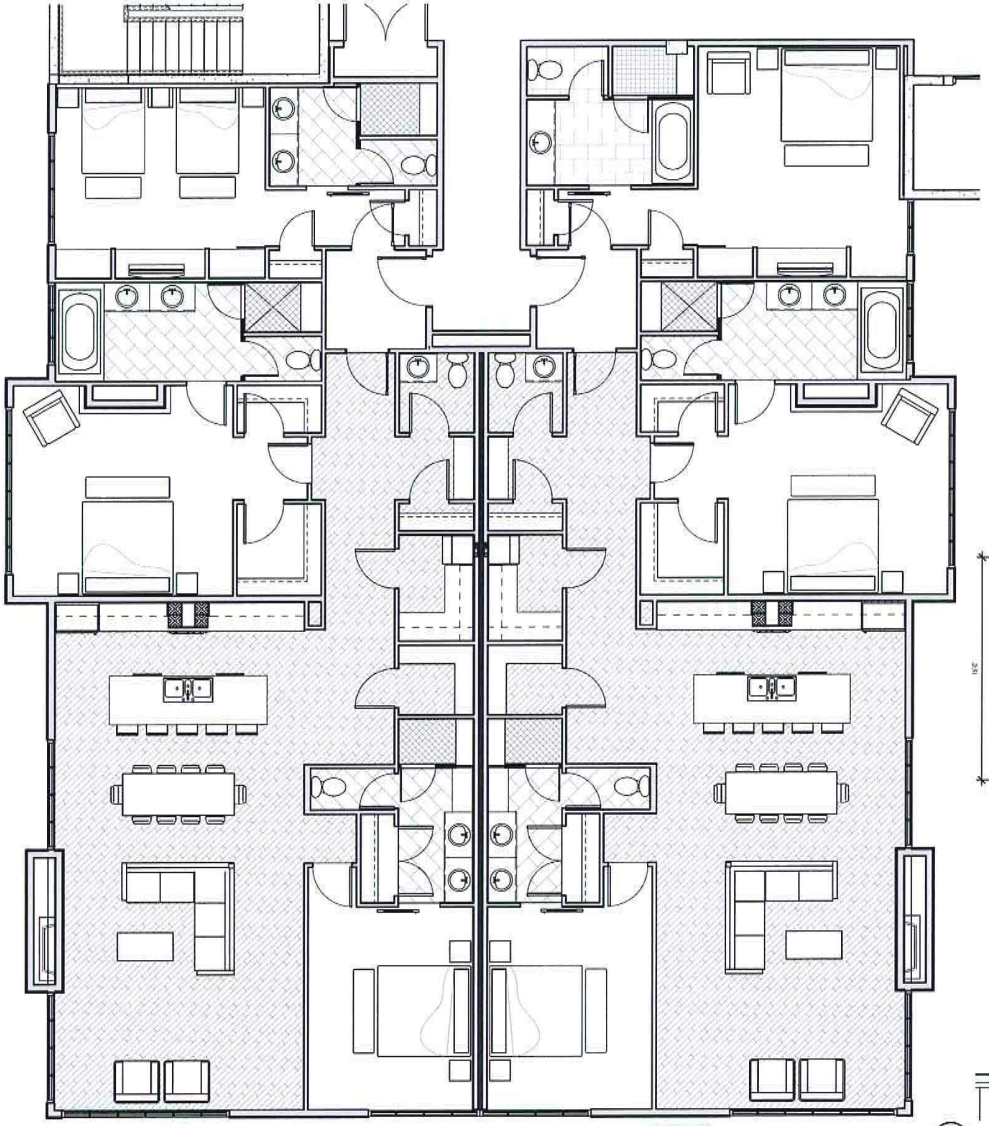
Think Architecture

GOLDENER HIRSCH

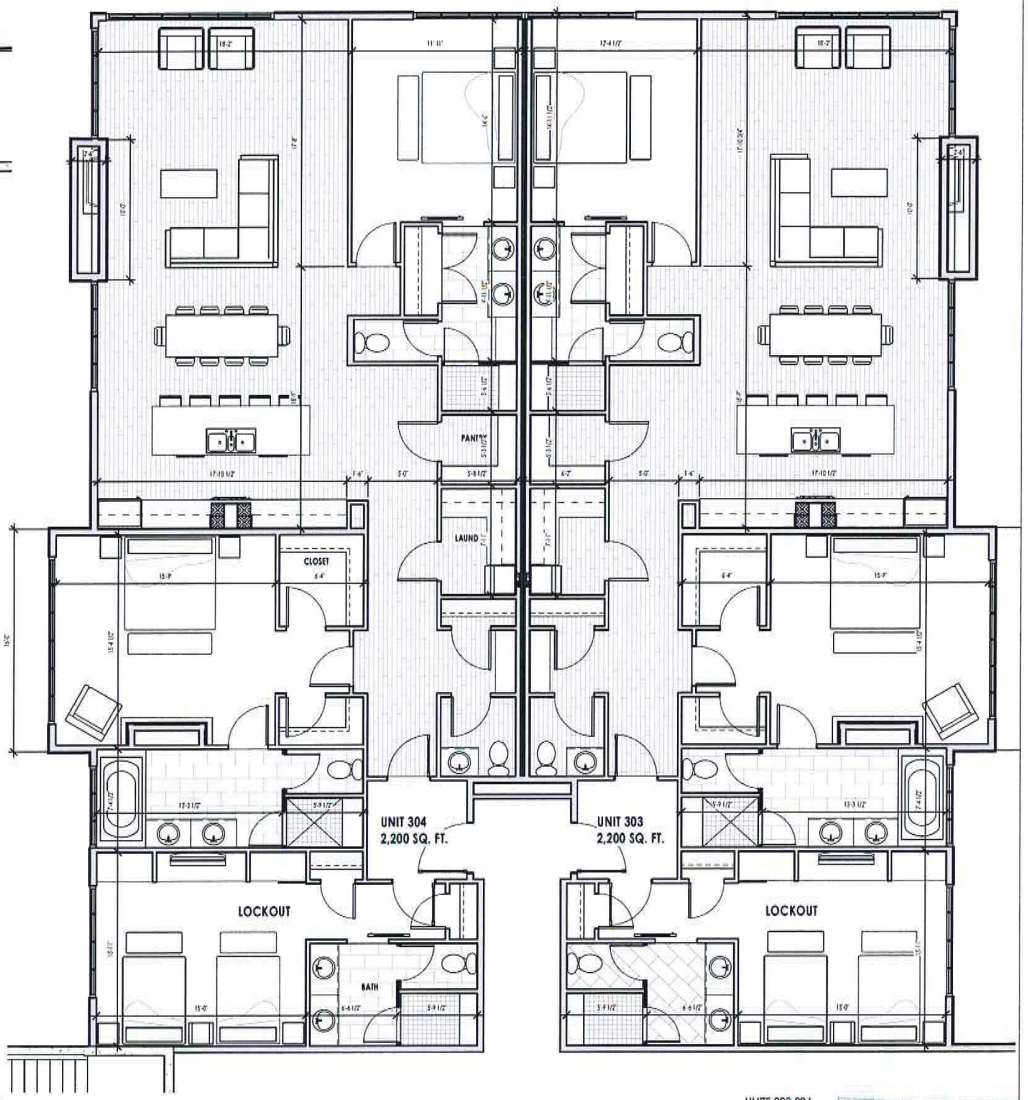
DEER VALLEY, UTAH

RECEIVED JAN 10 2016 PARK CITY PLANNING DEPT.

2016.01.04



UNITS 301-302



UNITS 303-304

Think Architecture

GOLDENER HIRSCH

DEER VALLEY, UTAH

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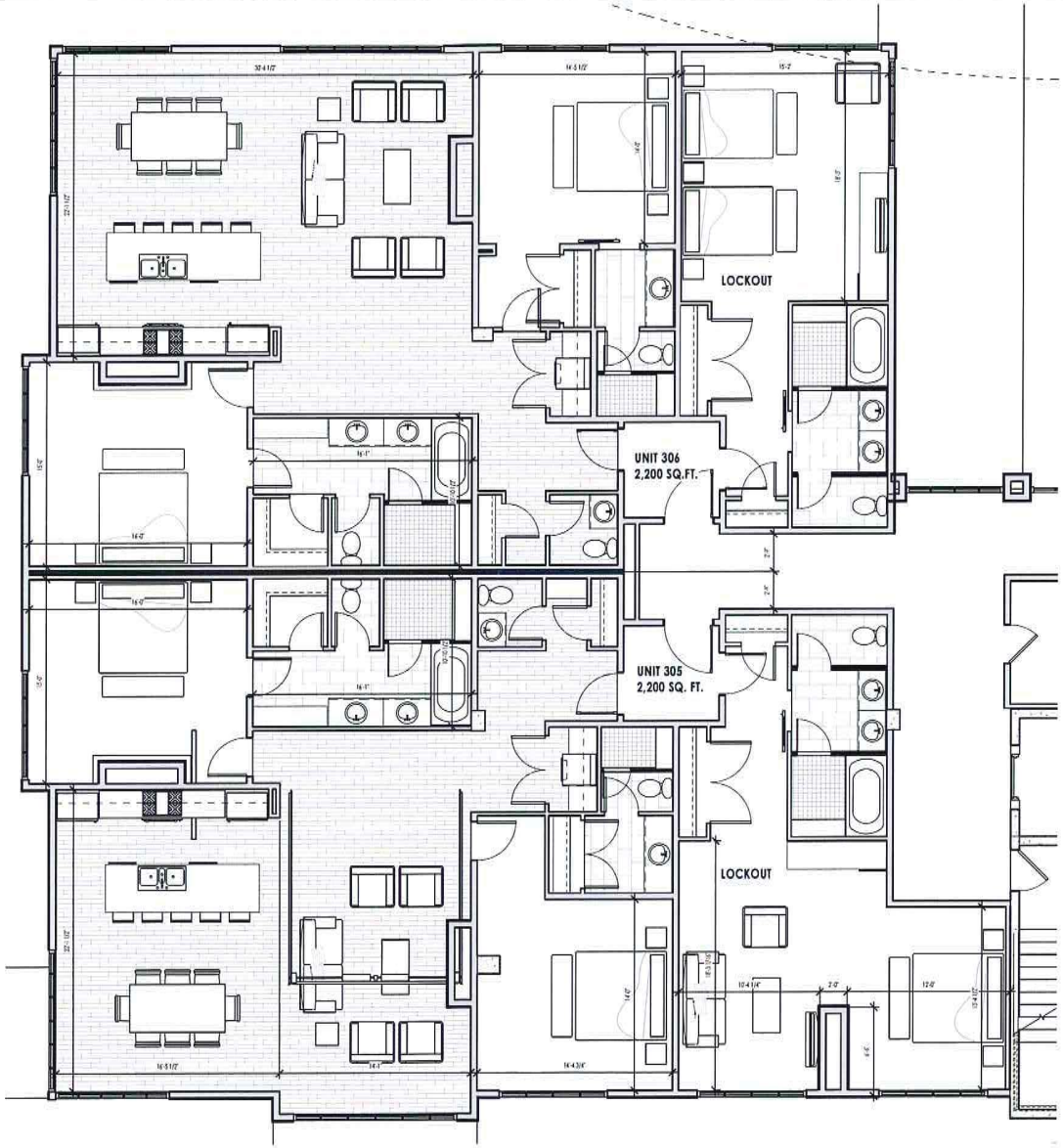
JAN 10 2016
PARK CITY
PLANNING DEPT.

2016.01.04



UNITS 305-306 2

GOLDENER HIRSCH

DEER VALLEY, UTAH

Think Architecture

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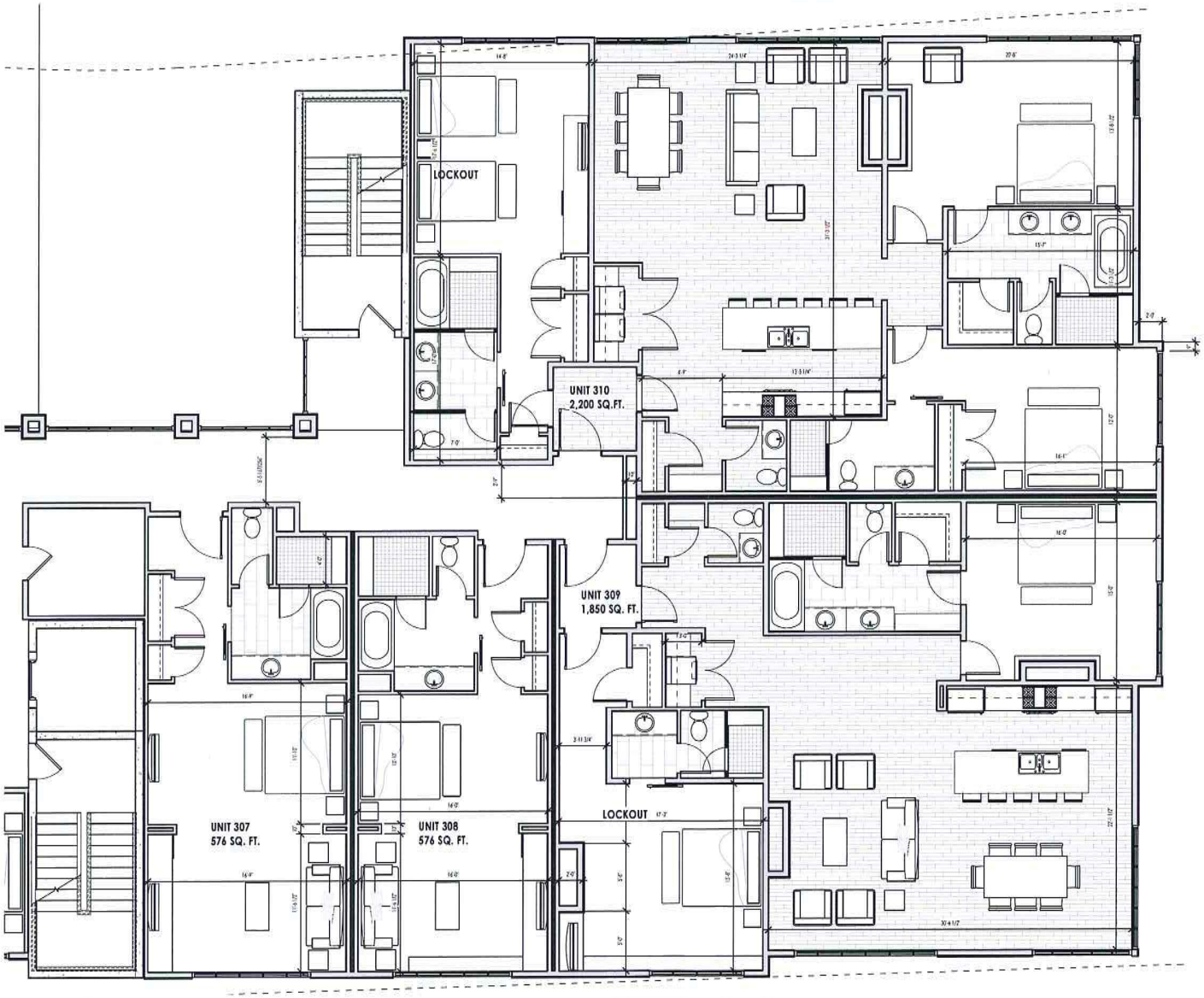
JAN 10 2016
PARK CITY PLANNING DEPT.

2016.01.04



UNITS 307-310

RECEIVED
JAN 10 2016
PARK CITY
PLANNING DEPT

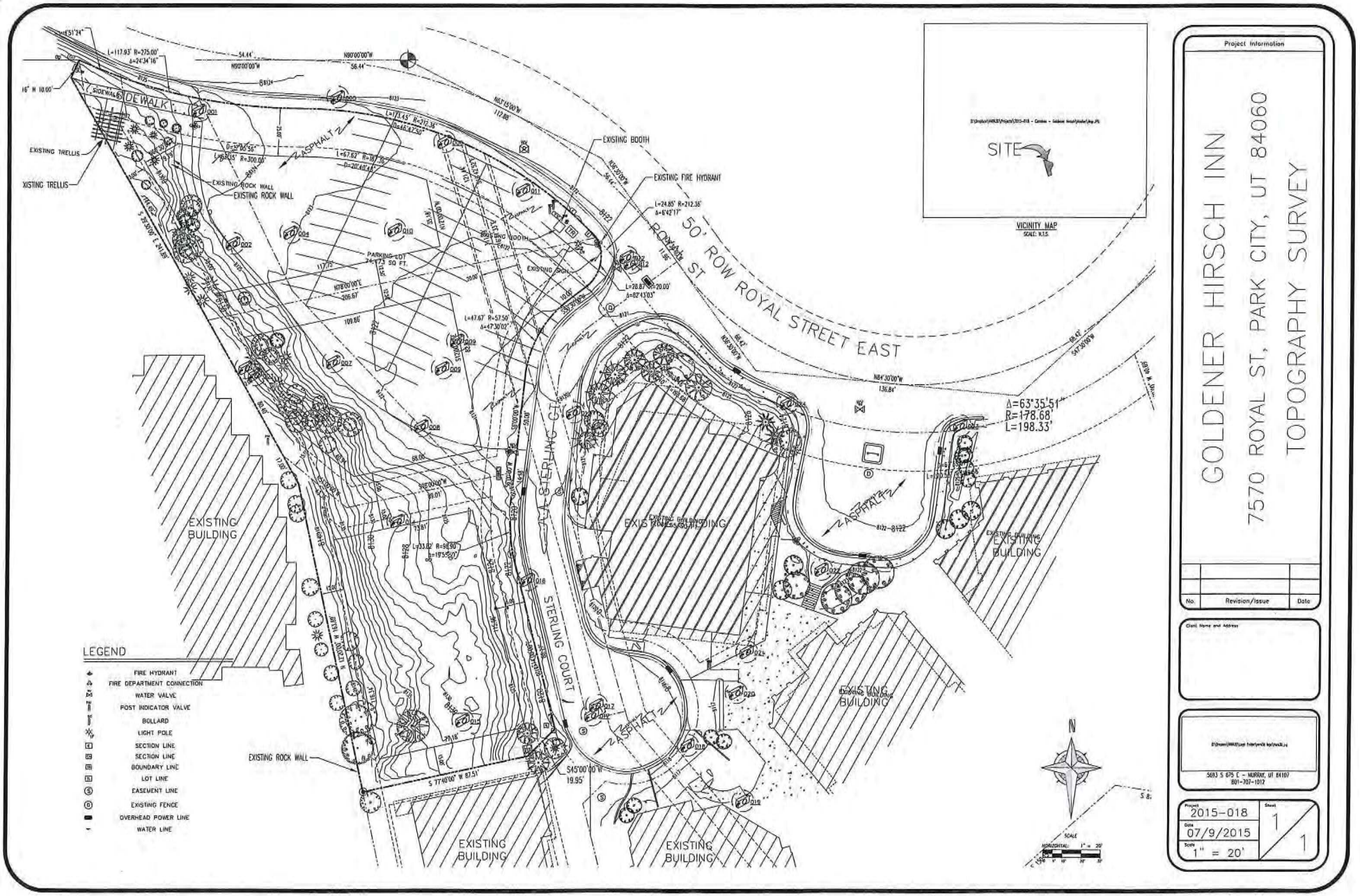
Think
Architecture

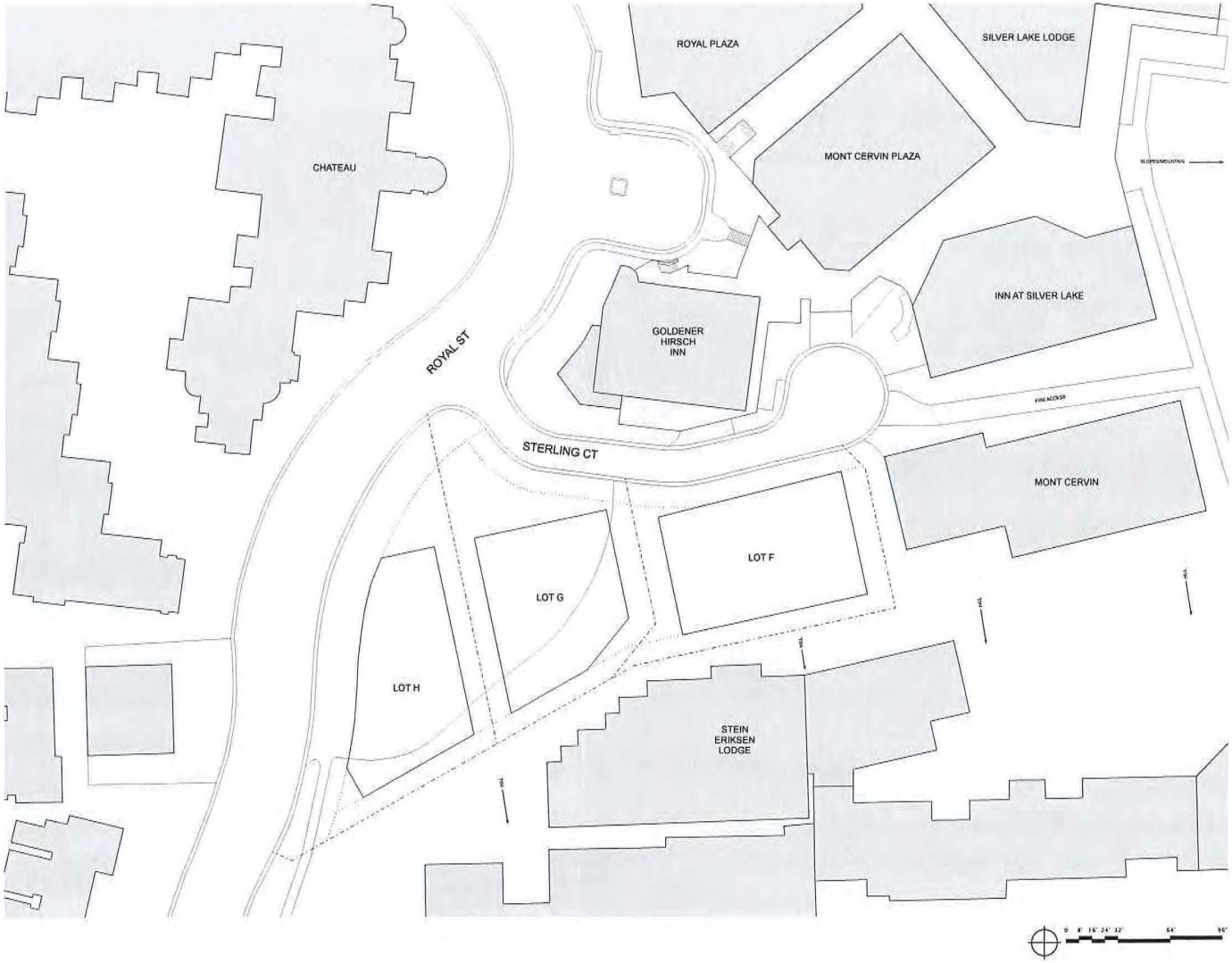
GOLDENER HIRSCH

DEER VALLEY, UTAH

2016.01.04

EXHIBIT C


GOLDENER HIRSCH INN
7570 ROYAL ST, PARK CITY, UT 84060
TOPOGRAPHY SURVEY
Project Information
No.
Revision/Issue
Date
Client Name and Address
5683 S 675 E - MURRAY, UT 84107
801-707-1012
Project
2015-018
Date
07/9/2015
Scale
1" = 20'
Sheet
1
1
VICINITY MAP
SCALE: N.T.S.
SITE
50' ROW ROYAL STREET EAST
ROYAL ST
STERLING CT
STERLING COURT
EXISTING BUILDING
EXISTING BOOTH
EXISTING FIRE HYDRANT
EXISTING TRELLIS
EXISTING ROCK WALL
SIDEWALK
ASPHALT
PARKING LOT
Δ=63°35'51"
R=178.68'
L=198.33'
LEGEND
FIRE HYDRANT
FIRE DEPARTMENT CONNECTION
WATER VALVE
POST INDICATOR VALVE
BOLLARD
LIGHT POLE
SECTION LINE
SECTION LINE
BOUNDARY LINE
LOT LINE
EASEMENT LINE
EXISTING FENCE
OVERHEAD POWER LINE
WATER LINE
N
SCALE
HORIZONTAL: 1" = 20'



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OCT 16 2015
PARK CITY PLANNING DEPT.

CURRENT SITE PLAN

EXISTING SITE

DISCLAIMER
This drawing is neither a legally recorded map or a survey and is not intended to be used as such. The information displayed is a compilation of records, information and data obtained from various sources, including the Snyderville Basin Water Reclamation District which is not responsible for its accuracy or timeliness. The Snyderville Basin Water Reclamation District advises that anyone requiring survey quality positions, such as for, but not limited to, construction or boundary work, should consult with a competent licensed surveyor.
Every effort has been made to ensure the accuracy of this information. However, the information contained in this map is subject to change without notice. The Snyderville Basin Water Reclamation District reserves the right for such change without prior notice.

01_Hirsch main entry from Royal St traffic circle

02_Hirsch garage entrance at Sterling Ct

03_Sterling Ct circle looking north

04_View south to slopes from parking lot on Lot H

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OCT 16 2015
PARK CITY
PLANNING DEPT.

EXISTING SITE AND PANORAMIC VIEWS

05_Panoramic at Sterling Ct (from L to R: Hirsch, Mont Cervin Plaza, Inn at Silver Lake, Mont Cervin)

06_Panoramic from across Royal St looking towards Hirsch and empty lots

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PARK CITY
PLANNING DEPT.

EXISTING SITE AND PANORAMIC VIEWS

07_Panoramic to Hirsch and Sterling Ct from hill at Stein Eriksen

08_Panoramic from Hirsch to empty lots and up hill to Stein Eriksen

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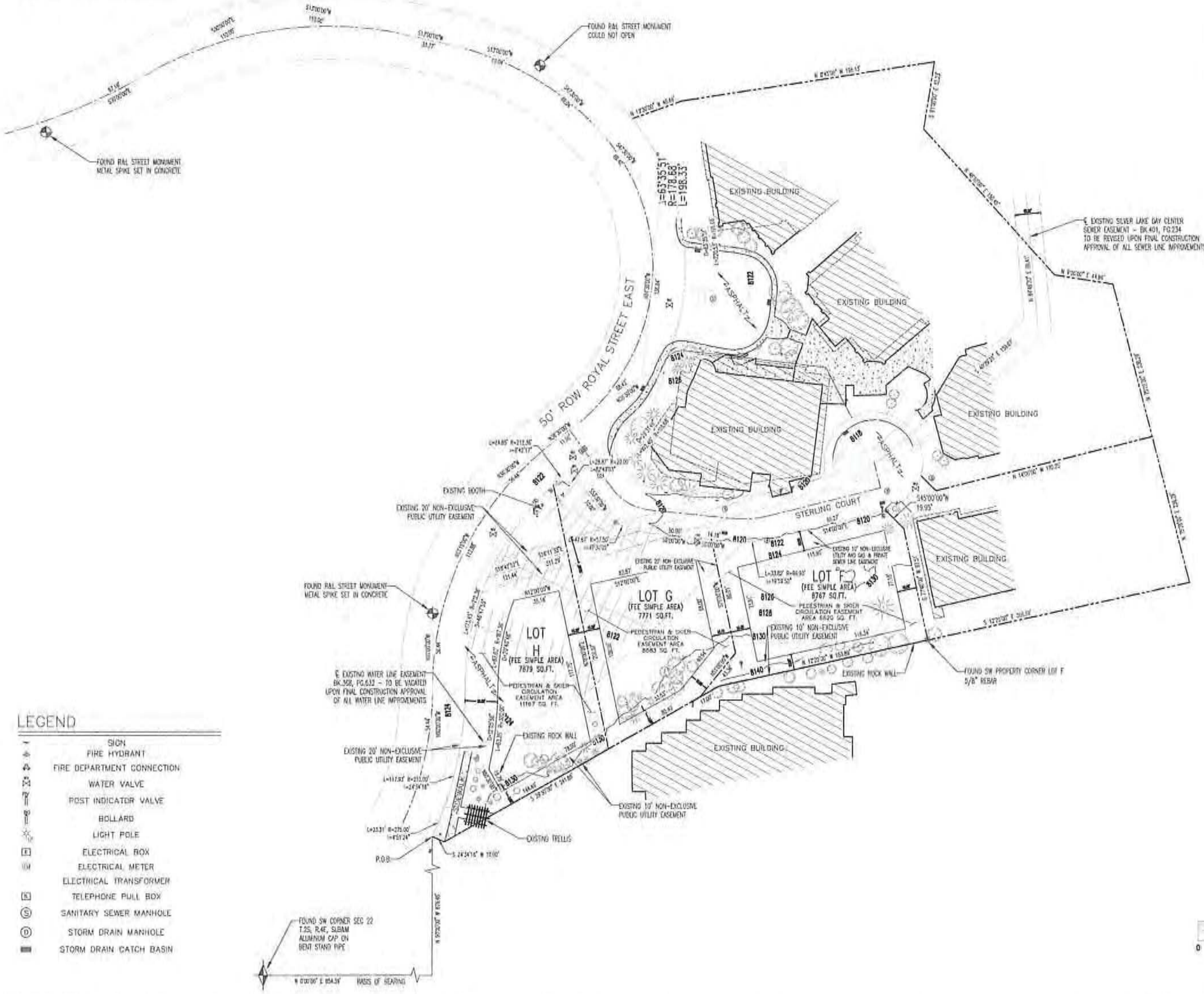
OCT 16 2015
PARK CITY
PLANNING DEPT.

EXISTING SITE AND PANORAMIC VIEWS

RECEIVED
OCT 16 2015
PARK CITY
PLANNING DEPT.

SILVER LAKE VILLAGE NO. 1 SUBDIVISION
LOCATED IN THE S.W. ¼ OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST,
SALT LAKE BASE AND MERIDIAN, IN PARK CITY, SUMMIT COUNTY, UTAH



LEGEND

	SIGN
	FIRE HYDRANT
	FIRE DEPARTMENT CONNECTION
	WATER VALVE
	POST INDICATOR VALVE
	BOLLARD
	LIGHT POLE
E	ELECTRICAL BOX
	ELECTRICAL METER
	ELECTRICAL TRANSFORMER
T	TELEPHONE PULL BOX
S	SANITARY SEWER MANHOLE
D	STORM DRAIN MANHOLE
	STORM DRAIN CATCH BASIN

VICINITY MAP
SCALE: N.T.S.

SURVEYOR'S CERTIFICATE

I, CLAY TOLBERT, DEPOSE AND SAY THAT I AM A DULY REGISTERED LAND SURVEYOR ACCORDING TO THE RULES AND REGULATIONS OF THE STATE OF UTAH. I FURTHER STATE THAT THE ABOVE DESCRIBED PROPERTY WAS SURVEYED UNDER MY DIRECT SUPERVISION AND THE RESULTS OF THAT SURVEY ARE DEPICTED HEREON.

DATE:

F. CLAY TOLBERT
LICENSE NO. 354361

THE LOCATIONS OF UNDERGROUND UTILITIES AS SHOWN HEREON ARE BASED ON VISIBLE EVIDENCE AND RECORD DRAWINGS PROVIDED THE SURVEYOR. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN. ADDITIONAL BURIED UTILITIES/STRUCTURES MAY BE ENCOUNTERED. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE BURIED UTILITIES/STRUCTURES. ALL UTILITY COMPANIES AND BLUE STAKES SHOULD BE CONTACTED FOR ACTUAL LOCATIONS.

SCALE: 1" = 40'

0 20' 40' 60' 80' 120' 160' 200'

Project Information

GOLDENER HIRSCH INN
7570 ROYAL ST, PARK CITY, UT 84060
BOUNDARY SURVEY

No.	Revision/Issue	Date

Client Name and Address

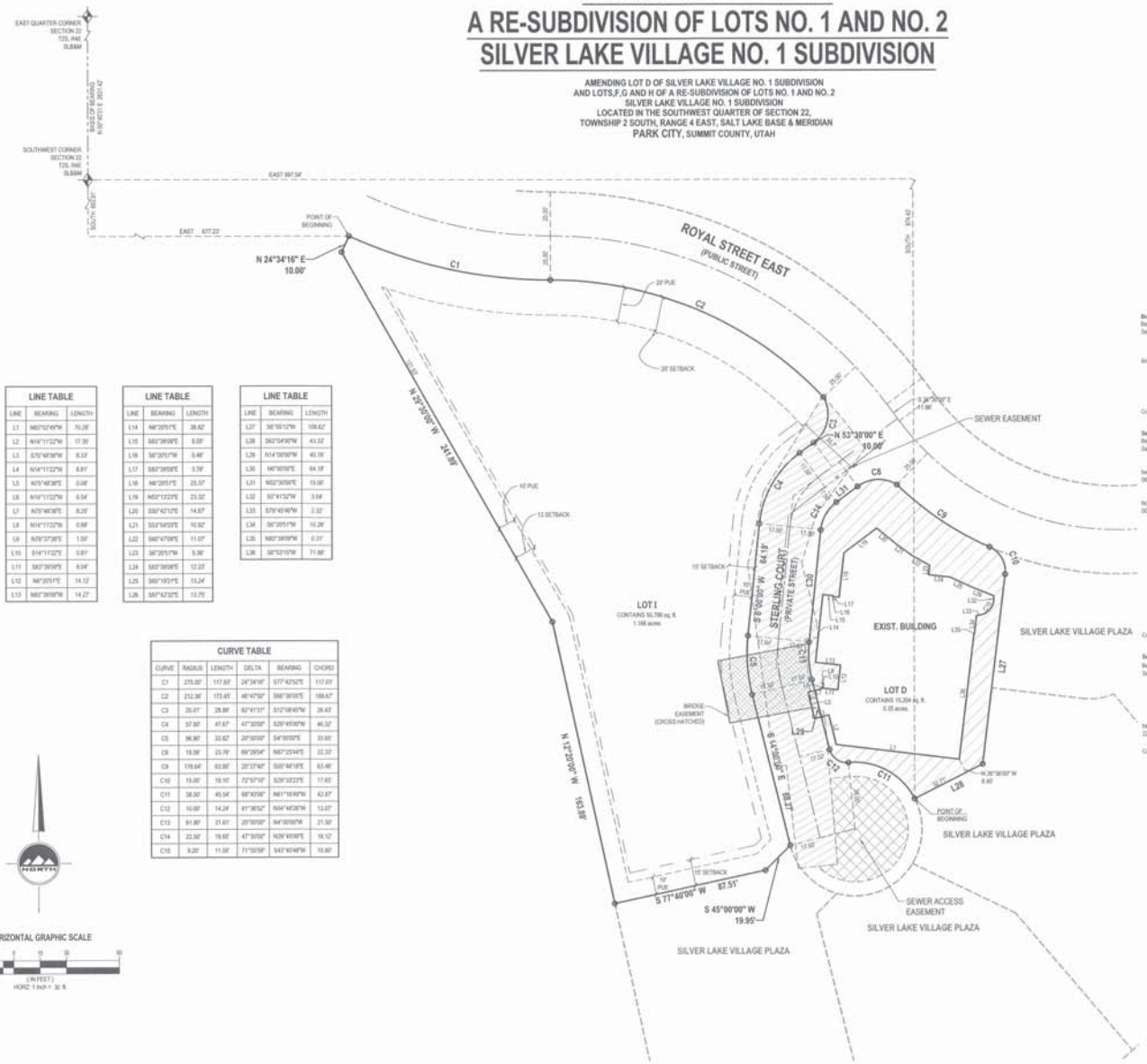
VARA 3D
GEOSPATIAL SOLUTIONS
5693 S 675 E MURRAY, UT 84107
801-707-1012

2015-018
10/15/2015
1" = 40'
1/1

EXHIBIT E

A 2ND AMENDMENT TO A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2 SILVER LAKE VILLAGE NO. 1 SUBDIVISION

AMENDING LOT D OF SILVER LAKE VILLAGE NO. 1 SUBDIVISION
AND LOTS,F,G AND H OF A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2
SILVER LAKE VILLAGE NO. 1 SUBDIVISION
LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN
PARK CITY, SUMMIT COUNTY, UTAH



LINE TABLE		
LINE	BEARING	LENGTH
L1	N63°13'45"W	70.28'
L2	N14°11'22"W	17.35'
L3	S75°48'38"W	8.33'
L4	N14°11'22"W	6.81'
L5	N75°48'38"E	0.08'
L6	N14°11'22"W	6.54'
L7	N75°48'38"E	8.25'
L8	N14°11'22"W	0.68'
L9	N78°37'38"E	1.00'
L10	S14°11'22"E	0.81'
L11	S63°39'09"E	8.04'
L12	N6°20'51"E	14.12'
L13	N63°39'09"W	14.27'

LINE TABLE		
LINE	BEARING	LENGTH
L14	N6°20'51"E	38.62'
L15	S63°39'09"E	8.00'
L16	S6°20'51"W	0.48'
L17	S63°39'09"E	3.78'
L18	N6°20'51"E	25.37'
L19	N55°13'23"E	23.32'
L20	S30°42'13"E	14.87'
L21	S53°54'03"E	10.92'
L22	S60°47'09"E	11.07'
L23	S6°20'51"W	5.36'
L24	S63°39'09"E	12.23'
L25	S65°19'21"E	13.24'
L26	S67°42'32"E	13.75'

LINE TABLE		
LINE	BEARING	LENGTH
L27	S6°55'12"W	109.62'
L28	S63°04'09"W	43.32'
L29	N14°00'09"W	40.78'
L30	N6°00'09"E	64.18'
L31	N53°30'00"E	15.00'
L32	S0°41'52"W	3.64'
L33	S75°45'49"W	2.32'
L34	S6°20'51"W	16.28'
L35	N63°39'09"W	0.31'
L36	S6°52'10"W	71.88'

CURVE TABLE					
CURVE	RADIUS	LENGTH	DELTA	BEARING	CHORD
C1	275.00'	117.83'	24°34'16"	S77°42'52"E	117.03'
C2	232.36'	173.45'	46°47'50"	S66°36'05"E	168.67'
C3	26.01'	28.88'	62°47'31"	S12°18'45"W	26.43'
C4	57.50'	47.67'	47°30'09"	S28°45'06"W	46.32'
C5	96.90'	33.82'	20°00'00"	S4°00'00"E	33.65'
C6	19.39'	23.79'	69°29'04"	N67°25'44"E	22.37'
C7	119.64'	63.80'	20°27'40"	S55°46'18"E	63.48'
C10	15.00'	16.10'	72°57'10"	S28°33'23"E	17.03'
C11	38.30'	45.54'	68°10'08"	N61°16'49"W	42.87'
C12	10.00'	14.24'	81°35'52"	N64°44'26"W	13.07'
C13	61.00'	21.61'	20°00'00"	N4°00'00"W	21.50'
C14	22.30'	19.65'	47°30'09"	N28°45'06"E	18.12'
C15	9.20'	11.35'	71°33'09"	S43°40'48"W	10.80'

Bridge Easement
Beginning at a point also being South 696.03 feet and East 865.96 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running

thence North 79°16'57" East 52.73 feet;
thence Southerly 35.86 feet along the arc of a 61.00 foot radius curve to the left (center bears South 64°52'28" East and the chord bears South 84°38'15" East 20.57 feet with a central angle of 19°51'31");
thence South 14°19'00" East 5.36 feet;
thence South 75°40'38" West 3.96 feet;
thence South 13°38'40" East 8.99 feet;
thence South 75°16'53" West 47.38 feet;
thence North 10°43'07" West 36.00 feet to the point of beginning.

Contains 1,790 square feet or 0.041 acres.

Sewer Easement
Beginning at a point also being South 745.42 feet and East 940.03 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running

thence Southeasterly 25.36 feet along the arc of a 212.36 foot radius curve to the right (center bears South 46°38'30" West and the chord bears South 39°55'15" East 25.34 feet with a central angle of 06°50'50");
thence South 36°30'00" East 11.96 feet;
thence Southeasterly 0.94 feet along the arc of a 178.68 foot radius curve to the left (center bears North 53°30'00" East and the chord bears South 36°39'31" East 0.94 feet with a central angle of 00°18'02");
thence South 36°31'21" West 47.15 feet;
thence South 18°27'58" West 28.37 feet;
thence South 13°49'04" East 30.42 feet;
thence South 04°42'42" East 8.10 feet;
thence South 85°13'18" West 7.73 feet;
thence South 00°35'58" East 45.68 feet;
thence North 85°17'18" East 7.02 feet;
thence South 04°42'42" East 93.71 feet;
thence South 84°24'02" West 22.45 feet;
thence North 06°29'14" West 59.03 feet;
thence South 85°17'18" West 6.66 feet;
thence North 07°23'32" West 115.41 feet;
thence North 12°14'11" East 42.63 feet;
thence North 31°56'36" East 63.36 feet to the point of beginning.

Contains 7,798 Square Feet or 0.179 Acres

Sewer Access Easement
Beginning at a point also being South 1,012.83 feet and East 942.42 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running

thence North 84°24'02" East 11.25 feet;
thence North 04°42'42" West 69.15 feet;
thence North 85°17'18" East 11.74 feet;
thence Southwesterly 120.52 feet along the arc of a 30.02 foot radius curve to the right (center bears South 04°42'42" East and the chord bears South 20°16'46" West 54.43 feet with a central angle of 229°58'56") to the point of beginning.

Contains 2,166 Square Feet or 0.050 Acres

LEGEND

- EXISTING STREET MONUMENT
- SECTION CORNER SET 5/8" REBAR WITH YELLOW PLASTIC CAP, OR NAIL STAMPED "ENSIGN ENG. & LAND SURV."
- PUE = PUBLIC UTILITY EASEMENT
- BOUNDARY LINE
- SECTION LINE
- CENTER LINE
- EASEMENT LINE
- LOT LINE
- ADJACENT PROPERTY LINE
- SETBACK LINE
- PEDESTRIAN & SKIER CIRCULATION EASEMENT
- LOT I & D

SURVEYOR'S CERTIFICATE

I, PATRICK M. HARRIS do hereby certify that I am a Licensed Land Surveyor, and that I hold Certificate No. 286802 as prescribed under laws of the State of Utah. I further certify that by authority of the Owners, I have made a survey of the tract of land and the following description correctly describes the land surface upon which has been or will be constructed, hereafter to be known as, A 2ND AMENDMENT TO A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2 SILVER LAKE VILLAGE NO. 1 SUBDIVISION a Utah condominium project. In accordance with the Utah Condominium Ownership Act, I further certify that the condominium plat for said project is accurate and complies with the provision of Section 57-8-13 (1) of the Utah Condominium Ownership Act. Reference markers as shown on this plat are located as shown and are sufficient to readily retrace or re-establish this survey.

BOUNDARY DESCRIPTION

LOT I

Beginning at a point South 663.41 feet and East 677.23 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running:

thence Easterly 117.83 feet along the arc of a 275.00 foot radius curve to the left (center bears North 24°34'16" East and the chord bears South 77°42'52" East 117.03 feet with a central angle of 24°34'16");
thence Southeasterly 173.45 feet along the arc of a 212.36 foot radius curve to the right (center bears South and the chord bears South 66°36'05" East 168.67 feet with a central angle of 46°47'50");
thence Southerly 28.88 feet along the arc of a 26.01 feet radius curve to the right (center bears South 60°49'00" West and the chord bears South 12°18'45" West 26.44 feet with a central angle of 62°47'31");
thence South 53°30'00" West 15.00 feet;
thence Southeasterly 47.67 feet along the arc of a 57.50 foot radius curve to the left (center bears South 36°30'00" East and the chord bears South 28°45'06" West 46.32 feet with a central angle of 47°30'09");
thence South 06°00'09" West 64.18 feet;
thence Southerly 33.82 feet along the arc of a 96.90 foot radius curve to the left (center bears South 84°00'00" East and the chord bears South 04°00'00" East 33.65 feet with a central angle of 20°00'00");
thence South 14°00'00" East 88.27 feet;
thence South 45°00'00" West 19.95 feet;
thence South 71°40'00" West 87.51 feet;
thence North 12°20'00" West 153.88 feet;
thence North 25°30'00" West 241.89 feet;
thence North 24°34'16" East 10.00 feet to the point of beginning.

Contains 50,786 square feet or 1.166 acres.

LOT D

Beginning at a point East 667.541 feet and South 674.43 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian, and running:

thence Northwesterly 45.34 feet along the arc of a 36.00 foot radius curve to the left (center bears South 63°03'14" West and the chord bears North 81°16'48" West 42.57 feet with a central angle of 68°40'08");
thence Northwesterly 14.24 feet along the arc of a 10.00 foot radius curve to the right (center bears North 05°36'52" West and the chord bears North 54°48'26" West 13.07 feet with a central angle of 81°35'52");
thence North 14°00'00" West 40.78 feet;
thence Northerly 21.61 feet along the arc of a 61.00 foot radius curve to the right (center bears North 76°00'00" East and the chord bears North 04°00'00" West 21.50 feet with a central angle of 20°00'00");
thence North 06°00'09" East 64.18 feet;
thence Northeasterly 19.66 feet along the arc of a 22.30 foot radius curve to the right (center bears South 84°00'00" East and the chord bears North 20°45'06" East 19.12 feet with a central angle of 47°30'09");
thence North 53°30'00" East 15.00 feet;
thence Easterly 23.78 feet along the arc of a 19.39 foot radius curve to the right (center bears South 37°18'49" East and the chord bears North 87°29'44" East 22.37 feet with a central angle of 69°29'04");
thence Southeasterly 63.80 feet along the arc of a 119.64 foot radius curve to the left (center bears North 44°33'52" East and the chord bears South 55°46'18" East 63.48 feet with a central angle of 20°27'40");
thence Southerly 16.10 feet along the arc of a 15.00 foot radius curve to the right (center bears South 23°56'52" West and the chord bears South 28°33'23" East 17.03 feet with a central angle of 72°57'10");
thence South 06°00'12" West 109.62 feet;
thence South 63°52'50" West 43.33 feet to the point of beginning.

Contains 15,204 square feet or 0.349 acres

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents that SR Silver Lake, LLC, a Utah limited liability company, as Declarant under that certain Declaration of Condominium for North Silver Lake Condominiums ("Declaration"), hereby certifies that it has caused this survey to be made of this Plat consisting of forty (40) sheets to be prepared, and does hereby unilaterally adopt this Plat and consent to the recordation hereof without the joinder or consent of any other Unit Owner pursuant to Section 8.4 of the Declaration.

In witness whereof, the undersigned has executed this Owner's Dedication and Consent to Record as of the ___ day of _____, 2015.

SR Silver Lake, LLC, formerly known as North Silver Lake Lodge, LLC, a Utah limited liability company

By: _____
Name: _____
Its: _____

ACKNOWLEDGMENT

On this ___ day of _____, 2015, _____ personally appeared before me, the undersigned notary public, in and for said state and county. Having been duly sworn, _____ acknowledged to me that SR Silver Lake, LLC is the owner of the herein tract of land and that he, as Authorized Signatory of SR Silver Lake, LLC, is authorized to sign the above Owner's Dedication and Consent to Record freely and voluntarily.

Authorized Signatory of SR Silver Lake, LLC, a Utah limited liability company

_____
Notary Public

_____
My Commission Expires
Residing in: _____

11-1-15
DATE

PATRICK M. HARRIS
P.L.S. 286802

A 2ND AMENDMENT TO A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2 SILVER LAKE VILLAGE NO. 1 SUBDIVISION

LOCATED IN THE SOUTHWEST QUARTER OF SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST SALT LAKE BASE AND MERIDIAN

SHEET 1 OF 1
PROJECT NUMBER: 6772
MANAGER: RQE
DRAWN BY: BBG
CHECKED BY: PMH
DATE OF PREPARATION: 12/12/2015

ENSIGN

SALT LAKE CITY
45 West 10000 South
Suite 500
Sandy, UT 84070
Phone: 801.255.0529
Fax: 801.255.4449
www.ensignengineering.com

LAYTON
Phone: 801.547.1100

TOOELE
Phone:435.843.3590

CEDAR CITY
Phone:435.865.1453

CERTIFICATE OF ATTEST	COUNCIL APPROVAL & ACCEPTANCE	CITY ENGINEER	CITY PLANNING COMMISSION	SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PARK CITY ATTORNEY APPROVAL AS TO FORM
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____ 20__	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____ 20__	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE, THIS _____ DAY OF _____ 20__	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____ 20__	REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____ 20__	APPROVED AS TO FORM THIS _____ DAY OF _____ 20__
PARK CITY RECORDER	MAYOR	CITY ENGINEER	CHAIR	S.B.W.R.D.	CITY ATTORNEY

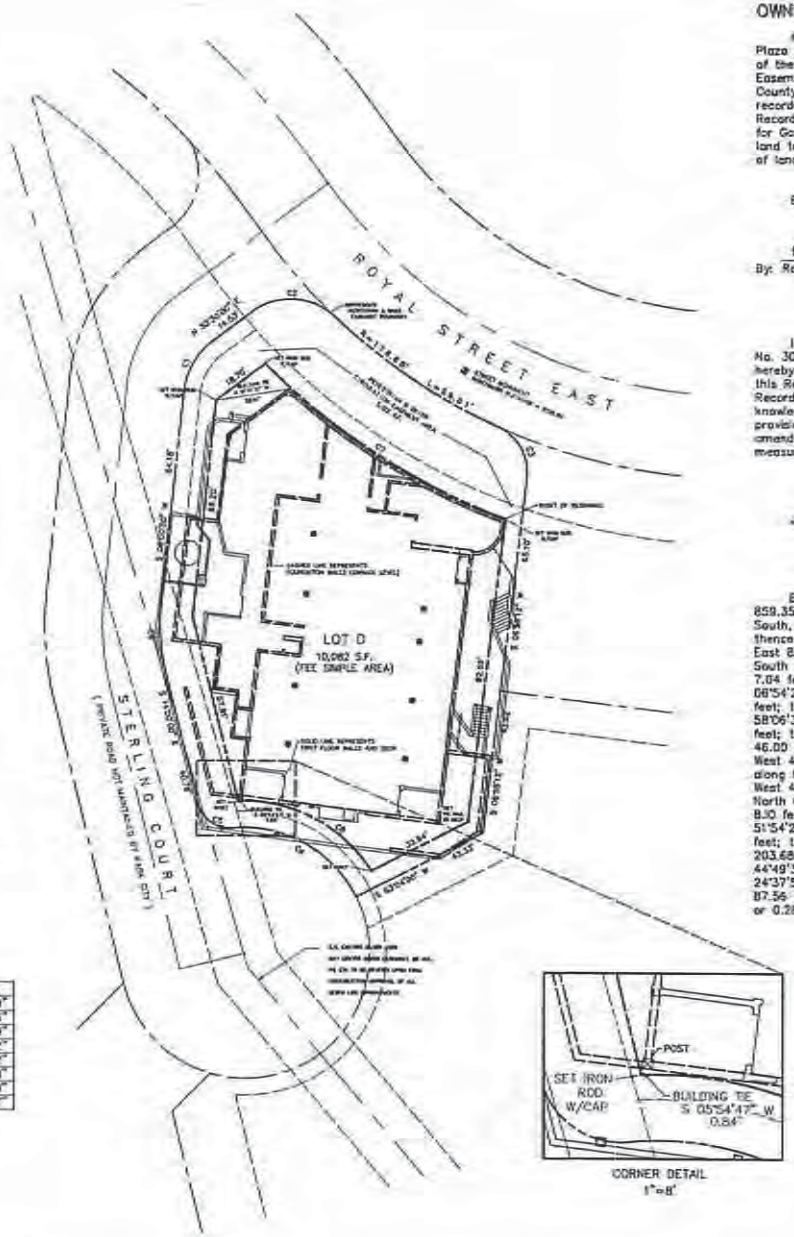
RECORDED #

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

DATE: _____ TIME: _____ BOOK: _____ PAGE: _____

FEE _____ SUMMIT COUNTY RECORDER

EXHIBIT F



DELTA
67°30'00"
79°38'36"
72°57'19"
38°40'52"
91°36'52"
30°00'00"
74°37'50"
99°32'37"

CORNER DETAIL
1"=8'

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that the Silver Lake Village Plaza Association, A Utah Non-Profit Corporation, being the owner of the tracts of land known as the Pedestrian and Skier Circulation Easement and Sterling Court, a private road, in Park City, Summit County, Utah, described on this sheet, does hereby consent to the recordation of the Record of Survey Map and by recording this Record of Survey Map and that certain Declaration of Condominium for Golden Deer Phase I, submits the herein described tracts of land together with all improvements situated in or upon the tract of land to the provisions of the Utah Condominium Ownership Act.

Executed this 26 day of December, 1990.

By: Robert W. Wells
President

SURVEYOR'S CERTIFICATE

I, James G. West, a Registered Land Surveyor holding License No. 3082 as prescribed under the laws of the state of Utah, do hereby certify that at the request of the Declarant identified in this Record of Survey Map, I made a survey of the land shown on the Record of Survey Map, consisting of 5 pages. To the best of my knowledge and belief, the survey is accurate and complies with the provisions of section 57-8-13 of the Utah Code Annotated, as amended to date. The property is marked so as to allow the measurements shown on the plat to be readily traceable.

James G. West, R.L.S. No. 3082 Utah — 12/12/90 Date

REGISTERED LAND SURVEYOR 3082 JAMES G. WEST STATE OF UTAH

FEE SIMPLE LEGAL DESCRIPTION

Beginning at a point which is East 1042.71 feet and South 859.35 feet from the Southwest corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base and Meridian; and running thence South 06°55'12" West 12.08 feet; thence South 33°42'16" East 8.49 feet; thence South 06°54'24" West 8.73 feet; thence South 23°14'26" East 4.77 feet; thence South 64°21'24" West 7.04 feet; thence South 23°14'26" East 9.62 feet; thence South 06°54'24" West 29.28 feet; thence North 83°05'36" West 2.00 feet; thence South 06°54'24" West 22.61 feet; thence South 58°06'37" West 15.85 feet; thence North 83°05'36" West 11.01 feet; thence South 63°04'00" West 10.64 feet to a point on a 46.00 feet radius curve to the left (center bears South 56°49'36" West 46.00 feet of which the central angle is 10°30'56"); thence along the arc of said curve 8.44 feet; thence North 83°05'36" West 46.82 feet; thence North 14°05'38" West 59.62 feet; thence North 06°54'24" East 38.82 feet; thence South 83°05'36" East 8.30 feet; thence North 06°54'24" East 27.32 feet; thence North 51°54'24" East 2.29 feet; thence North 06°00'00" East 6.57 feet; thence North 53°30'00" East 18.70 feet to a point on a 203.68 foot radius curve to the left (center bears North 44°49'33" East 203.68 feet of which the central angle is 24°37'50"); thence southeasterly along the arc of said curve 87.56 feet to the point of beginning. Contains 12420.45 square feet or 0.285 acres.

ACKNOWLEDGEMENT

STATE OF UTAH)
ss
COUNTY OF SUMMIT)

On the 26 day of December, 1990, personally appeared before me Robert W. Wells, who being by me duly sworn, did say that he is the President of the Silver Lake Village Plaza Association, a Utah Non-Profit Corporation, and that the above Owner's Dedication and Consent to Record was signed in behalf of said Silver Lake Village Plaza Association, by authority of his presidency, and said Robert W. Wells acknowledged before me that said corporation executed the same.

April 27 1992
My Commission Expires:

Notary Public
Residing at:
Salt Lake City
Utah

NOTARY PUBLIC STATE OF UTAH

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents, that Golden Deer at Deer Valley, Inc., A Utah Corporation, being the owner of the tract of land in Park City, Summit County, Utah, described on this sheet, does hereby consent to the recordation of the Record of Survey Map and by recording this Record of Survey Map and that certain Declaration of Condominium for Golden Deer Phase I, submits the herein described tract of land together with all improvements situated in or upon the tract of land to the provisions of the Utah Condominium Ownership Act.

Executed this 12th day of December, 1990.

By: Malcolm MacQuoid
President

ACKNOWLEDGEMENT

STATE OF UTAH)
ss
COUNTY OF SUMMIT)

On the 12th day of December, 1990, personally appeared before me Malcolm MacQuoid, who being by me duly sworn, did say that he is the President of Golden Deer at Deer Valley, Inc., a Utah Corporation, and that the above Owner's Dedication and Consent to Record was signed in behalf of said Golden Deer at Deer Valley, Inc., by authority of his presidency, and said Malcolm MacQuoid acknowledged before me that said corporation executed the same.

10-15-94
My Commission Expires:

Notary Public
Residing at:
614 Main St
Park City, UT

RECORD OF SURVEY MAP OF:
GOLDEN DEER PHASE I

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN, SUMMIT COUNTY, UTAH

NOTE: THE STREET ADDRESS OF GOLDEN DEER PHASE I IS 7570 ROYAL STREET EAST

SEWER SERVICE IS AVAILABLE THROUGH A COMMON SIX-INCH PRIVATE SEWER LATERAL THAT IS TO BE MAINTAINED BY THE GOLDEN DEER PHASE I OWNERS ASSOCIATION

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS 12TH DAY OF DECEMBER A. D. 1990.

Eric W. Dethlefsen PE
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE PARK CITY PLANNING COMMISSION ON THIS 12TH DAY OF December A. D. 1990.

David R. Wharton
CHAIRMAN

APPROVAL AS TO FORM

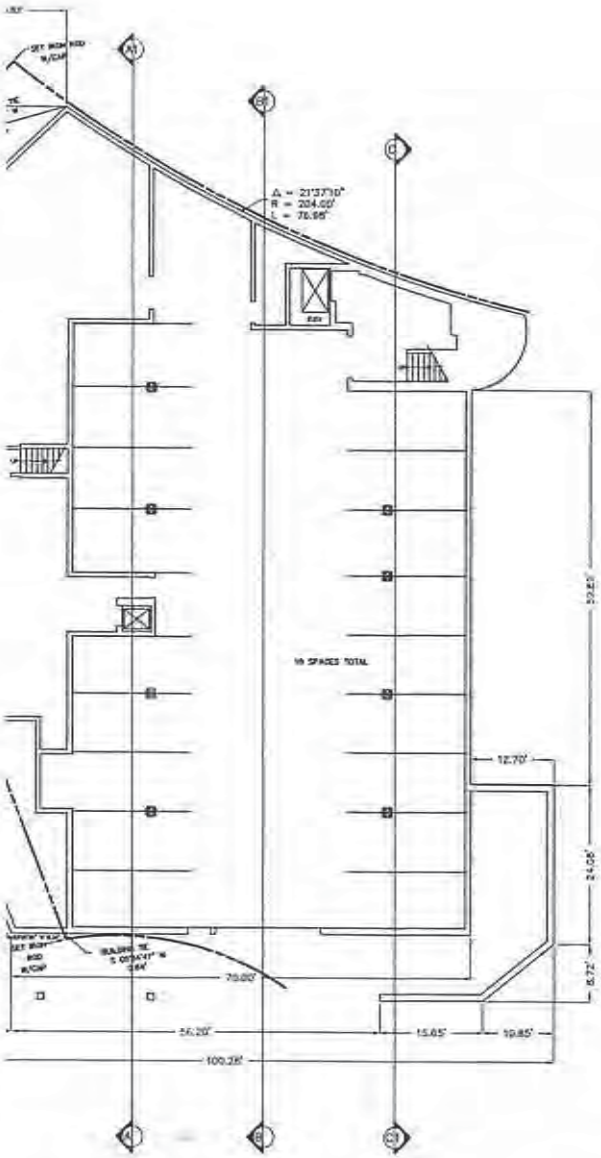
APPROVED AS TO FORM ON THIS 18th DAY OF December A. D. 1990.

CITY ATTORNEY

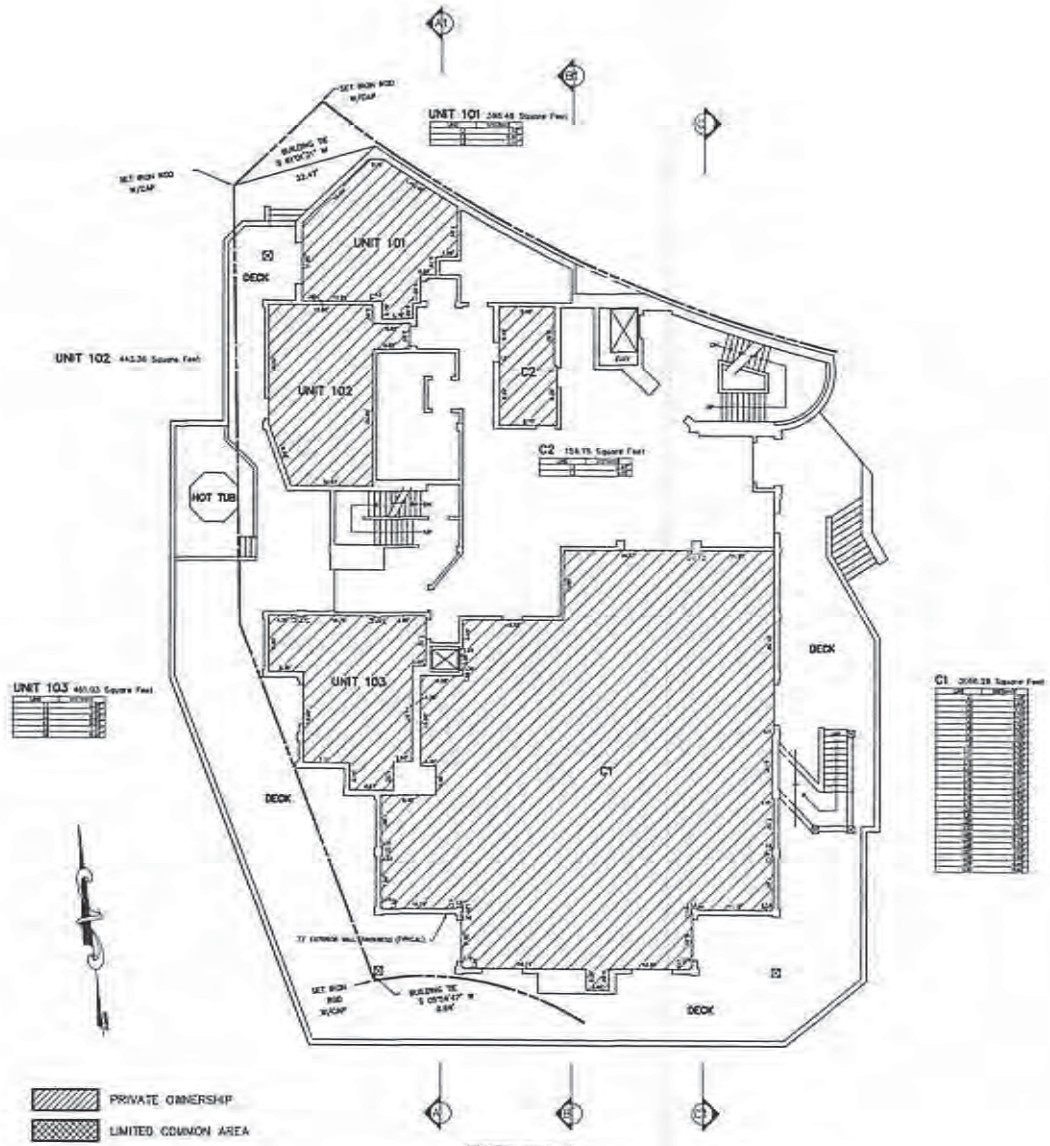
RECORDED

No. 334606
STATE OF Utah
RECORDED AND FILED AT THE REQUEST OF High Country Title
12-27-90 Time 2:19 pm
$110.50 FEES
Alan Springer
COUNTY RECORDER

THE SEAR-BROWN GROUP
FULL SERVICE DESIGN PROFESSIONALS
1351 Deer Valley Rd. South, Suite 202 Park City, Utah 84060
(801) 649-9411 FAX (801) 649-7263



PARKING STRUCTURE



FIRST FLOOR

GRAPHIC SCALE

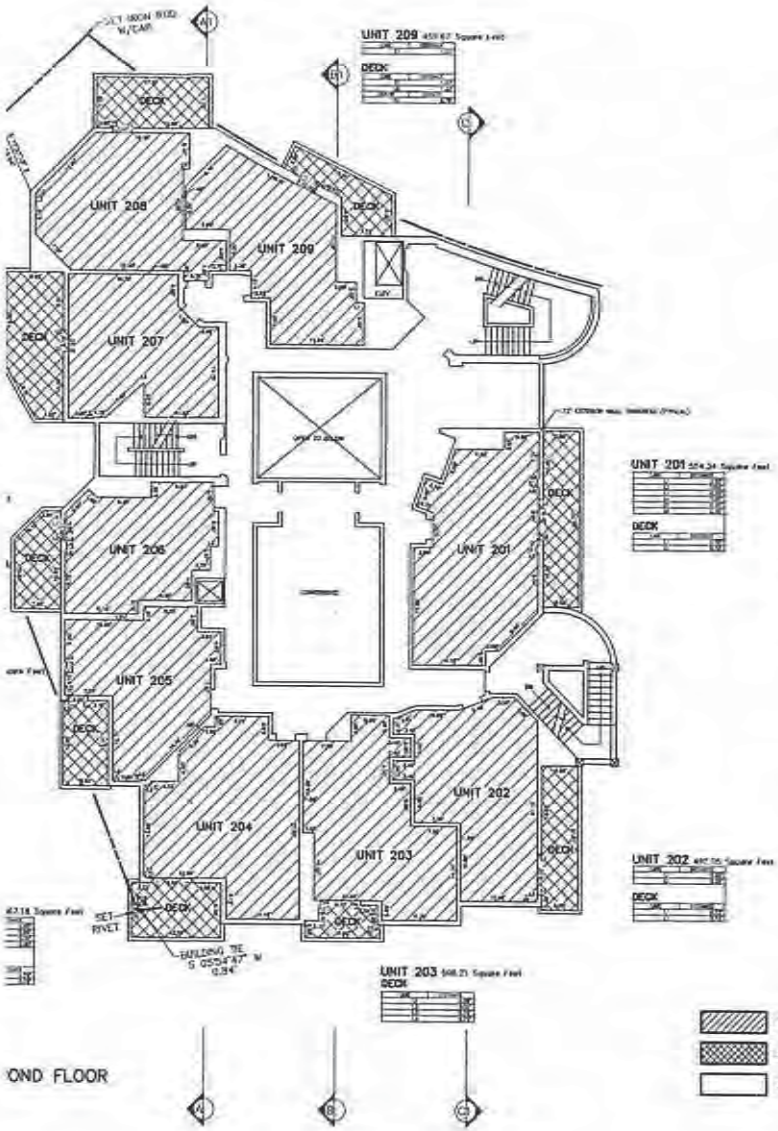
GOLDEN DEER PHASE I

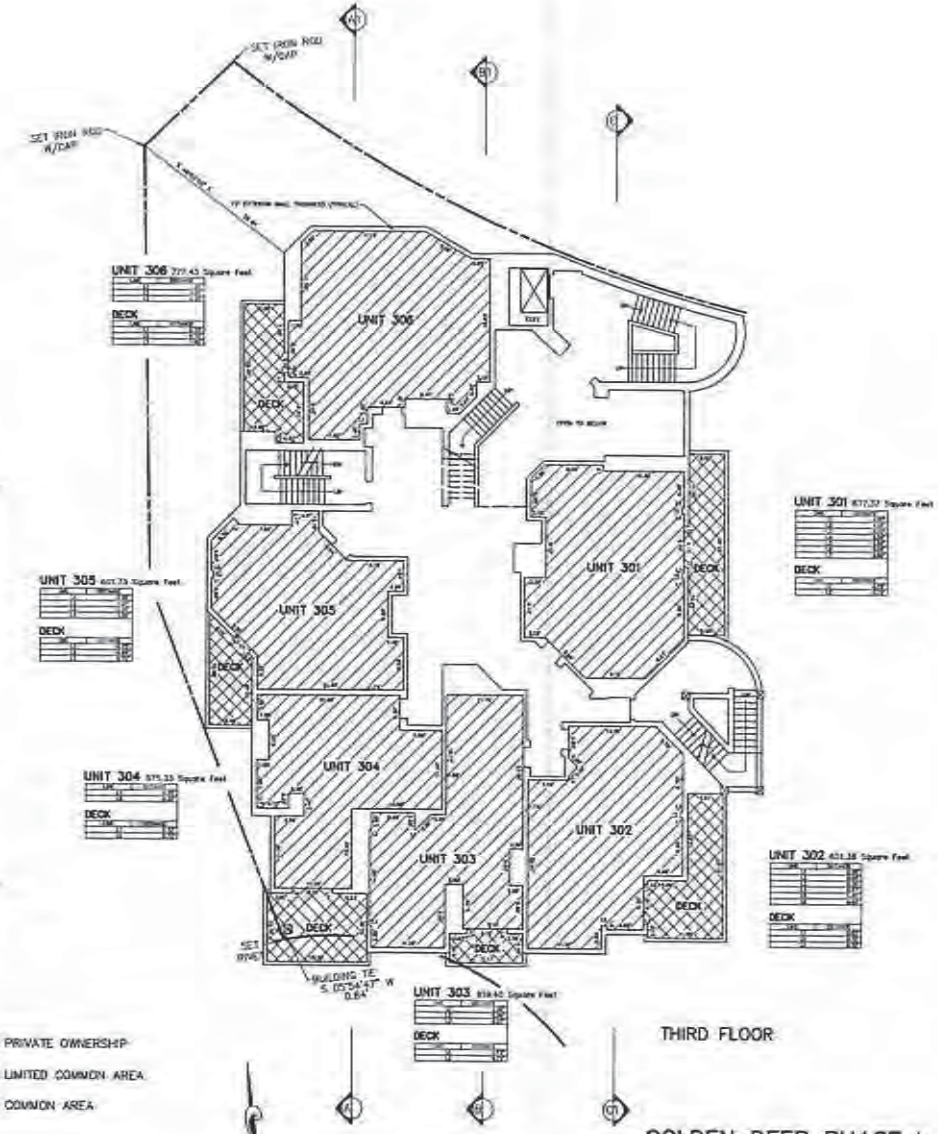
A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PAGE 2 OF 5

RECORDED
No. 334606
STATE OF Utah
RECORDED AND FILED AT THE REQUEST OF
Heigh County Title
12-27-90 Time 3:19 pm.
$110.00 FEES
Adam Spangler COUNTY RECORDER

THE SEAR-BROWN GROUP
FULL SERVICE DESIGN PROFESSIONALS
1351 Deer Valley Rd. South, Suite 202 Park City, Utah 84060
(801) 649-8811 Fax (801) 649-7265





PRIVATE OWNERSHIP

LIMITED COMMON AREA

COMMON AREA

GRAPHIC SCALE

GOLDEN DEER PHASE I

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN

PAGE 3 OF 5

RECORDED

No. 324606

STATE OF UTAH

RECORDED AND FILED AT THE REQUEST OF

Wasatch County Title 12-27-96 Time 2:19 P.M.

$ 110.50 FEES

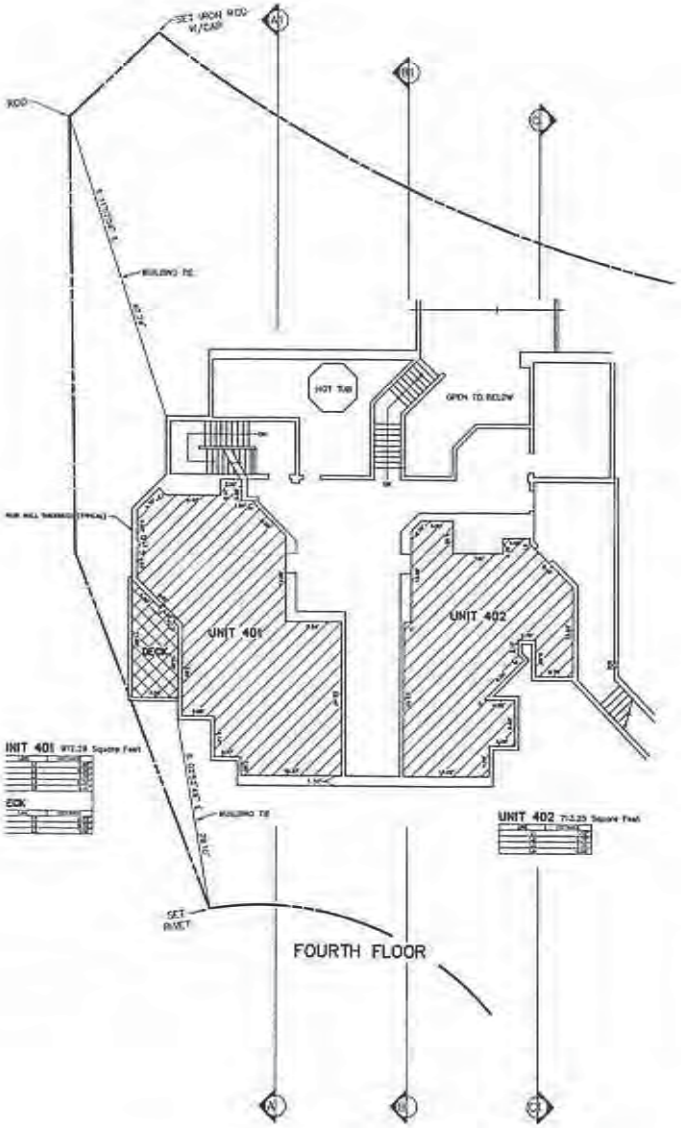
Alan Spriggs COUNTY RECORDER

THE SEAR-BROWN GROUP

FULL SERVICE DESIGN PROFESSIONALS

1221 Deer Valley Rd. South, Suite 201 Park City, Utah 84060

(801) 649-9911 FAX (801) 649-7063



GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

PRIVATE OWNERSHIP
LIMITED COMMON AREA
COMMON AREA

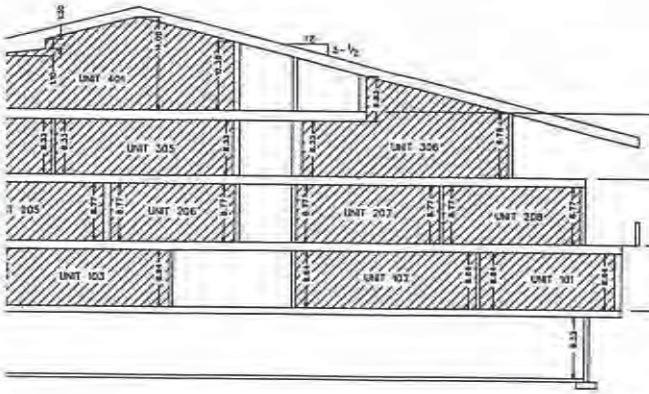
GOLDEN DEER PHASE I

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

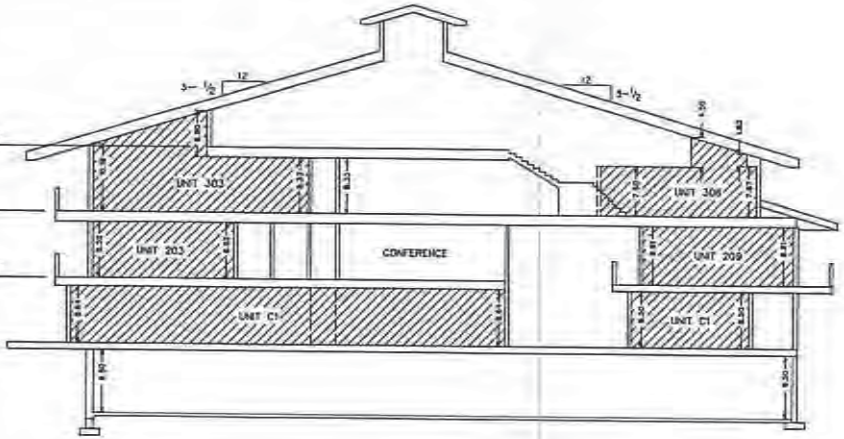
PAGE 4 OF 5

RECORDED
No. 334606
STATE OF Utah
RECORDED AND FILED AT THE REQUEST OF Hugh County Title 12-27-90 Time 2:19 P.M.
$10.00 FEES
Alan Springer COUNTY RECORDER

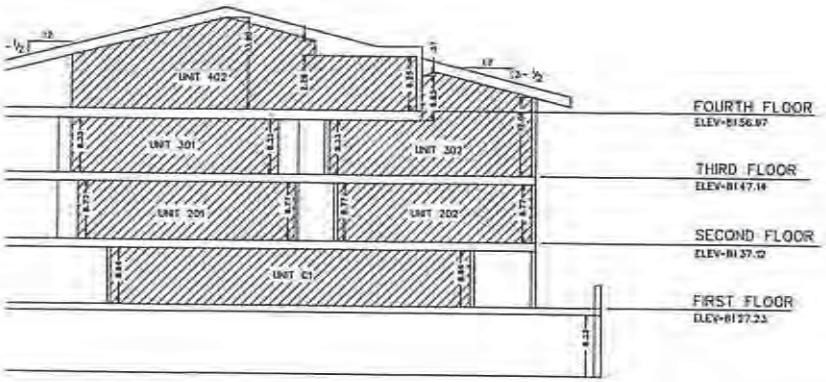
THE SEAR-BROWN GROUP
FULL SERVICE DESIGN PROFESSIONALS
1353 Deer Valley Rd. South, Suite 202 Park City, Utah 84060
(801) 649-3851 FAX (801) 649-7063



SECTION A-A1
SCALE: 1"=10'



SECTION B-B1
SCALE: 1"=10'



SECTION C-C1
SCALE: 1"=10'

PRIVATE OWNERSHIP
LIMITED COMMON AREA
COMMON AREA

GRAPHIC SCALE

(IN FEET)
1 inch = 10 ft.

GOLDEN DEER PHASE I

A UTAH CONDOMINIUM PROJECT LOCATED IN SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN.

PAGE 5 OF 5

RECORDED
No. 324606
STATE OF Utah
RECORDED AND FILED AT THE REQUEST OF
Heber County Title Co 12-27-90
Time 2:19 PM.
110.00 Alan Spriggs
FEES COUNTY RECORDER

THE SEAR-BROWN GROUP
FULL SERVICE DESIGN PROFESSIONALS
1331 Deer Valley Rd. South, Suite 202 Park City, Utah 84060
(801) 649-9411 Fax (801) 649-2065

Record of Survey Map
Golden Deer Phase I
recorded 12/27/90

Unit	C1	3,066.26	sq ft
	C2	154.75	sq ft
Total Commercial		3,221.01	sq ft

Unit	101	398.48	sq ft
	102	443.36	sq ft
	103	461.03	sq ft
	201	554.34	sq ft
	202	492.05	sq ft
	203	506.21	sq ft
	204	567.18	sq ft
	205	419.88	sq ft
	206	382.45	sq ft
	207	438.82	sq ft
	208	452.40	sq ft
	209	459.67	sq ft
	301	677.37	sq ft
	302	651.38	sq ft
	303	619.40	sq ft
	304	575.33	sq ft
	305	601.73	sq ft
	306	777.43	sq ft
	401	912.29	sq ft
	402	713.25	sq ft
Total Residential		11,104.05	sq ft
Total		14,325.06	sq ft

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into lots, together with easements as set forth on the attached plat, hereafter to be known as Silver Lake Village No. 1 Subdivision.

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

Executed this 3rd day of May, 1989.

Deer Valley Resort Company, a Utah Limited Partnership
80 Royal Street of Utah, A General Partner

Robert W. Wells, Vice President

ACKNOWLEDGEMENT

State of Utah)
County of Summit)

On the 3rd day of May, 1989 personally appeared before me Robert W. Wells who, being by me duly sworn, did say that he is a Vice President of Royal Street of Utah, a Utah Corporation, which is a General Partner of Deer Valley Resort Company, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and Consent to Record was signed on behalf of said corporation as such general partner, and said Robert W. Wells duly acknowledged to me that said partnership executed the same.

Notary Public

My commission expires: 9/21/91

Residing at: Summit County, UT

PARCEL DENSITIES

Lot C	10 Residential Units	7000 Sq. Ft. Commercial
Lot D	5 Residential Units	10000 Sq. Ft. Commercial
Lot E	15 Residential Units	0 Sq. Ft. Commercial

SURVEYOR'S CERTIFICATE

I, James G. West, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 3082 as prescribed under the laws of the State of Utah. I further certify that I have made a survey of the tract of land shown on this plat and described as follows:

Beginning at a point which is South 653.91 feet and East 477.23 feet from the Southwest Corner of Section 22, Township 2 South, Range 4 East, Salt Lake Base & Meridian (Basis of Bearing: North 00° 40' 31" East 2631.42 feet from the Southwest Corner of said Section 22 to the East Quarter Corner of Section 21); said point also being on the southerly right-of-way line of Royal Street East (formerly Silver Lake East Road, as dedicated) and on a 275.00 foot radius curve to the left (center bears North 24° 34' 16" East 275.00 feet of which the central angle is 24° 34' 16"); thence southeasterly along the arc of said curve and southerly right-of-way line 117.95 feet to a point on a 212.56 foot reverse radius curve to the right (center bears South 212.56 feet of which the central angle is 53° 30' 00"); thence southeasterly along the arc of said curve and southerly right-of-way line 198.25 feet to a point of tangency; thence South 46° 30' 00" East along said southerly right-of-way line 41.94 feet to a point on a 178.68 foot radius curve to the left (center bears North 53° 30' 00" East 178.68 feet at which the central angle is 93° 07' 42"); thence northeasterly along the arc of said curve and southerly right-of-way line 290.43 feet; thence South 19° 30' 00" East 40.71 feet; thence South 08° 45' 00" East 134.13 feet; thence North 81° 00' 00" West 52.33 feet; thence South 48° 10' 00" West 150.85 feet; thence South 09° 00' 00" West 44.96 feet; thence South 75° 28' 00" West 236.29 feet to a point on the easterly line of Stein Eriksen Lodge, a Utah Condominium project, as recorded; thence North 12° 20' 00" West along said easterly line 368.89 feet; thence North 29° 20' 00" West along the northeasterly line of said project 241.88 feet; thence North 24° 14' 18" East 20.00 feet to the point of beginning.

Contains 4.005 Acres

I further certify that I have subdivided said tract of land and that the same has been surveyed and staked on the ground as shown on this plat.

I further certify that, in my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of the law.

James G. West

May 2, 1989
Date

REGISTERED LAND SURVEYOR 3082 JAMES G. WEST STATE OF UTAH

CURVE DATA

NO.	DELTA	RADIUS	LENGTH
C1	80°49'03"	20.00'	28.87'
C2	47°30'00"	57.50'	47.67'
C3	60°00'00"	36.00'	33.62'
C4	81°36'52"	10.00'	14.24'
C5	30°00'00"	61.90'	31.81
C6	47°30'00"	22.50'	18.65
C7	83°52'27"	20.00'	23.89'
C8	70°00'00"	15.00'	18.10
C9	90°00'00"	31.50'	49.48'
C10	70°49'48"	15.00'	19.08'
C11	8°04'33"	178.68	26.30
C12	50°27'55"	178.68	63.91
C13	58°40'52"	38.00'	40.55
C14	42°29'05"	35.25	26.13'
C15	4°51'24"	275.00'	23.31
C16	11°05'26"	275.00'	53.98'
C17	8°42'10"	212.56	24.94
C18	53°55'14"	212.56'	198.25'
C19	2°46'12"	191.31'	9.34
C20	40°40'00"	40.00'	32.16'
C21	80°00'00"	19.40'	27.72'
C22	60°00'00"	16.00	16.76
C23	36°49'45"	36.00	23.13
C24	36°01'15"	36.00	22.62
C25	56°06'16"	68.00	38.14
C26	23°04'44"	212.56'	85.47

TANGENT DATA

NO.	BEARING	DISTANCE
T1	S36°30'00"E	11.96'
T2	S19°30'00"E	40.71'
T3	S00°00'00"W	44.96'
T4	N24°34'16"E	10.00'
T5	S53°30'00"W	10.00'
T6	N53°30'00"E	15.00'
T7	S06°55'12"W	68.10'
T8	N58°00'00"E	16.10'
T9	S53°04'48"E	82.80'
T10	N06°55'12"E	33.74'
T11	S36°30'00"E	11.96'
T12	S08°44'44"E	20.85'
T13	S29°30'00"E	10.69'
T14	N81°15'18"E	16.21'
T15	N00°44'44"W	20.88'
T16	S00°00'00"E	14.00'
T17	S00°00'00"E	10.97'
T18	N00°00'00"W	20.00'
T19	N00°00'00"E	17.03'
T20	S14°25'21"W	2.00'
T21	N71°37'03"E	20.00'

NOTE: All property within the Deer Valley M.P.D. South of this subdivision has no development density units as of the date of this plat.

NOTES:
1) Street address of Silver Lake Lodge is 7500 Royal Street East
2) Street address of Lot D is 7570 Royal Street East
3) Street address of Lot E is 7550 Royal Street East
4) Street address of Lot C is 7560 Royal Street East
5) 5/8" re-bar to be set at all corners
6) a Survey Monument to be set

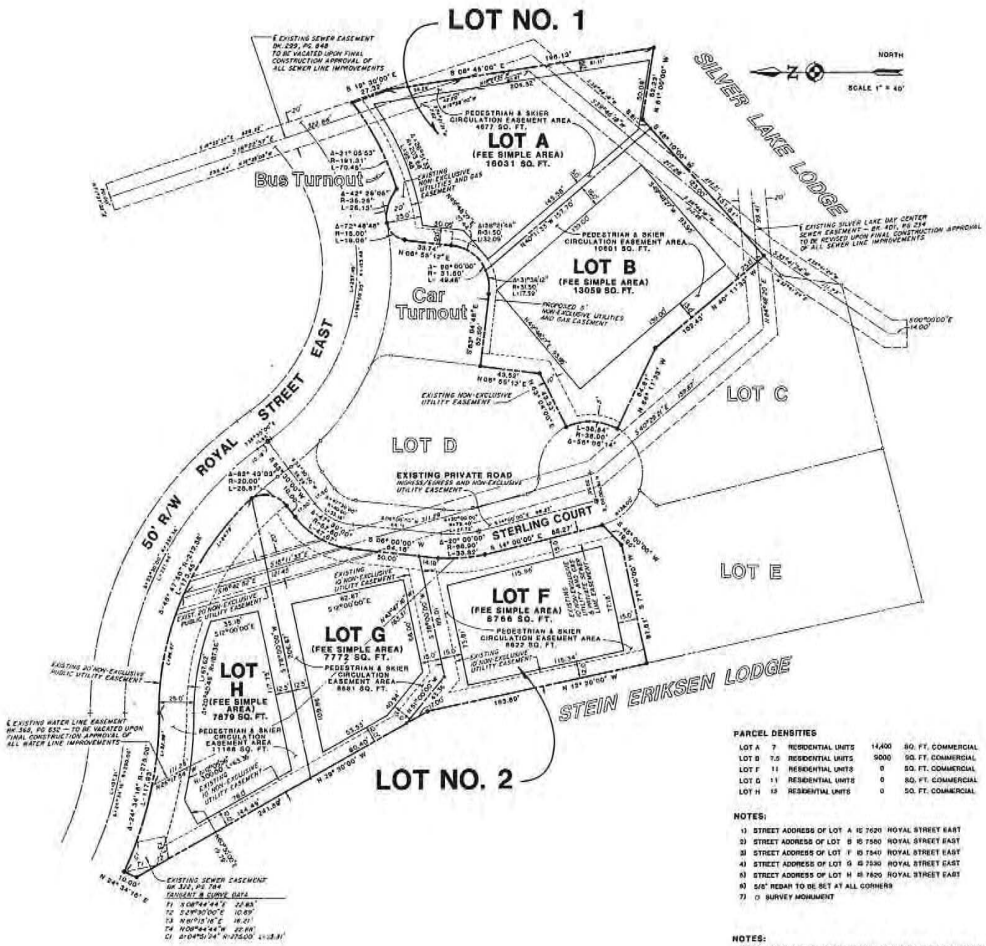
NOTES:
EIGHT-INCH SANITARY SEWER LATERAL FROM SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT MH #2-4-27-9 SERVICING LOT NO 1 (PROPOSED PARCEL A) IS A PRIVATE LINE.

EIGHT-INCH SANITARY SEWER STUBOUT FROM SNYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT PROPOSED MH #2-4-27-9 (REVISED LOCATION) IS A PRIVATE LINE.

SILVER LAKE VILLAGE NO. 1 SUBDIVISION

LOCATED IN THE S.W. 1/4 OF SECTION 22, TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE AND MERIDIAN, IN PARK CITY, SUMMIT COUNTY, UTAH

CITY COUNCIL APPROVAL	CITY ENGINEER	CITY PLANNING COMMISSION	APPROVAL AS TO FORM	RECORDED	THE SEAR-BROWN GROUP
PRESENTED TO THE BOARD OF Park City COUNCIL THIS 8th DAY OF April A.D. 1989 AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED. MAYOR Pro-Tem; DEPUTY CITY RECORDER	APPROVED AND ACCEPTED BY THE Park City CITY ENGINEERING DEPARTMENT ON THIS EIGHTH DAY OF June A.D. 1989. CITY ENGINEER	APPROVED AND ACCEPTED BY THE Park City CITY PLANNING COMMISSION ON THIS 22nd DAY OF May A.D. 1989. CHAIRMAN	APPROVED AS TO FORM ON THIS 15th DAY OF June A.D. 1989. CITY ATTORNEY	№ 300534 STATE OF Utah COUNTY OF Summit RECORDED AND FILED AT THE REQUEST OF Park City Title FEES $ COUNTY RECORDER	FULL-SERVICE DESIGN PROFESSIONALS



PARCEL DENSITIES

LOT A	7	RESIDENTIAL UNITS	14,400	SQ. FT. COMMERCIAL
LOT B	7.5	RESIDENTIAL UNITS	9000	SQ. FT. COMMERCIAL
LOT F	11	RESIDENTIAL UNITS	0	SQ. FT. COMMERCIAL
LOT G	11	RESIDENTIAL UNITS	0	SQ. FT. COMMERCIAL
LOT H	13	RESIDENTIAL UNITS	0	SQ. FT. COMMERCIAL

NOTES:

1) STREET ADDRESS OF LOT A IS 7620 ROYAL STREET EAST
2) STREET ADDRESS OF LOT B IS 7580 ROYAL STREET EAST
3) STREET ADDRESS OF LOT F IS 7540 ROYAL STREET EAST
4) STREET ADDRESS OF LOT G IS 7530 ROYAL STREET EAST
5) STREET ADDRESS OF LOT H IS 7620 ROYAL STREET EAST
6) 5/8" REBAR TO BE SET AT ALL CORNERS
7) ⊙ SURVEY MONUMENT

NOTES:

EIGHT-INCH SANITARY SEWER LATERAL FROM SHYDERVILLE BASIN SEWER IMPROVEMENT DISTRICT MH# 2-4-27-4 SERVICING LOT. NO. 1 (LOT A) IS A PRIVATE LINE.

DRY STANDPIPE FIRE PROTECTION SYSTEMS MAY BE REQUIRED FOR EACH PARCEL DEVELOPMENT

A 24" EAVE ENCROACHMENT BEYOND THE FEE SIMPLE AREA IS ALLOWED.

SURVEYOR'S CERTIFICATE

I, James G. West, do hereby certify that I am a Registered Land Surveyor, and that I hold Certificate No. 3082 as prescribed under the laws of the State of Utah. I further certify that I have made a survey of the tract of land shown on this plat and described as follows:

A re-subdivision of Lots No. 1 and No. 2 of Silver Lake Village No. 1 Subdivision recorded as Entry No. 309534 on June 21, 1989, in the Office of the Recorder, County of Summit, State of Utah.

I further certify that I have subdivided said lots into 5 lots, designated A, B, F, G and H, all inclusive, and the said lots have been surveyed and staked on the ground as shown on this plat.

I further certify that, in my opinion, this plat is a correct representation of the land platted and has been prepared in conformity with the minimum standards and requirements of law.

James G. West — Oct 23, 1989 — Date

OWNER'S DEDICATION AND CONSENT TO RECORD

Know all men by these presents: That the undersigned is the owner of the herein described tract of land, and hereby causes the same to be divided into lots, together with easements as set forth on the attached plat, hereafter to be known as Resubdivision of Lots No. 1 and No. 2, Silver Lake Village No. 1 Subdivision.

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

Executed this 23 day of October, 1989.

Deer Valley Resort Company, a Utah Limited Partnership
By Royal Street of Utah, a General Partner

Robert M. Wells, Vice President

ACKNOWLEDGEMENT

State of Utah)
County of Summit)

On the 23 day of October, 1989 personally appeared before me Robert M. Wells who, being by me duly sworn, did say that he is a Vice President of Royal Street of Utah, a Utah Corporation, which is a General Partner of Deer Valley Resort Company, a Utah Limited Partnership, and that the within and foregoing Owner's Dedication and consent to Record was signed on behalf of said corporation as such general partner, and said Robert M. Wells duly acknowledged to me that said partnership executed the same.

Notary Public

My commission expires: 8/30/91

Residing at: Park City, UT

A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2 SILVER LAKE VILLAGE NO. 1 SUBDIVISION

A RE-SUBDIVISION OF LOTS NO. 1 AND NO. 2
SILVER LAKE VILLAGE NO. 1 SUBDIVISION
RECORDED AS ENTRY NO. 309534 JUNE 21, 1989
LOCATED IN THE S.W. 1/4 OF SECTION 22,
TOWNSHIP 2 SOUTH, RANGE 4 EAST, SALT LAKE BASE & MERIDIAN,
PARK CITY, SUMMIT COUNTY, UTAH

CITY COUNCIL APPROVAL

PRESENTED TO THE BOARD OF PARK CITY COUNCIL THIS 5TH DAY OF OCTOBER A.D. 1989 AT WHICH TIME THIS RECORD OF SURVEY WAS APPROVED

MAYOR
Anita L. Sheldon
CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE PARK CITY CITY ENGINEERING DEPARTMENT ON THIS SEVEN DAY OF NOVEMBER A.D. 1989

Eric W. DeHaan PE
CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS 31st DAY OF October A.D. 1989

CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS 7th DAY OF November A.D. 1989

CITY ATTORNEY

11-9-89 2:40 pm. RECORDED

№ 315560
STATE OF Utah
COUNTY OF Summit
RECORDED AND FILED AT THE REQUEST OF: Continental Title Company
$22.00 FEES
COUNTY RECORDER

THE SEAR-BROWN GROUP
FULL-SERVICE DESIGN PROFESSIONALS

SILVER LAKE VILLAGE RESUBDIV 1-2

EXHIBIT I

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
JANUARY 13, 2016

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Melissa Band, Preston Campbell, Steve Joyce, John Phillips, Doug Thimm

EX OFFICIO:

Bruce Erickson, Planning Director, Francisco Astorga, Planner; Kirsten Whetstone, Planner; Polly Samuels McLean, Assistant City Attorney

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The Planning Commission held a joint meeting with the Snyderville Basin Planning Commission prior to the Regular Meeting. That discussion can be found in the Work Session Minutes dated January 13, 2016.

REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 6:43 p.m. and noted that all Commissioners were present.

ADOPTION OF MINUTES

December 9, 2015

MOTION: Commissioner Phillips moved to APPROVE the minutes of December 9, 2015 as written. Commissioner Joyce seconded the motion.

VOTE: The motion passed unanimously.

PUBLIC INPUT
There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

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2. 7520 – 7570 Royal Street East – Conditional Use Permit and Plat Amendment for 28 residential units on Lots F, G and H of the Silver Lake Subdivision plat

as part of the Silver Lake Community of the Deer Valley Master Planned Development. (Application PL-15-02966 and PL-15-02977)

Chair Strachan announced that this item was being continued this evening and the public would have another opportunity to comment at a future meeting.

Planner Whetstone stated that this was an introductory work session item that was noticed for public hearing. This is a large project and letters were sent to the neighbors to inform the neighbors of what was being proposed. Planner Whetstone reported that she had received one email and provided information to another person prior to this meeting.

Planner Whetstone reported that the proposal, known as the Goldener Hirsch Hotel and Residences, consists of 1) amendments to the existing Goldener Hirsch Hotel located at Upper Deer Valley in Silver Lake; and 2) construction of 38 residential condominium units within a single multi- story building proposed that sits over two levels of parking. The proposal is on Lots F, G and H of the Silver Lake Village Subdivision, which is part of the Deer Valley MPD that was approved in 1977. This is the last undeveloped parcel in Upper Deer Valley. There is one last development parcel at Lower Deer Valley. Planner Whetstone noted that this proposal was infill development. She reviewed the MPD that was included on page 125 of the Staff. In the Deer Valley Master there is a choice of either building 34 units of any size or 34 unit equivalents. In this case the applicant chose to build 34 unit equivalents at a total of 68,000 square feet.

Planner Whetstone explained that the proposed building has 68,843 square feet of residential construction because they were proposing to move 843 square feet of the existing units at the Goldener Hirsch. Those units would be demolished due to the proposed connection between this project and Goldener Hirsch.

Planner Whetstone noted that 3,200 square feet of meeting was also proposed, which is consistent with 5% of the residential area. Lot D is allowed 6 unit equivalents or 12,000. Lot D will decrease by the amount being transferred.

The Staff had reviewed this proposal against the LMC, as well as the Deer Valley Master Planned Development and there were a number of issues they would like the Planning Commission to discuss. The Staff was asking for input on the proposed site plan and the request to decrease the side setbacks and the existing setbacks along the back. A separate application is to combine F, G and H into one developable parcel. The Staff also requested input on the general architectural character, the transfer of density from Parcel D, parking and a height exception.

Planner Whetstone pointed out that the lots are undeveloped but they were currently being used as surface parking with approximately 45 parking spaces. The developer was proposing 109 parking spaces, which is an excess of 40 spaces required for this development.

The Staff requested that the Planning Commission conduct a public hearing, discuss these items and provide input and direction to the Staff and the applicant, and continue the item.

Chris Conabee reported that the applicant held a series of public open houses and part of their presentation would include the information obtained from the open houses and things they still need to work on based on that information.

Mr. Conabee with Utah Development and Construction introduced Paul Schlachter with Olsen Kundig and John Shirley with THINK Architecture. He stated that he had worked with Planner Whetstone in 2006 on Silver Star when he was a principle and co-developer on that project. The project turned out well because they were active in the community and worked to solve the problems upfront before coming to the Planning Commissions with the solutions. He wanted the Planning Commission to know that they were still the same people and they would work towards that end. Their goal is to make the best product for themselves and for the community. He was proud of the work that was done on Silver Star and he hoped to accomplish the same for this site.

Mr. Conabee also introduced the owners, Spencer Fox Eccles, Hope Eccles, Spencer Peterson Eccles, and Patty Wells, their realtor. He noted that Oakland Construction was part of their team and worked with them at Silver Star.

Mr. Conabee reported that the first open house was held on November 18th, but it was not heavily attended. Their general practice is to notify everyone in the project to make sure they reach out to all the HOAs, so letters were sent to people outside of the 300 feet radius. Mr. Conabee stated during the open house some of the concerns expressed related to public parking. Some were worried that they would lose their day parking. It was an issue that needed to be balanced. They have parking for proposed units and existing businesses, and they have a resort operator in Deer Valley. Mr. Conabee stated that one of the things they did productively at Silver Star was to find that balance. In the off-season they have parking for locals and in the busy season it is full parking. Mr. Conabee noted that the people had questions regarding the need to have a grocery store and some sundries. He noted that commercial was not in the plan, but they hoped to expand a plaza area that could field the function of a social gathering area. There was concern expressed for Sterling Court and trash, particularly in the spring. He assumed that would go away regardless of who built on that parcel. Mr. Conabee clarified that the beautification of Sterling Court was an issue for some of the neighbors.

Mr. Conabee stated that there was some concern about building height. He noted that the original projection presented in October had six stories with a flat roof that was not compliant with the Deer Valley MPD. They went back to the drawing board and eliminated a floor and added a pitched roof.

Chair Strachan asked if the five stories included two stories of parking. Mr. Conabee answered no. The two parking stories are subterranean.

Mr. Conabee stated that a problem in Silver Lake is that a lot of traffic flows into Marsac during a certain period of time. He talked about ways to "slow the flow" and he believed they had found a way to do that in this plan with their plaza concept.

Mr. Conabee stated that a second open house was held December 2nd and the turnout was a little better. Signage was a concern. There was support for an increase in bed count. There was also support for retaining the existing Hirsch, which is a critical design issue. He remarked that the Hirsch is an icon and it is unique. It is a difficult concept that would not exist without the ownership of the current hotel. Mr. Conabee noted that the team discussed what to do with that site and decided that the Hirsch is iconic enough that if they did good work on the design and marry the two facilities together they could enhance each other. Mr. Conabee commented on access concerns for Mont Cervin. He stated that Mike Farrell who represents the HOA wanted to make sure that if a bridge is approved that there is an ability to get future vehicles and trucks back there. The team agreed that it was a good idea and they would being doing a study to show whether they could get a crane under there, roofing materials, trucks, etc.

Mr. Conabee noted that they had also given presentations to representatives for the Chateau, the Stein Eriksen Lodge, Mont Cervin, the Black Bear Lodge, the Inn at Silver Lake and Deer Valley Resort.

Mr. Conabee reviewed the amendment to the plat. One of the issues related to setbacks. The lease complicated setback issue was the front. The MPD allows a 20' setback with garage. The current plat has a 25' setback. This applicant shares concerns with Deer Valley regarding sidewalks and snow storage. He stated that the building currently complies with 25' and they were not opposed to pushing it back to 25'. Mr. Conabee pointed to a 12' setback on the west side by the Stein Eriksen Lodge, which is consistent with the previous plat. The setback to the south next to Mont Cervin is currently 7' and they were committed to increasing it to 15'. Mr. Conabee explained that the constraint is in the width. They were asking the Planning Commission to consider the setback along Sterling Court. They would like to line up the second story of this project with the neighboring façade of the Mont Cervin property. To accomplish that they were asking the

Planning Commission for a ten foot setback on the second story for the unit layout. He reiterated that they would maintain the 15' setback on the first floor.

Paul Schlachter with Olsen Kundig outlined the plaza concept and the massing concept for the project. He believed this was a unique property in Deer Valley and the last of its kind. Mr. Schlachter stated that the when the original programming document was done there was massive building that was maxed out to the corners, but it did not feel right on the site. The concept he would be presenting was the result of studies and the thought process of several people in terms of building shape. Throughout the process they kept coming up with smaller buildings collected into a whole. It turned out to be the end result because it keeps with the scale of everything else within the village core. Even though the building is larger it is broken into smaller masses to keep the village feel. Breaking the building into three smaller pieces also allowed a better connection to the plaza that connects to the bottom of the hill. Mr. Schlachter explained how they envisioned the plaza to create a unique core to that neighborhood that does not currently exist. He presented three scenarios that were done to help them achieve the best plaza concept. Mr. Schlachter reviewed the concept they decided on. They still maintained a bridge connection between the old Hirsch and the new addition. It is a thinner bridge that has the clearance required for fire truck access.

Mr. Conabee stated that the goal of creating the plaza was to increase the activity for the existing retail space to slow down the transition off the mountain and work towards staggering the traffic flow. The intent was to create a transitional space between the new and the old, and to establish a gathering space during the ski season and the off-season.

Mr. Schlachter reviewed the proposed design layout and amenities. Mr. Conabee pointed out that the original concept showed the pull-in off of Royal Street. However, from the standpoint of traffic and congestion they decided to move it in between the two existing buildings and to utilize space in the middle of the project for cars to pull off and to create a lobby experience. It would not only help with the beautification of Sterling Court, but it would act as a centering point for both buildings and the project. It also speaks to their commitment to signage.

Mr. Schlachter did not believe the renderings did the project justice. Over the last 50 years his firm has had great experience in doing residential architecture, and they would bring that breadth of knowledge to this in terms of scale and proportions. Materials are also very important to his firm. He provided an example of the materials and elements they would use to provide a warm, cozy atmosphere. The form and shape would be simple to avoid detracting from the overall architectural spaces. They were proposing floor to ceiling windows in the units to maximize the views of Deer Valley. Mr. Schlachter remarked that

the renderings were showing a board form concrete base, which is something his firm likes to do on their projects.

John Shirley with THINK architecture presented a fly-through of the proposal starting from the west and heading towards the existing Goldener Hirsch, then coming down Sterling Court towards the proposed porte couchere location. It continued from the end of the ski day across the plaza. Mr. Shirley stated that in addition to the bridge, the plaza in front of the existing Goldener Hirsch would be expanded to create activity space in front of the restaurant. He showed the entry coming into the entry lobby and up the staircase to the connecting bridge for direct access to the plaza.

Mr. Conabee stated that the Chateau and the Stein Eriksen Lodge were not shown. He explained that they had 3-D modeling done of all the buildings when they were originally looking at doing a giant plaza and the cap on Sterling Court. They were currently in the process of illustrating those two buildings in both model form and 3-D form for the next Planning Commission meeting.

Chair Strachan asked Director Erickson for direction on how to address the issues and questions since they were continuing this item for both the CUP and a Plat Amendment. Director Erickson stated that in context with the Deer Valley MPD questions regarding height and consistency with the master plan need to be discussed. Public parking is a broad question for the Planning Commission. The parking area is not part of the Deer Valley Master Plan parking. The parking just occurred and it is managed by Deer Valley. He did not believe there were any restrictions on the parking.

The architect had prepared a 3-D model. The Commissioners left the dias to view the model. In response to a question about the 64' ceiling height in terms of a fog study, Mr. Conabee replied that it would be approximately at the roof line. He pointed out that everything sits below the maximum ceiling height established by the Silver Lake Property Owners Association.

Chair Strachan asked if the 3D model could be left in the Planning Department for people to view.

Chair Strachan opened the public hearing.

Steve Issowitz stated that he works for Deer Valley Resort and he also sits on the Board for the Silver Lake Village Plaza Association and Royal Plaza Condominiums. Mr. Issowitz stated that he is always sad to see surface parking go away, but he thanked the Eccles family for all the years they have let the community use the site for both snow storage and for Deer Valley to use it for resort parking and trailhead parking. He believed most of the

issues have been mentioned, particularly the height limits in the area which are important to all the neighboring properties. In speaking with Mr. Conabee he understood that architecture finessing still needed to occur since this was still preliminary. Mr. Issowitz stated that Deer Valley supported the project as a resort. The MPD was put together in the late 1970s and he believed this would finish up the Silver Lake area and encourage people to stay longer, which would solve the traffic problems. Mr. Issowitz hoped everything would come to fruition and come together.

Chair Strachan closed the public hearing.

Commissioner Phillips commented on the additional parking being requested. He asked if it would maintain the same use as the current surface lot, and whether it would be accessible to everyone or become private or special parking. Mr. Conabee stated that the goal is to create a multiple use parking area. In the winter and high season or if there is a function in the conference facility they would need the parking, but he believed that would be rare. The majority of the time in the summer and off season months it will be open to the public. Mr. Conabee stated that they were working on getting the highest number of stalls so they do not negatively affect what is coming down Marsac, and at the same time making sure there were spaces for viable business and viable traffic flow. Mr. Conabee explained that outside of a special event, they were requesting the same thing they did at Silver Star. Each unit will have a dedicated reserved stall and a non-dedicated stall that would be available for the owner's guests or open to the general public in the summer season. In addition to those 78 stalls, they supported the resort's desire to create additional spaces for public parking, which is why they were proposing 108 stalls.

Commissioner Phillips had mixed feelings. Traffic is a growing problem and he recently witnessed traffic backing up past Hillside on Marsac, which was causing him concern. However, he also understood the need for having parking up there. Mr. Conabee stated that if they could get those stalls contained in two levels and make it a public area it would demonstrate the commitment of the applicant and the owners to encourage traffic to stay there. If someone is parked underground at the new Goldener Hirsch Inn and they walk across the plaza, they are more likely to stop and buy something or sit next to a fire pit or engage someone in conversation. When they talk about slowing the traffic, the hope is that the path through the plaza to the garage will have that effect.

Commissioner Phillips was still trying to understand the height. Mr. Conabee remarked that Deer Valley allows 59 feet with an exception to go to the middle median of the roof. On a pitched roof they were well below their requirement because the pitch roof sits well below this. The maximum roof line is 8186'. The problem is that the height line off of grade bisects the upper floor where there is a changing room and exercise equipment. The question was Code interpretation. It is a flat roof and he would say the median of the

roof was where it sits. However the pool deck is a unique feature and the question is how to get people up there and to keep people from being visible if they change next to the pool. Mr. Conabee noted that the two other pitched roofs cover it so it cannot be seen from either side. He felt it was fortunate that the Stein Eriksen Lodge has spa services on that back wall, and they are draped off and unused. Mr. Conabee stated that the roof line sits approximately a foot to a foot and a half below the peak of roof on the two buildings on either side that they were proposing to build.

Planner Whetstone clarified that the Planning Commission was being asked for an interpretation rather than an actual height exception. She noted that that MPD states that the height for these parcels is 59'; however, further into the design guidelines it talks about the mid-point of the roof. Planner Whetstone explained that height used to be measured to the mid-point of the roof, but that was changed to say the height is 28' in the RD zone plus 5' for the pitch of the roof. The MPD still has the old language and identifies 59' in height next to those parcels. Below that is a footnote that says the heights are measured from 8122' and no part of the roof can exceed 8186'. Planner Whetstone reiterated that the Staff was asking for interpretation on whether the proposal exceeds the 8186'.

Commissioner Band understood that it was the peak of the roof but that section of roof is flat. She asked if they were asking the Planning Commission to say whether the entire roof meets the requirements. Mr. Conabee explained that the top roof is allowed to go up to 8186', but if it is 10' high and they took the median it would be 5 feet. Because that pool area has a flat roof it is higher than that, but it is still below the 8186', but the median of a flat roof is the top of the roof. That is where the problem comes in with the interpretation.

Commissioner Phillips thanked Mr. Conabee for clarifying the height issue. With that understanding, in general he would support it. Commissioner Phillips commented on the question of architectural and design, and he had no objections to what was shown. Commissioner Phillips did not object to combining the lots.

Chair Strachan asked if combing the lots was the only amendment to the plat they were being asked to approve. Planner Whetstone replied that it was combining the lots and the change to the second floor setback from 15' to 10'.

Commissioner Joyce asked the applicant to bring up the visual that showed the difference between the first floor and the second floor where they were requesting the change in setback. Mr. Conabee stated that on the southeast corner of the project the second floor steps forward five feet from what is a 15' setback on the ground floor and will encroach into a ten foot setback on the second floor.

Commissioner Band stated that she had reviewed the MPD with Planner Whetstone that morning and it was very complicated. Considering the number of times the MPD has been amended, she did not believe this proposal was out of character with all of the other "shenanigans" that have gone on. Commissioner Band was comfortable with the public parking. She thought eliminating the visual parking might keep people from driving up there, especially if they have to go underground and drive down a road. Extra parking would be a benefit and they definitely want vibrancy. Commissioner Band stated that her office is literally across the street and she would look at this every day. The architecture is important and she thought it looked nice. Commissioner Band noted that in the presentation they had shown single family homes that were more in keeping with what this project will look like. She did not think they looked exactly like everything in Silver Lake but it was a beautiful design and she liked it better than some of the other designs they have seen. Commissioner Band was not opposed to the plat amendment to combine the lots. She liked what they had done with the entrance to try and bring people in, and she especially liked that it would not come off of Royal Street. If everything else was hard and fast in the MPD the height might be a bigger issue, but considering that it is in between pitched roofs and against a hard wall she did not think it was a problem.

Commissioner Joyce stated that the current LMC has requirements for minimum parking and the Commissioners have discussed whether they should start thinking about requirements for maximum parking; especially for a hotel that is on the bus route and next to a ski resort with restaurants and other services. At some level he would prefer minimizing the traffic by minimizing the parking. Therefore, he was not in favor of the extra parking being proposed. When they start looking at LMC Amendment he would like to know whether the minimum parking requirement is correct and whether they should be finding ways to reduce that.

Director Erickson asked if Commissioner Joyce would like the Staff to specifically look at employee transportation and shuttle service. He noted that the Planning Department has more regulatory authority over those matters and the operations of van/shuttle. Director Erickson stated that parking is soft in the LMC and the items he just mentioned were easier for the Staff and the Planning Commission to address. Commissioner Joyce made that request of Staff. He stated that Stein Eriksen as part of the Stein Eriksen Residences provided good information about the processes they went through to keep people from driving to their place. He would like to see more of that.

Commissioner Joyce commented on the plaza. He liked what they had done from an architectural walking standpoint, but in his opinion it would have zero effect on slowing down the traffic flow. He was not convinced that people would stop just because there was as 20' corridor instead of a three foot walkway. Commissioner Joyce appreciated the goal, but he thought bars, live music and places to sit and gather would be much more effective

in getting people to stop. He was not in favor of the plaza area as proposed. Commissioner Joyce did not have an issue with the height. He appreciated the explanation about the Stein Eriksen piece but he would like to see a visual to make sure he understands it. His concern was from across the street and if it is actually lower than the pitched roof blocking the Chateau he had no other concerns.

Commissioner Joyce understood that this proposal would clean up Sterling Court, but he thought the bridge would feel like a tunnel and put a visual barrier across a public street. In terms of being consistent with the General Architectural Design, Commissioner Joyce had concerns with the amount of glass on the buildings. The buildings look attractive but they were not consistent with the surrounding buildings. Mr. Conabee informed Commissioner Joyce that the team was having that same discussion internally and he understood his concern.

Commissioner Campbell understood that because they were opening up the MPD, the Planning Commissioner could massage the soft numbers as a trade-off in the MPD. Director Erickson replied that he was correct. The Planning Commission has flexibility in height and setbacks and some flexibility in moving around unit equivalents. Commissioner Campbell stated that he would be willing to give the applicant almost anything they wanted if the applicant was willing to help keep more cars off the street in that direction. He thought the architecture was spectacular. His daughter lives in Seattle and they are years ahead in architecture. He was pleased to see some of that architecture come to Park City.

Commissioner Thimm was comfortable with the transfer of density. It is the same project in proximity and he did not see a change in intensity of use. The building height made sense. He understood the application and it appears to work. Commissioner Thimm had concerns with bringing more traffic into the neighborhood and into the City. He was hesitant about the increase in parking. Commissioner Thimm noted that in the presentation they said that the additional parking would benefit business. He asked if parking was currently set aside for those businesses. He was told that there was parking available in other properties in the surrounding area. None of those are guaranteed and during the winter it is paid parking as opposed to free parking. For evening events that occur at Silver Lake, any loss of parking would be detrimental to the commercial businesses. Commissioner noted that the City has been trying to temper the number of cars and lead towards the use of public transportation. Director Erickson clarified that what was being talked about in the application was a reduction of approximately 100 casual spaces to approximately 40 designed spaces. Those casual spaces tend to be the peak pressure spaces. Director Erickson stated that they were reducing approximately 60 vehicle trips in each direction by reducing it to 40 spaces. The winter peak will continue but once the spaces go underground he assumed the used would be further reduced in the off-

season. Commissioner Thimm agreed that having the spaces hidden underground would be an advantage.

Commissioner Thimm was comfortable with the 10' setback given its location on the site. He liked the architectural continuity, and having a contrast rather than being a Deer Valley knock-off was positive. He agreed with previous comments that the amount of glass should be looked at in terms of energy savings. Commissioner Thimm remarked that the broken down scale of the buildings seemed appropriate and worked nicely in terms of the layout of the plan.

Mr. Conabee stated that the team was also looking at solar and when the study comes back they would present it so the Planning Commission would have an idea of where it could or could not go and what it would look like. Director Erickson asked if they would be meeting State Energy requirements on this building. Mr. Conabee answered yes.

Director Erickson stated that after review of the site conditions in Silver Lake, the Staff will be reviewing the roof forms icicle formation and snow shed with the minimum setback. The Staff has concerns on buildings from the 1980s and they will be working with the design team to make sure those are not replicated.

Chair Strachan thought this would have been better as a work session to allow for a more informal conversation and to get a better feel for the project.

Chair Strachan stated that for him personally the big thing is how this project fits in with the other existing buildings in terms of compatibility, the building mass and scale and all the criteria that the MPD requires them to look at. The model was a good step, but he would like to see fog studies to show the height, how it compares to Stein Eriksen, where it will sit in comparison to Mont Cervin, and how it relates to the rest of Silver Lake. Chair Strachan thought it would be helpful to see that in a computer model context. He agreed with the architect that the rendering do not do it justice, and they need to look at them more carefully. Chair Strachan thought it was aggressive architecture for the area. He originally questions the design, but after hearing from the more knowledgeable and experienced Commissioners he was re-thinking that view, and a something new architecturally could be positive. He asked the applicant to bring the Commissioners into the project so they can really get to know.

Chair Strachan thought the fog study would address the height issue. One of the questions in his mind is the compatibility of the bridges and the flying balconies. He needed to be convinced that it was something architecturally that Deer Valley, and Silver Lake Lodge in particular, should have. Chair Strachan agreed that the original Goldener Hirsch is icon

and he believed this project had a chance of being iconic as well. He just needed to see it and he looked forward to more computer renderings.

Regarding the parking issue, Chair Strachan understood that Silver Lake Village was never intended to be a base area. It was a mid-mountain area for overnight skiers. He thought the base area for the day skier was the Snow Park Lodge. He believed this project fits with that assessment because the skiers would stay for three or four nights, and hopefully they would not bring cars. However, if they do bring cars they needed to provide the LMC required parking. They also need to make parking for day skiers as easy as possible. Chair Strachan remarked that the opportunity to create further goodwill with Deer Valley and the day skier base in Park City by providing parking accessible to locals and the general public would be in the applicant's best interest. He strongly recommended that the applicant look at Staff parking and he would be interested in hearing their solutions.

Chair Strachan stated that in terms of General Plan compliance, there was no question that this complied. He was interested in seeing more of the details.

Mr. Conabee assured Chair Strachan and the Planning Commission that they were here to solve problems and find solutions. He appreciated their time and their efforts. Mr. Conabee stated that Spencer Eccles requested time to speak this evening.

Mr. Eccles noted that skiing was superb this morning in the bright Deer Valley sunshine. Mr. Eccles stated that it was a privilege for him to appear before the Planning Commission on behalf of the beloved Goldener Hirsch Inn. His family has deep roots in the Deer Valley area, in Park City, and in the entire State of Utah. He has now lost his great friend Stein Eriksen who he first met when Mr. Eriksen came to the United States in 1953. Mr. Eccles stated that years later he help Mr. Eriksen realize his dream as First Security financed the construction of his named lodge. Later the convention center and the spa. Mr. Eccles reported that years later he, his wife and four children bought the Goldener Hirsch Inn next door to Stein's. It was a family investment in 1991 and they just started their 25th year of operation. Mr. Eccles thought it was obvious that they were committed to the Silver Lake area and they were excited to work with everyone to put the exclamation point on what is already the finest ski area in the country. He stated that this expansion is part of their great vision of Park City and Deer Valley and they look towards working with everyone once again on something great for the entire Park City community. Mr. Eccles thanked the Planning Commission for allowing them time to give their presentation and for giving him time to tell them about the background and the love and affection that has gone into the Goldener Hirsch Inn.

Planner Whetstone requested that the Planning Commission continue this time to February 24th instead of February 10th as listed on the agenda.

MOTION: Commissioner Joyce moved to CONTINUE the Goldener Hirsch Hotel and Residence CUP and Plat Amendment to February 24th, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

>>>

EXHIBIT J

PARK CITY MUNICIPAL CORPORATION
STANDARD PROJECT CONDITIONS

1. The applicant is responsible for compliance with all conditions of approval.

2. The proposed project is approved as indicated on the final approved plans, except as modified by additional conditions imposed by the Planning Commission at the time of the hearing. The proposed project shall be in accordance with all adopted codes and ordinances; including, but not necessarily limited to: the Land Management Code (including Chapter 5, Architectural Review); International Building, Fire and related Codes (including ADA compliance); the Park City Design Standards, Construction Specifications, and Standard Drawings (including any required snow storage easements); and any other standards and regulations adopted by the City Engineer and all boards, commissions, agencies, and officials of the City of Park City.

3. A building permit shall be secured for any new construction or modifications to structures, including interior modifications, authorized by this permit.

4. All construction shall be completed according to the approved plans on which building permits are issued. Approved plans include all site improvements shown on the approved site plan. Site improvements shall include all roads, sidewalks, curbs, gutters, drains, drainage works, grading, walls, landscaping, lighting, planting, paving, paths, trails, public necessity signs (such as required stop signs), and similar improvements, as shown on the set of plans on which final approval and building permits are based.

5. All modifications to plans as specified by conditions of approval and all final design details, such as materials, colors, windows, doors, trim dimensions, and exterior lighting shall be submitted to and approved by the Planning Department, Planning Commission, or Historic Preservation Board prior to issuance of any building permits. Any modifications to approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Department, Planning Commission and/or Historic Preservation Board in writing prior to execution.

6. Final grading, drainage, utility, erosion control and re-vegetation plans shall be reviewed and approved by the City Engineer prior to commencing construction. Limits of disturbance boundaries and fencing shall be reviewed and approved by the Planning, Building, and Engineering Departments. Limits of disturbance fencing shall be installed, inspected, and approved prior to building permit issuance.

7. An existing conditions survey identifying existing grade shall be conducted by the applicant and submitted to the Planning and Building Departments prior to issuance of a footing and foundation permit. This survey shall be used to assist

the Planning Department in determining existing grade for measurement of building heights, as defined by the Land Management Code.

8. A Construction Mitigation Plan (CMP), submitted to and approved by the Planning, Building, and Engineering Departments, is required prior to any construction. A CMP shall address the following, including but not necessarily limited to: construction staging, phasing, storage of materials, circulation, parking, lights, signs, dust, noise, hours of operation, re-vegetation of disturbed areas, service and delivery, trash pick-up, re-use of construction materials, and disposal of excavated materials. Construction staging areas shall be clearly defined and placed so as to minimize site disturbance. The CMP shall include a landscape plan for re-vegetation of all areas disturbed during construction, including but not limited to: identification of existing vegetation and replacement of significant vegetation or trees removed during construction.

9. Any removal of existing building materials or features on historic buildings shall be approved and coordinated by the Planning Department according to the LMC, prior to removal.

10. The applicant and/or contractor shall field verify all existing conditions on historic buildings and match replacement elements and materials according to the approved plans. Any discrepancies found between approved plans, replacement features and existing elements must be reported to the Planning Department for further direction, prior to construction.

11. Final landscape plans, when required, shall be reviewed and approved by the Planning Department prior to issuance of building permits. Landscaping shall be completely installed prior to occupancy, or an acceptable guarantee, in accordance with the Land Management Code, shall be posted in lieu thereof. A landscaping agreement or covenant may be required to ensure landscaping is maintained as per the approved plans.

12. All proposed public improvements, such as streets, curb and gutter, sidewalks, utilities, lighting, trails, etc. are subject to review and approval by the City Engineer in accordance with current Park City Design Standards, Construction Specifications and Standard Drawings. All improvements shall be installed or sufficient guarantees, as determined by the City Engineer, posted prior to occupancy.

13. The Snyderville Basin Water Reclamation District shall review and approve the sewer plans, prior to issuance of any building plans. A Line Extension Agreement with the Snyderville Basin Water Reclamation District shall be signed and executed prior to building permit issuance. Evidence of compliance with the District's fee requirements shall be presented at the time of building permit issuance.

14. The planning and infrastructure review and approval is transferable with the title to the underlying property so that an approved project may be conveyed or assigned by the applicant to others without losing the approval. The permit cannot be transferred off the site on which the approval was granted.

15. When applicable, access on state highways shall be reviewed and approved by the State Highway Permits Officer. This does not imply that project access locations can be changed without Planning Commission approval.

16. Vesting of all permits and approvals terminates upon the expiration of the approval as defined in the Land Management Code, or upon termination of the permit.

17. No signs, permanent or temporary, may be constructed on a site or building without a sign permit, approved by the Planning and Building Departments. All multi-tenant buildings require an approved Master Sign Plan prior to submitting individual sign permits.

18. All exterior lights must be in conformance with the applicable Lighting section of the Land Management Code. Prior to purchase and installation, it is recommended that exterior lights be reviewed by the Planning Department.

19. All projects located within the Soils Ordinance Boundary require a Soil Mitigation Plan to be submitted and approved by the Building and Planning departments prior to the issuance of a Building permit.

September 2012

EXHIBIT K

ClydeSnow
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◊ ALSO ADMITTED IN COLORADO
ALSO ADMITTED IN NEW YORK
+ ALSO ADMITTED IN CALIFORNIA
‡ ALSO ADMITTED IN OREGON

May 2, 2016

SENT VIA U.S. MAIL AND EMAIL

Park City Municipal Corporation
Development Review Committee
Attn: Kirsten Whetstone
445 Marsac Avenue
Park City, UT 84060
Email: planning@parkcity.org
Phone: (435) 615-5060

Re: *Safety Concerns: Application # PL-15-02966, PL-15-02967*
Application Name: Second Amended Silver Lake Village No. 1 Subdivision plat being an amendment of the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision plat.

Dear Ms. Whetstone:

Our firm represents Michael A. Stein, who resides at 7550 Royal Street East, # 106, Park City, Utah 84060, located in the Mont Cervin building. It has come to our attention that Goldener Hirsch Hotel has proposed to build additional hotel rooms, amenities and residences on a parcel of property located across from the existing hotel on Royal Street and on Sterling Ct., in the Silver Lake, Deer Valley (the "Development"). (*See* Park City Planning Dept. Application Nos. PL-15-02966 and PL-15-02967.)

We would like to bring to your attention some legitimate safety concerns, for both current residents and the hotels' future guests that Mr. Stein has regarding the proposed Development.

Royal Street, the main access to Silver Lake, has one traffic lane in each direction making it a suitable road for transportation and safety purposes. Royal Street is wide enough to allow safety vehicles (e.g. ambulances, police vehicles, and

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firetrucks) to drive safely and pass other vehicles, especially in the event of an emergency, without causing much of an interference.

Sterling Court, on the other hand, is about half the width of Royal Street and it is congested when even one oversized vehicle (e.g. a large SUV) enters the street. It is especially difficult to pass when two vehicles are headed in opposite directions. When bigger vehicles enter the street (e.g. moving trucks, construction vehicles, ambulances, and firetrucks), the street becomes unusable and incapable of allowing any vehicle (including safety vehicles) to pass in the event of an emergency. The narrowness of this street is a serious safety concern to those located along Sterling Court. From speaking the developer of the Development and reviewing the application submitted, it appears that the main vehicle and pedestrian entrance to the Development is accessed via Sterling Court.

Sterling Court is currently navigated and walked by hundreds of pedestrians every day, both during the winter and summer, with people are carrying skis, mountain bikes, and other equipment. Furthermore, the proposed Development will undoubtedly attract many more guests and pedestrians. This sharp increase in foot traffic in such a small and congested area raises further safety concerns.

The safety concerns for local residents and tourists will be at their highest levels during the lengthy construction process. The construction of the Development will demand a continuous stream of large trucks, cranes, and other vehicles and equipment in and around the Sterling Court area. This increased congestion will inhibit safety vehicles from accessing and reaching a person who may be in serious harm or imminent danger. Further, we understand that a sky bridge will connect the existing Goldener Hirsh to the Development. This may also prevent necessary safety and construction vehicles from accessing the buildings surrounding Sterling Court.

Another concern is the issue of snow removal. As you know, it snows heavily during the winter months at Silver Lake. We are unaware of any proposal by the developer or Park City to deal with the large amounts of snow that will accumulate on Sterling Court. Currently, snow is currently pushed onto the parcels where the proposed Development is to be constructed. However, with this space now unavailable to dispose of excess snow, the congestion on Sterling Court will only get worse and may cause an increase in risk of pedestrian and vehicle safety.

To address these reasonable concerns, Mr. Stein proposes that the Planning Department commission a safety study and investigate whether such safety concerns can be addressed through widening Sterling Court, providing increased sidewalk access, removing the proposed sky bridge, and perhaps heating Sterling Court itself to deal with snow build up.

We will be closely monitoring the Development and the approval process with your department. I look forward to a fruitful and constructive discussion regarding the resolution of Mr. Stein's concerns. You may contact me if you have any questions.

Very truly yours,

CLYDE SNOW & SESSIONS

Timothy R. Pack

cc: Michael Stein

{00982179-1 }

Kirsten Whetstone

From: Tim Pack <TRP@clydesnow.com>
Sent: Wednesday, October 26, 2016 2:13 PM
To: Kirsten Whetstone
Subject: RE: Safety Concerns: Application # PL-15-02966; PL-15-02967

Kristen,

I appreciate your thorough response below. With that, my client does not wish to voice any further concerns with the Planning Commission.

Best regards,

Tim R. Pack
ClydeSnow
801.433.2447

From: Kirsten Whetstone [mailto:kirsten@parkcity.org]
Sent: Tuesday, October 25, 2016 11:19 AM
To: Tim Pack <TRP@clydesnow.com>
Subject: RE: Safety Concerns: Application # PL-15-02966; PL-15-02967

HI Tim

Thank you for your concern regarding this proposed development.

I just wanted to clarify that the traffic study and development proposal have been reviewed by the City Engineer.
The proposed density is part of the density planned with the Deer Valley Master Planned Development.
Each parcel has an assigned density and that is what is anticipated to be built.
The owners have not requested more density than is assigned to these lots, just as the surrounding parcels have also developed to the maximum allowable unit equivalents.

This development has been taken into consideration with the street system built for the Master Plan, including Sterling Court, a private street.
The City Engineer has determined that Sterling Court is sufficiently sized to handle the density and uses that access it, using rather conservative numbers.
The number of trips used is based on full time residential units, rather than the second home use that is most likely to occur.
We have found that second home type developments utilize ½ to 2/3 of the parking required, and generate far fewer daily trips than a typical household with multiple cars and drivers.
Sterling Court will handle the higher numbers to the satisfaction of the City Engineer.

Safety of pedestrians is certainly improved in the area with the provision of sidewalks as well as the public elevator and sky bridge to get people off of Sterling Court and directly onto the Silver Lake Village plaza.
The open curb cuts along Royal Street and Sterling Court will be minimized to one service access on Royal Street and the one entry access to the garage and guest arrival area.
This will reduce congestion that tends to occur now with the surface lot, primarily in the summer when it is not well regulated.

The 100 or so spaces utilized by the day skiers and mountain bikers is going to be displaced with the underground parking for condo owners (most likely as second home owners).
Deer Valley is requesting the developer provide some additional spaces in the garage, those could be pay parking as is done at the Chateaux.
But in all likelihood, parking for the day use of this area will be moved to Snow Park area, or another trail head, possibly on Marsac Avenue, that has not been constructed yet.
I believe you will actually see a decrease in traffic on Sterling Court, except on the popular arrival and departure skier days around the holidays.
Summer traffic will decrease with removal of the trailhead parking.

I have also met with the Fire District who have reviewed the proposal and are satisfied that there is sufficient emergency egress and turn around capability.

I am confident that the issue of pedestrian safety and traffic congestion will be reduced as a result of the proposed site plan, sidewalks, and more controlled access to the parking.

The staff report for November 9th should be available on the city's website by 5pm on November 4th.
If you have any questions about the report, please don't hesitate to contact me prior to the meeting, or if you would like to submit a letter for the packet, I would need it by November 1st.

Enjoy this amazing fall weather!

Sincerely,

Kirsten

Kirsten A. Whetstone, MS, AICP
Senior Planner

Park City Planning Department
PO Box 1480
Park City, UT 84060

This electronic message is intended only for the use of the individual(s) to whom it is addressed and may contain information that is privileged, confidential or exempt from disclosure under applicable law. If the reader of this message is not the intended recipient, or the employer or agent responsible for delivering this message to the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify me and purge the communication immediately.

From: Tim Pack [mailto:TRP@clydesnow.com]
Sent: Monday, October 24, 2016 9:43 AM
To: Kirsten Whetstone
Subject: RE: Safety Concerns: Application # PL-15-02966; PL-15-02967

Thank you.

An I appreciate the City obtaining the safety report that was circulated last meeting. One of my client's concerns is the traffic congestion that will occur as a result of the development. Does the city intend on obtaining any studies to determine the effects on traffic, parking, snow removal – all of which will lead to increased traffic congestion. A study of this nature would go a long way in addressing my client's concerns.

Thanks

Tim R. Pack
ClydeSnow
801.433.2447

From: Kirsten Whetstone [mailto:kirsten@parkcity.org]
Sent: Monday, October 24, 2016 9:39 AM
To: Tim Pack <TRP@clydesnow.com>
Subject: RE: Safety Concerns: Application # PL-15-02966; PL-15-02967

Hi Tim,

We have continued the Goldener Hirsch items to November 9
The applicant is addressing the issues raised at the Commission meeting.
So the Commission will open a hearing and continue it to Nov 9th- they will not have a staff report or any of the exhibits or plans.
Always welcome to address the Commission, however they will not be able to address your comments until they have the next report and revised plans.

Sincerely,

Kirsten

Kirsten A. Whetstone, MS, AICP
Senior Planner

Park City Planning Department
PO Box 1480
Park City, UT 84060

FEHR PEERS

May 31, 2016

Christopher M. Conabee
Utah Development and Construction
1106 Abilene Way
Park City, UT 84098

Subject: Transportation Evaluation for the Goldener Hirsch Hotel

Dear Mr. Conabee,

We have evaluated transportation conditions associated with the proposed Goldener Hirsch Hotel (Hotel), located at 7560 Royal Street in Park City, Utah. When complete, the hotel will add 38 unit equivalents (68 rooms including lockouts) and approximately 2,800 square feet of convention space. This letter addresses potential transportation concerns. Specifically, this letter addresses pedestrian and sidewalk safety, roadway geometry, and snow storage.

Pedestrian and Sidewalk Safety

Currently, pedestrians accessing Deer Valley via Sterling Court are forced to walk in the vehicle travel lane due to no existing sidewalk facilities. Once complete, the Hotel will provide a sidewalk facility that separates and improves pedestrian safety on Sterling Court (Figure 1). The new sidewalk will also connect to the existing sidewalk to the northwest of the parking lot.

When the Hotel is complete, the existing parking lot and parking spaces will be converted into an underground facility with 114 parking stalls. The existing parking lot is separated by a rolled curb (Figure 2), which allows vehicles entering/exiting the parking lot to directly access Royal Street and/or Sterling Court. This condition creates almost 200 feet of access frontage on Royal Street and 100 feet of access frontage on Sterling Court that allows numerous vehicle access locations and thus creates many conflict points along these frontages. Relocating these parking stalls to an underground facility and consolidating the access points to three on Sterling Court greatly reduces the number of conflict points with vehicles and pedestrians and should further improve pedestrian safety in the area.

2180 South 1300 East | Suite 220 | Salt Lake City, UT 84106 | (801) 463-7600 | Fax (801) 486-4638
www.fehrandpeers.com

Figure 1: Hotel Expansion Sidewalk

Figure 2: Existing Parking Lot Conditions (rolled curb)

Roadway Geometry

The width of Sterling Court was evaluated to determine if its width is a concern for both passing vehicles and large/safety vehicles. Based on aerial images, the existing roadway is 20 feet of pavement width with an additional two feet of travel width if half of the gutter pan on both sides is assumed. These types of rolled gutters are frequently used for additional travel width for larger vehicles.

The American Association of State Highway and Transportation Officials (AASHTO) guidebook *A Policy on Geometric Design of Highways and Streets, 6th Edition, 2011,* provides guidance for street width minimums, and states the following: "*Street lanes for moving traffic preferably should be at least 3.0 m (10 ft) wide. Where practical, they should be 3.3 m (11 ft) wide, and in industrial areas they should be 3.6 m (12 ft) wide. Where the available or attainable width of right-of-way imposes severe limitations, 2.7 m (9 ft) lanes can be used in residential areas, as can 3.3 m (11 ft) lanes in industrial areas.*" Based on this guidance, the width of Sterling Court meets the standard for street width minimums.

Post Hotel construction, Sterling Court will function as a typical narrow two lane residential street. This classification, function, and width is not uncommon throughout the United States, including many streets in Park City. In fact, the following streets nearby in Park City have street widths ranging between 15 feet and 20 feet for two-way traffic: 12th Street, Silver Dollar Drive, 8165 East Royal (Aspen Hollow), and 7900 East Royal (Double Eagle). On-street parking of any duration should be restricted to ensure efficient traffic flow and a clear path for emergency vehicles. Delivery vehicles for all buildings in the area should use the designated loading zones.

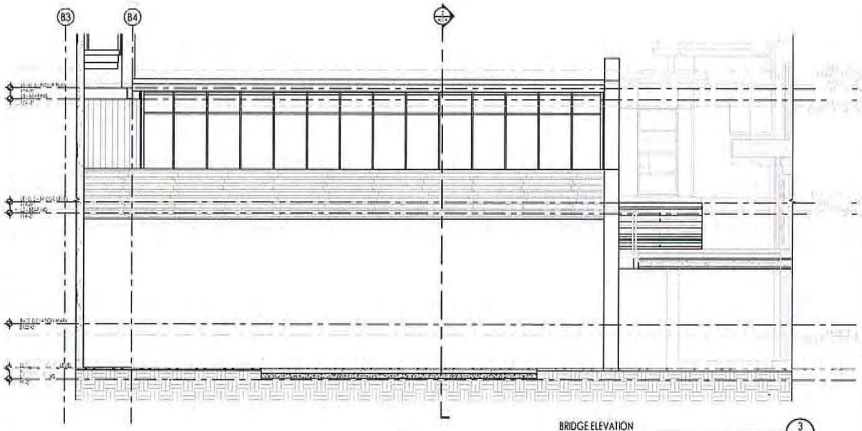
Snow Storage

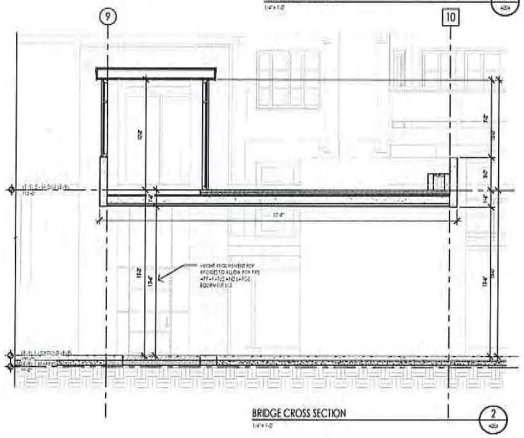
Due to heavy snowfall in the Park City area, excessive snow storage on Sterling Court could reduce the street width below what is recommended by *A Policy on Geometric Design of Highways and Streets, 6th Edition, 2011*. When the Hotel is complete, the majority of snow storage is planned to take place on the south side of Royal St on the Hotel frontage. This will allow Sterling Court to function with minimal impact to the roadway width.

Sincerely,
FEHR & PEERS

Preston Stinger, PTP, LEED GA
Associate

UT16-2020





Think
Architecture

Architecture
Interior Design
Landscape Architecture
Land Planning
Construction Management

GOLDENER HIRSCH
7360 ROYAL STREET
PARK CITY, UTAH 84060

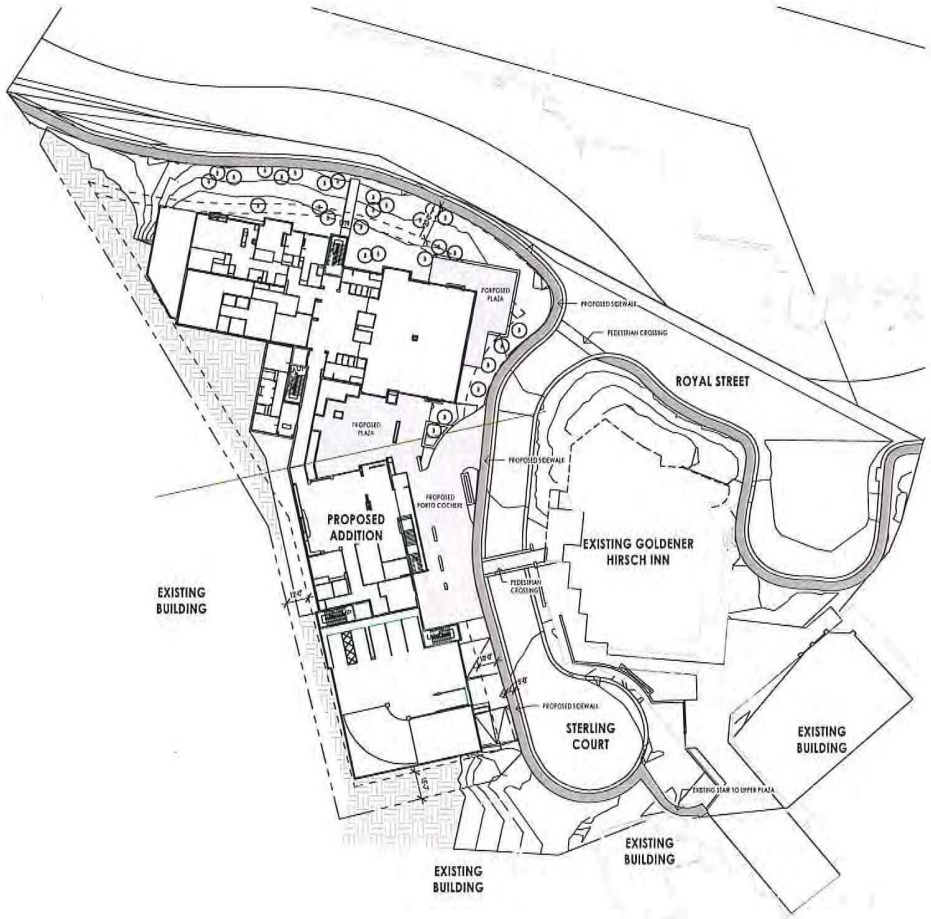
RECEIVED
SEP 20 2016
PLANNING DEPT

PROJECT NO: 15089
DATE: 2016.05.18
REVISIONS

SCHEMATIC DESIGN 2016.06.01

SHEET TITLE
ENLARGED SITE PLANS - PLAZA LEVEL

SHEET NUMBER
A004



OVERALL SITE PLAN - SIDEWALK/PLAZA EXHIBIT 1 D002
1" = 30'-0"

SEP 2 0 2016

GOLDENER HIRSCH

7560 ROYAL STREET
PARK CITY, UTAH 84060

Think Architecture

SIDEWALK/PLAZA EXHIBIT

D002

2016.05.18

EXHIBIT M

PARK CITY MUNICIPAL CORPORATION
PLANNING COMMISSION MEETING MINUTES
COUNCIL CHAMBERS
MARSAC MUNICIPAL BUILDING
SEPTEMBER 28, 2016

COMMISSIONERS IN ATTENDANCE:

Chair Adam Strachan, Preston Campbell, Steve Joyce, John Phillips, Laura Suesser, Doug Thimm

EX OFFICIO: Planning Director, Bruce Erickson; Anya Grahn, Planner; Kirsten Whetstone, Planner; Polly Samuels McLean, Assistant City Attorney
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REGULAR MEETING

ROLL CALL

Chair Strachan called the meeting to order at 5:35 p.m. and noted that all Commissioners were present except Commissioner Band, who was excused.

ADOPTION OF MINUTES

September 14, 2016

MOTION: Commissioner Joyce moved to APPROVE the minutes of September 14, 2016 as written. Commissioner Thimm seconded the motion.

PUBLIC COMMUNICATIONS
There were no comments.

STAFF/COMMISSIONER COMMUNICATIONS AND DISCLOSURES

Director Erickson reported that the next Planning Commission meeting on October 12th would be held in the Santy Auditorium at the Park City Library. The occupancy threshold in the Council Chambers is 80 people. On average 100 people have been attending when Treasure Hill is on the agenda. Director Erickson reported that Treasure Hill would continue to be on the agenda the first meeting of every month, which is always the second Wednesday.

Director Erickson announced that the Planning Commission would only have one meeting in December due to the holidays. There may also only be one meeting in January due to Sundance.

Chair Strachan asked about workload in the Planning Department and the wait time for applicants to get on the agenda. Director Erickson replied that the bringing items to the

Planning Commission was on track. However, building permit reviews are backed up due to the Staff workload.

Chair Strachan disclosed that his law firm represents PCMR and Deer Valley and for that reasons he would be recusing himself from the Park City Mountain Resort Development Agreement item on the agenda, as well as the MPD application amendment for Deer Valley.

CONTINUATIONS (Public Hearing and Continue to date specified.)

1. Land Management Code (LMC) amendments- Various administrative and substantive Amendments to the Park City Development Code, specifically amending Land Management Code Chapter One – General Provisions- regarding Appeals and Reconsideration Process; creating standards for continuations of matters before Boards and Council; Chapter 2 – Historic Zones - Clarifying that where there are footprint restrictions, the footprint formula does not include prescriptive rights of way or roads; and when existing subdivisions are amended additional density is disfavored; Chapter 6 MPDs and Chapter 7 Subdivisions - when existing MPDs or subdivisions are re-opened or amended additional density is disfavored - Chapter 11 Historic Preservation - timing of hearing Determination of Significance applications.
(Application PL-16-03318)

Chair Strachan opened the public hearing. There were no comments. Chair Strachan closed the public hearing.

MOTION: Commissioner Joyce moved to CONTINUE the Land Management Code Amendments, including various administrative and substantive amendments to the Park City Development Code to October 26th, 2016. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

2. 1376 Mellow Mountain Road – Appeal of a building permit (BD-16-22329) denial based upon the Planning Directors determination of the proposed additional square footage that would exceed the maximum house size identified on the recorded plat of First Amendment to Hearthstone Subdivision. (Application PL-16-03250)

The appellant had request that this item be continued to a date uncertain. Director Erickson noted that it was noticed for a public hearing.

MOTION: Commissioner Joyce moved to CONTINUE 7700 Stein Way, Amendment to the Stein Eriksen Lodge Common Area Supplemental Plat to October 26, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

5. 7520-7570 Royal Street East – Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision combining Lots F, G and H into one lot. (Application PL-15-02966)

6. 7520-7570 Royal Street East – Conditional Use Permit for 34 residential units on Lot 1 of the Amendment to the Re-Subdivision of Lots No. 1 and No. 2 Silver Lake Village No. 1 Subdivision (Application PL-15-02967)

The Planning Commission discussed the above two items at the same time. Two separate actions were taken.

Planner Whetstone handed out three letters of public input she received after the Staff report was prepared. She also handed out a memo from the City Engineer.

Planner Whetstone reviewed the request for a conditional use permit for 34 residential units on Lot 1 of an amendment to the Plat to a re-subdivision of Lots 1 and 2 of the Silver Lake Village No. 1 Subdivision. She noted that later in the meeting the Planning Commission would be reviewing a separate request to combine parcels F, G and H of the Deer Valley Master Plan to one Parcel, Lot I. The request would not result in a change of density of the parcels but it would transfer density from Lot D, which is where two units of the existing Goldener Hirsch would be taken out to accommodate a bridge, and that density would be moved to Lot I.

Planner Whetstone reported that all three items were noticed for public hearing and a continuation to October 26, 2016.

Chris Conabee, representing the applicant, introduced John Shirley, the project architect with THINK Architecture, and Paul Schlachter with Olsen Kundig in Seattle.

Mr. Conabee recalled that the applicant came before the Planning Commission eight months ago, and the object this evening was to provide a brief overview to update the Commissioners on the layout.

Mr. Conabee started his presentation with the scale and massing of the overall development in terms of what exists and what they were proposing. He identified the

surrounding properties in the existing Silver Lake, which included the current Goldener Hirsch, The Inn at Silver Lake, Mont Cervin, Stein Erickson Lodge, Lots F, G and H, and The Chateaux at Silver Lake.

Mr. Conabee stated that when they met with the Planning Commission the last time the applicant had conducted a number of public meetings. On November 8th, there were concerns about parking and questions were raised about grocery and other sundries. There was support for the beautification of Sterling Court. There were concerns about a building height of six floors, which was later reduced to five floors. There was support for a plaza concept. On December 2nd there was support for increase in bed count, support for retaining the existing Hirsch and not looking at any restructuring of that property, support for a plaza concept. There were access concerns from Mont Cervin that spoke to safety concerns regarding heights of vehicles under the bridge. Mr. Conabee stated that on multiple occasion they also gave presentations in both digital and in-person formats to the Chateaux, Stein Eriksen Lodge, Mont Cervin, the Black Bear Lodge, the Inn at Silver Lake, and Deer Valley Resort.

Mr. Conabee that since the last meeting, as they looked at the massing and what they wanted to bring to the area, they proposed new curb and gutter, a pedestrian sidewalk to extend along Sterling Court, and mature landscaping in the parking area. He noted that Goldener Hirsch had taken on the actual master landscape plan for the entire Village at the request of the Silver Lake Village Property Association. Mr. Conabee stated that the resulting project would have no visible parking, and they would handle the master sign plan for the entire Village. He noted that one concern raised by multiple property owners was that the current wayfinding is not adequate for the area. Other Sterling site improvements include paving, landscaping, plaza space, parking, adding wayfinding signage and removal of the current trash dumpster to a different area off of Royal Street.

Mr. Conabee stated that the goal was to create a public gathering space that would be accessible from all surrounding properties. They had also looked at multiple options for slowing the transition of day skiers down Marsac. Mr. Conabee remarked that another goal was to increase the use of off-season activity, and used what was accomplished at Silver Star as an example of having common area gathering spaces. He noted that it resonated well with both the Silver Lake Plaza Association and multiple owners. Mr. Conabee stated that since this is the last parcel in Silver Lake, they expect to hear a lot of opinions and input. However, there is also a lot of opportunity.

Mr. Conabee presented an Exhibit showing the existing plat with Lots F, G and H. Another Exhibit showed those existing lots, as well as the outline of what they were proposing in a building. He explained that in order to build between those lots they had

to acquire space from the Silver Lake Village Plaza Association. That area of land was transferred to them sometime between 2004 to 2008. He indicated the existing D lot and dash line showing the existing Goldener Hirsch to give an idea of some of the problems up in Silver Lake given its age. In addition, an easement for a sewer line has been corrected. Mr. Conabee pointed to the proposed bridge easement and the plats of land they need to be transferred to their ownership in order to accommodate construction of the hotel.

Mr. Conabee stated that since the last Planning Commission meeting the applicant received approved from the HOA based on the input of the Planning Commission. There was a vote scheduled on May 23rd for the transfer of the property and bridge easement. At that meeting applicant had provided exhibits regarding density, the transfer, the size, the height, exhibits of what the building would look like, view corridor exhibits, massing, and a traffic study to confirm safety for the road. Mr. Conabee stated that an email went out from Tim McFadden and Bill Nabany stating that they did not have enough time to review it and they wanted the vote postponed. Mr. Conabee stated that the applicant met with both gentlemen on May 29th. There was a subsequent Board call a day later at which time they provided a bridge study, a sidewalk plan, and traffic study, and the proposed existing property maps. Another meeting in person was held at Gary Crocker's office and alleviated two of the three members' concerns. Mr. Conabee noted that on June 3rd the Silver Lake Village Plaza Association unanimously voted for the transfer of the property and for the bridge easement. It was confirmed in the Minutes of the September 16th meeting. Most of the comments from that meeting were positive in terms of what could be done with the plaza.

Mr. Conabee stated that when he was taught to do development he was taught to coordinate and collaborate, and to let everyone know what you are doing and how you plan to do it. He believed the Planning Commission was looking at three issues that he could not resolve as a developer. The first issue was concern over safety of the road. He had gone to great lengths to have the City Engineer look at the safety of the road. Mr. Conabee noted that the last line from the City Engineer's memo says that from the Staff's perspective, Sterling Court should function adequately with the added density and should not be a safety concern. Mr. Conabee stated that a traffic engineer from Fehr and Peers was also present this evening.

Preston Stinger, Fehr and Peers, stated that his firm had done a traffic evaluation of Goldener Hirsch looking at the safety of the roadway, particularly Sterling Court. They looked at existing conditions, as well as the existing parking lot with multiple parking stalls facing the curb and the ingress and egress. Mr. Stinger remarked that every access point on a roadway introduces conflict points. With a T-intersection there are

nine different vehicular conflict points at each entry point. He pointed out that it did not include pedestrian conflicts. Mr. Stinger remarked that with proposed development, the proposal is to relocate those parking spaces into the parking garage and to have a consolidate single access point on to Sterling Court; which reduces the 70+ conflict points that exist today, into nine conflict points with a single access. There would be four conflicting areas for pedestrians, as opposed to the 30+ pedestrian conflict points under the current conditions. Mr. Stinger emphasized that what is being proposed would increase the safety of the roadway as it exist today. He noted that the roadway width is sufficient with National Standards and it exceeds Park City Standards. Mr. Stinger pointed out that the wider the street, the higher the speed, which is also a safety concern. Narrowing the street to 20' would reduce the speeds and increase the safety.

Mr. Stinger agreed with the memo from the City Engineer. There is capacity on the roadway to handle additional traffic and it is sufficient from the standpoint of safety.

Mr. Conabee presented a slide showing the existing parking condition that can swell in the summer and winter to 80 cars. He pointed Lot F, where the snow was piled between Goldener Hirsch and Mont Cervin. He noted that Lot F is a platted building and the capacity of Lot F as platted is 22 cars. Mr. Conabee stated that combining the lots would allow for two levels of parking, 111 stalls, six accessible stalls for ADA, and controlled valet parking. He noted that they have 38 units that require 76 stalls. The excess parking is for public parking and trailhead parking. Mr. Conabee applauded the Eccles family for trying to do the right thing on behalf of the Village. He pointed out that they have retail operations at Silver Lake and a Lodge. They have a need to help assist in parking and accessing those operations. The applicants want to be good neighbors and not take away the parking to build what they need for themselves. They also need to be mindful of what the Village is asking and what they need. Mr. Conabee believed they had struck a nice balance. When the owners are not in-house and there are special events at Deer Valley, they would have that ability to park people. During the peak season it is expected that parking will be limited and public transit is encouraged.

Mr. Conabee presented a slide showing the new sidewalk configuration going down Royal Street and Sterling Court where sidewalks currently do not exist. The goal is to take pedestrians from the upper level through the plaza, across the bridge and down, so they are not using the staircase and entering Sterling Court. The Silver Lake Plaza Association felt they could invigorate the plaza while keeping it safer than its current configuration.

Mr. Conabee stated that the next issue was bridge privacy. He commented on a concern from a neighbor, and to address those concerns the architect had prepared exhibits of what the bridge would look like from that neighbor's unit. Mr. Conabee

clarified that the view and the placement of the bridge was not acceptable to that owner, and they feel that people will be looking directly into their unit. He indicated their, which is on Level 2. Mr. Conabee asked the Planning Commission to help them balance between what the Village Plaza Association and other owners have deemed what they want versus what this individual owner deems as something that does not work for himself or his investment.

Mr. Conabee noted that from the front of the bridge to the front of the Inn at Silver Lake is 127. It is 100 feet from the corner of Mont Cervin. The nearby properties between the Inn and between Mont Cervin that are window to window are approximately 26 to 32 feet. Mr. Conabee presented an exhibit of the view corridors from Mont Cervin. He had highlighted the units that were in question. Mr. Conabee stated that conversations with the owners went from a discussion about view corridors to a discussion about safety. He pointed out that the corner of the building shown was the same corner of the platted building. It had not been moved at all. He referred to the setbacks and requested feedback from the Planning Commission. Mr. Conabee indicated the Unit in question and he pointed to a photograph showing that the window is setback from the corner. He noted that by the time people look past the corner. the angle of seeing the rest of the building is completely cut off. Where they encroach into the setback cannot be seen except from across the plaza from Goldener Hirsch.
Mr. Conabee provided an update on the utilities. At the last meeting they talked about a sewer line that bisected their property. They have received permission from Snyderville Basin to move that sewer line. Mr. Conabee thanked the City Staff, the City Engineer, the Water Department, the Fire Department, and the Snyderville Basin Water and Reclamation District because all of these utilities had to be coordinated. He also thanked the neighbors for their patience when they were impacted when the water was shut off. It took a tremendous amount of coordination, and Mr. Conabee thought it spoke to the high quality of the City Staff.

Spencer Eccles, the applicant, stated that he has been privileged to be part of Park City and Deer Valley financing and development for 45 years. He and his wife stayed at the Goldener Hirsch stayed at the Goldener Hirsch many times in Austria, and 25 years ago they had the opportunity to buy the Goldener Hirsch Deer Valley. He purchased the lot across the street not realizing that there were three lots. He always thought it would be the area he would expand on. Mr. Eccles stated that he had reached his 82nd birthday and it was time to “fish or cut bait”, which is why he was moving forward with the expansion. His family was the leader on this project and it is very important to his dream. Mr. Eccles was pleased to be able to present a project designed by a quality architect and team, and they have the approvals needed from outside parties. It is important to his family to expand the Goldener Hirsch and to make it more of an economic unit going forward in an increasingly competitive market. Mr. Eccles stated

that it was time to finish what he started out to do a long time ago. He wanted the Planning Commission to understand the background for their request, and he looked forward to doing something very special for the Silver Lake community. It will be quality and fit in nicely with all the other quality that is up there.

Chair Strachan opened the public hearing.

Tim Pack stated that he was representing Michael Stein, an owner in Mont Cervin. Mr. Pack believed that many of Mr. Stein's concerns had already been addressed. He remarked that Sterling Court is expected to handle traffic for the Inn at Silver Lake, Mont Cervin, the Silver Lake shop, and now for the proposed expansion of the Goldener Hirsch hotel. There are already four existing parking garages on this small street, and this this proposal would increase it to five parking garages. Mr. Pack understood that the parking garage would be private parking and with the increase in traffic, Sterling Court will have to bear all of the burden. He appreciated that the applicant tried to address all of the safety concerns. Safety is always a concern, but the primary concern is traffic and congestion. With the expansion of this hotel and the combination of the snow in the winter months, Mr. Pack believed it would be a very congested area. He noted that the Fehr and Peers report said that the snow would be removed to the south side of Royal Street. He requested clarification on exactly where that snow would go. Mr. Pack indicated that the Fehr and Peers report also said that post hotel construction, Sterling Court would function as a typical narrow two lane residential street. Mr. Pack did not believe that post construction, a typical two-lane street would be sufficient. The new hotel and all the buildings around it require more than the bare minimum two-lane residential street. On behalf of Mr. Stein, Mr. Pack recommended further investigation on the effects that the development would have on vehicular traffic and pedestrian traffic. He thought developer was taking steps to do that, but additional study was warranted. Another recommendation was to investigate further and provide and explanation on the snow removal issue. They like the developer's plan to build the sidewalk along Sterling Court; however, it appears to only be on one side. Mr. Pack suggested a sidewalk on both sides to bear the burden of skiers and bikers year-round. He thought it would be prudent to maintain the existing setback requirements because of this issue. Mr. Pack recommended exploring whether the main entrance to the parking garage and the porte cochere could be moved from Sterling Court to Royal Street. Mr. Stein asked Mr. Pack to reiterate his appreciation of the developer's willingness to talk to the neighbors and seek their input. He also expressed appreciation to the owners for making the attempt to work with their neighbors.

Steve Issowitz with Deer Valley Resort and the Silver Lake Village Plaza Association, clarified that all of the members did receive the information for the first meeting that Mr. Conabee had mentioned. However, when the meeting was held, the President of the Inn at Silver Lake requested that they be given extra time so they could talk to owners within

the building that they had not been able to contact. Mr. Issowitz explained that for purposes of transparency and decision making they decided to extend the vote for ten days. The second meeting was held on June 3rd and the Board voted unanimously to move this ahead. Mr. Issowitz wanted everyone to understand how the neighborhood voted. He stated that when this came before the Planning Commission in February they discussed the resort support of the project, as well as what terrific neighbors the Eccles have been over the years allowing them to use their parking lot for parking lot for skier parking, conference and retail parking in the neighborhood, and for snow storage. Mr. Issowitz stated that the project has always been part of the Master Plan. Whether it was three buildings or one building, at this point in time and with the history, he believed one project with the efficiencies of garage and less ingress and egress out of three garages as opposed to one. He recalled from the last meeting that having everything come off of Sterling Court was preferred, instead of from Royal Street and the City of right-of-way. Mr. Issowitz clarified that he was representing the Silver Lake Plaza Association this evening and not Deer Valley. He noted that there are 71 residential condo owners and 29 commercial unit owners. Everyone in the area who may be affected by view of the potential project were also notified. Mr. Issowitz stated that from the entire group they only heard from the two people at the Inn at Silver Lake and from two others second-hand. He felt the traffic and safety concern had been addressed by their traffic study and by the City Engineer. He believed it created a much safer circumstance for ingress/egress, as well as pedestrians related to the bridge and the easement that the Village voted to up in. Currently everyone crosses wherever they want and getting people onto sidewalks and/or a pedestrian bridge would be a huge improvement to the area. Mr. Issowitz commented on the view issue. In a village setting everyone is affected by views because the buildings are close each other. He encouraged the Planning Commission to vote on combining the lots to permit the applicant to move forward on a CUP for the actual building. Design issues or volumetric issues will come through with the CUP. He hoped they could move forward on the lot combination.

Commissioner Joyce asked if Deer Valley had any plans to make any changes to the other parking structures or how they would adapt to the lost parking spaces.

Mr. Issowitz stated that during the summer they would have to give their guests good reason to park at Snow Park. They were talking about adding Apre ski and Apre bike options to incentivize people to park down below. The City bus system is quite robust in getting people from town to the Village area. He pointed out that there was no magical answer to create more parking. They continually talk about how to incentivize people to start from the base.

Commissioner Suesser asked if City buses currently run from Snow Park to Silver Lake, or whether they run from town. Mr. Issowitz replied that they run from the transit center to Silver Lake. Currently they do not run from Snow Park.

Russ Olsen with Stein Eriksen Lodge stated that they notified their Board and ownership about this project and their concerns were initially about height and the impact it would have on the ownership group at Stein Eriksen. Mr. Olsen stated that the more they looked at it they came to the realization that this project has been anticipated for many years and they are happy to see it finished. Mr. Olsen believed it was nice addition to the neighborhood, and while the owners will be impacted, it will finish the Village and add a more luxurious appearance from the overall finished product. Mr. Olsen clarified that the Stein Eriksen ownership supports the project and have worked closely with the Eccles and their team to ensure that any issues or concerns are mitigated. With respect to parking, Mr. Olsen stated that a plus for the Stein Eriksen management group is their association with the Chateau, which they manage across the street from the parking lot. Currently the Chateau has approximately 400 parking stalls that are highly utilized during some periods of the winter, but other times they are not. They contract with Deer Valley to provide them with overflow parking for their employees in the winter. In addition, some of the guest who will not be able to park in the parking lot will be able to park in the Chateau. Mr. Olsen noted that there will still be excess parking at the Chateau which could help alleviate some of the problems that will result from the loss of the parking lot.

Commissioner Suesser thought the Chateau was private parking and not open to the public. Mr. Olsen replied that it is open to the public and rented in the winter time. The cost is $20 during the peak season and $10 other times. It is currently being used as public parking and he believed it was anticipated to be used for overflow public parking.

Dave Novak, the property manager at Mont Cervin Condos for 22 years, stated that most people do not realize the history of the Silver Lake Village. It has gone through a lot of up and downs, and at one point in time Mr. Eccles was going to build 22 hotel rooms and a swimming pool. Mr. Novak thought it was important for everyone to understand the history and how the Village has been trying to thrive, but it has been an uphill battle. He hoped this new acquisition with Eccles will rebolster and rekindle the retail environment they used to have up there. Mr. Novak understood this was a two-year project from April 2016 to April 2018. During that construction period a ski season will interfere with this project. He recalled that last year the Main Street construction was shut down during the Film Festival. He asked if it was possible for everyone concerned to shut down the construction of this project during the 2017-2018 ski season so they do not have to worry about safety. Mr. Novak stated that his Board had asked him to raise that question.

Chair Strachan closed the public hearing.

Assistant City Attorney stated that the Planning Commission could discuss the CUP and the plat amendment. The Amendment of the Deer Valley MPD would be contingent upon that discussion. However, as Chair Strachan mentioned earlier, he would be recusing himself from the Deer Valley MPD, and for that reason it could be a separate discussion. She pointed out that Deer Valley was not the applicant for the CUP and plat amendment.

Commissioner Campbell stated that this was as great example of how these projects can come together when people work together. He commended the applicants for reaching out to the neighbors and for addressing many of the objections that were expressed at the last meeting. Commissioner Campbell stated that his concerns had been met because the neighbors' concerns had been met.

Commissioner Suesser stated that her biggest concern was the loss of parking that is so heavily utilized all year long. Even though it has been a gift for many years, it will be a great loss for a lot of people. She requested that the applicant continue to look for options for additional parking. Commissioner Suesser liked the idea of the sidewalk. She did not understand whether or not the Sterling Court end would be the gathering space that was mentioned, but she liked that idea. She was unsure whether diverting people over the bridge if that is supposed to be a gathering area. Commissioner Suesser wanted to know whether the delivery trucks that service the hotel would also use Sterling Court or whether they would be able to access of Royal Street.

Commissioner Suesser referred to a comment about the setbacks and how that might affect the view corridors. She was still unclear on how the setbacks were being addressed.

Mr. Conabee stated that the parking requirement is 76 stalls. They will have 68 lockouts and they are building 117 stalls. Those extra stalls will be public parking. Mr. Conabee thought it was important to understand that they were trying to create vitality. This is the last chance to do something special at Silver Lake and the goal is not to have cars. They want people coming to Silver Lake to eat and to shop. The Silver Lake Plaza Association is actively talking about ways to invigorate that area. The shops that used to exist are slowly disappearing because there is no way to get up there and utilize those shops. One project cannot solve that. It needs to be a group effort and they are having active discussions about non-vehicular options.

On the issue of delivery, Mr. Conabee explained how the access for delivery trucks would be split between Sterling Court and Royal Street. There is access into the back of the hotel off of Royal Street to the right. He stated that they were trying to divide it up as much as possible to pull some of the burden off of Sterling Court.

Mr. Conabee addressed the question about gathering spaces. Mr. Schlachter stated that they had a long conversation for many months and the original concept was to put a lid on the end of Sterling Court to create a community village space. However, that was fraught with structural, access and fire issues. They left that zone as it is down below on the street, and instead tried to focus that effort on the second level. When people come off the mountain they are already on the second floor, so they tried to maintain that and draw people into the area to the south of the existing Hirsch, and then connecting to the bridge. Mr. Schlachter remarked that the bridge is an exciting opportunity to create lively outdoor space in the winter. It is their hope of connecting the existing Hirsch on the east side to the new Hirsch on the west, and the bridge would be used as the Village concept.

Mr. Conabee thought they had done a great job to have a wayfinding experience for a guest leaving Deer Valley to slow them down and engage the Village a little more, and bring the neighbors in the Village around a piece of property.

Mr. Conabee responded to the setback question. He stated that the biggest issue is that the platted building that on Lot F sits on the same property line at the 15 foot setbacks. When they go down Royal Street the 15-foot setback follows the street but the building does not. He indicated where the building comes into the setback and pushes over. He presented a 3-D model rendering that was done on-site. The measurements and dimension were done with a 3-D survey and dropped into the model. He pointed out what Mr. Stein would see out of his window. Mr. Conabee noted that if they moved the building back five feet, Mr. Stein would just see more rooftop.

Planner Whetstone asked Mr. Conabee to explain the setback variations being requested. She noted that currently the plat is 15-feet. John Shirley, the project architect, stated that they were trying to get to a 12-foot setback. On the street level they maintain a 20-foot setback as the lower level steps back and opens up more space for pedestrian access, and other elements. One level two the building overhangs the garage 5 feet, and on one corner encroaches to just over 12 feet.

Director Erickson stated that currently the City does not allow encroachment into the setback areas and setbacks are vertical planes on the property line. He thought it was important to see an exhibit of all the encroachments proposed. Mr. Conabee stated that they would provide that information with the CUP. Commissioner Joyce indicated areas where there were discrepancies between 10‘and 12’ and requested that it be consistent when it comes back.

Mr. Conabee pointed out that the setback issues would not affect the plat if they choose to move forward this evening.

Commissioner Thimm asked Mr. Conabee to show on the overall site plan where there is a 10' or 12' setback and the extent of it. Mr. Conabee indicated the area where there was a conflict. Mr. Shirley stated that currently the setbacks were laid out based on the MPD. Both the plat and the MPD call for a 15' setback along the south end of the property adjacent to the Mont Cervin. On the west side of the property adjacent to the Stein Eriksen Lodge is a 12' setback line. Along Royal Street there is a 20' setback requirement because there is not a garage door on the face. He pointed out that if the main entry was on Royal Street it would be 25'. Mr. Shirley stated that they were currently holding the building back to the 25' for other reasons. Along Sterling Court there is a 10, 12 and 15' line as they try to figure out what they have to apply for. On the street level everything is behind the 15' setback line. The second story, along with the bridge area and the area between the staircase and Mont Cervin, that area extends out five feet. Everything fits within a 12' setback in that area.

Commissioner Thimm stated that when they come back it will be important for the Commissioners to understand why the encroachment is so important to the design. What needed to be addressed from the Code standpoint would be helpful as well.

Commissioner Joyce liked the idea of combining the three lots. He referred to an exhibit Mr. Conabee presented earlier and thought it looked like lots and building footprints were defined. He pointed out that the applicant not only combined the lots, but they basically eradicated the footprint limits and went all the way out to the easements. He had concerns about a tunnel effect along Sterling Court and that they were making an open mouthed canyon into a closed mouth canyon. He also had concerns with the view shed for the units at the end of the court. Commissioner Joyce believed they had pushed the setbacks quite far compared to a typical combined plat amendment and he was not comfortable with how the footprint disappeared from what was originally part of the MPD and the plats. Commissioner Joyce pointed out that there would be serious discussions about snow removal and he had many questions.

Commissioner Joyce commented on the loss of parking and the potential for a shuttle service, especially for employees. He noted that there was no mention of employee parking. He wanted to understand the plan for employees and for shuttles. In his opinion, that would be a good cause value for allowing a lot combination. Commissioner Joyce would like those issues addressed when they came back, as well as what they plan to do to mitigate the traffic and parking issues for employees and residences. He liked what Stein has done to eliminate the need for their guests to have cars.

Commissioner Joyce noted that they only received the parking memo from the City Engineer this evening. He would spend more time reviewing it, but at some level he disagreed with the conclusion. He drove up there today and it is a little road. The City

Engineer described it as residential cul-de-sac, but he has never seen a 100-yard long cul-de-sac that has 200 people living at the end of it. Commissioner Joyce had concerns with snow issues and how the snow would be removed. Commissioner Joyce referred to language stating that "Goldener Hirsch will be vacating 18 spaces due to improvements in the existing garage". Mr. Conabee replied that it was not accurate. It was from a previous plan. He explained that they had a 5% commercial entitlement that they were not using. They have other added amenities and hallways that make it larger. Commissioner Joyce was comfortable if the answer was that the language was old and did not apply.

Planner Whetstone understood that there were 18 parking spaces for the 20 condominium units in the existing Goldener Hirsch. Mr. Conabee replied that this was correct, and those 18 spaces would remain in their current location as condominium platted space.

Commissioner Joyce referred to language on page 264, "City engineer recommends that truck traffic use Marsac". He recalled significant discussion on Empire Pass about truck safety and issues of ice and snow and coming down that road. Planner Whetstone believed that the City Engineer and the Chief Building recommend Marsac over Royal Street because there is the emergency lane for runaway trucks. She offered to confirm that with the City Engineer. Commissioner Joyce requested that the City Engineer attend the next meeting to answer questions.

Commissioner Joyce commented on the 31 lockouts and asked if a wholly owned unit could rent out two halves at the same time. Mr. Conabee answered yes. Commissioner Joyce had an issue with the LMC on this matter. Splitting lockouts creates major mitigation impacts on parking, traffic and other issues. He pointed out that the Code ignores lockouts and he thought that needed to be fixed.

Commissioner Joyce noted that a space was labeled the lounge near the pool. Mr. Conabee believed it was the area before walking out onto the pool. There would be no services. Commissioner Joyce recalled a discussion about solar at the last meeting. Mr. Conabee stated that they applied for a solar grant and it was given. He would update the Planning Commissioner at the next meeting.

Commissioner Joyce commented on the size of the meeting space and asked how they intend to use it. Mr. Conabee replied that it could be used for small conferences and wedding receptions, non-profit auction space, etc. Commissioner Joyce thought the meeting space and parking requirements are designed around the idea that people stay at a hotel for a conference. However, a number of hotels in the area do day-conferences where people drive up from Salt Lake and it affects the amount of parking. Commissioner Joyce thought they either needed to change the definitions or change the requirements for meeting space. Again, that was an LMC issue.

Commissioner Joyce stated that in looking at the bridge, plazas and the desire to drive vitality, but they have not added restaurant or bar space or other attractions to uplift the Silver Lake Village.

Mr. Conabee responded to the issues raised. In terms of combining the three lots and the tunnel effect, he noted that there is already a platted building on Lot F that is the same size, height, width and density of what is being proposed. The neighbor would not be blocked by anything more than what is potentially platted to block the view.

On the issue of snow storage, Mr. Conabee stated that no one wanted snow storage on the corner and preferred that it be moved to where it is allocated. He did not believe that Lots F, G and H should have to shoulder the burden for everything in the Silver Lake Village just because historically they did at the benefit of the owners. They were working with the City Staff and the Village to determine locations between their building and Steins for snow storage.

Mr. Conabee agreed that a lot of work still needed to be done with setbacks to present something that would be acceptable.

Mr. Conabee agreed with Commissioner Joyce's comments regarding the shuttle and they will come back with a plan.

In terms of road safety, Mr. Conabee noted that two experts and a traffic study have said the road is safe. He relied on their expertise and beyond that he had no other way to address that concern. Mr. Conabee suggested that Commissioner Joyce may have been on the wrong road when he drove up today because that road has been closed for the last two weeks for utility improvements. He might have been on the access road which is much smaller and would be a concern.

Regarding the construction schedule, Mr. Conabee explained that the utilities are being moved now was so they could start digging in the Spring as soon as the resort closes. They have been working with Deer Valley and Stein Eriksen on coordinating dirt off load. The hope is to move that on Deer Valley. However, where they are building in the Silver Lake inlet is defined as clays, and clays are great for building a retention pond. Mr. Conabee offered to provide better information once they find a solution. He did not want to put that burden on the resort because they have the responsibility to mitigate.

Mr. Conabee commented on the lockout question. He explained that they planned for the 68 lockouts to have their own stalls. The parking plan handed out to the Planning Commission accounts for those stalls.

On the issue of solar, Mr. Conabee reiterated that they were awarded a grant from Rocky Mountain Power. Solar is tricky in terms of where to put it. It is reflective so it can be a positive benefit but have negative impacts. He would provide a rendering of what it might look like.

Regarding meeting space and hotel guests, Mr. Conabee stated that people do not want outside guests on the property. Public space is defined as public space, but meeting rooms and having 400 people during a peak season is not a good combination. Mr. Conabee did not believe that was any different from the other five-star hotels in town, where those rooms are used generally in the off-season at a discounted rate for non-profits, and events such as weddings in the summer. He offered to try to find a schedule from a comparable property for the next meeting.

Mr. Conabee agreed with Commissioner Joyce's feedback regarding the bridge. However, he indicated the location of a 3,000 square foot restaurant and bar that was underutilized. The goal is to open up the existing Hirsch and get some activity on the plaza through food, music and activity to improve the vitality.

Commissioner Thimm noted that he had already given his comments regarding the setbacks. He echoed the concern about the footprints and the changes to the envelope definitions on Lots G and H. He wanted to understand why it was so important to make that type of change. With regard to traffic, he understood the reliance on the traffic study from Fehr and Peers and commentary from the City Engineer; however, that number of trips and the amount of activity was still a concern. Commissioner Thimm pointed out that they were talking about two ten-foot lanes, one, going each way, and he would like the City Engineer and the traffic consultant to look closely at what that means. Commissioner Thimm thought the continuity created for the pedestrians with the sidewalks was important and it was an excellent addition. In terms of vehicular and pedestrian conflicts, he thought the bridge could help reduce that conflict and he suggested bringing that into the analysis.

Commissioner Thimm stated that in looking at the buildings beyond the footprint, the Staff had recommended breaking down the volumetrics into three pieces. He could not see that in the plan presented and asked that it be more defined for the next meeting. Commissioner Thimm also wanted to see a materials board. With regard to the massing itself, he thought they had done a good job of looking at vertical massing strategies to break up the building face and to create scale. He thought it was important to also look at the ground floor human scale elements to create and evolve vitality. He liked the idea of using buildings to define street and sidewalks edges.

Commissioner Thimm commented on snow removal and echoed Commissioner Joyce's request for the applicant to come back with a real plan. He went a step further and suggested two plans, one for the winter months during construction and a second plan at full build out.

Mr. Conabee agreed with the comments regarding setbacks. He offered to look deeper into the traffic lanes as suggested by Commissioner Thimm. He agreed that the bridge would help with vehicular and pedestrian conflicts. Mr. Conabee commented on the volumetrics and noted that they were still struggling to get their entitlement on the site. They would try to present it in a better fashion at the next meeting. Mr. Conabee would provide a materials board for the next meeting. In terms of the human scale at the ground floor level, he agreed with Commission Thimm's comment about vitality. It is a combination of different elements and they were exploring the options. Mr. Conabee stated that they would coordinate with the Silver Lake Village Property Association on snow removal and come back with a proper plan.

Commissioner Phillips thought the other Commissioners had addressed most of his issues and concerns. He asked if the old footprints in the MPD were put in as guidance. Director Erickson replied that they were building pads surrounded by ski easements. He would need to review the plat to determine whether or not those were established boundary lines. Director Erickson explained that one reason the building pads in F, G, and H were set back in the northeast corner was to provide a view corridor into the Village core. He was unsure at this point whether the Goldener Hirsch project would affect that view corridor.

Director Erickson suggested that the Planning Commission ask the applicant to look at the shadow effects of the five-story building on the proposed pedestrian walkway on Sterling Court. He noted that Sterling Court was being oriented north/south, and the major building height is on the west side. He thought winter sun would have a significant effect on whether or not those spaces could be activated in accordance with the project proposal and the Owners Associations.

Director Erickson requested that the Planning Commission provide more specificity on what they want from the traffic engineer and the City Engineer. He noted that the City Engineer provided daily trips at peak, but he did not break it down by peak hour. Director Erickson pointed out that 1700 trips per day in a 24-hour period was different than 1700 trips per day plus interference from service vehicles in a two-hour arrival and departure period.

Commissioner Phillips assumed there would be proper signage for the public parking stalls. He commended applicant for a great job reaching out to the neighbors and the

resort, and for working with the Planning Staff. He thought this project was heading in the right direction.

Commissioner Phillips stated that in the future he would also be looking at the circulation corridors and the amount of window, glass and light would be flooding through there. It was important to avoid the appearance of a glowing tower.

Mr. Conabee offered to look at the pedestrian scale and the shadow effects on Sterling Court, along with a solar study, and the circulation corridors.

Chair Strachan asked if Mr. Conabee had responded to Commissioner Joyce's comment regarding employee parking. Mr. Conabee stated that he did not have an answer this evening. He would meet with management and the ownership and come back with an answer. He explained that historically Deer Valley controlled that exterior land. Deer Valley would transfer the land and they could build what they wanted. Since the last meeting they have taken steps to acquire that ground through the actual Village Plaza Association and all its members. Mr. Conabee stated that they have looked at number of Staff, number of cars, and bussing. Currently, approximately 11 cars service the hotel. With more rooms in the hotel they will be able to look at it with more sincerity and provide an answer.

Chair Strachan had nothing more to add and he echoed the other Commissioners. He emphasized that employee parking will be a primary issue because employees are the most frequent violators of a public parking plan. In terms of vitality of the bridge and pedestrian space, Chair Strachan suggested that they program the restaurant and bar differently. They should show what they plan to do with it because he was not seeing where the verve would be. The restaurant and bar are in a beautiful spot but it needs to be known to the public.

Chair Strachan stated that many of his concerns were put to rest because the neighbors agree. It is a village concept and everything is close together. However, he would be looking for an explanation to Commissioner Joyce's question on why the east corner of the building is positioned near Lots H and G, because he shares those concerns.

Commissioner Joyce stated that later in the evening the Planning Commission would have a work session to talk about night sky/dark sky issues. Compared to the surrounding buildings this project has a lot of glass floor to ceiling on every floor. Besides exterior lighting, all the interior lights in the building shine outside. It was something the applicant and the Planning Commission needed to think about for the next meeting.

Commissioner Campbell stated that as they combine the three lots into one, as the lots get filled in he did not believe they would be blocking any views. He asked Mr. Conabee to come back with something to support that so people do not think that the Planning Commission was giving them the ability to block views. Mr. Conabee offered to provide a view corridor study. He thought the history would show that the lop off was more practical because there is only a sewer line with a 20-feet sewer easement on either side. Commissioner Campbell thought it was mislabeled as a view corridor because it not really a view for anyone to anywhere. He asked Mr. Conabee to come back with a model to show that.

MOTION: Commissioner Joyce moved to CONTINUE 7520-7570 Royal Street East Amendment to the Re-subdivision of Lots 1 and 2, Silver Lake Village No. 1 Subdivision, Lot F, G and H into one lot, to October 26, 2016. Commissioner Suesser seconded the motion.

VOTE: The motion passed unanimously.

MOTION: Commissioner Joyce moved to CONTINUE 7520-7570 Royal Street East Conditional Use Permit for 34 residential units on Lot 1 of the Amendment to the Re-Subdivision of Lots 1 and 2, Silver Lake Village No 1 Subdivision, to October 26, 2016. Commissioner Phillips seconded the motion.

VOTE: The motion passed unanimously.

7. 7520-7570 Royal Street East – Deer Valley MPD 12th Amendment to combine Lots F, G and H of the Silver Lake Community, into one development parcel and to transfer 843 square feet of residential density from Silver Lake Village Lot D to proposed Lot 1. No changes to the approve density assigned to these parcels are proposed. (Application PL-16-03155)

Chair Strachan recused himself and left the room. Vice-Chair Joyce assumed the Chair.

Vice Chair Joyce stated that this application was restrained because the Planning Commission Continued the plat amendment on the prior item. This item was noticed for a continuance as well.

Steve Issowitz, representing Deer Valley, explained that the reason for the amendment would be to clarify a lot combination. Instead of showing an exhibit with density on

three lines, it would show the density on one line. This amendment would keep the record clean. In addition, square footage from Lot D would be transferred to Lot I.

Vice-Chair Joyce opened the public hearing.

There were no comments.

Vice-Chair Joyce closed the public hearing.

MOTION: Commissioner Phillips moved to CONTINUE the 12th Amended Deer Valley Master Planned Development Amendment to October 26th, 2016. Commissioner Thimm seconded the motion.

VOTE: The motion passed unanimously.

The Planning Commission adjourned the regular meeting and moved into work session to discuss potential LMC Amendments regarding lighting. That discussion can be found in the Work Session Minutes dated September 28, 2016.

The Park City Planning Commission Meeting adjourned at 9:55 p.m.

Approved by Planning Commission: _____

November 3, 2016

Kirsten Whetstone
Senior Planner
445 Marsac Avenue
Park City Municipal Corporation
Park City, UT 84060

Kirsten,

Thanks for your time this week. Earlier this week you received a letter from Steve Issowits illustrating the use of allowable Resort Support Commercial from Lots F,G and H to correct the existing imbalance between the platted commercial for Lot D and that which has been recorded in the current Deer Valley Master Plan.

Although no one is able to find the reasons for Park City to have allowed an increase in commercial square footage on Lot D, we are happy to use a portion of our unused support commercial entitlement to remedy this discrepancy.

From our previous meeting we know that the Planning Commission has requested information on the following;

1. **Loss of public parking,**
   400 stalls exist in the neighboring Chateaux. The current non conforming use parking lot has a maximum capacity of 68 cars with an attendant staffed by Deer Valley in Winter. Access is uncontrolled. At full capacity with a car for every unit in the current entitlement, the project would have an extra 34 public parking stalls available. More than half of all guests do not arrive by rental car. Therfore, we would assume under most conditions that 72 stalls would be available for public parking. We are not estimating any loss of public parking.

2. **Service and delivery locations,**
   Back of house deliveries to the new Hirsch occur off of Royal Street. The delivery entrance is held to the rear side of the building out of view of all neighbors including Stein Ericksen Lodge. Current restaurant deliveries reduced with expansion of existing storage.
   Porte-Cochere entrance allows vehicles to park off of Sterling Court with controlled vehicle movement through use of Valet.

3. **Building setbacks along Sterling Court and at the Royal Street/Sterling Court**
   Proposed Project has setbacks greater then that of neighboring properties and compliant with current code.

4. **Impacts on view corridors**
   Due to the Village nature of the surrounding buildings and historic use the project is compliant with the Deer Valley Design Guidelines and utilizes less ground than the existing building pads.

Great detail has gone into the protection of the primary view which is Sterling Court .and the pedestrian massing and way finding along that street.

5. Snow removal,

The proposed project reduces the amount of snow removal by 67%. The project also allows for 2,200 square feet of additional snow removal for the use of Silver Lake Village hidden from view.

6. Employee parking and provision of shuttle vans to reduce need for individual vehicles, construction truck routes (Marsac vs. Royal Street),

We will have a need for 6 full time spaces for staff. All staff will be encouraged to ride mass transit. Evening staff will be allowed to park in the garage as the bus system does not operate until after shifts are complete.

Construction traffic will be utilizing bus transit from Richardson Flats. Okland has detailed experience in coordinating with PC transit on best practices. All necessary site vehicles will be contained on the site. City Engineering has requested that all delivery and offload trucks to use Marsac Avenue during business hours.

7. Intention of meeting space,

Meeting space is designed for hotel guest meetings.

8. Pedestrian circulation utilizing the bridge and sidewalks

Pedestrian circulation diagrams have been provided and will allow for separation of automobile pedestrian conflict. Current parking configuration has direct conflicts with uncontrolled parking and undefined exiting in addition to encouraging pedestrians to walk down a private street to access skiing.

9. Traffic analysis of impacts on Sterling Court

Licensed traffic engineers from Fehr & Peers in addition to the Park City Engineer have deemed the road to be safe by State and Federal Standards. Park City Planning Staff has also recognized that the sidewalk and parking improvements from the proposed project will greatly improve safety along Sterling Court.

10. Building volumetric and massing,

Building Massing has illustrated three separate buildings utilizing less space than the original building pads.

11. Shadow effects on the gathering area plaza, and

Amount of glass incorporated into the building design, as well as more details on the materials. A materials board was requested

Shadow effects show that shadows from proposed project will not touch any adjacent buildings and will provide sun on bridgeway and new plaza area during peak midday hours.

Volume of glass in design drawings have been dramatically reduced through each of the four stages of public meetings. The current proposed project meets the Deer Valley Design Guidelines.

Materials being used are Board Formed Concrete, Cedar Siding and Soffits, Asphalt Shingles, Black Painted Structural Steel, Aluminum Clad Windows. All materials are compliant with the Deer Valley Design Guidelines.

We will be bringing a visual presentation that answers all of the topics listed above and look forward to a positive recommendation for our MPD and CUP applications on November 9th. Thank you for all of your hard work to get us this far Kirsten. I know the docket is full for City Planning and have appreciated the diligence that has gone into the approvals of this infill project. We will be prepared with exhibits for any additional questions that should arise.

Respectfully Yours,

Christopher M. Conabee
Principal, Utah Development and Construction

cc: C. Hope Eccles, Manager, EccKids, LLC; Steven Issowits, SLVPA, Steven Issowits, Deer Valley

OKLAND
CONSTRUCTION

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Salt Lake City, UT 84115
Phone 801.486.0144
Fax 801.486.7570
Web www.okland.com

October 28, 2016

Park City Planning Commission

RE: Goldener Hirsch Projects

Okland Construction is excited to commence vertical construction activities this upcoming spring of 2017 for the Eccles family and their development team on the Goldener Hirsch projects. We have been engaged with them in the planning and implementation of our construction plan for the past 18 months. Okland has worked with this same development team on several recent projects and look forward to another successful project at this great location. As a General Contractor, we have come to really appreciate the approach of Chris Conabee and his team. We are 100% on board with that same approach! The past several weeks we have been working and coordinating with the Park City Water Department, the SB Sewer District and the Park City Building Department to work through a very complicated underground utility package. We have kept the HOA in constant communication and made sure their concerns were acknowledged and addressed. We have a very tight site at this location and we will continue with this same organized approach throughout the construction phase of the Goldener Hirsch Project.

We will be bussing the trades to and from the site each day at a specified location to be determined. I have attached a site plan that shows our construction perimeter and staging.

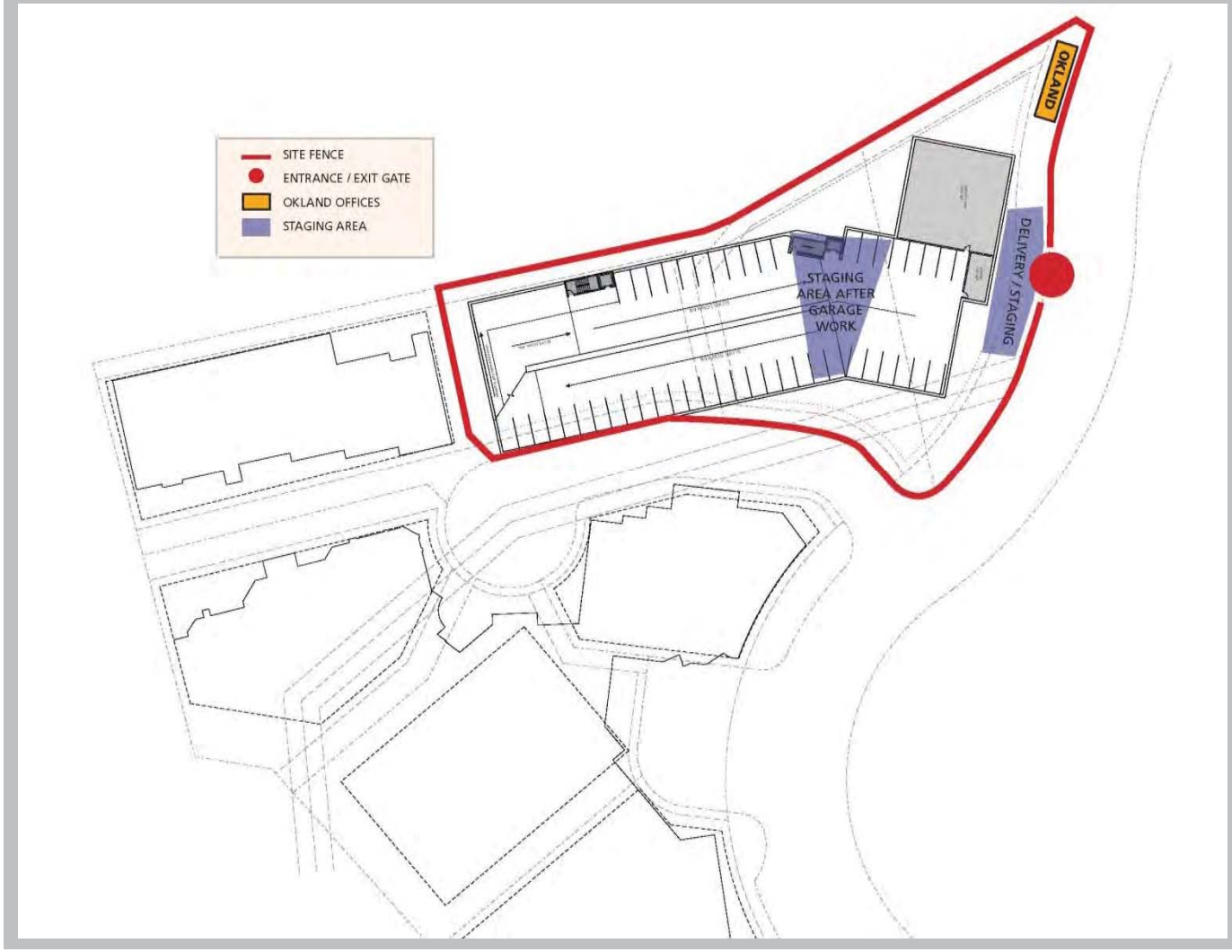
Okland Construction, as well as me personally have been building in Park City for many years. Of recent, I oversaw the construction of the MARC, the Park City Library and the Silver Star Resort. We have recently begun construction activities for the Christian Center of Park City as well. We understand the priorities and concerns that come with building in this community. I believe we have a solid reputation that we will continue to build upon.

As the Project Director for Okland Construction, I am committed to making sure all parties involved have a "Remarkable Experience." Please do not hesitate to contact me with any further questions or concerns regarding this project.

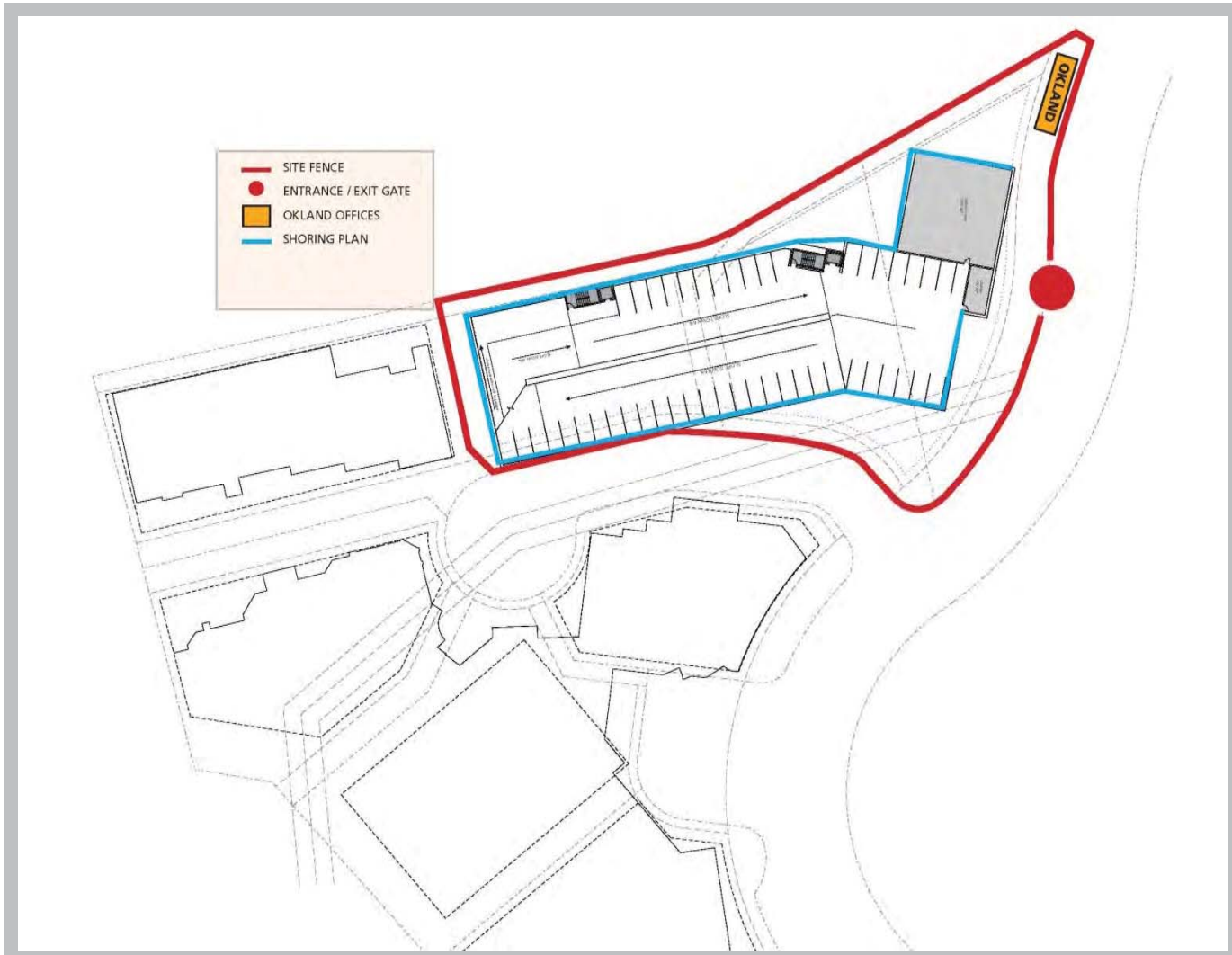
Sincerely,

Harmon Tobler
Project Director

November 9 applicant presentation



Site Approach



Site Approach

Planning Commission 2016.11.08

Parking Plan

- Public parking plan
- Employee parking plan
- Hotel Service/ shuttle

Snow Plan

- Existing Conditions
- Proposed Storage plan

Construction Mitigation Plan

Plat Plan

- Existing Conditions
- Proposed Setbacks plan

Commercial Square Footage

- No new commercial space proposed

Street Level Experience

- Pedestrian Improvements
- Sterling Court Activity
- Bridge Connection
- Ski Services

Ex N
11.30.16
Applicant's Presentation

Goldener Hirsch

Olson Kundig

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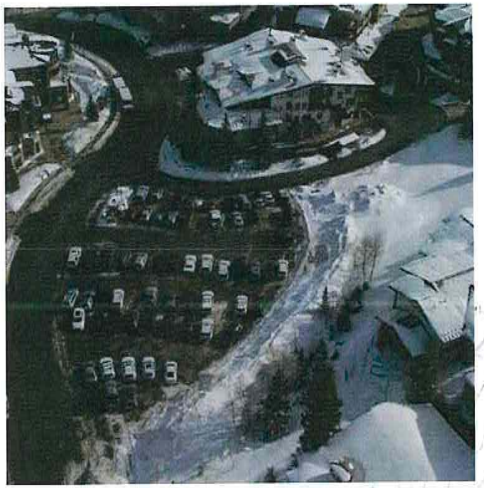
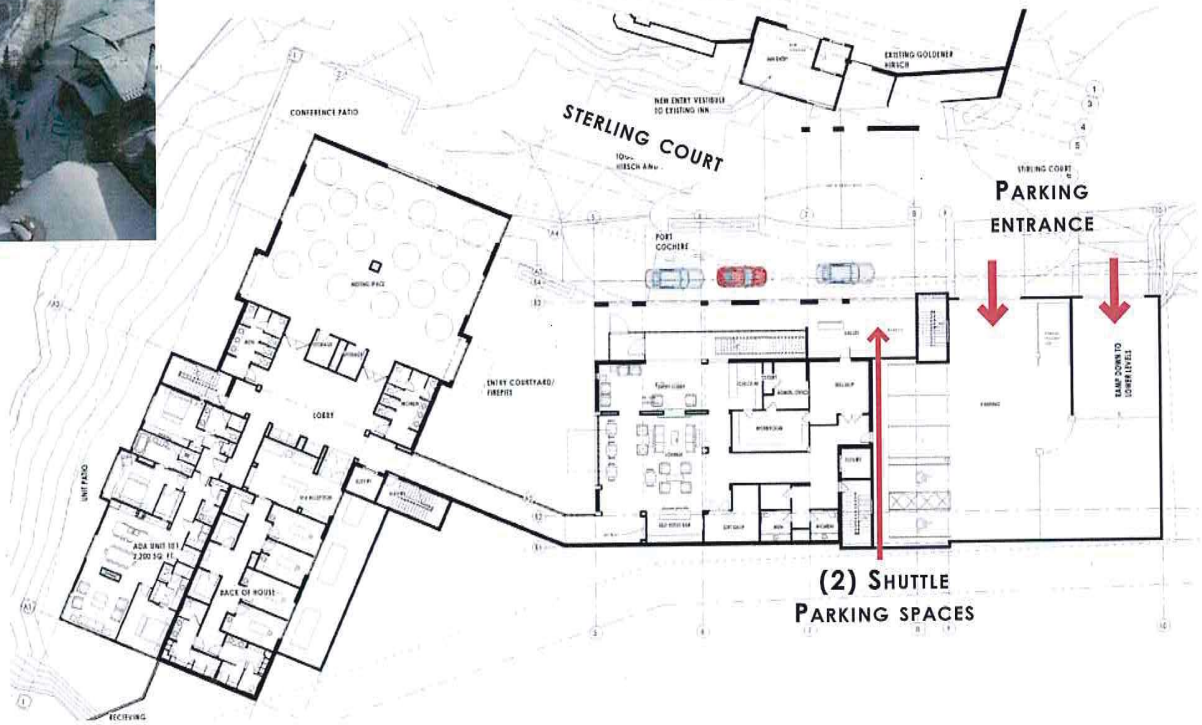


EXISTING CONDITION

68 SURFACE STALLS



STREET LEVEL PARKING ENTRANCE

Existing parking

- 68 SURFACE STALLS TO BE REMOVED
- 400 EXISTING STALLS IN NEIGHBORING CHATEUAX

Goldener Hirsch Parking plan

- 110 ENCLOSED PARKING STALLS
- 38 RESERVED STALLS TO BE MANAGED BY HOTEL.
- 38 FLEX STALLS STALLS TO BE USED BY HOTEL GUEST WHEN UNITS RENTED OUT.
- HOTEL MANAGED SHUTTLE SERVICE FOR GUEST TRIPS TO REDUCE TRAFFIC.
- MORE THAN HALF OF CURRENT GOLDENER HIRSCH GUEST USE HOTEL TRANSIT SHUTTLE OR PRIVATE SHUTTLE SERVICE
- GUEST PARKING MANAGED THROUGH VALET SERVICE, MANAGED PARKING STRUCTURE.
- 34 REMAINING STALLS FOR FLEXIBLE USE FOR PUBLIC PARKING AND OVERFLOW
- SHUTTLE PARKING OFF STREET NEAR PARKING ENTRANCE.

PARKING PLAN

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Olson Kundig

GOLDENER HIRSCH

DEER VALLEY, UTAH

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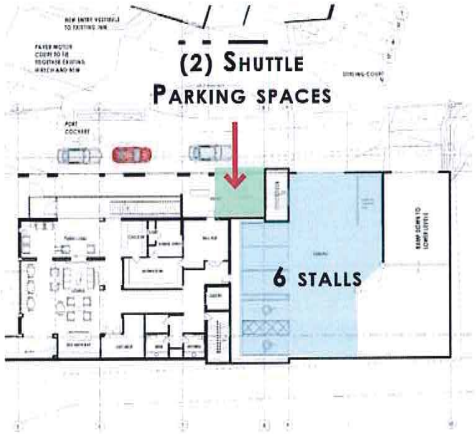
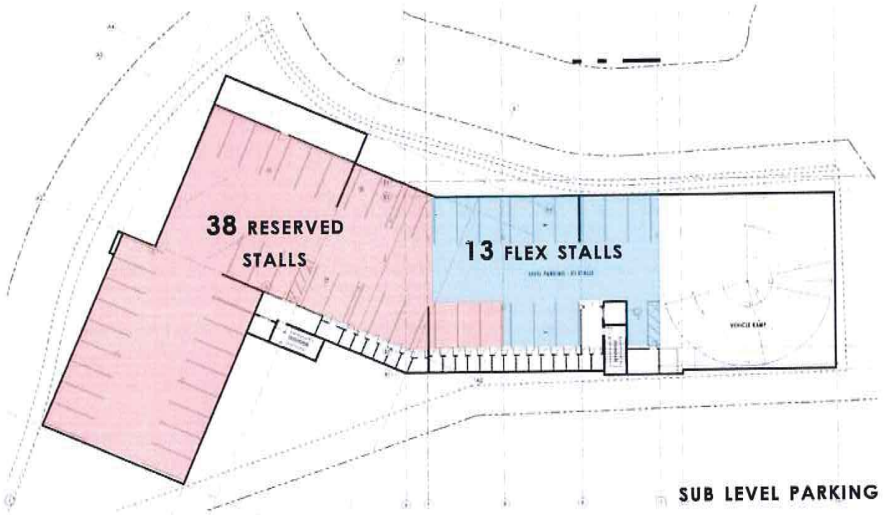
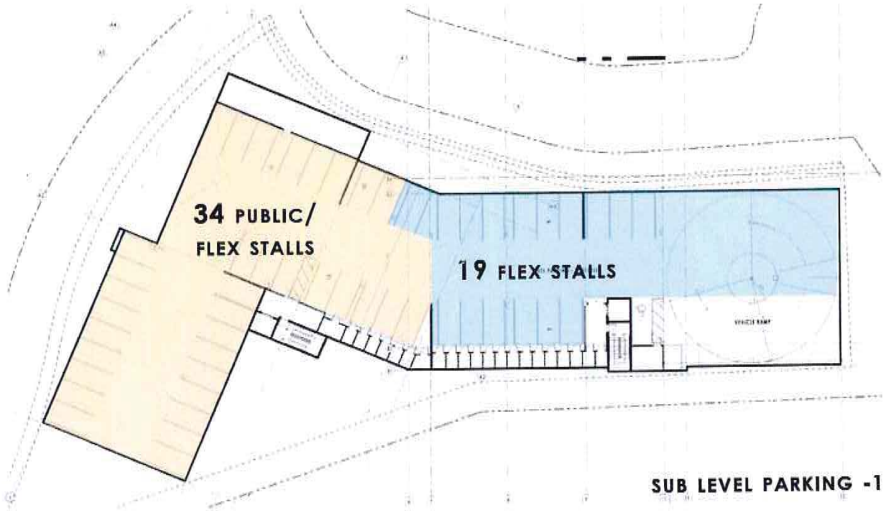


STREET LEVEL PARKING
VALET SHORT TERM



SUB LEVEL PARKING



SUB LEVEL PARKING -1

Public Parking Plan

38 OWNER RESERVED PARKING STALLS

USED BY HOTEL GUEST

38 FLEX STALLS FOR HOTEL GUEST/ LOCKOUTS

34 STALLS FOR PUBLIC/ EMPLOYEES

(2) SHUTTLE PARKING STALLS

Actual stall locations to be finalized with management plan,

PARKING PLAN

Think Architecture

Olson Kundig

GOLDENER HIRSCH

DEER VALLEY, UTAH

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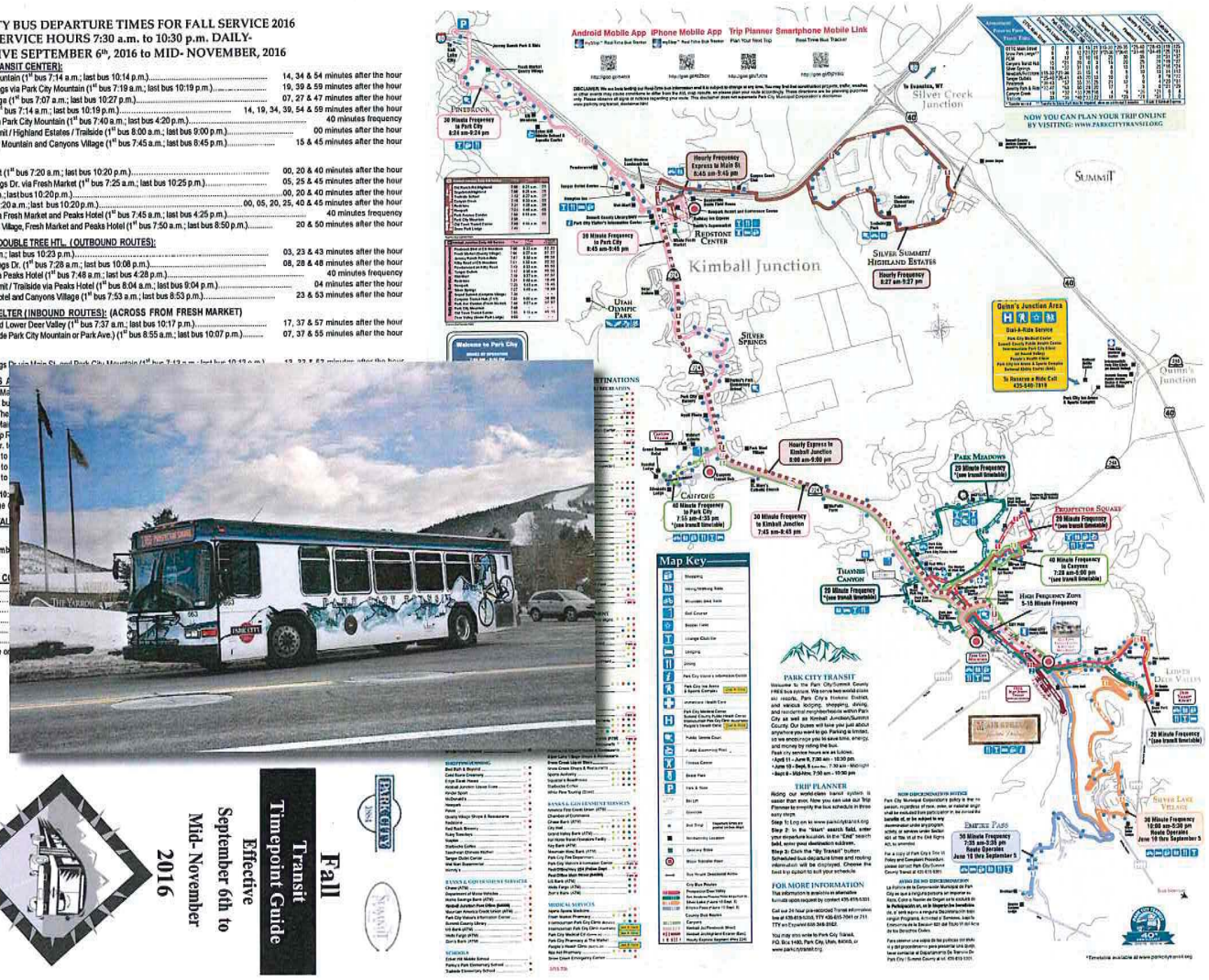

Employee Transit Plan

- Richardson Flat parking in bus lot for employees that work during business hours.
- Fees are paid baed on snow and trash removal recovery and coordination through Aldred Knotts, Transportation Planning Manager.
- Bus runs until 10:15.
- 15 minute intervals in winter
- 20 minute intervals in summer
- Flex parking to be used for off hour employees on site.
- Estimated 6 stalls for employees in off hours.

Parking Plan

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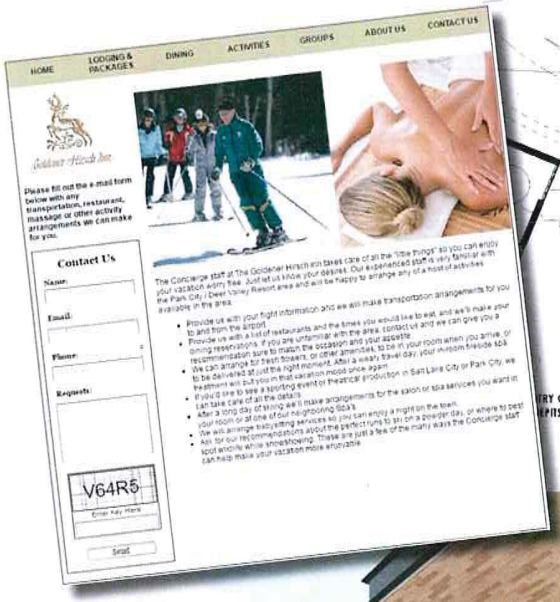
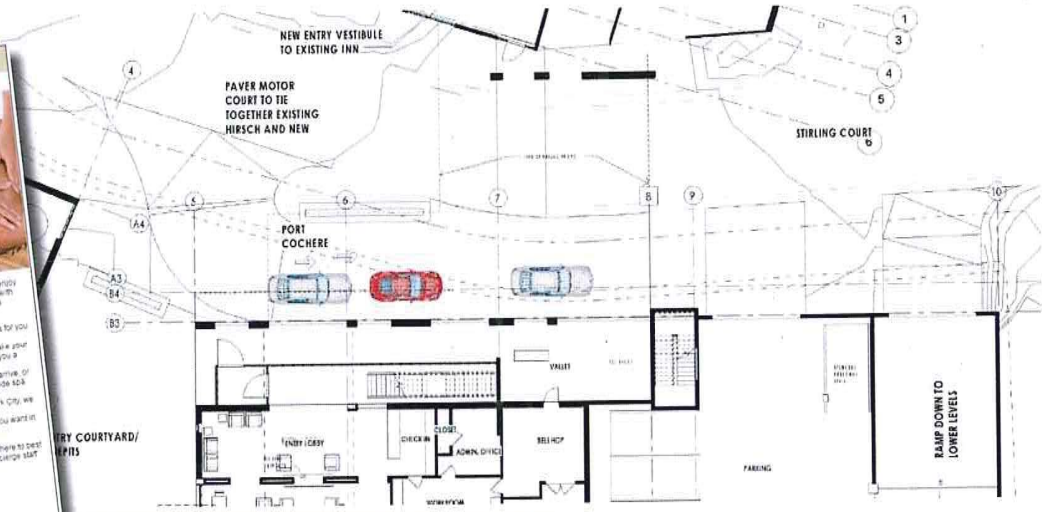
Goldener Hirsch

Deer Valley, Utah





Hotel Service/ Shuttle Analysis

- Current use of private van shuttle.
- Increase to an additional van.
- Half of all guest arrive using private or public transportation.
- Directed to cars through both reservations and website http: www.goldenerhirschinn.com/guest-services.html
- Majority of guest use pre-arranged services
- Increasing number of guest using ride programms such as Lift/ Uber or local shuttles.
- More than half of all guest use public transit and shuttle services after arrival.

Arrival/ Porte Cochere

Parking Plan

Olson Kundig

Goldener Hirsch

Deer Valley, Utah

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Existing snow removal

- Existing area of Aproximitly 27,000 sq. ft. of snow removal

Snow removal/ storage plan

Olson Kundig

Goldener Hirsch

Deer Valley, Utah

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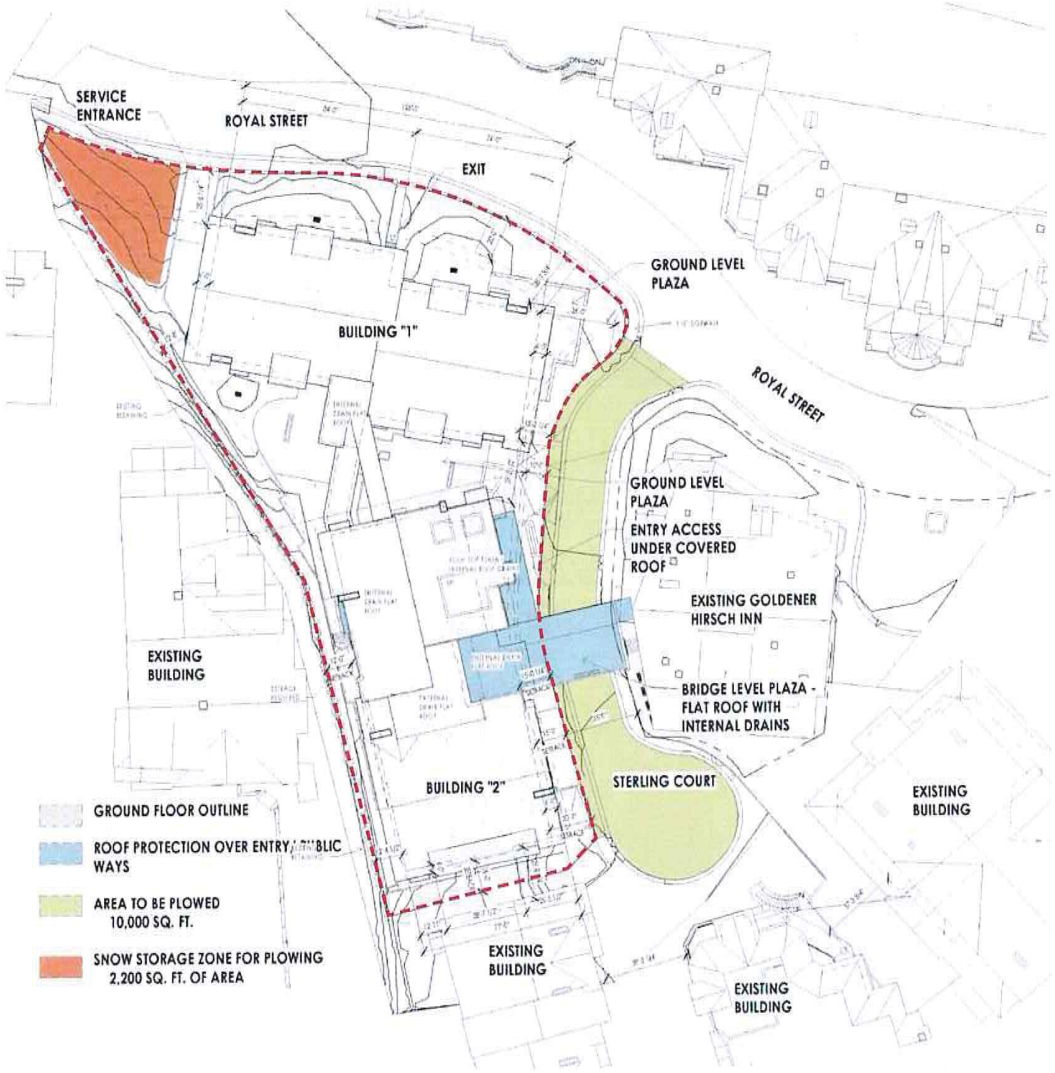
PLANNING DEPT.

11.08.2016



Onsite snow management

- FLAT ROOF PROTECTION OVER MAJOR PUBLIC ENTRY
- SNOW RETENTION AT ROOFS OVER HARDSCAPE AREAS
- COLDROOF CONSTRUCTION TO MAINTAIN SNOW ON ROOFS
- FLAT ROOF AREAS WITH INTERNAL DRAINS
- HEATED SLABS IN PLAZAS
- SNOW STORAGE AT NORTH WEST CORNER OF PROPERTY FOR BULK SNOW STORAGE.

Snow Removal

- REDUCTION OF 67% TO EXISTING AREA OF SNOW REMOVAL.
- 2,200 SQ. FT. PROVIDED FOR SNOW STORAGE FOR OFF-SITE SNOW REMOVAL.

SNOW REMOVAL/ STORAGE PLAN

Olson Kundig

GOLDENER HIRSCH

DEER VALLEY, UTAH

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OKLAND CONSTRUCTION
1978 South west Temple
Salt Lake City, UT 84115
Phone 801.486.0144
Fax 801.486.7570
Web www.okland.com

October 28, 2016

Park City Planning Commission

RE: Goldener Hirsch Projects

Okland Construction is excited to commence vertical construction activities this upcoming spring of 2017 for the Eccles family and their development team on the Goldener Hirsch projects. We have been engaged with them in the planning and implementation of our construction plan for the past 18 months. Okland has worked with this same development team on several recent projects and look forward to another successful project at this great location. As a General Contractor, we have come to really appreciate the approach of Chris Conabee and his team. We are 100% on board with that same approach! The past several weeks we have been working and coordinating with the Park City Water Department, the SB Sewer District and the Park City Building Department to work through a very complicated underground utility package. We have kept the HOA in constant communication and made sure their concerns were acknowledged and addressed. We have a very tight site at this location and we will continue with this same organized approach throughout the construction phase of the Goldener Hirsch Project.

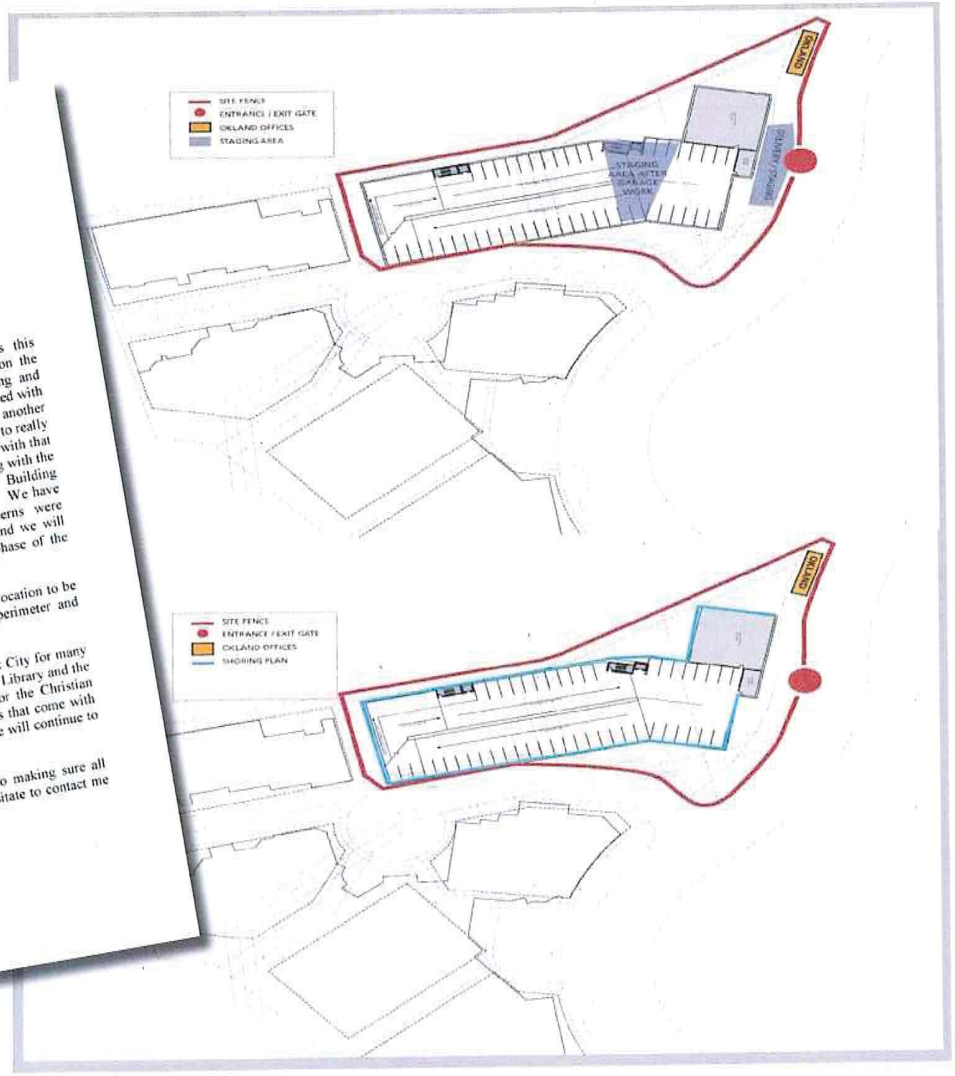
We will be bussing the trades to and from the site each day at a specified location to be determined. I have attached a site plan that shows our construction perimeter and staging.

Okland Construction, as well as me personally have been building in Park City for many years. Of recent, I oversaw the construction of the MARC, the Park City Library and the Silver Star Resort. We have recently begun construction activities for the Christian Center of Park City as well. We understand the priorities and concerns that come with building in this community. I believe we have a solid reputation that we will continue to build upon.

As the Project Director for Okland Construction, I am committed to making sure all parties involved have a "Remarkable Experience." Please do not hesitate to contact me with any further questions or concerns regarding this project.

Sincerely,

Harmon Tobler
Project Director



Traffic

- Construction Traffic down Marsac
- 10-20,000 cubic yards to fill in gap at bottom of Nabob
- Agreement to be signed with PC Transit department for Richardson Flats, Aldred Knotts, Transportation Manager
- Constrcution entrance off Royal Street
- fully fenced and screened construction site.

Construction Mitigation Plan

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Goldener Hirsch

Deer Valley, Utah

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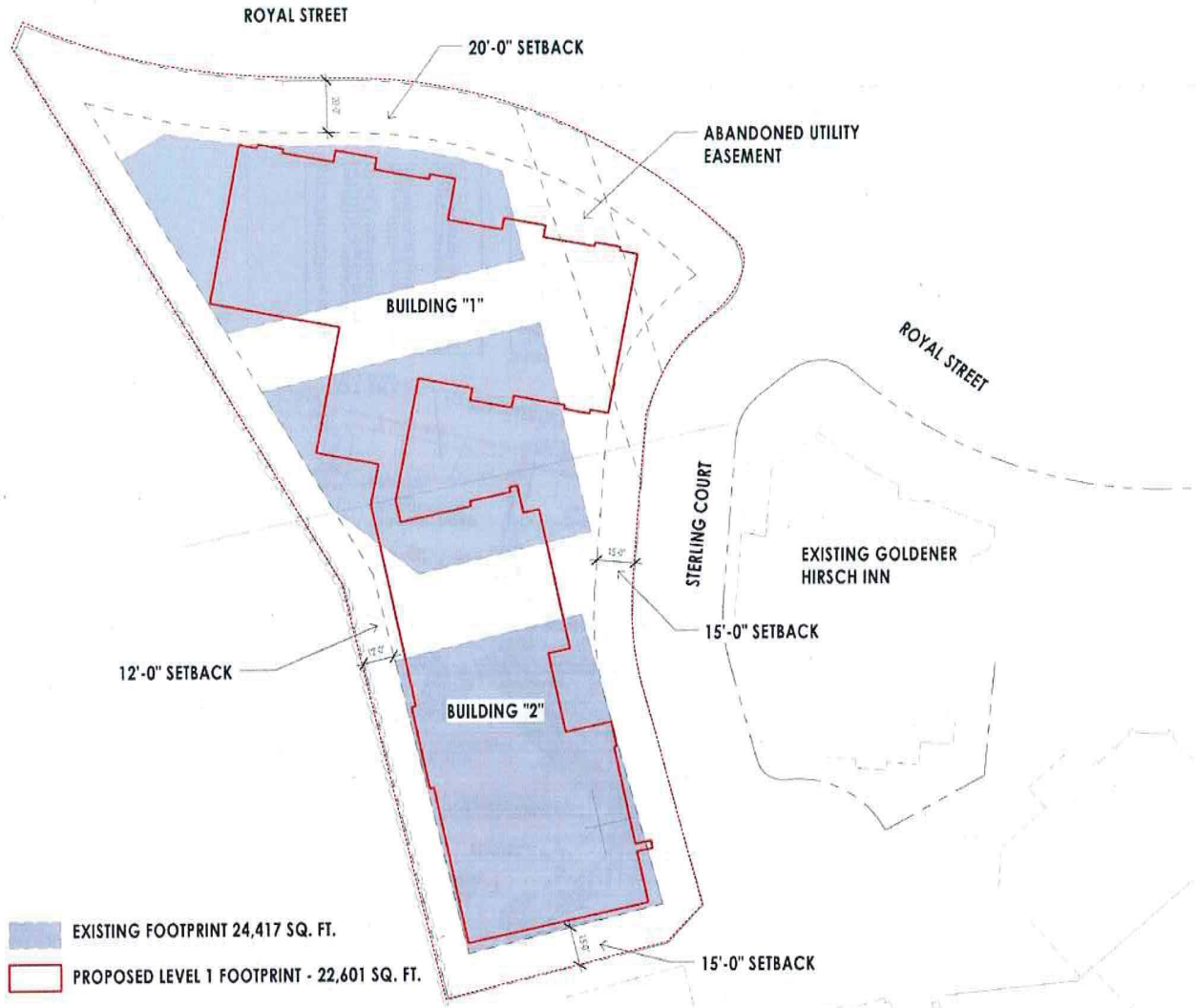

Proposed Setbacks

- Royal Street - 20'-0"
- Sterling Court - 15'-0"
- South/ Mont Cervin - 15'-0"
- West/ Stein Eriksen Lodge - 12'-0"

Plat Overlay

- Existing footprint - 24,417 sq. ft.
- Proposed ground level - 22,601 sq. ft.
- Allows for snow storage away from Sterling Court

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Plat overlay - ground level

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Goldener Hirsch

Deer Valley, Utah

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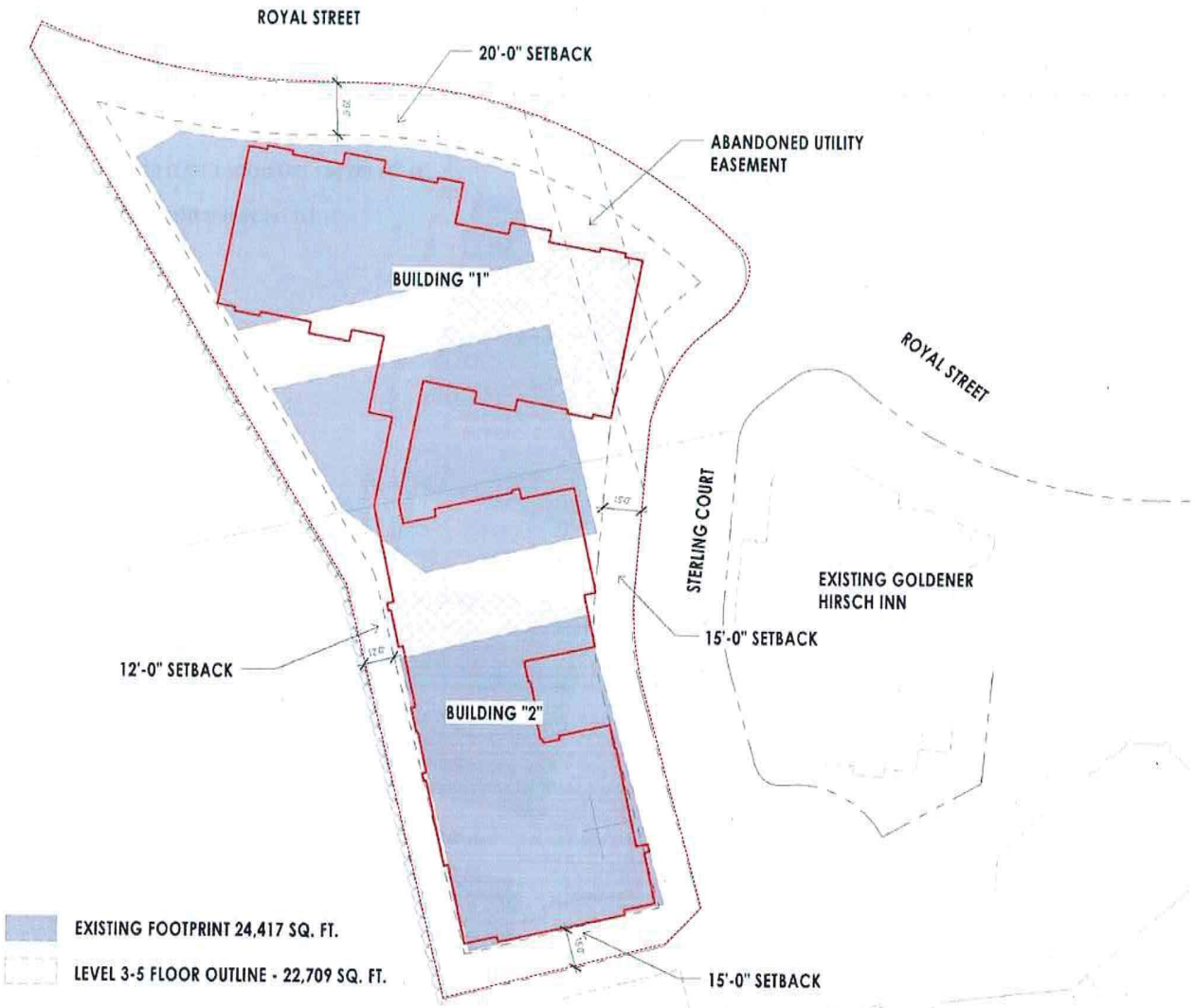

Plat Overlay

- EXISTING FOOTPRINT - 24,417 SQ. FT.
- PROPOSED LEVEL 3-5 22,709 SQ. FT.

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DEER VALLEY, UTAH

PLAT OVERLAY - UPPER LEVELS

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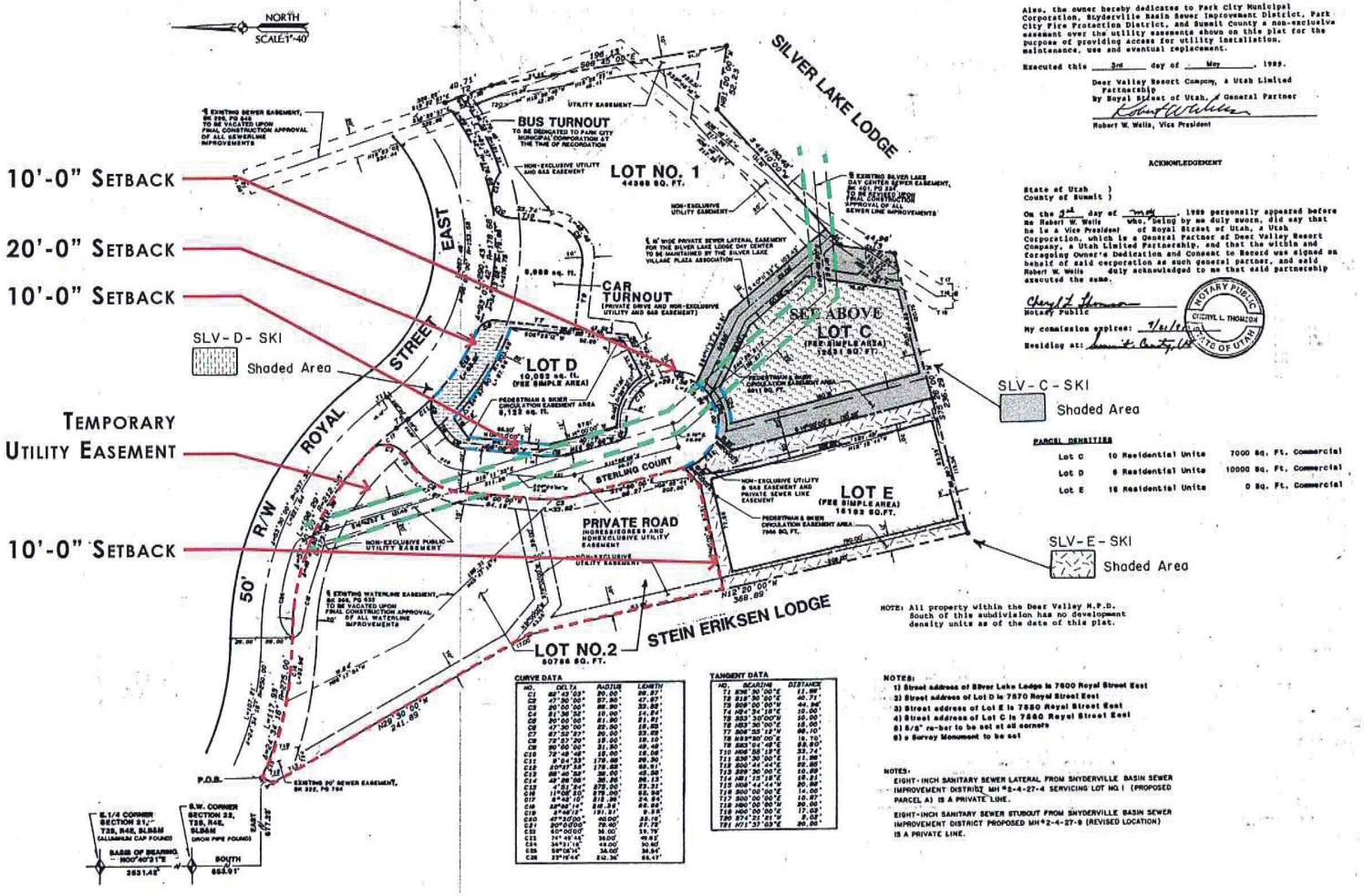
Utility Easement Adjusted for Lot C/ Inn at Silver Lake



1989 Plat

- Defines surrounding property and setbacks
- Future Lots F, G + H as 10' setback on all but Royal street
- Utility Easement adjustment for Lot C/ Inn at Silver Lake
- Utility easement remains across Lot G and H until future improvements

Neighboring Setbacks

- Lot C/ Inn at Silver Lake, Sterling Court setback - 10'-0"
- Lot D/ Goldener Hirsch, Sterling Court setback - 10'-0"
- Lot E/ Mont Cervin - 10'-0" side yard, 12'-0" rear yard,
- Lot E/ Mont Cervin front setback based on easement access

Royal Street Setbacks

- Lot D/ Goldener Hirsch, Royal street setback - 20'-0"

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Plat History

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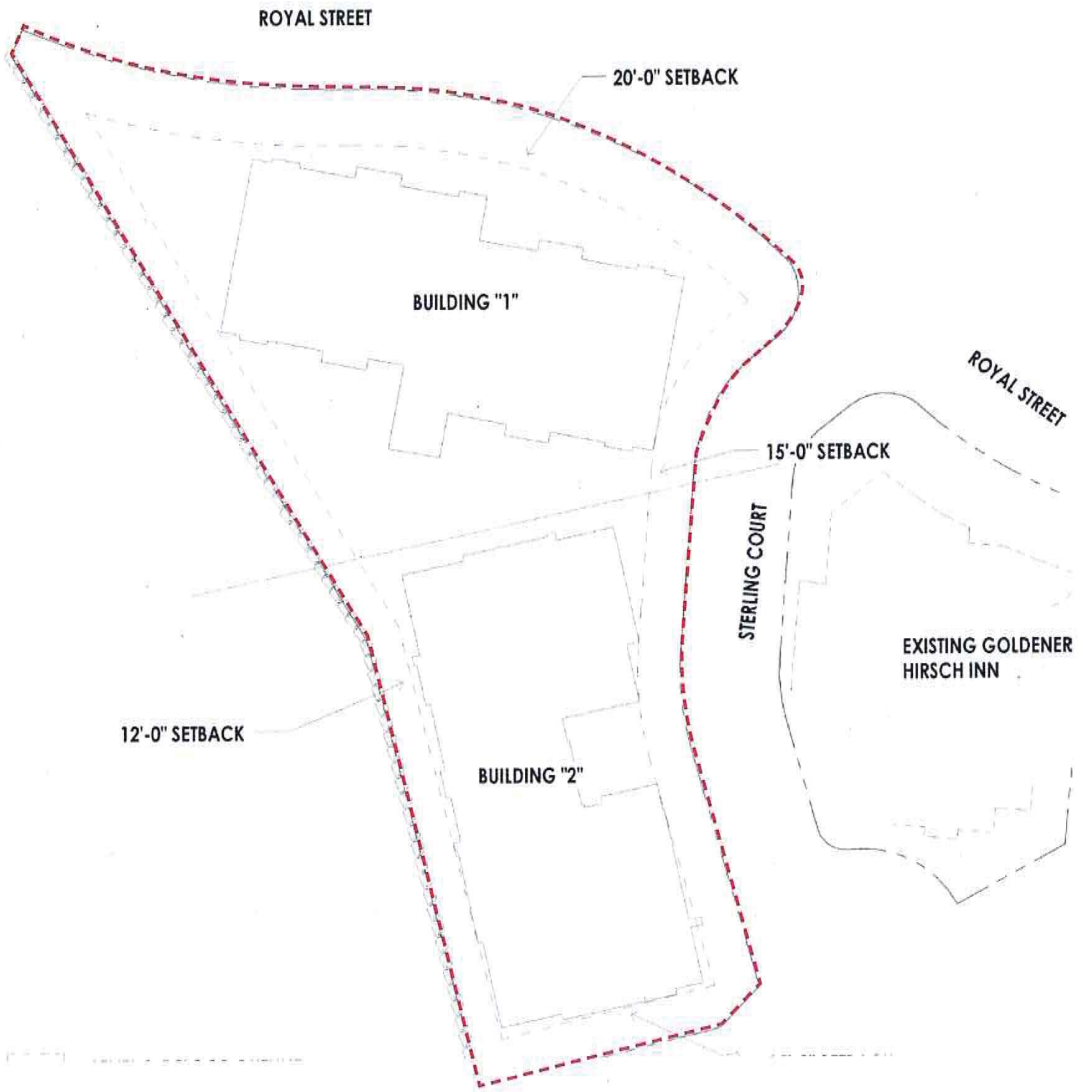
Goldener Hirsch

Deer Valley, Utah



Proposed Setbacks

- Royal Street - 20'-0"
- Sterling Court - 15'-0"
- South/ Mont Cervin - 15'-0"
- West/ Stein Eriksen Lodge - 12'-0"

Revised Plat

Goldener Hirsch

Deer Valley, Utah

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DEER VALLEY

October 28, 2016

Kirsten Whetstone
Park City Municipal Corporation - Planning Department
445 Marsac Avenue
Park City, Utah 84060

Re: Goldener Hirsch Development Expansion

Dear Kirsten:

This letter is intended to address items raised in your Staff Report dated September 28, 2016 and by the Planning Commission in its Public Hearing discussion of September 28, 2016 relating to Park City Municipal Corporation's ("PCMC") desire to reconcile commercial square footage density from the 1990 Golden Deer Survey (located on Silver Lake Village No. 1 Subdivision Lot D) to the existing Deer Valley Resort ("DVR") Master Planned Development Permit ("MPD"). My understanding from subsequently speaking with you is that such reconciliation would prove to be a significant effort for PCMC to undertake and research the 1990 approval by Planning Commission and City Council in order to fully understand the approvals granted to the Golden Deer applicant at that time.

It is my belief that the Golden Deer project was developed in compliance with the DVR MPD and also received additional support commercial, and/or meeting space, and/or residential accessory use (or such other supporting square footage designations available at that time) in accordance with the Land Management Code ("LMC") in effect at the time of receiving their 1990 PCMC approvals (which would be the equivalent of today's Conditional Use Permit process).

In the event that the 1990 Golden Deer approvals are not readily available for review to reconcile such historical commercial density figures, it appears PCMC would like to ensure overall commercial and support density figures are properly accounted for and/or curtailed. It is my understanding through the current application process for Silver Lake Village No. 1 Subdivision Lots F, G and H (proposed for a combined Lot I), that the applicant currently has excess support commercial, meeting space, and residential accessory use square footage available to them through application of the current LMC which they do not intend to use. It is my further understanding that the applicant has proposed applying such excess square footage entitlement to Lot D in order to assist with satisfying a potential need to reconcile historical commercial and/or support square footage associated with Lot D. If PCMC finds such exercise necessary and is in agreement with the applicant in terms of their proposed resolution, DVR is in agreement and would further opine that Lots D, F, G and H are compliant with the MPD.

P.O. Box 889 • Park City, Utah 84060-0889 • 435.649.1000 • Fax 435.649.1910
www.deervalley.com

Public Hearing discussion on September 28, 2016, Planning
trated questions regarding sufficient snow storage areas servicing the
posed project and its effect on overall snow removal for Silver Lake
nager of Silver Lake Village Plaza Association ("SLVPA"), DVR hereby
PA contains satisfactory snow storage space for the existing and
ndscaped areas (inclusive of private streets, sidewalks, etc.) within the
onally, and related to particularly heavy snow years, DVR has additional
pace available in close proximity to the village (including the Guardsman
and other DVR property). As part of this discussion, I would also like to
sincere thanks towards the applicant and the Eccles family for many years
ous permission to occupy their lots for parking and for additional excess
when needed. They have proven to be exemplary neighbors to the Resort
much appreciate their contributions to the Silver Lake community.

and please let me know if you have any questions or if there are areas where
comments would be helpful.

lley Resort Company

eadwin

Page 2

RECONCILED COMMERCIAL SQUARE FOOTAGE

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GOLDENER HIRSCH

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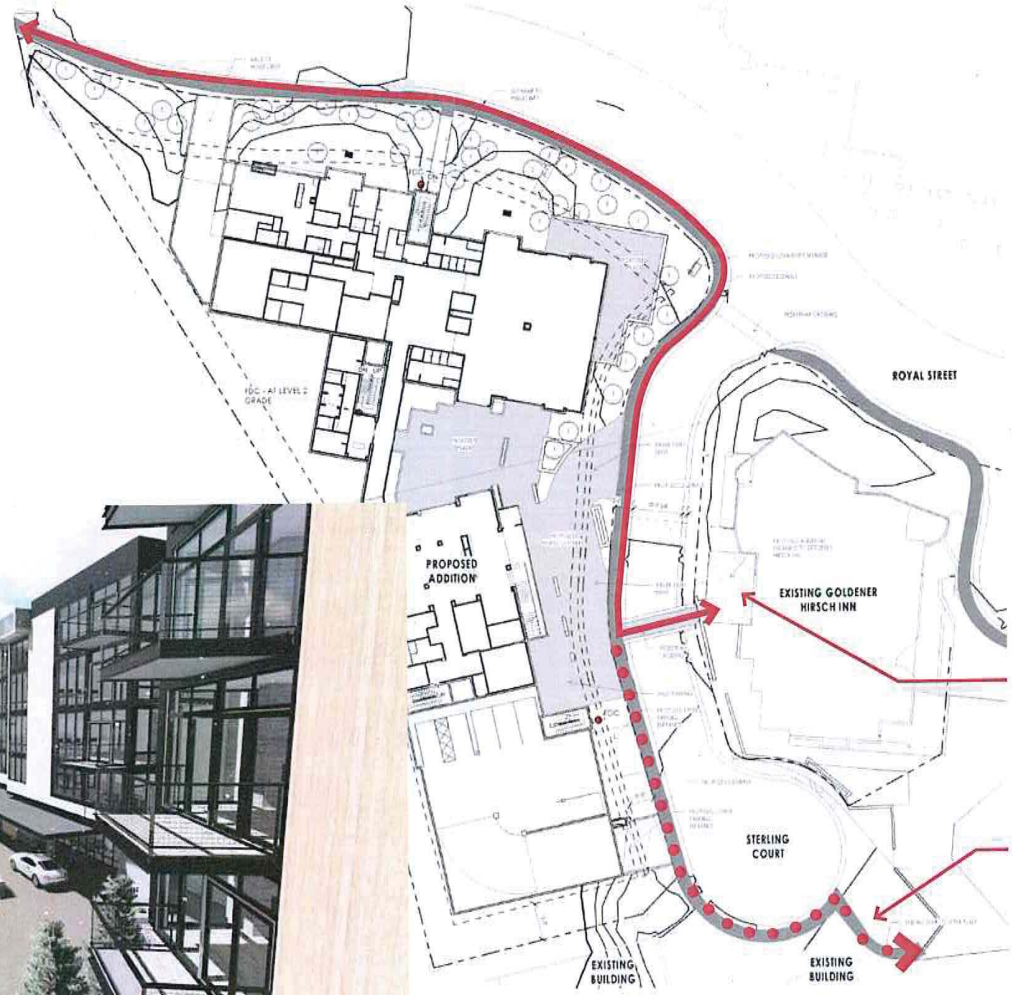
Street Level

- Pedestrian sidewalk along Royal and Sterling
- Street level activity
- Pedestrian lighting
- Proposed walkway crossing Sterling Court to slow traffic.
- moving public up to the plaza level before the cul de sac.
- Elevator Access to Silver Lake Village Plaza



ELEVATOR ACCESS TO SILVERLAKE VILLAGE PLAZA

Existing public stair to plaza

Street Level Experience

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Goldener Hirsch

Deer Valley, Utah

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Sterling Court Plaza

- Pedestrian activity to the street level
- Lobby Overflow
- Fire pits
- Added visual interest to Sterling Court

Sterling Plaza activity

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Goldener Hirsch

Deer Valley, Utah

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Bridge Connection

- Connection to the Silver Lake Village Plaza
- Food connection to the Goldener Hirsch Restaurant
- Ski service shuttle/ racks
- Fire pits
- Seating
- Gathering space for Apres Skiing
- Moves pedestrian traffic off Sterling Court and onto the plaza

Proposed bridge element to tie Goldener Hirsch to the Silver Lake Village

Proposed enlarged Silver Lake Village Plaza between existing Hirsch and Sterling Court for Apres Ski

Bridge activity

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Goldener Hirsch

Deer Valley, Utah

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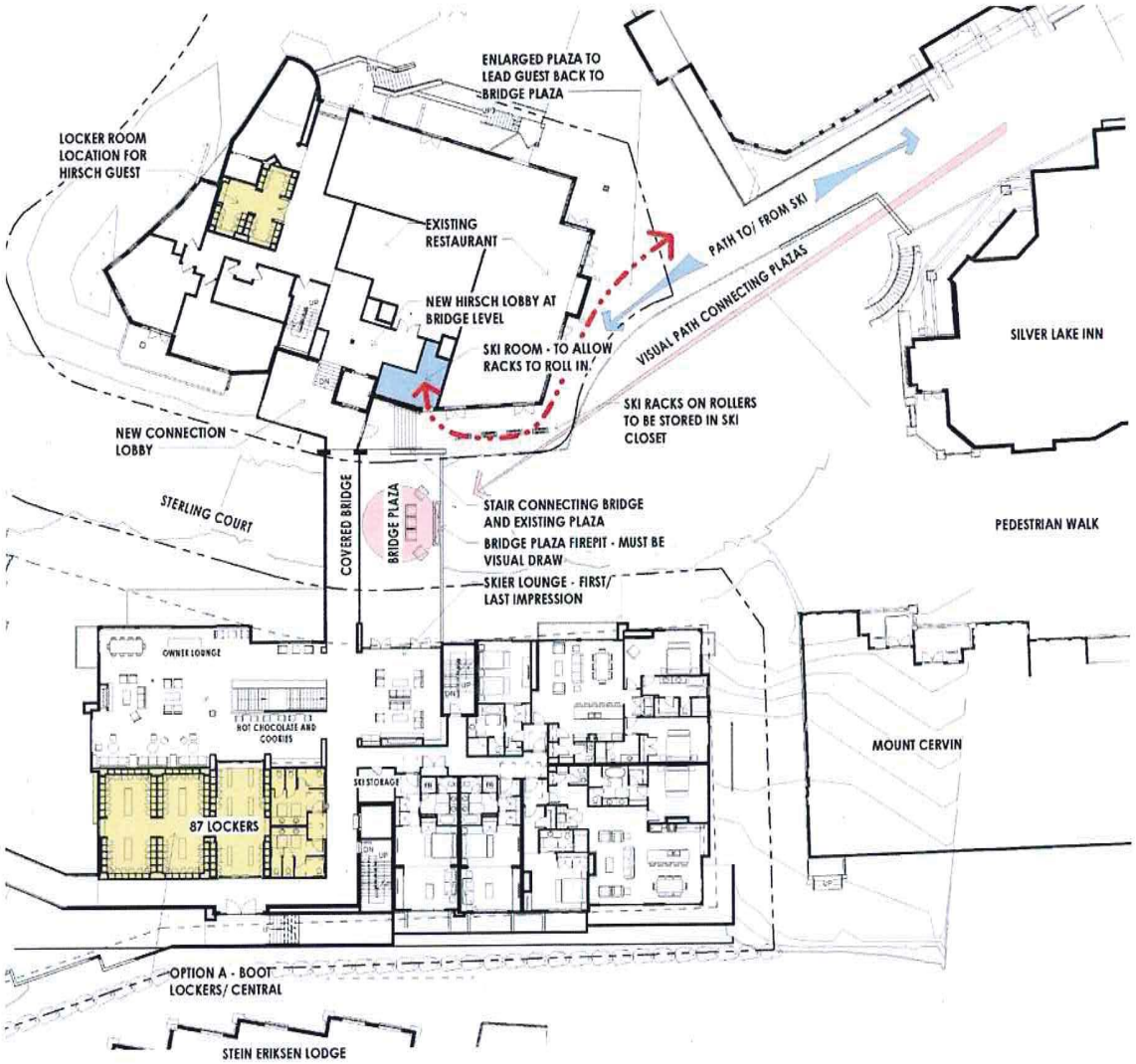

Boot Room

- Boot room to remain as planned
- Central location
- Connection to lounge and bridge elements

Bridge Plaza

- Allows for gathering space in ski in transition
- Ski storage room with roll out ski racks in existing Hirsch allows for guest skis to be stored and moved to ski base.
- Ski racks on rollers to be brought across bridge to ski base.

Ski Services

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Goldener Hirsch

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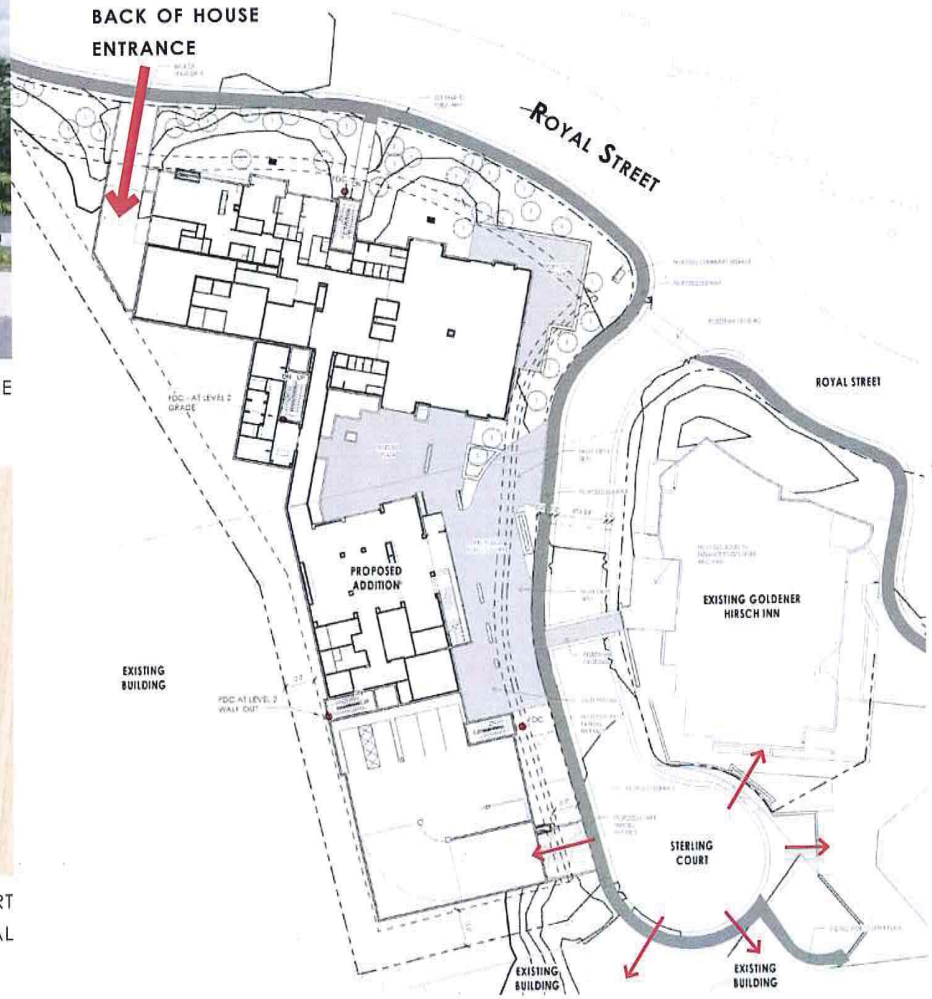
Royal Street back of house entrance

View of proposed Sterling Court Guest Arrival



Deliveries

- Deliveries to the new Hirsch will be off of Royal street on the North West corner.
- Delivery entrance is held to the rear side of the building out of view.

Guest Arrival

- Porte Cochere pulls cars off road
- Sterling court improvements to arrive into an auto plaza.
- Sidewalks add to existing street width.
- Controled vehicle movement with valet services.
- Proposed paver walkway under bridge as a traffic calming method.
- Pedestrian walkway would be maintained and kept clear of snow through Goldener Hirsch Property managment.

Recieving/ Deliveries Management

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Goldener Hirsch

Deer Valley, Utah

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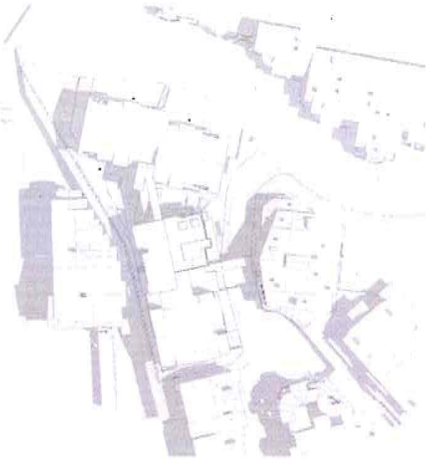


Summer - June 22, 10:00 am

Summer - June 22, 12:00 pm

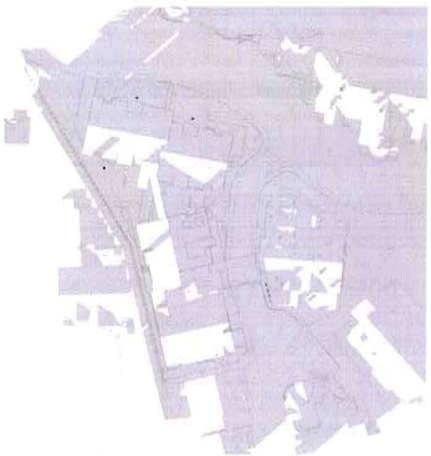
Summer - June 22, 2:00 pm

Summer - June 22, 4:00 pm

Winter - Dec. 22, 10:00 am

Winter - Dec. 22, 12:00 pm

Winter - Dec. 22, 2:00 pm



Winter - Dec. 22, 4:00 pm

Shadow Study

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Goldener Hirsch

Deer Valley, Utah

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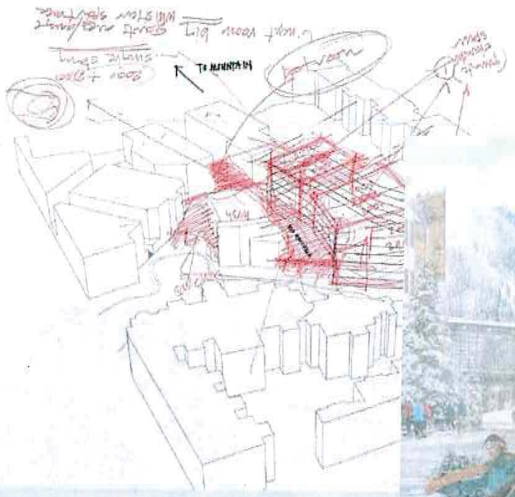

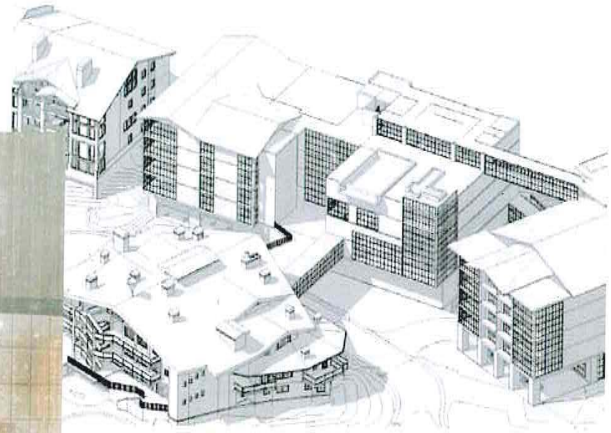

Massing

- Mimic Massing of suroundings
- Breaking the facade into apearance of individual pods
- Pulling pool back on roof
- Material variations at each massing
- Fenistration adjustments
- Roof overhanges

Architectural Modifications

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Goldener Hirsch

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Sample Materials

- Board formed concrete base
- Board formed concrete chimney stacks
- Vertical board cedar siding/ rain screen
- Cedar soffits to match siding
- Stucco
- Dark bronze anodized aluminum clad windows
- Dark bronze aluminum flashing
- Dark grey asphalt shingle roofing
- Dark grey granite pavers at entry
- Powder coated 'Ferrari' red metal at entry
- Powder coated black mesh at railings
- Black painted structural steel

Material Board

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Olson Kundig

Goldener Hirsch

Deer Valley, Utah

VIEWS FROM WEST

Olson Kundig

GOLDENER HIRSCH

DEER VALLEY, UTAH

11.08.2016

EXHIBIT O

William Natbony
6 Saddle Ridge Road
Old Westbury, New York 11568
e-mail: billn@tigris.com

November 9, 2016

Kirsten A. Whetstone, MS, AICP [Kirsten@parkcity.org]
Park City Planning Department
P.O. Box 1480
Park City, Utah 84060

Re: Applications PL-15-02966, PL-15-02967 and PL-16-03155 (the "Applications")

Dear Kirsten:

On the basis of our most recent communications and at your suggestion, I'm submitting this letter to the Park City Planning Department to object to two closely-related aspects of the Applications.

I'm the owner of Unit #1 at the Inn at Silver Lake. As I've explained in our prior e-mail communications and for the reasons outlined in those e-mails (which I've attached), I hadn't received notices of the Planning Commission's meetings and was very much looking forward to the opportunity to present my views directly to the Commissioners. Unfortunately, only so much can be communicated in a letter or letters and an opportunity to be heard and to respond to questions by far is the best way of communication. As you know, the timing of the Commission's meetings created difficulties for me. I'm an individual and our miscommunications on notice have placed limitations on my ability to address my concerns in the most effective way. There is, after all, a high volume of information and several complex issues. As a result, I apologize to you and the Commissioners for the late timing of this letter and for the limited amount of time I've been able to devote to its preparation.

My two issues concern the safety of Sterling Court and the two proposed uses of the Bridge over Sterling Court, one of which is intended to mitigate a portion of those safety concerns.

Sterling Court Safety

Concerns have been raised, not only by me, about the safety of Sterling Court. Although a good start has been made by recent safety improvements added by the Goldener, further study should be made, and further improvements seem necessary, in order to prevent both safety and congestion problems.

Based on the online record (which, admittedly, I've had difficulty navigating), two experts have provided their written opinions with respect to the Goldener proposals' impact on Sterling Court. Among other things, both relied on Sterling Court being a residential street, which it is not. This

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misunderstanding of the nature of Sterling Court creates a threshold problem that neither report attempts to address. Although for real estate planning purposes, Park City includes business and commercial uses within the definition of "residential use," "residential use" has a very different meaning when it comes to vehicular and foot traffic on a street, especially on a high-use street with a short cul-de-sac and an already high volume of vehicular and foot traffic. Sterling Court most definitely is not a "residential street" and the Goldener expansion proposal makes it clear that Sterling Court in fact will be used, and heavily used, for commercial purposes – that is, in all respects, the Goldener proposal is for a commercial expansion of the Goldener Hirsch Hotel and for expanded commercial use of Sterling Court.

In fact, the commerciality of the Goldener proposal was a primary basis for its approval by the Silver Lake Village Plaza Association, and for good reason. That proposal includes not only the residential units contemplated in the Master Plan. It also adds significant additional parking and a sizable meeting place expressly intended to increase the traffic and activity in, around and to Silver Lake Village. And, yet, the foundational assumption in both the Fehr & Peers report and in Mr. Cassel's report is that Sterling Court will operate as a residential street. That is neither the intent nor the consequence of the Goldener proposal. The conclusions as to the safety and congestion aspects should be closely reviewed with these commercial realities in mind. Neither of the reports, nor Preston Stinger's presentation to the Commission, addressed this. Understanding this, Chris Conabee offered to find a schedule from a comparable property that would support the conclusion; however, the fact is that there cannot be a comparable property with a short cul-de-sac having the large number of existing residential and commercial occupants, a ski-in ski-out location, an expanded hotel facility, and the level of significant activity year-round that Sterling Court has.

No one has been, or could have been, a closer observer of Sterling Court than I. My residence is one of only two that has a large wall of windows looking directly onto Sterling Court. I've therefore had the best vantage point from which to understand the flows of vehicular and foot traffic, to experience that traffic every day of the week, and to understand how Sterling Court actually operates and how it is likely to function after the Goldener expansion. As you know, the most serious safety concerns on Sterling Court arise during the Winter (and, to a lesser degree, in the Summer) months. Based on my experience and observations, I can say with certainty that the Fehr & Peers report misstates the current use of Sterling Court in reaching its conclusion. For example, management of the existing parking lot has focused specifically on the safety issues of Sterling Court by ensuring that virtually all access to and egress from the lot has been through Royal Street and not Sterling Court. This is contrary to the portion of the report that concludes that the expansion will improve safety on Sterling Court (although even improved safety would not be sufficient if an unsafe condition remains). The care shown in managing the parking lot has significantly mitigated potential safety problems on Sterling Court – and without creating any problems on Royal Street. The exclusive access through Sterling Court to the new parking facility and to the Goldener Hirsch entrance therefore would mark a major shift in use.

A further review therefore would be prudent.

Safety has been a primary concern in considering how Sterling Court will be affected by the expansion plan. The Bridge over Sterling Court most certainly provides one way of addressing the safety and congestion concerns. Surprisingly, safety is not the primary intended use for the Bridge.

The Entertainment Area on the Bridge

The purpose of the Bridge is to mitigate the traffic flow, and therefore reduce safety concerns, on Sterling Court by providing a maximally functional connection between the two sides of the expanded Goldener. The expectation is that this will increase the vitality of Silver Lake by enabling hotel guests to move most easily between the two sides and most effectively allow those who park in the new Goldener facility to access Silver Lake Village with its skiing, biking and hiking facilities. Because the expanded Goldener space will not have retail or restaurant facilities, the goal is not to facilitate access from Silver Lake Village to the hotel; rather it's to optimally manage the flow of people to and from the hotel and, even more so, to and from the parking garage. In order to manage that foot traffic, the Bridge therefore should find the best way to safely and expeditiously maximize that flow. That is not what the proposal does, however. Rather, approximately two-thirds of the Bridge has been set aside for a hotel entertainment area having a sizable sitting area and firepit, neither of which facilitate foot traffic. The explanation given for adding such a large entertainment dimension to the Bridge is that it will provide a "gathering place" that itself will add vitality to Silver Lake Village. Whether or not it would do so, which seems questionable, it most certainly would not help with the flow of foot traffic. It would, in fact, curtail such a flow.

Contrary to the explanation given by Chris Conabee at the September 26th meeting, this isn't a question of my desires versus what other owners have deemed they want. This is a balancing determination – benefits versus burdens. This is about what is best for the safety of the community in light of the genuine needs of that community. Aside from the safety issue, a "gathering place" also is not best placed on a bridge between two parts of a hotel when the purpose of that bridge is to facilitate the movement of people.

The Bridge has been highlighted as the most important mitigating element to the safety concerns concerning Sterling Court, and yet whatever benefits it may provide have been limited to a minority portion of the Bridge structure. I am the resident most affected by the Bridge. Its effect on me and my family would be significant. However, even were that not the case, there is a clear inconsistency in the Bridge plan in that the entertainment area seemingly will benefit the Goldener's guests while seriously impinging on the safety and anti-congestion benefits intended by building a bridge over Sterling Court. There is no real need and no true benefit for Silver Lake to add "a gathering area" on the Bridge. There are other areas that are far better for this purpose. Chris Conabee suggested to me that the Bridge would be a better area for a gathering place because of its views of the mountains. However, that's not correct, which he thereafter conceded: views of the mountains are totally blocked by existing buildings, which is very different from other available spaces in Silver Lake Village. Moreover, the purpose of the RD Zoning District is to "allow commercial and recreational activities that are in harmony with residential neighborhoods" while "minimiz[ing] impacts of the automobile" and "promot[ing] pedestrian connections." For these reasons, the Bridge should be a bridge and not itself be a multi-purpose facility.

Access to Committee Meetings

As I explained previously, I appreciate that notices of the Commission's meetings were sent to all potentially interested parties and that a notice accordingly was sent to my address. All I can

say is that the notice wasn't received. I foresaw the possibility that I would somehow not become aware of the meetings and would miss the notice about the Goldener expansion plan and therefore made contact with the Park City Planning Department as soon as I understood that the Commission would be considering the proposal (as can be seen in the attached e-mails). I relied on assurances in those e-mails that I would be contacted and would be able to have the opportunity to appear before the Commission. I would very much like to have the opportunity to be heard on what I believe are the potentially serious issues addressed in part in this letter. For these and the reasons indicated in my prior communications, I would greatly appreciate the opportunity to present my views directly to the Commission at its next meeting.

Many thanks for your consideration.

Sincerely,

Bill Natbony

Kirsten Whetstone

From: Bill Natbony <wnatbony@tigris.com>
Sent: Thursday, November 03, 2016 7:36 AM
To: Kirsten Whetstone
Subject: RE: The proposed Goldener Hirsch expansion plan

Hi Kirsten:

Thank you for your e-mail and the attachment.

What I have been seeking from the date when I first learned about the proposed Goldener expansion plans, and thereafter from our first communications, has been the opportunity to appear before the Commission to properly explain my concerns with respect to those expansion plans (including what I believe have been oversights and inaccuracies in the presentation of those plans). Unfortunately, I did not receive notice of the meetings at which the Goldener proposals were presented and was depending on receiving sufficient notice to be able to attend. As you know from our recent correspondence, this also is true concerning the forthcoming November 9th meeting. What I am asking is that any decision concerning the Goldener proposals be deferred so that I can appear at a Commission meeting; if that can be done and you can advise me of the date for such a meeting in November or December, most of January as well as thereafter, I will be certain to attend.

I have made every effort from the time I first learned about the Planning Commission's process to ensure that I would be able to participate in the process. Unfortunately, my efforts have been unsuccessful. In order to guarantee that I would be notified of the time when the Commission would consider the Goldener expansion proposals, I initially sent an e-mail to you and Bruce Erickson on June 13th and received the following response from Mr. Erickson: "(T)here will be opportunities for you and your association to voice your concerns during our review of a project at Goldener Hirsch. If your owners association is registered with the City, it will receive a courtesy notice in the mail prior to the project going to Planning Commission. You will also receive a courtesy notice if your property is within 300 feet of the project site." My property is within 300 feet of the Goldener Hirsch and the Inn at Silver Lake is registered with the City and I/we did not receive notice of the dates and times of the meetings at which the Commission intended to consider the Goldener proposal.

As part of my effort to stay on top of the process, I remained in close contact with you. For example, in your e-mail response to one of my follow-up e-mails, on June 23rd you said "I'll be back to you when I return [from vacation] and hopefully will have revisions waiting for me." That was after you had earlier written that you were waiting for revisions of the proposed Goldener plans and "At this point it is likely that any meeting would be towards the end of July or into August assuming revised plans are submitted within the next week or two." I therefore scheduled my business activities so that I would be able to attend any July or August meeting. I also waited to hear back from you about the revised plans so that I'd have the opportunity to study them. My hope was that revised plans would address the concerns I'd previously raised directly with the Goldener. However, I didn't receive revised plans, or receive notice that revised plans had been submitted, until I contacted you in late September. That happened after I coincidentally ran into Chris Conabee who told me that, although the Goldener expansion proposals were on the agenda for a September meeting (which came as a complete surprise to me), he questioned whether the Commission would have time to address them then – he indicated that the Commission's agenda was and had been heavily loaded. I nevertheless contacted you and, when you told me that the Goldener proposals indeed were on the September meeting agenda, by that time I was out of the country and therefore unable to attend.

I explained in my prior e-mail why I also did not attend the October meeting. That is, I had understood that the Goldener proposal had not yet been heard since I hadn't heard back from you. Your October 4th e-mail said that "I'll give you a call when I get revisions. And can fill you in on the issues."

Although there are any number of reasons why I was unaware of the meetings, my focus has been and continues to be on finding a way to properly air my concerns before the Commission. The effect of my not being able to attend the meetings is that I've not had the opportunity to be heard, to present those concerns, and to present additional facts that impact my property, the Inn at Silver Lake and the community. My goal has been to accurately explain my concerns to the Commission, which I'm afraid cannot be done adequately in writing. Perhaps the meeting on November 9th is not for the purpose of reaching an "approval-disapproval decision" on any of the proposals, in which case I will have that opportunity at a future scheduled meeting. I can only repeat that my efforts throughout this process have been for the purpose of being heard and for the Commission members to have all of the facts and concerns presented to them.

Many thanks.

Best,

Bill

BILL NATBONY
Executive Chairman/CEO
Tel: 646.532.2828
Fax: 646.532.2829
Email: wnatbony@tigris.com

TIGRIS GROUP INC.
535 Madison Avenue, 12th Fl
New York, NY 10022
TIGRIS

From: Kirsten Whetstone [mailto:kirsten@parkcity.org]
Sent: Wednesday, November 02, 2016 12:05 PM
To: Bill Natbony
Subject: RE: The proposed Goldener Hirsch expansion plan

Hi Bill

Thanks for the email.
I'll try to clear up the misunderstanding about dates.
At the meeting on September 28 the Commission discussed and continued the items to October 26th.
The Commission did not discuss the project on October 26th and the item was continued to November 9th as the applicant needed additional time to address the issues raised at the September 28th meeting. The Commission opened a public hearing and formally continued the item. They did not have a new staff report or any new information.

There are no commission meetings scheduled for the 10th or 17th as those are council meetings.

If you would like to provide written comments I can include those in the Commission packet for the 9th.

On the park city website I find the easiest way to find packets is to go to the dates of the meeting.
The packet for the 9th will be available on November 4th. Reports are under review now for this meeting.

The City Engineer is Matt Cassel – matt.cassel@parkcity.org
It is best to send him an email and request a call back.

The applicant's engineer was at the meeting on the 28th and provided information from their traffic analysis, as noted in the minutes.
No new information was provided on the 26th. They may provide additional information on the 9th.

Sincerely,

Kirsten

Kirsten A. Whetstone, MS, AICP
Senior Planner

Park City Planning Department
PO Box 1480
Park City, UT 84060

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From: Bill Natbony [mailto:wnatbony@tigris.com]
Sent: Wednesday, November 02, 2016 4:35 AM
To: Kirsten Whetstone
Subject: RE: The proposed Goldener Hirsch expansion plan

Dear Kirsten:

Many thanks again for forwarding me the minutes from the September 28th meeting together with the Exhibit A Applicant letter and an October 23rd letter from Chris Conabee. I have now read the materials, which are very helpful and much appreciated. I nevertheless was confused by the fact that the Goldener expansion proposal had been addressed at the September meeting. I was unaware that this had happened. I'd understood from our correspondence that the Goldener proposals had been continued to the October meeting and, if time permitted, would be addressed then, which was supported by a conversation I'd had earlier in September with Chris who had told me that the Goldener expansion proposal was on the agenda for the September meeting but might be deferred because of the Commission's busy schedule. That was reinforced by the fact that I didn't hear from you after your October 4th e-mail below, which led me also to conclude that the Goldener proposal apparently was not going to be addressed at the October meeting either. Had I known, I would have made plans to attend the October 26th meeting. Among other things, I would have liked to address a few statements that were made at the September meeting that were not totally accurate, as well as certain items that were omitted from discussion, and it would have been (and would be) best for me to do so in person. Since the October meeting already has occurred, that's water under the bridge. However, I would like to have the opportunity to address these items before the Commission. Unfortunately, I have a Board meeting in NY on November 9th (which your e-mail indicates is the next scheduled meeting date) that I cannot avoid, although I could fly to SLC on the morning of November 10th or November 17th if the meeting could be rescheduled for one of those dates (or a later date that would be convenient for the Commission). Please let me know if that's possible.

I've had difficulty navigating the w .parkcity.org website – could I ask you to ase point me to where the staff reports and other materials for the Goldener proposal can be found? I must be searching in the wrong locations. In the interim and in addition to the minutes of the October meeting, could I ask you to please e-mail me the City Engineer's memo that Chris Conabee refers to on page 20 of the September minutes? Also, did Fehr & Peers provide any additional materials to supplement its May 31st transportation evaluation?

Many thanks.

Best,

Bill

BILL NATBONY
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Fax: 646.532.2829
Email: wnatbony@tigris.com

TIGRIS GROUP INC.
535 Madison Avenue, 12th Fl
New York, NY 10022
TIGRIS

From: Kirsten Whetstone [mailto:kirsten@parkcity.org]
Sent: Monday, October 31, 2016 7:37 PM
To: Bill Natbony
Subject: RE: The proposed Goldener Hirsch expansion plan

You are welcome.
I'll send more when I get it.

Kirsten

From: Bill Natbony [mailto:wnatbony@tigris.com]
Sent: Monday, October 31, 2016 5:31 PM
To: Kirsten Whetstone
Subject: Re: The proposed Goldener Hirsch expansion plan

Many thanks.

From: Kirsten Whetstone [mailto:kirsten@parkcity.org]
Sent: Monday, October 31, 2016 07:29 PM Eastern Standard Time
To: Bill Natbony
Subject: RE: The proposed Goldener Hirsch expansion plan

Hi Bill,

I'll attach the minutes of the last meeting, as well as the applicant's list of items they are working to address.
I should be getting revised plans tomorrow.

Kirsten

From: Bill Natbony [mailto:wnatbony@tigris.com]
Sent: Monday, October 31, 2016 12:10 PM
To: Kirsten Whetstone

Cc: Louis Rodriguez
Subject: RE: The proposed Goldener Hirsch expansion plan

Hi Kirsten:

Many thanks. Is there any background I should be aware of, or any submissions, either in writing or oral? Given the short timeframe, it will not be possible for me to arrange to be present at the meeting and I might also not have sufficient time to digest and address. Is it possible to provide for additional lead time?

Best,

Bill

BILL NATBONY
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Email: wnatbony@tigris.com

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New York, NY 10022
TIGRIS

From: Kirsten Whetstone [mailto:kirsten@parkcity.org]
Sent: Monday, October 31, 2016 2:06 PM
To: Bill Natbony
Cc: Louis Rodriguez
Subject: RE: The proposed Goldener Hirsch expansion plan

Hi Bill

The item was continued to November 9th.

The staff reports will be on the city's website www.parkcity.org

By late Friday, November 4th.
Defintely by Saturday the 5th.

If you have any questions, let me know.

Sincerely,

Kirsten

Kirsten A. Whetstone, MS, AICP
Senior Planner

Park City Planning Department
PO Box 1480
Park City, UT 84060

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From: Bill Natbony [mailto:wnatbony@tigris.com]
Sent: Monday, October 31, 2016 11:57 AM
To: Kirsten Whetstone
Cc: Louis Rodriguez
Subject: RE: The proposed Goldener Hirsch expansion plan

Hi Kirsten:

I never heard back from you concerning the below or about a further report. Could I ask you to please fill me in?

Many thanks.

Best,

Bill

BILL NATBONY
Executive Chairman/CEO
Tel: 646.532.2828
Fax: 646.532.2829
Email: wnatbony@tigris.com

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535 Madison Avenue, 12th Fl
New York, NY 10022
TIGRIS

From: Kirsten Whetstone [mailto:kirsten@parkcity.org]
Sent: Tuesday, October 04, 2016 9:06 PM
To: Bill Natbony
Subject: RE: The proposed Goldener Hirsch expansion plan

Hi Bill,

The item was continued to October 26th
The applicant's have a list of items to address from the Commission.
I should be getting revisions sometime early next week.

A new report will be issued the Friday before the meeting.

I'll give you a call when I get revisions.
And can fill you in on the issues.

Sincerely,

Kirsten

From: Bill Natbony [mailto:wnatbony@tigris.com]
Sent: Monday, October 03, 2016 12:18 PM
To: Kirsten Whetstone
Cc: Louis Rodriguez
Subject: RE: The proposed Goldener Hirsch expansion plan

Dear Kirsten:

Was a decision reached in any respect regarding the Goldener Hirsch expansion plan?

Many thanks.

Best,

Bill

BILL NATBONY
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From: Kirsten Whetstone [mailto:kirsten@parkcity.org]
Sent: Wednesday, September 28, 2016 2:52 PM
To: Bill Natbony
Cc: Louis Rodriguez
Subject: RE: The proposed Goldener Hirsch expansion plan

Thanks Bill

I've forwarded your letter to the Planning Commission already.
I also have printed out copies for them for tonight.

Kirsten

From: Bill Natbony [mailto:wnatbony@tigris.com]
Sent: Wednesday, September 28, 2016 12:32 AM
To: Kirsten Whetstone
Cc: Louis Rodriguez
Subject: RE: The proposed Goldener Hirsch expansion plan

Dear Kristen:

I wanted to make certain that you previously received the attached and am therefore resending.

Many thanks.

Best,

Bill

BILL NATBONY
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535 Madison Avenue, 12th Fl
New York, NY 10022
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From: Kirsten Whetstone [mailto:kirsten@parkcity.org]
Sent: Tuesday, September 27, 2016 7:45 PM
To: Bill Natbony
Cc: Louis Rodriguez
Subject: RE: The proposed Goldener Hirsch expansion plan

Thanks Bill

From: Bill Natbony [mailto:wnatbony@tigris.com]
Sent: Tuesday, September 27, 2016 12:54 AM
To: Kirsten Whetstone
Cc: Louis Rodriguez
Subject: RE: The proposed Goldener Hirsch expansion plan

Dear Kristen:

I just saw your e-mail below and will not be able to access and address until later this week. Many thanks for sending it directly to me!

Best,

Bill

BILL NATBONY
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Tel: 646.532.2828
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535 Madison Avenue, 12th Fl
New York, NY 10022
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From: Kirsten Whetstone [mailto:kirsten@parkcity.org]
Sent: Friday, September 23, 2016 5:19 AM
To: Bill Natbony
Cc: Louis Rodriguez
Subject: RE: The proposed Goldener Hirsch expansion plan

Hi Bill

I wanted to let you know that the Planning Commission packet will be on the city's website later in the day on Friday. At www.parkcity.org

Please let Louis know if you are having difficulty finding the reports and packets for the Goldener Hirsch project.
I'll be out of town on Friday and Monday, but looking forward to speaking with you on Tuesday.
Have a great weekend.

Sincerely,

Kirsten

Kirsten A. Whetstone, MS, AICP
Senior Planner

Park City Planning Department
PO Box 1480
Park City, UT 84060

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From: Bruce Erickson
Sent: Monday, June 13, 2016 10:21 AM
To: Bill Natbony; Kirsten Whetstone
Subject: RE: The proposed Goldener Hirsch expansion plan

Mr. Natbony, you are correct, there will be opportunities for you and your association to voice your concerns during our review of a project at Goldener Hirsch. If your owners association is registered with the City, it will receive a courtesy notice in the mail prior to the project going to Planning Commission. You will also receive a courtesy notice if your property is within 300 feet of the project site.

You may send comments at any time and the planner will keep the comments as public record.

Regards, Bruce

Bruce M. Erickson, AICP

Planning Director
Park City Municipal Corporation
Park City, Utah

From: Bill Natbony [mailto:wnatbo..., @tigris.com]
Sent: Monday, June 13, 2016 5:37 AM
To: Bruce Erickson; Kirsten Whetstone
Subject: The proposed Goldener Hirsch expansion plan

Dear Mr. Erickson and Ms. Whetstone:

I'm a resident of the Inn at Silver Lake as well as being on the Board of Directors of the Inn. The Inn recently was involved in a series of telephone conversations and communications with the Silver Lake Village Plaza Association (SLVPA) concerning questions the Inn has with respect to certain items in the proposed Goldener Hirsch expansion plan. Unfortunately, the Inn's questions and concerns were dismissed by the SLVPA in its process of reviewing and approving the expansion plan, which it approved on June 3rd. I understand that there will be opportunities to raise those questions and concerns with the Planning Department during its review and approval process. Could you please let me know how that process will proceed and how I (and the Inn) can participate in that process?

Many thanks.

Best,

Bill Natbony

WILLIAM NATBONY
Executive Chairman/CEO
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Planning Commission
Staff Report

Application: **PL-16-03177**
Subject: **Tower Club CUP Phase I Amendment**
Author: **Kirsten Whetstone, AICP, Sr. Planner**
Date: **November 30, 2016**
Type of Item: **Administrative - Conditional Use Permit amendment**

Summary Recommendations

Staff recommends Planning Commission conducts a public hearing and continues the hearing on the amended Tower Club Phase I Conditional Use Permit (aka Empire Club Phase I Conditional Use Permit) application to December 14, 2016.

Description

Applicant:	**Talisker Club LLC, Brian Straight, General Manager**
Location:	**8680 Empire Club Drive- Pod A, Lot 9 Village at Empire Pass Phase 1 Subdivision (Building One)**
Zoning:	**Residential Development (RD) District as part of the Flagstaff Annexation and Master Planned Development (MPD)**
Adjacent Land Uses:	**Deer Valley Resort, condominiums, townhouses, and vacant development parcels of the Village at Empire Pass Pod A**

Summary of Proposal

On May 17, 2016, the Planning Department received an application for an amendment to the Tower Club Phase I Conditional Use Permit (CUP) requesting approval to expand the existing Tower Club private dining area by approximately 1,094 square feet by enclosing an existing patio area, constructing a new patio, and providing approximately 1,000 square feet of basement storage space below the new patio. The building, located on Lot 9 of the Village at Empire Pass Phase One Amended Subdivision plat, is currently known as the Talisker Club.

The existing Tower Club consists of private dining, fitness, concierge, ski lockers, restrooms, circulation, storage, and children's programming services consistent with the Village at Empire Pass Master Planned Development. A total of 2,264 square feet of the 8,880 square foot building are considered private dining and a small store. The remaining areas and uses are residential accessory uses that do not require use of UEs, such as ski lockers; restrooms; mechanical; storage; pools, hot tubs, and saunas; changing rooms; administrative offices; hallways and circulation areas; lobbies; employee facilities; and other similar uses. Staff requests continuation to December 14th. This item will be re-noticed for the December 14th meeting.

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **Third Amended Condominium Plat for the Stag Lodge Phase I, Unit 10, located at 8200 Royal Street East**
Author: **Ashley Scarff, Planning Technician**
Project Number: **PL-16-03202**
Date: **November 30, 2016**
Type of Item: **Administrative – Condominium Plat Amendment**

Summary Recommendations

Staff recommends the Planning Commission holds a public hearing and considers forwarding a positive recommendation to the City Council for the Third Amended Stag Lodge Phase I condominium plat for Unit 10 based on the findings of fact, conclusions of law and conditions of approval as stated in the draft ordinance.

Description

Applicant:	Cole Condo, LLC, represented by Marshall King of Alliance Engineering, Inc.
Location:	8200 Royal Street East, Unit 10
Zoning:	Residential Development (RD) as part of the Deer Valley MPD; within the Sensitive Lands Overlay
Adjacent Land Uses:	Condominium units, ski terrain of Deer Valley Resort, single family homes
Reason for Review:	Plat amendments require Planning Commission review and City Council action.

Proposal

The applicant is requesting to amend the existing Stag Lodge Phase I condominium plat (Exhibits D, E, F). The purpose of this condominium plat amendment is to convert an area that is currently designated as Common Ownership to Limited Common Ownership to allow for the extension of an existing deck with Limited Common Ownership designation that lies outside of Unit 10's main-level living room. No other units will be affected as part of the proposed amendment. The applicant desires that the entire deck area be designated as limited common, for use appurtenant to Unit 10.

Background

On June 6, 2016, the applicant's representative submitted an application to create the Third Amended Condominium Plat for the Stag Lodge Phase I, Unit 10. The application was not deemed complete until October 7, 2016, when Staff received a letter indicating that at least 2/3 of the Stag Lodge HOA members had voted in favor of the proposed amendment (Exhibit C).

The subject property is located at 8200 Royal Street East in the Residential Development (RD) District, falls within the Sensitive Lands Overlay (SLO) Zone, and is subject to the Eleventh Amended Deer Valley MPD. The applicant wishes to convert exterior space currently designated as Common Ownership to Limited Common

Ownership in order to allow for the extension of an existing deck outside of Unit 10's main-level living room. The small existing deck already has the designation of Limited Common Ownership, so this is simply an extension of that ownership to the new deck area, resulting in a configuration that is similar to that of Unit 11 next door. While the conversion of Common Area to Limited Common Area does not legally require an amendment to the plat, the applicant has requested this change so that the recorded plat assigns the use of the extended deck area exclusively to Unit 10.

The Stag Lodge Phase I condominium plat was approved by City Council on January 10, 1985 and recorded at Summit County on March 4, 1985 (Exhibit D). The First Amended Stag Lodge Phase I plat was approved by City Council on June 6, 2002 and recorded at Summit County on January 17, 2003 (Exhibit E). The First Amendment replaced sheets 2, 3, 4, 5, and 6 (of 6) of Stag Lodge Phase 1, and converted areas of Limited Common and Common Ownership to Private Ownership. The Second Amended Stag Lodge Phase I plat was approved by City Council on July 1, 2004 and recorded at Summit County on May 25, 2005 (Exhibit F). The Second Amendment affected sheets 2, 4, and 5 (of 6) of Stag Lodge Phase 1, and converted Common Ownership Area to Private Ownership in order to reflect as-built conditions of units that had been combined by removing interior Common walls that separated them.

Analysis

The property is located within the Residential Development (RD) District and is subject to the Eleventh Amended Deer Valley MPD (DVMPD). Within the DVMPD, a project can utilize either the City's Unit Equivalent (UE) formula of 2,000 square feet per residential UE, or develop the allowed number of units without a stipulated unit size as long as the project maintains 60 percent (60%) or more of open space. In the case of Stag Lodge, the developer utilized the number of units with no size restriction instead of the unit equivalent formula.

The proposed amendment will not affect the overall number of residential units and the 60% open space requirement will be maintained. The proposed amendment and deck extension will not increase the existing building footprint, or the amount of Private Ownership area. The proposed amendment will not increase the parking requirements for Unit 10.

Good Cause

Planning Staff finds that there is good cause for this condominium plat amendment to allow the owners to exclusively utilize the Common Ownership area without increasing the overall number of residential units or parking requirements, or decreasing open space past 60%, consistent with provisions of the Deer Valley MPD. Staff finds that the plat will not cause undue harm to adjacent property owners and all future development will be reviewed for compliance with requisite Building and Land Management Code.

Department Review

This project has gone through an interdepartmental review. There were no issues raised by any of the departments regarding this proposal that have not been addressed by the conditions of approval.

Notice

The property was posted and notice was mailed to property owners within 300 feet on November 11, 2016, in accordance with the requirements in the LMC. Legal notice was also published in the Park Record and on the public notice website in accordance with the requirements of the LMC.

Public Input
Staff has not received public input on this application at the time of this report.

Process
Approval of this application by the City Council constitutes Final Action that may be appealed following the procedures found in LMC 1-18.

Alternatives
- The Planning Commission may forward a positive recommendation to the City Council for the Third Amended condominium plat for the Stag Lodge Phase 1 Unit 10; or
- The Planning Commission may forward a negative recommendation to the City Council for the Third Amended condominium plat for the Stag Lodge Phase 1 Unit 10; or
- The Planning Commission may continue the discussion on the condominium plat amendment to a date certain and provide direction to the applicant and/or staff to provide additional information necessary to make a decision on this item.

Significant Impacts
There are no significant fiscal or environmental impacts from this application.

Consequences of not taking the Suggested Recommendation
The proposed condominium plat amendment will not be recorded and the subject area will remain as currently platted.

Recommendation
Staff recommends the Planning Commission holds a public hearing and considers forwarding a positive recommendation to the City Council for the Third Amended Stag Lodge Phase I condominium plat for Unit 10 based on the findings of fact, conclusions of law and conditions of approval as stated in the draft ordinance.

Exhibits
Exhibit A – Draft Ordinance and Proposed Plat
Exhibit B – Project Intent
Exhibit C – Result of HOA Vote
Exhibit D – Stag Lodge Phase I Plat
Exhibit E – Stag Lodge Phase I First Amended Plat
Exhibit F – Stag Lodge Phase I Second Amended Plat
Exhibit G – Aerial Photo and Photos of Unit 10

Exhibit A – Draft Ordinance

Ordinance No. 2016-

AN ORDINANCE APPROVING THE THIRD AMENDMENT TO THE STAG LODGE PHASE I CONDOMINIUMS FOR UNIT 10, LOCATED AT 8200 ROYAL STREET EAST, PARK CITY, UTAH.

WHEREAS, the owner of the property known as the Stag Lodge Phase I condominium, Unit 10, located at 8200 Royal Street East, along with the Stag Lodge HOA, have petitioned the City Council for approval of a request for an amendment to the condominium plat to convert what is currently designated as Common Ownership area to Limited Common Ownership area to allow for the extension of a deck with use exclusive to Unit 10; and

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

WHEREAS, proper legal notice was published in the Park Record and Utah Public Notice Website on November 11, 2016 and courtesy notice was sent to surrounding property owners, in accordance with the Land Management Code on November 11, 2016; and

WHEREAS, the Planning Commission held a public hearing on November 30, 2016, to receive input on the proposed amended condominium plat; and

WHEREAS, the Planning Commission forwarded a _____ recommendation to the City Council; and,

WHEREAS, on January 5, 2017, the City Council held a public hearing on the proposed amended condominium plat; and

WHEREAS, it is in the best interest of Park City, Utah and there is good cause, to approve the Third Amended Stag Lodge Phase I condominium plat for Unit 10, to convert existing Common Ownership area to Limited Common Ownership area without increasing the overall number of residential units or parking requirements, consistent with provisions of the Deer Valley MPD, as amended (11th Amended DVMPD, as of time of application).

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

SECTION 1. APPROVAL. The above recitals are hereby incorporated as findings of fact. The Third Amended Stag Lodge Phase I condominium plat for Unit 10, as shown in Exhibit A, is approved subject to the following Findings of Facts, Conclusions of Law, and Conditions of Approval:

Findings of Fact:

1. The property is located at 8200 Royal Street East, Unit 10.

2. The property is located within the Residential Development (RD) District and is subject to the Eleventh Amended Deer Valley MPD (DVMPD).
3. Within the DVMPD, a project can utilize either the City's Unit Equivalent (UE) formula of 2,000 square feet per UE or develop the allowed number of units without a stipulated unit size, as long as the project maintains 60% or more of open space. In the case of Stag Lodge Phases I-IV, the developer utilized the number of units with no size restriction instead of the unit equivalent formula.
4. Stag Lodge Phase I condominium plat was approved by City Council on January 10, 1985 and recorded at Summit County on March 4, 1985.
5. The First Amended Stag Lodge Phase I plat was approved by City Council on June 6, 2002 and recorded at Summit County on January 17, 2003. The First Amendment replaced sheets 2, 3, 4, 5, and 6 (of 6) of Stag Lodge Phase 1, and converted areas of Limited Common and Common Ownership to Private Ownership.
6. The Second Amended Stag Lodge Phase I plat was approved by City Council on July 1, 2004 and recorded at Summit County on May 25, 2005. The Second Amendment affected sheets 2, 4, and 5 (of 6) of Stag Lodge Phase 1, and converted Common Ownership Area to Private Ownership in order to reflect as-built conditions of units that had been combined by removing interior Common walls that separated them.
7. On June 6, 2016, an application was submitted to the Planning Department for the Third Amended Stag Lodge Phase I condominium plat for Unit 10, to convert what is currently designated as Common Ownership area to Limited Common Ownership area to allow for the extension, and appurtenant use of, an existing deck outside of Unit 10's main-level living room. The application was deemed complete on October 7, 2016.
8. A conversion of Ownership from Common to Limited Common (and vice-versa) does not require that a plat amendment be recorded; however, the applicant requested that the change be recorded to ensure that the deck area is appurtenant to Unit 10 and to the exclusion of other units.
9. The consent of 2/3 or more of the Unit Owners is required and 100% supported the conversion.
10. The amendment will not affect the overall number of residential units and at least 60% of open space is maintained.
11. The proposed amendment and deck extension will not increase the existing building footprint, or amount of Private Ownership area.
12. The proposed plat amendment does not increase the parking requirements for this unit.
13. The findings in the analysis section are incorporated herein.

<u>Conclusions of Law:</u>

1. There is good cause for this amendment to the condominium plat.
2. The amended condominium plat is consistent with the Park City Land Management Code and applicable State law regarding condominium plats.
3. The amended condominium plat is consistent with the Deer Valley Master Planned Development, 11th Amended and Restated, which is most current at time of application.
4. Neither the public nor any person will be materially injured by the proposed condominium plat amendment.
5. Approval of the condominium plat amendment, subject to the conditions of approval

below, will not adversely affect the health, safety and welfare of the citizens of Park City.

Conditions of Approval:

1. The City Attorney and City Engineer will review and approve the final form and content of the amended condominium plat for compliance with State law, the Land Management Code, and the conditions of approval, prior to recordation.
2. The applicant will record the amended condominium plat at the County within one year from the date of City Council approval. If recordation has not occurred within one year's time, this approval for the record of survey will be void, unless a complete application requesting an extension is made in writing prior to the expiration date and an extension is granted by the City Council.
3. All other conditions of approval of the Stag Lodge Condominium record of survey plats as amended and the Deer Valley MPD shall continue to apply.

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

PASSED AND ADOPTED this _____ day of _____, 2016.

PARK CITY MUNICIPAL CORPORATION

_____

Jack Thomas, MAYOR

ATTEST:

_____

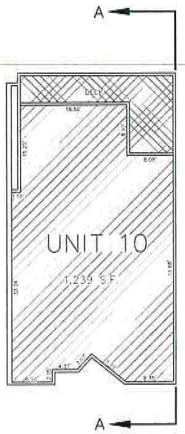
City Recorder's Office

APPROVED AS TO FORM:

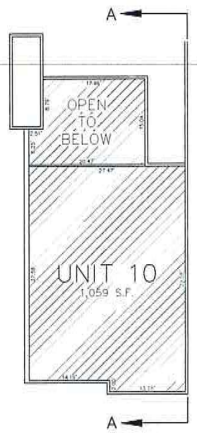
_____

Mark Harrington, City Attorney

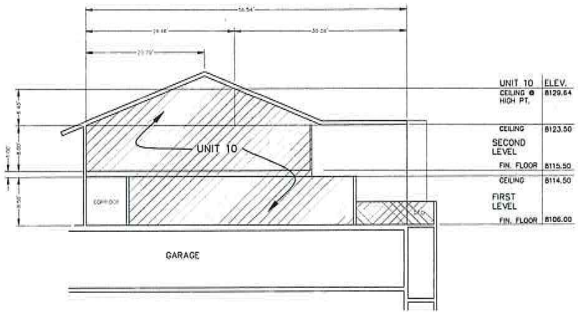
Exhibit A - Proposed Plat



MAIN LEVEL
SCALE: 1"=10'



UPPER LEVEL
SCALE: 1"=10'



SECTION
SCALE: 1"=10'

REGISTERED LAND SURVEYOR No.4938739 MARTIN A. MORRISON State of Utah

SURVEYOR'S CERTIFICATE

I, Martin A. Morrison, certify that I am a Registered Land Surveyor and that I hold Certificate No. 4938739, as prescribed by the laws of the State of Utah, and that by authority of the owners, this Record of Survey map of THIRD AMENDED, STAG LODGE PHASE 1, UNIT 10 has been prepared under my direction and that the same has been or will be monumented on the ground as shown on this plat. I further certify that the information on this plat is accurate.

LEGAL DESCRIPTION

UNIT 10 STAG LODGE CONDOMINIUMS, a Utah expandable condominium project, together with an undivided appurtenant ownership interest in and to the common areas and facilities of the project as the same are identified and established in the record of survey map recorded March 4, 1985, as Entry No. 231328 and the declaration of condominium for Stag Lodge recorded March 4, 1985, as Entry No. 231329 in Book 333 at Page 435, the amendment to declaration of condominium for Stag Lodge recorded June 1, 1988, as Entry No. 290987 in Book 479 Page 216, the record of survey map for Stag Lodge phase II recorded January 17, 1989, as Entry No. 303348 and the second amendment to declaration condominium for Stag Lodge recorded January 17, 1989, as Entry No. 303349 in Book 508 at Page 636 of the official records, and the record of survey map of Stag lodge phase III, recorded March 1, 1990 as Entry No. 321286 and the third amendment to condominium declaration for Stag Lodge recorded March 1, 1990 as Entry No. 321287 in Book 556 at Page 536 and the amended record of survey map Stag Lodge phase III, recorded December 3, 1990 as Entry No. 333684 and the fourth amendment to condominium declaration for stag lodge recorded December 3, 1990 as Entry No. 333685 in Book 589 at Page 188 and the second amendment sheet 2 of 4 record of survey map recorded January 6, 1992 as Entry No. 352470 and the fifth amendment to declaration of condominium for Stag Lodge recorded January 6, 1992 as Entry No. 352471 in Book 640 at Page 765 and the record of survey map for Stag Lodge phase IV recorded July 30, 1992 as Entry No. 363084 and the sixth amendment and supplemental declaration of condominium for Stag Lodge recorded July 30, 1992 as Entry No. 363086 in Book 675 at Page 214 and the first amended sheet 2 of 6 record of survey map recorded, January 17, 2003, as Entry No. 645059 and the amendment to declaration of condominium for Stag Lodge recorded January 17, 2003 as Entry No. 645062 in Book 150 at Page 1845, and the second amended pages 2, 4 and 5 record of survey map recorded May 25, 2005, as Entry No. 737279, and the Stag Lodge common area record of survey map recorded March 21, 2008, as Entry No. 840403, of the official records in Office of the Summit County Recorder.

OWNER'S DEDICATION AND CONSENT TO RECORD

KNOW ALL MEN BY THESE PRESENTS that Cole Condo, LLC, an Ohio limited liability company, the undersigned owner of the herein described tract of land, to be known hereafter as Third Amended, Stag Lodge Phase 1, Unit 10, does hereby certify that it has caused this Condominium Plat to be prepared, and does hereby consent to the recordation of this Plat.

In witness whereof, the undersigned set her hand this _____ day of _____, 2016.

_____
Marti Cole, Manager
Cole Condo, LLC, an Ohio limited liability company

ACKNOWLEDGMENT

STATE OF _____)

COUNTY OF _____)

On this _____ day of _____, 2016, Marti Cole personally appeared before me, whose identity is personally known to me or proven on the basis of satisfactory evidence, and who by me duly sworn/affirmed, did say that she is the manager of Cole Condo, an Ohio limited liability company, and that said document was signed by her on behalf of said limited liability company by authority of its Operating Agreement or Resolution of its Members, and she acknowledged to me that she executed the Third Amended, Stag Lodge Phase 1, Unit 10.

By: _____
Notary Public

_____
Printed Name

Residing in: _____

My commission expires: _____

Commission No. _____

NOTE

This subdivision is subject to the Conditions of Approval in Ordinance 16-____

THIRD AMENDED
CONDOMINIUM PLAT

STAG LODGE PHASE 1
UNIT 10

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST, S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

OWNERSHIP DESIGNATIONS
- "PRIVATE OWNERSHIP AREA A"
- COMMON OWNERSHIP
- LIMITED COMMON OWNERSHIP

RECEIVED
JUN 06 2016
PARK CITY
PLANNING DEPT.

SHEET 1 OF 1

6/6/16 JOB NO.: 9-3-16 FILE: X:\SilverLakeVillage\dwg\srv\plat2016\090316.dwg

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

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	COUNCIL APPROVAL AND ACCEPTANCE	CERTIFICATE OF ATTEST	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS _____ DAY OF _____, 2016 BY _____ S.B.W.R.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS _____ DAY OF _____, 2016 BY _____ CHAIR	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS _____ DAY OF _____, 2016 BY _____ PARK CITY ENGINEER	APPROVED AS TO FORM THIS _____ DAY OF _____, 2016 BY _____ PARK CITY ATTORNEY	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS _____ DAY OF _____, 2016 BY _____ MAYOR	I CERTIFY THIS CONDOMINIUM PLAT WAS APPROVED BY PARK CITY COUNCIL THIS _____ DAY OF _____, 2016 BY _____ PARK CITY RECORDER	STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF _____ DATE _____ TIME _____ ENTRY NO. _____ FEE _____ RECORDER

Exhibit B - Project Intent

STAG LODGE, PHASE 1, UNIT 10, THIRD AMENDED

8200 ROYAL STREET EAST, UNIT 10

PROJECT INTENT

June 6, 2016

The owner of Unit 10, Stag Lodge, Phase 1, would like to construct a deck outside the living room of the unit. This would involve converting what is shown as common area on the current plat to limited common area on the proposed Third Amended plat of Stag Lodge, Phase I. The deck would be constructed over what is currently a roof. Other units have done this as shown on the Second Amended plat of Stag Lodge, Phase 1.

RECEIVED
JUN 0 6 2016
PARK CITY
PLANNING DEPT.

Exhibit C - Result of HOA Vote

2040 E Murray-Holladay Road, Suite 106
Salt Lake City, Utah 84117

balljanik.com

t 801.274.6800
f 801.274.6805

3143 S 840 East, Suite 307
St. George, Utah 84790
(by appointment only)

October 6, 2016

John D. Richards III
Managing Partner, Utah
Also Admitted in Oregon
jrichards@balljanik.com

STAG LODGE OWNERS ASSOCIATION
c/o Board of Trustees

Re: OFFICIAL VOTING RESULTS

Dear Board:

Thank you for allowing us to facilitate with the membership vote regarding the Unit 10 expansion. The official voting results, as certified by this office on ballots received, are as follows:

38 ballots were returned – all in favor of the expansion of Unit 10.
50% (26 ballots) were required to reach a quorum.
67% (35 ballots) was required in favor of the expansion for the vote to pass.

As you can see, the vote has passed in favor of the Cole expansion.

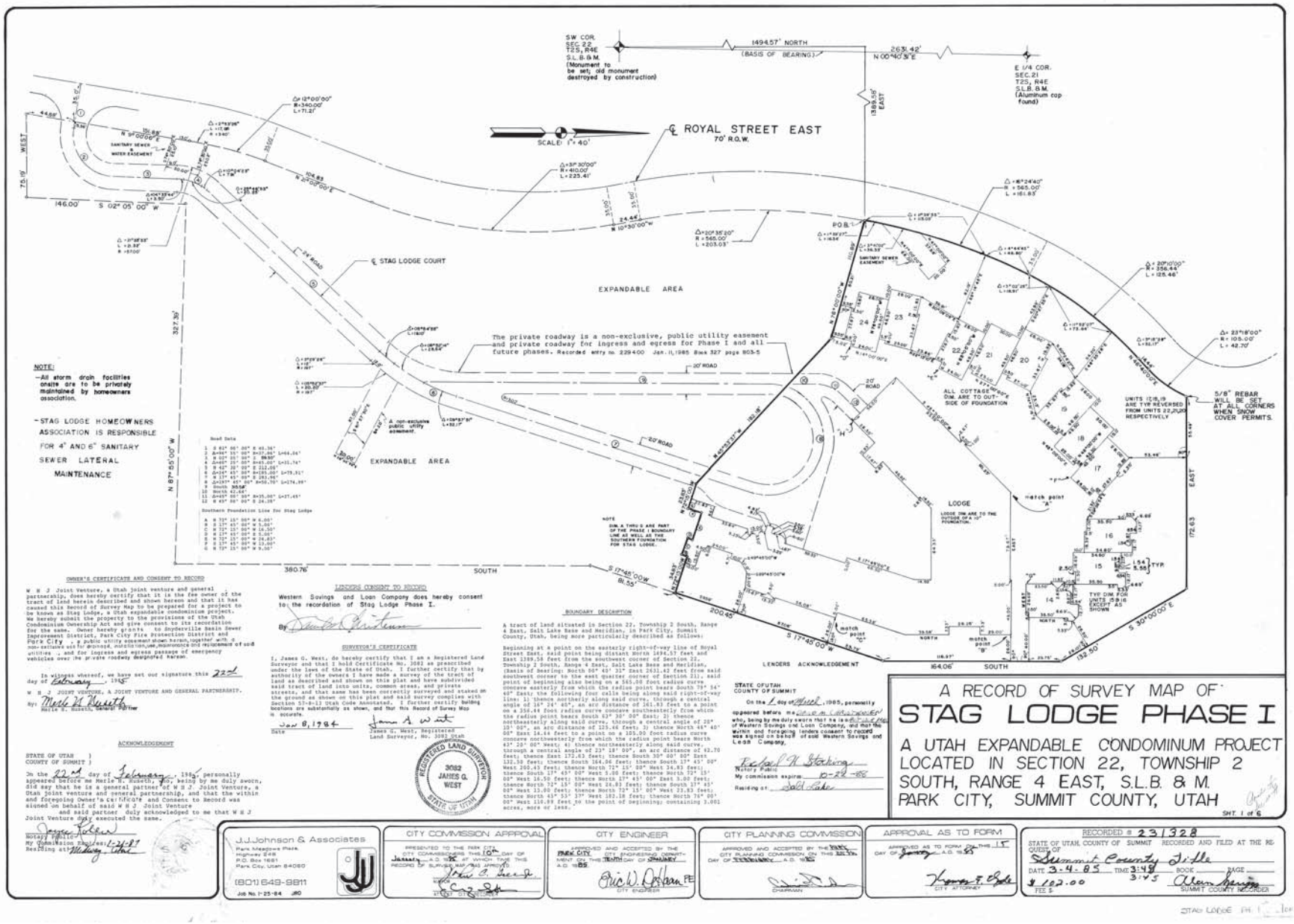
If you have any questions, please feel free to contact me at any time.

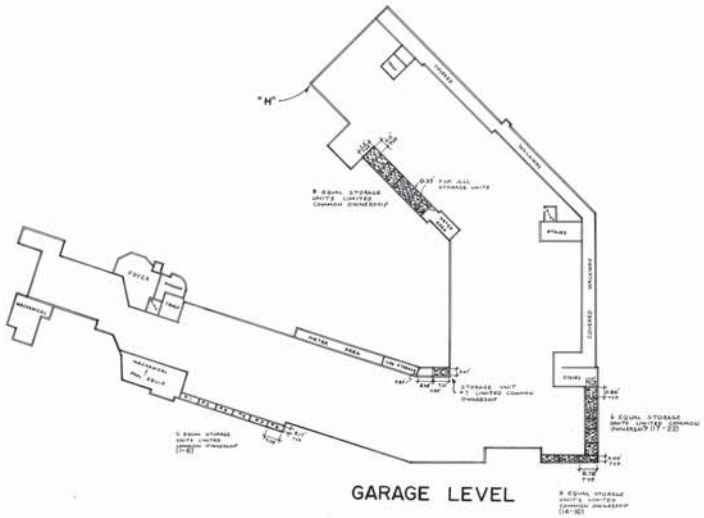
Sincerely,

John D. Richards III
Managing Partner, Utah

JDR:

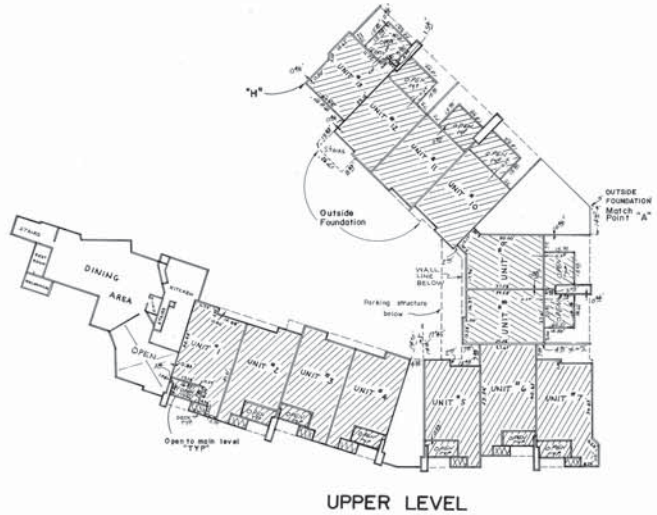
Exhibit D - Stag Lodge Phase 1 Plat





OWNERSHIP DESIGNATIONS
PRIVATE
COMMON
LIMITED COMMON

Only applies to Sheets 2-3-4



NOTES
1. UNIT 1 IS TYP. FOR UNITS 2 THRU 7 EXCEPT AS SHOWN.
2. UNIT 8 IS TYP. FOR UNITS 9 THRU 12 EXCEPT AS SHOWN.

UNIT NO.	PRIVATE OWNERSHIP IN FT²	UNIT No.	PRIVATE OWNERSHIP IN FT²
1	2321.12	15	2555.40
2	2321.12	16	2555.40
3	2321.12	17	3553.05
4	2321.12	18	3570.82
5	2321.12	19	3536.73
6	2555.12	20	3553.05
7	2384.88	21	3570.82
8	2228.36	22	3536.73
9	2213.26	23	3553.05
10	2228.31	24	3536.73
11	2228.31		
12	2214.93		
13	2301.54		
14	2566.78		

NOTES:
-Unit 1 is typ. for units 1 thru 6 on main level.
-Unit 8 is typ. for units 9 thru 12 except as shown.

- All exterior wall dimensions are 0.46' and all walls common to two units are 0.83'

MAIN LEVEL

NOTE: Unless otherwise noted, all dimensions on main level are to interior finish surface.

STAG LODGE PHASE I

SCALE 1"=30'

SHT. 2 of 6

J.J.Johnson & Associates
Park Meadows Plaza
Highway 248
P.O. Box 1661
Park City, Utah 84060
(801) 649-9811

CITY COMMISSION APPROVAL
PRESENTED TO THE PARK CITY CITY COMMISSIONERS THIS _____ DAY OF _____ A.D. 19___ AT WHICH TIME THIS RECORD OF SURVEY MAP WAS APPROVED.
MAYOR
ATTEST CITY RECORDER

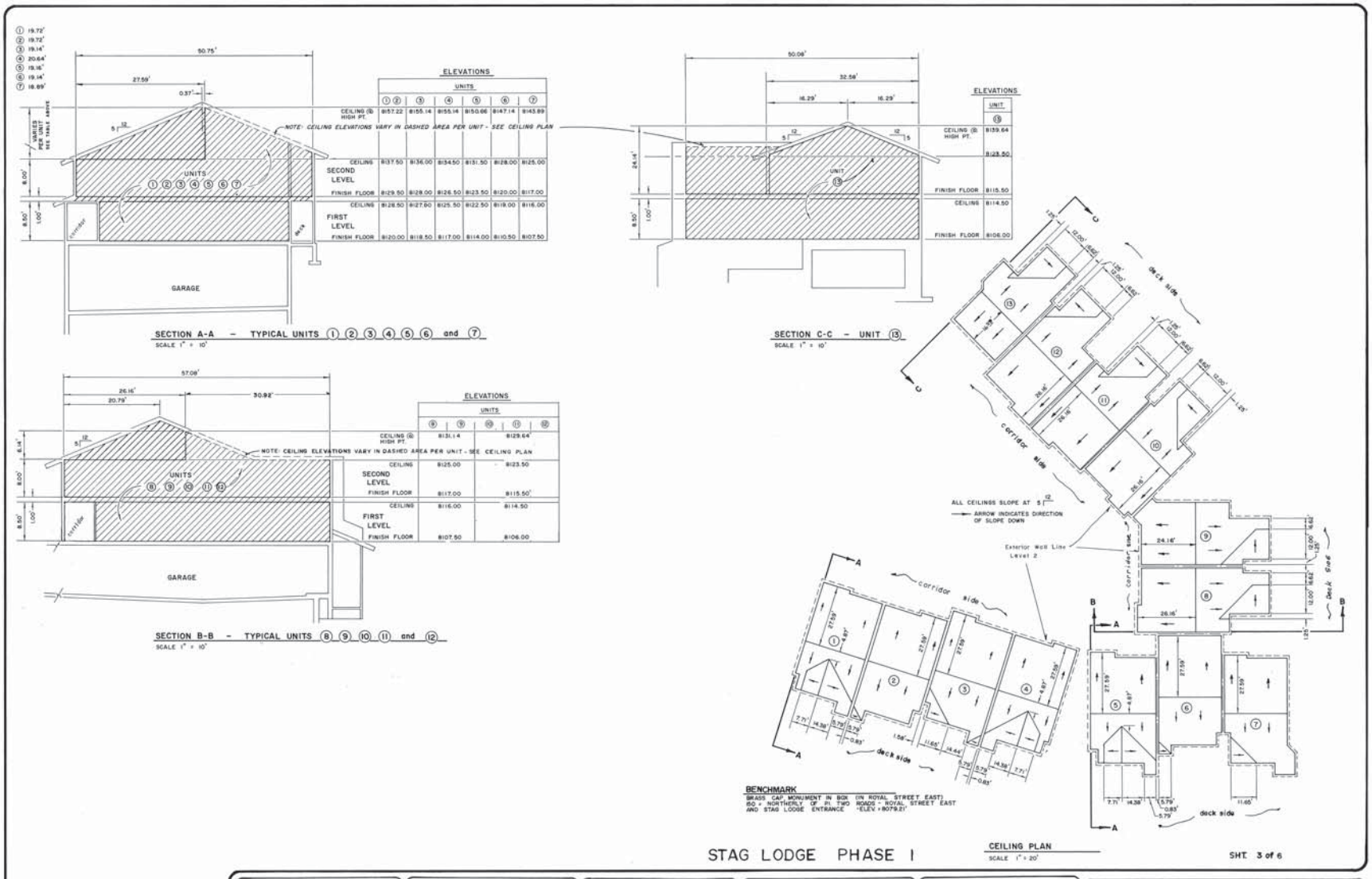
CITY ENGINEER
APPROVED AND ACCEPTED BY THE _____ CITY ENGINEERING DEPARTMENT ON THIS _____ DAY OF _____ A.D. 19___
CITY ENGINEER

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE _____ CITY PLANNING COMMISSION ON THIS _____ DAY OF _____ A.D. 19___
CHAIRMAN

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS _____ DAY OF _____ A.D. 19___
CITY ATTORNEY

RECORDED # 231328
STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF Summit County Title
DATE 3-4-85 TIME 3:45 BOOK ____ PAGE ____
FEE $ 102.00
Alan Spriggs
SUMMIT COUNTY RECORDER

STAG LODGE PH I 2 of 6


SECTION A-A - TYPICAL UNITS 1 2 3 4 5 6 and 7
SCALE 1" = 10'
ELEVATIONS
UNITS
NOTE: CEILING ELEVATIONS VARY IN DASHED AREA PER UNIT - SEE CEILING PLAN
SECOND LEVEL
FIRST LEVEL
GARAGE
SECTION B-B - TYPICAL UNITS 8 9 10 11 and 12
SECTION C-C - UNIT 13
ALL CEILINGS SLOPE AT 5/12
ARROW INDICATES DIRECTION OF SLOPE DOWN
Exterior Wall Line Level 2
corridor side
deck side
BENCHMARK
STAG LODGE PHASE I
CEILING PLAN
SCALE 1" = 20'
SHT 3 of 6
J.J.Johnson & Associates
(801) 649-9811
CITY COMMISSION APPROVAL
CITY ENGINEER
CITY PLANNING COMMISSION
APPROVAL AS TO FORM
RECORDED # 231328
STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF
Summit County Title
DATE 3-4-85 TIME 3:45 BOOK PAGE
$102.00
SUMMIT COUNTY RECORDER

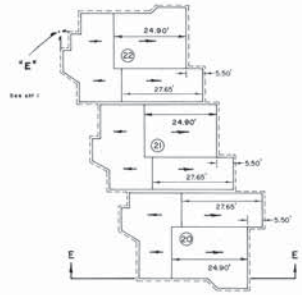
SECOND LEVEL CEILING PLAN - UNITS (14) (15) and (16)

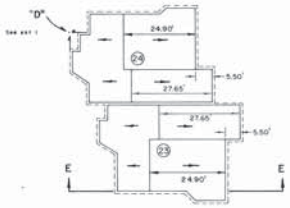
SCALE 1" = 20'

ALL CEILINGS SLOPE AT 5/12

ARROW INDICATES DIRECTION OF SLOPE DOWN.

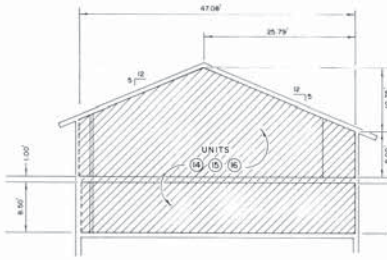
Dashed line indicates outside of wall





THIRD LEVEL CEILING PLAN - UNITS (17) (18) (19) (20) (21) (22) (23) and (24)

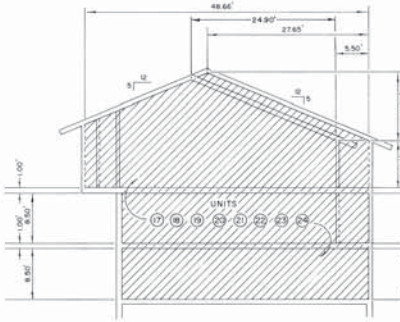
SCALE 1" = 20'



	ELEVATIONS UNITS (14)	(15)	(16)
CEILING @ HIGH PT.	8121.25	8109.25	8105.25
CEILING SECOND LEVEL	8110.50	8098.50	8094.50
FINISH FLOOR	8102.50	8090.50	8086.50
CEILING FIRST LEVEL	8101.50	8089.50	8085.50
FINISH FLOOR	8093.00	8081.00	8077.00

SECTION D-D - TYPICAL UNITS (14) (15) and (16)

SCALE 1" = 10'



	ELEVATIONS UNITS (17)	(18)	(19)	(20)	(21)	(22)	(23)	(24)
CEILING @ HIGH PT.	8102.02	8100.02	8096.02	8091.52	8095.52	8097.52	8097.52	8099.52
CEILING THIRD LEVEL	8090.50	8089.50	8084.50	8080.00	8084.00	8086.00	8086.00	8088.00
FINISH FLOOR	8082.50	8080.50	8076.50	8072.00	8076.00	8078.00	8078.00	8080.00
CEILING SECOND LEVEL	8081.50	8079.50	8075.50	8071.00	8075.00	8077.00	8076.00	8079.00
FINISH FLOOR	8073.00	8071.00	8067.00	8062.50	8066.50	8068.50	8068.50	8070.50
CEILING FIRST LEVEL	8072.00	8070.00	8066.00	8061.50	8065.50	8067.50	8059.00	8069.50
FINISH FLOOR	8063.50	8061.50	8057.50	8053.00	8057.00	8059.00	8059.00	8061.00

SECTION E-E - TYPICAL UNITS (17) (18) (19) (20) (21) (22) (23) and (24)

SCALE 1" = 10'

STAG LODGE
PHASE I

SHT. 4 of 6

J.J.Johnson & Associates
Park Meadows Park
Highway 248
P.O. Box 1681
Park City, Utah 84060
(801) 649-9811

CITY COMMISSION APPROVAL

PRESENTED TO THE PARK CITY CITY COMMISSIONERS THIS ____ DAY OF _____ A.D. 19__, AT WHICH TIME THIS RECORD OF SURVEY MAP WAS APPROVED

MAYOR

ATTEST: CITY RECORDER

CITY ENGINEER

APPROVED AND ACCEPTED BY THE _____ CITY ENGINEERING DEPARTMENT ON THIS ____ DAY OF _____ A.D. 19__

CITY ENGINEER

CITY PLANNING COMMISSION

APPROVED AND ACCEPTED BY THE _____ CITY PLANNING COMMISSION ON THIS ____ DAY OF _____ A.D. 19__

CHAIRMAN

APPROVAL AS TO FORM

APPROVED AS TO FORM ON THIS ____ DAY OF _____ A.D. 19__

CITY ATTORNEY

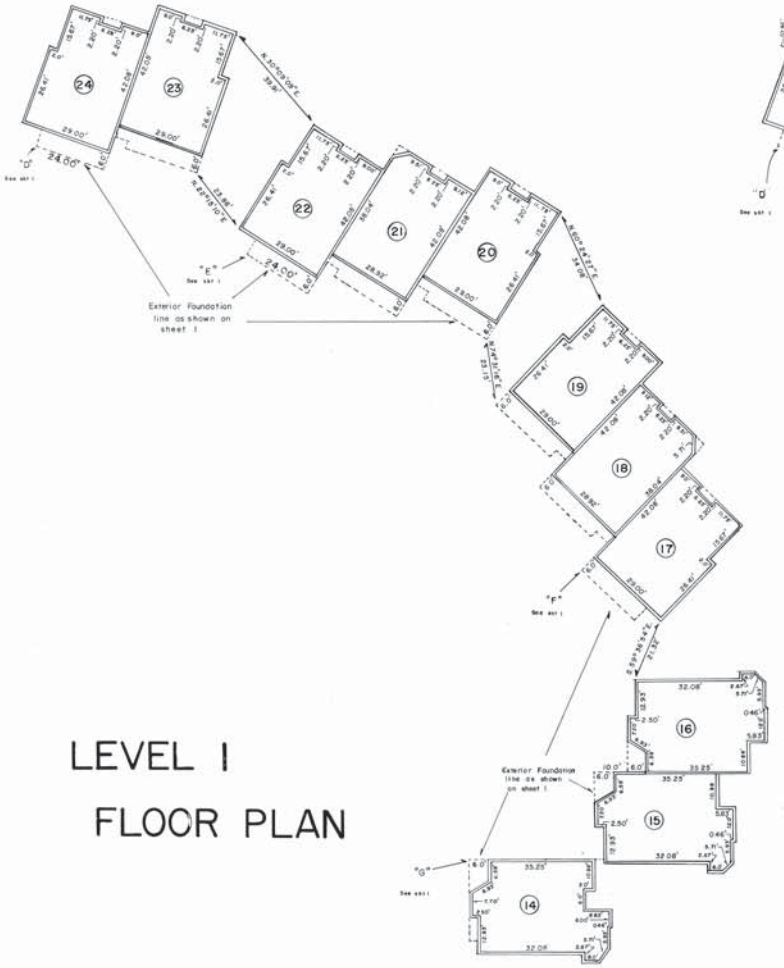
RECORDED # 231328

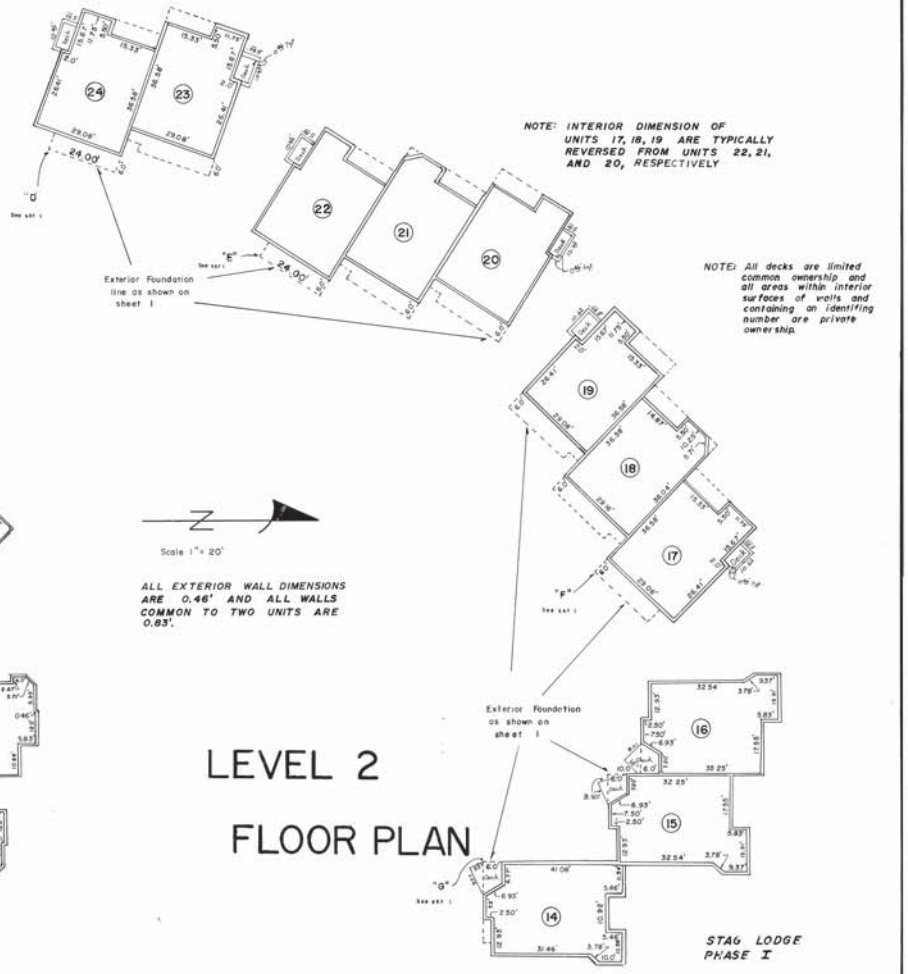
STATE OF UTAH, COUNTY OF SUMMIT. RECORDED AND FILED AT THE REQUEST OF Summit County Title

DATE 3-4-85 TIME 3:45 BOOK ____ PAGE ____

$ 102.00 FEE $

Ann Spiers
SUMMIT COUNTY RECORDER





NOTE: INTERIOR DIMENSION OF UNITS 17, 18, 19 ARE TYPICALLY REVERSED FROM UNITS 22, 21, AND 20, RESPECTIVELY

NOTE: All decks are limited common ownership and all areas within interior surfaces of walls and containing an identifing number are private ownership.

Scale 1" = 20'

ALL EXTERIOR WALL DIMENSIONS ARE 0.46' AND ALL WALLS COMMON TO TWO UNITS ARE 0.83'.

STAG LODGE PHASE I

SHT 5 OF 6

J.J.Johnson & Associates
Park Meadows Plaza
Highway 248
P.O. Box 1861
Park City, Utah 84060
(801) 649-9811

CITY COMMISSION APPROVAL
PRESENTED TO THE PARK CITY CITY COMMISSIONERS THIS ___ DAY OF ___ A.D. 19___ AT WHICH TIME THIS RECORD OF SURVEY MAP WAS APPROVED.
MAYOR
ATTEST: CITY RECORDER

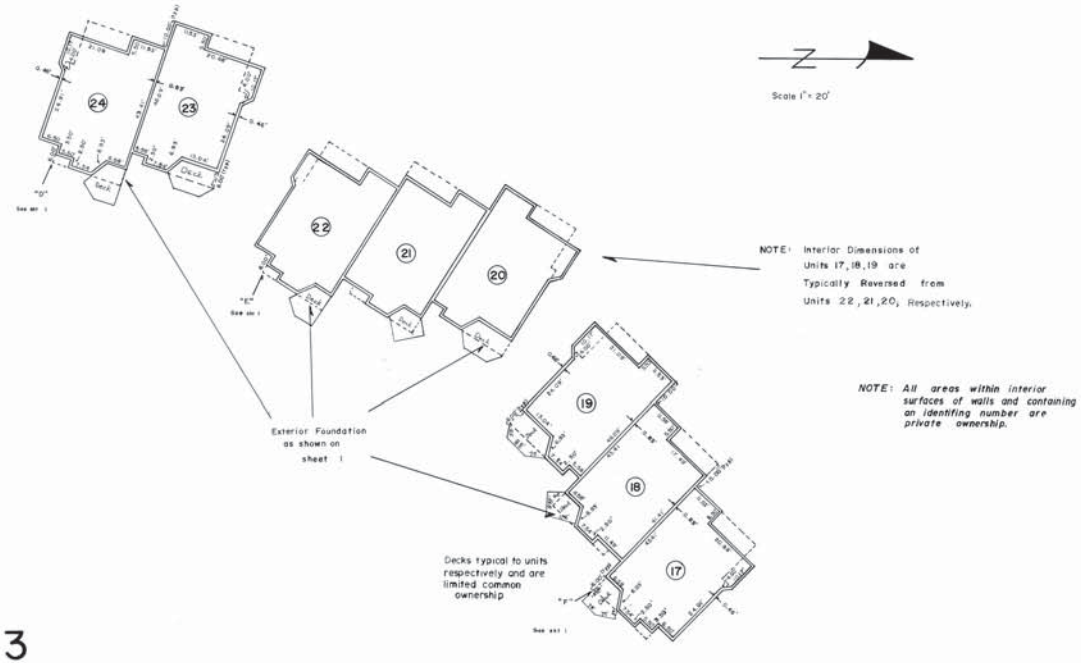
CITY ENGINEER
APPROVED AND ACCEPTED BY THE CITY ENGINEERING DEPARTMENT ON THIS ___ DAY OF ___ A.D. 19___
CITY ENGINEER

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE CITY PLANNING COMMISSION ON THIS ___ DAY OF ___ A.D. 19___
CHAIRMAN

APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS ___ DAY OF ___ A.D. 19___
CITY ATTORNEY

RECORDED # 231328
STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF Summit County Title
DATE 3-4-85 TIME 3:45 BOOK ___ PAGE ___
FEE $ 10.00
SUMMIT COUNTY RECORDER

STAG LODGE PH I 5of6



LEVEL 3

FLOOR PLAN

STAG LODGE
PHASE I

SHT. 6 OF 6

J.J. Johnson & Associates
Park Meadows Plaza
Highway 248
P.O. Box 1681
Park City, Utah 84060
(801) 649-9811

CITY COMMISSION APPROVAL
PRESENTED TO THE PARK CITY CITY COMMISSIONERS THIS ____ DAY OF _____ A.D. 19___, AT WHICH TIME THIS RECORD OF SURVEY MAP WAS APPROVED.
MAYOR
ATTEST: CITY RECORDER

CITY ENGINEER
APPROVED AND ACCEPTED BY THE _____ CITY ENGINEERING DEPARTMENT ON THIS ____ DAY OF _____ A.D. 19___.
CITY ENGINEER

CITY PLANNING COMMISSION
APPROVED AND ACCEPTED BY THE _____ CITY PLANNING COMMISSION ON THIS ____ DAY OF _____ A.D. 19___.
CHAIRMAN

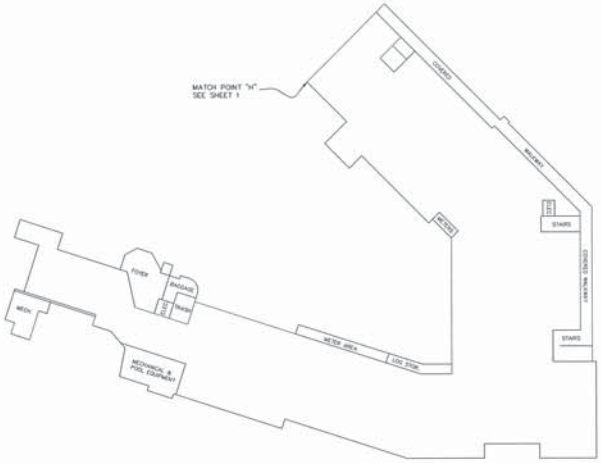
APPROVAL AS TO FORM
APPROVED AS TO FORM ON THIS ____ DAY OF _____ A.D. 19___.
CITY ATTORNEY

RECORDED # 231328
STATE OF UTAH, COUNTY OF SUMMIT RECORDED AND FILED AT THE REQUEST OF Summit County Title
DATE 3-4-85 TIME 3:45 BOOK ____ PAGE ____
FEE $ 102.00
SUMMIT COUNTY RECORDER

STAG LODGE PH I loc'd

Exhibit E - Stag Lodge Phase 1 First Am. Plat

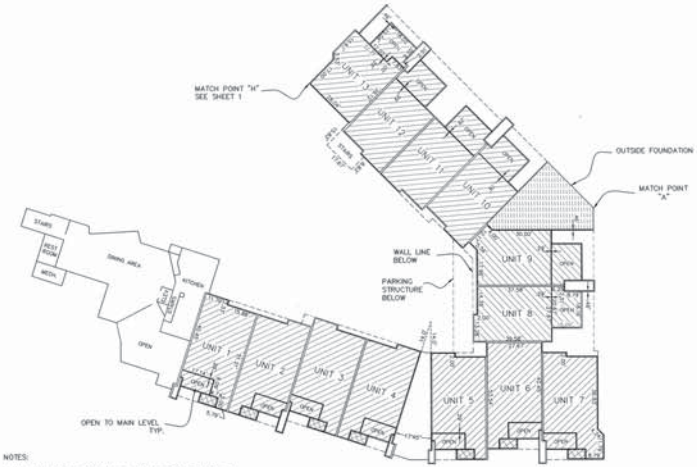
UNIT No.	PRIVATE OWNERSHIP IN FT²	UNIT No.	PRIVATE OWNERSHIP IN FT²
1	2321.12	15	2555.40
2	2321.12	16	2555.40
3	2321.12	17	3553.05
4	2321.12	18	3570.82
5	2321.12	19	3536.73
6	2358.12	20	3553.05
7	2384.83	21	3570.82
8	2228.31	22	3536.73
9	2215.26	23	3553.05
10	2228.31	24	3536.73
11	2228.31		
12	2218.93		
13	2309.54		
14	2556.78		



GARAGE LEVEL

OWNERSHIP DESIGNATIONS

- "PRIVATE OWNERSHIP AREA A"
- COMMON OWNERSHIP
- LIMITED COMMON OWNERSHIP
- "PRIVATE OWNERSHIP AREA B"



NOTES:

1. UNIT 1 IS TYPICAL FOR UNITS 2 THRU 7 EXCEPT AS SHOWN.
2. UNIT 8 IS TYPICAL FOR UNITS 9 THRU 12 EXCEPT AS SHOWN.

UPPER LEVEL

NOTES:

1. UNIT 1 IS TYPICAL FOR UNITS 2 THRU 7 EXCEPT AS SHOWN.
2. UNIT 8 IS TYPICAL FOR UNITS 9 THRU 12 EXCEPT AS SHOWN.
3. ALL EXTERIOR WALL DIMENSIONS ARE 0.46' AND ALL WALLS COMMON TO TWO UNITS ARE 0.83'.

MAIN LEVEL

NOTE: UNLESS OTHERWISE NOTED, ALL DIMENSIONS ON MAIN LEVEL ARE TO INTERIOR FINISH SURFACE.

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the unit owners at the STAG LODGE CONDOMINIUM PROJECT acting as a group in accordance with the Declaration of Covenants, Conditions, and Restrictions for STAG LODGE, a Utah Condominium project, this Amended Record of Survey Map of STAG LODGE, which consists of sheets 2, 3, 4, 5, and 6 in accordance with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act. I further certify the information shown hereon is accurate.

REGISTERED LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah

John Demkowicz, LS #154491 — Date: 11/15/02

OWNER'S DEDICATION AND CONSENT TO RECORD

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

Brad Scott, President — Date: 12-10-02
Stag Lodge Condominium Homeowners Association, Inc.

ACKNOWLEDGMENT

State of Utah
County of Summit ss:

On this 10th day of Dec., 2002, personally appeared before me, the undersigned Notary Public, in and for said County and State, Brad Scott, being duly sworn, acknowledged to me that he is the president of the Stag Lodge Homeowners Association, Inc., and that he signed the above Owner's Dedication and Consent to Record for, on, and in behalf of all of the unit owners at the Stag Lodge Condominium Project acting as a group (under the name of the Stag Lodge Homeowners Association, Inc.) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1963) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Stag Lodge Condominium.

Notary Public: Mary J. Carney
Residing in: Park City
My commission expires: 6-1-2004

NOTARY PUBLIC MARY J. CARNEY 1165 Park Ave. P.O. Box 2804 Park City, Utah 84060 My Commission Expires June 1, 2004 State of Utah

NOTES:

1. This Amended Record of Survey Map is an Amendment of sheets 2, 3, 4, 5, and 6 of the Stag Lodge Condominium, recorded March 4, 1985, as Entry #231328 in the Summit County Recorders Office. Sheet 1 of the Stag Lodge Condominium as recorded March 4, 1985, shall remain intact.
2. All other conditions of approval of the Stag Lodge Condominium project continue to apply.
3. Recorded concurrently herewith an Amendment to the Condominium Declaration for Stag Lodge. This Amended Record of Survey Map has been prepared in connection with said Amended Declaration which provides for, but not limited to, the following:

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

   "Private Ownership Area B" means and refers to the property changed from Common Area or Limited Common Area to private ownership which, hereafter, shall for all purposes be considered part of each Unit, as shown on this Amended Map, including by way of illustration but not limitation private ownership, taxes, assessments, insurance, liability, maintenance, repair and replacement. Private Ownership Area B cannot be used to create a lockout unit or additional bedrooms.
4. The dimensions of the private spaces and square footage calculations are based on the Record of Survey Map of Stag Lodge Condominium (see Note 1), and on measurements in the field. Minor variations may occur. It is the intent that the private ownership area of the units will be as constructed.

FIRST AMENDED
RECORD OF SURVEY MAP

STAG LODGE PHASE I

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST
S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

30 0 30 60

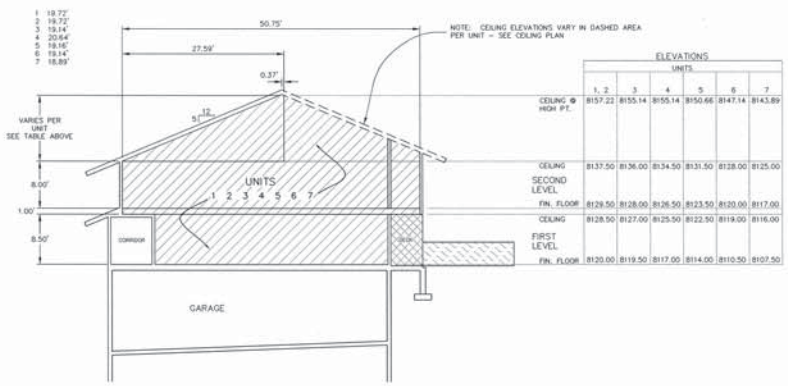
PAGE 2 OF 6

JOB NO.: 5-7-01 FILE: Z:\sf\dwg\Phase1-Am\sht2

Alliance Engineering Inc. (435) 649-9467-PHONE (435) 649-9475-FAX CONSULTING ENGINEERS LAND PLANNERS SURVEYORS 153 Main Street P.O. Box 2804 Park City, Utah 84060-2804

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT	PLANNING COMMISSION	ENGINEER'S CERTIFICATE	APPROVAL AS TO FORM	CERTIFICATE OF ATTEST	COUNCIL APPROVAL AND ACCEPTANCE	RECORDED
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 3rd DAY OF January, 2003 A.D. BY C.B.W.R.D.	APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 6th DAY OF January, 2003 A.D. BY CHAIRMAN	I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 6th DAY OF JANUARY, 2003 A.D. BY PARK CITY ENGINEER	APPROVED AS TO FORM THIS 8TH DAY OF JANUARY, 2003 A.D. BY PARK CITY ATTORNEY	I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 6TH DAY OF JUNE, 2002 A.D. BY PARK CITY RECORDER	APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 6TH DAY OF JUNE, 2002 A.D. BY MAYOR	#645059 STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF High Country Title DATE 1-17-2003 TIME 8:52 AM BOOK - PAGE - $ 17.00 FEE RECORDER

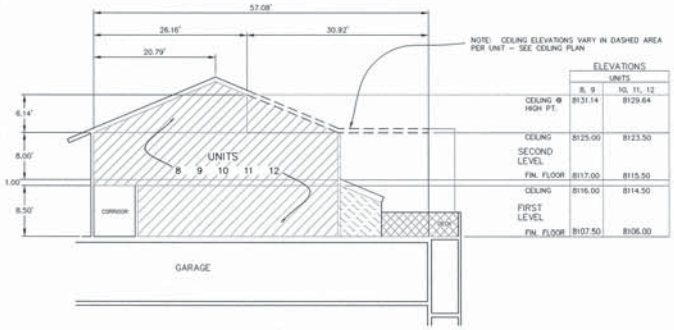
Stag Lodge Ph. 1 2 of 6



ELEVATIONS	UNITS 1, 2	3	4	5	6	7
CEILING @ HIGH PT.	8157.22	8155.14	8155.14	8150.66	8147.14	8143.89
CEILING SECOND LEVEL	8137.50	8136.00	8134.50	8131.50	8128.00	8125.00
FIN. FLOOR	8129.50	8128.00	8126.50	8123.50	8120.00	8117.00
CEILING FIRST LEVEL	8128.50	8127.00	8125.50	8122.50	8119.00	8116.00
FIN. FLOOR	8120.00	8119.50	8117.00	8114.00	8110.50	8107.50

SECTION A–A TYPICAL UNITS 1 2 3 4 5 6 7

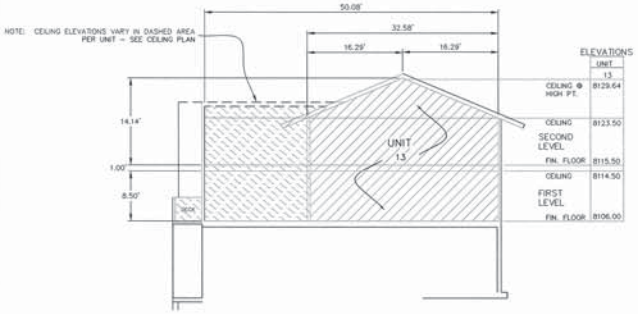
SCALE: 1"=10'



ELEVATIONS	UNITS 8, 9	10, 11, 12
CEILING @ HIGH PT.	8131.14	8129.64
CEILING SECOND LEVEL	8125.00	8123.50
FIN. FLOOR	8117.00	8115.50
CEILING FIRST LEVEL	8116.00	8114.50
FIN. FLOOR	8107.50	8106.00

SECTION B–B TYPICAL UNITS 8 9 10 11 12

SCALE: 1"=10'



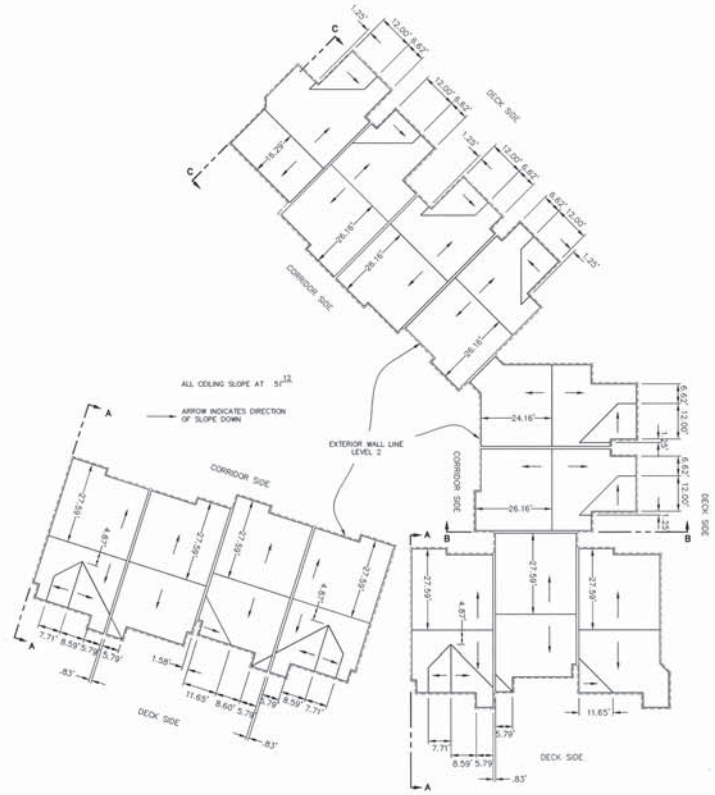
ELEVATIONS	UNIT 13
CEILING @ HIGH PT.	8129.64
CEILING SECOND LEVEL	8123.50
FIN. FLOOR	8115.50
CEILING FIRST LEVEL	8114.50
FIN. FLOOR	8106.00

SECTION C–C TYPICAL UNIT 13

SCALE: 1"=10'

OWNERSHIP DESIGNATIONS

- "PRIVATE OWNERSHIP AREA A"
- COMMON OWNERSHIP
- LIMITED COMMON OWNERSHIP
- "PRIVATE OWNERSHIP AREA B"



CEILING PLAN

SCALE: 1"=20'

BENCHMARK
BRASS CAP MONUMENT IN BOX (IN ROYAL STREET EAST) APPROXIMATELY 150 FEET NORTHERLY OF P.I. TWO ROADS – ROYAL STREET EAST AND STAG LODGE ENTRANCE
ELEV. 8079.21'

NOTES:

1. This Amended Record of Survey Map is an Amendment of sheets 2, 3, 4, 5, and 6 of the Stag Lodge Condominium, recorded March 4, 1985, as Entry #231328 in the Summit County Recorders Office. Sheet 1 of the Stag Lodge Condominium as recorded March 4, 1985, shall remain intact.

2. All other conditions of approval of the Stag Lodge Condominium project continue to apply.

3. Recorded concurrently herewith an Amendment to the Condominium Declaration for Stag Lodge. This Amended Record of Survey Map has been prepared in connection with said Amended Declaration which provides for, but not limited to, the following:

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

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

4. The dimensions of the private spaces and square footage calculations are based on the Record of Survey Map of Stag Lodge Condominium (see Note 1), and on measurements in the field. Minor variations may occur. It is the intent that the private ownership area of the units will be as constructed.

FIRST AMENDED
RECORD OF SURVEY MAP

STAG LODGE PHASE I

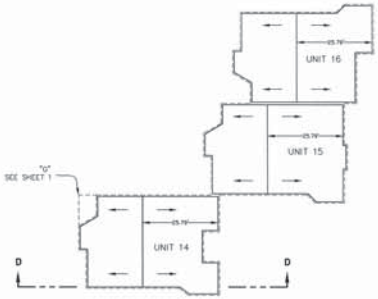
A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST
S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

PAGE 3 of 6

5-7-01 Z:\sl\dwg\Phase1-Am\ph1-sht3

II 645057 RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF High Country Title
DATE 6-13-2003 TIME 8:57 AM BOOK – PAGE –
$174.00 Alan Spriggs
FEE RECORDER

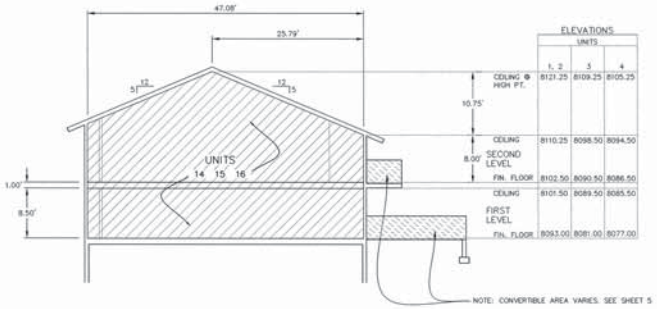
Stag Lodge Ph 1 3 of 6



SECOND LEVEL CEILING PLAN – UNITS 14 15 16
SCALE: 1"=20'

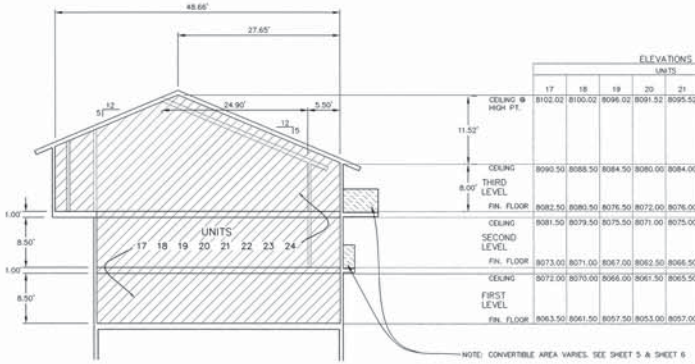
ALL CEILINGS SLOPE AT 5/12
ARROW INDICATES DIRECTION OF SLOPE DOWN
DASHED LINE INDICATES OUTSIDE OF WALL

THIRD LEVEL CEILING PLAN – UNITS 17 18 19 20 21 22 23 24
SCALE: 1"=20'



	ELEVATIONS UNITS 1, 2	3	4
CEILING @ HIGH PT.	8121.25	8109.25	8105.25
CEILING (SECOND LEVEL)	8110.25	8098.50	8094.50
FIN. FLOOR (SECOND LEVEL)	8102.50	8090.50	8086.50
CEILING (FIRST LEVEL)	8101.50	8089.50	8085.50
FIN. FLOOR (FIRST LEVEL)	8093.00	8081.00	8077.00

SECTION D–D – TYPICAL UNITS 14 15 16
SCALE: 1"=10'



	ELEVATIONS UNITS 17	18	19	20	21	22	23	24
CEILING @ HIGH PT.	8102.02	8100.02	8096.02	8091.52	8095.52	8097.52	8097.52	8099.52
CEILING (THIRD LEVEL)	8090.50	8088.50	8084.50	8080.00	8084.00	8086.00	8086.00	8088.00
FIN. FLOOR (THIRD LEVEL)	8082.50	8080.50	8076.50	8072.00	8076.00	8078.00	8078.00	8080.00
CEILING (SECOND LEVEL)	8081.50	8079.50	8075.50	8071.00	8075.00	8077.00	8077.00	8079.00
FIN. FLOOR (SECOND LEVEL)	8073.00	8071.00	8067.00	8062.50	8066.50	8068.50	8068.50	8070.50
CEILING (FIRST LEVEL)	8072.00	8070.00	8066.00	8061.50	8065.50	8067.50	8067.50	8069.50
FIN. FLOOR (FIRST LEVEL)	8063.50	8061.50	8057.50	8053.00	8057.00	8059.00	8059.00	8061.00

SECTION E–E – TYPICAL UNITS 17 18 19 20 21 22 23 24
SCALE: 1"=10'

OWNERSHIP DESIGNATIONS

- "PRIVATE OWNERSHIP AREA A"
- COMMON OWNERSHIP
- LIMITED COMMON OWNERSHIP
- "PRIVATE OWNERSHIP AREA B"

NOTES:

1. This Amended Record of Survey Map is an Amendment of sheets 2, 3, 4, 5, and 6 of the Stag Lodge Condominium, recorded March 4, 1985, as Entry #231328 in the Summit County Recorders Office. Sheet 1 of the Stag Lodge Condominium as recorded March 4, 1985, shall remain intact.
2. All other conditions of approval of the Stag Lodge Condominium project continue to apply.
3. Recorded concurrently herewith an Amendment to the Condominium Declaration for Stag Lodge. This Amended Record of Survey Map has been prepared in connection with said Amended Declaration which provides for, but not limited to, the following:

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

   "Private Ownership Area B" means and refers to the property changed from Common Area or Limited Common Area to private ownership which, hereafter, shall for all purposes be considered part of each Unit, as shown on this Amended Map, including by way of illustration but not limitation private ownership, taxes, assessments, insurance, liability, maintenance, repair and replacement. Private Ownership Area B cannot be used to create a lockout unit or additional bedrooms.
4. The dimensions of the private spaces and square footage calculations are based on the Record of Survey Map of Stag Lodge Condominium (see Note 1), and on measurements in the field. Minor variations may occur. It is the intent that the private ownership area of the units will be as constructed.

FIRST AMENDED
RECORD OF SURVEY MAP

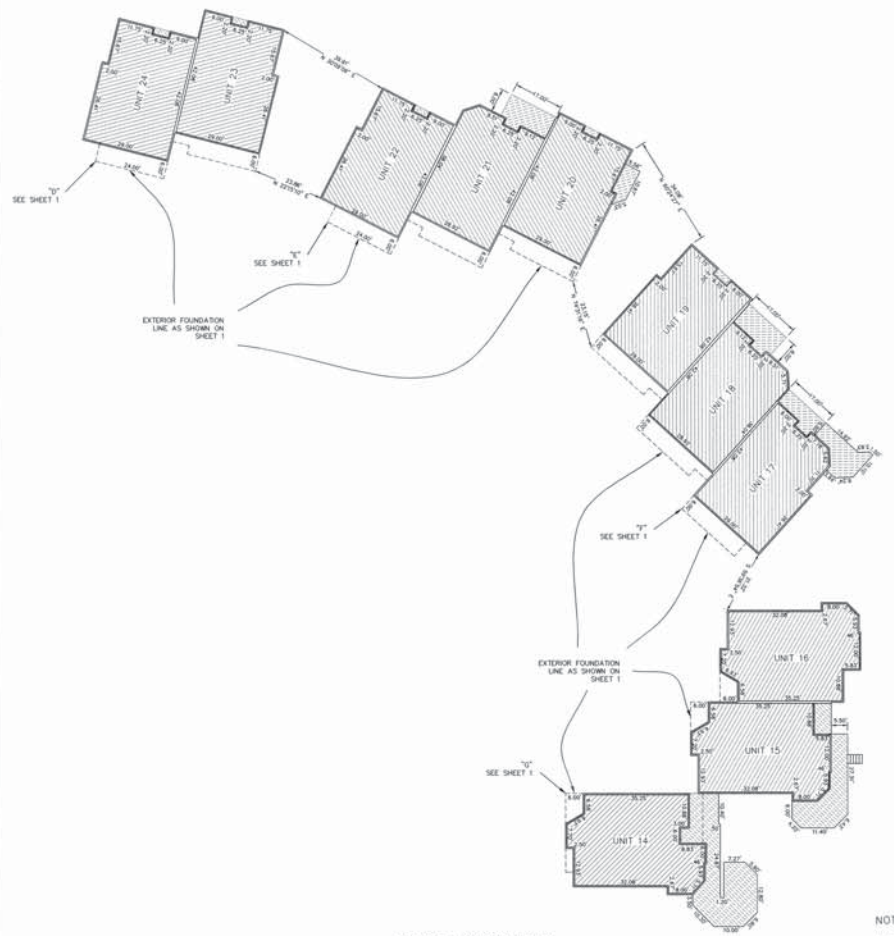
STAG LODGE PHASE I

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST
S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

5-7-01 Z:\sl\dwg\Phase1-Am\ph1-sht4

#649057 RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF High Country Title
DATE 1-17-2003 TIME 1:57 PM BOOK — PAGE —
$174.00 FEE Alan Spriggs RECORDER

Stag Lodge Ph 1 4 of 6

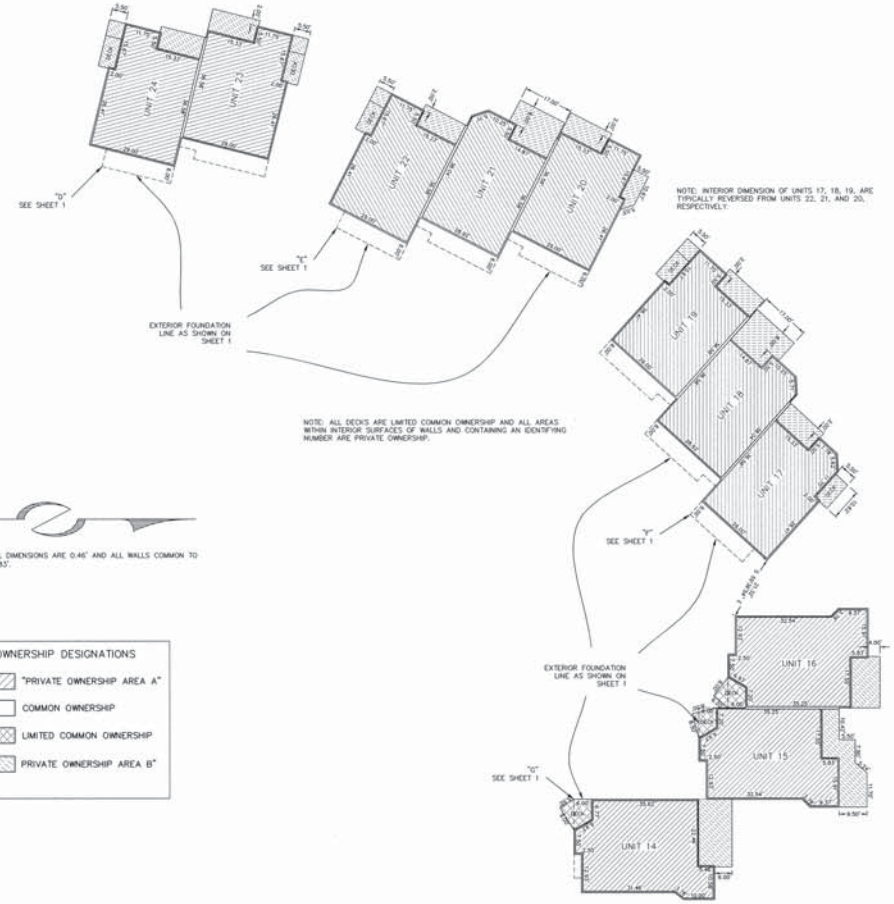


LEVEL 1 FLOOR PLAN

ALL EXTERIOR WALL DIMENSIONS ARE 0.46' AND ALL WALLS COMMON TO TWO UNITS ARE 0.83'.

OWNERSHIP DESIGNATIONS

- "PRIVATE OWNERSHIP AREA A"
- COMMON OWNERSHIP
- LIMITED COMMON OWNERSHIP
- PRIVATE OWNERSHIP AREA B"



LEVEL 2 FLOOR PLAN

NOTES:

1. This Amended Record of Survey Map is an Amendment of sheets 2, 3, 4, 5, and 6 of the Stag Lodge Condominium, recorded March 4, 1985, as Entry #231328 in the Summit County Recorders Office. Sheet 1 of the Stag Lodge Condominium as recorded March 4, 1985, shall remain intact.

2. All other conditions of approval of the Stag Lodge Condominium project continue to apply.

3. Recorded concurrently herewith an Amendment to the Condominium Declaration for Stag Lodge. This Amended Record of Survey Map has been prepared in connection with said Amended Declaration which provides for, but not limited to, the following:

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4. The dimensions of the private spaces and square footage calculations are based on the Record of Survey Map of Stag Lodge Condominium (see Note 1), and on measurements in the field. Minor variations may occur. It is the intent that the private ownership area of the units will be as constructed.

FIRST AMENDED
RECORD OF SURVEY MAP

STAG LODGE PHASE I

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST
S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

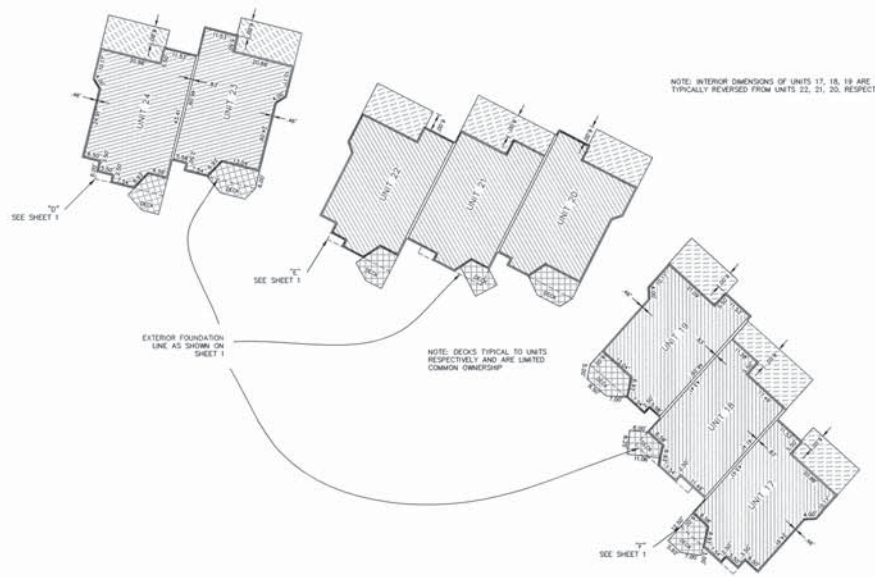
20 0 20 40

PAGE 5 of 6

5-7-01 Z:\sl\dwg\Phase\sht5

#645057 RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF High Country Title
DATE 1-17-2003 TIME 8:57AM BOOK — PAGE —
$194.00 FEE Alan Spriggs RECORDER

Stag Lodge Ph 1 5of6



NOTE: INTERIOR DIMENSIONS OF UNITS 17, 18, 19 ARE TYPICALLY REVERSED FROM UNITS 22, 21, 20, RESPECTIVELY.

ALL EXTERIOR WALL DIMENSIONS ARE 0.46' AND ALL WALLS COMMON TO TWO UNITS ARE 0.83'.

OWNERSHIP DESIGNATIONS

- "PRIVATE OWNERSHIP AREA A"
- COMMON OWNERSHIP
- LIMITED COMMON OWNERSHIP
- PRIVATE OWNERSHIP AREA B"

NOTE: ALL AREAS WITHIN INTERIOR SURFACES OF WALLS AND CONTAINING AN IDENTIFYING NUMBER ARE PRIVATE OWNERSHIP.

LEVEL 3 FLOOR PLAN

NOTES:

1. This Amended Record of Survey Map is an Amendment of sheets 2, 3, 4, 5, and 6 of the Stag Lodge Condominium, recorded March 4, 1985, as Entry #231328 in the Summit County Recorders Office. Sheet 1 of the Stag Lodge Condominium as recorded March 4, 1985, shall remain intact.

2. All other conditions of approval of the Stag Lodge Condominium project continue to apply.

3. Recorded concurrently herewith an Amendment to the Condominium Declaration for Stag Lodge. This Amended Record of Survey Map has been prepared in connection with said Amended Declaration which provides for, but not limited to, the following:

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

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

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FIRST AMENDED
RECORD OF SURVEY MAP

STAG LODGE PHASE I

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST
S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

20 0 20 40

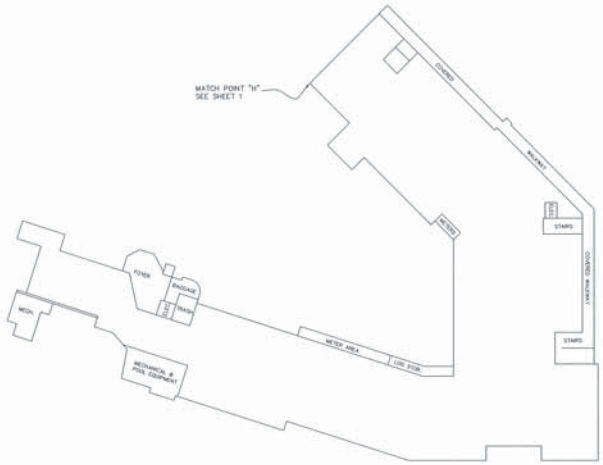
#645059 RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF High Country Title
DATE 6-7-2023 TIME 8:07AM BOOK — PAGE —
$174.00 FEE
Kent Jarvis RECORDER

5-7-01 Z:\sf\dwg\Phase1-Am\ph1-sht6

Slag lodge Ph 1 6of6

Exhibit F - Stag Lodge Phase 1 Second Am. Plat

UNIT No.	PRIVATE OWNERSHIP IN FT²	UNIT No.	PRIVATE OWNERSHIP IN FT²
1	2321.12	15	2555.40
2	2321.12	16	2555.40
3	2321.12	17	3553.05
4	2321.12	18	3570.82
5	2321.12	19	3536.73
6	2308.12	20	3553.05
7	2384.83	21	3570.82
8	2228.31	22	3536.73
9	2213.26	23	3553.05
10	2228.31	24	3536.73
11	2228.31		
12	2218.93		
13	2309.54		
14	2556.78		



GARAGE LEVEL

NOTES:

1. UNIT 1 IS TYPICAL FOR UNITS 2 THRU 7 EXCEPT AS SHOWN.
2. UNIT 8 IS TYPICAL FOR UNITS 9 THRU 12 EXCEPT AS SHOWN.
3. ALL EXTERIOR WALL DIMENSIONS ARE 0.46' AND ALL WALLS COMMON TO TWO UNITS ARE 0.83'.

OWNERSHIP DESIGNATIONS

- "PRIVATE OWNERSHIP AREA A"
- COMMON OWNERSHIP
- LIMITED COMMON OWNERSHIP
- "PRIVATE OWNERSHIP AREA B"

NOTES:

1. UNIT 1 IS TYPICAL FOR UNITS 2 THRU 7 EXCEPT AS SHOWN.
2. UNIT 8 IS TYPICAL FOR UNITS 9 THRU 12 EXCEPT AS SHOWN.

UPPER LEVEL

MAIN LEVEL

NOTE: UNLESS OTHERWISE NOTED, ALL DIMENSIONS ON MAIN LEVEL ARE TO INTERIOR FINISH SURFACE.

SURVEYOR'S CERTIFICATE

I, John Demkowicz, certify that I am a Registered Land Surveyor and that I hold Certificate No. 154491, as prescribed by the laws of the State of Utah, and that I have caused to be made under my direction and by the authority of the unit owners at the STAG LODGE CONDOMINIUM PROJECT acting as a group in accordance with the Declaration of Covenants, Conditions, and Restrictions for STAG LODGE, a Utah Condominium project, this Second Amended Record of Survey Map of STAG LODGE PHASE I, which consists of pages 2, 4, and 5 in accordance with the provisions of Section 57-8-13(1) of the Utah Condominium Ownership Act. I further certify the information shown hereon is accurate.

PROFESSIONAL LAND SURVEYOR No. 154491 JOHN DEMKOWICZ State of Utah

John Demkowicz, LS #154491 — Date 5/6/05

OWNER'S DEDICATION AND CONSENT TO RECORD

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

Anita Hirsch, owner of Unlys 3 & 4 by Brent Glassmeyer
Attorney-In-Fact
for Anita Hirsch pursuant to the Limited Power of Attorney, document no. 00732732, Bk 01692, Pg. 007743-00744 as recorded on April 13, 2005 in the office of the Summit County Recorder.

ACKNOWLEDGMENT

State of Utah
County of Summit } SS:

On this 6th day of May 2005, personally appeared before me, the undersigned Notary Public, in and for said County and State, Brent Glassmeyer who duly acknowledged the foregoing instrument.

Mary J. Carney
A NOTARY PUBLIC COMMISSIONED IN UTAH
Mary J. Carney
Residing in: Park City, UT
My commission expires: 6-13-2008

OWNER'S DEDICATION AND CONSENT TO RECORD

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

Robert S. Carpenter, President — Date 5-2-05
Stag Lodge Condominium Homeowners Association, Inc.

ACKNOWLEDGMENT

State of MARYLAND
County of BALTO. CITY } SS:

On this 2nd day of MAY 2005, 2005, personally appeared before me, the undersigned Notary Public, in and for said County and State, Robert S. Carpenter, being duly sworn, acknowledged to me that he is the president of the Stag Lodge Homeowners Association, Inc., and that he signed the above Owner's Dedication and Consent to Record for, on, and in behalf of all of the unit owners at the Stag Lodge Condominium Project acting as a group (under the name of the Stag Lodge Homeowners Association, Inc.) in accordance with the Utah Condominium Ownership Act, U.C.A., Sections 57-1-1 et seq. (1963) as amended and supplemented, and the Declarations of Covenants, Conditions, and Restrictions for Stag Lodge Condominium.

A NOTARY PUBLIC COMMISSIONED IN MARYLAND
TONY FERGUSON
Full Name (printed)
Residing in: BALTIMORE CITY
My commission expires: Nov. 1, 2005

NOTES:

1. This Second Amended Record of Survey Map is an Amendment of pages 2, 4, and 5 of the First Amended Stag Lodge Phase I Condominium, recorded January 17, 2003, as Entry #645059 in the Summit County Recorders Office. Page 1 of the Stag Lodge Phase I Condominium as recorded March 4, 1985, and pages 3 and 6 as recorded January 17, 2003, as Entry #645059, shall remain intact.
2. All other conditions of approval of the Stag Lodge Condominium project continue to apply.
3. See Amendment to Declaration of Condominium for Stag Lodge, Document #00645062, Bk 1504, Pg 01845-01852, filed January 17, 2003. This Amended Record of Survey Map has been prepared in connection with said Amended Declaration which provideds for, but not limited to, the following:

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

   "Private Ownership Area B" means and refers to the property changed from Common Area or Limited Common Area to private ownership which, hereafter, shall for all purposes be considered part of each Unit, as shown on this Amended Map, including by way of illustration but not limitation private ownership, taxes, assessments, insurance, liability, maintenance, repair and replacement. Private Ownership Area B cannot be used to create a lockout unit or additional bedrooms.
4. The dimensions of the private spaces and square footage calculations are based on the Record of Survey Map of Stag Lodge Phase I Condominium (see Note 1), and on measurements in the field. Minor variations may occur. It is the intent that the private ownership area of the units will be as constructed.
5. Units 3 & 4 are a combined unit of single ownership. Pursuant to a provision contained in the Declaration of Condominium, Entry no. 231239, recorded March 4, 1985, paragraph 3.03, Right to Combine Units, the wall seperation between Units 3 & 4 may for as long as the two Units are utilized as one Unit, be utilized as a Limited Common Area as shown hereon.

SECOND AMENDED
RECORD OF SURVEY MAP

STAG LODGE PHASE I

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST
S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

30 0 30 60

PAGE 2 OF 6

JOB NO.: 4-2-04 FILE: x:\sl\dwg\040204 amended\ph1-sht2

Alliance Engineering Inc.
(435) 649-9467-PHONE
(435) 649-9470-FAX
CONSULTING ENGINEERS LAND PLANNERS SURVEYORS
333 Main Street P.O. Box 2664 Park City, Utah 84060-2664

SNYDERVILLE BASIN WATER RECLAMATION DISTRICT
REVIEWED FOR CONFORMANCE TO SNYDERVILLE BASIN WATER RECLAMATION DISTRICT STANDARDS ON THIS 6th DAY OF May, 2005 A.D.
BY S.B.W.R.D.

PLANNING COMMISSION
APPROVED BY THE PARK CITY PLANNING COMMISSION THIS 18 DAY OF May 2005 A.D.
BY (J. Barth) CHAIRMAN

ENGINEER'S CERTIFICATE
I FIND THIS PLAT TO BE IN ACCORDANCE WITH INFORMATION ON FILE IN MY OFFICE THIS 13TH DAY OF MAY 2005 A.D.
BY PARK CITY ENGINEER

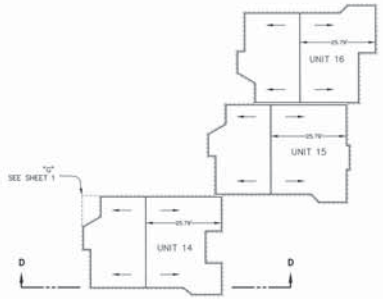
APPROVAL AS TO FORM
APPROVED AS TO FORM THIS 17TH DAY OF MAY, 2005 A.D.
BY PARK CITY ATTORNEY

CERTIFICATE OF ATTEST
I CERTIFY THIS RECORD OF SURVEY MAP WAS APPROVED BY PARK CITY COUNCIL THIS 1ST DAY OF JULY 2005 A.D.
BY PARK CITY RECORDER

COUNCIL APPROVAL AND ACCEPTANCE
APPROVAL AND ACCEPTANCE BY THE PARK CITY COUNCIL THIS 1ST DAY OF JULY 2005 A.D.
BY MAYOR

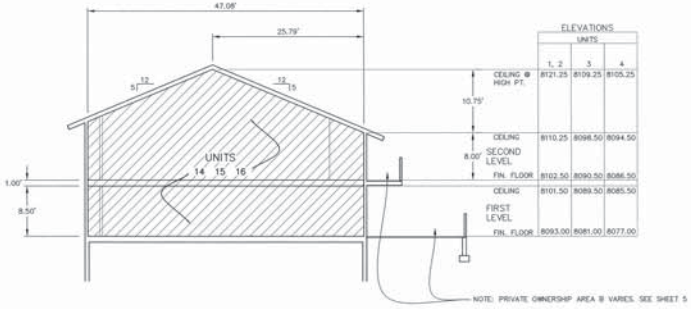
RECORDED
737279
STATE OF UTAH, COUNTY OF SUMMIT, AND FILED AT THE REQUEST OF High Country Title
DATE 5-25-05 TIME 12:30 BOOK — PAGE —
$114.00 FEE — RECORDER

STAG LODGE PHASE I SECOND AMENDED



SECOND LEVEL CEILING PLAN – UNITS 14 15 16
SCALE: 1"=20'

THIRD LEVEL CEILING PLAN – UNITS 17 18 19 20 21 22 23 24
SCALE: 1"=20'



	ELEVATIONS UNITS 1, 2	3	4
CEILING @ HIGH PT.	8121.25	8109.25	8105.25
CEILING	8110.25	8098.50	8094.50
SECOND LEVEL FIN. FLOOR	8102.50	8090.50	8086.50
CEILING	8101.50	8089.50	8085.50
FIRST LEVEL FIN. FLOOR	8093.00	8081.00	8077.00

SECTION D–D – TYPICAL UNITS 14 15 16
SCALE: 1"=10'

ALL CEILINGS SLOPE AT 5/12
ARROW INDICATES DIRECTION OF SLOPE DOWN
DASHED LINE INDICATES OUTSIDE OF WALL

OWNERSHIP DESIGNATIONS
- "PRIVATE OWNERSHIP AREA A"
- COMMON OWNERSHIP
- LIMITED COMMON OWNERSHIP
- "PRIVATE OWNERSHIP AREA B"

NOTES:

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3. See Amendment to Declaration of Condominium for Stag Lodge Document #00645062, Bk 1504, Pg 01845–01852, filed January 17, 2003. This Amended Record of Survey Map has been prepared in connection with said Amended Declaration which provides for, but not limited to, the following:

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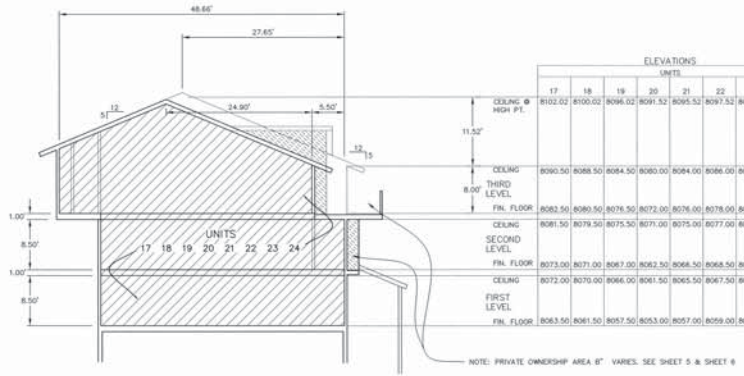


	ELEVATIONS UNITS 17	18	19	20	21	22	23	24
CEILING @ HIGH PT.	8102.02	8100.02	8096.02	8091.52	8095.52	8097.52	8097.52	8099.52
CEILING	8090.50	8088.50	8084.50	8080.00	8084.00	8086.00	8086.00	8088.00
THIRD LEVEL FIN. FLOOR	8082.50	8080.50	8076.50	8072.00	8076.00	8078.00	8078.00	8080.00
CEILING	8081.50	8079.50	8075.50	8071.00	8075.00	8077.00	8077.00	8079.00
SECOND LEVEL FIN. FLOOR	8073.00	8071.00	8067.00	8062.50	8066.50	8068.50	8068.50	8070.50
CEILING	8072.00	8070.00	8066.00	8061.50	8065.50	8067.50	8067.50	8069.50
FIRST LEVEL FIN. FLOOR	8063.50	8061.50	8057.50	8053.00	8057.00	8059.00	8059.00	8061.00

SECTION E–E – TYPICAL UNITS 17 18 19 20 21 22 23 24
SCALE: 1"=10'

SECOND AMENDED
RECORD OF SURVEY MAP

STAG LODGE PHASE I

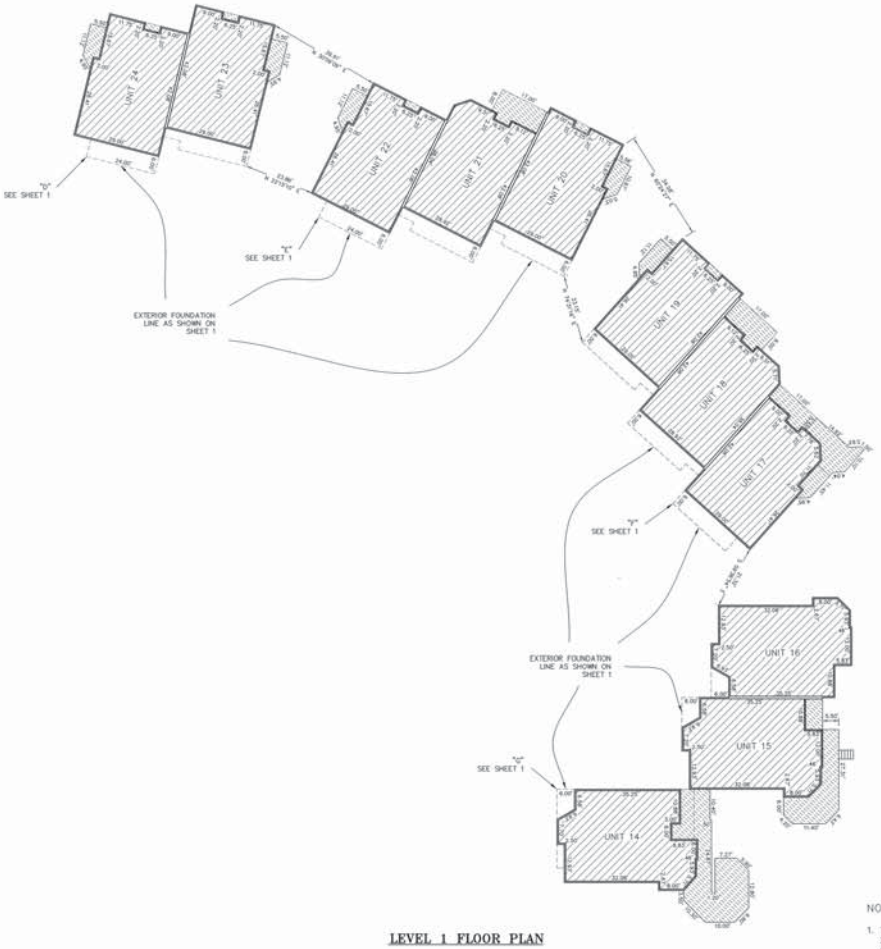
A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST
S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

JOB NO.: 4-2-04 FILE: x:\sf\dwg\040204 amended\ph1-sht4

737279 RECORDED

STATE OF UTAH, COUNTY OF SUMMIT, AND FILED
AT THE REQUEST OF High Country Title
DATE 5-25-2005 TIME 12:30 BOOK ___ PAGE ___
114.00 FEE
RECORDER

STAG LODGE PHASE I SECOND AMENDED

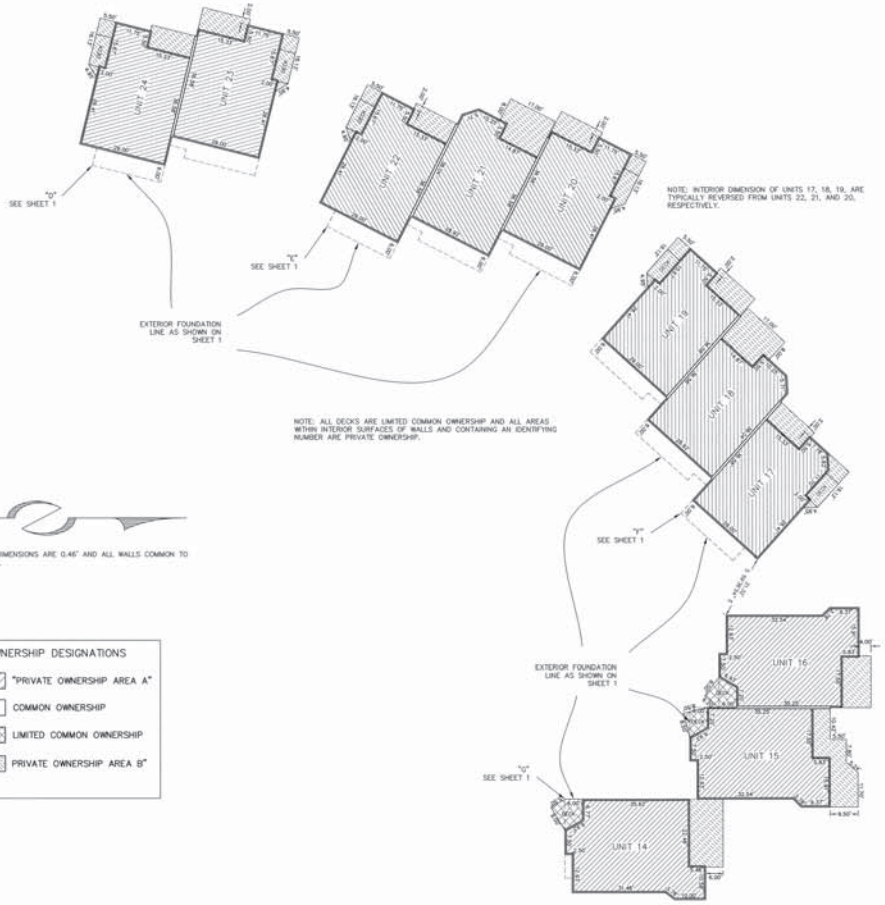


LEVEL 1 FLOOR PLAN

ALL EXTERIOR WALL DIMENSIONS ARE 0.46' AND ALL WALLS COMMON TO TWO UNITS ARE 0.83'.

OWNERSHIP DESIGNATIONS

- "PRIVATE OWNERSHIP AREA A"
- COMMON OWNERSHIP
- LIMITED COMMON OWNERSHIP
- PRIVATE OWNERSHIP AREA B"



LEVEL 2 FLOOR PLAN

NOTES:

1. This Second Amended Record of Survey Map is an Amendment of pages 2, 4, and 5 of the First Amended Stag Lodge Phase I Condominium, recorded January 17, 2003, as Entry #645059 in the Summit County Recorders Office. Page 1 of the Stag Lodge Phase I Condominium as recorded March 4, 1985, and pages 3 and 6 as recorded January 17, 2003, as Entry #645059, shall remain intact.
2. All other conditions of approval of the Stag Lodge Condominium project continue to apply.
3. See Amendment to Declaration of Condominium for Stag Lodge, Document #00645062, Bk 01504, Pg 01845-01852, filed January 17, 2003. This Amended Record of Survey Map has been prepared in connection with said Amended Declaration which provides for, but not limited to, the following:

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SECOND AMENDED
RECORD OF SURVEY MAP

STAG LODGE PHASE I

A UTAH CONDOMINIUM PROJECT
LOCATED IN SECTION 22
TOWNSHIP 2 SOUTH, RANGE 4 EAST
S.L.B. & M.
PARK CITY, SUMMIT COUNTY, UTAH

20 0 20 40

PAGE 5 of 6

#737279 RECORDED
STATE OF UTAH COUNTY OF SUMMIT AND FILED
AT THE REQUEST OF High Country Drive
DATE 5-25-2005 TIME 12:30 BOOK — PAGE —
$ 114.00 FEE Denise D. Bowen, Deputy RECORDER

4-2-04 X:\SL\DWG\040204 AMENDED\PH1-SHT5

STAG LODGE PHASE I SECOND AMENDED

Exhibit G - Aerial Photos and Photos of Unit 10

Stag Lodge, Phase 1, Unit 10

RECEIVED
JUN 0 6 2016
PARK CITY
PLANNING DEPT.

Stag Lodge, Phase 1, Unit 10

RECEIVED
JUN 0 6 2016
PARK CITY
PLANNING DEPT.

Stag Lodge, Phase 1, Unit 10

RECEIVED
JUN 06 2016
PARK CITY
PLANNING DEPT.

Planning Commission
Staff Report

PARK CITY 1884
PLANNING DEPARTMENT

Subject: **Bonanza Park East Master Planned Development Pre-Application**
Author: **Francisco Astorga, AICP, Senior Planner**
Project #: **PL-15-02997**
Date: **30 November 2016**
Type of Item: **Administrative - Master Planned Development Pre-Application**

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing and consider making a finding of preliminary compliance with the purpose of the General Commercial District and the General Plan of the Bonanza Park East Master Planned Development Pre-Application located at 1401 & 1415 Kearns Blvd., 1415, 1635, 1665, 1685, & 1705 Bonanza Dr., 1420 & 1490 W Munchkin Rd., based on the findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Description

Applicant:	JP's Nevada LLC, Bonanza Park LLC, and Maverick, Park City LLC represented by Mark Fischer, Rory Murphy, and Craig Elliott
Location:	1401 & 1415 Kearns Blvd., 1415, 1635, 1665, 1685, & 1705 Bonanza Dr., 1420 W. & 1490 W. Munchkin Rd.
Zoning:	GC District
Adjacent Land Uses:	The City Cemetery is located to the north (across Kearns Blvd./SR-248). A strip mall and commercial/retail shops are located immediately to the west. Resort storage and parking lot of the Park City Mountain is located to the south (across Munchkin Rd.) Two strip commercial malls are located to the east (across Bonanza Dr.)
Reason for Review:	MPD Pre-Applications require Planning Commission review and findings of compliance with the Park City General Plan and Zoning District prior to submittal of the full MPD application. Any residential project with ten (10) or more residential unit equivalents (20,000 square feet) or ten (10) or more commercial unit equivalents (10,000 square feet) requires a Master Planned Development in this District.

Process

Land Management Code (LMC) § 15-6-4 outlines the following process for a MPD Pre-Application:

A. *PRE-APPLICATION CONFERENCE. A pre-Application conference shall be held with the Planning Department staff in order for the Applicant to become acquainted with the Master Planned Development procedures and related City requirements and schedules. The Planning Department staff will give preliminary feedback to the potential Applicant based on information available at the pre-Application conference and will inform the Applicant of issues or special requirements which may result from the proposal.*

B. *PRE-APPLICATION PUBLIC MEETING AND DETERMINATION OF COMPLIANCE. In order to provide an opportunity for the public and the Planning Commission to give preliminary input on a concept for a Master Planned Development, all MPDs will be required to go through a pre-Application public meeting before the Planning Commission except for MPDs subject to an Annexation Agreement. A pre-Application will be filed with the Park City Planning Department and shall include conceptual plans as stated on the Application form and the applicable fee. The public will be notified and invited to attend and comment in accordance with LMC Chapters 15-1-12 and 15-1-21, Notice Matrix, of this Code.*

   At the pre-Application public meeting, the Applicant will have an opportunity to present the preliminary concepts for the proposed Master Planned Development. This preliminary review will focus on identifying issues of compliance with the General Plan and zoning compliance for the proposed MPD. The public will be given an opportunity to comment on the preliminary concepts so that the Applicant can address neighborhood concerns in preparation of an Application for an MPD.

   The Planning Commission shall review the preliminary information to identify issues on compliance with the General Plan and will make a finding that the project initially complies with the General Plan. Such finding is to be made prior to the Applicant filing a formal MPD Application. If no such finding can be made, the applicant must submit a modified Application or the General Plan would have to be modified prior to formal acceptance and processing of the Application. For larger MPDs, it is recommended that the Applicant host additional neighborhood meetings in preparation of filing of a formal Application for an MPD.

   For MPDs that are vested as part of Large Scale MPDs the Planning Director may waive the requirement for a pre-Application meeting. Prior to final approval of an MPD that is subject to an Annexation Agreement or a Large Scale MPD, the Commission shall make findings that the project is consistent with the Annexation Agreement or Large Scale MPD and the General Plan.

[…]

As indicated in the LMC, the MPD Pre-Application is intended to:

- Allow the applicant to have an opportunity to present the preliminary concepts.
- Provide an opportunity for the Planning Commission to give preliminary input on a concept.
- Allow the public to be given an opportunity to comment on the preliminary concepts so that the applicant can address neighborhood concerns.

As indicated on LMC § 15-6-4(B), second paragraph, the preliminary review is to focus on identifying issues of compliance with the General Plan and the Zoning District. The Planning Commission is to review the preliminary information to identify issues on compliance with the General Plan and is to make findings that the project initially complies with the General Plan. **The MPD Pre-Application does not vest any densities, layouts, heights, setback exceptions, etc. It focuses on identifying conceptual issues of compliance with the General Plan and Zoning.**

Updated Proposal

The Planning Commission reviewed this application on May 11, 2016. See Exhibit C – 11 May 2016 Planning Commission Staff Report and Exhibit D – 11 May 2016 Planning Commission Minutes. After meeting with the Planning Commission on May 11, 2016 and with Staff several times after that, the applicant updated their plans on July 27, 2016. The Planning Commission reviewed this application again on August 24, 2016. See Exhibit E – 24 August 2016 Planning Commission Staff Report & Exhibit F – 24 August 2016 Planning Commission Minutes.

On October 11, 2016 the City received an update to the site plan which replaced sheet MPD – 006, Landscape / Site Plan. Staff also received the Regional Bus Stops Locations exhibit. On November 9, 2016 the City received three (3) narratives addressing compliance with the Goals and Objectives of the General Plan (GP), compliance with the GP Bonanza Park (BoPa) Neighborhood Section, and compliance with the Transportation Master Plan. See Exhibit G, Exhibit H, and Exhibit I, respectively. On November 17 Staff received updated sheets MPD - 120 through MPD – 125 and an updated Area Calculation table. Exhibit B – Updated Plans (dated 11/17/16) contains the most current proposal of this application.

The entire project is summarized with the following updated outline:

- Seven (7) separate buildings identified as Bldg. A - G.
- Proposed gross floor area of approximately 276,494 sf. (formerly 277,387 sf.)
    - Bldg. A – approximately 54,357 gross floor area , 4 stories (including lower level due to grade change)
    - Bldg. B – approximately 49,251 sf. gross floor area, 4 stories
    - Bldg. C – approximately 16,640 sf. gross floor area, 3 stories
    - Bldg. D – approximately 63,346 sf. gross floor area, 4 & 5 stories

- Bldg. E – approximately 49,184 sf. gross floor area, 4 & 5 stories
- Bldg. F – approximately 24,076 sf. gross floor area, 3
- Bldg. G – approximately 19,637 sf. gross floor area, 4 stories

- Square footage divided by general use:
  - Residential: 104,357 sf. (52.18 UEs) formerly 75,636 sf. (37.82 UEs)
  - Business (Office): 4,371 sf. (4.37 UEs) formerly 22,554 sf. (22.55 UEs)
  - Commercial: 87,986 sf. (87.99 UEs) formerly 105,868 sf. (105.87 UEs)
  - Residential affordable housing: 20,390 sf. formerly 11,351 sf.
  - Circulation: 47,461 sf. formerly 50,124 sf.
  - Mechanical: 11,929 sf. formerly 11,333 sf.

- Proposed underground parking area with two (2) access points
  - One (1) underneath Bldg. D near the Kearns Blvd. access point.
  - One (1) underneath Bldg. A, through the circular drop off area between Bldg. B and Bldg. C.

- 355 parking spaces proposed
  - 271 underground parking stalls
  - 84 surface parking stalls

Background

On November 4, 2015, the City received this MPD Pre-Application. The application was updated on February 5, 2016, July 27, 2016, October 11, 2016, November 9, 2016, and November 17, 2016. The property is located within the GC District. The subject property is located at 1401 & 1415 Kearns Boulevard, 1415, 1635, 1665, 1685, & 1705 Bonanza Drive, 1420 W. & 1490 W. Munchkin Road. The subject site contains 224,801 square feet (approx. 5.16 acres). The subject site consists of nine (9) separate parcels/lots. Table 1 below shows the owner (LLC) name; parcel no.; address; and current tenant/associated use (known as).

Table 1:

Owner	Parcel No.	Address	*Known as*
JP's Nevada, LLC	PCA-110-G-1	1401 Kearns Blvd.	New Kimball Art Center
Bonanza Park, LLC	PSA-46-RE-C	1685 Bonanza Dr.	Skis on the Run Switchback Sports
	KBC-A	1409 Kearns Blvd.	Silver King Coffee drive through kiosk
	KBC-B	1415 Kearns Blvd.	Vacant site (undeveloped parking lot)- north of Anaya's Market)
	PCA-110-G-2-A	1420 W. Munchkin Rd.	Storage Units
	PCA-110-G-3	1490 W. Munchkin Rd.	Anaya's Market Topmark Floor &

			Design Soul Poles
	PSA-46-RE-B	1665 Bonanza Dr.	Park City Clinic
	PSA-46-RE-D	1705 Bonanza Dr.	Ol' Miner Self Service Car Wash
Maverick, Park City, LLC	PSA-46-A	1635 Bonanza Dr.	Maverick Gas Station

As indicated in Table 1 above, the subject property, the nine (9) sites consist of an art center and cafe, a strip commercial retail building, a drive-through coffee shop, storage units, a market/retail building, a medical clinic, a car wash, a gas station, and a vacant site/undeveloped parking lot. The proposed mixed-unit MPD would include the demolition of all existing structures on these sites.

Table 2 below shows the address/known as; lot/parcel size; and applicable lot no. & Subdivision name.

Table 2:

Address/ *Known as*	Lot/Parcel Size	Lot no. & Subdivision
1401 Kearns Blvd. *Kimball Art Center*	43,962 sf. 1.01 acre	Not applicable *Parcel*
1685 Bonanza Dr. *Skis on the Run*	18,300 sf. 0.42 acre	Lot 46-C - Resubdivision of Lot 46 Prospector Square
1409 Kearns Blvd. *Silver King Coffee*	25,780 sf. 0.59 acre	Parcel A - Kearns Business Center Sub.
1415 Kearns Blvd. *vacant site*	23,511 sf. 0.54 acre	Parcel B - Kearns Business Center Sub.
1420 W. Munchkin Rd. *storage units*	13,769 sf. 0.32 acre	Not applicable *Parcel*
1490 W. Munchkin Rd. Anaya's Market	24,402 sf. 0.56 acre	Not applicable *Parcel*
1665 Bonanza Dr. *Park City Clinic*	44,172 sf. 1.01 acre	Lot 46-B - Resubdivision of Lot 46 Prospector Square
1705 Bonanza Dr. *Ol' Miner Car Wash*	17,497 sf. 0.40 acre	Lot 46-D - Resubdivision of Lot 46 Prospector Square
1635 Bonanza Dr. *Maverick Gas Station*	13,408 sf. 0.30 acre	Not applicable *partial parcel*

The proposed MPD pre-application would also require the re-platting of the nine (9) lots/parcels. In order to effectuate the MPD, after or pending MPD approval, and applicable CUP applications, the applicant would then have to submit Plat Amendment/Subdivision application to be able to accommodate the requested buildings and address property line issues. Furthermore, in order to be able to sell units

individually, if requested, the applicant would have to submit Condominium Plat applications for review and approval by the City.

The entire site is relatively flat for its entire size. There is a 2.7% slope across the site running from the southwest corner to the northeast corner.

Purpose

The purpose of the General Commercial (GC) District is to:

A. allow a wide range of commercial and retail trades and Uses, as well as offices, Business and personal services, and limited Residential Uses in an Area that is convenient to transit, employment centers, resort centers, and permanent residential Areas,
B. allow Commercial Uses that orient away from major traffic thoroughfares to avoid strip commercial Development and traffic congestion,
C. protect views along the City's entry corridors,
D. encourage commercial Development that contributes to the positive character of the City, buffers adjacent residential neighborhoods, and maintains pedestrian Access with links to neighborhoods, and other commercial Developments,
E. allow new commercial Development that is Compatible with and contributes to the distinctive character of Park City, through Building materials, architectural details, color range, massing, lighting, landscaping and the relationship to Streets and pedestrian ways,
F. encourage architectural design that is distinct, diverse, reflects the mountain resort character of Park City, and is not repetitive of what may be found in other communities, and
G. encourage commercial Development that incorporates design elements related to public outdoor space including pedestrian circulation and trails, transit facilities, plazas, pocket parks, sitting Areas, play Areas, and Public Art.

General Plan Compliance

Park City has nine (9) defined neighborhoods within its corporate boundaries. Each neighborhood represents a unique area of town that is separated from another by definable landmarks. Within the 2014 General Plan, Bonanza Park is included as part of the Bonanza Park & Prospector Neighborhood.

In January 2012, the City prepared the second draft of an Area Plan titled "Bonanza Park, the Evolution of Place" known as the Bonanza Park Area Plan. This document was completely separate from the General Plan. The City also hired a consultant to assist the City in developing a form-based code within Bonanza Park. The City was to undertake a comprehensive approach to the redevelopment of the Bonanza Park District: however, that specific Area Plan was <u>not</u> adopted by the City and neither were form-based codes in Bonanza Park Neighborhood.

Volume I of the General Plan contains Goals, Objectives, and Strategies for each of

the four (4) Core Values: Small Town, Natural Setting, Sense of Community, and Historic Character. The General Plan Goals and Objectives are copied under Exhibit E – Volume I General Plan Goals & Objectives.

Volume II of the General Plan contains information that supports the Goals, Objectives, and Strategies outlined in Volume I. This includes the methodology recommended for accomplishing strategies, neighborhood section, and appendix with trends, analysis, and data for the City and region.

Note: The entire Bonanza Park and Snow Creek Neighborhood consists of approximately 197 acres. The subject site is approximately 5.16 acres. Staff recognizes that even though it is a small percentage of the entire neighborhood, the submitted MPD Pre-Application is still considered substantial as the site is on one of Park City's most prominent corners, the proposal is significant in terms of requested redevelopment square footage, and the impacts of a project this magnitude warrant a thorough and careful review of adopted Zoning Ordinances, policy outlined in the General Plan, applicable studies, etc.

Staff requests to point out the following items listed under the Neighborhood Section copied in *underlined italics* below. Each item was addressed by the applicant:

- ***3.1 Bonanza Park and Snow Creek: A mixed use neighborhood in which locals live and work.***
  The Bonanza Park & Snow Creek Neighborhood contains a variety of housing types as well as commercial development. Ranging from the single-family dwelling units that make up Snow Creek Cottages located adjacent to the Shopping Center, to the multifamily dwelling units that make up Homestake, Claimjumper, and Fireside Condominiums, the area is diverse in terms of housing units and is home to many of the City's more affordable units - not all deed restricted, but de facto affordable units.

  One of the greatest threats to the relatively affordable Bonanza Park neighborhood is gentrification. As the City adopts new policies to create a diverse neighborhood for locals, it is imperative that the locals be included in the planning. The overriding goal for this neighborhood is to create new housing opportunities while maintaining the existing affordable housing units. In the case of redevelopment, any displacement of existing affordable units should be required to incorporate those units within the new development area. In an effort to support local start-up businesses and services, it is also essential to maintain affordable leases in the area.

  This neighborhood is also home to the City's only Light Industrial zoning district where automotive shops can coexist with a car wash, all within walking proximity of residential units. These types of uses should be preserved as the City moves forward with the concept of Form Based Code for this district. The City's draft Bonanza Park Area Plan recommends similar strategies to preserve this

neighborhood's character.

As outdated buildings are replaced and existing buildings expand, the neighborhood will evolve into a local, mixed-use district. The Rail Trail State Park provides a main pedestrian spine for connectivity at the eastern end of the district (Prospector Square). As the area redevelops, it is envisioned that this spine will extend through the Bonanza Park Area.

As the neighborhood continues to evolve, multifamily residential uses should be concentrated within the Bonanza Park redevelopment area. By directing higher density redevelopment to this area, the neighborhood has the potential to provide more Life-cycle Housing opportunities for Parkites, including starter and empty nester (step down) housing.

The Area Plan for this neighborhood should include a limit on nightly rentals if this district is to be protected as a locals neighborhood.

The applicant's response:

> *The Goals and Policies outlined in Section 3.1 are adhered to in the Bonanza Park East proposal. There is one existing residential unit in the entire redevelopment area, so the loss of affordable housing is not a concern. The applicant has developed 12 affordable housing units on Empire Avenue in advance of this application to use as affordable housing credits for this proposal. The site on Empire is located in a prime area for affordable housing. Additional units were also developed adjacent to the clock tower building before this application was submitted in anticipation of fulfilling the affordable housing benefit for the site. Finally, the applicant is proposing an increased number of units of affordable workforce housing in Bonanza Park East as part of the overall master plan submittal. Gentrification is, to a certain extent, unavoidable during a redevelopment process. The applicant has gone to great lengths to preserve the Anaya's use as well as seek out a new home for the gas station. There will be some displacement of businesses as the property redevelops. Local, pedestrian-oriented interconnection is a theme throughout the Bonanza Park east proposal and the applicant has worked closely with City transportation planners to ensure that this connectivity is present and much-improved over the current situation. Finally, the applicant has agreed to restrict a large part of the units relative to nightly rental. This is an important consideration and one that demonstrates a willingness to listen to the input of the Commission and Staff.*

As indicated in the second paragraph of this Neighborhood Section principle, the overriding goal for this neighborhood is to create new housing opportunities while maintaining the existing affordable housing units. The proposal consists of the following general uses:

- Residential: 104,357 sf. (52.18 UEs)
- Business (Office): 4,371 sf. (4.37 UEs)
- Commercial: 87,986 sf. (87.99 UEs)
- Residential affordable housing: 20,390 sf.
- Circulation: 47,461 sf. formerly 50,124 sf.
- Mechanical: 11,929 sf. formerly 11,333 sf.

Once the two (2) non-habitable categories consisting of *Circulation* and *Mechanical* space are removed, the proposal consists of 217,104 square feet and the following applies:

- Residential: 104,357 sf. (48%)
- Business (Office): 4,371 sf. (2%)
- Commercial: 87,986 sf. (41%)
- Residential affordable housing: 20,390 sf. (9%)

The current site contains one (1) existing housing unit. The proposal can be summarized as 57% residential (live), 2% business/office (work), and 41% commercial (retail/restaurant).

This is the only information provided to staff regarding the proposal. While the proposal provides mixed-use development opportunities for locals to live and work, the City should be reviewing additional studies at MPD stage regarding the long term effects, including the possible effects of gentrification.

The applicant does not request mixed housing types. The applicant currently shows multi-unit dwellings mixed in with the retail/commercial/business uses. While the City is not moving forward with Form Based Code for this District, staff finds that light industrial uses within walking proximity of residential units, mentioned on the third paragraph of this Neighborhood Section principle, can be preserved. The subject site is located near the beginning of the *Rail Trail State Park which does provides walking connectivity. Any possible extension of the Rail Trail west would not go through the subject property* (Neighborhood Section 3rd and 4th paragraph).

This fifth paragraph of this Neighborhood Section principle indicates that as "*the neighborhood continues to evolve, multifamily residential uses should be concentrated within the Bonanza Park redevelopment area…the neighborhood has the potential to provide more Life-cycle Housing opportunities for Parkites, including starter and empty nester (step down) housing."* At this stage the proposal shows a total of 97 residential units, consisting of 23 on-site affordable housing units ranging from approximately 432 to 1,166 sf. and 74 market rate units ranging from approximately 372 to 3,703 sf.

The last paragraph of this Neighborhood Section principle indicates that if this

district is to be protected as a locals neighborhood, it should include a limit on nightly rentals.

Additional information needs to be submitted by the applicant in order to find compliance with this Neighborhood Section, principle 3.1. Staff recommends that the applicant provide projected Nightly Rental numbers, residential unit specifics, etc., at the MPD Stage.

- ***3.2[.1] Bonanza Park: An authentic neighborhood.***
  Authenticity during redevelopment can be a challenge. Incentives to further subdivide properties to create multiple property owners within the district will help create a truly authentic place. Also, consideration to human scale, infusion of design elements representative of residents' diverse roots, contemporary design, and consideration for the local history of the district, can add to placemaking and authenticity. The evolution of architectural design created over time will lead to an authentic, diverse district. Also, the introduction of Form Based Code will require incorporation of design elements found in a traditional urban neighborhood, including sidewalks, landscaping, public art, and building interest at pedestrian eye level.

  The applicant's response:

  > *The Bonanza Park East proposal does not incorporate the form-based code contemplated by this Goal, but it will offer a palette of industrial-style architecture that compliments and pays tribute to the mining industry that was the economic engine of Park City's past.*

  Staff recommends that the applicant in their future MPD Application keeps in mind and demonstrates placemaking and authenticity by emphasizing human scale, infusion of design elements representative of residents' diverse roots, contemporary design, etc.

- ***3.2[.2] Bonanza Park and Prospector: The local employment hub.***
  To reach the goal of creating more diverse jobs for Parkites, a collaborative partnership approach to redevelopment must exist between the City, property owners, local residents, and business owners. Participation from all parties is necessary to create a desirable mixed use neighborhood in which existing and new businesses choose to call home. The City has a goal to utilize economic development tools to attract new businesses in cooperation with investors. Private property owner participation is necessary for dedication of right-of-ways to transform the neighborhood into a connected neighborhood with public amenities. Infrastructure improvements that attract local residents and businesses must be explored and negotiated, including technology infrastructure, public utilities, sidewalks, bike lanes, trails, public parks, roads, transit, and parking.

The applicant's response:

> *The proposal as it stands embraces this concept. The applicant is trying to work two critically important local arts non-profits into its design in a very significant manner. This will create vibrancy and diversity within the community. These organizations are economic drivers and add considerably to the social and cultural fabric of the community. Again, the work with Park City's transportation Planners has ensured that the connectivity contemplated in this Goal is achieved.*

The proposal can be summarized as 57% residential (live), 2% business/office (work), and 41% commercial (retail/restaurant).

- ***3.3 Bonanza Park: A model for sustainable redevelopment.***
  The Bonanza Park & Snow Creek Neighborhood will be a model for green, sustainable redevelopment in balance with nature. The Bonanza Park Area Plan is a blueprint for environmentally sensitive development. Many of the principles identified in the Bonanza Park Area Plan reflect those emphasized by the U.S. Green Building Council's Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) rating system. LEED-ND evaluates neighborhoods on a variety of principles within three categories: Smart Location and Linkage, Neighborhood Pattern and Design, and Green Infrastructure and Buildings. The Bonanza Park Area Plan incorporates all of the highest ranking LEED-ND principles, plus a few extras, from each of these categories. Consideration should be given by the City to expand the Bonanza Park Area Plan and Form Based Code to include the entire Bonanza Park and Prospector neighborhood. Due to limits on density within the Prospector neighborhood, this area could become a receiving zone for TDR credits and further alleviate growth pressures on Greenfield development.

The applicant's response:

> *The Park City Building Department utilizes very strict Code compliance when it comes to energy efficiency and the Bonanza Park East proposal will fulfill the expectations that the most efficient energy design be implemented in the architecture. The applicant will not seek to achieve a LEED-ND designation due to the cost involved and primarily to the fact that the Park City Code already insists upon these principles being implemented in the plan. Nonetheless, the proposal will be an example of green design and will strive towards a goal of maximum environmental sustainability.*

According to the General Plan, the entire neighborhood is to become a model for green sustainable redevelopment. The City is no longer pursuing the Bonanza Park Area Plan, which was supposed to be a blueprint for development

and many of its principles were reflected/emphasized by the LEED-ND rating system. The Bonanza Park Area Plan was also to incorporate the highest ranking LEED-ND principles. Because the City was counting on the Bonanza Park Area Plan to assist this neighborhood in providing LEED-ND principles, the only remaining principle in the adopted General Plan specific statement is that that Bonanza Park Neighborhood will be a model for green, sustainable redevelopment in balance with nature as stated in this General Plan Neighborhood Section. Staff recommends that the MPD application address green design and strive towards a goal of maximum environmental sustainability.

- ***3.4 Bonanza Park: Connected via new roadways, sidewalks, trails and a park system.***
  Connectivity is lacking throughout the district. The existing pattern of roads is disconnected, yet there is a great opportunity to fix this disconnection as part of an overall redevelopment plan for the area. The BoPa Area Plan introduces new rights-of-way opportunities, sidewalks, an extension of the rail trail leading to a central park, and trails connections within and around the district.

  Beyond the importance of creating additional rights-of-way (ROWs) for vehicular access throughout the BoPa district is the need to utilize these ROWs for pedestrian and cyclist movement. This will allow for alternative modes of transportation thereby creating "complete streets."

  In addition to these connectivity recommendations for Bonanza Park, focus should be given to improving the connection between BoPa and Prospector Square. Bonanza Drive, running north/south within the eastern section of BoPa is heavily trafficked as a vehicular corridor. Improved pedestrian connections across Bonanza Drive should be considered. The idea of a new under (or bridge over) Bonanza Drive to bring the rail trail further west into BoPa could create ease of access as well as a sense of entry to this district.

  The applicant's response:

  > *The Rail Trail is located a short distance from the property, but will still be utilized as a focal point for pedestrian and bicycle access. Additionally, the project will be designed with the "complete streets" concept in mind where pedestrians, bicyclists and autos will all be accommodated on the same road system. In addition, strong pedestrian and bicycle pathways that are unique to that use and do not incorporated the use of the auto will be placed along the main transportation corridors. Also, local mass transit has been discussed with City transportation planners and there will be no site more than 200 meters away from a bus stop.*

  As mentioned in this GP Neighborhood section the Bonanza Park Area Plan (not adopted) was to introduce ROWs opportunities, sidewalks, etc. The focus was to allow for alternative modes of transportation thereby creating "complete

streets." The anticipated condition of this subject site per the Bonanza Park Area Plan was to have two (2) new roads going thought these properties, see GP page 172 (Volume II). Without a clear direction of the abandoned area plan, Staff does not seem to have appropriate direction regarding this specific Neighborhood Section principle. The current application complies with requirements by the Transportation Planning Department and the City Engineer regarding reducing friction on Kearns Boulevard and Bonanza Drive.

- ***3.5 Bonanza Park: Explore as a central hub for public transportation.*** *With the neighborhood centrally located within the City, a future public transportation hub should be considered. Transportation routes that save commuters time also result in saving the City money. To realize a change in the preferred transportation options from the car to walking, biking, and public transportation, a new look at the time efficiency of trips should be studied. Connectivity from the Bonanza Park central district to the resorts would alleviate traffic issues throughout the City. For example, a Bus Rapid Transit (BRT) or streetcar/trolley system connecting Bonanza Park to Kimball Junction and Main Street would begin to change local commuting patterns.*

  The applicant's response:

  > *While the current proposal does not plan for a regional transportation hub, it does incorporate those elements necessary for public transit to function well. The applicant encourages the City to look at its transportation needs and will cooperate fully with discussions that may involve this property and mass transit opportunities.*

  Throughout the current review process the applicant has made several concessions driven by the Transportation Planning Department and the City Engineer related to transportation specifically minimizing impacts to SR-248 and Bonanza Drive.

- ***3.6 Bonanza Park: An important part of the Park City entry experience.*** *Due to its location along both of the entry corridors to Park City, the Bonanza Park & Snow Creek Neighborhood is geographically tied to the Park City entry experience. The scenic views that are currently afforded to those entering the City are a defining characteristic of our town and should be preserved and enhanced.*

  Currently, three sides of the Bonanza Park & Snow Creek Neighborhood are located within the Frontage Protection Zone (FPZ). The FPZ helps to preserve scenic view corridors by providing a significant landscaped buffer between development and highway uses and by restricting the location and height of structures in the zone. The FPZ also allows for future pedestrian and vehicular improvements along the highway corridors.

In addition to investigating measures that would strengthen the FPZ, the City should also look at ways to enhance the entry experience. This might include installing public art, improving lighting or adding other elements that would improve the entry corridors.

The applicant's response:

> *The FPZ has been identified as one of the more important concepts to consider as the Bonanza Park proposal moves forward. While there have been concerns raised regarding the heights of buildings that are adjacent of the FPZ, there has not been a denial of the discretionary encroachment that can take place on Kearns Boulevard. Rather, Commissioners and Staff have indicated that should the applicant desire discretionary approvals from the City in regards to heights and encroachments, then there should be corresponding increases in affordable/workforce housing and rental restrictions. The current proposal includes a significant increase in affordable/workforce housing above and beyond what the Code calls for and the applicant is also willing to incorporate rental restrictions to satisfy the Commission and the Staff.*

The subject area is located along the entry corridors as part of the Frontage Protection Zone. The proposal places two (2) buildings 60 ft. from the ROW line along Kearns Blvd. (SR 248). The FPZ consists of the first 30 ft. being a no-build area and the remaining 70 ft., 100 ft. from the ROW line becomes a CUP for any buildings.

- ***3.7: The aesthetic of the Bonanza Park area should be true to the current character and the vision.***
  There are ~~a~~ four dominant architectural styles within the Bonanza Park district. The entryway along Park Avenue and Deer Valley Drive emphasizes the ties to the resort with repeated use of shed roofs, gables, and timbers. As one wanders to the center of the district, known locally as Iron Horse, a more industrial design is apparent, with split block, horizontal siding, and metal decorative elements, garage doors, and roofing. Residential areas have front porches with recessed garages. The commercial buildings are traditional with exterior materials of brick, stucco, or horizontal siding with symmetry of windows on the upper stories. The niches within the neighborhoods shall become more defined as the area is redeveloped.

The applicant's response:

> *The aesthetics of the Bonanza Park district will be greatly improved by incorporating sensitive and thoughtful design that emphasizes the mining and industrial theme that was the previous bedrock of this community. Resort-oriented architecture will be minimally incorporated and instead the aesthetic will focus upon those elements that the Staff and the*

Commission have indicated are preferred.

The future MPD/CUP application would have to show a more defined character than the current dominant architectural styles within the District.

General Commercial (GC) District Compliance

1. Use. All uses listed in LMC § 15-2.18-2(B) Conditional Uses require approval by the Planning Commission.

   The MPD Pre-Application is submitted for Planning Commission review prior to submittal of the MPD Application. The applicant has not been specific as to the retail/commercial requested uses other than using general terms such as commercial spaces, business (office), and residential uses. The GC District allows these specific types of commercial, retail, and office uses:

   - Hotel, Minor
   - Hotel, Major
   - Office, General
   - Office, Moderate Intensive
   - Office, Intensive
   - Office and Clinic, Medical and Veterinary Clinic
   - Financial Institution without a drive-up window
   - Commercial, Resort Support
   - Retail and Service Commercial Minor
   - Retail and Service Commercial, Personal Improvement
   - Retail and Service Commercial, Major
   - Café or Deli
   - Restaurant, General

   The GC District allows the following residential and retail conditional uses:

   - Multi-Unit Dwelling
   - Retail and Service Commercial with Outdoor Storage
   - Retail and Service Commercial, Auto Related

   Conditional uses require approval of a Conditional Use Permit (CUP) by the Planning Commission. Staff is able to identify that the residential component will require a CUP application. All business (office) uses are allowed. The retail/commercial uses are dependent upon use specificity. The required CUPs have not been submitted to the City for review. Staff acknowledges that the CUPs would be submitted in conjunction with the full MPD application and that all of the uses would be specified at the next stage.

   Staff recommends that applicable CUPs be submitted concurrently with the full MPD application. This CUP includes the future conditional use of Multi-Unit Dwellings as well as other foreseen conditional uses. This MPD Pre-

Application does not guarantee an approved CUP as specific CUP mitigating criteria has not been reviewed at this time. LMC § 15-6-3 USES indicate the following:

> A Master Planned Development (MPD) can only contain Uses, which are Permitted or Conditional in the zone(s) in which it is located. The maximum Density and type of Development permitted on a given Site will be determined as a result of a Site Suitability Analysis and shall not exceed the maximum Density in the zone, except as otherwise provided in this section. <u>The Site shall be looked at in its entirety, including all adjacent property under the same ownership, and the Density located in the most appropriate locations</u>. […]

The underlined sentence above indicates that the when referring to site entirety, all adjacent property owner the same ownership is to be looked at. The applicant proposes a cross access directly west through private property towards an existing driveway/parking area of a strip mall known as *the Emporium.* This adjacent site is located at 1351 Kearns Blvd., parcel no. PCA-110-G-5-A and its current owner is listed as Emporium Properties LLC, which is controlled by the applicant of this MPD.

Staff acknowledges that the Emporium site to the west has already been developed. The applicant, however, has kept an access over that property from the subject site.

2. <u>Lot Size.</u> No minimum lot size.

   The subject site contains 224,801 square feet (approx. 5.16 acres). The proposed MPD also requires the re-platting of the nine (9) lots/parcels. In order for the site planning to work out as requested, the applicant would have to submit Plat Amendment/Subdivision application to be able to accommodate the requested buildings on each lot, etc. Furthermore, in order to be able to sell units individually, if requested, the applicant would have to submit Condominium Plat applications.

   Staff recommends that the applicant shall apply for a Plat Amendment/Subdivision application concurrently with the full MPD application. The re-shifting of internal lot line would affect existing lot lines that would need to be shifted in order to place the proposed building on each corresponding site as well as setbacks areas that would have to be complied with. This MPD Pre-Application does not guarantee an approved Plat Amendment/Subdivision as specific subdivision codes have not been reviewed at this time.

3. <u>Setbacks.</u> The minimum setback around the exterior boundary of an MPD is twenty five feet (25') for parcels one (1) acre in size. The combined sites are approximately 5.16 acres. The Planning Commission may decrease the

required perimeter Setback to the zone Setback if it is necessary to provide desired architectural interest and variation.

The minimum (zone) front yard setback is twenty feet (20') for all Main and Accessory Buildings and Uses. The twenty foot (20') Front Yard may be reduced to ten feet (10'), provided all on-Site parking is at the rear of the Property or underground. The minimum (zone) Rear Yard and Side Yard setbacks is ten feet (10').

Regarding perimeter setbacks, the applicant proposes the following below:

- 68 ft. from Kearns Blvd. (Bldg. A & C)
- 40 ft. from Bonanza Dr. (Bldg. A)
- 48 ft. from Bonanza Dr. (Bldg. B)
- 40 ft. from Bonanza Dr. (Bldg. G)
- 25 ft. from Bonanza Dr. (Bldg. F)
- 30 ft. from Munchkin Rd. (Bldg. D, E, & F)
- 100 ft. from east neighboring site (Bldg. C)
- 15 ft. from east neighboring site (Bldg. D)

While the proposal complies with the GC District (zone) setbacks, once the MPD application is submitted and deemed complete, the Planning Commission would have to make the findings for such setback reduction from the required 25 ft. for sites that are one (1) acre of bigger to the applicable zone setbacks.

The applicant has not shown any internal property lines at this time separating any of the buildings or sites. The applicant will have to demonstrate that all lots line, if any, can accommodate required setbacks per the GC District.

The applicant assumes that the Planning Commission would allow construction within the Frontage Protection Zone (FPZ) at 60 ft. from the Kearns Right-of-Way (ROW)/north perimeter property line. The FPZ indicates that any construction within the FPZ located 30 to 100 ft. from the ROW/property line requires Planning Commission review through a filed CUP application. The applicant has not submitted such FPZ CUP application. Staff recommends adding a condition of approval indicating that a CUP FPZ application is submitted concurrent with the full MPD application as well as applicable CUP for residential and retail uses.

4. Building Height. The Building Height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in Building Height based upon a Site specific analysis and determination. At full MPD Application the Applicant will be required to request a Site specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings can be made. In order to grant Building Height in addition to that which is allowed in the underlying zone, the Planning

Commission is required to make the summarized findings:

1. The increase in Building Height does not result in increased square footage or Building volume over what would be allowed under the zone required Building Height and Density…
2. Buildings have been positioned to minimize visual impacts on adjacent Structures. […]
3. There is adequate landscaping and buffering from adjacent Properties and Uses. […]
4. The additional Building Height results in more than the minimum Open Space required…
5. The additional Building Height shall be designed in a manner that provides a transition in roof elements in compliance with Chapter 5, Architectural Guidelines…

The GC District indicates that no Structure shall be erected to a height greater than thirty-five feet (35') from Existing Grade. This is the Zone Height. Applicable building height exceptions include:

- Gable, hip, and similar pitched roofs may extend up to five feet (5') above the Zone Height, if the roof pitch is 4:12 of greater.
- Antennas, chimneys, flues, vents, and similar Structures may extend up to five feet (5') above the highest point of the Building to comply with the International Building Code (IBC).
- Water towers, mechanical equipment, and associated Screening, when enclosed or Screened, may extend up to five feet (5') above the height of the Building.
- Church spires, bell towers, and like architectural features, subject to LMC Chapter 15-5 Architectural Guidelines, may extend up to fifty percent (50%) above the Zone Height, but may not contain Habitable Space above the Zone Height. Such exception requires approval by the Planning Director.
- An Elevator Penthouse may extend up to eight feet (8') above the Zone Height.

This is a MPD Pre-Application request. Plans are not required to be shown in detail enough to determine such compliance. It appears that an increase in Building Height based upon a site specific analysis and determination will be requested as four of the seven (4 of 7) buildings are shown to have at least four (4) stories/floors or more. Please note that the exact building height cannot be determined at this time as it has not been shown. Bldg. D and E have been shown with a maximum of 5 stories/floors each. Bldg. B and G have been shown with a maximum of 4 stories/floors each. Bldg. A, C, and F have been shown with a maximum of 3 stories/floors each. The four (4) requested buildings with four (4) or more floors are likely to be over 40 ft., (35 ft. max. + exception #1 above).

Once the MPD application is submitted, the Planning Department will be able to provide a thorough review of the height as specified on the LMC MPD section and will be able to make a recommendation to the Planning Commission.

5. Road Requirements and Design. LMC Chapter 7.3 – Requirements for Improvements, Reservations and Design contain road requirements and road design standards. Staff acknowledges that the pre-Application MPD process is not intended to find compliance with Subdivision/Plat Amendment requirements and standards; however, the applicant's proposal contains a significant amount of property in the current form of nine (9) separate lots/parcels with substantial review items that would typically be addressed during the Subdivision/Plat Amendment review process.

   Staff recognizes that the subdivision road requirements and road design are currently intertwined with the current proposal. Staff further requests that the applicant submit their Subdivision/Plat Amendment application concurrently with the MPD application to ensure that these road requirements and design standards are met. If the applicant does not bring the Subdivision/Plat Amendment application concurrently with the full MPD staff would then recommend that these standards plus any other applicable requirements be reviewed during the full MPD process.

MPD Application

At full MPD Application the City will expect the Applicant to address all of the MPD requirements outlined in LMC §15-6-5 which includes:

A. Density
B. Footprint
C. Setbacks
D. Open Space
E. Off-street parking
F. Building Height
G. Site Planning
H. Landscape/Street Scape
I. Sensitive Lands Compliance
J. Employee/Affordable Housing
K. Child Care
L. Mine Hazards
M. Historic Mine Waste Mitigation

Department Review

This project has gone through an interdepartmental review at a Development Review Committee meeting. The following concerns/comments were made during Development review:

Transportation Planning Department

1. What Transportation Demand Management [TDM] strategies are being proposed to reduce reliance on single occupant vehicles and accomplish General Plan Goals? Consider both infrastructure (bike racks, bike share, showers, transit

stops, etc.), and strategies such as shared parking or limited/restricted parking for rental units, rideshare for employers, etc.

Staff recommends allowing the applicant to submit TDM strategies to be proposed during the full-MPD application.

<u>Engineering Department</u>

1. Storm Detention – The development must address the pre-development versus post-development detention of storm water onsite to be addressed at MPD application.

2. Traffic impacts of the development – a traffic study will be required to further understand the developments impacts to the surrounding street and intersection network to be addressed at MPD application.

3. Transportation Master Plan Goals – The applicant has responded to the six (6) Transportation Master Plan goals applicable to their project. For clarity purposes, the past discussions with staff have been centered on impacts to SR-248 and Bonanza Drive and not specifically to the six (6) goals listed below. The goals below still need to be further vetted and addressed by the applicant during the MPD application:
   - GOAL 1: Park City will have a multimodal transportation system with complete streets and balanced availability of pedestrian, bicycle, transit and auto travel.

     Applicant's response:

     By working with the City Staff, the applicant has incorporated significant changes to the plan to slow traffic and develop a very complete system of alternative transportation options. The tie-in to the Rail Trail as well as pulling the pedestrian and bicycle traffic away from Kearns and incorporating trees and vegetation as a separation buffer will help to further this goal. Additionally, there is no place on the project more than 200 meters away from public transit stops.

     Due to the location of the proposal, the site has the possibility of being ripe with opportunities in providing other transportation uses.

   - GOAL 3: Park City's residents, workers, day visitors and overnight guests will have efficient, direct and convenient regional transit connections from and to area resorts, Salt Lake and Utah Counties, and other communities of the Wasatch Back.

     Applicant's response:

     The work the applicant has done with the Planning and Transportation Staff has ensured that there will be well-located public transit stops and access located throughout the project.

There are numerous bus stops through the site, and also in close proximity.

- GOAL 4: Park City will have a complete and well-connected network of trails, bicycle lanes and sidewalks that supports safe, convenient and pleasant walking and bicycling to accommodate the needs of residents, visitors, and guests for short trips within the City and surrounding neighborhoods.

  Applicant's response:
  The applicant's work with the Staff has incorporated multiple alternative transportation methods that allows for clear and unobstructed access to the area trails and pedestrian pathways both to and from the proposed project.

- GOAL 7: Park City's transportation system will contribute positively to public health and quality of life by achieving a high level of travel safety and by creating an environment that supports active living.

  Applicant's response:
  The applicant's dialogue with the City Planning and Transportation Staff has made changes to the plan that will make certain that the project's streets, trails and pathways will be as safe and as usable as possible.

- GOAL 8: Park City's transportation system will contribute positively to improved environmental, social and economic sustainability of the community.

  Applicant's response:
  Again, the project has been heavily vetted through the Park City's Planning, Engineering and Transportation Staff and their comments have been incorporated thoroughly into the plan. The streets within the project are complete streets and have been designed so that through traffic becomes slowed down and high speeds are discouraged. This along with extensive adjustments with regards to traffic stops, bicycle rack areas, pedestrian pathways, etc. have ensured that this project fits well into Park City's overall Transportation Planning.

  The applicant has satisfied the City's transportation concerns with cross friction when accessing Kearns Boulevard (SR-248) and Bonanza Drive.

- GOAL 9: Park City's transportation system will support development of clustered and diverse land use centers by providing convenient multimodal access to each center concurrent with its development.

  Applicant's response:
  The bus stops and pedestrian/bicycle access along with the mass transit accommodations will allow the Bonanza Park East area to be a diverse

land use center with an Arts district theme that is an easily accessible public land use center.

Water Reclamation District

The Snyderville Basin Water Reclamation District (SBWRD) has indicated that since a utility plan for the proposal has not yet been submitted by the applicant, they are unable to comment but would provide comments after such plan is submitted for review prior to any formal approvals including a full MPD by the Planning Commission. The applicant has been made aware that they need to reach out to the District separately to ensure compliance with their approval process. The applicant has also been made aware that they are responsible of coordinating the efforts of the various review entities including the City, Water Reclamation District, etc.

Department of Public Utilities / Fire Marshall

Park City Municipal Corporation's (PCMC's) Department of Public Utilities as well as the Park City Fire Marshall, Building Dept., have indicated that since a utility plan for the proposal has not yet been submitted by the applicant, they are unable to comment but would provide comments after such plan is submitted for review prior to any formal approvals including a full MPD by the Planning Commission. The Department of Public Utilities request to identify at this time, that there are concerns with water supply, delivery, fire flow, pressure, demands (as provided by the Fire Marshall), etc., throughout the entire project based on the massing and number of stories being proposed that may exceed existing zoning requirements. The Department of Public Utilities requests that the utility plan to be submitted to the City for review also include how the utility system affects the neighborhood and the City. The utility plan to be submitted shall provide industry standards and shall be detailed enough for the Department of Public Utilities as well as other review entities to have them provide a full thorough review.

Fire District / Fire Marshall

The Park City Fire District has indicated that since a utility plan for the proposal has not yet been submitted by the applicant, they are unable to comment but would provide comments after such plan is submitted for review prior to any formal approvals including a full MPD by the Planning Commission. The Fire District requests to requests to identify at this time, that there are concerns with fire flows throughout the entire project based on the number of stories being proposed that exceed three (3). The Fire District and Fire Marshall, Building Dept., request to review an emergency vehicle access plan to be submitted including aerial operations, and height of the existing power lines and the exact height of the proposed buildings. The applicant has been made aware that they need to reach out to the Fire District separately to ensure compliance with their approval process and applicable codes. The applicant has also been made aware that they are responsible of coordinating the efforts of the various review entities including the City, Fire District, etc.

PCMC Environmental Division

Park City's Environmental Regulatory Program Manager indicated that the subject

property is located within the Park City Landscaping and Maintenance of Soils Cover Ordinance (Soils Ordinance). Per the Ordinance all soil generated as part of development must either remain on site or be disposed of at an approved disposal facility. In addition, final landscaping must meet Soils Ordinance Requirements.

Notice

On April 27, 2016, the property was posted and public hearing courtesy notices were mailed to property owners within three hundred feet (300'). Legal notice was published in the Park Record on April 27, 2016. The public hearing was continued to June 22, 2016. During the June 22, 2016 the public hearing was continued to August 24, 2016, and then to October 26, 2016.

Public Notice signs were placed throughout the property as a reminder of this meeting continued on October 26, 2016. Reminder letters were also mailed out to property owners within 300 feet.

Public Input

No public input has been received by the time of this staff report. Public input was received during the May 11, 2016 public hearing, which can be found in the following exhibit: Exhibit D – 11 May 2016 Planning Commission Minutes. Public input was received during the August 24, 2016 public hearing, which can be found in the following exhibit: Exhibit F – 24 August 2016 Planning Commission Minutes.

Alternatives

1. The Planning Commission may approve the MPD Pre-Application as conditioned or amended.
2. The Planning Commission may deny the MPD Pre-Application and direct staff to make Findings for this decision.
3. The Planning Commission may continue the MPD Pre-Application to a date certain (or uncertain) and provide staff and the applicant with direction on additional information required in order to make a final decision.

Significant Impacts

There are no significant impacts to the City or neighborhood as a result of the MPD Pre-Application.

Consequences of not taking the Suggested Recommendation

If the Planning Commission is not able to make a finding that the project complies with the General Plan, the applicant must submit a modified application or the General Plan would have to be modified prior to formal acceptance and processing of the Application.

Summary Recommendations

Staff recommends the Planning Commission hold a public hearing and consider making a finding of preliminary compliance with the purpose of the General Commercial District and the General Plan of the Bonanza Park East Master Planned Development Pre-Application located at 1401 & 1415 Kearns Blvd., 1415, 1635, 1665, 1685, & 1705

Bonanza Dr., 1420 & 1490 W Munchkin Rd., based on the findings of fact, conclusions of law, and conditions of approval for the Commission's consideration.

Findings of Fact

1. The subject property is located at 1401 & 1415 Kearns Boulevard, 1415, 1635, 1665, 1685, & 1705 Bonanza Drive, 1420 W. & 1490 W. Munchkin Road.
2. The subject site contains 224,801 square feet (approx. 5.16 acres).
3. The subject site consists of nine (9) separate parcels/lots.
4. The property is located within the GC District.
5. Land Management Code (LMC) § 15-6-4 outlines the following process for a MPD Pre-Application.
6. The MPD Pre-Application is intended to allow the applicant to have an opportunity to present the preliminary concepts; provide an opportunity for the Planning Commission to give preliminary input on the concept; and to allow the public to be given an opportunity to comment on the preliminary concepts so that the applicant can address neighborhood concerns.
7. The Planning Commission is to review the preliminary information to identify issues on compliance with the General Plan and is to make findings that the project initially complies with the General Plan.
8. The MPD Pre-Application does <u>not</u> vest any densities, layouts, heights, setback exceptions, etc. It focuses on identifying conceptual issues of compliance with the General Plan and Zoning.
9. The proposed MPD Pre-Application consists of seven (7) separate buildings identified as Bldg. A - G.
10. The proposed gross floor area is approximately 276,494 sf.
11. Proposed Bldg. A is approximately 54,357 gross floor area with 4 stories (including lower level due to grade change).
12. Proposed Bldg. B is approximately 49,251 sf. gross floor area with 4 stories.
13. Proposed Bldg. C is approximately 16,640 sf. gross floor area with 3 stories.
14. Proposed Bldg. D is approximately 63,346 sf. gross floor area with 4 & 5 stories.
15. Proposed Bldg. E is approximately 49,184 sf. gross floor area with 4 & 5 stories.
16. Proposed Bldg. F is approximately 24,076 sf. gross floor area with 3 stories.
17. Proposed Bldg. G is approximately 19,637 sf. gross floor area with 4 stories.
18. The proposal consists of the following uses:
    a. Residential: 104,357 sf. (52.18 UEs).
    b. Business (Office): 4,371 sf. (4.37 UEs).
    c. Commercial: 87,986 sf. (87.99 UEs).
    d. Residential affordable housing: 20,390 sf.
    e. Circulation: 47,461 sf. formerly 50,124 sf.
    f. Mechanical: 11,929 sf. formerly 11,333 sf.
19. The proposal consists of an underground parking area with two (2) access points.
20. The proposal consists of 355 parking spaces, 271 underground parking stalls plus 84 surface parking stalls.
21. The proposed MPD pre-application would also require the re-platting of the nine (9) lots/parcels.
22. While the proposal provides mixed-use development opportunities for locals to

live and work, the City should be reviewing additional studies at MPD stage regarding the long term effects, including the possible effects of gentrification.

23. At this stage the proposal shows a total of 97 residential units, consisting of 23 on-site affordable housing units ranging from approximately 432 to 1,166 sf. and 74 market rate units ranging from approximately 372 to 3,703 sf.
24. The applicant is to provide projected Nightly Rental numbers, residential unit specifics, etc., at the MPD Stage. The Planning Commission may limit the amount of nightly rentals during the MPD review.
25. The applicant in their future MPD Application is to keep in mind and demonstrates placemaking and authenticity by emphasizing human scale, infusion of design elements representative of residents' diverse roots, contemporary design, etc.
26. The MPD application is to address green design and strive towards a goal of maximum environmental sustainability.
27. The current application complies with requirements by the Transportation Planning Department and the City Engineer regarding reducing friction on Kearns Boulevard and Bonanza Drive.
28. The future MPD/CUP application would have to show a more defined character than the current dominant architectural styles within the District.
29. Several Conditional Use Permits need to be submitted concurrently with the full MPD application.
30. The applicant shall apply for a Plat Amendment/Subdivision application concurrently with the full MPD application.
31. The minimum setback around the exterior boundary of an MPD is twenty five feet (25') for parcels one (1) acre in size.
32. The Planning Commission may decrease the required perimeter Setback to the zone Setback if it is necessary to provide desired architectural interest and variation.
33. The applicant proposes the following setbacks:
    a. 68 ft. from Kearns Blvd. (Bldg. A & C)
    b. 40 ft. from Bonanza Dr. (Bldg. A)
    c. 48 ft. from Bonanza Dr. (Bldg. B)
    d. 40 ft. from Bonanza Dr. (Bldg. G)
    e. 25 ft. from Bonanza Dr. (Bldg. F)
    f. 30 ft. from Munchkin Rd. (Bldg. D, E, & F)
    g. 100 ft. from east neighboring site (Bldg. C)
    h. 15 ft. from east neighboring site (Bldg. D)
34. While the proposal complies with the GC District (zone) setbacks, once the MPD application is submitted and deemed complete, the Planning Commission would have to make the findings for such setback reduction from the required 25 ft. for sites that are one (1) acre of bigger to the applicable zone setbacks.
35. The FPZ indicates that any construction within the FPZ located 30 to 100 ft. from the ROW/property line requires Planning Commission review through a filed CUP application.
36. The applicant has not submitted such FPZ CUP application.
37. Conditional Use Permit for construction within the Frontage Protection Zone

application is to be submitted concurrent with the full MPD application.

38. The Building Height requirements of the Zoning Districts in which an MPD is located shall apply except that the Planning Commission may consider an increase in Building Height based upon a Site specific analysis and determination.
39. At full MPD Application the Applicant will be required to request a Site specific determination and shall bear the burden of proof to the Planning Commission that the necessary findings can be made.
40. Once the MPD application is submitted, the Planning Department will be able to provide a thorough review of the height as specified on the LMC MPD section and will be able to make a recommendation to the Planning Commission.
41. The applicant shall submit their Subdivision/Plat Amendment application concurrently with the MPD application to ensure that these road requirements and design standards are met. If the applicant does not bring the Subdivision/Plat Amendment application concurrently with the full MPD staff would then recommend that these standards plus any other applicable requirements be reviewed during the full MPD process.
42. The applicant is to submit TDM strategies to be proposed during the full-MPD application.
43. The development must address the pre-development versus post-development detention of storm water onsite to be addressed at MPD application.
44. A traffic study will be required to further understand the developments impacts to the surrounding street and intersection network to be addressed at MPD application.
45. A utility plan for the proposal has not yet been submitted by the applicant.
46. Snyderville Water Reclamation District, Park City Municipal Corporation's (PCMC's) Department of Public Utilities and Building Department, and Park City Fire Marshall, are unable to comment but would provide comments after such plan is submitted for review prior to any formal approvals including a full MPD by the Planning Commission.
47. The applicant has been made aware that they need to reach out to the Water Reclamation District, Department of Public Utilities, Building Department, and Park City Fire District, separately to ensure compliance with their approval process.
48. The applicant has also been made aware that they are responsible of coordinating the efforts of the various review entities including the City, Water Reclamation District, etc.
49. The Department of Public Utilities request to identify at this time, that there are concerns with water supply, delivery, fire flow, pressure, demands (as provided by the Fire Marshall), etc., throughout the entire project based on the massing and number of stories being proposed that may exceed existing zoning requirements.
50. The Department of Public Utilities requests that the utility plan to be submitted to the City for review also include how the utility system affects the neighborhood and the City. The utility plan to be submitted shall provide

industry standards and shall be detailed enough for the Department of Public Utilities as well as other review entities to have them provide a full thorough review.

51. Park City's Environmental Regulatory Program Manager indicated that the subject property is located within the Park City Landscaping and Maintenance of Soils Cover Ordinance (Soils Ordinance).
52. All soil generated as part of development must either remain on site or be disposed of at an approved disposal facility.
53. Final landscaping must meet Soils Ordinance Requirements.

Conclusions of Law

1. The Bonanza Park East Master Planned Development (MPD) Pre-Application plans to be located at 1401 & 1415 Kearns Blvd., 1415, 1635, 1665, 1685, & 1705 Bonanza Dr., 1420 & 1490 W Munchkin Rd. within the General Commercial (GC) Zone, comply with the Park City General Plan and are consistent with the purpose statements of the General Commercial (GC) District.

Exhibits

Exhibit A – Applicant's Project Description
Exhibit B – Updated MPD Pre-Application Plans
Exhibit C – 11 May 2016 Planning Commission Staff Report
Exhibit D – 11 May 2016 Planning Commission Minutes
Exhibit E – 24 August 2016 Planning Commission Staff Report
Exhibit F – 24 August 2016 Planning Commission Minutes
Exhibit G – Applicant's Compliance with the Goals and Objectives of the General Plan
Exhibit H – Applicant's Compliance with the GP Bonanza Park Neighborhood Section
Exhibit I – Applicant's Compliance with the Transportation Master Plan

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November 4, 2015

Bonanza Park East

Project Description

The project site is located in the General Commercial Zone (GC). It is surrounded by GC zone and Recreation Open Space (ROS) zone on all property boundaries.

The project consists of a mixed-use development that primarily consists of commercial spaces on the first floor and office or residential uses on the upper levels of the project. Parking for the project is taken care of with surface parking and one level of underground parking.

The Master Planned Development as proposed uses less than 65% of the maximum density of the site and additionally has 51% open space. The increase in open space is achieved by a proposed incremental increase in height for the underlying zone.

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364 Main Street P.O. Box 3465 Park City, Utah 84060 (435) 649-0092
elliottworkgroup.com

MJF 1998 Investment Partnership, LP

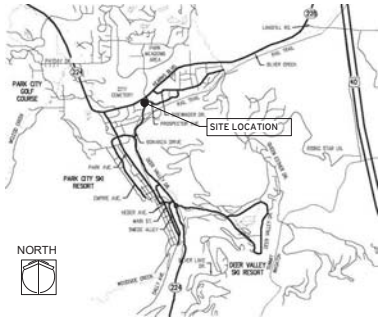
Bonanza Park East

Kearns Blvd. & Bonanza Dr.
Park City, Utah 84068

Pre - MPD

July 27, 2016

VICINITY MAP



PROJECT CONTACT INFORMATION

OWNER	ARCHITECT	BUILDER
MJF 1998 INVESTMENT PARTNERSHIP, LP P.O. BOX 1480 PARK CITY, UT 84068 CONTACT: MARK FISHER	ELLIOTT WORKGROUP 364 MAIN STREET P.O. BOX 3419 PARK CITY, UT 84060 801.415.1839 CONTACT: CRAIG ELLIOTT, AIA	
CIVIL ENGINEER	INTERIOR DESIGN	LANDSCAPE ARCHITECTURE
STRUCTURAL ENGINEER	PLUMBING ENGINEER MECHANICAL ENGINEER	ELECTRICAL ENGINEER

SERVICE CONTACTS

Rocky Mountain Power
201 South Main St, Suite 2300
Salt Lake City,UT 84111
(866) 870-3419

Qwest Phone Company
Salt Lake City,UT
(800) 922-7387

Park City School District
2700 Kearns Blvd
Park City UT 84060
(435) 645-5600

Park City Fire Department
730 Bitner Rd
Park City, UT 84098
(435) 649-6706

Park City Municipal Corp
1354 Park Ave
Park City UT 84060
(435)658-9471

Comcast Cable
1777 Sun Peak Dr. #105
Park City,UT 84098
(435)649-4020

Questar Gas
P.O. Box 45360
Salt Lake City,UT 84145
(800)541-2824

Division of Water Quality
288 South 1460 East
Salt Lake City,UT 84112
(801)538-6146

Snyderville Post Office
6440 Hwy 224
Park City UT 84098
(800)275-8777

Snyderville Basin Water Reclamation District
2800 Homestead Rd
Park City,UT 84098
(435)649-7993

LMC ANALYSIS

Existing Zone
General Commercial (GC)

Total Site Area
5.16 Acres (224, 801 SQ FT)

Total Unit Equivalents (UE)
224, 801- 67, 440 (30% Open Space)
=157, 361

157, 361 x 3 (Total Floor Levels)
=472, 083

472, 083 / 2000 (LMC 15-6-8 Unit Equivalents)
=236 Allowed UE's

Parking Required
LMC 15-3-11
See MPD-007 for Parking Analysis

***451 Spaces Required**
.*465 Spaces Proposed

MPD DRAWING INDEX

PRE MPD
MPD - 001 Cover Sheet
MPD - 002 Aerial View
MPD - 003 Project Surrounding Properties
MPD - 004 Existing Site Plan
MPD - 005 Site Suitability
MPD - 006 Landscape / Site Plan
MPD - 007 Proposed Parking Plan
MPD - 008 Street Elevation - Kearns
MPD - 009 Street Elevation - Bonanza
MPD - 010 Street Elevation - Int. North and South
MPD - 011 Street Elevation - Int. East
MPD - 012 Elevations - Bldg A
MPD - 013 Elevations - Bldg B
MPD - 014 Elevations - Bldg C
MPD - 015 Elevations - Bldg D
MPD - 016 Elevations - Bldg E
MPD - 017 Elevations - Bldg F
MPD - 018 Elevations - Bldg G
MPD - 120 Lower Level Area Plan
MPD - 121 Area Plan Level 1
MPD - 122 Area Plan Level 2
MPD - 123 Area Plan Level 3
MPD - 124 Area PLan Level 4
MPD - 125 Area Plan Level 5

Pre - MPD
July 27, 2016

ELLIOTT WORKGROUP

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Park City, Utah 84060
(435)649-0092 or (801)415-1839
elliottworkgroup.com

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Bonanza Park East
Kearns Blvd. & Bonanza Dr.
Park City, Utah 84068

Cover Sheet

MPD - 001

7/27/2016 9:14:07 AM

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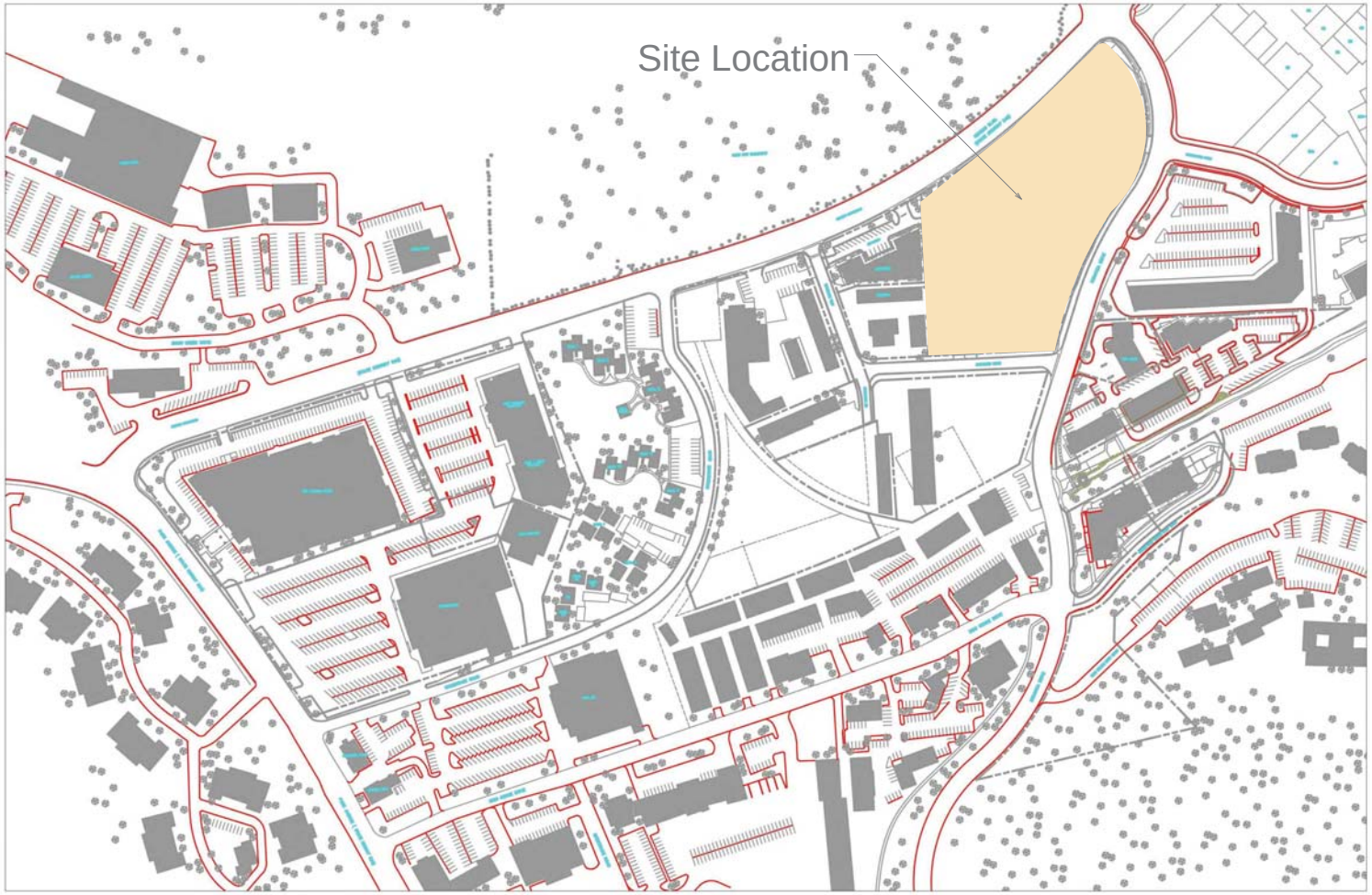
Aerial View
MPD - 002
July 27, 2016

Bonanza Park East
Keams Blvd. & Bonanza Dr.
Park City, Utah 84068



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Project Surrounding Properties

MPD - 003

July 27, 2016

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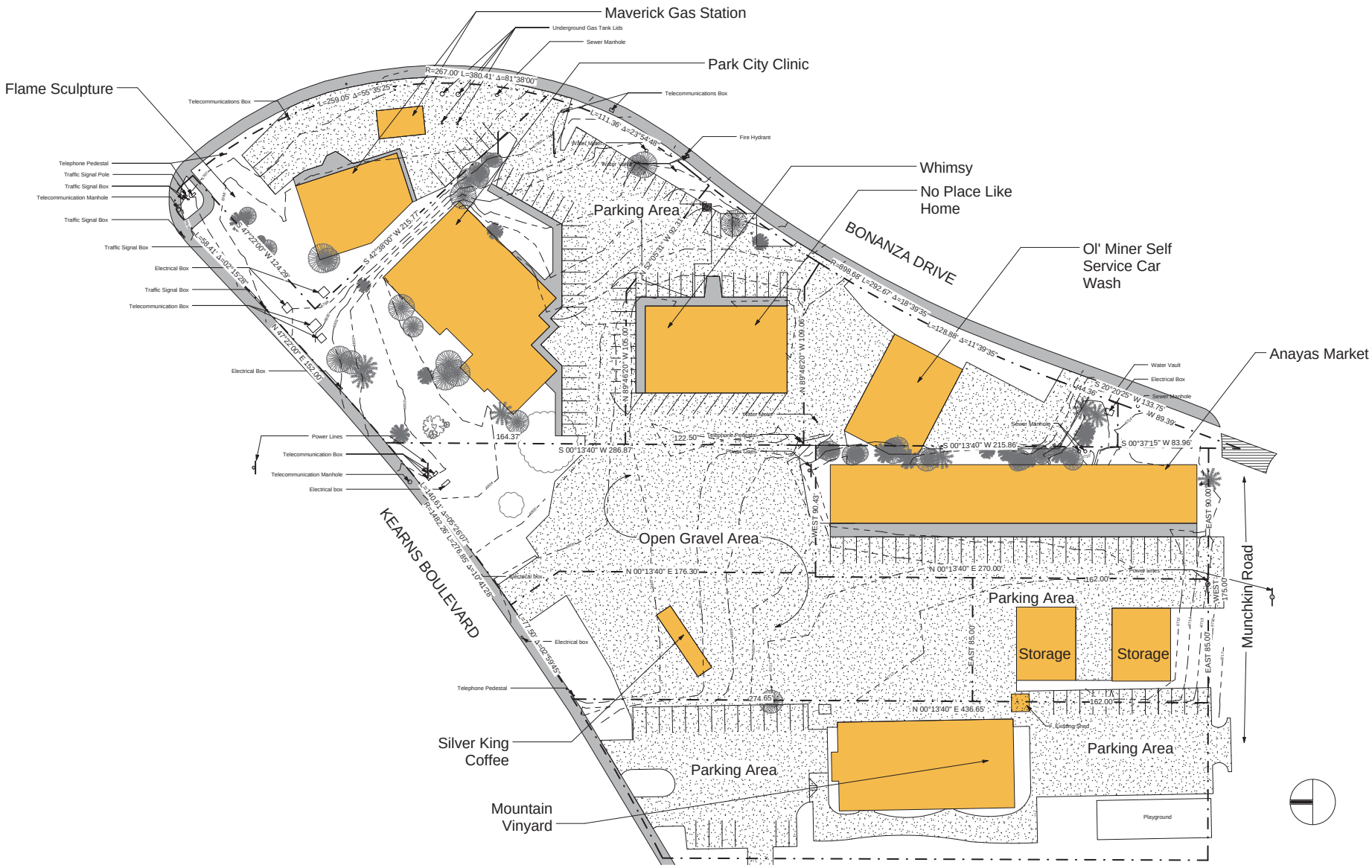
Keams Blvd. & Bonanza Dr.
Park City, Utah 84068



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Existing Site Plan

MPD - 004

July 27, 2016

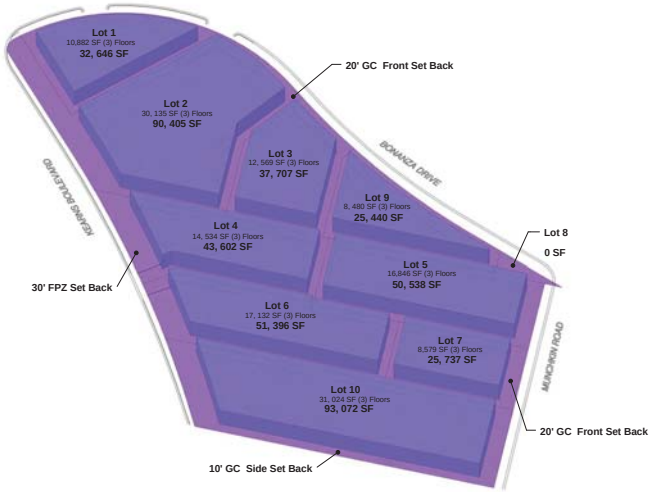
Bonanza Park East

Keams Blvd. & Bonanza Dr.
Park City, Utah 84068

Property 224, 801 SQFT = 100%

Buildable Area 150, 181 SQFT = 66.8%

74, 620 SQFT = 33.2%



Buildable Volume 450, 543 SF

GC Zone Height 40' (35' + 5' Sloped Roof)

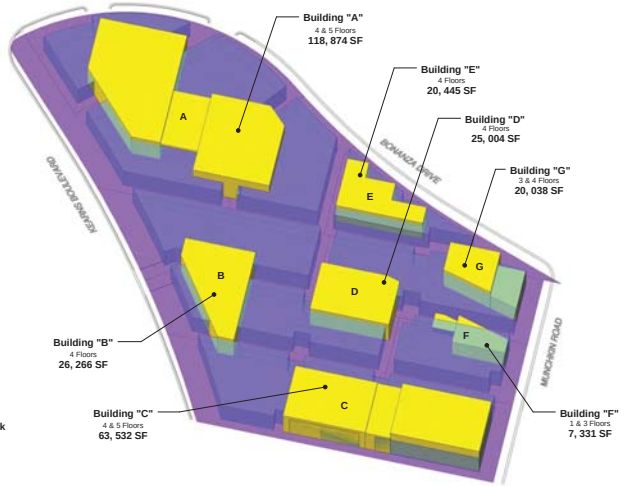
MAXIMUM BUILDING DEVELOPABLE AREA

Buildable Volume
with Facade Lenght & Variations

436, 113 SF

GC Zone Height 40' (35' + 5' Sloped Roof)

MAXIMUM BUILDING DEVELOPABLE AREA



Proposed Buildings 281, 490 SF

PROPOSED BUILDING AREA

Proposed Open Space 108, 841 SQFT = 48%

53, 955 SQFT = 24%

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Site Suitability

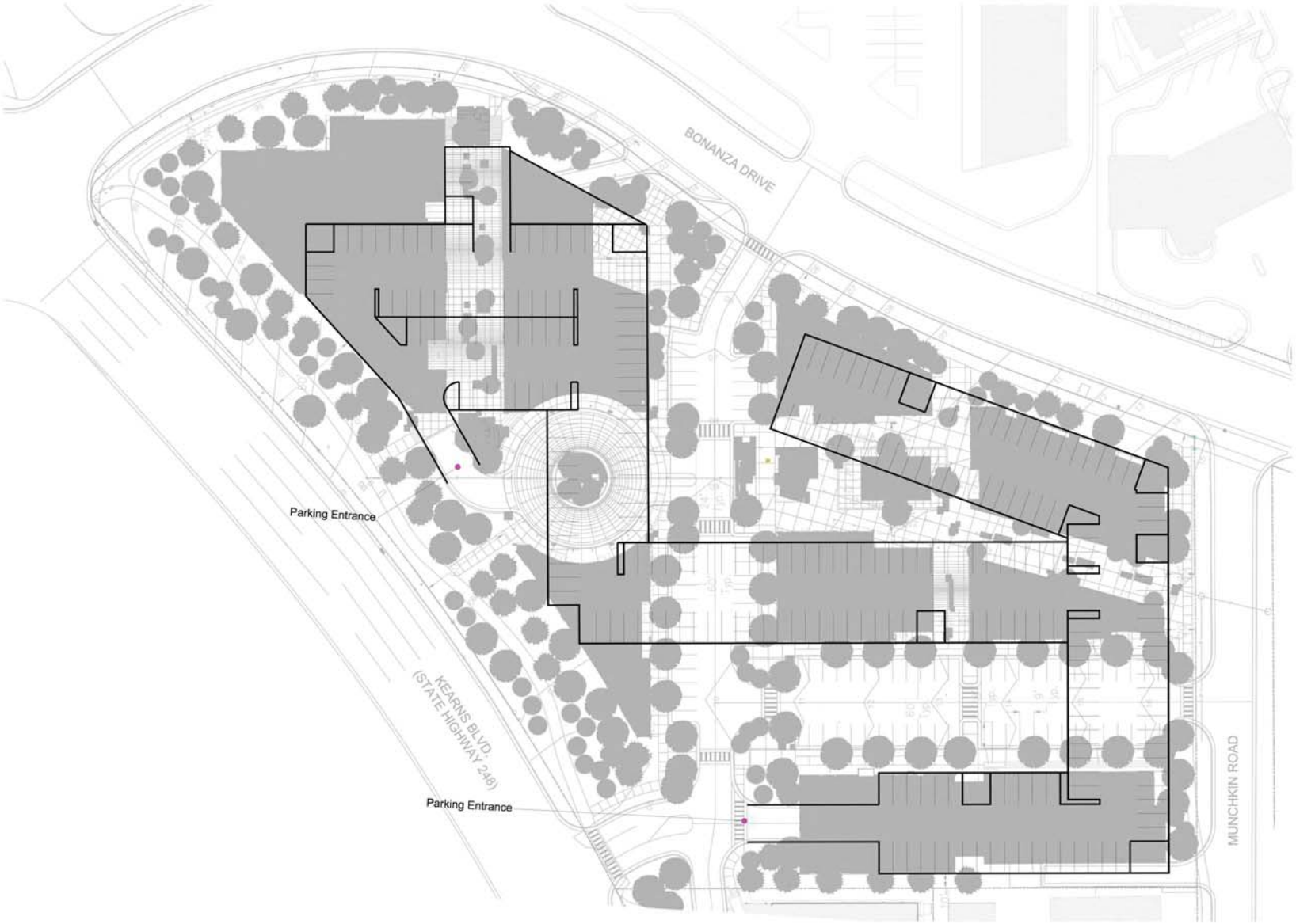
MPD - 005

July 27, 2016

Bonanza Park East

Keams Blvd. & Bonanza Dr.
Park City, Utah 84068

Bonanza Park
Conceptual Master Plan
EWG 10-11-16



Parking Analysis

	Parking Requirement
Lower Level	48.40
Level 1	218.75
Level 2	154.62
Level 3	91.26
Level 4	24.50
Level 5	5.60
TOTAL REQUIRED STALLS	543
Surface Parking	103
Structure Parking	237
TOTAL PROPOSED STALL	340

*Refer Parking Stalls Count on Sheets MPD-120 thru MPD-125
*Parking Management Plan will be submitted with Full MPD Requirements

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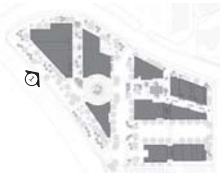
Proposed Parking Plan
MPD - 007
July 27, 2016

Bonanza Park East
Kearns Blvd. & Bonanza Dr.
Park City, Utah 84068



Kearns Boulevard Elevation - 1

Scale 1" = 1/16"

Kearns Boulevard Elevation - 2

Scale 1" = 1/16"

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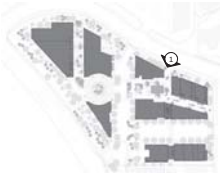
Street Elevation - Kearns

MPD - 008

July 27, 2016

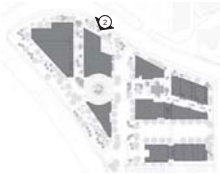
Bonanza Park East

Kearns Blvd. & Bonanza Dr.
Park City, Utah 84068



Bonanza Drive Elevation - 1

Scale 1" = 1/16"



Bonanza Drive Elevation - 2

Scale 1" = 1/16"

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Street Elevation - Bonanza

MPD - 009

July 27, 2016

Bonanza Park East

Keams Blvd. & Bonanza Dr.
Park City, Utah 84068

Interior North Elevation - 1

Scale 1" = 1/16"

Interior South Elevation - 2

Scale 1" = 1/16"

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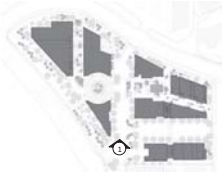
Street Elevation - Int. North and South

MPD - 010

July 27, 2016

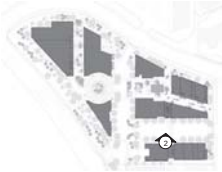
Bonanza Park East

Keams Blvd. & Bonanza Dr.
Park City, Utah 84068



Interior East Elevation - 1

Scale 1" = 1/16"



Interior East Elevation - 2

Scale 1" = 1/16"

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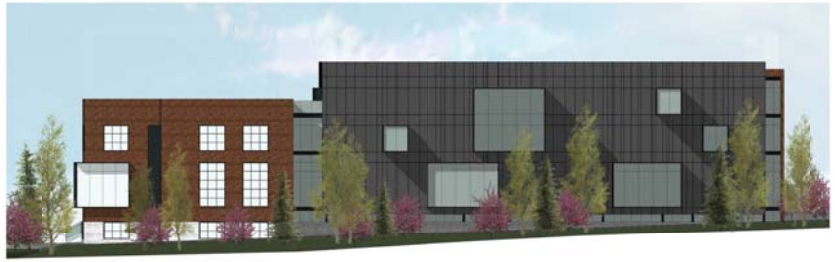
Street Elevation - Int. East

MPD - 011

July 27, 2016

Bonanza Park East

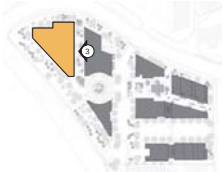
Keams Blvd. & Bonanza Dr.
Park City, Utah 84068



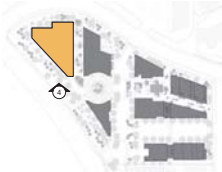
1 Bldg A Elevation - North
SCALE: 1/16" = 1'-0"

2 Bldg A Elevation - East
SCALE: 1/16" = 1'-0"

3 Bldg A Elevation - South
SCALE: 1/16" = 1'-0"



4 Bldg A Elevation - West
SCALE: 1/16" = 1'-0"



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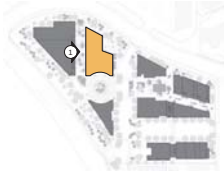
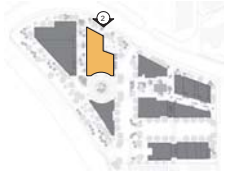
Elevations - Bldg A
MPD - 012
July 27, 2016

Bonanza Park East
Keams Blvd. & Bonanza Dr.
Park City, Utah 84068

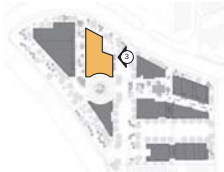
1 Bldg B Elevation - North
SCALE: 1/16" = 1'-0"



2 Bldg B Elevation - East
SCALE: 1/16" = 1'-0"



3 Bldg B Elevation - South
SCALE: 1/16" = 1'-0"



4 Bldg B Elevation - West
SCALE: 1/16" = 1'-0"

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Elevations - Bldg B
MPD - 013
July 27, 2016

Bonanza Park East
Keams Blvd. & Bonanza Dr.
Park City, Utah 84068

1 Bldg C Elevation - North
SCALE: 1/16" = 1'-0"

2 Bldg C Elevation - East
SCALE: 1/16" = 1'-0"

3 Bldg C Elevation - South
SCALE: 1/16" = 1'-0"

4 Bldg C Elevation - West
SCALE: 1/16" = 1'-0"

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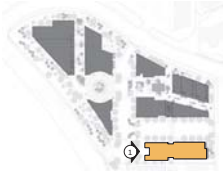
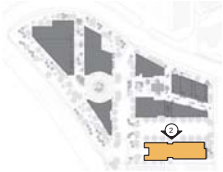
Elevations - Bldg C
MPD - 014
July 27, 2016

Bonanza Park East
Keams Blvd. & Bonanza Dr.
Park City, Utah 84068

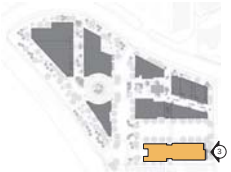
1 Bldg D Elevation - North
SCALE: 1/16" = 1'-0"



2 Bldg D Elevation - East
SCALE: 1/16" = 1'-0"



3 Bldg D Elevation - South
SCALE: 1/16" = 1'-0"



4 Bldg D Elevation - West
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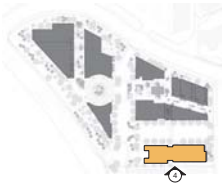

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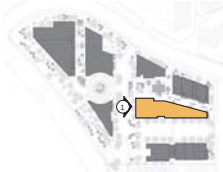
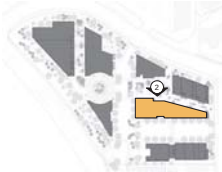
Elevations - Bldg D
MPD - 015
July 27, 2016

Bonanza Park East
Keams Blvd. & Bonanza Dr.
Park City, Utah 84068

1 Bldg E Elevation - North
SCALE: 1/16" = 1'-0"

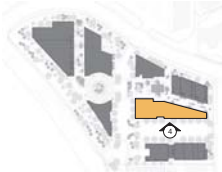


2 Bldg E Elevation - East
SCALE: 1/16" = 1'-0"



3 Bldg E Elevation - South
SCALE: 1/16" = 1'-0"

4 Bldg E Elevation - West
SCALE: 1/16" = 1'-0"



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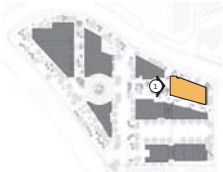
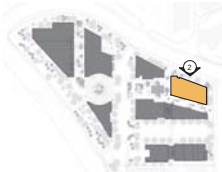
Elevations - Bldg E
MPD - 016
July 27, 2016

Bonanza Park East
Keams Blvd. & Bonanza Dr.
Park City, Utah 84068

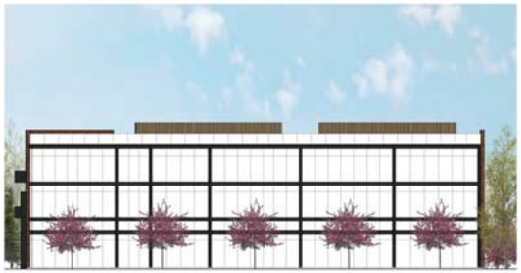
1 Bldg F Elevation - North
SCALE: 1/16" = 1'-0"



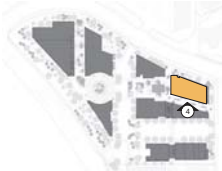
2 Bldg F Elevation - East
SCALE: 1/16" = 1'-0"



3 Bldg F Elevation - South
SCALE: 1/16" = 1'-0"



4 Bldg F Elevation - West
SCALE: 1/16" = 1'-0"



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Elevations - Bldg F
MPD - 017
July 27, 2016

Bonanza Park East
Keams Blvd. & Bonanza Dr.
Park City, Utah 84068

1 Bldg G Elevation - North
SCALE: 1/16" = 1'-0"

2 Bldg G Elevation - East
SCALE: 1/16" = 1'-0"

3 Bldg G Elevation - South
SCALE: 1/16" = 1'-0"

4 Bldg G Elevation - West
SCALE: 1/16" = 1'-0"

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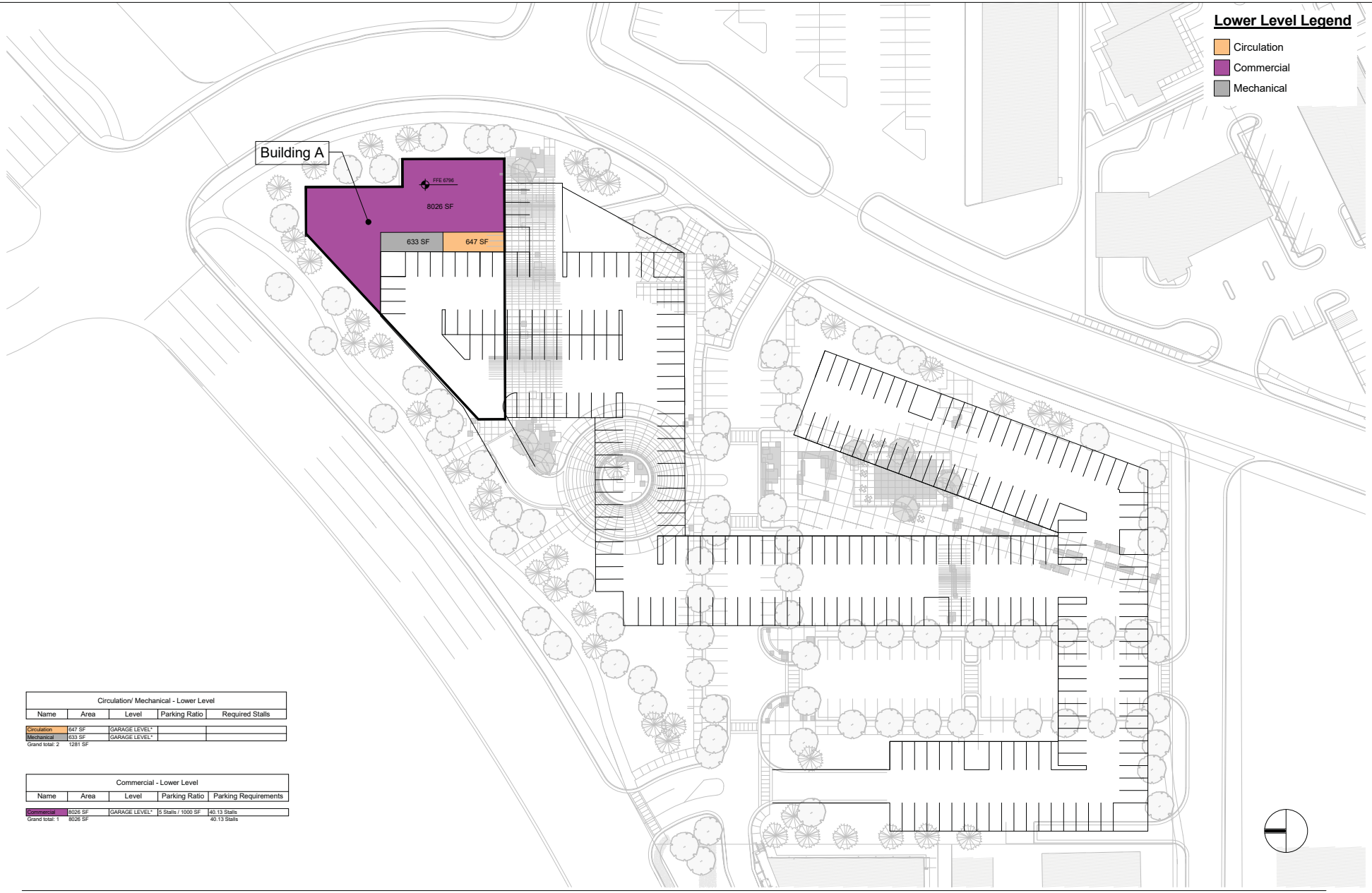
Elevations - Bldg G
MPD - 018
July 27, 2016

Bonanza Park East
Keams Blvd. & Bonanza Dr.
Park City, Utah 84068



Circulation/ Mechanical - Lower Level				
Name	Area	Level	Parking Ratio	Required Stalls
Circulation	647 SF	GARAGE LEVEL*		
Mechanical	633 SF	GARAGE LEVEL*		
Grand total: 2	1281 SF			

Commercial - Lower Level				
Name	Area	Level	Parking Ratio	Parking Requirements
Commercial	8026 SF	GARAGE LEVEL*	5 Stalls / 1000 SF	40.13 Stalls
Grand total: 1	8026 SF			40.13 Stalls

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Lower Level Area Plan

MPD - 120

August 31, 2016 (Rev.11/15/2016)

Bonanza Park East

Kearns Blvd. & Bonanza Dr.
Park City, Utah 84068

Circulation/ Mechanical - Level 1				
Name	Area	Level	Parking Ratio	Parking Requirements
Circulation	2763 SF	LEVEL 1*		
Circulation	984 SF	LEVEL 1*		
Circulation	2631 SF	LEVEL 1*		
Circulation	908 SF	LEVEL 1*		
Circulation	2144 SF	LEVEL 1*		
Circulation	744 SF	LEVEL 1*		
Circulation	1850 SF	LEVEL 1*		
Circulation	1350 SF	LEVEL 1*		
Mechanical	328 SF	LEVEL 1*		
Mechanical	525 SF	LEVEL 1*		
Mechanical	234 SF	LEVEL 1*		
Mechanical	202 SF	LEVEL 1*		
Mechanical	230 SF	LEVEL 1*		
Mechanical	277 SF	LEVEL 1*		
Mechanical	389 SF	LEVEL 1*		
Mechanical	266 SF	LEVEL 1*		
Mechanical	222 SF	LEVEL 1*		
Mechanical	222 SF	LEVEL 1*		
Grand total: 18	16270 SF			

Commercial Level 1				
Name	Area	Level	Parking Ratio	Parking Requirements
Commercial	13505 SF	LEVEL 1*	5 Stalls / 1000 SF	67.53 Stalls
Commercial	3151 SF	LEVEL 1*	3 Stalls / 1000 SF	9.45 Stalls
Commercial	2648 SF	LEVEL 1*	3 Stalls / 1000 SF	7.94 Stalls
Commercial	2921 SF	LEVEL 1*	3 Stalls / 1000 SF	8.76 Stalls
Commercial	1718 SF	LEVEL 1*	3 Stalls / 1000 SF	5.15 Stalls
Commercial	1552 SF	LEVEL 1*	3 Stalls / 1000 SF	4.66 Stalls
Commercial	683 SF	LEVEL 1*	3 Stalls / 1000 SF	2.05 Stalls
Commercial	653 SF	LEVEL 1*	3 Stalls / 1000 SF	1.96 Stalls
Commercial	3176 SF	LEVEL 1*	3 Stalls / 1000 SF	9.53 Stalls
Commercial	2011 SF	LEVEL 1*	3 Stalls / 1000 SF	6.03 Stalls
Commercial	3309 SF	LEVEL 1*	3 Stalls / 1000 SF	9.93 Stalls
Commercial	1189 SF	LEVEL 1*	3 Stalls / 1000 SF	3.57 Stalls
Grand total: 12	36516 SF			136.6 Stalls

Residential - Level 1				
Name	Area	Level	Parking Ratio	Parking Requirements
Residential	1383 SF	LEVEL 1*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	2703 SF	LEVEL 1*	2 Stalls / More 2000 SF	2 Stalls
Residential	940 SF	LEVEL 1*	1 Stalls / Less 1000 SF	1 Stall
Residential	1968 SF	LEVEL 1*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1481 SF	LEVEL 1*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	478 SF	LEVEL 1*	1 Stall / Less 1000 SF	1 Stall
Grand total: 6	8953 SF			8.5 Stalls

Affordable Housing - Level 1				
Name	Area	Level	Parking Ratio	Parking Requirements
Affordable Housing	968 SF	LEVEL 1*	1 Stalls / Less 1000 SF	1 Stall
Affordable Housing	992 SF	LEVEL 1*	1 Stalls / Less 1000 SF	1 Stall
Affordable Housing	720 SF	LEVEL 1*	1 Stalls / Less 1000 SF	1 Stall
Affordable Housing	1166 SF	LEVEL 1*	1 Stalls / Less 1000 SF	1 Stall
Affordable Housing	840 SF	LEVEL 1*	1 Stalls / Less 1000 SF	1 Stall
Affordable Housing	877 SF	LEVEL 1*	1 Stalls / Less 1000 SF	1 Stall
Affordable Housing	748 SF	LEVEL 1*	1 Stalls / Less 1000 SF	1 Stall
Affordable Housing	704 SF	LEVEL 1*	1 Stalls / Less 1000 SF	1 Stall
Affordable Housing	1054 SF	LEVEL 1*	1.5 Stall / Less 2000 SF	1.5 Stalls
Affordable Housing	970 SF	LEVEL 1*	1 Stalls / Less 1000 SF	1 Stall
Grand total: 10	9039 SF			10.5 Stalls

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Area Plan Level 1

MPD - 121

August 31, 2016 (Rev.11/15/2016)

Bonanza Park East

Kearns Blvd. & Bonanza Dr.
Park City, Utah 84068

Circulation/ Mechanical - Level 2			
Name	Area	Level	Parking Requirements
Circulation	1951 SF	LEVEL 2"	
Circulation	2693 SF	LEVEL 2"	
Circulation	738 SF	LEVEL 2"	
Circulation	1147 SF	LEVEL 2"	
Mechanical	202 SF	LEVEL 2"	
Mechanical	234 SF	LEVEL 2"	
Mechanical	369 SF	LEVEL 2"	
Circulation	2243 SF	LEVEL 2"	
Mechanical	310 SF	LEVEL 2"	
Circulation	2026 SF	LEVEL 2"	
Mechanical	525 SF	LEVEL 2"	
Mechanical	389 SF	LEVEL 2"	
Circulation	2203 SF	LEVEL 2"	
Mechanical	230 SF	LEVEL 2"	
Mechanical	278 SF	LEVEL 2"	
Mechanical	369 SF	LEVEL 2"	
Mechanical	222 SF	LEVEL 2"	
Total: 17	16130 SF		

Commercial - Level 2				
Name	Area	Level	Parking Ratio	Parking Requirements
Commercial	2909 SF	LEVEL 2"	3 Stalls / 1000 SF	8.73 Stalls
Commercial	3703 SF	LEVEL 2"	3 Stalls / 1000 SF	11.11 Stalls
Commercial	3377 SF	LEVEL 2"	3 Stalls / 1000 SF	10.13 Stalls
Commercial	1644 SF	LEVEL 2"	3 Stalls / 1000 SF	4.93 Stalls
Commercial	13445 SF	LEVEL 2"	3 Stalls / 1000 SF	40.34 Stalls
Total: 5	25078 SF			75.24 Stalls

Buisness - Level 2				
Name	Area	Level	Parking Ratio	Parking Requirements
Business	1651 SF	LEVEL 2"	3 Stalls / 1000 SF	4.95 Stalls
Business	2720 SF	LEVEL 2"	3 Stalls / 1000 SF	8.16 Stalls
Total: 2	4371 SF			13.11 Stalls

Residential - Level 2				
Name	Area	Level	Parking Ratio	Parking Requirements
Residential	1966 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1242 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1889 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1849 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1726 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stall
Residential	1986 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	2671 SF	LEVEL 2"	2 Stalls / More 2000 SF	2 Stalls
Residential	1968 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	940 SF	LEVEL 2"	1 Stall / Less 1000 SF	1 Stall
Residential	1706 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stall
Residential	1330 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stalls
Total: 11	19273 SF			16.5 Stalls

Affordable Housing - Level 2				
Name	Area	Level	Parking Ratio	Parking Requirements
Affordable Housing	825 SF	LEVEL 2"	1 Stall / Less 1000 SF	1 Stall
Affordable Housing	915 SF	LEVEL 2"	1 Stall / Less 1000 SF	1 Stall
Affordable Housing	775 SF	LEVEL 2"	1 Stall / Less 1000 SF	1 Stall
Affordable Housing	1009 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stalls
Affordable Housing	956 SF	LEVEL 2"	1 Stall / Less 1000 SF	1 Stall
Affordable Housing	858 SF	LEVEL 2"	1 Stall / Less 1000 SF	1 Stall
Affordable Housing	980 SF	LEVEL 2"	1 Stall / Less 1000 SF	1 Stall
Affordable Housing	910 SF	LEVEL 2"	1 Stall / Less 1000 SF	1 Stall
Affordable Housing	804 SF	LEVEL 2"	1 Stall / Less 1000 SF	1 Stall
Affordable Housing	1024 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stalls
Affordable Housing	1088 SF	LEVEL 2"	1.5 Stall / Less 2000 SF	1.5 Stalls
Affordable Housing	775 SF	LEVEL 2"	1 Stall / Less 1000 SF	1 Stall
Affordable Housing	432 SF	LEVEL 2"	1 Stall / Less 1000 SF	1 Stall
Total: 13	11351 SF			14.50 Stalls

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Area Plan Level 2
MPD - 122
August 31, 2016 (Rev.11/15/2016)

Bonanza Park East
Kearns Blvd. & Bonanza Dr.
Park City, Utah 84068

Circulation/ Mechanical - Level 3			
Name	Area	Level	Parking Requirements
Circulation	2203 SF	LEVEL 3*	
Circulation	1034 SF	LEVEL 3*	
Circulation	1951 SF	LEVEL 3*	
Circulation	2243 SF	LEVEL 3*	
Circulation	1147 SF	LEVEL 3*	
Circulation	619 SF	LEVEL 3*	
Circulation	2693 SF	LEVEL 3*	
Mechanical	554 SF	LEVEL 3*	
Mechanical	389 SF	LEVEL 3*	
Mechanical	369 SF	LEVEL 3*	
Mechanical	202 SF	LEVEL 3*	
Mechanical	369 SF	LEVEL 3*	
Mechanical	230 SF	LEVEL 3*	
Mechanical	278 SF	LEVEL 3*	
Mechanical	235 SF	LEVEL 3*	
Mechanical	310 SF	LEVEL 3*	
Mechanical	222 SF	LEVEL 3*	
Grand total: 17	15049 SF		

Commercial - Level 3				
Name	Area	Level	Parking Ratio	Parking Requirements
Commercial	6728 SF	LEVEL 3*	3 Stalls / 1000 SF	20.18 Stalls
Commercial	2909 SF	LEVEL 3*	3 Stalls / 1000 SF	8.73 Stalls
Commercial	3377 SF	LEVEL 3*	3 Stalls / 1000 SF	10.13 Stalls
Commercial	3703 SF	LEVEL 3*	3 Stalls / 1000 SF	11.11 Stalls
Commercial	1649 SF	LEVEL 3*	3 Stalls / 1000 SF	4.95 Stalls
Total: 5	18366 SF			55.1 Stalls

Residential - Level 3				
Name	Area	Level	Parking Ratio	Parking Requirements
Residential	1716 SF	LEVEL 3*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	2720 SF	LEVEL 3*	2 Stalls / More 2000 SF	2 Stalls
Residential	1849 SF	LEVEL 3*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1925 SF	LEVEL 3*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1949 SF	LEVEL 3*	1.5 Stall / Less 2000 SF	2 Stall
Residential	1726 SF	LEVEL 3*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1706 SF	LEVEL 3*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	940 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stall
Residential	2703 SF	LEVEL 3*	2 Stalls / More 2000 SF	2 Stalls
Residential	1968 SF	LEVEL 3*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	980 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stall
Residential	910 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stall
Residential	915 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stall
Residential	775 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stall
Residential	956 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stall
Residential	775 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stall
Residential	1088 SF	LEVEL 3*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1024 SF	LEVEL 3*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1009 SF	LEVEL 3*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	894 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stall
Residential	864 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stall
Residential	945 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stall
Residential	2783 SF	LEVEL 3*	2 Stalls / More 2000 SF	2 Stalls
Residential	681 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stalls
Residential	372 SF	LEVEL 3*	1 Stall / Less 1000 SF	1 Stall
Total: 25	34173 SF			33.5 Stalls

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Area Plan Level 3
MPD - 123
August 31, 2016 (Rev.11/15/2016)

Bonanza Park East
Kearns Blvd. & Bonanza Dr.
Park City, Utah 84068

Circulation/ Mechanical - Level 4			
Name	Area	Level	Parking Requirements
Circulation	1641 SF	LEVEL 4*	
Circulation	620 SF	LEVEL 4*	
Circulation	2693 SF	LEVEL 4*	
Circulation	2203 SF	LEVEL 4*	
Mechanical	389 SF	LEVEL 4*	
Mechanical	369 SF	LEVEL 4*	
Mechanical	234 SF	LEVEL 4*	
Mechanical	310 SF	LEVEL 4*	
Mechanical	222 SF	LEVEL 4*	
Grand total: 9	8682 SF		

Residential - Level 4				
Name	Area	Level	Parking Ratio	Parking Requirements
Residential	2909 SF	LEVEL 4*	2 Stalls / More 2000 SF	2 Stalls
Residential	3377 SF	LEVEL 4*	2 Stalls / More 2000 SF	2 Stalls
Residential	3703 SF	LEVEL 4*	2 Stalls / More 2000 SF	2 Stalls
Residential	1888 SF	LEVEL 4*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1870 SF	LEVEL 4*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1861 SF	LEVEL 4*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1619 SF	LEVEL 4*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	980 SF	LEVEL 4*	1 Stall / Less 1000 SF	1 Stall
Residential	888 SF	LEVEL 4*	1 Stall / Less 1000 SF	1 Stall
Residential	893 SF	LEVEL 4*	1 Stall / Less 1000 SF	1 Stall
Residential	775 SF	LEVEL 4*	1 Stall / Less 1000 SF	1 Stall
Residential	956 SF	LEVEL 4*	1 Stall / Less 1000 SF	1 Stall
Residential	775 SF	LEVEL 4*	1 Stall / Less 1000 SF	1 Stall
Residential	1088 SF	LEVEL 4*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1024 SF	LEVEL 4*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1009 SF	LEVEL 4*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	858 SF	LEVEL 4*	1 Stall / Less 1000 SF	1 Stall
Residential	812 SF	LEVEL 4*	1 Stall / Less 1000 SF	1 Stall
Residential	879 SF	LEVEL 4*	1 Stall / Less 1000 SF	1 Stall
Residential	1120 SF	LEVEL 4*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	2799 SF	LEVEL 4*	2 Stalls / More 2000 SF	2 Stalls
Residential	680 SF	LEVEL 4*	1 Stall / Less 1000 SF	1 Stalls
Residential	432 SF	LEVEL 4*	1 Stall / Less 1000 SF	1 Stall
Total: 23	33195 SF			31 Stalls

ELLIOTT WORKGROUP

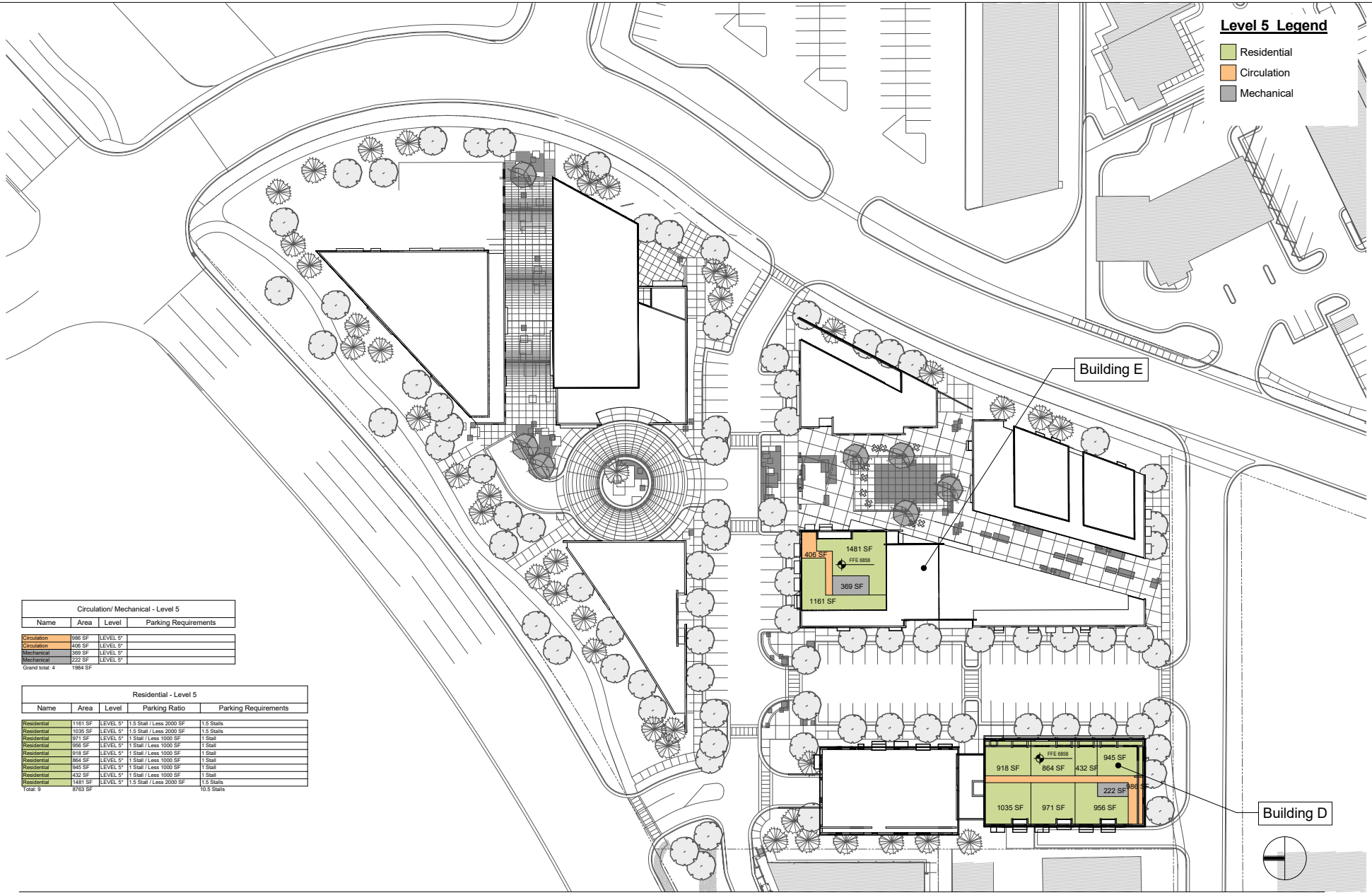
Area PLan Level 4

MPD - 124

August 31, 2016 (Rev.11/15/2016)

Bonanza Park East

Kearns Blvd. & Bonanza Dr.
Park City, Utah 84068



Circulation/ Mechanical - Level 5			
Name	Area	Level	Parking Requirements
Circulation	986 SF	LEVEL 5*	
Circulation	406 SF	LEVEL 5*	
Mechanical	369 SF	LEVEL 5*	
Mechanical	222 SF	LEVEL 5*	
Grand total: 4	1984 SF		

Residential - Level 5				
Name	Area	Level	Parking Ratio	Parking Requirements
Residential	1161 SF	LEVEL 5*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	1035 SF	LEVEL 5*	1.5 Stall / Less 2000 SF	1.5 Stalls
Residential	971 SF	LEVEL 5*	1 Stall / Less 1000 SF	1 Stall
Residential	956 SF	LEVEL 5*	1 Stall / Less 1000 SF	1 Stall
Residential	918 SF	LEVEL 5*	1 Stall / Less 1000 SF	1 Stall
Residential	864 SF	LEVEL 5*	1 Stall / Less 1000 SF	1 Stall
Residential	945 SF	LEVEL 5*	1 Stall / Less 1000 SF	1 Stall
Residential	432 SF	LEVEL 5*	1 Stall / Less 1000 SF	1 Stall
Residential	1481 SF	LEVEL 5*	1.5 Stall / Less 2000 SF	1.5 Stalls
Total: 9	8763 SF			10.5 Stalls

ELLIOTT WORKGROUP

Area Plan Level 5

MPD - 125

August 31, 2016 (Rev.11/15/2016)

Bonanza Park East

Kearns Blvd. & Bonanza Dr.
Park City, Utah 84068

AREA CALCULATION - Gross / Net / UE's

Building A

Level	Useable Area	Gross Area	Commercial Use	Residential Use	Affordable Use	Commercial UE	Residential UE	Affordable UE
Lower Level	8,026	9,306	1,000			8.03		
Level 1	14,158	17,446	1,000			14.16		
Level 2	15,089	17,640	1,000			15.09		
Level 3	8,377	9,965	1,000			8.38		
TOTAL	45,650	54,357				45.65		
Percentage						100%		

Building B

Level	Useable Area	Gross Area	Commercial Use	Residential Use	Affordable Use	Commercial UE	Residential UE	Affordable UE
Level 1	8,975	11,508	1,000			8.98		
Level 2	9,989	12,581	1,000			9.99		
Level 3	9,989	12,581	1,000			9.99		
Level 4	9,989	12,581		2,000			4.9945	
TOTAL	38,942	49,251				28.95	4.9945	
Percentage						85%	15%	

Building C

Level	Useable Area	Gross Area	Commercial Use	Residential Use	Affordable Use	Commercial UE	Residential UE	Affordable UE
Level 1	3,953	5,139	1,000			3.95		
Level 2	4,371	5,720	1,000			4.37		
Level 3	4,436	5,785		2,000			2.22	
TOTAL	12,760	16,644				8.324	2.22	
Percentage						79%	21%	

Building D

Level	Useable Area	Gross Area	Commercial Use	Residential Use	Affordable Use	Commercial UE	Residential UE	Affordable UE
Level 1	9,039	12,114			900			10.04
Level 2	11,351	14,576			900			12.61
Level 3	11,507	14,732		2,000			5.75	
Level 4	11,368	14,593		2,000			5.68	
Level 5	6,121	7,329		2,000			3.06	
TOTAL	49,386	63,344					14.50	22.66
Percentage							39%	61%

Building E

Level	Useable Area	Gross Area	Commercial Use	Residential Use	Affordable Use	Commercial UE	Residential UE	Affordable UE
Level 1 (Commercial)	4,932	6,610	1,000			4.93		
Level 1 (Residential)	3,342	4,516		2,000			1.67	
Level 2	9,155	12,136		2,000			4.58	
Level 3	9,155	12,136		2,000			4.58	
Level 4	8,358	10,368		2,000			4.18	
Level 5	2,642	3,417		2,000			1.32	
TOTAL	34,242	49,183				4.93	16.33	0.00
Percentage						23%	77%	0%

Building F

Level	Useable Area	Gross Area	Commercial Use	Residential Use	Affordable Use	Commercial UE	Residential UE	Affordable UE
Level 1	5,611	7,968		2,000			2.81	
Level 2	5,579	8,038		2,000			2.79	
Level 3	5,611	8,070		2,000			2.81	
TOTAL	16,801	24,076				0	8.40	
Percentage						0%	100%	

Building G

Level	Useable Area	Gross Area	Commercial Use	Residential Use	Affordable Use	Commercial UE	Residential UE	Affordable UE
Level 1	4,498	5,476	1,000			4.50		
Level 2	4,538	5,510	1,000			4.54		
Level 3	3,464	4,318		2,000			1.73	
Level 4	3,479	4,333		2,000			1.74	
TOTAL	15,979	19,637				9.036	3.47	
Percentage						72%	28%	

1440 Empire

Level	Useable Area	Gross Area	Commercial Use	Residential Use	Affordable Use	Commercial UE	Residential UE	Affordable UE
Level 1	2,585	4,290			900			2.87
Level 2	2,585	4,290			900			2.87
Level 3	2,585	4,290			900			2.87
TOTAL								8.62
Percentage								100%

Rail Central

Level	Useable Area	Gross Area	Commercial Use	Residential Use	Affordable Use	Commercial UE	Residential UE	Affordable UE
Level 2	1,124				900			1.25
Level 3	4,260				900			4.73
TOTAL								5.98
Percentage								100%

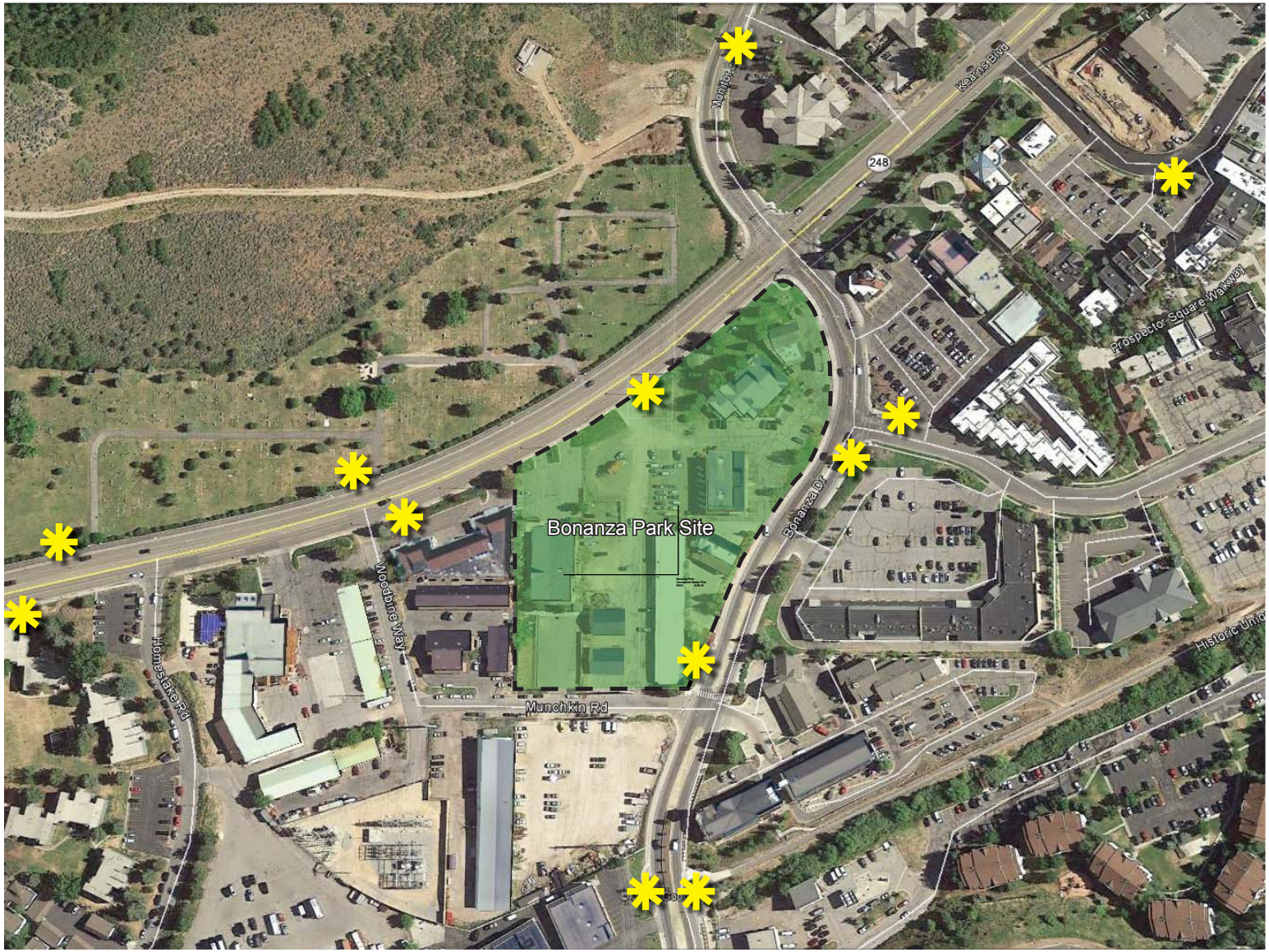
TOTAL AREA	213,760	276,492			TOTAL UE's	96.90	49.91	37.25
Percentage						53%	27%	20%

Site Analysis

	Area	Acres	Percentage
Driveways/Parking	47,653	0.92	21.32%
Building Footprint	70,779	1.64	31.66%
Open Space	105,103	2.82	47.02%
TOTAL PROPERTY	223,535	5.38	100.00%

Parking Analysis

	Parking Requirement
Lower Level	40.13
Level 1	155.6
Level 2	119.35
Level 3	88.6
Level 4	31.0
Level 5	10.50
TOTAL REQUIRED STALLS	445
Surface Parking	84
Structure Parking	269
TOTAL PROPOSED STALLS	353



Bus Stops

Bonanza Park
Regional Bus Stops Locations
EWG 10-11-16

Exhibit C – 11 May 2016 Planning Commission Staff Report

Exhibit D – 11 May 2016 Planning Commission Minutes

Exhibit E – 24 August 2016 Planning Commission Staff Report

Exhibit F – 24 August 2016 Planning Commission Minutes

October 25, 2016

Francisco Astorga, AICP, Senior Planner
Park City Planning Department
Park City Municipal Corporation
Project #: PL-15-02997
Bonanza Park East Master Plan Pre-MPD Application

RE: Project Compliance with General Plan Goals and Objectives

Dear Francisco,

Please find below Bonanza Park's response to the General Plan Volume I, Goals and Objectives that is required of the applicant for a Pre-MPD approval and Staff recommendation. Please let me know if you have any questions or comments or require additional information that is required to address these Goals and Objectives.

Small Town

Goal 1: Park City will protect undeveloped lands, discourage sprawl, and direct growth inward to strengthen existing neighborhoods

Objectives:

1A: Direct complimentary land use and development into existing neighborhoods that have available infrastructure and resource capacity. **The Bonanza Park proposal is defined as in-fill development. It is entirely a redevelopment of an existing under-utilized neighborhood that has significant infrastructure and resource capacity.**
1B: Each neighborhood should have a well-defined edge, such as open space or a naturally landscaped buffer zone, permanently protected from development, with the exception of transition areas where two adjacent neighborhoods merge along an established transportation path. **The BoPa area is defined by the cemetery and adjacent hill to the north. To the east, the neighborhood transitions into the Prospector area from highly dense mixed-use and commercial areas to residential uses. To the south, the neighborhood is defined by City Park and Masonic Hill. To the west the park City Municipal Golf Course is the defining edge.**
1C: Primary residential neighborhoods should encourage opportunities to enhance livability with access to daily needs, including a mini market, a neighborhood park, trails, community gardens, walkability, bus access, home business, minor office space and other uses that are programmed to meet the needs of residents within the neighborhood and complement the existing context of the built environment. **Bonanza Park is compatible with the Objectives. There are two markets within easy walking distance and the area is very walkable to almost all areas of the City, including Old Town, main Street, the Ski**

Resort and City Park. Bus access has been well-vetted and there is no place within the proposed development that is greater than 300 meters from a bus stop. Residential development is planned for the area as is limited office use. Trails and community gardens are not found in this area as it is a more urban, denser area of the City already. A neighborhood park is planned as are gathering areas and courtyards.
1D: Increase neighborhood opportunities for local food production within and around the City limits. Sustainable agricultural practices should be considered within appropriate areas. **Due to the nature of Bonanza Park's dense, urban environment, combined with the unsuitability of the soils found in the area due to former mine activity, it is not proposed that Bonanza Park be a food production area. Nonetheless, the applicant is willing to entertain ideas in this regard.**

Goal 2: Park City will emphasize and preserve our sense of place while collaborating with the Wasatch Back and Slat Lake County regions through regional land use and transportation planning.

Objectives:

2A: A regional land-use planning structure should be integrated within a larger transportation network built around transit. **The Bonanza Park proposal is transit-oriented with bus stops incorporated into the development and is pedestrian-oriented, reducing automobile traffic generation.**
2B: Regions should be bounded by and provide a continuous system of greenbelt/wildlife corridors to be determined by natural conditions**. This Objective is larger in scope than the proposal can contribute to but does contain significant green belt at the entry corridor along Kearns Boulevard.**
2C: Regional Institutions and services should be located within existing development nodes**. This proposal as it is designed would be able to accommodate such regional institutions that may desire to be there. The applicant is currently working with two major non-profit institutions that are arts-oriented and could potentially be located at the project.**
2D: Materials and methods of construction should be specific to the region, exhibiting a continuity of history and culture and compatibility with the local character and community identity**. The materials used in the project will be well-defined during the CUP/MPD phase of the development. The industrial look of the area will be incorporated into the design and will transition into the existing mining oriented appearance of surrounding projects.**

Goal 3: Park City will encourage alternative modes of transportation on a regional and local scale to maintain our small-town character.

Objectives:

3A: Streets, pedestrian paths and bike paths should contribute to a system of fully connected and interesting routes to all destinations. Their design should encourage pedestrian and bicycle use by being small and spatially defined by buildings, trees, signs and lighting and by discouraging high-speed traffic. **The current proposal strongly supports this Objective. The entire development is designed to be pedestrian oriented and the design favors walkability and bicycle access. The proposal links the project to existing trails and greatly improves the area connectivity. The sidewalk along Kearns is elevated and pulled from the traffic and the auto-oriented feel of the current uses will be eliminated.**

There is only one street within the development and it is designed as a "complete street" where it has pedestrian auto and bicycle elements. The street is a very low-speed design with bulb outs, frequent vegetation and parking arrangements that highly discourage speed.
3B: Pyritize efficient public transportation over widening of roads to maintain the small-town experience of narrow roads, modest traffic and Complete Streets. **The Bonanza proposal does incorporate the Complete Streets concept and is designed to reduce traffic and encourage public transit.**
3C: Public transportation routes should be designed to increase efficiency of passenger trips and capture ridership of visitors and locals. **The Bonanza team has worked closely with Park City Staff's transportation planners to do exactly as this Objective states**.

Natural Setting

Goal 4: Open Space: Conserve a connected healthy network of open space for continued access to and respect for the natural setting.

Objectives:

4A: Protect natural areas critical to biodiversity and healthy ecological function. **Due to its nature as a brownfield, in-fill, urban redevelopment, the ability for this proposal to protect natural habitats is limited. Nonetheless, the recent inclusion of bios wales has reduced the amount of run-off the site will have and help to filter the water as well.**
4B: Buffer entry corridors from development and protect mountain vistas to enhance the natural setting, quality of life and visitor experience. **The Bonanza Park proposal initially proposed greater height closer to the Kearns/Bonanza corridors and has since modified the plan to reduce that to a more acceptable proposal. The applicant will continue to work to protect mountain vistas by analyzing its height proposals and adjusting them accordingly as the MPD process develops.**
4C: Prevent fragmentation of open space to support ecosystem health, wildlife corridors and recreation opportunities. **The in-fill, urban nature of the Bonanza redevelopment proposal makes it difficult to apply to this Objective.**
4D: Minimize further land disturbance and conversion of remaining undisturbed land areas to development to minimize the effects on neighborhoods. **As with the above Objective, the Bonanza Park proposal's nature of in-fill development on already developed land does not allow for this Objective to be applicable. The significant reduction of paved area and increase in vegetated areas on this existing brownfield site reduces the existing impacts on the surrounding neighborhoods.**
4E: Collaborate with neighborhoods to create small parks or passive open space areas. **The Bonanza Park proposal has over 47% open space and has significant passive open space along Kearns Boulevard. The applicant acknowledges these comments and will address this as the MPD continues to mature.**

Goal 5: Environmental Mitigation: Park City will be a leader in energy efficiency and conservation of natural resources reducing greenhouse gas emissions by at least fifteen percent (15%) below 2005 levels in 2020.

Objectives:

5A: Encourage development practices that decrease per capita carbon output, decrease vehicle miles traveled, increase carbon sequestration, protect significant existing vegetation and contribute to the community emission reduction goal. **The buildings that currently exist at the Bonanza site were built in the 1970s and 1980s and are, on the whole, inadequate to meet this Objective. The inefficiency of the energy elements, both heating in the winter and cooling in the summer, are not up to standards that the City currently expects. All of the new buildings will be required to meet Park City's high standards of energy efficient construction. The urban nature of the development should encourage more active pedestrian activity as well as increase public transit opportunities.**
5B: Encourage efficient infrastructure to include water conservation, energy conservation, renewable resource technology, decreased waste production, green public transit and increased roadway and pathway connectivity**. The project is planned to adhere to Park City's stringent building code requirements of energy efficiency and waste reduction. The current proposal has increased roadway and pathway connectivity by working with Park City's transportation planners and incorporating their directives. Incorporating water-wise plantings and the bio-swales should also help to conserve water and reduce run-off concerns that the current hardscape does not.**
5C: Park City will be a strong partner in efforts to reduce community GHG emissions, leading by example and providing policy guidance while promoting personal accountability and community responsibility. **The applicant will strive to partner with the City to achieve this Objective.**
5D: Align transportation goals with sustainable goals that reflect all four Core Values of the City. **The applicant has worked closely with the City Staff to ensure its transportation design fulfills this Objective.**

Goal 6: Climate Adaptation: Park City will implement climate adaption strategies to enhance the City's resilience to the future impacts of climate change.

Objectives:

6A: Prepare for probable scenarios that could threaten health, welfare and safety of residents. **The applicant will incorporate any strategies the City deems necessary to fulfill this Objective.**
6B: Encourage opportunities for local food production and sales of food produced regionally. **Due to Bonanza Park's nature as an in-fill, redevelopment, there are limited opportunities for food production, however, the applicant will try to incorporate any ideas the City may have in this regard.**
6C: Support ecosystem health, biodiversity and natural buffers between development and sensitive lands**. Bonanza Park is a redevelopment of a largely hardscaped area and thus cannot really contribute to this Objective, however it will strive to do what is requested to help implement this Objective**.
6D: Encourage regional planning efforts as a mechanism to mitigate population growth. **There are opportunities in Bonanza Park that may be helpful to the regional transportation planning efforts that are currently being looked at by the City transportation and housing planners.**

Sense of Community

Goal 7: Life-cycle Housing: Create a diversity of primary housing opportunities to address the changing needs of residents.

Objectives:
7A: Increase diversity of housing stock to fill voids within housing inventory (including price, type and size) to create a variety of context sensitive housing opportunities**. The Staff and the Commission have offered comments that the site should include more workforce housing opportunities given its central location. The applicant has already built two affordable hosuing projects within City limits that are dedicated to this project and is proposing additional affordable housing above the MPD requirements to further address this issue within the project. The applicant understands that the final MPD submittal will require that this issue must be addressed to the satisfaction of the Staff and Commission.**
7B: Focus efforts for diversity of primary housing stock within primary residential neighborhoods to maintain majority occupancy by full time residents within these neighborhoods. **The Bonanza area is currently not a primary residential neighborhood, however that will change with this proposal. Members of the Planning Commission have outlined their position where they have encouraged the applicant to provide at least some residential units that are not nightly rental and thereby achieve this Objective by thus creating primary housing stock. The applicant is currently examining individual building pads where this may occur and will work with Staff to further this Objective and present those concepts with the final MPD submittal.**
7C: Focus nightly rental units to resort neighborhoods-near Park City Mountain Resort and Deer Valley. **Along with the above Objective, the concern is that traditionally primary neighborhoods are being quickly transitioned to nightly rental areas and, perhaps more impactfully, second-home areas. Whereas in the past this activity was primarily focused at the resorts, the increased popularity of Park City has caused this to be a growing occurrence throughout the City. The footprint of the resorts has increased and the advent of Airbnb and other rental avenues has caused the impact to be felt throughout the City. As with 7B, the applicant heard clearly the concerns from the Planning Commission in this regard and has already removed an earlier hotel concept from the plan. The applicant will continue to address this issue.**
7D: Facilitate the implementation of a housing plan that promotes economic diversity. **As with the previous Objectives, the Staff and the Commission have made clear their direction relative to the workforce housing component of the site and the applicant will address this in the final MPD.**
7E: Create housing opportunities for the City's aging population (e.g. step-down housing, community housing, cottage style units). **While this area is probably not conducive to cottage style units due to its urban location, the other Objectives are more practical for the site and the applicant desires to produce a workforce housing plan that is acceptable to the Staff and the Commission.**

Goal 8: Workforce Housing: Increase affordable housing opportunities and associated services for the work force of Park City.

Objectives:

8A: Provide increased housing opportunities that are affordable to a wide range of income levels within all Park City neighborhoods. **The Staff and Commission have made their concerns clear regarding this issue and the applicant will continue to refine the plan so that these concerns are fully addressed in the final MPD proposal.**

8B: Increase rental housing opportunities for seasonal workers in close proximity to resorts and mixed use centers**. Along with addressing the above concerns in Goal 7 and Goal 8, the increased attention the applicant is willing to give to work force housing should strongly help to address this Objective in the final MPD proposal.**
8C: Increase housing ownership opportunities for work force within primary residential neighborhoods. **As with Objective 8B, the increased attention paid to workforce housing needs will create opportunities in this regard. The applicant will work with the City's affordable housing group to understand where this can occur and will deed-restrict the units appropriately to accommodate the group's needs.**

Goal 9: Parks and Recreation: Park City will continue to provide unparalleled parks and recreation opportunities for residents and visitors.

Objectives:

9A: Maintain local recreation opportunities with high quality of service, exceptional facilities and variety of options. **The Bonanza Park site has limited opportunity to provide any meaningful recreational options, however, the applicant is open to any dialogue from Staff and the Commission in that regard.**
9B: Locate recreational options within close vicinity to existing neighborhoods and transit for accessibility and to decrease vehicle miles traveled. Grouping facilities within recreational campuses is desired to decrease trips**. As with Objective 9A, the Bonanza Park area is not a particularly useful recreational area but could provide housing and retail opportunities to help address this need. Additonally, this site is within walking distance to both the Rail Trail and City Park**
9C: Optimize interconnectivity by utilizing bus/transportation services to recreation facilities. **The Bonanza Park's central location in the City and its plan to provide a strong transit-oriented element to the design should satisfy this Objective. The applicant has worked closely with Park City's transportation planners to make the proposal as transit-oriented as possible.**

Goal 10: Park City will 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: 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. **Bonanza Park is focusing its efforts on building a project that is oriented towards accommodating influential arts organizations. That effort includes restaurants. Its hoped that a viable arts district is developed that allows for further gathering spaces within the City limits that can accommodate large groups of people very comfortably**.
10B: Balance tourism events with preservation of small town character and quality of life. Locate larger tourist activities close to resorts and/or existing facilities. Locate community facilities close to primary residential areas. **Should the applicant's efforts to create an arts district materialize then the Bonanza**

area would be accessible for that purpose yet remain fairly separated from existing primary residential uses.
10C: Public infrastructure improvements and programming should consider the visitor experience to Park City during large events and master festivals**. The project as proposed would be fairly designed around programming for some of the most impactful master festival events. The increased presence of this effort should be beneficial to the visitor experience.**

Goal 12: Foster diversity of jobs to provide greater economic stability and new opportunities for employment in Park City.

Objectives:

12A: Retain and expand existing Park City businesses. **The project as proposed is performing this Objective by seeking to retain very prominent local non-profit organizations as well accommodating Anaya's Market. The existing gas station remains an issue to be resolved. Additionally, there are proposed to be new opportunities for local businesses in the retail area of the project.**
12B: Improve the balance of jobs-to-housing ratio in Park City to attract higher paying jobs and workforce housing strategies. **The final MPD will reflect comments from the Staff and the Commission in regards to workforce housing strategies. The retention of the arts organizations diversifies the area economy and provides higher paying jobs than would normally be found in the service sector.**
12C: Support local owned, independent businesses that reflect the core values of Park City and add to the Park City experience. **The project accomplishes this Objective by the retention of the arts organizations as well as the accommodation of Anaya's market.**

Goal 13: Arts & Culture: Park City will continue to grow as an arts and culture hub encouraging creative expression.

Objectives:

13A: Increase cultural, arts and entertainment related events that diversify and support our tourism-based economy. **Bonanza Park's planned for accommodation of the local arts organizations and the events they manage ought to more than satisfy this Objective.**
13B: Foster and enhance the vitality of Park City's local arts and cultural sectors. **Bonanza's commitment to the local arts organizations is almost unparalleled and represents the core of this Objective.**
13C: Encourage the installation of public arts on private property, public space, parks, trails and streets that represent Park City's core values**. Bonanza plans to include several large and meaningful pieces of public art in its plaza designs and landscaping.**

Goal 14: Living within limits: the future of Park City includes limits (ecological, qualitative and economic) to foster innovative sustainable development, protect the community vision, and prevent negative impacts to the region.

Objectives:

14A: Provide reliable public resources to ensure the health, welfare and safety of residents and visitors. **The project has received extensive feedback from the City Engineering, Planning and transportation Staffs and we have changed the plan extensively to accommodate these concerns.**
14B: Manage growth to protect the quality of life and preserve the unique Park City Experience by recognizing limits to growth and adopting responsible policies that are consistent with those limits. Look at policies to offset this growth through efficiencies and renewables. **By trying to adopt an arts district approach that accommodates diverse and unique Park City organizations, Bonanza Park recognizes the need to synergize its development with the goals of the City.**
14C: Provide safe drinking water to residents and visitors. Set limits to future demand based on available sources and expense of available sources. **The Bio-swale element of the plan will help greatly to help filter storm water and reduce contaminants. The current Bonanza site is covered in impermeable surface and the inclusion of water-wise green areas will help to reduce the overall impact of the water consumption on the site.**
14D: Prevent degradation of air quality through the implementation of best practices for land use, clean energy, regional transportation and growth management. **The applicant has and will continue to meet Park City's high standards for land use, clean energy, regional transportation and growth management. Any feedback the Staff offers relative to this Objective will be incorporated to the extent possible in the land plan.**

*Goals 15 and 16 specifically address the Historic Character of Park City and the Historic Main Street District. Given that there are no historic structures on the Bonanza Park site, then these Goals and Objectives were excluded from this report.

November 7, 2016

Mr. Francisco Astorga, AICP, Senior Planner
Park City Planning Department
Park City Municipal Corporation
PO Box 1480
Park City, Utah 84060

Project #: PL-15-02997
Bonanza Park East Master Plan Development Pre-Application

RE: Bonanza Park Neighborhood General Plan Compliance

Dear Francisco,

Please find enclosed the requested report from the applicant for the General Plan Compliance for the Bonanza Park East project located adjacent to Kearns, Blvd., Bonanza Dr. and Munchkin Rd. This property is owned by JP's Nevada LLC, Bonanza Park LLC and Maverick, Park City, LLC. Please let me know if you have any questions or comments regarding this report.

Bonanza Park and Snow Creek Neighborhood

3.1 Bonanza Park and Snow Creek: A mixed use neighborhood in which locals live and work.
The Bonanza Park and Snow Creek Neighborhood contains a variety of housing types as well as commercial development. Ranging from the single-family dwelling units that make up Snow Creek Cottages located adjacent to the Shopping Center, to the multi-family dwelling units that make up Homestake, Claimjumper, Fireside Condominiums, the area is diverse in terms of housing units and is home to many of the City's more affordable units-not all deed restricted, but de facto affordable units.

One of the greatest threats to the relatively affordable Bonanza Park neighborhood is gentrification. As the City adopts new policies to create a diverse neighborhood for locals, it is imperative that the locals be included in the planning. The overriding goal for this neighborhood is to create new housing opportunities while maintaining the existing affordable units. In the case of redevelopment, any displacement of existing affordable units should be required to incorporate those units within the new redevelopment area. In an effort to support local start-up businesses and services, it is also essential to maintain affordable leases in the area.

This neighborhood is also home to the City's only light industrial zoning district where automotive shops can coexist with a car wash, all within proximity of residential units. These type of uses should be

preserved as the City moves forward with the concept of Form Based Code for this district. The City's draft Bonanza Park Area Plan recommends similar strategies to preserve this neighborhood character.

As outdated buildings are replaced and existing buildings expand, the neighborhood will evolve into a local, mixed-use district. The Rail Trail State park provides a main pedestrian spine for connectivity at the eastern end of the district (Prospector Square). As the area redevelops, it is envisioned that this spine will extend through the Bonanza Park area.

As the neighborhood continues to evolve, multifamily residential uses should be concentrated within the Bonanza Park redevelopment area. By directing higher density redevelopment to this area, the neighborhood has the potential to provide more Life-Cycle housing opportunities for Parkites, including starter and empty nester (step-down) housing.

The area plan for this neighborhood should include a limit on nightly rentals if this district to be protected as a local's neighborhood.
The Goals and Policies outlined in Section 3.1 are adhered to in the Bonanza Park East proposal. There is one existing residential unit in the entire redevelopment area, so the loss of affordable housing is not a concern. The applicant has developed 12 affordable housing units on Empire Avenue in advance of this application to use as affordable housing credits for this proposal. The site on Empire is located in a prime area for affordable housing. Additional units were also developed adjacent to the clock tower building before this application was submitted in anticipation of fulfilling the affordable housing benefit for the site. Finally, the applicant is proposing an increased number of units of affordable workforce housing in Bonanza Park East as part of the overall master plan submittal. Gentrification is, to a certain extent, unavoidable during a redevelopment process. The applicant has gone to great lengths to preserve the Anaya's use as well as seek out a new home for the gas station. There will be some displacement of businesses as the property redevelops. Local, pedestrian-oriented interconnection is a theme throughout the Bonanza Park east proposal and the applicant has worked closely with City transportation planners to ensure that this connectivity is present and much-improved over the current situation. Finally, the applicant has agreed to restrict a large part of the units relative to nightly rental. This is an important consideration and one that demonstrates a willingness to listen to the input of the Commission and Staff.

3.2.1 Bonanza Park: An authentic neighborhood.
Authenticity during redevelopment can be a challenge. Incentives to further subdivide properties to create multiple property owners within the district will help to create a truly authentic place. Also, consideration to human scale, infusion of design elements representative of resident's diverse roots, contemporary design and consideration for the local history of the district can add to placemaking and authenticity. The evolution of architectural design create dover time will lead to an authentic, diverse district. Also, the introduction of form-based code will require incorporation of design elements found in a traditional urban neighborhood, including sidewalks, landscaping, public art, and building interest at pedestrian eye level.
The Bonanza Park East proposal does not incorporate the form-based code contemplated by this Goal, but it will offer a palette of industrial-style architecture that compliments and pays tribute to the mining industry that was the economic engine of Park City's past.

3.2.2 Bonanza Park and Prospector: The local employment hub.
To reach the goal of creating more diverse jobs for Parkites, a collaborative partnership approach to redevelopment must exist between the City, property owners, local residents and business owners. Participation from all parties is necessary to create a desirable mixed-use neighborhood in which existing and new businesses choose to call home. The City has a goal to utilize economic development tools to attract new businesses in cooperation with investors. Private property owner participation necessary for dedication of right-of-ways to transform the neighborhood into a connected neighborhood with public amenities. Infrastructure improvements that attract local residents and businesses must be explored and negotiated, including technology infrastructure, public utilities, sidewalks, bike lanes, trails, public parks, roads, transit and parking.
The proposal as it stands embraces this concept. The applicant is trying to work two critically important local arts non-profits into its design in a very significant manner. This will create vibrancy and diversity within the community. These organizations are economic drivers and add considerably to the social and cultural fabric of the community. Again, the work with Park City's transportation Planners has ensured that the connectivity contemplated in this Goal is achieved.

3.3 Bonanza Park: A model for sustainable redevelopment.
The Bonanza Park and Snow Creek Neighborhood will be a model for green, sustainable redevelopment in balance with nature. The Bonanza Park Area Plan is a blueprint for environmentally sustainable development. Many of the principals identified in the Bonanza Park Area Plan reflect those emphasized by the US Green Building Council's Leadership in Energy and Environmental Design for Neighborhood Development (LEED-ND) rating system. LEED-ND evaluates neighborhoods on a variety of principles within three categories: Smart location and Linkage, Neighborhood Pattern and Design, and Green Infrastructure and Buildings. The Bonanza Park Area Plan incorporates all of the highest ranking LEED-ND principles, plus a few extras, from each of these categories. Consideration should be given by the City to expand the Bonanza Park Area Plan and Form Based Code to include the entire Bonanza Park and Prospector neighborhood. Due to limits on density within the Prospector neighborhood, this area could become a receiving zone for TDR credits and further alleviate growth pressures on Greenfield development.
The Park City Building Department utilizes very strict Code compliance when it comes to energy efficiency and the Bonanza Park East proposal will fulfill the expectations that the most efficient energy design be implemented in the architecture. The applicant will not seek to achieve a LEED-ND designation due to the cost involved and primarily to the fact that the Park City Code already insists upon these principles being implemented in the plan. Nonetheless, the proposal will be an example of green design and will strive towards a goal of maximum environmental sustainability.

3.4 Bonanza Park: Connected via roadways, sidewalks, trails and a park system.
Connectivity is lacking throughout the district. The existing pattern of roads is disconnected, yet there is a great opportunity to fix this disconnection as part of an overall redevelopment plan for the area. The BOPA Area Plan introduces new rights-of-way opportunities, sidewalks, an extension of the rail trail leading to a central park, and trails connections within and around the district.

Beyond the importance of creating additional rights-of-way (ROWs) for vehicular access throughout the BoPa district is the need to utilize these ROWs for pedestrian and cyclist movement. This will allow for alternative modes of transportation thereby creating "complete streets".

In addition to these connectivity recommendations for Bonanza Park, focus should be given to improving the connection between BoPa and Prospector Square. Bonanza Drive, running north/south within the eastern section of BoPa is heavily trafficked as a vehicular corridor. Improved pedestrian connections across Bonanza Drive should be considered. The idea of a new under (or bridge over) Bonanza Drive to bring the rail trail further west into BoPa could create ease of access as well as a sense of entry to this district.
The Rail Trail is located a short distance from the property, but will still be utilized as a focal point for pedestrian and bicycle access. Additionally, the project will be designed with the "complete streets" concept in mind where pedestrians, bicyclists and autos will all be accommodated on the same road system. In addition, strong pedestrian and bicycle pathways that are unique to that use and do not incorporated the use of the auto will be placed along the main transportation corridors. Also, local mass transit has been discussed with City transportation planners and there will be no site more than 200 meters away from a bus stop.

3.5 Bonanza Park: Explore as a central hub for public transportation.
With the neighborhood centrally located within the City, a future public transportation hub should be considered. Transportation routes that save commuters time also result in saving he City money. To realize a change in the preferred transportation options from the car to walking, biking and public transportation, a new look at the time efficiency of trips should be studied. Connectivity with the Bonanza Park central district to the resorts would alleviate traffic issues throughout the City. For example, a Bus Rapid Transit (BRT) or streetcar/trolley system connecting Bonanza Park to Kimball Junction and Main Street would begin to change local commuting patterns.
While the current proposal does not plan for a regional transportation hub, it does incorporate those elements necessary for public transit to function well. The applicant encourages the City to look at its transportation needs and will cooperate fully with discussions that may involve this property and mass transit opportunities.

3.6 Bonanza Park: An important part of the Park City entry experience.
Due to its location along both of the entry corridors to Park City, the Bonanza Park and Snow Creek Neighborhood is geographically tied to the Park City entry experience. The scenic views that are currently afforded to those entering the City area defining characteristic of our town and should be preserved and enhanced.

Currently, here sides of the Bonanza Park and Snow Creek Neighborhood are located within the Frontage Protection Zone (FPZ). The FPZ helps to preserve scenic view corridors by providing a significant landscaped buffer between development and highway uses and by restricting the location and height of structures within the zone. The FPZ also allows for future pedestrian and vehicular improvements along the highway corridors.

In addition to investigating measures that would strengthen the FPZ, the City should also look at ways to enhance the entry experience. This might include installing public art, improving lighting or adding other elements that would improve entry corridors.
The FPZ has been identified as one of the more important concepts to consider as the Bonanza Park proposal moves forward. While there have been concerns raised regarding the heights of buildings that are adjacent of the FPZ, there has not been a denial of the discretionary encroachment that can take place on Kearns Boulevard. Rather, Commissioners and Staff have indicated that should the applicant desire discretionary approvals from the City in regards to heights and encroachments, then there should be corresponding increases in affordable/workforce housing and rental restrictions. The current proposal includes a significant increase in affordable/workforce housing above and beyond what the Code calls for and the applicant is also willing to incorporate rental restrictions to satisfy the Commission and the Staff.

3.7 The aesthetic of the Bonanza Park area should be true to the cent character and the vision.
There are four dominant architectural styles within the Bonanza Park district. The entryway along Park Avenue and Deer Valley Drive emphasizes the ties to the resort with repeated use of shed roofs, gables and timbers. As one wanders to the center of the district, known locally as Iron Horse, a more industrial, crappy design is apparent, with split block, horizontal siding and metal decorative elements, garage doors and roofing. Residential areas have front porches with recessed garages. The commercial buildings are traditional with exterior materials of brick, stucco or horizontal siding with symmetry of windows on the upper stories. The niches within the neighborhoods shall become more defined as the area redevelops.
The aesthetics of the Bonanza Park district will be greatly improved by incorporating sensitive and thoughtful design that emphasizes the mining and industrial theme that was the previous bedrock of this community. Resort-oriented architecture will be minimally incorporated and instead the aesthetic will focus upon those elements that the Staffa and the Commission have indicated are preferred.

Exhibit I – Applicant's Compliance with the Transportation Master Plan

November 8, 2016

Mr. Francisco Astorga, Senior Planner
Park City Planning Department
Park City Municipal Corporation
PO Box 1480
Park City, UT 84060

Project #: PL-15-02997
Bonanza Park East Master Plan Development Pre-Application

RE: Bonanza Park East Engineering and Transportation Compliance

Dear Francisco,

Please find enclosed the requested report from the applicant regarding the concerns of the City Engineering Department the compliance with the City's Transportation Master Plan Goals. We appreciate the opportunity to submit this report. Please let me know if you have any questions or concerns whatsoever regarding this report.

Engineering Department Concerns

1. There appears to be a service drive located off of Bonanza Drive just south of the Prospector Drive intersection. This service drive requires a delivery vehicle to maneuver within the Bonanza drive ROW. **After discussions with Planning Staff, Engineering and Transportation Planning Staff, the applicant has withdrawn the service drive from the plans.**
2. For a vehicle to maneuver into this drive, they will need to use a proposed paved pull-out located in the Bonanza Drive ROW. At this time, the City Engineer is not willing to change the use of this area from a public road, drainage and sidewalk to a private vehicle use. Without the pull-out, the service drive appears to useless. **The applicant has withdrawn this request at the recommendation of the City Engineer.**
3. The location of the paved road pull-out so a vehicle could use the service drive is immediate to the sidewalk and will create friction with those walking or biking on the sidewalk. The City Engineer does not support this layout which would create this conflict. **The applicant has withdrawn this request at the recommendation of the City Engineer.**

Transportation Master Plan Goals

1. GOAL 1: Park City will have a multimodal transportation system with complete streets and balanced availability of pedestrian, bicycle, transit and auto travel. The streets in the Bonanza

Park East submittal have specifically been designed to be "complete streets" with pedestrian bicycle and auto access**. By working with the City Staff, the applicant has incorporated significant changes to the plan to slow traffic and develop a very complete system of alternative transportation options. The tie-in to the Rail Trail as well as pulling the pedestrian and bicycle traffic away from Kearns and incorporating trees and vegetation as a separation buffer will help to further this goal. Additionally, there is no place on the project more than 200 meters away from public transit stops.**

2. GOAL 3: Park City residents, workers, day visitors and overnight guests will have efficient, direct and convenient regional transit connections from and to area resorts, Salt Lake and Utah Counties and other communities of the Wasatch Back. **The work the applicant has done with the Planning and Transportation Staff has ensured that there will be well-located public transit stops and access located throughout the project.**
3. GOAL 4: Park City will have a complete and well-connected network of trails, bicycle lanes and sidewalks that supports safe, convenient and pleasant walking and bicycling to accommodate the needs of residents, visitors and guests for short trips within the City and surrounding neighborhoods. **The applicant's work with the Staff has incorporated multiple alternative transportation methods that allows for clear and unobstructed access to the area trails and pedestrian pathways both to and from the proposed project.**
4. GOAL 7: Park City's transportation system will contribute positively to public health and quality of life by achieving a high level of travel safety and by creating an environment that supports active living**. The applicant's dialogue with the City Planning and Transportation Staff has made changes to the plan that will make certain that the project's streets, trails and pathways will be as safe and as usable as possible.**
5. GOAL 8: Park City's transportation system will contribute positively to improved environmental, social and economic sustainability of the community. **Again, the project has been heavily vetted through the Park City's Planning, Engineering and Transportation Staff and their comments have been incorporated thoroughly into the plan. The streets within the project are complete streets and have been designed so that through traffic becomes slowed down and high speeds are discouraged. This along with extensive adjustments with regards to traffic stops, bicycle rack areas, pedestrian pathways, etc. have ensured that this project fits well into Park City's overall Transportation Planning.**
6. GOAL 9: Park City's transportation system will support development of clustered and diverse land use centers by providing convenient multimodal access to each center concurrent with its development**. The bus stops and pedestrian/bicycle access along with the mass transit accommodations will allow the Bonanza Park East area to be a diverse land use center with an Arts district theme that is an easily accessible public land use center**.